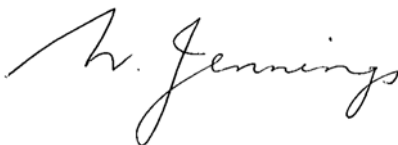


## Statutory Planning Committee

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

**Tuesday 24 July 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 in accordance with <i>Planning and Development Act 2005</i>	Term of office ends
Mr Gary <b>PRATTLEY</b>	Chairperson, WAPC Schedule 2 clause 4(2)(a)	20/4/2013
Ms Sue <b>BURROWS</b>	Nominee of the Director General, Department of Planning Schedule 2 clause 4(2)(b)	16/4/2013
Mr Henty <b>FARRAR</b>	Regional Minister nominee Schedule 2 clause 4(2)(c)	26/9/2013
Ms Elizabeth <b>TAYLOR</b>	Community representative Schedule 2 clause 4(2)(d)	1/2/2012
Mr Ian <b>HOLLOWAY</b>	Professions representative Schedule 2 clause 4(2)(e)	1/2/2012
Mayor Carol <b>ADAMS</b>	Local Government representative Schedule 2 clause 4(2)(f)	1/2/2012
Vacant	WAPC Nominee Schedule 2 clause 4(2)(g)	N/A

## 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**
- 7. Announcements by the Chairperson of the board and communication from the WAPC**
- 8. Confirmation of minutes of the meeting of 10 July 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**
- 13. Closure - next meeting to be held on 14 August 2012**

## Statutory Planning Committee

Minutes  
of ordinary meeting 7463  
held on Tuesday 10 July 2012

### Attendance

#### Members

Mr Gary Prattley  
Mayor Carol Adams  
Ms Sue Burrows

Mr Henty Farrar  
Mr Ian Holloway  
Ms Elizabeth Taylor

WAPC Chairman (Presiding Member)  
Local Government Representative  
Nominee of Director General, Department of Planning  
(arrived at 10.15 am)  
Regional Minister's nominee  
Professional representative  
Community representative

#### Officers

Ms Kylie Beach

Ms Catherine Beamish

Ms Natalie Cox

Ms Sally Grebe

Mr Mat Selby

Mr Andrew Trevor

Mrs Mara Vlaar

#### Department of Planning

Senior Planning Officer, Independent Planning Reviewer  
(item 6.3, 10.1)

Senior Planning Officer, Metropolitan Central  
(item 6.1, 9.2)

Senior Planning Officer, Independent Planning Reviewer  
(item 6.3, 10.1)

Senior Planning Officer, Independent Planning Reviewer  
(item 10.2)

Planning Director, Perth and Peel Planning  
(item 6.1, 6.2, 9.2, 9.4)

Planning Director, Independent Planning Reviewer  
(item 6.3, 10.1)

Manager Committee Support - Department of Planning

#### Presenters

Mr Peter Burns

Mr Paul Kotsoglo

Mr Paul McQueen

Mr William Naylor

Ms Jo Bennett

Mr Michael Patroni

Mr Matt Raison

Mr Robert Cruickshank

Ms Rochelle Lavery

Proponent (item 6.1)

Planning Solutions (item 6.1)

Lavan Legal (item 6.1)

Planning Solutions (item 6.1)

FJM (item 6.2)

Space Agency (item 6.2)

Generation Projects (item 6.2)

Town of Victoria Park (item 6.3)

Town of Victoria Park (item 6.3)

#### Committee Support

Mr Luke Downes

Committee Support Officer - Department of Planning



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### 7463.1 Declaration of Opening

The Presiding Member declared the meeting open at 10.04 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed members.

### 7463.2 Apologies

Nil.

### 7463.3 Members on Leave of Absence and Applications for Leave of Absence

Nil.

### 7463.4 Disclosure of Interests

Member/Officer	Minute No.	Page No.	Nature of Interest
Ms Elizabeth Taylor	9.3	8	Impartiality

**Resolved**

***Moved by Mr Holloway, seconded by Mr Farrar***

*In accordance with clause 6.10(7) of the Standing Orders 2009, members of the Statutory Planning Committee agreed to allow Ms Taylor, who has disclosed an impartiality interest being a voting member on the item as the nominee of the WAPC Chairman on the Swan Valley Planning Committee, to participate in discussion but not vote on item 9.3, Development: Farm Shed, Canopy, Hardstand and Retrospective Approval of Transportable Dwellings – Lot 99 Middle Swan Road, West Swan.*

***The motion was put and carried.***



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Member/Officer	Minute No.	Page No.	Nature of Interest
Ms Sue Burrows	10.1	28	Impartiality

Ms Burrows declared an impartiality interest as a property belonging to her is situated some distance from the area related to the amendment but the property would not be affected by the scheme.

In accordance with clause 6.10(7)(b)(ii) of the Standing Orders 2009, members of the Statutory Planning Committee agreed to allow Ms Burrows to participate in discussion and vote on item 10.1- Town of Victoria Park – Town Planning Scheme No. 1 Amendment No. 49, as the impartiality interest is insignificant and is unlikely to influence Ms Burrows' conduct in relation to the matter.

Member/Officer	Minute No.	Page No.	Nature of Interest
Ms Sue Burrows	10.2	30	Impartiality

### Resolved

#### ***Moved by Ms Taylor, seconded by Mr Holloway***

*Ms Burrows declared she would depart the meeting for item 10.2, Section 31 (SAT Act 2004) Reconsideration of Adoption of Drovers Place Precinct Local Structure Plan No. 80, and to take no part in discussion or voting on the item.*

***The motion was put and carried.***

### **7463.5 Declaration of Due Consideration**

No declarations were made.

### **Moved to item 7.**

### **7463.6 Deputations and Presentations**

#### **7463.6.1 Reconsideration of Condition 2 to Subdivision Approval Issued for Lot 26 Riverview Place, Lot 27 the Coombe, Mosman Park**

Presenters Mr Paul Kotsoglo, Planning Solutions;  
Mr Paul McQueen, Lavan Legal;  
Mr Peter Burns, Proponent;  
Mr William Naylor, Planning Solutions

## Statutory Planning Committee

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Messrs Kotsoglo and McQueen made a presentation to the Committee proposing an amendment of Condition 2.

An item was tabled titled 'Item No: 9.2 – Subdivision of Lot 26 Riverview place, Lot 27 the Coombe Mosman Park (WAPC Ref. 144722)'. A copy has been placed on file.

**Ms Burrows entered the meeting at 10.15am.**

**Moved to item 9.2.**

7463.6.2

**Proposed Subdivision to Create 28 Lots for Single Residential, Grouped Dwelling and Multiple Dwelling Purpose. Lot 1354 Knutsford Street, Fremantle**

Presenters Ms Jo Bennett, FJM; Mr Michael Patroni, Space Agency; Mr Matt Raison, Generation Projects

Messrs Patroni and Raison presented to the Committee their support for the item for the subdivision at lot 1354 Knutsford Street, Fremantle.

A PowerPoint was presented to the Committee. A copy has been placed on file.

**Moved to item 9.4.**

7463.6.3

**Town of Victoria Park - Town Planning Scheme No. 1 Amendment No. 49 - for Final Approval**

Presenters Ms Rochelle Lavery, Town of Victoria Park; Mr Robert Cruickshank, Town of Victoria Park

Ms Lavery made a presentation to the Committee regarding the impact on residential development and existing residences in the area.

**Moved to item 10.1.**

**7463.7 Announcements by the Chairperson of the Board and communication from the WAPC**

Nil.

## Statutory Planning Committee

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### 7463.8 Confirmation of Minutes

#### 7463.8.1 Minutes of the Statutory Planning Committee meeting held on Tuesday 26 June 2012

##### Resolved

***Moved by Mayor Adams, seconded by Mr Holloway***

*That the minutes of the Statutory Planning Committee meeting held on Tuesday 26 June 2012, be confirmed as a true and correct record of the proceedings.*

***The motion was put and carried.***

Moved to item 6.

### 7463.9 Reports

#### 7463.9.1 Local Planning Strategy for Final Endorsement - Jerramungup Local Planning Strategy (Limited Review)

File DP/11/00059  
Report Number SPC/214  
Agenda Part G  
Reporting Officer Planning Officer, Great Southern Region

The Committee agreed to defer the item to allow further discussion on the submissions with the Department of Agriculture and Food. Members also agreed to have an officer from the Department of Planning in attendance to provide comments at an upcoming Committee meeting where the item will be discussed.

##### Officer's Recommendation

That the Western Australian Planning Commission resolves to:

1. determine the submissions in accordance with the attached schedule of submissions;
2. endorse the 'December 2011' Shire of Jerramungup Local Planning Strategy Limited Review subject to the modifications contained in the attached schedule of modifications.

## Statutory Planning Committee

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### Resolved

#### *Motion to defer*

#### ***Moved by Mayor Adams, seconded by Ms Taylor***

*The Western Australian Planning Commission resolved to defer Local Planning Strategy for Final Endorsement - Jerramungup Local Planning Strategy (Limited Review), to allow further discussion on the submissions with the Department of Agriculture and Food. Members also agreed to have an officer from the Department of Planning in attendance to provide comments at an upcoming Committee meeting where the item will be discussed.*

***The motion to defer was put and carried.***

**Moved to item 9.3.**

#### **7463.9.2**

#### **Reconsideration of Condition 2 to Subdivision Approval Issued for Lot 26 Riverview Place, Lot 27 the Coombe, Mosman Park**

File 144722  
Report Number SPC/215  
Agenda Part G  
Reporting Officer Senior Planner, Metropolitan Central

Members discussed the item regarding the development approval being consistent with the aged or dependent persons' dwelling clause and the intended use of the lot.

The Committee put the recommendation to a vote and the motion was lost with two votes for and four votes against.

Committee members discussed Condition 2 and agreed to delete Condition 2 and to add two new Conditions as stated on page 90 of the agenda as they would provide adequate protection to Commission policy.

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The two new Conditions are as follows:

1. Development approval, consistent with the Aged or Dependent Persons' Dwellings clause 6.11.2 of the *Residential Design Codes 2010*, to be obtained prior to the approval of the Deposited Plan by the WAPC. (Local Government)
2. 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 lots advising of the existence of a Restriction on the development of the land. Notice of this Restriction to be included on the Deposited Plan. The Restrictive Covenant is to bind the owner, their heirs and successors in title to the requirement that the land be developed in accordance with a development approval which is consistent with the Aged or Dependent Persons' Dwellings clause 6.11.2 of the *Residential Design Codes 2010* and be occupied by aged or dependent persons. (Western Australian Planning Commission)

### Officer's Recommendation

That the Western Australian Planning Commission resolves to retain Condition 2 as written on the approval of a two-lot subdivision at Lot 26 Riverview Place and Lot 27 the Coombe Mosman Park (WAPC Reference 144722).

### Resolved

***Moved by Ms Taylor, seconded by Mr Farrar***

*That the Western Australian Planning Commission resolves to retain Condition 2 as written on the approval of a two-lot subdivision at Lot 26 Riverview Place and Lot 27 the Coombe Mosman Park (WAPC Reference 144722).*

***The motion was put and lost.***

**The votes were recorded as follows:-**

**For: Mr Farrar, Ms Taylor**

**Against: Mr Prattley, Mayor Adams, Ms Burrows, Mr Holloway**

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### ***Moved by Mayor Adams, seconded by Mr Holloway***

*That the Western Australian Planning Commission resolves to revoke Condition 2 and replace with two additional Conditions as follows:*

#### ***Conditions:***

- 1. Development approval, consistent with the Aged or Dependent Persons' Dwellings clause 6.11.2 of the Residential Design Codes 2010, to be obtained prior to the approval of the Deposited Plan by the WAPC. (Local Government)*
- 2. 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 lots advising of the existence of a restriction on the development of the land. Notice of this restriction to be included on the Deposited Plan. The Restrictive Covenant is to bind the owner, their heirs and successors in title to the requirement that the land be developed in accordance with a development approval which is consistent with the Aged or Dependent Persons' Dwellings clause 6.11.2 of the Residential Design Codes 2010 and be occupied by aged or dependent persons. (Western Australian Planning Commission)*

***The motion was put and carried.***

**The votes were recorded as follows:-**

**For:           Mr Prattley, Mayor Adams, Ms Burrows,  
                  Mr Holloway**

**Against:     Mr Farrar, Ms Taylor**

**Moved to item 6.2.**

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7463.9.3

### **Development: Farm Shed, Canopy, Hardstand and Retrospective Approval of Transportable Dwellings – Lot 99 Middle Swan Road, West Swan**

File 21-50378-1  
Report Number SPC/216  
Agenda Part G  
Reporting Officer Planning Manger, Metropolitan  
Planning North East, Perth and Peel  
Planning

#### **Ms Taylor disclosed an impartiality interest.**

<b>Member</b>	<b>Nature of Interest</b>
Ms Taylor	Impartiality

#### **Resolved**

#### ***Moved by Mr Farrar, seconded by Mayor Adams***

*That the Western Australian Planning Commission resolves to approve the application for the proposed development on Lot 99 Middle Swan Road, West Swan subject to the following conditions and advice:*

#### **CONDITIONS:**

- 1. This approval relates specifically to the attached plans stamp dated by the Department of Planning 29 September 2011;*
- 2. Approval to the use of the transportable dwellings is valid for a period of two years from the date of this decision letter. After the expiry of the approval timeframe, the use is to cease and the dwellings are to be removed;*
- 3. The shed shall be constructed in the Colourbond Standard Range of Colours to the specifications of the City of Swan and the satisfaction of the Western Australian Planning Commission;*
- 4. The sea containers on the subject property shall be placed within the shed or alternatively located behind the shed and so obscured from view from Middle*



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*Swan Road to the specifications of the City of Swan and the satisfaction of the Western Australian Planning Commission;*

5. *The current unsealed vehicle access point onto the site shall be provided with a crossover to the specifications of the City of Swan, and to the satisfaction of the Western Australian Planning Commission;*
6. *All stormwater produced on site shall be disposed on site or connected to the local government stormwater drainage system to the specifications of the City of Swan, and to the satisfaction of the Western Australian Planning Commission;*
7. *Earthworks over the site and batters being stabilised to prevent sand blowing, and appropriate measures must be implemented within the time and in the manner specified by the City of Swan in the event that sand is blown or drifts from the site to the satisfaction of the Western Australian Planning Commission;*
8. *An approved effluent disposal system being installed to the specifications of the City of Swan, and to the satisfaction of the Western Australian Planning Commission;*
9. *Septic systems and associated leach drains shall have a horizontal separation of 100 metres from the Swan River and a 2 metre vertical separation from the highest known level of groundwater. If this separation distance cannot be met, an Aerobic Treatment Unit (ATU) shall be installed;*
10. *Aerobic Treatment Units and their associated irrigation area shall have a minimum 50 metre vertical separation from the Swan River and a minimum 2 metre vertical separation from highest known level of groundwater;*

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11. *The irrigation area associated with any Aerobic Treatment Unit shall contain soils which have a phosphorus retention index (PRI) of 20 or more;*
12. *Sampling for soil phosphorous retention index (PRI) shall be carried out prior to installation. If the soil PRI is less than 20 then amended soil shall be installed at the proposed irrigation sire to a depth of one metre; and*
13. *An acid sulfate soils self assessment form and, if required as a result of the self assessment, an acid sulfate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Department of Environment and Conservation before any development is commenced. Where an acid sulfate soils management plan is required to be submitted, all development shall be carried out in accordance with the approved management plan.*

### ADVICE TO APPLICANT

1. *Sampling for soil phosphorous retention index (PRI) should be conducted over the proposed irrigation area to a depth of one metre;*
3. *The applicant is advised to refer to the Acid Sulfate Soils Guideline Series for guidance on the identification, assessment and management of acid sulfate soils in Western Australia. The Series is available from the Department of Environment and Conservation website at [www.dec.wa.gov.au](http://www.dec.wa.gov.au) and includes the following guidelines:*
  - *Draft Identification and Investigation of Acid Sulfate Soils (May 2006);*
  - *Preparation of Acid Sulfate Soils Management Plan (April 2003);*
  - *Guidance for Groundwater Management in Urban Areas on Acid Sulfate Soils (October 2004); and*

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- *Treatment and Management of Disturbed Acid Sulfate Soils (October 2004);*
- 3. *To provide adequate flood protection the minimum habitable floor level should be 0.5 metres above the relevant 100-year ARI flood level;*
- 4. *The applicant is advised that it is an offence under the Swan and Canning Rivers Management Regulations 2007 to destroy, pull up, cut back or injure any tree, shrub, aquatic plant or other perennial plant that is in the Riverpark or the Swan River Trust Development Control Area, except with the approval of the Trust;*
- 5. *The applicant is advised to contact the Department of Indigenous Affairs to ensure that the proposed works do not breach any section of Part IV (Protection of Indigenous Sites) of the Aboriginal Heritage Act 1972;*
- 6. *The applicant is advised to liaise with the Swan River Trust in relation to Conditions 9-13 (inclusive); and*
- 7. *In relation to Condition 2, the use of the transportable dwelling is to be discontinued and development removed within two years of the date of this letter, unless otherwise approved by the Western Australian Planning Commission as part of a further development application.*

***The motion was put and carried.***

**Ms Taylor did not vote on this item.**

**Moved to item 9.5.**

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7463.9.4

### **Proposed Subdivision to Create 28 Lots for Single Residential, Grouped Dwelling and Multiple Dwelling Purpose. Lot 1354 Knutsford Street, Fremantle**

File 145830  
Report Number SPC/217  
Agenda Part G  
Reporting Officer Planning Officer, Metropolitan Central,  
Perth and Peel

#### **Resolved**

#### ***Moved by Mr Holloway, seconded by Ms Taylor***

*That the Western Australian Planning Commission resolves to approve the application for subdivision of Lot 1354 (No. 20) Knutsford Street, Fremantle, subject to the following conditions:*

#### *Local Government*

- 1. The land being filled and/or drained.  
(Local Government);*
- 2. The land being graded and stabilised.  
(Local Government);*
- 3. The applicant/owner is to provide a geotechnical report certifying that the land is physically capable of development at the completion of subdivision works. (Local Government);*
- 4. Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed road or laneway(s) to the local road system and such road(s) being constructed and drained at the applicant/owner's cost. As an alternative the WAPC is prepared to accept the applicant/owner paying to the local government the cost of such road works as estimated by the local government subject to the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (Local Government);*

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5. *Satisfactory arrangements being made with the local government for the upgrading and construction of portions of Blinco, Chalmers, Amherst and Knutsford Streets adjoining the subject land. The works required include street lighting, kerbing, traffic control devices, pavement reconstruction, drainage facilities to accommodate runoff from the proposed new road and laneways. (Local Government);*
6. *A dual use path shall be provided along Amherst Street road reserve to the specification of the City of Fremantle. (Local Government);*
7. *Footpaths shall be provided along Blinco, Chalmers and Knutsford Street road reserves adjoining the subject land and a single footpath being provided along one side of the future internal road (between Blinco and Knutsford Streets) being constructed at the subdivider's cost to the specifications of the City of Fremantle. The subdivider shall demonstrate that sight lines at truncations will not be compromised for the safety of pedestrians and road users. (Local Government);*
8. *The applicant/owner preparing and implementing Landscaping Plans for road reserves including proposed trees, verge treatments and reticulation to the specifications of the City of Fremantle. (Local Government);*
9. *An area of land at least 1647.2 square metres in area, in a position to be agreed with the WAPC, being shown on the Deposited Plan as a "Reserve for Recreation" and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown. (Western Australian Planning Commission);*

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### Water Servicing

10. *Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lots shown on the approved plan of subdivision. (Water Corporation);*
11. *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);*

### Electricity Servicing

12. *Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of underground electricity supply service to the lots shown on the approved plan of subdivision. (Western Power);*
13. *Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of suitable easements under the Energy Operators (Powers) Act 1979 for existing and/or future transmission (33,000 Volt or greater) electricity network infrastructure. (Western Power); and*
14. *The transfer of land as a Crown Reserve, free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)*

### **ADVICE:**

1. *The City of Fremantle advises that effective measures should be taken to stabilise sand and ensure no sand escapes from the property by wind or water in accordance with the City of Fremantle Prevention and Abatement of Sand Drift Local Law;*

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2. *With regard to Condition 9, provisions of Section 153 of the Planning and Development Act 2005 provide that arrangements can be made, subject to further approval of the WAPC, for a cash-in-lieu contribution by the applicant/owner to the local government;*
3. *With regard to Conditions 10 and 11, Water Corporation policy and practice for the locality may involve the provision of land (for plant and works), easements and/or the payment of financial contributions towards infrastructure. You are advised to contact the Water Corporation;*
4. *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;*
5. *With regard to Condition 12, Western Power provides only one point of electricity supply per freehold (green title) lot and requires that any existing overhead consumer service is required to be converted to underground;*
6. *The purpose of Condition 13 is to ensure that any existing or proposed development does not interfere with any existing and/or proposed Western Power assets. The applicant is advised to contact Western Power for further information and advice regarding easement requirements. All costs associated with the registration of easements are to be borne by the applicant;*
7. *With regard to Condition 14, the specific location and area of land required is to be to the satisfaction of the WAPC on the advice of the local government and Western Power;*



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8. *The Department of Environment and Conservation advises that any future development will be required to adhere to the restrictions on groundwater use, given the site has been classified as a remediated site for restricted use; and*
9. *The approval to subdivide issued by the WAPC should not be construed as an approval to commence development on any of the lots proposed. Approval to Commence Development may be required to be issued by the local government.*

***The motion was put and carried.***

**Moved to item 6.3.**

**7463.9.5**

**Create 39 Survey Strata Lots and One Common Property Lot for Residential Purposes - Lot 9001 St Leonards Boulevard, Dayton**

File 715-11  
Report Number SPC/218  
Agenda Part G  
Reporting Officer Acting Manager, Metropolitan Planning North East

**Resolved**

***Moved by Mr Holloway, seconded by Ms Taylor***

*That the Western Australian Planning Commission resolves to approve the amended survey strata plan of St Leonards Boulevard, Dayton as shown on plan dated 28 November 2011 subject to the following conditions and advice:*

**CONDITION(S):**

1. *Prior to the WAPC's endorsement of an appropriate form for the creation of the lots proposed by this application, the lot the subject of this application being created on a separate Deposited Plan and a new Certificate of Title being issued. (WAPC);*

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### Services

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 Western Power, for the provision of an electricity supply service to the survey strata lot(s) shown on the approved plan of subdivision, which may include the provision of necessary service access rights either as an easement under Section 136C (Schedule 9A) of the Transfer of Land Act 1893 for the transmission of electricity by underground cable, or (in the case of approvals that include common property) via a portion of the common property suitable for consumer mains. (Western Power);*
5. *The transfer of land as a Crown Reserve, free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power);*

### Works

6. *The land being graded and stabilised. (Local Government);*
7. *The land being filled and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission and any easements and/or reserves necessary for the implementation thereof, being granted free of cost. (Local Government);*

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8. *The applicant/owner is to provide a geotechnical report certifying that the land is physically capable of development prior to the commencement of site works. (Local Government);*
9. *Prior to commencement of site works, investigation for soil and groundwater contamination is to be carried out to the specifications of the Department of Environment and Conservation. (Department of Environment and Conservation);*
10. *Remediation, including validation of any remediation, of any contamination identified shall be completed prior to the issuing of titles to the satisfaction of the Western Australian Planning Commission on advice from the Department of Environment and Conservation, to ensure that the lots created are suitable for the proposed use. (Department of Environment and Conservation);*

### Access

11. *Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) being constructed and drained at the applicant/owner's cost. As an alternative the WAPC is prepared to accept the applicant/owner paying to the local government the cost of such road works as estimated by the local government subject to the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (Local Government);*
12. *The common property lot servicing proposed lots 27-31 and proposed lots 33-35 being widened to a minimum width of 5.5 metres. (WAPC);*

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13. *The common property accessway(s) being constructed and drained at the applicant/owner's cost to the specifications of the local government. (Local Government);*

### *Notifications*

14. *Pursuant to section 150 of the Planning and Development Act 2005, a restrictive covenant preventing motor vehicle access onto St Leonards Boulevard benefiting the City of Swan being lodged on the Certificates of Title of the proposed lots abutting St Leonards Boulevard road reserve, at the full expense of the applicant. (Local Government);*

15. *A Notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the Certificates of Title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this Notification is to be included on the Deposited Plan. The notification to state as follows:*

*"Access to Lord Street via the Coast Road roundabout will be removed at such time as the future Perth –Darwin Highway is constructed. Information on the ultimate road configuration in this locality is available on request from the City of Swan." (Local Government);*

16. *A Notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the Certificates of Title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this Notification is to be included on the Deposited Plan. The notification to state as follows:*

*"This lot is situated in the vicinity of major transport corridors. Residential amenity may be affected by noise from current or future traffic activity within these corridors. As a result there may be need to incorporate appropriate features in the*

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*design and construction of buildings to mitigate against any noise impacts, with special consideration given to noise attenuation measures for two storey dwellings.” (Local Government);*

### *Other*

- 17. The applicant undertaking a transport noise assessment in accordance with the guidelines of the WAPC State Planning Policy 5.4 “Road and Rail Transport Noise and Freight Considerations in Land Use Planning” to the specification of Main Roads Western Australia and to the satisfaction of the Western Australian Planning Commission. (Main Roads Western Australia);*
- 18. Noise amelioration measures identified in the approved transport noise assessment the subject of Condition 17 above, are to be implemented to the specification of Main Roads Western Australia and to the satisfaction of the Western Australian Planning Commission. (Main Roads Western Australia); and*
- 19. A Detailed Area Plan for the subject survey strata lots is to be prepared by the developer and approved by the City of Swan. The Detailed Area Plan is to address future development and the required quiet house design measures, and in the case of two storey development the need for any further acoustic assessment. (Local Government)*

### *ADVICE:*

- 1. With regard to Condition 2, Water Corporation policy and practice for the locality may involve the provision of land (for plant and works), easements and/or the payment of financial contributions towards infrastructure. You are advised to contact the Water Corporation;*

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2. *With regard to Condition 4, Western Power provides only one point of electricity supply per freehold (green title) lot and requires that:*
  - a) *any existing overhead consumer service is required to be converted to underground; and*
  - b) *a site main switch board (MSB) is installed to accommodate multiple connections;*
3. *If an existing aerial electricity cable servicing the land the subject of this approval crosses over a proposed lot boundary as denoted on the approved plan of subdivision, satisfactory arrangements will need to be made for the removal and relocation of that cable;*
4. *With regard to Condition 5 the specific location and area of land required is to be to the satisfaction of the WAPC on the advice of the local government and Western Power;*
5. *With regard to Condition 8, the report is to have particular regard to the existing and proposed site classification (AS2870), groundwater table and stormwater disposal for roof runoff;*
6. *With regard to Conditions 9 and 10, the investigation and remediation should be carried out in accordance with the guidelines adopted by the Department of Environment as detailed in the Contaminated Sites Management Series. A Mandatory Auditor's Report will need to be submitted to the Department of Environment and Conservation;*

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7. *Main Roads WA advises that no works or stormwater drainage are to impact on the Perth – Darwin National Highway /Lord Street road reserve, including the height of the ground levels on the reserve boundary. Please liaise with Main Roads WA in this regard; and*
8. *The applicant is advised that the Department of Environment and Conservation has prepared dust control guidelines for development sites, which inter alia, outline the procedures for the preparation of Dust Management Plans for development sites. Further information on the guidelines can be obtained from the Department of Environment and Conservation.*

***The motion was put and carried.***

**7463.9.6**

**Subdivision to Create 115 Lots for Residential Purposes, 2 Lots Subject to Rezoning and 1 Balance Lot: Lot 9010 Sutton Street, Pinjarra**

File 145801  
Report Number SPC/219  
Agenda Part G  
Reporting Officer Delegated Officer, Peel Planning, Perth and Peel Planning

### **Resolved**

***Moved by Mayor Adams, seconded by Mr Farrar***

*That the Western Australian Planning Commission resolves to approve the application for subdivision of Lot 9010 Sutton Street, Pinjarra as shown on the plan date-stamped 22 March 2012. This decision is valid for four years subject to the following condition(s) and advice:*

### **CONDITIONS:**

1. *The Plan of Subdivision being modified so that the two four way intersections are created as t-junctions. (Local Government);*



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2. *The northernmost subdivisional road being relocated to line up with the future intersection of Warrior Boulevard and Sutton Street. (Local Government);*
3. *All 15.0 metre wide road reserves being increased to 16.0 metres. (Local Government);*
4. *A round-a-bout being constructed at the intersection of Sutton Street and the northernmost subdivisional road to the specification of the local government and the satisfaction of the Western Australian Planning Commission. (Local Government);*
5. *Parallel embayment car parking bays being constructed abutting the public open space to the satisfaction of the Western Australian Planning Commission. (Local Government);*
6. *Detailed Area Plan(s) are to be prepared and approved for all lots abutting public open space and Sutton Street. (Local Government);*
7. *Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) being constructed and drained at the applicant/owner's cost. As an alternative the WAPC is prepared to accept the applicant/owner paying to the local government the cost of such road works as estimated by the local government subject to the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (Local Government);*
8. *Street corners within the subdivision are to be truncated to the satisfaction of the Western Australian Planning Commission. (Local Government);*

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9. *Battleaxe accessway(s) being constructed and drained at the applicant/owner's cost to the specifications of the local government. (Local Government);*
10. *The dual use paths/cycleway being constructed by the applicant/owner on the outside loop road and one side of each of the other subdivisional roads. (Local Government);*
11. *The land being graded and stabilised. (Local Government);*
12. *The land being filled and/or drained. (Local Government);*
13. *The applicant providing a geotechnical report certifying that any filling or backfilling has been adequately compacted. (Local Government);*
14. *The applicant/owner is to provide a geotechnical report certifying that the land is physically capable of development prior to the commencement of site works. (Local Government);*
15. *Uniform fencing along the boundaries of all of the proposed lots abutting public open space is to be constructed. (Local Government);*
16. *The preparation and implementation of a Wetland Management Plan to the satisfaction of the Western Australian Planning Commission. (Local Government);*
17. *The preparation and implementation of a Foreshore Management Plan to the satisfaction of the Western Australian Planning Commission. (Local Government);*

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18. *The preparation and implementation of a Landscape Management Plan to the satisfaction of the Western Australian Planning Commission. (Local Government);*
19. *An Integrated Urban Water Management Plan is to be prepared and approved prior to ground disturbing activities, consistent with the approved Murray River Country Estate Local Water Management Strategy (ENV Australia 2009) to the satisfaction of the WAPC on the advice of the Department of Water. (Department of Water);*
20. *The approved Integrated Urban Water Management Plan shall be implemented by the landowner, including construction of the identified wastewater, stormwater and groundwater management systems, to the satisfaction of the WAPC on advice of the Local Government. (Local Government);*
21. *The proposed reserve(s) shown on the approved plan of subdivision being shown on the Deposited Plan as a "Reserve for Recreation" and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown;*
22. *A Notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the Certificates of Title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this notification is to be included on the Deposited Plan. The notification to state as follows:*  
  
*"This lot is in close proximity to known mosquito breeding areas. The predominant mosquito species is known to carry Ross River Virus and other diseases.";*

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23. *Acid Sulfate Soils Self-Assessment Form and, if required as a result of the self-assessment, an Acid Sulfate Soils Report and an Acid Sulfate Soils Management Plan shall be submitted to and approved by the Department of Environment and Conservation before any site works are commenced. Where an Acid Sulfate Soils Management Plan is required to be submitted, all site works shall be carried out in accordance with the approved management plan. (Department of Environment and Conservation);*
24. *Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply service to the lot(s) shown on the approved plan of subdivision. (Western Power);*
25. *The transfer of land as a Crown Reserve, free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power);*
26. *Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lot(s) shown on the approved plan of subdivision. (Water Corporation);*
27. *Suitable arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lot/s shown on the approved plan of subdivision. (Water Corporation); and*
28. *The provision of easements for existing or future water, sewerage and/or drainage infrastructure as may be required by the Water Corporation being granted free of cost to that body. (Water Corporation)*

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### ADVICE:

1. *The acid sulfate soils condition above makes reference to an "Acid Sulfate Soils Self-Assessment Form". This form can be downloaded from the Western Australian Planning Commission's website at: [www.planning.wa.gov.au/Applications/Subdivision+and+application/default.aspx](http://www.planning.wa.gov.au/Applications/Subdivision+and+application/default.aspx) The "Acid Sulfate Soils Self-Assessment Form" makes reference to the Department of Environment and Conservation's "Identification and Investigation of Acid Sulfate Soils" guideline. This guideline can be downloaded from the Department of Environment and Conservation's website at: [www.dec.wa.gov.au/management-and-protection/acid-sulfate-soils/guidelines.html](http://www.dec.wa.gov.au/management-and-protection/acid-sulfate-soils/guidelines.html);*
2. *With regard to Condition 19, the size and content of an Integrated Urban Water Management Plan will vary based on the nature and scale of the proposal and should respond only to the specific issues of the site. The Department of Water's Stormwater Management Manual for Western Australia and the Urban Water management plans - guidelines for preparing plans and for complying with subdivision conditions should be used as guidance. These can be located on the DoWs website [www.water.wa.gov.au](http://www.water.wa.gov.au);*
3. *With regard to Condition 24, Western Power provides only one point of electricity supply per freehold (green title) lot and requires that any existing overhead consumer service is required to be converted to underground;*
4. *With regard to Condition 25, the specific location and area of land required is to be to the satisfaction of the WAPC on the advice of the local government and Western Power;*
5. *With regard to Conditions 26 and 27, Water Corporation policy and practice for the*

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*locality may involve the provision of land (for plant and works), easements and/or the payment of financial contributions towards infrastructure. You are advised to contact the Water Corporation;*

6. *The applicant is advised that the subject land is within the defined 1 in 100 year floodplain area for the Murray Floodplain Development Study, where development would normally be permitted subject to a specified minimum habitable floor level above the relevant 1 in 100 year flood level to provide adequate flood protection. The Department of Water advise that a minimum habitable floor level of 0.5m above the appropriate 100 year ARI flood level is recommended for development.*

***The motion was put and carried.***

**Moved to item 10.2.**

### **7463.10 Confidential Items**

#### **7463.10.1 Town of Victoria Park - Town Planning Scheme No. 1 Amendment No. 49 - for Final Approval**

File TPS/0461  
Report Number SPC/220  
Agenda Part B  
Reporting Officer A/Planning Manager - Schemes, Strategies and Amendments

**THIS ITEM IS CONFIDENTIAL**

**Moved to item 9.1.**

#### **7463.10.2 Section 31 (SAT Act 2004) Reconsideration of Adoption of Drovers Place Precinct Local Structure Plan No. 80**

File SPN/0125  
Report Number SPC/221  
Agenda Part C  
Reporting Officer Senior Planning Officer: Planning Appeals

**THIS ITEM IS CONFIDENTIAL**

**Ms Burrows departed the meeting at 11.19 am.**

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### 7463.11 General Business

Nil.

**Ms Burrows returned to the meeting at 11.27 am.**

### 7463.12 Items for Consideration at a Future Meeting

Nil.

### 7463.13 Closure

The next ordinary meeting is scheduled for 10.00 am on 24 July 2012

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 11.28 am.

**PRESIDING MEMBER** \_\_\_\_\_

**DATE** \_\_\_\_\_

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## ITEM NO: 9.1

### ABORIGINAL SETTLEMENTS GUIDELINE 1 - LAYOUT PLAN PROVISIONS, AND ABORIGINAL SETTLEMENTS GUIDELINE 3 - EXCLUSION BOUNDARIES

**WAPC OR COMMITTEE:** Statutory Planning Committee

REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Planning Manager, Aboriginal Communities
AUTHORISING OFFICER:	Executive Director, Regional Planning and Strategy
AGENDA PART:	A
FILE NO:	DP/09/00113/2
DATE:	10 July 2012
ATTACHMENT(S):	1. Aboriginal Settlements Guideline 1 – Layout Plan Provisions 2. Aboriginal Settlements Guideline 3 – Exclusion Boundaries

**RECOMMENDATION:**

*That the Western Australian Planning Commission resolves to:*

- 1. endorse Aboriginal Settlements Guideline 1 – Layout Plan Provisions.**
- 2. endorse Aboriginal Settlements Guideline 3 – Exclusion Boundaries.**

**SUMMARY:**

The key points relating to this report are as follows:

- SPP 3.2 provides for the preparation of operational policies described as 'guidelines' to address a range of matters relevant to that Policy.
- The Aboriginal Settlements Guideline 1 – Layout Plans was endorsed by the WAPC on 27 September 2011. This contains four attachments, each representing a significant policy document in its own right.
- It is recommended that two of these attachments be created as stand-alone guidelines. The other two attachments do not merit inclusion in the operational policy framework.
- The proposed changes will create a clearer and more effective operational policy framework for Aboriginal settlements.

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## BACKGROUND:

On 27 September 2011 the WAPC endorsed the Aboriginal Settlements Guideline 1 – Layout Plans (“existing Guideline 1”). This document was prepared as a ‘how to’ guide for the preparation of Layout Plans, and contains the following attachments:

- i) Layout Plan Provisions
- ii) Layout Plan Model Text
- iii) Layout Plan Exclusion Boundaries
- iv) Layout Plan Model Map-Set

The WAPC also endorsed Aboriginal Settlement Guideline 2 – Provision of Housing and Infrastructure on 27 May 2012.

## LEGISLATION / STRATEGIC PLAN / POLICY:

### Legislation

Section:

*Planning and Development Act 2005*

Part 3 – State Planning Policies

### Strategic Plan

Strategic Goal:

Planning

Outcomes:

Effective delivery of integrated plans

Strategies:

Develop integrated infrastructure and land use plans for the State.

### Policy

Number and / or Name: State Planning Policy 3.2 – Aboriginal Settlements

## DETAILS:

Since endorsement of existing Guideline 1, application of this policy has revealed that some modifications to its structure and content are required to enhance practicality and effectiveness. Existing Guideline 1 is comprised of four attachments, each representing a significant policy document in its own right. Rather than have all four attachments in the same document as a “how to” guide, it is recommended that they be separated out as stand-alone guidelines in the following manner:

- The Layout Plan Provisions document to become Aboriginal Settlements Guideline 1 – Layout Plan Provisions. This document will supersede existing Guideline 1.
- The Layout Plan Exclusion Boundaries document to become Aboriginal Settlements Guideline 3 – Exclusion Boundaries.
- The Layout Plan Model Text and Map-set documents to be left out of the operational policy framework, as these are internal working documents that are often changed and do not require inclusion in the operational policy framework.

Aboriginal Settlements Guideline 2 – Provision of Housing and Infrastructure is to remain.

Some minor changes to the content of the Layout Plan Provisions are also proposed, most notably inclusion of a reference to ‘Settlement Layout Lots’ (SL-lots).

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**GOVERNMENT AND CORPORATE IMPLICATIONS:**

The proposed modifications will create a clearer and more effective operational policy framework for Aboriginal settlements. This will benefit local governments, State government agencies and other organisations involved in providing infrastructure to remote Aboriginal settlements.

**CONSULTATION:**

The proposed changes did not require consultation as they primarily relate to restructuring of the existing operational policy framework for Aboriginal settlements.

**OFFICER'S COMMENTS:**

The reasons for the restructuring of the operational policy framework for Aboriginal settlements are as follows:

- Creating the Layout Plan Provisions document as stand-alone Guideline 1 will reflect its importance as the 'rulebook' that controls development on remote Aboriginal settlements. The Layout Plan Provisions document is the equivalent of a "model local planning scheme text (by reference)" for remote Aboriginal settlements. Creating it as stand-alone Guideline 1 will highlight the significance of this document to all users of layout plans.
- Creating the Layout Plan Exclusion Boundaries document as stand-alone Guideline 3 will make its existence as an operational policy more clear. Currently its existence as an operational policy is not apparent to outside users as it is the final attachment to existing Guideline 1.

The proposed changes represent a restructuring of existing policies only, and do not change the intent or purpose of the relevant operational policies. The proposed changes will create a clearer and more effective operational policy framework for Aboriginal settlements.

## Aboriginal Settlements Guideline 1:

### Layout Plan Provisions



**DRAFT – 10 July 2012**

#### 1 Introduction

- 1.1 These Layout Plan Provisions (hereinafter called "the Provisions") apply to Layout Plans prepared under State Planning Policy 3.2 Aboriginal Settlements (SPP 3.2). SPP 3.2 states that a Layout Plan is comprised of a background report, map-set and provisions. The Provisions should be read in conjunction with the background report and map-set which also comprise a Layout Plan.

#### 2 Purpose

- 2.1 The purpose of the Provisions is to establish a textual reference that interprets the Layout Plan map-set, and provides guidance on the development of land.

#### 3 Application

- 3.1 The Provisions apply to all Layout Plans (also known as "Community Layout Plans") prepared under SPP 3.2.
- 3.2 Layout Plans prepared prior to 2011 may include their own unique set of provisions specific to that settlement. If there is any inconsistency between a unique set of provisions and the Provisions contained in this document, the former is to prevail.
- 3.3 Layout Plans map-sets prepared prior to 2011 may also contain land use categories that are not included in the Provisions. These Layout Plans will be reviewed and standardised in due course.

#### 4 Settlement Layout Lots

- 4.1 Layout Plans map-sets include a land administration category called 'Settlement Layout'. The purpose of this category is to provide a layer of land administration at a scale that matches the discrete land uses that together comprise an Aboriginal settlement.
- 4.2 Under the 'Settlement Layout' category, portions of land are defined that match discrete land uses. Both existing and future land uses are defined. These defined portions are referred to as 'Settlement Layout Lots' (SL-lots). Every SL-lot is provided with a unique identifier, being an SL-lot number.
- 4.3 In the absence of dedicated roads, 'Settlement Layout' is the land administration category that defines the road network on Aboriginal settlements. Every defined 'Settlement Layout Road' (SL-road) is provided with a unique identifier, being an SL-road name.
- 4.4 SL-lots and SL-roads do not meet the respective definitions for 'lot' and 'road' contained within the *Planning and Development Act 2005*.

## **5 Development of Land**

- 5.1 Development of SL-lots is to be in accordance with these Provisions.
- 5.2 If approval to commence development is required, approval may only be granted where it accords with the Provisions. The permissibility of development is determined by cross-referencing the land use category allocated to the SL-lot on the map-set with the objective and permitted development/s for the corresponding land use category in Part 6 of the Provisions. Development may also be permitted where it is incidental to the predominant land use category of the SL-lot.
- 5.3 The list of permitted developments for each land use category is not exhaustive. If a development is not specifically mentioned in Part 6 and cannot reasonably be determined as falling within a definition in Part 7, then it may be permitted in a land use category that has an objective that the development is deemed to be consistent with.
- 5.4 All terms, including 'development' and 'development application', have the same meaning as prescribed in the *Planning and Development Act 2005* unless a specific definition is provided in Part 7. Standard definitions from commonly used land use planning instruments have been used where possible.

## 6 Land Use Categories

6.1 The land use categories included in the Layout Plan map-set are:

<b>Residential</b>		Tawny
<u>Objective:</u>	To provide land that meets the existing and future housing demand of the settlement.	
<u>Permitted Development:</u>	House, Residential Quarters.	

<b>Community</b>		Yellow
<u>Objective:</u>	To provide land for public places and facilities that have broad community benefit of a health care, educational, cultural or civic nature.	
<u>Permitted Development:</u>	Child Care Premises, Civic Use, Corrective Institution, Educational Establishment, Health Care Centre, Worship Building.	

<b>Commercial</b>		Blue
<u>Objective:</u>	To provide land for the operation of commercial enterprises of an administrative, retail or tourism nature.	
<u>Permitted Development:</u>	Art Centre, Caravan Park, Motel, Office, Service Station, Shop, Tourism Accommodation.	

<b>Industrial</b>		Purple
<u>Objective:</u>	To provide land for industrial activities in areas that do not adversely impact on sensitive land uses.	
<u>Permitted Development:</u>	Fuel Depot, Industry, Motor Vehicle Repair, Storage, Vehicle Wrecking.	

<b>Recreation</b>		Green
<u>Objective:</u>	To provide areas for leisure, sport and informal gathering that provide the public with active and passive recreation opportunities.	
<u>Permitted Development:</u>	Essential Service Distribution Network, Recreation.	

<b>Public Utility</b>		<b>Grey</b>
<u>Objective:</u>	To set aside land for services and infrastructure that are integral to the functioning of the settlement.	
<u>Permitted Development:</u>	Electricity Supply, Essential Service Distribution Network, Drinking Water Supply, Wastewater Disposal, Telecommunications, Rubbish Disposal.	

<b>Rural</b>		<b>Jungle Green</b>
<u>Objective:</u>	To provide land for rural activities undertaken at the settlement.	
<u>Permitted Development:</u>	Agriculture - Extensive, Agriculture - Intensive, Animal Husbandry - Intensive, Essential Service Distribution Network, Rural Pursuit.	

<b>Open Space</b>		<b>Light Green</b>
<u>Objective:</u>	To identify land that is in its natural state and is not used for purposes that require significant modification of the landscape.	
<u>Permitted Development:</u>	Agriculture - Extensive, Essential Service Distribution Network, Traditional Law and Culture.	

<b>Drinking Water Source Protection Area</b>		<b>Aqua</b>
<u>Objective:</u>	To prevent degradation of the drinking water source from harmful activities.	
<u>Permitted Development:</u>	Any use permitted under the Drinking Water Source Protection Plan.	

<b>Visitor Camping</b>		<b>Orange</b>
<u>Objective:</u>	To provide land for visitors to camp on a non-commercial basis.	
<u>Permitted Development:</u>	Camping Ground, Traditional Law and Culture.	

<b>Waterway</b>		<b>Light Blue</b>
<u>Objective:</u>	To identify areas where the existence of surface water affects the possible use of land. Includes areas where surface water permanently or seasonally accumulates (such as oceans, lakes, rivers and creeks) but does not include wetlands. Wetlands are characterised as areas that have a water table at or near the land surface.	
<u>Permitted Development:</u>	Agriculture – Extensive, Agriculture – Intensive, Traditional Law and Culture.	

<b>Road Reserve</b>		<b>White</b>
<u>Objective:</u>	To provide an alignment for existing and future roads, essential service distribution networks and drainage networks.	
<u>Permitted Development:</u>	Essential Service Distribution Network, Road.	

<b>Pedestrian Access Way</b>		<b>Dark Green</b>
<u>Objective:</u>	To identify pedestrian access ways.	
<u>Permitted Development:</u>	Essential Service Distribution Network, Pedestrian Access Way.	



## 7 Definitions

In the Provisions, unless the context otherwise requires —

**“agriculture - extensive”** means premises used for the raising of stock or crops but does not include agriculture – intensive or animal husbandry – intensive;

**“agriculture - intensive”** means premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following —

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); or
- (d) aquaculture;

**“animal husbandry - intensive”** means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots;

**“art centre”** means premises used for the production and display or sale of materials of an artistic, cultural or historical nature. Includes art gallery.

**“camping ground”** means land used for the temporary accommodation of people in tents, swags and other forms of transportable personal sleeping equipment.

**“caravan park”** has the same meaning as in the *Caravan Parks and Camping Grounds Act 1995*;

**“child care premises”** has the same meaning as in the *Community Services (Child Care) Regulations 1988*;

**“civic use”** means a facility used by a government department, a non-government organisation or a community corporation for purposes of general community benefit. Includes police station, airstrip, cemetery, community meeting area, cultural centre, heritage buildings.

**“corrective institution”** means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility;

**“drinking water supply”** means infrastructure associated with the provision, storage, treatment and distribution of drinking water. Includes bore, water pump, water tank, water treatment equipment;

**“educational establishment”** means premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre;

**“electricity supply”** means infrastructure associated with the generation and distribution of electricity.

**“essential service distribution network”** means any infrastructure associated with the distribution of electricity, drinking water, wastewater or telecommunications. Includes electrical cable, power pole, drinking water pipe, water pipe, water hydrant, water pump, sewer pipe, telecommunications cable.

**“fuel depot”** means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include a service station and specifically excludes the sale by retail into a vehicle for final use of such fuel from the premises;

**“health care centre”** means premises used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling);

**“house”** means a building or portion of a building being used, adapted or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.

**“industry”** means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes premises on the same land used for —

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail; or
- (d) the provision of amenities for employees,

incidental to any of those industrial operations;

**“motel”** means premises used to accommodate patrons in a manner similar to a hotel but in which specific provision is made for the accommodation of patrons with motor vehicles.

**“motor vehicle repair”** means premises used for or in connection with —

- (a) electrical and mechanical repairs, or overhauls, to vehicles; or
- (b) repairs to tyres,

but does not include premises used for recapping or retreading of tyres, panel beating, spray painting or chassis reshaping;

**“office”** means premises used for administration, clerical, technical, professional or other like business activities;

**“pedestrian access way”** means a path, track or walkway used by pedestrians to commute from one location to another;

**“recreation”** means premises used for indoor or outdoor leisure, recreation or sport. Includes park, swimming pool, playground, rodeo ground, sporting facility.

**“residential quarters”** means a building or portion of a building being used, adapted or designed or intended to be used for the purpose of human habitation:

- temporarily by two or more persons; or
- permanently by seven or more persons who do not comprise a single family.

Includes single persons quarters, aged persons quarters.

**“road”** means a road that has been designed and constructed for use by pedestrians and motorised vehicles and is formed by compacted gravel, road base, bitumen or any other durable material. Includes drainage infrastructure such as culverts, causeways, drains;

**“rubbish disposal”** means land used to accommodate any part of the infrastructure associated with the disposal of solid waste;

**“rural pursuit”** means any premises used for —

- (a) the rearing or agistment of animals;
- (b) the stabling, agistment or training of horses;
- (c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or
- (d) the sale of produce grown solely on the lot,

but does not include agriculture – extensive or agriculture – intensive;

**“service station”** means premises used for —

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental/convenience retail nature; and
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles,

but does not include premises used for a transport depot, panel beating, spray painting, major repairs or wrecking;

**“shop”** means premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hairdresser or beauty therapist).

**“storage”** means premises used for the storage of goods, equipment, plant or materials;

**“telecommunications”** means infrastructure that comprises a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network;

**“tourist accommodation”** means accommodation comprising two or more cabins, apartments, chalets, cottages, or flats which, by way of trade or business, or for the purpose of any trade or business, is held out as being available or is made available for tourism purposes for occupation by persons other than the proprietor;

**“traditional law and culture”** means structures and/or activities associated with traditional Australian Aboriginal law and culture;

**“vehicle wrecking”** means any land or buildings used for the breaking up, dismantling or storage of vehicles, and includes the sale of second hand parts and accessories;

**“wastewater disposal”** means land used to accommodate any part of the infrastructure associated with a reticulated wastewater disposal system. Includes sewage ponds.

**“worship building”** means premises used for religious activities such as a church, chapel, mosque, synagogue or temple;

## Aboriginal Settlements Guideline 3: Layout Plan Exclusion Boundaries



**DRAFT – 10 July 2012**

### 1 Purpose

- 1.1 The purpose of this Guideline is to provide a practical easy to use reference tool that defines minimum separation distances between incompatible land use activities on Aboriginal settlements in Western Australia (WA).
- 1.2 The Guideline is of particular relevance to planners when preparing Layout Plans. It will also provide useful guidance to others involved in the planning, design and construction of infrastructure, houses, community facilities and public utilities on Aboriginal settlements.
- 1.3 It is noted that the Guideline may be a useful guide to the preparation of land use plans for remote settlements other than Aboriginal settlements, including remote roadhouses and remote worker's camps.

### 2 Objective

- 2.1 An objective of this Guideline is to improve the health and amenity of people living, visiting and working on Aboriginal settlements by promoting the separation of existing and proposed incompatible land use activities.
- 2.2 An objective of this Guideline is to establish a consistent, appropriate and effective approach to the application of land use separation on layout plans.

### 3 Background

- 3.1 Government agencies and authorities at commonwealth, state and local levels have formulated and employed a range of non-statutory 'separation distances' and 'exclusion boundaries' for land uses in WA. Many existing exclusion boundaries are not relevant to the infrastructure and development needs of Aboriginal settlements in WA.
- 3.2 The exclusion boundary distances prescribed in this Guideline have a high regard to existing relevant policy on this matter, including the 'Guidance for the Assessment of Environmental Factors (in accordance with the Environmental Protection Act 1986) No.3 – Separation Distances between Industrial and Sensitive land uses' published by the Environmental Protection Authority in June 2005.
- 3.3 Specific technical rationale for the exclusion boundary distances prescribed in this Guideline are based on engineering and environmental analysis outlined in the 'Land Use Exclusion boundaries for Aboriginal Communities Report (2007)' prepared by consultants Ove Arup for the, then, Department for Planning and Infrastructure.

## **4 Definitions**

- 4.1 For the purposes of this Guideline, the following terms are defined in Table 1.

## **5 Exclusion boundary measurement**

- 5.1 For the purposes of this Guideline, three different methods of measuring exclusion boundaries have been defined: radius, perimeter and abstract. The different forms of measurement apply singularly to different use types, dependent upon the characteristics of that use.
- 5.2 A 'perimeter exclusion boundary' is an irregular shaped exclusion boundary measured from the outer edge of a facility. It applies to spatially large uses such as wastewater treatment ponds and rubbish tips.
- 5.3 A 'radius exclusion boundary' is a concentric circle centred on either a specified element of a facility, or from a point approximating the middle of the facility or use. It applies to easily identified spatially small use types such as water bores, and wastewater pumping stations.
- 5.4 An 'abstract exclusion boundary' is an open line that defines the general extent of a 'no-go' area. A 'no-go' area is a culturally significant area that is not suitable for land use or development change and which may have access restrictions. Abstract exclusion boundaries are intentionally ill-defined.

## **6 Application**

- 6.1 The exclusion boundary distances specified in this Guideline are generic and broad. They are based on consideration of: the quantifiable adverse affects of land uses on health, consideration of the amenity requirements of sensitive land uses and an interpretation of the spatial manifestation of culture.
- 6.2 The exclusion boundaries specified in this Guideline are intended for use only in the absence of place specific analysis. Where there is any inconsistency between this Guideline and a place-specific solution the latter prevails.
- 6.3 Exclusion boundaries are not required to the following uses listed in the provisions: rural; open space; visitor camping; road reserve; road, and; pedestrian access way.
- 6.4 This Guideline does not negate the need for developers to secure all relevant consents, approvals, licences and clearances prior to commencing physical works on site.
- 6.5 Special note: A Public Drinking Water Source Area (PDWSA) identified under the State Planning Policy 2.7 – Public Drinking Water Source framework is the most appropriate form of drinking water source recognition and protection. The correlation between drinking water source areas and the location of wastewater treatment ponds and rubbish tips is fundamental to the sustainability of Aboriginal settlements. Wastewater treatment ponds and rubbish tips are essential infrastructure, which if poorly sited can irreversibly contaminate ground or surface based drinking water sources.

**Table 1 – Definitions**

Airstrip runway	:	A defined area of land that has been prepared for the landing and take-off of aircraft.
Exclusion boundary	:	A defined area surrounding an identified land use or infrastructure facility within which only compatible land uses are permitted.
Chlorine gas storage	:	A licensed facility for holding greater than 5 kg of chlorine gas.
Drinking water source	:	The primary source of drinking water used by the community.
Fuel storage	:	A licensed facility for holding any generally available fossil fuel, including diesel, opal, petrol and liquid petroleum gas.
Industry	:	Light industry type uses, including auto repair workshop, plant, chemical & equipment storage, nursery, and similar
Infrastructure	:	Any non-housing related assets that are or will be fixed to the land.
Power station	:	A compound containing internal combustion engine generators and associated equipment used for generation of electricity and including associated infrastructure such as fuel storage tanks.
Rubbish tip	:	A designated area used for the disposal of putrescible waste.
Wastewater pumping station	:	A collection point for a gravity sewer reticulation system from which sewage is mechanically pumped to wastewater treatment ponds.
Wastewater treatment pond	:	A reservoir that holds sewage and waste water for treatment to reduce the level of nutrient concentrations

**Table 2 – Prescribed exclusion boundaries**

Use	Exclusion boundary	
	<i>Prescribed</i>	<i>Notes</i>
Drinking Water Source – Ground Water	500m radius	A 300m radius exclusion boundary from a drinking water production bore to any use listed in the provisions where wastewater is disposed of by a reticulated sewerage system is generally acceptable.
Drinking Water Source – Surface Water	2000m perimeter	n/a
Wastewater Treatment Ponds (WTP)	500m perimeter	A 250m perimeter exclusion boundary from a WTP to industrial and Public Utility uses other than drinking water supply is generally acceptable.
Rubbish Tip	2000m perimeter	A 700m perimeter exclusion boundary from a rubbish tip to industrial and Public Utility uses other than drinking water supply is generally acceptable.
Power Station	200m perimeter	A 150m perimeter exclusion boundary from a power station to commercial uses is generally acceptable. A 75m perimeter exclusion boundary from a power station to industrial and Public Utility uses other than drinking water supply is generally acceptable.
Chlorine Gas Storage	50m radius	A 30m radius exclusion boundary from chlorine gas storage to all uses other than residential, commercial and community is generally acceptable.
Fuel Storage	85m radius	A 55m radius exclusion boundary to any use listed in the provisions from fuel storage that is either in below-ground tanks and above-ground tanks up to 8000L is generally acceptable.
Wastewater Pumping Station (WPS)	50m radius	A 25m radius exclusion boundary from a WPS to any use listed in the provisions other than residential, commercial and community is generally acceptable.
Industry	150m perimeter	A 100m perimeter exclusion boundary from an Industry use to any use listed in the provisions other than residential and community is generally acceptable.
Airstrip Runway	1000m X 500m perimeter	No separation distance is required from an airstrip runway to uses directly associated with air services, such as fuel storage industry, commercial, and so on.
No-go	n/a	n/a

## ITEM NO: 9.2

### ABORIGINAL SETTLEMENT LAYOUT PLANS - FOR ENDORSEMENT

**WAPC OR COMMITTEE:** Statutory Planning Committee

REPORTING AGENCY: Department of Planning  
REPORTING OFFICER: Manager Planning - Aboriginal Communities  
AUTHORISING OFFICER: Executive Director - Regional Planning and Strategy  
AGENDA PART: C  
FILE NO: DP/057/1/1/25P86V  
DATE: 10 July 2012  
ATTACHMENT(S): 1. Layout Plans

**RECOMMENDATION:**

***That the Western Australian Planning Commission resolves to endorse the Aboriginal settlement Layout Plans and Layout Plan amendments for:***

- 1. Billiluna Layout Plan 1***
- 2. Tjuntjuntjara Layout Plan 1 (Amendment 2)***

**SUMMARY:**

- The Planning for Aboriginal Communities Project (PACP) has completed the preparation of a Layout Plan for Billiluna, and completed an Amendment to the existing Layout Plan for Tjuntjuntjara.
- The Layout Plan and Amendment has been created in accordance with State Planning Policy 3.2 (SPP 3.2) Aboriginal Settlements SPP 3.2.

**BACKGROUND:**

The Department's Planning for Aboriginal Communities Project (PACP) has recently completed the preparation of a Layout Plan for Billiluna and amended the existing Layout Plan for Tjuntjuntjara which are in the Kimberley and Goldfields-Esperance regions respectively.

In accordance with SPP 3.2 the WAPC is required to endorse Layout Plans where they are consistent with the provisions of this policy.



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## LEGISLATION / STRATEGIC PLAN / POLICY:

### Legislation

Section:

*Planning and Development Act 2005*

Part 3 – State Planning Policies

### Strategic Plan

Strategic Goal:

Planning

Outcomes:

Effective Delivery of Integrated Plans

Strategies:

Develop integrated infrastructure and land use plans for the state.

### Policy

State Planning Policy 3.2

Aboriginal Settlements:

- To provide for the recognition of Aboriginal settlements through local planning scheme and strategies, and;
- To collaboratively plan for the orderly and coordinated development of Aboriginal settlements.

## DETAILS:

### BILLILUNA

Billiluna is in the East Kimberley, approximately 147 kilometres south of the Halls Creek. It is in the Shire of Halls Creek.

The Billiluna Layout Plan 1 was prepared by the DoP. The Billiluna Layout Plan 1 addresses a range of issues, including: residential demand; incompatible use separation; water source protection; Aboriginal law and culture; land tenure recommendation; community and Traditional Owner aspiration; settlement zone recommendation, and; essential services demand. The Layout Plan 1 was prepared and complies with the provisions of State Planning Policy 3.2 – Aboriginal Settlements.

### TJUNTJUNTJARA LAYOUT PLAN 1 (AMENDMENT 2)

Tjuntjuntjara is in the east Goldfield-Esperance region, approximately 700 kilometres east of Kalgoorlie. It is within the Shire of Menzies.

The Tjuntjuntjara Layout Plan 1 (Amendment 2) was prepared by the DoP. The amendment addresses the revised aspirations of the community, including: revised road network; revised SL-lot structure; revised design population; infrastructure; essential services; school expansion; and; identification and protection of the drinking water source. The amendment was prepared and complies with the provisions of State Planning Policy 3.2 – Aboriginal Settlements.

## GOVERNMENT AND CORPORATE IMPLICATIONS:

Aboriginal settlement Layout Plans provide a sound basis for future development of housing, community facilities and essential service infrastructure and ensure environmental concerns are addressed.

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## **CONSULTATION:**

- Preparation and Amendment of the Layout Plans has been a result of consultation with a range of agencies, authorities and non-government organisations during 2009-2011 including State Land Services, Department of Regional Development & Lands, Department of Indigenous Affairs, Department of Housing, National Native Title Tribunal and Department of Water.
- The Billiluna Layout Plan 1 has been endorsed by the Mindibungu Aboriginal Corporation (representing the community) and the Shire of Halls Creek.
- The Tjuntjuntjara Layout Plan 1 (Amendment 2) has been endorsed by the Paupiyala Tjarutja Aboriginal Corporation (representing the community), Pila Nguru Aboriginal Corporation (representing the traditional owners, the Spinifex People) and the Shire of Menzies.

## **OFFICER'S COMMENTS:**

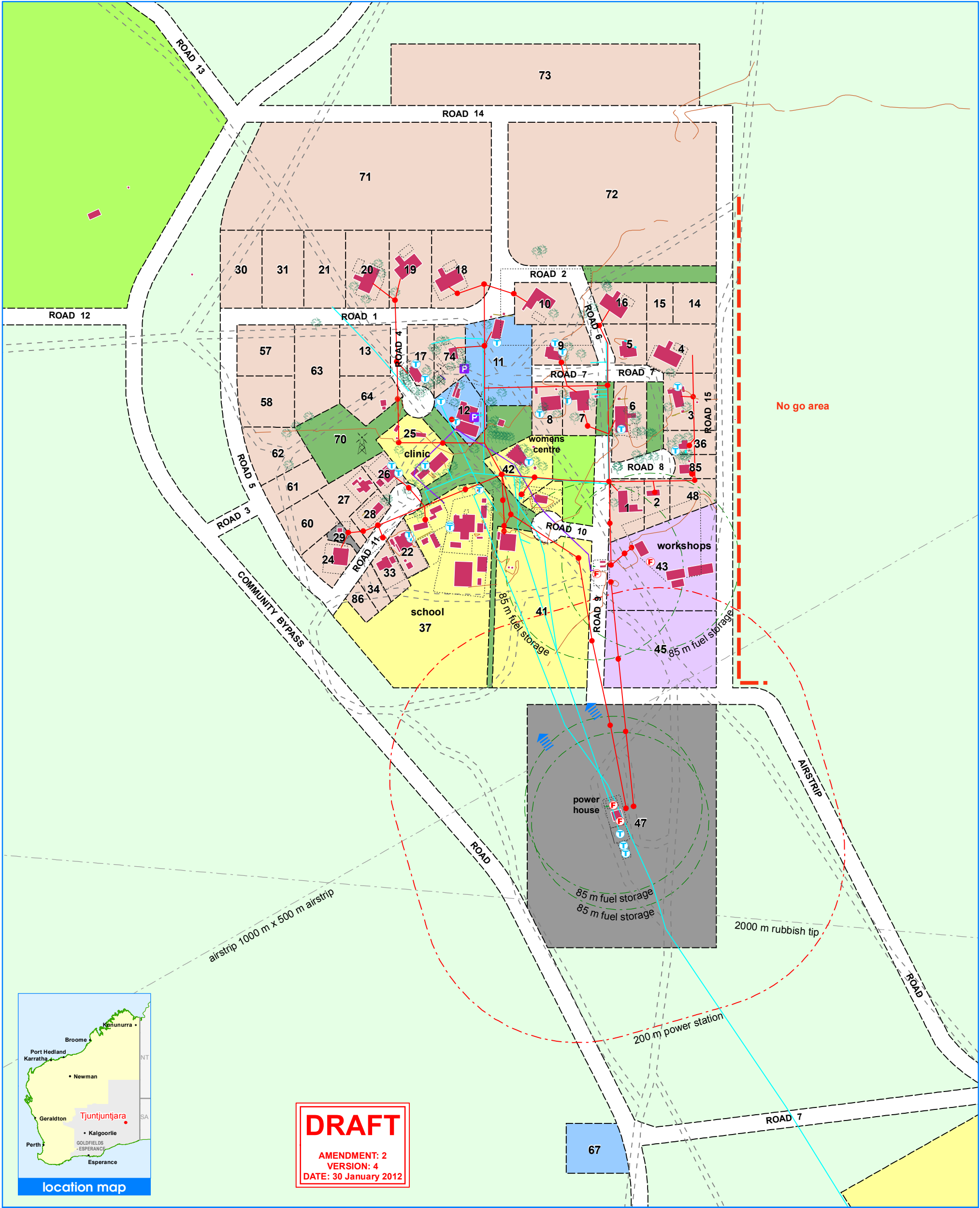
The Layout Plan and Amended Layout Plan are consistent with SPP 3.2 Aboriginal Settlements.

All have been endorsed by the relevant resident community and Local Government in accordance with SPP 3.2 Aboriginal Settlements.

The new and amended Layout Plans provide for the orderly and coordinated development of the settlements.

It is considered that the Layout Plans represent the aspirations of the owners and occupiers of the communities.

The Layout Plans are consistent with SPP 3.2 Aboriginal Settlements.



MGA Zone 52, GDA94  
Top left : 314790, 6753280  
Bottom right : 315720, 6752120

Layout plan prepared by Department of Planning.

Existing cadastral data supplied by the Western Australian Land Information Authority. (License LI 430-2009-4)

Features derived from: 1) as-constructed survey data provided by Department of Housing: C\_ID 201. Last completed survey date 29/09/2006, updated 12/10/2006; 2) February 2011 aerial image provided by Landgate.

Tjuntjuntjara LP1 Amend2 v4 - LivingArea.mxd

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Settlement layout not derived from calculated dimensions.

**Land Use**

- commercial
- community
- industrial

- open space
- pedestrian access way
- public utility

- recreation
- residential
- road reserve

**Land Administration**

- cadastre
- settlement layout (SL) & SL-lot number

**Exclusion Boundary**

- fuel storage
- no go boundary
- power station
- utility

**Features**

- bore
- drainage arrow
- electricity pole

- building
- contour
- electricity network

- fuel tank
- public telephone
- significant trees

- fence
- fuel pipe
- telecommunications cable

- telecommunications tower
- water tank
- well

- telecommunications fibre optic cable
- track
- wastewater pipe

**This layout plan does not constitute development approval**

It is the responsibility of the developer to ensure that all relevant consents, approvals, licences and clearances are in place prior to commencing physical works on the site. Organisations responsible for such matters may include land owner, local government, incorporated community council, native title representative body, Department of Environment & Conservation, Aboriginal Cultural Materials Committee, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.

**Endorsement**

Community	4 December 2003
Local Government	11 March 2004
Traditional Owners	
WAPC	4 May 2004

**Version**

Plan date	4 December 2003
Amendment 1	June 2007
Amendment 2	



0 20 40 60  
Metres




Government of Western Australia  
Department of Housing

# Tjuntjuntjara layout plan No.1 - Living Area



A map of Western Australia showing its regional divisions. The regions are labeled: GASCOYNE, MID-WEST, WHEATBELT, PERTH PEEL, SOUTH-WEST, GREAT SOUTHERN, PILBARA, KIMBERLEY, Broome, Derby, and Blinilla. Blinilla is marked with a red dot in the Kimberley region.



Western Australian Planning Commission  
Copyright © 2009  
Layout Plan prepared by Department of  
Planning  
Z:\Projects\country\_planning\pacpl\MindiBungu  
\_Billiulla\CLP\_MindiBungu\_A3z2\_Ver5  
\_07Sep11.dgn  
Existing cadastral data supplied by the  
Western Australian Land Information Authority,  
LI 430-2009-4  
Features derived from as-constructed  
survey data provided by Department of  
Housing. Last completed survey  
date 01/08/2008, updated 04/11/2008.  
Location of rubbish tip was derived from air  
photo image and approximate only.  
**Settlement layout not derived from calculated  
dimerions**  
MGA Zone 52, GDA 94  
Top left : 359190, 7837480  
Bottom right : 360130, 7836820

**Legend**

**Land use areas**

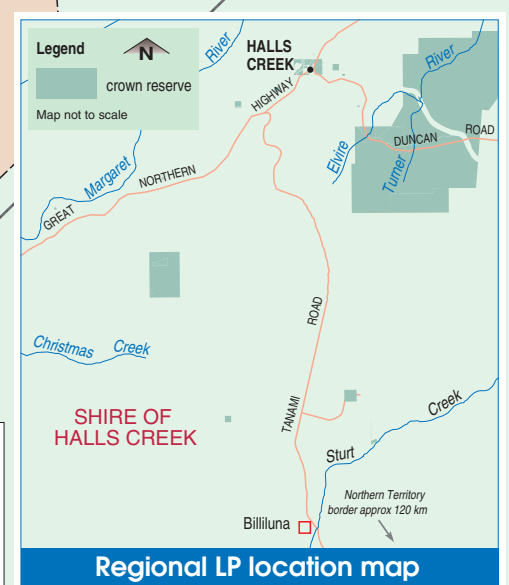
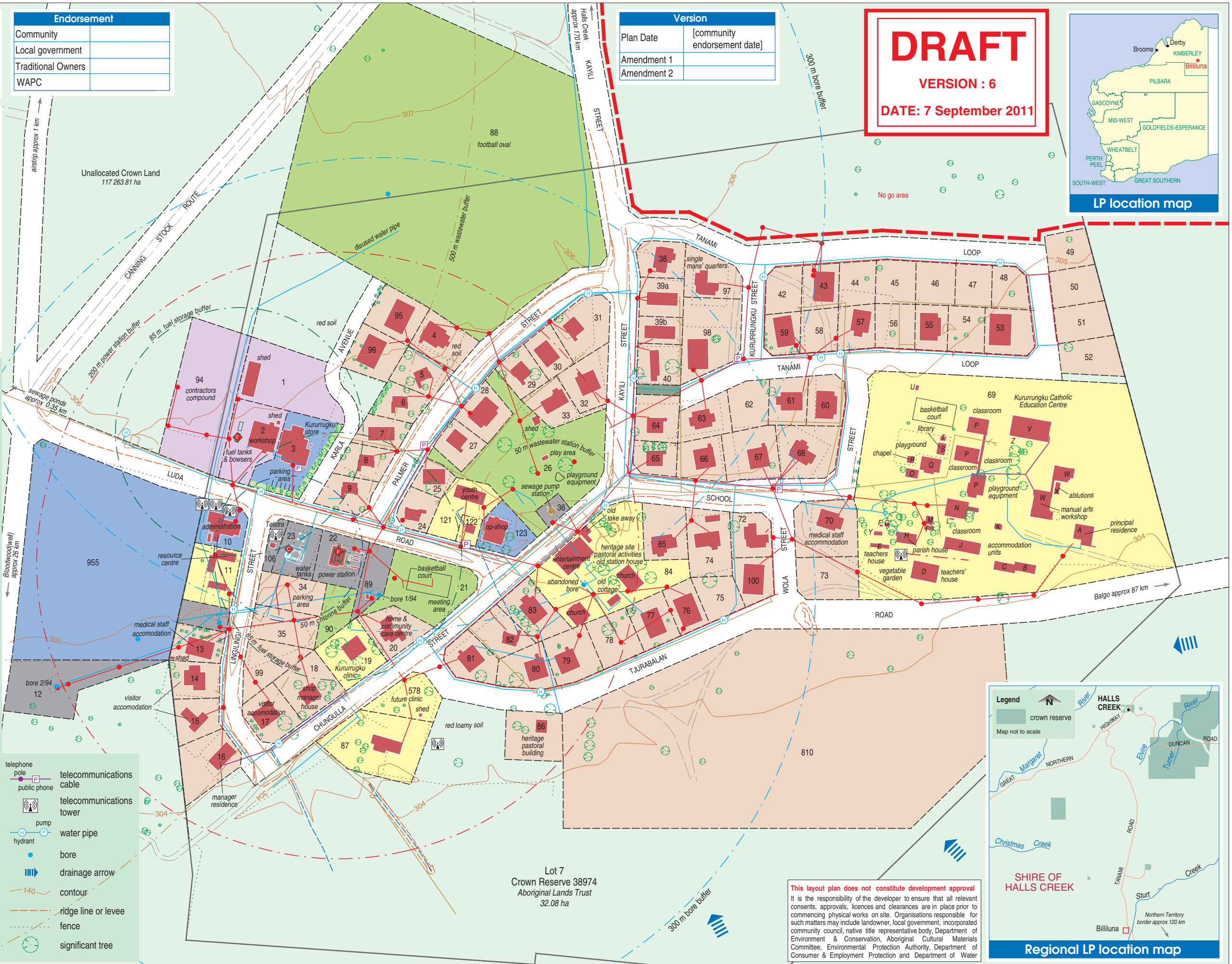
- residential
- commercial
- community
- industrial
- public utility
- open space
- recreation
- road reserve
- pedestrian access

**Exclusion Boundaries**

- No go boundary
- wastewater
- bore
- power station
- chlorine
- fuel storage

**Features**

- track
- building
- cadastre
- settlement layout & reference number
- fuel pipe
- fuel storage
- chlorine storage
- electricity pole
- electricity network
- wastewater pump
- wastewater pipe



**This layout plan does not constitute development approval**  
It is the responsibility of the developer to ensure that all relevant consents, approvals, licences and clearances are in place prior to commencing physical works on site. Organisations responsible for such matters may include landowner, local government, incorporated community council, native title representative body, Department of Environment & Conservation, Aboriginal Cultural Materials Committee, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water