
Shire of Kalamunda

Planning Services Committee

Minutes for 4 April 2011

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MINUTES

1.0 OFFICIAL OPENING

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

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Donald McKechnie	(Shire President) North Ward
Sue Bilich	North Ward
Margaret Thomas	(Chairman, Planning) North Ward
Maureen Robinson	South West Ward
Noreen Townsend	South West Ward
Alan Morton	South West Ward
Frank Lindsey	South East Ward
Carol Everett	South East Ward
Justin Whitten	North West Ward
Martyn Cresswell	North West Ward
Dylan O'Connor	North West Ward

Members of Staff

James Trail	Chief Executive Officer
Clayton Higham	Director of Planning & Development Services
Kevin O'Connor	Director of Community Development
Darrell Forrest	Manager Governance
Steve Leeson	Acting Director Corporate Services
Faye Lund	Acting Executive Assistant & Minute Secretary

Members of the Public 41

Members of the Press 1

2.2 Apologies

Councillors

Geoff Stallard	South East Ward
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Staff

Mahesh Singh	Director Engineering Services
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2.3 Leave of Absence Previously Approved

Nil.

3.0 PUBLIC QUESTION TIME

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

3.1 Nil.

4.0 PETITIONS/DEPUTATIONS

4.1 Nil.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Nil.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 That the Minutes of the Planning Services Committee Meeting held on 8 March 2011 are confirmed as a true and correct record of the proceedings.

Moved: Cr Martyn Cresswell

Seconded: Cr Maureen Robinson

Vote: **CARRIED UNANIMOUSLY (9/0)**

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

7.1 Nil.

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

8.1 Nil.

9.0 DISCLOSURE OF INTERESTS**9.1 Disclosure of Financial and Proximity Interests**

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Sections 5.60B and 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. (Sections 5.70 and 5.71 of the *Local Government Act 1995*.)

9.1.1 Nil.

9.2 **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.

9.2.1 Nil.

10.0 REPORT TO COUNCIL

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

10. Lot 622 (42) Ledger Road, Gooseberry Hill - Proposed Mobile Phone Tower

Previous Items	N/A
Responsible Officer	Director Planning and Development Services
Service Area	Planning and Development Services
File Reference	LD-01/042
Applicant	Aurecon Pty Ltd
Owner	Shire of Kalamunda

Attachment 1	Locality Plan
Attachment 2	Site Plan
Attachment 3	Enlarged Site Plan
Attachment 4	Elevation
Attachment 5	Current Scheme Zoning Map
Attachment 6	Submission Table
Attachment 7	Photograph of tower's proposed location
Attachment 8	Photomontage of tower in proposed location
Attachment 9	Optus Environmental EME Report

PURPOSE

1. To consider an application for planning approval for a mobile phone tower (the tower) on Lot 622 (42) Ledger Road, Gooseberry Hill (the Ledger Road Reserve), prior to forwarding its recommendation to the WA Planning Commission ("WAPC"). Refer to the Locality Plan (Attachment 1), Site Plan (Attachment 2), Enlarged Site Plan (Attachment 3) and Elevation (Attachment 4).

BACKGROUND

2. The property is a Regional Reserve (Parks and Recreation) under the Metropolitan Region Scheme and therefore, the application will ultimately be determined by the WAPC. The property also falls within a Public Drinking Water Source Area ("PDWSA") Priority 1 (Middle Helena Catchment Area). Refer to the current Scheme Zoning Map (Attachment 5).
3. Adjoining the property is the Gooseberry Hill Primary School and the Gooseberry Hill Child Health Centre. Residential zoned properties are also within close proximity to the proposed tower.

DETAILS

4. Planning approval is being sought for a mobile phone tower on the subject property which is a matter of extensive public interest, as it is proposed to be located within 500m from sensitive land uses (a school and residential properties). It is therefore referred to Council for consideration.
5. The proposed development includes the following:
 - A 30m high monopole (mast).
 - A 1.7m high antenna situated on top of the monopole.
 - A future 2.3m high turret mount situated on top of the proposed antenna.
 - An equipment shelter which will store cable trays to accommodate the electronic equipment, air conditioning units, back up sealed batteries and electrical cabling. Details of the shelter's design are currently unavailable and shall therefore be subject to a separate application being lodged.
 - Security fencing around the perimeter of the compound consisting of cyclone and razor wire fencing.
 - Additional trees are proposed to be planted to screen the facility.
6. The combined height of the proposed tower shall be 34m.
7. The proposed tower would be 170m from Gooseberry Hill Primary School and 260m from the Residential zoned area.
8. The applicant's justification in favour of the proposed mobile phone tower's location is the following:

"As there are no other Towers or Masts in the area which are structurally appropriate or located such that they could be used to meet the coverage objective.

The proposed location is within an existing cleared area of the Reserve and no major disturbance or clearing would be required to accommodate the Optus compound. The existing mature trees around the compound would be retained.

In addition, the proposed monopole with a turret antennae mount is the least most visually intrusive design option for a new telecommunication facility."

STATUTORY AND LEGAL IMPLICATIONS

9. In considering an application for planning approval, Local Planning Scheme No. 3 ("the Scheme") requires the Shire to have due regard to the compatibility of the development within its setting, the preservation of the amenity of the locality, the likely effect of the height, bulk, scale, orientation and appearance of the proposal, and any relevant submissions received on the application.
10. As the property is a Regional Reserve (Parks and Recreation) under the Metropolitan Region Scheme, the application will be determined by the WAPC. Council is to provide the WAPC with its recommendation.
11. If the WAPC 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 IMPLICATIONS**Telecommunications (Low-impact Facilities) Determination 1997**

12. The proposed mobile phone tower is not defined as being a low impact facility under the *Telecommunications (Low-impact Facilities) Determination 1997* due to its height. Therefore planning approval is required to be obtained.

Local Planning Policy DEV26 – Radio, Television and Communication Facilities/Masts

13. In assessing the planning application, Council is to give consideration to Local Planning Policy DEV26 – Radio, Television and Communication Facilities/Masts which stipulates the following with regard to mobile phone towers:
 - New towers are not to be located within 500m from sensitive areas (residential, school and child care centres).
 - New facilities that require planning approval are to be advertised to all landowners within a 500m radius at least three weeks prior to the Council meeting. A notice is also to be placed in a local paper and a sign is to be placed on site.
 - The facility is to be located and designed to cause minimal visual impact.

State Planning Policy No. 5.2 – Telecommunication Infrastructure

14. State Planning Policy No. 5.2 – Telecommunication Infrastructure (SPP 5.2) stipulates when planning approval is required to be obtained for telecommunication infrastructure when determined not to be low impact under the *Telecommunications (Low Impact Facilities) Determination 1997*.

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15. Section 2.3 of SPP 5.2 requires all carriers to comply with the Australian Communications Authority's *Radiocommunications (Electromagnetic Radiation - Human Exposure) Standard (2003)*.

PUBLIC CONSULTATION/COMMUNICATION

16. The proposal was initially advertised for 14 days in accordance with clause 9.4.3 of the Scheme. It was then advertised for a further 45 days to allow nearby landowners, and those associated with Gooseberry Hill Primary School, the opportunity to provide their comments on the application after the Christmas period.
17. Advertising of the proposal involved a local public notice in a paper circulating the District, a sign being erected on the subject property and the proposal being referred to affected landowners for comment.
18. During the advertising period 229 objections and 35 non-objections were received by the Shire. A petition was also received which contains 840 signatures opposing the proposal. Refer to the Submission Table (Attachment 6).
19. Any submissions received after the advertising period have been included in this report.
20. Concerns raised during advertising included:
- The tower being visually intrusive on nearby residential properties by virtue of its location and appearance.
 - The radiation levels emitted from the proposed tower potentially being unacceptably high and having an impact on the health of residents and the school community in the long term.
 - Radiation levels emitted from mobile phone towers, and what is considered to be an acceptable level of radiation people can be exposed to, being unknown.
 - The proposed tower being closer than 500m to sensitive land uses as stipulated under Local Planning Policy DEV26 – Radio, Television and Communication Facilities/Masts.
21. The Department of Education advised that it would prefer that the tower be located further from the school site due to the current level of community concern.
22. The application was also referred to the Department of Water ("DOW") as the subject property falls within a PDWSA.
23. The DOW advised that best management practices should be followed at all
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times. These include the following:

- *"Vehicles are not to be refuelled within the catchment and no fuel is to be stored on site.*
- *If the backup batteries contain acid, then although sealed, they would need to be stored in a sealed impervious bunded area with enough capacity to store 110% of the battery fluid.*
- *Safeguards should be put in place during the construction phase, such as use of portalooos, controls on waste disposal, and the ability to deal immediately with any chemical spills. All contractors should be made aware that they are in a PDWSA, and they should also be aware of the water source protection requirements."*

FINANCIAL IMPLICATIONS

24. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

25. Nil.

Sustainability Implications

Social implications

26. While some of the potential impacts the tower may have on the amenity of the local area could be addressed through the inclusion of conditions, there are issues of concern to the community which cannot be addressed through conditions. Many residents have expressed concerns regarding potential health implications around the location of the proposed tower, particularly in relation to its proximity to the Gooseberry Hill Primary School.

Economic Implications

27. Nil.

Environmental Implications

28. Nil.

OFFICER COMMENT

29. Local Planning Policy DEV26 – Radio, Television and Communication Facilities/Masts stipulates that new towers should not be located within 500m

from sensitive areas that include residential, schools and other similar uses as determined by Council.

30. During the advertising period, the majority of submitters objected to the proposal as the proposed tower will be too close to Gooseberry Hill Primary School (170m) and residential areas (260m). As a result, radiation emitted from the tower could have an impact on the health of residents and the school community.
31. The applicant provided an Optus Environmental EME Report for the proposed tower, which confirms that the tower will comply with the Australian Communications and Media Authority regulatory requirements with respect to electromagnetic energy exposure levels. Refer to the Optus Environmental EME Report (Attachment 9).
32. The Optus Environmental EME Report concludes that electromagnetic energy levels from the proposed tower are estimated to be 0.24% of the Australian Radiation Protection and Nuclear Safety Agency at 1.5m above ground level.
33. However, the Australian Radiation Protection and Nuclear Safety Agency, the Federal Government agency responsible for protecting the health and safety of people from the harmful effects of radiation, have stated that *"although the epidemiological research that has been carried out to date does not give cause for concern, it has too many limitations to give reassurance that there is no hazard."*
34. It is therefore considered that Council recommends to the WA Planning Commission that the application be refused.

OFFICER RECOMMENDATION (PS 10/2011)

1. That Council recommend to the WA Planning Commission that the application dated 26 October 2010 for a mobile phone tower at Lot 622 (42) Ledger Road, Gooseberry Hill, be refused for the following reasons:
 - a. Council's Local Planning Policy DEV 26 – Radio, Television and Communication Facilities/Masts requires mobile phone towers to be at least 500m from sensitive land uses. The proposed mobile phone tower shall be 170m from Gooseberry Hill Primary School, which constitutes a 66 per cent reduction in the required 500m distance.
 - b. The significant community objection to a possible unacceptable impact on the health of the local community with respect to radiation emissions from the proposed mobile phone tower.
 - c. The likely impact on the amenity of the locality as it is visually intrusive in the bushland setting by virtue of its location, height and appearance.

Moved: Cr Margaret Thomas

Seconded: Cr Donald McKechnie

Vote: **CARRIED UNANIMOUSLY (9/0)**

The Chairperson called a five minute recess at 7:10pm.

The meeting recommenced at 7.13pm.

At the recommencement of the meeting, all Councillors and staff in attendance prior to the recess were present, with the exception of Cr Noreen Townsend.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**11. Lot 501 and 503 (6) Dixon Road, Kalamunda - Local Planning Scheme 3 Amendment - Local Open Space and Residential Boundary Realignment**

Previous Items	PS 26/2010
Responsible Officer	Director Planning and Development Services
Service Area	Planning and Development Services
File Reference	PG-LPS-003/033
Applicant	Department of Housing
Owner	Department of Housing
Attachment 1	Locality Plan
Attachment 2	Current Zoning Map
Attachment 3	Proposed Rezoning Map
Attachment 4	Consultation Plan

PURPOSE

- To consider whether to recommend final approval for Amendment No. 33 to Local Planning Scheme No. 3 (the Scheme) to amend:
 - Portions of Lot 501 (6) Dixon Road, Kalamunda from Local Open Space to Residential R30.
 - A portion of Lot 503 from Residential R30 to Local Open Space.
Refer to the Locality Plan (Attachment 1), the Current Zoning Map (Attachment 2) and the Proposed Rezoning Map (Attachment 3).

BACKGROUND

- In March 2010, approval was issued by the Western Australian Planning Commission ("WAPC") to subdivide Lot 608 (6) Dixon Road into two freehold lots (Lots 501 and 503). Both of these lots currently contain small portions of land either zoned R30 or Reserve Local Open Space.
- As a consequence of the approved subdivision, Lot 501 and 503 do not individually have consistent zonings. The WAPC therefore requested that the Shire initiate a scheme amendment so that the entirety of the individual lots had the same zoning or were Reserved for the same purpose.
- In September 2010, Council resolved (Resolution PS 26/2010) to initiate Amendment No. 32 to the Scheme.

DETAILS

- The applicant is seeking approval to amend the east boundary of Lot 501 from Local Open Space to Residential R30, and amend the north-west portion of Lot 503 from Residential R30 to Local Open Space.

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6. The rezoning of these portions shall mean that they are consistent with the remainder of the lot.
 7. The applicant has advised that:
"The 'Local Open Space' reserved land will increase by a small margin of 36sqm whilst the R30 zoned land will decrease by the same amount."

STATUTORY AND LEGAL IMPLICATIONS

8. The *Town Planning Regulations 1967* establish procedures relating to amendments to local planning schemes. If Council resolves to adopt the proposed amendment, then ultimately the amendment will be determined by the Minister for Planning.

POLICY IMPLICATIONS

9. Nil.

PUBLIC CONSULTATION/COMMUNICATION

10. The proposal was advertised for 42 days, which involved two local public notices in a paper circulating the District and two public notices in a paper circulating the state. There were also two signs erected on the subject property and the proposal was referred to affected landowners for comment. Refer to the Consultation Plan (Attachment 4).
11. During the formal advertising period, four non-objections and two objections were received by the Shire.
12. Two nearby landowners raised concerns over an increase in traffic and loss of native bushland, natural habitat for animals and local flora and fauna.

FINANCIAL IMPLICATIONS

13. Nil. Costs borne from processing and advertising the amendment will be recouped from the applicant.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

14. The subject property abuts other Residential zoned properties, local open space, is within close proximity to commercial premises (shops) and public facilities (library and culture centre).

Sustainability Implications

Social implications

15. Nil.

Economic Implications

16. Nil.

Environmental Implications

17. The vegetation was subject to a botanical survey in 1996 to determine the vegetation on site worthy of retention. The area Reserved for Local Open Space contains the significant vegetation.
18. The applicant is required to identify and protect any vegetation on the site worthy of retention prior to commencement of site works as a condition on the subdivision.

OFFICER COMMENT

19. The proposed zoning will allow the boundaries to be rationalised to a zoning and reservation. While the concerns of the objectors are noted, the proposed changes to the existing Local Open Space are very small areas of land along the existing residential boundary. It is therefore recommended that the proposed amendment be adopted by Council.

OFFICER RECOMMENDATION (PS 11/2011)

1. That Council adopts the amendment to Local Planning Scheme No. 3 in accordance with the following:

<p style="text-align: center;">PLANNING AND DEVELOPMENT ACT 2005 RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME SHIRE OF KALAMUNDA LOCAL PLANNING SCHEME NO. 3 AMENDMENT NO. 33</p> <p>Resolved that the Council in pursuance of Part 5 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:</p> <p>1. Rezoning the east portion of Lot 501 (6) Dixon Road, Kalamunda from Local Open Space to Residential R30, and Reserve the north-west portion of Lot 503 (6) Dixon Road, Kalamunda from Residential R30 to Local Open Space in accordance with the Scheme Amendment Map.</p>

Cr Noreen Townsend returned to Chambers at 7.16pm.

Moved: Cr Maureen Robinson

Seconded: Cr Donald McKechnie

Vote: **CARRIED UNANIMOUSLY (9/0)**

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**12. Lot 16 (8) Stirk Street, Kalamunda - Local Planning Scheme No. 3 Amendment – Additional Use (Office)**

Previous Items	N/A
Responsible Officer	Director Planning and Development Services
Service Area	Planning and Development Services
File Reference	ST-11/008
Applicant	P Jebb
Owner	J Woods
Attachment 1	Locality Plan
Attachment 2	Scheme Zoning Map

PURPOSE

1. To consider an amendment to Local Planning Scheme No. 3 (“the Scheme”) to allow for an additional use (Office) at Lot 16 (8) Stirk Street, Kalamunda. Refer to the locality plan (Attachment 1).

BACKGROUND

2. The subject lot is zoned Residential R20, has direct access onto School Street and contains two grouped dwellings which are to be retained.
3. One of the dwellings is listed on the Shire’s Municipal Inventory of Heritage Places as a category C meaning that it is to be retained and conserved if possible. It should be noted that the proposed additional use is to operate from the other dwelling on the property which is not listed in the Municipal Inventory of Heritage Places.
4. Stirk Street forms the northern boundary of the Kalamunda Town Centre. Refer to the current Scheme Zoning Map (Attachment 2).

DETAILS

5. The applicant has requested that Council amend the Scheme to allow the additional use (Office) on the subject property.
6. The applicant has advised that clients will visit the property by prior appointment only and the business (an administration office for accounting and legal services) will operate during normal business hours.
7. Those associated with the proposed use would not reside at the property, and the entire dwelling would be used for office purposes.

STATUTORY AND LEGAL IMPLICATIONS

8. The *Town Planning Regulations 1967* establish procedures relating to amendments to local planning schemes. If Council decides to initiate the proposed amendment, then ultimately the amendment will be determined by the Minister for Planning.
9. If Council does not initiate the amendment, the process ceases and there is no Right of Review (appeal) to the State Administrative Tribunal. If the proposal progresses to the Minister's determination, irrespective of the Minister's decision, there is no Right of Review.
10. Under the Zoning Table of the Scheme the use Office is listed as an 'X' use in the Residential zone, meaning the use is not permitted.
11. Clause 4.2 of the Scheme states that the objectives of Residential zoned areas are the following:
 - a. 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.
 - b. 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.

POLICY IMPLICATIONS

Liveable Neighbourhoods (January 2009)

12. *Liveable Neighbourhoods (January 2009)* is an integrated planning and assessment policy to assist with the design and assessment of structure and subdivision plans to guide urban development within metropolitan and regional Western Australia.
13. The Policy requires commercial and business uses to be integrated into mixed use centres to provide improved environmental, economic and social outcomes.

Directions 2031 and Beyond

14. *Directions 2031 and Beyond* is a high level strategic plan that establishes a vision for future growth of the Perth metropolitan area.
15. The objectives of which include the following:
 - Developing and revitalising activity centres as attractive places in which to invest, live and work.

- Ensuring that economic development and accessibility to employment inform urban expansion.

PUBLIC CONSULTATION/COMMUNICATION

16. If the amendment is initiated by Council, the Amendment would be formally advertised for 42 days in accordance with the provisions of the *Town Planning Regulations 1967*.
17. The amendment would be required to be advertised in the form of a notice being published in a district and State wide newspaper. The applicant would also be requested to arrange for a sign advertising the proposal, to be erected on the subject property.

FINANCIAL IMPLICATIONS

18. If the amendment is adopted there will be a cost involved, however this would be recouped from the applicant.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

19. The subject property falls outside of the Kalamunda Town Centre which operates as an 'Activity Centre' in *Directions 2031 and Beyond*, accommodating a range of commercial uses including the proposed office activities.

Sustainability Implications

Social implications

20. Co-locating office and residential uses has the potential for the amenity of residents to be negatively impacted.

Economic Implications

21. Nil.

Environmental Implications

22. Nil.

OFFICER COMMENT

23. The applicant's justification in favour of the proposed additional use is the following:

"Given the location of the property, immediately opposite to the Bunnings car

park and Nirvana Chiropractic clinic, in my view the location lends itself to uses (sic) as offices and administration with little or no impact on surrounding businesses and residences.”

24. It is considered that the proposal is ad hoc and not in keeping with proper and orderly planning of commercial developments, and would be best located in the town centre where similar uses exist. For this reason it is recommended that the request for the additional use Office at the subject lots, not be supported by Council. While it is acknowledged that the subject premise is on the boundary of a commercial area, which can impact on the amenity of the residential area, rezoning to allow offices simply shifts that boundary and potentially the impact.
25. Whilst the applicant has advised the Shire how the business will operate should the amendment be approved, it is important to note that in the long term the tenancy could change and operate in a different manner.

OFFICER RECOMMENDATION (PS 12/2011)

1. That Council does not initiate the amendment to allow for the additional use Office at Lot 16 (8) Stirk Street, Kalamunda, as this would impact on the amenity of the established residential area and the use would be best located within the Kalamunda Town Centre or Mixed Use zoned area.

Moved:

Seconded:

Vote: There being no Mover or Seconder for the Officer Recommendation the Motion **LAPSED**.

PROCEDURAL MOTION

1. That the Report Item is deferred until the April 2011 Ordinary Council Meeting.

Moved: Cr Maureen Robinson

Seconded: Cr Sue Bilich

Vote: **CARRIED UNANIMOUSLY (9/0)**

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

13. Townscape Improvement Plans - Edinburgh Road Shopping Centre - Forrestfield

Previous Items	PS68/2010
Responsible Officer	Director Planning and Development Services
Service Area	Planning and Development
File Reference	PG-STU-016, PG-STU-018
Applicant	N/A
Owner	N/A
Attachment 1	Draft Key Issues Plan
Attachment 2	Draft Opportunities Plan
Attachment 3	Draft Concept Plan
Attachment 4	Submission Table

PURPOSE

1. To consider the endorsement of the Townscape Improvement Plans for Edinburgh Road Shopping Centre, Forrestfield.

BACKGROUND

2. In March 2008, the Shire obtained feedback from the community on a broad range of planning matters as part of the Land Vision Planning Workshops. The generally poor planning and aesthetics of the Edinburgh Road Shopping Centre was identified at the time.
3. The Shire commissioned an urban design consultant in January 2010, to prepare a Townscape Improvement Plan for a number of shopping centres in the Shire, including the Edinburgh Road Shopping Centre.
4. In November 2010, Council approved the Townscape Improvement Plans for Edinburgh Road Shopping Centre for the purpose of public advertising.

DETAILS

5. The Townscape Improvement Plan for the Edinburgh Road Shopping Centre comprises land wholly occupied by the Centre, tavern/bottle shop and service station on Edinburgh Road, Lincoln Road and Cumberland Road.
6. The consultant has prepared a plan identifying key issues relating to this shopping centre, namely:
 - c. Poor street addresses.
 - d. Fragile business viability.
 - e. Fragmented vehicular and pedestrian access and circulation.
 Refer (Attachment 1) Key Issues Plan.

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7. The draft Opportunities Plan (Attachment 2) identifies four areas which offer an opportunity to address issues of land use, access and circulation and potential environmental improvements. For example, Area 2 is currently an under-utilised car park area. The area could be developed for medium density residential development that would assist with the ongoing viability of the Shopping Centre, provide passive surveillance over the adjoining homes and visually improve the area.
 8. Draft Concept Plan (Attachment 3) illustrates key redevelopment and enhancement options for the Centre, including rezoning of part of the Centre, clarifying pedestrian and vehicular movements within the parking area of the Centre. The Plan also shows:
 - Proposed tree planting within the parking and landscaped areas to provide shade and improve visual amenity of the area.
 - The potential for additional development of the Shopping Centre on the corner of Edinburgh and Lincoln Roads.
 - Improved street front presence to the Shopping Centre.

STATUTORY AND LEGAL IMPLICATIONS

9. Townscape Improvement Plans are essentially strategic planning tools. Part 6 of Local Planning Scheme No 3, Special Control Areas, will need to be amended to reflect recommendation pertaining to design criteria contained in the improvement plans.

POLICY IMPLICATIONS

10. Nil.

PUBLIC CONSULTATION/COMMUNICATION

11. The proposal was advertised in the local community paper, on the Shire's website and via displays in the shopping centre and the Forrestfield Library from the 25 January until the 25 February 2011. By the closing date for public submissions 30 submissions were received. For submissions and comments on the submissions refer (Attachment 4).
12. This is a summary of submissions received:
 - A clear community support for the proposed plans.
 - Hope is repeatedly expressed that modernising the centre and making it more up to date will not only increase patron's shopping enjoyment it could also possibly deal with vandalism, graffiti and other antisocial behaviour related to the parking and vacant land adjacent to the

centre.

- Suggestions were made to include a chemist, a coffee shop and a skate park area for youth in the proposal.
- Concerns were raised about increase of residential development and possible increase in traffic.
- There was some support for additional residential development, particularly for elderly.

13. It is quite evident that the Shopping Centre has strong patronage and the majority of submitters have given positive feedback on proposed plans.

FINANCIAL IMPLICATIONS

14. Implementation of the recommendations contained in the improvement plans will largely require financial commitment from the Shopping Centre owner, since majority of work is located on the private land. Depending on the timing and the resources provided by the owner, Council might provide some assistance through the annual budgeting process.
15. Following Council's endorsement of the Improvement Plans, a Schedule of Works Programme will be prepared detailing the extent of the proposed works, costs and timeframes. It is likely that the financial commitments will extend over at least a five year period. Preliminary costs for the required works have been included in the 10 year Financial Plan projections.
16. In respect to costs incurred, a funding model will be prepared detailing how costs will be recouped for works undertaken.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

17. The Townscape Improvement Plan is a strategic planning tool that will guide future development consistent with the values, concerns and visions expressed by the community of both the private and public domain for the next 20 years.
18. Refer Strategy 2.3.1 - Undertake revitalisation of town centres through the implementation of Town Centre Improvement Action Plans.

Sustainability Implications

Social implications

19. The proposed improvements to the Edinburgh Road Shopping Centre will make the area more attractive and provide better amenity for local residents and those visiting from outside the Shire.

Economic Implications

20. Implementation of the recommendations contained in the Improvement Plan will assist local businesses in attracting people to the centre and improve the commercial viability of their business.

Environmental Implications

21. The identification and planting of suitable native and exotic trees will improve the visual amenity of the centres and provide suitable shade in the summer and sunlight in the winter.

OFFICER COMMENT

22. The Improvement Plans are consistent with and complimentary to the values, concerns and visions expressed by the Forrestfield community in the Land Planning Vision Workshop which formed the basis for the preparation of the improvement plans.
23. Recommendations contained in the improvement plans will provide opportunities for future development in the private domain. In particular, new medium density residential development adjacent to the shopping centre. This will help to target areas which have poor amenity in terms of the built form, pedestrian and vehicle access and landscaping. Providing medium density housing in such a location is consistent with the intent of *Directions 2031 and Beyond* which seeks to revitalise centres through well design and planned urban communities.
24. The concerns of some residents in respect to increased traffic are noted. However, the proposal to allow for new medium density housing in an underutilised and unsightly car park area will significantly improve the visual amenity of the area. Moreover, the balance of the car parking area is sufficient in size to accommodate the patronage of the shopping centre and will result in a negligible increase in traffic volumes.
25. It should be noted that the majority of work proposed is located on privately owned land and therefore the responsibility of the Shopping Centre owner to implement. The timing of these works will be dependent on when the owner is prepared to undertake the works. Whilst Shire officers will work collaboratively with the owner of the Shopping Centre to encourage the development of the Centre, ultimately the timing of the works will be dependent on when the owner will commit time and resources to the improvement works.

OFFICER RECOMMENDATION (PS 13/2011)

1. That Council endorses the Townscape Improvement Plan for Edinburgh Road Shopping Centre.

2. That a schedule of works be prepared detailing the extent of the works, projected costs and timeframe for the implementation of the works programme.

Moved: Cr Maureen Robinson

Seconded: Cr Noreen Townsend

Voted: **CARRIED UNANIMOUSLY (9/0)**

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Nil.

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE**12.1 Roe Highway and Berkshire Road Intersection (Cr Dylan O'Connor)**

Q. Can the CEO advise how to best move forward, in response to the letter from the Minister for Transport, regarding the Roe Highway/Berkshire Road intersection and where to from here?

A. The CEO advised Council that if they feel strongly in regards to the response from the Minister of Transport, which appears to be a 'holding pattern' approach regarding the future of this intersection, there are a number actions they may want to take. Council may wish to draft a letter and/or move a Motion to reinforce the significance of this intersection in respect to:

- The increased truck movement due to the growing industrial development in the vicinity.
- The proximity to the proposed new International/Domestic Airport complex.
- Freight requirements to access the Cooperative Bulk Handling site.

The CEO added that from his experience, a strong political stance is the best way of moving something forward. Perhaps Council may wish to add that whilst a recent newspaper article noted this intersection as the third worst in the state, Main Road's lack of action does not reflect this statistic. Perhaps Council may wish to include this point in their letter/Motion.

12.2 Ramp it Up Event (Cr Dylan O'Connor)

Cr O'Connor asked for his gratitude to be passed on to the Shire staff that organised an outstanding event on the weekend please.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

13.1 Nil.

14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

14.1 Nil.

15.0 MEETING CLOSED TO THE PUBLIC

15.1 Nil.

16.0 CLOSURE

There being no further business, the Chairman declared the meeting closed at 7:45pm.

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

Signed: _____
Chairman

Dated this _____ day of _____ 2011