

13.5.1 PROPOSED AMENDMENT NO. 54 TO TOWN PLANNING SCHEME NO. 6 – REZONING THE AREA BOUNDED BY MILLS ROAD WEST, FERRES DRIVE, CANNING RIVER AND STATION STREET MARTIN FROM “RESIDENTIAL R17.5 AND R30” TO “RESIDENTIAL DEVELOPMENT”

File: TPS/6/54 (RC) Psrpt031Feb06
Applicant: The Planning Group and John Chapman Town Planning Consultant
Owner: Various
Location: Land bound by Mills Road West, Ferres Drive, Canning River and Station Street, Martin
Zoning: Urban
MRS:
TPS No. Residential R17.5 and R30
6:
Review Rights: Nil.
Area: 22.79 ha
Previous Ref: OCM 24 June 2003 (Resolutions 403-405)
OCM 13 August 2002 (Resolutions 628-629)
OCM 26 June 2001 (Resolutions 481)

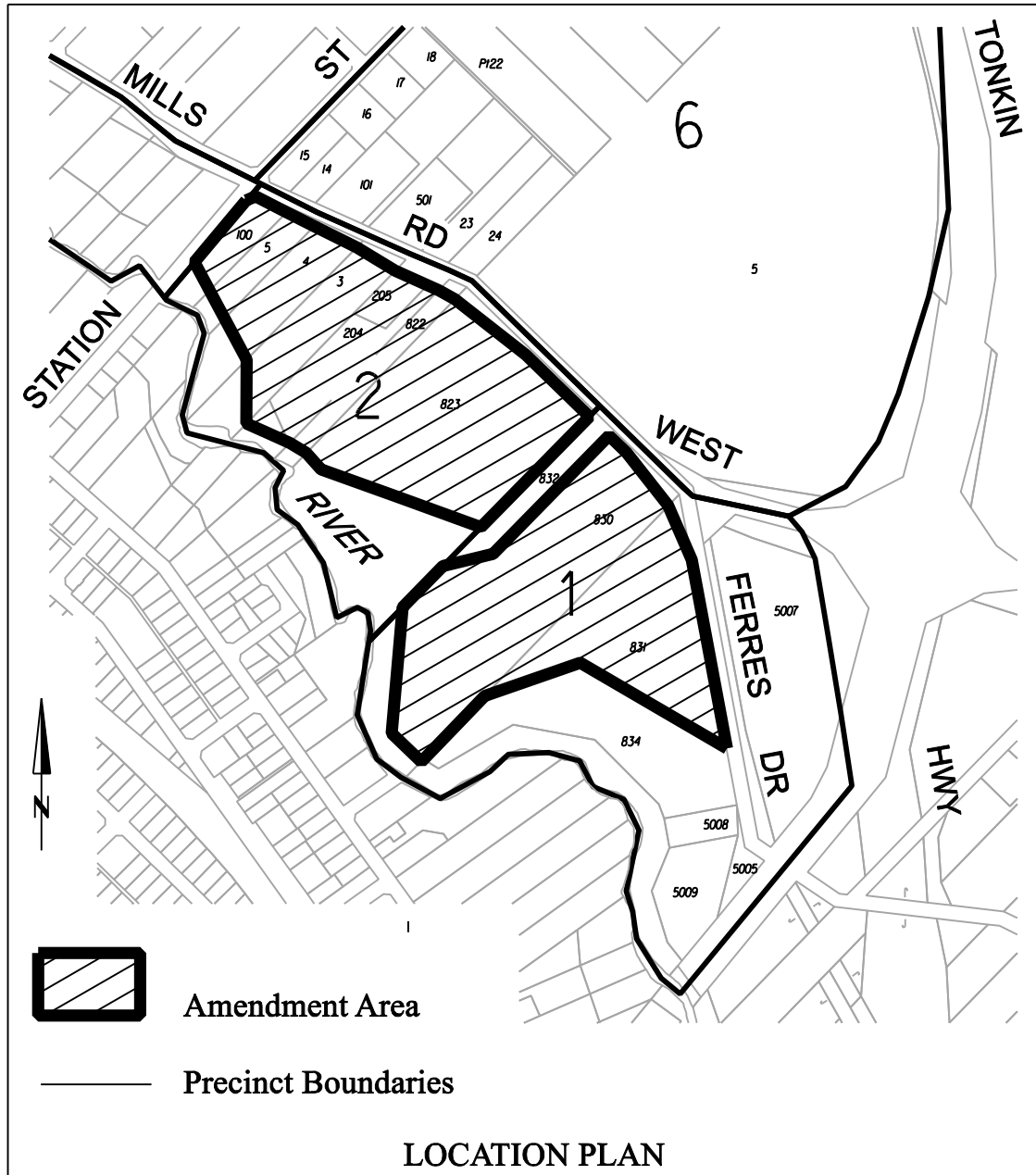
PURPOSE OF REPORT

For Council to consider a request to initiate an amendment 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”.

BACKGROUND

Site Description

The subject site is approximately 22.79 ha in area and is located one kilometre east of Gosnells Town Centre near Lumen Christi Catholic College. The majority of the subject site is cleared with rural residential activities on site.



Planning Context

There has been an extensive history of landowner consultation and planning for the West Martin area. The State Government report Planning for the Future of the Perth Metropolitan Region (1987) identified the West Martin area as future urban development. The Western Australian Planning Commission's Urban Expansion Policy (1990), Metroplan (1990) and Network City (2004) also identified the West Martin area for urbanisation.

In 1995 the area between Mills Road West and Canning River was rezoned from "Rural" to "Urban" under the Metropolitan Region Scheme (MRS).

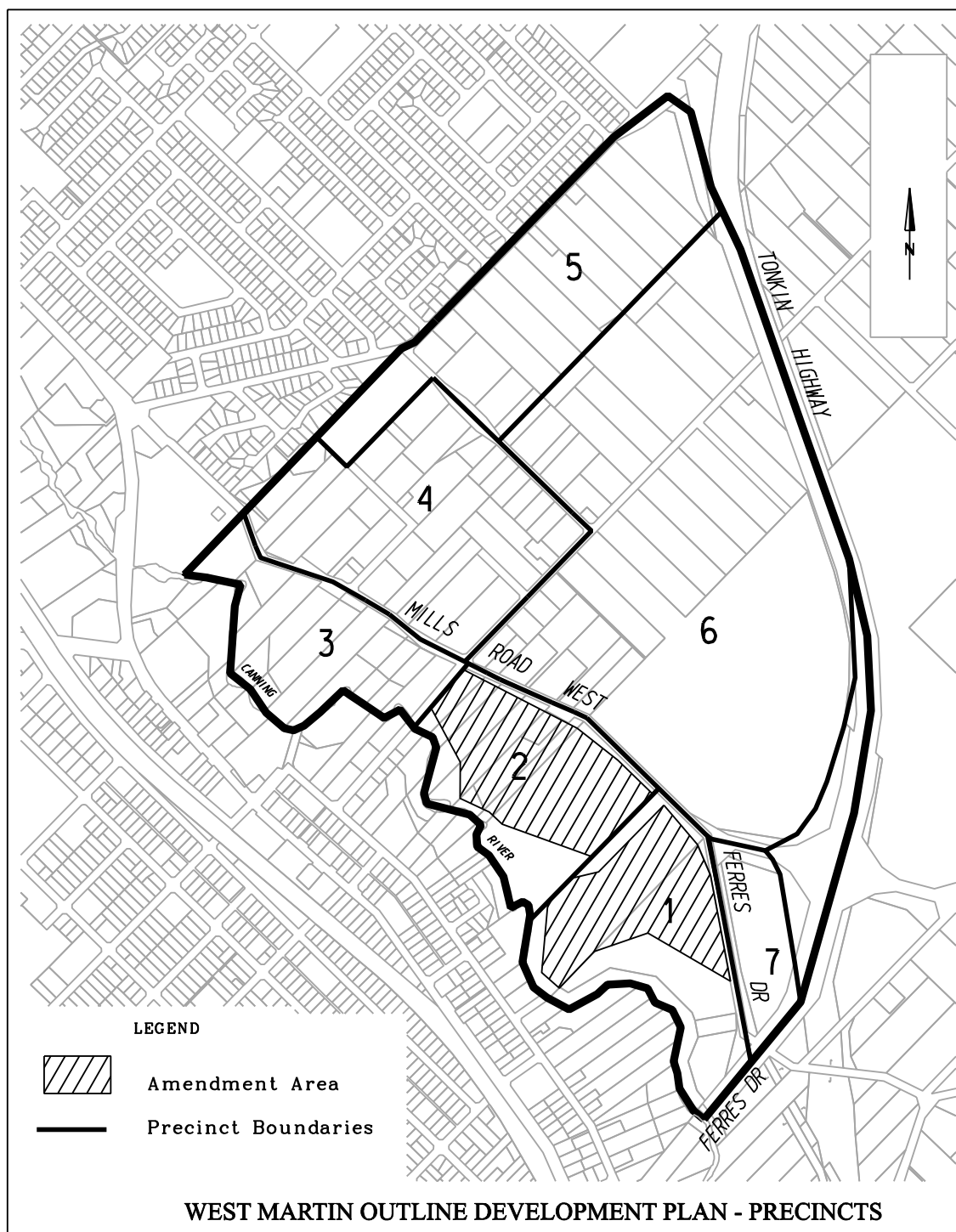
On amendment of the MRS Council initiated an amendment to the former Town Planning Scheme No. 1 for Lots 21, 25 and 52 Mills Road. Completion of this amendment did not occur until the gazettal of Town Planning Scheme No. 6 in 2002 when the area bound by Mills Road West and Canning River was rezoned "Residential R17.5 and R30".

The Gosnells Town Centre Revitalisation Strategy provides a strategic context for the urbanisation of the portion of West Martin generally bound by Canning River and Mills Road West. The strategy suggests that additional urban development in close proximity to the town centre and its services (such as the railway station and commercial and civic facilities) would assist revitalisation of the Town Centre and provide a high level of amenity for the new community.

Council considered an Outline Development Plan (ODP) subject to this amendment request at its meeting on 24 June 2003 and resolved (Resolution 404):

"That Council approve the initiation of a staged Outline Development Plan for West Martin based on the precincts identified in Appendix 12.5.8A."

The following map identifies the location of the precincts within West Martin, as agreed by Council on 24 June 2003.



Council at its meeting held on 26 August 2003 resolved (Resolution 555):

“That Council, pursuant to Section 7.4 of the City of Gosnells Town Planning Scheme No. 6, determine that the Outline Development Plan for West Martin Precincts 1 and 2 as shown in Appendix 12.5.2A is satisfactory for advertising for a period of not less than 21 days.”

The ODP referred to in Resolution 555 has not been finalised mainly due to issues concerning buffers to the Canning River, Swan River Trust Management Areas, Conservation Category Wetlands and quarry impacts.

Planning for the rest of West Martin within Precincts 3, 4, 5 and 6 has been progressing slowly through the formation of a community consultation group. The West Martin Consultation Group was established by Council at its meeting held on 26 June 2001. Work with the West Martin Consultation Group in progressing planning for the West Martin Area is still continuing.

DISCUSSION

Requests have been received from landowners to amend TPS 6 to rezone Precincts 1 and 2 from “Residential R17.5 and R30” to “Residential Development”. The intention is to provide a more flexible framework to progress planning for the subject area. This is to be achieved through adoption of an ODP over the area to be zoned “Residential Development”. An advantage of this approach is that an ODP can be modified if necessary (to change zonings, densities, road layouts, etc) without having to engage in the lengthy TPS 6 amendment process.

Council is still able to address all relevant planning issues relating to the subject area through the development of an ODP. This is considered to be an appropriate approach for the following reasons:

- Correspondence received from the Department of Environment on 6 July 2005 in relation to the CSR Readymix quarry and its impact on development in Precincts 1 and 2 states 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.”

- The Canning River environs include Regional Open Space reserved for Parks and Recreation, Swan River Trust Management Area, Conservation Category Wetlands, multiple use wetlands and Bush Forever Site No. 246. Consultation with relevant government agencies, both through the scheme amendment process to rezone the land to Residential Development and through the ODP process itself, will ensure that measures to protect these environmental features are identified and incorporated in the detailed planning for the area.

- An ODP will address urban water management requirements through development of a strategy dealing with the quality and quantity of water entering the Canning River.
- The amendment is consistent with the City's approach to broadscale planning for urban development in other parts of the district using the Residential Development zoning and outline development plans.

CONCLUSION

The proposed amendment will provide greater flexibility for planing and development in Precincts 1 and 2 and will ultimately lead to the preparation of an ODP, which is the most appropriate method to progress the orderly and proper planning of the subject land. It is recommended that Council initiate the amendment accordingly.

FINANCIAL IMPLICATIONS

All costs associated with the proposed TPS 6 amendment, including the documentation and advertising is to be borne by the applicant.

The costs of creating an ODP for Precincts 1 and 2 will be met by the proponent.

STAFF RECOMMENDATION (1 of 2) AND COUNCIL RESOLUTION

59 Moved Cr R Mitchell Seconded Cr P Wainwright

That Council, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended) adopt Amendment No. 54 to Town Planning Scheme No. 6 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 10/0

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

AGAINST: Nil.

**STAFF RECOMMENDATION (2 of 2) AND COUNCIL
RESOLUTION**

60 Moved Cr R Mitchell Seconded Cr P Wainwright

That Council forward Amendment No. 54 to:

1. The Environmental Protection Authority for comment, pursuant to Section 7A1 of the Town Planning and Development Act 1928 (as amended); and
2. The Western Australian Planning Commission for information;

and subject to no objections being received from the Environmental Protection Authority, the amendment be advertised for public comment pursuant to Regulation 25(2) of the Town Planning Regulations for a period of 42 days.

CARRIED 10/0

***FOR:** Cr P Wainwright, Cr O Searle, Cr R Mitchell, Cr J Henderson, Cr C Matison, Cr S Iwanyk, Cr D Griffiths, Cr J Brown, Cr W Barrett and Cr PM Morris.*

***AGAINST:** Nil.*