



Statutory Planning Committee

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

Tuesday 10 December 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)	Ex officio
Mr Martin CLIFFORD	Nominee of the Regional Minister Schedule 2 clause 4(2)(c)	14/10/2015
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 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 26 November 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 14 January 2014 (tbc)

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Minutes
of ordinary meeting 7492
held on Tuesday 26 November 2013

Attendance

Members

Ms Megan Bartle	WAPC appointee
Ms Sue Burrows	WAPC appointee
Mr Martin Clifford	Regional Minister's nominee (Deputy)
Mr Ian Holloway	Professions representative
Mr Duncan Ord	Acting Director General, Department of Planning
Ms Elizabeth Taylor	Community representative (Presiding Member)

Officers

Ms Pam Baskind	Department of Planning Planning Manager, Regional Planning and Strategy (Item 10.3)
Mr Mario Carbone	Senior Planning Officer, Perth and Peel Planning (Item 10.9)
Ms Sarah Cosstick	Planning Manager, Perth and Peel Planning (Items 9.1 and 10.9)
Ms Natalie Cox	
Mr Rob Cull	Senior Planning Officer, Perth and Peel Planning (Item 10.4)
Mr Jason Gordon	Senior Planning Officer, Independent Planning Reviewer (Item 10.10)
Ms Kelsie Lewis	Senior Planning Officer, Regional Planning and Strategy (Item 10.1)
Ms Cath Meaghan	Planning Director, Regional Planning and Strategy (Items 10.3 and Item 10.6-10.8)
Mr Mohsin Muttaqui	Planning Manager, Strategy, Policy and Projects (Item 10.4)
Mr Grady O'Brien	Planning Officer, Regional Planning and Strategy (Item 10.4)
Ms Kym Petani	Director Metro North West / Acting Director Metro North East Perth and Peel Planning (Item 10.9)
Mr Mek Piggott	Senior Planning Officer, Perth and Peel Planning (Item 9.1)
Mr Rigoberto Santana	Senior Planning Officer, Strategy, Policy and Projects (Item 10.1)
Mr Ryan Shaw	Planning Officer, Regional Planning and Strategy (Item 10.4)

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Observers

Mr Trevor Sievewrith	Trustee of Mundaring Gospel Trust (Items 6.6 and 6.7 – refers Item 10.3)
Mr Roy Trawarn	Trustee of Mundaring Gospel Trust (Items 6.6 and 6.7 – refers Item 10.3)
Mr Graham Yukich	Landowner (Item 6.8 – refers Item 10.4)

Presenters

Ms Jane Bennett	CLE Town Planning & Design (Item 6.1 – refers Item 9.1)
Mr James Westh	Stockland (Item 6.1 – refers Item 9.1)
Mr Trevor Finlayson	Peet Bayonet Head Syndicate Ltd (Item 6.2 – refers Item 9.5)
Mr Luke Oliver	Peet Bayonet Head Syndicate Ltd (Item 6.2 – refers Item 9.5)
Mr Scott Vincent	RPS (Item 6.2 – refers Item 9.5)
Mr Jan van der Mescht	City of Albany (Item 6.3 – refers Item 10.1)
Mr John Ogilvie	Diocesan Resources Committee (Item 6.4 – refers Item 10.1)
Mr Mark Luzi	Shire of Mundaring (Item 6.5 – refers Item 10.3)
Mr Stuart Thiele	Shire of Mundaring (Item 6.5 – refers Item 10.3)
Mr Mike Allen	Planner (Item 6.6 – refers Item 10.3)
Mr Tim Houweling	Cornerstone Legal (Items 6.6 and 6.7 – refers Item 10.3)
Mr Charles Johnson	Planner (Item 6.6 – refers Item 10.3)
Mr Bill Wallis	New Halls Committee, Brethren Church (Item 6.7 – refers Item 10.3)
Mr David Caddy	TPG Town Planning and Design (Item 6.8 – refers Item 10.4)
Mr Paul McQueen	Lavan Legal (Item 6.8 – refers Item 10.4)
Mr Danny Murphy	Ellenbrook Management (Item 6.9 – refers Item 10.4)
Mr Tim Treffry	Roberts Day Town Planning and Design (Item 6.9 – refers Item 10.4)
Mr Peter Batini	Disability Services Commission (Item 6.10 – refers Item 10.9)
Dr Ron Chalmers	Disability Services Commission (Item 6.10 – refers Item 10.9)
Ms Connie Drew	(Item 6.11 – refers Item 10.9)
Mr Dave Kelly MLA	Member for Bassendean (Item 6.11 – refers Item 10.9)

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Ms Alannah MacTiernan MLC Ms Karen Mercer	Member for Perth (Item 6.11 – refers Item 10.9) (Item 6.11 – refers Item 10.9)
Ms Taryn Harvey	Developmental Disability Council of WA (Item 6.12 – refers Item 10.9)
Mr Andrew Jefferson Mr Terry Simpson	People with Disabilities WA (Item 6.12 – refers Item 10.9) National Disability Services (WA) (Item 6.12 – refers Item 10.9)
Ms Alison Xamon	WA Association for Mental Health (Item 6.12 – refers Item 10.9)

Committee Support

Ms Leah Carr	Committee Support Officer - Department of Planning
Ms Christina Sanders	Committee Support Officer - Department of Planning

7492.1 Declaration of Opening

Due to the absence of the Presiding Member and in accordance with clause 3.6 of the Standing Orders 2009, a member was chosen to preside over the meeting.

**Mr Holloway nominated Ms Taylor.
Ms Taylor accepted the nomination.**

Resolved

Moved by Mr Holloway, seconded by Ms Burrows

That Ms Taylor preside over the meeting of the Statutory Planning Committee in the absence of the Presiding Member.

The motion was put and carried.

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.

7492.2 Apologies

Mr Eric Lumsden WAPC Chairman (Presiding Member)

7492.3 Members on Leave of Absence and Applications for Leave of Absence

Nil.

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7492.4 Disclosure of Interests

Member/Officer	Minute No.	Page No.	Nature of Interest
Ms Taylor	9.4		Impartiality

Resolved

Moved by Mr Holloway. seconded by Ms Bartle

In accordance with clause 6.10(7) of the Standing Orders 2009, members of the Statutory Planning Committee agree that the member listed above, who has disclosed an impartiality interest as she is the Chairman's representative on the Swan Valley Planning Committee which has considered this item, is permitted to participate in discussion and voting on the item.

The motion was put and carried.

7492.5 Declaration of Due Consideration

No declarations were made.

7492.6 Deputations and Presentations

7492.6.1 **Endorsement of the City of Swan Local Structure Plan No. 26 (refers Item 9.1)**

Presenters Jane Bennett
James Westh

Mr Westh and Ms Bennett gave a powerpoint presentation in support of the endorsement of the City of Swan Local Structure Plan No. 26 - Vale Development Plan 3 Lot 9064 Millhouse Road, Averley.

Ms Bennett emphasised the importance of the officer's recommendation to not include Council's requirements to increase setbacks and reduce density along the Ellen Brook interface.

A copy of the presentation has been placed on file.

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7492.6.2

Subdivision to Create 163 Lots for Residential Purpose: Reconsideration of 3 Conditions (refers Item 9.5)

Presenters Scott Vincent
Trevor Finlayson
Luke Oliver

Mr Vincent gave a powerpoint presentation against the officer's recommendation to retain Condition 20 given that:

- the condition is incapable of being satisfied by the landowner as matters presently stand;
- the Council has twice resolved not to require scheme cost sharing arrangements for the area; and
- neither of the two affected landowner entities in the area want or require a scheme cost sharing arrangement to appropriately manage shared/common interests.

A copy of the presentation has been placed on file.

7492.6.3

City of Albany Local Planning Scheme No. 1 (refers Item 10.1)

Presenter Jan van der Mescht

Mr van der Mescht spoke in support of the officer's recommendation on the City of Albany's Local Planning Scheme No. 1. He noted that:

- completion of Local Planning Scheme 1 is a priority for the City of Albany; and
- no major changes were made subsequent to the advertising of the Scheme.

7492.6.4

City of Albany Local Planning Scheme No. 1 (refers Item 10.1)

Presenter John Ogilvie

Mr Ogilvie voiced his concerns on the City of Albany's Local Planning Scheme No. 1 particularly in relation to Lot 105 Frenchman's Bay Road.

He outlined the steps his organisation has taken to date and his concerns with the officer's recommendation to designate this land as Public Purpose. He requested consideration for the land to be zoned future Urban as supported by the Local Planning Strategy.

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Two documents had been forwarded to members prior to the meeting for information.

These included:

- a letter to Mr Lumsden from the Diocesan Office; and
- a letter to Mr Stephen Peterson, Department of Planning Albany Office from ABLE Planning & Project Management.

Copies of the documents have been placed on file.

7492.6.5

Shire of Mundaring Local Planning Scheme No. 4 (refers Item 10.3)

Presenters Mark Luzi
Stuart Thiele

Messrs Luzi and Thiele spoke on the Shire of Mundaring Local Planning Scheme No. 4.

A Briefing Note on Advertised Modifications to the Local Planning Scheme No. 4 – Summary of Shire's Position - had been forwarded to members for their consideration prior to the meeting and a copy has been placed on file.

Mr Luzi summarised the current situation and noted that the Shire supports all advertised modifications except with respect to the classification of Place of Workshop in the Rural Residential zone. The Shire recommends that the use remain prohibited ('X') within the Rural Residential zone, as per the originally advertised LPS4.

Mr Thiele added that, due to the likely scale of building, scale of activity and vehicle movements generated, the Shire believes that the use class is inconsistent with the objectives of the zone and with Commission policy.

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7492.6.6

Shire of Mundaring Local Planning Scheme No. 4 (refers Item 10.3)

Presenters Tim Houweling
Charles Johnson
Mike Allen

Mr Johnson spoke on the Shire of Mundaring's Local Planning Scheme No. 4, in support for the Minister's proposal to allow places of worship in various zones including the Rural Residential Zone in Mundaring provided relevant discretionary matters are addressed.

Additional information from Mr Allen showed comparisons between the Shire of Mundaring and other local government authorities relating zoning of places of public worship.

7492.6.7

Shire of Mundaring Local Planning Scheme No. 4 (refers Item 10.3)

Presenters Tim Houweling
Bill Wallis

Mr Wallis outlined the heritage of the Plymouth Brethren and the areas that had been investigated as a potential site for a new church. He outlined the impact that prohibiting a place of worship in the Rural Residential zone will have.

Mr Houweling gave a legal presentation on the argument that:

- need is a relevant factor to consider in creating a place of worship as an SA use also in the rural residential zone;
- to limit places of worship to the residential zone does not cater for the residents of the locality; and
- the fundamental common law right for freedom of religion requires places to be made available.

He circulated four documents for members' interest. Copies of the documents have been placed on file.

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7492.6.8

City of Swan Local Planning Scheme Amendment No. 96 (refers Item 10.4)

Presenters David Caddy
Paul McQueen

Mr Caddy spoke against the City of Swan Local Planning Scheme Amendment No. 96 in relation to:

- no demonstrated need for the construction of the bridge;
- the existing road network;
- the traffic modelling undertaken by ARRB; and
- the rezoning of the land, which would only marginally contribute to the demand for the proposed bridge.

Mr McQueen drew distinctions between the need and the benefit associated with the construction of the bridge.

7492.6.9

City of Swan Local Planning Scheme Amendment No. 96 (refers Item 10.4)

Presenters Tim Trefry
Danny Murphy

Messrs Trefry and Murphy spoke against the City of Swan Local Planning Scheme Amendment No. 96 LPS 17 and advised that the Village 7B development does not create or contribute to the need for the proposed bridge over Ellen Brook (no nexus) as confirmed by State Administration Tribunal decision WASAT 129.

They feel that the bridge is unnecessary and the costs placed on Village 7B are unreasonable.

Two maps were tabled for members' interest and copies have been placed on file.

7492.6.10

Development Disability Justice Centre, Lord Street, Caversham (refers Item 10.9)

Presenters Ron Chalmers
Peter Batini

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Dr Chalmers spoke in support of the Disability Services Commission's Design Development Application for a Disability Justice Centre at Lot 11943 Lord Street, Caversham.

He outlined the project for members' interest and stressed that the Centre is intended for accommodation only and is not a correction facility. He advised that a statutory board will determine who resides in this facility.

A document entitled "Design Development Application for Declared Place, 130 Lord Street, Caversham" was tabled for members' interest and a copy has been placed on file.

7492.6.11

Development Disability Justice Centre, Lord Street, Caversham (refers Item 10.9)

Presenters Dave Kelly MLA
Alannah MacTiernan MLC
Connie Drew
Karen Mercer

Ms MacTiernan, Ms Drew and Ms Mercer spoke in opposition to the Disability Justice Centre planned for Lord Street, Caversham. They noted that their concern was about the appropriateness of a detention facility in the area.

Mr Kelly added that the community is deeply against the project.

Mr Kelly tabled a letter to the Chairman of the Commission from the Principal of Lockridge Primary School outlining their opposition to the facility.

A copy of the letter has been placed on file.

A number of supporting documents had been forwarded to members prior to the meeting for consideration. These included:

- a Planning submission to the Statutory Planning Committee;
- a Transcript of Evidence taken at Perth 30 October 2013 of a Community

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Development and Justice Standing Committee meeting on an Agency Review Hearing, Disability Services Commission;

- a letter from the Minister for Disability Services to the Member for Bassendean; and
- Part 7 - Planning control areas, section 112 from the *Planning and Development Act 2005*.

Copies of these documents have been placed on file.

7492.6.12

Development Disability Justice Centre, Lord Street, Caversham (refers Item 10.9)

Presenters Taryn Harvey
Andrew Jefferson
Alison Xamon
Terry Simpson

Ms Harvey spoke on the Development Application for a Disability Justice Centre at Lot 11943 Lord Street, Caversham and noted that the Disability Justice Centres should not be classed as 'correctional institutions'. The legislation clearly defines a correctional facility and the proposed Centre is not such a facility.

Messrs Jefferson and Simpson and Ms Xamon explained that there was a profound level of misunderstanding and misinformation about these facilities and the community is not aware of the process that is taken to select suitable sites.

7492.7 Announcements by the Chairperson of the Board and communication from the WAPC

The Presiding Member advised that she, the Chairman and Ms Burrows had met with the City of Swan and a number of other stakeholders in relation to the City of Swan Local Structure Plan 11 to discuss the Midland Brick Quarry. The Department of Planning will come back to the Commission with an agreed position in due course.

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7492.8 Confirmation of Minutes

7492.8.1 Minutes of the Statutory Planning Committee meeting held on Tuesday 12 November 2013

Resolved

Moved by Mr Ord, seconded by Ms Burrows

That the minutes of the Statutory Planning Committee meeting held on Tuesday 12 November 2013, be confirmed as a true and correct record of the proceedings.

The motion was put and carried.

7492.9 Reports

7492.9.1 Endorsement of the City of Swan Local Structure Plan No. 26 (Vale Development Plan 3) - Lot 9064 Millhouse Road, Aveley

File SPN/0506
Report Number SPC/551
Agenda Part C
Reporting Officer A/Planning Director, Metropolitan Planning North East

Resolved

Moved by Ms Burrows seconded by Ms Bartle

The Western Australian Planning Commission resolves to, pursuant to Part 5A of the City of Swan Local Planning Scheme No. 17, endorse the modified structure plan (Structure Plan No.26), adopted by the City of Swan on 1 May 2013, subject to the modifications listed below:

Structure Plan Maps

- i. Modification 3(a) and (b) of the City of Swan Council decision of 1 May 2013 are not supported by the Western Australian Planning Commission as they are inconsistent with the previous decisions relating to the subject land, including Outline Development Plan No. 50. The structure plan is to be modified so that:*

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- a) *the boundaries and density codings of the 'Residential' zones reflect the attached plan no. 995-819K-01 (13.08.2013), which removes modification 3(a); and*
 - b) *the 'Residential R2.5/5' zone is removed from the legend and Note 1 deleted. Related references within the structure plan document, including Part 1, will also need to be updated accordingly.*
- ii. *The density provisions under "Zones" being replaced with the following provisions:*
- a. *A base density code of R30 shall be provided for all other residential lots within the Structure Plan.*
 - b. *Medium densities of R40 to R60 shall be provided in areas of high amenity including:*
 - i. *Within 800 metres of centres (activity and community);*
 - ii. *Within 400 metres of public open space; or*
 - iii. *Within 250 metres of public transport or neighbourhood connector routes.*

Part Four: Statutory Documentation

- iii. *The table in section 5.3.3 being replaced with the following provisions:*

The allocation of residential densities on the Residential Code Plan shall be in accordance with the following criteria:

- a. *A base density code of R30 shall be provided for all other residential lots within the Structure Plan.*
- b. *Medium densities of R40 to R60 shall be provided in areas of high amenity including:*

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- i. Within 800 metres of centres (activity and community);*
- ii. Within 400 metres of public open space; or*
- iii. Within 250 metres of public transport or neighbourhood connector routes.*

References to section 5.3.3 within the document will also need to be updated accordingly.

- iv. Section 6.1.1 being modified to remove reference to 'R2.5/5 Lots' and replace with 'R5 Lots'.*
- v. Table 1A, 1B and Table 2 refers to the provisions of the November 2010 Residential Design Codes. Table 1A, 1B and Table 2 are to be modified to refer to the correct clauses of the current Residential Design Codes, gazetted on 2 August 2013.*
- vi. The R-Code variations included within Table 2 relating to Private Open Space for Laneway lots being modified to specify the requirement for an Outdoor Living Area within a minimum useable space of 24m².*
- vii. The R-Code variation included within Table 2 relating to Privacy for laneway lots being modified to state:*

With the exception of setbacks of major openings to bedrooms and studies for R60 lots, a minimum 4.5 cone of vision privacy setback applies to major openings to side and rear boundaries abutting residential properties where the floor level to any habitable space is greater than 500mm above natural ground level.

The motion was put and carried.

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Moved to Item 9.4.

7492.9.2 Four Multiple Dwellings - Lot 35 (No. 77) Eastdene Circle, Nollamara

File 20-50887-1
Report Number SPC/552
Agenda Part G
Reporting Officer Senior Planner, Metropolitan Central

Resolved

Moved by Mr Holloway, seconded by Mr Clifford

That the Western Australian Planning Commission resolves to approve the proposed development of four multiple dwellings at Lot 35 (No. 77) Eastdene Circle, Nollamara, subject to the following conditions:

1. *Prior to the issue of a building permit, the plans are to be amended so that the Finished Floor Level of the rear building is reduced to 12.00RL, and the associated retaining walls reduced to 11.944 RL, to the specification of the local government and the satisfaction of the Western Australian Planning Commission.*
2. *The northern side of the Unit 4 upper floor balcony is to be provided with permanent privacy screening to a minimum height of 1.6m and is to comply with the Residential Design Codes requirements for privacy screening under Clause 6.4.1 'Privacy Screening', to the specification of the local government and the satisfaction of the Western Australian Planning Commission.*
3. *Gradients to driveways and ramps serving parking areas are to comply with Australian Standard 2890.1, and no changes to verge levels are permitted, to the specification of the local government and the satisfaction of the Western Australian Planning Commission.*
4. *All driveways, parking, manoeuvring and circulation areas are to be constructed of*

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- brick paving (or alternative finishes such as concrete or bitumen are acceptable if it has a decorative type finish) and sealed, drained and maintained to the specification of the local government and the satisfaction of the Western Australian Planning Commission.*
5. *Any existing crossovers not included as part of the proposed development on the approved plan are to be removed and new kerbing and verge to be reinstated, to the specification of the local government and the satisfaction Western Australian Planning Commission.*
 6. *Any on-site clothes drying facilities being screened from public view, to the specification of the local government and the satisfaction Western Australian Planning Commission.*
 7. *The two visitor parking spaces being provided on site are to be permanently marked for the exclusive use of visitor's parking to the specification of the local government and the satisfaction Western Australian Planning Commission.*
 8. *Pedestrian pathways providing wheelchair accessibility connecting all entries to buildings with a public footpath and car parking areas to the specification of the local government and the satisfaction of the Western Australian Planning Commission.*
 9. *Adequate lighting being provided to communal pathways and parking areas, to the specification of the local government and the satisfaction Western Australian Planning Commission.*
 10. *The boundary walls/s not to exceed the height depicted on the approved plans, and the surface finish of the wall facing a neighbour should be to the satisfaction of the adjoining neighbour, to the specification of the local government and*

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the satisfaction Western Australian Planning Commission.

11. *No walls, fences or letterboxes above 0.75 metres in height to be constructed within 1.5 metres of where:*

- (i) walls or fences adjoin vehicular access points to the site; or*
- (ii) a driveway meets a public street; or*
- (iii) two streets intersect;*

unless the further approval of Council is obtained, to the specification of the local government and the satisfaction Western Australian Planning Commission.

12. *All land indicated as landscaped area on the approved plan being developed on practical completion of the building/s, and all landscaped areas maintained in good condition thereafter, to the specification of the local government and the satisfaction Western Australian Planning Commission.*

13. *All eaves to the proposed development to maintain a minimum setback of 750mm from the boundary, to the specification of the local government and the satisfaction Western Australian Planning Commission.*

14. *Stormwater from all roofed and paved areas to be collected and contained on site, to the specification of the local government and the satisfaction Western Australian Planning Commission.*

ADVICE TO APPLICANT

1. *Where an approval has lapsed, no development shall be carried out without further approval having been first sought and obtained.*
2. *The vehicular access shown in this application has been assessed and determined based upon the location of*

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street trees as shown on the submitted plans. It is the responsibility of the applicant to ensure that this information is correct as any inaccuracy of the plans will not be considered justification for removal of the trees in the event that their positions are incorrectly shown. Removal of street trees without the written approval of the City of Stirling is an offence.

3. *This is not a building licence or an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents and licences required under any other law, and to commence and carry out development in accordance with all relevant laws.*
4. *This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development.*
5. *Noisy Construction Work outside the period 7:00am to 7:00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued.*
6. *The street address for the development will be house numbers: 77 A - D Eastdene Circle.*
7. *All street trees located in verge areas adjoining the subject lots are to be retained and protected.*
8. *All boundary fencing behind the front setback line is to accord with the provisions of the City's Local Laws*

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pertaining to the provision of a sufficient fence.

The motion was put and carried.

7492.9.3

Final Endorsement - Shire of Katanning Local Planning Strategy

File DP/13/00161/1
Report Number SPC/553
Agenda Part G
Reporting Officer Planning Officer, Great Southern

Resolved

Moved by Mr Holloway, seconded by Mr Clifford

That the Western Australian Planning Commission resolves to:

- 1. determine the submissions in accordance with the attached Schedule of Submissions (Attachment 6);*
- 2. endorse the Katanning Local Planning Strategy.*

The motion was put and carried.

7492.9.4

Development: Restaurant - Lot 300 Great Northern Highway, Herne Hill

File 21-50389-1
Report Number SPC/554
Agenda Part G
Reporting Officer Planning Manager,
Metropolitan Planning North East, Perth
and Peel Planning

Ms Taylor disclosed an interest.

Member	Nature of Interest
Ms Taylor	Impartiality

Resolved

Moved by Ms Burrows, seconded by Mr Holloway

That the Western Australian Planning Commission resolves to approve the application for the proposed restaurant on Lot 300 Great

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Northern Highway, Herne Hill, subject to the following conditions and advice:

1. *This approval relates to the proposed "Restaurant" detailed on plans 1.0, 1.1, 3.0, 7.0 and 9.0 prepared by Bermick, and date stamped 4 October 2012 by the Department of Planning (copy attached).*
2. *The car park being redesigned to provide:*
 - a) *a minimum 15m setback to the front boundary (existing Great Northern Highway boundary); and*
 - b) *achieve a minimum of 30 bays;*

to the specifications of the City of Swan and the satisfaction of the Western Australian Planning Commission.
3. *A Landscape Plan is to be prepared and implemented to the specifications of the City of Swan and the satisfaction of the Western Australian Planning Commission.*
4. *Vehicle access onto the site shall be restricted to that shown on the approved site plan.*
5. *Vehicle parking area, access and circulation areas being constructed, kerbed and drained to the specifications of the City of Swan and the satisfaction of the Western Australian Planning Commission.*
6. *All stormwater is to be collected and contained onsite. No stormwater is to be discharged from the property into other land or reserves. Stormwater drainage plans are to be included at submission of building permit application.*
7. *An approved effluent treatment and disposal system to the specifications of the City of Swan and the Department of Health and the satisfaction of the Western*

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Australian Planning Commission must be installed prior to the occupation of any building the subject of this approval.

Advice:

1. *The applicant is advised that approval to this development does not negate the need to obtain a building licence from the Local Government prior to the construction of works.*
2. *All development must comply with the provisions of the City of Swan Local Planning Scheme, Health Regulations, Building Code of Australia, Public Building Regulations, and all other relevant Acts, Regulations and Local Laws. This includes the provision of access and facilities for people with disabilities in accordance with the Building Code of Australia.*
3. *With regard to Condition 2b, a total of 30 parking bays shall be provided, each measuring 5.5 x 2.5 metres, clearly marked on the ground and served by a 6 metre wide paved accessway. Where the accessway abuts a building or other barrier, a minimum width of 6.5 metres is required. Disabled bays to comply with Australian Standard 2890.6, bays near obstructions to measure 5.5 x 2.8m.*
4. *With regard to Condition 3, the Landscape Plan is to ensure the development, including the car parking areas, reflect the rural amenity of the Swan Valley.*
5. *The City of Swan advises that prior to the commencement of the change of use herein approved, a Change of Building Classification approval is required to be obtained from the City of Swan's Building Services.*

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6. *In relation to Condition 6:*

- *No fluid, other than uncontaminated stormwater is to enter any stormwater drain without prior approval from the City of Swan and the Environmental Protection Authority.*
- *The drainage system of the site must be designed for a 1 in 10 year, 10 minute storm (minimum). An overland flow path must be provided for potential internal system failure.*

7. *This approval does not constitute approval from other service authorities to construct the crossover as shown on the plan. It is recommended that the applicant ascertain the location and depth of any services that may interfere with crossover and associated building construction. Any adjustment to affected services is to be arranged by the applicant at their expense with the appropriate service authority approval, prior to works commencing on the site.*

8. *In accordance with the Health Act 1911 and the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974, an application to construct an on-site effluent treatment and disposal system must be submitted to and approved by the City of Swan's Principal Environmental Health Officer and the Department of Health, prior to the construction of such a system.*

9. *The noise generated by activities on-site, including machinery motors or vehicles is not to exceed the levels as set out under the Environmental Protection (Noise) Regulations 1997.*

All development works are to be carried out in accordance with control of noise practices set out in Section 6 of AS 2436-1981 or the equivalent current Australian Standard.

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No works shall commence prior to 7.00 am without the City of Swan's approval.

10. *In accordance with the Food Act 2008, detailed plans and internal elevations showing the design, construction, layout and finishes of fixtures, fittings and equipment must be submitted, with the required application form and fee, and approved by the City of Swan's Principal Environmental Health Officer, prior to any food being prepared or sold on the premises.*
11. *The carrying on of the development must not cause a dust nuisance to neighbours. Where appropriate such measures as installation of sprinklers, use of water tanks, mulching or other land management systems should be installed or implemented to prevent or control dust nuisance, and such measures shall be installed or implemented within the time and in the manner directed by the City of Swan's Principal Environmental Health Officer if it is considered that a dust nuisance exists.*
12. *Main Roads Western Australia advises as follows:*
 - *No earthworks are to encroach on the Great Northern Highway road reserve;*
 - *No stormwater is to be discharged onto the Great Northern Highway road reserve;*
 - *Redundant driveways shall be removed and the verge and its vegetation made good at the applicant's cost;*
 - *One driveway shall be permitted onto Great Northern Highway. This shall be constructed to the City of Swan standards for commercial driveways; and*

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- *This property is affected by land reserved in the Metropolitan Region Scheme as shown on the enclosed extract of Main Roads drawing 1.1403 and will be required for road purposes at some time in the future. The project for the upgrading/widening is not in Main Roads current 4-year forward estimated construction program and all projects not listed are considered long-term. Please be aware that timing information is subject to change and that Main Roads assumes no liability whatsoever for the information provided.*

The motion was put and carried.

7492.9.5

Subdivision to Create 163 Lot(s) for Residential Purpose at Bayonet Head, Albany: Reconsideration of 3 Conditions

File 145693
Report Number SPC/555
Agenda Part G
Reporting Officer Regional Manager - Great Southern Planning

Resolved

Moved by Ms Bartle, seconded by Mr Holloway

That the Western Australian Planning Commission resolves to retain condition 20 and delete conditions 25 and 26 to its approval dated 10 July 2013.

The motion was put and carried.

Moved to Item 10.1.

7492.9.6

Demolition of Existing Building and Construction of Three, Two Storey Dwellings on Lot 1851 Canning Highway, Corner of Irwin Street, East Fremantle

File 04-50010-1
Report Number SPC/556
Agenda Part G
Reporting Officer Planning Officer

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Resolved

Moved by Mr Holloway, seconded by Mr Clifford

That the Western Australian Planning Commission resolves to approve the demolition of an existing building and the construction of three, two storey single houses on Lot 1851 (No. 235) Canning Highway, corner of Irwin Street, East Fremantle subject to the following conditions and advice:

CONDITIONS:

1. *Prior to the commencement of development, a landscaping plan, prepared by a qualified landscape architect, shall be submitted to the specification of the Town of East Fremantle and the satisfaction of the Western Australian Planning Commission. The landscaping plan is to include details regarding verge treatments, including street trees.*
2. *All landscaping, including the proposed street trees indicated on the approved plan, shall be developed upon practical completion of the buildings to the satisfaction of the Western Australian Planning Commission.*
3. *All driveways, parking and manoeuvring areas shall be constructed of materials to the specification of the Town of East Fremantle and the satisfaction of the Western Australian Planning Commission.*
4. *New crossovers shall be constructed in accordance with the approved plans, to the specification of the Town of East Fremantle and the satisfaction of the Western Australian Planning Commission.*
5. *Stormwater from all roofed and paved areas shall be collected and contained on site to the specification of the Town of East Fremantle and the satisfaction of the Western Australian Planning Commission.*

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6. *The land required for the widening of Canning Highway as shown on the attached Main Roads Western Australia plan number 201232-0158 is to be set aside as a separate lot for acquisition pending future road widening requirements. An easement is to be provided over all of the lot to be set aside for the benefit of the remaining lots for the purpose of providing right of pedestrian access, water, sewer, drainage, gas, electricity, television, telecommunications and other necessary service infrastructure, pending construction of the future road widening.*
7. *Prior to commencement of the development, a noise assessment report shall be prepared which details noise attenuation measures (noise insulation) in accordance with the relevant 'deemed to comply' packages of the Implementation Guidelines of 'State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning' to the specification of Main Roads Western Australia and the satisfaction of the Western Australian Planning Commission. All approved noise attenuation measures shall thereafter be incorporated as part of documentation for a building permit.*

ADVICE:

1. *The applicant is advised that approval to this development does not negate the need to obtain a building or demolition permit. The applicant is advised to consult with the Town of East Fremantle in this regard.*
2. *All development must comply with the provisions Health Regulations, Building Code of Australia, Building Act 2011, and Local Laws.*
3. *It is advised that any building work involving the removal or alterations to*

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asbestos products should be carried out with extreme caution. The disposal of asbestos products is to be in accordance with the Health (Asbestos) Regulations 1992 and the Environmental Protection (Controlled Waste) Regulations 2001. The applicant is advised to consult with the Town of East Fremantle in this regard.

4. *Main Roads Western Australia advises the landowner/applicant with regard to the Canning Highway road reserve, that:
 - i) *no earthworks are to encroach onto the road reserve;*
 - ii) *no stormwater drainage is to be discharged onto the road reserve;*
 - iii) *the landowner/applicant shall make good any damage to the existing verge vegetation within the road reserve.*
 - iv) *no development other than landscaping shall be permitted on the land required for future road purposes, as indicated on the attached Main Roads Western Australia plan number 201232-0158.**
5. *With regard to Condition 6, the landowner/applicant is advised to contact Main Roads Western Australia for information on purchase options.*
6. *With respect to Condition 6 above, the applicant is advised that the extent of reservation for Canning Highway is currently under review by the Department of Planning in consultation with Main Roads Western Australia. The purpose of the review is to redefine and reduce the existing 'Primary Regional Road' reservation requirements for Canning Highway. The review is considerably progressed and will form the basis for a Metropolitan Region Scheme amendment in the near future.*
7. *The applicant is advised that no vehicular access is permitted from/to Canning*

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Highway. A restrictive covenant condition restricting vehicular access to Canning Highway was recommended to be imposed by Main Roads Western Australia. This condition was not imposed as part of application, however will be revisited on determination of the concurrent subdivision application WAPC Reference: 147124.

The motion was put and carried.

7492.10 Confidential Items

7492.10.1 City of Albany Local Planning Scheme No 1 - For Final Approval

File TPS/1141/1
Report Number SPC/557
Agenda Part B
Reporting Officer Executive Director, Regional Planning and Strategy

THIS ITEM IS CONFIDENTIAL

Moved to Item 10.3.

7492.10.2 City of Mandurah - Local Planning Scheme Amendment 121 - For Consent to Advertise

File TPS/1159
Report Number SPC/558
Agenda Part B
Reporting Officer Planning Manager - Peel Region

THIS ITEM IS CONFIDENTIAL

7492.10.3 Shire of Mundaring Local Planning Scheme No. 4 – For Final Approval of Advertised Substantial Modifications

File TPS/0175/3
Report Number SPC/559
Agenda Part B
Reporting Officer Executive Director, Regional Planning and Strategy

THIS ITEM IS CONFIDENTIAL

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7492.10.4 City of Swan - Local Planning Scheme Amendment No. 96 - For Final Approval

File TPS/1011/1
Report Number SPC/560
Agenda Part B
Reporting Officer Planning Manager- Schemes,
Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

Moved to Item 10.9.

7492.10.5 Shire of Murchison Local Planning Scheme 1 - Resolution to Prepare a Scheme

File TPS/1258/1
Report Number SPC/561
Agenda Part E
Reporting Officer Senior Planning Officer, Central
Regions

THIS ITEM IS CONFIDENTIAL

7492.10.6 Shire of Wagin – Consolidation Of Local Planning Scheme No. 2 - Consent to Advertise

File TPS/1253/1
Report Number SPC/562
Agenda Part E
Reporting Officer Executive Director, Regional Planning
and Strategy

THIS ITEM IS CONFIDENTIAL

7492.10.7 Shire of Kulin – Consolidation of Local Planning Scheme No. 2 - Consent to Advertise

File TPS/1254/1
Report Number SPC/563
Agenda Part E
Reporting Officer Executive Director, Regional Planning
and Strategy

THIS ITEM IS CONFIDENTIAL

7492.10.8 Shire of Corrigin – Consolidation of Local Planning Scheme No. 2 - Consent to Advertise

Report Number SPC/564
Agenda Part E
Reporting Officer Executive Director, Regional Planning
and Strategy

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THIS ITEM IS CONFIDENTIAL

- 7492.10.9 Development: - Disability Justice Centre - Lot 11943 (Reserve 43132) Lord Street, Caversham**
File 21-50406-1
Report Number SPC/565
Agenda Part G
Reporting Officer Planning Manager, Metropolitan Planning North East, Perth and Peel Planning

THIS ITEM IS CONFIDENTIAL

- 7492.10.10 State Administrative Tribunal Review: Reconsideration of Conditions of Subdivision Approval to Create 25 Lots for Residential Purpose at Lot 3, 300 and 301 Sultana Road, Forrestfield**
File 146235
Report Number SPC/566
Agenda Part G
Reporting Officer A/Director Metropolitan Planning North East

THIS ITEM IS CONFIDENTIAL

- 7492.10.11 State Administrative Tribunal Review: Invitation to Reconsider Refusal of Subdivision to Create 3 Survey Strata Lots (Including Common Property) for Residential Purpose: Lot 156 Katherine Street, Bellevue**
File 772-13
Report Number SPC/567
Agenda Part G
Reporting Officer Senior Planning Officer - Appeals

THIS ITEM IS CONFIDENTIAL

7492.11 General Business

- 7492.11.1 City of Joondalup Local Housing Strategy: Height Policy**

Mr Holloway advised that his query on this item considered and approved at the SPC meeting of 12 November 2013 related to the City of Joondalup's Height Policy.

In reference to the City of Joondalup Local Housing Strategy which was considered at the SPC meeting of 12 November 2013, it was resolved to add an Advice Note

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to the item, requesting that the City of Joondalup reviews its 1998 height Policy. The Advice Note is to be prepared by the Manager Schemes and Amendments and agreed by the Chairman.

7492.12 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

7492.13 Closure

The next ordinary meeting is scheduled for 9.00 am on 10 December 2013.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 1.15 pm.

PRESIDING MEMBER _____

DATE _____

ITEM NO: 9.1

ADOPTION OF THE NORTH ALKIMOS LOCAL STRUCTURE PLAN NO. 73

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Planning Manager, Metro Planning North West
AUTHORISING OFFICER: Director, Metro Planning North West
AGENDA PART: C
FILE NO: SPN/0012
DATE: 28 November 2013
ATTACHMENT(S): Attachment 1: Modified Local Structure Plan
Attachment 2: Alkimos Eglinton District Structure Plan
REGION SCHEME ZONING: Urban, Parks and Recreation, Other Regional Roads,
Railways, Primary Regional Roads
LOCAL GOVERNMENT: City of Wanneroo
LOCAL SCHEME ZONING: Urban Development
LGA RECOMMENDATION(S): Adoption and certification
REGION DESCRIPTOR: Perth Metro North West
RECEIPT DATE: 12 April 2012
PROCESS DAYS: 564
APPLICATION TYPE: Local Structure Plan
CADASTRAL REFERENCE: Various, Alkimos

RECOMMENDATION:

That the Western Australian Planning Commission resolves to:

- 1. re-affirm, in part, Modification 38(i) of its 10 November 2009 Schedule of Modifications by requiring the transit precinct to be included in the Centre zone to ensure that a detailed structure plan is prepared for this area;*
- 2. pursuant to Part 9 of the City of Wanneroo District Planning Scheme No. 2 defer the adoption and certification of the North Alkimos Local Structure Plan No. 73, until such time as the City has forwarded the requisite copies of the Local Structure Plan that have been satisfactorily modified to incorporate the Western Australian Planning Commission's modifications that have been agreed by Council and with officers of the Department of Planning;*

-
3. ***advise the proponent that the Commission would be prepared to consider subdivision of the land to create the lots accommodating the proposed aged care facility and school site, prior to an endorsed structure plan, pursuant to Clause 9.11.2 of the City of Wanneroo District Planning Scheme No. 2;***
 4. ***advise the City of Wanneroo accordingly.***

SUMMARY:

The City of Wanneroo (City) has forwarded the proposed North Alkimos Local Structure Plan No. 73 (LSP) to the Western Australian Planning Commission (WAPC) and has requested that the WAPC adopts and certifies the LSP. The LSP was adopted by the WAPC on 10 November 2009 subject to modifications.

The key issues are:

- The LSP has not been satisfactorily modified in accordance with the WAPC's previous resolution and is therefore unable to be adopted and certified by the WAPC.
- The delay in the finalisation of the LSP is due to a significant number of additional modifications being included within the LSP documentation, beyond the scope of the WAPC's resolution to adopt the LSP, necessitating further negotiations and ongoing discussions with the proponents and the City. This has culminated in a formal request received on 11 November 2013, for the WAPC to withdraw Modification 38(i) from its 10 November 2009 Schedule of Modifications and for the 'Mixed Use' and 'Business' zonings of the Transit Precinct to be retained as proposed in the draft LSP.
- Although the majority of concerns raised in respect of the modified LSP have been resolved, the fundamental outstanding issue relates to the proposed 'Mixed Use' and 'Business' zonings associated with Precinct 4 - 'the Transit Precinct'. These proposed zonings conflict with Modification 38(i) of the WAPC's previous resolution to adopt the LSP which requires the inclusion of the transit activity centre into the 'Centre Zone', to ensure that a detailed structure plan is prepared to facilitate the coordinated planning of the land as part of a broader 'Service Commercial' Activity Corridor under the Alkimos Eglinton District Structure Plan (DSP).
- The inclusion of the Transit Precinct within the 'Centre Zone' would facilitate further detailed structure planning of the land in order to coordinate with the planning of the broader Activity Corridor identified by the DSP. This would ensure that the Activity Corridor's contribution to local employment generation within the DSP area is not compromised and that the employment self-sufficiency targets in the DSP and Directions 2031 are achieved in one of the most local employment deprived sub-regions in the Perth Metropolitan area.

BACKGROUND:

LSP 73 was adopted by the WAPC's Statutory Planning Committee on 10 November 2009 subject to modifications. On 12 April 2012, the WAPC received a request from the City to adopt and certify a modified version of the LSP (**Attachment 1**). The modified LSP, which was certified by the City of Wanneroo (City), was not modified in accordance with the WAPC's Schedule of Modifications, and has in fact been modified significantly beyond the scope of the modifications required by the WAPC's resolution.

Following the WAPC's receipt of the modified LSP, officers of the Department have undertaken detailed discussions and negotiations with the proponents and officers of the City, which resulted in 'officer-level' advice as to a significant number of changes that were required to be undertaken to ensure the structure plan accords with the WAPC resolution.

There remains one fundamental outstanding issue which is yet to be resolved and which relates to the proposed 'Mixed Use' and 'Business' zonings of the Transit Precinct. Specific reference, in this regard is made to Modification 38(i) of the WAPC's resolution to adopt the LSP which states the following:

"Local Structure Plan needs to include the transit activity centre and the coastal activity centre into the 'centre' zone to ensure that a detailed structure plan is prepared for these areas."

In certifying the LSP, the City resolved to accept the 'Mixed Use' and 'Business' zonings of the Transit Precinct, contrary to the WAPC's Modification 38(i). This issue has not been resolved and consequently, on 11 November 2013, the proponents submitted a formal request to the WAPC seeking the withdrawal of Modification 38(i) from its Schedule of Modifications.

It is important to note that although the majority of concerns raised by the Department have, in-principle, been resolved through discussions (with the exception of Modification 38(i)), the WAPC is yet to receive a modified version of the LSP which incorporates the required changes. Consequently, in accordance with the provisions of the City's District Planning Scheme No. 2, given that the LSP documentation will need to be significantly updated to that which was certified by the City, the LSP, with the WAPC's modifications will have to be submitted back to the City for its adoption and certification, before it can be re-lodged with the WAPC for final adoption and certification.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:

Planning and Development Act 2005

Part 5 Local Planning Schemes

Strategic Plan

Strategic Goal:

Planning

Outcomes:

Effective Delivery of Integrated Plans

Strategies:

Develop integrated infrastructure and land use plans for the State

Policy

Number and / or Name: Liveable Neighbourhoods

DETAILS:

In contrast to the WAPC's Modification 38(i), which requires the inclusion of the transit activity centre into the 'Centre Zone' to ensure that a detailed structure plan is prepared, the modified LSP (which was certified by the City contrary to the modifications required by the WAPC), includes the Transit Precinct within the 'Mixed Use' and 'Business' zones (**Attachment 1**).

The proponents have requested the WAPC's Modification 38(i) be withdrawn from its 10 November 2009 Schedule of Modifications and that the 'Mixed Use' and 'Business' zonings of the Transit Precinct be retained.

GOVERNMENT AND CORPORATE IMPLICATIONS:

The City of Wanneroo is currently advertising proposed Amendment 1 to the Alkimos Eglinton DSP which includes the removal of the 'Possible Railway Station' located at North Alkimos. The identification of the station at North Alkimos is a strategic government consideration and the WAPC is yet to consider proposed Amendment 1 to the DSP.

CONSULTATION:

The City undertook formal advertising of the LSP in accordance with Part 9 of its Scheme prior to its previous adoption by the WAPC in 2009. Subsequent to the WAPC receiving the modified LSP, Departmental officers have been undertaking detailed discussions with the proponents and officers of the City regarding a number of concerns raised in regard to the additional modifications included within the LSP along with the zoning of the Transit Precinct.

OFFICER'S COMMENTS:

Proponents Submission

The proponents formal submission seeks to withdraw Modification 38(i) from the WAPC's 10 November 2009 Schedule of Modifications in order to retain the 'Mixed Use' and 'Business' zonings as currently shown in the LSP. The submission can be summarised as follows:

Change in Planning Context

The proponents state that the planning context has substantially changed since the original decision, with confirmation by the Public Transport Authority (PTA) that the North Alkimos train station will not be provided, as reflected in the proposed Alkimos-Eglinton DSP Amendment 1. This is coupled with the gazettal of the revised State Planning Policy 4.2 (SPP 4.2): *Activity Centres for Perth and Peel* in August 2010 which provides clarification as to the application of Centre zones, which according to

the proponents, do not require a Centre Zone in this instance, as Centre zones do not apply to areas outside secondary or district centres.

Employment Generation

The proponents assert that the Mixed Use and Business zones will facilitate employment generation that exceeds the requirements of the DSP's employment self-sufficiency targets from the outset and allows for a change of land use over time (facilitated through the LSP's requirement for Detailed Area Plans to be prepared for these zones) to further assist employment generation. In this regard, the proponents advise that there is a current opportunity to secure two high employment generating uses (a private school and high care facility), which will generate more jobs than the DSP and LSP targets for employment self-sufficiency.

The proponents further contend that the requirement for a 'Centre' zone for the Transit Precinct will result in the application of an unnecessary layer of planning (i.e. a separate structure plan), resulting in unnecessary time and cost delays which will compromise the ability to achieve employment generating uses in the short to medium term.

Assessment

Strategic Overview

The estimated resident population in the North-West subregion is approximately 314,000 residents. The sub-region has been one of the fastest growing regions in the country for the past five to ten years and is the most populous of all the outer sub-regions in the metropolitan region. This growth is expected to continue and it is estimated that the sub-region will have a total population of approximately 466,500 people by 2026, representing a growth of more than 150,000 people in 14 years.

Employment self-sufficiency in the sub-region is currently 41%. In order to achieve the Directions 2031 target of 60% an estimated 131,000 to 157,000 jobs will need to be provided over the next 25 years. Activity Centres and other employment generating nodes will play a major role in achieving not only increased levels of employment self-sufficiency but also employment diversity.

It is likely that demand for activity centre space is likely to approach, if not, exceed realistic supply and identified new and emerging centres will be required to come online in the near future to meet demand or additional areas may be required to deliver growth needs.

The adjoining Alkimos Secondary Centre is forecast to provide around 16,000 jobs while the Yanchep Two Rocks District Structure Plan is forecast to provide 55,000 jobs at ultimate development, representing only 44% of the estimated number of jobs required. It will therefore be essential, in order to achieve the Directions 2031 target for employment self-sufficiency within the sub-region, for appropriate areas outside of the major identified activity centres to also accommodate employment generating land uses.

Alkimos-Eglinton District Structure Plan

In order to support effective planning and employment generation in the sub-region, the Transit Precinct proposed as part of this LSP forms part of a broader 'Service Commercial' area under the Alkimos-Eglinton DSP (**Attachment 2**). This 'Service Commercial' area extends between the future planned Eglinton District Centre to the north and towards Alkimos Secondary Centre to the south and is one of only two 'Service Commercial' areas in the entire DSP area. The 'Service Commercial' area in which the Transit Precinct is located, is one of the most accessible and strategic locations in the DSP area and is bounded by the Mitchell Freeway road reserve to the east, the northern suburbs railway reserve to the west and roads reserved as 'Other Regional Roads' under the Metropolitan Region Scheme to the north and south.

The DSP includes the following relevant objectives and strategies:

- O 2 *To enable the development of Activity Corridor between Activity Centres, which foster employment opportunities and support the development of the public transport network.*
- O 3 *To aim for a minimum of 60% employment self-sufficiency within the DSP area...*
- O 4 *To create a robust urban framework within and around Activity Centres, which enhances opportunity for community and economic activity to generate locally based employment at active focal points.*
- S 2 *LSP's to incorporate appropriate sites for employment nodes and corridors, in locations generally as depicted on the DSP Map 1.*

In addition, Part 2 of the DSP recognises these 'Service Commercial' areas as major employment generating areas:

"The DSP provides for substantial service commercial areas in association with the Secondary and District Centres. These commercial areas will incorporate uses such as Business and Research Parks, service commercial and service industrial uses which meet the needs of larger retail outlets, showrooms, retail warehouses, light industrial and service industries. These areas, which provide for essential localised employment opportunities, have been strategically located between the freeway and the railway, in order that they have maximum accessibility and are near truck routes..."

When taking into consideration the Economic Employment Strategy prepared as part of the DSP, the overall 'Service Commercial' Activity Corridor in which the Transit Precinct is situated (which is estimated to comprise a floorspace of 238,196m²), could contribute approximately 4,200 jobs, which represents approximately 28% of the jobs which could be created in the DSP area. It is therefore envisaged that under the DSP, this 'Service Commercial' Activity Corridor will have a significant role in contributing to local employment within Alkimos-Eglinton.

Inclusion of the Transit Precinct within the 'Centre Zone'

The City's District Planning Scheme No. 2 (DPS No. 2) does not include a specific 'Service Commercial Zone' to reflect the land use allocation under the Alkimos Eglinton DSP, however, clause 3.13.1 of the Scheme identifies the 'Centre Zone' and states:

"The Centre Zone is intended to accommodate existing and proposed business centres or other planning precincts where the Council considers that an Agreed Structure Plan is necessary to provide for the co-ordinated planning and development of these centres. The centres may range in size from small neighbourhood centres to large multi-purpose regional centres".

Although the Transit Precinct is not identified as an 'activity centre' under the WAPC's SPP 4.2, it does form part of a broader 'Service Commercial' Activity Corridor which is recognised under the DSP as being strategically located to provide essential localised employment opportunities. DPS No. 2 facilitates further structure planning to support coordinated planning and development in significant employment areas like this Activity Corridor, through the inclusion of these within the 'Centre Zone'. The inclusion of the Transit Precinct within the 'Centre Zone' would therefore require a separate local structure plan to be prepared under the City's Scheme, and not an 'activity centre structure plan' under SPP 4.2.

The remainder of the 'Service Commercial' Activity Corridor (except for a portion subject to the Eglinton LSP No. 82), is currently not subject to any WAPC adopted local structure plan. Given that the detailed planning of this area is at an early stage and due to the fragmented landownership in the area, there is a need for coordinated and detailed planning in line with the DSP. In particular, there is a need to ensure that a suitable framework is provided to coordinate land uses, densities and employment types within this area and for the physical barriers associated with the land, including road and rail crossings to be appropriately planned for given the linear nature of the Activity Corridor. The inclusion of the Transit Precinct within the 'Centre Zone' is consistent with the WAPC's resolution to adopt the Eglinton LSP No. 82, where a modification was also included requiring a portion of the DSP's 'Service Commercial' Activity Corridor to be rezoned from the 'Business Zone' to the 'Centre Zone'.

The inclusion of the Transit Precinct within the 'Centre Zone' would also support the intent of the 'Service Commercial' Activity Corridor under the DSP and would ensure that the Activity Corridor's contribution to local employment generation within the DSP area is not compromised. It would facilitate the basis for suitable monitoring and review provisions to be captured in a specifically prepared structure plan to ensure that development within the Activity Corridor occurs in line with the employment self-sufficiency targets of the DSP.

The proponents, in their submission, advise that there is a current opportunity to secure two high employment generating uses (a private school and high care facility) which would potentially not be able to occur if the land is included within the 'Centre Zone'. In this regard, it is to be noted that although DPS No. 2 requires a structure plan to be prepared for the 'Centre Zone', it does provide scope for subdivision and/or development to be potentially considered within this zone before a structure plan has been prepared and adopted having regard to the intent of the zoning, the desirability

of having a structure plan in place and the interests of orderly and proper planning. Therefore, the inclusion of the Transit Precinct within the 'Centre Zone' does not necessarily preclude scope for employment generating uses (including a school and high care facility), to be potentially accommodated on the land prior to a separate structure plan being adopted.

Inclusion of the Transit Precinct within the 'Mixed Use' and 'Business' Zones

The zonings proposed by the proponents are not considered to be consistent with the intent and purpose of the 'Service Commercial' land use allocation under the DSP. Unlike the requirement for a structure plan to be prepared as a pre-requisite to subdivision in the 'Centre Zone', DPS No. 2 does not include a requirement for structure planning in respect of either the 'Mixed Use' or 'Business' zones. As no further detailed structure planning will occur under these zonings, there is concern that this would result in the un-coordinated planning of the Activity Corridor, resulting in a lost opportunity to increase employment generation and ensure the effective use of transport infrastructure in the area.

Although the proponents submission refers to the ability for the proposed 'Mixed Use' and 'Business' zones to ensure that sufficient employment generation is provided when considering the employment self-sufficiency targets of the DSP, there is no certainty that this would ultimately occur. In fact, there is concern that the proposed zoning of the land could, potentially result in the land being subdivided and developed for predominantly non-employment related purposes (particularly residential) which is not the intent of the DSP and would significantly impact on the ability of the sub-region to achieve greater employment self-sufficiency. This concern is based on increasing trends within the sub-region for land zoned for commercial and business purposes to be subdivided and developed for residential purposes. This is due to a lack of any specific controls in the City's Scheme to restrict residential development in the 'Mixed Use' and 'Business' zones. In this regard, under the City's Scheme, a 'Single House' is a 'D' (discretionary) use within these zones and there is no mechanism to ensure that the proportion of residential uses within these zones are limited in accordance with the intent of the Scheme for these zones.

Further, If the zoning of the Transit Precinct is supported as proposed, other structure plans which are yet to be considered by the WAPC in the rest of the 'Service Commercial' Activity Corridor would also be potentially zoned on this basis, which could result in the Activity Corridor being ultimately developed for non-employment purposes, significantly compromising employment generation in the DSP area.

The proponents consider that the 'Mixed Use' and 'Business' zones will allow for transition from residential uses in the short to medium term to potentially employment generating commercial uses in the longer term as demand grows and land values increase through a proposed LSP provision requiring the preparation of detailed area plans. However, there is no certainty, despite the preparation of detailed area plans, that such a transition of land use over time will ultimately occur.

North Alkimos Railway Station

The DSP Map identifies a 'Possible Railway Station' for North Alkimos. In this regard, the proponents refer to correspondence from the PTA advising that the North

Alkimos station was not identified as a future station in the Public Transport Network Plan and that it will not be part of the master plan being prepared by the PTA for the extension of the Northern Suburbs Railway to Yanchep. The proponents consider that the planning situation has substantially changed since the WAPC's original decision to adopt the LSP in view of the railway station not being provided.

In this regard, a current amendment to the DSP (proposed Amendment 1) proposes, the removal of the North Alkimos railway station. The proposed Amendment is yet to be considered by the WAPC and is currently being advertised by the City. Notwithstanding this, the potential removal of the North Alkimos railway station does not remove the basis for the requirement to zone the land 'Centre' within the context of this area being part of a broader 'Service Commercial' Activity Corridor under the DSP requiring coordinated land use planning. Irrespective of the provision of the railway station, the subject land remains highly accessible to major existing and planned transport infrastructure and is strategically located to accommodate future employment generating uses.

Conclusion

The LSP has not been satisfactorily modified in accordance with the WAPC's previous resolution and it is therefore not possible for the WAPC to adopt and certify the LSP in accordance with the City's DSP No.2.

The request for the removal of Modification 38(i) from the WAPC's 10 November 2009 Schedule of Modifications is not supported due to the following reasons:

- The proposed 'Mixed Use' and 'Business' zonings of the Transit Precinct under the modified LSP have implications for the orderly and proper planning of the land which forms part of a broader 'Service Commercial' Activity Corridor under the Alkimos Eglinton DSP.
- The inclusion of the Transit Precinct within the 'Centre Zone' would facilitate further detailed structure planning of the land under the City's DSP No. 2 in order to coordinate with the planning of the broader Activity Corridor identified by the DSP. This would ensure that the Activity Corridor's contribution to local employment generation within the DSP area is not compromised and that the employment self-sufficiency targets in the DSP and Directions 2031 are achieved in one of the most local employment deprived sub-regions in the Perth Metropolitan area.

It is therefore recommended that the WAPC re-iterates its requirement for Modification 38(i) of its 10 November 2009 Schedule of Modifications be included, in part, as a modification to the LSP; and defers the adoption of the North Alkimos Local Structure Plan No. 73, until such time as the LSP has been satisfactorily modified to incorporate the WAPC's modifications. It is further recommended that the proponent be advised that the Commission would be prepared to consider subdivision of the land to create the lots accommodating the proposed aged care facility and school site, prior to an endorsed structure plan, pursuant to Clause 9.11.2 of the City's DPS No. 2.



LEGEND

RESERVES

- Parks and Recreation
- Primary Regional Road
- Other Regional Road
- Railways

ZONES

- Residential
- Business
- Commercial
- Mixed Use

MOVEMENT

- Proposed Railway Station
- Neighbourhood Connector
- Secondary Public Transport System
- Coastal Road
- Principle Shared Path
- Shared Path
- Foreshore Path
- Linkages outside of Structure Plan

STRATEGIC PUBLIC OPEN SPACE AND LINKAGES

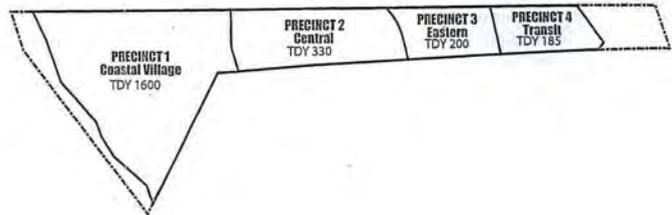
- Indicative Strategic Open Space
- Open Space incorporating retained vegetation for conservation purposes
- Social/Pedestrian/Cycle Linkages
- Social/Pedestrian/Cycle Linkages (on land owned by others)

Note: Open space shown on this plan is indicative only and subject to detailed design. Balance of 10% to be provided in accordance with Part 2. The utility of Indicative Strategic Open Space to be generally in accordance with Part 2.

OTHER

- Structure Plan Boundary
- Primary School
- Centre 1 - Alkimos North Coastal Village
- Centre 2 - Local Centre
- Centre 3 - Neighbourhood Centre
- Centre 4 - Transit Orientated Development
- Walkable Catchments (400m/5minute & 800m/10minute)
- Groundwater Treatment Plant Chlorine Hazard Buffer Zone (500m radius)
- Suspected Threatened Ecological Communities (Subject to verification)
- 32m Wide Easement for 132kv Power Lines
- TDY Target Dwelling Yield
- This road linkage through the Parks and Recreation Reserve is subject to further approval by the Minister for Environment, in addition to Ministerial Statement No. 772. The road alignment may require modification if approval is not obtained.

PRECINCT PLAN

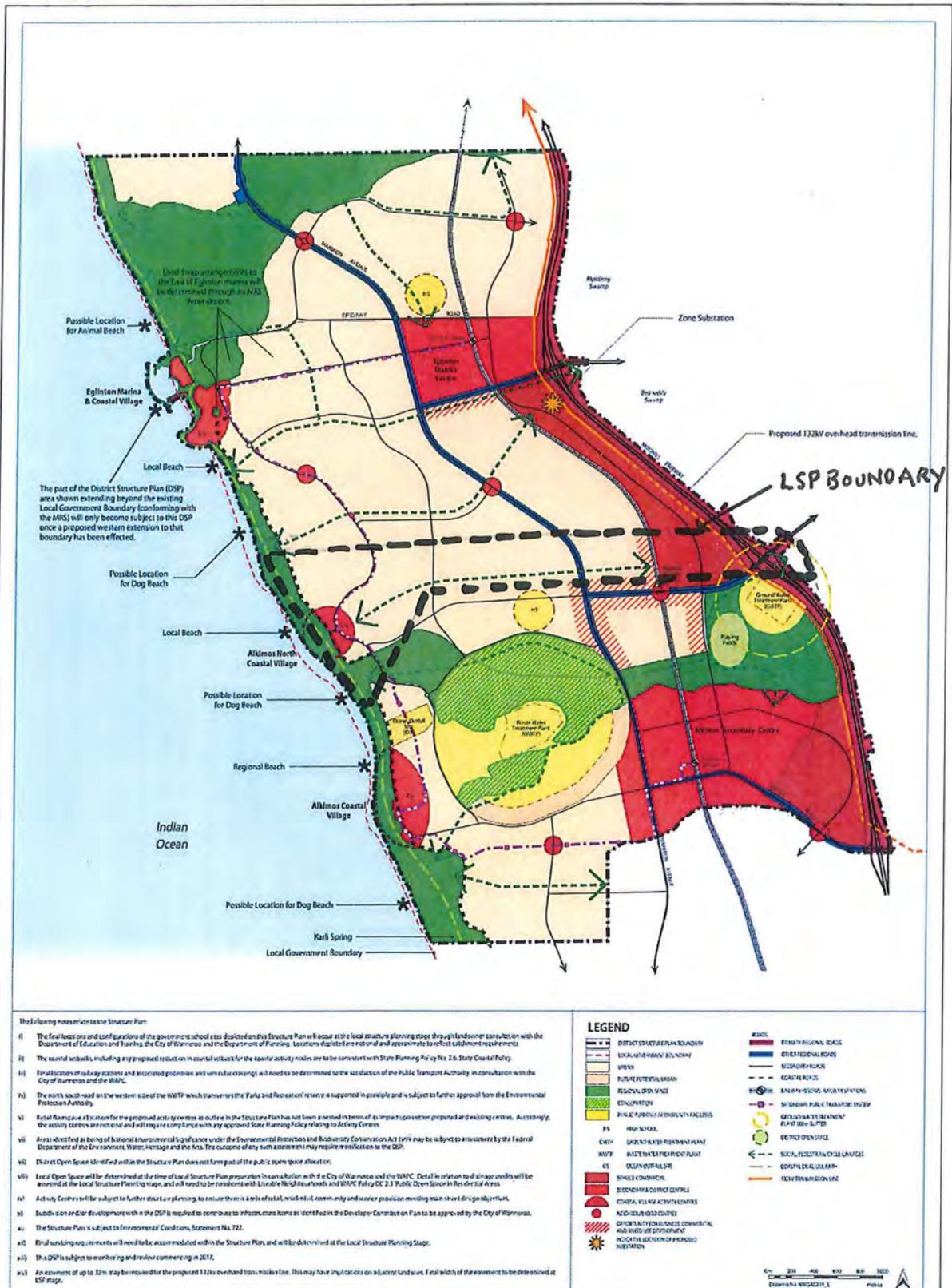


LOCAL STRUCTURE PLAN

NORTH ALKIMOS LOCAL STRUCTURE PLAN | LOTS 1005 & 1006 MARIMON AVENUE ALKIMOS

DATE: 10/10/2014 11:58 AM
 PROJECT: NORTH ALKIMOS LOCAL STRUCTURE PLAN
 DRAWING: LOCAL STRUCTURE PLAN - ATTACHMENT 1
 SCALE: 1:1000
 DRAWN BY: J. HARRISON
 CHECKED BY: J. HARRISON
 APPROVED BY: J. HARRISON

EXECUTIVE SUMMARY



District Structure Plan

ALKIMOS EGLINTON

Figure1: District Structure Plan



ITEM NO: 9.2

PROPOSED SUBDIVISION GUIDE PLAN – LOTS 1- 3 CROSSMAN ROAD, CROSSMAN – SHIRE OF BODDINGTON LOCAL PLANNING SCHEME NO. 2

WAPC OR COMMITTEE: **Statutory Planning Committee**

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Senior Planning Officer
AUTHORISING OFFICER: Planning Manager
AGENDA PART: C
FILE NO: TPS/0238
DATE: 27 November 2013
ATTACHMENT(S): Attachment 1 - Proposed SGP
Attachment 2 - Current SGP
Attachment 3 - Location Plan
Attachment 4 - Summary of Submissions

RECOMMENDATION:

That the Western Australian Planning Commission resolves to:

- 1. endorse the Lots 1-3 Crossman Road, Boddington Subdivision Guide Plan No. 2, without modification;***
- 2. advise the Shire of Boddington of its decision.***

SUMMARY:

The Shire of Boddington requests that the Western Australian Planning Commission (WAPC) endorse an updated Subdivision Guide Plan (SGP) for Lots 1-3 Crossman Road, Ranford (**Attachment 1** - Proposed SGP).

This matter is being presented to committee as the proposed SGP is not consistent with the *Shire of Boddington Local Planning Strategy* (LPS). It is recommended that the SGP be endorsed.

BACKGROUND:

In August 2007, the WAPC endorsed the Shire's LPS, which identifies the subject site as being suitable for rural residential development.

In September 2011, the Minister for Planning approved Amendment 16 to the Shire of Boddington Local Planning Scheme No. 2 (LPS2) subject to modifications. Amendment 16 (gazetted April 2012) rezoned the site from the Rural zone to the Special Use zone and established special provisions for the site.

A related SGP came into effect as a result of Amendment 16 and depicts 118 lots, ranging from 4,000 m² to 2.72 ha (**Attachment 2** - Current SGP).

In January 2012, the Statutory Planning Committee approved a subdivision application (WAPC Ref: 144275) to create 121 lots over the subject land. Although there was a slight increase in lot yield compared to the SGP, a minimum lot size of 4000 m² was maintained.

In July 2013, the Shire of Boddington Council endorsed an updated SGP (**Attachment 1**), which was forwarded to the WAPC for endorsement in September 2013.

In September 2013, the Shire adopted an updated LPS. The updated LPS identifies the property for rural residential and residential (R2.5-R5) purposes. The WAPC has not yet granted consent to advertise the updated LPS.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	<i>Planning and Development Act 2005</i>
Section:	Part 5 Local Planning Schemes
Legislation	Town Planning Regulations 1967
Section:	25 Town Planning Scheme Amendment

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

Policy	
Number and / or Name:	Development Control Policy 2.5 - Special Residential Zones

DETAILS:

The subject land is located approximately 2.5 km north-east of the Boddington town centre and about 250 metres east of the Ranford townsite, with frontage to the Hotham River (**Attachment 3** - Location Plan).

The current SGP provides for 118 residential lots between 4,000m² and 2.72ha (**Attachment 2**). The proposed SGP seeks to:

- increase the lot yield to 149 lots;
- decrease the minimum lot size from 4,000 m² to 2,255 m²;
- increase the size of the central open space from 1,867 m² to 6,824 m²; and
- increase the extent of dual use paths.

Consistent with the current SGP, the smaller lots in the proposed SGP are centrally located and are separated from the Hotham River by the larger lots, which range in size from 9,995m² to 2.72 hectares. The rear of the larger lots adjacent to the Hotham River (numbered 12 to 18 and 136 to 150) are identified as building exclusion zones.

GOVERNMENT AND CORPORATE IMPLICATIONS:

The proposal will not result in any implications for Government. The only corporate implications will be that the WAPC will be required to assess and determine any future subdivision applications.

CONSULTATION:

The proposed SGP was advertised for public comment for a period of four weeks and eight submissions were received (**Attachment 4** - Summary of Submissions).

Six of the submissions were from State government agencies (Department of Water, Department of Mines and Petroleum, Western Power, Department of Aboriginal Affairs, Department of Health and Department of Environment and Conservation). These submissions raised no objections to and provided general advice in relation to the proposed SGP.

Two submissions were received from local community groups opposing the proposed SGP based on concerns the proposed lot sizes were not in keeping with the established rural character of the locality.

OFFICER'S COMMENTS:

Shire of Boddington Local Planning Strategy

The subject site is located within the 'Upper Hotham Precinct' of the LPS. The objectives of this precinct include providing 'opportunities for rural-residential and rural small holdings activities in areas with reasonable proximity to town. Figure 7.2 of the LPS depicts the subject land as rural-residential.

The current SGP already departs from the LPS as it provides for minimum lot sizes of 4,000m², which is less than the one hectare minimum lot size required for rural residential. This departure from the LPS was justified for the following reasons:

- the smaller lot sizes facilitate the provision of reticulated water to the site, which requires an extension to a reticulated main to the site, of dimensions capable of servicing the surrounding land;
- the SGP provides a variety of rural living opportunities on land identified for rural residential purposes in proximity to existing and planned community facilities; and
- development is compatible with surrounding land and does not compromise identified agricultural resources.

The proposed SGP represents a further departure from the LPS as it proposes 149 residential lots between 2,255m² and 2.72 hectares, which is an additional 31 residential lots over the current SGP.

Although an LPS is intended to provide a degree of certainty regarding likely future zonings, it is reasonable to consider allowing a further departure from the LPS in this instance as:

- the overall theme of the development would not substantially change;
- some larger rural residential lots are still proposed on the site;
- the current SGP already provides for some larger Special Residential lots; and
- the Shire has taken formal steps to update its LPS, with a view to identifying the subject property for rural residential and residential purposes.

Development Control Policy 2.5: Special Residential Zone

Development Control Policy 2.5: Special Residential Zones (DC2.5) is relevant to the proposed SGP given it proposes lot sizes between 2,000m² and one hectare.

DC2.5 outlines a list of locational requirements that should be considered in the assessment of proposals for Special Residential development. These locational requirements include, but are not limited to:

- Special Residential zones should be located adjacent to existing or planned residential areas;
- Special Residential zones should avoid good agricultural land; and
- Consideration will need to be given to topographical features of the land, distinct attractions such as creeks or water features, views and fine trees.

The current and proposed SGPs are consistent with the locational requirements outlined in DC2.5 as the site is located in close proximity to the existing Ranford Townsite (approximately 250 metres away) and land to the south of the subject site is identified for urban expansion in the LPS. Furthermore, the development of the subject site will not compromise good agricultural land.

The current SGP provides a range of lot sizes that reflect the topography and environmental characteristics of the land, consistent with clause 3.2.2 of DC2.5. Following additional ground truthing, the lot layout for the proposed SGP has been designed to better respond to the location of granite outcrops and remnant vegetation.

Environmental Considerations

One of the provisions in LPS2 requires the preparation and implementation of a Trees with Hollows Management Plan at the subdivision stage, to the satisfaction of the Department of Environment and Conservation (now Department of Parks and Wildlife). This plan identifies 13 trees with hollows, which are identified on both the current SGP and the proposed SGP.

The central portion of the subject site contains remnant vegetation. The proposed reduction in lot sizes in this part of the site may result in additional remnant vegetation being cleared for the construction of houses and other related development.

The revised SGP is not expected to have a significant increased environmental impact for the following reasons:

- building exclusion zones have been identified on the proposed SGP, which have a similar extent to the building exclusion zones on the current SGP;
- the area of the central public open space (POS) area has been increased to 6,824m² from 1,867m², which will protect remnant vegetation from clearing; and
- significant trees with hollows have been identified on the proposed SGP and incorporated into the building exclusion zone. The Shire of Boddington advises these trees were identified in consultation with the then Department of Environment and are considered to be acceptable. These trees will be retained in accordance with a Trees with Hollows Management Plan, which will be prepared at the subdivision stage.

Impact on the Rural Character of the Area

Two submissions raised concerns about the impact of the smaller lot sizes on the rural character of the area.

The impacts of development on visual amenity and the rural character of the area were considered in the assessment of the current SGP. In this respect, it was determined that the visual amenity of the Hotham River foreshore and the adjoining rural lots would be maintained by the larger lots being located adjacent to them. It was also determined that the ten metre wide vegetation buffer and building exclusion zones adjacent to Crossman Road would reduce the visual impact the smaller lots would have on the rural amenity from Crossman Road.

The proposed SGP is similar to the current SGP, in that the larger lots are located adjacent to the Hotham River and adjoining rural lots and a ten metre wide vegetation buffer and building exclusion zones are provided adjacent to Crossman Road. The most significant difference between the two SGPs is the proposed reduction in lot sizes in the central and southern parts of the subject site. Given the proposed SGP has a similar lot layout to the current SGP and retains the vegetation buffer adjacent to Crossman Road, the smaller lots should not adversely impact on visual amenity or the rural character of the area.

Visual impact of the smaller lot sizes will also be minimised through existing scheme provisions which: prevent development within building exclusion zones; require a minimum 10 metre setback from all boundaries; and restrict the removal of trees.

Other Considerations

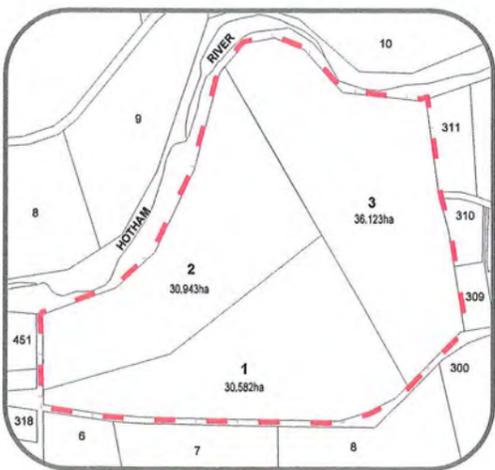
Special provisions were incorporated into LPS2 via Amendment 16, some of which include:

-
- *Connection to reticulated water for all dwellings will be provided at the subdivision stage;*
 - *A Fire Management Plan is to be implemented as a condition of subdivision approval to a standard approved by Council and the Fire and Emergency Services Authority;*
 - *No dwelling shall be constructed or approved for construction unless an approved method of effluent disposal has been incorporated into the approved plans. Conventional (septic and leach drain) effluent disposal systems are acceptable providing a 100m horizontal separation is achieved between the effluent disposal system and the Hotham River or other watercourse. If this separation cannot be achieved, an alternative treatment unit approved by the Department of Health shall be required.*

With regard to the first dot point above, the Water Corporation has provided its comments to WAPC for the related subdivision application, advising that the land is capable of being served by the Water Corporation. The standard reticulated water condition will be imposed by WAPC on the approval for the subdivision of the land.

Conclusions

It is recommended that the proposed Subdivision Guide Plan be endorsed.

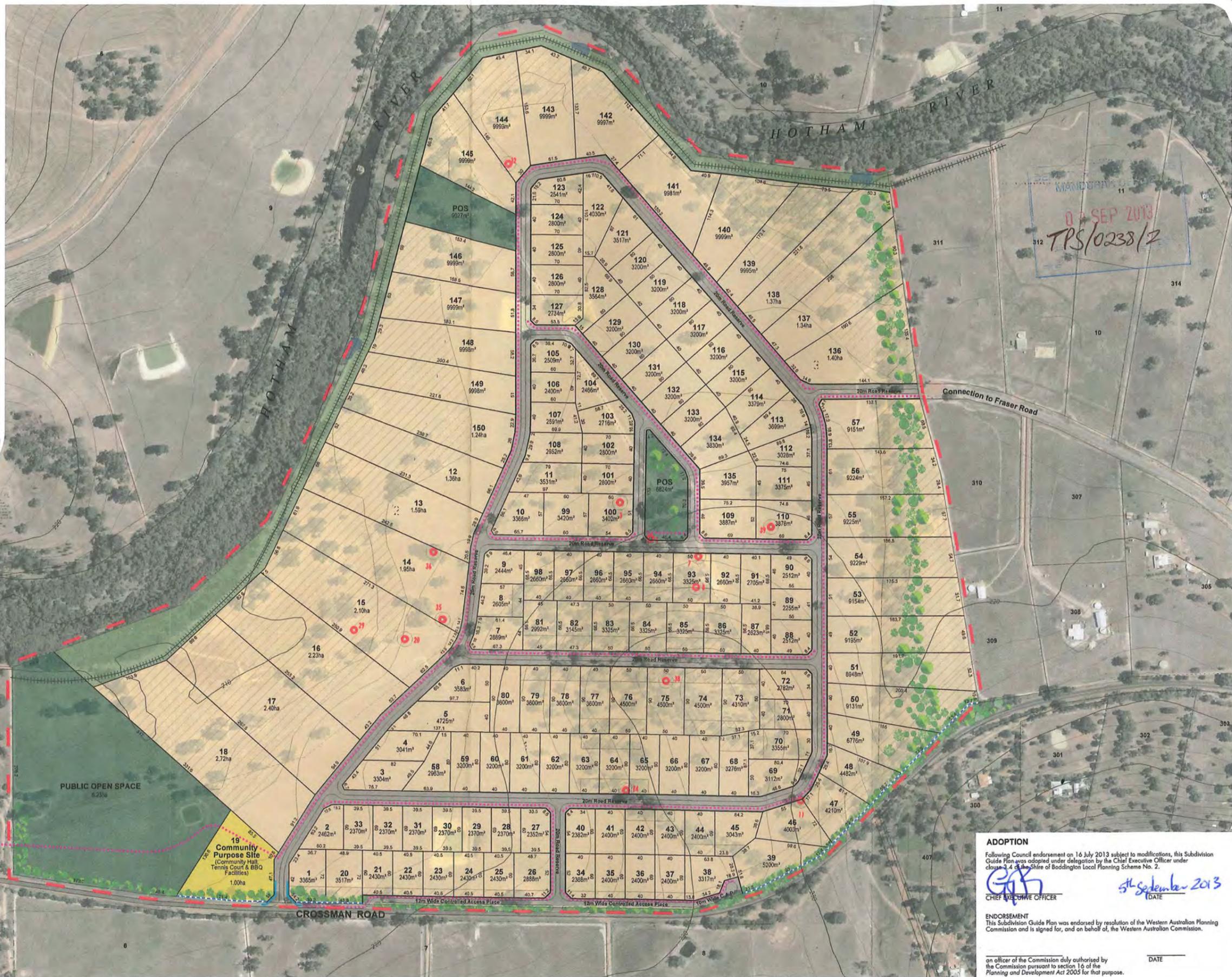


EXISTING LOT CONFIGURATION (NTS)

LOT YIELD		LOT AREA	
Size	No. Lots	Average Size	% of Total Area
2500m ² - 2500m ²	25	16.78%	2334m ²
2500m ² - 3000m ²	29	19.46%	2714m ²
3000m ² - 3500m ²	40	26.85%	3278m ²
3500m ² - 4000m ²	14	9.40%	3668m ²
4000m ² - 4500m ²	5	3.36%	4297m ²
4500m ² - 5000m ²	4	2.68%	4556m ²
5000m ² - 6000m ²	21	14.09%	9295m ²
6000m ² - 10000m ²	5	3.36%	13420m ²
10000m ² - 15000m ²	2	1.34%	17700m ²
15000m ² - 20000m ²	4	2.68%	23825m ²
20000m ² +	4	2.68%	23825m ²
Total Number of Lots	149		

Minimum Lot Size 2255m² Average Lot Size 5039m²
 Maximum Lot Size 2.72ha Total Lot Area 75.0945ha

LOT YIELD TABLE



ADOPTION
 Following Council endorsement on 16 July 2013 subject to modifications, this Subdivision Guide Plan was adopted under delegation by the Chief Executive Officer under clause 3.4 of the Shire of Boddington Local Planning Scheme No. 2.

[Signature]
 CHIEF EXECUTIVE OFFICER
 5th September 2013
 DATE

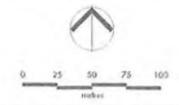
ENDORSEMENT
 This Subdivision Guide Plan was endorsed by resolution of the Western Australian Planning Commission and is signed for, and on behalf of, the Western Australian Commission.

an officer of the Commission duly authorised by the Commission pursuant to section 16 of the Planning and Development Act 2005 for that purpose. _____ DATE

(the spatial group) planning + design

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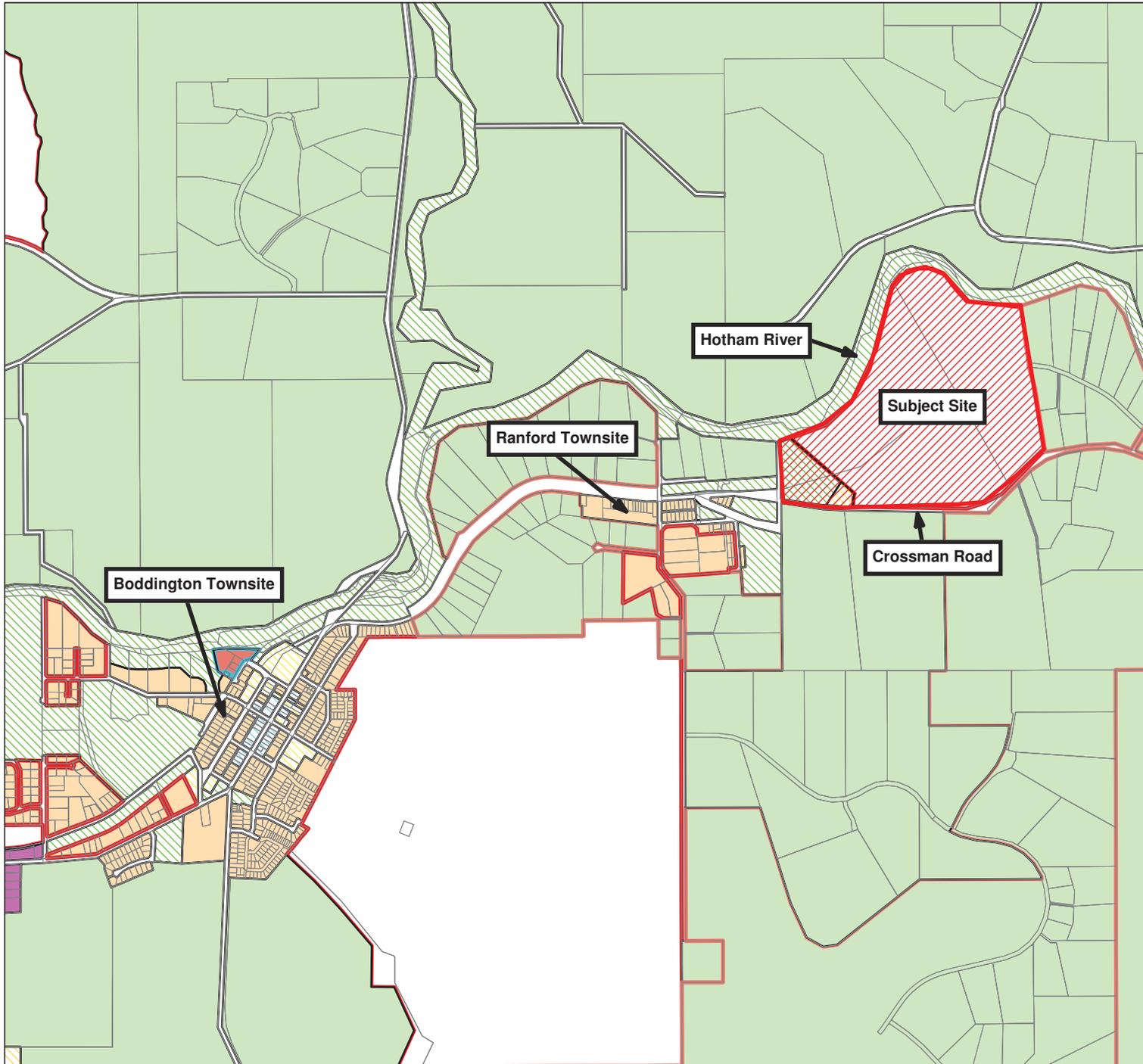
- NOTES**
- All areas and dimensions are subject to survey, engineering and detailed design and may change without notice, subject to giving necessary approval from the State of Boddington and/or the Western Australian Planning Commission.
 - Convergences are approximate only. The provisions of the State of Boddington Local Planning Scheme apply to the Subdivision Guide Plan.
 - Dual use paths/trails within the subject site are to be provided by the developer as outlined on the endorsed Subdivision Guide Plan.
 - Building area to be located outside of the designated Building Exclusion Area and within 10 metres of the boundaries.
 - A detailed plan outlining the dimensions of the Building Exclusion Zone shall be prepared by the proponent, to be reflected on a condition of subdivision approval.
 - The width of the landscape reserve expansion area is indicative only, and shall be confirmed at the subdivision stage.
 - On site effluent disposal systems shall be provided to the satisfaction of the State and the Department of Health. Alternative treatment units may be required for lots adjacent to watercourses or where geotechnical investigations reveal limitations for conventional on site effluent disposal systems.

- LEGEND**
- Subject land
 - Residential & Rural Residential lots
 - Public Open Space
 - Community Purpose Site
 - Additional Foreclosure Reserve to be ended (see Note 6)
 - Building Exclusion Zone (see Notes 4 & 5)
 - Dual Use Path
 - Landscape Buffer / Revegetation
 - 2m Contours with 10m Intervals
 - Indicative 5m wide Track
 - Restricted Vehicle Access
 - Landscaped Discharge Swale
 - Trees with hollows to be retained in accordance with a "Trees with Hollows Management Plan"

Lots 1 - 3 Crossman Road, Ranford | SUBDIVISION GUIDE PLAN: MODIFICATION 2

AGENDA PAGE 54

Attachment 1



Government of **Western Australia**
Department of Planning

Subdivision Guide Plan
Lots 1-3 Crossman Rd, Ranford
Location Plan

- Crossman Road
- Cadastre
- RESIDENTIAL
- SPECIAL RESIDENTIAL
- COMMERCIAL
- CARAVAN PARK
- RURAL RESIDENTIAL
- RURAL
- INDUSTRIAL
- PARKS AND RECREATION
- PUBLIC PURPOSES
- SPECIAL USE
- STATE FOREST



Prepared by: bpye
Prepared for:
Date: Monday, November 11, 2013 11:58
Plot identifier: P20131111_1158



DP INTERNAL USE ONLY
AGENDA PAGE 56

Lots 1-3 Crossman Road, Ranford - Modified Subdivision Guide Plan

Summary of Submissions

No.	Submitter	Summary of Submission	WAPC Comment/Response
1	Department of Water	Provided standard advice in regard to: <ul style="list-style-type: none"> • the need for an Urban Water Management Plan; • the Hotham River Floodplain; and • the need to obtain a licence for taking or abstracting surface water or groundwater. 	Noted.
2	Department of Mines and Petroleum	Raised no concerns with the modified subdivision guide plan.	Noted.
3	Western Power	Provided standard advice in regard to working in proximity to power distribution lines.	Noted.
4	Department of Aboriginal Affairs	Advised that the subject land intersects with the boundaries of three Aboriginal heritage places. General advice provided in regard to Aboriginal heritage sites and how they are protected by the <i>Aboriginal Heritage Act 1972</i> .	Noted.
5	Friends of the Reserves Boddington (Inc)	Object to the modified subdivision guide plan as it is not in keeping with the established country style of Boddington. Larger lot areas of around two hectares or more, sizes similar to the subdivision adjacent and to the east of the subject site would be more suitable.	Dismissed. Refer to the Officer's Comments section of the report for a justification of this departure from the recommendations of the <i>Shire of Boddington Local Planning Strategy</i> .
6	Boddington Rivers Action Group	The amended subdivision guide plan is too intensive for this location and will destroy the Shire's rural ambience.	Dismissed. Refer to the Officer's Comments section of the report for a

		Blocks in the order of 2 to five hectares will attract tree-changers or mine workers to permanently live in the Shire. Smaller sized blocks should be limited to the immediate town precincts of Boddington and Ranford.	justification of this departure from the recommendations of the <i>Shire of Boddington Local Planning Strategy</i> .
7	Department of Health	<ol style="list-style-type: none"> 1. All proposed lots to be connected to reticulated water supply. 2. Advises that additional information is required to enable the Department of Health and the Shire of Boddington to consider the capability of the land to dispose of wastewater associated with the modified subdivision guide plan. 3. General advice provided in relation to public health impacts. 	<ol style="list-style-type: none"> 1. Noted. The <i>Shire of Boddington Local Planning Scheme No.2 (LPS2)</i> requires that a connection to the reticulated water supply will be provided for all lots at the subdivision stage. 2. Noted. A geotechnical report was prepared for the site as part of Scheme Amendment No.16, which identified that the majority of the site is capable of accommodating on-site effluent disposal. 3. Noted.
8	Department of Environment and Conservation (Now Department of Parks and Wildlife)	<ol style="list-style-type: none"> 1. Provides general comment about how the proposal may adversely impact on approximately 9.5 hectares of feeding and breeding habitat of the Carnaby's Black Cockatoo and states that the proponent will need to determine their obligations under the Commonwealth Government's <i>Environmental Protection and Biodiversity Conservation Act 1999</i>. 2. Provided general advice in regard to the potential need to obtain a clearing permit for the clearing of native vegetation. 3. The proposed subdivision adjoins and may impact upon the Hotham River and its associated riparian vegetation. More information is required from the proponent to determine this level of impact. 	<ol style="list-style-type: none"> 1. Noted. 2. Dismissed. The modified SGP will be determined under an assessed scheme and, therefore does not require a clearing permit as it is exempted under Schedule 6 of the <i>Environmental Protection Act 1986</i>. 3. Noted.

ITEM NO: 9.3

CITY OF NEDLANDS LOCAL PLANNING STRATEGY

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Planning Manager, Schemes and Amendments
AUTHORISING OFFICER: Planning Director, Schemes and Amendments
AGENDA PART: D
FILE NO: DP/13/00793/1
DATE: 26 November 2013
ATTACHMENT(S):
1. Location plan
2. List of actions
3. Plans depicting actions based on desired outcomes
4. New housing choices
5. Schedule of modifications

RECOMMENDATION:

That the Western Australian Planning Commission resolves to:

- 1. certify that the local planning strategy is consistent with Regulation 12A(3) of the Town Planning Regulations (as amended) subject to the modifications outlined in the attached Schedule of Modifications, being undertaken prior to advertising;*
- 2. require the local planning strategy to be advertised for not less than 21 days.*

SUMMARY:

- The City of Nedlands has forwarded a draft Local Planning Strategy to the Western Australian Planning Commission (WAPC) for consent to advertise.
- WAPC is required to certify that the draft Strategy is acceptable for advertising in accordance with the *Town Planning Regulations 1967*.
- Modifications are recommended to require review of additional state and regional planning policies, identify planning implications and analyse issues, to ensure consistency with the regulations.
- The draft Strategy is recommended for advertising subject to the above modifications.

BACKGROUND:

The City of Nedlands covers an area of approximately 20km² west of the City of Subiaco, extending between the Swan River and Indian Ocean (**Attachment 1**). Australian Bureau of Statistics data from the 2011 Census indicates a population of around 20 500. The City contains eight suburbs comprising Swanbourne, Mount Claremont, Shenton Park, Floreat, Karrakatta, Claremont, Nedlands and Dalkeith.

A large part of the City is reserved under the Metropolitan Region Scheme (MRS), notably “Public Purposes” reserves accommodating the Swanbourne and Irwin Barracks, Water Corporation Wastewater Treatment Plant in Shenton Park, Karrakatta Cemetery, and public hospitals (comprising Graylands, RPH Shenton Park, QEII medical centre and the former Sunset Hospital site). MRS “Parks and Recreation” reserves extend over various active recreational areas in Swanbourne, Nedlands and Dalkeith), golf courses (Cottesloe Golf Club and Nedlands Golf Club), and the river and ocean foreshores.

The balance of the City is zoned “Urban” under the MRS and is generally developed for residential purposes. Low density R10 and R12.5 coded areas are concentrated in Dalkeith, Nedlands, and parts of Mount Claremont and Floreat. Other residential areas throughout the City are variously coded R20 to R50.

Regional road reserves traversing the City include West Coast Highway, Stirling Highway, Railway Road and Underwood Avenue. Apart from Stirling Highway which provides opportunities for adjoining commercial/retail developments, the regional roads generally provide for through traffic. The Stirling Highway Primary Regional Roads reserve is currently subject to review under MRS Amendment 1210/41, and is planned to be reduced.

The Fremantle to Perth passenger railway line traverses the City along the Railway Road alignment. Shenton Park, Karrakatta and Loch Street railway stations are located within the City.

Commercial/retail land uses are generally located in along Stirling Highway, Hampden Road and Broadway, and in neighbourhood centres.

Development in the City is guided by Town Planning Scheme No. 2 which was gazetted in April 1985, and has been subject to over a hundred and ninety amendments. The City has also submitted draft Local Planning Scheme No. 3 (LPS 3) for consent to advertise. LPS 3 will be subject of a separate report to the Committee for consent to advertise.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	<i>Planning and Development Act 2005</i>
Section:	Part 5, Local Planning Schemes
Legislation	<i>Town Planning Regulations 1967</i>
Section	Regulations 12A-12B
Strategic Plan	
Strategic Goal:	Planning
Outcomes:	Effective Delivery of Integrated Plans

Strategies: Develop integrated infrastructure and land use plans for the State
Implement State and Regional Planning priorities

Policy

Number and / or Name: Directions 2031 and Beyond
Draft Central Metropolitan Perth Sub-Regional Strategy
SPP 2.8, Bushland Policy for the Perth Metropolitan Region
SPP 2.9, Water Resources
SPP 2.10, Swan-Canning River System
SPP 3, Urban Growth and Settlement
SPP 3.1, Residential Design Codes
SPP 3.5, Historic Heritage Conservation
SPP 4.1, State Industrial Buffer Policy, and draft SPP 4.1, State Industrial Buffer (amended) Policy
SPP 4.2, Activity Centres for Perth and Peel
SPP 5.4, Road and Rail Transport Noise and Freight Considerations in Land Use Planning
DC Policy 1.6 Planning to Support Transit Use and Transit Oriented Development

DETAILS:

The draft Strategy comprises three parts, and is broadly consistent with the format recommended in the WAPC's Local Planning Manual (March 2010), with supporting information contained in appendices.

Part 1 (Background) provides a brief introduction of the local government area, an explanation of the role of a local planning strategy, and the regulatory planning framework. It also provides a summary of State Planning Policies, regional strategies WAPC operational policies, and strategic plans relevant to the City. A brief description of the local community and each suburb in the City is included, and key challenges are identified.

Part 2 (Strategy) represents the strategy and describes the City's vision, desired outcomes (or objectives) and guiding principles, with a summary of the associated delivery mechanisms. This part also addresses the housing targets recommended for the City in the draft Central Metropolitan Sub-Regional Strategy. Implementation actions (or strategies) are prescribed for each suburb.

Part 3 (Implementation and Review) lists each action in conjunction with the relevant delivery mechanisms, expected timing and priority level. A review plan is also included to facilitate ongoing review.

Key Challenges

The draft Strategy identifies the following key challenges (summarised):

- Identifying locations for clustering community facilities, mix of land uses and housing choice to create community hubs.

-
- Developing planning principles to achieve adaptable buildings, especially housing.
 - Increasing demand for adaptable housing options.
 - Increasing demand to plan for a mix of land uses to facilitate local living.
 - Identifying, protecting and building on neighbourhood character.
 - Addressing potential impacts of climate change.
 - Protecting natural bush land and trees.
 - Identifying ways to promote accessibility by walking and cycling.
 - Identifying transport links (walking, cycling and public transport).
 - Including planning principles that support sustainable, resilient and responsible development.
 - Increasing demand for improved transport options.

Desired Outcomes

Desired outcomes (or objectives) are derived from consideration of the key challenges against the vision in the City's Community Plan (Our Vision 2031). These represent the focus of the draft Strategy, and are expressed under four headings as follows:

Built Environment

- Provide options for older people to “age in place”.
- Cluster community facilities, local shops, parks and diverse housing to create community hubs.

Natural Environment

- Facilitate responsible, resilient and sustainable development that allows the natural environment to thrive.
- Ensure natural bushland, river and beaches are healthy and support local wildlife.

Transport

- Facilitate lively and safe streets, linked and accessible pathways.
- Enable a well-designed, convenient and affordable public transport system that is the preferred option for people to move easily within and beyond our community.

Community Connections

- Facilitate a safe and resilient community where a sense of place and feeling of belonging is created whilst retaining unique character of neighbourhoods.
- Facilitate “bump into” moments at community hubs that are easily accessible and include local shops, markets, community facilities and parks.

Guiding Principles

The draft Strategy identifies the following guiding principles that set the direction for achieving the desired outcomes:

Intergenerational Equity

- Facilitating different housing options so that residents can remain in the community through the various stages of life.

-
- Providing options for travel within the municipality, and connection with the wider metropolitan region.
 - Ensuring private and public places are accessible.
 - Protecting natural resources in the public and private realm.

City of Neighbourhoods and Short Distances

- Identifying character of different areas to be retained through specific controls.
- Promoting development that brings together a mix of uses and community facilities to create hubs.
- Prioritising pedestrian, bicycle and public transport movement patterns.
- Locating civic uses close to public transport nodes.

Sustainability and Resilience

- Protecting natural and built heritage environments.
- Responding to social change and optimising the land use and transport conditions that create vibrant, accessible, healthy and adaptable communities.
- Protecting and managing significant biodiversity areas in the City.
- Protecting the river foreshore and the Swanbourne coastline.
- Facilitating climate sensitive housing and multi-functional buildings.
- Mitigating and adapting to the potential effects of climate change.
- Reducing waste generation by encouraging reuse and recycling.
- Enhancing open space network.
- Considering spaces for growing food locally.

Natural Environment and Open Spaces

- Protecting and managing significant biodiversity areas in the City.
- Identifying and implementing local greenway (or biodiversity) corridors.
- Retaining trees in the public and private realm, particularly those that are identified as providing breeding and/or feeding grounds for endangered fauna.
- Providing better environmental information to inform decision-making.
- Evaluating development for its impact on the environment prior to implementation.
- Protecting and enhancing the City's open space network.
- Protecting the river foreshore and the Swanbourne coastline.

Design Quality

- Identifying residential characters and design quality principles.
- Providing framework for protecting and retaining the character of different neighbourhoods.
- Supporting new developments that:
 - are fit for purpose and built to last;
 - are in the right place and that respond to their surroundings;
 - everyone can use with equal ease and dignity;
 - respond to environmental imperatives and minimise carbon footprint; and
 - are designed to create spaces and places that people will enjoy.
- Facilitating flexible and adaptable buildings that are, within reason, able to cope with changes, needs of the user and potential technological changes.

-
- Applying CPTED principles.

Small Wins

- Accepting innovative ideas.

Involve the Community

- Recognising the benefits of involving the community.

Reliability and Fairness

- Local planning scheme and policies with clear objectives and provisions.
- Clear approval procedures and processes.
- Ongoing review and monitoring of local planning scheme and planning documents.

Long-term Vision

- Framing long term vision for built environment that includes plans and policies.
- Reinforcing what works and reviewing unnecessary bureaucratic controls.
- Recognising the need for judgement in applying town planning regulations and allowing defined degrees of flexibility in applying regulations.
- Ongoing review and monitoring of local planning scheme and planning documents.

Actions

The guiding principles provide the basis for actions to facilitate implementation of the draft Strategy. A range of seventy five actions that apply to the entire local government area and specifically to seven “neighbourhoods” are identified, along with relevant delivery mechanisms (**Attachment 2**).

Actions to guide future development are also depicted diagrammatically based on the desired outcomes (**Attachment 3**).

Other Issues

The following issues are specifically highlighted in Part 2 of the draft Strategy:

Housing Targets

The following measures are proposed to accommodate additional dwellings as advocated in Directions 2031 and Beyond:

- New housing choices comprising “Housing Diversity Areas”, “Design Guideline Areas” and areas of “Potential opportunities/Miscellaneous projects” by:
 - locating new housing choice in specific areas around existing or new community hubs; and
 - retaining existing residential character to be a priority by retaining the majority of current R Codes and preparing local planning policies.

The draft Strategy identifies twenty three new housing choice areas along with dwelling yield categories (low: 0-100, medium: 101-499, high: 500+) and anticipated development timeframes (**Attachment 4**).

- Preference for new housing to be medium density to provide for an increasing and ageing population.

-
- Special control areas which the City considers provides the best option for ensuring a “focused and bespoke planning outcome for areas identified as having new housing choice and community hubs”.

Retaining residential character

- The City identifies retention of existing residential character as an important issue because it considers that application of the R Codes has compromised the character of established residential areas.
- The character of established residential areas is considered to provide a benchmark to determine the nature of development control provisions in the local planning scheme and policies.

Housing options and mix of uses around community hubs

- The City acknowledges the requirement to plan for an ageing population with changing housing needs by providing for greater housing options while retaining and protecting established residential character.
- Special control area provisions are considered to be an appropriate means to provide for housing density and diversity, and land use mix around community hubs.

GOVERNMENT AND CORPORATE IMPLICATIONS:

The draft Strategy, once endorsed, contributes towards facilitating application of state and regional level planning policies by providing a strategic planning framework to inform and guide amendment and review of the City's operative Town Planning Scheme No. 2 and other planning decisions.

CONSULTATION:

The City has not undertaken any consultation on the draft Strategy.

OFFICER'S COMMENTS:

Regulation 12A(3) of the *Town Planning Regulations 1967* states that a local planning strategy is to:

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

Regulation 12B requires WAPC to certify that a local planning strategy is consistent with the above before it can be advertised for public submissions.

The draft Strategy is logically arranged and expressed in simple terms that assist with appreciation of the City's planning direction and intentions. Information in Parts 1 to 3 of the document are separated from background and supporting details, which are contained in appendices. The use of simple flow diagrams and plans throughout the document succinctly depict progression of the City's Community Plan and key challenges through to the actions, identify areas referred in the text, and the locations where actions are recommended.

In relation to content, it is necessary for the draft Strategy to be enhanced by including review of additional relevant state and regional planning policies, and to provide a more comprehensive review of issues describing the local characteristics of the City so that implications could be more clearly understood. It is also necessary to enhance linkages between the background issues and actions by including an analysis of the issues that are raised in response to state and regional planning policies. Accordingly, it is recommended that the draft Strategy be modified prior to advertising (**Attachment 5**).

The City has been advised, and does not support a number of the recommended modifications, which are discussed below.

Long Term Direction

The long term direction of the draft Strategy is largely focused at protecting existing residential character while providing for additional residential developments by facilitating “new housing choice areas”, adopting a general approach of encouraging new residential development to be higher (medium) density, and introduction of special control areas to implement area specific design requirements.

The range of commercial/retail centres are proposed to be retained, and are generally recognised as the focus where community hubs and housing diversity areas are to be established to provide for provision of a variety of dwelling types, and an increasing and ageing population.

The intention for parks and recreational areas is afforded due consideration as the draft Strategy expresses a need to enhance and protect open space areas including regional reserves and foreshores, and promotion of greenway corridors and linkages.

Subject to additional information required in the recommended modifications, it is considered that the draft Strategy adequately conveys long term planning direction for the City.

State and Regional Planning Context

Although the draft Strategy includes a review of state and regional planning policies and strategies, additional information and modifications are recommended to provide a more comprehensive approach to demonstrate application of the policies. In this regard, the draft Strategy is to review additional policies and identify implications relevant to the City, analyse issues, and clarify how the issues could be addressed. Accordingly, it is recommended that the draft Strategy be modified by:

- including a summary of the planning implications for the City under each state and regional planning policy and strategy;
- reviewing additional state planning policies and providing a summary of the implications under these policies (listed in point 4 of the attached Schedule of Modifications); and
- including a new section “Analysis of key challenges and issues” to review and analyse key challenges and implications.

The new section is recommended to be included in Part 1 of the draft Strategy, where key planning issues identified in the planning context section are reviewed, to ensure analysis of implications for the City and consideration of options to address each issue, as this is not clearly addressed by the draft Strategy. For example, in response to policy provisions in SPP 4.2 (Activity Centres for Perth and Peel) it would be necessary for the draft Strategy to, having regard to the planning context and community profile:

- identify indicative boundaries for all centres, including the UWA-QEII specialised centre, that are wholly or partly within the City;
- identify walkable catchments for centres within which housing potential should be optimised;
- investigate and discuss appropriate density codes and implementation measures to achieve the residential density targets recommended within walkable catchments;
- investigate and discuss appropriate R-AC Codes for land within centres; and
- discuss and show estimated retail need and indicative distribution of floorspace across centres.

Similarly, in relation to DC Policy 1.6 (Planning to Support Transit Use and Transit Oriented Development) the draft Strategy should:

- identify transit oriented precincts comprising 400m and 800m walkable catchments identified within the City; and
- investigate and discuss application of appropriate residential density codes and/or relevant scheme provisions to achieve the recommended minimum density yield.

While the City does not object to providing a summary of implications under state and regional policies and review of additional relevant policies, it is opposed to the new section “Analysis of key challenges and issues”. The City considers that Part 1 of the draft Strategy provides an acceptable summary of the key challenges, and that the new section represents a superfluous addition. Further, it submits that the degree of analysis relates to a level of detail that is not appropriate for a local planning strategy. In this regard, it does not consider that a local planning strategy should specifically refer to density codes.

Part 1 of the draft Strategy does not review key planning issues identified through the local profile and planning context. The WAPC's Local Planning Manual expresses a requirement for this analysis to be undertaken in the context of relevant state and regional policy. While it is not intended for the draft Strategy to precisely identify areas and allocate specific residential densities, it would be appropriate for this issue to be discussed in view of state and regional policy requirements such as indicative centre boundaries, walkable catchments and density targets. This would facilitate identification of the areas and density codes that could be applied under a local planning scheme.

The recommended modification is consistent with this requirement, and contributes towards demonstrating application of state and regional planning policies in accordance with Regulation 12A(3)(b) of the *Town Planning Regulations 1967*.

Rationale for Zones and Scheme Provisions

Subject to the recommended modifications, a number of which are discussed below, the draft Strategy should adequately provide the basis for the draft LPS 3, and the context for assessment of future local planning scheme amendments.

Recommended Modifications

The following section of this report relates to a number of other notable modifications that are recommended for the draft Strategy.

Potential Opportunities/Miscellaneous Projects

The draft Strategy identifies “Potential opportunities/Miscellaneous projects” as one of the means for “new housing choices” to provide for future additional dwellings. Sites that the City considers to be appropriate for this purpose include, amongst others, the Royal Perth Hospital Shenton Park Campus, Sunset Hospital site in Dalkeith and Irwin Barracks in Karrakatta (**Attachment 4**).

The City submits that the identification of these sites for future residential purposes is appropriate as the draft Strategy represents a long-term land use planning document. Additionally, it notes that Royal Perth Hospital Shenton Park and Irwin Barracks are also identified for future residential purposes in the Capital City Planning Framework released in February 2013.

The City's views are noted, however, the subject sites are reserved for “Public Purposes” under the MRS and there are no current proposals to zone the land. While Royal Perth Hospital Shenton Park is planned to be closed in 2014, a decision on future use of the land would be subject to planning processes including amendment of the MRS and the local planning scheme.

In view of the above, identification of these sites in the draft Strategy for future residential developments is not supported.

Housing Targets

While the draft Strategy identifies measures to provide for additional dwellings (by recommending new housing choices, encouraging new residential developments to be higher density, and use of area/site specific provisions) which incorporate growth areas identified in the draft Central Metropolitan Sub-Regional Strategy, it does not discuss measures to achieve the revised Directions 2031 target (2530). The dwelling yield categories allocated for each new housing choice area are broad, and do not provide for reasonable estimation of overall dwelling yield (**Attachment 4**).

It is recommended that additional information be included to provide an indication of how the revised dwelling target could be achieved, and the locations where additional dwellings could be accommodated.

Residential Character, Housing Options and Community Hubs

Part 2 of the draft Strategy identifies the retention of residential character and provision of housing options and mix of land uses around community hubs as key features for a local planning scheme. While a brief summary of the City's views with respect to residential character and establishment of community hubs is provided, it does not identify actions to address this issue other than to express intentions to promote:

- an approach of using the established character to determine specific development standards as a means of protecting residential character; and
- use of special control areas to establish community hubs to facilitate housing options and mix of land uses.

The above information does not constitute actions, and represents discussions that are more appropriately considered in the context of and in response to issues such as population and housing; urban design, character and heritage; and the local planning context. Accordingly, it would be appropriate for this section of the draft Strategy to be located in Part 1 within the new section "Analysis of key challenges and issues" described above.

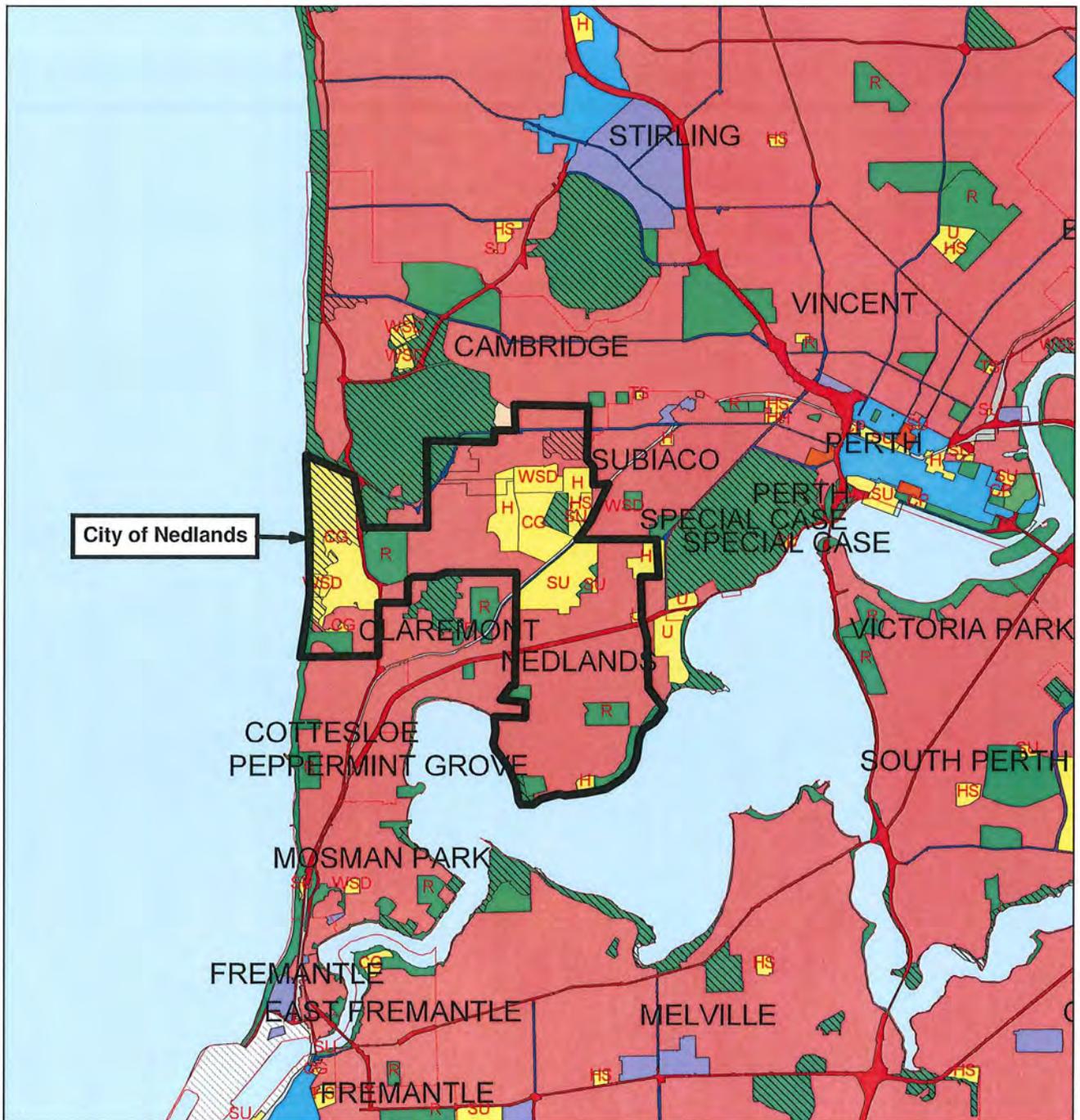
Further, it is recommended that the following additional information be included:

- descriptions of the "traditional character" and "identity" of the City's various neighbourhoods;
- discussion of the manner in which the R Codes erode the character and identity of the City's neighbourhoods;
- discussion of development standards that could be adopted to protect residential character;
- housing options that could be located in community hubs;
- discussion of special control area provisions for each neighbourhood; and
- descriptions of the "community hubs" and "housing diversity areas".

This modification is not supported by the City as it does not support the recommended new section.

CONCLUSION

Subject to the recommended modifications the draft Strategy is considered to satisfactorily address the requirements of the Regulations by providing adequate planning direction for the City in the context of the state and regional planning framework. It is recommended that the draft Strategy be certified for advertising subject to the modifications.



Local Government Areas - Metro	PRIMARY REGIONAL ROADS	PP - HOSPITAL
Bushforever Area	OTHER REGIONAL ROADS	PP - HIGH SCHOOL
Redevelopment and Act Areas	WATERWAYS	PP - TECHNICAL SCHOOL
URBAN	PARKS & RECREATION	PP - CAR PARK
URBAN DEFERRED	PARKS & RECREATION RESTRICTED	PP - UNIVERSITY
CENTRAL CITY AREA	RAILWAYS	PP - COMMONWEALTH GOVERNMENT
INDUSTRIAL	PORT INSTALLATIONS	PP - SPECIAL USES
PRIVATE RECREATION	CIVIC & CULTURAL	PP - WATER AUTHORITY OF W A

Scale 1:100,000
 0 2.5 km

Prepared by: schong
 Prepared for:
 Date: Thursday, October 24, 2013 14:31
 Plot identifier: P20131024_1431

DP INTERNAL USE ONLY

Government of Western Australia
 Department of Planning

Location Plan

Version 2.0 prepared for Department of Planning
City of Nedlands reference: M11/25026

City wide

City wide actions are not suburb specific and apply across the entire City. They are focused on achieving the desired outcomes of this strategy and are based on the guiding principles mentioned above.

There are twelve City wide actions. The table below lists them and identifies an accompanying delivery mechanism.

ID	Action	Delivery mechanism
CW1*	<p>Within each character area identify precincts for greater housing choice and mixed use development. The precincts that will have the potential for change, within detailed design controls, are in the following two categories:</p> <ul style="list-style-type: none"> Housing Diversity Areas – The Housing Diversity Areas were identified by Council in late 2006 as areas for mixed use development that would primarily aim to achieve greater housing diversity for community. Redevelopment Area – These areas were identified to provide greater housing choice in areas generally located close to public transport and commercial, recreational and community facilities. 	Local Planning Scheme No. 3
CW2*	Pockets of medium density already identified through the Local Housing Strategy are to be developed in accordance with existing built form design guidelines to ensure coordinated development that integrates with the surrounding area.	Local Planning Scheme No. 3/ Built Form Guidelines
CW3*	Undertake detailed planning studies and community engagement for precincts identified in the Housing Diversity Study with the intention of preparing built form guidelines that facilitate greater housing diversity and local commercial opportunities.	Local Planning Scheme No. 3/ Built Form Guidelines
CW4*	Identify areas for development potential and prepare built form design controls to be incorporated as special control area provisions in the new Proposed Local Planning Scheme No 3 No.3.	Local Planning Scheme No. 3/ Built Form Guidelines
CW5*	Redevelopment opportunities will occur in precincts that are well planned with specific planning and design controls to meet the housing and local commercial needs of the community.	Local Planning Scheme No. 3/Structure Plan
CW6	Protect the existing residential amenity of all residential areas other than those identified in CW1 to CW5 above by maintaining current codings, existing setbacks and height controls.	Local Planning Scheme No. 3
CW7	Identify and retain important areas of residential character through the preparation of mature area provisions specific to those areas, particularly in regards to streetscape.	Local Planning Scheme No. 3/Local Planning Policy
CW8*	Retain and enhance existing local commercial and service centres through maintaining retail/shopping zoning in Proposed Local Planning Scheme No 3 No.3.	Local Planning Scheme No. 3
CW9	Ensure that future development is sustainable in subdivision, lot and building design through scheme requirements and built form controls.	Local Planning Scheme No. 3
CW10	Include provisions in Proposed Local Planning Scheme No 3 No.3 that facilitate intergenerational housing across the City.	Local Planning Scheme No. 3

CW11	Review and maintain the City's Municipal Heritage Inventory and make provision for the Heritage List in Proposed Local Planning Scheme No 3 No.3.	Local Planning Scheme No. 3
CW12	For those areas of Mt Claremont and Swanbourne that were developed with covenants and guidelines, prepare local planning policies (only if protected in a scheme) or special control area provisions.	Local Planning Scheme No. 3/Local Planning Policy
CW13	Prepare provisions in Proposed Local Planning Scheme No 3 No. 3 that ensures identification and protection of federal and state government protected flora and fauna e.g. carnaby cockatoo.	Local Planning Scheme No. 3
CW14*	Identify regional and local greenways and implement them through provisions included in the Proposed Local Planning Scheme No 3 No. 3 and relevant Council Policies.	Local Planning Scheme No. 3/Council Policy
CW15	Prepare a Council Policy for flora and fauna protection of federal and state government protected species.	Council Policy
CW16	Protect and enhance current public open space and investigate establishing a hierarchy of open spaces.	Local Planning Scheme No. 3/Studies
CW17	Identify and protect regional bushland areas within the City.	Local Planning Scheme No. 3
CW18*	Advocate and liaise with State Government on implementing improved transport links and developing transport hubs to achieve integrated transport across the City.	Partnerships
CW19	Retain existing spot residential codings of R20 in Proposed Local Planning Scheme No 3 No.3 and permit development of two new grouped or two single dwellings in keeping with the surrounding residential character of the locality.	Local Planning Scheme No. 3
CW20	Investigate and identify opportunities for community hubs in the City and prepare a Community Hubs Strategy	Studies

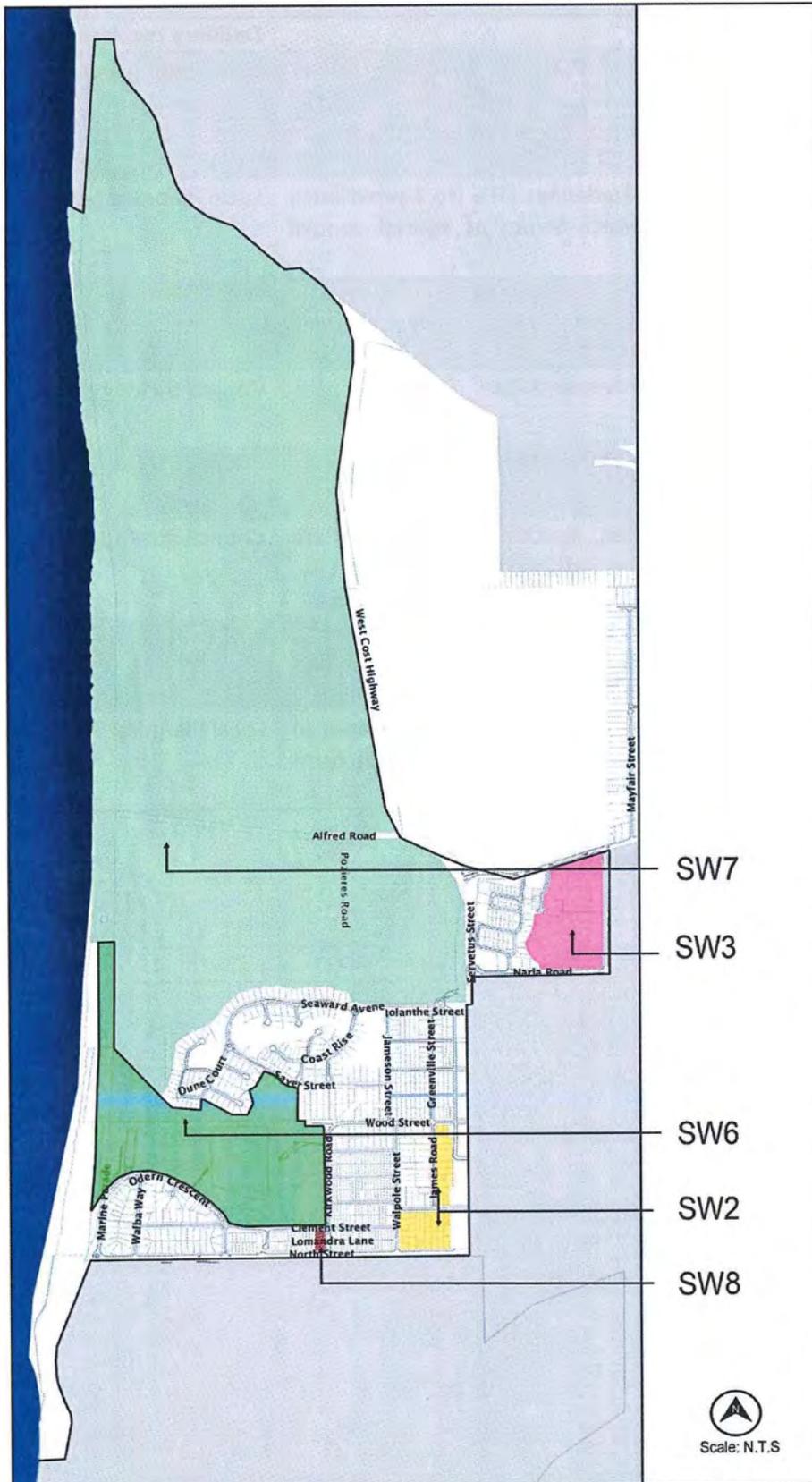
Actions

The actions for Swanbourne are listed in the table below.

ID	Action	Delivery mechanism
SW1	Allen Park Residential Estate and Seaward Village to remain under existing coding in Local Planning Scheme No. 3 and identified as special control areas and provisions to protect existing amenity, setbacks and heights.	Local Planning Scheme No. 3
SW2*	Implement existing Residential Design Guidelines (TPS No.2 provisions) for James Road East and Knutsford/North Street as special control areas in Local Planning Scheme No. 3.	Local Planning Scheme No. 3
SW3*	Implement existing scheme provisions (TPS No.2 provisions) for Old Swanbourne High School site as a special control area in Local Planning Scheme No. 3.	Local Planning Scheme No. 3
SW4	Implement the Swanbourne Beach Improvement Plan.	Council Strategy/Plan
SW5	Implement the Swanbourne Precinct Masterplan.	Council Strategy/Plan
SW6*	Implement the Strategic Recreation Plan, specifically the Allen Park Sporting Area as one of the six major recreation reserves in the City, and ensure long term provision active and passive recreational areas.	Council Strategy/Plan
SW7*	Work with the Commonwealth Government to protect the environment surrounding the Campbell Barracks, particularly bushland and dune areas.	Partnerships
SW8*	Identify Kirkwood Housing Diversity Area as a special control area in Proposed Local Planning Scheme No 3 No.3 and prepare built form guidelines in accordance with Appendix X.	Local Planning Scheme No. 3

Actions with an asterisk (*) have been mapped below.

Swanbourne- Mapped Actions



Actions

The actions for Mount Claremont are listed in the table below.

ID	Action	Delivery mechanism
MC1	Retain current coding for St John's Woods (Areas 1 and 2, Poplar Grove, Westminster Gardens) and original Mt Claremont and identify these areas as special control areas in Local Planning Scheme No. 3 with specific provisions for controlling development. + Prepare a Residential Character Local Planning Policy for St John's Woods (Areas 1 and 2, Poplar Grove, Westminster Gardens) and original Mt Claremont.	Local Planning Scheme No. 3 + Local Planning Policy
MC2*	Incorporate existing Residential Design Guidelines based on TPS No. 2 provisions for Alfred Road, Rochdale Road and St Peters Square as special control areas in Local Planning Scheme No. 3	Local Planning Scheme No. 3
MC3*	Incorporate existing Local Planning Policy based on TPS No. 2 provisions for Old Swanbourne Hospital site as a special control area in Local Planning Scheme No. 3	Local Planning Scheme No. 3
MC4*	Engage with the state government on AK Reserve as a key stakeholder and ensure that the objectives are delivered and neighbouring residential amenity is protected.	Partnership
MC5*	Prepare a Local Planning Policy for the Odour Affected Area from the Subiaco Waste Water Treatment Plant to guide development in this area.	Local Planning Policy
MC6	All areas within the Structure Plan Zone have detailed planning and impact studies undertaken by the land owner prior to structure planning being undertaken.	Studies
MC7*	Work with stakeholders in the Mt Claremont Sporting Precinct to ensure coordination of regional sporting facilities that meet the objectives.	Partnership
MC8	Include Local Planning Scheme No. 3 provisions for landscaping and verge works for non-residential uses to ensure attractive streetscapes.	Local Planning Scheme No. 3
MC9*	Creation of a recreational circuit pathway linking the local area including the Cottesloe Golf Course and recreational land in Mt Claremont Sporting Precinct.	Council Project
MC10	Prepare a Council Policy for ensuring that road reserves are maintained for walking, cycling and bridle trails to connect recreational facilities and uses in the area.	Council Policy
MC11*	Identify Alfred Road, Mayfair Street and Asquith and Strickland Street Housing Diversity Areas as individual special control areas in Local Planning Scheme No. 3 and prepare built form guidelines in accordance with Appendix X.	Local Planning Scheme No. 3 + Built Form Guidelines
MC12	Ensure controlled safe pedestrian access including accessible linkages between the North/South and East/West boundaries is provided through the Cottesloe Golf Course.	Partnerships
MC13	Investigate opportunity for an event bus transport terminal at Challenge Stadium in partnership with other agencies.	Partnerships

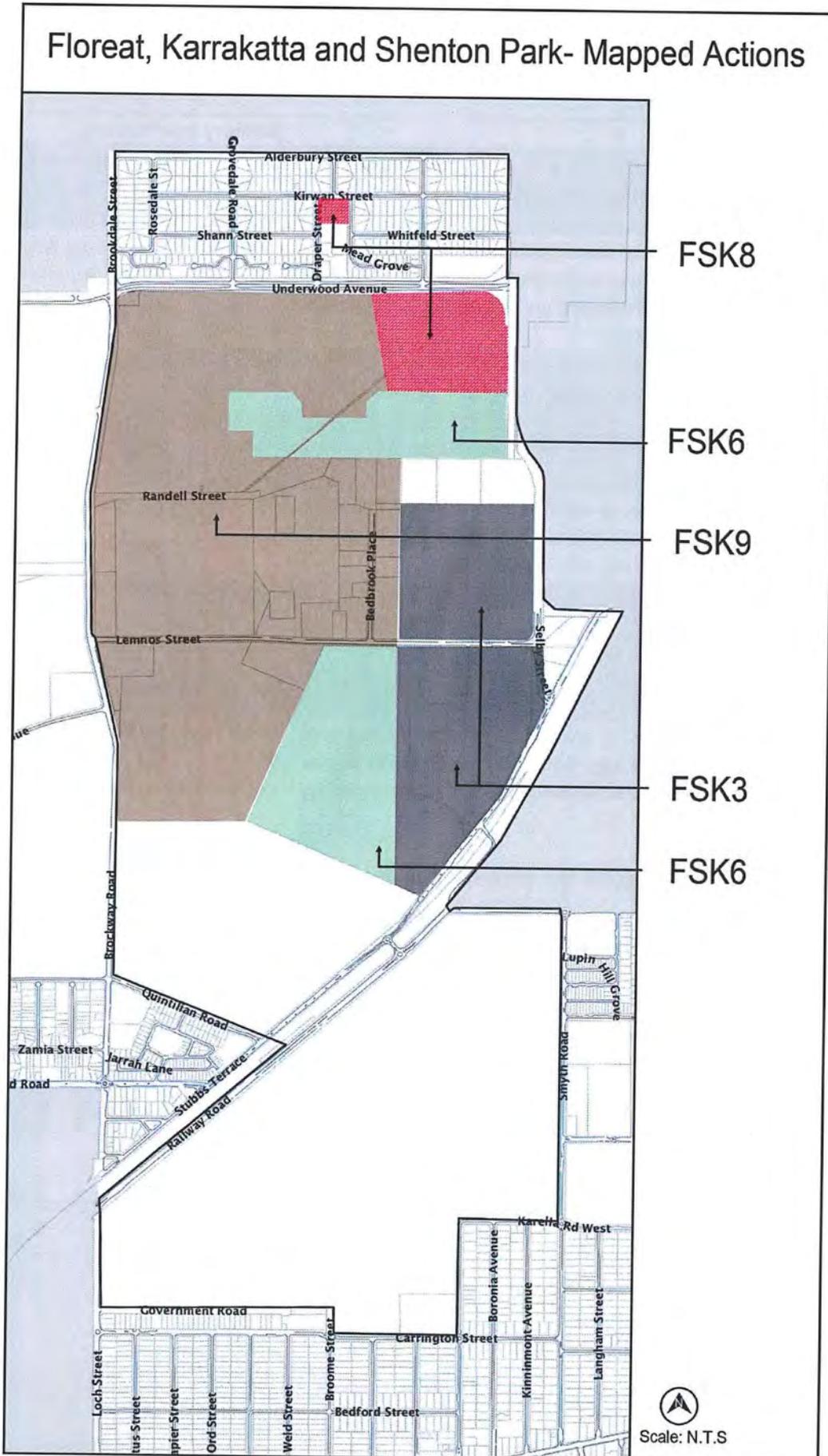
Actions with an asterisk (*) have been mapped below.

Actions

The actions for Floreat – Shenton Park – Karrakatta are listed in the table below.

ID	Action	Delivery mechanism
FSK1	Residential areas will remain under the R12.5 and R20 codings and be protected through scheme provisions on amenity, setbacks and heights.	Local Planning Scheme No. 3
FSK2	Any proposed new areas of residential development are to be included as part of a structure planning process that details how the proposals are in keeping with the natural environment and character of the area as part of the Outline Development Plan.	Local Planning Scheme No. 3
FSK3*	Develop an Activity Centre Structure Plan for the Shenton Park Regional Specialised Centre in cooperation with the state government and key stakeholders in accordance with the Activity Centres Policy and objectives outlined above and once adopted incorporate into Local Planning Scheme No. 3	Local Planning Scheme No. 3 + Structure Plan
FSK4	Include this neighbourhood as a special control area in Local Planning Scheme No. 3 and prepare specific provisions for ensuring appropriate non-odour sensitive land uses occurring within this area.	Local Planning Scheme No. 3
FSK5	Local Planning Scheme No. 3 is to contain detailed requirements for planning any development within the structure plan zone including impact studies and obtaining relevant state and federal government approvals prior to requesting Council consideration of an Outline Development Plan.	Local Planning Scheme No. 3
FSK6*	Prepare Local Planning Scheme No. 3 provisions to protect regional greenway corridors that connect Kings Park and Bold Park to the coastal environment and land adjacent to bushland areas managed by the City. + Prepare a Local Planning Policy to guide the implementation of local greenways across the City.	Local Planning Scheme No. 3 + Local Planning Policy
FSK7	Ensure regional greenway corridors are implemented through scheme requirements and City forward works plan.	Council Project
FSK8*	Investigate opportunity for creating a community hub.	Studies
FSK9*	Prepare a Local Planning Policy for the Odour Affected Area from the Subiaco Waste Water Treatment Plant to guide appropriate non odour sensitive development in this area.	Local Planning Policy
FSK10	Investigate parking around Karrakatta Train Station as a transport hub for train usage.	Studies

Actions with an asterisk (*) have been mapped below.

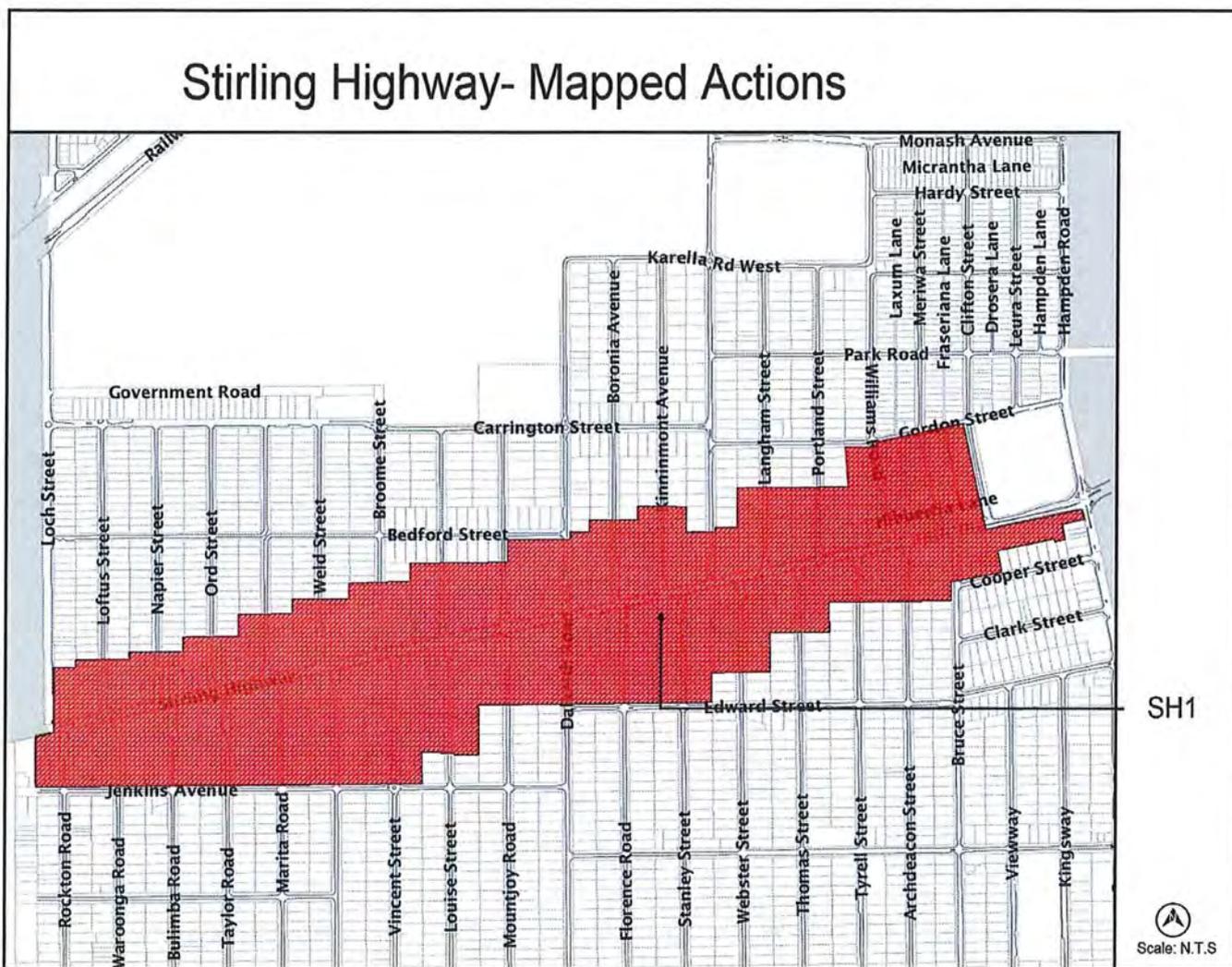


Actions

The actions for Stirling Highway are listed in the table below.

ID	Action	Delivery mechanism
SH1*	Identify this neighbourhood as a special control area in Local Planning Scheme No. 3 and prepare provisions that address the desired outcomes above and built form outcomes listed in Appendix X.	Local Planning Scheme No. 3

This action has been mapped below.

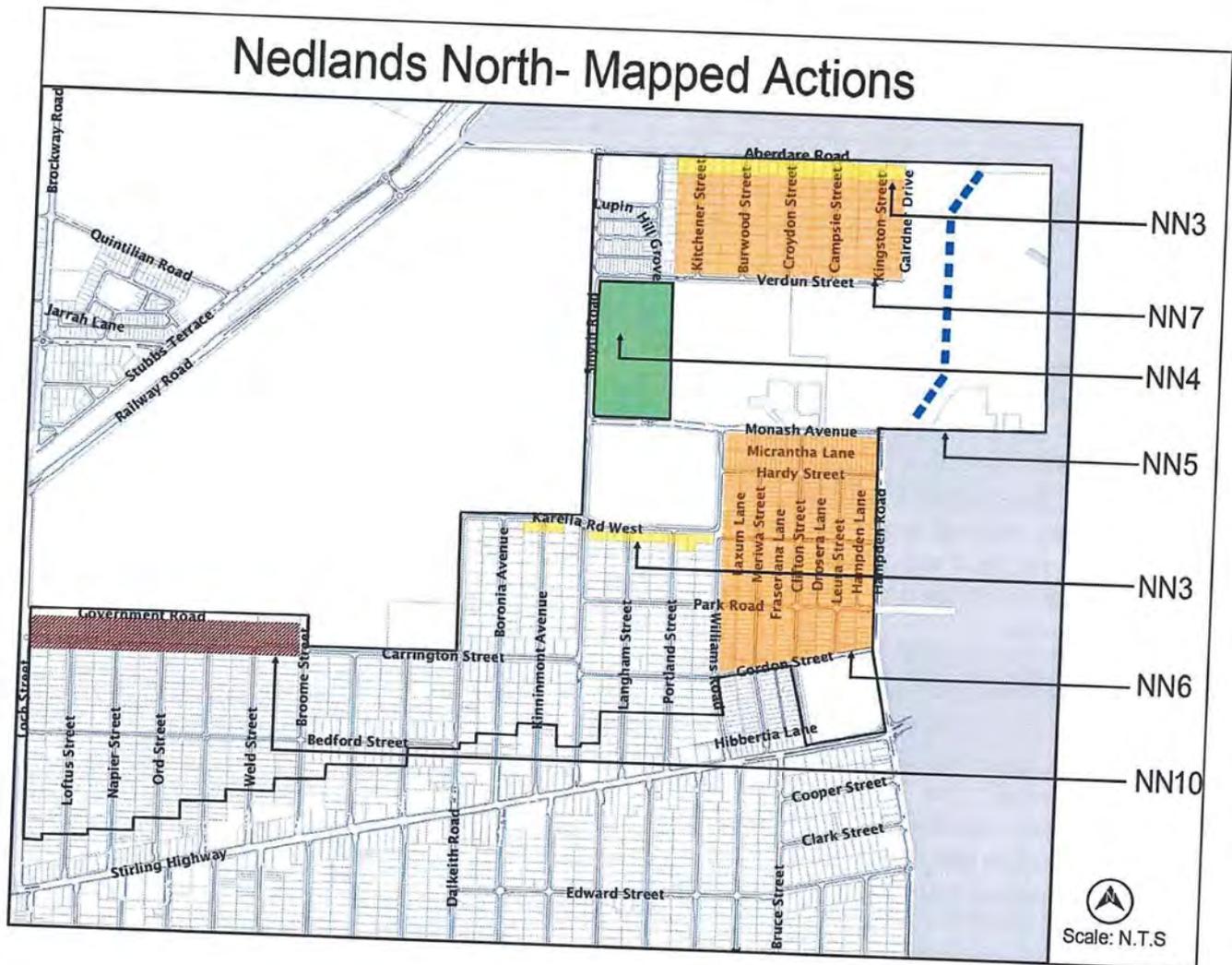


Actions

The actions for Nedlands North are listed in the table below.

ID	Action	Delivery mechanism
NN1	Residential areas (outside Stirling Highway redevelopment area) to remain under the current codings and be protected through scheme provisions on amenity, setbacks and heights, in particular for R10 and R12.5 areas: <ul style="list-style-type: none"> • 9 metre front setbacks required; and • 6 metre rear setbacks required (excluding garages and outbuildings) + Prepare a Residential Character Local Planning Policy for residential areas retaining their codings.	Local Planning Scheme No. 3 + Local Planning Policy
NN2	Retain existing spot residential codings of R20 in Local Planning Scheme No. 3 and permit development of two new grouped or two single dwellings that is in keeping with the surrounding residential character.	Local Planning Scheme No. 3
NN3*	Incorporate existing Residential Design Guidelines (TPS No.2 scheme provisions) for Hollywood High School site, Aberdare Road, Karella Street and Dalkeith Road as special control areas in Local Planning Scheme No. 3.	Local Planning Scheme No. 3
NN4*	Implement the Strategic Recreation Plan, specifically Hollywood-Subiaco Bowling Club/Highview Park as one of the six major recreation reserves in the City, and ensure long term provision active and passive recreational areas.	Council Strategy/Plan
NN5*	Work with the State Government to ensure efficient and effective public transport is provided to the Queen Elizabeth II Hospital precinct e.g. light rail.	Partnerships
NN6*	Identify Hampden Housing Diversity Area as an individual special control area in Local Planning Scheme No. 3 and prepare built form guidelines in accordance with Appendix X.	Local Planning Scheme No. 3/ Built Form Guidelines
NN7*	Investigate opportunities for additional housing choice in the North Hollywood Area and if possible, identify this area as an individual special control area in Local Planning Scheme No. 3 and prepare built form guidelines.	Studies/ Local Planning Scheme No. 3/ Built Form Guidelines
NN8*	Work with University of Western Australia and major stakeholders of Queen Elizabeth II hospital to achieve best possible planning outcomes for all stakeholders	Partnerships
NN9	Prepare Local Planning Scheme No. 3 provisions and an accompanying Local Planning Policy to promote aged-persons development.	Local Planning Scheme No. 3/ Local Planning Policy
NN10*	Retain the current function of the northern side of Carrington Street as a light industrial area that services the local population.	Local Planning Scheme No. 3

Actions with an asterisk (*) have been mapped below.



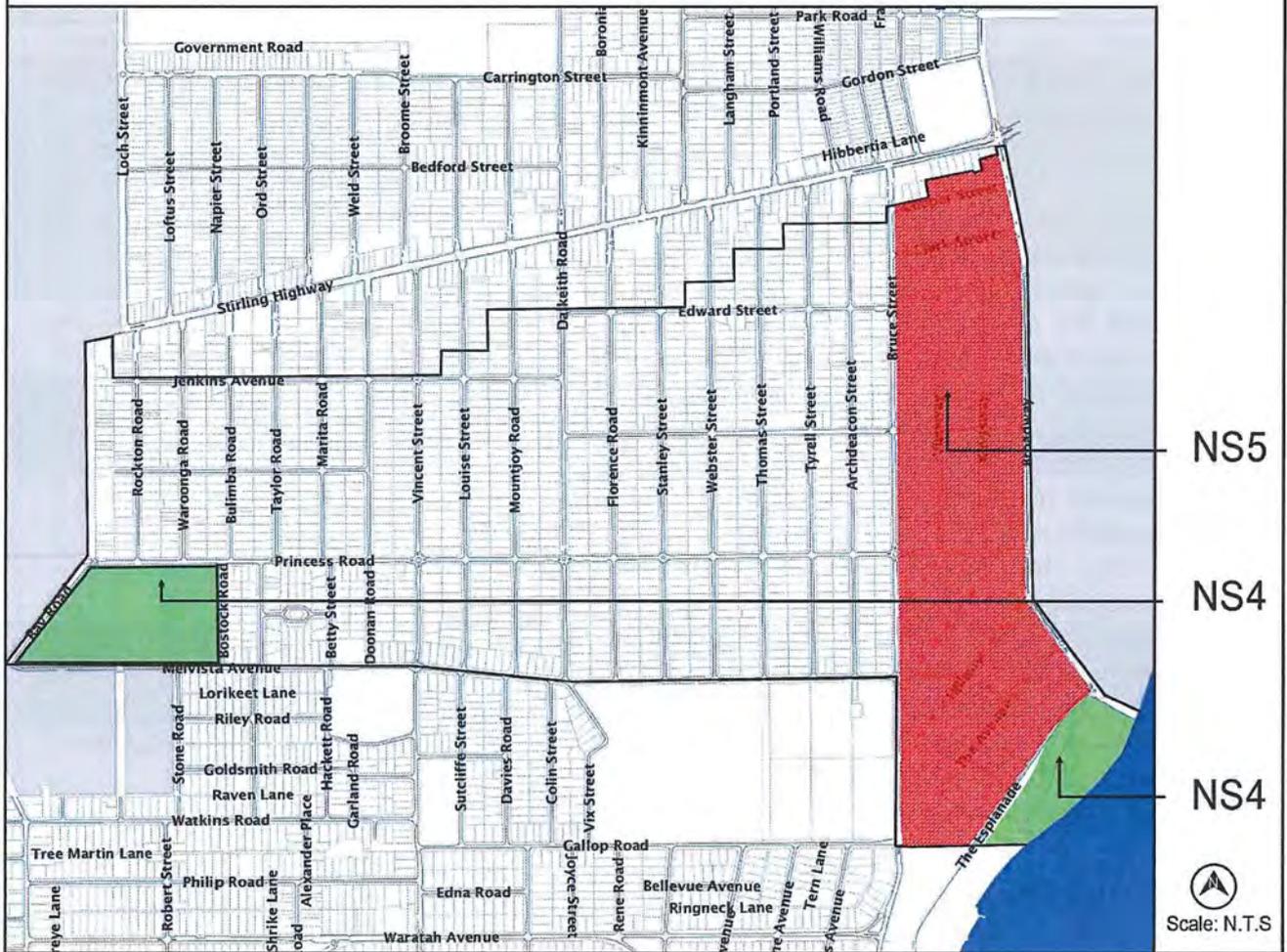
Actions

The actions for Nedlands South are listed in the table below.

ID	Action	Delivery mechanism
NS1	Retain current codings for residential areas outside Stirling Highway redevelopment area in Local Planning Scheme No. 3 and prepare specific provisions for retaining residential character. + Prepare a Residential Character Local Planning Policy for residential areas retaining their codings.	Local Planning Scheme No. 3 + Local Planning Policy
NS2	Retain existing spot residential codings of R20 in Local Planning Scheme No. 3 and permit development of two new grouped or single dwellings that is in keeping with the surrounding residential character.	Local Planning Scheme No. 3
NS3	Identify the Riverscape Development Area as a special control area in the Local Planning Scheme No. 3 with the intent of controlling development in areas viewed from the Swan River.	Local Planning Scheme No. 3
NS4*	Implement the Strategic Recreation Plan, specifically College Park and Nedlands River Foreshore as two of the six major recreation reserves in the City, and ensure long term provision active and passive recreational areas.	Council Strategy/Plan
NS5*	Identify Broadway and University Housing Diversity Area as an individual special control area Local Planning Scheme No. 3 and prepare built form guidelines in accordance with Appendix X.	Local Planning Scheme No. 3/Built Form Guidelines
NS6	Implement Foreshore Management Plan, especially environmental management in reducing water requirements and ensure no additional active recreational users within the foreshore reserve.	Council Strategy/Plan

Actions with an asterisk (*) have been mapped below.

Nedlands South- Mapped Actions



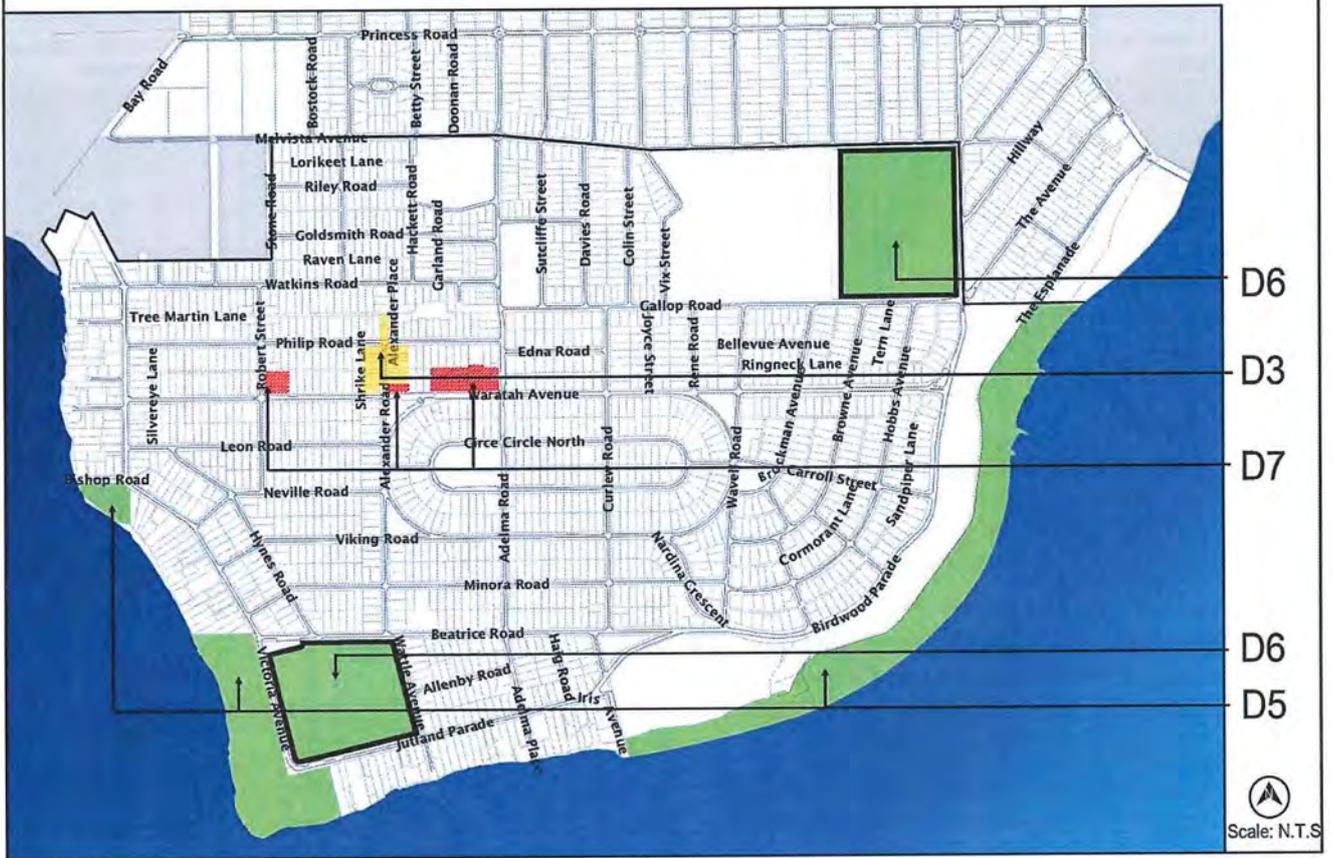
Actions

The actions for Dalkeith are listed in the table below.

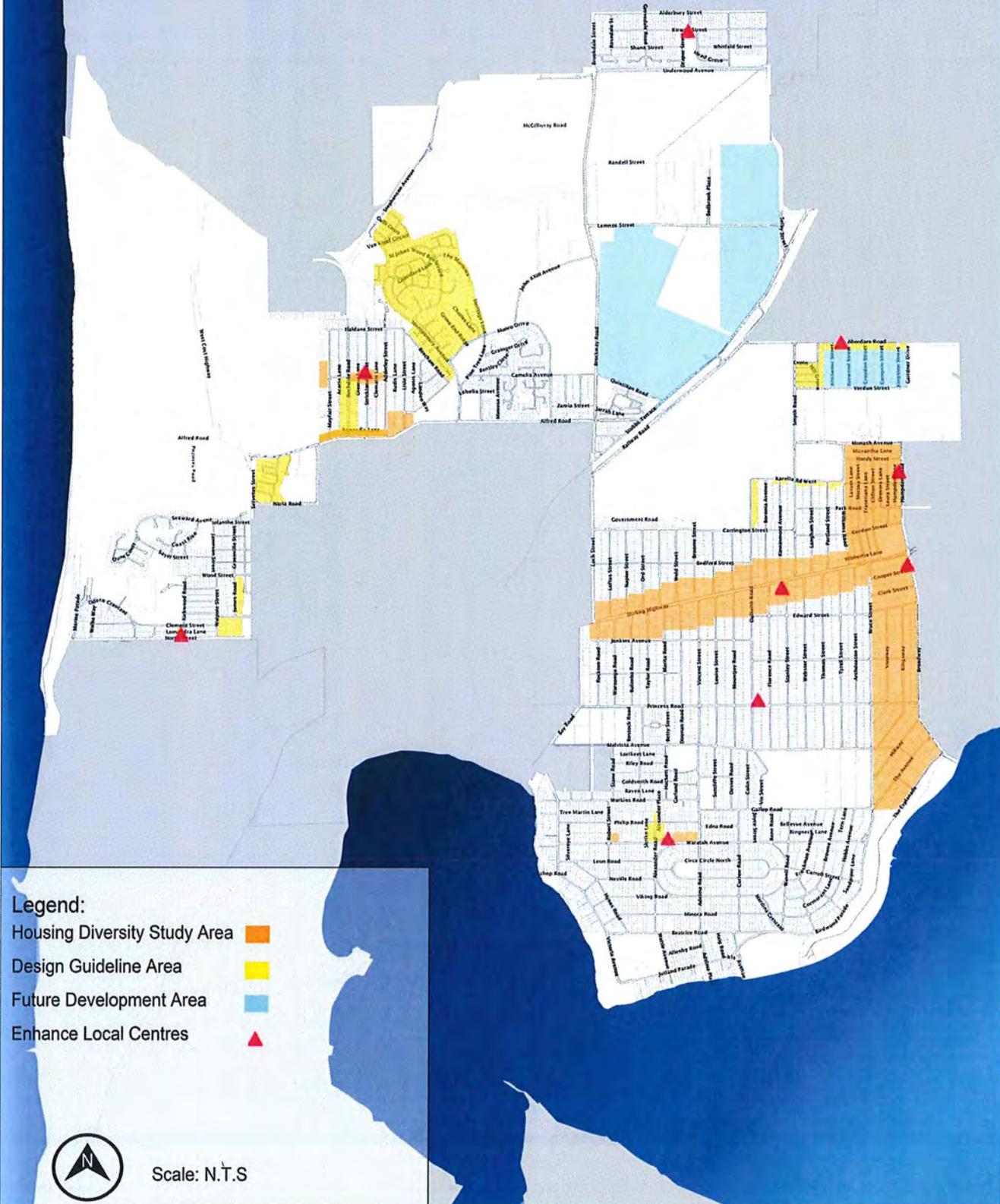
ID	Action	Delivery mechanism
D1	Residential areas will remain under the R10 and R12.5 codings and be protected through scheme provisions on amenity, setbacks and heights in particular: <ul style="list-style-type: none"> • 9 metre front setbacks required; and • 6 metre rear setbacks required (excluding garages and outbuildings). 	Local Planning Scheme No. 3
D2	Retain existing spot residential codings of R20 in Local Planning Scheme No. 3 and permit development of two new grouped or two single dwellings that is in keeping with the surrounding residential character.	Local Planning Scheme No. 3
D3*	Review and incorporate existing Residential Design Guidelines (TPS No.2 scheme provisions) for Alexander Road and Place as a special control area in Local Planning Scheme No. 3.	Local Planning Scheme No. 3/Built Form Guidelines
D4	Identify the Riverscape Development Area as a special control area in the Local Planning Scheme No. 3 with the intent of controlling development in areas viewed from the Swan River.	Local Planning Scheme No. 3
D5*	Implement Foreshore Management Plan, especially environmental management in reducing water requirements and ensure no additional active recreational users within the foreshore reserve.	Council Policy
D6*	Identify DC Cruickshank Reserve, Melvista Park and Nedlands River Foreshore as major recreation reserves as identified in Council's Strategic Recreation Plan and ensures long term provision of active and passive recreational areas.	Council Strategy/Plan
D7*	Identify Dalkeith Village (Commercial) Area as an individual special control area in Local Planning Scheme No. 3 and include design guidelines scheme provisions in accordance with vision, objectives and built form outcomes in Appendix X.	Local Planning Scheme No. 3

Actions with an asterisk (*) have been mapped below.

Dalkeith- Mapped Actions

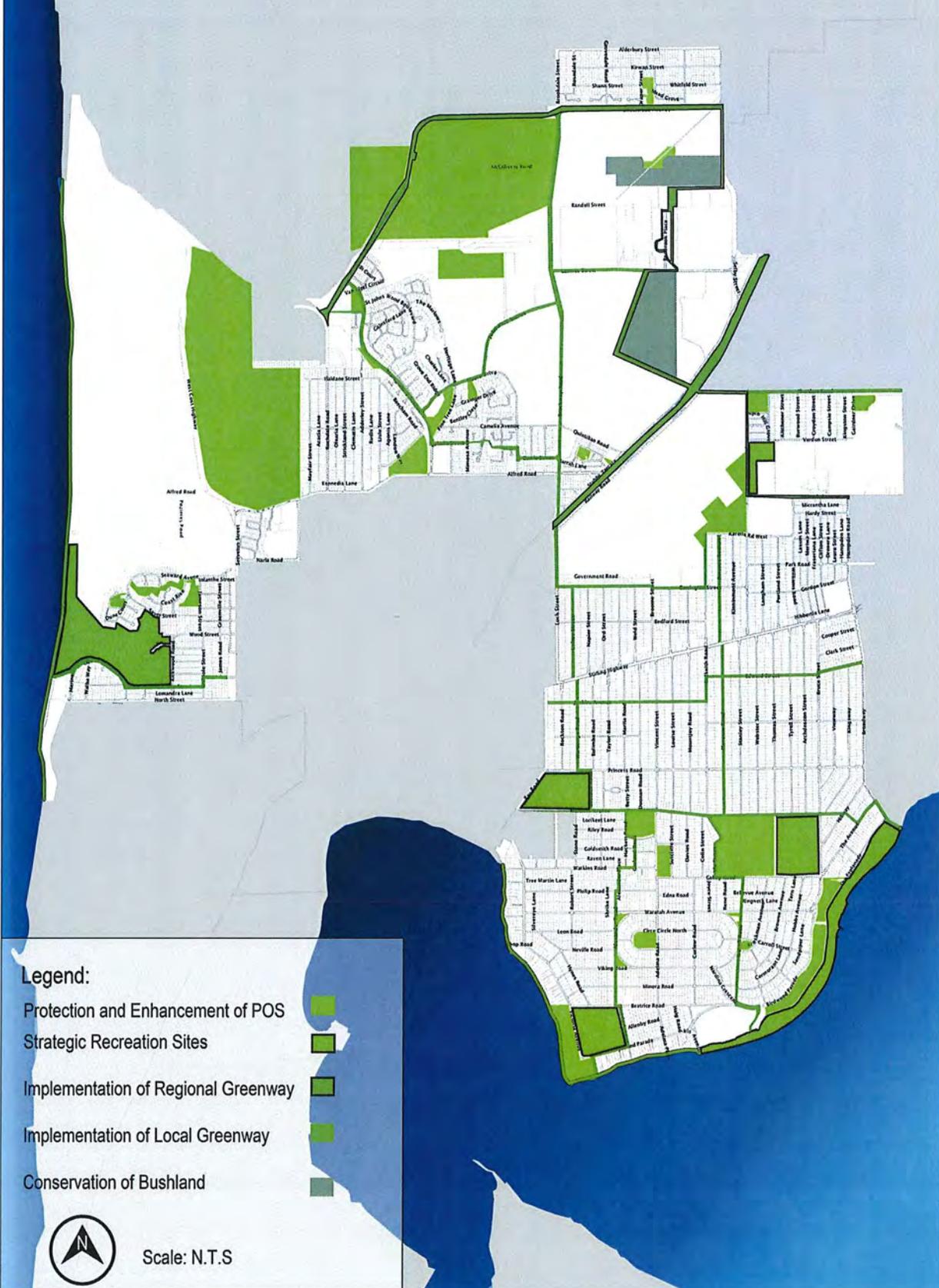


City of Nedlands Local Planning Strategy Built Environment



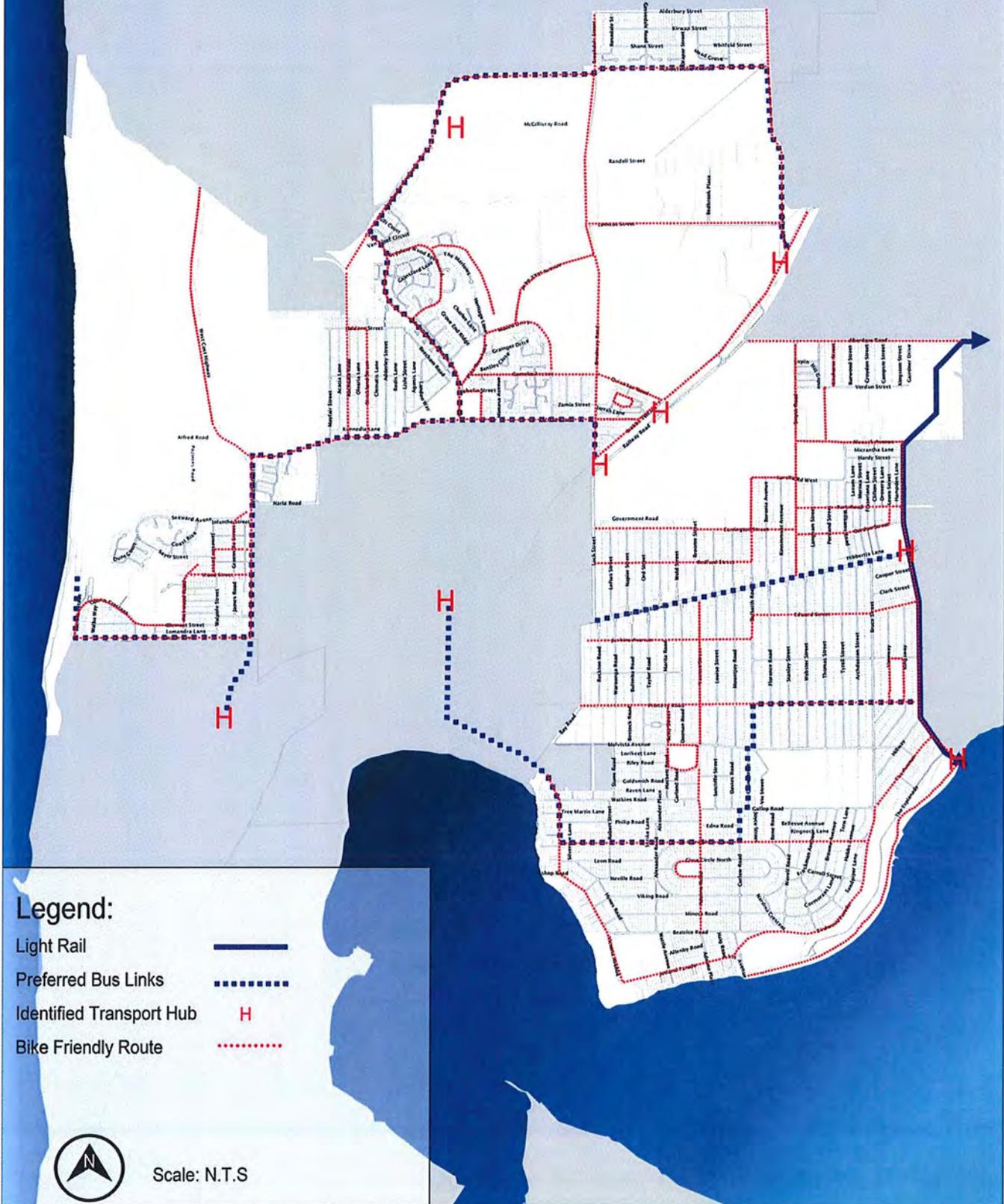
City of Nedlands Local Planning Strategy Natural Environment

Version 2.0 prepared for Department of Planning
City of Nedlands reference: M11/25026



City of Nedlands Local Planning Strategy Transport

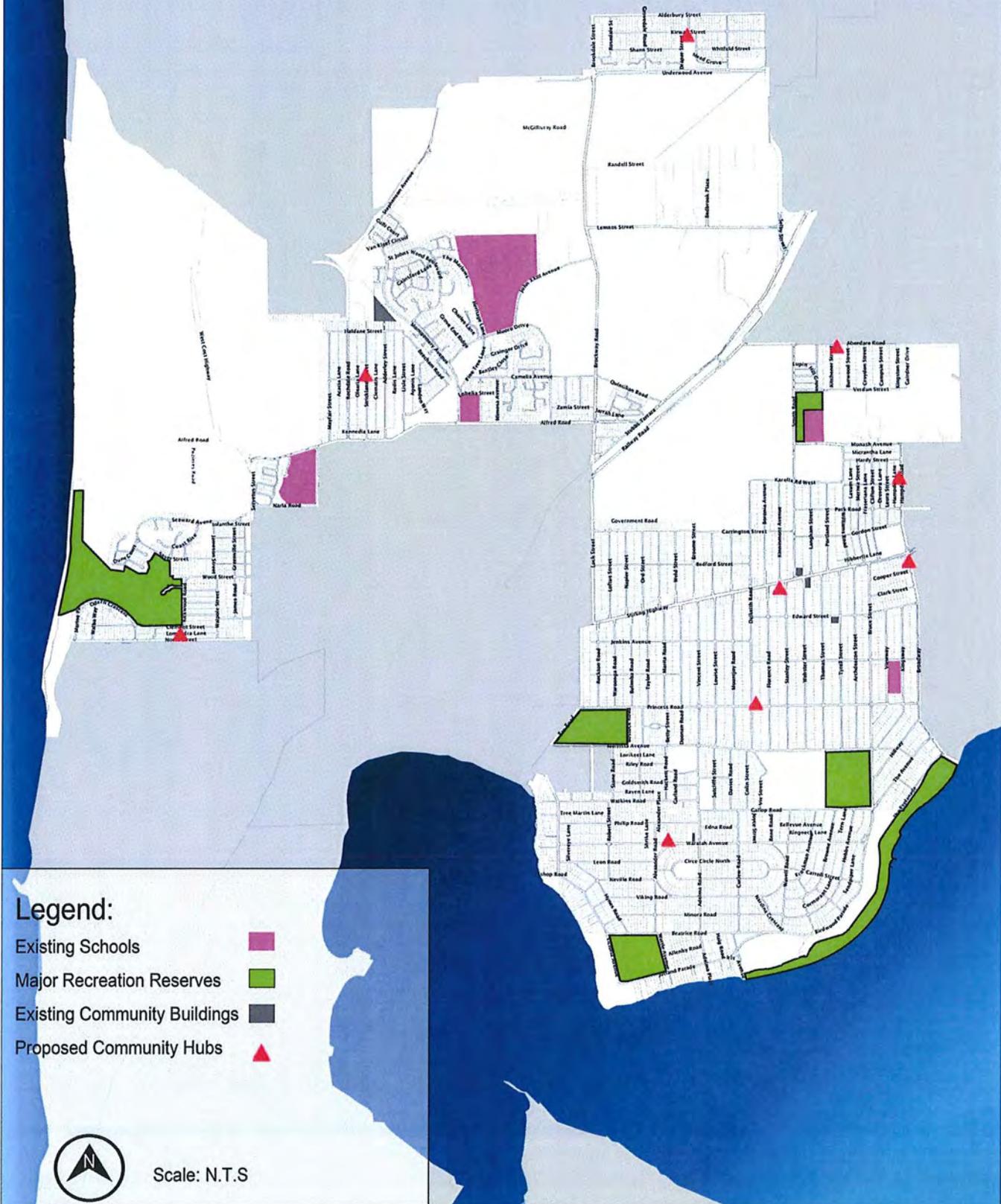
Version 2.0 prepared for Department of Planning
City of Nedlands reference: M11/25026



Scale: N.T.S

City of Nedlands Local Planning Strategy Community Connections

Version 2.0 prepared for Department of Planning
City of Nedlands reference: M11/25026



Version 2.0 prepared for Department of Planning
City of Nedlands reference: M11/25026

1. New housing choices

The idea is to achieve new housing choice based on the principle of a 'City of neighbourhoods and short distances'. The intention is to create new housing choice where it can be mixed with different uses and community facilities to create community hubs.

Directions 2031 says...

- Design accessible, well-connected and sustainable urban communities that support and enable effective inclusion and participation in the community for all residents.
- Promote and increase housing diversity, adaptability, affordability and choice.
- Plan for increased housing supply in response to changing population needs.

Community Vision 2030 says...

- Community hubs to have a mix of commercial and community.
- Greater choice of housing options for a diverse community.
- Some increase in housing density.

This strategy says...

- The preferred option is to locate new housing choice in specific areas around the City as part of a focused approach of providing new housing around existing or new community hubs.
- Retaining the existing residential character of the municipality will be a priority through retaining the majority of current 'R-Codes' and preparing Local Planning Policies.
- The following principles support this approach:
 - Intergenerational equity
 - City of neighbourhoods and short distances

New housing choices for the City are proposed to be achieved through the following:

- Housing Diversity Areas;
- Design Guideline Reviews; and
- Potential opportunities/Miscellaneous projects.

The potential yields and timeframes for each of these are identified in the tables below.

Housing Diversity Areas

Housing Diversity Areas	Yield	5-10 yrs	11-20 yrs	21-30 yrs
Swanbourne High School Redevelopment Project	Medium	X		
Stirling Highway Redevelopment Area	High	X	X	X
Dalkeith (Waratah Avenue)	Low	X	X	
Hampden Precinct	High		X	X
Broadway	Medium		X	X
University	Medium		X	X
Kirkwood	Low			X
Asquith Street	Low			X
Mayfair Street	Low			X
Summary:	Low - Medium	3	5	7

Comments:

- There are nine Housing Diversity Areas that are expected to largely generate low to medium yields over the next three decades.
- Three Housing Diversity Areas are expected to begin generating yields within the next decade.

Design Guideline Areas

Design Guideline Areas	Yield	5-10 yrs	11-20 yrs	21-30 yrs
Aberdare Road	Low	X		
Alexander Road/Place	Low	X		
Dalkeith Road	Low	X		
James Road	Low	X		
Knutsford Street	Low	X		
Karella Street	Low	X		
Rochdale Road	Low	X		
Summary:	Low	7	0	0

Comments:

- All seven Design Guideline Areas are each expected to generate a low yield over the next three decades.
- All seven Design Guideline Areas are expected to have generated all their housing yield in within the next decade.

Potential opportunities/Miscellaneous projects

Potential opportunities/Miscellaneous projects	Yield	5-10 yrs	11-20 yrs	21-30 yrs
Floreat Local Centre	Low		X	
North Hollywood Precinct	TBD		X	
Lot 4 Underwood Avenue (private)	Medium	X		
Old Swanbourne Hospital (private)	Medium		X	
Royal Perth Hospital Shenton Park Campus (State Government)	High		X	
Sunset Hospital (State Government)	Low		X	
Irwin Barracks (Federal Government)	High			X
Summary:	Evenly spread	1	4	2

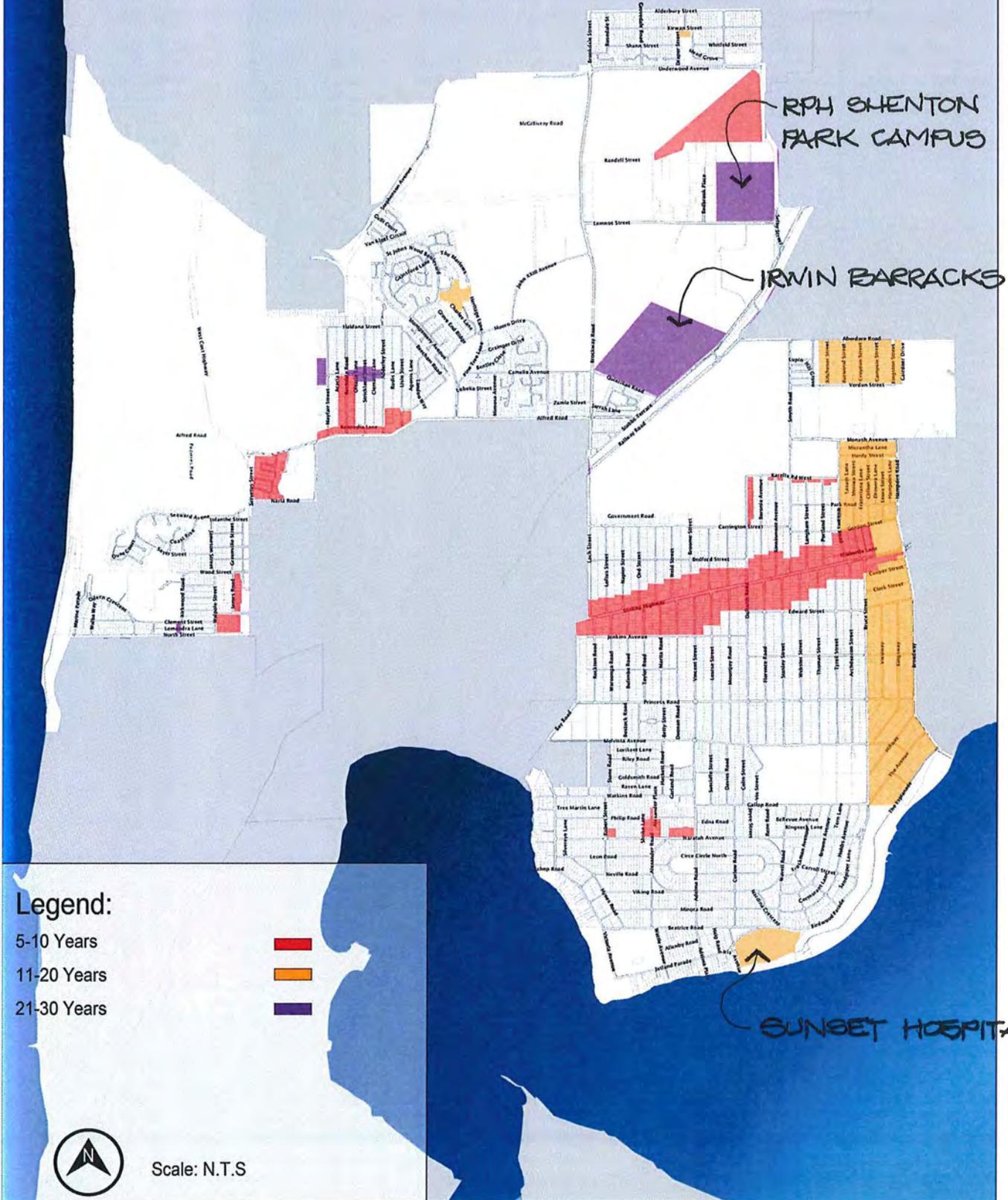
Comments:

- There is an even spread of low, medium and high yield miscellaneous projects.
- Two potential miscellaneous projects that could generate a high yield of new housing involve land controlled by either the State or Federal Government.

The map below indicates the timeframes for new housing choice in the City.

City of Nedlands Local Planning Strategy Housing Target Timeframes

Version 2.0 prepared for Department of Planning
City of Nedlands reference: M11/25026



**SCHEDULE OF MODIFICATIONS
CITY OF NEDLANDS
DRAFT LOCAL PLANNING STRATEGY**

1. Modify the sections on “State and regional planning context” and “Local planning context” in Part 1 by including a more comprehensive summary of planning implications for the City and the strategy under each state, regional and local planning policy and strategy.

Note: This section is to give particular attention to measures expressed in state, regional and local planning policies and strategies that require implementation at the local level.

2. Modify the section on “Regional Strategies” in Part 1, and section on “Directions 2031” in Appendix 1 by referencing issues including the overall central sub-region population, dwelling target, resident labour force, jobs in the area and employment self-sufficiency.
3. Modify the section on “Regional strategies” in Part 1, and section on “Central Metropolitan Perth Sub-regional Strategy” in Appendix 1 by including:
 - (i) the revised housing and diversity targets for the City; and
 - (ii) reference to the draft State Planning Strategy.
4. Modify the section on “State and regional planning context” in Part 1 and Appendix 1 by including a brief description of the following state planning policies, and a summary of planning implications for the City and the strategy:
 - (i) SPP 2.8, Bushland Policy for the Perth Metropolitan Region;
 - (ii) SPP 2.9, Water Resources;
 - (iii) SPP 5.2, Telecommunications Infrastructure;
 - (iv) SPP 5.4, Road and Rail Transport Noise and Freight Considerations in Land Use Planning;
 - (v) SPP 4.1, State Industrial Buffer Policy and draft SPP 4.1, State Industrial Buffer (amended) policy; and
 - (vi) DC Policy 1.6, Planning to Support Transit Use and Transit Oriented Development.

Note: This section is to give particular attention to measures expressed in state, regional and local planning policies and strategies that require implementation at the local level.

5. Modify the section on “Local Planning Context” in Part 1 and Appendix 2 by including a brief description of the:
 - (i) “Local Housing Strategy” (referred in pages 60 and 94), planning implications for the City; and
 - (ii) status of any other studies and strategies that have been prepared by the City to address planning issues.
6. Modify the section on “Community profile” in Part 1 and Appendix 3 by including brief descriptions of the following, and planning implications for the City and the strategy:
 - (i) population and housing (*expand on information in Appendix 3*);

- (ii) economy and employment;
- (iii) retail and commercial;
- (iv) tourism and visitors;
- (v) recreation and open space;
- (vi) community facilities;
- (vii) urban design, character and heritage;
- (viii) traffic and transport;
- (ix) community facilities;
- (x) infrastructure services;

Note: These will allow an understanding of the existing characteristics of the City, issues affecting it and the resulting planning implications that need to be addressed by the strategy and scheme.

For example, the section on economy and employment would describe the nature of the local economic base in the City, and any notable servicing and/or infrastructure requirements etc.

A description of the retail and commercial situation would include an explanation of the nature of these land uses in the City including their locations and/or distribution, the types/hierarchy of centres, current and anticipated future floor space areas having regard to population growth and employment etc. (eg. retail and commercial activities along Stirling Highway which is not addressed in the draft strategy).

The section on urban design, character and heritage would describe the characteristics of the various areas/precincts and their significance, and contribute towards substantiating the City's intention for the large number of special control areas in the draft scheme.

Appendix 5.2 in the WAPC's Local Planning Manual provides an explanation of the information required.

7. Modify the section on "Key challenges for the strategy" in Part 1 to include the key issues identified in the sections on "State and regional planning context", "Local planning context", and "Community profile".

Note: Information in this section should be ordered according to the issues in the preceding sections.

8. Modify Part 1 by introducing a new section "Analysis of key challenges and issues" to review and analyse the key challenges or issues, and include options to address each issue.

Note: The analysis section is where the key planning issues identified in the planning context section are reviewed, and the way that each issue should be addressed by the strategy given consideration. The sub-sections are to be based on the issues raised from review of all relevant policies, strategies and studies in the planning context and community profile in Part 1.

For example, in response the policy provisions in SPP 4.2 (Activity Centres for Perth and Peel), it would be necessary, having regard to the planning context and community profile, to:

- *identify indicative boundaries for all centres (including the UWA-QEII specialised centre) that are partly or wholly within the City;*
- *investigate and discuss appropriate R-AC Codes for land within the centres;*
- *identify walkable catchments for centres within which housing potential should be optimised;*
- *investigate and discuss application of appropriate density codes and implementation measures to achieve the residential density targets recommended within walkable catchments; and*
- *discuss and show estimated retail need and indicative distribution of floorspace across centres.*

Similarly, in relation to DC Policy 1.6 (Planning to Support Transit Use and Transit Oriented Development), it would be necessary to:

- identify transit oriented precincts comprising 400m and 800m walkable catchments identified within the City; and
- investigate and discuss application of appropriate residential density codes and/or relevant scheme provisions to achieve the recommended minimum dwelling density.

This will facilitate the identification of areas where more intensive residential development should be considered, and the manner that such further development could occur in order to ensure optimum use of land for this purpose. This is to include consideration of site and/or area specific design guidelines and development control provisions, and the manner that these could be implemented (eg. special control area provisions in the scheme and/or local planning policies), and the justification for adopting one over the other.

9. Replace the Vision at page 39 with visions expressed in the City's Strategic Community Plan 2013.
10. Modify the section on "Housing targets methodology" in Part 2 by including additional information to provide an indication of how the revised dwelling target for the City could be met, having regard to issues raised in the planning context and community profile in Part 1.
11. Delete the last three rows relating to "Royal Perth Hospital Shenton Park Campus", "Sunset Hospital" and "Irwin Barracks" from the table depicting "Potential opportunities / Miscellaneous projects" at page 55.
12. Modify the "Housing Target Timeframes" plan at page 56 by:
 - (i) deleting the following sites:
 - (a) Royal Perth Hospital Shenton Park Campus;
 - (b) Sunset Hospital; and
 - (c) Irwin Barracks.
 - (ii) ensuring that the new housing choice areas are identified and labelled.
13. Delete Action FSK3 for Floreat - Shenton Park - Karrakatta from Parts 2 and 3.
14. Modify Part 2 by including a strategy plan that provides a consolidated diagrammatic representation (spatial plan) of the strategy.
15. Modify the "Built Environment" plan at page 86 by:
 - (i) deleting "Future Development Areas" identified over Irwin Barracks, Shenton College and the RPH Shenton Park Campus; and
 - (ii) ensuring that the "Housing Diversity Areas", "Design Guideline Areas" and areas identified as "Potential opportunities/Miscellaneous projects" are identified and labelled.
16. Relocate the sections on "Retaining residential character" and "Housing options and mix of uses around community hubs" at pages 90 and 91 into the new section "Analysis of key challenges and issues", and include discussion of the following:

- (i) descriptions of the “traditional character” and “identity” of the City's various neighbourhoods;
- (ii) the manner in which the R Codes erode the character and identity of the City's neighbourhoods;
- (iii) development standards that could be adopted to protect residential character;
- (iv) housing options that could be located in community hubs;
- (v) special control area provisions for each neighbourhood; and
- (vi) descriptions of the “community hubs” and “housing diversity areas”.

17. Update statistics where relevant throughout Part 1 and Appendix 3 with 2011 ABS Census data.

ITEM NO: 9.4

CITY OF GREATER GERALDTON PUBLIC OPEN SPACE STRATEGY – CONSENT TO ADVERTISE

WAPC OR COMMITTEE:	Statutory Planning Committee
REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Manager – Statutory Planning, Central Regions
AUTHORISING OFFICER:	Executive Director Regional and Planning Strategy
AGENDA PART:	E
FILE NO:	DP/12/00269
DATE:	21 November 2013
ATTACHMENT(S):	Attachment 1 - Proposed 'Regional Variations' and Assessment Attachment 2 - Schedule of Modifications Attachment 2a - Suggested Layout for POS Assessment Attachment 3 - City of Greater Geraldton POS Strategy and Locality Plans

RECOMMENDATION:

That the Western Australian Planning Commission resolves to:

- 1. not certify and endorse the draft POS Strategy in its current form for advertising as a Local Planning Strategy pursuant to Regulation 12B of the Town Planning Regulations 1967 as the document has deficiencies in terms of addressing Regulation 12A (3) of the Town Planning Regulations 1967, particularly with regards to setting out the long term planning directions for the local government and also in applying State and Regional planning policies.**
- 2. advise the local government that:**
 - 2.1 the following elements of the proposed 'regional variations' to WAPC Policy as identified in the draft POS Strategy are supported:**
 - 2.1.1 in relation to Element 4 of Liveable Neighbourhoods, increasing the percentage of the 'restricted use' POS allocation for new subdivision from 2% to 5% of the required 10% POS contribution, where preservation of high value native vegetation is achievable;**

-
- 2.1.2** *the seeking of POS contributions by local government in accordance with the Planning and Development Act 2005 rather than Development Control Policy 2.3 Public Open Space in Residential Areas, where 3 or more lots are being created including for vacant and survey strata subdivision;*
- 2.1.3** *the inclusion of the local government's stated intent to seek permission for expenditure of POS cash-in-lieu funds on regional open space and foreshore reserves;*
- 2.1.4** *extension of the required timeframe for developers to maintain POS to a minimum standard as prescribed in Element 4 of Liveable Neighbourhoods, from 2 summers to 5 years.*
- 2.2** *the following elements of the proposed 'regional variations' to WAPC Policy are not supported:*
- 2.2.1** *redefinition of the term 'public open space' as it appears in the Glossary of Liveable Neighbourhoods, outside of the review process currently being undertaken for this policy document; the WAPC considers public parkland to be appropriately described as 'regional open space,' (ROS) 'foreshore reserve' and 'public open space' (POS) as per the Introduction of Element 4 of Liveable Neighbourhoods;*
- 2.2.2** *the general inclusion of 'regional open space' and 'foreshore reserves' in calculating the 10% gross subdivisible area to be contributed as POS in accordance with Development Control Policy 2.3 Public Open Space in Residential Areas and Element 4 of Liveable Neighbourhoods;*
- 2.3** *With regard to 2.2:*
- 2.3.1** *the inclusion of 'activated' ROS in the 10% POS contribution may be supported where the local function of the open space can be demonstrated to be in accordance with R8, Element 4 of Liveable Neighbourhoods and the Local, Neighbourhood and District classifications in Table 1 - Public Open Space Hierarchy, of the Draft Strategy;*
- 2.3.2** *the inclusion of 'activated' 'foreshore reserves' in calculating the 10% POS contribution is not supported because of inconsistencies with Liveable Neighbourhoods, DC Policy 2.3 Public Open Space in Residential Areas and decisions by the State Administrative Tribunal. The 10% contribution to POS (in addition to Foreshore Reserves) embedded in this longstanding statutory framework is generally accepted to be the amount of POS required to sufficiently meet the recreational needs of the community.*

This also enables sufficient land for the protection of foreshore areas from the impacts of urban development. Liveable Neighbourhoods allows for variations to the POS contribution amount without compromising well established and understood methods for calculating POS contributions.

2.4 *the City is invited to review and to resubmit the draft POS Strategy once it has addressed the matters identified in this recommendation and those identified in Attachment 2 - Proposed Schedule of Modifications.*

3. *refer the issue of whether 'activated' 'foreshore reserves' could be included in calculating 10% POS contributions to the Department's review of Liveable Neighbourhoods.*

SUMMARY:

The draft POS Strategy (the Strategy) proposes departure from WAPC Public Open Space (POS) policy in five key areas, namely:

- i. how POS is defined;
- ii. how POS provision (in terms of quantity) is calculated;
- iii. limitations on restricted POS;
- iv. cash-in-lieu collection and expenditure; and
- v. developers' POS maintenance timeframes.

Variations in the first two POS policy areas challenge long-standing WAPC policy and traditional standards of POS provision, and are not supported outside the context of a wider policy review. The proposed variations in the remaining areas are less contested and more open to support, in view of assisting the local government in improving existing and future POS arrangements.

Deficiencies and inconsistencies with relevant WAPC policy also arise from further assessment of the proposed Strategy. These matters may be sufficiently addressed through review of the Strategy's objectives, and further evaluation and analysis of existing POS against newly stated planning outcomes.

As considerable revision and restructure of the POS document is required to address the above mentioned matters, certification and endorsement of the Strategy in its current form for advertising is not recommended.

BACKGROUND:

The City of Greater Geraldton (the City) is currently without an endorsed POS Strategy or Local Planning Strategy that is applicable to the whole of the local government area. In 2006 the WAPC considered a joint POS Study by the former City of Geraldton and Shire of Greenough and resolved not to endorse it primarily due to discrepancies in the methodology and POS calculations. These included:

- incorrect conversion from acres to hectares in relation to the adaptation of POS standards from the Stephenson-Hepburn Report;

- use of existing population rather than gross subdivisible area as a basis for assessment of the adequacy of POS; and
- application of a POS standard which includes *district* as well as *local* POS to disaggregated areas (precincts) which do not correspond to district POS catchments or service areas.

The POS Study subsequently failed to progress from this point.

The shortcomings of this earlier POS Study have been addressed within the current draft Strategy. It should also be noted that the policy framework and *Liveable Neighbourhoods* (LN) in particular, has significantly changed since 2006.

More recently, in 2009 and 2011, the City sought the WAPC's approval for acquisition (conversion to freehold tenure) and disposal of several reserves. On both occasions the WAPC resolved not to support the proposals and advised the City that strategic assessment of POS allocation was required to enable an informed decision.

The current draft Strategy is the third in a set of strategies recently produced by the City, intended to culminate in a complete Local Planning Strategy. Other Strategies recently endorsed by the WAPC include the City's Commercial Activity Centre Strategy and Residential Development Strategy. The statutory weight of these Strategies is intended to be equivalent to that of a Local Planning Strategy. The statutory process provided by the Town Planning Regulations 1967 has therefore been applied in the assessment of the draft Strategy. Accordingly, Regulation 12A(3) states that:

3. *A Local Planning Strategy shall -*
 - a. *set out the long-term planning directions for the local government;*
 - b. *apply State and regional planning policies; and*
 - c. *provide the rationale for the zones and other provisions of the scheme.*

This report considers the draft POS Strategy in relation to these requirements.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	<i>Planning and Development Act 2005.</i>
Section:	Part 5 - Local Planning Schemes
Legislation	<i>Town Planning Regulations 1967 (as amended).</i>
Section:	12A and 12B
Strategic Plan	
Strategic Goal:	Planning:
Outcomes:	Planned local communities developing a sense of place.
Strategies:	Improve local planning service capability.
Policy	
Number and / or Name:	SPP 1 State Planning Framework Policy SPP 2.6 State Coastal Planning Policy SPP 3 Urban Growth and Settlement DC Policy 1.1 Subdivision of Land – General Principles

DC Policy 1.3 Strata Titles
DC Policy 2.2 Residential Subdivision
DC Policy 2.3 Public Open Space in Residential Areas
DC Policy 2.1 Subdivision of Land
PB 21 Cash-in-Lieu of Public Open Space
PB 52/2009 Process for Seeking Approval Under the
Strata Titles Act 1985 (and Planning and Development
Act 2005) for Strata Titles and Delegation to Local
Government of Built Strata Applications
Liveable Neighbourhoods (2009)
Local Planning Manual (WAPC, DoP 2010)
Geraldton Region Plan (1999)
Greater Geraldton Structure Plan Update (2011)

DETAILS:

The City is seeking the WAPC's consent to advertise its draft Public Open Space Strategy, as per a Local Planning Strategy prepared under the *Town Planning Regulations 1967*. The draft Strategy relates to the urban areas and towns within the City including the small towns of Mullewa and Walkaway.

The draft Strategy contains an audit of current POS provision on a suburb by suburb basis, and makes comments and recommendations regarding quantity, quality and distance (from dwellings) of POS, including the disposal of identified 'residual' POS.

The draft Strategy also seeks endorsement of departures from WAPC policy by way of:

1. redefining the meaning of 'Public Open Space' in LN;
2. including 'activated' regional open space and foreshore reserves in POS contribution calculations and considerations;
3. identifying that the City will accept 5% public open space for active and passive recreational purposes, with 5% able to be allocated for 'restricted use' POS for the preservation of native vegetation;
4. identifying that the City will request cash-in-lieu to be paid for POS in subdivisions (including strata subdivisions) where 3 or more lots are being created and that the City may request that cash-in-lieu funds be expended on the further development of 'activated' regional open space (including 'activated' foreshore areas); and
5. indicating that the City will require that new POS is developed and maintained by the subdivider for a 5 year period.

The draft Strategy also seeks to introduce a POS hierarchy that varies the hierarchy described by WAPC Policy, particularly LN. Also included in the draft Strategy are the results from a community survey and a set of standards and design principles for the provision of POS at different levels of the hierarchy.

The five points outlined above are discussed further in the 'Officers Comments' below and within **Attachment 1**.

GOVERNMENT AND CORPORATE IMPLICATIONS:

The draft Strategy has significant policy implications. Some of the proposals such as those at points 1 and 2 above, have the potential to undermine the current operation and review of key WAPC policy, such as LN, and challenge the way POS has traditionally been addressed by the broader planning and policy framework in Western Australia.

More broadly, there is a concern regarding the matter of precedent and the likely increased pressure from individual local governments to vary long standing WAPC policy. Potentially, in the medium to long term, departures from WAPC policy as significant as those proposed at points 1 and 2, in different local government areas, may lead to confusion and also affect the general standard of development outcomes for communities across the State.

CONSULTATION:

Consultation regarding the draft Strategy to date appears to be limited. The City's consultant met with Department of Planning (DoP) officers prior to commencing preparation of the draft Strategy, in which the five above mentioned matters were discussed in broad terms. At the meeting, officer's provided broad policy advice and guidance regarding the expected content of a POS Strategy.

A further meeting between DoP and the City was then held with the view to obtain additional information and perspective regarding the intent of the draft Strategy. The City advised that the strategy has been prepared in response to issues surrounding parks management, assets management and statutory planning, and does not include a needs assessment. Recreational needs are being addressed by the City via a separate project and goes beyond the scope of the proposed Strategy.

OFFICER'S COMMENTS:

A detailed assessment of the five main inconsistencies of the draft Strategy as outlined above are tabulated at **Attachment 1** with reference to the relevant legislative and policy provisions. To summarise:

Proposed variations to the LN definition of POS is considered to be more appropriately addressed through the broader review of LN being undertaken by DoP.

In accordance with R8, Element 4 of LN, where 'activated' Regional Open Space has a dual function as local and regional POS, its inclusion in the 10% POS contribution is supported.

The inclusion of 'activated' portions of Foreshore Reserves in calculating 10% POS contributions is inconsistent with longstanding WAPC Policy including, LN and *DC Policy 2.3 Public Open Space in Residential Areas* and is not supported. To include 'activated' Foreshore Reserve areas effectively reduces the 10% contribution to a lesser amount, with potentially significant implications for greenfield subdivision. Where the aim is to deliver less than 10% POS, R34 of LN already provides for regional variations, in recognition that community requirements may vary in some instances. It should also be noted that the 10% POS requirement dates back to 1956 and continues to be generally accepted as a valid benchmark for the amount of POS

required to sufficiently meet the recreational needs of communities. As explained in DC Policy 2.3, *"gross residential densities have remained the same since that time, with smaller lot sizes being offset by declining household occupancies."* Any further consideration of the inclusion of Foreshore Reserves in POS contributions is therefore considered to be most appropriately addressed through the broader review of LN.

With appropriate revision of wording, the draft Strategy's proposal to seek a 5% restricted use allocation of the 10% POS contribution to encourage conservation of regionally significant vegetation is supported.

Also with appropriate revision of wording, the intention to request cash-in-lieu for 3 or more lots is supported. With regards to cash-in-lieu expenditure on regional open space, this may be supported in the draft Strategy however it should be noted that expenditure is determined by the Minister for Planning.

Extension of the maintenance period for POS by developers, from 2 summers to 5 five years is supported.

The City of Greater Geraldton draft POS Strategy with locality maps are attached as **Attachment 3**. The following discusses other matters arising from assessment of the draft Strategy against WAPC policy and practice.

State Planning Framework Policy (Variation No 2) (SPP1)

Relevant to POS, SPP1 aims to deliver sustainable communities where:

- land is provided for a range of community uses including open space
- land use is integrated with transport planning and decreased dependency on private vehicles; and
- encouraging safe environments and a sense of neighbourhood and community identity.

The draft Strategy includes consideration of quantity, distance and quality characteristics of POS which may go some way towards addressing the broad aims of SPP 1, however it lacks clear aims and objectives about what the Strategy is seeking to achieve. SPP1 may therefore provide the City with some context for the further development of the aims and objectives of the draft Strategy.

State Planning Policy 3 Managing Urban Growth and Settlement (SPP3)

SPP 3 seeks to ensure settlement has *"sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space."*

The draft Strategy has the potential to achieve this with regards to recreation and open space. However, the current statement of objectives at section 1.3 of the draft document focusses on methodology rather than outcomes, and is a significant part of the Strategy in need of review.

Section 1.3 states that, *"the objectives of the Strategy are to:*

- *Undertake a public open space audit;*
- *Achieve regional variations for public open space provision in accordance with Liveable Neighbourhoods requirements;*

-
- *Establish a hierarchy of public open space types and proposed service levels;*
 - *Create design principles to guide the location, size, layout landscaping and servicing of public open space to be used by the CGG, developers and the community;*
 - *Provide recommendations on opportunities regarding consolidation of public open space through land acquisition, land disposal and/or land exchanges; and*
 - *Review the potential of incorporating biodiversity within public open space and recommendations for preservation.”*

The community survey conducted in preparation of the draft strategy could provide the starting point for formulation of aims and objectives. This is considered important in ensuring that the Strategy is able to inform future planning decisions (e.g. Scheme Amendments) involving POS.

State Planning Policy 2.6 State Coastal Planning Policy (SPP 2.6)

The draft Strategy seeks to include "activated" or areas of *"well established, landscaped and serviced foreshore and coastal reserves"* as 'Regional Open Space' and in POS calculations. Detailed assessment on the proposed inclusion of 'activated' portions of foreshore reserves is provided at **Attachment 1**.

SPP 2.6 suggests that any development of the foreshore reserve should be in accordance with a coastal planning strategy or foreshore management plan. SPP 2.6 also advocates that the currency of any existing plans and their need for review should be based on their *"continued relevance, the extent and nature of change and pressures operating in the plan's study area."* Planning of foreshore areas to facilitate their development or enhancement is not currently addressed by the draft Strategy, although it is argued in the draft document that it is important that the City be able to enhance these spaces over time through the use of cash-in-lieu contributions. There is potential benefit to the City in incorporating strategies and actions pertaining to foreshore management plans in the draft Strategy, as it may support initiatives (such as grant applications) to prepare or implement foreshore management activities, if strategic context for these activities can be illustrated.

The draft Strategy proposes inclusion of 'activated' foreshore and coastal reserves within POS calculations because the direction of POS cash-in-lieu funds to these areas *"may not be possible if the areas are not classified as such [i.e. as POS]."* This is an incorrect assertion. Expenditure of cash-in-lieu, whilst influenced by where it was collected, is a different matter to how the amount is calculated. Section 154(2)(c) of the *Planning and Development Act 2005* allows expenditure *"for the improvement or development of any land in that locality vested in or administered by the local government for any of those purposes."* Therefore there is no requirement for land to be classified as POS to allow cash in lieu expenditure.

Comments in relation to the quality of existing "activated" foreshore areas contained in the draft Strategy identify further development potential. It is therefore recommended that the draft Strategy be augmented to provide further broad, strategic guidance as to if, when, how, and in what form, further development should take place. This information could then be used to inform decisions by the Minister

regarding the proposed expenditure of funds obtained from cash contributions to POS and provide a more strategic framework for POS in the proposed strategy.

Element 4 Public Parkland, Liveable Neighbourhoods

As a general principle LN "favours a balance between neighbourhood and local parks (readily accessible to residents) and district playing fields (to be shared between neighbourhoods)." On matters regarding size and distribution of POS, landscape design and maintenance, the WAPC will be guided by local government. Notwithstanding this, the requirements of LN elude to a particular POS structure and hierarchy.

Section 4.0 of the draft Strategy describes the purpose and function of each POS classification in terms of its role within the POS hierarchy. Tables 4 – 8 of the draft Strategy also describe the general requirements for quantity, quality and distance. With regards to size, distribution, and function, the draft Strategy is inconsistent with the POS hierarchy described in LN. This is illustrated in the table below.

POS Hierarchy Position	Draft Strategy	Liveable Neighbourhoods
Local	4000m ² to 1ha (<4000m ² – purposeful function to be demonstrated). Within 400m or 5min walk Children’s play, resting, casual team activities, exercise.	Up to 3000m ² , R14 (can be responsive to site specific requirements). Within 150 – 300m Children’s play, resting, relaxation.
Neighbourhood	1ha to 5ha Within 800m or 10min walk Open parkland and bushland, casual play, may include sporting facilities	3000m ² – 5000m ² Maximum 400m Informal recreation and passive use.
District	5ha to 15+ ha Within 2km or 5min drive Concurrent uses including organised sport, children’s play, dog walking, social gatherings, bushland, open parkland for casual play.	2.5 – 7ha Between 600m and 1km Passive (including informal play areas), active (formal playing fields).
Regional	20+ha	Major playing fields, conservation and environmental features.

The significance of this inconsistency is predominantly in relation to future greenfield subdivision, and appears to represent a move towards potentially fewer but larger areas of POS. It is noted that this approach to POS provision is also being considered by other local governments (e.g. City of Albany) and may also be a matter to be considered in the broader review of LN.

It is considered that for the Strategy to be effective in delivering its proposed hierarchy it should clarify where and how the hierarchy will be imposed and through which mechanisms it will be implemented (e.g. apply to greenfield subdivision through structure planning).

The implications of the proposed hierarchy for existing POS in developed areas are likely to be different, as these areas have established over time under changing policy and decision making regimes. The draft Strategy currently lacks clear analysis of POS characteristics that supports its recommendations for disposal of many small portions of POS. A suggested approach has been discussed with the City. The City is agreeable to augmenting section 8.0 of the draft Strategy in particular. The aim is to put issues regarding quantity in context, reduce the subjectivity currently included in the tables and provide a structure that enables consideration of quantity, quality and distance characteristics of existing POS that supports clearly outlined strategies and actions.

With regards to quantity, a key aspect of the review of section 8.0 is the alignment of POS calculations with WAPC policy, particularly the exclusion of ROS (where local functionality is not demonstrated) and Foreshore Reserves. This should provide a clearer picture of the current amount of POS in each suburb and in conjunction with quality and distance considerations, assist in determining where a 'Regional Variation' in accordance with R34 of LN may be appropriate. A categorisation of descriptors such as 'poor,' 'average,' 'good,' etc. is recommended to improve the objectivity of assessments of quality. The identification of 'ped sheds' around POS and activated ROS and foreshore reserves is recommended to illustrate the availability of local recreational opportunities to residents. **Attachment 2a** provides an example of how the results of review of section 8.0 may be presented.

Modifications in general accordance with **Attachment 2a** will be particularly significant in assessing the matter of the draft Strategy's proposed disposal of some portions of existing POS in developed areas. This matter should be subject to careful consideration as once sold it is generally difficult and expensive for local governments to acquire new land for POS purposes. Disposal of 'residual' POS may reduce capacity for adaptation of the urban environment over time to respond to changing residential demand. In addition to the above mentioned modifications regarding identifying the quantity, quality and distance characteristics of POS, the inclusion of objectives around the intended standard or quality of POS in particular areas is recommended to guide and assist in capitalising on opportunities for expenditure on POS as they arise.

Further analysis on the impact of POS disposal on the established and future POS hierarchy and integration with the City's recently endorsed Residential Development Strategy may also assist in addressing these matters. Further assessment of the current and potential 'dual' functionality of 'activated' ROS and the role of 'activated' Foreshore Reserve areas may also assist in clarifying any impacts.

Development Control Policy 2.3 Public Open Space (DC Policy 2.3)

As for LN, DC Policy 2.3 requires a 10% land contribution, for POS purposes. The figure of 10% is therefore used as a benchmark for considering if the quantity of POS provided in an area is sufficient.

The draft Strategy provides a breakdown of current POS supply on a suburb by suburb basis, and accounts for the draft Strategy's proposed changes (comments provided at **Attachment 1**) to calculating POS. Item 12 included in the recommended

Schedule of Modifications at **Attachment 2** seeks review of this table to align the calculations with WAPC policy and practice.

The draft Strategy provides for evaluation of POS supply, to be considered in the context of the existing and future POS hierarchy (i.e. ped shed and catchment consideration) and the quality of existing POS. Demographic trends are also a factor for consideration, and whilst the draft Strategy does not attempt to interpret these in detail, broad trends may assist in identifying appropriate City wide objectives pertaining to POS and the needs of the community.

Review of the relevant sections of the draft Strategy is therefore recommended to improve consistency with WAPC policy. Evaluation of existing POS in the context of clear objectives for each suburb or locality (reflecting the current structure of the Strategy) is required to ensure alignment of the draft Strategy with established WAPC policy.

Local Planning Manual

The overall format and content of the draft Strategy requires modification to be more consistent with the expected content and format of a Strategy as outlined in the WAPC's Local Planning Manual. Details of recommended advice and direction to the City is included at **Attachment 2**. In general terms, it is considered that review of the draft Strategy is required to provide the strategic planning and guidance usually attributed to a Local Planning Strategy, particularly in relation to POS in established urban areas. Restructuring and rationalisation of the draft Strategy document is also recommended to ensure focus on the core aspects of any strategy, i.e. vision and planning principles, objectives, the strategic plan, strategies and actions.

Conclusion

In its current form, the draft Strategy is not considered to meet the requirements of Regulation 12A(3) of the *Town Planning Regulations 1967*, particularly in terms of setting out long term planning directions and applying relevant State and regional planning policy.

Revision of the 'regional variations' proposed by the draft Strategy, such as redefinition of the term POS and inclusion of regional open space and foreshore reserves within POS calculations, is required to align with established WAPC policy. Significant modification to the draft Strategy is subsequently required, as all figures pertaining to POS quantity are based on the WAPC's endorsement of the proposed regional variations.

Further revision is also required to include appropriate city wide and locality based planning objectives, strategies and actions relating to POS. This would then provide a context for considered evaluation of current and proposed POS arrangements.

WAPC certification and endorsement of the Strategy in its current form for advertising is therefore not recommended.

Proposed 'Regional Variations' and Assessment

Assessment is per Regulation 12A(3) of the *Town Planning Regulations 1967 clause (3) A Local Planning Strategy shall ... (b) apply State and regional policy.*

No.	Proposed Strategy and City of Greater Geraldton	DoP Assessment	Relevant Legislation and Policy
1.	<p>Proposal: Redefine Public Open Space as follows, <i>Public Open Space: means land used or intended for use for active or passive recreational purposes by the public and includes parks, public gardens, serviced foreshore reserves, playgrounds, sports fields and land set aside for conservation but does not include regional open space and foreshore reserves.</i></p> <p>Rationale:</p> <ul style="list-style-type: none"> • LN definition is ambiguous regarding whether or not foreshores constitute POS. In areas where considerable infrastructure has been or is scheduled to be provided to facilitate recreational use of foreshore reserves, draft Strategy seeks to vary assertion that foreshore reserves are not POS. • The LN definition doesn't take into account the potential for natural areas to be incorporated into POS. • Some areas classified as Regional Open Space (ROS) in the Greater Geraldton Structure Plan (GGSP) also provide a local function as they are activated and accessible to residents within a local catchment area. 	<p>The change in definition as proposed is not supported because:</p> <ul style="list-style-type: none"> • Notwithstanding the ambiguity of the LN POS definition regarding the inclusion of foreshore reserves, it is longstanding WAPC policy that foreshore reserves are treated separately for the purpose of POS calculations. • It is not clear whether the POS definition in LN should include "land set aside for conservation", as nature conservation beyond the protection and conservation of watercourses, water bodies and wetlands, is not included in the objectives of Element 4 – Public Parkland. • Some areas classified as ROS in the GGSP may also function as local POS, however, access and "activation" alone does not necessarily mean that the space also functions as local or neighbourhood POS. The draft Strategy should identify which portions of ROS may have dual functionality as result of assessment of ROS against its own POS Provision Standards (see Tables 4 – 6 of draft Strategy). • Any variation to the POS definition in LN is considered to be more appropriately addressed as part of the current comprehensive review of LN, where careful consideration can be given to any unintended consequences to the provisions of LN itself and local planning schemes. This would also avoid potential issues surrounding precedent. Referral of this issue to the Director of the LN review is therefore also recommended. 	<p>Liveable Neighbourhoods (LN) – Glossary:</p> <p><i>Public Open Space: means land used or intended for use recreational purposes by the public and includes parks, public gardens, foreshore reserves, playgrounds, sports fields but does not include regional open space and foreshore reserves.</i></p>
2.	<p>Proposal: the City will include activated Regional Open Space (including activated Foreshore Reserves) in public open space calculations and considerations.</p> <p>Rationale:</p> <ul style="list-style-type: none"> • The community survey revealed that residents overwhelmingly prefer the foreshore to other areas of recreational space in Geraldton. • Recognising the role of ROS in meeting active and passive recreational needs and the considerable funding already invested in development of these 	<p>Notwithstanding the depiction of reserves in the GGSP, for the purposes of this assessment and in accordance with DC Policy 2.3 and Liveable Neighbourhoods, Regional Open Space and Foreshore Reserves are addressed separately.</p> <p>The inclusion of activated ROS in POS contribution calculations may be supported because:</p> <ul style="list-style-type: none"> • In accordance with R8, Element 4 of LN, where it can be demonstrated that Regional Open Space as defined by LN, also functions as local POS there may be opportunity to 	<p>Section 154 of the Planning and Development Act 2005:</p> <p>(2) The money is to be applied —</p> <p>(c) with the approval of the Minister, for the improvement or development as parks, recreation grounds or open spaces generally of any land in that locality vested in or administered by the local government for any of those purposes; or ...</p> <p>Clause 3.2.6 of DC Policy 2.3 Public Open Space in Residential</p>

No.	Proposed Strategy and City of Greater Geraldton	DoP Assessment	Relevant Legislation and Policy
	<p>spaces.</p> <ul style="list-style-type: none"> The City being able to “further enhance these spaces over time through the use of cash-in-lieu contributions for public open space, which may not be possible if the areas are not classified as such.” The GGSP depicts “serviced” foreshore and coastal reserves as ‘Regional Park, Recreation and Conservation,’ therefore these areas are depicted as Regional Open Space in the draft Strategy. Sporting facilities e.g. Eighth Street and Eadon Park complexes are also included as ROS. These facilities are maintained by the City and it is therefore practical to have them formally classified as POS. Eliminating these areas from public open space calculations on a suburb level would lead to an unrealistic (under) representation of the provision of recreational facilities in suburbs adjacent to these areas. 	<p>include it in POS quantity considerations.</p> <p>The inclusion of activated Foreshore Reserves in POS contribution calculations is not supported because:</p> <ul style="list-style-type: none"> To include 'activated' foreshore reserve areas effectively reduces what is generally accepted to comprise the required 10% contribution, to a lesser amount. Longstanding WAPC Policy and SAT cases support the 10% POS contribution being in addition to foreshore reserves.(e.g. [2003] WATPAT 9). It is generally accepted that the 10% contribution is the amount of POS required to sufficiently meet the recreational needs of communities. R34 of LN provides for regional variations to the required 10% in recognition of potentially varying community requirements, negating the need to vary the method for calculating the contribution (i.e. by including Foreshore Reserves). Clause 12(A)(3)(b) of the <i>Town Planning Regulations</i> imposes a statutory obligation to apply State and regional planning policies which in this instance exclude Foreshore Reserves from inclusion in POS contributions. <p>It should also be noted that:</p> <ul style="list-style-type: none"> S154 (2)(c) of the P&D Act does not limit the expenditure of cash-in-lieu contributions to “public open space,” therefore classifying areas as public open space in the draft Strategy on this basis is questionable. Classifying the Eighth Street and Eadon Park complexes (which contain club facilities) as “public open space” in the draft Strategy will not alter the need for expenditure of cash-in-lieu contributions to be consistent with Planning Bulletin 21. Exclusion of foreshore reserves from “public open space” contribution calculations does not remove them from planning considerations (which are not limited to quantity of POS), particularly if such spaces demonstrably function as local, neighbourhood or district POS. There will also be opportunity for the City to make representations during review of Liveable Neighbourhoods regarding this issue. 	<p>Areas:</p> <p>3.1.1 The Commission's normal requirement in residential areas is that, where practicable, 10 per cent of the gross subdivisible area be given up free of cost by the subdivider and vested in the Crown ... as a Reserve for Recreation...</p> <p>3.2.6 ...where the Commission considers that a foreshore reserve is to be given up as a condition of subdivision, the area of foreshore so required will... be in addition to the land required for public open space.</p> <p>LN – Element 4 – Public Parkland, preamble:</p> <p><i>There are three types of public parkland.</i></p> <ul style="list-style-type: none"> Regional open space as defined under a regional or sub-regional structure plan and/or included in a region scheme and set aside for acquisition. Regional open space should accommodate active and passive recreation such as major playing fields as well as conservation and environmental features. Foreshore reserves which are contributed free of cost by the owner through the subdivision process (e.g. land abutting a river, creek, lake or coast). Public open space which is contributed free of cost by the owner through the subdivision process (e.g. district park, neighbourhood park, local park, special purpose parks, playing fields, community purpose sites.). <p>LN – Element 4:</p> <p>R4 A minimum contribution of 10 per cent of the gross subdivisible area must be given up free of cost by the subdivider for public open space...</p> <p>R8 The WAPC may accept part or all of the regional open space as part of the subdivider's 10 per cent public open space contribution, providing:</p> <ul style="list-style-type: none"> the WAPC and/or the relevant authority is satisfied that the subject land can contribute to be available for local public open space without compromising the planning objectives of the regional open space, that includes the protection of any environmental values; and There is agreement with the future management authority

No.	Proposed Strategy and City of Greater Geraldton	DoP Assessment	Relevant Legislation and Policy
			<p>regarding ongoing management of the land.</p> <p>R10 The foreshore reserve, ... , shall be ceded to the Crown free of cost and without payment of compensation by the Crown and will be in addition to the 10 per cent public open space contribution...</p> <p>R34 Subject to the support of the local government the WAPC may accept a public open space contribution to a minimum of five per cent of the gross subdivisible area providing:</p> <ul style="list-style-type: none"> • ...public open space is readily available in the community that can be used at all hours of the day or night... <p>Planning Bulletin No. 21 Cash-in-Lieu of Public Open Space</p> <p>8. Acceptable Uses for Expenditure of Cash-in-lieu Funds</p> <p>... The proposed development should be for uses which the public has unrestricted access.</p> <p>Acceptable expenditure for cash-in-lieu funds may be for:</p> <ul style="list-style-type: none"> • clearing • seating • earthworks • spectator cover • grass planting • toilets • landscaping • change rooms • reticulation • lighting • play equipment • pathways • fencing • walk trails • car parking <p>9. Unacceptable Uses for Expenditure of Cash-in-Lieu Funds</p> <p>Use of cash-in-lieu would not normally be acceptable for:</p> <ul style="list-style-type: none"> • Community halls or indoor recreation centres • Enclosed tennis courts • Bowling greens for clubs • Facilities for private clubs <p>and similar facilities where access by the general public is</p>

No.	Proposed Strategy and City of Greater Geraldton	DoP Assessment	Relevant Legislation and Policy
			<p>restricted.</p> <p>LN - Appendix 4 Cash in lieu of public open space</p> <p>A8 The use of cash-in-lieu would not normally be acceptable for indoor recreation centres, bowling greens for clubs, facilities for private clubs or similar facilities where access by the general public is restricted. Acceptable expenditure for cash-in-lieu funds may be for: clearing of vegetation, seating, earthworks, spectator cover and/or shelters, grass planting, toilets, landscaping, change rooms, community hall, readily available for public use, reticulation, lighting, play equipment, pathways, fencing, walk trails, car parking, signs relating to recreational pursuits.</p>
3.	<p>Proposal: the City will accept a minimum of 5% of public open space for active and passive recreational purposes, with 5% able to be allocated for 'restricted use' public open space for the preservation of native vegetation.</p> <p>Rationale:</p> <ul style="list-style-type: none"> To address some of the findings of the Geraldton Regional Flora and Vegetation Survey (WAPC, 2010) the draft Strategy increases the percentage of restricted use POS (from 2% to 5%) permitted in localities where conservation of high value native vegetation is possible and where it can be demonstrated that sufficient active and passive recreational opportunities have been provided within the locality. This strategy will further encourage developers to conserve significant vegetation without being 'penalised' for doing so. 	<p>This proposal is supported, because:</p> <ul style="list-style-type: none"> The intent to encourage and facilitate the conservation of high value native vegetation is consistent with SPP 2. <p>It should also be noted that:</p> <ul style="list-style-type: none"> More information regarding which localities / areas would be affected by this strategy would be beneficial however this is potentially better addressed through structure planning where further vegetation surveys can be conducted as appropriate to addressing the district scale of Geraldton Regional Flora and Vegetation Survey. The draft Strategy should be revised to clarify how this "strategy" will be applied and to ensure that other forms of restricted POS e.g. (drainage) do not encroach on the 5 per cent POS contribution. 	<p><i>Environment Protection Act 1986 and Environmental Protection (Clearing of Native Vegetation) Regulations 2004.</i></p> <ul style="list-style-type: none"> Clearing of native vegetation in Western Australia is prohibited unless the clearing is authorised by a clearing permit obtained from the Department of Environment Regulation or is of a kind that is exempt in accordance with Schedule 6 or Regulation 5 Environmental Protection (Clearing of Native Vegetation) Regulations 2004. <p>State Planning Policy 2.0 Environment and Natural Resources (SPP 2)</p> <p>5.5 Biodiversity</p> <p>Planning strategies, schemes and decision-making should:</p> <p>(ii) seek to avoid or minimise any adverse impacts, directly or indirectly, on areas of high biodiversity or conservation value as a result of changes in land use or development...</p> <p>LN – Element 4</p> <p>R5 The WAPC will accept a minimum of eight per cent public open space for the purpose of active and passive recreation, where the remaining two per cent (or one-fifth) is allocated for any and/or all of the following restricted use public open space types and in accordance with R29:</p> <ul style="list-style-type: none"> natural areas and cultural features ...

No.	Proposed Strategy and City of Greater Geraldton	DoP Assessment	Relevant Legislation and Policy
			<p>R6 The restricted use public open space may exceed the maximum 2 per cent as defined in R4 and R5, where an appropriate management plan is agreed by the WAPC in consultation with the local government and the subdivider. A public open space contribution allowance will not be given for any land identified as restricted use public open space over and above the two per cent.</p> <p>R34 Subject to the support of the local government the WAPC may accept a public open space contribution to a minimum of five per cent of the gross subdivisible area providing:</p> <ul style="list-style-type: none"> • The public open space is designed, developed and located for the widest possible use of the community, including meeting, recreation, leisure and entertainment; • The public open space is developed to a minimum standard... • Adequate areas are provided for elsewhere for drainage and flooding, particularly overland flow; • Public open space is readily available in the community that can be used at all hours of the day or night; and • Does not include any restricted use public open space.
4.	<p>Proposal:</p> <p>a) The City will request cash-in-lieu to be paid for public open space in subdivisions where 3 or more lots are being created.</p> <p>Rationale:</p> <ul style="list-style-type: none"> • Urban infill is expected to continue (and indeed increase) over the next decade and beyond, which will result in increasing use of existing spaces and facilities. • The legislation provides the opportunity to provide additional funds for improving or expanding existing public open spaces. <p>b) The City will request cash-in-lieu to be paid for public open space in strata subdivisions where 3 or more lots are being created.</p> <p>Rationale:</p> <ul style="list-style-type: none"> • In accordance with DC Policy 1.3, cash-in-lieu could be provided in the same manner as it is with 	<p>Proposal 4a is supported because:</p> <ul style="list-style-type: none"> • As stated in the draft Strategy it is considered likely that urban infill will continue in the future and will increase demand for POS; and • The intention to seek contributions for small scale subdivision is consistent with s153 of the P&D Act. <p>It should also be noted that:</p> <ul style="list-style-type: none"> • The draft Strategy identifies residual POS for disposal in many "infill areas" and there is no reference to the City's Residential Development Strategy (WAPC endorsed). • Modifications are recommended to ensure that it is made clear that where POS has been contributed as part of previous subdivision it should not be required again. The requirement for a 10% land contribution dates back to the 1950s. • Any request for POS as land or a cash-in-lieu contribution must be reasonable, relevant and have a planning purpose which may not always be obvious in relation to small scale subdivision. SAT case [2010] WASAT 25 explores these matters in relation to a subdivision to create 4 lots. • Given the statutory hierarchy of planning instruments, implementation of variation to DC Policy 2.3 may require a 	<p>S153 of Planning and Development Act 2005:</p> <p>(1) If the Commission has approved a plan of subdivision of land on condition that a portion of the land be set aside and vested in the Crown for parks, recreation grounds or open spaces generally and –</p> <p>(a) the Commission, after consultation with the local government in whose district the portion is situated, so requires; or</p> <p>(b) the Commission, the local government in whose district the portion is situated and the owner of the land so agree, the owner of that land is to, in lieu of setting aside the portion, pay to that local government a sum that represents the value of the portion.</p> <p>(2) The Commission is not to impose a requirement referred to in subsection (1)(a) in respect of a plan of subdivision that creates less than 3 lots.</p> <p>Section 154 of the Planning and Development Act 2005:</p> <p>(2) The money is to be applied –</p> <p>(c) with the approval of the Minister, for the improvement or</p>

No.	Proposed Strategy and City of Greater Geraldton	DoP Assessment	Relevant Legislation and Policy
	<p>conventional subdivision.</p> <p>c) The City may request that cash-in-lieu funds be expended on the further development of activated Regional Open Space.</p>	<p>Scheme Amendment.</p> <p>Proposal 4b is supported because:</p> <ul style="list-style-type: none"> • As stated in the draft Strategy it is considered likely that urban infill will continue in the future and will increase demand for POS; and • The intention to seek contributions for small scale subdivision is consistent with s153 of the P&D Act. <p>It should also be noted that:</p> <ul style="list-style-type: none"> • Where there is insufficient POS and contributions from small scale subdivision is to be sought, consideration should be given to clause 4.3.3 of DC Policy 2.3. • If cash-in-lieu of POS is to be collected for subdivision into 3 or more lots, the draft Strategy should potentially identify where and under what circumstances this would be appropriate and support the introduction of an appropriate amendment to the relevant planning scheme(s) if needed. • Clause 3.3.3 of DC Policy 1.3 relates to vacant and survey strata subdivision "involving more than a small number of lots,..." The draft Strategy should address the full context of this provision. • In accordance with Planning Bulletin 52/2009, a POS contribution should generally not be sought for built strata applications. <p>Proposal 4c is supported because:</p> <ul style="list-style-type: none"> • s154 of the P&D Act may facilitate, with the approval of the Minister, expenditure of cash-in-lieu funds on any land in the locality, vested in or administered by the local government. <p>It should also be noted that:</p> <ul style="list-style-type: none"> • Expenditure of cash-in-lieu funds is guided by LN - Appendix 4 and Planning Bulletin No.21 and is determined by the Minister for Planning. Expenditure on POS is not limited by its classification but rather by its accessibility to the general public (as opposed to for example, members of clubs or organisations). To support any request for expenditure on regional open space that is beyond the "locality" of a given subdivision, further information could be provided in the draft Strategy to justify expenditure of contributions from particular areas and also under what circumstances such expenditure would advance the aims and objectives of the Strategy. 	<p>development as parks, recreation grounds or open spaces generally of any land in that locality vested in or administered by the local government for any of those purposes; or ...</p> <p>Liveable Neighbourhoods - Appendix 4 - Cash-in-lieu for Public Open Space and Planning Bulletin No. 21 Cash-in-Lieu of Public Open Space - see proposal 2.</p> <p>Clause 3.1.5 of DC Policy 2.3 Public Open Space in Residential Areas:</p> <p>The Commission will not normally require an open space contribution for five lots or less, provided a contribution is not required by a provision of a town planning scheme or approved structure plan, where:</p> <ul style="list-style-type: none"> • The proposal is within a locality where the Commission, on the advice of the local government, following an assessment of the locality, has concluded that there is sufficient open space in that locality. <p>Clause 4.3.3 of DC Policy 2.3 Public Open Space in Residential Areas:</p> <p>The Commission may require an open space contribution of a lesser amount than 10% where a proposal to create five lots or less is located in a locality where a number of lots could be similarly subdivided, in the expectation of an equivalent cash-in-lieu contribution being made by the applicant under section 20C.</p> <p>Clause 3.3.3 of DC Policy 1.3 Strata Titles</p> <p>Consistent with legislation, policy and practice in respect of conventional subdivision, for a proposal involving a small number of lots, the WAPC may require a contribution towards the provision of public facilities, such as open space, school sites and the like. The WAPC may allow a maximum of 50 per cent of the total 10 per cent public open space to be provided as communal open space within the survey strata subdivision</p>

No.	Proposed Strategy and City of Greater Geraldton	DoP Assessment	Relevant Legislation and Policy
			<p>subject to the open space being usable and developed for general recreation purposes. The remainder of the provision may be provided outside of the subdivision or by way of cash-in-lieu. The WAPC will allow up to 20 per cent of the 10 per cent contribution to be in the allocation of a site for community facilities, which may include buildings, providing the site is credited towards the communal open space. Cash-in-lieu could be provided in the same manner as it is with conventional subdivision.</p> <p>Planning Bulletin 52/2009 Process for Seeking Approval Under the Strata Titles Act 1985 (and Planning and Development Act 2005) for Strata Titles and Delegation to Local Government of Built Strata Applications</p> <p>2.1 Current legislative framework for built strata applications</p> <p>...The policy requirements regarding public open space for grouped/ multiple dwelling development are usually considered at the structure planning or subdivision stage prior to a proposed development being built. In addition the local government at the time of considering the development application also takes the policy requirements into account...</p>
5.	<p>Proposal: The City will require that new public open space is developed (to a minimum standard) and maintained by the subdivider for a 5 year period.</p> <p>Rationale:</p> <ul style="list-style-type: none"> • 2 years is often not long enough to ensure consolidation of landscaping / regeneration works and to ascertain if the plantings have been successful. 	<p>This proposal is supported because:</p> <ul style="list-style-type: none"> • The proposed strategy is considered reasonable given the relatively harsh climate of the Greater Geraldton area. • The City has informally advised that in some circumstances it has already negotiated with some subdividers to extend maintenance to a 5 year period. • In some instances it may be in the developers interest to continue maintenance of the POS, particularly if market take-up is gradual. <p>It should also be noted that:</p> <p>An amendment to any relevant local planning scheme(s) and potentially inclusion in a local planning policy may be required to address the inconsistency with LN.</p>	<p>LN – Element 4</p> <p>R37 The WAPC will generally require public open space to be developed by a subdivider to a minimum standard ... and maintenance for two summers.</p> <p>R34 Subject to the support of the local government the WAPC may accept a public open space contribution to a minimum of five per cent of the gross subdivisible area providing:</p> <ul style="list-style-type: none"> • ...The public open space is developed to a minimum standard ... and maintenance for two summers...

Schedule of Proposed Modifications: City of Greater Geraldton Draft Public Open Space Strategy

Draft Public Open Space Strategy - Modifications	
Recommended Modifications	Reason
1. Condense sections 1.1 and 1.2 into a short introductory paragraph or delete completely.	Much of the content included in these sections should be relocated to the Background Report and any relevant statements included in Strategy as aims and objectives.
2. Revise Section 1.3 Objectives to state overall aims for the strategy.	Current objectives relate to methodology rather than outcomes.
3. Relocate section 1.4 Strategy Methodology to the Background document.	The methodology used to deliver the strategy is background information.
4. Delete section 2.0 Defining Public Open Space	There will be opportunity to provide comment on the definition of public open space during the current review of the Liveable Neighbourhoods policy being undertaken by the Department of Planning.
5. Revise section 3.1 Serviced Foreshore and Coastal Reserves / 'Activated' Regional Open Space to reflect the WAPC's resolution on the inclusion of 'activated' Regional Open Space and Foreshore Reserves in POS contributions. This may require further assessment of Regional Open Space (excluding foreshore) to determine its dual functionality as local, neighbourhood of district POS as described for each category in sections 4.0 and Tables 4 and 5 of section 6.0.	<ul style="list-style-type: none"> WAPC policy does not support the inclusion of foreshore reserves in POS contributions. WAPC policy (e.g. Liveable Neighbourhoods, Element 4 - R8) may support the inclusion of Regional Open Space (as defined by LN) in POS contributions where it also has local function. The local functionality of Regional Open Space should be consistent with the characteristics of local, neighbourhood or district POS described by the Strategy.

6.	Revise section 3.2 Conservation Areas to relocate background information to the Background Report, clarify how this strategy will be applied and to ensure the other forms of restricted POS e.g. drainage, do not encroach on the 5% POS contribution. The inclusion of actions supporting this strategy may include for e.g. structure planning in particular areas that incorporates and considers more localised flora and veg. surveys (to address district scale of Regional Survey).	Further detail on how this strategy is to be applied and under what circumstances is required to support any inconsistency with WAPC Policy and to better inform the decision making process.
7.	Revise section 3.3 Cash-in-lieu to relocate the background information to the Background Report and identify actions that support the Strategy of requesting cash-in-lieu for POS where 3 or more lots being created and to clarify the parameters around its use e.g. where POS has not previously been given up. The full context of clause 3.3.3 of DC Policy 3.1 should also be clear. Some reference to the City's Residential Development Strategy may also be relevant in ensuring POS conditions of subdivision are reasonable, relevant and have a planning purpose. Reference to the intended mechanism to facilitate implementation may also be required (e.g. Scheme Amendment).	POS contributions via subdivision date back to the 1950's therefore it's considered important that the matter of "double dipping" is recognised by the Strategy. Given the statutory hierarchy of planning instruments, variation to DC Policy 2.3 may require a Scheme amendment.
8.	Revise the wording of section 3.3 relating to POS contributions for strata subdivision to clarify that it won't apply to built strata as well as differences with conventional subdivision. Include any relevant actions to support the strategy.	POS is usually addressed in the subdivision or development assessment process prior to built strata subdivision (PB 52/2009). POS allocation is different for strata proposals as opposed to conventional subdivision for example, communal open space may be included in the contribution and management statements are used in implementation, rather than ceding of land to the Crown and vesting to the local government.

9.	Support the third Strategy in section 3.3 with an assessment of regional open space (excluding foreshore reserves) to identify which portions also serve as local, neighbourhood or district POS. Include any relevant actions to support the strategy which may include requesting the relevant Minister to approve the expenditure of cash-in-lieu on particular portions of Regional Open Space or Foreshore Reserves.	WAPC policy does not support the inclusion of foreshore reserves in calculating POS contributions. Section 154 of the P&D Act provides scope for the support of recommendations to the Minister regarding cash-in-lieu expenditure on "...recreation grounds or open spaces generally of any land in that locality..." making the matter less relevant in terms of POS classification.
10.	Combine section 4.0 Hierarchy of Public Open Space and section 6.6 Provision Standards.	Both sections serve to describe the design and function of the different types of POS.
11.	Relocate sections 5.0 Analysis of Current Public Open Space Provision to the background document.	Section 5.0 comprises background information used to inform drafting of the Strategy.
12.	Revise the figures in Table 2 in section 5.1 to align with calculation methods consistent with WAPC Policy.	The WAPC does not support the proposed variation to the method for calculating POS contributions i.e. the inclusion of Regional Open Space (where local functionality is not demonstrated) and Foreshore Reserves. Should it be proposed that an area be serviced with POS less than 10% of the gross subdivisible area then R34 of LN provides for Regional Variations.
13.	Relocate sections 6.1 - 6.4 to the Background document.	These sections contain information used to inform drafting of the Strategy.
14.	In section 6.5 or other relevant part of the Strategy, include reference to the intended mechanism for implementing the extension of LN's maintenance period for POS from 2 years to 5 years. A scheme amendment and potentially inclusion in a local planning policy may be required.	LN is a State Planning Policy which has a higher level of endorsement and statutory weight than a Local Planning Strategy. A scheme amendment may be required to ensure implementation.
15.	In section 7.0, include a strategy and supporting actions that support implementation of the guidelines. Include the guidelines as an Appendix of the Strategy as per the Guidelines for the Preparation of Foreshore / Conservation	Without a strategy and actions the guidelines inclusion in the Strategy document becomes less relevant.

	Management Plans.	
16.	Revise section 8.0 tables to reduce the subjectivity currently included in the tables and provide a layout that enables clear identification of quantity, quality and distance characteristics. Attachment 2a provides an example.	Attachment 2a is intended as a guide only and provides an example for clearer evaluation of POS in the context of planning outcomes.
17.	Section 8.0, include objectives for each locality that advance the broader aims of the Strategy where appropriate.	There is currently a lack of strategic direction in terms of planning outcomes, provided by section 8.0 which is a main component of the Strategy.
18.	Revise wording in tables of section 8.0 Public Open Space (by Locality) to remove subjective terminology (e.g. “public open space provision is good”). If such terminology is to be used a scale criteria should be included to clarify what is considered “good.”	Improve objectivity and transparency of POS evaluation.
19.	Revise the comments and recommendations rows in the tables of section 8.0 Public Open Space (by Locality) to provide strategies (intent) and actions (when and how to be achieved) (See attachment 2a). The Strategies should fit within the context of the broader objectives of the draft Strategy.	Improve strategic context and clarity around how identified POS outcomes may be achieved.
Draft Public Open Space Strategy - Background Report		
	Suggested Improvements	Reason
1.	Restructure as needed to accommodate relocation of information from Strategy document.	Consequential to revision and improvement of the Strategy

Suggested Layout for POS Assessment Section 8.0

Draft Public Open Space Strategy

Objectives

- To support the development of the Beresford foreshore as the primary focus for recreation in Beresford.
- Minimise inefficiencies from unsuitable POS provision.

Beresford					
Total Locality Area	143.3845ha				
Gross Subdivisible Area	94.3359ha				
Public Open Space @ 10%	9.4336ha				
Quantity of POS	Activated Foreshore	District	N'hood	Local	Total
	1.6983ha	-	-	3.2073ha	3.2073ha
LN R34 - Regional Variation	From 10% to 3.4% of gross subdivisible area.				
Quality of POS	Activated Foreshore - Average quality				
<p><u>Poor</u> = <3000m², irregular shape, barriers to pedestrian access, no facilities or grounds maintenance.</p> <p><u>Average</u> = >3000m², regular shape, maybe some barriers to pedestrian access (e.g. busy road with no designated crossing), some facilities and grounds (including facilities) are mostly maintained.</p> <p><u>Good</u> = >3000m², regular shape, range of facilities and grounds (including facilities) are well maintained.</p>	<p>POS Area a: ...</p> <p>POS Area b:</p> <p>POS Area c:</p> <p>POS Area d:</p> <p>POS Area e:</p> <p>POS Area f:</p> <p>POS Area g:</p> <p>POS Area h:</p>				

<p>Very Good = >3000m², regular shape, extensive range of facilities (e.g. water play) and grounds (including facilities) well maintained.</p>	
<p>Distance of POS (Position in POS hierarchy and catchment size)</p> <p>*overlaps with other POS at same level in hierarchy.</p>	<p>Activated Foreshore - 300 - 400m from most residences of Beresford</p> <p>POS Area a: local POS, *residences within 400m POS Area b: ... POS Area c: POS Area d: POS Area e: POS Area f: POS Area g: POS Area h:</p>

Strategies

- Establish additional facilities and areas for recreation on the Beresford Foreshore.
- Rationalise POS on consideration of quantity, quality and distance characteristics.

Actions

- Prepare or update Beresford Foreshore Management Plan.
- Implement the 'Beresford Foreshore Coastal Protection and Enhancement Project.'
- Dispose of areas a and b when ...?? and direct proceeds towards ...
- Where possible, seek cash-in-lieu of POS contributions in relation to any future subdivision or development in Beresford to facilitate upgrades of existing local POS areas ...



Public Open Space STRATEGY



PREPARED AND ADOPTED AS A LOCAL PLANNING STRATEGY
PURSUANT TO REGULATIONS 12A AND 12B OF THE *TOWN PLANNING REGULATIONS 1967*

Draft – April 2013



DOCUMENT CONTROL		
Revision	Description	Date
0	Draft Strategy	April 2013

ACKNOWLEDGEMENT:

The City of Greater Geraldton acknowledges the work undertaken by Greg-Rowe & Associates in the preparation of this Strategy.



This Strategy should be read in conjunction with the City of Greater Geraldton Public Open Space Strategy Background Report which contains the research and analysis used to formulate the Strategy.

ADVERTISING

The City of Greater Geraldton Public Open Space Strategy certified for advertising on _____.

Signed for and on behalf of the Western Australian Planning Commission.

*an officer of the Commission duly authorised by the Commission
(pursuant to the Planning and Development Act 2005)*

Date: _____

ADOPTION

The City of Greater Geraldton hereby adopts the Public Open Space Strategy, at the Ordinary meeting of the Council held on _____

MAYOR

CHIEF EXECUTIVE OFFICER

ENDORSEMENT

Endorsed by the Western Australian Planning Commission on _____

*an officer of the Commission duly authorised by the Commission
(pursuant to the Planning and Development Act 2005)*

Date: _____

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APPENDIX 1 – Guidelines for the Preparation of Foreshore/Conservation Management Plans

APPENDIX 2 – Public Open Space Locality Maps

EXECUTIVE SUMMARY

One of the principal aims of any public authority is to improve 'quality of life'. Hard to measure, yet universally understood, it is about placing greater importance on improving the experience of living in our towns and regions. Wherever we live, our neighbourhood should be somewhere we want to be and are happy to belong to. Our open spaces are key to this, meeting a range of social, environmental and health benefits as well as making areas more visually attractive. That is why creating, protecting and enhancing these spaces is such a vital part of making neighbourhoods more attractive and more joyful places in which to live.

The value that public open space provides to the community is a combination of social, economic and environmental factors. A principal role of public open space is to support health, recreation and leisure functions including active pursuits, yet also encompassing passive uses. Environmental protection is also an essential role of public open space, through habitat and biodiversity conservation and air and water quality management. It also provides a strong connection to nature for people living in highly urbanised environments. Public open space is also highly valued for its natural beauty, contribution to neighbourhood character and community identity, cultural heritage value, tourism potential and the emotional connection people may attach to it.

The City of Greater Geraldton is one of the fastest growing regional local government areas in Western Australia. As a result there are increasing pressures in terms of use and provision of its parks, beaches and foreshore reserves. To address these issues, the City commenced a study to better understand the provision, usage and development needs of public open space.

The Public Open Space Strategy is set within the context of the Western Australian Planning Commission's "Liveable Neighbourhoods" operational policy. The Strategy adopts a 5 tiered hierarchy system of open space and seeks a number of regional variations with regard to defining public open space, 'activated' regional open space, conservation areas, cash-in-lieu and maintenance periods.

The City of Greater Geraldton has a vision to have the capacity to sustain a population of up to 100,000 making the City the focal point for an active and vibrant region. This Public Open Space Strategy seeks to develop and manage its extensive public open space network in an efficient and equitable manner so that all residents may enjoy its many benefits, whilst not placing an unsustainable burden on the City of Greater Geraldton's public resources. The Public Open Space Strategy focuses on the Geraldton urban area and towns, and plans for community-focused open space networks for the next 20 years and beyond.

1.0 OVERVIEW

1.1 Introduction

Geraldton is known as the Sun City and enjoys an average of 8 hours of sunshine per day. The regular windy weather influences people's decisions about when and where to be active. Social and cultural facilities and infrastructure and services are of a high standard. A wide range of sporting facilities and community sports clubs operate in Greater Geraldton, and sport forms a strong part of people's identity and sense of community.

Public open spaces are an integral component of any urban environment. Parks and green spaces provide recreational opportunities, contribute to the identity of a place and are crucial for the successful function of urban communities. People use open space in a variety of ways, whether it be for recreational purposes, walking the dog or playing sport. Parks offer places to relax and enjoy the natural environment whether for adults or children. Open spaces can also host events and festivals on both a small and large scale which can attract local and regional audiences.

Environmental protection is also an essential role of public open space, through habitat and biodiversity conservation and air and water quality management. Open space is also highly valued for its intrinsic benefits, such as natural beauty, its contribution to neighbourhood character, its cultural heritage value and the emotional attachment people may have to it. The value that public open space provides to the community is a combination of social, economic and environmental factors.

The City of Greater Geraldton (CGG) recognises that great open spaces and parks make for a better quality of the urban environment and quality of life. Open space provision is firmly part of the statutory and community planning process. A strategic approach to open space provision maximises its potential to provide appropriate multi-functional open space that reflects the community needs.

The CGG seeks to develop and manage its extensive public open space network in an efficient and equitable manner so that all residents may enjoy its many benefits, whilst not placing an unsustainable burden on the CGG's public resources. As community needs, expectations and demographics change it is important that the CGG develops a long-term, more sustainable strategic plan for the future provision and management of public open space. The essential function of this Strategy is to understand the supply and demand for open spaces, to identify key deficiencies, to improve the quality of existing spaces and identify areas of new provision.



Water Playground – Geraldton Foreshore

The Public Open Space Strategy classifies open spaces where community access is encouraged and explicitly managed. While it is acknowledged that substantial recreation activities occur in other areas of publicly accessible space, the Strategy is focused on urban areas where the mandatory minimum 10% public open space provisions apply. The Strategy is not intended to apply to areas where the primary purpose or function is identified as:

- Preservation and restoration of natural features and values such as conservation estates, nature reserves or similar.
- Where statutory responsibility lies with the Department of Environment and Conservation or other State Government body.

This Strategy aims to provide a clear direction on the level of open space provision currently experienced in the urban areas of the CGG and also to provide minimum standards for the development of public open space. The Public Open Space Strategy focuses on the Geraldton urban area and towns, and plans for community-focused open space networks for the next 20 years and beyond.

1.2 Role of Open Space

The role of public open space is multi-faceted. Well designed, effectively managed and maintained public open space is vital to quality of life and environmental integrity. It is a public resource that benefits members of the whole community, regardless of where they live, the lifestyle they lead, their age or physical capacity.

Research has shown that parks and open spaces have multiple roles in many of our towns and cities. Open spaces can offer a number of benefits to the community including environmental/ecological benefits (e.g. preserving biodiversity), social benefits (e.g. socialisation and healthy living) and economic benefits (e.g. tourism).

People use parks and open space for a variety of reasons based upon their needs, preferences, available time and physical capabilities. Working families may face time constraints limiting the time they can spend visiting parks and open spaces, but may generally need more frequent access to pocket parks which young children can walk to and easy access to sporting/recreation facilities for older children's sports. Youth may require spaces for active recreation such as skateboard parks, ovals for sports, tennis courts as well as spaces to socialise away from the public gaze. Older people may require passive spaces to meet and socialise as well as active recreation facilities such as lawn bowls, golf courses, tennis courts, fitness centres and other non-organised physical activity.

Bayside Waterfront – Drummond Cove



The main functions of public open space include:

- relaxation
- exploration
- social interaction
- sharing knowledge
- exercise (humans and pets)
- improving/maintaining physical and mental health
- sport (competing and spectating)
- children's play and development
- opportunities for seniors' activities
- learning
- improving / maintaining environmental quality
- nature, wildlife habitat and biodiversity conservation
- integrated water management
- water conservation
- interaction with the natural environment
- supporting the organisation and function of the urban environment
- connectivity of networks (pedestrian, cycle, wildlife migration)
- sense of place, identity and history
- visual amenity (landscape)
- contributing to community and economic value of localities
- tourism
- arts
- celebration
- quality of life.

1.3 Strategy Objectives

The Public Open Space Strategy is a framework document to guide the provision and development of all public open space primarily within the Greater Geraldton urban area and towns.

The Strategy will provide a basis for the improvement of the quality and diversity of parks and the delivery of improved recreation services to ensure more sustainable use of the CGG's resources.

The objectives of the Strategy are to:

- Undertake a public open space audit;
- Achieve regional variations for public open space provision in accordance with Liveable Neighbourhoods requirements;
- Establish a hierarchy of public open space types and proposed service levels;
- Create design principles to guide the location, size, layout landscaping and servicing of public open space to be used by the CGG, developers and the community;
- Provide recommendations on opportunities regarding consolidation of public open space through land acquisition, land disposal and/or land exchanges; and
- Review the potential of incorporating biodiversity within public open space and recommendations for preservation.

1.4 Strategy Methodology

The following methodology was employed to guide the preparation of the Strategy.

1.4.1 Task 1 – Definition and Regional Variations

This included creating a working definition of ‘public open space’ that will be used for the Strategy. It also included the identification of regional variations to the requirements for public open space provision outlined in Liveable Neighbourhoods, which has included:

- The inclusion of well-established, landscaped foreshore and coastal reserves as public open space, or alternatively reducing the necessary public open space requirement in areas in proximity to high quality coastal areas; and
- Increasing the percentage of restricted public open space permitted within localities where conservation of high value vegetation is possible.

1.4.2 Task 2 – Hierarchy and Service Levels

This required the construction of a well-defined hierarchy of public open space, which included identifying service levels in order to define the provision of services that are appropriate for each level of the hierarchy. The hierarchy was based upon the levels provided within Liveable Neighbourhoods and the ‘Classification Framework for Public Open Space’ produced by the Department of Sport and Recreation. The service levels consist of a list of infrastructure and design requirements for each category of open space on the hierarchy.

1.4.3 Task 3 – Analysis of Current Provision

This comprised an analysis of current public open space focusing on the Geraldton urban area and also the townsites of Mullewa and Walkaway. The analysis took into account the quantity, quality, and location of public open space, the accessibility to public open space, as well as the hierarchy and service level described above. The analysis was conducted in accordance with the planning framework established in ‘Element 4 – Public parkland’ of Liveable Neighbourhoods.

The audit of the public open space was undertaken through the use of maps, aerial photographs and individual site visits. A full description was taken including photographs of each area of public open space. The audit included information on the quality of each open space addressing issues such as graffiti, lack of security and standard of equipment. Refer to the Background Report for the public open space site audit.

Once the site audit was complete, the data was compiled and each site was mapped into localities based on existing suburb/townsite boundaries. Once the public open space system was mapped, the following factors were mapped and considered:

- Non-residential areas within each locality were identified and deducted from the gross area of each precinct (refer to assumptions below as to what was deducted);

- For each locality the total area of existing public open space was divided into the net urban area (based on the gross planning precinct area minus deducted non-residential areas) to give a percentage of public open space for each locality;
- Regional Open Space as indicated on the Greater Geraldton Structure Plan was considered on the basis of whether or not it was 'activated' (refer to the assumptions below as to what was deducted and included with respect to regional open space); and
- Where applicable, the area of activated regional open space was added to the area of public open space and then divided into the net urban area to give an overall percentage of public open space for each locality. This process was used to derive the maps for each locality.

This process was used to derive the base maps for each locality which are contained in the Background Report.

Audit General Assumptions

- Only areas of coastal reserves and river reserves with facilities have been included in calculations as public open space, with the remainder of these reserves treated as deductions.
- Regional open space is considered 'activated' if it contains facilities and is regularly maintained by the CGG. All other regional open space without facilities is treated as a deduction.
- Unallocated Crown Land, Crown Reserves and CGG owned land are included in the audit as public open space. Any land in private freehold ownership with open space facilities or zoned appropriately for public open space has been included as public open space.
- Public and private schools have been deducted. This applies even when public schools have ovals or other recreational facilities that are accessible to the public.
- Small public purpose, halls and historic buildings less than 2,000m² have been included in the public open space areas and audit.
- If an oval or sports facility is accessible to the public then the club rooms have also been included in the public open space area.
- Small areas of public utilities within public open space have been included as part of the public open space on which they are located.
- Drainage if fenced off within public open space has been deducted.
- Drainage reserves have not been included and are treated as deductions.
- Most public utilities have been deducted although some have been included in the audit if located within or adjacent to a public open space area.
- All land which is not currently zoned 'Residential' or explicitly utilised for residential purposes has been treated as a deduction, with the exception of structure planning areas as outlined below.
- Areas with endorsed structure plans have been included in the calculations as if developed, with future locations of public open space shown.
- Areas which will in the future require structure planning and will be predominantly for residential use are wholly included in the net residential area, although some portion of these areas will ultimately become public open space.
- District or Regional roads as shown in the relevant Town/Local Planning Schemes have been deducted.
- Local roads servicing residential areas have been included in the net residential area.

- Natural and cultural areas that are located outside of coastal and river reserves have been included as public open space and audited.
- 10% of the net suburb area is considered to be the required public open space provision.

Drummond Cove Assumptions

- Leasehold cottages have been included as deductions as they are located within the coastal reserve.

West End Assumptions

- Leasehold cottages have been included as residential land as they are not located within the coastal reserve.

Once the base maps were finalised, strategy maps were then prepared building on the data contained in the base maps. The Strategy maps are included in Section 8.0 for each locality.

1.4.4 Task 4 – Future Provision

This required an investigation into future provision of public open space and the production of design principles to be used by the CGG, developers and the community which will outline the CGG's minimum requirements for public open space planning. The design principles cover five major areas, being:

- **Quantity:** using data from Task 3, provide recommendations for dealing with over and under supply in localities (referring to the regional variations determined in Task 1).
- **Quality:** recommend improvements to the current network to ensure that the CGG provides high quality public open space, taking into consideration Crime Prevention Through Environmental Design ('CPTED') principles and other urban planning practices.
- **Diversity:** highlight opportunities to diversify the types of public open space provided, taking into account the benefits of both active and passive uses.
- **Connections and Locations:** recommend ways to improve access to public open space by utilising cycle and pedestrian linkages (existing and proposed) as well as consider improved environmental outcomes through the provision of linear public open space and biodiversity linkages.
- **Landscape and Biodiversity Value:** examine opportunities to retain existing high quality native vegetation in future public open space areas or green linkages. The potential impacts of climate change and how best to manage them was also examined.

To achieve Task 4, the results of the previous three Tasks were taken into account, as well as planning best practice in areas including but not limited to CPTED, Water Sensitive Urban Design, Child Friendly Cities, Nature Play, Urban Heat Island mitigation and bicycle and pedestrian transport planning.

2.0 DEFINING PUBLIC OPEN SPACE

Liveable Neighbourhoods defines public open space as:

“land used or intended for use for recreational purposes by the public and includes parks, public gardens, foreshore reserves, playgrounds and sports fields but does not include regional open space and foreshore reserves.”

The Liveable Neighbourhoods definition is ambiguous in whether or not foreshore reserves constitute public open space, although Element 4 states that they are generally not considered as such. The CGG is seeking to vary this assertion in areas where considerable infrastructure has been or is scheduled to be provided to facilitate recreational use of foreshore reserves. Additionally, the Liveable Neighbourhoods definition does not take into account the potential for natural areas (such as high quality sections of remnant vegetation) to be incorporated into POS. Finally, some areas that have been classified as ‘Regional Open Space’ under the Greater Geraldton Structure Plan (such as the Eighth Street Sporting Complex and Eadon Clarke Reserve in Spalding) which also provide a valuable local function as they are activated and accessible to residents within a local catchment area. To address these issues, the following definition of public open space is used in this Strategy.

Public Open Space: *means land used or intended for use for active or passive recreational purposes by the public and includes parks, public gardens, serviced foreshore reserves, playgrounds, sports fields and land set aside for conservation.*



Muir Park - Strathalbyn

3.0 REGIONAL VARIATIONS

3.1 Serviced Foreshore and Coastal Reserves / ‘Activated’ Regional Open Space

It is proposed to classify areas of well established, landscaped and serviced foreshore and coastal reserves as public open space in recognition of the role these spaces play in meeting residents’ active and passive recreational needs, as well as of the considerable amount of funding the CGG has invested in the development of these spaces, such as the Geraldton foreshore.

The community survey revealed that residents overwhelmingly prefer the foreshore to other areas of recreational space in Geraldton, with other areas of serviced coastal reserves, such as St. George’s Beach in Bluff Point and the facilities in Drummond Cove, also proving popular. It is important, therefore, that the CGG is able to further enhance these spaces over time through the use of cash-in-lieu contributions for public open space, which may not be possible if the areas are not classified as such. In addition to the appropriate direction of funds, eliminating these areas from public open space calculations on a suburb level would lead to an unrealistic (under) representation of the provision of recreational facilities in suburbs adjacent to these areas.

It is noted that all areas of serviced foreshore and coastal reserves are depicted as ‘Regional Park, Recreation and Conservation’ under the Greater Geraldton Structure Plan and have therefore been depicted as ‘Regional Open Space’ on the Strategy. To differentiate serviced from unserviced areas (which are also classified as ‘Regional Open Space’) areas containing infrastructure have been shown on the Strategy maps as ‘activated’ regional open space. The activated areas have been factored into the total provision of public open space per locality, whilst the remaining regional open space has not.

Whilst activated regional open space primarily applies to serviced areas of foreshore reserve, it also includes sporting facilities such as the Eighth Street and Eadon Clarke complexes. As these areas are publicly accessible and contain active recreational facilities, it is considered that they provide recreational opportunities to residents in a local catchment as well as to users from other areas of the CGG. Importantly, these facilities are also required to be maintained by the CGG and therefore it is practical to have them formally classified as public open space. In addition to the appropriate direction of funds, eliminating these areas from public open space calculations on a locality level would again lead to an unrealistic (under) representation of the provision of recreational facilities in localities adjacent to these areas.

The CGG will include activated Regional Open Space in public open space calculations and considerations.

3.2 Conservation Areas

The Geraldton Regional Flora and Vegetation Survey, produced by the Western Australian Planning Commission (WAPC), provides a regional context for land use planning and the environmental impact assessment of proposals affecting native vegetation in the Geraldton region. The survey aims to describe and map the vegetation of the survey area, to provide a regional context for conservation-based planning decisions in the Geraldton region. The major findings of the survey (of most relevance to this Strategy) were:

- The long history of human settlement in the area has resulted in extensive clearing of native vegetation. About 15% (6,112ha) of the original extent of vegetation remains in the survey area, which is only half the national target of 30% retention to achieve biodiversity conservation outcomes.
- The remaining vegetation is highly fragmented with 625 separate patches mapped in the region.
- Less than 2% of the remaining native vegetation in the survey area (representing only two of the 17 mapped plant communities), is currently protected in Department of Environment and Conservation reserves.
- The majority of remnant vegetation in the survey area is threatened by development, weed invasion, grazing, fire, or recreational use; therefore, it is likely that much of the vegetation in good or better condition in the survey area will be considered important for conservation.

As a result, the Public Open Space Strategy seeks a regional variation to increase the percentage of restricted use public open space permitted within localities where conservation of high value native vegetation is possible. Liveable Neighbourhoods (Element 4 – R5) states that the WAPC will accept a minimum of 8% of public open space for active and passive recreational purposes, with 2% able to be allocated for ‘restricted use’ public open space such as the preservation of natural areas. Liveable Neighbourhoods (Element 4 – R6) allows the amount of restricted use public open space to be increased subject to an agreed management plan, however the increase cannot be factored into the 10% contribution.

Given the significance of the native vegetation in the Geraldton region (as evidenced by the Geraldton Regional Flora and Vegetation Survey) the CGG seeks to vary this general provision in areas that have been demonstrated to contain high value native vegetation, and to allow the increases in ‘restricted use’ public open space to go toward the 10% contribution where it can be demonstrated that sufficient active and passive recreational opportunities have been provided within the locality. It is anticipated that this variation will further encourage developers to conserve significant vegetation without being ‘penalised’ for doing so.

The CGG will accept a minimum of 5% of public open space for active and passive recreational purposes, with 5% able to be allocated for ‘restricted use’ public open space for the preservation of native vegetation.

3.3 Cash in Lieu for Public Open Space

The 10% contribution of public open space in small-scale subdivisions can often be impractical because 10% of a small land holding does not provide a useable public open space area. In this instance a local government may request that the WAPC require the developer to pay cash in lieu of providing the actual land. The money is to be used by the local government for purchasing other land for public open space, repaying loans taken out to buy public open space, or where approved by the Minister for Planning, for improving or developing existing public open space.

Cash in lieu provisions are not however only applicable to small scale subdivisions, the WAPC's 'Development Control Policy 2.3 – Public Open Space in Residential Areas' and Liveable Neighbourhoods identify a number of situations where it may be required or accepted by the local government and/or WAPC. This includes where:

- The land is such that a 10% contribution would be too small to be of practical use.
- There may already be sufficient public open space in the locality.
- Public open space is planned in another location by way of a town planning scheme or local structure plan.

The 10% public open space contribution has traditionally not been required of developers producing 5 lots or fewer. However under the Planning and Development Act 2005 (Section 153) the minimum amount of lots created before the owner/developer may be required to give up a public open space contribution is 3 lots. Section 153 states:

- “(1) If the Commission has approved a plan of subdivision of land on condition that a portion of the land be set aside and vested in the Crown for parks, recreation grounds or open spaces generally and:*
- (a) the Commission, after consultation with the local government in whose district the portion is situated, so requires; or*
 - (b) the Commission, the local government in whose district the portion is situated and the owner of the land so agree, the owner of that land is to, in lieu of setting aside the portion, pay to that local government a sum that represents the value of the portion.*
- (2) The Commission is not to impose a requirement referred to in subsection (1)(a) in respect of a plan of subdivision that creates less than 3 lots.”*

This presents significant ramifications for urban infill, where in the past most people dividing up 1 or 2 existing lots into 3 or 4 higher density lots or grouped dwellings have not been required to make a contribution (or pay cash in lieu). Such infill is expected to continue (and indeed increase) over the next decade and beyond, which will result in increasing use of existing spaces and facilities. Public open space contributions by small scale developers must therefore be considered in light of the opportunity created by the legislation to provide additional funds for improving or expanding existing public open spaces.

The CGG will request cash-in-lieu to be paid for public open space in subdivisions where 3 or more lots are being created.

With respect to lots that are being strata titled, the WAPC's 'Development Control Policy 1.3 – Strata Titles' states, with respect to the provision of 'public facilities':

Consistent with legislation, policy and practice in respect of conventional subdivision, for a proposal involving more than a small number of lots, the WAPC may require a contribution towards the provision of public facilities, such as open space, school sites and the like. ... Cash in-lieu could be provided in the same manner as it is with conventional subdivision.

The CGG will request cash-in-lieu to be paid for public open space in strata subdivisions where 3 or more lots are being created.

Cash-in-lieu funds received by a local government must be paid into a separate (trust) account. The WAPC's 'Planning Bulletin 21 – Cash-in-lieu of Public Open Space' outlines the manners in which cash-in-lieu funds may be used, including:

- for the purchase of land for parks, recreation grounds or open spaces generally, in the locality in which the subdivision is situated;
- in repaying loans raised by the local government for the purchase of such land; or
- with the approval of the Minister for Planning, for the improvement or development as parks, recreation grounds or open spaces generally of any land in the locality administered by the local government for any of those purposes.

Acceptable expenditure for cash-in-lieu funds may be for, clearing, seating, earthworks, spectator cover, grass planting, toilets, landscaping, change rooms, reticulation, lighting, play equipment, pathways, fencing, walk trails, car parking, and signs relating to recreational pursuits.

Given the strategic and pivotal nature of the activated Regional Open Space as identified in this Strategy, the CGG may request that cash-in-lieu funds be expended on the further development of these areas.



Kempton Street Foreshore – Bluff Point

4.0 HIERARCHY OF PUBLIC OPEN SPACE

This Strategy has adopted a 5 tiered hierarchy system for open space to reflect the different roles served by the diversity of open space and the different purposes and catchments for each category. The hierarchy consists of:

1. Local Open Space.
2. Neighbourhood Open Space.
3. District Open Space.
4. Regional Open Space.
5. Conservation Areas.

The following table outlines the hierarchy and the purpose/function expected for each classification.

Table 1 – PUBLIC OPEN SPACE HIERARCHY

CLASSIFICATION	PURPOSE AND FUNCTION
Local Open Space	Local open space is usually small parklands that service the recreational needs of the immediate residential population. They are primarily used for recreation and may include small areas of nature space. Local open spaces are unlikely to be used for any formal or informal sport.
Neighbourhood Open Space	Neighbourhood open spaces serve as the recreational and social focus of a community. Residents are attracted by the variety of features and facilities and opportunities to socialise. They can assist to engender sense of place and protect specific conservation values through retention of nature spaces. Neighbourhood open space may be used for junior sport or sports training if appropriate space is available.
District Open Space	District open space is principally designed to provide for organized formal sport. They will very likely include substantial recreation space and some nature space. Their design and function should consider biodiversity principles and environmental management goals. District open space serves several neighbourhoods with players and visitors travelling from surrounding districts.
Regional Open Space	Regional open space may accommodate important recreation and organized sport spaces as well as significant conservation and/or environmental features. They may provide substantial facilities for organised sport, play, social interaction, relaxation, and enjoyment of nature. Regional open space can assist to protect biodiversity conservation and environmental values through retention of bushland, wetlands and other natural features.
Conservation Areas	Conservation areas represent intact or rehabilitated examples of the Western Australian natural environment such as bushland, wetlands and coastal habitats. These areas have been set aside for conservation to preserve biodiversity and wildlife habitats. Any site development should be considerate of the conservation intent of these areas. Appropriate levels of public access will be determined and managed. Recreation is to be strictly limited to uses that have low impact on the area.

In addition to the above hierarchy the Strategy identifies residual open space land that has been identified as being surplus to a well-structured public open space network that adequately services the needs of the City’s residents and visitors. Residual land does not provide a useful function to a significant portion of the community, due to poor location, incompatible adjacent land uses, poor access, limited size, lack of infrastructure or oversupply. The retention and maintenance of these spaces is unsustainable therefore can be considered for disposal for alternative land uses so that funds may be reallocated to the development of other new or existing spaces within the locality.



Chapman River Regional Park



Seacrest Estate – Wandina



Eighth Street Sporting Complex
– Wonthella

5.0 ANALYSIS OF CURRENT PUBLIC OPEN SPACE PROVISION

The background for the Public Open Space Strategy included a policy and literature review and local data collection via:

- An online survey, for which 181 responses were received; and
- A locality based survey of all open space parks, reserves and beaches throughout the municipality.

The Background Report contains the results of these surveys which were used to inform the analysis of usage patterns, policies and management practices.

5.1 Current Supply of Public Open Space

The below table summarises the information contained in the locality maps. For each locality, the total area of public open space and activated regional open space is shown. The areas of public open space and activated regional open space are then utilised to calculate percentage amount of public open space and activated regional open space in relation to the net locality area.

CGG Parks Map

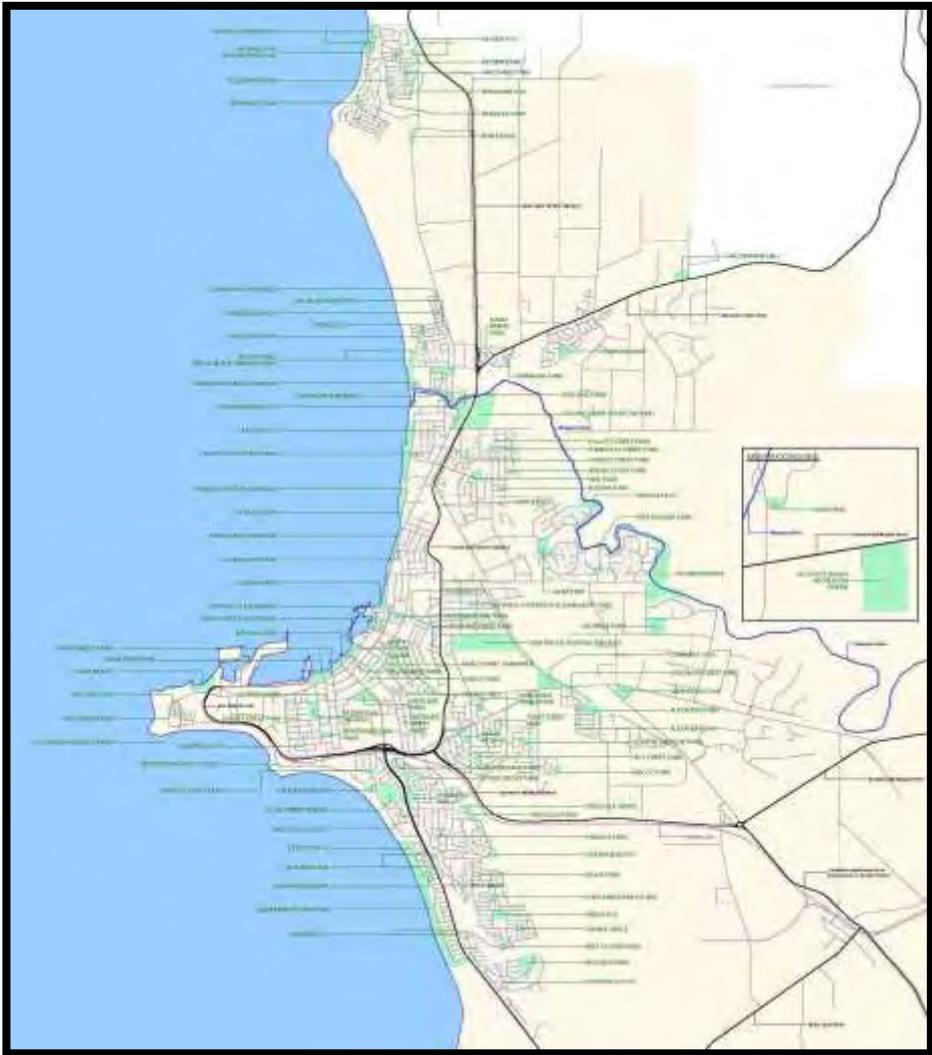


Table 2 – CURRENT SUPPLY OF PUBLIC OPEN SPACE

Locality	Public Open Space (ha)	Activated Regional Open Space (ha)	Total Open Space (ha)	Current Provision of Open Space (% of gross subdivisible area)
Beachlands	8.0875	0	8.0875	9.72%
Beresford	3.2073*	1.6983	4.9056	5.20%
Bluff Point	1.8138*	5.9408	7.7546	8.58%
Cape Burney	9.8772*	1.3590	11.2362	2.98%
Drummond Cove	15.9792	0.8264	16.8056	12.56%
Geraldton	17.6504	12.4544	30.1048	13.97%
Glenfield	32.3937*	0	32.3937	4.90%
Karlooloo	3.1828	0	3.1828	1.34%
Mahomets Flats	7.6513*	1.001	8.6523	15.37%
Mount Tarcoola	14.7099	0	14.7099	8.56%
Mullewa	15.7888	0	15.7888	17.59%
Rangeway	7.2418	0	7.2418	5.58%
Spalding	5.9593*	57.8965	63.8558	47.30%
Strathalbyn	7.5999	0	7.5999	6.00%
Sunset Beach	12.1092*	15.8549	27.9641	23.25%
Tarcoola Beach	1.9776	3.6115	5.5891	7.93%
Utakarra	18.7622*	52.1204	70.8826	32.72%
Waggrakine	25.7066*	0	25.7066	9.35%
Walkaway	15.1917	0	15.1917	29.99%
Wandina	27.6460*	0	27.6460	9.45%
Webborton	2.3971	0	2.3971	6.77%
West End	3.0085	2.0223	5.0308	27.25%
Wonthella	1.3122	85.9902	87.3024	86.43%
Woorree	8.2730	8.9216	17.1946	27.23%
TOTAL	267.527**	249.6973	517.2243	13.45%***

* Total Includes public open space contained within a Structure Plan for the locality.

** Figure includes 67.01ha of new public open space allocated in structure plan areas.

*** Figure includes public open space, public open space contained within a Structure Plan and activated regional open space.

Although some localities are currently under the required 10% public open space provision, it is envisaged that through the development of vacant residential land the amount will increase.

It is important to note that when the provision of public open space and regional open space is considered as a percentage of the total of the Geraldton urban area and towns (calculated using the total area of open space and the combined net subdivisible area of each suburb), it represents 13.83% of the total net area, which is in excess of the 10% requirement. It is therefore considered that there is a considerable supply of public open space.

5.2 Community Survey Results

An online and paper survey was undertaken to measure the community's level of satisfaction with the current provision of public open space in their locality and in the wider municipality. Survey participants were also asked to comment on their current utilisation of public open space and identify gaps in the current level of servicing.

181 people participated in the survey, which was available for completion from 25 April to 18 May 2012. The survey responses are detailed in the Background Report. The main aim of the research was to ensure that the views, ideas and concerns of people were incorporated into the Strategy.

Results from the survey are a reflection of residents' levels of activity with a large number of participants utilising the coastal reserves or ocean for recreation purposes.

The following is a summary of the key points:

Most respondents (83%) indicated that they had an area of recreational space within 5 minutes walking distance from their house. Of those that did not, the majority indicated that the closest recreational space was within a 10 minute walk.

- Only 49% of respondents indicated that they visit their closest recreational space 'all of the time' or 'over half of the time.'
- When asked why they chose to visit their closest recreational space, the most common response was convenience given its proximity to their residence and their ability to walk there. Open spaces that were in proximity to the beach, or were the beach were also extremely popular.
- The most popular activities at people's closest recreational space were exercising, walking and walking the dog.
- Nearly 1/3rd (31%) of respondents who did not regularly visit their closest recreational space commonly travel over 5km to reach their preferred recreational space.
- Quality and well maintained facilities is the overriding factor that affects respondents' use and perceptions of accessibility of recreational space. Respondents who travelled commonly cited better and more varied facilities and better maintenance as the reason behind their decision to travel. It is noted however, that some respondents preferred an unstructured environment and would travel to reach it, such as the beach or natural spaces.
- There is a clear indication that the public spend most time visiting the foreshore which functions as an area of regional open space. The foreshore has a number of different facilities and types of spaces catering for different activities and age groups.

- Other popular areas of recreational space include Point Moore, Glendinning Park, Bluff Point beach and Drummond Cove beach.
- The survey results reflects current national trends on using open space with walking, relaxing / enjoying the environment, socialising with friends and walking the dog the most popular uses of public open space. Improving the quality of passive areas of public open space which facilitate these uses is a priority.
- With respect to activities that are not currently catered for, many respondents mentioned improved cycle paths, outdoor exercise equipment, skateboarding facilities, and dedicated dog areas. There is also an expressed demand for more activities catering for older children and teenagers.
- With respect to facilities that are needed, more and better maintained public toilets was the most popular response, with shade / shelter, seating, BBQs and lighting at night also highly prioritised.
- Survey respondents were frequent users of recreational space with 42% visiting spaces daily and 49% visiting weekly.
- The 3 most common barriers cited which hindered people from utilising recreational space included no toilets or poor toilets, no shelter or shade, and the space being unappealing.
- Play areas are an important resource, especially for the under 5 age group and their provision should be considered alongside other key facilities and services particularly toilets, pathways, entrances, seating, and car parking.
- When asked which areas of open space have significant social, cultural, or historic value a large number of respondents referenced the city's many beaches and river foreshores. It is clear that these spaces provide immense value to the community regardless of whether facilities are provided.



Batavia Coast Miniature Railway – Spalding Park

6.0 PUBLIC OPEN SPACE PROVISION STANDARDS

The development standards provide a framework to guide the classification, provision and development of all public open space within the City. The standards outlined in this Strategy address three themes:

- **Quantity standard** – how many different types of open space should there be for the City? This should be based on open space per residential land area.
- **Quality standard** – a level of quality which all spaces should attain. This should include a description of the required design, management standards and inclusive design standards.
- **Distance Standard** – how far people should have to travel to reach a particular type of space. This standard should be based on a distance threshold that takes into account any physical barriers to movement and the location of entrances to open space.

6.1 Quantity

The amount of open space per resident varies enormously between and within towns which is why state standards are not always the most useful measure for quantity. For the purposes of defining a quantity standard two key components have been considered these are:

- The local component – i.e., the minimum amount of open space that any area should have; and
- The city wide component – the minimum amount of city wide parks or sites that attract city wide and regional visitors.

Section 5.1 has calculated the quantity of existing public open space on a locality and city-wide basis.

Quantity can also refer to the size of areas of public open space, and can consider factors such as whether the space is large enough to accommodate the expected activities and amount of use generated by the catchment of population relative to its function. For example, certain classifications of public open space must be a certain size to accommodate particular organised sports. The size standards can also take into account issues such as maintenance and future development where public open spaces less than 4,000m² are generally considered unsustainable and costly to maintain and develop.

The size standards provide a mechanism for assessing if existing public open spaces are adequate and appropriate for the resident population. Size standards are also useful in assisting decision making for future development and maintenance of open space.

6.2 Quality

The aim of the quality standards is to provide a component against which to measure the need for improvement or enhancement of existing or proposed facilities. The quality standards devised for the Strategy have been based on the site audit.

The community survey contained some generic questions about quality that sought to identify those areas of “value” for the local community. Some of the responses to quality that were raised as part of the audit included:

- Be clear of vandalism;
- Be welcoming;
- Be healthy, safe and secure;
- Be clean and well maintained;
- Be managed in a sustainable manner and in accordance with a clear management plan;
- Promote the conservation of wildlife and the built heritage; and
- Reflect community needs and promote community involvement.

The importance of determining a snap shot of the quality of existing open spaces is that it addresses the issue of improving the standard of all existing parks and green spaces. The Strategy generally finds that there is sufficient open space for the city but it is the quality, diversity and maintenance that need to be improved.

The other side of quality is to consider what design standards should be considered as part of any new or improved park spaces. Public requests for facilities such as barbeques, skate parks etc. are often made on an ad-hoc basis with no established framework for identifying the appropriate location for such facilities. The aim of this Strategy is to provide a benchmark to base decisions for the provision of facilities in the best location for the community.

Whilst the aim of these standards is to provide uniformity of the classification and number of facility provision across the city, it is acknowledged that there will be some need for local variations based on different community needs and the variation in size between parks of the same function. This could apply to any of the proposed standards that there may be cases where variations are required.

Wanda Circle – Wandina



6.3 Distance

The aim of the distance standards is to protect and promote an accessible network of green space. The distance standards are based on the feedback from the community as to how far Geraldton residents feel it is reasonable to walk or travel to get to different types of space.

When applying distance standards the following factors need to be taken into account:

- Any physical barriers such as railways, main roads or steep slopes need to be taken into account as these may restrict the catchment population from accessing that site. Other provision should be made where such barriers exist.
- No single distance is given for active sports as participants in competitive sport will often travel significant distances for games and the location can vary according to fixtures.
- Distance is not the whole story when considering accessibility – when managing provision, other aspects such as disabled access, topography, visibility are also important.
- Where the distance standard to one type of open space is not met this may be addressed by the conversion or improvement of another site. In these cases the priority will be to increase the quality and visibility of the nearest existing spaces.
- The distances or catchment areas, or the distance between certain spaces is not the sole consideration for identifying spaces as residual, or available for disposal. Spaces that are closer together than designated by the service area may be performing an important function or value to the community or environment and would therefore need to be considered as part of the network.

6.4 Assessment of Site Characteristics

In order to determine the distribution and nature of proposed public open space areas, an assessment of the characteristics of the whole development should be undertaken. This should include an environmental appraisal to identify significant features and areas to be set aside for active and passive public open space and areas for conservation purposes.

If, based on the outcome from the site environmental appraisal the designation of public open space for conservation purposes is under consideration, the following issues will require attention:

- Opportunities to connect or create a linkage to other conservation areas, particularly regionally significant bushland areas to provide ecological corridors (reference should be made to the CGG's Local Biodiversity Strategy);
- Vegetation condition (bushland in relatively good condition will provide effective maintenance opportunities); and
- Landform (consider characteristics of unique landscape features).

6.5 Construction and Maintenance

Due to the high cost of developing and maintaining public open space, the CGG will require developers to design and construct public open space taking into account the following:

- (a) Children play equipment, shelters, shading and 'furniture' to meet the minimum Australian standard;
- (b) Footpaths and dual-use-paths should be constructed from concrete rather than brick pavers;
- (c) Native vegetation, using water-wise species that are endemic to the locality and consistent with the vegetation complex within which the public open space occurs are preferred;
- (d) Pine posts shall be installed on the periphery to create a barrier for vehicles in preference to other forms of fencing; and
- (e) Water features are not considered appropriate in the Geraldton climate.

Liveable Neighbourhoods states that generally the developer is required to construct the public open space to a minimum standard and then maintain for two summers.

2 years is often not long enough to ensure consolidation of landscaping/regeneration works and to ascertain if the plantings have been successful. If plants don't survive the first one or two summers, the developer needs to review their plant selections, irrigation efficiencies or maintenance strategies. A longer maintenance period may also encourage developers to use better quality materials in structures such as playground equipment and fencing.

The CGG will require that new public open space is developed (to a minimum standard) and maintained by the subdivider for a 5 year period.

Developers should ensure that the standards of the landscaping are maintained throughout the maintenance period and not just upgraded prior to handover.

Where scheme water is used for irrigation (not the CGG's preferred option) the developer should pay for a permanent meter (not temporary service agreements).



Wanderer Park (under construction) – Wandina

At the time of hand over the developer should be able to provide the CGG with realistic annual maintenance costs for the new facility therefore enabling the CGG to budget more accurately from the outset.

For development of public open space areas that involve foreshore areas or areas primarily for conservation purposes, the City will require detailed management plans as per Appendix 1.

The following criteria will also be used to ensure a sufficient standard of open space is developed prior to handover to the CGG.

- **Coverage Criteria**

All non-irrigated areas of planting (or direct seeding): A minimum of 50% projected foliage cover (excluding any weeds) with no bare soil areas > 2m².

All irrigated planting areas: A minimum of 70% projected foliage cover (excluding any weeds) with no bare soil areas > 0.5m².

All non-irrigated areas of grass: A minimum 70% grass foliage cover (excluding any weeds) with no bare soil areas > 1m².

All irrigated areas of grass: A minimum 95% grass foliage cover (excluding any weeds) with no bare soil areas > 0.5m².

- **Diversity Criteria - (All species used to be local provenance)**

For regeneration of natural areas: At least 40% of the species used in the planting or seeding mix must contain no less than 10 species of shrubs or groundcovers or both.

For all other areas: At least 25% of the species used in the planting or seeding mix must contain no less than 5 species of shrubs or groundcovers or both.

- **Plant Numbers Criteria**

All non-irrigated areas of planting by seedlings: At least 75% of original plant numbers.

All areas of direct seeding: At least 10 plants per quadrant of 2.5m x 2.5m (excluding any weeds) for any 2 random representative quadrants.

All irrigated areas of planting by seedlings: At least 90% of original plant numbers.

- **Foreshore/Conservation Areas**

Criteria will be as specified in the relevant management plan as per Appendix 1.

6.6 Provision Standards

The provision standards have been developed for each classification of public open space on the hierarchy developed in Section 4.0 and outline general requirements for quantity (in terms of size of the area), quality and distance. It must be noted that the standards are general standards only and variations can, and will occur based on site specific requirements.

The following factors have been taken into account in setting these standards.

- The views of residents including the importance attached to different kinds of open space.
- A quantitative and qualitative analysis of open space and parks.
- Existing state and local policy guidance.
- Consideration that these standards should be applied as part of a holistic analysis of open space where quantity, quality and accessibility are considered together.



Chapman River – Spalding

Table 4 – LOCAL OPEN SPACE PROVISION STANDARDS

Local Open Space	
Quantity / Typical size	4,000m ² to 1ha*
Distance / Access	Within 400m or 5 minute walk.
Location and design	<p>Local open space should:</p> <ul style="list-style-type: none"> • Be located within a 5 minute walk from surrounding residences. • Include accessible, safe pedestrian and cycling connections. • Form part of an overall pedestrian and cycling network to connect key destination points. • Support good passive surveillance. • Be responsive to natural site features. • Build on sense of place. • Assist to preserve local biodiversity and natural area values.
Activities	<p>Activities may include:</p> <ul style="list-style-type: none"> • Children’s play, dog walking, picnics, friends and family gatherings. • Relaxation and rest spots. • Casual team activities. • Walking, running or cycling.
Quality / Service level	<ul style="list-style-type: none"> • Bollards • Seating • Minimal turf area • Water sensitive landscaping (including shade trees) • Signage • Bin (and pet litter bags) • Internal pathways
<p>* Small open spaces can provide numerous community benefits, particularly within an inner urban context. The inclusion of smaller parks (less than 4,000m²) in greenfield residential developments is not generally considered optimal unless purposeful function can be demonstrated.</p>	



Corallina Quays Park – Sunset Beach

Table 5 – NEIGHBOURHOOD OPEN SPACE PROVISION STANDARDS

Neighbourhood Open Space	
Quantity / Typical size	1ha to 5ha
Distance / Access	Within 800m or 10 minute walk.
Location and design	<p>Neighbourhood open space should:</p> <ul style="list-style-type: none"> • Be central to surrounding neighbourhoods. • Include accessible, safe pedestrian and cycling connections. • Form part of an overall pedestrian and cycling network to connect key destination points. • Support good passive surveillance. • Be responsive to natural site features. • Build on sense of place. • Assist to preserve local biodiversity and natural area values. <p>Neighbourhood open space may also:</p> <ul style="list-style-type: none"> • Be collocated with schools to create a community hub. • Be large enough to enable different activities and uses to occur simultaneously.
Activities	Neighbourhood open space may include a combination of open parkland and bushland with activity spaces for casual play. They may include sport facilities, depending on ability to accommodate desirable field dimensions and necessary supporting amenity.
Quality / Service level	<ul style="list-style-type: none"> • Bollards • Seating • Appropriate size turf area • Water sensitive landscaping (including shade trees) • Water fountain • Signage • Bin (and pet litter bags) • Internal pathways • On-street parking • Children's playground with shade • Picnic shelter



Seahaven Park – Drummond Cove

Table 6 – DISTRICT OPEN SPACE PROVISION STANDARDS

District Open Space	
Quantity / Typical size	5ha to 15+ha
Distance / Access	Within 2km or 5 minute drive. District open space may provide sporting facilities for the wider district and surrounding communities.
Location and design	<p>District open space should:</p> <ul style="list-style-type: none"> • Be central to the catchment to maximise accessibility. • Accommodate the recommended dimensions and supporting amenity for formal sport and recreation. • Be located on district distributor roads with good passive surveillance. • Be serviced by public transport networks. • Include accessible, safe pedestrian and cycling connections. <p>District open space may also:</p> <ul style="list-style-type: none"> • Be collocated with a school or other community facilities to create a community hub. • Provide a significant visual break in the urban environment, particularly along major thoroughfares. • Assist to preserve local biodiversity and natural area values.
Activities	<p>District open space may:</p> <ul style="list-style-type: none"> • Consist of sufficient space to accommodate a variety of concurrent uses, including organised sports, children's play, picnicking, exercising the dog, social gatherings and individual activities. • Include a combination of bushland, open parkland for casual play and space for organised sport. • Accommodate multiple user groups, clubs and associations.
Quality / Service level	<ul style="list-style-type: none"> • Bollards/fencing • Seating • Appropriate size turf area • Water sensitive landscaping (including shade trees) • Water fountain • Barbecue • Lighting • Signage • Bin (and pet litter bags) • Internal pathways • On-street parking • Children's playground with shade • Picnic shelter • Toilets • Change rooms

Glendinning Park – Tarcoola Beach



Table 7 – REGIONAL OPEN SPACE PROVISION STANDARDS

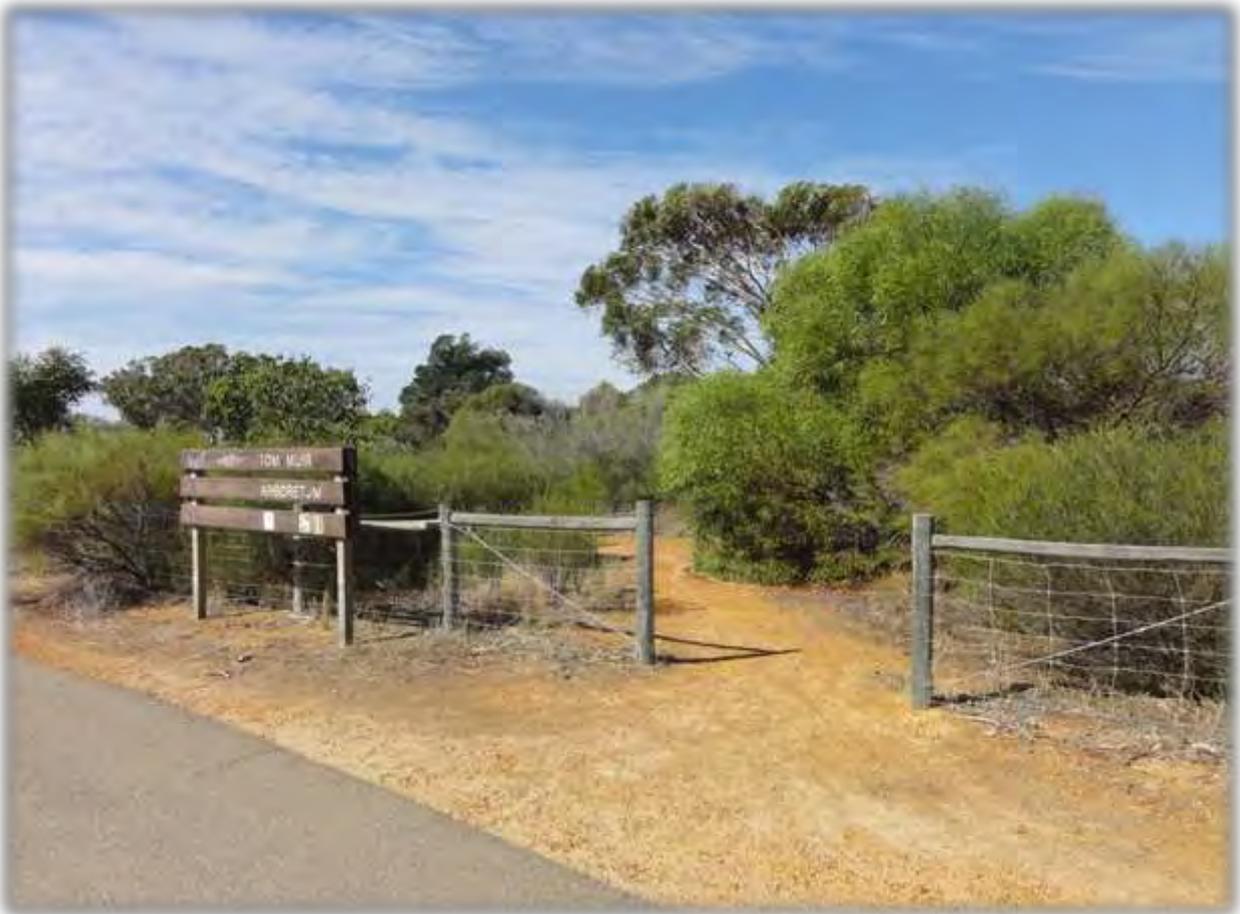
Regional Open Space	
Quantity / Typical size	Size is variable and dependant on function. When sporting space is identified as a necessary regional function, allocations for playing fields and sports facilities should be 20+ha in area.
Distance / Access	Regional open space serves one or more geographical or social regions and is likely to attract visitors from outside any one local government area. Users not living within close proximity will use either private vehicles or public transport systems.
Location and design	<ul style="list-style-type: none"> • Location of regional open space is usually determined by resource availability and opportunities to utilise and/or protect the space. • Regional open space should be well connected to major road and public transport networks. • Sport spaces allocated within regional open space must have the capacity to accommodate required field dimensions for both junior and adult sporting competition and appropriate supporting amenity. • Regional open space should accommodate biodiversity principles and environmental management goals where possible.
Activities	<ul style="list-style-type: none"> • Regional open space should be large enough to accommodate various concurrent uses, including organised sports, children’s play, picnicking, bush walking and protection of natural features.
Quality / Service level	<ul style="list-style-type: none"> • Bollards/fencing • Seating • Appropriate size turf area • Water sensitive landscaping (including shade trees) • Water fountain • Barbecue • Lighting • Signage • Bin (and pet litter bags) • Internal pathways • On-street parking • Children’s playground with shade • Picnic shelter • Toilets • Multi-user facilities



HMAS Sydney II Memorial – Geraldton

Table 8 – CONSERVATION AREAS PROVISION STANDARDS

Conservation areas	
Quantity / Typical size	Size is variable and dependant on the area identified for conservation purposes.
Distance / Access	No specific catchment.
Location and design	Preservation of local biodiversity and natural area values. Must accommodate biodiversity principles and environmental management goals.
Activities	Conservation areas are primarily for the protection of natural features. Activities are limited to uses that have low impact on the area. Where appropriate there may be opportunities for children’s play, picnicking and bush walking.
Quality / Service level	<ul style="list-style-type: none"> • Fencing • Walk trail • Signage



Tom Muir Arboretum – Strathalbyn

7.0 PUBLIC OPEN SPACE DESIGN PRINCIPLES

7.1 Design Principles

The following outlines the key principles upon which open space should be designed, delivered, managed and located. These principles should be taken into consideration by the CGG, developers and the community when designing and creating areas of public open space.

7.2 Be Meaningful to Place and Community

The design of new areas of public open space should where possible reflect the local area in terms of materials, the uniqueness of the place and incorporate local features into the design.

Guidelines:

- Integrate physical geographic features of the place into new designs where these are central to the environmental values of the site (e.g. topographic features or significant trees).
- Conserve and integrate historical and heritage features in a manner that enhances their values (i.e. memorials and places to appreciate their former context and uses etc.).
- Use landform, landscape, public art, and interpretive media (signs, brochures etc) to tell the story of the place.

7.3 Be Multi-Functional and Adaptable

Multi-functional and flexible spaces adapt well to those changes, allowing for a range of users to enjoy the same space at different times and also for the space to evolve, mature and adapt over time to meet the changing needs and aspirations of the community it serves.

Guidelines:

- Explore design opportunities to locate recreation facilities close to other compatible facilities (e.g. community facilities such as indoor sports venues, schools, community halls etc.) to maximise joint use and minimise duplication of facilities and infrastructure.
- Co-locate active sports and passive recreation facilities to maximise use during and outside training and competition periods.
- Use amenity night lighting to encourage safe evening use and sport lighting to extend the usable hours and training/competition options.

Eadon Clarke Sports Ground
Redevelopment – Spalding



7.4 Provide Diversity

Provide and design public open space to be diverse and meet the needs of the local community.

Guidelines:

- Connect and relate existing or proposed public open space to adjoining land uses and open spaces in the area, to maximize opportunities for a diversity of experiences.
- Design for seasonal variation to provide a diversity of experience all year round (e.g. deciduous trees for variations in sun, shade, spring and autumn colour, etc.).
- Ensure that sports focused facilities also provide for passive recreation opportunities that cater for spectators and those who have accompanied the sports participant. In family situations this encourages parent as well as grandparent and sibling involvement.

7.5 Encourage Social Interaction

For many residents the public domain is the focal meeting place bringing residents together. Whether it be individuals meeting while walking their dogs in the park, parents meeting other parents with toddlers at the playground or children and adults playing or watching sport, well planned spaces promote opportunities to interact socially.

Guidelines:

- Design paths, crossing spaces and seat locations to encourage incidental social interaction.
- Plan and design spaces to minimise user conflicts (common conflict issues include off-leash dog behaviour, cycle and pedestrian clashes, noise generating activities adjoining quieter areas or local residences).

7.6 Promote Health and Well Being

With 90% of Australia's population now living in urban environments in which the quantum of private open space is also decreasing, community access to high quality, safe public open space plays an increasingly critical role in the community's health and wellbeing.

Guidelines:

- Provide on and off-road pedestrian and cycle connections to open space to encourage walking and cycling access and incidental physical activity, to promote environmentally friendly transport options and to cater for independent mobility, especially for adolescents needing access to sports facilities.
- Provide space for rest and relaxation where interaction with the natural environment can best be experienced (contact with nature – trees and birds – is one of the principal reasons cited for visiting parks).
- Create a comfortable microclimate throughout the year and through variations in weather. Design to maximise seasonal opportunities for summer shade and cooling breezes (includes shade structures over larger play facilities, until such time as trees can provide the same shade), winter sun and protection from cold winds (use of deciduous trees and planting as wind barriers) and shelter from rain (trees, picnic shelters, etc.).

- Incorporate amenity lighting wherever practical to encourage evening use and an enhanced sense of safety.
- Maximise the visibility of open spaces from within the development. Enhance the sense of safety and personal security through the application of Designing for Crime.

7.7 Provide Equity and Accessibility

Research shows that residents with easy access to parks tend to exercise more. Also those well visited public open spaces are usually those that are easily accessible to all members of the community.

Guidelines:

- Ensure designs cater for people who have sensory or mobility impairments and also for those with prams. Other facilities and design features such as drinking bubblers that allow wheelchair access, seats with armrests and companion spaces for wheelchairs beside seats should be common features.
- Ensure that the layout and design offers recreation opportunities that are inclusive of all members of the community.
- Maximise all connections to the space, especially for pedestrians, cyclists, and users of public transport.
- Provide facilities that are responsive to the cultural as well as the recreational needs of the community that the space will serve.

7.8 Be More Environmentally Sustainable

When development within our towns is intensifying, when climate change is a recognised phenomenon and when drought cycles are impacting the health of open space areas, the role of our public spaces in conserving and enhancing the natural environment and returning ecological values to our environment becomes ever more critical.

Guidelines:

- Retain and extend the existing natural values of the space wherever practical, including enhancement of biodiversity, flora and fauna habitat value, water and energy conservation and microclimate.
- Locate, orientate and design the open space network to maximise wildlife connectivity and reduce habitat fragmentation.
- Protect conservation areas and manage parklands as buffers to such environments, providing controlled access between the managed parklands and natural or rehabilitated areas where this will not compromise the environmental values of the conservation area.
- Locate open spaces for maximum walkable and public transport access by as many in the community possible to reduce car dependent access.

7.9 Financial Sustainability

The CGG recognises the importance of financial sustainability and the need to develop robust financial projections based on public open space condition, capacity and functionality. In reality improving or replacing facilities of an existing public open space is financially advantageous and for little cost restarts the life of an existing park or area of public open space. Careful design and planning of the more significant and expensive facilities can also ensure sustainable ongoing maintenance costs and achieve longer lifecycles.

Guidelines:

- Design open space with minimisation of maintenance costs in mind, wherever practical. This often goes hand in glove with environmental sustainability (e.g. use of native species, low water demand planting, minimal mowing requirements, use of recycled materials). For the CGG some of the highest ongoing costs are associated with irrigation.
- Consider the life cycle costs of materials in constructing and managing the open space including, operating, maintaining, replacing, and de-commissioning facilities and services.
- Incorporate revenue raising opportunities where appropriate (e.g. cafes, kiosks, events, bike hire etc.) where these meet the criteria of: being leisure and recreation oriented; compatible with adjoining land uses and being actively integrated into the open space; being effectively and financially operated; and directly contributing revenue to the cost of maintaining and upgrading the open space or facilities.



Dome – Geraldton Foreshore

8.0 PUBLIC OPEN SPACE (BY LOCALITY)

This Strategy divides the CGG into suburb based localities. These areas form the basis of comprehensive open space planning to focus resources for these areas to ensure that additional public open space is located and designed to meet the needs of the local communities that they serve. Appendix 2 contains the individual locality maps.

8.1 Beachlands

BEACHLANDS			
Total Locality Area	138.5015 hectares		
Gross Subdivisible Area	83.1983 hectares		
Public Open Space @ 10%	8.3198 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	nil	8.0875 hectares	8.0875 hectares
Public Open Space Provision	9.72% or 2,323m ² UNDER provision		
Quality of Public Open Space	Public open space provision in Beachlands is relatively good with a wide range of both active and passive recreational facilities. The focus is on the Recreation Ground and to a lesser extent the Fraser/Gregory Park, both of which have additional development potential. Access and proximity to the beach to the south (across John Willcock Link) and to the town centre increases the availability of public open space.		
Distance of Public Open Space	The whole locality is adequately covered by walkable catchments to existing facilities. The open space areas of the Beachlands Primary school further expand the available open space network. The foreshore areas to the south are a further significant recreational focus for the locality (even though they are not activated and not included in the public open space calculations).		
Comments	Beachlands consists of a full range of public open spaces and is slightly under its 10% requirement. Foreshore areas to the south provide an additional recreational resource.		
Recommendations	<p>Burgess Street Park is too small to accommodate sustainable public open space and should be disposed of. Also the southern "leg" of the Recreation Ground does not serve any recreational purpose. Although this would result in a further reduction of public open space provision, it is considered that the adequacy of public open space in the locality would not be compromised. The site is currently not developed and does not provide any recreational function. The revenue generated from its disposal could be directed into upgrades of public open space in the locality.</p> <p>No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu.</p>		

8.2 Beresford

BERESFORD			
Total Locality Area	143.3845 hectares		
Gross Subdivisible Area	94.3359 hectares		
Public Open Space @ 10%	9.4336 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	1.6983 hectares	3.2073 hectares	4.9056 hectares
Public Open Space Provision	5.20% or 4.5280 hectares UNDER provision		
Quality of Public Open Space	Overall, the public open space provision in Beresford is relatively average however the Marina Park and portions of the Beresford foreshore provide for a range of facilities. The Beresford foreshore has significant development potential.		
Distance of Public Open Space	Most of the locality is adequately covered by walkable catchments to existing facilities. The open space areas of the Geraldton Grammar School further expand the available open space network. The locality at its furthest is predominantly only 300 – 400m from the foreshore area to the west, which is a further significant recreational focus for the locality (even though only portions are currently activated).		
Comments	Although Beresford is generally lacking in facilities and well under its 10% requirement, as part of the “Beresford Foreshore Coastal Protection and Enhancement Project” there are significant areas of the foreshore that will become activated and provide a substantial recreational resource.		
Recommendations	<p>There are 2 sites in the eastern part of the locality that are too small to accommodate sustainable public open space and should be disposed of. Kononen POS serves only a limited catchment and is in close proximity to the Geraldton Grammar School and Apex Park. Although this would result in a further reduction of public open space provision, it is considered that the adequacy of public open space in the locality would not be compromised. The revenue generated from their disposal could be directed into upgrades of public open space in the locality.</p> <p>Although not identified, Lillian Shaw Park may have potential for disposal as the site is very small. The park could be “transferred” over Chapman Road to the foreshore side where there is an activated part of the foreshore. This would however be entirely dependent on the approval of the original family that bequeathed the land to the City.</p> <p>No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu.</p>		

8.3 Bluff Point

BLUFF POINT			
Total Locality Area	153.3882 hectares		
Gross Subdivisible Area	90.4248 hectares		
Public Open Space @ 10%	9.0425 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	5.9408 hectares	1.8138 hectares	7.7546 hectares
Public Open Space Provision	8.58% or 1.2879 hectares UNDER provision		
Quality of Public Open Space	Public open space provision in Bluff Point is good with a wide range of both active and passive recreational facilities. The coastal foreshore provides a range of facilities and has development potential. Access to the beach, Spalding Park and the Chapman River increases the availability of active and passive open spaces to residents.		
Distance of Public Open Space	The whole locality is adequately covered by walkable catchments to existing facilities. The open space areas of Bluff Point Primary School, St. Lawrence Primary School and the Geraldton Camp School further expand the available open space network. The locality at its furthest is from 100m in the south to 800m in the north from the foreshore area to the west, which is a further significant recreational focus.		
Comments	Bluff Point consists of a full range of public open spaces and is slightly under its 10% requirement.		
Recommendations	<p>There are 2 lots off Harrison Street that were given to the City as freehold lots in lieu of public open space that are too small to accommodate sustainable public open space and should be disposed of. The revenue generated from their disposal could be directed into upgrades of public open space in the locality.</p> <p>The future public open space area to the south should provide some local open space in conjunction with the need to preserve the historic former rail alignment.</p> <p>No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu.</p>		

8.4 Cape Burney

CAPE BURNEY			
Total Locality Area	538.2416 hectares		
Gross Subdivisible Area	376.8377 hectares		
Public Open Space @ 10%	37.6838 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	1.3590 hectares	9.8772 hectares	11.2362 hectares
Public Open Space Provision	2.98% or 26.4476 hectares UNDER provision		
Quality of Public Open Space	The existing public open space provision in Cape Burney is adequate for the existing resident population. The low % of public open space provision reflects the substantial areas that have not yet been developed for residential purposes. The foreshore areas (including Southgates Dunes) and Greenough River are a further significant recreational focus.		
Distance of Public Open Space	The developed areas of the locality are adequately covered by walkable catchments to existing facilities.		
Comments	Cape Burney consists of a range of public open spaces. Foreshore areas and the Greenough River provide a significant recreational focus (even though only small portions are activated). With the future development of residential areas the % and range of open spaces will be further provided.		
Recommendations	An activated node focussed on the redevelopment of the City's land near the Greenough River mouth should provide for a range of boating, fishing, active and passive recreational pursuits.		

8.5 Drummond Cove

DRUMMOND COVE			
Total Locality Area	160.0722 hectares		
Gross Subdivisible Area	133.7693 hectares		
Public Open Space @ 10%	13.3769 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	0.8264 hectares	15.9792 hectares	16.8056 hectares
Public Open Space Provision	12.56% or 3.4287 hectares OVER provision		
Quality of Public Open Space	Public open space provision in Drummond Cove is good with a wide range of both active and passive recreational facilities.		
Distance of Public Open Space	The whole locality is adequately covered by walkable catchments to existing facilities. The locality at its furthest is 800m from the foreshore areas to the west, which is a further significant recreational focus for the locality.		
Comments	Drummond Cove consists of a full range of public open spaces and is slightly over its 10% requirement. Once the cottages are removed on the west side of Whitehill Road this will present an opportunity to further enhance the open space facilities of the foreshore.		
Recommendations	A Landscape Master Plan should be prepared for the foreshore area once the cottages have been removed. Further development of the land to the south east should be setback and provide adequate foreshore areas for Dolby Creek to accommodate potential flooding issues.		

8.6 Geraldton

GERALDTON			
Total Locality Area	449.9256 hectares		
Gross Subdivisible Area	215.5197 hectares		
Public Open Space @ 10%	21.5512 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	12.4554 hectares	17.6504 hectares	30.1048 hectares
Public Open Space Provision	13.97% or 8.5528 hectares OVER provision		
Quality of Public Open Space	Geraldton has a vast range and variety of both active and passive public open spaces. It also contains a number of cultural facilities that enhance recreational experiences. Focus is on the Geraldton Foreshore which is the largest single recreation attractor in the City.		
Distance of Public Open Space	The whole locality is adequately covered by walkable catchments to existing facilities. Access to various primary and high schools further expand the available open space network. The eastern area of the locality is largely undeveloped (adjacent to the North West Coastal Highway) and structure planning should address public open space provision.		
Comments	Geraldton consists of an extensive range of local, neighbourhood and regional public open spaces and is over its 10% requirement. The quality of most of the open space areas is commensurate with the status of the locality containing the City Centre.		
Recommendations	<p>There are a number of sites in the eastern part of the locality that are too small to accommodate sustainable public open space and should be disposed of. The revenue generated from their disposal could be directed into upgrades of public open space in the locality.</p> <p>The development of the Batavia Coast Marina precinct should provide for quality open space areas that are available to a range of users (e.g. markets).</p>		

8.7 Glenfield

GLENFIELD			
Total Locality Area	824.5988 hectares		
Gross Subdivisible Area	660.8315 hectares		
Public Open Space @ 10%	66.0832 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	nil	32.3937 hectares	32.3937 hectares
Public Open Space Provision	4.90% or 33.6895 hectares UNDER provision		
Quality of Public Open Space	The Glenfield locality is currently not serviced by public open space and is largely undeveloped or in a semi-rural state. Existing residential areas to the north utilise the adjacent Drummond Cove facilities and to the south, the Sunset Beach facilities. The substantial foreshore area to the west will provide a significant recreational focus.		
Distance of Public Open Space	Future public open space as identified in structure planning to the east provides adequate walkable catchments to the future residential areas.		
Comments	With the future development of residential areas the % and range of open spaces will be further provided.		
Recommendations	There is a small site off Macedonia Drive that is too small to accommodate sustainable public open space and should be disposed of. The revenue generated from its disposal could be directed into upgrades or acquisition of public open space in the locality.		

8.8 Karloo

KARLOO			
Total Locality Area	405.7676 hectares		
Gross Subdivisible Area	236.6615 hectares		
Public Open Space @ 10%	23.6662 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	nil	3.1828 hectares	3.1828 hectares
Public Open Space Provision	1.34% or 20.4834 hectares UNDER provision		
Quality of Public Open Space	The existing, developed residential area is relatively small and is currently an adjunct to Rangeway / Utakarra to the north. Karloo Park is the only public open space developed.		
Distance of Public Open Space	The open space area of John Willcock College further expands the open space network.		
Comments	With the future development of residential areas the % and range of open spaces will be further provided.		
Recommendations	Future structure planning should address public open space with a focus on protecting areas of significant vegetation.		

8.9 Mahomets Flats

MAHOMETS FLATS			
Total Locality Area	92.3620 hectares		
Gross Subdivisible Area	56.2912 hectares		
Public Open Space @ 10%	5.6291 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	1.001 hectares	7.6513 hectares	8.6523 hectares
Public Open Space Provision	15.37% or 3.0232 hectares OVER provision		
Quality of Public Open Space	The overall provision of public open space in Mahomets Flats is good with a range of both active and passive recreational facilities. The coastal foreshore, focused on the surf club, provides further facilities.		
Distance of Public Open Space	The whole locality is covered by walkable catchments to existing facilities. The foreshore area to the west is a further significant recreational focus for the locality.		
Comments	Mahomets Flats consists of a range of local and regional, foreshore facilities and is over its 10% requirement.		
Recommendations	<p>There is a small lot off McAleer Drive that is too small to accommodate sustainable public open space and should be disposed of. The revenue generated from their disposal could be directed into upgrades of public open space in the locality.</p> <p>No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu.</p>		

8.10 Mount Tarcoola

MOUNT TARCOOLA			
Total Locality Area	215.7278 hectares		
Gross Subdivisible Area	171.9077 hectares		
Public Open Space @ 10%	17.1908 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	nil	14.7099 hectares	14.7099 hectares
Public Open Space Provision	8.56% or 2.4809 hectares UNDER provision		
Quality of Public Open Space	The overall provision of public open space in Mount Tarcoola is relatively good with a range of both active and passive recreational facilities.		
Distance of Public Open Space	The whole locality is covered by walkable catchments to existing facilities. The open space area of the Mt. Tarcoola Primary School further expands the available open space network. The locality at its furthest is around 1.5km from the foreshore areas to the west and provides further recreational opportunities.		
Comments	Mount Tarcoola consists of local, neighbourhood and conservation public open spaces and is slightly under its 10% requirement.		
Recommendations	No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu.		

8.11 Mullewa

MULLEWA			
Total Locality Area	145.7988 hectares		
Gross Subdivisible Area	89.7415 hectares		
Public Open Space @ 10%	8.9742 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	nil	15.7888 hectares	15.7888 hectares
Public Open Space Provision	17.59% or 6.8147 hectares OVER provision		
Quality of Public Open Space	The provision of public open space in Mullewa is commensurate with its status as a regional townsite. It is self-contained and provides a range of active and passive recreational facilities.		
Distance of Public Open Space	The whole townsite is covered by walkable catchments to existing facilities. Access to primary and high school open space areas further expand the available open space network.		
Comments	Mullewa consists of local and district open spaces and is well in excess of its 10% requirement.		
Recommendations	<p>There are a number of sites in the northern part of the townsite that are too small to accommodate sustainable public open space and should be disposed of. The revenue generated from their disposal could be directed into upgrades of public open space in the locality.</p> <p>No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu.</p>		

8.12 Rangeway

RANGEWAY			
Total Locality Area	179.8010 hectares		
Gross Subdivisible Area	129.8267 hectares		
Public Open Space @ 10%	12.9827 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	nil	7.2418 hectares	7.2418 hectares
Public Open Space Provision	5.58% or 5.7409 hectares UNDER provision		
Quality of Public Open Space	Public open space provision in Rangeway is generally average. Facilities are limited to a few sites with areas undeveloped.		
Distance of Public Open Space	The whole locality is covered by walkable catchments to existing facilities. The open space areas of the Rangeway and St. John Primary Schools further expand the open space network.		
Comments	Rangeway consists of local and neighbourhood public open spaces and is under its 10% requirement. It is important to note that the area containing the Bundiyarra Aboriginal Community Aboriginal Corporation, although zoned for recreation, has been deducted from the calculations as it is not a public space. Access and proximity to the regional facilities of the Eighth Street Sporting Complex, Wonthella are also an important aspect of the expanded recreational opportunities in the locality.		
Recommendations	<p>There is a small site north of the GRAMS Reserve that is too small to accommodate sustainable public open space and should be disposed of. There are 4 lots off Marri Court that were given to the City as freehold lots in lieu of public open space that are too small to accommodate sustainable public open space and should be disposed of.</p> <p>Additionally the large area off Keating Street is currently not developed and does not provide any recreational function. Residents have complained that the site harbours anti-social behaviour. Although this would result in a further reduction of public open space provision, it is considered that the revenue generated from their disposal would be far more beneficial to the residents to enable upgrades of public open space in the locality.</p> <p>No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu. Generating funds to develop the existing open spaces should be the priority.</p>		

8.13 Spalding

SPALDING			
Total Locality Area	441.1619 hectares		
Gross Subdivisible Area	135.0103 hectares		
Public Open Space @ 10%	13.5010 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	57.8965 hectares	5.9593 hectares	63.8558 hectares
Public Open Space Provision	47.30% or 50.3548 hectares OVER provision		
Quality of Public Open Space	In general the public open space provision in Spalding is average however there are regional open spaces that have excellent facilities. The locality has a wide range of active and passive recreational facilities.		
Distance of Public Open Space	The whole locality is covered by walkable catchments to existing facilities. The Chapman River to the north and east is a significant focus for the locality.		
Comments	Spalding consists of local and regional open spaces with substantial areas used for conservation purposes. The locality far exceeds its 10% requirement however much of this is attributed to the activated regional open spaces.		
Recommendations	<p>There are a number of sites in the locality that are too small to accommodate sustainable public open space and should be disposed of. There are 5 lots off Craine Place that were given to the City as freehold lots in lieu of public open space that are too small to accommodate sustainable public open space and should be disposed of.</p> <p>The revenue generated from their disposal could be directed into upgrades of larger existing public open space in the locality.</p> <p>No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu. Generating funds to develop the existing open spaces should be the priority.</p>		

8.14 Strathalbyn

STRATHALBYN			
Total Locality Area	166.4970 hectares		
Gross Subdivisible Area	126.6205 hectares		
Public Open Space @ 10%	12.6621 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	nil	7.5999 hectares	7.5999 hectares
Public Open Space Provision	6.00% or 5.0622 hectares UNDER provision		
Quality of Public Open Space	The provision of public open space in Strathalbyn is good with a range of both active and passive recreational facilities.		
Distance of Public Open Space	The whole locality is covered by walkable catchments to existing facilities. The Chapman River to the east is a significant focus for the locality. The open space areas of Strathalbyn Christian College further expand the available open space network.		
Comments	Strathalbyn consists of neighbourhood and district open spaces with regional areas along the Chapman River and a dedicated conservation Arboretum. The locality is under its 10% requirement however it should be noted that it is a low density locality with the quality and diverse range of facilities compensating for the reduced open space areas.		
Recommendations	No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu. Generating funds to develop the existing open spaces should be the priority.		

8.15 Sunset Beach

SUNSET BEACH			
Total Locality Area	186.3272 hectares		
Gross Subdivisible Area	120.2540 hectares		
Public Open Space @ 10%	12.0254 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	15.8549 hectares	12.1092 hectares	27.9641 hectares
Public Open Space Provision	13.25% or 15.9387 hectares OVER provision		
Quality of Public Open Space	Public open space provision in Sunset Beach is good with a range of active and passive recreational facilities. The coastal foreshore provides a limited range of facilities and has development potential. Access to the beach and the Chapman River increases the availability of active and passive open spaces to residents.		
Distance of Public Open Space	The existing developed area of the locality is adequately covered by walkable catchments to existing facilities. The locality at its furthest is from 900m in the south to 500m in the north from the foreshore area to the west, which is a further significant recreational focus.		
Comments	Sunset Beach consists of local, neighbourhood and regional open spaces and is well above its 10% requirement. Much of this is attributed to the activated regional open spaces. With the future development of residential areas and a future primary school, the range of open spaces will be enhanced.		
Recommendations	Although a large area of Eastbourne Reserve and Spalding Park Horse and Pony Club is shown for disposal, it is not intended that all the areas will be disposed of. The detailed precinct planning for Sunset Beach will identify what areas are proposed to be retained as part of the activity centre.		

8.16 Tarcoola Beach

TARCOOLA BEACH			
Total Locality Area	138.9952 hectares		
Gross Subdivisible Area	70.4607 hectares		
Public Open Space @ 10%	7.0461 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	3.6115 hectares	1.9776 hectares	5.5891 hectares
Public Open Space Provision	7.93% or 1.4570 hectares UNDER provision		
Quality of Public Open Space	Public open space provision in Tarcoola Beach is good with a range of active and passive recreational facilities. The coastal foreshore provides a range of facilities and has development potential. Access to the beach increases the availability of active and passive open spaces to residents.		
Distance of Public Open Space	The locality is covered by walkable catchments to existing facilities. The locality at its furthest is 250m from the foreshore area to the west, which is a further significant recreational focus.		
Comments	Tarcoola Beach consists of local, district and regional open spaces and is slightly under its 10% requirement.		
Recommendations	No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu. Generating funds to develop the existing open spaces should be the priority.		

8.17 Utakarra

UTAKARRA			
Total Locality Area	494.0240 hectares		
Gross Subdivisible Area	216.6223 hectares		
Public Open Space @ 10%	21.6622 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	52.1204 hectares	18.7622 hectares	70.8826 hectares
Public Open Space Provision	32.72% or 49.2204 hectares OVER provision		
Quality of Public Open Space	In general the public open space provision in Utakarra is average however there are district and regional open spaces that have excellent facilities. The locality has a wide range of passive and active recreational facilities.		
Distance of Public Open Space	The whole locality is covered by walkable catchments to existing facilities. The regional facilities to the north form part of the Eighth Street Sporting Complex, Wonthella and are an important aspect of the expanded recreational opportunities in the locality.		
Comments	Utakarra consists of local, district and regional open spaces. The locality far exceeds its 10% requirement however much of this is attributed to the activated regional open spaces. With the future development of residential areas the range of open spaces will be enhanced.		
Recommendations	<p>There are sites in east of the locality that should be disposed of. The eastern area is not residential and therefore the sites serve no immediate catchment. There is a lot off Blencowe Road that was given to the City as freehold lots in lieu of public open space and should be disposed of.</p> <p>The Sporting Futures Report makes recommendations regarding the disposal of Greenough Oval to fund the new southern district sporting facility in Rudds Gully.</p>		

8.18 Waggrakine

WAGGRAKINE			
Total Locality Area	1,784.2977 hectares		
Gross Subdivisible Area	275.0811 hectares		
Public Open Space @ 10%	27.5081 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	nil	25.7066 hectares	25.7066 hectares
Public Open Space Provision	9.35% or 1.8015 hectares UNDER provision		
Quality of Public Open Space	In general the public open space provision in Waggrakine is average. The locality has a range of passive and active recreational facilities.		
Distance of Public Open Space	The developed residential areas of the locality are covered by walkable catchments to existing facilities. The Chapman River regional facilities to the south are an important aspect of the expanded recreational opportunities in the locality. The open space areas of Waggrakine Primary School further expand the available open space network.		
Comments	Waggrakine consists of local and neighbourhood open spaces. The locality is only slightly under its 10% requirement. With the future development of residential areas and school sites, the range of open spaces will be enhanced.		
Recommendations	No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu. Generating funds to develop the existing open spaces should be the priority.		

8.19 Walkaway

WALKAWAY			
Total Locality Area	58.4290 hectares		
Gross Subdivisible Area	50.6629 hectares		
Public Open Space @ 10%	5.0663 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	nil	15.1917 hectares	15.1917 hectares
Public Open Space Provision	29.99% or 10.1254 hectares OVER provision		
Quality of Public Open Space	The provision of public open space in Walkaway is commensurate with its status as a regional townsite. It is self-contained and provides a range of active and passive recreational facilities.		
Distance of Public Open Space	The whole townsite is covered by walkable catchments to existing facilities. Access to the open space areas of the Walkaway Primary School further expands the available open space network.		
Comments	Walkaway consists of local and district open spaces and is well in excess of its 10% requirement.		
Recommendations	No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu. Generating funds to develop the existing open spaces should be the priority.		

8.20 Wandina

WANDINA			
Total Locality Area	321.0108 hectares		
Gross Subdivisible Area	292.5412 hectares		
Public Open Space @ 10%	29.2541 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	nil	27.6460 hectares	27.6460 hectares
Public Open Space Provision	9.45% or 1.6081 hectares UNDER provision		
Quality of Public Open Space	Public open space provision in Wandina is good with a range of both active and passive recreational facilities.		
Distance of Public Open Space	The whole locality is covered by walkable catchments to existing facilities. The open space area of the Wandina Primary School further expands the available open space network. The locality at its furthest is around 1.5km from the foreshore areas to the west and provides further recreational opportunities. The future southern district sporting facility to the east will be an important aspect of the expanded recreational opportunities in the locality.		
Comments	Wandina consists of local, neighbourhood and conservation public open spaces and is only slightly under its 10% requirement. With the future development of residential areas the range of open spaces will be further provided.		
Recommendations	No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu.		

8.21 Webberton

WEBBERTON			
Total Locality Area	253.0193 hectares		
Gross Subdivisible Area	35.3928 hectares		
Public Open Space @ 10%	3.5393 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	nil	2.3971 hectares	2.3971 hectares
Public Open Space Provision	6.77% or 1.1422 hectares UNDER provision		
Quality of Public Open Space	The residential area of Webberton is relatively small and is currently an adjunct to Spalding / Strathalbyn to the north / east. No open space areas are developed.		
Distance of Public Open Space	The residential area of the locality is covered by walkable catchments from within the Spalding and Strathalbyn localities adjacent. The Chapman River regional facilities to the north are an important aspect of the expanded recreational opportunities in the locality.		
Comments	Webberton is under its 10% requirement but is serviced by the facilities in the adjacent Spalding and Strathalbyn localities.		
Recommendations	No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu. Generating funds to develop the existing open spaces should be the priority.		

8.22 West End

WEST END			
Total Locality Area	234.0809 hectares		
Gross Subdivisible Area	18.4646 hectares		
Public Open Space @ 10%	1.8465 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	2.0223 hectares	3.0085 hectares	5.0308 hectares
Public Open Space Provision	27.25% or 3.1843 hectares OVER provision		
Quality of Public Open Space	Public open space in Beachlands is relatively good with a wide range of both active and passive recreational facilities. The focus is on the foreshore areas which have additional development potential. Access and proximity to the beach and to the town centre increases the availability of public open space.		
Distance of Public Open Space	The whole locality is adequately covered by walkable catchments to existing facilities. The foreshore areas that surround the locality are a further significant recreational focus for the locality.		
Comments	The West End consists of local and regional open spaces. The locality far exceeds its 10% requirement however much of this is attributed to the activated regional open spaces.		
Recommendations	No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu. Generating funds to develop the existing open spaces should be the priority.		

8.23 Wonthella

WONTHELLA			
Total Locality Area	370.3560 hectares		
Gross Subdivisible Area	101.0103 hectares		
Public Open Space @ 10%	10.1010 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	85.9902 hectares	1.3122 hectares	87.3024 hectares
Public Open Space Provision	86.43% or 77.2014 hectares OVER provision		
Quality of Public Open Space	The public open space provision in Wonthella is good and there are regional open spaces that have excellent facilities. The locality has a wide range of active and passive recreational facilities.		
Distance of Public Open Space	The whole locality is covered by walkable catchments to existing facilities although the North West Coastal Highway does provide a significant pedestrian barrier to the areas to the west.		
Comments	Wonthella consists of local and regional open spaces with significant areas of active recreation. The locality far exceeds its 10% requirement however much of this is attributed to the activated regional open spaces. The Wonthella Federation Community Park is currently leased by the City from the Roman Catholic Bishop of Geraldton.		
Recommendations	<p>Sites in the west of the locality are too small to accommodate sustainable public open space and should be disposed of.</p> <p>No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu. Generating funds to acquire the Wonthella Federation Community Park should be the priority.</p>		

8.24 Woorree

WOORREE			
Total Locality Area	503.4996 hectares		
Gross Subdivisible Area	63.1415 hectares		
Public Open Space @ 10%	6.3142 hectares		
Quantity of Public Open Space	Activated Regional Open Space	Public Open Space	Total
	8.9216 hectares	8.2730 hectares	17.1946 hectares
Public Open Space Provision	27.23% or 10.8805 hectares OVER provision		
Quality of Public Open Space	The residential area of Woorree is relatively small and is currently an adjunct to Strathalbyn to the west. The provision of public open space is good with a range of both active and passive recreational facilities.		
Distance of Public Open Space	The residential area is covered by walkable catchments to existing facilities (including within the Strathalbyn locality adjacent). The Chapman River to the north and east is a significant focus for the locality.		
Comments	Woorree consists of district and regional facilities, although the public open space areas are not central to the residential area. It is well over its 10% requirement however much of this is attributed to the activated regional open psace.		
Recommendations	No further areas of public open space should be provided (other than those identified) with a preference for cash-in-lieu. Generating funds to develop the existing open spaces should be the priority.		

APPENDIX 1 – Guidelines for the Preparation of Foreshore/Conservation Management Plans



City of
Greater Geraldton
a vibrant future



Guidelines for the Preparation of Foreshore / Conservation Management Plans



April 2013

Preface

This guideline has been prepared to help guide proponents in the preparation of Foreshore / Conservation Management Plans for the planning, restoration and management of conservation areas and foreshore reserves within the municipal boundary of the City of Greater Geraldton (CGG).

This document is a guideline. Proponents are encouraged to engage with the CGG early in the planning and development process to ensure that the CGG's requirements are met for the restoration and management of Public Open Space designated for the primary purpose of conservation.

Cover Photo: Chapman River, Spalding

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Cover Photo: Chapman River, Spalding

1. Introduction

This guideline has been prepared to help guide proponents in the preparation of Foreshore / Conservation Management Plans (FCMPs) for the planning, restoration and management of conservation areas and foreshore reserves within the municipal boundary of the City of Greater Geraldton (CGG). The List of Useful Resources in this document includes links to examples of Conservation / Foreshore Management Plans.

The CGG covers an area of 12625.5 square kilometres which also incorporates the towns of Walkaway and Mullewa. There is less than 18% of remnant vegetation remaining in Greater Geraldton. To protect and better manage biodiversity assets in this area, the CGG has prepared a *Draft Local Biodiversity Strategy 2013* to help contribute to meeting the objectives of the CGG's *Strategic Community Plan 2011-2021*.

This guideline has been developed within the CGG's Towards a Sustainable Future Framework, alongside the *City of Greater Geraldton's Public Open Space Strategy (2013)* and aligns with the objectives of the *Draft Local Biodiversity Strategy (2013)*, 'Environmental protection is also an essential role of public open space, through habitat and biodiversity conservation and air and water quality management. Open space is also highly valued for its intrinsic benefits, such as natural beauty, its contribution to neighbourhood character, its cultural heritage value and the emotional attachment people may have to it. The value that public open space provides to the community is a combination of social, economic and environmental factors.' (pg. 2)

Under *Section 6.5 Construction and Maintenance* of the *Public Open Space Strategy*, the City requires detailed management plans for the development of Public Open Space (POS) areas that involve foreshore areas or areas primarily for conservation purposes. This guideline or 'proforma' will assist the proponent to prepare a FCMP's that meets the CGG's requirements. The proponent should refer to the Public Open Space Guidelines in the *CGG's Land Development Guidelines (March 2012)* for minimum design requirements for the constructed elements of the area.

The Public Open Space Strategy states that the CGG will require that new public open space be developed (to a minimum standard) and maintained by the subdivider for a 5 year period. The preparation of a detailed management plan will assist the proponent and the CGG to work towards a shared vision for ongoing management of the conservation / foreshore area.

This document is a guideline. Proponents are encouraged to engage with the CGG early in the planning and development process to ensure that the CGG's requirements are met for the restoration and management of Public Open Space designated for the primary purpose of conservation.

2. Components of the Management Plan

2.1. Introduction

Site Location

A description of the site in the local and catchment context, information pertaining to land tenure, ownership/vesting and zoning best presented in maps and accompanying text. Supporting documents listed or attached as appendices.

Area and Scope

Define the area, purpose and scope of the management plan.

Management commitment

A statement from the proponent committing to the implementation of the management plan (over 5 years) as agreed to with the CGG.

2.2. Background

Literature review

Undertake a literature review to link the objectives actions of management and restoration of the site with existing local and catchment natural resource management documents (plans/surveys/initiatives).

Legislative and policy framework

Identify legislative and policy requirements relevant to the management and restoration of the site (eg. *Aboriginal Heritage Act 1972*) as described in *the Directions Paper on the Integration of NRM into Land Use Planning* (WAPC 2011). Set a context for the plan in the planning framework.



Greenough River



Moresby Range

2.3. The Natural and Social Environment

The natural and social environment create liveable spaces for the community. This interaction has been identified as a priority of Greater Geraldton's community in the 2029 and beyond community charter.

2.3.1. Physical Environment

Management planning requires that the current condition of the site is to be reviewed and documented. This will assist with the development of specific management recommendations for the site. Should the proponent undertake condition assessments of the site, the CGG encourages the use of published or agreed methods of assessment that can be easily repeated for the purpose of monitoring and evaluation.

Climate

Description of climate, seasons and rainfall averages, to assist with the planning of restoration – timing of weed control and revegetation. Information pertaining to climate can be found on Bureau of Meteorology website < <http://www.bom.gov.au/>>.

Landform and topography

Describe the natural and built environment of the site. Describe connectivity of the area to adjacent natural features. Include topographical mapping to show slope where appropriate.

Geology and Soils

Geology and the soil type within the area should be described, highlighting related management issues including erosion, contaminated sites and nutrient leaching. Investigate land uses in surrounding areas for potential impact on stability of the landform, for example, sand extraction.

Hydrology (& Hydrogeology)

Describe the hydrological processes of the site, including surface water and groundwater flows; and natural drainage of the area. The CGG does not generally support the disposal of urban stormwater into POS's for the primary purpose of conservation or foreshore protection.

Native vegetation mapping and condition assessment

Present results from native vegetation surveys that have occurred within or near the sites. Undertake survey to ascertain current condition, map vegetation types and cover. For more information to guide methodology refer to the EPA Guidance Statement No. 51: *Terrestrial flora and vegetation surveys for environmental impact assessment in Western Australia* (Environmental Protection Authority 2004b) and Western Australian Planning Commission (WAPC) Bush Forever (Western Australian Planning Commission 2000). National Vegetation Information System (NVIS) (National Heritage Trust 2003) is a standardised nationally consistent method of recording vegetation. The attached List of Useful Resources contains material that refers to flora and vegetation types associated with landscapes/waterscapes of the CGG.

Fauna and habitat

Natural features of the site (and connectivity to nearby areas) function to provide habitat for fauna. These features should be described, and where possible, a list of fauna endemic to the area provided. A fauna survey may be required for sites of high conservation value, survey advice should be sought from the Department of Environment and Conservation (DEC) who administer the *Conservation and Land Management Act 1984* and *Wildlife Conservation Act 1950*. Also refer to the Environmental Protection Authority (EPA) Guidance Statement No. 56: *Terrestrial fauna surveys for environmental impact assessment in Western Australia* (Environmental Protection Authority 2004a).

Weed mapping

The proponent is required to undertake weed mapping of the project area. A weed species list is to be included in the plan, including prioritisation and invasiveness, for control.

If a weed community is providing bank stability or fauna habitat, any programmed removal strategy should be carefully considered to ensure continued bank stability and habitat. A staged removal should be considered in this instance.

Department of Environment and Conservation (2011) *Nature Conservation Service Biodiversity Standard Operating Procedure Techniques for mapping weed distribution and cover in bushland and wetlands*. DEC, SOP No: 22.1.



Lantana Lantana camara



African boxthorn Lycium ferocissimum



Fountain grass Pennisetum setaceum



Castor Oil Plant *Ricinus communis*

2.3.2. Heritage and Social Values

Yamatji Country

The natural landscapes and seascapes in the municipal area of the CGG have significant cultural heritage value to Aboriginal people of Yamatji country. A number of cultural groups have connection to country within this area; hence proponents should expect that POS for the primary purpose of conservation will most likely be of heritage value to Aboriginal people and may be listed under the *Aboriginal Heritage Act 1972*. Proponents need to contact the regional Department of Indigenous Affairs office or access DIA's website <<http://dia.wa.gov.au/en/Site-Search/>> to conduct a heritage site search. The Yamatji Land and Sea Council (YLSC) should be contacted to ascertain which cultural group needs to be consulted with for the project area. The YLSC has published a Community Guide on *Cultural Advice for people working with Aboriginal people in the Pilbara and Yamatji region* that will assist proponents in consulting with Yamatji people appropriately, found at <<http://www.yamatji.org.au/go/information-centre/factsheets-and-forms>>, to ensure that Aboriginal people are engaged in the planning and at the implementation stage of the management plan.

Heritage value post European settlement

Maintaining heritage values and places is essential for a community's sense of place, cultural identity and well-being. Historical value and existing management strategies for public use of the area and its surrounds should be outlined, including opportunity to preserve this information for future generations. The CGG's library is a useful resource for heritage information in the region. For advice on heritage matters contact the Heritage Council of WA <<http://www.heritage.wa.gov.au>>.

Social environment

The proponent is required to highlight the social value of the site; including recreational use, education, connectivity with local or regional initiatives (for example, stock routes, the CGG's 2029 and beyond Million Trees project). Existing and previous uses may include recreation, education, community involvement, amenity, access, and impacts in and near the management area.



Banksia sessilis



Casuarina obesa

2.4. Management Issues

Climate Change

Climate change is a real threat to all communities and is already having an effect in our region. The CGG has adopted a *Climate Change Policy* for implementation to address climate change as recommended in the *Climate Change Adaptation Action Plan* in 2011 (Batavia Regional Councils). In terms of managing conservation areas, projected increases in temperature; and decreasing annual rainfall coupled with event intensity exacerbates management issues including rising sea levels, fire, erosion, loss of biodiversity and potential environmental health concerns.

Loss of biodiversity and habitat

There is less than 18% of remnant vegetation in the Greater Geraldton region (LBS, 2013). The condition of native vegetation is varied, the increasing threats and pressures in peri-urban environments continue to impact on biodiversity. Hence, 'environmental protection is also an essential role of public open space, through habitat and biodiversity conservation and air and water quality management' (POS, pg. 7). Improved management of POS's for the primary purpose of conservation is essential to see the maintenance, and hopeful improvement, of the biodiversity assets in the region. Local provenance seedlings are only to be used for regeneration, rehabilitation and for landscaping.

Invasive Species

Weeds, invertebrate pests and feral animals place increasing pressure on biodiversity assets in the CGG. The CGG and the Shire of Chapman Valley have worked together to develop a *Draft Invasive Species Management Plan (2013)*. This plan will guide investment and effort for controlling invasive species in Greater Geraldton. The proponent should commit to participating in local and regional baiting programs where opportunity arises.

The proponent is required to identify invasive species that impact on the site, formulate a control program that is appropriate and describe control methods. As a guide, the *Draft Invasive Species Management Plan (2013)* lists invasive species and recommended methods of control. This plan does not include invertebrate pests – ant control needs to be considered to ensure the success of revegetation projects.

Erosion

Outline the processes of erosion acting on the site. Hydrology should be carefully studied to ensure that existing and proposed infrastructure for the site does not contribute to or exacerbate erosion processes in the area. Should stabilisation of soils/banks of waterways be required, advice should be sought from the Department of Water (DOW) to the appropriate technique to address the issue. Furthermore, large woody debris in waterways provide in-stream habitat and function to slow water and advice must be sought from the DOW prior to the realignment or removal of large woody debris from a waterway (or river bank).

Uncontrolled access

This management plan provides opportunity to rationalise access to the site. Access to the conservation /foreshore area should be sensitive to the site. Outline how access will be managed. Consideration should include, but not be limited to, fencing, pathways, vegetation buffers, litter and pest control.

Fire control

The CGG requires the proponent to address fire control (and access) in the management plan. The existing fire regime should be identified, including fire breaks and access lines and fire impacts. Include a fire management plan or bushfire protection plan where appropriate, Fire and Emergency Services Authority of Western Australia may provide guidance for bush fire protection and contact the CGG for specific advice.

Environmental Health Issues

Soil Health

Phytopherthora cinnamomi has been reported in the Mid West region. Environment Australia publication *Threat Abatement Plan for Dieback caused by the root-rot fungus Phytopherthora cinnamomi (2002)* states that 'spread of the pathogen as a result of human activity can be managed to varying levels of success depending on location and the resources available; spread resulting from human activity can be reduced by limiting people's access to certain areas (quarantine) and ensuring that when infected areas are entered the potential to transfer infected material to uninfected areas is minimised (hygiene)'(pg. 7); for example, wash down of equipment and machinery. Please refer to document for hygiene strategies to ensure that infected material is not transferred into uninfected conservation areas.

Mosquitoes

If applicable to the site, describe proposed management that will lessen the provision of habitat for mosquito breeding. Environmental health information pertaining to mosquito management <http://www.public.health.wa.gov.au/3/1188/2/mosquito_management.pm>.

Water quality

Describe proposed management that will lessen the impact and spread of water borne diseases and/or pathogens for sites with natural or constructed water features.



Community coastal planting – Pages Beach



Rare Flora Survey – Moresby Range

2.5. Opportunities

This section highlights any opportunities identified by the proponent during the preparation of the plan for the POS. For example, there may be natural resource management opportunities for the future management of the area; potential partnerships; community engagement; local or regional project ideas; feedback from adjacent landholders; or individuals or community groups expressing interest to be involved in the POS.

2.6. Overall Plan for the POS

The proponent is to provide design concepts for the site; including access, restoration areas, signage, natural and built features, this is best presented in figures with accompanying text. The plan is to include all elements of the plan, highlighting changes to the natural and built environment.

2.7. Monitoring, Evaluation, Reporting and Improvement Plan

The CGG requires the proponent to adopt consistent methodologies to auspice the repetition of survey work (methodologies outlined in Section 2.3). The Australian Government's Monitoring, Evaluation, Reporting and Improvement (MERI) framework standardises the monitoring and evaluation component of the plan and also contributes to the development of a SMART project. The CGG encourages the proponent to adopt the MERI framework (and program logic), or a similar published framework, for the planning of the project.

2.8. Management Actions

Table 1. Management Actions – methods, implementation, monitoring and evaluation, and reporting for improvement (pg. 12) summarises a series of actions to address management issues within conservation areas and foreshore reserves. The proponent should formulate solutions with the objective of maintaining, and where possible, improving the condition of the site. The CGG encourages proponents to adopt a 'best practice' and informed approach when implementing works; the CGG is able to provide technical advice to assist during the design and implementation of treatments for the site. Local provenance seedlings are only to be used for the regeneration, rehabilitation and for landscaping of POS's for the primary purpose of conservation.

3. Data Management

The proponent to present data in a consistent format with the CGG's Geographical Information System. Data provided to the CGG (shape files) for mapping the condition and improvement of the project area. On POS handover, soft and hard copies of information relevant to the management and restoration of the POS be presented to the CGG to assist Council with ongoing maintenance of the area.

4. Handover

The proponent is to achieve specific time bound targets for restoration, to the satisfaction of the CGG, as agreed in the management plan prior to POS handover. Annual reporting and effective communication with the CGG, of the project's progress will assist the proponent with the implementation and improvement of the plan for POS handover. As stated in Section 9.0, on POS handover, soft and hard copies of information pertaining to the project is to be provided to the CGG.

Table 1. Management Actions – methods, implementation, monitoring and evaluation, and reporting for improvement

Action	Design/ Methodology	Implementation schedule	Monitoring, Evaluation Plan	Reporting & Improvement
Revegetation	Comprehensive native species list, local provenance, re-veg sites, site preparation, planting methods and density.	Priority; Timing; cost; suppliers; responsibility; Maintenance.	Photo points Vegetation surveys	Reporting frequency Collaborative and adaptive management for improvement
Weed control	Weed survey, mapping, invasiveness, legal requirements, prioritisation, control methods.	Priority; Timing; cost; suppliers; responsibility; Maintenance.	Photo points Weed survey Weed mapping	Reporting frequency Collaborative and adaptive management for improvement
Pest control	Target species (ants and rabbits threat to re-veg), control methods. Commitment to participate in local and regional invasive species control programs.	Priority; Timing; cost; suppliers; responsibility; Maintenance.		Reporting frequency Collaborative and adaptive management for improvement
Access	Rationalisation of access – proposed alignment of fencing, bollards, signage to protect conservation values and to provide recreational amenity mapped and pegged. <i>Site inspection with CGG for agreed alignment (and materials used as detailed in Land Development Guidelines) is recommended prior to installation.</i>	Priority; Timing; cost; suppliers; responsibility; Maintenance.	Photo points Site inspection	Reporting frequency Collaborative and adaptive management for improvement
Mitigate erosion	Areas for stabilisation, control methods. <i>Seek advice from the Department of Water prior to the realignment of woody debris in the channel of waterways.</i>	Priority; Timing; cost; suppliers; responsibility; Maintenance.	Photo points	Reporting frequency Collaborative and adaptive management for improvement

Community education	Communicate values – historic, cultural heritage, ‘let it grow’, ‘take rubbish with you’. Bird watching. Engage community in restoration activities where possible. CGG’s 2029 and beyond Million Trees project.	Priority; Timing; cost; suppliers; responsibility; Maintenance.	Photos Signage Links with existing programs	Reporting frequency Collaborative and adaptive management for improvement
Action	Design/ Methodology	Implementation schedule	Monitoring, Evaluation	Reporting & Improvement
Recreational amenity	Provision of passive recreational infrastructure to a minimum standard detailed in the CGG’s Land Development Guidelines for POS. For example, design may include hierarchy of access trails, seating, signage, shelter, bird hide.	Priority; Timing; cost; suppliers; responsibility; Maintenance.	Photos Mapping	Reporting frequency Collaborative and adaptive management for improvement
Fire management	Remove rubbish and weeds, undertake fuel reduction and create fire breaks in liaison with the CGG.	Priority; Timing; cost; suppliers; responsibility; Maintenance.	Photos Mapping	Reporting frequency Collaborative and adaptive management for improvement

5. Checklist

Table 2. Checklist for the preparation of Foreshore / Conservation Management Plans.

- | | | |
|--------------------------|----|---|
| <input type="checkbox"/> | 1. | Introduction
Site location; land tenure; area and scope; management commitment |
| <input type="checkbox"/> | 2. | Background
Literature review; legislative and policy framework; planning context |
| <input type="checkbox"/> | 3. | Site Features
<i>Physical environment</i> – climate; landform and topography; geology and soil type; hydrology; native vegetation mapping; fauna and habitat; weed mapping (include condition assessment) <i>Heritage Values</i> – Yamaji people; post European settlement. <i>Social environment</i> – recreation value. |
| <input type="checkbox"/> | 4. | Management Issues
Loss of biodiversity and habitat
Invasive species
Access
Change in hydrological processes
Erosion
Conflicting recreational uses
Climate change |
| <input type="checkbox"/> | 5. | Opportunities
Improved condition, access, educational experiences, links with range of stakeholders user groups. |
| <input type="checkbox"/> | 6. | Overall design plan
Proposed changes to the area. |
| <input type="checkbox"/> | 7. | Management Actions & Implementation Schedule – tables and figures.
Including methodology and a monitoring, evaluation, reporting and improvement framework consistent with the CGG's requirements. |
| <input type="checkbox"/> | 8. | MERI framework, or other published monitoring and evaluation methodology , including standardised methods for condition assessments. |
| <input type="checkbox"/> | 9. | Data management
Reporting to CGG in digital and hard copy form. Digital data, in form of shape files, encouraged for the ongoing management and improvement of the area. |

List of Useful Resources

Australian Government - Monitoring, Evaluation, Reporting & Improvement (MERI) Toolkit found at <<http://www.nrm.gov.au/funding/previous/meri/meri-toolkit.html>>

Australian Government Department of Sustainability, Water, Population and Communities Invasive Species <<http://www.environment.gov.au/biodiversity/invasive/index.html>>

ATA Environmental (2005) *Geraldton Greenough Coastal Strategy & Foreshore Management Plan*. City of Geraldton Greenough.

Batavia Regional Organisation of Councils (2011) *Climate Change Adaptation Action Plan*. Batavia Regional Organisation of Councils, WA.

Beckwith Environmental Planning (2010) *City of Geraldton-Greenough Coastal Communities Strategy*. Northern Agricultural Catchments Council

2009. *Draft Chapman River Estuary Management Plan*. City of Greater Geraldton.

City of Greater Geraldton (2013) *Draft Local Biodiversity Strategy*. City of Greater Geraldton & the Shire of Chapman Valley, WA.

City of Greater Geraldton (2011) *Towards a Water Sensitive Future Greater Geraldton Water Planning and Management Strategy*. City of Greater Geraldton, WA.

Commonwealth of Australia. 2006. *A field manual for surveying and mapping nationally significant weeds*. Bureau of Rural Sciences, ACT.

Department of Environment and Conservation. (2011) *Biodiversity Standard Operating Procedure. Techniques for mapping weed distribution and cover in bushland and wetlands* SOP No:22.1. Perth, WA.

Department of Environment and Conservation 1999, *Environmental Weed Strategy for Western Australia*, Department of Environment and Conservation, Perth, Western Australia.

Department of Indigenous Affairs *Aboriginal Heritage Act – Heritage Site Search* <<http://dia.wa.gov.au/en/Site-Search/>>

Department of Water (DoW) *Stormwater Management Manual for Western Australia*

Desmond, AJ & Heriot, SM (2002) *Fauna Monitoring of the Chapman Regional Wildlife Corridor*. Shire of Greenough, WA.

Ecoscope, (2010) *Geraldton Regional Flora and Vegetation Survey*. Western Australian Planning Commission.

Environmental Protection Authority 2004a, *Guidance for the Assessment of Environmental Factors: Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia*, Guidance Statement No. 56, Environmental Protection Authority, Perth, Western Australia.

Environmental Protection Authority 2004b, *Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment: Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia*, Guidance Statement No. 51, Environmental Protection Authority, Perth, Western Australia.

Environment Australia – Weeds found at

<<http://www.environment.gov.au/biodiversity/invasive/weeds/index.html>>

GHD. (2001). *Vegetation Quality and Assessment*. Chapman Regional Wildlife Corridor. Shire of Greenough & City of Geraldton.

Miradi Adaptive Management Software for Conservation Projects found at <https://miradi.org/>.

National Vegetation Information System (NVIS) (Natural Heritage Trust 2003). Found on world wide web <<http://www.environment.gov.au/erin/nvis/about.html>>. Australian Government.

Northern Agricultural Catchments Council (2012) *NACC Garden Guides*. NACC. Found at <<http://nacc.com.au/pages/4982/native-garden-guides>>

Siemon, N, 2013. *Draft Invasive Species Management Plan*. City of Greater Geraldton & the Shire of Chapman Valley, WA.,

Siemon, N.L. (2001) *Chapman River Foreshore Assessment*. Water and Rivers Commission WRM 23.

Siemon, N.L. (2002) *Foreshore Assessment Chapman River* – Chapman Wildlife Corridor Project. Shire of Greenough & City of Geraldton.

Shire of Greenough. 2005. *Greenough River Estuary Management Plan 2005 Update*. Shire of Greenough.

Water and Rivers Commission - Water Notes

<http://www.water.wa.gov.au/Managing+water/Rivers+and+estuaries/Restoring/Water+facts/default.aspx>

Water and Rivers Commission - Water Facts

<http://www.water.wa.gov.au/Managing+water/Rivers+and+estuaries/Restoring/Water+notes/default.aspx>

Water and Rivers Commission (2002) *Waterways River Restoration Manual*. River Restoration Series. Water and Rivers Commission.

<http://www.water.wa.gov.au/Search+results/default.aspx?q=river+restoration>

Water and Rivers Commission (2001) *Planning for Waterways Management Guidelines for Preparing a River Action Plan*. Water and Rivers Commission. Report No. RR14.

Weeds Australia (undated) (online). *Weeds Australia*. Available World Wide Web: <<http://www.weeds.org.au>>

Western Australian Herbarium, CALM (undated) (online). *Florabase*. Available World Wide Web: <<http://www.florabase.calm.wa.gov.au>>

Western Australian Planning Commission (2011) *Directions Paper on the Integration of NRM into Land Use Planning*.

Yamatji Land and Sea Council. Community Guide *Cultural Advice for people working with Aboriginal people in the Pilbara and Yamatji region*. Found at <<http://www.yamatji.org.au/go/information-centre/factsheets-and-forms>>

Yamatji Land and Sea Council. Community Guide *Research Heritage and Community*. Found at <<http://www.yamatji.org.au/go/information-centre/factsheets-and-forms>>

References

Department of Environment and Conservation. (2011) *Biodiversity Standard Operating Procedure. Techniques for mapping weed distribution and cover in bushland and wetlands* SOP No:22.1. Perth, WA.

Department of Environment and Conservation 1999, *Environmental Weed Strategy for Western Australia*, Department of Environment and Conservation, Perth, Western Australia.

Department of Indigenous Affairs website found at <www.dia.wa.gov.au>

Environment Australia. 2002. *Threat Abatement Plan for Dieback caused by the root-rot fungus *Phytophthora cinnamomi**. Commonwealth of Australia. ISBN 0 642 248633.

Environmental Protection Authority 2004a, *Guidance for the Assessment of Environmental Factors: Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia*, Guidance Statement No. 56, Environmental Protection Authority, Perth, Western Australia.

Environmental Protection Authority 2004b, *Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment: Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia*, Guidance Statement No. 51, Environmental Protection Authority, Perth, Western Australia.

Swan River Trust (2012) *Guidelines for developing foreshore management plans in the Swan Canning Riverpark Part A*. Swan River Trust, Perth, WA.

Swan River Trust (2012) *Guidelines for developing foreshore restoration plans in the Swan Canning Riverpark Part B*. Swan River Trust, Perth, WA.

Water and Rivers Commission (2002) *Waterways River Restoration Manual*. River Restoration Series. Water and Rivers Commission.

Water and Rivers Commission (2001) *Planning for Waterways Management Guidelines for Preparing a River Action Plan*. Water and Rivers Commission. Report No. RR14.

Yamatji Land and Sea Council's website found at <www.yamatji.org.au>

APPENDIX 2 – Public Open Space Locality Maps



REGIONAL OPEN SPACE

Regional open space may accommodate important recreation and organized sport spaces as well as significant conservation and/or environmental features. They may provide substantial facilities for organised sport, play, social interaction, relaxation, and enjoyment of nature. Regional open space can assist to protect biodiversity conservation and environmental values through retention of bushland, wetlands and other natural features. Areas include those shown on the Greater Geraldton Structure Plan 2011.



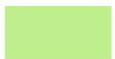
ACTIVATED REGIONAL OPEN SPACE

Regional open space is considered 'activated' if it contains recreational facilities/infrastructure and is regularly maintained and serviced by the City.



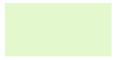
DISTRICT OPEN SPACE

District open space is principally designed to provide for organized formal sport. They will very likely include substantial recreation space and some nature space. Their design and function should consider biodiversity principles and environmental management goals. District open space serves several neighbourhoods with players and visitors travelling from surrounding districts.



NEIGHBOURHOOD OPEN SPACE

Neighbourhood open spaces serve as the recreational and social focus of a community. Residents are attracted by the variety of features and facilities and opportunities to socialise. They can assist to engender sense of place and protect specific conservation values through retention of nature spaces. Neighbourhood open space may be used for junior sport or sports training if appropriate space is available.



LOCAL OPEN SPACE

Local open space is usually small parklands that service the recreational needs of the immediate residential population. They are primarily used for recreation and may include small areas of nature space. Local open spaces are unlikely to be used for any formal or informal sport.



CONSERVATION

Conservation areas represent intact or rehabilitated examples of the Western Australian natural environment such as bushland, wetlands and coastal habitats. These areas have been set aside for conservation to preserve biodiversity and wildlife habitats. Any site development should be considerate of the conservation intent of these areas. Appropriate levels of public access will be determined and managed. Recreation is to be strictly limited to uses that have low impact on the area.



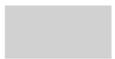
FUTURE OPEN SPACE

Future open space areas that are not as yet created but are shown on an endorsed structure plan.



RESIDUAL

Areas of open space that are either too small to accommodate sustainable public open space or are considered surplus to the overall open space requirements for a locality. The revenue generated from their disposal could be directed into upgrades or acquisition of public open space in the locality.



DEDUCTIONS

Deductions from the locality area used to determine the gross subdivisible area. Deductions include non-residential land uses that do not generate the need for a contribution to public open space (such as major roads, schools, drainage sumps, regional open space, industrial, rural-residential and commercial areas).



GROSS SUBDIVISIBLE AREA

The area of a locality minus any deductions. This area is then used to calculate the percentage of public open space.



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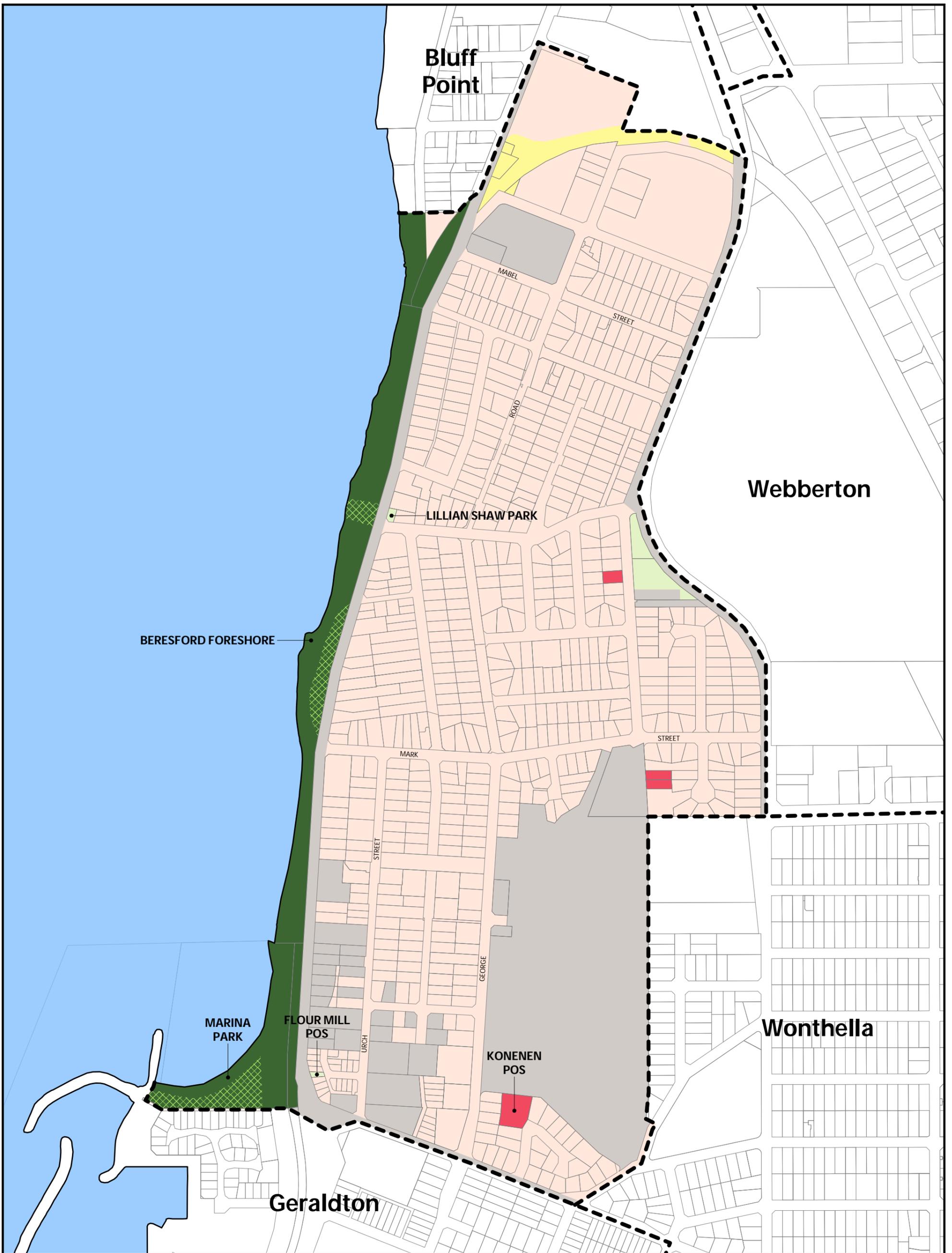
LEGEND

- Activated Regional Open Space
- District Open Space
- Local Open Space
- Future Open Space
- Deductions
- Regional Open Space
- Neighbourhood Open Space
- Conservation
- Residual
- Gross Subdivisible Area

Public Open Space Strategy

BEACHLANDS

Date: 06-May-13 Revision: Draft



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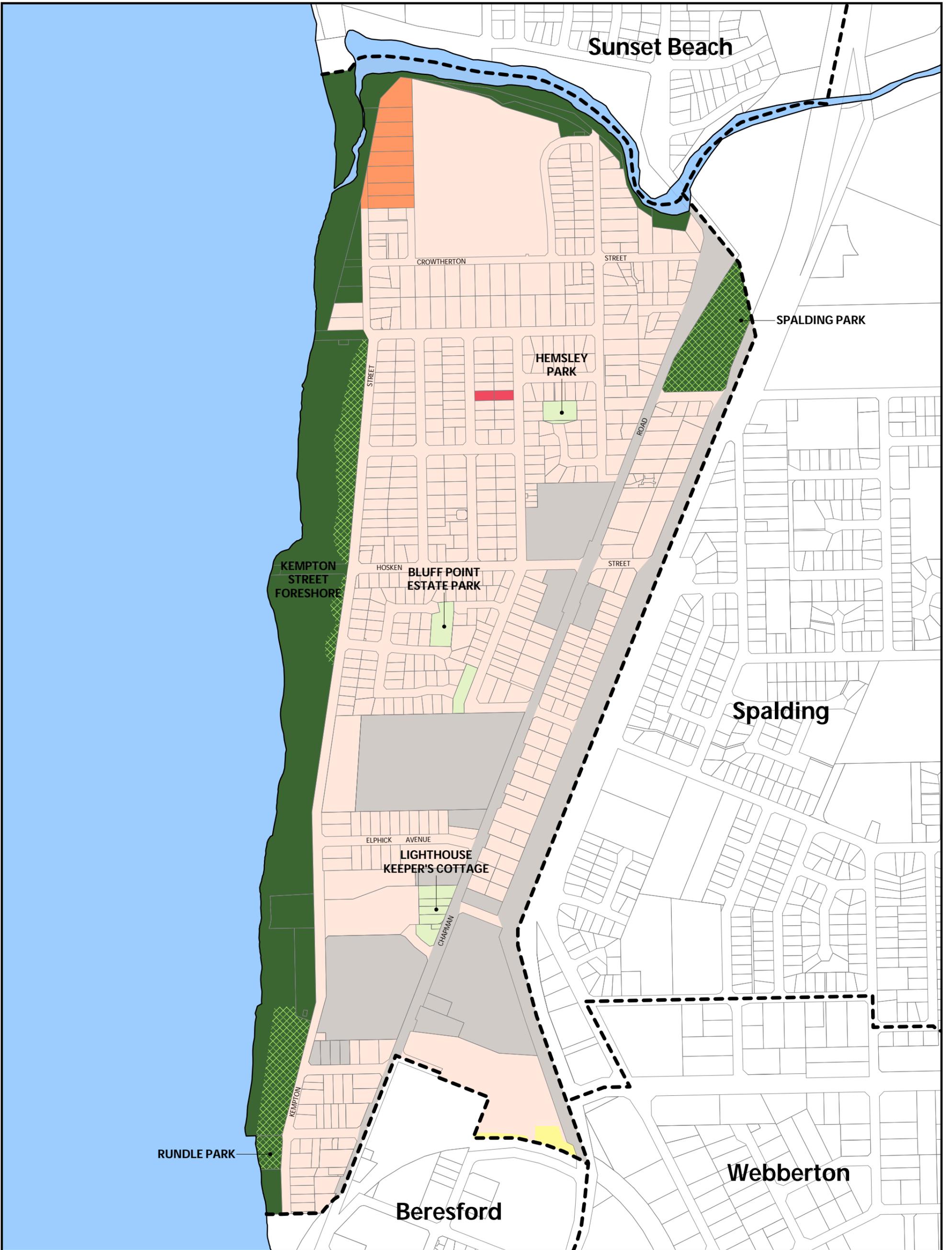
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Public Open Space Strategy

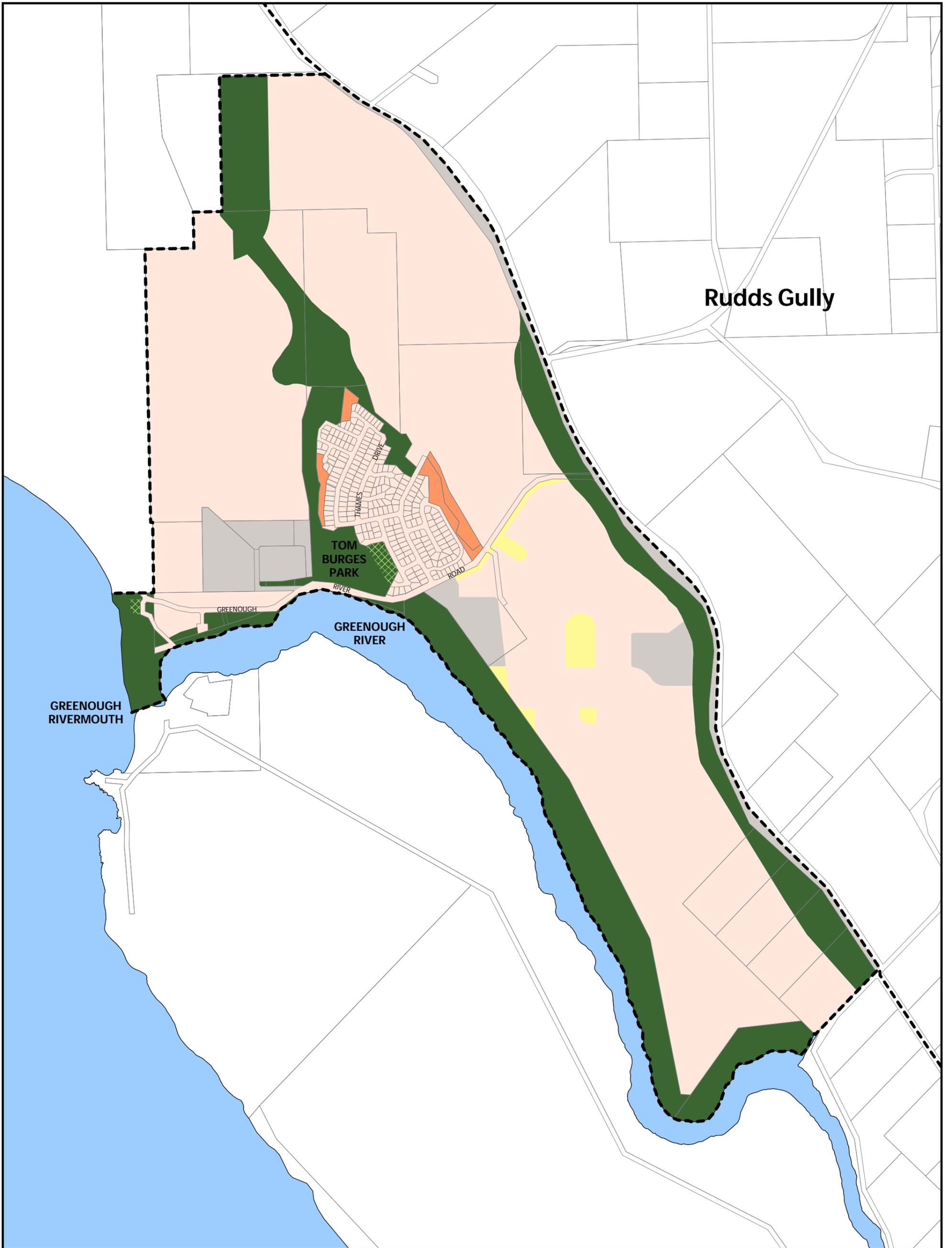
BERESFORD

Date: 06-May-13 Revision: Draft



LEGEND

	Activated Regional Open Space		Regional Open Space
	District Open Space		Neighbourhood Open Space
	Local Open Space		Conservation
	Future Open Space		Residual
	Deductions		Gross Subdivisible Area



LEGEND

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- Gross Subdivisible Area

Public Open Space Strategy
CAPE BURNEY



Map produced by the City of Greater Geraldton

LEGEND

Activated Regional Open Space	Regional Open Space
District Open Space	Neighbourhood Open Space
Local Open Space	Conservation
Future Open Space	Residual
Deductions	Gross Subdivisible Area

Public Open Space Strategy
DRUMMOND COVE

Date: 18-Apr-13 Revision: Draft



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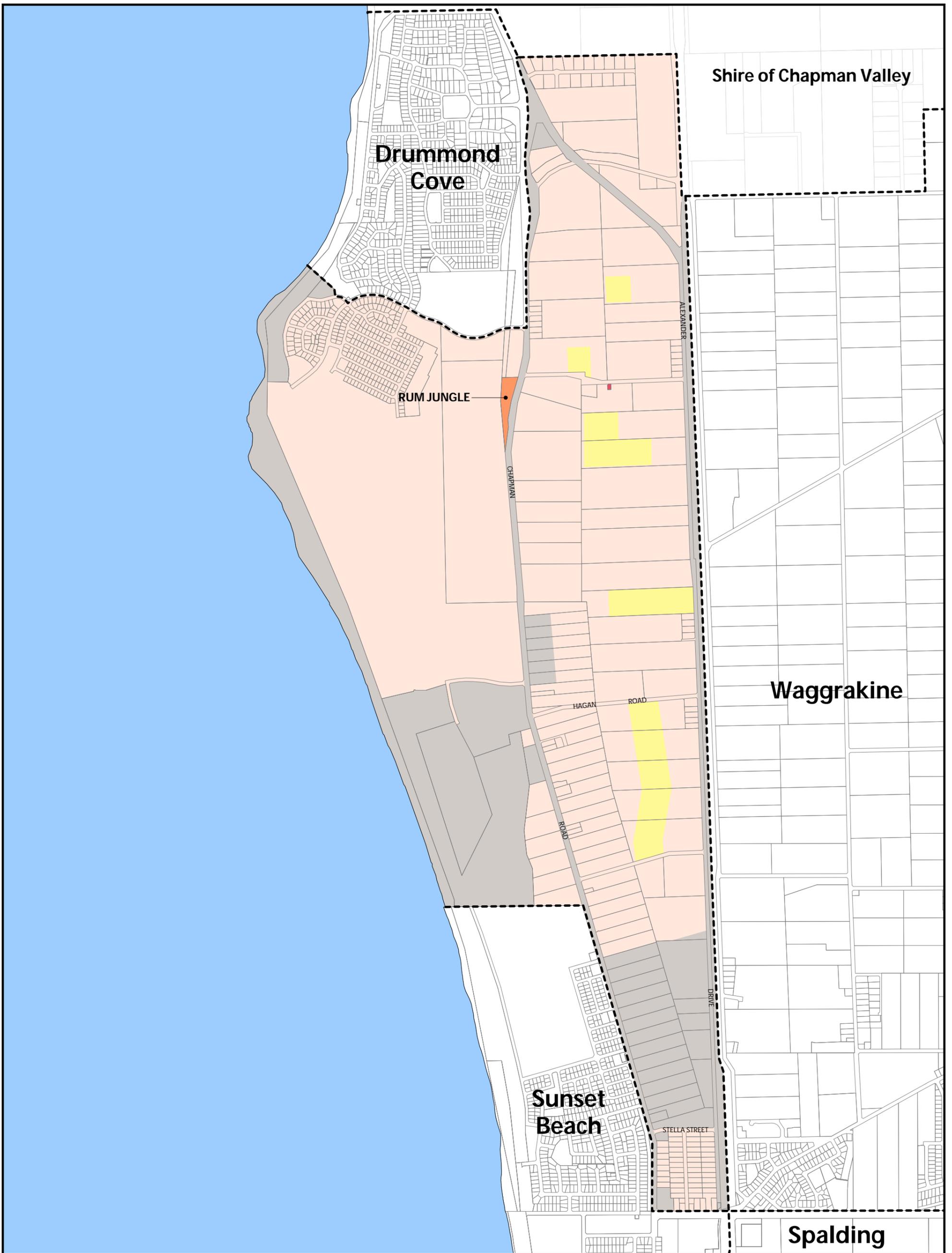
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Public Open Space Strategy

GERALDTON

Date: 18-Apr-13 Revision: Draft



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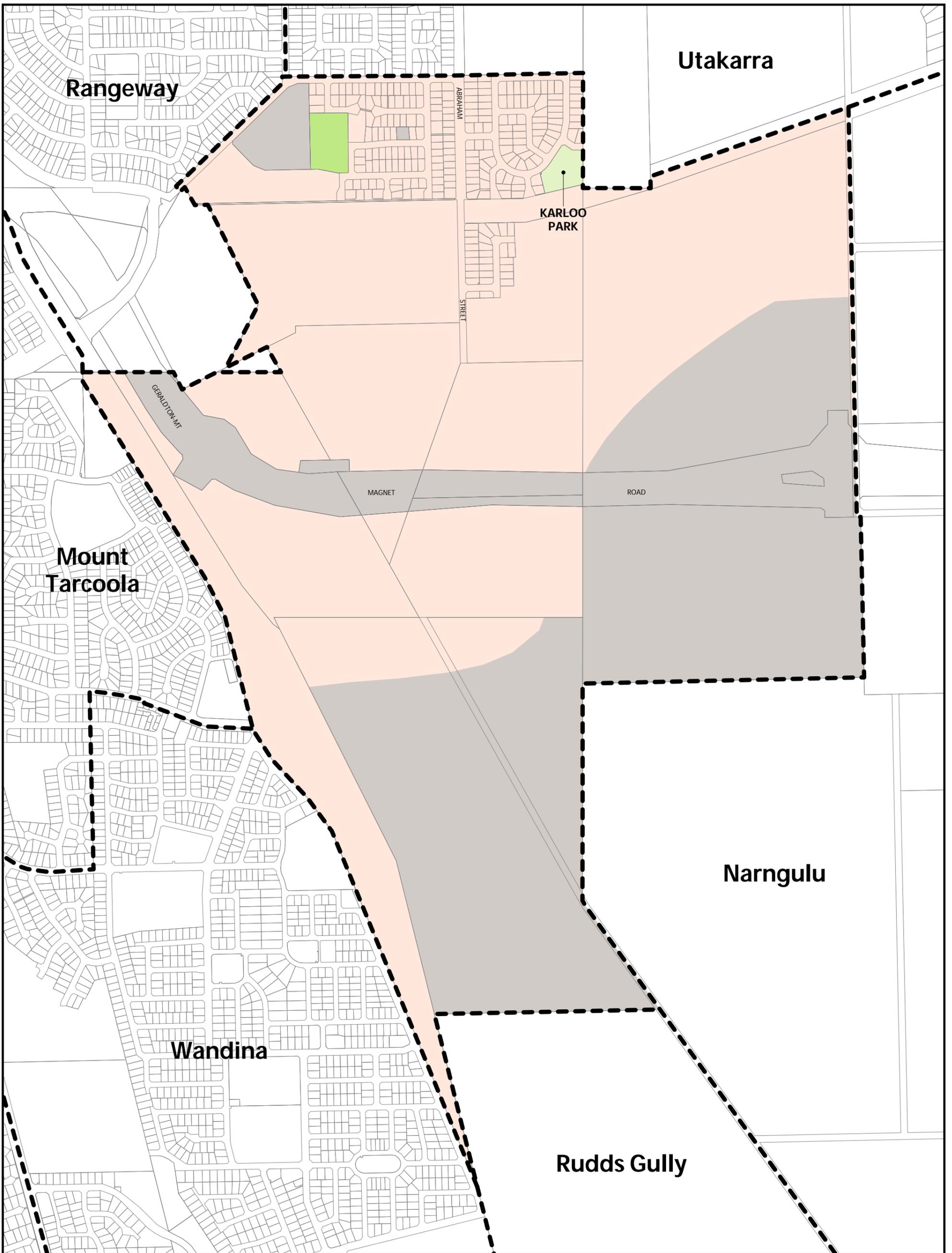
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Public Open Space Strategy

GLENFIELD

Date: 18-Apr-13 Revision: Draft



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LEGEND

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Public Open Space Strategy

KARLOO

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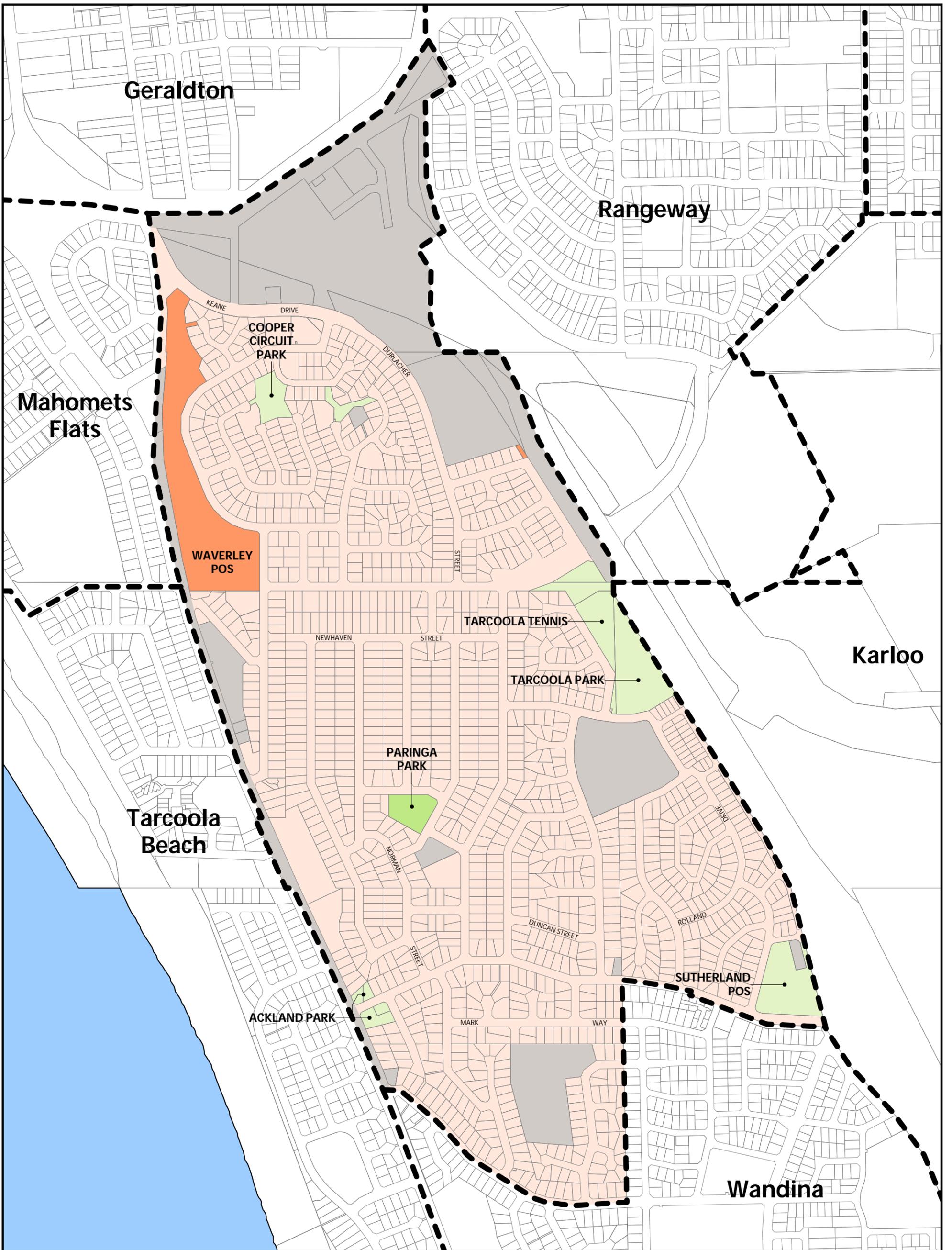
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Public Open Space Strategy

MAHOMET'S FLATS

Date: 06-May-13 Revision: Draft



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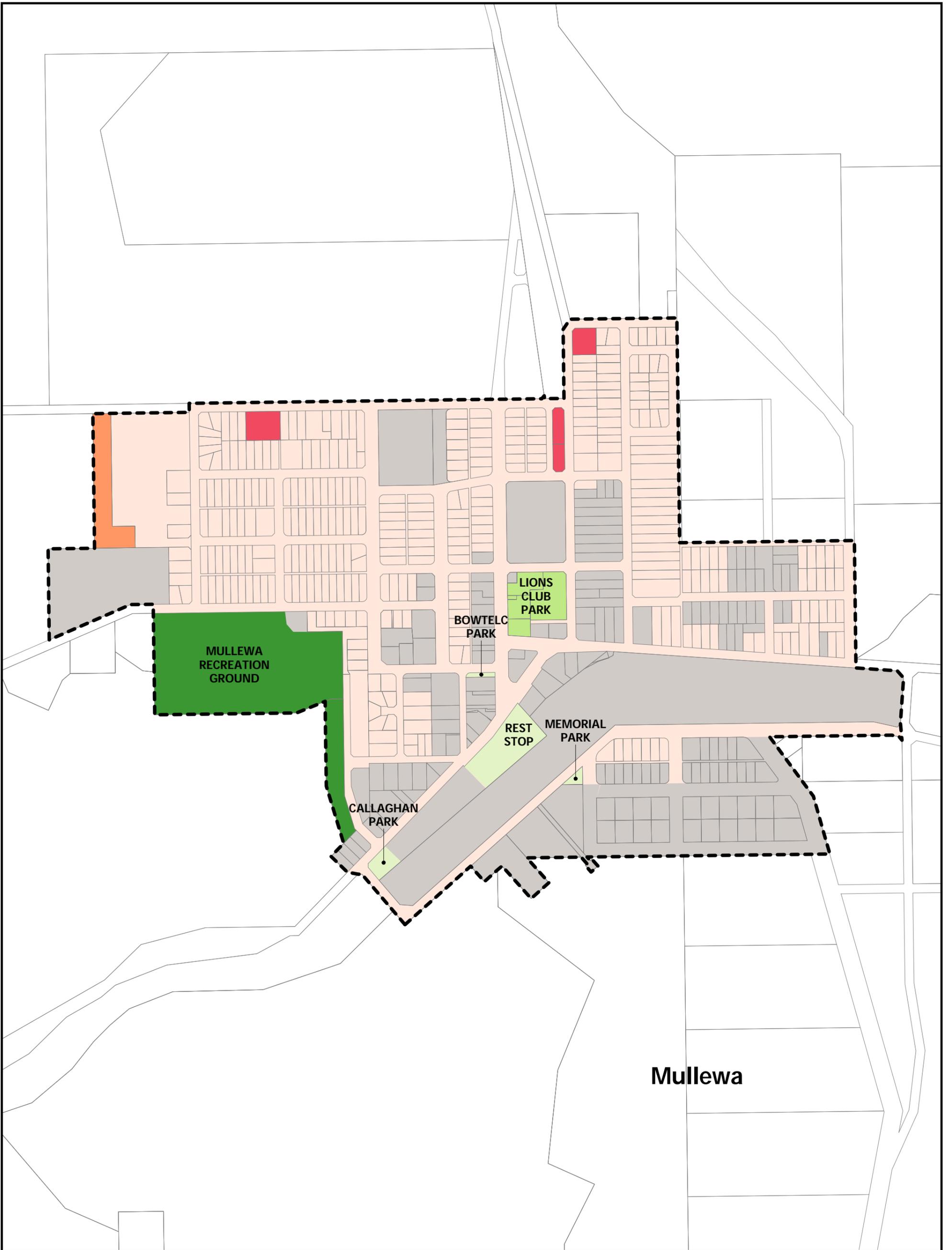
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Public Open Space Strategy

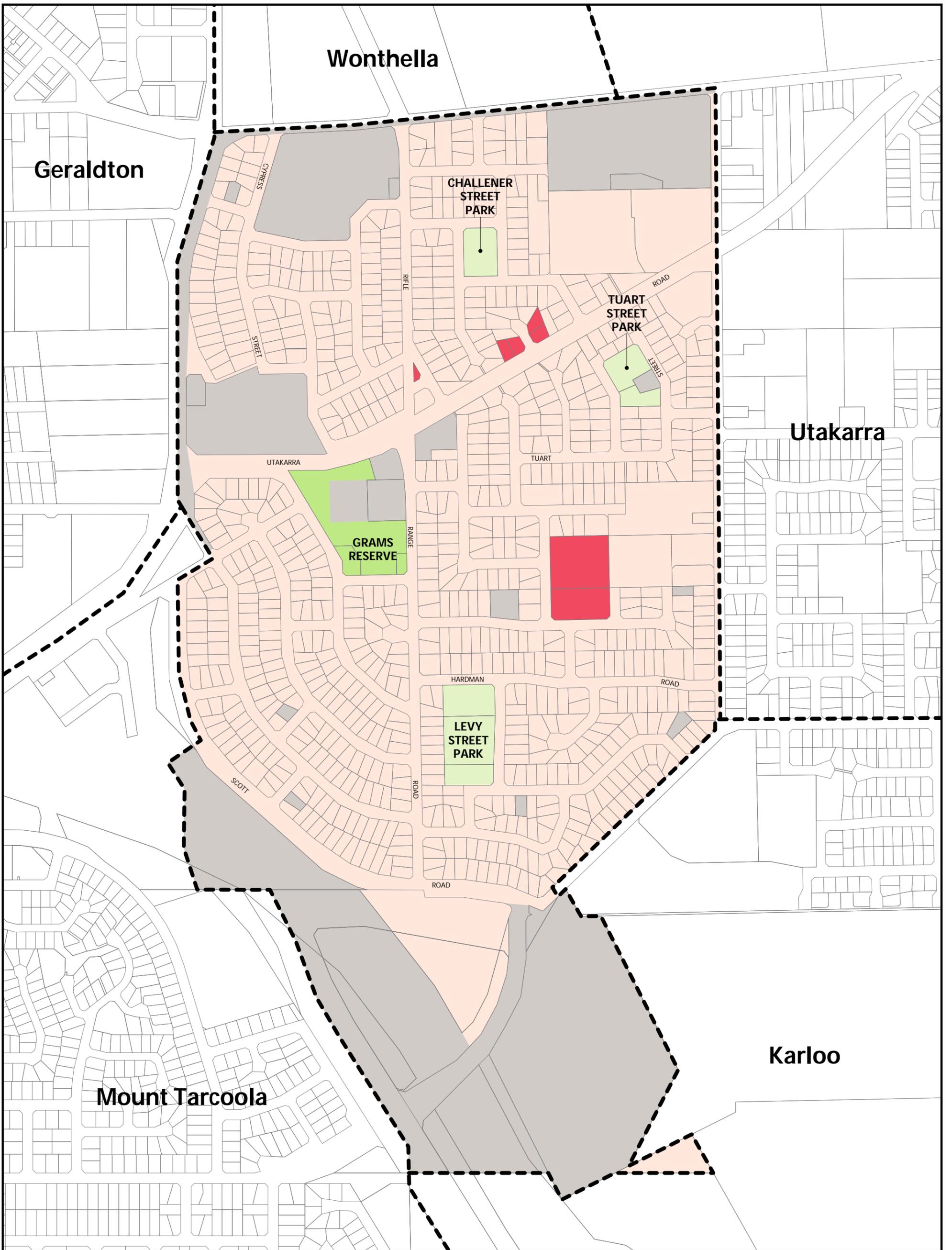
Mount Tarcoola

Date: 19-Apr-13 Revision: Draft



LEGEND

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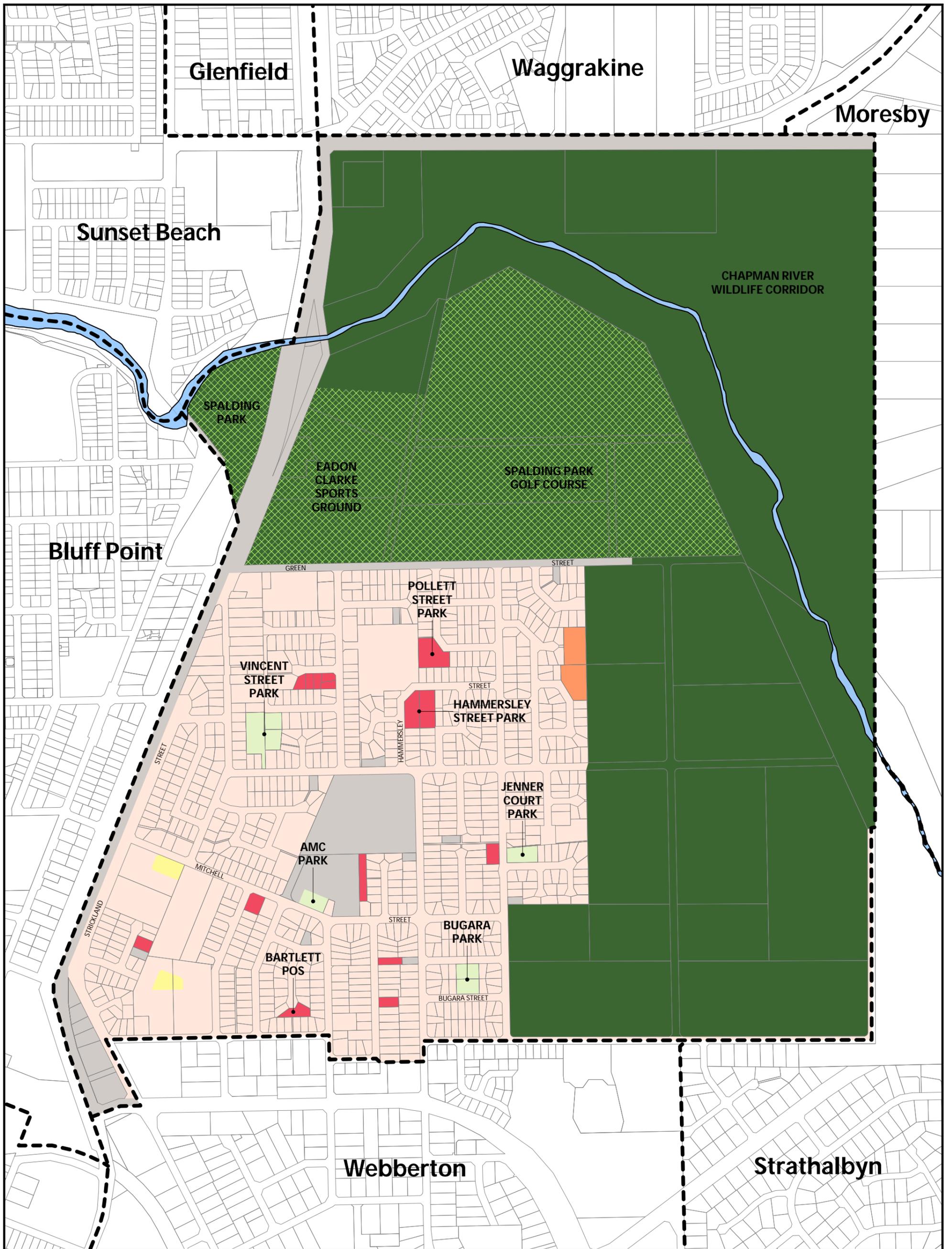
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Public Open Space Strategy

RANGEWAY

Date: 06-May-13 Revision: Draft



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LEGEND

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Public Open Space Strategy

SPALDING

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LEGEND

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Public Open Space Strategy

STRATHALBYN

Date: 19-Apr-13 Revision: Draft



LEGEND

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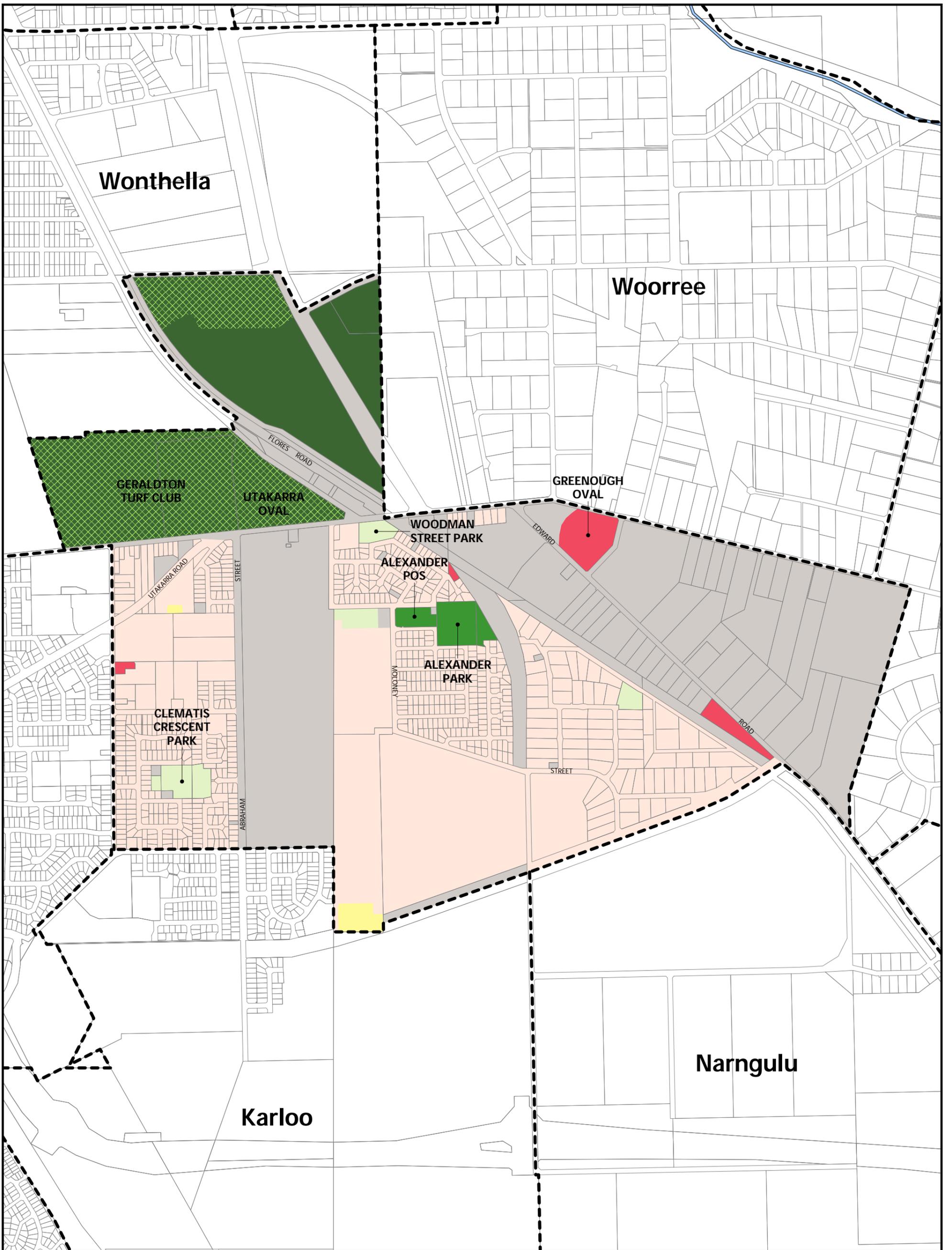
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Public Open Space Strategy

TARCOOLA BEACH

Date: 19-Apr-13 Revision: Draft



Map produced by the City of Greater Geraldton

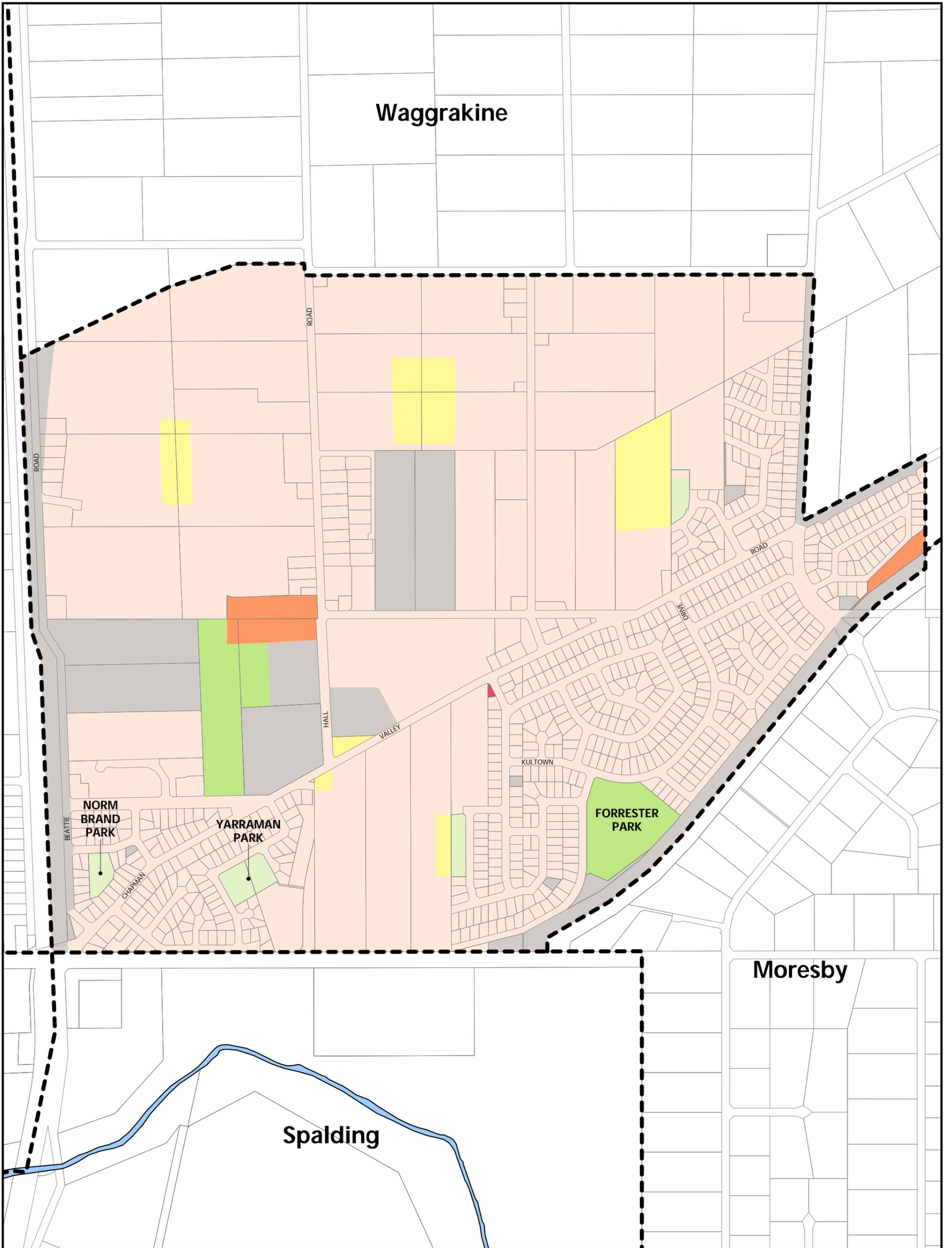
LEGEND

- Activated Regional Open Space
- District Open Space
- Local Open Space
- Future Open Space
- Deductions
- Regional Open Space
- Neighbourhood Open Space
- Conservation
- Residual
- Gross Subdivisible Area

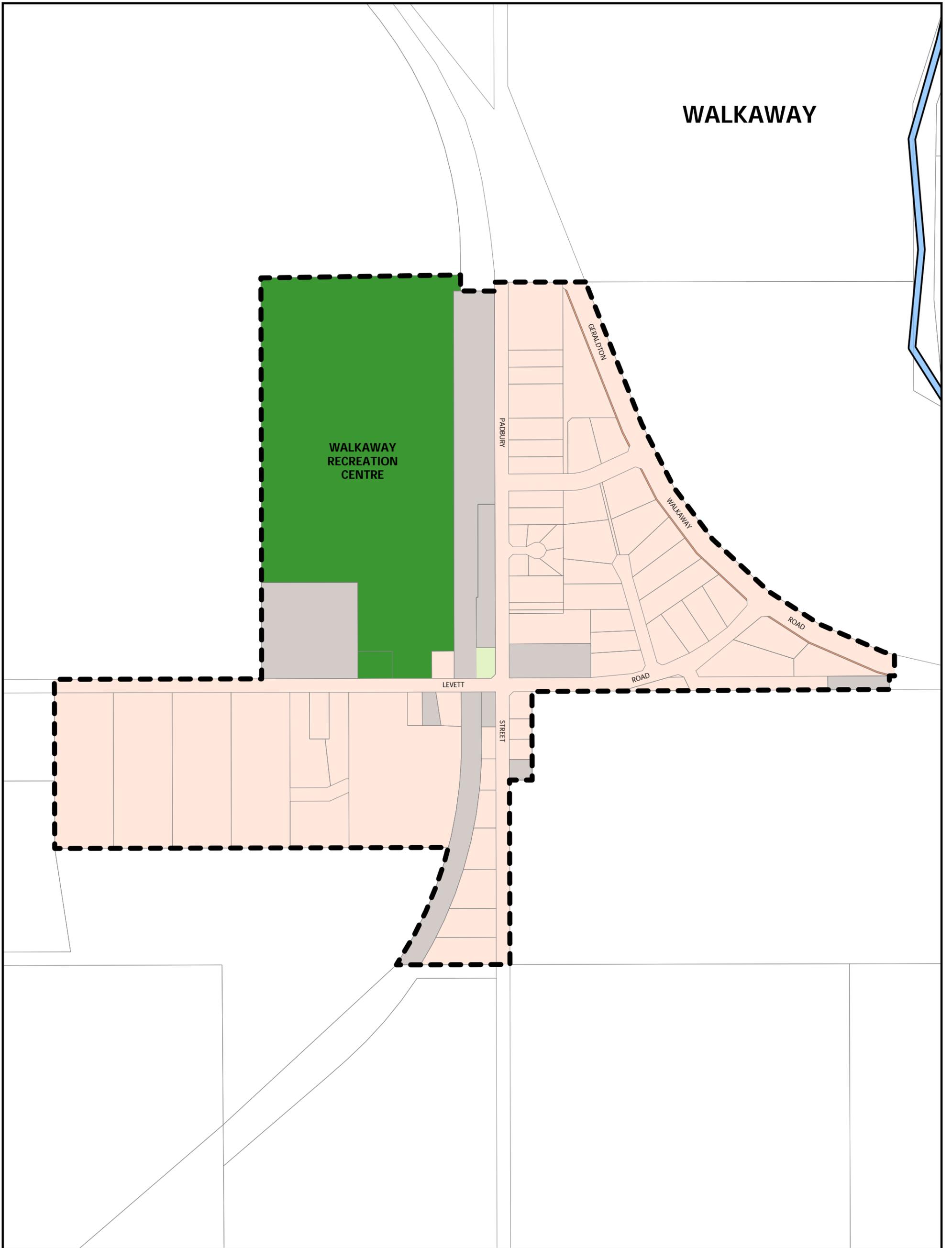
Public Open Space Strategy

UTAKARRA

Date: 06-May-13 Revision: Draft



WALKAWAY



LEGEND

- Activated Regional Open Space
- District Open Space
- Local Open Space
- Future Open Space
- Deductions
- Regional Open Space
- Neighbourhood Open Space
- Conservation
- Residual
- Gross Subdivisible Area

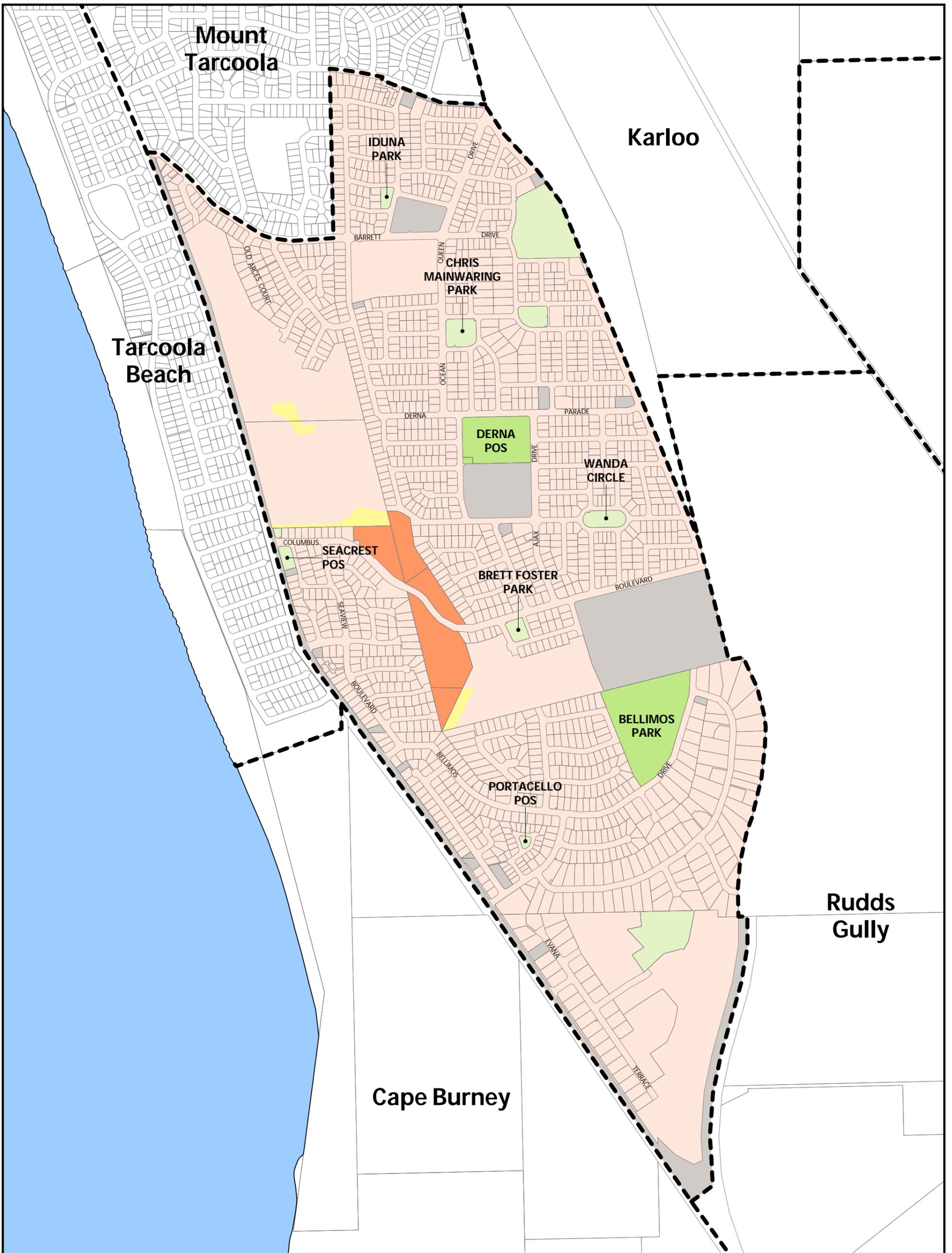


Map produced by the City of Greater Geraldton

Public Open Space Strategy

WALKAWAY

Date: 06-May-13 Revision: Draft



Map produced by the City of Greater Geraldton

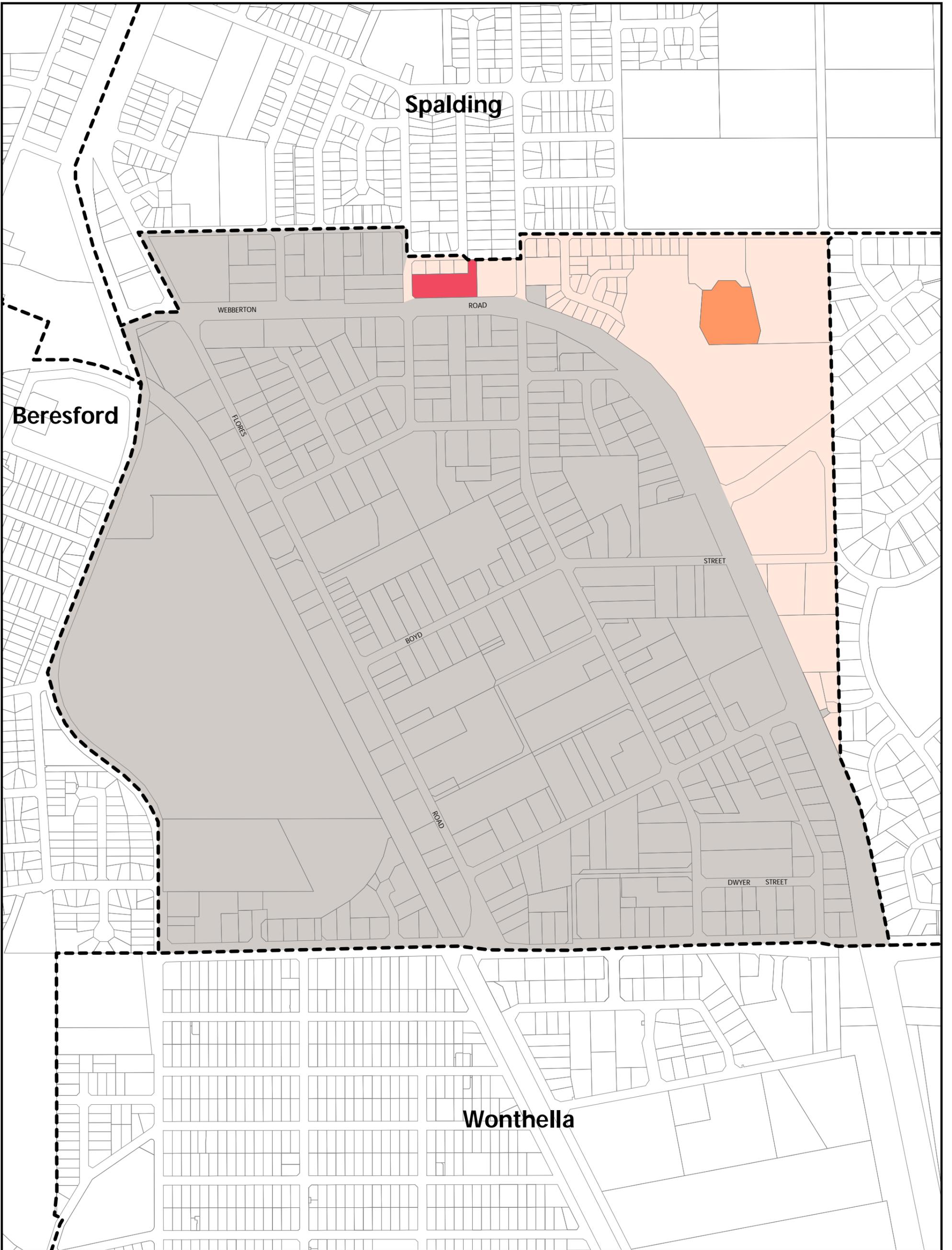
LEGEND

- Activated Regional Open Space
- District Open Space
- Local Open Space
- Future Open Space
- Deductions
- Regional Open Space
- Neighbourhood Open Space
- Conservation
- Residual
- Gross Subdivisible Area

Public Open Space Strategy

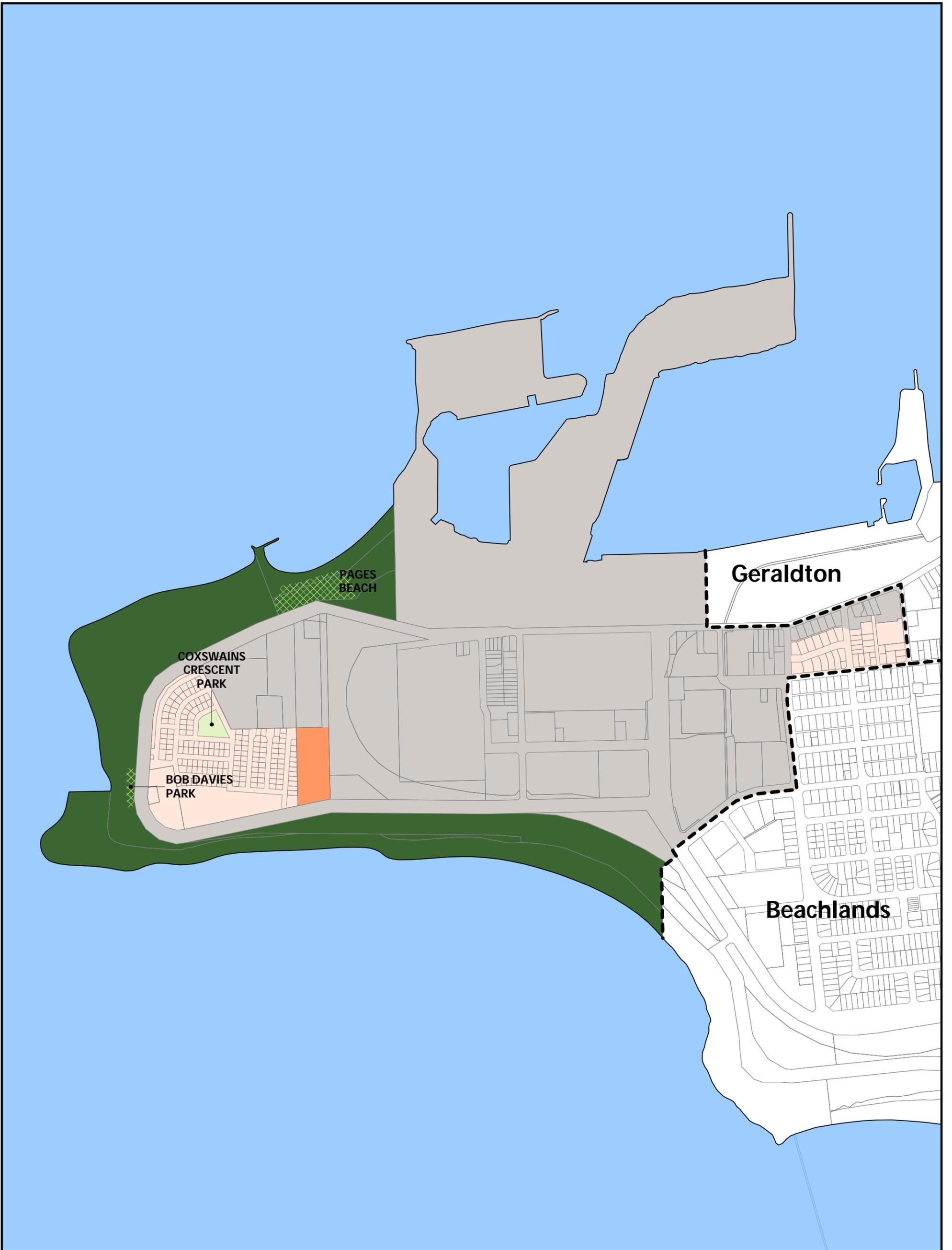
WANDINA

Date: 22-Apr-13 Revision: Draft



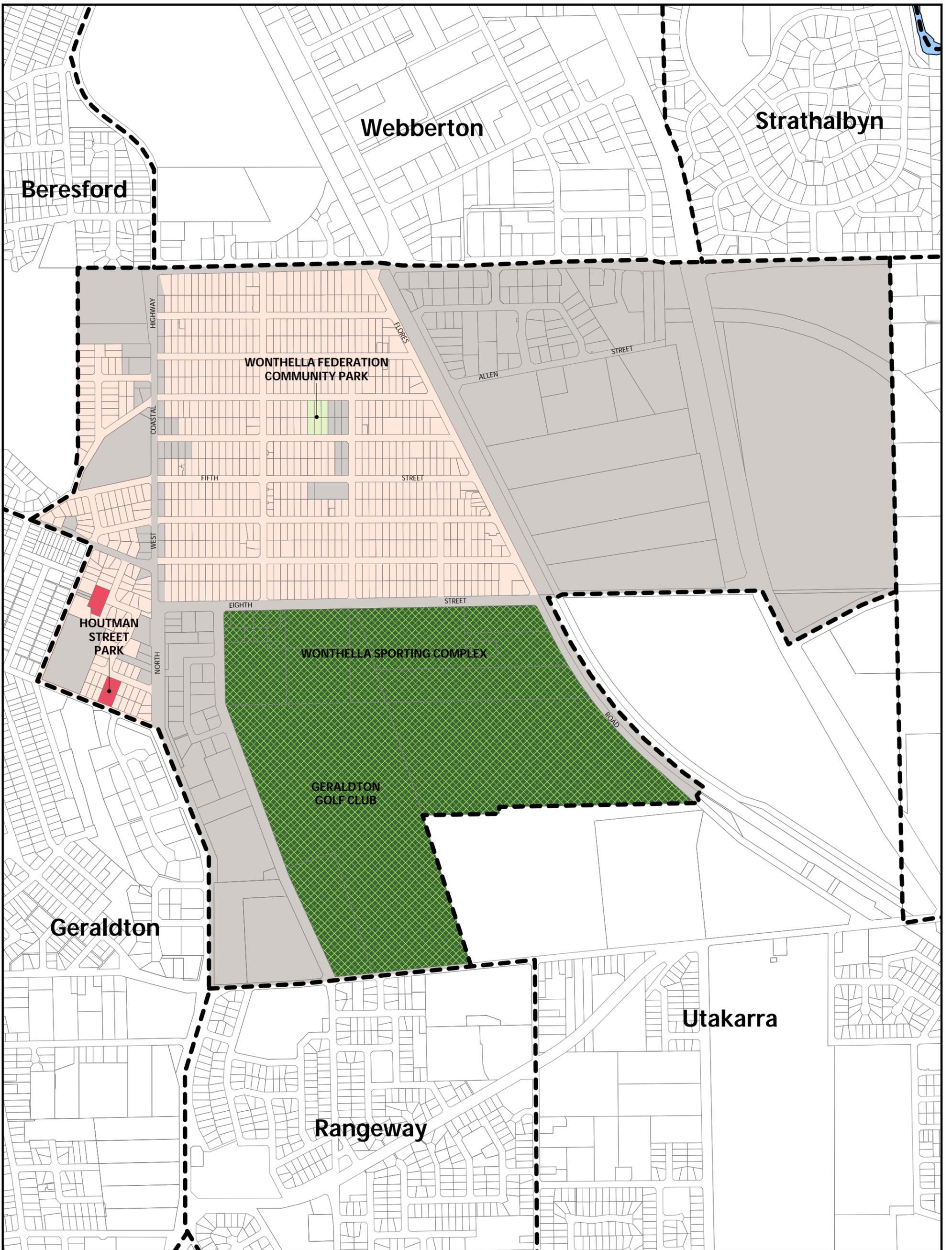
LEGEND

Activated Regional Open Space	Regional Open Space
District Open Space	Neighbourhood Open Space
Local Open Space	Conservation
Future Open Space	Residual
Deductions	Gross Subdivisible Area



LEGEND

- Activated Regional Open Space
- District Open Space
- Local Open Space
- Future Open Space
- Deductions
- Regional Open Space
- Neighbourhood Open Space
- Conservation
- Residual
- Gross Subdivisible Area



Map produced by the City of Greater Geraldton

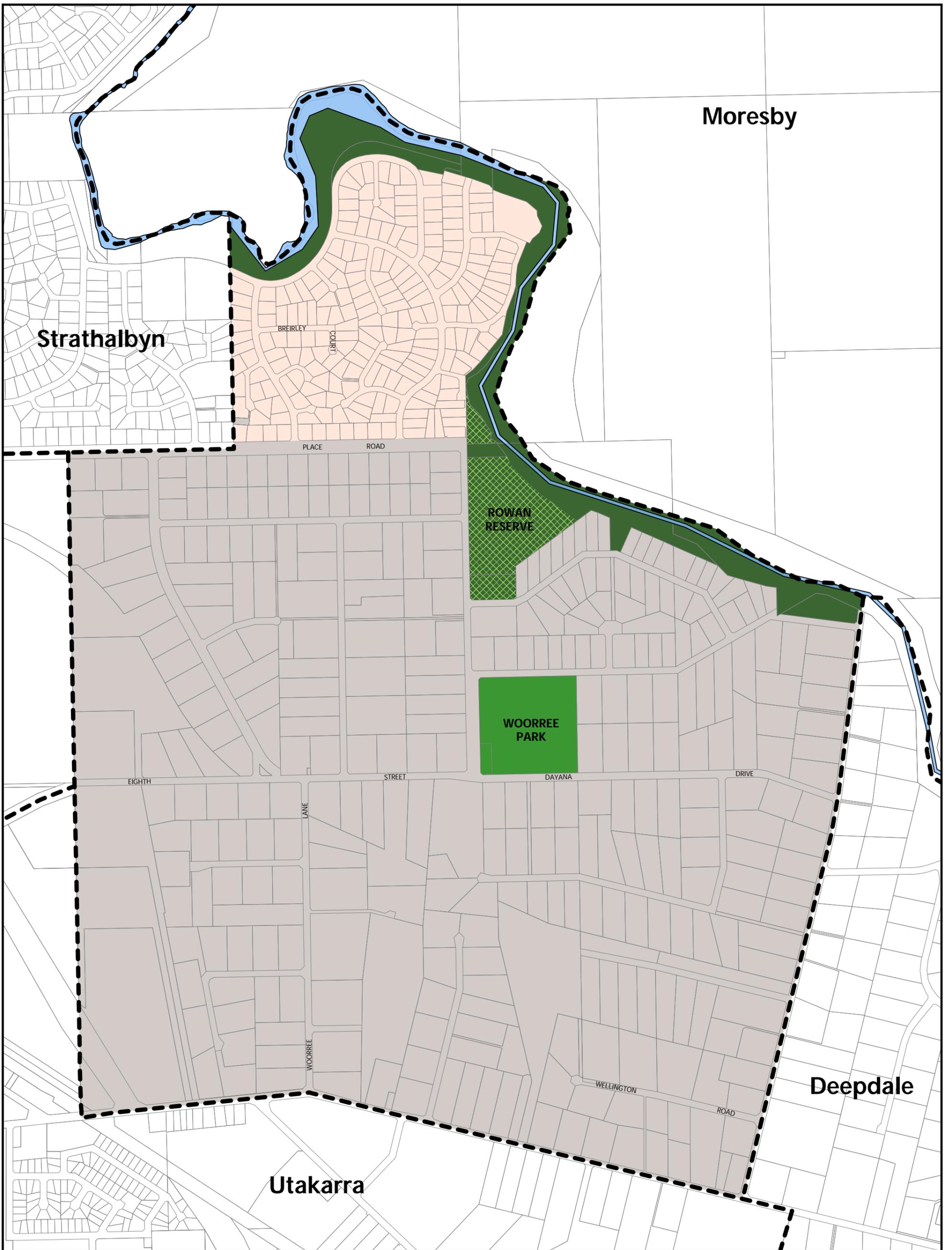
LEGEND

- Activated Regional Open Space
- District Open Space
- Local Open Space
- Future Open Space
- Deductions
- Regional Open Space
- Neighbourhood Open Space
- Conservation
- Residual
- Gross Subdivisible Area

Public Open Space Strategy

WONHELLA

Date: 06-May-13 Revision: Draft



Map produced by the City of Greater Geraldton

LEGEND

- Activated Regional Open Space
- District Open Space
- Local Open Space
- Future Open Space
- Deductions
- Regional Open Space
- Neighbourhood Open Space
- Conservation
- Residual
- Gross Subdivisible Area

Public Open Space Strategy

WOORREE

Date: 23-Apr-13 Revision: Draft

ITEM NO: 9.5

SUBDIVISION TO CREATE 2 LOTS: LOT 5 ORANGE VALLEY ROAD, KALAMUNDA

WAPC OR COMMITTEE:	Statutory Planning Committee
REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Planning Manager, Metropolitan Planning North East, Perth and Peel Planning
AUTHORISING OFFICER:	A/Director, Metropolitan Planning North East, Perth and Peel Planning
AGENDA PART:	G
FILE NO:	148343
DATE:	20 November 2013
ATTACHMENT(S):	1 - Subdivision Plan 2 - Location/Zoning Map 3 - Aerial Photograph
REGION SCHEME ZONING:	Urban
LOCAL GOVERNMENT:	Shire of Kalamunda
LOCAL SCHEME ZONING:	Residential R5
LGA RECOMMENDATION(S):	Refusal
REGION DESCRIPTOR:	Perth Metro North East
RECEIPT DATE:	28 June 2013
PROCESS DAYS:	84 days
APPLICATION TYPE:	Subdivision
CADASTRAL REFERENCE:	Lot 5 (50) Orange Valley Road, Kalamunda

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the application for subdivision of Lot 5 Orange Valley Road, Kalamunda into 2 lots as shown on the plans date stamped 28 June 2013, subject to the following conditions and advice:

- 1. The battleaxe access way to Lot 55 being increased to a minimum width of 6m to the specifications of the Shire of Kalamunda and the satisfaction of the Western Australian Planning Commission. (Local Government)***
- 2. The plan of subdivision is to be modified so that no lot is less than 2000m² in area. (Local Government)***

-
3. **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)**
 4. **Prior to commencement of subdivisional works, a detailed plan identifying building envelopes on proposed lot 56 on the approved plan of subdivision is to be prepared in consultation with the local government to ensure long term onsite effluent disposal is achieved, to the satisfaction of the Western Australian Planning Commission. (Local Government)**
 5. **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.'

'An Alternative Treatment System is required to be installed on the lot.'
(Local Government)
 6. **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)
 7. **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)
 8. **Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the Planning and Development Act 2005. (Local Government)**

-
9. ***The proposed access way being constructed and drained at the landowner/applicant's cost to the specifications of the local government. (Local Government)***
 10. ***Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)***
 11. ***A 2.12 metre truncation is to be provided at the junction of the access way and the Orange Valley road reserve. (Local Government)***
 12. ***Redundant vehicle crossover(s) to be removed and the kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction of the Western Australian Planning Commission and to the specifications of the local government. (Local Government)***
 13. ***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)***
 14. ***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)***
 15. ***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)***
 16. ***A fire management plan being prepared, approved and relevant provisions implemented during subdivisional works, in accordance with the WAPC's Guideline Planning for Bushfire Protection Edition 2, May 2010 (in particular Appendix 3) to the specifications of the local government. (Local Government)***
 17. ***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:

'The lot(s) is/are subject to a fire management plan.' (Local Government)***

ADVICE:

1. ***In regard to Condition 3, 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.***

-
2. ***In relation to Condition 4, the building envelope plan is to include the identification of an effluent disposal envelope to the specifications of the Shire of Kalamunda.***
 3. ***The landowner/applicant is advised that the Department of Environment and Conservation has prepared dust control guidelines for development sites, which, outline the procedures for the preparation of dust management plans. The dust management plans are generally approved, and their implementation overseen, by Local Government. Further information on the guidelines can be obtained from the Department of Environment and Conservation's website www.dec.wa.gov.au under air quality publications.***
 4. ***In regard to Conditions 13 and 14, 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.***
 5. ***In regard to Condition 15, Western Power provides only one underground point of electricity supply per freehold lot.***

SUMMARY:

This application proposes the subdivision of Lot 5 Orange Valley Road, Kalamunda into two lots in a battleaxe configuration. The application is presented to the Statutory Planning Committee as approval is recommended, however the application does not comply with the hazard separation requirements of the *Planning for Bush Fire Protection guidelines*.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:

Planning and Development Act 2005

Part 10

Strategic Plan

Strategic Goal:

Planning

Outcomes:

Effective Delivery of Integrated Plans

Strategies:

Implement State and Regional Planning priorities

Policy

Number and / or Name:

Planning for Bush Fire Protection Guidelines
(Edition 2)

State Planning Policy 3.1 - Residential Design
Codes

Development Control Policy 1.1 - Subdivision of
Land - General Principles

INTRODUCTION:

The proposal seeks approval to subdivide Lot 5 Orange Valley Road, Kalamunda (6162m²) to create two lots of 2542m² and 3619m² in a battleaxe configuration. The existing dwelling is to be retained on the proposed battleaxe lot. (**Attachment 1** - Subdivision Plan)

The subject site is zoned 'Residential R5' under the Shire of Kalamunda Local Planning Scheme No.3 (LPS 3) and 'Urban' under the Metropolitan Region Scheme (MRS). (**Attachment 2** - Location Plan/Zoning Map & **Attachment 3** - Aerial Photograph).

A minor creek traverses the front portion of the subject land. The land rises approximately 10m from front to rear.

CONSULTATION:

The Shire of Kalamunda has recommended the application be refused for the following reasons;

1. *"The proposed subdivision is inconsistent with State Planning Policy No. 3.4 - Natural Hazards and Disasters and the Planning for Bush Fire Protection Guidelines - Edition 2 which seeks to avoid increased fire risk to life and property through inappropriately located or designed land use, subdivision and development.*
2. *Approval to the subdivision would set an undesirable precedent for the further Subdivision of other lots inconsistent with State Planning Policy No. 3.4 - Natural Hazards and Disasters and the Planning for Bush Fire Protection Guidelines - Edition 2.*

Advice

- a) *With regard to Refusal Reason 1, the applicant is advised that the proposed lots do not achieve adequate hazard separation as required under A4.1 Hazard Separation - moderate to extreme bush fire hazard level which requires that buildings be sited a minimum distance of 100 metres from the moderate or extreme bushfire hazard."*

The Shire of Kalamunda has also provided recommended conditions in the event that the Western Australian Planning Commission (WAPC) approves the application.

Western Power and the Water Corporation have raised no objections to the proposal, subject to servicing conditions.

The Department of Health (DoH) has no objection to the proposal subject to the existing on-site wastewater disposal system serving the existing development being contained within the lot boundaries and having the required setbacks to the new development. This can be addressed through a model subdivision condition.

COMMENTS:

Planning for Bush Fire Protection Guidelines (PBFPG)

The WAPC's *Planning for Bush Fire Protection Guidelines - Edition 2* (the Guidelines) sets out a range of matters that need to be addressed at various stages of the planning process to provide an appropriate level of protection to life and property from bush fires and avoid inappropriately located or designed land use, subdivision and development on land where a bush fire risk is identified. The relevant provisions of the Guidelines relating to the proposal include:

- Building Protection and Hazard Separation areas; and
- Suitability of battleaxe lots and associated access way width;

Hazard Separation and Building Protection

The Shire of Kalamunda's draft Fire Risk Mapping, which is yet to be finalised, identifies the subject land and land immediately to the north, south and east as being within a 'moderate' fire risk area. The land to the west is identified as an 'extreme' fire risk area, and is an unvested Crown reserve (Reserve 28532) for the purpose of 'Government Requirements'.

The Guidelines (A4.1) require a minimum 100 metres hazard separation from any areas classified as having a moderate or extreme bush fire hazard level. Given the proposed lots are within 100 metres of areas identified as having a moderate to extreme bush fire hazard that are also outside of the application area, this requirement cannot be met. The Guidelines provide for a reduction in the hazard separation, where dwellings are constructed in accordance with AS 3959. However there is no ability to require construction in accordance with the AS 3959 in this instance, as there are currently no provisions with the local planning scheme or an endorsed structure plan relating to the area requiring compliance. Based on previous advice from the State Solicitor's Office, these are the only mechanisms currently available within the planning system to implement AS 3959.

The subject land is located within an established residential area with most lots between 1000m² to just over 2000m². These lots generally having a 'low' bush fire hazard level. However, the majority of the properties abutting the subject land are heavily vegetated and represent a greater fire risk. The proposed new vacant lot is located further from the 'extreme' bush fire hazard than the existing dwelling on the site, approximately 45-105m.

Given the Residential zoning and existing subdivision and development in accordance with this zoning, and the location of the proposed lot further from the 'extreme' bush fire hazard area than the existing dwelling, the proposed subdivision is considered to provide an adequate hazard separation in this instance. It is recommended that a condition be imposed requiring the preparation and implementation of a fire management plan to ensure that additional building protection and hazard separation measures are undertaken within the proposed lots.

Battleaxe Lots

In relation to battleaxe lots, the Guidelines state that:

"Where possible battleaxe lots should be avoided in areas that are subject to a bushfire hazard level of moderate or extreme".

In this case, the existing dwelling is located at the rear of the site and the battleaxe lot is necessary to enable the dwelling to be retained. There are existing battleaxe lots within the vicinity, including the property immediately to the northeast of the subject land. Where battleaxe access ways are provided, the Guidelines requires for a maximum length of 200m. The proposed 60m battleaxe access way is consistent with this requirement.

The proposed 4m wide battleaxe access way is inconsistent with the minimum 6m width required by the Guidelines. A condition is recommended requiring the access way be increased to a minimum width of 6m. This is also consistent with the request of the Shire of Kalamunda.

CONCLUSION:

The proposed subdivision is consistent with the Residential R5 zoning of the land and the lot sizes within the surrounding locality. The proposed vacant lot is located further from the 'extreme' bush fire hazard area than the existing dwelling on the site. Conditional approval is recommended.

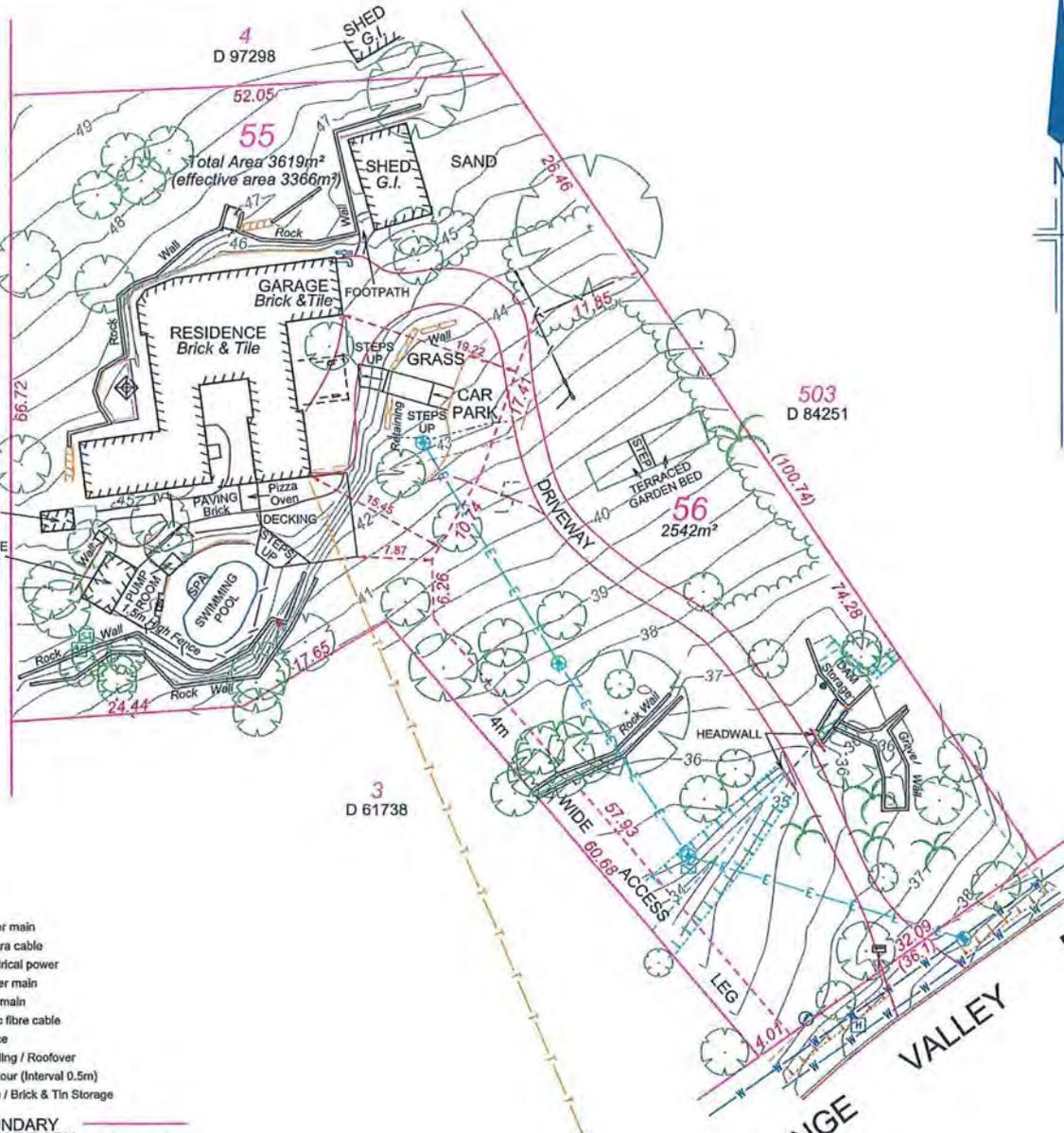
DEPARTMENT OF PLANNING

DATE FILE

28 JUN 2013

140343

DO NOT SCALE



LEGEND

- W — Water main
- T — Telstra cable
- E — Electrical power
- S — Sewer main
- G — Gas main
- OF — Optic fibre cable
- F — Fence
- B — Building / Roofover
- C — Contour (Interval 0.5m)
- G — Gate / Brick & Tin Storage

EXISTING BOUNDARY ———
PROPOSED BOUNDARY - - - - -

NO OF EXISTING LOTS = 1
NO OF PROPOSED LOTS = 2

TOTAL AREA = 6162m²

ALL DISTANCES IN METRES

DIMENSIONS AND AREAS SUBJECT TO SURVEY

LOCAL AUTHORITY : KALAMUNDA SHIRE

CT 2158/476

ALL STRUCTURES ON PLAN TO REMAIN

NOTES:

1. TELSTRA CABLE LOCATED ON THE OTHER SIDE OF ORANGE VALLEY ROAD.
2. DATA COMPILED FROM TWO SURVEYS (COMPLETED BY D.JOHNSON ON 25/10/2006 AND R.DINSMORE 26/04/2013).
3. FOR PREVIOUS SURVEY REFER TO DRAWING 07104-001.

THIS PLAN MAY ONLY BE USED FOR SUBMISSION TO WAPC FOR THE PURPOSE OF SUBDIVISION APPROVAL. THE TITLE BOUNDARIES AS SHOWN HEREON WERE NOT MARKED AT THE TIME OF SURVEY. THEY HAVE BEEN DETERMINED BY DIMENSIONS SHOWN ON LANDGATE PLANS AND THEN POSITIONED OVER EVIDENCE OF OCCUPATION. UNDERGROUND SERVICES HAVE BEEN PLOTTED FROM INFORMATION SUPPLIED BY THE RELEVANT AUTHORITIES AND NO RESPONSIBILITY CAN BE TAKEN BY MIDLAND SURVEY SERVICES FOR ANY OMISSIONS OR ERRORS THEREIN. PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION, THE RELEVANT AUTHORITY SHOULD BE CONTACTED, AND THE CERTIFICATE OF TITLE CHECKED FOR EASEMENTS AND ENCUMBRANCES.

SERVICE RECORD	WATER	SEWER	GAS	TELSTRA	POWER UG	POWER OH
LOCATED	✓			✓		✓
AVAILABLE		✓				
NO SERVICE						

SERVICE LEGEND					
WATER Tap	POWER Dome	TELSTRA Pillar	SEWER Inspection	GAS Meter	
Meter	Pole	Pit	Manhole	Manhole	DRAINAGE
Water MH	Light Pole	Manhole	Septic	Manhole	
Hydrant	Stay Pole	Marker		Gully	

MIDLAND SURVEY SERVICES
 ACN 105 274 226 ABN 92 105 274 226
 LAND AND ENGINEERING SURVEYORS
 3 Victoria Street Midland Western Australia 6056
 Telephone : (08) 9374 7777 Fax : (08) 9374 7799
 Email : survey@midlandsurveys.com.au
 Website : www.midlandsurveys.com.au

BSI ISO 9001 FS 52073

SCALE 1:500 METRES

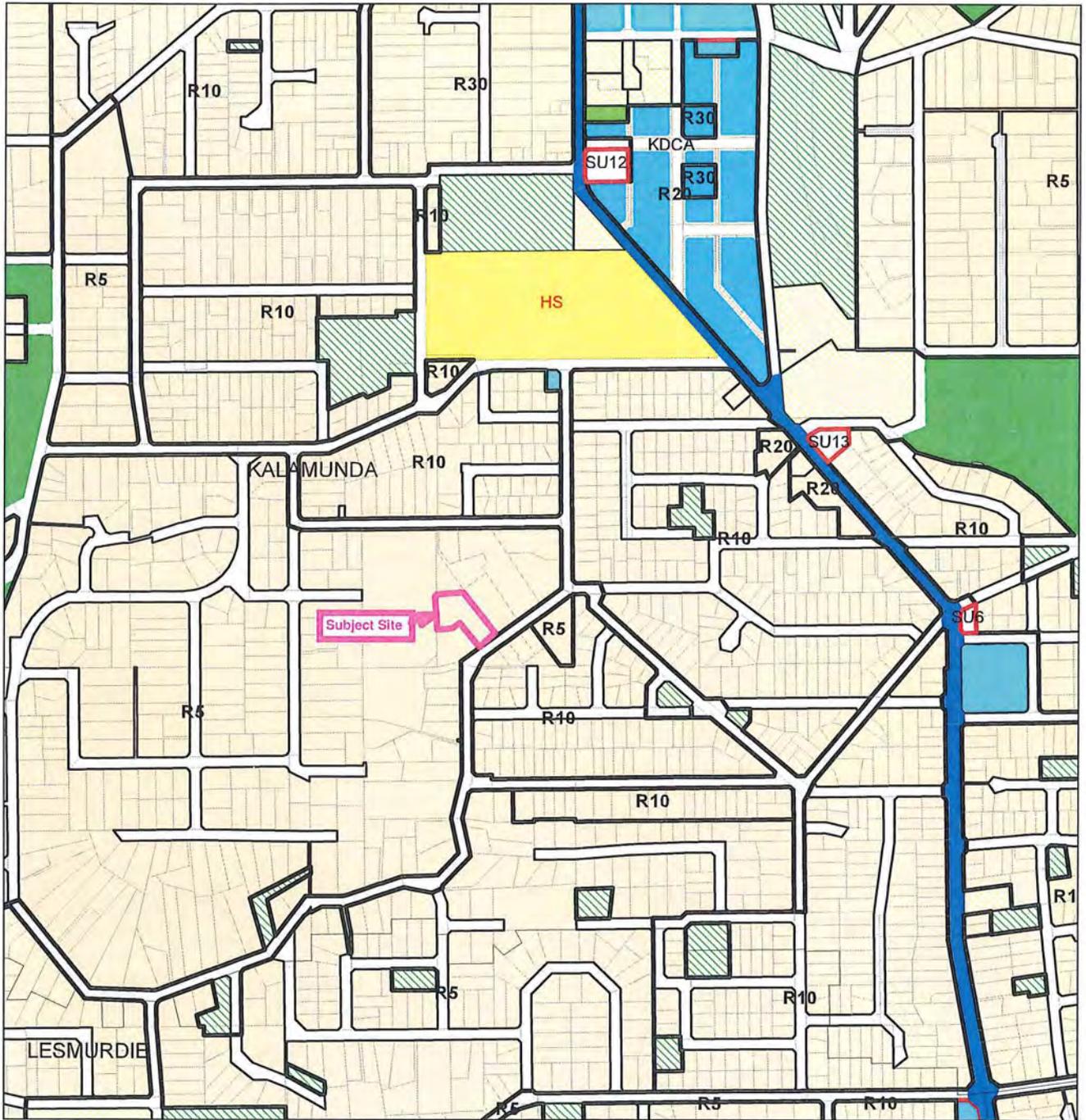
SURVEYED	R.DINSMORE	26/04/13
DRAWN	R.QUAGLIO	10/05/13
CHECKED	M.NISSEN	14/05/13
APPROVED	N.KITSCHA	

T & S COCHRANE
 PROPOSED SUBDIVISION
 LOTS 55 & 56 ON D 97298
 50 ORANGE VALLEY ROAD, KALAMUNDA

0	26/06/13	APPROVED & ISSUED TO CLIENT
No.	DATE	REVISION

CM	RD	NK
Drawn	Surveyor	Approved

GRID DATUM	ARBITRARY	FB	DRAWING NUMBER	REV 0	SIZE A3
	ARBITRARY	LB	11715-D002		PS: 11715-01



Suburbs	OTHER REGIONAL ROADS	NO ZONE
Cadastre	PARKS & RECREATION	PRIVATE CLUBS & INSTITUTIONS
SPECIAL 10	PP - HIGH SCHOOL	PUBLIC PURPOSES
SPECIAL USE AREA	COMMERCIAL	RESIDENTIAL
SCA-KALAMUNDA TOWN CENTRE DESIGN CONTROL AREA	DISTRICT CENTRE	SERVICE STATION
TPS - Scheme Boundaries	LOCAL OPEN SPACE	SPECIAL USE
TPS - R Code Boundaries	MIXED USE	

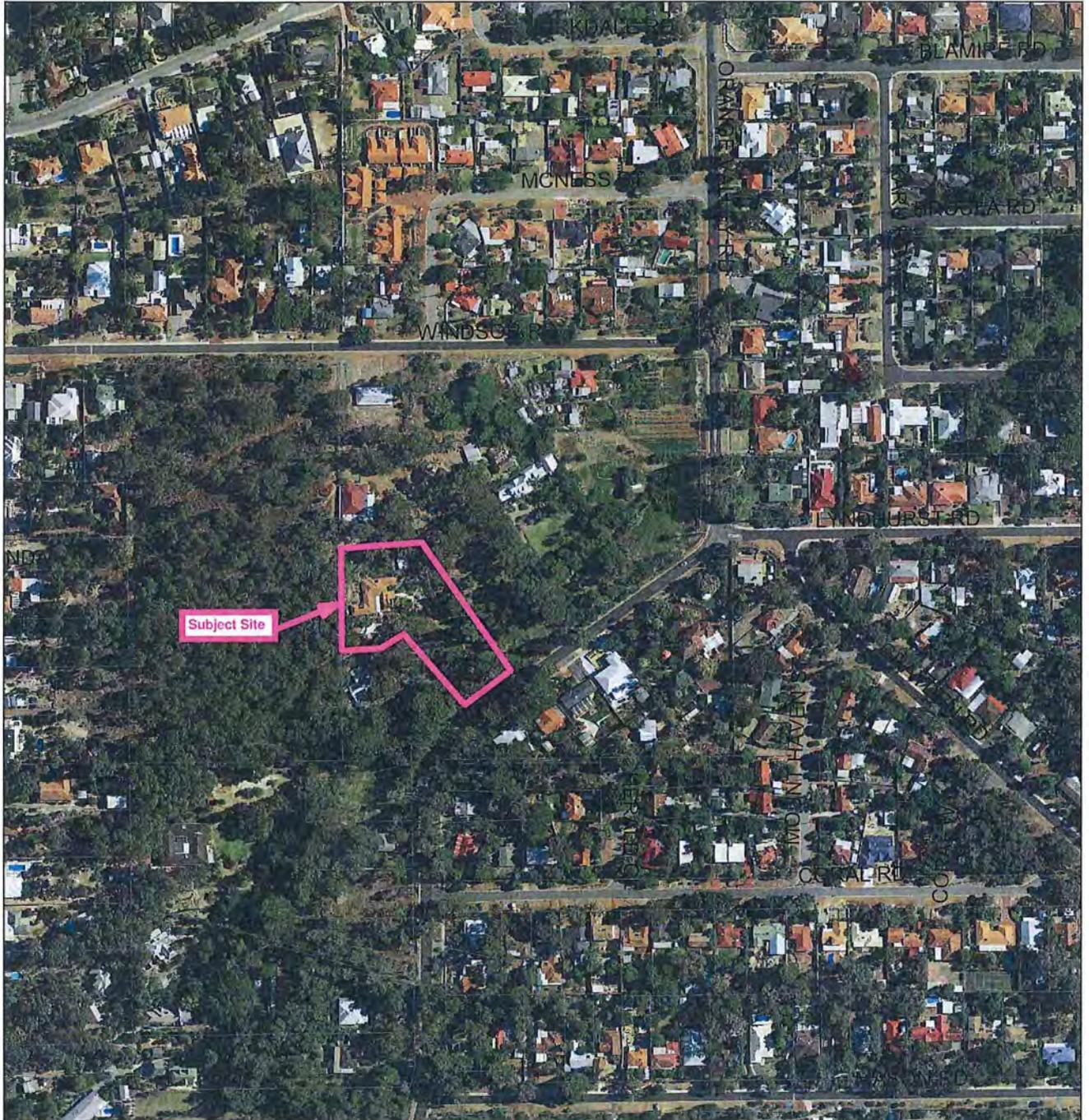
Scale 1:11,018 250 m

Prepared by: mcarbone
 Prepared for:
 Date: Monday, November 25, 2013 08:19
 Plot identifier: P20131125_0819

DP INTERNAL USE ONLY



Proposed Subdivision
 Location/Zoning Map
 Lot 5 Orange Valley Road, Kalamunda



- Suburbs
- Cadastre

2012 Metro Central Aerial Photography

Scale 1:3,842
0 50 m

Prepared by: mcarbone
Prepared for:
Date: Monday, November 25, 2013 08:26
Plot identifier: P20131125_0826



Government of Western Australia
Department of Planning

Proposed Subdivision

Aerial Photograph

Lot 5 Orange Valley Road, Kalamunda

DP INTERNAL USE ONLY

ITEM NO: 9.6

SUBDIVISION TO CREATE 6 LOTS: LOT 401 WANDU ROAD, SWAN VIEW

WAPC OR COMMITTEE:	Statutory Planning Committee
REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Planning Manager, Metropolitan Planning North East, Perth and Peel Planning
AUTHORISING OFFICER:	A/Director, Metropolitan Planning North East, Perth and Peel Planning
AGENDA PART:	G
FILE NO:	148063
DATE:	20 November 2013
ATTACHMENT(S):	1 - Subdivision Plan 2 - Location/Zoning Map 3 - Aerial Photograph 4 - Bushfire Mapping
REGION SCHEME ZONING:	Urban
LOCAL GOVERNMENT:	Shire of Mundaring
LOCAL SCHEME ZONING:	Residential R5
LGA RECOMMENDATION(S):	Deferral
REGION DESCRIPTOR:	Perth Metro North East
RECEIPT DATE:	4 June 2013
PROCESS DAYS:	169 days
APPLICATION TYPE:	Subdivision
CADASTRAL REFERENCE:	Lot 401 (255) Wandu Road, Swan View

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the application for subdivision of Lot 401 Wandu Road, Swan View into 6 lots as shown on the plans date stamped 4 June 2013, subject to the following conditions and advice:

CONDITIONS:

- 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)***

-
2. ***Uniform fencing being constructed along the boundaries of all of the proposed lots abutting public open space. (Local Government)***
 3. ***Measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention that is not impacted by subdivisional works, prior to commencement of subdivisional works. (Local Government)***
 4. ***A restrictive covenant, to the benefit of the local government, pursuant to section 129BA of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a restriction on the use of the land. Notice of this restriction is to be included on the diagram or plan of survey (deposited plan). The restrictive covenant is to state as follows:***

'No development is to take place outside the defined building envelope(s), unless otherwise approved by the local government.' (Local Government)
 5. ***The proposed reserve(s) shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserve(s) for 'Recreation' and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)***
 6. ***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)
 7. ***Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the Planning and Development Act 2005. (Local Government)***
 8. ***Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant's cost.***

As an alternative, and subject to the agreement of the Local Government the Western Australian Planning Commission (WAPC) is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local government and the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (Local Government)

9. ***Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:
 - a) ***street lighting is installed on all new subdivisional roads to the standards of the relevant licensed service provider;***to the satisfaction of the Western Australian Planning Commission. (Local Government)***
10. ***The landowner/applicant entering into an agreement with the local government to ensure reciprocal rights of access over adjoining battle-axe access ways. (Local Government)***
11. ***The proposed access way(s) being constructed and drained at the landowner/applicant's cost to the specifications of the local government. (Local Government)***
12. ***A fire management plan being prepared, approved and relevant provisions implemented during subdivisional works, in accordance with the WAPC's Guideline Planning for Bushfire Protection Edition 2, May 2010 (in particular Appendix 3) to the specifications of the local government. (Local Government)***
13. ***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:

'The lot(s) is/are subject to a fire management plan.'

'Due to the topography and soil conditions of the lots, onsite effluent disposal must be achieved by means of an Aerobic Treatment Unit and associated irrigation area.'

(Local Government)***
14. ***The subdivider to undertake a flora survey to the specifications of Department of Parks and Wildlife and the satisfaction of the Western Australian Planning Commission, prior to the clearing of native vegetation. (Department of Parks and Wildlife)***
15. ***Prior to the commencement of subdivision works a foreshore management plan is to be prepared and approved to ensure the protection and management of the sites environmental assets with***

satisfactory arrangements being made for the implementation of the approved plan. (Department of Water)

16. *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)*
17. *The transfer of land as a Crown reserve free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)*
18. *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)*
19. *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)*

ADVICE:

1. *In regard to Condition 1, 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.*
2. *In regard to Conditions 10 and 11, the reciprocal rights of access over the adjoining battle-axe access legs and the associated construction of the access way shall achieve a minimum width of 6 metres for the entire length of the access way.*
3. *In relation to Condition 15, the foreshore management plan should be prepared in accordance with the Department of Water's Operational Policy 4.3: Identifying and establishing waterways foreshore areas (DoW 2012). The management plan should consider, but not be limited to, erosion control, sedimentation impact, road crossing management, revegetation and prevention of pollution of the creek.*
4. *In regard to Conditions 8, 9 and 15, details are to be submitted and approved, detailing the waterway crossing and indicating how design and construction will minimise detrimental impacts on the waterway form and function. These details are to be implemented as part of the subdivisional works.*
5. *In regard to Condition 16, Western Power provides only one underground point of electricity supply per freehold lot.*
6. *In regard to Conditions 18 and 19, 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.*

Advice to Local Government

The Shire of Mundaring is advised that the western portion of Narran Place is a public Right-of-Way and not a gazetted road. Given the existing and proposed lots gaining sole access to Narran Place, it is recommended that the Shire of Mundaring consider undertaking the process of dedicating it as a public road.

SUMMARY:

This application proposes the subdivision of Lot 401 Wandu Road, Swan View to create six lots, a cul-de-sac road and public open space. The application is presented to the Statutory Planning Committee for determination due to access and Planning for Bush Fire Protection issues. An identical subdivision application was approved by the Statutory Planning Committee in July 2009, however these issues were not considered at that time.

LEGISLATION / STRATEGIC PLAN / POLICY:

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

Strategic Plan
Strategic Goal: Planning
Outcomes: Effective Delivery of Integrated Plans
Strategies: Implement State and Regional Planning priorities

Policy
Number and / or Name: Planning for Bush Fire Protection Guidelines
State Planning Policy 3.1 - Residential Design Codes
Development Control Policy 1.1 - Subdivision of Land - General Principles
Development Control Policy 2.3 - Public Open Space in Residential Areas

INTRODUCTION:

The proposal seeks approval to subdivide Lot 401 Wandu Road, Swan View (1.5804ha) to create a total of 6 lots of between 2001m² and 2400m², public open space and associated road reserve. An existing dwelling on proposed Lot 407 is to be retained. (**Attachment 1** - Subdivision Plan).

The subject site is zoned 'Residential R5' under the Shire of Mundaring Town Planning Scheme No.3 (TPS No.3) and 'Urban' under the Metropolitan Region Scheme (MRS). (**Attachment 2** - Location Plan/Zoning Map & **Attachment 3** - Aerial Photograph). The Shire's draft Local Planning Scheme No.4 proposes to retain the site as 'Residential R5'.

A minor perennial waterway traverses the southern portion of the subject land. The land comprising this waterway will be ceded as public open space under this proposal.

The subject land is relatively steep, rising from approximately 128m AHD in the south west to approximately 154m AHD in the north east. Scattered remnant vegetation remains across the subject land.

CONSULTATION:

The Shire of Mundaring has recommended the application be deferred for the following reasons;

- *The subject land forms part of an area identified by the Shire of Mundaring requiring the preparation of a Local Subdivision and Infrastructure Plan (LSIP). The application be deferred subject to the applicant preparing an LSIP demonstrating:*
 - *Compatibility with the existing subdivision pattern within the locality;*
 - *Improved access to the lots incorporating the right-of-way to the west of the site; and*
 - *The provision of a Bush Fire Management Plan.*
- *The proposed subdivision does not comply with the Shire of Mundaring's Town Planning Scheme No. 3 by reason of the lot layout being inconsistent with the existing subdivision pattern in the area. Approval to the subdivision would be contrary to the orderly and proper planning of the area and the effective implementation of the Scheme.*
- *Approval to the subdivision would result in the creation of battle-axe lots within an extreme-moderate bush fire risk area which is not recommended within the provisions of the Planning for Bush Fire Protection Guidelines*

The Shire of Mundaring has also provided recommended conditions in the event that the Western Australian Planning Commission (WAPC) approves the application.

Western Power and the Water Corporation have raised no objections to the proposal, subject to servicing conditions. The Department of Water supports the proposal subject to a Foreshore Management Plan condition being imposed.

The Department of Fire and Emergency Services has requested an assessment of the level of bush fire hazard in accordance with the requirements of the Planning for Bushfire Protection Guidelines.

The Department of Parks and Wildlife requests a flora survey condition be imposed on the approval, similar to the previous approval. The appropriateness of this condition was considered as part of the previous application to determine if the results of the survey could compromise the subdivision approval. It was determined that given the category of the priority flora species and priority ecological species

found in the general locality, a number of options exist other than in situ preservation. Options include translocation to another compatible site (such as public open space which the proposal includes), or alternatively an offsets agreement comprising land or money. Accordingly, the flora survey condition is considered a reasonable requirement and one which can be fulfilled without compromising the subdivision plan, consistent with the WAPC's previous decision relating to the site.

The Department of Health (DoH) has advised that the site can achieve the minimum site requirements for unsewered subdivision under the Government Sewerage Policy. DoH raise no objection to the proposal subject to a condition requiring a notification on title advising that due to the steepness of the slope and landscape region type, installation of the wastewater treatment system on each proposed lot may require engineering works, and that aerobic treatment units are to be utilised.

COMMENTS:

Local Subdivision and Infrastructure Plan (LSIP)

Clause 4.48 of the Shire's TPS No.3 requires a Local Subdivision and Infrastructure Plan (LSIP) to guide subdivision within the 'Residential' zone, however, the requirements for a LSIP may be waived under clause 4.50 if it:

- (a) is unlikely to have any significant environmental impact;
- (b) is in an area where no further subdivision potential exists;
- (c) does not require and is unlikely to create the requirement for additional services or interconnectivity of services or road networks with adjoining property;
- (d) does not prejudice the subsequent subdivision and development of adjoining land; and
- (e) the proponent has demonstrated compliance with Section 4.51 'Subdivision Design Criteria' of the Scheme. Section 4.51 relates to a range of issues, including: land capability and landscape assessment criteria, road design, lot layout and bush fire risk.

In determining the previous subdivision application on the site, the WAPC waived the LSIP requirement as the proposal satisfied clause 4.50 of TPS 3 and the applicant had adequately responded to the landscape and land capability criteria under section 4.51. Given the WAPC previous approval and the Shire's previous support of the same subdivision design, it is considered appropriate to waive of the LSIP requirement in this instance. It is noted the Shire requests to defer the current application until a LSIP is prepared and approved, however the reasons for requesting the LSIP were addressed in the previous approval and by imposing appropriate conditions.

Residential Design Codes (R-Codes) - Minimum Frontage Requirements

Proposed Lots 403, 405 and 406 have minimum frontages of approximately 27-28m (measured at the 12m street setback line), whereas Table 1 of the R-Codes requires a minimum frontage of 30m for R5 lots. The R-Codes do not provide guidance or performance criteria for circumstances where a variation to the minimum frontage may be considered. Furthermore, WAPC Policy 2.2 - *Residential Subdivision* makes no allowance for a variation to the minimum frontage requirements specified in the R-Codes.

Many of the lots in the immediate vicinity have frontages of between 22m-24m. The constrained nature of the site and associated need for a cul-de-sac and land for public open space makes it difficult to achieve the 30m minimum frontage requirement. The variation to the street frontage was previously supported by the WAPC.

The minor variation to the minimum frontage requirement is not considered to adversely affect the streetscape or amenity of the locality and is considered consistent with the general policy objectives of the R-Codes and DC2.2.

Planning for Bush Fire Protection Guidelines (PBFPG)

The WAPC's *Planning for Bush Fire Protection Guidelines - Edition 2* (PBFPG) sets out the matters that need to be addressed when assessing subdivision and development proposals in bush fire prone areas. The relevant provisions of the Guidelines relating to the proposal include:

- Building Protection and Hazard Separation areas;
- Suitability of battleaxe lots and battleaxe access way width; and
- Cul-de-sac access

Hazard Separation and Building Protection

The Shire of Mundaring has undertaken bush fire mapping in accordance with the PBFPG when preparing draft Local Planning Scheme No. 4 (**Attachment 4** - Bush Fire Mapping). The site has a 'moderate and extreme' bush fire hazard level.

It is unlikely that the proposed lots are capable of achieving adequate hazard separation required under Acceptable Solution 4.1 'Hazard Separation - moderate to extreme bush fire hazard level' of the Guidelines, which requires that buildings be sited a minimum distance of 100 metres from the vegetation comprising the moderate or extreme bushfire hazard. If the required 100 metre hazard separation distance cannot be achieved, the Guidelines provide for a reduced hazard separation subject to development being constructed in accordance with Australian Standard 3959 (AS3959).

Clause 6.5.3 of the Shire's draft Local Planning Scheme No.4 (LPS 4) requires dwelling construction within a Designated Bushfire Prone Area to be subject to the relevant bushfire prone area building requirements of the Building Code of Australia and AS3959.

Under draft LPS 4, the subject land has a 'moderate and extreme' bush fire hazard level and is included with the Bush Fire Hazard Special Control Area which also comprises a Designated Bushfire Prone Area. Dwelling construction on the proposed lots will, therefore, be subject to the relevant bushfire prone area building requirements of the Building Code of Australia and AS3959, once LPS 4 is gazetted.

Consistent with the previous approval and the Shire's current advise, it is recommended that a fire management plan condition be imposed. This will also ensure that the building protection areas can be considered and relevant requirements implemented.

Battleaxe Lots

In relation to battleaxe lots, the PBFPG indicate that:

"Where possible battleaxe lots should be avoided in areas that are subject to a bushfire hazard level of moderate or extreme".

In this case, the battleaxe lots are considered acceptable given the constrained nature of the site, the retention of the existing residence and the previous WAPC decision which supported the battleaxe lots. There are also a number of battleaxe lots within the immediate vicinity of the proposal, many of which have access way lengths greater than those proposed by the subdivision application.

The PBFPG require battleaxe access ways to have a minimum width of 6m, whereas proposed Lots 404 and 407 each have a 4.5m wide battleaxe access way. To achieve the required 6m minimum access way width, it is recommended that a right of carriageway easement extend over the adjoining battleaxe access ways.

Cul-de-sac length

The PBFPG provide for cul-de-sac roads provided the length is limited to 200m. The proposed cul-de-sac has a length of 71.8m which satisfies the PBFPG requirements.

Public Road Access

Clause 3.7.1 of Development Control Policy 1.1 (DC 1.1) - *Subdivision of Land - General Principles* indicates that:

"New green title lots will be created only where each lot has, or can be, provided with direct frontage access to a constructed public road, which is connected to the road system of the locality. This is to ensure the provision of public utility and other services as well as to provide vehicular and pedestrian access to the lot."

In this case proposed Lot 405 has access to Narran Place, however half of Narran Place is a public road (eastern portion) and the other half is a public right-of-way (western portion). The section of Narran Place which abuts proposed Lot 405 is a public right-of-way. Narran Place has been constructed as and functions as a public road, and a number of existing lots have sole access to Narran Pace (**Attachment 3**).

Western Power and the Water Corporation have no objections to proposed Lot 406 having sole access to Narran Place. Both agencies have confirmed that there are existing services within Narran Place which can be extended to service the proposed lot. Given these circumstances it is recommended that proposed Lot 406, which has access from Narran Place be supported, and the Shire of Mundaring advised to dedicate the section of Narran Place which is a public right-of-way to rectify the current anomaly.

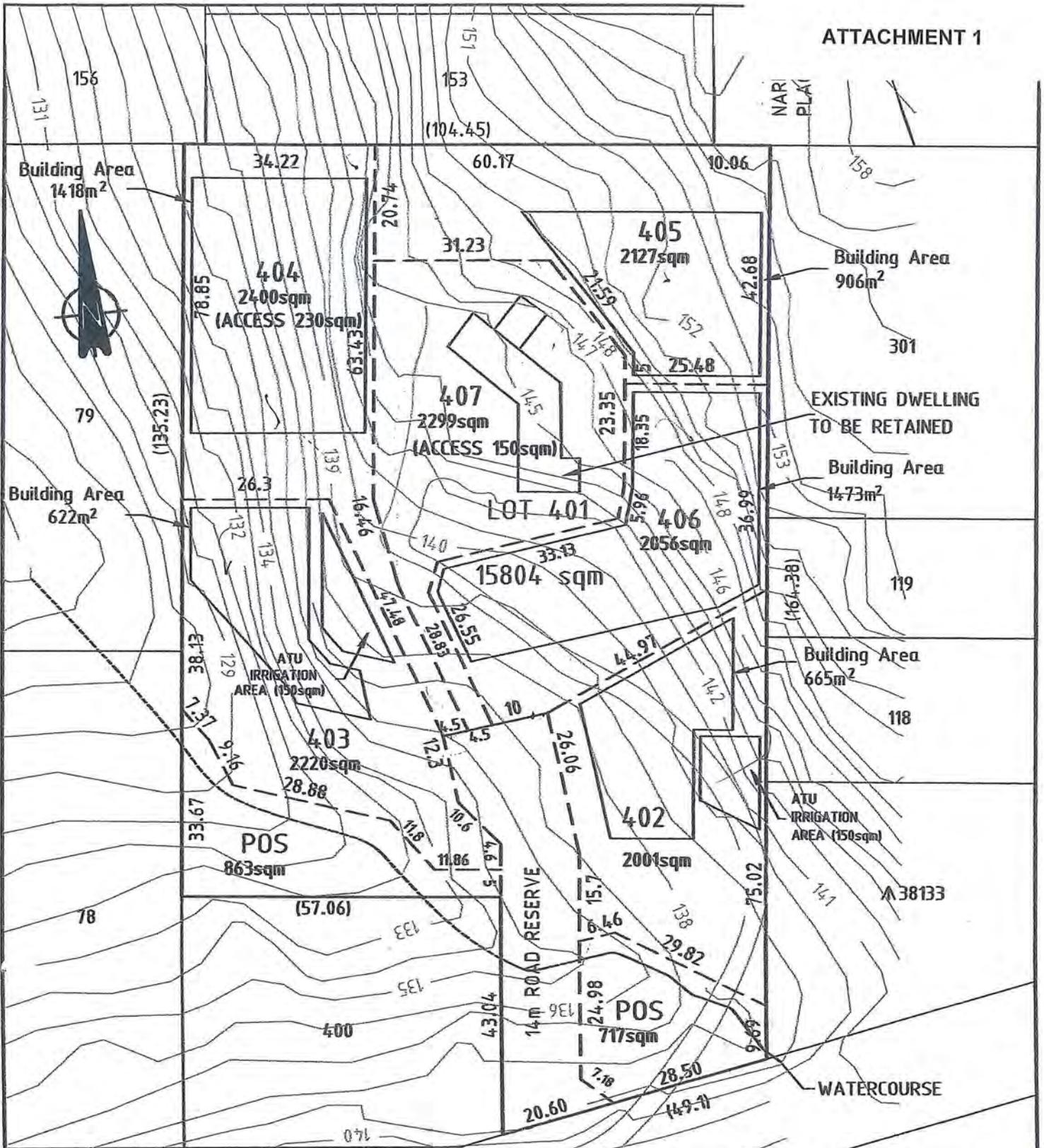
Public Open Space

The WAPC's Development Control Policy 2.3 (DC 2.3) - *Public Open Space in Residential Areas* states that: *"the WAPC's normal requirement in residential areas is that, where practicable, 10 per cent of the gross subdivisible area be given up free of cost by the subdivider and vested in the Crown under Section 152 of the Planning and Development Act 2005 as a Reserve for Recreation"*.

The plan of subdivision depicts two areas of open space totalling 1580m² which equates to a 10% POS land contribution. The location of the POS is appropriate given the alignment of the minor waterway. The POS configuration is consistent with the previous subdivision approval.

CONCLUSION:

Given the previous subdivision approval of the same design and the comments above, it is recommended that the subdivision be conditionally approved.



APPROVED
 4 JUN 2013
 148063
 DATE

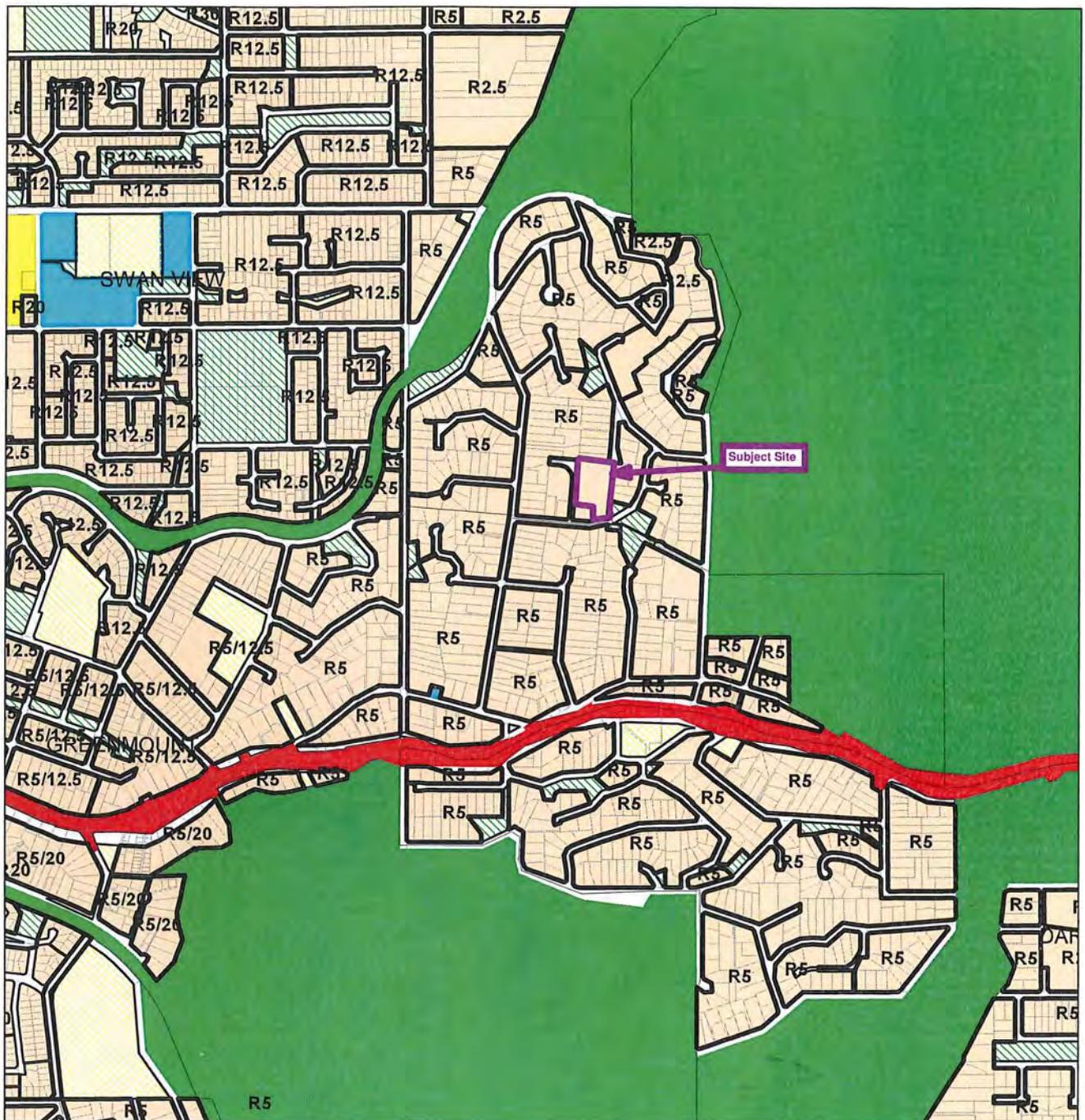
A.J. & J.Y. McLEAN
 255 WANDU ROAD, SWAN VIEW WA 6056
 MOB 041 992 5752 amepl@inet.net.au

DESIGNED A.J.McLEAN
 DRAWN A.J.McLEAN
 CHECKED
 DATE REV. 31/5/13

DEVELOPMENT OF LOT 401
 WANDU RD, SWAN VIEW.

SCALE: 1:1000
 DATUM: A.H.D.

DRAWING No : C-07-28-1
 AMENDMENT No: AGENDA PAGE 233



Suburbs	TPS - R Code Boundaries	PUBLIC OPEN SPACE
Cadastre	PRIMARY REGIONAL ROADS	PUBLIC PURPOSES
Townsites	PARKS & RECREATION	RECREATION
SPECIAL 10	PP - HIGH SCHOOL	RESIDENTIAL
MUNICIPAL BOUNDARY	LOCAL CENTRE	NO ZONE
TPS - Scheme Boundaries		

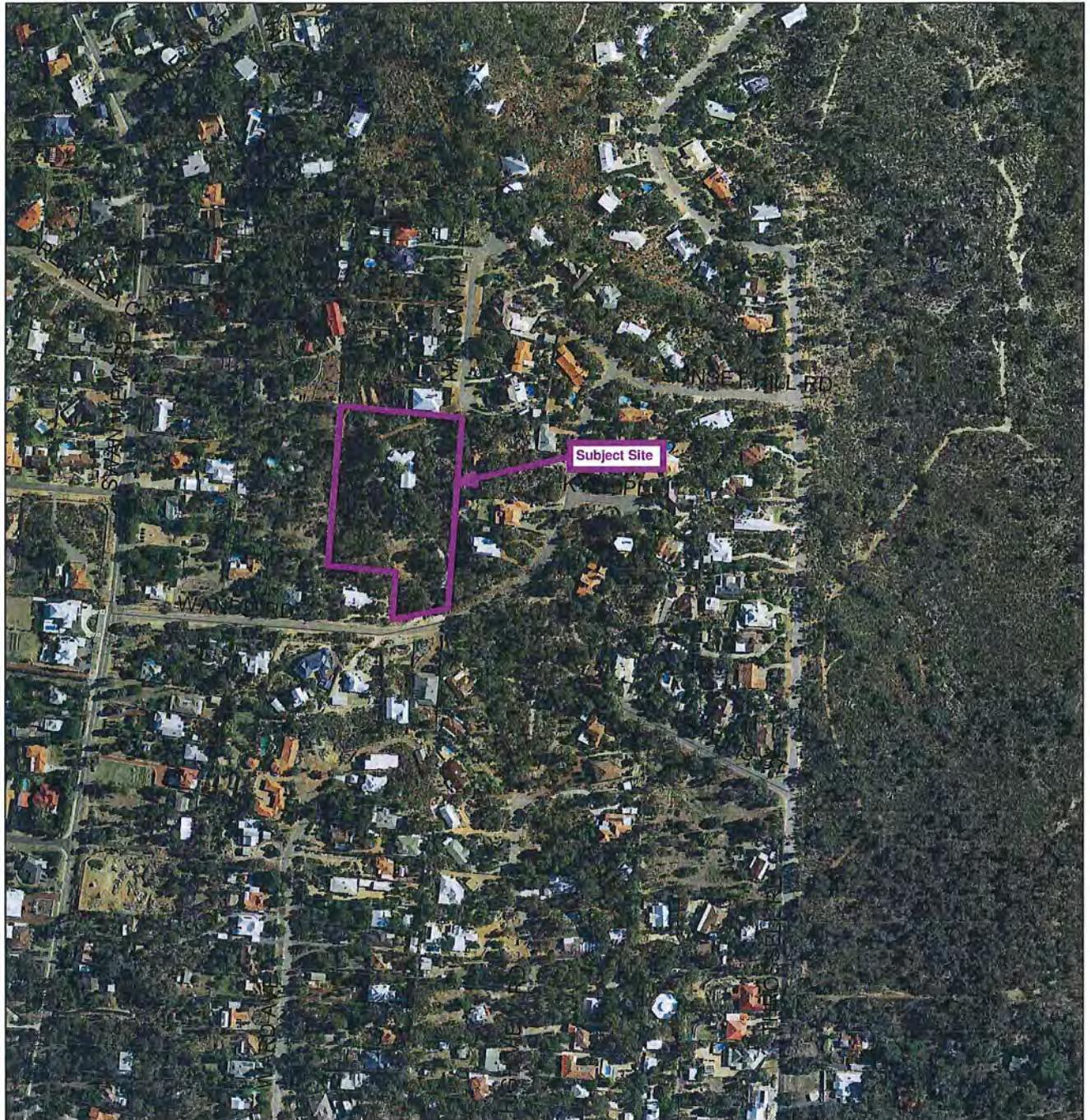
Scale 1:17,677
 0 500 m

Prepared by: mcarbone
 Prepared for:
 Date: Wednesday, November 20, 2013 10:10
 Plot identifier: P20131120_1010

DP INTERNAL USE ONLY

Government of Western Australia
 Department of Planning

Proposed Subdivision
 Lot 401 Wandu Road
 Swan View



Suburbs

Cadastre

2012 Metro Central Aerial Photography

0 Scale 1:5,027 125 m

Prepared by: mcarbone
Prepared for:
Date: Wednesday, November 20, 2013 10:17
Plot identifier: P20131120_1017



DP INTERNAL USE ONLY



Government of Western Australia
Department of Planning

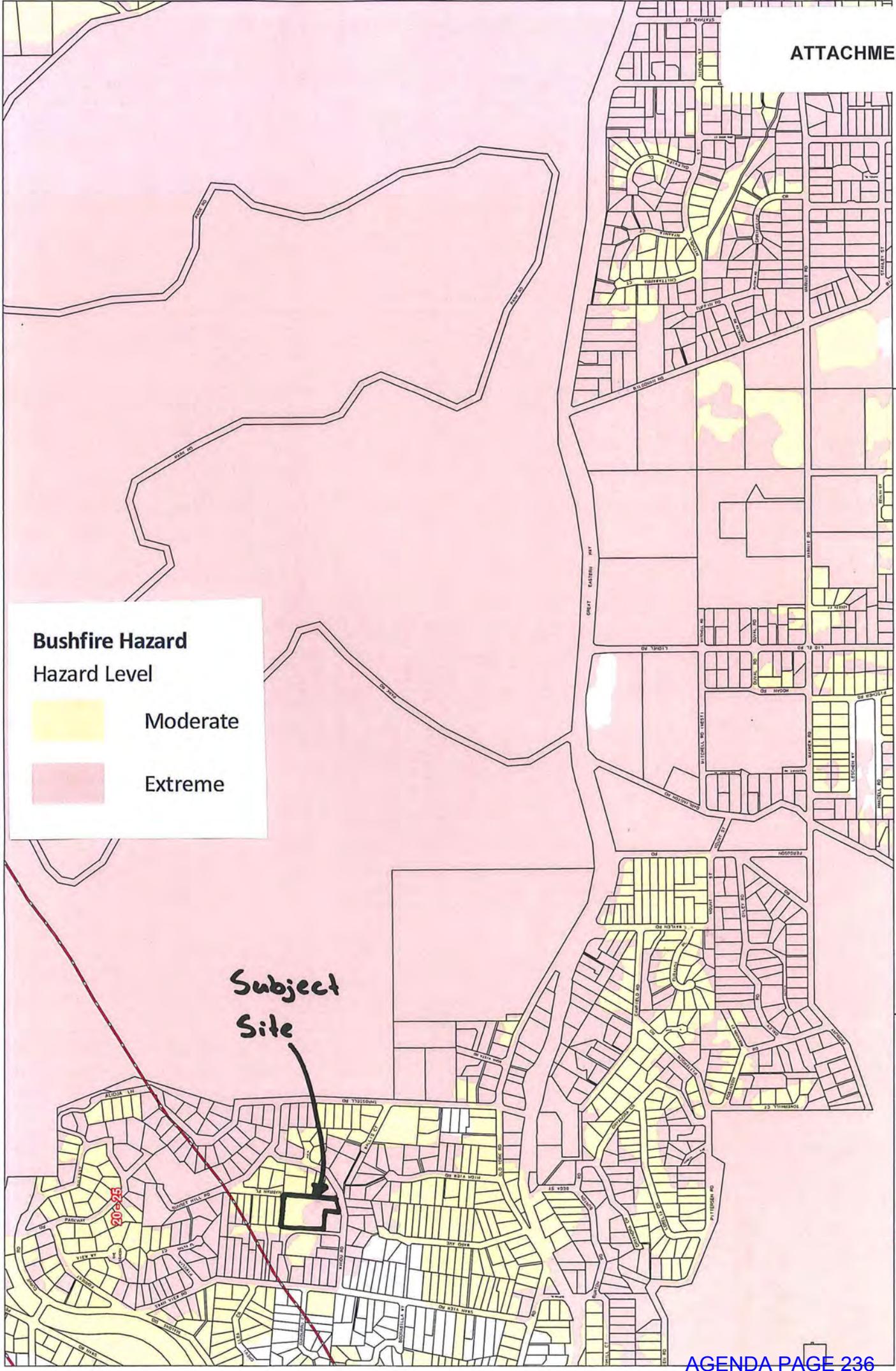
Proposed Subdivision
Lot 401 Wandu Road
Swan View

Whilst every effort has been made to ensure the accuracy of map, no liability can be assumed for any errors in the information. It would be appreciated if any errors could be reported to the GIS Section, Information Systems Team, Shire of Mundaring, 7000 Great Eastern High, Mundaring WA, 6073 or email shire@mundaring.wa.gov.au

Bushfire Hazard
Hazard Level

	Moderate
	Extreme

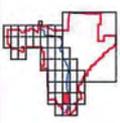
Subject Site



Draft LPS4
Special Control Areas



250 125 0 250 500 750 1,000 Meters

ITEM NO: 9.7

RECONSIDERATION OF CONDITION ON APPROVED SUBDIVISION OF LOT 100 WALDECK ROAD, LOT 202 ARTHUR STREET AND LOT 9015 SUMMERVILLE BOULEVARD, CAVERSHAM

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Planning Manager, Metropolitan Planning North East
AUTHORISING OFFICER: A/Director, Metropolitan Planning North East
AGENDA PART: G
FILE NO: 147049
DATE: 22 November 2013
ATTACHMENT(S): 1 - Caversham Local Structure Plan
2 - Approved Plan of Subdivision
3 - Site and Staging Plan
4 - Transition Lot Management Plan extract
5 - Location of mitigation measures

REGION SCHEME ZONING: Urban
LOCAL GOVERNMENT: City of Swan
LOCAL SCHEME ZONING: Residential Development
LGA RECOMMENDATION(S): Support reconsideration and replace condition
REGION DESCRIPTOR: Perth Metro North East
RECEIPT DATE: 24 July 2013
PROCESS DAYS: 121 days
APPLICATION TYPE: Subdivision
CADASTRAL REFERENCE: Lot 100 Waldeck Road, Lot 202 Arthur Street and Lot
9015 Summerville Boulevard, Caversham

RECOMMENDATION:

That the Western Australian Planning Commission resolves to:

1. replace Condition 1 with the following:

- 1. a) Prior to the Western Australian Planning Commission's endorsement of a diagram or plan of survey (deposited plan) for the creation of the proposed lots 16 to 18 and 35 to 48 inclusive as shown on the plan date stamped 13 May 2013 (attached), the following interim measures are to be undertaken in accordance with the principles of the Transition Lot Management Plan to**

mitigate the potential effect of viticultural use on the 'Residential Development' zoned portion of Lot 103 Benara Road, Caversham:

- a) an artificial boundary screen with a minimum height of 2.8 metres and with a porosity of 50% as shown on the plan dated stamped 13 May 2013 (attached);***
- b) a 6 metre wide strategic accessway as shown on the plan dated stamped 13 May 2013 (attached); and***
- c) a noise wall/bund with a height of 2.8 metres (apex) as shown on the plan dated stamped 13 May 2013 (attached);***

to the specification of the City of Swan and the satisfaction of the Western Australian Planning Commission.

- b) The landowner/applicant shall make arrangements with the City of Swan to ensure the on-going maintenance of the above mitigation measures until such time as the non-conforming viticultural use on the 'Residential Development' zoned portion of Lot 103 Benara Road, Caversham is extinguished. (Local Government)***

2. replace Advice Note 1 with the following:

- 1. In regard to Condition 1, the proposed mitigation measures are required to ameliorate spray-drift, dust and noise in accordance with the principles of the Transition Lot Management Plan as the proposed lots are within 150 metres of an existing viticultural operation at Lot 103 Benara Road, Caversham.***

SUMMARY:

The applicant/landowner has requested the Western Australian Planning Commission (WAPC) reconsider Condition 1 of its decision to exclude 17 lots from the approved plan of subdivision. The 17 lots in question are affected by an interim 150 metre agricultural buffer, where subdivision cannot occur until the nonconforming use rights of existing viticultural operations on urban land have been extinguished by the landowner, or mitigation measures to ameliorate spray-drift, dust and noise are implemented to the satisfaction of the WAPC and the Local Government.

The applicant has advised that they are prepared to implement temporary mitigation measures at their own cost, and the City of Swan is prepared to support this approach, subject to a legal agreement to require maintenance of the mitigation measures until the nonconforming use rights of existing viticultural operations have been extinguished.

It is recommended that the WAPC delete Condition 1 and replace it with a condition requiring the implementation and maintenance of the mitigation measures near the boundary of the subject land and the adjoining Lot 103 Benara Road, Caversham that contains the existing viticultural use.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section: *Planning and Development Act 2005*
Part 10 - Subdivision / Development Approval /
Reconsiderations

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
Development Control Policy 1.1 Subdivision of Land -
General Principles
Development Control Policy 2.2 Residential Subdivision

INTRODUCTION:

The subject land is zoned 'Urban' under the Metropolitan Region Scheme and 'Residential Development' under the City of Swan Local Planning Scheme No. 17 (LPS 17). Pursuant to the 'Residential Development' zone under LPS 17, the City of Swan and the WAPC have endorsed the Caversham Local Structure Plan (LSP) (**Attachment 1 - Caversham Local Structure Plan**) to guide subdivision and development in the area. The Caversham LSP identifies that a portion of the subject land is affected by an interim 150 metre agricultural buffer and all of the proposed lots are located within a 500 metre Agricultural Notification Area.

The WAPC conditionally approved an application to subdivide Lot 100 Waldeck Road, Lot 202 Arthur Street and Lot 9015 Summerville Boulevard, Caversham on 26 June 2013 to create 67 residential lots ranging in area from 225m² to 1374m², three balance lots and public open space (POS). Condition 1 of the approval specifically excluded 17 lots from the approval as the lots are affected by a 150m buffer to an existing viticultural operation on Lot 103 Benara Road, Caversham (**Attachment 2 - Approved Plan of Subdivision**).

The applicant has requested the WAPC reconsider two conditions of its approval relating to the exclusion of 17 lots and the provision of a round-a-bout at the junction of Arthur Street and West Swan Road. Following further discussion with the City of Swan, the applicant has formally withdrawn their request to review the round-a-bout condition. The WAPC is therefore only required to reconsider the condition excluding the 17 lots.

CONSULTATION:

The reconsideration request was referred to the City of Swan for comment. The City advises that it is prepared to support the creation of the excluded lots provided there are suitable arrangements to provide for a spray-drift buffer between the lots and viticultural land uses. These arrangements include the erection of a suitable fence of a minimum height of 2.8 metres with a porosity of 50% adjacent to the lot containing viticultural uses (Lot 103 Benara Road, Caversham) and a legal agreement with the

City to ensure maintenance of the fence until the non-conforming viticultural use is extinguished from Lot 103.

COMMENTS:

The applicant is seeking reconsideration of Condition 1 on the basis that it is inconsistent with the Caversham LSP 'Staging Plan' that forms part of the LSP and its associated Transition Lot Management Plan (TLMP). If the WAPC is not prepared to approve the lots on this basis then the applicant proposes that mitigation measures consistent with the TLMP be constructed by the applicant in a temporary location which would effectively reduce the buffer area to 85 metres as stipulated in the TLMP. As all of the proposed lots are in excess of 85 metres from the boundary of Lot 103 Benara Road, the proposed lots could then be approved. Each of these scenarios is discussed below.

Staging Plan

The Caversham LSP contains a site and staging plan which takes into account a number of factors including the need for an interim buffer. The subject land is located within stages 2 and 3a with the stage 3a land subject to resolution of interface issues with the adjoining viticulture. However the 150 metre interim buffer boundary and the stage 3a boundary do not correspond (**Attachment 3 - Site and Staging Plan**). Based on the stage boundaries two of the proposed lots are located wholly within stage 3a with a further 15 lots located in stage 2 that are partially located within the interim buffer. A total of 17 of the proposed lots are either partially or wholly located within the interim buffer. The applicant contends that the stage boundary is the practical interpretation of the interim buffer and that all but 2 of the 17 lots could be approved without the need to implement any of the mitigation measures of the TLMP.

The Caversham LSP written documentation in relation to staging, states that:

"There is a number of existing viticulture activities on Lots partially and/or fully within the LSP area, and the staging of subdivision needs to consider their existence. Sensitive uses shall not be permitted within 150m of these operations (measured from the property boundary) until:

- 1. The nonconforming use rights of the operations have been extinguished by the landowner, or;*
- 2. Mitigation measures to ameliorate spray-drift, dust and noise are implemented to the satisfaction of the WAPC and Local Government."*

The Caversham LSP Plan contains three provisions that relate to the staging of subdivision (and impact on the lots in question) as quoted below;

- *Subdivision, as envisaged by the LSP, shall generally be in accordance with the staging plan accompanying the LSP.*
- *Subdivision for sensitive land uses (as per the definition in the State Planning Policy 4.1) shall not be permitted within the 150m Interim Agricultural Buffer until mitigation measures proposed in the Transition Lot Management Plan (TLMP) are implemented to the satisfaction of the Local Government and WAPC.*
- *Clearance of subdivision within 150m of lots containing viticulture (Lots 101, 103, 4 and 9 Benara Rd, Caversham) within the Caversham Local Structure*

Plan area will not be finalised (Deposited Plan) until the vineyards are removed.

The above provisions of the Caversham LSP make it clear that the interim buffer takes precedence over the staging plan by stating that no subdivision shall be contemplated within the interim buffer until the mitigation measures of the TLMP have been implemented or the viticultural land use is removed from the lots within the Caversham LSP area.

Mitigation Measures

The TLMP mitigation measures are required to ameliorate spray-drift, dust and noise from viticultural use in the adjoining Swan Valley Rural zone. The TLMP (which forms part of the Caversham LSP documentation) proposes R5 transition lots with a total depth of 85 metres along the southern boundary of the Caversham LSP area adjacent to the Swan Valley Rural zone. The TLMP requires the subdivider to install a 2.8 metre high artificial boundary screen, a 6 metre wide strategic access way and a 2.8 metre high bund/wall to reduce potential noise impacts within these R5 lots. **(Attachment 4 - Transition Lot Management Plan extract)**

The applicants have proposed interim (temporary) mitigation measures on their land adjacent to Lot 103 Benara Road, Caversham in accordance with the TLMP principles (**Attachment 5** - Location of Mitigation Measures). These mitigation measures proposed would include:

- a 2.8 metre high noise bund/wall; and
- an artificial barrier with a minimum height of 2.8 metres.

At a future date when the non-conforming viticultural use is extinguished from Lot 103 the temporary barrier will be permanently relocated to the position stipulated in the TLMP.

WAPC options

The WAPC has four options in reconsidering the exclusion of the 17 lots;

1. Replace the condition excluding the 17 lots with a condition excluding the 2 lots that are wholly within Stage 3a based on the stage boundary shown on the Site and Staging Plan.

Comment:

This is not the preferred option. The 150m interim buffer is considered to take precedence over the staging plan by stating that no subdivision shall be contemplated within the interim buffer until the mitigation measures of the TLMP have been implemented or the viticultural land use is removed from the lots within the Caversham LSP area.

2. Replace the condition excluding the 17 lots with a condition requiring the removal of the viticulture uses from Lot 103 prior to the endorsement of a deposited plan, in accordance with the provision on the Caversham LSP Plan.

Comment:

This is not the preferred option. Such a condition would be unreasonable and ultra vires as it would relate to land outside the application area and be unable to be met by the applicant. Lot 103 is not included within the

current subdivision application area and is under separate land ownership. The owners of the lots the subject of this current subdivision application would not be able to clear such a condition as they have no ability to remove the vineyards from someone else's property.

3. Replace the condition excluding the 17 lots with a condition requiring the implementation of the mitigation measures stipulated in the TLMP to the satisfaction of the local government and the WAPC, in accordance with the provision on the Caversham LSP.

Comment:

This is the preferred option. Although the TLMP mitigation measures are primarily to ameliorate spray-drift, dust and noise from viticultural use in the adjoining Swan Valley Rural zone, the LSP documentation does indicate that sensitive land uses could be permitted within 150m of viticultural operations if mitigation measures to ameliorate spray-drift, dust and noise are implemented to the satisfaction of the WAPC and Local Government.

The temporary installation of the TLMP mitigation measures within the applicants own landholding adjacent to the viticultural uses on Lot 103 would be in keeping with the intent of the LSP to address the spray-drift, dust and noise issues that may cause conflict with the proposed residential lots. (**Attachment 6 - Location of mitigation measures**) The TLMP mitigation measures are designed to effectively reduce the buffer to 85 metres (the depth of the future proposed R5 transition lots in the TLMP). The proposed residential lots, the subject of this reconsideration, are on the border of the existing 150 metre buffer. The installation and maintenance of the temporary mitigation measures would reduce the buffer to 85 metres.

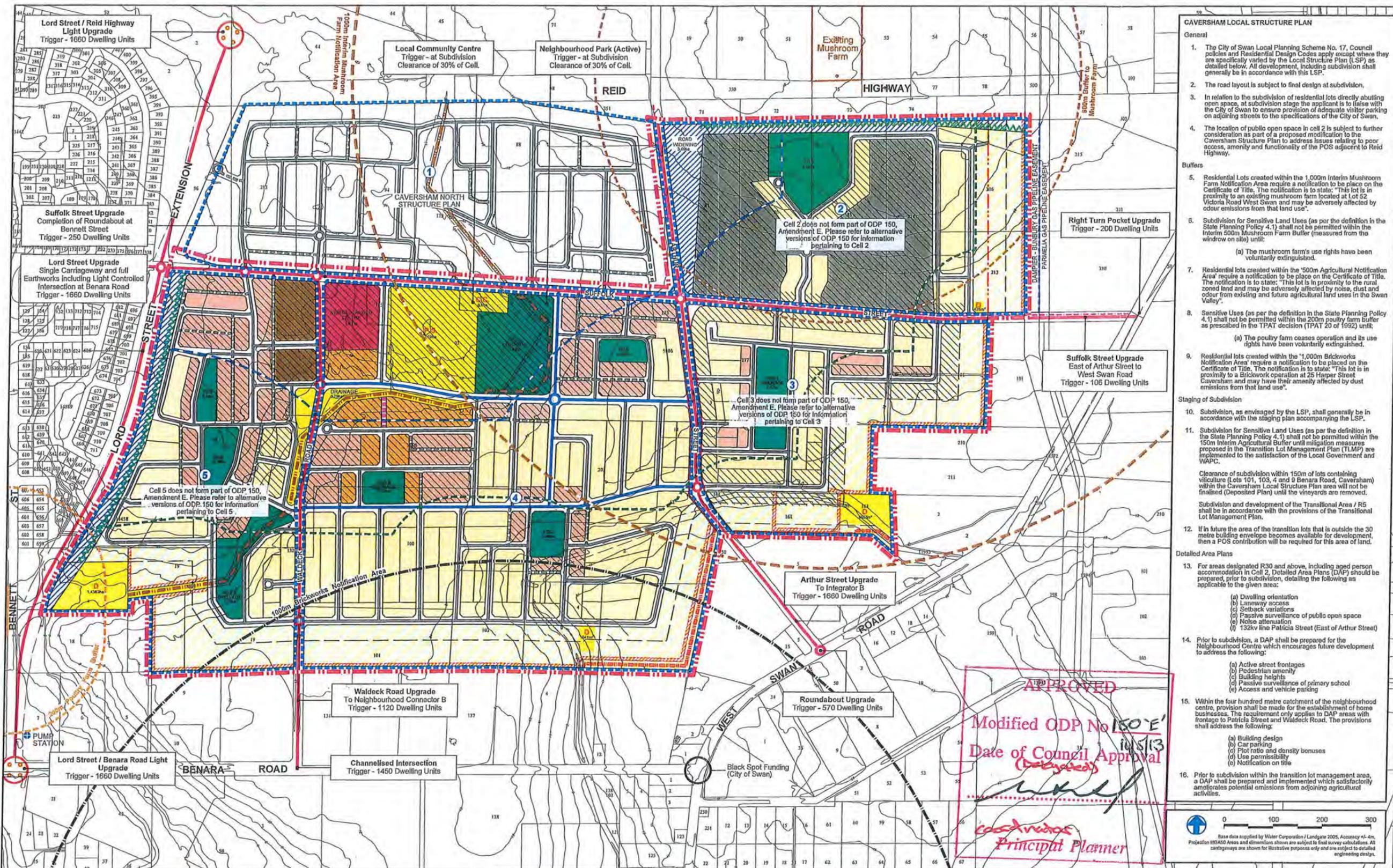
4. Reiterate its original decision to exclude the lots on the basis that the proposed implementation of temporary mitigation measures would not be consistent with orderly and proper planning and would not be consistent with the Caversham LSP. This is not the preferred option.

Comment:

At the time of imposing the original condition to exclude the 17 lots, the possibility of installing temporary mitigation measures was not raised. The lots were excluded on the basis of the planning information that had been submitted with the application. In light of the new information and the undertaking given by the applicant to install the temporary mitigation measures, it is considered that the original condition should be replaced with a condition requiring the implementation of the mitigation measures stipulated in the TLMP to the satisfaction of the local government and the WAPC.

CONCLUSION:

As the applicant is prepared to implement the temporary mitigation measures at its own cost and the City of Swan is prepared to support this approach subject to a legal agreement, it is recommended that the WAPC replace Condition 1 excluding the 17 lots with a condition requiring the implementation of the mitigation measures near the boundary of the subject land and Lot 103 Benara Road, Caversham.



- CAVERSHAM LOCAL STRUCTURE PLAN**
- General
- The City of Swan Local Planning Scheme No. 17, Council policies and Residential Design Codes apply except where they are specifically varied by the Local Structure Plan (LSP) as detailed below. All development, including subdivision shall generally be in accordance with this LSP.
 - The road layout is subject to final design at subdivision.
 - In relation to the subdivision of residential lots directly abutting open space, at subdivision stage the applicant is to liaise with the City of Swan to ensure provision of adequate visitor parking on adjoining streets to the specifications of the City of Swan.
 - The location of public open space in cell 2 is subject to further consideration as part of a proposed modification to the Caversham Structure Plan to address issues relating to poor access, amenity and functionality of the POS adjacent to Reid Highway.
- Buffers
- Residential Lots created within the 1,000m Interim Mushroom Farm Notification Area require a notification to be placed on the Certificate of Title. The notification is to state: "This lot is in proximity to an existing mushroom farm located at Lot 52 Victoria Road West Swan and may be adversely affected by odour emissions from that land use".
 - Subdivision for Sensitive Land Uses (as per the definition in the State Planning Policy 4.1) shall not be permitted within the Interim 500m Mushroom Farm Buffer (measured from the windrow on site) until:
 - (a) The mushroom farm's use rights have been voluntarily extinguished.
 - Residential lots created within the '500m Agricultural Notification Area' require a notification to be placed on the Certificate of Title. The notification is to state: "This lot is in proximity to the rural zoned land and may be adversely affected by noise, dust and odour from existing and future agricultural land uses in the Swan Valley".
 - Sensitive Uses (as per the definition in the State Planning Policy 4.1) shall not be permitted within the 200m poultry farm buffer as prescribed in the TPAT decision (TPAT 20 of 1992) until:
 - (a) The poultry farm ceases operation and its use rights have been voluntarily extinguished.
 - Residential lots created within the '1,000m Brickworks Notification Area' require a notification to be placed on the Certificate of Title. The notification is to state: "This lot is in proximity to a Brickwork operation at 25 Harper Street Caversham and may have their amenity affected by dust emissions from that land use".
- Staging of Subdivision
- Subdivision, as envisaged by the LSP, shall generally be in accordance with the staging plan accompanying the LSP.
 - Subdivision for Sensitive Land Uses (as per the definition in the State Planning Policy 4.1) shall not be permitted within the 150m Interim Agricultural Buffer until mitigation measures proposed in the Transition Lot Management Plan (TLMP) are implemented to the satisfaction of the Local Government and WAPC.

Clearance of subdivision within 150m of lots containing viticulture (lots 101, 103, 4 and 9 Benara Road, Caversham) within the Caversham Local Structure Plan area will not be finalised (Deposited Plan) until the vineyards are removed.

Subdivision and development of the Transitional Area / R5 shall be in accordance with the provisions of the Transitional Lot Management Plan.
 - If in future the area of the transition lots that is outside the 30 metre building envelope becomes available for development, then a POS contribution will be required for this area of land.
- Detailed Area Plans
- For areas designated R30 and above, including aged person accommodation in Cell 2, Detailed Area Plans (DAP) should be prepared, prior to subdivision, detailing the following as applicable to the given area:
 - (a) Dwelling orientation
 - (b) Laneway access
 - (c) Setback variations
 - (d) Passive surveillance of public open space
 - (e) Noise attenuation
 - (f) 132kv line Patricia Street (East of Arthur Street)
 - Prior to subdivision, a DAP shall be prepared for the Neighbourhood Centre which encourages future development to address the following:
 - (a) Active street frontages
 - (b) Pedestrian amenity
 - (c) Building heights
 - (d) Passive surveillance of primary school
 - (e) Access and vehicle parking
 - Within the four hundred metre catchment of the neighbourhood centre, provision shall be made for the establishment of home businesses. The requirement only applies to DAP areas with frontage to Patricia Street and Waldeck Road. The provisions shall address the following:
 - (a) Building design
 - (b) Car parking
 - (c) Plot ratio and density bonuses
 - (d) Use permissibility
 - (e) Notification on title
 - Prior to subdivision within the transition lot management area, a DAP shall be prepared and implemented which satisfactorily ameliorates potential emissions from adjoining agricultural activities.

LEGEND

Caversham Structure Plan	Access Street B (18m)	1000m Brickworks Notification Area	Residential R5 (Transition Lots)	General Commercial	Road and Intersection to be Upgraded / Widened (Refer to D.C.P. and Traffic Strategy and Clause 2.1.1)
Cell Boundary / Number	Access Streets (15m)	150m Interim Agriculture Buffer	Residential R20	Recreation (Refer Figure 20)	Pump Station
18m Multiple Use Corridor (Drainage Channel)	Laneway (6m)	30m Deep Transition Lot Building Envelope as per T.L.M.P.	Residential R25	Civic And Cultural	Proposed Light Controlled Intersection (Refer Clause 2.1.1)
Drainage Swale Easement	500m Buffer to Mushroom Farm	Proposed Road Widening	Residential R30	Primary School	Aboriginal Heritage Site (DIA Ref. 3744)
75m Residential Setback to H.P.G.T.P. Easement	1000m Interim Mushroom Farm Notification Area	Detailed Area Plan Required Prior to Subdivision	Residential R40	Drainage (Refer L.W.M.S.)	
Gas Pipeline Easement	200m Poultry Farm Buffer	6m Wide (4m Track) Fire Access Easement and Drainage	Residential R50 (Retirement Village)		
Existing 132kv Power Line	500m Agricultural Notification Area	Pedestrian Access Way	Residential R60		

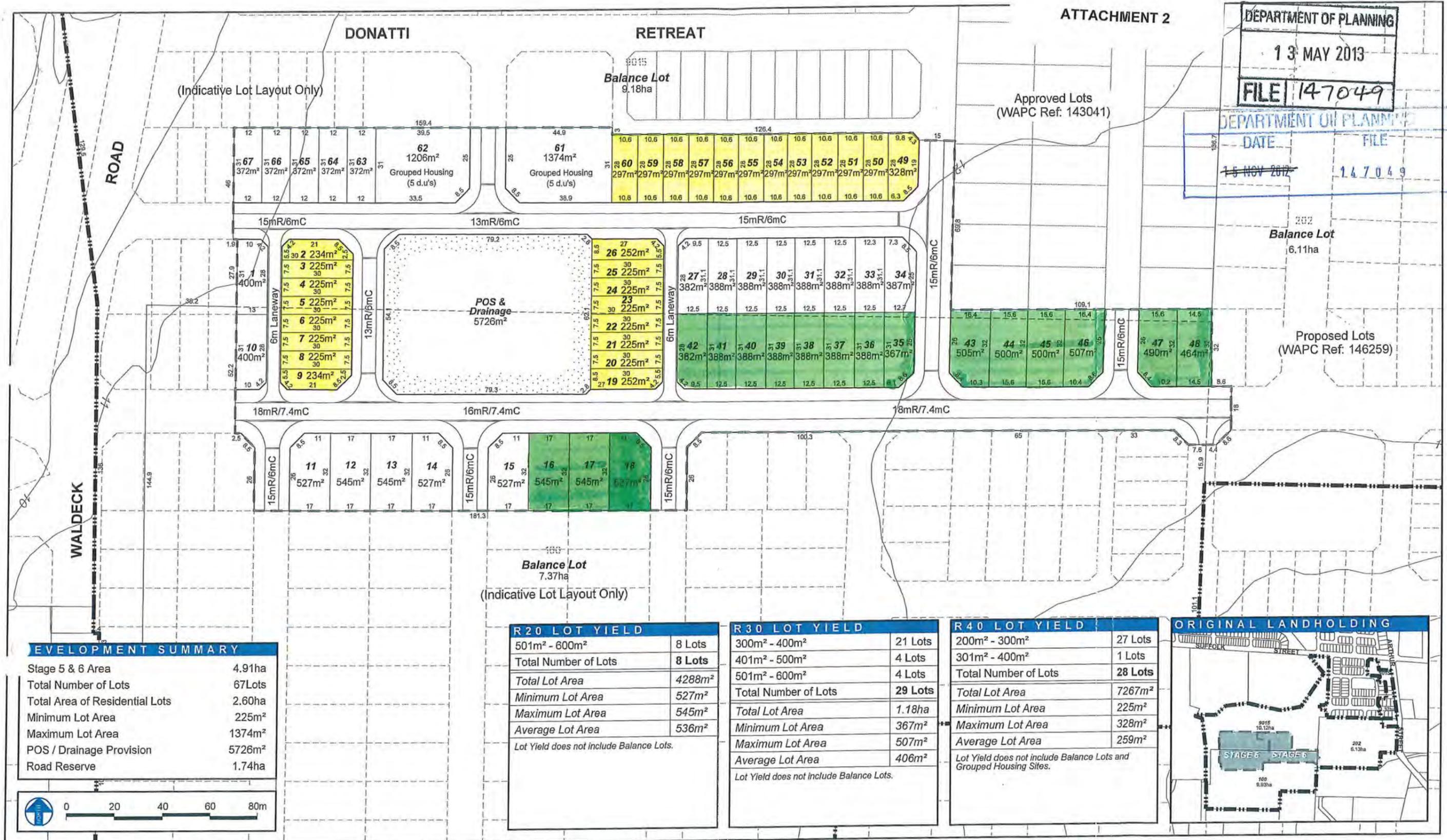
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 3 May 2013 : DATE
 2985-2-001zd.dgn : PLAN No
 zf : REVISION
 L.R. : PLANNER
 R.F. : DRAWN
 L.R. : CHECKED

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DEPARTMENT OF PLANNING
13 MAY 2013
FILE 147049

DEPARTMENT OF PLANNING
DATE 15 NOV 2012
FILE 147049



DEVELOPMENT SUMMARY

Stage 5 & 6 Area	4.91ha
Total Number of Lots	67Lots
Total Area of Residential Lots	2.60ha
Minimum Lot Area	225m ²
Maximum Lot Area	1374m ²
POS / Drainage Provision	5726m ²
Road Reserve	1.74ha

R20 LOT YIELD

501m ² - 600m ²	8 Lots
Total Number of Lots	8 Lots
Total Lot Area	4288m²
Minimum Lot Area	527m²
Maximum Lot Area	545m²
Average Lot Area	536m²
Lot Yield does not include Balance Lots.	

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300m ² - 400m ²	21 Lots
401m ² - 500m ²	4 Lots
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Total Lot Area	7267m²
Minimum Lot Area	225m²
Maximum Lot Area	328m²
Average Lot Area	259m²
Lot Yield does not include Balance Lots and Grouped Housing Sites.	



PROPOSED SUBDIVISION - Stage 5 & 6

Lot 100 Waldeck Road, Lot 202 Arthur Street & Lot 9015 Summerville Boulevard, CAVERSHAM

LEGEND

- Subject Site
- Staging Boundary

- Lots subject to Detailed Area Plans
- Lots excluded from approval

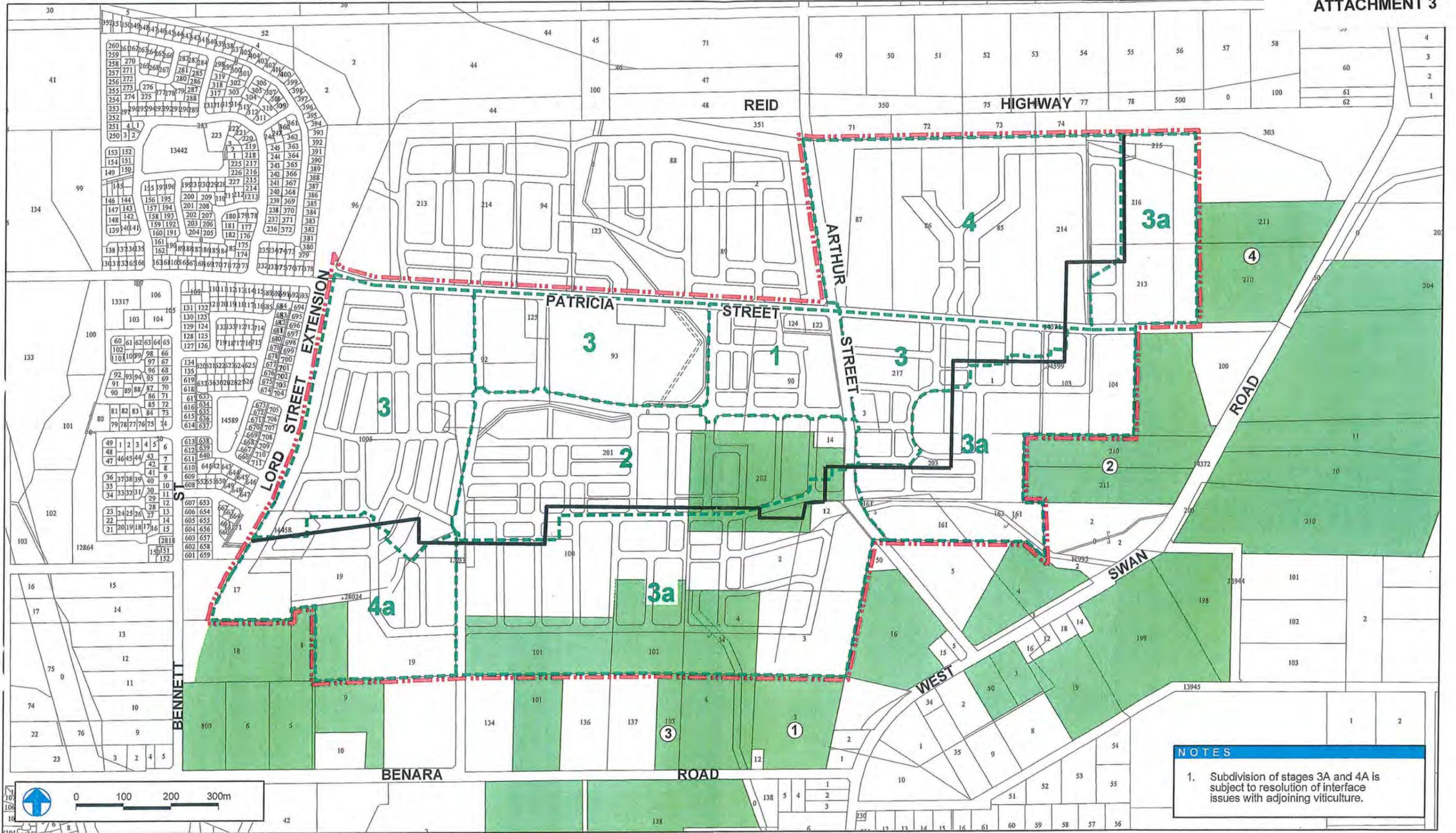
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Lightway Holdings : CLIENT
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17 September 2012 : DATE
112896_3-3-002f.dgn : PLAN No
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SITE AND STAGING PLAN
CAVERSHAM

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All carriageways are shown for illustrative purposes only and are subject to detailed engineering design.
14 MAR 2013
FILE

- LEGEND**
- - - Caversham Cell
 - - - Proposed Stage Boundary
 - 150m interim viticulture buffer
 - Viticulture
 - ① Questionnaire respondent

Caversham Main Landowners Group : CLIENT
1:7,500@A3 : SCALE
27 April 2011 : DATE
2965_3-5-008a.dgn : PLAN No
a : REVISION
L.R. : PLANNER
R.F. : DRAWN
- : CHECKED



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FIGURE 2

5.0 THE MANAGEMENT PLAN

5.1 Transition Lots

Based upon the potential emission identified in Section 5, transition lots are recommended to manage the interface between future residential development and adjoining agricultural areas. The DEC has acknowledged the use of transition lots elsewhere in Australia as a suitable interface between agricultural and residential land uses **Appendix C**.

The special residential transition lots are recommended to be a minimum depth of 85 metres and comprise:

- 55 metre buffer including.
 - a) 2.8 artificial boundary screen to reduce potential dispersion of spray drift from adjoining agricultural activities, installed wholly within the transition lot and maintained by the landowner,
 - b) 6 metre wide strategic access way,
 - c) 2.8 high (apex) bund/wall to reduce potential noise impacts;
 - d) Obligations on the lot owner to maintain the bund and artificial screen;
 - e) Non-habitable building area;
 - f) Provisions excluding construction of structures and incidental buildings in the bund area;
 - g) Where required, a drainage easement consistent with the approved Local Water Management Strategy.

and

- 30 metre deep building envelope allowing construction of a single dwelling subject to Quiet House design and construction requirements which reduce potential amenity impacts from adjoining agricultural areas. Quiet house design requirements include:
 - a) Door / window seals;
 - b) Insulated (40mm thick solid) doors,
 - c) Orientation of outdoor living areas away from noise source;
 - d) Awning style windows;
 - e) Insulated glass; and
 - f) Forced ventilation.

Please refer to **Figures 3 and 4** for an illustration of these requirements

5.2 Artificial Screen

Based upon the scientific research undertaken by the University of Queensland, artificial permanent barriers are considered to be highly effective in reducing spray drift dispersion. To be effective, the screen shall be designed and constructed as follows.

- Minimum height of 2.8 metres;
- Screen to be achieve minimum 50% porosity;
- Be constructed of durable material preferably stainless steel mesh;
- Be structurally sound through the provision of appropriately designed footings;
- Be located wholly within the transition lot.

Specifically an aperture width of 3mm is recommended to achieve the minimum required porosity of 50% (Refer **Appendix D**). The artificial barrier will be subject to Development Approval by the City of Swan.

5.3 Development Provisions

Development shall be in accordance with the provisions prescribed on Plans 1 to 4 of **Figure 5** in addition to the requirements of the Codes.

5.4 Vegetation

In some cases future lot owners may wish to establish planting on the bund. It is important that the type of vegetation does not attract pests which may threaten adjoining agricultural operations. A species typology has been determined and is attached at **Appendix E**. The determined species exhibit the following characteristics:

- Drought tolerance,
- Low maintenance,
- Aesthetically pleasing,
- Do not attract pests that could impact upon adjoining agricultural operations, and
- Native species.

5.5 Implementation

The subject land is zoned "Residential Development" and is subject to the provisions of **Clause 5A.1.** of Local Planning Scheme 17.

Clause 5A.1.3 of the Scheme requires all subdivision and development to be consistent with a Structure Plan which has been approved and endorsed by Council and the Western Australian Planning Commission and the TLMP is an annexure to the Caversham LSP (ODP-150).

A total of 4 Transition Lot Management Plan diagrams have been prepared for the transition area (Refer **Figure 5** {Plans 1 – 4}) The Caversham LSP requires all subdivision and development within the transition area to be in accordance with the provisions of the TLMP. .

5.5.1 Maintenance and Contingency

The subdivider will be responsible for installing and initially maintaining the bund and artificial screen for a period prescribed by the City of Swan. This will be subject to a legal agreement prepared by the City of Swan's solicitor to ensure that the agreed planning instruments of the TLMP will be carried out at the time of subdivision. Failure of the subdivider to implement the requirements of the TLMP will result in the City not being able to issue clearance for the subdivision.

Ultimately maintenance responsibility will fall on the subsequent lot owner which is consistent with best practice. Maintenance will be enforced via a Covenant. The covenant will be drafted by the City of Swan's solicitor and will be registered on the Certificates of Title, with the requirement enforced via a condition of subdivision approval.

The City of Swan's solicitor, McLeods, have prepared an advice letter with relation to the above, confirming the most appropriate means to protect the City's interests in respect of the transition lots. This advice is included at **Appendix F**.

5.5.2 Staging of Subdivision

The Caversham LSP includes a staging plan for future subdivision (Refer **Figure 2**). Areas adjoining agricultural operations to the south and east are designated as stages 3a & 4a. The Caversham LSP outlines the following provision:

Clearance of subdivision within 150m of lots containing viticulture (Lots 101, 103, 4 and 9 Benara Road, Caversham) within the Caversham Local Structure Planning area will not be finalised (deposited plan) until the vineyards are removed.

The plan provides separation of 150 metres between adjoining operations and future residential subdivision.

4.0 IMPLEMENTATION

4.1 STRUCTURE PLAN ADOPTION

The Caversham Structure Plan has been prepared for ultimate adoption by the WAPC and City of Swan under LPS No. 17.

4.2 MANAGEMENT PLANS

The Structure Plan has been prepared acknowledging that the City of Swan will require accompanying management plans. The following management plans have been progressed concurrently as appendices to the Structure Plan:

Community and Economic Development Plan	Creating Communities
Local Water Management Plan	Cardno
Transition Lot Management Plan	RPS, Lloyd George Acoustics & CEE
Developer Contribution Plan	Integran Infrastructure Consultants
Fire Management Plan	Fireplan
Financial Assessment Report	RPS with assistance from Estates Development Company

In addition the following management plans will be progressed prior to subdivision:

- Urban Water Management Plan (as per the WAPC BUWM guidelines)
- Landscape Management Plan
- Acid Sulfate Soils (ASS) Site Assessment Management Plan, in accordance with WAPC's Planning Bulletin No.64 and successors (as recommended by the LWMS)
- Quantitative Risk Assessment (see Section 4.7.4 of Part A for when it is applicable)
- Preliminary Site Investigation (in accordance with the DEC's Contaminated Site Management Series Guidelines)
- Supplementary Acoustic Investigations for the Reid Highway and Lord Street extension (as per Terry George Acoustics' proposed modifications to Noise Impact Assessment via an addendum)

4.3 DETAILED AREA PLANS & DESIGN GUIDELINES

The Structure Plan provides for a range of land use interfaces and lot size allocations. It is intended that individual developers prepare Detailed Area Plans (DAP's) or Design Guidelines to address such matters in accordance with the requirements of LPS No. 17.

The objectives of the various DAP's outlined as follows:

Neighbourhood Centre

- *Active street frontages:* Development designed to have a minimal or no setback from the street, with building facades incorporating glazing and openings which enable direct contact (visual and physical) between the street and the interior of the adjoining building;
- *Pedestrian amenity:* Building awnings over footpaths to provide all weather protection;
- *Pedestrian scale development:* As outlined above building heights limited to 2 to three storeys in order to not "overwhelm" or excessively overshadow adjoining public spaces;
- *Passive surveillance:* Encourage 'shop top' housing; and
- *Vehicle parking areas:* "tucked in" or located behind buildings which are not primarily visible from the adjoining streets.

Medium Density Housing

- *Passive surveillance:* Habitable areas orientated to overlook POS; and
- *Streetscape:* Where appropriate rear or laneway access to parking areas.

Primary School Site

- *Integration:* Optimum integration of facilities to benefit the community;
- *Passive surveillance:* Orientation of activity areas to benefit from adjoining surveillance opportunities;

4.4 STAGING

The Caversham LSP includes a staging plan for future subdivision (Refer Figure 22). Areas adjoining agricultural operations to the south and east are designated as stages 3A & 4A. The LSP outlines the following provision:

- *In relation to stages 3A & 4A on the staging plan, subdivision as envisaged by the LSP, shall not proceed until a management plan is prepared and implemented to the satisfaction of Council and the Western Australian Planning Commission.*

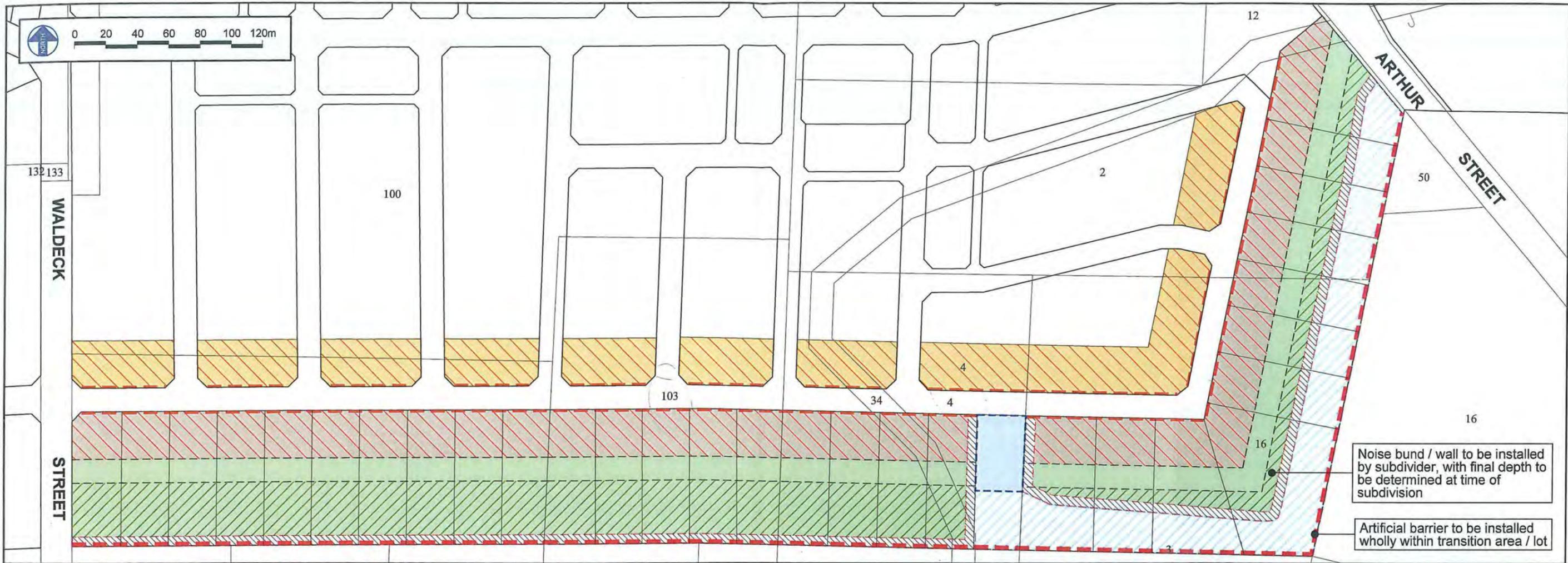
The stages provide separation of 200 metres to 400 metres between adjoining operations and future residential subdivision. For instance, Stage 4a provides for approximately 400 metres separation from Pinelli's winery (south west corner) to future residential. In this regard greater separation is provided given the intensity of the operation (the only commercial vineyard) and prevailing wind patterns as discussed in the CEE report.

There is a number of existing viticulture activities on Lots partially and/or fully within the LSP area, and the staging of subdivision needs to consider their existence. Sensitive uses shall not be permitted within 150m of these operations (measured from the property boundary) until:

- (1) The nonconforming use rights of these operations have been extinguished by the landowner, or;
- (2) Mitigation measures to ameliorate spray-drift, dust and noise are implemented to the satisfaction of the WAPC and Local Government.

The Interim Viticulture Buffer shown on the Plan considers these operations and the mitigation measures are discussed in the Transitional Lot Management Plan.

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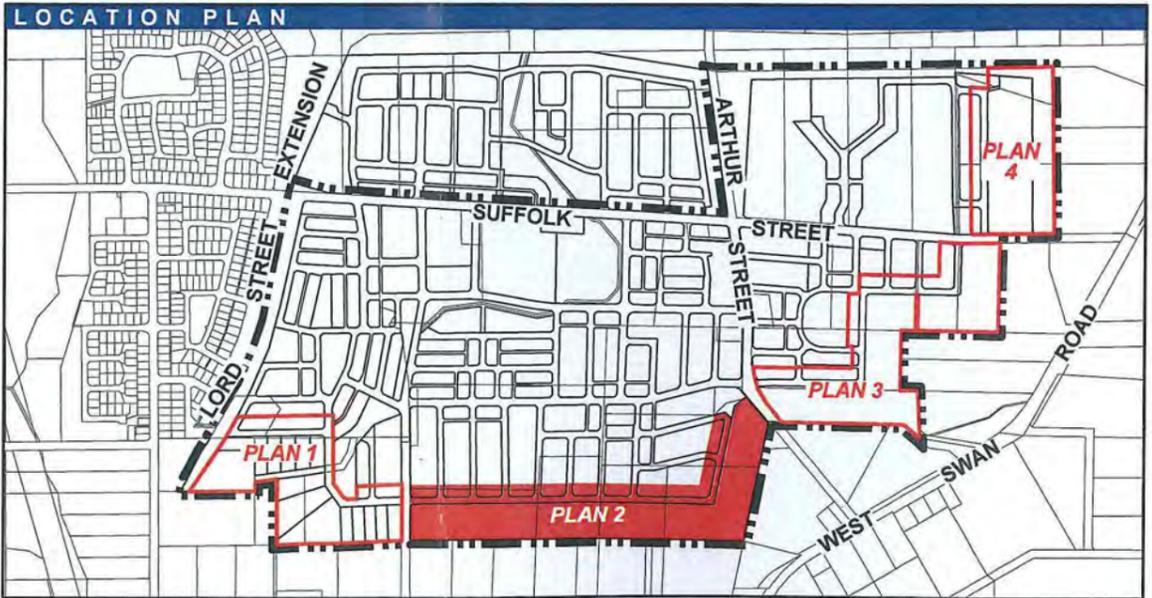


Noise bund / wall to be installed by subdivider, with final depth to be determined at time of subdivision

Artificial barrier to be installed wholly within transition area / lot

TRANSITION AREA - PLANNING REQUIREMENTS

- Transition Area - Planning Requirements**
- 1. Subdivision Criteria**
- a) Clauses of subdivision within 150m of low existing structures (Lots 101, 103, 4 and 9 Bannardland, Caversham) within the Caversham Local Structure Plan area will not be treated (Grouped Plan) until the proposals are reviewed.
 - b) Subdivision shall be in accordance with the Transition Lot Management Plan as outlined in the Caversham Local Structure Plan.
 - c) As a condition of subdivision, the Council and WVIC require the subdivider to install:
 1. A 2.8 metre high noise bund / wall as delineated on the Transition Lot Management Plan; and
 2. An artificial permanent barrier located wholly within the Special Residential Transition lots being a minimum 2.8 metre in height with a porosity of 50% to the satisfaction of the Chief Executive Officer.
 - d) Prior to the Council recommending endorsement to the WVIC of a deposited plan of subdivision, the subdivider shall:
 1. Install the noise bund / wall and artificial permanent barrier to Council's satisfaction;
 2. Prepare and enter into a legal agreement with Council to ensure the ongoing maintenance of the bund and screen. The agreement shall also address contingency measures to be put in place in the event that the bund or screen is compromised.
 - e) Prior to Council recommending endorsement to the WVIC of a deposited plan of subdivision, the subdivider shall make necessary arrangements for a modification pursuant to section 70B of the Transfer of Land Act 1993 in favour of Council relating to easements and prescriptive easements of the subdivided lots that the lots are subject to the provisions of the Caversham Local Structure Plan (Transition Area) which contains factors affecting the use and enjoyment of the lots (the Modification). The Modification shall be prepared at the subdivider's cost to the satisfaction of the WVIC and shall be registered against each of the certificates of title for the subdivided lots.
 1. Habitable rooms to have forced ventilation;
 2. Outdoor living areas to be located, as far as practicable, from the potential noise source;
 3. External Doors to be hinged 40mm solid timber core (or approved equivalent) with acoustic seals;
 4. Windows to be airtight double glazed with acoustic seals, commercial grade frames and Pilkington 16.5mm Optigon Plus glass or approved equivalent;
- 2. Development & Land Use Provisions**
- 2.1 Residential Transition Lots**
- a) All development including single dwellings shall be approved in accordance with Clause 8.1 of the Scheme and the endorsed Local Structure Plan (ODP150).
 - b) In addition to the requirements of the Scheme, the following noise attenuation provisions apply:
 1. Habitable rooms to have forced ventilation;
 2. Outdoor living areas to be located, as far as practicable, from the potential noise source;
 3. External Doors to be hinged 40mm solid timber core (or approved equivalent) with acoustic seals;
 4. Windows to be airtight double glazed with acoustic seals, commercial grade frames and Pilkington 16.5mm Optigon Plus glass or approved equivalent;
 - c) For all boundaries marked Primary building extension' at least one 'major opening' (as defined by the R-Codes) having clear view of the street and approach to the dwelling.
- 2.2 Special Residential Transition Lots**
- a) Development and outdoor living areas shall be contained within the building envelope as designated on the TLMP.
 - b) Land use within the building envelope shall be consistent with the requirements of the Residential zone as outlined in the "Zoning Table" of the Scheme.
 - c) Development within the building envelope shall comply with the development standards applicable for Residential R3 in the Residential Design Codes with the exception that fence and side setbacks can be as per R20.
 - d) The following noise attenuation measures apply to develop areas within the building envelope:
 1. Habitable rooms to have forced ventilation;
 2. Outdoor living areas to be located, as far as practicable, from the potential noise source;
 3. External Doors to be hinged 40mm solid timber core (or approved equivalent) with acoustic seals;
- 4. Windows to be airtight double glazed with acoustic seals, commercial grade frames and Pilkington 16.5mm Optigon Plus glass or approved equivalent.**
- a) Outbuildings, garages and carports may be permitted within the non-habitable building area as designated on the TLMP.
 - b) No structures and / or incidental buildings are permitted within the bund area as delineated on the TLMP.
 - c) The owner shall be required to maintain the noise bund / wall and artificial permanent barrier to the specification and satisfaction of Council. A copy of the Caversham LSP and TLMP is available at the City of Swan Council Office.
 - d) Should fence lot owners wish to establish planting on the bund, it is important that the type of vegetation does not obstruct views which may threaten adjoining agricultural operations. A species register has been determined and is included in the TLMP.
- 3. Alternative Measures**
- a) Subdivision, Development and Land Use will be in accordance with the TLMP. Council may consider varying the structure plan in accordance with the Scheme's provisions if it is of the opinion that:
 1. the need for mitigation / separation has changed;
 2. that the TLMP adversely affects the subdivision of land and that changing the subdivision design does not prejudice the purpose of the TLMP, the CLSP and orderly and proper planning.
- 4. Consultation**
- a) Compliance with the provisions of the TLMP will not require consultation with adjoining and / or nearby land owners.
- 5. Homebased Uses**
- a) The Council may support the creation of homebased lots subject to:



CAVERSHAM TRANSITION LOT MANAGEMENT PLAN - Plan 2 of 4
CAVERSHAM

Base data supplied by Landgate.
Accuracy +/- 4m. Projection MGA Zone 50.

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

LEGEND

	Primary building orientation		Non habitable building area		Proposed drainage easement (see ODP150 and LWMS)
	Artificial barrier		Quiet house design		
	Residential transition lots		Building exclusion area		
	Building envelope (special residential transition lots)		6m strategic access easement		

- : CLIENT
 1:2,500@A3 : SCALE
 29 April 2011 : DATE
 2965_3-4-006a.dgn : PLAN No
 a : REVISION
 L.R. : PLANNER
 R.F. : DRAWN
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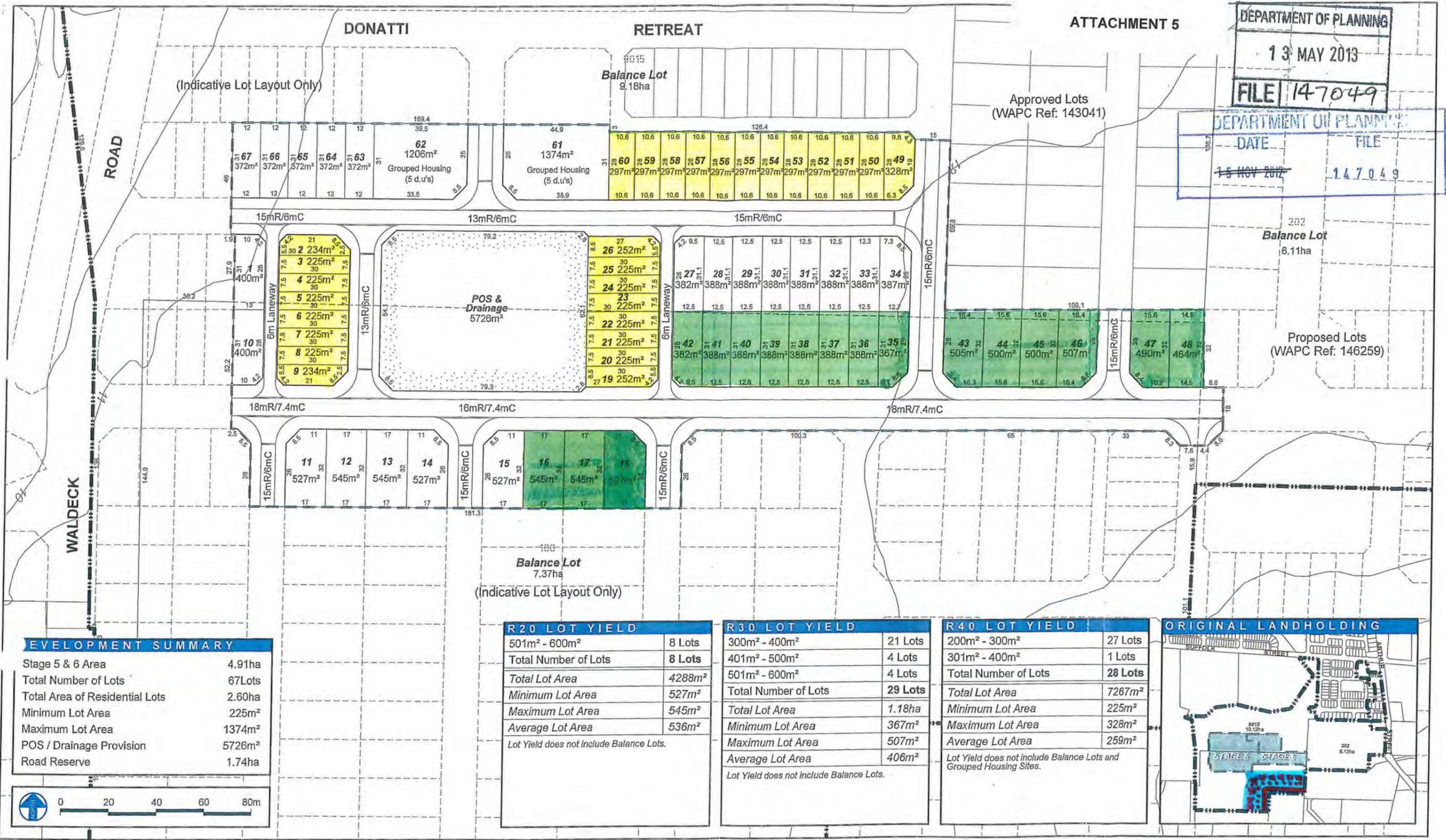
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AGENDA PAGE 250

FIGURE 5

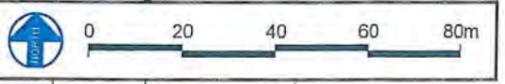
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Accuracy +/- 4m. Projection PCG94.
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LEGEND

- Subject Site
- Staging Boundary

- Lots subject to Detailed Area Plans
- Lots excluded from approval until mitigation measures implemented.
- Location of Mitigation Measures
- Artificial Screen 2.8m
- 6m accessway
- Noise Wall/Bund

Lightway Holdings : CLIENT
1:1,500@A3 : SCALE
17 September 2012 : DATE
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PROPOSED SUBDIVISION - Stage 5 & 6
Lot 100 Waldeck Road, Lot 202 Arthur Street & Lot 9015 Summerville Boulevard, CAVERSHAM

ITEM NO: 9.8

SUBDIVISION TO CREATE THREE LOTS FOR RESIDENTIAL PURPOSE - LOT 18 (NO. 1) LANSING STREET, QUEENS PARK

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Planning Officer - Metropolitan Planning Central
AUTHORISING OFFICER: Director - Metropolitan Planning Central
AGENDA PART: G
FILE NO: 686-13
DATE: 26 November 2013
ATTACHMENT(S): Attachment 1 - Plan of Subdivision
Attachment 2 - Location and Zoning Plan
Attachment 3 - TPS 21 Map
Attachment 4 - Aerial Photograph

REGION SCHEME ZONING: Urban
LOCAL GOVERNMENT: City of Canning
LOCAL SCHEME ZONING: Residential R17.5/30
LGA RECOMMENDATION(S): Refusal
REGION DESCRIPTOR: Perth Metro Central
RECEIPT DATE: 11 June 2013
PROCESS DAYS: 163 days
APPLICATION TYPE: Survey Strata
CADASTRAL REFERENCE: Lot 18 (No. 1) Lansing Street, Queens Park

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the application for survey-strata of Lot 18 Lansing Street, Queens Park as shown on the plan date stamped 11 June 2013 subject to the following conditions and advice:

- 1. The plan of subdivision is to be modified to remove the areas of common property. (Western Australian Planning Commission)***
- 2. The landowner/applicant contributing towards development infrastructure provisions pursuant to the City of Canning Local Planning Scheme No. 21. (Local Government)***

-
3. ***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, 2 and 3 at the time of subdivision approval being demolished and materials removed from the lot(s). (Local Government)***
 4. ***All buildings 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. ***The existing dwelling being retained is to comply with the requirements of the Residential Design Codes. (Local Government)***
 6. ***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)***
 7. ***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)***
 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 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)***
 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)***

-
11. ***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)***

ADVICE:

1. ***In regard to Condition 3, 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. ***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 8, Western Power provides only one underground point of electricity supply per freehold lot.***
4. ***In regard to Condition/s 9, 10 and 11 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.***

SUMMARY:

- The application proposes the survey-strata subdivision of Lot 18 (1) Lansing Street, Queens Park (the subject site) to create three residential lots and two areas of common property.
- The City of Canning does not support the application due to the proposed variation to the average site area requirement of the *Residential Design Codes 2013* (R-Codes).
- The application has been referred to the Statutory Planning Committee (SPC) for determination due to the non-compliance with the average site area requirement and is beyond the scope of the delegation from the Western Australian Planning Commission (WAPC) to officers of the Department.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation *Planning and Development Act 2005*
Section: Subdivision / Development Approval / Reconsiderations
Part 10

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*
Development Control Policy 2.2 – *Residential Subdivision*

INTRODUCTION:

The application proposes the survey-strata subdivision of the subject site to create three residential lots of 270m² (x2) and 272m², with two 1m² areas of common property. An existing dwelling is proposed to be modified and retained on Lot 2 (**Attachment 1 - Plan of Subdivision**).

The site is zoned 'Urban' under the Metropolitan Region Scheme (MRS) and 'Residential' with a density code of R17.5/30 under the City of Canning Town Planning Scheme No.40 (TPS 40) (**Attachment 2 - Location & Zoning Plan**). The subject land also lies within Town Planning Scheme No. 21 (TPS 21) which is a guided development scheme for the Queens Park and East Cannington Area (**Attachment 3 - TPS 21 map**).

The application has been referred to the Statutory Planning Committee (SPC) due to the non-compliance with the average site area requirements.

CONSULTATION:

The City of Canning (the City) does not support the application due to the proposed variation to the average site area requirement but have provided conditions should the application be approved. These conditions are supported, except in relation to the protection of vegetation and the preparation of a geotechnical report. These issues are discussed in more detail within the 'Comments' section of this report.

Western Power and the Water Corporation support the application subject to the imposition of standard servicing conditions.

All recommended conditions have been assessed and where considered fair, reasonable and relevant, they should be imposed. The conditions are in accordance with the Model Subdivision Conditions schedule, except for the condition requiring the removal of the common property.

COMMENTS:

Proposal

The proposal meets the minimum site area requirements (260m² required, 270m² provided) but does not meet the average site area requirements (300m² required, 277.33m² provided) as specified in the R-Codes for the R30 density code. The proposed variation to the average site area represents 22.67m² or 7.56%.

As the site is located on the corner of Lansing Street and Centre Street, section 5.1.1 C1.3(i) of the R-Codes allows for up to 20m² of the truncation to be added to the area

of the adjoining survey-strata lot. In this instance, 18m² has been added to the site area of proposed Lot 3, which increases it to 290m². The variation of 7.56% to the average site area includes this additional 18m².

The application includes the creation of two 1m² areas of common property (CP 4 and CP 5) which are not required. The applicant was of the understanding that a survey-strata application could only be approved if common property was proposed. As this is not the case, it is recommended that a condition be imposed requiring the removal of the common property as it fails to serve a purpose. This approach is supported by the applicant.

Policy Context

The application is presented to the SPC due to the average site area of the proposed survey-strata lots requiring a variation of more than 5%, as permitted under the R-Codes and Clause 3.2.3 of WAPC Development Control policy 2.2 *Residential Subdivision* (DC 2.2). The policy supports green title and survey-strata subdivision applications that seek variations to lot sizes below the minimum and/or average lot sizes subject to the following criteria:

- i) all lots in the subdivision meet the minimum lot size requirements;*
- ii) the variation reduces the average lot size of the overall subdivision by no more than 5% of the average lot size specified in Table 1 or elsewhere in the R-Codes; and*
- iii) the variation has been demonstrated by the applicant to have a particular beneficial outcome for the community, or the Commission forms the opinion that it will have a particular beneficial outcome for the community.*

With respect to Clause 3.2.3 of DC 2.2 , the proposal meets the minimum site area requirement under the R30 coding of the land. Notwithstanding the fact that the proposal represents a departure from the requirements of Clause 3.2.3 of DC 2.2, as it proposes a variation greater than 5% (7.56%) to the average site area requirement, the proposed subdivision is considered to have a number of beneficial outcomes as follows:

- i) Will allow for the creation of lots that meet the minimum lot size required by the R-Codes and achieves direct frontage access to a constructed public road;
- ii) Assists with using residential land to its best advantage by enabling an additional lot to be created;
- iii) Provides a wider choice of residential lot sizes in the locality;
- iv) Makes best use of existing infrastructure and services located in close proximity to the proposal site; and
- v) Will contribute towards the dwelling targets of the draft *Central Metropolitan Sub-regional Strategy and Directions 2031* which specifies an additional draft housing target of 9,000 dwellings within the Canning municipality by 2031.

It should be noted that the difference between a 5% variation that could be determined under delegation and the proposed variation of 7.56% equates to a shortfall of 7.67m². Although the variation of 7.56% represents a departure from DC 2.2, it is considered that there is sufficient justification to support the proposal.

TPS 21 and TPS 40

In accordance with Appendix 7 of TPS 40, residential development above the R17.5 code is required to be in accordance with the Scheme Map for the area. TPS 21 provides an indicative design layout to address the Queens Park area, however this is more relevant to larger lots where the construction of new roads and services is required. The existing cadastre for the subject lot is demonstrated on the TPS 21 map and as the proposal does not alter the existing cadastre, but subdivides within the cadastre, the application is considered to be consistent with the provisions of TPS 21.

In respect to the dual coding of the site, TPS 40 allows for the higher density to prevail where the site is connected to reticulated sewerage and the development site frontage is greater than 25 metres where more than two dwellings are proposed. In this instance, whilst the City does not support the proposal, they have assessed the application at the higher density of R30.

City of Canning Recommendation

Two conditions as recommended by the City, relating to the protection of vegetation and the preparation of a geotechnical report, are not supported for the following reasons:

- The site contains a limited amount of vegetation. There are only three small trees located within the site boundary with the most significant vegetation located within the street verge, outside of the application area (**Attachment 4 - Aerial Photograph**).
- It is considered that the standard land filled/drainaged/graded condition will sufficiently address the requirements of lots being able to accommodate their intended use, contain stormwater on site and connect the site to drainage. Accordingly, a geotechnical report for a three lot infill development proposal is not required.

Practice

The WAPC has approved subdivisions this year, prior to the adoption of the 2013 R-Codes, that exceeded the 5% variation to the average site area requirements. However, the adoption of the 2013 version of the R-Codes introduced 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) and hence reset the framework to the default position of a 5% maximum variation. Since adoption of the 2013 R-Codes, the issue of an application exceeding the 5% variation for the average site area requirement has been tested and approved at the 24 September 2013 and 12 November 2013 Statutory Planning Committee meetings for the following applications:

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

-
- WAPC ref: 146953, 12.4% variation, freehold subdivision, R17.5 coded two street-front lots, Agincourt Drive, Willetton. City of Canning recommended refusal.

As detailed above, a number of subdivisions have previously been approved that propose variations to the average site area requirement but retain the minimum lot size. It is considered that compliance with the minimum site area requirements is more crucial within infill situations, whereas compliance with the average site area requirement is more relevant for green field sites where a large number of lots are being proposed.

CONCLUSION:

Having regard to the circumstances which apply to the proposed subdivision, it is appropriate in this instance to approve the application and in doing so support a variation of 7.56% to the average site area requirement. Conditional approval is therefore recommended.

APPLICATION FOR APPROVAL
 OF PLAN OF SURVEY-STRATA SUBDIVISION

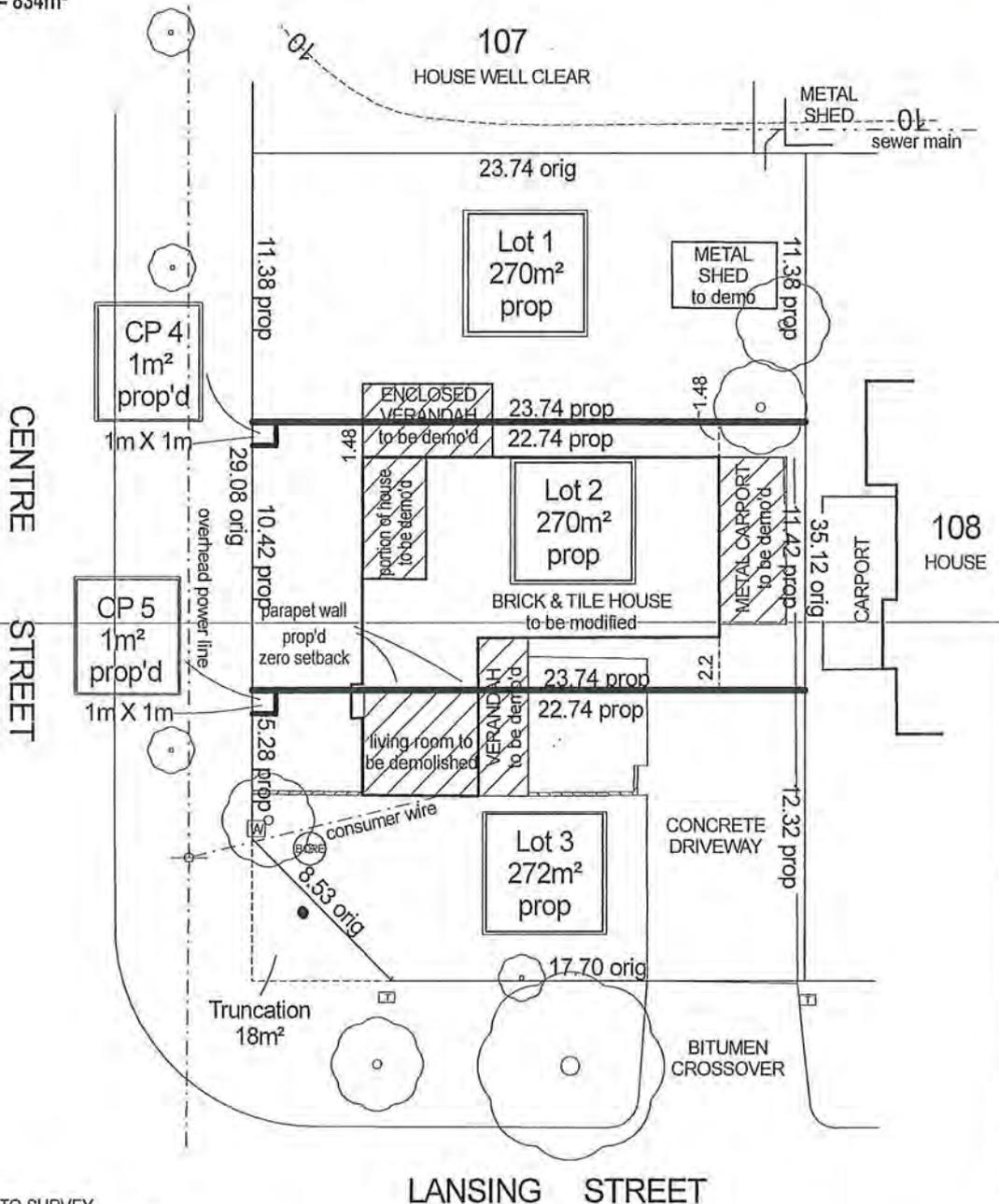
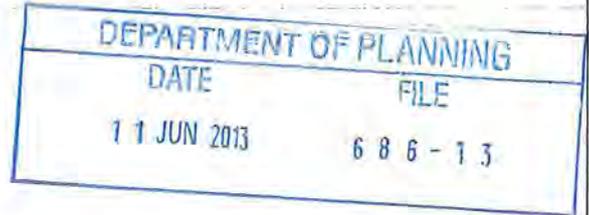
CLIENT: PREMARATHNA
 LOT ADDRESS: Lot 18 (1) Lansing Street, Queens Park

Diagram No: 46810
 C/T: 1387/93

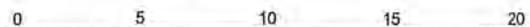
SCALE: 1:300
 REF No: 60159
 DATE: 7/6/2013

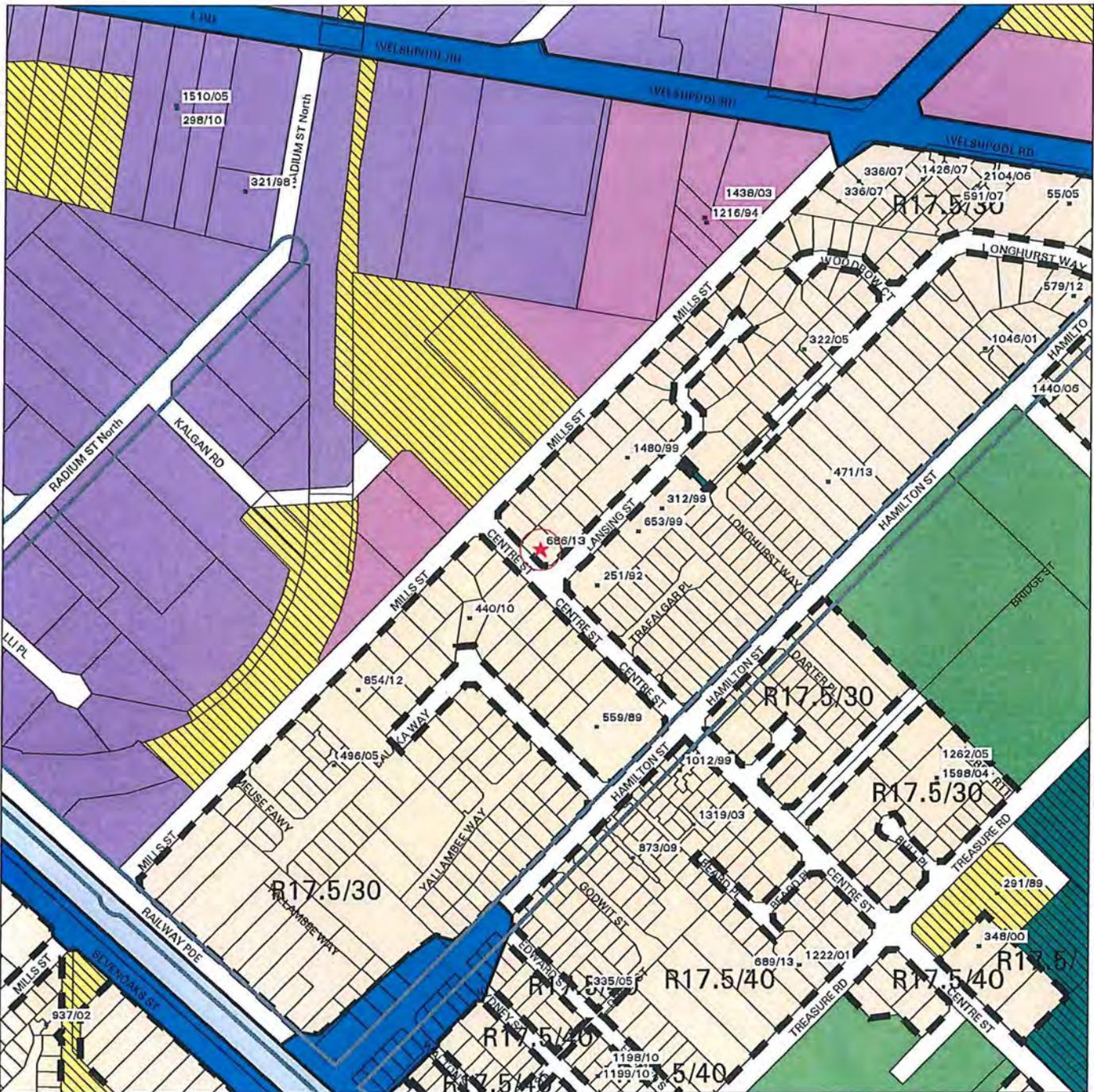
No OF ORIG LOTS: 1
 No OF NEW LOTS: 5
 TOTAL AREA: 814m² + 18m² (trunc) = 834m²

ZONING: R17.5/30
 RESTRICTIVE
 COVENANT: NO



NOTE: DIMENSIONS & AREAS SUBJECT TO SURVEY
 LOTS MAY ALLOCATED NEW NUMBERS AT TIME OF SURVEY
 THIS PLAN NOT TO BE USED AS PART OF SALE CONTRACT
 WITHOUT PRIOR PERMISSION FROM R. G. LESTER & ASSOCIATES

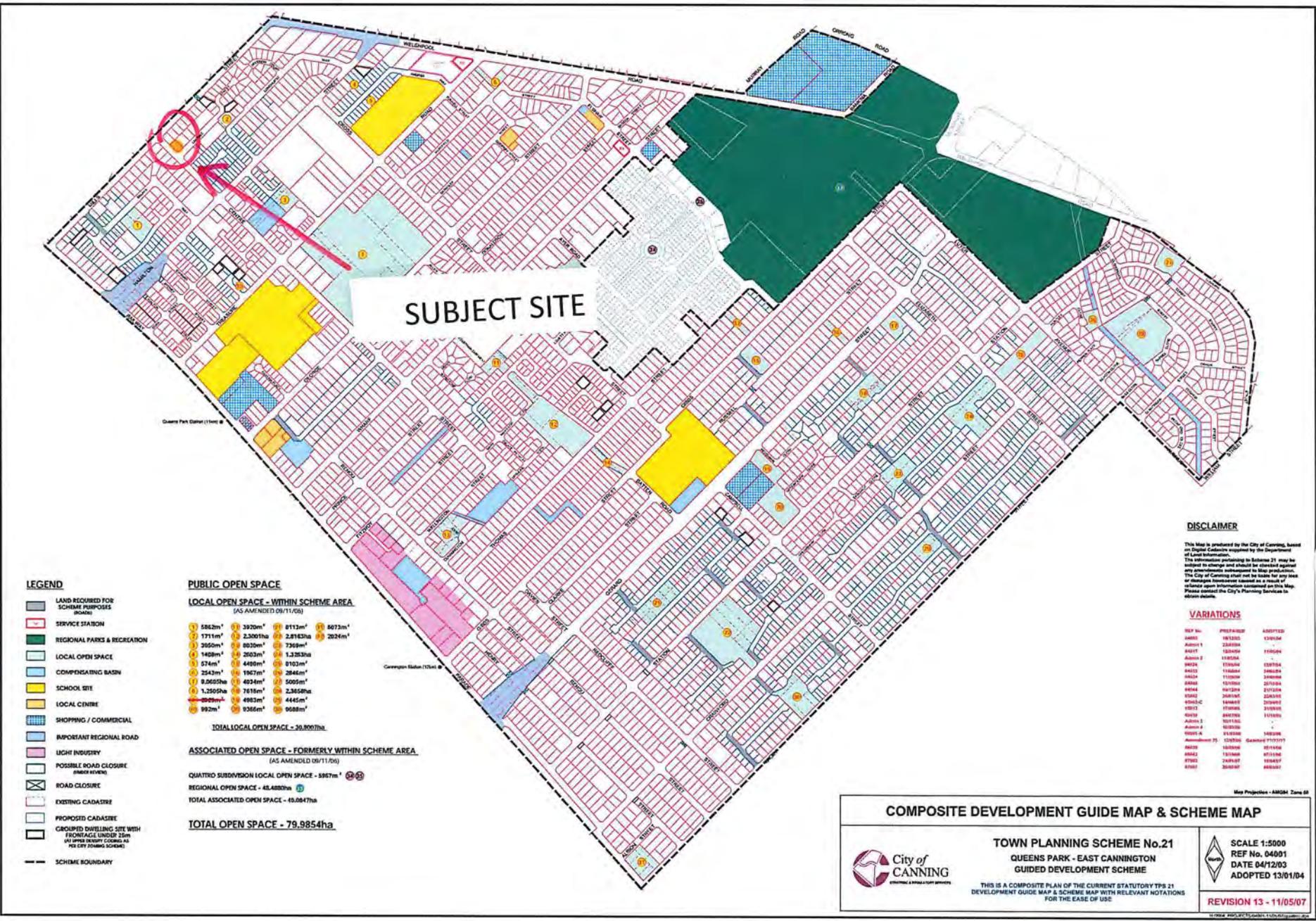




Strata Application 686/13 (MGA ref 399607mE 6459122mN Zone 50)
 This data is to be used for the processing of subdivision applications only.

- APPROX LOCATION OF APPLICATION
- OTHER REGIONAL ROADS
- RAILWAYS
- CADASTRAL BOUNDARY
- WESTNET ENERGY GAS PIPELINE
- STRATA APPLICATION
- R CODE BOUNDARY
- LIGHT INDUSTRY
- PUBLIC PURPOSES
- RESIDENTIAL
- GENERAL INDUSTRY
- PRIVATE CLUBS & INSTITUTIONS
- LOCAL PARK & RECREATION AREA

142100a.eps



SUBJECT SITE

DISCLAIMER

This Map is produced by the City of Canning, based on Digital Cadastre supplied by the Department of Land Information. The information pertaining to Scheme 21 may be subject to change and should be checked against any amendments subsequent to Map production. The City of Canning shall not be liable for any loss or damage whatsoever caused as a result of reliance upon information contained on this Map, other than the City's Planning Services in good faith.

VARIATIONS

REF No.	PROPOSED	ADOPTED
AM02	181310	130454
AM01	130454	-
AM17	130454	119044
AM04	119044	-
AM04	119044	130754
AM02	116044	246044
AM04	119044	246044
AM04	131044	201044
AM04	141044	201044
AM02	246144	224544
AM02C	140447	201044
AM11	170044	310044
AM19	246104	110104
AM01	101104	-
AM01	410044	340044
AM000007	120704	Garage# 1117177
AM02	140446	011446
AM02	131446	011446
AM02	246147	110447
AM02	340447	010447

Map Projection - AMG84 Zone 50

COMPOSITE DEVELOPMENT GUIDE MAP & SCHEME MAP



TOWN PLANNING SCHEME No.21
QUEENS PARK - EAST CANNINGTON
GUIDED DEVELOPMENT SCHEME

THIS IS A COMPOSITE PLAN OF THE CURRENT STATUTORY TPS 21 DEVELOPMENT GUIDE MAP & SCHEME MAP WITH RELEVANT NOTATIONS FOR THE EASE OF USE

SCALE 1:5000
 REF No. 04001
 DATE 04/12/03
 ADOPTED 13/01/04

REVISION 13 - 11/05/07

- LEGEND**
- LAND REQUIRED FOR SCHEME PURPOSES (ROADS)
 - SERVICE STATION
 - REGIONAL PARKS & RECREATION
 - LOCAL OPEN SPACE
 - COMPENSATING BASIN
 - SCHOOL SITE
 - LOCAL CENTRE
 - SHOPPING / COMMERCIAL
 - IMPORTANT REGIONAL ROAD
 - LIGHT INDUSTRY
 - POSSIBLE ROAD CLOSURE (UNDER REVIEW)
 - ROAD CLOSURE
 - EXISTING CADASTRE
 - PROPOSED CADASTRE
 - GROUPED DWELLING SITE WITH FRONTAGE LINES (20m) (AS OPEN RESERVY COULD AS PER OPEN RESERVY SCHEME)
 - SCHEME BOUNDARY

PUBLIC OPEN SPACE

LOCAL OPEN SPACE - WITHIN SCHEME AREA
 (AS AMENDED 08/11/03)

1 5862m ²	2 1711m ²	3 2650m ²	4 1409m ²	5 574m ²	6 2543m ²	7 92605m ²	8 12305m ²	9 2099m ²	10 992m ²	11 3920m ²	12 23001m ²	13 8023m ²	14 2003m ²	15 4400m ²	16 1967m ²	17 4924m ²	18 7818m ²	19 4983m ²	20 9366m ²	21 8113m ²	22 28163m ²	23 7398m ²	24 13253m ²	25 8103m ²	26 2846m ²	27 5095m ²	28 23652m ²	29 4445m ²	30 9088m ²	31 8073m ²	32 2024m ²
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TOTAL LOCAL OPEN SPACE - 30,8007ha

ASSOCIATED OPEN SPACE - FORMERLY WITHIN SCHEME AREA
 (AS AMENDED 09/11/03)

QUATRO SUBDIVISION LOCAL OPEN SPACE - 5967m²

REGIONAL OPEN SPACE - 45,4887ha

TOTAL ASSOCIATED OPEN SPACE - 45,0847ha

TOTAL OPEN SPACE - 79,9854ha

Legend

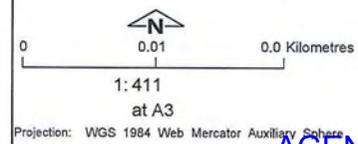
- Cadastre (view 1)
- Cadastre (view 2)
- Cadastre (view 3)
- Cadastre (view 4)
- W.A. Coastline



686-13 Aerial Photograph

INTERNAL USE ONLY

Internal Spatial Viewer
[Link to website](#)



Notes:

The data that appears on it out of date, not intended to scale displayed, or subj agreements. This informati the relevant layers metads reasons the map should not outside of the Department. Map was produced using DoF PlanViewWA.

Produced by: FUNCTIONALITY TO COME

Date of issue: 22-Nov-2013

ATTACHMENT 4

ITEM NO: 9.9

SUBDIVISION TO CREATE TWO LOTS FOR RESIDENTIAL PURPOSE. LOT 412 (NO. 68) ROBERTS STREET, BAYSWATER

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:	G
FILE NO:	1076-13
DATE:	18 November 2013
ATTACHMENT(S):	Attachment 1: Plan of Subdivision Attachment 2: Location Plan and LGA Zoning
REGION SCHEME ZONING:	Urban
LOCAL GOVERNMENT:	City of Bayswater
LOCAL SCHEME ZONING:	Residential R17.5/R25
LGA RECOMMENDATION(S):	Refusal
REGION DESCRIPTOR:	Perth Metro Central
RECEIPT DATE:	12 August 2013
PROCESS DAYS:	101
APPLICATION TYPE:	Survey Strata
CADASTRAL REFERENCE:	Lot 412 (68) Roberts Street, Bayswater

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the application for Survey Strata of Lot 412 (68) Roberts Street, Bayswater as shown on the plan date stamped 12 August 2013 subject to the following conditions and advice:

- 1. The proposed rear lot being provided with a 1.5 metre wide pedestrian access leg clear of any encroachments or projections associated with the existing dwelling including pipework, water heater systems, air-conditioning units, eaves or other such projections associated with the existing dwelling, to the satisfaction of the Western Australian Planning Commission. (Local Government).***

-
2. ***All buildings 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)***
 3. ***Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on Lot 1 and Lot 2 at the time of subdivision approval being demolished and materials removed from the lots. (Local Government)***
 4. ***The existing dwelling being retained is to comply with the requirements of the Residential Design Codes. (Local Government).***
 5. ***A 0.99 metre wide right-of-way is to be provided, constructed and drained at the landowner/applicants cost along the south-western boundary of the subject land. The right-of-way is to be accurately illustrated and denoted on the Survey-Strata Plan and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)***
 6. ***All septic sewer systems including all tanks and pipes and associated drainage systems (soakwells 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)***
 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 electricity supply service to the lots shown on the approved plan of subdivision. (Western Power)***
 8. ***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).***
 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)***
 11. ***Suitable arrangements being made with Water Corporation for the drainage of the land either directly or indirectly into a drain under the control of that body. (Water Corporation)***

Advice:

- 1. In regard to Condition 1, the landowner/applicant is advised that to provide a minimum 1.5 metre clear of any encroachments or projections, any such encroachments or projections will need to be either removed, relocated or appropriately protected with easements, as required.***
- 2. In regard to Condition 2, 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 3, 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 7, Western Power provides only one underground point of electricity supply per freehold lot.***
- 5. In regard to Conditions 9, 10 and 11, 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.***

SUMMARY:

The application proposes the survey-strata subdivision of a 663m² lot to create two residential lots of 320m² and 343m². An existing dwelling on proposed Lot 1 is to be retained.

The application complies with the minimum (300m² required, 320m² provided) site area requirements of the Residential Design Codes 2013 (R-Codes) for the R25 density coding, but does not meet the average site area requirement (350m² required, 331.5m² provided).

The application has been referred to the Statutory Planning Committee (SPC) due to non-compliance of the average lot size. The variation to average lot size is 18.5m² or 5.29%.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation *Planning and Development Act 2005*
Section: Subdivision / Development Approval / Reconsiderations
Part 10

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*
Development Control Policy 2.2 – *Residential Subdivision*

INTRODUCTION:

The application proposes the subdivision of a 663m² lot to create two residential lots of 320m² and 343m². There is an existing dwelling on proposed Lot 1 which is to be retained and existing outbuildings on proposed Lot 2 are to be demolished. **(Attachment 1 – Plan of Subdivision).**

The subject land is zoned ‘Urban’ under the Metropolitan Region Scheme (MRS) and ‘Residential R17.5/R25’ under the City of Bayswater Town Planning Scheme No. 24 (TPS 24) **(Attachment 2 – Location Plan).**

CONSULTATION:

The City of Bayswater (the City) advises the proposal has been assessed against the requirements of the higher R25 density coding and is not supported for the following reason:

- i) *The proposed subdivision will result in lot sizes below the average as specified in the City of Bayswater Town Planning Scheme No. 24 and the Residential Design codes.*

Notwithstanding, the City has provided conditions of approval should the Commission support the proposal.

Western Power and Water Corporation raise no objections subject to the imposition of standard servicing conditions.

All recommended conditions have been assessed and where considered fair, reasonable and relevant, they should be imposed.

COMMENTS:

Policy Context

The application is presented to the SPC due to the average site area of the proposed survey-strata lots requiring a variation of more than 5%, as permitted under the R-Codes and Clause 3.2.3 of Commission Policy DC 2.2 - '*Residential Subdivision*'. The policy supports green title and survey-strata subdivision applications proposing variations to lot sizes below the minimum and/or average lot sizes subject to the following criteria:

- *all lots in the subdivision meet the minimum lot size requirements;*
- *the variation reduces the average lot size of the overall subdivision by no more than 5% of the average lot size specified in Table 1 or elsewhere in the R-Codes; and*
- *the variation has been demonstrated by the applicant to have a particular beneficial outcome for the community, or the Commission forms the opinion that it will have a particular beneficial outcome for the community.*

The application proposes further variation from these policy requirements as it involves a variation greater than 5% (that being 5.29% or 18.5m²) to the average lot size required under the R17.5/R25 coding of the land.

Under the previous version of the R-Codes, the WAPC 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 complies with the requirements of Table 1 of the R-Codes.

It should be noted that, at 320m² and 343m², both proposed lots exceed the minimum (300m²) lot size for the R25 density coding. Further, the difference between a 5% variation that could be determined under delegation and the variation of 5.29% being proposed equates to shortfall of 2m². Both lots achieve the 8 metre minimum frontage requirement for the R25 code.

Although the proposed average site area variation of 5.29% represents a departure from the WAPC's DC 2.2 - 'Residential Subdivision', it is considered that there is justification to support the proposed variation.

In particular, there are similar case examples where average lots size requirements have been varied in excess of 5%, as detailed in Table 2 below.

Density of Locality

To consider the application it is important to understand the context of the locality in which the lot is located. Table 1 below provides an overall view of the locality and the form/type of landholdings:

Table 9.1: Lot Analysis Bayswater R17.5/R25 Coded Land

Total number of lots in locality	2,325
Zoning	Residential
Density coding	R17.5/R25
Minimum lot size required by R- codes	300m ²
Minimum lot size in locality	262m ²
Average lot size required by R-codes	350m ²
Average lot size in locality	769m ²

Source: Geospatial Team, Department of Planning

Table 1 illustrates that the average lot size for Bayswater suburb exceeds the R-Code requirement at the lower R17.5 density (571m² required). This suggests that

the area has significant capacity for additional subdivision and development, without affecting the overall density of the locality.

Practice

The WAPC has approved subdivisions this year, prior to the adoption of the 2013 R-Codes, that exceeded the 5% variation to the average site area requirements. However, the adoption of the 2013 version of the R-Codes introduced 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) and hence reset the framework to the default position of a 5% maximum variation. Since adoption of the 2013 R-Codes, the issue of an application exceeding the 5% variation for the average site area requirement has been tested and approved at the 24 September 2013 and 12 November 2013 Statutory Planning Committee meetings for the following applications:

- WAPC ref: 148237, 6.042% variation, freehold subdivision, R17.5 coded two street-front lots, Tambour Drive, Exmouth. Shire of Exmouth recommended approval.
- WAPC ref: 146953, 12.4% variation, freehold subdivision, R17.5 coded two street-front lots, Agincourt Drive, Willetton. City of Canning recommended refusal.

As detailed above, a number of subdivisions have previously been approved that propose variations to the average site area requirement but retain the minimum lot size. It is considered that compliance with the minimum site area requirements is more crucial within infill situations, whereas compliance with the average site area requirement is more relevant for green field sites where a large number of lots are being proposed.

Vehicular Access

The subject land adjoins a 4.02 metre wide right-of-way (ROW). The ROW is shown on the original deposited plan creating the site (Plan 2683[4] and is identified in the City of Bayswater Rights of Way Study (2007) (the Study). The ROW is bound by Roberts, Milne, Williamson and Guildford Road. The Study states that all ROWs in the municipality that are deemed worthy of retention are to be widened to 6.0 metres in order to facilitate future dedication. The Study identifies the subject ROW for dedication and widening of 1 metre per lot.

The Commission's Planning Bulletin No. 33: *Rights of Way or Laneways in Established Areas* (PB 33) recommends a minimum ROW width of 6.0 metres to facilitate future development along a ROW. However, PB 33 recognises that vehicles can pass safely in a 5.0 metre wide laneway, and this may be acceptable where alternative pedestrian access is provided to a dedicated street.

The proposal shows that the rear lot will obtain sole vehicular access and direct frontage from the ROW. Additionally, there is future potential for surrounding properties abutting the ROW to subdivide in a similar manner. The City has requested the imposition of a condition requiring the applicant to cede 1 metre of land along the southwest boundary of proposed Lot 2, and this is supported.

Pedestrian Access

Proposed Lot 2 will be serviced by a 1.0 metre wide pedestrian access leg (PAL) providing pedestrian and servicing access to Roberts Street. Whilst Planning Bulletin 33 requires the provision of a 1.5m PAL, it does allow for a reduction to 1.0m where a greater width cannot be achieved for practical reasons.

In this case the 1.0 metre wide PAL is not constrained by the existing dwelling to be retained and it is recommended that a condition requiring the PAL to be a width of 1.5 metres be imposed.

Merit of Proposal

It is considered that the proposal can be supported for the following reasons:

- The proposal is consistent with the general intent of the local planning scheme;
- 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 to determining the success of future built form. In this case, a small departure from the policy requirement (5.29%) is considered to be insignificant;
- The proposed lots are capable of being developed in accordance with 'deemed- to-comply' R-Code requirements;
- The proposal will provide a wider choice of residential lot sizes in the locality;
- 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 8,500 dwellings within the Bayswater municipality by 2031;
- The proposed lots will not adversely impact on the existing streetscape, and will preserve the local character by retaining the existing dwelling;
- The proposal will contribute to the requirements for future dedication of the ROW, as identified by the Study, by facilitating the widening and construction of the ROW where it abuts the subject land;
- The proposal is consistent with the key principles of the City of Bayswater's Local Housing Strategy (2012) which include:
 - i) Some form of change is required to accommodate a growing population;*
 - ii) Mix of housing choices to suit the City's changing population;*

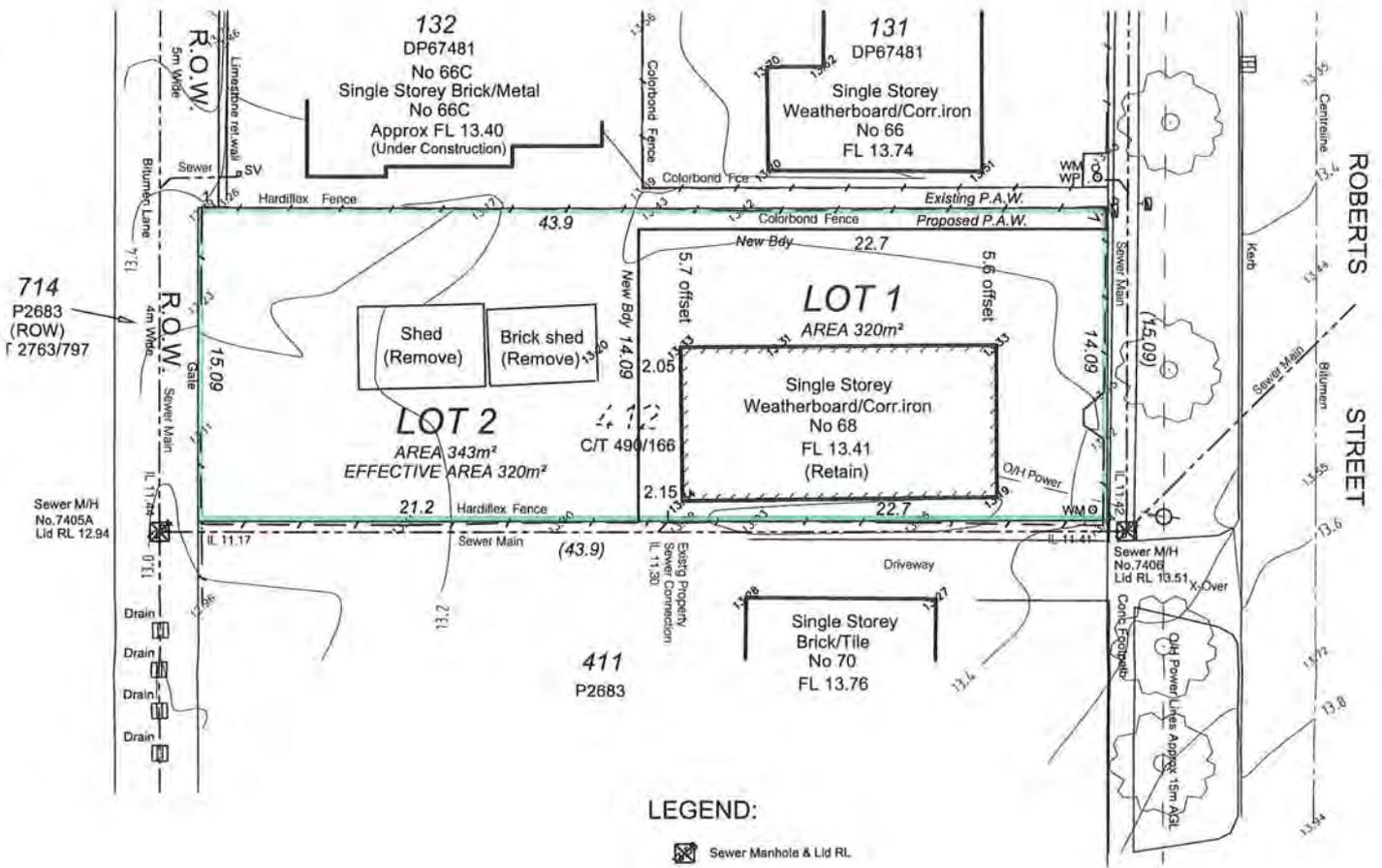
-
- iii) *Better align land use with transport network, i.e. reduce urban sprawl;*
 - iv) *Focus on pedestrians;*
 - v) *Local Living;*
 - vi) *Reducing environmental impact;*

The Local Housing Strategy finds that the City is experiencing a reduction in the number of residents per dwelling, requiring a diversity of housing choice. In this respect, the subdivision will facilitate infill development in an existing residential area which is located within walking distance of transport links to the Perth Central Business District, Belmont and Galleria Morley Shopping Centres, access to local parks and the Swan River foreshore, community facilities, and will utilise existing infrastructure. The regular shape and east-west lot configuration of the proposed lots will enable sustainable dwelling design to maximise the prevalent south-west afternoon breezes and northern solar access to outdoor and indoor living spaces.

On the basis of the above arguments there is sufficient justification to support the application.

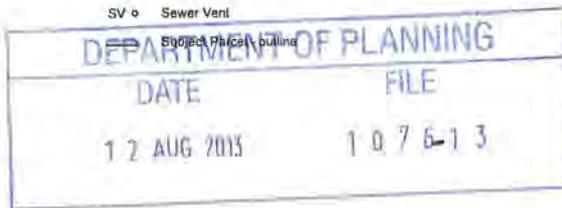
CONCLUSION:

Having regard to the circumstances which apply to the proposed subdivision, it is recommended to approve the application and, in so doing, to depart from WAPC DC Policy 2.2 - '*Residential Subdivision*' which provides for a maximum 5% variation to the average site area requirements. Conditional approval is recommended.



LEGEND:

- Sewer Manholes & Lid RL
- Drain / Gully
- Power Pole
- Telstra Pit
- WM \odot Water Meter
- WP \odot Electrical Dome
- SV \circ Sewer Vent



SCALE 1 : 250



SITE DETAILS

Soil: Sandy Loam / Limestone / Rock
 Retic: Lawns / Gardens
 Power: Overhead / Underground
 Other:

LAND DETAILS:

TOTAL AREA LOT 412: = 663m²
 NUMBER OF EXISTING LOTS : 1
 NUMBER OF PROPOSED LOTS : 2
 LOCAL AUTHORITY: CITY OF BAYSWATER
 RESIDENTIAL ZONING CODE: R17.5 / R25
 CERTIFICATE OF TITLE: LOT 412 - VOL 490 FOL 166

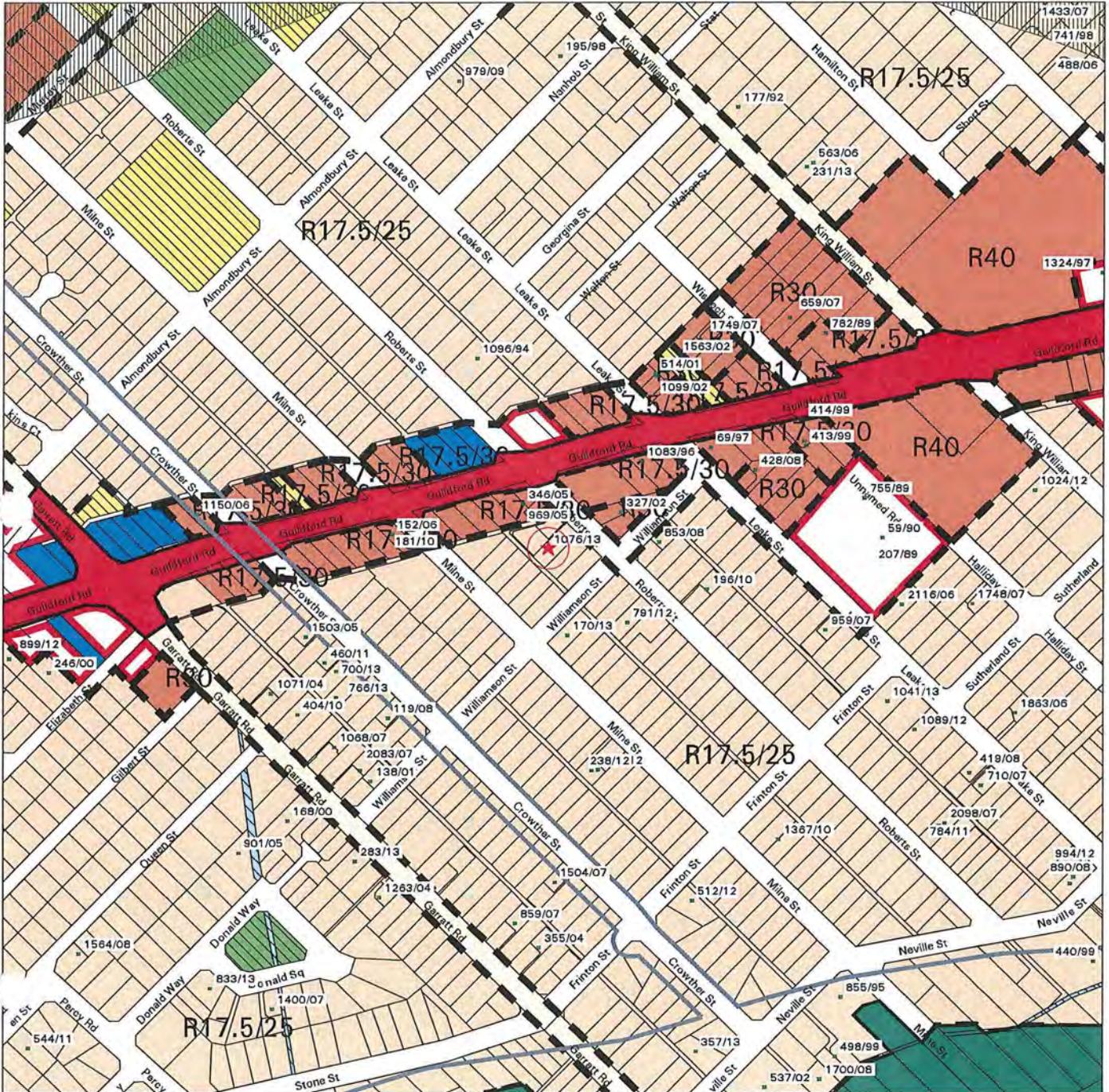
NOTES:

1. VERTICAL DATUM: AHD (SEWER M/H No. W3404 RL 13.41 AHD)
2. HORIZONTAL DATUM: BASED ON CADASTRAL BOUNDARY.
3. SEWER INFORMATION HAS BEEN SUPPLIED FROM WATER CORPORATION PLANS.
4. ONLY VISIBLE FEATURES HAVE BEEN LOCATED BY FIELD SURVEY.
 PRIOR TO ANY CONSTRUCTION, EXCAVATION OR DEMOLITION THE RELEVANT SERVICE AUTHORITIES SHOULD BE CONTACTED TO CONFIRM LOCATION OF ALL UNDERGROUND AND NON VISIBLE SERVICES.
5. ONLY TREES WITH TRUNK SIZE GREATER THAN 0.3m \emptyset HAVE BEEN LOCATED BY FIELD SURVEY.
6. ALL NEW LOT CONFIGURATIONS, DIMENSIONS AND AREAS ARE SUBJECT TO SURVEY & WAPC CONDITIONS.
7. REFER TO CERTIFICATE OF TITLE FOR ENCUMBRANCES.

AMENDMENTS

Iss N ^o	DATE	DRN	DESCRIPTION	CHECKED
1	07.08.13	JWA	DATE OF SURVEY: 29.10.2012 (DBS: FS190-14) SURVEY UPDATED 07.08.2013 No.66C HOUSE ADDED (UNDER CONSTRUCTION)	VRS

 Suite 7, 237 Stirling Highway, Claremont P (08) 9385 1122 F (08) 9384 6689 E admin@driscolls.net.au	CLIENT: E. A. ALDERMAN	DESCRIPTION: PROPOSED SURVEY-STRATA SUBDIVISION LOT 412 ON PLAN 2683(4) Nos.68 ROBERTS ST., BAYSWATE	Produced for the exclusive use and benefit of our client only. DWG N ^o : SHEET N ^o :
	AGENDA ATTACHMENT 1		



Strata Application 1076/13 (MGA ref 397354mE 6467285mN Zone 50)

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

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|--------------------------------|---------------------------------------|--------------------------------------|
| APPROX LOCATION OF APPLICATION | RESIDENTIAL | LOCAL PUBLIC OPEN SPACE |
| PRIMARY REGIONAL ROADS | SPECIAL PURPOSE | PUBLIC PURPOSES COMMUNITY FACILITIES |
| PARKS & RECREATION | MEDIUM AND HIGH DENSITY RESIDENTIAL | PUBLIC PURPOSES CAR PARKING |
| CADASTRAL BOUNDARY | DRAINAGE | LOCAL DISTRIBUTOR ROADS |
| CMS GAS PIPELINE BUFFER | SPECIAL FORESHORE DEVELOPMENT | |
| WESTNET ENERGY GAS PIPELINE | PUBLIC PURPOSES RELIGIOUS INSTITUTION | |
| STRATA APPLICATION | BUSINESS | |
| R CODE BOUNDARY | PUBLIC PURPOSES PRIMARY SCHOOL | |

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