



Statutory Planning Committee

Minutes

Meeting No. 7589
Tuesday, 15 May, 2018

Members:	Mr David Caddy - Chairman WAPC Ms Megan Adair - WAPC Appointee Ms Sue Burrows - Nominee of the Director General, Department of Planning, Lands and Heritage Mr Ray Glickman - WAPC Appointee Mr Steve Hiller - WAPC Appointee Mr Ian Holloway - Professions representative Ms Elizabeth Taylor - Local government representative Mr Ross Thornton - Nominee of the Minister for Regional Development
Others Present	Mr Andrew Cook - Planning Manager, Metropolitan Planning North West Ms Sam Fagan - Commission Support Manager Ms Lucy Gunn - Interim Executive Director, Governance and Corporate Planning Ms Irene Obales - Commission Support Officer Ms Michelle Sanfilippo - Commission Support Team Leader Ms Jacquie Stone - Planning Director, Metropolitan Planning Central

1. Declaration of opening

The Chairman declared the meeting open at 8:59 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed members.

2. Apologies

Nil.

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

Nil.

4. Disclosure of interests

Mr David Caddy - Item 9.3

The Chairman declared a perceived impartiality interest on Item 9.3 - Request for Reconsideration of a Public Open Space Contribution Condition Relating to Subdivision of Lot 437 Curlington Crescent, Balga, as the Chairman was the applicant for this item when he was employed by TPG + Place Match. The Chairman will not participate in discussion and will not vote for the item.

Due to the Chairman's disclosure of interest on Item 9.3 and in accordance with Clause 1.18 of the Standing Orders 2017, a member was chosen to preside over the meeting when the Chairman leaves the room during the discussion of Item 9.3.

Moved by Mr Holloway
Seconded by Ms Taylor

That Ms Adair presides over the meeting in the absence of the Chairman during the discussion for item 9.3.

The motion was put and carried

5. Declaration of due consideration

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

6. Chairman's report

Nil.

7. Minutes

7.1 Confirmation of minutes - Meeting No. 7588 on 1 May 2018

Moved by Ms Taylor
Seconded by Mr Hiller

That the minutes of the Statutory Planning Committee meeting held on Tuesday, 15 May 2015 be confirmed as a true and correct record of the proceedings.

The motion was put and carried

8. Deputations and presentations

8.1 Hillarys Boat Harbour Management Plan - 15 May 2018 (Item 9.1)

Presenter: Mr Matt Zuvela, Department of Transport, Infrastructure Planning

Mr Zuvela made a deputation to the Committee in support of the Hillary's Boat Harbour Management Plan and answered questions from members.

Mr Zuvela circulated a copy of the Pirate's Cove Hillarys Harbour development concept document.

A copy has been placed on file.

9. Statutory items for decision

9.1 Hillarys Boat Harbour Management Plan - 15 May 2018

Members discussed the deputation that had been made and agreed to endorse the alternative recommendation of the Department of Planning, Lands and Heritage.

Moved by Mr Hiller

Seconded by Ms Taylor

That the Statutory Planning Committee resolves to:

- 1. Refer the Hillary's Boat Harbour Management Plan dated 27 April 2018 to the Western Australian Planning Commission for endorsement subject to the following modifications:*
 - a. 1.2a) 3rd last line - change "approval" to "support in its capacity as the vested management authority for the harbour".*
 - b. Section 1.11.1 heading - change 'Department of Transport "decision making" process' to 'Department of Transport "consideration" Figure 7 top right blue bubble - remove the words "approved via sign-off by the DoT".*
 - c. Figure 8 Top left bubble - change "landowner" to "vested management authority".*
 - d. Section 2.9.6 2nd paragraph, last sentence - change "...accompanied by a copy of the WAPC and / or Department of Transport planning approval." to "accompanied by a copy of the WAPC planning approval."*
 - e. Appendix 1 Application checklist - Point 7 change "- in the event the application is refused by the DoT and / or WAPC further liaison..." to "in the event the application is refused by the WAPC further liaison..."*
 - f. Other minor typographical and grammatical corrections as required.*
- 2. Pursuant to Section 28 (4) of the Planning and Development (Local Planning Schemes) Regulations 2015 - Deemed Provisions for Local Planning Schemes, the Statutory Planning*

Committee resolves to revoke the Hillarys Boat Harbour Structure Plan and Implementation Strategy (2004) subject to the Western Australian Planning Commission's endorsement of the Hillary's Boat Harbour Management Plan.

The motion was put and carried

9.2 Lot 967 Beaufort Street, Bedford - Proposed Two Lot Subdivision

Members discussed the item and agreed to endorse the recommendation of the Department of Planning, Lands and Heritage.

Moved by Mr Glickman
Seconded by Ms Burrows

That the Statutory Planning Committee resolves to approve the application for survey strata Lot 967 Beaufort Street, Bedford as shown on the plan date-stamped 30 November 2017, subject to the following conditions:

CONDITIONS:

1. *The existing dwelling being retained is to comply with the requirements of the Residential Design Codes. (Local Government)*
2. *All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme, Building Act 2011, and National Construction Code Series/Building Code of Australia (as amended) . (Local Government)*
3. *Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on Lots 1 and 2, at the time of subdivision approval being demolished and materials removed from the lot(s). (Local Government)*
4. *All septic sewer systems including all tanks and pipes and associated drainage systems (soak wells or leach drains) and any stormwater disposal systems are to be decommissioned, in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, removed, filled with clean sand and compacted. Proof of decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/applicant, confirming that the site has been inspected and all septic tanks, soak wells, leach drains and any associated pipework have been removed. (Local Government)*

5. *The land required for the widening of Beaufort Street as shown on Land Requirement Plan 1.3559 (attached) is to be set aside as a separate lot for acquisition pending future road widening requirements. An easement is to be provided over the lot to be set aside for the benefit of the remaining lots for the purpose of providing water, sewer, drainage, gas, electricity, television, telecommunications and other necessary service infrastructure, pending construction of the future road widening. (Western Australian Planning Commission)*
6. *Pursuant to Section 150 of the Planning and Development Act 2005 and Division 3 of the Planning and Development Regulations 2009 a covenant preventing vehicular access onto Beaufort Street being lodged on the certificate of title of proposed Lot 2 at the full expense of the landowner/applicant. The covenant is to prevent access, to the benefit of the Western Australian Planning Commission in accordance with the plan dated 30 November 2017 (attached) and the covenant is to specify:*

"No vehicular access is permitted to and from Beaufort Street."
(Western Australian Planning Commission)
7. *A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificates of title of the proposed lots. 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 is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected by transport noise." *(Local Government)*
8. *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 to the survey-strata lots 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 10 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)*
9. *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)*

10. *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)*

ADVICE:

1. *The City of Bayswater advises in regard to Condition 1, the existing dwelling to be retained is to be upgraded to comply with the requirements of the Residential Design Codes to the specification of the local government and to the satisfaction of the Western Australian Planning Commission, including but not limited to the following:*
 - a. *the provision and construction of one (1) car bay;*
 - b. *the provision of a permanent enclosed storage facility and adequate provision for rubbish storage;*
 - c. *the provision of a 30m² outdoor living area, with a minimum dimension of 4 metres; and*
 - d. *the provision of adequate stormwater storage within the lot.*
2. *In regard to Condition 3, planning approval and/or a demolition licence may be required to be obtained from the local government prior to the commencement of demolition works.*
3. *The City of Bayswater advises all street trees within the verge adjoining the property are to be retained, unless written approval has been granted by the City of Bayswater for their removal. In addition, the trees are required to be protected during construction in accordance with AS4970-2009. The landowner/applicant is advised to liaise with the City of Bayswater.*
4. *In regard to Condition 8, Western Power provides only one underground point of electricity supply per freehold lot.*
5. *In regard to Conditions 9 and 10, 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.*
6. *In regard to Conditions 8, 9 and 10, it is the Commission's expectation that each strata lot be provided with its own suitable utility service connection, which is protected by easements where necessary. This is to ensure that each strata lot is*

development ready and does not result in the need to extend services over adjacent strata lots after titles have been created.

The motion was put and carried

9.3 Request for Reconsideration of a Public Open Space Contribution Condition Relating to Subdivision of Lot 437 Curlington Crescent, Balga

The Chairman declared a perceived impartiality interest on this item and left the meeting at 9:32 am.

The nominated Chairperson, Ms Adair, presided over the meeting in the absence of the Chairman.

Members discussed the item and agreed to endorse the recommendation of the Department of Planning, Lands and Heritage.

Moved by Mr Glickman

Seconded by Mr Hiller

That the Statutory Planning Committee resolves to retain Condition 6 and Advice Note 3 of the Western Australian Planning Commission's subdivision approval relating to Lot 437 Curlington Crescent, Balga (WAPC 753-17) as follows:

CONDITION:

6. *An area(s) of land at least 87.3m² in area, in a position to be agreed with the Western Australian Planning Commission, being shown on the diagram or plan of survey (deposited plan) as a reserve for Public Open Space 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)*

ADVICE:

3. *With regard to Condition 6, provisions of section 153 of the Planning and Development Act 2005 provide that arrangements can be made, subject to further approval of the Western Australian Planning Commission, for a cash-in-lieu contribution by the landowner/ applicant to the local government.*

The motion was put and carried

The Chairman returned to the meeting at 9:39 am and presided over the meeting.

10. Policy items for discussion / decision

11. Confidential items

11.1 Shire of Jerramungup - Local Planning Scheme No.2 - Amendment 11

THIS ITEM IS CONFIDENTIAL

12. Reports for noting

Nil.

13. Stakeholder engagement and site visits

Site visit to Ellenbrook to view 80sqm housing project.

Members briefly discussed the itinerary for the site visit to Ellenbrook.

14. Urgent or other business

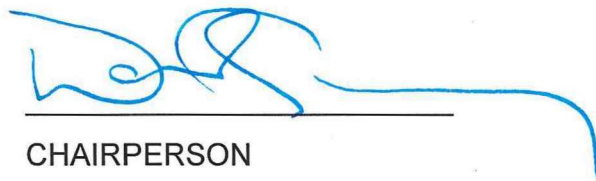
Nil.

15. Items for Consideration at a Future Meeting

16. Meeting closure

The next ordinary meeting is scheduled for 9:30 am on Tuesday, 29 May 2018.

There being no further business before the Committee, the Chairman thanked members for their attendance and declared the meeting closed at 10:00 am.



CHAIRPERSON

31.05.18

DATE