



Statutory Planning Committee

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

Tuesday 12 November 2013
9.00 am

Level 2, Room 2.40
One40 William Street
Perth



Tim Hillyard
WAPC Secretary

Please convey apologies to Christina Sanders on 6551-9053 or email
christina.sanders@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)	04/11/2016
Mr Duncan ORD	A/g Director General, Department of Planning Schedule 2 clause 4(2)(b)	TBA
Vacant (Mr Martin CLIFFORD nominated)	Nominee of the Regional Minister Schedule 2 clause 4(2)(c)	
Ms Elizabeth TAYLOR	Community representative Schedule 2 clause 4(2)(d)	05/11/2014
Mr Ian HOLLOWAY	Professions representative Schedule 2 clause 4(2)(e)	05/11/2014
Vacant	Local government representative Schedule 2 clause 4(2)(f)	
Ms Megan BARTLE	WAPC appointee Schedule 2 clause 4(2)(g)	05/11/2014
Ms Sue BURROWS	WAPC appointee Schedule 2 clause 4(2)(g)	05/11/2014

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 22 October 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
7477.11.3	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 26 November 2013

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Minutes
of ordinary meeting 7490
held on Tuesday 22 October 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 Ian Holloway	Professions representative
Ms Elizabeth Taylor	Community representative

Officers

Ms Anika Chhabra	Department of Planning Senior Planning Officer, Perth and Peel Planning (Items 6.2 and 6.7 refers Item 9.4)
Ms Sara Cosstick	Planning Manager, Perth and Peel Planning (Items 6.1 and 6.8 refers Item 9.5)
Mr Ken Dawson	Planning Manager, Regional Planning and Strategy (Items 6.5 and 6.6 refers Item 10.1)
Mr Ben Hesketh	Senior Planning Officer, Perth and Peel Planning (Items 6.1 and 6.8 refers Item 9.5)
Ms Kelsey Lewis	Senior Planning Officer, Regional Planning and Strategy, Albany (Item 6.8 refers Item 9.11)
Ms Kym Petani	Director Metro North West / Acting Director Metro North East (Items 6.1 and 6.8 refers Item 9.5)
Mr Paul Sewell	Planning Manager, Perth and Peel Planning (Items 6.2 and 6.7 refers Items 9.4)
Mr Nick Welch	Senior Planning Officer, Regional Planning and Strategy (Items 6.5 and 6.6 refers Item 10.1)

Observers

Mr Harold Clough	McRae Investments (Items 6.1 and 6.8 refers Items 9.2 and 9.5 respectively)
Mr Ben Rasheed	Marlin Bullsbrook Pty Ltd (Item 6.1 refers Item 9.2)
Mr Michael Rasheed	Marlin Bullsbrook Pty Ltd (Item 6.1 refers Item 9.2)
Mr Justin Hansen	Development Planning Strategies (Item 6.2 refers Item 9.4)
Mr Damien Shepherd	Stockland (Item 6.2 refers Item 9.4)
Mr Sam Gill	Eastcourt Property Group (Item 6.7 refers Item 9.4)

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Mr Humphrey Park Hardy Bowen (Item 6.8 refers Item 9.5)
Mr Hendrick Van Aswgen Hardy Bowen (Item 6.8 refers Item 9.5)

Presenters

Mr Darren Evans Rowe Group (Item 6.1 refers Item 9.2)
Mr Greg Rowe Rowe Group (Item 6.1 refers Item 9.2)

Mr Frank Arangio Development Planning Strategies
(Item 6.2 refers Item 9.4)

Mr Colin Dutton Stockland (Item 6.2 refers Item 9.4)

Mr Trevor Taylor Land owner (Item 6.3 refers Item 9.8)

Mr Michael Jennings Land owner (Item 6.4 refers Item 9.11)

Mr Stephen Jennings Land owner (Item 6.4 refers Item 9.11)

Mr Tristan Cribb LandCorp (Item 6.5 refers Item 10.1)

Mr Gerard Treacy Department of State Development
(Item 6.5 refers Item 10.1)

Mr Rob Paull Shire of Ashburton (Item 6.6 refers Item 10.1)

Ms Jane Bennett CLE Town Planning & Design (Item 6.7 refers Item 9.4)

Mr Gary Park Hardy Bowen (Item 6.8 refers Item 9.5)

Committee Support

Ms Leah Carr Committee Support Officer - Department of Planning

Ms Christina Sanders Committee Support Officer - Department of Planning

7490.1 Declaration of Opening

The Presiding Member declared the meeting open at 9.03 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed Members.

7490.2 Apologies

Nil.

7490.3 Members on Leave of Absence and Applications for Leave of Absence

Nil.

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7490.4 Disclosure of Interests

Member/Officer	Minute No.	Page No.	Nature of Interest
Ms Sue Burrows	10.3	22	Impartiality

Ms Burrows wished it noted that she participated, in her former employment, in the original proposal for the City of Subiaco Local Planning Scheme Amendment No. 13.

7490.5 Declaration of Due Consideration

No declarations were made.

Moved to Item 7490.7.

7490.6 Deputations and Presentations

7490.6.1 Reconsideration of Modifications Required to the City of Swan Local Structure Plan No. 11 (refers Item 9.5)

Presenters Mr Darren Evans
Mr Greg Rowe

Mr Evans addressed Members with regard to their request for the buffer to be amended from 1000m to 500m:

- approval for 500m buffer by the City of Swan and the Department of Environment to cater for all impacts associated with the Midland Brick quarry as a maximum buffer (see tabled email from TNL Consultants Pty Ltd, TNLC Blasting Geomechanics); agreement in principle for a 500m buffer from Midland Brick (see tabled email from Mr Greg Smith of Bricks West).

Mr Rowe requests that the buffer zone in Structure Plan be modified from 1000m to 500m to allow their applicant's project to proceed.

The Chairman:

- advised that if the WAPC is to approve a buffer reduction, that any decision relating to the Structure Plan must be in alignment and complementary to the City of Swan's Excavation Licence approval;
- noted that there is to be a formal agreement between the parties;
- noted that the proponent is agreeable to accepting a memorial on titles;

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- advised that he considered there was a need to arrange a meeting of all interested parties:
 - City of Swan
 - Midland Brick
 - Greg Rowe & Associates
 - Applicants
 - Executive Director Perth and Peel
 - Acting Director Metro North East
- to reach an agreed outcome between the City of Swan, applicants and Midland Brick to ensure alignment of any approval by the WAPC and the City of Swan Extractive Licence and reinforced by all parties.

Two tabled emails have been placed on file.

7490.6.2

Endorsement of the Banjup Quarry Local Structure Plan - Lots 9004 Armadale Road, 9002 Jandakot Road & 132 Fraser Road, Banjup (refers Item 9.4)

Presenter Mr Frank Arangio / Colin xx

Mr Arangio addressed the Committee on behalf of their client, Stockland, for the potential of a third access to the north of the site (which would create tee junctions); giving a better outcome to Stockland.

The City of Cockburn considers the siting of a third access may create a potential impact on mixed use development due to possible commercial traffic going through the residential area.

7490.6.3

Request to Endorse Deposited Plan Lots 117 & 118 Thompson Crescent, Lake Clifton (refers Item 9.8)

Presenter Mr Trevor Taylor

Mr Taylor, the owner of Lots 117 and 118 Thomson Crescent, requested the Commission's assistance to deal with his grievances with the non-negotiable and ever-increasing charges set by Western Power for the removal of the overhead powerlines and the laying of underground powerlines to their own lots as well as neighbouring Lots 116 and 119.

The Chairman advised Mr Taylor that the Commission is not in a position to direct Western Power as to what charges they make and advised him to continue to lobby Western Power to be more transparent in the application of costs.

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7490.6.4 **Subdivision to Create Three Lots for Farming, Conservation and Homestead Purpose - Lot 14 Woodlands Road, Porongurup - Shire of Plantagenet (refers Item 9.11)**

Presenters Mr Stephen Jennings
Mr Michael Jennings

Mr Jennings, owner of Lot 14 Woodlands Road, requested the Committee to not support the Officer's Recommendation as it is his consideration that the subdivision complies with bushfire management precautions, DC Policy 3.4, SPP 2.5 and the Shire of Plantagenet's Local Planning Strategy.

A copy of Mr Jennings' notes has been placed on file.

7490.6.5 **Shire of Ashburton Local Planning Scheme No. 7 - Local Planning Scheme Amendment No. 17 - For Final Approval (refers Item 10.1)**

Presenters Mr Tristan Cribb
Mr Gerard Treacy

Messrs Treacy and Cribb respectively addressed the Committee and requested that the Shire of Ashburton resolves to re-include the Scarborough LNG Site into the full rezoning of the area to strategic industry.

7490.6.6 **Shire of Ashburton Local Planning Scheme No. 7 - Local Planning Scheme Amendment No. 17 - For Final Approval (refers Item 10.1)**

Presenter Mr Rob Paull

Mr Paull gave a power point presentation and advised Members that Amendment 17, in its adopted form along with the Structure Plan, reflects a sound and responsive town planning process.

Mr Paull advised that the re-inclusion of the Scarborough LNG site would bring social and economic impacts on the Shire of Onslow whereas the impact by the Chevron development would have a financial impact on the Shire of Ashburton.

The conditions of the Development Plan do not provide statutory means to implement the necessary requirements.

A copy of the presentation has been placed on file.

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- 7490.6.7 **Endorsement of the Banjup Quarry Local Structure Plan - Lots 9004 Armadale Road, 9002 Jandakot Road & 132 Fraser Road, Banjup (refers Item 9.4)**
Presenter Ms Jane Bennett

Ms Bennett gave a powerpoint presentation in support of the Structure Plan and addressed the need for an additional access point which is critical to the medium density development, and recommended that the third access road be situated centrally to the Lot 1 eastern boundary as it would improve access permeability.

A copy of the presentation has been placed on file.

- 7490.6.8 **Reconsideration of Modifications Required to the City of Swan Local Structure Plan No 11 (refers Item 9.5)**
Presenter Mr Gary Park

Mr Park advised that his client did not support the Officer's Recommendation which was considered to contain:

- an inadequate Management Plan;
- excessive terms of approval;
- inappropriate and insufficient buffers which produced an unfair impact on other landowners.

The Chairman advised Mr Park that he considered arranging a meeting of all interested parties :

- City of Swan
- Midland Brick
- Greg Rowe & Associates
- Applicants
- Executive Director Perth and Peel
- Acting Director Metro North East

to reach an agreed outcome between the City of Swan, applicants and Midland Brick to ensure alignment of any approval by the WAPC and the City of Swan Extractive Licence and reinforced by all parties.

Moved to 7490.9.

- 7490.7 **Announcements by the Chairperson of the Board and communication from the WAPC**

The Chairman advised that In 2014 the Statutory Planning Committee meetings will continue to be held twice monthly and that one meeting per month will deal with a Review of Statutory Polices and Guidance Statements.

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7490.8 Confirmation of Minutes

7490.8.1 Minutes of the Statutory Planning Committee meeting held on Tuesday 24 September 2013

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the minutes of the Statutory Planning Committee meeting held on Tuesday 24 September 2013, be confirmed as a true and correct record of the proceedings.

The motion was put and carried.

Moved to 7490.6.

7490.9 Reports

Members agreed to endorse, en-bloc, all the recommendations associated with Items 7490.9.1, 7490.9.2, 7490.9.3, 7490.9.6, 7490.9.7, 7490.9.9, 7490.9.10 and Items 7490.10.1 to 7490.10.10 inclusive.

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the Statutory Planning Committee resolves to endorse, en-bloc, all the recommendations associated with Items 7490.9.1, 7490.9.2, 7490.9.3, 7490.9.6, 7490.9.7, 7490.9.9, 7490.9.10 and Items 7490.10.1 to 7490.10.10 inclusive.

The motion was put and carried.

Moved to item 9.4

7490.9.1 Kupartiya Layout Plan 1 – For Endorsement

File 057/01-01-25
Report Number SPC/519
Agenda Part D
Reporting Officer Manager Planning – Aboriginal Communities

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

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That the Western Australian Planning Commission resolves to endorse the Kupartiya Layout Plan 1.

The motion was put and carried.

7490.9.2

Freehold Subdivision to Create Two Residential Lots at Lot 150 Blackwood Drive, Mount Nasura

File 148288
Report Number SPC/520
Agenda Part C
Reporting Officer Planning Manager, Metropolitan South-East, 7Perth and Peel Planning

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the Western Australian Planning Commission resolves to approve the application for subdivision of Lot 150 Blackwood Drive, Mount Nasura as shown on the plan date-stamped 27 June 2013. This decision is valid for three years subject to the following condition(s) and advice:

CONDITIONS:

Subdivisional Works

1. *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)*

2. *Engineering drawings and specifications are to be submitted, approved, and works undertaken in accordance with the approved engineering drawings,*

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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)

3. *The land being filled, stabilised, drained and/or graded as required to ensure that*

- (a) lots can accommodate their intended development; 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; and*

(c) stormwater is contained on-site, or appropriately treated and connected to the local drainage system.

(Local Government)

4. *The existing dwelling being retained is to comply with the requirements of the Residential Design Codes.*

(Local Government)

Servicing

5. *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)*

6. *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 to the lot(s) shown on the approved plan of subdivision.*

(Western Power)

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Miscellaneous

7. *All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.
(Local Government)*

ADVICE:

1. *With regard to Condition 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.*
2. *With regard to Condition 6, Western Power provides only one underground point of electricity supply per freehold lot.*
3. *With regard to Condition 7, the Western Australian Planning Commission will accept building clearance requirements as specified in the relevant local planning scheme operative at the time the subdivision approval was granted by the Western Australian Planning Commission.*
4. *The landowner/applicant and the local government are advised to refer to the Institute of Public Works Engineering Australia Local Government Guidelines for Subdivisional Development (current edition). The guidelines set out the minimum best practice requirements recommended for subdivision construction and granting clearance of engineering conditions imposed.*

The motion was put and carried.

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7490.9.3 **Modification of Seascapes Outline Development Plan – City of Mandurah**

File 808/6/13/2PV9
Report Number SPC/521
Agenda Part C
Reporting Officer Planning Manager, Peel Region

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the Western Australian Planning Commission resolves to:

1. *endorse the modifications to the Seascapes Estate Outline Development Plan dated 12/09/2013, subject to modifications as follows:*

a) *the intersection of Torwood Edge/Gretel Drive being shown to accommodate vehicle movements, with references to bollards being deleted from the plan and legend; and*

b) *the two ODP plans, Seascapes Estate ODP and Proposed Structure Plan being consolidated into a single ODP;*

2. *advise the City of Mandurah of its decision accordingly.*

The motion was put and carried.

7490.9.4 **Endorsement of the Banjup Quarry LSP - Lots 9004 Armadale Road, 9002 Jandakot Road and 132 Fraser Road, Banjup**

File SPN/0521
Report Number SPC/522
Agenda Part C
Reporting Officer Planning Director, Perth and Peel Planning

Resolved

Moved by Ms Taylor, seconded by Ms Bartle

That the Western Australian Planning Commission resolves to:

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1. endorse the version of the Banjup Quarry Local Structure Plan (LSP) dated September 2013, inclusive of the proposed residential development within the Core Area (20 - 25 Aircraft Noise Exposure Forecast (ANEF) contour) of the Jandakot Airport 2029/30 Australian Noise Exposure Forecast Plan Policy Areas, subject to the modifications referenced in Attachment 4: Schedule of Modifications (Banjup Quarry LSP) (attached);
2. advise the City of Cockburn of 1. above and that it is the Commission's expectation that residential densities proposed by the local structure plan will be achieved at the subsequent subdivision and development stages.

The motion was put and carried.

7490.9.5

Reconsideration of Modifications Required to the City of Swan Local Structure Plan No. 11

File SPN/0037
Report Number SPC/523
Agenda Part C
Reporting Officer Planning Manager, Metropolitan Planning North East

Officer's Recommendation

That the Western Australian Planning Commission resolves to

1. endorse the City of Swan Local Structure Plan No. 11 (being the Structure Plan Map and Section 10: Statutory Provisions) subject to the schedule of modifications as follows:
 - a) The Structure Plan Map and Statutory Provisions being modified to include the following notations/requirements:
 - i. The structure plan area comprises a maximum of 219 lots, with no lot being less than 2 hectares.
 - ii. No further subdivision seeking to create lots less than 2ha will be

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supported unless a reticulated water supply is provided and a sub-regional structure plan and local rural strategy prepared and endorsed by the WAPC for the locality, providing for further subdivision.

- b) The existing Stock Road reserve being retained as a connection to Great Northern Highway and identified as a potential future road connection to the west. The WAPC is prepared to support the reduction of the existing reservation width to 25 metres and deviation within the structure plan area to reflect the proposed lot layout/road network.
- c) Further details being provided regarding the implementation/enforcement of the higher construction standards in accordance with AS 3959 Construction of buildings in bushfire-prone areas and details of an effective statutory mechanism ensuring the higher construction standards. This information will be required to be provided prior to the consideration of any related subdivision application.
- d) The statutory provisions (section 10.3) being modified to clearly identify the requirement for dwellings to be constructed in accordance with AS 3959 Construction of buildings in bushfire-prone areas.
- e) The statutory provisions, structure plan map and staging plan being modified to identify that subdivision of proposed Lots 1-8 will not be supported until such time as the future connection to the north is provided to ensure the provision of two vehicular access routes which connect to the public road network. The subdivision of these lots without this connection is not supported by the WAPC as it would result in the creation of a cul-de-sac road in excess of 1 kilometre in length inconsistent with the requirements of

UNCONFIRMED

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Planning for Bush Fire Protection
(Edition 2).

- f) The proposed buffer to the Midland Brick Clay Quarry being increased to 1000m where future blasting has been identified as being required. The WAPC will not support subdivision within this area until such time as the Department of Mines and Petroleum advises the WAPC that blasting operations have ceased and are no longer required to extract the clay resource;
 - g) The structure plan map and statutory provisions being modified to clearly identify the buffer areas relating to the Midland Brick Clay Quarry and the restriction on subdivision/development until such time as the corresponding stage of the quarry has been closed and the resource on the site exhausted;
2. note the structure plan text and technical appendices as supporting documents to guide the assessment of subdivision and development applications;
 3. note the surplus Stock Road reserve land must be formally closed prior to being amalgamated into adjoining lots.

The Acting Director Metro North East tabled two emails from:

1. Mr Andrew Harris, Department of Mines and Petroleum
2. Mr Garry Price, Midland Brick

The Committee noted the email from Mr Greg Smith of Bricks West, tabled at Item 6.1, wherein Midland Brick states it now agrees in principle to a 500m buffer and also noted the comments made in the email from Mr Harris of the Department of Minerals and Petroleum to the Department of Planning. Members agreed that the excavation licence and buffer issues still needed more discussion and requested that the officer's recommendation be set aside to enable a meeting to be convened at the City of Swan to reach formal agreement between all the parties involved. The attendees are to include:

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- the CEO from the City of Swan
- Midland Brick
- Greg Rowe & Associates
- the applicants
- the WAPC Chairman
- Ms Taylor representing the Statutory Planning Committee
- the Department of Planning's Executive Director of Perth and Peel Planning
- the Acting Director of Metro North East

Resolved

Moved by Ms Burrows, seconded by Ms Taylor

That the Western Australian Planning Commission resolves to defer consideration of Reconsideration of Modifications Required to the City of Swan Local Structure Plan No. 11 to enable a meeting to be facilitated at the City of Swan between:

- the CEO of the City of Swan
- Midland Brick
- Greg Rowe & Associates
- the applicants
- the WAPC Chairman
- Ms Taylor representing the Statutory Planning Committee
- Department of Planning's Executive Director of Perth and Peel Planning

This meeting will serve to enable frank and open discussion between all relevant parties to ensure a formal agreement as to appropriate conditions being met for a buffer area of 500m to be facilitated and to align any approval of the Structure Plan and the approval for Midland Extractive Industry Licence.

The motion was put and carried.

Moved to Item 9.8

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7490.9.6 Shires of Beverley & Brookton Local Planning Strategy – Final Approval

File DP/11/00145/1
Report Number SPC524/
Agenda Part E
Reporting Officer Manager, Wheatbelt Region

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the Western Australian Planning Commission resolves to:

- 1. endorse the Shires of Brookton and Beverley Local Planning Strategy, subject to the modifications listed in the attached Schedule of Modifications being carried out, as being consistent with 12A(3) of the Town Planning Regulations 1967 (as amended);*
- 2. advise the Shires to publish a notice of the Local Planning Strategy and the Commission's endorsement of the strategy, in accordance with section 12B(4) of the Town Planning Regulations 1967 (as amended).*

The motion was put and carried.

7490.9.7 Consent to Advertise - Shire of Chittering Local Planning Strategy

File DPI/09/01425/1
Report Number SPC/525
Agenda Part E
Reporting Officer Manager, Wheatbelt Region

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the Western Australian Planning Commission resolves to certify that the Shire of Chittering Local Planning Strategy is consistent with regulation 12A(3) of the Town Planning Regulations, 1967 (as amended) and should be advertised for not less than 21 days, subject to the attached schedule of modifications.

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The motion was put and carried.

7490.9.8

Request to Endorse Deposited Plan Lots 117 & 118 Thompson Crescent, Lake Clifton

File 142116
Report Number SPC/526
Agenda Part G
Reporting Officer Senior Planning Officer

Officer's Recommendation

That the Western Australian Planning Commission resolves to advise the applicant and Western Power that it is not prepared to endorse the Deposited Plan until the following works, in relation to Condition 10, have been undertaken at the applicant's cost and to the specifications of Western Power:

1. removal of the existing overhead distribution line, poles and pole-top transformer;
2. installation of a 50kVA transformer adjacent to Thompson Crescent; and
3. each proposed new lot, Lots 1 to 4 on the plan dated stamped 20 May 2010, being provided with a connection to underground power from Thompson Crescent.

Members discussed the need for further clarity from Western Power and agreed that a letter should be drafted from the WAPC Chairman to the applicant and Western Power on the inequity of provision of underground power and requesting better transparency.

Moved by Mr Holloway, seconded by Ms Burrows

That the Western Australian Planning Commission resolves to

1. *advise the applicant and Western Power that it is not prepared to endorse the Deposited Plan until the following works, in relation to Condition 10, have been undertaken at the applicant's cost and to the specifications of Western Power:*

- 1.1 *removal of the existing overhead distribution line, poles and pole-top*

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Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

- *'This lot is located on a floodway and may be adversely affected by major flooding' (Local Government)*
- 3. *The roof overhang onto Lot 2 being shown on the Deposited Plan as constructed and as prescribed 'Intrusion Easement', pursuant to section 136C of the Transfer of Land Act 1893. (Local Government)*
- 4. *All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia. (Local Government)*
- 5. *Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on lot(s) 1 and 2 at the time of subdivision approval being demolished and materials removed from the lot(s) (Local Government)*
- 6. *The existing dwelling being retained is to comply with the requirements of the Residential Design Codes. (Local Government)*
- 7. *The proposed access way(s) being constructed and drained at the landowner/applicant's cost to the specifications of the local government. (Local Government)*
- 8. *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 to the lot(s) shown on the approved plan of subdivision. (Western Power)*

UNCONFIRMED

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9. *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)*
10. *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)*

ADVICE NOTES:

1. *The applicant is advised that the subject land is within the defined 1 in 100 year floodplain / fringe for the Murray Drainage and Water Management Plan, where development would normally be permitted subject to a specified minimum habitable floor level above the relevant 1 in 100 year flood level to provide adequate flood protection. The Department of Water advises that a minimum habitable floor level of 8.95m AHD is recommended for development on lots 1 and 2.*
2. *In regard to Condition 4, the Western Australian Planning Commission will accept building clearance requirements as specified in the relevant local planning scheme operative at the time the subdivision approval was granted by the Western Australian Planning Commission.*
3. *In regard to Condition 5, planning approval and/or a demolition licence may be required to be obtained from the local government prior to the commencement of demolition works.*
4. *In regard to Condition 8, Western Power provides only one underground point of electricity supply per freehold lot.*
5. *In regard to Condition/s 9 & 10, the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On*

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*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.*

The motion was put and carried.

7490.9.10

**Proposed Six Two-Bedroom Multiple Dwellings for
The Department of Housing: Lots 1 and 202 Kenton
Way, Calista**

File 26-50187-1
Report Number SPC/528
Agenda Part G
Reporting Officer Senior Planning Officer

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

*That the Western Australian Planning
Commission resolves to approve the proposed
development, subject to the following conditions:*

- 1. Prior to the commencement of development works a Certificate of Title (pursuant to Western Australian Planning Commission subdivision approval 143973), being obtained for the proposed Lot 2 Kenton Way, Calista on which the proposed development is to be constructed.*
- 2. The car parking bays, driveways and points of egress and ingress are to be designed, constructed, drained and marked in accordance with AS2890.1 to the satisfaction of the Western Australian Planning Commission.*
- 3. All stormwater drainage from roofed and paved areas shall be contained and disposed of on site to the satisfaction of the Western Australian Planning Commission.*

The motion was put and carried.

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7490.9.11

Subdivision to Create Three Lots for Farming, Conservation and Homestead Purpose - Lot 14 Woodlands Road, Porongurup - Shire of Plantagenet

File 147938
Report Number SPC/529
Agenda Part H
Reporting Officer Planning Officer, Great Southern Team

Officer's Recommendation

That the Western Australian Planning Commission resolves to refuse the subdivision of Lot 14 Woodlands Road Porongurup for the following reasons;

1. The proposed subdivision is contrary to Development Control Policy 3.4 Subdivision of Rural Land as the balance lot is not suitable for the continuation of an agricultural rural land use.
2. The proposed subdivision is contrary to the objectives of State Planning Policy 2.5 as it would result in the ad hoc fragmentation of rural land, and increase potential for land use conflict.
3. The proposed subdivision is contrary to State Planning Policy 2.5 as it creates rural living lots on land that has not been identified for closer settlement in an endorsed local planning strategy or zoned in the local planning scheme.
4. Approval to the subdivision would create an undesirable precedent for the further subdivision of other lots of a similar size in the Rural Zone in this locality causing unplanned breakdown of landholdings.
5. The proposal would result in the introduction of additional housing in an area of extreme bushfire hazard which is inconsistent with State Planning Policy 3.4 Natural Hazards and Disasters and the Planning for Bush Fire Protection guidelines 2010.

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Members discussed the very concise and informative presentation given by the landowner of Lot 14 and agreed that this item should be deferred to enable more information to be presented to the Committee.

Moved by Ms Taylor, seconded by Ms Bartle

That the Western Australian Planning Commission resolves to defer consideration of Subdivision to Create Three Lots for Farming, Conservation and Homestead Purpose – Lot 14 Woodlands Road, Porongurup (Shire of Plantagenet) to enable further discussion between the WAPC Chairman, the Executive Director of Regional Planning and Strategy, the Director General of the Department of Parks and Wildlife and a representative from the Shire of Plantagenet.

The motion was put and carried.

7490.10 Confidential Items

7490.10.1 Shire of Ashburton Local Planning Scheme No. 7 - Local Planning Scheme Amendment No. 17 - For Final Approval

File TPS/0804
Report Number SPC/530
Agenda Part B
Reporting Officer Senior Planning Officer

THIS ITEM IS CONFIDENTIAL

7490.10.2 City of Nedlands - Local Planning Scheme Amendment No. 191 - For Final Approval

File TPS/0101
Report Number SPC/531
Agenda Part B
Reporting Officer Manager Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

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7490.10.3 City of Subiaco - Local Planning Scheme Amendment No. 13 - For Final Approval

File 853/2/12/7P13
Report Number SPC/532
Agenda Part B
Reporting Officer Manager Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

7490.10.4 City of Melville - Local Planning Scheme Amendment No. 55 - For Final Approval

File 853/2/17/12P55
Report Number SPC/533
Agenda Part B
Reporting Officer Manager Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

7490.10.5 City of Canning - Local Planning Scheme Amendment No. 164 - For Final Approval

File TPS/0320/1
Report Number SPC/534
Agenda Part B
Reporting Officer Manager Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

7490.10.6 Shire of Serpentine Jarrahdale Local Planning Scheme Amendment No. 172 - For Final Approval

File TPS0971/1
Report Number SPC/535
Agenda Part B
Reporting Officer Manager, Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

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**7490.10.7 Shire of Chapman Valley Local Planning Scheme No. 2
- For Final Approval**

File TPS/0391
Report Number SPC/536
Agenda Part B
Reporting Officer Planning Manager, Central Regions,
Regional Planning and Strategy

THIS ITEM IS CONFIDENTIAL

**7490.10.8 Shire of Morawa Local Planning Scheme 3 –
Resolution to Prepare a Scheme**

File TPS/1214/1
Report Number SPC/537
Agenda Part E
Reporting Officer Senior Planning Officer

THIS ITEM IS CONFIDENTIAL

**7490.10.9 Shire of Corrowan Local Planning Scheme 3 –
Resolution to Prepare a Scheme**

File TPS/1192/1
Report Number SPC/538
Agenda Part E
Reporting Officer Senior Planning Officer, Central
Regions

THIS ITEM IS CONFIDENTIAL

**7490.10.10 Shire of Cue Local Planning Scheme 2 – Resolution to
Prepare a Scheme**

File TPS/1220/1
Report Number SPC/539
Agenda Part E
Reporting Officer Senior Planning Officer, Central
Regions

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7490.11 General Business

7490.11.1 Growers Mart – Drovers Place Precinct

THIS ITEM IS CONFIDENTIAL

7490.12 Items for Consideration at a Future Meeting

Item No	Report	Request	Report Required by
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

7490.13 Closure

The next ordinary meeting is scheduled for 9.00 am on 12 November 2013.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 11:00 am.

PRESIDING MEMBER _____

DATE _____

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D GENERAL ITEMS / OTHER MATTERS

10.5 SUBDIVISION TO CREATE 147 LOTS FOR RESIDENTIAL PURPOSES AND TWO PUBLIC OPEN SPACE RESERVES AT LOTS 809, 9002 AND 9003 WATTLEUP ROAD, WATTLEUP (HAMMOND PARK)

G DEVELOPMENTS / SUBDIVISIONAL / SURVEY STRATA

10.6 STATE ADMINISTRATIVE TRIBUNAL: INVITATION TO RECONSIDER DECISION TO CREATE SIX LOTS FOR RURAL PURPOSE

ITEM NO: 9.1

CITY OF JOONDALUP LOCAL HOUSING STRATEGY

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Planning Manager- Schemes, Strategies and Amendments
AUTHORISING OFFICER: Director- Schemes, Strategies and Amendments
AGENDA PART: D
FILE NO: DP/10/00463/1
DATE: 25 June 2013
ATTACHMENT(S):
1. Revised Strategy Map
2. Revised Housing Opportunity Areas 1-10
3. Dwelling Figures
4. Survey Results
5. Schedule of Submissions for Revised Strategy
6. Analysis of Housing Opportunity Areas
7. Summary of Main Issues Raised in Submissions

DETAILS: Local Housing Strategy submitted for WAPC consideration.

RECOMMENDATION:

That the Western Australian Planning Commission resolves to:

1. ***support the local housing strategy for the purposes of:***
 - (a) ***incorporating the Local Housing Strategy recommendations in the City's draft Local Planning Strategy and as a basis for guiding future amendments to District Planning Scheme No. 2;***
2. ***advise the City of Joondalup that:***
 - (a) ***detailed consideration will be given to any proposed dual coding provisions at the time these are proposed to be inserted into the scheme;***

-
- (b) with respect to Recommendation 5 of the Local Housing Strategy, the proposal to increase the residential density for commercial and centre zoned land within the City is supported. The City should investigate the application of activity centre codings in preparing its new Scheme, or amendments to its existing scheme;**
 - (c) with respect to Recommendation 6, any proposed policy should contain guidance concerning what constitutes 'large land parcels';**
 - (d) the Strategy Map should be modified before inclusion in the Local Planning Strategy to identify the Sorrento District Centre and to replace annotations of Whitfords and Warwick from regional centres to secondary centres to reflect the terminology of State Planning Policy 4.2 'Activity Centres for Perth and Peel'.**

SUMMARY:

- The City of Joondalup (the City) has prepared a draft Local Housing Strategy (LHS) which proposes seven recommendations to meet the future housing needs of its residents.
- The recommendations include:
 - increasing densities in 10 identified Housing opportunity Areas in proximity to public transport and centres;
 - preparation and application of dual code provisions in these areas;
 - encouraging aged persons housing;
 - increasing the density of commercial zoned land;
 - considering allowing additional height; and
 - developing provisions for opportunity sites.
- The draft LHS is generally consistent with State and regional planning policies.
- It is recommended the Western Australian Planning Commission (WAPC) give its support for the LHS recommendations to be included in the City's draft Local Planning Strategy (LPS) and for the recommendations to be used as the basis for amendments to the City's District Planning Scheme No. 2(DPS No. 2)

BACKGROUND:

The City has prepared a draft LHS and has submitted it to the WAPC seeking its endorsement. It is intended as a strategy for meeting the future housing needs of the City and managing the character and amenity of existing residential areas.

While there is a requirement under the *Planning and Development Act 2005* for an LPS to be prepared in conjunction with the statutory five-yearly review of local

planning schemes, there is no regulatory requirement for local governments to prepare an LHS.

The City prepared a draft LPS which was advertised, adopted by Council and submitted to the WAPC for endorsement. A key action of the LPS is to prepare an LHS. The WAPC supported the LPS for certification for advertising in April 2009, subject to modifications, and advised:

'recommendations from the Joondalup and (soon to be released) WAPC Housing Strategies, draft Metropolitan Activities Centres Policy and Spatial Framework will contribute significantly to the development of a planning framework for future rezoning, subdivision and development in the City of Joondalup and that the Commission will require incorporation of significant recommendations in the Local Planning Strategy prior to endorsement'.

This advice was given as although the WAPC supported advertising of the LPS, substantial planning work was still required to be undertaken. This included the preparation of an LHS in order to provide an adequate framework for decision making and rationale for zoning and provisions in any new scheme.

The City has now completed its LHS and seeks WAPC endorsement of it.

The City initially prepared and advertised a draft LHS in 2010 and submitted this to the WAPC in March 2011. At that time assessment of the LHS revealed several concerns, which were communicated to the City:

- The Strategy does not adequately respond to strategic documents, particularly SPP 4.2 'Activity Centre for Perth and Peel' and DC 1.6 'Planning to Support Transit Use and Transit Oriented Development';
- Terminology used in the Strategy and nomenclature of centres is inconsistent with SPP 4.2;
- There are more opportunities for intensification of residential development in proximity to rail stations, high frequency bus routes and centres within the City; and
- The Strategy does not clearly articulate the methodology for the selection of the boundaries of the Housing Opportunity Areas and proposed densities.

In response to this, the City resolved to revise and readvertise the LHS. The revised LHS has been adopted by the City and submitted to the WAPC for endorsement.

This report has been prepared for the WAPC to determine whether it supports the recommendations of the LHS for inclusion in the City's LPS and to be a basis for the City initiating amendments to its local planning scheme to implement the density changes and other recommendations.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:

Town Planning regulations 1967

Regulation 12A

Strategic Plan

Strategic Goal:

Planning

Outcomes:

Planned Local Communities developing a sense of place.

Strategies:

Develop connected and accessible communities (Network City).

Encourage innovation in the design of our communities.

Improve local planning service capability.

Policy

Number and / or Name:

'Directions 2031 and Beyond'

State Planning Policy 3 'Urban Growth and Settlement'

DC Policy 1.6 'Planning to Support Transit use and Transit Oriented Development'

Draft Outer Metropolitan Perth and Peel Regional Strategy

State Planning Policy 4.2 'Activity Centres for Perth and Peel'

State Planning policy 3.1 'Residential Design Codes'

DETAILS:

The draft LHS is divided into two parts. Part 1 provides the background and policy context for the City, an analysis of population and housing demand and constraints and opportunities. Key findings are:

- The population of City is not expected to grow significantly by 2031 rising from 149,265 in 2011 to 170,428 by 2031;
- There is a declining household size and an ageing population which has implications for the housing market in terms of density and dwelling type to accommodate these trends;
- There needs to be a significant increase in housing choices to allow residents the opportunity to move into dwellings best suited to their circumstances;
- The City has fallen behind other Councils in the provision of medium and high density housing;
- The existing R20 coding over most of the Scheme area significantly limits the range and diversity of housing which could be accommodated in the suburban areas;
- The existing R20 coding over commercial zoned land is inadequate for a modern commercial centre and the development yield of residential units is

not high enough to be an incentive for any centre owner who may wish to invest in a redevelopment which could provide many benefits for the community;

- At current density codes the housing stock in the City could increase by about 6,556 dwellings by 2031 (only about 2,969 of these are from infill);
- An 'age and condition' survey of older suburbs in the City identified areas which would benefit from an increase in private investment through increased development potential - being Craigie and Heathridge; and
- Community consultation, by way of a housing survey was undertaken in 2009, indicated there is not enough community support to justify extensive density increases.

Part 2 of the LHS comprises the recommendations and an overall Strategy Map (**Attachment 1- Revised Strategy Map**). There are seven key recommendations summarised below:

Recommendations 1 and 2:

The identification of Housing Opportunity Areas (HOA's) which are suitable for higher density codings and using these as a basis for density codings in the new Scheme. There are 10 areas identified which have been selected using criteria of proximity to train stations, high frequency bus routes commercial centres, existence of laneways and areas where revitalisation is encouraged.

The LHS proposes R20/60 adjoining stations and centres, R20/40 and R20/30 in areas in proximity to these facilities and in areas requiring revitalisation and R20/25 is proposed in parts of the suburb of Sorrento where laneway lots are present

The LHS includes maps for each area showing the extent of the land that is proposed for higher codings (**Attachment 2- Revised Housing Opportunity Areas 1-10**).

Recommendation 3:

The adoption of a new Dual Coding Policy to guide subdivision and development in the HOAs. This policy was advertised with the draft LHS. The policy is divided into two sections, the first establishes the criteria required to achieve the higher density for subdivision and the second establishes criteria for development. These criteria include various matters such as minimum frontages, battle-axe leg widths, tree retention requirements and carports and garages being compatible with the associated dwelling, amongst other matters.

Recommendation 4:

As part of the scheme review process, scheme or policy provisions should be developed for "Additional Density Bonus for Aged Persons Housing" to encourage amalgamation and development of between two and four existing residential lots for aged persons housing in appropriate locations. This recommendation is not intended to apply to land in HOA's or the Joondalup City Centre.

Recommendation 5:

- Replace the residential coding of R20 which currently applies to all commercial and mixed use zoned land over 1000sqm with R80 and develop Scheme and/or policy provisions to encourage the incorporation of environmentally responsible design elements into the developments. This recommendation will apply across the whole City with the exception of the Joondalup City Centre; and
- Replace the residential coding of R20 which currently applies to all commercial and mixed use zoned land under 1000sqm with R40 and develop Scheme and/or policy provisions to encourage the incorporation of environmentally responsible design into the developments. This recommendation will apply across the whole City with the exception of the Joondalup City Centre.

Recommendation 6:

As part of the District Planning Scheme review process, amend Policy 3.2- *'Height and Scale of Buildings Within Residential Areas (outside the City Centre)'* to allow the height of large-scale aged persons accommodation such as retirement villages and residential development in areas coded R60 and above to be increased to three or four storeys instead of being limited to two storeys. It will continue to apply across the whole City with the exception of the City Centre.

The current policy is considered to be a constraint to future housing. The City considers the height limit is appropriate for most residential development particularly in low density areas and should continue to be applied. However, the City advises that for areas coded R60 and above where a built form of three or four storeys is desirable, if the policy is applied rigidly, it would be very difficult, if not impossible to achieve the prescribed density.

Recommendation 7:

As part of the District Planning Scheme review process, adopt a new planning policy - *'Minimum Density for Large Opportunity Sites'* which will be in line with government policy and set a 'target' density for such sites. It will apply across the whole City with the exception of the City Centre.

The LHS notes that these large sites such as former school sites will be rare and any residential development yield should be maximised while having regard for existing residential amenity and character of the surrounding area.

Estimated Dwellings

The LHS identifies that recommendations for increased density codings and the existing potential results in a capacity for 24,838 additional dwellings from infill.

The LHS notes that infill occurs gradually and development of 100% of the lots capable of development is highly unlikely over the longer term. The LHS applies an 85% take up rate over a 20 year span consistent with the take up rate used in the

draft 'Outer Metropolitan Perth and Peel Sub-Regional Strategy' and gives an estimated number of additional dwellings within the City of 25,145 (21,112 from infill development) (**Attachment 3- Dwelling Figures**).

Implementation, Monitoring and Review

The LHS states that its recommendations will be implemented through the adoption of planning policies and changes to density codes and special provisions of the new District Planning Scheme. It is noted however, that the City may pursue implementing LHS recommendations through amendments to its existing District Planning Scheme No.2.

The LHS acknowledges that once the new density codings come into force, it will be important to closely monitor the uptake of medium density development in the new HOA's as well as measuring the success of other policy levers such as density targets for large sites. The purpose of monitoring is to determine whether the rate of infill development is meeting expectations in terms of reaching housing targets.

The LHS is to be reviewed at the same time as the next review of the District Planning Scheme.

GOVERNMENT AND CORPORATE IMPLICATIONS:

Assessment of the LHS involves the application of the principles and objectives of "Directions 2031" and the "Drafter Outer Metropolitan Perth and Peel Sub-regional Strategy", specifically the housing targets and desired locations for intensification of development expressed in these documents. The approach taken by the WAPC in the application of these principles in this LHS may set a precedent for other similar proposals.

CONSULTATION:

The City advertised the original LHS from 3 June 2010 to 16 August 2010 in the following manner:

- Letters and brochures, incorporating a survey were mailed to residents and owners of the 58,087 residential properties in the City;
- Owners of commercial and mixed use properties outside the City Centre received a letter advising them of the recommendation to change the residential density of their properties from R20 to R80;
- Two public information sessions were held and were well attended (100+ at each session);
- A dedicated web page was created on the City's website and a dedicated telephone line enabled enquiries to be answered promptly; and
- Notices and newspaper articles in local newspapers.

The City analysed the 6926 surveys that were returned (**Attachment 4- Survey Results**). In addition to the survey, 88 written submissions were received, including:

- 45 'standard wording' submissions of objection to properties in Duncraig (Carine Glades) being including in a HOA;
- five multi signature letters being;
 - 23 signatures requesting HOA 3 to be extended to include Robin Avenue,
 - 10 signatures requesting HOA 3 to be extended to include Ross Avenue,
 - 23 signatures requesting Monkhouse Way and Solander Road (HOA 5) not be rezoned Mixed Use,
 - 11 signatures requesting HOA 5 be extended to include Culwalla Close,
 - 10 signatures requesting HOA 5 to be extended to include Delaware Place,
- Eight responses from servicing authorities;
- thirty other submissions; and
- three submissions submitted to the Department of Planning.

Several petitions were also received outside of the consultation period being:

- A petition with 19 signatures requesting properties in Barralier Way, Padbury be included in HOA 5;
- A petition with 24 signatures requesting properties in are bordered by Marmion and Hepburn Avenues, Orbell and McWhare Roads and Waterford Drive be included in HOA 4; and
- A petition with seven signatures requesting HOA 3 to be extended to include Syree Court, Sorrento.

The Department of Planning (DoP) provided preliminary comments in respect of the draft Strategy during advertising which are summarised below:

- With regard to Recommendations 1 and 2, the targeted approach to increasing residential densities in the City in areas close to train stations, high frequency bus routes, commercial centres, where laneways are present and areas where revitalisation is encouraged is supported and reflects the objectives of State and Regional planning strategies and policies such as *Directions 2031, Network City* and *State Planning Policy 3 'Urban Growth and Settlement'*;
- The opportunity exists for greater areas of land to be included in the HOA's and for the application of higher density codings within these areas than are currently proposed by the LHS;
- In particular, it is recommended that all residential land within an 800m walkable catchment of the train stations be included in the HOA's and that the amount of land identified for R20/40 and R20/60 within HOA's be increased;

-
- It is also recommended that the
 - LHS include more information in relation to the methodology for the selection of the boundaries of the HOA's including plans showing walkable catchments of train stations and centres. In addition, further consideration should be given to the boundaries between areas with different density codes;
 - For consistency of streetscape it is preferred that the same code applies along both sides of a street;
 - In general, the adoption of a local planning policy articulating the criteria which need to be achieved in order for the higher density coding to be applied is supported as is the distinction between criteria for subdivision applications and development applications;
 - Several of the subdivision and development criteria required to achieve the higher density for subdivision and development in the draft Dual Density Code Policy are inconsistent with those aspects of the design elements of the R-Codes which may be varied. Accordingly, the policy will require the approval of the WAPC and will need to be accompanied by sufficient justification to warrant such variations to the R-Codes. Alternatively, the City may wish to pursue these variations by way of provisions in the local planning scheme, also accompanied with sufficient justification, rather than in a local planning policy;
 - The draft Dual Density Code Policy should be amended to remove conflict with WAPC policy and practice;
 - In regard to Recommendation 4, further information is required as to the exact nature of the density bonus for aged and dependent persons development. It is considered that the proposal for an additional density bonus would be more appropriately be implemented through a scheme provision. This could be supplemented by a local planning policy that contains performance criteria and locational criteria.
 - Recommendation 5 is supported in principle;
 - Recommendation 6 is supported in principle;
 - Recommendation 7 requires further information and justification. More detail should be provided about the intent, details and operation of this proposed policy;
 - A comprehensive assessment of the LHS will be undertaken when it is submitted to the WAPC for endorsement.

The City considers the consultation process generally identified that many residents could see the benefits from higher density, if not from designated HOAs. The mapping of survey results supports this contention as it has shown that property owners across the City wish to have a say in determining the future disposition of

their homes and properties. The City notes that of major interest has been the desire expressed by respondents to 'age in place' by subdividing their existing blocks, building a smaller property more suited to their needs and financing this process through selling off the remaining land.

The City considered that analysis of the survey results indicates that amendments to the boundaries of the HOAs was not warranted and that there was no significant or overwhelming sentiment identified through the spatial mapping of results that justified any changes.

In response to comments raised by the DoP, other agencies and in submissions, the City offered the following comments:

- In regard to the draft Dual Density Code Policy, this does not form part of the LHS text. This policy, as well as other policies referred to in the LHS recommendations can be further developed and refined if the LHS is approved, including the specific provisions relating to grey water and rainwater tanks. Any inconsistencies with WAPC policy will be resolved at that stage;
- In regard to the suggestion that densities could be increased, with the introduction of the new Multi-Unit Housing Code, it is likely that there is potential for an increase in lot yields under the new Code, without the need to increase density codes;
- The Water Corporation's stance in regard to the Beenyup Waste Water Treatment Plant buffer area is noted and that information can be included in the LHS;
- In response to requests to extend HOA 3 to include additional properties: HOA 3 primarily contains lots with laneway access. The more traditional grid-like systems of roads and laneways make it easier to facilitate higher density residential development while maintaining a consistent streetscape. The laneway lots are more easily able to be developed with lesser impact on surrounding properties as the laneway separates the sites at the rear. The properties on the northern side of Ross Avenue and the properties on Robin Avenue and Syree Court (with one exception) are not laneway lots, and therefore do not fall within the adopted criteria. Inclusion of these lots may undermine the adopted principles of the draft LHS;
- In response to requests not to rezone Monkhouse Way and Solander Road in HOA 5 to mixed use: this area relates to land opposite the Whitfords Shopping Centre which is recommended to be zoned Mixed Use. It is considered that the ability to provide an interface with the shopping centre is an important objective and will, over time, provide the opportunity for small scale mixed use development, including housing, to occur, It is therefore considered that the area be retained as proposed Mixed Use;
- In response to requests to extend HOA 5 to include Culwalla Close and Delaware place, Kallaroo: Although these properties are located north of the existing proposed HOA boundary, the inclusion of the areas can be considered to be relatively consistent with the locational criteria on which the

HOAs are based, particularly given the location of the regional shopping centre (Whitfords). If this area was to be considered for inclusion in HOA 5, to provide a logical boundary it may be appropriate that properties fronting Bridgewater Drive also be considered for inclusion;

- In response to requests for properties in Barralier Way, Padbury to be included in HOA 5: This does not form a logical extension to HOA 5. Many other properties adjoining and nearby to Barralier Way, share similar proximity to the proposed HOA, however the petition does not include these areas. In addition, the survey results do not indicate any significant support for the extension of HOA 5 in this vicinity;
- In response to requests to include properties in the area bordered by Marmion and Hepburn Avenues, Orbell and McWhae Roads and Waterford Drive, be in HOA 4: This does not form a logical extension to HOA4 as it represents an isolated pocket and there are many other properties adjoining and nearby that share similar proximity to the proposed HOA4. In addition, the petition represents 20 properties out of 106 in the area requested to be included in HOA 4; and
- In response to the 45 'standard wording' submissions of objection to properties in Duncraig (Carine Glades) being included in an HOA: The objection letters received are not clustered in a way where it is readily possible to consider amending the HOA boundary to exclude these properties. In addition, 73% of people who responded to the survey agreed with their property being included in proposed HOA 1, indicating a high level of support for the HOA boundary as proposed.

Revised Strategy

As discussed above, following submission of the LHS to the WAPC the DoP advised the City of the need for it to respond more strongly to strategic planning documents such as 'Directions 2031', SPP 4.2 and DC 1.6.

In response the City prepared a revised LHS which proposed:

- Retain Recommendations 1 and 2 but change the Strategy maps to expand the HOAs and increase the density codings within HOAs;
- Retain Recommendation 3 to develop dual coding provisions however acknowledge that the draft dual coding policy requires review and some provisions may be more appropriate in the Scheme, rather than policy;
- Retain Recommendation 4 to encourage amalgamation and development of lots for aged persons housing however change reference to these provisions being incorporated into the scheme rather than policy;
- Modify Recommendation 5 to clarify that all land zoned Commercial and mixed use over 1000sqm is to be re-coded to R80, and lots less than 1000sqm are to be recoded to R40 (not in the Joondalup City Centre);and

-
- Modify the Strategy document to include updated census information, reference to SPP 4.2, recalculated dwelling yields and the methodology for HOAs.

The revised Strategy was advertised in February in the following manner:

- letters to landowners who were not previously located within a HOA but are now proposed to be (914 letters);
- notices in the *Joondalup Times* and *The Weekender*;
- a notice in the City's website; and
- maps available at the City's administration building and Whitfords customer service centre.

A total of 30 submissions were received comprising 19 of support, 10 of objection and one requesting inclusion in a HOA (**Attachment 5 - Schedule of Submissions for Revised Strategy**).

The submissions of support made the following comments:

- minimises urban sprawl and is more sustainable;
- promotes a sense of social equity by providing opportunities for affordable housing;
- be economically sustainable as it provides the opportunity for development where there is existing infrastructure rather than having to install new infrastructure;
- allows more people to live closer to the Perth CBD, train stations, shopping centres and other amenities;
- provides the opportunity to revitalise older housing;
- reduces dependency on cars; and
- encourages an increase in the number of storeys for dwellings

The submissions of objection made the following comments:

- it does not preserve the character and amenity of the area;
- moved out of areas to get away from increased densities;
- housing stock is not old enough to require revitalisation;
- lack of information provided during consultation and lack of consultation;
- no need for higher densities;
- devaluation of properties;
- requests property be excluded;
- requested the boundary of the HOA to be expanded and it hasn't;
- impact on services such as schools, doctors and dentists;
- requires demolition of dwellings;
- sees the Strategy as the City and State government bowing to big business and corporate dollars; and
- need for an increase and improvement of infrastructure and amenities in line with density increases.

The submission requesting inclusion in a HOA was received from a property owner in Priscilla Avenue in Beldon whose property is located just outside HOA 7. The submitter notes that there are properties on Priscilla Avenue that are closer to the shopping centre and train station than other properties included in the LHS. The City has responded by stating that in the case of HOA 7 the boundaries are based on a 400m walkable catchment around the Belridge Shopping Centre.

OFFICER'S COMMENTS:

General Comments

The strong emphasis in the LHS on promoting a range of housing opportunities close to train stations, high frequency bus routes, commercial centres, on laneways and areas where revitalisation is encouraged as is encouraging maximising the potential of opportunity sites (in accordance with current state and regional plans and policies).

The revised LHS acknowledges previous DoP concerns and provides increased opportunities for intensification of residential development in proximity to train stations and centres within the City. The proposed densities are generally in line with the targets of DC 1.6 and SPP 4.2. The revised LHS also now includes reference to SPP 4.2 and correct terminology for centres.

Specific comments

The following specific comments are offered in respect of the proposed LHS recommendations.

Recommendations 1 and 2

Recommendations 1 and 2 state:

1. *Accept the Housing Opportunity Areas shown on the draft Local Housing Strategy Plan Map in Section 10.4 as areas suitable for higher residential density codings in the new District Planning Scheme.*
2. *Use the proposed new residential densities and zonings in each of the Housing Opportunity Areas described in Section 10.5 as the basis for new density codings and rezonings in the new District Planning Scheme. The rest of the City is unchanged.*

Broad criteria were developed to assist with selecting areas within the City suitable for possible higher density including:

- 800m walkable catchment around Currambine, Joondalup, Edgewater, Whitfords, Greenwood and Warwick railway stations;
- 800m walkable catchment around the secondary centres of Whitfords and Warwick;
- 400m walkable catchment around district centres of Woodvale, Greenwood and Currambine;

-
- 400m walkable catchment around neighbourhood centres close to high frequency public transport services;
 - 400m walkable catchment from high frequency bus routes;
 - Suburbs which would benefit from revitalisation; and
 - Land abutting Right of Ways (laneways).

The LHS states that these areas were further refined by taking into account the age and density of existing housing, road layouts, connectivity and good pedestrian access. With respect to walkable catchments around train stations, high frequency transport routes and centres, these have been mapped by the City and maps provided to the DoP, however, the maps do not form part of the LHS document itself.

With respect to the centres selected for higher density investigation the LHS notes that these have been selected based on proximity to high frequency public transport, age of existing housing stock and services offered. Initial densification is to be focussed on areas around higher order centres, with an opportunity for increased density on commercial sites.

The targeted approach to identifying areas suitable for increases in residential density rather than blanket increases in density over whole suburbs is supported. A detailed analysis of each of the proposed HOAs is contained at Attachment 14 (**Attachment 6 - HOA Analysis**) and comments regarding consistency with State and regional planning policies and strategies are outlined below.

Directions 2031 and Beyond

“Directions 2031” seeks a 50 per cent improvement on current infill residential development trends of 30 and 35 per cent; and, has set a target of 47 per cent or 154,000 of the required 328,000 dwellings as infill development. Directions 2031 seeks a 50 per cent increase in the current average residential density of 10 dwellings per gross urban zoned hectare; and, has set a target of 15 dwellings per gross urban zoned hectare of land in new development areas.

To achieve these targets “Directions 2031” states that planning will need to:

- focus on targeted locations for future urban growth such as in and around retail and employment centres, transit oriented developments and high frequency public transport corridors; and
- apply higher R-codes in strategies and schemes within areas that have close proximity to educational institutions, community facilities and services such as hospitals, medical centres and libraries.

‘Directions 2031’ identifies Joondalup as a Strategic Metropolitan Centre, Warwick and Whitfords as Secondary Centres, Hillarys Boat Harbour as a Metropolitan Attractor and Greenwood, Sorrento, Currabine and Woodvale as District Centres.

The LHS proposes targeted increases in density to allow infill development close to the majority of the centres mentioned above, as well as stations and high frequency bus routes. This approach is consistent with ‘Directions 2031’.

Draft Outer Metropolitan Perth and Peel Sub-Regional Strategy

The draft 'Outer Metropolitan Perth and Peel Sub-regional Strategy' was prepared in collaboration with local government and forms an integral part of the 'Directions 2031' vision. It provides information about the levels of expected population growth by local government area and highlights development opportunities and increased densities in greenfields areas throughout the five outer sub-regions of Perth and Peel. The document contains the following dwelling targets for the City of:

- Greenfield Connected City: 1,400
- Infill/Redevelopment: 12,700

It is noted that the additional dwelling target was revised to 12,110 in the 'Delivering Directions 2031 Annual Report Card 2012'.

Within the City, Burns Beach and Iluka are the only greenfield areas left with substantial land releases in the pipeline. These areas have been planned out with existing structure plans and current subdivision approvals. The LHS estimates the additional dwellings to be provided from these areas to be 2,514 which is consistent with the draft 'Outer Sub-Regional Strategy' (OSRS) target.

The LHS indicates the capacity for additional infill dwellings and existing potential outside HOAs could be 21,112 (at 85% take up rate of total capacity) which exceeds the target in the OSRS and revised 'Directions 2031' target. It is noted that an 85% take up rate may not be achieved, however, it is considered that the LHS recommendations provide the opportunity and capacity for the targeted number of additional dwellings.

State Planning Policy 4.2 'Activity Centres for Perth and Peel'

In regards to SPP 4.2, it is noted the City is undertaking a commercial strategy which will investigate and provide recommendations on its commercial centres and will specifically focus on the application of SPP 4.2. The commercial strategic and activity centre plans required for strategic metropolitan centres, secondary centres and district centres will address land use mix and dwelling density targets within centres. However, elements of that policy are relevant to this LHS and should be addressed in this document, particularly the aim of optimising residential growth through higher density development within walkable catchments of centres.

SPP 4.2 states that LPS's, schemes and activity centre structure plans should optimise housing potential in *walkable catchments* and meet density targets (**Table 3**).

These targets are outlined in the table below:

Typical characteristics	Strategic metropolitan centres	Secondary centres	District centres	Neighbourhood centres
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Future indicative service population (trade) area ¹	150,000-300,000 persons	Up to 150,000 persons	20,000 to 50,000 persons	2000-15,000 persons (about a 1km radius)
Walkable catchment for residential target	800m	400m	400m	200m
Residential density target per gross hectare ²	Minimum: 30 Desirable: 45	Minimum: 25 Desirable: 35	Minimum: 20 Desirable: 30	Minimum: 15 Desirable: 25

¹ Service population or retail trade area (for residential-associated) centres are indicative only and often overlap

² Typically, the average R Code (or net density) equivalent is two to three times the number of dwellings per gross hectare.

Within the City of Joondalup, the following centres are identified by SPP 4.2:

- Joondalup Strategic Regional Centre;
- Warwick Secondary Centre;
- Whitfords Secondary Centre;
- Currambine District Centre;
- Greenwood District Centre;
- Sorrento District Centre (clarified as Hillarys Boat Harbour); and
- Woodvale District Centre

It is noted that Joondalup City Centre is not covered by the LHS as it is subject to separate planning controls being the Joondalup City Centre Structure Plan.

Whilst the LHS proposes to increase the density of land in proximity to several district, neighbourhood and local centres, it does not identify the opportunity for increased densities around the district centres of Currambine and Sorrento (Hillarys Boat Harbour). Likewise there are several neighbourhood centres in the City which are not currently included in HOAs but that provide the opportunity for increased density within their catchments, such as the Glengarry and Woodvale centres.

With respect to the neighbourhood centres not currently included in HOAs, the LHS notes that centres have been selected for higher density investigation were based on proximity to high frequency public transport, age of existing housing stock and services offered (catering for the daily and weekly needs of surrounding residents) with initial densification to be focused on areas around higher order centres.

The City has advised that in respect of Hillarys Boat Harbour, this is a tourist centre and as such does not cater for the daily or weekly needs of surrounding residents. It was therefore not considered appropriate to include land surrounding Hillarys Boat Harbour in a HOA as it did not meet the selection criteria outlined in the LHS. In addition, applying a 400 metre radius from the centre of Hillarys Boat Harbour includes a very small number of residential properties. The relatively recent

residential development on the corner of Hepburn Avenue and Whitfords Avenue/Seward Loop is within the Hillarys Structure Plan area and is almost fully developed and therefore the City considers it is unlikely to be redeveloped in the short term.

With respect to Currambine District Centre, this is located on the corner of Shenton Avenue and Marmion Avenue. The City advises that with the exception of one underpass, these major four lane roads coupled with the topography around the centre form a physical barrier to the centre that makes pedestrian access to the centre difficult and undesirable. The centre is subject to the Currambine District Centre Structure Plan, which includes the opportunities for R40 to R100 residential and mixed-use development within the centre boundaries. The City considers that the existing structure plan currently provides sufficient development potential. In addition, discounting the residential land separated by the four lane roads, only a small number of additional residential land falls within a 400 metre radius of the centre, some of which is already coded R40. Due to the age of the housing stock in this area, the City considers that redevelopment is unlikely to occur in the near future.

The above justification for exclusion of these areas at this time is accepted and it is noted that there may be potential for investigation of higher density around these centres in the future when the local planning strategy is due for review.

It is considered that the LHS adequately responds to SPP 4.2.

Development Control Policy 1.6 'Planning to Support Transit Use and Transit Oriented Development'

DC 1.6 seeks to maximise the benefits to the community of an effective and well used public transit system by promoting planning and development outcomes that will support and sustain public transport use, and which will achieve the more effective integration of land use and public transport infrastructure.

This policy has implications for the City with regard to the scale and nature of development within close proximity to its six train stations. The LHS generally reflects the objectives of DC 1.6 through the identification of HOAs adjacent to the stations, with the exception of Joondalup City Centre which will be guided by the City Centre Structure Plan.

One of the key policy objectives is *'To ensure the optimal use of land within transit oriented precincts by encouraging the development of uses and activities that will benefit from their proximity and accessibility to public transport, and which will in turn generate a demand for the use of transit infrastructure and services.'*

DC 1.6 defines a transit oriented precinct as one in which the threshold of walking to those facilities is:

- about 10-15 minutes walking time, or an 800m distance, for rail stations, transit interchanges or major bus transfer stations or terminals, and

-
- about 5-7 minutes walking time, or 400m, for bus stops located on bus routes with multiple bus services that are high frequency of 15 minutes or less during peak periods.

The policy states that in reviewing town planning schemes and proposed scheme amendments that include transit precincts as defined by this policy, the WAPC will expect local governments to identify and promote opportunities for residential development at a minimum density of 25 dwellings per hectare, and will expect the application of densities substantially higher than 25 dwellings per hectare where sites have the advantage of close proximity to a rail station, major bus interchange or bus route that provides service frequencies equivalent to rail.

It is noted that a density of 25 dwellings per hectare equates to a density coding of approximately R40.

The LHS identifies HOAs adjacent to train stations which generally extend to the 800m walkable catchment from the stations. In addition, the density codings applied are R20/40 with areas in close proximity to stations being identified as suitable for R20/60. This is considered to be consistent with the DC 1.6.

Conclusion

In conclusion, Recommendations 1 and 2, are consistent with State and regional planning policy and are supported.

It is noted that submissions were received in both advertising periods from landowners outside HOAs requesting their properties be included in HOAs. Council in most instances has not supported the extension of HOAs to include additional properties. The LHS sets the HOA boundaries based on methodology described above. At the strategic planning level the boundaries as defined by Council are considered acceptable. It is noted that in implementing the proposed density changes through an amendment to the Local Planning Scheme, there is the potential for the boundaries to be further refined if additional properties are identified at that stage as being suitable for inclusion.

Recommendation 3

Recommendation 3 proposes the adoption of a new Dual Coding Policy to guide subdivision and development in the HOAs. A draft Dual Density Code Policy was advertised with the draft LHS and establishes the criteria required to achieve the higher density for subdivision and development, covering the following themes:

- Environmentally sustainable/energy efficient building design;
- Water sensitive design;
- Maintaining compatibility with surrounding lower density development; and
- General urban design principles.

The City's draft Dual Density Code aims to ensure that any development at the higher density code contributes positively to the existing character and amenity as well as the sustainability of an area.

Dual coding and the use of criteria to quality for the higher coding are a useful mechanism to achieve higher density residential developing whilst achieving certain outcomes. The use of dual coding and a policy to implement this is supported in principle. However, the policy provisions require revision and the City may wish to consider the inclusion of some provisions in its new scheme itself rather than the policy.

The DoP provided comments on the policy during the advertising of the LHS noting that several of the subdivision and development criteria required to achieve the higher density fall outside the scope of those aspects of the design elements in the Residential Design Codes (R-Codes) which may be varied by a local planning policy. Accordingly, the City was advised that the policy will require the approval of the WAPC and will need to be accompanied by sufficient justification to warrant such variations to the R-Codes. Alternatively, the City may wish to pursue these variations by way of provisions in the local planning scheme, also accompanied with sufficient justification, rather than in a local planning policy. It was also identified that the policy contained criteria which conflicted with provisions in several WAPC Development Control policies. It was suggested that the draft Dual Density Code Policy be amended to remove conflict with WAPC policy and practice.

The City responded to these concerns regarding the policy by noting that the draft Dual Density Code Policy does not form part of the LHS text. The policy, as well as other policies referred to in the LHS recommendations can be further developed and refined in the event in the strategy is approved. Any inconsistencies with WAPC policy will be resolved at that stage.

It is agreed that these are matters that can be dealt with at a later stage, as the details of the policy do not form part of the draft LHS. The City has been made aware of the DoP's concerns and it is expected that matters of inconsistency will be resolved at that stage.

Recommendation 4

The proposed action to introduce scheme or policy provisions for additional density bonuses for aged persons housing is supported in principle to encourage the provision of this type of development within the City to accommodate an ageing population.

It is noted that this recommendation is general in nature and does not provide detail as to the proposed Scheme or policy provisions or the extent of the density bonus.

It is anticipated that this detail will be provided as part of any amendment to the current scheme or the City's Scheme review. At that stage, the WAPC will need to assess the details of this proposal.

It is recommended that the City be advised that Recommendation 4 is supported in principle, however, the exact nature of the proposed provisions will need to be assessed when proposed to be incorporated into the City's Scheme by way of amendment to its existing Scheme or in any new Scheme.

Recommendation 5:

The recommendation to increase the density coding applicable to commercial and mixed use zoned land proposed by Recommendation 5 is supported. This is consistent with the objectives and principles of 'Directions 2031', and applicable WAPC policies.

The revised LHS wording for this recommendation addresses the issue raised in submissions and by the DoP about the uncertainty of the coding of commercial land outside HOAs.

It is noted that SPP 4.2 encourages the application of activity centre codes for designated activity centres. This matter has been raised with the City which advises that the application of R-AC codes would need to be carefully considered during preparation of the new Scheme. It is recommended that the City be advised to consider the application of R-AC codings to its centres in preparing its new scheme.

Recommendation 6:

The proposed action to amend the City's existing Policy 3.2 - *'Height and Scale of Buildings Within Residential Areas (outside the City Centre)'* to increase the permissible height of large-scale aged persons accommodation such as retirement villages and residential development for large land parcels in areas coded R60 from two storeys to three or four is supported.

It is recommended that the City be advised that the proposed policy should contain appropriate guidance as to what constitutes 'large land parcels'.

Recommendation 7:

The recommendation to formulate provisions to set a 'target' density for opportunity sites such as former school sites is also supported. Consideration will need to be given to the mechanism to implement these provisions and the wording of any such provisions as part of future planning stages.

Strategy Map

The overall LHS map depicts the proposed HOAs. The map also identifies centres within the City however omits the district centre of Sorrento and incorrectly designates Warwick and Whitfords as regional centres instead of the secondary centres which is their classification under SPP 4.2 .

It is recommended that the city be advised to modify the LHS map to address the above.

Endorsement Process

The finalisation of the LHS and its inclusion into the City's LPS is necessary in order for the WAPC to endorse the LPS.

In addition, it is noted that the City intends to use the LHS as a basis for initiating amendments to its local planning scheme to introduce the proposed density changes and other recommendations of the LHS. It is recommended that the WAPC advise this City of its support for this approach.

CONCLUSION

The draft LHS proposes a number of recommendations to increase housing density and diversity to respond to projected demographic changes. The recommendations are in keeping with the principles and objectives of a number of State and regional planning policies which encourage intensification of development in proximity to established services and facilities such as 'Directions 2031 and Beyond', the draft Outer Metropolitan Perth and Peel Sub-Regional Strategy, State Planning Policy 4.2 and DC Policy 1.6.

It is recommended that the WAPC gives its support for the inclusion of the LHS recommendations in the City's draft LPS and for the recommendations to be utilised as a basis for the City initiating amendments to its District Planning Scheme No.2.

4 DRAFT LOCAL HOUSING STRATEGY MAP

The Draft Local Housing Strategy has identified 10 areas in the City as being suitable for higher residential densities.

This means that properties in these areas could be developed to accommodate a greater range of housing.

The draft Strategy aims to ensure that future growth in the City occurs in a sustainable way.

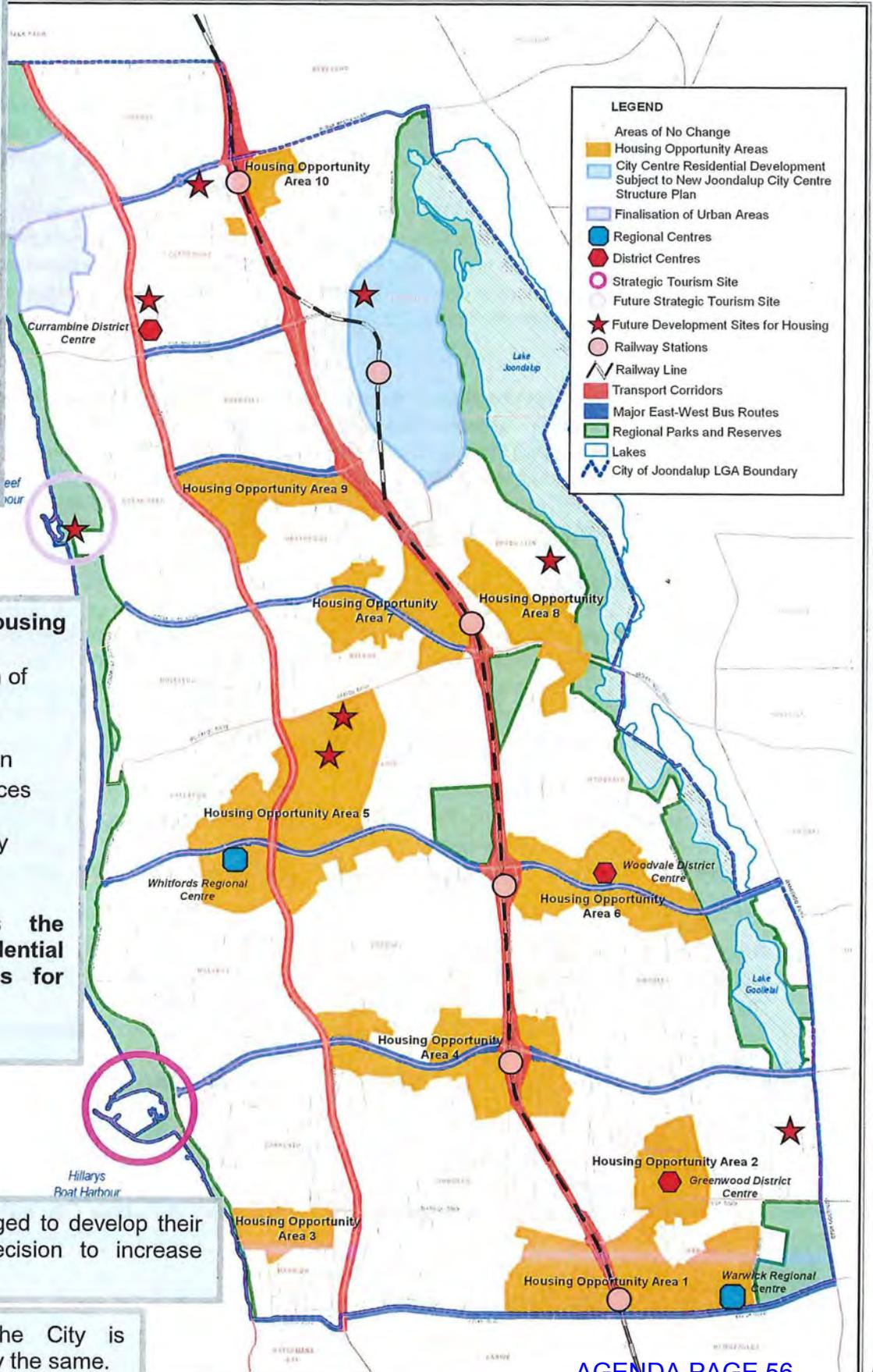
These 10 Housing Opportunity Areas

- are within easy reach of commercial centres,
- are accessible to main public transport services
- have good community facilities and parks.

Section 10.5 details the proposed new residential densities and zonings for each area.

Owners will not be obliged to develop their properties and any decision to increase densities is their option.

The majority of the City is recommended to stay the same.

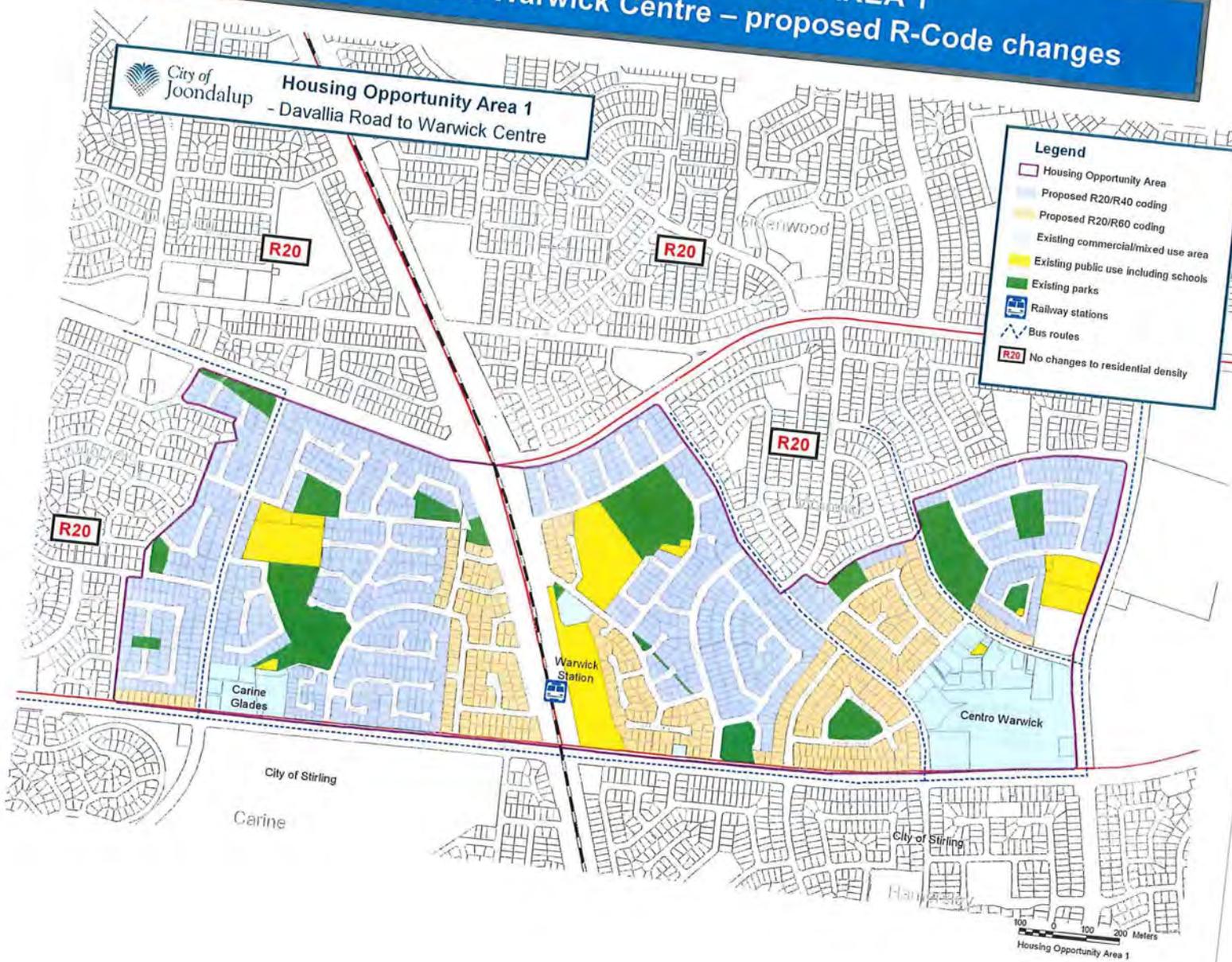


HOUSING OPPORTUNITY AREA 1 Davallia Road to Warwick Centre – proposed R-Code changes

City of Joondalup
Housing Opportunity Area 1
- Davallia Road to Warwick Centre

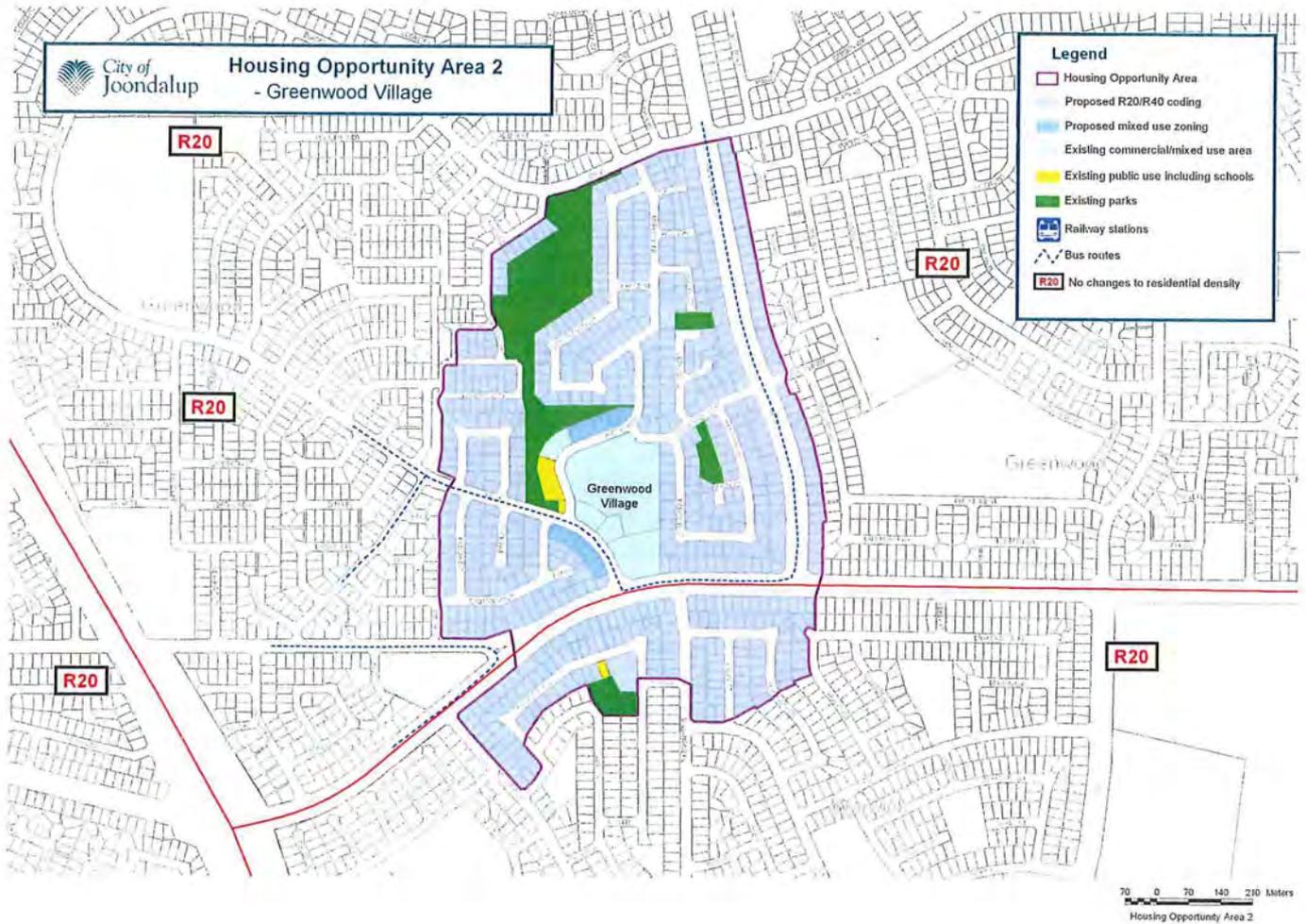
Legend

- Housing Opportunity Area
- Proposed R20/R40 coding
- Proposed R20/R60 coding
- Existing commercial/mixed use area
- Existing public use including schools
- Existing parks
- Railway stations
- Bus routes
- R20 No changes to residential density



HOUSING OPPORTUNITY AREA 2

Greenwood Village – proposed R-Code and zoning changes

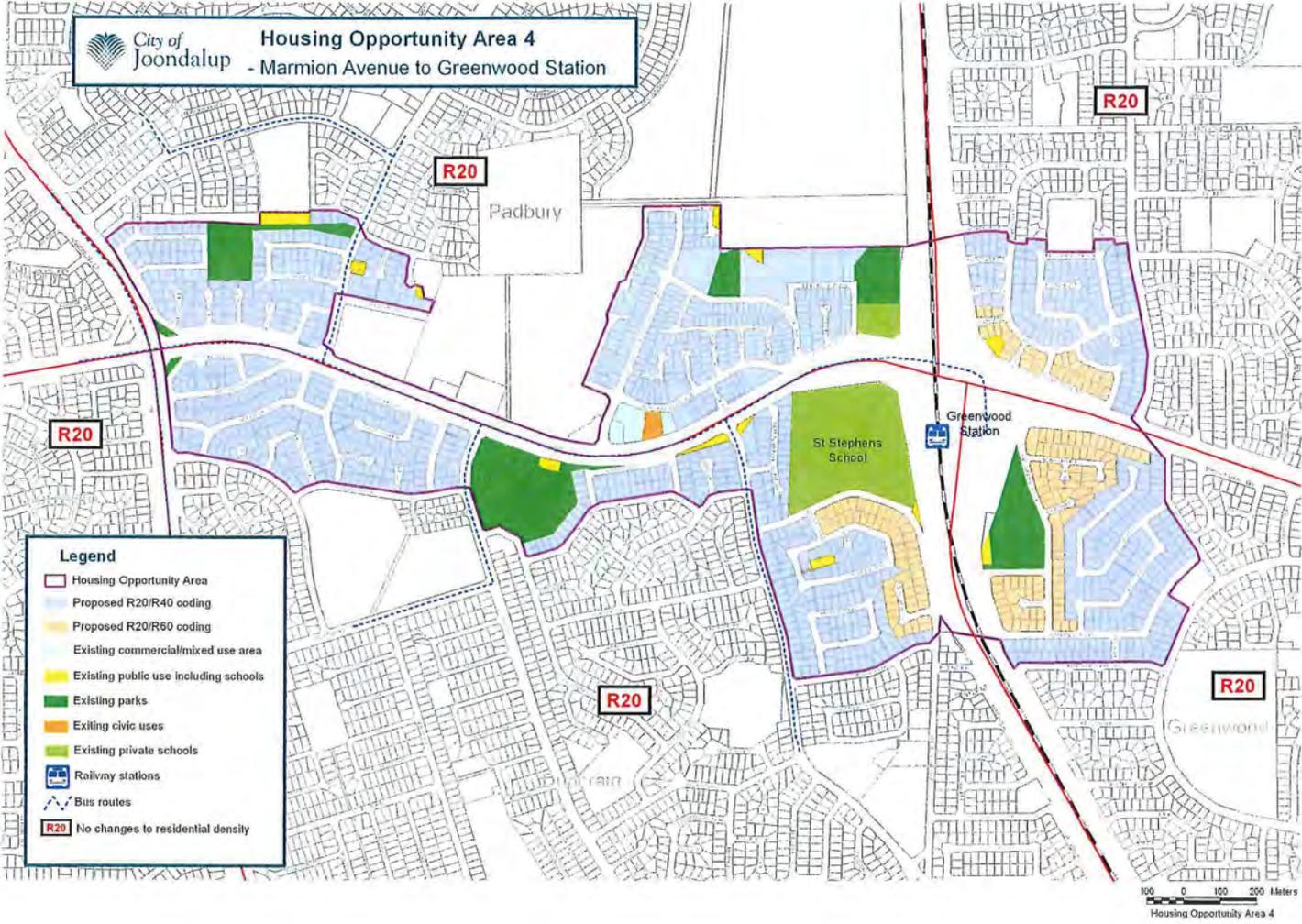


HOUSING OPPORTUNITY AREA 3

Sorrento laneway lots – proposed R-Code changes

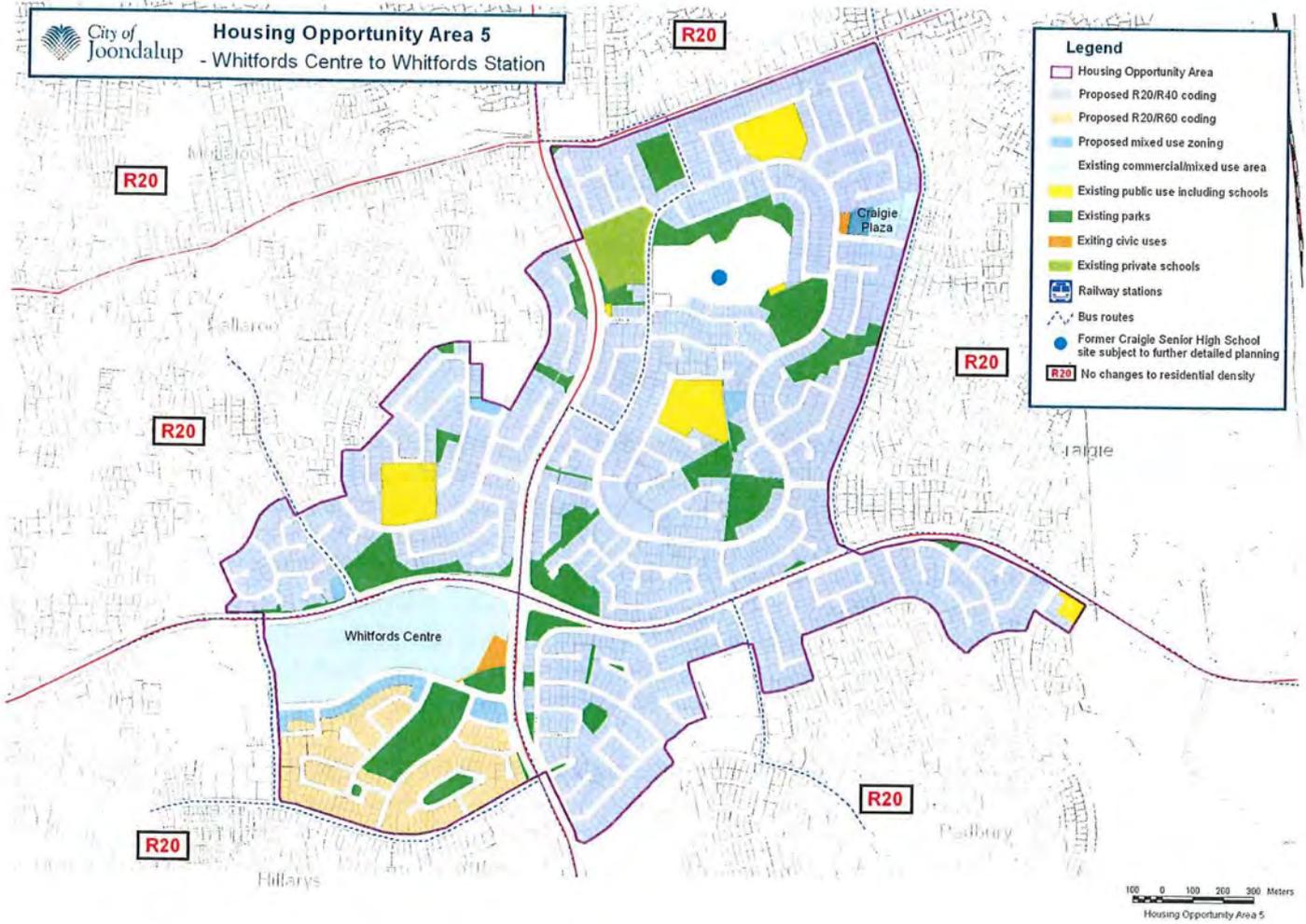


HOUSING OPPORTUNITY AREA 4 Marmion Avenue to Greenwood Station – proposed R-Code changes



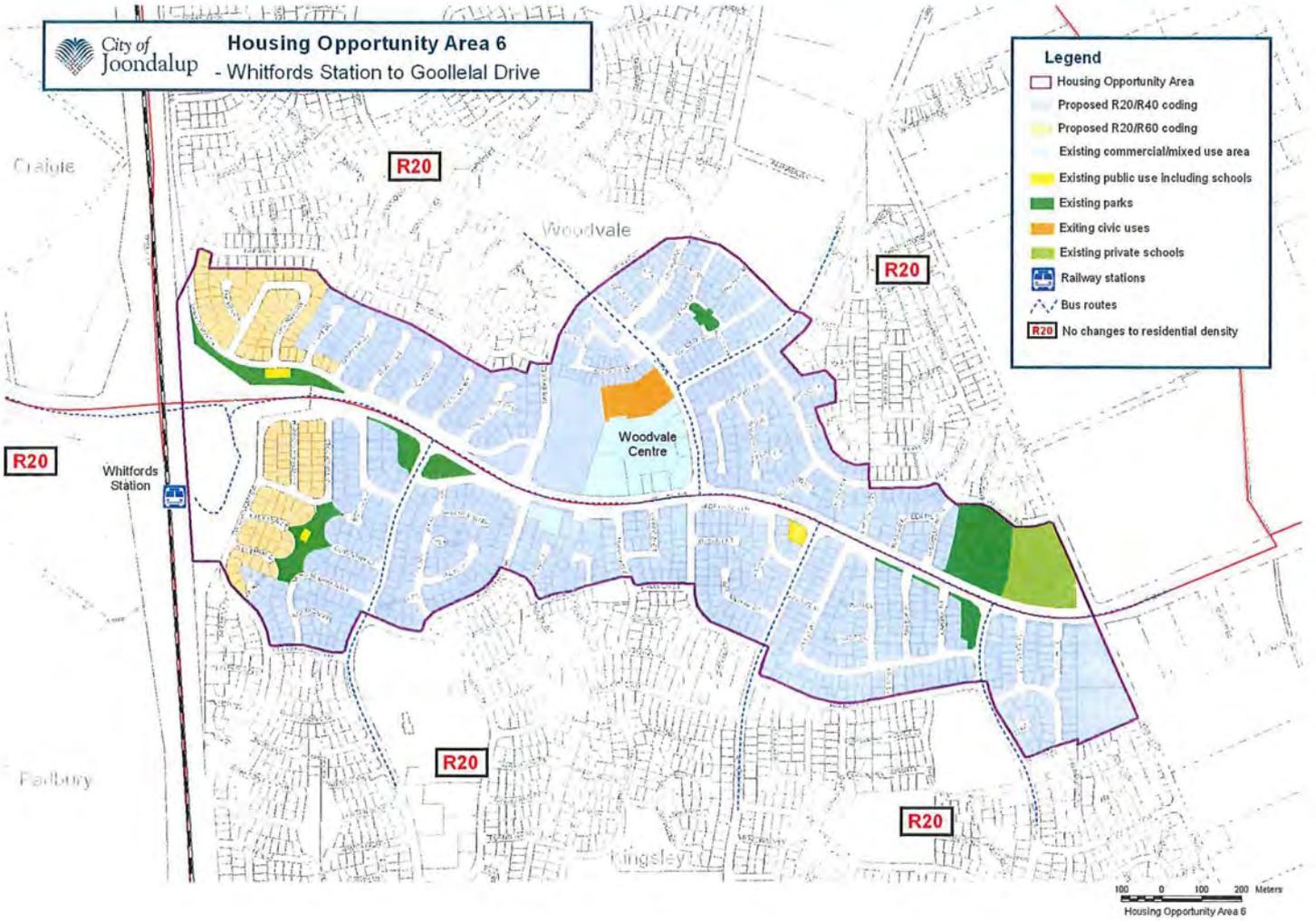
HOUSING OPPORTUNITY AREA 5

Whitfords Centre to Whitfords Station – proposed R-Code and zoning changes



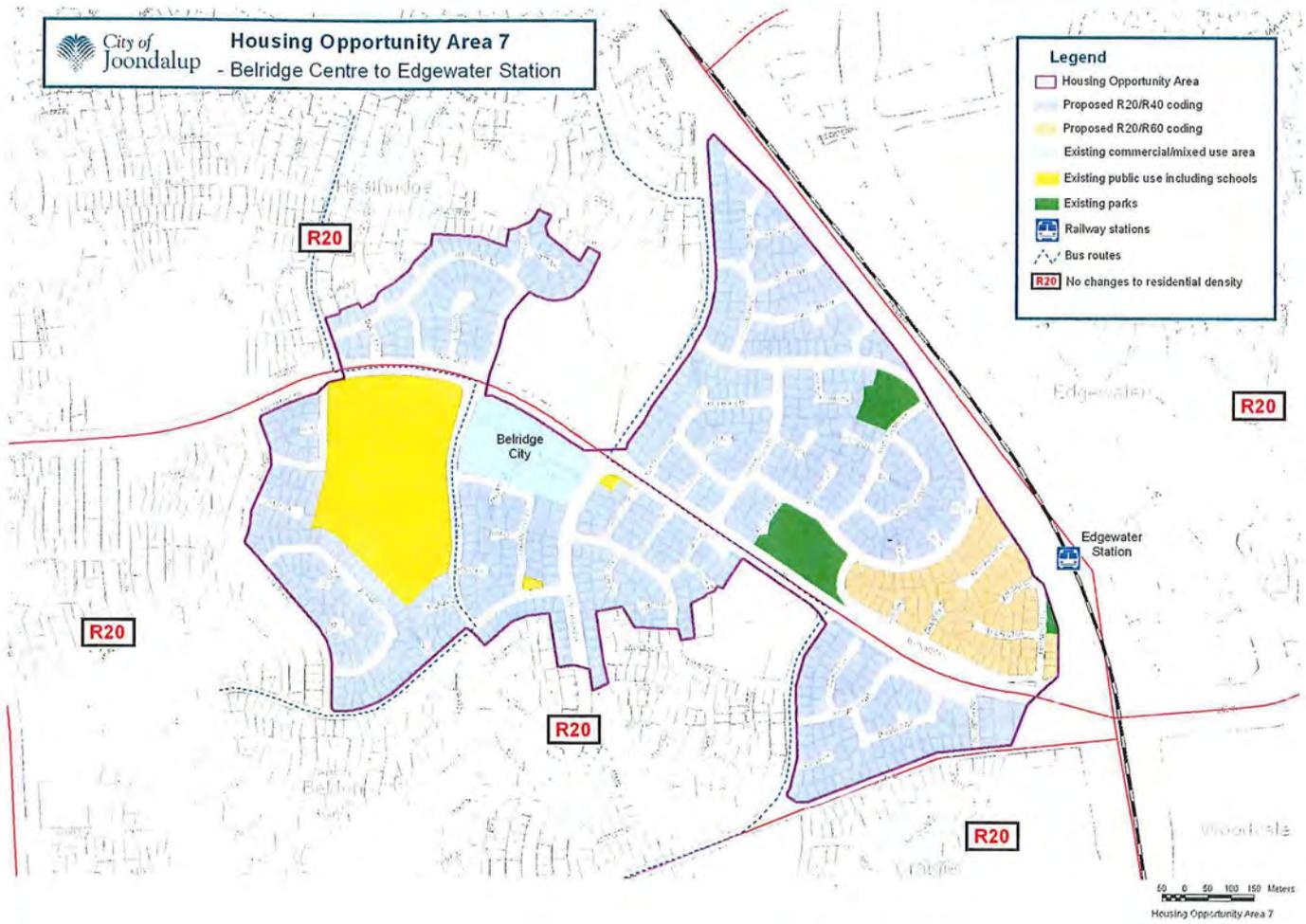
HOUSING OPPORTUNITY AREA 6

Whitfords Station to Goollelal Drive – proposed R-Code changes

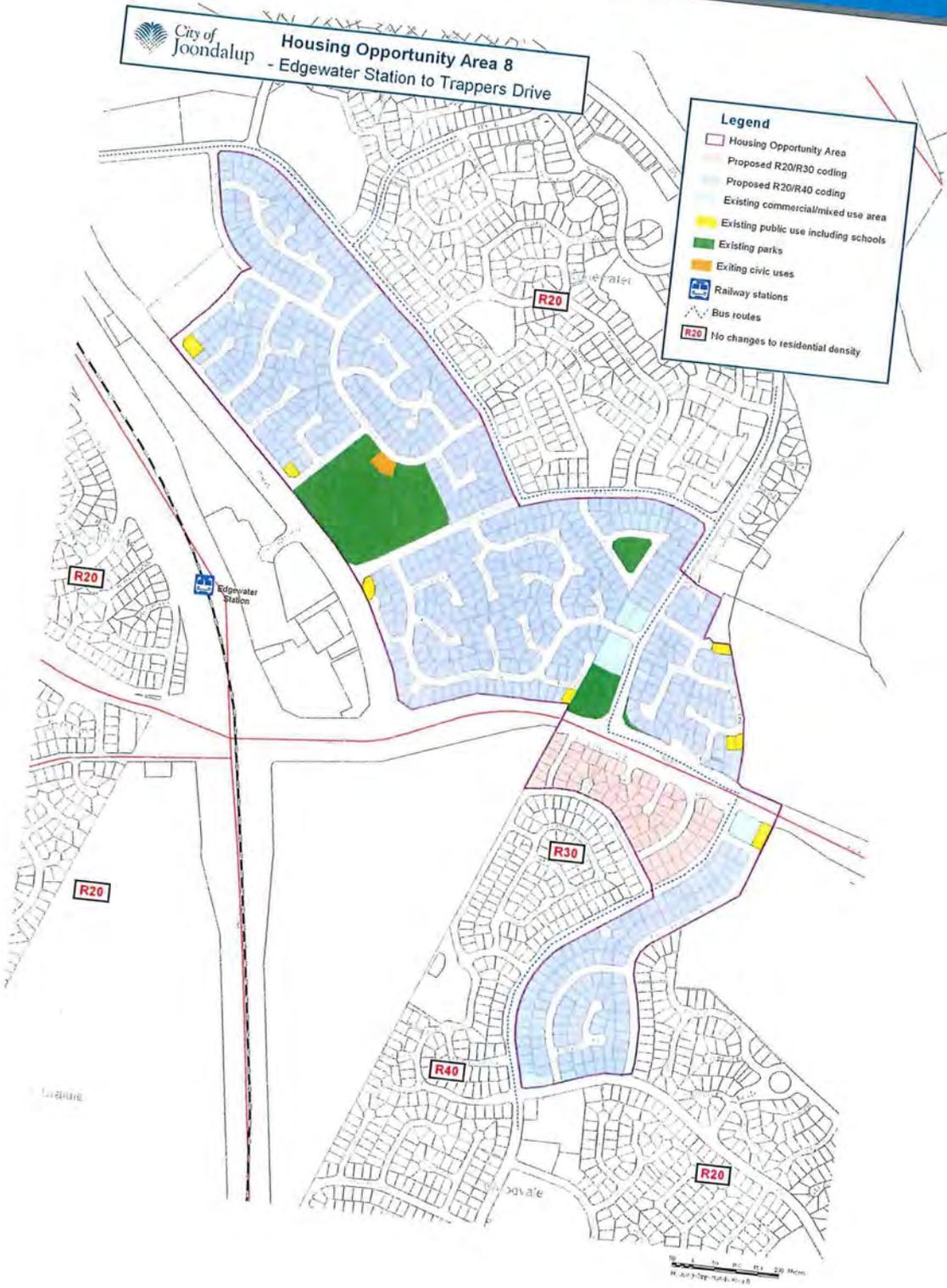


HOUSING OPPORTUNITY AREA 7

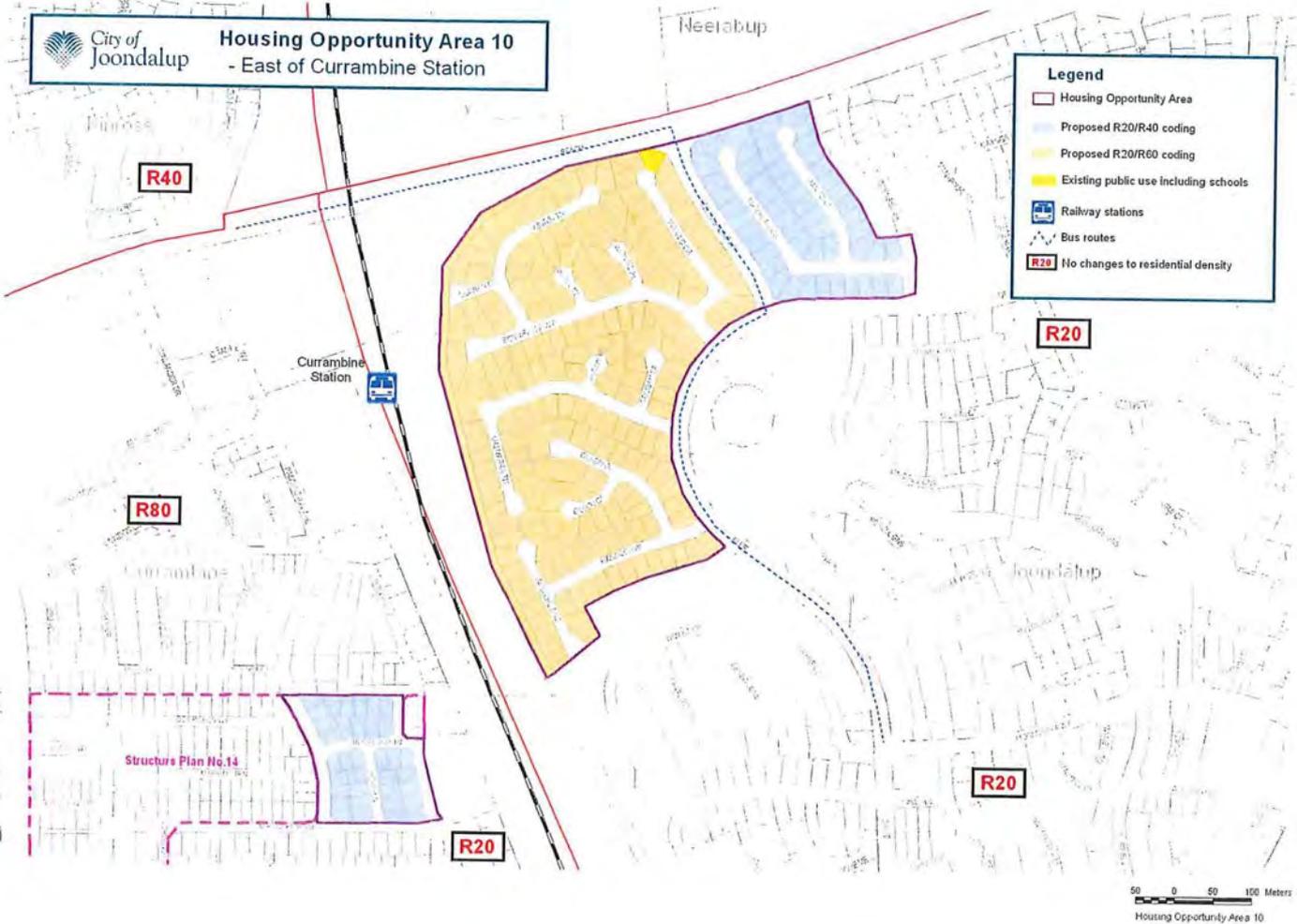
Belridge Centre to Edgewater Station – proposed R-Code changes



HOUSING OPPORTUNITY AREA 8 Edgewater Station to Trappers Drive – proposed R-Code changes



HOUSING OPPORTUNITY AREA 10 East of Currambine Station – proposed R-Code changes



Summary:

1. There are 10,779 residential lots in the Housing Opportunity Areas and the total potential **nett gain in dwellings** is at least 22,233 should all the lots be developed to their full potential. (See Table 11).
2. Outside the Housing Opportunity Areas, there would still be approximately 2,605 lots that could be developed further.
3. Therefore, should the recommendations of the draft *Local Housing Strategy* be adopted into the new District Planning Scheme, the total number of lots available for infill would be 13 384.
4. Infill occurs gradually and development of 100% of the lots in the Housing Opportunity Areas is highly unlikely over the long term. The Department of Planning's Outer Metropolitan Perth and Peel Sub-Regional Strategy assumes a take-up rate of infill across the Greater Perth Metropolitan Area of 85%.
5. The following tables compare the infill 'land bank' and nett gain in new dwellings should the proposed residential density codings, as recommended in the LHS, be adopted in the new District Planning Scheme with a 'no change in densities' scenario.

Table 12 Comparison of the number of infill lots for future residential development

	Number of lots	
	'No change in densities' scenario	As recommended in the LHS
Infill (small scale developments)	2,969 ¹	13,384

Table 13 Comparison of estimated nett gain in dwellings over a 20 year horizon

Source of new dwellings	Estimated nett gain in dwellings	
	'No change in densities' scenario	As recommended in the LHS
Burns Beach and Iluka	1,014	1,014
Joondalup City Centre	1,500	1,500
Known development sites	1,519	1,519
Infill (small scale developments)	2,969 ¹ @ 85% = 2 523	22,233 nett gain in dwellings in the HOAs @ 85% take-up = 18 898 2,605 ¹ nett gain in dwellings outside the HOAs @ 85% take-up = 2 214 Sub-total = 21,112
TOTAL	6,556	25,145

¹ Assumes a blanket density code of R20, with a minimum increase of one dwelling per lot. Additional dwellings may be able to be accommodated based on individual lot sizes and R Code.

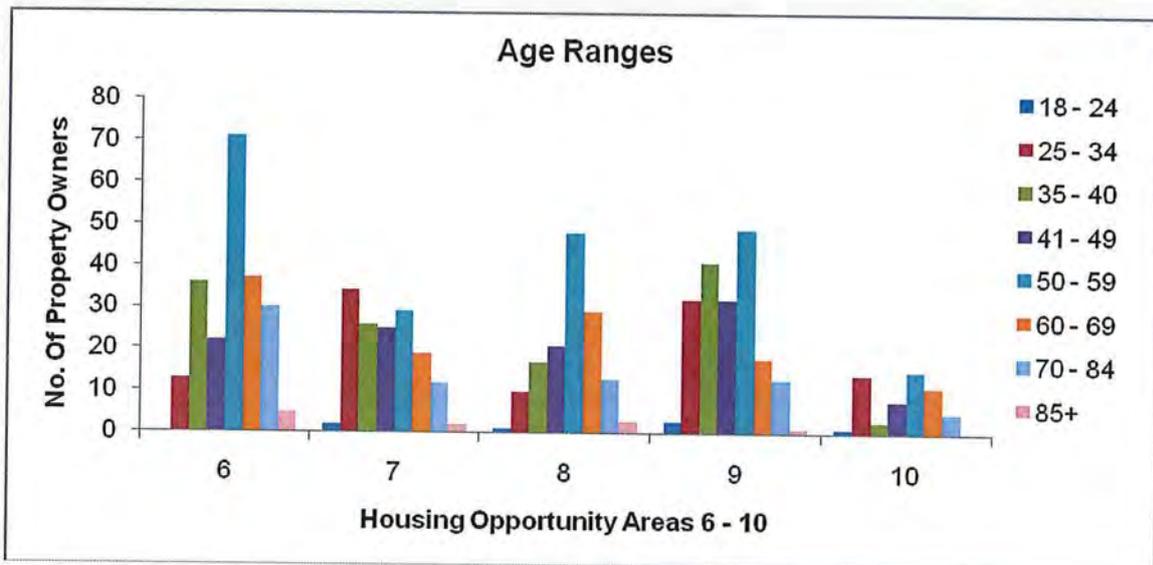
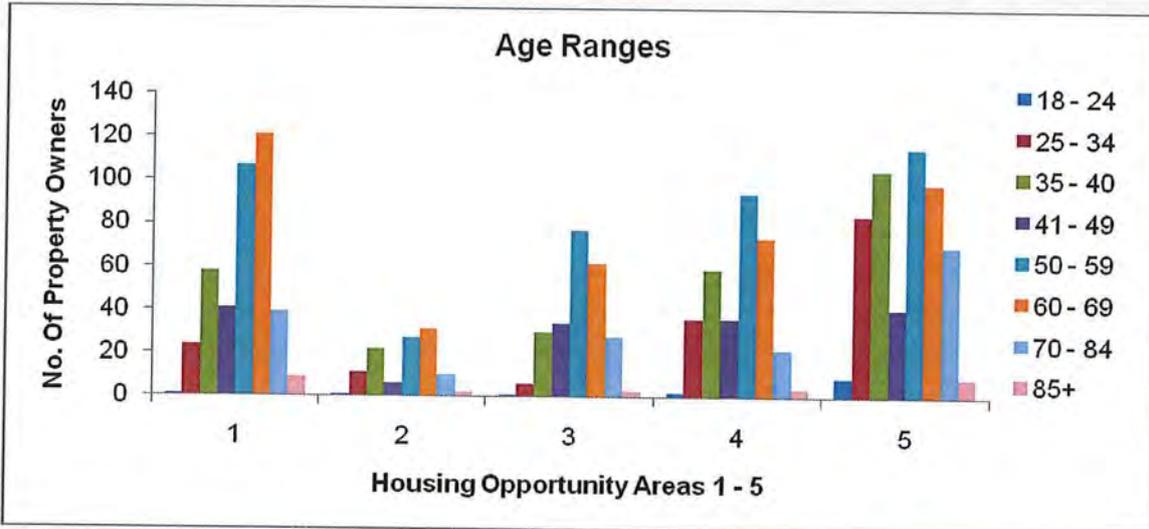
Should the recommendations of the draft *Local Housing Strategy* be implemented through the new District Planning Scheme, the City of Joondalup's infill '**land bank**' for future residential development would significantly increase from 2,969 lots to 13,384 lots.

The number of estimated additional **dwellings** across the whole City of Joondalup would also increase from 6,556 to 25,145 which exceeds the expectations for infill development (50% increase) as outlined in the State Government's strategic document *Directions 2031 and Beyond*.

The recommended policy changes outlined in Section 10.3 will also play their part in providing additional housing.

Survey Results

To show the distribution of ages across each HOA, two separate graphs were created. The first shows the age range for HOAs 1 to 5, the second the age range for HOAs 6 – 10.



The demographic information for HOA 1 shows that whilst all age ranges are represented, the largest number of responses have come from people aged between 50 and 69 owning property in that area. This finding may be associated with a stage of life where children have left or are leaving home.

The demographic information for HOA 5 shows a diverse age range amongst property owners indicating multiple lifestyle types from young first home buyers through to retirees who may have lived in the area for some time.

Survey Results

DEMOGRAPHIC ANALYSIS

Question 10: Gender: *I am...*

Table 8

Gender	No. of respondents	Percentage
Male	4,044	58.4
Female	2,856	41.2
Not indicated	26	0.4
Total	6,926	100.0

Question 11: Age Profile: *I am aged between...*

Table 8 shows that respondents aged 18 – 34 were not as well represented as those in other age groups. As surveys were distributed directly to properties rather than home owners alone, it was anticipated that the returns from this age group may have been higher.

Table 9

Age Range	No. of respondents	Percentage	ABS Age Range % Distribution CoJ
18 - 24	41	0.6	14
25 - 34	603	8.8	15
35 - 40	1,075	15.7	33
41 - 49	768	11.2	20
50 - 59	1,835	26.7	20
60 - 69	1,574	22.9	7
70 - 84	859	12.5	1
85+	113	1.6	0
Not indicated	58	0.8	0
Total	6,926	100.0	100.0

Survey Results

Question 9: *The draft Local Housing Strategy also contains recommendations that would apply to the whole City. These are generally broad policy initiatives to encourage more housing choices. Full details are available online at www.joondalup.wa.gov.au or from the City's Administration Building, Libraries and Customer Service Centres at Whitfords Shopping Centre and Craigie Leisure Centre. Please tell us what you think.*

3,300 people answered Q9.

The question was designed to elicit feedback to recommendations 3-7 of the draft LHS, however almost all responses were general in nature, raised incidental issues such as infrastructure improvements or reflected density issues which had already been covered in questions 2 to 8 of the survey.

There were 79 responses which were determined to have provided feedback on either 'all recommendations' or were specific to recommendation 3 (the dual density policy), recommendation 4 (density bonus for aged persons accommodation), recommendation 5 (R80 in commercial/mixed use areas), recommendation 6 (additional height for large scale aged persons accommodation, or residential development in R60 and above) and recommendation 7 (minimum densities for large opportunity sites).

As indicated in the table below, there was a high level of support from respondents.

Recommendation	Support	Not support	Comment only
All	43	2	2
3	10	1	4
4	13	0	0
5	9	0	0
6	2	4	1
7	2	2	0

The remaining 3221 responses made comments in relation to the following:

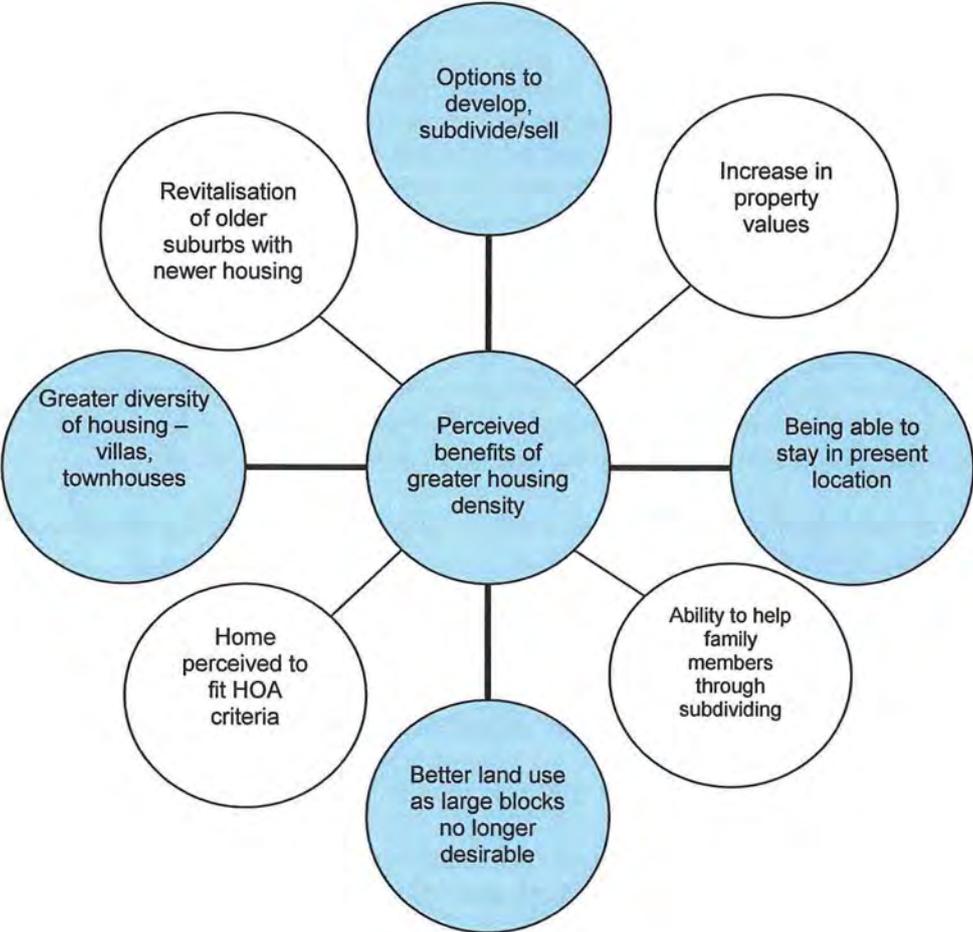
- Concern that higher residential density will place pressure on existing infrastructure such as schools, public transport and roads;
- Concern that higher residential density is aimed at generating more rates for the Council;
- Concern that higher residential density will turn some areas into 'investor/rental suburbs';
- Concern that higher residential density will change the character of existing suburbs which is the main reason residents bought in an area;
- Concern that higher residential density will result in overcrowding, loss of privacy and poor quality housing;
- Concern that higher residential density will result in increased noise, crime and social problems;
- Concern that higher residential density will result in multistorey flats;
- Support the creation of smaller dwellings and lots as a means of creating greater housing choice and affordability;
- Support infill development as a means of better utilising urban land which reduces the need for urban sprawl;
- Support infill development in strategic locations as a means of locating people closer to shops and public transport;
- Support incentives for aged persons developments and opportunities for residents to downsize within their existing community;
- Support the implementation of the LHS proposals as soon as possible;
- Confusion as to why 'my' property was not included in a HOA as it meets the necessary criteria; and
- 'I' did not read the other recommendations contained in the LHS.

Survey Results

Question 8: Can you tell us why you would like this house included in a Housing Opportunity Area?

1,382 respondents of the 1,476 respondents who wanted to be included in Housing Opportunity Areas provided comment.

The following diagram indicates the major factors that respondents identified as reasons for inclusion in an HOA.



Survey Results

Question 5: *Looking at the map for your area, what do you think about housing density as it could affect you?*

Table 5 shows that most respondents living in an HOA found the housing density level proposed acceptable. Please refer to **Attachment 5** which contains more detailed information for each HOA.

Table 5

Responses	No. of respondents living in an HOA	Percentage
It's too low	320	13.2
It's acceptable	1,454	59.9
It's too high	188	7.7
Not stated	465	19.2
Total	2,427	100.0

Question 6: *If you answered NO to question 4 (do not agree with HOA designation), please tell us more about that.*

127 respondents provided comment with respect to this question. A review of comments by HOA did not yield any area-specific issues and all respondents shared concerns that their existing quality of life would be lost as a result of higher density and the problems they associated with it. Respondents indicated that they had chosen their area specifically because of larger block sizes, quietness and privacy. There were predictions that each locality would be devalued as a result of noise, overcrowding, traffic congestion and an increase in rental accommodation

Question 7: *This house is currently not included in a Housing Opportunity Area, would you like it to be?*

Table 7 indicates that most people outside HOAs are not interested in being included in one.

Table 7

Response	No. of respondents	Percentage
Yes	1,476	32.8
No	2,609	58.0
Not indicated	414	9.2
Total	4,499	100.0

Survey Results

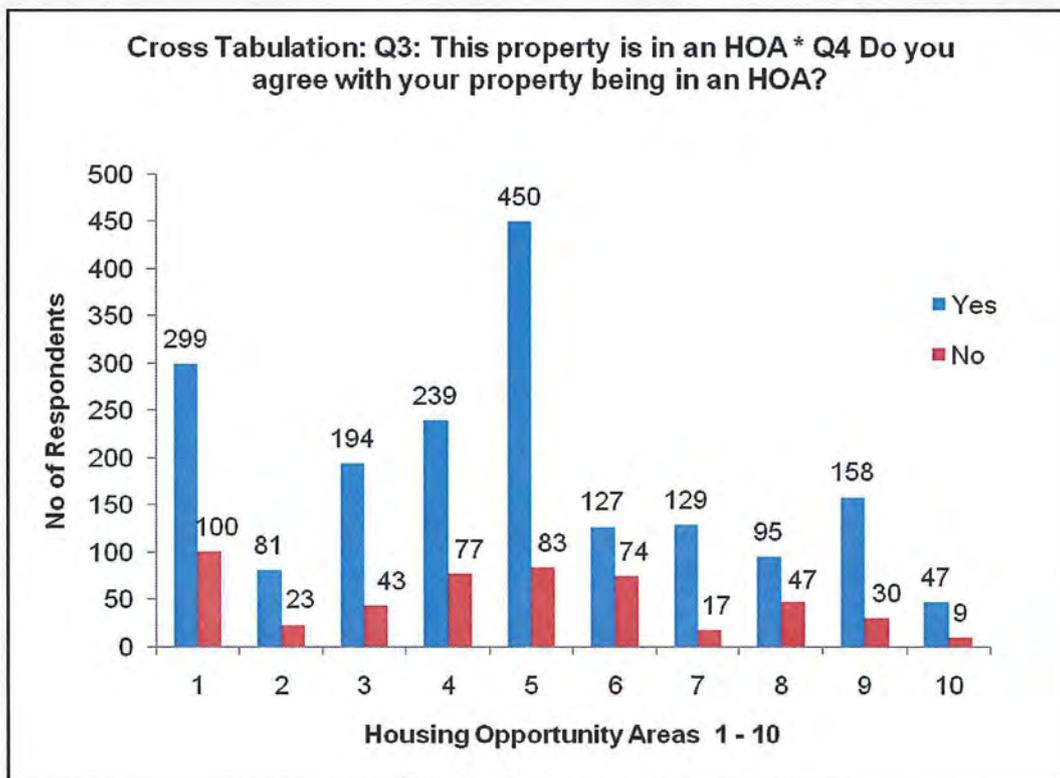
Question 4: If you answered YES to the previous question, do you AGREE with your property being included in a Housing Opportunity Area?

Table 4

Responses	No. of all respondents	Percentage
Yes	1,820	75.0
No	503	20.7
Not stated	104	4.3
Total	2,427	100.0

The graph below shows each HOA with respondents both for and against the designation. It can be seen that most support lies in HOA 5 (Whitfords), followed by HOA 1 (Warwick).

Please refer to **Attachment 5** which contains more detailed information for each HOA.



Survey Results

Question 3: This house is in a Housing Opportunity Area. Yes/No

Table 3 shows that of the 6,926 returned surveys, 2,427 (35%) were from people living in one of the 10 HOAs and 4,499 (65%) were from other areas within the City of Joondalup. Given that more people live outside the proposed HOAs than inside them, this result was anticipated.

Table 3

HOA Location	No. of all respondents	Percentage
1	407	5.9
2	111	1.6
3	248	3.6
4	335	4.8
5	557	8.0
6	216	3.1
7	152	2.2
8	148	2.1
9	194	2.8
10	58	.8
Not in an HOA	4,500	65.0
Total no. respondents	6,926	100.0

Survey Results

Overall Response and Return Rate

	No. of surveys sent	No. surveys returned	Percentage return rate
From Housing Opportunity Areas owners/occupiers	12,896	2,426	18.8%
From Rest of City owners/occupiers	50,789	4,500	8.9%
Total	63,685	6,926	10.9%

Question 1: *My house/unit is...*

Table 1

Statement	No. of Respondents	Percentage
My property and I am living in it	5,943	85.8
My property and I rent it out	816	11.8
Rented	134	1.9
Not stated	33	0.5
Total No. Respondents	6,926	100.0

Question 2: *What do you think about Housing Opportunity Areas in general?*

Table 2 shows the views of all respondents with respect to the question. Further analysis to break down respondents into "all respondents" (includes people renting properties) and "property owners" (a regrouping of residential and non-residential property owners) showed no differences of significance between the two groups as the majority of respondents were people who owned their properties, whether they lived in them or not.

Table 2

Response	No. of all respondents	Percentage
Good idea	4,499	65.0
Bad idea	1,322	19.1
Unsure	985	14.2
Not identified	120	1.7
Total	6,926	100.0

Q7. This house is not currently included in a Housing Opportunity Area, would you like it to be?

- Yes
- No – please go to **Question 9**

Q8. Can you tell us why you would like this house included in a Housing Opportunity Area?

Q9. The draft Local Housing Strategy also contains recommendations that would apply to the whole City. These are generally broad policy initiatives to encourage more housing choices. Full details are available online at www.joondalup.wa.gov.au or from the City's Administration Building, Libraries and Customer Service Centres at Whitfords Shopping Centre and Craigie Leisure Centre. Please tell us what you think.

Q10. I am

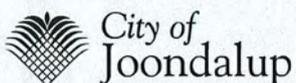
- Male
- Female

Q11. I am aged between

- 18–24
- 25–34
- 35–44
- 45–49
- 50–59
- 60–69
- 70–84
- 85+

Thank you for completing this survey. If you feel you have more to tell us, please feel free to attach extra pages.

The closing date for returning your survey is Monday 16 August 2010



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PO Box 21 Joondalup WA 6919

www.joondalup.wa.gov.au

This document is available in alternate formats upon request.

Survey

Please Note: Any personal information provided will be treated confidentially, however, in order to have your comments considered as part of the consultation process, your name and address must be supplied. Only one submission from each dwelling will be accepted as valid.

Title _____ First Name _____ Surname _____

House/Unit number _____

Street name _____

Suburb _____ Post Code _____

Q1. This house/unit is:

- My property and I am living in it My property and I rent it out Rented

Q2. What do you think about Housing Opportunity Areas in general?

(Please tick the box that best indicates your thinking.)

- I think they're a good idea
 I think they're a bad idea
 I'm not sure/I'm neutral on the issue

Q3. This house is in a Housing Opportunity Area.

- Yes – and its Area number is _____
 No – please go to **Question 7**

Q4. If you answered YES to the previous question, do you AGREE with your property being included in a Housing Opportunity Area?

- Yes
 No – please go to **Question 6**

Q5. Looking at the map for your area, what do you think about the housing density as it could affect you? (Please tick the box that best gives your opinion.)

- It's too low It's acceptable It's too high

Q6. If you answered NO to Question 4, please tell us more about that:

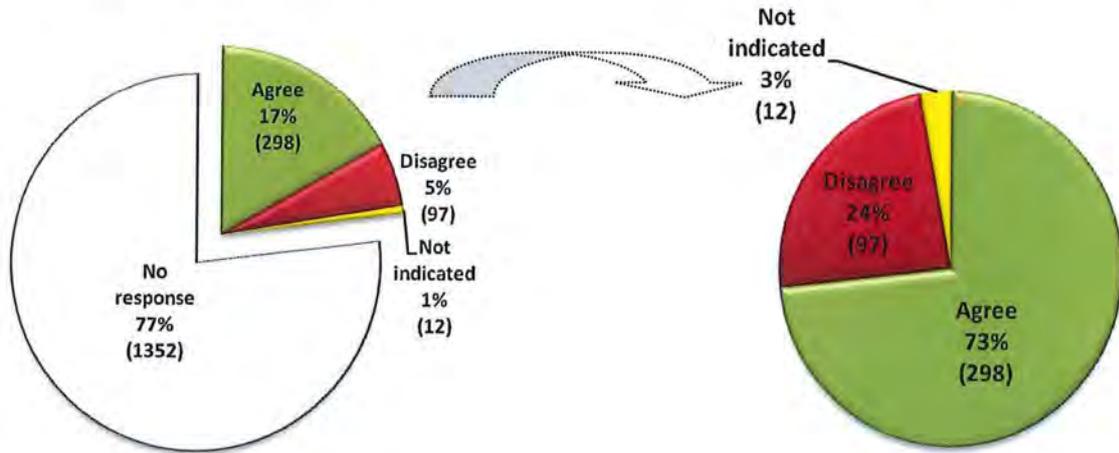
Results for individual Housing Opportunity Areas

Housing Opportunity Area 1

1,759 surveys were sent out and 407 valid surveys were received, representing a 23% rate of return. The following pie charts describe the responses to questions 4 and 5.

Question 4:

Do you agree with your property being included in a Housing Opportunity Area?

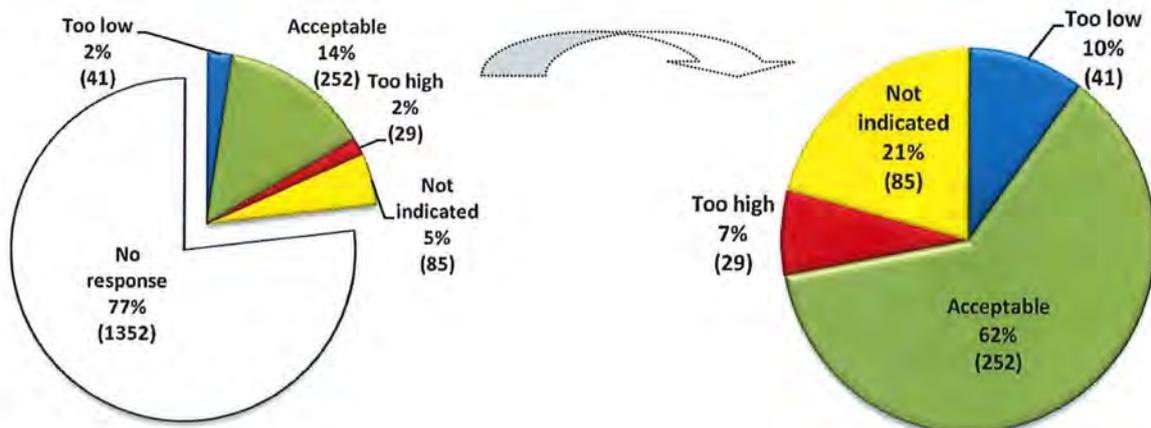


Total surveys sent out = 1,759

Responses received = 407

Question 5:

Looking at the map for your area, what do you think about the housing density as it could affect you?



Total surveys sent out = 1,759

Responses received = 407

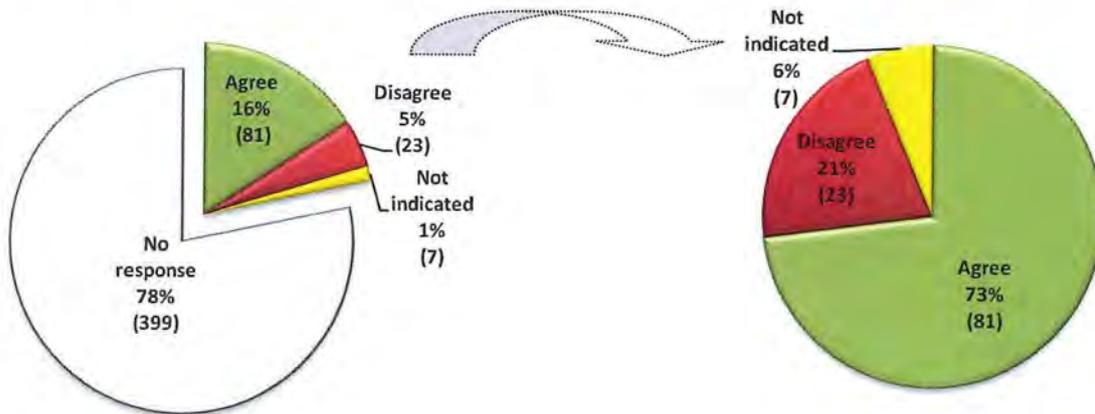
Results for individual Housing Opportunity Areas

Housing Opportunity Area 2

510 surveys were sent out and 111 valid surveys were received, representing a 22% rate of return. The following pie charts describe the responses to questions 4 and 5.

Question 4:

Do you agree with your property being included in a Housing Opportunity Area?

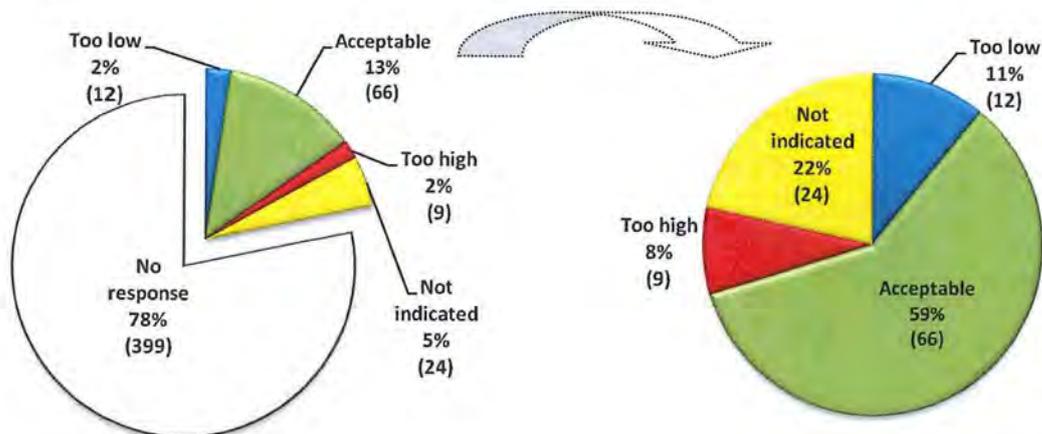


Total surveys sent out = 510

Responses received = 111

Question 5:

Looking at the map for your area, what do you think about the housing density as it could affect you?



Total surveys sent out = 510

Responses received = 111

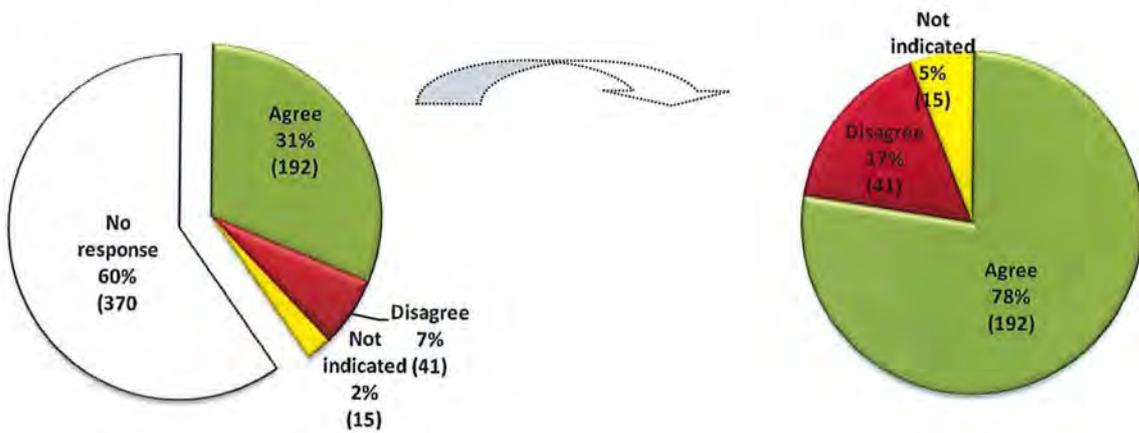
Results for individual Housing Opportunity Areas

Housing Opportunity Area 3

618 surveys were sent out and 248 valid surveys were received, representing a 40% rate of return. The following pie charts describe the responses to questions 4 and 5.

Question 4:

Do you agree with your property being included in a Housing Opportunity Area?

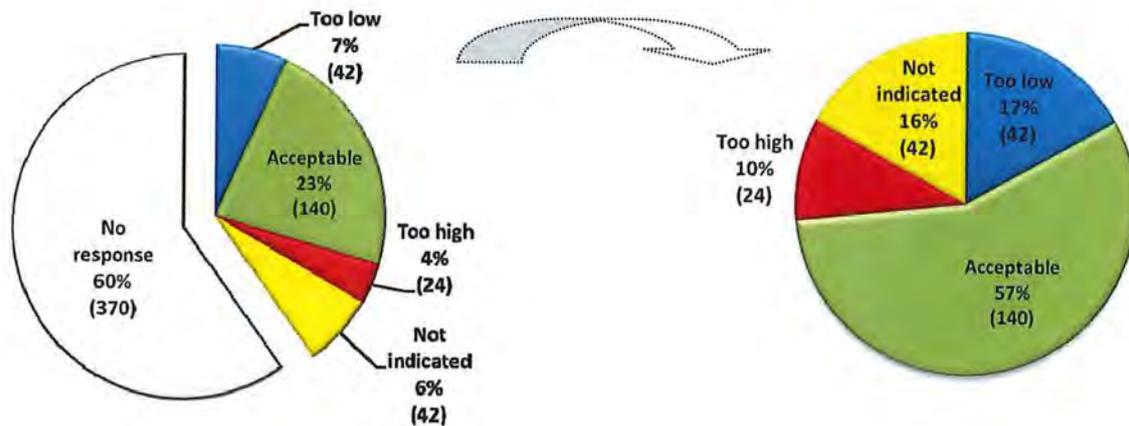


Total surveys sent out = 618

Responses received = 248

Question 5:

Looking at the map for your area, what do you think about the housing density as it could affect you?



Total surveys sent out = 618

Responses received = 248

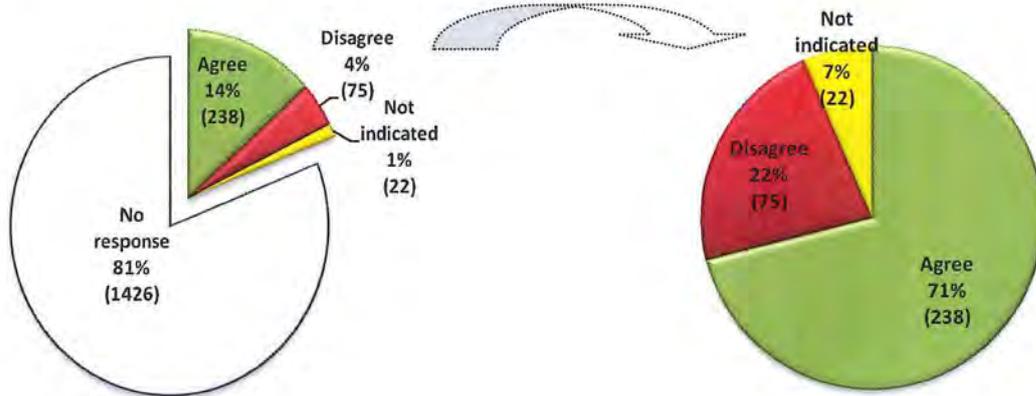
Results for individual Housing Opportunity Areas

Housing Opportunity Area 4

1,761 surveys were sent out and 335 valid surveys were received, representing a 19% rate of return. The following pie charts describe the responses to questions 4 and 5.

Question 4:

Do you agree with your property being included in a Housing Opportunity Area?

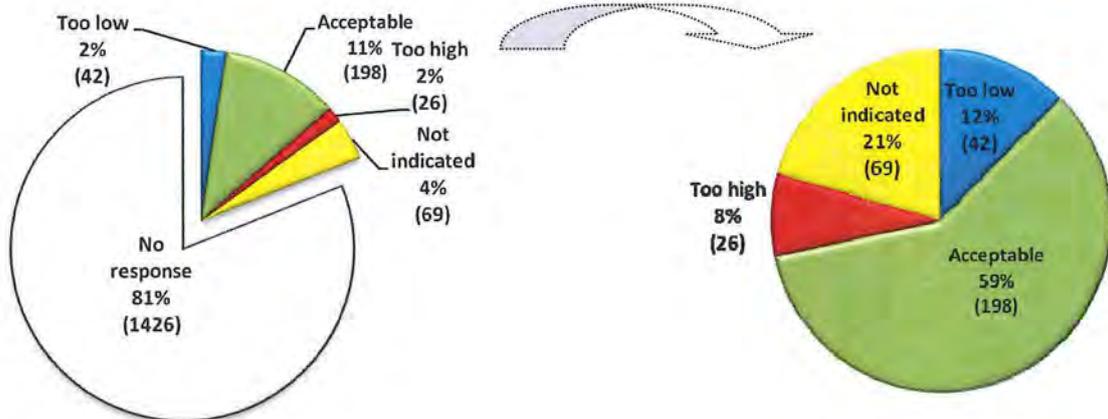


Total surveys sent out = 1,761

Responses received = 335

Question 5:

Looking at the map for your area, what do you think about the housing density as it could affect you?



Total surveys sent out = 1,761

Responses received = 335

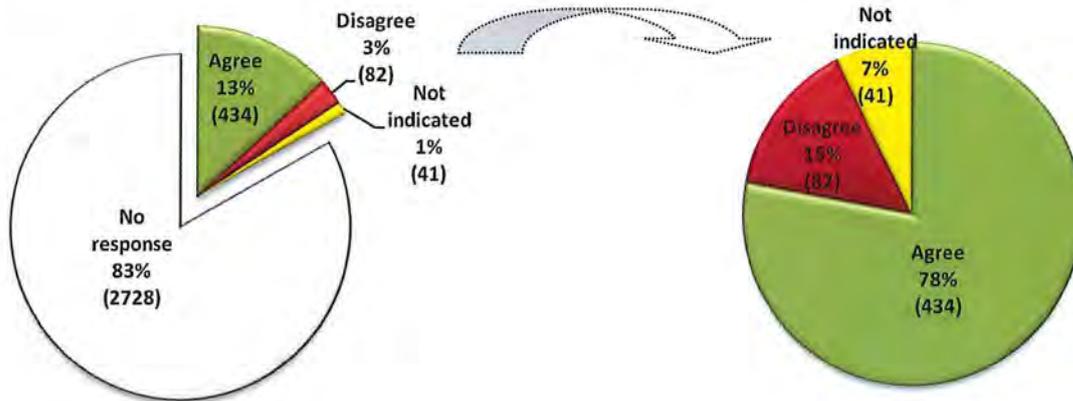
Results for individual Housing Opportunity Areas

Housing Opportunity Area 5

3,285 surveys were sent out and 557 valid surveys were received, representing a 17% rate of return. The following pie charts describe the responses to questions 4 and 5.

Question 4:

Do you agree with your property being included in a Housing Opportunity Area?

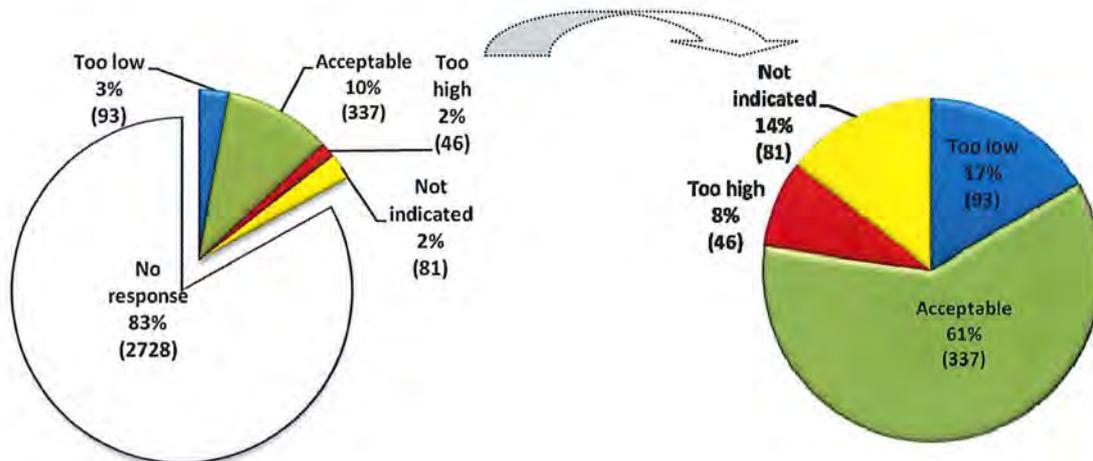


Total surveys sent out = 3,285

Responses received = 557

Question 5:

Looking at the map for your area, what do you think about the housing density as it could affect you?



Total surveys sent out = 3,285

Responses received = 557

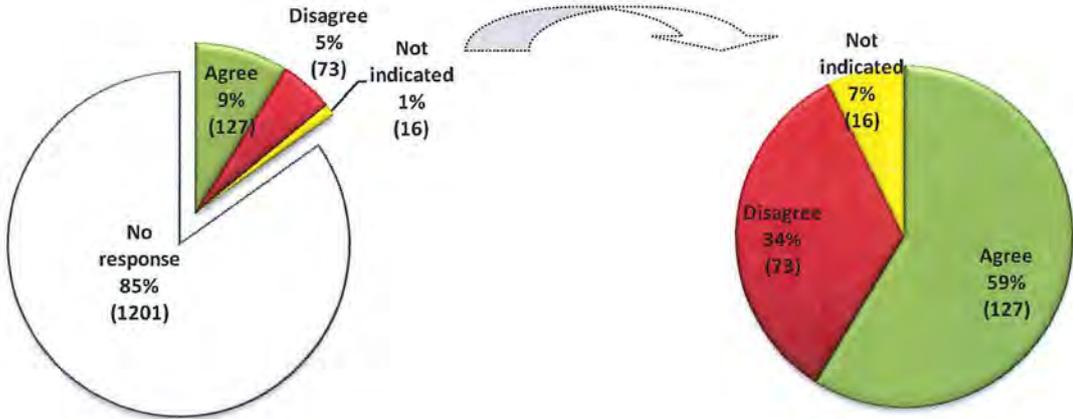
Results for individual Housing Opportunity Areas

Housing Opportunity Area 6

1,417 surveys were sent out and 216 valid surveys were received, representing a 15% rate of return. The following pie charts describe the responses to questions 4 and 5.

Question 4:

Do you agree with your property being included in a Housing Opportunity Area?

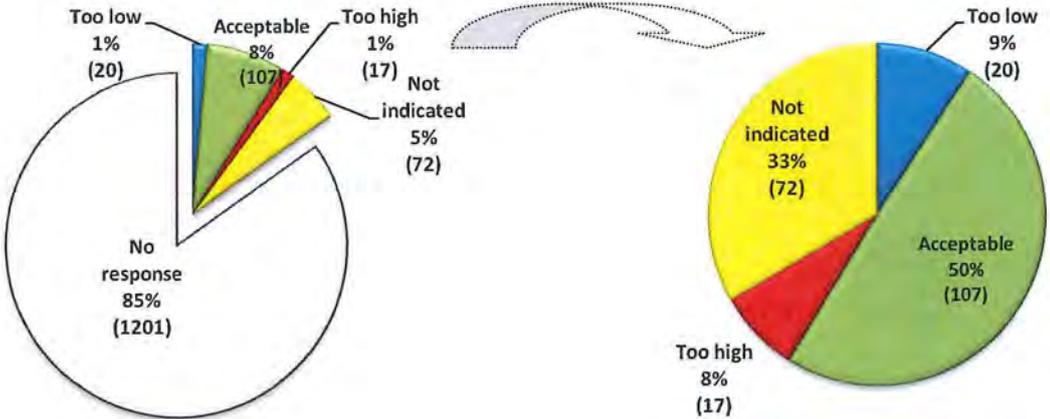


Total surveys sent out = 1,417

Responses received = 216

Question 5:

Looking at the map for your area, what do you think about the housing density as it could affect you?



Total surveys sent out = 1,417

Responses received = 216

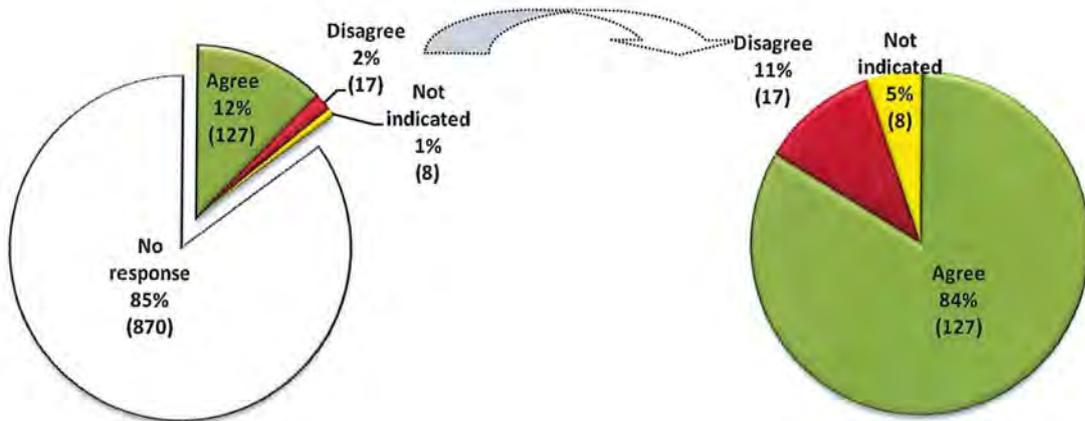
Results for individual Housing Opportunity Areas

Housing Opportunity Area 7

1,022 surveys were sent out and 152 valid surveys were received, representing a 15% rate of return. The following pie charts describe the responses to questions 4 and 5.

Question 4:

Do you agree with your property being included in a Housing Opportunity Area?

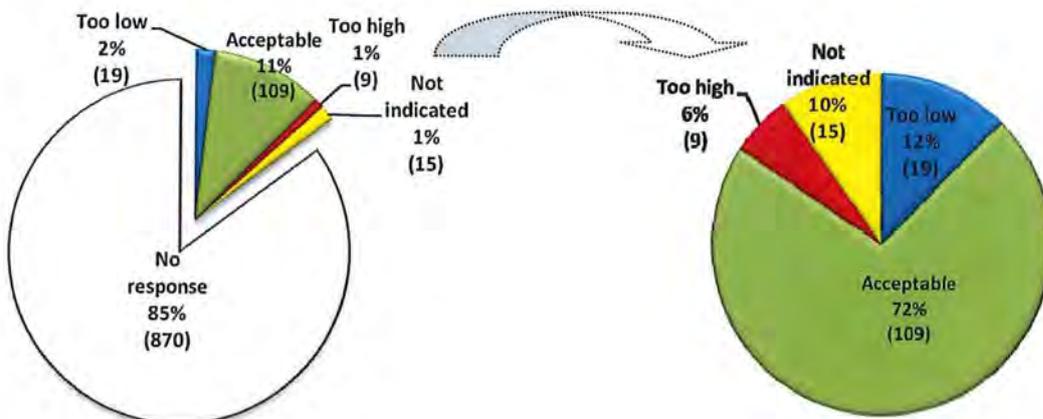


Total surveys sent out = 1,022

Responses received = 152

Question 5:

Looking at the map for your area, what do you think about the housing density as it could affect you?



Total surveys sent out = 1,022

Responses received = 152

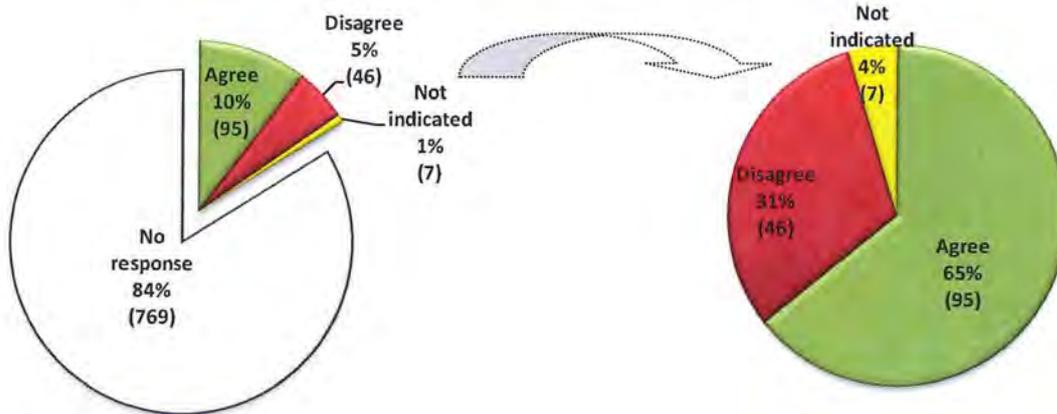
Results for individual Housing Opportunity Areas

Housing Opportunity Area 8

917 surveys were sent out and 148 valid surveys were received, representing a 16% rate of return. The following pie charts describe the responses to questions 4 and 5.

Question 4:

Do you agree with your property being included in a Housing Opportunity Area?

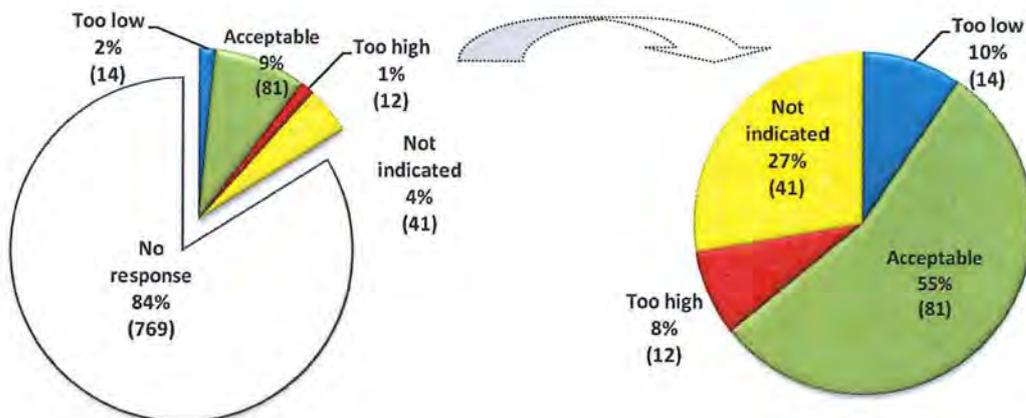


Total surveys sent out = 917

Responses received = 148

Question 5:

Looking at the map for your area, what do you think about the housing density as it could affect you?



Total surveys sent out = 917

Responses received = 148

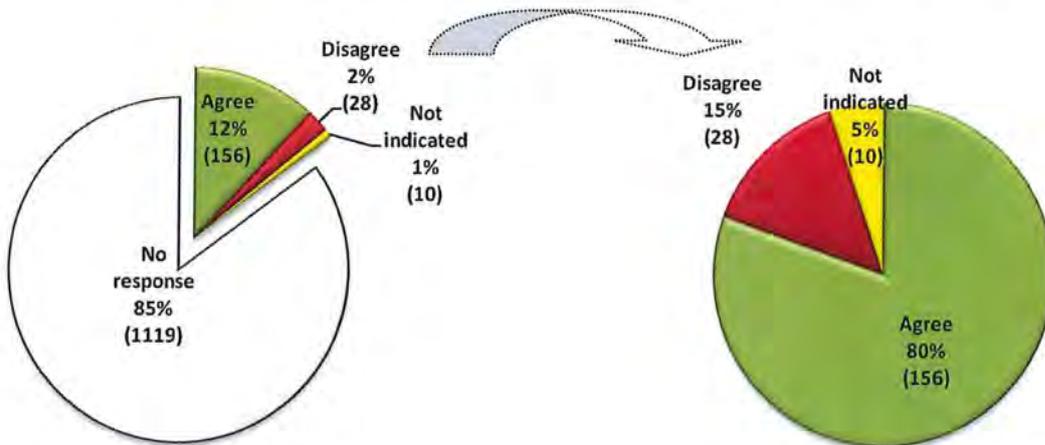
Results for individual Housing Opportunity Areas

Housing Opportunity Area 9

1,313 surveys were sent out and 194 valid surveys were received, representing a 15% rate of return. The following pie charts describe the responses to questions 4 and 5.

Question 4:

Do you agree with your property being included in a Housing Opportunity Area?

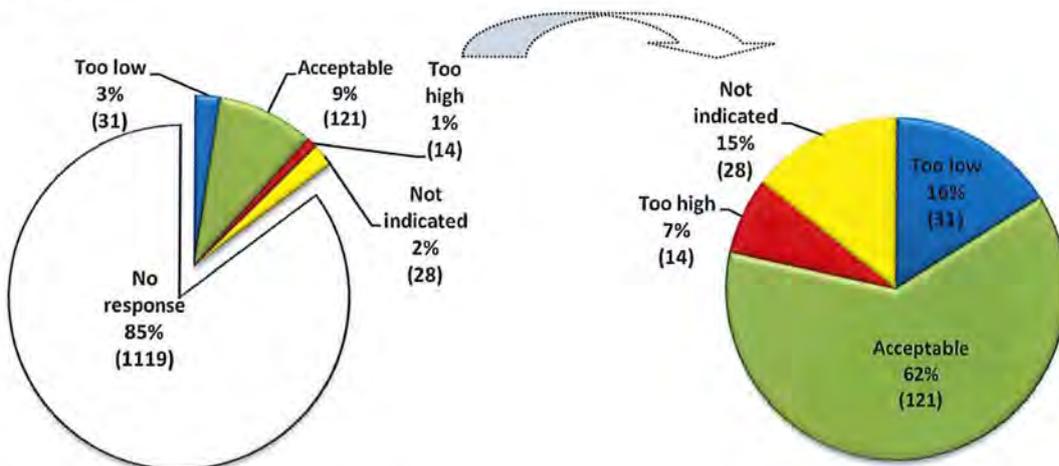


Total surveys sent out = 1,313

Responses received = 194

Question 5:

Looking at the map for your area, what do you think about the housing density as it could affect you?



Total surveys sent out = 1,313

Responses received = 194

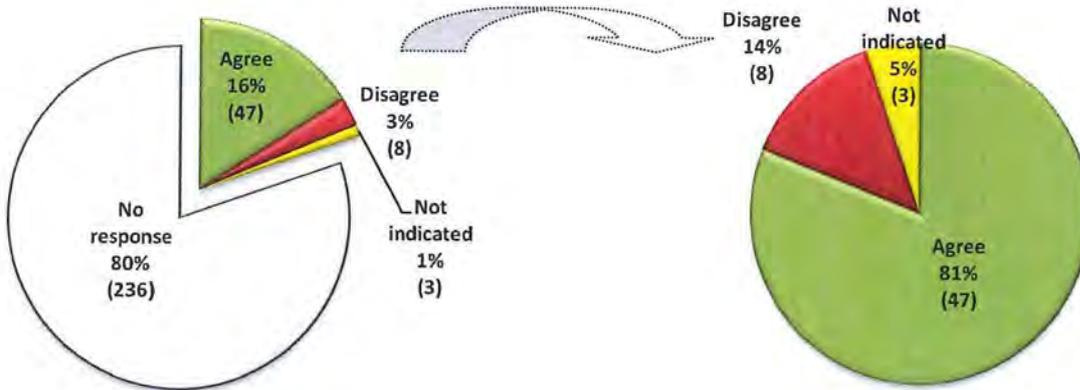
Results for individual Housing Opportunity Areas

Housing Opportunity Area 10

294 surveys were sent out and 58 valid surveys were received, representing a 20% rate of return. The following pie charts describe the responses to questions 4 and 5.

Question 4:

Do you agree with your property being included in a Housing Opportunity Area?

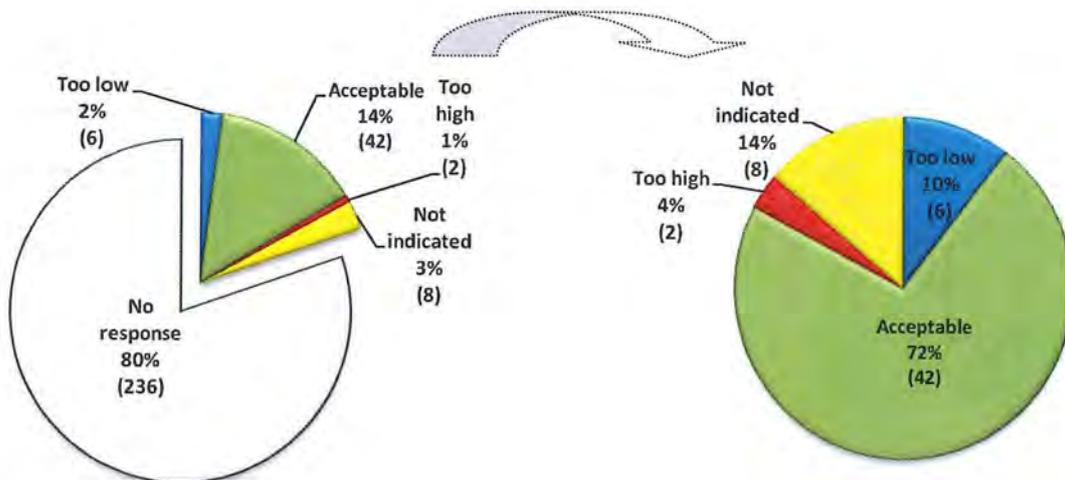


Total surveys sent out = 294

Responses received = 58

Question 5:

Looking at the map for your area, what do you think about the housing density as it could affect you?



Total surveys sent out = 294

Responses received = 58

**PROPOSED MODIFICATIONS TO DRAFT LOCAL HOUSING STRATEGY
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
(CLOSED 22 FEBRUARY 2013)**

NO	NAME AND ADDRESS OF SUBMITTER	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COMMENTS
1	J Shah Email address provided	364 Warwick Road WARWICK WA 6024	No objection. <ul style="list-style-type: none"> • In full agreement with the revised housing opportunity area. • Will give the opportunity to develop the city in line with the trend of having small block size as well as enjoying being close to Perth CBD, shopping, public transport etc. 	Noted.
2	V Marshall Email address provided	25 Kutcharo Crescent JOONDALUP WA 6027	No objection.	Noted.
3	A Perrie Email address provided	89 Twickenham Drive KINGSLEY WA 6026 103 Dorchester Avenue WARWICK WA 6024	No objection. <ul style="list-style-type: none"> • Excellent strategy and awaiting completion. • Will give the opportunity to renew the housing on their blocks. • Only disappointment is the length of time it is taking for the change to occur. 	Noted.
4	J Hough Email address provided	40 Littorina Avenue HEATHRIDGE WA 6027	No objection. <ul style="list-style-type: none"> • Supports the change. 	Noted.
5	D & L E McLawrence 4 Barquentine Avenue JINDALEE WA 6036	14 Allenswood Road GREENWOOD WA 6024	No objection. <ul style="list-style-type: none"> • Supports of the change. 	Noted.

**PROPOSED MODIFICATIONS TO DRAFT LOCAL HOUSING STRATEGY
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
(CLOSED 22 FEBRUARY 2013)**

NO	NAME AND ADDRESS OF SUBMITTER	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COMMENTS
6	A Snow Email address provided	44 Littorina Avenue HEATHRIDGE WA 6027	No objection. <ul style="list-style-type: none"> Glad that property has now been included and was disappointed it was not included in the previous draft. 	Noted.
7	D Morgan Email address provided	13A Badrick Street WARWICK WA 6024	No objection. <ul style="list-style-type: none"> Fully supportive of proposal Warwick is well suited for increased densities given excellent accessibility to shopping and transport opportunities, coupled with older housing stock. 	Noted.
8	I Hearl 6 Negresco Turn JOONDALUP WA 6027 G Woolford 8 Negresco Turn JOONDALUP WA 6027	6 Negresco Turn JOONDALUP WA 6027 8 Negresco Turn JOONDALUP WA 6027	Objection. <ul style="list-style-type: none"> Strongly disagree with the proposal to increase the sizes and density of areas. Both properties are now to have a density code of R20/R40. The letter states the Department of Planning has made it clear that changes are required, but no detailed information has been received stating the changes envisaged for the area. The detailed map means nothing to the average householder. If the City was upfront and honest with its intentions ratepayers would be informed of exactly what the future plans are, not just the recoding. 	Not supported. Detailed Frequently Asked Questions accompanied the map that was provided to landowners. Additional dwellings in the area does not mean that existing properties will be devalued. Development at the higher R-code will be subject to requirements aimed at ensuring appropriate development.

**PROPOSED MODIFICATIONS TO DRAFT LOCAL HOUSING STRATEGY
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
(CLOSED 22 FEBRUARY 2013)**

NO	NAME AND ADDRESS OF SUBMITTER	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COMMENTS
			<ul style="list-style-type: none"> • Concerned that the areas surrounded by Sunlander Drive and Currambine Boulevard which is zoned R80, with no explanation of the area which already has townhouses and units erected. • Concerned that more of the same structure will be built, thus, devaluing properties in the surrounding area, and no detail has been provided in the explanatory notes of the R Codes. Therefore there is a lack of information to property owners as to what the land can be used for. 	
9	M & S Day 6 Betula Court WOODVALE WA 6026	6 Betula Court WOODVALE WA 6026	<p>Objection.</p> <ul style="list-style-type: none"> • Moved from Como to Woodvale to get away from the prevalence of townhouses and units, and into a family oriented suburb with very little R40 and R60 densities. • Raises questions regarding the impact on existing suburban roads, the primary and high school (which are running near capacity), there appears to be no infrastructure or services such as doctors and dentists, the north/south axis of Kingsley and Woodvale close to the train station was ignored, and that given the lot sizes existing residences will most likely need to be demolished. 	<p>Not supported.</p> <p>The draft Local Housing Strategy is, in part, responding to an ageing population by enabling the provision of a different housing type than a single residential dwelling on a large lot. The majority of the City is not proposed to increase in density.</p>

**PROPOSED MODIFICATIONS TO DRAFT LOCAL HOUSING STRATEGY
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
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NO	NAME AND ADDRESS OF SUBMITTER	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COMMENTS
			<ul style="list-style-type: none"> • Appears that the amendment is a foregone conclusion regardless of any negative feedback provided by impacted residents. 	
10	L Dowding Email address provided	5 Buckie Court WARWICK WA 6024	<p>No objection</p> <ul style="list-style-type: none"> • Supportive of the proposal • Will give the opportunity for more people to have greater access to public transport, within close proximity to the city for employment opportunities. 	Noted.
11	G Miller Email address provided	374 Warwick Road WARWICK WA 6024	<p>Objection.</p> <ul style="list-style-type: none"> • Strongly against the proposal. • Living on a main street, the backyard is the only sanctuary. If neighbours are allowed to build another house the privacy and peace and quiet will be lost. • Concerned that traffic will double entering and exiting the main road, which will make it even more dangerous, as well as entering and exiting their property. • Only purchased the property recently and was advised that it would not be rezoned due to housing positioning and being on a main road. Bought in the area because of lot sizes and space between neighbours. 	<p>Not supported.</p> <p>While the comments are noted, landowners are not compelled to develop their properties. In addition, landowners can currently carry out extensions to existing dwellings that may have a similar impact to an additional dwelling.</p>

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NO	NAME AND ADDRESS OF SUBMITTER	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COMMENTS
			<ul style="list-style-type: none"> • Do not want dream house ruined by jam packing housing into spaces originally designed for one house only. • Will ruin the feel of the neighbourhood and destroy everything good about our house and neighbours. • The back of the house is our only sanctuary from cars and people and noise that runs constantly at the front of our house. Please do not take this away from us as it will make our lives unbearable and greatly affect our mental and physical health. 	
12	Mr & Mrs Barnes Email address provided	17 Cobradah Way KINGSLEY WA 6026	<p>No objection.</p> <p>Supportive of the proposal.</p> <ul style="list-style-type: none"> • Will enable more people to live close to train stations and shopping centres. • Will reduce car dependency, congestion and pollution in our local area. 	Noted.
13	J Krsnik Email address provide	No address provided	<p>No objection.</p> <ul style="list-style-type: none"> • Supportive of the proposal. • Needs to be encouraged by every Council in Perth. • Is an easy way to address congestion problems. 	Noted.

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NO	NAME AND ADDRESS OF SUBMITTER	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COMMENTS
14	R Repke 1 Pittwater Close KALLAROO WA 6025	1 Pittwater Close KALLAROO WA 6025	No objection. <ul style="list-style-type: none"> • Suggests building up rather than out and encouraging to ensure reduced car usage and lessen impacts on gardens. • Encourages building around train stations but building up not out. • Believes money not sustainability is the motivator for such strategies. 	Noted.
15	S Cooney Email address provided	No address provided	No objection. <ul style="list-style-type: none"> • Supportive of the proposal, specifically around Greenwood Village. • Believes R40 density code is acceptable. • Housing density will reduce reliance on car-related transport, encouraging pedestrian connectivity and public transport use. • Important to increase the density along the main connector routes, such as Allenswood, Coolibah etc, not just within the proximity of the village. 	Noted.
16	C & L Ingvarson Email address provided	74 Fallbrook Avenue WOODVALE WA 6026	No objection. <ul style="list-style-type: none"> • Supportive of the proposal. • Feels the area is supportive of increased density with good access to transport, recreation, parks and shopping facilities. 	Noted.

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NO	NAME AND ADDRESS OF SUBMITTER	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COMMENTS
17	E Adams Email address provided	16 Kutcharo Crescent JOONDALUP WA 6027	Neutral. <ul style="list-style-type: none"> • Interested in the proposal to change densities. 	Noted.
18	P Roberts Email address provided	6 Coquina Close HEATHRIDGE WA 6027	No objection. <ul style="list-style-type: none"> • Supportive of the proposal as there is a lot of older housing stock. • As cost to do major renovations/extensions is prohibitive feel subdivision is the better option and once new housing is built it will drastically improve the area. 	Noted.
19	S Semenow Email address provided	38 Solander Road HILLARYS WA 6025	Objection. <ul style="list-style-type: none"> • Hasn't received any announcement about the proposal, only found out after a recent auction at 2 Banks Avenue. • Has been a resident of Hillarys since 1971 and believes the City is in danger of succumbing to the demands of big business. • The policy is continued encroachment of big business and corporate dollars. • Believes Westfield wishes to purchase housing along Banks Avenue and turn them into multi storey flats at the expense of local residents. 	Not supported. The draft Local Housing Strategy is not being driven by Westfield. The strategy is in response to State Government policy regarding the need to accommodate Perth's growing population in a sustainable manner.

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NO	NAME AND ADDRESS OF SUBMITTER	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COMMENTS
20	D Bryce Email address provided	14 Monterey Drive WOODVALE WA 6026	<p>Objection.</p> <ul style="list-style-type: none"> • Believes the LHS is a failure by the State Government to manage and implement a plan of growth. Appears to be the State Government attempting to save money by limiting the amount of new developments being opened up. • The idea of inner city living in Woodvale is ludicrous given the suburb is 24 kilometres from the City. • Also appears to be a cynical grab by the City of Joondalup to increase revenue. • Implores the City to reconsider the proposal and think of the residents rather than the bottom line. • Believes the move is an utter failure of the current ethos that governments are businesses. The existence of government was established on the basis that certain services are needed by society which do not have a monetary value. • The proposed recoding is the City and State Government looking at the bottom line. • Dense urban living in other major cities is due to huge population pressures which we do not have here. To suggest otherwise is a con. 	<p>Not supported.</p> <p>The draft Local Housing Strategy is not being driven by a desire to increase revenue. The strategy is in response to State Government policy regarding the need to accommodate Perth's growing population in a sustainable manner.</p> <p>The draft strategy is not promoting inner city living in Woodvale. However, it is promoting the ability to provide a choice of housing in established areas that are close to services and transport options.</p>

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NO	NAME AND ADDRESS OF SUBMITTER	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COMMENTS
21	M & K Woolley 108 Dorchester Avenue WARWICK WA 6024	108 Dorchester Avenue WARWICK WA 6024	Objection. <ul style="list-style-type: none"> • Purchased their property due to the atmosphere of the area. The proposed changes will impact on the style of properties around Warwick. • Questions why Dorchester and Hillwood Ave are included. • Prefers that their property is not included. 	The draft strategy will allow the development of housing that may be different to the existing single residential housing stock.
22	D Squires Email address provided	19 Newington Place KINGSLEY WA 6026	Objection. <ul style="list-style-type: none"> • Hopes the City has contacted land owners in the Housing Opportunity Areas by way of letter as not everyone reads the newspaper. • If they wanted to live in higher density areas they would have moved to one not chosen to live in the current location. • Moved to Western Australia from the UK as they wanted a change from the built up areas of high density housing. 	Not supported. Comments are noted.
23	G & M Shenton Email address provided	58A Hillwood Avenue WARWICK WA 6024	No objection. <ul style="list-style-type: none"> • Pleased that comments provided in October 2012 have been considered, and their property has now been included. 	Noted.

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			<ul style="list-style-type: none"> Area is now consistent with the draft LHS that states properties within 400m of district centres, and high transit routes are included. Supports the proposition for additional density bonus for Aged Persons' housing. 	
24	B C Bowen Email address provided	11 Goldfinch Loop WOODVALE WA 6026	<p>No objection.</p> <ul style="list-style-type: none"> Supportive of the proposal. 	Noted.
25	D Blackburn Email address provided.	No address provided.	<p>Objection.</p> <ul style="list-style-type: none"> Believes the entire document should be available for comment. Believes attention should be drawn to the recommendations in regard to what is proposed, perceived impacts and the changed wording. Believes the consultation period is insufficient. 	<p>Not supported.</p> <p>The modifications to the HOA constitute the main changes to the Local Housing Strategy.</p>
26	M Arapis Email address provided	7 Manito Court JOONDALUP WA 6027	<p>No objection.</p> <p>Welcomes higher density living as it:</p> <ul style="list-style-type: none"> Minimises negative impacts on urban sprawl Promotes thriving communities Economic benefits Is sustainable Improves social equity and integration. 	Noted.

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NO	NAME AND ADDRESS OF SUBMITTER	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COMMENTS
27	N Dowling Email address provided.	12 Hillwood Avneue WARWICK WA 6024	<p>Objection.</p> <ul style="list-style-type: none"> • Opposes proposal on the basis that the western section of Hillwood Avenue is part of Springvale Estate and differs in lot size and services to the eastern side which is older. • Believes the newer area has bigger houses and doesn't benefit from the density increase and would diminish the intention of the Estate. 	<p>Not supported.</p> <p>Landowners are not compelled to develop their properties and owners may choose, due to the size of their existing houses, not to develop.</p>
28	P Luca Email address provided	19 Priscilla Avenue BELDON WA 6027	<p>Objection</p> <ul style="list-style-type: none"> • Disappointed that Priscilla Avenue has not been included in HOA 7 given the proximity to Belridge High School, Shopping Centre and Edgewater Train Station. 	<p>Not supported.</p> <p>In the case of HOA 7, the boundaries are based on a 400m walkable catchment around the Belridge Shopping Centre.</p>
29	J W Lynn 5 Gloster Way Woodvale WA 6026	5 Gloster Way Woodvale WA 6026	<p>Objection</p> <ul style="list-style-type: none"> • Moved from the City of Stirling after they increased densities as it decreased the quality of living. It is believed that the same will occur for Kingsley and Woodvale. • Benefit should be given to all residents in the City of Joondalup and the entire area should be considered for increased densities since it is such a great idea and will benefit residents in Kingsley and Woodvale. 	<p>Not supported.</p> <p>The areas selected for consideration of increased densities are based on various locational criteria, and development at the higher R-code will be subject to requirements aimed at ensuring appropriate development.</p>

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			<ul style="list-style-type: none"> • If you do not ensure that infrastructure and amenity demands can be met you can create a slum. • Has no confidence that the densification will be appropriately managed based on experiences observed in other local governments. 	
30	P West Email address provided	28 Ross Avenue, SORRENTO WA 6020	No objection <ul style="list-style-type: none"> • Confirms support for HOA 3. 	Noted.

Attachment 6- Analysis of Housing Opportunity Areas

HOA1- Davallia Road to Warwick Centre	
Assessed by:	Planning Manager
Description of Area	<p>This HOA comprises portions of the suburbs of Warwick and Duncraig and contains Warwick train station, the Secondary Centre of Warwick and Carine Glades shopping centre (neighbourhood).</p> <p>The HOA is currently coded R20 with a small area adjoining Carine Glades shopping centre coded R25 and a small area to the north of Warwick shopping centre coded R40.</p>
LHS proposals	<p>The majority of land within the HOA is identified as being suitable for an R20/40 density coding. A strip of land one lot deep along the northern side of Beach Road to the west of Carine Glades is identified for R20/60 as is land in proximity to the train station and Warwick centre.</p> <p>NB. To the south of the HOA are the suburbs of Carine and Hamersley which are located within the City of Stirling. The City of Stirling has undertaken Local Area Planning for Carine and Hamersley and prepared a Local Area Plans (LAP) which identifies areas with the potential for upcoding. The LAP for Carine-Hamersley identifies the majority of land within 800m of the train station in Hamersley with a proposed coding of R25, a strip of land along Beach Road as R60 and a small portion of land in Beach Road in direct proximity to the train station as R80.</p> <p>This LAP and other LAPs prepared by the City of Stirling were developed based on a community consultation exercise and are expected to be refined by the City having regard to State and regional planning policies and strategies before being incorporated in a local planning strategy. The City of Stirling has now prepared a Draft Local Planning Strategy which identified land adjoining the City of Joondalup municipal boundary as having the potential for increased density.</p>
Comments	<p>The HOA boundary generally incorporates land within 800m of the train station 400m from the centres, which are the criteria outlined in the Strategy for identification of HOAs. It is acknowledged that the area has been refined by taking into account areas with good access and the quality of housing stock. For example, it includes large areas of Duncraig which are beyond the 800m catchment from the station and the catchment of Carine Glades Shopping centre. The inclusion of this additional area is supported as it is still located in an area well served by public transport and close to commercial facilities.</p>

The proposed R20/60 in proximity to the train station and R20/40 within 800m walkable catchment is consistent with DC 1.6 recommended densities of 25 dwellings per hectare (equating to R40 density coding).

SPP 4.2 targets suggest a minimum density of 25 dwellings per hectare and a desirable density of 35 dwellings per hectare which equates to an R Coding of at least R50 (desirable R70) within 400m of a secondary centre such as Warwick. Furthermore, Carine Glades shopping centre as a neighbourhood centre also offers opportunities for a higher density to be applied in its walkable catchment. For neighbourhood centres SPP 4.2 specifies a target of a minimum of 15 dwellings per hectare and a desirable density of 25 dwellings per hectare (equating to R30 minimum density coding and a desirable density coding of R50). The proposed density codings of R20/40 around Carine Glades and R20/60 around Warwick are consistent with the SPP.

The boundary between density codings within the HOA is located along the backline of properties providing for a consistent streetscape. It is noted however that between the HOA and surrounding land there will be different density codings on opposite sides of the street.

In summary, the proposed extent of the HOA and the proposed densities are considered to be consistent with DC 1.6 and the density targets outlined in SPP 4.2. The HOA offers many opportunities for additional housing stock in an area well serviced by established infrastructure and facilities consistent with the objectives of Directions 2031.

HOA2- Greenwood Village	
Assessed by:	Planning Manager
Description of Area	<p>HOA2 encompasses land in the suburb of Greenwood in proximity to Greenwood Village shopping centre which is identified as a District Centre in SPP 4.2.</p> <p>Residential properties in HOA2 are currently coded R20. There are 3 lots on Coolibah Drive and Calectasta street opposite the Greenwood Village shopping centre which are zoned 'Mixed Use'.</p>
LHS proposals	<p>The LHS proposes a density coding of R20/40 for land within a walkable catchment of the centre. The Strategy document refers to the walkable catchment being 400m from the centre.</p> <p>The LHS proposes a 'Mixed Use' zoning for a number of properties along Coolibah road and Calectasta Street directly opposite the centre.</p>
Comments	<p>The proposed Mixed Use zoning directly opposite the Greenwood Village is supported. It reflects the existing use of a number of properties in this location and will allow for uses that complement the centre rather than compete with it. The predominant non-residential uses permissible under the existing Scheme for the Mixed Use zone are office, consulting, diner and limited retail (subject to minimum site area requirements, maximum NLA per site and a maximum aggregate NLA). The suitability of the non-residential uses in this area will be considered further in the context of the commercial strategy being prepared by the City at the time any amendment to the existing Scheme or any new planning Scheme to zone these areas is assessed. The zoning will also allow for residential uses and provide additional housing choice.</p> <p>The proposed density for this HOA is consistent with SPP 4.2 which suggests a minimum density of 20 dwellings per hectare and a desirable density of 30 dwellings per hectare (equating to an R Coding of at least R40, desirable R60) within 400m of a district centre such as Greenwood.</p> <p>It is noted that not all land within a 400m catchment of the centre is included in the HOA. For example, land to the east of Allenswood Road. However it is noted that the strategy document refers to the broad catchment being refined to take into account age, density coding of existing housing, road layouts, connectivity and pedestrian access.</p> <p>The boundary between the HOA and the surrounding area is for the most part located along the back line of properties resulting a consistent streetscape however there are several areas where it has been located along the centre line of</p>

roads in order to provide a more logical boundary.

In summary, the proposed extent of the HOA and the proposed density are considered to be consistent with SPP 4.2. The HOA offers many opportunities for additional housing stock in an area well serviced by established infrastructure and facilities consistent with the objectives of Directions 2031.

HOA3- Sorrento Laneway Lots	
Assessed by:	Senior Planning Officer
Description of Area	HOA3 encompasses residential properties in the suburb of Sorrento and a small portion of the suburb of Marmion. These properties are currently zoned 'Residential' with a density coding of 'R20'.
LHS proposals	The LHS proposes a dual density coding of R20/25 for HOA3. The boundary of HOA3 and the surrounding areas is along the roads, resulting in different density codings on opposite sides of the street.
Comments	<p>Although HOA3 is not located adjoining a centre or in proximity to a high frequency public transport route, the street blocks within this area include 6 metre wide rear laneways. The LHS includes a range of criteria for identifying areas suitable for higher density investigation, including: 'Land abutting Right of Ways' (laneways). It is noted that the laneways are constructed and are dedicated as public roads. Thus these laneways can readily provide suitable vehicle access in the event that the adjacent lots are redeveloped, whilst preserving the existing streetscape in the area.</p> <p>The proposed R20/25 coding will provide for approximately 90% of the lots within HOA3 to be subdivided/re-developed to create 1 additional lot. Whilst the proposed density increase is not particularly ambitious, it is satisfactory in light of the objectives of Directions 2031 for 47% of new dwelling development to occur within infill areas.</p> <p>Submissions were received from residents in Syree Court and along part of Arkwell Way requesting their inclusion in HOA3. Although these properties do not have rear laneway access given their close proximity there is no objection to these lots being included in HOA3.</p> <p>It is also noted that some submissions raised concerns about potential parking problems on streets resulting from the additional development. Under the R-Codes each new dwelling will be required to provide on-site parking for 2 cars. In the event multiple lots are redeveloped for grouped dwelling development, the R-Codes also requires that on-site visitor parking be provided. It is considered that the requirement for adequate on-site and visitor parking can be dealt with at development stage.</p> <p>In summary, the proposed extent of the HOA3 and the proposed densities are considered to be consistent with the objectives of Directions 2031.</p>

HOA4- Marmion Avenue to Greenwood Station	
Assessed by:	Planning Manager
Description of Area	<p>HOA4 extends along Hepburn Avenue from Marmion Avenue in the west to Kingsley Drive/Wahroonga Way in the east and comprises sections of the suburbs of Padbury, Duncraig, Kingsley and Greenwood. The HOA also contains the Hepburn Heights shopping centre and is serviced by the Coolibah, Padbury and Lilburne centres which are located outside the HOA.</p> <p>Greenwood Station is located in HOA4.</p> <p>Hepburn Avenue is a high frequency bus route connecting with Greenwood station and beyond.</p> <p>HOA4 has an existing density coding primarily of R20, with several small pockets of R40 in Padbury (Hepburn Heights) and one property coded R40 in Greenwood.</p>
LHS proposals	The LHS proposes a density coding of R20/40 for most of the HOA and R20/60 for number of properties in close proximity to Greenwood station.
Comments	<p>Land within 800m of the Greenwood Station is for the most part included in HOA, however, it is noted that there are residential properties in the suburbs of Kingsley, Duncraig and Greenwood that are within an 800m radius of the station that are excluded from the HOA.</p> <p>It is acknowledged that in the case of this station the walkable catchment may be less than 800m (although this has not been demonstrated by a ped-shed analysis) due to the location of the foot bridge at some distance from the station itself. The Strategy itself advises that a broad 800 walkable catchment has been refined to take into account accessibility and connectivity of routes having regard to topography, street networks and safety considerations.</p> <p>The remainder of the HOA extends along Hepburn Avenue towards Marmion Avenue. The inclusion of this land within the HOA and the application of the proposed R20/40 density coding appears to be based on the catchment of high frequency bus services located along Hepburn Avenue and Gibson Avenue and refined having regard to accessibility and connectivity.</p> <p>The boundary between the HOA and the surrounding area is in most instances located along roads resulting in different density codings on opposite sides of the street.</p>

	<p>In summary, the extent of the HOA and the proposed densities are generally consistent with DC 1.6 . The HOA offers many opportunities for additional housing stock in an area well serviced by established infrastructure and facilities consistent with the objectives of Directions 2031.</p>
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HOA5- Whitfords Centre to Whitfords Station	
Assessed by:	Planning Manager
Description of Area	<p>HOA5 extends along Marmion Avenue and Whitfords Avenue and encompasses parts of the suburbs of Kallaroo, Craigie, Padbury and Hillarys. It contains the Secondary Centre of Whitford and the neighbourhood centre of Craigie Plaza.</p> <p>Whitfords Avenue and Marmion Avenue are high frequency bus routes, with a number of connections to Joondalup, Whitford and Warwick train stations.</p> <p>The HOA contains several schools and numerous areas of public open space.</p> <p>Land within HOA5 is currently coded R20.</p>
LHS proposals	<p>The LHS identifies the Former Craigie Senior High School site as '<i>subject to further detailed planning</i>'.</p> <p>A mixed use zoning is proposed for properties on Banks Avenue opposite Whitford shopping centre.</p> <p>A density coding of R20/60 is proposed for properties to the south of Whitfords Centre. The remainder of the HOA is identified for R20/40</p>
Comments	<p>In respect of the proposed Mixed Use zoning directly opposite the Whitfords Secondary Centre, it is noted that there are already several non-residential uses located along Banks Avenue (consulting rooms) and the proposed zoning will allow for uses that complement the centre rather than compete with it. The predominant non-residential uses permissible under the existing Scheme for the Mixed Use zone are office, consulting, dinner and limited retail (subject to minimum site area requirements, maximum NLA per site and a maximum aggregate NLA).</p> <p>The suitability of the non-residential uses in this area will be considered further in the context of the commercial strategy being prepared by the City at the time any amendment to the existing scheme to zone these areas or any new planning scheme is assessed. It is also noted that an Activity Centre Structure Plan has been prepared for Whitfords (draft form) which includes this land. The Structure plan identifies the land within the Banks precinct where residential and office uses will be encouraged.</p> <p>SPP 4.2 targets suggest a minimum density of 25 dwellings per hectare and a desirable density of 35 dwellings per</p>

hectare which equates to an R Coding of at least R50 (desirable R70) within 400m of a secondary centre such as Whitfords. In this case the proposed R20/60 density is generally in line with the targets however it only applies to land to the south of Whitfords centre.

While it would be more in keeping with SPP 4.2 for a density coding of higher than R50 to be applied to the entire area within 400m walkable catchment of the centre it is noted that the proposed R20/40 for the remainder of the catchment will provide opportunities for additional housing and diversity of housing.

Furthermore, Craigie Plaza shopping centre as a neighbourhood centre also offers opportunities for a higher density to be applied in its walkable catchment. For neighbourhood centres SPP 4.2 specifies a target of a minimum of 15 dwellings per hectare and a desirable density of 25 dwellings per hectare (equating to R30 minimum density coding and a desirable density coding of R50). Whilst land to the north, south and west of Craigie Plaza is included in the HOA and identified as R20/40, land to the west on the other side of Eddystone Avenue has been excluded. It is noted that the HOA boundary was formulated with the intent that initial densification is to be focused on areas around higher order centres. This is accepted for the purpose of the strategy.

A large portion of the suburb of Craigie had been included in the HOA and identified as proposed R20/40 to facilitate revitalisation of the older part of the suburb. This is supported as will assist in providing a diversity of housing choice and meeting dwelling targets.

The HOA extends along Whitfords Avenue towards the Mitchell Freeway. The inclusion of this land within the HOA and the application of the proposed R20/40 density coding appears to be based on the high frequency bus services located along Whitfords Avenue and refined having regard to accessibility and connectivity.

The proposed boundaries between the HOA and the surrounding area and between the different density codings are in most instances located along roads resulting in different density codings on opposite sides of the street.

In summary, the extent of the HOA and the proposed densities are generally consistent with SP 4.2 . The HOA offers many opportunities for additional housing stock in an area well serviced by established infrastructure and facilities consistent with the objectives of Directions 2031.

HOA6- Whitfords Station to Goollelal Drive	
Assessed by:	Planning Manager
Description of Area	<p>The HOA extends eastwards from the Mitchell Freeway along Whitfords Avenue to Goollelal Drive. It encompasses the northern portion of the suburb of Kingsley and the southern portion of the suburb of Woodvale. It contains the Whitfords train station, the District Centre of Woodvale and a private catholic primary school.</p> <p>Whitfords Avenue is high frequency bus route, with a number of connections to Joondalup, Whitford and Warwick train stations.</p> <p>The majority of this area is currently coded R20 with a couple of pockets of R40 and one of R30.</p>
LHS proposals	The LHS identifies land in close proximity to Whitfords Station for R20/60 (generally that land within 400m of the station). The remainder of the residential properties in the HOA are identified with a proposed density coding of R20/40.
Comments	<p>Land within an 800m walkable catchment of Whitfords Station is included in HOA consistent with DC 1.6 and the proposed density of R20/60 is consistent with the targets of DC 1.6.</p> <p>It is noted that the walkable catchment in this instance is substantially smaller than an 800m radius from the station due to lack of pedestrian connectivity, the expanse of car parking areas and barriers such as the freeway on-ramp. Whilst walkable catchment ped-shed diagrams do not form part of the strategy this information has been provided by the City to the DOP and demonstrates that the 800m walkable catchment has been included in the HOA.</p> <p>The HOA boundary generally incorporates land within a 400m walkable catchment of the Woodvale district centre. It is noted that there are several properties to the north-east of Timbercrest Rise and to the south of Balloch Street which are shown on the ped-shed diagrams provided by the City as being within the 400m walkable catchment which are excluded from the HOA. The City advises that it was considered that Timbercrest Rise and Balloch Streets provided a logical boundary in those instances given that, if land within the 400m walkable catchment was included, a number of other properties outside the 400m walkable catchment would need to be included in the HOA in order to define a logical boundary for this HOA. This justification is accepted.</p> <p>SPP 4.2 suggests a minimum density of 20 dwellings per hectare and a desirable density of 30 dwellings per hectare (equating to an R Coding of at least R40, desirable R60) within 400m of a district centre such as Woodvale. The</p>

proposed density is consistent with SPP 4.2.

The HOA extends along Whitfords Avenue from Mitchell Freeway to Goollelal Drive. The inclusion of this land within the HOA and the application of the proposed R20/0 density coding appears to be based on the high frequency bus services located along Whitfords Avenue and refined having regard to accessibility and connectivity. This is consistent with the principles of DC 1.6.

The proposed boundaries between the HOA and the surrounding area and between the different density codings are in most instances located along roads resulting in different density codings on opposite sides of the street.

In summary, the proposed extent of the HOA and the proposed densities are considered to be consistent with DC 1.6 and the density targets outlined in SPP 4.2. The HOA offers many opportunities for additional housing stock in an area well serviced by established infrastructure and facilities consistent with the objectives of Directions 2031.

HOA7-	Belridge Centre to Edgewater Station
Assessed by:	Planning Manager
Description of Area	<p>HOA6 incorporates land in the suburbs of Heathridge and Beldon to the west of the Mitchell Freeway. The HOA contains Belridge City which is a large neighbourhood shopping centre, a high school and Edgewater Station is located just outside the HOA to the east.</p> <p>Ocean Reef Road bisects the HOA. Several bus routes operate in the area with connections to Edgewater station however there are no high frequency transport routes.</p> <p>Residential properties are currently coded R20.</p>
LHS proposals	The LHS proposes a small area of R20/60 coded land to the west of Edgewater station. The remaining residential properties are identified with a proposed density coding of R20/40.
Comments	<p>It is noted that the walkable catchment in this instance is smaller than an 800m radius from the station due to due to lack of pedestrian connectivity, the expanse of car parking areas and barriers such as the freeway on-ramp. Whilst walkable catchment ped-shed diagrams do not form part of the strategy this information has been provided by the City to the DOP and demonstrates that the majority of the 800m walkable catchment has been included in the HOA.</p> <p>However, it is noted that there are several residential properties in Beldon to the south of Coyle Road that are within an 800m walkable catchment of the station but are excluded from the HOA. The City advises that these properties have been excluded from HOA as they fall within 500m odour buffer area for the Beenyp Waste Water Treatment Plant. As the City had been advised by the Water Corporation that residential uses are not supported within this area it was not considered for a density increase at this point in time.</p> <p>With the exception of a small section of proposed R20/60 immediately adjacent to the station to the west, the majority of land in proximity to the station is proposed to be coded R20/40. These densities are consistent with the target set out in DC 1.6 for land within an 800m walkable catchment of a train station.</p> <p>Belridge City shopping centre as a neighbourhood centre also offers opportunities for a higher density to be applied in its walkable catchment. For neighbourhood centres SPP 4.2 specifies a target of a minimum of 15 dwellings per</p>

hectare and a desirable density of 25 dwellings per hectare (equating to R30 minimum density coding and a desirable density coding of R50) within 200m of the centre.

The HOA extends in excess of 200m around the centre (generally a 400m walkable catchment) and a density of R20/40 is recommended. This reflects SPP4.2.

The proposed boundaries between the HOA and the surrounding area and between the different density codings are in most instances located along roads resulting in different density codings on opposite sides of the street.

In summary, the proposed extent of the HOA and the proposed densities are considered to be consistent with DC 1.6 and the density targets outlined in SPP 4.2. The HOA offers many opportunities for additional housing stock in an area well serviced by established infrastructure and facilities consistent with the objectives of Directions 2031.

HOA8	Edgewater Station to Trappers Drive
Assessed by:	Planning Manager
Description of Area	<p>HOA8 comprises residential properties east of Joondalup Drive in the suburb of Edgewater and an area of land in Woodvale along Trappers Drive.</p> <p>Edgewater Markets, a local centre, is located in the HOA and Edgewater station is located outside the HOA to the west separated by commercial land uses.</p> <p>A number of bus routes with connections to Whitfords and Joondalup stations service Trappers Drive.</p> <p>The current density coding in Edgewater and the majority of Woodvale is R20, however there is a section of Woodvale west of Trappers Drive that is coded R30 and R40.</p>
LHS proposals	<p>The LHS proposes a density coding of R20/40 for the majority of residential properties within the HOA.</p> <p>A small area of R20/30 is proposed in Woodvale to the south of Ocean Reef Road.</p>
Comments	<p>The HOA extends east from Joondalup Drive to encompass properties within an 800m radius of the Edgewater train station. These properties are designated with a proposed density coding of R20/40. This is consistent with the requirements of DC 1.6</p> <p>The proposed higher density coding for land surrounding the Edgewater Markets is supported and the proposed R20/40 density coding is appropriate for this level of centre.</p> <p>The proposed R20/30 coding for the land to the south of Ocean Reef Rad and to the west of Trappers Drive is reflective of the existing R30 coding to the south.</p> <p>The inclusion of land adjacent to Trappers Drive is based on the road providing an important public transport service. The inclusion of this land in the HOA and the proposed density is supported. It is also noted that the Woodvale Shopping Centre (neighbourhood centre) is located immediately to the south of this section of the HOA. This shopping centre as a neighbourhood centre also offers opportunities for a higher density to be applied in its walkable catchment. For neighbourhood centres SPP 4.2 specifies a target of a minimum of 15 dwellings per hectare and a desirable</p>

density of 25 dwellings per hectare (equating to R30 minimum density coding and a desirable density coding of R50). Only a small portion of land to the north of the centre has been included in the HOA. It is noted that the HOA boundary was formulated with the intent that initial densification is to be focused on areas around higher order centres. This is accepted for the purpose of the strategy.

The boundary between the HOA and the surrounding area is in most instances located along roads resulting in different density codings on opposite sides of the street.

In summary, the extent of the HOA and the proposed densities are generally consistent with DC 1.6. The HOA offers many opportunities for additional housing stock in an area well serviced by established infrastructure and facilities consistent with the objectives of Directions 2031.

HOA9	Heathridge
Assessed by:	Planning Manager
Description of Area	<p>HOA9 comprises land in the suburb of Heathridge bounded by Mitchell Freeway to the east, Hodges Drive to the north, Marmion Avenue to the west and Mermaid Way and Caridean Street to the south.</p> <p>Marmion Avenue and Hodges Drive are high frequency bus routes with connections to Whitfords and Joondalup stations. A local bus service with connections to Whitfords and Joondalup stations also runs along the roads on the southern boundary of the HOA.</p> <p>Poseidon primary school is located in the HOA as are a number of areas of public open space. Heathridge local centre is located outside of the HOA immediately to its south.</p> <p>Land within this HOA currently has a density coding of R20.</p>
LHS proposals	<p>The LHS proposes a density coding of R20/30 for this HOA.</p> <p>This City considers this area presents excellent opportunities for more compact living and greater housing choices around the high frequency public transport services on Marmion Avenue and Hodges Drive and the opportunity to revitalise this part of Heathridge.</p>
Comments	<p>The HOA extends along Marmion Avenue and Hodges Drive. The inclusion of this land within the HOA and the application of the proposed R20/30 density coding is based on the high frequency bus services located along these roads. This is supported.</p> <p>The strategy makes mention of the criterion of 400m distance from high frequency public transport routes however, there are more residential properties in to the north of the HOA in Connolly on the other side of Hodges Drive which are located within 400m of a bus stop but that are not included in the HOA. Likewise, there are properties on the other side of Marmion Avenue within Ocean Reef which could potentially be included. In this regard, it is acknowledged that the distance from high frequency transport routes is not the only basis for the HOA, and that the potential for revitalisation has also been taken into consideration.</p> <p>The proposed boundaries between the HOA and the surrounding area and between the different density codings are in most instances located along roads resulting in different density codings on opposite sides of the street.</p>

	<p>In summary, the extent of the HOA and the proposed densities are generally consistent with DC 1.6. The HOA offers many opportunities for additional housing stock in an area well serviced by public transport and where there is potential for revitalisation.</p>
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HOA10	East of Currambine Station
Assessed by:	Planning Manager
Description of Area	<p>The HOA includes land to the east of Currambine station in the suburb of Joondalup and a small section of land in Currambine to the south west of the station.</p> <p>The existing density coding in this area is R20.</p>
LHS proposals	The LHS proposes a density coding of R20/60 for properties on the eastern side of the train station within the 400m walkable catchment. R20/40 is proposed for the remainder of the residential properties in the HOA.
Comments	<p>The HOA generally covers residential properties in Joondalup within an 800m catchment of the Currambine station. This catchment and the proposed densities of R20/40 and R20/60 reflect the requirements of DC 1.6.</p> <p>It is noted that residential areas to the west and north west of the station within 800m of the station (Kinross and Currambine) have not been included in the HOA. In this regard, land to the west of the station in Currambine is already coded R80 and therefore its exclusion from the HOA is accepted. Similarly, residential properties in Kinross to the north west of the station are currently coded R40 which is consistent with the minimum density recommended by DC 1.6.</p> <p>In summary, the proposed extent of the HOA and the proposed densities are considered to be consistent with DC 1.6 and the density targets outlined in SPP 4.2. The HOA offers many opportunities for additional housing stock in an area well serviced by established infrastructure and facilities consistent with the objectives of Directions 2031.</p>

ATTACHMENT 7 - MAIN ISSUES RAISED IN SUBMISSIONS

The main issues raised in the submissions/surveys are summarised below:

- Support for higher density codings around stations and commercial nodes.
- Support the incentives for aged and dependent persons developments and opportunities for people to downsize in their existing communities.
- The Strategy should consider a more flexible zoning for the Sorrento Beach Resort to cater for mixed use, residential or over 55's accommodation instead of just tourism. Suggestions for modifications to the Strategy text to strengthen its strategic intent
- Concerns that densities applied are too modest.
- Suggestions for HOAs to be extended.
- A dual coding should also be applied to corner lots outside HOAs.
- Support for an R80 coding for commercial zoned land.
- Housing opportunities are required for those with a disability and requiring care.
- Craigie Primary School should be identified as a 'Future Development Site for Housing'.
- The Strategy does not go far enough towards meeting principles and objectives of State Planning policies and strategies such as 'Directions 2031 and Beyond' and Development Control Policy 1.6.
- The Strategy should reflect State Planning Policy 4.2 and the density targets.
- A proposed density coding of R80 may be insufficient for some centres to achieve density targets of SPP 4.2.
- Concern about the criteria for obtaining the higher density coding in split coded areas contained in the draft Dual Codes Policy such as:
 - - o The requirements are too onerous, for example requiring water tanks and grey water re use.
 - o The requirements are too restrictive and will not achieve the aims of the Strategy.
 - o The policy needs to be more flexible, some 'essential' criteria should be 'desirable'.

- o The policy needs WAPC approval due to departures from certain aspects of the Residential Design Codes.
- o Some aspects are not in accordance with WAPC policies.
- Concern about the impact of higher density residential development will have on the character of an area, and potential noise, parking issues, loss of privacy, overcrowding and social problems.
- HOA 3 is not suitable for an increase in density. Properties in this HOA abut laneways but are not located close to centres or high frequency transport routes.
- Concern that higher residential density will result in multi-storey flats.
- A performance based approach to allocated higher densities should be applied rather than a spatial distribution. The current approach does not provide the City with the flexibility to support density increases in other areas that can demonstrate compliance with the Strategy's objectives.
- Concern about the impact of higher density development on existing infrastructure.
- Water Corporation requested modifications to the Strategy to clarify that Beenyup Waste Water Treatment Plant is a constraint to development and the Corporation opposes any residential uses within the buffer of this Plant.
- Consideration should be given to the increases in servicing requirements in HOAs and subsequent additional utility and transport corridors required to meet the needs of increased housing density.
- The Department of Education confirms that existing government schools have the capacity to accommodate their estimate of students that are likely to be generated by the additional lots.
- The Department of Health advises it does not appear that the implementation of the Strategy will produce any unanticipated results for health planning in the North Metropolitan Area Health service region.
- Main Roads WA expressed concern about higher density housing along major distributor roads and around train stations and the impact on station car parking. There is the potential for residential amenity to be affected by the impacts of noise, vibration and pollution. Comprehensive noise studies are required to demonstrate compliance with SPP 5.4 'Road and Rail Transport Noise and Freight Considerations in Land Use Planning'. Main Roads preference is that

higher density residential developments are located some distance from major road networks.

- The Department of Housing (DoH) strongly supports high density codings around stations and commercial nodes but has concerns that densities are too modest. DoH supports the principle of split density codings as promoting a high standard of housing redevelopment however, it does not support the use of grey water recycling and rainwater tanks due to costly installation and the need to be carefully managed to be effective and avoid ongoing maintenance issues. The criteria needs to balance environmental features with housing affordability and pragmatic maintenance considerations. DoH suggested extending the R60 code around Warwick Station and suggests density targets for the City Centre.
- The City of Wanneroo raised concerns with the comments provided by service authorities during consultation on their Local housing Strategy, in particular, Main Roads WA. The City suggests increasing densities from R20/30 to R20/40 and increasing catchment areas.

ITEM NO: 9.2

PROPOSED SURVEY STRATA SUBDIVISION OF LOT 45 ANGELO STREET, CORNER ANTHONY STREET, SOUTH PERTH

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Senior Planning Officer
AUTHORISING OFFICER: Director, Metropolitan Central
AGENDA PART: G
FILE NO: 1034-13
DATE: 31 October 2013
ATTACHMENT(S): 1 - Aerial Locality Plan
2 - Locality Plan
3 - Proposed Survey Strata Subdivision
4 - Nearby Lot Sizes
REGION SCHEME ZONING: Urban
LOCAL GOVERNMENT: South Perth
LOCAL SCHEME ZONING: Residential with a density of R15
LGA RECOMMENDATION(S): Unconditional approval
REGION DESCRIPTOR: Metropolitan Central
RECEIPT DATE: 1 August 2013
PROCESS DAYS: 104
APPLICATION TYPE: Survey Strata Without Common Property
CADASTRAL REFERENCE: Lot 45 Angelo Street, Corner Anthony Street, South Perth

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the proposed survey strata application at Lot 45 Angelo Street, corner Anthony Street, South Perth, subject to the following conditions:

- 1. Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lot(s) shown on the approval plan of subdivision. (Water Corporation)***

-
2. ***Suitable arrangements being made with the Water Corporation so that provision of a sewerage service will be available to lot(s) shown on the approval plan of subdivision. (Water Corporation)***
 3. ***Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an electricity supply to the survey-strata lots shown on the approved plan of subdivision, which may include the provision of necessary service access rights either as an easement under Section 136C and Schedule 9A of the Transfer of Land Act 1893 for the transmission of electricity by underground cable, or (in the case of approvals containing common property) via a portion of the common property suitable for consumer mains. (Western Power)***
 4. ***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)***

ADVICE:

1. ***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.***
2. ***With regard to Condition 3, Western Power provides only one point of electricity supply per freehold (green title) lot.***
3. ***The creation of two grouped dwellings on the subject land has generated the impetus for the Western Australian Planning Commission to grant conditional survey strata subdivision approval.***

SUMMARY:

On 27 March 2012 the City of South Perth (City) issued a development approval for two grouped dwellings below the minimum and average lot size requirements of the Residential Design Codes (R-Codes) at Lot 45 Angelo Street, corner Anthony Street, South Perth (the subject land) (**Attachment 1** - Aerial Locality Plan) (**Attachment 2** - Locality Plan). The subject land has a density of R15 and area of 1110m² and two grouped dwellings are currently under construction.

On 1 August 2013, the Western Australian Planning Commission (WAPC) received a survey-strata application, proposing Lot 1 and 2 being 523m² and 587m² respectively (**Attachment 3** - Proposed Survey Strata Subdivision). The matter is presented to the Statutory Planning Committee as the application is outside the delegation arrangements for officers, due to the variations being greater than the R-Codes (2013) provide for.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:

Planning and Development Act 2005

Section 135

Strategic Plan

Strategic Goal:

Planning

Outcomes:

Effective delivery of integrated plans

Strategies:

- Develop integrated infrastructure and land use plans for the State;
- Build infrastructure capacity and integration; and
- Implement State and Regional Planning Priorities.

Policy

Number and / or Name:

State Planning Policy No. 3.1 - Residential Design Codes.

INTRODUCTION:

The City received an application for two grouped dwellings on the subject land and granted planning approval at a Council meeting on 27 March 2012.

The locality of the subject land is characterised predominantly by single residential dwellings with a density of R15 (**Attachment 4** - Nearby Lot Sizes). Lots 49 and 46 Anthony Street and Lots 47 and 48 Tate Street, South Perth also have lot sizes below the minimum and average lot size requirements for the R15 Code.

CONSULTATION:

The City recommended approval for the proposed survey strata subdivision without conditions.

Western Power and the Water Corporation both recommended approval for the proposed subdivision, subject to conditions.

COMMENTS:

Residential Design Codes

The survey-strata subdivision application for proposed Lot 1 and Lot 2 Angelo Street is below the minimum (523m² proposed; 580m² required - 9.8 per cent variation) and average (555m² proposed; 666m² required - 16.6 per cent variation) lot size requirements for the R15 density under the R-Codes.

However, the proposed lot sizes meet the minimum (proposed 523m² required 500m²) and is within 5 per cent of the average lot size (proposed 555m² - required 571m² - 2.8 per cent variation) for the R17.5 Code.

Town Planning Scheme No. 6

The relevant clauses of the City's TPS 6 relating to corner lot subdivisions is below:

4.4 Corner Lot Subdivisions in Certain Circumstances

- (1) In respect of subdivision for the purpose of creating lots for Single Houses, Council generally will not recommend to the Western Australian Planning Commission that variations from the minimum land area prescribed in the Residential Design Codes be approved, unless, in the Council's opinion, the following criteria are met:*
 - (a) the land to be subdivided has been allocated a density coding of R15;*
 - (b) the land to be subdivided is situated on a street corner;*
 - (c) the resulting subdivided lots have a minimum frontage of not less than 12.0 metres to each street;*
 - (d) the land to be subdivided is adjoined on at least one boundary by a lot which has been redeveloped to a density higher than R15; and*
 - (e) in the case of a corner lot created by the subdivision, the resultant lot shape shall be conducive to a dwelling design which would equally address both streets.*

- (2) The Council will generally not support a variation of the kind referred to in sub-clause (1) for land within Precinct 2: South Perth Central...*

The subject land is located within Precinct 2 - South Perth Central and the Council has exercised discretion in this instance.

The resultant built form outcome approved by the City delivers the garage for proposed Lot 1 facing Anthony Street and the garage for proposed Lot 2 facing Angelo Street. This assists to provide a streetscape consistent with the remainder of the locality by facilitating each dwelling facing alternative streets.

The proposed survey strata subdivision is inconsistent with Table 1 of the R-Codes as a maximum variation of 5 per cent to the minimum and average lots sizes is provided within the R-Codes and WAPC Development Control Policy 2.2 - Residential Subdivision (DC 2.2). Variations of 9.8 per cent and 16.6 per cent to the minimum and average lot size respectively have been issued by the City.

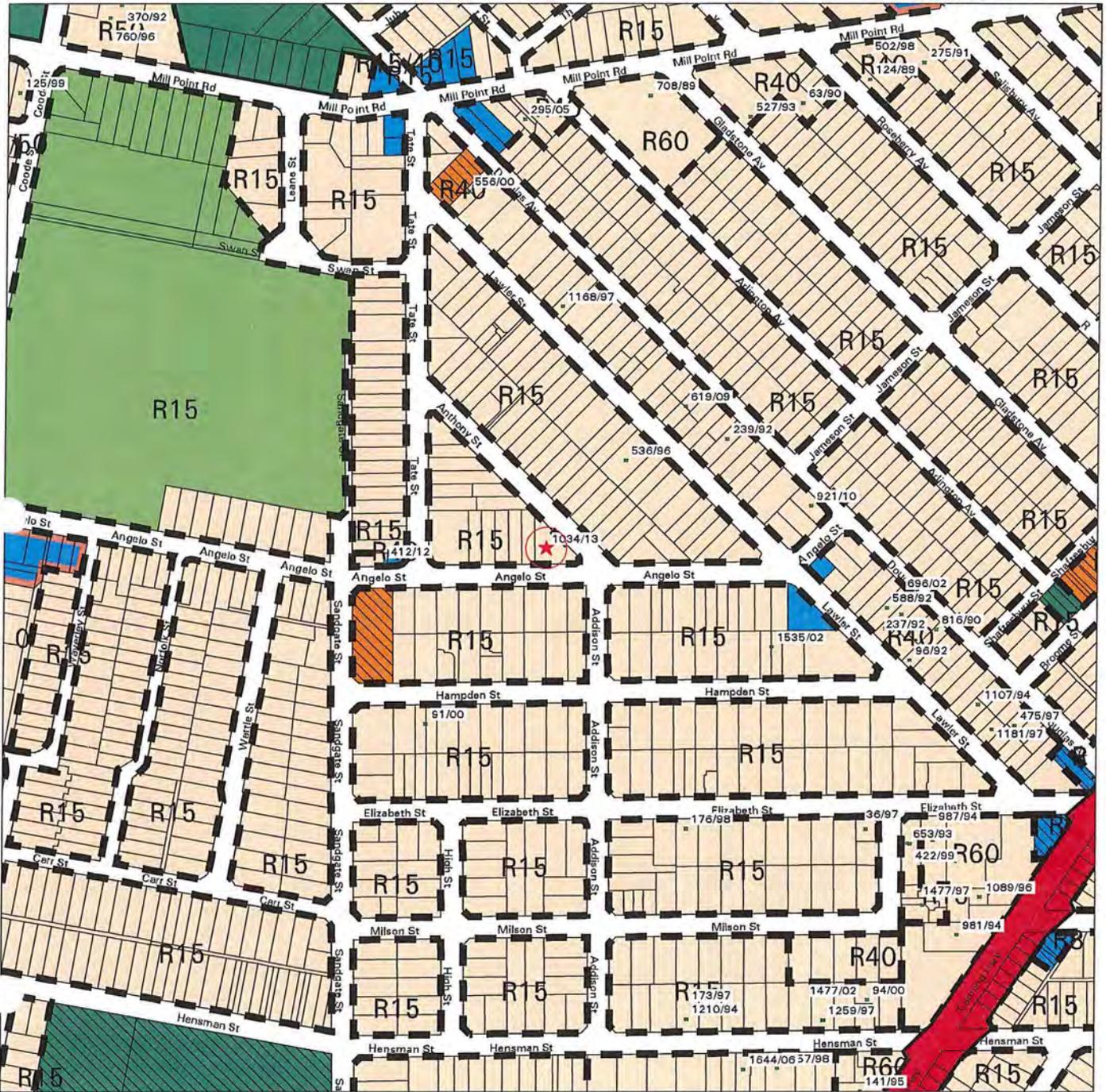
However, the other design elements within the R-Codes are satisfied and 4 lots facing Anthony Street and Tate Street nearby the subject land are also under the minimum and average lot size requirements. As no delegation exists for assigned officers to deal with the variation over and above the 5 per cent tolerance, the matter is presented to the Statutory Planning Committee for determination.

CONCLUSION:

Other than the minimum and average lot sizes, each of the dwellings meet the other requirements of the R-Codes (2013) and have been designed to address both street frontages. The proposed survey strata application is recommended for conditional approval.



ATTACHMENT 2



Strata Application 1034/13 (MGA ref 393207mE 6461070mN Zone 50)
 This data is to be used for the processing of subdivision applications only.

- APPROX LOCATION OF APPLICATION
- PRIMARY REGIONAL ROADS
- PARKS & RECREATION
- CADASTRAL BOUNDARY
- WESTNET ENERGY GAS PIPELINE
- STRATA APPLICATION
- R CODE BOUNDARY
- RESIDENTIAL
- NEIGHBOURHOOD CENTRE COMMERCIAL
- LOCAL COMMERCIAL
- PUBLIC ASSEMBLY
- PARKS AND RECREATION
- HIGHWAY COMMERCIAL
- PRIVATE INSTITUTION
- LOCAL ROADS

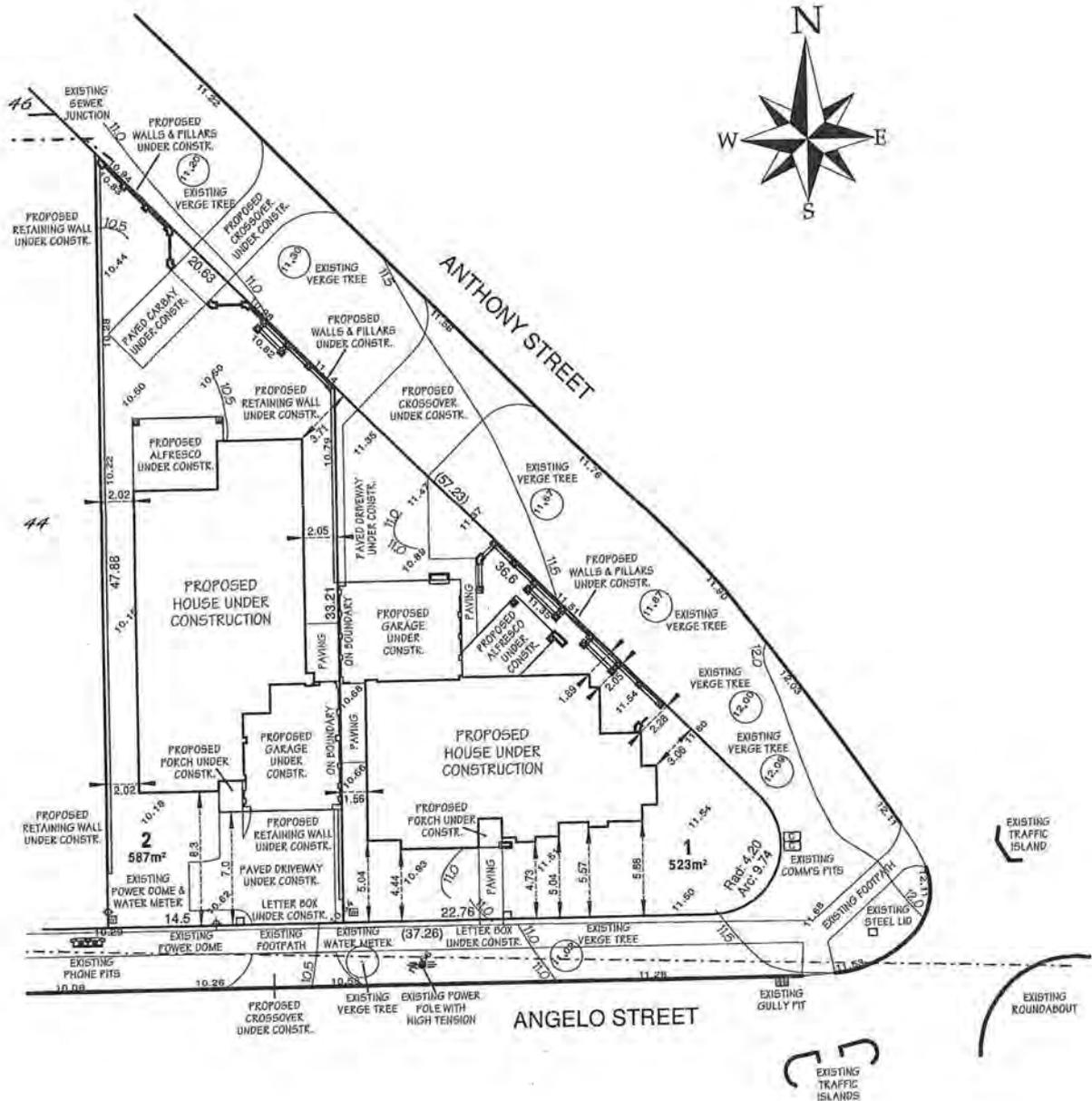
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PROPOSED SURVEY STRATA SUBDIVISION

NOTE: THIS IS A PROPOSED SKETCH ONLY, AND SHOULD NOT BE USED FOR FINAL DIMENSIONS AND AREAS FOR SELLING PURPOSES OR FOR DESIGNING A NEW HOUSE(S) TO FIT THE PROPOSED LOTS.

ATTACHMENT 3

▲ NOTE: PROPOSED LOT NUMBERS, ANGLES, DIMENSIONS, AND AREAS ARE ALL SUBJECT TO SURVEY AND TITLES OFFICE EXAMINATION



ATTACHMENT 3

ORIGINAL AREAS

LOT 45 = 1110m²
 ZONING = R15
 No. OF EXISTING LOTS = 1
 No. OF PROPOSED LOTS = 2

— PROPOSED BOUNDARIES
 - - - - - EXISTING BOUNDARIES

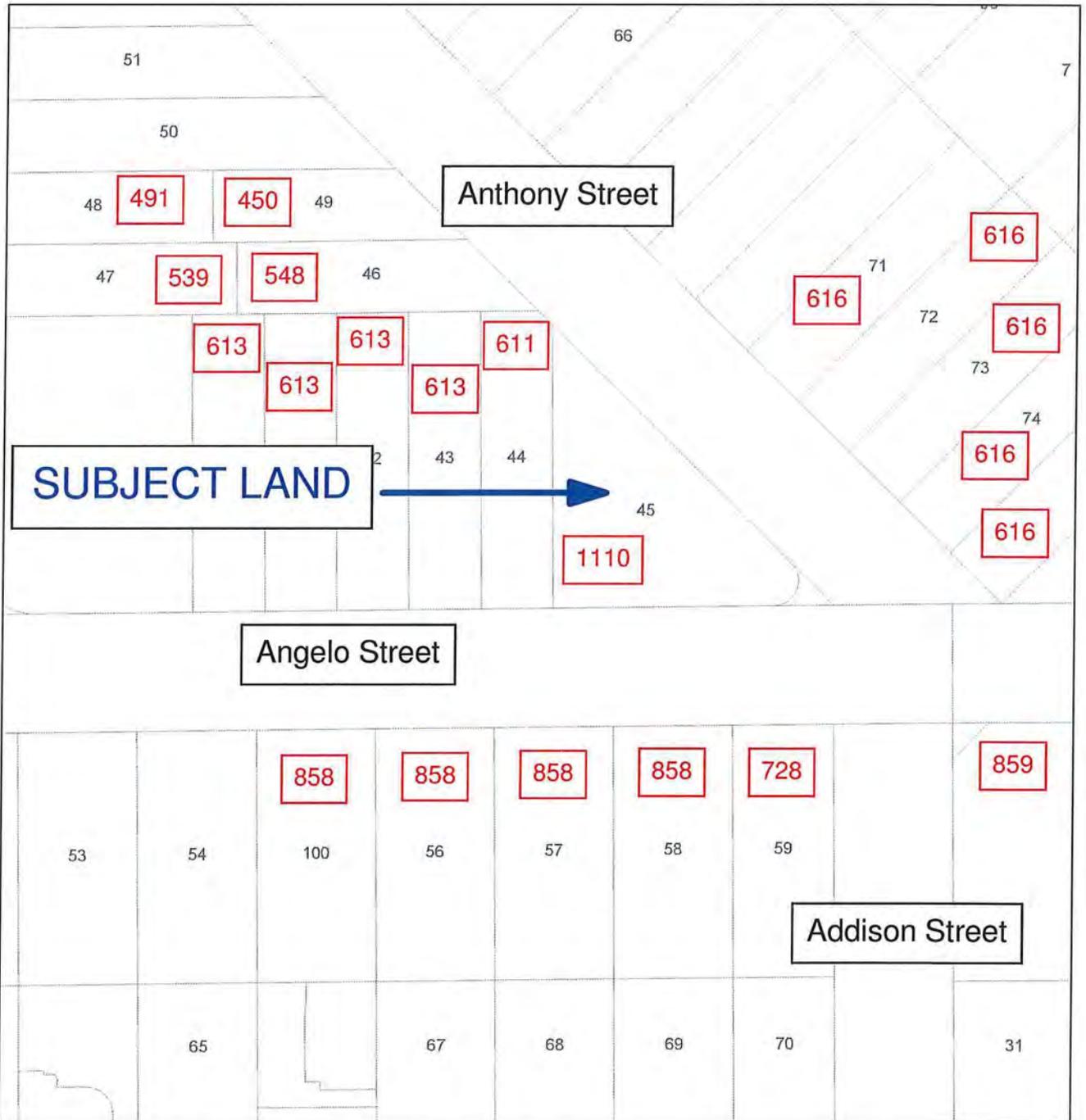
**PROPOSED SURVEY STRATA SUBDIVISION ON LOT 45
 (#132) ANGELO STREET & ANTHONY STREET, SOUTH PERTH**

CITY OF SOUTH PERTH
 PLAN 1481 VOL. 1143 FOL. 183
 DATE 26/07/2013, SCALE 1:300

AGENDA PAGE 127

**COTTAGE & ENGINEERING
 SURVEYS**

37-39 Cuthrie Street, Osborne Park, Western Australia
 PO Box 111, Osborne Park Business Centre WA 6917
 Phone: (08) 9445 2951 Facsimile: (08) 9445 2998
 Email: perth@cottage.com.au Website: www.cottage.com.au
 J/N: SK315872 26/07/2013



Cadastre with Lot Numbers

Scale 1:1,004
0 25 m

Prepared by: jbouwhuis
Prepared for: Statutory Planning Committee
Date: Wednesday, October 23, 2013 14:15
Plot Identifier: P20131023_1415



Government of Western Australia
Department of Planning

Nearby Lot Sizes in Red Font

DP INTERNAL USE ONLY

ITEM NO: 9.3

PROPOSED THREE DEPENDENT PERSONS' DWELLINGS AND ONE SINGLE BEDROOM DWELLING AT LOT 386 (NO. 78) BIRKETT STREET, BEDFORD

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Senior Planning Officer, Metropolitan Central
AUTHORISING OFFICER: Director, Metropolitan Central
AGENDA PART: G
FILE NO: 15-50080-1
DATE: 9 July 2013
ATTACHMENT(S): 1 - Aerial Plan
2 - TPS Zoning and Location Plan
3 - Development Plans
REGION SCHEME ZONING: Urban
LOCAL GOVERNMENT: City of Bayswater
LOCAL SCHEME ZONING: Residential R20/25
LGA RECOMMENDATION(S): Approval
REGION DESCRIPTOR: Perth Metro Central
RECEIPT DATE: 11 February 2013
PROCESS DAYS:
APPLICATION TYPE: Development
CADASTRAL REFERENCE: Lot 386 Birkett Street, Bedford

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the proposed development of three dependent persons' dwellings and one single bedroom dwelling at Lot 386 (No. 78) Birkett Street, subject to the following conditions:

CONDITION(S):

- 1, The development shall be carried out in accordance with the terms of the application as approved herein, and the attached plans (SK.01F; SK.02D; SK.03A; SK.04E; SK.05CD, SK.06D) date-stamped 23 October 2013 by the Department of Planning on behalf of the Western Australian Planning Commission.***

-
2. ***Prior to the issue of a Building Licence a schedule of external colours and finishes of the proposed development being submitted to the specification of the City of Bayswater and to the satisfaction of the Western Australian Planning Commission.***
 3. ***Unit 1 shall be occupied by a carer, and Units 2, 3 and 4 shall be occupied by dependent persons, in accordance with the provisions of the Residential Design Codes, to the specification of the City of Bayswater and the satisfaction of the Western Australian Planning Commission.***
 4. ***A detailed landscape plan shall prepared and lodged with the City of Bayswater for approval, prior to the lodgement of a building permit application, and shall be implemented prior to occupation of the units by residents and thereafter maintained, to the specification of the City of Bayswater and the satisfaction of the Western Australian Planning Commission.***
 5. ***Prior to occupation of the development, appropriate signage and/or line marking shall be provided to indicate visitor parking bays to the specification of the City of Bayswater and the satisfaction of the Western Australian Planning Commission.***
 6. ***On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition, to the specification of the City of Bayswater and the satisfaction of the Western Australian Planning Commission.***
 7. ***Any existing septic system is to be decommissioned to the specification of the City of Bayswater and the satisfaction of the Western Australian Planning Commission and in accordance with the Treatment of Sewage and Disposal of Effluent and Liquid Waste Amendment Regulations (No.2) 1997.***
 8. ***All stormwater and drainage runoff produced onsite is to be disposed of onsite via the use of soakwells, to the specification of the City of Bayswater and the satisfaction of the Western Australian Planning Commission.***
 9. ***All vehicle crossings being upgraded, designed and constructed to the specification of the City of Bayswater and the satisfaction of the Western Australian Planning Commission.***
 10. ***The existing and/or proposed driveways being constructed with brick paving or concrete to the specification of the City of Bayswater and the satisfaction of the Western Australian Planning Commission.***
 11. ***The design, construction and maintenance of driveways and parking areas to the specification of the City of Bayswater and the satisfaction of the Western Australian Planning Commission.***

-
12. *The development/use subject of this approval must be substantially commenced within a period of two years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect.*

ADVICE

1. *With regard to Condition 4, the plan shall be prepared, identifying the following, and adopt the principle of reducing hard paving on the site where possible:*
- (i) Additional landscaping within the common property accessway, maintaining a minimum driveway width of 3m;*
 - (ii) The removal of existing paving from, and the planting of appropriate vegetation within the Birkett Street verge, including the provision of one (1) street tree, at the full cost of the applicant and to the specifications of the City of Bayswater;*
 - (iii) The location and species of all native trees and shrubs to be retained and/or removed;*
 - (iv) The location and species of proposed trees and shrubs;*
 - (v) The location of any lawn areas to be established; and*
 - (vi) Those areas to be reticulated or irrigated.*
2. *With regard to Condition 12, where an approval has lapsed, no development/use shall be carried out without the further approval of the City of Bayswater having first been sought and obtained.*

SUMMARY:

The proposal is for three dependent persons' dwellings and one single bedroom dwelling, to be constructed by the Department of Housing (DOH) and occupied by 'Teem Treasure', an organisation specialising in service provision for people with an intellectual or mental disability, working in conjunction with the Disability Services Commission (DSC).

The application is required to be determined by the Statutory Planning Committee as the recommendation is inconsistent with the recommendation of the local government and the proposal is not consistent with the deemed to comply provisions of the Residential Design Codes (R-Codes) with regard to site area.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation *Planning and Development Act 2005*
Section: Part 10 - Development Approval

Strategic Plan
Strategic Goal: Planning
Outcomes: Effective Delivery of Integrated Plans

Strategies: Implement State and Regional Planning Priorities

Policy

Number and / or Name: State Planning Policy 3.1 Residential Design Codes 2013

INTRODUCTION:

Site and Surroundings

The subject site comprises a single vacant lot of 983m² and has a frontage of 20.12m to Birkett Street, Bedford and is zoned 'Urban' under the Metropolitan Region Scheme (MRS) and 'Residential R20/25' under the City of Bayswater Town Planning Scheme No. 24 (TPS24). The site is owned by the DOH and previously contained a single house which was demolished in 2011.

The subject site adjoins residential land uses on all sides. The surrounding area contains predominantly Grouped Dwellings and Single Houses (**Attachment 1 - Aerial Plan; Attachment 2 - Location and Zoning Plan**).

Proposed Development

The proposal is for three dependent persons' dwellings and one single bedroom dwelling, which shall be constructed by the DOH and occupied by 'Teem Treasure', an organisation specialising in service provision for people with an intellectual or mental disability, on behalf of the DSC (**Attachment 3 - Development Plans**). The facility will provide care for 'dependent persons' on a full time basis. A carer will reside in proposed Unit 1, and will monitor access to and from the subject site, as well as restrict access where necessary. Both pedestrian and vehicle access to the dependent persons dwellings will be restricted via an automatic gate, controlled from the carers residence.

Decision Making Authority

Section 6 of the *Planning and Development Act 2005* has the effect of exempting 'public works bodies' from the need to obtain Planning Approval for 'public works' under an applicable local planning scheme. 'Public works' are defined under the *Public Works Act 1902* and include activities such as public and community housing. Despite this exemption, public works bodies must still consult with the relevant local authority and have regard to the purpose and intent of the local planning scheme, the principles of orderly and proper planning and the amenity of the area.

Notwithstanding the above, Section 5 of the *Planning and Development Act 2005* binds the Crown to region planning schemes meaning that whilst Planning Approval is not required under a local planning scheme, Planning Approval is required under the MRS.

On 24 July 2009 the State Government modified its Instrument of Delegation 2009/04 'Powers of Officers (Department of Housing)' under the *Planning and Development Act 2005*. The delegation gave the DOH power to determine applications for

approval of the development of public housing under a region planning scheme where such applications:

- a) are made by, or on behalf of, the DOH; and
- b) are in strict compliance with the applicable local planning scheme; and
- c) propose the construction of no more than 10 dwellings of a height of two storeys or less.

Whilst the proposed development satisfies criteria (a) and (c) of the delegation notice, the development is not considered to be in 'strict' compliance with the applicable local planning scheme by virtue of the fact that the proposal requires assessment against the Performance Criteria of the Residential Design Codes 2013 (R-Codes).

CONSULTATION:

The City of Bayswater advised that while the proposal was supported in principle, there were a number of issues that the City wished to see resolved. The City requested amended plans be provided that addressed the following matters:

- site areas;
- plot ratio;
- parking and manoeuvring requirements; and
- setbacks to communal driveway.

The applicant advised they were not willing to modify the proposal.

The WAPC requested that comments be sought from surrounding landowners. The City advertised the proposal to 19 surrounding landowners for 20 days and 11 letters of objection were received. The objectors raised the following concerns, which have been summarised below:

- Allowable lot areas have been calculated incorrectly and the proposed lot areas are short of the average and minimum requirements under the R-Codes.
- The plot ratio for aged or dependent persons' dwellings and single bedroom dwellings are not met.
- The surrounding owners purchased land within the area on the understanding that the subject site could be used for one or two dwellings.
- The occupiers of the dwelling are intended to be an organisation called 'Teem Treasure', which has a justice program to support individuals who are experiencing difficulty with offending behaviour. There is concern about the type of disability which will be accommodated by Teem Treasure at the proposed facility and the possible risk to local residents in the form of anti-social and offending behaviour.
- Concern with regard to safety of the surrounding residents.
- Concern as to how the 24 hour-a-day access control and monitoring of the facility by a carer will be implemented.
- Requested the City postpone consideration of the application until after the full facts about the operation of the proposed facility are known.

Following advertising, the City prepared a further recommendation to the WAPC with regard to the proposal. The officers' report recommended approval of the proposal subject to conditions. At its meeting of 27 August, the Council resolved to recommend refusal of the application for the following reasons:

- (a) The proposed development does not comply with the requirements of the Residential Design Codes relating to lot/site area, number of dependent persons' dwellings, single bedroom dwelling plot ratio area, front fence, setbacks to a communal driveway and vehicular access.
- (b) The manoeuvring area for the car parking bays does not comply with Australian Standard 2890.1 (as amended) and the Residential Design Codes.
- (c) The application does not provide sufficient information in relation to the future occupants of the dwellings, carer/staffing arrangements and management procedures for the facility.
- (d) The proposed development would unduly impact the amenity of the area.
- (e) The proposed development is considered to be inconsistent with the orderly and proper planning of the locality.
- (f) Consideration of submissions received.

Council also advised recommended conditions, should the WAPC be of a mind to approve the proposal.

COMMENTS:

A similar development application made by the DOH (WAPC Ref. 17-50089-1) was refused by the WAPC as the proposal was found not to accord with the requirements of the applicable town planning scheme. In that case, the development of 12 dwellings on a 3,665m² lot exceeded the density coding assigned to the land. The applicant however appealed this decision with the State Administrative Tribunal (SAT) who subsequently upheld the appeal.

In determining the appeal, the SAT noted:

'Local planning scheme provisions are certainly not determinative of orderly and proper planning in a region planning assessment and, indeed, will rarely be the focus of the inquiry. However, local planning scheme provisions can be a piece of the jigsaw that together forms the picture of orderly and proper planning of the locality, particularly because of the broader-brush nature of most strategic planning. However, the weight to be given to local planning scheme provisions and how these provisions are to be balanced against other planning consideration in assessing the consistency of a proposed public work development with the orderly and proper planning of the locality under a region scheme, will depend on all the circumstances of the case.'

Variations to the R-Codes

Assessment of the application indicates that the proposed development complies with the City's TPS 24 and policies and the deemed-to-comply requirements of the R-Codes, with the exception of the requirements relating to site area, number of

dependent persons' dwellings, single bedroom dwelling plot ratio, front fence, setback to a communal driveway and vehicular access.

Site Area

The subject site is zoned Residential R20/25 under TPS 24. The City has confirmed the higher R25 code is able to be applied in this instance. Additionally, a one-third reduction in site areas is also applicable given the dwellings proposed are either single bedroom or used for accommodating dependent persons, consistent with Clause 5.1.1 C1.4 of the R-Codes.

The following table outlines the requirements assessed against the lot sizes proposed:

	R25	R25 with 1/3 density bonus applied	Provided	Complies?	Proposed variation
Minimum Site Area	300m ²	200m ²	U1 - 159 U2 - 181 U3 - 181 U4 - 205	N N N Y	20.5% 9.5% 9.5% N/A
Average Site Area	350m ²	233.33m ²	246	Y	N/A

As shown above, proposed Units 1, 2 and 3 do not meet the minimum site area requirements. The 5% variation that may usually be considered is not applicable given the proposed development is already utilising the one-third density bonus applicable to dependent persons' dwellings and single bedroom dwellings.

However, the circumstances surrounding the subject development are unique in that the four dwellings essentially form part of a single facility. The variations have arisen due to large portions of the site being allocated as common property in the proposed plans. For example, the full extent of the driveway and front garden are both indicated as common areas. As the development complies with the average site areas after the one-third dispensation, the overall density of the development is in accordance with the R25 coding in relation to dependent persons' dwellings and single bedroom dwellings.

The reduced site areas will not result in development that would be inconsistent with the scale and form of existing residential development in the immediate locality, and will be unlikely to be distinguishable from the street in terms of built form.

The City has indicated that there is a concern that approval of site areas which do not meet the minimum requirements may create a precedent for approval of other properties. The City has recommended a condition of approval preventing subdivision of the site in relation to the proposed development. This is not considered reasonable.

Given the above, the variations to minimum site area are supported in this case.

Number of Dependent Persons' Dwellings

The deemed-to-comply requirements of the R-Codes allow dependent persons' dwellings within a group of five dwellings or more. The application proposes three dependent persons' dwellings and one single bedroom dwelling for the carer.

As the development does not meet the deemed-to-comply standards, consideration is required under the relevant design principles of the R-Codes, which include:

- *does not impinge upon neighbour amenity; and*
- *responds to a demand for aged or dependent persons' accommodation in the locality which is recognised in the local planning framework.*

It is considered that the reduction in number of dwellings provides flexibility for dependent persons' dwellings to be provided within existing residential areas, as lots within R25 coded areas within the City of Bayswater are generally not large enough to provide five or more dwellings. It is also noted that dependent persons' dwellings are listed as a permitted use within residential zoned areas under TPS 24. It is not considered that the reduction to three dwellings will have an undue impact on the amenity of locality and it is considered to meet the needs of dependent persons in the community. The proposal is considered to be consistent with the design principles of the R-Codes with respect to dependent persons' dwellings.

Single Bedroom Dwelling Plot Ratio Area

The deemed-to-comply standards of the R-Codes relating to single bedroom dwellings allow a maximum plot ratio area of 70m². The applicant proposes a plot ratio area of 72m².

The variation can be supported under the relevant design principles of the R-Codes, as the increased plot ratio (2m²) is not considered to result in additional building bulk on the street or to adjoining properties, and the proposed development is close to public transport and community facilities, including high frequency bus services on Grand Promenade, local shopping facilities and recreation reserves all being within 350m of the site.

Setbacks to Common Driveway

The City's '*Grouped Dwelling Setbacks to a Communal Driveway Policy*' (TP-2.10) stipulates the permissible setbacks for a development where one or more of the dwellings has its primary frontage to a communal driveway. The policy allows a setback of 2m to the common accessway for walls which contain major openings and a setback of 1m where walls do not contain major openings.

The applicant has proposed major openings in the walls of Units 2 and 3, which front the common property accessway, each having a setback of 0.5m. The City contends that the reduced setbacks are not considered to provide adequate privacy for future residents and are not considered to contribute to a desired internal streetscape.

The applicant has provided an amended plan which increases the setback of Units 2 and 3 to the driveway by 240mm. The Units could not be re-positioned further north-

west in their entirety due to the need to provide a minimum 1200mm clearance from the rear property boundary for disabled access. Increasing the setbacks at these locations has improved accessibility to the parking bays. Therefore, it is considered that the proposed setbacks to communal driveway shown on the amended plan are appropriate.

Front Fence

The deemed-to-comply provisions of the R-Codes allow fences within the primary street setback area that are visually permeable 1.2m above the natural ground level. The originally submitted plans did not comply with this provision.

The applicant provided an amended plan to show a 1.2m high brick wall with permeable slats above to 1.8m. Therefore, this element of the proposal shown on the amended plan now complies.

Vehicular Access

The City's Technical Services have assessed the amended plans and advised that the proposal now complies with the relevant Australian Standard (AS2890.1 2004).

Use of the Site

DOH has provided additional information at the request of the WAPC which confirms that the individuals earmarked to reside at the subject property have a high level of independence and do not require high care.

The facility will be staffed 24 hours a day by trained support workers / carers. The role of the support workers / carers is to assist the individuals with all aspects of personal care, medical procedures, domestic duties, finances, community outings, protection from exploitation, health and safety and general care.

DOH has advised that Teem Treasure has established policies and procedures which is part of the contractual arrangements with DSC. Teem Treasure also have a memorandum of understanding with the Housing Provider who manage the properties.

In addition, DSC is proposing to write to the neighbours who expressed their concerns over the proposal, outlining the purpose of the proposal and the management plans in place.

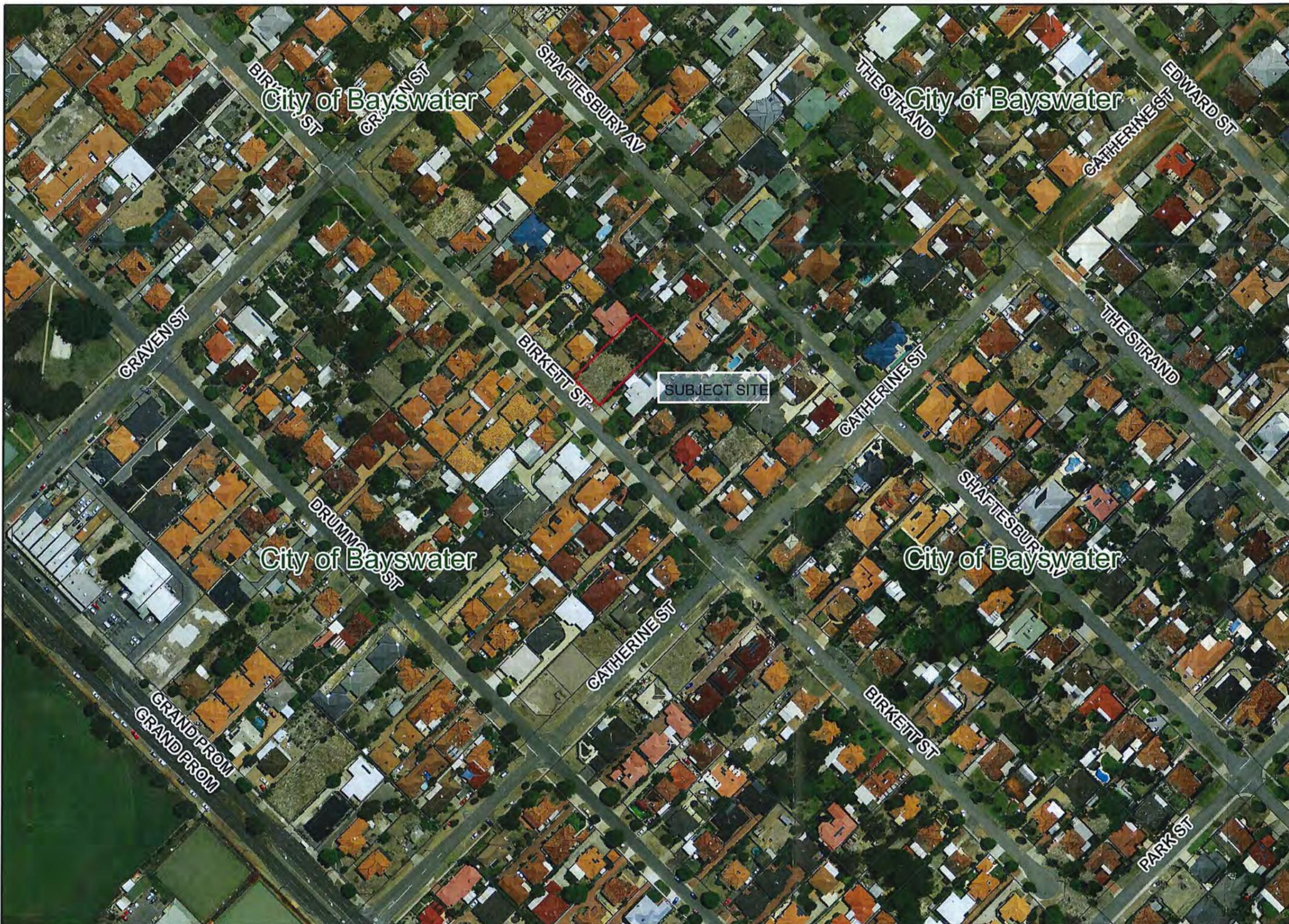
Orderly and Proper Planning and Amenity

In terms of the subject proposal, the application is considered to be consistent with the orderly and proper planning of the locality, on the basis that the proposed development will provide housing for dependent persons which is in keeping with the intent of the Scheme, is close to public transport and community facilities, and the grouped dwelling development will present as low rise residential housing in keeping with the character of the existing streetscape.

Medium density development in the form and scale proposed in the development application is compatible with surrounding grouped dwelling development and will not create an unreasonable overlooking or overshadowing concern by virtue of its single storey nature. The proposed development will present to the street and adjoining properties in a manner consistent with surrounding development and will not have any material amenity impacts on surrounding development.

CONCLUSION:

In conclusion, the proposed residential proposal represents appropriate development for the 'Urban' zone under the MRS and represents orderly and proper planning of the locality, that will not adversely affect the amenity of the locality. The proposal satisfactorily meets the intent of the City of Bayswater Town Planning Scheme No. 24 and be consistent with the design principles of the R-Codes. Accordingly, it is recommended that the application is approved, subject to appropriate conditions.



Legend

- Local government area
- Cadastre
- W.A. Coastline
- Road Names

Notes:

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Map was produced using DoP's PlanViewWA.

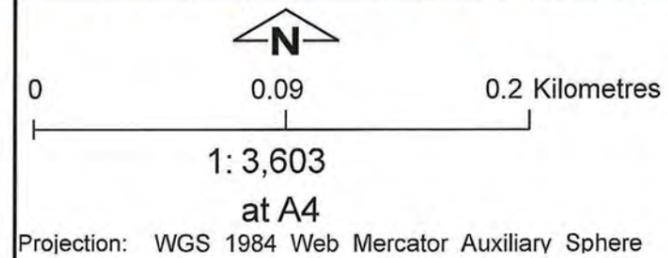
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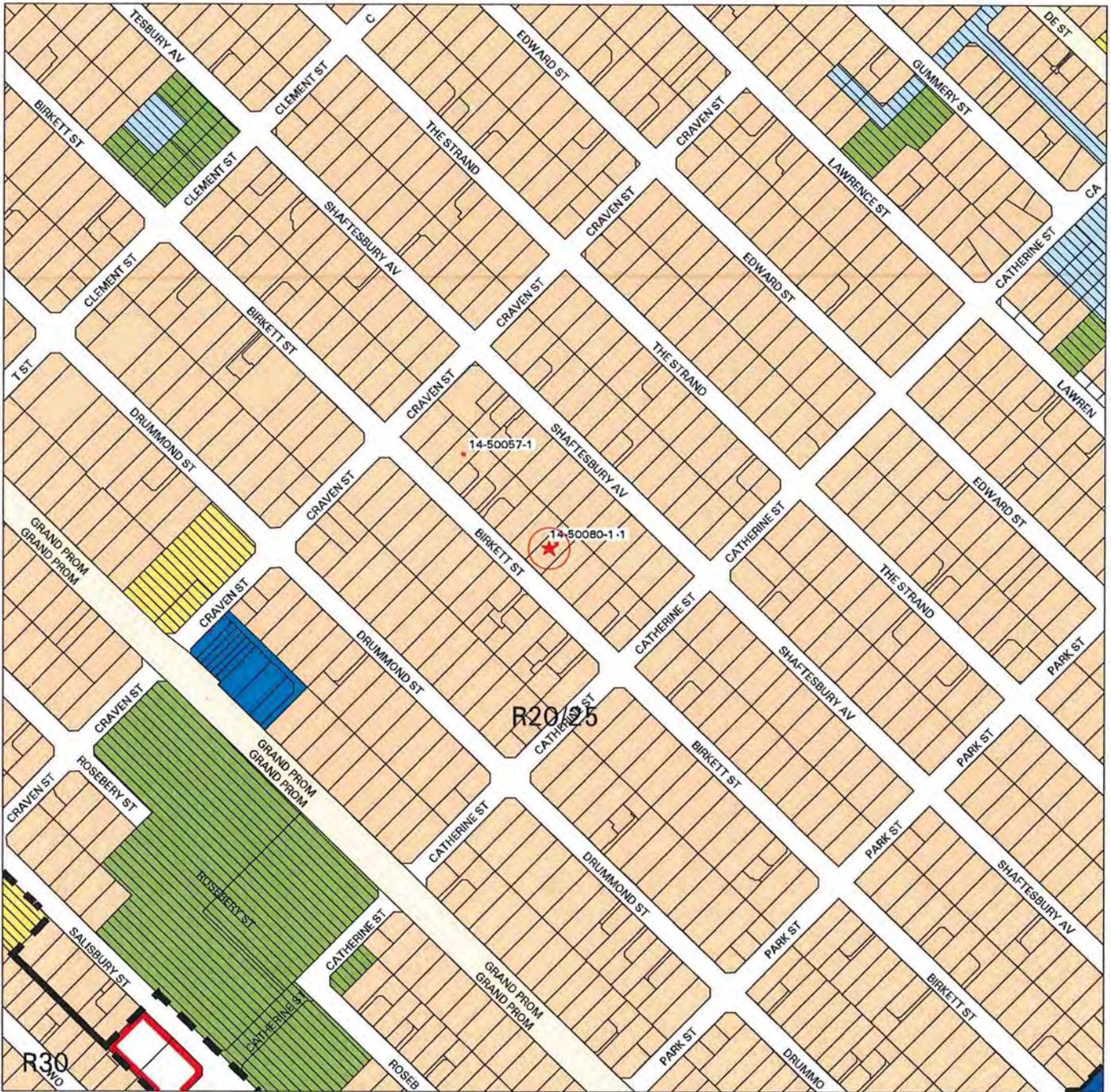
Date produced: **28-Aug-2013**

PlanViewWA Map

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[Link to viewer](#)





Development Application 14-50080-1 (MGA ref 395100mE 6469096mN Zone 50)

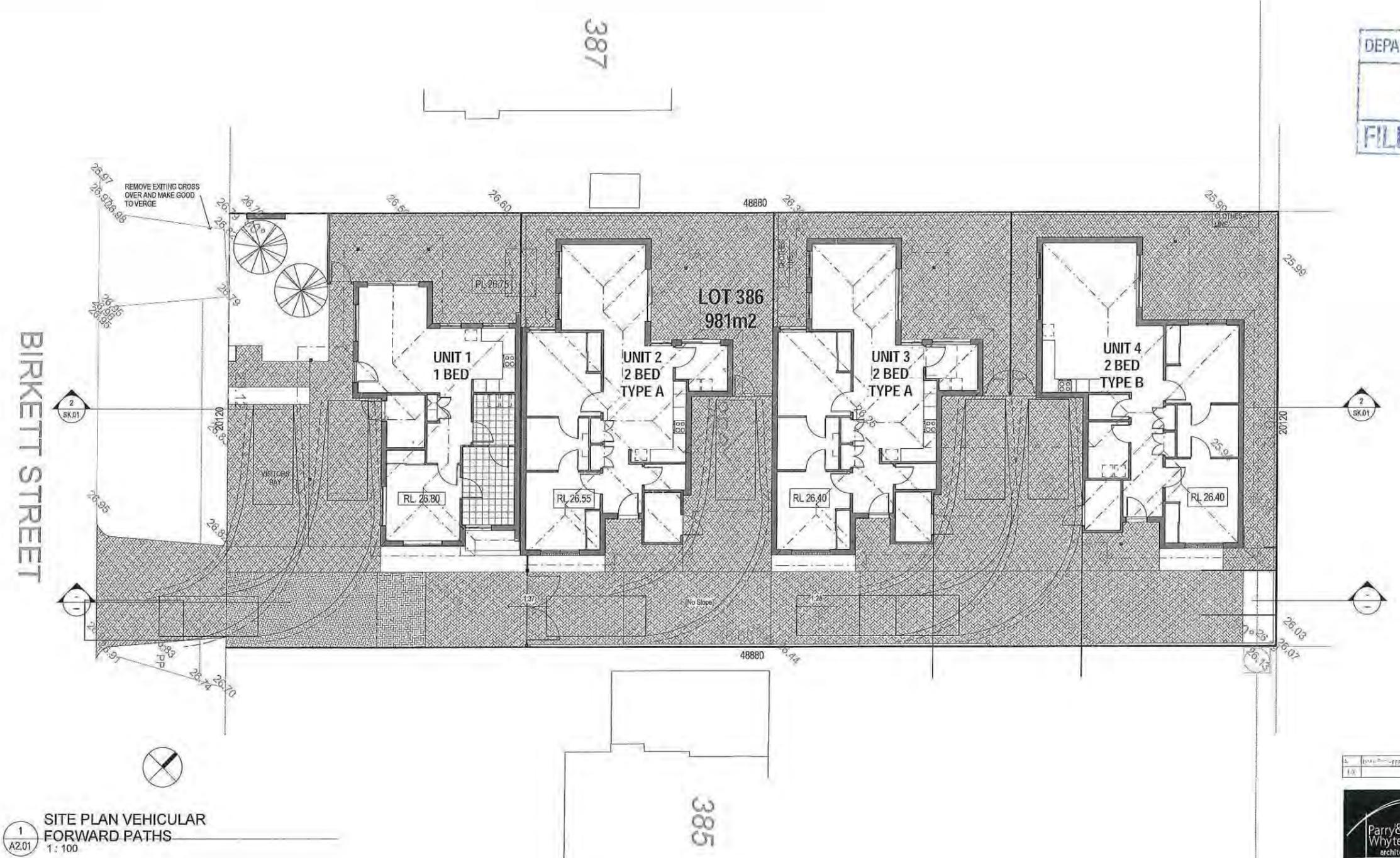
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| OTHER REGIONAL ROADS | LOCAL PUBLIC OPEN SPACE |
| CADASTRAL BOUNDARY | PUBLIC PURPOSES KINDERGARTEN |
| DEVELOPMENT APPLICATION | PUBLIC PURPOSES COMMUNITY FACILITIES |
| R CODE BOUNDARY | BUSINESS |
| RESIDENTIAL | PUBLIC PURPOSES PRIMARY SCHOOL |
| RESIDENTIAL | SPECIAL PURPOSE |
| PUBLIC PURPOSES STATE ENERGY COMMISSION | LOCAL DISTRIBUTOR ROADS |

140505d.eps

DEPARTMENT OF PLANNING
 23 OCT 2013
 FILE 14-50080-1

AMENDED PLAN
 supersedes plan
 date stamped
 11 FEB 2013



1 SITE PLAN VEHICULAR FORWARD PATHS
 A2.01 1:100

NO.	DESCRIPTION	DATE	BY
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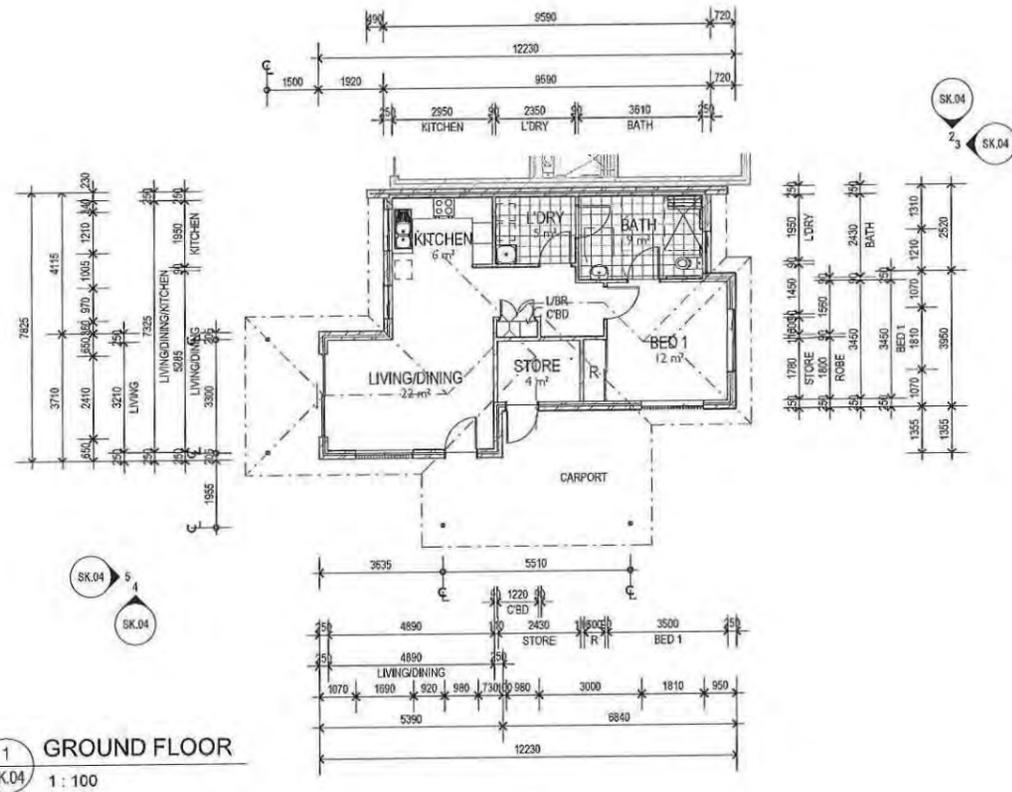
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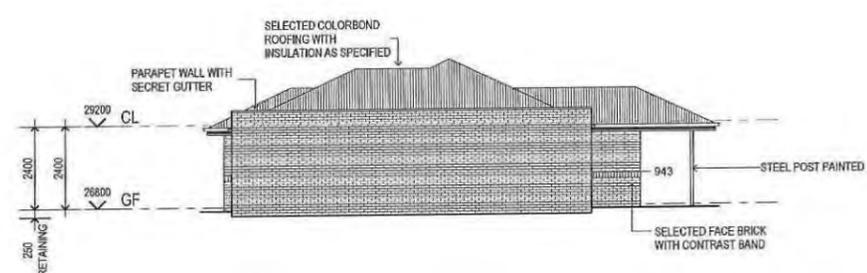
78 BIRKETT ST BEDFORD
 SITE PLAN - VEHICULAR PATHS FORWARD

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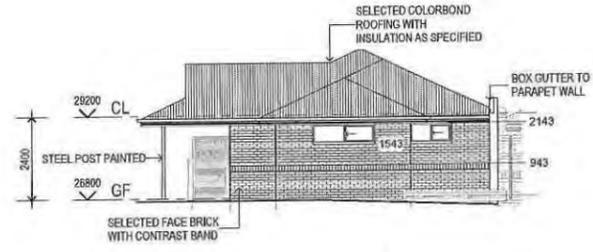
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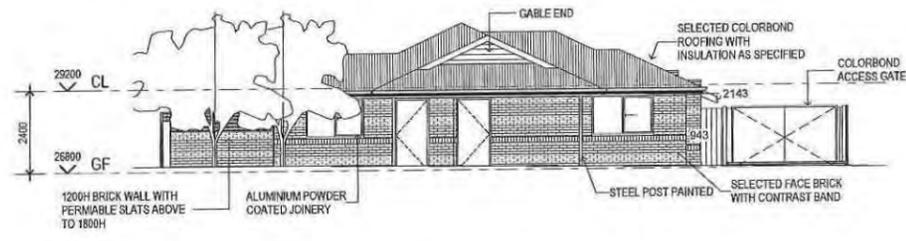
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SK.04 1:100



2 NORTH ELEVATION
SK.04 1:100



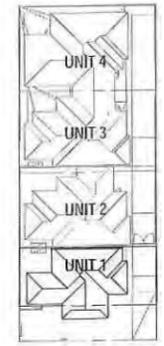
3 EAST ELEVATION
SK.04 1:100



4 SOUTH ELEVATION (STREET ELEVATION)
SK.04 1:100



5 WEST ELEVATION
SK.04 1:100



6 LOCATION PLAN
SK.04 1:500

DEPARTMENT OF PLANNING
23 OCT 2013
FILE 14-50080-1

AMENDED PLAN
supersedes plan
date stamped
11 FEB 2013

1	Issue For Approval	4	7/10/13
2	Issue For Approval	4	28/07/13
3	Issue For Approval	26	09/04/13
4	Final Issue Approval	16	22/07/12
5	Issue For Approval	13	05/04/12
6	Issue For Approval	08	20/11/11

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Government of Western Australia
Department of Housing

78 BIRKETT ST BEDFORD
1 BED UNIT

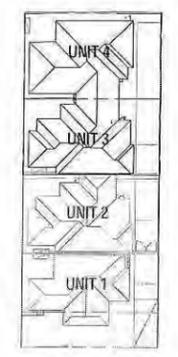
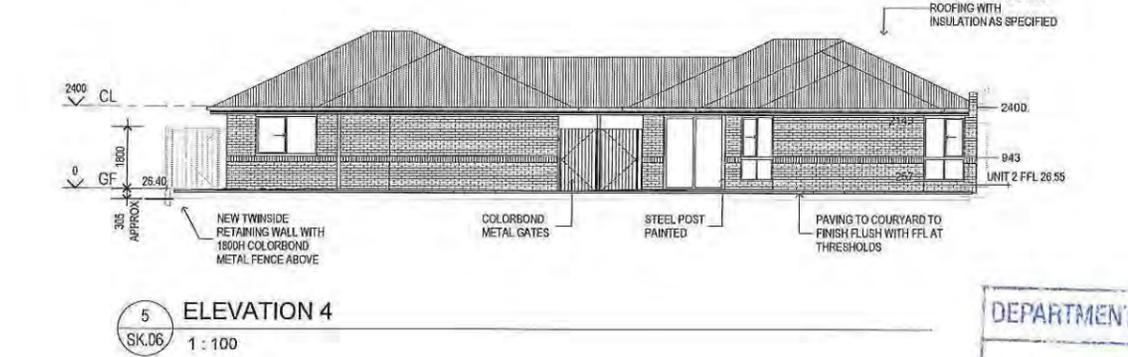
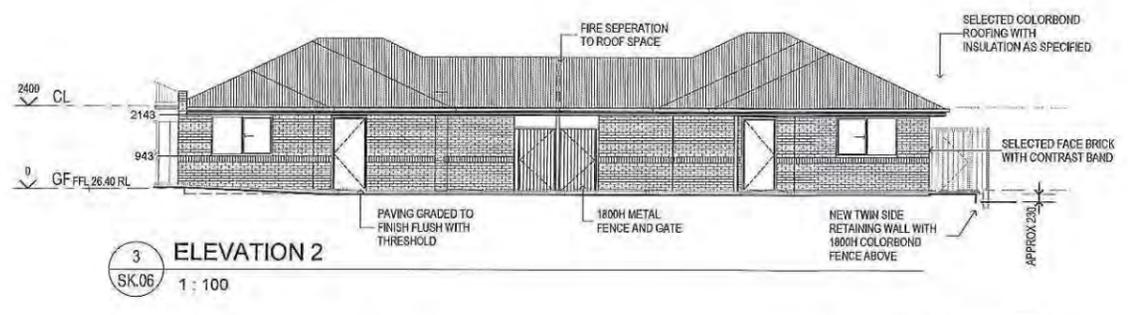
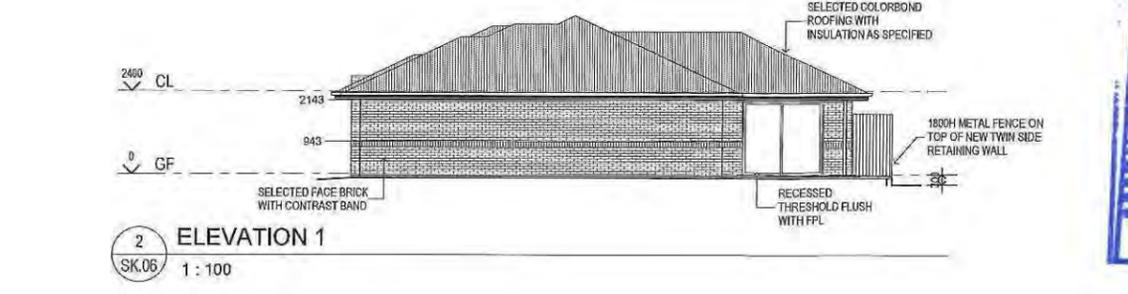
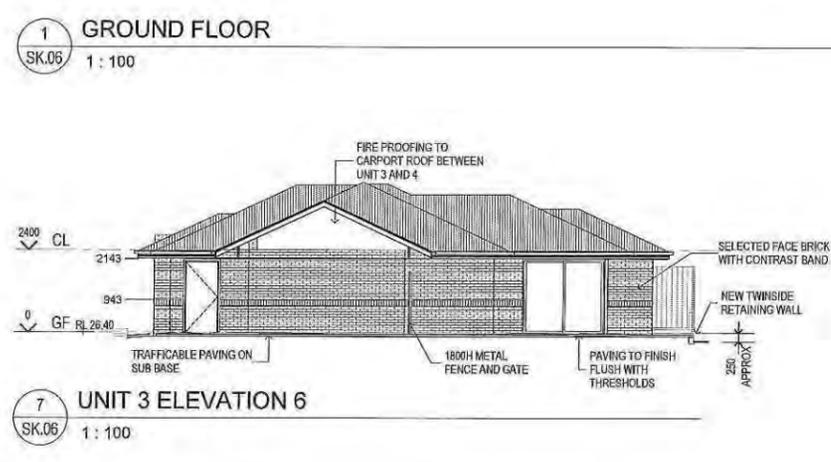
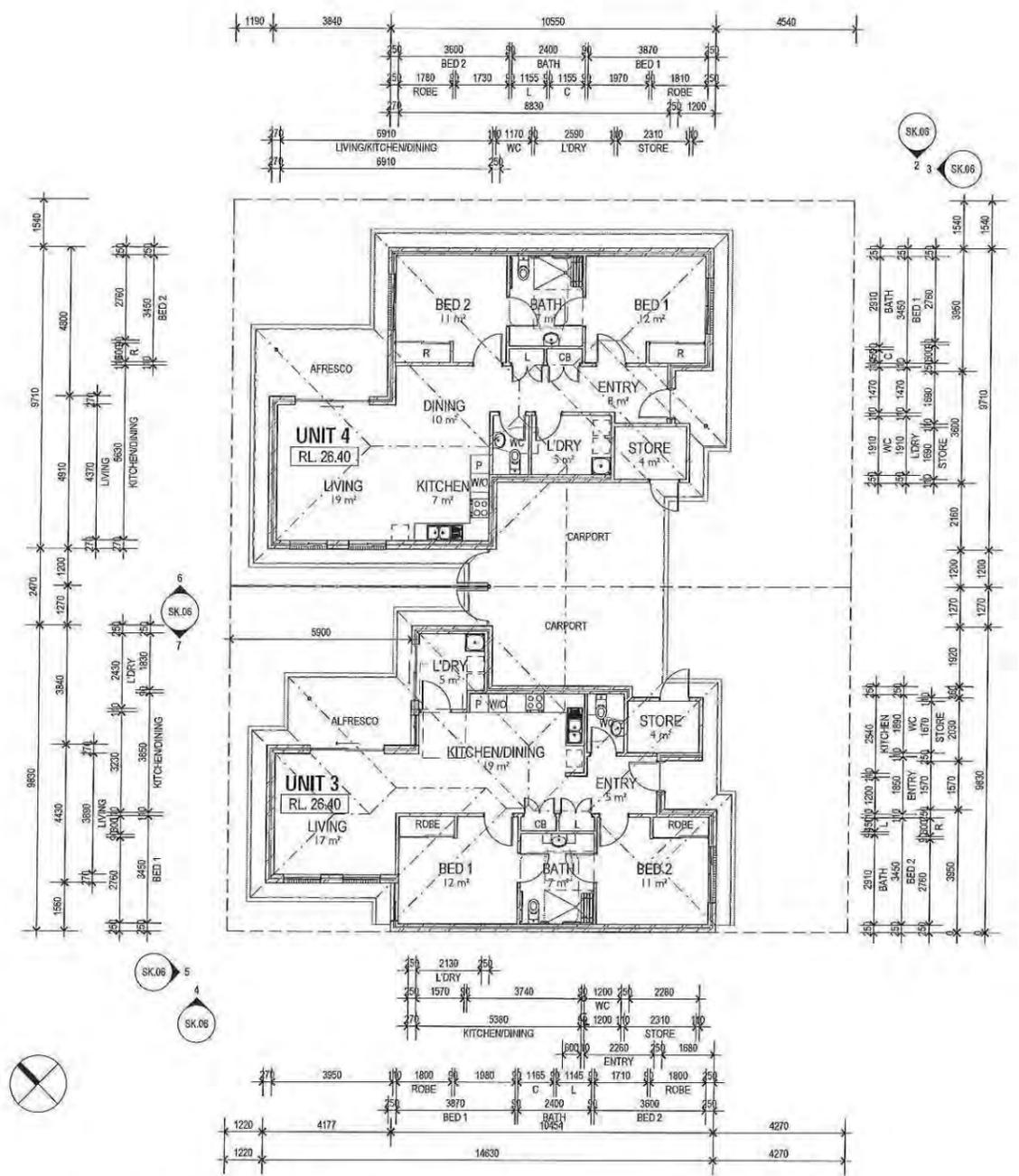
Plan and Elevations

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APPROVED	DATE	SIGNATURE		
DRP	14/10/13	DRP		
DATE	SCALE	PROJECT		
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SK.04^E

AMENDED PLAN
 submitted for plan
 date stamped
1 FEB 2013



DEPARTMENT OF PLANNING
 23 OCT 2013
 FILE 14-50080-1

1	Issue For Approval	4	1/1/11
2	Issue For Approval	4	18/01/11
3	Final Set For Approval	4	22/01/11
4	Returned - 2nd Review	2	5/01/11
5	Final Set For Approval	10	30/11

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Government of Western Australia
 Department of Housing

78 BIRKETT ST BEDFORD
 2 BED UNIT TYPE A & 2 BED UNIT TYPE B
 Plan and Elevations

DATE	BY	REVISION	PROJECT
1/1/11	AW	INITIAL	78 BIRKETT ST
18/01/11	AW	FINAL	78 BIRKETT ST
22/01/11	AW	FINAL	78 BIRKETT ST
5/01/11	AW	2ND REVIEW	78 BIRKETT ST
30/11/11	AW	FINAL	78 BIRKETT ST

Scale: 0 10 25
SK.06 D

ITEM NO: 9.4

REQUEST FOR RECONSIDERATION OF CONDITIONS- SUBDIVISION LOT 10 AND 11 WEERO ROAD SHIRE OF WYNDHAM EAST KIMBERLEY

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Manager Kimberley
AUTHORISING OFFICER: Executive Director, Regional Planning and Strategy
AGENDA PART: G
FILE NO: 147923
DATE: 23 October 2013
ATTACHMENT(S):
1. Plan of Subdivision and Original Report
2. Easement dissecting Lot 11

RECOMMENDATION:

That the Western Australian Planning Commission resolves to:

1. Retain Conditions 1, 2 and 3 on the following grounds:

- a. *Development Control Policy 1.1 - Subdivision of Rural Land requires all new lots to be provided with a standard of public utility services appropriate for its intended use.*
- b. *There is an existing electricity supply to Lots 10 and 11. Extension of this service to the newly created lot is not considered onerous.*

2. Retain Condition 12 and Advice Note 3 on the following grounds:

- a. *The proposed subdivision of this agricultural land into four Lots is inconsistent with provisions of State Planning Policy 2.5 (WAPC 2002), draft State Planning Policy 2.5 (WAPC 2012), Development Control Policy 3.4 and the Rural Planning Guidelines (WAPC 2012).*
- b. *The Shire of Wyndham East Kimberley is currently undertaking a review of the Local Planning Strategy and Local Planning Scheme and consideration of subdivision within the Ord River Irrigation Area is a key component of this review.*

SUMMARY:

Conditional approval was granted by the WAPC (under delegation) on 15 August 2013 for the subdivision of Lot 10 and 11 Weero Road, Kununurra (reference 147923). The proponent requests the WAPC reconsider the inclusion of Conditions 1, 2, 3, 4 and 12 shown in the list below (**Attachment 1** - Plan of Subdivision and Original Report).

1. *Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Horizon Power for the provision of an electricity supply service to the lot(s) shown on the approved plan of subdivision. (Horizon Power).*
2. *The transfer of land as a Crown reserve free of cost to Horizon Power for the provision of electricity supply infrastructure. (Horizon Power).*
3. *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).*
4. *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).*
12. *Proposed Lots 3 and 4 are excluded from this approval, as shown in red on the plan dated 8 May 2013 (attached). (Western Australian Planning Commission)*

Horizon Power supports the deletion of Conditions 1, 2, and 3, however this is inconsistent with State Policy. Although the deletion of Condition 12 would be consistent with the current Local Planning Strategy and Local Planning Scheme, this would be inconsistent with State Policy.

It is recommended that all Conditions be retained.

BACKGROUND

Conditional approval for Lot 10 (proposed Lots 3 and 4) and 11 (proposed Lots 1 and 2) Weero Road, Kununurra was granted on 8 May 2013. The application was for four lots, however Condition 12 required that "*proposed Lots 3 and 4 are excluded from this approval....*".

The subdivision of Lot 10 was not supported as the land is currently identified as prime agricultural land, and in accordance with the current Local Planning Strategy and current and draft Local Planning Schemes and State Planning Policy, should be retained for this purpose. Lot 11 however, is divided by a 10 metre wide reserve and in accordance with the current and draft WAPC Development Control Policy 3.4 - Subdivision of Rural Land, is supported.

The proponent has requested reconsideration of certain conditions of the approval.

Horizon Power (Kununurra) advised the proponent following the issue of the approval, that a power supply does not have to be provided to lots that are larger than 10 hectares. In response to this advice, the proponent requests that Conditions 1 to 4 be deleted.

The proponent requests that Condition 12 and Advice Note 3, be deleted. Condition 12 requires that proposed Lots 3 and 4 (Lot 10) are excluded from the approval. The proponent states that the reasons provided for the condition are an inconsistent application of policy, including the Shire's Local Planning Strategy, Local Planning Scheme and State Planning Policy 2.5.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Subdivision / Development Approval / Reconsiderations - Part 10 of the *Planning and Development Act 2005*

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.

CONSULTATION

The Department of Food and Agriculture (DAFWA) has been consulted but has not provided a response to the reconsideration request. DAFWA's previous advice dated 5 June 2013, stated that lots above 30ha are considered economically viable, however lifestyle developments should not be located adjacent to agriculture production areas without an adequate buffer, generally 500 metres.

The Shire of Wyndham East Kimberley (SWEK) advise that its previous response remains relevant, which supported DAFWA's advice, that lots above 30ha are economically viable. However SWEK remain concerned that the proposed subdivision may prejudice continued agricultural use of the land. SWEK note that the subject land potential has not yet been determined and that the current review of the Local Planning Strategy will identify areas of Priority Agricultural Land in which subdivision should not be supported. The Shire reiterates previous measures and mechanisms it considers would guarantee continued horticultural land use.

Horizon Power supports the deletion of Conditions 1, 2 and 3 (discussed below).

PLANNING ASSESSMENT

Conditions 1 - 4 Proponent Request and Horizon Power Response

Horizon Power supports the removal of Conditions 1, 2, and 3, which relate to the provision of an electricity supply service, the transfer of land as a Crown reserve for

the provision of electricity supply infrastructure and the provision of electricity supply easements.

Horizon Power does not support the removal of Condition 4 which requires the removal, relocation and/or replacement of electricity supply infrastructure.

Horizon Power requested an additional condition be imposed for Lots 1 and 4.

A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate of title of proposed Lot 1. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: "A network electricity supply is not available to the lot".

Officer Comments

Development Control Policy 1.1 - Subdivision of Rural Land requires all new lots to be provided with a standard of public utility services appropriate for its intended use, and that the level of such services will be determined in light of the intended use, and the size of the lot.

An electricity supply runs along Weero Road and currently Lots 10 and 11 are connected. The subdivision of Lot 11 would require the proponent to extend the supply from the Weero Road to proposed Lot 1. This is not considered onerous, and should be required. Horizon Power has held no discussions with DoP regarding an exemption (for the provision of electricity) to lots over 10 hectare, and this is currently not supported.

It is recommended that Conditions 1, 2, 3 and 4 be retained.

Condition 12 and Advice Note 3 Proponent request

The proponent requests the deletion of Condition 12 and the associated Advice Note 3

The proponent argues:

1. The subject land is identified as 'Rural Agricultural 1' in the Shire of Wyndham East Kimberley Local Planning Strategy in which the objective is "to identify and protect land that is suitable for agriculture (including horticulture and pastoral development) to facilitate the development of land for that use". In addition, that "agriculture use may range from large lots used predominantly for pastoral and grazing; smaller but viable farm-sized lots...and intensive agricultural development on prime soils." The proponent argues that the proposed subdivision is consistent with these objectives, proposing viable farm-sized lots.
2. The subject lot is zoned 'Rural Agriculture 1' under the Shire's current Town Planning Scheme in which the objective is "that the land be retained for extensive agriculture and/or horticulture. The land shall be retained in viable farm sized lots to prevent subdivision and subsequent loss of this limited resource". The proponent argues that the proposed subdivision is consistent with this objective, proposing viable farm-sized lots.

-
3. State Planning Policy 2.5 states that agricultural land resources should be protected where possible by (*inter alia*) 'minimising the ad hoc fragmentation of rural land'.
 4. Development Control Policy 3.4 states that 'the existing physical division of a lot by a significant natural or constructed feature may be formalised through subdivision.....". The proponent states that the easement in question does not provide any physical separation and on the ground is undetectable. The proponent considers that the WAPC approval of Lot 11 into two lots on the basis of this easement is an inconsistent application of policy and lacking in logic.

Officer Comment

The current Local Planning Strategy and Local Planning Scheme zone the land 'Rural Agriculture 1' where the objective is to prevent subdivision and the subsequent loss of a limited agricultural land resource and where enterprise viability of farm lots is a determining factor.

However, the Strategy and Scheme are out-dated and not consistent with current State Policy. Enterprise viability as a justification for the subdivision of agricultural land is inconsistent with provisions of SPP 2.5 (WAPC 2002), WAPC endorsed revised SPP 2.5 (WAPC 2012), DC 3.4 and the Rural Planning Guidelines (WAPC 2012). The overarching intention of these State Planning Policies is to ensure agricultural land of State significance is retained for agricultural purposes and not subject to *ad hoc* unplanned subdivision.

The Shire of Wyndham East Kimberley is current reviewing both the Local Planning Strategy and Local Planning Scheme. The issue of subdivision within the Ord River Irrigation Area is a key consideration. As planning for Priority Agricultural Land has not been previously undertaken in the Ord River Irrigation Area, this process has been identified as a high priority task that will be completed as part of the review. The Shire, DAFWA and the Department of Planning have all agreed it is prudent to limit further subdivision of rural land until Priority Agricultural Land has been identified and the necessary consultation undertaken in accordance with SPP 2.5 (WAPC 2002 and WAPC 2012).

The request to delete Condition 12 and the associated Advice Note 3 is not supported.

Response to 4 (above) - The subdivision of Lot 11 was supported due to the on-ground physical barrier that creates a logical division between the proposed lots. The application of Development Control Policy 3.4 'physical barrier provision' to allow the subdivision of Lot 11 is consistent with the conditionally upheld Ministerial appeal of 19th December 2001 that created the then Lot 10 (50.89ha) and Lot 11 (77.27ha), which recognised Reserve 46431 (Power and Water) as a physical on-ground barrier that created a logical division between Lot 10 and Lot 11.

Lot 11 is dissected by Crown Reserve 46432 that was created for the purpose of "Water". Once the Crown builds infrastructure on Reserve 46432, owners of Lot 11 will need a boundary fence on either side of the reserve, remove crop plantings and

remove farm infrastructure currently crossing that land. Attachment 2 shows that Reserve 46432 is being used as a transport corridor, contains irrigation infrastructure and a citrus crop without approval from the State.

The support of the subdivision of Lot 11 into two lots on either side of Crown Reserve 46432, is consistent with Development Control Policy 3.4.



Your Ref :
 Enquiries : John Collins (Ph 65519382)

Mike Allen Planning
 17 Rae Place
 HILLARYS WA 6025

Approval Subject To Condition(s) Freehold (Green Title) Subdivision

Application No : 147923

Planning and Development Act 2005

Applicant	: Mike Allen Planning 17 Rae Place HILLARYS WA 6025
Owner	: Lancino Candace Nominees Pty Ltd Weero Road KUNUNURRA WA 6743
Application Receipt	: 8 May 2013

Lot Number	: 10 & 11
Diagram / Plan	: Deposited Plan 40710
Location	: -
C/T Volume/Folio	: 2549/699, 2549/700
Street Address	: Weero Road, Kununurra
Local Government	: Shire of Wyndham-East Kimberley

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a deposited plan in accordance with the plan date-stamped 08 May 2013 once the condition(s) set out have been fulfilled.

This decision is valid for three years from the date of this advice, which includes the lodgement of the deposited plan within this period.

The deposited plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by 15 August 2016 or this approval no longer will remain valid.

Reconsideration - 28 days

Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision. One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

Right to apply for a review - 28 days

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, 12 St Georges Terrace, Perth, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

Deposited plan

The deposited plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the deposited plan. A copy of the deposited plan with confirmation of submission to Landgate is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

Condition(s)

The WAPC is prepared to endorse a deposited plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the deposited plan for endorsement.

The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the deposited plan.

If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the deposited plan for endorsement.

Prior to the commencement of any subdivision works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

The condition(s) of this approval, with accompanying advice, are:

CONDITIONS:

1. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Horizon Power for the provision of an electricity supply service to the lot(s) shown on the approved plan of subdivision. (Horizon Power)
2. The transfer of land as a Crown reserve free of cost to Horizon Power for the provision of electricity supply infrastructure. (Horizon Power)
3. 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)
4. 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)
5. All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia. (Local Government)

6. The land being filled, stabilised, drained and/or graded as required to ensure that
- lots can accommodate their intended development; and
 - 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
 - stormwater is contained on-site, or appropriately treated and connected to the local drainage system.

(Local Government)

7. 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:
- lots can accommodate their intended use; and
 - 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)

8. Satisfactory arrangements being made with the local government for the partial cost of upgrading Weero Road, where the road abuts the newly created lots. (Local Government)
9. 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 included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

'A reticulated sewerage service is not available to the lot/s.'

(Local Government)

10. 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 included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

'A mains potable water supply is not available to the lot/s.'

(Local Government)

11. A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificates of title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

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

(Western Australian Planning Commission)

12. Proposed Lots 3 and 4 are excluded from this approval, as shown in red on the plan dated 8 May 2013 (attached). (Western Australian Planning Commission)

ADVICE:

1. In regard to 1, Horizon Power provides only one underground point of electricity supply per freehold lot.
2. In regard to Condition 5, the Western Australian Planning Commission will accept building clearance requirements as specified in the relevant local planning scheme operative at the time the subdivision approval was granted by the Western Australian Planning Commission.
3. With regards to Condition 12, the applicant is advised that subdivision of Lot 10 is inconsistent with the intent of the Shire of Wyndham East Kimberley Local Planning Strategy, both the current and the draft Shire of Wyndham East Kimberley Local Planning Scheme, and both the current and the draft State Planning Policy 2.5. Subdivision of Lot 11 has been permitted due to the 'reserve' (water) dissecting the lot. This is in accordance with Development Control Policy 3.4.



Neil Thomson
Secretary
Western Australian Planning Commission
15 August 2013



Advice to Local Government and the Department of Food and Agriculture WA

State Planning Policy 2.5 – Land Use Planning in Rural Areas (WAPC 2012) reinforces the importance of protecting significant agricultural land from fragmentation (subdivision), unless identified as suitable for more intensive agriculture, through a local planning strategy or scheme. The Shire of Wyndham East Kimberley Local Planning Strategy and both the current and proposed Local Planning Scheme identify the land as important agricultural land.

Specifically, the Strategy identifies the subject land as 'prime' agricultural land, which should not be developed for anything that will prejudice its continued use for this purpose.

Town Planning Scheme No. 7 identifies the land as Rural Agriculture 1 Zone with the objective *"that the land be retained for extensive agriculture and/or horticulture. The land shall be retained in viable farm sized lots to prevent subdivision and subsequent loss of this limited resource"*.

Both the Department of Agriculture and Food Western Australia and the Shire of Wyndham East Kimberley have supported the proposed subdivision based on the 'viability' of the proposed lots for agriculture.

Further work needs to be undertaken in the ORIA to ensure priority agricultural lands are identified and protected from fragmentation through clear provisions within the draft Scheme and future revised Strategy. These further studies may also identify rural land in the ORIA that could support more intensive agricultural pursuits and subdivision could be supported in a strategic and controlled manner. Issues of land use conflict between residential dwellings and agricultural operations would also need to be addressed. Subdivision in the ORIA should not be supported until this work is undertaken and there is an agreed position between relevant agencies.

On this basis the subdivision of Lot 10 is not supported.

Lot 11 however, is divided by a 10 metre wide water reserve and in accordance with Development Control Policy 3.4 – Development of Rural Lands, subdivision can be supported where there is a significant division of a lot that impacts operation and management.





DEPARTMENT OF PLANNING
 FILE
 DATE
 10 MAY 2013
 147923

Subdivision NOT Supported

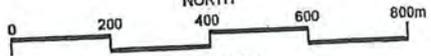
SOURCE: CADASTRE & CONTOURS BY LANDGATE
 NOTE: AREAS AND DIMENSIONS SUBJECT TO SURVEY.

PREPARED BY
MIKE ALLEN PLANNING

17 Rae Place
 Hilliarys WA 6025
 Mobile: 0447 447 522



NORTH



SCALE 1:10 000
 DATE: 01.05.2013
 ORIGINAL PLAN SIZE: A3

**PROPOSED
 SUBDIVISION**

LOTS 10 & 11 WEERO ROAD
 KUNUNURRA



SUBDIVISION TO CREATE 4 LOTS FOR RURAL-HORTICULTURE PURPOSE

Delegated Authority

REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	John Collins
REPORTING OFFICER TITLE:	Planning Officer, Northern Regions, Regional Planning And Strategy
AUTHORISING OFFICER:	Delegated Officer, Northern Regions, Regional Planning And Strategy
AGENDA PART:	P
FILE NO:	147923
DATE:	15 August 2013
ATTACHMENT(S):	1 - Proposed Subdivision 2 - Location-Zoning Plan, 3 - East Kimberley Regional Airport Australian Noise Exposure Forecast
REGION SCHEME ZONING:	
LOCAL GOVERNMENT:	Shire of Wyndham-East Kimberley
LOCAL SCHEME ZONING:	Rural Agriculture 1
LGA RECOMMENDATION:	Conditional Approval
REGION DESCRIPTOR:	Regional Northern (Perth Based)
RECEIPT DATE:	9 May 2013
PROCESS DAYS:	92
APPLICATION TYPE:	Subdivision
DESCRIPTION OF PROPOSAL:	Subdivision To Create 4 Lots For Rural-Horticulture Purpose.
CADASTRAL REFERENCE:	Lots 10 and 11 Weero Road, Kununurra

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the application for subdivision of Lot 10 and 11 Weero Road, Kununurra as shown on the plan date-stamped **09 May 2013**. This decision is valid for **three years** subject to the following condition(s) and advice:

CONDITIONS:

1. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Horizon Power for the provision of an electricity supply service to the lot(s) shown on the approved plan of subdivision. (Horizon Power)

10. 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 included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

'A mains potable water supply is not available to the lot/s.' (Local Government)

11. A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificates of title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

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

13. Proposed Lots 3 and 4 are excluded from this approval, as shown in red on the plan dated 1 May 2013 (attached). (Western Australian Planning Commission)

ADVICE:

1. In regard to 1, Horizon Power provides only one underground point of electricity supply per freehold lot.
2. In regard to Condition 5, the Western Australian Planning Commission will accept building clearance requirements as specified in the relevant local planning scheme operative at the time the subdivision approval was granted by the Western Australian Planning Commission.
3. With regards to Condition 13 the applicant is advised that subdivision of Lot 10 is inconsistent with the intent of the Shire of Wyndham East Kimberley Local Planning Strategy, both the current and the draft Shire of Wyndham East Kimberley Local Planning Scheme, and both the current and the draft State Planning Policy 2.5. Subdivision of Lot 11 has been permitted due to the 'reserve' (water) dissecting the lot. This is in accordance with Development Control Policy 3.4.

Advice to Local Government and the Department of Food and Agriculture WA

State Planning Policy 2.5 – Land Use Planning in Rural Areas (WAPC 2012) reinforces the importance protecting important agricultural land from fragmentation (subdivision), unless identified as suitable for more intensive agriculture, through a local planning strategy or scheme. The Shire of Wyndham East Kimberley Local Planning Strategy and both the current and proposed Local Planning Scheme identify the land as important agricultural land.

SUMMARY

The application proposes to subdivide Lots 10 and 11 Weero Road, Kununurra that jointly consist of 160 ha, on the western bank of the Ord River, into four lots ranging from 31.62ha to 49.52ha. The purpose of the proposal is to subdivide this land into four lots to realise the land asset to facilitate the proponents planned investment into a produce packing shed.

INTRODUCTION

Lots 10 (50.89ha) and 11 (77.27ha) were created after a Ministerial appeal (19 December 2001) was conditionally upheld. The then Minister was unable to support the creation of the proposed three lot subdivision requested due to concerns about the viability of lot sizes of approximately 30ha. The Minister noted that should circumstances change regarding the viability of the lots, an additional subdivision could be considered at that time.

Since 2001, Lots 10 and 11 have been increased in area by amalgamation of Crown Land to 81.768ha and 81.1498ha respectively (Attachment 1).

The subdivision of Lot 10 is not supported as the land is currently identified as prime agricultural land, and in accordance with the current Local Planning Strategy and current and draft Local Planning Schemes and State Planning Policy, should be retained for this purpose. Lot 11 however, is divided by a 10 metre wide reserve and in accordance with the current and draft WAPC Development Control Policy 3.4 – Subdivision of Rural Land, is supported.

CONSULTATION

The DAFWA advise that the proposed lot sizes are viable farm sizes and would be suitable for agricultural production.

The DAFWA have also advised that Lot 10 and 11 contain levee soil types, that along with irrigation potential, is in short supply. The DAFWA advise that these levee soils are in short supply in the ORIA as they only occur along the Ord River, and are an important resource for food production.

The Shire of Wyndham East Kimberley (SWEK) raise concern that the newly created lots may become rural living (hobby farms) and taken out of valuable agricultural production. However on the advice of DAFWA, support the subdivision. To ensure owners and/or occupiers continue to farm the land, the Shire suggests the following measures:

- a) Specifying a minimum lot size where a dwelling can be permitted;
- b) Sharing of access and servicing corridors where lots are not currently supplied individually;
- c) A covenant be placed on title restricting the permitted land use to intensive agriculture;
- d) Specify building envelopes to minimise the impact of development on the agricultural activity;
- e) A caveat be place on the lot titles to facilitate the buy-back of lots at a reduced price should the land be used for other purposes other than agriculture.

The proposed subdivision of Lot 10 and 11 is not consistent with the objectives and policy measures applicable to the protection of rural land identified in the current and the draft policy. In particular, the Policy aims to protect existing and future primary production and land with suitable soils, climate and water (rain or irrigation), which is the most productive and flexible for the production of fruit and vegetable crops that can't be produced in other parts of Western Australia.

Draft Rural Planning Guidelines (WAPC 2012)

These draft planning guidelines provide support to SPP 2.5 and DC 3.4 that together govern planning decision-making for rural land in Western Australia. The guidelines provide advice that will SWEK in the assessment of planning for priority agricultural land. This planning will clarify the land areas that are "prime" for agricultural purposes and assist them to classify "priority" agricultural land areas.

Protection of Priority Agricultural Land (PAL)

DAFWA have advised that although there are many soil types in the ORIA that are "prime" for agricultural purposes, they are not classified as "priority" agricultural land, as many of these "prime" soil types are readily available for development elsewhere in the ORIA.

Although the SWEK draft Local Planning Scheme identifies the lots as rural land of 'state or regional significance', it is recognised that further work needs to be undertaken in the ORIA to ensure priority lands are clearly identified and protected from fragmentation. These further studies may also identify rural land in the ORIA that could support more intensive agricultural pursuits and subdivision could be supported in a strategic and controlled manner. Issues of land use conflict between residential dwellings and agricultural operations would also need to be addressed. In accordance with WAPC policy, subdivision of rural land needs to be identified in a local planning strategy.

The Shire has now secured funding through the Northern Planning Program to undertake a full review of the Local Planning Strategy, which will provide guidance on potential rural land subdivision and land zoning. Until this work is complete subdivision of rural land should be strictly in accordance with WAPC policy.

East Kimberley Regional Airport, Kununurra

The East Kimberley Regional Airport, located on Victoria Highway, Kununurra, is a certified Aerodrome and a security control Airport. This airport services regular passenger air services as well as charter and private flight operations.

Western Australia land use planning guidance in the vicinity of airports is provided by SPP 5.1 and SPP 5.3, which together describe the system of aircraft noise measurement used in Australia for the purposes of evaluating land use compatibility. This system is known as the Australian Noise Exposure Forecast (ANEF) system, which is employed to produce noise measures that are usually illustrated in the form of noise exposure contours.

planning strategy or scheme. Both current and proposed Shire Strategy and Scheme identify the land as important agricultural land.

It is recognised that further work needs to be undertaken in the ORIA to ensure priority lands are clearly identified and protected from fragmentation. These further studies may also identify rural land in the ORIA that could support more intensive agricultural pursuits and subdivision could be supported in a strategic and controlled manner. Issues of land use conflict between residential dwellings and agricultural operations would also need to be addressed. In accordance with WAPC policy, subdivision of rural land needs to be identified in a local planning strategy.

On this basis the subdivision of Lot 10 is not supported.

Lot 11 however is divided by a 10 metre wide reserve and in accordance with DC 3.4 – Development of Rural Lands, subdivision can be supported.

Author Signature:

John Collins

Planning Officer,

Northern Regions, Regional Planning And Strategy

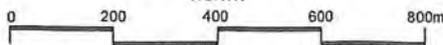


**PREPARED BY
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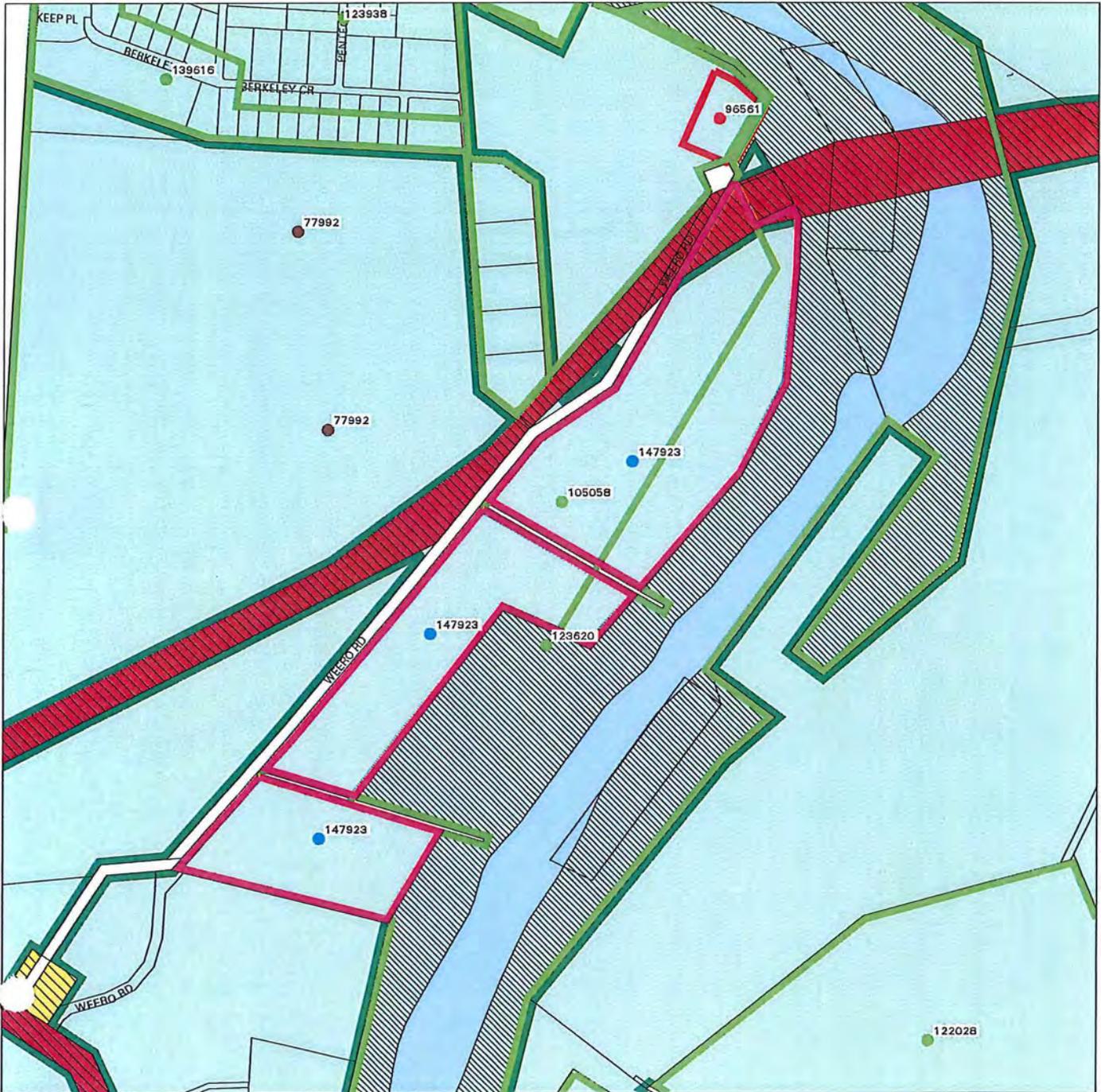
NORTH



SCALE 1:10 000
DATE: 01.05.2013
ORIGINAL PLAN SIZE: A3

**PROPOSED
SUBDIVISION**

**LOTS 10 & 11 WEERO ROAD
KUNUNURRA**

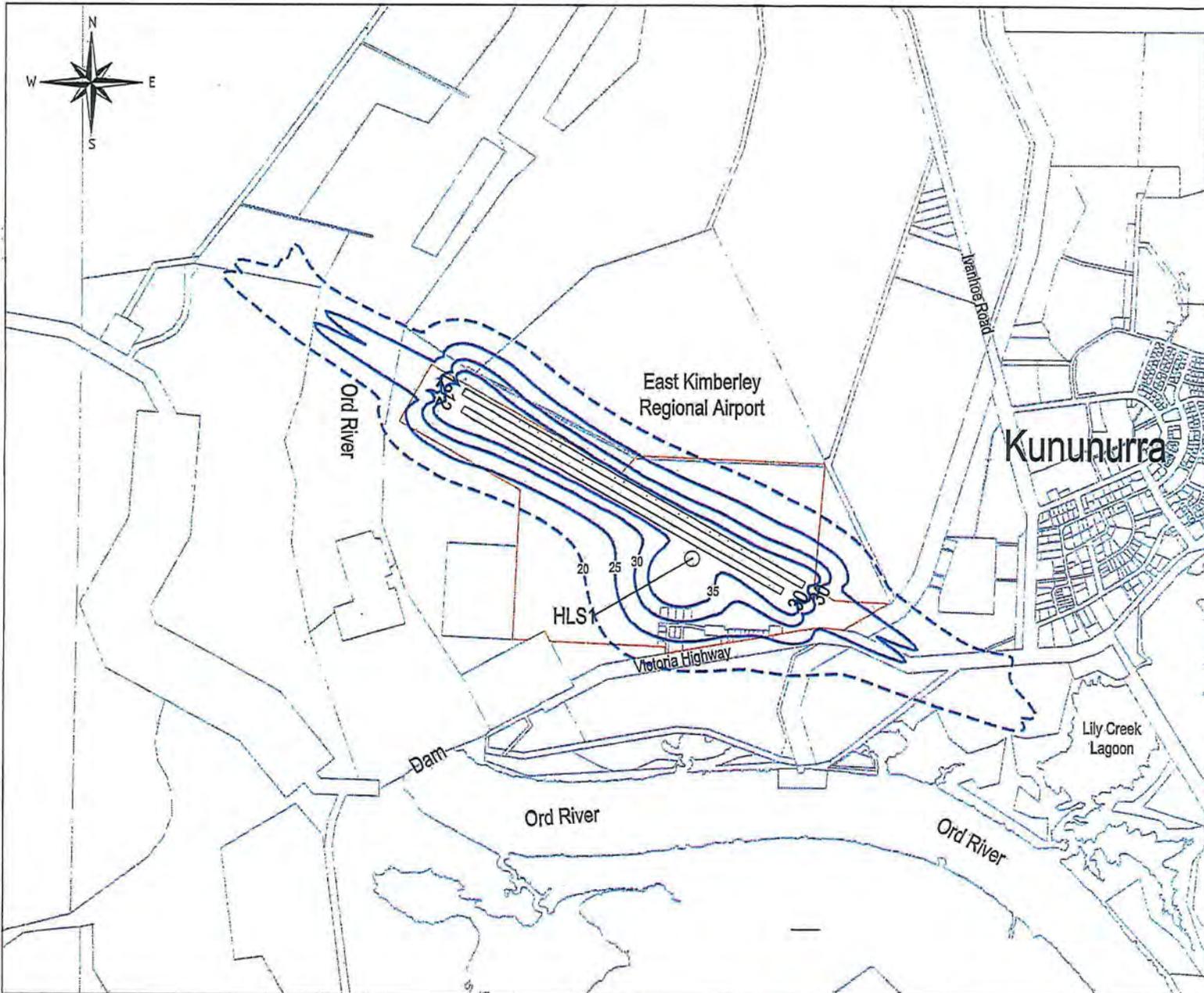


Subdivision Application 147923 (MGA ref 1760878mE 62224682mN Zone 50)

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

- | | | | |
|--|--------------------------------|--|------------------------|
| | APPROX LOCATION OF APPLICATION | | REFUSED |
| | CADASTRAL BOUNDARY | | RURAL AGRICULTURE 1 |
| | OUTSTANDING | | SPECIAL FORESHORE |
| | APPROVED | | WATERWAY |
| | REFUSED | | RURAL LIVING |
| | OUTSTANDING | | MAJOR ROAD |
| | APPROVED | | PUBLIC PURPOSES GRAVEL |
| | CANCELLED | | |

141636s.eps



LAND USE COMPATIBILITY ADVICE FOR AREAS IN THE VICINITY OF AUSTRALIAN AIRPORTS
 Shall be read in conjunction with AS 2061 - 2005
 Acoustics - Aircraft noise intrusions - Building siting and construction

Building Type	ANEF zone of site		
	Acoustically sensitive	Classifiably sensitive	Disruptive
Home, home unit, flat, apartment block	Less than 20 ANEF (note 1)	20 to 25 ANEF	Greater than 25 ANEF
Hotel, motel, tourist	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
School, university	Less than 20 ANEF (note 1)	20 to 25 ANEF (note 2)	Greater than 25 ANEF
Hospital, nursing home	Less than 20 ANEF (note 1)	20 to 25 ANEF	Greater than 25 ANEF
Public building	Less than 20 ANEF (note 1)	20 to 25 ANEF	Greater than 25 ANEF
Commercial building	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
Light industrial	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
Construction	As determined by ANEF Curves		

NOTES:

- The actual number of the 20 ANEF contour is likely to differ according to the distance to the airport. Because of this, the presence of Class 2.2 of the Standard may be allowed for building site siting relative to the 20 ANEF contour.
- While 20 ANEF to 25 ANEF, some people may find that noise is not acceptable, or is not as comfortable as indicated. Low cost measures may consider the incorporation of sound barriers to the construction of buildings to make it acceptable. (See Clause - Features page later)
- There will be cases where a building of a particular type will not be acceptable for siting in a certain zone of a building (e.g. an office or industrial building) in those cases Table 2.1 of the Standard should be used to determine the acceptability for siting. Detailed advice should be sought for the specific cases as detailed by Table 2.1 of the Standard.
- The Standard does not recommend development in acoustically sensitive areas, however, where the relevant planning authority determines that any development may be necessary within existing building areas designated as acoustically sensitive, the recommended building development should be subject to the requirements of Clause 2.2 of the Standard. For residential, schools, etc., the effect of aircraft noise on other uses associated with the building should be considered.
- In no case should any development site plan be provided that shows unacceptable because such development may impact airport operations.

PERCENTAGE OF PEOPLE SERIOUSLY & MODERATELY AFFECTED BY AIRCRAFT NOISE
 The graph shows that the percentage of the community affected by noise is generally well below the 10% level recommended by the Standard.
 Note: 10% of the community affected by noise is the 20 ANEF contour.

Source: Australian Standard AS 2061-2005

Year	ANEF	Area (ha)	Area (km²)	Area (mi²)	Area (ac)	Area (sq ft)	Area (sq mi)	Area (sq yd)	Area (sq in)
2008	20	100	0.01	0.004	0.001	0.0001	0.000004	0.000001	0.00000004
2008	25	200	0.02	0.008	0.002	0.0004	0.000016	0.000004	0.00000016
2008	30	400	0.04	0.016	0.004	0.0016	0.000064	0.000016	0.00000064
2008	35	700	0.07	0.028	0.007	0.0028	0.000112	0.000028	0.00000112
2008	40	1000	0.10	0.040	0.010	0.0040	0.000160	0.000040	0.00000160
2008	45	1500	0.15	0.060	0.015	0.0060	0.000240	0.000060	0.00000240
2008	50	2000	0.20	0.080	0.020	0.0080	0.000320	0.000080	0.00000320
2008	55	2500	0.25	0.100	0.025	0.0100	0.000400	0.000100	0.00000400
2008	60	3000	0.30	0.120	0.030	0.0120	0.000480	0.000120	0.00000480
2008	65	3500	0.35	0.140	0.035	0.0140	0.000560	0.000140	0.00000560
2008	70	4000	0.40	0.160	0.040	0.0160	0.000640	0.000160	0.00000640
2008	75	4500	0.45	0.180	0.045	0.0180	0.000720	0.000180	0.00000720
2008	80	5000	0.50	0.200	0.050	0.0200	0.000800	0.000200	0.00000800
2008	85	5500	0.55	0.220	0.055	0.0220	0.000880	0.000220	0.00000880
2008	90	6000	0.60	0.240	0.060	0.0240	0.000960	0.000240	0.00000960
2008	95	6500	0.65	0.260	0.065	0.0260	0.001040	0.000260	0.00001040
2008	100	7000	0.70	0.280	0.070	0.0280	0.001120	0.000280	0.00001120
2008	105	7500	0.75	0.300	0.075	0.0300	0.001200	0.000300	0.00001200
2008	110	8000	0.80	0.320	0.080	0.0320	0.001280	0.000320	0.00001280
2008	115	8500	0.85	0.340	0.085	0.0340	0.001360	0.000340	0.00001360
2008	120	9000	0.90	0.360	0.090	0.0360	0.001440	0.000360	0.00001440
2008	125	9500	0.95	0.380	0.095	0.0380	0.001520	0.000380	0.00001520
2008	130	10000	1.00	0.400	0.100	0.0400	0.001600	0.000400	0.00001600
2008	135	10500	1.05	0.420	0.105	0.0420	0.001680	0.000420	0.00001680
2008	140	11000	1.10	0.440	0.110	0.0440	0.001760	0.000440	0.00001760
2008	145	11500	1.15	0.460	0.115	0.0460	0.001840	0.000460	0.00001840
2008	150	12000	1.20	0.480	0.120	0.0480	0.001920	0.000480	0.00001920
2008	155	12500	1.25	0.500	0.125	0.0500	0.002000	0.000500	0.00002000
2008	160	13000	1.30	0.520	0.130	0.0520	0.002080	0.000520	0.00002080
2008	165	13500	1.35	0.540	0.135	0.0540	0.002160	0.000540	0.00002160
2008	170	14000	1.40	0.560	0.140	0.0560	0.002240	0.000560	0.00002240
2008	175	14500	1.45	0.580	0.145	0.0580	0.002320	0.000580	0.00002320
2008	180	15000	1.50	0.600	0.150	0.0600	0.002400	0.000600	0.00002400
2008	185	15500	1.55	0.620	0.155	0.0620	0.002480	0.000620	0.00002480
2008	190	16000	1.60	0.640	0.160	0.0640	0.002560	0.000640	0.00002560
2008	195	16500	1.65	0.660	0.165	0.0660	0.002640	0.000660	0.00002640
2008	200	17000	1.70	0.680	0.170	0.0680	0.002720	0.000680	0.00002720
2008	205	17500	1.75	0.700	0.175	0.0700	0.002800	0.000700	0.00002800
2008	210	18000	1.80	0.720	0.180	0.0720	0.002880	0.000720	0.00002880
2008	215	18500	1.85	0.740	0.185	0.0740	0.002960	0.000740	0.00002960
2008	220	19000	1.90	0.760	0.190	0.0760	0.003040	0.000760	0.00003040
2008	225	19500	1.95	0.780	0.195	0.0780	0.003120	0.000780	0.00003120
2008	230	20000	2.00	0.800	0.200	0.0800	0.003200	0.000800	0.00003200
2008	235	20500	2.05	0.820	0.205	0.0820	0.003280	0.000820	0.00003280
2008	240	21000	2.10	0.840	0.210	0.0840	0.003360	0.000840	0.00003360
2008	245	21500	2.15	0.860	0.215	0.0860	0.003440	0.000860	0.00003440
2008	250	22000	2.20	0.880	0.220	0.0880	0.003520	0.000880	0.00003520
2008	255	22500	2.25	0.900	0.225	0.0900	0.003600	0.000900	0.00003600
2008	260	23000	2.30	0.920	0.230	0.0920	0.003680	0.000920	0.00003680
2008	265	23500	2.35	0.940	0.235	0.0940	0.003760	0.000940	0.00003760
2008	270	24000	2.40	0.960	0.240	0.0960	0.003840	0.000960	0.00003840
2008	275	24500	2.45	0.980	0.245	0.0980	0.003920	0.000980	0.00003920
2008	280	25000	2.50	1.000	0.250	0.1000	0.004000	0.001000	0.00004000
2008	285	25500	2.55	1.020	0.255	0.1020	0.004080	0.001020	0.00004080
2008	290	26000	2.60	1.040	0.260	0.1040	0.004160	0.001040	0.00004160
2008	295	26500	2.65	1.060	0.265	0.1060	0.004240	0.001060	0.00004240
2008	300	27000	2.70	1.080	0.270	0.1080	0.004320	0.001080	0.00004320
2008	305	27500	2.75	1.100	0.275	0.1100	0.004400	0.001100	0.00004400
2008	310	28000	2.80	1.120	0.280	0.1120	0.004480	0.001120	0.00004480
2008	315	28500	2.85	1.140	0.285	0.1140	0.004560	0.001140	0.00004560
2008	320	29000	2.90	1.160	0.290	0.1160	0.004640	0.001160	0.00004640
2008	325	29500	2.95	1.180	0.295	0.1180	0.004720	0.001180	0.00004720
2008	330	30000	3.00	1.200	0.300	0.1200	0.004800	0.001200	0.00004800
2008	335	30500	3.05	1.220	0.305	0.1220	0.004880	0.001220	0.00004880
2008	340	31000	3.10	1.240	0.310	0.1240	0.004960	0.001240	0.00004960
2008	345	31500	3.15	1.260	0.315	0.1260	0.005040	0.001260	0.00005040
2008	350	32000	3.20	1.280	0.320	0.1280	0.005120	0.001280	0.00005120
2008	355	32500	3.25	1.300	0.325	0.1300	0.005200	0.001300	0.00005200
2008	360	33000	3.30	1.320	0.330	0.1320	0.005280	0.001320	0.00005280
2008	365	33500	3.35	1.340	0.335	0.1340	0.005360	0.001340	0.00005360
2008	370	34000	3.40	1.360	0.340	0.1360	0.005440	0.001360	0.00005440
2008	375	34500	3.45	1.380	0.345	0.1380	0.005520	0.001380	0.00005520
2008	380	35000	3.50	1.400	0.350	0.1400	0.005600	0.001400	0.00005600
2008	385	35500	3.55	1.420	0.355	0.1420	0.005680	0.001420	0.00005680
2008	390	36000	3.60	1.440	0.360	0.1440	0.005760	0.001440	0.00005760
2008	395	36500	3.65	1.460	0.365	0.1460	0.005840	0.001460	0.00005840
2008	400	37000	3.70	1.480	0.370	0.1480	0.005920	0.001480	0.00005920
2008	405	37500	3.75	1.500	0.375	0.1500	0.006000	0.001500	0.00006000
2008	410	38000	3.80	1.520	0.380	0.1520	0.006080	0.001520	0.00006080
2008	415	38500	3.85	1.540	0.385	0.1540	0.006160	0.001540	0.00006160
2008	420	39000	3.90	1.560	0.390	0.1560	0.006240	0.001560	0.00006240
2008	425	39500	3.95	1.580	0.395	0.1580	0.006320	0.001580	0.00006320
2008	430	40000	4.00	1.600	0.400	0.1600	0.006400	0.001600	0.00006400
2008	435	40500	4.05	1.620	0.405	0.1620	0.006480	0.001620	0.00006480
2008	440	41000	4.10	1.640	0.410	0.1640	0.006560	0.001640	0.00006560
2008	445	41500	4.15	1.660	0.415	0.1660	0.006640	0.001660	0.00006640
2008	450	42000	4.20	1.680	0.420	0.1680	0.006720	0.001680	0.00006720
2008	455	42500	4.25	1.700	0.425	0.1700	0.006800	0.001700	0.00006800
2008	460	43000	4.30	1.720	0.430	0.1720	0.006880	0.001720	0.00006880
2008	465	43500	4.35	1.740	0.435	0.1740	0.006960	0.001740	0.00006960
2008	470	44000	4.40	1.760	0.440	0.1760	0.007040	0.001760	0.00007040
2008	475	44500	4.45	1.780	0.445	0.1780	0.007120	0.001780	0.00007120
2008	480	45000	4.50	1.800	0.450	0.1800	0.007200	0.001800	0.00007200
2008	485	45500	4.55	1.820	0.455	0.1820	0.007280	0.001820	0.00007280
2008	490	46000	4.60	1.840	0.460	0.1840	0.007360	0.001840	0.00007360
2008	495	46500	4.65	1.860	0.465	0.1860	0.007440	0.001860	0.00007440
2008	500	47000	4.70	1.8					



ATTACHMENT 2.1

ITEM NO: 9.5

SUBDIVISION TO CREATE THREE LOTS FOR RESIDENTIAL PURPOSE. LOTS 1895 AND 1889 SPRINGFIELD STREET, CORNER OF AGINCOURT DRIVE AND BURRENDAH AVENUE, WILLETTON.

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Planning Officer, Metropolitan Central, Perth and Peel Planning
AUTHORISING OFFICER: Director, Metropolitan Central, Perth and Peel Planning
AGENDA PART: H
FILE NO: 146953
DATE: 30 October 2013
ATTACHMENTS: Attachment 1 - Subdivision Plan
Attachment 2 - Location and Zoning Map
Attachment 3 - Original Plan
REGION SCHEME ZONING: Urban
LOCAL GOVERNMENT: City of Canning
LOCAL SCHEME ZONING: Residential R17.5
LGA RECOMMENDATION: Refusal
REGION DESCRIPTOR: Perth Metro Central
RECEIPT DATE: 31 October 2012
PROCESS DAYS: 84
APPLICATION TYPE: Subdivision
CADASTRAL REFERENCE: Lots 1895 and 1889 Springfield Street, corner of Agincourt Drive and Burrendah Avenue, Willetton

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the application for subdivision of Lots 1889 and 1895 Springfield Street, Willetton as shown on the plan date stamped 31 October 2012 subject to the following conditions and advice:

Conditions:

- 1. Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on proposed Lots 52 and 53 at the time of subdivision approval***

being demolished and materials removed from the lots. (Local Government)

- 2. 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)**
- 3. All septic sewer systems including all tanks and pipes and associated drainage systems (soak wells or leach drains) and any stormwater disposal systems are to be decommissioned, in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, removed, filled with clean sand and compacted. Proof of decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/applicant, confirming that the site has been inspected and all septic tanks, soak wells, leach drains and any associated pipework have been removed. (Local Government)**
- 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. Suitable arrangements being made with the Water Corporation for the drainage of the land either directly or indirectly into a drain under the control of that body. (Water Corporation)**
- 7. 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 to the lot(s) shown on the approved plan of subdivision. (Western Power)**

Advice:

- 1. In regard to Condition 1, planning approval and/or a demolition licence may be required to be obtained from the local government prior to the commencement of demolition works.**
- 2. The applicant is advised that the City of Canning may require further information to demonstrate that site conditions on the proposed lots are of a standard that will enable further development. If fill is required to be used, then the applicant will need to ensure clean fill is used, sufficient**

INTRODUCTION:

The application proposes the amalgamation and subdivision of two corner lots, (Lot 1889, 682m² and Lot 1895, 1001m²) into three street-front lots ranging between 500m² and 682m² (**Attachment 1** - Amended Subdivision Plan). The subject land is situated at Lot 1889 Burrendah Avenue, corner Springfield Street, Willetton and Lot 1895 Springfield Street, corner of Agincourt Drive, Willetton. An existing dwelling and outbuildings on proposed Lot 51 (682m²) will remain whilst all other buildings and structures on proposed Lots 52 (501m²) and Lot 53 (500m²) will be removed.

The lot is zoned 'Urban' under the Metropolitan Region Scheme (MRS) and zoned 'Residential' with a density code of R17.5 under the City of Canning Town Planning Scheme (TPS) No. 40 (**Attachment 2** - Location and Zoning Plan).

BACKGROUND:

The application comprises an amended plan that is intended to supersede the original application (**Attachment 3** - Original Plan) and which proposed a two lot subdivision over Lot 1895, which created two lots, of 500m² each in area. Given the original application proposed a 71m² or 12.4% variation to the average lot size required for R17.5 the City of Canning recommended refusal of the application.

The applicant opted for a deferral notice to be issued to investigate possible options for amalgamation and re-subdivision with neighbouring lots. The WAPC issued a deferral notice on these grounds on 2 May 2013. The applicant lodged the current proposal (**Attachment 1**) after securing agreement from the adjoining land owner of Lot 1889 to amalgamate this lot with Lot 1895 in order to create three lots. The site area for all subject lots will remain the same, however, the inclusion of the site area of Lot 1889 in the calculation of the overall site area will enable a compliant average lot area.

CONSULTATION:

City of Canning

The City recommended refusal of the original application on the grounds that:

- The average lot area did not comply with the requirements of Table 1 of the R-Codes;
- The average lot area proposed exceeds the 5% variation under the R-Codes;
- Approval of the proposal would set an undesirable precedent for the further subdivision of surrounding lots within the Scheme area.

The City of Canning conditionally supports the amended application.

Servicing Agencies

Western Power and the Water Corporation have no objection to the proposal, subject to imposition of standard servicing conditions.

COMMENTS:

The main issue, and reason for presentation to the SPC, concerns the average lot area varying more than the 5% permitted in the R-Codes. The original application plan (**Attachment 3**) proposes a 71m² or 12.4% variation to the average lot size. In order to consider the variation the following justification / information is provided.

Density of Locality

To consider the application the SPC needs to understand the context in which the lot is located within. The table below provides a summary for this purpose:

TABLE ONE: LOT ANALYSIS WILLETTON R17.5 CODED LAND

Total number of lots in locality	5722
Zoning	Residential
Density coding	R17.5
Minimum lot size required by R- codes	500m ²
Minimum lot size in locality	353m ²
Average lot size required by R-codes	571m ²
Average lot size in locality	775m ²

SOURCE: Department of Planning Geospatial Team

Table One above illustrates that the average lot size for the suburb is greater than the proposed average contemplated by both applications (original and amended) and will not affect the overall density of the locality. This translates to the area having capacity for additional subdivision and development.

Further, Table One reveals that the minimum lot size is well below the 500m² prescribed by the R-Codes. This may be attributed in part to a previous higher density coding (in addition to the higher density and split-coded lots, which are situated within the part of the suburb situated in the City of Melville municipal boundary) and may also include the site areas of multiple dwelling lots and lots that accommodate aged persons / single bedroom dwellings. Of specific relevance to the subject application, Table One clearly illustrates that the average lot area for the R17.5 coding within Willetton exceeds the 571m² average prescribed by the R-Codes by 206m² or 36%.

Policy Context

The WAPC, under the previous version of the R-Codes, was willing to exercise discretion and grant approval to proposals that varied the average lot area above 5%. In this instance the Department is seeking consideration by the SPC to vary the average above 5% where the minimum lot size of each lot conforms to Table 1.

In this case it should be noted that the applicant has included a second adjoining lot with the amended application which ensures that the minimum and average lot areas are met. The second lot that forms the amended application will have no physical

changes as part of the subdivision process (that is, no boundary, lot area or servicing changes) and is in essence a 'phantom' lot. The practice of including a 'phantom' lot has been discouraged by the Department in the past and this application brings it to the attention of the SPC.

A standard truncation of 8.58 metres exists on the corners of both lots. Clause 5.1.1 C1.3 of the R-Codes 2013 allows the inclusion of an additional 18m² of the adjoining truncation area, located in the road reserve, to be included into the land area bringing it to a total overall of 1716m².

The amended proposal complies with the minimum (500m² required, 500m² provided) and average (571m² required, 572m² provided) site area per dwelling requirement for the R17.5 density coding. The proposed lots achieve the minimum lot frontage requirements (12 metres required, 13.99 metres provided) of the R17.5 code.

Precedent

Table Two below illustrates a number of examples of subdivisions approved by the WAPC (under delegation) prior to the adoption of the 2013 version of the R-Codes the following applications with average variations which exceeded the 5% tolerance, prescribed by WAPC policy:

TABLE TWO: APPROVED AVERAGE VARIATIONS IN THE METROPOLITAN SUB-REGIONAL AREA

WAPC REFERENCE	PERCENTAGE OF AVERAGE VARIATION	R-CODING	SUBDIVISION CONFIGURATION	SUBURB	APPROVAL DATE	LOCAL GOVERNMENT RECOMMENDATION
144352	7.04%	R12.5	3 street-front lots	City Beach	2/9/11	Town of Cambridge Refusal
145961	12.5%	R12.5	2 street-front lots	Willetton	3/8/12	City of Canning Refusal
147104	13.2%	R20	1 street- front lot and one with sole vehicular access to right-of-way	Claremont	22/1/13	Town of Claremont Refusal
147287	6.8%	R17.5	2 street-front lots	Mount Pleasant	15/5/13	City of Melville Refusal
147415	12.8%	R17.5	2 street-front lots	Shelley	15/5/13	City of Canning Refusal

The adoption of the 2013 version of the R-Codes has prompted a number of changes, one of which is a minor decrease to minimum and average site area requirements for medium to high density coded residential lots (R20 - R80). However, there has been no change to the site area requirements for the R17.5 density code which remains at 500m² minimum and 571m² average. Since adoption of the 2013 R-Codes, the issue of an application exceeding the 5% variation for the average lot area requirement has been tested and approved at the 24 September 2013 Statutory Planning Committee meeting, for the following application:

- WAPC Ref: 148237, 6.042% variation, freehold subdivision, R17.5 coded two street-front lots, Tambour Drive, Exmouth. Shire of Exmouth recommended approval.

Merit of Proposal

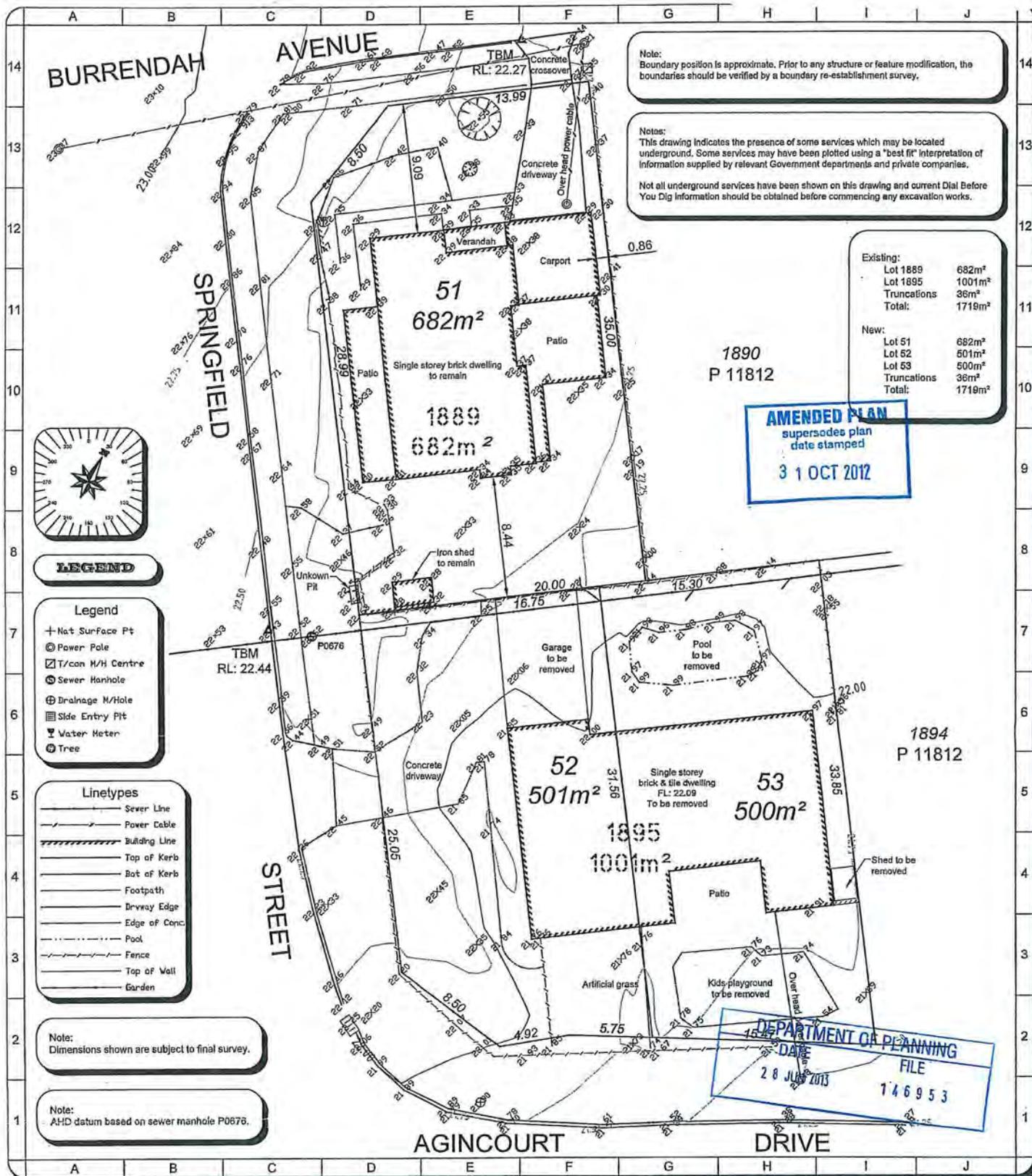
As the amended plan has been lodged to overcome the significant average deficiency (71m² or 12.4% variation) over proposed Lots 52 and 53 it is worthwhile considering the merit of the original application plan. In this respect it is considered that the original proposal could be approved on the grounds that:

- The proposed lots will not adversely impact on the existing streetscape as there are a number of lots in the locality with similar frontages;
- The proposal will facilitate infill development in an established residential area, utilising existing infrastructure and services;
- It is acknowledged that while meeting average lot size requirements is an important factor in good subdivision practice, it is considered that minimum lot sizes are more crucial in determining the success of future built form;
- The proposed lots are capable of being developed in accordance with 'deemed- to-comply' R-Code requirements;
- Section 138 of the Planning and Development Act 2005 enables the Commission to give an approval to a subdivision that conflicts with the provisions of a local planning scheme where a conflict is considered of a minor nature and where the scheme has not been reviewed for more than five years. The City's operative TPS No. 40 is over 19 years old and precedes WAPC strategic policy which advocates higher density in inner suburban areas.
- This small infill proposal will contribute towards the dwelling targets of the *Central Metropolitan Sub-regional Strategy and Directions 2031* which call for an additional 32 514 dwellings within the Canning municipality by 2031.

Therefore, on the basis of the above arguments, there is sufficient justification, to support the original application.

CONCLUSION:

The general lot configuration is conducive to development and the proposed lots can be serviced. The original proposal complies with the relevant provisions of the City's operative schemes, Commission Policy DC 2.2 and the Residential Design Codes (2013). Conditional approval is recommended of the amended proposal.



Note:
Boundary position is approximate. Prior to any structure or feature modification, the boundaries should be verified by a boundary re-establishment survey.

Notes:
This drawing indicates the presence of some services which may be located underground. Some services may have been plotted using a "best fit" interpretation of information supplied by relevant Government departments and private companies.

Not all underground services have been shown on this drawing and current Dial Before You Dig Information should be obtained before commencing any excavation works.

Existing:	
Lot 1889	682m ²
Lot 1895	1001m ²
Truncations	36m ²
Total:	1719m ²
New:	
Lot 51	682m ²
Lot 52	501m ²
Lot 53	500m ²
Truncations	36m ²
Total:	1719m ²

AMENDED PLAN
supersedes plan
date stamped
31 OCT 2012



LEGEND

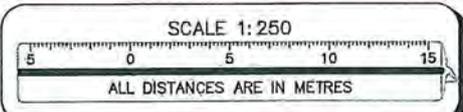
- Legend
- + Nat Surface Pt
 - ⊙ Power Pole
 - ⊠ T/con M/H Centre
 - ⊙ Sewer Manhole
 - ⊕ Drainage M/Hole
 - ⊠ Slide Entry Pit
 - ⊙ Water Meter
 - ⊙ Tree

- Linetypes
- Sewer Line
 - Power Cable
 - Building Line
 - Top of Kerb
 - Bot of Kerb
 - Footpath
 - Driveway Edge
 - Edge of Conc.
 - Pool
 - Fence
 - Top of Wall
 - Garden

Note:
Dimensions shown are subject to final survey.

Note:
AHD datum based on sewer manhole P0676.

Surveyor BB/YL	Vert Datum AHD	Drawn LH
Survey Date 25/08/13	Horiz Datum LOCAL	Checked YL
Data Source LISCAD9	Job No. CLEL-SPRING	Approved KB



APPLICATION FOR SUBDIVISION
Lots 1895 & 1889 Springfield St, Agincourt Dve & Burrendah Ave, Willetton
City of Canning

0	Initial Issue.	LH	KB	26/08/13
Rev	Description	Drawn	Appvd	Date

RMSurveys LICENSED SURVEYORS
SUBDIVISIONS • STRATA TITLES • LAND INFORMATION
GPS SURVEYS • GEODETIC SURVEY AND COMPUTING
ENGINEERING & CONSTRUCTION SETOUT

Phone: (08) 9457 7900
Fax: (08) 9457 7922
email: rmsurvey@rmsurveys.com.au

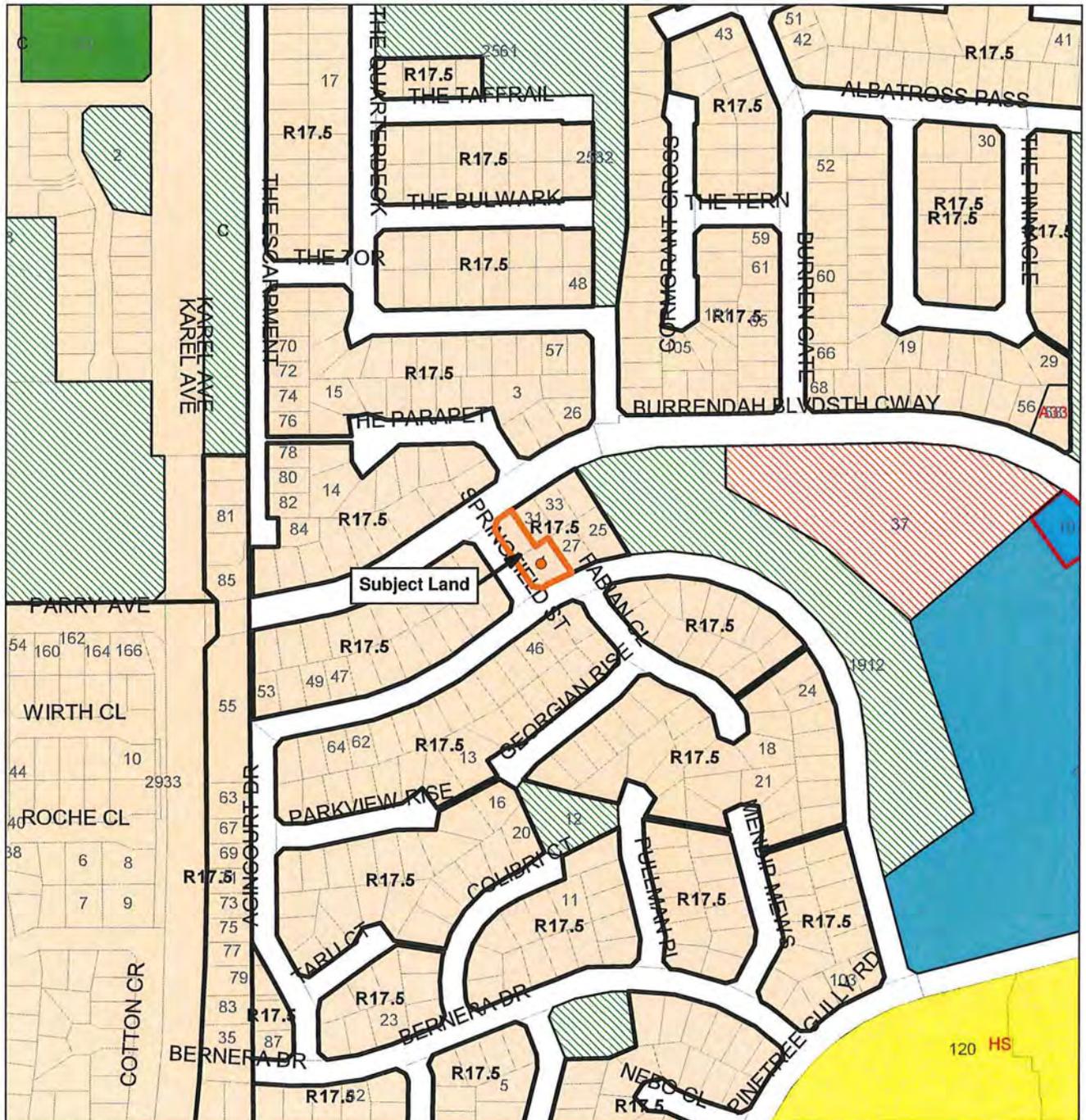
PO Box 832
Willetton WA 6955

Drawing No. CLEL-SPRING-02	Revision 0	Sheet 1
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Client
Jonelle & Ruairi Cleland

ORIGINAL DRAWING SIZE
A3

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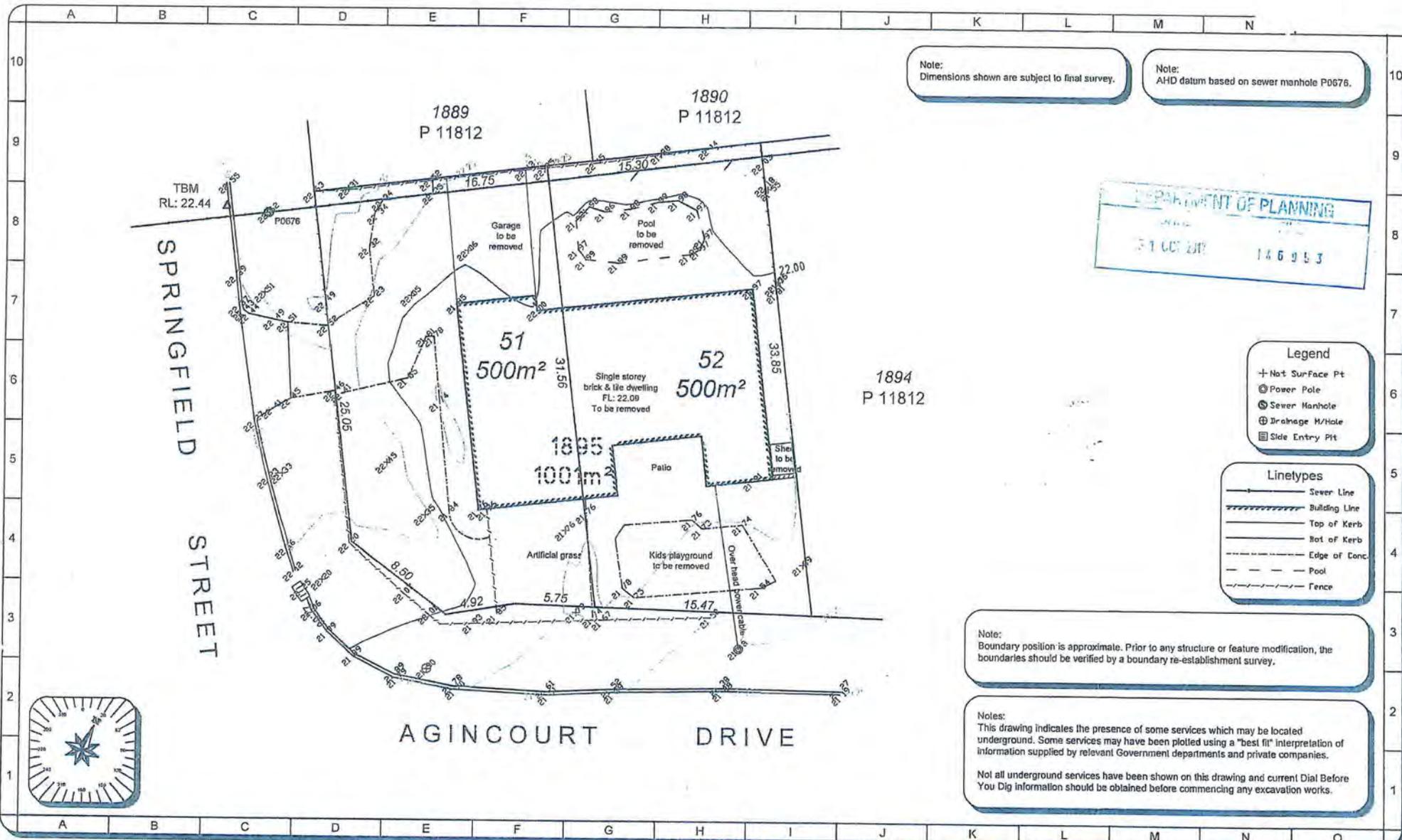
	Cadastre with Street Address Number		TPS - Scheme Boundaries		LOCAL OPEN SPACE
	SPECIAL 10		TPS - R Code Boundaries		LOCAL PARK & RECREATION AREA
	ACTIVE RECREATION		PARKS & RECREATION		RESIDENTIAL
	NATURE CONSERVATION		PP - HIGH SCHOOL		SERVICE STATION
	PRECINCT BOUNDARY		CIVIC & CULTURAL AREAS		SHOPPING
	TPS Additional Use		LIVING AREAS		

Scale 1:4,772
 0 125 m

Prepared by: vcoleman
 Prepared for: 146953
 Date: Thursday, October 31, 2013 09:33
 Plot Identifier: P20131031_0932

DP INTERNAL USE ONLY

Government of Western Australia
 Department of Planning



Note:
Dimensions shown are subject to final survey.

Note:
AHD datum based on sewer manhole P0676.



- Legend**
- + Not Surface Pt
 - ⊙ Power Pole
 - ⊙ Sewer Manhole
 - ⊕ Drainage M/Hole
 - ⊠ Side Entry Pit

- Linetypes**
- Sewer Line
 - Building Line
 - Top of Kerb
 - Bot of Kerb
 - - - Edge of Conc
 - - - Pool
 - - - Fence

Note:
Boundary position is approximate. Prior to any structure or feature modification, the boundaries should be verified by a boundary re-establishment survey.

Notes:
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 email: rmsurvey@rmsurveys.com.au

SCALE 1:250
 5 0 5 10 15
 ALL DISTANCES ARE IN METRES

Client
 Jonelle & Ruairi Cleland

ORIGINAL DRAWING SIZE
A3

Surveyor	BB	Vertical Datum	AHD	Drawn	LH
Survey Date	23/08/12	Horizontal Datum	LOCAL	Checked	BB
Data Source	LISCAD10	Job No.	CLEL-SPRING	Approved	KB

Rev	Description	Drawn	Appvd	Date
0	Initial Issue.	LH	KB	29/08/12

APPLICATION FOR SUB-DIVISION
 Lot 1895 (#4-6) Springfield Street
 Willetton
 City of Canning

Drawing No. CLEL-SPRING-01
 Revision 0
 Sheet 1 of 1

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