



Statutory Planning Committee

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

**Tuesday 14 February 2012
10.00 am**

**Level 2, Room 2.40
One40 William Street
Perth**



Noelene Jennings
Executive Director, Governance and People Services

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)	16/4/2013
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
Mr Henty Farrar	Regional Minister nominee Schedule 2 clause 4(3)	26/9/2013

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.
- 2.19 Power to determine matters under Regional Interim Development Orders.

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**
- 4. Disclosure of interests**
- 5. Declaration of due consideration**
- 6. Deputations and presentations**
 - 6.1 City of Swan Local Planning Scheme No. 17 amendment No. 51 – Business/Property Owner and Burgess Design Group
- 7. Announcements by the Chairperson of the board and communication from the WAPC**
- 8. Confirmation of minutes of 24 January 2012**
- 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
7438.11.1	Directions 2031	Planning Director - 2031 to brief the Committee after WAPC/SPC workshop on 3 October 2011	To be advised
- 13. Closure - next meeting to be held on 28 February 2012**

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of ordinary meeting 7451
held on Tuesday 24 January 2012

Attendance

Members

Mr Gary Prattley	WAPC Chairman (Presiding Member)	
Mayor Carol Adams	Local Government nominee	
Ms Sue Burrows	Nominee of the Director General,	Arr. 9.20 am
	Department of Planning	
Mr Henty Farrar	Regional Minister's nominee	
Mr Ian Holloway	Professional representative	
Cr Corinne MacRae	WAPC nominee	Arr. 9.30 am Dep. 12.05 pm
Ms Elizabeth Taylor	Community representative	

Officers

Ms Hannah Clowes	Senior Project Planner Metro Planning South West
Ms Natalie Cox	Senior Project Planner Schemes and Appeals
Mr Luke Downes	Committee Support Officer
Mr Johan Gildenhuys	Principal Policy Officer Statutory Planning
Ms Nicole Lucas-Smith	Planning Manager Metro North West
Mr Eric Lumsden	Director General Department of Planning
Ms Frances Page-Croft	Senior Project Planner Metro Planning South West
Ms Kym Petani	Director Metro Planning North West
Mr Mark Szabo	Planning Manager, Independent Planning Reviewer
Mr Imre Szito	Manager Land Use and Infrastructure Planning
Mr Peter Wood	Senior Planning Officer Northern Regions
Mr Phil Woodward	Director Northern Regions

Observers

Mr James Blitz	Estates Development Company (Item 6.1)
Mr Andrew Byars	Perron Investments Pty Ltd (Item 6.3)
Mr Paul Neilson	Town of Kwinana (Item 6.4)
Mr Matt Raison	Generation Projects (Item 6.5)

Presenters

Mr Noel Bridge	Baiyungu Aboriginal Corporation (Item 6.5)
Mr David Daddy	TPG Town Planning and Urban Design (Item 6.3)
Mr Richard Green	Kurra at Newman Pty Ltd (Item 6.2)
Mr Neil Hartley	Town of Kwinana (Item 6.4)
Mr Steve Padevski	URP Planners (Item 6.2)
Ms Fiona Roche	Estates Development Company (Item 6.1)

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Mr Malcolm Somers

Hames Sharley (Item 6.5)

Committee Support

Ms Christina Sanders

Committee Support Officer - Department of Planning

7451.1 Declaration of Opening

The Presiding Member declared the meeting open at 9.00 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed Members.

7451.2 Apologies

Nil.

7451.3 Members on Leave of Absence and Applications for Leave of Absence

Nil.

7451.4 Disclosure of Interests

Member/Officer	Minute No.	Page No.	Nature of Interest
Mayor Carol Adams	9.1	5	Proximity
Mayor Carol Adams	10.2	28	Impartiality

Resolved

Moved by Mr Farrar. seconded by Ms Taylor

In accordance with clause 6.10(7) of the Standing Orders 2008, members of the Statutory Planning Committee agree that the member listed above, who has disclosed an impartiality interest at 10.2, is permitted to remain and participate in discussion and voting on the item because, as Mayor of Kwinana, the matter has previously been supported by the Kwinana Town Council.

The motion was put and carried.

Member/Officer	Minute No.	Page No.	Nature of Interest
Ms Sue Burrows	9.3	13	Impartiality

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Resolved

Moved by Ms Taylor, seconded by Mr Farrar

In accordance with clause 6.10(7) of the Standing Orders 2008, members of the Statutory Planning Committee agree that the member listed above, who has disclosed an impartiality interest, is permitted to remain in the room but not participate in discussion and voting on the item as she has prepared the item and will be presenting the item.

The motion was put and carried.

7451.5 Declaration of Due Consideration

No declarations were made.

7451.6 Deputations and Presentations

7451.6.1 Scheme Amendment No. 15 to District Planning Scheme No. 2 (Jindee) Presenter Fiona Roche

Ms Roche presented to the Statutory Planning Committee on the above Scheme Amendment and tabled a letter from the City of Wanneroo addressed to her. A copy of the letter has been placed on file.

Following the presentation Ms Roche responded to a number of queries from members.

Ms Burrows arrived at 9.20 am.
Cr MacRae arrived at 9.30 am.

7451.6.2 Kurra Street, Newman Presenters Richard Green Steve Padevski

Mr Green gave a powerpoint presentation to the Statutory Planning Committee on the proposed survey strata lots in Kurra Street, Newman and tabled signs and linemarking plans for members' interest. A copy of the maps and the presentation have been placed on file.

Following the presentation Mr Green and Mr Padevski responded to a number of queries from members.

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7451.6.3 Cockburn Gateways Shopping Centre Stage 3 Expansion

Presenters David Caddy
Andrew Byars

Mr Caddy presented to the Statutory Planning Committee on the above Shopping Centre Stage 3 expansion.

Following the presentation Mr Caddy and Mr Byars provided clarification on a number of queries from members.

7451.6.4 Town of Kwinana Town Planning Scheme No. 2

Presenter Neil Hartley

Mr Hartley gave a powerpoint presentation to the Statutory Planning Committee on the Town of Kwinana Town Planning Scheme No. 2. A copy of the presentation has been placed on file.

Following the presentation Mr Hartley and Mr Neilson responded to a number of queries from members.

7451.6.5 Lot 308 Coral Bay

Presenters Malcolm Somers
Noel Bridge

Mr Somers gave a powerpoint presentation to the Statutory Planning Committee on Lot 308 Coral Bay. A copy of the presentation has been placed on file.

Following the presentation Mr Somers and Mr Bridge responded to a number of queries from members.

7451.7 Announcements by the Chairperson of the Board and communication from the WAPC

Nil.

7451.8 Confirmation of Minutes

7451.8.1 Minutes of the Statutory Planning Committee meeting held on Tuesday 13 December 2011

Resolved

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Moved by Mr Farrar, seconded by Ms Taylor

That the minutes of the Statutory Planning Committee meeting held on Tuesday 13 December 2011, be confirmed as a true and correct record of the proceedings.

The motion was put and carried.

7451.9 Reports

7451.9.1

Marina - Adjacent to Lots 148-154 Rockingham Beach Road Rockingham

File 28-50143-1
Report Number SPC/98
Agenda Part C
Reporting Officer A/Planning Manager Metropolitan South West

Mayor Adams disclosed an interest.

Member	Nature of Interest
Mayor Adams	Proximity

Mayor Adams left the meeting at 10.45 am.

Members agreed to add an additional Advice Note 7.

Officer's Recommendation

That the Western Australian Planning Commission resolves to approve the development plans date stamped 23 December 2010 for a marina adjacent to Lots 148-154 Rockingham Beach Road Rockingham, subject to the following conditions and advice notes:

Conditions

1. The development the subject of this approval shall be substantially commenced by 18 February 2015, otherwise the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
2. The design of the marina shall be modified to include the provision of two fishing jetties which are fully

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accessible to the public, to the satisfaction of the Western Australian Planning Commission and to the specification of the City of Rockingham and the Department of Transport.

3. The proposed marina structures shall be certified by a maritime engineer as conforming to Australian Standard AS 3962-2001 'Guidelines for the Design of Marinas', to the satisfaction of the Department of Transport.
4. All car parking and road upgrades to Wanliss Street car park, Wanliss Street and Rockingham Beach Road shall comply with the minimum standards of the applicable Australian Standard and the Building Code of Australia, to the satisfaction of the Western Australian Planning Commission and to the specification of the City of Rockingham.
5. Drainage systems shall be designed and constructed consistent with the Department of Water's Stormwater Management Manual for Western Australia.
6. Prior to commencement of works, landscaping details, are to be prepared to the specification of and submitted to the City of Rockingham, to the satisfaction of the Western Australian Planning Commission. The landscaping shall be completed within 12 months of the completion of the building operations and shall be maintained to the specification of the City of Rockingham.
7. Prior to commencement of site works a modified construction management plan is to be prepared, to the satisfaction of the Western Australian Planning Commission on the advice of the City of Rockingham. The plan is to address aspects and impacts of the construction phase including staging, construction times, product storage, noise and dust mitigation, road condition survey, haulage routes, road reserve repair, waste management, haulage vehicles (parking, trailer covers) sand spillage, site stabilisation methods, construction signage, complaint resolution, wind fencing and water carts. The plan is to be implemented to the satisfaction of the Western Australian Planning Commission on the advice of the City of Rockingham and Department of Environment and Conservation.

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Advice Notes

1. The applicant/owner is advised to liaise with the Department of Transport, the Department of Regional Development and Lands, and the City of Rockingham in relation to the necessary lease agreements and the Class 'A' Reserve excision prior to commencement of site works.
2. The development is located within the Rockingham Groundwater Area, which is proclaimed under the Rights in Water and Irrigation Act 1914. Therefore any dewatering to be conducted as part of the onshore component is required to obtain a '5C' licence to take groundwater. The applicant/owner is advised to liaise with the Department of Water.
3. The applicant/owner 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 or the City of Rockingham.
4. The applicant/owner is advised to liaise with the Department of Transport in respect of the detailed design of the marina structures, wave climate, navigation aids and signage.
5. It is recommended that the applicant/owner offer to undertake a dilapidation survey to all residential and commercial properties that may be affected by the construction activities.
6. The applicant/owner is advised to liaise with the Department of Transport and the City of Rockingham in relation to the preparation and implementation of a signage strategy for the proposed development.

Resolved

Moved by Cr MacRae, seconded by Ms Burrows

That the Western Australian Planning Commission resolves to approve the development plans date stamped 23 December

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2010 for a marina adjacent to Lots 148-154 Rockingham Beach Road Rockingham, subject to the following conditions and advice notes:

Conditions

1. *The development the subject of this approval shall be substantially commenced by 18 February 2015, otherwise the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.*
2. *The design of the marina shall be modified to include the provision of two fishing jetties which are fully accessible to the public, to the satisfaction of the Western Australian Planning Commission and to the specification of the City of Rockingham and the Department of Transport.*
3. *The proposed marina structures shall be certified by a maritime engineer as conforming to Australian Standard AS 3962-2001 'Guidelines for the Design of Marinas', to the satisfaction of the Department of Transport.*
4. *All car parking and road upgrades to Wanliss Street car park, Wanliss Street and Rockingham Beach Road shall comply with the minimum standards of the applicable Australian Standard and the Building Code of Australia, to the satisfaction of the Western Australian Planning Commission and to the specification of the City of Rockingham.*
5. *Drainage systems shall be designed and constructed consistent with the Department of Water's Stormwater Management Manual for Western Australia.*

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6. *Prior to commencement of works, landscaping details, are to be prepared to the specification of and submitted to the City of Rockingham, to the satisfaction of the Western Australian Planning Commission. The landscaping shall be completed within 12 months of the completion of the building operations and shall be maintained to the specification of the City of Rockingham.*
7. *Prior to commencement of site works a modified construction management plan is to be prepared, to the satisfaction of the Western Australian Planning Commission on the advice of the City of Rockingham. The plan is to address aspects and impacts of the construction phase including staging, construction times, product storage, noise and dust mitigation, road condition survey, haulage routes, road reserve repair, waste management, haulage vehicles (parking, trailer covers) sand spillage, site stabilisation methods, construction signage, complaint resolution, wind fencing and water carts. The plan is to be implemented to the satisfaction of the Western Australian Planning Commission on the advice of the City of Rockingham and Department of Environment and Conservation.*

Advice Notes

1. *The applicant/owner is advised to liaise with the Department of Transport, the Department of Regional Development and Lands, and the City of Rockingham in relation to the necessary lease agreements and the Class 'A' Reserve excision prior to commencement of site works.*
2. *The development is located within the Rockingham Groundwater Area, which is proclaimed under the Rights in Water and Irrigation Act 1914. Therefore any dewatering to be conducted as part of the*

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onshore component is required to obtain a '5C' licence to take groundwater. The applicant/owner is advised to liaise with the Department of Water.

3. *The applicant/owner 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 or the City of Rockingham.*
4. *The applicant/owner is advised to liaise with the Department of Transport in respect of the detailed design of the marina structures, wave climate, navigation aids and signage.*
5. *It is recommended that the applicant/owner offer to undertake a dilapidation survey to all residential and commercial properties that may be affected by the construction activities.*
6. *The applicant/owner is advised to liaise with the Department of Transport and the City of Rockingham in relation to the preparation and implementation of a signage strategy for the proposed development.*
7. *The Department of Transport be advised that the City resolved to support the development subject to conditions and also requested that the State ensure that the proponent is financially capable of delivering and completing the development.*

The motion was put and carried.

Mayor Adams returned to the meeting at 10.53 am.

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7451.9.2

Subdivision to Create 49 Lots for Seasonal Staff/Workers Accommodation/Residential Purpose - Coral Bay

File 144810
Report Number SPC/99
Agenda Part C
Reporting Officer Planning Officer Central Regions

Resolved

Moved by Cr MacRae, seconded by Mr Farrar

That the Western Australian Planning Commission resolves to refuse the application for subdivision of Lot 308 Coral Bay in the Shire of Carnarvon for the following reason(s):

1. *Inconsistent with the Ningaloo Coast State Planning Policy 6.3:*
 - a. *Policy Objective 2. Maintain the Ningaloo coast as an all-seasons recreation and nature-based tourism destination and limit growth with managed staged development, to ensure that the community continues to enjoy a remote and natural experience.*
 - b. *Policy Objective 4. Consolidate future residential, commercial, higher-impact tourism and industrial development in the towns of Carnarvon and Exmouth and provide strategic directions for their future growth.*
2. *The subject land is within the area covered by the Ningaloo Coast Regional Strategy Carnarvon to Exmouth that provides a State level strategic planning framework for the area where freehold subdivision in Coral Bay is not supported.*
3. *The proposed subdivision does not comply with the Commission's Policy DC 1.1 (Subdivision of Land - General Principals) that is a provision of*

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Statement of Planning Policy No.1 (Variation No. 2) - State Planning Framework Policy for the reason that the water supply scheme servicing the Coral Bay town site is designed to provide an "in-house" service only and is not designed to provide a water service to allotments. To enable the water supply to be redesigned to provide a service to subdivided land, substantial upgrades and improvements would need to be made to the scheme which would be costly and time consuming.

- 4. A regional planning review is currently being considered by the Gascoyne Regional Planning Committee through the preparation of the Gascoyne Regional Planning and Infrastructure Framework therefore, the application is premature in as much as the current State Planning Policy and Regional Strategy do not support freehold subdivision for workers' accommodation in Coral Bay.*
- 5. Freehold subdivision to create lots in this location is considered inconsistent with orderly and proper planning as the proposal does not address future management arrangements of the lots to be created including the maintenance of public open space and the internal street network.*
- 6. Approval of this application will set an unacceptable precedent with regard to the creation of freehold lots in an area where several high level strategic documents, all created with a high level of stakeholder engagement, have advised against such land tenure arrangements.*

Advice to Applicant

The applicant is advised that the Western Australian Planning Commission (WAPC) is prepared to favourably consider a survey strata proposal for the 'Workers Accommodation Precinct' subject to a management statement

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that addresses the residential occupancy restrictions as they appear in District Zoning Scheme No. 11.

The motion was put and carried.

Moved to Item 10.4.

7451.9.3 Development Application - Request for Retrospective Approval for the Yanchep Boardwalk

File 30-50155-3
Report Number SPC/100
Agenda Part C
Reporting Officer Sue Burrows

Ms Burrows declared an interest.

Member	Nature of Interest
Ms Burrows	Impartiality

Ms Burrows gave a background to this item for members' interest and provided clarification in answer to members' questions.

Officer's Recommendation

The Western Australian Planning Commission resolved to refuse the retrospective development application for the Yanchep Boardwalk for the following reasons:

1. The development of the boardwalk is considered to be visually intrusive on the coastal landscape and therefore contrary to the intent of State Planning Policy 2.6. State Coastal Planning Policy.
2. The development is considered to be inconsistent with the preservation of the amenity of the locality as outlined in Clause 30 of the Metropolitan Region Scheme.
3. The development, if approved, would establish an undesirable precedent for proposals of a similar form and structure within foreshore reserves.

Resolved

Moved by Cr MacRae, seconded by Ms Taylor

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The Western Australian Planning Commission resolved to refuse the retrospective development application for the Yanchep Boardwalk for the following reasons:

1. *The development of the boardwalk is considered to be visually intrusive on the coastal landscape and therefore contrary to the intent of State Planning Policy 2.6. State Coastal Planning Policy.*
2. *The development is considered to be inconsistent with the preservation of the amenity of the locality as outlined in Clause 30 of the Metropolitan Region Scheme.*
3. *The development, if approved, would establish an undesirable precedent for proposals of a similar form and structure within foreshore reserves.*

Advice

Consideration would be given to an Option 2 proposal provided in a fresh application.

The motion was put and carried.

Cr MacRae left the meeting at 12.05 pm and did not return.

Moved to Item 9.12.

Resolved

Moved by Ms Burrows, seconded by Mayor Adams

That the following items be approved en bloc:

- 7451.9.4 to 7451.9.11 inclusive
- 7451.10.1 and 7451.10.5 to 7451.10.11 inclusive

The motion was put and carried.

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7451.9.4

Shire of Coorow: Draft Townsite Expansion Strategy Consent to Advertise

File DP/10/02150/1
Report Number SPC/101
Agenda Part E
Reporting Officer Acting Manager Central Regions

Resolved

Moved by Ms Burrows, seconded by Mayor Adams

That the Western Australian Planning Commission resolves to:

1. *certify that the Shire of Coorow draft Leeman and Green Head Townsite Expansion Strategy is consistent with regulation 12A(3) of the Town Planning Regulations, 1967 (as amended);*
2. *grant consent to advertise the draft Leeman and Green Head Townsite Expansion Strategy in accordance with regulation 12B of the Town Planning Regulations, 1967 (as amended) for a period not less than 21 days, subject to the following modifications being effected:*
 - i) *Indicate the Shire of Carnamah boundary on figure 2;*
 - ii) *Notate Figure 5 to clearly indicate the “existing wastewater treatment facility” and “location of future wastewater treatment facility”;*
 - iii) *Under section 4.3.3 second paragraph, reword second sentence to read:
“The planned WWTP relocation is to facilitate residential expansion in the medium to long term along South Bay”*
 - iv) *On figure 7, annotate “Little Anchorage Bay” clearly.*

The motion was put and carried.

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7451.9.5

Subdivision Lots 4, 5 and 6 Morris Edwards Drive, York

File 144206 and 144840
Report Number SPC/102
Agenda Part G
Reporting Officer Planning Manager, Wheatbelt Region

Resolved

Moved by Ms Burrows, seconded by Mayor Adams

That the Western Australian Planning Commission resolves to approve subdivision of Lot 4 (WAPC REF 144840) and Lots 5 and 6 (WAPC REF 144206) Morris Edwards Drive York subject to the following conditions and advice:

1. *The proponent is to demonstrate that the proposed lots are clean of any refuse stockpiles to the satisfaction of the Western Australian Planning Commission. (Local Government)*
2. *All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation. (Local Government)*
3. *Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply service to the lot(s) shown on the approved plan of subdivision. (Western Power)*
4. *Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the removal, relocation and/or replacement of electricity supply infrastructure, including plant and/or equipment located on or near the lots shown on the approved plan. (Western Power, for WAPC REF 144206 only)*

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Advice to applicant:

1. *The Shire of York advises that no development will be approved on the approved 'development lots' prior to an Outline Development Plan being finalised for the land.*

The motion was put and carried.

7451.9.6

Subdivision Lot 201 Northam-Toodyay Road Katrine

File 143316
Report Number SPC/103
Agenda Part G
Reporting Officer Planning Manager, Wheatbelt Region

Resolved

Moved by Ms Burrows, seconded by Mayor Adams

That the Western Australian Planning Commission resolves to approve the subdivision of Lot 201, Northam-Toodyay Road, Katrine to create 3 lots and a reserve subject to the following condition(s) and advice:

1. *The subdivision design being amended in accordance with the attached plan (Attachment 4), as described below:*
 - a) *move the eastern and western boundaries of the proposed heritage lot so that the planted vegetation is incorporated wholly on this lot; and*
 - b) *the reserve being widened adjacent to Lot 1 and at the eastern end of Lot 2 to incorporate the vegetation within the reserve and provide additional space for vehicular access purposes. (WAPC)*
2. *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*

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Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown. (WAPC)

3. *arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an appropriate network electricity supply. (Western Power)*
4. *measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site works. (Local Government)*
5. *prior to commencement of site works, a detailed plan identifying a building envelope not exceeding 2,000m² in area on Lot 1 and Lot 2 of the approved plan of subdivision is to be prepared in consultation with the local government. (Local Government;*
6. *a Restrictive Covenant, pursuant to section 129BA of the Transfer of Land Act 1893 (as amended) is to be placed on the Certificates of Title of the proposed lot(s) advising of the existence of a restriction on the use of the land. Notice of this restriction to be included on the Deposited Plan. The restrictive covenant is to state as follows:*

"No development is to take place outside the defined building envelope(s), unless otherwise approved by the local government."

(Local Government)
7. *the foreshore reserve and access being fenced adjacent to Lot 1 to the satisfaction of the Western Australian Planning Commission (Local Government)*

The motion was put and carried.

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7451.9.7

**Endorsement of the Development Plans for:
Lot 4 McGregor Street, Port Hedland, and
Lot 2 McGregor Street and Lot 5474 Thompson Street,
Port Hedland**

File SPN/0383 and SPN/0384

Report Number SPC/104

Agenda Part G

Reporting Officer Planning Officer

Resolved

Moved by Ms Burrows, seconded by Mayor Adams

That the Western Australian Planning Commission resolves to endorse the Amended Development Plans for:

- Lot 4 McGregor Street, Port Hedland; and
- Lot 2 McGregor Street and Lot 5474 Thompson Street, Port Hedland.

The motion was put and carried.

7451.9.8

Endorsement of Outline Development Plan for Big Grove, Albany

File SPN 0374

Report Number SPC/105

Agenda Part G

Reporting Officer Planning Director, South West Regions

Resolved

Moved by Ms Burrows, seconded by Mayor Adams

That the Western Australian Planning Commission resolves to endorse the Big Grove Outline Development Plan subject to the attached Schedule of Modifications being undertaken.

The motion was put and carried.

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7451.9.9

Cockburn Gateways Shopping Centre - Stage 3 Expansion

File 23-50240-2/1
Report Number SPC/106
Agenda Part G
Reporting Officer A/Manager Planning Metro South West

Resolved

Moved by Ms Burrows, seconded by Mayor Adams

That the Western Australian Planning Commission resolves to approve the application for development approval for the Gateways Shopping Centre Stage 3 Expansion at Lots 202 & 203 Wentworth Parade, Success, subject to the following conditions:

1. *The bus corridor containing the 'Main Street' and associated connecting internal road system and the peripheral bus corridor along the southern and eastern boundaries of the site, identified on the development plans, shall be designed and constructed to accommodate public bus services (routes) to and from the Beelier Drive bus underpass, to the satisfaction of the Western Australian Planning Commission (WAPC) on the advice of the Public Transport Authority (PTA) and the City of Cockburn (City).*
2. *Up to five bus routes are to be permitted to operate within the 'Main Street' corridor to the satisfaction of the WAPC on the advice of the PTA.*
3. *Road network design for the 'Main Street' corridor is to accommodate priority movements for the required number of buses including a minimum lane width of 3.5 metres (or 3.2 metres if there is an adjacent central median, the median being a minimum of 2 metres in width if containing any trees/light poles or providing pedestrian refuge, or else a minimum of 1 metre in width if paved or containing low level landscaping) and 14 metres radius for any roundabout*

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(measured from the centre point to the outside kerb). Road intersections are to be designed to favour bus movements.

4. *Road network design for the peripheral corridor is to accommodate bus movements, including the minimum lane widths and roundabout radius stipulated in Condition 3 above. Road intersections are to be designed to favour bus movements, and the design of the loading docks and associated access/egress configurations along the eastern boundary should not unduly impede bus movements along the peripheral corridor.*
5. *Bus stops and shelter facilities shall be located, designed and constructed along the bus corridors within the subject land, and integrated with the proposed land use, street network, and pedestrian movement environment, to the satisfaction of the WAPC on the advice of the PTA and the City. The WAPC, on the advice of the PTA, envisages the following in respect of the two individual corridors:*
 - a) *No more than two sets of stops will be required along the 'Main Street' corridor and that the detailed design will provide the desired bus passenger amenity and safety. The bus stops are to be located as close as practicable to, but in any event as much as reasonably possible within 100 metres of the main entry and between Driveways 1 and 2, unless otherwise agreed by the PTA.*
 - b) *Two sets of bus stops will be required along the peripheral corridor, with one of the pairs being as close as possible to the southern entry of the shopping centre and the other pair being as close as possible to the eastern end of the 'Main Street', and that the detailed design will provide the*

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desired bus passenger amenity and safety. However, the installation of bus shelters and the marking of bus stops for Transperth operation along the peripheral corridor should not be undertaken until the PTA has confirmed the requirement for their use.

6. *Easements in accordance with sections 195 and 196 of the Land Administration Act 1997 for the benefit of the State of Western Australia are to be placed on the Certificates of Title of the lots, specifying access rights along the public transport corridors as identified in these conditions. Notice of these easements is to be included on the Deposited Plan.*
7. *The Gateways Local Structure Plan is to be modified in the following manner:*
 - a) *Clause 5.2.3 (b) shall include the WAPC as one of the parties involved in any potential review of the number of bus routes accessing the 'Main Street';*
 - b) *Clause 5.2.3 (b) (i) shall be modified to state that there will initially be five bus routes along the 'Main Street' as determined by the PTA; and*
 - c) *Clause 5.2.3 (b) (iv) dot point 1 shall be modified to state that there will be no decrease below the five bus routes nominated by the PTA along the 'Main Street' for the first five years after commencement of operation of the bus routes.*
8. *Prior to the commencement of site works a staging plan is to be prepared to the satisfaction of the WAPC on the advice of the PTA and the City. The plan is to address aspects and impacts of the construction phase including arrangements to provide continuation of bus access and operation of bus services through the site. The plan is to be*

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implemented during the construction phase to the satisfaction of the WAPC on the advice of the PTA and the City.

9. *Conditions 1 to 7 inclusive shall be satisfied prior to the occupation of the development or as may be agreed to by the WAPC.*

The motion was put and carried.

7451.9.10

Approval of the Oakajee Industrial Estate Structure Plan

File SPN/0303/1
Report Number SPC/107
Agenda Part G
Reporting Officer Planning Manager Central Regions

Resolved

Moved by Ms Burrows, seconded by Mayor Adams

That the Western Australian Planning Commission resolves to:

1. *approve the Oakajee Industrial Estate Structure Plan, subject to the schedule of modifications provided in Attachment 4;*
2. *advise the applicant and the Shire of Chapman Valley that some of the uses listed are not permitted in the Oakajee Industrial Estate buffer and are inconsistent with uses currently permitted under TPS No. 1;*
3. *advise the applicant and Shire that an amendment to TPS 1 is considered to ensure consistency between the Structure Plan and TPS 1.*

The motion was put and carried.

7451.9.11

Request for Reconsideration - Lot 126 (8) Keal Street, Balcatta

File 681-11
Report Number SPC/108
Agenda Part G
Reporting Officer Planning Manager, Metropolitan Central

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Resolved

Moved by Ms Burrows, seconded by Mayor Adams

That the Western Australian Planning Commission resolves to reiterate its decision dated 31 October 2011 to refuse the application for subdivision of Lot 126 (8) Keal Street, Balcatta.

This report is presented to the Committee for determination as the gazetted Instrument of Delegation does not provide for exercise of delegated authority (Does not provide delegation where it is recommended that a reconsideration request be refused).

The motion was put and carried.

Moved to Item 10.1.

7451.9.12 Create 191 Survey Strata Lot(S) for Residential Purpose Including Common Property: Kurra Street, Newman

File 388-11
Report Number SPC/109
Agenda Part G
Reporting Officer Planning Officer, Northern Regions

Resolved

Moved by Mr Farrar, seconded by Ms Taylor

That the Western Australian Planning Commission resolves to approve the application for subdivision of Lot 510 Kurra Street, Newman subject to the following conditions and advice:

Condition(s)

1. *Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) being constructed and drained at the applicant/owner's cost. As an alternative the WAPC is prepared to accept the applicant/owner paying to the local*

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- 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. 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 graded and stabilised. (Local Government)*
 - 6. The land being filled and/or drained. (Local Government)*
 - 7. An Urban Water Management Plan being prepared by the subdivider to the satisfaction of the WAPC on advice from the Department of Water. (Department of Water)*
 - 8. An area(s) of land at least 10 per cent 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*

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without any payment of compensation by the Crown.

9. *Widening of the proposed road reserve servicing proposed lots 43 - 52, 71 - 73, 98, 99, 100 - 109, 128 - 140 and 149 - 179 from 6.5m to 10m, and the road reserve servicing proposed lots 35 - 42, 110 - 114 and 148 from 6.5m to 7.2m, and reconfiguration of adjacent lots as required to comply with site area requirements under the Residential Design Codes (as amended). (WAPC)*
10. *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 include the following additions to the by-laws contained in Schedules 1 and 2 of that Act:*
 - *Development or redevelopment of the strata lots must comply with a development approval issued by the Shire of East Pilbara.*
 - *Amendment to, or repeal of, the above provision cannot be effected without the approval of the WAPC.*
 - *The development and ongoing maintenance of the proposed Common Property lots to the satisfaction of the Shire of East Pilbara.*

(WAPC)

Advice

1. *Water Corporation has offered the following advice in relation to Conditions 2 and 3:*

Where required, the subdivider shall provide service connections, make financial arrangements, set aside land,

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grant easements, apply notices or other requirements, to protect existing and proposed Corporation assets to the satisfaction of the Water Corporation.

Upon the receipt of a request from the subdivider, a Land Development Agreement under section 67 of the Water Agencies (Powers) Act 1984, will be prepared by the Water Corporation which will document the specific requirements for the proposed subdivision.

2. *The Department of Environment has noted that native vegetation may be present on the proposed development site. Should any disturbance to the vegetation be required, the applicant will need to ensure that the provisions of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (the Regulations) are adhered to. General information on the Regulations and exemptions for clearing native vegetation are available online from <http://environment.wa.gov.au/>.*
3. *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. Up to 50 per cent of the required area may also be provided as private open space.*

The motion was put and carried.

Moved to Item 10.3.

7451.10 Confidential Items

**7451.10.1 City of Rockingham - Local Planning Scheme No. 2
Amendment No. 106 - For Final Approval**

File	TPS/0426/1
Report Number	SPC/110
Agenda Part	B
Reporting Officer	Manager, Schemes and Appeals

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held on Tuesday 24 January 2012

THIS ITEM IS CONFIDENTIAL

Moved to Item 10.5.

**7451.10.2 Town of Kwinana - Local Planning Scheme No. 2
Amendment No. 115 - For Final Approval**

File TPS/0105/1
Report Number SPC/
Agenda Part B
Reporting Officer Planning Manager- Schemes,
Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

Moved to Item 9.3.

**7451.10.3 Shire of Serpentine-Jarrahdale - Town Planning Scheme
No. 2 Amendment No. 167 - For Consent to Advertise**

File TPS/0395/1
Report Number SPC/
Agenda Part B
Reporting Officer Planning Manager- Schemes,
Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

Moved to Item 11.

**7451.10.4 City of Wanneroo District Planning Scheme No. 2
Amendment No. 115 For Consent to Advertise**

File TPS/0615
Report Number SPC/113
Agenda Part B
Reporting Officer Planning Manager, Metropolitan North
West, Perth and Peel Planning

THIS ITEM IS CONFIDENTIAL

Moved to Item 9.4.

**7451.10.5 Shire of Three Springs Local Planning Scheme No 2 -
Resolution to Prepare a Scheme**

File 853/03/16/0002
Report Number SPC/114
Agenda Part E
Reporting Officer A/Principal Planning Officer
Central Regions

Statutory Planning Committee

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THIS ITEM IS CONFIDENTIAL

7451.10.6 Town of Port Hedland - Town Planning Scheme Amendment No 22 - For Final Approval.

File TPS / 0087 / 2
Report Number SPC/115
Agenda Part E
Reporting Officer Planning Officer Northern Regions

THIS ITEM IS CONFIDENTIAL

7451.10.7 Shire of Dandaragan - Town Planning Scheme No. 7, Amendment No. 3 - For Final Approval

File 853/03/06/0008P3V
Report Number SPC/116
Agenda Part E
Reporting Officer Planning Manager Wheatbelt Region

THIS ITEM IS CONFIDENTIAL

7451.10.8 City of Kalgoorlie-Boulder - Draft Local Planning Strategy - For Consent To Advertise

File 801/11/3/4PV
Report Number SPC/117
Agenda Part E
Reporting Officer Planning Officer

THIS ITEM IS CONFIDENTIAL

7451.10.9 Shire of Denmark - Town Planning Scheme No. 3 Amendment 125 - For Final Approval

File TPS/0303/1
Report Number SPC/118
Agenda Part E
Reporting Officer Planning Manager, Great Southern Region

THIS ITEM IS CONFIDENTIAL

7451.10.10 City of Greater Geraldton (Mullewa) Local Planning Strategy and Local Planning Scheme No 2 - Final Approval

File TPS/0658; 853/03/13/0002PV
Report Number SPC/119
Agenda Part F
Reporting Officer A/Principal Planner, Central Regions

THIS ITEM IS CONFIDENTIAL

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7451.10.11 Shire of Ashburton - Request for Ministerial Approval for the Expenditure of Cash-In-Lieu of Public Open Space

File 139694
Report Number SPC/120
Agenda Part G
Reporting Officer Planning Officer Northern Regions

THIS ITEM IS CONFIDENTIAL

Moved to Item 10.2.

7451.11 General Business

Nil.

7451.12 Items for Consideration at a Future Meeting

Item No	Report	Request	Report Required by
7438.11.1	<i>Directions 2031</i>	Planning Director – <i>Directions 2031</i> to brief the Committee following the workshop held on 3 October 2011.	To be advised

7451.13 Closure

The next ordinary meeting is scheduled for 10.00 am on Tuesday 14 February 2012.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 12.18 pm.

PRESIDING MEMBER _____

DATE _____

INDEX OF REPORTS

Item	Description
9	REPORTS
	G DEVELOPMENTS / SUBDIVISIONAL / SURVEY STRATA
9.1	TRANSPORTABLE OFFICE BUILDINGS FOR EXISTING VEHICLE SALES PREMISES WITHIN ALBANY HIGHWAY RESERVE, ST JAMES (CORNER OF WELSHPOOL ROAD).
9.2	ENDORSEMENT OF HILLS LANDSCAPE RURAL PLANNING PRECINCT PLAN, SHIRE OF MURRAY
10	CONFIDENTIAL REPORTS
	A POLICIES
10.1	REVIEW OF STATE PLANNING POLICY SPP 2.5 AND DEVELOPMENT CONTROL POLICY DC 3.4 – FOR FINAL APPROVAL
:	
	B LOCAL PLANNING SCHEMES / AMENDMENTS
10.2	CITY OF SWAN – LOCAL PLANNING SCHEME NO. 17 AMENDMENT NO. 51 – FOR FINAL APPROVAL
	C SUBDIVISIONAL / STRATA ITEMS / DEVELOPMENTS
10.3	ENDORSEMENT OF THE BUTLER DISTRICT CENTRE STRUCTURE PLAN NO. 87
	E MINOR LOCAL OR REGIONAL PLANNING SCHEMES / AMENDMENTS
10.4	SHIRE OF WILUNA LOCAL PLANNING STRATEGY AND LOCAL PLANNING SCHEME NO. 2 FOR CONSENT TO ADVERTISE

ITEM NO: 9.1

TRANSPORTABLE OFFICE BUILDINGS FOR EXISTING VEHICLE SALES PREMISES WITHIN ALBANY HIGHWAY RESERVE, ST JAMES (CORNER OF WELSHPOOL ROAD).

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Planning Manager
AUTHORISING OFFICER:	Planning Director
AGENDA PART:	G
FILE NO:	16-50100-1
DATE:	20th January 2012
ATTACHMENT(S):	1 - Location Plan 2 - Development Proposal
REGION SCHEME ZONING:	MRS: Primary Regional Roads Reserve
LOCAL GOVERNMENT:	City of Canning
LOCAL SCHEME ZONING:	N/A
LGA RECOMMENDATION(S) :	Refusal
REGION DESCRIPTOR:	Perth Metro Central
RECEIPT DATE:	29th August 2011
PROCESS DAYS:	115
APPLICATION TYPE:	Development
DESCRIPTION OF PROPOSAL:	Transportable Office Buildings For Existing Vehicle Sales Premises.
CADASTRAL REFERENCE:	Albany Highway Reserve, St James (Corner Of Welshpool Road)

RECOMMENDATION:

That the Western Australian Planning Commission resolves to grant retrospective approval for the transportable office buildings for the existing vehicle sales premises within the Albany Highway reserve, St James (corner of Welshpool Road) subject to the following conditions and advice:

CONDITIONS:

- 1. This approval is valid for a period of five (5) years from the date of this approval.***
- 2. Stormwater run-off shall be collected and contained on-site.***

ADVICE:

1. *This approval relates to the two transportable office buildings shown on the attached plans date stamped 29 August 2011 by the Department of Planning.*
2. *Any signage shall be the subject of a separate application to and approval by the City of Canning.*
3. *In respect of Condition 1 above, should a future lessee or the applicant wish to maintain the transportable offices on site for a period exceeding five (5) years, a further development application will be required to be determined prior to the use and development continuing.*
4. *The subject land is affected by land reserved for 'Primary Regional Roads' in the Metropolitan Region Scheme and will be required for road widening purposes at some time in the future.*
5. *The applicant is advised to liaise with the City of Canning in relation to stormwater disposal under Condition 2.*

This report is presented to the Committee for determination as the gazetted Instrument of Delegation does not provide for exercise of delegated authority (recommendation is significantly at variance with the recommendation of the local government).

SUMMARY:

The City of Canning has forwarded an application seeking retrospective approval for two transportable office buildings to WAPC for determination in accordance with Part IV of the MRS. The development is located within the Albany Highway "Primary Regional Roads" (PRR) reserve. The land is not yet required for road construction, and approval is recommended.

BACKGROUND:

The application seeks retrospective approval for two transportable office buildings for an existing vehicle sales premises within the Albany Highway road reserve in St James (**Attachment 1 - Location Plan, Attachment 2 - Development Proposal - Note that Lots 3, 11 and 554 have been amalgamated into the Albany Highway reserve**).

Section 164 of the *Planning and Development Act 2005* enables a responsible authority to grant its approval under a planning scheme for development already commenced or carried out.

Albany Highway is reserved for "Primary Regional Roads" (PRR) under the MRS, and is under Main Roads WA (MRWA) control. MRWA has leased the subject land for the vehicle sales premises as it is not currently required for road widening. Accordingly, MRWA will not permit the construction of permanent structures on the site.

The power to determine this application in accordance with Part IV of the MRS is delegated to the City of Canning, subject to comments and recommendation from MRWA. The application has been forwarded to the WAPC for determination in accordance with the delegation because MRWA's recommendation is not acceptable to the City.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:

Planning and Development Act 2005

Section 162

Strategic Plan

Strategic Goal:

Planning

Outcomes:

Planned local communities developing a sense of place.

Strategies:

To develop connected and accessible communities.

Policy

Number and / or Name:

Development Control Policy 1.2 Development Control -
General Principles

Development Control Policy 1.7 General Road Planning

DETAILS:

The existing vehicle sales premises comprises a used car sales yard and associated office, an appurtenant workshop, patio structures and fencing.

The subject transportable buildings have identical dimensions of 3m width, 6m length and an overall height of 3m, and are set back approximately 9.5m and 13m from Albany Highway.

CONSULTATION:

The City of Canning does not support the proposal, and did not provide any reasons for its decision.

MRWA supports the proposal.

COMMENTS:

WAPC Development Control 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, the policy 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 (Clause 4.1.2).

WAPC Development Control Policy 1.7 General Road Planning reflects the WAPC's responsibility for planning and protecting regional road reserves in accordance with the MRS, with one of its objectives being to promote the planning of road networks throughout the State which maximise efficiency, safety and amenity.

The transportable office buildings and other structures on the site will be removed at the termination of the lease between MRWA and the lessee or operators of the vehicle sales premises.

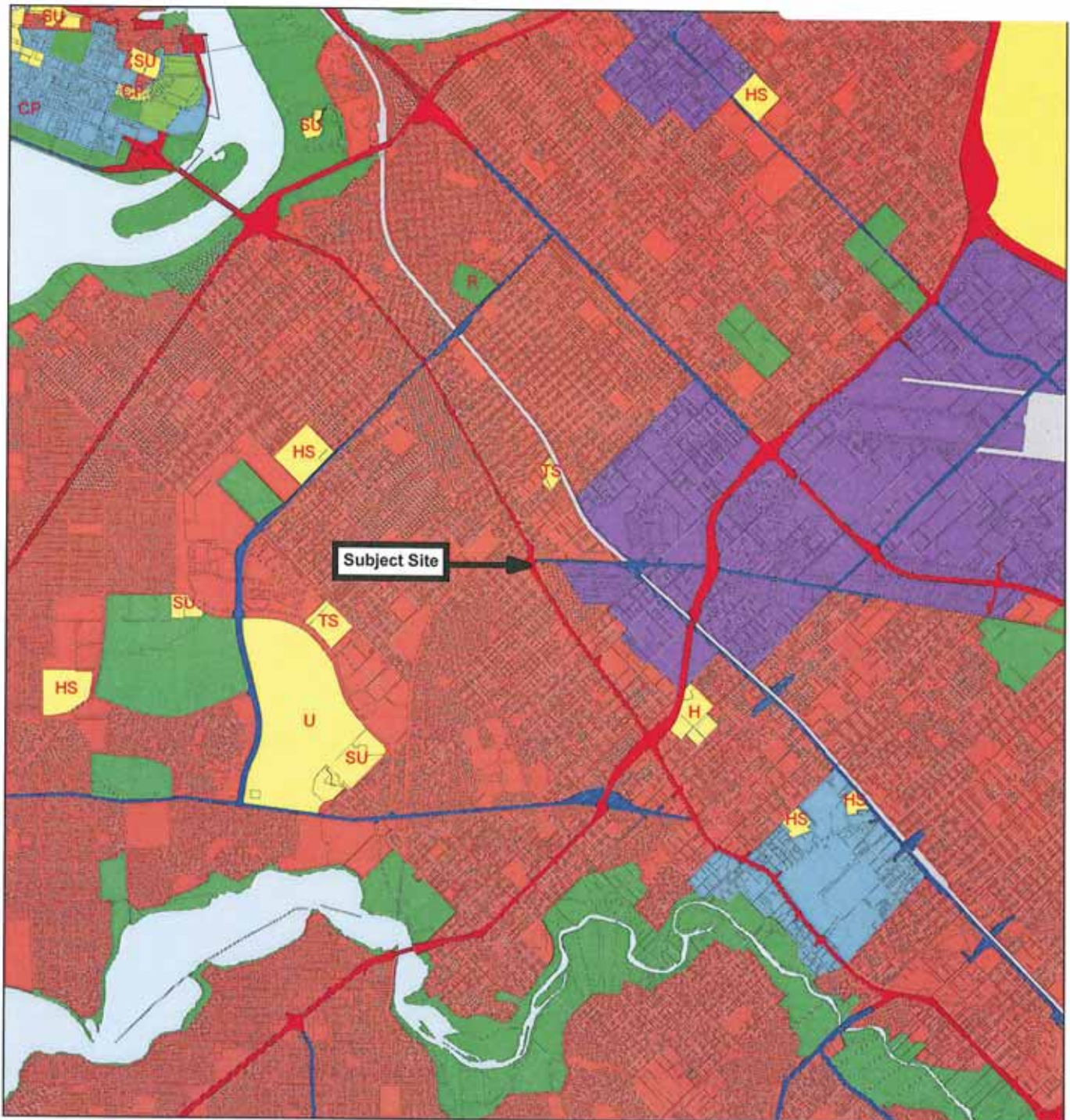
Given the temporary nature of this proposal, it is in keeping with WAPC policy 1.2 and 1.7 as it will not compromise any future use of the PRR for its intended purpose.

The transportable buildings do not dominate the streetscape appearance of the surrounding locality, and will not impact on the amenity of the locality.

CONCLUSION:

The development does not detract from the general amenity of the streetscape and will not provide an impediment to the orderly and proper planning of the locality by virtue of its temporary nature.

While the proposal is inconsistent with the purposes for which the land is reserved, it is not intended as a long term land use. Approval is recommended for a period of five years.



Cadastre with Lot Numbers	OTHER REGIONAL ROADS	PP - TECHNICAL SCHOOL
Redevelopment and Act Areas	WATERWAYS	PP - CAR PARK
URBAN	PARKS & RECREATION	PP - UNIVERSITY
CENTRAL CITY AREA	PARKS & RECREATION RESTRICTED	PP - COMMONWEALTH GOVERNMENT
INDUSTRIAL	RAILWAYS	PP - SPECIAL USES
PRIVATE RECREATION	PP - HOSPITAL	
PRIMARY REGIONAL ROADS	PP - HIGH SCHOOL	

Scale 1:50,000
0 1.25 km

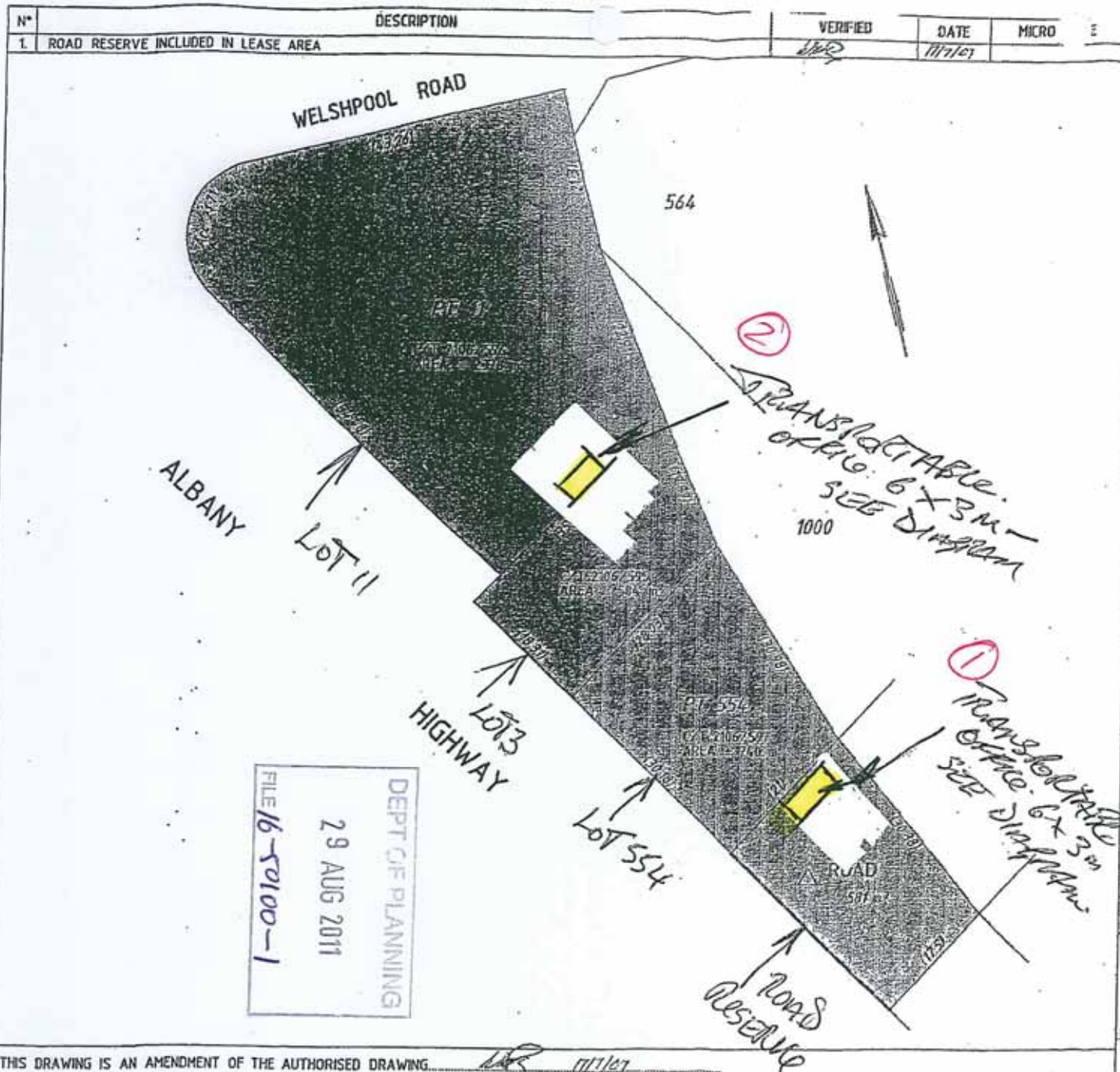
Prepared by: schong
Prepared for:
Date: Friday, January 20, 2012 12:48
Plot Identifier: P20120120_1247

DP INTERNAL USE ONLY



Government of Western Australia
Department of Planning

Location Plan



LEGEND	
	LAND AVAILABLE FOR LEASE = 4281 m ²
	LEASE BOUNDARY

NOTES	
1	DIMENSIONS AND AREAS ARE APPROXIMATE ONLY AND ARE SUBJECT TO SURVEY.
2	S.L.K. IS A MEASURED STRAIGHT LINE KILOMETRE AND IS APPROXIMATE ONLY
3	HORIZONTAL DATUM IS MGA 94.

PROPERTY MANAGEMENT	
Telephone 9323 4580	Fax 9323 4600
APPROVED FOR IMPLEMENTATION	
FILE NUMBER 07/3176	APPROVAL NUMBER
AUTHORISED F. LYONS	
APPROVED	

FINANCE AND SERVICES PROPERTY MANAGEMENT	
Telephone 9323 4580	Fax 9323 4600
FILE No.	07/3176
DRAWN/DESIGNED	W.M. ROLLINGS 26/6/07
AIDED IN ACCORDANCE WITH STANDARD 87-88-48 OF THE ROAD AND TRAFFIC ENGINEERING MANUAL	
ALBANY HWY H1 LAND DEALINGS LOTS 3, 11 & 554, 4.9 S.L.K.	
LOCAL AUTHORITY (19) CITY OF CANNING	
DRAWING TYPE	DRAWING NUMBER
7200	0760-052-1

SITE
4L

0 5 10 15 20 25 30 35 40
SCALE 1:500
2007/L/E
MICROFILM DATE
A
3

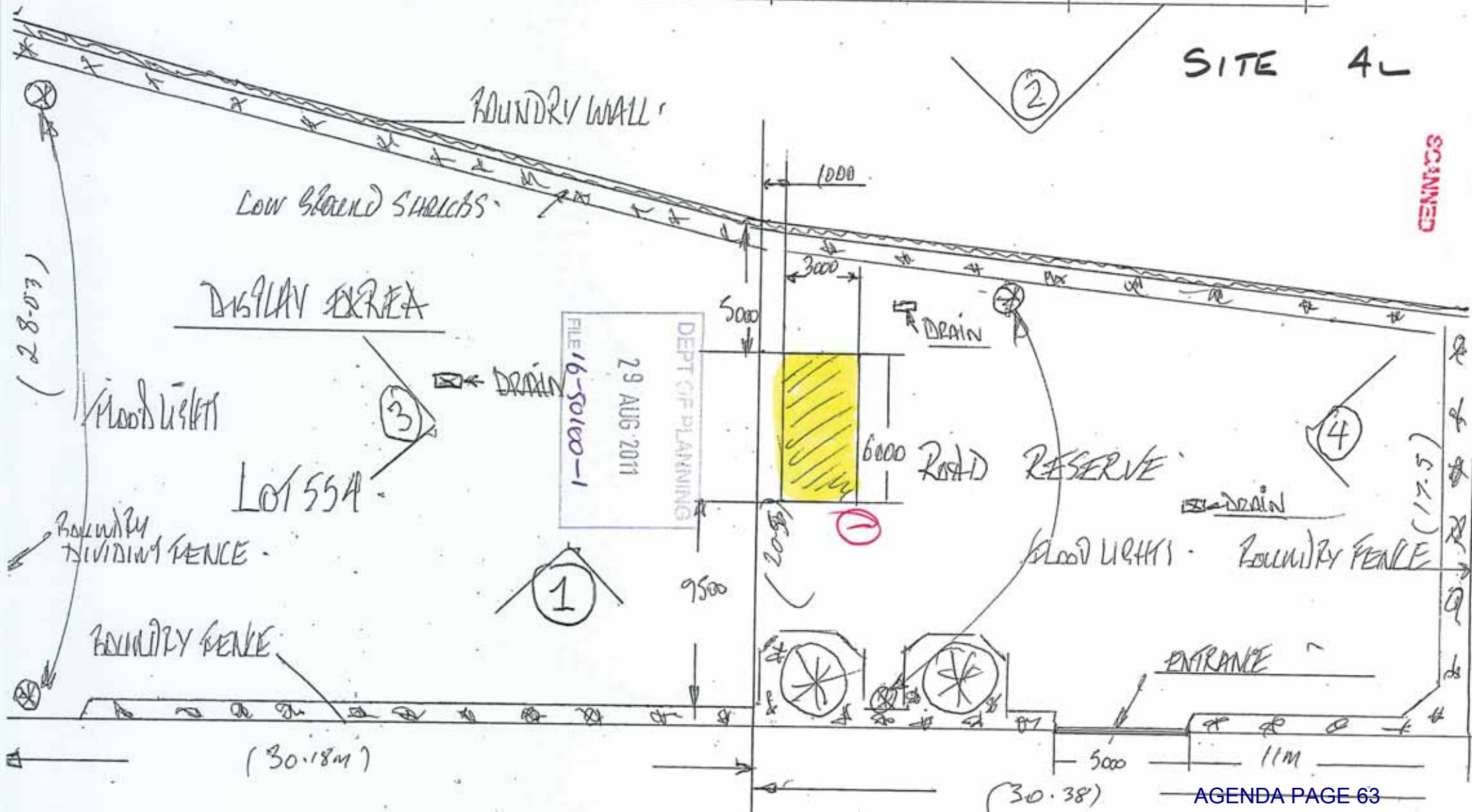
ATTACHMENT 2

THIS DRAWING IS AN AMENDMENT OF THE AUTHORISED DRAWING. *MR* 11/7/07

SITE PLAN FOR LOT 554 d ROAD RESERVE	SCALE 1:200	3-07-09	DRAWN BY RENO SPECK
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SITE 4L

SCANNED

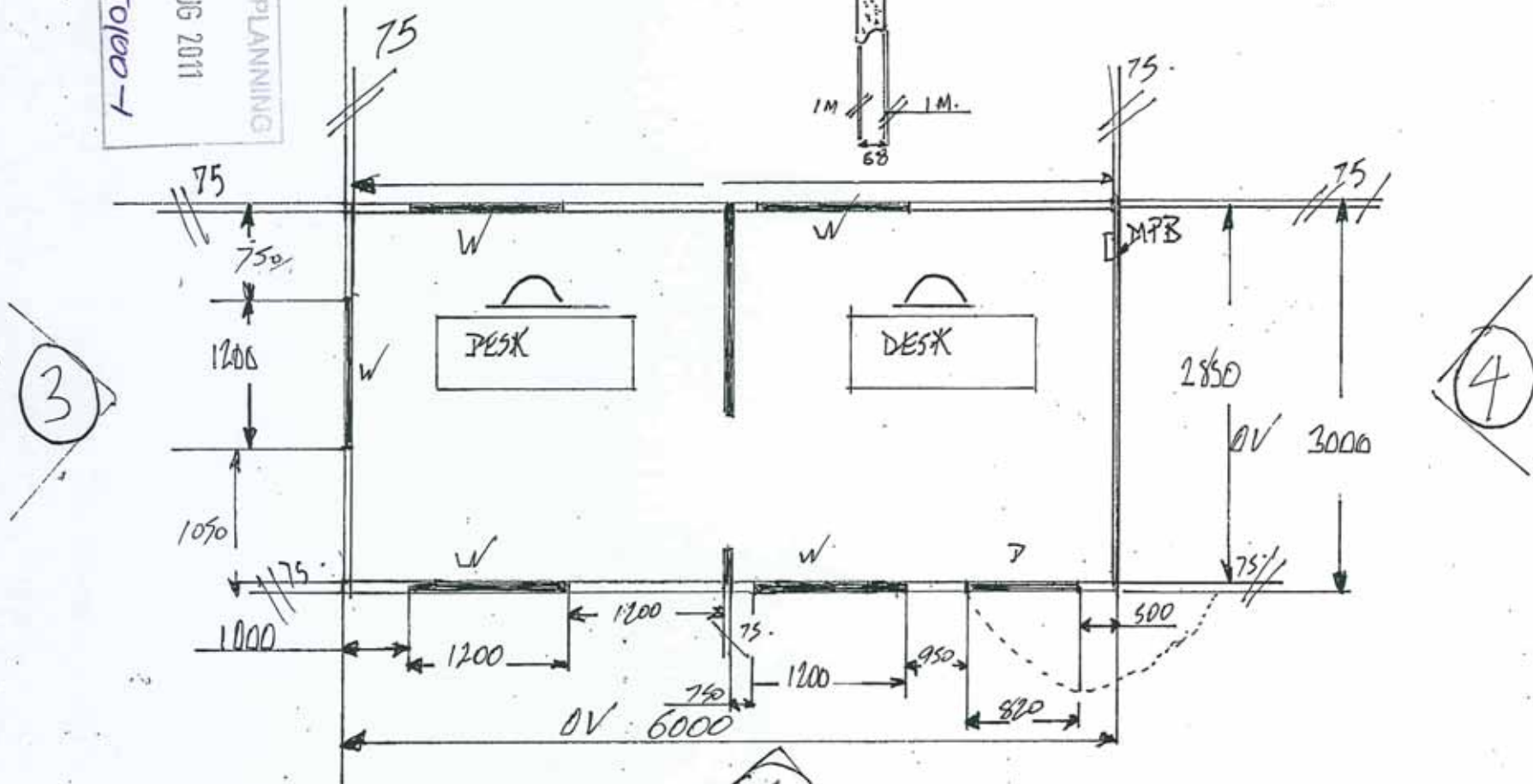


DEPT OF PLANNING
29 AUG 2011
FILE 16-50100-1

75 MM REFRIGERATED PANELS

SCALE 1:20.

FLOOR PLAN

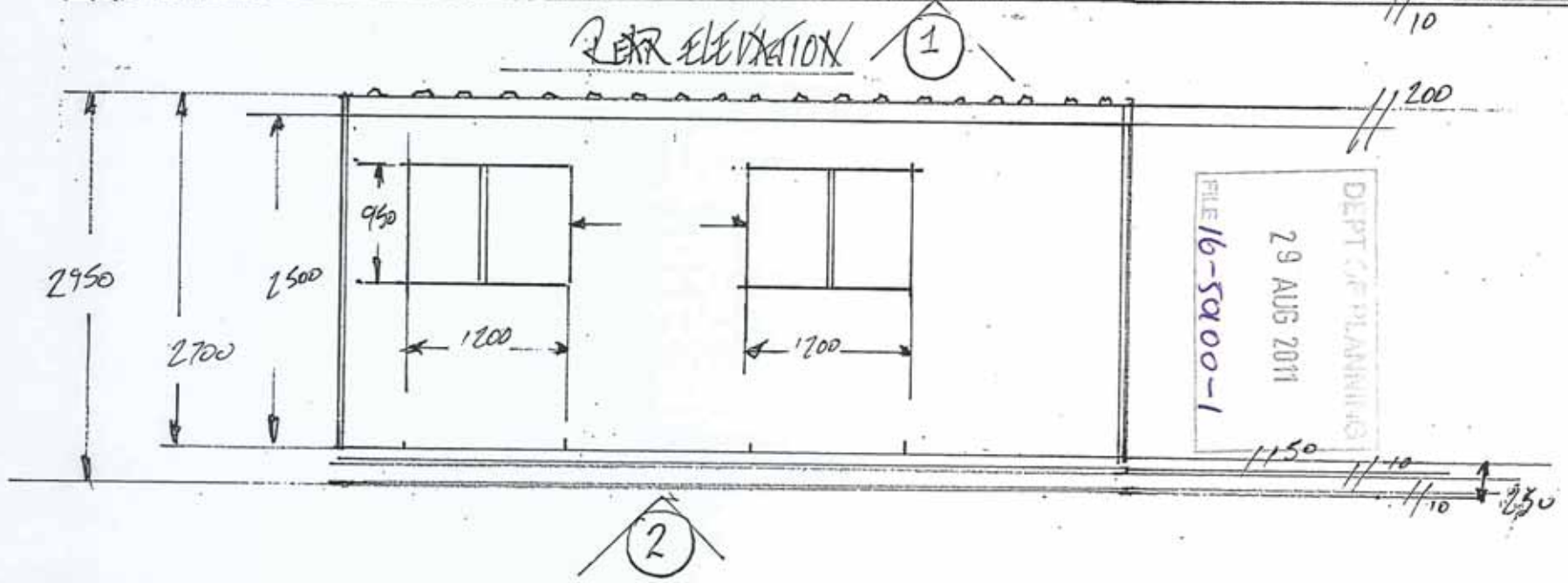
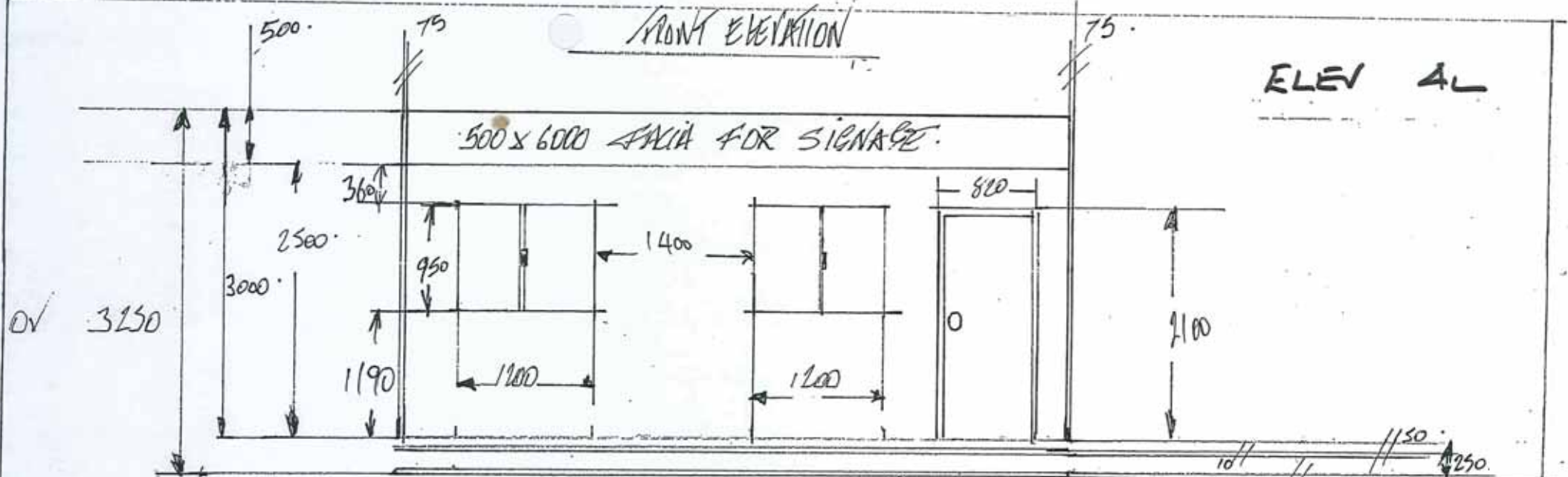


PORTABLE OFFICE

SCALE 1:50

3-07-09

DRAWN BY
RENO SPECK



DEPT. OF PLANNING
29 AUG 2011
FILE 16-59000-1

SCANNED

(2)

PORTABLE OFFICE FRONT ELEVATION & REAR.

SCALE 1.50

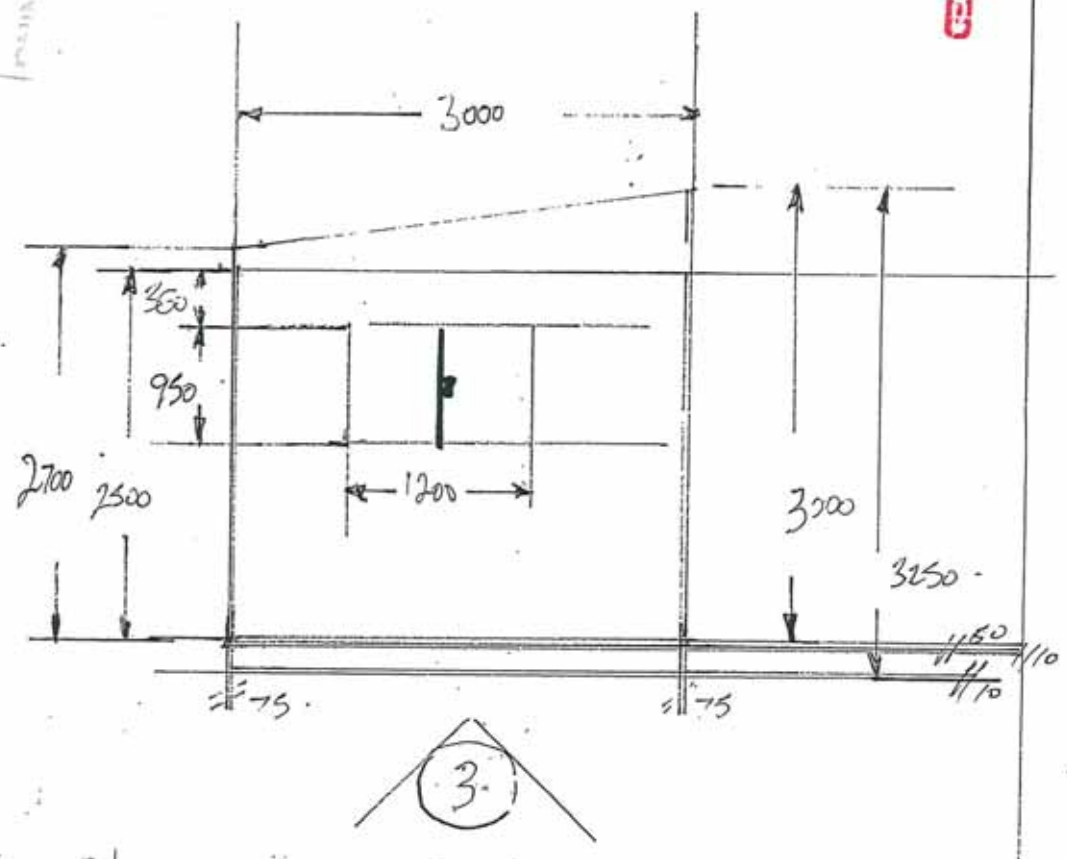
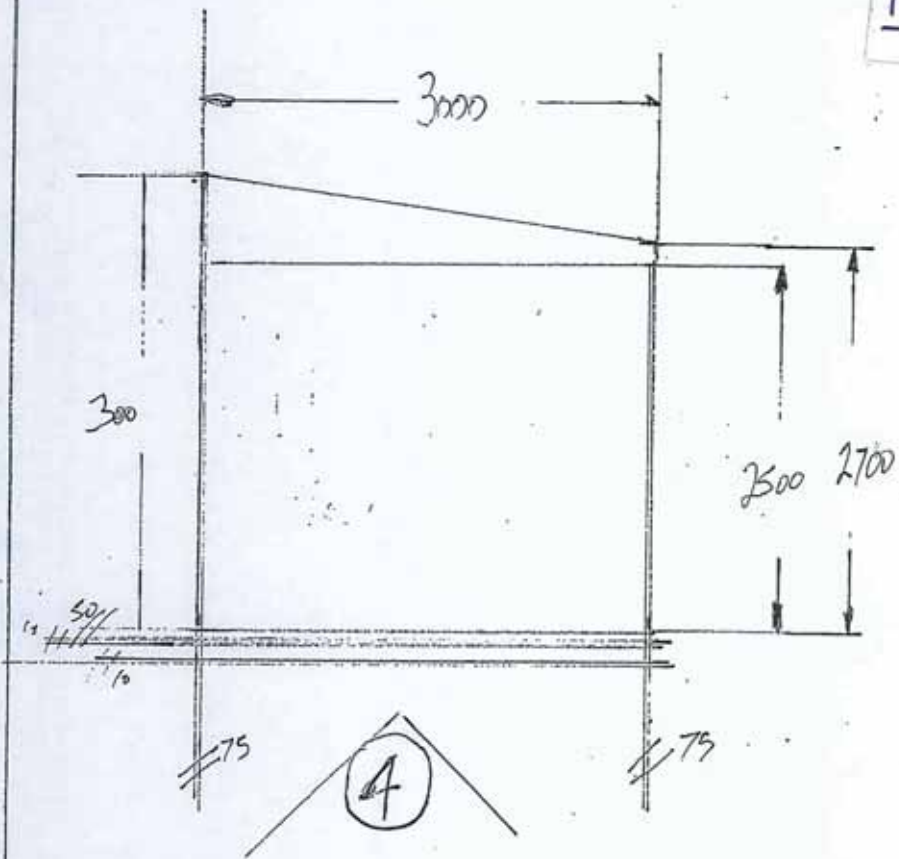
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DEPT OF PLANNING
29 AUG 2011
FILE 16-50100-1



TRANSFORMABLE OFFICE END ELEVATION

SCALE 1:50

3-07-09

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RENO SPEA

ITEM NO: 9.2

ENDORSEMENT OF HILLS LANDSCAPE RURAL PLANNING PRECINCT PLAN, SHIRE OF MURRAY

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Planning Manager
AUTHORISING OFFICER:	Executive Director
AGENDA PART:	G
FILE NO:	DP/09/00702/1
DATE:	4 January 2011
ATTACHMENT(S):	1 – Location Plan 2 – Advertised Precinct Plan 3 – Schedule of Submissions 4 - Schedule of Modifications
REGION SCHEME ZONING:	Rural
LOCAL GOVERNMENT:	Shire of Murray
LOCAL SCHEME ZONING:	Rural, Hills Landscape Protection, Special Rural, Private Clubs and Institutions, Industrial, Cluster Farm and Public Purpose Reserve
LGA RECOMMENDATION(S):	Endorse subject to modifications
REGION DESCRIPTOR:	Peel Region
RECEIPT DATE:	29 November 2011
PROCESS DAYS:	
APPLICATION TYPE:	Precinct Plan
CADASTRAL REFERENCE:	N/A

RECOMMENDATION:

That the Western Australian Planning Commission resolves to:

- 1. determine the submissions received on the draft Hills Landscape Rural Planning Precinct Plan in accordance with Department of Planning's recommendations as presented in the Schedule of Submissions (Attachment 3);*
- 2. endorse the Hills Landscape Rural Planning Precinct Plan, subject to the schedule of modifications at Attachment 4 of this report.*

SUMMARY:

- The Shire of Murray (the Shire) requests the Western Australian Planning Commission's (WAPC) endorsement of the Hills Landscape Rural Planning Precinct Plan (HLRPPP). A location plan for the study area is provided as **Attachment 1**.
- 14 submissions were received during the advertising period, generally relating to protection of agricultural land and strategic mineral resource areas, the proposed settlement pattern and precinct guidelines, the implications of priority vegetation and visually sensitive areas identified in the strategy mapping, and fire risk considerations.
- The Shire endorsed the strategy subject to inclusion of two additional sites for rural settlement and minor modifications to the strategy text and mapping addressing matters raised in the submissions.
- It is recommended the HLRPPP be approved subject to additional modifications to the strategy text and mapping, addressing administrative matters and points raised in the submissions.

BACKGROUND:

The HLRPPP was formulated in response to the following factors:

- (i) the Shire's Local Rural Strategy (LRS) was endorsed by the WAPC in 1994, and is now dated in some respects;
- (ii) the Shire has received a number of rezoning proposals for closer settlement within the HLRPPP study area, for sites that are not identified in the LRS;
- (iii) there have been significant delays in progressing the Shire's proposed Local Planning Strategy (LPS), which was forwarded to the Department of Planning for processing in late 2005. These delays are largely due to ongoing strategic planning being undertaken for the southern Metropolitan and Peel Regions; and
- (iv) the Shire was specifically advised of the need for a more strategic approach to rural land use and settlement planning along the Darling Scarp, in order to adequately protect landscape values.

The WAPC granted consent for the HLRPPP to be advertised for public comment in September 2010.

The HLRPPP is one of six structure plans and local rural strategies the Shire is progressing to provide a suitable local strategic planning framework. It is intended that these strategies and structure plans will later be incorporated into a local planning strategy for the Shire.

It is anticipated that land use strategies and structure plans for the precincts immediately east and west of the HLRPPP study area will be presented to the WAPC for finalisation in early 2012.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:

Planning & Development Act (2005)

Part 5 - Local Planning Schemes

Part 10 - Subdivision and Development Control

Strategic Plan

Strategic Goal:	Planning
Outcomes:	Planned Local Communities developing a sense of place
Strategies:	Encourage innovation in the design of communities

Policy

Number and / or Name:	State Planning Policy 2.4 - 'Basic Raw Materials'
	State Planning Policy 2.5 - 'Agricultural and Rural Land Use Planning'
	State Planning Policy 3 – 'Urban Growth and Settlement'
	Peel Region Scheme - 'Strategic Minerals and Basic Raw Materials Policy'
	Peel Region Scheme - 'Strategic Agricultural Resource Policy'
	Development Control Policy 3.4 – 'Subdivision of Rural Land'.

DETAILS:

The study area incorporates the land east of the South Western Highway and the proposed Pinjarra Eastern Bypass alignment, and is bordered by State Forest and the Dwellingup Structure Plan area to the east, and by the Shire's municipal boundaries to the north and south (**Attachment 1** - Location Plan).

The strategy seeks to protect the scenic qualities of the Darling Scarp, protect viable agricultural land and identify limited areas that are suitable for rural settlement. The HLRPPP identifies the following land use categories:

- (i) Hills Landscape Protection (4 - 10 hectares)
- (ii) Priority Agriculture (40 hectare minimum)
- (iii) Special Use (reflecting existing uses)
- (iv) Rural (40 hectare minimum)

The study area has been further divided into three sub-precincts incorporating planning objectives and development and land management guidelines, in response to various planning considerations.

The main precinct plan map, as advertised, is provided as **Attachment 2**. A complete version of the strategy document, as advertised, can be obtained in electronic format by contacting either the WAPC Secretariat or Andrea Lawson in the Department of Planning's Peel office.

GOVERNMENT AND CORPORATE IMPLICATIONS:

The strategy is intended to provide greater certainty for landowners regarding rural settlement opportunities within the study area, and will assist in the preparation of a Local Planning Strategy for the Shire of Murray.

CONSULTATION:

The strategy was advertised for public comment between 15 October and 1 December 2010. A total of 14 submissions was received, including five submissions from government agencies, and six public submissions relating to specific properties within the HLRPPP study area.

The issues raised are summarised at **Attachment 3**, together with Council's and the Department of Planning's comments and recommendations.

OFFICER'S COMMENTS:

Policy Context

The previous report to Committee discussed the various WAPC policies that were considered in formulating the HLRPPP. These policies and the implications for the study area are summarised in the HLRPPP text.

Rural Settlement

The Shire's LRS identifies a number of sites within the study area as potentially suitable for various forms of closer settlement. The majority of these have not been reflected in the HLRPPP based on considerations including bushfire risk, visual amenity impact and settlement criteria.

The advertised HLRPPP provides scope for the rezoning and creation of approximately 15 Hills Landscape Protection lots (4 - 10ha), immediately west of an established rural settlement node east of Coolup.

The Shire supported inclusion of two additional sites for rural settlement (Hills Landscape Protection) immediately north of this node, totalling approximately 180ha (**Attachment 1**, and submissions 7 and 10). Both sites are identified for rural uses in the advertised strategy. Concept plans have been prepared to demonstrate the suitability of the sites for rural living purposes. It is estimated that if developed, the sites could yield in the order of 15 - 20 lots. The Shire previously resolved not to support a rezoning request for the eastern site, based on it not being specifically identified for settlement in the LRS and various other considerations.

Portions of both sites are mapped as having extreme bushfire risk associated with pockets of remnant vegetation. A bush fire risk assessment was undertaken by a consultant for both properties, which indicates that the sites can be developed to meet the requirements of 'Planning for Bushfire Protection Guidelines' (WAPC, 2010), subject to certain access and design considerations being implemented. The Fire and Emergency Services Authority (FESA) raise no objection to identification of the sites for settlement, noting that preparation of a more detailed Fire Management Plan will be required to support rezoning requests.

Part of the eastern site is mapped as a visually sensitive area, however, it is anticipated that amenity impacts can be addressed via preparation of a site specific visual impact assessment and appropriate design and built form responses at subsequent stages in planning process.

Identification of these additional sites for potential rural settlement is supported for the following reasons:

- (i) it has been demonstrated that the sites can be developed consistent with the principles outlined in 'Planning for Bushfire Protection Guidelines';
- (ii) FESA raise no objection, subject to preparation of detailed fire management plans at subsequent stages of the planning process;
- (iii) the proposed additional road connections will significantly improve emergency access to the existing rural settlement south of the sites;
- (iv) regional and local visual amenity impacts can be addressed through appropriate design and built form requirements;
- (v) the concept plan prepared for the eastern lot is more site responsive than that previously considered and refused by the Shire; and
- (vi) inclusion of a small amount of additional land for settlement is supported in this context, 'rounding off' the existing node.

The ultimate lot yield will be determined through the rezoning process, having regard to visual amenity, mineral resource and fire risk considerations. However, it is recommended that the indicative road connections in the conceptual designs supporting the submissions be reflected on Figure 6 of the HLRPPP as possible future road links, to provide for improved emergency access within the precinct.

The HLRPPP does not designate any sites for Rural Residential development, as sufficient land is identified for this purpose in land use strategies being pursued by the Shire.

Agricultural Considerations

The southern extent of the study area includes rural zoned land that has a fair to high land capability for perennial horticulture, and land identified as an 'Agricultural Priority Management Area' subject to further investigation in State Planning Policy 2.5. The HLRPPP identifies this area as a priority agricultural precinct.

Ongoing investigations into potential wastewater re-use for horticultural purposes, within the Peel Region, have identified the precinct as potentially suitable to accommodate a future irrigation area. The strategy therefore seeks to protect the viability of the precinct for continuation of existing agricultural uses, with the possibility of extending the Harvey and Waroona irrigation district northwards into precinct 3 in the future.

The strategy does not identify specific areas for agri-business purposes, as it is considered appropriate for any such planning proposals to be considered on a case by case basis under the provisions of Town Planning Scheme No.4.

Mineral Considerations

The HLRPPP acknowledges revised mineralisation resource mapping produced by the Department of Mines and Petroleum (DMP) in 2009. The mapping identifies additional mineral resource areas to that shown in the Peel Region Scheme (PRS) 'Strategic Minerals & Basic Raw Materials Resource' Policy (2003) area.

The Shire seeks confirmation from the WAPC that the additional strategic mineral resource areas mapped by the DMP will be considered through review of the PRS Strategic Minerals and Basic Raw Materials policy. The Shire was previously advised that the policy will be subject to review in due course, and that in the interim, the WAPC will have due regard to any updated mineral resource mapping provided by the DMP when making strategic and statutory planning decisions. This position remains unchanged.

A minor modification to the strategy text is recommended, to reflect comments provided by the DMP relating to terminology.

Tourism

A number of tourist sites and activities are located in the study area, with key tourist routes identified on Figure 6 of the HLRPPP. The Shire recommended that Figure 6 be modified to identify a tourist route linking East Coolup Road to Pinjarra-Williams Road via Burnside Road, acknowledging this as an alternative route to Pinjarra or Dwellingup. This position is supported, as the eastern end of the tourist route shown on the advertised plan is essentially a cul-de-sac serving private residences.

In response to a landowner submission (submission eight) regarding potential expansion of an existing caravan park/camp site in precinct 3 (refer **Attachment 1** for location), the Shire acknowledged the merit in expanding tourism related uses on the site, but did not recommend modifications to the strategy in this regard.

Given the declining number of caravan parks in the Peel region, it is recommended the HLRPPP identify a portion of the property as a potential future Special Use site for tourist accommodation, to capitalize on the site's heritage assets, proximity to the Murray River and encourage expansion of the existing tourist facilities. The development guidelines for precinct 3 will need to be modified accordingly, with future development being subject to application and addressing floodway, visual amenity, priority vegetation and bushfire considerations.

Modifications

Based on consideration of submissions received during advertising, and the Shire's recommendations, additional modifications to the strategy text and mapping are recommended to address the following:

Visual Amenity

- (i) the potential need for a landscape buffer within precinct 2, adjacent to the proposed Pinjarra Eastern Bypass, to screen the visual impact of Alcoa's Pinjarra Refinery and associated infrastructure; and
- (ii) the rationale for delineation of visually sensitive areas being expanded in section 4.4 of the strategy text, and the landscape character units being reflected on Figure 3.

Industrial Precinct and Surrounds (Precinct 2)

- (i) a future increase to the existing industrial zoning may be required to accommodate expansion of Alcoa's residue storage area, in accordance with

its Long Term Residue Storage Management Strategy. This will require an amendment to the Peel Region Scheme.

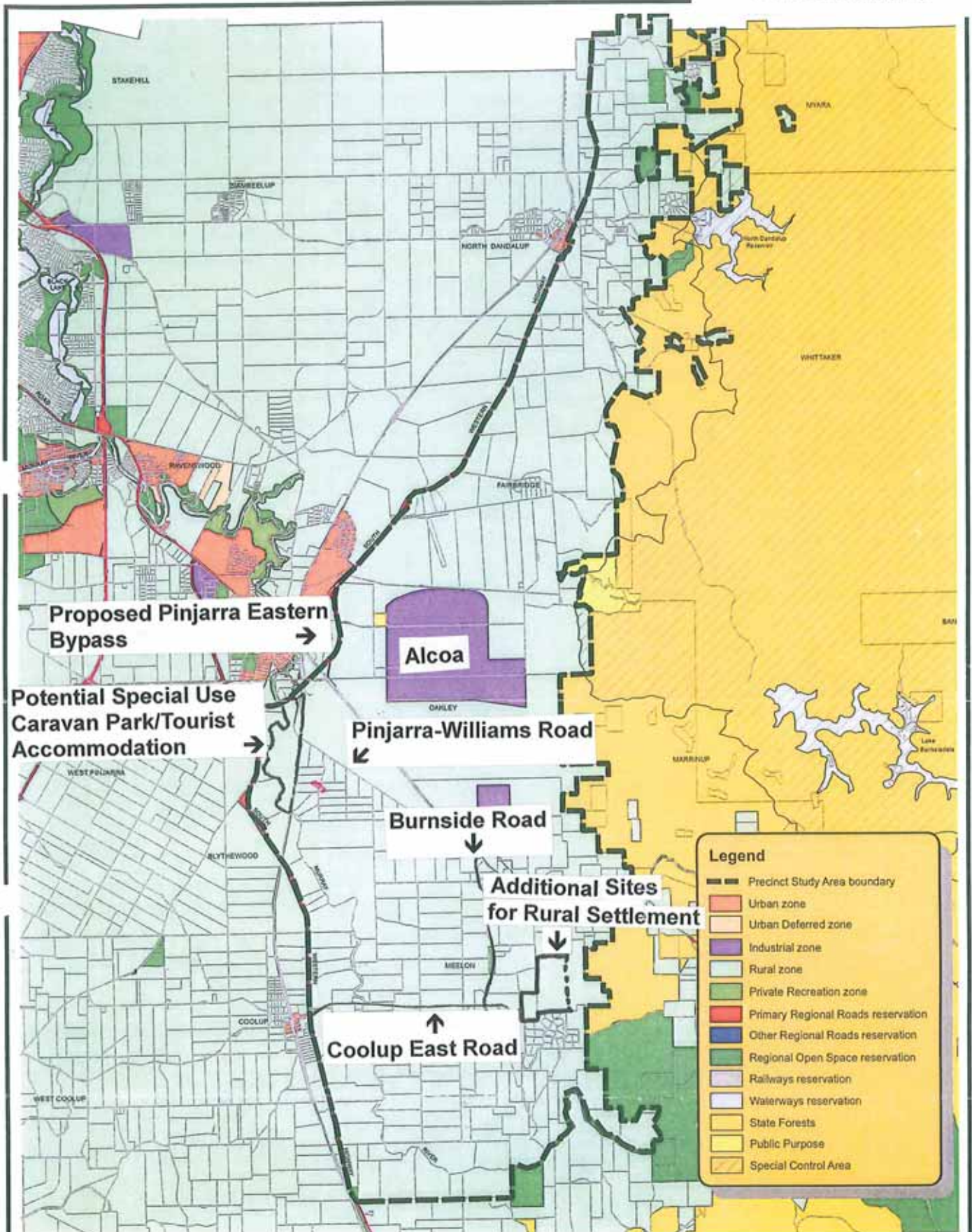
Additional administrative modifications are recommended as follows:

- (i) section 1 of the strategy text being modified to clarify that the HLRPPP supersedes the relevant portions of the Shire's LRS;
- (ii) Figure 6 being modified to:
 - (a) include recently zoned Hills Landscape Protection development in precinct 1A; and
 - (b) simplify the legend in respect of Fairbridge Special Use site.

The Shire of Murray supports the recommended modifications.

Conclusion

It is considered that the HLRPPP provides a sound basis to guide future rural land use and allow for some additional forms of rural settlement pending finalisation of the Shire's LPS. It is recommended that the HLRPPP be endorsed by the WAPC, subject to the modifications outlined at **Attachment 4**.



Hills Landscape Rural Planning Precinct



Government of Western Australia
Department of Planning

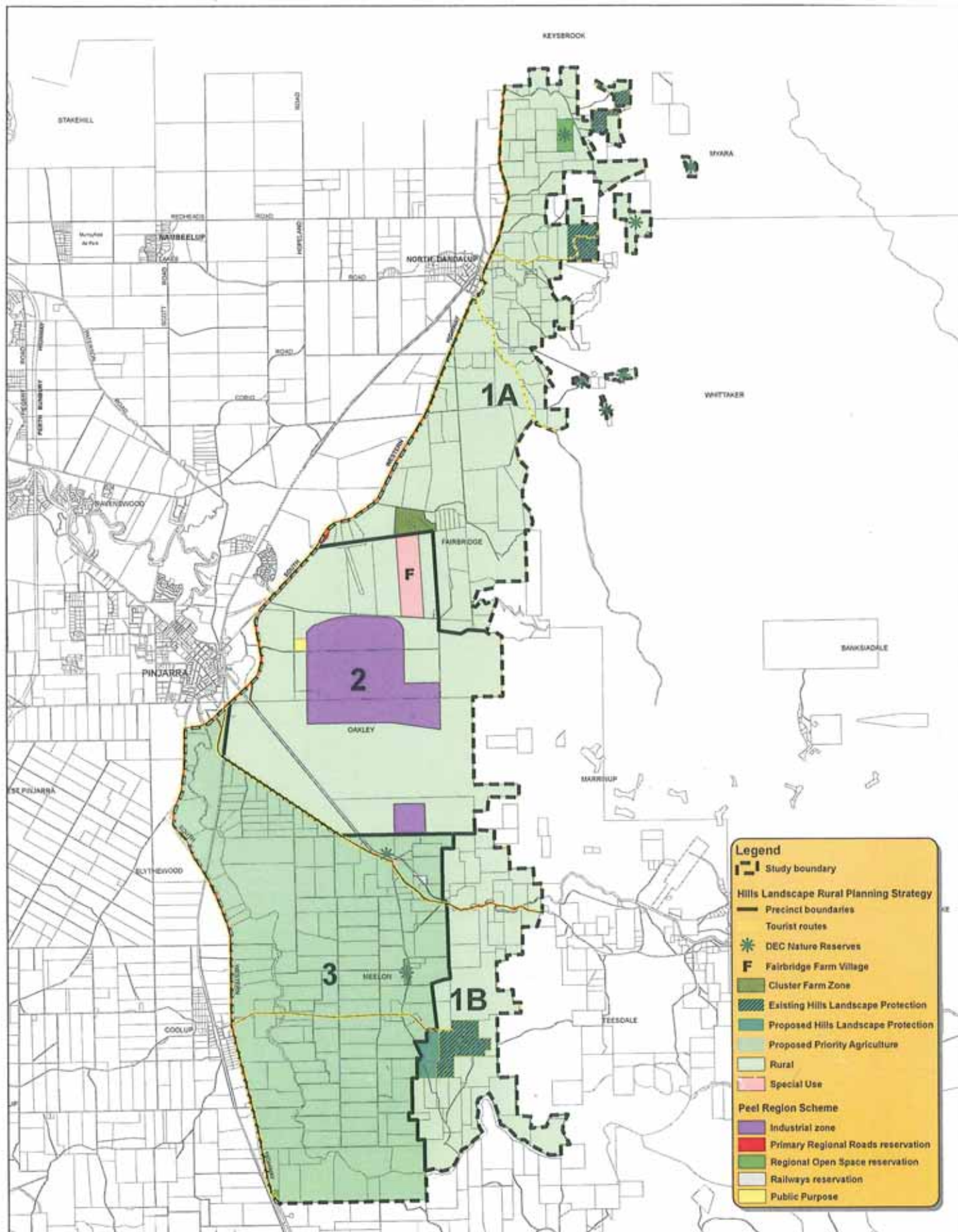


1:115,000
0 2,500 5,000 Metres

Map shown @ 1:115,000 for A3 Paper Size



Prepared by: Mapping/GIS Officer
Peel Region Planning Program, Mandurah
Department of Planning, Western Australia
source: base information supplied by the
Western Australian Land Information Authority, U430-2009-3
Date: 20/11/2009



Hills Landscape Rural Planning Strategy
DRAFT

Figure 6

SHIRE OF MURRAY

HILLS LANDSCAPE RURAL PLANNING PRECINCT

SCHEDULE OF SUBMISSIONS

No.	Summary of Submission	Council Comment and Recommendation <i>(Information in italics has been added by the Department of Planning)</i>	Department of Planning Comment and Recommendation
1	<p>The Department of Agriculture and Food WA (DAFWA) accepts that a minimum 40ha lot size applies to Rural zoning in Strategy area, however some potential Intensive Agricultural industries suitable for this area would require significantly larger areas to achieve economies of scale. DAFWA does not support further subdivision of Rural land for agricultural purposes.</p> <p>No mention of buffers or separation distances especially adjacent to proposed Priority Agriculture precinct eastern boundary and proposed Hills Landscape Protection zone.</p> <p>DAFWA recommends minimum set back/buffers be incorporated into rezoned areas in accordance with EPA guidelines.</p>	<p><i>(Noted)</i> Existing lot size configuration is historical land tenure arrangement. Larger Rural lots situated in northern sector of the Shire have greater capacity to accommodate Agri-business animal processing type uses. Precinct 3 can provide for diversified Agricultural pursuits due to better soils and possible access to alternate water supply.</p> <p><i>(Supported)</i> Reference to Buffer separation guidelines can be inserted into Strategy to minimize land use conflicts.</p> <p><i>(Supported)</i> Buffer and set back requirements can be inserted into Development Considerations and Guidelines section of Strategy report.</p>	<p>Noted. The strategy does not propose subdivision of land identified for rural or agricultural purposes beyond the 40-hectare minimum specified in the Shire's WAPC endorsed Local Rural Strategy (1994). Agri-business development proposals can be considered under Town Planning Scheme No.4 on a case-by-case basis.</p> <p>Upheld. It is recommended the strategy text be modified to include reference to appropriate land use buffer requirements as outlined in the Environmental Protection Authority guidelines 'Separation distances between Industrial and sensitive landuses'.</p>
2	<p>Full extent of Strategic Mineral Resource Area and buffer to be shown over landholdings in Fairbridge locality. Buffer zone to be shown over an Extraction Area in southern section of Precinct 3.</p> <p>Minor textual changes in section 4.2.</p>	<p><i>(Noted)</i> Mining Resource areas can be modified as recommended by the Department of Mines and Petroleum (DMP) but Council has previously sought these areas be subject of separate review under the PRS Strategic Minerals policy framework. WAPC has agreed this policy review will occur in due course.</p>	<p>Noted. The comments about resource and buffer areas relate to minor mapping anomalies on figure 2, which have since been rectified.</p> <p>Upheld. The minor textual changes are reflected in the schedule of modifications at Attachment 4.</p>

No.	Summary of Submission	Council Comment and Recommendation <i>(Information in italics has been added by the Department of Planning)</i>	Department of Planning Comment and Recommendation
			In response to Council's comment, it is intended that an update to the Peel Region Scheme Strategic Minerals and Basic Raw Materials Resource Policy will be progressed in due course. In the interim, the WAPC will have due regard to any updated mineral resource mapping provided by the DMP when making strategic and statutory planning decisions.
3	Seventy known sites identified within study area.	Sites noted.	Specific sites will need to be addressed as part of any development proposal in accordance with the Aboriginal Heritage Act 1972.
4	<p>Under section 4.4 Visual Landscape - East Coolup Road is shown on Figure 6 as a Tourist route leading up into Murray Hills estate. Concern raised over increased traffic and impact on wildlife and encourage more undesirable visitors into a quiet peaceful lifestyle environment.</p> <p>Applauds Council's recommendation in section 4.6 Biodiversity and Figure 4 to protect the significant habitat for the endangered Black Cockatoo.</p> <p>If vegetation is to be removed then land owners should be encouraged to replant with species that provide feed and habitat for birds. Existing trees should be protected from ring barking by horses.</p>	<p>Submission upheld in part. Tourist route can be removed east of Burnside Road junction and redirected to head north to connect with Pinjarra Williams Road as a circuit for the travelling public.</p> <p><i>(Noted)</i> EPA's Swan Bioplan project identifies significant natural vegetation complexes on public and private landholdings. Possible detailed flora, fauna and vegetation surveys are to be submitted with any development proposal that may affect native vegetation.</p>	<p>Upheld. Agree with Council's comments. Coolup Rd East was identified as a potential tourist route based on scenic amenity value. However, given the eastern extent is essentially a cul-de-sac serving private residences, identification of the tourist route linking Coolup Road East to Pinjarra-Williams Road via Burnside Road would be more logical and provide an alternative route to Pinjarra or Dwellingup.</p> <p>Noted. The strategy incorporates criteria requiring retention of vegetation where possible, and preparation of vegetation, flora and fauna surveys for development proposals on land identified as containing priority vegetation.</p> <p>It is expected that site-specific revegetation requirements will be addressed through the subsequent planning process.</p>

No.	Summary of Submission	Council Comment and Recommendation <i>(Information in italics has been added by the Department of Planning)</i>	Department of Planning Comment and Recommendation
5	<p>Objects to the draft plan as it appears to adversely impact the property with areas marked for conservation. Land owner has spent in excess of \$50,000 to maintain and rehabilitate these vegetation areas and feels he is being penalized with what amounts to a "restrictive covenant" without compensation. This could only be resolved through proper consultation and development of a system that rewards, not penalizes land owners.</p>	<p>Priority vegetation areas shown in Figure 4 that were mapped at a broad scale (1:250,000) are being superseded by EPA's Swan Bioplan Peel sector map showing regionally significant Natural Vegetation areas.</p> <p>Agree with submission that landowners should be properly consulted on release of the Swan Bioplan prepared by the EPA and to clarify what these regionally significant vegetation complexes mean. A Bulletin has been released by the EPA to explain these proposals.</p>	<p>The property is located in precinct 3, directly east of the Murray River and west of Tuckey Road, and contains vegetation identified as having less than 10% pre-European extent remaining in the IBRA region.</p> <p>Dismiss. Although the Environmental Protection Authority's 'Swan Bioplan' (2009) identifies regionally significant natural areas that should be considered during strategic planning, the Peel sector of the mapping correlates with the Swan Coastal Plain, whereas the HLRPPP study area extends into the Darling Scarp. Therefore the vegetation mapping in Figure 4 is more detailed in respect of the study area than the Swan Bioplan mapping, and should be retained for this reason.</p> <p>The precinct plan does not propose to change the existing rural zoning or permitted landuses. Identification of priority vegetation highlights environmental considerations and a corresponding requirement for preparation of flora and fauna surveys for development proposals on land identified as containing priority vegetation.</p>
6	<p>Landowner would like to subdivide property into smaller lots to cater for overwhelming interest in small blocks in the immediate vicinity.</p>	<p><i>(No comment provided).</i></p>	<p>The property is located in precinct 3, directly east of the Murray River on the southern side of Coolup East Road.</p> <p>Dismiss. The purpose of Precinct 3 is to protect priority agricultural land from incompatible uses and development. Subdivision of rural land in the precinct beyond the 40 hectare minimum specified in the Shire's Local Rural Strategy</p>

No.	Summary of Submission	Council Comment and Recommendation <i>(Information in italics has been added by the Department of Planning)</i>	Department of Planning Comment and Recommendation
	<p>Owner would like visually sensitive areas shown on Figure 3 to exclude this property.</p> <p>Murray River section not under owner's control is not managed with declared weed growth and extreme fire risk.</p> <p>Retaining sub precinct 3 for proposed Priority Agriculture as a future food bowl is flawed based on the possible availability of water. This is based on a concept of finding an area to take treated water from the Mandurah and Pinjarra area to projected 2050 timeframe.</p> <p>Owner suggests allowing subdivision into smaller holdings could enable alternate solar power generation and diversification with hydroponic ventures.</p>	<p><i>(Dismiss)</i> Subject land is affected by Swan Bioplan along the Murray River frontage and balance of lot only shows a small north-south corridor of remnant vegetation.</p> <p><i>(Noted)</i> Murray River and vegetation corridor is mapped as Extreme Bushfire hazard in Figure 5.</p> <p><i>(Dismiss)</i> A feasibility study has commenced into the viability of extending a waste water reuse pipeline to connect into the Harvey water irrigation scheme. It is considered preferable to retain Rural landholdings in current lot size arrangement in precinct 3 until the Water reuse pipeline feasibility study is finalized so as not to prejudice future land use options.</p> <p><i>(Dismiss)</i> Increasing small lot intensity usually results in tighter land use and management controls with EPA concerned with increased nutrient export issues.</p>	<p>(1994), including subdivision for rural settlement purposes, is not supported.</p> <p>The subject site is less than 40 hectares, and is therefore not considered capable of further subdivision in accordance with the above.</p> <p>Dismiss. A portion of the site is identified as visually sensitive based on the scenic amenity value attributed to the Murray River crossing and associated vegetation. It is recommended that the visually sensitive area identified on figure 3 be retained for these reasons.</p> <p>Agree with Council's comments. In respect of this specific site, the precinct plan does not propose any further intensification of use that would warrant preparation of a fire management plan.</p> <p>Dismiss. Investigations into potential wastewater re-use for horticultural purposes within the Peel Region are still ongoing. The strategy therefore seeks to protect the viability of precinct 3 for ongoing agricultural uses, with the possibility of extending the Harvey and Waroona irrigation district northwards into precinct 3 in the future.</p> <p>Refer comment above.</p>

No.	Summary of Submission	Council Comment and Recommendation <i>(Information in italics has been added by the Department of Planning)</i>	Department of Planning Comment and Recommendation
7	<p>Submission seeks Council support for inclusion of approximately 130ha of land to north of Murray Hills estate within a proposed Hills Landscape Protection precinct area.</p> <p>Applicant contends this represents logical expansion of an existing hills rural retreat lifestyle area by consolidating the development area, improving connectivity of existing precinct with surrounding road network and reducing isolation.</p> <p>The intent and performance criteria under SPP 3.4 Natural Hazards and Disasters could be met if alternative constructed public road access/egress to the north were provided. Land capability assessment indicates water erosion and slope instability are factors, but can be managed through sensitive siting of development, drainage design, revegetation and slope stabilization.</p> <p>Level 1 Vegetation and fauna surveys undertaken by Environmental consultants identified the presence of Priority 4 Flora on elevated or rock outcrops. P4 Flora are not currently threatened by any identifiable factors.</p> <p>Northern portion of lot 200 is included within "Visually Sensitive Area" mapping in the HLRPS but balance of land is not visible from South West Highway or east west road</p>	<p><i>(Upheld)</i> Council previously resolved not to support rezoning of this northern property due to concerns over bush fire hazard, land capability and impact on priority flora.</p> <p>Shire's Emergency Services Coordinator recommends a more detailed Bush Fire hazard assessment is required to address Bush Fire Hazard planning guidelines Edition 2. Proponent commissioned FirePlan WA consultant to undertake a Fire Management strategy over these properties.</p> <p>The Shire's Manager Governance has recommended modifications to the Fire Management strategy as a condition of any support for the inclusion of the land within the Hills Landscape Protection expanded area. These detailed site assessment matters can be addressed at the rezoning stage.</p> <p>Priority Flora species can be protected through zoning and subdivision controls.</p> <p>Northern access link road would improve connectivity and provide alternative emergency access route for existing Murray Hills residents in accordance with SPP 3.4 performance criteria.</p>	<p>Upheld in part. The property is located north of an existing Hills Landscape Protection subdivision, east of Coolup Townsite, within sub-precinct 1B, and it has been demonstrated that the western portion of this site has potential suitability for Hills Landscape Protection purposes.</p> <p>Council's previous decision not to support the subject site being rezoned for Hills Landscape Protection purposes was based partly on the land not being identified as a potential settlement area in the Shire's LRS (1994).</p> <p>Noted. The HLRPPP reviews potential settlement opportunities within the study area. Although this site was not initially identified based on amenity and topographical considerations, there is some merit in identifying part of the site for settlement purposes, to 'round off' the existing precinct, and improve connectivity and emergency access.</p> <p>Noted. Agree with Council's comments, the priority flora identified on site can be protected through scheme provisions and subdivision design.</p> <p>Noted. It is anticipated that regional and local visual amenity impacts can be addressed through appropriate design and siting of development. Preparation of a visual impact</p>

No.	Summary of Submission	Council Comment and Recommendation <i>(Information in italics has been added by the Department of Planning)</i>	Department of Planning Comment and Recommendation
	<p>connectors.</p> <p>Similar to submission on North Dandalup Rural Strategy, consultant contends that actual market demand for Rural Residential development in the Peel region is beyond the level estimated by WAPC.</p>	<p>Council have previously not supported a request to initiate an Amendment to TPS 4 over this property due to concerns over fire control, road construction and flora protection. These are matters that can be further assessed at the rezoning stage. Subject to adherence of Bush Fire Hazard assessment recommendations and landscape protection measures, review of inclusion of this land for proposed Hills Landscape Protection can be considered in the Rural precinct plan.</p> <p>Agree that demand for hills and retreat lifestyle type blocks is likely to grow with improved access to Murray hinterland via the Forrest Highway and other tourist routes including South West Highway, Scarp Road and Pinjarra Williams Road.</p>	<p>assessment will be required at subsequent stages in the planning process as detailed in the strategy text.</p> <p>Dismiss. Other land use strategies being progressed by the Council provide for sufficient rural lifestyle lots in the Shire over the next 15 years. The HLRPPP identifies limited rural settlement opportunities, given the increased fire risk and amenity impact of development along the scarp.</p>
8	<p>Restrictive nature of Precinct plan is not justified and consultant believes the broad zoning and land use restrictions proposed by the plan should be subject to case by case land capability studies.</p> <p>Land owner has a vision to utilize historic features on the property including heritage listed Pinjarrah Park homestead and old Flour Mill, supplemented by additional proposed uses such as Restaurant and Conference centre in association with the existing caravan park. Owner also envisages an Equine Training centre on a</p>	<p>Submission supported in part in that greater emphasis should be placed in the Strategy report on diversity of Rural uses and maximizing potential social and economic return on investment. TPS 4 zoning and development control provisions allow a variety of land uses to be considered under discretionary control within sub precinct 3.</p> <p><i>(Noted)</i> Proponent's vision to expand tourist and commercial related uses over the subject land has merit that can be considered through separate planning applications. Equine activities recognized in previous planning reports as being an important economic activity for the Shire.</p>	<p>The property is located approximately 2kms south of Pinjarra and east of the Murray River, within precinct 3.</p> <p>Dismiss. The strategy provides guidance in terms of land use and zoning opportunities, and does not remove discretion already provided by TPS No.4.</p> <p>Noted. The HLRPPP does not prevent consideration of proposals for tourism development in accordance with the rural zoning of the property and the provisions of Council's Local Planning Scheme. However, in response to the landowners intentions, and the shortage of 'low key' tourist accommodation options in the Peel Region, it is recommended</p>

No.	Summary of Submission	Council Comment and Recommendation <i>(Information in italics has been added by the Department of Planning)</i>	Department of Planning Comment and Recommendation
	<p>portion of the property.</p> <p>Precinct plan lacks vision for future development other than protecting the escarpment. Restrictive nature of the plan fails to acknowledge importance of tourism and heritage as outlined in the Shire's Plan For the Future document. Existing Shire vision for the District should be reflected in the strategy that allows diversity within the Rural and proposed "Priority Agricultural" areas.</p> <p>Council's draft Local Planning Strategy contains different development guidelines not reflected in the Precinct plan, including variation to 40ha minimum lot size and potential for smaller lot sizes (10ha) to encourage Horticultural use and agricultural diversification.</p> <p>Draft LPS also envisaged significant and increasing demand for tourism facilities and accommodation in close proximity to waterways.</p>	<p><i>(Supported)</i> Tourism and heritage aspects can be highlighted in the Strategy as warranting consideration as viable ventures that should be encouraged and assessed in accordance with Shire Planning Policy guidelines.</p> <p><i>(Dismiss)</i> Shire's draft LPS has not yet been endorsed by WAPC and will warrant updating to reflect changes with preparation of revised Rural precinct plans.</p> <p>Agricultural lot diversification and Rural subdivision intensification would need to be subject of further consult with DoP and DAFWA to ensure consistency with State, regional and local policy provision and proposals meeting land capability analysis. Due to limited demand for Rural subdivision intensification in sub precinct 3, 40ha minimum lot size should still apply to protect the priority agricultural focus and enable review of land use opportunities associated with alternate water supply.</p> <p><i>(Noted)</i> Shire's Tourism Strategy acknowledges that the Murray River is the common thread that connects Shire major tourism assets with nature based attractions, adventure activities and heritage as key target markets.</p>	<p>that the strategy identify portion of the property as a possible future Special Use site for tourist accommodation, capitalizing on the sites heritage assets, existing tourist facilities and proximity to the Murray River.</p> <p>Dismiss. The vision of the strategy is to protect the scenic qualities of the Darling Scarp, protect viable agricultural land and identify limited areas that are suitable for rural settlement. The comment above addresses tourism and heritage considerations in respect of the subject site.</p> <p>Noted. Agree with Council's comments. The HLRPPP does not propose subdivision of rural land beyond the 40 hectare minimum specified in the Shire's Local Rural Strategy (1994), for reasons including the increased potential for land use conflict, and variety of existing rural lot sizes within the study area. This position is supported by DAFWA.</p> <p>Noted. It is expected that the relevant recommendations of the Shire's Tourism Strategy, which has not been endorsed by the WAPC, will be incorporated into a revised Local Planning Strategy in due course.</p>

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	<p>Restrictive zoning and minimum lot sizes prescribed in the Precinct Plan hinder development opportunities as identified in the Shire's Tourism Strategy to provide more short stay accommodation, create better tourist connections with the Murray River and promote heritage, nature based attractions and equestrian facilities.</p> <p>Precinct Plan should reflect TPS 4 zoning table and general development requirements.</p> <p>Boundaries of the sub precincts to be justified within a local and regional context.</p> <p>Visually Sensitive Areas should be justified relative to the Visual Landscape Planning Manual and a more precise plan prepared that distinguishes between the Pinjarra Plain, Foothills and Darling Scarp.</p>	<p><i>(Dismiss)</i> Individual development proposals can still be assessed on a case by case basis under TPS 4 zoning controls, with tourist related uses discretionary under the Rural zone. Local Tourism Planning Strategy recommended to be prepared to provide guidance on new tourist sites and precincts.</p> <p><i>(Upheld)</i> TPS 4 zoning and development controls can be referred to in Development Considerations and Guidelines section of the Strategy.</p> <p><i>(Upheld)</i> The boundaries between landscape character units were based on contour lines and landform, being the primary distinguishing feature between these particular units. This rationale can be elaborated upon as a supplementary appendix to the precinct plan.</p> <p><i>(Upheld)</i> DoP has supplied more detailed explanation of the visually sensitive areas and landscape assessment that can be incorporated into an appendix comprising a background report.</p>	<p>Dismiss. Council's comments are supported. The HLRPPP does not propose to change the rural zoning of the property or the wider precinct, which allows for consideration of tourism related development proposals in accordance with the provisions of Council's Local Planning Scheme.</p> <p>Upheld. A minor modification to part 6 of the strategy text is recommended to clarify that the strategy does not remove the requirement for land use and development to comply with the existing statutory planning framework.</p> <p>Dismiss. The boundaries of the three sub-precincts were determined with regard to factors including land form, soil types, land capability, and major land uses. This is clearly detailed in the precinct descriptions in section 6 of the strategy text.</p> <p>Upheld. Council's comments are supported in part. The visually sensitive areas mapped in Figure 3 were determined at a broad scale, with reference to the 'Visual Landscape Planning' manual (WAPC, 2007). The strategy specifies that further detailed investigations will be required to support individual development proposals on sites identified as visually sensitive. It is recommended that the landscape character units be identified on Figure 3, and the legend be updated accordingly.</p>

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9	<p>Same comments apply as in submissions 7 and 8 above in terms of restrictive nature of plan.</p> <p>Application soon to be lodged for Industrial rezoning of majority of Napier Road site. A submission was lodged for inclusion of Site 1 within an extended Industrial zone under the draft Industrial Land Strategy.</p> <p>A planning application has been prepared for a rural holiday village and resort over South West Highway properties.</p> <p>Precinct Plan fails to reflect "Agricultural Priority Management Areas as highlighted in Statement of Planning Policy 2.5.</p> <p>Boundary of precinct 3 not consistent with Existing Agricultural Priority Management Areas of SPP 2.5 and does not appear rational nor justified. The Precinct plan should be revised once detailed investigation of Priority Agricultural land is</p>	<p>Submission upheld in part by requiring broadening of objectives for sub precincts to incorporate Tourism, heritage and nature based attractions consistent with the Murray Shire Tourism Strategy</p> <p>Council acknowledged the possible inclusion of Napier Road industrial precinct within the draft ILS. Outcome of submissions lodged on draft ILS not yet determined by WAPC.</p> <p><i>(Noted)</i> Site 2 is affected by DMP strategic Mineral Resource mapping. Formal planning application for Holiday Village/Resort not yet lodged with the Shire for assessment but can be considered on its merits.</p> <p><i>(Dismiss)</i> The Precinct plan reflects the principles of SPP 2.5 and seeks to prevent further fragmentation of Priority Agricultural areas.</p> <p><i>(Noted)</i> The Rural Planning Strategy can be updated to reflect findings of any more detailed investigations of Priority Agricultural land by DAFWA.</p>	<p>Site 1 is located approximately 7kms south east of Pinjarra, within precinct 2. Site 2 is located north of Fairbridge, within precinct 1A.</p> <p>Dismiss. A portion of Site 1 is zoned 'Industrial' in both the Region and Local Planning Schemes, reflecting existing industrial infrastructure. The balance of the site is zoned rural. The site is not identified as suitable for future industrial development in the draft Industrial Land Strategy (WAPC, 2009) for reasons including servicing and access constraints, and inadequate buffers to surrounding land uses. In addition, the site is subject to a restrictive covenant in favour of Alcoa, which limits use of the site to agriculture or mineral processing and refining. For these reasons, Site 1 is identified for rural purposes in the HLRPPP.</p> <p>Noted. The HLRPPP specifies any development proposals that may affect a mineral resource area will require referral to the DMP. Development proposals should be considered within this context.</p> <p>Dismiss. Agree with Council's comment.</p> <p>Dismiss. The boundary of precinct 3 was determined with regard to factors including land capability, land form and existing land uses, and generally reflects the management areas identified in SPP2.5. DAFWA were consulted</p>

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	<p>carried out to justify inclusion of SPP 2.5 land within precincts 1A and 3.</p> <p>Restrictions imposed on lot sizes and uses within Precincts 1A and 2 would prevent more intensive forms of farming that are adaptable to changing trends within Australian farming practices and climate change implications. Development proposals should be assessed on a case by case basis with land capability studies that consider agricultural value of the land and social/economic values.</p> <p>Precinct plan is inconsistent with the Shire's draft Local Planning Strategy by not supporting subdivision less than 40 hectares nor allowing "Rural Residential" or 'Rural Smallholdings"</p>	<p><i>(Noted)</i> Individual land uses and development proposals for more intensive agricultural activity can still be assessed under TPS 4 zoning and land use control provisions.</p> <p>Retention of most of the land under a Rural classification would enable individual development proposals to be assessed under TPS 4 on their merits under existing zoning controls. Shire planning assessment processes takes into account sustainability principles using triple bottom line reporting.</p> <p><i>(Dismiss)</i> Council's draft LPS will require reworking and updating to reflect outcomes of the Hills Landscape Rural Strategy precinct plan and other separate Rural Strategy Plans currently being finalised. Other Shire Rural Strategy precincts (eg Nambeelup North Dandalup; Dwellingup and Coolup) will provide suitable landholdings for Rural Residential and Rural Small Holdings type of development opportunities.</p>	<p>extensively during preparation of the HLRPPP, and support the objectives of the strategy, including protection of productive agricultural land, and identification of precincts for this purpose.</p> <p>Dismiss. The HLRPPP does not propose subdivision of rural land beyond the 40 hectare minimum specified in the Shire's Local Rural Strategy (1994), for reasons including the increased potential for land use conflict, and variety of existing rural lot sizes within the study area. This position is supported by the DAFWA.</p> <p>Dismiss. The Council's draft Local Planning Strategy has not been endorsed for advertising by the WAPC. The HLRPPP identifies limited rural settlement opportunities given the increased fire risk and amenity impact of development along the scarp, and provision for such opportunities elsewhere in the Shire.</p>
10	<p>Submission seeks inclusion of 48ha site known as "Tanglewood" for proposed Hills Landscape Protection located 6km east of the South West Highway and abutting East Coolup Road. Land to the south east is already zoned Hills Landscape Protection (Murray Hills estate)</p> <p>Indicative subdivision design prepared</p>	<p><i>(Upheld)</i> There is planning merit in grouping these type of Hills Landscape Protection sites together for efficiency in servicing and access provision without impacting upon other settlement patterns.</p> <p><i>(Noted)</i> Proponent requested to liaise with adjoining</p>	<p>Upheld. The property is located north of an existing Hills Landscape Protection subdivision, east of Coolup Townsite, within precinct 1B, and has been demonstrated as potentially suitable for Hills Landscape Protection purposes. .</p> <p>Noted. The HLRPPP reviews potential</p>

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	<p>showing five lots ranging from 4 - 8ha in size with access gained off Coolup Road East via an existing tree lined road that services an existing homestead.</p> <p>Vast majority of Lot 12 is located outside of mapped 'Visually Sensitive Areas' except for a small portion in the south west corner.</p> <p>Majority of Lot 12 is mapped as 'Medium to low Bushfire Hazard' except for a small portion in south west corner that is mapped as 'High Bushfire Hazard'.</p> <p>Land is not identified as Priority Agricultural land and identifying the land for Hills Landscape Protection will not alienate priority agricultural land from production.</p> <p>Seasonal creeks run through the property and these will be streamlined with any development proposal and should not compromise water resources but actively improve water quality.</p>	<p>landowner for possible integration of road access network. DPS and GRA Consultants agree to consider integrating both sites with an amended concept plan prepared.</p> <p>Comment Noted</p> <p><i>(Noted)</i> Further detailed assessment of bushfire hazard as per revised Edition 2 Planning for Bush Fire Protection Guidelines is recommended by Shire's Acting Emergency Services Coordinator. FirePlan WA consultant engaged by proponent to undertake a more detailed fire hazard assessment. Manager Governance recommends fire control measures be supported.</p> <p>Comment noted.</p> <p><i>(Noted)</i> Creek enhancement is a detailed management consideration at subdivision stage.</p>	<p>settlement opportunities within the study area. Although this site was not initially identified based on amenity and topographical considerations, there is some merit in identifying the site for potential settlement purposes, in conjunction with the land immediately east, to 'round off' the existing precinct, and improve connectivity and emergency access.</p> <p>Noted. Development of the site will not compromise regionally significant views, with the visually sensitive area able to be addressed through sensitive placement of building envelopes.</p> <p>Noted. A small area mapped as extreme bushfire risk corresponds with existing vegetation. A bush fire risk assessment was undertaken by a consultant, which indicates that the site can be developed to meet the requirements of 'Planning for Bushfire Protection Guidelines' (WAPC, 2010), subject to certain access and design considerations being implemented. The Fire and Emergency Services Authority have not objected to the site being identified for settlement.</p> <p>Noted.</p> <p>Noted. Agree with Council's comment.</p>

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11	<p>Plan lacks a concise statement outlining where it fits in the context of the Shire's existing policy hierarchy. DEC recommends the document clearly states its intended period of use and purpose.</p> <p>DEC supports the need for developers to meet comprehensive planning, environmental, bushfire management and infrastructure servicing criteria.</p> <p>The HLRPS report refers to environmental attributes in a negative way as constraints to development and does not align to terminology used in Directions 2031 or SPP 2 Environment and Natural Resources Policy. DEC recommends wording used in text presents a view on environmental factors consistent with planning policy and Direction 2031 strategies.</p> <p>DEC recommends that the strategy demonstrates how the relevant State and regional planning policy principles were applied to the study area.</p> <p>DEC recommends the strategy demonstrates the analysis and assessment criteria used to determine the reassessed development areas.</p> <p>There is no mention of the policy context</p>	<p><i>(Upheld)</i> Strategy text can be modified to clarify that the Hills Landscape Rural Strategy supersedes the Local Rural Strategy for the precinct study area and is intended to operate as a policy until such time as an updated Local Planning Strategy comes into effect.</p> <p>Comments noted.</p> <p><i>(Upheld)</i> Term "environmental considerations" can be used in place of the word "constraints".</p> <p><i>(Dismiss)</i> It is considered that the current Strategy text adequately describes how the State and regional policies have been applied.</p> <p><i>(Dismiss)</i> Table in section 3.1 explains why certain areas were recommended to remain Rural and why one site was considered suitable for closer settlement. Figure 6 depicts the areas suitable or unsuitable for development and there seems little benefit in producing a separate plan.</p> <p><i>(Upheld)</i> Strategy can include reference to this</p>	<p>Upheld. Agree with Council's comments. A minor modification to the strategy text is recommended in this respect.</p> <p>Noted.</p> <p>Agree with Council's comments. A minor modification to the strategy text is recommended in this respect.</p> <p>Dismiss. Agree with Council's comment.</p> <p>Dismiss. Agree with Council's comment. The land identified as potentially suitable for settlement in precinct 1B in the advertised plan reflects Council's WAPC endorsed Local Rural Strategy (1994). Two additional sites have been identified for settlement by the Council, on the basis of rounding off the existing precinct and improving emergency access into the area.</p> <p>Upheld. Agree with Council's comments. A</p>

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	<p>which forms the basis for visual landscape protection. The document Visual Landscape Planning in Western Australia should be referenced in the plan.</p> <p>DEC recommends that analyses which formed the basis for the Bushfire Hazard mapping be presented in the Strategy to enable scrutiny of the assessment criteria.</p> <p>DEC supports requirement for any rezoning proposals in the study area to address a range of considerations prior to planning approval.</p> <p>DEC notes no change in zoning is proposed in precinct 2 and that the current buffer zone between Industrial areas will be maintained.</p> <p>DEC recommends a glossary section be included in the document.</p>	<p>document but it is an advisory guide not a statutory document.</p> <p><i>(Noted)</i> The methodology information for Bushfire Hazard mapping can be supplied separately if requested.</p> <p>Comment noted.</p> <p>Comment Noted</p> <p>This request can be accommodated at the end of the Strategy report.</p>	<p>modification to the strategy text is recommended in this regard.</p> <p>Dismiss. Section 4.7 of the strategy text notes that the bushfire hazard mapping has been undertaken in accordance with the methodology contained in the WAPC's 'Planning for Bushfire Protection Guidelines'.</p> <p>Noted.</p> <p>Noted.</p> <p>Dismiss. This is not considered necessary as the strategy does not contain an excessive amount of technical terminology.</p>
12	<p>Alcoa acknowledges that the Strategy is a high level document and for sub precinct 2 there is unlikely to be development proposals unrelated to Refinery operations.</p> <p>Although the southern industrial lot is privately owned, Alcoa retains rights and interests in this land.</p> <p>The draft plan refers to protection of infrastructure and raw material zones from</p>	<p>Comment Noted</p> <p>Alcoa has previously notified the Shire that there are encumbrances over Lot 1 Napier Road. Council is however still legally bound to deal with development proposals consistent with TPS 4 provisions.</p> <p>These matters are covered under separate Government policy and statutory provisions that</p>	<p>Noted.</p> <p>Noted.</p> <p>Dismiss. The strategy highlights that resource areas and mineral deposits will be protected</p>

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	incompatible development, yet does not identify what processes will be adopted to achieve this or elaborate on relevant State or Federal agencies for compliance and assessment.	probably don't warrant inclusion in the Strategy document	from incompatible use and development in accordance with WAPC policy. The strategy also specifies any development proposals affecting a mineral resource area will require referral to the DMP. Accordingly, proposals need to be considered within this context.
13	<p>Objectives of protecting and conserving sustainability of food production, high value landscape visual quality and natural environmental values are in accordance with National Trust objectives.</p> <p>NTWA supports the Precinct plan as also being beneficial in conserving the rural landscape setting and backdrop of its heritage listed "Old Blythewood" property.</p>	Compatibility of objectives noted.	Noted.
14	<p>FESA has advised that it supports content of the Hills Landscape Precinct Report in reference to bushfire and recommends against building in extreme bushfire areas.</p> <p>All subdivisions in the precinct should have a comprehensive Bushfire Management Plan prepared in accordance with the</p>	<p>Advice noted.</p> <p>Submission supported and this will be included as a Special Provision for rezoning of land under TPS No 4 and imposed as a condition of subdivision approval.</p>	<p>Noted. Council endorsed inclusion of two additional sites for rural settlement, portions of which are mapped as having extreme bushfire risk associated with pockets of remnant vegetation.</p> <p>A bush fire risk assessment was undertaken by a consultant for both sites, which indicates the sites can be developed to meet the requirements of 'Planning for Bushfire Protection Guidelines' (WAPC, 2010), subject to certain access and design considerations being implemented at subsequent stages in the planning process.</p> <p>Agree with Council's comments. The Strategy includes a requirement for preparation of a Fire Management Plan for proposals in areas</p>

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	<p>Planning for Bushfire Protection Guidelines Edition 2 – May 2010.</p> <p>Serious consideration should be given to declaring the Precinct a Bushfire Prone area. Such a declaration would strengthen Shire's ability to enforce requirements under State Government guidelines and via building construction standard AS 3959 - 2009 - 'Construction of Buildings in Bushfire Prone Areas'.</p> <p>In regard to Fireplan WA supplementary reports for Lot 200 Valley View Road and Lot 12 East Coolup Road, FESA advise that access through Valley View Road, Ridgeview Road and East Coolup Road to connect both landholdings would be a minimum requirement.</p>	<p>Shire to address in scheme amendment provisions and via declaration of fire prone status in new TPS No 5.</p> <p>Shire is awaiting State Government advice arising from the Keelty Report as to the best mechanism for declaration of fire prone areas.</p> <p>Improved emergency fire access integration between these proposed Hills Landscape properties and the existing Murray Hills Estate is considered an important reason to support expansion of the development area, along with upgrading of water supply provision to service fire fighting capabilities.</p>	<p>mapped as having medium to high bushfire risk. This requirement will be implemented through the subsequent planning process (ie. rezoning).</p> <p>Noted. This is a matter Council may wish to pursue separately to finalization of the HLRPPP.</p> <p>Agree with Council's comments.</p>

Hills Landscape Rural Planning Precinct Plan

Schedule of Modifications

Mapping changes to the plans advertised for public comment

1. Figure 1 being updated to reflect the floodway information in the Murray Drainage and Water Management Plan (Department of Water, 2010).
2. Figure 3 being modified to include the boundaries of the landscape character units, and the legend updated accordingly.
3. Figure 6 being modified as follows:
 - (i) Lot 103 Del Park Road, North Dandalup, being identified as 'Existing Hills Landscape Protection';
 - (ii) Yamba subdivision being identified as 'Existing Rural Residential', and the legend being updated accordingly;
 - (iii) Lot 12 East Coolup Road, and the western portion Lot 200 Valley View Road, Meelon being identified as 'Potential Hills Landscape Protection';
 - (iv) include the land use category 'Special Use - Caravan Park/Tourism Development' and identify portion of Lot 110 Pinjarra-Williams Road for this purpose;
 - (v) in the legend, change 'Proposed Hills Landscape Protection' to 'Potential Hills Landscape Protection' and change 'Proposed Priority Agriculture' to 'Priority Agriculture'; and
 - (vi) identify the tourist route linking East Coolup Road to Pinjarra-Williams Road via Burnside Road.

Text changes

4. Section 1 being modified to clarify that the HLRPPP supersedes Council's Local Rural Strategy (1994), in respect of the study area.
5. Section 3.2 'North Dandalup Structure Plan' being modified to reflect the approved status of this document.
6. Section 4.2 being modified to delete the word 'potential' in paragraph 1 line 2 and insert the word 'strategic' before mineral deposits in the last sentence of paragraph 1.
7. Section 4.4 paragraph 3 being modified to insert the words 'consistent with the principles outlined in 'Visual Landscape

Planning in Western Australia' (WAPC, 2007)' after the words 'Figure 3', and the Bibliography being updated accordingly.

8. Section 4.5 'Groundwater' being updated to reflect the approved status of the groundwater allocation plan prepared by the Department of Water, and delete reference to 'preliminary comments'.
9. Section 4.6 being modified to reflect the current status of Swan Bioplan and Carnaby's Cockatoo mapping.
10. Section 6 paragraph 1 being modified to replace the words 'opportunities and constraints' with 'considerations', and clarify that land use and development within the study area is subject to the requirements of Town Planning Scheme No.4.
11. The following being added to the Development Considerations and Guidelines for Precinct 1 "TPS No.4 provides for a range of land uses to occur in the rural zone, including tourist accommodation, restaurant, winery, rural industry etc. Such activities may be supported within the rural precinct, subject to site specific assessment".
12. Section 6.1 paragraph 4 being modified to delete the words 'which is consistent with the area identified within the 1994 Local Rural Strategy', and the Development Considerations and Guidelines (dot point 6) being modified to include reference to Environmental Protection Authority guidelines 'Separation distances between Industrial and sensitive landuses'.
13. Section 6.2 'Development Considerations and Guidelines' being modified to indicate a future increase to the existing Industrial zoning may be required to accommodate expansion of Alcoa's residue storage area, pursuant to an amendment to the Peel Region Scheme. In addition, Section 6.2 being modified to specify the potential need for a landscape buffer adjacent to the proposed Pinjarra Eastern Bypass, to screen the visual impact of Alcoa's Pinjarra Refinery and associated infrastructure in consultation with the Shire of Murray, Main Roads WA and Alcoa.
14. Section 6.3 being modified to reflect identification of a portion of Lot 110 Pinjarra Williams Road as a potential special use site for caravan park/tourist accommodation, and the Development Considerations and Guidelines being modified to acknowledge future development of the site for this purpose will be subject to application and need to address floodway, visual amenity, priority vegetation and bushfire considerations.