

Development & Asset Services Committee Meeting

Minutes for 6 February 2017

CONFIRMED



**shire of
kalamunda**

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MINUTES

1.0 OFFICIAL OPENING

The Presiding Member opened the meeting at 6.30pm, and welcomed Councillors, Staff and Members of the Public Gallery.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Andrew Waddell JP	(Shire President) North West Ward
Sara Lohmeyer	North West Ward
Dylan O'Connor	North West Ward
Sue Bilich	North Ward
Tracy Destree	North Ward
Simon Di Rosso	(Presiding Member) North Ward
Michael Fernie	South East Ward
John Giardina	South East Ward
Geoff Stallard	South East Ward
Allan Morton	South West Ward
Brooke O'Donnell	South West Ward
Noreen Townsend	South West Ward

Members of Staff

Rhonda Hardy	Chief Executive Officer
Natalie Martin Goode	Director Development Services
Dennis Blair	Director Asset Services
Gary Ticehurst	Director Corporate & Community Services
Darrell Forrest	Manager Governance, Strategy & Legal Services
Andrew Fowler-Tutt	Manager Approval Services
Jordan Korovesi	Senior Strategic Planning Officer
Peter Varelis	Manager Strategic Planning
Darren Jones	Manager Community Development
Carrie Parsons	Manager Customer & Public Relations
Nicole O'Neill	Public Relations Coordinator
Sara Slavin	Council Support Officer

Members of the Public 35

Members of the Press 0

2.2 Apologies

Councillors

Members of Staff

2.3 Leave of Absence Previously Approved Nil.

3.0 PUBLIC QUESTION TIME

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this Committee. For the purposes of Minuting, these questions and answers are summarised.

3.1 Mr Noel Hunt, Hillview Lifestyle Village (Amendment 80 -Structure Plan)

- Q1. What involvement do we the residents of the area that are going to be affected have in making recommendations to the structure plan?
- A1. The Director Development Services responded that a structure plan must be publicly advertised under the statutory requirements and there will be ample opportunity for the community to have their say.
- Q2. There is mention in the structure plan about Lot 200 storage of mining plant and you are probably aware from previous meetings I am totally opposed to that. However, there are a few people I have spoken to that are reasonably accepting of Lot 201 the temporary storage of Enviro Pipes, but can you please explain how that fits into the Structure Plan?
- A2. The Director Development Services responded that there is a separate item immediately after the scheme amendment which is for a temporary approval for a planning application for the storage of Enviro Pipes. So that is separate to the scheme amendment. It is on the Agenda tonight so Council will make a determination on that.
- Q3. Under a freedom of information request I was advised that Main Roads will not support re-zoning until all described issues are resolved, one of those issues was Adelaide street going through to Abernethy road. It is not clear who will pay for that and how will it be organised as the part of the land belongs to the City of Swan and part of the land belongs to the Shire of Kalamunda.
- A3. The Director Development Services responded that is a very pertinent question and one that we share so in the report tonight it is recommended that the scheme amendment be supported subject to a structure plan. The structure plan must address amongst other things that crucial matter, it is incredibly important that matter is addressed prior to any structure plan being endorsed.
- Q4. The other issue was the Water Corporation talking about waste water being diverted to the north to the City of Swan at temporary pump station that is presently incapable of accepting additional water. This must be of real concern because we are moving our water into their area, presumably. This means again that some sort of cooperation between the two Shires or upgrading and who will pay for that?

- A4. The Manager Approval Services responded the matter of waste water and storm water will be dealt with through the Local Structure Plan stage. The Shire will come up with an integrated design that will enable storm water to be contained primarily on site. Costs associated with this infrastructure work will be dealt with through the Developer Contribution Scheme, but as I said it will be part of the local structure planning process.
- Q5. It says the cost borne by the applicant, who decides which light industry is acceptable as the provider of the finance or the Shire?
- A5. The Director Development Services responded in terms of the costs, the preparation of the structure plan is borne by the applicant. Let's assume for augments sake that the structure plan gets approved, then comes people putting in their planning applications now whether there is a final determination on if a planning application gets approved that's up to planning Staff or the Council that comes after the structure plan process.
- Q6. I am concerned that they might have the upper hand having spent all the money putting all the roads and infrastructure and diverting the water ways etc and then when the decision comes of which industries can go there, who is going to make that decision will the Shire have a bigger influence than the developer?
- A6. The Manager Approval Services responded in terms of the actual land uses that we would consider under the zoning clearly because of the location of the property it has very good road access and the Director has already mentioned about how critical it is to get Adelaide connected through to Abernethy Road. On face value it seems logistics type operations would be well suited for that location but again we will look at that as we progress with the planning around that area of what will be the most optimum type of land use activities.
- Q6. Can the lots when they are purchased, can they be subdivided?
- A6. The Manager Approval Services responded through the structure plan process we will determine what the optimum lot size is typically for logistics type of land use activities larger lots are preferable because that is better for the market. Typically a minimum of 1hectare would be the sort of size they would be looking at and in some cases they look to try and amalgamate and have a slightly larger land parcels.
- Q7. Regardless of the submissions received and comment made by Shire Officers the final determination will be made by to Minister via the Planning Commission, if that is the case what is the purpose of our input?

A7. The Director Development Services advised that there is a statutory requirement for all scheme amendments to have a public advertising period. The Shire, the West Australian Planning Commission and the Minister must have due regard to the submissions. The purpose of tonight is a legislative requirement for a scheme amendment that Council must consider that. But remember so will the Commission and the Minister, they will consider the submissions.

3.2 Mr Terry Izzard, Hillview Lifestyle Village (Elected Spokesperson)

Q1. We have made our submissions before objecting to this and residents from the Hillview Lifestyle village have many concerns regarding this scheme amendment. If and when this scheme passes if it does, do we as residents get an opportunity to submit objections?

A1. The Director Development Services responded let's assume that the scheme amendment gets approved and the structure plan gets approved then people will start putting in their planning applications. The Shire has an advertising Policy that says if a planning application proposes significant discretions there is a statutory requirement to advertise it so if we got an application that proposed a use that was discretionary or something that proposed variation say to car parking setbacks we would advertise that.

4.0 PETITIONS/DEPUTATIONS

4.1 Mr Aaron Lohman – Rowe Group

A Deputation was received from Mr Aaron Lohman who spoke on behalf of the applicant regarding item 06. Proposed Hardstand and Temporary Storage – Lot 201 (614) Kalamunda Road, High Wycombe.

Mr Lohman spoke in favour of the item and clarified questions from Cr Dylan O'Connor and Cr Sara Lohmeyer on the matter.

5.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 That the Minutes of the Development & Infrastructure Services Committee Meeting held on 12 December 2016, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Sue Bilich**

Vote: **CARRIED UNANIMOUSLY (12/0)**

6.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

6.1 Nil.

7.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

- 7.1 **08. CONFIDENTIAL ITEM – Consideration of Tenders for Forrestfield North – Structure Plan Preparation and Project Coordination**
(Attachment 1) (Attachment 2) (Attachment 3) provided under separate cover. Reason for Confidentiality *Local Government Act 1995*. S5.23 (2) (c) - "a contract entered into, or which may be entered into by the local government which relates to a matter to be discussed at the meeting."

8.0 DISCLOSURE OF INTERESTS

8.1 Disclosure of Financial and Proximity Interests

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.65 of the *Local Government Act 1995*.)
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the *Local Government Act 1995*.)

8.1.1 Nil.

8.2 Disclosure of Interest Affecting Impartiality

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

8.2.1 Nil.

9.0 REPORTS TO COUNCIL

Please Note: declaration of financial/conflict of interests to be recorded prior to dealing with each item.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

01. Hartfield Park Redevelopment Project – Proposed Redevelopment to the Former Darling Range Pony Club Facility

Previous Items	
Responsible Officer	Director Asset Services
Service Area	Asset Delivery
File Reference	HL-01/199N
Applicant	N/A
Owner	N/A
Attachment 1	Site Location and Hockey Field Layout Plan Drawing No. 14876-G01/A
Attachment 2	Flora Areas Map
Attachment 3	Aboriginal Cultural Heritage Management Plan
Attachment 4	Clubroom Design Option 1
Attachment 5	Clubroom Design Option 2
Attachment 6	Kalamunda Districts Hockey Club Letter of Endorsement

EXECUTIVE SUMMARY

1. To consider field layout, building concept designs and the recommendations outlined in the Aboriginal Cultural Heritage Management Plan (ACHMP) for the proposed redevelopment of the former Darling Range Pony Club Facility at Hartfield Park.
2. Administration proposes that Council consider endorsement of the proposed redevelopment footprint and demolish the existing Darling Range Pony Club Facility to accommodate construction of a new shared use clubroom/change room facility (*Option 2*). Furthermore, in order to advance this project, endorsement of nine recommendations outlined in the ACHMP will also need to be considered, with the majority of these recommendations able to be funded as part of the redevelopment project and the balance through annual operational funding.
3. A further report is proposed to advance multi-use of both the new and vacated facilities.

BACKGROUND

4. On 28 July 2014 the State of Western Australia and the Shire of Kalamunda entered into a Financial Assistance Agreement for the State to provide a grant amount of \$6.01m (exclusive of GST) for the provision of a number of deliverables as outlined in the Hartfield Park Masterplan 2010 (HPM) and detailed in the Agreement. The term of the Agreement is 24 June 2014 to 31 December 2017.
5. The upgrading of the former Darling Range Pony Club Facility (the Project) was one of the deliverables detailed in the Agreement and this report addresses the proposed field layout, analysis of the concept design options for the upgraded building and the recommendations outlined in the ACHMP.

DETAILS

6. The scope of works includes the construction of 3.2Ha of turfed area which can accommodate three (3) grassed hockey pitches and assorted training areas, clubroom facilities, sports lighting (training standard) and car park upgrades. The extent of the playing space will allow shared use of the facility, with a key summer sporting club still to be determined to maximise the use of the clubrooms and playing fields.
7. The proposed development is located partly on the former Darling Range Horse and Pony Club dressage and jumping arena, and partly on the adjacent Federation Gardens parkland as detailed on the Site Location and Hockey Field Layout Plan shown on Drawing No. 14876-G01/A (Attachment 1).
8. Hartfield Park is a Class A Reserve, Bush Forever site and registered Aboriginal Heritage site with the Department of Aboriginal Affairs (DAA), Site ID 3773.
9. The current sporting fixtures at Hartfield Park are dominated by the following winter sports:
 - Soccer
 - Australian rules football
 - Rugby Union
 - Rugby League
 - Hockey
10. As a result of the high level of winter sporting activity, sustainable club growth is presently restricted due to the current sporting fields operating at capacity. This development will increase the available playing space located adjacent to the current soccer fields due to the relocation of Kalamunda District Hockey Club (KDHC). As a consequence, this will enable sustainable sporting club growth and reduce the wear and tear on the current playing surface.
11. The proposed redevelopment will correspondingly make the existing KDHC clubrooms available to an alternative user group and the resultant upgraded facility will also allow for multiple users. In both instances user groups are still to be determined.

Environmental

12. Environmental Consultants, Emerge Associates, were commissioned to undertake a flora survey of the area to determine the environmental characteristics of the site. The flora survey identified areas of Threatened Ecological Community (TEC).
13. A field layout was developed with a core objective of retaining all areas that have been identified as TEC (Attachment 2). The proposed field layout meets this objective and the requirement of three fields as recommended by the Council endorsed HPM. This layout also meets the relevant standards for hockey field alignment which are set by the International Hockey Federation and stipulate that pitches be orientated as close as possible north-south, to minimise glare from the setting sun.

14. Emerge Associates developed an environmental management plan to mitigate the risks to the surrounding areas containing TEC during the development construction phase. The environmental management plan was utilised to guide the civil construction/drainage designs and specifications. This plan was subsequently used for the purpose of obtaining a Clearing Permit.

Clearing Permit

15. The Shire was successfully granted a Clearing Permit on 22 December 2015 for the proposed development with the following condition:

“The Permit Holder must implement and adhere to the document
“Vegetation Management Plan - Hartfield Park Hockey Fields Development”
(Doc No Ep15-054—001 Revision A, December 2015).”

Aboriginal Heritage

16. The development area is mapped within two (2) Aboriginal Sites of Significance, namely “Maamba Reserve” and “Welshpool Reserve”. As a consequence, there is a requirement under the *Aboriginal Heritage Act 1972* (the Act) for the Shire to seek approval from the Traditional Owners for the proposed development.
17. Human Terrains Anthropological Consultancy was commissioned in July 2016 to undertake the required Aboriginal consultation and associated submission of a Section 18 Notice which is defined as follows:

“Where land users conclude that impact to a Site is unavoidable, the consent of the Minister may be sought under Section 18 of the Act to impact the Site by giving notice to the Aboriginal Cultural Material Committee (ACMC) accompanied by the information as to the intended use of the land and Sites on the land.”
18. The process followed consisted of the following:
 - a) Three separate consultations with Traditional Owners.
 - b) Development of the Aboriginal Cultural Heritage Management Plan (ACHMP).
 - c) Preparation of the Section 18 Notice.
19. A summary of the consultation outcome prepared by Human Terrains is outlined below:

“Different consultations have evoked different responses over time. Once a Section 18 was tabled during recent discussions, most people consulted objected. The ACHMP consultations incited a different result, whereby most felt that the Shire of Kalamunda was 'coming to the table' and appropriately consulting. If the nine recommendations of the ACHMP (Attachment 3) were implemented with appropriate protocol and consultation were adhered to, it was agreed there was an opportunity to increase the recognition and value of Aboriginal heritage assets for the community at Hartfield Park. Currently, not many people in the non-Aboriginal community were aware of the Welshpool Reserve site's immense value and history to Noongar/Nyungah people.”

20. The traditional owners have agreed to the development on the condition that the following recommendations from the ACHMP are implemented.
- 1) Test pitting of the proposed work area under a Section 16 application (as part of the Section 18) or alternatively, monitoring of ground works with a suitably qualified Archaeologist and 2 Noongar heritage consultants.
 - 2) Sporting Clinics for Noongar sporting groups to be established at Hartfield Park.
 - 3) A sculptural 'Shrine' or Memorial to be erected in a prominent place, recognising the area as a 'Survival' site where Noongar people, refugees in their own land, survived a prolonged war, internment and attempted ethnocide. This war memorial should collectively acknowledge all of the known male and female warriors who lived or died on Maamba.
 - 4) Culturally authorised artworks by local Noongar artists to be erected, elucidating the poignant historical and traditional connections to place and space. Particular honour should be paid to Joobaitch and his descendants - the warrior who was firstly given and who later died, upon Welshpool Reserve.
 - 5) A 'kaleep' or fireplace is to be placed near the Hockey clubhouse for use by Whadjuk Noongar cultural groups.
 - 6) Noongar Cultural Awareness Training for the Shire of Kalamunda and Hartfield Park Sporting Groups to occur in the next 6 months, then once every 12 months thereafter for newcomers.
 - 7) The Shire of Kalamunda to enter into a Reconciliation Action Plan with the Whadjuk Noongar people and other Noongar consultants.
 - 8) The Shire of Kalamunda to enter into and sign the Whadjuk Noongar Standard Heritage Agreement, if still applicable.
 - 9) The Shire of Kalamunda is to develop communications materials that document the aboriginal pre-history of Maamba and the broader Shire area, as sanctioned by the Whadjuk Noongar people and the other Noongar consultants.

A copy of the 'Aboriginal Cultural Heritage Management Plan for Hartfield Park 'Welshpool Reserve', Forrestfield with Whadjuk Native Title Claimants (WC97/71) and other Noongar Consultants' is provided refer (Attachment 3).

21. The Section 18 Notice was lodged with the Department of Aboriginal Affairs on 30 November 2016 and is scheduled for assessment in February 2017.

Club and Change Room Concept

22. The HPM provided for the demolition of the Darling Range Pony Club Facility and the construction of a new shared clubroom facility. Since endorsement of the HPM in 2010, there has been consideration given for refurbishment of the

existing building and construction of an extension to accommodate change rooms and public toilets.

23. Olk and Associates Building Design (Olk) were commissioned by the Shire in August 2016 for the propose of developing two (2) clubroom concepts options as follows:
- i) *Option 1*- Refurbish the existing Pony clubrooms with an extension providing for change rooms and wet areas (Attachment 4).
Estimated cost of Option 1 is \$1,350,200
 - ii) *Option 2*- Demolish the existing clubrooms and design and construct a new club and change room facility to current building standards (Attachment 5).
Esimated cost of Option 2 is \$1,137,600
24. An analysis of both design options was completed by Olk to determine the most suitable option for the site. The analysis is summarised as follows:
- Option 1* - requires substantial renovation works due to non-compliance issues. Internal service upgrades such as electrical, plumbing and lighting. Re-fitting under slab services such as waste positions for new toilets and the like will require extensive works such as concrete chasing, etc. There is also a requirement to replace the asbestos roof.
- Option 2* – Avoids the need to renovate due to non-compliance issues and additionally has the advantage of a flexible location to optimise usability of the proposed facility. Through the design process this option will enable the capability to provide a multi-use facility and furthermore the cost estimate of delivering this option is less than *Option 1*.
25. The Project Control Group (PGC), consisting of the Executive Management Team, Manager Asset Delivery, Manager Community Development and Coordinator Project Delivery, supported *Option 2* at its meeting on 24 November 2016 for further consultation with KDHC.
26. Both clubroom design options were presented to the KDHC for consideration and endorsement of its preferred option. The KDHC has subsequently endorsed *Option 2* as its preferred option in accordance with the attached correspondence refer (Attachment 6).

STATUTORY AND LEGAL CONSIDERATIONS

27. The implementation of the Project is in accordance with the terms and conditions of the Financial Assistance Agreement with the State of Western Australia. The term of the Agreement is 24 June 2014 to 31 December 2017, however, due to the complications and lengthy process involving the Section 18 process, the Department of Sport and Recreation has agreed to an extension of the term until 30 June 2018. This is subject to the acquittal process for the funding be completed in the 2017/2018 financial year. It is confirmed that this condition is achievable.

28. Section 3.57 of the *Local Government Act 1995*, Part 4 of the *Local Government (Functions and General) Regulations 1996* when procurement of the various components of the upgrade are undertaken.
29. Permit to Clear Native Vegetation Under the *Environmental Protection Act 1986* approved on 22 December 2015.
30. Section 18 Notice under the *Aboriginal Heritage Act 1972* was submitted to the DAA on 30 November 2016.

POLICY CONSIDERATIONS

31. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

32. Community Development Unit for communication and club liaison and the Approval Services Unit for Western Australian Planning Commission (WAPC) endorsement of the HPM.

External Referrals

33. Extensive consultation has been undertaken with Traditional Owners, Department of Environment and Department of Parks and Wildlife.
34. Representatives from the KDHC have been consulted and involved in site meetings on a regular basis as the scope of works and concept designs have been developed for the various components of the project, taking into consideration the Club's functional brief for the building and the field alignment layout requirements. This process culminated in the KDHC's endorsement of the playing field layout and clubroom building as per *Option 2* (Attachment 5).

FINANCIAL CONSIDERATIONS

35. This project is a key deliverable in the implementation of the Hartfield Park Masterplan and is funded through the Financial Assistance Agreement as per Project Schedule Item 3 Stage 2 – Development of the hockey clubroom and playing fields.
36. A budget allocation of \$1.2 million (excluding overheads) has been approved in the 2016/2017 budget under title: *Hartfield Park Project- Develop three new hockey fields, hockey clubrooms and parking - 100 % state govt funded (4415)*.
37. A budget allocation of \$600,000 (excluding overheads) has been approved in the 2016/2017 with a further \$200,000 (excluding overheads) in the 2017/2018 budget under title: *Hartfield Park - Develop and refurbish Hockey Clubrooms 100 % state govt funded (4849)*.
38. The total project budget allocation for the project (excluding overheads) is \$2 million.

39. The current Financial Assistance Agreement funding status is outlined as follows:
- Total expenditure including committed funds is \$3.20 million.
 - Total remaining funds available is \$2.81 million.
40. There are two deliverables remaining under the Financial Assistance Agreement, namely:
- i) Development of the hockey clubroom and playing fields.
 - ii) Development of new car parking areas and pathway networks.
41. The delivery of the majority of the ACHMP recommendations have been included in the estimated cost of the development of the hockey clubroom and playing fields. However, the cost of implementing the remaining recommendations is to be reviewed and presented for consideration as part of the forthcoming budget process as they are more operational and longer-term in nature and therefore may not be able to be fully achieved in 2017/2018.
42. The current estimated cost of the development of the hockey clubroom and playing fields is \$2.40 million, thus leaving a funding balance of \$410,000 for the development of new car parking areas and pathway networks.
43. Based on the current estimated cost of the remaining deliverables under the Financial Assistance Agreement, both projects can be accommodated within the remaining funding available.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

44. *Kalamunda Advancing: Strategic Community Plan to 2023*
- OBJECTIVE 4.6 – To ensure the optimal management of assets delivers continuity of services to the community.
- | | |
|----------------|---|
| Strategy 4.6.2 | Develop financially sustainable funding models to ensure the Shire can adequately fund its asset plans. |
| Strategy 4.6.3 | Seek funding opportunities wherever possible to increase asset stock within the Shire either through public private partnership or government and agencies funding. |
- OBJECTIVE 4.7 – To ensure the selection, maintenance, inspection, renewal and disposal of all categories of assets within the Shire is managed efficiently.
- | | |
|----------------|---|
| Strategy 4.7.1 | Maintain, refurbish or upgrade existing infrastructure, including public buildings, parks, reserves, local roads, footpaths, cycle ways, verges and drainage networks to encourage increased utilisation and extension of asset life. |
|----------------|---|

SUSTAINABILITY

Social Implications

45. This redevelopment project will provide the Shire of Kalamunda, the community and user groups of Hartfield Park with a unique facility. This facility will increase the available playing space at Hartfield Park enabling sustainable sporting club growth and reducing the wear and tear on the current playing surfaces.
46. Increased cultural awareness through the fostering of partnerships with local Aboriginal community members and the Shire through the implementation of the recommendations outlined in the ACHMP.

Economic Implications

47. Nil.

Environmental Implications

48. The conditions of the Permit to Clear Native Vegetation Under the Environmental Protection Act 1986 must be implemented and adhered in accordance with the document "Vegetation Management Plan - Hartfield Park Hockey Fields Development Doc No Ep15-054—001 Revision A, December 2015)".

RISK MANAGEMENT CONSIDERATIONS

49.

Risk	Likelihood	Consequence	Rating	Action/Strategy
The ACHMP recommendations are not endorsed and as a consequence the project cannot proceed, resulting in the return of unexpended funding as at 31 December 2017 to the State of Western Australia and associated loss of reputation	Possible	Critical	Extreme	The ACHMP recommendations are achievable with the majority being delivered as part of the project and funded under the Financial Assistance Agreement
A change in scope following endorsement of the preferred option	Possible	Moderate	Medium	Design approval process to incorporate sign off by key stakeholders

OFFICER COMMENT

50. After extensive consultation with the KDHC, Olk and the PCG, the consensus of all parties involved is to demolish the existing clubrooms and build a new facility due to the unknowns associated with renovating the existing facility and potentially, the costly remediation work necessary to ensuring building compliance. KDHC has provided a summary report endorsing the construction of a new clubroom facility.

51. After reviewing the nine recommendations from the ACHMP, the PCG at its meeting on 24 November 2016 resolved that, the implementation of ACHMP is achievable with the majority of the recommendations being delivered and funded through the redevelopment project. These recommendations are:

- 1) Test pitting of the proposed work area under a Section 16 application (as part of the Section 18) or alternatively, monitoring of ground works with a suitably qualified Archaeologist and 2 Noongar heritage consultants.
- 3) A sculptural 'Shrine' or Memorial to be erected in a prominent place, recognising the area as a 'Survival' site where Noongar people, refugees in their own land, survived a prolonged war, internment and attempted ethnocide. This war memorial should collectively acknowledge all of the known male and female warriors who lived or died on Maamba.
- 4) Culturally authorised artworks by local Noongar artists to be erected, elucidating the poignant historical and traditional connections to place and space. Particular honour should be paid to Joobaich and his descendants - the warrior who was firstly given and who later died, upon Welshpool Reserve.
- 5) A 'kaleep' or fireplace is to be placed near the Hockey clubhouse for use by Whadjuk Noongar cultural groups.
- 8) The Shire of Kalamunda to enter into and sign the Whadjuk Noongar Standard Heritage Agreement, if still applicable.

The remaining recommendations will require funding consideration as part of the forthcoming budget process given their longer-term operational nature, namely:

- 2) Sporting Clinics for Noongar sporting groups to be established at Hartfield Park.
- 6) Noongar Cultural Awareness Training for the Shire of Kalamunda and Hartfield Park Sporting Groups to occur in the next 6 months, then once every 12 months thereafter for newcomers.
- 7) The Shire of Kalamunda to enter into a Reconciliation Action Plan with the Whadjuk Noongar people and other Noongar consultants.
- 9) The Shire of Kalamunda is to develop communications materials that document the aboriginal pre-history of Maamba and the broader Shire area, as sanctioned by the Whadjuk Noongar people and the other Noongar consultants.

52. Through the undertaking of the required Section 18 Notice, Administration and the Traditional Owners representing the site have promoted the beginning of a mutually beneficial partnership recognising the cultural significance of Hartfield Park (Aboriginal site 'Welshpool Reserve').
53. A briefing was provided to Council in November 2016 on the initial overview of Reconciliation Action Planning for the Shire of Kalamunda, with an outcome being the presentation of a report to Council in early 2017. This report is currently planned for presentation in March.

The Director Asset Services distributed a memo to all Councillors outlining minor amendments to item 2 in the recommendation before the vote took place, these amendments are included below.

Queries from Cr Geoff Stallard, Cr Brooke O'Donnell, Cr Tracy Destree and Cr Andrew Waddell were clarified before the vote took place.

Cr Tracy Destree proposed an amendment to item 3 point 5 to add the words "in the near vicinity of" the Director Asset Services agreed that this would cover the recommendations in the cultural management plan and also the direction to its ultimate location. The Director Development Services accepted this as a minor amendment to the Officer Recommendation therefor it is noted below.

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&A 01/2017)

That Council:

1. Endorses the proposed redevelopment of the former Darling Range Pony Club facility at Hartfield Park in accordance with the Site Location and Hockey Field Layout Plan Drawing No. 14876-G01/A (Attachment 1).
2. Endorses the demolition of the existing Darling Range Pony Club Facility and construction of a new shared use clubroom/change room facility **generally** in accordance with *Option 2* Drawing No. 400-004/B (Attachment 5), **for the purpose of further discussions with the Kalamunda Districts Hockey Club**, noting that the final design will be undertaken to match the available funds for this facility, **with a further report presented to Council for endorsement.**
3. Endorses implementation of the recommendations outlined in the Aboriginal Cultural Heritage Management Plan as follows:
 - 1) Test pitting of the proposed work area under a Section 16 application (as part of the Section 18) or alternatively, monitoring of ground works with a suitably qualified Archaeologist and 2 Noongar heritage consultants.
 - 2) Sporting Clinics for Noongar sporting groups to be established at Hartfield Park.
 - 3) A sculptural 'Shrine' or Memorial to be erected in a prominent place, recognising the area as a 'Survival' site where Noongar people, refugees in their own land, survived a prolonged war, internment and attempted ethnocide. This war memorial should collectively acknowledge all of the known male and female warriors who lived or died on Maamba.

- 4) Culturally authorised artworks by local Noongar artists to be erected, elucidating the poignant historical and traditional connections to place and space. Particular honour should be paid to Joobaitch and his descendants--the warrior who was firstly given and who later died, upon Welshpool Reserve.
 - 5) A 'kaleep' or fireplace is to be placed **in the near vicinity of** the Hockey clubhouse for use by Whadjuk Noongar cultural groups.
 - 6) Noongar Cultural Awareness Training for the Shire of Kalamunda and Hartfield Park Sporting Groups to occur in the next 6 months, then once every 12 months thereafter for newcomers.
 - 7) The Shire of Kalamunda to enter into a Reconciliation Action Plan with the Whadjuk Noongar people and other Noongar consultants.
 - 8) The Shire of Kalamunda to enter into and sign the Whadjuk Noongar Standard Heritage Agreement, if still applicable.
 - 9) The Shire of Kalamunda is to develop communications materials that document the aboriginal pre-history of Maamba and the broader Shire area, as sanctioned by the Whadjuk Noongar people and the other Noongar consultants.
4. Notes that a further report will be presented on the outcomes of discussions with other sporting clubs for:
- a) Joint use of the new facility during the summer months; and
 - b) Use of the existing hockey club facilities on Morrison Oval when the Kalamunda United Hockey Club relocates to the new site.

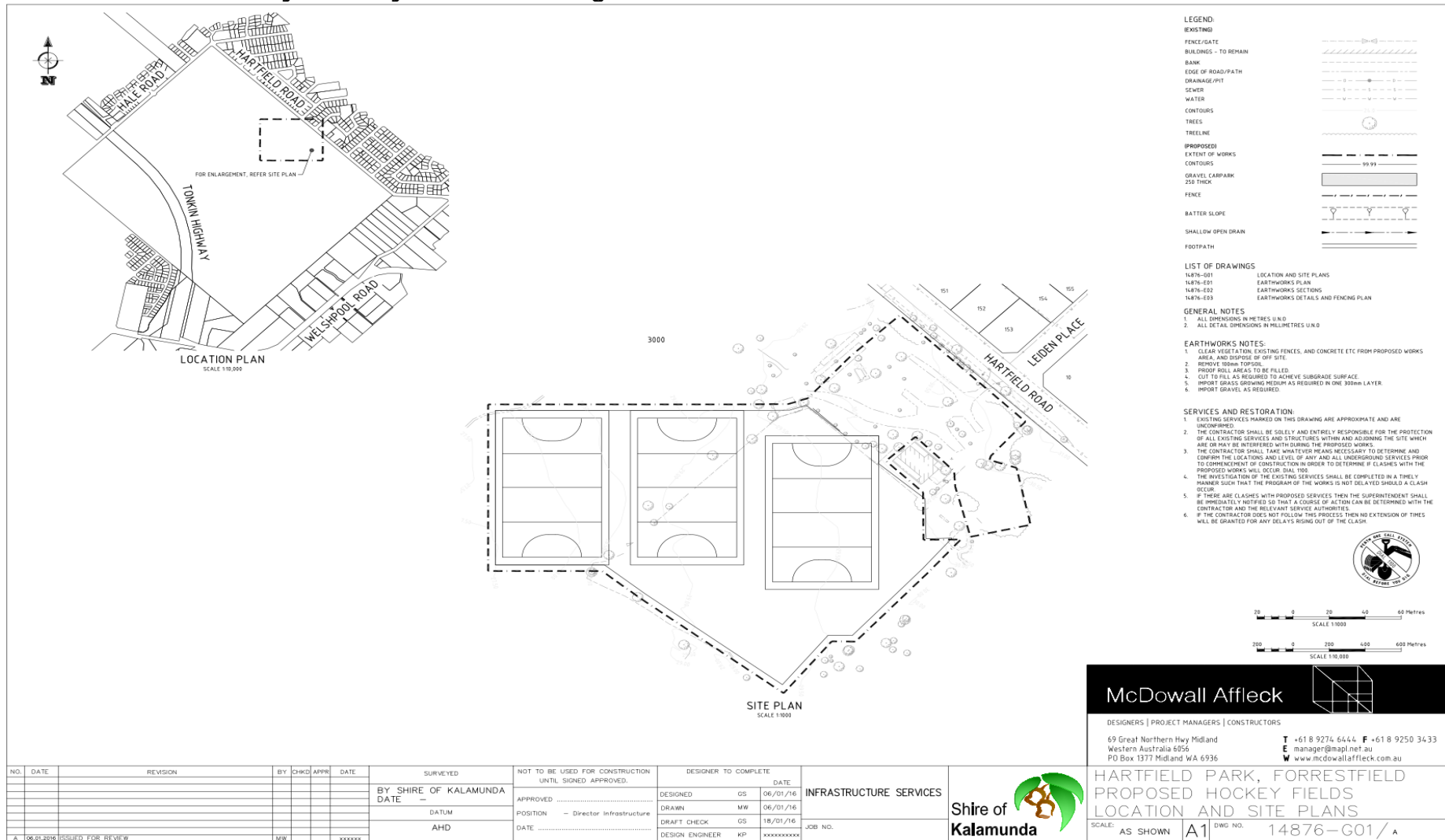
Moved: **Cr Tracy Destree**

Seconded: **Cr Andrew Waddell**

Vote: **CARRIED UNANIMOUSLY (12/0)**

Attachment 1

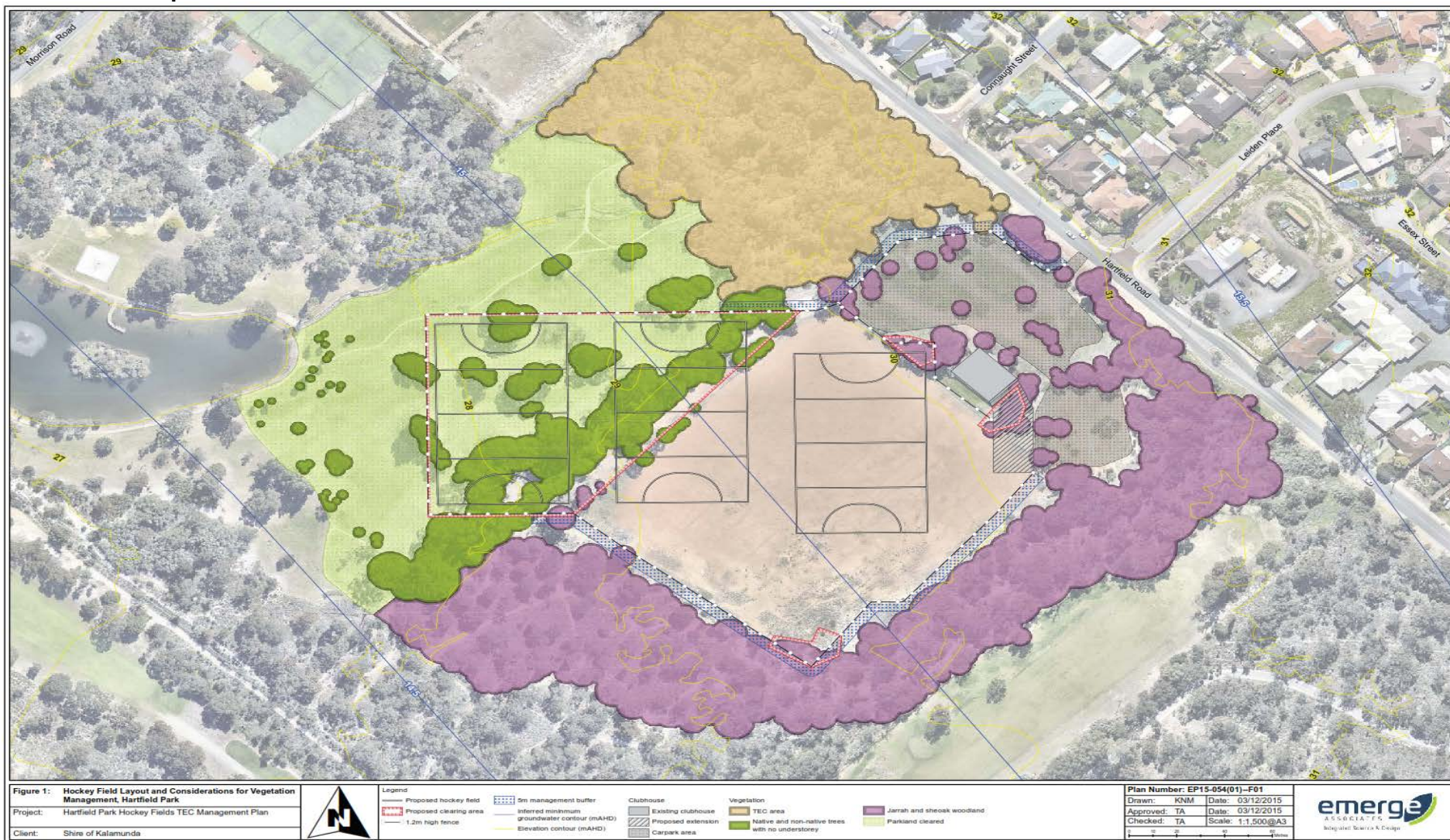
Hartfield Park Redevelopment Project – Proposed Redevelopment to the Former Darling Range Pony Club Facility Site Location and Hockey Field Layout Plan Drawing No. 14876-G01/A



Attachment 2

Hartfield Park Redevelopment Project – Proposed Redevelopment to the Former Darling Range Pony Club Facility

Flora Areas Map



Attachment 3

Hartfield Park Redevelopment Project – Proposed Redevelopment to the Former Darling Range Pony Club Facility

Aboriginal Cultural Heritage Management Plan

[Click HERE to go directly to the document](#)

Hartfield Park Redevelopment Project – Proposed Redevelopment to the Former Darling Range Pony Club Facility



Hartfield Park Redevelopment Project – Proposed Redevelopment to the Former Darling Range Pony Club Facility



Attachment 6

Hartfield Park Redevelopment Project – Proposed Redevelopment to the Former Darling Range Pony Club Facility

Kalamunda Districts Hockey Club Letter of Endorsement



All Correspondence to:
The Secretary
P.O. Box 32 Forrestfield 6015

Clubrooms:
Hartfield Park Forrestfield
Ph 9453 2860
ABN : 46 124 928 022

Dennis Blair
Director Asset Services
Shire of Kalamunda

19 December 2016

Dear Dennis,

Re: Hockey Club Relocation – Proposed Clubroom Building Options

The Kalamunda Districts Hockey Club Committee met on 8th December to consider the Shire's proposed clubroom building options, supplied to the Club at the engagement meeting 6th December 2016.

- Option 1 – Redevelop the existing building (Old Pony Club) and construct an extension.
- Option 2 – Construct a new building with improved orientation to the fields.

On consideration of the options provided, the Kalamunda Districts Hockey Club endorses Option 2, subject to refinement of the building design in accordance with the functional brief provided by the Club (September 2015).

Kalahockey considers Option 2 offers a number of significant benefits over Option 1, including;

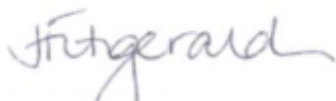
1. Overcomes the safety and structural issues caused by the Asbestos present in the existing building.
2. Much improved floorplan/layout compared to the existing building, which is restricted.
3. Improved orientation to the playing fields. A new building can also be elevated to further improve viewing from the clubrooms.
4. A new building will achieve the best appearance without the complications of reworking the old facade of the existing building.
5. We expect Option 1 would require considerable renovation works and service upgrades to achieve a compliant building. This is unlikely to be the best use of available funds and may compromise the functionality of the building.

The Club notes that the concept provided for Option 2 is currently only preliminary and considers that a detail design should be resolved as a matter of priority. The Club requests from the Shire a fully detailed Option 2 design with an explanation regarding any elements of the Club's functional brief that could not be accommodated.

To expedite the process and achieve a cost effective design, the Club requests a design meeting with the Architect in early January 2017 to agree on the key design elements.

We thank the Shire for presenting these options and trust that our response is of assistance. If you have any queries with our advice or would like to arrange a time for the design meeting, please contact Scott Wills on scott@idahydro.com.au or mob. 0414 346 065.

Kind regards,



Jodi Fitzgerald

President

Kalamunda Districts Hockey Club Inc.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

02. Wattle Grove Landscape Masterplan and Implementation, Cell 9, Wattle Grove

Previous Items	OCM 19/2012 & OCM 127/2016
Responsible Officer	Director Asset Services
Service Area	Asset Services
File Reference	PG-STU-029
Applicant	N/A
Owner	N/A
Attachment 1	Draft Cell 9 Wattle Grove Masterplan Landscape Plan Jan 2012
Attachment 2	Summary Table of Landscape Masterplan Element Review
Attachment 3	Woodlupine Brook "Living Stream" Concept Plan

EXECUTIVE SUMMARY

1. A review of the Draft Wattle Grove Landscape Masterplan (Draft Masterplan) as endorsed by Council in 2012 has been undertaken, inclusive of a review of the 23 Elements recommended in the Draft Masterplan to determine the current status of landscape works since endorsement. As a consequence, it is proposed that the Draft Masterplan be adopted as "final", along with the 23 Elements as updated in reflection of the work undertaken during the intervening period.
2. In addition to the review of the Draft Masterplan it is noted that development of a Concept Plan addressing the proposed conversion of the balance of the Woodlupine Brook Drain in Wattle Grove into a "Living Stream" has also been undertaken. This work links to Element Nos. 7 and 10 of the Draft Masterplan and furthermore, reflects the overall design intent promoted in the Draft Masterplan. The Concept Plan is presented for Council's endorsement for public consultation for a period of 6-weeks from proposed advertisement. A further report on the outcome of the public consultation process is proposed thereafter.

BACKGROUND

3. In January 2012 the Draft Masterplan (Attachment 1) was prepared in consultation with and on behalf of the Shire by its consultant, Sally Malone. The Draft Masterplan provided recommendations for the Shire to develop a strategic approach to landscape design and urban infrastructure of Cell 9 and was subsequently endorsed by Council for public consultation (OCM 19/2012 refers).
4. Public consultation was successfully undertaken by the Shire in the first half of 2012 with responses duly considered by the Shire.

5. Follow up with Council on completion of public consultation undertaken in 2012 did not occur, with a report subsequently presented for Council's consideration in July 2016 (OCM 127/2016 refers). This report addressed the current status and direction of infrastructure related works associated with the Cell 9 Scheme.

6. Council resolved as part of its consideration of Report OCM 127/2016 as follows:

"3. [That Council] requests a further report on landscape improvements, including:

- The draft Landscape Masterplan;*
- Gap analysis, identifying potential landscape improvements;*
- Estimated costs;*
- Priorities and program; and*
- Options for potential funding services."*

This report addresses this resolution along with consideration of a Concept Plan for the conversion of the balance of the Woodlupine Brook Drain located within Wattle Grove into a "Living Stream".

7. Some recommendations arising from the Draft Masterplan, referred to as Elements, have over the intervening years been budgeted and constructed. Of the 23 Elements recommended, nine have been fully completed. A summary of the current status regarding each of the Elements listed has been prepared refer Summary Table of Masterplan Elements, (Attachment 2).

8. Documents that provide strategic background and understanding to the Cell 9 Scheme that support the development of Cell 9 Infrastructure works include:

- Original ODP, by ERM Mitchell McCotter, 1996;
- ODP by Worley Fraser May 2000;
- Shire of Kalamunda Business Plan 2013-17;
- Woodlupine Living Stream Action Plan 2015 -17;
- Council Report 10.1.5, 24 August 2015; and
- Cell 9 Wattle Grove Infrastructure Works - Status Report April 2016.

Further to the above, the Shire recently engaged Syrinx Environmental (Syrinx) as its consultant to undertake the design of the proposed conversion of the balance of the Woodlupine Brook Drain in Wattle Grove into a "Living Stream". Its first task was to develop a Concept Design, with this design appended refer (Attachment 3).

DETAILS

9. The comprehensive review of the Draft Masterplan as per Attachment 2 assesses the Masterplan recommendations, details completed projects and prioritises recommendations of incomplete or unfinished projects, inclusive of any changes in scope/budget. It also defines the scope and budget of any evident gaps. The reviewed Elements are to be considered for project programming into the Shire's Long Term Financial Plan.

10. Projects currently being undertaken by the Shire are noted as follows:

Wattle Grove Street Tree Planting (Linked to Element 23): A staged street tree planting programme has been developed for Wattle Grove, with Stage 1 works scheduled for roll-out during the 2017 winter noted as follows:

Location	Species	Common Name	No. Trees
Sheffield Road	<i>Pyrus calleryana</i>	Ornamental Pear	47
Sheffield Road	<i>Brachychiton acerifolia</i>	Kurrajong	3
St John Road	<i>Triadica sebivera</i>	Chinese Tallow tree	16
Arthur Road	<i>Pyrus calleryana</i>	Ornamental Pear	6
Fennel Crescent Reserve	<i>Pyrus calleryana</i>	Ornamental Pear	6

A services location survey was conducted along verges to ensure feasibility and accurate location of trees. Recommended species based on a matrix of suitable species to create formality and street identity, with planting of each street tree being actioned as mandatory. Further implementation stages will be dependent on budget allocation.

Hale Road Widening (Linked to Elements 12, 18, 23): Comprises the design of Hale Road from Welshpool Road to Tonkin Highway, two (2) metre minimum central median, on-road cycle lanes, new and adjusted footpaths and crossovers and bus stop embayments. A preliminary design for both engineering and landscaping has been undertaken, with detailed design to be finalised upon confirmation that all contracts associated with land acquisition to accommodate proposed widening of Hale Road have been formally agreed between the Shire and property owners directly affected.

Woodlupine Brook (Linked to Elements 7, 10): A Concept Design has been completed for the conversion of the balance of the Woodlupine Brook Drain located within Wattle Grove into a "Living Stream", including edge treatments, pedestrian bridges, culverts and head walls to control water flow and quality in a natural manner, with the project to be constructed during low base flows in the drain (ie: typically occurring during February through June/July annually).

The project has been staged to accommodate land acquisition timeframes, with Stage 2 (ie: Section downstream of the proposed Pedestrian Bridge to be located in the near vicinity of the Thorogood Road/The Promenade intersection) to be constructed in 2018; Stage 3A (Pedestrian Bridge to Wimbridge Road Culvert) to be constructed in 2019; and Stage 3B (upstream of the Wimbridge Road Culvert) anticipated to be delivered in 2020.

Land acquisition has been initiated with formal correspondence including offers for purchase being sent to landowners. The Shire is continuing to work through the acquisitions with an aim of securing the land at the earliest possible opportunity. Commencement of the works is contingent on formal agreements being entered into between the Shire and property owners. The project may be delayed for up to 12-months pending the agreement with landowners.

11. Upon the Council's endorsement of the Woodlupine Brook "Living Stream" Concept Plan included within Attachment 3, the Shire will engage in a six week public consultation process. Upon conclusion of the public consultation, a report will be presented to Council in summary of the findings.

STATUTORY AND LEGAL CONSIDERATIONS

12. Local Planning Scheme No. 3 - a requirement for the Shire to be able to deliver several infrastructure improvements within Cell 9; funded by Developer Contributions.

POLICY CONSIDERATIONS

13. Ensure that all landscaping is compliant with the Street Tree and Streetscape Policy.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

14. *Wattle Grove Landscape Masterplan*: Recreation Facilities & Services; Economic, Land & Property Services; Financial Services and Strategic Planning.
15. *Wattle Grove Street Tree Planting (Element 23)*: Strategic Planning; Parks and Environmental; Design Services; and Asset Delivery; and Asset Maintenance.
16. *Woodlupine Brook Project (Elements 7, 10), and Hale Road Widening (Elements 12, 18, 23)*: Strategic Planning, Parks and Environmental; Infrastructure Operations; Recreation Facilities & Services; Economic, Land & Property Services; Financial Services and Procurement.

External Referrals

17. Community engagement is imperative in disseminating progress updates regarding project works within Cell 9, Wattle Grove to support the involvement/awareness of residents, non-residents, business proprietors, stakeholders, general public and other members of the community. Communication engagement strategies will include, direct marketing, mass marketing, media and advertising.
18. In appreciation for the necessity of public engagement, the Shire has ensured continual Cell 9 progress updates are made available to residents, as outlined below:
 - Notices have been posted on the Shire's Website and local Facebook Groups regarding the Woodlupine Brook pedestrian bridge, and Hale Road pedestrian crossing (opposite Wattle Grove Shopping Centre);
 - The Shire's Summer 16/17 Connect Newsletter includes information on the Woodlupine Brook pedestrian bridge construction, and Wattle Grove tree planting;
 - Two signs have been posted within Woodlupine Brook Reserve advising of the imminent construction of Woodlupine Brook pedestrian bridge;

- A Cell 9 Project Update leaflet has been drafted which outlines upcoming works. This shall be issued to Wattle Grove residents, with further editions to be distributed upon further project progress. The leaflet will also be posted in the Wattle Grove Shopping Centre and Aldi, posted on Shire website, Local Facebook Group pages, and available to the public at Shire administration offices;
- A Media Release regarding the Wattle Grove projects will be posted on the Shire's website, and published within local newspapers late January 2017.

19. Upon the Council's endorsement of the Concept Plan for Woodlupine Living Stream prepared by Syrinx Environmental dated 10 January (Drawing No. 16046-SK1-003 Rev 1, Attachment 3), it is proposed to engage in public consultation for a period of six weeks from advertisement. Upon conclusion of the public consultation, a report will be presented to Council in summary of the findings.
20. The Department of Water (DoW), and the Water Corporation (WaterCorp) have had several collaborative meetings with the Shire in regard to the Woodlupine Brook project concept design. DoW and WaterCorp will continue to support the project acting in an approval capacity with technical direction where needed. Maintaining consistent liaison with DoW and WaterCorp will facilitate timely approval of the detailed design.
21. DoW, WaterCorp, and SERCUL provided letters of support for the Woodlupine Brook Living Stream Concept Plan. The Shire included these within the successful State NRM Grant Application.
22. The Shire has been in communication with members of the Wattle Grove Residents Association to advise of upcoming projects.

FINANCIAL CONSIDERATIONS

23. The various landscape focused projects located within the Wattle Grove (Cell 9) area have been identified for budget consideration/inclusion in the Shire's Long Term Financial Plan as per (Attachment 2).
24. The Woodlupine Brook "Living Stream" Upgrade and the Hale Road Widening projects are funded through the Cell 9 Trust. Furthermore, the Shire has also been successful in securing a grant through the State NRM Program for the sum of \$54,392.80 (excluding GST) to facilitate community education, and revegetation as part of Woodlupine Brook (Stage 2) works by local community volunteers and Friends Groups. The Shire intends to continue its search for additional external funding for landscape works and key community infrastructure.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

25. *Kalamunda Advancing: Strategic Community Plan to 2023*
- OBJECTIVE 4.1: To ensure land use plans provide long term sustainable population growth.
- Strategy 4.1.1 Develop, implement and review strategic land-use plans and policies which guide the location and sustainability of industrial, commercial and residential areas within the Shire.
- OBJECTIVE 4.3: To ensure the Shire's development is in accord with the Shire's Statutory and legislative obligations and accepted urban planning standards.
- OBJECTIVE 4.5: To create a desirable and recognisable image for the Shire.
- Strategy 4.5.1 Support the creation and ongoing maintenance of quality streetscapes particularly at Shire entry points and along major arterial roads.
- OBJECTIVE 4.6: To ensure the optimal management of assets delivers continuity of services to the community.
- Strategy 4.6.1 To ensure the Shire has long term asset plans for each of its asset categories and these plans are reviewed regularly.

SUSTAINABILITY

Social Implications

26. Various project activities will provide opportunities for members of the community to be involved, in particular, community participation in relation to future planting days linked to the conversion of the balance of the Woodlupine Brook Drain located within Wattle Grove into a "Living Stream".
27. Once completed, the landscape improvements detailed within this Report will create improved public spaces and a sense of place in Wattle Grove, especially around the commercial area, adjacent POS spaces and the "Living Stream".

Economic Implications

28. Following the completion of these projects it is anticipated that the infrastructure and associated landscape improvements will increase property values in the Wattle Grove (Cell 9) area.
29. Financial management by the Shire of the Cell 9 Trust is critical to balance cash flow over multiple years. In particular, expenditure on infrastructure works, land acquisition and loan repayment balanced with income from development/sale of lots.

Environmental Implications

30. Proposed landscape projects as outlined in the Landscape Masterplan Element Review (Attachment 2) will improve the quality of life for Wattle Grove (Cell 9) residents. The street trees will over time provide an increased canopy cover (shading), along with added aesthetic and economic values while providing continuity of the environmental benefits from the existing bushland areas.
31. The road and drainage upgrades will improve the transport network across Wattle Grove, with further opportunities to increase walkability through use of the interconnecting pathway network.
32. The landscape treatment to the Woodlupine Living Stream will improve water quality of stormwater entering the drain through bio-filtration by providing Water Sensitive Urban Design solutions as well as improvement and extension of landscape corridors and networks that support biodiversity in native flora and fauna.

RISK MANAGEMENT CONSIDERATIONS

33.	Risk	Likelihood	Consequence	Rating	Action/Strategy
	The Draft Masterplan as "final" is not utilised in support of landscape design development in Wattle Grove	Unlikely	Moderate	Low	Ensure the Masterplan is reflected in design process or included in Consultancy Briefs proposed in relation to landscape projects being promoted
	Future municipal funding of Elements contained within the Masterplan is delayed	Possible	Moderate	Medium	<ol style="list-style-type: none"> i. Ensure appropriately documented concept design and cost estimates are prepared in support of budget consideration ii. Seek additional external funding
	The Woodlupine Living Stream Plan is not supported by the local community	Unlikely	Significant	Medium	Manage the communication strategy associated with the public consultation process and ensure appropriate level of detail, reasoning and advice is provided

OFFICER COMMENT

34. Several projects have been completed in accordance with the Draft Wattle Grove Landscape Masterplan.
35. With respect to the Woodlupine Brook "Living Stream" and the Hale Road Widening projects financed by Cell 9 Developer Contributions, there is a list of potential commitments, including; infrastructure works; repayment of a loan; land acquisitions; and continued Scheme management costs. All these costs are balanced by the existing Trust funds and anticipated income from further Developer Contributions, interest made on the balance of funds in the Trust account, and successful grant applications.

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&A 02/2017)

That Council:

1. Adopts the Draft Cell 9 Wattle Grove Landscape Masterplan (Attachment 1) dated January 2012 previously endorsed by Council for public consultation (OCM 19/2012 refers) as "final", along with the Landscape Masterplan Element Review (Attachment 2) for future landscape capital works funding consideration in Wattle Grove.
2. Endorses the Concept Plan for Woodlupine Living Stream prepared by Syrinx Environmental dated 10 January 2017 (Drawing No. 16046-SK1-003 Rev 1/Attachment 3) for public consultation for a period of 6-weeks from proposed advertisement.
3. Requests a report on the outcome of the Woodlupine Living Stream Concept Plan public consultation.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Brooke O'Donnell**

Vote: **CARRIED UNANIMOUSLY (12/0)**

Attachment 1

Wattle Grove Landscape Masterplan and Implementation, Cell 9, Wattle Grove

Draft Cell 9 Wattle Grove Masterplan Landscape Plan Jan 2012

[Click HERE to go directly to the document](#)

Attachment 2

Wattle Grove Landscape Masterplan and Implementation, Cell 9, Wattle Grove

Summary Table of Landscape Masterplan Element Review

SUMMARY TABLE OF LANDSCAPE MASTERPLAN ELEMENT REVIEW								
Element No.	Project Description	Location	Status January 2016	Comment	Estimated Cost	Priority*	Funding Source	Proposed Implementation Dates (subject to change)
1	Native waterwise showcase gardens	Lenihan Corner	Ongoing	Initial planting undertaken, however further review required and additional funding allocated.	\$30,000	Low	Municipal Funding	2017-2018
2	Picnic area	Lenihan Corner	Ongoing	Barbeque facilities and picnic tables installed. Shade sails to be installed in 2017.	\$30,000	Low	Municipal Funding	2016-2017
3	Off the lead dog exercise area	Lenihan Corner	Not Applicable	Not feasible due to land restrictions in design and Water Corporation safety requirements.	N/A	N/A	N/A	N/A
4	Mini Oval	Lenihan Corner	Not Applicable	Not feasible due to land restrictions in design and Water Corporation safety requirements.	N/A	N/A	N/A	N/A
5	Nature Playspace (Playground)	Lenihan Corner	Complete	Playground installed and frequently used by the community. Infill planting as part of routine maintenance will need to be continued. To be reviewed for proposed teenage nature play equipment	N/A	High	N/A	N/A
6	Feature seating and artwork	Lenihan Corner	To Be Determined	See Line 25. Requires funding/Grant Applications.	\$40,000	Medium	Municipal Funding / Grant Applications	2017-2018

SUMMARY TABLE OF LANDSCAPE MASTERPLAN ELEMENT REVIEW								
Element No.	Project Description	Location	Status January 2016	Comment	Estimated Cost	Priority*	Funding Source	Proposed Implementation Dates (subject to change)
7	The Orchard	Lenihan Corner	Ongoing	Revised orchard theme included within Woodlupine Brook Concept Plan. Refer to File Reference PG-STU-029, Attachment 2 of Wattle Grove Landscape Masterplan Review, Cell 9, Wattle Grove in February OCM 2017.	N/A	N/A	N/A	N/A
8	Proposed 'Village Centre' Development	Hale Road	Ongoing	Wattle Grove Shopping Centre, Child Care Centre and Fitness Centre is constructed, with planning and construction further commercial developments in progress.	N/A	N/A	N/A	N/A
9	Tree Conservation	Hale Road	Ongoing	Some trees have been identified for potential relocation. Budget to be allocated. Planning approvals require reference to this document.	\$80,000	High	Municipal Funding	2017-2018
10	Drainage Enhancements	The Promenade	Ongoing	Refer to Woodlupine Brook Concept Design in File Reference PG-STU-029, Attachment 2 of Wattle Grove Landscape Masterplan Review, Cell 9, Wattle Grove in February OCM 2017.	\$2,320,000	High	CELL 9 Trust & NRM Grant	2018-2020**
11	Bus hub	Cnr Hale and Welshpool	Not Applicable	Not feasible; area is currently a stormwater collection point with recent riffling installed. There is also a local access road to community facilities. Additionally, the area is subject to flooding and too steep to construct infrastructure upon.	N/A	N/A	N/A	N/A

SUMMARY TABLE OF LANDSCAPE MASTERPLAN ELEMENT REVIEW								
Element No.	Project Description	Location	Status January 2016	Comment	Estimated Cost	Priority*	Funding Source	Proposed Implementation Dates (subject to change)
12	Gateway Landscaping - [Southern] end of Hale Road	Hale Road	Ongoing	Concept design completed. To be implemented within the Hale Road widening project, pending successful land acquisition.	\$100,000	Low	CELL 9 Trust	2019-2020**
13	Exercise circuits	Gillings Parade	To Be Determined	Feasibility and locations to be reviewed by Community Development.	TBA	TBA	TBA	TBA
14	Outdoor Ampitheatre	Gillings Parade	To Be Determined	Feasibility and locations to be reviewed by Community Development/ Parks & Environmental Services.	TBA	TBA	TBA	TBA
15	Park Entry points	Hale and Sheffield/ St John and Wimbridge Roads	Complete	Initial planting undertaken, however further review required and additional funding to be allocated.	\$30,000	Low	Municipal Funding	2019-2020**
16	Wetland Revegetation	Coyong/Maamba and Kalari/Gillings Roads	Complete		N/A	N/A	N/A	N/A
17	Bushland management	Coyong/Maamba and Kalari/Gillings Roads	Complete		N/A	N/A	N/A	N/A

SUMMARY TABLE OF LANDSCAPE MASTERPLAN ELEMENT REVIEW								
Element No.	Project Description	Location	Status January 2016	Comment	Estimated Cost	Priority*	Funding Source	Proposed Implementation Dates (subject to change)
18	Gateway Landscaping	Hale Road	Ongoing	Concept design completed. To be implemented within the Hale Road widening project, pending successful land acquisition.	\$60,000	Low	CELL 9 Trust	2018-2020**
19	Shared use path Link	Woodlupine Stream and several POS	Not Applicable	Not feasible due to prohibitive costs	N/A	N/A	N/A	N/A
20	Yule Brook Park	Welshpool Road	To Be Determined	Land ownership and maintenance to be resolved by Parks & Environment.	TBA	TBA	TBA	TBA
21	Public Transport Links	Maamba road	To Be Determined	Further information required from PTA regarding feasibility.	TBA	TBA	TBA	TBA
22	Local Park Zones	Several POS areas developed	To Be Determined	Tomah Reserve design and costs requires review.	\$700,000	High	Municipal Funding	2018-2020
23	Streetscaping	Hale Road	Ongoing	Concept design completed. To be implemented within the Hale Road widening project, pending successful land acquisition.	\$1,015,000	Low	CELL 9 Trust	2018-2020**
24	Wattle Grove Community Noticeboard	Nashi Lane/Lenihan Corner POS	Proposed Addition	Refer to Woodlupine Brook Concept Design in File Reference PG-STU-029, Attachment 2 of Wattle Grove Landscape Masterplan Review, Cell 9, Wattle Grove in February OCM 2017. Funding allocated and planning in progress.	\$10,000	High	Municipal Funding	2017

SUMMARY TABLE OF LANDSCAPE MASTERPLAN ELEMENT REVIEW								
Element No.	Project Description	Location	Status January 2016	Comment	Estimated Cost	Priority*	Funding Source	Proposed Implementation Dates (subject to change)
25	Public POS Art	Woodlupine Brook Reserve/Leniha n Corner POS	Proposed Addition	Requires funding/Grant Applications. Designs to be in conjunction with Woodlupine Brook implementation.	\$120,000	Low	Municipal Funding / Grant Applications	2020-2021
26	Public Street Art	Hale Road (Between Sheffield and Hardey East Road)	Proposed Addition	Requires funding/Grant Applications. Designs to be in conjunction with Hale Road widening project implementation.	\$120,000	Low	Municipal Funding / Grant Applications	2021
TOTAL ESTIMATED COST***					\$4,655,000			

* Priority based on Community Consultation

** Timing subject to finalisation of land acquisition

*** The total estimated cost of \$4,655,000 has been broken down into a cash flow against the relevant financial year(s) in which the respective project is anticipated to be undertaken. Please see below Breakdown of Estimated Costs and Funding Sources for further detail.

BREAKDOWN OF ESTIMATED COSTS AND FUNDING SOURCES				
YEAR	MUNICIPAL FUNDING	CELL 9 TRUST	GRANT	SUB-TOTAL
2016/2017 (Approved funding)	\$40,000			\$40,000
2017/2018	\$130,000	\$798,890	\$79,832	\$1,008,723
2018/2019	\$350,000	\$1,099,867		\$1,799,867
2019/2020	\$380,000	\$1,536,410		\$1,566,410
2020/2021	\$120,000		\$120,000	\$240,000
TOTAL	\$1,020,000	\$3,435,168	\$199,832	\$4,655,000

Attachment 3

Wattle Grove Landscape Masterplan and Implementation, Cell 9, Wattle Grove Woodlupine Brook “Living Stream” Concept Plan



WOODLUPINE BROOK UPGRADES - LANDSCAPE CONCEPT PLAN

CLIENT :	SHIRE OF KALAMUNDA	DRAWING :	CONCEPT LANDSCAPE PLAN	DATE :	10/01/2017
PROJECT :	WOODLUPINE BROOK UPGRADES	DRAWING NUMBER :	16046-SK1-003	SCALE :	1:1250 @ A1
PROJECT NUMBER :	16046	DRAWING REVISION :	REV 01	DRAWN BY :	KO

SYRINX
environmental pl

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

03. Change of Use from Medical Centre to Health and Fitness Centre - Lot 14 (12) Mead Street, Kalamunda

Previous Items	N/A
Responsible Officer	Director Development Services
Service Area	Approval Services
File Reference	MD-06/012
Applicant	The Design Mill
Owner	J & G Della Franca
Attachment 1	Site Plan
Attachment 2	Basement Floor Plan
Attachment 3	Ground Floor Plan
Attachment 4	Second Floor Plan
Attachment 5	Elevation 1
Attachment 6	Elevation 2
Attachment 7	Artistic Impression of New Colour Schemes
Attachment 8	Site Photos

EXECUTIVE SUMMARY

1. The purpose of this report is to consider a development application for a proposed change of use from medical centre to 'health/fitness centre' at Lot 14 (12) Mead Street, Kalamunda.
2. A Heath/Fitness Centre is a 'P' (Permitted) use within the District Centre zone, and as such would not normally require a development approval on the provision that any works being undertaken are internal only. However, in this instance minor external works are proposed and therefore planning approval is required.
3. The development application is seeking Council approval for a dispensation in the required number of car parking bays (76 car parking spaces required, 26 provided). Under the requirements of Local Planning Policy DEV41 – Framework for Assessing Requests for Variation of the number of Car Parking Bays a shortfall in parking bays may only be approved by Council.
4. The applicant has submitted that due to the size of the lot and the current structural requirements of the property no additional bays can be created. The applicant further states that it is expected that due to the nature of the proposal there will be a high turnover in the provided bays, and it is expected that there will be no strain placed on parking availability.
5. The Officer recommendation is to approve the application for the change of use with the shortfall in parking bays, subject to appropriate conditions.

BACKGROUND

6. Land Details:

Land Area:	884.425 m ² 0.08844 ha
Local Planning Scheme Zone:	District centre
Metropolitan Regional Scheme Zone:	Urban

7. The site was previously operating as a medical centre but has since been vacated for a period of time.

8. The subject site comprises:

- A two (2) storey vacant commercial building; and
- A car parking area comprising 26 basement bays and 5 bays at ground level.

9. Previous approvals for the site have included the medical centre, external alterations to signage, and various changes of zoning.

10. Locality Plan:



DETAILS

11. • The application seeks Council approval to retrofit the existing two (2) storey commercial building for use as a 24 hour health/fitness centre. Total membership of the fitness centre is expected to be in the vicinity of 200-250 people with an anticipated 6-8 people using the facilities at the peak and 2-3 people in the quieter period.

In summary, the application proposes the following elements:

- Retrofitting of the existing commercial building (replacement of external balustrades, installation of an electronically operated gated,

new colour scheme, internal refurbishment and the installation of a new lift).

- The existing building takes the form of a two (2) storey commercial building with a basement level of car parking and a total GLA of 1527.74m² broken down as follows:
 - The basement has a GLA of 654.23m² comprised of twenty one (21) car parking bays (inclusive of 1 disabled bay), three (3) motorcycle bays, 1 bicycle rack and an electrical room.
 - The ground floor has a GLA of 468.44m² comprised of five (5) car parking bays (inclusive of 1 disabled bay), a 331.75m² gym floor/spin room, 29.70m² crèche, staff kitchenette and ablution facilities.
 - The second floor has a GLA of 992.88m² comprised of a 223.69m² training floor, 12.01m² office and 120.00m² group classes room.
- A total of 26 car parking spaces (inclusive of two disabled bays).
- Vehicular access will be achieved through an existing vehicle crossover onto Mead Street.
- The proposed gymnasium is intended to operate 24 hours, 7 days per week.

12. It is important to note that where 'health/fitness centre' relies upon 'Gross Leasable Area' to calculate the deemed to comply car parking rates, all other uses relying upon area to calculate car parking rates rely upon 'Net Leasable Area' which would result in a lesser car parking requirement.

13. The applicant acknowledges that there is a shortfall in the required number of parking bays on site, and has provided the following justifications as to why such a shortfall should be considered by Council:

1. In order to maintain the structural integrity of the building the basement piers are required to remain in position;
2. Due to the nature of the proposed use it is expected that the bays will have a high turnover rate as patrons are expected to attend for an average of one hour; and
3. Existing parking can be used to cover potential overflow. Due to the nature of 24 hour operation it is expected that the number of patrons will alternate per day and relieve the potential strain on parking that may be caused by standard business hours operation.

STATUTORY AND LEGAL CONSIDERATIONS

Local Planning Scheme No. 3

14. Clause 4.2.3 (Objectives of the Zones – Commercial Zones: District Centre) of Local Planning Scheme No. 3 ('the Scheme') stipulates that the objectives for areas zoned District Centre are as follows:

- To promote, facilitate and strengthen the District Centres as the major foci of activity, particularly for shopping, business, professional, civic, cultural, entertainment facilities and related employment opportunities.
- Provide for medical and other health related services.
- Allow for the establishment of uses which would co-exist with the District Centre's activities whilst recognising a limited level of residential activities in the District Centre.

- Achieve safety and efficiency in traffic and pedestrian circulation.
- Ensure that the scale, size, design and location of buildings are compatible with the existing development in the District Centre.

15. Under the Scheme the proposed Change of Use is defined as follows:
"health/fitness centre means a building designed and equipped for recreation and sporting activities and includes outdoor recreation if specifically approved by the local government."
16. In accordance with Table 1 (Zoning Table) of the Scheme, the proposed land use of "Health/fitness centre" is a 'P' (Permitted) use within the District Centre zone.
17. Where the car parking rates are concerned, guidance has been taken from Table 3 of the Shire of Kalamunda Local Planning Scheme No. 3 ('the Scheme') which sets car parking standards determined by the proposed use. In summary, the applicant is seeking a dispensation of 50 car parking bays as follows:

Use	Car Parking Standards	Deemed to Comply Provision	Provided	Dispensation
Health/fitness centre	5 bays per 100m ² GLA	Proposed GLA = 1527.74m ² 76 car parking spaces	26 car parking bays	50 car parking bays

18. Clause 3.8.2 (Car Parking Requirements) of the Scheme stipulates :
"The local government may apply at its discretion, a greater or lesser requirement for car parking than that stipulated as the minimum requirement in Table 3, if in its opinion the proposed use is likely to demand a greater or lesser need for car parking bays having due regard to the scale and nature of the intended use or uses"
19. Clause 3.8.3 (Reciprocal Parking) of the Scheme stipulates:
"Local government may vary the parking requirements as specified in Table 3 for any zone when it is considered reasonable to do so by the recognition of reciprocal arrangements for parking or access or circulation. In making its decision on application for such recognition, the local government shall take into consideration the following matters:
- The nature of the proposed development in relation to the existing or future development of any land within the immediate vicinity of the subject land;*
 - The hours of normal operation of the intended use and abutting land uses;*
 - Any such matters as the local government considers relevant, including any legal agreements between affected landowners."*
20. Clause 3.8.4 (Cash in Lieu of Parking) of the Scheme stipulates that applicant may, if the local government so agrees propose to provide cash in lieu of car parking. However for cash in lieu to occur it must be initiated by the applicant.

Planning and Development (Local Planning Schemes) Regulations 2015

21. In considering an application for planning approval, Clause 67 of the Regulations (Matters to be Considered by Local Government) requires Council to have due regard to a number of matters, including:
- The compatibility of the development within its setting.
 - The preservation of amenity in the locality.
 - Any Local Planning Policy adopted by the local government.
22. In the event that Council does not support the proposed development, there is a right of review (appeal) to the State Administrative Tribunal under Part 14 of the *Planning and Development Act (2005)*.

POLICY CONSIDERATIONS

Shire of Kalamunda Local Planning Policy DEV 41 – Framework for Assessing Requests for Variation to the Number of Car Parking Bays

23. Shire of Kalamunda *Local Planning Policy DEV41 – Framework for Assessing Requests for Variation to the Number of Car Parking Bays* stipulates that a reduction in parking will only be considered by Council and not under delegation and the proximity of public parking areas only be considered in District zoned land. The Policy further states that Council may approve a variation in parking if:
- "The circumstance of a development justify such a variation and there will not be any resultant lowering of safety, convenience and amenity standards, it may permit a reduction in the number of car parking spaces required by Table 3 of Local Planning Scheme No. 3"*

Shire of Kalamunda Town Centre Planning & Urban Design Guidelines

24. Part 1.6 (Detailing, Colours and Materials) of the Shire of Kalamunda Town Centre Planning & Urban Design Guidelines stipulates that where the following:
- "New buildings are not expected to imitate the materials, colours or finishes of the existing buildings of the locality. The emphasis is on the blending of new buildings with the best elements of the existing streetscape. A variety of materials and colours is encouraged, although large expanses of reflective glass are strongly discouraged."*
25. The proposed colour scheme for the building (Attachment 7) contains colours which are recommended in the colour palette adopted under the Kalamunda Town Centre Improvement Plan.

Internal Referrals

26. The development application was internally referred to Health, Building and Engineering with four (4) conditions recommended to be included within the Notice of Determination. No objections to the proposed use were raised to the proposal from the internal departments.

External Referrals

27. Having regard to Local Planning Policy P-DEV45- Public Notification of Planning Proposals, it was considered that the shortfall in parking was not considered significant in the context of the proposed operating hours, number of members and the opportunities for reciprocal parking adjacent to the site. On that basis no public advertising was required.

FINANCIAL CONSIDERATIONS

28. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

29. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 4.3: To ensure the Shire's development is in accord with the Shire's statutory and legislative obligations and accepted urban design planning standards.

OBJECTIVE 4.3.2: Undertake efficient monitoring and compliance of building developments within the Shire.

SUSTAINABILITY

Social Implications

30. Access to 24 hour health/fitness centre may enable people who do not work standard business hours to access fitness services that they may otherwise be unable to.
31. The 24 hour operation of the health/fitness centre may lead to further activation of the Kalamunda district centre after standard business hours.

Economic Implications

32. The existing building is presently vacant. A new fitness centre within the Kalamunda District Centre will provide an economic stimulus to the town centre through new patrons visiting the area and through increased opportunities for local employment.

Environmental Implications

33. The proposal would be required to comply with the *Environmental Protection (Noise) Regulations 1997*.

RISK MANAGEMENT CONSIDERATIONS

34.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Allowing the dispensation may impact upon the car parking supply in the surrounding area.	Unlikely	Moderate	Low	<p>The operating hours of the proposed health/fitness centre provides opportunities for reciprocal parking with adjoining land uses.</p> <p>The parking study undertaken by Shawmac in 2011 indicates that there is a surplus of car parking provided within the Shire of Kalamunda Town Centre.</p>

OFFICER COMMENT

35. The applicant is seeking approval for a change of use to allow for a health/fitness centre which will necessitate some minor external changes to the external building and dispensation for the required number of car parking bays under the Scheme.
36. Reference is made to "Parking Study, Kalamunda Town Centre" ('Parking Study') undertaken by Shawmac Consulting on behalf of the Shire of Kalamunda, dated 20 August 2011. The Parking Study found that Kalamunda Town Centre is well serviced by parking, with on the vast majority of occasions, supply outstripping demand. For example, the existing car park on the subject site which at the time of the study was operating as a medical/consulting rooms had an average occupancy of six (6) per cent and a maximum occupancy of twenty (20) per cent. Overall the Study found that the car parking standards stipulated in the Scheme are
- "considered conservative when applied to the Kalamunda Town Centre and as such may provide the opportunity for dispensation to apply a lesser rate"*
- "Based on the assessment, the parking determination rates adopted for the various land uses by the Shire of Kalamunda under the LPS3 would appear to be conservative and may provide an excess of parking to actual demand".*

37. The applicant is providing 26 bays in lieu of the 76 car parking bays required under the Scheme. The shortfall of 50 bays should be considered in the context of the following:

- Total membership of the fitness centre is expected to be in the vicinity of 200-250 people with an anticipated 6-8 people using the facilities at the peak and 2-3 people in the quieter periods. These numbers suggest the 26 car bays and opportunities for reciprocal parking over the 24 hours period will be sufficient for the proposal.
- The opportunity of utilising reciprocal car parking within the Central Road/Central Mall car parking area which is located directly adjacent to the which provides 35 car parking spaces, which at the time of the Parking Study had an average occupancy of 64 per cent. Therefore in accordance with Clause 3.8.3 (Reciprocal Parking) of Local Planning Scheme No. 3 Council should give due regard to reciprocal parking at the adjacent Central Road/Central Mall car parking area.
- It is considered that the car parking rate applied to the proposed use of 'health/fitness centre' is more representative of a centre which operates under restricted business hours, i.e. not 24 hours a day. Where extended operating hours exist, opportunities arise for reciprocal parking with adjoining land uses.
- A high level of connectivity using the public transport network via the Kalamunda Bus Station which is located a 72 metre walk from the subject site.

Andy Gourdi, Darren Castelli and Keira Nicholson spoke in favour of the item.

Queries were clarified for Cr Andrew Waddell, Cr Dylan O'Connor and Cr Tracy Destree on the matter.

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&A 03/2017)

That Council:

1. Approves the application for a Change of Use ('health/fitness centre') at Lot 14 (12) Mead Street, Kalamunda, subject to the following conditions:
 - a. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan to the satisfaction of the Shire of Kalamunda.
 - b. Amended plans to be submitted to the Shire of Kalamunda for approval prior to the lodgement of a Building Permit, detailing the following changes:
 - i. Disabled/unisex toilet is to have an airlock with a minimum of 1.85m² floor area or access is not to be provided from the Kitchenette.
 - ii. Location of bin collection bays.
 - c. Vehicle parking, manoeuvring and circulation areas to be suitably constructed, sealed, kerbed, line marked and drained to the

specification and satisfaction of the Shire of Kalamunda prior to the commencement of the use.

- d. Stormwater to be disposed of onsite to the specification and satisfaction of the Shire Kalamunda.
- e. Prior to the commencement of the use the development shall be connected to reticulated sewer.

Advice note to applicant

- a. The provision of bicycle parking area to the satisfaction of the Shire of Kalamunda.
- b. The colour palette for the proposal to be approved to the satisfaction of the Shire of Kalamunda prior to the issue of the building permit.

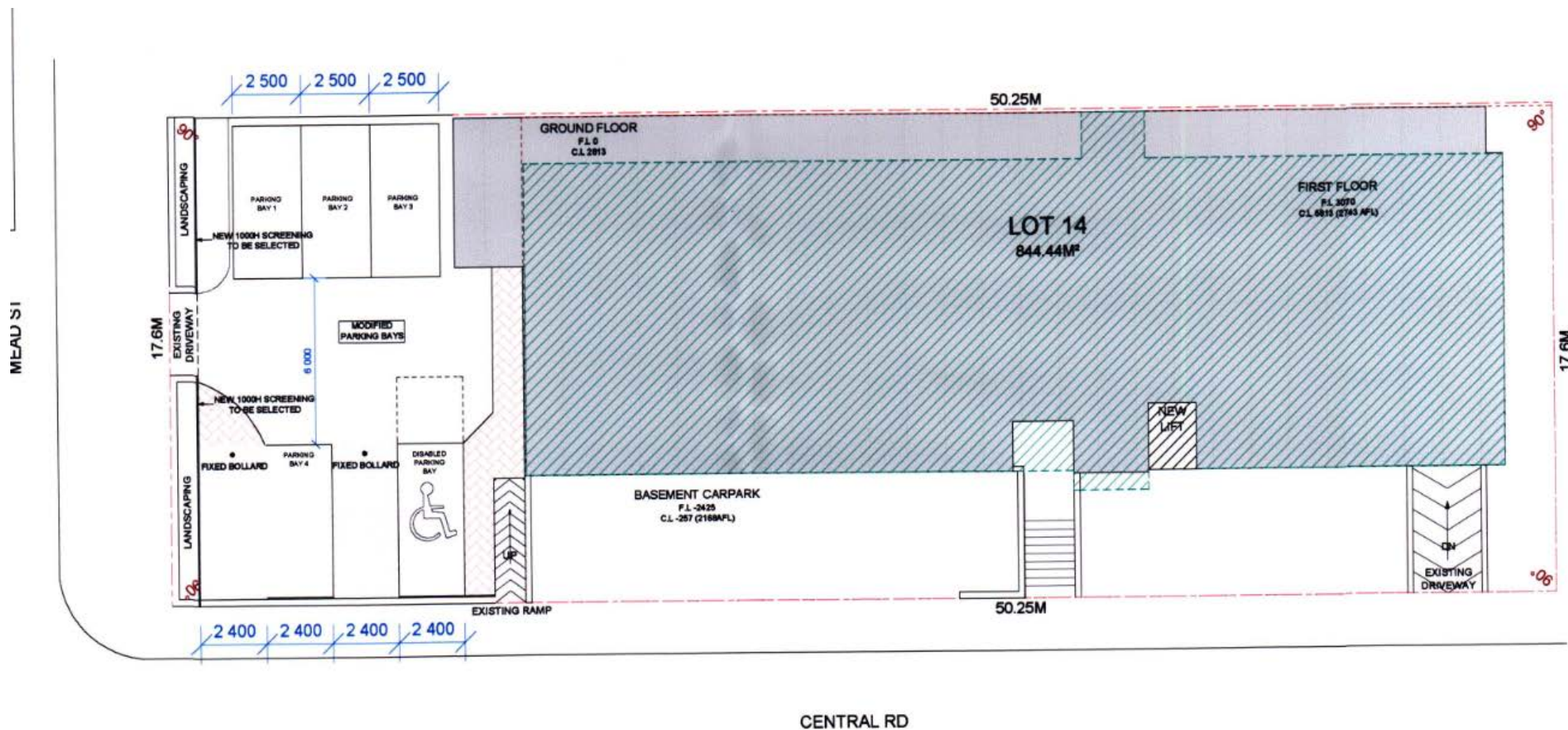
Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Sara Lohmeyer**

Vote: **CARRIED UNANIMOUSLY (12/0)**

Attachment 1

Change of Use from Medical Centre to Health and Fitness Centre - Lot 14 (12) Mead Street, Kalamunda
Site Plan



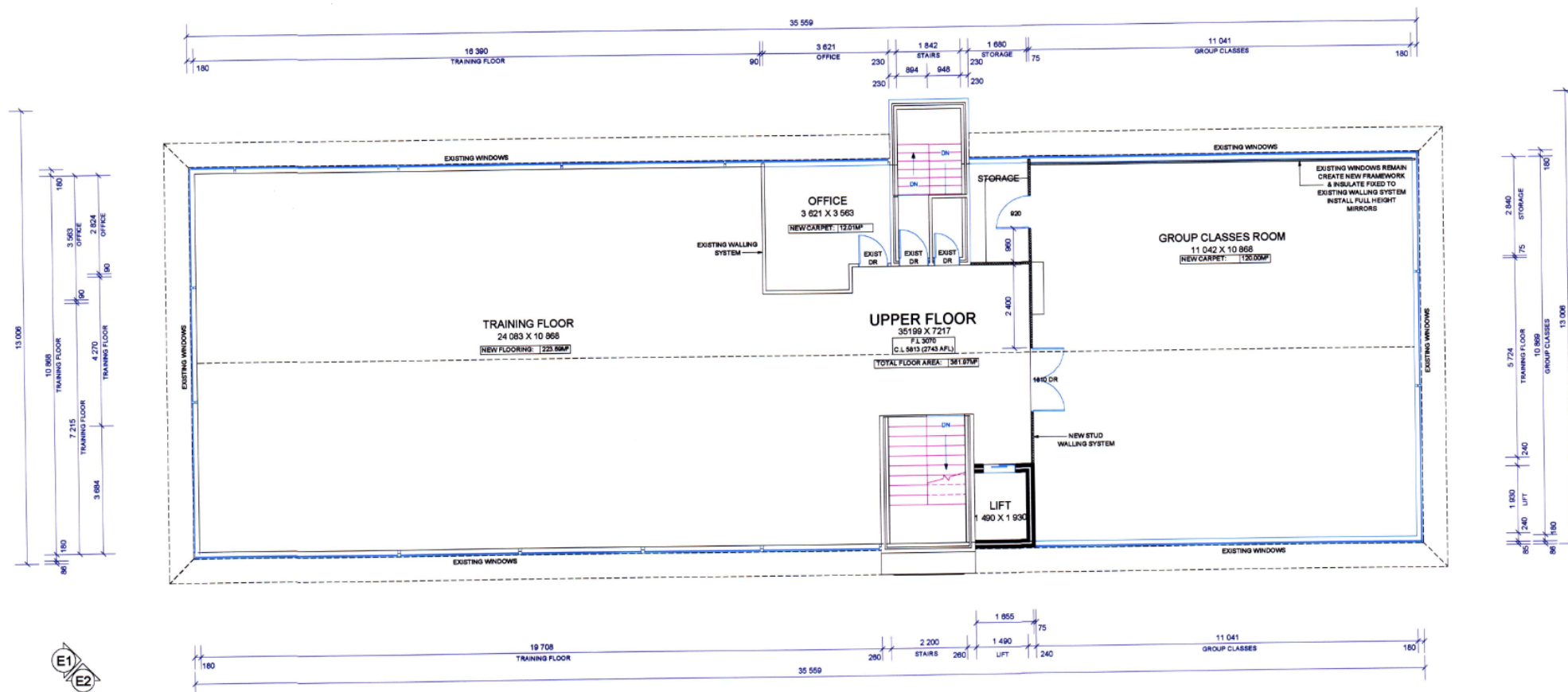
Change of Use from Medical Centre to Health and Fitness Centre - Lot 14 (12) Mead Street, Kalamunda

Change of Use from Medical Centre to Health and Fitness Centre - Lot 14 (12) Mead Street, Kalamunda



Attachment 4

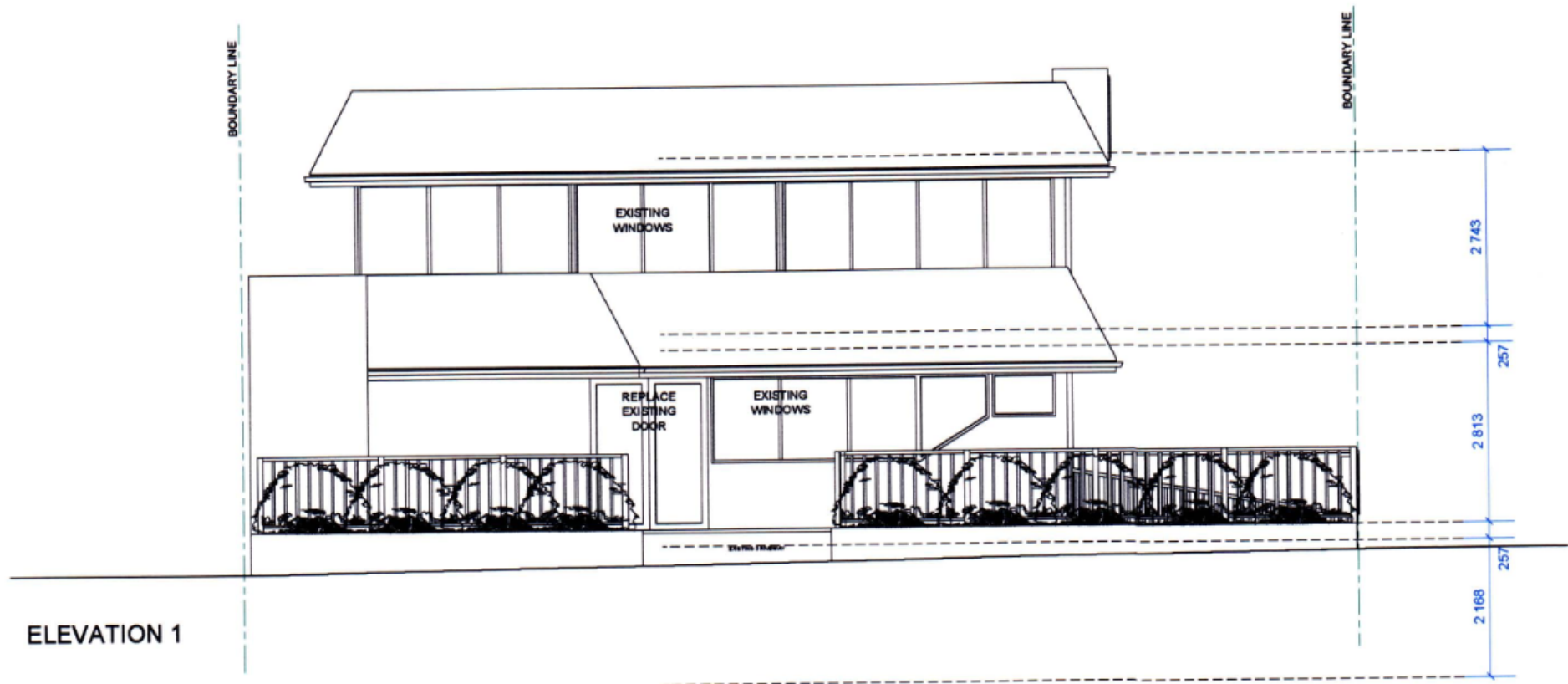
Change of Use from Medical Centre to Health and Fitness Centre - Lot 14 (12) Mead Street, Kalamunda Second Floor Plan



Attachment 5

Change of Use from Medical Centre to Health and Fitness Centre - Lot 14 (12) Mead Street, Kalamunda

Elevation 1



Elevation 2



Attachment 7

Change of Use from Medical Centre to Health and Fitness Centre - Lot 14 (12) Mead Street, Kalamunda

Artistic Impression of New Colour Sections



PERSPECTIVE - ARTISTIC IMPRESSION OF
NEW COLOUR SELECTIONS

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

04. Development Assessment Panels – Local Government Nominations

Previous Items	OCM 12/2015 and OCM142/2015 (23 February 2015 and 26 October 2015)
Responsible Officer	Director Development Services
Service Area	Approvals Services
File Reference	N/A
Applicant	N/A
Owner	N/A

EXECUTIVE SUMMARY

1. An email has been received from the Development Assessment Panels (DAP) requesting that Council nominate four elected members of the Council, comprising two local members and two alternate local members to sit on our respective DAP as required.
2. The current Councillors on the DAP until 26 April 2017 are-
Members:
Cr Sue Bilich
Cr Simon Di Rosso
Alternate Members:
Cr Dylan O'Connor
Cr John Giardina

BACKGROUND

3. In March 2009, the Department of Planning released the *Building a Better Planning System* consultation paper, which set out the broader planning agenda for the reform of the planning system. One of the reform initiatives was the introduction of DAPs to determine significant development applications in an attempt to simplify planning approvals.
4. A DAP comprises a mix of three technical experts and two local government representatives with the power to determine applications for development approval in place of the relevant decision maker. The local government representatives will only be required to sit on a DAP where the application is for a development in their local government area.
5. The *Planning and Development (Development Assessment Panels) Regulations 2011* (DAP Regulations) commenced on 24 March 2011. DAPs commenced operation on 1 July 2011. Nominees are appointed for a two-year term, with current appointments expiring on 26 April 2017.

6. At the Ordinary Council Meeting on 23 February 2015, Council resolved:

That Council:

1. *Nominates the following members and alternate members for the Development Assessment Panel representing the Metro East Region, and forwards the nominations to the Minister for Planning for consideration:*

Members

- *Cr Sue Bilich*
- *Cr Justin Whitten*

Alternate Members:

- *Cr Dylan O'Connor*
- *Cr Simon Di Rosso*

7. Following the Councillor Elections in October 2015, which resulted Councillor Justin Whitten not being elected again, a further item was put to the Ordinary Council Meeting on 26 October 2015 which resulted in the following:

That Council:

1. *Nominates Cr Simon Di Rosso as the replacement member and nominates Cr John Giardina as the replacement deputy member for the Development Assessment Panel representing the Metro East Region, and forwards the nominations to the Minister for Planning for consideration:*

DETAILS

8. The DAP Regulations require local governments to submit to the Minister nominations for two DAP members and two alternate DAP members. Local governments have until 28 February 2017 to submit their nominations.
9. Each DAP member will be appointed for a term of no more than two years at a time. All members will be required to attend a training workshop on planning law and Codes of Conduct. Local government representatives who have previously been appointed to a DAP and have received training are not required to attend further training.
10. It will be mandatory to refer a development proposal which has a total value of more than \$10 million to a DAP for determination. Exclusions to this mandatory requirement are for a single house, less than 10 grouped or multiple dwellings and development by the local government or WA Planning Commission.
11. When an application is lodged with the Shire, which has a value between \$2 million and \$10 million, the applicant may nominate it be determined by a DAP rather than the responsible authority.

STATUTORY AND LEGAL CONSIDERATIONS

12. The *Planning and Development (Development Assessment Panels) Regulations 2010* provide for the operation, constitution and administration of DAPs.

POLICY CONSIDERATIONS

13. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

14. Nil.

External Referrals

15. Nil.

FINANCIAL CONSIDERATIONS

16. The DAP Regulations prevent a DAP member from attending a meeting without first completing mandatory training. Any DAP member who successfully completes training is entitled to be paid for their attendance at DAP training and DAP meetings.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

17. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 6.1 To ensure a highly effective and strategic thinking Council sets direction and works for the greater good of the community at all times.

Strategy 6.1.4 Develop and implement a governance framework to ensure the elected body has a very clear understanding of its role and responsibilities

SUSTAINABILITY

Social Implications

18. Nil.

Economic Implications

19. Nil.

Environmental Implications

20. Nil.

RISK MANAGEMENT CONSIDERATIONS

21.	Risk	Likelihood	Consequence	Rating	Action/Strategy
	Nomination for representation on the Metro East Region DAP are not endorsed.	Unlikely	Significant	Medium	Ensure Council is aware of the implications for development approvals if no local nominees are appointed to the DAP.

OFFICER COMMENT

22. Membership on a DAP will provide those with the training the opportunity to consider development applications of significant nature.
23. Although due to the development threshold of \$10 million, there have been very few development proposals in the Shire of Kalamunda it is anticipated that this situation will change particularly as a consequence of the Forrestfield Railway Station project.
24. It is recommended that Council nominates members to attend DAPs for the Metro East Region.

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&A 04/2017)

That Council:

1. Nominates the following members and alternate members for the Development Assessment Panel representing the Metro East Region, and forwards the nominations to the Minister for Planning for consideration:

Members

- Cr Sue Bilich
- Cr Andrew Waddell

Alternate Members:

- Cr Sara Lohmeyer
- Cr Tracy Destree

Moved: **Cr Noreen Townsend**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY (12/0)**

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

05. Proposed Endorsement of Scheme Amendment 80 to Local Planning Scheme No. 3 – Rezone from Urban Development to Light Industry – Hatch Court, Stirling Crescent and Kalamunda Road

Previous Items	OCM 114/2015
Responsible Officer	Director Development Services
Service Area	Approval Services
File Reference	PG-LPS-003/080
Applicant	Hames Sharley
Owner	Various Owners
Attachment 1	Existing and Proposed Scheme Zoning
Attachment 2	Zoning Context Plan
Attachment 3	Table 1 Land Use Permissibility for Light Industry
Attachment 4	ANEF and N65 Contour Plan
Attachment 5	Submission Table

EXECUTIVE SUMMARY

1. The purpose of this report is to consider submissions relating to, and recommend support for Scheme Amendment 80 to Local Planning Scheme No. 3 (Scheme) to rezone the following lots from Urban Development to Light Industry:
 - Lots 10 – 16 and 51 – 53 Hatch Court, High Wycombe;
 - Lots 1, 8, 9 and 1499 Stirling Crescent, High Wycombe; and
 - Lots 200 and 201 Kalamunda Road, High Wycombe.

Refer to (Attachment 1).
2. During advertising, the Shire received 186 submissions, comprising 160 objections, 12 non-objections, and 14 submissions received from public authorities and utility service providers (summarised below). The principle concerns raised during advertising relate to traffic and access, and the amenity at the interface of the amendment area and residential uses to Kalamunda Road and Stirling Crescent.
3. There is strong planning justification for the proposed scheme amendment to rezone the subject land from Urban Development to Light Industry. Despite this, it is clear that Adelaide Street is required to connect Abernethy Road to prevent undue traffic impacts at the residential interface with Kalamunda Road and Stirling Crescent, and further detailed planning is required to control development and subdivision on the land. Accordingly, it is recommended that the amendment be supported subject to a structure plan being prepared and approved, and the extension of Adelaide Street to Abernethy Road.

BACKGROUND

4. Land Details:

Land Area:	Approximately 30.08 hectares
Local Planning Scheme No. 3 Zone:	Urban Development
Metropolitan Region Scheme Zone:	Urban
Structure Plan Zone:	Nil

5. Locality Plan



6. The subject site comprises approximately 30 hectares of land bounded by Airport Land to the north-west, Kalamunda Road to the south-west, Stirling Crescent to the south-east and Adelaide Street to the north-east.
7. The land included in the proposed amendment comprises 16 lots ranging between one (1) and eight (8) hectares in size. 14 of the 16 lots contain an existing dwelling and associated outbuildings. A majority of the lots are currently being used for rural-residential purposes. The subject land is surrounded by industrial land uses to the North and West of the site and residential land uses to South and East. (Refer Attachment 2)
8. The Scheme amendment area adjoins Perth airport land with a mixture of light industry, transport and logistics uses to the west. Adjoining to the north is land within the City of Swan that is proposed to be zoned Industrial Composite through the Hazelmere Enterprise Area Structure Plan. Residential uses are located to the south and south-east of the site.

9. **Site History**

The subject land was rezoned from Rural to Urban under the Metropolitan Region Scheme (1187/57) in 2010. Under the current provisions of Local Planning Scheme No.3 (the Scheme) the zoning of Urban Development requires a structure plan to be in place prior to any development or subdivision occurring.

10. A local structure plan to facilitate residential development for Lot 1499 (71) Stirling Crescent was adopted by Council on 24 June 2013, but was not supported by the Department of Planning (DoP). The DoP advised that they would only consider a structure plan that included the adjacent Hatch Court lots.

11. Council at its Ordinary Meeting held in September 2015 (OCM 114/2015) resolved to initiate Scheme Amendment 80 (the subject of this report) to the Scheme. The amendment seeks to rezone the subject area from Urban Development to Light Industry.

12. At the same Ordinary Council Meeting in September 2015, Council considered the Hatch Court/Stirling Crescent Local Structure Plan for the land within the north-east of the amendment area, and resolved to forward the structure plan to the Western Australian Planning Commission (WAPC) for its determination (OCM 114/2015). The Hatch Court – Stirling Crescent Local Structure Plan was considered by the WAPC Statutory Planning Committee in April 2016, where it resolved to refuse the structure plan, in part, for the following reasons:

“The proposed local structure plan is in conflict with the proposed Amendment No. 80 to the Shire of Local Planning Scheme No. 3 which has been initiated by the Shire and proposes to rezone the land to Light Industry. Supporting the proposed local structure plan in order to facilitate residential development may prejudice the decision of the Minister for Planning on the proposed amendment.”

13. The Shire has received two (2) separate development applications proposing temporary storage on Lots 200 and 201 (584 and 614) Kalamunda Road, High Wycombe. Details of these applications are as follows:

- Development application lodged by Planning Solutions for a proposed hardstand and temporary storage of mining plant (5 years) at Lot 200 (584) Kalamunda Road, High Wycombe. Council refused this application at the Ordinary Meeting held 23 May 2016 (OCM 82/2016) and Special Meeting held 29 August 2016 (SCM 149/2016). This application is currently subject to appeal/review proceedings at the State Administrative Tribunal.
- Development application lodged by Rowe Group for proposed hardstand and temporary storage of pipes (2 years) at Lot 201 (614) Kalamunda Road, High Wycombe. This application is subject to a separate agenda item being considered by Council in February 2017.

DETAILS

14. The proposed amendment incorporates the rezoning of lots 10-16 and 51-53 Hatch Court, Lots 1, 8, 9 and 1499 Stirling Crescent and Lots 200 and 201 Kalamunda Road, High Wycombe from Urban Development to Light Industry with the ultimate objective of facilitating light industrial land uses.
15. The amendment will change the zoning classification and colour on the Scheme map, having the effect of applying the use permissibility for the Light Industrial zone under the Scheme Zoning Table (Table 1). A list of land use permissibility under the Scheme is provided in (Attachment 3).
16. It is considered that the change in zoning from Urban Development to Light Industry will generate the need to prepare a structure plan over the subject land, given the potential issues that have been raised during advertising with the traffic and access, and management of the surrounding residential interface. This has been included as one of the officer's recommendations.

STATUTORY AND LEGAL CONSIDERATIONS

Metropolitan Region Scheme

17. Given the Metropolitan Region Scheme (MRS) urban zone enables the light industrial zone to be considered under the Scheme, no amendments would be required under the MRS.

Planning and Development (Local Planning Schemes) Regulations 2015

18. The *Planning and Development (Local Planning Scheme) Regulations 2015* (Regulations) were gazetted on 25 August 2015 and took effect on 19 October 2015, replacing the *Town Planning Regulations 1967* and associated Model Scheme Text.
19. It is noted that this amendment was initiated prior to the gazettal of the Regulations. However, in relation to the processing of Scheme amendments, the Regulations distinguish 'complex', 'standard' and 'basic' types of amendments with procedural requirements for each to streamline and simplify the amendment process, particularly in relation to advertising and processing timeframes.
20. Under the Regulations, the proposed Scheme Amendment was processed in accordance with the requirements for a 'standard amendment', for the following reasons:
 - a) The amendment relates to a zone which is considered the highest and best use of the subject land having regard to existing surrounding land uses and zoning and relevant planning policies and principles.
 - b) The amendment would, with appropriate coordination and control of subdivision and development through a structure plan, have minimal impact on land in the scheme area that is not the subject of the amendment.

- c) The amendment is not considered to result in significant environmental, social, economic or governance impacts on land in the Scheme area.
- d) The amendment is not considered to meet the definition of a 'complex' or 'basic' amendment under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Local Planning Scheme No. 3

- 21. The subject lots are currently zoned Urban Development under the Scheme, which includes the following objectives under Part 4.2.1 (Residential Zones):
 - *"To provide orderly and proper planning through the preparation and adoption of a Structure Plan setting the overall design principles for the area.*
 - *To permit the development of land for residential purposes and for commercial and other uses normally associated with residential development."*
- 22. The applicant proposes to rezone the subject lots to Light Industry, which under Part 4.2.4 (Industrial Zones) of the Scheme, includes the following objectives:
 - *" To provide for predominantly light industry located in proximity to residential areas.*
 - *To ensure that industries are environmentally compatible with surrounding zones and activities.*
 - *To ensure that the movement of goods and services in and out of the zone cause minimal impact on residential land in the vicinity."*

POLICY CONSIDERATIONS

Economic and Employment Lands Strategy: Non-Heavy Industrial

- 23. Economic and Employment Lands Strategy: Non-Heavy Industrial (EELS) was prepared to ensure that adequate forward planning is undertaken and to identify the areas, type and locations of industrial land required in the future. A key objective of the EELS is to facilitate ongoing availability of supply of industrial land.
- 24. The subject Scheme amendment area is not specifically identified in the EELS as a potential industrial area. However, the EELS recommends the ongoing identification of strategically located industrial land to secure future industrial activities in the region.

State Planning Policy 5.1: Land Use Planning in the Vicinity of Perth Airport

- 25. State Planning Policy 5.1 (SPP 5.1) applies to the land in the vicinity of the Perth Airport, which is, or may in the future, be affected by aircraft noise, and includes the following objectives:
 - To protect Perth Airport from unreasonable encroachment by incompatible, noise sensitive development, to provide for its ongoing development and operation.

- To minimise the impact of airport operations on existing and future communities with reference to aircraft noise.

26. The western portion of the Scheme amendment area is within the 25-30 ANEF contour and the remainder of the area is within the 20-25 ANEF contour (refer Attachment 4). SPP 5.1 is used to assess developments within the ANEF area.
27. Light Industrial is classified as an acceptable land use under SPP 5.1 for areas identified within both the 20-25 and 25-30 ANEF contours.

Hazelmere Enterprise Area Structure Plan (City of Swan)

28. The Hazelmere Enterprise Area Structure Plan is a District Structure Plan prepared by the City of Swan, which establishes a broad land use framework and principles to guide future development of the area. The study area includes land located immediately along the northern side of Adelaide Street.
29. The plan designates composite industrial lots with the provision of a suitable interface for the urban land uses located on the southern side of Adelaide Street. The plan also considers connecting Adelaide Street through to Abernethy Road in order to prevent industrial traffic using predominantly Stirling Crescent to access Kalamunda Road.

COMMUNITY ENGAGEMENT REQUIREMENTS

30. Given the proposal was initiated prior to the Regulations coming into effect, the amendment was intended to be advertised in accordance with the *Town Planning Regulations 1967*. However the proposal was advertised as a 'standard amendment', in line with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
31. In accordance with regulation 47 (2) of the Regulations, and Local Planning Policy P-DEV 45 – Public Notification of Planning Proposals, the amendment was advertised for 42 days using the following methods:
- a) Letters to property owners within 100m of the subject site;
 - b) Letters to public authorities and relevant utility service providers;
 - c) Newspaper advertisement;
 - d) Sign on site;
 - e) Website notice; and
 - f) Copies of the amendment being made available at the Shire's Administration Offices.
32. During advertising, the Shire received 186 submissions, comprising 160 objections, 12 non-objections (Attachment 5), and 14 submissions received from public authorities and utility service providers (summarised below).

Internal Referrals

33. The Shire's Assets Services have considered the information provided in the applicant's Transport Report prepared by Flyt Consulting dated 10 February 2016, and provided the following comments (summarised):
- The traffic report is general in nature.

- Additional Signalised Intersection Design and Research Aid (SIDRA) analysis is required in regard to existing and future network capacity and level of service for all intersections envisaged under the conceptual development/subdivision plan.
- The Restricted Access Vehicle (RAV) network limits the types of vehicles on Stirling Crescent to 20m trucks.
- Recommend restricted access for internal roads, preventing access via Stirling Crescent and Kalamunda Road.

External Referrals

34. **Perth Airport**

Perth Airport provided comment on the proposal against airspace, noise and stormwater considerations, as follows:

- The amendment area is located below the Perth Airport's airspace prescribed under the *Airports (Protection of Airspace) Regulations 1996*; assessment shows that objects on the site could reach approximately 49m AHD (approximately 25m above ground level) without infringing Perth Airport's prescribed airspace. Where a proposal incorporates structures exceeding this height, it is required to be referred to Perth Airport, Airservices Australia, the Civil Aviation Safety Authority and/or the Department of Infrastructure and Regional Development.
- Two-thirds of the site is located within the 20-25 ANEF contour with the remainder falling in the 25-30 ANEF contour. The entire site will be exposed to aircraft noise and will be subject to between 100 and 199 aircraft movements exceeding 65 decibels across an average day. This level of noise is considered to be disruptive to a normal conversation.
- No objection to the rezoning to facilitate light industrial development on the subject land, providing stormwater outflow from the lots is limited to the calculated pre development flows.

In separate advice provided by Perth Airport on 12 October 2016, the Shire was advised that Perth Airport is aware of the strategic value of the unconstructed Adelaide Street portion in providing connectivity to surrounding areas, and is prepared to consider supporting the relinquishment of the land on the basis that:

- The amendment 80 area is rezoned to Light Industrial only.
- Perth Airport is indemnified in respect of any costs to upgrade or carry out any other works to Kalamunda Road.
- Support for the development of the 'Airport North' precinct.
- The Shire of Kalamunda engaging with the Department of Lands to resolve outstanding conditions for a land swap for the subject portion of land required for Adelaide Street.

35. **City of Swan**

The City of Swan has indicated that it supports the proposed rezoning on the condition that Adelaide Street is extended to connect to Abernethy Road to ensure appropriate facilitation of industrial traffic in the broader area, which is a constraint in terms of its connectivity to the regional road network.

36. **Department of Planning**

The Infrastructure and Land Use Coordination directorate at the Department of Planning provided comments regarding road widening, access, Adelaide Street connection to Abernethy Road, and public transport, as follows:

- Lots 200 and 201 are affected by an approximately 11.8m road widening requirement for the Kalamunda Road Other Regional Road Reserve.
- The proposal seeks to retain left-in/left-out access from lots fronting Kalamunda Road, and proposes left-in/left-out access in the concept plan, however with the primary focus is for access and egress to the site from Adelaide Street.
- Until Adelaide Street is delivered (connected to Abernethy Road) heavy vehicle access to the subject site will be via Stirling Crescent to Great Eastern Highway Bypass – heavy vehicle access to the south through residential areas is not acceptable.
- The trip distribution (in the applicants transport report) shows a fairly even split between three (3) proposed access points, this would need to be reassessed without the assumption that Adelaide Street is connected to Abernethy Road.
- Internal road reserves are 18m wide (on the concept plan), the WAPC's Development Control Policy DC 4.1 (Industrial Subdivision) recommends an internal road width of 20m for industrial subdivision.
- Intersection analysis is recommended.
- SIDRA analysis is recommended for the intersection of Adelaide Street and Stirling Crescent.

37. **Main Roads Western Australia**

- Insufficient detail has been provided on the design of vehicles anticipated to utilise and service this precinct. This will dictate road geometry, road design, required road reservation widths, required intersection upgrades and if Restricted Access Vehicles (RAV) will serve the precinct.
- All roads south of Adelaide Street (with the exception of Abernethy Road) are not on Main Roads RAV network. Anything greater than 20 metres in length will not be permitted to travel on Kalamunda Road (eastbound).
- Main Roads would like to know what percentage of vehicles travelling through the precinct will be heavy vehicles.
- It is imperative that residential traffic south of Adelaide Street is segregated as much as possible from the heavy vehicle traffic generated by any proposed change in use or zoning for this precinct.
- If the RAV network was to be extended this would mean that there will be substantial loss of amenity for surrounding residents with increased truck noise (and diesel emissions).
- There has been no buffer provided on the concept plan (other than wetland buffer) to depict an adequate separation between the existing land use of residential and the proposed light industrial use.
- In regard to Adelaide Street connection through to Abernethy Road, the following was noted:
 - The portion of Adelaide Street connecting to Abernethy Road is held in a general lease and forms part of a greater land exchange agreement between the Commonwealth of Australia, Perth Airport and the State of Western Australia. There has been strong support from key government stakeholders involved in transport planning

requesting serious consideration of varying the deed of land exchange to exclude a portion of Lot 15730 from this exchange, however to date this has not occurred. Upon successful removal of this portion of land, the intent is to dedicate a portion of this lot as a public road, namely Adelaide Street, which will provide an essential connectivity to Abernethy Road.

- At some time in the foreseeable future, there is an expectation that the City of Swan and Shire of Kalamunda will contribute to the cost of constructing Adelaide Street. This will need to be constructed to a high standard single lane carriageway with a wider road reservation than what currently exists, including modifying the approaches to Abernethy Road so that heavy vehicle traffic can be accommodated in a safe and efficient manner.
- This strategic connection has also been identified as a key recommendation within the Abernethy Road – Long Term Access Strategy which was endorsed by the WAPC in June 2016.
- Main Roads will not support any further intensification or rezoning of the subject precinct which sets out to achieve part of its connectivity via this section of Adelaide Street, until the issues as described above are resolved.
- The Shire should be mindful that the current above and below ground infrastructure (i.e. culverts, overhead power lines etc.), including road pavements require confirmation that the existing infrastructure standards are suitable for heavy vehicle volumes and mass.
- It is noted that the use classes “showroom, transport depot, warehouse, and parking” are able to be considered within the Light Industry zoning. The very nature and scale of these activities can generate significant passenger/and or heavy vehicle traffic on local road as already under considerable pressure.

38. **Department of Parks and Wildlife**

- There are three Resource Enhancement category wetlands located within the subject area which require further consideration during the rezoning process. These wetlands are identified as wetlands that have been partially modified but still retain substantial attributes and functions.
- Any developments should be located outside a 50m buffer of the wetlands and any drainage should be directed away from the wetland to avoid the addition of pollutants and nutrients into the waterway.
- Parks and Wildlife have concerns that the rezoning will not retain locally significant areas as public open space. It is imperative that the areas to be retained area identified in the planning process prior to the finalisation of the rezoning proposal.
- Recommend that areas of native vegetation in good condition suitable for habitat purposes and conservation of significant fauna and habitat trees should be incorporated into future development as public open space reserved for conservation and private recreation.
- If it is likely that any future developments on the site may result in one or more of the following;
 - Clearing of any known nesting tree,
 - Clearing of any part of degradation of breeding habitat,
 - Clearing of more than 1 hectare of quality foraging habitat, or

- Clearing or degradation (including pruning the top canopy) of a known roosting site:

Then the proposal should be referred to the Commonwealth for assessment under the Environmental Protection Biodiversity Conservation Act prior to further planning stages, as it is likely to impact upon a matter of national environmental significance.

- The State Government has prepared the draft Perth and Peel Green Growth Plan for 3.5 million (Green Growth Plan), which outlines commitments and values for a portion of the remnant vegetation on Lot 52 Hatch Court. The proposal should be checked for consistency with that initiative.

39. **Water Corporation**

- The existing 100mm water main in Stirling Crescent may need to be upgraded to a larger diameter, at the proponent's cost.
- The developer may also be required to prefund some major headworks including the construction of a 500mm water distribution main from the intersection of Kalamunda Road and Hawke Vale Road approximately 1400m to the south-east of the subject land.
- The subject land, together with other surrounding landholdings to the north, south, and west are not currently provided with wastewater services. Wastewater flows from development in this area will need to gravitate northwards towards the Hazelmere temporary pump station, however this station does not have the capacity to cope with additional flows and will need to be upgraded or replaced at some point in the future, and this again may be required to be pre-funded.
- The Water Corporation will need to undertake a review of drainage planning for this area if the rezoning proceeds.
- Any industrial development over this land must include water sensitive urban design measures to ensure that run-off is retained on site and compensated to pre-development levels.

40. **Department of Water**

- The Department of Water notes that a Local Water Management Strategy (LWMS) has been prepared. The LWMS should be updated to reflect the change of land use, and contain a level of information that reflects the site constraints and risk to water resources and commitment to prepare an Urban Water Management Plan at subdivision.

41. **Department of Fire and Emergency Services**

- Strategic planning proposals are required to be accompanied by:
 - The results of a bushfire hazard level assessment or bushfire attack level contour map.
 - The identification of any bushfire hazard issues arising from the relevant assessment,
 - Clear demonstration that compliance with the bushfire protection criteria.
- The proposed land use will also need to demonstrate compliance with the requirements for vulnerable or high risk land uses under State Planning Policy 3.7 – Planning in Bushfire Prone Areas.

42. **State Heritage Office**

- No objection to the proposal.

43. **Department of Health**

- All development is required to connect to scheme water and reticulated sewerage.
- The amendment area should incorporate appropriate separation distances in accordance with the Environmental Protection Authority's Environmental Assessment Guideline 3 'Guidance for the Assessment of Environmental Factors No. 3 – Separation Distances between Industrial and Sensitive Land Uses'.

44. **Department of Mines and Petroleum**

- The proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy and basic raw materials.

45. **Department of Education**

- No objection to the proposal.

46. **Department of Aboriginal Affairs**

- The proposed amendment intersects within lodged place 30039 – Stirling Crescent Swamp which is described as a historical, hunting place and natural feature that is associated to a water source.
- The Aboriginal Cultural Material Committee is yet to make a decision as to whether the place is subject to section 5 of the Aboriginal Heritage Act 1972 and whether the place is protected.
- The department of Aboriginal Affairs (DAA) encourages proponents to refer to the State's Aboriginal Heritage Due Diligence Guidelines which can be found on the DAA website. The guidelines will allow proponents to undertake their own risk assessment regarding any proposal's potential impact on Aboriginal heritage.

47. **Department of Environment Regulation**

- The Department of Environment Regulation has no comment on this matter in reference to regulatory responsibilities under the *Environmental Protection Act 1986* and *Contaminated Sites Act 2003*.

FINANCIAL CONSIDERATIONS

48. In accordance with the *Planning and Development Regulations 2009*, costs associated with the finalisation of the amendment and the preparation of a Structure Plan document will be borne by the applicant.

49. Funding options associated with the cost of constructing the connection of Adelaide Street and Abernethy Road once the road is dedicated will have to be considered in consultation with City of Swan and Perth Airport.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

50. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 4.3 – To ensure the Shire's development is in accord with the Shire's statutory and legislative obligations and accepted urban design planning standards.

Strategy 4.3.2 – Undertake efficient monitoring and compliance of building developments within the Shire.

SUSTAINABILITY

Social Implications

51. If the amendment is initiated and proceeds to approval, the lots will be able to be developed for light industrial purposes, which may result in some loss of the existing rural-residential amenity for properties in the area.

Economic Implications

52. The proposed Scheme amendment would ultimately facilitate light industrial land uses, which in turn will expand upon the existing employment areas in and around the airport precinct which take advantage of the close proximity of road, rail and air transport infrastructure in the area.

Environmental Implications

53. The Department of Parks and Wildlife has advised that there are three (3) resource enhancement wetlands present within the amendment area. Resource enhancement wetlands are classified as wetlands that may have been partially modified, but still support substantial ecological attributes and functions.
54. In terms of constraints associated with development near Resource Enhancement Wetlands, the Environmental Protection Authority's policy recommends 'that all reasonable measures are taken to minimise the potential impacts on Resource Enhancement Wetlands and appropriate buffers'. The advice received from the Department of Parks and Wildlife recommends 50m buffers, however it is noted that in an environmental assessment undertaken in 2014 to review the wetland management boundary and category for the resource enhancement wetlands, and the Environmental Protection Authority, supported a 30m buffer.

RISK MANAGEMENT CONSIDERATIONS

55.

Risk	Likelihood	Consequence	Rating	Action/Strategy
That the amendment may unduly impact on the amenity (traffic and interface issues) of the residential areas to the south-east and south-west of the amendment area	Possible	Significant	High	Recommend that a structure plan be prepared before the amendment is finalised to coordinate subdivision, development, interface issues and access.
The reputation of the Shire may be impacted by virtue of the large number of objections to the proposal.	Possible	Significant	High	Involve Public Relations to ensure the effected community understands the planning rationale for the proposed amendment and the how community concerns will be addressed through the planning process.

OFFICER COMMENT

56. Given the proximity of the amendment area to airport land, strategic industrial areas, and access to key freight routes it is considered that the lots included in the Scheme amendment area would represent a logical expansion of light industrial land uses and well suited for logistics type operations. Whilst this land is not specifically identified in the EELS, identifying appropriate land as with good freight access via road, rail and air for light industrial purposes is addressing one of the key recommendations of the EELS.
57. The existing lots within the Scheme amendment area are considered to be appropriately sized for industrial development, as it will enable a mixture of light industrial land uses, with an emphasis on freight logistics uses. It is however acknowledged that some of the lots greater than one (1) hectare in size may be suitable for further subdivision into smaller lots. Additionally, it is noted that the configuration of lots in the amendment area will need to be modified to facilitate road reserve and access to avoid industrial traffic using Stirling Crescent and Kalamunda Road.

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58. There are two (2) key issues which have been highlighted by the submissions received from public authorities and the community; traffic and access, and the amenity of the interface of the amendment area with surrounding residential uses. It is evident that further planning through the preparation of a structure plan and associated developer contribution scheme is required for the coordination of future subdivision, access and development at the residential interface.
59. It is noted that the applicant has provided a concept plan in support of the proposed amendment. It is important to note that the plan is highly conceptual and is intended as a guide only. It should not be construed as how future structure planning of the amendment area will proceed.
60. In respect to traffic and access, the concerns raised from surrounding land owners principally relate to:
- Increases of traffic congestion and potential safety issues, particularly on Kalamunda Road.
 - Concern that the existing road network is not suitable for heavy vehicles.
 - The potential for full movement access to the National Lifestyle Village being restricted if/when upgrades are undertaken to Kalamunda Road, or if the amendment area is developed as per the concept plan prepared by the applicant.
61. There are only two (2) roads accessing the amendment area from the surrounding road network (Kalamunda Road and Stirling Crescent). There are significant issues with access being restricted solely to these roads, particularly the impact of heavy vehicles (road upgrades, safety, noise, and fumes) on Stirling Crescent, particularly given the south-east side of this road is used for residential purposes. Furthermore, there are concerns with the ability and appropriateness for heavy vehicles to access the amendment area from Kalamunda Road, particularly for the National Lifestyle Village.
62. To address these access issues, the extension of Adelaide Street to connect with Abernethy Road is critical to the amendment proceeding. Therefore the agreement of all key stakeholders in this regard will be required prior to the amendment being finalised and approved, making it a primary access point to the amendment area and preventing the need for access to Stirling Crescent and limiting the access to Kalamunda Road. Main Roads WA, the Department of Planning, the City of Swan and Perth Airport have provided support for this extension to ensure appropriate access for industrial traffic to the broader area. On 28 June 2016, the WA Planning Commission resolved to endorse the Abernethy Road Access Strategy, which proposes the reconnection of Adelaide Street to Abernethy Road with a '4-way' signalised intersection.
63. In regard to the current status of this road connection, the Department of Lands, on behalf of the State Government of WA, is currently negotiating with the Commonwealth Government and Perth Airport Pty Ltd to rededicate a portion of the road reserve in order to facilitate public access.
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64. Main Roads WA and the Department of Planning have indicated that until the Adelaide street connection is delivered, support will not be provided for heavy vehicle access to the subject area. In this respect, the subject amendment is contingent on extension of Adelaide Street. Therefore the officer's recommendation to support the subject amendment is conditional on the extension of Adelaide Street to Abernethy Road. It is noted that the construction of Adelaide Street will require collaboration between several government stakeholders and that the delivery of this project is unknown at this stage with funding of the road construction a key consideration.
65. In respect to the amenity of the interface of the amendment area with surrounding residential uses, it is acknowledged that under the objectives of the Scheme, Light Industry should be compatible in close proximity to residential uses. In this regard, the use itself is not considered inappropriate for the land. However it is acknowledged that there should be consideration of the interface of the amendment area with residential uses to the south-east (Stirling Crescent) and south-west (Kalamunda Road), particularly in respect to:
- Building setbacks;
 - Building design and signage;
 - Storage service areas;
 - Landscaping; and
 - Access.
66. A structure plan will be required to address the above items relating to the residential interface of the amendment area. In particular, in order to prevent access to Stirling Crescent and limiting access to Kalamunda Road within the amendment area, new roads will be required to provide alternative access. In this regard a structure plan will be required to coordinate subdivision and development and create new access roads. This is also an opportunity to identify:
- Potential infrastructure upgrades required to facilitate the light industrial zoning, which will then inform a separate development contribution plan amendment.
 - Additional assessment of environmentally significant areas within the amendment area and buffer requirements.
 - Bushfire risk.
 - Drainage and water management requirements.
67. It is acknowledged that there are a significant number of objections to the proposed amendment, ostensible for reasons of amenity impacts associated with traffic to and from the site. If Council were to resolve not to approve amendment 80, it should be noted that the amendment would still proceed to the WA Planning Commission and the Minister for Planning for determination.

68. In summary, there is strong justification for the proposed scheme amendment to rezone the subject land from Urban Development to Light Industry. Despite this, it is clear that Adelaide Street is required to connect Abernethy Road to prevent undue traffic issues, and further detailed planning is required to control development and subdivision on the land. Accordingly, it is recommended that the amendment be supported subject to a structure plan being prepared and approved, and the extension of Adelaide street to Abernethy Road.

Mr Kevin Broughton spoke on this item on behalf of Mr Rodney Sulley who is the owner of Lot 15 (24) Hatch Court in favour of the item and clarified queries from Cr Dylan O'Connor on the matter.

Further queries from Cr Dylan O'Connor, Cr Andrew Waddell and Cr Michael Fernie were clarified by Shire Staff.

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&A 05/2017)

That Council:

1. Pursuant to Regulation 53 (3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, supports Amendment 80 to Local Planning Scheme No. 3 in accordance with the following, subject to the preparation and approval of a structure plan over the area subject of the amendment and the extension of Adelaide Street to Abernethy Road:

Planning and Development Act 2005

**RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING
SCHEME**

Local Planning Scheme No. 3
Amendment 80

Resolved that local government pursuant to section 75 of the Planning and Development Act 2005, amend the above Local Planning Scheme by:

- 1) Rezoning Lots 10 – 16 and 51 – 53 Hatch Court, Lots 1, 8, 9 and 1499 Stirling Crescent, and Lots 200 and 201 Kalamunda Road, High Wycombe from Urban Development to Light Industry; and
- 2) Amending the Scheme Map accordingly.

2. Pursuant to Clause 15 (c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, requests support from the Western Australian Planning Commission for the proponent to prepare a structure plan over lots 10-16 and 51-53 Hatch Court, Lots 1, 8, 9 and 1499 Stirling Crescent and Lots 200 and 201 Kalamunda Road, High Wycombe, for the purposes of orderly and proper planning, for the following reasons:

- a) Coordination is required for future subdivision, development, access and land use.
- b) To identify the nature of potential infrastructure upgrades required to facilitate the light industrial zoning, which will then inform a separate development contribution plan amendment.
- c) To address and provide appropriate measures in relation to the residential interface of the proposed light industrial zoning with the residential areas along Kalamunda Road and Stirling Crescent.
- d) To identify appropriate access to the amendment area via Abernethy Road, Adelaide Street and Kalamunda Road.
- e) To identify and protect environmentally significant areas within the amendment area through the provision of appropriate buffers.
- f) Address the requirements of State Planning Policy 3.7 – Bushfire Prone Areas and the Guidelines for Planning in Bushfire Prone Areas, given the site is located within a designated Bushfire Prone Area.
- g) To address drainage and water management requirements.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Michael Fernie**

Vote:

For	Against
Cr Simon Di Rosso	Cr Brooke O'Donnell
Cr Michael Fernie	Cr Noreen Townsend
Cr John Giardina	Cr Sara Lohmeyer
Cr Geoff Stallard	Cr Andrew Waddell
Cr Allan Morton	Cr Tracy Destree
Cr Dylan O'Connor	
Cr Sue Bilich	
CARRIED (7/5)	

The Presiding Member sought a mover and seconder. The Presiding Member then adjourned the Development & Asset Services Committee Meeting at 7.44pm and re-opened the Meeting at 7.47pm all Councillors and Staff in attendance at the adjournment were present when the meeting was reopened. Once the meeting was re-opened debate took place and then the vote was taken.

Attachment 1

Proposed Endorsement of Scheme Amendment 80 to Local Planning Scheme no. 3 – Rezone from Urban Development to Light Industry – Hatch Court, Stirling Crescent and Kalamunda Road

Existing and Proposed Scheme Map



Existing Zoning: Urban Development



Proposed Zoning: Light Industry

LEGEND

METROPOLITAN REGION SCHEME RESERVES

PARKS AND RECREATION	PRIMARY REGIONAL ROADS
RESTRICTED PUBLIC ACCESS	OTHER REGIONAL ROADS
RAILWAYS	PUBLIC PURPOSES -
PORT INSTALLATIONS	DEDICATED AS FOLLOWS:
STATE FORESTS	H HOSPITAL
WATER CATCHMENTS	HS HIGH SCHOOLS
CIVIC AND CULTURAL	TS TECHNICAL SCHOOLS
WATERWAYS	CP CAR PARK
	U UNIVERSITY
	CC COMMUNITY CENTRE
	SEC STATE ENERGY COMMISSION
	SU SPECIAL USES
	WSD WATER AUTHORITY OF WA
	P REGION

LOCAL SCHEME RESERVES

LOCAL OPEN SPACE
PUBLIC PURPOSES
DEDICATED AS FOLLOWS:
AC AGRO-CULTURE PROTECTION & CONSERVATION
AM ST. JOHN AMBULANCE
AG AGRI-CULTURE
BS BUS STATION
CH CHURCH
CO COUNCIL OFFICE
CP COMMUNITY PURPOSE
EL ELECTRICAL SUB STATION
EX TELEPHONE EXCHANGE
H HALL - COMMUNITY CENTRE
HS HOSPITAL
K KINDERGARTEN
LB LIBRARY
MS MUSEUM
PS PUBLIC SCHOOL
PLS PUBLIC STATION
PS PRIMARY SCHOOL
WA WATER TANK

ZONES

RESIDENTIAL	GENERAL INDUSTRY
RESIDENTIAL RURAL LAND	LIGHT INDUSTRY
URBAN DEVELOPMENT	RURAL AGRICULTURE
COMMERCIAL	RURAL COMPOSITE
DISTRICT CENTRE	RURAL CONSERVATION
MIXED USE	RURAL LANDSCAPE INTEREST
SERVICE STATION	SPECIAL RURAL
SPECIAL USE	INDUSTRIAL DEVELOPMENT
PRIVATE CLUBS & INSTITUTIONS	

OTHER

830 R-CODES	SCA KALAMUNDA TOWN CENTRE
AI ADDITIONAL USES	DESIGN CONTROL AREA
RI RESTRICTED USES	(SEE SCHEME TEXT)
SCHEME BOUNDARY	SPECIAL USE AREA
LOCAL GOVERNMENT BOUNDARY	(SEE SCHEME TEXT)
DEVELOPMENT AREA	ENVIRONMENTAL CONDITIONS
(SEE SCHEME TEXT)	(SEE SCHEME TEXT)
	SCA - SCA 300M POLYTR FARM BUFFER
	NO ZONE

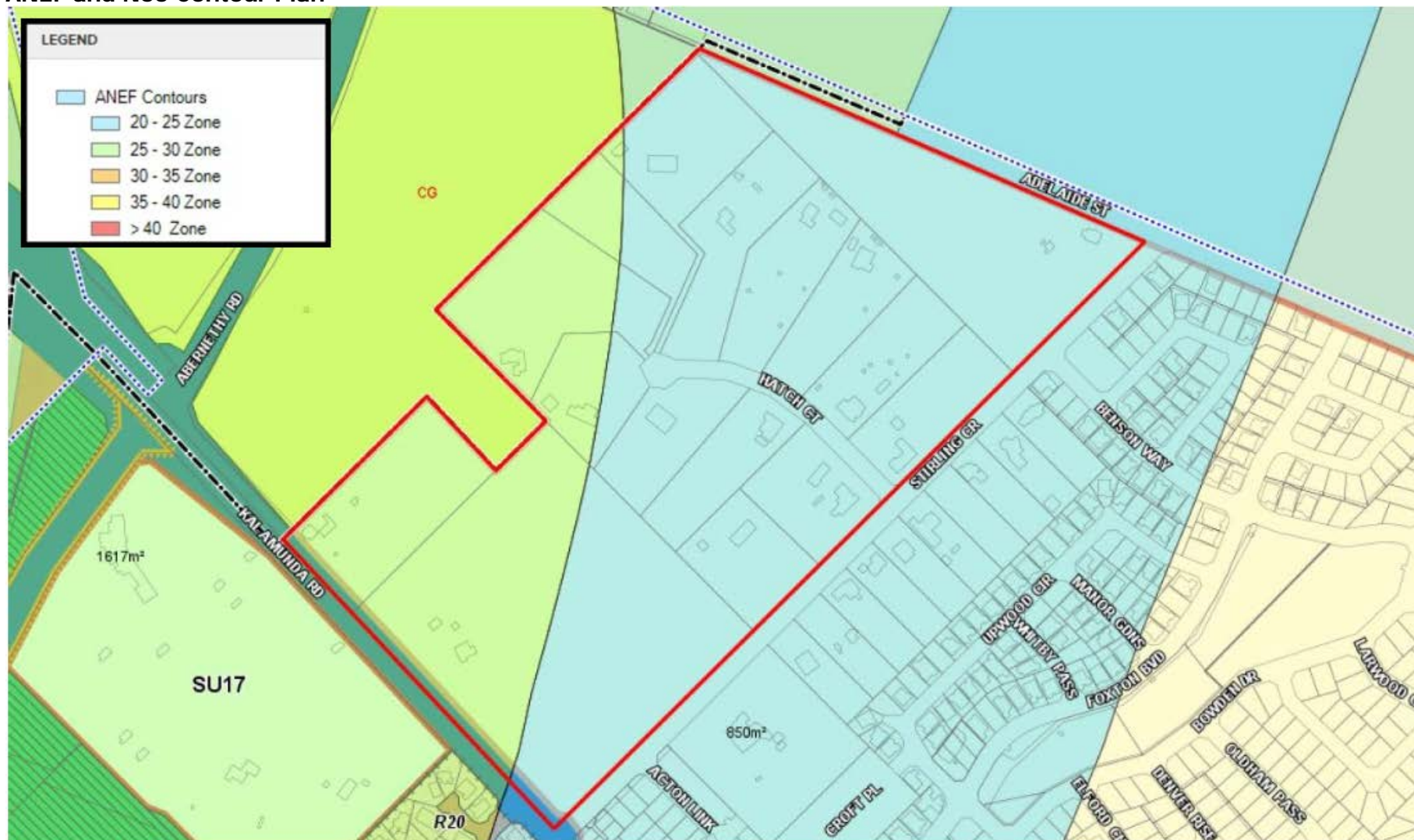
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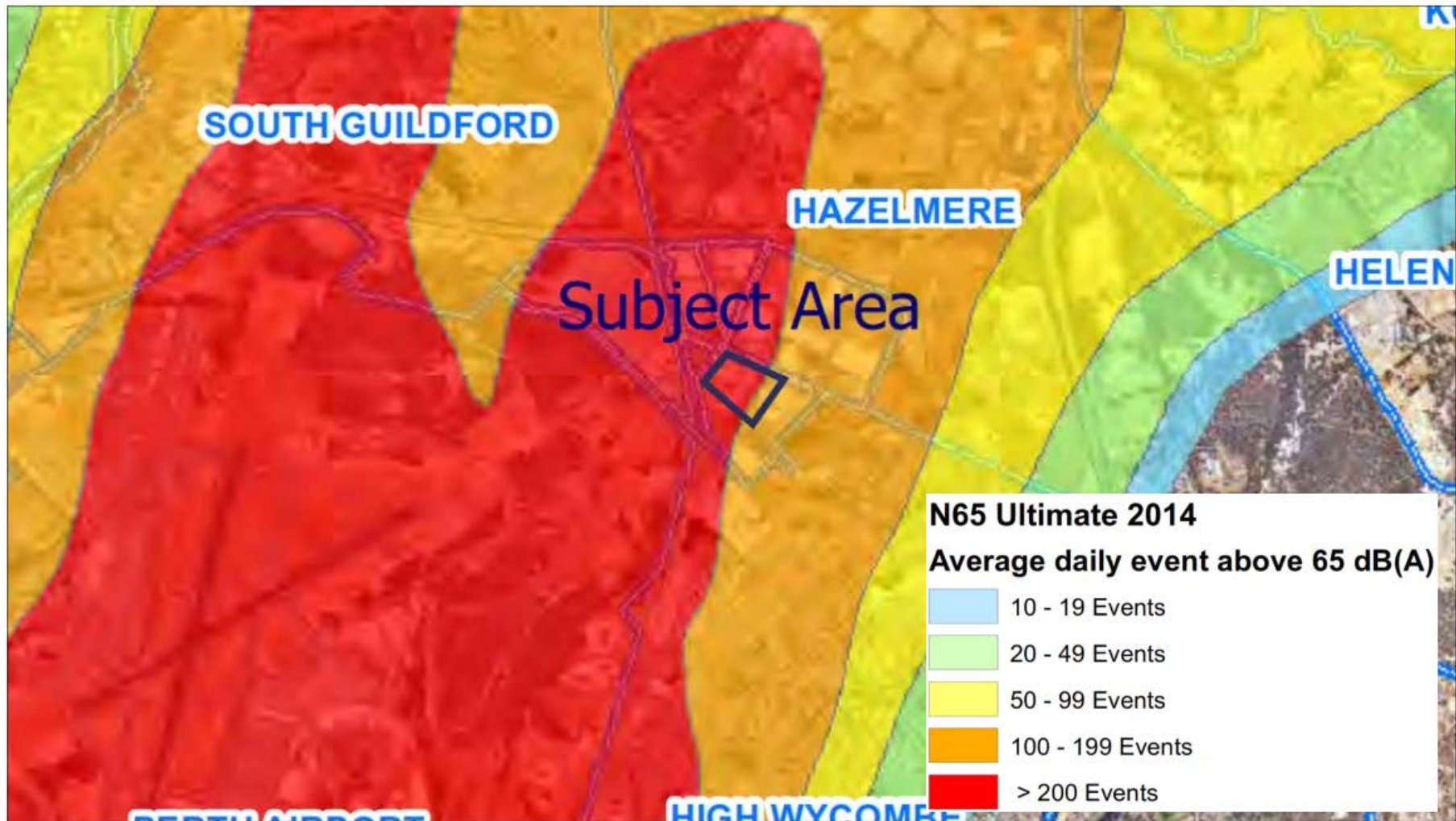
SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
(DISTRICT SCHEME)

Attachment 4

Proposed Endorsement of Scheme Amendment 80 to Local Planning Scheme no. 3 – Rezone from Urban Development to Light Industry – Hatch Court, Stirling Crescent and Kalamunda Road

ANEF and N65 Contour Plan





Attachment 3

Proposed Endorsement of Scheme Amendment 80 to Local Planning Scheme no. 3 – Rezone from Urban Development to Light Industry – Hatch Court, Stirling Crescent and Kalamunda Road

Table 1 Land Use Permissibility for Light Industry

<p>P: Means that the use is permitted by the Scheme.</p> <p>D: Means that the use is not permitted unless the Council has granted planning approval.</p> <p>A: Means that the use is not permitted unless the Council has granted planning approval after giving notice in accordance with Clause 9.4 (Advertise).</p> <p>X: Prohibited use.</p> <p>Use Classes:</p>	Light Industry
Aged/Dependant Dwellings	X
Aged Residential Care	X
Agriculture – Extensive	X
Agriculture – Intensive	X
Amusement Parlour	D
Ancillary Accommodation	X
Animal Establishment	D
Animal Husbandry - Intensive	X
Art Gallery	A
Bed and Breakfast	X
Betting Agency	P
Caravan Park	P
Chalets – Short Term Accommodation	X
Child Care Premises	X
Cinema / Theatre	X
Civic Use	D
Club Premises	P
Commercial Vehicle Parking	P
Community Purpose	A
Consulting Rooms	D
Convenience Store	D
Corrective Institution	X
Educational Establishment	A
Family Day Care	X
Fast Food Outlet	D
Fuel Depot	P
Funeral Parlour	D
Garden Centre	P
Grouped Dwelling	X
Health/Fitness Centre	D
Home Business	X
Home Occupation	X
Home Store	X
Hospital	X
Hotel	X
Industry	D
Industry - Cottage	P
Industry - Extractive	X

<p>P: Means that the use is permitted by the Scheme.</p> <p>D: Means that the use is not permitted unless the Council has granted planning approval.</p> <p>A: Means that the use is not permitted unless the Council has granted planning approval after giving notice in accordance with Clause 9.4 (Advertise).</p> <p>X: Prohibited use.</p> <p>Use Classes:</p>	Light Industry
Industry - General	X
Industry - Light	P
Industry - Mining	X
Industry - Rural	P
Industry – Service	P
Lodging House	X
Logistics Centre	D
Lunch Bar	P
Market	X
Medical Centre	D
Motel	X
Motor Vehicle Repairs	P
Motor Vehicle, Boat or Caravan Sales	D
Motor Vehicle Wash	P
Motor Vehicle Wrecking	P
Museum	X
Night Club	A
Office	D
Park Home Park	X
Place of Worship	P
Public Utility	P
Recreation Private	P
Reception Centre	D
Research and Technology Premises	D
Resource Recovery Centre	X
Restaurant	D
Restricted Premises	D
Rural Pursuit	X
Salvage Yard	P
Service Station	P
Shop	X
Showroom	P
Single House	X
Stable	X
Storage	P
Tavern	D
Telecommunications Infrastructure	P
Trade Display	D
Transport depot	P
Veterinary Centre	P
Warehouse	P
Winery	X

Attachment 5

Proposed Endorsement of Scheme Amendment 80 to Local Planning Scheme no. 3 – Rezone from Urban Development to Light Industry – Hatch Court, Stirling Crescent and Kalamunda Road

Submission Table

	Nature of Submission	Submitter Number	Officer Comment
1.	Non-objection	20, 22, 27, 39, 64, 68, 74, 80, 84, 95	Noted.
2.	Non-objection – Light industry is considered a more compatible land use than residential for the amendment area.	15	Noted.
3.	Non objection – Access from Adelaide Street to Abernethy Road is needed.	15, 23	It is recommended that the amendment be supported subject to the extension of Adelaide street to Abernethy Road.
4.	Non objection – Lot 201 Kalamunda Road will be used by Enviropipes on a permanent basis upon successful completion of the amendment.	16	Noted.
5.	Non objection – it is noted that the subject concept plan is indicative in nature and that it should not be construed that support is given for this arrangement at this stage.	16, 36	The plan provided with the amendment is indicative only, and will subject to change if and when further planning occurs over the amendment area.
6.	Non objection – Consideration should made for traffic movement.	88	The applicant prepared a transport report which is required to be updated to reflect modified assumptions and additional information relating to the connection of Adelaide Street to Abernethy Road.
7.	Objection without comment	42, 99, 169, 173, 175, 189, 193	Noted.
8.	Objection – Impact on the amenity of surrounding residential areas.	19, 21, 24, 25, 30, 31, 32, 34, 37, 40, 43, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57,	It is acknowledged that under the objectives of the Scheme, Light Industry should be compatible in close proximity to residential uses. However additional planning is required to address the interface of the amendment area with residential

		58, 59, 60, 61, 62, 63, 66, 67, 70, 81, 86, 91, 98, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 172, 174, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 191, 196	<p>uses on Kalamunda Road and Stirling Crescent with a view of reducing the impact of light industrial uses, as follows:</p> <ul style="list-style-type: none"> • Building setbacks; • Building design and signage; • Storage service areas; • Landscaping; and • Access. <p>A structure plan will be required to address the above items in detail. The officer's recommendation includes a recommendation that a structure plan be prepared before the subject amendment is finalised.</p>
9.	Objection – The development is out of character with the surrounding area.	35, 77, 78, 86, 93, 94	See response to item 8 above.
10.	Objection – The amendment should be modified to protect full movement access to the National Lifestyle Village at 597 Kalamunda Road, High Wycombe.	17	It is noted that the current concept plan within the amendment document incorporates a recommendation to close the median strip adjacent to the entry of the National Lifestyle Village. However, the amendment itself does not propose these works. This plan is conceptual only, and further investigation is required in respect to the viability of full access in this location.
11.	Objection – The amendment should be modified to prevent access from Kalamunda Road to and from the amendment area.	17	It is considered that Adelaide Street, via Abernethy Road, should be the primary access point to the amendment area. From a planning perspective, direct access from Kalamunda Road should be avoided wherever possible. Further investigation is required during the preparation of a structure

			plan to determine whether access will be restricted from Kalamunda Road.
12.	Objection – concern that the amendment will facilitate a ‘quasi-highway service zone’ along Kalamunda Road. Design guidelines, landscaping and access restrictions should be included as a requirement of the amendment.	17	<p>Additional planning, in the form of a structure plan is required to address the interface of the amendment area with residential uses on Kalamunda Road and Stirling Crescent with a view of reducing the impact of light industrial uses, as follows:</p> <ul style="list-style-type: none"> • Building setbacks; • Building design and signage; • Storage service areas; • Landscaping; and • Access.
13.	<p>Objection – A structure plan or local development plan is required to include:</p> <ul style="list-style-type: none"> • Subdivision layout; • Access; • Building design and development standards. 	17, 18	Noted, this is included within the officer’s recommendation.
14.	Objection – The uses convenience store, motor vehicle sales, nightclub, service station and tavern, are not considered desirable in the Amendment 80 area.	17	<p>It is noted that these uses can occur in varying scales of intensity and form. For example, a small scale convenience store or service station may not be inappropriate in the area. With exception of a service station which is a ‘P’ (Permitted) use, these uses are ‘D’ (Discretionary) or ‘A’ (Advertise) uses, meaning that planning approval is required prior to the development/uses commencing. It is considered that the development application stage is the most suitable time to determine the appropriateness of these uses, rather than excluding them all together under the Restricted Uses (Schedule 3) section of the Scheme.</p>
15.	Objection – Amendment 80 does not contain information relating to:	18	It is agreed that these matters should be addressed, and it is considered that a structure plan and developer contribution

	<ul style="list-style-type: none"> • Cost sharing; • Design guidelines; • Landscaping controls; and • Access. 		plan is the appropriate instrument to deliver this. This should occur prior to the finalisation of the Amendment.
16.	Objection – Traffic impacts (congestion and safety)	19, 21, 23, 24, 25, 29, 31, 32, 35, 37, 40, 41, 43, 45, 46, 47, 50, 51, 52, 53, 54, 55, 57, 58, 59, 60, 62, 63, 65, 66, 67, 69, 71, 72, 73, 75, 76, 78, 81, 82, 83, 87, 91, 92, 93, 94, 96, 98, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 172, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 190, 191, 192, 194, 195, 196	Refer to the officer comments section of the report regarding traffic impacts.
17.	Objection – Traffic impacts (the roads are not suitable for heavy vehicles)	28, 29, 32, 35, 48, 53, 58, 62, 63, 65, 71, 75, 83, 87, 92, 93, 96, 174, 190	It is noted that Stirling Crescent has residential lots fronting onto its south-east side. This road is a 'Network 1' classification road under the Main Roads WA Restricted Access Vehicle

			<p>network. This road allows a maximum heavy vehicle length of 20m, which is restrictive for light industrial traffic.</p> <p>As an alternative access point to the amendment area, it is proposed that, prior to the finalisation of this amendment, Adelaide Street be reconnected with Abernethy Road and serve as the primary access point to the amendment area. This has been included as one of the officer's recommendations.</p>
18.	Objection – Environmental Impacts (wetlands)	<p>19, 21, 24, 25, 31, 37, 38, 40, 43, 44, 45, 46, 47, 50, 52, 54, 55, 56, 65, 81, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 191, 196</p>	<p>The Department of Parks and Wildlife has advised that there are three (3) resource enhancement wetlands present within the amendment area. Resource enhancement wetlands are classified as wetlands that may have been partially modified, but still support substantial ecological attributes and functions.</p> <p>In terms of constraints associated with development near Resource Enhancement Wetlands, the Environmental Protection Authority's policy recommends 'that all reasonable measures are taken to minimise the potential impacts on Resource Enhancement Wetlands and appropriate buffers'. The advice received from the Department of Parks and Wildlife recommends 50m buffers, however it is noted that in an environmental assessment undertaken in 2014 to review the wetland management boundary and category for the resource enhancement wetlands, and the Environmental Protection Authority, supported a 30m buffer.</p> <p>It is expected that further protection of the wetlands will be considered during the preparation of a structure plan over the amendment area and during the development application assessment stage.</p>

19.	Objection – Environmental Health Impacts (stormwater drainage and sewer)	19, 21, 23, 24, 25, 28, 31, 37, 40, 41, 43, 44, 45, 46, 47, 48, 50, 52, 54, 56, 65, 70, 81, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 196	<p>Any industrial development over this land must include water sensitive urban design measures to ensure that run-off is retained on site and compensated to pre-development levels. Further consideration of public drainage infrastructure should occur during the preparation of a structure plan over the amendment area.</p> <p>Water Corporation has advised the Shire that the site is currently not provided with wastewater services, and the Department of Health requires that new development be connected to reticulated sewerage. Wastewater flows from development in this area will need to gravitate northwards towards the Hazelmere temporary pump station, however this station does not currently have the capacity to cope with additional flows and will need to be upgraded or replaced at some point in the future.</p>
20.	Objection – Environmental Health Impacts (Noise)	19, 21, 23, 24, 25, 31, 35, 37, 40, 43, 45, 46, 47, 48, 50, 52, 54, 55, 56, 62, 63, 70, 81, 82, 86, 89, 93, 94, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148,	Any development would be required to comply with the <i>Environmental Health (Noise) Regulations 1997</i> .

		149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 174, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 192, 194, 196	
21.	Objection – Environmental Health Impacts (Air pollution)	28, 35, 46, 47, 52, 56, 59, 70, 191	It is noted that these concerns primarily relate to additional heavy vehicles using Kalamunda Road and Stirling Crescent. As noted in response 17 above, an alternative access point to the amendment area is proposed via Adelaide Street and Abernethy Road. Prior to the finalisation of this amendment, it has been recommended that Adelaide Street be reconnected with Abernethy Road and serve as the primary access point to the amendment area.
22.	Objection – Environmental Impacts (vegetation)	19, 21, 24, 25, 31, 33, 34, 35, 37, 40, 43, 45, 46, 50, 53, 54, 56, 81, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167,	It is noted that previous investigations of the amendment area highlighted that vegetation on the subject land has been heavily modified, with the native vegetation remaining on the site occurring sporadically and in generally poor condition. Notwithstanding, it is expected that vegetation retention will be an objective of the structure plan prepared over the amendment area.

		168, 170, 171, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 191, 196	
23.	Objection – Environmental Impacts (native fauna)	19, 21, 24, 25, 31, 33, 34, 35, 37, 40, 43, 45, 46, 50, 53, 54, 56, 81, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 191, 196	It is noted that previous investigations of the amendment area highlighted that fauna habitat is also limited due to it being fragmented from other areas of native vegetation. Further investigation regarding the fauna habitat types will be required during the preparation of a structure plan prepared over the amendment area.
24.	Objection – Devaluation of surrounding residential land.	19, 21, 24, 25, 26, 28, 31, 32, 37, 40, 43, 45, 46, 48, 50, 52, 53, 54, 55, 62, 67, 70, 72, 81, 91, 93, 94, 96, 98, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127,	This is not a valid land use planning consideration under the planning decision making framework.

		128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 172, 174, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 194, 196	
25.	Objection – lack of footpaths in the area.	23	This will be a requirement when roads are created through the amendment area.
26.	Objection – It would be prudent to wait for the upgrades to Abernethy Road before finalising Amendment 80.	19	Prior to the finalisation of this amendment, it has been recommended that Adelaide Street be reconnected with Abernethy Road and serve as the primary access point to the amendment area.
27.	Objection – inefficient use of land.	33, 86, 89, 147, 191	There is strong justification for ongoing identification of strategically located industrial land to secure future industrial activities in the area. The proposed scheme amendment to rezone the subject land from Urban Development to Light Industry is considered to be in line with principles of orderly and proper planning.
28.	Objection – Residential development is more appropriate.	34, 97, 127, 131	As noted in repose 27, there is strong justification for a light industry outcome within the amendment area. At the Ordinary Council Meeting in September 2015, Council considered the Hatch Court/Stirling Crescent Local Structure Plan which proposed residential development for the land within the north-east of the amendment area, and resolved to

			<p>forward the structure plan to the Western Australian Planning Commission (WAPC) for its determination (OCM 114/2015). The Hatch Court – Stirling Crescent Local Structure Plan was considered by the WAPC Statutory Planning Committee in April 2016, where it resolved to refuse the structure plan, in part, for the following reasons:</p> <p><i>“The proposed local structure plan is in conflict with the proposed Amendment No. 80 to the Shire of Local Planning Scheme No. 3 which has been initiated by the Shire and proposes to rezone the land to Light Industry. Supporting the proposed local structure plan in order to facilitate residential development may prejudice the decision of the Minister for Planning on the proposed amendment.”</i></p>
29.	Objection – recommend planting landscape buffer between residential and industrial land uses.	33	<p>Additional planning, in the form of a structure plan is required to address the interface of the amendment area with residential uses on Kalamunda Road and Stirling Crescent with a view of reducing the impact of light industrial uses, as follows:</p> <ul style="list-style-type: none"> • Building setbacks; • Building design and signage; • Storage service areas; • Landscaping; and • Access.
30.	Objection – ‘storage of mining equipment’ is inconsistent with the EPA’s Guidance and Policies	38	<p>This comment refers to a development application for a proposed hardstand and temporary storage of mining plant (5 years) at Lot 200 (584) Kalamunda Road, High Wycombe. Council refused this application at the Ordinary Meeting held 23 May 2016 (OCM 82/2016) and Special Meeting held 29 August 2016 (SCM 149/2016). The assessment and comments relating to this proposal were addressed in the reports and recommendations at the time. This application is currently</p>

			subject to appeal/review proceedings at the State Administrative Tribunal.
31.	Objection – Light industry will impact on the visual amenity of the area.	38, 48, 52, 77, 85, 90	<p>Visual amenity is an important consideration of the proposed amendment. In this regard, additional planning, in the form of a structure plan is required to address the interface of the amendment area with residential uses on Kalamunda Road and Stirling Crescent with a view of reducing the impact of light industrial uses, as follows:</p> <ul style="list-style-type: none">• Building setbacks;• Building design and signage;• Storage service areas;• Landscaping; and• Access.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

**06. Proposed Hardstand and Temporary Storage – Lot 201 (614)
Kalamunda Road, High Wycombe**

Previous Items	OCM 114/2015
Responsible Officer	Director Development Services
Service Area	Approval Services
File Reference	KL-02/614
Applicant	Rowe Group
Owner	Enviropipes Pty Ltd
Attachment 1	Site Plan
Attachment 2	Photographs of Storage on the Adjoining Lot

EXECUTIVE SUMMARY

1. The application is seeking temporary planning approval for two (2) years for storage of pipes on the subject site.
2. This proposal relates to Scheme Amendment 80, which proposes to rezone the subject lot and lots to the north-east on Hatch Court and Stirling Crescent from Urban Development to Light Industry. The endorsement of Amendment 80 is a separate item being considered by Council in February 2017.
3. The proposal is not considered to conflict with the principles of orderly and proper planning and will not prejudice the development potential of the area in the long term. The proposed temporary storage was advertised and no objections were received.
4. Approval is recommended subject to appropriate conditions.

BACKGROUND

5. An application for the temporary storage of mining equipment on the adjoining lot at 584 Kalamunda Road, was previously considered by Council on two (2) occasions in 2016, as follows:
 - 1) Council at its Ordinary Meeting held 23 May 2016 (OCM 82/2016) resolved to refuse the application.
 - 2) Council at its Special Meeting held 29 August 2016 (SCM 149/2016) considered a State Administrative Tribunal (SAT) request for reconsideration of Council's initial decision, and again resolved to refuse the application.
6. Council at its Ordinary Meeting held in September 2015 (OCM 114/2015) resolved to initiate Scheme Amendment 80 to Local Planning Scheme No. 3 (Scheme). The amendment seeks to rezone the subject lot and lots to the north-east on Hatch Court and Stirling Crescent from Urban Development to Light Industry. This Amendment has been advertised and is subject to a separate item for Council's consideration and endorsement in February 2017.

Land Details

7.	Land Area:	2.0 ha (20,234m ²)
	Local Planning Scheme No. 3 Zone:	Urban Development
	Metropolitan Region Scheme Zone:	Urban

8. Locality Plan



9. The lot is currently vacant of any development and has access from Kalamunda Road via a single gravel crossover and is fully fenced with black ring lock fencing. The site contains scattered grass and scrub vegetation throughout.
10. The owner of the property (Enviropipes Pty Ltd) leases the adjoining warehouse and car parking area located on the corner of Abernethy and Kalamunda Roads from Perth Airport Pty Limited.
11. A portion of the south-west of the site (approximately 11m wide) is reserved under the Metropolitan Region Scheme (MRS) as being an 'Other Regional Road Reserve' (Kalamunda Road) with a Category 2 classification, for the purpose of road widening, meaning the Department of Planning is the responsible authority for making recommendations for development on, or adjacent to, the reserve.
12. The immediate surroundings of the subject site comprise the following uses:
- The north-west and north-east boundaries of the lot adjoin a site occupied by Enviropipes.
 - Rural residential properties to the north-east in the Hatch Court – Stirling Crescent area which are currently zoned Urban Development.
 - The Hill View Lifestyle Village (retirement village) is located to the south west of the subject site (on the opposite side of Kalamunda Road).
 - Industrial land uses north of the subject site within the Perth Airport land.

DETAILS

13. The application proposes the storage of pipes manufactured at No. 640 Abernethy Road, on the subject site. The site plan indicates that 2.02 hectares of area is proposed for this purpose. To facilitate this it is proposed that the site be levelled and a hardstand constructed.
14. Access and egress is proposed via the adjoining site and no additional vehicular movements are proposed as part of this development. Notwithstanding an existing crossover exists, the application is not proposing direct access onto Kalamunda Road.
15. As an example of the nature of the proposed use, photographs of pipe storage on the adjoining site is located in (Attachment 2).

STATUTORY AND LEGAL CONSIDERATIONS

Planning and Development Act 2005

16. The applicant may apply to the SAT for a review, in accordance with Part 14 of the *Planning and Development Act 2005*, in the event that the Shire decides to not approve the development, or impose conditions which are unacceptable to the applicant.

Local Planning Scheme No. 3

17. The subject site is zoned 'Urban Development' under the Local Planning Scheme No. 3 (Scheme). The objectives of the Urban Development zone are as follows:
 - To provide orderly and proper planning through the preparation and adoption of a Structure Plan setting the overall design principles for the area.
 - To permit the development of land for residential purposes and for commercial and other uses normally associated with residential development.
18. The proposed use is defined under the Scheme as follows:

"Storage means premises used for the storage of goods, equipment, plant or materials".

Planning and Development (Local Planning Schemes) Regulations 2015

19. The *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) introduced a set of deemed provisions that are applicable to all local planning schemes.
20. Clause 15 (a)(i)(ii) of the Regulations may require a structure plan to be prepared for areas zoned for urban and industrial development before any future development is undertaken.

21. The application has been made in accordance with Clause 72 of schedule 2 of the Regulations (Temporary Development Approval), which allows the Shire to impose conditions limiting the period of time for which the development approval is granted.
22. In considering an application for planning approval, Clause 67 of schedule 2 of the Regulations (Matters to be Considered by Local Government) requires Council to have due regard to a number of matters:
- the compatibility of the development within its settings;
 - the requirements of orderly and proper planning including any relevant proposed new local planning scheme or amendment, that the local government is seriously considering adopting or approving;
 - the likely effect of the proposal on the natural environment or water resources and any means that are proposed to protect or mitigate impacts on the natural environment or the water resource;
 - preservation of the amenity of the locality;
 - relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;
 - amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
 - whether adequate provision has been made for the landscaping of the land to which the planning application relates and whether any trees or other vegetation on the land should be preserved;
 - whether the proposal is likely to cause soil erosion or land degradation;
 - any other planning consideration the local government considers relevant; and
 - the comments or submissions received from any other authority consulted.
23. Part 4, Clause 27 of schedule 2 of the deemed provisions of the Regulations stipulates the effect of a structure plan, as follows:
- "27. Effect of A structure plan*
- (1) A decision-maker for an application for development approval or subdivision approval in an area that is covered by a structure plan that has been approved by the Commission is to have due regard to, but is not bound by, the structure plan when deciding the application.*
- (2) A decision-maker for an application for development approval or subdivision approval in an area referred to in clause 15 as being an area for which a structure plan may be prepared, but for which no structure plan has been approved by the Commission, may approve the application if the decision-maker is satisfied that —*
- a) the proposed development or subdivision does not conflict with the principles of orderly and proper planning; and*
- b) the proposed development or subdivision would not prejudice the overall development potential of the area."*

POLICY CONSIDERATIONS

Economic and Employment Lands Strategy: Non-Heavy Industrial

24. Economic and Employment Lands Strategy: Non-Heavy Industrial (EELS) was prepared to ensure that adequate forward planning is undertaken and to identify the areas, type and locations of industrial land required in the future. A key objective of the EELS is to facilitate ongoing availability of supply of industrial land.
25. It is noted that the subject site is not specifically identified in the EELS as a potential industrial area. However, the EELS recommends the ongoing identification of strategically located industrial land to secure future industrial activities in the region. This was one consideration/justification for Amendment No. 80 when the matter was considered by Council in September 2015.

State Planning Policy 5.1 – Land Use Planning in the Vicinity of Perth Airport

26. State Planning Policy 5.1 (SPP 5.1) applies to the land in the vicinity of the Perth Airport, which is, or may in the future, be affected by aircraft noise, and includes the following objectives:
- Protect Perth Airport from unreasonable encroachment by incompatible (noise-sensitive) development, to provide for its ongoing development and operation; and
 - Minimise the impact of airport operations on existing and future communities with reference to aircraft noise.
27. SPP 5.1 was recently amended to incorporate the revised Australian Noise Exposure Forecast (ANEF), as such the subject site is identified as an area with greater noise impact. Under the revised ANEF the property falls within the 25-30 ANEF and 20-25 ANEF.
28. The applicant has provided the following supporting information in regard to the proposal and exposure to aircraft noise:
- “... Appendix 1 of SPP.1 contains the building site acceptability table, with the use ‘light industrial’ identified as ‘Acceptable’ in both the 20-25 and 25-30 ANEF. It is noted that residential uses including ‘House, home unit, flat and caravan park’ are identified as being ‘conditionally Acceptable’ within the 20-25 ANEF and ‘Unacceptable’ within the 20-25 ANEF...”*

COMMUNITY ENGAGEMENT REQUIREMENTS

29. Public advertising was undertaken in accordance with P-DEV 45 *Public Notification of Planning Proposals*. During the advertising period, the Shire received two (2) submissions from public authorities (Perth Airport and Department of Planning), however no submissions were received from other property owners in the area.

Internal Referrals

30. The application was considered by the Shire's Environmental Health Services in regard to environmental discharge and noise, and to Asset Services in regard to drainage, access and traffic. No objections were raised to the proposal by internal departments in this respect.

External Referrals

31. Department of Planning

As the development site abuts, and is affected by, Kalamunda Road, which is identified as an Other Regional Road under the Metropolitan Region Scheme, the application was referred to the Department of Planning for comment.

32. The Department of Planning advised that it has no objections to the proposal on regional transport planning grounds, given that access to the proposal will be gained from the adjacent lot, with no access proposed from Kalamunda Road.

33. Perth Airport

Given the site adjoins airport land to the north-west and north-east, the application was referred to Perth Airport for comment.

34. Perth Airport considered the proposal in respect to lighting, aircraft noise and airspace implications, and advised that it raises no objection to the proposal.

FINANCIAL CONSIDERATIONS

35. Based on costs of \$65,461 incurred during a recent SAT hearing for a similar matter (relating to the adjoining property at 584 Kalamunda Road), in the event that Council refuses the application or imposes conditions that are unacceptable to the applicant, and an application is lodged for review/appeal with the SAT, legal fees for lawyers defending the Shire's position at a SAT hearing is expected to be a similar amount. SAT has reserved its decision until February 2017. The tribunal is waiting on the outcome of Council's consideration of amendment 80.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

36. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 4.3 – To ensure the Shire's development is in accord with the Shire's statutory and legislative obligations and accepted urban design planning standards.

Strategy 4.3.2 – Undertake efficient monitoring and compliance of building developments within the Shire.

SUSTAINABILITY

Social Implications

37. Given the lot is currently vacant and gives the appearance of a large rural lot, development of the site with a hardstand and storage would result in a significant change in the appearance of the land. Accordingly, if the proposal is approved, there may be visual amenity impacts on surrounding land owners.

Economic Implications

38. If the application is approved, this would result in economic benefits to the property owners as they would be able to expand the storage from the site at 614 onto the subject lot. Also there is the potential for additional employment opportunities.

Environmental Implications

39. Nil.

RISK MANAGEMENT CONSIDERATIONS

40.

Risk	Likelihood	Consequence	Rating	Action/Strategy
The temporary proposal may unduly prejudice the overall development potential of the area as proposed under Scheme amendment 80	Rare	Moderate	Low	Ensure that Council is aware that the proposed use is consistent with the ultimate intent for the area, being a light industry zoning
In the event that the proposal is not supported, the applicant may appeal the decision at the State Administrative tribunal	Possible	Moderate	Medium	Advise Council that legal fees for the defending the Shire's position at a SAT hearing is expected to be in the vicinity of \$50,000 to \$80,000

OFFICER COMMENT

41. In considering the proposed development, due regard is required to be given to Clause 27 (2) of the Regulations regarding the effect of a local structure plan, which requires the Shire to assess whether:
- a) the proposed development does not conflict with the principles of orderly and proper planning; and

b) the proposed development would not prejudice the overall development potential of the area.

42. The Shire is now in a position to consider submissions relating to, and the endorsement of, Scheme Amendment 80, which proposes to rezone the subject lot and lots to the north-east on Hatch Court and Stirling Crescent from Urban Development to Light Industry. This matter is subject to a separate item under consideration by Council in February 2017. The proposed two (2) year temporary approval for storage on the site is not considered to conflict with the future zoning of the land proposed under Amendment 80 or prejudice future structure planning of the area.
43. In regard to the appropriateness of the use proposed, the objectives of the urban development zone do not expressly preclude light industrial uses, such as storage from being considered. Importantly, storage is a permitted use within the proposed Light Industry zone. It is considered that the use of storing pipes in a similar manner as the adjoining site, will not result in significant undue amenity impacts on Kalamunda Road or adjoining property owners.
44. In respect to traffic and access, the site is proposed to be accessed from the adjoining lot via the north-west and north-east boundaries. While there is an existing gravel crossover onto Kalamunda Road, the applicant has indicated that this will not be used to facilitate the proposal. A condition has been included in the officer's recommendation to restrict access in this respect.
45. In regard to visual amenity, the application proposes a 1m wide landscaping strip along the Kalamunda Road frontage which is considered acceptable given the temporary nature of the use. It is also recommended that a condition be included which requires the storage to be a minimum of 15 metres from the Other Regional Road reserve, which is the standard setback requirement for a light industry land use.
46. It is noted that one of the reasons that Council previously refused an application for storage at 584 Kalamunda Road was because a structure plan has not been prepared over the subject land to appropriately coordinate development and that Amendment 80 had not progressed to a point where it is able to be seriously entertained. In this regard, a structure plan is not specifically required under the planning framework for the light industry zone, however it is considered that amendment 80 will require the preparation of a local structure plan to coordinate development and to address inter alia, amenity impacts at the residential interface on Stirling Crescent and Kalamunda Road, and access to the light industrial area.
47. Regardless of whether a structure plan is required over the subject land, it is not considered that the proposal will unduly impact the overall development potential of the area. It is considered that two (2) years is a reasonable timeframe to accommodate short-term planning and associated implementation measures such as a local structure plan and the gazettal of amendment 80 allow for light industrial land uses over the area.

48. For the reasons provided above, the proposed two (2) year temporary planning approval for storage at the subject site is not considered to conflict with the principles of orderly and proper planning and will not prejudice the development potential of the area in the long term. Accordingly, approval is recommended subject to appropriate conditions.

Cr Tracy Destree left the Chambers at 7.59pm.

Queries were clarified for Cr Michael Fernie and Cr Dylan O'Connor on the matter. Further to this Cr Michael Fernie proposed an amendment to item 1 condition e) to remove the words "Other Regional Roads Reserve" and replace with the words "front cadastral boundary". The Director Development Services accepted this as a minor amendment to the Officer Recommendation therefor it is noted below.

Cr Tracy Destree returned to the Chambers at 8.04pm and was present for the vote.

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&A 06/2017)

That Council:

1. Approves the planning application for a proposed hardstand and temporary storage at Lot 201 (614) Kalamunda Road, High Wycombe, subject to the following conditions:
 - a) The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
 - b) Pursuant to Clause 72 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the time for which this development approval is valid lapses two (2) years from the date of this approval. The use of the site for storage shall cease on or before 27 February 2019, unless otherwise approved by the Shire of Kalamunda.
 - c) Only storage associated with the adjoining site and occupant (Enviropipes Pty Ltd) at 1240 Abernethy Road, High Wycombe, is permitted to be placed on the site.
 - d) Access to the site for the proposed storage use is permitted only via the adjoining lot at 1240 Abernethy Road, High Wycombe.
 - e) Storage areas shall be setback a minimum of 15 metres from the ~~Other Regional Roads Reserve~~ **front cadastral boundary** on the subject site.
 - f) Prior to the commencement of development works, a landscaping plan is to be submitted to, and approved by, the Shire of Kalamunda.
 - g) Landscaping is to be installed prior to the commencement of the storage use, and thereafter maintained, in accordance with the approved landscaping plan to the satisfaction of the Shire of Kalamunda.
 - h) Stormwater shall be disposed of onsite to the specification and satisfaction of the Shire of Kalamunda.
 - i) The hardstand areas shall be suitably constructed, sealed and drained to the satisfaction of the Shire of Kalamunda, prior to the commencement of the storage use.
 - j) Any external lighting shall be positioned and designed so as not to adversely affect the amenity of the locality, to the satisfaction of the Shire

of Kalamunda. Further detail of any proposed lighting shall be submitted as part of the proposed landscape and reticulation plan.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Michael Fernie**

Vote:

For	Against
Cr Michael Fernie Cr John Giardina Cr Geoff Stallard Cr Allan Morton Cr Brooke O'Donnell Cr Andrew Waddell Cr Sara Lohmeyer Cr Dylan O'Connor Cr Simon Di Rosso Cr Tracy Destree CARRIED (10/2)	Cr Noreen Townsend Cr Sue Bilich

Attachment 1

Proposed Hardstand and Temporary Storage – Lot 201 (614) Kalamunda Road, High Wycombe Site Plan



Attachment 2

Proposed Hardstand and Temporary Storage – Lot 201 (614) Kalamunda Road, High Wycombe
Photographs of Storage on the Adjoining Lot



Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

07. Cell 9 Wattle Grove Development Contribution Plan Review

Previous Items	D&I 36/2015 – August 2015
Responsible Officer	Director Development Services
Service Area	Strategic Planning
File Reference	PG-DEV-013
Applicant	N/A
Owner	Various
Attachment 1	Cell 9 Wattle Grove Local Structure Plan
Attachment 2	Development Contribution Plan Report

EXECUTIVE SUMMARY

1. To consider the Wattle Grove Cell 9 – Development Contribution Plan (DCP) Report annual review and advertise the updated contribution rate for public comment.
2. The review to the DCP Report has resulted in a slight increase in the contribution rate from \$27,816 per lot to \$28,178 per lot. This is due primarily to the englobo land rate increasing. Additionally, administrative costs have now been included, whereas they were previously calculated at the end of each month.

BACKGROUND

3. The Wattle Grove Cell 9 area operates as a Local Structure Plan (LSP) with administrative provisions and Development Contribution provisions incorporated in Schedule 11 of Local Planning Scheme No. 3 (the Scheme). The LSP is included as (Attachment 1) for information.
4. Following the gazettal of the DCP in October 1997, Council was required to adopt a DCP Report and cost apportionment schedule. The DCP Report and the associated cost apportionment schedule sets out in detail the calculation of cost contributions for development in accordance with the methodology shown in the DCP. The DCP Report needs to be a dynamic document to maintain the currency of the cost of infrastructure, land and other DCP items. The DCP Report does not form part of LPS 3 but, once adopted by Council, must be reviewed at least annually.

The DCP Report was last reviewed in August 2015. The delay in the review was primarily due to staff restructure and the need to revise the scope and cost estimates for infrastructure items.

5. The previous reviews of the report resulted in the following contribution rates:

Date Amended	Rate	Date Amended	Rate
1/11/2001	\$7,100	1/03/2008	\$24,650
1/11/2002	\$8,100	1/11/2008	\$25,500
1/11/2003	\$10,000	1/11/2009	\$25,500
1/11/2004	\$12,550	1/06/2011	\$26,450
19/07/2005	\$13,550	1/01/2013	\$27,335
1/03/2006	\$15,500	25/03/2014	\$27,315
1/09/2006	\$19,050	27/08/2015	\$27,816
1/03/2007	\$22,050		

DETAILS

6. The proposed DCP Report (Attachment 2) is a revised version of the previous report. Since the DCP is a technical document with input from engineering, finance, planning and legal perspectives, the DCP Report is an effective way to simplify and summarise all the different aspects.

7. At each DCP Report review, all factors contributing to the contribution rate must be reviewed.

The significant factors reviewed are as follows:

1. Remaining lot yield
2. Land requiring acquisition
3. Land valuation
4. Cost of works outstanding
5. Administration costs
6. Works priorities
7. Calculation methodology

8. *Remaining lot yield*

The future lot yield is expected to provide the contributions necessary to clear all the remaining DCP costs. As at January 2017 approx. 390 new lots are expected to be created.

9. *Land Requiring Acquisition*

Item	Area of Remaining Acquisition (m ²)	Cost of Remaining Acquisition (\$)
Road Reservation	1,418	\$242,607
Public Open Space	39,185	\$6,670,925
Miscellaneous Land Purchase	1,143	\$200,000

As at January 2017, 41,746m² requires acquisition.

10. *Land Valuation*

An independent valuer assigns value to land required to be acquired. The value is currently between \$165-\$185/m².

11. *Cost of Works Outstanding*

Item	Remaining Costs (\$)
Hale Road	\$6,555,000
Sheffield Road	\$170,000
Arthur Road / Wimbridge Road Extension	\$1,265,000
Woodlupine Brook Improvements	\$2,320,000
Developer Drainage Works	\$792,000
Miscellaneous Land Purchase	\$200,000
Subtotal	\$11,302,000
<i>10% contingency on above (rounded)</i>	\$1,130,000
Education Department Loan	\$3,909,092
Land for Roads	\$242,607
Land for Public Open Space	\$6,670,925
Administrative Items (inc. consultant expenses)	\$686,000
Total (January 2017)	\$23,940,624

12. *Administration Costs*

Administration costs have been updated to reflect current expenditure and a revised DCP Project Team due to a restructure within the Shire administration. The annual figures have been multiplied over the remaining 5 years showing an estimated remaining cost of \$686,000. Appendix G of the DCP Report contains more detail but generally allows for two part time staff plus specialist consultant services.

The administration of the DCP includes but is not limited to the following key tasks:

- Legal/Land acquisition management
- DCP annual review
- Land valuation
- Planning/Project management of the delivery of DCP infrastructure

13. *Works Priorities*

Subdivision and development within DCPs are staged over a number of years. Contributions are generally collected at the time of subdivision or development. In this context, contributions are collected on a staged basis and there is not always enough funds within the DCP to deliver all of the infrastructure included. For this reason, Clause 6.5.7 (d) of LPS 3 requires Council to establish a priority works schedule for the provision of DCP infrastructure.

14. Clause 4 of the DCP Report contains the priority works schedule and outlines the key principles utilised to guide the identification of infrastructure priorities. Subject to the availability of funding, the Shire has determined the following items as the current order of priority:

- Hale Road land acquisition and construction;
- Arthur Road / Wimbridge Road design and construction;
- Woodlupine Brook Improvements;
- Sheffield Road improvements;
- Developer drainage works; and
- Administration costs.

15. The identification of priorities will be undertaken as part of the annual cost estimate review and associated DCP Report update.

16. *Calculation Methodology*

Schedule 11 of LPS 3 sets out the method for calculating contributions.

The calculation is as follows:

Net outstanding costs = remaining costs - funds held in bank
Remaining lot yield = R-Code yield or Commercial zone equivalent

$$\text{Contribution Rate} = \frac{\text{Net outstanding costs (\$)}}{\text{Remaining lot yield}}$$

Using the following figures, the new contribution rate can be calculated.

Remaining costs	\$23,940,624
Funds held in bank	\$12,951,121
Remaining lot yield	390 lots or lot equivalent
Contribution Rate	\$28,178 per lot

$$\text{Contribution Rate} = \frac{(\$23,940,624 - \$12,951,121)}{390} = \$28,178 \text{ per lot}$$

STATUTORY AND LEGAL CONSIDERATIONS

17. Clause 6.5.11.2 of LPS3 requires the DCP cost estimates to be reviewed at least annually.
18. The DCP contributions are administered and determined in accordance with the provisions of Clause 6.5 and Schedule 11 of LPS3.

POLICY CONSIDERATIONS

19. The annual review has been conducted in accordance with *State Planning Policy 3.6 Development Contributions for Infrastructure*.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

20. The review of the DCP was done with cooperation of the Asset Delivery service unit, who updated the cost and works schedule. The Financial Services unit also assisted with calculating cash in hand and future administration costs.

External Referrals

21. Previous experience has seen a positive result from advertising and engaging with landowners prior to formal consideration of the DCP review by Council. As such, it is recommended to advertise this review to the landowners who are yet to develop for a period of 28 days. Discussions will be held with any concerned landowners and the DCP review will then be presented back to Council for a decision.

FINANCIAL CONSIDERATIONS

22. The operation of the DCP presents a major administrative responsibility for the Shire. While the DCP is self-funded, the Shire has an implicit obligation to efficiently and effectively manage the revenues and works.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

23. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 4.7: To ensure the selection, maintenance, inspection, renewal and disposal of all categories of assets within the Shire is managed efficiently.

Strategy 4.7.1 Maintain, refurbish or upgrade existing infrastructure, including public buildings, parks, reserves, local roads, footpaths, cycle ways, verges and drainage networks to encourage increased utilisation and extension of asset life.

SUSTAINABILITY

Social Implications

24. The provision of infrastructure in a timely, coordinated and responsible manner can have a significant impact on the quality of life for both existing and future residents. Impacts on the quality of life need to be considered along with individuals' expectations. This review enables the proposed infrastructure to be delivered in an efficient and financially responsible manner.

Economic Implications

25. The implementation of DCPs assist in the timely, efficient and equitable provision of infrastructure that may in turn facilitate economic growth and employment creation.

Environmental Implications

26. The proposed DCP provides upgrades to Woodlupine Brook, including the purchase of land for the purpose of Public Open Space. Landscaping and water course upgrades will enable the area to be utilised for more active uses by the community and to reduce erosion.

Consultation has occurred with the Water Corporation and Department of Water in the development of the designs for water course upgrades.

27. The detailed design for the Woodlupine Brook upgrades have been progressed by the Shire and will be advertised to the community for comments and review. The design aims to provide a high standard of amenity and improve water quality in the Woodlupine Brook.

RISK MANAGEMENT CONSIDERATIONS

28.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Contribution rate is objected to by landowners.	Possible	Significant	High	Ensure aspects of the review are clearly identified in the reporting documentation. Provide landowners a process to highlight concerns and have these concerns responded to / addressed.
DCP does not generate enough funds to undertake works.	Unlikely	Major	High	Ensure annual reviews account for the cost of infrastructure and the remaining development has the capacity to cover these costs. Ensure regular reviews of funding capacity.

OFFICER COMMENT

29. The review to the DCP Report has resulted in a slight increase in the contribution rate from \$27,816 per lot to \$28,178 per lot. This is due primarily to the englobo land rate increasing from approximately \$135/sqm to approximately \$175/sqm. Additionally, administrative costs have now been included, whereas they were previously calculated at the end of each month.

-
30. The DCP has a positive cash flow at present, with a cash balance of \$12,951,121. There are a number of infrastructure projects planned in the short term as outlined in the works priorities, which will bring the cash balance down.

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&A 07/2017)

That Council:

1. Advertise the proposed Development Contribution Plan Report (Attachment 2) for the purpose of public comment for a period of 28 days by post to the affected landowners.

Moved: **Cr Brooke O'Donnell**

Seconded: **Cr Noreen Townsend**

Vote: **CARRIED UNANIMOUSLY (12/0)**

Attachment 1

Cell 9 Wattle Grove Development Contribution Plan Review

Cell 9 Wattle Grove Local Structure Plan

[Click HERE to go directly to the document](#)

Attachment 2

Wattle Grove Cell 9 DCP Review

Development Contribution Plan Report

[Click HERE to go directly to the document](#)

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

08. CONFIDENTIAL ITEM – Consideration of Tenders for Forrestfield North – Structure Plan Preparation and Project Coordination

Reason for Confidentiality *Local Government Act 1995 S5.23 (2) (c) - "a contract entered into, or which may be entered into by the local government which relates to a matter to be discussed at the meeting."*

Previous Items	OCM14/2015 - 23 February 2015 SCM07/2015 – 29 September 2015
Responsible Officer	Director Development Services
Service Area	Strategic Planning
File Reference	PG-STU-035
Applicant	N/A
Owner	Various

Confidential Attachment 1	Forrestfield North – RfQ – Scope of Works
<u>Reason for Confidentiality</u> <i>Local Government Act 1995 S5.23 (2) (c) - "a contract entered into, or which may be entered into by the local government which relates to a matter to be discussed at the meeting."</i>	

Confidential Attachment 2	Forrestfield North – District Structure Plan Map
<u>Reason for Confidentiality</u> <i>Local Government Act 1995 S5.23 (2) (c) - "a contract entered into, or which may be entered into by the local government which relates to a matter to be discussed at the meeting."</i>	

Confidential Attachment 3	Forrestfield North – eQuote Evaluation Report
<u>Reason for Confidentiality</u> <i>Local Government Act 1995 S5.23 (2) (c) - "a contract entered into, or which may be entered into by the local government which relates to a matter to be discussed at the meeting."</i>	

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&A 08/2017)

That Council:

1. Accept the proposal submitted by The Planning Group Pty Ltd (TPG) for Tender (eQuote) 22-2016 Forrestfield North – Structure Plan Preparation and Project Coordination in accordance with the proposal documentation for the lump sum value of \$932,000 (excl GST).

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Andrew Waddell**

Vote: **CARRIED UNANIMOUSLY (12/0)**

This report item has been circulated to all Councillors under separate cover and was discussed at point 15 of the Agenda.

10.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 Nil.

11.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

11.1 Cr Dylan O'Connor – Trees in Newburn Road, High Wycombe

Q. Can I please get an update regarding the trees in the centre median strip that were destroyed by a motor vehicle in Newburn Road, High Wycombe?

A. The Director Asset Services took this question on notice, the response has now been provided as below.

Update: A letter with an invoice for the cost of replacing the mature tree was sent out to the offending driver on 20 January 2017.

11.2 Cr Michael Fernie – Petition Hummerston Road

Q. Have the Shire received a response from the Department of Parks and Wildlife (DPAW) regarding the petition to Hummerston Road?

A. The Director Asset Services responded that he has met with DPaW to discuss the matters raised in the Shire's correspondence. A letter was subsequently received from DPaW and acknowledged. The next stage of the process will be community engagement before a report is presented back to Council on the petition outcomes.

12.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

12.1 Nil.

13.0 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION

13.1 Nil.

14.0 TABLED DOCUMENTS

14.1 Nil.

15.0 MEETING CLOSED TO THE PUBLIC

15.1 **Meeting Closed to the Public**

That the meeting be closed to the public to discuss Confidential Item D&A 08. (provided under separate cover).

Moved: **Cr Andrew Waddell**
Seconded: **Cr Brooke O'Donnell**
Vote: **CARRIED UNANIMOUSLY (12/0)**

The meeting closed at 8.08pm. All member of the public left the public gallery.

15.2

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&A 08/2017)

That Council:

1. Accept the proposal submitted by The Planning Group Pty Ltd (TPG) for Tender (eQuote) 22-2016 Forrestfield North – Structure Plan Preparation and Project Coordination in accordance with the proposal documentation for the lump sum value of \$932,000 (excl GST).

Moved: **Cr Dylan O'Connor**
Seconded: **Cr Andrew Waddell**
Vote: **CARRIED UNANIMOUSLY (12/0)**

15.3 **Meeting Reopen to Public**

That the meeting reopen to the public following consideration of confidential item D&A 08 (provided under separate cover).

Moved: **Cr Sue Bilich**
Seconded: **Cr Sara Lohmeyer**
Vote: **CARRIED UNANIMOUSLY (12/0)**

The meeting reopened to the public at 8.28pm, the Presiding Member read the resolutions.

16.0 CLOSURE

16.1 There being no further business the Presiding Member declared the meeting closed at 8:30pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed: _____
Presiding Member

Dated this _____ day of _____ 2017