

Development & Infrastructure Services Committee Meeting

Minutes for 8 June 2015

UNCONFIRMED



**shire of
kalamunda**

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MINUTES

1.0 OFFICIAL OPENING

The Presiding Member opened the meeting at 6.29pm, and welcomed Councillors, Staff and Members of the Public Gallery.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Sue Bilich	(Shire President) North Ward
Margaret Thomas JP	North Ward
Simon Di Rosso	(Presiding Member) North Ward
Allan Morton	South West Ward
Justin Whitten	South West Ward
Geoff Stallard	South East Ward
John Giardina	South East Ward
Frank Lindsey	South East Ward
Andrew Waddell JP	North West Ward
Dylan O'Connor	North West Ward
Vacant	North West Ward

Members of Staff

Gary Ticehurst	Acting CEO/Director Corporate Services
Warwick Carter	Director Development Services
Dennis Blair	Director Infrastructure Services
Darrell Forrest	Manager Governance
Nina Lytton	Acting Manager Development Services
Donna McPherson	Executive Research Officer

Members of the Public 5

Members of the Press 1

2.2 Apologies

Councillors

Noreen Townsend South West Ward

Members of Staff

Rhonda Hardy Chief Executive Officer

2.3 Leave of Absence Previously Approved

Nil.

3.0 PUBLIC QUESTION TIME

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this Committee. For the purposes of Minuting, these questions and answers are summarised.

3.1 Nil.

4.0 PETITIONS/DEPUTATIONS

4.1 Nil.

5.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 That the Minutes of the Development & Infrastructure Services Committee Meeting held on 11 May 2015 are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Frank Lindsey**

Seconded: **Cr Andrew Waddell**

Vote: **CARRIED UNANIMOUSLY (10/0)**

6.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

6.1 Nil.

7.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

7.1 Nil.

8.0 DISCLOSURE OF INTERESTS

8.1 Disclosure of Financial and Proximity Interests

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Sections 5.60B and 5.65 of the *Local Government Act 1995*.)
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the *Local Government Act 1995*.)

8.1.1 Nil.

8.2 **Disclosure of Interest Affecting Impartiality**

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

8.2.1 **Item 24. Municipal Heritage Inventory 2015 - Final Adoption**
Cr Margaret Thomas declared an interest affecting impartiality as she owns property included on Municipal Heritage Inventory.

9.0 **REPORTS TO COUNCIL**

Please Note: declaration of financial/conflict of interests to be recorded prior to dealing with each item.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

Mr Brian Drury of 180 Mitchell Road in Bickley spoke against the Recommendation. A question from Mr Drury was taken on notice.

Dr Paul Waldrige of 146 Williams Street in Gooseberry Hill spoke against the Recommendation. A question from Dr Waldrige was taken on notice.

Ms Penelope Price of 172 Lesmurdie Road in Lesmurdie spoke against the Recommendation.

24. Municipal Heritage Inventory 2015 - Final Adoption

Previous Items	D&I 34/2014
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	PG-HRG-004
Applicant	Shire of Kalamunda
Owner	Various
Attachment 1	Plan depicting the location of places on the Municipal Heritage Inventory 2015
Attachment 2	Proposed final Municipal Heritage Inventory 2015
Attachment 3	Summary of submissions

PURPOSE

1. To consider final adoption of the Municipal Heritage Inventory 2015 (MHI). Refer Attachment 2.

BACKGROUND

2. Land Details:

Land Area:	Various land within Shire of Kalamunda
Local Planning Scheme Zone:	Various – Refer Attachment 1
Metropolitan Regional Scheme Zone:	Various

3. The *Heritage of Western Australia Act 1990* (the Act) requires all local government authorities in Western Australia to compile, and periodically review, a MHI of buildings within its district which are, or may become of cultural heritage significance.
4. The Shire's current MHI was prepared by the Kalamunda and Districts Historical Society and adopted in 1997. Since this time, significant changes have occurred which has meant that several of the places included on the MHI have been substantially altered or demolished. In addition, a MHI should now be compiled in accordance with the State Heritage Office publication 'Criteria for the Assessment of Local Government Places' which outlines the process of evaluating and categorising heritage places.

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5. A review of the current MHI is also important as Part 7 of the Shire's Local Planning Scheme 3 (the Scheme) contains provisions relating to Heritage Protection and specifies that the Local Government is to establish and maintain a Heritage List to identify those places worthy of conservation. Clause 7.1.2 of the Scheme goes further to outline that in preparation of the Heritage List, the Local Government is to:
- (a) Have regard to the municipal inventory prepared by the Local Government Pursuant to Section 45 of the *Heritage of Western Australia Act 1990*.
 - (b) Include on the Heritage List such of the entries on the municipal inventory as it considers to be appropriate.
6. In 2012 the Shire engaged Hocking Heritage Studio to assist with the review, and to ensure that a comprehensive and up to date draft inventory was prepared. The following places were considered as part of the review:
- All of the 176 places included on the 1997 MHI;
 - All of the 72 places that were nominated for the 1997 MHI but not included at the time; and
 - 38 places which were nominated by members of the public in 2012 after Shire staff advertised for nominations of heritage significant places. On review, several of these sites were duplicates of places already being assessed.
7. On 23 June 2014, Council considered the draft MHI and resolved to endorse the draft document for a 60 day consultation period which included notification to all affected landowners and an open information day. More details of the consultation period are provided in the 'Community Engagement Requirements' section of this report.

DETAILS

8. MHI adopts a new method of categorising heritage places which includes allocating one of the four below management categories to each. These management categories correspond to the 'levels of significance' which the State Heritage Office recommend be applied to each item on a MHI.
1. Exceptional significance – Essential to the heritage of the locality. A rare or outstanding example.
Desired outcome: the place should be retained and conserved. Any alterations or extensions should reinforce the significance of the place and be in accordance with a conservation plan (if one exists).
 2. Considerable significance – Very important to the heritage of the locality. High degree of integrity/authenticity.
Desired outcome: conservation of the place is highly desirable. Any alterations or extensions should reinforce the significance of the place.
 3. Some/Moderate significance – Contributes to the heritage of the locality. Has some altered or modified elements, not necessarily detracting from the overall significance of the item.

Desired outcome: conservation of the place is desirable. Any alterations or extensions should reinforce the significance of the place, and original fabric should be retained wherever feasible.

4. Little significance – A place or historic site which makes some contribution to the heritage of the locality.
Desired outcome: photographically record prior to major development or demolition. Recognise and interpret site if possible.
9. With the exception of some editorial modifications and additional details as a result of the submissions received, the final MHI is largely the same as the version which was advertised for public comment. The proposed final MHI 2015 consists of 204 places- 18 Category 1 places, 48 Category 2 places, 82 category 3 places and 58 Category 4 places (Carmel Adventist College has different listings across 3 categories). It is ultimately intended for the Category 1 and 2 places to be compiled into the Shire's Heritage List which will be linked to the Scheme. Consideration to a Heritage List will occur through a separate planning process following on adoption of the MHI.

STATUTORY AND LEGAL CONSIDERATIONS

10. The *Heritage of Western Australia Act 1990* (the Act) requires all local government authorities in Western Australia to compile, and periodically review and update, a Municipal Inventory of places within its district which are, or may become of cultural heritage significance.
11. The MHI itself has no legislative consequences for the owners of properties. Rather, it will inform the preparation of the Heritage List containing places of the highest cultural significance in accordance with Clause 7 of the Scheme.

POLICY CONSIDERATIONS

12. The requirements of the Act are reinforced through State Planning Policy 3.5 – Historic Heritage Conservation.

COMMUNITY ENGAGEMENT REQUIREMENTS

13. Following Council's resolution on 23 June 2014, the draft MHI was advertised for a 60 day consultation period which concluded on 22 September 2014. The draft MHI was advertised by way of advertisement in local newspapers, on the Shire's website, by writing to the owners of affected properties, and through an information open day which was held on 20 August 2014 at the Zig-Zag Cultural Centre.
14. A total of 13 submissions were received on the draft MHI which are summarised in Attachment 3 and addressed by the heritage consultant and the Shire. Six submissions were objections by the owners to the inclusion of particular properties on the MHI due to the perceived negative impact this would have on the value of a property or how the property could be used.

15. As a result of the submissions and subsequent review by the heritage consultant, one of the properties has been excluded from the MHI and one has been re-categorised from Category 2 to Category 3. The other 4 properties, subject to the objections to the inclusion from the owners, have been considered by the consultant to be appropriate to be included in the MHI. Three of them have been included as Category 3 and one as Category 4.
16. The concerns raised by the landowners to the inclusion of their properties on the MHI as either Category 3 or Category 4 are noted. It should be noted, however, that MHI has no statutory weight and the recommendations assigned to the categories are not binding. Furthermore, categories 3 and 4 are unlikely to be included once the Heritage List under the LPS3 is compiled.
17. In the course of the engagement with the landowners, it was stated that the Shire's preference was to obtain the full support of all the landowners of the nominated places, however, it was the Shire's expectation that places that are considered as having heritage significance should be included on the Municipal Heritage Inventory. Therefore, those properties that were assessed as appropriate to be included in the MHI, were not removed from the MHI.
18. Other submitters on the MHI provided additional information on their properties, or provided comments where they thought information in the MHI may be incorrect. The Shire in consultation with the heritage consultant has reviewed this information and incorporated some of it into the final version of the MHI. Some submissions were particularly detailed and it was not possible or appropriate to include all the information provided in the MHI.
19. One submission proposed a number of places to be included in the MHI that were either of Aboriginal or environmental significance. *The Heritage Act* does not include Aboriginal Heritage Sites which are protected under the *Aboriginal Heritage Act*. Places of environmental significance are also separately protected under the *Environmental Protection Act*. It is noted that heritage places may have layers of significance relating to aboriginal or environmental values however the sites mentioned in the said submission seem to relate specifically to either Aboriginal or environmental significance.

FINANCIAL CONSIDERATIONS

20. Heritage consultant's work on the MHI review has been financed from the Strategic Planning Area allocated budget.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

21. *Kalamunda Advancing: Strategic Community Plan to 2023*
Strategic Priority 4: Kalamunda Develops
Objective 4.4 – To enhance and protect the historic heritage of the Shire.

Strategy 4.4.1 – Continue to support the preservation of historic sites and buildings through the ongoing review and maintenance of the Shire's Municipal Inventory Register.

SUSTAINABILITY

Social Implications

22. Adoption of the Shire's MHI will provide the community with the information of those places which create a cultural and historic record of the Shire.

Economic Implications

23. The MHI is merely a record keeping tool for places which are, or may become of cultural heritage significance. Inclusion of a property on the MHI will not impact on its value, management or insurability.

Environmental Implications

24. Nil.

RISK MANAGEMENT CONSIDERATIONS

25.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Council may resolve not to adopt the Municipal Heritage Inventory.	Unlikely	Minor	Low	Make sure Council is aware of the requirements for a Municipal Heritage Inventory to be prepared under the <i>Heritage of Western Australia Act 1990</i> .

OFFICER COMMENT

26. The MHI has now been reviewed in accordance with the submissions received. Shire staff consider the final MHI to be a comprehensive record of cultural heritage places within the Shire. In addition to meeting the requirements of the Act, an up-to-date and comprehensive MHI can assist the Shire to:

- Provide a cultural and historic record of the district;
- Inform the future heritage list which will be incorporated into the Scheme and linked to a local planning policy which guides the management and preservation of heritage places; and
- Achieve the heritage conservation objectives of town planning in the State.

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27. Noting the concerns of some landowners regarding the inclusion of their properties on the MHI, those relate to the categories of moderate and low significance and it is therefore considered unlikely that the properties will be included on any future Heritage List. Accordingly, their inclusion on the MHI will have no impact on their usage of their property.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 24/2015)

That Council:

1. Adopts the final Municipal Heritage Inventory 2015 included as Attachment 2.
2. Forwards the Municipal Heritage Inventory 2015 to the State Heritage Office for inclusion on their database of heritage places.

Moved:

Seconded:

Vote: **LAPSED**

The Officer Recommendation did not receive a mover and therefore **LAPSED**. An alternative motion was proposed to accommodate objections from the public. This motioned was moved and seconded before being put to a vote.

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 24/2015)

That Council:

1. Adopts the final Municipal Heritage Inventory 2015 included as Attachment 2 except for those properties where the owners have lodged a formal objection.
2. Forwards the Municipal Heritage Inventory 2015 to the State Heritage Office for inclusion on their database of heritage places.

Moved: **Cr Andrew Waddell**

Seconded: **Cr Frank Lindsey**

Vote:

For

Cr John Giardina
Cr Frank Lindsey
Cr Geoff Stallard
Cr Allan Morton
Cr Justin Whitten
Cr Andrew Waddell
Cr Simon Di Rosso

Against

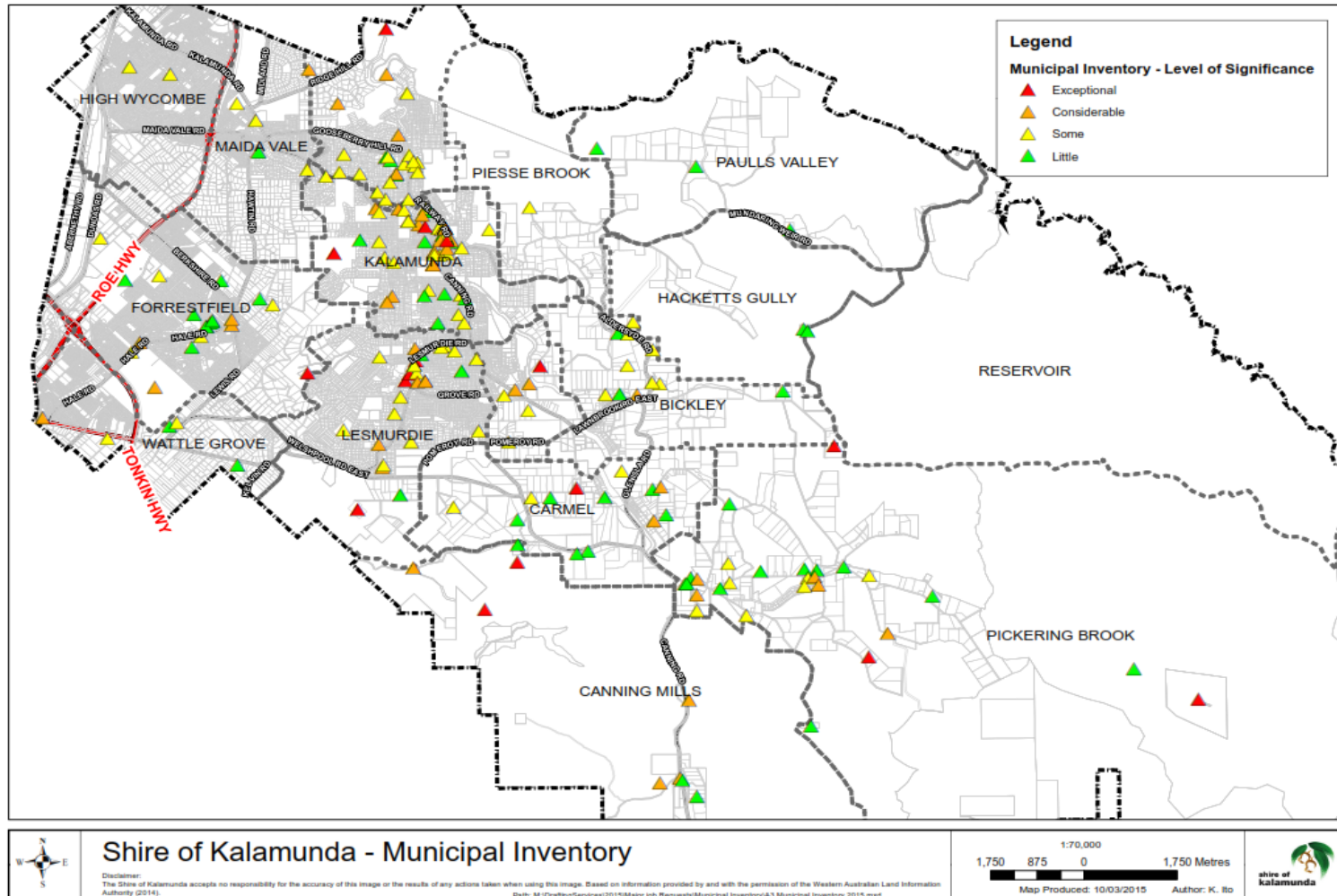
Cr Dylan O'Connor
Cr Sue Bilich
Cr Margaret Thomas

CARRIED (7/3)

Attachment 1

Municipal Heritage Inventory 2015 – Final Adoption

Plan Depicting the Location of Places on the Municipal Heritage Inventory 2015



Attachment 2

Municipal Heritage Inventory 2015 – Final Adoption

Proposed final Municipal Heritage Inventory 2015

[Click here for Attachment 2](#)

Attachment 3
 Municipal Heritage 2015
Submission Table

Details	Comment	Consultant Comment	
<p>1.</p>	<p>Ron Allan 11 & 12 Parke Road, Gooseberry Hill</p>	<p>Support</p> <p>A. We have lived in 11 Parke Road for 23 years and we were advised that it dates from about 1919, but it has been extended and modernised into a larger family home, but it still retains many original features. We understand that the house was owned by a daughter of the original Stirk family, whose daughter and husband (the Hutchensons) built the next door stone house at 5 Parke Road.</p> <p>B. We bought the house diagonally across the road in 2000 at 12 Parke Road and consider that it contains many significant features and would be seen as having heritage value. We were advised that the house was built prior to the 1st World War, with the pressed steel ceiling being imported from Germany. They are of an attractive 'European' design with cherubs in the ceiling/roses/ vents in a lattice pattern. The weatherboard house is of an attractive cottage style and is largely original with internal timber dados, sliding sash windows, timber panel doors with the original locks and knobs and jarrah floor boards. We have over the years carried out extensive maintenance and the property is well presented, though it was quite badly damage by white ants when we purchased the property in</p>	<p>A. This information is relevant to place No. 135, 5 Parke Road. It does not change the management category or level of significance.</p> <p>B. The following information can be added to the historical notes section at the end of the second paragraph.</p> <p><i>It is understood that the Stirk family also owned the property to the west, 11 Parke Road, which was built at approximately the same time.</i></p> <p>Include in Main Sources: <i>Information from Gooseberry Hill residents</i></p>

		2000. Should you consider that our houses would be of interest to your register, I would be pleased to show you around I can be contacted by email or landline.	
2.	Maureen Moffett 75 Moffett Road, Carmel	A. Please confirm the meaning of FMR does it mean former? In which case the home is still owned by the Moffett family although no family members currently reside there.	A. FMR does refer to former. As the property and the house are still associated with the Moffett family and they were the original occupiers we would recommend dropping the (fmr) and just naming the place, <i>Moffett's Home</i> . All other references/databases to be updated.
3.	Brian Jury 180 Mitchell Road, Bickley	Object A. I am the owner of the property and do not wish to have it included on the inventory. I object to its inclusion and I don't believe I need to provide any reason for the objection. In 1997 I was given a form whereby I could consent or object. I objected and as far as I'm aware the property was not included.	Noted A. This property was listed in the Stage 2 of the original MHI and did not make the final list. As such, it formed a part of the current review. The physical assessment of the property was not possible due to the consultant's inability to access the site. Based on the information available, the property has been assessed as appropriate for inclusion in the MHI as a Category 3. Inclusion on the Municipal Inventory of Heritage Places at a Category 3 does not imply inclusion on the Heritage List and the subsequent inclusion in the Town Planning Scheme.

<p>4.</p>	<p>Rev Dr Jim Sparks 70 Sheffield Road Wattle Grove</p>	<p>Object</p> <p>A. The church building itself this is located at 20 Puddy Lane, Wattle Grove (Formerly 506 Welshpool Road East). I am writing to inform you that at a meeting of the church leadership group, it was unanimously agreed that it is our preference and desire that our church building not be including in such list. Even though the church building is of very great importance to us as a congregation, and even though we appreciate your assurances in the brochure, we remain concerned that the inclusion on the Shire's list is simply the first step to the inclusion on the State Heritage Register and should the one day arise, the buildings demolition and replacement.</p> <p>B. Consequently we do not support the inclusion, and would be most grateful to you if that building was removed from this list.</p>	<p>Noted</p> <p>A. It has been demonstrated through the provision of additional information and a more detailed inspection that Wattle Grove Baptist Church has undergone several programs of alterations and additions. Nevertheless the original form of the building is clear and its ongoing use as a place for worship and social events makes it valued in the community.</p> <p>B. The inclusion of the place on the Shire of Kalamunda Municipal Inventory of Heritage Places is supported. It is recommended that the management category be altered to Category 3 because of the loss of original fabric. Inclusion on the Municipal Inventory of Heritage Places at a Category 3 does not imply inclusion on the Heritage List and the subsequent inclusion in the Town Planning Scheme.</p>
<p>5.</p>	<p>Name & Address withheld 47 Recreation Road, Kalamunda</p>	<p>Object</p> <p>A. I am the registered proprietor and Trustee of the fee simple of a house and land at 47 Recreation Road, Kalamunda. The surviving equitable life tenant is a seriously medically and socially disadvantaged aged pensioner. It is my duty as trustee to manage the trust for the sole benefit of the surviving life tenant. Inclusion of a place on the MHI adversely affects the value of the place and therefore potentially financially and socially disadvantages the surviving</p>	<p>Noted</p> <p>A. This property was listed in the Stage 2 of the original MHI and did not make the final list. As such, it formed a part of the current review. Based on the information available, the property has been assessed as appropriate for inclusion in the MHI as a Category 3. Inclusion on the Municipal Inventory of Heritage Places at a Category 3 does not imply inclusion on the Heritage List and the</p>

		tenant. My duty is to therefore oppose inclusion of 47 Recreation Road, Kalamunda on the Municipal Inventory at this time.	subsequent inclusion in the Town Planning Scheme.
6.	Gary & Joan Proctor 7 Croxton Road, Piesse Brook	<p>Object</p> <p>A. We have doubts about the eligibility of our property for listing given the following facts:</p> <ul style="list-style-type: none">• The building is a small wooden 2 bedroom cottage with a front verandah. It is not unique in fact there are many in the area. The architectural value would be zero. Preserving the building for cultural heritage reasons is a joke.• Who was this Mr Croxton? All we know is that he came to the area in 1896 from Victoria and was a Council worker who bought 3 blocks of land in Piesse Brook and built a shack. That is hardly enough to give him historical significance. We assume Croxton is already named after him or a relative of his. <p>We have been through this process before and it was decided that our property was not of such significant heritage value to put on the list. We strongly object, please take our property off the list and keep it off.</p>	<p>Noted</p> <p>A. Upon review, the consultant recommended that this place not be included in the MI.</p>

<p>7.</p>	<p>Susan Fletcher 23 Rootes Road, Lesmurdie</p>	<p>A. The following information relates to 23 Rootes Road, Lesmurdie:</p> <p style="padding-left: 40px;">Place name: Philip's Residence 1919-1963 Wilson's Residence 1964-1985 (Lila Wilson (Philip) and her husband Alf Wilson). The front 1 and ½ acres on Lesmurdie Road was owned by Charles Reid Philip (Junior)(dec. Feb 1988) and his wife Eileen from 1946 until the early 2000's. Over 90 years of Philip's ownership on the original property.</p> <p style="padding-left: 40px;">Other names: It was only ever called 'Bennochy' and was after the name of the road in which Euphemia Clark (later Philip) had lived in Kirkaldy, Fife Scotland.</p> <p style="padding-left: 40px;">Historical information:</p> <ul style="list-style-type: none"> • This home was built in 1903 by the Skinner Family and lived in by them until 1919. It was purchased late 1919 by Charles Reid Philip (senior)(1889-1963) and his wife Euphemia (Effie) Moyes Philip (nee Clark) (1888-1962). • The cottage was originally 2 rooms and a small veranda at the front (now the side). Mr Philip added a veranda/kitchen on the other side and small storage room when the family grew. In 1938 a further two large rooms were added 	<p>A. Remove Other Name Bannocky</p> <p>Replace Historical information with the following;</p> <p><i>This home was originally a two roomed cottage with a verandah built in 1903 by the Skinner family and occupied by them until 1919. It was then purchased by Charles Reid Philip Snr (1889-1963) and Euphemia (Effie) Moyes Philip (nee Clark) (1888-1962). Charles Philip was born in Scotland and migrated to Australia in the 1910s and served in the AIF during WWI. In 1918, he married Effie Clark in Scotland and the couple returned to Australia, eventually settling in Walliston with Charles' cousin, William Hull Logie until purchasing the Lesmurdie property. Charles Philip became a successful orchardist and the couple had two children, Charles Reid, Jnr and Lila. They named the property 'Bennochy' after the road in Kirkaldy, Fife Scotland on which Effie Clark had formerly lived. During the occupancy of the cottage by the Philip family a verandah/kitchen was added followed by a small storage room and in 1938 two further rooms were added across the front of the cottage, including a bay window.</i></p> <p><i>Charles and Effie lived at the cottage until their deaths in the 1960s. Charles Philip Jnr,</i></p>
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		<p>across the front of the house including a bay window.</p> <ul style="list-style-type: none">• Charles Reid Philip (Senior) had been born in County Fife in Scotland and migrated to Australia early in the 1910's and fought for Australia at Gallipoli on Anzac Day 1915. He married at the end of the war (1918) in Scotland and came back to live with Effie in South Australia and moved to Walliston to live with his cousin William Hull Logie until a house became available in 1919.• They became part of the community and learnt to be orchardists and planted the orchard learning from those around who shared their knowledge of the fruit growing industry. They also reared poultry with the help of their daughter Lila after she returned from the War.• In the 1940's their son Charles Reid Philip (Junior) was given 15 acres of orchard and his sister Lila Philip was given 5 acres and the house, which her parents lived in until their deaths in the 1960's. About 1950's Charles Reid Philip (Junior) split off 1- 1/2 acres of his orchard land for a house block and ran for many years the Range View Dairy (actually a milk Depot for Lesmurdie when bottled milk became available).• Charles (Senior) and Effie Philip remained living on the orchard until their deaths in 1962 and 1963. Charles Reid Philip (Junior) and his wife kept an eye on them until their deaths as they all still lived on the original block of land.• In 1948 Lila Philip married Alfred Wilson of Kalamunda and after travelling around Australia with the RAAF they returned to Lesmurdie to take	<p><i>continued to manage the majority of the property as an orchard and from the 1950s also operated the Range View Dairy from the site.</i></p> <p><i>Following the deaths of her parents, Lila Wilson, nee Philip, and her husband Alfred Wilson took up occupancy of the cottage until 1985 when the property was sold for subdivision.</i></p> <p>Main sources Include <i>Information from current owners</i></p>
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		up residency at the old Philip Homestead in March 1964. They stayed on the property until 1985 when it was sold for sub-division.	
8.	Sabina Alban 19 Repatriation Road, Pickering	<p>Object</p> <p>A. It is requested that the former Marchetti house located at 19 Repatriation Road and owned by Mrs Maria Furfaro (No 161 on the proposed MHI) is removed from all heritage listings.</p>	<p>Noted</p> <p>A. This property has been listed on the original MHI as Category D and has been assessed as being appropriate to be listed on the reviewed MHI as correspondent Category 4 Inclusion on the Municipal Inventory of Heritage Places at a Category 3 does not imply inclusion on the Heritage List and the subsequent inclusion in the Town Planning Scheme.</p>
9.	Anne and Paul Woolrich 146 Williams Street, Gooseberry Hill	<p>Object</p> <p>A. It is requested that 146 Williams Street, Gooseberry Hill be removed from the MHI. This home was not on the MHI when we purchased it and therefore see no reason why it should be included without our consent. We feel this inclusion would result in our property being devalued and at the very least more difficult to sell.</p>	<p>Noted</p> <p>A. This property was listed in the Stage 2 of the original MHI and did not make the final list. As such, it formed a part of the current review. Based on the information available, the property has been assessed as appropriate for inclusion in the MHI as a Category 3. Inclusion on the Municipal Inventory of Heritage Places at a Category 3 does not imply inclusion on the Heritage List and the subsequent inclusion in the Town Planning Scheme.</p>

<p>10.</p>	<p>Gay Bridgement Kalamunda & Districts Historical Society PO Box 121 Kalamunda WA 6926</p>	<p>Support</p> <p>A. The Society is pleased that the Shire has undertaken a review of this most important record of heritage places within our community and has met the aims of the review process.</p> <p>B. The following comments are on listings found in the document and require clarification or correction.</p> <ul style="list-style-type: none"> • The First Kalamunda Hotel: The photographs shown for this listing, include one of the Agricultural Hall • McCullagh Cottage and First Post Office: They are both located side by side in the Kalamunda History Village, as in their original siting on Railway Road (requires a new photo). • The 1903 and 1927 Station buildings and the platform are all listed under the National Trust as having high significance as original structures in situ. • Walliston and Wallis Family: John and Emma Wallis first property was on Canning Road, and called 'Orangedale' John worked as a police officer in Fremantle (not Carmel). He was first employed at Masons Mill, Carmel, as a carpenter and wheelwright before taking up land for agriculture. Emma Baked bread for mill workers and later was the unofficial district midwife. After John's death, Emma built a new house called 'Woodlands' on her property on Pomeroy Road. Wallis Siding on the railway line was east of 'Orangedale'. As 3 sons of John and Emma took up 	<p>A. Noted</p> <p>B. <u>The first Kalamunda Hotel - place 155</u> Remove image at bottom left in additional photographs.</p> <p><u>McCullagh Cottage - place 196</u> Amend final sentence in the historical notes for McCullagh Cottage as follows: <i>Until 1921, the first Kalamunda post office, was run by Mrs McCullagh from a small addition on the side of the cottage which is now also included in the History Village in its original position alongside the cottage.</i> <u>First Post Office – place 198</u> – amend final sentence in historical notes as follows. <i>This building was relocated to the history village in 1980 to its original position alongside the McCullagh cottage.</i> A new photograph is not considered necessary for the above two places but may be included if desired.</p> <p><u>Place 101</u> Replace second paragraph of historical notes with, <i>Fred Wallis was the second son of John and Emma Wallis who were the first settlers in the district in 1883. The three sons of John and</i></p>
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		<p>land holdings in the area, the area was named Walliston after the entire family, not just Levi, the eldest son.</p> <ul style="list-style-type: none">The item Woodlands and Grove of Trees: Emma Wallis and daughter Florence planted the original eucalypts on the Property named 'Woodlands' (i.e. caption is misleading - suggest leaving it as Grove of Trees on Pomeroy Road. <p>Note: above information taken from The Wallis Family Story publication and verified by descendants.</p> <p>St. Emilies purchased by the state government department of housing in 2010 (not 1910)</p> <p>Comment on Trees: Although inclusion of listed trees is very much welcomed there seem to be so few. About 10 or 12 years ago, the Shire maintained "A Significant Tree Register" of 2 x A4 pages of trees throughout the shire, with descriptions and brief comments. Can that document be found and checked for other significant trees to go into the Municipal Inventory.</p>	<p><i>Emma Wallis took up land in the area and the family were the origin of the name 'Walliston'.</i></p> <p>Main sources: Include Kalamunda and Districts Historical Society <i>The Wallis Family Story.</i></p> <p><u>Place 176</u> Replace historical notes with the following; <i>This simple cottage was built c1915 by Levi John Wallis (1874-1966). Levi's father, John Wallis established a large orchard named 'Orangedale' and was an active member of the local community as a representative on the Roads Board and the Fruitgrowers association. John and Emma Wallis were the first landholders in the district and had eight children. Three sons, including Levi, took up land in the district and the area was named 'Walliston' in recognition of the family's contribution.</i> <i>Levi Wallis was granted the land on which this cottage is located in 1895 and worked as a labourer and gardener in the district. He married Ada Morris in 1913 and the couple must have settled on this land soon after and built a basic shack to live in. This cottage was originally intended as a stable but the growing family moved in to it as apparently it was better than the shack. Levi and Ada had three children by 1916 and a fourth in 1921. Levi Wallis continued to work as a labourer finding work</i></p>
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			<p><i>with the Roads Board clearing roads and later he secured employment with the Railways. The house was occupied until 1978 and then fell into disrepair. The current owners undertook conservation works in 2005 and the place is currently [2013] used for accommodation.</i></p> <p>Main sources: Include Kalamunda and Districts Historical Society <i>The Wallis Family Story.</i></p> <p><u>Place 182</u> Replace paras 1 and 2 of Historical notes <i>John Wallis (1848-1911) and Emma Wallis (nee Green) (1852-1931) moved to Mason and Bird's Mill in Carmel in 1886-7 where John worked as a carpenter and wheelwright and Emma baked bread for the mill workers. Later Emma was the unofficial midwife for the district. John and Emma Wallis took up one of the first landholdings in the district and established an orchard which was named 'Orangedale'. The name of the suburb of Walliston honours John and Emma Wallis and their family of eight children. The area was also known as Wallis' Crossing, Wallis' Landing and 12 Mile Siding, and finally resolved as Walliston in 1915. John and Emma Wallis and their family all worked on the 'Orangedale' property. John Wallis was a successful orchardist and contributed to the community as a foundation</i></p>
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			<p><i>member of the Darling Range Vine and Fruitgrowers Association and was a member of the local Roads Board in 1906.</i></p> <p>Main sources: Include Kalamunda and Districts Historical Society <i>The Wallis Family Story</i>.</p> <p><u>Place 149</u> <u>Replace name as 'Pomeroy Road Avenue of Trees'</u></p> <p>Replace historical notes with the following: <i>This site was the home of Emma Wallis (nee Green) (1852-1931) who was widowed in 1911. She moved from her former home and orchard 'Orangedale' which she had established with her husband John Wallis to this property which she named 'Woodlands'. Emma built a new house at the Pomeroy Road property and with her with her daughter planted the Eucalypts on the property, the most spectacular of which now form an avenue either side of Pomeroy Road. Emma Wallis established a productive orchard at this property as well as a spectacular garden that was well known in the district. The gardens were chosen as the venue for local weddings and social events. The avenue of trees planted c1920 are a remnant of the former lush garden.</i></p>
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			<p>Main sources: Include Kalamunda and Districts Historical Society <i>The Wallis Family Story</i>.</p> <p><u>St Emilies place 94</u> Replace 2nd last para of historical notes with: <i>The Department of Housing purchased the property from the Sisters in 2010.</i></p> <p>The trees listed on the MHI have a historic significance.</p>
11.	Carrol Shannon Government of Western Australia Conservation Commission Block 11, 17 Dick Perry Avenue Kensington WA 6151	<p>Support</p> <p>A. I note that the assessment undertaken by the Shire of Kalamunda includes the following places of heritage significance as it relates to Conservation Commission vested lands, particularly Korung National Park, Lesmurdie Falls National Park and State forest No.7:</p> <ul style="list-style-type: none"> • Place No: 120 Victoria Dam; Korung National Park. • Place No: 121 Weston Grave; Korung National Park. • Place No: 138 Paul Hasluck's summer residence. • Place No: 170 Sam Burkhardts gold mine and shaft. • Place No: 12 Korung National Park. 	Noted

		<ul style="list-style-type: none"> • Place No: 19 Mundays Brook Diversion Channel Korung National Park. • Place No: 32 Carinya Forrestry Settlement Korung National Park. • Place No: 52 Lesmurdie Falls National Park or "Manning Falls. • Place No: 139 Bartons Mills Prison (ruins) Part State forest No.7. • Place No: 141 Smailes Mill site State forest. • Place No: 18 Jarrahdale State forest Canning Mills Townsite. <p>B. The Conservation Commission supports the Shire of Kalamunda's Work in recognising places of cultural heritage significance particularly as it relates to lands vested in the Conservation Commission. The Conservation Commission notes that in addition to meeting the requirements of the Heritage of Western Australia Act 1990, the Municipal Inventory can assist the Shire of Kalamunda to provide cultural and historic record and determine local government heritage conservation policies.</p>	
12.	Dr Alan L Hill 50 Girrawheen Drive Gooseberry Hill WA 6076	<p>Support</p> <p>A. After working with the Shire since 1991 on its Bushland Reserve Advisory Committee, the District Conservation Steering Committee and the Shire's Community Environment Advisory Committee until 2008 I am very keen to assist selection of important Kalamunda's natural landscape, indigenous heritage and European history sites included in 2014 on our Kalamunda municipal heritage list. The</p>	<p>Noted</p> <p>A. These nominations are best referred to Department of Aboriginal Affairs and Department of Environment and Conservation.</p>

		<p>sites I would like to nominate on the current update of listings are:</p> <ul style="list-style-type: none">• Munday Brook Village – the area of the described interaction October 1829 at the Beeloo Whadjug Nyoongar village on Munday Brook on the land adjacent to the Old Victoria Dam (Description published in ships surgeon Captain Thomas Braidwood Wilson's journal (Wilson, 1835), (Categories -Natural Landscapes and Waterway, Indigenous and European history).• Kalamunda's Bibbulmun Track Terminus (and Kalbamanup) on the crest of Boonooloo Hill, and an area containing the Dixon and Spring Road reserves, Jorgensen Park, Darling Range Regional Park and Kalamunda National Park (FJ McNamara, 1961), (Categories -Natural Landscapes and Waterway, Indigenous, and European history).• Kalamunda's Ridge Hill an area containing an area including the Gooseberry Hill National Park (Katta Mungara Wadjoo), Stathams Quarry, Gooseberry Hill Regional Open Space, the Ridge Hill reserves, Quenda Creek reserves, Toornart Brook reserves, Gooseberry Hill's Zig Zag and Railway/Williams Road rail reserves (north of Elizabeth St) an area described by Professor Walter Murdoch (1941) in My Bushfire and his son in law and daughter Professor Alex & Catherine King (1945) in the	
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		<p>classic Quenda Creek Natural history book Australian Holiday , written at their Girrawheen Drive cottage Glenmalure (Categories -Natural Landscapes and Waterway, Indigenous, and European history).</p> <ul style="list-style-type: none">• Paulls Valley's Beelu National Park (Booroloyne), the Quicke Farm (Lot 619, 929) and farm house Glendaruel, the sites of the Nyoongar stone arrangements (Quicke, 1979), and an area containing Booroloyne and Joobitch's initiation site and law ground (Bates, 1992)and most importantly the Dauingerup legend linked spring and clay area (near current gate) and Booroloyne corroboree and dance ground (described by surveyor JO Oxley, 1893 for Francis Smith as the one surveyed cleared patch before widespread clearing occurred in 1913), (Categories -Natural Landscapes and Waterway, Indigenous, and European history).• Forrestfield's Woodlupine (Woodapin) Brook reserve, a traditional path from near the Bursewood Island and the Causeway heading up towards the springs near Kostera Oval and the crest of Boonooloo Hill at the Bibbulmun track terminus. Note also the location of Woodapin Rd on the back of the hill. (Categories -Natural Landscapes and Waterway, Indigenous, and European history).• Forrestfield's Hartfield Park (Maamba) reserve (Bates, 1992). The wetland area links with the	
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		<p>Brixton Street nationally important wetland system. Hartfield Park was part of the Welshpool or Cannington Aboriginal reserve. There is a scarred tree. An important traditional corroboree held here was led by Joobitch and Monnop and was photographed in 1907 by Daisy Bates (Bates, 1907). The Hartfield Park wetlands area to the west and east of Tonkin highway, are classified conservation category wetlands. (Categories -Natural Landscapes and Waterway, Indigenous, and European history).</p> <ul style="list-style-type: none">• High Wycombe wetlands surrounding Nyoongar camp sites, adjacent to Poison Gully, Munday Swamp, other Airport Wetlands, and the Ollie Worrell Reserve. Hallam (1983) described the high land camp sites near Kalamunda's Poison Gully and Munday Swamp as extraordinary due to the presence of archaeological sites some having over 600000 artefacts. Schwede (1990) subsequently described this 29400 years of archaeological history nearby on the Helena River at Bellevue. The high lands adjacent to these turtle wetlands were recently used by Ollie Worrell an elder from the Worrell family with traditional links to the area and Gingin (O'Connor et al., 1989). The traditional camp sites Munday Swamp and adjacent wetlands (nationally important wetlands- Usbeck & James, 1993) remain in excellent condition for fauna. Kalamunda is lucky to have such extraordinary sites along Perth airport's east west boundary.	
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		(Categories -Natural Landscape Wetland and Waterway, Indigenous, and European history).	
13.	Richard and Rhonda Hill 51 Heidelberg Road, Bickley	<p>Support</p> <p>A. Provided detailed information about 51 Heidelberg road based on research that has been done since submitter has owned the property. Submitter is using this research to slowly restore the property.</p> <p>B. My husband and I purchased 51 Heidelberg Road, Bickley in 1997. Shortly after that I proceeded to try and research the history of our house, I made contact with Audry Murley (nee Palmateer) who came to visit and brought along her elder sister Dulcie Watson who sadly died not long after our meeting. Audry informed me immediately upon arriving that this house was never ever known as Heidelberg House and that the Meins had named it such when wanting to market the house for sale. She had apparently told them the same but they continued to use the Heidelberg name much to her disapproval. According to Audry and Dulcie it was known as Captain's Jones Place, Taffy's Place, or the Captain's Cottage which is the name we use (approved by Audrey when she was alive!).</p> <p>Dulcie was most informative about Thomas Jones and his family (owners from 1914 - 1925) as she was very good friends with the younger daughter Gladys (born 1900). She used to walk home from school with Gladys and her elder sister Ethel (born 1899) and of course stop outside of the</p>	<p>Noted</p> <p>A. <u>Noted</u></p> <p>B. <u>Place 81</u> Change name to Captain's Cottage</p> <p>Replace Historical notes with the following</p> <p><i>This residence was built c1914 by 'Captain' Thomas Jones, a shipwright. Thomas or 'Taffy' Jones assumed the name 'Captain Jones' and is believed to have been a Welshman although not a Captain. He built a simple three roomed cottage with a wash-house and earth closet outside.</i></p> <p><i>Thomas Jones spent many hours fitting out the cottage turned and carved timber joinery to simulate a ship's cabin. Although much admired for his skill as a craftsman, Thomas Jones was not well liked in the community and his wife, Addie and children worked hard in the orchard whilst he spent time on his woodwork. The cottage was acquired by Amy and Gwilym Lloyd in 1925 and they lived there until the 1940s. Later owners who undertook works at the cottage were the Murray family and the Meins family.</i></p> <p><i>During the 20th century the house has been added to but the present owners have discovered that much of the original detail has</i></p>

		<p>house on their way home to Heidelberg Estate as the track (now Heidelberg Road) went right past it. They were never allowed in and of course the moment Jones knew the girls were there, Dulcie said he would shout out to them to get in and go help their mother in the orchard while he stayed in carving away. Dulcie also stated that Mrs Jones (Addie) was never allowed to socialise and her only outing was to church on Saturday and for the eleven years that Dulcie knew her she wore the same dress to church each time which was made of a brown and grey striped material. She stated that the stories about "the Captain" (he was not one) were very true and he was extremely disliked in the community even though he was very well respected for his talent with woodwork. I read in some of the historical information from the locals that there was a son but I can only find reference of a baby boy (Herbert Edward) born to the Jones' in 1902 who sadly died at 5 months old while they were living in East Perth.</p> <p>The Lloyd family (Dorothy Bone, Laurie and June Lloyd and Trevor Lloyd) whose step-father/father purchased the cottage from Thomas Jones in 1925 have been very helpful with information regarding the house which is enabling us to slowly restore the cottage to near its original condition. I think in one of Carol Mansfield notes she stated that the Meins had built the lounge room and master bedroom. This is incorrect as the master bedroom was a sleep out where the 4</p>	<p><i>been covered over rather than replaced. Later additions by the current owners have been at the rear and side of the cottage.</i></p> <p><i>The cottage also has an extensive and well maintained garden which was largely established in the 1950s.</i></p> <p>Main sources: add in Information from current [2014] owners</p> <p>Additional Photos Add in a selection of the photographs supplied by the owners showing interior detail.</p>
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		<p>Lloyd sons slept in the 20s and 30s and on the south side was another sleep out where their parents slept. The Meins I gather "modernised" these rooms. I am not sure whether they enclosed the open kitchen on the south side or it was the Murrays who had bought the cottage in the 50s. We do know in the kitchen area that behind the pine panelling that (erected late 80s early 90s) there is jarrah shelving which we are hoping to expose next year. We also plan to re-instate the original doorway that has been closed up into the original lounge room leading from the kitchen and restore the original floor that is under the present 1990's floor. At some stage we will renovate the front hall ceiling (which we uncovered in early 2000) once we have researched the best way of restoring it. This area was boxed in by the Murrays in the 1950's as Mrs Murray told me that it was too high, draughty and dusty!!!</p> <p>The only extensions built on the house that I can after the 20s/30s is the covered hallway to then external bathroom/toilet and the ensuite bathroom and verandah that we have built on the eastern side of the house.</p>	
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Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

25. Proposed Detailed Area Plan – Lot 104 (246) Pickering Brook Road, Pickering Brook

Previous Items	Nil.
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	150497
Applicant	Landcorp
Owner	Landcorp

Attachment 1 Proposed Detailed Area Plan

PURPOSE

1. To consider whether to adopt a Detailed Area Plan (DAP) for Lot 104 (246) Pickering Brook Road, Pickering Brook. Refer to Attachment 1.

BACKGROUND

2. Land Details:

Land Area:	11,377 m2
Local Planning Scheme Zone:	Residential Bushland R2.5
Metropolitan Regional Scheme Zone:	Urban
Structure Plan Zone:	NA

Locality Plan

3.



4. An application to subdivide the lot into two was referred to the Shire in August 2014 by the WA Planning Commission (the WAPC). The Shire recommended deferral of the application until a bushfire management plan had been submitted and determined by the Shire.
5. In October 2014, the WAPC refused the application on the grounds that the subdivision was inconsistent with *State Planning Policy 3.4 – Natural Hazards and Disasters* and the *Planning for Bushfire Protection Guidelines – Edition 2*, and the approval for subdivision would set an undesirable precedent for further subdivision of other lots that are bushfire prone.
6. Following the refusal, the decision was appealed to the State Administrative Tribunal. It was determined through mediation that a DAP was considered an appropriate mechanism to meet the requirements of SPP 3.4 and *Planning for Bushfire Protection Guidelines – Edition 2*.
7. In March 2015, the WAPC reconsidered the application and resolved to approve it subject to conditions. A specific condition required the preparation of a DAP to address '*Building envelopes, vehicular access and the requirement a habitable buildings be constructed in accordance with AS 3959:2009 (as amended)*' to address potential bush fire issues.

DETAILS

8. A DAP is a document that provides design and development requirements in addition to or in replacement of those already required under the Shires Local Planning Scheme (LPS) No. 3. These requirements may be more or less restrictive than the prevailing standards, in this instance the LPS No. 3. No variations are proposed to the LPS No. 3 requirements and the DAP only references matters relative to bushfire risk.
9. The DAP proposes 300m² building envelopes for each lot, 20m building protection zones and a hazard separation zone along the southern boundaries. These measures are considered appropriate given the need to mitigate bushfire risk from the bushfire prone vegetation found to the south of the subject lot.
10. The DAP outlines design matters addressed in terms of any habitable buildings in accordance with AS3959 (as amended), where vegetation is to be removed and maintained and location of crossovers to provide effective vehicle access to and from the building envelopes.
11. In addition to meeting the LPS requirements, the DAP will act as an interim measure to impose the requirements outlined in the draft State Planning Policy 3.7 – *Planning for Bushfire Management*. The DAP will act as a mechanism to enforce AS 3959 over new development on the subject lots.

STATUTORY AND LEGAL CONSIDERATIONS

LOCAL PLANNING SCHEME NO.3

12. Clause 6.2.6 (Detailed Area Plans) of the Scheme makes provisions for a DAP to be prepared where it is considered to be desirable to enhance, elaborate or expand the details or the provisions contained in the Scheme or a Structure Plan.
13. Council is to either approve the DAP with or without conditions, or refuse to approve the DAP.
14. If adopted by Council, The DAP will be forwarded to the WA Planning Commission for its information. In the event that council refuses the DAP, there is a right of review (appeal) to the State Administrative Tribunal.

POLICY CONSIDERATIONS

State Planning Policy 3.1 – Residential Design Codes

15. Under Table 1 (General Site Requirements) of the R Codes the following provisions apply to residential developments on properties with a density coding of R2.5:
 - Minimum lot size – 4000 m²
 - Minimum Frontage - 40m
 - Minimum open space- 80%
 - Minimum primary street setback – 15m
 - Minimum secondary street setback – 7.5m
 - Minimum rear boundary setback – 7.5m
 - Minimum side boundary setback – 7.5m

Draft State Planning Policy 3.7 – Planning for Bushfire Risk Management

16. The draft SPP 3.7 – *Planning for bushfire risk management* intends to assist in reducing the risk of bushfire to people, property and infrastructure by taking a risk minimisation approach to development proposed in bushfire-prone areas. The objectives of the policy are as follows:
 - Facilitate the avoidance of placing people, property and infrastructure in areas of extreme bushfire risk.
 - Reduce vulnerability to bushfire through the identification and assessment of bushfire hazards and risk in decisions at all stages of the planning process, including strategic planning, regional and local planning schemes, and structure planning through to subdivision and development.
 - Ensure that subdivision, development and land-use proposals take into account bushfire protection requirements and include specified fire protection measures, especially over land that has or will have a moderate or extreme bushfire hazard level, and/or land where construction standards of BAL-12.5 and above apply.

- Achieve a responsible and balanced approach between bushfire risk management measures and landscape amenity and biodiversity conservation objectives.

Draft State Planning Policy 3.7 – Planning for Bushfire Risk Management Guidelines

17. The *Planning for Bushfire Risk Management Guidelines* have been prepared by the Western Australian Planning Commission (WAPC), and include information from the Department of Fire and Emergency Services (DFES). These Planning for Bushfire Risk Management guidelines applies to land which has been designated as bushfire-prone through the Fire and Emergency Services Commissioner (FES Commissioner) or designated as such in a legislative instrument.

A lot may be designated as bushfire prone:

- a) if the land is identified as bushfire-prone on a local government bushfire map approved by a resolution of Council and designated by the FES Commissioner; or
- b) if the land is not covered by a map in (1), but is identified as bushfire-prone on the State Bushfire-Prone Area Map prepared and designated by the FES Commissioner; or
- c) if the land is not covered by either a local government map in (1) or the State Bushfire Prone Area Map in (2), but is within 100 metres of an area of bushfire-prone vegetation equal to or greater than one hectare.

COMMUNITY ENGAGEMENT REQUIREMENTS

18. Nil.

FINANCIAL CONSIDERATIONS

19. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

20. *Kalamunda Advancing: Strategic Community Plan to 2023.*

OBJECTIVE 4.3 - To ensure that the Shires development is in accord with the Shire's statutory and legislative obligations and accepted urban design planning standards.

21. Strategy 4.3.1 – Provide efficient building and development approvals services to the community.

SUSTAINABILITY

Social Implications

22. Adoption of the DAP will ensure development is responsive to bushfire risk on the subject lot.

Economic Implications

23. Nil.

Environmental Implications

24. Subsequent clearing and removal of understorey vegetation will be required under AS 3959 leading to the reduction of vegetation currently found on the subject lot.

RISK MANAGEMENT CONSIDERATIONS

25.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Council may resolve to not support the proposal.	Unlikely	Minor	Low	Ensure Council is aware that the intent of the DAP is to mitigate bushfire risk, through higher construction standards.

OFFICER COMMENT

26. The function of the DAP is to ensure that all future development over the proposed subdivided lots will be in accordance with AS-3959 and are subject to a Bushfire Management Plan.
27. Adoption of the DAP will introduce specific design and construction standards necessary to mitigate potential bushfire risk. The provision of the DAP will also inform potential purchasers of the land to the variations to standard building requirements. It is recommended that Council adopt the DAP.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 25/2015)

That Council:

1. Adopt the proposed Detailed Area Plan (DAP) for Lot 104 (246) Pickering Brook Road, Pickering Brook, in accordance with clause 6.2.6(c) of Local Planning Scheme No. 3.
2. Forward the proposed Detailed Area Plan, once adopted, to the Western Australian Planning Commission for its information.

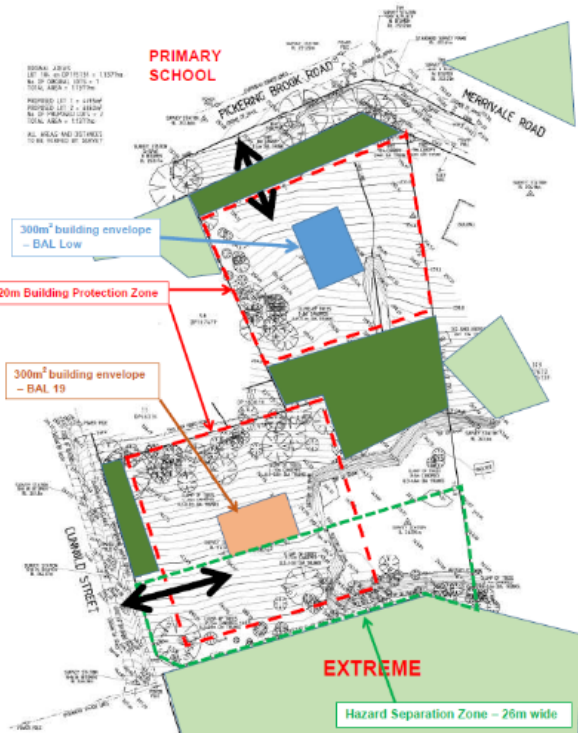
Moved: **Cr Frank Lindsey**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY (10/0)**

Attachment 1

Proposed Detailed Area Plan – Lot 104 (246) Pickering Brook Road, Pickering Brook. Proposed Detailed Area Plan



This Detailed Area Plan has been endorsed by Council under Clause 6.2.6 of Local Planning Scheme No. 3

Manager of Development Services
 Shire of Kalamunda

Date

DETAILED AREA PLAN
 LOT 104 (No. 246) PICKERING BROOK ROAD, PICKERING BROOK
 SHIRE OF KALAMUNDA

JOB REFERENCE: PICKE 2015-02-23 Lot104 DAP DATE 24 February 2015

PROVISIONS

The provisions addressed below relate to Lot 104 (No. 246) Pickering Brook Road, Pickering Brook and any subsequent lots created from Lot 104.

1. PLANNING

- 1.1 A Bushfire Management Plan has been prepared for Lot 104 and adopted by the Shire of Kalamunda. That Fire Management Plan identifies that Lot 104 is within a Bushfire Prone Area.
- 1.2 The existing vegetation upon Lot 104 represents an "Extreme" bushfire risk to any development(s) that may be undertaken on Lot 104 and to existing developments on lots immediately adjoining Lot 104.
- 1.3 For the purposes of clause 5.9.1(ii) of the Scheme, the area shown as the Building Protection Zone on the Plan shall constitute the building envelope(s) for any development undertaken on Lot 104 and future habitable development(s) shall maintain a 20 metre setback from the outer boundary of the designated Building Protection Zones.
- 1.4 Prior to any development being undertaken on Lot 104, the vegetation within the 26 wide Hazard Separation Zone shown on the Plan shall be removed and maintained thereafter in a low fuel state pursuant to the Bushfire Management Plan and the Shire of Kalamunda Bushfire Notice.
- 1.5 All vegetation within the Building Protection Zone shall be maintained in a low fuel state in accordance with the Bushfire Management Plan and the Shire of Kalamunda Bushfire Notice.
- 1.6 The Proponent shall demonstrate that any habitable building(s) constructed on Lot 104 has been designed and will be constructed in accordance with AS 3959:2009 and the required BAL level identified for the relevant Building Protection Zone, prior to a building permit being issued for the development by the Shire of Kalamunda.
- 1.7 To maintain an urban bushland setting, as viewed from the adjoining road network, the existing vegetation in the locations shown on the Plan shall be maintained in a reduced fire risk state.
- 1.8 The vehicle crossover(s) shall be built at the subdivider's cost prior to an additional lot being created from Lot 104 to the satisfaction of the Shire of Kalamunda.

2. NOTIFICATION TO PROSPECTIVE PURCHASERS

- 2.1 A Section 70A Notification is to be placed on the title for Lot 104 which is affected by this Detailed Area Plan, advising that Lot 104 is located within a Bushfire Prone Area.

3. ADVICE NOTE

- 3.1 Variations to any provision contained in this Detailed Area Plan will only be considered by the Shire of Kalamunda when the applicant can demonstrate at the Planning and Building application stage(s) that the objectives and the relevant provisions of AS3959:2009 can still be achieved.
- 3.2 The Shire of Kalamunda shall have regard to SPP 3.4, SPP 3.7 (currently in draft format) and any legislative changes when considering an application for planning approval to develop Lot 104.



LANDCORP

SCALE: NTS

10.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 Nil.

11.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

11.1 Nil.

12.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

12.1 D&I Meeting 11 May 2015 – Report Item 21 – Review of Planning, Building and Council Policies – (Cr Waddell)

The following questions were asked at Report Item 21 and additional comment is presented for Councillors information.

Q1. Was any consideration made for when sea containers are used for advertising purposes and whether this would be a prohibited usage?

A1. Planning approval is required for all types of signage on private property, unless specifically exempted under Schedule 5 of the Local Planning Scheme No. 3 (e.g. for real estate signs).

Where a sea container is placed and used for advertising purposes, this would require the Shire's prior planning approval and be considered against the general objectives of the LPS 3 and considerations would include, amongst other matters, the preservation of amenity of the locality.

Given this matter more accurately relates to the display of advertising, this is an item that would be most appropriately be addressed under the Shire's Signage Local Planning Policy.

Q2. Regarding DEV14, when there is a boundary retaining structure has any consideration been given to maintenance of this structure?

A2. Where a retaining wall is located wholly on one side of the boundary, the maintenance is the responsibility of the respective property owner. However for a wall that is located on wholly or partly on the boundary of the land needing maintenance or repair each owner of the land either side of the wall is liable to contribute to the maintenance and repair of the wall.

Q3. Could the Table on page 25 be updated to not reflect brand names?

A3. The Outbuilding and Sea Container policy has now been amended.

**13.0 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY
DECISION**

13.1 Nil.

14.0 MEETING CLOSED TO THE PUBLIC

14.1 Nil.

15.0 CLOSURE

15.1 There being no further business the Presiding Member declared the meeting closed at 7.10pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed: _____
Presiding Member

Dated this _____ day of _____ 2015