



Statutory Planning Committee

Notice is hereby given that the next meeting of the Statutory Planning Committee will be held on:

**Tuesday 24 May 2011
10.00 am**

**5th Floor Conference Room
Albert Facey House
469 Wellington Street
Perth**



**Tony Evans
Secretary**

Statutory Planning Committee

Membership:

Member	Representation – <i>Planning and Development Act 2005</i>	Term of office ends
Mr Gary Prattley	Chairman Section 10(1)(a) or Schedule 2 clause 4 (2)(a)	20/4/2013
Mayor Carol Adams	Local Government nominee Schedule 2 clause 4 (2)(f)	1/2/2012
Mr Ian Holloway	Urban and regional planning representative Schedule 2 clause 4 (2)(e)	1/2/2012
Ms Sue Burrows	Nominee of the Director General, Department of Planning nominee Schedule 2 clause 4 (2)(b)	Ex-officio
Cr Corinne MacRae	WAPC Nominee Schedule 2 clause 4 (2)(g)	1/2/2012
Ms Elizabeth Taylor	Community representative Schedule 2 clause 4 (2)(d)	1/2/2012
Vacant	Regional Minister nominee Schedule 2 clause 4 (2)(c) or Schedule 2 clause 4 (3)	

Quorum: 4

In accordance with the WAPC Standing Orders 2009, 3.7 - Quorum for meetings:

- (2) A quorum for a meeting of a committee is at least 50% of the number of offices (whether vacant or not) of members of the committee.

Role:

Schedule 2(4)(4) of the *Planning and Development Act 2005*

The Statutory Planning Committee is the WAPC's regulatory decision-making body and performs such of the statutory planning functions of the Commission under the *Planning and Development Act 2005* and Part II of the *Strata Titles Act 1985* as are delegated to the Statutory Planning Committee under section 16 and such other functions as are delegated to it under that section. These functions include approval of the subdivision of land, approval of leases and licenses, approval of strata schemes, advice to the Minister for Planning on local planning schemes and scheme amendments, and the determination of certain development applications under the Metropolitan Region Scheme.

Delegated Authority

- 2.1 Power to determine applications for approval to commence and carry out development lodged with or referred to the WAPC pursuant to the provisions of a region scheme.
- 2.2 Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of a region scheme and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of a region scheme have been complied with.
- 2.3 Power to determine whether or not proposals and the ongoing implementation of a region scheme comply with conditions (if any) applied pursuant to sections 48F and 48J of the *Environmental Protection Act 1986*.
- 2.4 Power to determine whether or not applications to commence and carry out development are of State or regional importance, or in the public interest, pursuant to any resolution of the WAPC made under a region scheme requiring such determination.
- 2.5 Power to request the Minister for Planning to approve the WAPC disregarding the advice of the Swan River Trust in whole or in part in relation to the approval of development of land within the Riverbank or Development Control Area as defined under the *Swan and Canning Rivers Management Act 2006* where the determining authority is the WAPC.
- 2.6 All functions of the WAPC as set out in -
 - (i) Sections 14(a), 14(c), 34, 97, 98, 100, 104, 105, 106, 107, 109, 110, 111, 134, 135, 136, 138, 139, 140, 142, 143, 144, 145, 147, 151, 153, 154, 157, 169, 185, 214, 215, 216 of the Act;
 - (ii) Town Planning Regulations 1967;
 - (iii) Regulations 21, 22, 24 and 27 of the Planning and Development Regulations 2009;
 - (iv) *Strata Titles Act 1985* or the provisions of a strata or survey-strata scheme;
 - (v) Strata Titles General Regulations 1996;
 - (vi) Section 52 and section 85 of the *Land Administration Act 1997*;
 - (vii) Section 40 of the *Liquor Control Act 1988*;
 - (viii) *Perry Lakes Redevelopment Act 2005*.
- 2.7 Power to determine requests for variations to plans of subdivision where WAPC approval is required pursuant to the provisions of an approved local planning scheme.
- 2.8 Power to provide comment on and grant approval to plans known generally as outline development plans, structure plans and similar plans, and to planning policies and similar documents or amendments thereto, requiring the approval or endorsement of the WAPC pursuant to the provisions of a local planning scheme.
- 2.9 Power to provide comments or advice on behalf of the WAPC to a local government or a redevelopment authority where a provision of a local planning scheme or a redevelopment scheme requires comments from the WAPC.

- 2.10 Power to execute and accept the benefit of easements in gross, covenants in gross, records on title and other instruments for dealings in land for subdivisions, strata subdivisions and developments in accordance with any applicable policy and legislation.
- 2.11 Power to make recommendations to the Minister for Planning in relation to requests from local governments to expend monies paid by subdividing land owners in lieu of setting aside free of cost to the Crown, areas of land for public open space, where such recommendations are in accordance with WAPC policy.
- 2.12 Power to determine whether or not a proposal is likely to have a significant effect on the environment pursuant to section 38(1) of the *Environmental Protection Act 1986* and to refer such proposal to the Environmental Protection Authority.
- 2.13 Power to waive or clear conditions affixed as conditions of approval.
- 2.14 Power to endorse diagrams and plans of survey and deposited plans involving the acquisition and resumption of land created pursuant to Part 11 of the Act and the *Land Administration Act 1997*.
- 2.15 Power to advise the Minister for Planning on any appeal or matter arising therefrom pursuant to Part 14 of the Act.
- 2.16 Power to defend and otherwise deal with applications for review lodged with the State Administrative Tribunal and to appeal, defend, respond and otherwise deal with any matter that may be appealed to the Supreme Court on a question of law.
- 2.17 Power to defend, respond, appeal and otherwise deal with legal proceedings.
- 2.18 Power to prepare and approve, subject to the prior approval of the Minister for Planning, policies relating to planning matters and/or the functions of the WAPC, save and except for State Planning Policies under Part 3 of the Act.

This meeting is not open to members of the public.

RELEVANT INFORMATION FOR MEMBERS

Disclosure of interests

In accordance with the *Planning and Development Act 2005* and Part 6 of the Standing Orders 2009, members of Committees (and certain employees) are required to disclose the following types of interests that they have or persons closely associated to them, have:

- direct and indirect pecuniary interests (financial);
- proximity interests (location); and
- impartiality interests (relationship).

A “**direct pecuniary interest**” means a relevant person’s interest in a matter where it is reasonable to expect that the matter if dealt with by the board or a Committee, or an employee in a particular way, will result in a financial gain, loss, benefit or detriment for the person.

An “**indirect pecuniary interest**” means a relevant person’s interest in a matter where a financial relationship exists between that person and another person who requires a board or Committee decision in relation to the matter.

A “**proximity interest**” means a relevant person’s interest in a matter if the matter concerns -

- (i) a proposed change to a planning scheme affecting land that adjoins the person’s land;
- (ii) a proposed change to the zoning or use of land that adjoins the person’s land; or
- (iii) a proposed development, maintenance or management of the land or of services or facilities on the land that adjoins the person’s land.

An “**Impartiality interest**” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the member having the interest and includes an interest arising from kinship, friendship, partnership or membership of an association or an association with any decision making process relating to a matter for discussion before the board or a Committee.

Members disclosing any pecuniary or proximity interests for an item can not participate in discussion or the decision making procedure relating to the item and must leave the meeting room during the discussion of the item. Members disclosing an impartiality interest in an item must also leave the room during the discussion or the decision making procedure relating to the item unless the Committee, by formal resolution, allows the member to remain. The reason to allow a member to remain must be stated in the formal resolution and will be minuted.

Disclosure of representations

Where a member has had verbal communication with or on behalf of a person with an interest in a matter which is before a meeting, the member is to disclose the interest.

Where a member is in receipt of relevant written material (including email) from or on behalf of a person with an interest in a matter which is before a meeting, the member is to table the material at the meeting for the information of members and relevant employees.

ORDER OF BUSINESS

- 1. Declaration of opening**
- 2. Apologies**
- 3. Members on leave of absence and applications for leave of absence**
 - Corinne MacRae
 - Sue Burrows
- 4. Disclosure of interests**
- 5. Declaration of due consideration**
- 6. Deputations and presentations**
 - 6.1 PROPOSED MIXED USE DEVELOPMENT - CLAREMONT (item 9.6)**

Presenters: Mr David Caddy - TPG Town Planning & Urban Design
Mr Paul McQueen - Lavan Legal
Mr Paul Simpson - Aria Land
 - 6.2 CITY OF COCKBURN LOCAL PLANNING SCHEME AMENDMENT (Item 10.1)**

Presenters: Mr Michael Cross - Aegis Aged Care Group Pty
Mr Guy Grant - Montague Grant Architects
Mr Peter Webb - Peter Webb and Associates
 - 6.3 CITY OF COCKBURN LOCAL PLANNING SCHEME AMENDMENT (Item 10.1)**

Presenters: Mr Stephen Cain, CEO City of Cockburn
Mr Daniel Arndt - City of Cockburn (Director Planning & Development)
Ms Carol Catherwood - City of Cockburn (Coordinator Strategic Planning)
- 7. Announcements by the Chairperson of the board and communication from the WAPC**
- 8. Confirmation of minutes of 10 May 2011**
- 9. Reports (see attached index of reports)**
- 10. Confidential items (see attached index of reports)**
- 11. General business**

12. Items for consideration at a future meeting

Item No	Report	Request	Report Required by
7416	Directions 2031	Planning Director - 2031 to brief the Committee after release of WA Tomorrow 2011	July/August 2011

13. Closure - next meeting to be held on 14 June 2011

Statutory Planning Committee

Minutes

of ordinary meeting 7425
held on 10 May 2011

Attendance

Members

Mr Gary Prattley	WAPC Chairman (Presiding Member)
Mayor Carol Adams	Local Government nominee
Ms Sue Burrows	Nominee of the Director General, Department of Planning
Mr Ian Holloway	Professional representative
Ms Elizabeth Taylor	Community representative

Officers

Ms Cath Meaghan	Department of Planning Director Southern Regions Planning	Items 6.1& 9.1
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Presenters

Ms Annette Harbron	Department of Planning Director of Planning & Sustainability Shire of Denmark
Cr Ross Thornton	President Shire of Denmark

Committee Support

Ms Leah Carr	Committee Secretary - Department of Planning
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1 Declaration of Opening

The Presiding Member declared the meeting open at 10.05 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed Members.

2 Apologies

Nil.

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3 Members on Leave of Absence and Applications for Leave of Absence

Cr MacRae has previously been granted leave of absence for the SPC meetings to be held on 10 and 24 May 2011.

Ms Burrows has made application for a leave of absence for the SPC meetings scheduled for 24 May, 28 June, 12 July and 26 July 2011.

Resolved

Moved by Mr Holloway, seconded Ms Taylor

That the approval for a leave of absence be granted to Ms Burrows for the SPC meetings to be held on 24 May, 28 June, 12 July and 26 July 2011.

The motion was put and carried.

4 Disclosure of Interests

Member	Minute No.	Page No.	Nature of Interest
Mayor Carol Adams	10.3	5	Impartiality

A Declaration of Interest form was completed by Mayor Adams and a copy has been placed on file.

Resolved

Moved by Mr Holloway, seconded by Ms Taylor

In accordance with clause 6.10(7) of the Standing Orders 2009, members of the Statutory Planning Committee agreed that Mayor Adams listed above, who had disclosed an impartiality interest, should be permitted to participate in discussion and voting on the item due to being the Mayor of Kwinana which adjoins the development application area.

The motion was put and carried.

5 Declaration of Due Consideration

No declarations were made.

Moved to item 7

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6 Deputations and Presentations

6.1 Shire of Denmark : Draft Local Planning Strategy

Presenters Cr Thornton, and Ms Annette Harbron from the Shire of Denmark

Cr Thornton gave a quick background statement and handed over to Ms Harbron who gave a very informative power point presentation (a copy of which has been placed on file) and supplied large scale maps of the area.

Moved to Item 9.1

7 Announcements by the Chairperson of the Board and communication from the WAPC

Nil.

8 Confirmation of Minutes

8.1 Minutes of the Statutory Planning Committee meeting held on Wednesday 27 April 2011

Resolved

Moved by Mr Holloway, seconded by Ms Taylor

That the minutes of the Statutory Planning Committee meeting held on Wednesday 27 April 2011, be confirmed as a true and correct record of the proceedings.

The motion was put and carried.

Moved to item 9.2

9 Reports

D General Items / Other Matters

9.1 Shire Of Denmark: Draft Local Planning Strategy Consent To Advertise

File	DPI/09/01134/1
Agenda Part	D
Reporting Officer	Regional Manager Great Southern

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Members discussed the report while awaiting the Shire of Denmark to arrive to give their presentation. Concerns raised covered:

- the lack of mention in respect to a Fire Risk assessment and a bush management strategy;
- the future of the Denmark Agricultural College;
- broader strategic issues which would be of particular interest to the WAPC such as the extent of rural/residential types of development, servicing and priority agricultural lands.

The members, on reflection after the presentation and in respect to their concerns, considered that the recommendation should be expanded upon and the Schedule of Modifications be amended.

The Schedule of Modifications will be amended as shown below:

Modification No. 29: LPS Plan 2.....b) replace Cussons Road with 'Middleton Close running generally south to South Coast Highway (and retain existing 'Tourist' and 'Parks and Recreations' sites)' and show as rural; Protection Rural Living.

Reason 29: add the word 'widespread' before expansion in b)

Modification No. 30: LPS Plan 3.....a) replace Cussons Road with 'Middleton Close running generally south to South Coast Highway (and retain existing 'Tourist' and 'Parks and Recreation sites)' and b)..... and show as rural.

Reason 30: add the word 'widespread' before expansion in b).

Officer's Recommendation

That the Western Australian Planning Commission resolves to grant consent to advertise the draft Denmark Local Planning Strategy, subject to the attached schedule of modifications being effected.

Resolved

Moved by Mayor Adams, seconded by Ms Taylor

That the Western Australian Planning Commission resolves to:

1. *certify that the draft Denmark Local Planning Strategy is consistent with Regulation 12A(3) of the Town Planning Regulations 1967 (as amended) and grant consent to advertise the draft Denmark Local Planning Strategy, subject to the attached Schedule of Modifications being effected;*

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2. *advise the Shire of Denmark of its decision and that due to the condensed assessment time frame requested by the Council, consent to advertise has been granted on the basis that the WAPC will give further consideration to the content of the local planning strategy following consideration of submissions.*

The motion was put and carried.

Moved to item 11

H Subdivisional / Survey Strata Items

9.2 Subdivision To Create Two Lots For Residential Purpose - 23 Maida Vale, Kalamunda Shire

File 143157
Agenda Part H
Reporting Officer A/Planning Manager

Resolved

Moved by Mayor Adams, seconded by Mr Holloway

That the Western Australian Planning Commission resolves to approve subdivision application 143157 for Lot 23 Acacia Road, Maida Vale into two lots for residential purposes subject to the following conditions and advice notes:

CONDITIONS

1. *All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation. (Local Government)*
2. *The land being filled and/or drained at the subdivider's cost to the satisfaction of the Shire of Kalamunda. (Local Government)*
3. *Stormwater being contained on-site, or connected to the local drainage system, after passing through an appropriate water quality improvement treatment device. (Local Government)*

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4. *Redundant crossovers no longer required to be removed and the verge reinstated with grass or landscaping to the specifications of the local government. (Local Government)*
5. *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)*
6. *All buildings, outbuildings and/or structures being demolished and materials removed from proposed Lot 2. (Local Government)*
7. *The subdivision, including construction, access, drainage and ongoing maintenance, shall not result in the clearing and/or disturbance of existing vegetation within Bush Forever Area 316. (Western Australian Planning Commission)*
8. *No development, including fill, construction materials, rubbish or any other deleterious matter shall be deposited in Bush Forever Area 316. (Western Australian Planning Commission)*
9. *If not already in place, uniform fencing that is compatible with the natural environment, is to be provided along the western boundary of proposed Lot 2 and Bush Forever Area 316. (Western Australian Planning Commission)*
10. *Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lots shown on the approved plan of subdivision. (Water Corporation)*
11. *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 service to the lots shown on the approved plan of subdivision. (Western Power)*

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ADVICE

1. *The approval to subdivide issued by the WAPC should not be construed as an approval to commence development on any of the lots proposed. Approval to Commence Development may be required to be issued by the local government.*
2. *With regard to Condition 1, the applicant is advised it will be necessary to expose the effluent disposal system prior to contacting the Shire's Health Service to confirm its location. Should the system not have the necessary clearances to the proposed boundaries a new effluent disposal system may need to be approved and installed to meet this condition.*
3. *With regard to Condition 6, all material known or suspected to contain asbestos is to be removed and disposed of in accordance with the Environmental Protection (Controlled Waste) Regulations 2004 and the Health (Asbestos) Regulations 1993.*
4. *The applicant is advised that the Department of Environment has prepared dust control guidelines for development sites, which inter alia, outline the procedures for the preparation of Dust Management Plans for development sites. Further information on the guidelines can be obtained from the Department of Environment.*
5. *With regard to Condition 10, Water Corporation policy and practice for the locality may involve the provision of land (for plant and works), easements and/or the payment of financial contributions towards infrastructure. The applicant is advised to contact the Water Corporation.*
6. *Upon the receipt of a request from the subdivider, a Land Development Agreement under section 67 of the Water Agencies (Powers) Act 1984, will be prepared by the Water Corporation which will document the specific requirements for the proposed subdivision.*

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7. *With regard to Condition 11, Western Power provides only one point of electricity supply per freehold (green title) lot and requires that any existing overhead consumer service is required to be converted to underground.*
8. *If an existing electricity cable servicing the land the subject of this approval crosses over a proposed lot boundary as denoted on the approved plan of subdivision satisfactory arrangements will need to be made for the removal and location of that cable.*

The motion was put and carried.

10 CONFIDENTIAL ITEMS

E Minor Local Planning Schemes / Local Planning Scheme Amendments

10.1 Shire Of Narembeen Local Planning Scheme No.2 Amendment 4 - For Final Approval

File TPS/0282/1
Agenda Part E
Reporting Officer Planning Manager Southern Regions

THIS ITEM IS CONFIDENTIAL

10.2 Shire Of Northampton Local Planning Scheme No 10 - For Final Approval

Agenda Part E
Report Number 853/03/14/0012PV / TPS/0178/1
Reporting Officer Planning Manager, Central Regions

THIS ITEM IS CONFIDENTIAL

G Developments / Subdivisional Strata Items

10.3 Development Application At James Point Port - Reclamation Works (And Associated Fill And Dredging) - Reconsideration Under State Appeals Tribunal Act

File 26-50161/1 TEMP
Agenda Part G
Reporting Officer A/Planning Director Metropolitan Planning South West

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Member	Nature of Interest
Mayor Carol Adams	Impartiality

THIS ITEM IS CONFIDENTIAL

Resolved

Motion to adjourn

Moved by Mr Prattley, seconded by Ms Taylor

That the meeting be adjourned.

The motion to adjourn the meeting was put and carried.

The meeting was adjourned at 10.55 am with the Presiding member and the following members present:

Mayor Adams, Ms Burrows, Mr Holloway and Ms Taylor

Resolved

Motion to resume

Moved by Mr Prattley, seconded by Ms Taylor

That the meeting be resumed.

The motion to resume the meeting was put and carried.

The meeting was adjourned at 11.20 am with the Presiding member and the following members present:

Mayor Adams, Ms Burrows, Mr Holloway and Ms Taylor

Moved to item 6.1

11 General Business

Nil.

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12 Items for Consideration at a Future Meeting

Item No.	Report	Request	Report Required by
7416	Directions 2031	Planning Director - 2031 to brief the Committee after release of WA Tomorrow 2011	July/August 2011

13 Closure

The next ordinary meeting is scheduled for 10 am on 24 May 2011 and will be last Statutory Planning Committee meeting held in Level 5 Conference Room, Albert Facey House.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 12.20 pm.

PRESIDING MEMBER _____

DATE _____

INDEX OF REPORTS

Item	Description
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E	Minor Local Planning Schemes / Local Planning Scheme Amendments
9.1	SHIRE OF JERRAMUNGUP LIMITED REVIEW OF LOCAL PLANNING STRATEGY - FOR CONSENT TO ADVERTISE
G	Developments / Subdivisional / Survey Strata
9.2	PROPOSED JETTY - SOUTH YUNDERUP
9.3	SUBDIVISION TO CREATE 3 LOTS FOR RESIDENTIAL PURPOSE - LOT 104 MARBORO ROAD, SWAN VIEW
9.4	SUBDIVISION TO CREATE 2 LOTS FOR RESIDENTIAL PURPOSE - LOT 17 ULSTER ROAD, YORK
9.5	PROPOSED SHED AND LEAN TO - LOT 100 WEST SWAN ROAD, WEST SWAN
9.6	PROPOSED MIXED USE DEVELOPMENT - 328 STIRLING HIGHWAY, CLAREMONT
10	CONFIDENTIAL ITEMS
B	Local Planning Schemes / Local Planning Scheme Amendments / Major/Controversial
10.1	CITY OF COCKBURN LOCAL PLANNING SCHEME NO.3 AMENDMENT No.81 - FOR FINAL APPROVAL
10.2	CITY OF FREMANTLE LOCAL PLANNING SCHEME NO.4 AMENDMENT NO.38 - FOR FINAL APPROVAL
E	Minor Local Planning Schemes / Local Planning Scheme Amendments
10.3	SHIRE OF JERRAMUNGUP LOCAL PLANNING SCHEME AMENDMENT NO.7 - FOR CONSENT TO ADVERTISE
10.4	SHIRE OF JERRAMUNGUP LOCAL PLANNING SCHEME AMENDMENT NO.6 - FOR CONSENT TO ADVERTISE



ITEM NO: 9.1

SHIRE OF JERRAMUNGUP - LIMITED REVIEW OF LOCAL PLANNING STRATEGY - REQUEST FOR CONSENT TO ADVERTISE

WAPC OR COMMITTEE:	Statutory Planning Committee
REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Planning Manager Great Southern Region
AUTHORISING OFFICER:	Executive Director, Regional Planning and Strategy
AGENDA PART:	E
FILE NO:	DP/11/00059/1
DATE:	24/5/2011
ATTACHMENT(S):	<ol style="list-style-type: none">1. Locality Plan2. Jerramungup Proposals3. Schedule of Modifications4. Bremer Bay Proposals5. Recommended Changes to Bremer Bay Proposals6. Boxwood Hill Proposals
LOCAL GOVERNMENT:	Shire of Jerramungup
LOCAL GOVERNMENT ZONING:	Various
LOCAL GOVERNMENT DECISION:	To Request Consent to Advertise
REGION SCHEME ZONING:	N/A
REGION DESCRIPTOR:	Jerramungup

RECOMMENDATION:

That the Western Australian Planning Commission resolves to certify that the amendments to the local planning strategy are consistent with regulation 12A(3) of the Town Planning Regulations 1967 (as amended) subject to the modifications outlined in the attached schedule of modifications, being undertaken prior to advertising, and are to be advertised for not less than 21 days.

SUMMARY:

The key points relating to this report are as follows:

- A limited review of Jerramungup's Local Planning Strategy (LPS) has been submitted for consent to advertise.
- The review encompasses designation of additional land in and around two established townsites and one rural village in Jerramungup Shire for residential, rural living, and industrial purposes; as well as updates to the text relating to the new designations.
- Proposed revisions to the LPS will be generally consistent with relevant State and regional policies once modifications have been carried out.
- Certification of the limited LPS review for public comment is recommended.

BACKGROUND:

The Shire of Jerramungup is located on the south coast of Western Australia 180 km East of Albany. in the Great Southern region. It is bordered by the Shires of Gnowangerup, Ravensthorpe, Kent and the City of Albany. It contains four existing townsites; Jerramungup, Bremer Bay, Boxwood Hill and Needilup (**Attachment 1**). Bremer Bay is the primary growth area of the Shire followed by Jerramungup, with the rural villages of Boxwood Hill and Needilup historically experiencing very little growth. The Shire also contains a portion of Fitzgerald Biosphere and National Park, a recognised global biodiversity hotspot.

Broad scale agriculture (grazing and cropping) is the predominant land use in the Shire. Jerramungup and Bremer Bay have historically acted as service centres for the wider agricultural area. Jerramungup continues to provide this service roll however in recent times Bremer Bay has also experienced growth related to seasonal tourism and its desirability for urban and rural residential settlement, due to its picturesque coastal location.

Jerramungup's existing Local Planning Strategy (LPS) was endorsed by the WAPC in 2006 and gazetted in January 2007. Since gazettal, the Local Government has identified a need for review of some components of the LPS due to:

- Age of the document;
- Recent increases in development pressure within the Shire, with an envisaged further increase in development pressure due to various growth factors (outlined below); and
- A need to manage these pressures whilst protecting and maintaining the core economic base of the Shire, namely agricultural production.

A limited LPS review was submitted on 6 January 2011. Components of the review were discussed between Departmental and Local Government officers and it was agreed that some initial changes were required, due to unsupported departures from

the WAPC policy framework. The changes discussed, whilst being agreed at officer level, have not been formally adopted by the Shire Council at this stage.

The LPS limited review states that the key issues currently facing the Shire, and therefore the drivers necessitating the review, are as follows:

- An increasing trend of absentee land ownership and seasonal tourism in Bremer Bay, resulting in high variations to population throughout the year and peak pressures on services;
- Increased pressure on Bremer Bay particularly for provision of lifestyle lots now that previous rural residential land releases (namely Point Henry estate) have been fully developed;
- Whilst census data indicates a currently static population trend in the Shire, it is envisaged that there will be a need to accommodate population increase in the short to medium term as a result of planned mining ventures (namely Grange Resources magnetite mine) and establishment of associated commercial/industrial activities;
- A need to manage urban growth in the townsites and ensure adequate services and infrastructure are provided;
- A trend for increasing farm size with subsequent rural population decline as farmers relocate to existing towns;
- A need to identify and provide suitable sites for industrial expansion near to the existing townsites; and
- An emerging trend for carbon sequestration plantations and the need to manage this land use to ensure adequate and suitable land remains available for food production.

KEY ELEMENTS OF PLAN:

The LPS limited review encompasses designation of additional land in and around Jerramungup, Bremer Bay and the rural village of Boxwood Hill for residential, rural living, and industrial purposes; as well as updates to the text relating to the new designations. These elements of the review are expanded upon and assessed in the discussion below.

Needilup is not identified for any growth or expansion due to its location, lack of services and there being no historic or existing growth pressures.

PLANNING CONTEXT:

The 2007 LPS was prepared consistent with the policy framework of the State Planning Strategy and relevant State Planning Policies. Changes to the LPS proposed in the limited review do not result in conflict with this framework.

The limited review is also generally consistent with guidance provided by the WAPC's 'Local Planning Manual' for preparation of Local Planning Strategies and Schemes.

Subject to modifications as discussed below, the limited review will be consistent with provisions of SPP 2.5 'Agriculture and Rural Land Use Planning' and SPP 3 'Urban Growth and Settlement'.

SUBMISSIONS AND CONSULTATION:

N/A.

DISCUSSION:

Jerramungup Townsite

Proposals for Jerramungup (**Attachment 2** refers) are as follows:

- Short, medium and long term urban expansion (predominantly on Crown land) contiguous with existing residential areas;
- Expansion of existing wastewater treatment areas and associated buffers to accommodate envisaged urban growth;
- Consolidation of the existing town centre, established industrial areas and recreation facilities; and
- Rural residential immediately south and east of the townsite.

These proposals are predominantly supported on the basis that residential land will be consolidated within the existing townsite; and existing industrial areas and service infrastructure will be both protected and able to be expanded in the future if necessary.

With regard to the rural residential designations, it was agreed at officer level that reduction of the extent of this land use was warranted, either via deletion of one designated area or substantial reduction in the size of both. This was due to there being no demonstrated demand for the amount proposed (150 - 600 lots depending on size) particularly in the context of the currently static population within the Shire; the WAPC's current policy to limit the amount of new rural living areas; as well as the inclusion of other rural residential designations at Bremer Bay that would meet envisaged demand. This report recommends that the eastern designation is deleted and the designation immediately south and adjacent to the townsite is retained.

In regard to water supply to the rural residential area being retained, it is currently unclear whether this is available either via a reticulated supply (due to capacity issues) or via onsite catchment and storage (due to unknown rainfall reliability). Depending on comments received through agency consultation regarding viability of either supply method, revision of this designation may be necessary.

It is recommended that the WAPC support the Jerramungup proposals outlined above, subject to minor modifications as shown in the attached Schedule of Modifications (**Attachment 3**).

Bremer Bay Townsite

Proposals for Bremer Bay (**Attachment 4** refers) are as follows:

- Identification of a Town Centre location, with development and/or subdivision being subject to comprehensive structure planning;

- Designation of a new industrial area on the corner of Borden-Bremer Bay Road and Swamp Road, approximately 7km from the townsite;
- Short, medium and long term urban expansion areas (total area of new designations 333Ha) with infill development of existing areas being highest priority;
- Designation of land for rural residential purposes (total area of new designations 819Ha) adjacent to the Fitzgerald National Park as well as on the southern side of Borden-Bremer Bay Road, up to 7km from the townsite; and
- Designation of land between 5km and 7km from the townsite for 'farmlet' (rural smallholdings) purposes.

Proposals for a new town centre and industrial area are supported. Bremer Bay doesn't currently have a consolidated central area in which to locate commercial land uses and designation of such an area will allow guided, nodal development to occur. Similarly, there is limited industrial land in the townsite and much of this is poorly located to accommodate expansion. The new industrial area is suitably located as it is within a reasonable distance of the townsite with ready access to transport infrastructure; and impacts on residential areas will be avoided.

There are some concerns with both the extent and form of residential and rural residential designations. In summary:

- When considered in the context of current population trends (Shire of Jerramungup census figures show a static to slightly declining population trend over the last decade) there is little to no basis for the extent of both urban and rural residential designations, as required by SPP 3;
- A basic analysis taking into account the LPS review's stated growth drivers and utilising a nominal 5% annual population growth scenario to describe resulting growth, still indicates that the extent of urban and rural residential designations is excessive and unreasonable;
- Analysis of existing land supply shows that there is sufficient zoned and serviced urban residential land available for subdivision and development which would accommodate the high-growth scenario described above, however there does appear to be limited availability of rural residential land;
- The spatial location of the various designations would lead to a non-compact, illogical development form leading to potential difficulties in terms of servicing, inefficient use of land and the likelihood of increased pressure for unplanned, speculative development of agricultural land further west; and
- The location of some of the rural residential designations in particular would have high potential to give rise to land use conflicts with existing agricultural land uses, which both SPP 2.5 and the LPS objectives seek to avoid.

Therefore, these designations are only supported in part. To address the above matters a number of changes to the designations are recommended; these are shown in **Attachments 3 and 5**. In summary, they are:

- Changing portions of a rural residential designation near the townsite to urban residential, due to its proximity to existing urban areas and the greater

likelihood of urban services being available to the land in the short to medium term;

- Replacement of some of the rural residential and long term residential areas with 'long term investigation' designations, whereby land uses that may prevent eventual residential development would not be supported. This designation provides a level of protection for those areas by avoiding interim subdivision and/or land use that may constrain use of the land for this purpose if required due to unforeseen growth or demand;
- Inclusion of an urban land release strategy requiring development of existing zoned and serviced areas (including infill) prior to rezoning and subdivision of other designated areas; and
- Replacement of the rural residential designation south of the proposed new industrial area with a 'farmlet' designation.

The concerns outlined above as well as recommended modifications were discussed with Shire officers, who advised that the recommended changes are supported at officer level.

It is acknowledged that current WAPC policy (SPP 2.5 and SPP 3) advocates limiting rural residential expansion. However it is recommended that the rural residential proposals being retained warrant consideration in this instance. This is due to the existing supply of rural residential land at Bremer Bay having been largely taken up, indicating some demand for this lot type; the new areas appear to be relatively unconstrained environmentally; they would be suitably located, being within 1.5-4km of the proposed new town centre and adjacent to new residential designations; the designations would no longer be excessive; and they are unlikely to constrain future urban development of the town or conflict with agricultural land uses.

From a servicing viewpoint, it is understood that draft revisions to SPP 2.5 (currently being advertised for public comment) would require provision of a reticulated water supply to new rural residential lots. It is unknown at this stage whether the areas designated could be reasonably serviced as they lie outside the Water Corporation's operating license area.

However draft SPP 2.5 also provides for regional variation to the general provisions where this is warranted. Sufficient evidence exists to indicate that water supply to rural residential lots in Bremer Bay via roof catchment and onsite storage is reliable, subject to a minimum 420m² roof area and 120KL storage tank being provided. This method of servicing with the requisite roof catchment and storage areas has also recently been supported by the WAPC for subdivision of existing rural residential land in Bremer Bay. Therefore, if onsite water supply was necessary for new rural residential areas in the future, this would not be an unacceptable departure from WAPC policy.

Designations for 'farmlet' (rural smallholdings) subdivision in the locations specified is supported. This type of development may be entertained under SPP 2.5 where it forms part of an overall settlement strategy, which the LPS review provides. This land use has merit as it is limited in extent (an eventual yield of less than 50 lots is likely) and is not currently available in Jerramungup Shire so provides an additional housing option. The designated areas are also within a reasonable distance of Bremer Bay townsite and provide for a natural gradation of development form between solely

agricultural land uses further west and predominantly residential forms of development to the east; and a logical limit to further expansion of the town into the rural hinterland.

Boxwood Hill

Boxwood Hill currently consists of a service station; some recreation facilities including a sports oval; approximately 15 existing residential zoned lots; and approximately 10 rural lots from 1Ha - 10Ha under Crown ownership.

Proposals for Boxwood Hill (**Attachment 6** refers) are as follows:

- Consolidate recreation facilities;
- Enhance the entry statement from South Coast Highway; and
- Identify short and long term residential expansion areas (predominantly on Crown land).

These proposals are supported. Boxwood Hill is not envisaged to be a high growth townsite in the future however if this does occur, the designations provided are likely to be sufficient without being excessive. Notwithstanding this, minor modifications are recommended in order to guide future subdivision and development of the residential designated areas in terms of lot size and service provision (**Attachment 3** refers).

Other Revisions

Other revisions to the LPS text in addition to those related to the above matters include:

- Extension of the LPS planning timeframe to 30 years plus, including qualifying statements that new designations provided are envisaged to be the final development footprint for the respective townsites; and
- Provisions for control of carbon sequestration plantations.

The proposed 30 year planning timeframe is longer than the 10 to 20 year timeframe advocated by the Local Planning Manual. In this instance a longer timeframe is not a concern as there will be a clear and reasonable land release strategy included; a significant proportion of land would be designated for 'long term investigation' so would not be rezoned or developed on a speculative basis in the short to medium term; and the longer timeframe does not preclude further interim reviews of the LPS to change designations if necessary.

The carbon sequestration plantation provisions are supported. These provisions are similar to those recently supported by the WAPC in Plantagenet Shire's new draft LPS. They will provide sufficient guidance to the Local Government when contemplating this land use on agricultural land in the Shire.

Other Matters

Recommendations in this report affect two existing rezoning proposals at Bremer Bay. Both of these are dealt with by separate reports on this SPC agenda and have been assessed in the wider strategic context of the LPS review.

MODIFICATIONS:

Minor modifications are required, as detailed in the above discussion and contained in **Attachment 3**.

CONCLUSION:

A limited review of Jerramungup's Local Planning Strategy (LPS) has been submitted for consent to advertise. The review encompasses designation of additional land around two townsites and one rural village in Jerramungup Shire for residential, rural living and industrial purposes; as well as updates to the text relating to the new designations.

Proposed revisions to the LPS will be generally consistent with relevant State planning policies once suitable modifications have been carried out. Consent to advertise the limited LPS review for public comment following modifications is therefore recommended.

 Government of Western Australia
Department of Planning

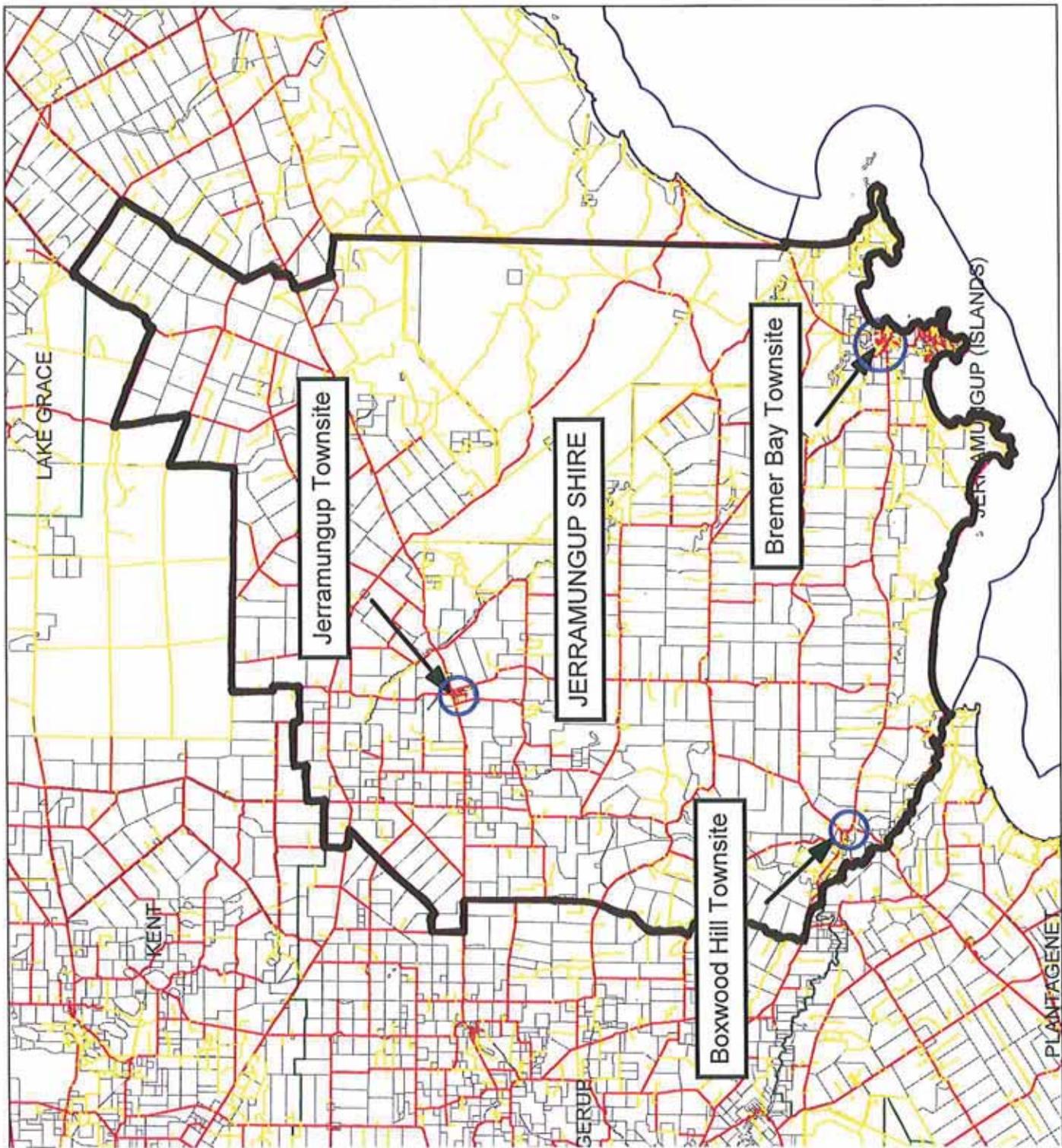
Locality Plan

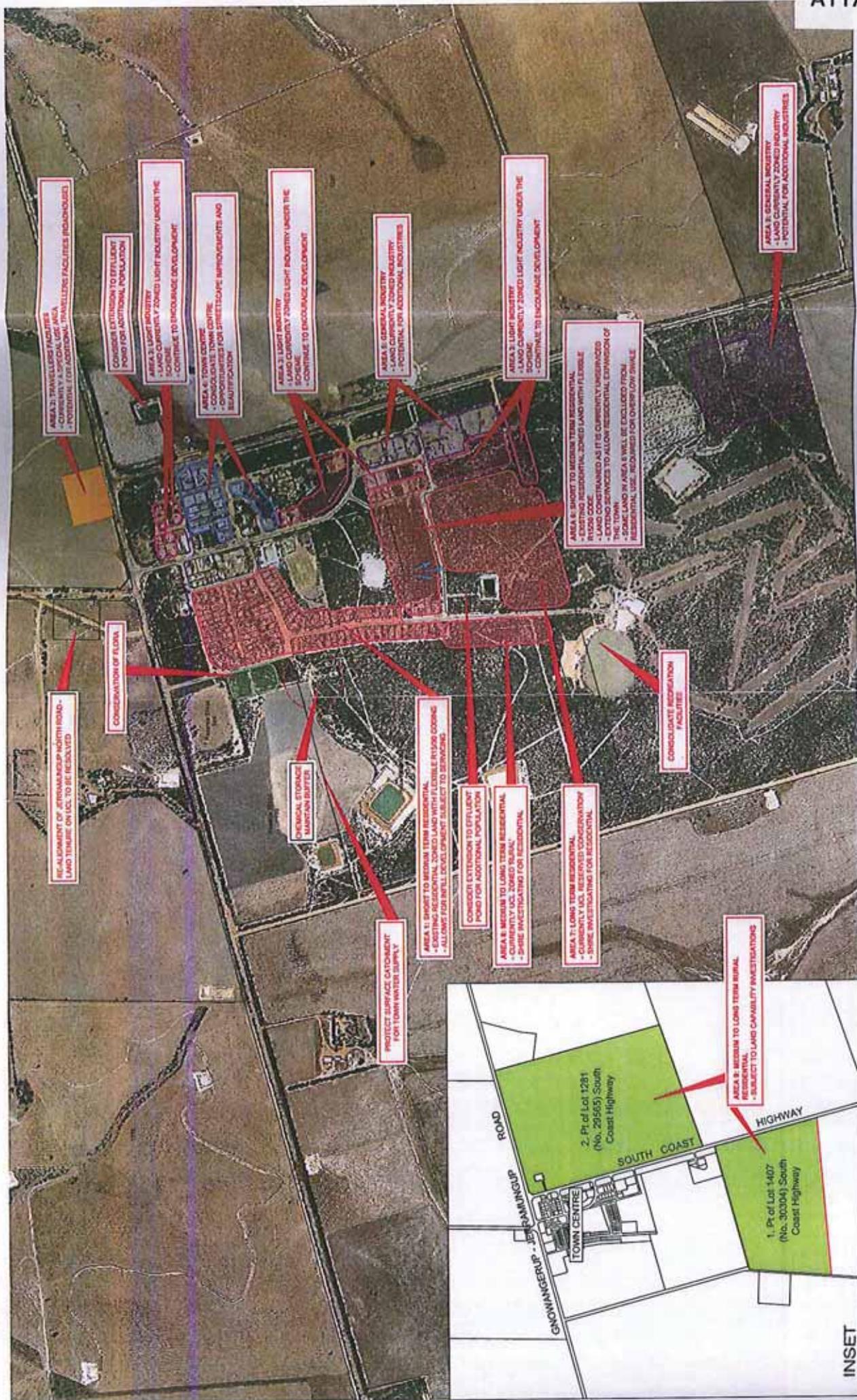
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Cadastral
Country
Islands

Scale 1:675,628
0 25 km

Prepared by: mjendrozcak
Prepared for: SPC
Date: Thursday, April 21, 2011 13:24
Plot identifier: P20110421_1323

DP INTERNAL USE ONLY





AREA 2: TRAVELLERS FACILITIES
 - CONSIDER ADDITIONAL TRAVELLERS FACILITIES (ROADHOUSE)
 - POTENTIAL FOR ADDITIONAL TRAVELLERS FACILITIES (ROADHOUSE)

CONSIDER EXTENSION TO EFFLUENT POND FOR ADDITIONAL POPULATION

AREA 3: LIGHT INDUSTRY
 - LAND CURRENTLY ZONED LIGHT INDUSTRY UNDER THE LOCAL GOVERNMENT ZONING SCHEME
 - CONSIDERATION FOR STREETScape IMPROVEMENTS AND BEAUTIFICATION
 - CONTRIBUTE TO ENCOURAGE DEVELOPMENT

AREA 4: TOWN CENTRE
 - CONSIDERATION FOR STREETScape IMPROVEMENTS AND BEAUTIFICATION

AREA 5: LIGHT INDUSTRY
 - LAND CURRENTLY ZONED LIGHT INDUSTRY UNDER THE LOCAL GOVERNMENT ZONING SCHEME
 - CONSIDERATION FOR STREETScape IMPROVEMENTS AND BEAUTIFICATION
 - CONTRIBUTE TO ENCOURAGE DEVELOPMENT

AREA 6: GENERAL INDUSTRY
 - LAND CURRENTLY ZONED GENERAL INDUSTRY
 - POTENTIAL FOR ADDITIONAL INDUSTRIES

AREA 7: LIGHT INDUSTRY
 - LAND CURRENTLY ZONED LIGHT INDUSTRY UNDER THE LOCAL GOVERNMENT ZONING SCHEME
 - CONTRIBUTE TO ENCOURAGE DEVELOPMENT

AREA 8: SHORT TO MEDIUM TERM RESIDENTIAL
 - LAND CURRENTLY ZONED LAND WITH FLEXIBLE RURAL CODE
 - LAND CONSIDERED AS IT IS CURRENTLY UNDERGRASS
 - EXTEND SERVICES TO ALLOW RESIDENTIAL EXPANSION OF THE TOWN
 - AREA 8 WILL BE EXCLUDED FROM RESIDENTIAL USE, REQUIRED FOR OVERFLOW SWALE

AREA 9: GENERAL INDUSTRY
 - LAND CURRENTLY ZONED GENERAL INDUSTRY
 - POTENTIAL FOR ADDITIONAL INDUSTRIES

REALIGNMENT OF JERRAMUNGUP HIGHWAY ROAD
 - LAND TRIMMED ON LUC TO BE REDUCED

CONSERVATION OF FLORA

PERSONAL STORAGE
MARITIME BUFFER

PROTECT SURFACE CATCHMENT
 FOR TOWN WATER SUPPLY

AREA 11: SHORT TO MEDIUM TERM RESIDENTIAL
 - EXISTING RESIDENTIAL ZONED LAND WITH FLEXIBLE RURAL CODE
 - ALLOWS FOR INFILL DEVELOPMENT SUBJECT TO SERVICING

CONSIDER EXTENSION TO EFFLUENT POND FOR ADDITIONAL POPULATION

AREA 8: MEDIUM TO LONG TERM RESIDENTIAL
 - CURRENTLY UCL ZONED RURAL
 - SHIP INVESTIGATING FOR RESIDENTIAL

AREA 11: LONG TERM RESIDENTIAL
 - CURRENTLY UCL ZONED RURAL
 - SHIP INVESTIGATING FOR RESIDENTIAL

CONSOLIDATE REGISTRATION FACILITIES

AREA 8: MEDIUM TO LONG TERM RURAL
 - RESIDENTIAL
 - SUBJECT TO LAND CAPABILITY INVESTIGATIONS



LOCAL PLANNING STRATEGY
JERRAMUNGUP TOWNSITE
SHIRE OF JERRAMUNGUP

Figure 29
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 perth@grayfowles.com



LEGEND:
 SWALE FOR POND OVERFLOW

SHIRE OF JERRAMUNGUP
Local Planning Strategy - Limited Review
Schedule of Modifications

No.	Modification	Reason
1.	<p>In S7.3.1, delete reference to rural residential being contemplated within 15-20 km of towns. Replace with statements that rural residential and other similar land uses will be entertained only in those areas designated on the relevant maps (Figures 19 and 29).</p>	<p>Identification of wide areas where such land uses may be considered is contrary to SPP 2.5 and SPP 3 as this will lead to dispersed rural settlement, land use conflict, removal of agricultural land from primary production and unplanned, speculative spot rezonings.</p>
2.	<p>Modify Figure 19 as follows:</p> <ul style="list-style-type: none"> • In annotation for Area 5, change R-Code from R15/30 to R2/15. • Remove existing designations over areas 8, 10 and the western half of area 9 and replace with 'long term investigation' designations. • Replace portion of rural residential designation over area 12 with a residential designation. • Remove rural residential designation from area 13 and replace with farmlet designation. 	<p>Residential and rural residential designations as proposed are excessive in context of current land supply and envisaged demand; and would lead to an undesirable dispersed settlement pattern.</p> <p>Revised designations provide a more reasonable future land supply and more appropriate settlement form.</p> <p>Plan attached to this schedule clarifies revisions required.</p>
3.	<p>Update relevant sections in text of S8.1 to reflect the changes to Figure 19 required by modification 2 above.</p> <p>In this section, include provisions guiding urban land release whereby existing zoned and/or serviced areas will be given priority over areas that are currently not zoned and/or cannot be adequately serviced.</p>	<p>Consistency between text and figures.</p> <p>Inclusion of land release strategy ensures efficient use and provision of necessary services; and that a logical, compact progression of urban development will occur.</p>
4.	<p>Modify Figure 29 as follows:</p> <ul style="list-style-type: none"> • For effluent pond areas, provide clear demarcation of extensions required along with necessary buffers. Area of 	<p>Appropriate to demarcate effluent area requirements based on expected needs following full development. removes potential of</p>

	<p>extension should correspond to envisaged area required after full development of existing and proposed residential areas within the townsite.</p> <ul style="list-style-type: none"> Delete rural residential designation over part lot 1281 South Coast Highway. Modify designation over part lot 1407 to accommodate effluent pond expansion if necessary. 	<p>development being constrained due to inadequate effluent treatment areas being available.</p> <p>Rural residential designations as proposed are excessive in context of current land supply and envisaged demand, particularly in light of rural residential designations being supported at Bremer Bay and existing WAPC position of limiting new rural residential development.</p>
5.	<p>Update relevant sections in text of S8.2 to reflect the changes to Figure 29 required by modification 2 above.</p> <p>In this section, include provisions to ensure new residential designations where they abut existing industry zones incorporates separation distances/buffers/design elements to minimise land use conflict.</p>	<p>Consistency between text and figures.</p> <p>Reasonable for new residential development to avoid introduction of negative impacts on industrial land uses given that the industrial zone is already in place.</p>
6.	<p>On Figure 30 and in corresponding text of LPS:</p> <p>Clarify proposed R-Code of future residential areas as well as envisaged method of service supply (water and sewerage).</p>	<p>Clarification.</p>



Figure
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 F (08) 9474
 perth@graylewi

GRAY & LEWIS
 LAND USE PLANNERS

SCALE 1:200 000 @ A3

NOTES:

1. This plan is a draft only and the LPS should not be relied on for any commercial or financial decision. The LPS will be subject to change and requires endorsement by the Western Australian Planning Commission.
2. Areas shown in red are subject to the Shire of Jerramungup Local Planning Scheme No. 2.
3. There are significant areas zoned 'Recreation and Open Space' in Bremer Bay. Refer to the Shire of Jerramungup Local Planning Scheme No. 2 map for accurate zoning information.
4. Some recommendations in the Draft Strategy are dependent on potential outcomes and changes to priority water areas and their classification. Consultation with the Department of Water will be completed prior to finalisation.

LOCAL PLANNING STRATEGY
BREMER BAY TOWNSITE AND SURROUNDS
SHIRE OF JERRAMUNGUP

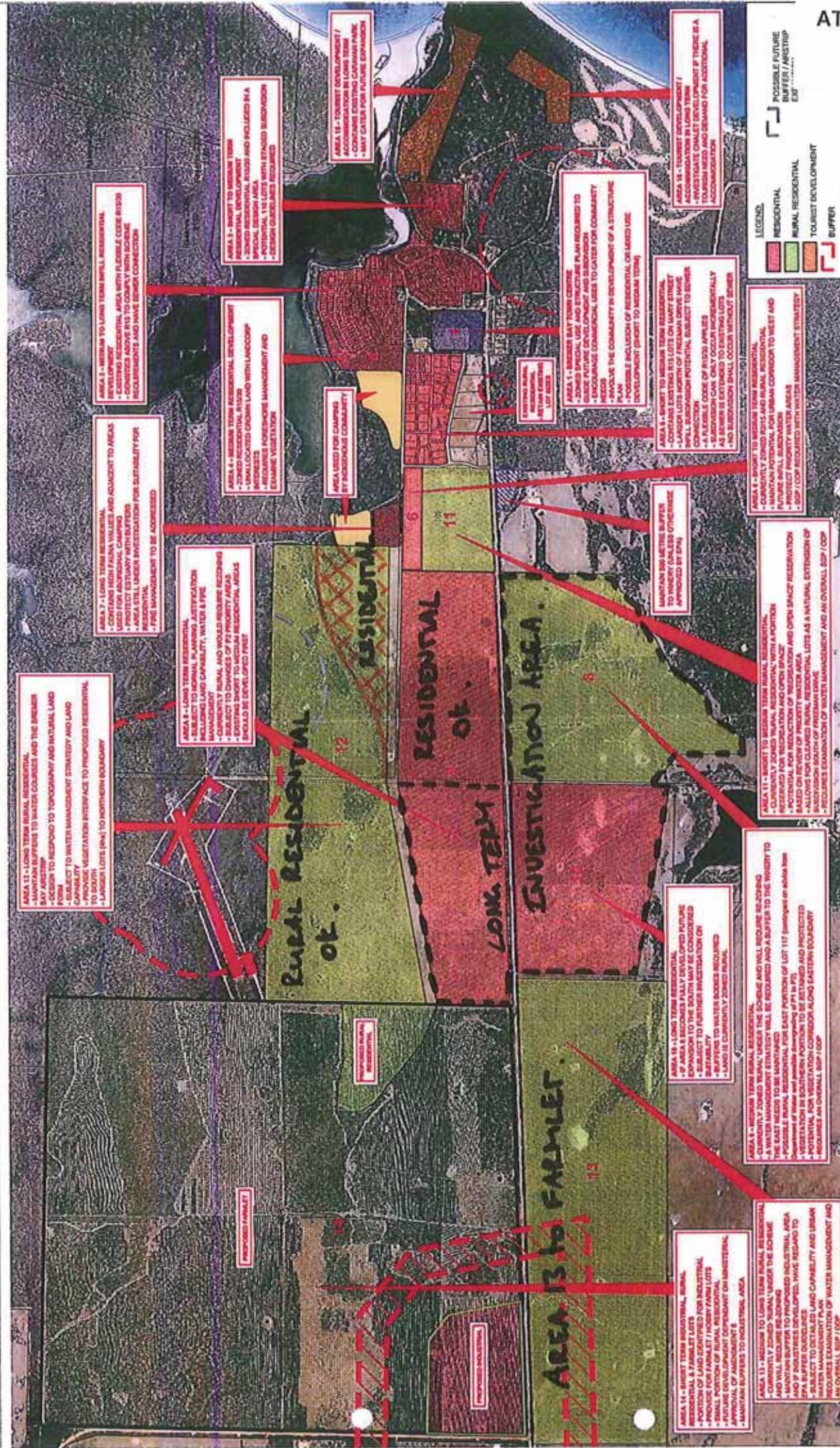
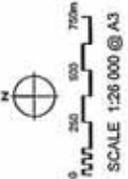


Fig 1
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F (08) 8
perth@grm

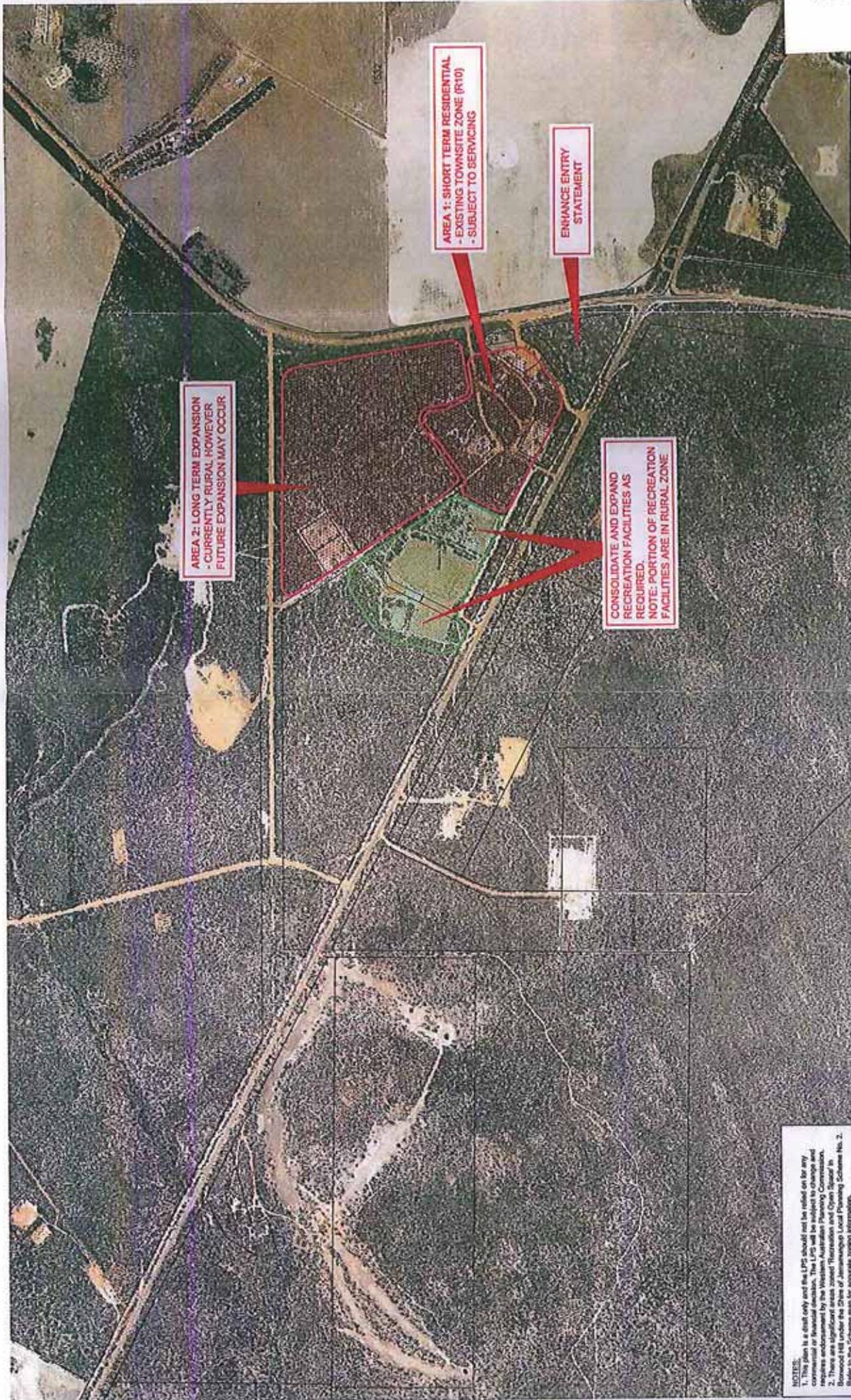


GRAY & LEWIS
LAND USE PLANNERS



NOTES:
1. This Plan is a draft only and the LPS should not be relied on for any commercial or financial decision. The LPS will be subject to change and requires endorsement by the Western Australian Planning Commission.
2. All development in the Rural Residential Development Zone requires planning approval and specific provisions under the Shire of Jerramungup Local Planning Scheme No. 2.
3. There are significant areas zoned 'Vacational and Open Space' in Bremer Bay. Refer to the Shire of Jerramungup Local Planning Scheme No. 2 map for details.
4. Some recommendations in the Draft Strategy are dependent on potential outcomes and changes to priority water areas and their classifications. Consultation with the Department of Water will be conducted prior to finalisation.

**LOCAL PLANNING STRATEGY
BREMER BAY TOWNSITE AND SURROUNDS
SHIRE OF JERRAMUNGUP**



AREA 2: LONG TERM EXPANSION
 - CURRENTLY RURAL, HOWEVER
 FUTURE EXPANSION MAY OCCUR

AREA 1: SHORT TERM RESIDENTIAL
 - EXISTING TOWNSITE ZONE (R10)
 - SUBJECT TO SERVICING

**ENHANCE ENTRY
 STATEMENT**

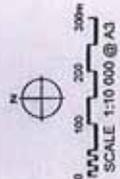
**CONSOLIDATE AND EXPAND
 RECREATION FACILITIES AS
 REQUIRED.**
 NOTE: PORTION OF RECREATION
 FACILITIES ARE IN RURAL ZONE

NOTES:
 1. This plan is a draft only and the LPS should not be relied on for any
 commercial or financial decision. The LPS will be subject to change and
 requires endorsement by the Western Australian Planning Commission.
 2. There are significant areas zoned 'Transition and Open Space' in
 the Boxwood Hill Township LPS. Refer to the LPS for more information.
 Refer to the Scheme map for accurate zoning information.

**LOCAL PLANNING STRATEGY
 BOXWOOD HILL TOWNSITE
 SHIRE OF JERRAMUNGUP**

Figure
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 perth@graylewis.com.au

**GRAY & LEWIS
 LAND USE PLANNERS**





ITEM NO: 9.2

PROPOSED JETTY - SOUTH YUNDERUP

WAPC OR COMMITTEE:	Statutory Planning Committee
REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Planning Manager Perth, Peel, South West Planning & Strategy
AUTHORISING OFFICER:	Executive Director Perth, Peel, South West Planning & Strategy
AGENDA PART:	G
FILE NO:	616-120-1
DATE:	17th May 2011
ATTACHMENT(S):	1. Regional Context 2. Location Plan - PRS 3. Location Plan - Aerial 4. Proposed Jetty
REGION SCHEME ZONING:	Urban, Acid Sulphate Soils Risk Area, Geomorphic Wetland Conservation Management Buffer
LOCAL GOVERNMENT:	Shire of Murray
LOCAL SCHEME ZONING:	No Zone
LGA RECOMMENDATION:	
REGION DESCRIPTOR:	Peel
RECEIPT DATE:	18th January 2011
PROCESS DAYS:	102
APPLICATION TYPE:	Development
DESCRIPTION OF PROPOSAL:	Proposed Jetty.
CADASTRAL REFERENCE:	Banksia Terrace, South Yunderup

RECOMMENDATION:

That the Western Australian Planning Commission resolves to refuse the application for the following reasons:

- 1. the proposed private jetty would result in adverse environmental and aesthetic impacts upon the Murray River and its foreshore;***
- 2. approval to the proposed private jetty is not consistent with the purpose of the Regional Open Space reservation under the Peel Region Scheme as it does not protect the natural environment, does not safeguard the important***

landscape value of the area and reduces public access to the Murray river and its foreshore;

- 3. *the construction of additional private jetties within the natural waterways of the Peel region would have cumulative detrimental impacts in terms of reducing public access to the waterway, alienation of the foreshore and adjacent waterways, loss of foreshore vegetation and visual amenity of the foreshore and natural waterways.***

SUMMARY:

It is recommended that the application be refused.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:

Planning and Development Act 2005

162 - Development Control

177 - When compensation payable if land reserved

252 - Decision made in exercise of discretionary power under planning scheme

Strategic Plan

Strategic Goal:

Regulation

Outcomes:

Effective, consistent and enforceable regulation

Strategies:

Improve, streamline and simplify regulatory processes within a risk based framework

Policy

Number and / or Name:

Peel Region Scheme

BACKGROUND:

In September 2007, the applicant applied to the Shire of Murray for development approval to construct a new private jetty. That application was refused by the Shire on 25 September 2007.

An application for construction of a new jetty by another applicant, adjacent to Lot 72 Banksia Terrace (WAPC Ref: 616-42-1), located about 200 metres west of the jetty proposed by this application, was refused by the WAPC under delegated authority on 8 November 2005. That decision was appealed to the State Administrative Tribunal (SAT) and the appeal was dismissed (WASAT 128 2006).

In relation to WASAT 128 2006, the SAT commented that the construction of a private jetty within a public reserve would have limited social benefit beyond its use by the applicant. The SAT also commented that an additional private jetty would adversely affect visual amenity, so far as the natural state of the river is concerned. Part of the appeal was also based on personal hardship, due to the applicant in that case being

disabled, although the SAT considered that the appellant's personal circumstances did not outweigh other planning considerations.

INTRODUCTION:

The applicant seeks approval to construct a new private jetty in South Yunderup. The proposed L- shaped jetty would have a 6 metre x 1.5 metre wide access and a 4.5 metre x 1.5 metre jetty head.

The jetty would be constructed in the Murray River, within the Waterways reservation and abutting the Regional Open Space (ROS) reservation in the Peel Region Scheme (PRS). A gazetted road separates the applicant's property (Lot 79 Banksia Terrace) and the ROS reservation.

A distinction between the current application and the application considered by the SAT for land to the west of the subject land is that the current proposal is not for a disability purpose.

(Attachment 1: Regional Context, Attachment 2: Location Plan - PRS, Attachment 3: Location Plan - Aerial; Attachment 4: Proposed Jetty)

CONSULTATION:

The Shire of Murray has not responded to the referral of this application for its advice.

The Department of Water does not support the application as it does not comply with WS 3.4.

In regard to the design of the proposed jetty, the Department of Transport's New Coastal Assets branch has raised no objections.

COMMENTS:

Peel Region Scheme

The purpose of an ROS reservation, according to s10 of the PRS is to:

"protect the natural environment, provide recreational opportunities, safeguard important landscapes and provide public access"

The Banksia Terrace reserve and the adjacent section of the Murray River are important in terms of their public accessibility compared with other more remote or more land-locked reserves. The value of accessible foreshore reserves is becoming increasingly significant with the rapid growth in the population of the Peel region.

Although the proposed private jetty would provide recreational opportunities for the applicant, its construction would reduce public access to the river and have the effect of privatising public land. In addition, the visual amenity of the river in its natural state

would be adversely affected. It is therefore considered that the proposed jetty is not consistent with the purpose of the ROS reservation.

WAPC Policy

The WAPC does not have a formal policy to guide the assessment of development applications involving boating facilities. However, when dealing with such applications, consideration is given to the Peel Inlet Advisory Council (PIAC) position statement *Boating Facilities, Jetties and Structures - WS 3.4*. The practice of taking into account WS 3.4 when considering applications for jetties has been consistently applied since the Peel Region Scheme came into effect in 2003.

The objectives of WS 3.4 are to minimise environmental, aesthetic and social impacts associated with boating structures and minimise the alienation of public waterways and foreshore areas. As a general rule, WS 3.4 does not support new private jetties or structures abutting public land. Although WS 3.4 acknowledges three non-conforming areas where private jetties may be considered, none of these areas relates to the subject land, as discussed later in this report.

The Swan River Trust's (SRT) policy *Jetty Structures Within the Swan River Trust Management Area* (2007) reflects the aims of WS 3.4 and does not support the construction of additional private jetty structures abutting public foreshores. The SRT policy makes no allowance for existing private and commercial jetty structures to remain upon expiry of the jetty license, as foreshores are acquired for public use, unless a public authority is willing to transfer the jetty licence to public use. The SRT requires the removal of all private jetties upon acquisition of the foreshore. Although the WAPC does not assess jetty applications under the SRT policy, it is mentioned here in order to demonstrate that a consistent approach to jetty development has been taken across the metropolitan and Peel regions.

The Department of Planning's Peel office is to prepare a formal boating facilities policy for the Peel region. Such a policy will be presented to the Peel Region Planning Committee in draft form for consideration, in due course.

Approval of the subject application would set a policy direction for the WAPC which is inconsistent with the WS 3.4 and SWT policies.

Other Jetty Approvals

New private jetties have been constructed at Ravenswood (Reserve 40109), the canals (Willow Gardens) and the Murray River delta islands since WS 3.4 came into effect. However, these are the three 'non-conforming areas' acknowledged in WS 3.4 as areas where new private jetties are generally permitted. In this respect:

- Reserve 40109 in Ravenswood was created in 1962. For the following 10 years, portions of the reserve were leased to the owners of abutting residential lots. This unusual tenure arrangement led to a number of jetties being constructed on the Murray River. As a result, the properties fronting Reserve
-

40109 retain the privilege of maintaining a jetty in the Murray River as a result of this long standing precedent.

- the 'Willow Gardens' canal estate resulted from an approval, granted in 1980. In that case, lots fronting the canal were permitted to have jetties within the canal. However, 17 lots facing the Murray River were ultimately prevented from having jetties within the canal, despite a separate lot being created for that purpose. As a result, these properties were permitted to have shared jetties in the Murray River; and
- new private jetties are permitted, in connection with existing residential lots, on the Murray River delta islands as the islands do not have road access to the mainland.

These unusual considerations do not apply to the foreshore abutting Banksia Terrace.

Approximately forty private jetties exist within the Murray River within the Waterways reservation and abutting the ROS reservation between Willow Gardens and Tatham Road, South Yunderup.

The Shire has constructed jetties and mooring piles in the Murray River in strategic locations agreed with by the Departments of Planning, Water, and Transport. However, these are intended to provide public facilities for all residents and visitors to the region, as opposed to private facilities for individual residents.

Environmental Impact

It has been suggested that the application will have a positive impact in terms of stabilising the river bank, as the applicant intends to build a retaining wall along the river bank if the application is approved. However, as the construction of a retaining wall is not contingent upon jetty construction, this argument is not supported.

Possible Precedent

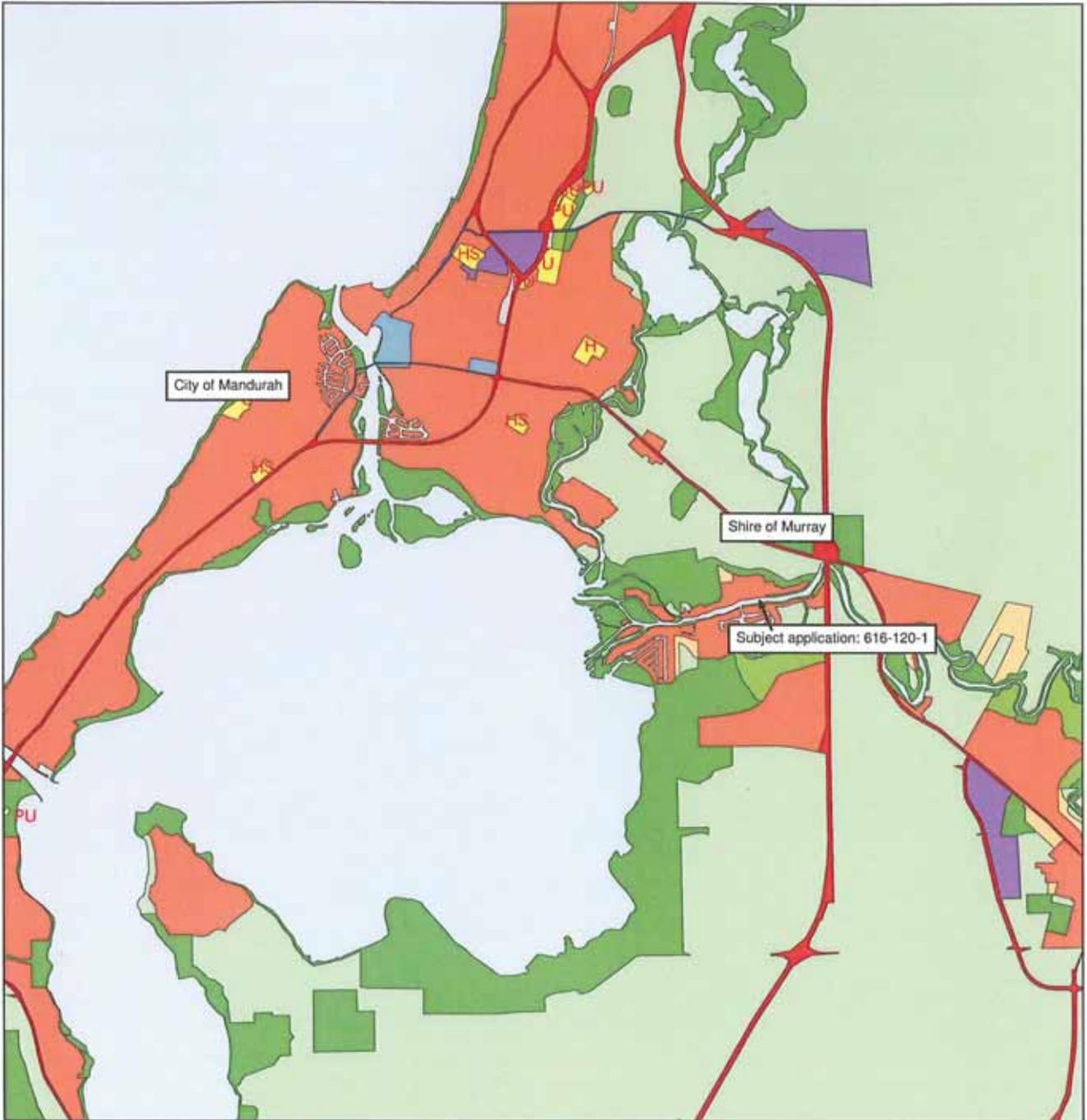
Examination of properties adjacent to the Murray River, in North Yunderup and between Willow Gardens, South Yunderup to South Western Highway, Pinjarra, reveal that more than 100 properties without jetties are separated from the river by a foreshore reserve and/or gazetted road. Approval of the application may encourage other landowners to lodge similar applications.

The construction of additional private jetties within the natural waterways of the Peel region would have cumulative detrimental impacts in terms of reducing public access to the waterway, alienation of the foreshore and adjacent waterways, loss of foreshore vegetation and visual amenity of the foreshore and natural waterways.

Although each application is considered on its own merits, it is likely that SAT would have some regard to WASAT 128 2006 in the event that an application for review is lodged by the applicant.

CONCLUSION:

It is recommended that the application be refused for the reasons outlined in the recommendation.



URBAN	PRIMARY REGIONAL ROADS	PP - HIGH SCHOOL
URBAN DEFERRED	OTHER REGIONAL ROADS	PP - UNIVERSITY
REGIONAL CENTRE	REGIONAL OPEN SPACE	PP - SPECIAL USES
INDUSTRIAL	WATERWAYS	PP - PUBLIC UTILITIES
PRIVATE RECREATION	RAILWAYS	
RURAL	PP - HOSPITAL	

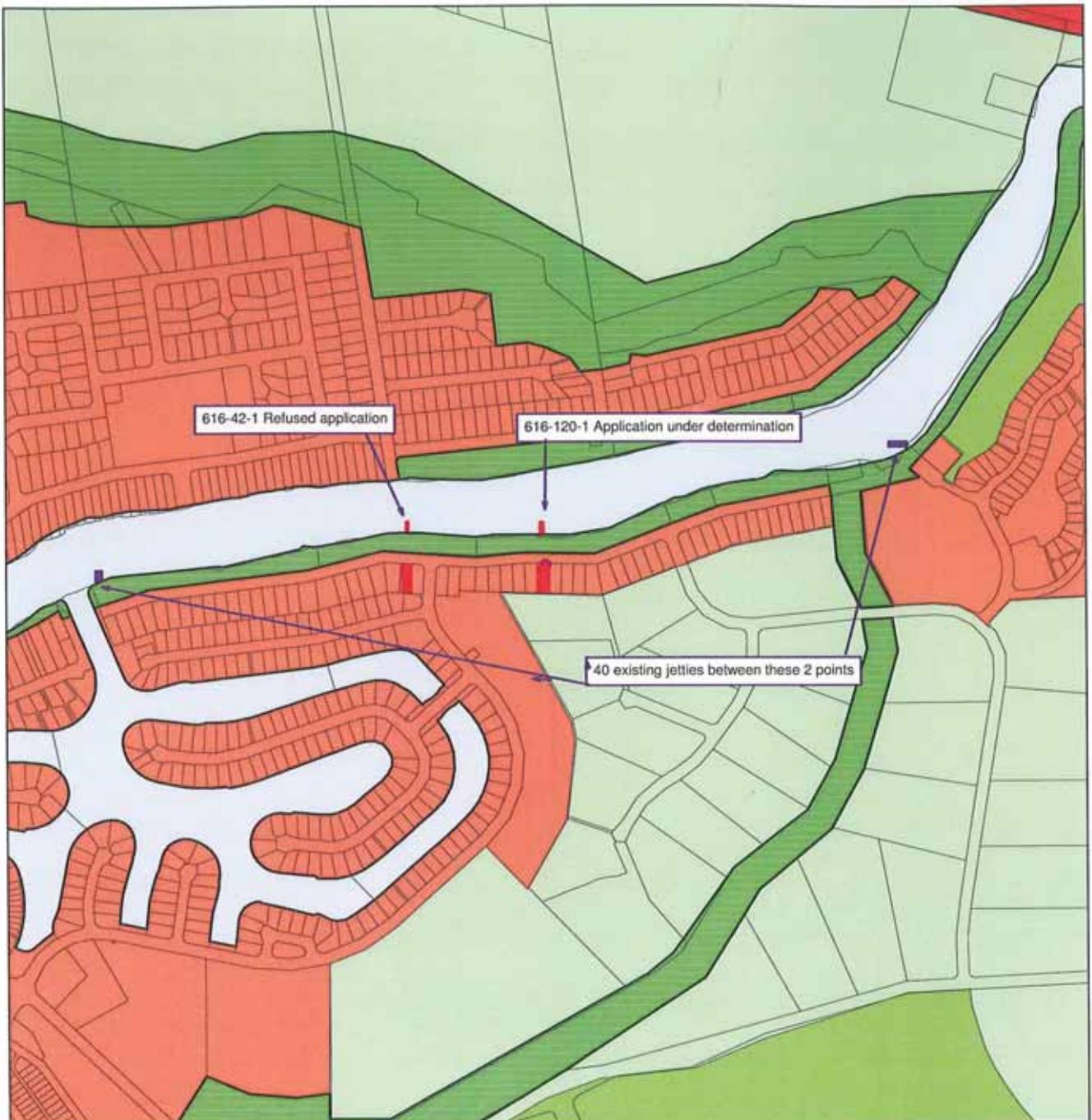
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Prepared by: Iharris
 Prepared for: 616-120-1
 Date: Friday, May 06, 2011 15:31
 Plot Identifier: P20110506_1531

DP INTERNAL USE ONLY

Government of Western Australia
 Department of Planning

616-120-1
 Regional Context



Scale 1:10,000
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Prepared by: Iharris
 Prepared for: 616-120-1
 Date: Tuesday, May 10, 2011 15:28
 Plot identifier: P20110510_1527

DP INTERNAL USE ONLY

Government of Western Australia
 Department of Planning

Jetty context



 APPROVED

 CANCELLED

 Cadastre with Lot Numbers

2010 Metro South Aerial Photography *Do Not Print or PDF*

Scale 1:1,500
0 50 m

Prepared by: Iharris
Prepared for: 616-120-1
Date: Friday, May 06, 2011 14:19
Plot Identifier: P20110506_1419

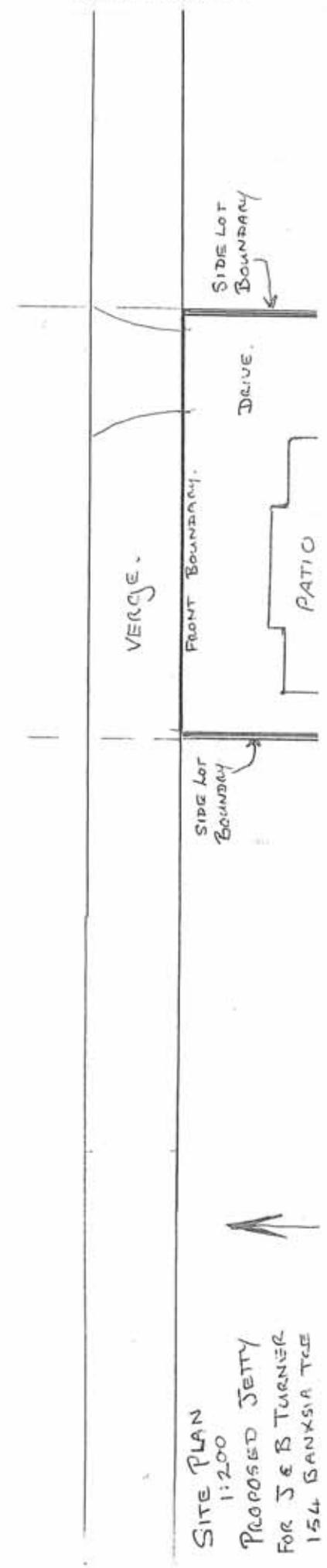
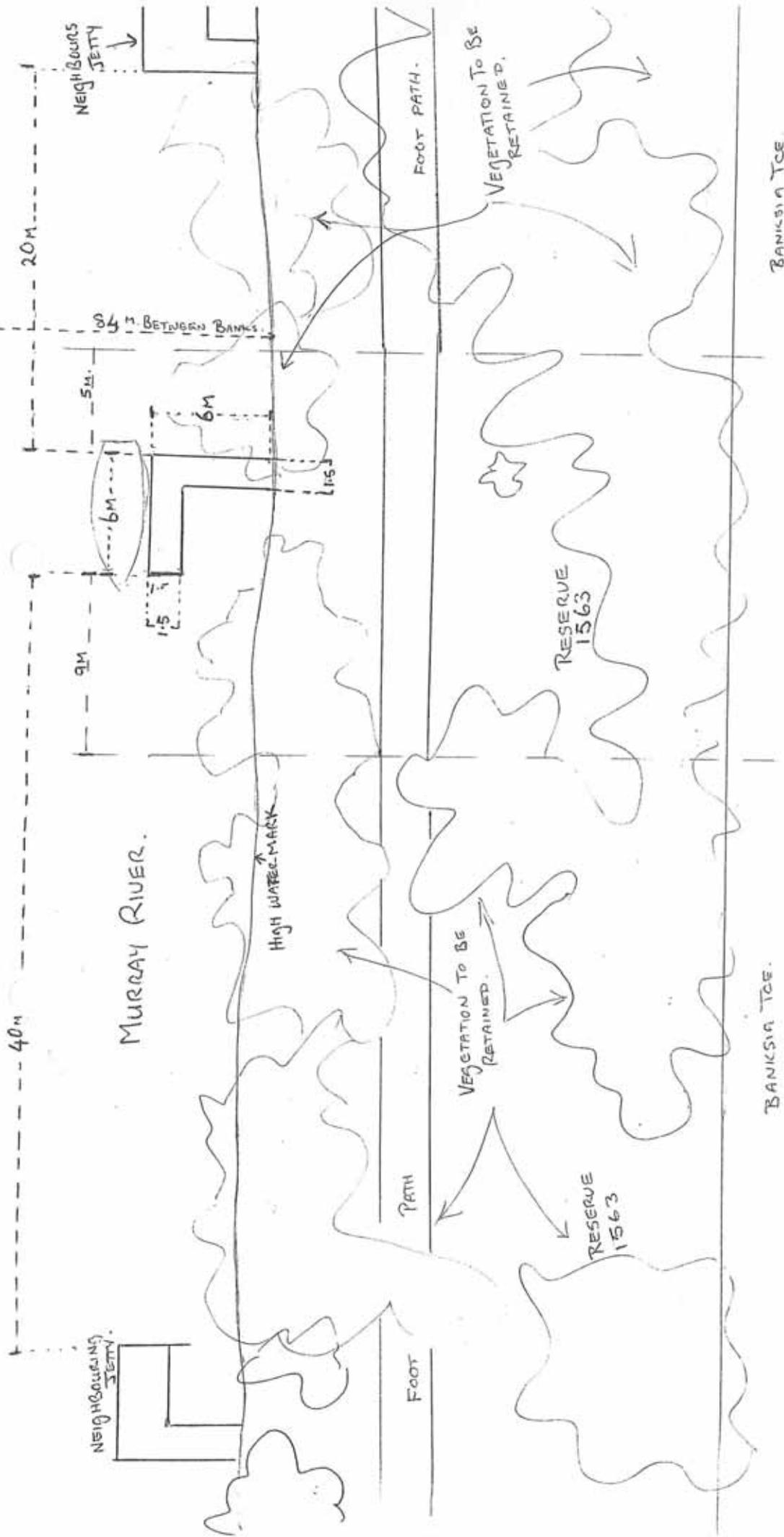


DP INTERNAL USE ONLY



Government of Western Australia
Department of Planning

Proposed Jetty location



SITE PLAN
1:200
PROPOSED JETTY
FOR J & B TURNER
154 BANKSIA TCE



ITEM NO: 9.3

SUBDIVISION TO CREATE 3 LOT(S) FOR RESIDENTIAL PURPOSE - LOT 104 MARLBORO ROAD, SWAN VIEW.

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: A/Director North East Metropolitan Planning
AUTHORISING OFFICER: A/Executive Director Perth, Peel, South West Planning & Strategy

AGENDA PART: G
FILE NO: 143283
DATE: 10th May 2011
ATTACHMENT(S): **Attachment 1** - Subdivision Plan
Attachment 2 - Aerial Photography
Attachment 3 - Location/Zoning Plan
Attachment 4 - LSIP 324
Attachment 5 - LSIP 324 Technical Guidelines and LSIP 324 Public Open Space Calculations
Attachment 6 - Lot Size Plan

REGION SCHEME ZONING: Mrs: Urban, Ccs_Site_Id No. Abuts 2293
LOCAL GOVERNMENT: Shire of Mundaring
LOCAL SCHEME ZONING: Residential
LGA RECOMMENDATION: Refusal
REGION DESCRIPTOR: Perth Metro North East
RECEIPT DATE: 24th November 2010
PROCESS DAYS: 167
APPLICATION TYPE: Subdivision
DESCRIPTION OF PROPOSAL: Subdivision To Create 3 Lot(s) for Residential Purpose.
CADASTRAL REFERENCE: Lot 104 Marlboro Road, Swan View

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the proposed subdivision of Lot 104 Marlboro Road, Swan View to create three lots, subject to the following conditions and advice:

CONDITIONS

1. *Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road*

system and such road(s) being constructed and drained at the applicant/owner's cost. As an alternative the WAPC is prepared to accept the applicant/owner paying to the local government the cost of such road works as estimated by the local government subject to 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)

2. *All buildings having the necessary clearance from the new boundaries as required by the relevant Town Planning Scheme. (Local Government)*
 3. *Arrangements being made with the local government for the upgrading of Marlboro Road. (Local Government)*
 4. *The land being graded and stabilised. (Local Government)*
 5. *The land being filled and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission and any easements and/or reserves necessary for the implementation thereof, being granted free of cost. (Local Government)*
 6. *Stormwater being contained on-site, or connected to the local drainage system, after passing through an appropriate water quality improvement treatment device. (Local Government)*
 7. *Footpaths/dual use paths being provided in accordance with Local Subdivision and Infrastructure Plan No. 324 to the specifications of the Local Government. (Local Government)*
 8. *Street trees being provided in accordance with Local Subdivision and Infrastructure Plan No. 324 to the specifications of the Local Government. (Local Government)*
 9. *Street lighting being provided along subdivisional roads to the specifications of the Local Government. (Local Government)*
 10. *An area(s) of land at least 292m² in area, in a position to be agreed with the WAPC, being shown on the Deposited Plan as a "Reserve for Recreation" 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.*
 11. *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 to be included on the Deposited Plan. The notification to state as follows:*
-

"This lot is situated in the vicinity of Perth Airport, and is currently affected, or may in the future, be affected by aircraft noise. Noise exposure levels are likely to increase in the future as a result of increases in numbers of aircraft using the airport, changes in aircraft type or other operational changes. Further information about aircraft noise, including development restrictions and noise insulation requirements for noise-affected properties, are available on request from the relevant local government offices."

- 12. Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lot(s) shown on the approved plan of subdivision. (Water Corporation)**
- 13. Suitable arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lot/s shown on the approved plan of subdivision. (Water Corporation)**
- 14. 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)**
- 15. 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 service to the lot(s) shown on the approved plan of subdivision. (Western Power)**

ADVICE

- 1. The approval to subdivide issued by the WAPC should not be construed as an approval to commence development on any of the lots proposed. Approval to Commence Development may be required to be issued by the local government.**
 - 2. With regard to Condition 2, the WAPC will accept building clearance requirements as specified in the relevant Town Planning Scheme operative at the time the subdivision approval was granted by the WAPC.**
 - 3. The Commission advises that Condition 3 should not be interpreted to imply that it requires the upgrading be at the subdivider's total cost but that this is a matter of negotiation between the subdivider and the Local Government.**
 - 4. In relation to Condition 5, the Shire of Mundaring advises that:**
 - a) per lot contributions to infrastructure drainage costs are to be provided in accordance with Local Subdivision and Infrastructure Plan No. 324;**
 - b) the following information and works are required to be undertaken prior to any clearance being issued:**
-

- i) the applicant nominating road levels and finished lot levels to allow standard residential construction;*
 - ii) the applicant providing details regarding all earthworks and retaining walls required to achieve the abovementioned levels; and*
 - iii) all works being undertaken in accordance with the abovementioned information and plans.*
- 5. In relation to Condition 7, the Shire of Mundaring advises that footpaths and dual use paths are to be provided in accordance with the Technical Guidelines and Infrastructure Contributions for Local Subdivision and Infrastructure Plan No. 324.**
- 6. In relation to Condition 8, the Shire of Mundaring advises that a landscaping bond will be accepted prior to clearance of subdivision conditions. A plan and documentation shall be provided by the applicant showing the location of the trees, proposed watering and maintenance regime prior to the acceptance of such a bond. In relation to this, the applicant is advised to liaise with the Shire of Mundaring.**
- 7. With regard to Condition 10, the WAPC hereby approves of a cash-in-lieu contribution in accordance with Section 153 of the Planning and Development Act, 2005.**
- 8. With regard to Conditions 12-14 Water Corporation policy and practice for the locality may involve the provision of land (for plant and works), easements and/or the payment of financial contributions towards infrastructure. You are advised to contact the Water Corporation.**
- 9. With regard to Condition 15, Western Power provides only one point of electricity supply per freehold (green title) lot and requires that any existing overhead consumer service is required to be converted to underground.**
- 10. If an existing aerial electricity cable servicing the land the subject of this approval crosses over a proposed lot boundary as denoted on the approved plan of subdivision, satisfactory arrangements will need to be made for the removal and relocation of that cable.**

SUMMARY

- *The application proposes to subdivide a 2920m² lot to create three lots with areas of 678m², 678m² and 1564m².*
 - *The subject land is zoned 'Urban' under the Metropolitan Region Scheme (MRS) and 'Residential' with a density code of R12.5 under the Shire of*
-

Subdivision Plan). An existing dwelling, swimming pool, patio and outbuildings are to be retained within the proposed Lot 202 (**Attachment 2** - Aerial Photography).

The subject land is zoned 'Urban' under the Metropolitan Region Scheme (MRS) and 'Residential' with a density code of R12.5 under the Shire of Mundaring Town Planning Scheme No. 3 (TPS 3) (**Attachment 3** - Location/Zoning Plan).

CONSULTATION

The Shire of Mundaring recommends the application be refused for the following reasons:

- i) *The proposed subdivision results in the creation of two lots below the minimum site area requirements stipulated in Table 1 of the Residential Design Codes.*
- ii) *The proposed subdivision does not comply with the Commission's Residential Subdivision Policy No. DC 2.2, as two of the proposed lots are reduced below the minimum requirement of 700m².*

The Shire of Mundaring has provided conditions should the Western Australian Planning Commission resolve to approve the application.

The Water Corporation and Western Power raise no objections to the proposal subject to conditions.

The Department of Environment and Conservation raise no objections to the proposal.

COMMENTS

Local Subdivision and Infrastructure Plan No. 324 (LSIP 324)

TPS 3 requires the preparation and endorsement of an LSIP prior to the subdivision and development of land within the 'Residential' zone. On the 22 December 2005, the Commission endorsed LSIP 324 which includes the subject land. The proposed subdivision is generally consistent with LSIP 324 proposing subdivision into three lots where three lots are provided for by LSIP 324 (**Attachment 4** - LSIP 324). It is noted there is a minor variation to the endorsed lot sizes as discussed below.

LSIP 324 requires the provision of contributions to infrastructure (footpaths, dual use paths and drainage) as a condition of subdivision (**Attachment 5** - LSIP 324 Technical Guidelines and LSIP 324 Public Open Space Calculations).

LSIP 324 requires 292m² of Public Open Space to be provided as a Cash-in-lieu contribution.

The LSIP depicts road widening and an 8.5 metre truncation for the subject lot. The Shire of Mundaring advise that road widening and the 8.5 metre truncation are not required. An examination of the current cadastre for the locality indicates that road widening has already been given up to create Lot 415 and that Lot 503 will obtain

sufficient access to a gazetted road without the 8.5 metre truncation. Accordingly it is considered conditions should not be imposed relating to road widening or truncations.

Development Control Policy DC 2.2 - Residential Subdivision

Clause 3.2.3 of DC 2.2 provides for the WAPC to support variations to lot sizes the minimum site area requirements prescribed in Table 1 of the R-Codes where the following criteria are met:

- i) the minimum lot size variation only applies to one lot in the subdivision;*
- ii) the variation reduces the area of that one lot by no more than 5% of the minimum area specified in Table 1 or elsewhere in the R-Codes;*
- iii) the variation has been demonstrated by the applicant to have a particular beneficial outcome for the community, or the Commission forms the opinion that it will have a particular beneficial outcome for the community.*

Provision 6.1.3 P3.1 of the R-Codes expands on this and provides that the WAPC may approve the creation of a lot of a lesser minimum and/or average site area than that specified in table 1, provided that the proposed variation would meet the following criteria:

- i) be no more than five per cent less in area than that specified in table 1; and*
- ii) allow land to be developed with housing of the same type and form as land in the vicinity and which would not otherwise be able to be developed.*

An examination of lots in the vicinity indicates that a significant number of lots which fall below the minimum required lot size of 700m² have previously been created (**Attachment 6** - Lot Size Plan).

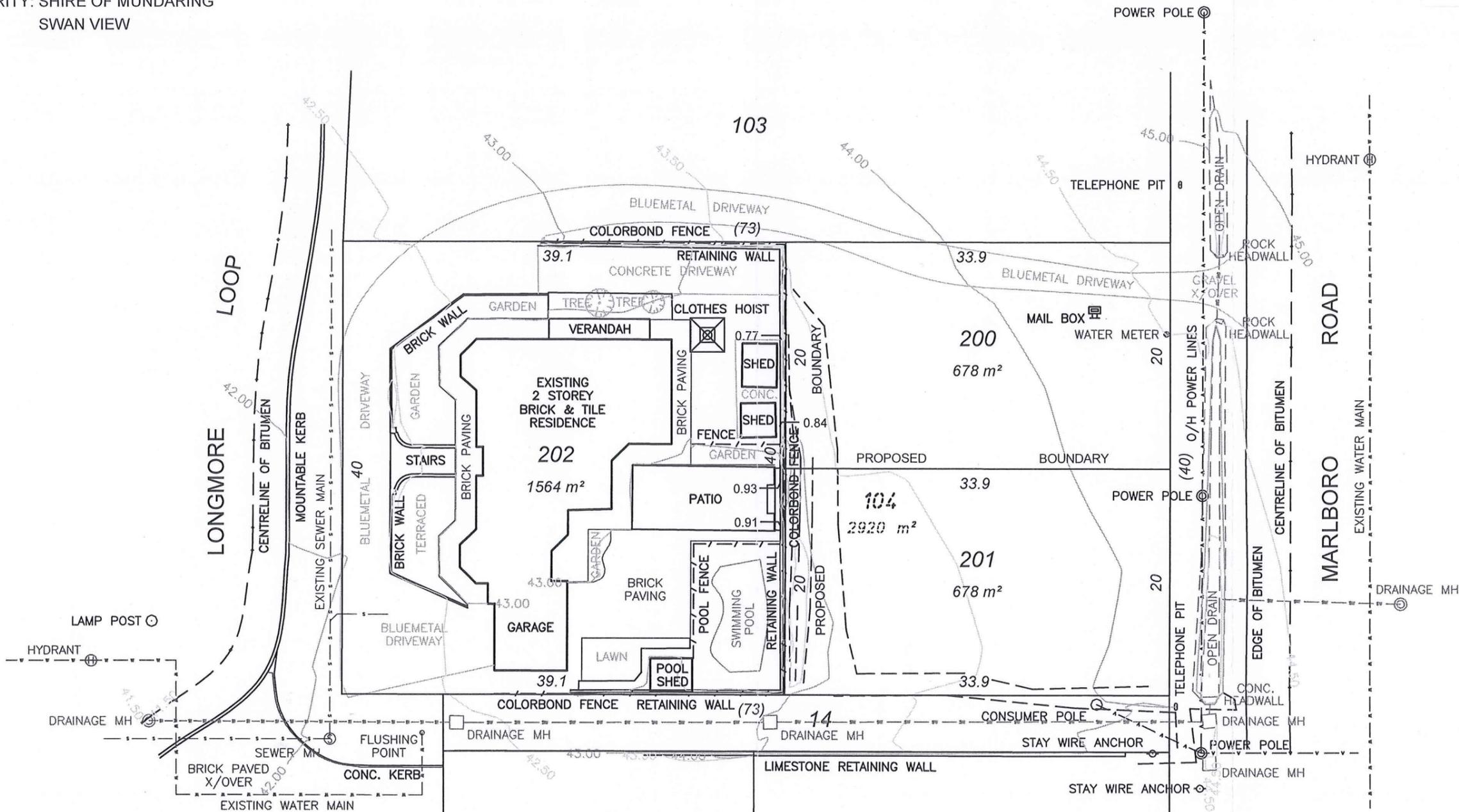
Proposed Lots 200 and 201 require a minor variation to the required minimum lot size due to an existing substantial patio, two outbuildings, a swimming pool and a retaining wall within the proposed Lot 202. It is considered onerous to require modifications to the proposed lot boundaries to accommodate required lot sizes for proposed Lots 200 and 201 considering the existing development within proposed Lot 200.

In this instance the proposed lot size variation equates to 3.14% which is within the 5% provided for in DC 2.2 and the R-Codes. Considering the subdivision will facilitate increased density in a built up area utilising existing services and consistent with existing development and lot sizes in the area, and in a manner contemplated by an endorsed LSIP, it is recommended the minor lot size variations to more than one lot be supported in this instance.

CONCLUSION

Conditional approval is recommended.

LOCAL AUTHORITY: SHIRE OF MUNDARING
 LOCALITY: SWAN VIEW



DEPARTMENT OF PLANNING
 DATE: 24 NOV 2010
 FILE: 143283

- WARNINGS:**
1. LOT NUMBERS, DIMENSIONS AND AREAS SUBJECT TO WAPC APPROVAL, SURVEY AND TITLES OFFICE AUDIT.
 2. ALL ABOVE & BELOW GROUND SERVICES MAY NOT HAVE BEEN LOCATED - CHECK WITH RELEVANT AUTHORITIES BEFORE COMMENCING ANY WORKS.

LOT	DESCRIPTION	AREA
104	ORIGINAL LOT	2920m ²
200	PROPOSED LOT	678m ²
201	PROPOSED LOT	678m ²
202	PROPOSED LOT	1564m ²



DENOTES EXISTING BUILDINGS TO BE REMOVED / DEMOLISHED. REST TO REMAIN.



REV.	DESCRIPTION	BY	DATE	PROPOSED SUBDIVISION OF LOT 104 ON DP 33352 7 MARLBORO ROAD, SWAN VIEW	SCALE 1:400 OCTOBER 2010 CONIGLIO DATUM : AHD	 SCANLAN SURVEYS PTY LTD LICENSED SURVEYORS P O BOX 429 MIDLAND 6936 PH: 08 9250 2261 FAX: 08 9274 6206 Email : bill@scanlansurveys.com.au	DRAWING (A3)	REVISION
A	LOT BOUNDARIES ADJUSTED & AREAS AMENDED.	GC	17/11/2010				6665/10/1	A
							APPROVED :	WS

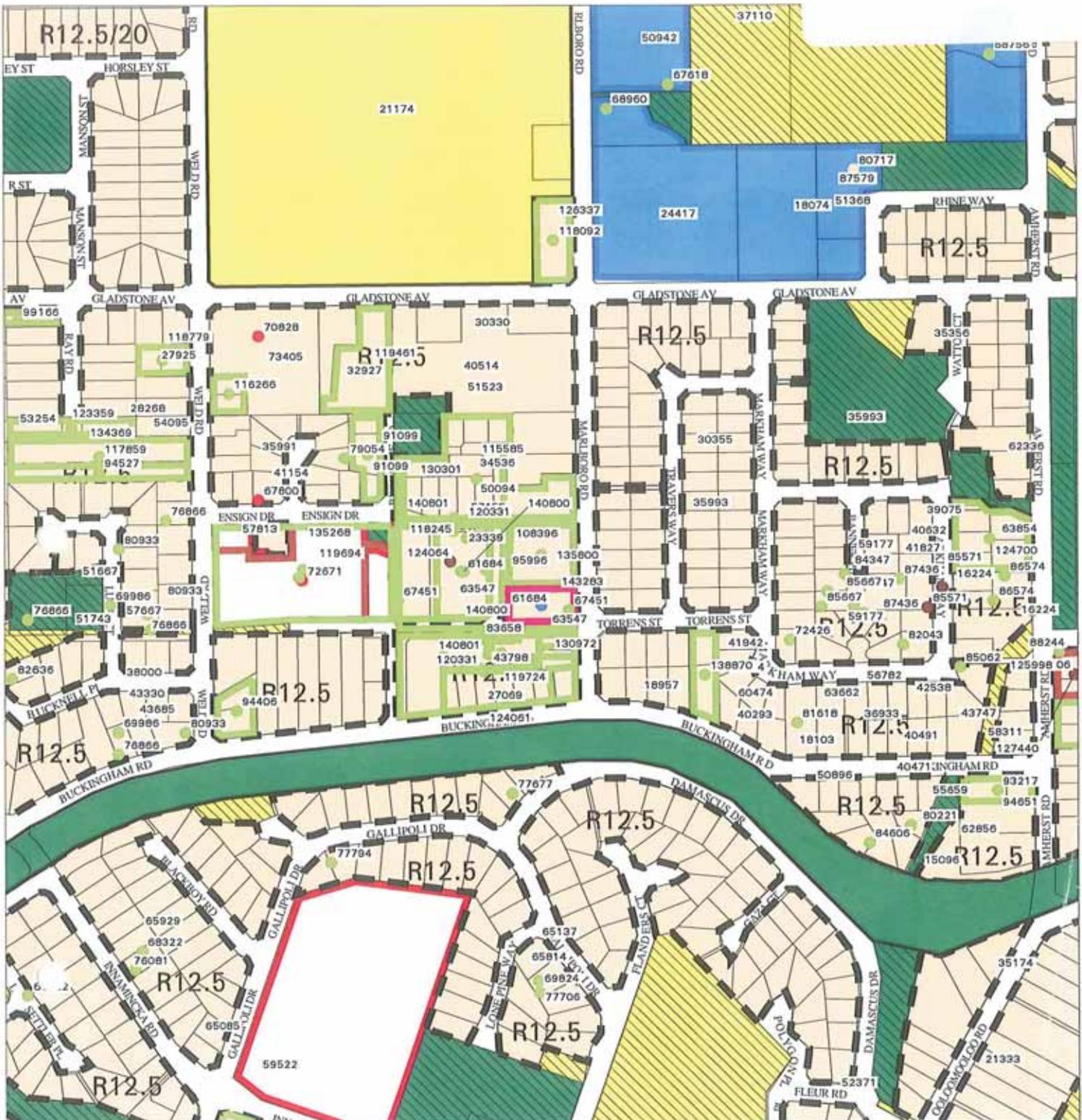


Marlboro Rd

Marlboro Rd

Torrens St

125



Subdivision Application 143283 (MGA ref 409816mE 6471164mN Zone 50)

This data is to be used for the processing of subdivision applications only.

- | | | |
|-----------------------------|--|---|
| PARKS & RECREATION | OUTSTANDING | PUBLIC PURPOSES PRIMARY SCHOOL |
| PP - HIGH SCHOOL | APPROVED | PUBLIC OPEN SPACE |
| CADASTRAL BOUNDARY | CANCELLED | PUBLIC PURPOSES SPECIAL PURPOSE LIFESTYLE VILLAGE |
| WESTNET ENERGY GAS PIPELINE | REFUSED | SPECIAL PURPOSE SCHOOL |
| OUTSTANDING | UNKNOWN | |
| APPROVED | R CODE BOUNDARY | |
| CANCELLED | RESIDENTIAL | |
| REFUSED | LOCAL CENTRE NEIGHBOURHOOD COMMERCIAL CENTRE | |



Average Lot Size For Full L.S.I.P. Precinct 818 m²
 Average Lot Size For All Proposed New Lots 830 m²
 Lots comply with Residential Code R 12.5
 Final Drainage Design Subject To Separate Applications
 Contributions to LSIP 324 Infrastructure to be provided at the time of subdivision,
 in accordance with the contributions schedule within the Technical Guidelines
 Public Open Space (POS) to be provided at the time of subdivision,
 in accordance with the POS schedule within the Technical Guidelines

Notes
 Existing Substantial Buildings
 Aerial Photography (2002)
 Areas & Dimensions Are Subject To Survey
 Dual Use Path
 Pedestrian Footpath

DEPARTMENT FOR PLANNING AND INFRASTRUCTURE
 12 DEC 2005
 FILE 11212758004

STATEWEST SURVEYING & PLANNING
 Licensed Surveyors & Town Planners
 Directors: B.A. Hart & B.J. Rogers Associates: P. Beath, S.E. Clure & L.G. Smith
 Helidon House, P.O. Box 1377, Helidon, N.S.W. 4331 49 Great Northern Highway, Helidon
 Telephone (08)9234 3118 Facsimile (08)9234 3178 Email statewest@statewest.asf
 Website http://www.statewest.asf

Project		PROPOSED SUBDIVISION LSP324 ENSIGN DRIVE SWAN VIEW			
Scale	Date	Drawn	Checked	Reference	Sheet No.
1:1000 @ A2 1:1616 @ A3	09/08/05	BR		SW130222	

LOCAL SUBDIVISION AND INFRASTRUCTURE PLAN NO. 324**Gladstone, Marlboro, Buckingham, Weld Roads, Swan View****TECHNICAL GUIDELINES**

The concept of the LSIP includes the incorporation of specific technical guidelines which form the basis of legal guidelines for the long term use of the land within the LSIP area. These technical guidelines will be legally enforceable through the Shire of Mundaring Town Planning Scheme No. 3

1. RESIDENTIAL DEVELOPMENT

The proposed development is to complement the existing residential area of Swan View, whilst responding to the topography of the site and the external commercial, educational and community facilities.

- 1.1. All the allotments within the LSIP area will comply with the Residential Code R 12.5, noting that there is allowance for reductions in certain circumstances.
- 1.2. The land use activity of single house/dwelling is a permitted "P" use. Any use other than single residence may only be permitted pursuant to the Scheme provisions.
- 1.3. Development will only occur if it is generally in accordance with the adopted LSIP. Council may allow changes to the LSIP pursuant to the Scheme provisions.

2. DEVELOPMENT COSTS

- 2.1. There are several properties in the LSIP area, and development requires the provision of sewer, water, power, roads, drainage and public open space.
- 2.2. Coordinated development is proposed between the owners of lots 21, 9002 and 9000, which is approximately 1/3 of the total area. Other properties will develop at a later stage and be responsible for the requisite infrastructure.
- 2.3. Infrastructure is to be provided at the time of subdivision in accordance with the following Contributions Schedule.

An LSIP 324 trust fund is to be established and managed by the local authority.

3. PUBLIC OPEN SPACE (POS)

- 3.1. POS is to be provided at the time of subdivision in accordance with the following POS Schedule.

An LSIP 324 trust fund is to be established and managed by the local authority. Excess land contribution by landowners is to be reimbursed from the trust fund.

- 3.2. Land has been given up by some developments and others have provided Cash-in-Lieu. The POS schedule is attached, based on research provided by Council.

- 3.3. In order to provide more certainty in the equitable provision of public open space, Council should consider including this LSIP area in its POS strategy. The notation in the strategy would then propose that cash-in-lieu be provided as per the attached POS schedule.

4. DRAINAGE

- 4.1. The catchment area to the south of the east-west ridge requires the provision of a drainage compensating basin at or near the lowest part of the area.

- 4.2. A drainage reserve (Loc 10778) exists at Weld Road, and it is proposed that in the coordinated development of lots 9002, 21 and 9000, an appropriately sized basin will be provided adjacent.

"The drainage basin shall be constructed in accordance with the LSIP documentation and the approved drainage plan at the time of subdivision of land, requiring connection to such basin in the Shire's opinion. Accordingly, the land upon which the drainage basin is to be located shall be included in the subdivision application for any land that requires connection to that basin."

- 4.3 Project engineers McDowall Affleck have prepared a combined schedule of infrastructure costs, including the provision of dual use/pedestrian paths, road upgrading and drainage (attached).

5. ROAD UPGRADING

If the Local Authority determine that upgrading of existing adjacent roads is required, then this should be applied as a fixed per lot contribution at the time of subdivision. The traffic management report makes some recommendations.

6. STREET TREES

In accordance with Clause 4.55 of TPS3 at least 181 street trees are to be planted within the subdivision at a minimum rate of 10 trees per 100m of new road reserve. Trees will be appropriate to the area and to the constraints of urban servicing. On advice from landscape consultants Thompson Partners. It is

recommended that one species only be used in the streets of this proposed subdivision. This will help create a linking element for the subdivision.

The recommended species is *Melaleuca quinquenervia*, the Paperbark. This tree grows successfully in a wide variety of soils and has proven success as a street tree.

It has a consistent, erect habit to about 8 to 10 metres tall and is only slightly spreading, to about 5 metres diameter. Thus trees can be planted quite close together at, say, 8 metre spacings.

It is assumed that there will be no overhead power in the subdivision.

It is not intended that irrigation be reticulated to the street trees, therefore planting would have to be carried out at the beginning of winter and tanker watering continued throughout the first winter, dependant on rainfall, and continued on a regular basis for the first spring and summer of the first year of establishment. A watering regime will have to continue for several years until the trees are established.

The developer will be responsible for maintaining the street trees for a minimum of 12 months until they are established, and this should be reflected as a condition of subdivision, secured by a landscaping bond.

7. TRAFFIC MANAGEMENT

A report has been prepared that considers the impact that the LSIP will have upon local traffic routes (attached).

8. VINEYARD

The vineyard on Lot 9000 is to be removed prior to any subdivision of land within the LSIP.

The subdivider of Lot 9000 to submit an assessment by a suitably qualified consultant demonstrating compliance with the relevant legislation relating to site contamination from the previous use of the property for viticulture, prior to any subdivision of the property.

9. ABORIGINAL HERITAGE

The subdivider of any land within the LSIP is to be advised by an Advice Note on the subdivision approval of their responsibilities under the Aboriginal Heritage Act 1972 that if any Aboriginal Heritage sites are found within their subdivision area, they are not to be damaged or altered, but are to be dealt with according to statutory procedures.

PUBLIC OPEN SPACE CALCULATIONS
and
CONTRIBUTIONS FOR THE AREA WELD, GLADSTONE, MARLBORO AND
BUCKINGHAM ROADS, SWAN VIEW

Original Lots	Area (ha)	(Plan 1833 (3))
203	1.4822	
204	2.026	
205	2.0234	
206	2.0234	
207	2.0234	
208	2.0234	
209	2.026	
210	1.8104	

Subdivision has occurred in many of these original lots.

Original Lots	Comments
203	Created lots 9001 & 490 and road reserves. Cash-in-lieu provided for 323m ² – 1159m ² required.
204	Created lots 50 & 51 (dia 69874), road and PAW reserves. No cash or POS provided – 2026 m ² required.
205	Created lots 1 & 2 (Dia 51703). Lot 2 is POS and became Res 34975 – 2025 m ² given. Created lot 3 (dia 59071) Created lots 101 & 102 (D.P. 28918)
206	Pt 206 (now lot 504) (north east corner – sketch on transfer) – 200 m ² required Created lot 3 and Res (dia 58745) – 952m ² given required 1821 m ² . Payment for remainder 869 m ² deferred.
207	Pt 207 (E&W – sketch on transfer) Created lot 10 (Dia 44478) – 215 m ² required Pt 207 (E) – 595 m ² required. Pt 207 (W) – 1200 m ² required – given cash in lieu Created lot 1 (Dia 73340)
208	Created lot 9 (Dia 48964) Created lots 60-72 (Plan 17639) } Cash in Lieu given for Created lots 75-78 (Dia 86913) } 1862m ² Pt 208 (north west corner) – required 161m ²
209	Created lots 20,21 & reserve 39594 (Dia 63663) also road and drain reserves – 1964 m ² given.
210	Created lots 1 – 8 and road reserve (Dia 20044) Created lots 81 & 82 from Lot 2 (Dia 87660) No POS or cash given, required: Lot 1 – 228m ²

Lot 3 – 209m²
 Lot 4 – 211m²
 Lot 5 – 209m²
 Lot 6 – 209m²
 Lot 7 – 209m²
 Lot 8 – 208m²

SUMMARY

Total Area	154,382 m ²
POS required	15,438 m ²
Already provided	2025
	952
	<u>1964</u>
	4941 m ²

Provided previously		4941
Cash-in-lieu proposed		4490
P.O.S. proposed		2328
Cash-in-lieu already provided – Pt 207(W) - 1200m ²		
- 208	- 1862m ²	
- 203	- 323m ²	3385

Areas that will not contribute

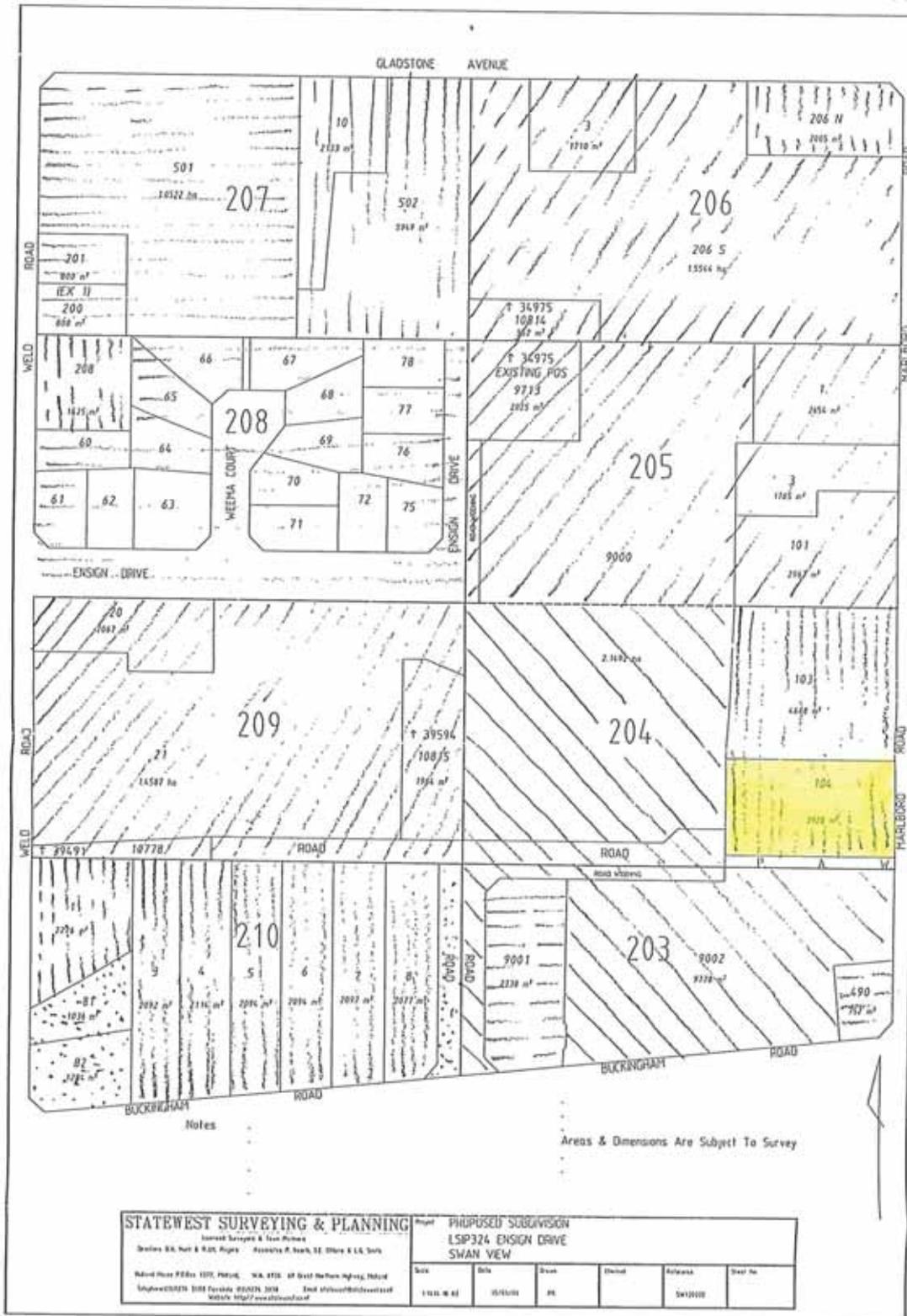
- Lots 81 & 82 created from Lot 2 (210)	232m ²	
- road created in subd of lot 210 (920m ² approx)	92m ²	

		324
TOTAL		15,468 m²

P.O.S. as proposed in the draft LSIP

1. Res 34975 (Loc 10814) loses land with the extension of Ensign Drive – 102m². This land is repositioned in the LSIP.
2. Res 34975 (Loc 9713) loses land with the widening of Ensign Drive – 220m².
3. Res 39594 (Loc 10815) has boundaries that follow a previous subdivision plan. This land is rearranged in the LSIP, maintaining the same area.
4. It is proposed to create additional POS in the area around Res 39594 which would also be rearranged. The additional area is 2322 m² which represents the 10% requirement of lot 9005 the new lot formed by 9000 and 203 (copy attached) the land owned by Uzbek Pty Ltd – the major landowner.
5. It is proposed to create a drainage reserve, adjacent to Reserve 39491 (Loc 10778) this has been calculated by project engineers, McDowall Affleck, to be adequate for the drainage of the catchment of the LSIP south of the ridgeline.
6. There will be cash-in-lieu payments required as various other properties are developed to the LSIP design. These are:

Pt 204	Lot 103	465 m ²
	Lot 104	292 m ²
Pt 206	Northeast corner	210 m ²
Pt 206	Previously valued at \$1,900	869 m ²
Pt 206 (now lot 504)		200 m ²
Pt 207 (E)		595 m ²
	Lot 10	215 m ²
Pt 208		161 m ²
Pt 210	Lot 1	228 m ²
	Lot 3	209 m ²
	Lot 4	211 m ²
	Lot 5	209 m ²
	Lot 6	209 m ²
	Lot 7	209 m ²
	Lot 8	208 m ²
TOTAL		4490



Public Open Space provisions (refer to Technical Guidelines for LSIP 324)

1. Provided as land 
2. Proposed as land 
3. Provided as Cash-in-lieu 
4. Proposed as Cash-in-lieu 
5. No provision able to be secured 



ITEM NO: 9.4

SUBDIVISION TO CREATE 2 LOTS RESIDENTIAL PURPOSE - LOT 17 ULSTER ROAD, YORK

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: A/ Manager Statutory Planning Southern Regions
AUTHORISING OFFICER: Executive Director Regional Planning and Strategy

AGENDA PART: G
FILE NO: 143588
DATE: 12th May 2011
ATTACHMENT(S): 1. Proposed Subdivision 2. Zoning Plan 3. Possible Future Subdivision

REGION SCHEME ZONING: N/A
LOCAL GOVERNMENT: Shire of York
LOCAL SCHEME ZONING: Residential
LGA RECOMMENDATION: Conditional Approval
REGION DESCRIPTOR: Regional Southern (Perth Based)
RECEIPT DATE: 20th January 2011
PROCESS DAYS: 112
APPLICATION TYPE: Subdivision
DESCRIPTION OF PROPOSAL: Subdivision To Create 2 Lots Residential Purpose.
CADASTRAL REFERENCE: Lot 17 Ulster Road, York

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the application for subdivision of Lot 17 Ulster Rd, York subject to the following conditions and advice:

CONDITIONS

- 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 service to the lot(s) shown on the approved plan of subdivision. (Western Power)*
 - 2. 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)*
-

3. ***All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation. (Local Government)***
- 4 ***The land being filled and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission and any easements and/or reserves necessary for the implementation thereof, being granted free of cost. (Local Government)***

ADVICE

1. ***The approval to subdivide issued by the WAPC should not be construed as an approval to commence development on any of the lots proposed. Approval to Commence Development may be required to be issued by the local government.***

SUMMARY

This item is being presented to the SPC because the recommendation varies from previous determinations made by the SPC over the subject land. Previous applications (WAPC 131066 and 139560) concerning the subject land have been refused by the Statutory Planning Committee on comprehensive planning grounds. The current proposal is no longer subject to Structure Planning requirements which have since been removed from the Shires local planning strategy and the design has been modified to address concerns regarding comprehensive planning held by the WAPC.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation *Planning and Development Act 2005*

Section: Part 10, Section 135

Strategic Plan

Strategic Goal: Regulation

Outcomes: Effective, consistent and enforceable regulation

Strategies: Improve, streamline and simplify regulatory processes within a risk based framework

Policy

Name: State Planning Policy 3 - Urban Growth and Settlement
State Planning Policy 3.1 - Residential Design Codes (Variation 1)

INTRODUCTION

The application proposes to subdivide a 4.1ha lot into two lots of 1.24 ha and 2.87 ha in the Shire of York. (**Attachment 1 - Proposed Subdivision**).

The subject land is zoned 'Residential' under the Shire of York Local Planning Scheme No. 2 (LPS 2). The site is allocated a density code of R5. (**Attachment 2 - Zoning Plan**).

The applicant has advised that the purpose of the proposal is to excise the existing house and shed from the balance of Lot 17 for the purpose of developing the lot as a boutique vineyard with a wine tasting facility.

CONSULTATION

The Shire of York has no objections to the application and request conditions related to crossovers, setbacks, drainage and fencing.

The Water Corporation has no objections and advises that both proposed lots are connected to reticulated water.

Western Power has no objections subject to standard servicing conditions.

COMMENTS

Previous applications over subject land

In November 2006 the WAPC approved an application to create ten 2,000m² lots and a balance lot of 1.7 ha (WAPC REF: 131066). The application generally complied with a draft Outline Development Plan for the area. In November 2008 the applicant requested that the WAPC endorse a Deposited Plan for the site showing two 'super lots'. The Statutory Planning Committee refused to endorse the Deposited Plan on the basis that the 'super lots' would prejudice the comprehensive planning for the area and because Condition 10 (public open space) had not been fulfilled. An Application for Review was subsequently lodged with the State Administrative Tribunal, which the applicant later withdrew. Prior to the applicant withdrawing the application the Statutory Planning Committee confirmed (via s31 of the SAT Act) that it intended to defend the application for review.

In June 2009 the Statutory Planning Committee refused an application to subdivide the site to form two lots of 1.7ha and 2.4ha (WAPC REF: 139560). The application was refused on similar comprehensive planning grounds to the previous proposal.

Comprehensive Planning

WAPC Policy DC 1.1 - *Subdivision of Land General Principles* seeks to ensure the comprehensive and coordinated approach to subdivision of urban expansion areas. The policy contains a number of measures to achieve this end including:

- the requirement that the WAPC has regard to any adopted structure plan when assessing subdivisions proposals in a structure plan area; and
- a presumption against 'super lot' subdivision proposals.

The Shire's local planning strategy previously contained the requirement for a structure plan over the north-west residential precinct, which includes the subject land. Due to the fragmented land ownership in the area and lack of landowner support, it has not been possible to prepare a suitable structure plan for the area. In January 2011 the WAPC approved modifications to the Shire's local planning strategy to enable small subdivision proposals to progress without structure planning being undertaken.

The current proposal is for two lots only and is no longer subject to structure planning requirements. Notwithstanding, the design has been informed by an overall plan for the site (**Attachment 3 - Possible Future Subdivision**), which enables the landowner to retain their residence and dispose of a balance development lot. The balance lot has been designed so that it can be subdivided into 11 lots, with road connections to both Osnaburg and Ulster Roads. Given this, it is considered that concerns relating to comprehensive planning previously held by the WAPC have been adequately addressed. Each lot measures well in excess of the applicable R5 density coding and approval is recommended.

The land owner has advised they intend to retain the existing residence and grape vines on Lot 1, which they hope to develop as a boutique vineyard and wine tasting facility. 'Intensive Agriculture' is not a permitted use in the 'Residential' zone of the Shire's local planning scheme, and the Shire has confirmed that it has not received a development application for the use on the site. Standard advice should be included that approval to the subdivision should not be construed as approval for the development of this use.

CONCLUSION

The previous concerns regarding comprehensive planning have been addressed in the modified design. Conditional approval of the proposal is recommended.

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a deposited plan in accordance with the plan date-stamped 19 January 2011 once the condition(s) set out have been fulfilled.

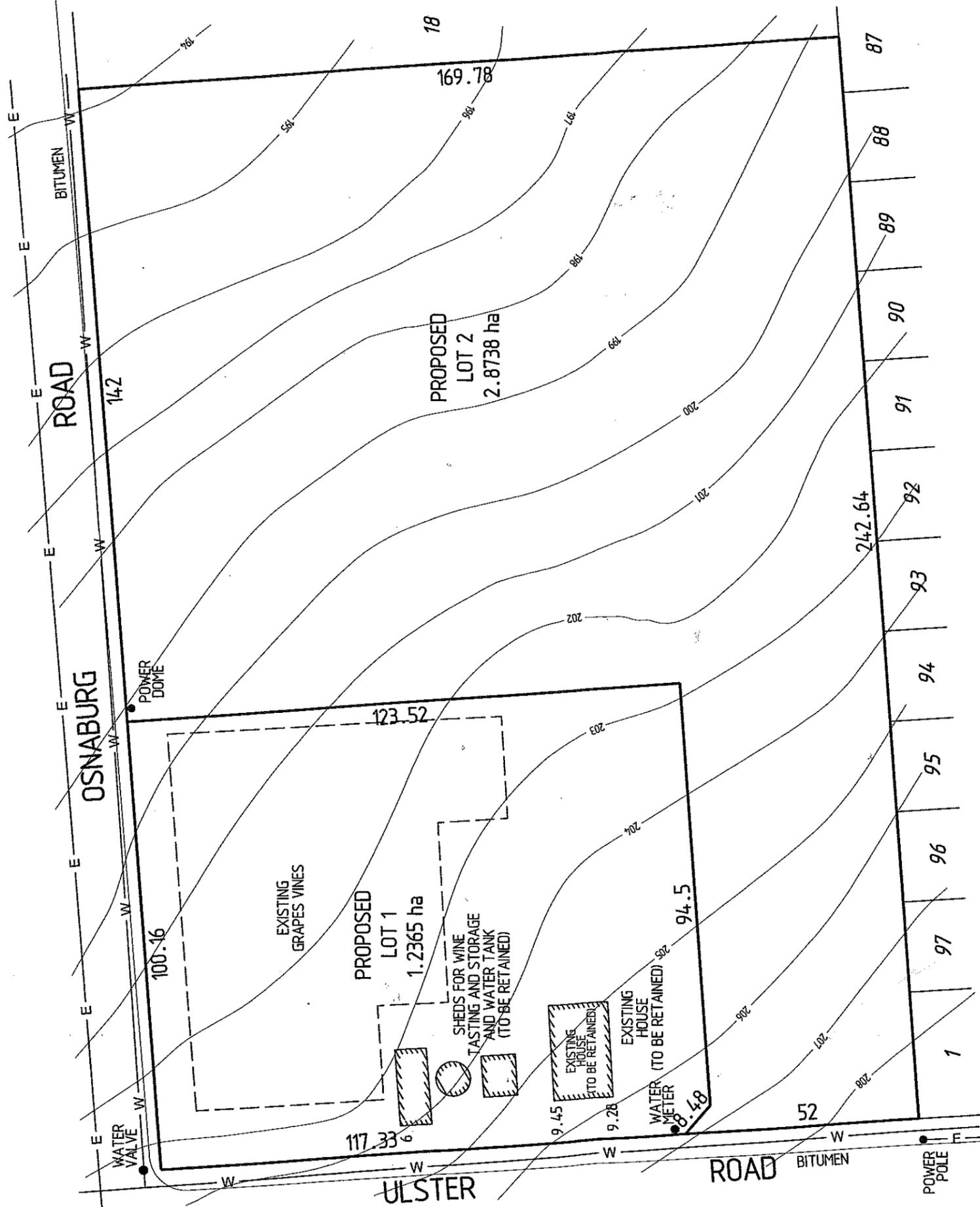
PROPOSED SUBDIVISION LOT 17 ON DP 223250

100 ULSTER ROAD, YORK



ACN 054 353 687
ABN 11 054 353 687

Alan Marsh (Director)
L.S., A.I.T., M.I.S.



DATE: 20-12-2010
DATUM: AHD

NOTE: ALL DIMENSIONS AND AREAS ARE SUBJECT TO SURVEY

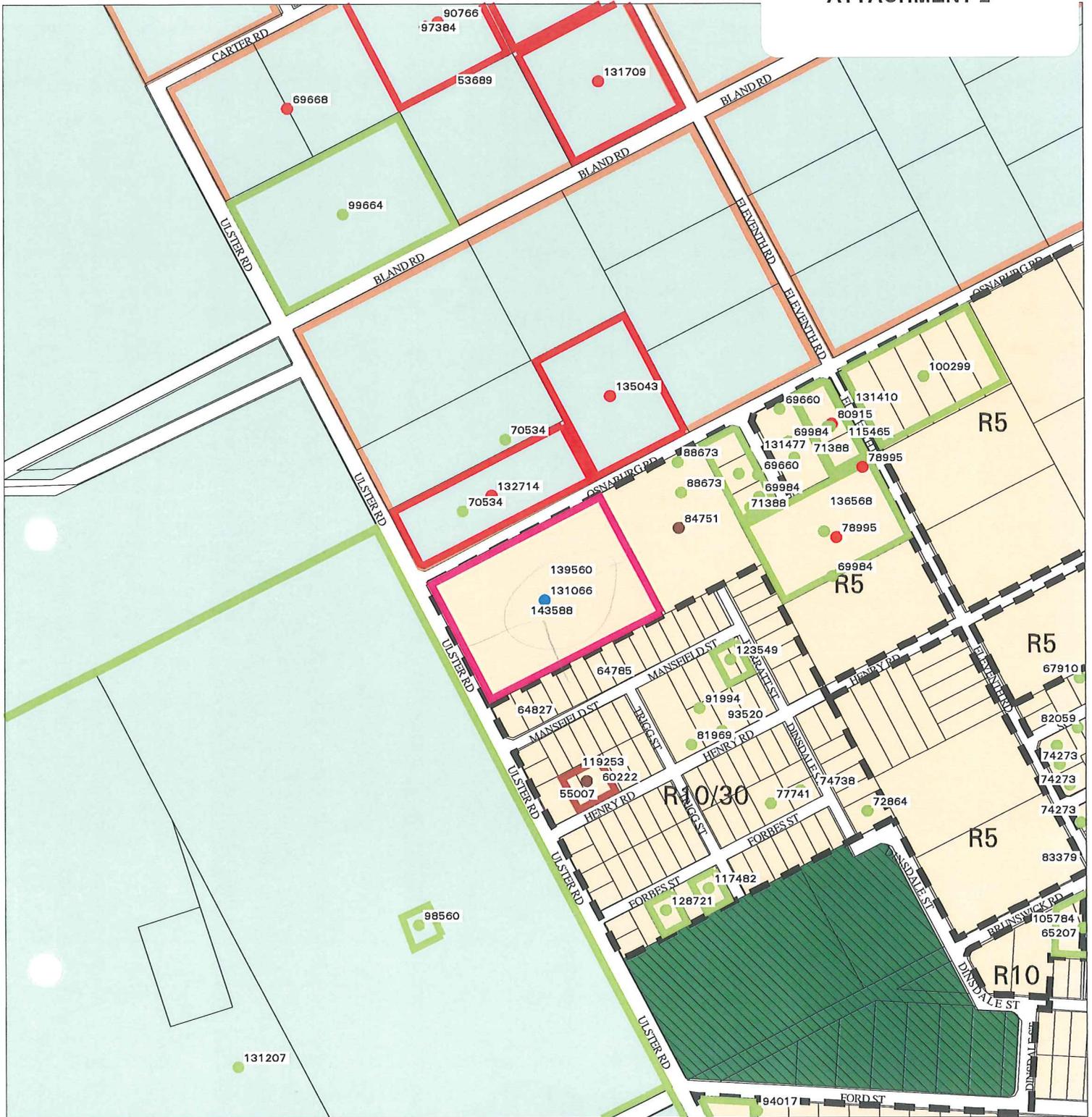
DEPARTMENT OF PLANNING
FILE
DATE

SCALE 1:1000

19 JAN 2011 143508

25 Wheatley Street GOSNELLS WA 6110 Post Office Box 355 GOSNELLS WA 6990
Mobile: 0438 582 441 A.Marsh (Residence) 9398 7881 Email: aj.marsh@westnet.com.au

class-fs ref: 1002047



Subdivision Application 143588 (MGA ref 476903mE 6472969mN Zone 50)

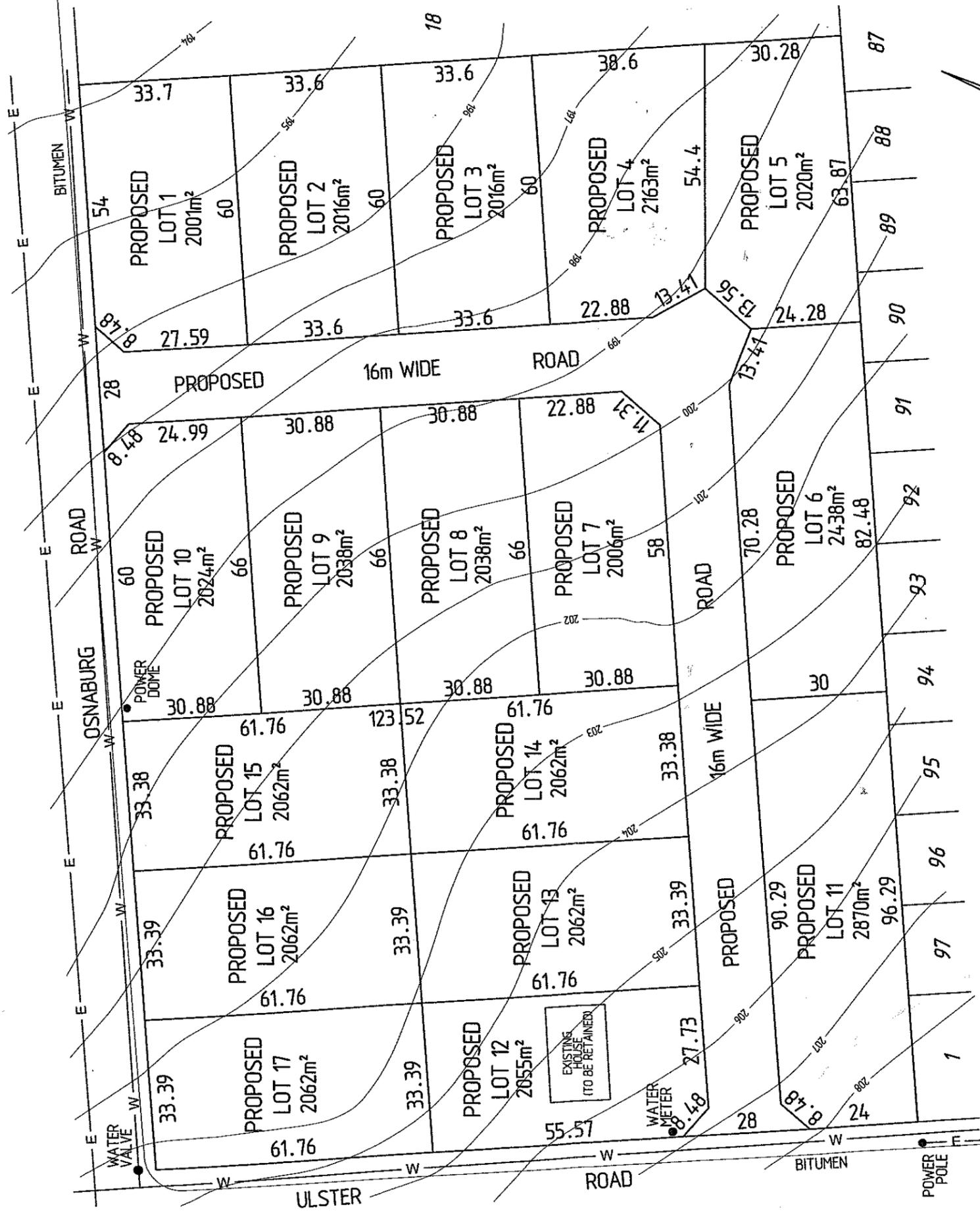
This data is to be used for the processing of subdivision applications only.

- | | | | |
|--|-----------------------------|--|---------------------------|
| | CADASTRAL BOUNDARY | | CANCELLED |
| | WESTNET ENERGY GAS PIPELINE | | REFUSED |
| | OUTSTANDING | | R CODE BOUNDARY |
| | APPROVED | | ROAD |
| | CANCELLED | | GENERAL AGRICULTURE |
| | REFUSED | | RURAL RESIDENTIAL |
| | OUTSTANDING | | RESIDENTIAL |
| | APPROVED | | RECREATION AND OPEN SPACE |

POSSIBLE FUTURE SUBDIVISION LOT 17 ON DP 223261 No. 100 Ulster Road, YORK



ACN 054 353 687
ABN 11 054 353 687
Alan Marsh (Director)
L.S., A.I.T., M.I.S.



SCALE 1 : 1000

LEGEND

- Overhead Electrical
- Water

DEPARTMENT OF PLANNING	
DATE	FILE
19 JAN 2011	143500

DATE : 22-12-2010
CONTOUR INTERVAL : 5 METRES
DATUM : AHD
NOTE : ALL DIMENSIONS AND AREAS ARE SUBJECT TO SURVEY

25 Wheatley Street GOSNELLS WA 6110 Post Office Box 355 GOSNELLS WA 6990
Mobile : 0438 582 441 A.Marsh (Residence) 9398 7881 Email : aj.marsh@westnet.com.au

class-pts ref: 10020:



ITEM NO: 9.5

PROPOSED SHED AND LEAN TO - LOT 100 WEST SWAN ROAD, WEST SWAN

WAPC OR COMMITTEE:	Statutory Planning Committee
REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Planning Director Metro Planning North East
AUTHORISING OFFICER:	A/Executive Director Perth, Peel and South West Planning and Strategy
AGENDA PART:	G
FILE NO:	21-50140-2
DATE:	12th May 2011
ATTACHMENT(S):	Attachment 1(i-ii) Development Plans Attachment 2 Location Plan/Scheme Map Attachment 3 Aerial Photo Attachment 4 SVPA Plan Attachment 5 Swan River DCA Attachment 6 Alternative Locations
REGION SCHEME ZONING:	Mrs: Abuts Waterways, Rural, Bush Forever Site Abuts_302, Swan River Trust , Swan Valley Planning Act, Acid Sulphate Soils Risk Area, Geomorphic Wetland Conservation Management Buffer, Win Area
LOCAL GOVERNMENT:	City of Swan
LOCAL SCHEME ZONING:	Swan Valley Rural
LGA RECOMMENDATION:	Conditional Approval.
REGION DESCRIPTOR:	Perth Metro North East
RECEIPT DATE:	3rd September 2010
PROCESS DAYS:	251
APPLICATION TYPE:	Development
DESCRIPTION OF PROPOSAL:	Proposed Shed And Lean To
CADASTRAL REFERENCE:	West Swan Road, West Swan

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve development application 21-50140-2 for a shed at Lot 100 West Swan Road, West Swan subject to the following conditions and advice:

CONDITIONS

- 1. This approval relates to the proposed "shed" and excludes the proposed "lean to" structure (8m x 30m) as shown on Drawings prepared by Muchea Constructions (Sheets 1-2), date stamped 3 September 2010 by the Department of Planning (attached).**
- 2. The proposed shed shall be constructed in a "Mist Green" Colorbond material.**
- 3. The proposed shed being setback 10 metres from the northern boundary.**
- 4. Adequate screening and/or landscaping is to be provided to screen the proposed shed from surrounding development to the specifications of the City of Swan and the satisfaction of the Western Australian Planning Commission.**
- 5. All stormwater being contained on site to the specifications of the City of Swan and the satisfaction of the Western Australian Planning Commission.**

ADVICE

- 1. All development must comply with the provisions of the Health Regulations, Building Code of Australia, Public Building Regulations, and all other relevant Acts, Regulations and Local Laws. This includes the provision of access and facilities for people with disabilities in accordance with the Building Code of Australia.**
- 2. This approval has been granted for a proposed shed to be used for personal storage and should not be construed as permission to commence other activities which may require further approval from the City of Swan.**
- 3. The applicant/owner is advised to liaise with the City of Swan, in regard to Condition 4, to confirm appropriate plant types that are not bird attracting.**
- 4. The City of Swan advises that:**
 - i) the noise generated by activities on-site, including machinery motors or vehicles is not to exceed the levels as set out under the Environmental Protection (Noise) Regulations 1997.**

All development works are to be carried out in accordance with control of noise practices set out in Section 6 of AS 2436-1981 or the equivalent current Australian Standard.

No works shall commence prior to 7.00 am without the City's approval.

- ii) ***the carrying on of the development must not cause a dust nuisance to neighbours. Where appropriate such measures as installation of sprinklers, use of water tanks, mulching or other land management systems should be installed or implemented to prevent or control dust nuisance, and such measures shall be installed or implemented within the time and in the manner directed by the City of Swan if it is considered that dust nuisance exists.***

SUMMARY:

The proposed development is for the construction of a Shed at Lot 100 West Swan Road and has been forwarded to the Western Australian Planning Commission as the lot is partly located within the Swan River Trust Development Control Area.

The proposal is has been forwarded to the Statutory Planning Committee for determination because the location of development has not been supported by the City of Swan or the Swan Valley Planning Committee who both consider the proposal to impact negatively on visual amenity. The proposal is considered acceptable with requirements for a 10 metre side setback and adequate visual screening and is recommended for approval with conditions.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

*Planning and Development Act 2005
Swan Valley Planning Act 1995
P and D Act Part 10 (S 162)
SVPA Part 3 (S 8)*

Section:

Strategic Plan

Strategic Goal:

Goal 2: Planning.

Outcomes:

Effective Delivery of Integrated Plans.

Strategies:

Implement State and Regional Planning priorities.

Policy

Number and / or Name:

*Development Control Policy 1.2 - **Development Control - General Principles***

INTRODUCTION

The proposal is for the construction of a shed and "future lean to". The shed will be used to store farming equipment and approximately 20 cars that require restoration. The subject land has existing access from West Swan Road. The subject land has limited level surface for development on the 100m wide property due to a sloping topography.

The subject land is zoned "Swan Valley Rural" under Local Planning Scheme No.17 and is located in "Area B" of the Swan Valley Planning Act 2005 (SVPA). The development application was forwarded to the Western Australian Planning

Commission (WAPC) for determination as subject land is partly located in the Swan River Trust DCA. (**Attachment 1(i-ii)** - Development Plans, **Attachment 2** - Location Plan/Scheme Map, **Attachment 3** - Aerial Photo, **Attachment 4** - SVPA Plan and **Attachment 5** Swan River DCA).

The application is referred to the Statutory Planning Committee for determination as the Swan Valley Planning Committee (SVPC) does not support the proposed development and the City of Swan Council have not supported the proposed side setback of six metres.

CONSULTATION

The City of Swan is supports the application for the proposed shed, subject to the following conditions:

- *The proposed shed being relocated to the paddock to the west.... and setback 20m from the northern boundary and approximately 60m from the adjoining neighbour's dwelling.*
- *The "future lean-to" structure....does not form part of this approval.*
- *The proposed shed shall be constructed in "Mist Green" Colorbond.*

Department of Environment and Conservation, DoP's Bush Forever directorate, Department of Water and the Swan River Trust raise no objections to the proposal.

The Department of Indigenous Affairs raise no objection to the proposal and have provided advice in regard to the *Aboriginal Heritage Act 1972* which protects all sites in Western Australia.

At the SVPC meeting held on the 24 of January 2011, the Committee resolved as follows:

1. *not support the proposed development as it is not consistent with "Area B" objectives of the Swan Valley Planning Act;*
2. *advise the Western Australian Planning Commission that if the applicant wishes to make further submission, then the set back from the Northern boundary would need to be 20 metres and the development would need to be demonstrated to be consistent with objectives 1, 4 and 7 of "Area B" of the Swan Valley Planning Act 1995.*

COMMENT

Impacts on visual amenity

Currently a number of cars requiring restoration are stored on site. It is understood that the City of Swan has received complaints relating to the adverse visual impact from the cars on adjoining properties. The City of Swan has advised that the shed will reduce dust and impact on visual amenity from the cars and that a number of alternative locations for the shed were investigated however none were found to be

suitable due to the objections of the adjoining landowner to the north. (**Attachment 6 - Alternative locations**)

The proposed shed will be 15 metres in width and 30 metres in length (450m²) and 6.3m at maximum height of the roof pitch. The shed is proposed to be setback four metres from the northern boundary of Lot 53 West Swan Road, a neighbouring vineyard.

The applicant has agreed to excluding the lean-to from development proposal.

Boundary Setback

In accordance with Local Planning Policy Pol-TP-126 (LPP 126) the minimum boundary setback for land zoned "Swan Valley Rural" is to be "negotiated with Council when an application for development is submitted". The practice of the City has been to adopt the setbacks applicable under the "General Rural" zone (side setback of 20m).

During advertising of the proposed development by the Local Government the adjoining land owner to the north objected to proposed shed due to it being too close to the existing residence. Upon considering the proposal at a meeting held on 24 November 2010, Council required a 20 metre side setback in accordance with minimum requirements for a "General Rural" zone of LPP 126.

Subsequent to the Council's resolution an officer from the City has advised that a 10 metre setback would be adequate to accommodate visual screening which would address the objections from the adjoining landowner.

The applicant advised a 20 metre setback will constrain development of a future residence however is prepared to accept a 10 metre setback and a requirement for vegetative screening.

Swan Valley Planning Act 2005

The SVPC considered the proposal contrary to 'Area B' Objectives 1, 4 and 7 of the SVPA at their meeting of the 24 January 2011. The SVPC provided limited information justifying their resolution. Objectives 1,4 and 7 of the SVPA aim to protect traditional activities of the Swan Valley, such as viticulture, and discourage uses that are incompatible with rural character and agricultural activities. The proposed Shed will be used for the storage of farming equipment in addition to the cars requiring restoration which conflicts with the intent of the SVPA. Furthermore, the applicant has not been able to adequately demonstrate that they are currently carrying out activities on site which are consistent with the SVPA which would create the need for a shed such as that proposed.

Notwithstanding, the proposed size of the shed is consistent with existing development of sheds used which are used for rural purposes in the locality. The City of Swan have advised that the storage of cars within the shed will address impacts on amenity, which is an objective for "Area B" of the SVPA. In this instance the proposed

shed can be setback and adequately screened from the residence to the north addressing land owner objections.

Previous applications for sheds in "Area B"

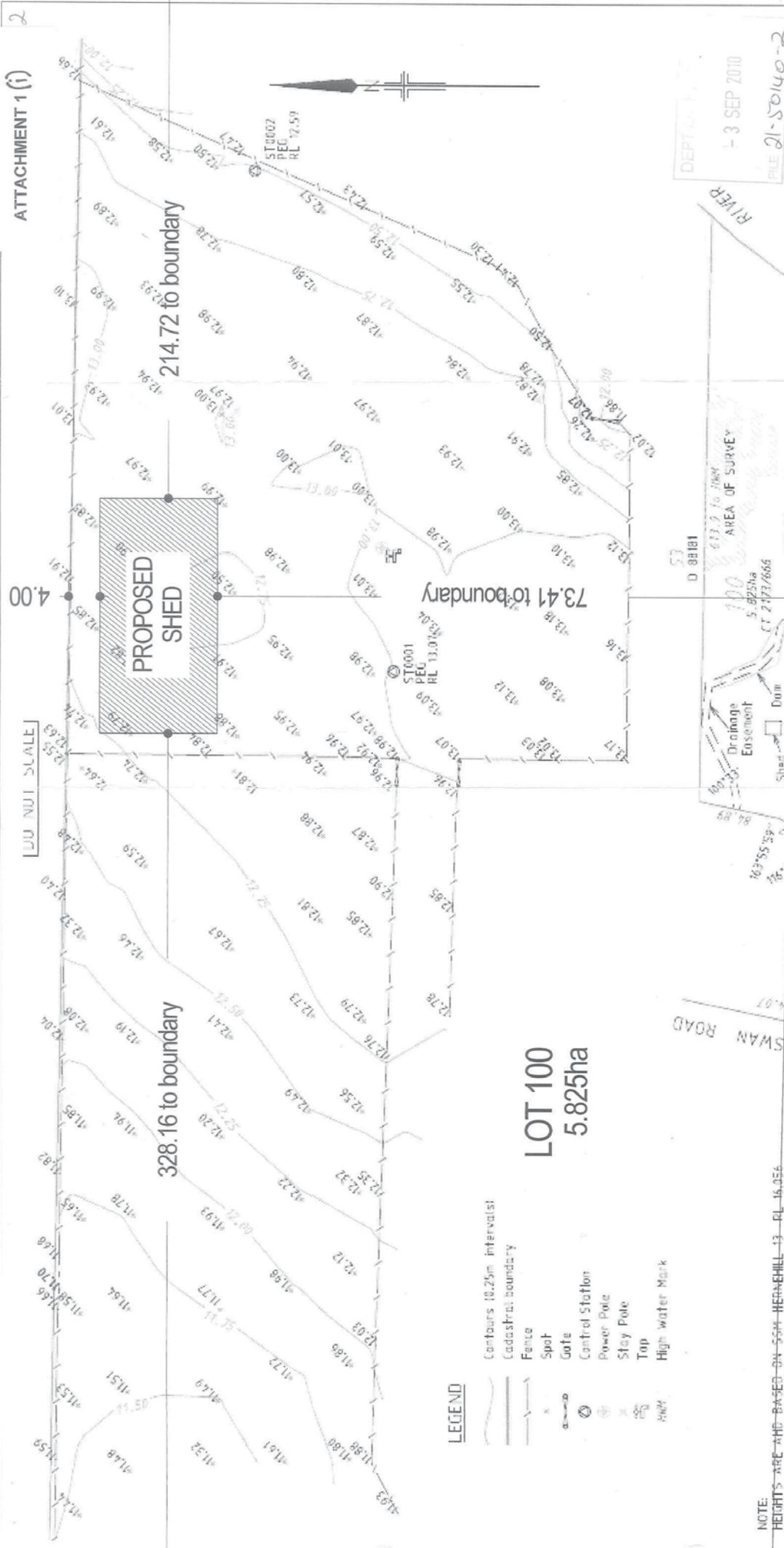
On the 13 September 2005 the WAPC approved an application (WAPC ref no: 21-50051-2) for development on Lot 50 West Swan Road, 1km south of the subject land for a "22 metre by 18 metre (396m²) storage shed (5m high)". The shed was supported by the SVPC.

On the 28 October 2010 the WAPC refused an application (WAPC ref no: 21-50096-2) for a shed proposed to be "42m long and 20m wide (840m²) with a height of 8 metres" on Lot 6 Great Northern Highway, Herne Hill, 1.7 kilometres north east of the subject site. The proposed shed was viewed as inconsistent with the objectives of LPS 17 and "Area B" of the Swan Valley Planning Act due to the proposed use and the height, bulk and scale of the development.

The proposed shed (450m²) is around half the size of a shed (840m²) previously refused but of similar size to a shed (396m²) previously supported by the WAPC and the SVPC (WAPC ref no: 21-50051-2). It is also noted that the proposed shed is a similar size an existing shed/lean-to on the adjoining property.

CONCLUSION

The proposal is considered acceptable against the provisions of the Swan Valley Planning Act subject to modification to the northern side setback to 10 metres and the provision of adequate visual screening. It is recommended the proposal be conditionally supported.



LOT 100
5.825ha

- LEGEND**
- Contours 10.25m intervals
 - Cadastral boundary
 - Fence
 - Spot
 - Gate
 - Central Station
 - Power Pole
 - Stay Pole
 - Top
 - High water Mark

NOTE: HEIGHTS ARE RHC BASED ON 55M HERA HILL 13 RL 16.026

THIS PLAN MAY ONLY BE USED FOR CONTOUR AND FEATURE PLAN PURPOSES. THE TITLE BOUNDARIES AS SHOWN HEREIN WERE NOT MARKED AT THE TIME OF SURVEY. THEY HAVE BEEN DETERMINED BY DIMENSIONS SHOWN ON THIS SURVEY. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY DEEDS OR INTERESTS IN THIS SURVEY. THESE PLANS TO ANY EXTENT, EXPLANATION OR CONTRADICTION, THE RELEVANT AUTHORITY SHOULD BE CONTACTED AND THE CONTRIBUTOR OF TITLE CHECKED FOR EASEMENTS AND ENCUMBRANCES.

SITE PLAN 1:500

PAUL FITZPATRICK
LOT 100 WEST SWAN RD
WEST SWAN

RECEIVED
6 JUL 2010
CITY OF SWAN - CUSTOMER SERVICES

PROJECT: PROPOSED BUILDING FOR PAUL FITZPATRICK AT WEST SWAN		ENGINEER: BURDETT & ASSOCIATES 37 AVELL PARADE NORTH FREMANTLE 6199 PHONE (08) 937 5111 FAX (08) 937 2081	
JOB NUMBER: 1539	DRAWN: BLK	CHECKED: RHE	BLUES
JOB TYPE: G59 REGIONIA	DESIGNER: N/A	SCALE: 1:500	
FILE NAME: Fitzpatrick - Site Plan - 1539 SKF	DTE DRAWN: 10/7/2010		
REV	INT	DESCRIPTION	DATE



PO BOX 176 MUCHEA 6501
GREAT NORTHERN HIGHWAY MUCHEA 6501
PHONE (08) 951 4173 FAX (08) 951 4066

DEPT 64 - 1177
- 3 SEP 2010
FILE 21-50140-2

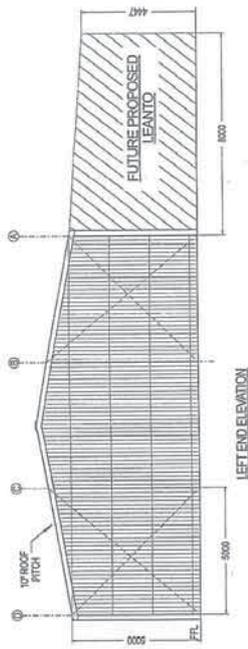
SWAN RIVER boundary

LOCALITY PLAN
SCALE 1:4,000

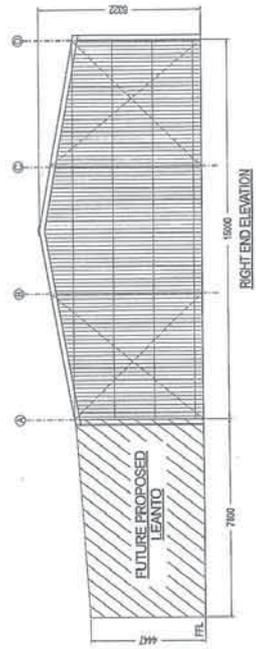
SWAN ROAD WEST

D 88181
613.2 to 714M
AREA OF SURVEY
100
5.925ha
CT 2173/666
Dam
Shed

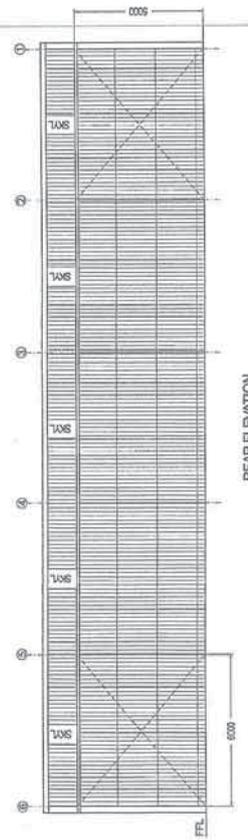




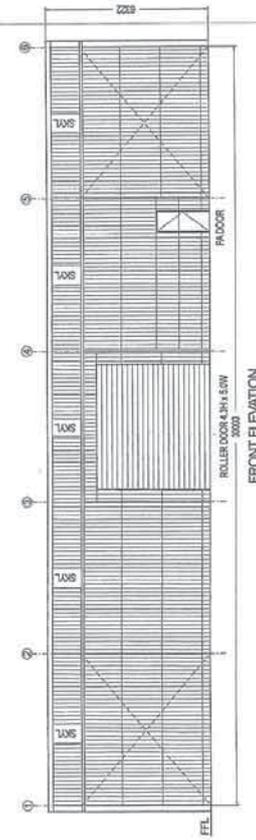
LEFT END ELEVATION



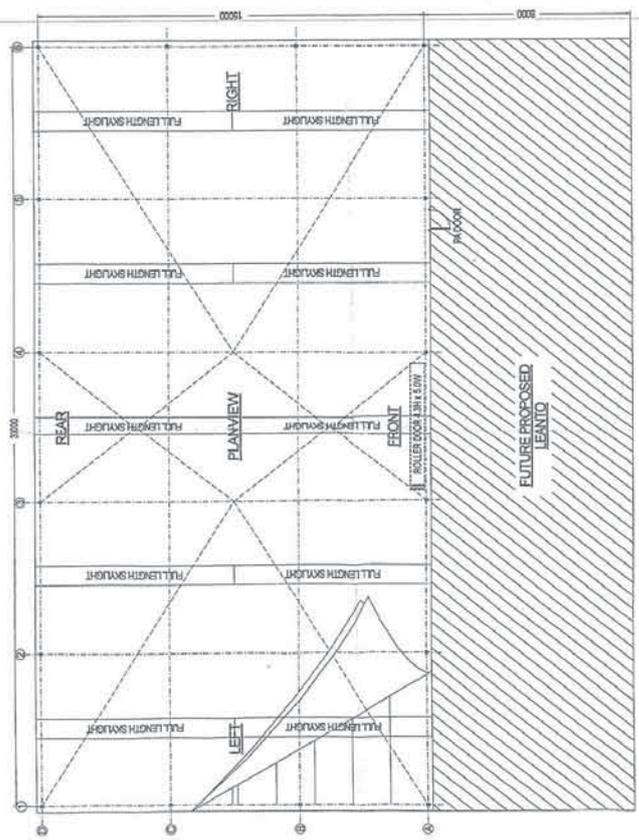
RIGHT END ELEVATION



REAR ELEVATION



FRONT ELEVATION



PLAN VIEW

PLEASE CAREFULLY CHECK AND SIGN THIS DRAWING THEN SEND ONE COPY BACK TO MUCHEA CONSTRUCTIONS

This drawing is the property of Muchea Constructions Pty Ltd. It is to be used only for the project and site specified. It is not to be used for any other project or site. Muchea Constructions Pty Ltd. is not responsible for any errors or omissions. This drawing is to be used in conjunction with the contract documents. The client is responsible for the accuracy of the information provided. Muchea Constructions Pty Ltd. is not responsible for any errors or omissions. This drawing is to be used in conjunction with the contract documents. The client is responsible for the accuracy of the information provided.

PAUL DAVIES (Proprietor Muchea Constructions)

PROJECT	PROPOSED BUILDING FOR MULTIFAMILY AT WEST GAWN
DATE	03/09/2010
SCALE	1:100
DATE	03/09/2010

OWNER/SIGNATURE: _____ DATE: _____

PROJECT: BARRETT ASSOCIATES PROJECT NO: 1000000000 PROJECT ADDRESS: 1000000000

DATE: 23 SEP 2010

MUCHEA CONSTRUCTIONS

REC-2010-09-03 11:11



Development Application 21-50140-2 (MGA ref 404612mE 6475945mN Zone 50)

This data is to be used for the processing of subdivision applications only.

-  WATERWAYS
-  CADASTRAL BOUNDARY
-  BUSH FOREVER 2000 SITES
-  DEVELOPMENT APPLICATION
-  R CODE BOUNDARY
-  SWAN VALLEY RURAL



Cadastre with Lot Numbers

2008 Metro Peel Aerial Photography

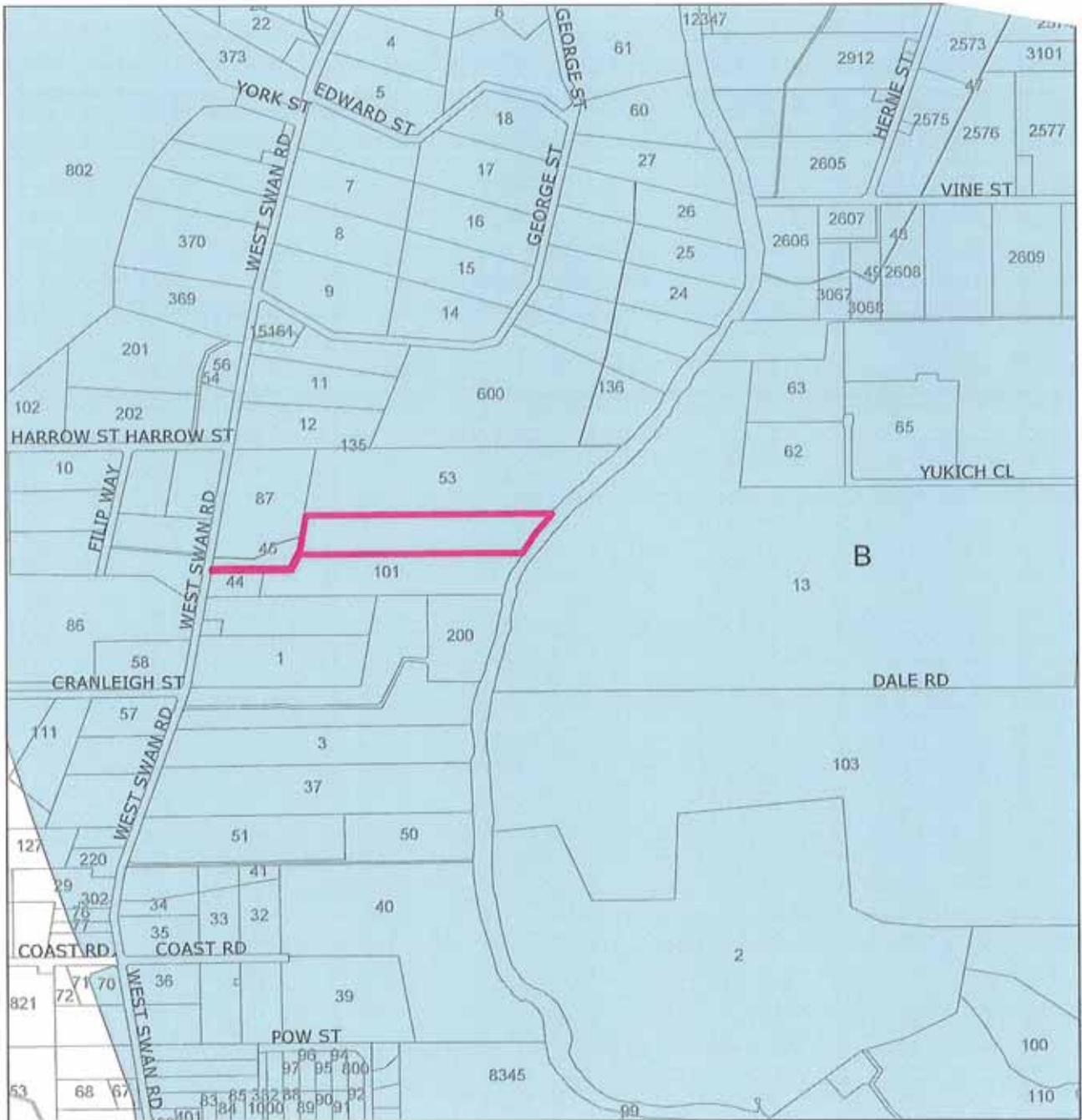


Prepared by: dsands
Prepared for:
Date: Wednesday, January 12, 2011 10:57
Plot identifier: P20110112_1055



Government of Western Australia
Department of Planning

DP INTERNAL USE ONLY



- Cadastre with Lot Numbers
- Area B - Primary Production Area

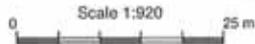
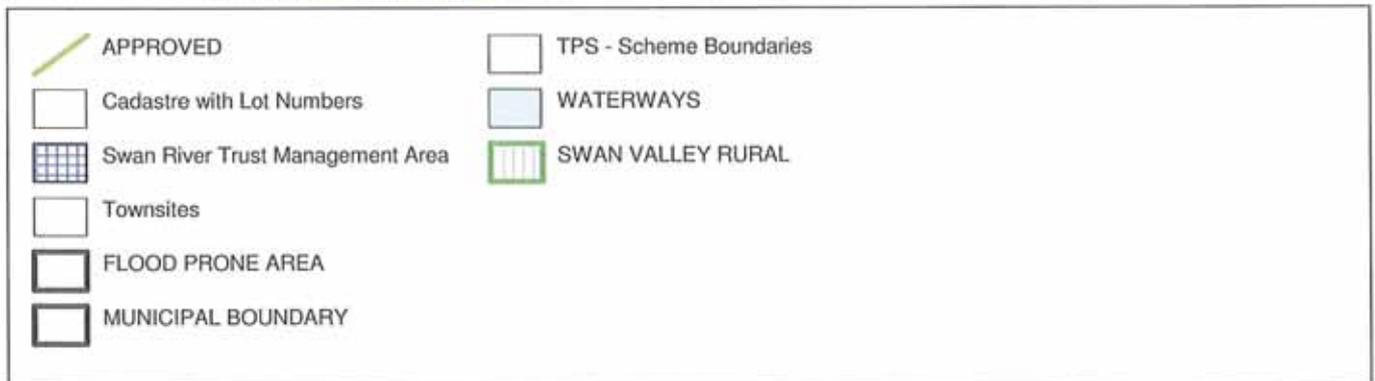
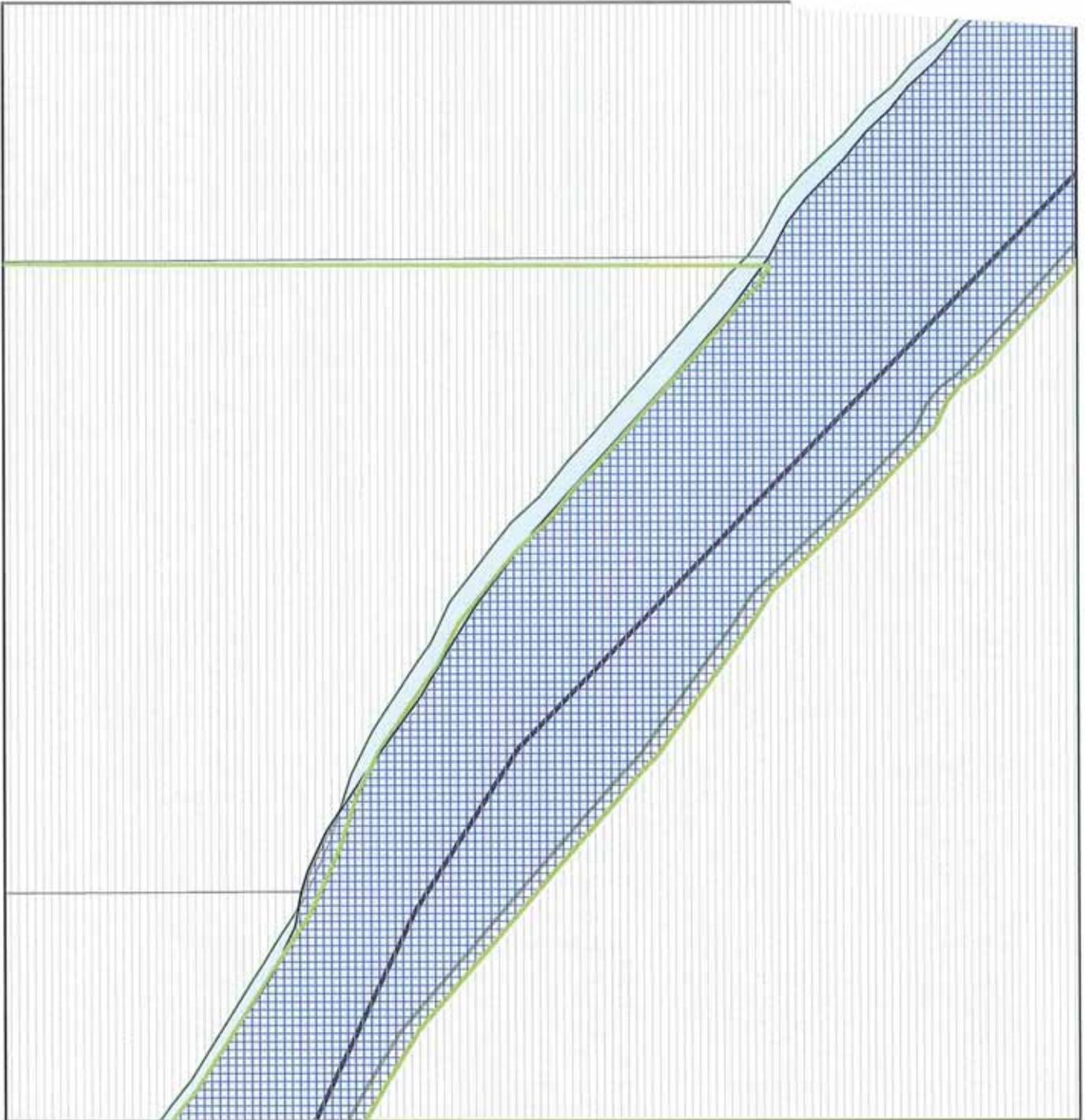
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 0 500 m

Prepared by: dsands
 Prepared for:
 Date: Wednesday, January 12, 2011 10:34
 Plot Identifier: P20110112_1034



Government of Western Australia
 Department of Planning

DP INTERNAL USE ONLY

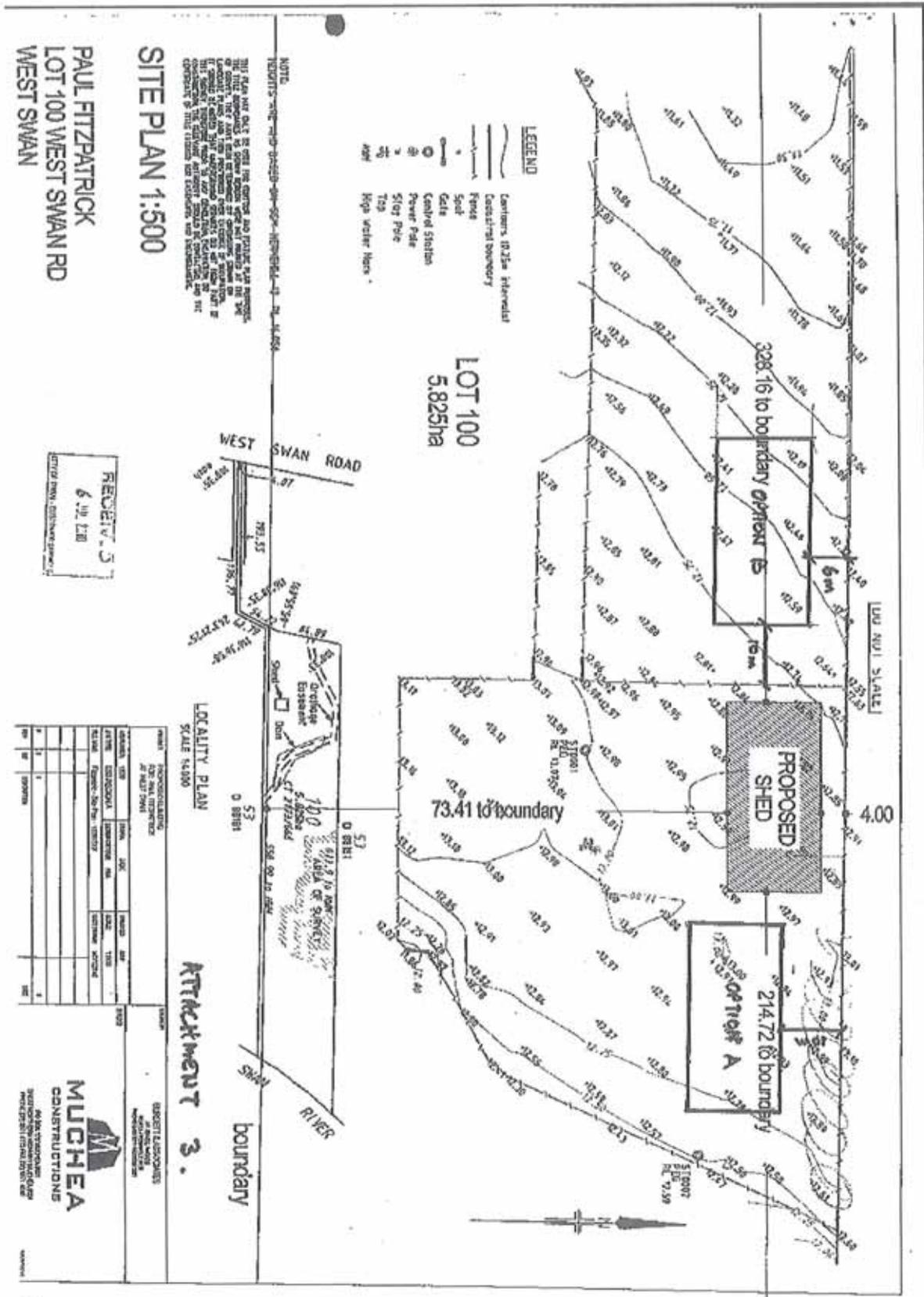


Prepared by: dsands
 Prepared for:
 Date: Thursday, April 21, 2011 11:18
 Plot Identifier: P20110421_1118



Government of Western Australia
 Department of Planning

DP INTERNAL USE ONLY



PAUL FITZPATRICK
LOT 100 WEST SWAN RD
WEST SWAN

SITE PLAN 1:500

RECEIVED
6 11 10
LITTLE BERRY DISTRICT ENGINEER

NO.	DATE	DESCRIPTION	BY	CHKD.
1	11/06/10	ISSUED FOR PERMIT	PAUL FITZPATRICK	PAUL FITZPATRICK
2	11/06/10	ISSUED FOR PERMIT	PAUL FITZPATRICK	PAUL FITZPATRICK
3	11/06/10	ISSUED FOR PERMIT	PAUL FITZPATRICK	PAUL FITZPATRICK
4	11/06/10	ISSUED FOR PERMIT	PAUL FITZPATRICK	PAUL FITZPATRICK
5	11/06/10	ISSUED FOR PERMIT	PAUL FITZPATRICK	PAUL FITZPATRICK

MUCHEA
CONSTRUCTIONS
MUCKLEBYE DRIVE
WEST SWAN WA 6148



ITEM NO: 9.6

PROPOSED MIXED USE DEVELOPMENT - LOTS 9582, 9723 AND 10240 (328) STIRLING HIGHWAY, CLAREMONT

WAPC OR COMMITTEE:	Statutory Planning Committee
REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	A/Planning Director; Metropolitan Planning Central
AUTHORISING OFFICER:	A/Executive Director; Perth, Peel, South West Planning and Strategy
AGENDA PART:	G
FILE NO:	02-50053-3
DATE:	18 May 2011
ATTACHMENT(S):	1 - Location Plan 2 - TPS 3 3 - SHACS Land Requirement 4 - Drawing No. DD-0.0, DD-0.2, DD-1.0 to DD-1.7, DD-2.0, DD-3.0, DD-3.1, DD-3.2, DD-4.1, DD-4.2, DD-5.0 and DD-6.1
REGION SCHEME ZONING:	Primary Regional Roads reserve, Urban zone
LOCAL GOVERNMENT:	Town of Claremont
LOCAL SCHEME ZONING:	Special Zone - Restricted Use
LGA RECOMMENDATION:	Refusal
REGION DESCRIPTOR:	Metropolitan Central
RECEIPT DATE:	17 May 2011
PROCESS DAYS:	1
APPLICATION TYPE:	Development
CADASTRAL REFERENCE:	Lots 9582, 9723 and 10240 (328) Stirling Highway, Claremont

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the mixed use development on Lots 9582, 9723 and 10240 (328) Stirling Highway, Claremont subject to the following conditions and advice:

CONDITIONS:

- 1. The lots to be amalgamated prior to issue of a building licence.***
- 2. External materials, colour and finishes to be determined in consultation with the Town of Claremont, to the satisfaction of the Western Australian Planning Commission.***

3. ***Screening to be provided along the southern boundary to prevent overlooking from the pool deck area onto the adjoining residential properties in accordance with the Residential Design Codes.***
 4. ***Car parking bays, internal driveways and vehicle manoeuvring areas to be designed and constructed with in accordance with AS2890.1-2004 Parking Facilities Part 1: Off Street Parking.***
 5. ***Crossovers, car parking and manoeuvring areas, and drainage to be designed in consultation with the Town of Claremont, to the satisfaction of the Western Australian Planning Commission.***
 6. ***Site fencing and pedestrian facilities including crossing points and lighting to be provided during construction, in consultation with the Town of Claremont, to the satisfaction of the Western Australian Planning Commission.***
 7. ***A 3m x 3m visually permeable sightline to be maintained clear of obstructions including vegetation above a height of 0.3m at the intersection of the right of way and Freshwater Parade road reserve.***
 8. ***1.5m x 1.5m visually permeable sightline to be maintained clear of obstructions including vegetation above a height of 0.75m at the intersection of the driveways for the basement car parks and right of way.***
 9. ***Landscaping within the adjoining Stirling Highway and Freshwater Parade verges to be designed in consultation with the Town of Claremont, to the satisfaction of the Western Australian Planning Commission.***
 10. ***Interpretive signage depicting the history and significance of the former timber Parish Hall (Claremont Hall) and buildings on the site that are listed in the Heritage Municipal Inventory, to be prepared and installed in consultation with the Town of Claremont and Heritage Council of Western Australia, to the satisfaction of the Western Australian Planning Commission.***
 11. ***Satisfactory arrangement(s) to ensure use of the ten shared residential and commercial visitor car parking bays, to the satisfaction of the Western Australian Planning Commission.***
 12. ***Drainage to be designed and constructed to ensure stormwater will be retained on-site.***
 13. ***Crossovers, car parking areas and Internal driveways, and upgrading of the right of way adjoining the site to be designed and constructed in consultation with the Town of Claremont, to the satisfaction of the Western Australian Planning Commission.***
-

14. *The portion of the subject site identified for future widening of Stirling Highway as shown on the attached 'Plan A' to be transferred to the WAPC free of cost.*

ADVICE:

1. *The Town of Claremont advises that a full feature survey for the site and adjoining road verges will also be required as part of the building licence application. The survey is to include, but not be limited to:*
 - *finished floor levels;*
 - *drainage levels;*
 - *driveway/pavement levels;*
 - *existing levels;*
 - *boundary dimensions;*
 - *services;*
 - *trees;*
 - *drainage;*
 - *crossovers;*
 - *kerbs; and*
 - *traffic islands.*
 2. *The proponent is to provide a management plan to the Town of Claremont and Western Australian Planning Commission outlining the proposed method of disposal of groundwater, prior to the commencement of any dewatering.*
 3. *With regard to Condition 9, a detailed landscape plan is to be submitted to show:*
 - *existing and proposed trees, shrubs and lawn areas; and*
 - *proposed reticulation.*
 4. *With regard to Condition 4, the WAPC would approve appropriate measures to facilitate the proposed landscaping works and balcony intrusions.*
-

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:

Planning and Development Act 2005

Section 162

Strategic Plan

Strategic Goal:

Planning.

Outcomes:

Planned local communities developing a sense of place.

Strategies:

Develop connected and accessible communities (Network City).

Policy

Number and / or Name:

Statement of Planning Policy No. 1 (State Planning Framework Policy).

Statement of Planning Policy No. 3 (Urban Growth and Settlement)

Statement of Planning Policy No. 3.1 (Residential Design Codes)

Statement of Planning Policy No. 4.2 (Activity Centres Policy for Perth and Peel)

Development Control Policy 1.2 (Development Control - General Principles)

Development Control Policy 1.6 (Planning to Support Transit Use and Transit Oriented Development)

INTRODUCTION

This application proposes a mixed use (commercial and residential) development on Lots 9582, 9723 and 10240 (328) Stirling Highway, Claremont (**Attachment 1 - Location Plan**).

The subject site is partly reserved for 'Primary Regional Roads' (PRR) and zoned 'Urban' under the Metropolitan Region Scheme (MRS), and 'Special Zone - Restricted Use' under the Town of Claremont Town Planning Scheme No. 3 (TPS 3) (**Attachment 2 - TPS 3**).

The power to determine this application in accordance with Part IV of the MRS is delegated to the Town of Claremont Council, subject to comments and recommendation from the Department of Transport (DOT). The application has been forwarded to the WAPC for determination, in accordance with the delegation, because the DOT's recommendation is not acceptable to the Council.

The current PRR reserve in the vicinity of the subject site is approximately 77m wide. The WAPC has undertaken the Stirling Highway Activity Corridor Study (SHACS) in consultation with DOT, Main Roads WA and the Public Transport Authority (PTA) to determine an appropriate future PRR reserve. The study indicates that an approximately 35m wide PRR reserve would be sufficient for future regional road purposes.

Currently the existing PRR reserve encroaches 32.5m over the subject site. On this basis with the future reduction, approximately 9.5m to 14.7m of the subject site is anticipated to be required for regional road purposes, representing a reduction of between 22.3m and 17.8m (**Attachment 3 - SHACS Land Requirement**). The proposed development does not encroach on the portion of the subject site envisaged in SHACS for future road widening.

The proposed development (**Attachment 4 - Drawing No. DD-0.0, DD-0.2, DD-1.0 to DD-1.7, DD-2.0, DD-3.1, DD-3.2, DD-4.1, DD-4.2, DD-5.0 and DD-6.1**) includes two buildings 8m to 10m apart, comprising:

- two connected basement levels with car parking bays (135), bicycle parking (28) and end of trip facilities, storage areas, a commercial tenancy, and building support facilities;
- ground floor level with two commercial tenancies, seven dwellings, recreation room, gym, swimming pool and landscaping;
- levels 1 and 2 with sixteen and ten dwellings respectively;
- levels 3 and 4 with six dwellings each; and
- level 5 with five dwellings.

The three level component of the proposed development is located within the portion of the site that is zoned 'Special Zone - Restricted Use', and has been designed to comply with TPS 3 in relation to building height and setbacks, plot ratio, open space and storage areas, car and bicycle parking, and dwelling size.

The six level component of the proposed development is proposed to be located within the portion of the subject site that is reserved for PRR under the MRS, and is not subject to provisions in TPS 3.

Vehicular access is proposed from an existing right of way adjoining a portion of the southern boundary, and which is connected to Freshwater Parade. The subject site has legal right of access via the right of way in accordance with the *Transfer of Land Act 1893*.

A transport statement submitted with the application indicates that the existing road network is capable of accommodating traffic generated by the proposed development.

CONSULTATION

The Council does not support the proposed development for the following reasons:

- excessive height, bulk and scale of the six level component;
 - excessive overshadowing of an existing dwelling to the south at Lot 30 (3) Freshwater Parade;
-

- excessive plot ratio and density of the overall development; and
- demolition of a building listed on the Municipal Heritage Inventory, including mature trees.

Notwithstanding this, the Council has also recommended conditions in the event that the proposed development is approved by the WAPC.

The following additional information has been provided by the Council in support of its decision to not support the proposed development:

- The Planning Strategy for Claremont is based largely on retaining the low density village feel.
- The Council recognises the need for some higher density; this would include some infill development and high rise development.
- In the case of high rise developments it is particularly vital that it be located appropriately. The Town believes that this should be in areas that have been carefully considered (eg. Claremont Quarter and the North East Precinct).
- It might also be appropriate to allow some higher level development. High rise development in appropriate locations on the northern side of Stirling Hwy. The topography of the land on the northern side is often such that there would not be the same "overbearing" by higher buildings or overshadowing.
- Council is very much opposed to high level development on the southern side because the topography is such that there will be an overbearing and overshadowing impact.

DOT supports the proposed development, and has requested the Council to clarify:

- Future pedestrian and wheelchair access to the proposed development following widening of Stirling Highway.
- Extent of balconies overhanging land identified in SHACS for future widening of Stirling Highway.
- Future access from Freshwater Parade as widening of Stirling Highway would necessitate vertical re-alignment of this road.

WAPC Property Management Services supports the proposed development subject to the portion of the subject site that is required for future widening of Stirling Highway as envisaged in SHACS be transferred to WAPC free of cost. In return, an easement would be granted to accommodate overhanging balconies and proposed landscaping.

Comments were obtained from the Heritage Council of WA (HCWA) as the subject site adjoins Christ Church (to the west) which is listed on the State Heritage Register. HCWA supports the proposed development subject to a condition for interpretation of

the former uses of the site, including the former original timber Parish Hall (Claremont Hall), and the existing building that is listed on the Municipal Heritage Inventory.

COMMENTS

The subject site adjoins the Claremont Town Centre which is recognised as a 'secondary centre' in Directions 2031, the draft Central Metropolitan Perth Sub-Regional Strategy (August 2010) and State Planning Policy 4.2 - Activity Centres for Perth and Peel (SPP 4.2). These initiatives promote inclusion of a greater mix of land uses within 'secondary centres' in the Perth and Peel Region.

The Council's Local Planning Strategy is generally consistent with Directions 2031, the draft Central Metropolitan Perth Sub-Regional Strategy, SPP 4.2 and SHACS. Furthermore, the strategy recognises opportunities attributed to the proximity of land to Stirling Highway. In this regard, the subject site is located where greater housing diversity, commercial and more intensive uses are envisaged (consistent with Claremont Quarter and the North East Precinct).

The height, bulk and scale of the six level component, and the plot ratio and density of the overall development is appropriate in view of:

- the location of the subject site adjoining a significant transport corridor; and
- the proximity of the subject site and its strong relationship with the adjoining Claremont town centre.

Impact due to overshadowing of the adjoining lot to the south (Lot 30 (3) Freshwater Parade) is acknowledged. In this case, it is noted that:

- the existing 2.3m high wall and extensive vegetation along the boundary of Lot 30 shade the dwelling; and
- as a result of the existing boundary wall, Lot 30 will not be subject to any additional overshadowing between August and May.

It is acknowledged that the existing building on the subject site, which is to be demolished, is listed on the Council's Municipal Heritage Inventory. Nevertheless, demolition of the building is considered in the context that the building has not been listed on the State Heritage Register and the HCWA is not opposed to the proposal. Accordingly, imposition of a condition to require interpretive signage depicting the history and significance of the building to be installed, as recommended by the HCWA and the Council appropriately addresses this issue.

CONCLUSION

The subject site:

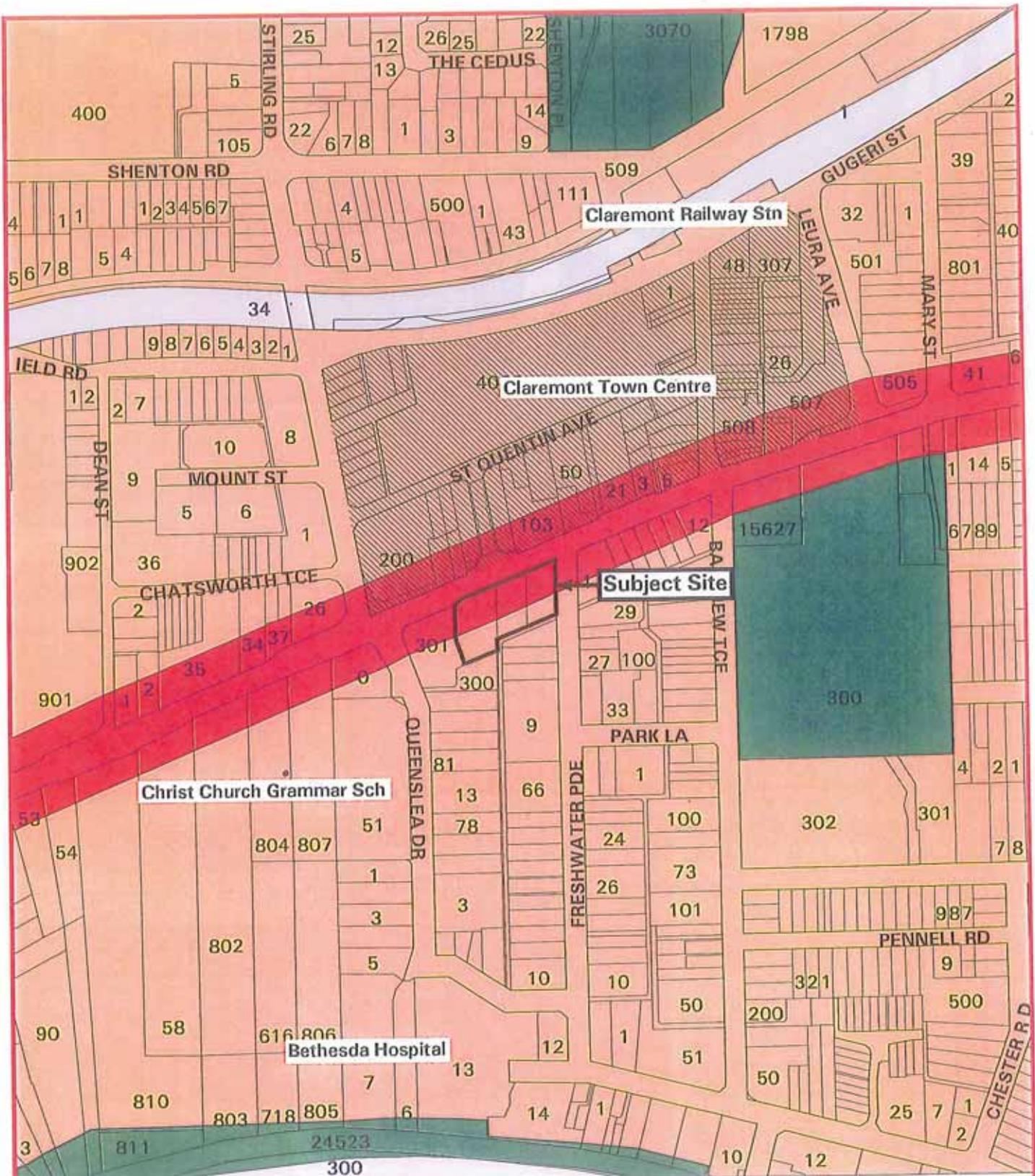
- adjoins the Claremont town centre, and is in proximity to a range of existing land uses and services that support the proposed residential and commercial uses;
-

- has excellent access to established road and public transport networks and pedestrian/cyclist facilities;
- is in proximity to established public open space and recreational facilities; and
- provides an opportunity for focused intensive development to capitalise on the above, as opposed to broad density increase.

The proposed development contribute towards the eclectic mix of current built form along Stirling Highway in the vicinity of the subject site (between Bay View Terrace, Stirling Road/Queenslea Drive) in view of the following:

- six level mixed use (commercial and residential) development at the Stirling Highway and Stirling Road intersection;
- two and single level offices and commercial developments with and without street front car parking;
- three level commercial and car park building north of the subject site of significant bulk and scale due to screening of car parking area at the second and third levels;
- State heritage listed church building equivalent to a height of approximately 4 levels of the proposed development;
- at grade car parks; and
- two level residential dwellings.

Having regard to the above, approval is recommended subject to relevant conditions recommended by the Council, HCWA and WAPC Property Management Services.

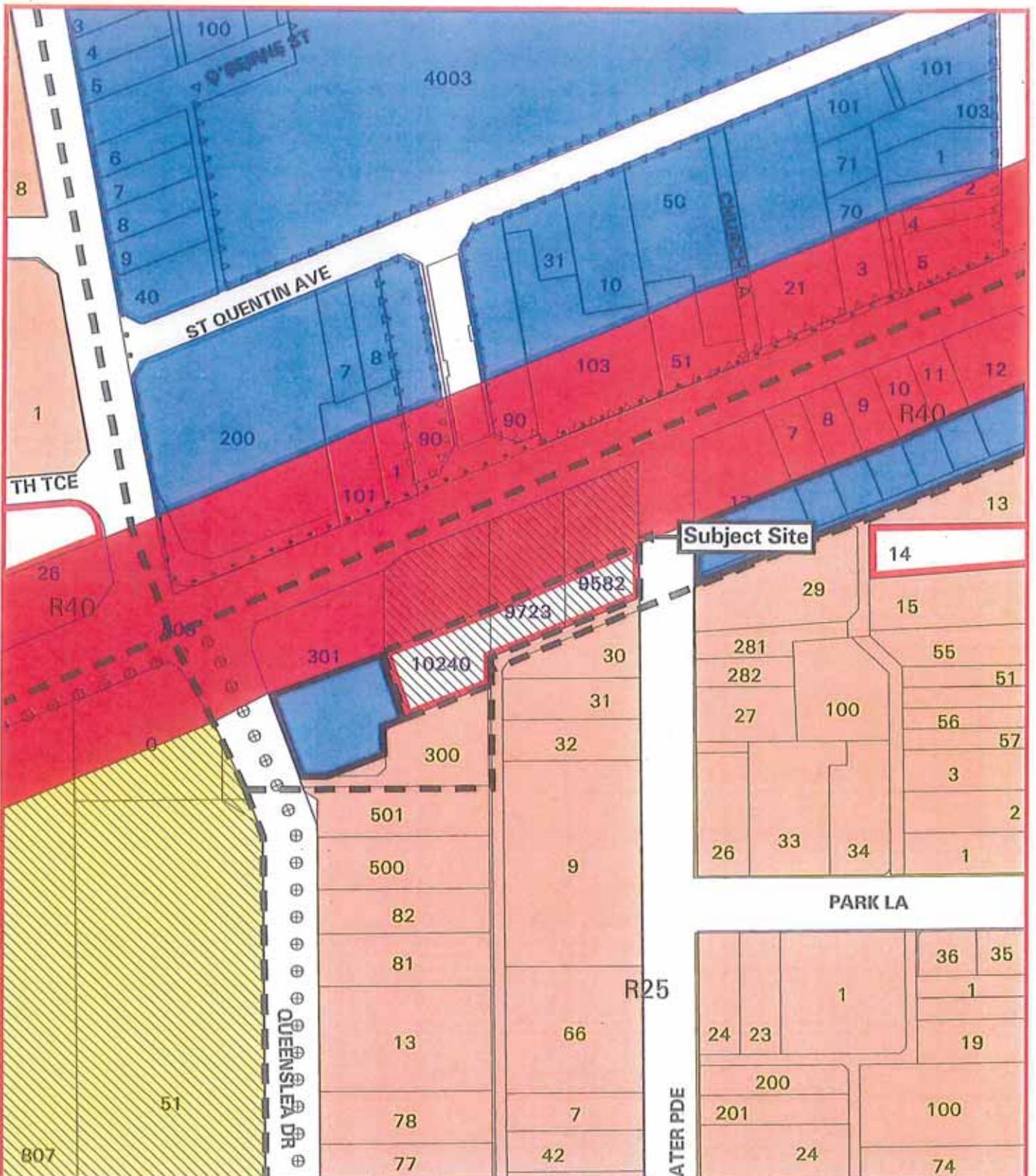


Location Plan

- URBAN
- PRIMARY REGIONAL ROADS
- WATERWAYS
- PARKS & RECREATION
- RAILWAYS

DP INTERNAL USE ONLY

Prepared By:
 Prepared For:
 Map Ident: plot1 10511_1
 Date: 11 May 2011
 Scale 1:5000



Subject Site

PARK LA

ATER PDE

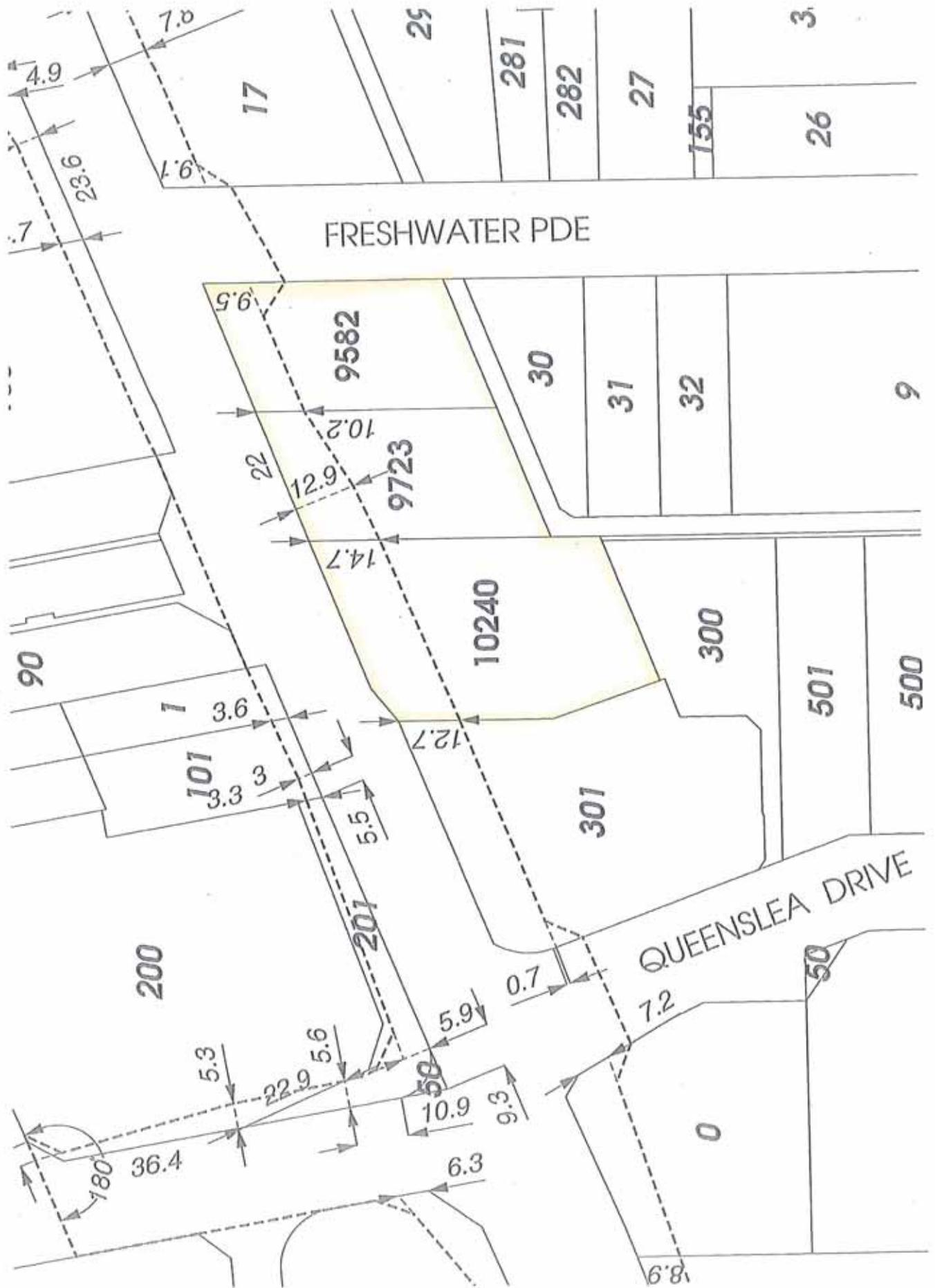
TPS 3
Lots 10240, 9723 & 9582
(328) Stirling Highway
Claremont

DP INTERNAL USE ONLY

Prepared By:
 Prepared For:
 Map Ident: plot110511_1
 Date: 11 May 2011
 Scale 1:2000

- Claremont Z 3
- TOWN CENTRE
 - RESIDENTIAL
 - HIGHWAY
 - SPECIAL ZONE - RESTRICTED USE
 - EDUCATIONAL
 - PRIMARY REGIONAL ROADS
 - TPS - R Code Boundaries

- TPS Additional, Restricted & Special Addition
- TOWN CENTRE POLICY AREA
- CLAUSE 40 (5)
- SHOPPING POLICY AREA



SITE

0.0 Site Location Plan 1:1000
 0.1 Site Survey 1:200 @ A1
 0.2 Site Plan 1:250

PLANS

1.0 Basement Level 2 1:200
 1.1 Basement Level 1 1:200
 1.2 Ground Level 1:200
 1.3 Level 1 1:200
 1.4 Level 2 1:200
 1.5 Level 3 1:200
 1.6 Level 4 1:200
 1.7 Level 5 1:200

SECTIONS

2.0 Sections 1:200

ELEVATIONS

3.0 Street Elevation North 1:200
 3.1 North and South Elevation 1:200
 3.2 West and East Elevation 1:200

EXTERNAL WORKS

4.1 Landscape Ground Plan 1 1:200
 4.2 Landscape Ground Plan 1 1:200

PERSPECTIVES

5.0 Perspectives N/A

DETAILS

6.1 Shadow Analysis 1:500

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 dccollins@hassell.com.au

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 Designer
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 250-158 St Georges Terrace
 Perth WA 6000
 Australia
 T +61 8 9477 6000
 F +61 8 9222 2330
 7 Feb 2011



Client **FRESHWATER CLAREMONT PTY LTD**

Project **FRESHWATER**

Drawing No **DD-0.0**

Project No **PPA042**

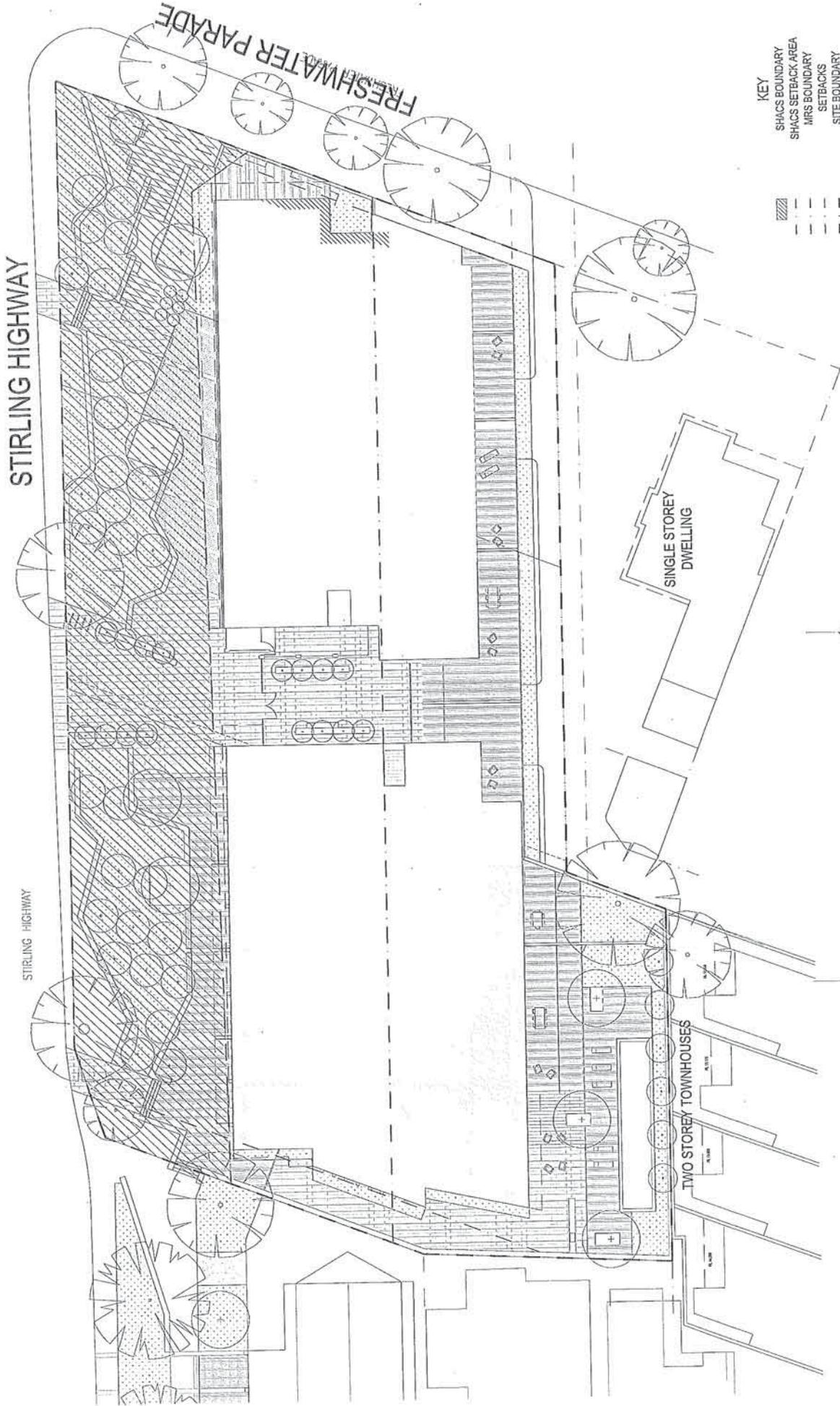
Date **MARCH 2011**

Scale

Drawn By

Drawing **DEVELOPMENT APPROVAL PACKAGE**

HASSELL



KEY
 SHACS BOUNDARY
 SHACS SETBACK AREA
 MRS BOUNDARY
 SETBACKS
 SITE BOUNDARY

Drawn By
NB

Scale
1:250

Date
MARCH 2011

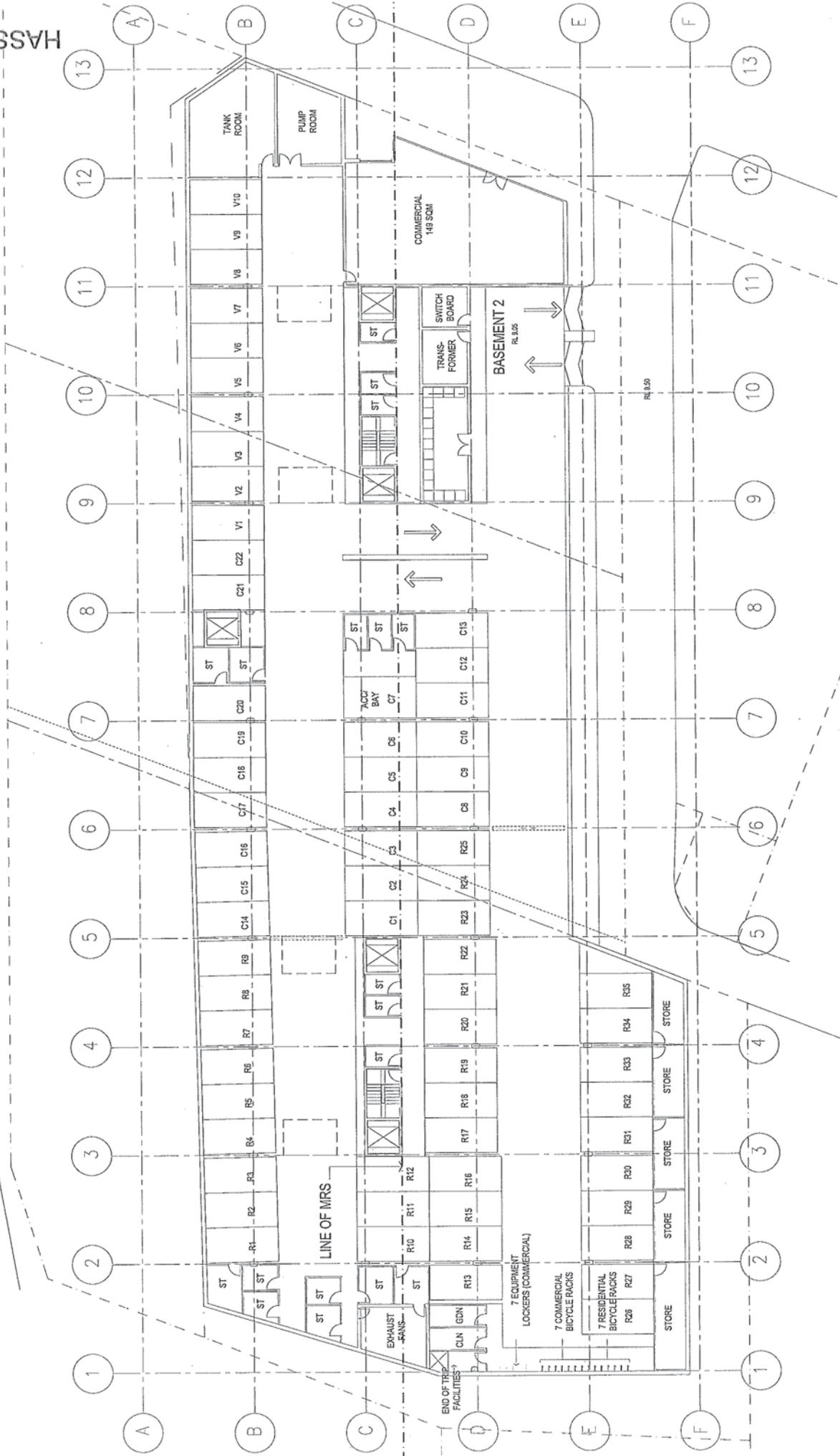
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Drawing No
DD-02

Drawing
SITE PLAN

Project
FRESHWATER

Client
FRESHWATER CLAREMONT PTY LTD



Drawn By
NB

Scale
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Date
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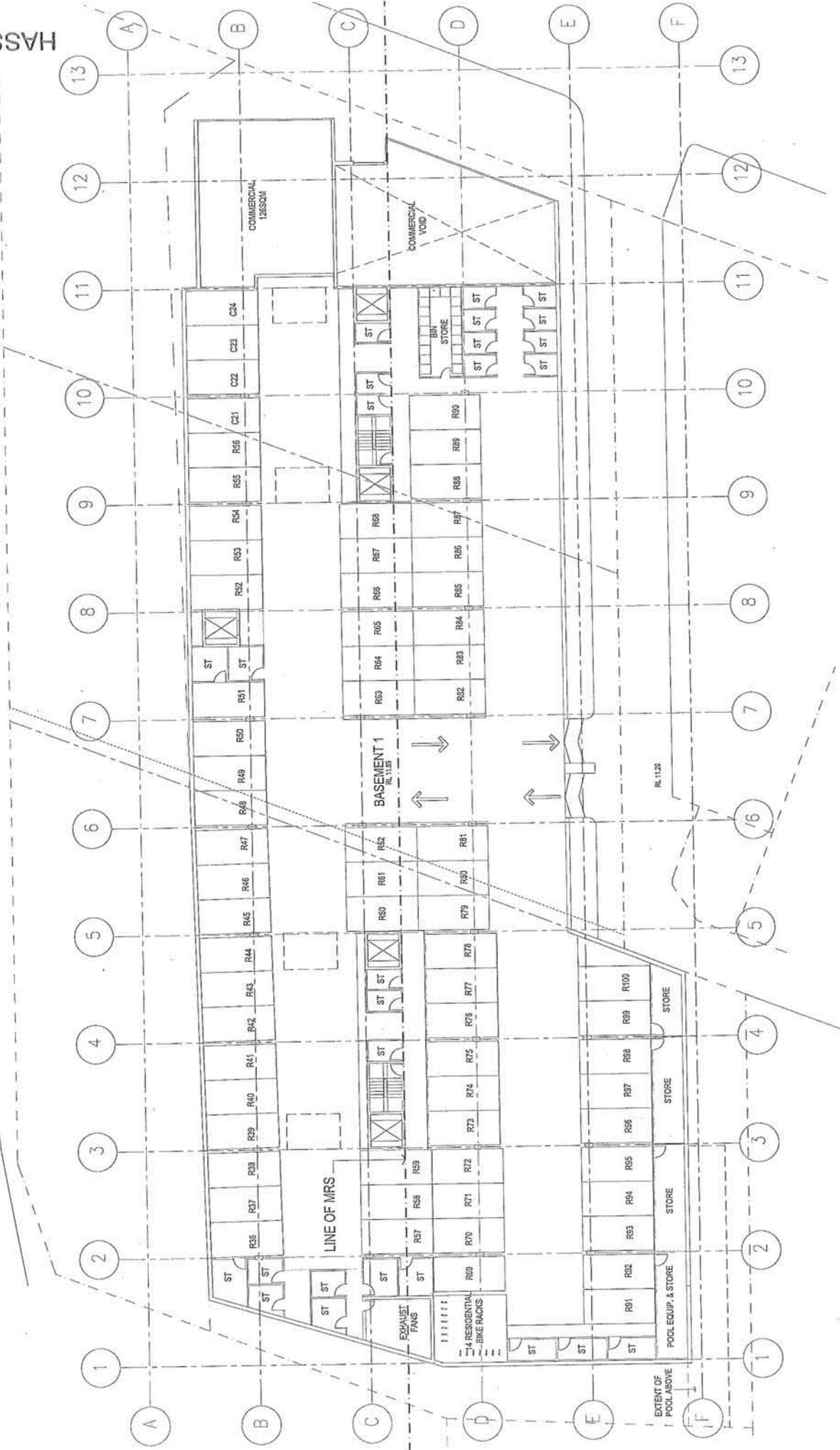
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Drawing No
DD-1.0

Drawing
BASEMENT 02

Project
FRESHWATER

Client
FRESHWATER CLAREMONT PTY LTD



Drawn By
NB

Scale
1:200

Date
MARCH 2011

Project No
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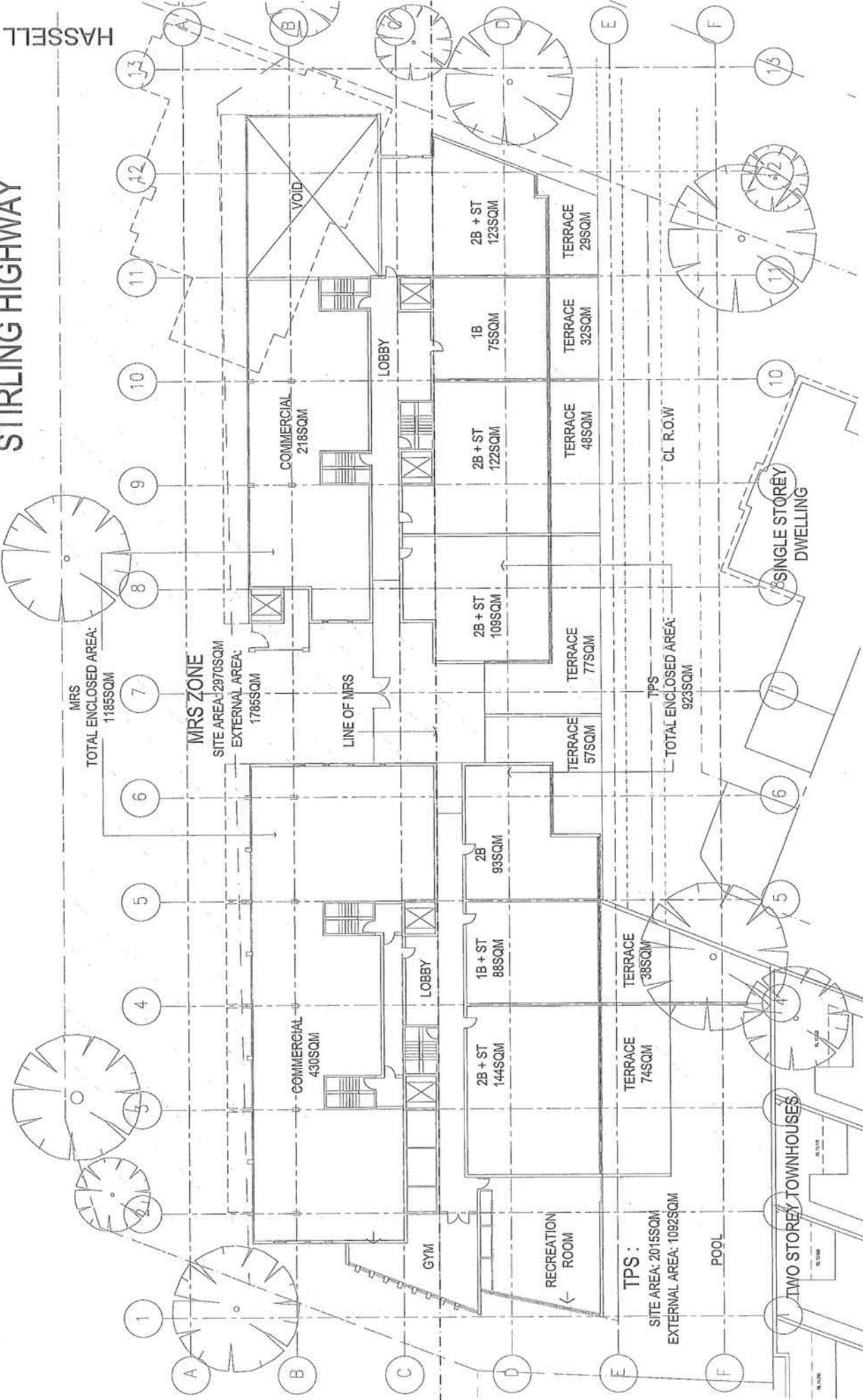
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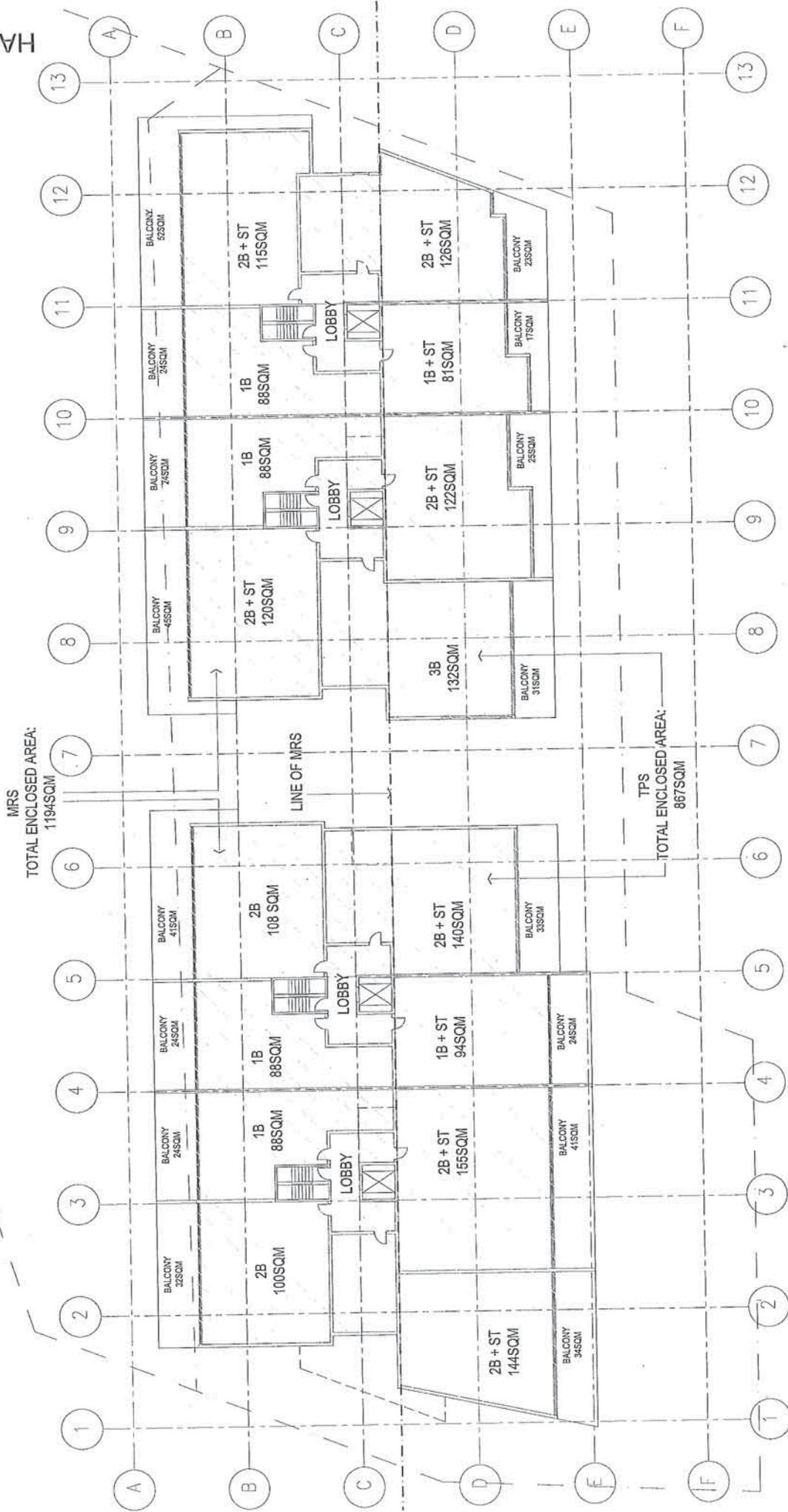
Drawing
BASEMENT 01

Project
FRESHWATER

Client
FRESHWATER CLAREMONT PTY LTD

STIRLING HIGHWAY





Drawn By
CB

Scale
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Date
MARCH 2011

Project No
PPA0442

Drawing No
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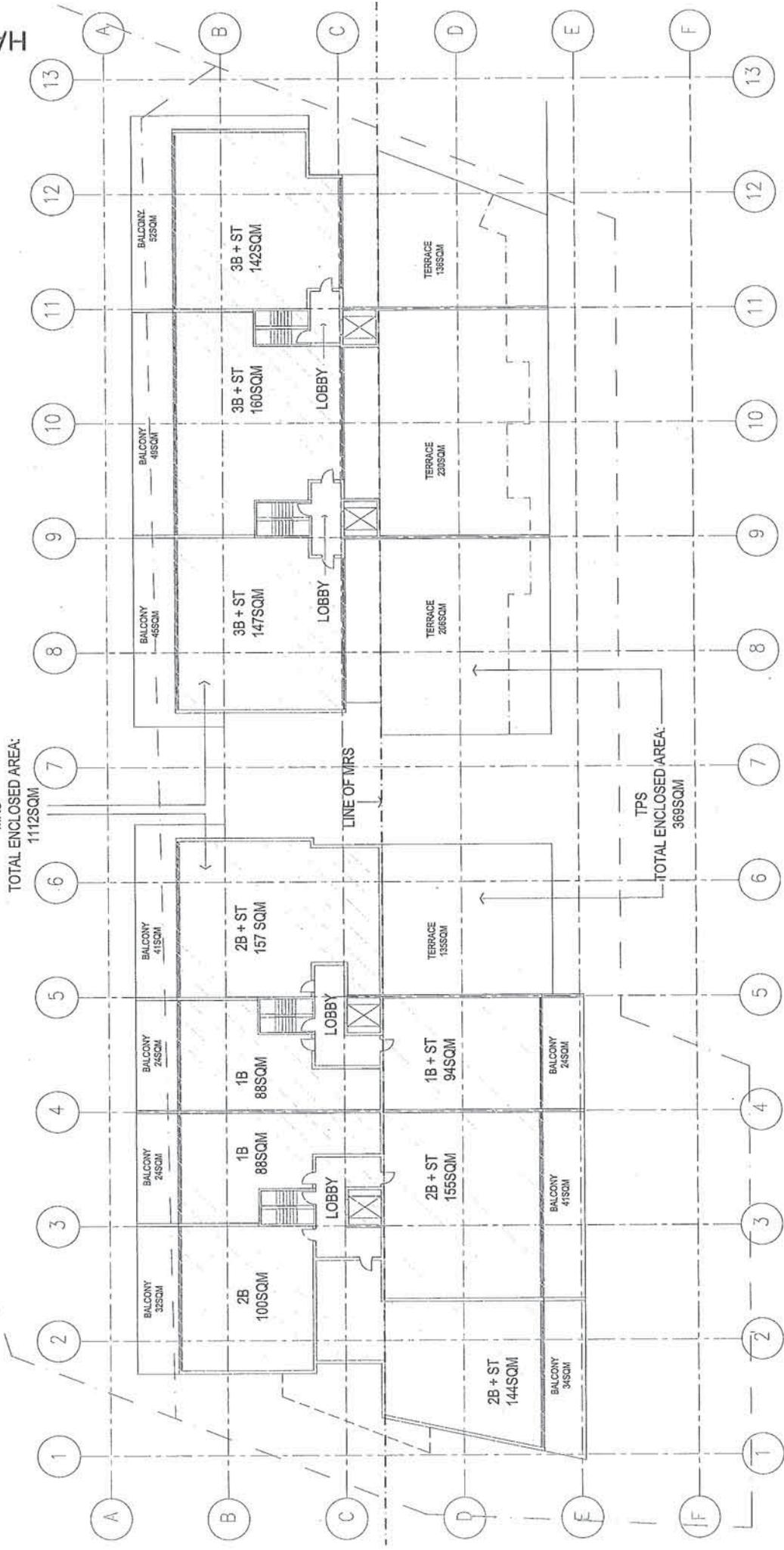
Drawing
LEVEL 1

Project
FRESHWATER

Client
FRESHWATER CLAREMONT PTY LTD

MRS
TOTAL ENCLOSED AREA:
1112SQM

TPS
TOTAL ENCLOSED AREA:
369SQM



Drawn By
CB

Scale
1:200

Date
MARCH 2011

Project No
PPA0442

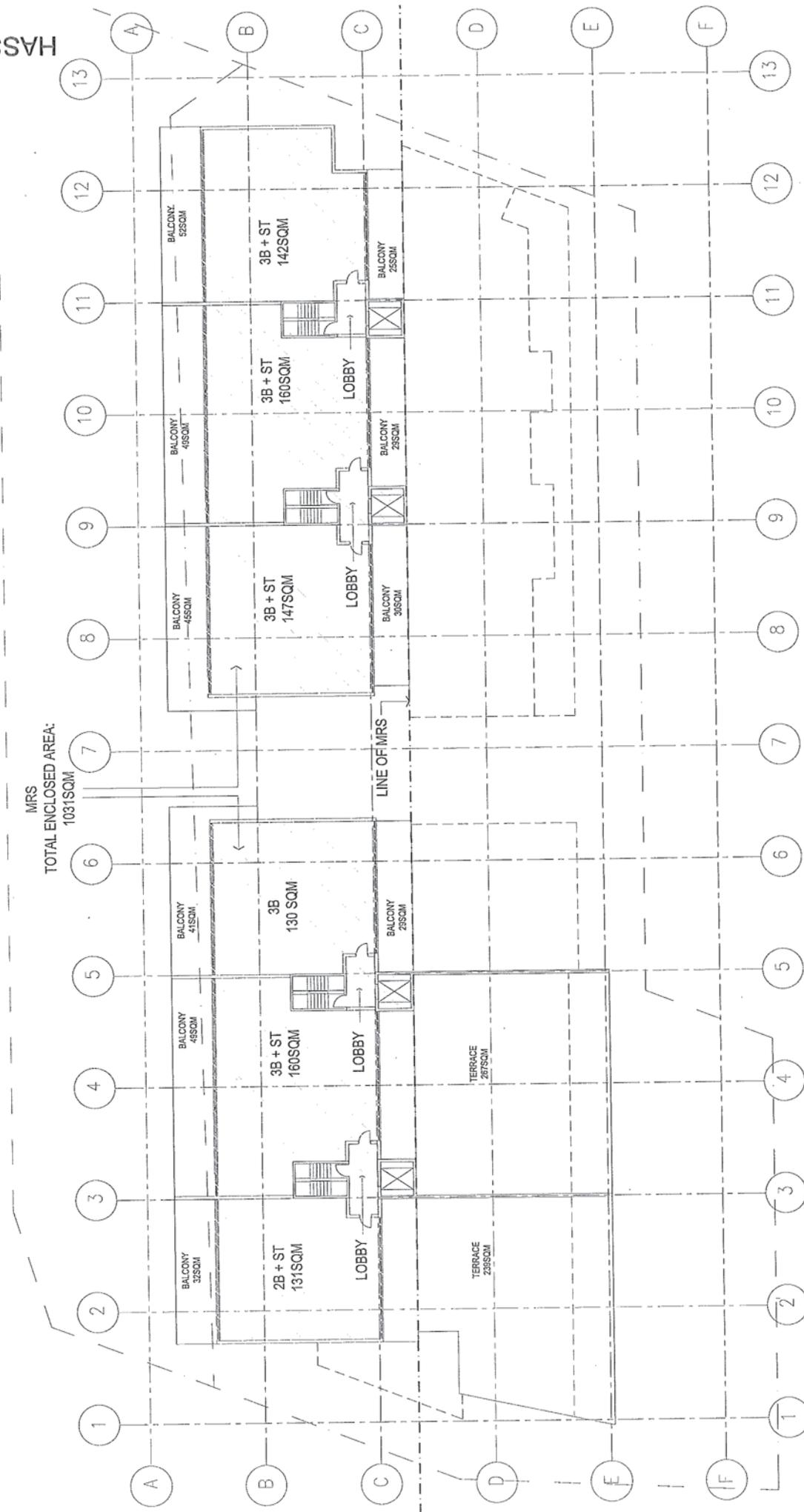
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Drawing
LEVEL 2

Project
FRESHWATER

Client
FRESHWATER CLAREMONT PTY LTD

HASSELL



Drawn By
CB

Scale
1:200

Date
MARCH 2011

Project No
PPA042

Drawing No
DD-1.5

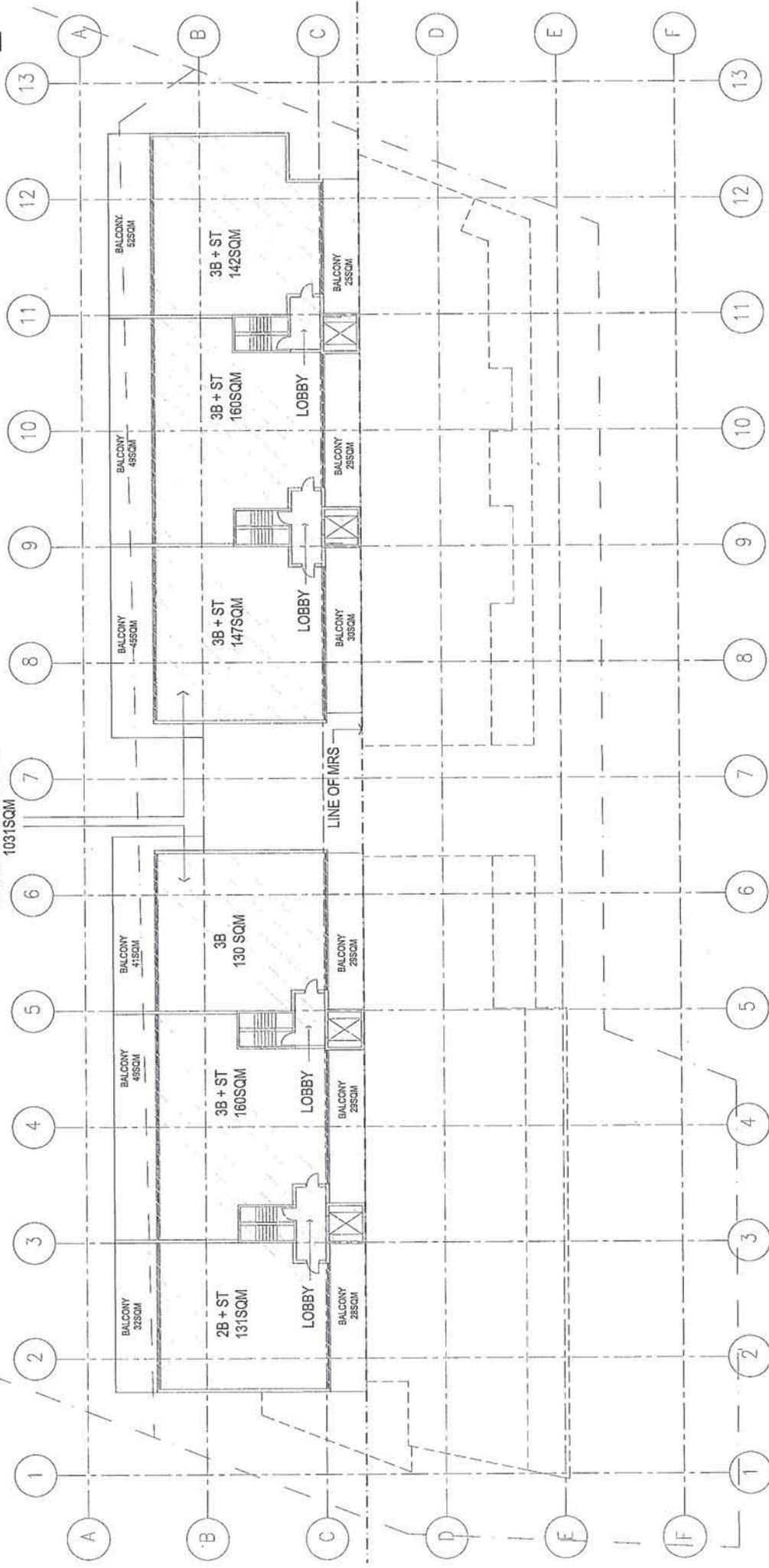
Drawing
LEVEL 3

Project
FRESHWATER

Client
FRESHWATER CLAREMONT PTY LTD

HASSELL

MRS
TOTAL ENCLOSED AREA:
1031SQM



Drawn By
CB

Scale
1:200

Date
MARCH 2011

Project No
PPA042

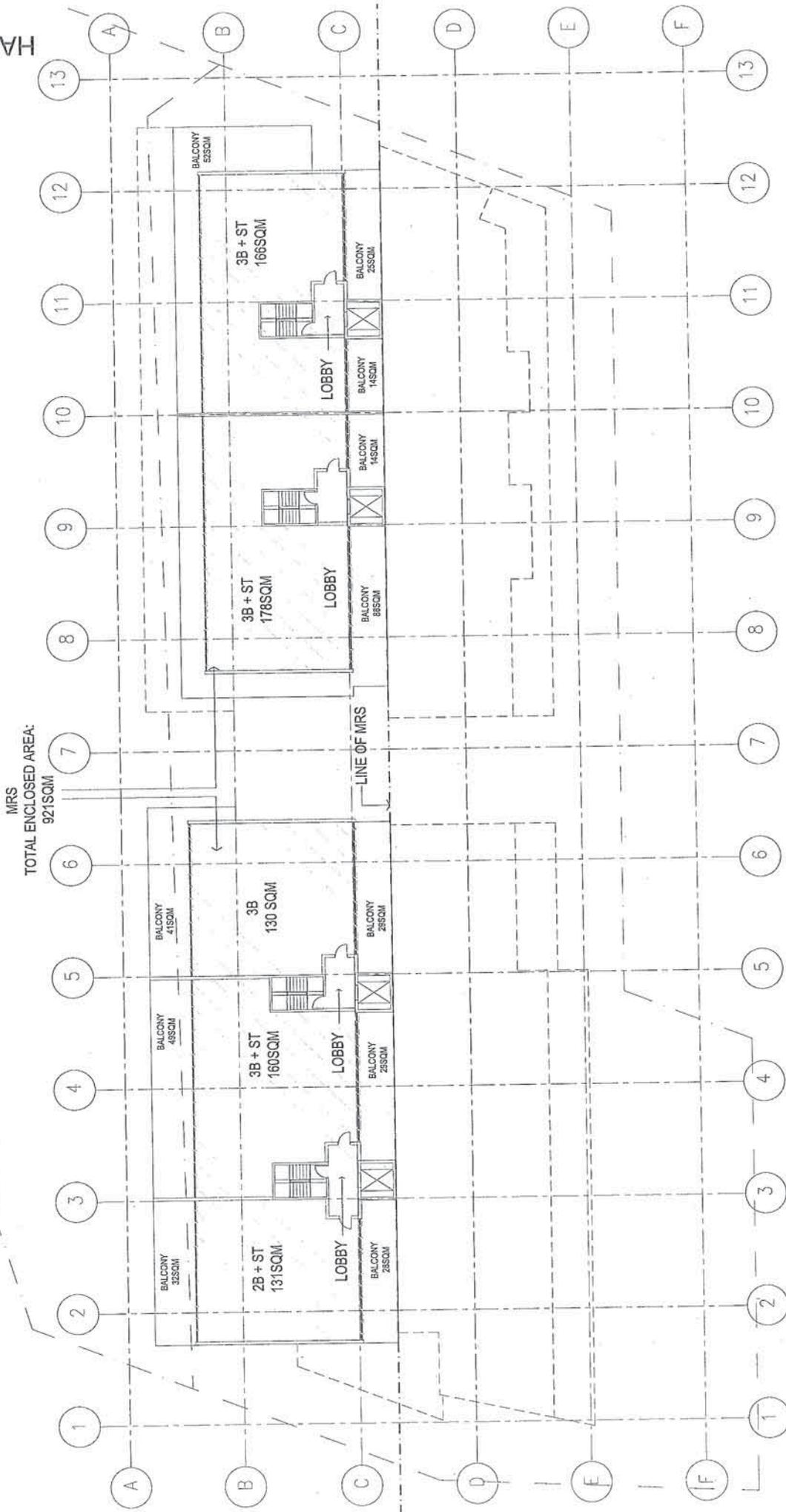
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Drawing
LEVEL 4

Project
FRESHWATER

Client
FRESHWATER CLAREMONT PTY LTD

HASSELL



Drawn By
CB

Scale
1:200

Date
MARCH 2011

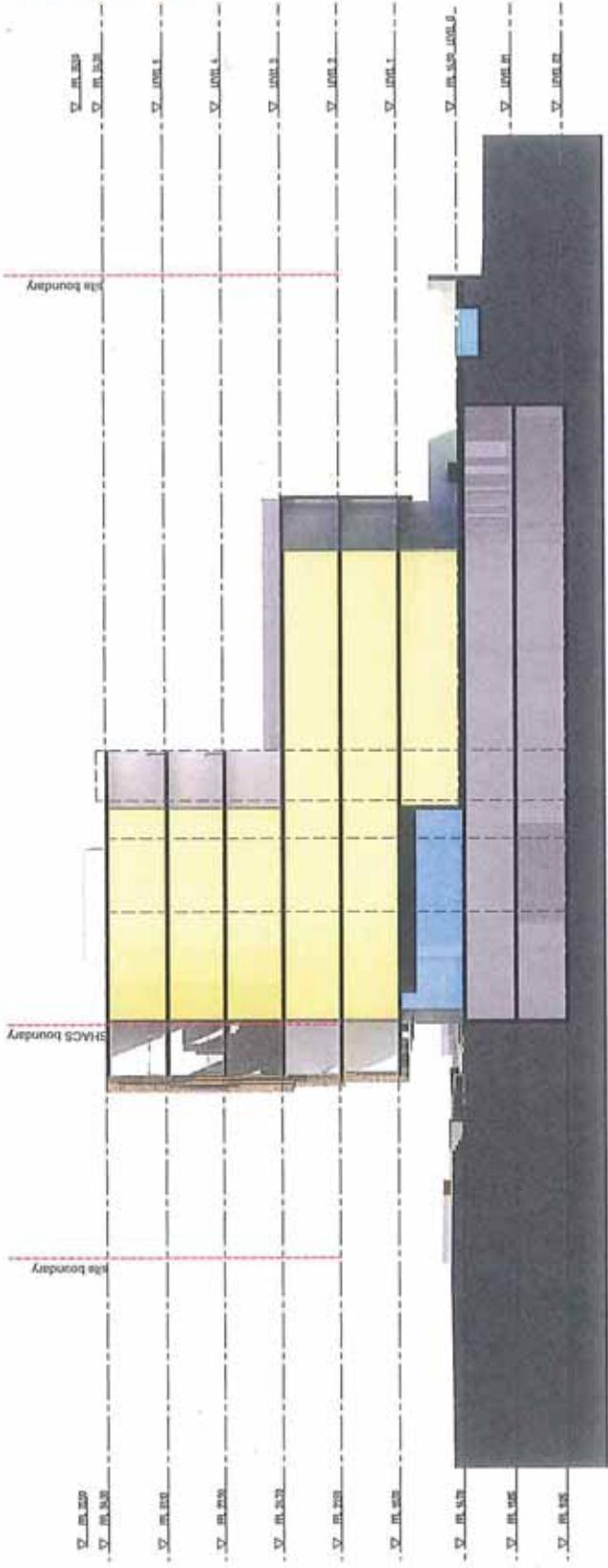
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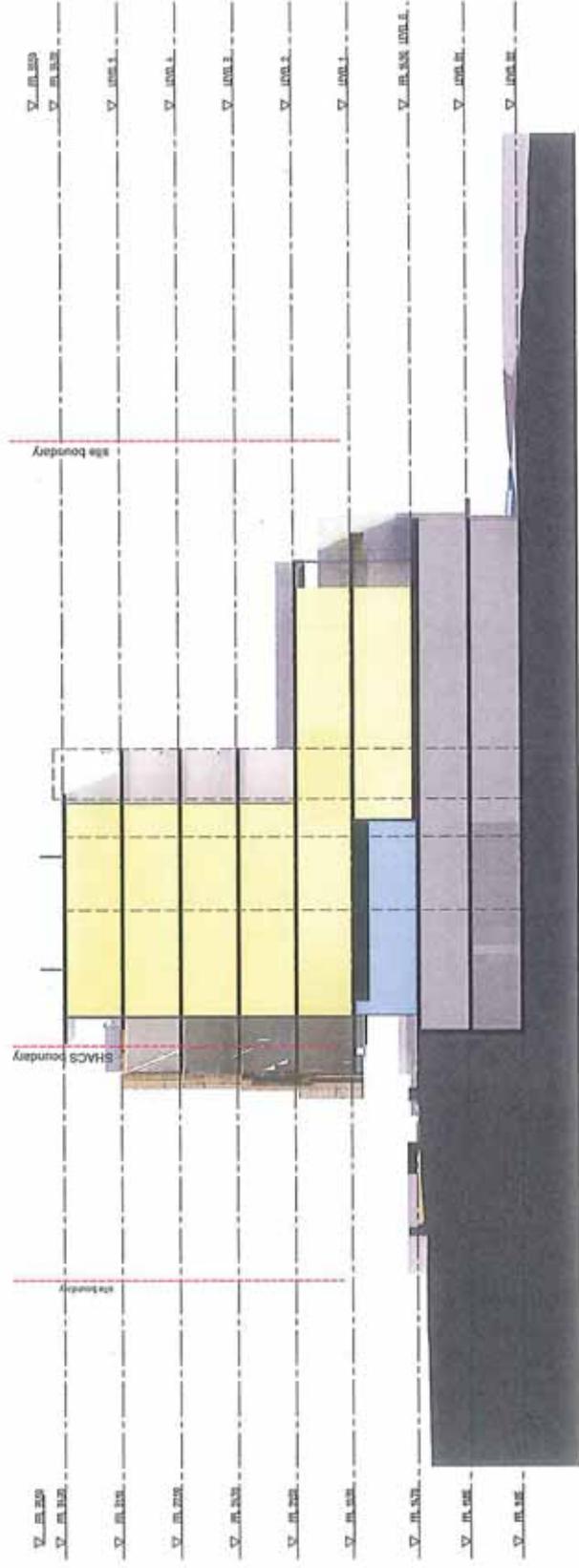
Drawing
LEVEL 5

Project
FRESHWATER

Client
FRESHWATER CLAREMONT PTY LTD

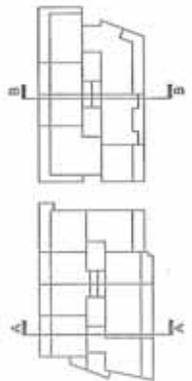


SECTION A



SECTION B

residential
commercial

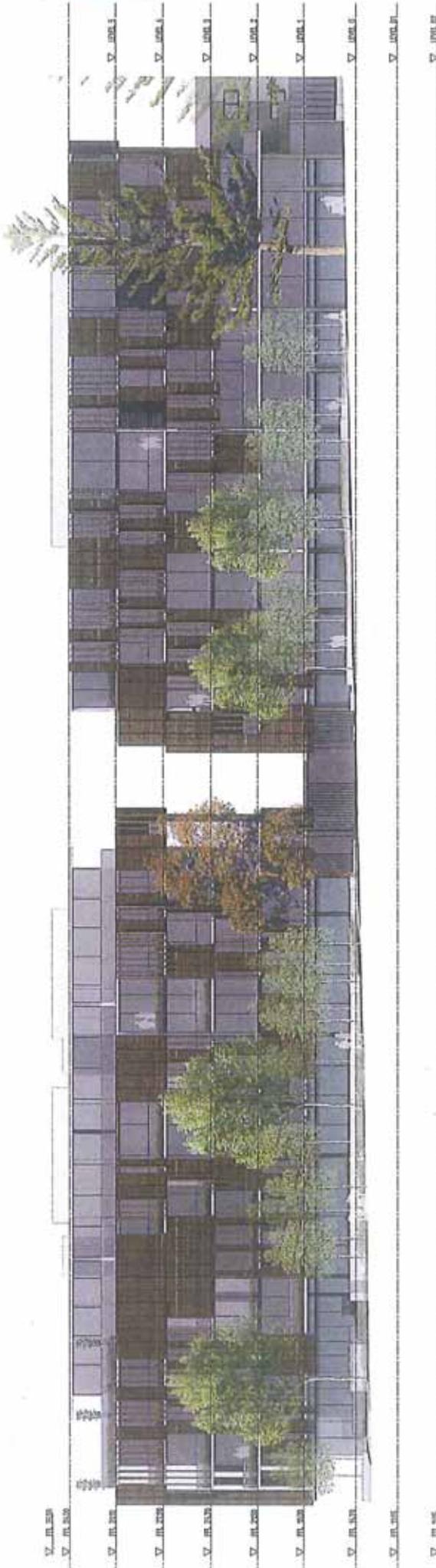


Client	FRESHWATER CLAREMONT PTY LTD
Project	FRESHWATER
Drawing	SECTIONS
Drawing No	DD-2.0
Project No	PPA0442
Date	MARCH 2011
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Drawn By	TDB, SDB

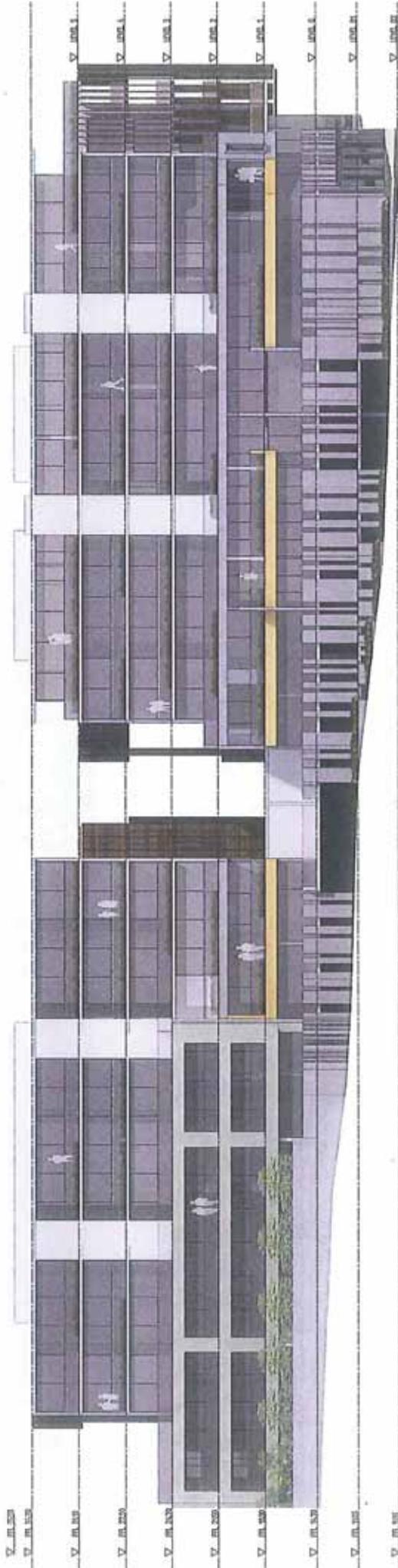


V. 01.00
 V. 01.01
 V. 01.02
 V. 01.03
 V. 01.04
 V. 01.05
 V. 01.06
 V. 01.07
 V. 01.08
 V. 01.09





NORTH ELEVATION



SOUTH ELEVATION





Drawn By
AK

Scale
1:200

Date
MARCH 2011

Project No
PPA0442

Drawing No
DD-4.1

Drawing
LANDSCAPE GROUND PLAN 1

Project
FRESHWATER

Client
FRESHWATER CLAREMONT PTY LTD



Drawn By
AK

Scale
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Date
MARCH 2011

Project No
PPA0442

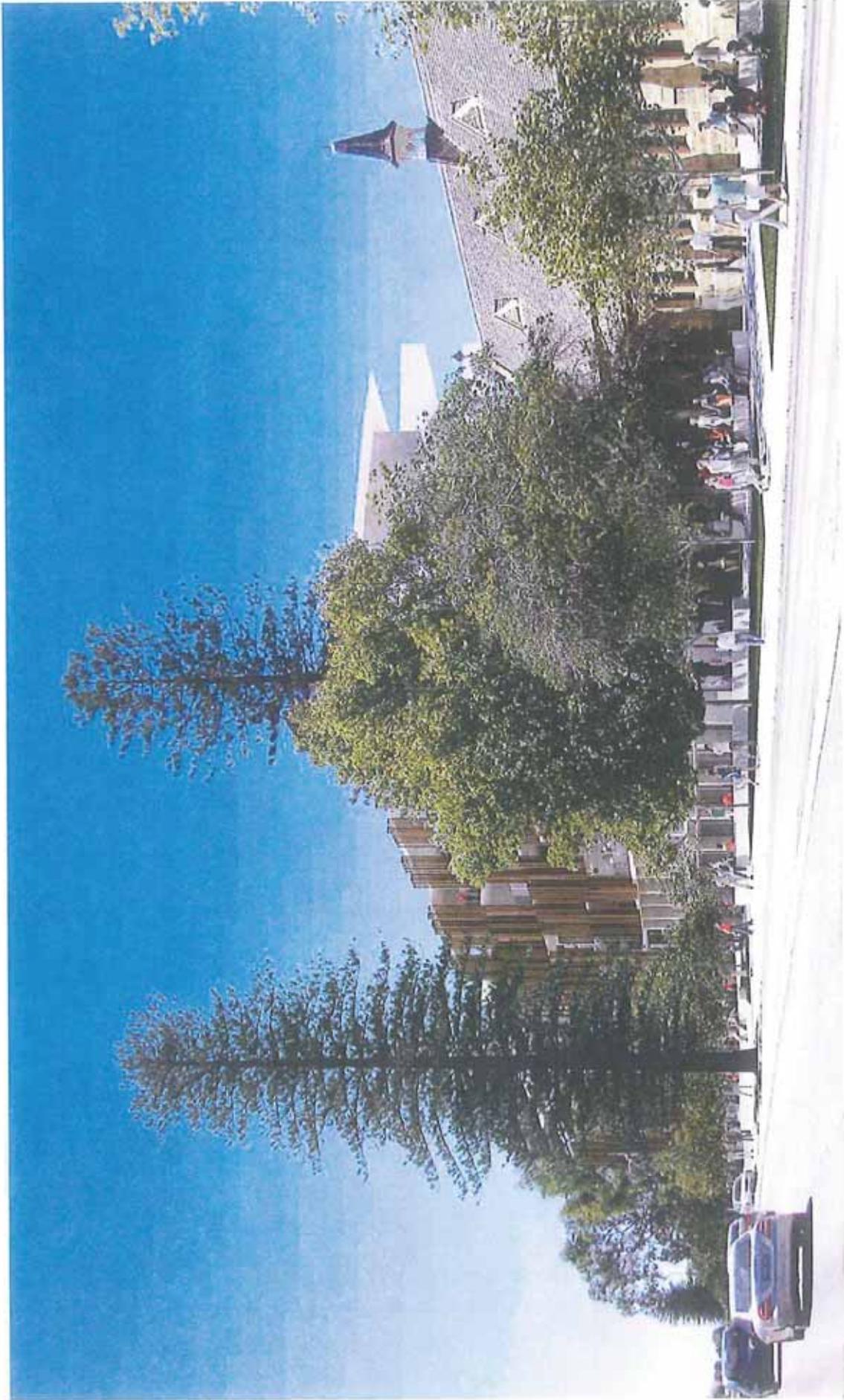
Drawing No
DD-42

Drawing
LANDSCAPE GROUND PLAN 2

Project
FRESHWATER

Client
FRESHWATER CLAREMONT PTY LTD





Client: FRESHWATER CLAREMONT PTY LTD

Project: FRESHWATER

Drawing: NORTH EAST PERSPECTIVE

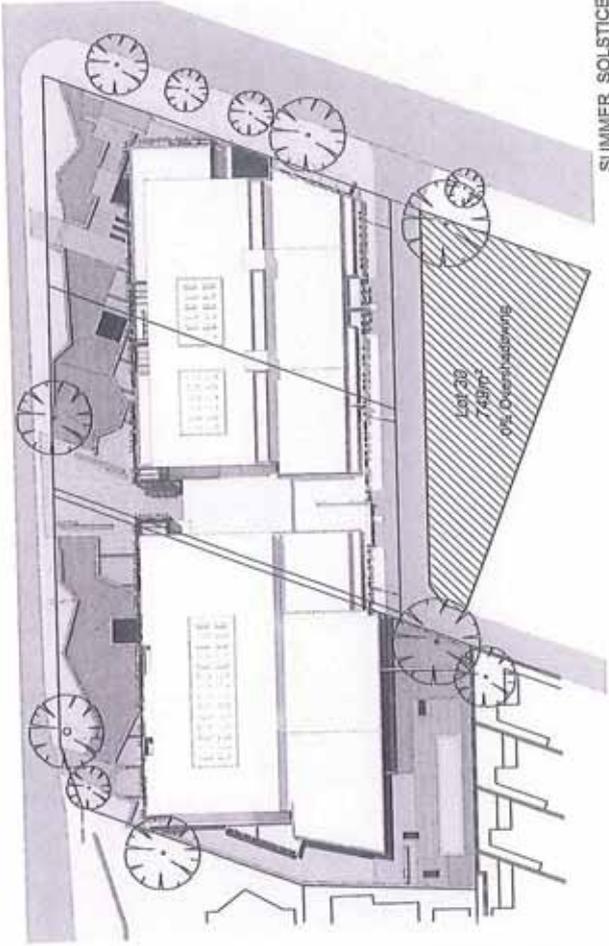
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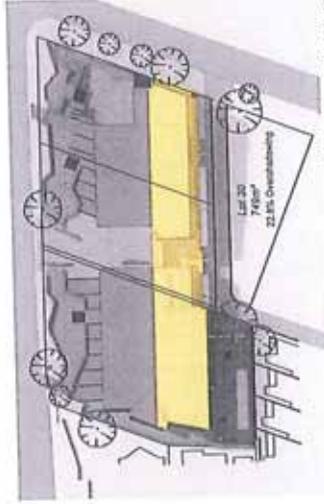
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Scale:

Drawn By: TDB, SCB



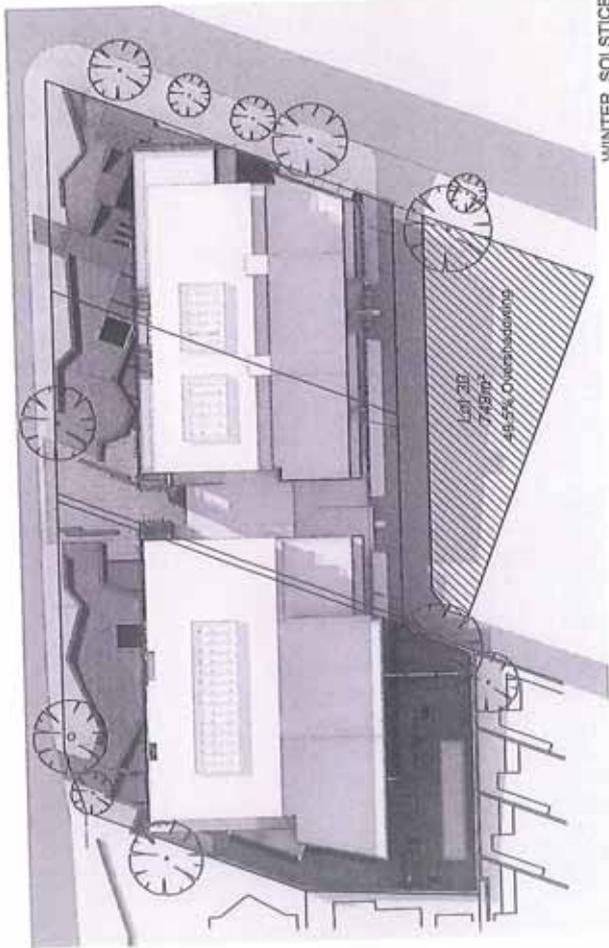
SUMMER SOLSTICE
21st December 1200



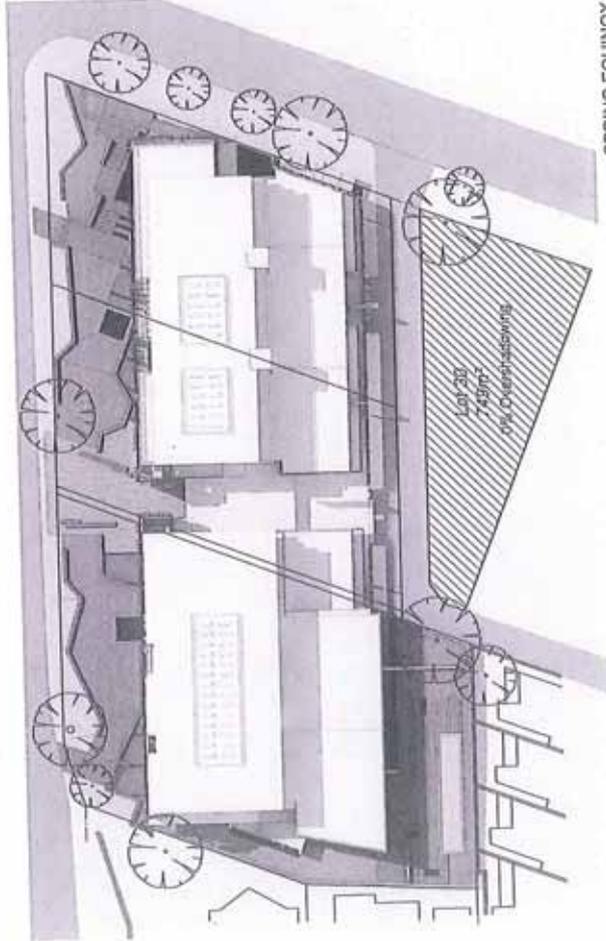
WINTER SOLSTICE
21st June 1200
TPS3 Zone only



12m HEIGHT PLANE



WINTER SOLSTICE
21st June 1200



SPRING EQUINOX
23rd September 1200

Drawn By
NB, CB

Scale
1:500

Date
MAR 2011

Project No
PPA0442

Drawing No
DD-6.1

Drawing
SUN DIAGRAM

Project
FRESHWATER

Client
FRESHWATER CLAREMONT PTY LTD