



## Statutory Planning Committee Minutes

Meeting No. 7624  
Tuesday, 29 October, 2019

- Members: David Caddy - Chairman WAPC  
Megan Adair - WAPC Appointee  
Vaughan Davies - Nominee of the Director General, Department of Planning, Lands and Heritage  
Lino Iacomella - WAPC Appointee  
Leonard Kosova - Local Government Representative  
Nina Lyhne - WAPC Appointee  
Marion Thompson - Professions Representative  
Ross Thornton - WAPC Appointee
- Apologies: Paddi Creevey - Nominee of the Regional Minister  
Kym Davis - Community Representative
- Others present: Kathy Bonus – Chief Planning Advisor  
David Brash – Principal Planning Officer, Regional South West  
Garreth Chivell – Planning Manager, Schemes and Amendments  
Marion Dandridge – Planning Manager, Regional South West  
Katie Dowling – Commission Support Officer  
Leah Elliott – Acting Senior Planning Officer, Metro South West  
Sam Fagan – Manager, Commission Support  
Sally Grebe – Director Planning Appeals, Strategic Planning Projects  
Jas Lapinski – Senior Planning Officer, Metro South and Peel  
Georgina Lockhart – Administrative Officer, Commission Support  
Michelle Matthewman – Commission Support Officer  
Rohan Miller – Planning Director, Schemes and Amendments  
Rebecca Risteski – Senior Planning Officer, Schemes and Amendments  
Suzanne Roach – Senior Planning Officer, Metro Central  
Dale Sanderson – Director, Metro Central  
Michael Schramm – Director, Regional South West

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### 1. Declaration of opening

The Chairman declared the meeting open at 9.54am, acknowledged the Whadjuk people of the Noongar nation as the traditional owners and custodians of the land on which the meeting is taking place and welcomed members.

The Chairman welcomed Vaughan Davies as the Nominee of the Director General to the Statutory Planning Committee.

**2. Apologies**

Ms Paddi Creevey - Nominee of the Regional Minister

Ms Kym Davis - Community Representative

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

Nil.

**4. Disclosure of interests**

Mr Kosova declared an Impartiality Interest on Item 8.4 – Shire of Harvey Local Planning Strategy – Final Approval Subject to modifications as Mr Kosova has immediate family who live in and own various land throughout the Shire of Harvey. Mr Kosova also declared an Indirect Pecuniary Interest on Item 8.4 as he has clients through LK Advisory within the Shire of Harvey and Dardanup. Members agreed that Mr Kosova should not be present during discussion and/or decision-making on the item.

Ms Thompson advised the Committee that she received a phone call from a proponent of Item 8.4 Shire of Harvey Local Planning Strategy – Final Approval Subject to modifications, it was noted that Ms Thompson did not discuss the Item with the proponent. Members acknowledged Ms Thompson's disclosure.

The Chairman advised the Committee that he met with a proponent of Item 8.4 Shire of Harvey Local Planning Strategy – Final Approval Subject to modifications.

**5. Declaration of due consideration**

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

**6. Minutes**

**6.1 Confirmation of minutes - Meeting No. 7623 on Tuesday, 15 October 2019**

**Moved by** Mr Iacomella

**Seconded by** Ms Thompson

*That the minutes of the Statutory Planning Committee meeting held on Tuesday, 15 October 2019, be confirmed as a true and correct record of the proceedings.*

**The motion was put and carried**

**7. Deputations and presentations**

**7.1 Proposed Helipad - Royal Perth Hospital - Lot 212 Wellington Street, Perth (Item 8.1)**

**Presenters:** Dr Sudhakar Rao - State Director of Trauma (RPH),  
Graeme Jones - Executive Director of Finance and Infrastructure,  
EMHS and David Read - Director of Town Planning, Element WA

Dr Sudhakar Rao thanked the Statutory Planning Committee for the opportunity to present and introduced Graeme Jones, David Read and Emma Moroney. Dr Rao provided a detailed historical summary of the Royal Perth Helipad which was built in 1999.

It was noted the Helipad is the 2nd most utilised in Australia. In the last 5 years Royal Perth Hospital has received an average of 247 patients per year via the Helipad with the majority presenting as major trauma. Dr Rao stated the new Helipad is required at Royal Perth Hospital to meet pending Civil Aviation Safety Authority (CASA) regulations. As a result of these regulations the Department of Fire and Emergency Services (DFES) plan to upgrade their current aero-medical helicopter fleet by 2021/2022, the smallest future weight of the helicopter will be 7,000kg. It was noted the current Royal Perth Helipad has a Safe Working Limit of 5,400kg.

Dr Rao stated that the East Metropolitan Health Service supported Condition 3 of the recommendation. Mr Jones stated it would be preferred to remove Condition 4 of the recommendation to retain the skirt to maintain a positive visual amenity. It was noted meetings with the City of Perth had taken place regarding signage design. To change the distance of the skirt would incur a large cost which East Metropolitan Health Service does not have budget for, and their preference is not to delay the application. Members queried the current distance of the skirt and the distance to the floor if skirt was to be changed.

#### **8.1 Proposed Helipad - Royal Perth Hospital - Lot 212 Wellington Street, Perth**

Members discussed the potential re-design of the Helipad signage and skirt according to the City of Perth's condition. Members discussed the concerns raised during the deputation regarding Condition 4 and agreed to remove this based on the imperative time frame of the application and significant cost involved in alterations to the skirt.

Members agreed to endorse the recommendation of the Department of Planning, Lands and Heritage with the removal of Condition 4.

**Moved by Mr Iacomella**

**Seconded by Ms Adair**

*That the Statutory Planning Committee resolves to approve the application subject to the following conditions:*

- 1. The development is to be carried out in accordance with the plans date stamped 4 July 2019, subject to any modifications as required by the conditions of approval.*
- 2. The development approval is valid for two years from the date of this letter. If the subject development is not substantially commenced within a two-year period, the approval shall lapse and be of no further effect.*

3. *Prior to commencement of works, final details of the design and a sample board of the materials, colours and finishes and details of the signage illumination shall be submitted and approved to the specification of the City of Perth and to the satisfaction of the Western Australian Planning Commission.*

**The motion was put and carried**

**7.2 Proposed Subdivision - Lot 9501 Holland Loop, Crooked Brook (Dardanup) (Item 8.3)**

**Presenters: Kathryn Kinnear - Bio Diverse Solutions**

Ms Kinnear presented to the Statutory Planning Committee representing Bio Diverse Solutions, as a Level 2 Bushfire Practitioner. Ms Kinnear outlined her support of the recommendation including support for the Bushfire Protection measures of the subdivision prepared under the previously imposed guidelines.

Ms Kinnear acknowledged that the public access and main access way to Holland Loop meets public road standards, and that a future road is indicated through Lot 564.

It was noted that as per the water supply legislation guidelines a water tank was purchased and installed previously, and Ms Kinnear agreed with the officer's recommendation that it was not practical to impose the installation of further water infrastructure.

**7.3 Shire of Capel - Town Planning Scheme No. 7, Amendment No. 65 - Development Contribution Plan - For Final Determination (Item 9.1)**

**Presenters: Kim Muste - Shire of Capel**

Mr Muste presented to the Statutory Planning Committee representing the Shire of Capel and thanked the Committee for the opportunity. Mr Muste acknowledged that the Development Contribution Plan referred to the Commission in 2017 raised concerns on the growth and contribution rates for Boyanup and Dalyellup, which the Shire also recognised as high. It was noted that the Shire had twice lowered the rates for Dalyellup, Boyanup and Capel in response to submissions and growth trends.

Mr Muste acknowledged that Boyanup faces challenges with meeting growth rates and members queried the demand from existing residents for community infrastructure and how this is reflected in the new development. Mr Muste acknowledged the wants of the community versus what can be achieved at current growth rates is challenging to achieve. It was noted that the Boyanup community has existing community facilities, including recreation grounds focused in the centre of town, open space, park lands that back onto the river and upgraded tennis courts.

Mr Muste stated the Shire recognises the long term financial plan, and the need to move forward working closely with the Department of Planning, Lands and Heritage. Mr Muste suggested the Development

Contribution Plan go forward in its current format and believes there is scope for early review particularly if the growth rates aren't realised.

**The meeting was adjourned at 10:28am.**

**The meeting was resumed at 10:33am with all members present.**

**7.4 City of Gosnells - Draft Local Planning Scheme No. 24 - Consent to Advertise (Item 9.2)**

**Presenters: Brad Gleeson - City of Gosnells**

Mr Gleeson thanked the Statutory Planning Committee for the opportunity to present on the behalf of the City of Gosnells. Mr Gleeson stated that the City supports the remodification and key elements of the Scheme. Mr Gleeson noted the City's strong transit orientation focus.

Mr Gleeson noted that current Scheme supports increased density, urban in fill housing and large lots in close proximity to existing train stations, however, identified some constraints which include no deep sewerage in Kenwick. Mr Gleeson discussed areas of Gosnells, Southern River and 600 hectares off Tonkin Highway for medium to long term development, with opportunity for subdivision. Mr Gleeson also noted Maddington as the City's secondary centre which is undergoing commercial redevelopment, with a 20-year industrial plan.

Mr Gleeson discussed that the City and the Department of Planning, Lands and Heritage continue to work closely to resolve environmental issues, particularly the Greater Brixton Street Wetlands and advised that the City will undertake a comprehensive review of the area through the Environmental Protection Authority and resolve any residential issues in close proximity to the Wetlands.

Mr Gleeson closed by acknowledging the City of Gosnell's support of the Scheme and current progress, and requested that the Committee approve the advertisement of the Scheme.

**7.5 Shire of Harvey - Local Planning Strategy – Final Approval subject to modifications (Item 8.4)**

**Presenters: Paul Davies - Property Owner**

Mr Davies presented to the Statutory Planning Committee as the land owner of Lot 4202 Myalup Beach Road, Uduc. Mr Davies asked that the Committee support the modification of the Local Planning Strategy to include the land in rural residential precinct 3.

Mr Davies outlined the proposal for the creation of 6 rural residential lots, on the 65-hectare lot, with sizes varying between 5 and 15 hectares. It was noted that lot sizes would depend on varying conservation of vegetation and wetlands, as well as providing a usable area for hobby farm activities. Mr Davies discussed how the site is comprised of sandy soil, with good drainage and that was approximately 40% cleared with good vegetation and parkland.

Mr Davies explained that the lots are surrounded by approximately 60 existing rural residential lots, are opposite the Harvey Golf Club and

stated that the proposal would essentially complete the existing precinct. Mr Davies stated that the lot has good access to Myalup Beach Road and Thornton Drive through to Forrest Highway, located 8 kilometres from the Harvey Town site.

Mr Davies discussed how he had met with the Shire of Harvey and an officer from the Department of Planning, Lands and Heritage prior to purchasing the land. At this time Mr Davies was advised that the Commission would likely support the proposal for a rural residential subdivision. However, after acquiring the property he was advised that the proposal may not be supported and could be considered through the submission process of the Local Planning Strategy.

Members queried if the land had an easement or the Dampier to Bunbury Natural Gas Pipeline running through the property, Mr Davies confirmed the Dampier to Bunbury Natural Gas Pipelines runs through the property.

**7.6 Shire of Harvey - Local Planning Strategy – Final Approval subject to modifications (Item 8.4)**

**Presenters: Mike Davis - Element and David Van der Walt - Ascot Capital Limited**

Mr Davis presented to the Statutory Planning Committee representing Element, with Mr Van Der Walt who represents Ascot Capital Limited. Mr Davis thanked the Committee for the opportunity to speak in support of the recommendation in relation to Lot 561 Paris Road.

Mr Davies stated that Ascot Capital Limited has undertaken detailed studies to investigate optimal development of the site, including a Land Demand Assessment. It was noted that the study of 20 hectares of the land supported light industrial land development in Harvey, Bunbury and Dardanup to meet that medium to long term demand within the Shire.

Mr Davis noted that if the entire site was to remain light industrial there would not be no housing contribution to the area to accommodate further growth. Mr Davis stated that Landowner is committed to the process.

**7.7 Shire of Harvey - Local Planning Strategy – Final Approval subject to modifications (Item 8.4)**

**Presenters: Stuart Thompson - Priority Management**

Mr Thompson presented to the Statutory Planning Committee representing Priority Management. Mr Thompson discussed how the area north of Clifton Road had been identified in a range of plans in the past for settlement opportunity. It was noted that the land is identified as rural residential in the advertised Strategy, with quality irrigation, Brunswick River to the north and existing rural residential to the eastern side.

Mr Thompson stated that consideration and collaboration with the council had taken place over 5 years to ensure appropriate use of the

land and a more sophisticated design outcome. This included flora and fauna assessment and suggested rural residential lot sizes ranging from 2000m<sup>2</sup> to 5 hectares.

Mr Thompson reiterated that the purpose of his deputation was not to suggest a full urban solution but to advise the Committee regarding flexibility and lot sizes as the most appropriate planning solution for this site.

Mr Thompson acknowledged Main Roads comments on there been no left out on to the Bunbury Outer Ring Road at Clifton Road, and that they accept that the intersection cannot meet desired lines. They propose that the outer ring road improves access to the site, together with further consideration from Main Roads as part of Strategic Plan process to ensure site lines are correct.

Mr Thompson discussed that the Water Corporation report states that water services cannot be provided to the precinct as it is not in a Water Corporation licenced area. It was noted that further sewer planning may need to be reviewed and that the majority of services to the precinct will be developer funded. Mr Thompson discussed how Harvey Water have shown interest in providing water services to the precinct.

Mr Thompson discussed the Bunbury Geographe Growth Plan which has support within the community and highlighted the importance of the need to maintain lifestyle choices as a point of difference to metropolitan Perth. Mr Thompson acknowledged that the Local Planning Strategy has been through a number of changes and did not wish to see the precinct as a lost opportunity.

## **7.8 Shire of Harvey - Local Planning Strategy – Final Approval subject to modifications (Item 8.4)**

### **Presenters: Gary Fitzgerald - Tecon Australia**

Mr Fitzgerald presented to the Statutory Planning Committee representing Tecon Australia, and thanked the Committee for the opportunity. Mr Fitzgerald stated that he did not support the officer's recommendation regarding the removal of the rural residential precinct of South Treendale. Mr Fitzgerald asked that the proposal be assessed on merit and highlighted the good development opportunities of the land.

Mr Fitzgerald discussed the 1996 Structure Plan, which was not endorsed by the Western Australian Planning Commission, as being valid and objects to the proposed rural residential precinct south of Treendale Rd (RR2), being removed from the local planning strategy. Mr Fitzgerald discussed how the approach undertaken by the department is to be restrictive.

Mr Fitzgerald stated that the planning outcome should not be universal and that rural residential provides a lifestyle choice. Mr Fitzgerald discussed how the land bound by roads, in close proximity to a major shopping centre, and educational settlement is ideal for lifestyle pursuits.

**7.9 Shire of Harvey - Local Planning Strategy – Final Approval subject to modifications (Item 8.4)**

**Presenters: Justin Hansen, Frank Arangio - Creative Design + Planning, Travis Taylor - TayCot and Geoff Pearson - Landowner Representative**

Mr Arangio presented to the Statutory Planning Committee with Mr Hansen of Creative Design + Planning, Mr Taylor of TayCot and Mr Pearson a Landowner representative. Mr Arangio stated their support of the Shire of Harvey Local Structure Plan, but opposed the modifications regarding the land to the East of Treendale.

Mr Arangio believes the perceived issues identified with servicing the area to be unsubstantiated and with the revised alignment of the Bunbury Outer Ring Road the area offers immediate urban development. Mr Arangio stated his support for the immediate development of the area which could be concurrent with Wanju, given the support of the two primary landowners. Mr Arangio stated that Harvey Water has been engaged and has given no sign of opposition to the area becoming urban.

Mr Arangio discussed that servicing and infrastructure could be undertaken by the developer and therefore deliver 2,500 lots, a high school and local centre in 5 years, to service the employment base at Kemberton.

**7.10 Shire of Harvey - Local Planning Strategy – Final Approval subject to modifications (Item 8.4)**

**Presenters: Simon Hall, Elizabeth Edwards and Annie Riordan - Shire of Harvey**

Mr Hall presented the Statutory Planning Committee with Elizabeth Edwards and Annie Riordan on behalf of the Shire of Harvey. Mr Hall noted the responsible approach of the Shire Local Planning Strategy for future development of the northern growth corridor which seeks to connect rural residential components and build long term future growth.

Mr Hall stated that the Shire had not contemplated planning for the modification of the outer ring road to extend 4.5 kilometres into the Shire and strongly opposed this, as it would have significant impact to the growth corridor north of Bunbury. Mr Hall noted that Treendale East would gain advantage due to the better connection to the urban area and despite this no urban growth area has been identified. Mr Hall emphasised the need for a planning investigation area to provide clarity for future development.

Mr Hall discussed their support for Submission 27 for the inclusion of Lot 4202 Myalup Beach Road for further investigation as rural residential, noting that the environmental issues could be addressed in this.

Members queried the viability of new planning investigation areas in the Shire of Harvey where the growth rate has shown to be slow. It was

noted that the principal of the Local Planning Strategy should provide some certainty to the Shire and Landowners and not cause further delay in new development. Mr Hall stated they would prefer to see higher density to the East of the Bunbury Outer Ring Road, but remains planning investigation.

Members queried the priorities of Wanju future development and it was noted that the Shire is not opposed to the development.

Due to an Impartiality Interest on Lot 561 Paris Road Mr Hall left the room at 11:35am and Ms Edwards continued the deputation.

Ms Edwards stated the Shire does not support Submission 28 regarding Lot 561 Paris Road, and modification number 22.

Ms Edwards discussed that there is no evidence to support loss of existing undeveloped light industrial land in the area of growing population. Members queried the assessment of the light industrial land, and it was noted a revised addition has been submitted, but noted documents only consider a ten-year plan.

## ITEMS FOR DECISION

### 8.2 Development Application - Extension to Existing Classroom - Lot 5023 Education Drive, Mandurah

**Moved by Ms Adair**

**Seconded by Mr Kosova**

*That the Statutory Planning Committee resolves to approve the application subject to the following conditions and advice:*

- 1. This decision constitutes approval to commence development only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the four-year period, the approval shall lapse and be of no further effect.*
- 2. This approval relates to the extension of the John Tonkin Support Centre building, in accordance with the attached plans (Attachment 2) to the satisfaction of the Western Australian Planning Commission.*
- 3. Prior to occupation information is to be provided to demonstrate that the measures contained in Section 6 of the bushfire management plan have been implemented during construction works to the satisfaction of the Western Australian Planning Commission.*
- 4. The turn-around area being upgraded to the standards as outlined in the Guidelines for Planning in Bushfire Prone Areas and the specifications of the City of Mandurah Areas to the satisfaction of the Western Australian Planning Commission.*

*Advice:*

- 1. In relation to Condition 4, it is the Western Australian Planning Commission's expectation that the existing cul-de-sac head will be*

*modified to comply with Acceptable Solution 3.5 of the Guidelines for Planning in Bushfire Prone Areas.*

**The motion was put and carried**

**8.3 Proposed Subdivision - Lot 9501 Holland Loop, Crooked Brook (Dardanup)**

**Moved by Ms Adair**

**Seconded by Mr Kosova**

*That the Statutory Planning Committee resolves to approve the application for subdivision of Lot 9501 Holland Loop, Crooked Brook (Dardanup) as shown on the plan date stamped 21 December 2018 subject to the following conditions:*

**CONDITION(S):**

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 underground electricity supply to the lot(s) shown on the approved plan of subdivision. (Western Power).*
2. *The transfer of land as a Crown reserve free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)*
3. *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:*
  - *lots can accommodate their intended use; and*
  - *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)*
4. *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 and Environmental Regulation, consistent with any approved Local Water Management Strategy/Drainage and Water Management Plan. (Local Government)*
5. *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 for the site, or where no*

*Urban Water Management Plan exists, to the satisfaction of the Western Australian Planning Commission. (Local Government)*

6. *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).*

7. *Suitable arrangements being made for connection of the land to the comprehensive district drainage system at the landowner/applicant's cost. (Local Government)*
8. *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).*
9. *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 Water and Environmental 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 Water and Environmental Regulation)*

10. *Information is to be provided to demonstrate that the measures contained in Section 6; Table 6.2 of the Bushfire Management Plan and Bushfire Attack Level Contour Plan Report (Final Version dated 20 March 2019) have been implemented during subdivisional works. This information should include a completed 'Certification by Bushfire Consultant' from the bushfire management plan. (Local Government)*
11. *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, 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)*

12. *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 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 Western Australian Planning Commission confirming that the works will be completed within a reasonable period as agreed by the Western Australian Planning Commission. (Local Government)*

13. *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:*

- *street lighting is installed on all new subdivisional roads to the standards of the relevant licensed service provider;*
- *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; and*
- *temporary turning areas are provided to those subdivisional roads that are subject to future extension; to the satisfaction of the Western Australian Planning Commission. (Local Government)*

14. *Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)*

15. *A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:*

*'A mains potable water supply is not available to the lots.' (Local Government)*

16. *A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as*

*follows:*

*'A reticulated sewerage service is not available to the lot(s).'* (Local Government)

- 17. Prior to the commencement of subdivisional works, the landowner/applicant is to provide a site and soil evaluation to determine the type of on-site sewage treatment system required and the appropriate location for on-site sewage disposal. (Local Government)*
- 18. The landowner/applicant shall provide a written undertaking to the satisfaction of the Western Australian Planning Commission to advise prospective purchasers of the provisions of the local government's local planning scheme that relate to the use and management of the land. (Local Government)*
- 19. Prior to commencement of subdivisional works, a detailed plan identifying building envelope(s) on all lots on the approved plan of subdivision is to be prepared in consultation with the local government to ensure the appropriate siting of development, to the satisfaction of the Western Australian Planning Commission. (Local Government)*
- 20. The subdivider making satisfactory arrangements with the Local Government to contribute towards the costs of provision of foreshore facilities identified in the Dardanup West/Crooked Brook Structure Plan area in accordance with TPS3 and Council Policy CP094 - Dardanup West/Crooked Brook Area -Provision of Foreshore Facilities Developer Contribution Policy. (Local Government)*
- 21. Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:*
  - All dwellings shall be constructed to have a minimum finished floor level of 500mm above the nearest adjoining road level, whichever is the greater, as determined by a licenced surveyor.*
  - The area may be subject to seasonal inundation.*
  - This lot supports native wildlife including threatened Western Ringtail Possum and black Cockatoo species. Lot owners are encouraged to retain, maintain and or plant local endemic shrubs and trees suitable for Western Ringtail Possum and Black Cockatoo habitat. (Local Government)*

*ADVICE:*

- i. In regard to Condition 1, Western Power provides only one underground point of electricity supply per freehold lot.*

- ii. *With regard to Conditions 4, the Department of Water and Environmental Regulation advises that there is an endorsed Urban Water Management Plan (Lot 5 Garvey Road - Urban Water Management Plan Rev A – 2nd December 2014). This subdivision should be consistent with the endorsed Urban Water Management Plan.*
- iii. *Conditions 4 and 5, 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' (Published by the then Department of Water 2008).*
- iv. *With regard to Condition 6, the Department of Health advises that a site specific geotechnical report of the site under late winter conditions (July/August) will need to be submitted. The geotechnical report should include the following information:*
  - o *Soil profile to a depth of at least 2.0 metres;*
  - o *Soil permeability;*
  - o *Water table encountered to a depth of 2.0 metres; and*
  - o *Site topography and any other features such as rock outcrops and water courses*

*The site investigation shall be undertaken by a qualified consultant and tests performed to the procedures laid out under Australian Standard 1547 (2000) or Schedule 8 of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.*

- v. *Condition 9 makes reference to an 'acid sulphate soils self-assessment form'. This form can be downloaded from the Western Australian Planning Commission's website. The 'acid sulphate soils self-assessment form' makes reference to the Department of Water and Environment Regulation's 'Identification and Investigation of Acid Sulphate Soils' guideline. This guideline can be obtained from the Department of Water and Environment Regulation's website. [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au).*
- vi. *The landowner/applicant is advised that the Department of Water and Environmental 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 the Local Government. Further information on the guidelines can be obtained from the Department of Water and Environmental Regulation's website [www.der.wa.gov.au](http://www.der.wa.gov.au) under air quality publications.*
- vii. *The landowner/applicant and the local government are advised to refer to the 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.*

- viii. *In regard to Condition 12 and 13, 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.*
- ix. *The balance lot contains a resource enhancement wetland and other vegetated areas which will need to be protected and fenced at the future stage/s of subdivision.*
- x. *In regard to Condition 17, the size and location of sewage disposal areas are to be consistent with Government Sewerage Policy. Best practice is provided in Australian/New Zealand Standard 1547 On-site domestic sewage management.*

**The motion was put and carried**

**9.4 Key Matters Coversheet and Publication of Meeting Agendas-  
Report dated 29 October 2019**

**THIS ITEM IS CONFIDENTIAL**

**8.4 Shire of Harvey - Local Planning Strategy – Final Approval subject  
to modifications**

**Mr Kosova declared an Impartially and Indirect Pecuniary Interest on the Item and left the meeting at 11:41am.**

Members discussed the likely timeframe for the completion of the Bunbury Geographe Sub-regional Strategy. Any significant changes from the current Greater Bunbury Strategy could then be included in the Harvey Local Planning Strategy as an amendment. Members discussed the importance of endorsing the local planning strategy due to the time it had taken to finalise the document and the need for the LPS to inform the Shire's new Planning Scheme which is long overdue.

Members further acknowledged the importance of the Bunbury Geographe Sub-regional Strategy and the need for this document to inform the LPS. Members noted that the Bunbury Outer Ring Road alignment had implications for the land to the east of the alignment and the issues that area faces with servicing. It was noted that the timing for the long-term investigation are to the west of the BORR alignment could be considered through the Bunbury Geographe Sub-regional Strategy process.

In relation to Rural Residential development south of Raymond Road (submission 16), members queried the validity of the Structure Plan cited by the proponent from 1996 and confirmed that no endorsed Structure Plan was located.

Members discussed the future potential of land for development east of the BORR and noted that this should be further investigated as part of the Bunbury Geographie Sub-regional Strategy investigations.

Members queried if there was reference to the Bunbury Dampier Natural Gas Pipeline and it was confirmed that this would be reflected on the maps and in the text.

Members acknowledged the second and late submission related Lot 561 Paris Road. It was noted that further investigation was required in relation to this submission and as such could not make a decision on the removal of modification 22 as requested by the Shire at this time. Members noted an error referencing submission 28 and this would be amended.

Members agreed to endorse the recommendation of the Department of Planning, Lands and Heritage with amendments to the error in the modification. Members noted the importance of ensuring the relevant landowners, working groups and stakeholders are engaged to work through the issues that have been presented.

**Moved by Mr Thornton**  
**Seconded by Ms Thompson**

*That the Statutory Planning Committee resolves to:*

- 1. determine the submissions lodged on the Shire of Harvey Local Planning Strategy dated June 2018, in accordance with the Schedule of Submissions set out at Attachment 11,*
- 2. consider that modification to the Local Planning Strategy, in accordance with the Schedule of Modifications set out at Attachment 12 is required,*
- 3. subject to the above modifications being satisfactorily undertaken, endorse the Local Planning Strategy under regulation 15 of the Planning and Development (Local Planning Schemes) Regulations 2015,*
- 4. authorise Department of Planning, Lands and Heritage officers to review the modifications to ensure they have been satisfactorily undertaken and execute the documents accordingly,*
- 5. advise the local government to publish a notice advising of the endorsement of the Local Planning Strategy in accordance with regulation 16 of the Planning and Development (Local Planning Schemes) Regulations 2015.*

**The motion was put and carried**

**Mr Kosova returned to the meeting at 12:12pm.**

- 9.1 Shire of Capel - Town Planning Scheme No. 7, Amendment No. 65  
- Development Contribution Plan - For Final Determination**

**THIS ITEM IS CONFIDENTIAL**

**9.2 City of Gosnells - Draft Local Planning Scheme No. 24 - Consent to Advertise**

**THIS ITEM IS CONFIDENTIAL**

**9.3 Forrestfield North - Local Structure Plan – Draft**

**THIS ITEM IS CONFIDENTIAL**

**10. Reports for noting**

Nil.

**11. Stakeholder engagement and site visits**

Nil.

**12. Urgent or other business**

Nil.

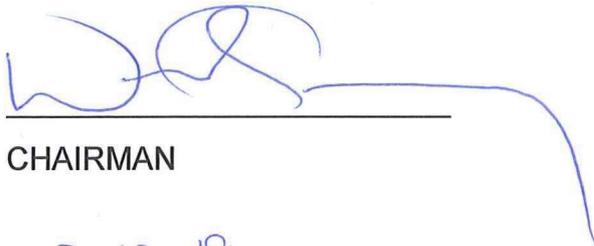
**13. Items for consideration at a future meeting**

Nil.

**14. Meeting closure**

The next ordinary meeting is scheduled for 9.30am on Tuesday, 12 November.

There being no further business before the Committee, the Chairman thanked members for their attendance and declared the meeting closed at 12:43pm.



CHAIRMAN

05.12.19

DATE