

13.5 PLANNING AND SUSTAINABILITY

13.5.1 OUTLINE DEVELOPMENT PLAN AND AMENDMENT 6 TO TOWN PLANNING SCHEME NO. 6 - REZONING OF LOTS 2, 801, 803 AND PORTION OF LOT 1297 SOUTHERN RIVER ROAD AND LOT 806 AND PORTION OF LOTS 1301 AND 1302 CHAMBERLAIN STREET, GOSNELLS

File:	S8/1/15, TP/6/6	(SRW)	Psrpt086Jun04
Name:	Civil Technology		
Location:	Area generally bounded by the Southern River, Southern River Road and Chamberlain Street, Gosnells		
Zoning: MRS:	Urban		
TPS No. 6:	General Rural		
Appeal Rights:	Nil, however the final determination is made by the Hon. Minister for Planning and Infrastructure		
Area:	20.3ha approximately		
Previous Ref:	OCM 16 December 2003 (Resolutions 805-808) OCM 12 August 2003 (Resolution 539) OCM 26 March 2002 (Resolution 198) OCM 28 August 2001 (Resolutions 702-707)		
Appendix:	13.5.1A ODP as advertised		

PURPOSE OF REPORT

For Council to consider for final approval Amendment No. 6 to Town Planning Scheme No. 6 and an accompanying Outline Development Plan, for the area bounded by Southern River Road, Chamberlain Street and the Southern River.

BACKGROUND

Council at its meeting of 28 August 2001 considered an application from Broughton Planning to rezone the subject area from 'Deferred Urban' to 'Residential Development' under Town Planning Scheme No. 1 (TPS 1) in conjunction with an Outline Development Plan (ODP). Council resolved to support in-principle the rezoning application, subject to the gazettal of TPS 6 and the finalisation of a legal agreement for the irrevocable closure of a poultry farm on Lot 803 (Formally Lot 1298) Southern River Road.

Following the gazettal of Town Planning Scheme No. 6 (TPS 6) in February 2002, Amendment No. 6 was initiated by Council at its meeting of 26 March 2002 to rezone the area bounded by Southern River Road, the Southern River and Chamberlain Street from 'General Rural' to 'Residential Development' subject to the finalisation of the poultry farm legal agreement.

Following various attempts by Kevin Broughton of Broughton Planning to have the abovementioned legal agreement executed, it became apparent that this would not be achieved. Furthermore, in early 2003 Broughton Planning ceased operating as a business. Correspondence was sent to all landowners seeking expressions of interest to

engage a planning consultant and progress the planning for the area, however no responses were received. Based on the lack of progress, Council considered the matter at its meeting of 12 August 2003 and resolved to advise the WA Planning Commission that it did not wish to proceed with Amendment No. 6 due to the absence of a proponent, appropriate documentation and poultry farm legal agreement.

Shortly after the matter was considered by Council in August 2003, Civil Technology on behalf of a number (but not all) of the landowners made contact with the City and the Department for Planning and Infrastructure (DPI) with a view to progressing the planning for this area. A plan of subdivision has been lodged with the Western Australian Planning Commission (WAPC), however it is envisaged that the subdivision application would not be determined until the finalisation of the ODP and Amendment No. 6.

Council at its meeting of 16 December 2003 again considered the Amendment 6 and an ODP for this area, addressing the previously outstanding matters including a lack of proponent, formal documentation and poultry farm legal agreement. At its meeting, Council passed the following resolutions:

Resolution 806

“That Council formally request the Perth Region Planning Committee, through the South East District Planning Committee to consider the “lifting of Urban Deferment” under the Metropolitan Region Scheme for the area bounded by Southern River Road, Chamberlain Street and the Southern River in addition to Pt Lot 1296 Southern River Road and portion of Lot 1000 Prince Regent Boulevard.”

Resolution 807

“That Council, pursuant to clause 7.4.2 of Town Planning Scheme No. 6 deem the Outline Development as shown in Appendix 12.5.4B Plan satisfactory for advertising subject to the following:

- 1. The designation of portion of Lots 1301 and 1302 as “Private Recreation”.*
- 2. The designation of the existing poultry farm on Lot 1298 on the ODP.”*

Resolution 808

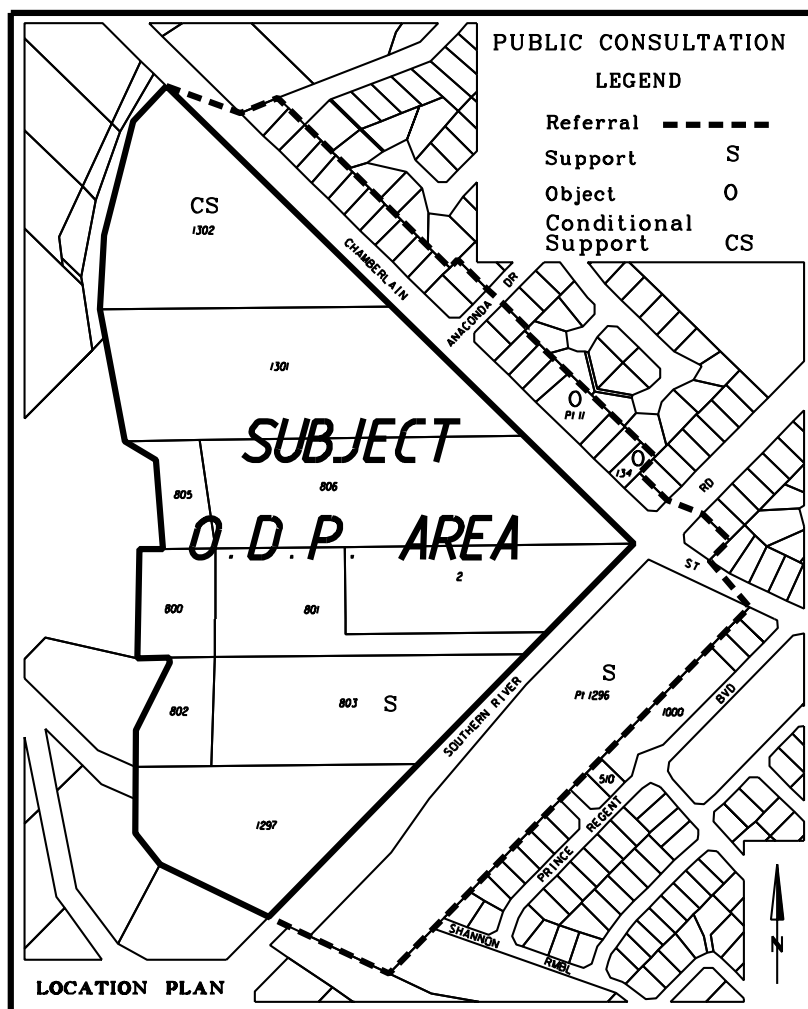
“That Council, pursuant to section 7 of the Town Planning and Development Act, 1928 (as amended) re-initiate Amendment 6 to the City of Gosnells Town Planning Scheme No 6 to rezone portions of Lots 1297, 1298, 1300, 1301, 1302 and Lots 801 and 2 from “General Rural” to “Residential Development”.”

In accordance with Resolution 806, the lifting of 'urban deferment' was presented to the Perth Region Planning Committee on 9 March 2004 where it passed a resolution to transfer the land to the 'Urban Zone'. The City and landowners were consequently advised of the decision of the Committee.

The lifting of Urban Deferment enabled the City to proceed with the advertising of Amendment 6 and the ODP that had been presented to Council at its meeting of 16 December 2003. The progressing of Scheme Amendment 6 and associated ODP have been intended to bring TPS 6 into conformity with the Metropolitan Region Scheme (MRS), in accordance with legislative requirements.

DISCUSSION

Scheme Amendment 6 and the ODP were advertised for public comment in accordance with statutory requirements with submissions closing 30 April 2004. A newspaper advertisement was published, with landowners and nearby residents directly notified. In addition to seeking comment from the public, comment was also sought from relevant government agencies. The following plan illustrates the scope of advertising and the origin of submissions received.



Schedule of Public Submissions

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
1.	MG & E Ward	281 (Lot 803) Southern River Road, Southern River	<p>Support.</p> <p>1.1 We believe the above land should be rezoned to Residential Development as soon as possible.</p> <p>1.2 We believe the proposed subdivision will be an excellent use of the land given that the poultry farm will then cease operations.</p> <p>1.3 The land is already within close proximity of existing services and should be developed to provide additional housing lots at affordable prices.</p> <p>1.4 Our suggestion is that the Gosnells Council and Waters and Rivers Commission further develop the river foreshore to provide an aesthetic reserve which can enhance the public use of the river area.</p>	<p>Noted. Amendment 6 to TPS 6 is intended to rezone the subject land.</p> <p>Noted. The use of the land for urban purposes is consistent with the Metropolitan Region Scheme</p> <p>Noted. The pricing of lots would be a function of the property market and can not be determined by the City.</p> <p>Noted. It's in the interests of all parties that the foreshore area be protected and where possible enhanced to ensure that environmental, aesthetic and recreational objectives are achieved. Refer discussion section for full comments.</p>
2.	Epoque Pty Ltd	Lot 1296 Southern River Road, Southern River	<p>Support.</p> <p>2.1 We note from your letter that whereas our Lot 1296 is currently zoned General Rural it has not been shown to be re-zoned to Residential Development along with the area referred to in your letter.</p>	<p>Noted. Lot 1296 is not part of the proposed ODP.</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>2.2 We understand that the reasons for Lot 1296 being General Rural are no longer applicable. In that regard we would appreciate your attention to inclusion of Lot 1296 along with the area on north west side of Southern River Road for rezoning from "General Rural" to "Residential Development".</p>	<p>This report includes a staff recommendation that a scheme amendment be initiated for Pt Lot 1296 and Portion of Lots 501, 1000. Refer discussion section for full comment.</p>
3.	C. Lander	Lot 1302 Chamberlain Street, Southern River	<p>Conditional Support.</p> <p>3.1 Opposed to a secondary road along side Southern River Road.</p> <p>3.2 There should only be one entry into development</p>	<p>The road layout provided through the ODP and Scheme Amendment is for illustrative purposes only. The need for a secondary road stems from the designation of Southern River Road as a future Important Regional Road and the principles of the Safe City Urban Design Guidelines to maximise passive surveillance whilst providing an attractive streetscape.</p> <p>A fine balance is required between residential amenity and accessibility, to ensure that both are achieved. The provision of multiple entrances into the area accords with the contemporary design philosophy and will ensure that traffic volumes are dispersed and high levels of accessibility are achieved. Refer discussion section for full comments.</p>
			<p>3.3 Would like to see higher standard of development</p>	<p>Any residential development will be required to conform with the requirements of the Residential Design Codes. It is not possible nor appropriate for the City to regulate the pricing of land or housing stock.</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>3.4 The water level of the Southern River should be raised to create deeper water, enhance marine life, reduce algae and give the new residents a water play area</p> <p>3.5 I have a strong desire for own property not be developed, instead retained as a 'heritage farm.'</p>	<p>The City is seeking to work with landowners, the broader community and State Government Agencies to enhance and protect the foreshore area into the future. It is not considered reasonable for a subdivider to be required to undertake such works.</p> <p>Noted. It is for this reason that the ODP clearly illustrates the farm area as 'private recreation'. Refer to discussion section for full comments.</p>
4.	C & C Dawe	48 (Lot 134) Chamberlain Street, Southern River	<p>Object.</p> <p>4.1. Totally disappointed that land opposite home is to be rezoned and developed at this time</p>	<p>The City is obligated to consider rezoning, subdivision and development applications against statutory requirements and strategic objectives. The City is obligated to progress a Scheme amendment to ensure that its Town Planning Scheme is in conformity with the Metropolitan Region Scheme. Refer discussion section for full comments.</p>
			<p>4.2 Made previous enquiries of the City and every time we were assured that this land would only be considered for rezoning well after several sites in the Gosnells area, including Verna Street, had been fully developed. Maps on display at Centro Maddington last year confirmed this, shown the subject area as 'general rural'</p>	<p>The zoning displayed as part of the Local Housing Strategy correctly illustrated the zoning of the TPS 6, 'general rural' at that time. Refer 4.1 and discussion for full comments.</p> <p>There is no formal Council position relating to specific timeframes for rezoning/ODP for the subject land.</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>4.3 We object strongly to any proposed 'corner store', recreation centre, petrol station or mixed use centre on the corner of Southern River Road and Chamberlain Street as this will have a direct impact on our quality of living here. Concerns include the constant noise of cars, people using the area as a meeting place congregating in the street, litter being dumped, increase in vandalism and graffiti.</p> <p>4.4 People already use our verge as a parking lot because it is the only shade in the street, having any kind of retail or service development across the road would greatly increase this annoying and noise problem. In addition, the area will become a possible target for robbery if the establishment involves money.</p>	<p>Noted. No formal proposal has been prepared for a neighbourhood centre at this time, however provision is to be made for such a centre in the future. Issues of residential amenity, parking, traffic movements and building design would need to be properly addressed through an application for planning approval.</p> <p>Noted. Refer 4.3</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>4.5 The proposal for high density housing (R30), if approved, angers us. Long term residents who purchased in the area years ago did so for the larger blocks of land and the semi-rural feel of the place. To go from general rural to high density is not acceptable</p> <p>4.6 We also object to any development other than residential, on Lots 1000 and 1296, opposite our home, for the same reasons mentioned above.</p> <p>4.7 Chamberlain Street and Southern River Road is already a 'black spot'. Surely any kind of establishment, which causes more traffic at an already congested intersection is not what the area needs</p>	<p>The predominant density for residential development in the ODP is proposed to be R17.5, ie predominantly single residential dwellings. Only a small portion of the ODP site is designated as R30 (a medium density standard). Some medium density development will provide for diversity in housing. Any residential development will be required to conform with the requirements of the Residential Design Codes, addressing such matters as building design, streetscape and general amenity.</p> <p>Noted. It is not envisaged at this time that the land to the south of Southern River Road would be zoned for uses other than residential, however any change would be subject to public comment.</p> <p>Both Southern River Road and Chamberlain Street are designed as 'distributor roads' to accommodate a medium level of traffic movements. In the design of the intersection upgrade that occurred in recent years, provision was made for further residential development in proximity in both the short to medium term. The ultimate configuration of Southern River Road is dual carriageway and will need to be designed accordingly. Refer discussion section for full comments.</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			4.8 If the majority of traffic that uses Chamberlain Street and Anaconda Drive as a cut through to get to Corfield Street/Southern River Road was made to use the 4 lane Corfield Street by means of one way traffic and/or local traffic only restrictions, it would help an already overloaded Anaconda Drive, deal with speeding motorists, large trucks most of whom do not live locally.	Noted. This suggestion is beyond the scope of the Scheme Amendment and ODP and as such further follow up and direct response will be provided by Technical Services.
5.	Vandor Nominees 36 Austin Ave, Kenwick	38 (Lot Pt 11) Chamberlain Street, Gosnells	Objection. 5.1 It was great disappointment that we realised the rezoning intention from rural to residential development. The rural zoning was the initial reason we decided to purchase our home. We have watched with great dismay the new residential development on the other side of Chamberlain Street, resulting in an increase in traffic and anti-social behaviour from people using the new roundabout as their personal racing track	Noted. Refer 4.1 and discussion for full comments.

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			5.2 Southern River Road and Chamberlain Street have had to withstand a marked increase in traffic flow through the area, mainly due to the development in Southern River, Huntingdale and Canning Vale. New residents use these roads as a thoroughfare and at peak times the volume of traffic most alarming. Further development will only add to the burden these roads must already contend with, not to mention the increase in noise and pollution the residents must withstand.	Southern River Road has been identified as a future Important Regional Road to link the localities of Gosnells, Huntingdale and Southern River. Provision has historically been made for Southern River Road to eventually be duplicated to a dual-carriageway standard. Issues of residential amenity, noise, pollution, landscaping etc will need to be addressed through the detailed design for Southern River Road.

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>5.3 Also of major concern is the corner store that is marked on the plans for the corner of Chamberlain Street and Southern River Road. To place a shop in this area is ridiculous as there is absolutely no need for further convenience stores in the Gosnells area. There are at least five already existing within a 2-3 kilometre radius. There is also the major upgrade to the Foothills Shopping Centre taking place. With all of these shops in close proximity, we fail to see Council's planning logic in approving yet another one. Unfortunately with shops comes an increase in antisocial behaviour due to kids using them a place to 'hang out'.</p> <p>5.4 Gosnells is fast losing what little rural charm it had. We are strongly opposed to any sort of residential or commercial development of any kind taking place opposite us. We feel a more attractive alternative would be to offer larger blocks, of a half acre or more and create something similar to Araluen or the Chestnuts, another high density housing estate is not what Gosnells needs.</p>	<p>Noted. Issues of accessibility, hierarchy of commercial centres and residential amenity have to be carefully considered. Refer comments in report on the potential for a neighbourhood center.</p> <p>The subject area was zoned 'Urban Deferred' in 1978 to accommodate future residential development. Issues of infrastructure servicing, accommodating growth in population, protection of the river environment etc have to be carefully considered in determining the future of this area. The Scheme Amendment and ODP are consistent with both statutory requirements and strategic objectives.</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>5.5 The landowner of lots 1301 and 1302 has a great idea in wanting to create a heritage farm. The area is rich in history and this needs to be preserved.</p> <p>5.6 Our final concern is for the beautiful pine trees at the front to our property. Already, because our frontage is large we get hooners racing through these trees in their cars and ripping up the grass we meticulously maintain. As a street is proposed in the plans, opposite us, we fear this we only get worse. These trees may have some historical significance – it would be a great shame to lose them.</p>	<p>Noted. Refer 3.5.</p> <p>Issues of vehicle/driver conduct need to be referred to WA Police Service for attention.</p> <p>The retention of remnant vegetation, where appropriate, is a key consideration for the City. It is difficult to see how the construction of a new intersection would compromise the long term retention of the existing trees.</p>

Schedule of Government Agency Submissions

No.	Name	Summary of Submission	Staff Comment
1.	Department of Planning and Infrastructure – Integrated Transport Planning	<p>The Integrated Transport Planning (ITP) directorate has examined the proposal and notes that the Outline Development Plan (ODP) does not include any reference to non-motorised transport issues, nor does the proposed ODP include facilities to assist and encourage the convenient movement of pedestrians and cyclists.</p> <p>The ODP incorporates an area of Public Open Space, which should include a Dual Use Path connection to facilitate more convenient north-south access for pedestrians and cyclists adjacent to the Parks and Recreation Reserve for the Southern River.</p>	<p>Noted. Through the subdivision process, it is envisaged that an integrated path network would be achieved through the ODP area.</p> <p>Refer 1.1</p>

No.	Name	Summary of Submission	Staff Comment
2.	Environmental Protection Authority	The proposal to rezone this area has previously referred to the Environmental Protection Authority (EPA) for assessment pursuant to S48 of the Environmental Protection Act. The previous advice of the EPA is still considered relevant to this proposal. However, the EPA Service Unit notes that in initiating the above town planning amendment it has not incorporated the previous advice of the EPA dated 19 August 2002 for this area.	Noted. The matters identified by the EPA shall be addressed through appropriate conditions of subdivision.
3.	Water Corporation	Sections 5.1 and 5.2, relating to water and sewerage services for the proposed area appear to be consistent with the Corporation's existing and planned infrastructure.	Noted
4.	Department of Indigenous Affairs	4.1 It is possible that there are sites that have not yet been entered on the Aboriginal Sites Register. The Aboriginal Heritage Act 1972 (the Act) protects all Aboriginal sites in Western Australia whether they are known to this Department or not. Prior to any proposed development/activity, so that no site is damaged or altered (which would result in a breach of Section 17 of the Act) it is recommended that suitable qualified consultants are engaged to conduct ethnographic and archaeological surveys of the area. This should ensure that all Aboriginal interest groups are consulted so that all sites on the designated land are avoided or identified.	Noted and proponent advised of responsibilities under the Aboriginal Heritage Act 1972. Noted. All proposed works to achieve ultimate subdivision will remain clear of the Parks and Recreation Reserve that includes the Southern River. It is acknowledged that there are native title claims pending resolution in respect of the river environment.
5.	Department of Education and Training	As described in the ODP, it is expected that 152 single residential lots will be created in the proposed development. At full development this area could yield about 40 to 60 additional primary aged students, and 20 to 30 additional secondary school students. Students resident in this area would be entitled to attend the nearby Ashburton Drive Primary School or Gosnells Senior High School. No additional government school sites will be required to serve this proposed development.	Noted. Noted

No.	Name	Summary of Submission	Staff Comment
6.	Swan River Trust	<p>The board resolved to support the ODP and TPS amendment subject to various conditions including the preparation of a drainage and nutrient management plans, a geotechnical and water quality investigation,</p> <p>Further detailed information being provided regarding the best method of road and stormwater drainage. The drainage design should ensure that water sensitive urban design principles are included within the drainage design, therefore minimising impacts on the surrounding environment that includes the Swan River catchment. It is also considered that if the proposed public open space is to be utilised to drain stormwater from the site then further land should be given up as open space for this purpose.</p> <p>A comprehensive site geotechnical and water quality investigation should be undertaken prior to subdivision and commencement of earthworks to the satisfaction of the Swan River Trust on advice from the Department of Environment to address the following:</p> <ul style="list-style-type: none"> • any contamination from existing and previous land uses and shall include a remediation strategy and implementation as appropriate • groundwater quality including nutrient levels. The groundwater may already be nutrient rich, any drainage basins proposed will reflect this aspect with algal blooms as has already occurred within the Southern River catchment. • Initial desktop study for acid sulfate soils (ASS), further soil sampling may be required if ASS is detected 	<p>Noted. The requirements of the Swan River Trust can be accommodated through appropriate conditions of subdivision approval.</p> <p>A full drainage and nutrient management plan will be recommended as a condition of subdivision to ensure that both water quality and water quantity objectives are satisfied.</p> <p>Noted and agreed.</p>

No.	Name	Summary of Submission	Staff Comment
		<p>Prospective developers should prepare and implement a foreshore management plan that includes remediation and revegetation of the Parks and Recreation Reservation and POS area to the requirements of the Swan River Trust and the City of Gosnells</p> <p>Consideration should be given to the lodgment of memorials on prospective certificates of title to ensure that new land purchasers are aware of the possibility of impacts of the rural pursuits associated with the proposed heritage farm and past rural pursuits on the land. It is considered that the urban zoning will conflict with the proposed heritage farm, ie noise, odours, machinery etc. A suitable management strategy should be requested and implemented to ensure that the farm issue can be adequately managed within a proposed urban subdivision</p> <p>The site is adjacent to the Southern River and is considered to be a riverside urban development precinct. Prospective developers should be made aware of water sensitive urban design principles that also include planting of native vegetation and other principles to minimise the transport of nutrients to groundwater and the Swan/Canning river systems</p>	<p>Noted, however it is considered unreasonable as part of the rezoning/subdivision process to require the preparation of a foreshore management plan. A more appropriate approach/outcome would be achieved by the City progressing this matter in conjunction with the WAPC as the vestee of the land.</p> <p>Noted. Such matters will need to be considered through subdivision and development approval processes for both nearby properties and the potential heritage farm.</p> <p>Noted. It is envisaged that the subdivision process will require the preparation of a drainage and nutrient management plan to be prepared to the satisfaction of relevant government agencies.</p>

Based on the submissions received from the public and government agencies, the following key issues have been identified:

- the timing/appropriateness of the area being developed for residential purposes;
- potential for a neighbourhood centre;
- traffic movements/road configuration;
- the rezoning of land to the South of Southern River Road;
- provision of public open space;

- management/enhancement of the river and foreshore environment;
- the establishment of a “heritage” farm on Lots 1301 and 1302

The following sections provide further information and discussion on the above matters.

Development of the ODP area for Residential Purposes

Two of the submissions received from the public questioned the appropriateness of the ODP area being developed for residential purposes and the timing of any such development. As the land in question is in private ownership, the City does not have control over the timing of land development. The City instead has an obligation to ensure that any development that does occur is consistent with statutory requirements and strategic objectives. Furthermore, the subject area has only been zoned ‘Urban Deferred’ and not ‘Urban’ under the Metropolitan Region Scheme (MRS) due to the presence of a poultry farm on Lot 803; the poultry farm has recently discontinued its operations. Nonetheless potential urban development on the subject site has been foreshadowed by the MRS.

With the ODP area being transferred to the ‘Urban’ zone under MRS, the City is obligated to take such necessary steps as to bring its District Town Planning Scheme TPS 6 into conformity with the MRS. The use of an ODP as a planning tool provides appropriate guidance for future subdivision with fragmented land ownership and development and to address matters of local significance.

Potential for a neighbourhood centre

The *Liveable Neighbourhoods – Community Design Code* and Council’s Safe City Urban Design Strategy suggest that neighbourhood urban form should be based on a five-minute walk (400 to 450 metres) from a series of neighbourhood centre. Each centre is intended as a community focus with a compatible mix of uses which provide for a variety of daily needs without need for a motor vehicle. From a broad locational perspective, neighbourhood centres should be located on or at the intersection of important local streets served by public transport; on this basis, the potential for a future neighbourhood centre as shown on the ODP exists.

The draft City of Gosnells Local Commercial Strategy 1999 identifies the potential for neighbourhood centres on the basis of such matters as retail competition, demographic profile and location/accessibility. The Strategy recommends a maximum amount of retail floorspace per ‘Main Roads Zone’, with the subject area included in Main Roads Zone No. 394 covering the southern portion of Huntingdale and south Gosnells. For this zone, the Strategy recommends that in addition 1,484 square metres could be provided across the entire zone by 2026 subject to demand. Since the Local Commercial Strategy was prepared in 1999 there has been extensive residential development in the area which, together with potential residential development on the subject land, provides a basis for consideration of additional local level retail floorspace.

To ensure that any future centre retains a 'neighbourhood' focus, a maximum retail floorspace of 150 square metres is recommended to accommodate a corner store or similar. At this stage, no application has been received for non-residential land uses, however it is important that the ability to accommodate a neighbourhood centre be retained to serve existing and future residents. Any application for a corner store or similar would require an Application for Planning Approval, which in turn would need to demonstrate that issues of urban design, parking, traffic movements and general amenity are properly addressed.

Traffic movements/road configuration

In the submissions received, concerns were raised about the potential for increased traffic movements stemming from an increased number of dwellings in the area. An increased number of dwellings will undoubtedly result in increased traffic movements and as such the future road configuration needs to be carefully considered to ensure that issues of amenity and accessibility are properly addressed.

Southern River Road has been identified at a district level as a future 'Important Regional Road', providing a linkage between the localities of Gosnells, Huntingdale and Southern River. It is envisaged that the ultimate configuration of Southern River Road would be four lanes to accommodate future traffic movements. An appropriate interface will need to be achieved between future residences and Southern River Road, which the ODP achieves through the construction of a local 'service road'. This allows for passive surveillance and removes the need for residential lots to 'back' onto Southern River Road.

The ODP illustrates three (3) potential intersections to Chamberlain Street, which have been noted in the public submissions. Chamberlain Street is intended to remain as a local distributor road to service the needs of local residents. The number of access points into and out of the ODP area are considered necessary to ensure permeability and accessibility for future and nearby residents and to ensure that traffic flows are distributed across the ODP area so that traffic volumes on each local road remain low. The exact intersection alignment and treatment (where required) will be addressed through the subdivision process.

Rezoning of land to the South of Southern River Road

Pt Lot 1296 and portion of Lots 1000 and 510, to the Southern side of Southern River Road, are currently zoned 'General Rural' under TPS 6 and 'Urban' under the MRS. As with land within the ODP area, the zoning under both TPS 6 and the MRS has been a function of the poultry farm on Lot 803 Southern River Road. With the discontinuation of the poultry farm operations, the land is now zoned 'Urban' under the MRS and as such the City is required to take such necessary steps to ensure that TPS 6 conforms with the MRS.

Council has recently been advised by the Department for Planning and Infrastructure (DPI) that DPI would be willing to support the inclusion of Lot 1296 and portion of Lot 1000 into existing Amendment 6, potentially without readvertising. It is though the opinion of Council staff that a separate scheme amendment should be initiated and

progressed for this area. A separate Scheme Amendment will ensure transparency in process and provide the opportunity for government agencies and general public to comment on the future zoning of the land prior to finalisation. This position has been reflected in the staff recommendations.

Provision of Public Open Space

Western Australian Planning Commission Policy (DC Policy 2.3 – Public Open Space) requires that 10% of the net subdivisible area is to be given up as public space. For each ODP and subdivision application, consideration has to be given to the context of the land with respect to achieving a balance between passive and active open space areas, in addition to drainage, conservation and aesthetic functions.

The ODP proposes 5% (5,740 square metres) of the ODP area be provided as local open space on the basis of the following:

- approximately 3.5 hectares of land will be provided as Regional Open Space
- a further 20+ hectares of Regional Open Space (associated with Southern River) is located within 400 metres of the subject land including a dedicated playground area
- Sutherlands Parks is located within 400 metres.
- Southernwood Park is located within 350 metres
- Three local parks (Swingler Park, Cerutti Road and Pipit Close) are located within 600 metres of the Outline Development Plan area.

Based on discussions with City Facilities staff, the provision of 5,740 square metres as public open space is considered appropriate from a maintenance, usability and accessibility perspective. To provide a larger area of open space within the ODP would not significantly increase accessibility for future residents nor functionality. The balance of the 10% requirement is to be provided as POS improvements and cash-in-lieu which the City may use for the improvement of other POS areas within the locality. On this basis, it is recommended that the 5% provision of POS in land within the ODP area (10% contribution overall) be considered appropriate.

Management/Enhancement of the river and foreshore environment

Submissions received from the public refer to the future protection and enhancement of Southern River and foreshore areas, in addition to a suggestion by the Swan River Trust that the proponent be required to prepare a foreshore management plan. The protection and enhancement of the foreshore area is clearly of paramount importance in the planning for this area. It is understood that all subdivision works required for the future development of this area would not intrude into the Regional Open Space area. It is the opinion of Council staff that to require the proponent to prepare a foreshore management plan as part of the rezoning and/or subdivision process would indeed be unreasonable and unrealistic and as such, an alternative approach is proposed.

It is proposed that the City in conjunction with the Western Australian Planning Commission, would in the future seek to engage consultants to prepare a foreshore rehabilitation, access and management plan. It is likely that sympathetic capital improvements plan could be accommodated including pathways, seating and interpretive signage. In the preparation of the plan, liaison will be required with the Department of Indigenous Affairs to ensure that matters of Aboriginal Heritage Significance are properly addressed. The costs associated with the preparation of the management plan and resulting capital improvements are expected to be covered by the State Government's Area Assistance Grants Scheme.

Establishment of a "heritage type farm" on Lots 1301 and 1302

The landowner of Lots 1301 and 1302 has expressed a desire to create a "heritage farm" on portions of these two properties. The landowner has a long association with the area and does not wish to develop or subdivide his properties at this time, but rather develop the property such that it may be open to the public. Should this proceed, it is likely that such a use would be classified as an "exhibition centre", a discretionary use requiring advertising under the TPS 6 in a Residential Development Zone. A formal application and assessment would be required for the proposal to proceed, with detailed design considerations being able to be addressed at this time. In the interim, however, the interface between a future heritage farm and residential subdivision will need to be carefully considered to achieve the objectives of the Safe City Urban Design Strategy. Rather than leaving portions of these properties with a "General Rural" zoning (and inconsistent with the MRS), it is recommended that these properties be included in the rezoning process, however shown on the ODP as "Private Recreation".

CONCLUSION

Scheme Amendment 6 is required to achieve conformity between the MRS and TPS 6. The ODP, as advertised, provides a suitable framework for future subdivision and development and that the various matters identified through the advertising period can be appropriately addressed through future subdivision and development application processes.

FINANCIAL IMPLICATIONS

Due to the small scale of the ODP, comprising 14 hectares of developable area, it is not considered necessary for Council to establish a cost-sharing mechanism for the provision of district level infrastructure. The subdivision processes through the Western Australian Planning Commission will provide for infrastructure necessary to service future subdivision and development.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

318 Moved Cr W Barrett Seconded Cr R Hoffman

“That Council in accordance with Section 7.4 of the City of Gosnells Town Planning Scheme No. 6 adopt for final approval the Outline Development Plan as shown in Appendix 13.5.1A subject to the following modifications:

1. The designation of portion of Lots 1301 and 1302 as “Private Recreation”.
2. The designation of the former poultry farm on Lot 803 on the ODP.”

and forward the Outline Development Plan to the Western Australian Planning Commission for final determination.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

319 Moved Cr W Barrett Seconded Cr R Hoffman

“That Council, pursuant to Town Planning Regulation 17(1), uphold in part the submissions received; and further, pursuant to Town Planning Regulation 17(2), adopt Amendment No. 6 to Town Planning Scheme No. 6 for final approval by rezoning Lots 2, 801, 803 and Portion of Lot 1297 Southern River Road and Lot 806 and Portions of Lots 1301 and 1302 Chamberlain Street, Gosnells from ‘General Rural’ to ‘Residential Development’.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

320 Moved Cr W Barrett Seconded Cr R Hoffman

“That Council, pursuant to Section 7 of the Town Planning and Development Act, 1928 (as amended), amend Town Planning Scheme No. 6 by rezoning portion of Pt Lot 1296 Southern River Road and portions of Lot 1000 and Lot 510 Prince Regent Boulevard from ‘General Rural’ to ‘Residential R17.5’.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.