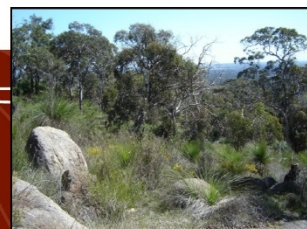


Public Briefing Forum

Draft Agenda

Tuesday 14 August 2018



**city of
kalamunda**



Core Values

- Service:** We deliver excellent service by actively engaging and listening to each other.
- Respect:** We trust and respect each other by valuing our differences, communicating openly and showing integrity in all we do.
- Diversity:** We challenge ourselves by keeping our minds open and looking for all possibilities and opportunities.
- Ethics:** We provide honest, open, equitable and responsive leadership by demonstrating high standards of ethical behaviour.

Aspirational Values

- Creativity:** We create and Innovate to Improve all we do.
- Courage:** We make brave decisions and take calculated risks to lead us to a bold and bright future.
- Prosperity:** We will ensure our District has a robust economy through a mixture of industrial, commercial, service and home based enterprises
- Harmony:** We will retain our natural assets in balance with our built environment

Our simple guiding principle will be to ensure everything we do will make Kalamunda socially, environmentally and economically sustainable.

www.kalamunda.wa.gov.au



INFORMATION FOR THE PUBLIC ATTENDING PUBLIC AGENDA BRIEFING

Agenda Briefing Forums will involve Elected Members, employees as determined by the Chief Executive Officer and external advisors (where appropriate) and will be open to the public. **The Briefing Session will be held in the Function Room of the City of Kalamunda commencing at 6.30pm.**

Agenda Briefing Forums will provide the opportunity for Elected Members to be equally informed and seek additional information on matters prior to the presentation of such matters to the next Ordinary Council Meeting for formal consideration and decision.

PROCEDURES FOR AGENDA BRIEFING FORUMS

The following procedures will apply to all Agenda Briefing Forums that are conducted by the City:

- a) Agenda Briefing Forums will be open to the public except for matters of a confidential nature. The guide in determining those matters of a confidential nature shall be in accordance with the *Local Government Act 1995* (WA).
- b) Dates and times for Agenda Briefing Forums will be set more than one (1) week in advance where practicable, and appropriate notice given to the public.
- c) The Chief Executive Officer will ensure timely written notice and an agenda for each Agenda Briefing Forum will be provided to all Elected Members, members of the public and external advisors (where appropriate).
- d) Ordinarily, the Mayor is to be the Presiding Member at Agenda Briefing Forums. However, should Elected Members wish to rotate the role of Presiding Member for a particular meeting, those Elected Members present may select, by consensus, a Presiding Member for the relevant Agenda Briefing Forum from amongst themselves to preside at that Agenda Briefing Forum.
- e) Relevant employees of the City will be available to make a presentation or respond to questions on matters listed on the agenda for the Agenda Briefing Forum.
- f) All Elected Members will be given a fair and equal opportunity to participate in the Agenda Briefing Forum.
- g) The Presiding Member will ensure that time is made available to allow for all matters of relevance to be covered.
- h) Elected Members, employees and relevant consultants shall disclose their interests on any matters listed for the Agenda Briefing Forum. When disclosing an interest the following is required:
 - i. Interests are to be disclosed in accordance with the provisions of the *Local Government Act 1995*, the *Local Government (Rules of Conduct) Regulations 2007* and the City's *Code of Conduct*.
 - ii. Elected Members disclosing a financial interest will not participate in that part of the forum relating to the matter to which their interest applies and shall depart the room.
 - iii. Employees with a financial interest in a matter may also consider it appropriate to depart the room when the matter is being considered, however there is no legislative requirement to do so.
- i) Minutes shall be kept of all Agenda Briefing Forums. As no decisions are made at an Agenda Briefing Forum, the minutes need only be a general record of the items covered but shall record any disclosure of interests as declared by individuals. A copy of the minutes is to be attached to the following Ordinary Council Meeting for Council to review and confirm as being a true and accurate summary of the preceding forum.
- j) At any Agenda Briefing Forum, Elected Members may foreshadow a request to the Chief Executive Officer for the Chief Executive Officer to prepare a report on a matter they feel is appropriate to be raised and which is to be presented at a future Agenda Briefing Forum.
- k) Requests of this nature may not be accepted by the Chief Executive Officer at forums, but instead, Elected Members wishing to formalise such a foreshadowed request, shall submit a Notice of Motion to that effect to the Chief Executive Officer in accordance with the *City's Standing Orders Local Law 2015 (City's Standing Orders)*.

PROCEDURES FOR PUBLIC QUESTION TIME

Questions Asked Verbally

Members of the public are invited to ask questions at Agenda Briefing Forums.

- a) Questions asked at an Agenda Briefing Forum must relate to a matter contained on the agenda.
- b) A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and full address.
- c) Public question time will be limited to two (2) minutes per member of the public, with a limit of two (2) verbal questions per member of the public.
- d) Statements are not to precede the asking of a question during public question time. Statements should be made during public submissions.
- e) Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- f) Public question time will be allocated a minimum of 30 minutes. Public question time is declared closed following the expiration of the allocated 30 minute time period, or earlier if there are no further questions.
- g) The Presiding Member may extend public question time in intervals of 10 minutes, but the total time allocated for public question time is not to exceed 50 minutes in total.
- h) Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or to be defamatory to any particular Elected Member or City employee.
- i) The Presiding Member shall decide whether to:
 - i. accept or reject any question and his/her decision shall be final; or
 - ii. nominate a City employee to respond to the question (who make take such question on notice in which case, provision of a response shall be in accordance with the City's Standing Orders); or
- j) take a question on notice (in which case, a written response will be provided as soon as possible and included in the agenda of the next Ordinary Council Meeting).
- k) Where an Elected Member is of the opinion that a member of the public is:
 - i. asking a question at an Agenda Briefing Forum that is not relevant to a matter listed on the agenda; or
 - ii. making a statement during public question time,they may bring it to the attention of the Presiding Member who will make a ruling.
- l) Questions and any responses will be summarised and included in the minutes of the meeting.
- m) It is not intended that question time should be used as a means to obtain information that would not otherwise be made available if the information was sought from the City's records under Section 5.94 of the *Local Government Act 1995* (WA) (**LG Act**) or the *Freedom of Information Act 1992* (**FOI Act**).
- n) Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act.

PROCEDURES FOR PUBLIC STATEMENT TIME

- a) Members of the public are invited to make statements at Briefing Sessions.
- b) Statements made at a Briefing Session must relate to a matter contained on the agenda.
- c) A register will be provided for those persons wanting to make a statement to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and full address.
- d) Public Statement Time will be limited to two (2) minutes per member of the public.
- e) Members of the public are encouraged to keep their statements brief to enable everyone who desires to make a statement to have the opportunity to do so.
- f) Public Statement Time will be allocated a maximum time of ten (10) minutes. Public Statement Time is declared closed following the ten (10) minute allocated time period, or earlier if there are no further statements.
- g) Statements are to be directed to the Presiding member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee.
- h) Where an Elected Member is of the opinion that a member of the public is making a statement at a Briefing Session, that is not relevant to a matter listed on the agenda, they may bring it to the attention of the Presiding member who will make a ruling.
- i) A member of the public attending a Briefing Session may present a written statement rather than make the statement verbally if he or she so wishes.
- j) Statements will be summarised and included in the notes of the Briefing Session.

Questions in Writing

- a) Questions must relate to a matter contained in the Agenda Briefing Forum agenda.
- b) The City will accept a maximum of five written questions per member of the public. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.
- c) Questions lodged by the close of business on the working day immediately prior to the scheduled Agenda Briefing Forum will be responded to, where possible, at the Agenda Briefing Forum. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- d) The Presiding Member shall decide to accept or reject any written question and his/her decision shall be final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published. Where the Presiding Member rules questions to be out of order, an announcement to this effect will be made at the meeting, including the reason(s) for the decision.
- e) The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- f) Written questions unable to be responded to at the Agenda Briefing Forum will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Ordinary Council Meeting.
- g) A person who submits written questions may also ask questions at an Agenda Briefing Forum and questions asked verbally may be different to those submitted in writing.
- h) Questions and any response will be summarised and included in the minutes of the meeting.

- i) It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of LG Act or the FOI Act.
- j) Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act.

Questions of Clarification

Members of the public may ask questions of clarification at Agenda Briefing Forums.

- a) Questions of clarification asked at an Agenda Briefing Forum must relate to a matter contained on the agenda.
- b) Questions of clarification will be limited to two (2) minutes per member of the public, with a limit of two (2) verbal questions per member of the public.
- c) The period at which members of the public may ask questions of clarification must follow the presentation of reports.
- d) Statements are not to precede the asking of a question of clarification. Statements should be made during public submissions.
- e) The period for questions of clarification will be allocated a minimum of 15 minutes. This time is declared closed following the expiration of the allocated 15 minute time period, or earlier if there are no further questions. The Presiding Member may extend public question time in intervals of 5 minutes, but the total time allocated for public question time is not to exceed 30 minutes in total.
- f) Questions of clarification will otherwise be governed by the same requirements and procedures as set out above from 5.1(i) to 5.1(n).

Emergency Procedures

Please view the position of the Exits, Fire Extinguishers and Outdoor Assembly Area as displayed on the wall of Council Chambers.

In case of an emergency follow the instructions given by City Personnel.

We ask that you do not move your vehicle as this could potentially block access for emergency services vehicles.

Please remain at the assembly point until advised it is safe to leave.

INDEX

1. Official Opening	9
2. Attendance, Apologies and Leave of Absence	9
3. Declarations of Interest	9
4. Announcements by the Member Presiding Without Discussion	9
5. Public Question Time	9
6. Public Statement Time	9
7. Public Submissions Received in Writing	10
8. Petitions Received	10
9. Confidential Items Announced But Not Discussed	10
10. Reports to Council	11
10.1. Development Services Reports	11
10.1.1. Lot 95 (26) Sundew Road, Gooseberry Hill - Proposed Limestone Retaining Wall.....	11
10.1.2. Proposed Amendment No.100 - Lot 500 (27) Wandoo Road, Forrestfield - 'No Zone' (Road Reserve) to Residential R20.....	19
10.1.3. Local Planning Policy P-DEV 64 - Requirements for Local Planning Amendments: Adoption for Public Advertising	27
10.1.4. Proposed Tavern - Lot 1 (21) Haynes Street, Kalamunda.....	33
10.1.5. Proposed Outbuilding (Shed) - Lot 16 (28) Davies Crescent, Gooseberry Hill.....	41
10.1.6. Suburb Naming of the Forrestfield North District Structure Plan Area and Future Train Station	50
10.2. Corporate Services Reports	59
10.2.1. Quarterly Progress Report Against KPIs - April - June 2018	59
11. Closure	63

1. Official Opening

2. Attendance, Apologies and Leave of Absence

3. Declarations of Interest

3.1 Disclosure of Financial and Proximity Interests

- a) Members must disclose the nature of their interest in matter to be discussed at the meeting. (Section 5.56 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. (Section 5.70 of the *Local Government Act 1995*.)

3.2 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.

4. Announcements by the Member Presiding Without Discussion

5. Public Question Time

Public question time will be allocated a maximum of 10 minutes and will be limited to two (2) minutes per member of the public, with a limit of two (2) verbal questions per member of the public.

Statements are not to precede the asking of a question during public question time. Statements should be made during public submissions.

For the purposes of Minuting, these questions and answers will be summarised.

6. Public Statement Time

A period of maximum 10 minutes is provided to allow public statements from the gallery on matters relating to a matter contained on the agenda or the functions of Council. Public Statement Time will be limited to two (2) minutes per member of the public.

Public Statement Time is declared closed following the 10 minute allocated time period, or earlier if there are no further statements.

For the purposes of Minuting, these statements will be summarised.

7. Public Submissions Received in Writing

8. Petitions Received

9. Confidential Items Announced But Not Discussed

- 9.1 10.1.1 Lot 95 (26) Sundew Road, Gooseberry Hill – Proposed Limestone Retaining Wall – Confidential Attachments 10.1.2.1 and 10.1.2.2
Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (b) – “the personal affairs of any person.”*

10. Reports to Council

10.1 Development Services Reports

10.1.1 **Lot 95 (26) Sundew Road, Gooseberry Hill - Proposed Limestone Retaining Wall**

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

Previous Items	Nil
Directorate	Director Development Services
Business Unit	Approval Services
File Reference	SN-05/026
Applicant	Chester Reeve Limescapes Pty Ltd (ABN 94587002247)
Owner	Ken Birch

Attachments	1. Site and Elevation Plans [10.1.1.1]
	2. Site Photos [10.1.1.2]

Confidential Attachments	1. Letter of Objection
	2. Submitters Map

Reason for Confidentiality: Local Government Act 1995 (WA) Section 5.23 (2) (b) - "the personal affairs of any person."

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider an application for a limestone retaining wall at Lot 95 (26) Sundew Road, Gooseberry Hill (Subject Site).
2. The limestone retaining wall is proposed to be 2.9m at its highest point, with portions of the wall ranging from 0.5m in height, to 2.4m, to the maximum height noted above. The wall is proposed to be 15m in length and located on the boundary between the Subject Site and Lot 194 Sundew Road. The proposal was advertised to the adjoining landowner and one objection was received.
3. The officer recommendation is to approve the proposal, subject to appropriate conditions.

BACKGROUND

4. **Land Details:**

Land Area:	2,115m ²
Local Planning Scheme Zone:	Residential R5
Metropolitan Regional Scheme Zone:	Urban

5. **Locality Plan:**



6. The Subject Site contains a single house and separate ancillary dwelling. Vehicle access to the site is via a steep common access driveway which also provides access to the adjoining Lot to the north (Lot 194 (25) Sundew Road).
7. The driveway on the Subject Site is currently elevated above the natural ground level of the adjoining Lot 194 by a maximum of 2.9m. No formal retaining wall exists, the fill between the two adjoining properties is battered and landscaped.

DETAILS

8. The applicant is seeking Council approval to construct a limestone retaining wall along the common lot boundary with Lot 194. Key aspects of the proposal are as follows:
 - a) the retaining wall is to be 15m in length;
 - b) maximum height of the retaining wall is to be 2.9m in height above natural ground level;

- c) the retaining wall will be staggered along the boundary line, with heights of 0.5m, 2m, 2.7m, 2.9m, 2.6m, 2.2m and 1.6m.

Site and Elevation Plans setting out the proposal are included with this report and marked as Attachment 1.

9. The Applicant has advised that the proposed retaining wall is required to allow for the widening of the driveway to provide for a more functional turning area for vehicles reversing out of the existing garage.

STATUTORY AND LEGAL CONSIDERATIONS

Local Planning Scheme No. 3

10. The Subject Site is zoned 'Residential' in accordance with the City's Local Planning Scheme No.3 (the Scheme) with a density coding of 'R5'.
11. Under Clause 4.2.1 the objectives of the Residential Zone are as follows:
- *To provide primarily for single residential development whilst allowing for a range of residential densities in order to encourage a wide choice of housing types within the Shire.*
 - *To give consideration to grouped dwelling developments if the site is near amenities and can be integrated into single residential environment.*
 - *To facilitate a range of accommodation styles and densities to cater for all community groups inclusive of the elderly, young people in transition and the handicapped. Such accommodation is supported where it is appropriately situated in proximity to other services and facilities.*
 - *To encourage the retention of remnant vegetation.*

Planning and Development (Local Planning Schemes) Regulations 2015

12. In considering an application for planning approval, Clause 67 of *the Planning and Development (Local Planning Schemes) Regulations 2015* (WA) (the Regulations) require Council to have due regard to a number of matters, including:
- a) the compatibility of the development within its settings;
 - b) amenity in the locality;
 - c) the amount of traffic to be generated by the development, particularly in relation to the capacity of the road system and effect of traffic flow and safety; and
 - d) any relevant submissions received on the application.
13. In the event that Council does not support the proposed development, there is a right of review (appeal) to the State Administrative Tribunal under part 14 of the *Planning and Development Act (2005)*.

POLICY CONSIDERATIONS

State Planning Policy 3.1 – Residential Design Codes

14. Clause 2.5.1 of the Residential R Codes (R Codes) states that the decision maker may choose to exercise discretion in granting approval to a proposal that does not meet the deemed-to-comply requirements of the R Codes after first having regard to the objectives of the proposal and balancing these with the consideration of the design principles of the R Codes.
15. Following assessment of the proposal, the following variations to the R Codes have been noted:

Aspect of Proposal	Deemed to Comply Provision	Proposed	Variation
Boundary Setback of Retaining Walls	1.5m	Nil	-1.5m (100%)
Fill Adjacent to Property Boundary	No more than 0.5m above existing natural ground level	Maximum of 2.9m in some areas	+2.4m (580%)

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

16. During the development assessment, the City ensured the proposal was assessed from the perspective of the following key development oriented disciplines:
- Building Services;
 - Environmental Health; and
 - Assets.
17. No objections were received to the proposal. Comments requiring conditions to the proposal have been added to the Officer Recommendation section of this report.
18. From a building perspective, the City requires the applicant to provide a Form BA20A – Notice and request for consent (response notice): Protection structures, party walls, removal of fences, access to land (BA20A Form). The form requires the signature of the adjoining landowner to allow for access to the neighbour's land in order to construct the wall.

External Referrals

19. The proposal was advertised in accordance with the City's Local Planning Policy P-DEV 45 – Public Notification of Planning Proposals and involved a letter and plans being sent to the adjoining landowner. Upon completion of the advertising period one objection was received.
20. Key concerns raised during the advertising period are as follows:
 - a) the variation to the R Codes is not necessary as the same outcome could be achieved through compliance with the R Codes;
 - b) the variation in retaining wall height is significant;
 - c) removal of the existing garden bed is contrary to an agreement with the adjoining landowners to construct the wall within the boundaries of the subject property;
 - d) the removal of the garden bed will remove screening vegetation; and
 - e) the proposal will potentially increase the chances of water runoff onto the common driveway.
21. The concerns raised to the proposal are addressed in the officer comment section of the report.

FINANCIAL CONSIDERATIONS

22. In the event that Council refuses the application and the Applicant appeals to the State Administrative Tribunal, the City will incur the cost of engaging an independent expert with building and engineering qualifications. General Counsel will attend to all legal preparation of the matter.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

23. *Kalamunda Advancing Strategic Community Plan to 2027*

Priority 3: Kalamunda Develops

Objective 3.1 - To plan for sustainable population growth.

Strategy 3.1.1 - Plan for diverse and sustainable housing, community facilities and industrial development to meet changing social and economic needs.

SUSTAINABILITY

Social Implications

24. For the reasons stated above, the City does not consider that the proposed retaining wall will have an undue impact upon the amenity of the adjoining landowner, however this may not be the position taken by the adjoining landowner themselves.

Economic Implications

25. Nil.

Environmental Implications

26. Nil.

RISK MANAGEMENT CONSIDERATIONS

27.	Risk: The proposed retaining wall impacts upon the amenity of the adjoining property landowner.		
	Likelihood	Consequence	Rating
	Unlikely	Moderate	Low
	Action/Strategy		
	Ensure that the proposed retaining wall is appropriately designed and screened to minimise amenity impact upon the neighbouring property.		

OFFICER COMMENT

28. Various locations within Gooseberry Hill are significantly sloped and require retaining walls to shore up land.

29. Notwithstanding the topographical constraints of a property, the height of a retaining wall must be balanced against the potential impact that it may have on the amenity of adjoining neighbours.

30. The location of the proposed retaining wall will cut through an existing battered area of landscaping which slopes from a high point of 2.9m, measured from the natural ground level of the adjoining property (Lot 194) to the top of the existing driveway of the subject site. It is noted that the height of the proposed retaining wall tapers down to reflect the slope of the existing driveway. Construction of the proposed retaining wall will also require removal of a portion of the landscaped batter area.

31. **The variation to the R Codes is not necessary**

The Applicant has stated that the boundary setback and fill variation is required to ensure that a safe turning circle can be achieved at the property to allow for vehicle movements. From a planning perspective, the safe movement of vehicles over the Subject Site is a valid reason for the proposed fill, retaining and variation request.

32. **The variation in height is significant**

It is acknowledged the proposed retaining wall at its highest point of 2.9m is significant. However, the retaining wall will be stepped down to reflect the slope of the driveway. With this in mind, the retaining wall will not be 2.9m for its entire length and will instead have an average height of approximately 2m.

33. Though the deemed-to-comply setback requirements of the R Codes are not being met, it is open to the Applicant to apply for a variation under the 'design principles' of the R Codes. Assessment under the design principles takes into account whether a retaining wall would create land that can be effectively used for the benefit of the resident, whilst not detrimentally affecting adjoining properties.

34. The objector will view the wall as they were entering and leaving their property. Aerial imagery suggests that the predominant outdoor entertaining area for the objector is on the other side of the house to the proposed location of the wall.

35. It is therefore considered that the proposed retaining wall would not have an impact on the area of land that regularly used by the objector for the purposes of outdoor enjoyment. Furthermore, a portion of the existing landscaping can be retained to minimise the impact of the retaining wall.

36. **Removal of the existing garden is contrary to a neighbour agreement**

The City is not party to any such agreement.

37. **Removal of the garden bed will reduce screening vegetation**

It is acknowledged that works associated with the construction of the proposed retaining wall will result in some disturbance to the landscaping on the neighbouring property. To address this concern, a condition has been included requiring the Applicant to make good the landscaping to ensure that the impact of the proposed retaining wall is minimised.

38. **Potential increase in the amount of stormwater runoff into the common property driveway**

Any stormwater that is generated on site by any structure, is required to be contained on site to the satisfaction of the City. A condition stating the above has been included in the Officer's recommendation.

39. It is important to note that the Applicant is required to seek approval from the neighbour through a BA20A Form in order to gain access to assist with the construction works. In the event that consent is not given within 28 days of the date that the BA20A Form is handed to the neighbour, the Applicant can apply to the Magistrate's Court for an order to allow access to the property pursuant to section 86 of the *Building Act 2011* (WA).

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

APPROVES an application received from Chester Reeve Limescapes Pty Ltd for the construction of a retaining wall at Lot 95 (26) Sundew Road, Gooseberry Hill, subject to the following conditions:

- a) the development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan;
- b) stormwater shall be disposed of on-site, to the satisfaction of the City of Kalamunda;
- c) the retaining wall is to be certified by a suitably qualified structural engineer; and
- d) within 30 days of the completion of the retaining wall, the Applicant must make good any damage caused to the existing landscaping on Lot 194 Sundew Road to the satisfaction of the City of Kalamunda.

10.1.2 Proposed Amendment No.100 - Lot 500 (27) Wandoo Road, Forrestfield - 'No Zone' (Road Reserve) to Residential R20

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

Previous Items	Nil
Directorate	Development Services
Business Unit	Approval Services
File Reference	PG-LPS-003/100
Applicant	The Land Division c/- Susan Daphne Wong and Norman Douglas Wong
Owner	Susan Daphne Wong and Norman Douglas Wong
Attachments	<ol style="list-style-type: none"> 1. Scheme Amendment [10.1.2.1] 2. Applicant Scheme Amendment Request [10.1.2.2] 3. Existing Deposited Plan [10.1.2.3] 4. Proposed Deposited Plan - Subsequent Subdivision [10.1.2.4]

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider the adoption of Local Planning Scheme Amendment No.100 (Amendment No. 100) to Local Planning Scheme No. 3 (the Scheme) for the purposes of public advertising.
2. Amendment No. 100 proposes to rezone a 570m² portion of Lot 500 (27) Wandoo Road, Forrestfield (subject site) under the Scheme from 'No Zone' (road reserve) to 'Residential' with an applicable density code of R20 as shown on the Scheme Amendment Map. The balance of the site is proposed to remain Residential R20.
3. It is recommended that Council adopt Amendment No. 100 for the purposes of public advertising.

BACKGROUND

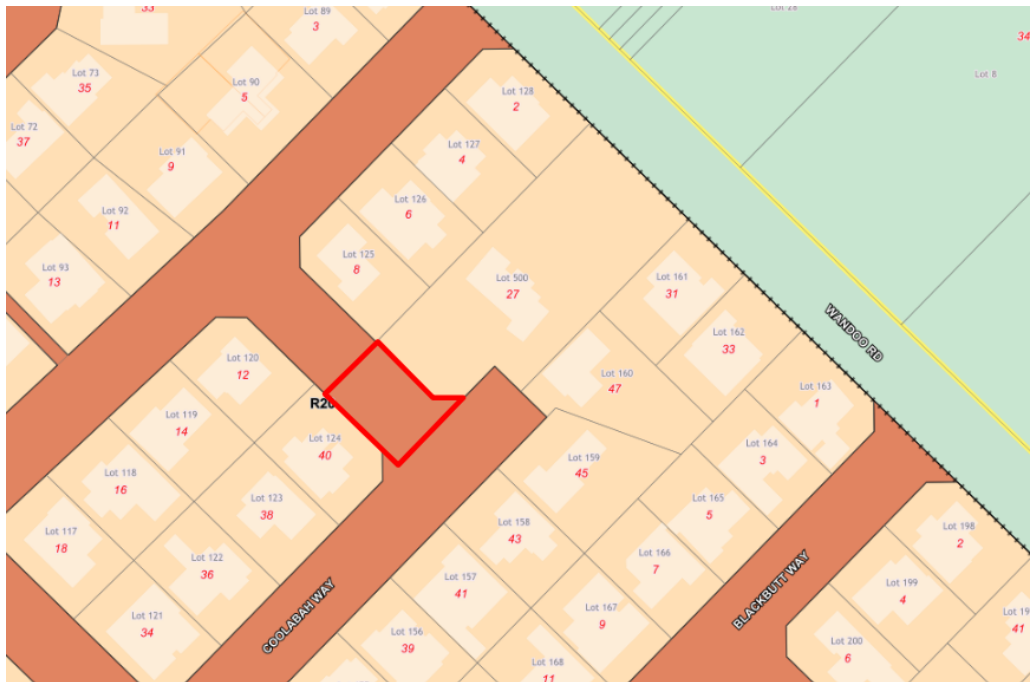
4. Land Details:

Land Area:	3,555.00m ²
Local Planning Scheme Zone:	Residential R20 (2,985m ²) Road Reserve (570m ²)
Metropolitan Regional Scheme Zone:	Urban

5. **Locality Plan:**



6.



7. The subject site is currently improved by a single house and ancillary residential structures and is generally bound by four residential zoned properties to the north, Wandoo Road to the east, two residential zoned properties to the south and Coolabah Way to the west.

8. Further afield, the subject site is surrounded by a mix of zones and land uses, being predominately low residential development directly surrounding the site and Special Rural zoned land to the east and south.

9. The surrounding residential land was rezoned in 1975 and 1977. At the time of urban expansion, the eastern portion of the site was identified as a road reserve with the intent of providing a circular through movement for Coolabah Way.
10. In April 2017, the landowner submitted a subdivision application (WAPC Application No. 155121) to the Western Australian Planning Commission (WAPC) seeking to subdivide the 3,555m² lot into five freehold lots and a 570m² road reserve as shown in Attachment 3.
11. The application was subsequently referred to the City of Kalamunda (City) for comments at which time it was acknowledged that the road reserve on the site was no longer required.
12. In June 2017, the City recommended approval of the proposed subdivision subject to recommended conditions and advice notes. Acknowledging the road reserve was no longer required, the Applicant was advised through an advice note that an application to amend the Scheme to rezone the portion of subject land to urban can be submitted to the City for consideration.
13. Following receipt of the City's recommendations, the WAPC approved the subdivision on 2 August 2017 subject to a range of conditions and advice notes. The following conditions and advice notes are pertinent to this rezoning:
 - a) **Condition No. 1** which states:
"The plan of subdivision be modified to amalgamate proposed Lot 1 and the proposed 570m² road to form a balance lot."
 - b) **Advice No. 1** which states:
"In regard to Condition 1, the landowner/applicant is advised that the proposed road reserve as identified on the approved plan of subdivision is no longer required by the Shire of Kalamunda. The applicant should discuss the possibility of a Local Planning Scheme Amendment with the City of Kalamunda."

This Scheme Amendment seeks to fulfil Condition No. 1 of WAPC Approval 155121.

DETAILS

14. The Applicant is seeking Council approval to advertise Amendment No. 100 which proposes to rezone a 570m² portion of the subject site under the Scheme from 'No Zone' (road reserve) to 'Residential' with an applicable density code of R20 as shown on the Scheme Amendment Map (refer Attachments 1 and 2). The balance of the site is proposed to remain Residential R20.

STATUTORY AND LEGAL CONSIDERATIONS

15. Metropolitan Region Scheme

The subject site is classified 'Urban' under the Metropolitan Region Scheme (MRS). The proposal is therefore consistent with the zoning classification under the MRS.

16. City of Kalamunda Local Planning Scheme No. 3

Under the provisions of the Scheme, the subject site is currently zoned Residential (R20) with the eastern portion (16% of the site) identified for dedication as a road reserve.

17. The objectives of the current zoning of 'Residential' are outlined in Part 4.2.1 (Objectives of the Zones: Residential Zones) of the Scheme as follows:

- *To provide primarily for single residential development whilst allowing for a range of residential densities in order to encourage a wide choice of housing types within the City.*
- *To give consideration to grouped dwelling developments if the site is near amenities and can be integrated into the single residential environment.*
- *To facilitate a range of accommodation styles and densities to cater for all community groups inclusive of the elderly, young people in transition and the handicapped. Such accommodation is supported where it is appropriately situated in proximity to other services and facilities.*
- *To encourage the retention of remnant vegetation.*

18. Planning and Development (Local Planning Schemes) Regulations 2015 (WA)

Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015 (WA)* (Regulations), requires a resolution of the local government to adopt or refuse to adopt the proposed Local Planning Scheme Amendment. The resolution must specify and provide justification for the type of amendment (basic, standard or complex).

19. Pursuant to Regulation 34, the proposed Amendment is considered to be a standard amendment as it:

- a) is consistent with the objectives identified in the Scheme for the Light Industry zone;
- b) is consistent with the City of Kalamunda Local Planning Strategy;
- c) is consistent with the MRS zoning that applies to the site, and the applicable strategic planning framework;

- d) is considered to have a minimal impact upon the land within the City of Kalamunda, particularly through the provision of a proposed Local Planning Policy and Local Development Plan to guide subsequent assessment of development applications; and
- e) will not result in any significant environmental, social, economic or governance impacts within the surrounding local area.

POLICY CONSIDERATIONS

20. Directions 2031 and Beyond

Directions 2031 and Beyond is the State Government's key strategic planning document which outlines the spatial framework for the future growth of Perth and Peel for the next twenty years. The Amendment will increase the development yield of the subject site, therefore assisting the City reach its housing targets.

21. North-East Sub-regional Planning Framework

In March 2018, the WAPC finalised the draft Perth and Peel @ 3.5 million suite of documents, including the North-East Sub-regional Planning Framework relevant to the subject site. The frameworks aim to identify how the vision set out in Directions 2031 for a City of 3.5 million people by 2050 can be realised.

22. The document provides guidance on where development should occur to ensure sustainable urban growth, protecting the environment and heritage, and making the most effective use of existing infrastructure. The framework identifies the subject area as 'Industrial Expansion'.

23. The proposed Amendment will assist in achieving the objectives of the sub regional framework.

24. City of Kalamunda Local Planning Strategy

The City's Local Planning Strategy (Strategy) was adopted by Council in October 2011 and endorsed by the WAPC in February 2013. The purpose of the Strategy is to enable Council to determine the vision and strategic planning direction for the City of Kalamunda for the next 20 years, to coincide with Directions 2031.

25. A key action of the Strategy is to encourage the expansion of new urban and industrial areas in a sustainable manner, providing increased housing and lifestyle opportunities; local employment opportunities and protection of biodiversity and the natural environment. The proposed Amendment is consistent with the intent of the Strategy.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

26. A preliminary assessment was undertaken from the perspective of the following key oriented disciplines:
- a) Assets; and
 - b) Parks and Environment.

No issues were raised regarding the proposed Amendment.

External Referrals

27. The advertising processes will include but not be limited to:
- a) issuing letters to landowners affected by the Amendment and those within a 100 metre radius of the subject site;
 - b) a notice on the City's media platform;
 - c) a notice in the local newspaper;
 - d) display of the Amendment at the City's Administrative Centre;
 - e) letters to relevant public and service authorities; and
 - f) signage on site.

FINANCIAL CONSIDERATIONS

28. All costs associated with advertising and assessment of the Scheme Amendment are to be borne by the Applicant.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

29. *Kalamunda Advancing Strategic Community Plan to 2027*

Priority 3: Kalamunda Develops

Objective 3.1 - To plan for sustainable population growth.

Strategy 3.1.1 - Plan for diverse and sustainable housing, community facilities and industrial development to meet changing social and economic needs.

SUSTAINABILITY

Social Implications

30. Future development of the site for residential use will provide more housing opportunities in a location with good access to a range of commercial activities and public transport.

Economic Implications

31. The proposed Amendment will increase the development potential for the landowners of the subject site; increasing the development yield from six lots to eight lots.

Environmental Implications

32. Nil.

RISK MANAGEMENT CONSIDERATIONS

- 33.
- | | | |
|---|--------------------|---------------|
| Risk: The Amendment is not adopted for the purposes of public advertising and does not proceed. | | |
| Likelihood | Consequence | Rating |
| Unlikely | Moderate | Low |
| Action/Strategy | | |
| Convey to the Elected Members that the City has previously acknowledged that the road reserve on the site is no longer required. Accordingly, with the City having no intent to extend Coolabah Way, the Amendment should be allowed to proceed to advertising. | | |

OFFICER COMMENT

34. The proposed Scheme Amendment is consistent with the current subdivision approval over the site (WAPC 155121) which states that the eastern portion of the subject site currently identified as road reserve is no longer required.
35. The existing residential lots in Coolabah Way were created in 1975 and 1977, with the surrounding road network functioning in its current state for over forty years with no issues, with no requirement for the road reserve to be constructed.
36. Developing the eastern portion of the site as a road reserve is not considered to provide a benefit to the surrounding road network from a connectivity or permeability perspective.
37. Should the City resolve to approve Scheme Amendment No. 100, it will remove the anomaly under the Scheme where a proposed lot will have a dual Residential / Road zoning which will subsequently simplify the consideration and assessment of any future development on the site.
38. Advertising the Amendment will provide the community an opportunity to outline their concerns and for these concerns to be addressed through the planning process when the Amendment is brought back to Council for final approval.
39. From a planning perspective, the proposed amendment is consistent with the applicable strategic and statutory planning framework and is considered to be consistent with orderly and proper planning.

40. Having regard to the above, it is recommended that Council adopts Scheme Amendment No. 100 for the purpose of public advertising.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. ADOPTS, for the purpose of public advertising, Local Planning Scheme Amendment No. 100 to Local Planning Scheme No. 3 in accordance with Attachment 2, pursuant to Section 75 of the *Planning and Development Act 2005* (WA).
2. CONSIDERS Local Planning Scheme Amendment No. 100 to Local Planning Scheme No. 3 as a standard amendment under Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (WA) for the following reasons:
 - a) the Amendment is consistent with the objectives identified in the Scheme for the Residential zone;
 - b) the Amendment is consistent with the City of Kalamunda Local Planning Strategy;
 - c) the Amendment is consistent with the Metropolitan Region Scheme zoning that applies to the site, and the applicable strategic planning framework;
 - d) the Amendment is considered to have a minimal impact upon the land within the City of Kalamunda;
 - e) the Amendment will not result in any significant environmental, social, economic or governance impacts within the surrounding local area; and
 - f) the Amendment is neither complex nor basic, as defined under Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. REFERS the proposed Local Planning Scheme Amendment No. 100 to Local Planning Scheme No.3 to the Environmental Protection Authority pursuant to Section 81 of the *Planning and Development Act 2005* (WA).
4. ADVERTISES Local Planning Scheme Amendment No. 100 to Local Planning Scheme No.3 in accordance with Regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Policy P-DEV 45 – Public Notification of Planning Proposals, subject to Sections 81 and 82 of the *Planning and Development Act 2005* (WA).

10.1.3 Local Planning Policy P-DEV 64 - Requirements for Local Planning Amendments: Adoption for Public Advertising

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

Previous Items	Nil
Directorate	Development Services
Business Unit	Approval Services
File Reference	3.009297
Applicant	N/A
Owner	N/A
Attachments	1. Local Planning Policy P-DEV 64 - Requirements for Local Planning Amendments [10.1.3.1]

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the adoption of draft Local Planning Policy P-DEV 64 – Requirements for Local Planning Scheme Amendments (the Policy) for public advertising.
2. The Policy has been written to provide guidance on the level of detail the City requires as part of a Standard or Complex Amendment to the Local Planning Scheme.
3. It is recommended that Council adopt the Policy for the purposes of public advertising.

BACKGROUND

4. The City of Kalamunda (City) periodically reviews, revokes, and adds new policies to provide a level consistency and transparency in decision-making and to ensure Council has a clear and defensible position regarding planning matters.
5. In response to an increasing trend and demand for Local Planning Scheme amendments, the City seeks to establish guidance through the Policy with respect to the level of detail and information provided as part a Local Planning Scheme amendment. This guidance is also aimed at assisting Council in determining the merit of the proposal prior to adopting the Amendment for the purposes of public advertising.

DETAILS

6. The primary objectives of the Policy are to:
 - a) provide guidance with respect to the process and level of detail required for a Local Planning Scheme amendment based on whether the amendment is Basic, Standard or Complex as defined by the *Planning and Development (Local Planning Scheme) Regulations 2015* (the Regulations);
 - b) provide a consistent approach on the level of details required when an amendment is submitted;

- c) ensure applicants provide as much details as possible up-front, so that the City and Council can understand the likely extent of any proposed development and amenity impacts, and therefore determine whether a Local Planning Scheme Amendment is considered appropriate; and
 - d) establish a practical administrative process to assist in the assessment of Local Planning Scheme amendments.

- 7. The Policy outlines the level of detail required to be submitted up front, where the amendment seeks to change a land use or apply an additional land use.

- 8. Currently, the City and Council may be faced with a decision whether to support an amendment to Local Planning Scheme No.3 (the Scheme) without knowing what the anticipated built form or amenity outcome for that site may be, or the impact the amendment may have in terms of the surrounding community.

- 9. To improve the decision-making process, it is proposed, through the Policy, that the City will require an applicant to provide a Land Use Scoping report outlining the following key elements:
 - a) scale and intensity of use;
 - b) streetscape;
 - c) tree preservation and land clearing;
 - d) open space;
 - e) site limitations and / or constraints; and
 - f) prevailing amenity, relating to noise attenuation, dust and odour, environmental impact, traffic management, safety and security.

- 10. The Applicant will also be required to provide a Concept Master Plan upon lodgement when applying for Additional Uses or Special Use zones (or where the City deems appropriate) which requires the following to be provided at the City's discretion:
 - a) indicative location of proposed buildings;
 - b) incidental and additional uses;
 - c) concept drawings, including any development staging;
 - d) traffic assessment;
 - e) effluent disposal management statement;
 - f) stormwater disposal management plan;
 - g) car parking plan / strategy; and
 - h) noise impact assessment.

STATUTORY AND LEGAL CONSIDERATIONS

11. Local Planning Policies are created under Clause 3 (1) of the *Planning and Development (Local Planning Scheme) Regulations 2015* (the Regulations).
12. In accordance with the Regulations and the City's Scheme, Local Planning Policies are required to be approved for advertising, and then adopted by Council at the end of the advertising period and having regard to submissions received.
13. A Local Planning Policy does not bind the City in its application of discretion but must be given due regard. If a Local Planning Policy is inconsistent with the Regulations and the Scheme provisions, then the Regulations and the Scheme prevail.

POLICY CONSIDERATIONS

14. The Policy follows the adopted Council templates with some small modifications for improved structure, legibility and clarity.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

15. The Policy was developed from an Assets, Environmental Health, Strategic Planning, Building and Environmental perspective.

External Referrals

16. Should Council resolve to adopt the Policy for the purposes of public advertising, the Policy will be advertised for public comment in accordance with Local Planning Policy P-DEV 45 – Public Notification of Planning Proposals for a period of 21 days, which is consistent with the period specified in Schedule 2, Part 2 Clause 4 (2) of the Regulations.
17. In accordance with Local Planning Policy P-DEV 45, the City is also required to publish a notice of the proposed policy in a local newspaper circulating within the Scheme area for two consecutive weeks and place notifications on the City's website and social media pages.
18. The City will also give notice of the Policy to the Western Australian Planning Commission (WAPC) during this time.

FINANCIAL CONSIDERATIONS

19. All costs incurred during the advertising of the Policy will be met through the Approval Services budget.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

20. *Kalamunda Advancing Strategic Community Plan to 2027*

Priority 3: Kalamunda Develops

Objective 3.1 - To plan for sustainable population growth.

Strategy 3.1.1 - Plan for diverse and sustainable housing, community facilities and industrial development to meet changing social and economic needs.

SUSTAINABILITY

Social Implications

21. If the Policy is adopted, Council and City officers will be provided with more guidance in the assessment and determination of Local Planning Scheme amendment proposals.
22. Additionally, the community will have access to more clarity and transparency in how the City and Council makes decisions, leading to improved outcomes and reduced timeframes.

Economic Implications

23. There will be additional costs incurred by the Applicant in providing the additional information required as part of the Land Use Scoping Statement and Concept Master Plan.

Environmental Implications

24. Nil.

RISK MANAGEMENT CONSIDERATIONS

25.	Risk: The Policy is not adopted resulting in inconsistent application of planning advice and decisions.		
	Likelihood	Consequence	Rating
	Unlikely	Moderate	Low
	Action/Strategy		
	Ensure that Council is aware of the importance of having sound and robust planning policies to support the Scheme when assessing applications.		

26.

Risk: The Policy is not adopted resulting in a lack of information and guidance to assist Council in determining the merit of the proposal prior to adopting the Amendment for the purposes of public advertising.		
Likelihood	Consequence	Rating
Unlikely	Moderate	Low
Action/Strategy		
Ensure that Council is aware of the importance of having sound and robust Policy to guide the Scheme amendment process.		
27.

Risk: The Policy does not achieve its stated objectives.		
Likelihood	Consequence	Rating
Unlikely	Moderate	Low
Action/Strategy		
Consider reviewing the Policy and/or undertake education program to assist the community and developers to better understand the stated objectives.		

OFFICER COMMENT

28. It could be considered that Local Planning Scheme amendments establish the basis from which land use and built form outcomes are derived. Requiring a higher level of information at the beginning of the process is deemed to be of the highest priority and will assist in ensuring that the intent of the proposed Scheme Amendment is understood from the outset. By introducing the Policy, the City aims to provide greater clarity in terms of land use and future development by requiring a level of detail which can be more carefully considered when assessing the appropriateness of a Local Planning Scheme amendment.
29. A key element of the Policy is the introduction of the additional information up front with lodgement of a Local Planning Scheme amendment in the form of a Land Use Scoping Statement. The Land Use Scoping Statement will help inform the City and Council of the scale and intensity of the proposed land use and provide as much information as possible regarding future planning and design for the operation of or construction of buildings associated with the proposed Local Planning Scheme amendments. In addition, the requirement for a Concept Master Plan is a mechanism by which the City can request illustrative concept plans, demonstrating any site staging, as well as dealing with any likely incidental or additional land uses proposed. Through this process, it will give the City the ability to request some or all of the listed detailed reports and plans at the discretion of the City as needed to understand and evaluate the appropriateness of a Local Planning Scheme amendment.

30. It is considered that the additional information required by the Policy will assist the City in terms of determining the appropriateness of a Local Planning Scheme Amendment, providing greater detail, which can be disseminated through the Community Engagement process. Importantly, the Concept Master Plan will provide the context as it relates to the land use and zoning change with the likely built form and operational outcomes.
31. The Policy also recognises that, while the additional information provided through the Land Use Scoping Statement and the Concept Master Plan can be indicative and could change, it is made clear to the applicant that any significant change at the development application stage will require considerable reasoning and justification from the applicant.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

ADOPTS the following proposed Local Planning Policy for the purposes of advertising for a period of 21 days, pursuant to Clause 3 (1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- a) Draft Local Planning Policy P-DEV 64 – Requirements for Local Planning Scheme Amendments.

10.1.4 Proposed Tavern - Lot 1 (21) Haynes Street, Kalamunda

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

Previous Items OCM 55/2017
Directorate Development Services
Business Unit Approval Services
File Reference HY-02/021
Applicant Dalewest Holdings Pty Ltd (ACN: 109329393)
Owner Dalewest Holdings Pty Ltd (ACN: 109329393)

Attachments 1. Development Plans [**10.1.4.1**]

EXECUTIVE SUMMARY

1. The purpose of this report is for Council to consider a development application for a proposed Tavern at Lot 1 (21) Haynes Street, Kalamunda (the subject site).
2. The subject site has approval for an existing Restaurant which will operate in conjunction with the proposed Tavern. No modifications or alterations to the existing building are proposed. The proposal seeks approval for a dispensation of three car parking spaces for the Tavern land use which equates to a total shortfall of 32 car parking bays for the subject site.
3. It is recommended Council approve the application for a proposed Tavern in addition to the existing Restaurant, subject to appropriate conditions.

BACKGROUND

4. **Land Details:**

Land Area:	797m ²
Local Planning Scheme Zone:	District centre
Metropolitan Regional Scheme Zone:	URBAN

5. **Locality Plan:**



6. In April 2017, Council approved an application for a change of use from an Office (former Bank) to a Restaurant (DA17/0021 & OCM 55/2017). In approving the application, Council granted dispensation for 29 car parking bays.

DETAILS

7. This development application seeks approval for a Tavern which will enable the premises to apply for a Tavern Restricted Liquor Licence through the Department of Local Government, Sport and Cultural Industries allowing liquor to be sold without the need to have a meal. No works or modification to the building are proposed as part of the application (refer Attachment 1).
8. The proposed hours of operation for the Tavern are Monday to Sunday 11am to 12 midnight.
9. The Tavern component of the proposed development requires an additional three car parking spaces. Approval for the existing Restaurant granted dispensation for 29 car parking bays with the proposed additional use creating a total shortfall in parking on the site of 32 car parking spaces. This equates to 53 car parking spaces being required with 21 being provided.
10. The Applicant submits that, due to the size of the lot and the current structural requirements of the property, no additional bays can be created on site. The Applicant further states, it is expected due to the nature of the proposal, there will be a high turnover in the provided bays, and it is expected there will be no strain placed on parking availability. Reciprocal parking arrangements are also confirmed to be in place with the landowners of Mitre 10 and Auto One allowing use of their parking after trading hours.

STATUTORY AND LEGAL CONSIDERATIONS

Local Planning Scheme No.3

11. Clause 4.2.3 (Objectives of the Zones – Commercial Zones: District Centre) of Local Planning Scheme No. 3 (the Scheme) stipulates that the objectives for areas zoned District Centre are as follows:
- *To promote, facilitate and strengthen the District Centres as the major focus of activity, particularly for shopping, business, professional, civic, cultural, entertainment facilities and related employment opportunities.*
 - *Provide for medical and other health related services.*
 - *Allow for the establishment of uses which would co-exist with the District Centre's activities whilst recognising a limited level of residential activities in the District Centre.*
 - *Achieve safety and efficiency in traffic and pedestrian circulation.*
 - *Ensure that the scale, size, design and location of buildings are compatible with the existing development in the District Centre.*
12. Under the Scheme, the proposed land use of Tavern is defined as follows:
- "tavern** means premises the subject of a tavern licence granted under the *Liquor Licencing Act 1988*"
- The Department of Local Government, Sport and Cultural Industries defines a tavern as:
- "Tavern Licence** authorises the sale and supply of liquor for consumption on and off the licenced premises. A holder of a tavern licence does not need to provide accommodation."
- or
- "Tavern Restricted Licence** authorises the sale and supply of liquor for consumption on the licenced premises only (i.e. no packaged liquor sales). A holder of a tavern restricted licence does not need to provide accommodation."
- The Applicant has sought approval for a Tavern Restricted Licence.
13. In accordance with Table 1 (Zoning Table) of the Scheme, the proposed land use of Tavern is a 'D' (Discretionary) use within the District Centre zone, meaning the use is not permitted unless the local government has exercised its discretion by granting development approval.
14. With respect to then provision of parking, Table 3 of the Scheme sets car parking standards determined by the proposed use. In summary, the Applicant is seeking a dispensation of three car parking spaces for the Tavern land use which equates to a total shortfall of 32 car parking bays for the premises.

Use	Car Parking Standards	Deemed to Comply Provision	Provided	Shortfall
Restaurant	1 bays per 5 patrons	Proposed Patron = 200 50 car parking spaces	21 car parking bays	32 car parking bays
Tavern	1 bay for every 5m ² of bar and public area	13m ² of bar area 13m ² of bar area 3 car parking spaces		

15. Clause 3.8.2 (Car Parking Requirements) of the Scheme stipulates:

"The local government may apply at its discretion, a greater or lesser requirement for car parking than that stipulated as the minimum requirement in Table 3, if in its opinion the proposed use is likely to demand a greater or lesser need for car parking bays having due regard to the scale and nature of the intended use or uses."

16. Clause 3.8.3 (Reciprocal Parking) of the Scheme stipulates:

"Local government may vary the parking requirements as specified in Table 3 for any zone when it is considered reasonable to do so by the recognition of reciprocal arrangements for parking or access or circulation. In making its decision on application for such recognition, the local government shall take into consideration the following matters:

- i. The nature of the proposed development in relation to the existing or future development of any land within the immediate vicinity of the subject land;*
- ii. The hours of normal operation of the intended use and abutting land uses; and*
- iii. Any such matters as the local government considers relevant, including any legal agreements between affected landowners."*

17. Clause 3.8.4 (Cash in Lieu of Parking) of the Scheme stipulates the Applicant may, if the local government so agrees, propose to provide cash in lieu of car parking.

18. For Council to accept cash in lieu funds for the purpose of providing public car parking, it pre-supposes that Council has adopted a plan which establishes how and where the funds are to be expended. At present no plan has been adopted.

Planning and Development (Local Planning Schemes) Regulations 2015

19. In considering an application for planning approval, Clause 67 of *the Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) (Matters to be Considered by Local Government) requires Council to have due regard to a number of matters, including:
- a) the compatibility of the development within its setting;
 - b) the preservation of amenity in the locality;
 - c) any Local Planning Policy adopted by the local government.
20. If Council does not support the proposed development, there is a right of review (appeal) to the State Administrative Tribunal under Part 14 of the *Planning and Development Act (2005)*.

POLICY CONSIDERATIONS

City of Kalamunda Local Planning Policy DEV 41 – Framework for Assessing Requests for Variation to the Number of Car Parking Bays

21. City of Kalamunda *Local Planning Policy DEV41 – Framework for Assessing Requests for Variation to the Number of Car Parking Bays* stipulates that a reduction in parking will only be considered by Council and not under delegation and the proximity of public parking areas will only be considered in District Centre zoned land. The Policy further states that Council may approve a variation in parking if:

“The circumstance of a development justify such a variation and there will not be any resultant lowering of safety, convenience and amenity standards, it may permit a reduction in the number of car parking spaces required by Table 3 of Local Planning Scheme No. 3”

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

22. No objections to the proposed use were raised from the City's internal departments.

External Referrals

23. Having regard to Local Planning Policy P-DEV45- Public Notification of Planning Proposals, and the 'D' use classification under the Scheme, it was considered that the shortfall in parking was not considered significant in the context of the proposed operating hours, number of patrons and the opportunities for reciprocal parking adjacent to the site. On this basis, no public advertising was required.

FINANCIAL CONSIDERATIONS

24. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

25. *Kalamunda Advancing Strategic Community Plan to 2027*

Priority 1: Kalamunda Cares and Interacts

Objective 1.2 - To provide a safe and healthy environment for community to enjoy.

Strategy - 1.2.3 Provide high quality and accessible recreational and social spaces and facilities.

SUSTAINABILITY

Social Implications

26. The Tavern land use together with the approved and operating Restaurant will contribute to the vibrancy and diversity of the Kalamunda District Centre.

Economic Implications

27. The Tavern land use together with the approved and operating Restaurant will provide an economic stimulus to the town centre through new patrons visiting the area and through increased opportunities for local employment.

Environmental Implications

28. The proposal would be required to comply with the Environmental Protection (Noise) Regulations 1997.

RISK MANAGEMENT CONSIDERATIONS

29.	Risk: Refusal of the application may cause economic loss to the Kalamunda Town Centre.		
	Likelihood	Consequence	Rating
	Unlikely	Significant	Medium
Action/Strategy			
Ensure the planning rationale and merit of the proposal is properly explained and justified.			

30.	Risk: Allowing dispensation for parking may impact upon the car parking supply in the surrounding area.		
	Likelihood	Consequence	Rating
	Unlikely	Moderate	Low
	Action/Strategy		
	The operating hours of the proposed restaurant provides opportunities for reciprocal parking with adjoining land uses.		
	An existing parking study commissioned by the City in 2011 indicates that there is a surplus of car parking provided within the Kalamunda District Centre.		

OFFICER COMMENT

31. The Applicant is seeking approval for a proposed Tavern in addition to the existing Restaurant which operates from the subject site. The proposal will enable the applicant to apply for a Tavern Restricted Liquor Licence through the Department of Local Government, Sport and Cultural Industries. No building works are proposed as part of the application; however, approval is sought for car parking dispensation of three bays. The request for parking dispensation needs to be considered in the context of the existing shortfall of 29 car bays associated with the existing Restaurant use on the subject site.
32. Noting the above, consideration is given to "Parking Study, Kalamunda Town Centre" (Parking Study) commissioned by the City in 2011. The Parking Study found that the Kalamunda District Centre is well serviced by parking, with the vast majority of occasions, supply outstripping demand. Overall the Study found that the car parking standards stipulated in the Scheme are:
- "...considered conservative when applied to the Kalamunda District Centre and as such may provide the opportunity for dispensation to apply a lesser rate."*
- "Based on the assessment, the parking determination rates adopted for the various land uses by the Shire of Kalamunda under the LPS3 would appear to be conservative and may provide an excess of parking to actual demand".*
33. Noting that Council has previously approved a shortfall of 29 car parking bays associated with the existing restaurant use, the Applicant is seeking a further dispensation for three car parking bays associated with the proposed tavern use. Whilst the resulting shortfall of 32 car parking bays may be considered significant, the shortfall should be considered in the context of the following:
- a) total maximum patron capacity of the restaurant is expected to be a maximum of 200 people with an anticipated capacity of 75% during peak periods;

- b) the opportunity of utilising reciprocal car parking within the Central Road / Central Mall car parking area, which provides 35 car parking spaces, which at the time of the Parking Study had an average occupancy of 64% as well as agreement with the owners of Auto One and Mitre 10 providing for additional parking opportunities;
 - c) the nature of the surrounding shops and other land use activities, i.e. shopping centre, banks and specialty shops presently operating will have differing hours of operation, principally during daylight hours, whilst patrons to the Tavern are likely to peak during evening hours; and
 - d) a high level of connectivity using the public transport network via the Kalamunda Bus Station which is located a 186 metre walk from the subject site.
34. The proposed Tavern component of the subject site is not anticipated to generate significant vehicles as patrons attending the site for multiple alcoholic beverages are unlikely to drive in the context of the State's drink driving laws. Patrons in these instances are likely to share vehicles with designated drivers or utilise taxi / ride-sharing services.
35. It is recommended that Council approve the application for a proposed Tavern land use subject to appropriate conditions.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

APPROVES the application for a Tavern land use at Lot 1 (21) Haynes Street, Kalamunda, subject to the following conditions:

- a) the development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan to the satisfaction of the City of Kalamunda; and
- b) the proposed operating hours of the Tavern shall be limited to 11am to 12 midnight Monday to Sunday.

10.1.5 Proposed Outbuilding (Shed) - Lot 16 (28) Davies Crescent, Gooseberry Hill

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

Previous Items	Nil
Directorate	Development Services
Business Unit	Approval Services
File Reference	DV-03/028
Applicant	Barry and Yingbo Sheridan
Owner	Barry and Yingbo Sheridan
Attachments	<ol style="list-style-type: none"> 1. Development Plans [10.1.5.1] 2. Submitters Table [10.1.5.2] 3. Streetscape Views [10.1.5.3]

EXECUTIVE SUMMARY

1. The purpose of this report is to consider an application for an Outbuilding (shed) at Lot 16 (28) Davies Crescent, Gooseberry Hill (Site).
2. The Applicant is seeking a variation to the required secondary street setback as stated within State Planning Policy 3.1 – Residential Design Codes, as well as a wall height variation under the City’s Local Planning Policy P-DEV 20 – Outbuildings and Sea Containers.
3. It is recommended Council approve the application, subject to appropriate conditions.

BACKGROUND

4. **Land Details:**

Land Area:	1,757m2
Local Planning Scheme Zone:	Residential R5
Metropolitan Regional Scheme Zone:	Urban

5. **Locality Plan:**



6. The site currently contains a single residence and associated structures (existing outbuilding, patio).

DETAILS

7. The Applicant is seeking approval for an Outbuilding comprising the following:
- a) floor area of 46.32sqm;
 - b) proposed wall height of 3.5m;
 - c) proposed height to pitch of 4.2m;
 - d) vegetation screening between the rear fence and the proposed outbuilding;
 - e) rear boundary setback of 1.5m; and
 - f) secondary Street setback of 3m.

Plans of the development are included as Attachment 1 of this report.

8. In support of the proposal, the Applicant has stated that they will plant vegetative screening to offset the visual impact of the outbuilding and that they intend to match the colours of the outbuilding with the existing fence and the roof colour of the house.

STATUTORY AND LEGAL CONSIDERATIONS

Local Planning Scheme No.3

9. Clause 4.2.1 (Objectives of the Zones – Residential) of Local Planning Scheme No. 3 (Scheme) stipulates that the objectives of the Residential zone are as follows:
- *To provide primarily for single residential development whilst allowing for a range of residential densities in order to encourage a wide choice of housing types within the Shire.*
 - *To give consideration to grouped dwelling developments if the site is near amenities and can be integrated into the single residential development.*
 - *To facilitate a range of accommodation styles and densities to cater for all community groups inclusive of the elderly, young people in transition and the handicapped. Such accommodation is supported where it is appropriately situated in proximity to other services and facilities.*
 - *To encourage the retention of remnant vegetation.*

Planning and Development (Local Planning Schemes) Regulations 2015 (WA)

10. In considering an application for planning approval, Clause 67 of *The Planning and Development (Local Planning Schemes) Regulations 2015 (WA)*(Regulations) requires Council to have due regard to a number of matters, including:
- *The compatibility of the development within its settings;*
 - *Amenity in the locality; and*
 - *Any relevant submissions received on the application.*
11. In the event that Council does not support the proposed development, there is a right of review (appeal) to the State Administrative Tribunal under part 14 of the *Planning and Development Act (2005)*.

POLICY CONSIDERATIONS

State Planning Policy 3.1 – Residential Design Codes

12. The following table outlines the variations that are being sought to the R-Codes:

Aspect of Proposal	Deemed-To-Comply Provision	Proposed by Applicant	Variation to R Codes
Secondary Street Setback	6m	3m	3.5m (58%)
Open Space	70%	69.3%	0.7%

13. As indicated in the above table, where any aspect of a proposal does not satisfy the deemed to comply provisions of the Residential Design Codes (R Codes), an assessment of the proposal is made against the Design Principles of the R Codes. these are described below:

5.1.2 Street Setback

P2.1 Buildings setback from street boundaries an appropriate distance to ensure they:

- *Contribute to, and are consistent with, an established streetscape;*
- *Provide adequate privacy and open space for dwellings;*
- *Accommodate site planning requirements such as parking, landscape and utilities; and*
- *Allow safety clearances for easements for essential service corridors.*

5.1.4 Open Space

P4 Development incorporates suitable open space for its context to:

- *Reflect the existing and/or desired streetscape character or as outlined under the local planning framework;*
- *Provide access to natural sunlight for the dwelling;*
- *Reduce building bulk on the site consistent with the expectations of the applicable density code and/or as outlined in the local planning framework;*
- *Provide an attractive setting for the buildings, landscape vegetation and streetscape;*
- *Provide opportunities for residents to use active space around the building\; and*
- *Provide space for external fixtures and essential facilities.*

14. In addition to the above the following clause of the R Codes applies specifically to Outbuildings:

5.4.3 Outbuildings

P3 Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.”

Local Planning Policy P-DEV 20 – Outbuildings and Sea Containers

15. Section 1.3 (Objectives) of the City’s Outbuilding and Sea Containers Policy stipulates that the objectives of the Policy are as follows:

- To ensure the amenity of the locality and streetscape is preserved through orderly planning of any development of outbuildings, detached garages including sheds, rainwater tanks and sea containers within the City of Kalamunda;
- To ensure that outbuildings are of an appropriate scale and form in the context of the size of the lot, location of the outbuilding, environmental characteristics of the area, and existing buildings on site;
- Facilitate the intended use of the outbuilding while not creating an adverse impact to the surrounding landowners;
- To give due consideration for proposals incorporating outbuildings, detached garages and sea containers where there are legitimate constraints on the subject lot; and

- To establish clear guidelines for the placement, streetscape consideration and aesthetics of sea containers.

16. Under the Policy, an outbuilding has the same meaning as defined in the Residential Design Codes, as follows:

"Outbuilding – An enclosed non-habitable structure that is detached from any dwelling."

17. Assessment against the City's Local Planning Policy P-DEV 20 – Outbuildings and Sea Containers (Policy) has determined the following variations. It should be noted that where the proposal does not meet the deemed to comply requirements of the Policy an assessment must be made against the relevant design principles of the Policy.

Aspect of Proposal	Deemed-To-Comply Provision	Proposed by Applicant	Variation
Wall Height	3m	3.5m	0.5m (16%)
Secondary Street Setback	6m	3m	3m (50%)

Assessment against the design principles of the Policy:

Acceptable Design Outcome	Proposed by Applicant	Compliant with Policy (Y/N)
Compliant with R-Codes Setback Requirements	Rear: 1.5m	Yes
	Secondary Street: 2.5m	No
Meet the construction requirements of AS3959-2009 Construction of Buildings. (Where located in a Bushfire Prone Area).	Will Comply	Yes
Will not reduce areas of open space below deemed-to-comply requirements of the R-Codes.	69.3%	No
Outbuilding(s) located behind the main dwelling alignment and not directly visible from a street or public space.	Rear of property, adjacent to secondary street	No

Are not located within an area where there is historical evidence of flood waters reaching high levels.	Not located in such an area	Yes
Does not result in the excessive or unnecessary removal of vegetation.	Site has already been cleared for some time	Yes
The proposed colours and materials are consistent with the criteria set out in Table 2 of this policy.	- Mist green walls - Brown roof	Yes
Where tree removal is required, the applicant will be required to plant established trees in replacement at the discretion of the City's Environmental Services Department.	No trees are being impacted	N/A
Will not unduly impact on the amenity of an adjoining property owner/occupier.	Objections received from surrounding landowners	No

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

18. The proposal was assessed from an Environmental Health and Engineering perspective. Conditions relating to the construction of crossovers to access the proposed outbuilding are recommended.

External Referrals

19. The proposal was advertised to adjoining landowners in accordance with the City's P-DEV 45 – Public Notification of Planning Proposals. During the advertising period a total of two responses were received, comprising of one objection and one non-objection.
20. Key concerns raised by the objector are as follows:
- a) the position of the outbuilding is forward of adjacent dwellings along Parke Road;

- b) the wall height is non-compliant; and
 - c) the location of the outbuilding will impact upon views of significance from the property.
21. The Applicant was contacted regarding the objections raised and requested to provide revised plans that increase the setback distance to the secondary street. The applicant submitted revised plans that increase the secondary street setback to 3m, which is noted to be a variation to the deemed to comply setback provisions of 3m, or 50%.
22. The revised plans were provided to the objector, who stated that their objection still stood.
23. A summary of the concerns raised by the objector have been included in the attached submitters table (Attachment 2). Responses to the concerns raised by the objector have been included as part of the Officer Comment section of this report.

FINANCIAL CONSIDERATIONS

24. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

25. *Kalamunda Advancing Strategic Community Plan to 2027*

Priority 3: Kalamunda Develops

Objective 3.1 - To plan for sustainable population growth.

Strategy 3.1.1 - Plan for diverse and sustainable housing, community facilities and industrial development to meet changing social and economic needs.

SUSTAINABILITY

Social Implications

26. The presence of the Outbuilding without adequate screening and at its current height may result in an undue impact on the amenity of the surrounding landowners.

Economic Implications

27. Nil.

Environmental Implications

28. Nil.

RISK MANAGEMENT CONSIDERATIONS

29.	Risk: Undue visual impact upon the amenity of the adjoining neighbour and the streetscape.		
	Likelihood	Consequence	Rating
	Likely	Insignificant	Medium
	Action/Strategy		
	Ensure that adequate screening is installed to mitigate the potential visual impact of the outbuilding.		

OFFICER COMMENT

30. Though the proposed structure does not comply with the height, setback, and site coverage requirements of the relevant Policies, Council can still exercise its discretion by approving the Outbuilding where the proposal has satisfied the design principles of the R Codes as described in sections 14 and 15 of the report.
31. Having regard to the design principles of the R Codes and the concerns raised by the objector, the following is considered:

Position of the Outbuilding Forward of Structures in Parke Road

In terms of the impact of the outbuilding on the existing streetscape it is noted that there is currently a predominantly open streetscape along Parke Road (the road that the outbuilding will face) at this time, with the exception of a carport and ancillary dwelling at 33 Parke Road (Refer Attachment 3).

Where discretion has previously been applied to allow for existing structures forward of the building line on Parke Street, it is noted that the structures have been appropriately designed to blend with the existing house to minimise the impact on the streetscape. This same principle can be applied to the proposed Outbuilding which if approved, can be conditioned to match the colour of existing structures on the site.

The neighbouring dwelling is located approximately 10m from the lot boundary to Parke Road. It is noted that even if the proposed Outbuilding met the 6m setback requirement under the R Codes, a portion of the Outbuilding would still be located forward of the adjoining dwelling.

Non-Compliant Wall Height

The objector stated that the wall height was 'too tall'. As noted above the applicant is seeking a dispensation to the deemed to comply wall height for an outbuilding within an R5 coded area. The applicant has offered to provide vegetative screening to offset the impact of the wall height upon the adjoining property. It is considered that such screening may assist in reducing the impact of the height of the wall.

In addition, it is noted that the site sits approximately 800mm lower than the adjoining property, thus lessening the impact of the wall height to the adjoining property.

Impact Upon Views of Significance

It is stated within Clause 4.4 (Views) of the *Residential Design Codes Explanatory Guidelines* that the R-Codes cannot guarantee the protection of views, and that views of significance are generally those that are seen from a public space, rather than a private property.

32. In conclusion, the proposed variations to the R Codes and Policy, with respect to the wall height and open space and setbacks, are considered appropriate in the context of the site and impact on residents. On this basis it is recommended that approval be granted subject to appropriate conditions.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

APPROVES the application received from Barry and Yingbo Sheridan for a proposed Outbuilding (Shed) at Lot 16 (28) Davies Crescent, Gooseberry Hill, subject to the following conditions:

- a) the development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan;
- b) stormwater shall be disposed of on site, to the satisfaction of the City of Kalamunda;
- c) the applicant shall provide a schedule of colours and materials to the satisfaction of the City of Kalamunda prior to the issue of a building permit; and
- d) the Outbuilding shall not be used for commercial, industrial, or habitable purposes.

10.1.6 Suburb Naming of the Forrestfield North District Structure Plan Area and Future Train Station

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

Previous Items	OCM 83/2018
Directorate	Development Services
Business Unit	Development Services
File Reference	PG-STU-035
Applicant	N/A
Owner	Various

Attachments	1. 1574- Geographic-names-policies [10.1.6.1]
	2. Forrestfield North DSP Map [10.1.6.2]

EXECUTIVE SUMMARY

- The purpose of this report is to provide information relating to the process that gives consideration to the naming of the Forrestfield North District Structure Plan area (Area) and future train station in response to a Notice of Motion (NOM) resolved at the May Ordinary Council Meeting (OCM) (OCM 83/2018).
- Landgate's *Policies and Standards for Geographical Naming in Western Australia* (Policy) governs geographical naming in Western Australia. There are a number of processes required to be fulfilled in order to give effect to the naming of a suburb. The naming of a train station is a decision made by the Minister for Transport and generally reflects the geographic location of the station.
- It is recommended that Council initiate the engagement processes associated with the naming of the area.

BACKGROUND

4.

Land Details:

Land Area:	Approx. 220ha
Local Planning Scheme Zone:	Various
Metropolitan Regional Scheme Zone:	Urban

5. **Locality Plan:**



6. The area is located within the City of Kalamunda (City) in the suburb of High Wycombe and is generally bounded by Berkshire Road to the south, Roe Highway to the east, Poison Gully Creek to the north and the Forrestfield Marshalling Yards to the west.
7. In June 2014, the State Government announced a decision to proceed with the Forrestfield-Airport Link. Following this decision, the State Government requested the City to consider the planning and land use opportunities that the Forrestfield Train Station could create for the surrounding areas of Forrestfield and High Wycombe.

8. The State Government instructed the City to prepare a District Structure Plan (DSP) over the subject land, in order to identify new land use opportunities arising from the Forrestfield Train Station. In response, Element (previously TPG + Place Match) under commission from the City prepared the Forrestfield North DSP. The area was informally named 'Forrestfield North' in the context of its location north of the existing suburb of Forrestfield and the State Government's naming of the Forrestfield-Airport Link project.
9. In September 2016, the Forrestfield North DSP was approved by the Western Australian Planning Commission (WAPC) to guide the structure, vision and objectives of future urban development for the area. A copy of the approved Forrestfield North DSP is provided in Attachment 1.
10. In April 2018, Council adopted, for the purposes of public advertising, the Forrestfield North Residential Precinct Local Structure Plan (LSP). The LSP provides a more refined and detailed planning framework to facilitate subdivision and development of the residential precinct. The LSP area is generally bounded by Sultana Road West to the south, Poison Gully Creek to the north, Milner Road to the west and Roe Highway to the east.
11. Since the City informally named the project as Forrestfield North, residents within the area and surrounding locality have raised concerns as the project actually sits within the existing suburb of High Wycombe.
12. In response to these concerns, Council resolved to support a NOM at the May 2018 OCM as follows:

"RESOLVED OCM 83/2018

That Council:
 1. *Request the Chief Executive Officer to investigate and liaise with the relevant State Government agencies regarding the processes that gives consideration to the naming of the future train station currently known as Forrestfield and the District Structure Plan area currently known as Forrestfield North and report to Council on this process."*

DETAILS

13. Landgate's Policies and Standards for Geographical Naming (Policy) governs geographical naming in Western Australia. A copy of the Policy is provided in Attachment 2.
14. For the purposes of applying procedures within the Policy, a suburb is a locality. The process for naming a suburb is broadly summarised below.
15. Step 1 - Check information - Local Governments are to ensure that all the necessary information has been provided by the party proposing the name. If insufficient information, request additional information within a specified timeframe. This step will not apply if the City is proposing the name.

16. Step 2 - Apply the policies - Upon selection of a new name, local governments must ensure the proposal conforms to all of the policies outlined in the relevant sections of the Policy, being Sections 1 and 4 of the Policy for a locality. The checklist at Appendix 4A of the Policy (Locality Naming and Boundary Checklist) will assist in determining whether the proposal conforms to the policies outlined in Sections 1 and 4 of the Policy. If the proposed new name is an Aboriginal name, the name must also comply with all of the policies set out in Section 7 of the Policy.
17. Step 3 - Consult with Aboriginal communities - If the proposed new name is derived from an Aboriginal language, from the outset the local government, or the party proposing the name, should consult with and obtain the input and approval of the relevant local Aboriginal community(s). Details on the consultation process are provided in Section 9 of the Policy.
18. Step 4 - Consult with emergency service response and other stakeholders - When local governments have ensured that the proposal adheres to the relevant naming policies, there should be no further need for consultation with emergency service response and other service providers. This is due to the Policy having been endorsed by Landgate and the relevant agencies. In instances of local governments not being certain whether the naming or renaming proposal conforms to the policies (for instance, in cases of possible duplication or confusion) they should consult with Landgate and seek feedback from emergency service response and public service providers. Such consultation and feedback processes should be undertaken prior to any public consultation to ensure that unsuitable proposals are not unnecessarily provided to the public for their feedback.
19. Step 5 - Consult with the public - The immediate community, including residents, ratepayers and businesses, must be consulted on any naming or renaming proposals that will affect their address. Consultation with the immediate and/or extended community should only occur once Local Government is certain that the proposed name conforms to the relevant naming policies. If councils are uncertain of this, they should contact Landgate for further advice. Details on the consultation process are provided in Section 9 of the Policy.
20. Step 6 - Council consideration - Once the above steps have been undertaken a report must be prepared on the proposal. The local government's decision to accept or reject a proposal needs to be formally recorded. This also applies when the decision has been made under delegated authority.
21. Step 7 - Lodgement of submission to Landgate - If the local government endorses the proposal, a formal request seeking approval of the submission should be made to Landgate, via an online submission.

All naming proposals should include:

- a) applicant local government authority contact details;
- b) developer/agent/proposer details;

- c) the location of the development site in which the proposed road or feature will be situated;
 - d) supporting information as to why Landgate should consider naming or changing the name(s);
 - e) the proposed name(s) and the origin/source/historical context;
 - f) a final road design plan (where applicable) correctly marked with road extents and names;
 - g) where applicable, evidence of landowner, family or community support;
 - h) if the name is Aboriginal in origin, evidence of support from relevant Aboriginal Community; and
 - i) if the application is for a renaming, evidence of consultation from the affected residents is required.
22. Consultation with the Public Transport Authority (PTA) has revealed that the naming of the station is a task undertaken by the Minister for Transport. However, it is important to note that the geographic location of the station has a significant bearing on the name of the station. It is envisaged that should a name change occur for the DSP area and surrounding land then the station name would follow. The City has provided written notification to the Minister of Transport advising of the NOM and the City's intention to initiate a naming process for the DSP area.
23. Minister for Transport, Ms Rita Saffioti advised in December 2017 that the community would be consulted in the new year on what they would like to call the station.
24. In November 2017 Forrestfield MLA Mr Stephen Price raised the matter as a grievance in State Parliament and said the new development around the Forrestfield train station warranted the creation of a new suburb.

STATUTORY AND LEGAL CONSIDERATIONS

25. The Policy is provided for under the:
- a) *Land Administration Act 1997, Part 2 – General Administration, Division 3 – General; 26. Constitution, etc. of land districts and townsites; 26A Names of roads and areas in new subdivisions; and*
 - b) *Land Information Authority Regulations 2007; 3 – Information prescribed as fundamental land information.*

POLICY CONSIDERATIONS

26. There are no relevant internal policies.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

27. City officers from Economic Development, Customer & PR and Development Services have all met and formed a working group to review the process and structure required to undertake naming of the Forrestfield North District Structure Plan Area.

External Referrals

Landgate

28. City officers have contacted Landgate for information regarding the naming process.
29. Landgate has recommended that City officers review the following sections of the Policy:
- a) Section 1: General naming policies and standards, particularly 1.4: Commemorative names and personal names (very important);
 - b) Section 4: Localities, particularly 4.1: Components of a locality name and locality sizes (very important); and
 - c) Section 7: Appropriate use of Aboriginal names and dual naming (Landgate encourages the use of Aboriginal names).
30. Landgate advised that before a new locality name can successfully be approved by Landgate it must first be reviewed by three separate groups: The Geographic Names Team (GNT) within Landgate, the Permanent Committee on Place Names (PCPN), and the Geographic Names Committee (GNC).
31. Firstly, the GNT will review the proposed name for compliance with the Policy.
32. If the proposed name is compliant, GNT will request feedback from the State committee members of the PCPN. This is to determine if there is a duplication within any of the States of Australia, or any conflict concerning the proposed name.
33. Finally, if there are no objections from the other States, the name will be presented for endorsement by the GNC at their next quarterly meeting. Once the GNC have provided their endorsement, Landgate can then formally approve the new locality name.

Public Transport Authority

34. The PTA has advised the naming of the station is a task undertaken by the Minister for Transport. It is important to note that the geographic location of the station has a significant bearing on the name of the station. It is envisaged that should a name change occur for the area and surrounding land then the station name would generally follow suit.

Office of the Minister for Transport

35. The City has written to the Minister for Transport to advise of the concerns raised by residents in the area and the process that the City is considering with regard to the naming of the area. The City also advised that the geographic location of the station has a significant bearing on the name of the station. It is envisaged that should a name change occur for the area and surrounding land then the station name would generally follow.
36. In the context of the naming of the station being a responsibility of the Minister for Transport, the City sought the Minister for Transport's position on the naming of the future station in High Wycombe should a name change occur for the area.
37. Following endorsement from Council, a comprehensive Community Engagement Strategy will be implemented to engage with members of the community to consult on the proposed name for the precinct.

FINANCIAL CONSIDERATIONS

38. The City is proposing a \$500 prize for the winner of the Naming Competition as referred to in Officer Comment.
39. Time and processes associated with the naming of the area will be met through the City's annual budget.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

40. *Kalamunda Advancing Strategic Community Plan to 2027*

Priority 1: Kalamunda Cares and Interacts

Objective 1.3 - To support the active participation of local communities.

Strategy 1.3.1 - Support local communities to connect, grow and shape the future of Kalamunda.

Priority 4: Kalamunda Leads

Objective 4.2 - To proactively engage and partner for the benefit of community.

Strategy 4.2.1 - Actively engage with the community in innovative ways.

Strategy 4.2.2 - Increase advocacy activities and develop partnerships to support growth and reputation.

SUSTAINABILITY

Social Implications

41. Undertaking a naming process will give current and future residents an opportunity to have a say in the name of the new development area.
42. The City is aware of there being potential social angst by the use of the current working title of 'Forrestfield North' when the area encompasses both a part of Forrestfield (in the current industrial areas) and the southern part of the suburb of High Wycombe.

Economic Implications

43. The economic lives of residents will not be impacted by the naming process.

Environmental Implications

44. The environment will not be impacted by the naming process.

RISK MANAGEMENT CONSIDERATIONS

45. **Risk:** Community does not feel engaged or want to participate
- | Likelihood | Consequence | Rating |
|------------|-------------|--------|
| Likely | Moderate | High |
- Action/Strategy**
A comprehensive Communications and Engagement Strategy will be implemented to encourage community members to put forward ideas and their reasons why.
46. **Risk:** Names submitted by the public do not comply with the Policy.
- | Likelihood | Consequence | Rating |
|------------|---------------|--------|
| Likely | Insignificant | Medium |
- Action/Strategy**
Ensure that advertising for the naming competition refers to the requirements of the Policy, for example, the name must be relevant to the area and must be unique within Australia. Ensure that shortlisted names are referred to Landgate for comment.
47. **Risk:** Landgate is unwilling to approve the selected name on the basis that another State has claimed that the name is more relevant to that State.
- | Likelihood | Consequence | Rating |
|------------|-------------|--------|
| Possible | Moderate | Medium |
- Action/Strategy**
Ensure that shortlisted names are highly relevant to the area and are submitted to Landgate for referral to other States prior to the submission of a formal application.

OFFICER COMMENT

48. The City is proposing to run a naming competition for a period of 60 days. The competition will be open to all people who live, work or visit the City and will ask those submitting ideas to explain the reason for their suggestion.
49. The ideas and reasons will be assessed by a panel of staff, in accordance with the principles of the Policies and Standards for Geographical Naming, which governs geographical naming in Western Australia.
50. The shortlisted names will then be referred to Council, relevant Committees and Agencies to commence the formal naming process.
51. An announcement will then be made to the community advising of the winner.
52. It is envisaged that should a name change occur for the DSP area and surrounding land then the station name would follow. The City has provided written notification to the Minister of Transport advising of the NOM and the City's intention to initiate a naming process for the DSP area.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

ENDORSES the proposal to initiate the naming of the Forrestfield North District Structure Plan area.

10.2 Corporate Services Reports

10.2.1 Quarterly Progress Report Against KPIs - April - June 2018

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

Previous Items	N/A
Directorate	Corporate Services
Business Unit	Corporate Systems
File Reference	OR-CMA-009
Applicant	N/A
Owner	N/A

Attachments	1. Quarterly Report Progress Report Apr- Jun 2018 [10.2.1.1]
	2. KPI Scorecard July 17 - June 18 [10.2.1.2]

EXECUTIVE SUMMARY

1. The purpose of the Quarterly Progress Report is for Council to receive the report for the period 1 April to 30 June 2018.
2. The Quarterly Progress Report shows 93.6% of actions are currently at 90% or more of their year to date target.
3. It is recommended that Council receive the Quarterly Progress Report for the period 1 April 2018 to 30 June 2018.

BACKGROUND

4. In June 2017, Council adopted the Corporate Business Plan, *Kalamunda Achieving*. This Plan contains 188 key actions which are a priority for the City of Kalamunda in the 2017/2018 year.
5. Each action is linked to Council's Strategic Plan, *Kalamunda Advancing 2027*, also adopted in June 2017. This ensures that each employee is working towards achieving the strategic direction of the Council.
6. The officer responsible for an action or task is required to provide an update each month, giving an indication of how the action is progressing. Key Performance Indicators (KPIs) are also updated. This information is collated to provide an overview of how the organisation is performing.

DETAILS

7. **Priority Actions**
The Quarterly Progress Report for the period 1 April 2018 to 30 June 2018 is presented at Attachment 1.
8. The report shows comments indicating the status of all actions and their current progress.

9. Over 93% of the actions (176 of the 188) are currently at 90% or more of their target progress for the year to date. This is an improvement on last quarter (when 154 actions were on-track).
10. **Key Performance Indicators**
Performance against the City's corporate KPIs is shown in Attachment 2.
11. Of the nine KPIs, for the year 1 July 2017 to 30 June 2018:
- a) Eight are at or exceeding their target; and
 - b) One is currently off-track (Subdivision Applications Referred to the WAPC Within Statutory Timeframes). The target for the year was 95%, and the actual result achieved was 85.9%.
12. Whilst every effort is made to achieve the statutory timeframes for subdivision applications, there are some instances where, due to the complexity of the application and the resulting discussions with the WA Planning Commission (WAPC) and the applicant, the statutory timeframes cannot be achieved. For the April-June quarter, three applications required further information from the applicant, and two were delayed due to discussions with the WAPC.

STATUTORY AND LEGAL CONSIDERATIONS

13. Nil.

POLICY CONSIDERATIONS

14. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

Internal Referrals

15. Managers and Directors have submitted the comments shown on the Quarterly Progress Report. A draft was provided for review and update prior to finalising the report.

External Referrals

16. The report is presented to keep Council informed of the organisation's progress. The community is advised of the City's achievements and progress via the Annual Report.

FINANCIAL CONSIDERATIONS

17. Financial progress is reported monthly via the Monthly Financial Statements and Management Reports.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

18. *Kalamunda Advancing Strategic Community Plan to 2027*

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.2 - Build an effective and efficient service based organisation.

SUSTAINABILITY

Social Implications

19. Nil.

Economic Implications

20. Nil.

Environmental Implications

21. Nil.

RISK MANAGEMENT CONSIDERATIONS

22.

Risk: The City fails to carry out the actions set out in the Corporate Business Plan.		
Likelihood	Consequence	Rating
Unlikely	Significant	Medium
Action/Strategy		
Regular reporting of action progress to CEO, Directors and Council to ensure that performance is monitored and managed.		

23.

Risk: KPIs are not met – standard of customer service declines.		
Likelihood:	Consequence	Rating
Possible	Moderate	Medium
Action/ Strategy		
Regular reporting of KPI achievement to CEO, Directors and Council to ensure that performance is monitored and managed.		

OFFICER COMMENT

24. The Quarterly Progress Report outlines that the City is working effectively in implementing the strategic direction of the Council.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

RECEIVES the Quarterly Progress Report Against KPIs for 1 April to 30 June 2018.

11. Closure