

# TOWN PLANNING SCHEME NO. 4

# PROPOSED REZONING OF LOT 3 ARMADALE ROAD AND LOT 301 ANSTEY ROAD, FORRESTDALE FROM URBAN TO LOCAL CENTRE

AMENDMENT No. 113 Planning and Development Act 2005

# RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

### CITY OF ARMADALE TOWN PLANNING SCHEME NO. 4

#### AMENDMENT NO. 113

RESOLVED that Council pursuant to Part 5 of the *Planning and Development Act 2005*, initiate Amendment No. 113 to Town Planning Scheme No.4 as a 'Standard Amendment' in accordance with Part 5, Clause 34 – Standard Amendment, subsection (a), (e), (f) and (g) of the Planning and Development (Local Planning Schemes) Regulations 2015 to:

- 1. Amend the Scheme maps to rezone Lot 3 Armadale Road and Lot 301 Anstey Road, Forrestdale from "Urban Development" to "Local Centre"; and
- 2. Amending Special Control Are Map No. 3 by amending the boundary of Development Area 51 to exclude Lot 3 Armadale Road and Lot 301 Anstey Road, Forrestdale.

Dated this 22nd day of June, 2020

J A ABBISS CHIEF EXECUTIVE OFFICER

D39/6/20

# CITY OF ARMADALE TOWN PLANNING SCHEME NO. 4

#### **AMENDMENT NO. 113**

#### SCHEME REPORT

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## 1. SUBJECT PROPERTIES

Lot 3 (799) Armadale Road and Lot 301 Anstey Road Forrestdale.

#### 2. APPLICANT

CLE Town Planning & Design

#### 3. LANDOWNERS

Lot 3: G. Nelson & J. Wilson
Lot 301: Declare Investments Pty Ltd

#### 4. BACKGROUND

Lot 3 Armadale Road and Lot 301 Anstey Road Forrestdale are currently zoned "Urban Development" under Town Planning Scheme No.4 (TPS No.4). The subject properties are located within the Anstey-Keane Urban Development Precinct. Both properties currently contain residential dwellings and associated outbuildings.

A Structure Plan is required to be approved prior to the commencement of any development in the "Urban Development" zone. A Structure Plan has been approved by the Western Australian Planning Commission (WAPC) for the majority of the Anstey Keane Precinct on the eastern side of Anstey Road. However, none of the lots fronting Armadale Road (including Lot 3 and Lot 301) are within that Structure Plan. Therefore, development of the proposed Local Centre could not occur currently under the Urban Development zone.

The subject property (and the remainder of the precinct) are included in proposed Development Contribution Area No.4 via Amendment 102 to TPS No.4. Amendment 102 is currently awaiting approval by the Western Australian Planning Commission (WAPC) and the Hon. Minister for Planning.

#### 5. DETAILS OF PROPOSAL

The City has received a request to initiate an amendment to rezone Lot 3 Armadale Road and Lot 301 Anstey Road from "Urban Development" zone to "Local Centre" zone. The purpose of the amendment is to enable the development of a small commercial hub for the Anstey Keane Precinct. A Development Concept is included in the Amendment documentation showing how the site could develop as a Service Station with associated local retail conveniences.

This Development Concept includes:

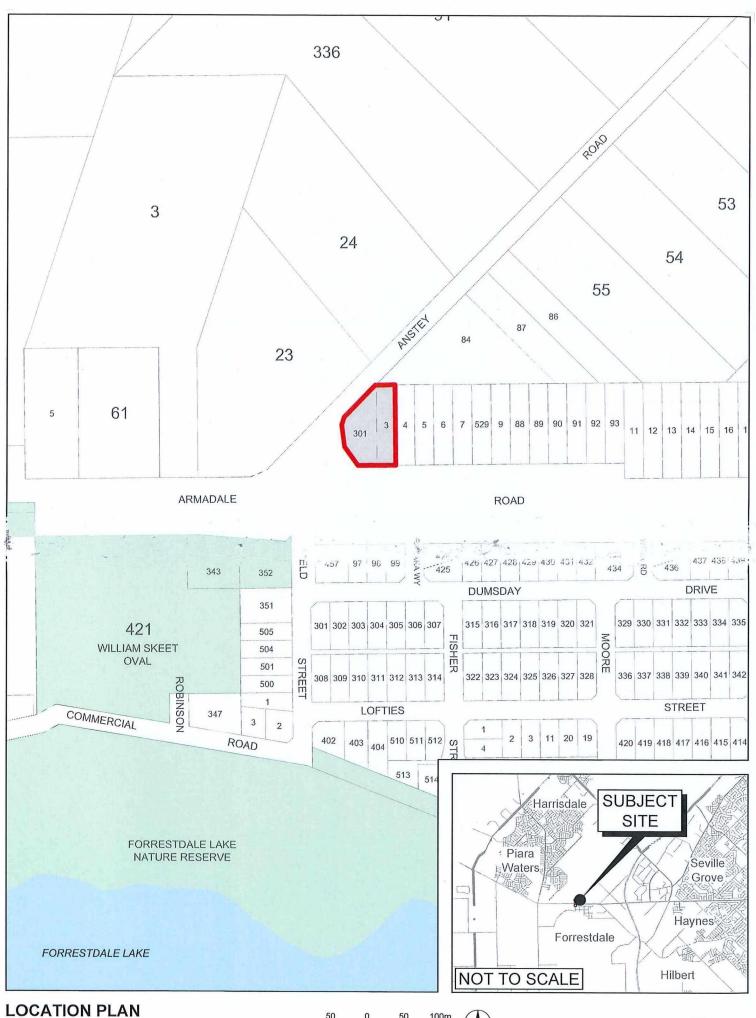
- 1. 200m<sup>2</sup> of floor area associated with a fuel station, including 10 fuel filling stations (bowsers).
- 2. 400m<sup>2</sup> of floor area associated with other retail uses.
- 3. 22 onsite (car) bays to support the retail uses.

The applicant advises that the purpose of this Development Concept is to provide one possible scenario to demonstrate that the site can be reasonably supported as a 'Local Centre' zone. The Development Concept is supported by the following technical reports:

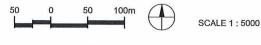
- Retail Needs Assessment
- Transport Impact Assessment
- Bushfire Management Plan
- Engineering Servicing Report
- Acoustic Advice Note

The applicant's justification for the proposed Local Centre zoning is summarised as follows:

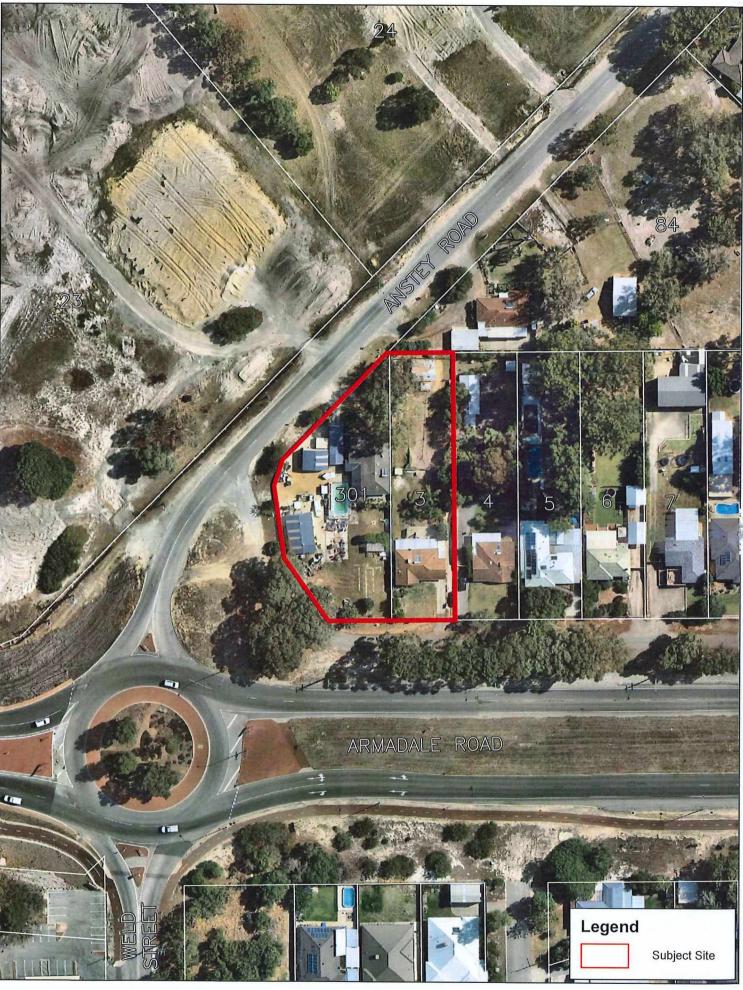
- 1. It will serve the needs of the growing trade area population within Forrestdale most particularly that of the emerging Anstey Road Urban Precinct, with the small scale offered by the site easily absorbed into the retail supply of the area;
- 2. It will have a minimal impact on any of the surrounding (existing and planned) retail centres due to its size;
- 3. It will provide for the convenience-oriented needs of local residents;
- 4. It will provide for fuel and convenience-oriented needs of passing traffic; and
- 5. It will create a node for local employment.



Amendment No. 113 to TPS No. 4 Lot 3 Armadale Road & Lot 301 Anstey Road, Forrestdale







# **AERIAL PLAN**

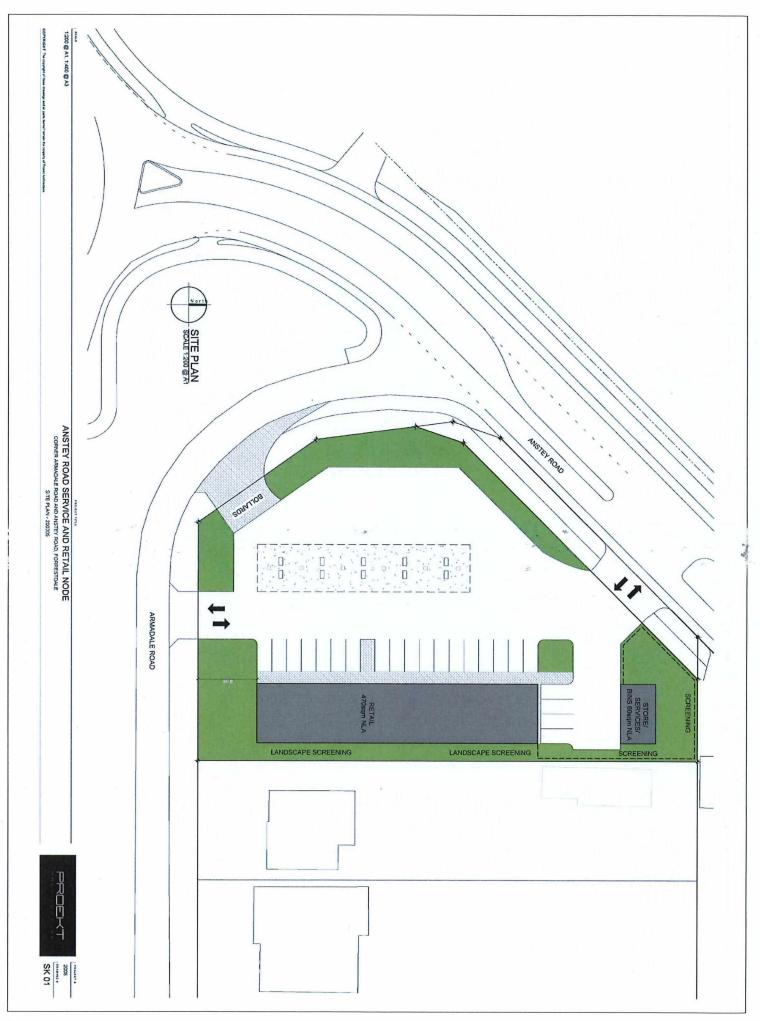
Amendment No. 113 to TPS No. 4 Lot 3 Armadale Road & Lot 301 Anstey Road, Forrestdale





SCALE 1: 1500







Amendment No. 113 to TPS No. 4 Lot 3 Armadale Road & Lot 301 Anstey Road, Forrestdale







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NOT TO SCALE





CLE Town Planning + Design www.cleplan.com.au

ARCHITECTURAL IMPRESSIONS SHOWN FOR INTENT

ANSTEY ROAD SERVICE & RETAIL NODE - 200211

#### 6. COMMENT

### Development Control Unit (DCU)

A number of matters were raised by the City's Technical Services team with regard to upgrades needed to Anstey Road and the Armadale Road access road to support the proposed development of a Local Centre as well as servicing matters. These are discussed within the relevant sections of the report relating to traffic impact and servicing.

The City's Environmental Services team advised that there are no mapped environmental values of significance on or nearby the site and that no native vegetation within or adjacent to the site would be impacted by the proposed development or bushfire mitigation. Retention of existing mature trees (non-native) on the site or adjacent verges should be considered in the development proposal.

# Desirability of a Community Hub within the Anstey Keane Precinct

Amendment 113 will enable the development of a small local centre in the short term future to provide a community hub for the developing Anstey Keane Precinct and existing residents within the area including the Forrestdale townsite. The small size of the centre and the isolation of the Anstey Keane Precinct from other residential areas in Harrisdale and Piara Waters means that it will not compromise the viability of other centres existing or proposed within the area.

This is supported by the results of the Retail Needs Analysis (RNA) provided with the application which demonstrates that both economic and community benefits will be created through the provision of a small centre aimed predominantly at serving the local community. In undertaking this RNA, it was assumed that the local centre would comprise 200m<sub>2</sub> floor space associated with the Service Station with 400m<sub>2</sub> of floor space supporting other retail activities, consistent with the Development Concept.

The RNA found that with the expected population growth and demographic type within the Anstey Keane Precinct and the wider Forrestdale surrounds (by the year 2031) there will be demand for an increase in retail floor space of 26,800m2 (food, liquor and groceries) and 9,100m2 for food related services. In coming to this conclusion, the RNA considered the number of planned and existing centres within the Forrestdale / Piara Water / Harrisdale locality, finding that a number of these existing communities were already well serviced by larger neighbourhood and district centres, meaning that the small scale of any local centre on the subject site would pose no impact to these larger retail centres.

The nearest existing centre future residents of the precinct and existing residents in Forrestdale are able to purchase convenience goods (such as bread and milk) is within the Forrestdale Business Park 3km to the east (existing service station and convenience store) and the future Piara Waters Shopping Centre on the corner of Nicholson Road and Armadale Road. A Local Centre in the Anstey Keane Precinct will allow residents to potentially walk or ride their bikes to the centre as an alternative to driving.

# Transport Impact Assessment

A Transport Impact Assessment (TIA) was provided with the application and is based on the Development Concept of a Service Station and Convenience store. The Development Concept shows a number of vehicle access points into and out of the site on both Anstey Road and the existing access road that provides vehicle access for properties fronting Armadale Road. The TIA concludes that the surrounding road network can support the proposed development concept on the site. However, as per the comments provided by the Development Control Unit (DCU) access to/from the site will require more detailed consideration including:

- The need to upgrade the existing Armadale Road access road to both support increased traffic volumes from that which currently occurs and to accommodate the heavy and long trucks associated with the operation of a service station.
- Main Roads Western Australia's approval will be required for this development to use the existing intersection to the Armadale Road Access Road.
- The design for Anstey Road does not currently include deceleration/turning lanes to access the development site and additional road widening may be needed to achieve these additional requirements. This would potentially impact on the size of the development site.

When a Development Application is lodged in the future for a specific development on the subject site, the traffic and access matters will be dealt with comprehensively including consideration of the above issues. Appropriate conditions could be placed on the development with regard to any road upgrades or widening that need to be implemented by the developer.

The Scheme Amendment and any future Development Application will be referred to Main Roads Western Australia (MRWA) for comment and the developer will also be required to liaise directly with/obtain approval from MRWA for any modifications to the Armadale Road access point required to facilitate the development.

The design of Anstey Road is currently being progressed by consultants engaged by Cedar Woods, in consultation with the City, under a DCP 4 prefunding approval issued by the City.

# **Bushfire Risk**

The Amendment Area is identified by the DFES mapping as Bush Fire Prone. In accordance with the WAPC's 'Planning in Bushfire Prone Areas', a Bushfire Management Plan (BMP) that includes a Bushfire Hazard Assessment has been prepared for the subject site. In addition, a Service Station is considered a high risk land use in a Bush Fire Prone area so the BMP includes a Bushfire Risk Management Plan.

The Bushfire Management Plan concludes that bushfire risk is not a barrier to the development of the Amendment Area and that the subject site carries a Bushfire Attack Level of 12.5 – which is within the acceptable level of risk.

#### Servicing

An Engineering Servicing Report was included with the application and addresses Earthworks, Drainage, Water Supply, Power, Sewer and Gas services required to support the development.

# Earthworks & Stormwater Drainage

The Amendment Area is flat and sand fill will be required to address the following matters:

- Adequate separation from groundwater.
- Provide for onsite drainage for the more frequent storm events, in accordance with the WAPC's Better Urban Water Management.
- Accommodation of gravity fed sewer reticulation.
- Coordination of levels with adjacent road reserves.
- Appropriate interface with the neighbouring residential properties to the north and east.

The Engineering Servicing report states that stormwater drainage infrastructure will likely comprise of a vegetated swale onsite to collect and dispose of the 10 year Annual Exceedance Probability stormwater event prior to discharging into drainage infrastructure within the adjacent road reserves. A defined overflow path will be provided for the major 100 year ARI event.

#### Sewer

The Amendment Area will connect to a 300mm diameter gravity sewer line that will be located in the adjacent Anstey Road reserve. This 300mm sewer line is being constructed as part of the Anstey Keane Precinct works and includes a waste water pump station being installed to the north-east (within the Anstey Road East cell). Construction works for this infrastructure is scheduled to be completed by the end of 2020, prior to the rezoning of the site.

# Water Supply

Water Corporation information shows that the Amendment Area can be provided with a reticulated water connection by way of a small extension to an existing 100mm diameter water distribution main located adjacent to the site, within the Anstey Road reserve.

#### Power Supply

Power supply can be provided to the subject sites via connections to the existing overhead power lines located on the north-western side of Anstey Road or the north side of Armadale Road. It is expected that as a condition of future development approval, the developer will be responsible for the undergrounding of the power line adjacent to the Amendment Area.

#### Gas Supply

An existing Medium Pressure gas main is located within the Armadale Road reserve, abutting the subject site and only a minor extension of the main is require to provide a gas supply to the site.

#### 7. ANALYSIS

Town Planning Scheme No.4

Current Zoning:

Urban Development zone

Amendment 102:

DCA No.4 Anstey Keane Precinct

Special Control Area Map 1 (SCA 1): Lot 301 abuts but is not within 300m buffer for

Dampier-Bunbury Natural Gas Pipeline

Special Control Area Map 2 (SCA 2):

The site is indicated within a few hundred metres of Forrestdale Lake (SCA 2 indicates a former EPA Groundwater Environmental Management Area which has been superceded and no longer

exists)

Special Control Area Map 3 (SCA 3): Development Area 51

Proposed Zoning:

Local Centre zone.

Remove Lots 3 and 301 from DA 51.

Clause 4.2.5 of TPS No.4 establishes the key objective of the 'Local Centre' zone as:

To provide for a limited range of shopping and community services to meet the daytoday needs of individual neighbourhoods.

To ensure the design and landscaping of development provides a high standard of safety and amenity and contributes towards a sense of place and community within the local neighbourhood.

Under Schedule 12 of TPS No.4 Development Area 51 requires a Structure Plan to be approved prior to development occurring on land within the Anstey-Keane Precinct. Structure Plans are already approved for the south west and eastern portions of the precinct and a structure plan has been prepared, and is with the WAPC for approval, for the north eastern portion of the precinct (abutting the northern boundaries of Lots 3 and 301). Only the strip of lots fronting Armadale Road (including Lots 3 and 301) do not have a Structure Plan in place to date.

Removal of Lots 3 and 301 from DA 51, along with the change of zoning, will remove the requirement for a Structure Plan to be in place prior to development of the two (2) lots and road access is already available to the two (2) lots via Anstey Road and the Armadale Road Access Road.

Development Approval will be required prior to development to provide a more detailed Plan.

Amendment 102 to TPS 4 - Development Contribution Plan No. 4 Anstey Keane Precinct Lot 3 Armadale Road and Lot 301 Anstey Road are also subject to proposed Amendment 102, which will introduce the requirement for development contributions for development and subdivision within the Anstey Road Urban Precinct. Amendment 113 will not modify any of the provisions proposed in Amendment 102 or the boundary of the Development Contribution Plan area (DCP No.4) with regard to Lots 3 and 301 and the land will still be subject to the requirements of DCP No.4.

# Dampier-Bunbury Natural Gas Pipeline Buffer

The proposal will be referred to the Pipeline Managers as part of the advertising process but it is not expected that the pipeline location will impose any constraint on the development as the subject site is outside the buffer area.

#### Forrestdale Lake

The site is approximately 320 metres from Forrestdale Lake. The proposed amendment does not necessitate an environmental assessment with regard to this issue. However, a number of technical studies and management plans will be required as part of the Development Application process to ensure the wetland and groundwater resources are not impacted by any future proposed land use. These may include, for example, a Hazardous Material/Spill Management Plan and Drainage Management Strategy depending on the ultimate land use.

# Development Area 51 SCA Map 3

It is necessary to remove the subject lots from Development Area 51 in order to allow development of the Local Centre to occur without the need for preparation of a structure plan over the subject lots and adjacent lots fronting Armadale Road. Preparation of a structure plan for this portion of the Anstey Keane Precinct has not commenced to date and due to the fragmented land ownership in this part of the precinct it may be several years.

The desirability of allowing and encouraging the creation of a commercial hub in the precinct early in the precinct's development supports the proposed rezoning of the subject land to Local Centre zone and the concurrent removal of the lots from Development Area 51.

# City of Armadale Local Planning Strategy (Activity Centres Planning Strategy)

The City's existing Local Planning Strategy (LPS) was endorsed in December 2016 and sets out the objectives and recommended actions associated with the future development of the City. The City's Activity Centres Planning Strategy 2012 (ACPS) is incorporated as part of the LPS and specifically deals with the development or expansion of Activity/shopping centres throughout the City of Armadale. The ACSP identifies that there needs to be flexibility to respond to unforeseen opportunities for new or expanded centres.

A new Retail and Commercial Centres Strategy (RCCS) is currently being prepared for the whole of the City of Armadale in preparation for a review of the LPS. Neither the existing Strategy nor the draft RCCS identify any proposed centres in the Anstey Keane Urban Precinct. The draft RCCS will be referred to Council for consideration in July or August 2020.

The residents of Forrestdale have been advocating for a local shop to be developed in the area for some time now. There is a property directly opposite the subject site on the southern side of Armadale Road within the Forrestdale townsite that has been zoned Local

Centre for many years. This Local Centre site is owned by the State Government and there have been attempts by the State Government to dispose of the property by sale in the past. However, the sale did not occur and there haven't been any proposals to develop the site. In the case of the existing 2012 Strategy, the Anstey Keane Urban Precinct was not at the time contemplated so there was not any identified need for a centre in that location. With the draft RCCS the identification of future centres in new growth areas has been based on the intentions shown in adopted and proposed structure plans for the new areas.

The existing structure plans for the Anstey Keane Precinct do not identify any commercial centres and to date the portion of the Anstey Keane Precinct containing the subject site does not have a structure plan either in place or in preparation. The Structure Plan for the eastern portion of the Anstey Keane Precinct includes a small area of Industrial Business zone on Keane Road that will provide a transitional interface to the adjoining Forrestdale Business Park. Shops are a land use that can be considered under the Industrial Business zone along with other low key service industrial type land uses. This will be approximately 1.7 kilometres from the Local Centre proposed by Amendment 113.

Given the location of the subject site on the corner of Anstey and Armadale Roads and with Anstey Road proposed to be the main neighbourhood connector road in the precinct it is considered that the subject site would be the most likely location for a commercial centre when a structure plan is prepared for that portion of the precinct. If the subject land is rezoned to Local Centre there is the opportunity to include the centre in the draft RCCS prior to the Strategy being adopted by Council.

# State Planning Policy 4.2: Activity Centres for Perth and Peel

State Planning Policy 4.2 (SPP4.2) sets out the broad planning requirements for the planning and development of new activity centres throughout Perth and Peel. SPP4.2 acknowledges that local centres are community focal points that play an important role in providing walkable access to services and facilities for communities, providing for the daily to weekly household shopping and community needs. This includes the smaller local centres such as delicatessens and convenience stores that provide for the day-to-day needs of local residents.

SPP 4.2 itself is generally silent of the delivery of local (and neighbourhood) centres other than stating that these centres should be recognised in local planning strategies and also in structure plans for new urban areas.

As outlined in the section of the City's existing and proposed retail strategies above, none of the existing or proposed structure plans have provided for a local centre in the Anstey Keane Precinct. Therefore, the proposed Scheme Amendment will address the need for a local convenience centre to provide a community hub for the precinct. Marketing of the new Cedar Woods residential estate within the Anstey Keane Precinct has already commenced and the knowledge that there may be a local centre in the precinct will assist with attracting purchasers to the estate.

# Local Planning Policy PLN 5.1 Highway Development (PLN 5.1)

PLN 5.1 aims to control the development of land along all Primary Distributor Roads in the interests of maintaining and improving their efficiency and safety. PLN 5.1 applies to development, structure plans and scheme amendments on land abutting those roads identified as a Primary Distributor Road or on roads likely to achieve this status in the road hierarchy (Armadale Road, Albany Highway, Brookton Highway and South Western Highway are currently Primary Distributor Roads).

# The Policy objectives are:

- a) To encourage the uninterrupted movement of traffic.
- b) To minimise conflicts between traffic passing, entering or leaving a property.
- c) To minimise conflicts between pedestrians and motor vehicles.

The table below sets out the development criteria/policy provisions contained in PLN 5.1 and demonstrates how the proposal meets those requirements. It should be noted however that the policy requirements relate particularly to land use and development and will be predominantly assessed at Development Application stage rather than at the rezoning stage.

Policy Provision	Proposal Compliance
Only "P" (Permitted) land uses will be approved unless there is an alternative means of access from a lower order road.	"Convenience Store" is a "D" (Discretionary) land use and "Service Station" is an "A (Discretionary – Advertising required) land use in the Local Centre Zone. There is access available to the site from a lower order road being Anstey Road.
The City may give consideration to Discretionary uses ("D" and "A" uses) in a zone but these uses will only be approved on the basis that they would not compromise the objectives of the zone and are, in the opinion of the City equal or lesser traffic generators than uses permitted ("P" uses) in the zone.	Under the Zoning Table in TPS No.4 in the Local Centre zone a large range of land uses are listed as "P" (Permitted) including Shop, Medical Centre, Child Care Centre, Lunch Bar, Office and Restaurant among others. A Service Station and Convenience store could be said to be similar traffic generators as some of the above Permitted uses but are unlikely to be lesser traffic generators. However, given the site will have alternate access from a lower order road it is considered that these uses could be considered on Lot 3 and 301.
The City may require cross easements and reciprocal rights of carriageway agreements where appropriate.	Not required for this proposal as direct road access is available.
The City will need to be satisfied on the following points before determining any application:  a) Whether the development would inordinately restrict the movement of	These requirements would be addressed specifically at Development Application stage.
vehicles along the highway frontage or on side entrance roads;	Convenience retail and Service Stations are more likely to be financially viable if they are

Policy Provision	Proposal Compliance
b) Whether vehicular access to the property could be provided from an alternative road or route to the highway, and whether it would be desirable to so require;	located on major roads that will provide the benefit of passing traffic.
c) Whether, in respect of shopping development or any other activity likely to attract pedestrians, suitable setback distances or other barriers or facilities will be provided to prevent conflict between pedestrians and motor vehicles; and	
d) Whether the amenity of surrounding properties would be significantly affected by the proposed development.	

#### 8. CONCLUSION

The amendment proposes to rezone Lot 3 Armadale Road and Lot 301 Anstey Road from Urban Development zone to Local Centre zone and removal of the two (2) lots from Development Area 51 on Special Control Area Map 3. This will enable the development of a small local centre in the short term future to provide a community hub for the developing Anstey Keane Precinct.

The Local Centre would will also provide a significant benefit in terms of access to convenience retail for the existing residents of Forrestdale including the Forrestdale townsite. The small size of the centre and the isolation of the Anstey Keane Precinct from other residential areas in Harrisdale and Piara Waters means that it will not compromise the viability of other centres existing or proposed within the area. This is supported by the results of the Retail Sustainability Analysis provided with the application.

Following the closure of the advertising period, the proposed amendment and any submissions received during the advertising period will be forwarded to Council for its consideration of final adoption.

# Planning and Development Act 2005

# CITY OF ARMADALE TOWN PLANNING SCHEME NO. 4

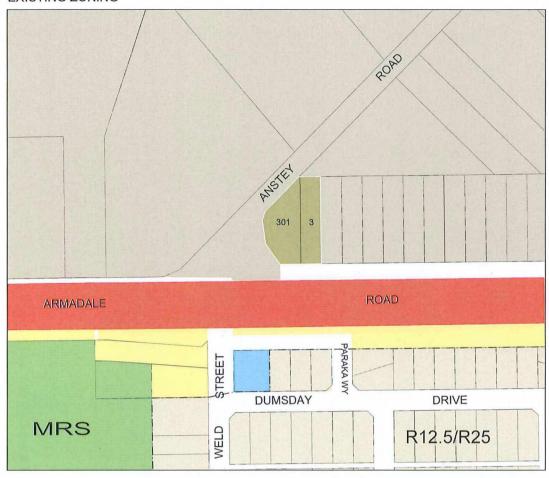
#### **AMENDMENT NO. 113**

The Armadale City Council under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005, hereby amends the above Local Planning Scheme by:

--> AFTER CONSIDERATION OF SUBMISSIONS COUNCIL RESOLUTION IN FULL TO BE INSERTED HERE. ONLY INCLUDED MAIN PART OF RESOLUTION THAT RELATES TO THE AMENDMENT ITSELF <-- ### Invalid Field Definition ###

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#### **EXISTING ZONING**



#### PROPOSED ZONING



### **AMENDMENT No. 113**

City of Armadale Town Planning Scheme No. 4 Lot 3 Armadale Road & Lot 301 Anstey Road, Forrestdale

SCALE 1:2500



# RESERVATIONS

**ZONES** 

RESIDENTIAL Including Residential Planning Density Codes

URBAN DEVELOPMENT ZONE RURAL LIVING - 1,2,4,10,20,X GENERAL RURAL SPECIAL RURAL SPECIAL RESIDENTIAL MIXED BUSINESS / RESIDENTIAL

STRATEGIC REGIONAL CENTRE

LOCAL CENTRE DISTRICT CENTRE

GENERAL INDUSTRY INDUSTRIAL BUSINESS INDUSTRIAL DEVELOPMENT

SPECIAL USE

ADDITIONAL USE RESTRICTED USE

DENSITY CODE BOUNDARY

SCHEME BOUNDARY

PARKS & RECREATION (Region)

PARKS & RECREATION (Local) RAILWAYS

STATE FORE

WATERWAY &

WATER CATCHMENTS

PRIMARY REGIONAL ROADS

OTHER REGIONAL ROADS

PUBLIC PURPOSE (Local)

PUBLIC PURPOSE (Region)

PUBLIC PURPOSE Miscellaneous Sub Categories

Commonwealth Government Technical School High School

PS Primary School
H Hospital
WSD Water Authority of WA
SU Special Use
SEC State Energy Commission
T Telstra

NOTE: The reservations are shown diagrammatically and do not purport to represent the road reservations shown in the Metropolitan Region Scheme and information in respect to road widening requirements for these roads should be obtained from the Department of Planning

COUNCIL ADOPTION	
_	oted by Resolution D39/6/20 of the Council of the eeting of the Council held on the 22nd day of June
MAYOR	CHIEF EXECUTIVE OFFICER
COUNCIL RECOMMENDATION	N
D of the City of Armadale at day of 202 and	> for support/ not to be supported by Resolution the Ordinary Meeting of the Council held on the the Common Seal of the City of Armadale was a resolution of the Council in the presence of:
(seal)	
MAYOR	CHIEF EXECUTIVE OFFICER
WAPC RECOMMENDATION FO	OR APPROVAL
	DELEGATED UNDER S.16 OF THE PD ACT 2005
	Date:
APPROVAL GRANTED	
	MINISTER FOR PLANNING
	Date: