



Statutory Planning Committee

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

Tuesday 9 July 2013
9.00 am

Level 2, Room 2.39
One40 William Street
Perth



Neil Thomson
Secretary, Western Australian Planning Commission

Please convey apologies to Leah Carr on 6551-9690 or email
leah.carr@planning.wa.gov.au

Statutory Planning Committee

Membership:

Member	Representation in accordance with <i>Planning and Development Act 2005</i>	Term of office ends
Mr Eric LUMSDEN	Chairman, WAPC Schedule 2 clause 4(2)(a)	30/04/2013
Mr Eric LUMSDEN	Director General, Department of Planning Schedule 2 clause 4(2)(b)	Ex officio
Mr Henty FARRAR	Nominee of the Regional Minister Schedule 2 clause 4(2)(c)	26/9/2013
Ms Elizabeth TAYLOR	Community representative Schedule 2 clause 4(2)(d)	5/11/2014
Mr Ian HOLLOWAY	Professions representative Schedule 2 clause 4(2)(e)	5/11/2014
Vacant	Local government representative Schedule 2 clause 4(2)(f)	
Ms Megan BARTLE	WAPC appointee Schedule 2 clause 4(2)(g)	5/11/2014
Ms Sue BURROWS	WAPC appointee Schedule 2 clause 4(2)(g)	5/11/2014

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:

The Statutory Planning Committee is one of four committees set up by the WAPC on 1 March 1995 upon proclamation of the *Planning Legislation Amendment Act (No. 2) 1994*.

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 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 (Del 2009/05)

Planning and Development Act 2005 Section 16(1)

- 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.
- 2.20 Such powers and functions of the WAPC as set out in-
- (i) Part 5 of the Act;
 - (ii) *Town Planning Regulations 1967*
- as are necessary for the preparation, promulgation and the making of recommendations in relation to the Improvement Scheme authorised by Improvement Plan No. 37 for the Browse Liquefied Natural Gas Precinct.

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 25 June 2013
9. Reports (see attached index of reports)
10. Confidential items (see attached index of reports)
11. General business
12. Items for consideration at a future meeting

Item No	Report	Request	Report Required by
7477.9.2	City of Mandurah – Endorsement of City Centre Precinct Plan	To request Committee Support to arrange for the City of Mandurah to address the SPC and to include a site visit to coincide with an SPC meeting to be held in Mandurah. (Subsequently resolved on 28/5/13) to omit the SPC meeting in Mandurah and to hold the site visit on a date when a cancelled SPC meeting would occur and to include a site visit to Preston Beach)	13/8/12

7477.11.1	The Wheatbelt – Towns of York and Toodyay	To request Committee Support to arrange a site visit with regard to water and bush fire issues and in relation to future approvals for rural living subdivisions due to lack of water resources, and a possible need for consolidation of the local towns. (to be combined with 7477.11.2) (Subsequently resolved on 28/5/13 to hold the site visit on a date when a cancelled SPC meeting would occur)	TBA
7477.11.2	Avon Arc Study	To request Committee Support to invite Avon Arc to advise the Committee on issues such as sustainability, identifying priority areas, royalties for regions and capability. (to be combined with 7477.11.1) (as above)	8/10/13
7477.11.3	Private Arrangements for obtaining money for public open space by agreement	To request the Department to prepare a report to the WAPC regarding these types of arrangements.	TBA
7482.9.1	Update of Planning Bulletin 67: Guidelines for Wind Farm Development	To request the Department to liaise with the Department of Lands and the Department of Agriculture and consult with departments and the statutory planning section to ascertain whether there are any further refinements required to the policy. To incorporate comments from SPC members and to represent the policy to a future SPC meeting.	TBA

13. Closure - next meeting to be held on 23 July 2013

Statutory Planning Committee

Minutes
of ordinary meeting 7484
held on Tuesday 25 June 2013

Attendance

Members

Mr Eric Lumsden	WAPC Chairman (Presiding Member) Director General, Department of Planning
Ms Megan Bartle	WAPC appointee
Ms Sue Burrows	WAPC appointee
Mr Henty Farrar	Nominee of the Regional Minister
Mr Ian Holloway	Professions representative
Ms Elizabeth Taylor	Community representative

Officers

Ms Pam Baskind	Department of Planning Planning Manager, Regional Planning and Strategy (Item 10.1)
Ms Natalie Cox	Planning Manager, Perth and Peel Planning (Items 10.2 and 10.4)
Ms Jasmine Tohill	Senior Planning Officer, Perth and Peel Planning (Item 10.2)

Committee Support

Ms Leah Carr	Committee Support Officer - Department of Planning
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7483.1 Declaration of Opening

The Presiding Member declared the meeting open at 9.04 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed Members.

7483.2 Apologies

Nil.

7483.3 Members on Leave of Absence and Applications for Leave of Absence

Nil.

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7483.4 Disclosure of Interests

Nil.

7483.5 Declaration of Due Consideration

No declarations were made.

7483.6 Deputations and Presentations

Nil.

7483.7 Announcements by the Chairperson of the Board and communication from the WAPC

Nil.

7483.8 Confirmation of Minutes

7483.8.1 Minutes of the Statutory Planning Committee meeting held on Tuesday 9 June 2013

Resolved

Moved by Ms Taylor, seconded by Mr Farrar

That the minutes of the Statutory Planning Committee meeting held on Tuesday 9 June 2013, be confirmed as a true and correct record of the proceedings.

The motion was put and carried.

7483.9 Reports

7483.9.1 **Application to Construct Thirty Seven Multiple Dwellings at No. 10-14 (Lots 316-318) Whitlock Road, Queens Park**

File 16-50106-1

Report Number SPC/447

Agenda Part G

Reporting Officer Planning Officer - Metropolitan Planning Central

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Officer's Recommendation

That the Western Australian Planning Commission resolves to grant approval the proposed development of 37 multiple dwellings at No. 10-14 (Lots 316-318) Whitlock Road, Queens Park, pursuant to Clause 30 of the Metropolitan Region Scheme, subject to the following conditions:

CONDITIONS:

1. The proposed development is to comply in all respects with the submitted plans received on the 05 April 2013 and stamped accordingly.
2. All stormwater from building and paving areas being contained on-site to the specification of the City of Canning and to the satisfaction of the Western Australian Planning Commission.
3. The applicant is to prepare and implement a Landscape Management Plan prior to commencement of construction to the specification of the City of Canning and to the satisfaction of the Western Australian Planning Commission.
4. All proposed fencing to be constructed to the specification of the City of Canning and to the satisfaction of the Western Australian Planning Commission.
5. All vehicular access points and parking bays being provided and marked to the specification of the City of Canning and to the satisfaction of the Western Australian Planning Commission.

ADVICE:

1. With regard to Condition 2, the applicant is advised to liaise with the City of Canning regarding stormwater and soak well requirements. The applicant is also advised that separate permissions may

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be required should it be proposed to re-distribute stormwater onto any other or adjoining land.

2. With regard to Condition 3, the applicant is advised to liaise with the City of Canning regarding any landscaping requirements and the removal or relocation of any street trees affected by the development.
3. In regard to Condition 4, the applicant is advised to liaise with the City of Canning regarding fencing requirements for this site.
4. The applicant is advised that any costs incurred as a result of the construction of any on-street parking associated with the development are to be borne by the applicant.

Mr Farrar raised the following concerns:

- lack of detail of the design guidelines for the quattro development area
- no mention of the public transport/railway station accessibility for this area

Mr Farrar advised the Committee that he could not support this recommendation if it is contrary to the guidelines for multiple dwellings.

Members agreed to defer items 9.1 and 9.2 to request the report writer to provide more information and to then circulate these reports out of session for endorsement of recommendations.

Resolved

Moved by Ms Taylor, seconded by Ms Bartle

That the Western Australian Planning Commission resolves to:

1. *defer item 9.1 "Application to Construct Thirty Seven Multiple Dwellings at No. 10-14 (Lots 316-318) Whitlock Road, Queens Park" for out of session circulation once the necessary information relating to the*

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variations to the guidelines and any other relevant information has been provided;

- 2. request members to examine that information and indicate whether they will be prepared to endorse the recommendations.*

The motion was put and carried.

7483.9.2

Application to Construct Forty Nine Multiple Dwellings at No. 18-24 (Lots 319-322) Whitlock Road, Queens Park

File 16-50107-1
Report Number SPC/448
Agenda Part G
Reporting Officer Planning Officer - Metropolitan Planning Central

Officer's Recommendation

That the Western Australian Planning Commission resolve to grant approval the proposed development of 49 multiple dwellings at No. 18-24 (Lots 319-322) Whitlock Road, Queens Park, pursuant to Clause 30 of the Metropolitan Region Scheme, subject to the following conditions:

CONDITIONS:

1. The proposed development is to comply in all respects with the submitted plans received on the 05 April 2013 and stamped accordingly.
2. All stormwater from building and paving areas being contained on-site to the specification of the City of Canning and to the satisfaction of the Western Australian Planning Commission.
3. The applicant is to prepare and implement a Landscape Management Plan prior to commencement of construction to the specification of the City of Canning and to the satisfaction of the Western Australian Planning Commission.

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4. All proposed fencing to be constructed to the specification of the City of Canning and to the satisfaction of the Western Australian Planning Commission.
5. All vehicular access points and parking bays being provided and marked to the specification of the City of Canning and to the satisfaction of the Western Australian Planning Commission.

ADVICE:

1. With regard to Condition 2, the applicant is advised to liaise with the City of Canning regarding stormwater and soak well requirements. The applicant is also advised that separate permissions may be required should it be proposed to re-distribute stormwater onto any other or adjoining land.
2. With regard to Condition 3, the applicant is advised to liaise with the City of Canning regarding any landscaping requirements and the removal or relocation of any street trees affected by the development.
3. In regard to Condition 4, the applicant is advised to liaise with the City of Canning regarding fencing requirements for this site.
4. The applicant is advised that any costs incurred as a result of the construction of any on-street parking associated with the development are to be borne by the applicant.

Mr Farrar raised the following concerns:

- lack of detail of the design guidelines for the quattro development area
- no mention of the public transport/railway station accessibility for this area

Mr Farrar advised the Committee that he could not support this recommendation if it is contrary to the guidelines for multiple dwellings.

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Members agreed to defer items 9.1 and 9.2 to request the report writer to provide more information and to then circulate these reports out of session for endorsement of recommendations.

Resolved

Moved by Ms Taylor, seconded by Ms Bartle

That the Western Australian Planning Commission resolves to:

- 1. defer item 9.2 "Application to Construct Forty Nine Multiple Dwellings at No. 18-24 (Lots 319-322) Whitlock Road, Queens Park" for out of session circulation once the necessary information relating to the variations to the guidelines and any other relevant information has been provided;*
- 2. request members to examine that information and indicate whether they will be prepared to endorse the recommendations.*

The motion was put and carried.

7483.10 Confidential Items

7483.10.1 Indian Ocean Drive Planning Guideline – Consent to Advertise

File DP/12/00980/1
Report Number SPC/449
Agenda Part A
Reporting Officer Executive Director RP&S

THIS ITEM IS CONFIDENTIAL

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7483.10.2 Shire of Serpentine Jarrahdale - Local Planning Scheme No.2 Amendment No.168 - For Final Approval

File TPS/0396
Report Number SPC/450
Agenda Part B
Reporting Officer Planning Manager - Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

7483.10.3 City of Subiaco - Amendment No. 17 to Town Planning Scheme No. 4 - Final Approval

File TPS/0918/1
Report Number SPC/451
Agenda Part B
Reporting Officer Manager- Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

7483.10.4 City of Gosnells - Local Planning Scheme Amendment No. 122 - For Final Approval

File TPS/0571
Report Number SPC/452
Agenda Part B
Reporting Officer Planning Manager of Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

7483.10.5 Shire of Exmouth Local Planning Scheme No. 4 Resolution to Prepare a Scheme - For Final Approval

File TPS/1125/1
Report Number SPC/453
Agenda Part E
Reporting Officer Planning Manager

THIS ITEM IS CONFIDENTIAL

UNCONFIRMED

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7483.10.6 Town of Port Hedland - Local Planning Scheme Amendment No. 45 - For Final Approval

File TPS/0887/1
Report Number SPC/454
Agenda Part E
Reporting Officer Senior Planning Officer - Northern Regions

THIS ITEM IS CONFIDENTIAL

7483.11 General Business

Nil.

7483.12 Items for Consideration at a Future Meeting

Item No	Report	Request	Report Required by
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7477.11.3	Private Arrangements for obtaining money for public open space by agreement	To request the Department to prepare a report to the WAPC regarding these types of arrangements.	TBA
7482.9.1	Update of Planning Bulletin 67: Guidelines for Wind Farm Development	To request the Department to liaise with the Department of Lands and the Department of Agriculture and consult with departments and the statutory planning section to ascertain whether there are any further refinements required to the policy. To incorporate comments from SPC members and to represent the policy to a future SPC meeting.	TBA

7483.13 Closure

The next ordinary meeting is scheduled for 9.00 am on Tuesday 9 July 2013.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 9.22 am.

PRESIDING MEMBER _____

DATE _____

INDEX OF REPORTS

Item	Description
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E	MINOR LOCAL OR REGIONAL PLANNING SCHEMES / LOCAL PLANNING SCHEME AMENDMENTS
9.1	COOROW TOWNSITE LOCAL PLANNING STRATEGY FOR CONSENT TO ADVERTISE
G	DEVELOPMENTS / SUBDIVISIONAL / SURVEY STRATA
9.2	SUBDIVISION OF LOTS 3000 AND 9003 COMPASS BOULEVARD, BAYONET HEAD - FROM TWO LOTS INTO 102 LOTS
9.3	SUBDIVISION OF LOTS 501 AND 502 MILLSTREAM ROAD, MULATAGA, KARRATHA - TO CREATE 368 RESIDENTIAL LOTS AND ONE BALANCE LOT
10	CONFIDENTIAL REPORTS
B	LOCAL OR REGIONAL PLANNING SCHEMES / AMENDMENTS
10.1	SUBDIVISION TO CREATE TWO LOTS FOR RURAL RESIDENTIAL (ULTIMATELY SPECIAL RESIDENTIAL ZONE) PURPOSE – LOT 1 KEARSLEY ROAD, DENMARK
D	GENERAL ITEMS / OTHER MATTERS
10.2	SHIRE OF CARNARVON CORAL BAY SETTLEMENT STRUCTURE PLAN – FOR CONSENT TO ADVERTISE
E	MINOR LOCAL OR REGIONAL PLANNING SCHEMES / LOCAL PLANNING SCHEME AMENDMENTS
10.3	CITY OF KALGOORLIE-BOULDER LOCAL PLANNING STRATEGY - FOR FINAL APPROVAL

- 10.4 SHIRE OF RAVENSTHORPE DRAFT LOCAL PLANNING STRATEGY – FOR CONSENT TO ADVERTISE
- 10.5 SHIRE OF YORK TOWN PLANNING SCHEME 2, AMENDMENT 51 - FOR FINAL APPROVAL
- 10.6 SHIRE OF NORTHAM LOCAL PLANNING SCHEME NO. 6 AND LOCAL PLANNING STRATEGY - FOR FINAL APPROVAL

ITEM NO: 9.1

COOROW TOWNSITE LOCAL PLANNING STRATEGY FOR CONSENT TO ADVERTISE

WAPC OR COMMITTEE:	Statutory Planning Committee
REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Planning Manager, Central Regions
AUTHORISING OFFICER:	Executive Director, Regional Planning and Strategy
AGENDA PART:	E
FILE NO:	DP/13/00451
DATE:	25/06/2013
ATTACHMENTS:	1: Location Map 2: Strategy Plan

RECOMMENDATION:

That the Western Australian Planning Commission resolves to:

- 1. certify that the Shire of Coorow draft Coorow Townsite Local Planning Strategy is consistent with regulation 12A(3) of the Town Planning Regulations, 1967 (as amended);*
- 2. grant consent to advertise the draft Coorow Townsite Local Planning Strategy in accordance with regulation 12B of the Town Planning regulations, 1967 (as amended) for a period not less than 21 days, subject to the following modifications being effected:*
 - 2.1 Include a requirement for the preparation of a structure plan at Part 3.3.*

SUMMARY:

The Coorow Townsite Local Planning Strategy ("the Strategy") provides strategic direction to guide future development in the Coorow townsite. It is consistent with WAPC policy and legislative requirements and it is recommended that consent to advertise is granted.

BACKGROUND:

Coorow is located approximately 230km north of Perth and 180km south of Geraldton in the Mid West region (**Attachment 1: Location Map**). The Shire of Coorow considers that both the temporary and permanent populations of the townsite will grow from its current population of 160 people (2011 Census) over the next 10-15

years. A townsite local planning strategy, also known as a townsite expansion strategy is a strategic plan used to guide development in towns with a population less than 1000 people and the WAPC recently endorsed the Leeman and Green Head Townsite Local Planning Strategy, also in the Shire of Coorow.

The Shire resolved at their meeting of Council on 20 February 2013 to seek consent to advertise the Strategy and subsequently requested consent from the WAPC on 6 June 2013.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	<i>Town Planning Regulations, 1967 (as amended)</i>
Section:	r. 12A and r. 12B
Strategic Plan	
Strategic Goal:	Planning
Outcomes:	<ul style="list-style-type: none">• Effective delivery of integrated plans• Planned local communities - developing a sense of place
Strategies:	<ul style="list-style-type: none">• Implement State and Regional planning priorities• Improve local planning service capability
Policy	
Number and / or Name:	<ul style="list-style-type: none">• State Planning Policy 3 - Urban Growth and Settlement (SPP 3)• State Planning Policy 2.5 - Agricultural and Rural Land Use Planning (SPP 2.5)• State Planning Policy 3.1 - Residential Design Codes (R-Codes)• Development Control Policy 3.4 - Subdivision of Rural Land (DC 3.4)• Planning Bulletin 83/2013 - Planning for Tourism (PB 83)

DETAILS:

The strategic vision for Coorow is provided in Part 2 of the Strategy. It anticipates Coorow attracting moderate and sustainable levels of growth while it continues to be a secondary service centre in the region. Improving the amenity of the town and attracting additional local business opportunities are also highlighted in Coorow's vision.

Part 3 of the Strategy sets out short, medium and long term priorities for the following categories of land use and development:

- residential - infill;
- residential - expansion;
- rural residential;
- workers accommodation;
- industrial;
- tourism/accommodation;

- community/recreation facilities; and
- community/recreation.

Part 4 of the Strategy provides guidance for the movement network servicing the townsite, including a potential bypass road as a long term goal should Coorow grow to a point where freight traffic travelling through the town is adversely affecting safety and amenity. An additional rail crossing is identified as a short term priority to link Main Street to Bothe Street and increase connectivity in the townsite.

A brief overview of existing infrastructure is provided at Part 5 and prioritised recommendations for improving amenity and attracting tourism to the townsite are provided at Part 6. A review of the Shire of Coorow Town Planning Scheme No. 2 (TPS 2), including the introduction of structure planning provisions and the subsequent preparation of structure plans and detailed area plans are recommended at Part 7 of the Strategy. Part 8 provides an overview of the Strategy preparation process.

The Strategy Plan provides a spatial plan of the proposals outlined above (**Attachment 2 - Strategy Plan**).

GOVERNMENT AND CORPORATE IMPLICATIONS:

The Strategy has the potential to implement WAPC planning policy through the local planning framework and guide future development in the townsite of Coorow. Granting consent to advertise will provide the opportunity for further input from stakeholders, government and the community.

CONSULTATION:

A project steering group was established to guide the development of the Strategy and initial consultation with key agencies on the preparation of the Strategy has been undertaken. A preliminary community workshop was also held on the 30 July 2012.

Further detailed consultation with relevant stakeholders, government agencies and the community will occur once consent to advertise is granted.

OFFICER'S COMMENTS:

The recommendations for residential development provided at Parts 3.1 and 3.2 of the Strategy prioritise infill development over expansion of the townsite to facilitate short-medium term residential growth. Areas for residential expansion, if required in the future are provided on the existing 'Residential R10/15' zoned land adjacent to the infill area to the east of the town. This approach is consistent with some of the key requirements outlined at Part 5.1 of SPP 3, as it allows for the most efficient use of existing vacant, zoned land and consolidation of existing services.

The extent of the proposed rural residential development opportunity on existing 'Rural' zoned land to the north of the townsite suggests an approximate yield of 63 lots, assuming an average lot size of 5000m². This is consistent with 'Special Residential' or 'Residential R2', as per Table 1 of the R-Codes, rather than 'Rural Residential'. Clause 5.3.2 of SPP 2.5 provides lot sizes between 1-4ha for 'Rural

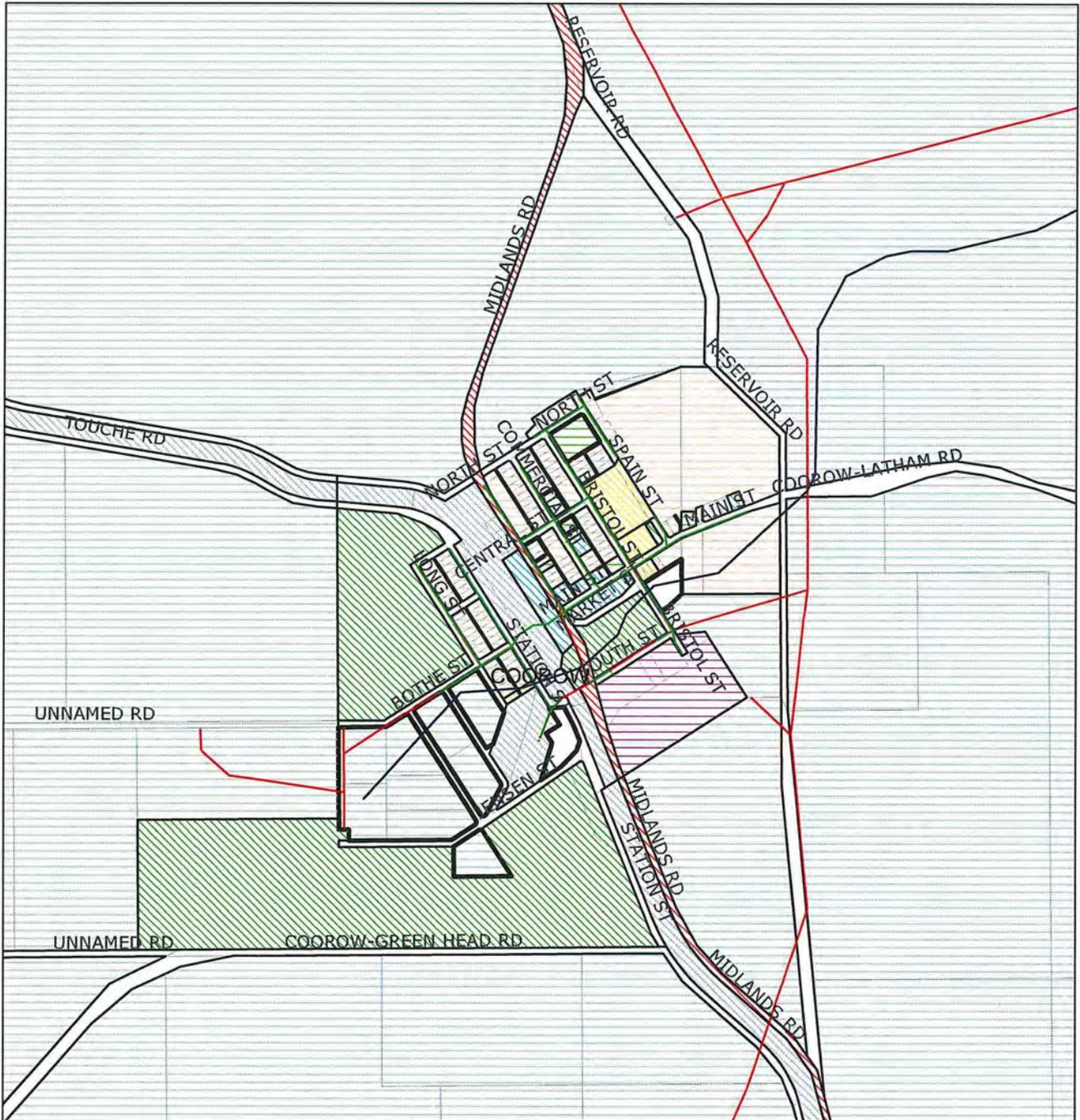
Residential' development, which is also reflected in DC 3.4. The recommendation at Part 3.3 of the Strategy identifies the land for 'Special Residential' development and the proposed lot sizes and yield indicate that the intent is for 'Special Residential' lots to be incorporated into this area.

The Local Government advised that the purpose of this area is to provide for a broader variety of lot sizes under the 'Rural Residential' zoning, ranging from 2000m² - 1ha. The range of lot sizes is proposed to cater for those seeking a 'tree change' and to reflect that suburban low density residential lots are not generally in demand in this setting. The Local Government advised that whilst an average lot size of 5,000m² was assumed for yield purposes, it was envisaged that lot sizes would range from 2,000m² up to 1ha.

Whilst SPP2.5 does generally indicate that Rural-Residential should be 1ha to 4ha, it was still felt that this would be the most appropriate designation in the strategy to accommodate the anticipated sizes. The proposal is therefore considered appropriate for advertising. The Local Government further advised that potential land use conflicts between 'Rural Residential' and 'Residential R2' are intended to be addressed through local planning scheme requirements. Currently, TPS 1 includes a 'Rural Residential' zone without any associated scheme provisions and it is recommended that the Strategy include a structure planning requirement at Part 3.3 to ensure any future development is properly planned and to be consistent with the requirements for other residential expansion areas at Part 3.2 of the Strategy.

The proposals at Part 3.7 to expand the existing caravan park facility and create a tourist accommodation precinct on the strip of vacant 'Commercial' zoned land adjacent to the rail line and Main Street in the town centre are consistent with the intent of PB 83. The proposals recommend rezoning the land to 'Tourist Accommodation' rather than a more general 'Tourism' zone because this zoning is currently available under TPS 2.

The remaining proposals are consistent with relevant WAPC policy and it is recommended that the Strategy be supported for advertising in accordance with regulation 12B of the *Town Planning Regulations 1967 (as amended)*.



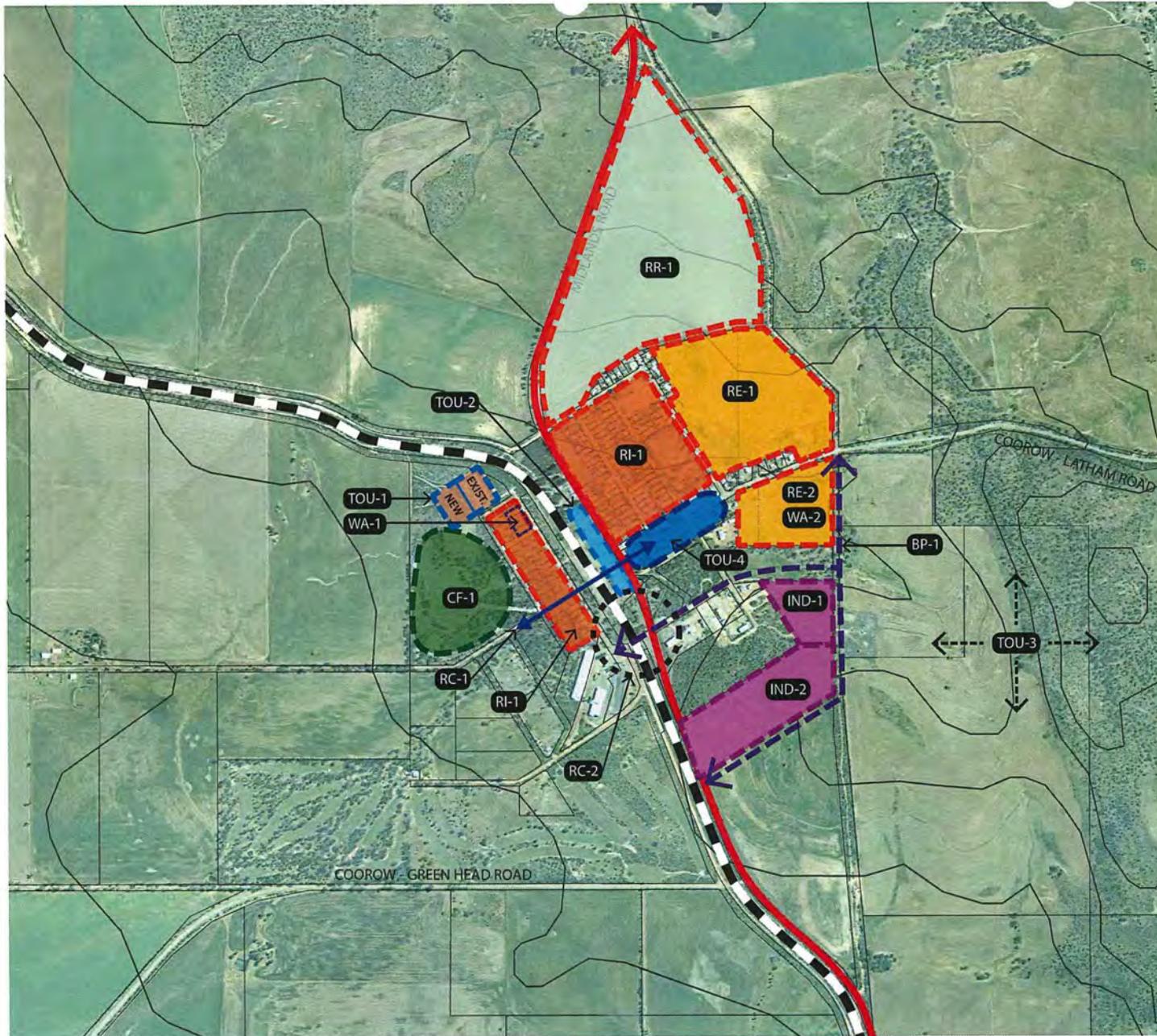
Non-perennial minor river	PLACE OF PUBLIC ASSEMBLY (CS) - CHURCH SITE	PARKS AND RECREATION
High voltage	SPECIAL USE (SS) - SERVICE STATION	MAJOR ROAD
Low voltage	SPECIAL USE (F&TD) - FUEL & TRANSPORT DEPOT	RAILWAY
High voltage	SPECIAL USE (MR) - MACHINERY REPAIRS	PUBLIC PURPOSES (H) - HALL SITE
Low voltage	SPECIAL USE (GR&AP) - GRAIN RECEIVAL & ASSOCIATED PURPOSES	PUBLIC PURPOSES (CO) - COUNCIL OFFICE
Townsites	INDUSTRIAL	PUBLIC PURPOSES (D) - DRAIN
Cadastre with Lot Numbers	PRIVATE CLUBS & INSTITUTIONS	PUBLIC PURPOSES (S) - SCHOOL
RESIDENTIAL	RURAL	
COMMERCIAL	RURAL RESIDENTIAL	

Scale 1:18,367
 0 500 m

Prepared by: knunn
 Prepared for:
 Date: Wednesday, June 19, 2013 13:32
 Plot identifier: P20130619_1332

DP INTERNAL USE ONLY

Government of Western Australia
 Department of Planning



- RI-1** RESIDENTIAL INFILL - EXISTING VACANT LOTS
- RE-1** RESIDENTIAL EXPANSION - NORTH OF MAIN STREET
- RE-2** RESIDENTIAL EXPANSION - SOUTH OF MAIN STREET
- RR-1** RURAL RESIDENTIAL DEVELOPMENT OPPORTUNITY
- WA-1** SMALL SCALE WORKERS ACCOMMODATION FACILITY
- WA-2** LARGE SCALE WORKERS ACCOMMODATION FACILITY
- IND-1** INDUSTRIAL AREA EXPANSION (SHORT TERM)
- IND-2** INDUSTRIAL AREA EXPANSION (MEDIUM-TO-LONG TERM)
- TOU-1** IMPROVEMENT AND EXPANSION OF CARAVAN PARK
- TOU-2** NEW TOURISM PRECINCT
- TOU-3** IMPROVED TOURISM INFRASTRUCTURE
- TOU-4** IMPROVED MAIN STREET
- CF-1** ENHANCEMENT OF MALEY PARK
- BP-1** BYPASS ROAD OPTIONS
- RC-1** NEW ROAD AND PEDESTRIAN RAIL CROSSING
- RC-2** IMPROVED EXISTING RAIL CROSSING

Coorow Townsite Local Planning Strategy

Shire of Coorow 2012

DATE 22.02.2013

DWG NO 001

REV B

SCALE 1:7500 @ A3

Level 1, 55 St Georges Tce,
Perth, WA 6000 Australia

Tel +618 9346 0500
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www.urbis.com.au

Urbis Pty Ltd ABN 50 105 256 288
Australia Asia Middle East



ITEM NO: 9.2

SUBDIVISION OF LOTS 3000 AND 9003 COMPASS BOULEVARD, BAYONET HEAD - FROM TWO LOTS INTO 102 LOTS

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Planning Officer
AUTHORISING OFFICER: Executive Director
AGENDA PART: G
FILE NO: 145693
DATE: 25/6/13
ATTACHMENTS: 1 - Modified Plan of Subdivision Date-Stamped 24 December 2012
2 - Original Plan of Subdivision
3 - Interim Bayonet Head Outline Development Plan
REGION SCHEME ZONING: N/A
LOCAL GOVERNMENT: City of Albany
LOCAL SCHEME ZONING: Residential Development
LGA RECOMMENDATION(S): Approve With Conditions
REGION DESCRIPTOR: Great Southern
RECEIPT DATE: 28 February 2012
PROCESS DAYS: 107
APPLICATION TYPE: Subdivision
CADASTRAL REFERENCE: Subdivision of Lots 3000 and 9003 Compass Boulevard, Bayonet Head from 2 lots into 102 Lots.

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the subdivision of Lots 3000 and 9003 Compass Boulevard, Bayonet Head from two lots into 102 Lots, subject to the following conditions and advice:

CONDITIONS:

- 1. The diagram or plan of survey (deposited plan) being in accordance with the attached plan date-stamped 24 December 2012. (WAPC)***
- 2. 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)

3. *The provision of easements pursuant to Section 167 of the Planning and Development Act 2005 for existing or planned power infrastructure being granted free of cost to that body. (Western Power)*
4. *Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)*
5. *Arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)*
6. *Prior to the commencement of subdivisional works, an Urban Water Management Plan is to be prepared and approved, in consultation with the Department of Water, consistent with any approved Local Water Management Strategy/Drainage and Water Management Plan with satisfactory arrangements being made for the implementation of the approved plan. (Local Government)*
7. *The land being filled, stabilised, drained and/or graded as required to ensure that:*
 - a) *lots can accommodate their intended development;*
 - b) *finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and*
 - c) *stormwater is contained on-site, or appropriately treated and connected to the local drainage system. (Local Government)*
8. *Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the Planning and Development Act 2005. (Local Government)*
9. *Prior to the commencement of subdivisional works, the landowner/applicant is to provide a pre-works geotechnical report certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development; and*

In the event that remediation works are required, the landowner/applicant is to provide a post geotechnical report certifying that all subdivisional works have been carried out in accordance with the pre-works geotechnical report. (Local Government)
10. *Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure*

that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant's cost.

As an alternative, and subject to the agreement of the Local Government the Western Australian Planning Commission (WAPC) is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local government and 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)

11. Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:

- a) street lighting is installed on all new subdivisional roads to the standards of the relevant licensed service provider;***
- b) roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly;***
- c) temporary turning areas are provided to those subdivisional roads that are subject to future extension; and***
- d) All cul-de-sac heads, both temporary and permanent, are constructed, drained and sealed;***

to the specifications of the City of Albany and the satisfaction of the WAPC. (Local Government)

12. Arrangements being made for the payment of a contribution toward the construction of the portions of Sibbald Road and Wren Way where they adjoin the western and north western boundary of the reserve area referred to in Condition 17 of this approval, to the specifications of the Local Government. (Local Government)

13. Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that embayment parking is provided within the Wren Way road reserve adjacent to the main area of Public Open Space, to the specifications of Council. (Local Government)

14. All local streets within the subdivision being truncated in accordance with the Western Australian Planning Commission's DC 2.6 Residential Road Planning. (Local Government)

15. Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to

ensure that dual use paths/cycleways are constructed to the specification of the City of Albany and satisfaction of the Western Australian Planning Commission. (Local Government)

- 16. Arrangements being made for the proposed public open space to be developed by the landowner/applicant to a minimum standard and maintained for two summers through the implementation of an approved landscape plan providing for the development and maintenance of the proposed public open space in accordance with the requirements of Liveable Neighbourhoods and to the specifications of the local government. (Local Government)**
- 17. The land in the southwest corner of the subdivision plan date-stamped 24 December 2012 and shown as Wetland Buffer and Stormwater Management is to be shown on the Diagram or Plan of Survey (Deposited Plan) as a "Drainage Reserve" and a conservation Wetland and Buffer Reserve is to be vested in the Crown under section 152 of the Planning and Development Act 2005. (Local Government)**
- 18. Prior to the commencement of subdivisional works a Conservation Wetland and Buffer management plan is to be prepared and approved, in consultation with the Local Government and consistent with the Bayonet Head Outline Development Plan and Bayonet Head Drainage Study recommendations, to ensure the protection and management of the site's environmental assets with satisfactory arrangements being made for the implementation of the approved plan. (Department of Water)**
- 19. Implementation of the approved management plan for the Conservation Wetland and Buffer. (WAPC)**
- 20. The landowner/applicant contributing towards the costs of providing community and/or common infrastructure pursuant to Clause 5.5.4 of the City of Albany Town Planning Scheme No.3. (Local Government)**
- 21. Prior to the commencement of subdivisional works a Western Ringtail Possum Translocation Plan is to be prepared and approved to ensure the protection and management of the site's environmental assets with satisfactory arrangements being made for the implementation of the approved plan. (Department of Environment and Conservation)**
- 22. Arrangements being made for the construction of underpasses that allow for the movement of small fauna under the sections of Allwood Parade and the subdivisional road adjoining the northern P.O.S. (Local Government)**
- 23. The landowner/applicant making a pro-rata contribution towards the cost of the acquisition of the primary school site identified in the subdivision locality. (Department of Education)**
- 24. The proposed reserve(s) shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserve(s) for Public Open Space and being 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. (WAPC)

- 25. All pedestrian access way(s) within the subdivision being constructed and drained at the landowner/applicant's cost and shown on the diagram or plan of survey (deposited plan) as such 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. (Local Government)**
- 26. Prior to the commencement of subdivisional works a Foreshore Management Plan is to be prepared and approved to ensure the protection and management of the site's environmental assets with satisfactory arrangements being made for the implementation of the approved plan. (Local Government)**
- 27. Prior to the commencement of subdivisional works a Weed Management Plan is to be prepared and approved detailing how existing weeds within the subdivision will be eradicated and controlled, with satisfactory arrangements being made for the implementation of the approved plan. (Local Government)**
- 28. A Fire Management Plan being prepared, approved and relevant provisions implemented during subdivisional works, in accordance with the WAPC's Guideline 'Planning for Bushfire Protection Edition 2, May 2010' (in particular Appendix 3), to the specifications of the Local Government. (Local Government)**
- 29. A notification, pursuant to section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be shown on the diagram or plan of survey (deposited plan). The notification is to state as follows: 'The lot(s) is/are subject to a fire management plan'. (Local Government)**

ADVICE:

- 1. In regard to Conditions 2 and 3, Western Power provides only one underground point of electricity supply per freehold lot.**
- 2. With regard to Condition 3, the specific location and area of land require is to be to the satisfaction of the WAPC on the advice of the local government and Western Power.**
- 3. In regard to Conditions 4 and 5, the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On receipt of a request from the landowner/ applicant, a Land Development Agreement under Section 67 of the Water Agencies (Powers) Act 1984 will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.**

4. ***Condition 6 has been imposed in accordance with Better Urban Water Management Guidelines (WAPC 2008). Further guidance on the contents of urban water management plans is provided in 'Urban Water Management Plans: Guidelines for preparing and complying with subdivision conditions' (Department of Water 2008).***
5. ***In relation to Condition 9, the geotechnical report is to identify winter ground water levels; soil classification; pavement design CBR; implications of ground water and surface water on road work designs; and quality and placement of fill materials.***
6. ***In regard to Conditions 10-14, the landowner/applicant is advised that the road reserves, including the constructed carriageways, laneways, truncations, footpaths/dual use paths and car embayments, are to be generally consistent with the approved plan of subdivision. Appropriate traffic calming devices shall be implemented on Wren Way to deter non-local traffic using Wren Way. Additionally, road design at several locations will need to allow for possible future installation of traffic islands. These factors shall be taken into consideration when submitting road design plans to the Local Government.***
7. ***With regard to Condition 16, the development is to include full earthworks, basic reticulation, grassing of key areas, and pathways that form part of the overall pedestrian and/or cycle network.***
8. ***With regard to Condition 24, provisions of section 153 of the Planning and Development Act 2005 provide that arrangements can be made, subject to further approval of the Western Australian Planning Commission, for a cash-in-lieu contribution by the landowner/applicant to the local government.***

SUMMARY:

- The application proposes the subdivision of Lot 3000 and 9003, Compass Boulevard, Bayonet Head into 102 lots (**Attachment 1**).
- Subdivision of the land into 163 lots was previously approved by the WAPC (Application 136278) in December 2007.
- The land is zoned Residential Development under the City of Albany Town Planning Scheme No.3. and has been identified for Residential R20 development by the Interim Bayonet Head Outline Development Plan (ODP).
- Subsequent to referral and at the request of Department of Planning (DoP) and Department of Environment and Conservation (DEC), the applicant has submitted a modified plan of subdivision which includes a 1.77ha vegetated Public Open Space (POS) corridor to link the Bayonet Head Foreshore Conservation Area in the east, to an Environmental Protection Authority (EPA) identified conservation area to the west of the site.
- Approval of the modified plan subject to conditions and advice is recommended.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:

Planning & Development Act 2005

Part 10

Strategic Plan

Strategic Goal:

Planning

Outcomes:

Effective Delivery of Integrated Plans

Strategies:

Implement State and Regional Planning priorities

Policy

Compliance:

Proposal complies with WAPC policies unless discussed in Planning Assessment section.

INTRODUCTION:

The application was submitted on 28 February 2012 seeking the re-approval of WAPC 136278, which granted approval for the subdivision of Lots 3000 and 9003, Compass Boulevard, Bayonet Head into 163 lots (**Attachment 2**). This approval expired on 21 December 2011.

Amendment 149, undertaken in 1997 to the then Shire of Albany's Town Planning Scheme No. 3 rezoned the land to Residential Development. The amendment was referred to EPA in 1997 and was determined as "no assessment required, advice given".

Whilst being substantially vegetated, the subject land has been identified for Residential R20 development by the Interim Bayonet Head Outline Development Plan (**Attachment 3**), which was endorsed by the then Shire of Albany in 1997 and was endorsed by the WAPC in May 2001.

A Strategic Environmental Assessment (SEA) was carried out in 2012 by EPA in the ODP area, under which a 48ha portion of land to the north and west of the subject land was identified for retention as conservation reserve. Connectivity of this area to existing foreshore reserves to the east was also identified as important.

The original plan submitted 28 February 2012 proposed the creation of 163 lots. Following negotiations with the proponent and DEC a modified plan has been submitted which now includes a 1.77ha vegetated POS corridor linkage on the northern boundary, and a reduction in the number of lots from 163 to 102. The modified plan is in line with the SEA outcomes, information provided by the DEC and advice received through informal assessment by the Office of the EPA (OEPA).

The proposal is in line with the provisions of the Residential Development zoning and R20 coding applicable to the site.

CONSULTATION:

DEC still has concerns with the application and has requested a fauna and flora survey over the site. The concern is based on their suggestion to formally refer the matter to the EPA.

The City of Albany is prepared to support the subdivision subject to the same conditions and advice as per approval of WAPC 136278.

Western Power, Water Corporation, and Department of Water support the application subject to conditions.

The Health Department and Department of Mines and Petroleum raise no objections to the proposal.

COMMENTS:

DEC and OEPA Advice

As part of the subdivision assessment DEC advised that the value of vegetation on the subject land should be reviewed in context of the connectivity it provides to the neighbouring site to the west of which part (48ha) was identified through the SEA for conservation due to its high environmental value.

In response to the current application DEC stated in its initial response dated 17 April 2012 that:

DEC will require as a minimum the carryover of all previous conditions, namely conditions 28,29,31 and 32. However in the view of EPA interest in adjoining lands, the inherent high conservation values of the subject land and the apparent indifference of the proponents towards clearly stated environmental issues and conditions, it is suggested that the application also be formally referred to the EPA.

However, in correspondence dated 27 June 2012 DEC confirmed that:

"DEC would support the subdivision proposal subject to changes in the lot configuration that provided for a northern corridor linkage that takes into account the occurrence of the Banksia coccinea PEC in the North West of the lot. The requirement for a target survey for Drakea micrantha would not be required if the PEC was protected through this measure".

At the request of DoP and DEC, the applicant prepared and informally referred a modified subdivision proposal to OEPA.

OEPA responded on 13 September 2012 that;

- OEPA is aware of the EPA 1997 decision of "Scheme not assessed - Advice given".
- The Albany office of the Department of Environment and Conservation has recently determined that an area of 1.8 ha within the proposed subdivision

area contains the presence of the priority 1 Ecological community (PEC) Banksia coccinea Shrub lands/E.staeril/Sheoak Open Woodland.

- A vegetated fauna linkage has been proposed, extending along the northern boundary of the lot connecting the Oyster Harbour foreshore reserve with the proposed conservation area within the Bayonet Head SEA area.
- The proponent has proposed to retain approximately 3ha (18%) Public Open Space for the conservation of vegetation and a wetland area which is of high environmental value.
- The OEPA expects that strong consideration should be given to revising the plan of subdivision to provide one continuous conservation linkage across the northern boundary, to conserve the PEC and connect the Bayonet Head SEA conservation area through to the Oyster Harbour foreshore reserve.

The modified subdivision plan reflects advice provided by the OEPA.

DEC officers remain opposed to the proposal until formal referral to the EPA occurs. However formal referral is not supported as:

- The modified plan of subdivision provides adequate connectivity between the conservation areas to the east and west of the land and therefore meets OEPA expectations as outlined during the informal referral process.
- The application remains otherwise consistent with the City of Albany Town Planning Scheme No.3. Residential Development Zone and the requirements of the Interim Bayonet Head ODP.

Subdivision Conditions

In 2010 the applicants entered negotiations with DEC to clear conditions of previous approval WAPC136278. Consultancy Aurora Environmental was engaged to undertake and submit a flora and fauna survey in order to meet the requirement of conditions 31 and 32 which stated:

31. A Western Ringtail Possum Translocation Plan being prepared and implemented to the specifications of the Department of Environment and Conservation, in order to minimise impacts on this identified threatened species from development of the subject land. (DEC)

32. Arrangements being made for the protection of any rare or priority flora species and/or important vegetation associations identified by relevant regional vegetation survey(s), to the specifications of the Department of Environment and Conservation. Fulfilment of this condition may necessitate changes to lot configuration and/or road layout to that shown on the approved plan. Portions of the land may be required to be excluded from the development due to the presence of rare or priority flora species and/or important vegetation associations, and as a result the ultimate lot yield may be affected. Any modification or variations to the approved plan being shown on the Deposited Plan as a result of satisfactorily fulfilling this condition will be supported by the Commission. (DEC)

Under WAPC 136278 the proponents were unsuccessful in gaining clearance as DEC refused to accept the Flora and Fauna Survey undertaken stating:

*“DEC is not in a position to grant clearance of condition 31 or 32. The presence of the priority 1 Ecological Community in the vicinity of the northern boundary of the subject land and the lack of recent detailed post fire flora and vegetation surveys constitute a requirement for the development plan of November 2007 to be re-assessed and modified, especially with regard to former Lot 285. This will involve reconsideration of the proposed house lots, roads and also drainage designs so as to minimise the risks to the PEC from potential down-slope infection by *Phytophthora dieback*.”*

Condition 31 of WAPC 136278 remains appropriate however it is recommended that condition 32 is not reinstated. The condition does not meet the WAPC Conditions Validity Test, as it is ambulatory upon the undertaking of a rare flora and fauna survey to the satisfaction of the DEC, and provides for the modification of the plan of subdivision post approval. There is no certainty that this condition could be cleared within the life of the approval. In addition the modified plan of subdivision addresses the issue and achieves an environmental outcome beneficial to the community and agencies; and is acceptable to the proponent.

Other recommended conditions were provided to the applicant and City of Albany, who have both advised that they are acceptable.

CONCLUSION:

Approval of the modified plan (**Attachment 1**) subject to conditions is recommended.

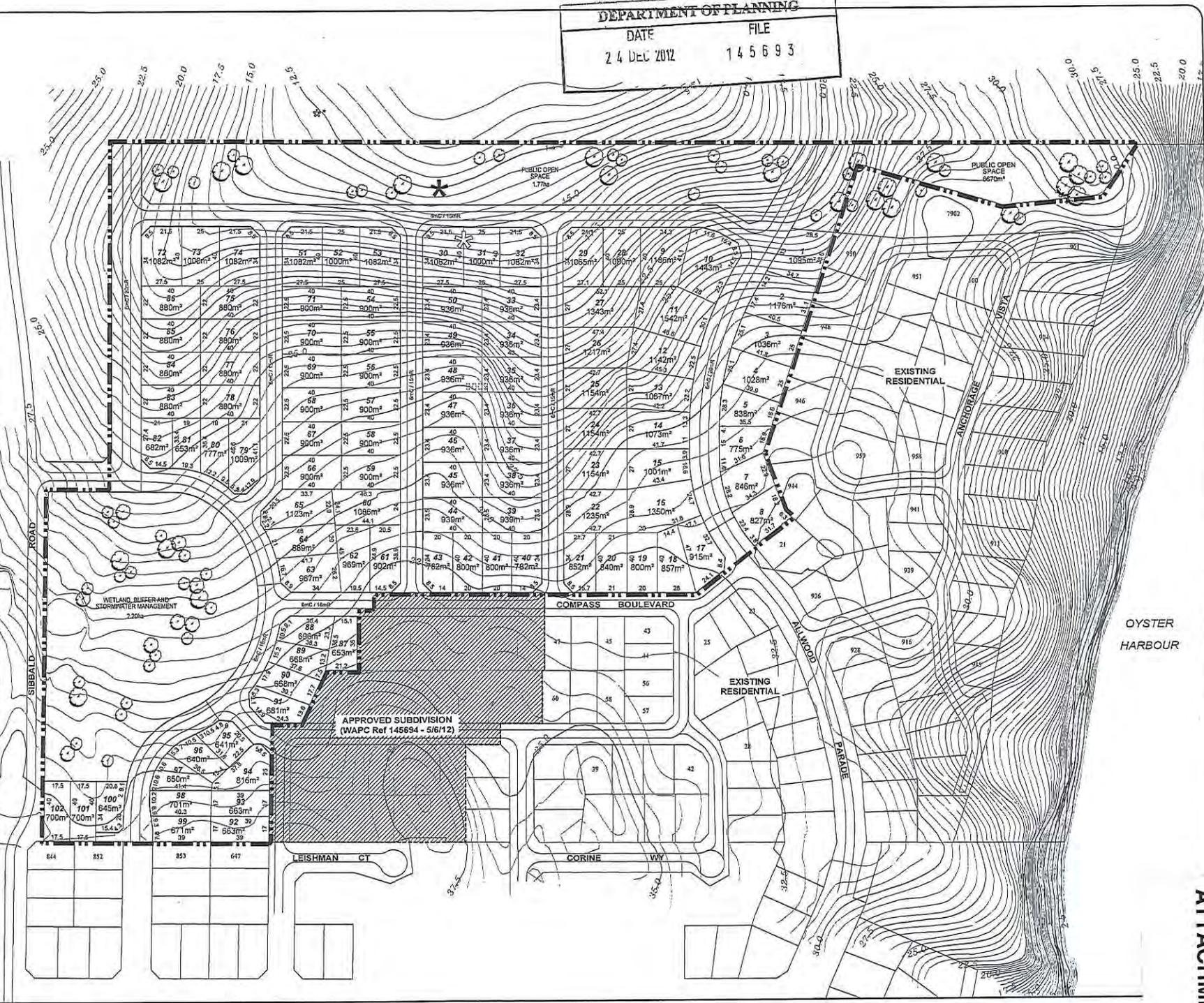
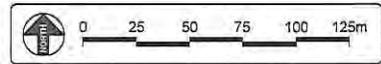
LOT YIELD	
500m ² - 700m ²	14 Lots
701m ² - 900m ²	26 Lots
900m ² - 1000m ²	30 Lots
1000m ² +	32 Lots
TOTAL	102 Lots
Total Lot Area	9.45ha
Minimum Lot Area	640m ²
Maximum Lot Area	1542m ²
Average Lot Area	926m ²

ORIGINAL LANDHOLDING NTS



LEGEND

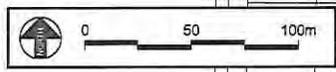
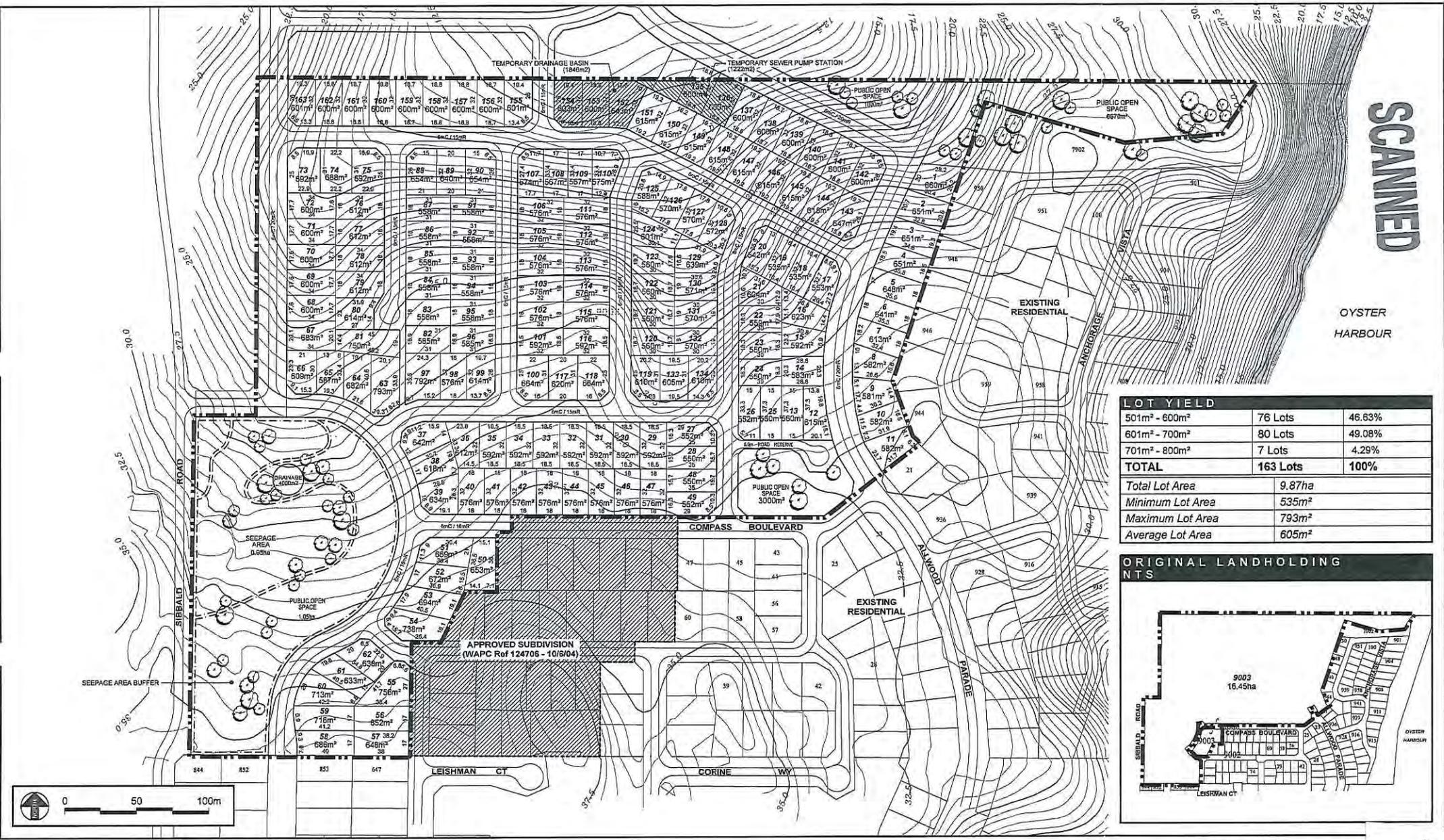
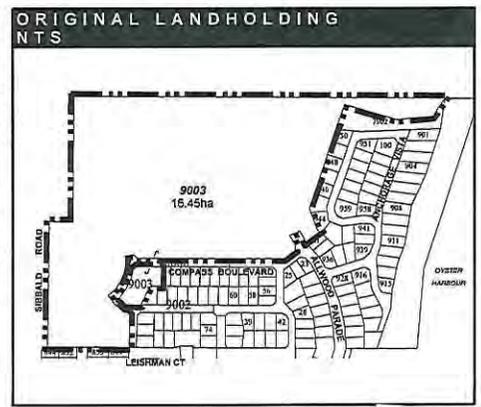
- Subject Site
- Temporary Stormwater Management and/or Wastewater Pumping Station Location
- Temporary Stormwater Management and/or Wastewater Pumping Station Alternative Location



SCANNED

OYSTER HARBOUR

LOT YIELD		
501m ² - 600m ²	76 Lots	46.63%
601m ² - 700m ²	80 Lots	49.08%
701m ² - 800m ²	7 Lots	4.29%
TOTAL	163 Lots	100%
Total Lot Area	9.87ha	
Minimum Lot Area	535m ²	
Maximum Lot Area	793m ²	
Average Lot Area	605m ²	



SUBDIVISION PLAN
by plan date stamped 24/12/2012

SUBDIVISION PLAN
Lot 9003 Compass Boulevard & portion of Lot 3000 on Deposited Plan 67155, BAYO

LEGEND

--- Subject Site

DEPARTMENT OF PLANNING

DATE	FILE
20 FEB 2012	145693

Base data supplied by Landgate.
Accuracy +/- 4m, Projection MGA Zone 80.

Areas and dimensions shown are subject to final survey calculations.
All carriageways are shown for illustrative purposes only and are subject to detailed engineering design.

Peel Bayonet Head Syndicate Ltd : CLIENT
1:2,500@A3 : SCALE
7 February 2012 : DATE
1279_1-3-002.dgn : PLAN No
- : REVISION
S.V. : PLANNER
R.F. : DRAWN
M.P. : CHECKED

RPS

RPS Environment and Planning
ACN 108 680 977
ABN 45 108 680 977
PO Box 465 Subiaco WA 691
38 Station Street
Subiaco WA 6008

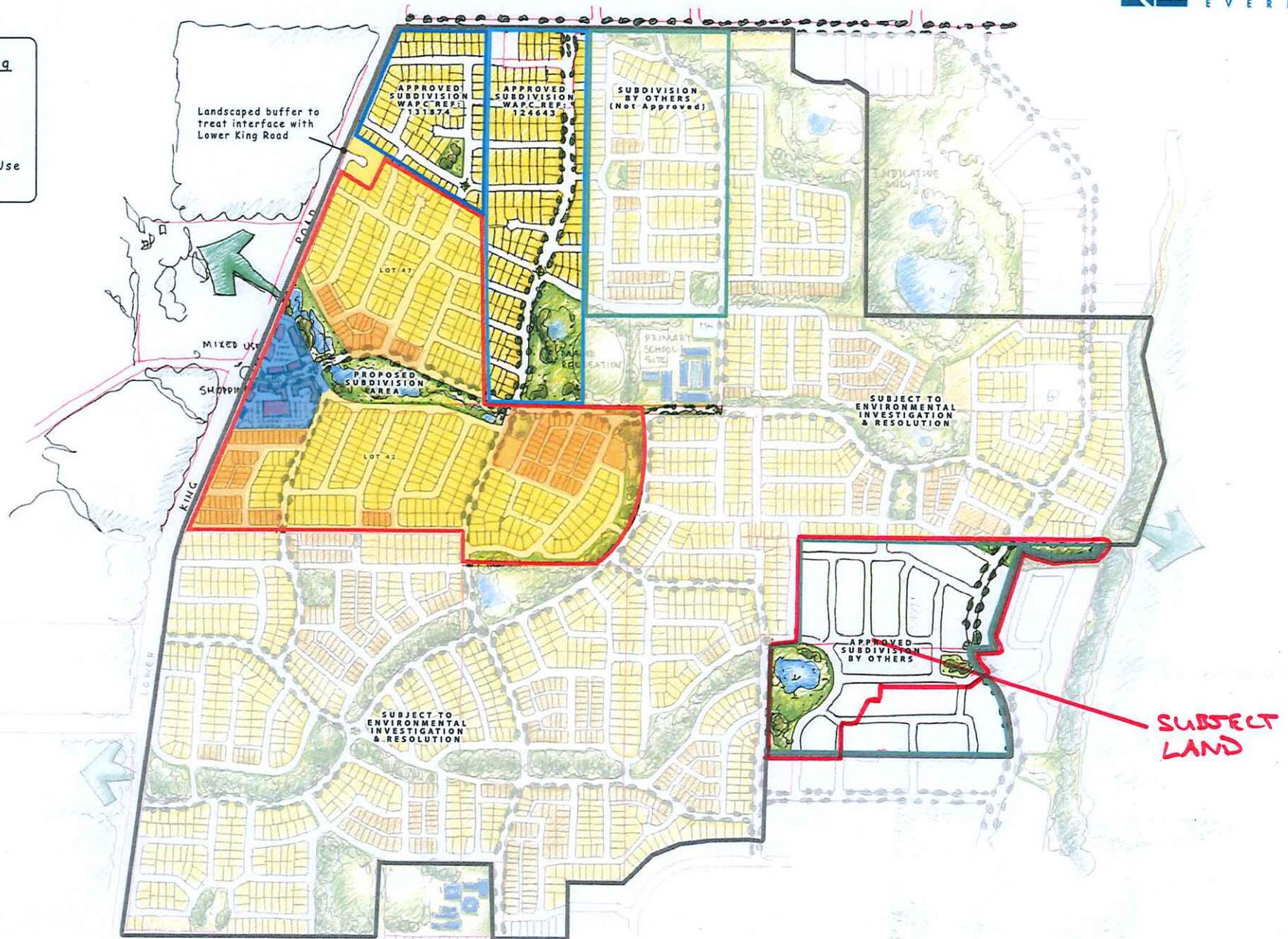
Tel: 9421 1111
Fax: 9421 1122
W rpsgroup.com.au

SPC AGENDA 14/12/2012

ATTACHMENT 2

Density Coding

- R25
- R30
- Mixed Use
R60



ITEM NO: 9.3

SUBDIVISION OF LOTS 501 AND 502 MILLSTREAM ROAD, MULATAGA, KARRATHA - TO CREATE 368 RESIDENTIAL LOTS AND ONE BALANCE LOT

WAPC OR COMMITTEE: **Statutory Planning Committee**

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Planning Manager Northern Regions
AUTHORISING OFFICER: Executive Director Regional Planning and Strategy
REPORTING OFFICER: Planning Manager Northern Regions
AUTHORISING OFFICER: Executive Director Regional Planning and Strategy
DATE: 26 June 2013
ATTACHMENT(S): 1 - Subdivision Plan
2 - Shire of Roebourne TPS8 - extract
3 - Mulataga Development Plan 1 - Transect Zones
and Residential Densities
4 - Mulataga Development Plan 2 - Zones and
Reserves
5 - Residential Density Code Plan
REGION SCHEME ZONING: N/A
LOCAL GOVERNMENT: Shire of Roebourne
LOCAL SCHEME ZONING: Urban Development
LGA RECOMMENDATION(S): Condition Approval
REGION DESCRIPTOR: Regional Northern (Perth Based)
RECEIPT DATE: 11 March 2013
PROCESS DAYS: 107
APPLICATION TYPE: Subdivision
CADASTRAL REFERENCE: Lots 501 and 502 Millstream Road, Mulataga

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the application for subdivision of Lots 501 and 502 Millstream Road, Mulataga as shown on the plan date-stamped 11 March 2013. This decision is valid for four years subject to the following conditions and advice:

CONDITIONS:

- 1. Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)***

2. **Arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)**
3. **Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Horizon Power for the provision of an underground electricity supply to the lot(s) shown on the approved plan of subdivision. (Horizon Power)**
4. **The transfer of land as a Crown reserve free of cost to Horizon Power for the provision of electricity supply infrastructure. (Horizon Power)**
5. **Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specifications of Horizon Power for the provision of necessary electricity easement(s) to the lot(s) shown on the approved plan of subdivision. (Horizon Power)**
6. **Arrangements being made to the satisfaction of the WAPC and to the specification of Horizon Power for the removal, relocation and/or replacement of electricity supply infrastructure, including plant and/or equipment located on or near the lots shown on the approved plan of subdivision. (Horizon Power)**
7. **A fire management plan being prepared, approved and relevant provisions implemented during subdivisional works, in accordance with the WAPC's Guideline Planning for Bushfire Protection Edition 2, May 2010 (in particular Appendix 3) to the specifications of the local government and/or the Department of Fire and Emergency Services. (Local Government)**
8. **Prior to the commencement of subdivisional works, an urban water management plan is to be prepared and approved, in consultation with the Department of Water, consistent with the approved Mulataga Development Plan Local Water Management Strategy. (Local Government)**
9. **An acid sulphate soils self-assessment form and, if required as a result of the self-assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Department of Environment and Conservation before any subdivision works or development are commenced. Where an acid sulphate soils management plan is required to be submitted, all subdivision works shall be carried out in accordance with the approved management plan. (Department of Environment and Conservation)**
10. **Uniform fencing being constructed along the boundaries of all of the proposed lots abutting public open spaces. (Local Government)**
11. **Engineering drawings and specifications are to be submitted, approved, and works undertaken in accordance with the approved engineering drawings, specifications and approved plan of subdivision, for grading and/or stabilisation of the site to ensure that:**
 - a) **lots can accommodate their intended use; and**

b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting.

(Local Government)

12. Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved plan of subdivision, for the filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system. Engineering drawings and specifications are to be in accordance with local government specifications and the approved Mulataga Development Plan Local Water Management Strategy (JDA Consultant Hydrologists, September 2012).

(Local Government)

13. Prior to the commencement of subdivisional works, the landowner/applicant is to provide a pre-works geotechnical report certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development; and

In the event that remediation works are required, the landowner/applicant is to provide a post geotechnical report certifying that all subdivisional works have been carried out in accordance with the pre-works geotechnical report. (Local Government).

14. Suitable arrangements being made for connection of the land to the comprehensive district drainage system at the landowner/applicant's cost. (Local Government)

15. Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the Planning and Development Act 2005. (Local Government)

16. Measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention that is not impacted by subdivisional works, prior to commencement of subdivisional works. (Local Government).

17. Detailed Area Plan(s) being prepared and approved for all lots shown on the Preliminary Subdivision Stage 1 - Density Plan (attached) as being coded R30 and above. Detailed Area Plan(s) to address matters set out in Clause 8.3 of the Mulataga Development Plan Part 1 to the satisfaction of the Western Australian Planning Commission. (Local Government)

18. The landowner/applicant shall make arrangements to ensure that prospective purchasers of lots subject of a Detailed Area Plan are advised in writing that Detailed Area Plan provisions apply. (Local Government)

19. ***The proposed reserve(s) shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserve(s) for Recreation and Drainage 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. (Local Government)***
20. ***Arrangements being made for the proposed public open space to be developed by the landowner/applicant to a minimum standard and maintained for two summers through the implementation of an approved landscape plan providing for the development and maintenance of the proposed public open space in accordance with the requirements of Liveable Neighbourhoods and to the specifications of the local government. (Local Government)***
21. ***Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant's cost.***

As an alternative, and subject to the agreement of the Local Government the Western Australian Planning Commission (WAPC) is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local government and 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)

22. ***Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:***
 - a) ***street lighting is installed on all new subdivisional roads to the standards of the relevant licensed service provider;***
 - b) ***roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly;***
 - c) ***temporary turning areas are provided to those subdivisional roads that are subject to future extension;***
 - d) ***embayment parking is provided within the/abutting the proposed public open space and education and community node;***
 - e) ***appropriate intersection and median treatment is provided to the specifications of the Local Government.***

***to the satisfaction of the Western Australian Planning Commission.
(Local Government)***

- 23. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, for the provision of shared paths through and connecting to the application area to the satisfaction of the Western Australian Planning Commission. The approved shared paths are to be constructed by the landowner/applicant. (Local Government)**
- 24. Engineering drawings and specifications are to be submitted and approved, and satisfactory arrangements being made for subdivisional works to be undertaken in accordance with the approved plan of subdivision and engineering drawings and specifications, for the construction of full earthworks, one carriageway, shared path(s), drainage facilities and grade separated pedestrian crossing(s) required for the portion of Millstream Road abutting the application area. (Local Government)**
- 25. Maitland Road being widened in accordance with the approved plan of subdivision by the landowner/applicant transferring the land required to the Crown free of cost for the purpose of widening Maitland Road. (Local Government)**
- 26. The section of Maitland Road widened in accordance with this approval, is to be constructed and drained at the full cost of the landowner/applicant. (Local Government)**
- 27. All local streets within the subdivision being truncated in accordance with the Western Australian Planning Commission's Liveable Neighbourhoods policy and DC 2.6 Residential Road Planning. (Local Government)**
- 28. The landowner/applicant entering an agreement with the Shire of Roebourne pursuant to the Shire of Roebourne Town Planning Scheme No.8 addressing contributions towards development infrastructure provisions. (Local Government)**
- 29. An Aboriginal Cultural Heritage Management Plan being prepared and approved prior to the commencement of site works to the satisfaction of the Western Australian Planning Commission. (Local Government)**

ADVICE:

- 1. The Residential Density Code Plan date stamped 19 June 2013 (attached) has been approved by the Western Australian Planning Commission and shall now form part of the proposed Mulataga Development Plan.**
- 2. In regard to Conditions 1 and 2, the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On receipt of a request from the landowner/applicant, a Land Development Agreement under Section 67 of the Water Agencies (Powers) Act 1984 will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.**

3. ***In regard to Condition 3, Horizon Power provides only one underground point of electricity supply per freehold lot.***
4. ***Condition 8 has been imposed in accordance with Better Urban Water Management Guidelines (WAPC 2008). Further guidance on the contents of urban water management plans is provided in 'Urban Water Management Plans: Guidelines for preparing and complying with subdivision conditions' (Department of Water 2008).***
5. ***Condition 9 makes reference to an 'acid sulphate soils self-assessment form'. This form can be downloaded from the Western Australian Planning Commission's website at: www.planning.wa.gov.au.***

The 'acid sulphate soils self-assessment form' makes reference to the Department of Environment and Conservation's 'Identification and Investigation of Acid Sulphate Soils' guideline. This guideline can be obtained from the Department of Environment and Conservation's website at: www.dec.wa.gov.au

6. ***The landowner/applicant is advised that the Department of Environment and Conservation has prepared dust control guidelines for development sites, which, outline the procedures for the preparation of dust management plans. The dust management plans are generally approved, and their implementation overseen, by Local Government. Further information on the guidelines can be obtained from the Department of Environment and Conservation's website www.dec.wa.gov.au under air quality publications.***
7. ***The Department of Environment and Conservation encourages the use of treated wastewater for the irrigation of the public open space proposed under the subdivision. The proponent should, in consultation with the Shire of Roebourne and/or the Water Corporation, implement the infrastructure required to connect to the Shire's treated effluent reuse scheme.***
8. ***With regard to Condition 17, design guidelines are to be submitted with Detailed Area Plans to the Shire of Roebourne for consideration and comment. The applicant is advised to liaise with the Shire of Roebourne regarding the design approach and mitigation measures in areas exposed to the combined risks from storm surge and flooding.***
9. ***With regard to Condition 20, the development is to include full earthworks, basic reticulation, grassing of key areas, and pathways that form part of the overall pedestrian and/or cycle network.***
10. ***In regard to Conditions 21 - 24, the landowner/applicant is advised that:***
 - ***The road reserves, including the constructed carriageways, laneways, truncations, footpaths/dual use paths and car embayments, are to be generally consistent with the approved plan of subdivision.***
 - ***The Shire of Roebourne requires shared paths be a minimum width of 2.5m.***

11. ***With regard to Condition 28, the applicant is advised that:***
- ***The agreement needs to address contributions towards recreation, open space and community facilities development, road upgrades/construction, cross-lot drainage infrastructure installation and ongoing maintenance, other service infrastructure and indigenous employment.***
 - ***The applicant needs to liaise with the Shire of Roebourne regarding the progress and completion of the agreement.***
12. ***Prior to the commencement of subdivisional works, the landowner/applicant is advised to investigate whether or not approval is required pursuant to the Aboriginal Heritage Act 1972. The landowner/applicant should conduct a search of the Register of Aboriginal Sites to determine if any aboriginal sites have been recorded in the vicinity of their application, and this heritage information should be submitted to the Department of Indigenous Affairs with a request for advice.***
13. ***In regard to Condition 29, the applicant is advised to liaise with the Shire of Roebourne regarding the scope of the Aboriginal Cultural Heritage Management Plan. The focus of the Aboriginal Cultural Heritage Management Plan should be on the Aboriginal Heritage sites identified within this subdivision area, with interconnections with other sites (outside of the subdivision area) being considered.***

SUMMARY:

The application proposes the first stage subdivision of the Mulataga Development Plan area. The Mulataga Development Plan has not been considered or endorsed by the Commission. The proposed subdivision will not prejudice the purpose and requirements of the Mulataga Development Plan area. Conditional Approval is recommended.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	<i>Planning and Development Act 2005</i>
Section:	Part 10 - Subdivision / Development Approval / Reconsiderations
Strategic Plan	
Strategic Goal:	Strategic Goal 2: Planning
Outcomes:	Effective Delivery of Integrated Plans
Strategies:	Implement State and Regional Planning priorities
Policy	
Compliance:	Proposal complies with WAPC policies unless discussed in Planning Assessment section.

INTRODUCTION:

Mulataga is a locality at the eastern extent of Karratha, approximately 4 Kilometres from the Karratha City Centre. The subject land is bounded by Millstream Road (south), Mystery Road (north), Maitland Road (west) and undeveloped land (east). Mystery Road is within 350m of the adjacent coastal high water mark at Nickol Bay.

The subject application proposes to subdivide a portion of Lots 501 and 502 Millstream Road, Mulataga to create:

- 367 residential lots between 225m² and 7519m²;
- 8 areas of public open space of 11.1797ha;
- 1 balance lot of 81.965 ha (**Attachment 1 - Subdivision Plan**).

The subject land is zoned "Urban Development" under the Shire of Roebourne Town Planning Scheme No. 8 (TPS8), and is designated as "DA 10" in Appendix 7 - Development Areas (**Attachment 2 - Zoning Plan**). The Scheme provision requires a district level Development Plan to be approved prior to the approval of more detailed development plans or super lot subdivision outlining:

- broad land uses (recreation, residential, education, tourism, commercial and conservation);
- key linkages (major roads and public transport);
- provision of essential services;
- coastal linkages,
- heritage areas; and
- coastal vulnerability areas.

In this regard, the Shire has advised that the preparation of a development plan over the subject site incorporating district level considerations is necessary to satisfy the requirements of DA10 under Appendix 7 of TPS8.

The draft Mulataga Development Plan was prepared for DA 10 by Roberts Day on behalf of Landcorp and Mirvac. The Development Plan provides a framework for the physical development of the land for housing, community, recreational and commercial facilities, roads and natural trails, as well as the delivery of essential infrastructure and the retention and management of important environmental and cultural assets.

The Mulataga Development Plan provides for approximately 2000 dwellings and consists of Plan 1 - *Transect Zones and Residential Densities* (**Attachment 3**) and Plan 2 - *Zones and Reserves* (**Attachment 4**). The Transect Zones classify and describe the desired character of areas within the Development Plan according to the intensity and composition of development ranging from the natural environment (T1), which are areas set aside for nature and conservation, to more dense urban areas such as town centres (T5).

Council at its meeting held on 20 May 2013, resolved to adopt the Mulataga Development Plan subject to modifications. The Commission has not received Council's formal request for consideration to endorse the Development Plan.

The proposed subdivision falls within land identified as Transect Zone 3 (T3, Neighbourhood Living) and Transect Zone 4 (T4 Town Living) in the Mulataga Development Plan.

As required by the Development Plan provisions, a Density Code Plan has been submitted together with the subject subdivision application, which allocates specific densities to individual lots within the proposed subdivision (**Attachment 5 - Density Code Plan**).

CONSULTATION:

The Shire of Roebourne advised that the proposed subdivision application will not prejudice the orderly and proper planning of the Mulataga Development Plan area. The Shire supports the subdivision subject to conditions.

Water Corporation and Horizon Power requested standard servicing conditions.

DoW requested a condition for the preparation of an Urban Water Management Plan in accordance with the approved Local Water Management Strategy.

Main Roads WA advised that the increased traffic density due to the proposed development would exacerbate the safety issues on the intersection of Dampier Road and Millstream Road, and investigation and modifications to this intersection to safely accommodate the proposed additional traffic should be arranged by the proponent and the Shire of Roebourne.

The Department of Health supported the proposal subject to the provision of reticulated sewerage.

The Department of Environment and Conservation (DEC) requested a condition for acid sulphate soils assessment.

The Department of Fire and Emergency Services (DFES) requested a condition regarding bush fire protection.

The Department of Education advised that it has no requirement for contributions towards a school site.

The DFES Unexploded Ordnance Services and ATCO Gas raised no objection to the proposal.

All the above conditions have been assessed and where considered fair, reasonable and relevant, have been recommended.

COMMENTS:

Coastal Setback

Extensive discussion has been undertaken with regard to the identification of an appropriate coastal setback and provision of a foreshore reserve consistent with the provisions of State Planning Policy 2.6 (SPP 2.6) - *State Coastal Planning Policy* for the Mulataga Development Plan. These issues are still under consideration by the Department of Planning, and advice from the Department of Transport has been sought on this matter. The Mulataga Development Plan cannot be endorsed by the Commission until these issues are satisfactorily resolved. Although the proposed subdivision application will not prejudice the general purpose and requirements of the Mulataga Development Plan area, the Statutory Planning Committee's guidance and decision on the subdivision application is sought given that the Mulataga Development Plan has not been considered or endorsed by the Commission. The subject subdivision is well set back from the high water mark and therefore is not likely to be subject of concern when the Mulataga Development Plan is assessed with regard to SPP 2.6.

Residential

The proposed subdivision is within land identified as T3 (Neighbourhood Living) and T4 (Town Living) in the Mulataga Development Plan. The Development Plan designates a R15-R40 density range for the T3 zone, and a R20-R40 density range for the T4 zone, with R60 on key sites. The Residential Density Code plan proposes R20, R30 and R40 densities for the subdivision area. The allocation of the density codes is consistent with the locational criteria outlined in the Development Plan.

The proposed R30 lots are consistent with minimum lot size (270m² required, 348m² proposed) and average lot size (300m² required, 409m² proposed) requirements under the R30 density code requirements of the Residential Design Codes of Western Australia (R-Codes).

The proposed R40 lots are consistent with minimum lot size (200m² required, 225m² proposed) and average lot size (220m² required, 523m² proposed) requirements under the R40 density code requirements of the R-Codes.

It is recommended that the proposed Residential Density Code Plan be approved in this proposal and consequently, in the Mulataga Development Plan. An advice note is recommended to advise this matter (Advice Note No. 1).

Detailed Area Plans

Given that many of the R30 coded lots in the subdivision plan are small, narrow lots, the Shire recommended a condition requiring the preparation of Detailed Area Plans (DAPs) for lots with a density code of R30 or higher to guide future development of these lots in a way that maximises the potential for private open space and to provide space for additional vehicle parking.

Movement Network

Main Roads raised concern that the increased traffic density due to the proposed development would exacerbate the safety issues on the intersection of Dampier Road and Millstream Road, and advised that investigation and modifications to this intersection to safely accommodate the proposed additional traffic should be arranged by the proponent and the Shire of Roebourne.

The Shire advised that a condition is recommended for an agreement between the developer and the Shire that covers contributions towards a number of items, including road infrastructure. The Shire advised that a plan for upgrading Millstream Road to address Main Roads' concern can be developed as part of this agreement.

The Department's Infrastructure Planning and Coordination unit reviewed the proposed road network and cross section designs and raised concerns regarding the proposed road reserve widths as discussed below:

Proposed 20m wide north - south neighbourhood connector

The subdivision plan shows a 20m road reserve width for the proposed north-south neighbourhood connector abutting the proposed 5.97ha Public Open Space and Drainage area.

Figure 17 of Element 2 - Movement Network of Liveable Neighbourhoods indicates a 24.4m road reserve width for neighbourhood connectors (with >3000 vehicles per day). Notes 4 and 7 of Figure 17 indicates that the 24.4m road reserve width can be reduced to 23m by reducing the verge width, or to 22.4m by omitting the median.

The applicant advised that given that the proposed 20m wide road abuts open space on one or both sides (thus reducing the reserve width by at least 3m), and no median is proposed, the proposed road reserve width is compliant with the Liveable Neighbourhoods requirement.

Proposed 13m wide access street

The subdivision plan shows a 13m wide road reserve for the proposed access road abutting the 2.6ha open space. The subdivision plan proposes R30 and R40 residential development along this road.

DoP officers recommend that the road width be increased to 15m to cater for the parking needs of the higher density development (based on Figure 20 of Element 2 - Movement Network of Liveable Neighbourhoods).

The applicant advises that the applicable access street cross section design in the Liveable Neighbourhoods (Figure 21) indicates a 15.4m road reserve width for a residential street in densities up to and including R30 - R35 (or a typical lot size down to 250 - 300m²). It also indicates that the verge adjacent to park can be reduced by 3m. On this basis, the proposed 13m wide access road reserve is compliant with Liveable Neighbourhoods requirement.

The Shire advised that the proposed 20m and 13m road reserve widths are acceptable.

Element 2 - Movement Network of Liveable Neighbourhoods sets out requirements and some design solutions for a standard set of street types, and some examples of traffic management treatments that satisfy the element objectives. It allows the Commission to consider variations for specific purpose streets where a case is provided consistent with element objectives. Based on the justification provided by the applicant and the advice from the Shire, it is considered that the proposed road reserve widths are compliant with Liveable Neighbourhoods objectives.

DoP requested a modification to the subdivision plan to show the median arrangement for the proposed intersection of the 24m road reserve and 15m road reserve located to the north-west corner of the subdivision area to reflect the intent of the intersection operation. The applicant advised that this is a detailed design issue which will be finalised with Council's engineers as part of the detailed engineering design. It is recommended that this matter be addressed through the imposition of a condition to ensure the provision of appropriate intersection design and median treatment as part of the detailed engineering design stage.

DoP also raised concern on the potential extension to the north of the proposed 7.5m laneway abutting the northern boundary of the subdivision area in the future subdivision stages as this may result in a dogleg configuration, which is not a preferred design solution in the Liveable Neighbourhoods. However, this issue can be addressed by the future subdivision approvals to ensure the compliance with Liveable Neighbourhoods provisions.

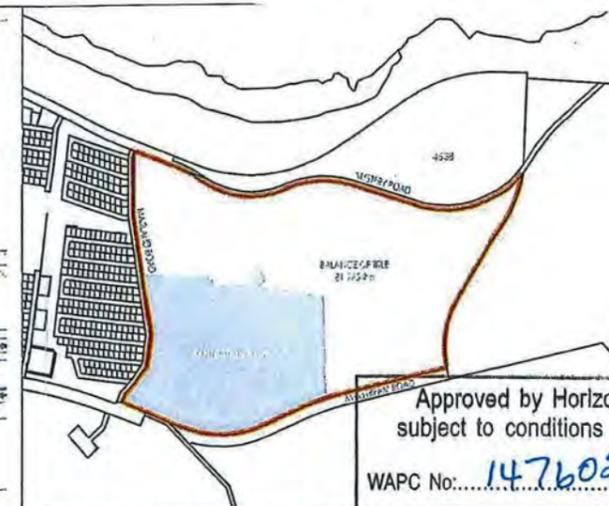
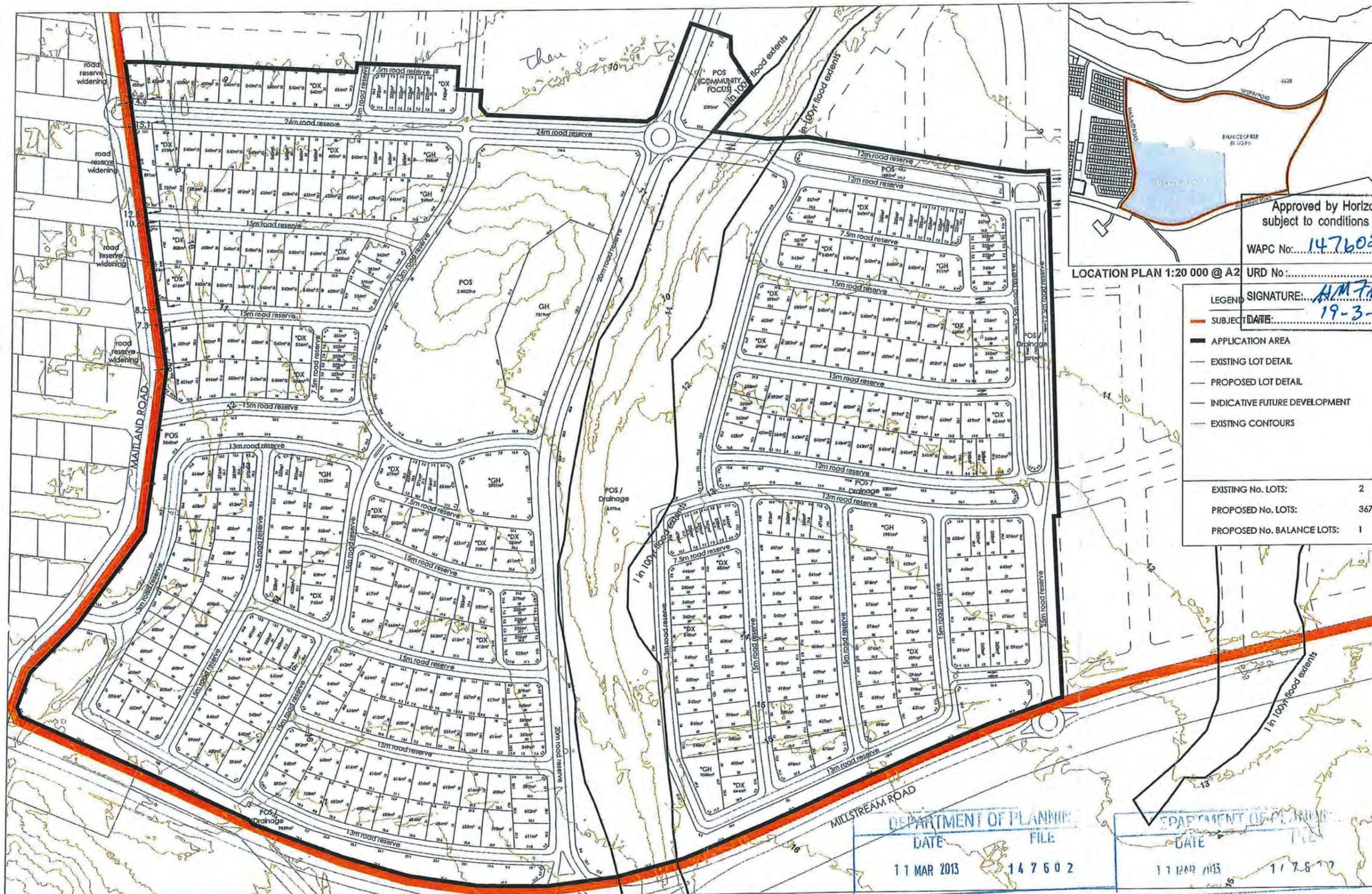
Aboriginal Cultural Heritage Plan

Within the Mulataga Development Plan area, there are recorded significant cultural sites. The Initial Aboriginal heritage survey work identified a total of 58 sites of significance within the Development Plan area. All sites have been recorded to Site Identification Standard and further work needs to be carried out in accordance with the Aboriginal Heritage Act to define sites and their significance, with permission for urban development uses being sought under Section 18 of the Aboriginal Heritage Act.

The Shire recommended a condition for the preparation and approval of an Aboriginal Cultural Heritage Plan, which is also required by the proposed Mulataga Development Plan and is supported by both the applicant and the Shire. The imposition of this condition is recommended.

CONCLUSION:

The proposed subdivision application forms the first stage subdivision of the subject land in accordance with the proposed Mulataga Development Plan. The Mulataga Development Plan has been adopted by the Council in May 2013, but has not been considered or endorsed by the Commission. The Shire supported the subdivision proposal on the basis that the subdivision application will not prejudice the purpose and requirements of the Development Plan area. Conditional approval is recommended.



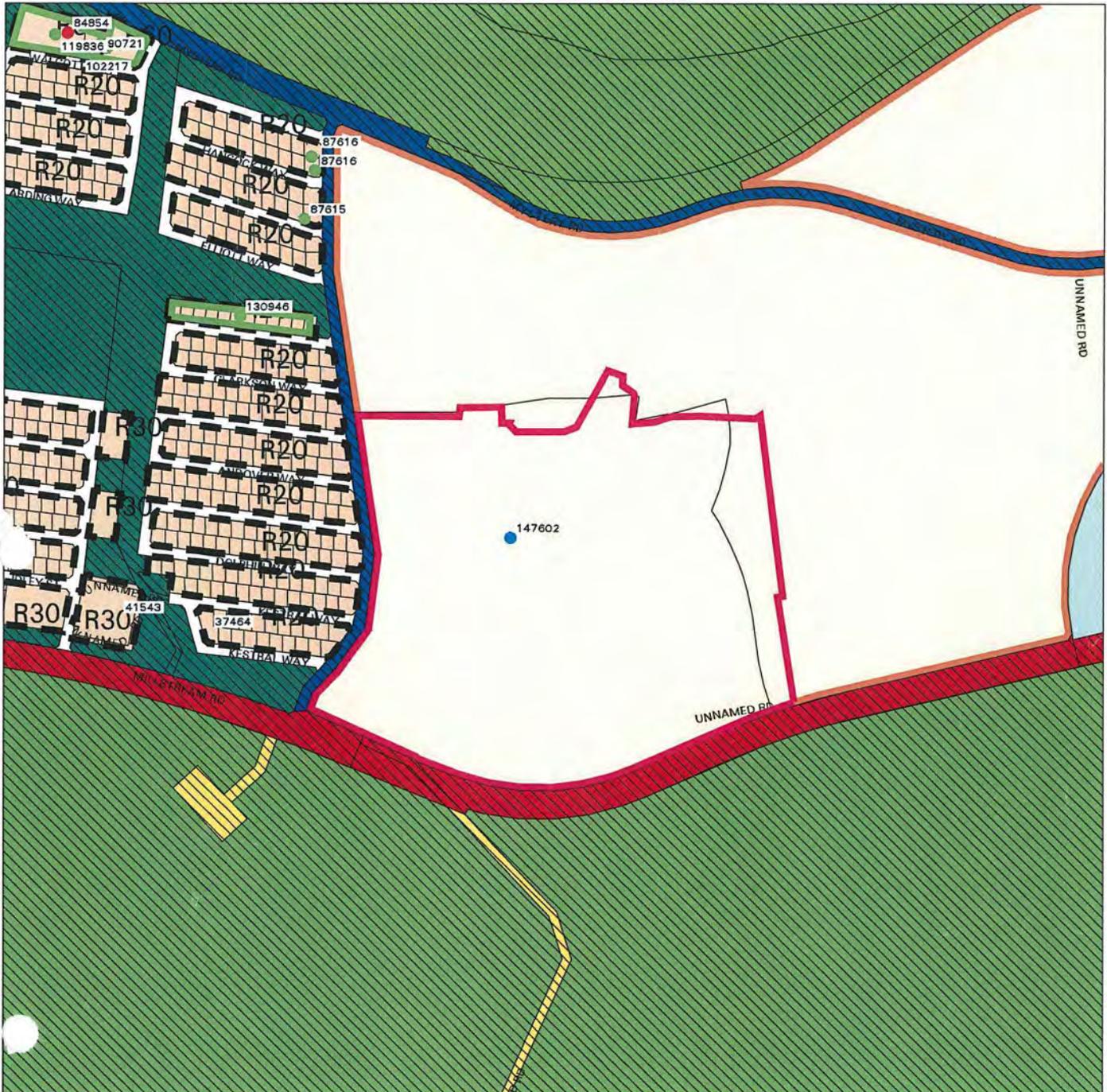
Approved by Horizon Power
subject to conditions as defined
WAPC No: 147602
URD No:

LEGEND SIGNATURE: *H.M. Fraser*
SUBJECT DATE: 19-3-13

—	APPLICATION AREA
—	EXISTING LOT DETAIL
—	PROPOSED LOT DETAIL
—	INDICATIVE FUTURE DEVELOPMENT
—	EXISTING CONTOURS
EXISTING No. LOTS:	2
PROPOSED No. LOTS:	367
PROPOSED No. BALANCE LOTS:	1

DEPARTMENT OF PLANNING
DATE 11 MAR 2013 FILE 147602

DEPARTMENT OF PLANNING
DATE 11 MAR 2013 FILE 117577

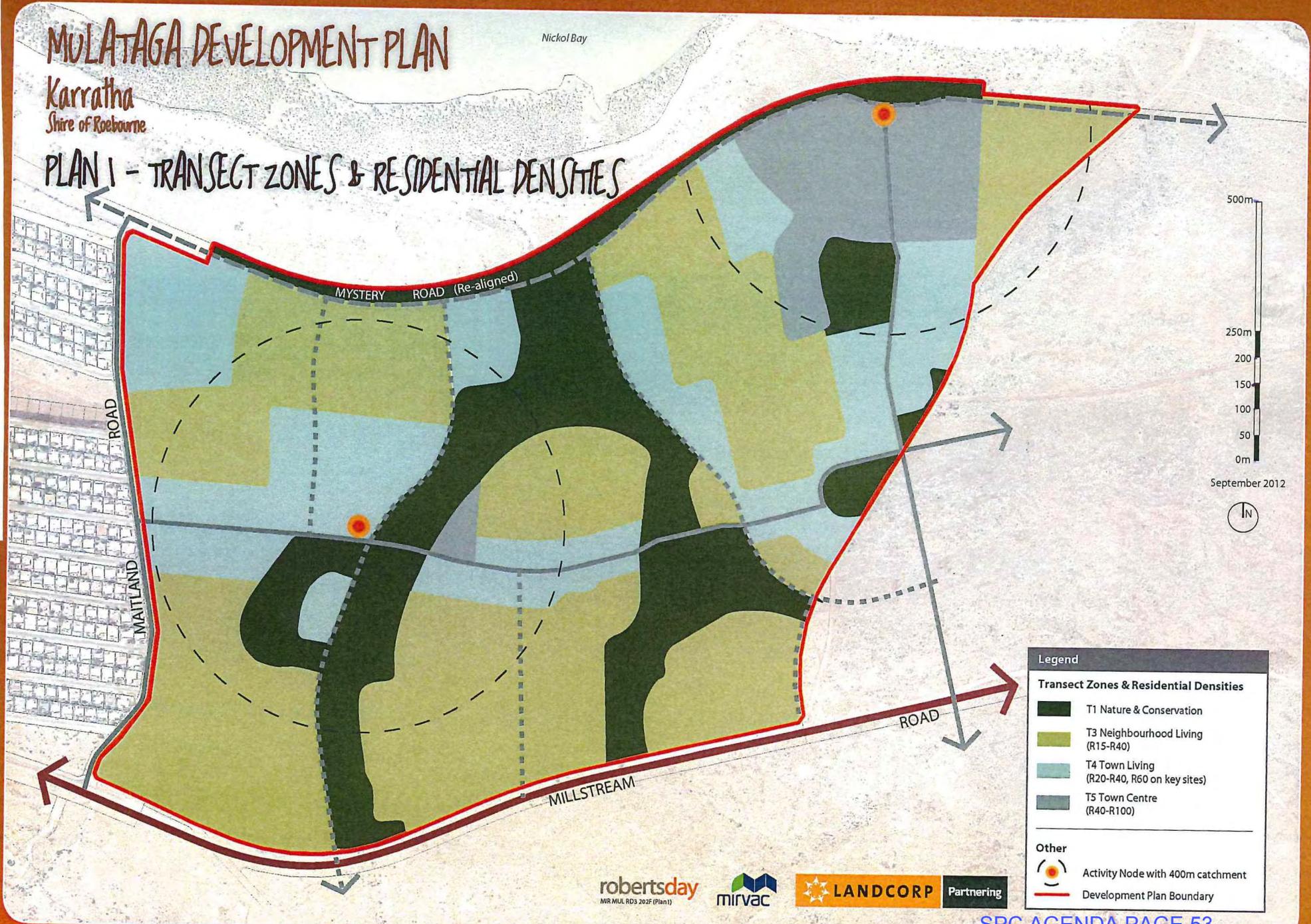


Subdivision Application 147602 (MGA ref 487264mE 61707194mN Zone 50)

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

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|--|--------------------------------|--|------------------------------------|--|--|
| | APPROX LOCATION OF APPLICATION | | URBAN DEVELOPMENT | | CONSERVATION RECREATION AND NATURAL LANDSCAPES |
| | CADASTRAL BOUNDARY | | PARKS, RECREATION AND DRAINAGE | | DISTRICT ROADS |
| | OUTSTANDING | | RURAL | | RESIDENTIAL |
| | APPROVED | | LOCAL ROADS | | PUBLIC PURPOSES WASTE DISPOSAL AND TREATMENT |
| | OUTSTANDING | | PUBLIC PURPOSES WATER AND DRAINAGE | | STATE AND REGIONAL ROADS |
| | APPROVED | | | | |
| | REFUSED | | | | |
| | R CODE BOUNDARY | | | | |

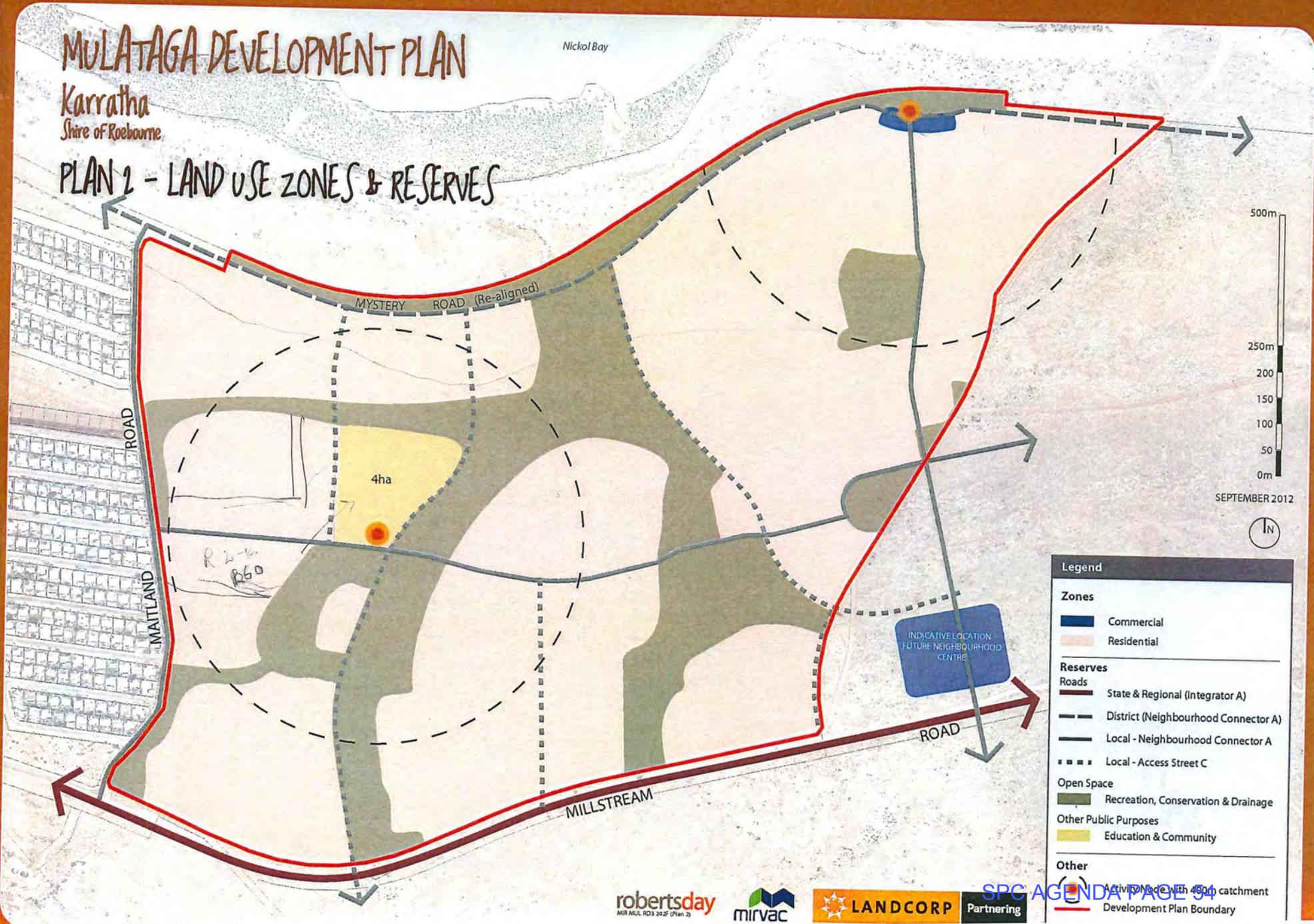
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MULATAGA DEVELOPMENT PLAN

Karratha
Shire of Roebourne

PLAN 2 - LAND USE ZONES & RESERVES



SEPTEMBER 2012



Legend	
Zones	
	Commercial
	Residential
Reserves	
Roads	
	State & Regional (Integrator A)
	District (Neighbourhood Connector A)
	Local - Neighbourhood Connector A
	Local - Access Street C
Open Space	
	Recreation, Conservation & Drainage
Other Public Purposes	
	Education & Community
Other	
	Activity Node with 400m catchment
	Development Plan Boundary



DEPARTMENT OF PLANNING
 19 JUN 2013
 FILE 147602

Density Plan Legend

- Stage 1 Boundary
- R20
- R30
- R40
- Public Open Space
- Transect Zone