

12.3 Amendment No. 56 to Town Planning Scheme No. 1 - Advocacy Efforts to WAPC and Development of Town-owned Properties in Carlisle for Public Open Space

Location	Carlisle East Victoria Park
Reporting officer	Leigh Parker and David Doy
Responsible officer	Natalie Martin Goode
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. Ordinary Council Meeting Minutes of 21 April 2020 [12.3.1 - 17 pages] 2. TPS 1 Amendment No. 56 Report - Modified as per Minister's Decision dated 2 May 2017 [12.3.2 - 8 pages] 3. LPP 39 - Tree Planting and Retention [12.3.3 - 9 pages]

Recommendation

That Council:

1. Resolves, pursuant to Section 75 of the Planning and Development Act 2005 and Regulation 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, to proceed with Scheme Amendment No. 56 to amend the Town of Victoria Park Town Planning Scheme No.1, as modified by the Minister for Planning's decision dated 2 May 2017, subject to the following additional modifications:

- a) Amending the cadastral lot boundaries of Town Planning Scheme No. 1 Precinct Plan P8 Carlisle Precinct to reflect the current lot boundaries of the land subject to the amendment; and
- b) Inserting the following subtitle and paragraph to the 'DEVELOPMENT STANDARDS' listed for the 'RESIDENTIAL ZONE' of Town Planning Scheme No. 1 Precinct Plan P8 Carlisle Precinct:

"Former Miller's Crossing Open Space

A Local Development Plan is required to be adopted by the local government prior to the subdivision or development of the Residential R30 zoned land formerly known as the Miller's Crossing Open Space, comprising Lots 1003 (No. 7) and 1004 (No. 6) Raleigh Street, and Lot 1005 (No. 45) Bishopsgate Street, Carlisle. The Local Development Plan shall address issues of vehicular access, landscaping and building setbacks to maximize opportunities for the retention of mature trees on the land."

2. The Scheme Amendment Report documents being modified to reflect Part 1 of Council's resolution and include additional justification outlining the reasons for the further modification to Amendment No.56 as contained in the officer report.
3. The Western Australian Planning Commission being advised of the Council's decision.
4. Request the CEO to commission a site feature survey of Lots 1003 (No. 7) and 1004 (No. 6) Raleigh Street and Lot 1005 (No. 45) Bishopsgate Street, Carlisle.
5. Approves the implementation of a Carlisle Micro Parks program over a four (4) year period, with one (1) micro park to be created each year, funded by the Urban Forest Strategy Implementation budget.

Purpose

- To inform Council of the progress of advocacy efforts made to the Western Australian Planning Commission (WAPC), and a plan to develop 91 Planet Street, 76 Planet Street, 6 Paltridge Avenue and 30 Satellite Place, Carlisle as public open space (POS), as requested by elected members at the April Ordinary Council Meeting (OCM) in relation to Amendment No. 56 to Town Planning Scheme No. 1 (TPS 1).
- For Council to make a formal resolution in respect to supporting Amendment No. 56 to TPS 1 subject to the amendment being further modified to require a Local Development Plan to be adopted by the Town prior to subdivision or residential development of Lots 1003 (No. 7) and 1004 (No. 6) Raleigh Street, and Lot 1005 (No. 45) Bishopsgate Street, Carlisle occurring.

In brief

- At its OCM held in April 2020, the Council resolved not to purchase Lots 1003 (No. 7) and 1004 (No. 6) Raleigh Street, and Lot 1005 (No. 45) Bishopsgate Street, Carlisle from the WAPC.
- This decision was made following the consideration of five options for the future development and/or acquisition of the land for POS, which is the subject of Amendment No. 56 to TPS 1.
- This report details the Town's efforts to advocate to the WAPC for a Local Development Plan to be prepared for the land prior to any future subdivision or development occurring to ensure the retention of mature trees, as well as the potential transfer of ownership of a portion of Lot 1003 to the Town to enable retention of the significant tree located at the southwest corner of this lot.
- The WAPC has advised that it considers the requirement for a Local Development Plan to be unnecessary. Notwithstanding this advice, Council is required to make a formal resolution seeking a further modification to Amendment 56 to TPS 1 to include provisions requiring a Local Development Plan, to enable its formal consideration by the Minister for Planning.
- The requirement for a Local Development Plan is considered by Council Officers to maximise opportunities to retain mature trees as part of any subdivision and development of the land in future, by providing detailed level guidance on issues of access, building setbacks and landscaping, over and above the high level guidance provided by the Residential Design Codes and WAPC Development Control Policy 5.1.
- This report also outlines a proposed approach to develop four Town-owned properties in Carlisle as POS, and recommends branding this initiative as the Carlisle Micro Parks program.

Background

1. The land known as the Miller's Crossing open space is currently the subject of Amendment No. 56 to TPS 1, which has been the subject of protracted considerations by the WAPC as landowner of the lots, which it intends to sell in the medium to longer term for residential development.
2. Amendment No. 56, as originally initiated by the Council in November 2011, sought to reserve the entirety of the affected lots as 'Parks and Recreation' reserve given their continued maintenance by the Town and use by the community as passive public open space since the completion of the Miller's crossing overpass in 2004.

3. Following WAPC consideration of the original amendment, the Town received the decision of the Minister for Planning dated 2 May 2017 to modify Amendment No. 56 as follows:
 - a. Classifying No. 2-8 (Lot 1002) Beatty Avenue, East Victoria Park as Town of Victoria Park Scheme Reserve "Parks and Recreation".
 - b. Modify the Town Planning Scheme No. 1 Precinct Plan P10 Shepperton Precinct accordingly.
 - c. Nos. 6 & 7 (lots 1003 & 1004) Raleigh Street and No. 45 (lot 1005) Bishopsgate Street, Carlisle being transferred to the 'Residential' zone with a density coding of R30.
 - d. Modify the Town Planning Scheme No. 1 Precinct Plan P8 Carlisle Precinct accordingly.
4. The Town undertook further consultation with the community which indicated a strong level of objection to the decision of the Minister to require Lots 1003, 1004 and 1005 to be zoned Residential R30. Council reiterated its position to the WAPC that all of the lots be reserved as 'Parks and Recreation' and later secured several extensions of time from the Minister to enable the further consideration and evaluation of the land for POS purposes.
5. As part of these considerations the Town was provided with the opportunity to purchase Lots 1003 (No. 7) and 1004 (No. 6) Raleigh Street, and Lot 1005 (No. 45) Bishopsgate Street, Carlisle from the WAPC, subject to their market valuation for residential purposes. As part of its considerations, the Town undertook further community consultation in June 2018 in relation to five potential options for the acquisition and future development of the land as summarised below:

Option	Summary Description
Option 1: Do not acquire lots	Council does not acquire the three lots from the WAPC.
Option 2: Acquire all lots for public open space	All three lots are acquired from the WAPC with independent valuations and retained as public open space.
Option 3: Acquire only some lots for public open space	One to two of the lots are acquired from the WAPC rather than all three and retained as public open space.
Option 4: Acquire all lots and develop into 13 housing lots for sale	All three lots are acquired from the WAPC with independent valuations and developed for 13 housing lots.
Option 5: Acquire all lots and develop into 8 housing lots and maintain a reduced linkage to green space area	The Town would acquire all lots and maintain a linkage to green space albeit a reduced area. This would help lower the cost burden whilst allowing the maintenance of a greater linkage to green space than that which would otherwise result from not acquiring the lots.

6. The community consultation indicated an overwhelming level of support for Option 2 to acquire the land for public open space, however at the September 2018 OCM the Council determined to delay its decision regarding acquisition to allow consideration of the findings and recommendations of the Public Open Space Strategy that was then still in development.
7. The Public Open Space Strategy was adopted at the December 2019 OCM, which identified that an undersupply of locally accessible POS (within a 400m walkable catchment) does not exist in the area of the subject land and would not do so if the land was developed for residential purposes in future.
8. At its OCM held on 21 April 2020, the Council resolved the following:
 1. *Resolves to not purchase Lot 1003 (No. 7) Raleigh Street, Lot 1004 (No. 6) Raleigh Street, and Lot 1005 (No. 45) Bishopsgate Street, Carlisle from the Western Australian Planning Commission as identified in Option One in the attached Options Analysis.*
 2. *Advises the Western Australian Planning Commission of the Town's intention to require a local development plan for the subject site to address access, landscaping and building envelopes.*
 3. *Advises the Western Australian Planning Commission of the decision.*
 4. *Requests the Chief Executive Officer to report to the ordinary meeting of Council in July 2020 detailing a plan, inclusive of costs and timing, for the Town to develop and deliver the following Town-owned properties for use as public open space:*
 - a. *91 Planet St, Carlisle*
 - b. *76 Planet St, Carlisle*
 - c. *6 Paltridge Avenue, Carlisle*
 - d. *30 Satellite Place, Carlisle*
 5. *Requests the Chief Executive Officer to report to the ordinary meeting of Council in July 2020 outlining the Town's efforts to advocate to the WAPC:*
 - a. *for the imposition of a condition on any subdivision requiring a Local Development Plan;*
 - b. *for the retention of all mature trees on the subject lots as a condition of any future subdivision of the lots for development; and/or*
 - c. *for consideration of the transfer of ownership of a sufficient portion of Lot 1003 to the Town to enable retention of the significant tree in the corner of that lot closest to the railway underpass, and for an indication of any associated costs thereof.*
 6. *Directs the Chief Executive Officer to continue to include an annual maintenance allowance for Miller's Crossing in the Town's budget until such time as the WAPC sells or subdivides the lots for development.*
9. Further details of the background leading up to Council's decision not to purchase the lots is detailed in Item 12.4 of the minutes of the OCM held on 21 April 2020.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact

CL06 - Finances are managed appropriately, sustainably and transparently for the benefit of the community.	Advise elected members of potential costs and timing involved to develop four Town-owned properties for POS to improve its level of provision to the Carlisle community.
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Environment	
Strategic outcome	Intended public value outcome or impact
EN01 - Land use planning that puts people first in urban design, allows for different housing options for people with different housing need and enhances the Town's character.	Advocating to the WAPC that any future subdivision of Lots 1003, 1004 and 1005 for residential purposes occurs in accordance with an adopted Local Development Plan to ensure the retention of mature trees that are valued by the community.
EN06 - Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed.	Investigating the development of Town-owned properties in Carlisle for the creation of new POS, as the suburb is identified as undersupplied by POS in the Town's Public Open Space Strategy.
EN07 - Increased vegetation and tree canopy.	The Millers Crossing open space contains mature trees that contribute to the Town's urban tree canopy and have been indicated through prior consultation to have a high level of value to the local community. The preparation of a Local development Plan that seeks the retention of mature trees as part of future residential subdivision of the land, as well as the investigation of new POS creation on Town-owned properties elsewhere in Carlisle may contribute to increased vegetation and tree canopy.

Legal compliance

Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) - Schedule 2, Part 6 – Local development plans.

Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
Reputational Negative public perception towards the Town if WAPC/Minister for Planning does not support modification to Amendment 56 to	Moderate	Likely	High	Communication strategy outlining the reason for Council's decision not to purchase the lots, the efforts made to advocate for a Local Development Plan and retention of mature trees, and investigation of opportunities to

<p>TPS 1 to include the requirement for a LDP for the Miller's Crossing land before subdivision or development occurs.</p>	<p>develop Town-owned properties elsewhere to address the undersupply of POS in Carlisle.</p> <p>Local Planning Policy 39 'Tree Planting and Retention' will also be applicable to residential development of the land in future, which requires development approval from the Town. This policy incentivises the retention of mature trees (refer to discussion of LPP 39 below) although it is acknowledged that it is not applicable to fully R-Codes compliant Single Houses.</p>
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Financial implications

<p>Current budget impact</p>	<p>Available funds exist in the 20/21 budget to commission a site feature survey of Lots 1003 (No. 7) and 1004 (No. 6) Raleigh Street, and Lot 1005 (No. 45) Bishopsgate Street.</p>
<p>Future budget impact</p>	<p><u>Local Development Plan</u></p> <p>It is intended that an owner or developer involved in the future subdivision or development of the land be responsible for the preparation of a Local Development Plan prior to development or subdivision occurring.</p> <p><u>Carlisle Micro Parks</u></p> <p>The Town has proposed a budget of \$1,000,000 to implement the Urban Forest Strategy. In the 2020 and 2021 Financial Year an amount of \$100,000 has been forecast for 'Sump Revegetation' and this can include the Carlisle Micro Park Program (as explained in the Analysis section below).</p> <p>The program to complete each micro park is identified below:</p> <p>2020 & 2021 Financial Year</p> <ul style="list-style-type: none"> • 30 Satellite Place – complete front of drainage basin micro park, and weed suppression behind the fence (\$20,000) • 76 Planet Street – complete front of drainage basin micro park, and weed suppression behind the fence (\$30,000)

- 91 Planet Street - Community watering facility and additional plant supply, (\$5,000)
- 6 Paltridge Avenue – Site Preparation (\$5,000)

2021 & 2022 Financial Year

- 30 Satellite Place – revegetate drainage basin (\$70,000)
- 76 Planet Street – revegetate drainage basin (\$45,000)
- 91 Planet Street – improvement to micro park (furniture etc) (\$2,000)
- 6 Paltridge Street – complete front of drainage basin micro park (\$25,000)

2022 & 2023 Financial Year

- 6 Paltridge – revegetate drainage basin (\$45,000)

Analysis

Request for extension of final consideration of Amendment No. 56 to TPS 1

10. The Town has informed officers of the Department of Planning, Lands and Heritage (DPLH) of Council's resolution made at the 21 April 2020 OCM. This has included a request for DPLH officers to seek the Minister for Planning's approval for a further extension to the then current 30 June 2020 deadline to provide a final recommendation to the Minister in relation to Amendment 56 to TPS 1.
11. The Town has requested a three month extension, which is hoped will provide sufficient time to reach potential agreement with DPLH officers, including any need to incorporate an additional provision within Amendment 56 itself for Lots 1003 (No. 7) and 1004 (No. 6) Raleigh Street, and Lot 1005 (No. 45) Bishopsgate Street (the Millers Crossing land), to be the subject of an adopted Local Development Plan before residential subdivision can occur. The extension is also required to enable the Town's administration the ability to inform the Council at its July OCM of efforts made to advocate or reach agreement with the WAPC on the matters listed under part 5 of Council's resolution made at the 21 April 2020 OCM.
12. DPLH officers have confirmed that an extension has been sought and approved by the Minister, granting an extension until December 2020.

Advocacy efforts to WAPC for preparation of a Local Development Plan (LDP) and retention of mature trees

13. In terms of the optimal approach to require the preparation of a LDP for the Millers crossing land, it is considered appropriate that it be prepared prior to any subdivision (or development) occurring, rather than as a condition of subdivision approval. Accordingly, it has been requested that an additional provision be included within Amendment 56 to require the preparation of an LDP prior to any subdivision or development occurring. This would involve an additional provision being inserted into the Carlisle Precinct Plan (which forms part of TPS 1) to prescribe this requirement, and is included as Part 1 of the Officer recommendation.
14. The WAPC's agreement has also been sought in relation to the requirement that future subdivisions be subject to a condition requiring the retention of mature trees, in accordance with part 5(b) of Council's 21 April 2020 resolution.
15. In considering the above DPLH officers have advised the following:

- a. The WAPC's Local Development Plan Framework states that LDP's are to be used to guide and coordinate development outcomes, and are not generally to be used to inform subdivision layout.
 - b. With respect to access, landscaping and building envelope considerations, these matters are controlled via existing state planning policies (including the R-Codes and DC Policy 5.1), which would require access from the lower order roads, and specify setback and open space requirements.
 - c. Consideration of future subdivision and development applications provides for consideration of site conditions in the context of a subdivision or development plans. Conditions can be applied to future subdivision approvals having regard to the lot layout proposed in the application and comments provided by the Town.
16. Notwithstanding the advice of DPLH officers, it is considered by Council Officers that the requirement for a LDP for the Millers Crossing land is the optimal mechanism to maximise opportunities for the retention of mature trees as part of any subdivision or development of the land in future, as it would enable detailed level guidance on issues that may potentially impact the ability to retain trees including vehicular access, building setbacks and landscaping. The guidance on these matters provided by State Planning Policies such as the Residential Design Codes and WAPC Development Control Policy 5.1 are general in nature only and do not provide for the site-specific guidance that a LDP can provide.
17. There are two means by which the Town can require a LDP, namely:
- a. Through a provision in Town Planning Scheme No. 1; or
 - b. In agreement with the WAPC as per clause 47(d) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
18. In view of the advice of DPLH officers, it appears unlikely that the WAPC and/or Minister would support either of these options. Notwithstanding, a formal resolution of Council to further modify Amendment No. 56 to TPS 1 is required in order for (a) above to be formally considered by the Minister, which forms Part 1 of the Officer recommendation.
19. In relation to (b) above it is acknowledged that such agreement is unlikely, especially if it was to proceed a Ministerial determination of Amendment No. 56 that did not include an LDP requirement.
20. The current Scheme Amendment documentation states that Council does not support the Ministers decisions to zone the land Residential R30. However, given the April 2020 OCM decision to not acquire the land it would be counterproductive to advocate for a LDP requirement while also maintaining our position for the land to be reserved for 'Parks and Recreation'. Therefore Part 1 of the Officer recommendation includes the Council supporting Amendment No. 56 as modified by the Minister, subject to the requirement for a LDP.

Local Planning Policy 39 'Tree Planting and Retention' (LPP 39)

21. The Council adopted LPP 39 at the February 2020 OCM, which is to become effective from 1 July 2020. The policy is applicable to residential development requiring development approval from the Town, and therefore future potential residential development of the Miller's Crossing land. The policy is not applicable to Single Houses that are fully compliant with the Residential Design Codes which are exempt from the requirement for development approval.
22. LPP 39 incentivises the retention of 'trees worthy of retention' (as defined by LPP 39) by:

- a. Reducing the rate of new tree planting required on a residential property where a 'tree worthy of retention' is retained;
 - b. Allowing for discretion to be applied to development standards (e.g. building setbacks, wall height, etc.) in order to facilitate the retention of a 'tree worthy of retention'; and
 - c. The 'Tree Protection Zone' for a retained tree is able to be located within the primary outdoor living area of a dwelling and can encroach into an adjoining lot, whereas the 'Tree Growth Zone' for a new replacement tree cannot be located within the primary outdoor living area of a dwelling and cannot encroach into an adjoining lot.
23. The provisions of LPP 39 will apply to future residential development of the Millers Crossing land that requires development approval from the Town (if still adopted), and will incentivise retention of the existing mature trees that have been identified as having a high level of value to the community during the multiple rounds of community consultation that have occurred over the course of the Town's consideration of Amendment No. 56 to TPS 1.
24. However, LPP 39 will not require or necessitate tree retention, nor does it provide detailed site-specific guidance that only a LDP prepared for the land can provide. Its lack of applicability to fully R-Codes compliant Single Houses also represents a substantial risk for tree removal. Accordingly, Part 1 of the Officer recommendation maintains that Council resolve to seek a further modification to Amendment No. 56 for the requirement for a LDP for the Minister's consideration.

Acquisition of portion of Lot 1003 (No. 7) Bishopsgate Street

25. In relation to part 5(c) of Council's 21 April 2002 resolution, Town officers have also sought agreement and advice on the likely costs and process for any required land acquisition of a portion of Lot 1003 Bishopsgate Street to ensure the retention and ongoing management of this tree by the Town that is located in the vicinity of the southwest corner of this lot.
26. DPLH officers have responded by advising that if the tree referred to is not already located in the verge, the Town may wish to consider the purchase of the land and should discuss that option with the WAPC property team.
27. It is noted that the Town is not in possession of a current pegged survey of this lot and based on GIS information, historical aerial imagery, and other data it is unclear whether the subject tree in fact sits inside the property boundary of Lot 1003, straddles the property boundary or sits within the adjacent Town-controlled road reserve/verge area of Rutland Avenue.
28. It is likely that the provision of a corner lot truncation as a condition of any future subdivision of Lot 1003 would ensure that the subject tree would be entirely within the Rutland Avenue road reserve under the control of the Town, avoiding the need to enter into a formal land acquisition arrangement with the WAPC.
29. This has been presented to DPLH officers as an alternative and straightforward option for resolving this matter and ensuring the tree is within the control and care of the Town. However, truncations are typically required to improve visibility where two streets intersect and are generally required to be ceded free of cost where there is some nexus between the proposal and the need for a truncation. As Rutland Ave is a cul-de-sac the need to improve visibility for approaching cars is unlikely to be applicable. Therefore, a truncation at this corner is unlikely to be imposed at the time of future subdivision of Lot 1003.
30. The Town has also requested any information the WAPC may have as landowner of Lot 1003 that may assist in the precise locating of this tree in relation to the existing lot boundaries, however no additional information has been forthcoming from DPLH officers at this stage.
31. In view of the above, Part 4 of the officer recommendation requests the commissioning of a site feature survey of Lots 1003 (No. 7) and 1004 (No. 6) Raleigh Street, and Lot 1005 (No. 45) Bishopsgate Street to enable the Town to identify the location and number of trees within the boundaries of the lots. This will inform potential further discussions with the Western Australian Planning Commission to acquire a portion of Lot 1003, should the survey identify that the significant tree located at Lot 1003's southwest corner is located within its boundaries.
32. The survey will also inform other potential changes to the local planning framework that the Town could undertake in respect to the future development of the Millers Crossing land. This could include revising the Town's existing Local Planning Policies or creating a new site-specific Local Planning Policy.

Development of Town-owned properties for public open space in Carlisle

33. The properties listed below and in the April OCM Council Resolution currently function as drainage basins:
 - a. 91 Planet St, Carlisle
 - b. 76 Planet St, Carlisle

- c. 6 Paltridge Avenue, Carlisle
 - d. 30 Satellite Place, Carlisle
34. An investigation was undertaken to confirm the space available for public open space and the space that would need to be retained for the purpose of drainage.
35. A technical investigation into the capacity of the drainage basins at the above addresses revealed that three (3) of the drainage basin have constrained capacity and cannot be reduced in size. There is an opportunity to potentially reshape the drainage basin at 76 Planet Street to create a larger public open space area at the front of the lot. Should there be an opportunity to reshape this drainage basin then the associated costs would be allocated to the appropriate sump maintenance budget.
36. There is however an unutilised space at the front of each of these drainage basins to transition into small micro public spaces that include, landscaping, tree planting, furniture and opportunities for informal children's play.
37. Having now understood the extent to which the drainage basins must remain the Town can commit to planting the drainage basins with ground cover and sedge plants. There may be opportunities for larger trees to be planted on the flat perimeter surrounding the basin but this will be investigated in further detail for each of the above-mentioned properties.
38. Based upon this investigation the Town therefore recommends to commence a program in the 2020 and 2021 financial year called 'Carlisle Micro Parks' which will form a part of the overall Urban Forest Strategy Implementation Program.
39. There is sufficient budget in the Urban Forest Strategy (should it be approved as per the recommended amount listed in the 2020 and 2021 budget) to implement one Carlisle micro park each year.
40. Administration recommends delivering the Carlisle Micro Parks program in the following order:
- a. 76 Planet Street;
 - b. 30 Satellite Place;
 - c. 6 Paltridge Avenue;
 - d. 91 Planet Street.
41. An estimated cost to deliver these micro parks is outlined in the financial implications section above. It is proposed to implement the micro parks quickly and simply and therefore rigorous conceptual planning is not considered necessary.

Relevant documents

Not applicable.

Further considerations

The following question was asked at the 7 July Agenda Briefing Forum:

On Planet Street (76 Planet Street), can a hole be dug at the back of the sump to give more public open space at the front?

Answer: Yes. Paragraph 35 of the report states '*there is an opportunity to potentially reshape the drainage basin at 76 Planet Street to create a larger public open space area at the front of the lot. Should there be an opportunity to reshape this drainage basin then the associated costs would be allocated to the appropriate sump maintenance budget*'. This means that the Town will explore the extent to which the sump can be reshaped and pushed to the back of the lot and thereby enable a greater public open space area at the front. Reshaping of the drainage basin will be funded by the 2020 and 2021 sump maintenance budget, not the Urban Forest Strategy.

AMENDMENT:

Moved: Cr Brian Oliver

Seconder: Cr Jesvin Karimi

That the following amendments be made to the motion:

That point 5 of the officer's recommendation be re-worded to read:

5 (a) Approves the implementation of a Carlisle Micro Parks program over a two (2) year period, with two (2) micro parks to be created in the 2020/21 financial year and two (2) micro parks to be created in the 2021/22 financial year.

(b) Approves the Carlisle Micro Parks program to be funded by the Urban Forest Strategy Implementation budget, only in respect of those items that are covered by the Urban Forest Strategy.

(c) Requests the CEO to provide a further report to Council identifying alternative funding options for the delivery of the Carlisle Micro Parks program, only in respect of those items that are covered by the Urban Forest Strategy, should funds be exhausted in the Urban Forest Strategy Implementation budget.

CARRIED (8 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Ronnhda Potter, Cr Brian Oliver, Cr Luana Lisandro, Cr Wilfred Hendriks, Cr Bronwyn Ife, Cr Jesvin Karimi

Against: nil

Reason:

To ensure that the delivery of new public open space in Carlisle is delivered in a timely manner and to ensure that financial resources do not constrain the implementation of the Carlisle Micro Parks program.

PROCEDURAL MOTION:

Moved: Cr Jesvin Karimi

Seconder: Cr Luana Lisandro

Suspend clause 50 of the *Town of Victoria Park Meeting Procedures Local Law 2019*.

CARRIED (9 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Ronnhda Potter, Cr Brian Oliver, Cr Luana Lisandro, Cr Wilfred Hendriks, Cr Bronwyn Ife, Cr Jesvin Karimi

Against: nil

AMENDMENT:

Moved: Cr Brian Oliver

Seconded: Cr Jesvin Karimi

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CARRIED (8 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Ronhhda Potter, Cr Brian Oliver, Cr Luana Lisandro, Cr Wilfred Hendriks, Cr Bronwyn Ife, Cr Jesvin Karimi

Against: nil

Reason:

To ensure that the delivery of new public open space in Carlisle is delivered in a timely manner and to ensure that financial resources do not constrain the implementation of the Carlisle Micro Parks program.

COUNCIL RESOLUTION (453/2020):

Moved: Cr Ronnhda Potter

Seconded: Cr Jesvin Karimi

That Council:

1. Resolves, pursuant to Section 75 of the Planning and Development Act 2005 and Regulation 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, to proceed with Scheme Amendment No. 56 to amend the Town of Victoria Park Town Planning Scheme No.1, as modified by the Minister for Planning's decision dated 2 May 2017, subject to the following additional modifications:

- a) Amending the cadastral lot boundaries of Town Planning Scheme No. 1 Precinct Plan P8 Carlisle Precinct to reflect the current lot boundaries of the land subject to the amendment; and
- b) Inserting the following subtitle and paragraph to the 'DEVELOPMENT STANDARDS' listed for the 'RESIDENTIAL ZONE' of Town Planning Scheme No. 1 Precinct Plan P8 Carlisle Precinct:

"Former Miller's Crossing Open Space

A Local Development Plan is required to be adopted by the local government prior to the subdivision or development of the Residential R30 zoned land formerly known as the Miller's Crossing Open Space, comprising Lots 1003 (No. 7) and 1004 (No. 6) Raleigh Street, and Lot 1005 (No. 45) Bishopsgate Street, Carlisle. The Local Development Plan shall address issues of vehicular access, landscaping and building setbacks to maximize opportunities for the retention of mature trees on the land."

2. The Scheme Amendment Report documents being modified to reflect Part 1 of Council's resolution and include additional justification outlining the reasons for the further modification to Amendment No.56 as contained in the officer report.
3. The Western Australian Planning Commission being advised of the Council's decision.
4. Request the CEO to commission a site feature survey of Lots 1003 (No. 7) and 1004 (No. 6) Raleigh Street and Lot 1005 (No. 45) Bishopsgate Street, Carlisle.
5.
 - a) Approves the implementation of a Carlisle Micro Parks program over a two (2) year period, with two (2) micro parks to be created in the 2020/21 financial year and two (2) micro parks to be created in the 2021/22 financial year.
 - b) Approves the Carlisle Micro Parks program to be funded by the Urban Forest Strategy Implementation budget, only in respect of those items that are covered by the Urban Forest Strategy.
 - c) Requests the CEO to provide a further report to Council identifying alternative funding options for the delivery of the Carlisle Micro Parks program, only in respect of those items that are covered by the Urban Forest Strategy, should funds be exhausted in the Urban Forest Strategy Implementation budget.

CARRIED (8 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Ronnhda Potter, Cr Brian Oliver, Cr Luana Lisandro, Cr

Wilfred Hendriks, Cr Bronwyn Ife, Cr Jesvin Karimi

Against: nil