

Development & Infrastructure Services Committee Meeting

Agenda for Monday 13 June 2016



**shire of
kalamunda**

NOTICE OF MEETING DEVELOPMENT & INFRASTRUCTURE SERVICES COMMITTEE

Dear Councillors

Notice is hereby given that the next meeting of the Development & Infrastructure Services Committee will be held in the Council Chambers, Administration Centre, 2 Railway Road, Kalamunda on **Monday 13 June 2016 following the Corporate & Community Services Meeting which commences at 6:00pm.**

Dinner will be served prior to the meeting from 5.15pm.


Rhonda Hardy
Chief Executive Officer
8 June 2016

Our Vision and Our Values

Our Vision

The Shire will have a diversity of lifestyle and people. It will take pride in caring for the natural, social, cultural and built environments and provide opportunities for people of all ages.

Our Core Values

Service – We deliver excellent service by actively engaging and listening to each other.

Respect – We trust and respect each other by valuing our difference, communicating openly and showing integrity in all we do.

Diversity – We challenge ourselves by keeping our minds open and looking for all possibilities and opportunities.

Ethics – We provide honest, open, equitable and responsive leadership by demonstrating high standards of ethical behavior.

Our Aspirational Values

Prosperity – We will ensure our Shire has a robust economy through a mixture of industrial and commercial development.

Harmony – We will retain our natural assets in balance with our built environment.

Courage – We take risks that are calculated to lead us to a bold new future.

Creativity – We create and innovate to improve all we do.



INFORMATION FOR THE PUBLIC ATTENDING COMMITTEE OR COUNCIL MEETINGS

Welcome to this evening's meeting. The following information is provided on the meeting and matters which may affect members of the public.

If you have any queries related to procedural matters, please contact a member of staff.

Council Chambers – Seating Layout



Standing Committee Meetings – Procedures

1. Standing Committees are open to the public, except for Confidential Items listed on the Agenda.
2. Shire of Kalamunda Standing Committees have a membership of all 12 Councillors.
3. Unless otherwise advised a Standing Committee makes recommendations only to the next scheduled Ordinary Council Meeting.
4. Members of the public who are unfamiliar with meeting proceedings are invited to seek advice prior to the meeting from a Shire Staff Member.
5. Members of the public are able to ask questions at a Standing Committee Meeting during Public Question Time. The questions should be related to the purposes of the Standing Committee.
6. Members of the public wishing to make a comment on any Agenda item may request to do so by advising staff prior to commencement of the Standing Committee Meeting.
7. Comment from members of the public on any item of the Agenda is usually limited to three minutes and should address the Recommendations at the conclusion of the report.
8. To facilitate the smooth running of the meeting, silence is to be observed in the public gallery at all times except for Public Question Time.
9. All other arrangements are in general accordance with Council's Standing Orders, the Policies and decision of person chairing the Committee Meeting.

Emergency Procedures

Please view the position of the Exits, Fire Extinguishers and Outdoor Assembly Area as displayed on the wall of Council Chambers.

In case of an emergency follow the instructions given by Council Personnel.

We ask that you do not move your vehicle as this could potentially block access for emergency services vehicles.

Please remain at the assembly point until advised it is safe to leave.

INDEX

1.0	OFFICIAL OPENING.....	6
2.0	ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED	6
3.0	PUBLIC QUESTION TIME	6
4.0	PETITIONS/DEPUTATIONS	6
5.0	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	6
6.0	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION	6
7.0	MATTERS FOR WHICH MEETING MAY BE CLOSED	6
8.0	DISCLOSURE OF INTERESTS.....	7
9.0	REPORTS TO COUNCIL	7
30.	PROPOSED COMMERCIAL DEVELOPMENT, DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A SUPERMARKET AND A SINGLE SHOP TENANCY - LOT 601 (17) MEAD STREET, KALAMUNDA AND CONSTRUCTION OF CAR PARKING BAYS – LOT 611 (20) CENTRAL ROAD AND LOT 612 (22) CENTRAL ROAD, KALAMUNDA.....	8
31.	AMENDMENT TO LOCAL PLANNING SCHEME NO. 3 – LOT 25 (7) GILBA PLACE, AND LOT 26 (34) BREWER ROAD, MAIDA VALE - AMENDMENT 87 REZONING FROM SPECIAL RURAL TO URBAN DEVELOPMENT	48
32.	PROPOSED LOCAL DEVELOPMENT PLAN – LOTS 5 AND 6 (280 AND 276) HALE ROAD, WATTLE GROVE.....	56
33.	AMENDMENT TO LOCAL PLANNING SCHEME NO. 3 – LOT 73 (30) AND PORTION OF LOT 200 (24) EDNEY ROAD, HIGH WYCOMBE – AMENDMENT 86 REZONING FROM PRIVATE CLUBS AND INSTITUTIONS TO RESIDENTIAL R25/R40	64
34.	DRAFT LOCAL PLANNING POLICY – ANCILLARY DWELLINGS	74
35.	DRAFT LOCAL PLANNING POLICY – DESIGN ADVISORY COMMITTEES	81
36.	EXCISION OF PT RESERVE 37650 FOR DEDICATION AS ROAD	93
37.	IMMUNISATION WITHIN THE SHIRE OF KALAMUNDA REPORT.....	99
38.	CARAVAN PARK ANNUAL LICENCES 2016/2017	104
39.	KALAMUNDA ENVIRONMENTAL ADVISORY COMMITTEE - RECOMMENDATIONS	107
40.	CONFIDENTIAL ITEM – CONSIDERATION OF TENDERS – WEEKLY COLLECTION AND DISPOSAL OF WASTE SERVICES – MOBILE GARBAGE BINS (EQUOTE 05-2016).....	111
41.	CONFIDENTIAL ITEM – CONSIDERATION OF TENDERS – FORTNIGHTLY COLLECTION AND DISPOSAL OF RECYCLING SERVICES – MOBILE GARBAGE BINS (EQUOTE 06-2016).....	112
42.	CONFIDENTIAL ITEM – CONSIDERATION OF TENDERS – BULK WASTE COLLECTION SERVICE FOR GENERAL AND GREEN WASTE – BULK SKIP BIN OR VERGE WASTE COLLECTION (EQUOTE 04-2016)	113
10.0	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	114
11.0	QUESTIONS BY MEMBERS WITHOUT NOTICE.....	114
12.0	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	114
13.0	URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION.....	114
14.0	TABLED DOCUMENTS.....	114
	CONFIRMED MINUTES KALAMUNDA ENVIRONMENTAL ADVISORY COMMITTEE SPECIAL MEETING 4 MAY 2016.....	114
	CONFIRMED MINUTES KALAMUNDA ENVIRONMENTAL ADVISORY COMMITTEE 12 MAY 2016	114
	UNCONFIRMED MINUTES KALAMUNDA ENVIRONMENTAL ADVISORY COMMITTEE 2 JUNE 2016	114
15.0	MEETING CLOSED TO THE PUBLIC.....	114

AGENDA

1.0 OFFICIAL OPENING

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

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 will be summarised.

4.0 PETITIONS/DEPUTATIONS

5.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Voting Requirements: Simple Majority

- 5.1 That the Minutes of the Development & Infrastructure Services Committee Meeting held on 11 April 2016, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved:

Seconded:

Vote:

Statement by Presiding Member

"On the basis of the above Motion, I now sign the minutes as a true and accurate record of the meeting of 11 April 2016".

6.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

7.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

- 7.1 **40. CONFIDENTIAL ITEM – Consideration of Tenders – Weekly Collection and Disposal of Waste Services – Mobile Garbage Bins (eQuote 05-2016)**

Reason for Confidentiality Local Government Act 1995 S5.23 (d) (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."

- 7.2 **41. CONFIDENTIAL ITEM – Consideration of Tenders – Fortnightly Collection and Disposal of Recycling Services – Mobile Garbage Bins (eQuote 06-2016)**

Reason for Confidentiality Local Government Act 1995 S5.23 (d) (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."

7.3 **42. CONFIDENTIAL ITEM – Consideration of Tenders - Bulk Waste Collection Service for General and Green Waste – Bulk Skip Bin or Verge Waste Collection (eQuote 04-2016)**

Reason for Confidentiality Local Government Act 1995 S5.23 (d) (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*.)

8.2 **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.

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.

30. Proposed Commercial Development, Demolition of Existing Building and Construction of a Supermarket and a Single Shop Tenancy - Lot 601 (17) Mead Street, Kalamunda and Construction of Car Parking Bays – Lot 611 (20) Central Road and Lot 612 (22) Central Road, Kalamunda

Previous Items	Nil
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	DA15/0581
Applicant	Lou Di Virgilio Designs
Owner	Newform Enterprises PTY LTD

Attachment 1	Site Plan
Attachment 2	Floor Plans
Attachment 3	Elevations
Attachment 4	Traffic Engineers Report
Attachment 5	Submission Table

PURPOSE

1. To consider an application for a supermarket and a single shop tenancy at Lot 601 (17) Mead Street/ Central Road, Kalamunda and the construction of car parking bays on Lots 611 (20) and 612 (22) Central Road, Kalamunda.
2. To note that the development of the supermarket and associated shop proceeding is conditional on the applicant entering into a deed of agreement with the Shire of Kalamunda regarding the construction of parking at Lot 611 Central Road which is currently reserved for public purpose (car park) and Lot 612 Central Road which is currently reserved for public purpose.

BACKGROUND

3. Lot 611 presently contains a single vacant building previously occupied by the Kalamunda Community Radio Station. Lot 611 is an unconstructed public car parking area which contains a number of mature trees. Lot 612 contains a single building currently for use by the Country Women Association (CWA) the owners of the property.

4.

Land Area:	(Lot 601) 3096.4sqm (Lot 611) 4087.2sqm (Lot 612) 1100.1sqm
Local Planning Scheme Zone	(Lot 601) District Centre (Lot 611) Public Purpose (Car Park) (Lot 612) Public Purpose
Metropolitan Regional Scheme Zone:	Urban

Locality Plan

5.



DETAILS

6. The proposal is for a supermarket facility with a floor space area of 1600m², with one smaller shop tenancy located at the under-croft section of the development facing Mead Street with 514m² of floor space. The net lettable area is 1,350m² with the balance of the area being used as storage and delivery, toilet and other areas not deemed to be net lettable area. The calculated car parking is based on 1,350m² net lettable area.
7. A total of 151 car parking bays are proposed, comprising 31 bays on Lot 601 as part of the supermarket and shop development, 95 bays on Lot 611, 15 bays on battle axe portion of Lot 612 and 10 bays created within the road verge on Central Road.
8. The applicant has provided design treatments showing the elevations with street activation with the use of glazed shop front, featured rockwork to walls, rusted steel columns and beams and all external walls proposed in a Kalamunda red "Gumnut Palette Code P04D8" as shown on the Town Centre Improvement Plans.
9. The Shire has referred this application to an independent local architect for peer review. This architect has made some comments and recommendations which require the applicant make some changes to the overall façade of the building, in particular how the building presents to Mead Street and to the

corner junction of Central Road. Revised plans have been submitted which further improve the interrelationship of the proposed new building and its streetscape and surrounding context. The additional architectural enhancements to the existing submitted plans seek to further improve the built form outcome for this development.

STATUTORY AND LEGAL CONSIDERATIONS

Local Planning Scheme No.3

10. The land use definition of “Shop” applies in accordance with Local Planning Scheme No.3 (the Scheme) which is defined as premises used to sell goods by retail, hire goods, or provide services of a personal nature (including hair dresser and beauty therapist) but does not include showroom or fast food outlet.
11. The land use of Shop is a “P” use which is permitted use within a District Centre zoning.
12. Clause 4.2.3 Objectives of Zones (District Centre) of the scheme stipulates that the objectives of the District Centre Zone are as follows:
 - To promote, facilitate and strengthen the District Centres as the major focus 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.
13. Clause 5.15 of the Scheme outlines the land use and development provisions for commercial development. This includes the following:
14. 5.15.1 Design: a person shall not erect a building which by virtue of colour or type of material, architectural style, height or bulk, ornamental or general appearance has an exterior design which in the opinion of the local government is out of harmony with existing buildings or the landscape character of the area.
15. 5.15.2 Shared Access and Parking Areas; the local government may require the shared use of driveways, crossovers and car parking because of the need to:
 - i) Minimise traffic conflict and the number of access points.
 - ii) Maximise the through traffic function of abutting roads.
 - iii) Minimise kerbside parking.
 - iv) Encourage access from side streets or from the rear.

16. 5.15.3 Setbacks; the land located between a street alignment and the buildings shall not be used for any other purpose than one or more of the following:
 - i) A means of vehicular or pedestrian access.
 - ii) The daily parking of vehicles used by employees and customers.
 - iii) The loading and unloading of vehicles.
 - iv) Landscaping.
17. 5.15.4 Landscaping; in connection with any application for development approval in a commercial zone, the local government shall, if it appears to be in the interest of amenity or orderly and proper planning to do so, require that such landscaping be provided in addition to that required in Table 2.
18. 5.15.5 Access; no person shall use a service road, access way or parking area situation on a parcel of land for any other purpose than a service road, access way or vehicle parking respectively.
19. 5.15.7 Service Yards and Refuse Storage; In any application for planning approval to which this part applies, provision shall be made for suitably designed and screened service yards and refuse storage areas, which shall be subsequently maintained to the satisfaction of the local government.
20. 5.15.8 Drainage ; Maximise on-site storage and stormwater treatment consistent with appropriate (water sensitive design) standards adopted by the local government.
21. With respect to Lots 611 and 612 part 3 of the Scheme deals with development on reserved land.
22. 3.4.1 a person must not –
 - (a) use a Local Reserve; or
 - (b) commence or carry out development on Local Reserve,

Without first having obtained planning approval under Part 9 of the Scheme.
23. 3.4.2, In determining an application for planning approval the local government shall have regard to –
 - (a) The matters set out in Schedule 2 Part 9 clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Matters to be considered by Local Government)
 - (b) The ultimate purpose intended for the reserve.
24. In considering an application for planning approval, Clause 67 of the Regulations requires the local government to have due regard to number of matters, including (but not limited to):
 - The aims and provisions of the Scheme and any other local planning scheme operating in the Scheme area;
 - The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning*

Schemes) Regulations 2015 or any other proposed planning instrument the local government is seriously considering adopting or approving;

- Any local planning policy for the Scheme area;
- Any structure plan, activity centre plan or local development plan that relates to the development;
- In the case of land reserved under this Scheme, the objectives for the reserve and additional and permitted uses identified in the scheme for the reserve;
- The compatibility of the development with its setting including the relationship of the development 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 development;
- The amenity of the locality including the following -
 - i) Environmental impacts of the development
 - ii) The character of the locality
 - iii) Social impacts of the locality;
- The adequacy of –
 - i) The proposed means of access to and egress from the site; and
 - ii) Arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- The impact of the development on the community as a whole notwithstanding the impact⁸⁰
- of the development on particular individuals;
- Any submission received on the application;

25. Clause 5.8.4 Cash in Lieu of Parking. An owner may, if the local government so agrees contribute to the cost of acquisition and development by local government of a public car park. The cost of each parking bay in a public car park shall be ascertained by dividing the total cost of the acquisition of land and development of the public car park by the number of car parking bays therein. The number of car parking bays which an owner is required to provide shall, if the local government so agrees, be reduced by the number of car parking bays in a public car park of which an owner pays the cost.

26. If Council refuses the development, or imposes conditions that are not acceptable to the applicant, there is a right of review (appeal) to the State Administrative Tribunal.

POLICY CONSIDERATIONS

Shire of Kalamunda Local Planning Strategy 2013

27. Clause 2.4 Strategies and Action

Vision Statement 1 for the Kalamunda Town Centre is that it is the primary activity centre for the Shire.

Strategies statements include :

- Create Kalamunda Town Centre as the —heart of the Shire.

- Ensure business needs are recognized through land use planning, parking provision, appropriate development of the public domain and events.
 - Engage with the commercial sector.
 - Encourage a range of activities, including residential, to ensure vibrancy.
 - Provide appropriate density housing to support the Town Centre.
 - Plan for expanded tourism opportunities.
 - Address long term utility requirements to support Town Centre.
28. The commercial strategy within the Local Planning Strategy accounts for the importance of Kalamunda Town Centre as an important and growing strategic District Centre.

Kalamunda Town Centre Planning and Urban Design Guidelines

29. The purpose of this Policy is to provide guidance on the design of new private and public buildings and spaces within the Kalamunda town centre, to achieve an enhanced urban environment, to improve the experience of the town for pedestrians, and to reinforce and build upon Kalamunda's established character.
30. The subject site is located on the southern side of Mead Street, and is located outside of the policy map area, however, being that all land within the Kalamunda Town Centre zoned "District Centre", this site is captured within this policy context. This includes land within the area bounded by Stirk Street, Railway Road, Mead Street and Canning Road, and also includes the land fronting Canning Road between Heath and Kalamunda Roads. Given that the site interfaces with the policy area and is zoned District Centre, the policy will be referenced for the purposes of appropriately assessing this application.
31. The proposed development is considered to accord with the guidelines in the following manner:
- Streetscape, Scale and Bulk. The proposal is of a scale consistent with the Kalamunda Town Centre. It is single storey as presented to the street, is inclusive of Kalamunda themed colours and materials and provides a new interface to Mead Street and the corner of Central Road, replacing an inferior building.
 - Interactive street frontage and climatic protection, the proposal contains shop frontages to both Central Road and Mead Street as well as awning treatments.
 - Car parking is located behind the proposed building and provides for universal accessibility.
 - Advertising Signage: should generally be attached to buildings in appropriate locations and be visually subservient to the building to which they are attached. The signage initially as proposed is low scale and located on strategic corners of the building facade. Further detail of all signage to the building will be required by way of condition to this application.

COMMUNITY ENGAGEMENT REQUIREMENTS

32. Public advertising was undertaken for 28 days involving letters being sent to surrounding property owners, and information displayed on the Shire's website. The proposal was advertised on-site with a display sign.

During the advertising period, the Shire received 11 submissions comprising 6 objections, 2 with comments and 3 non objections (Attachment 5).

Key concerns raised during the advertising period included the following:

- Traffic Management.
- Protection of the natural vegetation.
- Car parking usage and associated park and ride for the bus station.
- Traffic access from Central Road.
- The need for another supermarket given current tenancy vacancies in the Town Centre.
- Amenity and potential noise.

FINANCIAL CONSIDERATIONS

33. The Shire may seek to impose cash in lieu provisions on the applicant rather than seeking the construction of a car park on adjacent Lot 611 Central Road Kalamunda, however, it is seen as a positive contribution to the community for car parking to be constructed for public purposes on the adjoining Lots 611 and 612.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

34. *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

35. The proposal will provide an additional supermarket to the Kalamunda town centre allowing for greater choice and variety in terms of retail goods. It is considered that a supermarket is a suitable and desirable land use for a District Centre, coupled with being located adjacent to the Kalamunda Bus Station, it will be easily accessed by the wider community.

Economic Implications

36. The introduction of a new supermarket and associated shop tenancy will see new employment opportunities for locals and will provide an ongoing new source of future opportunities for the Shire of Kalamunda and its residents.

Environmental Implications

37. The applicant proposes to retain the existing trees on site where applicable, incorporating these into the parking area.

RISK MANAGEMENT CONSIDERATIONS

38.

Risk	Likelihood	Consequence	Rating	Action/Strategy
If refused there would be an employment opportunity lost.	Almost certain	Minor	High	Demonstrate that the proposal provides adequate public benefit. If Council refuses to participate in any agreement to construction Car Parking on Lot 611 Central Road, the applicant will have to revise plans and resubmit for a development approval.
If approved there may be some community opposition to the proposal.	Likely	Insignificant	Medium	Demonstrate that the proposal complies with the Local Planning Scheme and associated planning instruments.

OFFICER COMMENT

Zoning and Land use

39. The proposal for a supermarket and associated shop on Lot 601 is considered to be consistent with the Kalamunda Town Centre and designated District Centre zone.

40. The provision of car parking over Lot 611 is consistent with the intent of the public purpose reservation for a car park. In regard to Lot 612, the building on the site is currently used by the CWA. In this regard, the public purpose reservation does not preclude the development of car parking over the battle axe portion of the lot.

Built form and Streetscape

41. The streetscape is improved with the construction of the building which wraps around the street corners of Mead Street and Central Road. The design incorporates a vertical element to the corner of the building to identify it as a precinct landmark, the activation of the street at zero setbacks, encouraging a pedestrian friendly environment whilst promoting retail development at the human rather than vehicle scale.
42. The building material is a concrete tilt slab construction with architectural detail including awnings for pedestrian shelter, shop front windows as well as material texturing to break up the façade for visual interest. The proposal adequately addresses both street frontages, providing an active façade which should be painted in a colour scheme which is sympathetic to the local environment and character. This is consistent with the adopted "Old Road Board Street Block" Masterplan.
43. Signage for the shop tenancy has not formed part of the current application and would therefore require separate planning approval as established by way of condition.

Traffic Management Plan

44. The applicant has provided a Traffic Management Plan and is summarised as follows:
- a. Impact on surrounding roads -Central Road currently carries 1430 vehicles per day, the proposed development will increase that to 2440 vehicles per day. It is considered to be an access road and therefore designed to carry a projected 3000 vehicles per day, therefore adequately catering for the increased usage.
 - b. Mead Street is a Distributer Road B which currently carries 4630 vehicles per day increasing to 5330 vehicles per day which falls within the projected traffic volumes for this type of road.
 - c. The traffic engineer has noted that a reasonable amount of the Supermarket's traffic is already on the road network destined to other supermarkets and this traffic is simply diverted to this new supermarket.
 - d. It has been recommended that the concluded traffic assessment is that traffic increases as a result of the proposed development can be accommodated by the surrounding roads without undermining traffic operations.
 - e. It has been assessed that the proposed development proposes very good access to the existing pedestrian network, subject to some modifications

to better connect the supermarket with the bus terminal from within the site, rather than relying solely on street side footpaths.

- f. The existing public transport services in this area can be accessed conveniently and present an alternative mode of transport to and from the development.

Car Parking

45.

Bays Required	Bays Proposed	Location
Based on NLA of 1,350m ² Table 3 of Local Planning Scheme No.3 = 5 bays per 100m ² of NLA	31	Lot 601
	95	Lot 611
	15	Lot 612
	10	Verge – Central Road
Total 68	Total 151	

- a. The proposal provides for a total of 151 car bays, comprising 31 bays on Lot 611, 95 bays on Lot 611, 15 bays on Lot 612 and 10 parking bays are proposed to be constructed within the verge along Central Road. A total of two bays for people with disabilities are proposed that are located close to the pedestrian entry into the store.
- b. Based on the Scheme parking requirements, the development requires 67.5 or rounded up to 68 car parking bays. Therefore the proposal is short 37 parking bays otherwise to be provided on Lot 601.
- c. In accordance with Clause 5.8.4 "Cash in Lieu for Parking" of the Scheme the Shire has the discretion to vary car parking requirements. Noting the 37 bay shortfall, the applicant is proposing to construct, seal and drain an additional 83 car parking bays over Lots 611 and 612, it is therefore recommended that instead of paying cash in lieu for parking the applicant construct car parking as shown on their development plan for the purpose of public parking. As such 31 parking bays will be solely allocated to the Supermarket and associated shop, and the remaining 120 car parking bays will remain as public parking. Based on this option, the community will benefit from the construction of an additional 120 car parking bays which can be utilised by either supermarket or shop patrons, users of the bus station or the Country Women's Association. The public parking can also be utilised for patrons of the weekend markets and being used for public purposes as per the reservation of the land.
- d. Car parking is currently proposed utilising Lot 612 which is owned by the Country Women's Association. An agreement in principle submitted by the applicant, dated 28th August 2015 signed by the general secretary of the CWA has been received. This letter has stated that they have been in discussions with the developer and they have agreed that they would be happy not to have to maintain the strip of land in question, and that the parking bays be constructed all the way to the fence line. Currently the applicant has not provided any formal or legal mechanism in which to allow for access for public parking on their property. It will be subject to condition that the applicant provide this legal instrument by ways of a

reciprocal rights of access or easement to be registered on the property title to demonstrate the permission for lot access over this portion of Lot 612.

- e. Ten car parking bays are proposed within the verge areas. This is supported as it adds to the contribution of public parking for both the supermarket and surrounding land uses.
- f. The proposed redevelopment of the existing car park and subsequently developing a new public car park will capture both supermarket patrons as well as users of the bus station. It is recommended that any proposed redevelopment of the car park be clearly marked for public purposes and not be solely for the use of the supermarket and subsequent shop tenancies.
- g. It is clear that the proposed supermarket cannot be developed without the redevelopment of the public car park due to the location of the site access points and reliance on these points for all vehicular access to and from the supermarket. It is therefore recommended that any approval be linked with the redevelopment of the parking lot. If agreement cannot be made then the design of the parking lot will need to be modified and parking arrangements found elsewhere, making this proposal potentially unable to proceed.
- h. The applicant through the preparation of a legal agreement will be required to maintain the condition of the parking areas over Lots 612 and 612 for a period of 25 years, after which time the arrangement will be reviewed.

Pedestrian Connectivity

- 46. The subject site is located adjacent to the Kalamunda bus station. The bus station is a hub for visitors and school children with peak periods being in the mornings and afternoons. A non formalised access for pedestrians through the unconstructed portion of the car park to Central road is present, however, the proposal does not currently adequately address this informal connectivity. The applicant proposes a raised pedestrian pathway from the front of the supermarket, across the parking lot towards the bus station. The plan however shows that the pathway is leading into the bus turn around area instead of where it exists currently which connects to a pedestrian crossing directly to the bus pedestrian platform.
- 47. As part of this development and any subsequent redevelopment of the Shire's car parking lot, it is recommended that the applicant revise their plans and propose adequate pedestrian connectivity within the site, that does not solely rely on connection via footpaths on Mead Street and Central Road. A clear pathway is required from the supermarket to an area meeting the existing pedestrian crossing to the bus platform.

Site Access

48. Access into the site is proposed from the Central Road frontage from Lot 611 Central. It is therefore assessed that development of the car parking within Lot 601 cannot proceed until such time as an agreement has been met by the Shire of Kalamunda to redevelop the car park, and subsequently construct vehicle access to the rear of the supermarket building.
49. Two existing crossovers will be replaced with a pair of new crossovers, as listed by the traffic engineer as follows:
- northern full movement 9m width crossover located approximately 50m south of Mead Street and;
 - southern, full movement 6.5m2 width crossover on Central Road located approximately 110m south of Mead Street. Both crossovers lead directly into the car parking area to accommodate all vehicular patronage and employee traffic.
50. Delivery vehicles will enter and exit the site from the Central Road crossovers points. The applicant will need to demonstrate as a condition of planning approval that the delivery trucks have an adequate turning area to the loading bay.
51. Cyclist access to the site is currently limited, however bicycle parking will be provided.

Kalamunda Town Planning and Urban Design Guidelines

52. The proposal is considered consistent with the objectives and principles of the guidelines, namely:
- The proposal does not exceed two storeys.
 - The proposal provides zero setback lines to Central Road and Mead Street which is consistent with the town centre design guidelines.
 - The building materials and colours are proposed in a Kalamunda theme being earth tones and consisting of design treatments including rockwork, rusted steel columns and painted in a burgundy colour palette.

SPP 2.4 Activity Centres

53. The provision of a supermarket adjacent to a high frequency bus station accords with the objectives of the Activity Centres policy in promoting transit orientated development as it encourages use of the buses over driving. People who live along the bus route would therefore be able to easily access first order groceries at the terminus of their bus journey and would not necessarily have to rely on private motor vehicles. The land use is consistent with the district centre zoning and overall objectives for activity centres.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 30/2016)

That Council:

1. Approves the application to demolish existing buildings and construction of a Supermarket and one Shop tenancy at Lot 601 (17) Mead Street, Kalamunda, and the construction of car parking bays on Lot 611 (20) and Lot 612 (22) Central Road subject to the following conditions:
 1. Prior to issuing the building permit for the proposed development on Lot 601 (no.17) Mead Street, Kalamunda (**Land**), the owner of the Land shall enter into a deed of agreement with the Shire of Kalamunda for a period of 25 years for the use of a portion of the road reserve abutting the eastern boundary of the Land (**road reserve**) and Lot 611 (No.20) Central Road, Kalamunda being portion of Reserve 8042 (**Reserve**) for the purpose of providing additional car parking for the proposed development on the Land. The agreement shall require the owner as terms and conditions of the proposed use of the road reserve, to amongst other things, (but not limited to the following):
 - (i) indemnify the Shire against any loss or damage caused to the road reserve or other property of the Shire or to any person or property of any person arising out of the construction of car parking forming part of the development on the road reserve and the Reserve and/or the use of the road reserve and the Reserve for parking in connection with the development;
 - (ii) take out and maintain a policy of public liability insurance with a reputable insurer in an amount satisfactory to the Shire to insure the Shire and the owner against all claims for loss or damage or injury occurring to the road reserve and/or the Reserve or property of the Shire or any person or property of any person as a result of the construction of car parking on the road reserve and Reserve and/or in respect of the use of the road reserve and the Reserve for parking in connection with the development;
 - (iii) maintain the car parking constructed on the road reserve and the Reserve at the owner's cost to the satisfaction of the Shire;
 - (iv) acknowledge that a shortfall in car parking exists in respect of the development on the Land and the road reserve and the Reserve is required to provide car parking to accommodate the shortfall in car parking for the development on the Land and in the event the road reserve is and/or the Reserve is not available to provide car parking for the development on the Land for any reason whatsoever or the road reserve and/or the Reserve is required to be used as a road (in the case of the road reserve) or in the case of the Reserve for some other community purpose by the Shire or some other statutory authority, the owner shall be required to:

- a) Provide alternative car parking to make up any shortfall in car parking for the development on the Land to the satisfaction of the Shire, either through provision of on-site car parking or by means of legal agreement with another landowner for the provision of car parking; or alternatively;
 - b) Address the shortfall in car parking for the development through the provision of cash-in-lieu in accordance with the requirements of the Shire's Local Planning Scheme No. 3.
 - (v) charge the owner's interest in the Land in favour of the Shire with the owner's obligations under the agreement and permitting the Shire to lodge an absolute caveat over the title to the Land to ensure that any subsequent owner of the Land and/or transferee of the Land enters into a deed of agreement with the Shire in respect of the use of the road reserve and the Reserve for car parking to ensure that the road reserve and the Reserve is available to provide car parking for the development".
2. In order to satisfy the parking requirements for the development the subject of this application, the owner of Lot 601 Mead Street, Kalamunda (**Land**) must enter into a legal agreement with the Shire prior to the submission of an application for a building permit for the proposed development to ensure that the car parking to be constructed on nearby Lot 612 Central Road, Kalamunda (**Lot 612**) to supply part of the shortfall in car parking for the development will be available, at any time, for any customers of the development on the Land and for the public at large for car parking purposes. The legal agreement will provide that should at any time, the car parking on Lot 612 become unavailable for use by the Land, the owner of the Land shall address the shortfall in car parking for the development through the provision of cash-in-lieu in accordance with the requirements of the Shire's Local Planning Scheme No. 3 or some other arrangement to the satisfaction of the Shire. The owner of the Lots shall be responsible for the full cost of the legal agreement which is to be prepared by the Shire's solicitors and shall be to the specifications of and to the satisfaction of the Shire and secured by an absolute caveat lodged over the certificate of title to the Land.
 3. Vehicle parking, manoeuvring and circulation areas to be suitably constructed, sealed, kerbed, line marked and drained on Lots 601, 611 and 612 Central Road to the specification and satisfaction of the Shire.
 4. Vehicle access ways shall be suitably constructed, sealed and drained to the specifications and satisfaction of the Shire.
 5. Engineering drawings and specifications are to be submitted, approved and works undertaken in accordance with the approved engineering drawings, specifications and approved plan of development.
 6. Grading and/or stabilization of the site to ensure that the finished ground levels at the boundaries of the lot match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting.

7. Filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system Crossovers shall be designed and constructed to the specification and satisfaction of the Shire.
8. Provision of lighting to current Australian Standards in the car park area and on the footpath side to the specifications and satisfaction of the Shire.
9. 1.8m wide pedestrian footpaths shall be provided along Central Road and Mead Street, abutting the development area to the specification and satisfaction of the Shire.
10. A geotechnical report is to be submitted detailing site conditions, particularly in respect to soil and groundwater and storm water disposal by soakage (Clearance, quantity, soil permeability and location and size of soak wells).
11. Crossovers shall be designed and constructed to the specification and satisfaction of the Shire.
12. Redundant vehicle crossover(s) to be removed and the kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction and specifications of the Shire.
13. The applicant shall provide detailed information regarding all proposed signage. This shall form part of a separate application to be assessed by the Shire in accordance with the requirements of the Local Planning Scheme No.3
14. The development shall be connected to reticulated sewer.
15. All septic sewer systems including all tanks, pipes and associated drainage systems (soak wells or leach drains) are to be decommissioned, removed, filled with clean sand and compacted. The applicant must provide a statutory declaration to the Shire of Kalamunda stating that the site has been inspected and all effluent disposal systems have been removed. A pro-forma for this declaration is available from the Shire of Kalamunda.
16. Measures shall be taken to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site work.
17. Development works to be carried out in accordance with AS 4970 2009 "Protection of trees on Development sites".
18. A revised landscaping and car parking plan shall be submitted to and approved by the Shire prior to the building permit being issued. The proposed landscaping is required to be planted within 28 days of the proposed development's completion, and maintained thereafter by the landowner to the satisfaction of the Shire. The revised landscaping and car parking plan shall clearly define pedestrian access links from the supermarket to the Bus station platform, maintaining ample access and egress from the bus station to the car parking lot and supermarket.

19. A Construction Management Plan shall be prepared by the applicant addressing the following, but not limited to:

- a. Construction Workers' Parking
- b. Material's Delivery and Storage
- c. Worker's Toilets

To the satisfaction of the Shire, prior to the issue of a building permit.

20. The bin storage area shall be suitably screened by a gate and solid building material to a minimum height of 1.8m, and provided with a permanent water supply and drainage facility, to the satisfaction of the Shire.

21. Any Trees on the Road verge which are required to be removed for the proposed crossover are to be removed by a Shire approved contractor and in consultation with the Shire.

22. The applicant is to provide a plan demonstrating adequate pedestrian connectivity between Lot 611 and the adjoining bus station maintaining the existing pedestrian crossing to the bus platform to the satisfaction of the Shire.

23. The applicant to provide a plan demonstrating there is an adequate vehicle turning area for delivery trucks to the loading bay area.

Moved:

Seconded:

Vote:

Proposed Commercial development, demolition of existing building and construction of a Supermarket and a single shop tenancy - Lot 601 (17) Mead Street, Kalamunda and construction of car parking bays – Lot 611 (20) Central Road and Lot 612 (22) Central Road, Kalamunda

Site Plan

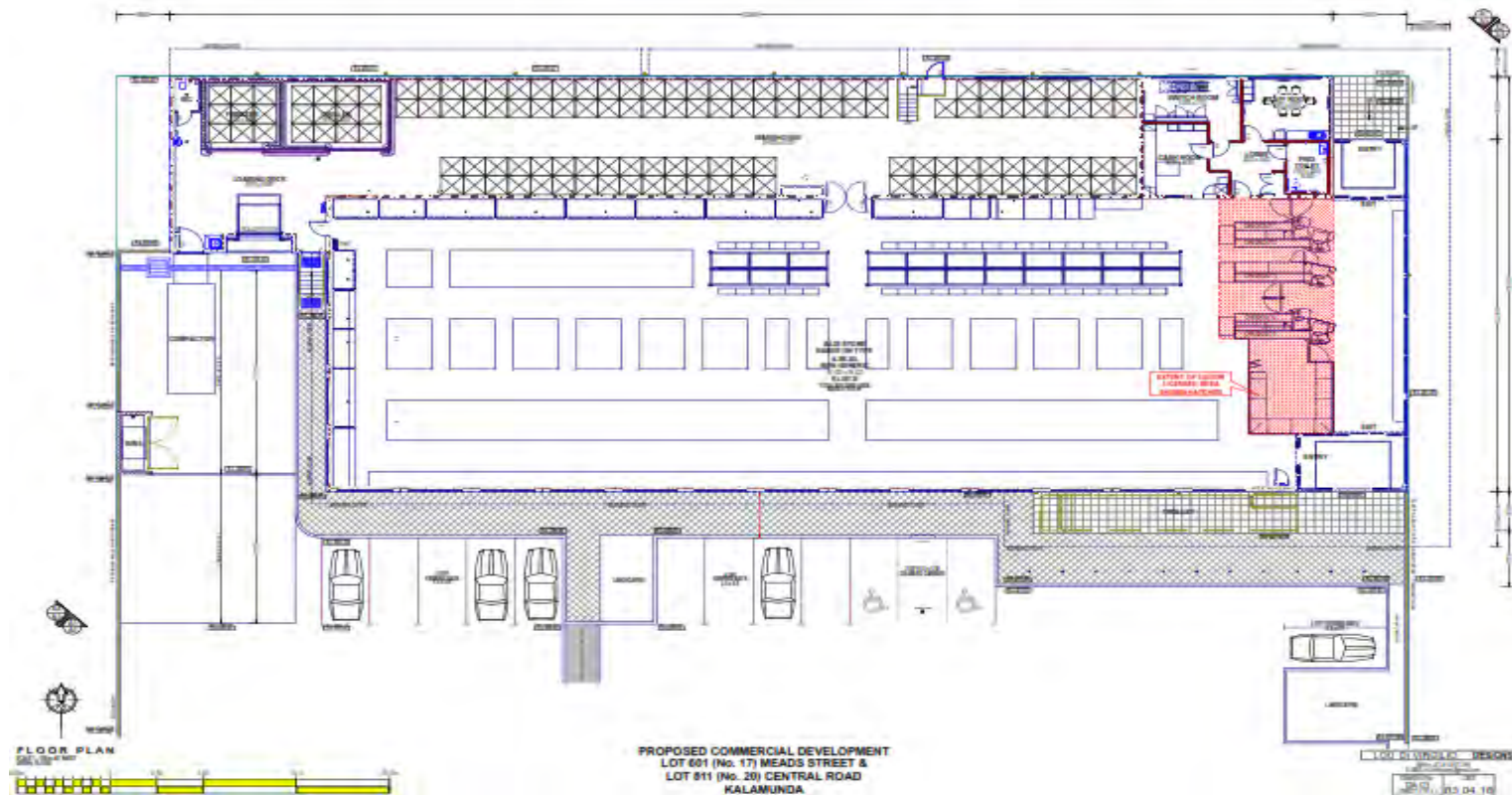


Attachment 2

Proposed Commercial development, demolition of existing building and construction of a Supermarket and a single shop tenancy - Lot 601 (17) Mead Street, Kalamunda and construction of car parking bays – Lot 611 (20) Central Road and Lot 612 (22) Central Road, Kalamunda

Floor Plans

Ground floor

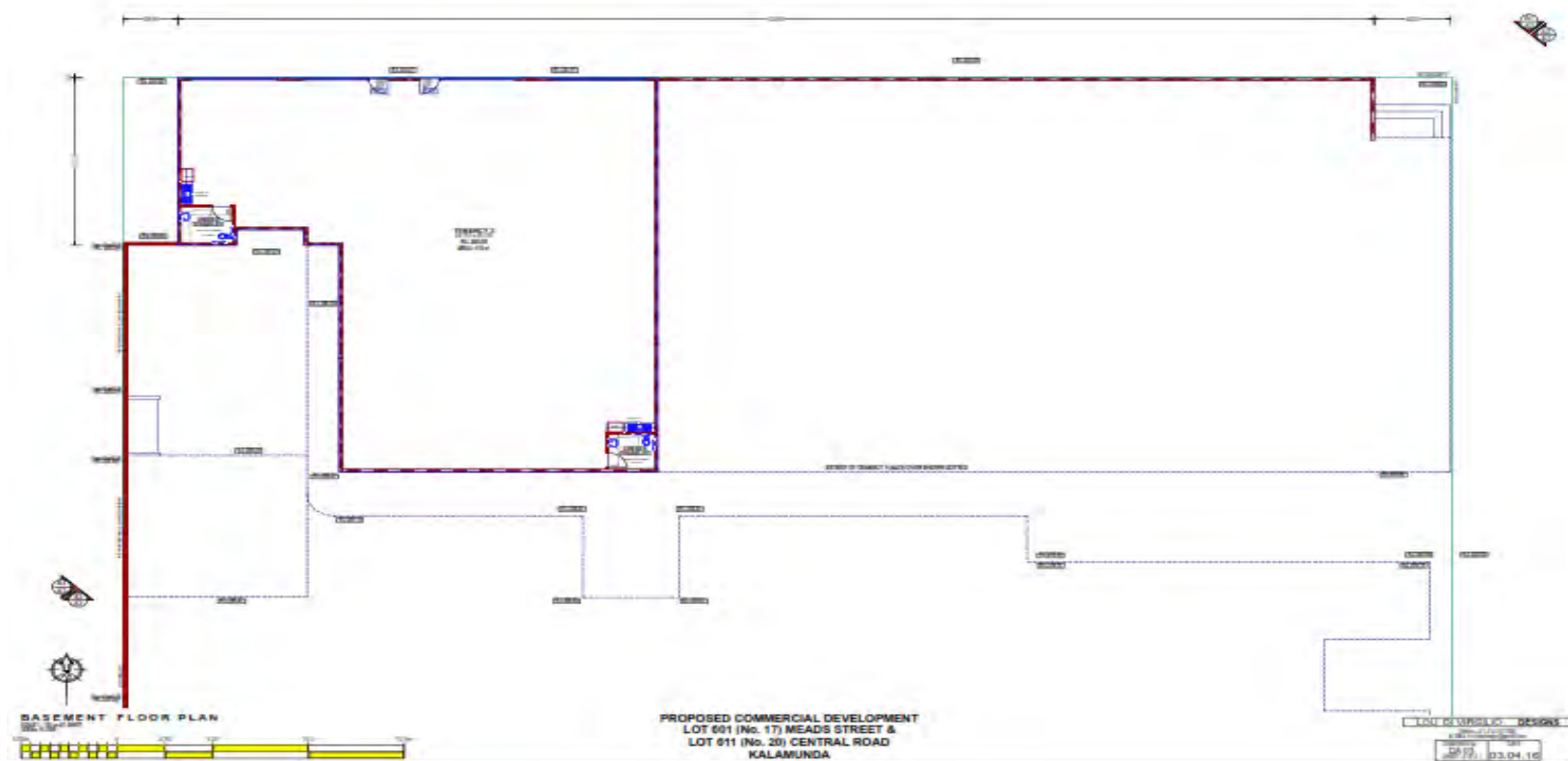


Attachment 2

Proposed Commercial development, demolition of existing building and construction of a Supermarket and a single shop tenancy - Lot 601 (17) Mead Street, Kalamunda and construction of car parking bays – Lot 611 (20) Central Road and Lot 612 (22) Central Road, Kalamunda

Floor Plans

Basement Floor



Attachment 3

Proposed Commercial development, demolition of existing building and construction of a Supermarket and a single shop tenancy - Lot 601 (17) Mead Street, Kalamunda and construction of car parking bays – Lot 611 (20) Central Road and Lot 612 (22) Central Road, Kalamunda

Elevations



Mead Street Elevation

Attachment 3

Proposed Commercial development, demolition of existing building and construction of a Supermarket and a single shop tenancy - Lot 601 (17) Mead Street, Kalamunda and construction of car parking bays – Lot 611 (20) Central Road and Lot 612 (22) Central Road, Kalamunda

Elevations

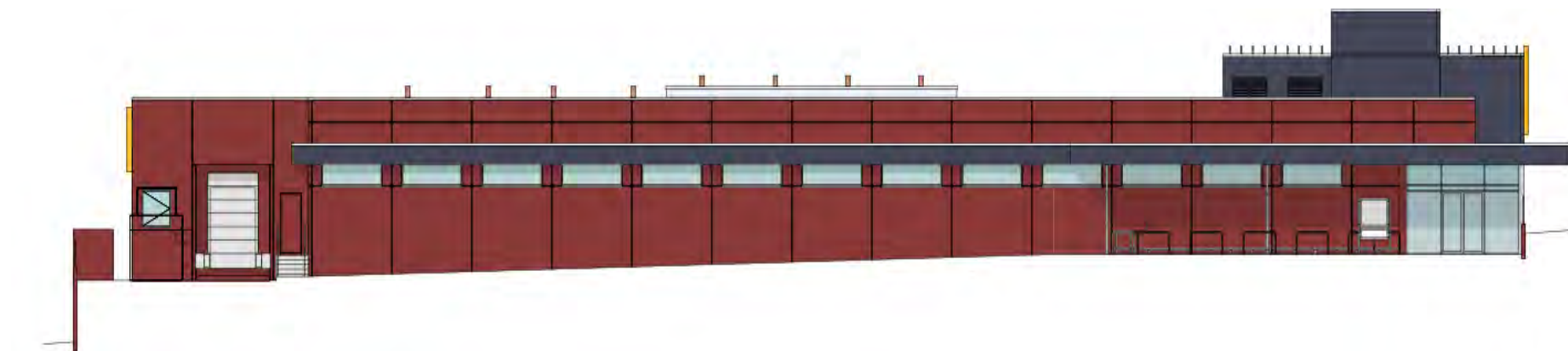


Central Road Elevation

Attachment 3

Proposed Commercial development, demolition of existing building and construction of a Supermarket and a single shop tenancy - Lot 601 (17) Mead Street, Kalamunda and construction of car parking bays – Lot 611 (20) Central Road and Lot 612 (22) Central Road, Kalamunda

Elevations



Rear Elevation (as viewed from the Car Park)

Attachment 3

Proposed Commercial development, demolition of existing building and construction of a Supermarket and a single shop tenancy - Lot 601 (17) Mead Street, Kalamunda and construction of car parking bays – Lot 611 (20) Central Road and Lot 612 (22) Central Road, Kalamunda

Elevations



Side Elevation – (As viewed from the Bus Station)

Attachment 4

Traffic Engineers Report

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

Attachment 5

Proposed Commercial development, demolition of existing building and construction of a Supermarket and a single shop tenancy - Lot 601 (17) Mead Street, Kalamunda and construction of car parking bays – Lot 611 (20) Central Road and Lot 612 (22) Central Road, Kalamunda

Submission Table

Details	Comment	Staff Comment
1. Doreen Rose Elizabeth Wollen Unit 2/23 Central Road, Kalamunda	Objection <p>a) Recommends that we view the site next to the bus station at 8am-9am or 3pm-4pm on school days as the number of children in this area at that time is considerable.</p> <p>b) As both Mead Street (access and exit to all buses from the station) and Central Avenue are both bus routes and the current experience of the building site on Barber Street has meant that foot paths on the west side of the pedestrian walk way have been closed during construction.</p> <p>c) Mentions danger and difficulty for the aged and disabled, mentions that a schoolboy was injured at the corner of Central Road and</p>	<p>a) As part of the Shire's assessment a traffic management study has been undertaken, this makes reference to pedestrian movements and access to and from the bus terminus at peak periods.</p> <p>b) Noted, as part of Councils conditions, a construction management plan will be recommended which will include managing pedestrian movements around and beside the construction site.</p> <p>c) Noted</p>

		<p>that a disabled lady was injured at Barber Street.</p> <p>d) Requests that the site should be used to increase safe pedestrian access to any future increase in public transport needs.</p> <p>e) Believes that through traffic of the proposed site would make the access to Mead Street more unsafe for vehicles as well as pedestrians that it already is.</p> <p>f) She has included an attachment "Public Transport at intersections", Main Roads Dept. regulations for bus routes.</p>	<p>d) The assessment of the site has taken into consideration the movement of pedestrians. The proposed activation of this site provides for a greater activation of this site with the Transperth terminus, increasing connectivity between the public transport and an active commercial land use. A condition of approval has been recommended to ensure that the pathways between the bus terminus and the proposed supermarket be improved and that cross access be maintained from the bus terminus through to Central Road.</p> <p>e) A traffic management plan has been submitted by the applicant which addresses issues regarding site access and egress. It has been determined that this report sufficiently addresses concerns regarding manoeuvrability as well as safe access.</p> <p>f) Noted</p>
2.	Ms Marian Ruth Walker 10/27 Central Road, Kalamunda	<p>Objection</p> <p>Concurs with the submission by Lillian and Roger Jennings</p> <p>a) Why permit another large supermarket when we are well served by Coles, IGA and Woolworths.</p>	<p>a) The Shire of Kalamunda Local Planning Scheme does not prohibit competing businesses, and therefore the market rather than Shire will determine demand for grocery and associated services, making a commercial decision as to whether or not a supermarket is viable in this location. Commercial feasibility is therefore not a planning consideration. The proposal is consistent with the objectives of Shire' Local Planning Strategy and the State Government Planning Policy SP2.2 for Activity Centres.</p>

		<p>b) Increased traffic on Central Road and Mead Street with cars turning off Canning Road, trucks doing night deliveries will cause increased congestion, safety issues and unwanted noise.</p> <p>c) Increased vehicle and people movement and presence will most likely lead to an increase in crime.</p> <p>d) Clearing of trees to build a car park changes the natural balance and affects residents who enjoy that outlook, also a loss of habitat for birds.</p> <p>e) Kalamunda is losing its appeal with the addition of large building structures and the many vacant shops, our population cannot sustain 3 supermarkets</p>	<p>b) A traffic management plan has been submitted as part of the proposed development. It has been assessed that access to and from the site from Central Road is consistent with the load capacity for that street. The proposed number of vehicles per day will remain within those limits. Any noise issues relating to the activity of the supermarket or proposed shop tenancies should be addressed in writing to the Shire's Environmental Health Department.</p> <p>c) An increase in activity and the presence of people, coupled with an activated street frontage will accord with Crime Prevention through Design Principles (CPTED). Passive surveillance and human activity on a site which is currently underutilised is assessed as a positive change for this site and is likely to create a new meeting place in lieu of an underutilised building and core town centre site.</p> <p>d) The majority of trees are to be retained and to be incorporated into the design of the parking facility. The site has an express land use reservation for car parking and therefore complies with the intended land use for the site. The applicant will be required to submit further detailed plans showing retention of trees on-site.</p> <p>e) The scale of the proposed building is single storey, contains activated street frontages to Mead Street and Central Road. The commercial viability of a supermarket as previously mentioned is not a planning consideration and therefore cannot be considered in the Shire's decision whether or not to approve this development. It is considered that the proposed development complies with the Policy for Urban Design for the Kalamunda District Centre.</p>
3.	P Edwards, President Kalamunda CWA No address given	No Objection No comments given	Noted

4.	<p>Brett Johnson- Brett Johnson Real Estate 14 Haynes Street, Kalamunda WA</p> <p>On behalf of six owners at 21 Central Road Kalamunda</p>	<p>Non Objection</p> <p>Comments Several concerns</p> <ul style="list-style-type: none"> a) No indication of pedestrian access to the development. it is presumed that this will be from Central Road. If this is the case they would expect a pedestrian crossing to be situation within a safe distance from the corner of Mead Street. b) Senior Pedestrians crossing Mead Street Currently face the hazard of fast moving East-West traffic and this is increased by cars leaving the mall car park, Coles car park and the Shell Service Station. Concerned that elderly need extra time to cross and therefore modification should be considered including traffic calming. c) Concerned about the car park and service 	<ul style="list-style-type: none"> a) Pedestrian access is provided by way of footpaths along Mead Street and Central Road. The Shire is now requesting that the applicant provide further information by way of a revised landscape and car parking plan to clearly delineate pedestrian connectivity through the site, linking the supermarket to the bus station and through to Central Road. This will be requested as a condition of approval. b) Comments noted. A traffic impact assessment has been submitted and assessed by the Shire's Engineering department. c) The proposed service entrances are located with a considerable distance from the street corner to allow for ample sweeping pathways for larger
----	--	--	--

		<p>entrances being directly aligned with their entrance making access to their property more difficult.</p> <p>d) Street Parking concerns, used Saturday markets as example of difficulties in the street. They suggest a parking ban on the eastern side of central road would help their residents access their homes at all times.</p> <p>e) Request that all native trees and vegetation in the car park be retained wherever possible as habitat for various bird life resides there.</p> <p>f) Security Lighting, should be positioned as to not impact on the residential properties on the Eastern side of Central Road.</p>	<p>vehicles, particularly delivery vehicles. The traffic impact assessment has deemed that this location is suitable for the site access points for vehicles.</p> <p>d) The applicant is proposing the construction of ten additional verge parking bays. Separate to this application the development of a public parking facility is envisaged, this will therefore alleviate growing parking demands for competing uses within the district centre.</p> <p>e) The Shire has recommended a condition be attached to any development approval seeking the retention of remnant vegetation where possible on site and within the road reservation.</p> <p>f) Noted, further information is required regarding the redevelopment of the overall car park and therefore lighting, signage and landscaping are yet to be determined.</p>
5.	Eryk Matustiz 675A Beaufort Street, Mount Lawley. Owner of 10 Central Road, Kalamunda	<p>Non Objection</p> <p>Fully Supports the application</p>	Noted

6.	Roger David Jennings & Lillian Mary Jennings Unit 3 / 27 Central Road, Kalamunda	<p>Objection</p> <p>Part A</p> <ul style="list-style-type: none"> a) Acknowledges the zoning as District Centre and that shop is a permitted use. b) The Shire does not state that the proposed is of the large single shop in the proposal. Believes that we should have been more descriptive and stated supermarket. c) Acknowledges the size of building and the requirements for additional parking. Acknowledges that the proposal is for Aldi. d) Believes that the supermarket is not needed and will have further detrimental effects on smaller retailers in the area. e) Concerned about traffic volume on both streets including customers as well as commercial vehicles. Believes that access could have been 	<ul style="list-style-type: none"> a) Noted b) Noted, the proposal is for a small supermarket and associated shop tenancies x 2. c) Noted d) Noted, however the proposal accords with Councils Local Planning Strategy for commercial development within the Kalamunda Town Centre as well as the objectives of State Planning Policy 2.2 relating to Activity Centres regarding appropriate land uses within a district centre. e) A Traffic Impact Assessment has been undertaken. It has been determined that the traffic volume increases are minor and will not exceed the load capacity of either Mead Street or Central Road.
----	--	---	---

		<p>provided from Mead Street which would obviate some of the problems likely to occur.</p> <p>f) Concerned about night deliveries given the hours shops are allowed to be open. Concerned about the associated noise and will affect their amenity. Believes that the noise will disturb their sleep and will be intolerable.</p> <p>g) Concerned about the inadequacy of the junction of Mead Street and Canning Road to deal with the increased volumes in traffic. Will the Shire of Main Roads be willing to fund changes.</p> <p>h) Concerned about the number of current vacant store fronts in the centre of Kalamunda. They are concerned at where tenants will come from for the "Specialty shops".</p> <p>i) All objection points raised are stated would</p>	<p>f) The applicant will need to comply with Environmental Health regulations regarding noise and odour. It has been assessed that the proposed land use is compliant and therefore supported.</p> <p>g) A traffic impact assessment has been undertaken and recommendations have been reviewed by the Shire's Engineering Department. No further works have been deemed necessary at this time.</p> <p>h) The development of the proposed supermarket and associated shops is seen as an attractive alternative shopping option for local residents that may bring more people into the centre of Kalamunda, therefore it is seen as a positive contribution to the vibrancy and viability of the district centre, providing more opportunities for visitors and locals to obtain fresh food and produce. The proposal is seen as adding variety and consumer choice and accords with planning controls regarding land use for the District Centre.</p> <p>i) Noted, the redevelopment of an alternative use may have different requirements for parking.</p>
--	--	---	--

		<p>apply equally if the shop was any other use such as a liquor store or electrical appliance store etc.</p> <p>Part B</p> <p>Proposed Car Park Development Lot 611 (20) Central Road, Kalamunda.</p> <ul style="list-style-type: none"> a) The Shire does not state who will fund this. b) Mentions that the Shire previously published proposals for the redevelopment of this site along with surrounding land including the Jack Healy Centre. c) The provision of parking on Lot 611 Central road is adequate for those commuters using the bus station so any increase in parking provision can only be for the benefit of the developer of Lot 601 Mead Street. Does not want to see ratepayers funding the increase in 	<p>Part B – The public car park redevelopment</p> <ul style="list-style-type: none"> a) Development of the car park will be at the expense of the developer. No current agreement has been formalised regarding the redevelopment of the parking lot at Lot 611 Central Road. It is envisaged that the applicant will be liaising with the Shire of Kalamunda to devise a plan for reciprocal access. b) Noted. c) It is envisaged that any redevelopment of the parking lot will include public parking, of which the shortfall in parking bays will be shared both with the Supermarket, associated shop tenancies, public transport patrons as well as the general public. This agreement has not yet been formalised between the Shire of Kalamunda and the applicant.
--	--	---	---

		<p>parking on Lot 611 Central Road.</p> <p>d) Is concerned that it is the only parking area in central Kalamunda that is not subject to a nominal time restriction. Mentions that the developers of Lot 601 are unlikely to be content with this car parking being used by all day commuters, therefore the Shire then needing to enforce time restrictions or parking meters. Where will the commuters park then? Concerned this will cause an on-street overflow.</p> <p>e) All objections relating to Lot 601 Mead Street regarding traffic flow and loss of amenity apply to this lot also.</p> <p>f) It is stated that they believe that plans marked the existing trees to be retained but is concerned that stone walls and speed humps are not a replacement for suburban vegetation</p>	<p>d) No additional details regarding timed parking or parking meters is currently available, this detail will be made in agreement with the Shire and is likely to allow parking for both commuters as well as patrons of the supermarket and associated shop tenancies.</p> <p>e) Noted.</p> <p>f) A detailed plan indicating all proposed landscaping, car parking design and retention of existing vegetation is required and will be requested as a condition of approval.</p>
--	--	--	---

7.	Norman McIver Campbell 9/27 Central Road Kalamunda	Objects Concurs with the submission by Lillian and Roger Jennings	Noted
8.	Roberto Villani Unit 4- 23 Central Road, Kalamunda	Comments <ul style="list-style-type: none"> a) Does not want the car parking area to be haven for car and motorbike after hours hoons. Wants the parking lot to be designed to avoid this after hours practice from taking place. b) Sees no sense in relocating the footpath along central road to make way for parking bays on Central Road. Concerned about on-street parking to Central Road. c) Would like to see public toilets at the rear of the premises to cater for bus patrons and shop patrons. A second submission was received <ul style="list-style-type: none"> a) Asks that the council ask the appropriate authority 	Part A <ul style="list-style-type: none"> a) Noted, further car parking design and landscaping will be recommended as a condition of approval. Detail of the construction and access of the parking lot is yet to be determined. All Hoon related activity should be reported to the Western Australian Police. b) Pedestrian access will recommended to be addressed so that access from Central Road, through to the supermarket / shops and to the bus station will be maintained. c) Public toilets do not form part of this application and are located throughout the district centre. Part B <ul style="list-style-type: none"> a) A traffic impact assessment has been undertaken. The results of this assessment have been forwarded to the Shire's engineering department who will consider all traffic calming / improvement enquiries.

		<p>to carry out a proper study on the requirements of traffic islands / road speed bumps in Mead Street to slow the traffic.</p> <p>b) This area is now used by high school students, buses, farmer's mart patrons, and local seniors, particularly patrons of the local tuck shop.</p> <p>c) Having access to the new premises from the rear of the development may be a good idea for the patrons</p>	<p>b) Noted</p> <p>c) Noted</p>
9.	Dr Libby Mattiske 28 Central Road, Kalamunda	<p>Objection</p> <p>a) Presents similarly as the Barber Street building which has altered the style and ambiance of the Kalamunda shopping precinct.</p> <p>b) A multistorey building should be avoided to assist in maintaining the ambiance of the area.</p> <p>c) Suggests that alternative designs should be presented to the local</p>	<p>a) The proposed development is significantly less in scale than the Barber Street development in that this development is predominantly single storey.</p> <p>b) The proposal is single storey with an undercroft.</p> <p>c) The applicant is not required by the Local Planning Scheme No.3 to provide multiple design options as part of their application. They have submitted the design which they wish to pursue and this is deemed sufficient for the purposes of assessing an application to commence development.</p>

		<p>community to address options for the development that maintain the ambiance and character of the Kalamunda district.</p> <p>d) Questions the need for the development and believes that locals avoid the area on market day due to a lack of parking.</p> <p>e) The design of the back south facing section of the building appears to look like a massive toilet block. Suggests an alternative design and otherwise screening using local native plants.</p> <p>f) Concerned about traffic load. Suggests that we undertake a traffic management plan that accounts for the increasing traffic on Mead Street and Central Road.</p> <p>g) Access of traffic on and off the adjacent roads will lead to more noise and safety concerns on Mead Street and Central Road.</p> <p>h) Concerned for the local older residents and local school children who use</p>	<p>d) A retail needs assessment has not been provided, however this is not a requirement as part of an application to commence development in accordance with the Local Planning Scheme No.3</p> <p>e) The design frontage mentioned is the elevation which is not facing either Mead Street or Central Road. The design seeks to frame the corner of Mead and Central, providing a well-articulated and interactive shop frontage, promoting passive surveillance as well a pedestrian friendly environment.</p> <p>f) A traffic impact assessment has been undertaken independently and submitted to Shire as part of this application. The proposed traffic load increase is deemed to be within the capacity of both Mead Street and Central Road.</p> <p>g) The traffic impact assessment report has been evaluated by Council's Engineering department and it has been determined that no further upgrades are required as a direct result of this development proposal.</p> <p>h) Noted</p>
--	--	---	--

		<p>Central Road daily during school terms for access to and from Kalamunda.</p> <p>i) Environmental Issues- Concerned about the tree usage for the listed black Cockatoos, and that this be reviewed and assessed by a specialist in this species. Suggest that if the proposal proceeds that a significant species management plan as part of an environmental management plan be prepared to assist in maintaining the ambiance of the area. Also suggests that the need for a more formal assessment in view of its current usage for foraging by the species.</p>	<p>i) The application has been reviewed by the Shire's Environment and Parks team. Conditions of approval relating the retention of existing vegetation will form part of the recommendation for approval.</p>
10.	Stuart Kostera 7 Mead Street Kalamunda	<p>No Objection</p> <p>No further comments</p>	Noted
11.	Mike and Jean Steward 24 Central Road, Kalamunda	<p>Objections</p> <p>a) The proposal to develop Lot 17A and Lot 20 does not specify the exact nature of the business to be undertaken.</p> <p>b) Concerned about the openly access to the</p>	<p>a) Noted, it is a supermarket and associated two shop tenancies</p> <p>b) A traffic impact assessment has been undertaken which evaluates traffic movement and access to and from the site. It has concluded that the site</p>

		<p>facility for deliveries and customers shown as being from Central Rd which is essentially a quiet residential road with little commercial activity.</p> <p>c) Concerned that if it a supermarket issues of noise and traffic density will completely change the character of this quiet residential road. The impact on all residents nearby will be significant.</p> <p>d) Concerned at the possibility of 7 day trading and associated noise.</p> <p>e) Concerned about security.</p> <p>f) Has asked the Shire why it has not been considered to have the entry for delivery vehicles from Mead Street given that it is much wider and already used by commercial traffic.</p>	<p>access is appropriate in size and location. The capacity of Central Road has been determined as being appropriate for commercial vehicles associated with a supermarket and shop land uses.</p> <p>c) As per point b), the traffic impact assessment has indicated that the site access is suitable for this road and does not significantly increase the number of movements on this road, and is therefore within the capacity of this particular road.</p> <p>d) The applicant has not indicated proposed trading hours. In this instance the Shire will not be imposing restrictions of the number of trading days or hours of operation.</p> <p>e) Noted. Lighting details within the car parking facility have not yet been determined or submitted. The applicant will be required to submit further details regarding security and lighting as part of a recommended condition of approval.</p> <p>f) The Shire has not requested that the access for vehicles be located on Mead Street given that the traffic impact assessment has deemed that access from Central Road is a viable option and is assessed as not greatly impacting on the traffic volumes of capacity of that road.</p>
--	--	--	--

		<p>g) Concerned that there are already a lot of vacant shops and Kalamunda is already serviced by three supermarkets.</p> <p>h) Concerned about parking for the park and ride facility for the bus station.</p> <p>i) Has asked if there are going to be time restrictions or parking metres.</p> <p>j) Asking about what restrictions the developer has requested regarding their deal to upgrade the adjacent parking lot.</p> <p>k) Has suggested the construction of a two storey parking lot at Barberry Square line the one at Coles.</p>	<p>g) The Shire of Kalamunda encourages the redevelopment of sites within the District Centre in accordance with the Local Planning Strategy, within the State Planning Policy objectives for Activity Centres as well as within the urban design controls for the town centre. New supermarket and associated shops adjacent to the bus station, whilst activating what is an inactive street front is seen as being of benefit to Kalamunda and is therefore supported in principle. A new supermarket is seen as a greater attractor of local residents to visit the centre and therefore bring about more customers and activity for surrounding shops and businesses.</p> <p>h) Parking for the bus station will not be compromised.</p> <p>i) No details regarding the parking is currently agreed or available.</p> <p>j) No deal has been reached for the redevelopment of the car parking lot.</p> <p>k) Noted</p>
--	--	---	---

		<p>l) Is querying why the Shire did not reveal the type of business the shopping development is for.</p> <p>m) With changes to surrounding density to R20/40 they are concerned that there will already be an increase in traffic load.</p> <p>n) Concerned about the removal of trees.</p> <p>o) Accepts progress and change but needs to be with respect and consideration of the residents and ratepayers directly impacted.</p> <p>Second submission</p> <p>a) Concerned about notation of the site survey that the dividing fence is in "poor condition" and rejects such a claim.</p> <p>b) Is concerned about reasonable clearance between the boundary fence and the proposed parking.</p>	<p>l) The development is for a supermarket and associated shops. The retailer is not the applicant in this instance so the applicant therefore is not required to disclose which supermarket chain will occupy the proposed development. The subsequent shops also may not have allocated tenants but have been designates as "Shop" land uses in terms of assessment in accordance with Local Planning Scheme No.3</p> <p>m) Traffic impact assessment statement has been submitted for this development and is consistent with the capacity loads for Central Road and Mead Street.</p> <p>n) The applicant is required to submit further details regarding the retention of existing trees within the site and within the road verge.</p> <p>o) Noted</p> <p>Part B</p> <p>a) Noted, dividing fencing is a civil matter between land owners and is not within the Shire's jurisdiction. It is suggested that the submitter liaise directly with the adjacent land owner. It is noted that upon inspection that the fence appears to be in "good" condition.</p> <p>b) Noted, this will be considered when further details are made available regarding the proposed redevelopment of the car parking facility.</p>
--	--	---	--

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

31. Amendment to Local Planning Scheme No. 3 – Lot 25 (7) Gilba Place, and Lot 26 (34) Brewer Road, Maida Vale - Amendment 87 Rezoning from Special Rural to Urban Development

Previous Items	Nil.
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	TP-LPS-003/087
Applicant	Nil.
Owner	Various owners

Attachment 1	Existing and Proposed Scheme Zoning Map
Attachment 2	Maida Vale Cell 6 Structure Plan

PURPOSE

1. To consider the initiation of an amendment to Local Planning Scheme No. 3 (Scheme), to rezone Lot 25 (7) Gilba Place, and Lot 26 (34) Brewer Road, Maida Vale, from Special Rural to Urban Development.

BACKGROUND

2. Land Details:

Land Area:	Lot 25: 1.73Ha (17,304.7m ²) Lot 26: 2,023.7m ²
Local Planning Scheme Zone	Special Rural
Metropolitan Regional Scheme Zone:	Urban

3. This amendment is proposed given the current Scheme zoning of the subject site being Special Rural is inconsistent with the Metropolitan Region Scheme (MRS) zoning of Urban. Where such inconsistencies exist, the *Planning and Development Act 2005* requires the Shire to prepare an amendment which renders the Local Planning Scheme consistent with the MRS.

Locality Plan

4.



5. The subject lots each contain a single dwelling and associated outbuildings. Lot 25 has two (2) frontages, one (1) to Gilba Place and the other to Jubata Court. Lot 26 fronts onto Brewer Road.
6. The surrounding land to the north and east of the subject site falls within the Maida Vale Cell 6 Structure Plan, with R5 and R20 coded lots. To the south-west of the site are predominantly Special Rural landholdings of approximately 1 hectare in size.

DETAILS

7. The purpose of the amendment is to bring the Scheme into alignment with the MRS.
8. The proposed rezoning would facilitate an urban development outcome on the land consistent with the pattern of development to the north and east of the lots in the Cell 6 Structure Plan area.
9. A structure plan will ultimately be required over the subject land to identify any constraints associated with the land, and coordinate, inter alia zoning and density, reserves, lot configuration, and road/transport layout. It is anticipated that the proposal will be dealt with as an amendment to the existing Cell 6 Structure Plan.

STATUTORY AND LEGAL CONSIDERATIONS

Planning and Development Act 2005

10. Should Council resolve to initiate the amendment, it will be determined in accordance with the *Planning and Development Act 2005*. The proposal will ultimately be determined by the Minister for Planning.
11. Where the MRS is inconsistent with the Local Planning Scheme, Section 124 of the *Planning and Development Act 2005* requires the Shire to prepare an amendment which renders the Local Planning Scheme consistent with the Metropolitan Region Scheme.

Planning and Development (Local Planning Schemes) Regulations 2015

12. 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. The Regulations introduce a new format that apply to Local Planning Schemes.
13. 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.
14. Under the Regulations, the proposed Scheme Amendment is considered a 'basic amendment', for the following reason:

- a) The amendment will make the Scheme consistent with the Metropolitan Region Scheme and will in itself have minimal effect on the Scheme or landowners in the Scheme area.

Local Planning Scheme No. 3

15. The subject lots are currently zoned Special Rural under the Scheme, which includes the following objectives under Part 4.2.2 (Rural Zones) of the Scheme:
- To enable smaller lot subdivision to provide for uses compatible with rural development.
 - To retain amenity and the rural landscape in a manner consistent with orderly and proper planning.
16. The amendment proposes to rezone the subject lots to Urban Development, which under part 4.2.1 (Residential Zones) of the Scheme, includes the following objections:
- 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.

POLICY CONSIDERATIONS

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (Western Australian Planning Commission)

17. The intent of State Planning Policy 3.7 (SPP 3.7) is to implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.
18. The requirements under SPP 3.7 apply in addition to the provisions or requirements of the Special Control Area relating to bushfire prone areas under the Scheme.
19. The proposed amendment would be considered a 'Strategic Planning Proposal' under SPP 3.7, however given the suitability of the urban zoning of the land is already established under the MRS, it is not considered that substantial bushfire hazard assessment or bushfire attack level mapping is required until a structure plan is prepared over the land.

COMMUNITY ENGAGEMENT REQUIREMENTS

20. Given the proposal is considered a 'basic amendment', advertising is not required under the *Planning and Development (Local Planning Schemes) Regulations 2015*. It is expected that advertising will be undertaken when a structure plan is prepared over the land.

FINANCIAL CONSIDERATIONS

21. Any costs associated with the preparation of the amendment document will be met through the Development Services budget.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

22. *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

23. Nil.

Economic Implications

24. Nil.

Environmental Implications

25. Nil.

RISK MANAGEMENT CONSIDERATIONS

- 26.
- | Risk | Likelihood | Consequence | Rating | Action/Strategy |
|--|------------|-------------|--------|--|
| That the amendment will facilitate ad-hoc and uncoordinated development on the lots. | Possible | Major | High | Demonstrate that a structure plan will ultimately be required to coordinate development of the lots. |

OFFICER COMMENT

27. The amendment is administrative in nature as it seeks to rezone the subject lots from Special Rural to Urban Development under the Scheme to conform with the Urban zoning under the MRS.

28. Prior to any subdivision or development occurring, a modification to the existing Cell 6 Structure Plan will be required to identify attributes and constraints of the area, and determine the appropriate coordination of development of the land to integrate with adjoining urban area.
29. The proposed amendment is considered a 'basic amendment' under the *Planning and Development (Local Planning Scheme) Regulations 2015* given that the sole purpose of the amendment is to make the Scheme consistent with the MRS.
30. The rezoning itself is not considered to unduly affect surrounding properties or the land owners of the amendment area given that further structure planning would be required before development or subdivision can occur on the land. It is expected that advertising will be undertaken when a structure plan is prepared.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 31/2016)

That Council:

1. Considers Amendment 87 to Local Planning Scheme No. 3 as a basic amendment under Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the following reason:
 - The amendment will make the Scheme consistent with the Metropolitan Region Scheme and will in itself have minimal effect on the Scheme or landowners in the Scheme area.
2. Pursuant to Section 75 of the *Planning and Development Act 2005*, resolves to prepare Amendment No. 87 to Local Planning Scheme No. 3 (Attachment 1).
3. Pursuant to Section 81 of the *Planning and Development Act 2005*, forwards the proposed Amendment 87 to Local Planning Scheme No. 3 and supporting documents the Environmental Protection Authority for comment.
4. Pursuant to Regulation 58 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, once approved by the Environmental Protection Authority, forward Amendment No. 87 to the Western Australian Planning Commission for its consideration.

Moved:

Seconded:

Vote:

Attachment 1

Amendment to Local Planning Scheme No. 3 – Lot 25 (7) Gilba Place, and Lot 26 (34) Brewer Road, Maida Vale – Amendment 87 Rezoning from Special Rural to Urban Development

Amendment 87 to Local Planning Scheme No. 3

Form 2A Planning and Development (Local Planning Schemes) Regulations 2015

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

Shire of Kalamunda

Local Planning Scheme No. 3

Amendment No. 87

Resolved that the local government pursuant to section 72 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Rezoning Lot 25 (7) Gilba Place, and Lot 26 (34) Brewer Road, Maida Vale, from Special Rural to Urban Development.
2. Amending the Scheme map accordingly.

The Amendment is basic under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- b) The amendment will correct an administrative error.
- c) The amendment will make the Scheme consistent with the Metropolitan Region Scheme and will in itself have minimal effect on the Scheme or landowners in the Scheme area.

Dated this day of 2016

CHIEF EXECUTIVE OFFICER

Existing Local Planning Scheme No. 3 Zoning

LOCAL SCHEME ZONES

(see scheme text for additional information)

	Commercial		Residential bushland
	District centre		Rural agriculture
	General industry		Rural composite
	Industrial development		Rural conservation
	Light industry		Rural landscape interest
	Mixed use		Service station
	Private clubs and institutions		Special rural
	Residential		Special use
			Urban development

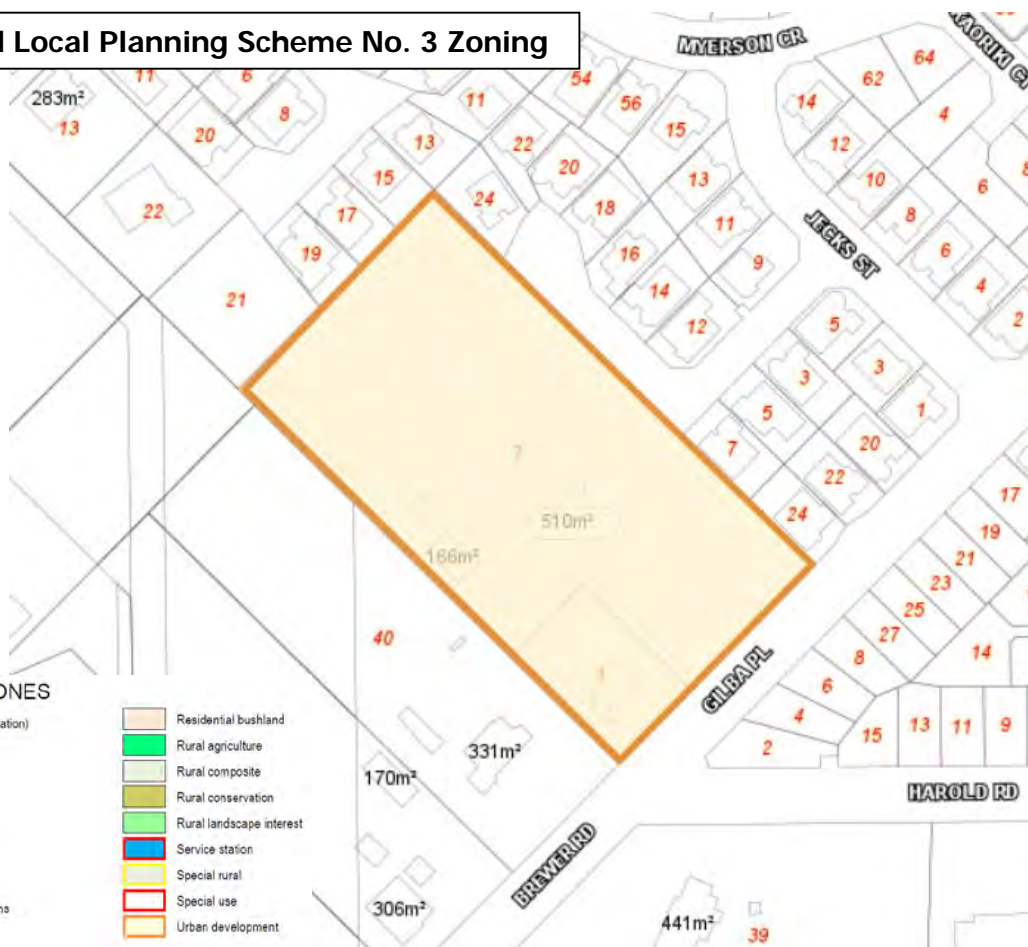


Proposed Local Planning Scheme No. 3 Zoning

LOCAL SCHEME ZONES

(see scheme text for additional information)

	Commercial		Residential bushland
	District centre		Rural agriculture
	General industry		Rural composite
	Industrial development		Rural conservation
	Light industry		Rural landscape interest
	Mixed use		Service station
	Private clubs and institutions		Special rural
	Residential		Special use
			Urban development



Attachment 2

Amendment to Local Planning Scheme No. 3 – Lot 25 (7) Gilba Place, and Lot 26 (34) Brewer Road, Maida Vale – Amendment 87 Rezoning from Special Rural to Urban Development
Maida Vale Cell 6 Structure Plan



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

32. Proposed Local Development Plan – Lots 5 and 6 (280 and 276) Hale Road, Wattle Grove

Previous Items	OCM 41/2015
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	
Applicant	Harley Dykstra Planning and Survey Solutions
Owner	CK Nominees Australia Pty Ltd Shimmer Holdings Pty Ltd
Attachment 1	Proposed Local Development Plan
Attachment 2	Cell 9 Wattle Grove Structure Plan

PURPOSE

1. To consider the adoption of a Local Development Plan (LDP) (previously known as a Detailed Area Plan) for Lots 5 and 6 (278 and 280) Hale Road, Wattle Grove. Refer to (Attachment 1).

BACKGROUND

2. On 1 December 2015, the Western Australian Planning Commission (WAPC) granted conditional approval for a 26 lot subdivision over the subject site. Condition 19 of the subdivision approval requires as follows:
"19. Local Development Plan(s) being prepared and approved for proposed Lots 22-26 that address the following:
a) Vehicular;
b) Setback requirements; and
c) Open space requirements."
access
3. At its Ordinary Council Meeting held in April 2015, Council resolved to amend the Cell 9 Wattle Grove Structure Plan by increasing the density code of a portion of Lots 5 and 6 Hale Road, Wattle Grove (the area of the lots subject to the proposed LDP) from R20 to R40. The Western Australian Planning Commission endorsed the structure plan amendment in November 2015. (Refer Attachment 2).
4. **Land Details:**

Land Area:	Lot 5: 1.04ha (10,414m ²) Lot 6: 1.04ha (10,414m ²)
Local Planning Scheme No. 3 Zone:	Urban Development
Metropolitan Region Scheme Zone:	Urban
Structure Plan Zone:	Residential R40
5. Lot 6 Hale Road is currently being used as a landscape and garden supply centre. Lot 5 contains a single dwelling and outbuildings.

6. Locality Plan:



DETAILS

7. A LDP is defined under the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) as follows:

"Local development plan means a plan setting out specific and detailed guidance for a future development including one or more of the following —
(a) site and development standards that are to apply to the development;
(b) specifying exemptions from the requirement to obtain development approval for development in the area to which the plan relates."

8. The proposed LDP incorporates variations to the Residential Design Codes (R-Codes) deemed-to-comply requirements, as detailed in the below table:

R-Codes Provision	R40 Deemed-to-Comply requirement	Proposed LDP requirement
5.1.2 Street setback	Primary Street: 2m minimum, 4m average Secondary Street: 1.5m	Primary Street: 3m minimum Secondary Street: 1m
5.2.4 Street walls and fences	1.8m maximum height, visually permeable above 1.2m	0.9m maximum height
5.3.5 Vehicular access	Provided from a secondary street where available	Restricted access to safe and accessible locations and on the secondary street
R-Codes Provision	R40 Deemed-to-Comply requirement	Proposed LDP requirement

5.1.3 Lot boundary setback	<p>Boundary walls: Maximum height – 3.5m Average height – 3m Length – 2/3 length of lot boundary behind street setback to one (1) side boundary only</p> <p>Side setbacks: generally 1m – 1.5m for single storey development.</p>	<p>Boundary walls: Maximum height – 3.5m Average height – 3.5mm Length – no maximum length to one (1) boundary and 2/3 length of lot boundary behind street setback to other side boundary</p> <p>Side setbacks: 1.2m for single storey walls with major openings, 1m for single storey walls without major openings.</p>
5.1.4 Open space	Minimum 45%	Minimum 40%
5.3.1 Outdoor living areas	20m ² and a minimum length/width dimension of 4m.	Minimum length/width dimension of 3m.

9. All other deemed-to-comply requirements of the R-Codes are applicable to development on these lots.
10. The effect of the LDP will be that any development which demonstrates compliance with the LDP provisions, and all other requirements of the R-Codes, are exempt from the requirement obtain development approval from the Shire, and may proceed directly to a building permit application.

STATUTORY AND LEGAL CONSIDERATIONS

Planning and Development (Local Planning Schemes) Regulations 2015

11. The proposed LDP is being created under Schedule 2, Part 6, Clause 47 (a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as the WAPC has identified the preparation of a LDP as a condition of approval of a plan of subdivision of the area.
12. In making a decision in relation to the LDP, Council is required to:
 - i) Approve the LDP; or
 - ii) Require the person who prepared the LDP to –
 - i. modify the plan in the manner specified by the Shire; and
 - ii. Resubmit the modified plan to the Shire for approval;
 - or
 - iii) Refuse to approve the plan.
13. In the event that Council resolves not to approve the LDP, the applicant may apply to the State Administrative Tribunal for a review, in accordance with the *Planning and Development Act 2005* Part 14.

Local Planning Scheme No. 3

14. The subject lots are zoned 'Urban Development' under the Local Planning Scheme No. 3 (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."*

POLICY CONSIDERATIONS

Liveable Neighbourhoods.

15. Liveable Neighbourhoods is a WAPC operational policy that guides the structure planning and subdivision for greenfield and large brownfield (urban infill) sites.
16. The policy recommends the use of LDPs for a particular lot or group of lots to vary the requirements of the R-Codes, and deliver lot diversity and housing choice, particularly for small lots where design coordination is required to ensure that buildings work both for the occupier and the streetscape.

COMMUNITY ENGAGEMENT REQUIREMENTS

17. Under the Regulations, advertising is generally required for 14 days. However the Shire may elect to not advertise the modified LDP where the plan is not likely to adversely affect any owners or occupiers within the area covered by the plan or adjoining area.
18. Given that the only discernable externalities proposed by the LDP relates to setbacks and boundary walls, which are considered to be closely aligned with the deemed-to-comply requirements of the R-Codes, the likely resultant impact of the proposal on adjoining properties is considered minor and accordingly, advertising was not considered necessary in this instance.

FINANCIAL CONSIDERATIONS

19. Any costs associated with the preparation of an LDP are borne by the applicant.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

20. *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

21. Nil.

Economic Implications

22. Nil.

Environmental Implications

23. Nil.

RISK MANAGEMENT CONSIDERATIONS

24.

Risk	Likelihood	Consequence	Rating	Action/Strategy
The proposed LDP will allow development which will have an undue impact on the amenity of the area.	Unlikely	Minor	Low	Ensure some flexibility in the built form design to allow for effective use of space with minimal impact on the amenity of the area.

OFFICER COMMENT

25. The proposed LDP was requested during the subdivision process to allow for variations to the deemed-to-comply requirements of the R-Codes, in view of the constraints associated with the size, configuration and access of the lots.
26. The proposed LDP allows some flexibility for housing design at the subject properties. For example, the LDP would allow a house to have boundary walls to both side boundaries to make effective use of space and facilitate a larger rear outdoor living area and yard.
27. In respect to the requirements under the subdivision approval dated 1 December 2015, the following is noted:
- Vehicular access has been addressed by restricting access only to secondary streets in safe locations away from the proposed round-about.
 - Street and side setbacks are not a significant variation from the deemed-to-comply requirements of the R-Codes and no objection is raised to these aspects of the LDP.
 - In respect to open space, the LDP proposes to reduce the allowable open space calculations from 45% to 40%.
28. While it is noted that some of the lots in the subdivision will be constrained in terms of size and shape, the reduction of open space from 45% to 40% is not considered to be appropriate as it will allow greater building coverage and

less backyard area for outdoor living and landscaping opportunities, which are considered important components in contemporary housing developments. Accordingly, it is recommended that this provision be removed from the LDP.

29. Furthermore, the proposal incorporates a reduction of the allowable minimum dimension of outdoor living areas from 4m to 3m. In this regard, it is considered that the area should be large enough to be functional and usable, and should be a minimum of 4m to meet this objective.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 32/2016)

That Council:

1. Pursuant to Clause 52(1)(b) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, requires the applicant to modify the Local Development Plan for Lots 5 and 6 (278 and 280) Hale Road, Wattle Grove (Attachment 1) in the following manner:
 - a) Delete the following wording from the Local Development Plan:

"Open space equivalent to 40% of the site is permitted.

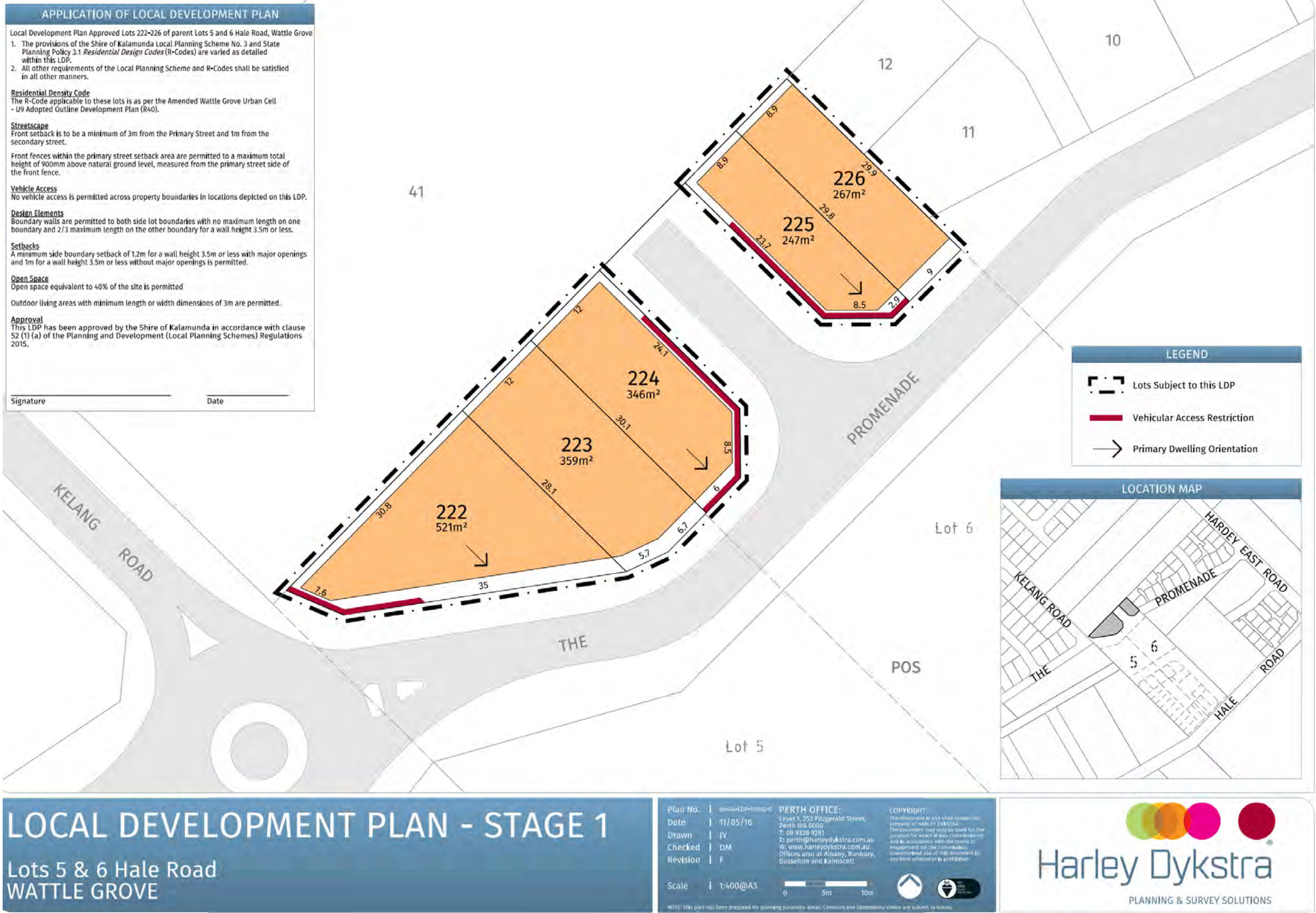
Outdoor living areas with minimum length or width dimensions of 3m are permitted".
2. Upon the lodgement of the modified Local Development Plan, as required by item 1 above, adopts the modified Local Development Plan for Lots 5 and 6 (278 and 280) Hale Road, Wattle Grove.

Moved:

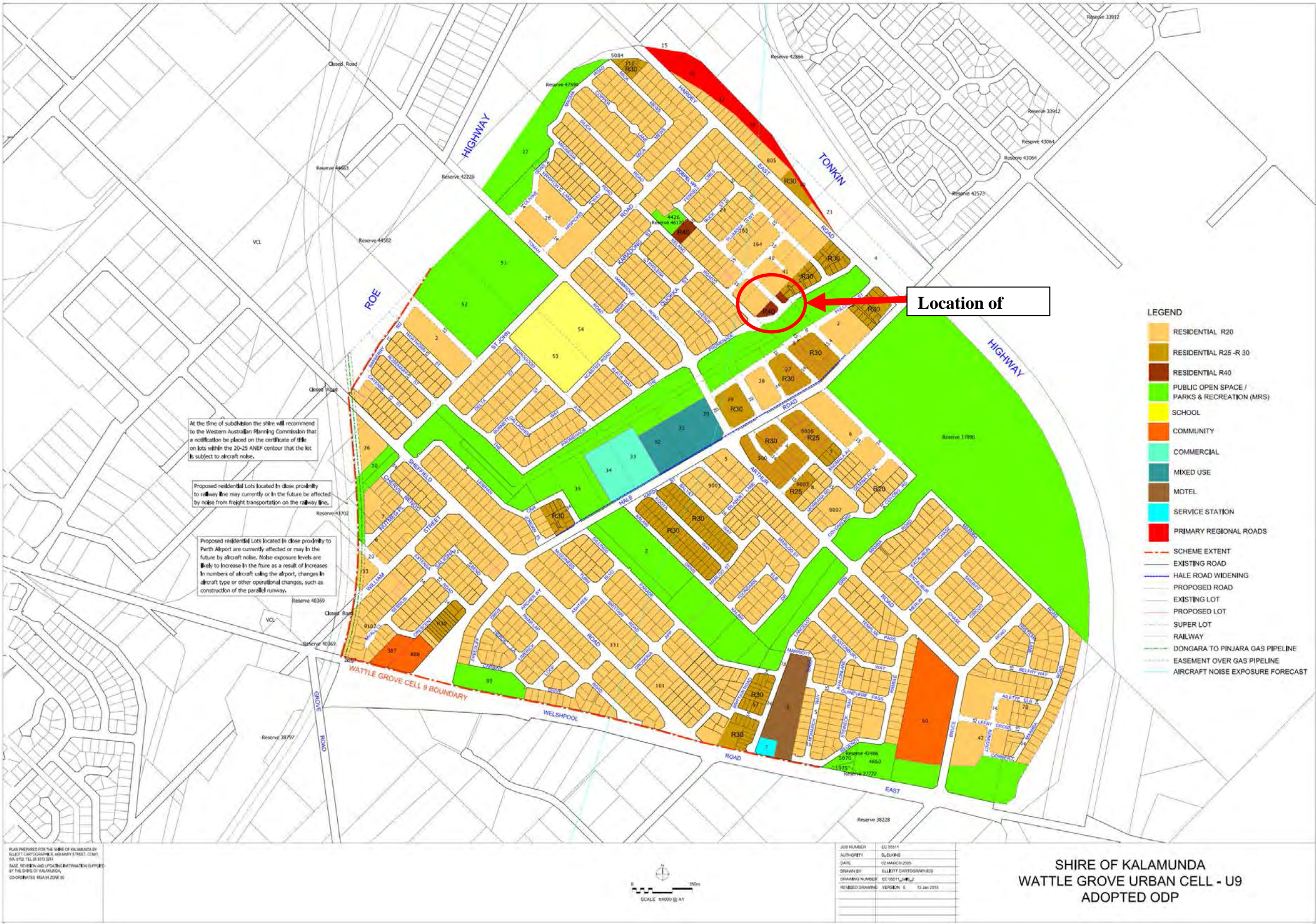
Seconded:

Vote:

Attachment 1
Proposed Local Development Plan – Lots 5 and 6 (280 and 276) Hale Road, Wattle Grove
Proposed Local Development Plan



Attachment 2
Proposed Local Development Plan – Lots 5 and 6 (280 and 276) Hale Road, Wattle Grove
Cell 9 Wattle Grove Structure Plan



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

33. Amendment to Local Planning Scheme No. 3 – Lot 73 (30) and Portion of Lot 200 (24) Edney Road, High Wycombe – Amendment 86 Rezoning from Private Clubs and Institutions to Residential R25/R40

Previous Items	Nil.
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	TP-LPS-003/086
Applicant	Gordon Smith
Owner	Maida Vale Baptist Church Inc.
Attachment 1	Amendment 86 to Local Planning Scheme No. 3
Attachment 2	Concept Development Plan
Attachment 3	High Wycombe and Maida Vale Dual Density Map

PURPOSE

1. To consider the initiation of an amendment to Local Planning Scheme No. 3 (Scheme), to rezone Lot 73 (30) and Portion of Lot 200 (24) Edney Road, High Wycombe, from Private Clubs and Institutions to Residential R25/R40.

BACKGROUND

2. A subdivision application has been lodged with the Western Australian Planning Commission, proposing the amalgamation of a 6m section of Lot 200 (24) to include this land in Lot 73 (30) Edney Road. If this subdivision is finalised, the area subject to the proposed amendment will be contained wholly on lot 73.

3. **Land Details:**

Land Area:	Lot 73: 1,370sqm Lot 200: 4,982sqm
Local Planning Scheme Zone	Private Clubs and Institutions
Metropolitan Regional Scheme Zone:	Urban

Locality Plan

- 4.



5. Lot 73 has a frontage of 27m to Edney Road and currently contains a dwelling and associated outbuildings which have historically been used in association with activities of the Maida Vale Baptist Church.
6. Lot 200 has a frontage of 101.43m and contains existing Maida Vale Baptist Church buildings sited towards the north-eastern portion of the lot. The applicant submits that the grassed area of lot 200 is used as a parking area for church attendees.
7. The lots are located opposite Edney Road Reserve and surrounding development is predominantly zoned Residential R25 with single storey residential typologies.

DETAILS

8. The proposed amendment seeks to rezone the whole of lot 73 and a 6m portion of the south-west of lot 200, from Private Clubs and Institutions to Residential R25/R40 (Attachment 1).
9. In respect to the purpose of the amendment, the applicant submits the following:
"Over many years, since its acquisition by the Maida Vale Baptist Church, the dwelling on lot 73 (No. 30) Edney Road has principally been used for residential purposes in association with activities of the Church. It has recently been determined by the Church, however, that the property is now surplus to its requirements and can be released for development for residential purposes."
10. Rezoning of the subject land to Residential R25/R40 may ultimately result in development which is commensurate with the grouped housing lot to the south-west of the lots, or potentially a higher density outcome at the R40 density. A development concept plan (Attachment 2) has been provided by the applicant in this respect.

STATUTORY AND LEGAL CONSIDERATIONS

11. Should Council resolve to initiate the amendment, it will be determined in accordance with the *Planning and Development Act 2005*. The proposal will ultimately be determined by the Minister for Planning. There is no right of review/appeal irrespective of the Minister's decision.
12. In the event that Council does not initiate the amendment, the process ceases and there is no right of review/appeal to the State Administrative Tribunal.

Planning and Development (Local Planning Schemes) Regulations 2015

13. 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.

14. Under the Regulations, the proposed Scheme Amendment is considered a 'standard amendment', for the following reasons:
- d) The amendment is consistent with the objectives identified in the Scheme for the Private Clubs and Institutions zone;
 - e) The amendment is consistent with the Shire's Local Planning Strategy;
 - f) The amendment is consistent with the Metropolitan Region Scheme;
 - g) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;
 - h) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
 - i) The amendment is not considered a complex or basic amendment.

Local Planning Scheme No. 3

15. The subject lots are currently zoned Private Clubs and Institutions under the Scheme, which includes the following objectives under Part 4.2.5 (Other Zones) of the Scheme:
- To make provision for privately owned or operated schools, clubs, recreation facilities and similar uses.
 - To make provision for privately owned or operated nursing homes, retirement villages, and a range of other residential uses which would be compatible with the type of non-residential uses referred to above.
 - To ensure that such uses have due regard and do not adversely impact upon the adjoining land uses.
16. The amendment proposes to rezone the subject lots to Residential, which under part 4.2.1 (Residential Zones) of the Scheme, includes the following objectives:
- *"To provide primarily for single residential development whilst allowing for a range of residential densities in order to encourage a wide choice of housing types within the Shire.*
 - *To give consideration to grouped dwelling developments if the site is near amenities and can be integrated into the single residential environment.*
 - *To facilitate a range of accommodation styles and densities to cater for all community groups inclusive of the elderly, young people in transition and the handicapped. Such accommodation is supported where it is appropriately situated in proximity to other services and facilities.*
 - *To encourage the retention of remnant vegetation."*
17. It is noted that the subject site falls within the High Wycombe and Maida Vale precinct of the proposed Amendment 82 for Dual Density Codes, and are proposed to be assigned a dual density of R25/R40. (Attachment 3).
18. The applicant submits that during advertising of Amendment 82 a submission was made by the Maida Vale Baptist Church to the Shire requesting that the dual density be removed from Private Clubs and Institutions zone, given no density code currently applies, or should apply to this zone. This is considered correct practice and modifications will be made to the maps accordingly.

19. However, the request for the amendment the subject of this report includes dual density codes of R25/R40 over the Residential portion of land, to ensure the dual density provisions ultimately apply to the land. It is noted that Amendment 82 is subject to a separate amendment process which is yet to be finalised, however it is considered appropriate to include dual density as part of this amendment to ensure the site is ultimately assigned the dual density codes in accordance with other residential zoned land in the area.
20. If Council resolves to initiate the subject amendment, it will likely be considered concurrently with, however not approved before, Amendment 82, so as to ensure the provisions which apply to the higher density are effective when the subject amendment is ultimately approved.

POLICY CONSIDERATIONS

Liveable Neighbourhoods

21. Liveable Neighbourhoods is a Western Australian Government sustainable cities initiative. It addresses both strategic and operational aspects of structure planning and subdivision development in a code framework.
22. The policy aims to increase support for efficiency, walking, cycling and public transport and achieving density targets amongst other matters.

COMMUNITY ENGAGEMENT REQUIREMENTS

23. The *Planning and Development (Local Planning Schemes) Regulations 2015* establish the procedures relating to amendments to Local Planning Schemes. Should Council initiate the amendment it will be formally advertised with a consultation period of 42 days.

FINANCIAL CONSIDERATIONS

24. Any costs associated with the preparation of the amendment document and public consultation will be borne by the applicant.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

25. *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

26. The proposed amendment will ultimately facilitate residential development on the subject lots which may result in amenity implications for surrounding property owners.

Economic Implications

27. Nil.

Environmental Implications

28. Nil.

RISK MANAGEMENT CONSIDERATIONS

29.

Risk	Likelihood	Consequence	Rating	Action/Strategy
The proposed amendment may facilitate development which will unduly impact on surrounding property owners.	Possible	Minor	Medium	Any proposed residential development is subject to the requirements of the Residential Design Codes and the Shire's Policies.

OFFICER COMMENT

30. The amendment seeks to rezone Lot 73 (30) and a portion of Lot 200 (24) from Private Clubs and Institutions to Residential R25/R40. The proposed amendment will allow residential development to occur on the land which is consistent with the surrounding pattern of development.
31. In regard to Amendment 82 Dual Density the proposed R25/R40 code will ensure the dual density provisions apply to the land. Noting that Amendment 82 is subject to a separate process, it is considered likely that the Western Australian Planning Commission will consider both amendments concurrently and not approve the proposed amendment until Amendment 82 has been finalised.
32. In this respect, the amendment itself will not result in any undue consequences from a planning perspective. The appropriateness of the development which will be built on the land, including any amenity impacts, will be considered at the development application stage.
33. Regarding the current operation and approvals for the Maida Vale Baptist Church, the proposed amendment area does not affect the area allocated for parking for church attendees or any other church related activities. The

existing outbuilding in the west corner of Lot 200 (24) will however need to be demolished.

34. The Scheme objectives for the Private Clubs and Institutions and Residential zones are considered to be compatible as both zones encourage development which is sympathetic in a residential area.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 33/2016)

That Council:

1. Considers Amendment No. 86 to Local Planning Scheme No. 3 as a standard amendment under Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the following reasons:
 - The amendment is consistent with the objectives identified in the Scheme for the Private Clubs and Institutions zone;
 - The amendment is consistent with the Shire's Local Planning Strategy;
 - The amendment is consistent with the Metropolitan Region Scheme;
 - The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;
 - an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
 - The amendment is not considered a complex or basic amendment.
2. Pursuant to Section 75 of the *Planning and Development Act 2005*, resolves to adopt Amendment No. 86 to Local Planning Scheme No. 3 (Attachment 1).
3. Pursuant to Section 81 of the *Planning and Development Act 2005*, forwards the proposed Amendment 86 to Local Planning Scheme No. 3 and supporting documents the Environmental Protection Authority for comment.
4. Pursuant to Regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, once the amendment is considered by the Environmental Protection Authority, advertises the amendment.

Moved:

Seconded:

Vote:

Attachment 1

Amendment to Local Planning Scheme No. 3 – Lot 73 (30) and Portion of Lot 200 (24)
Edney Road, High Wycombe – Amendment 86 Rezoning from Private Clubs and Institutions
to Residential R25/R40

Amendment 86 to Local Planning Scheme No. 3

Form 2A Planning and Development (Local Planning Schemes) Regulations 2015

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

Shire of Kalamunda

Local Planning Scheme No. 3

Amendment No. 86

Resolved that the local government pursuant to section 72 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Rezoning Lot 73 (30) and Portion of Lot 200 (24) Edney Road, High Wycombe, from Private Clubs and Institutions to Residential R25/R40.
2. Amending the Scheme map accordingly.

The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- The amendment is consistent with the objectives identified in the Scheme for the Private Clubs and Institutions and Residential zones;
- The amendment is consistent with the Shire's Local Planning Strategy;
- The amendment is consistent with the Metropolitan Region Scheme;
- The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;
- The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
- The amendment is not considered a complex or basic amendment.

Dated this day of 2016

CHIEF EXECUTIVE OFFICER

Existing Local Planning Scheme No. 3 Zoning



Proposed Local Planning Scheme No. 3 Zoning



Attachment 2

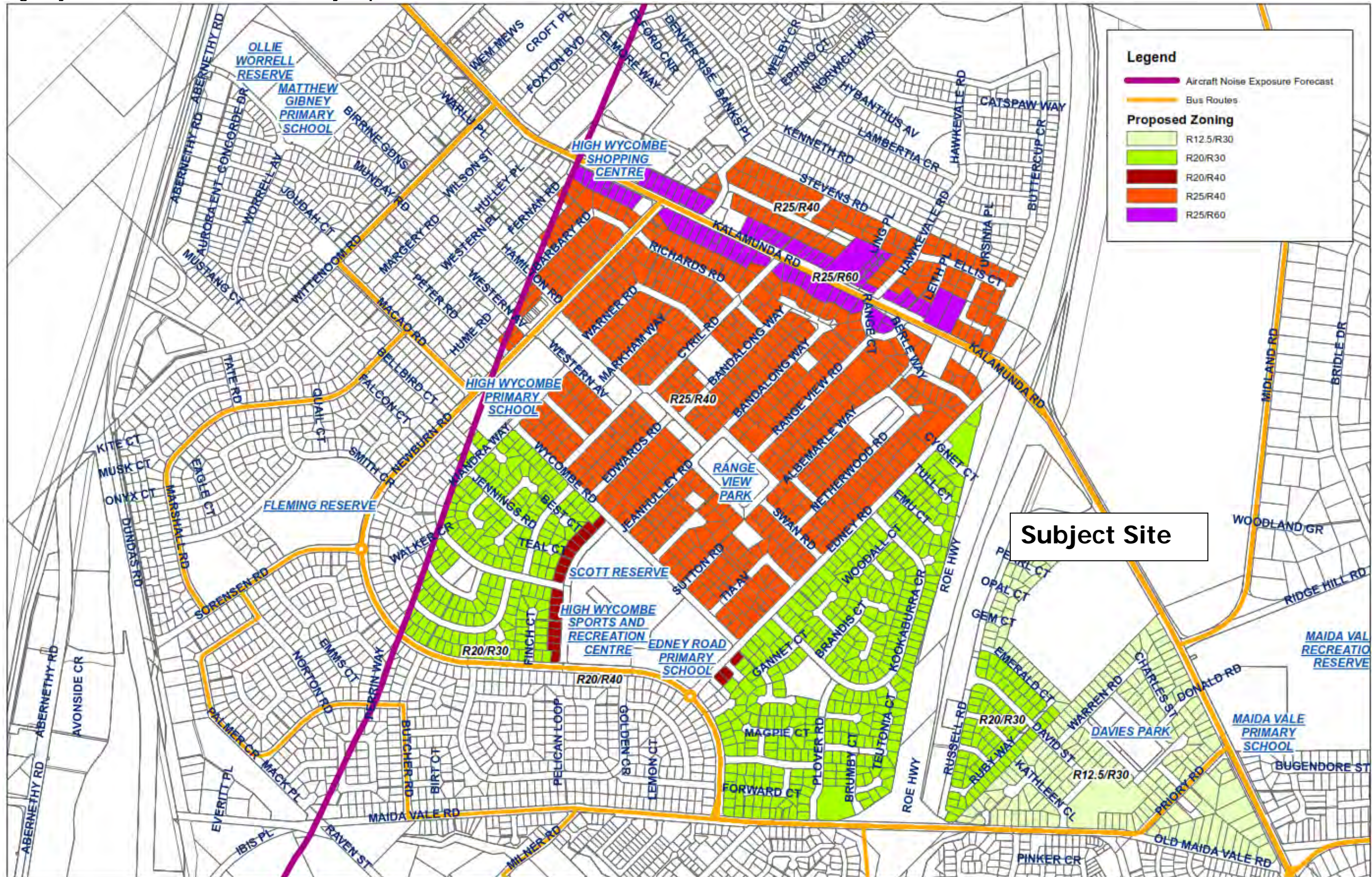
Amendment to Local Planning Scheme No. 3 – Lot 73 (30) and Portion of Lot 200 (24)
Edney Road, High Wycombe – Amendment 86 Rezoning from Private Clubs and Institutions
to Residential R25/R40

Concept Development Plan



Attachment 3

Amendment to Local Planning Scheme No. 3 – Lot 73 (30) and Portion of Lot 200 (24) Edney Road, High Wycombe – Amendment 86 Rezoning from Private Clubs and Institutions to Residential R25/R40
High Wycombe and Maida Vale Dual Density Map



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

34. Draft Local Planning Policy – Ancillary Dwellings

Previous Items	OCM11/2016
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	OR-CMA-016
Applicant	N/A
Owner	N/A
Attachment 1	Draft Policy P-DEV 50 Ancillary Dwellings

PURPOSE

1. To consider final adoption of draft Local Planning Policy P-DEV 50 Ancillary Dwellings (Attachment 1).

BACKGROUND

2. The Shire periodically reviews, revokes and adds new policies to its register. Policies are used to ensure consistency, transparency and integrated processes in its decision making as well as adding clarity to an intent to existing legislation. This Policy has been drafted as an adjunct to the Residential Design Codes and Local Planning Scheme No. 3 (the Scheme) to provide clarity in the assessment of ancillary dwellings.

3. At its Ordinary Meeting held in February 2016 Council resolved to adopt the subject policy for the purpose of advertising.

4. In urban areas Ancillary dwellings are defined under the Residential Design Codes as:

Self-contained dwellings on the same lot as a single house which may be attached to, integrated with or detached from the single house.

Typically ancillary dwellings are occupied by members of the family, or extended family of the occupants of the single house, however this is not the requirement of the use. As such, ancillary dwellings are able to be rented out to persons not related to the occupants of the single house.

5. In rural areas the definition of Ancillary Accommodation as defined in the Scheme shall apply.

"Means self-contained accommodation on the same site as a single house and may be attached or detached from the single house existing on the lot".

6. If adopted the Policy will be read in conjunction with the draft policy "Effluent Disposal for Ancillary and Caretakers Dwellings in the Middle Helena Drinking Water Catchment Areas".

DETAILS

7. The purpose of the Policy is to set out design criteria for ancillary dwellings in various circumstances including:
 - When requests are made to consider ancillary dwellings with a floor area greater than that stipulated in the Residential Design Codes;
 - Ancillary dwellings in rural zoned areas;
 - Ancillary dwellings in rural zoned areas subject to a public drinking water policy.
8. Under the Residential Design Codes ancillary dwellings can be considered under either the “Deemed to Comply” provisions or “Design Principles”. The “Deemed to Comply” provisions include specific design criteria, including a maximum plot ratio area of 70m² (the definition of plot ratio area sets out certain portions of the building that would and would not be included in the 70m²).
9. The “Design Principles” allow consideration of ancillary dwellings where the amenity of surrounding properties would not be compromised. Effectively this would allow consideration of ancillary dwellings with a plot ratio area greater than 70m² where this could be demonstrated and connection to sewer where necessary.

STATUTORY AND LEGAL CONSIDERATIONS

10. Local Planning Policies are created under Clause 3 (1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

POLICY CONSIDERATIONS

11. The Policy follows the adopted Council template and has been drafted in accordance with the principles of orderly and proper planning.
12. The Policy has also taken into account the following state policies and strategies:
 - State Planning Policy 3.1 – Residential Design Codes
 - Middle Helena Catchment Area Land Use and Water Management Strategy
 - Government Sewerage Policy

COMMUNITY ENGAGEMENT REQUIREMENTS

13. The draft Policy was advertised by way of a public notice in a newspaper circulating in the district and on the Shire’s web page. At the end of the advertising period no submissions had been made.

FINANCIAL CONSIDERATIONS

14. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

15. *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 4.3.1 – Provide efficient building and development.

SUSTAINABILITY

Social Implications

16. Development of ancillary dwellings may allow members of a family to live on the same site, whilst maintaining a level of privacy and independence. Alternatively an ancillary dwelling may be rented out.

Economic Implications

17. Nil.

Environmental Implications

18. Nil.

RISK MANAGEMENT CONSIDERATIONS

19.

Risk	Likelihood	Consequence	Rating	Action/Strategy
There is no Policy guidance for applicants and this may lead to inconsistent decision making.	Possible	Minor	Medium	Demonstrate the proposed Policy will give greater certainty to applicants.

OFFICER COMMENT

20. In residential zoned areas, development is guided by the Residential Design Codes, which stipulate design and development criteria.
21. It is important to clearly differentiate between an ancillary dwelling and a single house, which may create a grouped dwelling that would otherwise not be achievable due to lot area or density.
22. It is not unusual for an applicant to propose a floor area greater than that allowed for under the “Deemed to Comply” provisions of the Residential Design Codes, which is a maximum plot ratio area of 70m². The “Design

Principles” imply that a greater floor area could be considered subject to the development not compromising the amenity of the surrounding area.

23. It is considered however, for the purposes of consistency and equity amongst applicants that the 70m² be applied unless there are extenuating circumstances. This would also ensure that the proposal would meet the objectives of the Government Sewerage Policy where an ancillary dwelling was proposed on an unsewered residential lot. Also this would prevent the development of a grouped dwelling which otherwise may not be permissible due to zoning or lot area.
24. In respect to Rural zoned land, it is considered that there is scope to allow for a greater floor area to a maximum of plot ratio area of 100m² as issues relating to amenity of the locality and compliance with Government Sewerage Policy would be minimised.
25. The policy as advertised has been modified to identify the maximum plot ratio area for ancillary dwellings in areas subject to the Middle Helena Catchment area to reflect the policy *"Effluent Disposal for Ancillary and Caretakers Dwellings in the Middle Helena Drinking Water Catchment Areas"* policy. Development of Ancillary Dwellings in the Middle Helena Catchment Public Drinking Water Source Area shall be considered in conjunction with this policy.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 34/2016)

That Council:

1. Pursuant to Schedule 2 Part 2 Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* adopt the following policy:

Planning Policy – P-DEV 50 - Ancillary Dwellings.

Moved:

Seconded:

Vote:

Attachment 1

Draft Local Planning Policy – Ancillary Dwellings

Draft Policy P-DEV 50 Ancillary Dwellings

Planning Policy 50 - Ancillary Dwellings

Adopted

Next Review Date

Purpose

To provide design and development standards as an adjunct to those provided for in the R-Codes and LPS No. 3.

1.1 Statutory

This policy is prepared under Clause 2.2 of the Shire's Local Planning Scheme No. 3 (LPS No.3). This policy is a supporting document that is to be read in conjunction with the provisions of LPS No. 3 and the Residential Design Codes (R-Codes) and shall be given due regard in consideration of any development application made for ancillary dwellings.

1.2 Application

This policy relates to all land on which an ancillary dwelling can be considered under LPS No. 3.

1.3 Objectives

1. To provide for a range of criteria that will distinguish an ancillary dwellings from second or grouped dwellings.
2. To ensure that development of ancillary dwellings will be consistent with the provisions of the R-Codes.
3. To ensure that effluent disposal systems associated with ancillary dwellings are consistent with the provisions of the Government Sewerage Policy and "Middle Helena Catchment Area Land Use and Water Management Strategy" where applicable.

1.4 Definitions

In urban areas "Ancillary Dwelling" shall have the same definition as contained in the R-Codes as follows:

"A self-contained dwelling on the same lot as a single house which may be attached to, integrated with or detached from the single dwelling."

In rural areas the definition of Ancillary Accommodation shall apply as follows:

"Means self-contained accommodation on the same site as a single house and may be attached or detached from the single house existing on the lot".

"Plot ratio area" shall have the same meaning as contained in the R-Codes.

"Urban zoned land" means land zoned Urban under the Metropolitan Region Scheme.

"Rural zoned land" means land zoned Rural under the Metropolitan Region Scheme.

Policy Statement

2.1 Policy Provisions

Applications for ancillary dwellings shall be considered against the specific provisions in the R-Codes.

2.2 General Development Provisions

Unless waived by the Shire, ancillary dwellings shall conform to the following criteria:

- a) On urban zoned land the ancillary dwelling shall have a maximum plot ratio area of 70m² as defined under the R-Codes.
- b) On rural zoned land the ancillary dwelling shall have a maximum plot ratio area of 100m² as defined under the R-Codes.
- c) Development of Ancillary Dwellings in the Middle Helena Catchment Public Drinking Water Source Area shall be considered in conjunction with the Shire Policy.
- d) Where relevant a proposal for an ancillary dwelling shall also be considered in conjunction with the Shire's policy "*Effluent Disposal for Ancillary Accommodation, Caretaker's Dwellings and Agri-tourism in the Middle Helena Drinking Water Catchment*". Ancillary Dwellings in these areas shall be limited to a plot ratio area of 70m² but may be considered up to a plot ratio of 100m² if supported by the Department of Water.
- e) On lots where the ancillary dwelling cannot be connected to a reticulated sewer system, it is to be connected to an effluent disposal system serving the main dwelling unless otherwise required.
- f) An ancillary dwelling shall be associated with a single house, which is either constructed or under construction.

- g) An ancillary dwelling shall contain a minimum of one bedroom, bathroom, toilet, kitchen, laundry facility and living area.
- h) Where attached to a main dwelling, the ancillary dwelling is to be constructed of matching or complimentary materials.
- i) Areas designated as storerooms accessible from within the ancillary dwelling shall not exceed 4m² in order to be exempted from the plot ratio area definition.

2.3 Proposals for floor areas greater than prescribed General Development Provisions

Proposals of ancillary dwellings exceeding plot ratio area of 70m² in urban areas and 100m² in rural areas will only be considered in extenuating circumstances.

Related Local Law			
Related Policies			
Related Budget Schedule			
Legislation			
Conditions			
Authority			
Adopted		Next Review Date	

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

35. Draft Local Planning Policy – Design Advisory Committees

Previous Items	OCM 11/2016
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	
Applicant	N/A
Owner	N/A
Attachment 1	Draft Local Planning Policy – Design Advisory Committees

PURPOSE

1. To consider, for the purpose of advertising, a draft Local Planning Policy for Design Advisory Committees (DAC).

BACKGROUND

2. Council at its Ordinary Meeting held 22 February 2016 resolved to prepare Amendment 84 to Local Planning Scheme No. 3 (Scheme) which will allow Council to establish a DAC for the purposes of providing advice on design considerations of planning proposals within the Shire.
3. The draft Local Planning Policy has been prepared to guide the implementation of Amendment 84 in greater detail.
4. The Shire periodically reviews, revokes and adds new policies to its register. Policies are used to ensure consistency and transparency in decision making as well as adding clarity to an intent to existing legislation.

DETAILS

5. This Local Planning Policy has been prepared to provide guidance on the practical implementation of DACs in the Shire of Kalamunda.
6. The policy is structured to detail the following key matters:
 - The types of planning proposals required to be referred to the DAC;
 - Information requirements for planning proposals which are required to be considered by the DAC;
 - The terms of reference of the DAC including the role of the DAC and matters to be considered;
 - Establishment of membership;
 - Administrative support;
 - Term of office;
 - Meeting scheduling and attendance;

- Management of agendas and minutes;
- Code of conduct, confidentiality and conflict of interest; and
- Operational funding and remuneration.

STATUTORY AND LEGAL CONSIDERATIONS

7. Local Planning Policies are created under Clause 3(1) of *Planning and Development (Local Planning Schemes) Regulations 2015*.
8. A Local Planning Policy does not bind the Shire in its application of discretion. If a provision of a Local Planning Policy is inconsistent with Local Planning Scheme No. 3, the Scheme prevails.
9. Advice and recommendations from a DAC is held with considerable regard at the State Administrative Tribunal and the State Government's Development Assessment Panels.

POLICY CONSIDERATIONS

10. The draft Policy follows the adopted Council template and has been drafted in accordance with the principles of orderly and proper planning.

COMMUNITY ENGAGEMENT REQUIREMENTS

11. If Council resolves to prepare a Local Planning Policy, it is to be advertised in a newspaper circulating in the district with a consultation period of 21 days.

FINANCIAL CONSIDERATIONS

12. Advertising of the draft Local Planning Policy can be met through the Development Services Budget.
13. There will be ongoing costs related to the sitting fees of the DAC members. These fees can be set as part of ongoing budget deliberations. There is also the opportunity to offset these costs by adopting a referral fee for applications referred to the DAC.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

14. *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

15. The amendment and policy will set the framework for the establishment of DACs and ultimately allow for additional design review and advice on planning proposals to the Shire.

Economic Implications

16. DAC can give greater certainty to developers that their proposals are of a high quality.

Environmental Implications

17. By having a wide ranging skill set, including architecture, urban design and sustainable development, a DAC can provide applicants with practical suggestions on how to improve the environmental efficiencies of their planning proposal.

RISK MANAGEMENT CONSIDERATIONS

18.

Risk	Likelihood	Consequence	Rating	Action/Strategy
DAC costs may exceed benefits.	Unlikely	Minor	Low	Demonstrate that there will be ongoing costs related to the sitting fees of the DAC members. These fees can be set as part of ongoing budget deliberations. There is also the opportunity to offset these costs by adopting a referral fee for applications referred to the DAC which is borne by applicants.
The Shire will be unable to fill the require number of positions of the DAC.	Possible	Minor	Medium	Once the amendment and policy have been finalised, the Shire will prepare a request for expressions of interest to gauge the level of interest from the community in sitting as a member of the DAC.

OFFICER COMMENT

19. DACs have been very effective in other local authorities at providing clear and independent critique of the suitability of a design. These reviews are also held with considerable regard at the State Administrative Tribunal and the State Government's Development Assessment Panels.
20. The objectives of the draft Local Planning Policy include:
- Outlining the types of planning proposals that will be referred to the DAC.
 - To detail the terms of reference of the DAC.
 - To outline the roles and responsibilities of members of the DAC and the Shire.
 - To detail the information required to be provided to enable the DAC to consider a planning proposal.
 - To detail the procedure for holding DAC meetings and keeping agendas and minutes.
21. The membership panel of the DAC is proposed to comprise up to five (5) members, including a Chair and Deputy Chair, with a minimum of three (3) members required to deliberate on any matter. In addition an administrative support officer will be in attendance at the meeting. Meetings are planned to occur once every two (2) months for a period of up to two (2) hours. However provision has been made for the ability to call a special meeting at any other time as and when required.
22. Any member of a DAC should be selected based on appropriate experience and/or qualifications in one or more of the following areas:
- Urban and Regional Planning;
 - Urban Design;
 - Architecture;
 - Landscape Architecture; and/or
 - Sustainable development and building design.
- If Amendment 84 and the draft Local Planning Policy is ultimately approved, the Shire will prepare a request for expressions of interest to gauge the level of interest from the community in sitting as a member of the DAC.
23. The draft Local Planning Policy proposes that the DAC will take into consideration matters including, but not limited to:
- The relevant statutory planning and policy framework relating to the planning proposal;
 - The architectural quality of the design, including its relationship with adjoining or nearby developments, ;
 - The impact of, and relationship with, a proposal on the streetscape on surrounding properties;

- The impact of the proposal on the character of the area, including consideration of significant cultural and natural features and landmarks;
 - The extent to which the planning proposal addresses environmental sustainability principles;
 - The extent to which the planning proposal address crime prevention principles; and
 - Any heritage considerations.
24. Administrative support of the DAC will be required to ensure that appropriate administrative functions required are appropriately delivered. The appropriate person responsible for the delegation, preparation and distribution of the agenda, notice of meeting and business papers, recording of the minutes, arranging the meeting venue, refreshments and coordinating any presentations.
25. Should Council resolve to approve the Draft Local Planning Policy, it is proposed that the policy and Amendment 84 will be advertised concurrently and brought back to Council as a single item to consider submissions and for final adoption.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 35/2016)

That Council:

1. Pursuant to Clause 3(1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, adopts the draft Planning Policy: Design Advisory Committees (Attachment 1) for the purpose of advertising for a period of 21 days.

Moved:

Seconded:

Vote:

Attachment 1

Draft Local Planning Policy – Design Advisory Committees

Draft Local Planning Policy – Design Advisory Committees

Planning Policy xx - Design Advisory Committees

Adopted

Next Review Date

1. Purpose

The Shire's Local Planning Scheme No. 3 provides the statutory basis for establishing Design Advisory Committees (DAC) and gives the Shire the ability to refer planning proposals to the DAC for independent assessment and recommendations on design aspects of the proposal. This policy has been prepared to provide guidance on the practical implementation of DACs in the Shire of Kalamunda.

1.1. Structure

Purpose: Outlines the application and purpose of the policy.

Policy Statement: Contains policy requirements and provisions.

1.2. Statutory

- a) Part 2 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- b) Sub-clause 10.3 of Local Planning Scheme No. 3 (Scheme)

1.3. Application

This policy applies to all planning proposals which are deemed 'significant proposals' under clause 2.2 of this policy.

1.4. Objectives

- a) To outline the types of planning proposals that will be referred to the Design Advisory Committee (DAC).
- b) To detail the terms of reference of the DAC.
- c) To outline the roles and responsibilities of members of the DAC and the Shire.
- d) To detail the information required to be provided to enable the DAC to consider a planning proposal.
- e) To detail the procedure for holding DAC meetings and keeping agendas and minutes.

- f) To influence the decision making process regarding the built environment using the design principles established by the Commission for Architecture and Built Environment (CABE).

2. Policy Statement

2.1. Background

DACs have been very effective at providing Local Governments with clear and independent critique of the suitability of the design. These reviews are also held with considerable regard at the State Administrative Tribunal and the State Government's Development Assessment Panels.

The Shire is increasingly required to consider complex and significant planning proposals with several major design considerations. DAC's will allow additional independent review of the design aspects of proposals and will be valuable to the successful delivery of developments.

2.2. Development Required to be Referred to the Design Advisory Committee

- a) Any development which meets one or more of the following criteria is deemed a 'significant proposal', and is required to be referred to the DAC for design review comments and recommendations:
- (i) Residential multiple dwelling/grouped dwelling, commercial or mixed use development that has an estimated development value of \$2 million or greater;
 - (ii) Development which is three (3) storeys or greater in height;
 - (iii) Planning proposals which, in the opinion of the delegated officer, is:
 - Likely to attract significant public interest.
 - Unusual or unconventional from an urban design perspective.
 - Complex or contentious in nature.
 - Likely to benefit from referral to the DAC.

2.3. Information Requirements for Planning Proposals

- a) Unless otherwise waived by the Shire, all applications/planning proposals for development approval that are presented to the DAC must be accompanied by material prescribed under the Scheme, Regulations and/or Residential Design Codes.

2.4. Terms of Reference

2.4.1 Role of the DAC

- a) The role of the DAC is to provide formal technical and professional advice and recommendations to the Shire and Council on significant planning proposals. The function of the DAC is advisory in nature only; the DAC is unable to make determinations on development applications or any other planning proposal.

- b) The DAC shall only deal with matters which have been referred to them by the Director Development Services or delegated officer.
- c) Members of the DAC shall not provide advice directly to an applicant, owner or Council members in respect of any item under consideration at a DAC meeting.

2.4.2 Matters to be considered

- a) The DAC shall take into account matters including, but not limited to:
 - (i) The relevant statutory planning and policy framework relating to the planning proposal;
 - (ii) The extent to which the planning proposal satisfies relevant/applicable design guidelines.
 - (iii) The architectural quality of the design, including its relationship with adjoining or nearby developments;
 - (iv) The impact of, and relationship with, a proposal on the streetscape on surrounding properties;
 - (v) The impact of the proposal on the character of the area, including consideration of significant cultural and natural features and landmarks;
 - (vi) The extent to which the planning proposal addresses environmental sustainability principles;
 - (vii) The extent to which the planning proposal address crime prevention principles; and
 - (viii) Any heritage considerations.

2.5. Membership

- a) A DAC Panel will be established comprising up to five (5) community representatives and/or technical experts, who in the opinion of the Shire have the relevant knowledge, experience or expertise to give fair and reasoned advice on the matters referred to the DAC.
- b) Members of the DAC will have appropriate contemporary experience and qualifications in one or more of the following areas:
 - Urban Design;
 - Architecture;
 - Landscape Architecture; and/or
 - Sustainable development and building design.
- c) Each DAC meeting will comprise a minimum of three (3) members from the panel.
- d) A Chair and Deputy Chair will be appointed by Council. The Chair or Deputy Chair (where acting in the role of Chair) is authorised to select the third DAC member from the DAC panel, and is to give regard to:
 - The nature of the development proposal;
 - The relevant skills, expertise and knowledge of the member; and
 - Whether the member was involved in providing independent advice on the development proposal previously.

- e) In the event that a member of the DAC is also a Councillor, that member shall not discuss or vote on any matter before the Committee in which that member has pecuniary interest.
- f) A person who is currently employed by the Shire of Kalamunda is not eligible for appointment as a member of the DAC.

2.5.1 Shire Support

- a) The Shire will provide administrative support to the committee, with the person being responsible for:
 - Arranging for administrative support for the DAC, including preparation and distribution of the agenda, notice of meeting and business papers, recording of the minutes, arranging the meeting venue, refreshments and coordinating any presentations; and
 - Contacting an alternative DAC member if a DAC member is unavailable for the scheduled meeting.

2.5.2 Term of Office

- a) The term of appointment for any member of a DAC Panel shall be two (2) years.
- b) A member may be nominated for re-appointment upon the expiry of their term.
- c) Should a vacancy occur during the term of office, the process to fill the causal vacancy will follow the normal process for appointments.

2.5.3 Resignation

- a) A DAC member may resign at any time. The resignation must be in writing in the form of a letter or email addressed to the Director Development Services stating their intention to resign from the DAC. Resignations will be acknowledged by the Director Development Services or delegated officer.

2.6. Meetings

2.6.1 Scheduling of Meetings

- a) The DAC may meet once every two (2) months, or a special meeting may be called at any other time by the DAC Chair to deal with specific proposals or issues.
- b) Where no items have been listed on the agenda of the DAC, the meeting will not occur in that particular month.
- c) The location, date and starting time for meetings will be advised on the agenda.
- d) The duration of meetings shall be a maximum of two (2) hours unless the DAC resolves to extend the meeting to a particular time of the completion of business.

2.6.2 Attendance and Quorum

- a) A minimum of three (3) members are required to attend a DAC meeting. Where a member is unable to attend a meeting, subject to sufficient notice being given, the Chair will invite an alternate member.
- b) DAC meetings are not open to members of the public.
- c) The quorum for each meeting will be no less than three (3) DAC members. If a quorum is not present within 30 minutes of the time appointed for the commencement of the meeting, the meeting shall lapse.
- d) A member who is unable to attend a particular meeting is to advise the Shire's Director Development Services or delegated officer and Chair at least 24 hours in advance of the meeting time.
- e) A member who will be absent from more than three successive meetings is to apply in writing the Shire's Director Development Services or delegated officer and Chair for a leave of absence.
- f) The Shire's Director Development Services or delegated officer will attend the meeting to provide a briefing to the DAC members on each proposal on the agenda for consideration, identifying any particular aspects upon which comments and recommendations are required.
- g) An employee of the Shire of Kalamunda will attend the meeting to record the minutes.
- h) The owner of the land and applicant will be invited to attend the meeting and are encouraged to present to the DAC.

2.6.3 Agenda and Minutes

- a) The DAC Chair shall be responsible for the preparation of a meeting agenda, and the accuracy of minutes.
- b) The Shire Support will email a copy of the meeting agenda, development plans and supporting documentation to DAC members at least five (5) working days prior to the date of the meeting.
- c) Each meeting along with any other relevant comments and recommendations shall be properly recorded by the taking of Minutes by the Shire Support.
- d) The Minutes will record consensus agreement on actions and any points of agreement/disagreement. They will not reflect verbatim discussion on issues or matters discussed during debate prior to consensus agreement being reached.
- e) At the end of each meeting, the Chair will read out the agreed actions and any points of agreement to the meeting to ensure they accurately reflect the consensus view.
- f) The DAC Minutes are to be presented in the form of:
 - (i) Explanatory comments on each proposal conveying the DAC's general views regarding the proposal;
 - (ii) Formal recommendation to the Shire, where appropriate reflecting the views of the majority of members present at the meeting; and

- (iii) Additional informal comment conveying the views of individual members, which may be included at the request of any member, subject to the approval of the Director Development Services or delegated officer.
- g) The Minutes will be checked and approved by the Chair and distributed to all members who attended the meeting and the applicant within five (5) working days after the date of the meeting.
- h) The Minutes with a summary of whether the application has addressed the relevant issues or matters raised by the DAC will be provided to the Council prior to making a determination/recommendation on the application.

2.7. Code of Conduct

- a) Each member of the DAC is required to observe the Shire of Kalamunda Code of Conduct.
- b) Members should act in a professional and responsible manner with the information they obtain through their role as a member of the DAC.
- c) Members should feel free to express their opinions and views without fear of recrimination. It is therefore important that members respect each other (often despite differences) and work together to create an open and trusting atmosphere.
- d) It is essential for members to accept collective responsibility, and remain loyal to decisions of the DAC, even where they may not have agreed with the final decision.

2.8. Confidentiality and Privacy

- a) Members may have contact with confidential or personal information retained by Council. If so, members are required to maintain the security of any confidential or personal information and not access, use or remove any information, unless the member is specifically authorised to do so.

2.9. Conflict of Interest

- a) Any conflict of interest needs to be recognised. On receipt of the agenda, if a member has an interest in the matter, then the member is required to declare the interest and a replacement alternate member will be contacted to fill in for that item or meeting. The minutes of the meeting will record the declaration and note the vacancy during discussion. Once the matter has concluded, the Chair will invite the member back into the meeting. If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue at the meeting.
- b) Any person who has a financial and proximity interest in a matter shall exclude themselves from the room and not participate in that part of the meeting.

2.10. Operational Funding and Remuneration

- a) The Shire's operational budget allocates funds for engaging members of the DAC.
- b) Members will be remunerated on the basis of a sitting fee for attendance at the scheduled meetings which is to be determined by Council. The fee is to be reviewed annually, in conjunction with the annual review of the Shire's Schedule of Fees and Charges.
- c) If a member of DAC appears on the Shire's behalf as an expert witness at the State Administrative Tribunal or to assist in the presentation of the Shire's recommendation to a Development Assessment Panel, the member is to be paid at a mutually agreed hourly rate consistent with the qualifications, experience and professional status of the member.

Related Local Law			
Related Policies			
Related Budget Schedule			
Legislation			
Conditions			
Authority			
Adopted		Next Review Date	

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

36. Excision of Pt Reserve 37650 for Dedication as Road

Previous Items	Nil
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	PG-DEV-011
Applicant	Rowe Group
Owner	Crown
	Management Order Shire of Kalamunda
Attachment 1	Current U7 Structure Plan
Attachment 2	Map of proposed excision

PURPOSE

1. To consider a proposed excision of two parcels of parks and recreation reserve land and dedication as road reserve.

BACKGROUND

2. **Land Details:**

Land Area:	Total 1476sqm
Local Planning Scheme Zone	Urban Development
Metropolitan Regional Scheme Zone:	Urban

Locality Plan

- 3.



4. Both parcels are located within landowner area 2 of the Forrestfield U7 Structure Plan (the Structure Plan) area refer (Attachment 1). Both parcels belong to Reserve 37650. The Shire of Kalamunda has a management order over the entire reserve.
5. Parcel 1 is shown as road reserve under the Structure Plan.
6. Parcel 2 is reserved for Public Open Space under the Structure Plan.
7. While parcel 1 is shown as a road reserve on the Structure Plan, the title particulars identify parcels 1 and 2 as reserved land for 'Public Recreation, Conservation and Drainage'.

DETAILS

8. Both parcels need to be excised from 'Public Recreation, Conservation and Drainage' and dedicated as a road in order to facilitate the residential development of lot 9502 (above).
9. The process for road dedication for both parcels is as follows:
 - Council approves to surrender the management order for the reserve.
 - Council requests comments from Department of Planning.
 - The applicant prepares a formal application to Department of Lands requesting dedication.
 - The applicant's surveyor completes subdivision process.
10. Parcel 2 will require an additional step to amend the Structure Plan; this can be completed independently of the road dedication process by the applicant.
11. Parcel 1 will require a bridge over Crumpet Creek. The road will be a 16m wide reservation and require 732sqm of land be dedicated for that purpose.
12. Parcel 2 is a 5m wide strip of 744sqm, which will be added to the current adjacent road reserve to complete the overall road network pattern.

STATUTORY AND LEGAL CONSIDERATIONS

13. Council is required to approve the excision of a parcel of a reserve over which the Shire has a management order.
14. Following approval, the Shire will request the applicant to formally apply to the Department of Lands to request the parcel of reserve 37650 be excised and dedicated as road reserve under section 56 of the *Land Administration Act 1997*.
15. The Department of Lands will also require the Department of Planning's comment on the proposal.

POLICY CONSIDERATIONS

16. *Liveable Neighbourhoods* sets standards for public open space provision and road widths in new developments. The Applicant will need to demonstrate that the public open space and road standards can be met during the Structure Plan amendment process.

COMMUNITY ENGAGEMENT REQUIREMENTS

17. The Department of Lands has advertising requirements for land excisions, which have not yet been satisfied. This includes signposting, newspaper advertisements, and letters to neighbours. The Shire can request the advertising be waived in this case, as there will be advertising required as part of the structure plan amendment process.

FINANCIAL CONSIDERATIONS

18. The applicant will be responsible for all costs in preparing documents and submission to the Department of Lands and Department of Planning.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

19. *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

20. Nil.

Economic Implications

21. Nil.

Environmental Implications

22. Public Open Space requirements must be met through the overall subdivision process for lot 9502. When the management order is surrendered, and the parcels are dedicated as road, the Shire will still be responsible for maintaining the land. Consideration will also have to be to the construction of the road over Crumpet Creek to ensure environmental impacts are minimised.

RISK MANAGEMENT CONSIDERATIONS

23.	Risk	Likelihood	Consequence	Rating	Action/Strategy
	Refusal of the excision will lead to poor vehicular connectivity through the planned subdivision.	Unlikely	Minor	Low	Demonstrate that the proposal will have positive benefits on design and layout of the future subdivision.

OFFICER COMMENT

24. Parcel 1 is already shown as a road reserve under the Structure Plan. This parcel will later require the construction of a bridge or road and culvert over Crumpet Creek and is necessary to achieve balanced access to the future subdivision. If this road was not created, the development would only have access from the west, which could be an undesirable outcome in terms of accessibility.
25. Parcel 2 will require a Structure Plan amendment to modify the reserve to a road. The Structure Plan amendment can be completed independently of the dedication as a road. Parcel 2 enables a road to be created as part of the future structure plan for the site. Without the parcel being dedicated as a road, and the Structure Plan being amended, there would be insufficient land available to create the road that is identified on the structure plan.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 36/2016)

That Council:

1. Support the excision of two parcels of Reserve 37650 for dedication as road as shown in Attachment 2.
2. Request the Department of Lands to waive advertising requirements.
3. Forward the proposal to the Department of Planning for their comments.

Moved:

Seconded:

Vote:

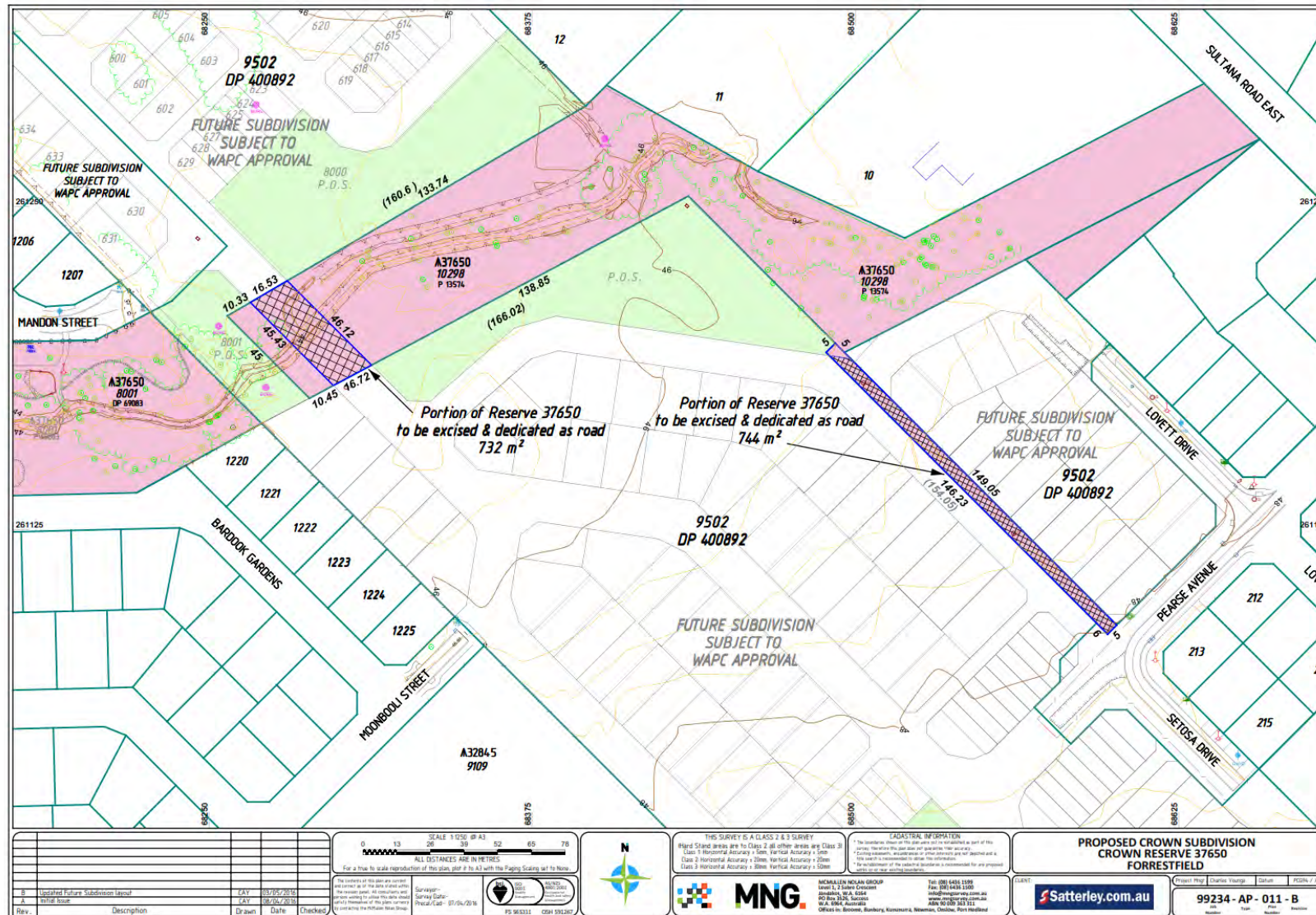
Excision of Pt Reserve 37650 for Dedication as Road Current U7 Structure Plan



Attachment 2

Excision of Pt Reserve 37650 for Dedication as Road

Map of Proposed Excision



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

37. Immunisation within the Shire of Kalamunda Report

Previous Items	N/A
Responsible Officer	Director Development Services
Service Area	Health Services
File Reference	
Applicant	N/A
Owner	N/A
Attachment 1	Immunisation Report

PURPOSE

1. To consider a report on immunisation rates and services, and incidence of vaccine preventable disease, within the Shire.

BACKGROUND

2. The *Community Health and Wellbeing Plan 2013-2016* highlighted a need to investigate immunisation levels within the Shire.
3. Immunisation is one of the most effective measures to improve the health of a community and is effective in reducing morbidity and mortality rates.
4. Since the 1990s the Shire has not been a direct provider of immunisation services, however other local authorities continue to deliver this service, and it is perceived by the community to be an area of health for which the Shire holds responsibility.
5. This Report was considered at the April Development & Infrastructure Services Committee meeting and was deferred.

DETAILS

6. Vaccine Preventable diseases include illnesses such as diphtheria, tetanus, whooping cough, hepatitis B, measles, mumps and rubella. Symptoms and outcomes vary in severity, but can result in absence from work or school, hospitalisation or permanent disability and death.
7. A minimum level of immunisation is required to provide protection for the whole community. This level is generally set at 90%, but can be up to 95% for highly contagious diseases such as measles.
8. Some areas and demographics within the Shire are falling well below the required levels. The vaccination rate for 5 year old children in the postcode 6076 is 82.8%. This is within the 20 poorest performing localities in the country. The report outlines other demographic and geographic trends for immunisation rates within the Shire.

9. The coverage afforded by immunisation as a child can decrease with time. Adults, especially those in at-risk groups, should obtain booster vaccinations to maintain immunity levels, and to take advantage of newly developed or publicly funded vaccines. At risk adult groups, including the elderly, pregnant women, Aboriginal and Torres Strait Islander people and refugees and immigrants.
10. Vaccine preventable diseases occur frequently in the Shire. The rate of incidence is 1.42 times higher than the State rate.
11. Incidence of vaccine preventable disease can be reduced with appropriate educational activities, promotion of available vaccinations and development of partnerships with appropriate stakeholders.
12. The report identifies priority actions to allow the Shire to act to reduce the rate of vaccine preventable disease and to promote a positive vaccination message to residents.

STATUTORY AND LEGAL CONSIDERATIONS

13. The Public Health Bill, when enacted, will require local governments to deliver a broader scope of public health activities, in line with identified risks in their areas.

POLICY CONSIDERATIONS

14. There are no Shire policies currently relating to immunisation.

COMMUNITY ENGAGEMENT REQUIREMENTS

15. A number of the recommendations within the report will require engagement with the community. All community engagement will be undertaken in accordance with the Community Engagement Strategy.

FINANCIAL CONSIDERATIONS

16. Any costs resulting from implementation of the report recommendations will be subject to approval through the budget process.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

17. *Kalamunda Advancing: Strategic Community Plan to 2023*
 - OBJECTIVE 1.7 To create healthy environments and lifestyles for the community.
 - Strategy 1.7.1 Develop, Implement and Review a Local Community Health and Wellbeing Plan
 - OBJECTIVE 1.10 To support families with young children

SUSTAINABILITY

Social Implications

18. Vaccination is a life-long process with the National Immunisation Program Schedule recommending vaccines from birth and early years through to adolescence, adulthood and seniors. Reducing vaccine preventable diseases in the community results in reduced morbidity and mortality for all ages.

Economic Implications

19. There are no economic implications.

Environmental Implications

20. There are no environmental implications.

RISK MANAGEMENT CONSIDERATIONS

21.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Outbreak of vaccine preventable disease	Possible	Major	High	medical treatment required - Implement the Report recommendations
Individual death as result of vaccine preventable disease	Unlikely	Extreme	Extreme	Death or permanent disability - Implement the Report recommendations

OFFICER COMMENT

22. The Shire of Kalamunda has some of the lowest vaccine rates within the nation and is susceptible to outbreaks of vaccine preventable diseases which have the potential to be fatal, particularly in vulnerable persons.
23. Immunisation is a safe and effective method to reduce disease transmission however there are unknown factors have resulted in a level of failure to complete recommended immunisation schedules. Further investigation is required to understand these factors and to develop locally relevant programs to improve immunisation rates. The Shire is well positioned to address this issue on a local level.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 37/2016)

That Council:

1. Endorse the recommendations of the attached Immunisation Report:
 1. Disseminate the report to relevant stakeholders as listed in 6.1 and 6.2;
 2. Explore partnerships with new stakeholders as per 6.2;
 3. Advocate for more transparent data reporting concerning immunisation rates and conscientious objectors via professional networks such as the Metropolitan Environmental Health Managers Group (MEHMG), Environmental Health Australia (EHA) and the Immunisation Alliance of Western Australia (AIWA);
 4. Investigate opportunities to hold an immunisation promoting puppet show once this resource has been completed by the IAWA;
 5. Seek opportunities to locally promote the free shingles vaccine to persons between 70-79 years of age prior to 1 November 2016;
 6. Seek opportunities to locally promote the pertussis vaccine (as newly introduced to the NIPS) to pregnant women in their third trimester;
 7. Seek opportunities to raise adolescent HPV vaccination rates to or above the state average;
 8. Investigate further if the low levels of vaccination in the 1 year old age group in Wattle Grove is linked to language or cultural barriers within the local immigrant population;
 9. Survey parents to identify if current low levels of vaccination in the 5 year old age group are a result of complacency or vaccine hesitancy.
 10. Investigate the recruitment of a Health Promotion Officer within Health Services to address existing Health Plan actions in addition to the initiatives considered within this report.

Moved:

Seconded:

Vote:

Attachment 1

Immunisation Report

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

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

38. Caravan Park Annual Licences 2016/2017

Previous Items	OCM 54/2015
Responsible Officer	Director Development Services
Service Area	Health & Ranger Services
File Reference	LE-LIC-001
Applicant	N/A
Owner	N/A

PURPOSE

1. To approve the renewal of annual Caravan Park Licences for all caravan parks located within the Shire.

BACKGROUND

2. The *Caravan Parks & Camping Grounds Act 1995* (Act) and the *Caravan Parks & Camping Grounds Regulations 1997* (Regulations) requires that the Local Government annually inspects and licences all caravan parks within its municipality.

DETAILS

3. All Shire Environmental Health Officers are authorised persons under the Act and Regulation to inspect caravan parks but not to issue annual licences.

Currently there are four approved caravan parks operating within the Shire of Kalamunda:

- Discovery Holiday park 186 Hale Road Forrestfield – approved late 1960's and comprises 186 sites – mix of caravans, park homes and cabins;
- Forrestfield Caravan N Park Home Village 353 Hawtin Road Forrestfield approved in 1968 and comprises 53 park home sites;
- Hillview Lifestyle Village 597 Kalamunda Road High Wycombe – approved in 2006 and comprises 272 park home sites; and
- Advent Park 345 Kalamunda Road Maida Vale – approved in 2008 and comprises 35 caravan sites

STATUTORY AND LEGAL CONSIDERATIONS

4. *Caravan Parks & Camping Grounds Act 1995* (Act)
Caravan Parks & Camping Grounds Regulations 1997

POLICY CONSIDERATIONS

5. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

6. Nil.

FINANCIAL CONSIDERATIONS

7. Licence fees are based upon the number of sites and set under the Act and Regulations. The current fee is \$6 per site and the annual fees applicable are as listed below;
- Discover Holiday Park – licence fee \$1116
 - Forrestfield Caravan Park N Park Home Village - licence fee \$318
 - Hillview Lifestyle Village – licence fee \$1632
 - Advent Park – licence fee \$210

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

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

OBJECTIVE 6.2 To ensure local laws are upheld.

Strategy 6.2.1 Develop, implement and monitor local laws across the Shire to ensure they are relevant and realistic.

SUSTAINABILITY

Social Implications

9. Nil.

Economic Implications

10. Nil.

Environmental Implications

11. Nil.

RISK MANAGEMENT CONSIDERATIONS

12.	Risk	Likelihood	Consequence	Rating	Action/Strategy
	Compliance – That the caravan parks will not be able to operate if the licences are not approved	Rare	Minor	Low	Provide relevant information to, and advise Council of requirements.

OFFICER COMMENT

13. The above four operational caravan parks have been inspected by Shire Officers and have been found to be compliant. The few minor issues identified have been actioned. The Shire notes that the Act & Regulations, including fees, are currently under review by the Department of Local Government & Communities.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 37/2016)

That Council:

1. Approves the renewal of the caravan park licences, subject to the receipt of the required licence fees, for :
 - Discover Holiday Park
 - Forrestfield Caravan Park N Park Home Village
 - Hillview Lifestyle Village
 - Advent Park

Moved:

Seconded:

Vote:

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

39. Kalamunda Environmental Advisory Committee - Recommendations

Previous Items	OCM 169/2015; 36/2016; 60/2016
Responsible Officer	Director Infrastructure Services
Service Area	Infrastructure Operations
File Reference	EV-EPP-014
Applicant	
Owner	

PURPOSE

1. To consider the recommendations of the Kalamunda Environmental Advisory Committee (KEAC).

BACKGROUND

2. The Council has approved the establishment pursuant to the provisions of Section 5 Division 2 of the *Local Government Act 1995* (the Act) of the KEAC including its Terms of Reference.

DETAILS

3. The Committee developed Key Advisory Tasks for 2016/2017 as outlined below:
 - **Input to Local Environmental Strategy**
 - Consider scope and purpose with view to supporting this initiative.
 - Advise on the draft strategy.
 - **Conserving Tree Cover**
 - Review of current policies relevant to conserving vegetation including the role of LPS3.
 - Consider more effective policy approaches drawing on experience of other Shires and academic/expert advice.
 - **Review of the Local Biodiversity Strategy**
 - Identify what to take into the Local Environmental Strategy.
 - Include consideration of pest, weed and fire management and threat.
 - Consider prioritisation of reserves.
 - **Development of a Sustainable Development Model**
 - Advise on sustainability scope and principles.
 - Include community participation and engagement.
 - **Waste Management Strategy 2013-2023**
 - Provide technical input and guidance on the waste strategy.
 - Include waste minimisation.
 - **Update Local Water Strategy**
 - Advise on updated Local Water Strategy which will largely apply to new developments.
 - Provide advice on retro-fitting WSUD principles in developed areas.
 - **Council Leadership in Environmental Management**
 - **Bike Plan**
 - Review current Bike Plan.
 - Advise on community consultation.

4. The Committee subsequently resolved as follows:
"That the KEAC Key Advisory Tasks for 2016/2017 be recommended to the Development and Infrastructure Committee for approval".
5. The Committee made the following supplementary recommendation regarding the Local Environmental Strategy Key Advisory Tasks at its meeting on 2 June 2016:

That Council:

1) Adopts the development of a Local Environmental Strategy:

- i) That its scope will embrace the totality of the Council's functions with the environment broadly interpreted;*
- ii) This strategy to inform parts of the Shire's Strategic Community Plan; and*
- iii) This strategy to inform policies that can be recognised in the Local Planning Scheme.*

This recommendation replaces the first Key Advisory Task from the proposed Work Plan.

STATUTORY AND LEGAL CONSIDERATIONS

6. Meetings were conducted in accordance with Section 5 Division 2 of the *Local Government Act 1995* and the Shire of Kalamunda's Standing Orders.

POLICY CONSIDERATIONS

7. The KEAC Work Plan identifies the review and development of various policies and strategies as a priority action for the committee.

COMMUNITY ENGAGEMENT REQUIREMENTS

8. The minutes of the KEAC meetings will be distributed on the Shire of Kalamunda internet page under the *Environmental Services* section.

FINANCIAL CONSIDERATIONS

9. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

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

OBJECTIVE 3.1 – To clearly identify the Shire's role in protecting, promoting and enhancing the environmental values and biodiversity of the Shire in partnership with the community.

OBJECTIVE 3.2 – To protect and enhance the Shire's local bushland reserves, Local Natural Areas and Biodiversity Conservation areas.

OBJECTIVE 3.3 – To reduce the Shire’s carbon footprint and prepare the Shire for adapting to the impacts of climate change.

OBJECTIVE 3.4 – To manage the use of water sustainability within the Shire.

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.

SUSTAINABILITY

Social Implications

11. Nil.

Economic Implications

12. Nil.

Environmental Implications

13. The proposed KEAC Key Advisory Tasks provide a wide range of environmental benefits including:
- 1) Review of the current range of policies, strategies and guidelines around the environment and sustainability.
 - 2) Identify gaps in the suite of guiding policies and strategies and assist in the development of best practice documents.
 - 3) Provide technical input into current strategic priorities.
 - 4) Provide council with the ability to refer matters for additional technical and community input as part of community engagement.

RISK MANAGEMENT CONSIDERATIONS

14.

Risk	Likelihood	Consequence	Rating	Action/Strategy
KEAC Key Advisory Tasks conflict with Council’s priorities and relevant planning policies.	Unlikely	Minor	Low	Ensure KEAC are aware of Council’s priorities.
KEAC Key Advisory Tasks cannot be resourced within existing resourcing levels.	Likely	Major	High	Ensure adequate resources are allocated.

OFFICER COMMENT

15. The Key Advisory Tasks developed by KEAC provide a high level of integration with Council strategic direction and will improve direction in the environmental priority area.
16. Resources have been allocated by Administration to undertake the eight key tasks developed by KEAC.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 39/2016)

That Council:

1. Endorses the following Key Advisory Tasks for the Kalamunda Environmental Advisory Committee:
- 1) Development of a Local Environmental Strategy:
 - i) That its scope will embrace the totality of the Council's functions with the environment broadly interpreted;*
 - ii) This strategy to inform parts of the Shire's Strategic Community Plan; and*
 - iii) This strategy to inform policies that can be recognised in the Local Planning Scheme.*
 - 2) Conserving Tree Cover.
 - 3) Review of the Local Biodiversity Strategy.
 - 4) Development of a Sustainable Development Model
 - 5) Review Waste Management Strategy 2013-2023.
 - 6) Update Local Water Strategy.
 - 7) Council Leadership in Environmental Management.
 - 8) Bike Plan.

Moved:

Seconded:

Vote:

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

40. CONFIDENTIAL ITEM – Consideration of Tenders – Weekly Collection and Disposal of Waste Services – Mobile Garbage Bins (eQuote 05-2016)

Reason for Confidentiality *Local Government Act 1995 S5.23 (d) (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	N/A
Responsible Officer	Director Infrastructure Services
Service Area	Infrastructure Operations
File Reference	eQuote 05-2016
Applicant	N/A
Owner	N/A

Confidential Attachment 1 <u>Reason for Confidentiality</u> <i>Local Government Act 1995 S5.23 (d) (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>	Tender Evaluation Report
---	--------------------------

Confidential Attachment 2 <u>Reason for Confidentiality</u> <i>Local Government Act 1995 S5.23 (d) (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>	Price Schedule
---	----------------

This report was circulated to all Councillors under separate cover.

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

41. CONFIDENTIAL ITEM – Consideration of Tenders – Fortnightly Collection and Disposal of Recycling Services – Mobile Garbage Bins (eQuote 06-2016)

Reason for Confidentiality *Local Government Act 1995 S5.23 (d) (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	N/A
Responsible Officer	Director Infrastructure Services
Service Area	Infrastructure Operations
File Reference	eQuote 06-2016
Applicant	N/A
Owner	N/A
Confidential Attachment 1 <u>Reason for Confidentiality</u> <i>Local Government Act 1995 S5.23 (d) (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>	Tender Evaluation Report
Confidential Attachment 2 <u>Reason for Confidentiality</u> <i>Local Government Act 1995 S5.23 (d) (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>	Price Schedule

This report was circulated to all Councillors under separate cover.

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

42. CONFIDENTIAL ITEM – Consideration of Tenders – Bulk Waste Collection Service for General and Green Waste – Bulk Skip Bin or Verge Waste Collection (eQuote 04-2016)

Reason for Confidentiality *Local Government Act 1995 S5.23 (d) (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	N/A
Responsible Officer	Director Infrastructure Services
Service Area	Infrastructure Operations
File Reference	eQuote 04-2016
Applicant	N/A
Owner	N/A
Confidential Attachment 1 <u>Reason for Confidentiality</u> <i>Local Government Act 1995 S5.23 (d) (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>	Tender Evaluation Report
Confidential Attachment 2 <u>Reason for Confidentiality</u> <i>Local Government Act 1995 S5.23 (d) (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>	Price Schedule

This report was circulated to all Councillors under separate cover.

-
- 10.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 11.0 QUESTIONS BY MEMBERS WITHOUT NOTICE**
- 12.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**
- 13.0 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY
 DECISION**
- 14.0 TABLED DOCUMENTS**
- 14.1 Confirmed Minutes Kalamunda Environmental Advisory Committee
 Special Meeting 4 May 2016.....Page 115
- 14.2 Confirmed Minutes Kalamunda Environmental Advisory Committee
 12 May 2016.....Page 118
- 14.3 Unconfirmed Minutes Kalamunda Environmental Advisory Committee
 2 June 2016.....Page 122
- 15.0 MEETING CLOSED TO THE PUBLIC**
- 16.0 CLOSURE**



M I N U T E S
KALAMUNDA ENVIRONMENTAL ADVISORY COMMITTEE
SPECIAL MEETING
KALAMUNDA ADMINISTRATION CENTRE
4 MAY 2016

1.0 OPENING OF MEETING

The Chair opened the Special Meeting at 6.03pm and welcomed all in attendance.

2.0 ATTENDANCE AND APOLOGIES

2.1 Attendance

Committee Members

Kevin Goss - Chair

Mark Schilling - Deputy Chair

Joy McGilvray - Community Representative

Mike Burbridge - Community Representative

Cr Noreen Townsend (left at 6.50pm)

Sam Assaad – Manager Infrastructure Operations

Apologies

Cr Sara Lohmeyer

Cr Brooke O'Donnell

Cameron Blackburn – Deputy Community Representative

Mark Simpson - Deputy Community Representative

Tamara Wilkes-Jones – Acting Coordinator Parks and Environment Services

Observers

Peter Forrest - Deputy Community Representative

Rupert Duckworth - Deputy Community Representative

Cr Andrew Waddell – Shire President (arrived at 6.25pm)

Rhonda Hardy - CEO

Andrew Fowler-Tutt – Manager Development Services

Dawn Saunders - Secretary

The Chair proposed that Peter Forrest be a **voting member** for the Special Meeting.

Moved: Cr Townsend

Seconded: Mike Burbridge

All Agreed 6/0

This vote was rescinded at the meeting held on 2 June 2016

3.0 DISCLOSURE OF INTERESTS

3.1 Disclosure of Financial and Proximity Interests:

Nil

3.2 Disclosure of Interest Affecting Impartiality

Nil

4.0 ITEMS FOR DISCUSSION

- 4.1 Review of the *Perth and Peel Green Growth Plan for 3.5 million* suite of documents and provide comments about the unique biodiversity values of Shire to be incorporated into the Shire's endorsed submission.

Council has approved a draft Submission to appeal the *Perth and Peel Green Growth Plan for 3.5 million* subject to review of wording from the Kalamunda Environmental Advisory Committee (KEAC).

Andrew Fowler-Tutt gave a background brief of the *Perth and Peel Green Growth Plan for 3.5 million* and the *Local Planning Strategy 2010*, and pointed out the anomalies in both documents and the Shire's concern with the Local Planning Scheme and Biodiversity in the Foothills.

Chair proposed the following recommendation

That the committee Suspend Standing Orders.

Moved:	Kevin Goss
Seconded:	Mike Burbridge
All Agreed	6/0

After discussion the Chair proposed the following recommendation

That the committee resume Standing Orders.

Moved:	Mark Schilling
Seconded:	Joy McGilvray
All Agreed:	6/0

Recommendation:

1. KEAC recommend to Council to include the following comments for inclusion into the Shire's submission into the *Perth and Peel Green Growth Plan for 3.5 million*.

Our community has a very strong dedication to preserving the high Darling Scarpland around Kalamunda, Bickley and Pickering Brook- and the existing natural character extending into the foothills around Forrestfield, High Wycombe, Maida Vale and Wattle Grove.

Our communities do aspire to have a far more central recognition of the long-term value of our natural biodiversity that could offer a great deal in terms of varied outdoor natural recreational areas, easily accessible from central Perth, where increasing density in the urban areas impact on the

availability of natural parkland available to the wider community and tourists.

With the unique biodiversity in the shire and the new Forrestfield Airport railway station in High Wycombe, tourism potential of this natural asset is easily accessible with its proximity to Perth International Airport and rapid transit to the city centre.

The Perth Peel 3.5 Plan, The Green Growth Plan, Shire of Kalamunda adopted Local Planning Strategy, when read together do not align and therefore do not provide certainty with respect to population growth and the protection of biodiversity values within the Shire of Kalamunda Before the conservation program is finalised, natural areas must be assessed and prioritised on scientific principles and local knowledge according to their biodiversity and broader environmental values.

In the process existing management arrangements should be investigated and acknowledged with a view to secure better resourced future management.

That Local Government be given time to analyse and identify gaps in the Green Growth Plan's area maps to clarify and modify the information prior to resolution of the document. The process also needs the flexibility to change in light of new evidence and the development of best practice (for example, rehabilitation of an offset site in the future, may not reflect the same species under climate change pressure).

Moved: Peter Forrest
Seconded: Mark Schilling
All Agreed: 6/0

This vote was retaken at the meeting held on 2 June 2016, Moved by Sam Assaad, Seconded by Cameron Blackburn and Carried Unanimously

5.0 NEXT MEETING

Workshop 12 May 2016 – 6pm. Administration Function Room

6.0 CLOSURE

Meeting was closed by the Chair at 8.05pm.

I confirm these Minutes to be a true and accuracy record of the proceedings of this meeting.

Signed: Presiding Member

Dated this Day of2016



M I N U T E S
KALAMUNDA ENVIRONMENTAL ADVISORY COMMITTEE
KALAMUNDA ADMINISTRATION CENTRE
12 MAY 2016

1.0 OPENING OF MEETING

The Deputy Presiding Member opened the Meeting at 6.03pm, welcomed all in attendance and advised that the Presiding Member will be arriving late.

2.0 ATTENDANCE AND APOLOGIES

Attendance

Committee Members

Kevin Goss – Presiding Member (arrived 6.17pm)
Mark Schilling - Deputy Presiding Member
Joy McGilvray - Community Representative
Mike Burbridge - Community Representative
Cr Noreen Townsend – Councillor Delegate
Sam Assaad – Manager Infrastructure Operations
Tamara Wilkes-Jones – Acting Coordinator Parks and Environment Services

Deputy Community Observers

Peter Forrest
Rupert Duckworth

Apologies

Cr Sara Lohmeyer – Deputy Councillor Delegate
Cr Brooke O'Donnell – Councillor Delegate
Cameron Blackburn – Deputy Community Representative
Mark Simpson - Deputy Community Representative

Guests

Rhonda Hardy – Chief Executive Officer
David Tomlinson – Coordinator Statutory Planning
Andrew Fowler-Tutt – Manager Development Services
Dawn Saunders – Secretary

3.0 DISCLOSURE OF INTERESTS

3.1 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*.)

Nil.

3.2 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.

Nil.

4.0 KEAC Planning Workshop

4.1 The Deputy Presiding Member advised the purpose of this workshop session was to identify the key advisory tasks for KEAC over 2016/2017.

Chair proposed that the committee Suspend Standing Orders.

Moved: Cr Townsend

Seconded: Joy McGilvray

Vote: CARRIED UNANIMOUSLY (7/0)

The Deputy Presiding Member introduced David Tomlinson - Coordinator Statutory Planning who briefed the Committee on the planning process, the use of policies (State and Local Government) and the status of Shire environmental policies.

Points noted:

Local Planning Scheme has statutory power and sets aside land zoning and conservation areas.

The Western Australian Planning Commission undertake amendments, structure plans and subdivision to which the Council recommends develop controls and have State planning policies.

The Shire can adopt their own local planning policies to detail what can and cannot be done. The policy must be reasonable, have due regard and pass a certain criteria.

Action Tamara Wilkes-Jones to distribute the items of 'due regard' to the Committee.

4.2 A workshop highlighted the seven key advisory tasks.

1. **Conserving Tree Cover**
 - Review of current policies
 - comparisons with other Shires
 - academic / expert advice
2. **Review of the Local Biodiversity Strategy**
 - What to take into the Local Environmental Strategy,
 - pest and weed management,
 - fire management and threat
 - including notes listed in the vegetation retention poster
3. **Community Participation and Engagement**
 - Forrestfield North Development
 - Sustainability
4. **Waste Management Strategy 2013-2023**
 - Review
 - technical input and guidance of the current waste strategy
 - waste minimisation
5. **Local Water Strategy**
 - Water Sensitive Urban Design
 - provide advice in developed areas
 - encourage retro fitting
6. **Council Leadership in Environmental Management**
7. **Bike Plan**
 - Review
 - community consultation

4.3 After discussion the Presiding Member proposed that the Committee resume Standing Orders.

Moved:	Cr Townsend
Seconded:	Sam Assaad
Vote:	CARRIED UNANIMOUSLY (7/0)

4.4 The Presiding Member proposed the KEAC Key Advisory Tasks for 2016/2017 be recommended to the Development and Infrastructure Committee for approval.

Moved:	Joy McGilvray
Seconded:	Mike Burbridge
All Agreed:	CARRIED UNANIMOUSLY (7/0)

Action Sam Assaad and Tamara Wilkes-Jones to write up the list of advisory tasks and add timeframes.

5.0 FUTURE MEETINGS

A new set of meeting dates was distributed to the committee to best meet the following Development and Infrastructure Committee meetings.
The next meeting will be held on 2 June, 2016.

Action: Tamara Wilkes-Jones to add the future meeting dates on KEAC website.

6.0 CLOSURE

Meeting was closed by the Presiding Member at 8.07pm.

I confirm these Minutes to be a true and accuracy record of the proceedings of this meeting.

Signed: Presiding Member

Dated this Day of2016



M I N U T E S
(Unconfirmed)
KALAMUNDA ENVIRONMENTAL ADVISORY COMMITTEE
MEETING
6PM WEDNESDAY 2 JUNE 2016
ADMINISTRATION BUILDING FUNCTION ROOM

1.0 OPENING OF MEETING

The Presiding Member opened the Meeting at 6:00pm and welcomed all in attendance.

Due to the absence of Joy McGilvray and Mark Schilling, Deputy Community Representatives Cameron Blackburn and Peter Forrest are full voting members for this meeting.

Due to the absence of Councillor Delegates Noreen Townsend and Brooke O'Donnell Deputy Councillor Delegate Sara Lohmeyer is a full voting member for this meeting.

2.0 ATTENDANCE AND APOLOGIES

Attendance

Committee Members

Kevin Goss	Presiding Member
Cameron Blackburn	Community Representative
Peter Forrest	Community Representative
Mike Burbridge	Community Representative (arrived 6:10pm)
Cr Sara Lohmeyer	Councillor Delegate
Sam Assaad	Manager Infrastructure Operations
Tamara Wilkes-Jones	Acting Coordinator Parks and Environmental Services

Staff

Brett Byfield	Minutes Secretary
---------------	-------------------

Apologies

Joy McGilvray	Community Representative
Mark Schilling	Community Representative
Cr Noreen Townsend	Councillor Delegate
Cr Brooke O'Donnell	Councillor Delegate

3.0 CONFIRMATION OF MINUTES

- 3.1 That the Minutes of the Kalamunda Environmental Advisory Committee held on 31 March 2016 as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Sara Lohmeyer**

Seconded: **Cameron Blackburn**

Vote: **Carried Unanimously 7/0**

- 3.2 Manager Infrastructure Operations (MIO) noted a correction of the Minutes for the 4 May 2016 was necessary. A full complement of committee members were present at the meeting, therefore Deputy Community Representative Peter Forrest could not be moved as a voting delegate.

That the minutes of the Kalamunda Environmental Advisory Committee held on 4 May 2016 as published and circulated, are confirmed as a true and accurate record of the proceedings with the following modifications:

Rescind the vote to include Deputy Member Peter Forrest as a voting member for the meeting.

New Mover for the Green Growth Plan: Sam Assaad, Seconded Mike Burbridge.

Moved: **Sam Assaad**

Seconded: **Cameron Blackburn**

Vote: **Carried Unanimously 7/0**

- 3.3 That the minutes of the Kalamunda Environmental Advisory Committee held on 12 May 2016 as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved: **Mike Burbridge**

Seconded: **Sam Assaad**

Vote: **Carried Unanimously 7/0**

4.0 DISCLOSURE OF INTERESTS

4.1 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 5.7 of the *Local Government Act 1995*)

Nil.

4.2 Disclosure of Interest Affecting Impartiality

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

Nil.

5.0 CORRESPONDENCE

5.1 Nil.

6.0 ITEMS FOR COMMITTEE CONSIDERATION

6.1 Matters Arising/Action Items

The following action items have been finalised:

- Contact Details have been sent to all Committee Members
- Nomination of Deputies to specific Community Representatives:

The following Community Representatives have deputies that are to be the first contacts where a Community Representative cannot attend:

Community Representative

Kevin Goss
Cr Noreen Townsend
Cr Brooke O'Donnell
Mark Schilling
Blackburn
Joy McGilvray
Mike Burbridge

Nominated Deputy

Rupert Duckworth
Cr Sara Lohmeyer
Cr Sara Lohmeyer
Cameron
Mark Simpson
Peter Forrest

- Further explanation of "due regard" has now been distributed.
- List of Advisory Tasks will be typed up and sent out
- Future KEAC meeting dates have been added to the website

6.2 Local Environmental Strategy

The Committee is to consider the scope and purpose of the Local Environmental Strategy, and advise on the draft strategy. The Committee discussed the broadness of the scope of the Local Environmental Strategy, and its effectiveness.

The Presiding member opened the item to the floor and discussion took place.

Motion

The Kalamunda Environmental Advisory Committee recommends Council adopts the development of a Local Environmental Strategy.

- That its scope will embrace the totality of the Councils functions with the term 'environment' broadly interpreted.**
- This strategy to inform parts of the Shire's Strategic Community Plan and**
- This strategy to inform policies that can be recognised in the Local Planning Scheme.**

Moved: **Cr Sara Lohmeyer**
Seconded: **Cameron Blackburn**
Vote: **Carried Unanimously 7/0**

6.3 **Tree and Vegetation Conservation**

Tree and vegetation conservation throughout the Shire of Kalamunda was identified as being important to the Committee. The Shire has number of strategies and policies that relate to conservation, including the Local Biodiversity Strategy. Acting Coordinator Parks and Environmental Services (ACP&ES) provided the meeting with the current policies and guidelines.

The Committee was provided with information on the Shire budget in the environmental area, work on weed control, and Friends groups.

The Committee discussed various other opportunities which exist for the inclusion of environment planning within the Shire's Local Planning Scheme.

Motion

Kalamunda Environmental Advisory Committee are agreed in the pursuit of Tree and Plant Conservation, to explore the idea of an Urban Forest Policy for the Shire of Kalamunda.

Moved: **Cameron Blackburn**
Seconded: **Cr Sara Lohmeyer**
Vote: **Carried Unanimously 7/0**

The Committee proposed, that prior to the next scheduled meeting of KEAC, an information session on the Urban Forest concept be held with invited speakers presenting to KEAC. The Action is assigned to ACP&ES to organise the presentation.

Moved: **Mike Burbridge**
Seconded: **Tamara Wilkes-Jones**
Vote: **Carried Unanimously 7/0**

6.4 **Community Engagement**

Discussion took place on community engagement in terms of how KEAC could help Council engage with the community on specific issues.

The decision was taken to defer further discussion of the Community Engagement Item to the next meeting.

Motion

Defer Community Engagement Item to the next meeting.

Moved: **Cameron Blackburn**

Seconded: **Peter Forrest**

Vote: **Carried Unanimously 7/0**

7.0 URGENT BUSINESS WITH THE APPROVAL OF THE PRESIDING MEMBER

7.1 Forrestfield North

How KEAC should engage with Forrestfield North, in terms of the environmental side of development was discussed.

The opportunity to provide early advice on a new area of development, to bring in environmental sustainability principles and align them with best practice was an exciting prospect. Having Forrestfield North as a focus of the KEAC committee was considered to be worthwhile.

It was noted that KEAC would need to ensure it did not get in front of Council's own intentions for sustainable development. The Presiding Members suggested that he could speak with Chief Executive Officer about the matter, to get a stronger sense of how KEAC could be involved in terms of advice.

7.2 Perth Hills Trail Masterplan Consultation

The Perth Hills Trail Masterplan includes a section of Kalamunda. ACP&ES noted that the Masterplan was for establishing mountain bike trails in the Hills area, and that it has been in development since 2012. ACP&ES recommends that Committee does not get involved as it has been developed in consultation with the Department of Parks and Wildlife. The Committee was made aware that members can make personal submission to the Masterplan.

Resolution: No action required.

7.3 Stirk Park Masterplan Consultation

The current status of the Masterplan is that submissions close on the 20 June 2016. There will be a visioning community workshop on 18 June 2016, Committee members could attend. MIO advised once the masterplan is finalised, and projects are being developed, this would be the time for the Committee to discuss the water management and other environmental issues.

Resolution: KEAC will seek an opportunity to advise on the Stirk Park redevelopment at the project stage of the development.

8.0 DATE OF NEXT MEETING

27 October 2016

9.0 CLOSURE

Meeting was closed by the Presiding Member at 8:15pm

I confirm these Minutes to be a true and accuracy record of the proceedings of this meeting.

Signed: Presiding Member

Dated this Day of2016