



Statutory Planning Committee

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

**Tuesday 13 September 2011
10.00 am**

**Level 2, Room 2.39
One40 William 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	Chairperson, WAPC Schedule 2 clause 4(2)(a)	20/4/2013
Ms Sue Burrows	Nominee of the Director General, Department of Planning Schedule 2 clause 4(2)(b)	Ex-officio
Ms Elizabeth Taylor	Community representative Schedule 2 clause 4(2)(d)	1/2/2012
Mr Ian Holloway	Professions representative Schedule 2 clause 4(2)(e)	1/2/2012
Mayor Carol Adams	Local Government representative Schedule 2 clause 4(2)(f)	1/2/2012
Cr Corinne MacRae	WAPC Nominee Schedule 2 clause 4(2)(g)	1/2/2012
Vacant	Regional Minister nominee Schedule 2 clause 4(3)	

Quorum: 4

In accordance with the Western Australian Planning Commission (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 WAPC 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**
 - Mr Prattley has submitted an application for leave of absence for the meeting of 25 October 2011
4. **Disclosure of interests**
5. **Declaration of due consideration**
6. **Deputations and presentations**
 - 6.1 **City of Swan - Local Planning Scheme No. 17 Amendment 45 - For Final Approval (refer Item 10.2)**

Presenters: Mr David Caddy - TPG
Mr Carl Lancaster - landowner

Others: Ms Jackie Lancaster - landowner
Ms Nerida Moredoundt - TPG
 - 6.2 **City of Swan - Local Planning Scheme No. 17 Amendment 45 - For Final Approval (refer Item 10.2)**

Presenters: Mr Joe Burgess - Burgess Design Group

Others: Mrs Kim Fondacaro - business/property owner
Mr Vince Fondacaro - business/property owner
 - 6.3 **Endorsement of Amendment No. 6 to Clarkson District Centre Agreed Structure Plan (refer Item 10.3)**

Presenters: Mr Michael Chappell - Pracsys
Mr Sean Fairfoul - Greg Rowe and Associates
Mr Scott Nugent - AMP

Others: Mr Len Kosova - City of Wanneroo
Mr Greg Rowe - Greg Rowe and Associates
7. **Announcements by the Chairperson of the board and communication from the WAPC**
8. **Confirmation of minutes of 23 August 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
7438	Directions 2031	Planning Director - 2031 to brief the Committee after WAPC/SPC workshop on 23 September 2011	Oct/Nov 2011

13. Closure - next meeting to be held on 27 September 2011

Statutory Planning Committee

Minutes
of ordinary meeting 7440
held on Tuesday 23 August 2011

Attendance

Members

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

Officers

Kylie Beach	Department of Planning Senior Planning Officer Schemes and Amendments
Mr Mark Szabo	A/Director Schemes and Appeals

Presenters

Mr Neville Deague	City of Belmont
Ms Juliette Gillan	City of Belmont

Committee Support

Ms Leah Carr	Committee Secretary - Department of Planning
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7440.1 Declaration of Opening

The Presiding Member declared the meeting open at 10.03 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed members.

7440.2 Apologies

Nil.

7440.3 Members on Leave of Absence and Applications for Leave of Absence

Mr Holloway has previously been granted leave of absence for the SPC meeting of 23 August 2011.

7440.4 Disclosure of Interests

Nil.

7440.5 Declaration of Due Consideration

No declarations were made.

7440.6 Deputations and Presentations

7440.6.1 City of Belmont Draft Local Planning Scheme No.15 - for final approval (refers to item 10.3)

Presenters: Mr Neville Deague, City of Belmont
Ms Juliette Gillan, City of Belmont

Mr Deague and Ms Gillan addressed the Committee giving their support of the initiatives included within the City of Belmont Draft Local Planning Scheme No. 15.

7440.7 Announcements by the Chairperson of the Board and communication from the WAPC

Nil.

7440.8 Confirmation of Minutes

7440.8.1 Minutes of the Statutory Planning Committee meeting held on Tuesday 9 August 2011

Resolved

Moved by Ms Taylor, seconded by Mayor Adams

That the minutes of the Statutory Planning Committee meeting held on Tuesday 9 August 2011, be confirmed as a true and correct record of the proceedings.

The motion was put and carried.

Moved to item 7440.10.3

7440.9 Reports

7440.9.1 Shire of Boddington Local Planning Scheme No.3 - Resolution to Prepare a New Scheme

File 853/6/15/3 PV5
Report Number SPC/22
Agenda Part D
Reporting Officer Planning Manager - Peel

The Committee amended the wording in the Shire's objective (r).

Officer's Recommendation

That the Western Australian Planning Commission resolves to:

1. acknowledge receipt of the Shire of Boddington's resolution to prepare a new Scheme;
2. note and accept the extent of the Scheme area, the anticipated format of the Scheme and the objects and intentions of the Scheme.

Resolved

Moved by Ms Taylor, seconded by Mayor Adams

That the Western Australian Planning Commission resolves to:

1. *acknowledge receipt of the Shire of Boddington's resolution to prepare a new Scheme;*
2. *note and accept the extent of the Scheme area, the anticipated format of the Scheme and the objects and intentions of the Scheme;*
3. *accept the above resolutions subject to amending Shire of Boddington's objective (r) to delete the words 'the extent possible under the Scheme'.*

The motion was put and carried.

7440.9.2 Create 83 Survey Strata Lots for Residential Purpose including Common Property - at portion of Lot 511 Great Northern Highway, Newman

File 326-11
Report Number SPC/23
Agenda Part H
Reporting Officer Senior Planning Officer Regional Planning & Strategy

Resolved

Moved by Mayor Adams, seconded by Cr MacRae

That the Western Australian Planning Commission resolves to approve the application for subdivision of Lot 511 Great Northern Highway in Newman subject to the following Conditions and Advice Notes:

CONDITIONS:

1. *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)*
2. *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)*
3. *Suitable arrangements being made with BHP Billiton to employ and implement appropriate electricity design specifications and standards and additional electricity network reinforcements. (BHP Billiton)*
4. *The land being graded and stabilised. (Local Government)*
5. *The land being filled and/or drained. (Local Government)*
6. *The proposed subdivision shall not impact the existing drainage on and for Great Northern Highway. (Main Roads WA)*

7. *Prior to the WAPC's endorsement of an appropriate form for the creation of the lots proposed by this application, the lot the subject of this application being created on a separate Deposited Plan and a new Certificate of Title being issued. (WAPC)*
8. *An Urban Water Management Plan to be prepared by the applicant to the satisfaction of the Western Australian Planning Commission. (Department of Water)*
9. *The approved Urban Water Management Plan shall be implemented by the applicant to the satisfaction of the Western Australian Planning Commission. (Local Government)*
10. *The creation of a reciprocal access easement over the proposed CP Lots 77-83 for the benefit of the Local Government specifying access rights. Notice of this easement(s) are to be included on the Deposited Plan.*
11. *Easement(s) in accordance with sections 195 and 196 of the Land Administration Act 1997 for the benefit of the Local Government and the general public are to be placed on the Certificates of Title of the proposed Common Property Lots 74, 75 and 76 specifying access rights. Notice of this easement(s) are to be included on the Deposited Plan.*
12. *A Management Statement being prepared and submitted for the WAPC's consideration and written confirmation in accordance with Section 5C of the Strata Title Act 1985 (as amended), to address the following matters in addition to the by-laws contained in Schedules 1 and 2 of that Act:*
 - *Development or redevelopment on the survey strata lots is to comply with a development approval issued by the local government.*
 - *Amendment to or repeal of the above provision cannot be effected without the WAPC's agreement.*
 - *The development and ongoing*

maintenance of the proposed Common Property lots to the satisfaction of the local government. (Local Government)

ADVICE NOTES:

1. *The Commission's approval to the subdivision should not be construed as an approval to the development of any of the lots proposed.*
2. *With regard to Conditions 1 and 2, 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.*
3. *With regard to Condition 3, the BHP Billiton advised that at present, its existing network infrastructure is unable to incorporate the electrical expansion and additional load required for the subject development. The applicant is advised to contact with BHP Billiton for advice.*
4. *With regard to Condition 8, the Department of Water advises that the Urban Water (UWMP) Management Plan should contain a level of information that reflects the site constraints and risk to water resources and a commitment to implement the UWMP at subdivision. The principles identified in the UWMP should be consistent with the Better Urban Water Management document, Liveable Neighbourhoods (WAPC, 2007) and the Stormwater Management Manual for Western Australia (DoW 2004 - 2007) and include, but not be limited to:*
 - *Management of water dependent ecosystems;*
 - *Site investigations;*
 - *Groundwater monitoring/modelling;*
 - *Surface water modelling;*
 - *Conservation and efficient use of drinking water; and*
 - *Implementation at subdivision.*

5. *With regard to Condition 10, a reciprocal access arrangement will enable the Council to access the internal accessways to provide services to the proposed development (i.e. picking up rubbish bins).*
6. *With regard to Condition 12, the applicant is advised to liaise with the Local Government with regard to the detailed design and maintenance requirement on all the proposed common property lots, and any other matters as may be required by the Local Government to ensure the standards of design and amenity requirements are met. This may include, but is not limited to the following:*
 - *The establishment of landscaping in accordance with an appropriate landscape plan;*
 - *The ongoing management and maintenance of the open space and drainage areas;*
 - *The ongoing management and maintenance of the internal accessways including verge treatments and street lighting.*

The motion was put and carried.

7440.9.3 Create 61 Survey Strata Lots for Strata Residential Purpose including Common Property - Lot 688 Newman Drive, Newman, Shire of East Pilbara

File 279-11
Report Number SPC/24
Agenda Part H
Reporting Officer Senior Planning Officer Northern Regions

Resolved

Moved by Cr MacRae, seconded by Ms Taylor

That the Western Australian Planning Commission resolves to approve the application for subdivision of Lot 688 Newman Drive, Newman subject to the following Conditions and Advice Notes:

CONDITIONS:

1. *The survey-strata plan being consistent with an*

Outline Development Plan for the site approved by the Shire of East Pilbara. (Local Government)

2. *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)*
3. *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)*
4. *Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of BHP Billiton for the provision of an underground electricity supply service to the lot(s) shown on the approved plan of subdivision. (BHP Billiton)*
5. *The land being filled and/or drained. (Local Government)*
6. *The land being graded and stabilised. (Local Government)*
7. *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)*
8. *An area(s) of land at least 10% of the gross subdivisible 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.

9. *A Management Statement being prepared and submitted for the WAPC's consideration and written confirmation in accordance with Section 5C of the Strata Title Act 1985 (as amended), to address the following matters in addition to the by-laws contained in Schedules 1 and 2 of that Act:*
 - *Development or redevelopment on the survey strata lots is to comply with a development approval issued by the local government;*
 - *The development and ongoing maintenance of the proposed Common Property lots to the satisfaction of the local government;*
 - *Amendment to or repeal of the above provision cannot be effected without the WAPC's agreement. (Local Government)*
10. *The creation of a reciprocal access easement over the proposed Common Property Lot 61 for the benefit of the Local Government specifying access rights. Notice of this easement(s) are to be included on the Deposited Plan.*
11. *Street lighting to be installed at the subdivider's cost. (Local Government)*

ADVICE NOTES:

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 Conditions 2 and 3, 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.

3. Regarding Condition 4, you are advised to contact BHP Billiton regarding their requirements.
4. Regarding Condition 5, drainage systems are to be designed and constructed consistent with the Storm-Water Management Manual for Western Australia (Department of Water).
5. The Department of Water provides the following advice:
 - The proposed survey-strata subdivision is located with the Newman Water Reserve and the area is currently classified as a Priority 3 (P3) Source Protection Area under the Priority Source Classification System. Residential subdivision is a conditional activity within P3 Source Protection Areas. Guidelines and notes are available to reduce the risk that associated activities pose to the Water Reserve, they are available from <http://drinkingwater.water.wa.gov.au>;
 - The proponent should ensure that best environmental design, construction and operational practices are followed. Vegetated buffers should be established from the infrastructure boundary to the top water level of any reservoirs, feeder streams and/or water source bore compounds; and
 - A buffer of at least 30 metres should be used in P3 areas from any infrastructure on the site, such as paved areas or waste treatment facilities, to any water source bore, in conjunction with other protective measures such as hazard reduction and containment, and monitoring and surveillance.
6. With regard to Condition 8, the WAPC hereby approves of a cash-in-lieu contribution in accordance with Section 153 of the *Planning and Development Act, 2005*.
7. Prior to commencement of site works, you are advised to contact the Department of

Environment and Conservation's Contaminated Sites Branch regarding the potential for soil and groundwater contamination within the application area.

8. With regard to Condition 9, the applicant is advised to liaise with the Local Government with regard to the detailed design and maintenance requirement on all the proposed common property lots, and any other matters as may be required by the Local Government to ensure the standards of design and amenity requirements are met. This may include, but is not limited to the following:
- The establishment of landscaping in accordance with an appropriate landscape plan;
 - The ongoing management and maintenance of the open space and drainage areas; and
 - The ongoing management and maintenance of the internal accessways including verge treatments and street lighting.
9. With regard to Condition 10, a reciprocal access arrangement will enable the local government to access the internal accessways to provide services to the proposed development (for example, domestic waste removal).

The motion was put and carried.

7440.10 Confidential Items

7440.10.1 City of Melville Local Planning Scheme No.6 - Resolution to Prepare a New Scheme

File TPS/0606/1
Report Number SPC/25
Agenda Part B
Reporting Officer Senior Planning Officer Schemes and Amendments

THIS ITEM IS CONFIDENTIAL

**7440.10.2 City of Joondalup District Planning Scheme No.2
Amendment No.53 - For Final Approval**

File TPS/0483
Report Number SPC/25
Agenda Part B
Reporting Officer Senior Planning Officer Schemes and
Amendments

THIS ITEM IS CONFIDENTIAL

Moved to Item 7440 10.4

**7440.10.3 City of Belmont Draft Local Planning Scheme No.15 - For
Final Approval**

File TPS/0264
Report Number SPC/26
Agenda Part E
Reporting Officer A/Director Schemes and Appeals

THIS ITEM IS CONFIDENTIAL

Moved to item 7440.9.1

**7440.10.4 Shire of Northam Review of Local Planning Strategy -
Addendum Report**

File TPS/0245/1
Report Number SPC/27
Agenda Part E
Reporting Officer Planning Manager, Southern Regions

THIS ITEM IS CONFIDENTIAL

**7440.10.5 Shire of Esperance Local Planning Scheme Amendment No.
7 - For Consent to Advertise**

File TPS/0641/1
Report Number SPC/28
Agenda Part E
Reporting Officer Planning Manager, Southern Regions

THIS ITEM IS CONFIDENTIAL

Statutory Planning committee

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7440.10.6 State Administrative Tribunal: Adoption of ODP and determination of Stage One 20 Lot Subdivision - at Lot 1 Julimar Road, Chittering

File 140710
Report Number SPC/29
Agenda Part G
Reporting Officer Senior Planning Officer

THIS ITEM IS CONFIDENTIAL

7440.11 General Business

7440.11.1 Reports submitted to the SPC

The Committee requested that report writers identify the proponent/land owner in the reports being submitted for consideration due to Disclosure issues for members.

7440.12 Items for Consideration at a Future Meeting

Item No	Report	Request	Report Required by
7438	Directions 2031	Planning Director - Directions 2031 to brief the Committee following the workshop held on 23 September 2011.	Oct / Nov 2011

7440.13 Closure

The next ordinary meeting is scheduled for 10 am on 13 September 2011.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 11.15 am.

PRESIDING MEMBER _____

DATE _____

INDEX OF REPORTS

Item	Description
9	REPORTS
C	SUBDIVISIONAL/STRATA ITEMS/DEVELOPMENTS – MAJOR/CONTROVERSIAL
9.1	DEVELOPMENT APPLICATION (24-50126-1), CONSTRUCTION OF A 25 METRE Monopole, TELECOMMUNICATIONS ANTENNAE, GROUND LEVEL EQUIPMENT SHELTER AND FENCING - LOT 581 CONNOR ROAD, LESMURDIE
9.2	SUBDIVISION OF 2 LOTS TO CREATE 479 LOTS FOR RESIDENTIAL PURPOSES - MEADOW SPRINGS
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10.1	CITY OF SWAN - LOCAL PLANNING SCHEME NO.17 AMENDMENT NO.40 - FOR FINAL APPROVAL
10.2	CITY OF SWAN - LOCAL PLANNING SCHEME NO.17 AMENDMENT NO.45 - FOR FINAL APPROVAL
C	SUBDIVISIONAL/STRATA ITEMS/DEVELOPMENTS – MAJOR/CONTROVERSIAL
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E	MINOR LOCAL/REGIONAL PLANNING SCHEMES / LOCAL/REGIONAL PLANNING SCHEME AMENDMENTS
10.4	SHIRE OF NORTHAMPTON RESOLUTION TO PREPARE A NEW SCHEME

ITEM NO: 9.1

DEVELOPMENT APPLICATION (24-50126-1), CONSTRUCTION OF A 25 METRE MONOPOLE, TELECOMMUNICATIONS ANTENNAE, GROUND LEVEL EQUIPMENT SHELTER AND FENCING - LOT 581 CONNOR ROAD, LESMURDIE

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: A/Planning Manager Metro Planning North East
AUTHORISING OFFICER: A/Executive Director - Perth, Peel and South West
Planning and Strategy

AGENDA PART: C
FILE NO: 24-50126-1
DATE: 5th September 2011
ATTACHMENT(S):
1 - Development Plans
2 - Zoning Plan
3 - Site Photographs
4 - Sensitive Land Uses
5 - Schedule of Submissions

REGION SCHEME ZONING: Parks & Recreation
LOCAL GOVERNMENT: Shire of Kalamunda
LOCAL SCHEME ZONING: Parks & Recreation
LGA RECOMMENDATION: Refusal
REGION DESCRIPTOR: Perth Metro North East
RECEIPT DATE: 11th May 2011
PROCESS DAYS: 56
APPLICATION TYPE: Development
DESCRIPTION OF PROPOSAL: Optus Telecommunications Facility (30m
Monopole, 3-Off Panel Antennas & One Ground
Level Equipment Shelter Within A Fenced
Compound).
CADASTRAL REFERENCE: Connor Road, Lesmurdie Falls

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve development application 24-50126-1 for a 25 metre monopole, telecommunications antennae, a ground level equipment shelter and fencing at Lot 581 Connor Road, Lesmurdie subject to the following conditions and advice to applicant:

CONDITIONS:

- 1. This approval relates to Drawing No's P8312A-P1 (Rev 02), P8312A-P2 (Rev 02) and P8312A-P3 (Rev 02) prepared by Aurecon and date stamped 11 May 2011 by the Department of Planning (attached).**
- 2. Prior to commencement of site works an Environmental Management Plan addressing construction and operational impacts of the development is to be approved by the Shire of Kalamunda on advice from the Department of Environment and Conservation. Development thereafter must be carried out in accordance with the approved Environmental Management Plan.**
- 3. No building materials, rubbish or other matter shall be deposited on the adjacent land reserved for Parks and Recreation in the Metropolitan Region Scheme during or after construction of the development.**

ADVICE TO APPLICANT:

- 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.**
- 2. The Department of Environment and Conservation advises that clearing of native vegetation is prohibited, unless clearing is authorised by a clearing permit obtained from the Department of Environment, or is of a kind that is exempt in accordance with Schedule 6 or Regulation 5 (Clearing of native vegetation Regulations).**

SUMMARY:

The proposed development is for the construction of telecommunications equipment including a 25 metre monopole to accommodate antennae, a ground level equipment shelter and fencing at Lot 581 Connor Road, Lesmurdie. The combined height of the monopole and antennae will be 30 metres. The application is required to be determined by the Western Australian Planning Commission (WAPC) as the subject land is reserved for 'Parks and Recreation' (P&R) under the Metropolitan Region Scheme (MRS). The WAPC is the sole determining authority for the application.

The proposal has been forwarded to the Statutory Planning Committee for determination in accordance with the Instrument of Delegation (DEL 2008/06) Powers of Officers, Schedule 7 (7.1), given that it is recommended that the WAPC approve the application, which is at variance to the recommendation of the Shire of Kalamunda who oppose the development.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:

Planning and Development Act 2005

P and D Act Part 10 (S 162)

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:

- Statement of Planning Policy No.5.2 *Telecommunications Infrastructure (SPP5.2)*
- Development Control Policy 1.2 - *Development Control - General Principles*
- Development Control Policy 5.3 *Use of Land Reserved for Parks and Recreation*

INTRODUCTION:

Optus is proposing to construct a new telecommunications 'base station' at Lot 581 Connor Road, Lesmurdie. The installation will include a 25 metre monopole to accommodate antennae mounted on a turret. The total height including the future turret mount is 30 metres. An associated ground level equipment shelter is also proposed. The development will be located within a secure fenced compound (**Attachment 1** - Development Plans). The facility will specifically provide mobile phone coverage to residents in Lesmurdie and visitors travelling through the area.

The *Telecommunications Act 1997* allows telecommunications facilities to be installed without any permit if they are 'low-impact', but provides that a new stand-alone mast or a mast on a building that is more than 5m high is not a low-impact facility. The main effect of the Act is to require the installation of non-exempt telecommunications facilities to comply with State and local planning and environmental procedures.

The application is required to be determined by the WAPC as the subject land is reserved for 'Parks and Recreation' (P&R) under the Metropolitan Region Scheme (MRS) and the proposed development does not constitute "permitted development" under clause 16 of the MRS (**Attachment 2** - Zoning Map).

The base station is proposed to be situated on land owned by the State of Western Australia (Department of Regional Development and Lands). Optus will lease the subject land from the State. Access to the base station will be via an existing gravel track, which links to Ashurst Drive, and which is within the ownership of the WAPC (Lot 500). Optus will be required to negotiate with the WAPC and secure an easement over this land for both access and provision of underground infrastructure associated with the base station.

The base station will be sited adjacent to an existing 35 metre high (approx.) 'lattice' telecommunications tower currently utilised by the WA Police (**Attachment 3**). The development application (WAPC 24-50001-1) for the existing WA Police

telecommunications tower was approved by the WAPC in July 2000. This structure replaced a previous 30 metre WA Police Tower.

The proposed development is situated approximately 1.2K to the west of the Falls Road Primary School and 1.6K to the north west of the Lesmurdie Primary School. Residential areas are located 200 metres to the north east of the proposed development (**Attachment 4**).

As the land is reserved under the MRS, the WAPC is the sole determining authority of the application. Clause 30 of the MRS requires the WAPC to have regard to the following factors when determining a development application:

- i) the purpose for which the land is zoned or reserved under the Scheme;
- ii) the orderly and proper planning of the locality; and
- iii) the preservation of amenities of the locality.

CONSULTATION:

The Shire of Kalamunda advertised the proposals for a period of 21 days. During the advertising period 25 objections and 2 non-objections were received by the Shire. The objections and comments can be summarised as the following:

- The tower being visually intrusive on nearby residential properties by virtue of its location and appearance.
- The radiation levels emitted from the proposed tower potentially being unacceptably high and having an impact on the health of residents and the school community in the long term.
- The acceptable levels of radiation people can be exposed to, being unknown.
- The proposed tower being closer than 500m to sensitive land uses as stipulated under Local Planning Policy DEV26 — Radio, Television and Communication Facilities/Masts.

The Shire considered the application at its Ordinary Council Meeting on the 18 April where it resolved to recommend that the application be refused on the following grounds:

- "a) Council's Local Planning Policy DEV 26— Radio, Television and Communication Facilities/Masts requires mobile phone towers to be at least 500m from sensitive land uses. The proposed mobile phone tower shall be 200m from the residential area, which constitutes a 55 per cent reduction in the required 500m distance.*
- b) The community objection to a possible unacceptable impact on the health of the local community with respect to radiation emissions from the proposed mobile phone tower.*
- c) The likely impact on the amenity of the locality as it is visually Intrusive in the bushland setting by virtue of its location, height and appearance."*

A Schedule of Submissions is provided at **Attachment 5**.

The Department of Environment and Conservation (DEC) raises no objection subject to conditions.

WAPC Property Management Services raises no objection to the proposal subject to Optus negotiating an easement over Lot 500 for access and provision of infrastructure.

COMMENT:

WAPC DC Policy 1.2 'Development Control - General Principles'

WAPC DC Policy 1.2 '*Development Control - General Principles*' describes the general principles by which the WAPC will assess applications for its approval to commence development. With regard to land reserved under the MRS, DC 1.2 states that a principal objective is to ensure that the use of reserved land is not prejudiced by the development application, with the WAPC's decision being influenced by the proposal's scale, purpose, duration and impact (4.1.2).

WAPC DC Policy 5.3 'Use of Land Reserved for Parks and Recreation'

Where land is reserved for Parks and Recreation (P&R) under a regional planning scheme the provisions of Policy No. DC 5.3 will be applied. The policy establishes that the use of P&R Reserved Land shall be restricted to that which is consistent with furthering the enhancement of the reserve and facilitating its use for recreational or conservation purposes. This implies a presumption against any commercial proposals which do not enhance public access to and enjoyment of a reserve.

Statement of Planning Policy No.5.2 'Telecommunications Infrastructure' (SPP5.2)

SPP5.2 states that it is important that planning policies ensure that facilities are designed and installed in a manner that protects the visual character and amenity of local areas, and that they provide for the effective and efficient roll-out of networks and avoid lengthy and litigious approval procedures.

The policy also states, on the matter of health issues associated with exposure to electromagnetic emissions arising from mobile phones:

" Research undertaken by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) has reported that environment radiofrequency levels near base stations for the digital mobile phone network are extremely low. The ARPANSA study reported that the highest daily average level was well below one per cent of the Australian Communications Authority's public exposure limits and concluded that "given the very low levels recorded and the relatively low power of these types of transmitters, it is unlikely that the radiofrequency radiation from base stations would cause any adverse health effects, based on current medical research."

Planning Bulletin No 46 'Applications for Telecommunications Infrastructure' (PB46)

PB46 identifies the considerations which should be taken into account in considering applications for the development of telecommunications facilities. These considerations include:

- the social and economic benefits of affordable and convenient access to modern telecommunications-based services for people and businesses throughout the State;
- continuity of supply of telecommunication services;
- protection of the environment;
- safeguarding visual amenity and streetscape;
- public safety; and
- co-ordination with other services.

The Bulletin advises that the overall aim should be to find the appropriate balance between sometimes conflicting objectives by the application of sound planning principles.

Health Issues

As referred to under SPP5.2, telecommunications facilities and particularly mobile phone facilities, are of increasing concern to the public because of the perceived effects of electromagnetic energy (EME) (sometimes termed electromagnetic radiation (EMR)) on human health and the visual impact of mobile phone towers on amenities. In respect of public safety concerns, PB46 advises that the Health Department of Western Australia considers there is currently no health basis for restricting either the siting of mobile telephone towers or ground level access to them (Clause 5).

The relevant industry code for the deployment of base stations is produced by the Australian Communications Industry Forum and is known as the ACIF Code. The Code requires the 'carrier' (Optus in this instance) to minimise emissions through site design measures including the turning off of transmitters when sites are not in use. The applicant advises that the system to be used has the capacity to automatically adjust power to minimise emissions and automatically switches the transmitter off when no data is sent.

In addition, the ACIF code requires the carrier to conduct a site EMR assessment in accordance with the ARPANSA prediction methodology. The subject application is supported by such an assessment. The assessment estimates the maximum cumulative radiofrequency electromagnetic energy level at 1.5 metres above ground and approximately 137 metres from the base station to be 0.094% of the public exposure limit recommended by ARPANSA.

Co-location and Alternative Sites

The applicants indicate that they have considered the potential for the proposed telecommunications equipment to be co-located on existing infrastructure or for the base station to be located at an alternative site.

With regard to the existing WA Police lattice tower structure, the applicant indicates that this is insufficient for Optus' coverage requirements as the height available to Optus on the adjacent structure is significantly below that required to deliver effective network coverage to the target area. Optus will only be able to achieve a height of 15m (approx) on the existing structure (given the existing equipment that it currently accommodates) as opposed to the height requirements that can be achieved on the proposed new monopole. In addition, the applicant states that the existing lattice tower consists of WA Police and Telstra equipment, and would restrict opportunities for Optus to expand its network coverage requirements in the future. The available height on the existing structure would result in a significant decrease in both the coverage area and signal strength and is considered unacceptable by the applicant.

In regard to alternative locations, the applicants indicate that none were favoured over that proposed with respect to visual and physical separation from residential properties, meeting coverage objectives and minimising disturbance on the natural environment. In addition, the applicants consider co-siting within the proximity of an existing facility is the optimum solution, rather than scattering structures around a particular area at different sites.

Optus has confirmed that they will construct a structure that is sufficient to accommodate equipment for other telecommunications carriers via co-location should they have a need to provide services to customers in this area.

CONCLUSION:

It is considered that the proposed facility subject of the application will enhance the quality and continuity of telecommunication services for social, recreational and business use in the locality and is in accordance with SPP 5.2.

In regard to the MRS, it is considered that:

- i) The development will not compromise the recreational or conservation purposes of the P&R reserve and as such does not conflict with the purpose for which the land is Reserved under the MRS.
- ii) The development will be situated in a relatively isolated location which for some considerable time has accommodated telecommunications infrastructure and, as such, will not have an adverse impact on the amenity of the locality.
- iii) The development accords with the orderly and proper planning of the locality.

Conditional approval is recommended.

A3



LOCALITY MAP
REFER UBD Australian City Streets V. 6.0 (2009), MAP 293, GRID A/12



OVERALL SITE LAYOUT PLAN
NTS (2000)

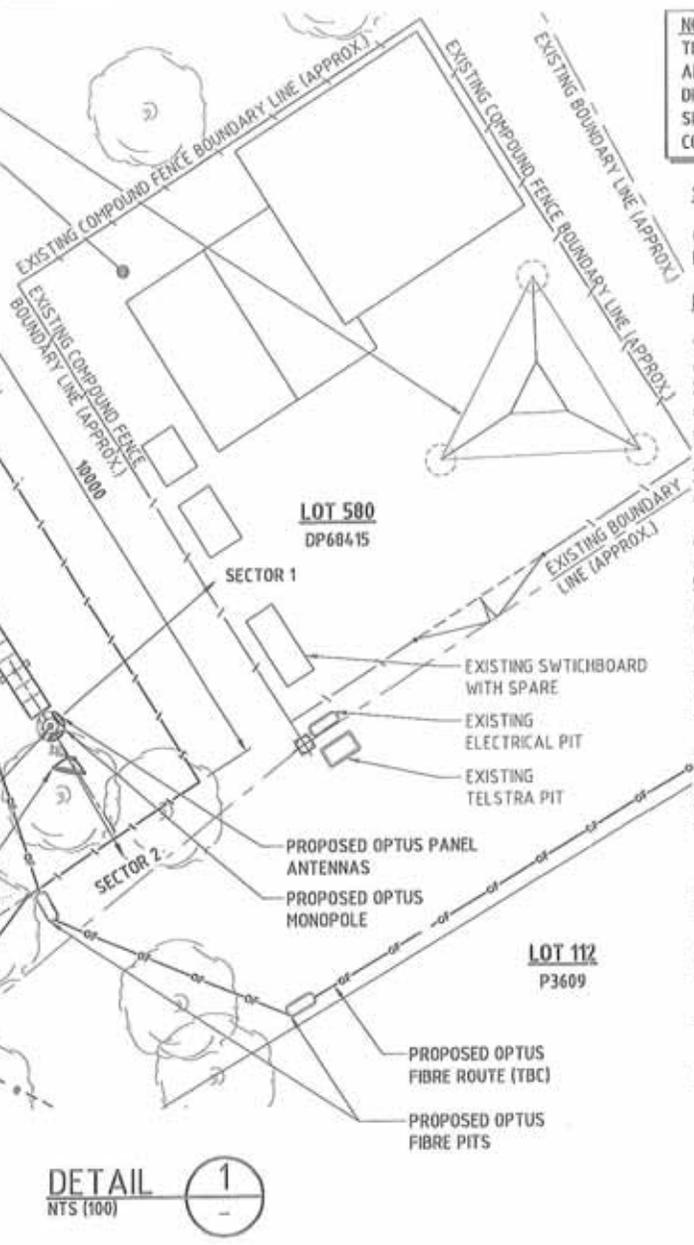


LOT 581
DP68415

EXISTING POLICE TOWER
EXISTING COMPOUND (10.5m x 9.4m)
EXISTING TREES TO BE REMOVED
PROPOSED PHASE 8 OPTUS EQUIPMENT SHELTER (3m x 2.5m x 2.8m H)
EXISTING TREES TO BE REMOVED

MGA (GDA94)	GPS
ZONE	50
E	408 779
N	6 460 089

AT CL OF MONOPOLE
PROPOSED OPTUS ELECTRICAL PIT
PROPOSED OPTUS Ø600 PARABOLIC ANTENNA (T.B.C.)
PROPOSED OPTUS 2.4m HIGH CHAINWIRE SECURITY FENCE WITH 3.0m WIDE ACCESS GATE



DETAIL 1
NTS (100)

NOTE:
THIS DRAWING IS DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED. DIMENSIONS, CO-ORDINATES, AND LEVELS SHOWN ARE NOMINAL AND SUBJECT TO CONFIRMATION BY SURVEYOR.

SITE ADDRESS
CONNOR ROAD, LESMURDIE, WA 6076

DEPT OF PLANNING
11 MAY 2011
FILE 24-50126-1

- NOTES:**
- BASIS OF DESIGN**
 - SITE INSPECTION DATE 30/07/2010
 - PANEL ANTENNAS**
 - 3-OFF PANEL ANTENNAS (2.63m LONG)
 - MOUNTED WITHIN ARGUS HCN-10-S ANTENNA FRAME
 - NETWORK LINK**
 - 1-OFF Ø600 PARABOLIC ANTENNA ELEVATION T.B.C.
 - STRUCTURE**
 - NEW MONOPOLE, OVERALL HEIGHT 30m
 - EQUIPMENT SHELTER**
 - PHASE 8 (3m x 2.5m) "PAPERBARK"
 - SUPPORTED ON BORED PIERS
 - CABLE LADDER**
 - 600mm WIDE HORIZONTAL CABLE TRAY
 - TO HAVE GALVANISED STEEL COVERS
 - FEEDERS TO RUN VERTICALLY INSIDE MONOPOLE
 - PAINTING/AIRCRAFT WARNING LIGHTS**
 - REQUIREMENTS TO BE CONFIRMED
 - SITE ACCESS**
 - ACCESS VIA DRIVEWAY AT THE END OF ASHURST DRIVE, AND THROUGH EXISTING ACCESS TRACK TO SITE
 - ANTENNA ACCESS**
 - ANTENNAS TO BE ACCESSED BY STEP-PEGS AND LAD-SAF
 - ELECTRICAL POWER SUPPLY**
 - 30A 3 PHASE POWER SUPPLY TO BE PROVIDED
 - SUPPLY MAY BE AVAILABLE FROM POWER POLE NEAR SITE
 - DETAILS TO BE ADVISED
 - DC ISOLATION IN ACCORDANCE WITH ENERGY AUSTRALIA PROTOCOL / ETSA

FOR APPROVAL

03	27.01.11	ISSUED FOR APPROVAL	AA	TS
02	26.10.10	ISSUED FOR APPROVAL	AA	TS
01	25.08.10	ISSUED FOR APPROVAL	AA	TS
Rev	Date	Reason for Change	By	App

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Level 1, Bayswater Rise Square 250 Adelaide Tce Facsimile: +61 8 9223 1605
Perth Western Australia 6000 Australia Email: perth@ap.aurecongroup.com

Client **'yes' OPTUS**

Project **MOBILE NETWORK AUSTRALIA**
SITE No:- P8312A
LESMURDIE FALLS
CONNOR ROAD

Drawing Title **DRAFT SITE LAYOUT**

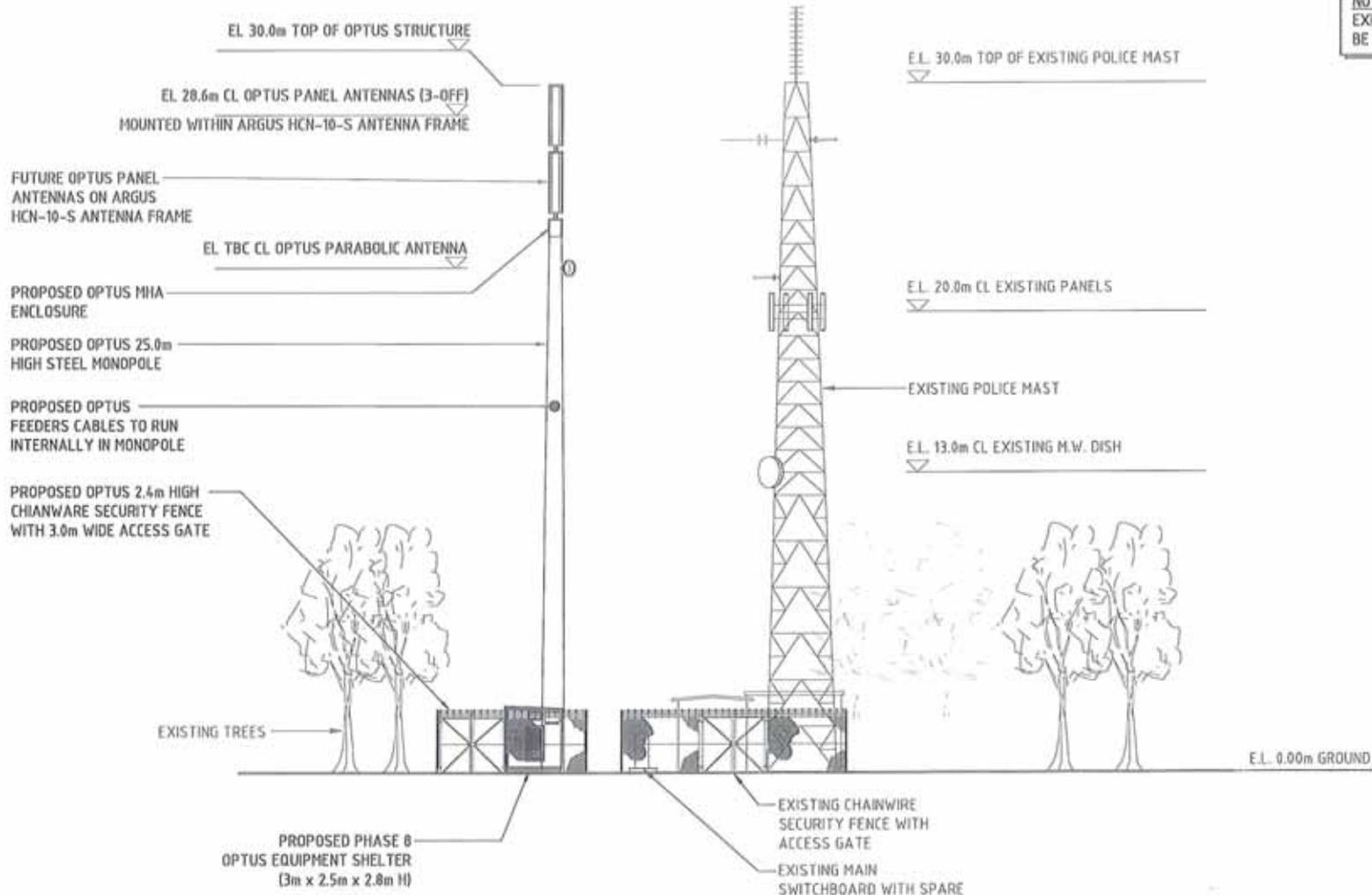
Designed	Drawn	Date
TS	PK	AUG 10
Verified	Scale	
	NTS	
Approved	Project No.	
	204472	
Drawing No.	Revision	
P8312A-P1	02	

N:\OPTUS\INTEL\OPTUS METRO INTEL\SITES\0812 LESMURDIE FALLS\VAL\ADV\0812 LESMURDIE FALLS_DSL.DWG

NOTE:
THIS DRAWING IS DIAGRAMMATIC ONLY
AND SHOULD NOT BE SCALED.

NOTE:
EXISTING TREES WITHIN COMPOUND TO
BE REMOVED NOT SHOWN FOR CLARITY.

DEPT OF PLANNING
11 MAY 2011
FILE 24-50126-1



SOUTH EAST ELEVATION
NTS (200)

FOR APPROVAL

Rev	Date	Revision Description	By	App
03	27.11.10	ISSUED FOR APPROVAL	AA	TS
02	20.10.10	ISSUED FOR APPROVAL	AA	TS
01	25.08.10	ISSUED FOR APPROVAL	AA	TS



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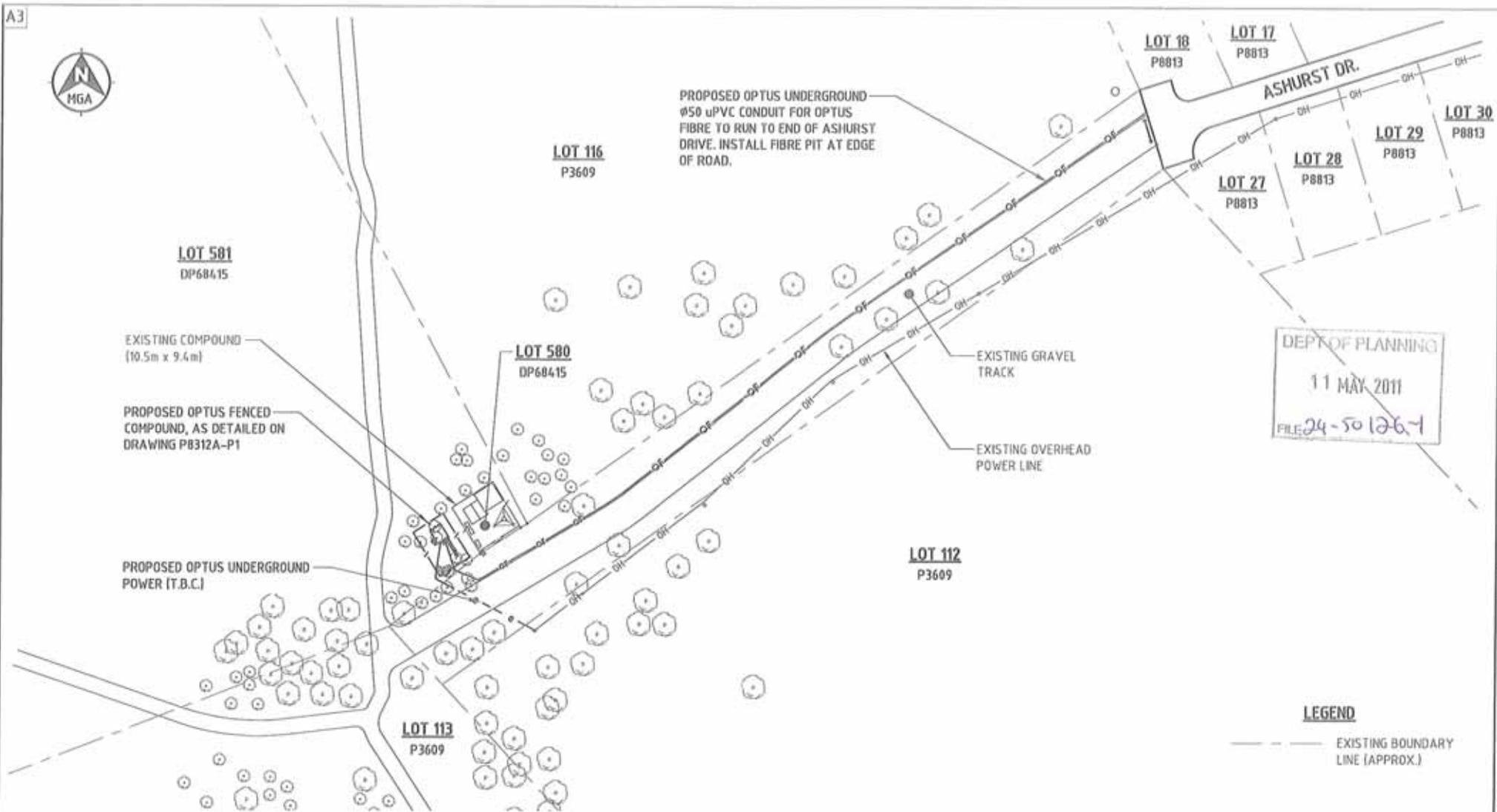
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3. The design and construction of any structure shown on this drawing is the responsibility of the engineer or architect who has signed the drawing.
4. The design and construction of any structure shown on this drawing is the responsibility of the engineer or architect who has signed the drawing.



Project: **MOBILE NETWORK AUSTRALIA**
SITE No:- P8312A
LESMURDIE FALLS
CONNOR ROAD

Drawing Title: **SITE ELEVATION**

Designed	Drawn	Date
TS	PK	AUG 10
Verified	Scale	NTS
Approved	Project No	204472
Drawing No	Revision	
P8312A-P2	02	



PROPOSED OPTUS UNDERGROUND
 Ø50 uPVC CONDUIT FOR OPTUS
 FIBRE TO RUN TO END OF ASHURST
 DRIVE. INSTALL FIBRE PIT AT EDGE
 OF ROAD.

EXISTING COMPOUND
 (10.5m x 9.4m)

PROPOSED OPTUS FENCED
 COMPOUND, AS DETAILED ON
 DRAWING P8312A-P1

PROPOSED OPTUS UNDERGROUND
 POWER (T.B.C.)

EXISTING GRAVEL
 TRACK

EXISTING OVERHEAD
 POWER LINE

DEPT OF PLANNING
 11 MAY 2011
 FILE: 24-50126-1

LEGEND
 --- EXISTING BOUNDARY
 LINE (APPROX.)

CABLING LAYOUT PLAN
 NTS (2000)

FOR APPROVAL

01	ISSUED FOR APPROVAL	AA	TS
02	ISSUED FOR APPROVAL	AA	TS
03	ISSUED FOR APPROVAL	AA	RC

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 Aurecon Australia Pty Ltd ABN 54 005 139 873 Telephone: +61 8 9223 1500
 Level 1 Septimus Row Square 250 Adelaide Terrace Facsimile: +61 8 9223 1605
 Perth Western Australia 6000 Australia Email: perth@p.aurecongroup.com

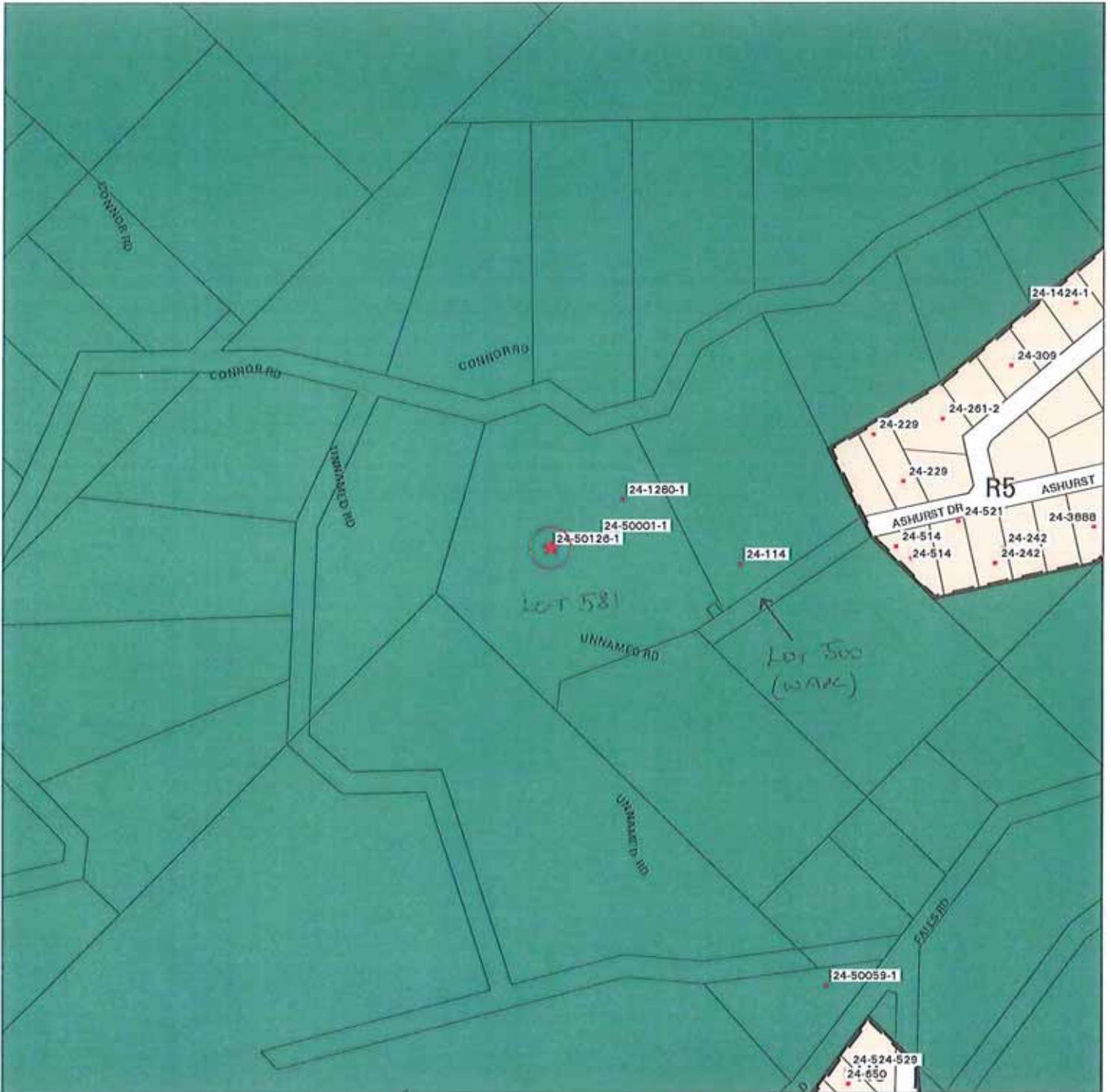
yes
OPTUS

MOBILE NETWORK
 AUSTRALIA
 SITE No:- P8312A
 LESMURDIE FALLS
 CONNOR ROAD

Drafting Title:
**DRAFT UNDERGROUND
 CABLING PLAN**

Designed RC	Drawn RC	Date NOV 10
Verified	Scale NTS	
Approved	Project No 204472	
Drawing No P8312A-P3	Revision 02	

N:\OPTUS INFILL\OPTUS INFILL\SITES\P8312 LESMURDIE FALLS\ACAD\PROJECT\LESMURDIE FALLS_DSL.DWG



Development Application 24-50126-1 (MGA ref 408633mE 6460153mN Zone 50)

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

- PARKS & RECREATION
- CADASTRAL BOUNDARY
- WESTNET ENERGY GAS PIPELINE
- DEVELOPMENT APPLICATION
- R CODE BOUNDARY
- RESIDENTIAL

ATTACHMENT D: Site Photos

11 MAY 2011

FILE 24-50126-1



Photo 1 – Approximate Site Location



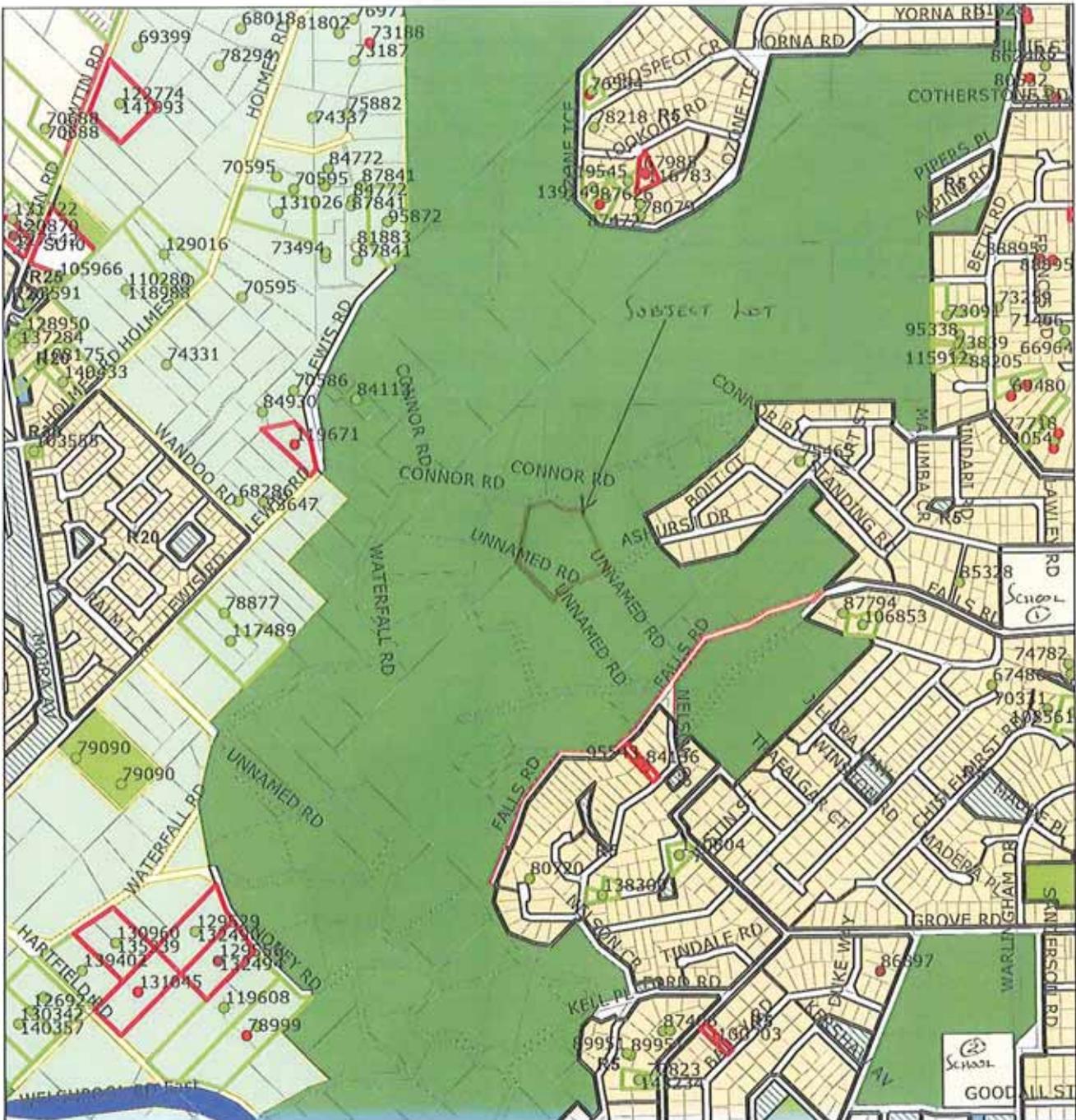
Photo 2 – View North-West of the existing WA Police tower



Photo 3 – View East of the existing access track to Ashurst Drive



Photo 4 – View of the existing Telstra off-panel antennas located on the lattice tower



+	Appealed and decided		CANCELLED		PARKS & RECREATION		SPECIAL RURAL
+	Under appeal - no decision		REFUSED		COMMERCIAL		SPECIAL USE
●	APPROVED		Cadastre with Lot Numbers		LOCAL OPEN SPACE		URBAN DEVELOPMENT
●	CANCELLED		SPECIAL USE AREA		NO ZONE		PRIVATE CLUBS & INSTITUTIONS
●	REFUSED		TPS - Scheme Boundaries		PRIVATE CLUBS & INSTITUTIONS		PUBLIC PURPOSES
○	UNKNOWN		TPS - R Code Boundaries		RESIDENTIAL		
	APPROVED		OTHER REGIONAL ROADS				

Scale 1:16,263
 0 500m

Prepared by: Idoughlass
 Prepared for:
 Date: Tuesday, August 23, 2011 13:25
 Plot Identifier: P20110823_1325

DP INTERNAL USE ONLY



① FALLS ROAD Primary School
 ② LECMURDIE Primary School

Proposed Mobile Phone Tower - Lot 581 (145) Connor Road, Lesmurdie

Submission Table

	Comment	Staff Comment
1.	<p>Objection</p> <p>a) The tower would be within 200m of the nearest house.</p> <p>b) There are numerous young children and elderly residents within a 500m range of the proposed tower.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
2.	<p>Objection</p> <p>a) Part of our decision to move to the hills was to get away from environmental hazards of the City and to bring our children up in a safe and natural location.</p> <p>b) My children will possibly be exposed to excessive levels of radiation.</p> <p>c) It will also be a dreadful eyesore.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>
3.	<p>Objection</p> <p>a) The tower will be closer than 500m to sensitive land uses as stated under Council's Policy.</p>	<p>a) Noted.</p>

	<p>b) The proposal was not advertised in all local papers.</p> <p>c) We oppose the increase in radiation levels subjected to us and our children. According to Optus (2010,2011) the additional mobile base station will increase the radiation levels by 1460%.</p> <p>d) We object to the delayed effects of EME exposure to our health. Studies show that EME causes sleep disorders, memory loss, decrease in reaction times, brain connection difficulties, fatigue, headaches, learning difficulties, depression and suicide and immune system disorders.</p> <p>e) Environmental damage will occur at this site further degrading our regional park.</p> <p>f) Allowing this tower will set a precedence to build another.</p>	<p>b) The proposal was advertised in accordance with clause 9.4.3 of Local Planning Scheme No. 3 which stipulates that a notice of the proposed development is to be published in a newspaper circulating the Scheme (District) area for not less than 14 days from the day the notice is published. Clause 2.3.1 of the Local Planning Scheme No. 3 stipulates that if a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.</p> <p>c) Noted.</p> <p>d) Noted.</p> <p>e) Noted.</p> <p>f) Approval of any development does not set a precedence within the Shire as each proposal is</p>
--	---	--

		assessed on its individual merit.
4.	<p>Objection</p> <p>a) I have a child at Falls Road Primary School and live on Connor Road itself and due to the current lack of adequate substantiated evidence regarding the long term damage to humans the radiation may cause.</p> <p>b) I feel it totally inappropriate to build a tower of this nature so close to the school and to residential properties.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
5.	<p>Objection</p> <p>a) Violates the Shire's Policy as less than 500m from residences.</p> <p>b) EME levels – existing tower levels will increase by over 1000% - health effects – psychological trauma caused be perceived health effects.</p> <p>c) A decrease in property prices due to perceived health risks.</p> <p>d) Environmental damage to regional park – destruction of trees – damage to trees from digging.</p> <p>e) Increased traffic and destruction of popular walk trail.</p>	<p>a) Noted.</p> <p>b) Noted. No evidence to suggest that levels will increase by this amount.</p> <p>c) Not a planning consideration.</p> <p>d) Noted.</p> <p>e) The existence of the tower would not result in a significant increase in traffic. Vehicular access to the tower would only be required for its maintenance.</p>

	<p>f) Approval of tower will set precedence.</p>	<p>The existing access track has been made wide enough to allow vehicular access to the existing tower.</p> <p>f) Approval of any development does not set a precedence within the Shire as each proposal is assessed on its individual merit.</p>
<p>6.</p>	<p>Objection</p> <p>a) We have small children and obviously our primary concern is to provide them with a safe and environmentally appealing location.</p> <p>b) It is imperative that health and well being of an area extends to all facets including not introducing the risk of a radiation source.</p> <p>c) Clearly research has shown that the risk from communication towers does potentially expose people within close proximity to higher health side effects.</p> <p>d) We appreciate that these towers are required but given the vast areas of bush area it is not reasonable to have their construction in locations safely clear of residential properties.</p> <p>e) The Council should not risk nor endorse this sort of approval where community health maybe compromised.</p> <p>f) These towers are an eyesore and present as visual pollution which distracts from the environmental beauty of the District.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>

		Noted.
7.	Objection	Noted.
8.	<p>Objection</p> <p>a) Too close to Falls Road Primary School.</p> <p>b) Please consider another position for the health of our children.</p>	<p>a) The proposed tower's location is approximately 1,000m from Falls Road Primary School. Therefore under the Shire's telecommunication policy it would be an acceptable distance.</p> <p>b) Noted.</p>
9.	<p>Objection</p> <p>Mobile phone towers should not be positioned in built up areas where children are in high numbers.</p>	Noted.
10.	<p>Objection</p> <p>a) Radiation concerns.</p> <p>b) Health risks.</p> <p>c) Too close to the residential area.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>
11.	<p>Objection</p> <p>a) Please take the protective measure for the homes and families with children who are so close to the proposed tower.</p>	a) Noted.

	<p>b) It has been proven that regular exposure to it interferes with the electric fields of our cells.</p> <p>c) For the sake of our children please vote against it.</p>	<p>b) Noted.</p> <p>c) Noted.</p>
12.	<p>Objection</p> <p>a) I would like to voice my concern for Falls Road Primary School which is 1km away from the proposed tower's site.</p> <p>b) It has been proven that constant exposure will cause growth and other physical problems to children.</p> <p>c) The USA Environmental Protection Agency has placed stricter standards for installing any towers radiating.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>
13.	<p>Objection</p> <p>a) The address given is misleading as it is no where near Connor Road.</p> <p>b) The proposed site is only 170m from homes at the end of Ashurst Drive.</p> <p>c) A small compound owned by the WA Police with a communication tower was the subject of an application by Telstra to remove the tower on the Police land and replace with a similar structure some 10 years ago. However since that time Telstra has reinforced the tower furtively added one</p>	<p>a) According to Shire records the property is located along an unsealed section of Connor Road.</p> <p>b) Noted.</p> <p>c) Noted. The antennas referred to are low impact facilities and therefore do not require planning approval under the <i>Telecommunications (Low-impact Facilities) Determination 1997</i>.</p>

	at a time Microwave panels at present totalling four and other switch gear panels to that site.	
14.	<p>Objection</p> <p>Given past and current findings regarding the prospective dangers of radiation.</p>	Noted.
15.	<p>Objection</p> <p>I object to the tower in close proximity to the school and residential areas.</p>	Noted.
16.	<p>Objection</p> <p>a) The full range of undiluted facts of the adverse health effects to this and future generations are not nor can be made available due to the obvious fact that research into such matters is ongoing.</p> <p>b) Our children are not guinea pigs.</p> <p>c) Better receivers of weak signals are a safer alternative.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>
17.	Objection	Noted.
18.	Objection	Noted.
19.	Objection	Noted.
20.	Objection	Noted.
21.	Objection	Noted.
22.	<p>Objection</p> <p>Too close to school and houses.</p>	The proposed tower's location is approximately 1,000m from

		<p>Falls Road Primary School. Therefore under the Shire's telecommunication policy it would be an acceptable distance.</p> <p>The tower is proposed to be located approximately 200m from the nearest residential properties and therefore would not comply with this policy which requires a 500m distance from mobile phone towers to sensitive land uses (such as dwellings and schools).</p>
23.	Objection	Noted.
24.	<p>Objection</p> <p>a) Not enough sufficient evidence to ensure any additional tower would not adversely affect the health and wellbeing in the short and long term of the families who live in the area.</p> <p>b) Consider if the health of these families was adversely affected, the greater community suffers.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
25.	Objection	Noted.
26.	<p>No objection</p> <p>Everyone wants the convenience of mobile phones as long as the tower is no where near them.</p>	Noted.
27.	No Objection	Noted.

ITEM NO: 9.2

SUBDIVISION OF 2 LOTS TO CREATE 479 LOTS FOR RESIDENTIAL PURPOSES - MEADOW SPRINGS

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Planning Manager Perth, Peel and South West Planning Strategy
AUTHORISING OFFICER: A/Executive Director Perth, Peel and South West Planning Strategy
AGENDA PART: C
FILE NO: 144489
DATE: 30 August 2011
ATTACHMENT(S):
1. Location Plan
2. ODP
3. Plan of Subdivision
4. Laneway Modifications
REGION SCHEME ZONING: Urban
LOCAL GOVERNMENT: City of Mandurah
LOCAL SCHEME ZONING: Urban Development
LGA RECOMMENDATION: Conditional Support
REGION DESCRIPTOR: Peel
RECEIPT DATE: 30th June 2011
PROCESS DAYS: 61
APPLICATION TYPE: Subdivision
CADASTRAL REFERENCE: Lot 9040 & 9041 Greenville Vista, Meadow Springs

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the application for subdivision of two lots into 479 lots for residential purposes and two balance lots, at Lot 9040 Pebble Beach Boulevard and 9041 Greenville Vista, Meadow Springs, subject to the following conditions and advice:

CONDITIONS:

- 1. The proposed subdivision being modified generally in accordance with the attached plan, (CLE plan no. 967-211-01), to incorporate a rear laneway for the two groups of lots fronting Pebble Beach Boulevard at the southern end of the subdivision area. (Local Government)***

-
2. *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. *Street corners within the subdivision are to be truncated to the specification of the local government. (Local Government)*
 3. *The battleaxe accessway(s) being constructed and drained, to a minimum limestone standard, at the applicant/owner's cost to the specifications of the local government. (Local Government)*
 4. *The cul-de-sac heads being designed and constructed to the satisfaction of the local government. (Local Government)*
 5. *The applicant/owner entering into an agreement with the local government to ensure reciprocal rights of access over adjoining battleaxe accessway(s). (Local Government)*
 6. *Parallel embayment car parking bays being constructed abutting public open space to the satisfaction of the local government. (Local Government)*
 7. *A detailed plan demonstrating dual use path/cycleway design to the specifications of the local government is to be submitted prior to the commencement of site works. (Local Government)*
 8. *Dual use path/cycleways being constructed by the applicant/owner to the specification of the local government. (Local Government)*
 9. *The land being graded and stabilised. (Local Government)*
 10. *The applicant/owner is to provide a geotechnical report certifying that the land is physically capable of development prior to the commencement of site works. (Local Government)*
 11. *The applicant providing a geotechnical report certifying that any filling or backfilling has been adequately compacted. (Local Government)*
 12. *Drainage easements as may be required by the local government for drainage infrastructure being shown on the Deposited Plan as such and granted free of cost and vested in that Authority under Section 167 of the Planning and Development Act, 2005. (Local Government)*
 13. *The finished ground levels at the boundaries of the lot(s) the subject of this approval are to match or otherwise co-ordinate with the existing*

-
- and/or proposed finished ground levels of the land abutting. (Local Government)*
- 14. An integrated urban water management plan is to be prepared and implemented as part of the subdivisional works. (Local Government)*
 - 15. A Wildlife Management Plan being prepared and implemented in relation to actions and responsibilities that apply to the subject lots, to the specification of the City of Mandurah. (Local Government)*
 - 16. The proposed reserve(s) shown on the approved plan of subdivision 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.*
 - 17. The previously approved Landscape Management Plan is to be implemented for the proposed public open space containing the former quarry site to the satisfaction of the Western Australian Planning Commission. (Local Government)*
 - 18. Measures being taken to the satisfaction of the Western Australian Planning Commission to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site works. (Local Government)*
 - 19. Detailed Area Plan(s) are to be prepared and approved for the lots with access with access to a rear laneway. The DAP shall specify the location of garages and crossovers and setbacks (including nil setbacks) and will restrict access to the main road. (Local Government)*
 - 20. Uniform fencing along the boundaries of all of the proposed lots abutting the golf course, Mandjoogordap Drive and along common boundaries with proposed public open space, to the specification of the local government and satisfaction of the Western Australian Planning Commission are to be constructed. (Local Government)*
 - 21. The applicant/owner preparing and implementing a Noise Mitigation Plan in accordance with WAPC State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning for the area abutting Mandjoogordap Drive to the satisfaction of the Western Australian Planning Commission. (Main Roads WA)*
 - 22. Pursuant to section 150 of the Planning and Development Act 2005 (as amended), a restrictive covenant preventing motor vehicle access onto Mandjoogordap Drive, benefiting the local government being lodged on the Certificates of Title of the proposed lots abutting Mandjoogordap Drive, at the full expense of the applicant. (Main Roads Western Australia)*
 - 23. 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 is to be included on the Deposited Plan. The notification to state as follows:

"This lot is in close proximity to known mosquito breeding areas. The predominant mosquito species is known to carry Ross River Virus and other diseases."

- 24. 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)**
- 25. The transfer of land as a Crown Reserve, free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)**
- 26. 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)**
- 27. 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)**
- 28. The provision of easements for existing or future water, sewerage and/or drainage infrastructure as may be required by the Water Corporation being granted free of cost to that body. (Water Corporation)**

ADVICE:

- 1. With regard to Condition 1, the additional laneways are intended to be added into the plan in order to assist with the retaining wall heights and levels and assist with the development of a continuous pedestrian network along the extent of Pebble Beach Boulevard.**
- 2. Further to Condition 2, where practical, significant trees and vegetation not affected by necessary road works and servicing envelopes are to be identified and protected or otherwise relocated, including those within the proposed residential lots, road reserves and traffic islands. The engineering design for roads and drainage should be such that future construction work ensures that tree root disturbance is minimal and that changes in soil levels in the tree root zone is negligible. This is in order to prevent damage to the trees and maintain their health and vigour whilst not introducing pathogens and other agents that will cause tree decline.**
- 3. With regard to Condition 8, the detailed plan is to address all relevant matters, including; paving, manoeuvring spaces, lighting, and crossover location.**
- 4. With regard to Condition 15, the approved Integrated Urban Water Management Plan shall be implemented by the landowner, including**

construction of the identified wastewater, stormwater and groundwater management systems, to the satisfaction of the WAPC on advice of the Local Government.

The size and content of an Integrated Urban Water Management Plan will vary based on the nature and scale of the proposal and should respond only to the specific issues of the site. The Department of Water's Stormwater Management Manual for Western Australia and the Urban Water management plans - guidelines for preparing plans and for complying with subdivision conditions should be used as guidance. These can be located on the DoWs website www.water.wa.gov.au.

- 5. If there has been any land-fill, including back-filling, the geotechnical report is to include confirmation that the land has been sufficiently compacted.**
- 6. The applicant is advised that a building licence will be required to be obtained from the City of Mandurah prior to the erection of any retaining walls higher than 600mm.**
- 7. The applicant is advised that the Department of Environment and Conservation 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 and Conservation.**
- 8. Construction should not commence until Council has approved detailed engineering plans and specifications of the works, including earthworks, roads and paths, drainage, clearing, landscaping/rehabilitation and soil stabilisation measures, both during and after construction.**
- 9. Any stockpiling of vegetation resulting from clearing of land is classified as trade waste. The burning of stockpiled vegetation is not permitted within the City of Mandurah. Any cleared vegetation shall either be chipped and utilised as mulch for soil stabilisation and/or dust suppression, or disposed of as an approved landfill site.**
- 10. Further to Condition 17, the applicant is advised to liaise with the City of Mandurah regarding public open space management within the approval area.**
- 11. Further to Condition 18, the applicant is advised to liaise with the City of Mandurah regarding the Landscape Management Plan, which shall address matters including, but not limited to:**
 - a. public risk, based on the advice of a suitable qualified expert;**
 - b. suitable safety fencing and/or barriers at the top of the limestone quarry;**
 - c. public open space improvements and management;**
 - d. provision of street trees; and**
 - e. wildlife protection and/or relocation.**

-
12. ***With regard to Condition 20, consideration shall also be given to the need for DAPS where lots share a boundary with Public Open Space, should specific site development requirements be required for aspects such as location of outbuildings, private spaces and how dwellings address the proposed public open space, especially where proposed lots only have vehicular access to a rear laneway.***
 13. ***With regard to Conditions 22, Main Roads WA advise that current security fencing, protecting access to the road and rail service is on an offset alignment. This fencing should only be removed upon completion of construction of the noise wall. The wall and its footings are to be constructed wholly within the subdivision lot. No retaining wall is to encroach into the adjacent road reserve.***
 14. ***With regard to Condition 25, 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.***
 15. ***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.***
 16. ***With regard to Condition 26, the specific location and area of land required is to be to the satisfaction of the WAPC on the advice of the local government and Western Power.***
 17. ***With regard to Conditions 27 and 28, 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.***

SUMMARY:

This application is being presented to Committee as 18 lots do not comply with the R-coding specified on the approved Outline Development Plan (ODP).

It is recommended that the application be approved, as it represents a better overall planning outcome than depicted on the ODP as a result of increased public open space, increased lot yield and provides good diversity of lot sizes.

The City of Mandurah has requested that the plan be modified to accommodate additional laneways. This modification is supported by the DoP and by the applicant and is reflected by Condition 1.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:

Planning and Development Act 3005

Part 10, Division 2

Strategic Plan

Strategic Goal:

Planning

Outcomes:

Planned local communities developing a sense of place.

Strategies:

Not applicable.

Policy

Number and / or Name:

Development Control Policy 1.1 - Subdivision of Land
General Principles

Development Control Policy 2.3: Public Open Space in
Residential Areas

INTRODUCTION:

The subject land is located in the City of Mandurah (**Attachment 1** - Location Plan).

The application proposes to create 479 residential lots ranging in size from 225m² to 681m², various road reserves and 7.5069 ha of Public Open Space (POS) and two balance lots (**Attachment 2** - Plan of Subdivision).

The application seeks re-approval of two earlier approved subdivisions (WAPC Ref: 141966 - 291 residential lots and WAPC Ref: 141972 - 179 residential lots - total 470 lots). However, the current plan proposes an additional nine lots from that previously approved and also increases the POS by approximately two hectares. This has been achieved by reducing lot sizes across the site..

Most of the lot sizes are consistent with, or achieve a lower density than, the R-coding indicated by the approved ODP (**Attachment 3** - ODP). However, seven lots within an area coded R25 are proposed to have an area less than 320 m² and eleven lots within an area coded R30 are proposed to have an area of less than 270 m². The lots which do not comply with the relevant R-coding are highlighted on Attachment 2.

CONSULTATION:

The City of Mandurah supports the application, subject to conditions.

The Water Corporation, Western Power and Main Roads Western Australia raises no objections to the application, subject to conditions.

The Public Transport Authority raise no objections to the application.

Draft conditions were prepared and forwarded to the applicant and the City of Mandurah. Following consultation with the applicant, draft conditions and advice notes relating to the Landscape Management Plan, and a proposed Wildlife Management Plan were modified.

COMMENTS:

Clause 4.9.2.2 of TPS3 states that where an ODP imposes a classification on the land by reference to reserves, zones or the R-codes, the provisions of the ODP shall apply to the land as if its provisions were incorporated in TPS3.

Clause 7.11.3.11 of TPS enables Council to recommend that the WAPC approve a subdivision which does not comply with any aspect of the approved ODP, if Council considers that the proposed departure will not prejudice the progressive development of the area and if the modification is not considered to be of a substantial nature.

The Meadow Springs ODP provides for residential use of the site and applies a residential density coding of R25, R30 and R40. WAPC *State Planning Policy 3.1 Residential Design Codes (R-Codes)* stipulates the following minimum lot sizes apply for single dwellings.

R-Code	Minimum m ²	Average m ²
R25	320	350
R30	270	300
R40	200	220

Areas of the subdivision which contain some lots that are smaller than the minimum R-coding specified on the ODP have been identified on Attachment 2.

The required variation to the minimum lot size requirements for 18 of the proposed residential lots is supported for the following reasons:

- i) the latest subdivision proposal represents a substantially improved planning and environmental outcome, particularly with the addition of 2 ha of POS;
- ii) the pockets of smaller lots near POS is consistent with the intent of the approved ODP;
- iii) the proposed smaller lots will provide for more affordable housing in a high amenity area; and
- iv) Detailed Area Plans will be prepared for the laneway lots to ensure appropriate built form.

Public Open Space

WAPC *Development Control Policy 2.3: Public Open Space in Residential Areas* (DC 2.3) requires 10% of the gross subdivisible area to be ceded for POS. In this respect the submitted plan of subdivision proposes 7.5069 ha of POS, more than the 10% required by DC 2.3 and provides more than an additional 2 ha to the approved ODP.

Two previously approved subdivisions (WAPC Ref: 141972 and 141966) proposed four areas for POS totalling 5.3973 ha. The City of Mandurah and the applicant consulted with regard to modifying the configuration of the approved POS so that additional trees could be retained across the site. As a result, eight POS areas are now proposed, which create an almost continuous north-south linkage through the site and an east-west link across the centre of the site towards the existing golf course.

The modifications are a superior environmental outcome, improve the amenity of the site and are consistent with the intent of the ODP. Accordingly, the modifications to the POS are supported.

The City has requested a Public Open Space Management Plan be prepared and implemented as a condition. The City granted conditional planning approval for the Quarry POS in January 2011, which includes revision of an approved Landscape Management Plan. The previously approved subdivisions included a condition and advice note requiring consultation with the City on landscape management and public open space, including wildlife protection and/or relocation. In this respect, it is considered appropriate to retain a consistent approach and acknowledge the revision requirements on the approved Landscape Management Plan, therefore a modified condition and advice note is recommended.

Wildlife Management Plan

Significant public awareness exists with regard to the need to relocate an existing kangaroo population in the Meadow Springs area. The City of Mandurah has requested a condition requiring a Wildlife Management Plan (WMP) be prepared and implemented, which is to encompass a Kangaroo Relocation Plan.

It is not standard practice for the WAPC to require a WMP as a condition of subdivision approval as there is no firm policy basis for such a condition. However, a condition to this effect is warranted in this instance as:

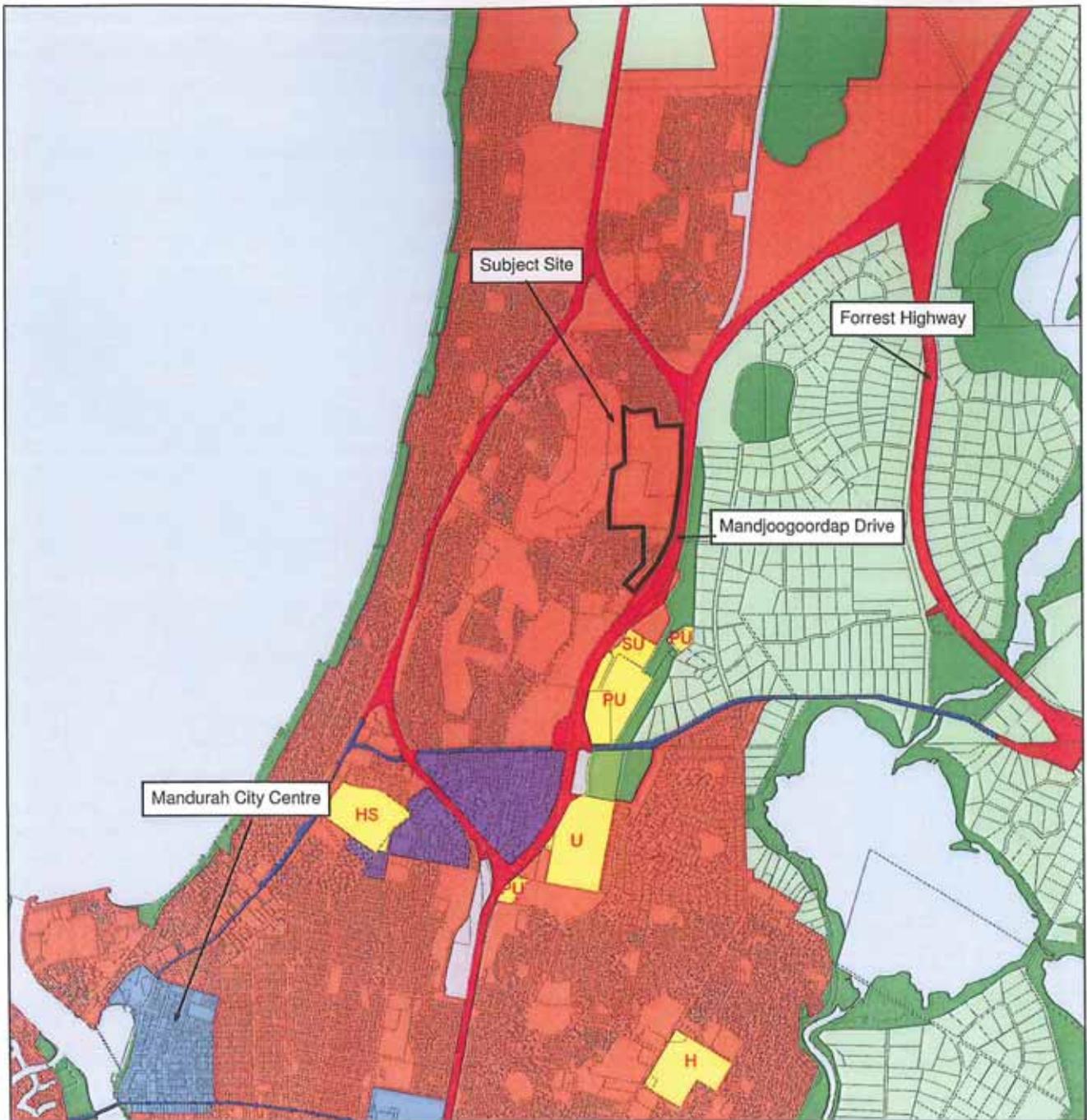
1. the kangaroo population at Meadow Springs is large;
2. greenfield subdivision at Meadow Springs is nearing the final stages and the kangaroos need to be relocated as the site is bounded by existing development and major roads; and
3. the WMP condition is satisfactory to the applicant.

Laneways

The local government requested two additional laneways be provided to that shown on the plan of subdivision, in order to assist with retaining wall heights and levels and to assist with the development of a continuous pedestrian network along the extent of Pebble Beach Boulevard. The applicant has provided modified drawings to accommodate this requested modification (**Attachment 4 - Laneway Modifications**). This modification is supported and will be enforced through Condition 1.

CONCLUSION:

It is recommended that the application be approved, subject to conditions.



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

Scale 1:45,000
 0 1.25 km

Prepared by: Iharris
 Prepared for: 144489
 Date: Wednesday, August 31, 2011 09:48
 Plot Identifier: P20110831_0947

DP INTERNAL USE ONLY

Government of Western Australia
 Department of Planning

144489 - Location Plan

PUBLIC OPEN SPACE SCHEDULE	
GROSS SUBDIVIDABLE AREA	459.6741Ha
DEDUCTIONS	
NEIGHBOURHOOD SHOPPING CENTRE	81.54459Ha
SCHOOLS	4.44555Ha
COMMERCIAL	30.89933Ha
IMPORTANT REGIONAL ROAD	0.32599Ha
PUBLIC UTILITY	1.60235Ha
TOTAL	3.94569Ha
NETT SUBDIVIDABLE AREA	122.76311Ha
10% PUBLIC OPEN SPACE REQUIREMENT	33.69192Ha
PROPOSED PUBLIC OPEN SPACE (Existing *)	
AREA A	1.46020Ha
AREA B (Includes 50% credit for water body)	1.00730Ha
AREA C (Includes 50% credit for water body)	0.36077Ha
AREA D *	1.13120Ha
AREA E * (Includes 50% credit for water body)	1.76420Ha
AREA F *	0.29100Ha
AREA G *	1.66300Ha
AREA H *	3.92009Ha
AREA I	0.28677Ha
AREA J	0.72750Ha
AREA K	0.07980Ha
AREA L	0.50900Ha
AREA M	0.58877Ha
AREA N	1.19950Ha
AREA O	0.63211Ha
AREA P	0.86327Ha
AREA Q	4.18369Ha
AREA R	0.76059Ha
AREA S	0.85777Ha
AREA T	0.53259Ha
AREA U	13.22239Ha
AREA V	0.06799Ha
AREA W	0.20289Ha
TOTAL	36.31809Ha
P.O.S. PROVIDED = 10.8%	
P.O.S. OVERPROVISION	2.62704Ha

LEGEND

- Outline Development Plan Boundary
- Residential
- R-Code Boundary
- Commercial
- District Recreation
- Local Recreation (POS)
- Community Purpose



APPROVED / ENDORSED
 BY THE WESTERN AUSTRALIAN PLANNING
 COMMISSION ON 24 OCT 2006

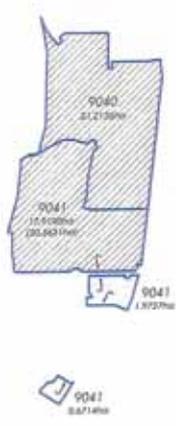
NOTES
 1. The road and lot layout is indicative only subject to further consideration at time of subdivision to ensure that adequate passive solar orientation is achieved and earthworks, and the need for retaining walls, is reduced to an absolute minimum.

ODP - TOWN PLANNING SCHEME No. 3
MEADOW SPRINGS
CITY OF MANDURAH



CHAPPELL DATE: 21.12.05
LAMBERT REVISED: 06.10.06
EVERETT SCALE (A3): NTS
 TOWN PLANNING + URBAN DESIGN DATA: CLE, WPL/LS PLAN No.: 967-690

These plans were prepared for the proposed subdivision, and the applicant, its agent and its solicitor are responsible for the accuracy of the information provided. The applicant is responsible for the accuracy of the information provided to the Council. The Council is not responsible for the accuracy of the information provided to the Council.



	Subject Area	Lot 9040 & 9041 - 42,775sqm
	Subdivision Area	38,122sqm
	Balance Lot	2,647sqm

USE		
Residential	477 Lots	
Density Site	N/A	
Balance Lot	2 Lot	
Total	479 Lots	



Undersized lots are highlighted in green.

DEPARTMENT OF PLANNING
MANDURAH OFFICE

30 JUN 2011

14044 89

ATTACHMENT 3

PROPOSED SUBDIVISION
Lot 9040 & 9041 Pebble Beach Boulevard
Meadow Springs

SCANNED

plan no: 947-2009-02
date: 11/09/09
date: 27/06/2011

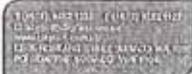
CHAPPEL LAMBER EVERET



PROPOSED SUBDIVISION
 Lot 9040 & 9041 Pebble Beach Boulevard, Meadow Springs
 City of Mandurah



plan no: 967-211-01
 scale: 1:1000 @ A3
 date: 04.08.2011



ITEM NO: 9.3

SHIRE OF DANDARAGAN - JURIEN BAY TOWN CENTRE STRATEGY (LOCAL PLANNING STRATEGY) - FOR CERTIFICATION TO ADVERTISE

WAPC OR COMMITTEE:	Statutory Planning Committee
REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Director, Wheatbelt Region
AUTHORISING OFFICER:	Executive Director, Regional Planning and Strategy
AGENDA PART:	E
FILE NO:	DP/10/01944/1
DATE:	23 August 2011
ATTACHMENT(S):	<ol style="list-style-type: none">1. Location Plan2. Jurien Bay Linear Layout3. Jurien Bay Town Centre strategy plan - land use4. Jurien Bay Town Centre strategy plan - structural elements

RECOMMENDATION:

That the Western Australian Planning Commission resolves to certify that the draft Jurien Bay Town Centre Strategy Plan is consistent with Regulation 12A(3) of the Town Planning Regulations 1967 (as amended) and consents to advertising for not less than 21 days.

SUMMARY:

The Shire of Dandaragan has prepared a Jurien Bay Town Centre Strategy Plan (the plan) to guide future development of the Jurien Bay town centre, located 225 km north of Perth (**Attachment 1**). It has been prepared as a local planning strategy in accordance with S12A of the *Town Planning Regulations 1967*. WAPC certification is required in order for the Shire to advertise the strategy. Consent to advertise is recommended.

BACKGROUND:

In 2010, the Shire of Dandaragan resolved to prepare a town centre strategy to establish a clear direction for the future planning, development and management of the Jurien Bay town centre. The existing and planned growth of Jurien Bay and surrounds is linear in nature (**Attachment 2**), ranging from the north with the

proposed development of North Head (subject determination of Amendment 3) extending almost to Cervantes, which is 20km to the south of Jurien. At the 2006 Census, there were 1,308 people counted in the suburb of Jurien Bay, and there is existing zoned land to cater for a population of approximately 25,000 people.

On 6 July 2011 the Minister for Regional Development announced the Regional Centres Development Plan (Supertowns), which seeks to stimulate growth of an initial group of nine regional towns, including Jurien Bay. As a result of the Supertowns program, Jurien Bay may be eligible for a range of funding opportunities for transformational projects with the aim of stimulating population growth.

It is Council's intention to promote and consolidate townsite development and associated land uses in the Jurien Bay town centre, so that Jurien can establish as the major centre for the Dandaragan coast. This is consistent with the designation of Jurien Bay as a regional centre for development; or 'Supertown'.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation *Town Planning Regulations 1967 as amended*
Section: Clause 12A, 12B and 12C

Strategic Plan

Strategic Goal: PLANNING

Outcomes:

- Effective delivery of Integrated Plans
- Planned Local Communities developing a sense of place

Strategies:

- Implement State and Regional Planning priorities
- Develop connected and accessible communities (Network City)

Policy

Number and / or Name: SPP 1 - State Planning Framework
SPP 2.6 - State Coastal Planning Policy
SPP 3 - Urban Growth and Settlement
SPP 3.1 - Residential Design Codes

DETAILS:

The Jurien Bay Town Centre Strategy Plan (the plan) aims to achieve:

1. A consolidated town centre;
2. A unique town character and urban style;
3. A seaside community that is relaxed, vibrant inviting and fun;
4. A sustainable community;
5. Improved and maintained natural environment;
6. Safe and attractive open spaces with activities for adults and children;
7. Improved transport and accessways;
8. Increased diversity in residential and tourist development; and
9. Improved infrastructure

The plan includes key elements to achieve the objectives, which focus on:

- Improvements to Bashford St, which is the main street of Jurien, and becomes Indian Ocean Drive once out of the town centre (north to Geraldton and south to Perth);
- Provision of deep sewerage - to enable more intensive development in the town centre;
- Character - future introduction of design guidelines to encourage built forms in keeping with the character of the town, and appropriate vegetation types that reflect the character of the town and respond to the coastal environment;
- Car Parking - that caters for local and tourist traffic, including caravans. This needs to consider streetscape and amenity, while recognising the special needs of the main tourist market, which is self-drive tourists.

The plan separates the town centre into four key precincts (**Attachment 3**), each with different roles:

- Northern precinct (A) - to remain primarily residential, with the retention of tourist sites and a mixed tourism / residential area;
- Central precinct (B) - to be the major commercial and tourism area for the town centre, building on the existing pattern of land use in the area;
- Southern precinct (C) - primarily residential in nature, but with a range of commercial and mixed use development due to its central location near the caravan park and civic precinct;
- Eastern precinct (D) - the major civic and community area for the town centre.

The plan also includes a structural elements component (**Attachment 4**), which outlines a range of development / capital works that will be required to implement the plan. This is supported by text in the document that assigns responsibility to the key actions that would progressively implement the plan.

GOVERNMENT AND CORPORATE IMPLICATIONS:

When finalised, the strategy will provide:

- context for a range of proposals that may be supported under the Regional Centres Development Plan or Royalties for Regions programs, including road construction and improvements and provision of underground power and extension of deep sewer.; and
- context for a future scheme amendment to adjust residential density and land use permissibility.

CONSULTATION:

Preparation of the Jurien Bay Town Centre Strategy Plan has been overseen by a steering committee, which comprises :

- Shire of Dandaragan – Councillors (Chairperson) and officers
- Department of Planning
- Tourism Western Australia
- Department of Conservation and Environment
- Jurien Bay Chamber of Commerce
- Jurien Bay Rate Payers Association

-
- Local Indigenous/Native Title Group
 - Central West Senior Citizens Association
 - Jurien Bay District High School P & C
 - Jurien Bay Community Member

Two workshops were also held, in February and March of 2011. In addition, workshops were undertaken by school staff with students from years 8-12 of the Jurien Bay District High School.

OFFICER'S COMMENTS:

The Department of Planning is required to assess local planning strategies against section 12A (3) of the *Town Planning Regulations 1967*, which says that a local planning strategy shall:

- a) set out the long term planning directions for local government;
- b) apply State and regional planning policies; and
- c) provide the rationale for the zones and other provisions of the Scheme.

The plan provides for the long term growth and development of the Jurien Bay town centre, and establishes a future vision based on Jurien's role as a future regional centre and 'Supertown'.

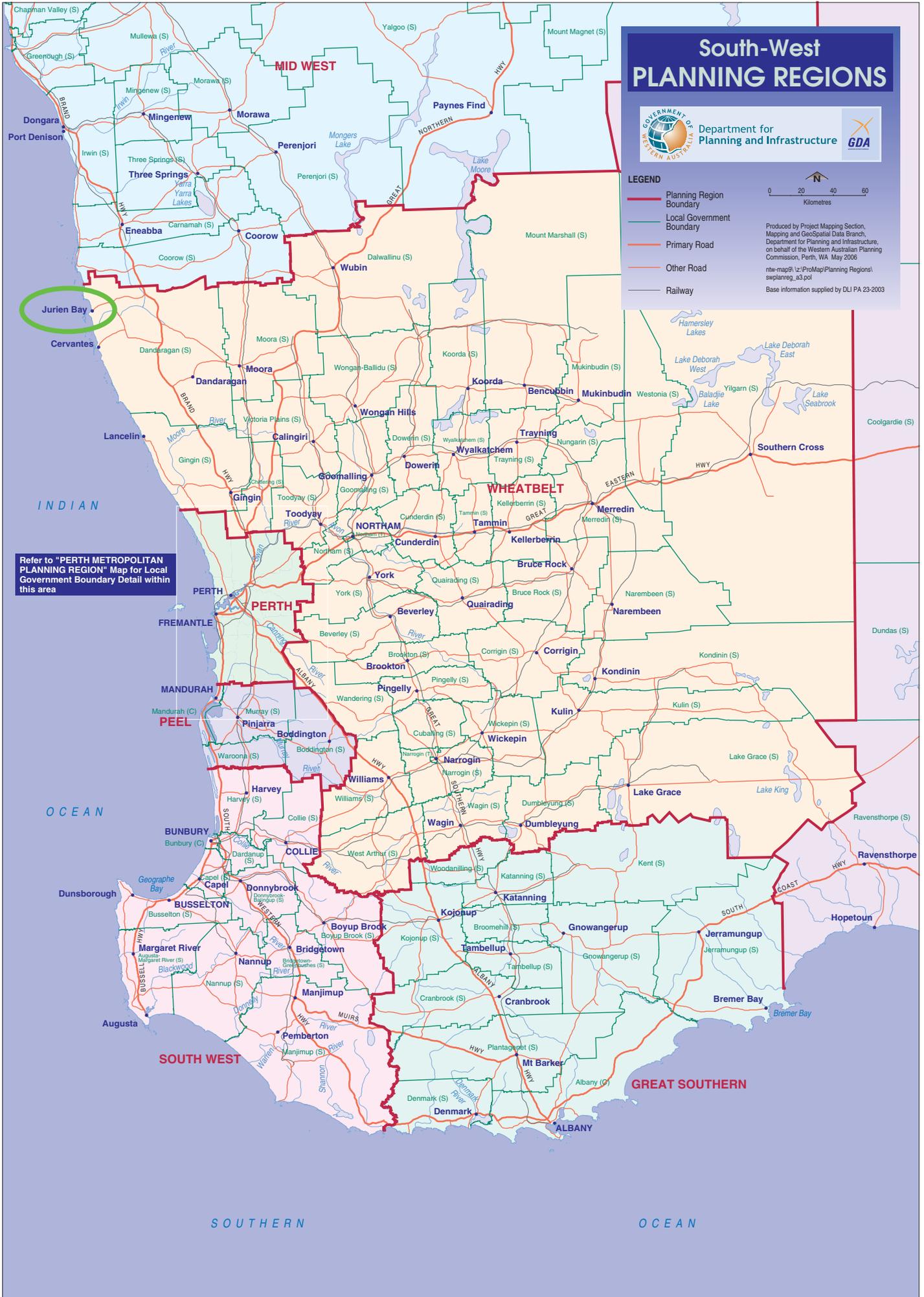
The plan applies State and regional policies relevant to a regional town, including:

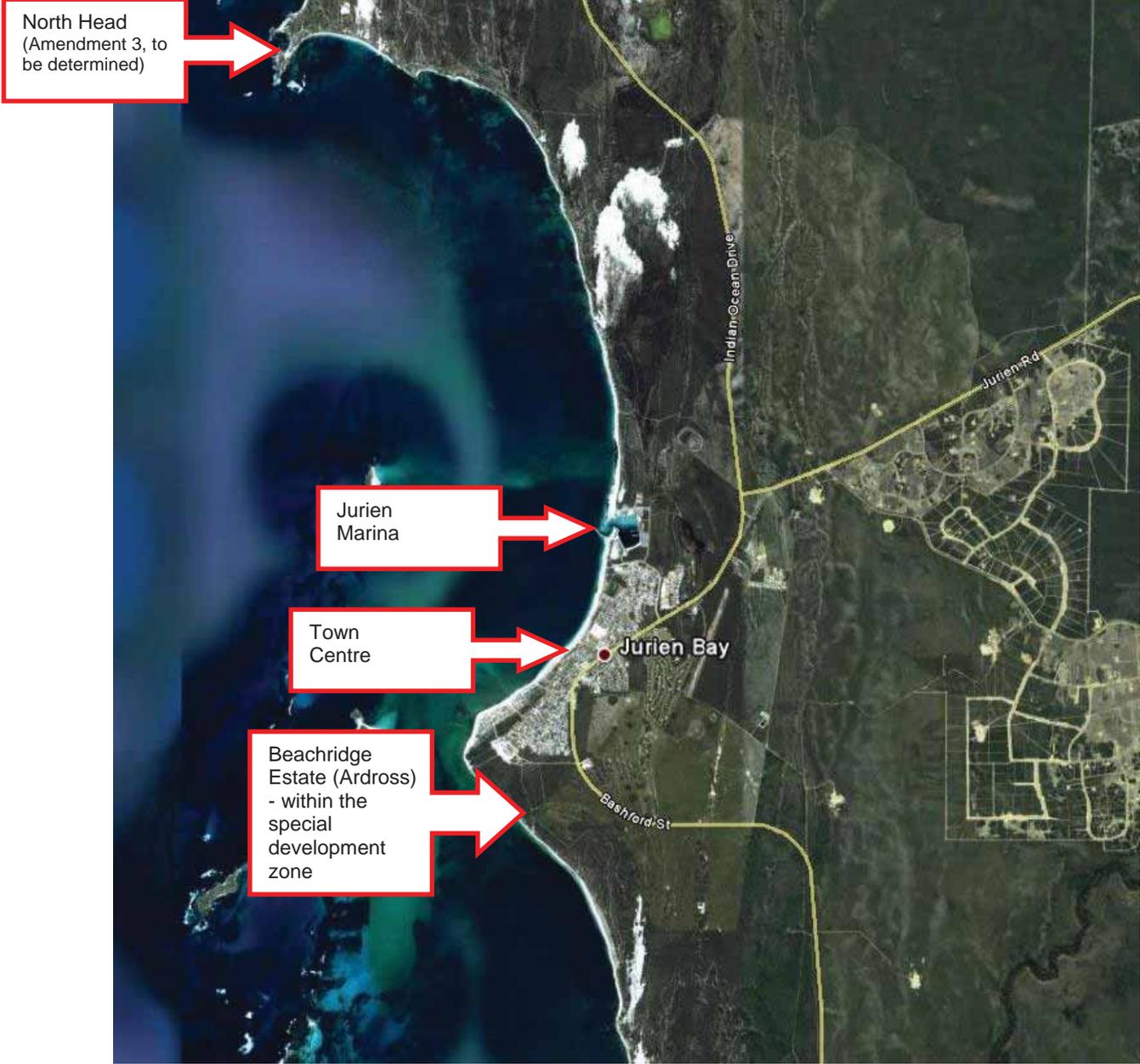
- *State Planning Policy 1 - State Planning Framework Policy* - the plan provides principles for land use planning and development in the Jurien Bay townsite;
- *State Planning Policy 3 - Urban Growth and Settlement* - the plan provides for townsite consolidation;
- *State Planning Policy 3.1 - Residential Design Codes* - the plan provides for intensification of densities within the town centre;
- Various WAPC strategies - including the Central Coast Regional Strategy (2006); State Planning Strategy (1997) and draft Wheatbelt Land Use Planning Strategy (2011) - the plan is consistent with Jurien's role as a future regional centre.

The plan provides the rationale for future scheme amendments and local planning policies that will be required to implement the plan.

Certification for public advertising is recommended.

No modifications to the draft document are required.





Cervantes is 20km to the south of Jurien.
The "special development" zone associated with Breachridge extends 7km south to the Hill River.
Further south is a special rural zone that extends to the south, and is approximately 5km north of the Cervantes townsite

A Northern Precinct The Northern Precinct will remain primarily residential with the retention of designated tourist sites and a mixed tourism/residential areas.

- 1 Residential Area
The residential coding of this area should be increased to R20, providing for increased residential development and a range of dwelling types that will make better use of infrastructure.
- 2 Tourism Area
Lot 1136 located on the corner of Casuarina Crescent and Hasting Street is to be retained as a tourist site.
- 3 Tourism/Residential Area
The lots extending along Bashford Street between Doust and Hasting Street are proposed to compliment the Tourism (Apex site) and the Aged Persons Housing development (RSL site) on the opposite side of Bashford Street. The small group of lots on Heaton Street between Doust and Hill Streets provide a logical extension of this mixed use Tourism/ Residential area.

B Central Precinct This Precinct will be the major commercial and tourism area for the Town Centre building on the existing pattern of land use within the area.

- 4 Commercial Area
The commercial area is to accommodate shops, restaurants, licensed premises markets and offices. Residential units and tourist accommodation can be permitted above ground level only.
- 5 Tourism Area
This area is to provide a range of tourist accommodation and related uses such as shops, restaurants, and licensed premises.
- 6 Commercial/Residential Area
This mixed use area along portion of Doust Street is to compliment the Commercial Area directly opposite and is to accommodate shops, restaurants, markets and offices as well as residential units and tourist accommodation.
- 7 Tourism/Residential Area
This area is to compliment the Tourist Area directly opposite and is to accommodate residential units and tourist accommodation.
- A Visitor Centre site is proposed at the end of Roberts Street adjacent the foreshore.
- The caravan park is a key tourism accommodation facility within Jurien Bay in a prime location.

C Southern Precinct The Southern Precinct while primarily residential in nature will provide a range of land uses based on the land use pattern and the need to provide suitable land use transitions along streets.

- 8 Commercial Area
This area comprises the existing shopping centre. Any additions or redevelopment should reflect the existing development form with buildings which have awnings/verandahs to provide a protected pedestrian environment. Residential units and tourist accommodation can be permitted above ground level only.
- 9 Office/Residential Area
This mixed use area is to reflect the existing 'additional use' zoning under Local Planning Scheme No.7 and is to accommodate offices as well as residential development.
- 10 Tourism/Residential Area
This area is to compliment the Tourism Area directly opposite and is to accommodate residential units and tourist accommodation.
- 11 Residential Area
The residential coding of this area should be increased to R20 to provide for increased residential development and a range of dwelling types and make better use of infrastructure.

D Eastern Precinct The Eastern Precinct will be the major civic and community area for the Town Centre.

- 12 Tourism Area
This tourist site comprising Lots 437 and 438 Bashford Street (Apex Club site) is to be retained for tourism purposes as it is a large site developed with tourist accommodation.
- 13 Commercial/Residential Area
This mixed use area along Bashford Street is to compliment the Commercial and Tourism Areas opposite and is to accommodate shops, restaurants, fast food outlets and offices as well as residential units and tourist accommodation.
- 14 Residential Area
The residential coding of this area should be increased to R20 to provide for increased residential development and range of dwelling types and make better use of infrastructure.
- 15 Special Use – Aged Persons Accommodation
This site comprises Lot 1 Bashford Street, corner of Nineteenth Avenue (RSL site) which has an approval for 98 single storey retirement accommodation units and a community centre providing a range of facilities for residents.
- Key Site – Public Purposes - Civic and Government Facilities Superblock
This area can build on the existing Council Administration Centre and Family Resource Centre developments with additional facilities and services.
- Key Site – Public Purposes - Community Uses Superblock
This area could be developed as a group of buildings in a parkland setting with connected vehicle and pedestrian access, providing efficiency of shared parking areas. A key part of this concept is the creation of a public space at the corner of Bashford and Bayliss Streets.

Jurien Bay Town Centre Strategy Plan Land Use

Prepared by Eaton & Passarelli in association with Urbanix for the Shire of Dandaragan



Jurien Bay Town Centre Strategy Plan

Structural Elements

Prepared by Eaton & Passarelli in association with Urbanix for the Shire of Dandaragan

- 1 Provide tourist/visitor centre at end of Roberts Street.
- 2 Develop Bashford Street as a dual carriageway with a landscaped median to provide safe crossing for pedestrians and cyclists.
- 3 Intensify landscape and parkland along Bashford Street within the study area.
- 4 Focus civic and government office development within the superblock bounded by Bashford Street, Bayliss Street, Hamersley Street and Batt Streets.
- 5 Develop a community use area bounded by Bashford Street, Bayliss Street, Hamersley Street and the southern boundary of the study area.
- 6 Create a shopping street environment along Sandpiper and Andrews Streets with shops built up to the street boundary.
- 7 Provide a road link for pedestrians and vehicles between Heaton Street and Sandpiper Street.
- 8 Intensify landscaping in the form of tall shade trees along Roberts Street, Doust Street, White Street and Sandpiper Street.
- 9 Commercial properties facing Doust Street to be focussed on market-style retail.
- 10 Extend sewerage infrastructure throughout the town centre.
- 11 Allow for mixed use residential and commercial uses along Bashford Street between Whitfield Road and Batt Street.
- 12 Provide mixed use residential and office adjacent to Cook Street between Bashford and Padbury Streets.
- 13 Edges and verges to caravan park site to be improved through landscaping and appropriate fencing treatments.
- 14 Allow for tourist accommodation along parts of Doust Street, Bashford Street, White Street and Padbury Street.
- 15 Residential areas within the study area to be re-coded to allow more intensive development with guidelines requiring retention of existing mature trees.
- 16 Provide improved entry to existing sport and recreation area.
- 17 Focus formalised foreshore treatments adjacent to the new jetty and the end of Roberts Street.



Pedestrian/Cyclist Hierarchy:

- Primary Route ————
- Secondary Route ————
- Other ————