



**Statutory Planning Committee
Minutes**

Meeting No. 7687
Tuesday, 13 September, 2022

- Members:** David Caddy - Chairman WAPC
Lynne Craigie - Nominee of the Regional Minister
Vaughan Davies - Nominee of the Director General, Department of Planning, Lands and Heritage
Kym Davis - Community Representative
Lino Iacomella - WAPC Appointee
Leonard Kosova - Local Government Representative
Marion Thompson - Professions Representative
Ross Thornton - WAPC Appointee
- Apologies:** Nina Lyhne - WAPC Appointee
- Others present:** Kathy Bonus - Chief Planning Advisor, Reform, Design and State Assessment
Mario Carbone - Senior Planning Officer, Metro North
Ryan Carvell - Principal Planning Officer, Regional North
Sean Collingwood - Planning Director, Regional North
Michael Daymond - Strategic Advisor WAPC
Zoe Davidson - Commission Support Officer
Sam Fagan - Manager Commission Business
Cate Gustavsson - A/Planning Director, Regional South West and Great Southern
Mark Jendrzeczek - Senior Planning Officer, Regional South West and Great Southern
Michelle King - Senior Commission Support Officer
Scott Penfold - Senior Planning Officer, Regional South West and Great Southern
Phillida Rodic - Planning Director Reform Projects, Reform Design and State Assessment
Dale Sanderson - A/Assistant Director General, Land Use Planning

1. Declaration of opening

The Chairman declared the meeting open at 9:29am, 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 paid respect to elders past and present, and extended solidarity and hope for a just and dignified future for us all.

2. Apologies

Nil.

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

Nina Lyhne - WAPC Appointee

Mr Kosova advised that he will require a leave of absence for 11 October 2022.

4. Disclosure of interests

Nil.

5. Declaration of due consideration

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

6. Minutes

6.1 Confirmation of minutes - Meeting No. 7686 on Tuesday, 30 August 2022

Moved by Mr Kosova

Seconded by Mr Iacomella

That the minutes of the Statutory Planning Committee meeting held on Tuesday, 30 August 2022, be confirmed as a true and correct record of proceedings.

The motion was put and carried

7. Deputations and presentations

7.1 City of Busselton - Local Planning Scheme No. 21, Amendment No. 40 (Item 9.1)

Presenters: Paul Needham, Helen Foulds and David Sands - City of Busselton

Mr Needham, Ms Foulds and Mr Sands presented to the Statutory Planning Committee on behalf of the City of Busselton to discuss the importance of the amendment in reducing risk of retail trade and investment leakage from the town centres, whilst providing a link to the Busselton foreshore. Mr Needham provided spatial context of the Regional Centre, Service Commercial and Strelly Street Light Industrial Area zones, noting that the Service Commercial zone is not large enough to accommodate the retail demands for bulky goods showrooms and that there is risk of shop and retail activity crowding out genuine bulky goods and light industry activity of Light Industry zones. Mr Needham stated the current Bulky Goods showroom definition needs to differentiate between Zone/Use class zones.

Mr Needham responded to questions from members relating to what circumstances prompted the City to review the framework and make a further amendment following the gazettal of Amendment No. 21 in June 2019. Mr Needham stated that COVID-19 created uncertainty, however

noted that post COVID-19 there has been a 50% increase in economic activity remarking that this may not be sustainable. Mr Needham stated that there has been evidence of businesses relocating to Service Commercial Zones, including several enquiries from businesses looking to move based on the current definition.

Members queried if the City has met with the WAPC Chairman to discuss the issues and the proposal to amend the Bulky Goods showroom definition under the City's Scheme and whether the City is confident it can administer the provision. Mr Needham stated that the City has met with the WAPC Chairman previously, and it was determined there was not an appetite to change the provision, but noted that the City is confident it can administer the provision based on previous experience.

Members queried whether the City has an existing instrument in its local planning framework which can augment the definition of bulky goods retail and discussed the degree and application by the Local Government on how those definitions are applied through the development approval process. Members queried whether the land use permissibility becomes a disincentive for businesses to set up within the centre, local or commercial zones due to the tightening of permissibility which could be seen as at odds with attracting or retaining growth.

Members queried issues detailed in the retail report that 70% of foreshore visitors do not visit the Busselton city centre, and what connection the amendment has to resolving this issue. Mr Needham stated that there are currently un-activated areas between the centre and foreshore, however noted that there is some construction underway including two hotels, and a performing arts centre and that further investment in mixed use and retail type development will need to play a part in activating this area in the future.

7.2 Shire of Carnarvon - Local Planning Scheme No. 13, Amendment No. 1 - For Final Determination (Item 9.2)

Written Deputation: Brad Carey - Coral Bay Investments Ltd Pty

Members noted the written submission on Item 9.2 - Shire of Carnarvon - Local Planning Scheme No. 13, Amendment No. 1 - For Final Determination.

7.3 City of Busselton - Local Planning Scheme No. 21, Amendment No. 40 (Item 9.1)

Written Deputation: Ross Underwood - Planning Solutions

Members noted the written submission on Item 9.1 - City of Busselton - Local Planning Scheme No. 21, Amendment No. 40.

7.4 City of Busselton - Local Planning Scheme No. 21, Amendment No. 40 (Item 9.1)

Written Deputation: Michael Hotchkin - Hotchkin Hanley Lawyers

Members noted the written submission on Item 9.1 - City of Busselton - Local Planning Scheme No. 21, Amendment No. 40.

ITEMS FOR DECISION

8.1 Proposed Local Development Plan - Lot 655 Helena Valley Road, Helena Valley (160322)

Moved by Mr Iacomella

Seconded by Mr Kosova

That the Statutory Planning Committee resolves, pursuant to clause 7.3.2 of State Planning Policy 7.3: Residential Design Codes (Volume 1), to approve the amended deemed-to-comply provisions for open space and vehicular access proposed by the Local Development Plan for Lot 205 (No.655) Helena Valley Road, Helena Valley (dated 7 July 2022).

The motion was put and carried

9.3 Planning Reform - draft Structure Plan Guidelines - SPC Report (PLH2020P0090)

THIS ITEM IS CONFIDENTIAL

9.1 City of Busselton - Local Planning Scheme No. 21, Amendment No. 40 (TPS/2717)

THIS ITEM IS CONFIDENTIAL

9.2 Shire of Carnarvon - Local Planning Scheme No.13, Amendment No.1 - For Final Determination (TPS/2742)

THIS ITEM IS CONFIDENTIAL

10. Section 31 Items

Nil.

11. Reports for noting

Nil.

12. Stakeholder engagement and site visits

Nil.

13. Urgent or other business

Nil.

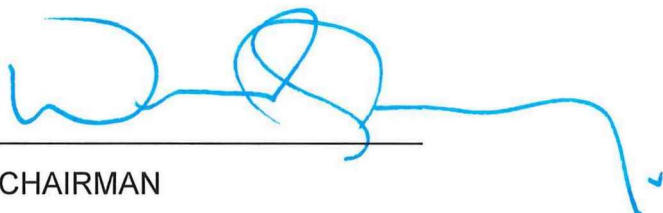
14. Items for consideration at a future meeting

Nil.

15. Meeting closure

The next ordinary meeting is scheduled for 9:30am on Tuesday, 11 October 2022.

There being no further business before the Committee, the Chairman thanked members for their attendance and declared the meeting closed at 10:17am.



A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke ending in a small checkmark.

CHAIRMAN



A handwritten date in blue ink, reading "24. 10. 22".

DATE