



Statutory Planning Committee

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

Tuesday 22 September 2015
9.00 am

Level 3, Room 3.23
One40 William Street
Perth



Tim Hillyard
WAPC Secretary

Please convey apologies to Melanie Dawson on 6551 9085 or email
committees@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
Ms Gail McGOWAN	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(3)	14/10/2015
Ms Elizabeth TAYLOR	Community representative Schedule 2 clause 4(2)(d)	31/12/2015
Mr Ian HOLLOWAY	Professions representative Schedule 2 clause 4(2)(e)	31/12/2015
Mayor Russell AUBREY	Local government representative Schedule 2 clause 4(2)(f)	23/09/2016
Ms Megan BARTLE	WAPC appointee Schedule 2 clause 4(2)(g)	04/12/2016
Ms Sue BURROWS	WAPC appointee Schedule 2 clause 4(2)(g)	31/12/2015
Mr Ray GLICKMAN	WAPC appointee Schedule 2 clause 4(2)(g)	23/09/2016
Mr Stephen HILLER	WAPC appointee Schedule 2 clause 4(2)(g)	23/09/2016

Quorum: 5

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**
- 9. Statutory items for decision**
- 10. Policy items for discussion/decision**
- 11. Confidential items (Statutory & Policy)**
- 12. Stakeholder engagement & site visits**
- 13. Urgent business**
- 14. Items for consideration at a future meeting**
- 15. Closure**

Statutory Planning Committee

Minutes
of ordinary meeting 7530
held on Tuesday, 8 September 2015

Attendance

Members

Mr Eric Lumsden	WAPC Chairman (Presiding Member)
Mayor Russell Aubrey	Local government representative
Mr Martin Clifford	Regional Minister's nominee (Deputy)
Mr Ray Glickman	WAPC appointee
Mr Stephen Hiller	WAPC appointee
Mr Ian Holloway	Professions representative
Ms Gail McGowan	Director General, Department of Planning
Ms Elizabeth Taylor	Community representative

Officers

Ms Lindsay Baxter	Planning Director, Perth and Peel Planning
Ms Alice Brown	Planning Manager, Perth and Peel Planning
Mr Shau Chong	Principal Planning Officer, Perth and Peel Planning
Ms Vanessa Crispe	Executive Assistant WAPC
Mr David MacLennan	A/Executive Director, Regional Planning and Strategy
Ms Lee O'Donohue	Manager, Schemes and Amendments
Mr Mathew Selby	Planning Director – Metropolitan Central, Perth and Peel Planning
Mr Nicolas Welch	Senior Planning Officer, Regional Planning And Strategy

Presenters

Mr David Woo	G & G Group (Item 6.1 for Item 9.2)
Mr Doug Smith	Rowe Group (Item 6.2 for Item 9.1)
Mr Simon Shub	City of Subiaco (Item 6.3 for Item 11.2)
Ms Jennifer Heyes	City of Nedlands (Item 6.4 for Item 11.5)
Ms Anita Allnut	Landowner (Item 6.5 for Item 11.8)
Mr Brian Allnut	Landowner (Item 6.5 for Item 11.8)
Ms Nicky Howe	Southcare Inc (Item 6.6 for Item 11.9)
Mr Wynton Maddeford	Southcare Inc (Item 6.6 for Item 11.9)
Mr David Read	TPG Town Planning, Urban Design & Heritage (Item 6.6 for Item 11.9)
Mr Ross Underwood	Planning Solutions (Item 6.7 for Item 11.10)
Mr Vince Scurria	Vince Nominees Pty Ltd (Item 6.7 for Item 11.10)

Committee Support

Mrs Melanie Dawson	Commission Support Officer
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7530.1 Declaration of Opening

The Presiding Member declared the meeting open at 8:57 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed Members.

7530.2 Apologies

Ms Megan Bartle	WAPC appointee
Ms Sue Burrows	WAPC appointee

7530.3 Members on Leave of Absence and Applications for Leave of Absence

Stephen Hiller has submitted an application for a leave of absence for the Statutory Planning Committee for the period from 23 October 2015 – 28 November 2015 inclusive which includes the meetings scheduled for 27 October 2015, 10 November 2015, 24 November 2015.

Resolved

Moved by Mr Taylor seconded Mr Clifford

That the approval for a leave of absence be granted to Stephen Hiller for the Statutory Planning Committee meeting to be held on for the period from 23 October 2015 – 28 November 2015 inclusive which includes the meetings scheduled for 27 October 2015, 10 November 2015, 24 November 2015.

The motion was put and carried.

7530.4 Disclosure of Interests

Nil.

7530.5 Declaration of Due Consideration

All members indicated that they had received and considered the agenda items before the meeting.

7530.6 Deputations and Presentations

7530.6.1 **Item 9.2 Approval to Lot 9500 Briggs Road Local**

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Structure Plan (as modified)

Presenter David Woo – G & G Group

Mr Woo made a presentation to the Committee in support of the Structure Plan and answered questions from members.

7530.6.2 Item 9.1 Endorsement of Subdivision Guide Plan - Lot 7 Dunkeld Drive, Herron - City of Mandurah
Presenter Doug Smith

Mr Smith made a presentation to the Committee in support of the Subdivision Guide Plan and answered questions from members.

7530.6.3 Item 11.2 City of Subiaco Town Planning Scheme No. 4 – Amendment 27 - for Final Approval
Presenter Simon Shub – City of Subiaco

Mr Shub advised members that the City of Subiaco was in the process of undertaking a study on density in the affected area.

The City of Subiaco requested that the Committee consider deferring their decision on Item 11.2 until the study is completed.

7530.6.4 Item 11.5 City of Nedlands Draft Town Planning Scheme No. 3 - Request for Extension of Time to Undertake Modifications Prior to Advertising
Presenter Jennifer Heyes – City of Nedlands

Ms Heyes made a presentation to the Committee in support of the extension of time and answered questions from members.

7530.6.5 Item 11.8 Shire of Kalamunda - Local Planning Scheme No. 3, Amendment No. 14 - for Final Approval
Presenter Brian Allnut and Anita Allnut (landowners)

Mr and Mrs Allnut made a presentation to the Committee in support of the Amendment and answered questions from members.

7530.6.6 Item 11.9 City of South Perth Town Planning Scheme No. 6, Amendment No. 45 - for Final Approval
Presenter Nicky Howe – Southcare Inc
Wynton Maddeford – Southcare Inc
David Read – TPG Town Planning, Urban Design & Heritage

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Ms Howe, Mr Maddeford and Mr Read made a presentation to the Committee in support of the Amendment but requested that the Committee consider changes to (13)(b) and (13)(c).

The presenters raised that (13)(b) specifies a plot ratio no greater than 1 and felt this added no value and asked the Committee to consider deleting this reference.

For (13)(c) the presenters requested that the Committee consider allowing more road-side parking by deleting the reference to "not more than 15 of".

7530.6.7

Item 11.10 City of Rockingham - Town Planning Scheme No. 2 - Amendment No.148 - for Final Approval

Presenter Ross Underwood – Planning Solutions
Vince Scurria - Vince Nominees Pty Ltd
(landowner)

Mr Underwood made a presentation to the Committee in support of the Amendment and answered questions from members.

7530.7 **Announcements by the Chairperson of the Board and communication from the WAPC**

The Chairman advised members that the *Planning and Development (Local Planning Schemes) Regulations 2015* have been gazetted and will come into effect on 19 October 2015.

7530.8 **Confirmation of Minutes**

7530.8.1

Minutes of the Statutory Planning Committee meeting held on Tuesday, 25 August 2015

Resolved

Moved by Mayor Aubrey, seconded by Mr Holloway

That the minutes of the Statutory Planning Committee meeting held on Tuesday, 25 August 2015, be confirmed as a true and correct record of the proceedings.

The motion was put and carried.

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7530.9 Statutory Items for Decision

7530.9.1 Endorsement of Subdivision Guide Plan - Lot 7 Dunkeld Drive, Herron - City of Mandurah

File SPN/0757
Report Number SPC/887
Agenda Part C
Reporting Officer Planning Manager, Peel

Officer's recommendations:

That the Statutory Planning Committee resolves to:

1. endorse the Subdivision Guide Plan (Plan ID: 7353-SUB-01-D) for Lot 7 Dunkeld Drive, Herron, subject to the following modifications:
 - a) notation 1 on the subdivision guide plan being modified to read:
'This plan shall be updated to incorporate building envelopes prior to subdivision.'
 - b) notation 6 on the subdivision guide plan being modified to read:
'An updated Fire Management Plan shall be approved by the Department of Fire and Emergency Services prior to subdivision.'
 - c) a notation being added to clarify that details on the SGP that relate to Rural zoned land are indicative only.
2. advise the City of Mandurah of its decision accordingly.

The members discussed the Subdivision Guide Plan being inconsistent with the recommendations of Amendment 121 and the Southern Mandurah Rural Structure Plan.

The members agreed to defer the item for further information on the inconsistencies between the Subdivision Guide Plan, Amendment 121 and the Southern Mandurah Rural Structure Plan.

Resolved

Motion to defer

Moved by Ms McGowan, seconded by Mr Hiller

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That the item relating to Endorsement of Subdivision Guide Plan - Lot 7 Dunkeld Drive, Herron - City of Mandurah as detailed in the report dated 18 August 2015 be deferred to enable further information to be provided on the inconsistencies between the Subdivision Guide Plan, Amendment 121 and the Southern Mandurah Rural Structure Plan.

The motion was put and carried.

7530.9.2

Approval to Lot 9500 Briggs Road Local Structure Plan (as modified)

File SPN/0329
Report Number SPC/888
Agenda Part C
Reporting Officer Planning Officer, Metropolitan South-East

Resolved

Moved by Mayor Aubrey, seconded by Ms Taylor

That the Statutory Planning Committee resolves to:

- 1. approve the Lot 9500 Briggs Road Local Structure Plan, in accordance with clause 5.18.3.10 of the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2, subject to the schedule of modifications as outlined in Attachment 4 - Schedule of Modifications; and*
- 2. advise the Shire of Serpentine Jarrahdale accordingly.*

The motion was put and carried.

7530.9.3

Proposed Swanbourne Street Local Structure Plan for Final Endorsement

File 801-2-5-5
Report Number SPC/889
Agenda Part C
Reporting Officer Acting Manager, Metropolitan Central Planning

Resolved

Moved by Ms Taylor, seconded by Mayor Aubrey

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That the Statutory Planning Committee resolves to:

- 1. note the submissions received during the public consultation period;*
- 2. support the modifications as recommended by the City of Fremantle and as detailed in the attached schedule modifications (Attachment 6):*
- 3. endorse the Swanbourne Street Local Structure Plan subject to the modifications listed in 2. above; and*
- 4. advise the applicant and the City of Fremantle of its decision accordingly.*

The motion was put and carried.

7530.9.4

Variation to Minimum or Average Lot Size Requirements for Subdivision of Dual-Coded Areas in City of Armadale

File N/A
Report Number SPC/890
Agenda Part G
Reporting Officer Manager, Metro Planning South East

Officer's recommendations:

That the Statutory Planning Committee resolves to:

1. endorse the application of up to a five per cent variation to the minimum or average site area requirements in dual-coded areas within the Armadale Local Government municipality without a development application first being approved under the City of Armadale's TPS No. 4 where it considers that the subject application meets State policy criteria in relation to variations to site area requirements; is consistent with the intent of Clause 5.2.4(ii) of TPS4; and any approval will not negatively impact on the surrounding locality; and
2. advise the City of Armadale accordingly.

The members discussed the report and were of the view that if an amendment happens to the minimum that it would affect the average so making it only the average was appropriate.

The members discussed taking a wider approach to this issue and requested that the Department of Planning look at

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how variations can be provided for in local planning schemes.

Resolved

Moved by Mr Hiller, seconded by Mr Holloway

That the Statutory Planning Committee resolves to:

- 1. endorse the application of up to a five per cent variation to the average site area requirements in dual-coded areas within the Armadale Local Government municipality without a development application first being approved under the City of Armadale's TPS No. 4 where it considers that the subject application meets State policy criteria in relation to variations to site area requirements; is consistent with the intent of Clause 5.2.4(ii) of TPS4; and any approval will not negatively impact on the surrounding locality;*
- 2. advise the City of Armadale accordingly; and*
- 3. request the Department of Planning investigate the scope for variations to the Residential Planning Codes being determined by local governments under the provisions of Local Planning Schemes.*

The motion was put and carried.

7530.10 Policy Items for Discussion/Decision

Nil.

7530.11 Confidential Reports

7530.11.1 Burswood Station East – Interim Planning Policy
Report Number SPC/891
Reporting Officer Director - Infrastructure, Projects, Policy & Research

THIS ITEM IS CONFIDENTIAL

7530.11.2 City of Subiaco Town Planning Scheme No. 4 – Amendment 27 - for Final Approval

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File TPS/1565
Report Number SPC/892
Agenda Part B
Reporting Officer Senior Planning Officer, Schemes and
Amendments

THIS ITEM IS CONFIDENTIAL

7530.11.3 City of South Perth Local Planning Scheme No. 6 – Amendment 48 – for Final Approval

File TPS/1534
Report Number SPC/893
Agenda Part B
Reporting Officer Planning Manager, Schemes and
Amendments

THIS ITEM IS CONFIDENTIAL

7530.11.4 City of Belmont - Town Planning Scheme No. 15 Amendment 1 - for Final Approval

File TPS/0924
Report Number SPC/894
Agenda Part B
Reporting Officer Planning Manager, Schemes and
Amendments

THIS ITEM IS CONFIDENTIAL

7530.11.5 City of Nedlands Draft Town Planning Scheme No. 3 - Request for Extension of Time to Undertake Modifications Prior to Advertising

File TPS/0062
Report Number SPC/895
Agenda Part B
Reporting Officer Planning Manager, Schemes and
Amendments

THIS ITEM IS CONFIDENTIAL

7530.11.6 City of Stirling Local Planning Scheme Amendment 5 - for Final Approval

File TPS/0574
Report Number SPC/896
Agenda Part B
Reporting Officer Planning Manager - Schemes and
Amendments

THIS ITEM IS CONFIDENTIAL

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- 7530.11.7 City of Stirling Local Planning Scheme No. 3 – Amendment 55 – for Final Approval**
File TPS/1499
Report Number SPC/897
Agenda Part B
Reporting Officer Senior Planning Officer, Schemes and Amendments

THIS ITEM IS CONFIDENTIAL

- 7530.11.8 Shire of Kalamunda Local Planning Scheme No. 3 - Amendment No. 14 - for Final Approval**
File 853/02/24/0020P0014
Report Number SPC/898
Agenda Part B
Reporting Officer Planning Manager, Schemes and Amendments

THIS ITEM IS CONFIDENTIAL

- 7530.11.9 City of South Perth Town Planning Scheme No. 6 - Amendment No. 45 - for Final Approval**
File TPS/1354/1
Report Number SPC/899
Agenda Part B
Reporting Officer Senior Planning Officer, Schemes and Amendments

THIS ITEM IS CONFIDENTIAL

- 7530.11.10 City of Rockingham Town Planning Scheme No. 2 - Amendment No.148 - for Final Approval**
File TPS/1424
Report Number SPC/900
Agenda Part Q
Reporting Officer Planning Manager, Schemes and Amendments

THIS ITEM IS CONFIDENTIAL

- 7530.11.11 Ashburton North Strategic Industrial Area – Improvement Scheme No. 1 – for Consent to Advertise**
File DP/14/00349/1
Report Number SPC/901
Agenda Part B
Reporting Officer A/Planning Manager – Northern Regions

THIS ITEM IS CONFIDENTIAL

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7530.11.12 Amendment No. 122 to the City of Mandurah Town Planning Scheme No. 3 - for Final Approval

File TPS/1420
Report Number SPC/902
Agenda Part F
Reporting Officer Planning Manager

THIS ITEM IS CONFIDENTIAL

7530.12 Stakeholder Engagement & Site Visits

Nil.

7530.13 Urgent Business

Nil.

7530.14 Items for Consideration at a Future Meeting

The members discussed the list of policies for the next policy meeting.

Mr Aubrey left the meeting at 10:37 am and did not return.

Item No	Report	Request	Report Required
7510.7	Legal Services' review of delegations	Report to be presented to the Committee	TBA
7515.14.1	Detailed Area Plan report	Establishment report to be presented to the Committee	TBA
7517.14.1	Building Codes	To be discussed at a future meeting of the Committee	TBA
7517.14.2	Sub-Regional Planning Frameworks	A presentation to be made to the Committee at a future meeting	TBA
7527.9.1	Proposed "Lifestyle Village" (Park Home Park) Within The Jandakot Groundwater Protection Policy Area	Report to be presented to the Committee on 'retirement villages' and the DOP's policy setting in regards to land use and the policy/merit discussion	TBA

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7530.15 Closure

The next ordinary meeting is scheduled for 9:00 am on Tuesday, 22 September 2015.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 10:38 am.

PRESIDING MEMBER _____

DATE _____

UNCONFIRMED

INDEX OF REPORTS

Item	Description
9	STATUTORY ITEMS FOR DECISION
<i>C</i>	<i>SUBDIVISIONAL / AMALGAMATIONS</i>
9.1	Endorsement of a Local Structure Plan for Lot 9001 Forrest Street and River Road, Boddington
9.2	Subdivision to Create 12 Lots for Residential and Service Commercial (Restricted) Purposes - Lot 6 Gordon Road Greenfields
10	POLICY ITEMS FOR DISCUSSION/DECISION
	Nil.
11	CONFIDENTIAL REPORTS
<i>B</i>	<i>LOCAL OR REGIONAL PLANNING SCHEMES / AMENDMENTS</i>
11.1	City of Swan Local Planning Scheme No. 17 – Amendment 125 for Final Approval
11.2	Shire of Kalamunda - Local Planning Scheme Amendment No. 68 For Final Approval
<i>D</i>	<i>GENERAL ITEMS / OTHER MATTERS</i>
11.3	Residential Lot Construction Cost Analysis
<i>E</i>	<i>MINOR LOCAL OR REGIONAL PLANNING SCHEMES / LOCAL PLANNING SCHEME AMENDMENTS</i>
11.4	City of Kalgoorlie Boulder - Local Planning Scheme Amendment 88 - For Final Approval
11.5	Shire of Three Springs Local Planning Scheme No. 2 - Approval Subject to Modifications
<i>G</i>	<i>DEVELOPMENTS / SUBDIVISIONAL / SURVEY STRATA</i>
11.6	State Administrative Tribunal: Invitation to Reconsider Conditions of Approval to Subdivide Lots 2 and 3 Lakes Road, Greenfields, to Create 20 Residential Lots

ITEM NO: 9.1

Endorsement of a Local Structure Plan for Lot 9001 Forrest Street and River Road, Boddington

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: A/Planning Manager, Peel Planning
AUTHORISING OFFICER: Planning Director, Peel Planning
AGENDA PART: C
FILE NO: SPN/0684
DATE: 28 August 2015
REPORT CATEGORY: Statutory
RECOMMENDATION OUTCOME: Endorse
ATTACHMENT(S):
1. Location Plan
2. Aerial Photography
3. Current Structure Plan
4. Schedule of Submissions
5. Proposed Structure Plan
6. Schedule of Modifications

REGION SCHEME ZONING: Not Applicable
LOCAL GOVERNMENT: Shire of Boddington
LOCAL SCHEME ZONING: Special Use
L.G.A. RECOMMENDATION: Approval
REGION DESCRIPTOR: Peel
RECEIPT DATE: 15 August 2014
PROCESS DAYS: 385 days
APPLICATION TYPE: Structure Plan
CADASTRAL REFERENCE: Lot 9001

RECOMMENDATION:

That the Statutory Planning Committee resolve to:

- 1. endorse the structure plan for Lot 9001 Forrest Street and River Road, Boddington, subject to the attached Schedule of Modifications; and*
- 2. advise the Shire of Boddington of its decision.*

SUMMARY:

The Shire of Boddington has advertised and adopted modifications to the structure plan for Lot 9001 Forrest Street and River Road, Boddington, and has requested the Western Australian Planning Commission (WAPC) endorse those modifications.

Following the Council's adoption of the structure plan modifications, the proponent and officers of the Shire of Boddington and Department of Planning have reached agreement on various, additional, modifications. The Shire of Boddington has subsequently provided written advice confirming that it supports the additional modifications to the structure plan.

The structure plan is being presented to the Committee for its consideration as it is proposed that standard lot size requirements for rural-residential lots be varied, and the creation of under-sized lots supported. It is recommended the outline development plan be endorsed as it is generally consistent with WAPC policy and the local planning framework.

BACKGROUND:

In March 2014, the Council considered a request to modify the existing structure plan. The Shire of Boddington has advertised the modified structure plan and, in July 2014, the Council considered the submissions received (Attachment 4¹) and resolved to request the WAPC endorse the modified structure plan (Attachment 5).

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation *Shire of Boddington Town Planning Scheme No. 2*
Appendix: 4 Special Use Zone
Special Use Area: 1 Portion of Lot 8016 Bannister-Marradong Road, Boddington
Development Standard: 2 *"The preparation, approval and administration of the Structure Plan (and any relevant Detailed Area Plan) shall be in accordance with Clauses 7.2.5 - 7.2.15 of the Scheme."*

Legislation *Shire of Boddington Town Planning Scheme No. 2*
Part: VII Special Control Areas
Section: 7.2 Development Areas
Clause: 7.2.2 Purpose of Development Areas

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

Policy
Number and / or *Structure Plan Guidelines*
Name: *State Planning Policy No. 3.1: Residential Design Codes*
draft State Planning Policy No. 3.7: Planning for Bushfire Management

¹ The schedule of submissions does not include comments, recommendations or determinations from the Shire of Boddington, as no schedule of submissions was prepared for the Council's consideration. However, a full copy of each submission was attached to the report considered by the Council.

DETAILS:

The Boddington townsite is located approximately 76 kilometres east of Mandurah, and 110 kilometres southeast of Perth.

The site abuts the eastern edge of the Boddington townsite, is approximately 333 hectares in size and contains large areas which have been cleared of vegetation.

The structure plan identifies areas for potential residential, special residential and rural-residential development. It also identifies a site for a potential, future, lifestyle village/caravan park, a community purpose site (potential showground/pony club site) and public open space.

In total, the proposed structure plan would facilitate the creation of approximately 900 lots and a lifestyle village/caravan park which the Shire of Boddington estimates could accommodate approximately 2500 people.

GOVERNMENT AND CORPORATE IMPLICATIONS:

The WAPC will be required to assess and determine any future applications for subdivision approval.

CONSULTATION:

The proposed structure plan was available for public comment for six weeks during May/June 2014, with nine submissions received during this period. Of the submissions received, one submission objected to the proposed structure plan while the remaining eight provided comment without raising objections.

A summary of each submission is set out in Attachment 4, which also contains the Department of Planning's comments and recommendations. The schedule of submissions does not include comments, recommendations or determinations from the Shire of Boddington, as no schedule of submissions was prepared for the Council's consideration. However, a full copy of each submission was attached to the report considered by the Council.

OFFICER'S COMMENTS:

Residential Development

The proposed structure plan proposes large areas of residential development to an R20/R40 density; however:

- (a) existing development in the Boddington townsite is typically of a lower density (for example, R12.5 to R15);
- (b) there is unlikely to be any significant demand for medium (R30 or R40) density residential lots in Boddington; and
- (c) the creation of slightly larger lots would allow for development which better responds to the site's topography.

For these reasons, it is recommended the structure plan be modified to reduce the area identified for residential development to an R20/R40 density. To compensate

for the reduction in lot yield caused by this change, it is recommended the density applicable to other areas of proposed residential development be increased slightly (from R10 to R12.5 and R12.5 to R15).

The Shire of Boddington and the proponent raise no objections to the proposed modifications.

Movement Network

The structure plan (both the current and proposed versions) include a road which runs east-west through the centre of the site and connects the Boddington townsite with River Road, which abuts the eastern boundary of the site. It is recommended this road be slightly realigned to provide a direct connection to Mitchell Crescent, as connecting to Mitchell Crescent would:

- (a) improve the connection between the Boddington townsite and rural-lifestyle areas to the east; and
- (b) rationalise the intersections with Mitchell Crescent.

The Shire of Boddington and the proponent raise no objection to the proposed modification.

Potable Water Infrastructure

Both the existing structure plan and the proposed structure plan identify a site for a proposed water tank which would be used to provide a reticulated potable water supply to the proposed development. However, the location of the proposed water tank means that the tank can only be used to service development located less than 265 metres above the Australian height datum - any development at a greater elevation will need to be provided with an onsite potable water supply. To maximise use of the proposed potable water infrastructure, the proposed water tank should be moved to a more-elevated site.

The Shire of Boddington and the proponent raise no objections to the proposed modification. However, the proponent advises that extending the reticulated potable water network is likely to be quite costly, as there are no operating subsidies for lots between one and four hectares in size. For this reason, the proponent has requested the WAPC support the creation of rural-residential lots between 9900 square metres and one hectare in size.

This would represent a minor departure from the WAPC's rural land use planning policies, which define rural-residential as a sub-set of rural living, with land parcels from one to four hectares in size. It is recommended the WAPC support the proponent's request as the proposed variation:

- (a) is quite minor (one per cent);
- (b) would facilitate the creation of lots with access to a reliable reticulated potable water supply;
- (c) would facilitate the more-efficient use of infrastructure;
- (d) would not set a widely applicable precedent; and

- (e) is supported by the local government.

Consistency With the Local Planning Framework

The local planning scheme requires structure plans be consistent with the local planning scheme and states that where there is an inconsistency, the local planning scheme prevails. This notwithstanding, the proposed structure plan contains:

- (a) land use permissibility variations which conflict with the local planning scheme; and
- (b) provisions relating to land uses that could only be approved if the abovementioned land use permissibility variations were to be given effect.

It is recommended the abovementioned variations and provisions be deleted from the structure plan, to ensure that the local planning scheme and structure plan are consistent.

The Shire of Boddington and the proponent raise no objection to the proposed modifications.

The proposed structure plan is generally consistent with the local planning strategy which identifies parts of the site as suitable for urban expansion, special residential and rural-residential development. The distribution of these land uses in the local planning strategy is generally reflected in the proposed structure plan. However, following further planning investigations the structure plan proposes some (minor) reconfiguration of the spatial arrangement of these land use proposals.

It is worth noting that the structure plan is also consistent with the Shire of Boddington's draft local planning strategy. This has been adopted by the Shire of Boddington, for advertising purposes, but is being assessed by the Department of Planning and has not yet been considered by the WAPC.

Bushfire Risk

Bushfire risk mapping prepared for the Shire of Boddington in 2012 indicates that there is a moderate or extreme risk of bushfire across a large proportion of the site. To demonstrate that this risk can be appropriately addressed and mitigated, the proponent has prepared a bushfire risk management plan. Although not yet finalised, the Shire of Boddington and Department of Fire and Emergency Services have both advised that the bushfire risk management plan is sound and only requires minor modifications.

The proposed structure plan includes bushfire risk management provisions which relate to (but do not directly reference) the *Planning for Bushfire Protection Guidelines 2001*. These guidelines were superseded in 2010 and it is anticipated that new guidelines will be released later this year. For this reason, the provisions should be modified to be compatible with both the current (2010) guidelines and the forthcoming guidelines, which both use similar terminology.

The Shire of Boddington and the proponent raise no objection to the proposed modification.

Planning Regulations

The proposed structure plan is closely aligned with the WAPC's current *Structure Planning Guidelines* (released in 2012) and, therefore, assumes a statutory role not provided for in the *Planning and Development (Local Planning Schemes) Regulations 2015*. However, the proposed modifications would also ensure that the structure plan could better fulfil the non-statutory role set out in the regulations, which will come into operation on 19 October 2015.

Other Considerations

It is recommended that minor modifications be made to the structure plan, to clarify several provisions and remove text which unnecessarily duplicates standard WAPC policy requirements. The Shire of Boddington and the proponent raise no objections to the proposed modifications.

Overall, the proposed modifications are not significant enough to warrant readvertising the structure plan.

Conclusion

The Shire of Boddington and the proponent raise no objections to the proposed modifications, which improve the structure plan's ability to respond to local conditions and provide greater consistency with the current planning framework and the regulations.

On this basis, and as the modified structure plan would be generally consistent with WAPC policy and the local planning scheme, the proposed structure plan should be endorsed, subject to modifications.

ITEM NO: 9.2

Subdivision to Create 12 Lots for Residential and Service Commercial (Restricted) Purposes - Lot 6 Gordon Road Greenfields

WAPC OR COMMITTEE:	Statutory Planning Committee
REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Planning Manager, Peel
AUTHORISING OFFICER:	Planning Director, Peel
AGENDA PART:	C
FILE NO:	151664
DATE:	4 September 2015
REPORT CATEGORY:	Statutory
RECOMMENDATION OUTCOME:	1. Approve
ATTACHMENT(S):	1. Location Plan 2. Plan of Subdivision 3. Outline Development Plan
REGION SCHEME ZONING:	URBAN
LOCAL GOVERNMENT:	City of Mandurah
LOCAL SCHEME ZONING:	Urban Development
LGA RECOMMENDATION(S):	Conditional Approval
REGION DESCRIPTOR:	MAND
RECEIPT DATE:	30 March 2015
PROCESS DAYS:	159 Days
APPLICATION TYPE:	Subdivision
CADASTRAL REFERENCE:	Lot 6 (No. 127) Gordon Road, Greenfields

RECOMMENDATION:

That the Statutory Planning Committee resolves to approve the application for the subdivision of Lot 6 Gordon Road, Greenfields as shown on the plan date-stamped 30 March 2015 subject to the following conditions and advice:

CONDITIONS:

- 1. 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)

- 2. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, for the provision of shared paths through and connecting to the application area in accordance with the approved Lot 6 Bortolo Drive, Greenfields Outline Development Plan. The approved shared paths are to be constructed by the landowner/applicant. (Local Government)***
- 3. The land being filled, stabilised, drained and/or graded as required to ensure that:***
 - a) lots can accommodate their intended use; and***
 - b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and***
 - c) stormwater is contained on-site, or appropriately treated and connected to the local drainage system. (Local Government)***
- 4. 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).

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

'This lot is in close proximity to the Gordon Road Wastewater Treatment Plant and may be adversely affected by virtue of odour emissions from that facility.' (Western Australian Planning Commission)

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

'This lot is in close proximity to known mosquito breeding areas. The predominant mosquito species is known to carry viruses and other diseases.' (Western Australian Planning Commission)

8. ***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)***

9. ***A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:***

'A reticulated sewerage service is not available to the lot/s.' (Local Government)

10. ***A restrictive covenant, to the benefit of the local government pursuant to section 129BA of the Transfer of Land Act 1893 (as amended) is to be placed on the certificate of title for the proposed balance lot advising of the existence of restriction of 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 shall occur that produces wastewater exceeding 540 litres per day per 2000 square metres unless connected to a reticulated sewerage service.'

11. ***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)

12. The transfer of land as a Crown reserve free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)

ADVICE:

- 1. In regard to Condition 1, the landowner/applicant is advised that the road reserves, including the constructed carriageways, laneways, truncations, footpaths/dual use paths and car embayments, are to be generally consistent with the approved plan of subdivision.**
- 2. The landowner/applicant and the local government are advised to refer to the Institute of Public Works Engineering Australia Local Government Guidelines for Subdivisional Development (current edition). The guidelines set out the minimum best practice requirements recommended for subdivision construction and granting clearance of engineering conditions imposed.**
- 3. In regard to Condition 8, 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 83 of the Water Services Act 2012 will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.**
- 4. In regard to Condition 10, this condition applies to the land designated as Service Commercial - Restricted in the Lot 6 Bortolo Drive Greenfields Outline Development Plan.**
- 5. In regard to Condition 11, Western Power provides only one underground point of electricity supply per freehold lot.**

SUMMARY:

- The application seeks approval to create 11 lots for residential purposes, one balance lot for service commercial purposes, a Regional Open Space lot, public open space reserves and various road reserves.
- The key issue with this application is whether or not a sewerage condition should be imposed.
- The application is being presented to Committee for determination as approval of the application without requiring connection to reticulated sewerage would arguably be inconsistent with *State Planning Policy 2.1: The Peel-Harvey Coastal Plain Catchment*.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:

Planning and Development Act 2005

Part 10

Strategic Plan

Objectives:

Strategic Goal 2: Planning

Performance Outcomes:

Effective Delivery of Integrated Plans

Strategic Imperatives:

Implement State and Regional Planning Priorities

Policy

Number and / or Name:

State Planning Policy 2.1: The Peel-Harvey Coastal Plain Catchment

State Planning Policy 3.1: Residential Design Codes

INTRODUCTION:

The application seeks approval to subdivide one freehold lot of 12.94 hectares to create 11 residential lots of 2,035m² to 3,282m², a balance lot of 1.37 hectares, a Regional Open Space lot (for acquisition purposes) of 7.19 hectares, various public open space reserves and road reserves in the City of Mandurah (**Attachment 1** - Location Plan, **Attachment 2** - Plan of Subdivision).

CONSULTATION:

The City of Mandurah supports the application subject to standard conditions.

The Department of Health has reviewed the proposal and advises that:

- (a) the application meets the large lot criteria to warrant consideration for exemption from the mandatory sewer condition of the Department of Health's draft *Country Sewerage Policy* (CSP); and
- (b) the geotechnical report prepared for the site confirms that the on-site disposal of wastewater is achievable for the site. This includes the proposed balance lot which is designated as a Service Commercial - Restricted in the approved *Lot 6 Bortolo Drive, Greenfields Outline Development Plan* (ODP) (**Attachment 3** - Outline Development Plan). However, this would be subject to commercial development being restricted to a type that does not produce wastewater exceeding 540 litres per day per 2000 square metres.

Western Power raises no objections to the application, subject to standard conditions.

The Water Corporation raises no objections to the application, subject to standard conditions, including a condition requiring a connection to a reticulated sewerage service. The Water Corporation was consulted regarding the use of on-site wastewater disposal systems and advised that they are the service provider and that the Department of Health and the local government should be consulted as to whether on-site wastewater disposal would be appropriate. The Water Corporation also advised that the balance lot (service commercial lot) can be connected to an existing reticulated sewerage service in Candelo Loop or Palomino Place,

Greenfields. These services are located 80 metres and 100 metres from the northern end of the site.

The Department of Planning's Strategic Corporate Support team advised that the proposed Regional Open Space lot will need to be purchased at a future date. Compensation for injurious affection has already been paid for the Regional Open Space lot and this will be accounted for in determining its future purchase price.

All recommended conditions have been assessed and where considered fair, reasonable and relevant, they should be imposed.

COMMENTS:

Connecting to the Sewerage Network

The proponent has investigated the feasibility of connecting the proposed lots to the reticulated sewerage network and the estimated cost of providing this connection to the 12 proposed lots was in excess of \$1M. This would equate to over \$80,000 per lot. The proponent has advised that, on this basis, it would not be financially viable to connect the proposed lots to a reticulated sewerage service.

State Planning Policy 2.1: The Peel-Harvey Coastal Plain Catchment

WAPC State Planning Policy No. 2.1: *The Peel-Harvey Coastal Plain Catchment* (SPP2.1) requires (at clause 6.1) that all residential lots 4000 square metres or less in area be provided with access to a reticulated sewerage service, unless exempt under clause 5.7.

Clause 5.7 allows for the consideration of small-scale subdivisions which use alternative wastewater treatment and effluent disposals systems, upon the advice of the Water Authority (now the Water Corporation), the Department of Health and the EPA. However, the policy does not provide any guidance on what constitutes a 'small scale subdivision'. As a result, the exemption from the requirement to provide a reticulated sewerage service to the proposed lots (set out in clause 5.7) may not be available in this instance.

It should be noted that as a policy document (as opposed to a statutory document) SPP2.1 can only guide decision making. In this respect, additional guidance is provided by the objectives of SPP2.1, which include minimising nutrient export into the drainage system. This is best achieved through the provision of a reticulated sewerage service; however, the use of alternative treatment units which are capable of retaining nutrients would also minimise nutrient export and meet the objectives of SPP2.1.

SPP2.1 also requires (at clause 6.4) that all commercial developments must incorporate effluent management systems approved by the Health Department, EPA and the Water Authority, or connect to an existing reticulated sewerage system if available. It is recommended the application be approved subject to a restrictive covenant being placed on the certificate of title for the balance lot (Service Commercial designated site) which limits the amount of wastewater that can be disposed of on site.

Draft Country Sewerage Policy

The Department of Health's draft CSP recommends all new lots be provided with access to a reticulated sewerage service, unless exempt under section 5 of the policy. In this regard section 5 of the draft CSP provides for the creation of lots without access to a reticulated sewerage service, provided:

- (a) the lots are at least 2000 square metres in area; and
- (b) there is no scope for further subdivision 'within the area covered by the proposal' which would lead to the creation of additional lots without access to a reticulated sewerage service.

In these respects, the lots are all larger than 2000 square metres in area and none of the proposed residential lots would be capable of further subdivision. On this basis, it would be reasonable to consider the proposed residential lots exempt from the requirement that a reticulated sewerage service be provided. This is confirmed by the advice provided by the Department of Health.

The balance lot, which is designated as Service Commercial - Restricted in the ODP, has an area of 1.37 hectares and is capable of further subdivision. Should the balance lot be subdivided in the future, any newly created lots may need to be connected to a reticulated sewerage service.

Water Quality Improvement Plan

The EPA's *Water Quality Improvement Plan for the Rivers and Estuary of the Peel-Harvey System* states that all homes and properties in new urban developments should be provided with access to a reticulated sewerage service. In addition, the EPA's recommended actions include encouraging '*the upgrading of septic systems to nutrient reduction technologies or Alternative Treatment Units (ATUs) where reticulated sewerage is not available*'.

Approving the application without requiring a reticulated sewerage service be provided to the proposed lots would be inconsistent with the water quality improvement plan. However, providing such a service would be cost prohibitive and alternative treatment units provide a practical alternative.

CONCLUSION:

It is recommended the application be approved subject to standard and non-standard conditions.