

13.5.2 PROPOSED OUTLINE DEVELOPMENT PLAN – CENTRAL MADDINGTON SUB-PRECINCT E

Author:	R Hall
Reference:	Various
Application No:	PF07/00036
Applicant:	Dykstra Planning
Owner:	Various
Location:	Various lots along Albany Highway, generally between Apley Street and Gosnells Road West, Maddington
Zoning: MRS:	Urban
TPS No. 6:	Residential R30
Review Rights:	Yes. State Administrative Tribunal or the Western Australian Planning Commission against any discretionary decision of Council.
Area:	Approximately 4.1 hectares
Previous Ref:	OCM 23 October 2007 (Resolution 495) OCM 10 April 2007 (Resolutions 135-136) OCM 8 August 2006 (Resolutions 364-366)
Appendices:	13.5.2A Proposed Central Maddington Sub-precinct E Outline Development Plan (as advertised) 13.5.2B Proposed Central Maddington Sub-precinct E Outline Development Plan (as modified)

PURPOSE OF REPORT

For Council to consider adopting the draft Outline Development Plan (ODP) for Central Maddington Sub-Precinct E, pursuant to Clause 7.4.7 of Town Planning Scheme No. 6 (TPS 6).

BACKGROUND

Council at its meeting of 23 October 2007 considered a draft ODP for the Central Maddington Sub-Precinct E area (as contained in Appendix 13.5.2A) and resolved (Resolution 495) that the draft ODP was satisfactory for advertising.

Public Consultation

In accordance with Council's resolution, the ODP was advertised for a period of 21 days by way of letters to all landowners within 100m of the subject area and relevant government agencies, in addition to an advertisement in a local newspaper.

The City received 21 submissions during the advertising period, of which 11 raised no objection, 5 provided comment on the proposal and 5 raised an objection. A summary of submissions received and staff comments thereon are provided in the following Schedule of Submissions.

Schedule of Submissions

1	Name and Postal Address: Xuan Ta & Chi Pham 361A Daily Street Cloverdale WA 6105	Affected Property: 14 (Lot 507) Pickford Avenue Maddington
Summary of Submission		Staff Comment
No objection to the proposal.		Noted.

2	Name and Postal Address: Renlong Han 662 Stirling Highway Mosman Park WA 6012	Affected Property: 2086 (Lot 20) Albany Highway 2088 (Lot 19) Albany Highway 4 (Lot 112) Gosnells Road West Maddington
Summary of Submission		Staff Comment
No objection to the proposal		Noted.

3	Name and Postal Address: Name and address withheld by request	Affected Property: 2076 (Lot 5) Albany Highway 2080 (Lot 21) Albany Highway Maddington
Summary of Submission		Staff Comment
No objection to the proposal. Very pleased to see this ODP progress through Council. The City will benefit from new development and the removal of dilapidated housing stock.		Noted.

4	Name and Postal Address: R Dodds 3 Apley Street Maddington WA 6109	Affected Property: 3 (Lot 15) Apley Street Maddington
Summary of Submission		Staff Comment
No objection to the proposal.		Noted.

5	Name and Postal Address: N Read 9/12 Auric Place Maddington WA 6109	Affected Property: Unit 31, 6 (Lot 174) Auric Place Maddington
Summary of Submission		Staff Comment
No objection to the proposal.		Noted.

6	Name and Postal Address: Phil Hopwood PO Box 1332 Canning Vale WA 6155	Affected Property: 2064 (Lot 13) Albany Highway Maddington
Summary of Submission		Staff Comment
Comment on the proposal.		Noted.
6.1	ODP should only apply to Area 1 where actual plan and costs are known and owners have agreed to joint fund.	Council's Policy 6.4.2.1 – Planning Implementation Framework for Local Housing Strategy and Large Lot Outline Development Plan (ODP) Areas, section 1.9 addresses this matter. The Policy states that Council will not consider adopting an ODP for any area geographically smaller than the LHS sub-precinct to which it relates, unless Council is satisfied that a smaller ODP area reflects a self contained development cell and that progression of the ODP will not prejudice orderly and proper planning within the sub-precinct.
6.2	Area 2 development is prevented unless approval can be gained to put easements through other people's property. Why is there no storm water drain provided along Albany Highway?	Staff consider there are common issues applicable to Areas 1,2 and 3 (ie drainage requirements) and accordingly, it is appropriate that the ODP establishes principles and provides guidance to the subsequent Detailed Area Plan stage, to ensure orderly planning within the sub-precinct is not compromised.
		Advertising of the ODP revealed that modifications were needed to the plan to facilitate appropriate drainage of the ODP area. As a result, an additional drainage option is proposed to be included for Area 2, which would allow for new drainage infrastructure to be provided in Albany Highway, if the alternate options cannot be achieved. This additional drainage option for Area 2 is reflected in the proposed modified ODP attached as Appendix 13.5.2B.
		The onus rests with the landowners within each Area to coordinate and fund any requisite drainage solutions to enable redevelopment within each Area.

7	Name and Postal Address: J Wydell 1 Virginia Avenue Maddington WA 6109	Affected Property: 7 (Lot 26) Pitchford Avenue Maddington
Summary of Submission		Staff Comment
Comment on the proposal.		Noted.
7.1	I am concerned about the additional vehicular traffic that will travel into, along and out of Virginia Avenue. Likewise, I am extremely concerned about the additional vehicular traffic which would travel on Pitchford Avenue from Albany Highway.	The connection of Virginia Avenue through Pt Lot 19 will provide a linkage which will achieve an improved interconnectivity within the street network in this locality.
7.2	Could the City of Gosnells in conjunction with the other relevant authorities and WA government departments, have traffic lights installed at the junction of Pitchford Avenue and Albany Highway. Also, please building a small traffic roundabout at the T-junction of Pitchford Avenue and Virginia Avenue.	The intersection treatments along Pitchford Avenue are considered appropriate to safely accommodate the traffic likely to be generated by future development within the ODP area. Traffic signals will be installed at the intersection of Albany Highway and Gosnells Road West.

Summary of Submission	Staff Comment
7.3 The excessive speed at which ever-increasing numbers of vehicles rush down Pitchford Avenue today is frightening. I truly fear someone will be killed. It is only a matter of time until we see a fatality here. Could Gosnells Council please arrange for road signs at each end of Pitchford Avenue limiting traffic speed to a maximum of 20km/h.	Pitchford Avenue is designated as a Local Distributor Road according to the Main Roads Functional Road Hierarchy and is considered to be of a dimension and design standard to safely accommodate the traffic likely to be generated by future development within the ODP area. The speed limit for all built up urban areas, including along Pitchford Avenue, is 50km/h which is set by the WA State Government. Motorists who disobey speed limits are in breach of laws administered by the WA Police.

8	Name and Postal Address: David Bonner 10 Fourth Avenue Kensington WA 6151	Affected Property: 20 (Lot 69) Virginia Avenue Maddington
Summary of Submission		Staff Comment
Comment on the proposal.		Noted.
8.1	I have no objection to the land being rezoned and houses being built on the designated area.	Noted. The land is already zoned Residential R30. The proposed ODP will facilitate development to that maximum density.
8.2	I object to the road reserve being developed so that Virginia Avenue becomes connected. The attraction of buying in the street was due to it being a no through road.	See staff response to submission 7.1.

9	Name and Postal Address: Edwa Vickers 2074 Albany Highway Maddington WA 6109	Affected Property: 2074 (Lot 16) Albany Highway Maddington
Summary of Submission		Staff Comment
Comment on the proposal. I wish to object to the proposed easement on my property for the purpose of drainage outflow to Pitchford Avenue or alternatively through adjacent lots fronting Virginia Avenue as it would affect the value of my property.		Noted. See staff response to submission 6.2.

10	Name and Postal Address: Libero Parisotto 36 Canter Court Orange Grove WA 6109	Affected Property: 2058 (Lot 11) Albany Highway Maddington
Summary of Submission		Staff Comment
Object to proposal. 10.1 The Central Maddington development has already been divided into five precincts. The proposed ODP for Sub-precinct E further divides the area into three sections. This is not acceptable. The drainage requirements should be submitted for the whole Sub-precinct E, not for Area 1 only.		Noted. The identification of Areas 1, 2 and 3 is appropriate to enable further detailed planning once common issues have been resolved. This will not compromise the future development of each respective area.

Summary of Submission	Staff Comment
10.2 The need to have consolidated access points to Albany Highway is unfair. It prevents individual owners from developing their own blocks. Each owner should be able to develop their own block based on their current access rights.	Access to Albany Highway is controlled by Main Roads WA. It is the practice of Main Roads to require crossover points to be minimised and consolidated in new development areas. The ODP provides an appropriate response to this issue by providing the opportunity for crossover locations to be provided through a Detailed Area Plan.
10.3 If the City wanted a more sensible consolidated access strategy to Albany Highway, it should have made all the blocks between Albany Highway and Virginia Avenue part of Precinct E.	The Local Housing Strategy does not promote the rezoning (to a higher residential density) of land along Pitchford Avenue, as it does for Sub-Precinct E. The area to which the ODP applies is the same as that which was rezoned in accordance with Council's Local Housing Strategy. The ODP and subsequent DAP will provide the opportunity to resolve access issues appropriately.

11	Name and Postal Address: S Bettineschi 6 Lydden Street Maddington WA 6109	Affected Property: 6 (Lot 116) Lydden Street Maddington
Summary of Submission	Staff Comment	
Object to proposal. The City of Gosnells is prepared to increase its rates revenue by approving these sorts of developments in areas where the infrastructure is inadequate. It then wants the existing residents to pay for the upgrade of the infrastructure. I was under the impression that the rates I pay go towards keeping all these things in good working order and adequate to cope with any increase in properties and residents.	Noted. The matter of rates is not related to this proposal. The submitter is located outside of the proposed ODP area and is not subject to any costs. Any new or upgraded infrastructure required to cater for new, higher density development will need to be paid for by the developer(s) of that area. This is commonplace across the state.	

12	Name and Postal Address: S Bryan 29 Banach Street Maddington WA 6109	Affected Property: 29 (Lot 104) Banach Street Maddington
Summary of Submission	Staff Comment	
Object to proposal. The undeveloped area should be left for the enjoyment of residents as a recreation area.	Noted. The land covered by the ODP is privately owned, zoned Residential and is suitable for residential development. There is an existing Local Open Space reserve known as Holling Street Reserve directly opposite the submitter's property that will remain and is not affected by the proposed ODP.	

13	Name and Postal Address: H Bartholomew 2072 Albany Highway Maddington WA 6109	Affected Property: 2072 (Lot 15) Albany Highway Maddington
Summary of Submission		Staff Comment
Object to proposal.		Noted.
13.1	Its main aim seems to facilitate the destruction of my neighbourhood, replacing it with overcrowded housing. I have objected to higher density zoning of this area all along, and I will continue to object.	Approval of the proposed ODP will facilitate redevelopment of the existing properties. Staff consider that this will occur in a positive manner to complement and enhance the character of the area. The land has a density code of R30 (Average lot size of 300m ²). R30 is the lowest medium density code and does not permit multiple dwellings. It is considered the subsequent development as a result of this proposal will yield predominantly single storey housing.
13.2	Higher density development will be detrimental to me personally and has no benefits to me in any way, so any assertion that I stand to gain from this plan is not sufficient to refute my objections.	Noted.
13.3	Consider that the opening of Virginia Avenue as a through road for vehicles is unfair to existing residents of Virginia Avenue and Lydden Street.	See staff response to submission 7.1.
13.4	We understand that traffic signals are planned at the intersection of Gosnells Road and Albany Highway. If Virginia Avenue is made a through road, it seems likely to be used as a "rat run" by drivers traveling south on Albany Highway and wishing to bypass the signals to get onto Gosnells Road.	See staff response to submission 7.1.
13.5	If any future residents of Area 1 must have vehicle access to Virginia Avenue, this could surely be achieved without opening the street as a through road. Pedestrian and cycle access through Virginia Avenue should, however, be retained.	See staff response to submission 7.1.
13.6	The plan does not show clearly how all the properties in Area 1 would be connected to the upgraded drainage in Virginia Avenue. It is not clear whether the existing residents of Virginia Avenue will be forced to have pipes running through their properties.	See staff response to submission 6.2.
13.7	Although it appears that no immediate changes to drainage are planned for Area 2, it is not clear whether residents in that area are required to contribute financially to changes to drainage in the area. I would like assurance in writing that we will not have to pay anything unless we choose to redevelop our property. I am concerned that imposing high costs on residents who do not wish to redevelop may potentially be used to force us out of the area.	The notations on the ODP state that drainage is to be upgraded through a landowner coordinated approach. It is not intended that the City will administer a developer contribution arrangement. Drainage infrastructure upgrades will be required prior to clearance of subdivision conditions or construction of dwellings to the higher density.

Summary of Submission	Staff Comment
13.8 A shaded area on the map sent to us was marked as 'controlled access', but the plan contains no explanation of what this means. From our meeting with Council staff we understand that it's something to do with numbers of driveways onto Albany Highway, but no formal details of any such restrictions are as yet available.	The purpose of the area marked 'controlled access' is to identify that access is controlled by Main Roads WA and that the detailed planning will determine the location of future crossovers. This is covered by notation 3 on the ODP. In the event landowners do not wish to redevelop, current access arrangement will remain unchanged.
13.9 Overall the plan and supporting documentation seems incomplete. More information should be provided and residents should be further given the opportunity to comment before any final plan is approved.	The ODP was considered satisfactory for advertising on the basis of the information previously submitted. Further information and details will need to be provided by developing landowners through Detailed Area Plans and subdivision or development applications.

14	Name and Postal Address: Trevor Vickers 4 Warrik Court Kelmscott WA 6111	Affected Property: 19 (Lot 17) Virginia Avenue Maddington
Summary of Submission	Staff Comment	
Object to proposal.	Noted.	
14.1 I wish to strongly object to the opening of Virginia Avenue as per of this development proposal. Opening of Virginia Avenue will increase the traffic throughput and have a detrimental impact on the amenity of the existing section of Pitchford Avenue. Further, the increase in traffic from both the proposed development and traffic from the eastern end of Virginia Avenue towards Pitchford Avenue will have a serious impact on the already hazardous intersection of Pitchford Avenue and Albany Highway. Clearly, it would be more sensible and safe to direct all traffic from the proposed development towards Gosnells Road and provide traffic control signals at Albany Highway and Gosnells Road. This intersection already carries traffic from Tonkin Highway and is a major connecting road. Direct access from the proposed development to Albany Highway can also be made.	See staff response to submissions 7.1 and 7.2.	
14.2 The section of Virginia Avenue off Pitchford Avenue has never had through traffic since the road was made over 50 years ago.	See staff response to submission 7.1.	
14.3 Through connection of Virginia Avenue has the potential to lower existing property values and create a potential raceway, which will have a serious impact on the safety of the existing, quiet streetscape.	There is no evidence to support the claim that property values will be negatively affected by this proposal. See staff response to submission 7.1.	
14.4 There is no valid reason for the through connection to traffic of Virginia Avenue.	See staff response to submission 7.1.	

Summary of Submission	Staff Comment
14.5 An alternative drainage system for the proposed development and properties along Albany Highway should be considered, given that most of the properties for the proposed development front Albany Highway. This may prove more costly to the current developer but will not impact property owners along Virginia Avenue.	See staff response to submission 6.2.
14.6 All of the properties along Albany Highway have been rezoned to R30 and as such the City of Gosnells should ensure that this initial development forms part of the plan for all of the rezoned land. The current proposal does not include any valid drainage plan for Area 2.	See staff response to submissions 6.2 and 13.9.
14.7 If the proposed drainage along Virginia Avenue should proceed, the developer must be accountable for maintaining and reinstating the existing drainage connections from properties along Virginia Avenue to the existing stormwater drainage system. Experience from recent installation of deep sewerage along Virginia Avenue has shown that contractors need to be held accountable and that the City of Gosnells needs to be extremely diligent in inspection of the works undertaken.	The City will ensure any drainage works are completed to an acceptable standard.
14.8 Any work undertaken along Virginia Avenue should include filling the open drain at 19/21 Virginia Avenue. This work needs to be completed by Council regardless of the proposed development.	Noted. Drainage upgrades will need to be carried out by developing landowners.
14.9 I would also like to strongly object to any proposed drainage easements to my property in Virginia Avenue due to both the impact on property value and also the restrictions on land usage and the potential future buildings envelopes	See staff response to submission 6.2.

15	Name and Postal Address: Main Roads Western Australia PO Box 6202 East Perth WA 6892
Summary of Submission	Staff Comment
No objection to the proposal.	Noted.
15.1 The proposed ODP is acceptable to Main Roads and the proposal to control and consolidate access onto Albany Highway is supported.	Noted.
15.2 Please note that development applications will still be required to be referred to Main Roads WA for comment.	Noted.

16	Name and Postal Address: Water Corporation PO Box 100 Leederville WA 6902	
Summary of Submission		Staff Comment
No objection to the proposal.		Noted.
16.1	Reticulated water is currently available to the subject area by extension if required. All water mains must be laid within the existing and proposed road reserves within the development site, on the correct alignment in accordance with the Utility Providers Code of Practice.	Noted.
16.2	Reticulated sewerage is currently available to the subject area by extension if required. All sewer mains must be laid within the existing and proposed road reserves within the development site, on the correct alignment in accordance with the Utility Providers Code of Practice.	Noted.
16.3	The principle followed by the Water Corporation for the funding of subdivision or development is one of user pays. The developer is expected to provide all water and sewerage reticulation. A contribution for Water, Sewerage and Drainage headworks may also be required. In addition the developer may be required to fund new works or the upgrading of existing works and protection of those works. Any temporary works needed are required to be fully funded by the developer. The Corporation may also require land being ceded free of cost for works.	Noted.
16.4	The information provided above is subject to review and may change depending on the timing and development of nearby lots. If development has not proceeded within the next 6 months, the developer is required to contact the Corporation in writing to confirm if the information is still valid.	Noted.

17	Name and Postal Address: Alinta Gas PO Box 8491 Perth BC 6849	
Summary of Submission		Staff Comment
No objection to the proposal.		Noted.
There are existing gas mains in the area. Any work carried out on Alinta's existing network to accommodate the development will be at the proponent's expense.		Noted.

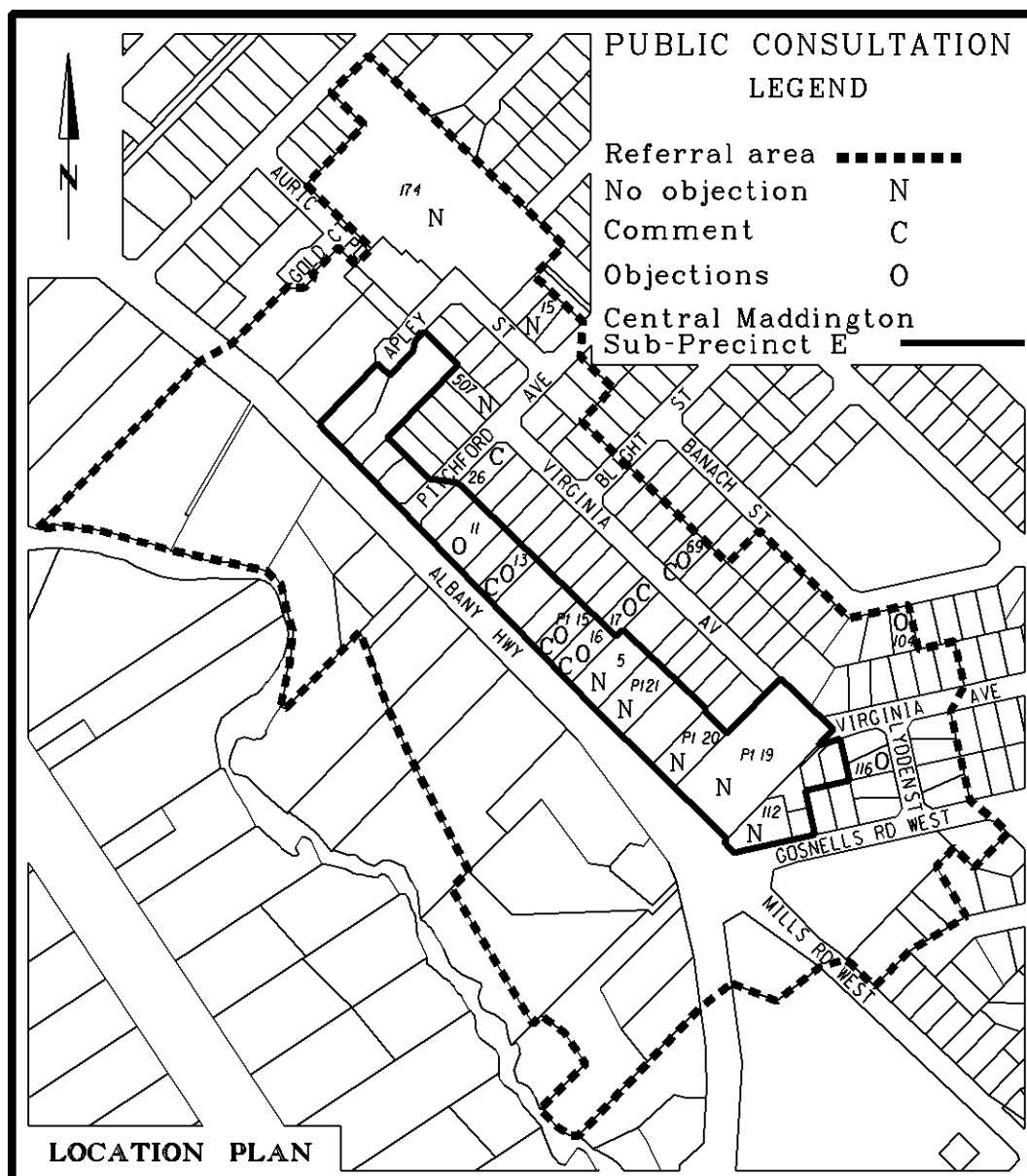
18	Name and Postal Address: Department of Education and Training 151 Royal Street East Perth WA 6004		
Summary of Submission		Staff Comment	
No objection to the proposal.		Noted.	

19	Name and Postal Address: Western Power Locked Bag 2511 Perth WA 6001		
Summary of Submission		Staff Comment	
No objection to the proposal.		Noted.	
The costs of any changes to the existing power system, if required, will be the responsibility of the individual developer.		Noted.	

20	Name and Postal Address: Department of Indigenous Affairs PO Box 7770 Cloisters Square Perth WA 6850		
Summary of Submission		Staff Comment	
Comment on the proposal.		Noted.	
20.1 The land for development does not contain any registered sites. However, as the register contains information for areas surveyed for heritage values this statements is of limited utility.		Noted.	
20.2 It is recommended that the City commission a heritage survey for the LGA to provide guidance and recommendations for future development. Such an initiative would reduce risk and exposure to litigation. Research on heritage values often proves to be a great asset to sustainable development and quality of life aspects.		Noted, although no such city-wide survey is planned at this point in time.	

21	Name and Postal Address: Department of Planning and Infrastructure Strategic Biodiversity Planning 469 Wellington Street Perth WA 6000		
Summary of Submission		Staff Comment	
No objection to the proposal.		Noted.	
21.1 The proposal is outside the boundary of Bush Forever area 246 – Canning and Southern Rivers, Beckenham to Martin/Kelmscott. As such Strategic Biodiversity Planning has no objections to the above ODP.		Noted.	

Summary of Submission	Staff Comment
21.2 Please note that all stormwater resulting from the proposal should be contained on site. The Swan River Trust and the Department of Environment and Conservation should be consulted to ensure the nearby Canning River is not negatively impacted upon.	Noted. Where stormwater drainage cannot be contained on site, it will need to be discharged into the upgraded drainage network.



DISCUSSION

Modifications to the Proposed Yule Brook Precinct 1 ODP

Following consideration of submissions received during advertising, staff will recommend the following minor modifications be made to the advertised ODP. A modified ODP, incorporating these recommended changes, is attached as Appendix 13.5.2B.

Recommended Modification		Reason/Comment
1.	Additional drainage information being shown on the plan.	To more clearly depict the existing, upgraded and new drainage locations and specification.
2.	Inclusion of additional provisions under General Requirements.	To provide guidance on and to address the following matters raised through advertising and further staff assessment of the ODP: • Interface with Albany Highway. • Waste collection. • Filling of land. • Storm water drainage disposal methods. • Consolidated access from Albany Highway.
3.	Inclusion of an additional provision under Area 1 requirements.	To provide guidance as to where the storm water drainage will be disposed.
4.	Inclusion of an additional provision under Area 2 requirements.	To provide an additional drainage option for new drainage infrastructure along Albany Highway.
5.	Inclusion of an additional provision under Area 3 requirements.	To provide guidance as to where the storm water drainage will be disposed.

CONCLUSION

The proposed Central Maddington Sub-Precinct E ODP, with modifications, provides a framework for orderly and proper planning of that area. It will therefore be recommended that Council adopt the modified Central Maddington Sub-Precinct E ODP attached as Appendix 13.5.2B.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION (1 of 2) AND COUNCIL RESOLUTION

335 Moved Cr B Wiffen Seconded Cr C Fernandez

That Council, pursuant to clause 7.4.7(a) of Town Planning Scheme No. 6 note the submissions received in respect of the proposed Central Maddington Sub-Precinct E Outline Development Plan and endorse the staff comments in response to those submissions and adopt the modified plan attached as Appendix 13.5.2B, and refer it to the Western Australian Planning Commission for approval in accordance with clause 7.4.9 of the Scheme.

CARRIED 9/0

FOR: Cr D Griffiths, Cr B Wiffen, Cr S Iwanyk, Cr J Brown, Cr C Fernandez, Cr W Barrett, Cr P Morris, Cr L Griffiths, and Cr O Searle.

AGAINST: Nil.

STAFF RECOMMENDATION (2 of 2) AND COUNCIL RESOLUTION**336 Moved Cr B Wiffen Seconded Cr C Fernandez**

That Council advise all submitters and landowners of its decision in respect of the Central Maddington Sub-Precinct E Outline Development Plan.

CARRIED 9/0

FOR: Cr D Griffiths, Cr B Wiffen, Cr S Iwanyk, Cr J Brown, Cr C Fernandez, Cr W Barrett, Cr P Morris, Cr L Griffiths, and Cr O Searle.

AGAINST: Nil.

12. MINUTES OF COMMITTEE MEETINGS

Nil

13. REPORTS

Nil

13.1 CHIEF EXECUTIVE OFFICER'S REPORT

Nil

13.2 COMMUNITY ENGAGEMENT

Nil

13.3 CORPORATE SERVICES

13.3.1 PAYMENT OF ACCOUNTS

Author: L Blair
Previous Ref: Nil
Appendix: Nil

PURPOSE OF REPORT

To advise Council of payments made for the period 1 June 2008 to 30 June 2008.

DISCUSSION

Payments of \$8,708,041.20 as detailed in the cheque and EFT payment listing for the period 1 June 2008 to 30 June 2008 which was circulated to Councillors under separate cover and will be tabled at the meeting, have been approved by the Director Corporate Services under delegated authority.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

337 Moved Cr L Griffiths Seconded Cr B Wiffen

That Council note the payment of accounts as shown in the cheque and EFT payment listing for the period 1 June 2008 to 30 June 2008.

CARRIED 9/0

FOR: Cr D Griffiths, Cr B Wiffen, Cr S Iwanyk, Cr J Brown, Cr C Fernandez, Cr W Barrett, Cr P Morris, Cr L Griffiths, and Cr O Searle.

AGAINST: Nil.