

**Southern River Precinct 3  
Landowners Information session  
Monday 13.10.08**

The landowner's information session was held at the Southern River Community hall on Monday 13 October.

The purpose of the session was:

- To provide landowners with information on the components of the proposed Precinct 3 Structure Plan and Precinct 3A Outline Development Plan
- To provide an opportunity for land owners to raise questions and discuss issues in relation to the proposed Structure Plan and Outline Development Plan
- To advise landowners of the public comment period process

33 attendees were recorded with the majority being local landowners and some being representatives of landowners.

The following agenda was used to guide the process of the information session.

<b>Time</b>	<b>Activity</b>	<b>By Whom</b>
7:00pm	Welcome and purpose of the information session	Linton Pike Estill and Associates
7:05pm	Background to the Southern River District Structure Plan	Simon O'Sullivan City of Gosnells
7:25	Structure Plan Outline Development Plan	Kris Nolan Taylor Burrell Barnett
7:45pm	Environmental issues and constraints	Nicholas Dufty Cardno BSD
8:00pm	Question and Answer session	All
8:30pm	Close of presentations	All
8:35pm	View displays and talk with staff	All
<b>9:00pm</b>	<b>Finish information session</b>	

The session was facilitated by Linton Pike from Estill and Associates an independent community consultation company commissioned to provide community engagement opportunities throughout the public comment period.

Linton opened the session and introduced the key presenters;

- Simon O'Sullivan Manager City Growth, City of Gosnells
- Kris Nolan, Taylor Burrell Barnett
- Nicholas Dufty, Cardno BSD

The presentations were given.

After the presentations questions were taken from the participants and have been recorded in the table below.

### Q& A Session

<b>Q</b>	The Kennel zone includes residential uses and the area, particularly the animals housed, would be unfairly impacted by the proposed industrial area, particularly in terms of noise and traffic. MRS Amendment 927/33 recommends 1km buffer zone to protect noise impacts upon the kennel. What uses are proposed in the industrial area?
<b>A</b>	<p>A 500m kennel buffer zone was shown on shown on the District Structure Plan released by the State Government in 2001 and provision was made in that Plan for industrial development in the buffer area. The proposed Precinct 3 Structure Plan similarly reflects the 500m buffer and provision for industrial development. The buffer acts to ensure land uses sensitive to noise and incompatible with kennel activities are not permitted in the buffer area.</p> <p>Permitted uses would include light industries, service/commercial and other business activities. There could be some associated with these activities, particularly in terms of noise.</p> <p>More detailed ongoing planning will need to address these matters. Other aspects include the interface and relationship between the industrial area and the kennel zone, with associated assessment and planning studies required.</p> <p>Permitted light industrial uses would exclude heavy and general industries.</p>
<b>Q</b>	Wetland buffers – previously in Precinct 3C a 100m buffer was proposed and the Structure Plan now shows 50m. This proposed buffer impacts unfairly on landowners. What about the resource category wetland buffer of wetland I and will Lesley Street need to be closed in this area?
<b>A</b>	<p>The proposed Structure Plan shows a 30m buffer to the wetlands associated with the Southern River, which in some instances sees the buffer extend beyond the area reserved by the State Government through the Metropolitan Region Scheme for Parks and Recreation purposes.</p> <p>The actual buffer distance will be tested as planning progresses.</p>
<b>Q</b>	In Precinct 3B – areas shown for wetland are actually dry land and the buffer becomes irrelevant. The restrictions do not reflect the actual site conditions.
<b>A</b>	<p>Buffers are meant to be dry and perform a function in protecting wetland.</p> <p>The information used to inform the proposed Structure Plan is based on the State Government’s wetlands mapping and a review of this mapping undertaken by consultants on behalf of the City.</p> <p>There are lots of inconsistencies with the Government’s wetland mapping and the proposed Structure Plan is the starting point to build on this mapping and works</p>

	<p>towards a framework for planning in the area.</p> <p>The process of consideration of the proposed Structure Plan is public and applies globally to all land owners. Land can be developed in different ways and a developer will look for ways to optimise the development potential in a way that reflect the site characteristics.</p> <p>People are not readily able to influence the state wetland mapping, unless a request to review the mapping is lodged in line with the protocols established by the Department of Environment and Conservation. A request to modify the mapping can be made either directly or as part of a planning proposal, such as an Outline Development Plan or subdivision/development application.</p> <p>The first step is to make your comments known as part of this process.</p>
<b>Q</b>	Many land owners are affected by “wetland” zones that are not visible. How can we influence this?
<b>A</b>	Wetlands are not just areas where water is visible and affected land owners are encouraged to provide comment as part of this process.
<b>Q</b>	Will the City provide suitable footpaths along roads where they aren’t currently provided in proposed light industrial areas?
<b>A</b>	It is standard policy that new or upgraded roads in a development area have a footpath provided. In some cases a path is required on both sides of the road. This is a matter typically addressed at the time of subdivision.
<b>Q</b>	Animals are being pushed out of existing habitat. What will be done for them? Kangaroos are already becoming more visible.
<b>A</b>	Fauna studies will be required as part of the subdivision approval process where bushland is present on a site. For instance, fauna studies often found animals like Bandicoots in bushland and the studies often outline a program for relocation. Under the proposed Structure Plan, over 150 hectares of land shown for conservation, which is a significant area as habitat retained.
<b>Q</b>	In the sub-precinct 3D core conservation areas are shown with main drain widening. An earlier report suggested this is multiple use wetland. If these wetlands are not downgraded and need to be protected when would compensation be offered?
<b>A</b>	<p>This is a fundamental issue for the planning of this area.</p> <p>Similar situations have resulted in developer contribution schemes that involve compensation to be paid to landowners from funds collected from developers. The timing of when compensation will occur is difficult to answer, as further work is needed to examine the form of a contribution arrangement and the approach to land valuation and compensation. An amendment will be required to the TPS to formally establish such arrangements.</p> <p>Any identification of land for public purposes will have immediate consequences for landowners and this is recognised by Council.</p> <p>A Development Contribution Scheme and the timing of when the income it</p>

	<p>generates will be received for use for compensation is largely dependent upon private land owners wishes and their intent to develop (or not). Landowner intentions are not within the City's control and therefore no definitive answer can be given on timing at this stage.</p> <p>The method of valuation is another consideration to be addressed in the future along with consideration being given to the prioritisation of compensation/land acquisition payments – that is - who gets paid first?</p> <p>Priorities will likely need to be established to reflect the intended staging of land acquisition, which cannot be done until the Structure Plan has progressed to indicate the parameters for land use - hence the importance of this plan and the current advertising process.</p>
<b>Q</b>	Drain widening impacts upon private land - when will compensation be paid for affected land?
<b>A</b>	As above.
<b>Q</b>	If developers aren't prepared to buy private land it may take some time for interest to grow with landowners potentially seeking smaller scale development in the short term. Will land owners be required to develop in a certain way?
<b>A</b>	Consideration must be given on a case by case basis to determine the best outcome without prejudice. Part of the role of the Structure Plan and Outline Development Plans is to put in place a framework for subdivision and development to allow this to occur gradually and independently but in a way that gels it together.
<b>Q</b>	Will developer contributions be required definitely?
<b>A</b>	Almost certainly given the fragmented lots, multiple landowners and range of infrastructure requirements, however the intended operation of a contribution arrangement and the infrastructure items and method of cost apportionment are unresolved and need to be addressed through subsequent planning phases.
<b>Q</b>	Will the plan be finalised ahead of the Developer Contribution Scheme with complicated associated legal agreements in a period of uncertainty?
<b>A</b>	This is a common issue and it is possible that this will occur.
<b>Q</b>	Will 3A go ahead of the rest with others waiting for compensation from 3A?
<b>A</b>	<p>The Structure Plan shows the intended planning approach for the broader area.</p> <p>The Precinct 3A ODP is a more detailed plan for part of Precinct 3. Precinct 3A is already ahead of the rest of the Precinct in that it is zoned for development and has an ODP prepared in draft form.</p> <p>One advantage of this approach is that infrastructure costs can be spread over the broad Precinct 3 area.</p> <p>If the Structure Plan is approved by Council it will go to the WAPC for consideration. One of the aspects Council will need to give consideration to will be whether the Precinct 3A ODP can go ahead at the same time or if it needs to wait until the broader Structure Plan is resolved. This is a matter that should be addressed in the months ahead. The timing of private development is then one for land owners.</p>

<b>Q</b>	If the plan proceeds as it stands and land owners act to downgrade wetland status how difficult will it be to amend the plan accordingly?
<b>A</b>	<p>There are considered to be two options:</p> <ul style="list-style-type: none"> <li>• Apply to amend the Precinct 3 Structure Plan, which depending on the extent of the amendment may have to go through a similar process as is being followed for the advertised Plan OR</li> <li>• The Structure Plan remains as a broad guide and the Outline Development Plan prepared and submitted showing a variation to the Structure Plan based on the results of more detailed planning work including any reclassification or redefinition approved to the wetland.</li> </ul>
<b>Q</b>	Is it possible to see the land owned by the proponent of 3A?
<b>A</b>	<p>Yes – a Plan was held up indicating the landholdings that Viento is contracted to purchase in Precinct 3A – which is approximately half of the lots.</p> <p>This Plan is available within the ODP’s supporting report and can be viewed at:  <a href="http://www.southernriver3.com.au">www.southernriver3.com.au</a></p>
<b>Q</b>	Can the development of 3A proceed before the contribution scheme is finalised?
<b>A</b>	<p>There is no decision made by Council on this matter at this time.</p> <p>Council is currently seeking public comment on whether the ODP is a suitable framework for planning. Council will have three options when it considers submissions and the ODP further. The 3 options are:</p> <ul style="list-style-type: none"> <li>• Adopt the ODP as proposed</li> <li>• Reject the ODP</li> <li>• Adopt the ODP with modifications</li> </ul> <p>Regardless of whether Precinct 3A proceeds ahead of finalisation of the contribution scheme, there is an ability for Council to still obligate the landowners to contribute to the development contribution scheme.</p>
<b>Q</b>	Will 3A absorb the greatest portion of development contribution costs? Do we need to consider the proposed land uses to allow for more green space in this area while other properties are of limited value.
<b>A</b>	It is possible, given the proposed land uses.
<b>Q</b>	When will contributions come from 3A developers in the event that they fail financially?
<b>A</b>	<p>The liability to make a contribution applies to the land and its owner at the time that a contribution payment is required. A contribution is payable only once.</p> <p>If the developer “goes under” before undertaking development and contributing, then the contribution obligation is payable when development occurs by the subsequent proponent.</p> <p>If the developer goes under after undertaking development, adequate arrangements to secure their contribution should already have been made by that time.</p>

<b>Q</b>	Has the high school land been purchased yet? And is it possible that it is shifted by virtue of its proximity to the private Southern River College? There is a double whammy for some land owners with compensation sure to be inadequate.
<b>A</b>	<p>This is not the current understanding of the project team based on advice from Department of Education and Training (DET). There are many constraints on the other side of Southern River Road.</p> <p>There is a requirement to provide a high school site and playing fields. The proposed location is based on previous liaison with DET.</p> <p>If it is not the preferred site for DET, the City expects that they will tell us during this advertising process.</p> <p>Comment can also be directed to DET with regard to why the location for the school site has been selected and if there are any better alternatives.</p>
<b>Q</b>	What would the contribution scheme cover if you are in the conservation estate?
<b>A</b>	This is a matter of detail still to be resolved - but the contribution scheme could be structured to cover the range of public infrastructure required and land needed for public purposes that will be handed on to the City of Gosnells subsequently – that is land for drainage, conservation and district playing fields.
<b>Q</b>	It the light industrial area is approved will Council move their depot to it and place a waste disposal unit there?
<b>A</b>	<p>The City of Gosnells owns 3 lots in the proposed industrial area but has separated its land owner and regulatory roles in this regard.</p> <p>Simon’s focus is on the planning assessment aspect of the proposals, as opposed to representing the City as a landowner and the land use opportunities for Council. However he was able to advise that Council is no longer looking at this site for its depot and other options were now being pursued elsewhere.</p> <p>A waste treatment plant would not comply with the light industrial uses. The Regional Councils group comprising many of the south-eastern Perth Councils as well and Mandurah and Murray Councils are looking at a new waste recycling plant well south of Gosnells, in Kwinana.</p>

It was stressed to the participants that even though some questions had been recorded at the meeting their individual submissions were vital to the public comment process and that they should complete and submit them to the Council.

The participants were then invited to discuss more specific issues with staff from the City of Gosnells and Taylor Burrell Barnett who were there for that purpose. (Individual discussions were not recorded).

The information session closed at approximately 9:35pm.