CITY OF ARMADALE

MINUTES

OF **DEVELOPMENT SERVICES COMMITTEE** HELD IN THE **COMMITTEE ROOM**, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON **MONDAY, 18 MARCH 2013 AT 7:00 PM.**

PRESENT:	Cr D M Shaw	(Chair)
	Cr C M Wielinga	
	Cr M Geary	
	Cr C J MacDonald	
	Cr M H Norman	
	Cr H A Zelones JP	
	Cr M S Northcott	(Deputy for Cr Sargeson)
APOLOGIES:	Cr L Sargeson	(Leave of Absence)
OBSERVERS:	Cr G A Best	
IN ATTENDANCE:	Mr I MacRae	Executive Director Development Services
	Mr P Sanders	Executive Manager Planning Services
	Mr J Erceg	Health Services Manager
	Ms S Hillel	Building Services Manager
	Mrs N Cranfield	Executive Assistant
PUBLIC:	**7**	

*"For details of Councillor Membership on this Committee, please refer to the City's website – **www.armadale.wa.gov.au/your council/councillors**."*

DISCLAIMER

The Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings was read.

DECLARATION OF MEMBERS' INTERESTS

Nil.

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Development Services Committee Meeting held on 18 February 2013 be confirmed.

Moved Cr C Wielinga
MOTION CARRIED (7/0)

ITEMS REFERRED FROM INFORMATION BULLETIN - ISSUE 4 / 2013

- **Outstanding Matters & Information Items**
  Report on Outstanding Matters - Development Services Committee
- **Health**
  Health Services Manager's Report - February 2013
- **Planning**
  Planning Applications Report - February 2013
  Reviews before the State Administrative Tribunal (SAT)
  Town Planning Scheme No.4 - Amendment Action Table
  Subdivision Applications - WAPC Approvals/Refusals - February 2013
  Subdivision Applications - Report on Lots Registered for 2012/2013
  PAW Closure Report - Significant Actions during February 2013
- **Building**
  Building Services Manager's Report - February 2013
  Building Compliance Report - February 2013
  Building Applications Monthly Statistics - February 2013

Committee noted the information and no further items were raised for discussion and/or further report purposes.

QUESTION TIME

1. Mr P Mutton – 4 Collins Road, Roleystone

In regards to the report for the proposed TPO on the former Roleystone Primary School site, Mr Mutton requested the following information –

- How does a Detailed Area Plan (DAP) protect the trees and the significant heritage features on the site?
- Who determines what is worthy of retention? eg. the 150 year old tree stumps on the site.
- Who identifies the culturally significant items on the site, as some features are subtle and may require local assistance eg. axe marks on 150 year old tree stumps which are approx. two metres high.
- Could I also ask the Council to not only consider the living vegetation but other cultural and significant features on the site?

Chair responded that the future owner of the land will be required to undertake a tree survey by an independent consultant to determine which trees on the site are worthy of protection. The trees that are identified will be included on a DAP which means that eventually when building on the site the trees will be protected.

In regards to the historical and/or non-living vegetation on the site, this could also be included in the investigation of the site by the independent consultant. The local residents may also wish to submit this information to their local Ward Members.

The Executive Director Development Services also advised that at the time of development the developer will also liaise with the City in identifying significant vegetation. Amongst other elements, the DAP is required to address "measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention".

Chair further advised that depending on the outcome of Committee's deliberation and recommendation re tonight's report, it may be the case that the DAP is required to be submitted to Council for consideration.

2. Mr K Oliver – 7 Kobus Heights, Roleystone

In regards to the report for the proposed TPO on the former Roleystone Primary School site - Mr Oliver advised that he was a resident of Roleystone and a Town Planner by profession and that he was assisting the local community in securing a site in Roleystone for aged persons housing. Mr Oliver expressed concern that the issue of tree preservation had already been addressed by Council as part of a lengthy rezoning process. The Minister and Council had placed a strong condition in the rezoning documentation to achieve what the petitioners had requested. On behalf of the Roleystone community Mr Oliver advised that the proposed Recommendation was supported.

Whilst the land is still owned by the Crown, does the Council have authority under its Town Planning Scheme to impose conditions or controls on Crown land?

The Executive Director Development Services advised that this matter had been previously investigated and it had been ascertained that Council was empowered to impose the requirements anticipated.

3. Mr C Horgan – 5 Mirfield Street, Roleystone

In regards to the report for the proposed TPO at the former Roleystone Primary School site, is Council aware of the size and significance of the tree stumps (logged perhaps 150 years ago) which remain amongst the trees on the site. Most of these stumps have very large girths, some of which are likely to have been 400-500 years old?

Chair responded that Committee was aware of the historical significance of the existing vegetation on the site.

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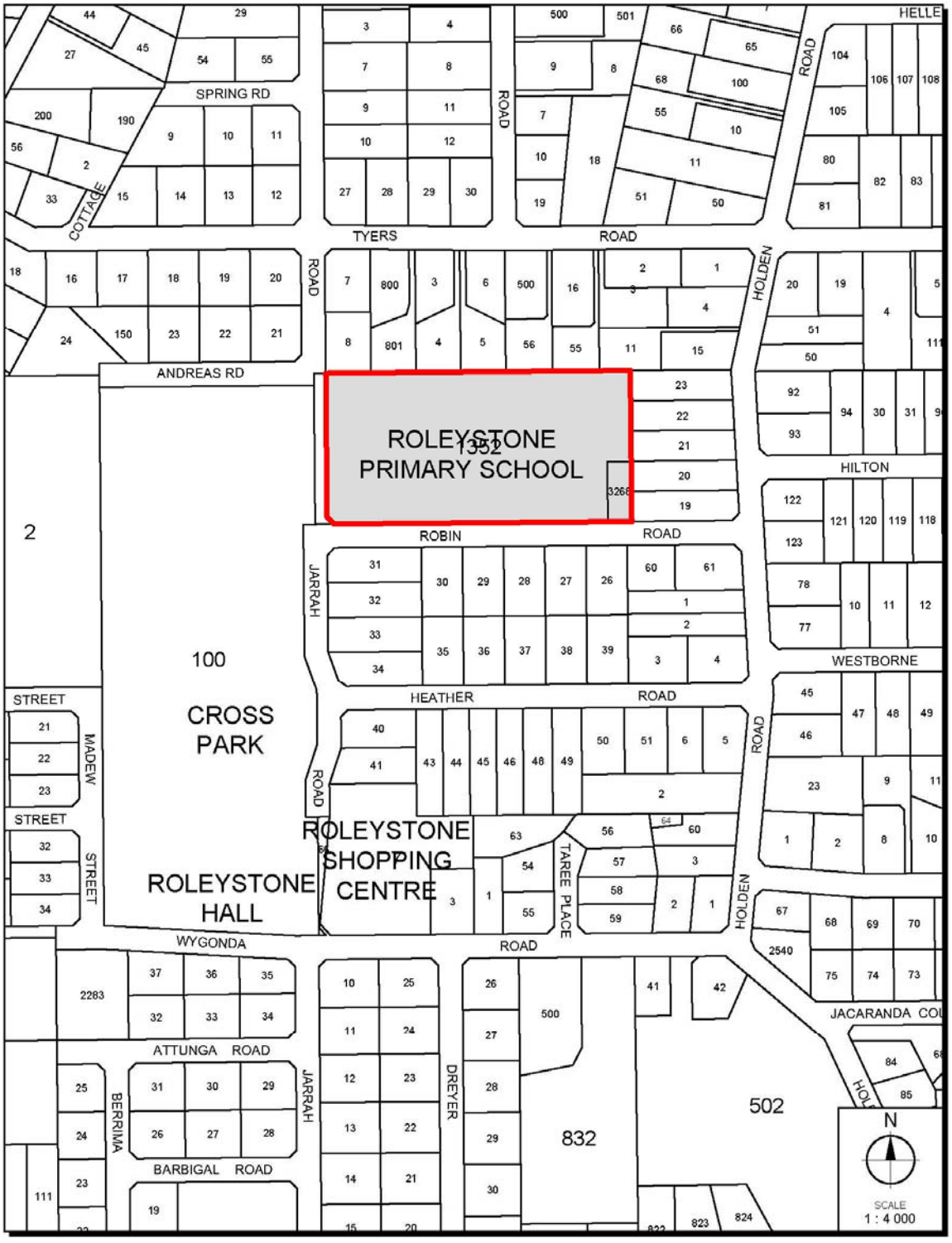

LOCATION PLAN
LOT 1352 AND 3268 ROBIN ROAD, ROLEYSTONE

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4.2 - PROPOSED TREE PRESERVATION ORDER - LOT 1352 ROBIN ROAD, ROLEYSTONE (FORMER ROLEYSTONE PRIMARY SCHOOL SITE)

WARD : JARRAH

FILE No. : M/54/13

DATE : 12 March 2013

REF : PR

RESPONSIBLE MANAGER : EMPS

In Brief:

- The City received a Tree Preservation Order request for numerous trees on the former Roleystone Primary School site, being Lots 1352 and 3268 Robin Road, Roleystone.
- As the site was subject to the Scheme Amendment process at the time (Amendment 61) and the issue of tree preservation was being considered as part of that process, the City deferred a formal decision on the request until the outcome of Amendment 61 was known.
- Recommend that the request for a Tree Preservation Order across Lots 1352 and 3268 Robin Road, Roleystone be declined on the basis sufficient site specific tree preservation measures now exist within Town Planning Scheme No.4 and that the request contains too many sites.

Tabled Items\

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

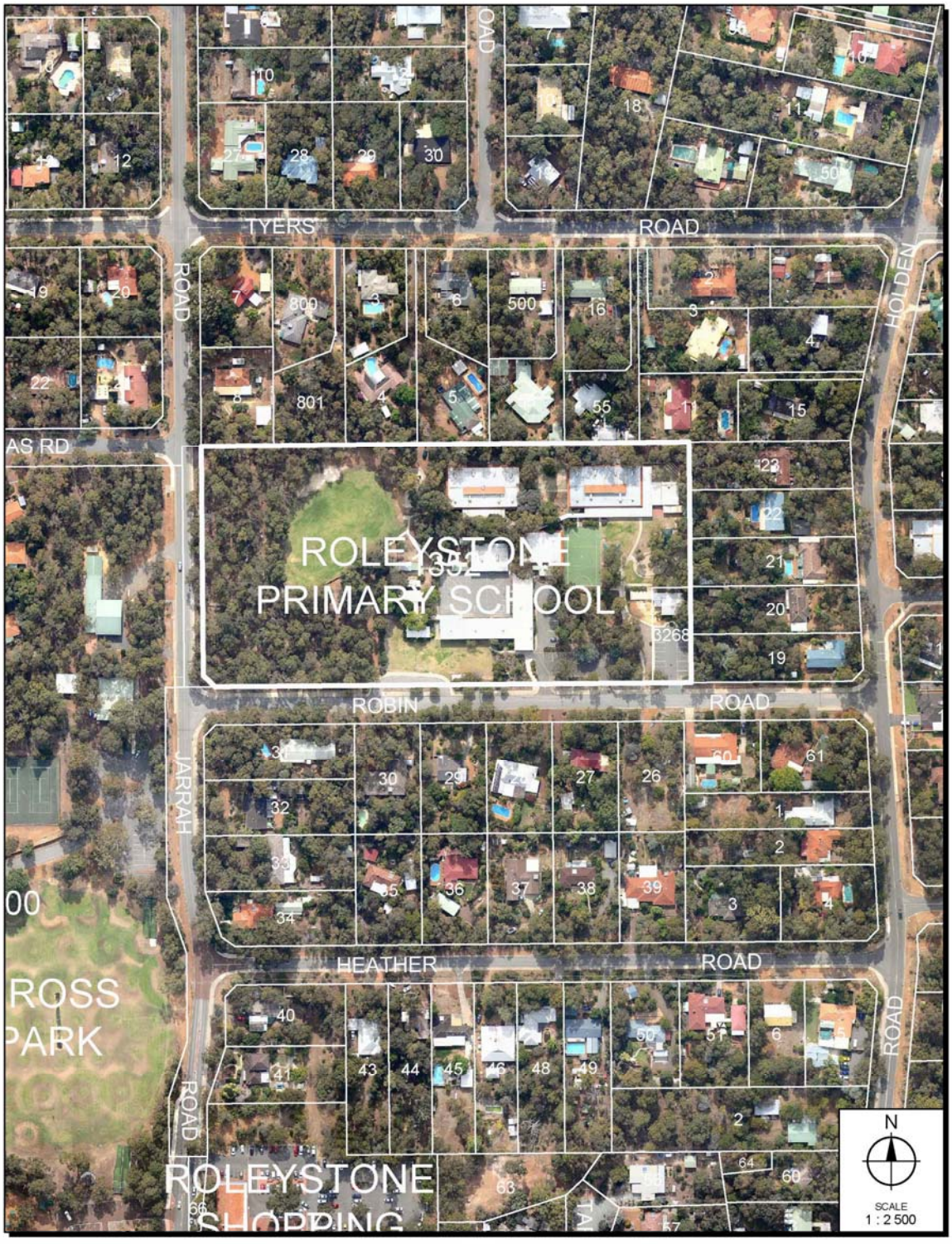
2.3 Diverse and attractive development that is integrated with the distinctive character of the City.
2.3.1 Provide supportive planning and development guidance and liaison on major land developments.
2.4 Attractive and user-friendly streetscape and open spaces.
2.4.1 Implement townscape, streetscape and parkland improvements to enhance the distinctive character of the City.

Legislation Implications

Planning and Development Act 2005
Town Planning Scheme (TPS) No.4
Local Planning Strategy 2003
Metropolitan Region Scheme

Council Policy / Local Law Implications

PLN 2.4 Tree Preservation



AERIAL PHOTOGRAPH
LOT 1352 AND 3268 ROBIN ROAD, ROLEYSTONE

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Budget / Financial Implications

The costs of considering this request have been accommodated within existing budgets. Additional costs will be incurred if TPO's are issued.

Consultation

- Land Owner
- Parks and Environment Departments

BACKGROUND

The City received a Tree Preservation Order (TPO) request for numerous trees on the former Roleystone Primary School site, being Lots 1352 and 3268 Robin Road, Roleystone (the subject site), on 17 May 2012. The site was subject to the Scheme Amendment process at the time (Amendment 61) to rezone the land from 'Public Purpose – Primary School' to 'Residential – Restricted Use' (for Aged or Dependent Persons Accommodation) and the issue of tree preservation was being considered as part of that process. For this reason, the City deferred a formal decision on the TPO request until the outcome of Amendment 61 was known.

Amendment 61 was determined by the Minister for Planning on 24 January 2013, and was published in the Government Gazette on 12 February 2013. The Amendment was approved, and as such the City is now considering the TPO request.

DETAILS OF PROPOSAL

The TPO request proposes the preservation of more than 100 trees within four "sites" that account for approximately 1ha of the 3.25ha subject lots. The details of the four sites are as follows:

Site 1 "Trees surrounding oval, particularly to the west and south".
The greatest level of detail is provided in respect of Site 1. 96 trees are nominated across the area described. Relative to Species Significance, a site survey outlining species (72 remnant species identified) and possible tree age has been submitted indicating most Jarrah and Marri trees are between 100 and 320 years old. Persoonia trees on site are likely to be of a similar age, and a grass tree is likely to be over 200 years old. The applicant also notes the largest Jarrah Tree is probably within the Robin Road road reserve. The request also notes that Jarrah and Marri trees provide a valuable food supply for red-tailed black cockatoos.

Relative to Heritage Significance, the applicant argues that the area was *"the bush playground for several generations of Roleystone children that can identify with individual sites in their childhood. Playing amongst the Jarrah trees is characteristic of a Roleystone childhood"*. The request also states that stumps on site are indicative of logging some 150 years ago, noting one stump in particular shows evidence of the standing board on which cross-cut millers stood, and the crown of one tree remains where it fell.

Relative to Location/Landmark Significance, the applicant notes that the area of dense bush is highly visible from Jarrah Road in the heart of Roleystone.

Site 2 "Old Healthy Jarrah Tree".
Site 2 represents the nomination of a single tree adjacent to the netball court selected on Species Significance (97 trees nominated in total). The applicant claims the tree is the largest Jarrah tree on site (second to the Jarrah tree in the Robin Road road reserve) and is *"in the top 1% of all Jarrah trees in Roleystone"*. As with the previous trees, the request notes that Jarrah and Marri trees provide a valuable food supply for red-tailed black cockatoos.

Site 3 "Healthy Stand of Jarrah Trees and Old Stump".
Six Jarrah and Marri trees near the eastern property boundary are the subject of Site 3 (103 trees nominated in total). The request argues their Heritage Significance as they are situated in what was the kindy/pre-primary area and their Species Significance because Jarrah and Marri trees provide a valuable food supply for red-tailed black cockatoos.

Site 4 "Area of Remnant Mixed Bush".
A small area of remnant bushland represents Site 4, however the applicant has not mentioned specific numbers of trees (103 trees plus those within "site 4" nominated). The Location/Landmark Significance is argued because the school and car park were constructed with regard to retention of the bushland, and the Species Significance because the grass trees were likely mature prior to European settlement and as such are a bushfire record for the area.

COMMENT

Landowner

As the request came from a source other than the current land owner (Department of Education), the City sought comments from the owner on the request for a TPO. The Department of Education employed Whelans Planning Consultants to respond on their behalf. Their submission acknowledged that whilst the request has raised some valid points regarding vegetation condition and historic, cultural and natural significance, it was anticipated that an alternative (and more appropriate) planning mechanism for the protection of trees of significance would be provided for via the Scheme Amendment process.

The Amendment has now been approved and it is confirmed that the Restricted Use No.9 Conditions require a future developer to prepare a Detailed Area Plan (DAP) prior to development. Amongst other elements, the DAP is required to address *"measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention"*. The landowners' submission requests that the information prepared and submitted as part of the TPO request be referred to the eventual developer for use in preparation of the DAP.

ANALYSIS

Town Planning Scheme No.4

TPO's are established via Clause 11.8 of TPS No.4, which states that *"The City may by notice served upon individual landowners or upon a subdivider of land, require the preservation of a tree or group of trees. Thereafter no landowner shall cut, remove or otherwise destroy any tree unless the City grants approval or rescinds the notice or order"*.

Council's Policy PLN 2.4 – Tree Preservation makes it clear that *"any person may request that the City investigate the significance of a tree with a view to issuing a notice under Clause 11.8 of Town Planning Scheme No.4"*.

Amendment 61 established Restricted Use No.9 over the subject site, which contains certain conditions relating to the future development of the site. These conditions include:

9.4 d) *"Submission and approval of a Detailed Area Plan (DAP) prior to any approvals for development, subdivision and/or strata being issued"*.

9.5 *"The DAP referred to in the previous Condition shall address the following issues:"*
9.5 c) *"Measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention"*.

Detailed Area Plan

A DAP may be prepared relative to a particular lot (or lots) for any planning purpose. Clause 6A.5.3 of TPS No.4 outlines some elements that can be addressed by DAPs, including:

(a) *development envelopes;*

(b) *distribution of land uses within a lot;*

(c) *private open space;*

(d) *services;*

(e) *vehicular access, parking, loading and unloading areas, storage yards and rubbish collection closures;*

(f) *the location, orientation and design of buildings and the space between buildings;*

(g) *advertising signs, lighting and fencing;*

(h) *landscaping, finished site levels and drainage;*

(i) *protection of sites of heritage, conservation or environmental significance;*

(j) *special development controls and guidelines; and*

(k) *such other information considered relevant by the City.*

As the site is to be developed for aged or dependent person's housing, the DAP that must be prepared in respect of the subject site will consider not only the future built environment but also the retention of the existing vegetation where its significance warrants protection. The City anticipates the submission of a vegetation survey as part of the DAP request, which would allow individually worthy trees to be identified for retention on the plan, in order to address condition 9.5 c) of Restricted Use No.9. Once approved, the DAP becomes an integral part of the statutory Planning process and forms part of the decision making process on any Development Application for the site. Any subsequent Development Application would then conform to the approved DAP by ensuring the identified trees are retained.

PLN 2.4 – Tree Preservation

Council's Policy PLN 2.4 outlines various methods available in respect of tree preservation, including development envelopes, specific protection within various TPS 4 zones, landscape protection areas, the municipal heritage inventory and structure plans ensuring areas of public open space include existing trees where possible. As these and other alternatives are available, the policy states that *"in general Clause 11.8 should only be used:*

- *when other mechanisms (e.g. as identified in the introduction to this policy) are deemed inadequate or not suitable; and/or*
- *the tree in question is of such significance that additional protection is warranted".*

"Significance" in terms of Policy PLN 2.4 includes Heritage, Species and Location / Landscape / Landmark significance. Heritage significance can relate to the Aboriginal or European communities, a significant heritage site or commemorative plantings. Species significance can include outstanding size or age, horticultural significance, rarity, habitat value, or curious growth forms. Location / Landscape / Landmark significance references contribution to the landscape and identification within the community. In addition, the tree condition and the potential impacts of retention should be analysed. The four sites and their significance are assessed as follows:

Site 1
The age of the trees appears to be the most significant of the claims made, with Jarrah, Marri and Persoonia trees being 100 and 320 years old, and grass trees over 200 years old. Trees of varying species at the upper end of this range warrant further detailed investigation, however it would be difficult to recommend placing TPO's on 96 similar trees across Site 1. If the largest tree on site is indeed within the Robin Road road reserve, it is noted that Policy PLN 2.4 notes that generally it is not appropriate for a TPO to be placed on a tree within a road reserve, as other legislation permits the installation of utility services with little or no need for approval from Local Government.

Whilst it is certainly true that several generations of children have played amongst the trees, the existence of the (now defunct) primary school on the subject site was examined as part of the compilation of the 2008 Municipal Heritage Inventory (MHI). As the primary school had moved twice since 1905 (now three times), it was considered that the school did not hold enough heritage value in and of itself. If the larger consideration of the school on site and all associated with that was not significant enough for heritage listing, preserving trees on the site based on the heritage significance of the school could not be justified. The tree stump/crown that shows evidence of logging in the area could not be included in a TPO.

In respect of Jarrah and Marri trees being a food source for red-tailed black cockatoos, the point is acknowledged as being consistent with PLN 2.4, however the significance of such trees are considered via the environmental legislation.

In terms of the trees visible from Jarrah Road being of Location/Landmark Significance, given the number of trees in Roleystone in general it is difficult to interpret this particular stretch of road being of exceptional significance.

Site 2
It is unclear how the conclusion of the tree at Site 2 being *"in the top 1% of all Jarrah trees in Roleystone"* was reached, or if this specifically relates to size, age or some other criteria. With regards to the tree being a food source for cockatoos, the comments made for Site 1 are reiterated.

Site 3
The reasons for nomination of the trees within Site 3 are similar to those provided for Site 1. Please refer to the second and third paragraphs under Site 1 above.

Site 4
The nomination for Site 4 is certainly lacking detail, as no specific trees are outlined. As previously mentioned, trees of varying species at the upper end of the age range across the site may warrant further investigation, which in this instance may apply to the grass trees that are referred to. The Location/Landmark Significance argument whereby Site 4 was not encroached upon by the development of the school is not considered relevant, as it is not a point that the whole community would share a perception of.

General
Apart from generally noting in the request that trees appear healthy, no detailed analysis as to the condition of the 100 plus trees has been performed. Policy PLN 2.4 indicates that this sort of analysis may take the form of a Quantified Risk Assessment and should consider matters such as:

a) Usual Life expectancy;
b) Health condition (vitality) and structural integrity;
c) Evidence of existing impacts a tree is having on buildings and/or structures;
d) Future growth habits and their potential impacts;
e) Potential size at maturity;
f) Safety Risks (or Risk of Harm);
g) Amenity and Lifestyle Impacts; and
h) If applicable, evidence from a relevant and qualified medical professional that a tree is causing medical problems to a member/s of the community.

Where it is noted above in the assessment of the four sites against the Policy criteria that further investigation of trees may be warranted, the above factors would also need to be considered.

Synopsis
Via the conditions set out in Restricted Use No.9 it is clear that the alternate planning mechanism recommended by PLN 2.4, being a DAP, is available to preserve trees on the subject site. Whilst Clause 11.8 of TPS No.4 does allow for *"the preservation of a tree or group of trees"* it is also clear that a DAP is more appropriate than a TPO given the large areas the applicant indicates should be considered. It is considered that the nomination of more than 100 trees across approximately 1ha of land in a 3.25ha site is not appropriate. In comparison, to date across the entire City which covers an area of 520km² (accepting that large numbers of trees are already protected by virtue of the zoning or reservation status of the land they are on), a total of 25 TPOs have been issued covering around 40 trees.

Whilst there may be individual trees on site that meet the criteria outlined by PLN 2.4, this should be specifically determined rather than taking the blanket approach that has been proposed. It seems apparent that the submission is focussed on preserving as many trees as possible as opposed to identifying individual trees of significance. A significant tree survey as part of the DAP preparation, guided by the information that has been submitted in respect of this request, will determine whether in fact any trees warrant retention and protection. In particular, a more in depth look at the age and condition of specific trees may assist in this regard. Then protection can be achieved by inclusion on the DAP and/or development approval rather than via a TPO.

However, if Council believes that at least some trees on site should be protected via a TPO, then the owner of the site has requested that they be allowed to undertake their own assessment of the nominated trees against the criteria of PLN 2.4 in the first instance.

OPTIONS

1. Council could resolve to approve the TPOs on Lots 1352 and 3268 Robin Road, Roleystone as proposed.

2. Council could defer consideration of the proposed TPOs on Lots 1352 and 3268 Robin Road, Roleystone, allowing the landowner three months in which to complete and submit for consideration their own review of the nominated trees against the criteria of PLN 2.4 – Tree Preservation.

3. Council could resolve not to approve the proposed TPOs on Lots 1352 and 3268 Robin Road, Roleystone on the basis that the Conditions of Restricted Use No.9 require the preparation of a DAP that must have regard for the identification and protection of any vegetation on the site worthy of retention, that PLN 2.4 – Tree Preservation recommends the use of alternate Planning mechanisms where available, and that the request contains too many trees.

CONCLUSION

It is recommended that Council consider Option 3. The conditions requiring the preparation of a DAP with regard for tree retention were placed within the Scheme via Amendment 61 for the purpose of preserving significant vegetation on site. Additional information on the age and condition of the trees in question would be beneficial prior to making a decision. The DAP assessment and approval process provides that opportunity and it should be utilised.

ATTACHMENTS
1. Roleybushcare Inc - Tree Register Nomination Form

Committee discussed the proposed preparation of a DAP to ensure the identification and protection of any vegetation on the site worthy of retention. Committee supported the proposed amendment to the Recommendation. Accordingly, new Parts 2 and 3 were added.

D15/3/13 **RECOMMEND**

That Council:

1. **Decline the request for the proposed TPOs on Lots 1352 and 3268 Robin Road, Roleystone on the basis that the Conditions of Restricted Use No.9 require the preparation of a DAP that must have regard for the identification and protection of any vegetation on the site worthy of retention, that PLN 2.4 – Tree Preservation recommends the use of alternate Planning mechanisms where available, and there are other statutory processes to consider the significance of the trees for environmental reasons.**

2. **Request that the DAP application required by Condition 9.4(d) of Restricted Use No.9 within Schedule 3 of Town Planning Scheme No.4 be supported by a Significant Tree Survey to address the requirements of Condition 9.5(c) from the same. The Survey is to identify the most significant and healthy trees based on, and to be assessed against, the criteria within Local Planning Policy PLN 2.4 - Tree Preservation. Trees that the City deem to meet the criteria are to be protected within the DAP; and**

3. **Request the DAP be submitted to Council prior to its adoption.**

Moved Cr C Wielinga
MOTION CARRIED (7/0)

1.1 - REVIEW OF ANNUAL FEES UNDER THE FOOD ACT AND HEALTH ACT 2012-2013

WARD : ALL

FILE No. : M/152/13

DATE : 12 March 2013

REF : JE

RESPONSIBLE MANAGER : EDDS

In Brief:

- The Food Act 2008 provides for local governments to impose fees and charges to cover the cost of their enforcement role.
- The Health Act prescribes the procedure for setting fees and charges under Health Local Laws.
- Recommend that annual fees for the 2012-2013 financial year be approved.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Community Wellbeing

Aim: Ensure effective management of risks to health in accordance with relevant legislation and community needs.

Legislation Implications

Section 140 of the Food Act provides for local governments to recover expenses associated with their enforcement role.

Section 344C of the Health Act (Fees and charges shall be fixed by resolution).

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

Annual fees will be payable by applicable lodging houses and food businesses.

Consultation

- Health Services Officers
- Department of Health

BACKGROUND

Annual Health fees are payable prior to 30th June each year and local governments are responsible for adjusting fees under the Food Act and the City's Health Local Law.

Under the Food Act, local governments are empowered by the Local Government Act 1995, to recover fees and charges associated with their functions as an enforcement agency. An absolute majority is required. The Food Act came into effect on 23rd October 2009.

Under the Health Act, fees and charges for Lodging Houses must be fixed by resolution and notice of the resolution published in the Government Gazette at least 14 days prior to the day on which the resolution is to take effect.

The Department of Health adjusts other annual fees made under State Regulations each year based on the Consumer Price index estimates

DETAILS OF PROPOSAL
Proposed Annual Fees

Classification	Annual Fee 2012/2013	Annual Fee 2013/2014
Registration of Lodging Houses		
▪ New premises (maximum fee)	$308	$267
▪ Renewals paid by 30 June (early payment incentive)	$277	$240
▪ Renewals Paid after 30 June	$308	$267
Low Risk Food Businesses		
▪ New Food Businesses (maximum fee)	$308	$267
▪ Renewals paid by 30 June (early payment incentive)	$270	$240
▪ Renewals paid after 30 June	$308	$229
Medium Risk Food Businesses		
▪ New Food Businesses (maximum fee)	$432	$381
▪ Renewals paid by 30 June (early payment incentive)	$388	$343
▪ Renewals paid after 30 June	$432	$381
High and Medium Risk Food Businesses		
▪ New Food Businesses (maximum fee)	$432	$457
▪ Renewals paid by 30 June (early payment incentive)	$388	$411
▪ Renewals paid after 30 June	$432	$457

Pro Rata Annual Risk Assessment Inspection Fees

1. In the case of the commencement of new food businesses and Lodging Houses, a pro rata fee will apply as follows:
   - 01 July to 30 September – no reduction
   - 01 October to 31 December – reduction by 25%
   - 01 January to 31 March – reduction by 50%
   - 01 April to 30 June – reduction by 75%

2. In the case of the permanent closure of food businesses and Lodging Houses, a pro rata refund will apply upon request, as follows:
   - 01 July to 30 September – 75% of full fee
   - 01 October to 31 December – 50% of full fee
   - 01 January to 31 March – 25% of full fee
   - 01 April to 30 June – no refund

Early Payment Incentive

In order to encourage full payment within statutory timeframes, a 10% early payment incentive will be applied to all payments received by the City prior to 30 June each year.

COMMENT

The purpose of this report is to seek Council approval to increase annual fees for food businesses and lodging houses, to offset costs associated with the City's role as an enforcement agency.

The fee structure is based on a risk management protocol, which is used to determine assessment frequencies and therefore compliance costs.

As a result, all lodging houses were classified as low risk premises. Food businesses were classified as high, medium or low risk based on the following criteria:

- The type of food;
- The activity of the business;
- Method of processing; and
- Customer base.

In order to better reflect the fact that resources are allocated based on risk management principles, fees for low and medium risk premises have been reduced, while those for high risk businesses have increased. This recognises that the focus of the risk assessment inspection program should be on managing the activities where risks are the greatest.

The Health Service is expanding that principle further by reviewing the risk level of premises during inspections based on food hygiene performance. As a result it enables food businesses with a poor record of performance to be transferred to a higher risk category and therefore pay a higher annual fee. The converse applies to premises displaying exceptional food hygiene performance.

The purpose of offering an early repayment incentive is to encourage food business and lodging house proprietors to make full payment prior to 30 June each year to comply with statutory requirements and avoid the unnecessary expense of pursuing late payment of fees.

NOTE: Food businesses that raise money solely for charitable or community purposes, such as school canteens, nursing homes, sports clubs and meals on wheels and very low risk businesses such as those that sell only low risk packaged foods are exempted from payment of fees, but will still have to comply with the Act.

OPTIONS

Council may elect to:

1. Approve the suggested fees.
2. To approve the suggested fees with amendments.
3. To reject the suggested fees.

CONCLUSION

The proposed fees need to be authorised by Council and advertised to enable compliance costs associated with food safety and Lodging Houses to be partially recovered. It is therefore recommended that option 1 be endorsed.

Once endorsed, invoices will be sent requesting payment of the annual fees prior to 1st July 2013.

ATTACHMENTS

There are no attachments for this report.

D16/3/13 **RECOMMEND**

That Council:

1. Adopt the annual fees set out in the table below:

Classification	Annual Fee
Registration of Lodging Houses	
▪ **New Premises**	**$267**
▪ **Renewals paid by 30 June**	**$240**
▪ **Renewals paid after 30 June**	**$267**
Risk Assessment Inspection Fee - Low Risk Food Businesses	
▪ **New Food Businesses**	**$267**
▪ **Renewals paid by 30 June- with 10% early payment incentive**	**$240**
▪ **Renewals paid after 30 □une**	**$267**
Risk Assessment Inspection Fee - Medium Risk Food Businesses	
▪ **New Food Businesses**	**$381**
▪ **Renewals paid by 30 June (with 10% early payment incentive)**	**$343**
▪ **Renewals paid after 30 June**	**$381**
Risk Assessment Inspection Fee - High and Medium Risk Food Businesses	
▪ **New Food Businesses**	**$457**
▪ **Renewals paid by 30 June (with 10% early payment incentive)**	**$411**
▪ **Renewals paid after 30 June**	**$457**

Pro Rata Annual Risk Assessment Inspection Fees

In the case of new businesses, risk assessment inspection fees for food businesses and registration of Lodging Houses fees are to be calculated as follows:

- **01 July to 30 September – no reduction**
- **01 October to 31 December – reduction by 25%**
- **01 January to 31 March – reduction by 50%**
- **01 April to 30 June – reduction by 75%**

In the case of the permanent closure of a food business or Lodging House, a pro rata refund will apply upon request, as follows:

- **01 July to 30 September – 75% of full fee**
- **01 October to 31 December – 50% of full fee**
- **01 January to 31 March – 25% of full fee**
- **01 April to 30 June – no refund**

2. **Pursuant to Section 6.19 of the Local Government Act 1995, advertise the above fees in local public notices for a 7 day period.**

3. **Following closure of the advertising period and there being no adverse response, adopt the above fees.**

*** ABSOLUTE MAJORITY RESOLUTION REQUIRED**

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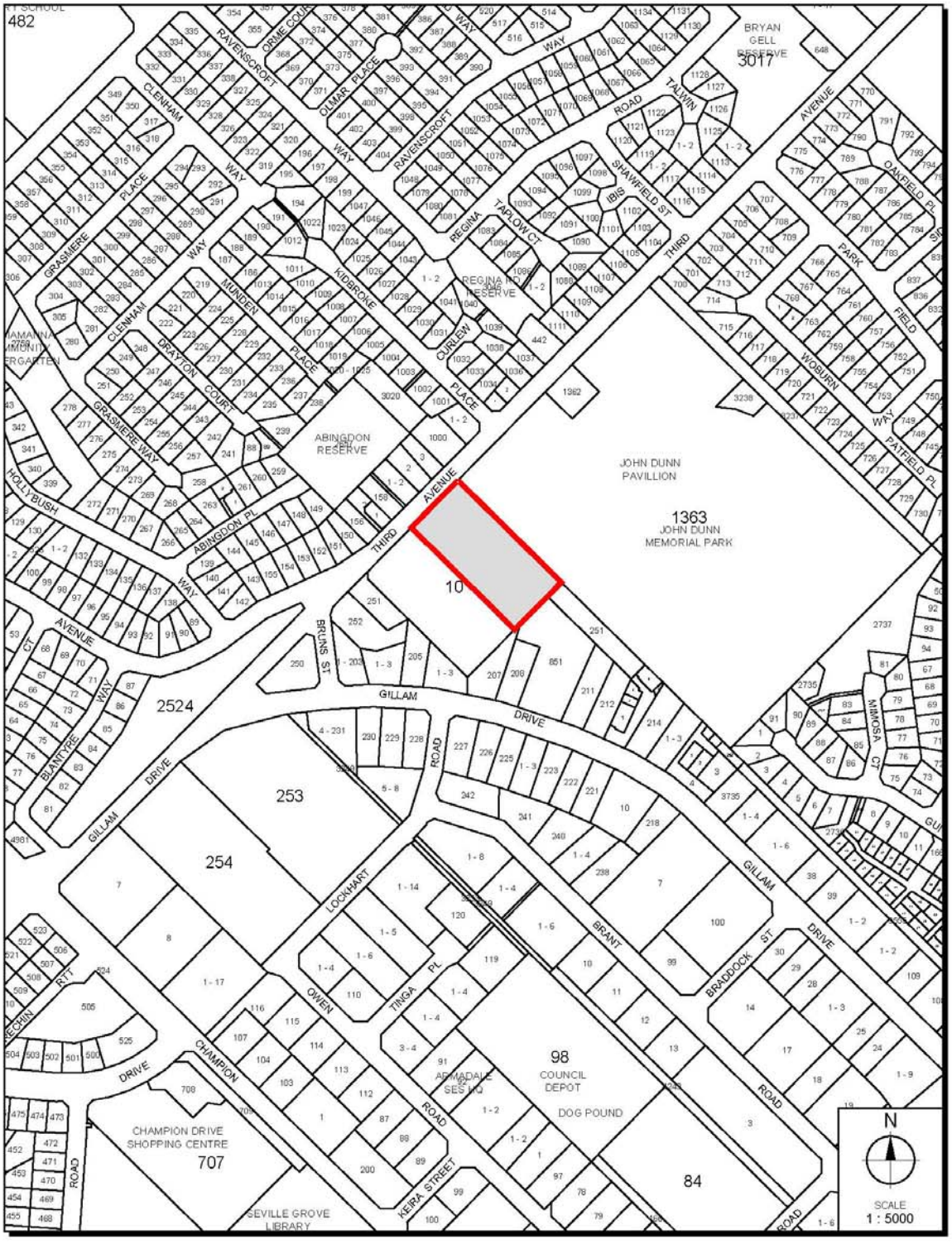


LOCATION PLAN
PORTION OF PROPOSED LOT TO BE DEVELOPED
LOT 10 (130) THIRD AVE, KELMSCOTT
DATE 6 March 2013 - REVISION 1301

CITY OF Armadale

Aerial photograph supplied by Landgate, Photomaps by NearMap
Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012)

2.1 - CHANGE OF USE - STORAGE - LOT 10 (NO. 130) THIRD AVENUE KELMSCOTT

WARD	:	HERON
FILE No.	:	M/120/13
APPLN NO.	:	10.2012.244.1
DATE	:	17 March 2013
REF	:	CM
RESPONSIBLE MANAGER	:	EMPS
APPLICANT	:	The Hamersley Investment Trust and Robert Hamersley Nominees
LANDOWNER	:	Antonio Galati Pasqualino Vincenzo Galati
SUBJECT LAND	:	Property size 2.1524 ha
ZONING		
MRS /	:	Industrial
TPS No.4	:	Industrial Business

In Brief:

- The City received an application for the development of approximately half of Lot 10 into a self-storage business. The development is being proposed by the owners of the existing self-storage business at Lot 851 (No.43) Gillam Drive Kelmscott (Armadale Kelmscott Self Storage and Removals) and will form an extension of this business.
- The application was advertised for a period of 2 weeks. A total of 5 submissions were received. None objected to the proposal.
- Recommend that the Council approve the application subject to appropriate conditions.

Tabled Items

Nil.

Officer Interest Declaration

Nil

Strategic Implications

2.3 Diverse and attractive development that is integrated with the distinctive character of the City.
2.3.1 Provide supportive planning and development guidance and liaison on major land developments

2.4 Attractive and user-friendly streetscapes and open spaces
2.4.1 Implement townscape, streetscape and parkland improvements to enhance the distinctive character of the City.

AERIAL PHOTOGRAPH
PORTION OF PROPOSED LOT TO BE DEVELOPED
LOT 10 (130) THIRD AVE, KELMSCOTT
DATE 6 March 2013 - REVISION 1301

CITY OF Armadale

Aerial photograph supplied by Landgate, Photomaps by NearMap
Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012)

Legislation Implications

Planning and Development Act 2005
Town Planning Scheme (TPS) No.4
Local Planning Strategy 2003
Metropolitan Region Scheme

Council Policy/Local Law Implications

PLN 4.1 The Design of Industrial Sites & Estates
PLN 5.3 Sea Containers, Railway Carriages & Other Decommissioned Transport Conveyances

Budget/Financial Implications

N/A

Consultation

1. Technical Services
2. Public Advertising

BACKGROUND

The subject property (Lot 10) is located on the south-eastern side of Third Avenue on the outer edge of the Kelmscott Industrial Area and adjacent to John Dunn Memorial Park. The property fronts Third Avenue, has a site area of 2.1524ha and is the largest of a handful of undeveloped lots remaining in the Kelmscott industrial area.

In February 2008 Council refused a development application for the property that proposed it being developed as a "Retail Produce Market (Spud Shed)". The proposal was refused for a number of reasons including:

- It was not considered to meet the objectives of the "Industrial Business" zone.
- It was inconsistent with the City's Local Planning Strategy, as no retail floor space was planned for the area and it was considered that the viability other designated retail/commercial centres in the City would be adversely affected.
- It was considered that traffic generated from the proposal would have an adverse impact on the amenity of the area.

The applicant appealed Council's decision at the State Administrative Tribunal but they later withdrew their appeal.

VIEW OF LOT 10 FROM THIRD AVENUE, KELMSCOTT

PROPOSED METAL STORAGE CONTAINER

DETAILS OF PROPOSAL

The current proposal includes development of approximately half of Lot 10 into a self-storage business. The development is being proposed by the owners of the existing self-storage business at Lot 851 (No.43) Gillam Drive Kelmscott (Armadale Kelmscott Self Storage and Removals). Lot 851 and Lot 10 share a common boundary and the proposal would form an extension to the existing self-storage business.

As part of the development it is proposed that the subject portion of Lot 10 would be amalgamated with Lot 851. It is also proposed for the development not to front Third Avenue and primary access would be via Lot 851 (the only access to Third Avenue would be for Emergency Purposes and other limited purposes only). Given this, the orientation of the subject portion of Lot 10 would be reversed (i.e. the Third Avenue would be the rear of the lot). The remainder of Lot 10 is currently vacant and would still address Third Avenue.

The proposal will include the surface of the subject potion of Lot 10 being sealed and drained. It is proposed that 330 prefabricated metal storage containers will be placed on top of the sealed surface. The storage containers have a height, length and width 2.45m, 5.86m and 2.36m respectively and comprise a total area of approximately 14 sqm each. Each container is erected on site and features individual, secure swing door access for customers. The units are constructed with steel framing, flat insulated steel wall panels and wood flooring and are water and wind resistant. The proposal also includes an open hard stand area for parking and outdoor storage.

The proposed containers look similar to sea containers but based on photographs, the external appearance is improved and they are smaller than the general size of sea containers. Furthermore, the containers will be purchased new by the applicant, unlike sea containers which are usually second hand when used for similar storage proposes. It should be noted that the applicant originally proposed the use of second hand sea containers. However, in response to the City's concerns the proposal changed to use new prefabricated metal storage containers. Notwithstanding, it is still considered appropriate for the proposal to be assessed paying regard to the City's "sea containers" Local Planning Policy (PLN 5.3) that intends to control the use of portable storage containers. The "sea containers" policy provides a sound benchmark in determining if the impact of the proposal on the amenity will be acceptable. The proposal will also be assessed paying regard to TPS No.4 and Local Planning Policy *PLN 4.1 - The Design of Industrial Sites & Estates*.

COMMENT

Public Advertising

The application was advertised for two weeks, closing on 10 December 2012. Advertising was carried out by way of letters to potentially affected and nearby landowners (refer to notification plan).

Total No. of letters sent to residents/owners	-	54
Total No. of submissions received	-	5
No. of submissions of conditional support/no objection	-	5
No. of submissions of objection	-	0
No. of submissions of general advice by Service Agencies	-	0

Town Planning Scheme No.4

The proposal is located within an "Industrial Business" zone under TPS No.4. The objectives of this zone are:

(a) To provide for a range of industrial business and related services to be accommodated in specific policy precincts and meet the needs of the district in relation to those goods and services which cannot be practically provided within commercial centres because of either the extensive land area requirements or the performance characteristics of the activity.
(b) To ensure development and operation of businesses achieves relatively high environmental performance and amenity standards based on the level of public access and proximity to residential areas.

"Storage" is a "D" (discretionary) use in the "Industrial Business" zone. "D" means that the use is not permitted unless the City has exercised its discretion by granting planning approval.

The proposal is considered to align with objective (a), as it is a service that requires an extensive land area and in this regard is appropriate in the *"Industrial Business"* zone. It is noted that as residential lot sizes become smaller, it is likely that the need for storage facilitates such as that proposed may increase.

With regard to objective (b), the proposal includes various elements to help ensure the impact on nearby residential and public areas is minimised that include:

- Screen fencing around the perimeter of the development
- The Third Avenue frontage is proposed to be landscaped
- Two lines of fencing are proposed along the John Dunn Memorial Park frontage (discussed further below)
- The applicant has verbally advised the City that they will ensure they maintain all the fencing and landscaping in good repair all the time
- The only access to Third Avenue will be for emergency purposes
- The applicant is using new pre-fabricated metal storage containers as opposed to second hand sea containers as was initially proposed
- The outdoor storage area is located away from the Third Avenue frontage/Residential properties.

In summary, the application could be considered consistent with TPS No.4 requirements.

Local Planning Policy - *PLN 5.3 Sea Containers, Railway Carriages & Other Decommissioned Transport Conveyances*

The objectives of this policy are:

a) To ensure sea containers, railway carriages and other decommissioned transport conveyances do not detract from the amenity, character and established or intended streetscape of an area.
b) To provide additional guidance and requirements in addition to those contained in the Town Planning Scheme and other Council polices.

Under this policy it states that "Sea Containers" (i.e. portable storage containers) may be acceptable in the Industrial Business zone providing they are not clearly visible from the street or nearby land that is zoned for a different purpose, are used in conjunction with an approved use, are in a condition considered acceptable by the City and the policy objectives are met to the City's satisfaction. It is also stated in the policy that Sea Containers require approval under the City's Town Planning Scheme. Applications for such structures will only be considered when the use they are associated with is "permitted" ("P" uses) or is already approved under the City's Town Planning Scheme and all other provisions of this policy are met.

The policy also sets out matters to be considered when determining the acceptability of sea containers. These criteria include:

(a) The set back of the proposal from property boundaries.

(b) The requirements of the Town Planning Scheme and other applicable Council polices.

(c) The degree to which the colour, use, positioning, structural quality, general condition and/or any proposed alterations to the proposal positively complements existing development, the streetscape and the amenity of an area.

(d) The visibility of the proposal from public vantage points and adjoining and nearby properties.

(e) The length of time that the proposal is required.

(f) The proposed purpose or use of the sea containers, railway carriages or other decommissioned transport conveyances.

Applicants are to ensure all the above points are considered and addressed when preparing an application. The policy also specifies examples of ways to address the above points that may include, but are not limited to:

- Modifying the structure so it integrates with existing development on the lot and within the streetscape to the City's Satisfaction.
- Ensuring the proposal is not visible from public vantage points and adjoining and nearby properties by using screening considered satisfactory by the City.

With consideration to the above, the following is noted in relation to the proposal:

- The development will be associated with a "storage" use already approved at Lot 851 (No.43) Gillam Drive Kelmscott (Armadale Kelmscott Self Storage and Removals).
- The development will be setback 7.5m from the Third Avenue boundary. 7.5m is the minimum front setback requirements under Local Planning Policy - *PLN 4.1 - The Design of Industrial Sites & Estates*. Therefore, despite the development backing into Third Avenue, the setback will help contribute to the envisaged streetscape for the area.
- The development will not be clearly visible from outside the lot, as fencing will provide for screening. It is noted however that some of the development (likely to be the tops of the containers) may be visible from certain vantage points as the lot is lower than the street. Landscaping has also been proposed along the Third Avenue frontage to help prevent graffiti and screen fencing.

Two lines of fencing are proposed along the John Dunn Memorial Park frontage. The outer line will be open style mesh fencing with the inner line being metal screen fencing. This configuration is proposed to help prevent the metal screen fence being damaged and/or graffitied. This same configuration is not proposed on the opposite side boundary, as this frontage does not address public land and it is anticipated that the southern portion of Lot 10 will eventually be developed thereby minimising the risk of the metal fence being graffitied and/or damaged overtime. Notwithstanding, the landowner will be expected to maintain the metal fence on all the lot's boundaries in good repair.

- The proposed prefabricated metal storage containers will be purchased new and are therefore expected to be in good condition. The applicant has proposed that the containers will be white in colour. However, they were advised by the City that they should opt for a less reflective colour due to the proximity of the development to residential properties and the likelihood that some of the containers may be visible from certain vantage points. The applicant has since tabled the option of the tops of the containers being Dulux colour "Ashville"/Light Grey.

  Grey is generally less reflective than white. For example, colorbond colour "surfmist"/white has a solar absorption rating of 0.32 while colorbond colour "shale grey"/light grey has a solar absorption rating of 0.43. Other darker colorbond colours, such as colorbond colour "Cottage Green"/dark green or "Iron Stone"/Dark Grey, has a solar absorption rating of 0.74 and 0.75 respectively (Lysaght Website 2013). Considering this, a colour darker than white is preferred for the storage containers. Given any sunlight reflection is likely to be from the tops of the containers, just having the tops of the containers a colour other than white is considered acceptable, as requested by the applicant. The applicant has indicated they do not want a colour that is too dark due to concerns about the containers becoming too hot and they suggested grey as an alternative. (It is noted that the proposed containers are not made of colorbond steel. However, the adsorption values mentioned provide a good indication on the solar absorption value of colours generally).

Local Planning Policy - *PLN 4.1 - The Design of Industrial Sites & Estates*

The objectives of this policy are:

a) *To achieve a high standard of visual amenity in relation to colour, tone, materials and landscaping, particularly for those parts of a development which can be viewed from public areas or nearby residential properties.*

b) *To ensure a consistent and high quality approach to the development of the visual landscape.*

c) *To ensure screening of aspects of a development considered unsightly by the City and may prejudice the amenity of an area.*

d) *To provide convenient, functional and safe access arrangements into and out of industrial sites.*

As stated in the policy, *the intended identity for City's Industrial Areas is one of good quality buildings and overall site development. Buildings shall present well designed, contemporary and inviting frontages to streets and public areas. Materials and colours should complement the "natural" tones associated with the Armadale landscape*. The policy goes on to elaborate on how this vision could be achieved.

Being connected to the existing business at Lot 851 (No.43) Gillam Drive Kelmscott, on balance the proposal is considered to meet the objectives or provisions of PLN 4.1. For instance, by the development integrating with the existing business at Lot 851 and backing onto Third Avenue, it should remain relatively inconspicuous in its setting and appropriately screened from external vantage points. In addition, as proposed and given the nature of the business, the potential impact of the development on nearby residential properties should not be significant.

OPTIONS

1. Approve the application with conditions to ensure an appropriate final outcome is achieved.
2. Refuse the application stating the reason/s why.

CONCLUSION

The proposal has been assessed having regard to Council Policy and TPS No.4. It is considered that the proposal will have an acceptable impact on the area. Fencing will provide for screening and the proposal will result in an improved area of landscaping adjacent to Third Avenue. Furthermore, the general nature of the use should help ensure the impact on nearby residential properties is minimal. It is recommended that the Council approve the application subject to appropriate conditions.

ATTACHMENTS

1. Proposed Plans - Lot 10 Third Ave, Kelmscott
2. Manufacture's brochure for Metal Storage Containers
3. Schedule of Submissions - Lot 10 Third Ave, Kelmscott - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as the matter relates to the personal affairs of a person*
4. Submitter Plan - Lot 10 Third Ave, Kelmscott - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as the matter relates to the personal affairs of a person*

Committee discussed the proposed two lines of fencing along the John Dunn Memorial Park frontage and requested that the land between the two fences be landscaped to screen the colorbond screen fence and reduce the likelihood of graffiti. Accordingly the Recommendation was amended to include a new Part A) 13(f).

D17/3/13 **RECOMMEND**

That Council:

A) Approves the application for Planning Approval for a self-storage facility on Lot 10 (No.130) Third Avenue Kelmscott as depicted in the attachments and subject to the following conditions:

1. **The part of Lot 10 (No.130) Third Avenue Kelmscott that is proposed to be developed under this approval shall be amalgamated with Lot 851 (No.43) Gillam Drive Kelmscott prior to the self-storage facility beginning operations on Lot 10 to the satisfaction of the Executive Director Development Services.**

2. **All regular, customer and general pedestrian and vehicular access to and from the self-storage facility shall be via Gillam Drive to the satisfaction of the Executive Director Development Services.**

3. **Access to Third Avenue shall be for emergency purposes and occasional service vehicles only to the satisfaction of the Executive Director Development Services.**

4. **A schedule of external colours and materials for all fencing, buildings and structures shall be submitted to the City's Planning Services department and approved by the Executive Director Development Services. The development shall be completed and maintained in accordance with the approved schedule to the satisfaction of the Executive Director Development Services.**

5. **No building, structure or colorbond fencing shall use zincalume, galvanized or unpainted steel surfaces or other finish likely to cause an adverse impact in relation to sunlight reflection as an exterior finish.**

6. **The existing mesh fencing along the lot's John Dunn Memorial Park boundary shall be replaced prior to the self-storage facility beginning operations with fencing constructed in accordance with the standards specified in Schedule 2 Part A of the City's Fencing Local Law to the satisfaction of the Executive Director Development Services.**

7. **The colorbond fencing shall be installed as per the approved plans and other applicable conditions prior to the self-storage facility beginning operations to the satisfaction of the Executive Director Development Services.**

8. **Any walls or solid fencing fronting the public realm shall be treated with anti-graffiti finish or include graffiti countermeasures to the satisfaction of the Executive Director Development Services.**

9. **The storage containers and fencing shall be continually maintained to a high quality standard by the landowner to the satisfaction of the Executive Director Development Services.**

10. **Outdoor storage areas shall be screened from public view from John Dunn Memorial Park and Third Avenue to the satisfaction of the Executive Director Development Services.**

11. **All rubbish bin storage areas and servicing areas associated with the development shall be screened from John Dunn Memorial Park and Third Avenue to the satisfaction of the Executive Director Development Services.**

12. **Air conditioning units, compressors, whirlybirds / roof vents and other equipment related to utilities shall be screened from public view and positioned so as to avoid any adverse effects, including noise, on the occupants of nearby residential properties to the satisfaction of the Executive Director Development Services.**

13. **A landscape plan shall be submitted to and approved by the Executive Director Development Services. Such plan shall include:**

    a. **Plant species (predominantly West Australian natives);**
    b. **Numbers, location, container size;**
    c. **Method of irrigation of the landscaped areas;**
    d. **Treatment of adjoining verge areas;**
    e. **A minimum 7.5 metre wide landscaping strip between the Third Avenue Boundary and the proposed fencing to achieve screening and protection of the fence fronting Third Avenue (mature plantings will need to be used in this landscaping strip); and**
    f. **The land between the two fences shall be landscaped to screen the colorbond screen fence and reduce the likelihood of graffiti. A management plan for the maintenance of the strip of land between the mesh fencing and colorbond screen fence along the John Dunn Memorial Park Boundary (e.g. regular weeding and cutting of grass will be required). A pedestrian gate shall be included in the colorbond screen fence in this area to ensure access is available for this to occur.**

All landscaping shall be installed and continually maintained as per the approved plan thereafter.

14. All vehicle manoeuvring spaces shall be constructed, including drainage and kerbing, in accordance with the approved site plan to the satisfaction of the Executive Director Technical Services and continuously maintained thereafter. Relocation/removal of any services/infrastructure will be at the cost of the developer.

15. To meet drainage requirements the developer/owner shall, to the specifications and satisfaction of the Executive Director Technical Services:

a. Submit a stormwater management plan incorporating water sensitive design principles for approval and implement the approved plan thereafter;

b. Show any drainage easements as may be required on the Certificate of Title in favour of the City; and

c. Relocate, remove or upgrade any drainage infrastructure on the lot or within the adjoining road reserve that is impacted by the proposed development.

16. Prior to the commencement of any site works, a dust management plan shall be submitted to and approved by the Executive Director Development Services. All work shall be carried out in accordance with the approved plan thereafter.

17. All Conditions shall be complied with prior to exercising the right of this approval.

Advice Notes

a) With regard to Condition No.2, access over Lot 251 Gillam Drive Kelmscott is not permitted until its pending sale is finalised and it is amalgamated with Lot 851 (No.43) Gillam Drive Kelmscott (if the sale proceeds).

b) With regard to Conditions No.4 and No.5, Council supports the tops of the containers being powder coated with the dulux colour "Ashville"/Light grey (matt finish) and their remainders being powder coated grey or white with black detailing. With regard to the colorbond fencing, Council supports your request to use the colorbond colour "Meadow"/Light Green (with limestone piers along the Third Avenue Frontage).

c) With regard to Conditions No.6 and No.7, the colorbond screen fencing and mesh fencing shall be installed as new (i.e. not second hand) and be at high and consistent visual standard.

d) With regard to Conditions No.9, the City expects that within 14 days of any fencing being damaged or graffitied it is replaced or repaired to a standard that is consistent with condition of the fencing when new and in way that matches seamlessly the other fencing around the property.

e) With regard to Condition 14, the City's Technical Services Directorate should be contacted so an appropriate crossover application may be made for the crossover onto Third Avenue.

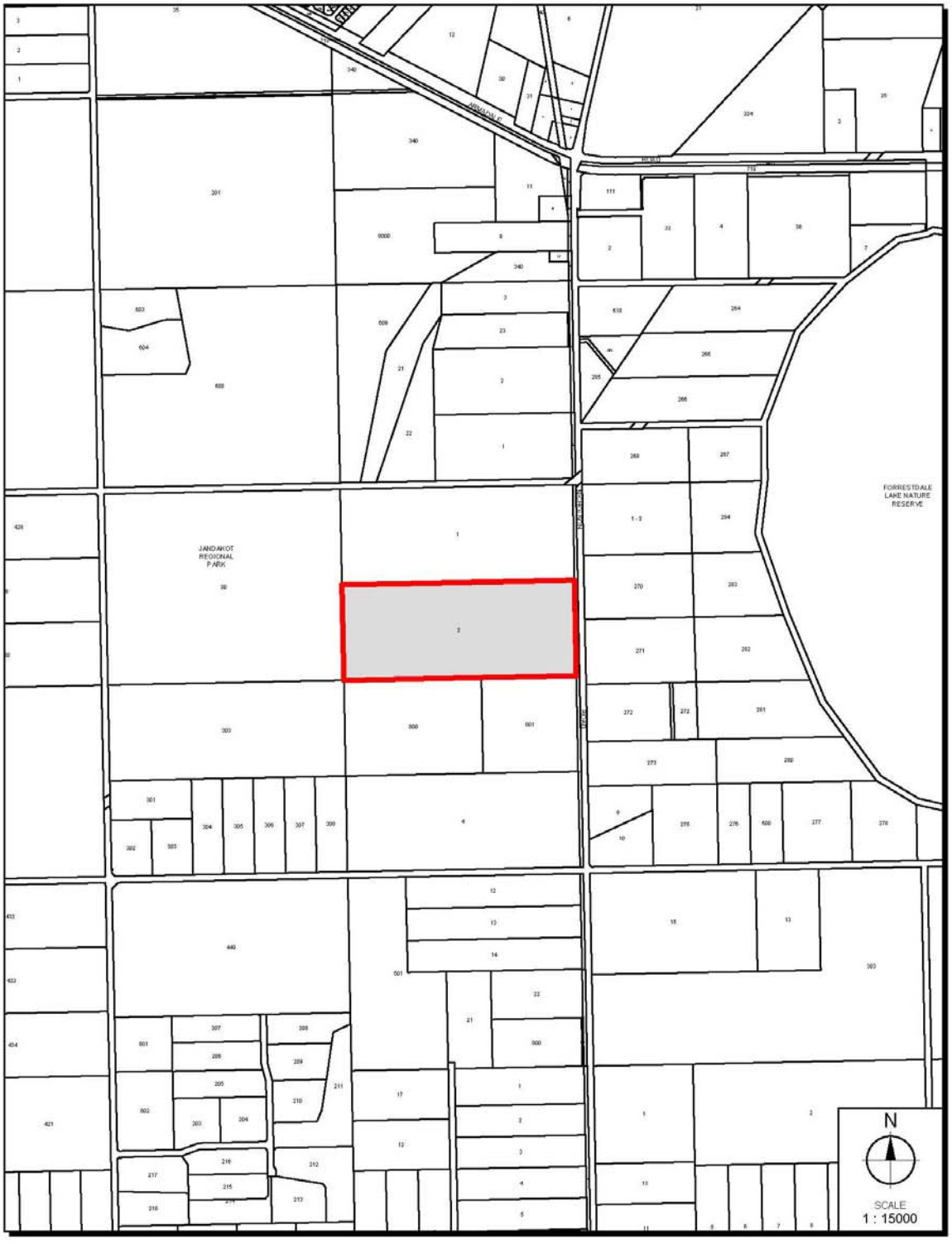
f) The applicant is advised that the height of all approved buildings, structures and fencing and the finished ground level of the lot shall be consistent with those shown on the approved plan.

g) Lighting shall comply with Australian Standard 4282-1997 "Control of the obtrusive effects of outdoor lighting" or superseding standard and the City's Environment, Animals and Nuisance Local Laws.

h) All noise emitted from the premises must comply with the requirements of the Environmental Protection (Noise) Regulations 1997.

B) That the submitters be advised of the Council decision in this regard.

Moved Cr D M Shaw
MOTION CARRIED (7/0)



LOCATION PLAN
PROPOSED NEW CAMPUS FOR CAREY BAPTIST COLLEGE
LOT 2 (540) NICHOLSON RD, FORRESTDALE
DATE 5 March 2013 - REVISION 1301

CITY OF Armadale

Aerial photograph supplied by Landgate, Photomaps by NearMap
Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012)

2.2 - PROPOSED EDUCATIONAL ESTABLISHMENT - STAGE 1 CAREY BAPTIST COLLEGE - LOT 2 (540) NICHOLSON ROAD, FORRESTDALE

WARD	:	LAKE
FILE No.	:	M/132/13
APPLN NO.	:	10.2012.71.1
DATE	:	12 March 2013
REF	:	MK
RESPONSIBLE MANAGER	:	EDDS
APPLICANT	:	T& Z Architects
LANDOWNER	:	Carey Baptist College
SUBJECT LAND	:	Property size: 22 ha
ZONING		
MRS /	:	Rural
TPS No.4	:	Rural Living X

In Brief:

- The City received an application for the construction of Stage 1 of a new K-12 campus for Carey Baptist College on 23 February 2012.
- The application was advertised for a period of 2 weeks. A total of three (3) submissions were received, two (2) submissions supporting the proposal and one submission requesting specific conditions be imposed. No objections were received from the public.
- The proposal was referred to several State Government departments and servicing agencies for comment. Nine (9) submissions were received including three (3) objecting to the proposal and six (6) advising conditional support of the proposal.
- Recommend that the Council approve the application under Town Planning Scheme No. 4 subject to appropriate conditions.
- A separate determination will be required to be made by the Western Australian Planning Commission (WAPC) under the Metropolitan Region Scheme (MRS) due to the circumstances relevant to the objections received from some State Government agencies.

Tabled Items

Officer Interest Declaration

Nil.

Strategic Implications

2.3 Diverse and attractive development that is integrated with the distinctive character of the City.

2.3.1 Provide supportive planning and development guidance and liaison on major land developments

Economic/Employment Implications

At ultimate development the school will require more than 100 staff including teaching, teaching assistant, administrative, grounds keeping, maintenance and cleaning staff. This will provide a boost for local employment for a range of skilled and semi-skilled workers and aid the diversity of employment within the City.

AERIAL PHOTOGRAPH
PROPOSED NEW CAMPUS FOR CAREY BAPTIST COLLEGE
LOT 2 (540) NICHOLSON RD, FORRESTDALE
DATE 5 March 2013 - REVISION 1301

CITY OF Armadale

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Legislation Implications

City of Armadale documents
- Town Planning Scheme (TPS) No. 4
- Local Planning Strategy 2003

State and Federal Government documents
- Metropolitan Region Scheme
- Guidance for the Assessment of Environmental Factors – Separation distances between Industrial and Sensitive Land Uses (EPA 2005)
- Development Control Policy 2.4 School Sites (WAPC 1998)
- State Planning Policy 4.3 Poultry Farms (WAPC 2003)
- State Planning Policy 2.5 Agricultural and Rural Land Use Planning (WAPC 2002)
- Liveable Neighbourhoods Operational Policy (WAPC)
- Environment Protection and Biodiversity Conservation Act 1999
- Planning and Development Act 2005

Council Policy/Local Law Implications

- City of Armadale Local Biodiversity Strategy 2009

Budget/Financial Implications

Nil.

Consultation

The following State Government Departments and service agencies were consulted in the assessment of this application:

1. Western Australian Planning Commission – Transport Branch
2. Western Australian Planning Commission – Bush Forever Office
3. Environmental Protection Authority
4. Department of Environment
5. Department of Water
6. Department of Agriculture and Food
7. Main Roads Western Australia
7. Telstra
8. Water Corporation
9. Western Power
10. Alinta Gas
11. ATCO Gas

Internally, the City's Development Control Unit was consulted.

The proposal was also referred to adjacent land owners for comment.

BACKGROUND

Lot 2 Nicholson Road is undeveloped and contains scattered remnant vegetation. Some areas of the remnant vegetation of Lot 2 are identified as Local Natural Areas (LNA's) under the City's Local Biodiversity Strategy. Lot 2 is located approximately 650 metres west of Forrestdale Lake. The Dampier-Bunbury Gas Pipeline runs diagonally through the north-west corner of the site.

A Resource Enhancement wetland covers the eastern (front) end of the site and a Multiple Use wetland is located over approximately two-thirds of the western half of the site. The majority of the site is designated as Special Control Area - Wetland Protection under Town Planning Scheme No. 4 (TPS 4). The flat rural areas of the City contain many areas of land that contain these two types of wetlands.

Large areas of the site are identified as High Risk for Acid Sulphate Soils. These areas generally correspond to the wetland areas on the site. The western and part of the southern boundaries of the site abut Regional Parks and Recreation and Bush Forever. A Water Corporation pipeline reserve runs parallel to the front boundary of the site between the front boundary and Nicholson Road.

An operating egg farm abuts the southeastern corner of the site. Other adjacent properties on Nicholson Road contain vacant undeveloped land or are used for a variety of land uses including:

- Grazing (horses, goats, sheep and cattle on various properties);
- rural-residential;
- plant nurseries;
- agricultural supplies;
- environmental analytical laboratory service;
- kennels;

A new electricity sub-station is proposed to be constructed by Western Power on an adjacent lot to the north of the school site on Nicholson Road. This was proposed to be in operation by 2014 but construction of the facility has not commenced to date.

DETAILS OF PROPOSAL

The City has received an application for the development of Stage 1 of a new Kindergarten to Year 12 (K-12) campus for Carey Baptist College. The development the subject of this application comprises the following:

1. Stage one of new school campus will comprise the Early Learning Centre Facility. Initially this facility will be occupied by Child Care, Kindergarten, Pre-Primary and Grades 1-5. As the student population grows additional classrooms will be built for Grades 3-5 and the Early Learning Centre will only house Child Care, Kindergarten and Grades 1 and 2. The expected student/child/teacher numbers for stage 1 will be:

Child Care	50 children
Kindergarten/Pre Primary	75 children
Years 1 to 5	210 children
Staff	25

2. 100 on-site car bays for staff and parents will be constructed in stage 1.

3. Two Playing fields.

4. On-site effluent disposal comprising a septic tank and leach drains system.

A Master Plan has been provided depicting all the buildings, playing fields and other facilities for the ultimate development of the school into a campus catering for Kindergarten through to Year 12 with a student population of 1500.

COMMENT

Development Control Unit (DCU)

Environmental Services

The Development Application proposes the clearing of vegetation identified as a Local Natural Area within the Local Biodiversity Strategy and is highlighted by the Perth Biodiversity Project as an ecological linkage. This is in 'Very good to Good' condition (quadrat 5). Subject to the completion of a Fauna study, this area receives no specific protection under environmental legislation (aside from the clearing permit processes).

The preparation of a Wetland Management Plan covering the rehabilitation of the REW will enable the enhancement of this degraded area. A bond will need to be attached covering the activities in the Plan or it can be enforced through development approval conditions.

Assuming the Fauna study does not preclude development, enhancement of the wetland may compensate for the loss of cleared vegetation. Further adjustments to lot layout etc (see below) may also improve the level of conservation in the area. Environmental Services conclude that this is a reasonable approach, but this needs to be ratified by Council (as it contradicts the Local Biodiversity Strategy).

Conditions that should be applied are as follows:

1. Wetland Management Plan.
2. Preparation of a Fauna study.
3. Water Management Plan.
4. Sediment and Erosion Plan (to cover construction activities).
5. Dust Management Plan (to cover construction activities).
6. Dieback Management Plan (covering construction activities).
7. Collection of seed in the year prior to any clearing to enable a seed bank of local provenance species for use in wetland rehabilitation – enables stock to be grown for future revegetation projects.

Public Advertising

The application was advertised for two weeks. Advertising was carried out by way of letters to affected and nearby landowners, a sign on site and newspaper advertising.

Total No. of letters sent to residents/owners	:	24
Total No. of submissions received	:	3
No. of submissions of conditional support/no objection	:	3
No. of submissions of objection	:	0
No. of submissions of general advice by Service Agencies	:	11

Two of the public submissions simply advised that they had no objection. These were from other property owners in Nicholson Road. The remaining public submission from a local environmental group, did not object to the proposed development of site for a school but raised two issues to be considered. These issues, together with a comment on each issue are outlined below.

Key Issues

Issue 1 - Clearing of native vegetation should be limited and as much of the existing vegetation retained/preserved as possible.

Comment

The City acknowledges the importance of maintaining as much good quality existing native vegetation on the site as is possible. Areas of the site are identified in the City's Local Biodiversity Strategy as Local Natural Areas (LNA's). The proponents have made a commitment to retain existing native vegetation and to revegetate wetlands, wetland buffer areas and sparsely vegetated areas. Both the City and external agencies have recommended conditions aimed at ensuring this commitment is implemented. The protection of vegetation will need to be balanced with the requirements for fire safety. These conditions include the requirement for the preparation and implementation of a number of management plans relating to:

1. wetland management;
2. weed management;
3. seed collection;
4. revegetation plan; and
5. dieback management.

Recommendation

That the issue is supported in part.

Issue 2 - On-site effluent disposal using septic tanks and leach drains will potentially impact on Forrestdale Lake and cause issues related to increased nutrient input into groundwater and other water sources that feed into the lake.

Comment

Both the City and external agencies have recommended conditions aimed at ensuring this issue is addressed. These conditions include the requirement for the preparation and implementation of a number of management plans relating to:

1. a Nutrient and Irrigation Management Plan;
2. an Urban Water Management Plan; and
3. the provision of buffers between development on the site and the REW's on site and the CCW on the adjacent site.

The portion of the site to be physically developed with buildings, and which will also contain the septic system, is sandy and the height of this part of the site is approximately 4 to 5.5 metres above the existing height of Nicholson Road. The proponent's environmental consultant has determined that there will be in excess of 2.5m separation between the base of the leach drains and the highest known winter groundwater level on the site. Accordingly, if constructed correctly there should be little possibility of nutrients produced by the septic system entering groundwater sources that feed into Forrestdale Lake.

It may be that only Stage 1 and maybe some of the later stages of the development rely on septic systems as ultimately sewer is likely to be available to the site as development continues in the urban areas north of Armadale Road and with possible changes to the purpose of the area surrounding the school site. The proponents have stated their intention to connect to the reticulated sewer system once it becomes available locally or once connection to sewer facilities north of Armadale Road becomes a more viable proposition for the school.

In addition, it should be noted that schools are populated for a limited amount of time each day (8am-3.30pm) and there are long periods of school holidays when the site will not have any significant use.

Recommendation

That the issue is supported in part.

SUMMARY OF GOVERNMENT DEPARTMENT AND SERVICE AGENCY COMMENTS

Department of Environment – CONDITIONAL SUPPORT

The DEC detailed a number of environmental constraints relevant to the development site including:

1. Wetland management and buffers;
2. Protection of native vegetation;
3. Boundary interface treatment between Lot 2 and the Jandakot Regional Park abutting Lot 2;
4. Weed control;

5. Fire management;
6. Acid Sulfate Soils
7. The adjoining Poultry Farm

With regard to the above issues the DEC recommended the City include a number of conditions and advice notes in the approval dealing with the following issues:

1. Preparation and implementation of a plan dealing with the management of wetlands and associated buffers;
2. Installation of fencing to protect Regional Park vegetation;
3. Preparation and implementation of a plan to manage possible high risk Acid Sulfate Soils on site;
4. Recommended separation between school buildings and poultry farm buildings on adjoining lot;
5. Preparation and implementation of a fire management plan; and
6. Plant species for use in revegetation.

Department of Planning (DOP) – Transport and Movement Department - OBJECTION

The above department of DOP advises that the proposal is not supported for the following reasons:

1. The site does not comply with the requirements for school sites set out in the Liveable Neighbourhoods Operational Policy as follows:

    a) A school should be surrounded by a minimum of three streets, including a neighbourhood connector, and a wider access street (R20);
    b) where a neighbourhood connector abuts a school the street environment should be specially designed to slow vehicle speeds and accentuate a pedestrian-oriented environment along the school (R24);
    c) streets surrounding schools should accommodate on-street parking (R26);
    d) the street network surrounding the school should facilitate short, safe and direct trips for pedestrians and cyclists. Specific safe routes to school should be identified and detailed to encourage non-car journeys to school (R28); and
    e) surrounding residential development should be designed to overlook the school (R30).

2. The site does not comply with the requirements of WAPC's Development Control Policy 2.4 - School Sites (DC 2.4) as follows:

    a) The site is not located close to a potential catchment;
    b) The site is not accessibility via public transport and lacks accessibility for pedestrians and non-motorised vehicles;
    c) The site is located on a Primary Distributor Road and a designated Freight Route;
    d) Although the site at 22 hectares is more than double the minimum size (10 hectares) required for a Secondary School the large number of environmental constraints and the Dampier to Bunbury Natural Gas Pipeline Corridor render approximately half the site undevelopable;

3. The data used in the traffic data is out of date and the forecasted traffic volumes do not cover a long enough time period (should be 10 years from opening).

4. The proponent has not adequately demonstrated that the proposal is compatible with the (surrounding) environment, landscape, and amenity of the existing rural area. The subject site and its immediate locality are not incorporated in to any current or proposed district or local structure plans, and it is not envisaged that this will change in the short to medium term.

Department of Planning – State Strategic Policy Department (Bush Forever) - SUPPORT

State Strategic Policy advise that they consider that the proposed development is unlikely to have any adverse impacts on the Bush Forever area and therefore has no objections to the proposed development. The Bush Forever Office recommends the following conditions be included in the approval to ensure the integrity of SF 344 is maintained:

1. The development including construction, access, drainage requirements and ongoing maintenance is not to result in the clearing and/or disturbance to any native vegetation within Bush Forever area 344; and

2. No building materials, rubbish or any other deleterious matter is to be deposited within Bush Forever area 344.

Department of Agriculture and Food Western Australia (DAFWA) - OBJECTION

DAFWA does not support this proposal for the following reasons:

1. Development of a school on this site is likely to result in land use conflict with the poultry farm operation on the adjoining lot and therefore risks the closure of this established poultry business;

2. The school buildings will be located less than 200 metres from buildings on the poultry farm. EPA Guidance for the Assessment of Environmental Factors – Separation distances between Industrial and Sensitive Land Uses and State Planning Policy 4.3 Poultry Farms recommend a separation of between 300-1000m between poultry farm buildings and sensitive land uses.

3. The increased traffic movements associated with the school will unreasonably restrict the farm enterprises ability to carry out 'ordinary' business practices.

If the development does go ahead DAFWA request that the following be addressed:

a) The proponent should ensure that the traffic management plan allows for ongoing truck movement in and out of the poultry establishment; and

b) A minimum setback of 500m should be provided between the poultry farm’s buildings and the school buildings.

Main Roads Western Australia (MRWA) and Department of Transport (DOT) - OBJECTION

MRWA and DOT submission advises that the development is not supported for the following reasons:

1. The site is not appropriate because this section of Nicholson Road is a designated Freight Route, a District Distributor A and an Other Regional Road (ORR). Development Control Policy DC 1.4 identifies that only large volume traffic generators such as shopping centres should have direct access to District Distributors.

2. The site does not comply with the requirements for school sites set out in the Liveable Neighbourhoods Operational Policy.

3. The site does not comply with the requirements of WAPC's Development Control Policy 2.4 - School Sites (DC 2.4) as follows:

4. The site is remote from existing and planned public transport routes.

5. No structure planning has been carried out for the area and development of the school may compromise the planning of any future road network.

Water Corporation - SUPPORT

The WC does not have any objections to the proposal but advises that the site cannot currently be serviced with reticulated sewer. Also provided general advice for applicant regarding headworks charges and drainage requirements.

Department of Water (DOW) – CONDITIONAL SUPPORT

DOW does not have any objections to the proposed development and request that the following conditions be imposed:

1. An Urban Water Management Plan is to be prepared and approved prior to the commencement of ground disturbing activities, to the satisfaction of the WAPC on advice of the Department of Water. (Department of Water)

2. The approved Urban Water Management Plan shall be implemented by the landowner, including construction of the identified wastewater, stormwater and groundwater management systems, to the satisfaction of the WAPC on advice of the Local Government.(Local Government)

ANALYSIS

Response to issues raised in Government Agency Submissions

Where Government Agencies have recommended conditions for inclusion in an approval and the City accepts those conditions they have been included in the Recommendation below. These include conditions recommended by DAFWA, DOW, DEC and DOP's Bush Forever Office.

Where the City does not accept the recommendation of a Government Agency the reasons why are detailed below. It is worth noting that a number of Government agencies have issued standard responses and have not examined the proposal (and supporting documents) in detail.

School will impact on operation of Poultry Farm and may force its closure

Carey Baptist College advise that they have liaised with the owner of the adjoining poultry farm and are satisfied that they can co-exist alongside the poultry farm. The College intends to continue to liaise with the poultry farm owner if any significant odour issues arise when the school is in operation.

The proponents engaged consultants to carry out odour modelling to determine the actual potential odour impact on the school. The odour modelling was carried out in accordance with industry standards and EPA guidelines. A copy of the odour map is with the attachments. The results of the modelling were as follows:

1. Stage 1 falls outside the area of where odour levels exceed appropriate standards for sensitive land uses. An overlay of the odour contours and the master plan for the school shows that a small area of a later stage of the school would be inside the outer contour of excess odour levels being 260 metres from the nearest of the buildings used for poultry farm operations.

2. The school will only be operational for 24% of the annual operational time for the poultry farm due to restricted hours of operation for the school, school holidays and weekends and public holidays.

3. Odour impacts from egg farms generally only occur when meteorological dispersion conditions are poor (during times of heat inversion and high humidity), during cleanout of the sheds when litter/manure is disturbed and during breakdown of ventilation equipment.

4. Overall the study found that predicted odour impacts on the college will minimal.

The impacts of the adjoining poultry farm will need to be examined further and more detailed studies undertaken as part of later stages of the school's development.

Proposed development does not comply with Liveable Neighbourhoods and Development Control Policy DC 2.4 Schools

It should first be noted that Liveable Neighbourhoods and DC 2.4 are policies that relate to the structure planning of new Urban areas. Lot 2 is not in an Urban area and there is not any intention for the area to be rezoned to Urban in the near future. Accordingly, neither of the above policies directly apply to the proposed development. However, the issues raised by MRWA/DOT and DOP – Transport and Movement will be addressed below:

Road Frontage
There are a few schools in the City of Armadale and other localities in Perth that are located in Rural areas. In the City of Armadale, this includes Southern Hills Christian College in Admiral Road, Bedfordale and John Calvin Christian College on Lake Road. Both of these schools only have a single road frontage. The size of the sites and the distance the schools are setback from those road frontages means that all parking and pick-up/drop-off occurs on-site. Similarly the new campus of Carey Baptist College will be setback almost 200 metres from the road frontage, all parking and pick-up/drop-off activities will occur on site and there will not be a need for onstreet parking.

Schools should not have direct access to Nicholson Road
Nicholson Road is a freight route and is classified as a District Distributor A. The present volumes on the road are approximately 8000 vehicles per day (vpd) and about 700 vehicles during the AM and PM peak periods. School start may be consistent with the morning peak period but the finish times are outside the afternoon peak period for traffic on Nicholson Road. Given the current low volumes and the fact that there are no road intersections within 500 metres of Lot 2 it is unlikely that operation of the school will significantly impede traffic flow.

The proponent's traffic consultant has prepared a number of design scenarios for the upgrade of Nicholson Road to enable ingress and egress of Lot 2 without unduly impeding the flow of traffic particularly in peak hours. These designs include in all cases:

1. deceleration/right turning lanes;
2. southern most driveway will be left in left/ out only;

The site is remote from public transport nodes
The Public Transport Authority (PTA) provides school bus services and cost assistance for fares for students who live outside designated public transport areas. In addition, contract bus services may also be used to provide transport for students who live in a designated public transport area but travels to a school in an area that is not a designated public transport area.

Carey Baptist College also use contract bus services for the current campus that are used to pick up their students on particular routes. These routes are intended to be expanded once the new school opens to provide transport for students to either of the two campuses.

Any school bus services provided for students at Carey Baptist College will pick-up and set-down children on-site so there won't be any requirements for on-street bus stops.

The nearest public transport bus stops are located 1.5km to the north near the intersection of Nicholson Road and Armadale Road and 3km north east of Lot 2 on Armadale Road in the Forrestdale townsite. A possible scenario is that students catch main stream buses to these locations and then Carey's own contract bus services pick up or drop off students at those bus stops or transit stations (bus & train stations in Armadale).

Structure planning has not been carried out for the area

The land is zoned Rural Living X at present and there are not any proposals to amend this zoning in the future to allow Urban or any other zoning. Accordingly, there is no requirement for structure planning to be required prior to commencement of development of the proposed land use or any other land use which is discretionary in the Rural Living zone under TPS 4. This would only be a relevant requirement if the land had been zoned Urban under the MRS or designated as a Special Control Area (Development Area) under TPS 4. The orderly and proper planning that occurs through a structure plan process for an area similar to the subject areas has been examined as part of the assessment of this development proposal.

Approval Process

Normally, the City's determination notice would cover both a decision under the TPS and a decision under the MRS by virtue of the power to determine certain applications being delegated to local government through the Instrument of Delegation issued under the Planning and Development Act 2005.

However, as detailed above, the City does not accept some of the recommendations and comments made by some of the Government Agencies including DAFWA, MRWA/DOT and DOP's Transport and Movement department. In these circumstances the Instrument of Delegation requires the City to forward the application and its recommendation to the Western Australian Planning Commission for determination under the MRS.

The City still makes a determination separately under the Town Planning Scheme but the additional determination by WAPC under the MRS is also required before the development can progress.

OPTIONS

1. Council may resolve to approve the development of Stage 1 of the School with conditions; or
2. Council may resolve to refuse the development of Stage 1 of the School and state the reasons why, on Planning grounds, the application is refused.

CONCLUSION

The proposed school will provide a quality alternative education opportunity for students in the area from kindergarten to Year 12 and also will provide a local child care facility. The new school will also provide additional and diverse local employment opportunities. Development of the school will enable the revegetation and enhancement of degraded wetland areas on the property, which may not occur without the proposal being approved.

The layout of the proposed school is in keeping with the current rural character of the area with the buildings being setback approximately 200 metres from the street frontage and clustered in a small portion of the lot.

Some Government Agencies raised concerns about the proposed school with regard to traffic flow, location, accessibility and visual character. However, the City considers that the issues raised in this regard are not valid or could be addressed through conditions. Therefore, the City does not accept the recommendations of those Government Agencies. The City has numerous transport routes throughout its boundaries and it would not be appropriate to sterilise all of the land from large community services such as schools. In this instance the Council may determine the application under TPS 4 but must forward the application to the WAPC for determination under the MRS. The proposal is not able to proceed without an approval under the MRS.

ATTACHMENTS

1. Stage 1 - Site Plan & Master Plan - Carey Baptist College
2. Stage 1 - Floor Plan - Carey Baptist College
3. Stage 1 - Building Elevations - Carey Baptist College
4. Local Natural Areas & Vegetation Condition - COA Biodiversity Strategy
5. Wetland Mapping - Carey Baptist College
6. Outdoor Modelling for Egg Farm on adjoining Lot

Committee discussed the proposed seed collection and clearing of vegetation from the site and requested that an additional Advice Note (xvii) be included in the Recommendation "With regard to Condition h) above, the applicant is advised that a Management Procedure is requested to be submitted to the Executive Director Development Services for approval prior to the collection of seeds or land clearing." Accordingly, the Recommendation was amended.

D18/3/13 **RECOMMEND**

That Council:

1. Approves the application for Planning Approval under the City's Town Planning Scheme No. 4 for the development of Stage 1 of an Educational Establishment on Lot 2 (540) Nicholson Road, Forrestdale subject to the following conditions:

a) Nicholson Road being upgraded to the specification and satisfaction of the Executive Director Technical Services including (but not necessarily limited to):

i) provision of left hand and right hand turn deceleration lanes;
ii) construction of central median to restrict traffic movements;
iii) widening of Nicholson Road carriageways both north and south to accommodate median and deceleration lanes;
iv) provision of street lighting at ingress and egress points; and
v) provision of directional signage.

b) A wetland management plan for the Resource Enhancement wetland and the Conservation category wetland buffer, is to be submitted for approval by the Executive Director Development Services prior to the commencement of any site works, and implemented to the satisfaction of the Executive Director Development Services (on advice from the Department of Environment and Conservation).

e) An acid sulfate soils self-assessment form and, if required as a result of the self-assessment, an acid sulfate soils report and an acid sulfate soils management plan shall be submitted to and approved by the Department of Environment and Conservation before the development is commenced. Where an acid sulfate soils management plan is required to be submitted, all development shall be carried out in accordance with the approved management plan.

d) Submission and implementation of a Weed Control Management Plan, including what weeds are present on the subject lot, what chemicals will be utilised for which weeds and appropriate timing of weed control based on weed species, to the satisfaction of the Executive Director Development Services.

e) Submission and implementation of a Nutrient and Irrigation Management Plan, including the proposed design of the reticulation system, anticipated watering regime and water use figures based on flow rate, fertilising regime and details as to how nutrients will be kept out of groundwater, to the satisfaction of the Executive Director Development Services.

f) Prior to the commencement of any site works, a dust management plan shall be submitted to and approved by the Executive Director Development Services. All work shall be carried out in accordance with the approved plan thereafter.

g) A revegetation plan being prepared, approved and implemented for the revegetation of wetland areas, wetland buffers and other areas of the site outside the development area identified on the Master Plan for the school dated 28 November 2012 with appropriate native species to the satisfaction of the Executive Director Development Services.

h) A seed bank is to be compiled for native plants existing on Lot 2 for the purpose of growing plants for revegetation and wetland rehabilitation to the satisfaction of the Executive Director Development Services. Collection of seed is to occur in the year prior to any clearing.

i) Prior to the commencement of subdivisional works a dieback management plan is to be prepared and approved to ensure the protection and management of the sites environmental assets with satisfactory arrangements being made for the

implementation of the approved plan.

j) A fire management plan being prepared, approved and relevant provisions implemented, in accordance with the WAPC's Guideline Planning for Bushfire Protection Edition 2, May 2010 (in particular Appendix 3) to the specifications of the City.

k) A landscape plan for the developed areas of the school site shall be submitted to and approved by the Executive Director Development Services. Such plan shall include:

- **a) Plant species (predominantly West Australian natives);**
- **b) Numbers, location, container size;**
- **c) Method of irrigation of the landscaped areas;**
- **d) Treatment of adjoining verge areas;**
- **e) The provision of shade trees within the car park at the rates of at least 1 tree per 10 metre interval along any line of car parking;**
- **g) Retention of existing trees as identified on the approved site plan;**

All landscaping shall be installed and maintained as per the approved plan thereafter.

l) An Urban Water Management Plan is to be prepared and approved prior to the commencement of ground disturbing activities, to the satisfaction of the Executive Director Technical Services and the Department of Water.

m) The approved Urban Water Management Plan shall be implemented by the landowner, including construction of the identified wastewater, stormwater and groundwater management systems, to the satisfaction of the Executive Director Technical Services.

n) A Disability Access Inclusion Plan for the school is to be prepared, submitted to and approved, prior to commencement of construction of any buildings, by the Executive Director Development Services and implemented thereafter.

o) The development including construction, access, drainage requirements and ongoing maintenance is not to result in the clearing and/or disturbance to any native vegetation within Bush Forever area 344.

p) No building materials, rubbish or any other deleterious matter is to be deposited within Bush Forever area 344 or the Jandakot Regional Park.

q) A fence is to be constructed to the specifications of the Department of Environment and Conservation (DEC) and located on the boundary of Jandakot Regional Park to the satisfaction of the

Executive Director Development Services.

r) A schedule of external colours and materials shall be submitted to the City's Planning Services department and approved by the Executive Director Development Services. The development shall be completed and maintained in accordance with the approved schedule to the satisfaction of the Executive Director Development Services.

s) All rubbish bin storage areas and servicing areas associated with the development shall be appropriately screened from public vantage points to the satisfaction of the Executive Director Development Services.

t) Air conditioning units, compressors and other equipment related to utilities shall be screened from public view and positioned so as to avoid any adverse effects, including noise, on the occupants of nearby residential properties to the satisfaction of the Executive Director Development Services.

u) All vehicle manoeuvring spaces shall be constructed, including drainage and kerbing, in accordance with the approved site plan to the satisfaction of the Executive Director Technical Services and continuously maintained thereafter. Relocation/removal of any services/infrastructure will be at the cost of the developer.

v) 'End of trip bicycle facilities' in accordance with Clause 5.12.1 and Schedule 11.B of Town Planning Scheme No.4 shall be provided prior to occupation of the development in a location agreed to by the City and continuously maintained thereafter.

w) Provision of bus parking bays on site sufficient to accommodate the number of buses required to support Stage 1 to the satisfaction of the Executive Director Technical Services,

x) All Conditions shall be complied with prior to exercising the right of this approval.

Advice Notes

i) The wetland management plan is to include measures to protect remnant vegetation, rehabilitation with native vegetation, address drainage and hydrology, management access requirements and installation of appropriate fencing or barriers.

ii) The applicant is advised to apply the Guidelines Checklist for Preparing a Wetland Management Plan by the Department of Environment and Conservation (DEC). The guidelines are on the DEC internet site in the Wetlands section. The submitted plan is to clearly detail those actions that are to be implemented as part of the development.

iii) Clearing of native vegetation in Western Australia is prohibited unless the clearing is authorised by a clearing permit obtained from the Department of Environment and Conservation or is of a kind that is exempt in accordance with Schedule 6 or Regulation 5 Environmental Protection (Clearing of Native Vegetation) Regulations 2004. The site is declared as an environmentally sensitive area, therefore the exemptions under Regulation 5 do not apply.

iv) Flora species known to be invasive or environmentally damaging shall not be used in any landscaping, where they may spread into the adjacent Bush Forever Site or Jandakot Regional Park.

v) The applicant and the clearing agency are advised to liaise with the Department of Environment and Conservation regarding fire management measures that may impact upon Jandakot Regional Park prior to finalisation of the Fire Management Plan.

vi) It is recommended that the school buildings be constructed in-accordance with Australian Standard 3959 – Construction of Buildings in Bush Fire Prone Areas (or superseding standard). Ember protection screens should be installed to any evaporative air conditioning unit. Further information can be obtained at:

http://www.dfes.wa.gov.au/safetyinformation/fire/bushfire/BushfireInfoNotesPublications/infonote_-Ember_protection_Screens_V2.pdf

vii) In regard to Condition i) above, native vegetation on the property may be susceptible to Phytophthora Dieback. The soil/water management plan shall outline the treatment of soil, with respect of stability and regeneration of vegetation for the entire subdivision and stormwater run-off areas. The plans are to outline measures to be implemented prior to carrying out any bulk earthworks as well as those of drainage, nutrient stripping, retention and soil stabilising measures

viii) The dieback management plan shall map the dieback status of remnant vegetation, provide management strategies to reduce likelihood of dieback spread, provide a treatment plan for any infected areas and include an information kit to notify future purchasers of the dieback status of the land

ix) With regard to Condition k) above, please refer to the City's Landscaping Guidelines *Industrial and Commercial]* and the Landscaping Guidelines – Plants to Avoid, to assist you to formulate a satisfactory landscaping proposal. Copies of these documents are available on the City's website at: www.armadale.wa.gov.au/publications/

x) With regard to Condition n) above, guidelines on preparing a Disability Access Inclusion Plan and designing buildings and their surrounds to achieve maximum accessibility can be found on the Disability Services Commission website www.disability.wa.gov.au.

xi) With regard to Condition r) above, it is expected that the colour and material schedule will be submitted and approved prior to the submission of a Building Permit Application.

xii) The impacts of the adjoining poultry farm will need to be examined further and more detailed studies undertaken as part of later stages of the school's development.

xiii) A contribution towards the construction of a Dual Use Path from the school to Armadale Road will be required as part of Stage 2 of the school.

xiv) Premises must comply with the Food Act 2008 and the Food Standards Code.

xv) Compliance with the Health (Public Buildings) Regulations 1992 is required. In this regard, a Public Building application shall be submitted to the City's Health Department and approved prior to occupation of the proposed building.

xvi) Compliance with the Environmental Protection (Noise) Regulations 1997 is required.

xvii) With regard to Condition h) above, the applicant is advised that a Management Procedure is requested to be submitted to the Executive Director Development Services for approval prior to the collection of seeds or land clearing.

2. That the application be forwarded to the Western Australian Planning Commission for determination under the Metropolitan Region Scheme in accordance with the requirements of Schedule 1 (b) of the Instrument of Delegation made under the Planning and Development 2005.

3. That the submitters and Government agencies be advised of the Council decision in this regard.

Moved Cr C J MacDonald
MOTION CARRIED (7/0)

LOCATION PLAN

PEDESTRIAN ACCESS WAY

BETWEEN POMELO WAY & EUREKA PLACE, SEVILLE GROVE

DATE 5 March 2013 - REVISION 1301

CITY OF Armadale

Aerial photograph supplied by Landgate, Photomaps by NearMap

Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012)

3.1 - PEDESTRIAN ACCESS WAY (PAW) BETWEEN LOTS 103 AND 104 POMELO WAY, SEVILLE GROVE - PETITION

WARD	:	PALOMINO
FILE No.	:	WAY/4/12 M/107/13
DATE	:	7 March 2013
REF	:	MF
RESPONSIBLE MANAGER	:	EMPS
APPLICANT	:	Petition
LANDOWNER	:	CROWN
SUBJECT LAND	:	Pedestrian access way (PAW) between Lots 103 (No.5) and 104 (No.7) Pomelo Way, Seville Grove.
ZONING		
MRS /	:	Urban
TPS No.4	:	unzoned

In Brief:

- A petition (containing 31 signatures) was tabled at Council's Meeting on the 12 November 2012 requesting the closure of the above described PAW due to anti-social behaviour issues.
- Officers contacted the two landowners of properties on either side of the PAW to ascertain their support for the closure and whether they would be interested in purchasing a portion of the PAW land for amalgamation with their respective properties.
- These landowners who do not reside at the properties abutting the PAW support the closure but are not interested in purchasing any portion of the subject PAW.
- The State Government will not usually allow a PAW to be closed unless all of the land can be sold.
- Notwithstanding the above, it is recommended that Council resolve to advertise the closure proposal to the surrounding landowners and in a newspaper circulating within the district to gauge the level of support for the closure.

Tabled Items

Nil

Officer Interest Declaration

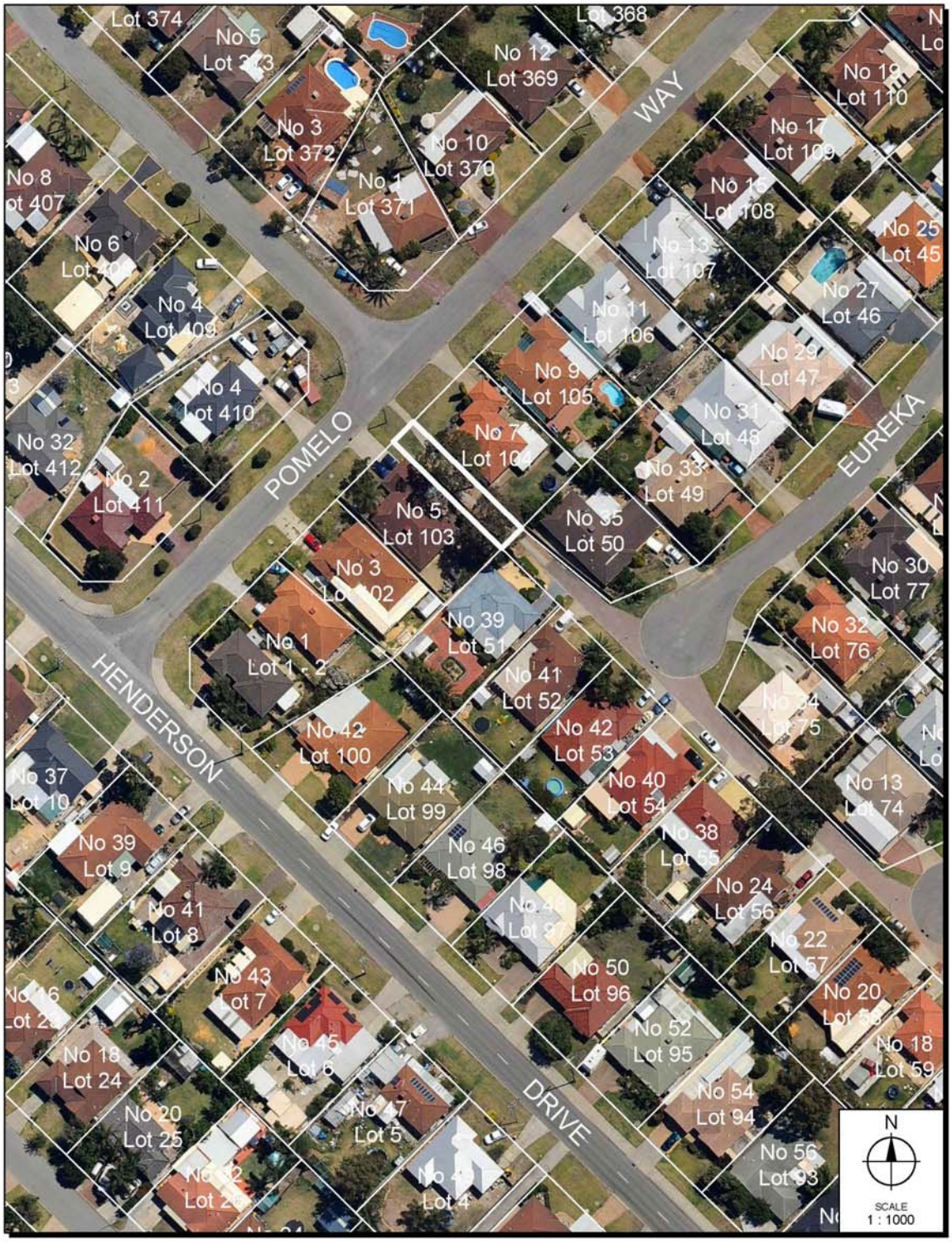
Nil

Strategic Implications

2.5.1 Provide a safe and efficient movement network including local and arterial roads and associated infrastructure.
2.5.2 Implement pathway strategies, in accordance with community needs and the City's financial resources.
2.5.4 Promote transport infrastructure that reduces car dependency.

Legislation Implications

Land Administration Act 1997.



AERIAL PHOTOGRAPH
PEDESTRIAN ACCESS WAY
BETWEEN POMELA WAY & EUREKA PLACE, SEVILLE GROVE
DATE 5 March 2013 - REVISION 1301

CITY OF Armadale

Aerial photograph supplied by Landgate, Photomaps by NearMap
Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012)

Council Policy/Local Law Implications

Technical Services – Policy No.ENG 7 – Public Access Ways - Management.

Budget/Financial Implications

Nil.

Consultation

- Technical Services Directorate.

DETAILS OF PROPOSAL

At Council's Ordinary Meeting on 12 November 2012, Cr Sargeson tabled a petition signed by 31 residents, the prayer of which reads as follows:-

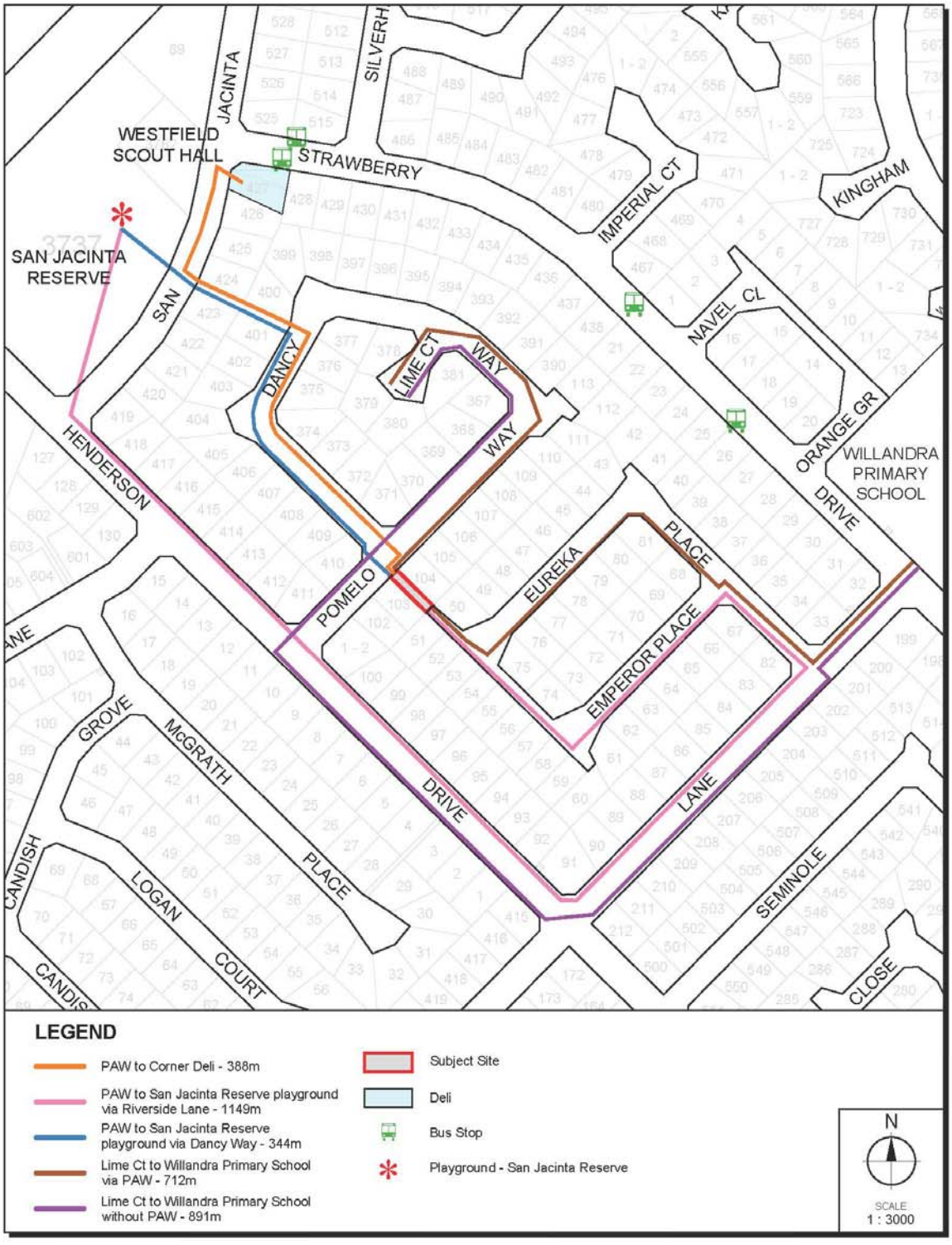
> *We, the undersigned, request the City of Armadale Council close the public access way (PAW) located between Eureka place and Pomelo way due to antisocial and hoon behaviour.*
>
> *The Public access way is subjected to continual antisocial and hoon behaviour that is significantly affecting the resident's quality of life, Damage to property; vehicles tampered and interfered with and in the early hour's loud and unruly behaviour. Motorcyclists who use the "thoroughfare" at high speed all hours of the day and night do so as a short cut have demonstrated no regard for the safety and welfare of children that play on the front lawns. The PAW itself for the most part is littered with drug paraphernalia needles and clothing of a private nature. Some parties of the fence divide have been pulled over for access to private property and graffiti is evident.*

The PAW is approximately 6 metres wide and about 32 metres long and connects Eureka Place to Pomelo Way, Seville Grove. The fencing along the PAW is mainly close boarded fencing. There is a street light on the power pole at the Eureka Place end of the PAW which is approximately 32m from the PAW entrance in Eureka Place. There is also a street light on a power pole at the corner of Pomelo Street and Dancy Way about 18m from the PAW entrance in Pomelo Way.

COMMENT

The proposed closure has not been advertised for public comment at this stage but officers contacted the infrastructure providers and requested their comments in writing.

The Water Corporation has objected to the closure on the grounds that an existing water main located within the closure is affected. Investigation has revealed that the main can be cut, capped and the reticulation system modified at a cost of $7,839.50, inclusive of GST. This fee is valid for work started before 30 May 2013 and is subject to review if not paid within this period.



PED SHED

PEDESTRIAN ACCESS WAY

BETWEEN POMELO WAY & EUREKA PLACE, SEVILLE GROVE

DATE 5 March 2013 - REVISION 1301

CITY OF Armadale

There is also a sewer manhole located in the south east corner of the PAW and depending on the land sharing arrangement, the new fence line cannot be finalised over this manhole preventing Water Corporation's personnel access in an emergency. The lot boundaries would need to be modified to protect this infrastructure.

ATCO Gas, Western Power and Telstra have indicated no objections to the closure proposal. Officers also contacted the two landowners of properties on either side of the PAW to ascertain their support for the closure and whether they would be interested in purchasing a portion of the PAW land for amalgamation with their respective properties. Both landowners who live elsewhere indicated no interest in purchase.

Technical Services Directorate has advised the presence of a drainage manhole in the south western corner of the PAW and that a 3-metre wide easement will be required if the PAW is closed. This easement should be provided at the applicant's cost in accordance with established procedures and practices.

ANALYSIS

Local Connectivity

The PAW provides a shorter link for residents in Pomelo Way, Dancy Way and Lime Court to the Willandra Primary School and the adjoining public open space (POS). The PAW also provides a shorter link for residents of Eureka Place and Emperor Place to San Jacinta Reserve and the deli/shop at Lot 427 (No.17) San Jacinta Road corner of Strawberry Drive.

Quality of Alternative Routes

The alternative access routes for residents of Eureka Place and Emperor Place would be the street system via Riverside Lane.

Resume of Support for PAW Closure

The petition states that the PAW is subjected to continual anti-social behaviour and is significantly affecting residents' quality of life including damage to property, vehicle tampering motor cyclists who use the PAW at high speed at all hours of the day or night. The PAW is littered with drug paraphernalia and graffiti is evident.

The use of the PAW by speeding motor cyclists can be curbed by using suitable measures, ie by the provision of strategically installed grab rails or additional bollards.

As mentioned previously, the abutting landowners have indicated no interest in purchasing the PAW land and in these circumstances, the State Government will not usually allow a PAW to be closed unless all the land can be sold and amalgamated with the adjoining properties.

PAW between Pomelo Way & Eureka Place
Photo taken from Pomelo Way looking towards Eureka Place

PAW between Pomelo Way & Eureka Place
Photo showing street light in Pomelo Way

PAW between Pomelo Way & Eureka Place
Photo taken from Eureka Place looking towards Pomelo Way

PAW between Pomelo Way & Eureka Place
Photo showing close boarded fence

PAW between Pomelo Way & Eureka Place
Photo taken from Eureka Place end of PAW looking towards Pomelo Way

OPTIONS

1. Council could decline its support to proceed with the closure of the PAW on the grounds that both the abutting landowners have indicated no interest in purchasing the PAW land and could resolve to install suitable grab rails or additional bollards to curb the use of the PAW by motor cyclists.

2. Council could resolve to advertise the proposed closure of the PAW for public comment in order to gauge the level of support for the closure.

CONCLUSION

It is recommended that Council should adopt Option 2 and advertise the proposed closure for public comment in order to gauge support for the closure from neighbouring property owners/occupiers, particularly residents of Eureka Place and Emperor Place. It is acknowledged that the City may not be able to progress the closure if one or more of the abutting landowners is not prepared to purchase the PAW land from the State Government.

ATTACHMENTS
There are no attachments for this report.

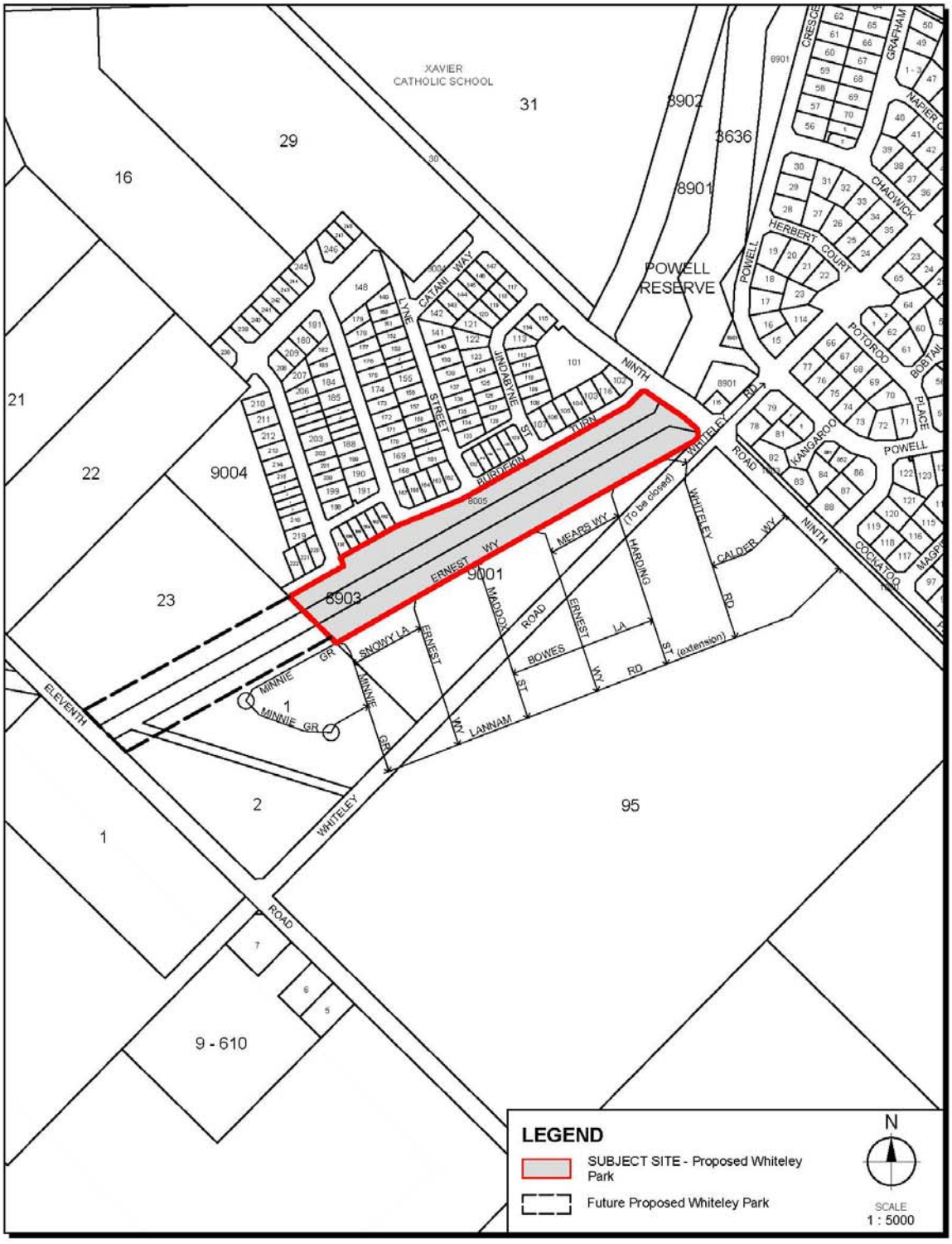
D19/3/13 **RECOMMEND**

That Council:

1. **Advertise the proposed closure of the pedestrian access way (PAW) between Lots 103 (No.5) and 104 (No.7) Pomelo Way, Seville Grove to the surrounding landowners/occupiers and in a newspaper circulating within the district for public comment.**

2. **Advise the organisers of the petition of Council's decision.**

Moved Cr M S Northcott
MOTION CARRIED (7/0)



LOCATION PLAN
Public Open Space
Proposed "Whiteley Park"
DATE 24 January 2013 - REVISION 1301

CITY OF Armadale

Aerial photograph supplied by Landgate, Photomaps by NearMap
Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2010)

4.1 - NAMING OF WHITELEY PARK - LOT 8005 (DP 69861) AND FUTURE PUBLIC OPEN SPACE, HILBERT

WARD	:	LAKE
FILE No.	:	PR/A/2 M/117/13
DATE	:	22 February 2013
REF	:	KC
RESPONSIBLE MANAGER	:	EDDS

In Brief:

- Due to the realignment and partial closure of portions of Whiteley Road, Hilbert, it is proposed to name a prominent area of Public Open Space as 'Whiteley Park' to continue commemoration of the Whiteley pioneer family.
- Recommend that Council approach Geographic Names Committee for approval from the Minister of Lands of the name 'Whiteley Park' to be applied to the portion of Public Open Space in the Sienna Wood Estate.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

2.1 Long term planning and development that is guided by a balance between economic, social and environmental objectives.
2.1.2 Incorporate urban expansion areas within the City's Town Planning Scheme

2.3 Diverse and attractive development that is integrated with the distinctive character of the City.
2.3.2 Ensure preservation and maintenance of heritage buildings, heritage items and places of interest.

Legislation Implications

Local Government Act 1995
Land Administration Act 1997

Council Policy/Local Law Implications

Council Policy DEV 2 – Naming of Parks, Places and Buildings

AERIAL PHOTOGRAPH
Public Open Space
Proposed 'Whiteley Park'
DATE 7 February 2013 - REVISION 1301

CITY OF Armadale

Aerial photograph supplied by Landgate, Photomaps by NearMap
Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012)

Budget/Financial Implications

Creation and installation of a memorial plaque can be accommodated within the Community Services budget. Creation and erection of a timber routed wood sign can be accommodated within the existing Parks Department budget.

Consultation

- Parks Department
- Geographic Names Committee
- Metropolitan Redevelopment Authority
- Stockland

BACKGROUND

The name 'Whiteley' has been attributed to a road name within the Armadale/Wungong region since its gazettal on 9 February 1990, commemorating early settlers who have been associated with the Wungong region since 1911.

In October 2009 the Armadale Redevelopment Authority (now part of Metropolitan Redevelopment Authority) received a request to close portions and realign other portions of Whiteley Road, Hilbert.

This request formed part of the submission for subdivision of land located in the Wungong Urban Water Redevelopment Area as a joint venture between Stockland and the Department of Housing and Works. This development, known as Sienna Wood, has resulted in realignment and renaming of certain aspects of Whiteley Road to accommodate the development layout.

Realignment and closure of portions of Whiteley Road (as per Council resolution D24/3/10 and by approval of the Minister for Lands on 4 May 2010) has resulted in the naming of a new east/west road Lannam Road. A small section of road between Ninth Road and Powell Crescent retains the Whiteley Road name. This portion provides primary access to two residential properties and Powell Reserve. Maintaining the road name in this section minimises disruption for these residents.

DETAILS OF PROPOSAL

Concern has been expressed that the renaming and closure of large portions of Whiteley Road will diminish acknowledgement of the Whiteley name and service to the City of Armadale.

To combat this, it was suggested the Public Open Space (POS) proposed to occupy a large section of the Sienna Wood development and the expansion of the future park be named Whiteley Park. The current proposed portion of POS has an area of 3ha, with the park proposed to occupy a total area of 4.48ha once development is complete.

EXTRACT FROM STRUCTURE PLAN
Public Open Space
Proposed 'Whiteley Park'
DATE 7 February 2013 - REVISION 1301

CITY OF Armadale

Aerial photograph supplied by Landgate, Photomaps by NearMap
Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012)

COMMENT

The name Whiteley Road is in acknowledgement of early settlers who are associated with the Wungong area since 1911 when a property at Wungong was purchased by Arthur Whiteley's mother. Arthur Whiteley was a Council worker who hired his truck to the Council. His son, James Murray Whiteley, was enlisted in World War One on 22 July 1915. He fought in France and was repatriated to Australia on 4 June 1919. His name is engraved on the Armadale War Memorial in recognition of his service.

To preserve commemoration of the pioneer family Whiteley, it is proposed that the POS is named Whiteley Park. The area of the Park will be extended in the future as more areas are ceded for POS and Drainage. ***Refer to the current and future Public Open Space on extract from Structure Plan included in this report.***

In terms of signage for this park, in the first instance it would be suitable to erect a timber routed wood sign to indicate the location of the park. This park could then be considered for a memorial plaque at a later date if appropriate. This would form part of the City's annual program of memorial plaque manufacture and installation at appropriate parks and reserves within the City, as adopted by Council at their meeting on 4 April 2005 (C23/3/05). The park would need to be considered under the proposal that any future parks or reserved when named only be considered for plaques if they have some significance to the district's history, as adopted by Council at their meeting on 21 January 2013 (C2/1/13). Consultation with the History Reference Group may be necessary at a later date for research into historical data and finalising the wording for any plaque should it be determined the park qualifies for a memorial plaque. The matter will be referred to the Community Services Directorate for further consideration.

ANALYSIS

Comments were sought from Metropolitan Redevelopment Authority and Stockland, who did not advise of any objections to the proposed park naming.

Although the name is considered to satisfy Council Policy DEV 2 – *Naming of Parks, Places and Buildings*, it is appropriate for Council in this case to approach Geographic Names Committee (GNC) as the land is larger than 1ha and thus requires approval by the Minister for Lands. Preliminary consultation with GNC indicates this proposal would be supported by the Minister for Lands.

The use of the word 'Reserve' is only to be used as part of a name if the entirety of the area to be named is an official reserve as created under the *Land Administration Act 1997* and has been allocated an official reserve number. The name is to be applied to the whole extent of the reserve. As it is unknown if the POS shall become a single reserve or compose of several different reserve numbers, it is appropriate to use the term 'Park' in this case.

OPTIONS

1. Name the proposed portions of Public Open Space as indicated on the attached plans as Whiteley Park.
2. Request further information before considering naming the proposed portions of Public Open Space.
3. Decline naming the Public Open Space as indicated on the attached plans.

CONCLUSION

Subdivision within the Wungong Urban Water Redevelopment Area has resulted in the closure and realignment of large sections of Whiteley Road, with only a small section of road retaining the Whiteley Road name. To ensure acknowledgement of the Whiteley pioneer family continues, it is appropriate to name the significantly large portions of Public Open Space that will be part of the Sienna Wood Estate as per Option 1.

ATTACHMENTS
There are no attachments for this report.

D20/3/13 **RECOMMEND**

That Council:

1. **Approach Geographic Names Committee for approval from the Minister of Lands of the name 'Whiteley Park' to be applied to the portion of existing Public Open Space in the Sienna Wood Estate as per the attached plan.**

2. **Authorise officers to approach Geographic Names Committee when additional areas of this Public Open Space/Drainage link between Ninth Road and Eleventh Road are ceded to the Crown to include the Public Open Space areas within 'Whiteley Park'.**

Moved Cr C J MacDonald
MOTION CARRIED (7/0)

4.3 - APPOINTMENT OF OFFICERS - BUILDING ACT 2011

WARD	:	ALL
FILE No.	:	M/178/13
DATE	:	18 March 2013
REF	:	DGH
RESPONSIBLE MANAGER	:	EDDS

In Brief:

- Under the provisions of the Building Act 2011 Council acting as a Permit Authority is required to appoint Authorised Officers for inspection of authorised structures and investigation of unauthorised structures within the City.
- Council is also required to approve the issue of identity cards to persons designated as Authorised Officers.
- Recommend that the temporary appointment of the specified Officer be approved and the Identity Card be issued.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

4.1.1 Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role.
4.5.1 Provide professional administrative services to support Council operations and services.

Legislation Implications

Building Services (Registration) Act 2011
Building Act 2011
Building Regulations 2012
Building Amendment Bill 2012

Council Policy / Local Law Implications

Various Local Laws and Policies

Budget / Financial Implications

The granting of the proposed authorisations will assist in managing the City's growing workload within its current resources.

BACKGROUND

In order to have effective assessment and signing/approval of Building Permits in discharge of the City's duties, required under the Building Act 2011, the Building Regulations 2012 and the Building Amendment Bill 2012, Council is required to have adequate qualified staff to perform these functions. To provide suitable cover, during holiday entitlements of permanent staff, the Building Services Department require the temporary services of Roy Goodger (previous Senior Building Surveyor with the City of Armadale) to act as a Senior Building Surveyor within the department. The initial period of cover is from the date of Council's decision until the 30th June 2013, at which time the continued appointment will be reviewed.

AUTHORISATION

The new *Building Act 2011* provides a new system of approval for commercial and residential building applications and the ability for local governments within their own districts to appoint authorised officers to provide perform certain functions under the Act, including undertaking inspections of authorised structures and investigating non-complying or unauthorised structures.

Local governments can nominate which officers are authorised provided these officers have been employed in accordance with s.5.36 of the *Local Government Act 1995*.
The City has accordingly temporarily appointed Building Surveyor – Roy Goodger under the Local Government Act and Council approval of this nomination as an authorised officer is now required.

IDENTITY CARDS

The City is required to designate officers who are Authorised persons and in this respect it is identified that the following officers is required to be issued with an identity card; Senior Building Surveyor – Roy Goodger.

97. Identity cards

(1) A permit authority must give an identity card to each person designated by it as an authorised person.

(2) An identity card must —

(a) identify the person as an authorised person; and

(b) contain a recent photograph of the person.

(3) A person must, within 14 days of ceasing to be an authorised person, return the person's identity card to the designating permit authority.
Penalty: a fine of $5 000.

(4) Subsection (3) does not apply if the person has a reasonable excuse.

(5) An authorised person must carry his or her identity card at all times when exercising powers or performing functions as an authorised person.

Options – AUTHORISATIONS

1. Not appoint the identified officer as an Authorised Officer to discharge the requisite duties of the *Building Act 2011*. **(Not recommended)**

2. Approve the appointment of additional Authorised Officer Roy Goodger and issue Identity Card in accordance with the *Building Act 2011* thus more effectively discharging the duties required as a 'Permit Authority'. **(Recommended)**

ATTACHMENTS
There are no attachments for this report.

D21/3/13 **RECOMMEND**

That Council:

1. **Approve the appointment of the following officer classes as "Authorised Officer" pursuant to section 96 (s100, s101, s102 and s103) of the Building Act 2011 for the purpose/s of s100 (Entry Powers), s101 (Powers after entry for compliance purposes), s102 (Obtaining information and documents), s103 (Use of force and assistance), s104 (Directions generally) and s105 (Obstruction of authorised persons).**

   To Senior Building Surveyor – Roy Goodger.

2. **Confirm the appointment of Authorised Officer by instrument in writing.**

3. **Approve the issue of an "Identity Card" to the Authorised Officer in accordance with the requirements of the Building Act 2011.**

Moved Cr H A Zelones
MOTION CARRIED (7/0)

COUNCILLORS' ITEMS

1 **Karragullen Quarry** (Cr Caroline Wielinga)

Cr Wielinga queried if the Karragullen Quarry was operating within its licence and whether its operations are being appropriately managed.

D22/3/13 **RECOMMEND**

That the item regarding Karragullen Quarry be referred to the appropriate Directorate for action.

Moved Cr D M Shaw
MOTION CARRIED (7/0)

6.1 - Planning Compliance - 79 Wallangarra Drive, Bedfordale

In December 2010, the joint owners and occupiers of 79 Wallangarra Drive, Bedfordale placed a sea container and were parking commercial vehicles on the property without approval which contravened the City of Armadale Town Planning Scheme No.4, namely undertaking an unauthorised development and commercial vehicle parking. Subsequently a Directions Notice to remove the sea container and commercial vehicles was issued on 21 January 2011.

Despite the issuing of a Directions Notice from the City, the owners failed to remove the sea container and commercial vehicles.

- On 3 February 2011, an Application to SAT was submitted to appeal the decision of the issuing of the Directions Notice.
- On 2 September 2011, SAT decided to set aside the Directions Notice and allow for it to be reviewed. SAT also denied the City's definition of a Commercial Vehicle.
- On 14 September 2011, a new Directions Notice to remove the Sea Container was issued by the City.
- On 29 September 2011, the City of Armadale lodged an Appeal with the Supreme Court regarding the decision made by SAT on the definition of a commercial vehicle.
- On 20 June 2012, a Supreme Court decision was handed down in favour of the City, which confirmed the City's definition of a Commercial Vehicle is correct. Due to the time taken for the decision, the limitation period to proceed with prosecution for the parking of commercial vehicle had expired.
- On 26 October 2012, a prosecution for the placing of the sea container on the land was heard in the Armadale Magistrates Court and the joint owners of 79 Wallangarra Drive, Bedfordale were convicted and fined a total of $31,536.70.

The City then commenced the prosecution for failing to abide by the September 2011 Directions Notice with the matter being heard in the Armadale Magistrates Court on 27 February 2013 where it was concluded:

- That photographs confirmed the sea container was until this week was still on site at 79 Wallangarra Drive.
- Given that there was a conviction for the placement of the sea container on the site on 26 October 2012, that the Accused can have been under no illusion that the presence of the sea container on the site was lawful.
- That the Accused has ample time to address the problem.
- This will be treated as a first offence.

In sentencing the Magistrate imposed fines of $5000.00 per Accused and a daily penalty of $10.00 per day from December 2011 to October 2012 (that is $300 a month for 11 months) so being $3300.00. Also there was a further 3 month period (from October 2012 to January 2013) during which the Accused must have known that the sea container was unlawful. Therefore a higher daily penalty of $20.00 a day was imposed (i.e. $600.00 a month for 3 months), with costs of $3598.80 for each Accused. This equates to a total fine of $10,100 each Accused plus costs of $3598.80 each Accused (total being $27,397.60). The City is now considering the next course of action with regard to the removal of the sea container in order to resolve this matter.

Cr Norman left the meeting at 8.06pm.

6.2 - Electoral Signage

Executive Director Development Services provided an update on the Supreme Court action taken against the City by the Liberal Party. It was advised that a recent Directions Hearing had required the City's lawyers to negotiate with those of the Liberal Party with the aim of achieving an outcome acceptable to all parties. It was also advised that a recent High Court decision on the case of Corporation of City of Adelaide v Corneloup (2011) was relevant in concluding that freedom of speech is not absolute and some restriction of this freedom may be permissible.

Cr Norman returned to the meeting at 8.08pm.

6.3 - Planning Tour - New Development in Western Areas - 19th April 2013

Executive Director Development Services advised that a bus tour was being scheduled for the morning of 19th April to view new residential projects at Siena Wood, Piara Waters and Harrisdale. The tour would also include recent developments at Cockburn Central. Councillors were invited to advise of their availability.

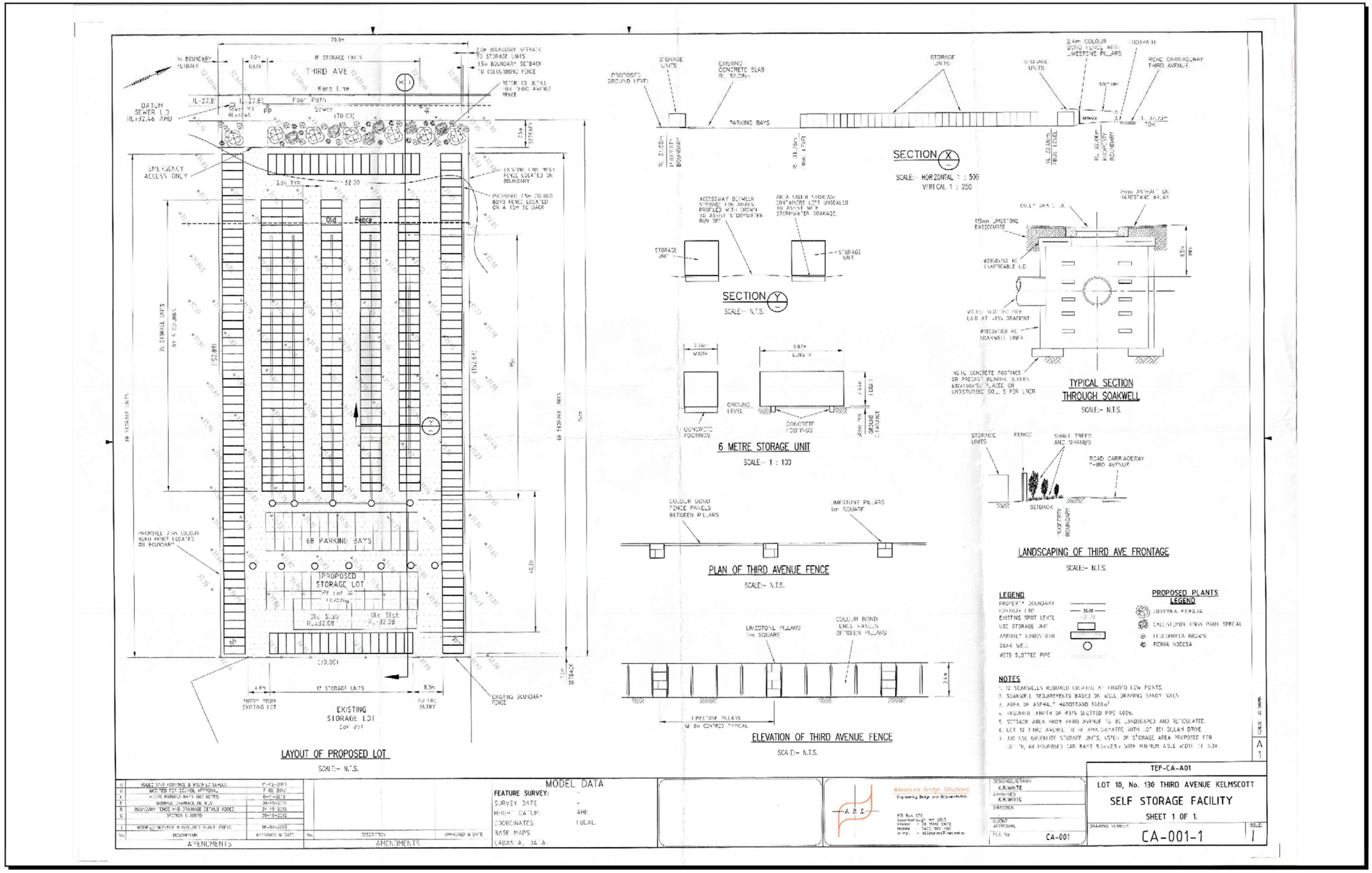
MEETING DECLARED CLOSED AT 8.10 PM

DEVELOPMENT SERVICES COMMITTEE

SUMMARY OF "A" ATTACHMENTS

18 MARCH 2013

ATT NO.	SUBJECT	PAGE
2.1	**CHANGE OF USE - STORAGE - LOT 10 (NO. 130) THIRD AVENUE KELMSCOTT**	
2.1.1	Proposed Plans - Lot 10 Third Ave, Kelmscott	79
2.1.2	Manufacture's brochure for Metal Storage Containers	80
2.2	**PROPOSED EDUCATIONAL ESTABLISHMENT - STAGE 1 CAREY BAPTIST COLLEGE - LOT 2 (540) NICHOLSON ROAD, FORRESTDALE**	
2.2.1	Stage 1 - Site Plan & Master Plan - Carey Baptist College	82
2.2.2	Stage 1 - Floor Plan - Carey Baptist College	83
2.2.3	Stage 1 - Building Elevations - Carey Baptist College	84
2.2.4	Local Natural Areas & Vegetation Condition - COA Biodiversity Strategy	85
2.2.5	Wetland Mapping - Carey Baptist College	86
2.2.6	Outdoor Modelling for Egg Farm on adjoining Lot	87
4.2	**PROPOSED TREE PRESERVATION ORDER - LOT 1352 ROBIN ROAD, ROLEYSTONE (FORMER ROLEYSTONE PRIMARY SCHOOL SITE)**	
4.2.1	Roleybushcare Inc - Tree Register Nomination Form	88



PROPOSED PLANS
PORTION OF PROPOSED LOT TO BE DEVELOPED
LOT 10 (130) THIRD AVE, KELMSCOTT
DATE 6 March 2013 - REVISION 1301

CITY OF Armadale

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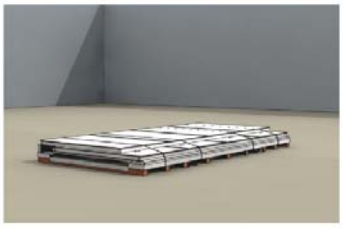

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- Heavy Duty Steel Base - powder-coated black
- Skid Resistant Rubber Pads - under Base for eliminating movement
- Stackable 3 High when assembled and fully loaded
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- Removable Wheel System for portable applications using standard rollback truck
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- Vertical E-Track Strips or Tie-Down Rings
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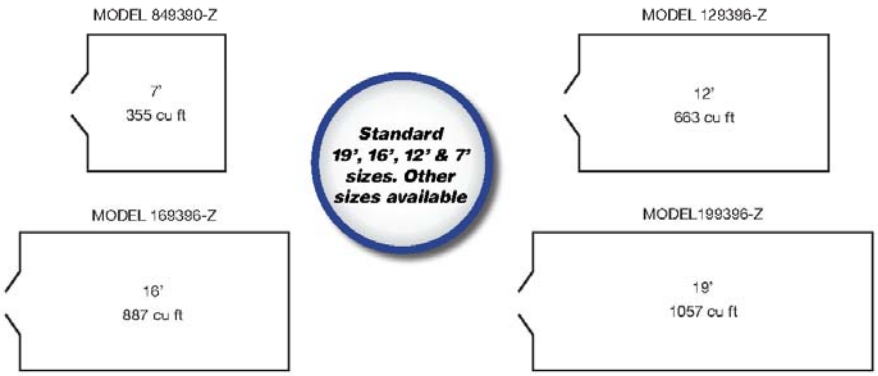

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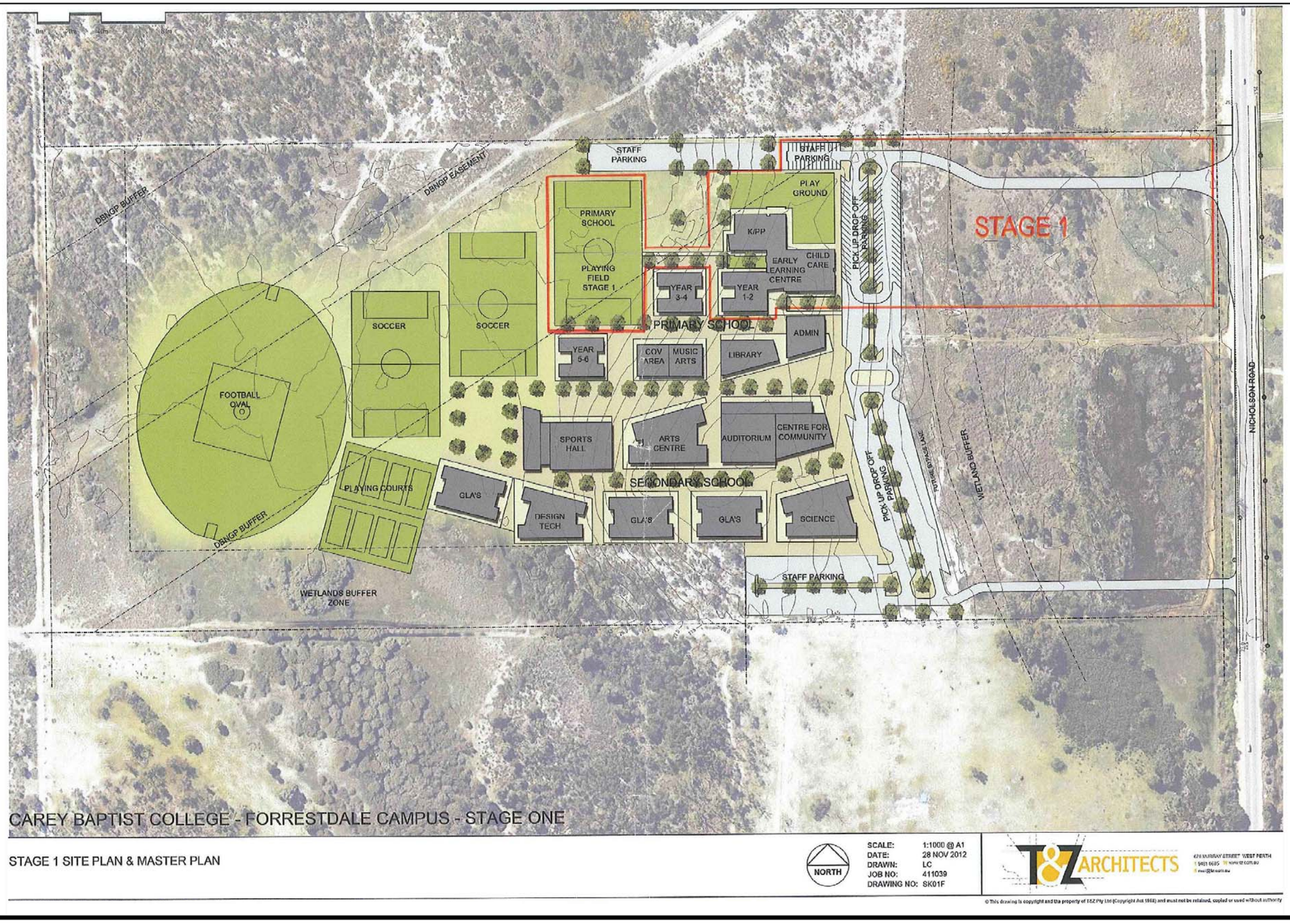

STAGE 1 SITE PLAN & MASTER PLAN

PROPOSED NEW CAMPUS FOR CAREY BAPTIST COLLEGE
LOT 2 (540) NICHOLSON RD, FORRESTDALE

DATE 5 March 2013 - REVISION 1301

CITY OF Armadale

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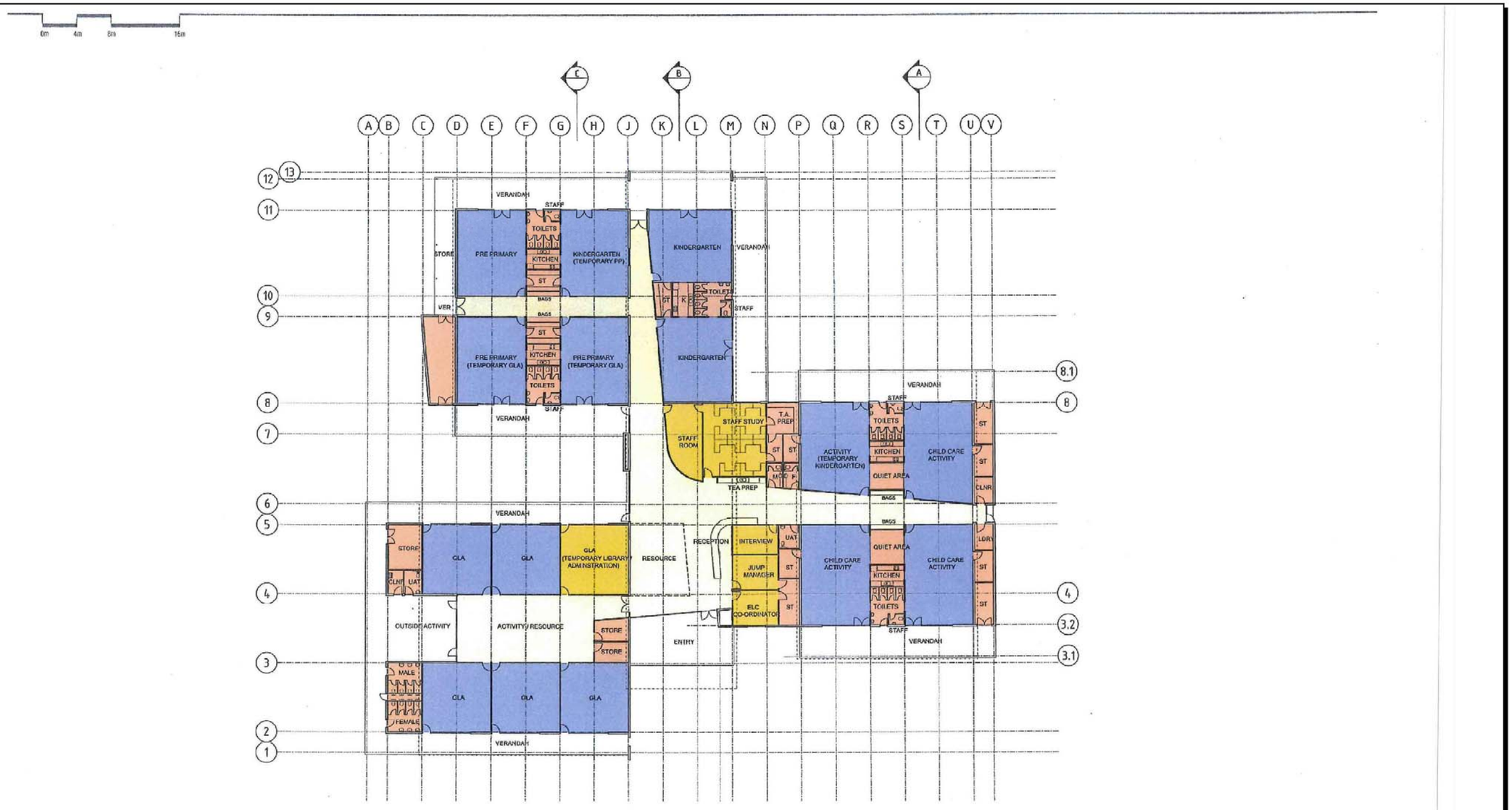

CAREY BAPTIST COLLEGE - FORRESTDALE CAMPUS - STAGE ONE

EARLY CHILDHOOD BLOCK
FLOOR PLAN

NORTH

SCALE: 1:200 @ A1
DATE: 14 NOV 2011
DRAWN: LC
JOB NO: 411039
DRAWING NO: SK02A

T&Z ARCHITECTS

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STAGE 1 FLOOR PLAN
PROPOSED NEW CAMPUS FOR CAREY BAPTIST COLLEGE
LOT 2 (540) NICHOLSON RD, FORRESTDALE
DATE 5 March 2013 - REVISION 1301

CITY OF Armadale

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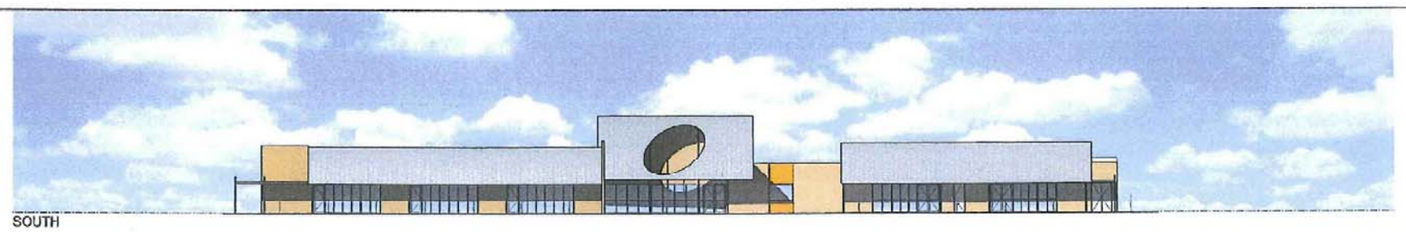
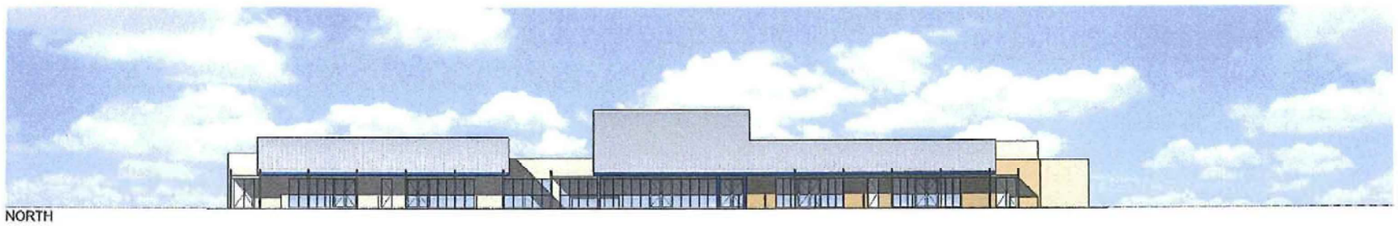
0m 4m 8m 16m



SOUTH

EAST



NORTH

WEST

CAREY BAPTIST COLLEGE - FORRESTDALE CAMPUS - STAGE ONE

EARLY CHILDHOOD BLOCK
ELEVATIONS

SCALE: 1:200 @ A1
DATE: 14 NOV 2011
DRAWN: LC
JOB NO: 411039
DRAWING NO: SK03A

T&Z ARCHITECTS

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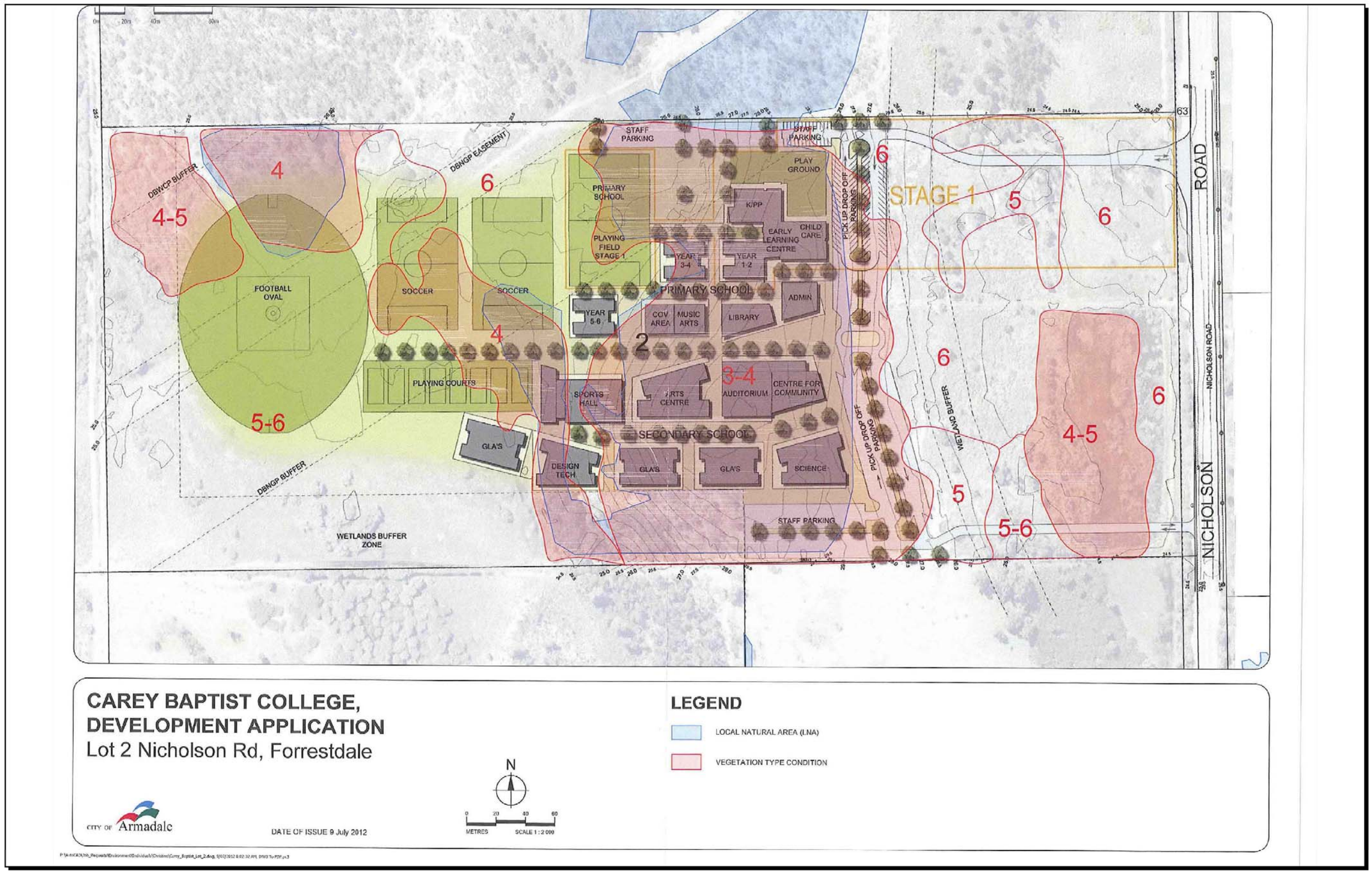
STAGE 1 BUILDING ELEVATIONS
PROPOSED NEW CAMPUS FOR CAREY BAPTIST COLLEGE
LOT 2 (540) NICHOLSON RD, FORRESTDALE
DATE 5 March 2013 - REVISION 1301

CITY OF Armadale

Aerial photograph supplied by Landgate, Photomaps by NearMap
Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012)



CAREY BAPTIST COLLEGE,
DEVELOPMENT APPLICATION
Lot 2 Nicholson Rd, Forrestdale

City of Armadale

DATE OF ISSUE 9 July 2012

N

0 20 40 60
METRES SCALE 1 : 2 000

LEGEND

LOCAL NATURAL AREA (LNA)

VEGETATION TYPE CONDITION

LOCAL NATURAL AREAS AND VEGETATION CONDITION - COA BIODIVERSITY STRATEGY

PROPOSED NEW CAMPUS FOR CAREY BAPTIST COLLEGE - LOT 2 (540) NICHOLSON RD, FORRESTDALE

DATE 5 March 2013 - REVISION 1301

City of Armadale

Base photograph supplied by Landgate, Photomaps by NearMap
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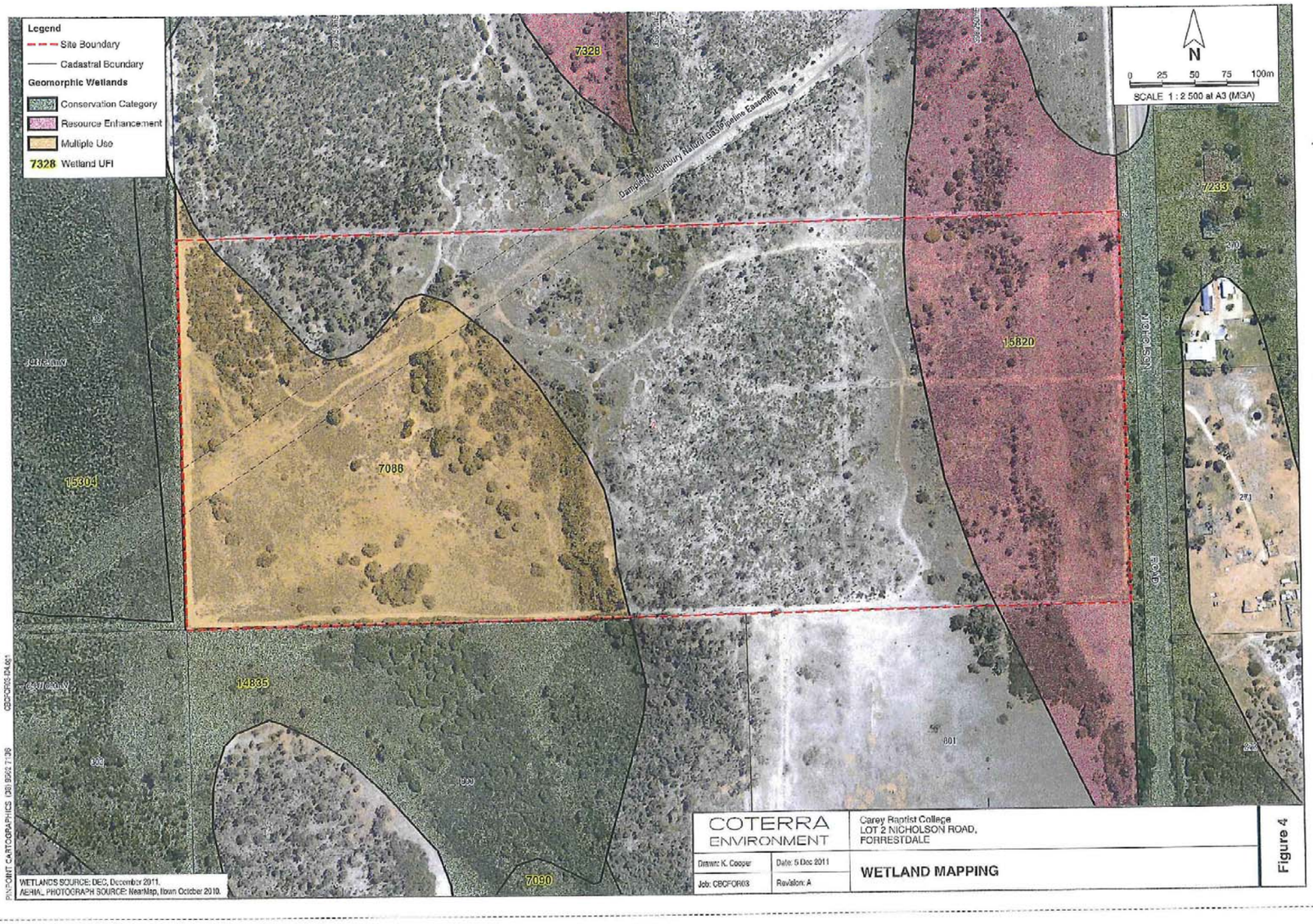
APPENDIX 1

T&Z ARCHITECTS



WETLAND MAPPING

PROPOSED NEW CAMPUS FOR CAREY BAPTIST COLLEGE
LOT 2 (540) NICHOLSON RD, FORRESTDALE

DATE 5 March 2013 - REVISION 1301

CITY OF Armadale

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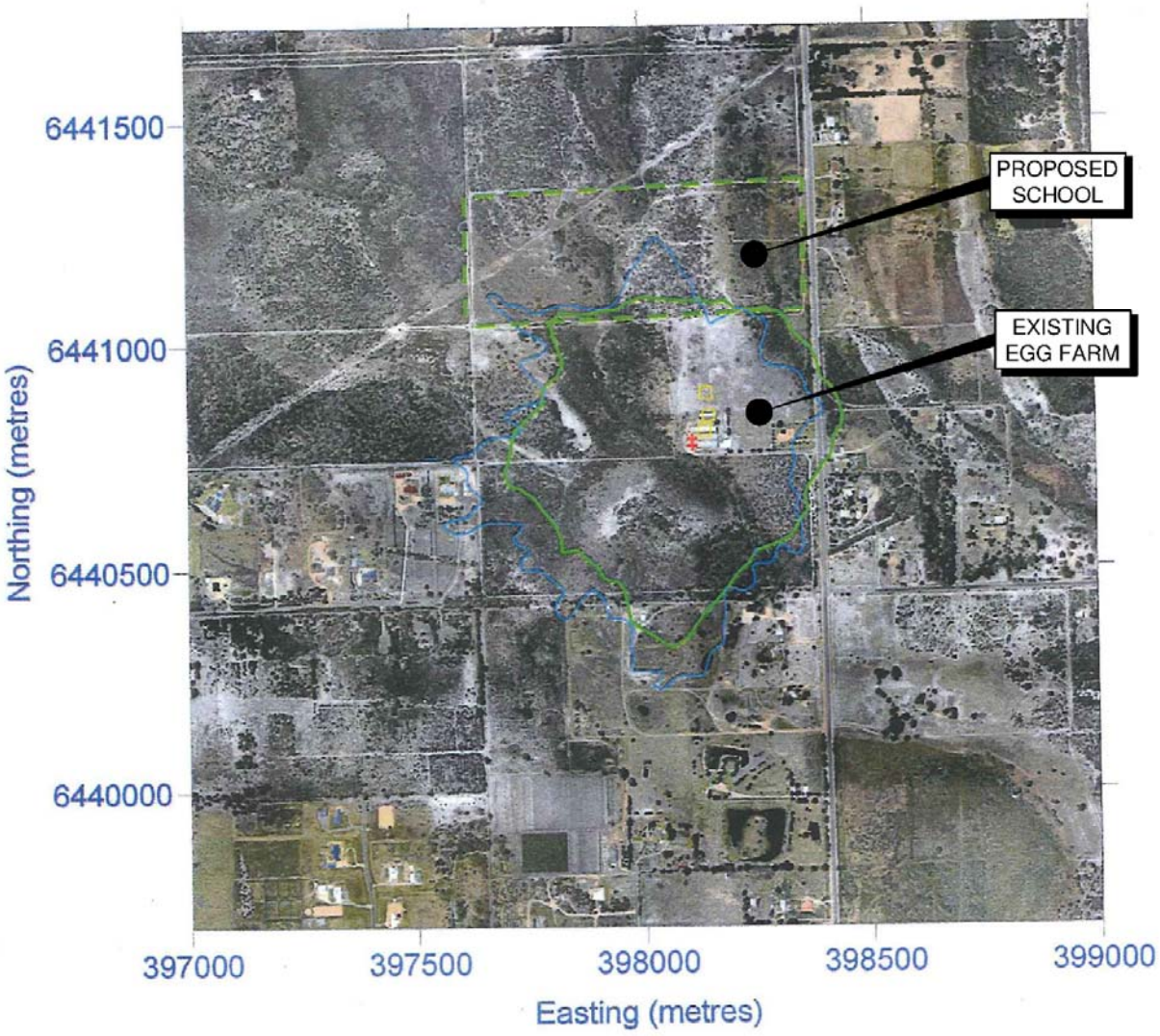
Forrestdale Farm Fresh Egg Farm



Blue Contour = 8ou criterion @ 99.9th percentile (represents transient impacts from upset conditions and/or breakdowns)

Green Contour = 2.5ou criterion @ 99.5th percentile

Green Hashed Line = Carey Baptist College Boundary

Figure 7.1: Ausplume modelling projections for case scenarios of 2.5ou; 1-hour averaging times at the 99.5th percentile (worst 44 hours annually), and 8ou; 1-hour averaging times at the 99.9th percentile (worst 9 hours annually).

REY BAPTIST COLLEGE FORRESTDALE CAMPUS 411039

ODOUR MODELLING FOR EGG FARM ON ADJOINING LOT
PROPOSED NEW CAMPUS FOR CAREY BAPTIST COLLEGE
LOT 2 (540) NICHOLSON RD, FORRESTDALE
DATE 5 March 2013 - REVISION 1301

CITY OF Armadale

Aerial photograph supplied by Landgate, Photomaps by NearMap
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Town Planning Scheme No.4 - Tree Register Nomination Form

Address or location of tree (or group of trees)

Lot 1352 Robin Rd, Roleystone (former Roleystone Primary School site)

Owner's Name and address (if known)

State Government of Western Australia

Common name and/ or botanical name Mixed Northern Jarrah forest species

Reason for nominating the tree (please tick the box)

- [x] Heritage significance
- [x] Species significance
- [x] Location/ landmark significance
- [ ] Other

Please provide more information of significance of tree, by reference to the criteria provided in City of Armadale Policy PLN 2.4. Please attach other sheets as needed.

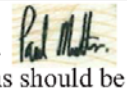
This application is for four sites on the one block. The details for each site are attached with photos and site survey results

Photographs attached? (Yes) No

What is the general condition of the tree? (Good) / Fair / Poor

Nominator's details

Name	Roleybushcare Inc.
Address	4 Collins Rd, Roleystone, 6111
Phone No & e-mail	Ian Colquhoun (Chair) 0427800732 ian@roleybushcare.com Paul Mutton (Vice-chair) 0400521184, paul@sgc.com.au

Signed and dated  17/5/2012

Nomination forms should be sent to the Chief Executive Officer, City of Armadale, Locked Bag No 2, Armadale WA 6992.

D106/6/03 Development Services Committee 9 June 2003 - Adopted by Council 16 June 2003
D97/7/05 Development Services Committee 12 July 2005 - Adopted by Council 18 July 2005
D160/9/05 Development Services Committee 13 Sept 2005 - Adopted by Council 20 Sept 2005
D113/9/07 Development Services Committee 11 Sept 20075 - Adopted by Council 17 Sept 2007

Site Map showing location of Sites requesting preservation with photos are attached

Site 1: Trees surrounding Oval, particularly to the West and South (Photo J, I, K,L,M, N)

Preservation Reasons:

1. Heritage Significance
2. Location/Landmark Significance
3. Species Significance

This area is dominated by healthy jarrah trees that form a dense canopy with a mixed, sparse understory. This was the bush playground for several generations of Roleystone children that can identify with individual sites in their childhood. Playing amongst the Jarrah trees is a characteristic of a Roleystone childhood.

A site survey of the Jarrah and Marri trees (Plate 1) has shown that almost all of the trees are likely to be between 100 and 320 years old. Some Persoonia (Snotty Gobble) trees on the site are also likely to be as old, and a 2m+ Balga (Grasstreee) is likely to be over 200 years old. These Balgas preserve the fire history of the site back to pre-European times and can be used to determine the frequency of forest fires.

Several (Six) of the stumps from the virgin forest (logged perhaps 150 years ago) remain amongst the trees and serve as a rare reminder of the size of the original forest trees. (eg Photo L, I, N). Most of these stumps have very large girths, some of which are likely to have been 400-500 years old. One high stump (photo L) still bears the mark of a standing board on which the cross cut millers stood on and the crown of another giant still remains where is fell after the timber log was cut out (Plate 1).

This dense area of bush is highly visible from Jarrah Road and is in the heart of Roleystone (Photo J).

The Jarrahs here are dense enough to encourage vertical growth as was the habit of the natural forest. There are few protected locations where this is still possible. Despite the sparse understory it retains a high diversity of remanent species, and a total of 72 remanent species from the old forest have been identified to date (listed in Table 1). This list is incomplete and more species are yet to be documented.

The jarrah and marri trees have very dense canopies which bear many fruit on most years – this year is an exception as it is within the rest of the Northern Jarrah Forest. These fruit are a valuable feed supply for red-tailed black cockatoos. This species of bird is recognised as threatened with extinction by both the Federal and State governments.

The largest Jarrrah tree on the site, and one of the largest, healthiest Jarrah trees in Roleystone is located on the Robin Road verge (Photo K). It is important that services be planned to preserve the verge trees.

Site 2: Old healthy jarrah Tree (Photo A)

. Preservation Reasons:

1. Species Significance

This is a very healthy large, tall, straight, dieback free Jarrah specimen that is the largest on the site (although larger one is on the Robin Rd verge) and in the top 1% of all Jarrah trees in Roleystone. There are several smaller jarrahs just to the south of it's location.

This jarrah tree has a very dense canopy which bears many fruit on most years – this year is an exception as it is within the rest of the Northern Jarrah Forest. These fruit are a valuable feed supply for red-tailed black cockatoos. This species of bird is recognised as threatened with extinction by both the Federal and State governments.

Site 3: Healthy stand of jarrah trees & old stump (Photo B)

Preservation Reasons:

1. Species Significance
2. Heritage Significance

This site consists of about 6 healthy, single stemmed jarrah trees and a marri (near the fence). A stump of a very large jarrah tree (a remanent of the original forest) is amongst the trees. This was the play area of the Kindy and Pre-Primary children and the tall group of very healthy Jarrahs provide a self protective group.

The jarrah and marri trees have very dense canopies which bear many fruit on most years – this year is an exception as it is within the rest of the Northern Jarrah Forest. These fruit are a valuable feed supply for red-tailed black cockatoos. This species of bird is recognised as threatened with extinction by both the Federal and State governments.

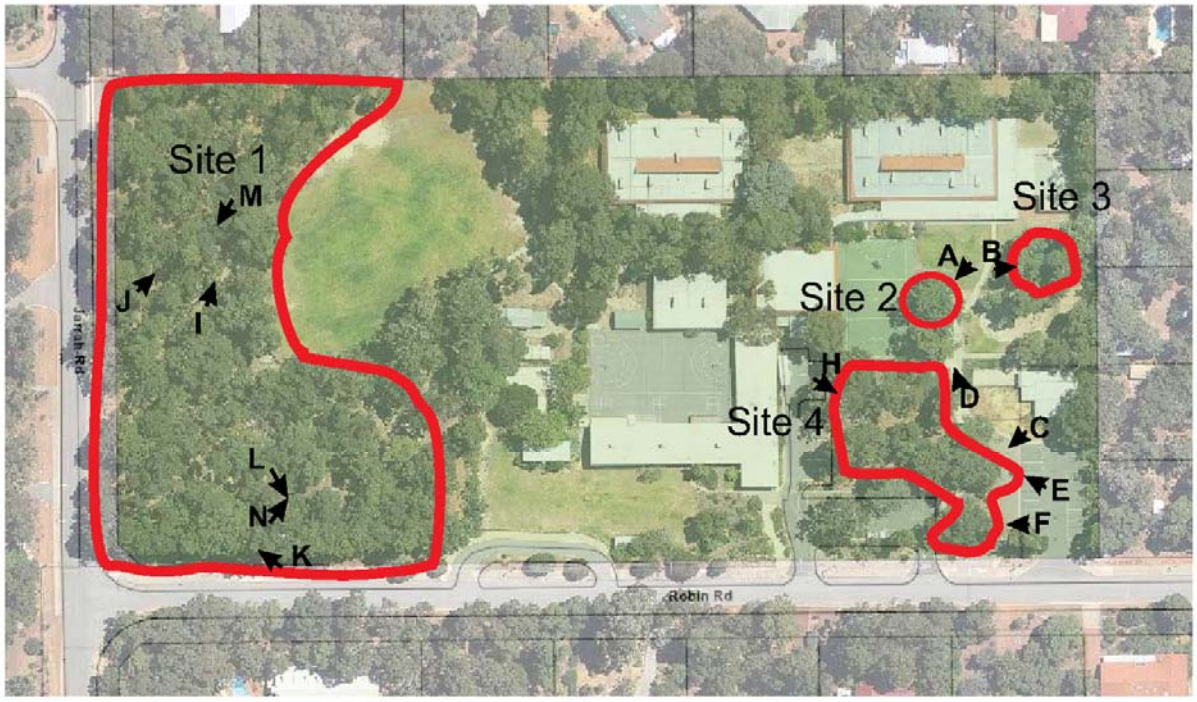
Site 4: Area of Remanent mixed bush (Photo C,E,F,G)

Preservation Reasons:

1. Species Significance
2. Location/Landmark Significance

This is a small grove of remanent Roleystone bush and a few non-Roleystone species that should not be included in the protection. Featured on the site are some large Blackboys which would have been mature prior to European Settlement and as such still preserve the bushfire fire history of the site in Roleystone.

The site has remained intact during the term of the school and infrastructure (eg carpark) has been done with consideration to the remanent bush. The understory has a variety of small bushes and dryland reeds and sedges.



Site Map with photo points

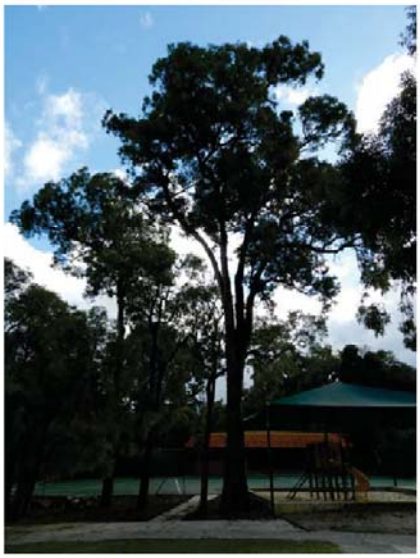


Photo A

Photo D

Photo B

Photo C

Photo E

Photo F

Photo G

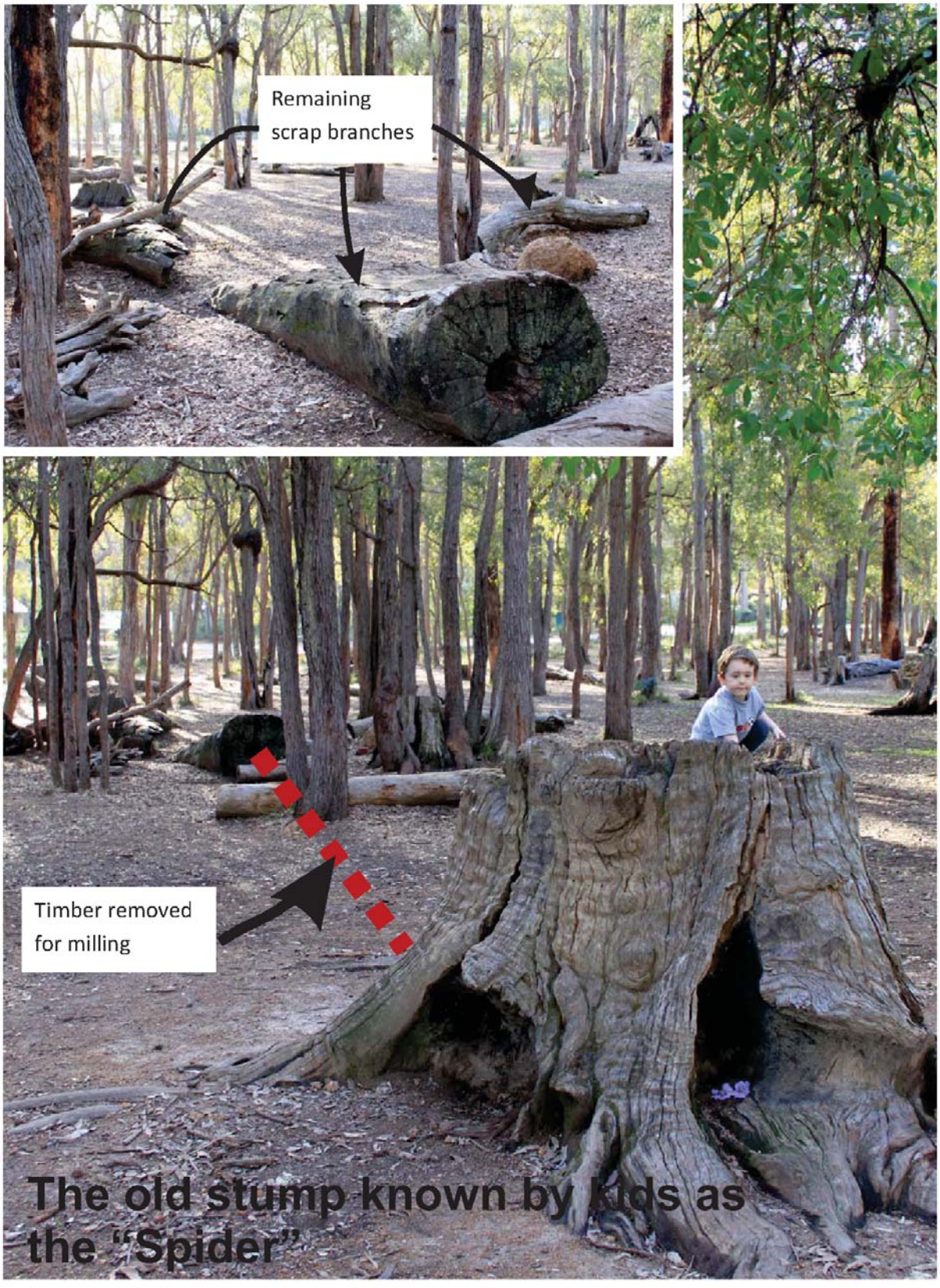
Photo J - Old blackboy on site

Photo I - Old stump with general view

Photo K - General view with largest Jarrah tree probably on verge

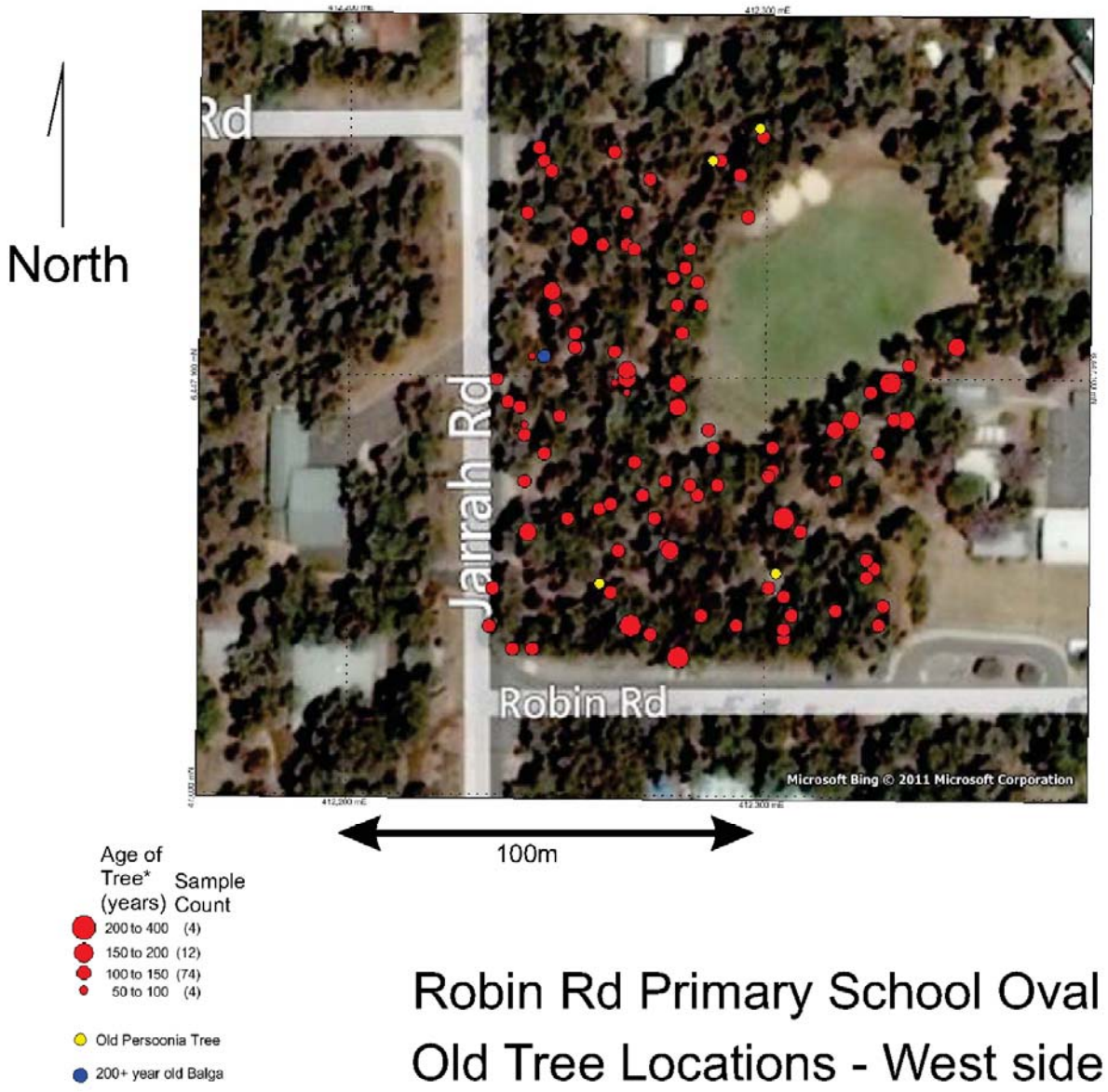
Photo L - Very large stump from virgin tree logged perhaps 150 years ago with standing board cuts still visible

Photo M— Representative view of site



Buckingham Mill was built in 1866. Canning Mill was built in 1889. The stump is likely to be 140 years old. This ancient Jarrah Tree was possibly 400 years old before cutting.

Photo N
(courtesy C. Horgan)



Robin Rd Primary School Oval
Old Tree Locations - West side

* after Witford, K.R., 2002 Hollows in Jarrah and Marri trees: I.Hollow sizes tree attributes and ages. For. Ecol. Manage., 160: 201-214

Plate 1

Table 1: Roleystone Primary School Bush Species List

Latin Name	**Relative abundance**
Acacia pulchella	occasional
Acacia urophylla	occasional
Adenanthos barbiger	occasional
Agrostocrinum scabrum	uncommon
Amyema preissii	rare
Anthericaceae 1 (Dense leaves, ~50 cm long, midrib)	uncommon
Asteraceae 1 (broad leaf)	uncommon
Asteraceae 2 (hairy ovate leaf)	uncommon
Asteraceae 3 (bunch of large undulate margin leaves)	occasional
Banksia (Dryandra) lindleyana	occasional
Banksia grandis	rare
Bossiaea aquifolium	occasional
Bossiaea ornata	common
Chamaescilla corymbosa	occasional
Clematis pubescens	uncommon
Conostylis setosa	common
Corymbia calophylla	common
Dampiera alata	occasional
Dampiera linearifolia	occasional
Daviesia decurrens	uncommon
Dianella revoluta	uncommon
Drosera erythrorhiza	uncommon
Drosera stolonifera	uncommon
Eriostemon spicatum	uncommon
Eucalyptus marginata	common
Gompholobium polymorphum	occasional
Gompholobium preissii	rare
Grevillea synaphea	occasional
Haemodorum paniculatum	uncommon
Hibbertia hypericoides	occasional
Hovea chorizemifolia	occasional
Hovea trisperma	occasional
Labichea punctata	occasional
Lagenophora huegelii	occasional
Lechenaultia biloba	occasional
Lepidosperma 1 (narrow terete leaf)	common
Lepidosperma 2 (thick dark green terete leaf)	uncommon
Lepidosperma 3 (fine terete leaf)	occasional
Lepidosperma 4 (flattened leaf, dense flower head)	uncommon
Leucopogon capitellatus	occasional
Leucopogon verticillatus	rare
Lomandra 1 (narrow, non-twisted leaf)	occasional
Lomandra 2 (twisty leaf, fruiting)	occasional
Lomandra 3 (white flower)	common
Lomandra 4 (short flowering stalks)	uncommon
Lomandra 5 (bushy, very fine leaves)	uncommon
Lomandra 6 (purple short flower stalks)	rare
Lomandra 7 (broad rounded tip leaf)	uncommon

Macrozamia riedlei	common
Neurachne alopecuroidea	occasional
Opercularia echinocephala	common
Orchidaceae 1 (Lyperanthus? single leaf reddish base)	uncommon
Orchidaceae 2 (single broad leaf prominent veins)	rare
Patersonia occidentalis	occasional
Pentapeltis peltigera	occasional
Persoonia elliptica	uncommon
Persoonia longifolia	rare
Phyllanthus calycinus	common
Platysace compressa	rare
Pronaya fraseri (?)	occasional
Pteridium esculentum	occasional
Ptilotus manglesii	occasional
Restionaceae 1 (Desmocladus flexuosus?)	occasional
Scaevola calliptera	occasional
Stylidium amoenum	occasional
Tetrarrhena laevis	common
Thysanotus dichotomus	occasional
Thysanotus manglesianus	occasional
Tricoryne elatior	occasional
Xanthorrhoea gracilis	occasional
Xanthorrhoea preissii	common
Xanthosia candida	occasional
TOTAL	**72 taxa**

Table 1: Roleystone Primary School Bush Species List

List compiled by Mark Allen circa .2011.

TABLE 2: Tree Age surevy for Site 1

Tree #	type J/M	circumf (cn	Lat	Long	info	diameter	Age estimate
1	j	420	-32.1096	116.0702	on Robin	134	320
2a	J	280	-32.1096	116.0701	near Robin	89	216
3	J	134	-32.1096	116.0701		43	107
4	M	143	-32.1096	116.0698		46	114
5	J	130	-32.1096	116.0698	verge cnr Jarrah & Robin	41	104
6	J	142	-32.1096	116.0697	verge Jarrah	45	113
7	J	146	-32.1095	116.0697	verge Jarrah	46	116
8	J	200	-32.1094	116.0698	Jarrah Rd side	64	156
9	M	140	-32.1093	116.0699	Jarrah Rd side	45	111
10	J	180	-32.1093	116.07	Btwn oval & Jarrah Rd	57	141
11	J	170	-32.1093	116.07	Btwn oval & Jarrah Rd	54	134
12	J	124	-32.1095	116.07	Btwn oval & Jarrah Rd. biggest of two	39	100
13	J	125	-32.1094	116.0701	Btwn oval & Jarrah Rd	40	100
14	J	126	-32.1094	116.0702	split	40	101
15	M	195	-32.1094	116.0702		62	153
16	M	149	-32.1096	116.0703		47	118
17	M	189	-32.1096	116.0704	Robin Rd verge	60	148
18	J	160	-32.1095	116.0704	Robin Rd side	51	126
19	M	179	-32.1093	116.0703		57	141
20	M	132	-32.1092	116.0703		42	105
21	M	143	-32.1092	116.0703		46	114
22	J	125	-32.1093	116.0703	cnr oval SW	40	100
22a	J	125	-32.1093	116.0702	cnr oval SW	40	100
23	M	190	-32.1092	116.0705	oval sth	60	149
24	J	130	-32.1092	116.0705	oval sth	41	104
25	J	145	-32.1093	116.0704	oval sth	46	115
26	M	286	-32.1093	116.0705	oval sth	91	220
27	J	188	-32.1094	116.0705	oval sth	60	147
28	M	132	-32.1096	116.0705	oval sth	42	105
29	M	136	-32.1096	116.0705	Robin Rd verge	43	108
30	M	162	-32.1096	116.0705	Robin Rd verge	52	128
31	M	148	-32.1095	116.0705	Robin Rd side	47	117
32	M	180	-32.1095	116.0706		57	141
33	J	151	-32.1096	116.0707	Robin Rd verge cnr track. # prong	48	120
34	J	149	-32.1095	116.0707	on track SE of oval	47	118
35	M	146	-32.1095	116.0707	on track SE of oval	46	116
36	M	158	-32.1094	116.0707	on track SE of oval	50	125
37	M	150	-32.1095	116.0707	on track SE of oval	48	119
38	M	160	-32.1093	116.0706	South of oval	51	126
39	M	230	-32.1092	116.0706	South of oval	73	179
40	M	162	-32.1092	116.0707	South of oval near track	52	128
41	J	244	-32.1091	116.0708	South of oval btwn sheds	78	189
42	M	140	-32.1091	116.0708	South of oval btwn sheds	45	111
43	M	263	-32.1091	116.0708	South of oval next to sheds	84	203
44	M	160	-32.1091	116.0707	South of oval next to sheds	51	126
45	M	200	-32.1091	116.0707	on oval	64	156
46	J	140	-32.109	116.0708	on path	45	111
47	M	215	-32.109	116.0709	on path	68	167
48	J	170	-32.1093	116.0702	knarled (Burl?)	54	134
49	J	143	-32.1093	116.0702	oval cnr SW	46	114
50	M	160	-32.1093	116.0701	near oval	51	126
51	J	164	-32.1092	116.0701	near oval cnr SW	52	129
52	J	143	-32.1092	116.0699	near Jarrah Rd	46	114
53	J	130	-32.1093	116.0698	on Jarrah Rd	41	104
54a	J	173	-32.1092	116.0698	on Jarrah Rd	55	136
55	J	135	-32.1091	116.0699	near Jarrah Rd	43	108
56	J	121	-32.1091	116.0698	near Jarrah Rd. largest of four	39	97
57	J	170	-32.1091	116.0698	near Jarrah Rd	54	134
58	J	186	-32.1091	116.0698	near Jarrah Rd	59	146
59	J	123	-32.109	116.0698	near Jarrah Rd	39	99
60	J	119	-32.1091	116.0701	between oval & Jarrah Rd	38	96
61	M	225	-32.109	116.0701	between oval & Jarrah Rd. Nest tree - dead	72	175
62	J	120	-32.1091	116.0701	between oval & Jarrah Rd. largest of four	38	97
65	M	254	-32.1091	116.0702	on oval near NW	81	197
66	J	194	-32.1091	116.0702	on oval west	62	152
67	J	192	-32.109	116.0701	btwn oval & Jarrah Rd	61	150
68	M	126	-32.109	116.0701	btwn oval & Jarrah Rd	40	101
69	J	141	-32.109	116.07	btwn oval & Jarrah Rd	45	112
70	J	137	-32.109	116.0698	on Jarrah Rd	44	109
71	J	135	-32.1089	116.07	on Jarrah Rd	43	108
72	J	155	-32.1089	116.0699	btwn oval & Jarrah Rd. three stem	49	123
73	J	252	-32.1089	116.0699	btwn oval & Jarrah Rd. branches above mea	80	195
74	J	207	-32.1087	116.07	btwn oval & Jarrah Rd	66	161
75	J	171	-32.1087	116.0698	on Jarrah Rd	54	135
76	J	162	-32.1086	116.0699	near Jarrah Rd NW	52	128
77	M	177	-32.1085	116.0699	near Jarrah Rd NW	56	139
78	J	133	-32.1086	116.0699	near Jarrah Rd NW	42	106
79	J	153	-32.1086	116.0701	Norther side of oval	49	121
80	J	190	-32.1086	116.0701	Norther side of oval. Knarled (Burl?)	60	149
81	J	134	-32.1087	116.0701	Norther side of oval	43	107
82	J	144	-32.1088	116.0701	west of oval	46	114
83	J	180	-32.1088	116.07	btwn oval & Jarrah Rd	57	141
84	J	176	-32.1088	116.0701	btwn oval & Jarrah Rd	56	138
85	J	128	-32.1089	116.0703	on oval NW	41	103
86	J	125	-32.1088	116.0703	on oval NW	40	100
87	J	150	-32.1089	116.0702	on oval NW. double stem	48	119
88	J	143	-32.1089	116.0702	on oval NW	46	114
89	J	170	-32.1088	116.0702	on oval NW. branches above measurement	54	134
90	J	148	-32.1088	116.0702	on oval NW. branches above measurement	47	117
91	J	175	-32.1088	116.0702	on oval NW	56	138
92	J	137	-32.1087	116.0704	on oval NW	44	109
93	J	138	-32.1086	116.0703	Norther side of oval	44	110
95	J	125	-32.1086	116.0704	NW of oval	40	100
96	M	145	-32.1085	116.0704	North of oval. multi stemmed	46	115

TABLE 2: Tree age Survey for Site 1