



## **Western Australian Planning Commission**

### **Minutes**

Meeting No. 295

Wednesday, 28 October, 2020

- Members:** David Caddy - Chairman WAPC  
Jane Bennett – Professions Representative  
Helen Brookes - Coastal Planning and Management Representative  
Fred Chaney - Professions Representative  
Emma Cole - Metropolitan Local Government Representative  
Paddi Creevey - Nominee of the Regional Minister  
Veronica Fleay - Local government representative – non-metropolitan  
Gail McGowan - Director General, Department of Planning, Lands and Heritage  
Mike Rowe - Director General, Department of Water and Environmental Regulation
- Apologies:** Ralph Addis - Director General, Department of Primary Industries and Regional Development (Associate member)  
Michelle Andrews - Director General, Department of Communities  
Richard Sellers - Director General, Department of Jobs, Tourism, Science and Innovation  
Peter Woronzow - Director General, Department of Transport
- Observers:** Richard Arrowsmith - Observer, Department of Communities  
Justin McKirdy - Observer, Department of Transport
- Others Present:** Chris Bebich – Planning Manager, Strategic Planning Projects  
Kathy Bonus - Chief Planning Officer  
Alice Brown – Planning Manager – Metro south West  
Glenn Coaker – Senior Planning Officer, Strategic Planning Projects  
Sarah Cosstick – Principal Planning Officer (Statutory), Strategic Planning Projects  
Rob Cull - Senior Planning Officer, Metro Central North  
Michael Daymond – Manager, Special Projects  
Jeremy D'Souza – Project manager, Strategic Planning Projects  
Nicholas Duffy - Principal Planning Officer, Strategic Planning Projects  
Janine Egan - A/Director, Design WA  
Cath Evans – Roberts Day \*Item 11.2 only  
Sam Fagan – Manager Commission Business  
Paul Fourie - Main Roads Western Australia \*Items 9.2 to 9.4 only  
Georgina Lockhart – Commission Support Officer  
Katina Marchbank – Principal planning Officer, Metro Central  
Damien Martin – A/Assistant Director General, Strategy & Engagement

Rohan Miller - Planning Director, Schemes & Amendments  
Rebecca Moore – Government Architect  
Anthony Morcombe – Principal Planning Officer, Strategic Planning Projects  
Anthony Muscara – Principal Planning Officer, Schemes and Amendments  
Sean O'Connor - Planning Officer, Strategic Planning Projects  
Lisa Powell – A/Planning Director, Infrastructure Planning and Policy  
Brett Pye - Senior Planning Officer, Schemes & Amendments  
Ashley Randell - Director Regional Planning Policy Coordination  
Michelle Sanfilippo – Commission support Team Leader  
David Saunders – Assistant Director General, Land Use Planning  
Patrick Seares – Observer, Department of Water and Environmental Regulation  
Jacquie Stone – Director Policy, Strategy & Engagement  
Katrina Shoobridge - Senior Planning Officer, Schemes & Amendments  
Andrew Thomas - Senior Planning Officer, South Metropolitan Peel

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**1. Declaration of opening**

The Chairman declared the meeting open at 9:24 am, acknowledged the Whadjuk people of the Noongar nation as the traditional owners and acknowledged the land of the Noongar people on which we live, work and meet today. The Chairman paid respects to elders past and present, and extend solidarity and hope for a just and dignified future for us all.

**2. Apologies**

Ralph Addis - Director General, Department of Primary Industries and Regional Development.

Michelle Andrews - Director General, Department of Communities. Richard Arrowsmith observing.

Richard Sellers - Director General, Department of Jobs, Tourism, Science and Innovation.

Peter Woronzow - Director General, Department of Transport. Justin McKirdy observing.

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

Ms Creevey advised that she will be an apology for the Thursday 5 November 2020 WAPC Significant Development meeting.

**4. Disclosure of interests**

The Chairman advised members that he chaired the steering group in relation to item 9.5, Draft Bunbury-Geographe Sub-regional Strategy.

Ms Bennett declared an impartiality interest on Item 9.5, Draft Bunbury-Geographe Sub-regional Strategy. Ms Bennett stated that pursuant to her role on the WAPC, she is a member of the DevelopmentWA Board. Ms Bennett stated that DevelopmentWA are a landowner within the Strategy



Area. Members agreed Ms Bennett is permitted to be present during the discussion/and or decision-making procedure on the item as this is unlikely to influence Ms Bennett's conduct in relation to the matter.

Ms Bennett declared an impartiality interest on Item 10.1, Clearance of Environmental Conditions - MRS Amendment 992-33: Clarkson - Butler (Mitchell Freeway extension, Hester Avenue to Romeo Road and Wanneroo Road duplication, between Dunstan and Triana Roads). Ms Bennett stated that her employer, CLE Town Planning + Design act for land owners abutting the MRS area. Members agreed that Ms Bennett should not be present during the discussion and/or decision-making procedure on the item.

Ms Bennett declared an impartiality interest on Item 10.3, MRS Amendment 1367/57 - Pt Lot 5131 Jandakot Road, Treeby and Surrounds. Ms Bennett stated that her employer, CLE Town Planning + Design act for the subject land owner. Members agreed that Ms Bennett should not be present during the discussion and/or decision-making procedure on the item.

Ms Bennett declared an impartiality interest on Item 11.1, WAPC Consideration of Planning Investigation Areas - Overview Paper. Ms Bennett stated that her employer, CLE Town Planning + Design act for impacted land owners. Members agreed that Ms Bennett should not be present during the discussion and/or decision-making procedure on the item.

## **5. Declaration of due consideration**

All members indicated that they had received and considered the agenda items prior to the Western Australian Planning Commission meeting.

## **6. Minutes**

### **6.1 Confirmation of minutes - Meeting No. 294 on Wednesday, 23 September 2020**

**Moved by** Ms Brookes

**Seconded by** Mr Chaney

*That the minutes of the Western Australian Planning Commission meeting held on Wednesday 23 September 2020, be confirmed as a true and correct record of the proceedings.*

**The motion was put and carried**

## **7. Deputations and presentations**

### **7.1 Proposed MRS Amendment Pt Lot 800, Canning Road, Carmel (Heidelberg Park) & Old Railway Reserve, Kalamunda (Item 10.2)**

**Presenter: Peter Varelis - City of Kalamunda**

Mr Varelis presented to the Western Australian Planning Commission on behalf of the City of Kalamunda (the City) and thanked the Commission for the opportunity to discuss the Proposed MRS Amendment Pt Lot 800, Canning Road, Carmel (Heidelberg Park) & Old Railway Reserve, Kalamunda.

Mr Varelis advised members that the City supports the finalisation of the MRS Amendments.

Mr Varelis informed members that the Council adopted an Aged Accommodation Strategy in 2016, which had a series of key recommendations, including:

- The City not directly undertaking any retirement or aged care developments; and
- Identifying underutilised government assets to encourage retirement living and aged care developments.

Mr Varelis advised members that the City's Draft Local Housing Strategy 2020 identifies Heidelberg Park as an Investigation Area for Aged Accommodation purposes.

Mr Varelis advised members that the City has a higher need for aged care facilities than the rest of the Perth metro area. Mr Varelis advised members that currently there are 243 aged care beds in the City and due to the ageing population of the City's residents, between 2020 and 2036 there is likely to be a need for approximately 500 - 900 additional aged care beds in the City.

Mr Varelis advised members that the City undertook preliminary community engagement during June – July 2019 on the vision and values for Heidelberg Park. Mr Varelis advised members that a total of 393 surveys were completed, of which the highest percentage of respondents voted for a home for aged care.

Mr Varelis informed members that the City ran vision and values workshops, whereby there was a sea container on site and participants were asked to indicate their most preferred outcome for Heidelberg Park and the highest percentage of respondents voted for natural paths, followed by an aged care facility.

Mr Varelis advised members that the City led and prefunded environmental, bushfire, geotechnical and waste water studies, at a cost of approximately \$85,000. Mr Varelis informed members that infrastructure and servicing analysis indicates that the north-eastern portion of the site would be most suitable for urban development.

Mr Varelis informed members that the City is aware that the DBCA provided comment on the urban zone boundary and the City is of the view that these matters can be addressed through landscaping and detailed site design.

Mr Varelis stated that the intent and development principle of the site is to retain native vegetation and significant stands of vegetation wherever possible, and the preliminary design response allows for most if not all potential Cockatoo Habitat Trees to be retained in road verges, public open space or parks and recreation areas.

Mr Varelis advised members that whilst some managed removal of vegetation (mainly understory) may occur, depending on site design, for bushfire management purposes, the vast majority of environmental significance is on the western portion of the site and is to be retained as Parks and Recreation or is to fall within Local Open Space.



Mr Varelis informed members that a whole of government approach is important to fulfil the aged bed shortfall, and meet community and social issues.

Mr Varelis stated that in October 2019, the City's officers met with senior representatives of the DPLH lands team and in principle agreement included Urban Zoned lots on Schmitt Road, that were proposed for sale by the WAPC, be rezoned Parks and Recreation.

Mr Varelis advised members that this would achieve a broader positive environmental outcome and effectively offset any proposed development of Heidelberg Park.

Mr Varelis advised members that the City and DPLH have been working together in the preparation of the Concept Plan and the MRS Amendment documentation.

Mr Varelis stated that the Federal Government regulate the number of bed licenses.

Mr Varelis reiterated that the City supports the finalisation of the MRS Amendments.

**7.2 MRS Amendment 1367/57 - Pt Lot 5131 Jandakot Road, Treeby and Surrounds (Item 10.3)**

**Ms Bennett declared an Impartiality Interest on this item and left the meeting at 9:38 am**

**Presenters: Eleni Thorman – CLE Town Planning + Design, Ben Martin – EWH Pty Ltd and Scott Bird – 360 Environmental (Environmental Consultant)**

Ms Thorman, Mr Martin and Mr Bird presented to the Western Australian Planning Commission on behalf of CLE Town Planning + Design, EWH Pty Ltd and 360 Environmental respectively and thanked the Commission for the opportunity to discuss MRS Amendment 1367/57 - Pt Lot 5131 Jandakot Road, Treeby and Surrounds.

Ms Thorman advised members that CLE Town Planning + Design is the consultant/applicant on behalf of Perron development, the landowners.

Ms Thorman advised members that the proposed amendment seeks to rezone approximately 32 ha of land fronting Jandakot Road, Treeby from the Rural-Water Protection zone to the Urban zone.

Ms Thorman advised members that approximately half of the subject site contains good quality vegetation of which is proposed to be classified as Bush Forever and the Urban zone is proposed over land that has largely been cleared.

Ms Thorman informed members that CLE Town Planning + Design undertook extensive liaison with both the EPA and DPLH in the refinement of the Bush Forever boundary and the boundary realignment results in an improved environmental outcome with additional good quality vegetation protected.

Ms Thorman stated that the Bush Forever boundary is consistent with the Sub-Regional Frameworks and the District Structure Plan for Treeby and accommodates the City of Cockburn's planned alignment of Jandakot Road, a connection to the southern landholding and access to the site via an existing roundabout at Torwood Avenue without compromising environmental values.

Ms Thorman advised members that CLE Town Planning + Design anticipate that the Bush Forever area will be reserved for 'Parks and Recreation' in the future.

Ms Thorman advised members that to facilitate the land transfer to the WAPC's management, a legal deed between the WAPC and the landowner is substantially complete, and the signing of the documentation will occur shortly to allow approval of the Amendment by the Minister.

Ms Thorman informed members that services will be extended to the future urban precinct through extensions and upgrades of infrastructure being laid as part of immediate surrounding development.

Ms Thorman advised members that strategies for managing risk to the Jandakot Groundwater Mound are specified in the overarching approved District Water Management Strategy and shall be implemented as part of future stages of planning and development.

Ms Thorman advised members that CLE Town Planning + Design are aware of the suggested modifications to the amendment proposal relating to minor adjustments to the Bush Forever boundary and support these.

**Ms Bennett returned to the meeting at 9:42 am**

**7.3 Anketell, Thomas and Nicholson Roads - Proposed Planning Control Area (Item 9.3)**

**Written submission: Andrew Trosic - Shire of Serpentine Jarrahdale**

**8.1 2021 WAPC and Committee Meeting Dates**

**THIS ITEM IS CONFIDENTIAL**

**8.2 Amendment to Instrument of Delegation 2020/02 (PLH2020P0257)**

**THIS ITEM IS CONFIDENTIAL**

**9.1 Design WA Stage Three – Modification to SPP7.3 R Codes Vol. 1 to incorporate the Medium Density Housing Policy (DP/1700098)**

**THIS ITEM IS CONFIDENTIAL**

**9.2 Anketell-Lyon Roads – Proposed Planning Control Area (RLS/0872)**

**THIS ITEM IS CONFIDENTIAL**



**9.3 Anketell, Thomas and Nicholson Roads - Proposed Planning Control Area (RLS/0933)**

**THIS ITEM IS CONFIDENTIAL**

**9.4 Thomas-Kargotich Roads - Proposed Planning Control Area (RLS/0934)**

**THIS ITEM IS CONFIDENTIAL**

**9.5 Draft Bunbury-Geographe Sub-regional Strategy (DPLH2018P0659)**

**THIS ITEM IS CONFIDENTIAL**

**10.1 Clearance of Environmental Conditions - MRS Amendment 992-33: Clarkson - Butler (Mitchell Freeway extension, Hester Avenue to Romeo Road and Wanneroo Road duplication, between Dunstan and Trian Roads) (RLS/0875)**

**Ms Bennett declared an Impartiality Interest on this item and left the meeting at 10:28 am**

Members were advised that this report does not recommend that the relevant environmental conditions be cleared for the Noise, Vibration and Light Management Plan (NVLMP) which has been prepared for the extension of the Mitchell Freeway, as the WAPC had not received advice from the Environmental Protection Authority (EPA) at the time of writing this report.

Members were informed that the WAPC has since received advice from the Department of Water and Environmental Regulation, advising that the EPA considers that the NVLMP satisfies the requirements of Condition 4.3 of Ministerial Statement 629.

Members were advised that DWER has identified that the request to clear the environmental conditions for MRS Amendment 992/33: Clarkson – Butler will need to be considered by the EPA Board prior to the EPA being able to provide its concurrence to the clearance of these conditions.

Members were advised that this matter will be considered by the EPA Board at its next meeting on the 26 November, and that the EPA will provide its advice on this matter to the WAPC shortly after this meeting. On this basis, members agreed to adopt an alternate recommendation.

**Moved by Mr Rowe**

**Seconded by Mayor Cole**

*That the Western Australian Planning Commission resolves:*

- 1. to advise that it is satisfied that the relevant management plans meet the relevant environmental conditions in Schedule 1 of Ministerial Statement No. 629, subject to obtaining the concurrence of the EPA required by the environment conditions;*

2. *provided the concurrence of the EPA as required by the environmental conditions in Schedule 1 of Ministerial Statement No. 629 is obtained:*
  - a. *clear conditions 3-1 (3) and 3-1 (4) of Ministerial Statement No. 629 and the respective environmental conditions in Schedule 1 of the MRS Text; and*
  - b. *advise Main Roads Western Australia, the Environmental Protection Authority and the City of Wanneroo of this decision.*

**The motion was put and carried**

**Ms Bennett returned to the meeting at 10:31 am**

- 10.2 MRS Amendments 1372/57 - Pt Lot 800 Canning Road, Carmel (Heidelberg Park) and 1373/57 - Old Railway Reserve, Kalamunda and Surrounds (RLS/0858/1, RLS/0860/1)**

**THIS ITEM IS CONFIDENTIAL**

- 10.3 MRS Amendment 1367/57 - Pt Lot 5131 Jandakot Road, Treeby and Surrounds (RLS/0771/1)**

**THIS ITEM IS CONFIDENTIAL**

- 11.1 WAPC Consideration of Planning Investigation Areas - Overview Paper (PLH2018P0672)**

**THIS ITEM IS CONFIDENTIAL**

- 11.2 Review of State Planning Policy 3.6 – Infrastructure Contributions – Report on submissions and recommendation to Minister (DP/09/00456)**

**THIS ITEM IS CONFIDENTIAL**

- 12. Reports for noting**

Nil.

- 13. Stakeholder engagement and site visits**

Nil.

- 14. Urgent or other business**

Nil.

- 15. Items for consideration at a future meeting**

Nil.

- 16. Meeting closure**

The next ordinary meeting is scheduled for 9:30 am on Wednesday, 25 November 2020.



There being no further business before the Board, the Chairman thanked members for their attendance and declared the meeting closed at 11:07 am.



CHAIRMAN

25.11.20

DATE