

**POLICY NO. LPP 5.6****MADDINGTON KENWICK STRATEGIC EMPLOYMENT AREA****PURPOSE**

To provide guidance for the assessment and determination of applications for Subdivision and Development Approval within the Maddington Kenwick Strategic Employment Area (MKSEA)

**POLICY****1. BACKGROUND**

The MKSEA has historically been a rural area, however, due to the City's initiative and financial commitment, is currently transitioning into an industrial estate. This transition will require new and realigned public roads, conservation of environmental assets and the provision of new and upgraded drainage infrastructure.

Clause 15(c) of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* states that a Structure Plan may be prepared if the Western Australian Planning Commission (WAPC) considers that such a plan is required for the purposes of orderly and proper planning. The WAPC has formally advised the City that Structure Plans are required for all land within the MKSEA, so as to guide subdivision and development in that area.

The above notwithstanding, the City is able to consider development proposals in the absence of a required Structure Plan and there may be situations where it is appropriate to support such proposals, so long as they do not prejudice the delivery of long term plans for the area. This Policy intends to guide the assessment and determination of such proposals.

**2. APPLICATION**

This Policy applies to all applications for subdivision or amalgamation, road closure requests or development applications for land within the MKSEA, that is not yet subject to an adopted Structure Plan.

**3. OBJECTIVES**

The objective of this Policy is to ensure any subdivision and development within the MKSEA, does not prejudice the future planning and development of the subject land and the surrounding area.

**4. POLICY**

- 4.1 Nothing in this Policy modifies the advice of the WAPC that Structure Plans may be prepared and adopted to guide subdivision and development within the MKSEA.
- 4.2 Until such time that a Structure Plan is adopted over a site, Council will generally not support any application for subdivision of land unless the proposal is for the consolidation (amalgamation) of existing land parcels or the excision of land required for public purposes.
- 4.3 Council will generally not support applications for development of land unless, in Council's opinion, approval and implementation of the proposal will not:



- (a) compromise the value or wellbeing of any environmental feature.
  - (b) have an unreasonable impact on nearby residential and/or rural zoned properties. Such impacts include, but are not limited to, noise, dust, odour, vibration and traffic.
- 4.4 In the event that Council approves an application for Development Approval, pursuant to Clause 4.3 above, a condition will be imposed limiting the development term to a period of up to five years from the date of approval, after which time, the development shall cease and any related improvements shall be removed.
- 4.5 Council may waive the application of Clause 4.4 above, where, in Council's opinion, approval and implementation of the proposal will not:
- (a) impede or potentially impede the eventual achievement of a comprehensive and permeable road network between lots, incorporating consolidated access points to the existing road system and, if applicable, suitable public access to any conservation and/or recreation reservation.
  - (b) impede or potentially impede the provision of essential services to the site or surrounding area.
  - (c) impede or potentially impede the eventual achievement of consolidated areas of Public Open Space.
  - (d) compromise or potentially compromise Council's ability to properly administer a contribution arrangement to equalise the cost of providing new or upgraded infrastructure and Public Open Space.
  - (e) impede or potentially impede the orderly and efficient provision of planned water and wastewater services to the MKSEA.
- 4.6 Nothing in this Policy affects the City's ability to undertake compliance and prosecution action in accordance with Council Policy 5.4.41 - Compliance and Enforcement.



**GOVERNANCE REFERENCES**

<b>Statutory Compliance</b>	Planning and Development Act 2005 City of Gosnells Town Planning Scheme No. 6
<b>Industry Compliance</b>	
<b>Organisational Compliance</b>	
<b>Process Links</b>	Nil.

**LOCAL PLANNING POLICY ADMINISTRATION**

<b>Directorate</b>		<b>Officer Title</b>		<b>Contact:</b>	
Planning & Development		Manager Development Services		9397 3000	
<b>Risk Rating</b>	Low	<b>Review Cycle</b>	Triennial	<b>Next Due:</b>	2024
<b>Version</b>	<b>Decision To Advertise</b>	<b>Decision to Adopt</b>	<b>Synopsis</b>		
1.	OCM 348/13/08/2013		Draft policy to be advertised for public comment for a period of not less than 21 days		
2.		OCM 416/22/10/2013	To provide guidance on assessment and determination of proposals involving subdivision and development of land within Precinct 1 of the MKSEA in the absence of an ODP.		
3.		OCM 111/22/05/2018	Changes to reflect evolving planning framework for that area and likely timeframe for the adoption of a Structure Plan for Precincts 1,2 and 3B.		
4.		OCM 308/29/10/2019	Amended.		
5.		OCM 223/25/08/2020	Amended.		
6.		OCM 158/13/07/2021	Amended		