

**13.5.12 DRAFT OUTLINE DEVELOPMENT PLAN - SOUTHERN RIVER  
PRECINCT 3F**

Director:	C Terelinck
Author's Declaration of Interest:	Nil.
Reference:	Various.
Application No:	PF10/00034
Applicant:	Landowner group consisting of the City of Gosnells, Rowe Group and the Catholic Archbishop of Perth
Owners:	City of Gosnells, Western Power, Westwin Assets Pty Ltd, Catholic Archbishop of Perth, Free Reformed Church, D C Sparron.
Location:	Area bound by Southern River Road, Lander Street, Matison Street and Furley Road.
Zoning:	MRS: Urban, Other Regional Road TPS No. 6: Business Development
Review Rights:	Yes. State Administrative Tribunal against any discretionary decision of Council.
Area:	44.6ha
Previous Ref:	Nil.
Appendices:	13.5.12A Draft Southern River Precinct 3F Outline Development Plan (as first advertised in 2011) 13.5.12B Draft Southern River Precinct 3F Outline Development Plan (as advertised in 2013) 13.5.12C Southern River Precinct 3 Local Structure Plan 13.5.12D Consultation Plan 13.5.12E Schedule of Submissions 13.5.12F Schedule of Submitters

**PURPOSE OF REPORT**

For Council to consider the adoption of the draft Southern River Precinct 3F Outline Development Plan (ODP) pursuant to Town Planning Scheme No. 6 (TPS 6).

**BACKGROUND****History**

In 2001, the Western Australian Planning Commission (WAPC) adopted the Southern River/Forrestdale/Brookdale/Wungong District Structure Plan (DSP) which provided a broad level guide for the future development of the Southern River area. More specifically, the DSP identified the subject site for primarily light industrial uses, with lots fronting Southern River Road shown as mixed business/commercial uses.

Following the adoption of the DSP, Council adopted a precinct-based approach to the planning of Southern River by dividing the area into five separate planning precinct areas. The subject site is contained within Precinct 3, which encompasses approximately 365ha of land bound by Southern River Road, Ranford Road, the kennels area, Passmore Street and the Southern River.

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To provide a planning framework for the development of Precinct 3, Council adopted Local Planning Policy 3.3 (LPP 3.3) in 2006, which divided the area into sub-precincts, and identified the planning tasks required for the development of the specific precinct, which included a requirement for the preparation of a Local Structure Plan (LSP), amendments to the Metropolitan Region Scheme (MRS) and TPS 6, and an ODP requirement.

In 2009 Council adopted the LSP for Precinct 3 for the purposes of providing a guide to the planning of the area at an ODP level. A copy of the Southern River Precinct 3 LSP is contained as Appendix 13.5.12C.

In December 2011, the draft Southern River Precinct 3F ODP (as contained as Appendix 13.5.12A) was advertised for public comment. In response to comments received during the advertising period, the landowner group lodged an amended plan, contained as Appendix 13.5.12B.

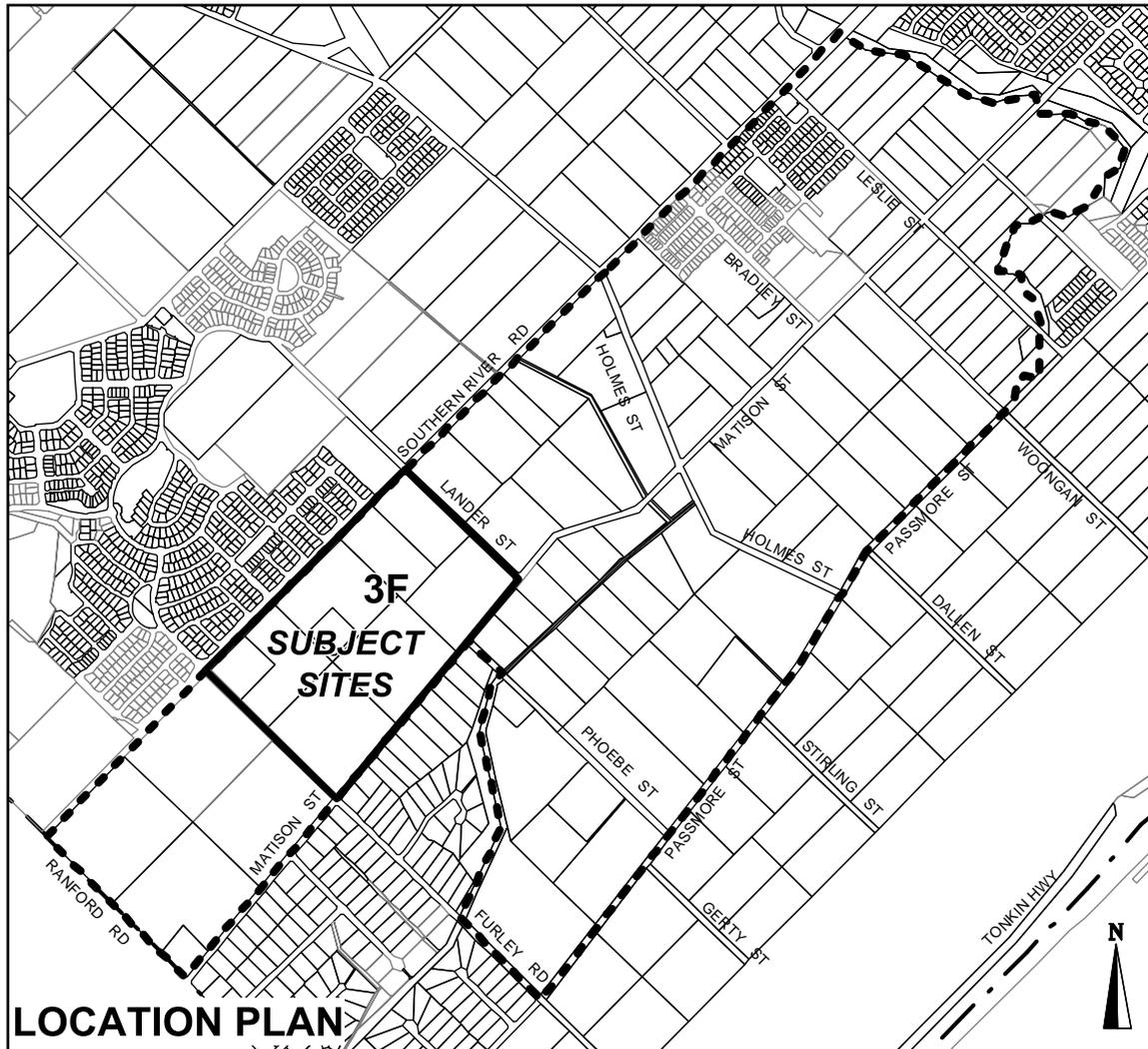
**Site Description and Planning Context**

The draft ODP relates to nine properties, comprising 44.6ha of land, bound by Southern River Road, Lander Street, Matison Street and Furley Road.

As a result, the level of detailed planning for the area is becoming more finely grained as time passes and as strategic town planning initiatives are resolved. The City has now reached a stage where all land in Precinct 3F is zoned Urban under the MRS and Business Development under TPS 6, and a draft cost sharing arrangement has been prepared for Precinct 3.

A plan identifying the subject area and its location within Precinct 3 follows.

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The main characteristics of the site and immediately surrounding area are as follows:

- Properties within the subject area are contained in multiple ownership, including City owned land in four parcels (21.75ha) in the southern portion of the ODP area.
- The subject area is mostly vacant with the exception of a place of worship and Western Power substation located in the northern and central portions of the ODP area respectively.
- The subject area and immediately surrounding area has a number of environmental features, including Black Cockatoo foraging habitat; Bush Forever Site 413 and conservation category, multiple use and resource enhancement wetlands (CCW, MUW and REW).
- A liquid waste facility (Southern River Liquid Waste Facility) was located on the north-western portion of the area, resulting in site contamination issues.
- The Southern River Kennel Area is located on the opposite side of Matison Street from the subject site, and a majority of the area falls within a 500 metre kennel noise buffer area.

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- The Bletchley Park residential estate (Southern River Precinct 2 Phase 1 ODP area) is located on the opposite side of Southern River Road from the subject site.
- Southern River Road was recently reserved as an Other Regional Road under the MRS through Amendment 1227/57.

**Proposal**

The draft ODP (as modified following advertising) contains the following elements:

- Designation of land along Southern River Road as Mixed Business with Restricted Uses to prohibit residential development.
- Designation of the remainder of unconstrained land as Light Industry with Additional Uses of Shop, Office, Liquor Store and Medical Centre.
- The reservation of areas for conservation, drainage and buffers as Local Open Space (LOS).
- The provision of a local road network, with two new intersections proposed from Southern River Road and Matison Street, and one intersection proposed from Lander Street. Furley Road is to remain unconstructed.
- Recognising the existence of a Western Power substation and allowing for the continuation of the use through an appropriate Public Purpose reservation.
- Notations requiring amenity control in the area.

**Consultation**

In accordance with Clause 7.4.5 of TPS 6, the modified proposal (as shown in Appendix 13.5.12B) was advertised for a period of 21 days (from 24 January 2013 to 15 February 2013) by way of letters to directly affected and immediately surrounding landowners and relevant authorities. The City received 41 submissions during the advertising period, with 10 being received from government agencies and 31 being received from landowners. Of the 31 received from landowners, 18 objected to the proposal, three provided comment and 10 lodged no objection.

A map identifying the extent of the consultation area and the origin of each submission is contained as Appendix 13.5.12D. A summary of submissions received and comments thereon are included in a Schedule of Submissions contained as Appendix 13.5.12E. A list of the properties where the owner/occupier made a submission is contained as Appendix 13.5.12F.

The main issues raised by the submissions relate to:

- The impact that development resulting from the ODP will have on the amenity of the existing kennel area and surrounding residential areas.
- The impact that the ODP will have on the environment.
- Concerns about increases in traffic in the area, particularly on Matison Street.
- Land use implications for Lot 16 Southern River Road.

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These issues are discussed in the following sections along with any other applicable technical matters.

## **DISCUSSION**

### **Proposed Zoning and Reservation**

Clause 7.7.2 of TPS 6 ensures that where an ODP imposes a classification on land included within the ODP area by reference to zones and reserves, the provisions of that ODP apply to that land as if its provisions were incorporated into the Scheme. In terms of zoning and reservation, the proposed ODP incorporates the following statutory elements:

- Mixed Business zoning with Restricted Uses to prohibit sensitive land uses. It should be noted that the Residential Use designation does not apply to Lot 16 as it has been developed as a sensitive land use (Place of Worship).
- Light Industry zoning with Additional Uses of Shop, Office, Liquor Store and Medical Centre.
- Local Open Space reservations.

### Mixed Business Zoning and Restricted Uses

The WAPC's adopted Southern River/Forrestdale/Brookdale/Wungong DSP and the City-adopted Southern River Precinct 3 LSP generally depicts land fronting Southern River Road as being zoned Mixed Business. In accordance with TPS 6, the objective of the Mixed Business zone is to provide for a variety of commercial activities including showrooms and other forms of bulk retailing/display in strategically located areas of the City. The ODP is consistent with the DSP, LSP and TPS 6 as it proposes to designate land fronting Southern River Road as Mixed Business so as to provide for a variety of commercial activities to serve the local area.

### Light Industry Zone and Additional Uses

The applicable DSP and LSP depict a majority of the ODP area as being zoned Light Industry. In accordance with TPS 6, the objective of the Light Industry zone is to provide for light and service industries and associated uses. The ODP is consistent with the DSP and LSP given that it proposes the Light Industry zoning over most of the ODP area. Notwithstanding this, like the Mixed Business zoning, Council should consider restricting sensitive land uses within the kennel buffer area. In this regard, the only sensitive land use permitted in the Light Industry zone under TPS 6 is a Place of Worship.

The ODP proposes the Additional Uses of Shop, Office, Liquor Store and Medical Centre to land designated as Light Industry. In considering the appropriateness of those uses, Council should have regard to the WAPC's Directions 2031 and Beyond Planning Strategy, State Planning Policy 4.2 - Activity Centres for Perth and Peel (SPP 4.2) and the City's Activity Centres Planning Strategy.

Broadly, the underlying principles in these documents which are applicable in this context include:

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- Health, welfare, community services, entertainment, recreation, commercial and cultural facilities likely to attract a significant number of employees or users and/or generate significant vehicle trips should generally be located in, or adjacent to, activity centres. Where such uses cannot be accommodated within an activity centre, development should be restricted to established Mixed Business zones with good access to public transport.
- Bulky goods retailing is unsuited to the walkable catchment or the core of activity centres given its typical floorplan size and car parking requirements, low employment density and need for freight vehicle access.
- Shop and office development should only be permitted on land zoned industrial where shops provide local convenience services predominantly for people employed in the locality and are confined to a local centre; and offices are ancillary to the predominant industrial use of the premises or are confined to a local or small-scale centre that services industrial development.
- Major offices should be located in the Perth Central Business District and in strategic metropolitan or secondary centres (eg Armadale and Maddington), and office development in district centres (eg Gosnells) should complement the function of the centre, while neighbourhood centres may include small-scale offices. Offices, unless incidental to or servicing industrial development, should not be located on land zoned for industry under the Scheme.

In considering the above principles and how they apply to the subject area, the following should be noted:

- The City's Activity Centres Planning Strategy makes provision for a large neighbourhood centre (7,000m<sup>2</sup> of retail floorspace) at the intersection of Holmes Street and Southern River Road, within 1km of the subject ODP area.
- Where an office is provided as part of an industrial development, the land use applied to that site is based on the predominant use of the site. For example an office that is ancillary to a warehouse is permitted, whereas a stand-alone office is not permitted.
- The ODP area is surrounded by low density housing, and therefore does not have the critical mass required to develop into a sustainable activity centre.
- The Mixed Business zoning permits these land uses, and therefore they can be located on land fronting Southern River Road.

For the above reasons, it is considered that the additional land uses proposed may undermine the future development of nearby local and neighbourhood centres, and are generally not consistent with the WAPC's Directions 2031 and Beyond Planning Strategy, SPP 4.2 and the City's draft Activity Centres Planning Strategy.

It will therefore be recommended that the draft ODP is modified to delete the proposed additional uses of shop, office, liquor store and medical centre on the proposed Light Industry land, and to prohibit any new Place of Worship proposals in the kennel noise buffer area (Modifications 1 and 2 of the proposed recommendation).

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### Local Open Space Reservation

The ODP proposes three distinct LOS reserve areas, being:

1. A rectangular area in the south-western portion of the ODP area on Lots 21 and 1767, comprising a total land area of approximately 4.09ha, and to be used for drainage and environmental feature retention or buffer.
2. A square area located centrally in the north-eastern portion of the ODP area on Lots 17 and 16, comprising a total land area of approximately 1.99ha, and to be used as wetland buffer, vegetation conservation and Black Cockatoo foraging habitat conservation.
3. A 25m wide linear strip in the south-eastern portion of the ODP area on Lot 1767, running parallel to Matison Street and comprising a total land area of approximately 0.76ha, to be used as a vegetated buffer between industrial uses and the kennel area.

These reserve areas are discussed in more detail in later sections of the report.

### **Interface with Kennel Area**

A number of submissions were received during the public consultation period which raised concerns about the impact that future industrial development will have on the amenity of the kennel area. More specifically, these concerns include:

- Increased traffic, including heavy vehicle traffic on Matison Street
- Visual impact of industrial development and its inconsistency with the existing rural amenity and streetscape
- Industrial noise and its ability to unsettle dogs and cats in the area and disrupt kennel/boarding business operations
- Light pollution.

Whilst the kennel area is significantly impacted by noise from dogs, it is acknowledged that it is a rural-residential community and is currently characterised by large blocks, significant vegetation and low volumes of traffic. It is considered that it should be afforded similar amenity considerations to other rural areas.

The proposed ODP includes a scenario where future industrial buildings could potentially be located between 34m-45m from dwellings located on kennel properties. As such, the concerns raised about potential disruption require careful consideration.

In response to the above concerns, an amended plan was lodged by the applicants (Appendix 13.5.12B) which incorporates the following elements:

- A 25m wide 'green strip' buffer, to be reserved as LOS, along the south-eastern boundary of Lot 1767 where it abuts Matison Street.
- The removal of one intersection to Matison Street (which was originally proposed through Lot 1767).
- A notation on the plan stating that future development along the south-eastern boundary of Lot 1766, fronting Matison Street may be subject to amenity

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controls in the form of design guidelines and shared crossovers for lots with access from Matison Street.

The first two changes are considered to be appropriate ways of addressing the interface between the future industrial area and the existing kennel area, however it is not clear how design guidelines and shared crossovers will adequately reduce the impact of industrial development on the rural amenity. The following additional modifications should be made to appropriately address this issue:

- The extension of the 'green strip' LOS buffer along the south-eastern boundary of Lot 1766 so as to provide a greater separation distance and also facilitate development on lots abutting the kennel area to 'face away' from Matison Street.
- The removal of one or both of the road connections with Matison Street.

It will therefore be recommended that the draft ODP is modified to reflect those changes (Modifications 3-5 of the recommendation refers).

### **Amenity Control**

The ODP is proposing three notations to address amenity control and construction requirements. These notations are as follows:

- "1. *Development fronting Southern River Road, Lander Street and Matison Street is to exhibit high quality design and finish in respect to built form and landscaping to form a suitable transition to, and positively contribute to the amenity of adjoining areas.*
2. *Southern River Road, Lander Street and Matison Street are required to be upgraded to an urban standard, incorporating various public realm improvements, including (but not limited to) street trees, footpaths, lighting, drainage and traffic control devices.*
5. *The local government may adopt Design Guidelines as a condition of subdivision or development approval, to ensure that development exhibits high quality design and finish in respect to built form and landscaping. All development shall be in accordance with the adopted guidelines in addition to any other requirements of Town Planning Scheme No. 6, and where there is any inconsistency between the design guidelines and the Scheme, the Scheme shall prevail."*

Notations 1 and 2 are supported as a means of indicating to landowners and future developers that the City will be expecting high quality built form, and to make it obvious what works, upgrades and infrastructure will be required to be undertaken/installed as part of any subdivision.

For Notation 5, whilst the notion of this provision as a means of encouraging good built form is supported, requiring guidelines as a condition of subdivision or development approval is problematic. If subdivision or development has already been approved, it will not then be possible to retrospectively implement the guidelines. As such, it is considered that this notation should be modified to require design guidelines to be prepared prior to recommending subdivision or issuing development approval.

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It will therefore be recommended that the draft ODP is modified to require conformity with Design Guidelines before subdivision or development occurs (Modification 6).

**Movement Network**

The proposed ODP makes provision for a local road network, generally in a grid layout, with two new intersections proposed from both Southern River Road and Matison Street and one from Lander Street. All roads within the ODP area will have a minimum reserve width of 20m, with 10m wide pavement and 6m truncations at street corners.

Transport Assessment

A transport assessment was undertaken as part of the ODP for the purpose of assessing the potential traffic impacts based on expected traffic flows, and the proposed road and pedestrian network. The key points made in this assessment are as follows:

- Southern River Road is currently a single undivided rural road, which carried 8,400 vehicles per day (vpd) in 2005. It is classified as a District Distributor (A) road under the Main Roads WA (MRWA) Functional Road Hierarchy, and its duplication is planned for the period 2015 to 2021. Modelling suggests that traffic flows would be in the order of 26,700 vpd by 2031.
- Matison Street is constructed as a single carriageway, two-lane, rural road, with relatively low traffic volumes of approximately 650 vpd. The road is expected to be classified as a Neighbourhood Connector Road and upgraded to an urban standard to accommodate approximately 4,000 vpd by 2031.
- Lander Street is yet to be constructed, but is expected to be built to an urban standard as a single carriageway and be classified as an Access Road. It will accommodate approximately 1,000 vpd by 2031.
- Given that the ODP area will accommodate a mixture of commercial and light industrial land uses, the busiest hours are expected to be the normal AM and PM peak periods.
- Overall expected vehicle numbers resulting from the development of the ODP area would be approximately 5,000 vpd, with an average of approximately 613 vpd in AM and PM peak periods.
- Of the 5,000 vpd generated from the ODP area, 40% of movements would be from Southern River Road west, 32% would be from Southern River Road east, 2% would be from Lander Street north, 20% would be from Matison Street west and 6% would be from Matison Street east.
- The intersections proposed on to Southern River Road (including Lander Street) will be channelized intersections, and analysis indicates that they may need to be signalised in the future.
- An analysis of the Matison Street/Ranford Road and Southern River Road/Ranford Road intersections indicates that operational performance will be acceptable at all approaches.
- Future traffic volumes on Southern River Road are expected to be in excess of 500 vehicles per hour, therefore direct access to properties fronting Southern River Road is not desirable and initiatives such as shared access and services lanes should be incorporated into future subdivision and development designs.

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- It is recommended that shared use paths be provided on both sides of Southern River Road and on the south side of Matison Street, and that standard footpaths be provided on all other streets on one side of the street.
- Current public transport routes do not provide adequate service to the area, however as the development of Southern River progresses it is anticipated that Transperth will extend existing services or implement new services to meet the demand. It is likely that the expanded public transport network will include services along Southern River Road.
- Further transport assessments may be required for individual subdivision or development proposals, depending on the nature and scale of the proposals. All assessment will be required to accord with the WAPC's Transport Assessment Guidelines.

A number of submissions raised concerns about an increase in traffic in the area as a result of the ODP. In this regard, it is considered that increased traffic as a result of the development of Southern River is inevitable, and that the 5,000 vpd expected to be generated from the ODP area itself will be insignificant in the context of the overall growth of the area.

Intersections to Southern River Road

The ODP proposes three full movement intersections on to Southern River Road (including Lander Street). Due to the presence of existing power line infrastructure located within the Southern River Road reserve, achieving full movement access at the two southernmost intersections will not be possible unless the infrastructure is relocated/realigned. It should be noted that Western Power previously provided a commitment to the City that it will relocate the power lines at its expense and at an appropriate time in the future, thereby allowing full movement access to be provided at these intersections.

Notwithstanding the above, there are also concerns about providing full movement access to the central intersection, as the separation distance between this intersection and the existing Clearwater Drive full movement intersection (located on the opposite side of Southern River Road) would not meet Austroads Standards. Whilst full movement access in this location may be accepted at some time in the future, it would be subject to further investigation. As such, it would be appropriate for the ODP to include a notation indicating that the access arrangements shall be determined in the future, subject to further detailed analysis.

It will therefore be recommended that the draft ODP is modified as detailed above (Modification 7).

Road Layout and Upgrade Implementation

There are a number of concerns with regards to the proposed road layout and its implementation, as follows:

1. If the ODP is modified so as to extend the LOS strip along Lot 1766 and to require any development of lots abutting the kennel area to face away from Matison Street (and therefore the kennel area), there will be no justification for the upgrade of Matison Street to an urban standard, including the provision of footpaths.

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2. There is no trigger to require the upgrading of Matison Street between Furley Road and Ranford Road.
3. A new road is proposed to straddle the boundaries of Lots 1766 and 17 Matison Street, which are in separate ownership, thereby potentially resulting in timing and implementation issues.

In terms of points 1 and 2 above, it is standard practice that any subdivision and/or development which abuts or has a significant demand on a road, triggers the requirement for its upgrade to an urban standard. In this case, it is not clear who will be responsible for upgrading particular sections of Matison Street, particularly the sections where development does not directly front it, and the section between Furley Road and Ranford Road where there is no development potential on adjoining lots. It is considered that this would need to be addressed in detail as part of the future Southern River Precinct 3 Developer Contribution Plan (DCP).

In terms of point 3, in the event that the proposed road connection to Matison Street on Lots 1766 and 17 remains (see previous discussion under heading 'Interface with Kennel Area'), it is considered that it should be realigned so that it is located wholly within Lot 1766 so as to prevent any timing and implementation issues. It should be noted that whilst this road realignment would conflict with an existing dwelling on Lot 1766, a subdivision proposal lodged for this site indicates that the landowner does not intend to retain the dwelling.

It will therefore be recommended that the draft ODP is modified as detailed above (Modification 8).

**Environmental Considerations**

In considering the environmental values of the area, the following should be noted:

- The ODP contains areas of remnant native vegetation, some of which is of 'excellent', 'very good' or 'good' condition.
- The subject area contains two wetlands, being a REW and a MUW.
- A CCW is located outside the subject site, abutting the southern boundary.
- Bush Forever Site 413 is located directly adjacent to the southern boundary of the subject site (across the Furley Road reserve).
- The subject site is not located within any defined ecological linkages.
- The subject site contains foraging resources for Black Cockatoos as well as vegetated wetlands likely to contain Quenda.

These points are discussed below.

**Native Vegetation**

The ODP area contains areas of remnant native vegetation, with the best preserved areas contained on Lots 16, 17, 1767, 1768 and 21. The ODP will provide for the retention of some of this vegetation in the areas of LOS on Lots 21, 1767, 16 and 17.

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### Wetlands

The subject area is affected by three classifications of wetlands, a CCW, REW and MUW. The below table outlines the difference between the wetland classifications in terms of their conservation status.

<b>Classification</b>	<b>Description</b>
Conservation Category Wetland (CCW)	All CCW wetlands and appropriate buffers are fully protected and any proposals that are likely to lead to a significant adverse impact on these wetlands are likely to be formally assessed by the EPA.
Resource Enhancement Wetland (REW)	All reasonable measures are taken to minimise the potential impacts on REW and appropriate buffers. These wetlands have the potential to be restored to CCW, and rehabilitation is encouraged.
Multiple Use Wetland (MUW)	All reasonable measures are taken to retain the hydrological functions of the wetland (including on-site water infiltration and flood detention) and, where possible, other wetland functions.

The REW is located within Lot 16 and the MUW encompasses approximately half of the precinct area, predominantly within the north-western portion of the cell. The CCW is located outside the subject site, abutting the southern boundary of the ODP area. The REW is proposed to be retained on Lot 16, and protected by a 70m buffer on the south-eastern border, and no buffer on all other sides of the wetland. In terms of the CCW, the adjoining LOS area will provide for a 100m buffer. The MUWs are not proposed to be retained.

The Environmental Protection Authority's (EPA) Guidance Statement No. 33 - Environmental Guidance for Planning and Development states that wetlands that are to be protected require a minimum 50m buffer distance. The (then) Department of Environment Conservation (now Department of Parks and Wildlife (DPaW)) has advised that it had no objection to the ODP (including reduced buffers to the REW), providing that a wetland management plan is prepared for the wetlands and any buffers, which should include strategies to revegetate the buffers with native vegetation, have management measures to mitigate impacts to the wetlands such as fencing.

A submission raised concerns about the protection of Quenda habitat. In this regard, it should be noted that the Quenda habitat is contained mostly on Lot 16, and that a significant portion of the habitat would be retained should the REW be protected within LOS. DPaW raised no objections to the proposal in this regard, provided that a Fauna Management Plan, specifically addressing a translocation program for Quenda found on-site, is prepared and implemented as a condition of any future subdivision or clearing works.

### Black Cockatoo Foraging Habitat

The ODP area has a total of 10.51ha of identified Black Cockatoo foraging habitat contained mostly on Lots 17 and 1767, and on portions of Lots 21, 16 and 1766. Of the 10.51ha, the ODP proposes to provide for the retention of 1.97ha of the foraging habitat.

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Given that Black Cockatoos are a protected species under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the ODP was required to be referred to the Federal Government Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) to determine whether further assessment is required. The DSEWPC considered the proposal and determined that it did not require any further assessment or approval under the EPBC Act. As such, the proposal is considered acceptable from that perspective.

Lot 16 Southern River Road

As mentioned previously, a significant portion of Lot 16 Southern River Road comprises a mapped REW, and a portion of land in the south-eastern corner of the site contains Black Cockatoo foraging habitat. The ODP proposes hatching over the mapped REW and a LOS designation on the south-eastern portion of the site. The purpose of the LOS is to provide a buffer to the REW and to facilitate the retention of remnant vegetation, including a small area of Black Cockatoo foraging habitat. Furthermore, the modified ODP includes a notation on the plan which stipulates:

"6. *The conservation significance of the Resource Enhancement Wetland on Lot 16 Southern River Road is to be determined through further environmental review and detailed planning.*"

A submission was received on behalf of the landowners of Lot 16 which raised a number of concerns with the ODP, particularly in relation to the designation of the REW on the land and the reservation of LOS on the remainder of the land to the rear of the site that is not mapped as a REW. The landowners engaged an independent consultant to undertake a separate environmental review, which questions the environmental value of the REW and LOS area identified on the subject property. A summary of the findings of the environmental assessment prepared for Lot 16 and the submitter's suggested changes can be found in the Schedule of Submissions contained as Appendix 13.5.12E.

The submission, including the environmental report, was referred to the DPaw for comment, which provided the following advice:

- While the assessment identifies and describes the biodiversity values on site, it significantly downplays their importance throughout the document.
- The report supports the classification of the wetland onsite as an REW, and DPaw considers that the conservation values identified on site are high including remnant vegetation in Very Good to Excellent condition, important fauna habitat, priority flora and while the remnant vegetation is relatively small in size (less than 3ha), it links with the larger section of upland habitat to the south.
- The site has been impacted in the past by the surrounding clearing and hydrological modification following the installation of the constructed drain through the site/wetland. Despite this, the vegetation remains relatively intact with little disturbance, limited weed encroachment and no significant rubbish dumping.

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- The REW's ability to sustain viable populations of flora and fauna would be increased by retaining the whole of the wetland and remnant vegetation to the south in Lot 17 Matison Street. The different vegetation types (wetland, transitional and upland) have the ability to maintain a greater and more diverse range of flora and fauna species.
- Without specific information regarding the realistic development options for Lot 16, it is difficult for DPaW to provide targeted advice on Lot 16 in isolation.
- DPaW's preference in relation to the whole of Precinct 3F would be to retain the largest possible area of remnant vegetation in Very Good to Excellent condition, including the REW and upland vegetation on Lot 17 Matison Street.

Based on the advice from DPaW, it is considered that the REW and adjacent vegetation should be protected as LOS in order to allow for greater protection of the wetland. Given that the environmental particulars of the site are known, this approach is favoured as an alternative to designating the site Mixed Business, and deferring environmental considerations to a later stage as part of subdivision and/or development applications. As such, it will be recommended that the ODP be modified to show the REW land as LOS under the ODP, and thereby remove Notation 6 which would no longer be necessary.

It will therefore be recommended that the draft ODP is modified as detailed above (Modifications 9 and 10).

**Water Management**

The WAPC's Better Urban Water Management (2008) guideline document stipulates that a Local Water Management Strategy (LWMS) is to accompany an ODP. Typically, a LWMS is a broad drainage strategy for a specific development area that addresses the management of additional quantities of stormwater created from urban development.

A LWMS has been prepared to support the ODP in accordance with the WAPC's guideline document. It has been assessed and is considered to be acceptable however it is still required to be referred to the Department of Water (DoW) for assessment and final endorsement. It is considered that any changes required by the DoW are unlikely to significantly impact on the ODP design. As such, it is considered acceptable for the ODP to be adopted by Council, providing that the LWMS is endorsed by the DoW prior to the WAPC approving the ODP.

**Bushfire Hazard Management**

In May 2014, the WAPC released a draft State Planning Policy 3.7 - Planning for Bushfire Risk Management and Planning for Bushfire Risk Management Guidelines for public comment. The Guidelines will replace the WAPC's current Planning for Bushfire Protection Guidelines (May, 2010). These documents were prepared to strengthen bushfire risk management measures in the planning and development process, and are expected to be adopted in May 2015.

The main aspects/requirements of these new documents include:

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1. The identification of bushfire prone areas, being an area identified by a State Bushfire-Prone Area Map, a Local Government Bushfire-Prone Area Map or where no map is available, all land within 100m of an area of bushfire-prone vegetation that is equal to or greater than 1ha.
2. The requirement to prepare a bushfire hazard level (BHL) assessment to broadly determine the likely intensity of a bushfire for a particular area by categorising and mapping land as having a low, moderate or extreme bushfire hazard level.
3. Where a site has been identified as having a moderate or extreme bushfire hazard level under a BHL assessment, a bushfire attack level (BAL) assessment is required to provide a detailed assessment of the risk. A BAL assessment classifies land into six categories based on a combination of vegetation type, slope of land, and a proposed building's distance from vegetation.
4. Any planning proposals for areas that have or will have a BHL above low, as determined by the BHL assessment, will be required to prepare bushfire management plans (BMPs). BMPs set out medium to long-term management strategies for fire hazards within a bushfire prone area eg firebreak and water supply requirements.

The draft Policy and both the current and proposed Guidelines suggest that bushfire risk should be considered at the earliest stages of the planning process to ensure any risk is properly managed. More specifically, it suggests that BHLs and BMPs should be prepared at the local structure plan stage to ensure that hazard separation and bushfire protection zones can be effectively established at a subsequent planning stage (subdivision and development).

In terms of point 1, it should be noted that to date the City has been working with the State Government to identify bushfire prone areas within the City so that the information can be incorporated into a State Bushfire Prone Area Map. Based on this preliminary work, it has been identified that the 3F precinct will contain land and be adjacent to land which will be declared as bushfire prone.

The draft ODP does not address bushfire protection requirements, but rather it suggests that they can be considered at the later subdivision and/or development stage. It is considered more appropriate that the following matters be incorporated into the ODP before it is adopted.

1. A BHL assessment;
2. A BMP; and
3. Provisions in the ODP text stipulating that any subdivision and/or development shall implement any requirements of the BMP, and accord with the draft State Planning Policy 3.7 - Planning for Bushfire Risk Management and Planning for Bushfire Risk Management Guidelines.

It will therefore be recommended that the draft ODP is modified as detailed above (Modifications 12-15).

Item 13.5.12 Continued

**CONCLUSION**

In accordance with clauses 7.4.7(a) and (b) of TPS 6, the following options are available to Council in progressing the draft ODP:

- Adopt the draft modified ODP (attached in Appendix 13.5.12B) without further modification
- Adopt the draft modified ODP with further modifications
- Refuse to adopt the advertised ODP.

The draft ODP provides a framework for the orderly and proper planning for the Southern River Precinct 3F area. The proponent has generally addressed the technical and planning requirements applicable to the subject area. It will therefore be recommended that Council adopts the draft ODP (as contained in Appendix 13.5.12B), subject to the following modifications:

No.	Recommended Modification	Reason(s)
1.	Apply a Restricted Use designation to all land zoned Light Industry, prohibiting the development of a Place of Worship.	To restrict sensitive land uses within the 500m kennel noise buffer area and where abutting industrial uses.
2.	Delete the proposed Additional Uses of Shop, Office, Liquor Store and Medical Centre on proposed Light Industry zoned land.	The land uses are not consistent with the WAPC's Directions 2031 and Beyond planning strategy, State Planning Policy 4.2 - Activity Centres for Perth and Peel and the City's draft Activity Centres Planning Strategy.
3.	Extend the 'green strip' LOS buffer along the south-eastern boundary of Lot 1766.	To provide a suitable buffer interface between the existing kennel area and future industrial/commercial development.
4.	Remove one or both of the road connections with Matison Street.	To reduce the potential traffic impact on the existing kennel area.
5.	Delete the notation on the ODP plan which stipulates shared crossovers required for lots with access to Matison Street.	With the extension of the 'green strip' LOS buffer along the south-eastern boundary of Lot 1766, access to Matison Street will no longer be possible.
6.	<p>Modify Notation 5 on the ODP plan and associated text in the ODP text to read as follows:</p> <p><i>"The local government may adopt Design Guidelines for the area prior to recommending subdivision or issuing development approval, to ensure that development exhibits high quality design and finish in respect to built form and landscaping. All development shall be in accordance with the adopted guidelines in addition to any other requirements of Town Planning Scheme No. 6, and where there is any inconsistency between the design guidelines and the Scheme, the Scheme shall prevail."</i></p>	To require the adoption of Design Guidelines prior to recommending subdivision or issuing development approval, as opposed to as a condition of approval. This will ensure that the guidelines can be imposed when assessing subdivision and development applications.
7.	Add a notation to the ODP plan which stipulates access arrangements for the central intersection to Southern River Road shall be determined in the future, subject to further analysis.	The separation distance between the central intersection and the existing Clearwater Drive full movement intersection, located on the opposite side of Southern River Road, will not meet Austroads Standards.

*Item 13.5.12 Continued*

No.	Recommended Modification	Reason(s)
8.	In the event that the proposed road connection to Matison Street on Lots 1766 and 17 remains (see Modification 4), the road shall be realigned so as to be located wholly within Lot 1766.	To simplify the future implementation of the ODP.
9.	Designate the Resource Enhancement Wetland on Lot 16 as Local Open Space.	To ensure all land within the ODP has an appropriate zoning or reservation designation.
10.	Delete Notation 6 from the ODP Map.	With the designation of the REW on Lot 16 as Local Open Space (as per Modification 9), Notation 6 would no longer be necessary.
11.	Include a 'road' designation within the legend on the ODP map.	For the purposes of clarity.
12.	The inclusion of a Bushfire Hazard Level Assessment.	To comply with the requirements of the draft State Planning Policy 3.7 - Planning for Bushfire Risk Management and Planning for Bushfire Risk Management Guidelines.
13.	The inclusion of a Bushfire Management Plan.	To comply with the requirements of the draft State Planning Policy 3.7 - Planning for Bushfire Risk Management and Planning for Bushfire Risk Management Guidelines.
14.	The removal of provisions in the statutory section of the ODP text which stipulates a requirement for a Bushfire Hazard Level Assessment, Bushfire Attack Level Assessment and Bushfire Management Plan, as a condition of subdivision or development.	To comply with the requirements of the draft State Planning Policy 3.7 - Planning for Bushfire Risk Management and Planning for Bushfire Risk Management Guidelines.
15.	The inclusion of provisions in the statutory section of the ODP text stipulating that any subdivision and/or development shall implement any requirements of the Bushfire Management Plan, and accord with the draft State Planning Policy 3.7 - Planning for Bushfire Risk Management and Planning for Bushfire Risk Management Guidelines.	To comply with the requirements of the draft State Planning Policy 3.7 - Planning for Bushfire Risk Management and Planning for Bushfire Risk Management Guidelines.

**FINANCIAL IMPLICATIONS**

It is important to note that the City owns four parcels of land (representing approximately 21.75ha) within the ODP area, meaning that the finalisation of the ODP will provide the City with development opportunities and in turn, financial benefits. In considering the potential conflict of interest (between the City's roles as a regulator and a developer), it should be noted that whilst the City forms part of the applicant/landowner group, it did not have uninhibited control over the proposal and in any event, the WAPC is the final decision-making authority on ODPs.

More generally, all costs associated with the Outline Development Plan are borne by the applicant, which includes the City of Gosnells, as detailed above.

**STATUTORY IMPLICATIONS**

- Town Planning Scheme No. 6
- Southern River/Forrestdale/Brookdale/Wungong District Structure Plan
- Southern River Precinct 3 Local Structure Plan

*Item 13.5.12 Continued*

- Local Planning Policy 3.1 - Outline Development Plans
- Local Planning Policy 3.3 - Southern River Precinct 3 Planning Framework
- *Planning and Development Act 2005*
- Directions 2031 and Beyond Planning Strategy
- State Planning Policy 4.2 - Activity Centres for Perth and Peel
- City of Gosnells draft Activity Centres Planning Strategy
- *Environment Protection and Biodiversity Conservation Act 1999*
- Draft State Planning Policy 3.7 - Planning for Bushfire Risk Management.

**VOTING REQUIREMENTS**

Simple Majority required.

STAFF RECOMMENDATION (1 OF 3) AND COUNCIL RESOLUTION

**484 Moved Cr P Yang Seconded Cr R Mitchell**

That Council, pursuant to clause 7.4.7 of Town Planning Scheme No. 6 notes the submissions received in respect of the proposed Southern River Precinct 3F Outline Development Plan and endorses the responses to those submissions, as contained in Appendix 13.5.12E.

CARRIED 8/2

**FOR:** *Cr J Brown, Cr G Dewhurst, Cr D Goode, Cr R Hoffman, Cr R Lawrence, Cr R Mitchell, Cr P Yang and Cr D Griffiths.*

**AGAINST:** *Cr W Barrett and Cr O Searle.*

STAFF RECOMMENDATION (2 OF 3) AND COUNCIL RESOLUTION

**485 Moved Cr P Yang Seconded Cr R Mitchell**

That Council, pursuant to Clause 7.4.7(a) of Town Planning Scheme No. 6, adopts the proposed Southern River Precinct 3F Outline Development Plan, as contained as Appendix 13.5.12B, subject to the following modifications:

No.	Modification
1.	Apply a Restricted Use designation to all land zoned Light Industry, prohibiting the development of a Place of Worship.
2.	Delete the proposed Additional Uses of Shop, Office, Liquor Store and Medical Centre on proposed Light Industry zoned land.
3.	Extend the 'green strip' LOS buffer along the south-eastern boundary of Lot 1766.
4.	Remove one or both of the road connections with Matison Street.
5.	Delete the notation on the ODP plan which stipulates shared crossovers required for lots with access to Matison Street.
6.	Modify Notation 5 on the ODP plan and associated text in the ODP text to read as

Item 13.5.12 Continued

No.	Modification
	follows:  <i>"The local government may adopt Design Guidelines for the area prior to recommending subdivision or issuing development approval, to ensure that development exhibits high quality design and finish in respect to built form and landscaping. All development shall be in accordance with the adopted guidelines in addition to any other requirements of Town Planning Scheme No. 6, and where there is any inconsistency between the design guidelines and the Scheme, the Scheme shall prevail."</i>
7.	Add a notation to the ODP plan which stipulates access arrangements for the central intersection to Southern River Road shall be determined in the future, subject to further analysis.
8.	In the event that the proposed road connection to Matison Street on Lots 1766 and 17 remains (see Modification 4), the road shall be realigned so as to be located wholly within Lot 1766.
9.	Designate the Resource Enhancement Wetland on Lot 16 as Local Open Space.
10.	Delete Notation 6 from the ODP Map.
11.	Include a 'road' designation within the legend on the ODP map.
12.	The inclusion of a Bushfire Hazard Level Assessment.
13.	The inclusion of a Bushfire Management Plan.
14.	The removal of provisions in the statutory section of the ODP text which stipulates a requirement for a Bushfire Hazard Level Assessment, Bushfire Attack Level Assessment and Bushfire Management Plan, as a condition of subdivision or development.
15.	The inclusion of provisions in the statutory section of the ODP text stipulating that any subdivision and/or development shall implement any requirements of the Bushfire Management Plan, and accord with the draft State Planning Policy 3.7 - Planning for Bushfire Risk Management and Planning for Bushfire Risk Management Guidelines.

**CARRIED 8/2**

**FOR:** Cr J Brown, Cr G Dewhurst, Cr D Goode, Cr R Hoffman, Cr R Lawrence, Cr R Mitchell, Cr P Yang and Cr D Griffiths.

**AGAINST:** Cr W Barrett and Cr O Searle.

**STAFF RECOMMENDATION (3 OF 3) AND COUNCIL RESOLUTION**

**486 Moved Cr P Yang Seconded Cr R Mitchell**

That Council, pursuant to Clause 7.4.9 of Town Planning Scheme No. 6 and following the required modifications being made, forwards the Southern River Precinct 3F Outline Development Plan to the Western Australian Planning Commission for approval.

**CARRIED 8/2**

**FOR:** Cr J Brown, Cr G Dewhurst, Cr D Goode, Cr R Hoffman, Cr R Lawrence, Cr R Mitchell, Cr P Yang and Cr D Griffiths.

**AGAINST:** Cr W Barrett and Cr O Searle.