

13.5.4 AMENDMENT NO. 54 TO TOWN PLANNING SCHEME NO. 6 AND WEST MARTIN PRECINCT 1 AND 2 OUTLINE DEVELOPMENT PLANS

Author:	R Crook
Reference:	West Martin ODP
Application No:	PF06/00016 – Precinct 1 PF06/00017 – Precinct 2 PF06/00019 – TPS 6 Amendment 54
Applicant:	Precinct 1 ODP - John Chapman Town Planning Consultant Precinct 2 ODP - The Planning Group TPS 6 Amendment 54 - John Chapman Town Planning Consultant and The Planning Group
Owner:	Precinct 1 – Cityhigh Investments Pty Ltd Precinct 2 – Martin, Lendich, Allrivers Pty Ltd, Bennett, Corona Land Pty Ltd
Location:	Mills Road West, between Station Street, Ferres Drive and the Canning River
Zoning: MRS:	Urban
TPS No. 6:	Residential R17.5 and R30
Review Rights:	ODP applicants may appeal to the Western Australian Planning Commission against a decision of Council
Area:	Precinct 1 - 10.5ha Precinct 2 - 12.79ha
Previous Ref:	OCM 27 June 2006 (Resolutions 283-284) OCM 28 February 2006 (Resolutions 59-60) OCM 26 August 2003 (Resolutions 554 - 555) OCM 24 June 2003 (Resolutions 403-405)
Appendices:	13.5.4A Proposed West Martin Precinct 1 Outline Development Plan 13.5.4B Proposed West Martin Precinct 2 Outline Development Plan 13.5.4C Proposed Amended West Martin Precinct 1 Outline Development Plan 13.5.4D Proposed Amended West Martin Precinct 2 Outline Development Plan 13.5.4E Proposal for Martin family land

PURPOSE OF REPORT

For Council to consider final adoption of Amendment No. 54 to Town Planning Scheme No. 6 (TPS 6) to rezone the area generally bound by Station Street, Canning River, Mills Road West and Ferres Drive, Martin from Residential R17.5 and R30 to Residential Development and adoption of draft Outline Development Plans (ODPs) for West Martin Precincts 1 and 2 pursuant to Clause 7.4.7 of TPS 6.

BACKGROUND

To facilitate the subdivision and development of land in accordance with the West Martin ODPs Amendment No. 54 to TPS 6 will need to be finally gazetted and both Council and the Western Australian Planning Commission (WAPC) will need to adopt the ODPs.

Public Consultation – Amendment No. 54

Council at its Ordinary Meeting of 28 February 2006 resolved (Resolution 59) to initiate Amendment No. 54 to TPS 6 to rezone land within West Martin Precincts 1 and 2 from Residential R17.5 and Residential R30 to Residential Development. This Amendment will provide a suitable zoning for an adopted ODP to guide future subdivision and development in the area.

In accordance with Council's Resolution 60 from its meeting of 28 February 2006, staff forwarded the Scheme Amendment documents to the Environmental Protection Authority (EPA) for comment and Western Australian Planning Commission (WAPC) for information.

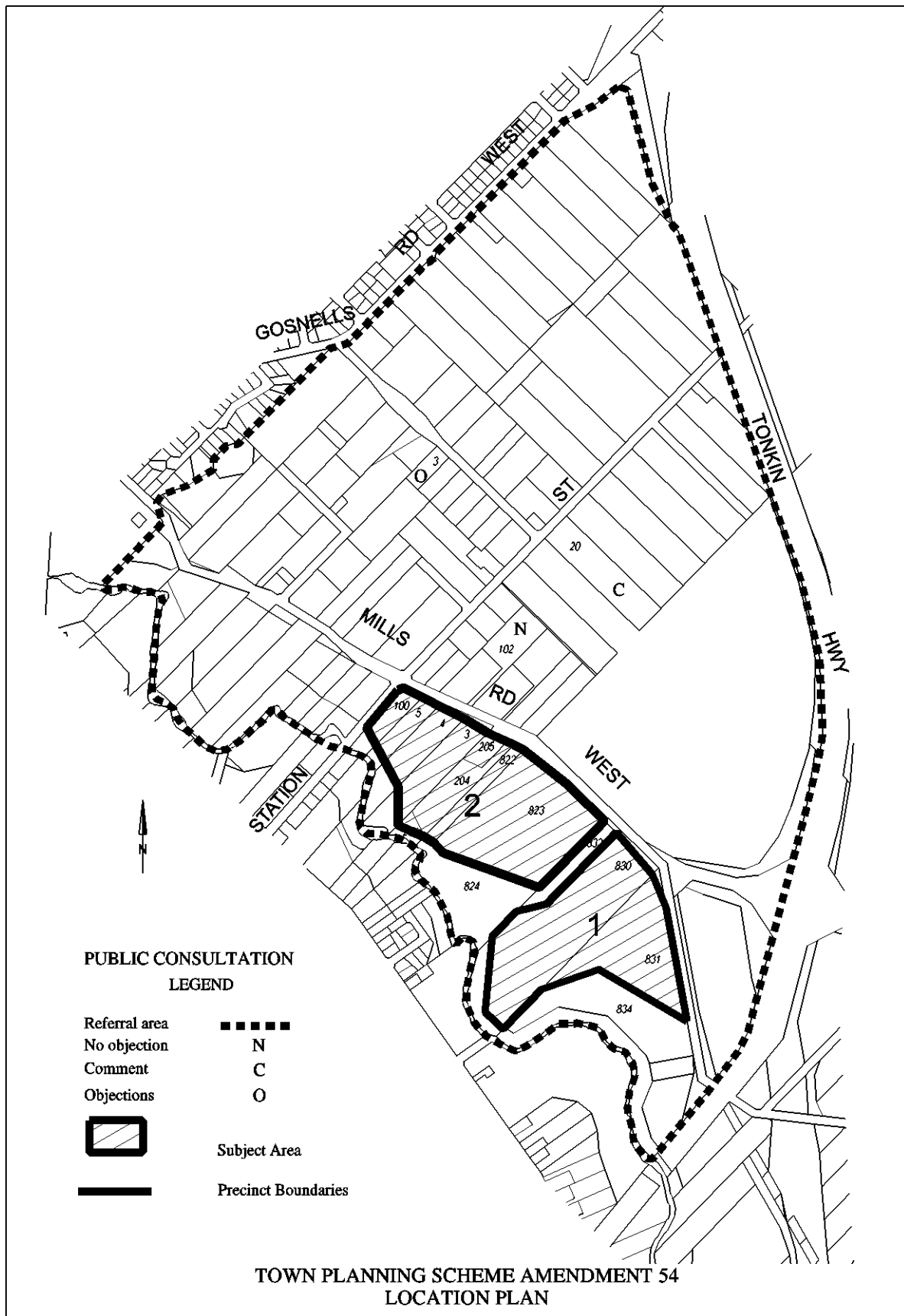
On 26 June 2006 the EPA wrote to the City advising that the level of assessment required was "Not Assessed" and it was not necessary to provide any advice or recommendations. The WAPC noted the Council's intent to advertise the scheme amendment and on Wednesday 2 August 2006 Amendment No. 54 was advertised for public comment in the West Australian and in a local newspaper. The submission period for Amendment No. 54 closed on 13 September 2006. The City received three submissions specific to the amendment comprising one no objection, one objection and one comment. A summary of submissions received and staff comments thereon are provided in the Schedule of Submissions below.

Schedule of Submissions - Scheme Amendment No. 54

1	Name and Postal Address: Gerd U Nolting 87 Station Street Martin WA 6110	Affected Property: 87 (Lot 20) Station Street Martin
Summary of Submission		Staff Comment
Comment on proposal Not affected.		Noted.

2	Name and Postal Address: Coralie A Harris and Max C Harris 35 Lewis Road Martin WA 6110	Affected Property: 35 (Lot 3) Lewis Road Martin
Summary of Submission		Staff Comment
Objection to proposal. 2.1 Brings residential development closer to our land which we object to as we bought into a unique rural lifestyle and would like it to stay that way.		Noted. The land has been zoned "Residential R17.5" and "Residential R30" since April 1994. The rezoning to "Residential Development" is essentially a procedural matter to provide a statutory basis for the preparation, assessment and operation of an ODP and does not materially alter the potential for the land to be developed for residential purposes.

3	Name and Postal Address: David I Spikins and Deborah J Spikins No 110 Mills Road West Martin WA 6110	Affected Property: 110 (Lot 2) Mills Road West Martin
Summary of Submission		Staff Comment
No objection to proposal.		Noted.



Public Consultation - West Martin Outline Development Plans

Council on 27 June 2006 resolved (Resolutions 283 and 284) that proposed ODPs for West Martin Precincts 1 and 2 as contained in Appendices 13.5.4A and 13.5.4B respectively, were satisfactory for advertising. The ODPs were therefore advertised for a period of 21 days in accordance with TPS 6, by way of letters to all affected landowners, the West Martin Consultation Group, and relevant government agencies, in addition to an advertisement in The Examiner newspaper and placement of a sign on-site.

The City held an information evening on 9 August 2006 to assist the community in understanding the planning processes associated with Amendment No. 54 to TPS 6 and approval of the ODPs.

The submission period for the ODPs closed on 25 August 2006. The City received 28 submissions, of which 16 were from government agencies and 12 from landowners. Of the submissions, 6 raised no objections, 3 objections and 19 comments. A summary of submissions received and staff comments thereon are provided in the Schedule of Submissions below.

Schedule of Submissions – West Martin Precincts 1 and 2 Outline Development Plans

1	Name and Postal Address: Branko Begovich 115 Station Street Martin WA 6110	Affected Property: 115 (Lot 1) Station Street Martin
Summary of Submission		Staff Comment
No objection to proposal.		Noted.

2	Name and Postal Address: David I Spinkins and Deborah J Spinkins 110 Mills Road West Martin WA 6110	Affected Property: 110 (Lot 2) Mills Road West Martin
Summary of Submission		Staff Comment
No objection to proposal.		Noted.

3	Name and Postal Address: Gerd U Nolting 87 Station Street Martin WA 6110	Affected Property: 87 (Lot 20) Station Street Martin
Summary of Submission		Staff Comment
No objection to proposal.		Noted.

4	Name and Postal Address: Hussein Alidjurnawan and Suicin Lee 120 Mills Road West Martin WA 6110	Affected Property: 120 (Lot 23) Mills Road West Martin
Summary of Submission		Staff Comment
No objection to proposal.		Noted.

5	Name and Postal Address: Brian T Antunovich and Glenda D Antunovich 19 Lewis Road Martin WA 6110	Affected Property: 19 (Lot 103) Lewis Road Martin WA 6110
Summary of Submission		Staff Comment
Comment on proposal.		Noted.
5.1	No assessment of traffic noise impact, ie the need for an abatement wall along Mills Road West.	As a condition of subdivision or development an appropriate Noise Management Plan should be provided to the satisfaction of the City. This requirement can be included as a notation on the ODPs if approved by Council.
5.2	Should a decision be made on the future form and function of Mills Road West be obtained prior to approval of the ODP?	Main Roads WA has advised that all planning proposals for land adjoining Mills Road West should be assessed against the current Important Regional Road status under the Metropolitan Region Scheme.
5.3	If no noise abatement wall is required at this point in time who will provide an abatement wall if Mills Road West is used as a regional road?	Refer to staff comment on submission 5.1 above. If in consultation with Main Roads WA it is determined that a noise abatement wall may be required in future then it is expected this would be imposed on the developers as a requirement of the subdivision process.

6	Name and Postal Address: Peter Ambrose PO Box 138 GOSNELLS WA 6110	Affected Property: Readymix Quarry
Summary of Submission		Staff Comment
Comment on proposal. Consideration should be given to memorials being placed on property titles.		Noted and agreed. Memorials can be an effective method of communicating to prospective landowners the proximity to quarry operations and potential for nuisance from these operations. This can be included as a notation on the ODPs if approved by Council.

7	Name and Postal Address: Coralie A Harris and Max C Harris 35 Lewis Road Martin WA 6110	Affected Property: 35 (Lot 3) Lewis Road Martin
Summary of Submission		Staff Comment
Objection to proposal.		Noted.
7.1	Development would create stresses on the access roads and bridges.	The subdivision of Precincts 1 and 2 will result in additional traffic generation in the area. The City is in the process of commissioning a transport study into the ultimate configuration of Mills Road West and the supporting road network.
7.2	No objection to quarry yet future residents to be made aware of its location.	Refer to staff comment on submission 6 above.
7.3	Tonkin Highway may become annoying to future residents.	Tonkin Highway is a prominent and obvious regional road and it is reasonable to assume that prospective purchasers will be aware of the location of the highway and take that into consideration when purchasing land.

8	Name and Postal Address: D I Prall 7 Cliff Place GOSNELLS WA 6110	Affected Property: Unknown
Summary of Submission		Staff Comment
No objection to proposal.		Noted.

9	Name and Postal Address: Grant A Elliott and Donna L Elliott 43 Francis Street Martin WA 6110	Affected Property: 43-47 (Lot 105) Francis Street Martin WA 6110
Summary of Submission		Staff Comment
Objection to proposal.		Noted.
9.1	The following comments are extracts from the "Analysis of the West Martin ODP 1 and ODP 2 - Making Martin Special" which was lodged by Mr Elliot on behalf of the West Martin Rural Group.	The City notes that these comments are lodged on behalf of the West Martin Rural Group. Some members of the West Martin Rural Group are also members of the West Martin Consultation Group.
Traffic		
9.2	Proposal will result in about 3500 vehicle movements per day (vpd) an increase of 65% traffic on Mills Road West.	Refer to staff comment on submission 7.1
9.3	Intersection at Gosnells Road West and Albany Highway is at maximum capacity as is the one lane "Cargeeg" Bridge on Station Street.	Refer to staff comment on submission 7.1
9.4	Limited egress points out of the region.	The location and number of egress points have been predetermined by Main Roads WA as Mills Road West and Ferres Road are considered to be regionally significant roads and require controlled access. In addition, Tonkin Highway and Albany Highway will form the two appropriate egress points out of the region.
9.5	In 2001 Main Roads WA and City of Gosnells Council agreed to limit vpd up to 5000 on Mills Road West. The proposal clearly exceeds this agreement.	The Agreement between the City of Gosnells and Main Roads WA (2000) does not restrict the vehicle movements per day.
Extractive Industries buffer		
9.6	The Precinct 1 and 2 ODPs will extend into the nominal 1 km buffer recommended around the perimeter of the Martin quarry in the Basic Raw Materials Policy.	Precincts 1 and 2 are located within 1 km of existing quarry operations, with an existing zoning of Urban under the Metropolitan Region Scheme. Refer to section 9 under the Discussion section of this report.
9.7	Two fundamentally flawed and largely discredited studies of the dust issue associated with the quarry have been undertaken by Council and have been rejected.	A number of studies were commissioned by the City as part of efforts to define an appropriate buffer to quarry operations. The studies identified the need for more detailed monitoring and analysis, which is now being progressed through the Department for Planning and Infrastructure (DPI) on the advice of the Department of Environment and Conservation (DEC - formerly Department of Environment).
9.8	The Department of Environment (DoE) has recently undertaken to expand the assessment of dust issue.	Refer to staff comment on submission 9.7.

Summary of Submission	Staff Comment
9.9 Precinct 2 documentation alleges DoE has provided in principle agreement to the progression of the ODP but not provided any evidence.	The DoE sent correspondence to the DPI on 6 July 2005 advising that "The Department would not object, however, to subdivision of the existing urban zoned land to the west of Mills Road, which is located further from the quarry." Refer to section 9 under the Discussion section of this report.
9.10 Precinct 1 documentation has ignored the dust buffer issue.	Refer to staff comment on submission 9.9.
9.11 Residents and Gosnells Council are not in a position to assess the issue of dust from the Martin Quarry until the DoE report is released and scrutinised.	The Department of Environment and Conservation is the peak environmental body in Western Australia for the analysis and management of air quality monitoring. A summary of the Department's comments on the proposed ODPs is contained at submission 27.
9.12 November 2005 to March 2006 was one of the mildest Summers. It is feasible that if adjustments are made the dust buffer requirements could be underestimated.	This is one of a number of matters for the DPI and DEC to consider in defining an appropriate buffer to existing quarry operations.
9.13 Until such time as the DoE assessment is scrutinised, the 1km buffer should remain intact.	The DoE previously advised that it has no objection to the subdivision of land already zoned Urban under the MRS, which includes Precincts 1 and 2.
Cathodic Protection	
9.14 The 1,065mm water main on Mills Road has a cathodic protection and a designated 110m buffer zone, requiring all buildings in the area to be installed with insulating membranes and no underground metal pipes. This is not addressed in either proposal.	It is the responsibility of the proponents, at the time of subdivision and development, to liaise and gain approval from the Water Corporation to protect both existing and future infrastructure assets. A summary of the Water Corporation comments on the proposed ODPs is contained at submission 17.
Acid Sulphate Solis (ASS)	
9.15 DoE clearly identifies ASS as a significant risk.	ASS assessment and management plans will be required to be prepared through normal subdivision processes to the satisfaction of the DEC.
9.16 Significant investment has been made downstream at Pioneer Park.	Noted. The proposed ODPs are not expected to detract from the work being done by the City in Pioneer Park.
9.17 Absurd to allow development upstream to inject polluted water into the riverine system.	Each proposal will be required to prepare an Urban Water Management Plan that demonstrates that water quality and quantity objectives will be achieved to the satisfaction of the relevant agencies. This requirement can be included in each ODP if approved by Council.
9.18 The assessment of the ASS risk has been ineffective and incomplete.	Refer to staff comment on submission 9.15.
9.19 Testing indicated some highly reactive samples.	Refer to staff comment on submission 9.15.
Ground water	
Precinct 1	
9.20 The proposal contains misleading results, the consultants attempt to portray the lead up conditions (July to December rainfall) as typical.	Refer to staff comment on submission 9.17.

Summary of Submission	Staff Comment
<p>9.21 It appears to be highly likely that the groundwater is normally much closer to the surface (or under greater pressure) in typical rainfall years.</p> <p>9.22 Urbanisation can lead to higher groundwater levels in winter, with falling levels during summer (due to ground water pumping).</p> <p>9.23 Fluctuation in ground water levels can be a strong driver in increasing salinity in groundwater, and a causative agent for ASS.</p> <p>9.24 Developers propose to fill the site with at least 800mm which may cause soil consolidation, leading to the water table rising near the site.</p> <p>9.25 DoE guidelines recommend against soil surcharging within 100m of waterways and wetlands unless detailed geotechnical modeling indicates it is safe to do so.</p>	<p>Refer to staff comment on submission 9.17.</p> <p>Refer to staff comment on submission 9.17.</p> <p>Refer to staff comment on submissions 9.15 and 9.17.</p> <p>Refer to staff comment on submission 9.17.</p> <p>A geotechnical report is a standard condition of subdivision to demonstrate that land is suitable for urban development.</p>
<p>Precinct 2</p>	
<p>9.26 Consultants recommend subsoil drains may be required. This promotes the development of ASS through dewatering.</p>	<p>Refer to staff comment on submission 9.15.</p>
<p>Canning River Buffer</p>	
<p>Precinct 2</p>	
<p>9.27 Urban development within 50m of the river is considered extremely inappropriate from an environmental and aesthetic perspective.</p>	<p>The WAPC in conjunction with the Swan River Trust is the responsible authority for determining subdivision proposals, with associated setbacks, in proximity to the Canning River environment. It is recommended that a Foreshore Management Plan be prepared to guide any future works. This requirement can be included in each ODP if approved by Council.</p>
<p>Interaction with the Greater West Martin ODP</p>	
<p>9.28 Precinct 1 makes a fallacious argument that it is more advanced than the greater West Martin ODP and therefore should proceed without incorporating any of the design elements considered necessary for adjoining precincts.</p>	<p>Precincts 1 and 2 have been zoned Residential since 1994 while other areas of West Martin are still zoned Rural and those precincts therefore are more advanced in terms of zoning the other surrounding rural areas. A suitable interface between Residential zoned land in Precincts 1 and 2 and Rural zoned land on the opposite side of Mills Road West can be achieved through separate approval of a landscaping plan for each precinct. This requirement can be included as a condition of each ODP if approved by Council.</p>
<p>9.29 While the proponents may be aggrieved at the lack of progress in adjoining precincts, it is beholden on them to consider their developments in a wider context.</p>	<p>The proposed ODPs for Precincts 1 and 2 need to provide an appropriate framework for future subdivision and development. The ODPs address not only the site specific conditions but also the broader planning context and the integration (where relevant) with the surrounding area.</p>
<p>9.30 Implicit within the Greater West Martin ideals is the desire to retain rural aspect for the locality.</p>	<p>Refer to staff comment on submission 9.28. Precincts 1 and 2 are zoned Urban and can therefore rightfully be developed for residential purposes.</p>

Summary of Submission	Staff Comment
9.31 Design provides little linkages to the river.	Disagree. The public roads and dual use paths provided on the proposed ODPs provide substantial links to the Canning River.
9.32 Failed to incorporate any facets or outcomes stemming from the last 5 years of consultation between Gosnells Council and local landowners.	Refer to staff comment on submissions 9.28 and 9.30. Staff believe the ODPs provide for a net environmental benefit which is one of the key goals determined by the West Martin Consultation Group. In addition the development provides improved access to the Canning River environment, another key element of planning for the West Martin area.
9.33 Original ODP focused on the overall concept development in West Martin in an interconnected way. Unfortunately both these ODPs forsake the common good to maximise the return for the investors, consequently decreasing the semi-rural amenity of the adjoining land holders.	Refer to staff comment on submissions 9.28, 9.30 and 9.32.
Cost sharing	
9.34 Appears that the proposals do not provide broader positive outcomes for the wider West Martin community. Previous proposed ODP included positive funding outcomes from higher density developments to be utilised to provide facilities and infrastructure in adjoining areas.	The proponents of each ODP are proposing the rehabilitation of the Parks and Recreation area. This is a facility that will benefit the wider West Martin and Gosnells community. In addition the proponent of each ODP is providing upgrades to services and infrastructure at their cost.

Outline Development Plan – West Martin Precinct 2 (Only)

10	Name and Postal Address: MGA Town Planners for E and N Martin 25 Mayfair Street West Perth WA 6005	Affected Property: Lots 4, 5 and 100 Mills Road Martin
Summary of Submission		Staff Comment
Comment on proposal		
10.1	Support the 50m buffer to the Conservation Category Wetland. The change to residential use will reduce the use of pesticides and set firm development parameters, stabilize erosion and reduce the amount of exotic flora.	Noted. An Urban Water Management Plan should be prepared prior to subdivision and development to ensure that both water quality and quantity objectives are achieved. This requirement can be included as a condition on both ODPs if approve by Council.
10.2	Access into the lot abutting Station Street will be difficult, due to the steep gradient of the land. Traffic on Station Street can also be expected to increase further complicating access issues.	The City acknowledges the need for detailed planning in relation to the interface with Station Street. This will be addressed through the requirement for a Detailed Area Plan which can be notated in the ODP.
10.3	It is suggested that the proposed ODP be modified to consolidate the Martin's lots as a single grouped dwelling site for aged persons or smaller households. The attached plan indicates the proposed ODP modifications.	The Martin's land includes Lots 100, 5 and 4 Mills Road West in Precinct 2. The plan referred to by the submitter is contained at Appendix 13.5.4E. Staff would be generally supportive of some smaller grouped dwelling sites in the area where: a) permeability of the site is not compromised b) interconnectivity with the adjoining land is not compromised

Summary of Submission	Staff Comment
<p>10.4 Proposes to increase the density to R30 and provide Detailed Area Plans to ensure appropriate treatments to grouped dwelling frontages.</p> <p>10.5 The proposal provides for increased setbacks as a buffer to the noise generated by traffic from Mills Road West. In addition the setback provides for a landscaping opportunity along Mills Road West</p> <p>10.6 Proposes to use Station Street to provide access to grouped dwelling site.</p> <p>10.7 Well located in terms of amenity, Gosnells Town Centre, train station, school and POS.</p> <p>10.8 Propose a slight realignment of the subdivisional road along the south-eastern lot boundary.</p>	<p>c) grouped dwelling is not gated and urban form is outward looking</p> <p>d) accessibility to the Canning River is not compromised</p> <p>e) all development adjoining or overlooking public open space or regional open space is oriented to address and have its primary frontage to that public open space or regional open space</p> <p>f) details are provided of the proposed development interface with Mills Road West and Ferres Drive, including details of the proposed estate wall</p> <p>However, amendment of the ODP in the manner proposed, to depict the Martin's landholding as a single large R30 grouped dwelling site is not supported as such a substantial development concept would warrant separate and specific consideration by Council. It is considered appropriate for such proposal to be considered through the adoption of a Detailed Area Plan, which can be included as a notation on the Precinct 2 ODP.</p> <p>Refer to staff comment on submission 10.3.</p> <p>Refer to staff comment on submission 10.3.</p> <p>This is considered unacceptable and inappropriate.</p> <p>Noted.</p> <p>Depending on the detailed design, a modification to ODP may be required pursuant to Clause 7.5 of TPS 6. Refer to staff comment on submission 10.3.</p>

11	Name and Postal Address: Zlata Lendich and Andrija Lendich 115 Mills Road West Martin WA 6110	Affected Property: 115 (Lot 3) Mills Road West Martin
Summary of Submission	Staff Comment	
Objection to proposal. 11.1 The Precinct 2 ODP proposal provides for the majority of Public Open Space (POS) to be located on Lot 3 therefore being inequitable.	The POS has been located as two reserves to service the active recreation needs of the precinct. The reserves have been located to be as central as possible. Every future resident will have access to local open space within 200m of their dwelling.	

Summary of Submission	Staff Comment
11.2 Lot 3 is required to put aside 18.5% of land for POS. This is almost double the 10% requirement of the WAPC Development Control Policy.	It is noted that Lot 3 is required to provide 18.5% POS. Lots within the Precinct that provide less than 10% will be required to contribute cash-in-lieu which will then be used to compensate landowners who contribute greater than 10% POS. Section 154 of the Planning and Development Act 2005, on approval of the Commission, enables cash-in-lieu funds to be used to compensate landowners who have ceded land for local POS under a joint subdivision agreement by private landowners. This arrangement can be included in the ODP if approved by Council.
11.3 Lot 3 is contributing 2,166 m ² POS while the other pocket of POS is 1,605 m ² .	The lot on which the 1,605m ² POS is located provides additional POS along the foreshore which equates to about 15% of the lot area being given up for POS.
11.4 Recommend that an alternative location for the POS is sought. Recommend moving POS to Lot 4 and part of Lot 5 which would result in an average of 12% of their land being given up for POS, which is more inline with the overall percentage of the proposed ODP.	Refer to staff comment on submission 11.2.
11.5 Lot 3 loses land associated with the MRS Regional Parks and Recreation Reserve.	The setting aside/acquisition of land for Parks and Recreation Reserve is the responsibility of the Western Australian Planning Commission and is not taken into account for local POS calculations.
11.6 Lot 3 has a significantly higher proportion of road network compared to other landowners within the precinct.	<p>The subdivider is required to provide legal road frontage to each new lot created. Without the roads subdivision is not possible.</p> <p>An assessment of the road to land percentage of each lot has been undertaken with the following results (excludes MRS Parks and Recreation Reserve):</p> <p>Lot 823 - 24.1% Lot 822 – 19.4% Lot 204 – 33.9% Lot 205 – 33.2% Lot 3 – 28% Lot 4 – 27.9% Lot 5 – 37.3% Lot 100 – 0%</p> <p>As identified Lot 3 is not provided with a significantly higher proportion of road network when compared to the other landowners within the precinct.</p>
11.7 Lot 3 has less actual development area compared to other land owners.	<p>Noted. Refer to staff comment on submission 11.2 and 11.6.</p> <p>The submitter will be entitled to an amendment to the ODP at a later date, which will be considered on its individual merits, should they choose not to proceed with the general layout shown on the current proposed ODP for Precinct 2.</p>

Government Submissions

12	Name and Postal Address: Western Power 85 Prinsep Road Jandakot WA 6164		
Summary of Submission		Staff Comment	
No objection to proposal.		Noted.	

13	Name and Postal Address: Main Roads Western Australia PO Box 6202 East Perth WA 6892		
Summary of Submission		Staff Comment	
No Objection to proposal.			
13.1	No earthworks and storm water outputs are to encroach into Mills Road West/ Tonkin Highway reserve.	Noted.	
13.2	No vehicle access permitted onto Mills Road West/Tonkin Highway other than where indicated on proposed road intersections as outlined on the ODPs.	Noted.	
13.3	Property affected by land reserved under the MRS may be required for road purposes at some time in the future.	Noted. No subdivision or development is proposed within the road reserve.	
13.4	The upgrading/widening of Mills Road West/Tonkin Highway is not in Main Roads current 4-year forward estimated construction program.	Noted. The City is working in conjunction with Main Roads and the Department for Planning and Infrastructure to determine the future form and function of Mills Road West and Ferres Road.	
13.5	Noise attenuation for owners adjacent to Mills Road West /Tonkin Highway should be considered. ie. sound barriers or house design.	Noted. An appropriate Noise Management Plan will be required as a condition of subdivision and development in the area.	

14	Name and Postal Address: Department of Health PO Box 8172 Perth Business Centre WA 6849		
Summary of Submission		Staff Comment	
No Objection to proposal. Reticulated sewerage and water required.		Noted. Developers to provide as a condition of subdivision or development.	

15	Name and Postal Address: Department of Indigenous Affairs PO Box 7770, Cloisters Square Perth WA 6850		
Summary of Submission		Staff Comment	
Comment on proposal. As per the Aboriginal Heritage Act 1972 (the Act) suitably qualified consultants should be engaged to conduct ethnographic and archeological surveys of the areas.		Noted. The proponent will be required to satisfy the provisions of the Aboriginal Heritage Act 1972 throughout the development process.	

16	Name and Postal Address: Department for Planning and Infrastructure Bush Forever Office Level 2, 469 Wellington Street Perth WA 6000	
Summary of Submission		Staff Comment
Comment on proposal.		
Precinct 1		
16.1	Agree to the interface between urban land and Bush Forever Site 246.	Noted.
16.2	On subdivision an Environmental Management Plan will be required to ensure Bush Forever Site 246 is protected.	The City will require an Urban Water Management Plan and Foreshore Management Plan prior to subdivision and development. This will include details relating to the rehabilitation of the Bush Forever Site 246.
16.3	Recommend the use of a hard edge such as a road or footpath to provide a suitable interface with Bush Forever Site 246 and urban development. Recommend alternative design options be explored.	Agreed. It is recommended the Precinct 1 ODP be modified to include a dual use path as a hard edge between Bush Forever Site 246 and Parks and Recreation Reserve and privately owned land.
16.4	Proposed drainage area / living stream within Bush Forever Site 246 (and Parks and Recreation Reserve) is not supported.	Refer to section 5 under the Discussion section of this report.
16.5	The proposed storm water management plan is not supported. All storm water to be contained on-site.	Refer to section 5 under the Discussion section of this report.
16.6	If the proposed storm water management is pursued the approval of WAPC, SRT and DEC should be sought.	Refer to section 5 under the Discussion section of this report.
Precinct 2		
16.7	Use of Local Open Space as an interface between urban land and Bush Forever Site 246 is supported.	Noted.
16.8	Concern the developable area is located within 50 m of the surrounding wetland. The WAPC draft Policy "Guidelines for the Determination of Wetland Buffer Requirements" provides a methodology to assist identification of an appropriate wetland buffer.	Achieving a 50m setback is one of a number of different options for providing suitable protection for wetland areas, as outlined in the draft WAPC guidelines. A well designed and managed buffer of less than 50m can arguably provide a superior environmental outcome. The Foreshore Management Plan and Urban Water Management Plan will need to address this issue to the satisfaction of relevant government agencies.
16.9	Location of the sewer pumping station within the conservation category wetland is unlikely to be supported by the DEC. Approval is to be sought by DEC regarding this matter.	The DEC has not provided any comment to this effect, with the comments of the DEC thus far limited to ambient dust levels.
16.11	The proposed storm water management plan is not supported. All storm water to be contained on site.	Refer to section 5 under the Discussion section of this report.
16.12	If the proposed storm water management is pursued the approval of WAPC, SRT and DEC should be sought.	Refer to section 5 under the Discussion section of this report.

17	Name and Postal Address: Water Corporation PO Box 100 Leederville WA 6902	
Summary of Submission		Staff Comment
No objection to proposal.		
17.1	Planning for the area identifies the need for a reticulated sewer system and a wastewater Pump Station and a 300mm diameter gravity sewer main to service both ODP areas. Infrastructure to be prefunded by the developer.	Noted. Developer to provide at own cost.
17.2	Developer to provide a 250mm diameter reticulation main that extends approximately 1700 m to service the ODP areas.	Noted. Developer to provide at own cost.

18	Name and Postal Address: Department of Water Swan Avon Region 7 Ellam Street Victoria Park WA 6100	
Summary of Submission		Staff Comment
Comment on proposal.		
Satisfied that any issues will be addressed by EPA.		Noted.

19	Name and Postal Address: Department for Planning and Infrastructure State Land Services PO Box 1575 MIDLAND WA 6936	
Summary of Submission		Staff Comment
Comment on proposal.		
No Crown land affected.		Noted.

20	Name and Postal Address: Public Transport Authority PO Box 8125 Perth Business Centre WA 6849	
Summary of Submission		Staff Comment
No objections to proposal.		
Although the PTA has no plans at this point, a bus service may ultimately run along Ferres Road and Mills Road West and all residents would be within the standard acceptable walking distance of 500m.		Noted.

21	Name and Postal Address: Heritage Council of Western Australia PO Box 6201 East Perth WA 6892	
Summary of Submission		Staff Comment
No objection to proposal.		Noted.

22	Name and Postal Address: Alinta PO Box 8491 Perth Business Centre 6849				
<table border="1"> <thead> <tr> <th>Summary of Submission</th> <th>Staff Comment</th> </tr> </thead> <tbody> <tr> <td> Comment on proposal. High and medium pressure gas mains are in the vicinity located in the Mills Road reserve. Any extension of the network to accommodate the proposed subdivision/amalgamation or any development will be at the proponents expense. </td> <td>Noted.</td> </tr> </tbody> </table>		Summary of Submission	Staff Comment	Comment on proposal. High and medium pressure gas mains are in the vicinity located in the Mills Road reserve. Any extension of the network to accommodate the proposed subdivision/amalgamation or any development will be at the proponents expense.	Noted.
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Comment on proposal. High and medium pressure gas mains are in the vicinity located in the Mills Road reserve. Any extension of the network to accommodate the proposed subdivision/amalgamation or any development will be at the proponents expense.	Noted.				

23	Name and Postal Address: Department of Education and Training 151 Royal Street East Perth WA 6004	
Summary of Submission		Staff Comment
No objection to proposal.		Noted.

24	Name and Postal Address: Fire and Emergency Services Authority of WA 480 Hay Street Perth WA 6000	
Summary of Submission		Staff Comment
No comment.		Noted.

25	Name and Postal Address: Telstra Australia Network Integrity Service Group Locked Bag 2522 Perth WA 6001	
Summary of Submission		Staff Comment
No comment.		Noted.

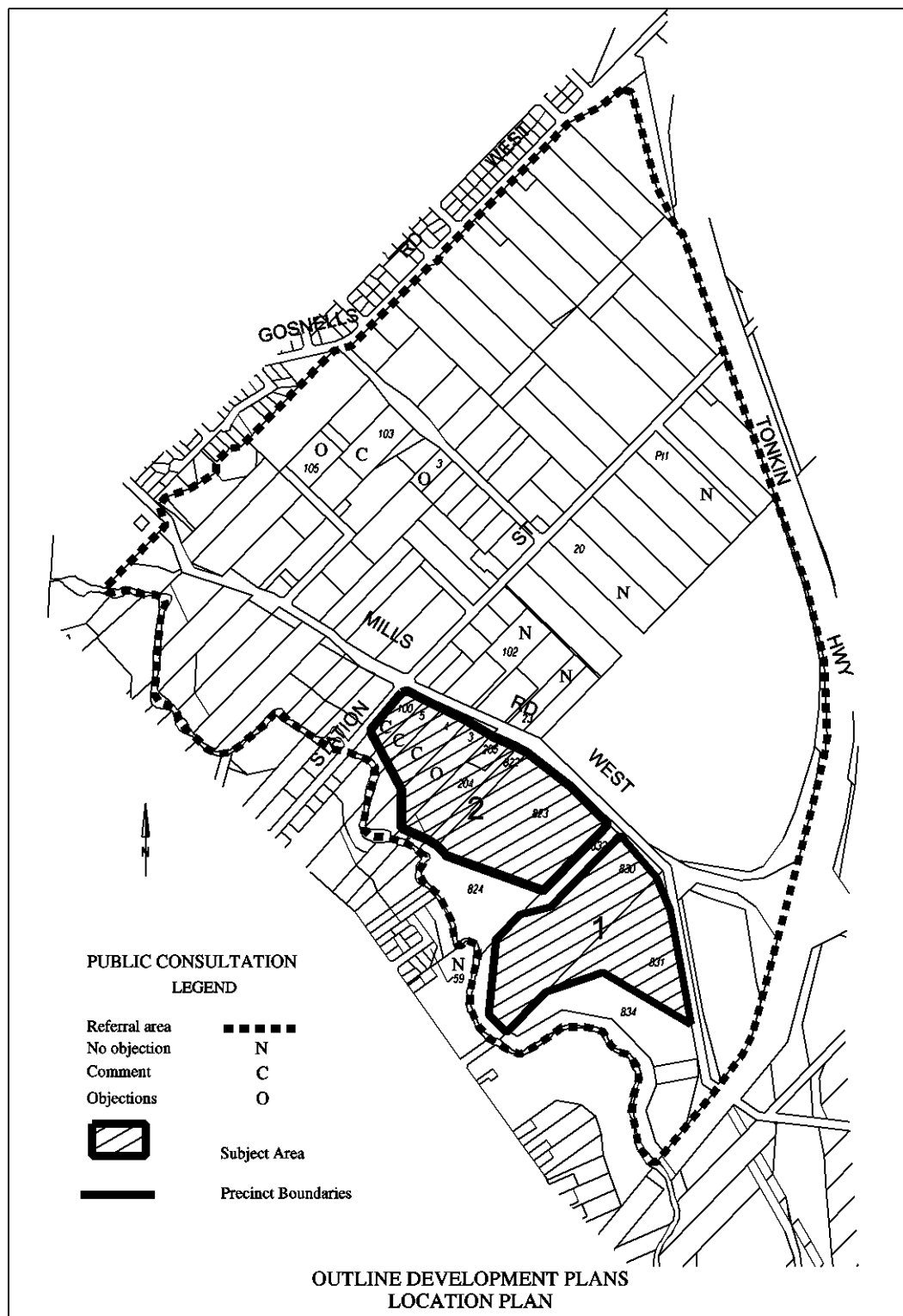
26	Name and Postal Address: Swan River Trust PO Box 6740 Hay Street East Perth WA 6892	
Summary of Submission		Staff Comment
Comment on proposals. 26.1 No objection to Amendment No. 54.		Noted.

Summary of Submission	Staff Comment
<p>Storm water Management</p> <p>26.2 Supports the use of living streams however needs to address long-term management, maintenance and monitoring.</p> <p>26.3 The Trust supports the preparation of a Drainage and Nutrient Management Plan with more details relating to base line data.</p> <p>Pre-development monitoring.</p> <p>26.4 The Swan River Trust recommends that the proposed stormwater management systems, take into consideration pre-development monitoring.</p> <p>Groundwater Management</p> <p>26.5 The Swan River Trust recommends that further monitoring and investigation for site contamination, sufficient to make an informed decision about the best management measures is undertaken. Advice from the Department of Water is that groundwater monitoring should be conducted for at least two (2) years prior to development and that the following parameters are monitored on a monthly basis: water depth, pH, salinity, temperature and turbidity (if any).</p> <p>Development Interface and Setback Requirements</p> <p>26.6 Given the significant fall from the subject site to the floodplain of the Canning River and that fill will be used to raise the ground level over most of the site the Swan River Trust seeks confirmation as to the required walls or battering that is proposed at the interface of the development with the Parks and Recreation reserve.</p> <p>Landscaping and Rehabilitation</p> <p>26.7 Recommends the preparation of a Rehabilitation Management Plan that details the responsibilities for undertaking the works, management, maintenance and monitoring of the rehabilitation.</p> <p>Public Open Space</p> <p>26.8 Requirement for a Landscaping and Irrigation Plan for maintenance and monitoring.</p> <p>Acid Sulphate Soils</p> <p>26.9 The Swan River Trust expects that further investigations be undertaken prior to subdivision and if necessary an Acid Sulphate Soil (ASS) Management Plan will be documented and approved at the subdivision stage.</p>	<p>A Foreshore Management Plan and an Urban Water Management Plan will need to be prepared to ensure that both water quality and quantity objectives are achieved and management responsibilities are addressed to the satisfaction of relevant government agencies. Refer to section 5 under the Discussion section of this report.</p> <p>Refer to staff comment on submission 26.2.</p> <p>Refer to staff comment on submission 26.2.</p> <p>Refer to staff comment on submission 26.2.</p> <p>The Foreshore Management Plan, in conjunction with detailed engineering drawings, will need to demonstrate suitable interface to the Parks and Recreation reserve. This will be managed through the normal subdivision process.</p> <p>Refer to staff comment on submission 26.2.</p> <p>Refer to staff comment on submission 26.2.</p> <p>ASS assessment and management plans will be required to be prepared through normal subdivision processes to the satisfaction of the DEC.</p>

27	Name and Postal Address: Department of Environment and Conservation PO Box K822 Perth WA 6841	
Summary of Submission		Staff Comment
27.1	The scheme amendment need not be assessed under Part IV of the Environmental Protection Act 1986.	Noted. This advice is consistent with the advice previously provided by the DEC advising that it had no objection to the subdivision of land already zoned urban.
27.2	The following advice is limited to issues of dust in the region; comments on other matters such as drainage and river interface will be provided in the near future.	No subsequent comment was received from the DEC during the specified advertising period despite the City following up all outstanding government agency submissions. Based on the formal submissions of the Swan River Trust and the Bush Forever Office of DPI, combined with officer-level discussion, it is considered unlikely that the DEC would raise additional matters for consideration over and above those previously raised. Recognising the need to progress the ODPs within the statutory framework and timeframes outlined in Section 7 of TPS 6, it is necessary for Council to proceed to determine the ODPs without awaiting further comments from the DEC.
27.3	The recently completed dust monitoring study was undertaken to provide input to the development of appropriate buffers between the quarry and sensitive land uses. DEC officers undertook a preliminary assessment of the monitoring data in July 2006, with a number of following matters being noted. A monitoring station located at the quarry boundary recorded a significant number of exceedances of the NEPM air quality standard for PM10 since being installed in February 2006. A monitoring station at Lumen Christi College recorded 6 exceedances of the NEPM standard in 2006, which is above the goal of 5 exceedances set for 2008. The dust levels measured at the quarry boundary and school site are generally higher than those typically seen at other DEC monitoring stations around Perth. The levels recorded at the third monitoring station (background location) were of a similar magnitude to levels typically measured at DEC urban monitoring stations.	The DEC, through the former Department of Environment, has made strong commitments to keep all stakeholders informed as to the progress and findings of the dust monitoring program. The City has requested advice from the DEC as to how the commitments to stakeholder communication will be honoured.
27.4	Subsequent to the provision of this information, DEC provided additional funds to extend monitoring for another 3 months to enhance the information base.	Noted.

Summary of Submission	Staff Comment
<p>27.5 The Department of Health has reviewed the results of the dust monitoring study and advised that there are unlikely to be significant public health impacts associated with the measured dust levels at Lumen Christi College. This advice took into account the limited duration of exposure in the school setting, the inferred dust composition and school's indication that dust was not perceived to be a problem. Dust management, however, is an issue for both existing and proposed sensitive land uses in the area, especially where people may be exposed to dust for long periods of time.</p>	<p>Refer to staff comment on submission 27.3.</p>
<p>27.6 The DEC met with the quarry proprietor earlier this year (2006) to discuss the urgent need for improved dust management at the site. The proprietor indicated that this matter was being aggressively pursued and that a suitably qualified consultant had been engaged to produce a dust management strategy. It is understood that the strategy aims to bring about significant reductions in dust emissions. DEC will provide additional comments on the likely effectiveness of the strategy, which is expected to be submitted by the quarry proprietor within 2 weeks.</p>	<p>Noted</p>
<p>27.7 Of critical interest is the estimated effect of the proposed dust mitigation measures and the consequent reduction in ambient dust levels. The information is a key input for the consideration of an appropriate buffer distance. Furthermore, there is an imperative for the quarry proprietor to ensure that the dust mitigation measures are effective, requiring additional monitoring data to support and validate assertions.</p>	<p>Noted.</p>
<p>27.8 DEC will progress further modeling investigations of likely dust levels in the proposed residential areas. The modeling will be used to estimate the effect of various scenarios that represent improved dust management practices at the quarry. The DEC understands the urgency of the work and will facilitate this as far as practicable.</p>	<p>Noted.</p>
<p>27.9 The DEC also recognises the need to minimise impacts of dust and particles from other sources. This will need to be progressed in partnership with the City and the Fire and Emergency Services Authority.</p>	<p>Noted</p>

28	Name and Postal Address: Catholic Education Office 50 Ruislip Street Leederville WA 6007
Summary of Submission	Staff Comment
No objection to proposals.	Noted.



West Martin Consultation Group

The West Martin Consultation Group, through its terms of reference, is required to provide a recommendation to Council on planning proposals within the West Martin area. On 13 September 2006 the City coordinated a meeting of the Consultation Group to develop a consensus view on the three planning proposals. Only two members of the group were able to attend, however it was seen as a worthwhile exercise to highlight submissions received and compile a draft recommendation. All the submissions that the City had received by Friday 8 September 2006 were summarised and used as the basis for developing a consensus view of the Consultation Group.

The following draft consensus was resolved in relation to the advertising of the Outline Development Plans for Precincts 1 and 2 and TPS 6 Amendment No. 54:

“That the West Martin Consultation Group provide in-principle support for the two Outline Development Plans and TPS Amendment 54 for West Martin Precincts 1 and 2, recognising the existing Urban/Residential zoning of the land. In addition, the consultation group identifies the following key issues as needing to be addressed to the satisfaction of the relevant government agencies:

- (a) the lack of traffic/noise assessment associated with Mills Road at this time;*
- (b) the future form and function of Mills Road being underdetermined at this time;*
- (c) clarity in who is responsible for the cost of any noise walls that may be required along Mills Road into the future*
- (d) memorials being placed on the property titles, acknowledging the presence of the nearby quarry operations and Tonkin Highway*
- (e) increased traffic demands being placed on the existing road network*
- (f) the fact that the Quarry Buffer Definition Study has not been finalised to date*
- (g) the potential presence of Acid Sulfate Soils (ASS)*
- (h) the potential impact of clearing on groundwater*
- (i) the integration with the planning for the entire West Martin Area, in terms of incorporating broader community values such as integration of urban form, protection of visual amenity and providing public access to the river environment*
- (j) the desire to have design guidelines developed to guide future residential development, and*
- (k) the need to achieve a suitable interface to and protection of the Canning River environment.*

In respect of Precinct 2, the consultation noted the need to achieve the distribution of public open space in an equitable and transparent manner.”

The draft resolution was circulated to all members of the West Martin Consultation Group with comment invited by 11 October 2006. No comments were provided by members of the Consultation Group and as such the above recommendation is considered to be the final recommendation for Council's consideration.

DISCUSSION

This section further discusses the issues raised in submissions during the advertising period.

1. Noise

Mills Road West is currently identified as an Important Regional Road under the MRS. It is recommended that as a condition of subdivision or development that the proponents provide a suitable Noise Management Plan to the satisfaction of the DEC and the City. The noise management plan will need to evaluate the use of noise ameliorating techniques such as, but not limited to, acoustic barriers, vegetation buffer and building design. The requirement to prepare this plan can be imposed as a condition on both ODPs.

2. Detailed Area Plan

Approximately one quarter of Precinct 2 is in the control of one family (the Martin family). This family have indicated that they wish to modify the ODP to enable the creation of a single large R30 site for development of grouped dwellings and aged persons' dwellings (average lot size 300m² and minimum lot size 270m²).

The provision of higher density in close proximity to the Gosnells Town Centre is generally consistent with the strategic planning objectives of the City although illustrating a blanket R30 density coding over Lots 100, 5 and 4 Mills Road West (owned by the Martin family) is not supported. Instead it is recommended that the ODP be modified to require a Detailed Area Plan (DAP) to be submitted for Council's approval in future. The DAP would then establish the density coding to be applied to the area and the alignment of dual use paths, roads and the like. Approval of the DAP would be required prior to subdivision and development of the area.

3. Traffic Study

Staff of the City are currently working with the Department for Planning and Infrastructure and Main Roads WA to finalise a study brief for determining the future form and function of Mills Road West and associated implications for the regional road network. The subdivision of land within the two ODP areas will inevitably increase traffic movements within the West Martin Area, including Mills Road West and Station Street. Main Roads WA and the Department for Planning and Infrastructure have, in the context of the study brief, advised that until such time as the study has been undertaken and any resulting amendments to the MRS progressed through statutory processes, any planning proposal adjacent to Mills Road West will need to be considered against the current Important Regional Road status of the road.

4. Acid Sulfate Soils

Due to the complex nature of stormwater and ground water flows within the area an appropriate management plan for acid sulfate soils (ASS) will be required as a condition of subdivision or development. The management plan will need to be prepared to the satisfaction of the DEC, the State's peak authority on ASS. The preparation and approval of ASS Management Plans is typically imposed as a standard condition of subdivision approval.

5. Location of Infrastructure for Stormwater Management

The Bush Forever Office and the Swan River Trust in their submissions raised concerns about the location of storm water management infrastructure within the Parks and Recreation reserve under the MRS. The approvals of the relevant authorities, including WAPC, Swan River Trust and DEC will need to be obtained for such works to be undertaken.

Staff in-principle support the proposed works (namely landscaped swales) within the Parks and Recreation Reservation, recognising the potential gains from both an environmental and aesthetic perspective. The proposed approach to urban water management, through the construction of a 'living stream' is consistent with contemporary urban water management practices to achieve both water quality and storm water and groundwater management objectives.

Currently the Parks and Recreation Reserve is not maintained and contains high levels of weeds and invasive non-native plant species. The rehabilitation of the area in conjunction with the storm water management infrastructure will enable the community to access and enjoy an improved area, with improved outcomes in relation to the protection of the natural of the environment, fire management and aesthetics.

In addition to the short-term enhancement works, the on-going management of the Parks and Recreation reserve is of critical importance to all agencies involved and to ensure that environmental and recreational objectives are achieved. It is recommended that subdivision applications be accompanied by a series of management plans, including an Urban Water Management Plan and a Foreshore Management Plan. The management plans will need to clearly outline the scope of works proposed, measures to be taken to minimise impacts and clarity in responsibility. It is recommended that the management plans be prepared by the proponent in conjunction with the relevant government agencies, including the City and the Swan River Trust, prior to any clearing, earthworks or subdivision occurring.

The Swan River Trust has indicated that management of the Parks and Recreation Reserve will be vested in the City. While in principle Council staff are supportive of taking over the management order, the following are recommended conditions of acceptance:

- the developer is to install, maintain and mitigate the storm water infrastructure and rehabilitation initiatives located within the Parks and Recreation Reserve for a 3 year period;
- the stormwater infrastructure to be located within the Parks and Recreation Reserve is to be bonded,

- bonds to be released to the developer when agreed milestones are met to the satisfaction of the City: and

The City's Parks and Environmental Operations Branch will separately raise issues of management with the WAPC at a later date, closer to finalisation of the developer's 3 year maintenance period.

6. Wider West Martin ODP

The City has been working with landowners and the West Martin Consultation Group for a number of years to progress the planning for the broader West Martin Area and develop a suitable planning framework that would allow further subdivision and development. A number of key values have been identified through the work with the consultation group, including the following which are relevant to Precincts 1 and 2:

- Retaining the rural amenity of the area
- Protecting the natural environment
- Improving public access to the river environment.

Council in considering the two ODPs needs to assess whether the above values have been suitably incorporated. Having regard to the existing Urban/Residential zonings of the land, the use of appropriate design guidelines and interface treatment and the rehabilitation of, and improved access to, the Parks and Recreation environment, the two ODPs are considered by staff to suitably incorporate the abovementioned values. It is important to note that Precincts 1 and 2 have had subdivision approval for conventional residential development 3 times over the last 20 years.

7. Landscape Plan

The West Martin Consultation Group has indicated a need for the ODPs to embrace some of the key values of the area identified by the group. One of those key values is to preserve the rural character. Council staff believe that a suitable interface between Residential and Rural zoned land can achieve this key value through the preparation and approval of a suitable landscaping plan at the time of subdivision.

8. Landowner agreement

Section 154 of the Planning and Development Act 2005 enables landowners who give up more than 10-% POS to be compensated from Public Open Space cash-in-lieu funds. This enables some compensation for the landowner of Lot 3 Mills Road West within Precinct 2, should subdivision and development generally proceed.

9. Dust

In December 2003, the former Department of Environment (now DEC) advised key stakeholders including Lumen Christi College and local landowners of the need for additional dust monitoring to determine an appropriate buffer to existing quarry operations and, if necessary, improvements to management practices/licensing conditions. As listed in the submission table, a dust monitoring study has been in place incorporating 3 monitoring stations; one each at the boundary of quarry operations, at Lumen Christi College and at a background location.

Of critical interest to the City is the potential for public health risk with nearby sensitive land uses. The DEC sought the advice of the Department of Health on this matter, which in turn advised *“that the ostensibly limited duration of exposure and inferred composition of the dust suggest that potential health impacts at the school are unlikely to be significant”*. The City has requested a full copy of the advice from the Department of Health.

The DEC submission provided comment on the dust issues in the region and in particular raised the following key points:

- Both the DEC and the quarry proprietor are aware of the need for improved dust management on the site.
- The quarry proprietor has indicated to the DEC that the matter is being aggressively pursued and that a dust management strategy is currently being prepared, with a view to achieving significant reductions in dust emissions.
- The DEC will provide additional comments on the likely effectiveness of the dust management strategy.
- The DEC will progress further modelling investigations of likely dust impacts in the proposed residential areas. Once the model has been calibrated, it will be used to estimate the effect of various scenarios that represent improved dust management practices at the quarry.

The DEC is not a decision making authority with respect to land use planning decisions, rather it is one of a number of government agencies which provides advice for both Council and the WAPC to consider. Of relevance to the local area is the additional role that the DEC performs in managing quarry operations through licensing with associated monitoring. The DEC has previously made a number of strong commitments to all stakeholders and local landowners, including undertaking:

- “• a dust monitoring program with the Rinker Group;
- a review of DoE’s audit history with the operations;
- review of dust management practices to identify opportunities for improvement; and
- a review of Rinker’s operations with respect to compliance with licence conditions.”

In addition the DoE made the commitment *“to work closely with all stakeholders to keep them informed of the outcomes.”*

When determining whether to adopt the two ODPs and continue with the TPS 6 amendment Council needs to consider that :

- the land is already zoned Urban under the MRS and Residential under TPS 6
- the proponents of the two ODPs have engaged consultants to prepare and progress the ODPs on the advice of the former Department of Environment - that it had no objection to the subdivision of land already zoned Urban; and

- the DEC has not concluded its investigations into various scenarios that potentially represent improved dust management practices at the quarry

Based on the above considerations staff are of the opinion that the two ODPs provide a suitable planning framework to guide subdivision and development and recommend adoption of the ODPs and forwarded to the WAPC for consideration.

It is recommended that Council adopt Amendment No. 54 to TPS 6 and forward it to the WAPC/Minister for Planning and Infrastructure for final approval. This course of action is considered appropriate, due to the following:

- The EPA did not elect to assess the Amendment;
- The TPS Amendment is administrative in nature, providing a rationalisation of existing residential zonings and by itself does not allow for the development of additional sensitive land uses in proximity to quarry operations

10. Modified ODPs

Staff have liaised with the proponents of both ODPs to amend the ODPs that were advertised for public comment to incorporate the various changes, notations and conditions recommended throughout this report, in response to submissions received during the advertising period. The duly amended ODPs relating to Precincts 1 and 2 are contained at Appendices 13.5.4C and 13.5.4D respectively. It will be recommended that Council adopt these amended ODPs.

CONCLUSION

The proposed ODPs provide suitable guidance for the planning of West Martin Outline Development Plan Precincts 1 and 2. To address the concerns raised by landowners and relevant government agencies numerous modifications have been recommended to both ODPs as follows:

- **Precinct 1 ODP:** Modified to include a minimum dual use path between all private property and public open space.
- **Precinct 2 ODP:** Modified to include the requirement for a Detailed Area Plan over Lots 100, 5 and 4 Mills Road West, West Martin.
- Conditions of both ODPs are:
 - * Preparation of an Urban Water Management and Foreshore Management Plan
 - * Requirement for Memorials to be placed on the certificate of title for all proposed lots advising of the nearby location of quarries
 - * Requirement of a landscaping plan where infrastructure is installed and maintained for 3 years
 - * Requirement of a Noise Management Plan to detail any noise amelioration measures to reduce impacts of traffic on Mills Road West, Ferres Drive and Tonkin Highway

These modifications address the issues raised in the submissions received during advertising of the ODPs and are reflected in the amended ODPs contained at Appendices 13.5.4C and 13.5.4D. It is recommended that Council adopt these amended ODPs pursuant to clause 7.4.7(a) of TPS 6. It is also recommended that Council adopt Amendment No. 54 to TPS 6 for final approval.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION (1 of 3) AND COUNCIL RESOLUTION
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611 Moved Cr R Croft Seconded Cr P Wainwright

That Council pursuant to clause 7.4.7 (a) of Town Planning Scheme No. 6 adopt the amended West Martin Outline Development Plan Precinct 1 as contained at Appendix 13.5.4C. and refer the matter to the WA Planning Commission for approval in accordance with clause 7.4.9 of the Scheme.

CARRIED 9/0

FOR: Cr P Wainwright, Cr O Searle, Cr R Mitchell, Cr J Henderson, Cr S Iwanyk, Cr J Brown, Cr R Croft, Cr W Barrett and Cr C Matison.

AGAINST: Nil.

STAFF RECOMMENDATION (2 of 3) AND COUNCIL RESOLUTION
--

612 Moved Cr R Croft Seconded Cr P Wainwright

That Council pursuant to clause 7.4.7 (a) of Town Planning Scheme No. 6 adopt the amended West Martin Outline Development Plan Precinct 2 as contained at Appendix 13.5.4D and refer the matter to the WA Planning Commission for approval in accordance with clause 7.4.9 of the Scheme.

CARRIED 9/0

FOR: Cr P Wainwright, Cr O Searle, Cr R Mitchell, Cr J Henderson, Cr S Iwanyk, Cr J Brown, Cr R Croft, Cr W Barrett and Cr C Matison.

AGAINST: Nil.

STAFF RECOMMENDATION (3 of 3) AND COUNCIL RESOLUTION
--

613 Moved Cr R Croft Seconded Cr P Wainwright

That Council, pursuant to Town Planning Regulation 17(1), note the submissions received and endorse the response to those submissions prepared by Council staff and pursuant to Town Planning Regulation 17(2)(a), adopt Amendment No. 54 to Town Planning Scheme No. 6 and forward it to the Western Australian Planning Commission for final approval without modification, for the purpose of:

1. Rezoning those portions of the following lots currently zoned "Residential R17.5" to "Residential Development":

99 (Lot 100) Mills Road, Martin
105 (Lot 5) Mills Road, Martin

113 (Lot 4) Mills Road, Martin
115 (Lot 3) Mills Road West, Martin
121 (Lot 205) Mills Road West, Martin
125 (Lot 204) Mills Road West, Martin
1 (Lot 831) Ferres Drive, Martin

2. Rezoning the following lots from “Residential R17.5” and “Residential R30” to “Residential Development”:

127 (Lot 822) Mills Road West, Martin
129 (Lot 823) Mills Road West, Martin
163 (Lot 830) Mills Road West, Martin

CARRIED 9/0

FOR: Cr P Wainwright, Cr O Searle, Cr R Mitchell, Cr J Henderson, Cr S Iwanyk, Cr J Brown, Cr R Croft, Cr W Barrett and Cr C Matison.

AGAINST: Nil.