
Shire of Kalamunda

Planning Services Committee

Minutes for 7 June 2011

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MINUTES

1.0 OFFICIAL OPENING

1.1 As the Chairman of the Planning Services Committee Meeting was an apology, the CEO took the Chair to open the meeting at 6:32pm and welcomed Councillors, Staff and Members of the Public Gallery. Councillors then unanimously elected Shire President Cr Donald McKechnie as Acting Chairman for the Meeting.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Donald McKechnie	(Acting Chairman, Planning) (Shire President)	North Ward
Sue Bilich		North Ward
Noreen Townsend		South West Ward
Allan Morton		South West Ward
Frank Lindsey		South East Ward
Geoff Stallard		South East Ward
Dylan O'Connor		North West Ward
Justin Whitten		North West Ward

Members of Staff

James Trail	Chief Executive Officer
Rhonda Hardy	Director of Corporate Services
Clayton Higham	Director of Planning & Development Services
Kevin O'Connor	(left at 7:18pm) Director of Community Development
Mahesh Singh	Director of Engineering Services
Darrell Forrest	Manager Governance
Michelle Clark	Executive Assistant
Sara Slavin	Minute Secretary
Nina Lytton	Coordinator Strategic Planning
Andrew Fowler-Tutt	Manager Strategic Planning & Sustainability
David Tomlinson	Manager Statutory Planning & Building

Members of the Public 23

Members of the Press 1

2.2 Apologies

Councillors

Maureen Robinson	South West Ward
Martyn Cresswell	North West Ward

2.3 Leave of Absence Previously Approved

Councillors

Margaret Thomas

Carol Everett

North Ward

South East Ward

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 2 May 2011 are confirmed as a true and correct record of the proceedings.

Moved: Cr Allan Morton

Seconded: Cr Justin Whitten

Vote: CARRIED UNANIMOUSLY (8/0)

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.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**18. Local Planning Scheme No. 3 Amendment No. 38 - Lots 724, 725, 727, 728, 729, 730, 731, 732, 733, 734 and 751 (Sultana Road West, Lot 752 Eureka Street and Lots 752, 753, 754, 755 and 756 Milner Road, High Wycombe – Rezoning from Special Use (Business) to Light Industry**

Previous Items	OCM 4/02, OCM 159/2010
Responsible Officer	Director Planning and Development Services
Service Area	Planning and Development Services
File Reference	PG-LPS-003/038
Applicant	N/A
Owner	Various
Attachment 1	Locality Plan
Attachment 2	Current Zoning Map
Attachment 3	Proposed Forrestfield/High Wycombe Industrial Area

PURPOSE

- To consider final adoption of Amendment No. 38 to Local Planning Scheme No. 3 ("the Scheme") to rezone Lots 724, 725, 727, 728, 729, 730, 731, 732, 733, 734 and 751 Sultana Road West, Lot 752 Eureka Street and Lots 752, 753, 754, 755 and 756 Milner Road, High Wycombe from Special Use (Business) to Light Industry. Refer to the Locality Plan (Attachment 1) and Current Zoning Map (Attachment 2).

BACKGROUND

- In February 2002 Council resolved (Resolution OCM 4/02) to adopt District Planning Scheme No. 2 Amendment No. 211 to rezone the subject lots from Mixed Use and Light Industry to Special Purpose – Home Business, and to impose the following conditions:
 - "Within this zone, the following uses are permitted (P): single house.*
 - Within this zone the following uses are not permitted unless Council grants specific approval (D): commercial vehicle parking, home business, office, veterinary centre.*
 - The Council may grant approval for a home business subject to the use, if conducted in a separate building, being at the rear of the dwelling.*

The Council may grant planning approval for not more than one commercial vehicle to be parked on the lot subject to a dwelling first being developed on the lot and the commercial vehicle being parked at the rear of the dwelling. Clause 5.20 applies."

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3. The amendment was subsequently approved by the then Minister for Planning (the Minister) in December 2003.
 4. The zoning Special Purpose changed to Special Use when the Minister approved the Scheme in March 2007.
 5. In November 2010 Council resolved (Resolution OCM 159/2010) to initiate Amendment No. 38 to the Scheme.
 6. Some of the subject lots contain single storey dwellings and associated outbuildings which have been approved by the Shire and will be permitted to remain on the lots as non-conforming uses should the subject amendment be approved.

DETAILS

7. The subject lots were rezoned to Special Use to provide a buffer at the time, between the Light Industry zoned lots to the south west and possible future Residential development of land to the north of Sultana Road West, as well as to the existing Special Rural lots on the eastern side of Milner Road.
8. Lots to the north of Sultana Road West and those on the eastern side of Milner Road are now proposed to be rezoned to Light Industry as part of the expansion to the Forrestfield/High Wycombe Industrial Area. Therefore there is no longer the need for the Special Use zone to provide the buffer. Refer to the plan of the Proposed Forrestfield/High Wycombe Industrial Area (Attachment 3).
9. It is proposed that Lots 724, 725, 727, 728, 729, 730, 731, 732, 733, 734 and 751 (Sultana Road West, Lot 752 Eureka Street and Lots 752, 753, 754, 755 and 756 Milner Road, High Wycombe be rezoned from Special Use (Business) to Light Industry to be consistent with the existing and future zoning of surrounding properties.

STATUTORY AND LEGAL IMPLICATIONS

10. 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.
11. The objectives of the Light Industry zone under the Scheme are:
 - To provide for predominantly light industry in proximity to residential areas.
 - To ensure that industries are environmentally compatible with surrounding zones and activities.
 - To ensure that the movement of goods and services in and out of the zone cause minimal impact on residential land in the vicinity.

POLICY IMPLICATIONS

12. The subject area is referenced in the State Government's Key Strategic Policy document *Directions 2031 and Beyond (2010)* and was originally identified under the *Kewdale Hazelmere Integrated Master Plan (2006)* as a future development area given its key strategic location adjacent to Perth Airport, Forrestfield Marshalling Yards/Container Depot and key road freight routes of Roe Highway, Dundas Road, Abernethy Road and Tonkin Highway.

PUBLIC CONSULTATION/COMMUNICATION

13. The proposal was advertised for 42 days, which involved a local public notice in a paper circulating the District and the proposal being referred to affected landowners for comment.
14. During the formal advertising period six non-objections and one objection were received by the Shire.
15. Concerns raised included the impact future uses on the properties will have on the quality of life of those residing there.

FINANCIAL IMPLICATIONS

16. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS**Strategic Planning Implications**

17. The proposed Light Industry zoning of the subject lots would be consistent with the existing and future zoning of surrounding properties, identified under the proposed Forrestfield/High Wycombe Industrial Area.

Sustainability ImplicationsSocial implications

18. It is acknowledged that there are a number of lots which have been developed as residential properties or have a small business operating to the rear of the site in accordance with the Special Use zoning. The proposed Light Industry zoning however, will provide for uses which can utilise residential dwellings as consulting rooms or offices either as stand-alone uses or incidental to a predominant use.

Economic Implications

19. Allowing for a variety of uses on the properties would potentially create more jobs thereby providing a stimulus for the local economy. It is part of a broader strategy to create industrial zoned land in the locality.

Environmental Implications

20. An objective of the Light Industry zone is to ensure that activities are environmentally compatible with surrounding zones and activities.

OFFICER COMMENT

21. The subject area was originally identified under the *Kewdale Hazelmere Integrated Master Plan (2006)* as a key strategic development site for freight related industries given its proximity to road, rail and air infrastructure. The importance of the area to the State government is reflected in the governments key strategic planning policy documents Directions 2031 and Beyond and the soon to be released draft Industrial Land Strategy.
22. The current Special Use zoning of the subject lots is no longer required to act as a buffer due to the future proposed rezoning of surrounding properties as part of the proposed Forrestfield/High Wycombe Industrial Area. The proposed zoning is considered consistent with the future industrial development zone proposed for the surrounding area, Directions 2031 and Beyond and the draft Industrial Land Strategy.
23. Should the amendment be approved, it will be necessary for development proposals to be considered in respect to its impact on the amenity of the area. Particular consideration will need to be given to uses that may have an impact on those properties still being used for residential purposes.
24. Objectives of the Light Industry zoning are to allow for light industrial uses to be located within close proximity to residential properties and to ensure that the movement of goods and services in and out of the zone cause minimal impact on residential properties in the vicinity.
25. Issues relating to noise, lighting and traffic impact on the locality will be considered when development applications are received for all properties within the vicinity.
26. Considering the above, it is recommended that Council adopts the proposed rezoning.

COMMITTEE RECOMMENDATION TO COUNCIL (PS 18/2011)

That Council:

1. Notes the submissions received in respect to Amendment No. 38 to Local Planning Scheme No. 3.
2. Adopts the amendment to Local Planning Scheme No. 3 in accordance with the following:

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME
SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
AMENDMENT NO. 38

Resolved that the Council in pursuance of Part 5 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:

- a. Local Planning Scheme No. 3 Amendment No. 38 - Lots 724, 725, 727, 728, 729, 730, 731, 732, 733, 734 and 751 Sultana Road West, Lot 752 Eureka Street and Lots 752, 753, 754, 755 and 756 Milner Road, High Wycombe – Rezoning from Special Use (Business) to Light Industry.
- b. Delete item 7 of the Scheme’s Schedule 4 (Special Uses) and renumber the remaining items accordingly.

3. Amends the Scheme Zoning Map accordingly.
4. Duly executes the Amendment documents and forwards them and submissions received to the Minister for Planning requesting final approval be granted.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Allan Morton**

Vote: **For**
Cr Frank Lindsey
Cr Geoff Stallard
Cr Allan Morton
Cr Noreen Townsend
Cr Justin Whitten
Cr Sue Bilich
Cr Donald McKechnie

Against
Cr Dylan O'Connor

CARRIED (7/1)

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**19. Lot 31 (24) Mead Street, Kalamunda – Proposed Showroom and Warehouse**

Previous Items	N/A
Responsible Officer	Director Planning and Development Services
Service Area	Planning and Development Services
File Reference	MD-06/024
Applicant	Vital Automotive (WA)
Owner	Vital Automotive (WA)
Attachment 1	Locality Plan
Attachment 2	Site Plan
Attachment 3	Internal Floor Plan
Attachment 4	Elevations
Attachment 5	Photomontage of Proposed Development
Attachment 6	Kalamunda Townsite Improvement Plan

PURPOSE

1. To consider an application to build a showroom and associated warehouse at Lot 31 (24) Mead Street, Kalamunda. Refer to the Locality Plan (Attachment 1), Site Plan (Attachment 2), Internal Floor Plan (Attachment 3), Elevations (Attachment 4) and the photomontage of the proposed development (Attachment 5).

BACKGROUND

2. The subject property is 1,548sqm, zoned District Centre and is located on the Mead Street and Canning Road intersection. The site previously operated as a Shell Service Station and has been vacant for a number of years.
3. The property is identified on the Kalamunda Townsite Improvement Plan (KTIP) as being an "Opportunity Site" meaning that future development on the property is to address key issues outlined on the KTIP. Refer to the KTIP (Attachment 6).

DETAILS

4. Planning approval is being sought to construct a showroom and associated warehouse on the property. Details of the applications are as follows:
 - The premises will be occupied by Auto One.
 - The proposed development will be used to store and display automotive parts and supplies.
 - The business is proposed to operate between Monday and Friday 8.30am to 5.00pm, Saturday 8.30am to 5.00pm, Sunday and Public Holidays 8.30am to 4.00pm and late night trading on Thursday until 7.30pm.

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- It is proposed that 24 car park bays be provided, with direct access from Canning Road.
 - The building contains two levels (one mezzanine) both of which allow for passive surveillance of both streets.
 - The building will be constructed of concrete tilt-up panels and painted in colours chosen from the colour palette in the KTIP.
 - A canopy verandah roof is proposed along the street frontages to allow for sheltered pedestrian movement around the building.
 - To provide protection against vandalism, the first 2 metres of the building's external walls are proposed to be treated with anti-graffiti coating.
 - Night time security lighting is proposed to be installed which shall light up the area below and above the verandahs to give the development presence.
 - Signage is proposed along the Mead Street facade but this will be subject to a separate application being lodged with the Shire.

STATUTORY AND LEGAL IMPLICATIONS

5. Under the Zoning Table of the Scheme the use class "Showroom" is listed as a 'P' use in the District Centre zone, meaning the use is permitted providing the use complies with the relevant development standard and requirements of the Scheme. "Warehouse" is listed as a 'D' use in the District Centre zone, meaning the use is not permitted unless the Shire has exercised its discretion by granting planning approval.
6. In considering an application for planning approval, the Scheme requires the Shire to have due regard to a number of matters, including:
 - The compatibility of the development within its settings.
 - The preservation of the amenity of the locality.
 - The likely effect of the height, bulk, scale, orientation and appearance of the proposal.
 - Whether the proposed means of access and egress from the property are adequate.
 - Any other planning consideration the local government considers relevant

7. The Scheme parking standards for the uses Showroom and Warehouse are as follows:

Scheme Parking Requirements	Aggregate Net Lettable Area (NLA)	Bays Required	Bays Provided
Showroom – 4 bays per 100sqm NLA	750sqm	30	
Warehouse – 3 bays for up to the first 200sqm of floor area and thereafter 1 bay for every 100sqm of NLA or part thereof	200sqm	3	
Total Car Bays:		33	24

8. The Scheme site requirements for properties zoned District Centre are as follows:

Site Requirements	Required/Permitted	Proposed
Primary street setback (Canning Road)	0m	0m
Minor Street Setback (Mead Street)	0m	0m
Side setbacks	0m	17m
Rear setback	0m	0m
Site Coverage	100%	58%
Plot Ratio	1.5	1.4

9. 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.
10. Canning Road is a Regional Reserve (Other Regional Roads) under the Metropolitan Region Scheme. The application was referred to the WA Planning Commission due to the proposed access onto Canning Road. The Commission advised that its policy is that it will not support vehicular access onto a Regional Reserve (Other Regional Roads) if there is an alternative access, in this case Mead Street.

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11. Access onto Canning Road in special circumstances which may be identified in a Transport Assessment Report. The applicant would need to provide advice on the safety and efficiency for this to be considered.

POLICY IMPLICATIONS

Kalamunda Townsite Improvement Plan

12. The purpose of KTIP 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.
13. The KTIP also provides design principles relating to land use in the context of place-making and urban design, particularly mixed use and commercial development.
14. With regard to prominent (corner) sites, the KTIP stipulates that development should be emphasised by greater scale or differing geometry relative to the remainder of the building or surrounding development. This could include curving, additional height, different roof forms, verandahs, balconies, or other design elements which accentuate building corners. The facades of buildings should also address street frontages.
15. Each street within the Policy Area has been defined as a "Primary", "General Commercial" or "Green Street", with specific requirements attached to each frontage type. Mead Street and Canning Road are defined as being a "General Commercial Street".
16. The attributes of new development on a General Commercial Street are as follows:
 - Moderate to high level of activation.
 - Mix of shops, offices and other commercial tenancies at ground floor level. Residential lobbies are also acceptable.
 - General commercial and residential uses permitted above ground floor level.
 - At ground floor level, the facades of buildings shall address the street with a commercial shop front, primary business entrance and/or residential lobby.
 - Front setback may be a minimum of nil, up to a maximum of 3m, however the setback will be determined after consideration of the front setbacks of any adjoining existing buildings.
 - Any front setback area to be landscaped to a high standard with soft and hard treatments in a manner appropriate to the site's location and context.

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- Pedestrian shelter, through provision of an awning over the front door, must be provided as a minimum requirement.
 - Car parking shall not be located between the building and the street boundary.
 - The number and width of vehicle crossovers to each site shall be minimised, and sharing with adjoining properties encouraged.

PUBLIC CONSULTATION/COMMUNICATION

17. Nil.

FINANCIAL IMPLICATIONS

18. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

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

Sustainability Implications

Social implications

20. Development of this site in accordance with the KTIP and the Planning and Urban Design Guidelines is of significant strategic importance, and will set the pattern for future developments and the long term sustainability of business in the future.

Economic Implications

21. Development for commercial purposes will allow for employment opportunities and allow for a long term local business to continue operating from the Kalamunda Town Centre.

Environmental Implications

22. The site was previously identified as a contaminated site under the Environmental Protection Act. The Environmental Protection Authority has confirmed that the site may be developed, however there are some conditions which would prohibit any excavation of the site.

OFFICER COMMENT

23. The site is considered a “cornerstone” location in the town centre and forms a highly visible edge. The site is highly visible due to the two road frontages and the car park for the adjacent shopping centre abutting it on the other two boundaries. As such this creates substantial design considerations.

24. The KTIP states that the site “... should be developed to a higher scale to help mark the entrance to the town centre.” In February 2011, Council adopted Planning and Urban Guidelines for the Kalamunda Town Centre, which was subsequently advertised for public comment.

Whilst Council has yet to formally adopt the Guidelines, it should have due regard to it as it is being seriously entertained. It should be noted that the proposal was designed prior to the release of the Guidelines for public comment; however the applicant has been made aware of these Guidelines and the way they apply to their site in particular. Extensive discussions with the applicant have occurred in regard to the design and the importance of getting a building on this site which adheres to the Guidelines.

25. The building “turns its back” to the road frontages, with no access from either street and does not provide interest to the passer by. The Guidelines require that the primary business entrance should be fronting the street. The only access to the building is from the parking area, which is remote from the street and not readily identifiable. The applicant has advised that the access point is a necessity for security reasons and the convenience of customers parking on site.

26. The development proposes a roller door onto Mead Street which is contrary to the guidelines in terms of streetscape as well as being inappropriate from a traffic safety viewpoint. It may however, be possible to alter this design by accessing the loading area from the northern (car park) side of the building.

27. Although there is a shortfall in the required number of parking bays, it is not considered to be an issue due to the way in which the proposed use operates in terns.

28. The applicant has designed the building in such a way that will be functional in terms of security, layout of floor stock and accessibility from the car park. As such, the building effectively addresses the car park, rather than the public domain.

29. The function of the building however needs to be considered in conjunction with importance of the site and broader aspirations of the town centre as stated in the KTIP and the draft Planning and Urban Design Guidelines. It is considered that a redesign of the façade (the walls facing the roads) should be undertaken so that the development addresses the street in keeping with the draft Guidelines.

COMMITTEE RECOMMENDATION TO COUNCIL (PS 19/2011)

1. That the Showroom/Warehouse on Lot 31 (24) Mead Street, Kalamunda as shown on plans 10 173 DD01, 10 173 DD02, 10 173 DD03, 10 173 DD04 and Photomontage of Canning Road and Mead Street corner (undated) shown in (Attachments 1 to 5) be refused for the following reasons:
 - a. The proposal fails to comply with the draft Planning and Urban Design Guidelines for the Kalamunda Town Centre in respect to built form and streetscape, specifically:
 - The building does not have an interactive shop frontage to the street with entry doors to either street.
 - The use of a roller door to the street.
 - Car parking is located between the street and the building. The car park does not include provision for landscaping.
 - b. The proposal fails to comply with Western Australian Planning Commission Policy which does not support vehicular access onto a Regional Reserve (Other Regional Roads) where an alternative access is available.

Moved: **Cr Donald McKechnie**

Seconded: **Cr Frank Lindsey**

Vote: **For**
Cr Frank Lindsey
Cr Allan Morton
Cr Noreen Townsend
Cr Dylan O'Connor
Cr Sue Bilich
Cr Donald McKechnie

Against
Cr Geoff Stallard
Cr Justin Whitten

CARRIED (6/2)

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
20. Annual Caravan Park Licence Renewals

Previous Items	PSC 30/2010 10 May 2010
Responsible Officer	Director Planning & Development Services
Service Area	Planning & Development Services
File Reference	LE-LIC-001
Applicant	N/A
Owner	N/A

PURPOSE

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

BACKGROUND

2. The *Caravan Parks and Camping Grounds Act 1995* (Act) and the *Caravan Parks and 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 Regulations to inspect caravan parks but not to issue annual licences.
4. 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 148 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.
 - Advent Park 345 Kalamunda Road Maida Vale – approved in 2008 and comprises 35 caravan sites.

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5. Springvale Village (161 Maida Vale Road High Wycombe) has ceased operating and the land is currently being subdivided.

STATUTORY AND LEGAL IMPLICATIONS

6. *Caravan Parks and Camping Grounds Act 1995*
Caravan Parks and Camping Grounds Regulations 1997

POLICY IMPLICATIONS

7. Nil.

PUBLIC CONSULTATION/COMMUNICATION

8. Nil.

FINANCIAL IMPLICATIONS

9. 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:

- Discovery Holiday Park - licence fee \$885.
- Forrestfield Caravan N Park Home Village - licence fee \$318.
- Hillview Lifestyle Village - licence fee \$1632.
- Advent Park - licence fee \$210.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

10. Nil.

Sustainability Implications

Social implications

11. Nil.

Economic Implications

12. Nil.

Environmental Implications

13. Nil.

OFFICER COMMENT

14. The above four operating caravan parks have been inspected by Shire Officers and, with the exception of some minor items, found to be compliant.
15. It is recommended that Council approve the renewal of the caravan park licences for the four operating caravan parks.

COMMITTEE RECOMMENDATION TO COUNCIL (PS 20/2011)

1. That Council approves the renewal of the caravan park licences, subject to receipt of the required licence fees, for:
 - Discovery Holiday Park, 186 Hale Road Forrestfield.
 - Forrestfield Caravan N Park Home Village, 353 Hawtin Road Forrestfield.
 - Hillview Lifestyle Village, 597 Kalamunda Road High Wycombe.
 - Advent Park, 345 Kalamunda Road Maida Vale.

Moved: **Cr Allan Morton**

Seconded: **Cr Frank Lindsey**

Vote: **CARRIED UNANIMOUSLY (8/0)**

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**21. Amendment 34 to Local Planning Scheme No.3 - Rezoning From Special Rural to Industrial Development - Forrestfield Industrial Area Stage 1**

Previous Items	PS91/08, PS52/09, PS60/10
Responsible Officer	Director Planning & Development Services
Service Area	Planning & Development Services
File Reference	PG-DEV-33, PG-LPS-003/034
Applicant	N/A
Owner	Various
Attachment 1	Locality Plan and Public Consultation
Attachment 2	Amendment Plan
Attachment 3	Submission Table

PURPOSE

27. To consider recommendation of final approval for Amendment No 34 to Local Planning Scheme No. 3 (the Scheme) to rezone the land bound by Berkshire Road, Roe Highway, Sultana Road West and Milner Road, with the exception of Lots 497, 498 and 499 Sultana Road West and a portion of lots 1 and 2 Sultana Road West, Forrestfield from Special Rural to Industrial Development. Refer (Attachment 1) for Locality Plan.

BACKGROUND

28. In November 2008, Council resolved to support a request from the Western Australian Planning Commission (WAPC) to initiate an amendment to the Metropolitan Regional Scheme (MRS) to rezone the subject land from 'Rural' to 'Urban'.
29. In June 2009 and March 2010, Council supported concurrent MRS and Local Planning Scheme amendments for the subject site. This process would allow the proposed rezoning from 'Special Rural' to 'Light Industry' under the Scheme to happen automatically following the finalisation of the MRS amendment process.
30. The MRS amendment was endorsed for advertising by the WAPC in August 2010. At this stage, the WAPC resolved not to support the concurrent amendment process and requested that the Shire initiate a Scheme Amendment to rezone the subject site to Industrial Development as opposed to the previously stated Light Industry zone. The WAPC advised that it would only support a concurrent amendment process where the Scheme includes an Urban Development zone that requires the preparation of Structure Plan.
31. In October 2010, Council agreed to initiate an amendment to the Scheme to rezone the subject land from 'Special Rural' to 'Industrial Development'.

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32. In April 2011 the Minister for Planning endorsed the MRS amendment to rezone the subject land from Rural to Urban. The amendment was gazetted on 27 April 2011.

DETAILS

33. It is proposed to rezone the subject land from Special Rural to Industrial Development. The amendment includes provisions incorporating the Industrial Development zone into the Scheme thus identifying the subject site as a development area and to provide for industrial development over the site through the preparation of a Structure Plan.

STATUTORY AND LEGAL IMPLICATIONS

34. The *Town Planning Regulations 1967* establish the procedures relating to amendments to local planning schemes. If Council decides to approve the amendment, then ultimately it will be determined by the Minister for Planning. If the matter proceeds to the Minister's determination, there is no Right of Review, irrespective of the Minister's decision.
35. The proposed Scheme amendment will need to include provisions for the subject land under the Clause 4.2- Objectives of the Zones of the Scheme which will provide the necessary statutory basis for the preparation of a Structure Plan for the subject land. The amendment will also require Schedule 11 of the Scheme to be modified to include the Forrestfield/High Wycombe Industrial area as a Development Area thus allowing specific developer contribution provisions to be included at a later date.

POLICY IMPLICATIONS

36. Nil.

PUBLIC CONSULTATION/COMMUNICATION

37. The amendment has been advertised from the 7 March 2011 for 42 days with the closing date for submissions being 18 April 2011. Amendment was advertised in the local paper and West Australian, by signs placed on site and letters sent to all potentially affected landowners.
38. 41 submissions were received, comprising 5 objections, 35 non objections and one comment. Refer (Attachment 3) for Submission Table. All comments received have been addressed in Submission Table. The main issues raised in the objections to the proposal are summarised as follows:
- There is already enough vacant industrial land and they do not want light industry across the road from them.
 - Traffic will increase.
 - Lack of consultation.
 - Would like to continue enjoyment of the area zoned 'Special Rural'.

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39. The main issues raised in support of the proposal were:
- Residents don't want further delays in the planning process.
 - The area is ideally located for industrial use.
40. In response to the submissions received, the following comments are provided:
- It is generally acknowledged that there is a shortage of suitable located industrial land in the Perth Metropolitan area at present. The subject land is located in a key strategic location adjacent to Perth Airport, Forrestfield Intermodal Facility and Marshalling Yards and major road freight routes making it highly suitable industrial land for transport and logistics related industries.
 - The site is surrounded by key freight routes hence its strategic importance as an industrial area. As such it is acknowledged that there will be a significant increase in traffic in the area as the land is developed for industrial use.
 - There is a statutory requirement to advertise to the public all Scheme amendments and structure plans to the public. The Metropolitan Region Scheme amendment and Local Planning Scheme amendment have met this requirement. In addition all landowners in the subject area have been informed on a regular basis as to the planning progress of the area.
 - It is acknowledged that the proposed amendment will have some impacts on those residents wishing to retain their current semi-rural lifestyle. It should be noted however that over time there has been considerable development in infrastructure and freight movements occurring around the subject site as a result of the development of the existing Forrestfield Industrial Area, the development of the Forrestfield Intermodal Facility and growth of Perth Airport. It is suggested that the decision of State Government to approve the MRS amendment for the site and include the subject land in the draft Industrial Land Strategy as a key strategic industrial site reinforces this view.

FINANCIAL IMPLICATIONS

41. Costs associated with the preparation of the document and public consultation/advertising will be met through the Planning and Development Services budget.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

42. The subject land is referenced in the State Government's Key Strategic Policy document *Directions 2031 and Beyond (2010)* and was originally identified under the *Kewdale Hazelmere Integrated Master Plan (2006)* as a future development area given its key strategic location adjacent to Perth Airport, Forrestfield Marshalling Yards/Container Depot and key road freight routes of Roe Highway, Dundas Road, Abernethy Road and Tonkin Highway.
43. The subject land represents Stage 1 of industrial development for the Forrestfield/High Wycombe area.

It is understood that the Forrestfield/High Wycombe Industrial area has been included in the soon to be released *draft Industrial Development Strategy (2010)*.

Sustainability Implications

Social implications

44. The planned development of the area for industrial land use activity through the preparation of a Structure Plan will enable some landowners to progress with the development of the land independently of others. It is acknowledged that this may have some amenity implications for those landowners who wish to remain on their properties in short term but it does not diminish their right to do so.

Economic Implications

45. The planned industrial area will have economic benefits for future developers given the proximity of the land to existing industrial and commercial areas and associated infrastructure and utilities. The area will also be beneficial for the Shire in respect of its economic development, creation of jobs and demand for housing in surrounding suburbs.

Environmental Implications

46. Lots 497, 498, 499 and a portion of Lots 1 and 2 Sultana Road West are identified as Bush Forever area and therefore set aside for Regional Park. Those lots have been excluded from the proposed Industrial Development Zone.

OFFICER COMMENT

47. The subject land was originally identified under the *Kewdale Hazelmere Integrated Master Plan (2006)* as a key strategic development site for freight related industries given its proximity to road, rail and air infrastructure.

The importance of the land to the State Government is reflected in the governments key strategic planning policy documents *Directions 2031 and Beyond* and the soon to be released *draft Industrial Land Strategy*. The recent government gazettal of the Metropolitan Region Scheme amendment to rezone the land is further evidence of this.

48. From the Shire of Kalamunda's perspective, the proposed industrial area represents a key component of its *Strategic Plan 2009-2014* and *Economic Development Strategy (2010)* recognising the impact the industrial development will have for the Shire's economic development particularly for transport and logistics industries, employment and housing.
49. From the number of submissions received to the proposed amendment it is evident that there is overwhelming support for the amendment to proceed without delay.
50. Having regard to the above comments, it is recommended that Council adopt, for final approval, the Amendment 34 to allow for rezoning of the land bound by Berkshire Road, Roe Highway, Sultana Road West and Milner Road, with the exception of Lots 497, 498 and 499 Sultana Road West and a portion of Lots 1 and 2 Sultana Road West, Forrestfield from Special Rural to Industrial Development.

COMMITTEE RECOMMENDATION TO COUNCIL (PS 21/2011)

That Council:

1. Notes the submissions received in respect to Amendment No 34 to Local Planning Scheme No. 3.
2. Adopts Amendment No. 34 for final approval without modification by:

Rezoning the land bound by Berkshire Road, Roe Highway, Sultana Road West and Milner Road, with the exception of Lots 497, 498 and 499 Sultana Road West and a portion of lots 1 & 2 Sultana Road West, Forrestfield from Special Rural to Industrial Development in accordance with the Scheme Amendment Map.
3. Duly executes the Amendment documents and forward them and submissions received to the Minister for Planning requesting final approval to be granted.

Moved: **Cr Donald McKechnie**

Seconded: **Cr Frank Lindsey**

Vote: **CARRIED UNANIMOUSLY (8/0)**

Director Community Development Kevin O'Connor left the meeting at 7:18pm.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**22. Planning and Urban Design Guidelines - Kalamunda Town Centre**

Previous Items	PS01/ February 2011
Responsible Officer	Director Planning and Development Services
Service Area	Planning and Development
File Reference	PG-STU-004
Applicant	N/A
Owner	N/A
Attachment 1	Locality Plan
Attachment 2	Kalamunda Town Centre Planning and Urban Design Guidelines - Draft document

PURPOSE

1. To consider the adoption of Planning and Urban Design Guidelines for the Kalamunda Town Centre.

BACKGROUND

2. In December 2010, Council endorsed the Town Centre Improvement Plan for the Kalamunda Town Centre. To ensure the objectives of the Town Centre Improvement Plan can be achieved the next step is to prepare Planning and Urban Design Guidelines "(the Guidelines)" for the Kalamunda Town Centre.
3. In February 2011, Council adopted the draft document for the purpose of public advertising for a minimum period of four weeks.

DETAILS

4. The intent of the Guidelines (Attachment 2) is to provide guidance on the design of new private buildings both commercial and residential within the Kalamunda Town centre in accordance with the recommendations contained in the Town Centre Improvement Plan. The Guidelines consist of general objectives and principles that provide overall development guidance within the Town Centre on the following elements:
 - Built form.
 - Development interface and interaction.
 - Access, traffic and movement.
 - Safety and security.
 - Environment and microclimate.
 - Advertising signage.

The Guidelines also provide design principles relating to land use and urban design, particularly mixed use and commercial development.

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5. The objectives of the Guidelines are summarised as follows:
- To enhance the physical quality and established character of the built environment for the Town Centre.
 - To facilitate a range of appropriately located land uses to provide diversity and choice.
 - To improve the experience of the Town Centre for patrons and visitors by promoting, amongst other things, continuity of streetscape, interactive street frontages, shade and shelter.
 - To encourage a range of housing opportunities in appropriate locations.
 - To concentrate street front activity along the primary movement routes.
 - To conserve and enhance Kalamunda's special character.

STATUTORY AND LEGAL IMPLICATIONS

6. The Guidelines are to be used in conjunction with the Shire's Local Planning Scheme No. 3 and in particular *Clause 6.3 Kalamunda Town Centre Design Control Area* and *Clause 6.4 Design Guidelines for Designated Areas*. Once the guidelines have been adopted by Council, changes will be required to Clause 6.4 to reflect the new Guidelines.

POLICY IMPLICATIONS

7. Nil.

PUBLIC CONSULTATION/COMMUNICATION

8. The document was advertised for a period of four weeks concluding on 15 April 2011. One comment was received, from a local architect, supporting the initiative and making some additional suggestions, namely:
- That the height of the buildings in the policy area could potentially be more than three stories.
 - That some flexibility in terms of parking requirements for new developments in particular should be introduced in order to encourage good design outcomes.
9. The policy and Scheme provisions will provide Council with the necessary discretion to consider where it might be appropriate to allow building height in excess of three storeys.
10. Local Planning Scheme No 3 already provides for discretionary decisions in relation to car parking requirements. A draft Traffic and Parking Study is in the process of being prepared which assesses and quantifies the future traffic and parking demands having regard to the potential for growth identified under the Townscape Improvement Plans for the town centre.

This study will provide a clearer picture of potential parking shortfall in the town centre.

FINANCIAL IMPLICATIONS

11. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

12. The Guidelines, in conjunction with the Town Centre Improvement Plan will provide an important strategic planning tool that will guide future development in the Town Centre in a manner consistent with the values of Council and the community.

Sustainability Implications

Social implications

13. The proposed Guidelines for the Kalamunda Town Centre will improve the experience for people visiting the Town Centre and add positively to the Town's future growth.

Economic Implications

14. The proposed Guidelines will assist in strengthening the retail and commercial areas of the Town Centre, thus improving the commercial viability for local businesses

Environmental Implications

15. Through the implementation of the Guidelines, buildings will incorporate energy efficient and environmentally sustainable principles into their design

OFFICER COMMENT

16. The proposed Guidelines follow on from the recommendations contained in the recently adopted Town Centre Improvement Plans. These guidelines provide a greater level of planning guidance for both existing and new built form with the development of urban design objectives and principles to ensure compatibility with Council and community aspirations for the Town Centre.
17. Importantly, the Guidelines will add positively to the Town Centre's growth through the establishment of good urban design principles that will enable the Town Centre to be efficient, functional, attractive and comfortable for people who visit the town.

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18. It is therefore recommended that the Planning and Urban Design Guidelines for the Kalamunda Town Centre be adopted.

COMMITTEE RECOMMENDATION TO COUNCIL (PS 22/2011)

1. That Council adopts the Planning and Urban Design Guidelines (Attachment 2) for the Kalamunda Town Centre Control Area as outlined in clause 6.3 of Local Planning Scheme No. 3.

Moved: **Cr Frank Lindsey**

Seconded: **Cr Noreen Townsend**

Voted: **CARRIED UNANIMOUSLY (8/0)**

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Nil.

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

12.1 Cr Geoff Stallard

Q. Mr Dutton worked as an Engineer at the Shire of Kalamunda for 35 years, he is now having to leave the area. Is there anyway the Shire can formally thank him for his contribution to this Shire?

A. Taken on Notice.

12.2 Cr Dylan O'Connor

Q. Is it possible to get a copy or a timeline of notices which went to residents in the Sultana Road West region and what was in those notices?

A. Taken on Notice.

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 Shire President reminded Staff and Councillors that there is a Special Council Meeting due to start at 7:30pm.

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 7.25pm.

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

Signed: _____
Chairman

Dated this _____ day of _____ 2011

