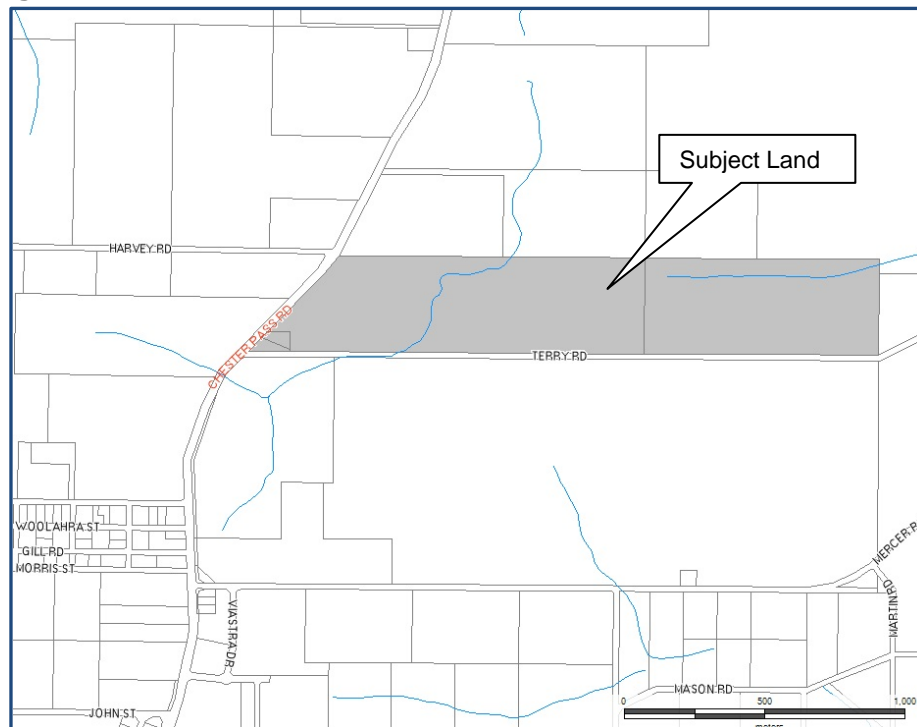


**2.1: INITIATION OF AMENDMENT – LOT 5498 AND LOTS 1 AND 2  
CHESTER PASS ROAD, WALMSLEY**

- Land Description** : Lots 5498 and 4925 Terry Road and Lots 1 and 2 Chester Pass Road, Walmsley
- Proponent** : Ayton Baesjou Planning
- Owner/s** : Cammit Pty Ltd ATF The Giumelli Family Trust; G & S Davies; P List; L & W Spinks; G Grayson; and R & P Weir
- Business Entity Name** : Cammit Pty Ltd
- Directors** : James Robert Giumelli
- Attachment(s)** : Opportunities and Constraints Plan (map only)  
: Copy of DPI advice from May 2007
- Appendice(s)** : Amendment No 298
- Councillor Workstation** : Land Capability Report  
: Copy of OCM 19/06/07 – Item 11.3.6 (SAR 116)  
: Amendment Document (AMD298)  
: Copy of submissions
- Responsible Officer(s)** : E/Director Planning and Development Services (G Bride)

**Maps and Diagrams:**



**IN BRIEF**

- Determine whether to initiate the proposed Scheme Amendment to rezone Lot 5498 and 4925 Terry Road and Lots 1 and 2 Chester Pass Road, Walmsley from the 'Rural' zone to the 'Residential Development' zone.

**CEO:**

**RESPONSIBLE OFFICER:**

**ITEM 2.1: RESPONSIBLE OFFICER RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council in pursuance of Section 75 of the *Planning and Development Act 2005* and *Regulation 17(2)* of the *Town Planning Regulations 1967* resolves to INITIATE Amendment No. 298 to Town Planning Scheme No. 3 without modifications by:**

- i. Rezoning Lots 1, 2, 4925 & 5498 Terry Road, Walmsley from the 'Rural' zone to 'Residential Development' zone.**

**BACKGROUND**

1. Amendment 298 proposes to amend Town Planning Scheme (TPS) No. 3 by rezoning Lots 5498 and 4925 Terry Road and Lots 1 and 2 Chester Pass Road, Walmsley from the 'Rural' zone to the 'Residential Development' zone.
2. A Scheme Amendment Request (SAR 116) for Lot 5498 Terry Road was considered at the Ordinary Council Meeting on 19 August 2007 and it was resolved:

*"THAT, subject, but not limited to, the following matters being addressed subject to the satisfaction of Council:*

- i) A clearly defined zoning boundary (including the possible inclusion of the two triangular lots to the southwest) being adopted and justified;*
- ii) A land capability assessment;*
- iii) Outline development planning, in the form of a conceptual district structure plan showing both the land's connection to the existing urban front (including its relationship with Chester Pass Road), and constraints and opportunities including possible surrounding land use conflicts;*
- iv) Identification of servicing needs and infrastructure requirements to accommodate future subdivision; and*
- v) An Integrated Water Management Plan being prepared across the whole site prior to subdivision to ensure that water sensitive design principles are adhered to.*
- vi) An overall nutrient and drainage management plan being prepared to demonstrate how nutrients and stormwater will be managed on-site.*
- vii) A foreshore management plan being prepared to ensure the protection of the existing creek line.*
- viii) The remnant vegetation being retained and incorporated into Public Open Space where required.*

*Council advises that it is prepared to entertain the submission of a formal application for rezoning Lot 5498 Terry Road, Walmsley from the 'Rural' zone to the 'Residential Development' zone."*

3. The above matters have been broadly addressed in the scheme amendment document as per the following:

- A clearly defined zoning boundary has been identified, including the two lots within the south-west corner of the subject land, as mentioned above.
  - A land capability and geotechnical report has been appended to the amendment document to inform the opportunities and constraints plan.
  - A conceptual district structure plan has been prepared in the form of an opportunities and constraints plan showing the land's connection to the existing urban front, including its relationship with Chester Pass Road.
  - The amendment document has identified that the land can be serviced with reticulated water and sewer, power and telecommunications.
  - A preliminary water management plan has been included within land capability and geotechnical report.
  - A preliminary nutrient management plan has been included within the land capability and geotechnical report.
  - The opportunities and constraints plan identifies the need to protect the creek line through stock proof fencing, revegetation and reservation.
  - Vegetation has been identified for retention on the opportunities and constraints plan.
4. Staff are satisfied with the level of information received for this stage of the planning process. At the detailed outline development plan stage, several studies would need to accompany the proposal inclusive of a traffic report, foreshore management plan and local water management strategy.

## **DISCUSSION**

5. The subject lots cover an area of approximately 71.1ha and lie to the east of Chester Pass Road, approximately 4.8km north of Albany town centre. The land is generally flat from Chester Pass Road eastward, until it reaches a drainage line running across Lot 5498 in a south-west to north-easterly direction, where it begins to slope upward to the east, before briefly levelling out and dropping gently back toward a drainage line along the northern edge of Lot 4925. Much of the land has been cleared for pasture, although some vegetation remains on Lots 1, 2 and along the boundaries of Lot 5498. Lot 5498 is also traversed by a shelter belt, roughly adjacent to the drainage line, and stands of parkland cleared vegetation are located in the south-eastern corner of Lot 5498 and close to the northern end of Lot 4925's eastern boundary. Two dams lie within the north-west quarter of Lot 5498, one large and one small, while smaller dams are also found at the eastern end of Lot 5498 and the western end of Lot 4925.
6. Land uses are of a rural residential nature on Lots 1 and 2, each occupied by a dwelling and associated outbuildings, while Lots 5498 and 4925 are predominantly used for rural residential purposes, with some limited grazing activity. A dwelling and associated outbuildings stand close to the mid-point along the southern boundary of Lot 5498 and a dwelling and associated outbuildings also stand close to the southern boundary of Lot 4925, near its western end.
7. The surrounding land is primarily covered by the 'Rural' zoning, although Lot 10 Chester Pass Road, on the southern side of Terry Road is covered by the 'Service Industry' and 'Landscape Protection' zones, while Lot 4925 is bounded to the north by an area of 'Parks and Recreation' Reserve and to the east by a 'Public Purposes' Reserve.

8. The area has been identified as being suitable for 'Future Urban' development in the Albany Local Planning Strategy (ALPS) and given a Priority 3 designation on Map 9B. This has been largely influenced by the relatively flat topography and unconstrained nature of the land and its proximity to a major road. Priority 3 areas are described in the ALPS as follows:

*"Priority 3 areas are logical extensions of the Priority 2 locations and/or existing urban areas and include parts of McKail, Gledhow, Warrenup, Walmsley and Big Grove. Priority 3 areas are expected to be rezoned with local structure planning undertaken in the near future. These areas are capable of producing lots within the medium-term."*

9. In addition to the designation of the land within the ALPS as 'Future Urban', the proposal also needs to be assessed against the specific strategic objectives and aims set out in Sections 8.3.1 and 8.3.2 of the ALPS text, which promotes urban lot consolidation and staged incremental development.

10. Section 8.3.1 – *Strategic Settlement Direction* sets the following Strategic Objective:

*"Facilitate and manage sustainable settlement growth for the urban area in the City of Albany."*

This objective is supported by a set of aims that have been devised to contain the spread of fragmented urban and rural living areas in the City. They are as follows:

- *"Providing for growth in urban areas, rural town sites and rural living areas as designated in ALPS."*
- *Minimising the development footprint on the landscape to help protect biodiversity and the environment.*
- *Promoting energy conservation.*
- *Providing greater housing choice.*
- *Minimising journey length from home to work/school/services and encouraging the use of public transport, cycling and walking.*
- *Reducing government expenditure on servicing current and future populations."*

11. Section 8.3.2 – *Urban Lot Consolidation and Staged Incremental Development* sets the following Strategic Objective:

*"Support the consolidation of serviced urban areas and facilitate staged fully-serviced incremental-development nodes."*

The draft ALPS states that *"the benefits of incrementally-staged urban development are that it will:*

- *Establish a more sustainable urban form by minimising the development footprint and better protecting the environment.*
- *Manage growth to make it continuous, minimising urban sprawl or creation of disjointed communities.*
- *Retain agricultural land for productive uses.*

- *Maximise the use of existing infrastructure, services and facilities.*
- *Minimise distances and travel time between homes and education, retail, community and recreation services.*
- *Retain the current high levels of accessibility to the Albany City Centre.*
- *Promote greater participation in public and alternate transport options.*

*The ALPS supports incrementally-staged urban expansion based on comprehensive precinct and structure planning. The progressive development of the Future Urban areas has been classified into five Development Priority stages. The extent to which Future Urban areas are developed within the lifetime of the ALPS will be determined largely by population growth, employment opportunities, availability of infrastructure to service growth and the ability of the development and housing industry to satisfy market demand.*

12. The subject land is situated approximately 700m to the north of the existing urban front, which currently lies to the south of Mercer Road (St Ives Village and the Catalina Central development). The land to the south of the subject land, which includes a mixture of industrial and rural zoned land, is not part of the amendment proposal. Land to the west of the subject land between Henry Street and to the south of Harvey Road has previously been rezoned to 'Residential Development'.
13. The rezoning of the land to 'Residential Development' could be considered premature on the basis that the land is separated from the urban front, and does not include that land south of the subject land. It is also noted that there is continued expansion of Albany's suburbs in Bayonet Head, Yakamia, Little Grove, Big Grove, Lange and Gledhow which are expected to meet the majority of the demand for an increase of approximately 7,000 residents to the City within the next 10 years (based on current growth rates of 1.6% per annum). Beyond this timeframe it is expected that land to the north of Mercer Road, including the locality of Walmsley, will be required for residential expansion.
14. In 2007 when Council considered the Scheme Amendment Request proposal, the Department of Planning provided the following advice:  
  
*"The site may be restricted in its use as residential land due to the close location to the existing rural and tourism activities, such as the strawberry farm and winery to the north that may need buffers from residential development due to spraying and other farm practices, and the current industrial zoning to the south. Detailed planning for the area may indicate the retention of these rural and tourism assets as the best option.*  
  
*As such the proposal to have residential development in this area via the proposed Residential Development zone is very premature and should not be considered until much further down the line when that area including the strawberry farm and winery have fully comprehensive planning strategies developed for the area."*
15. The proposal would not play a significant role in meeting the short to medium term residential expansion requirements of the City, and if Council were not minded to support the amendment at this time, there would be no significant planning loss incurred.

16. The proposal seeks to rezone the land to 'Residential Development' and not 'Residential', which requires the preparation of a comprehensive Outline Development Plan before subdivision and or development can be considered. In this regard Clause 5.5 of Town Planning Scheme No. 3 requires an outline development plan to be undertaken over those areas contained within the Residential Development zone, *together with other areas determined by Council having regard to:*
- c) land holdings adjacent to or in the vicinity of the subject land.*
17. Any outline development plan for the subject land would need to include detailed planning over all of the land to the south, to tie in within the existing urban front and promote a coordinated approach to planning as advocated in the ALPS (the Department of Planning would also provide guidance on the land to be included in such a plan). This has been acknowledged in the amendment document.
18. In the interim period the land could continue to be utilised for its current use (grazing), with a zoning designation that reinforces and protects its future use for fully serviced urban development.
19. The opportunities and constraints plan contained in the amendment is consistent with Council's draft road hierarchy plan, as identified in the City's Local Planning Policy No. 1, being its Conceptual District Structure Plan, as the main north-south and east-west road connections have been identified. The land capability report has also identified that the land is capable of accommodating fully serviced residential development in the future.
20. Whilst the amendment may be considered premature given its distance from the urban front and the likelihood that residential growth within this area is unlikely to eventuate within the next 5 to 10 years, it does reinforce the future urban designation with the ALPS, providing adequate protection from inappropriate land uses in the intervening period which may compromise the future planning of the locality. The environmental investigations contained within the land capability report have identified that at this stage of the planning process the land can support fully serviced residential development into the future. As per Clause 5.5 of Town Planning Scheme No. 3, no development or subdivision can proceed unless a comprehensive Outline Development Plan is prepared, and in this case it would be essential that such a plan incorporate the land holding to the south to promote a coordinated outcome.

## **GOVERNMENT CONSULTATION**

21. Due to concerns over the availability of servicing (water and sewer) and potential land use conflict with the established strawberry farm to the north of Lot 5498 Terry Road, the Amendment was referred to the Water Corporation and Department of Agriculture and Food (DAFWA) for initial assessment and comment.
22. The Water Corporation did not have any objection to the proposal and provided plans showing future sewer catchment areas and at a high level, possible arterial sewer routes and pump station locations. It has also advised that the proponent will be required to engage a consulting engineer to discuss with the Corporation the servicing of the area with water and wastewater services.

23. However, DAFWA raised significant concerns in relation to the proximity of the subject land to the strawberry farm and the lack of buffer zones or an adequate separation distance. It recommended that the most appropriate method of minimising potential land use conflict and subsequent complaints is to separate those uses by implementing buffer zones or specific separation distances within the area to be re-zoned.
24. DAFWA also highlighted that complaints about agricultural practices are often based as much on perception as reality, particularly in relation to chemical spray drift. Seeing or smelling the source of a potential nuisance may suggest or heighten the perception of a nuisance. Therefore, a suitable visual barrier between the development and agricultural land in the form of a vegetation screen can significantly reduce the level of complaint by minimising both the cause and the perception of a nuisance. It is noted that the EPA recommends generic separation distances of 300-500m for specific intensive agricultural and agri-food processing uses.
25. DAFWA has also commented on the importance of the strawberry farm as a local source of fresh produce and its contribution to local food security and economic activity in the Albany region and beyond. It has advised that the land consists of niche soil types and water resources, which are preferred specifically in the Albany area for intensive irrigated horticulture production, and that the irreversible loss of this land through rezoning from 'Rural' to 'Residential Development' would compromise the availability of suitable areas for irrigated intensive horticulture in the Albany region. DAFWA considers that the rezoning of this land would also set a dangerous precedent for the rezoning of similarly valuable land that could be used for agricultural purposes.
26. The Opportunities and Constraints Plan identifies the need for buffers from the strawberry farm and adjacent industrial development. The extent of those buffers would need to be identified in a future Outline Development Plan.
27. Should Council initiate the Amendment and the EPA decides not to assess the proposal, the Amendment will be referred to all relevant Government agencies for further comment.

#### **PUBLIC CONSULTATION / ENGAGEMENT**

28. Should Council initiate the Amendment and the Environmental Protection Authority (EPA) decides not to assess the proposal, the Amendment will be advertised to all affected and surrounding landowners for comment. The amendment proposal will then come before Council to consider whether final approval should be considered.

#### **STATUTORY IMPLICATIONS**

29. All Scheme Amendments undergo a statutory process in accordance with the *Planning and Development Act 2005* and *Town Planning Regulations 1967*.
30. Council's resolution under Section 75 of the *Planning and Development Act 2005* is required to amend the Scheme.

31. An Amendment to a Town Planning Scheme adopted by resolution of a Local Government must then be referred to the EPA for assessment.
32. If the EPA determines that the Amendment is environmentally acceptable advertising of the Amendment for public inspection then occurs for a period of 42 days.
33. A resolution to amend a Town Planning Scheme should not be construed to mean that final approval will be granted to that amendment.

### **STRATEGIC IMPLICATIONS**

34. Council's decision on the Scheme Amendment should be consistent with the objectives of the ALPS as the principal land use planning strategy for the City.
35. Section 8.3.1 – *Strategic Settlement Direction* sets the following Strategic Objective:

*“Facilitate and manage sustainable settlement growth for the urban area in the City of Albany”.*

This objective is supported by a set of aims that have been devised to contain the spread of fragmented urban and rural living areas in the City. They are as follows:

- *Providing for growth in urban areas, rural townsites and rural living areas as designated in ALPS.*
- *Minimising the development footprint on the landscape to help protect biodiversity and the environment.*
- *Promoting energy conservation.*
- *Providing greater housing choice.*
- *Minimising journey length from home to work/school/services and encouraging the use of public transport, cycling and walking.*
- *Reducing government expenditure on servicing current and future populations.*

36. Section 8.3.2 – *Urban Lot Consolidation and Staged Incremental Development* sets the following Strategic Objective:

*“Support the consolidation of serviced urban areas and facilitate staged fully-serviced incremental-development nodes.”*

The draft ALPS states that *“the benefits of incrementally-staged urban development are that it will:*

- *Establish a more sustainable urban form by minimising the development footprint and better protecting the environment.*
- *Manage growth to make it continuous, minimising urban sprawl or creation of disjointed communities.*
- *Retain agricultural land for productive uses.*
- *Maximise the use of existing infrastructure, services and facilities.*



- *Minimise distances and travel time between homes and education, retail, community and recreation services.*
- *Retain the current high levels of accessibility to the Albany City Centre.*
- *Promote greater participation in public and alternate transport options.*

*The ALPS supports incrementally-staged urban expansion based on comprehensive precinct and structure planning. The progressive development of the Future Urban areas has been classified into five Development Priority stages. The extent to which Future Urban areas are developed within the lifetime of the ALPS will be determined largely by population growth, employment opportunities, availability of infrastructure to service growth and the ability of the development and housing industry to satisfy market demand.*

*Priority 3 areas are logical extensions of the Priority 2 locations and/or existing urban areas and include parts of McKail, Gledhow, Warrenup, Walmsley and Big Grove. Priority 3 areas are expected to be rezoned with local structure planning undertaken in the near future. These areas are capable of producing lots within the medium-term”.*

37. The rezoning proposal in itself does not promote sustainable consolidated settlement growth, as identified in Section 8.3.1 and 8.3.2 of the ALPS, however the subsequent Outline Development Plan prepared over the land and the surrounding locality would need to be prepared taking the above matters into account to ensure a coordinated development. The staging of the subdivision and how it relates and integrates with the urban front would need to be addressed in such a plan.

## **POLICY IMPLICATIONS**

38. Council is required to have regard to any Western Australian Planning Commission Statements of Planning Policy (SPP) that apply to the scheme amendment. Any amendment to the Town Planning Scheme will be assessed by the Western Australian Planning Commission to ensure consistency with the following State and Regional Policies.
39. **SPP 1 – State Planning Framework**

The Policy establishes state-wide key land use planning principles and informs the Commission, Local Government and others involved in the planning process in relation to sustainable land use and development across the State. It is designed to ensure there is coordination and integrated decision-making across all spheres of planning.

SPP1 describes the factors which represent good and responsible decision-making in land use planning:

### ***“Environment***

*The protection of environmental assets and the wise use and management of resources are essential to encourage more ecologically sustainable land use and development. Planning should contribute to a more sustainable future by:*

- i. *promoting the conservation of ecological systems and the biodiversity they support including ecosystems, habitats, species and genetic diversity;*
- ii. *State Planning Framework Policy 5*
- iii. *assisting in the conservation and management of natural resources, including air quality, energy, waterways and water quality, land, agriculture and minerals, to support both environmental quality and sustainable development over the long term;*
- iv. *protecting areas and sites with significant historic, architectural, aesthetic, scientific and cultural values from inappropriate land use and development;*
- v. *adopting a risk-management approach which aims to avoid or minimise environmental degradation and hazards; and*
- vi. *preventing environmental problems which might arise as a result of siting incompatible land uses close together.*

### **Community**

*Planning anticipates and responds to the needs of existing and future communities through the provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities. Planning should recognise the need for and, as far as practicable, contribute towards more sustainable communities by:*

- i. *accommodating future population growth and providing housing choice and diversity to suit the needs of different households, including specialist housing needs, and the services they require;*
- ii. *providing land for a range of accessible community resources, including affordable housing, places of employment, open space, education, health, cultural and community services;*
- iii. *integrating land use and transport planning and promoting patterns of land use which reduce the need for transport, promote the use of public transport and reduce the dependence on private cars;*
- iv. *encouraging safe environments, high standards of urban design and a sense of neighbourhood and community identity;*
- v. *promoting commercial areas as the focus for shopping, employment and community activities at the local, district and regional levels; and*
- vi. *providing effective systems of community consultation at appropriate stages in the planning and development process.*

### **Economy**

*Planning should contribute to the economic well-being of the State, regions and local communities by supporting economic development through the provision of land, facilitating decisions and resolving land use conflicts. In particular, planning should provide for economic development by:*

- i. *providing suitable zoned and serviced land for industry, business and other employment and wealth generating activities;*
- ii. *protecting agricultural land resources from inappropriate uses;*
- iii. *avoiding land use conflicts by separating sensitive and incompatible uses from industry and other economic activities with off-site impacts;*

- iv. *promoting local employment opportunities in order to reduce the time and cost of travel to work;*
- v. *providing sites for tourism accommodation and facilities taking account of their special location and servicing needs; and*
- vi. *ensuring that plans and policies are clear and certain, decisions are made in accordance with plans and policies, and decisions are made expeditiously.*

### **Infrastructure**

*Planning should ensure that physical and community infrastructure by both public and private agencies is coordinated and provided in a way that is efficient, equitable, accessible and timely. This means:*

- i. *planning for land use and development in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes and essential services;*
- ii. *protecting key infrastructure, including ports, airports, roads, railways and service corridors, from inappropriate land use and development;*
- iii. *facilitating the efficient use of existing urban infrastructure and human services and preventing development in areas which are not well serviced, where services and facilities are difficult to provide economically and which creates unnecessary demands for infrastructure and human services; and*
- iv. *encouraging consultation with providers of infrastructure, to ensure they have regard to planning policies and strategic land use planning when making their investment decisions, in order to ensure that land use and development are closely integrated with the provision of infrastructure services.”*

The future Outline Development Plan would specifically need to focus on:

- assisting in the conservation and management of natural resources, including air quality, energy, waterways and water quality, land, agriculture and minerals, to support both environmental quality and sustainable development over the long term;
- preventing environmental problems which might arise as a result of siting incompatible land uses close together through the use of appropriate separation buffers;
- integrating land use and transport planning and promoting patterns of land use which reduce the need for transport; and
- protecting agricultural land resources from inappropriate uses through the use of appropriate separation buffers.

#### **40. SPP 3 – Urban Growth and Settlement**

SPP 3 sets out the key principles and planning considerations that apply to planning for urban growth and expansion of settlements in the State.

The key policy objectives in SPP 3 are as follows:

- *“To promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space.*
- *To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.*
- *To manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.*
- *To promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.*
- *To coordinate new development with the efficient, economic and timely provision of infrastructure and services.”*

The future Outline Development Plan would specifically need to focus on:

- promoting the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes; and
- coordinating new development with the efficient, economic and timely provision of infrastructure and services.

**RISK IDENTIFICATION & MITIGATION**

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Support for the rezoning proposal may give a false impression that the land can be developed in isolation, rather than as a collective whole, for fully serviced residential development.	Likely	Medium	Medium	Amendment document to identify that a comprehensive Outline Development Plan, including land to the south of the subject land, would need to be prepared prior to any subdivision or development being considered on the site. Council has the power under Clause 5.5 of Town Planning Scheme No. 3 to determine the boundary to which an Outline Development Plan applies.

## FINANCIAL IMPLICATIONS

41. The appropriate planning fee has been received and staff has processed the application within existing budget lines.
42. Should Council support the Scheme Amendment, the proponent and other landholders in the locality would be responsible for preparing any outline development plan and extending services to the subject land at their cost.

## LEGAL IMPLICATIONS

43. Section 75 of the *Planning Development Act 2005* allows Council to pass a resolution to amend its Town Planning Scheme.
44. Regulation 13(1)(b) of the *Town Planning Regulations 1967* allows Council to pass a resolution that it does not wish to proceed with an amendment to its Town Planning Scheme prior to the advertising of the amendment.

## ALTERNATE OPTIONS

45. Council has the following options in relation to this item, which are:
  - To resolve to initiate the Scheme Amendment without modifications;
  - To resolve to initiate the Scheme Amendment with modifications; or
  - To resolve not to initiate the Scheme Amendment.
46. If Council believes the amendment is premature, the following alternate motion could be put by a Council member:

*That Council:*

- 1) *In pursuance of Regulation 13(1)(b) of the Town Planning Regulations 1967 resolves NOT TO PROCEED with Amendment No. 298 to Town Planning Scheme No. 3 for the purposes of:
  - i. Rezoning Lots 1, 2, 4925 & 5498 Terry Road, Walmsley from the 'Rural' zone to 'Residential Development' zone.*
- 2) *ADVISE the Western Australian Planning Commission that it does not wish to proceed with the amendment primarily on the basis that the proposed amendment is premature given the considerable distance of the land from the existing urban front and that there is an abundance of other land already identified to meet the short to medium residential expansion needs of the City.*

**SUMMARY CONCLUSION**

47. The subject land is identified on Map 9B of the ALPS for 'Future Urban' development. The amendment seeks to rezone the land to Residential Development, which requires the preparation of an Outline Development Plan to the satisfaction of Council and the Western Australian Planning Commission. Council has full control as to the boundaries of such a plan, which would need to include land to the south to Mercer Road, ensuring the development of the land is part of a larger coordinated precinct.

<b>Consulted References</b>	WA Planning Commission (WAPC) Statements of Planning Policy (SPP's) SPP1 & SPP 3
<b>File Number (Name of Ward)</b>	AMD298 (Yakamia Ward)
<b>Previous References</b>	OCM 19/06/07 – Item 11.3.6 (SAR 116)