

CITY OF ARMADALE

MINUTES

OF DEVELOPMENT SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 12TH AUGUST 2002, AT 7:00 PM.

PRESENT:

Cr H A Zelones JP	Chairman
Cr F R Green	Deputy Chairman
Cr J Everts	
Cr G M Hodges	
Cr J Knezevich	
Cr L Reynolds JP	
Cr R C Stubbs AM	

APOLOGIES: Nil.

OBSERVERS: Cr D L Hopper JP

IN ATTENDANCE:

Mr J H A Adderley	Executive Director Development Services
Mr I Townson	Building Services Manager
Mr P Meyrick	Health Services Manager
Mr J Hofland	Senior Planning Officer
Ms N Cranfield	Minute Secretary

Public 11

DISCLAIMER

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

DECLARATION OF MEMBER'S INTERESTS

Cr Stubbs

Proposed sale of land for expansion of Karragullen Cool Stores –
Portion of Lot 46 Canning Road, Karragullen-----Page 47

Cr Knezevich

ERADE Village – Proposed Incidental Café / Deli-----Page 51

QUESTION TIME

Nil.

CONFIRMATION OF MINUTES

RESOLVED

Minutes of the Development Services Committee Meeting held on 8th July 2002, were confirmed.

MOVED Cr Green
MOTION CARRIED (7/0)

ITEMS REFERRED FROM INFORMATION BULLETIN – ISSUE No.15/2002

The following items were included for information in the “Development Services Strategy section” –

- Report on Outstanding Matters – Development Services Committee
- Development Services Directorate – Key Performance Indicators
- Health Services Manager’s Report for June 2002
- Minutes – Brookdale Liquid Waste Treatment Facility
- Environmental Officer Quarterly Report March 2002 to May 2002
- Planning Services Manager’s Report for June 2002
- PAW Closure Report – significant actions during June 2002
- Monthly Admin Report for June 2002
- Compliance Officer’s Report for June 2002
- Town Planning Scheme No.2 & No.3 – Amendment Table
- Subdivision Applications – Recommendation Table
- Building Services Manager’s Report for June 2002
- Financial Statements for the period ending 30th June 2002

Committee noted the information and no items were raised for further report.

***OUTBUILDING WITH REDUCED FRONT SETBACK –
LOT 9 (No.49) TALUS NORTH DRIVE, ARMADALE***

WARD : ARMADALE
FILE REF : A219827
DATE : 2 August 2002
REF : IT
RESPONSIBLE : BSM
MANAGER
APPLICANT : Mr J MacDonald
LAND OWNER : Mr & Mrs MacDonald
SUBJECT : Lot 9 Talus North Drive,
LAND Armadale
Property size 2065m²
Map 23-02
ZONING : Residential R5
MRS/TPS No.2

In Brief:-

- Application to construct an outbuilding with a reduced front boundary setback.
- Recommendation that the submitted proposal be refused and the applicant be invited to negotiate an amended design with officers that meets the objectives of Council's Outbuilding Policy and the constraints detailed in Option 2 of the report.

Tabled Items

Plans submitted with the Building Licence Application.

Officer Interest Declaration

Nil.

Strategic Implications

To maintain the City of Armadale as a place where the average family can enjoy a good lifestyle.

Legislation Implications

Local Government (Miscellaneous Provisions) Act 1960
Building Regulations 1989

Council Policy / Local Law Implications

Policy 4.5.20 "Outbuildings in Residential and Rural Areas"

Budget / Financial Implications

Nil.

Consultation

- ◆ Adjacent residents affected by the proposal.

DETAILS OF PROPOSAL

The applicant proposes to construct a “Colorbond” outbuilding measuring 15 metres in length by 5 metres in width (75m²), with a reduced front boundary setback of 4.5 metres. The Residential Planning Codes prescribe a twelve metre average, and a six metre minimum front setback for an “R5” Coded lot. A wall height of 3.2 metres is proposed to allow sufficient “headroom” to accommodate a Four Wheel Drive vehicle.

Correspondence received from Mr MacDonald supporting the application

“Storage of work vehicle and trailer. Nature of work – Cleaning Contactor and Building Maintenance. Storage of associated machinery and tools, cleaning supplies and equipment. Wall height required of 3.2m for clearance of Landcruiser with roof rack and ladders. 2.7m opening for roller-door and 0.5m for door storage when open.

Proposed garage to be constructed of steel frame and Colorbond cladding to match colour of existing residence. Front of garage facing Talus North Drive to be clad in Hardie-weatherboard to match existing residence and constructed to match entrance of existing residence.

North east facing walls will be screened from view by existing landscaping. South facing wall to be screened by landscaping to match existing landscaping. This will bring the proposed garage into line with your report of 8th May 2000 Development Services Committee Meeting.

Section Building 1.1 primary street boundary setbacks. The proposed garage fills all the requirements set out in this section.

As a precedence has been set in the area of Colorbond on front boundaries and side roads. This garage is not constructed of materials that match the main dwelling either in colour or construction.

The proposed garage at 49 Talus North Drive will be of materials and colour to match existing building and enhance the streetscape, and will not deteriorate to the extent of becoming an eyesore as older constructions which is of asbestos, iron and wood and detracts from the streetscape”.

COMMENT

While acknowledging that the proposed outbuilding has been designed to complement the existing home on the lot, the proposed location, near the front boundary and the significant wall length of the building, are factors considered likely to have an adverse impact on the streetscape and adjacent properties.

One resident responding to Council’s consultative process expressed a strong concern that the building is “too big” and “should be located in the backyard”.

Officers have visited the site and believe that it may be possible to identify an alternative location for a modified shed design on the lot that would meet the objectives contained in Council Policy.

Options

- Option 1 - Refuse the application on the basis that it will have an adverse impact on the streetscape and adjacent properties.
- Option 2 - Refuse the submitted application, but authorise the Building Services Manager to approve an outbuilding having a maximum wall length parallel to Lot 10 (property adjoining the side boundary of the applicant's lot) of 10 metres and a minimum front setback of 9.5 metres.
- Alternatively if the above is unsuitable to accommodate the applicant's needs:
- Invite the applicant to consider, in consultation with officers, an alternative location for the outbuilding that would meet the objectives of Council's Outbuildings Policy.
- Option 3 - Approve the application.

CONCLUSION

On the basis of the likely adverse impact on the streetscape and adjacent properties by the applicant's submitted proposal it is recommended that Option 2 be pursued.

COMMITTEE discussed the proposed use of the requested structure, as outlined in the letter of application, and considered it appropriate that the applicant be given advice in regard to what activities can be lawfully undertaken on the lot. Accordingly, a Part 3 was added to the officer's Recommendation.

D127/02 RECOMMEND

1. **That the proposal to construct an outbuilding on Lot 9 (No.49) Talus North Drive, Armadale with a front setback of 4.5 metres be refused because of its likely adverse impact on the streetscape and adjacent properties.**
- ~~2. **That officers contact the applicant with the view of inviting him to consider either alternative outbuilding design proposals detailed in Option 2 of the officers report.**~~
2. **That officers, as part of the process of considering an acceptable location for the proposed outbuilding, provide advice to the applicant in regard to the Home Occupation provisions of the City's Town Planning Scheme No.2.**

MOVED Cr Green
MOTION CARRIED (7/0)

Council resolved at its Ordinary Meeting on 19th August 2002 that Recommendation D127/02 be amended by the deletion of Part (2) and the renumbering of Part (3) to Part (2).

**OVER HEIGHT OUTBUILDING APPROVED ON LOT 122 (No.32) RUBIDA RISE,
ROLEYSTONE**

WARD : ROLEYSTONE
FILE REF : A236429
DATE : 7 August 2002
REF : IT
RESPONSIBLE : BSM
MANAGER
LAND OWNER : Mr & Mrs Hooper
SUBJECT LAND : Property size 2001m²
Map 26-09
ZONING : Residential
MRS/TPS No.2 : R10

In Brief:-

- Information relating to officer's actions undertaken to resolve difficulties caused by officers approval, in error, of an outbuilding on this lot that did not conform to Council's Outbuilding Policy.

BACKGROUND

At its meeting of the 6th of August 2002 Council resolved:

That the Chief Executive Officer be authorised to take any steps necessary, including halting construction, in order to resolve the issue of the construction of a shed with a wall height of 4.5 metres at 32 Rubida Rise, Roleystone.

COMMENT

Officers confirm that the partially erected outbuilding on Lot 122 (No.32) Rubida Rise, Roleystone has been dismantled. As a result of negotiations undertaken with the owners, agreement has been reached for the garage to be reconstructed with a wall height of 3 metres and floor area of 67m² in accordance with Council's Policy.

Procedures within the Building Department have been reviewed to significantly reduce the possibility of a recurrence of the circumstances involved with this matter

D128/02 RECOMMEND

That information in regard to officers' actions to effect policy compliance in regard to the height of an outbuilding on Lot 122 Rubida Rise, Roleystone, be received.

MOVED Cr Stubbs
MOTION CARRIED (7/0)

PROPOSED SHED – LOT 134 (No.16) KOBUS HEIGHTS, ROLEYSTONE

WARD : ROLEYSTONE
FILE REF : A229266
DATE : 5 August 2002
REF : SG
RESPONSIBLE : Acting PSM
MANAGER
APPLICANT : D Nass
LAND OWNER : D Nass
SUBJECT LAND : Lot 134 Kobus Heights,
Roleystone
Property size 2232m²
Map 26.08
ZONING : Residential Development
MRS/TPS No.2 Area (R5)

In Brief:-

- Proposal involves the enlargement of the Development Envelope to accommodate a 90m² shed.
- Application was advertised with a letter of objection received.
- Applicant reduced the size of the shed to 78m² with materials of construction to be Mist Green Colorbond.
- Reduced shed size considered appropriate in light of the 2232m² lot area, colour, and location at the rear of the property.
- Recommend approval.
- *Committee recommended that the application be recommitted pending further investigation of –*
 - *the desirability of amending the development envelope;*
 - *the proximity of the shed to the boundary with adjoining Pt Lot 10 and possible amenity effect;*
 - *the use of the shed and potential for noise nuisance.*

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Development – “to balance the needs of development with sustainable economic, social and environmental objectives.”

Legislation Implications

Town Planning and Development Act 1928
Town Planning Scheme No.2

Council Policy / Local Law Implications

Outbuildings Policy

Budget / Financial Implications

Nil

Consultation

- ◆ Development Control Unit
- ◆ Surrounding landowners

BACKGROUND

Council has previously approved an application (20 February 2001) to modify the Development Envelope at Lot 134 Kobus Heights in order to accommodate leach drains and a patio extension for the existing residence.

DETAILS OF PROPOSAL

The application proposes an extension to the Development Envelope to accommodate a proposed 90m² Colorbond shed with a wall height of 3m and gable height of 1m. The shed is proposed for the storage of cars and other home storage equipment.

COMMENT

Comments from surrounding landowners

Due to the potential for impact on the amenity of adjoining properties, the proposal was advertised to surrounding landowners. One letter of objection and one letter of support, conditional on the gable height of the shed not exceeding 1m, were received. The reasons for objection were as follows:

- ◆ The shed is very large for the suburban block and would not fit in with the bush character.
- ◆ If the shed is to be constructed, an appropriate colour should be chosen to blend with the surroundings.
- ◆ It is understood the shed will be used for storage of racing cars. Maintenance of cars would cause excess noise levels in the open environment.

Analysis

Response to submissions

In response to the neighbours' objections and with reference to Council's concerns relating to appropriate shed sizes, the applicant has reduced the size of the shed to 78m² (13m x 6m). The applicant is prepared to construct the shed using Mist Green Colorbond which is considered to blend well with the natural bush surroundings. The applicant advised that the shed will be used for the storage of a speedway car and general home equipment and occasional hobby type work on a vintage car. It is not proposed that the shed will be used as a mechanical workshop for the speedway car.

Outbuildings Policy

The revised shed size of 78m² complies with the Policy if the entire lot area is used in calculating the maximum aggregate floor area (approximately 90m² shed size allowable). However if the area of the Development Envelope (806m²) is used in the calculations, the extent of the Building Manager's delegated authority is for an outbuilding of approximately 60m².

The shed is located at the rear of the property and will not be readily visible from the road. A side setback of 1.5m would enable the planting of trees/shrubs to screen the structure from the adjoining property and landscaping could also screen the structure from the adjoining rear property.

The willingness of the applicant to reduce the shed size from 90m² to 78m² is considered to address recent concerns of Council relating to large sheds within the City which may have an adverse impact on the surrounding residential amenity. The size reduction, coupled with the proposed colour of Mist Green, is also considered to address the concerns of the adjoining landowner.

Other comments

The proposal complies with setback requirements of TPS No.2. No trees are required to be removed to accommodate the shed. The proposed dimensions of the shed (13m x 6m) are considered appropriate as the smaller, 6m wide elevation faces the objecting neighbours' property which is to the rear of the subject lot. With regard to potential noise issues arising from use of the shed for vehicle maintenance, the applicant has advised that such a situation will not arise. A condition of approval could be applied to limit use of the shed for domestic purposes only, which would avoid problems occurring.

Options

- ◆ Council may wish to conditionally approve the application for the reduced size shed on the basis that the size of the shed is acceptable on the 2232m² lot and the colour and use will not adversely affect the amenity or character of the neighbourhood.
- ◆ Council may wish to refuse the application on the basis that the structure will adversely impact on the amenity of the surrounding area.

CONCLUSION

In response to the concerns of adjoining neighbours relating to the size of the shed, the applicant has reduced the overall area of the shed from 90m² to 78m². The revised proposal is considered to be consistent with the amenity of the surroundings due to location of the shed at the rear of the large property, the ability to screen the shed from adjoining properties with landscaping and the proposed use of Mist Green Colorbond which will blend with the surrounding bush environment. The application is therefore recommended for conditional approval.

Officer's report recommends –

That Council approve the application for a 78m² shed at Lot 134 (No.16) Kobus Heights, Roleystone subject to conditions including the following principal requirements:

- ◆ Shed to be used only for purposes associated with the residential use of the lot.
- ◆ Shed to be constructed of Mist Green Colorbond.
- ◆ Shed to be setback 1.5m from the common side boundary with Lot Pt 10 Brooks Road.

Landscape plan to be submitted to the satisfaction of Council, indicating the planting of trees/shrubs for the purposes of screening the shed from the adjoining properties. Such plan to be implemented and landscaping to be continuously maintained to the satisfaction of Council.

COMMITTEE raised questions in respect to:-

- ◆ *The desirability of amending the development envelope;*
- ◆ *Proximity of the shed to the boundary with adjoining Part Lot 10 and possible amenity effect;*
- ◆ *Use of the shed and potential for noise nuisance.*

COMMITTEE was of the view that further investigation was warranted to address the above matters.

D129/02 RECOMMEND

That the proposal for a shed at Lot 134 (No.16) Kobus Heights, Roleystone be recommitted, pending further investigations in relation to:-

- ◆ **The desirability of amending the development envelope;**
- ◆ **Proximity of the shed to the boundary with adjoining Part Lot 10 and possible amenity effect;**
- ◆ **Use of the shed and potential for noise nuisance.**

MOVED Cr Stubbs
MOTION CARRIED (7/0)

***PROPOSED TRUCK ACCESS – LOT 11 NICHOLSON ROAD, FORRESTDAL AND
PROPOSED CHANGE OF USE – LOT 5 ROWLEY ROAD, FORRESTDAL***

WARD : Forrest
FILE REF : A000947
DATE : 26 July 2002
REF : PRR
RESPONSIBLE : Acting PSM
MANAGER
APPLICANT : Liase Pty Ltd
LAND OWNER : Liase Pty Ltd
SUBJECT LAND : Property size 4.5657ha
Map 17.40
ZONING : Rural / General Rural
MRS/TPS No.2

In Brief:-

- Council is in receipt of a request by Harvey Fresh Ltd for an additional access point into Lot 11 Nicholson Road for the purposes of access between Nicholson Road and Lot 5 Rowley Road and
- The application also includes a ‘Change of Use’ application for Lot 5 Rowley Road, from the ‘production of fruit juices’ to a ‘storage and distribution depot’.
- Recommend that Council approve the application for a ‘Change of Use’ and truck access on the respective lots in question, subject to appropriate Conditions.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Development – “To balance the need of development with sustainable economic, social and environmental objectives”.

Legislation Implications

Town Planning and Development Act 1928
Metropolitan Region Scheme Act 1959
Environmental Protection Act 1986
Town Planning Scheme No.2

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Nil.

Consultation

- ◆ Development Control Unit
- ◆ Council's Technical Services Directorate
- ◆ Surrounding Landowners
- ◆ Main Roads Western Australia Transport Section
- ◆ Department for Planning and Infrastructure (Strategic Transport Planning branch)

BACKGROUND

In September 1998, the Council conditionally approved an application made by Country Fresh Fruit Juices for the use of the existing buildings on Lot 5 Rowley Road, Forrestdale for the production of fruit juices (D418/98).

In late 2001 and early 2002 the Council considered a request for support from Harvey Fresh Ltd for a truck and trailer permit application to Main Roads Western Australia (MRWA) relating to Rowley Road between Nicholson Road and Harvey Fresh premises at Lot 5 Rowley Road.

At its Ordinary Meeting held on the 5th March 2002, Council resolved (T21/02) as follows:

“That Council give temporary consent, up to the 31st March 2003, to the permit application by Harvey Fresh Ltd with this being limited to:

- ◆ *One permit vehicle up to 27.5m length return trip daily between the hours of midnight and 07:00am;*
- ◆ *Main Roads undertaking that this temporary consent will not be extended or similar consent granted for other permit vehicles to use the road without Council consultation and consent; and*
- ◆ *Harvey Fresh Ltd be responsible for any damage to the Rowley Road pavement, particularly at the Nicholson Road intersection and access to Lot 5 (number 747) Rowley Road.”*

Subsequent to Recommendation T21/02 above Harvey Fresh Ltd made application to MRWA for a permit. Upon consideration of the application, MRWA declined to issue a permit to Harvey Fresh Ltd on the basis of levels of safety at the intersection of Nicholson Road and Rowley Road.

DETAILS OF PROPOSAL

Harvey Fresh Ltd has now purchased Lot 11 Nicholson Road, which shares a common boundary with Lot 5 Rowley Road. Council is in receipt of a request by Harvey Fresh Ltd for an additional access point into Lot 11 Nicholson Road for the purposes of the construction of an access way from Nicholson Road to Lot 5 Rowley Road to accommodate 'B-Double' semi-trailers, which are 27.5m long. The applicant intendeds that 3 B-Doubles will use the truck access each day between the hours of 3.00am and 5.00am.

Incorporated in this proposal is an application for a Change of Use on Lot 5 Rowley Road from the production of fruit juice to a storage and distribution depot. The details of the change of use involve the following:

- ◆ Products to be stored are milk and juice products.
- ◆ 10 employees on site.
- ◆ Operating 5 and a half days a week.
- ◆ Working hours being from 3.00am to 2.00pm as follows:
 - Semi-trailers would arrive between 3.00am and 4.00am and leave by 5.00am.
 - Redistribution would then take place until 2.00pm.
- ◆ Maximum of 3 licenced semi-trailers to bring goods from Harvey.
- ◆ 6 small delivery trucks to redistribute goods from site.

COMMENT

External Comments and Advice

The truck access aspect of the application was advertised to surrounding landowners for a period of two weeks. A total of five submissions were received, consisting of three objections, one letter of no objection, and one letter conditionally supporting the proposal. Advice was also sought from the Department for Planning and Infrastructure's (DPI) Strategic Transport Planning branch. The issues raised are addressed in the analysis section.

ANALYSIS

Submissions

The comments raised in the five submissions from surrounding landowners and also those received from the DPI are analysed below:

	Statement	No. Submitters holding this view
1	<p><i>Proposal could cause a dangerous situation for north and southbound traffic.</i></p> <p>In the event of an approval being given, the proposal will be obliged to meet the standards required by Main Roads Western Australia and AUSTRROADS.</p>	2
2	<p><i>The Rowley Road intersection would be a safer alternative.</i></p> <p>This option has already been investigated and refused by Main Roads Western Australia on safety grounds.</p>	1

	Statement	No. Submitters holding this view
3	<p><i>Dangerous for children as existing fencing does not restrict access to Lot 11.</i></p> <p>The property fencing on the common boundaries of Lot 11 and surrounding properties consists of open rural fencing, which is identical to that between rural properties in the vicinity and Nicholson Road. Given that Nicholson Road poses a far greater traffic hazard than the proposed land use, it is considered onerous to impose fencing standards that are specific to Lot 11 and in excess of established requirements.</p>	1
4	<p><i>The access way should have an entry and exit lane if approved.</i></p> <p>See comment for 1.</p>	1
5	<p><i>Concern that commercial access may devalue surrounding properties.</i></p> <p>This argument is not supported by evidence to provide a planning basis for refusal.</p>	1
6	<p><i>The line of trees along the northern property boundary should be retained in the event of any approval.</i></p> <p>This statement is noted and it is agreed that this would be appropriate</p>	1
7	<p><i>Concern for noise levels caused by any trucks / Concern for the impact on the amenity of the area, including the number of trucks and the hours of operation.</i></p> <p>The applicant has indicated that there are 3 licenced trucks used by the company and that all or none of these trucks could arrive and leave between 3am and 5am on a working day. The nearest residence to the proposal lies approximately 60m to the north and it is noted that the distance from the residence in question to Nicholson Road is approximately 50m, as the attached plan demonstrates. Given that the proposal is further away from the residence than Nicholson Road, and there is sufficient room to relocate the truck access further south should Council consider it necessary, it seems reasonable to suggest that noise should not be a major issue.</p> <p>Notwithstanding this, Clause 5.1.1.iv(e) (with reference to Clause 5.2.3) of Town Planning Scheme No.2 states that “<i>noise created by any vehicle will not exceed the standards for the relevant area set out in the ‘Noise Provisions of the Environmental Protection Act 1986’</i>”. Truck operations are therefore obliged to be undertaken within acceptable noise limits.</p>	3
9	<p><i>Dust from the unsealed access way would be a problem / The access way should be sealed if approved to reduce dust.</i></p> <p>In the event of any approval, the access way should be sealed to negate potential impact from dust.</p>	2

To determine the standard to which any entry to Lot 11 Nicholson Road should be constructed, MRWA was consulted. In response, Council was forwarded a copy of the *Guidelines for Assessing the Suitability of Routes for Multi-Combination Vehicles* (Draft 2A April 2002). The applicant engaged a Consulting Civil Engineer (Klyne Consultants) who have prepared plans in accordance with these guidelines.

A submission was also received from the DPI's Strategic Transport Planning branch, outlining that the Department is prepared to support the proposal, subject to the crossover being constructed in accordance with the relevant engineering standards given the specific access needs and relatively wide separation distances between crossovers.

Change of Use on Lot 5 Rowley Road

On a site inspection on 30 July 2002, it was found that Harvey Fresh Ltd was operating beyond the scope of Council's approval with regard to Lot 5 Rowley Road. Rather than producing their product at Lot 5, Harvey Fresh Ltd undertakes production elsewhere and transports it in small trucks to Lot 5 for storage and further distribution, with hopes of utilising the larger B-Doubles to improve economies of scale. Therefore, details with regard to the current operations on Lot 5 were requested in the form of a 'Change of Use' application.

It should be noted that this proposal is very similar to that of a 'Milk Depot', which is a 'P' use in the 'General Rural' zone under Town Planning Scheme No.2. The definition of a 'Milk Depot' encompasses a "*premises to which milk and by products are delivered for distribution by vendors to consumers but in which milk is not processed or pasteurised.*" Given that Harvey Fresh Ltd have included milk in their list of products to be stored and distributed, it seems appropriate to consider the proposal under this definition, with the use of the semi-trailers the subject of this item to Council.

Technical Services Comments

Harvey Fresh Ltd already have MRWA permits to operate their vehicles on Nicholson Road adjacent to Lot 11, therefore the provision of a separate point of access for these vehicles into and out of Lot 11 requires consideration in terms of traffic impact and safety. Approval from MRWA is not required.

Klyne Consultants assessed traffic impact and safety issues in line with MRWA guidelines and standards and made appropriate recommendations. Relevant conclusions and recommendations extracted from the Consultant's report are provided below:

"The turning movements for Road Trains into and out of the driveway from Nicholson Road can be safely negotiated. Sealing of the shoulder on the west side of Nicholson Road is recommended".

"The traffic generated by the proposed development of the Transport Depot on Lot 5 Rowley Road being serviced via a driveway off Nicholson Road will not lower the levels of service (LOS) for the section of Nicholson Road. The available sight distance to oncoming traffic on Nicholson Road exceeds that specified in Table 1 of MRWA "Guidelines to the Geometric Design of Driveways" for northbound traffic. While the "absolute" minimum sight distance is available for southbound traffic, the removal of the Banksia trees in the road verge will substantially improve the sight distance from the driveway to the north."

It should be noted that this section of Nicholson Road, and thereby the bus embayment opposite Lot 11, is not on a Transperth bus route but the property is on two school bus routes servicing both Forrestdale Primary School and Armadale High School.

As such, Council's Technical Services Department have no objection to the access being approved, subject to conditions being imposed requiring the funding and construction of the access, and removal of the trees in the sight line.

Council's Rural Strategy

Whilst the report by Klyne Consultants lists the removal of Banksia trees on the verge of Nicholson Road to the north of Lot 11 would substantially improve sight lines, it also states that the minimum sight distance can be achieved without their removal. Council's Rural Strategy lists Nicholson Road as a Secondary Landscape Quality Area, and as such, further investigation should be conducted in consultation with the applicant to ascertain whether the removal of the Banksia trees is desirable or not. Retention of the trees would be the preferred option in this instance.

Impact on Amenity

As outlined in the Submissions section of this report, concerns are held by surrounding neighbours in relation to the proposal. Provided that:

- ◆ The noise from the trucks is within the limits prescribed by the "Noise Provisions of the Environmental Protection Act 1986";
- ◆ The truck access is sealed to eliminate dust;
- ◆ Investigation is conducted into the necessity of the removal of the Banksia trees; and,
- ◆ The trees along the northern boundary of Lot 11 are retained,

there is no objection to Harvey Fresh Ltd utilising Lot 11 for truck access to Lot 5 Rowley Road. Council is reminded that there is sufficient room to move the access to the south (keeping in mind Main Roads WA's advice with regard to crossover separation) should it be felt necessary.

OPTIONS

Option 1- Council could approve the application for a 'Change of Use' on Lot 5 Rowley Road, Forrestdale, and a truck access on Lot 11 Nicholson Road, Forrestdale. Conditions appropriate with regard to construction of the access include: investigation being conducted with regard to the removal of the Banksia trees noted in Klyne Consultants report, noise limitations as per the Environmental Protection Act 1986, sealing of the access, and retention of existing vegetation on the northern boundary.

Option 2 - Council could refuse the truck access component on Lot 11 Nicholson Road, Forrestdale, should concerns still be held with regard to the access and its subsequent impact on the amenity of the surrounding area, but approve the change of use component on Lot 5 Rowley Road, Forrestdale subject to the semi-trailers not being used.

CONCLUSION

The 'Change of Use' on Lot 5 Rowley Road is to a use that is classified as a 'P' (permitted) use under Town Planning Scheme No.2. It is considered that the proposal presents no planning issues of concern.

With regard to the truck access on Lot 11 Nicholson Road, the issues of concern that were raised included noise and safety. On balance, both these aspects appear to be manageable. As outlined, the access would have to comply with the relevant guidelines in terms of safety, and the issue of noise seems to be manageable within acceptable limits, given that the nearest residence is closer to Nicholson Road than the proposed access.

It is therefore recommended that Council approve the application for the 'Change of Use' and truck access subject to conditions to address the areas of contention identified in accordance with Option 1.

D130/02 RECOMMEND

1. **That Council approve the application for a Change of Use on Lot 5 Rowley Road, Forrestdale, from the 'use of existing building for the production of fruit juices' to a 'storage and distribution depot'.**
2. **That Council approve the application for a truck entrance on Lot 11 Nicholson Road, subject to the following principal requirements:**
 - ♦ **That Harvey Fresh Ltd fund and arrange for Council to construct the works, as detailed in Plan No.KC-02-466, provided in the Klyne Consultants report subject to Council standards and specifications.**
 - ♦ **Retention of the trees along the northern boundary of Lot 11, with any construction of the access and connecting driveway being undertaken in a manner to prevent unduly stressing the trees ie. construction work to remain outside and to the south of the tree canopy drip line.**
 - ♦ **An assessment of the Banksia trees situated in the eastern verge approximately 60 metres to the north of the proposed access point and detailed on Photograph No.6 provided in the Klyne Consultants report is to be undertaken, to determine necessary sight distance and whether removal of trees can be avoided.**
 - ♦ **That the access and connecting driveway are to be sealed to negate potential impact from dust nuisance.**
3. **That the applicant be advised that compliance with the "Noise Provisions of the Environmental Protection Act 1986" is required.**

MOVED Cr Hodges
MOTION CARRIED (7/0)

***PROPOSED ADDITION TO EXISTING GARAGE –
LOT 157 (No.2) LYREBIRD LOOP, ARMADALE***

WARD : SEVILLE
FILE REF : A189686
DATE : 1 August 2002
REF : IT
RESPONSIBLE : BSM
MANAGER

In Brief:-

- Proposal to extend an existing 34m² metal garage by adding a 42m² addition.
- Recommendation for refusal on the basis that the proposed development will have an adverse impact on the streetscape and the amenity of adjacent properties.

APPLICANT : Concept Carpentry
LANDOWNER : Mr S Street
SUBJECT LAND : Lot 157 (No.2) Lyrebird Loop, Armadale
Property size 702 m²; Map 21-04
ZONING
MRS / TPS No.2 : Residential

Tabled Items

Plans submitted with the Building Licence Application.

Officer Interest Declaration

Nil.

Strategic Implications

To maintain the City of Armadale as a place where the average family can enjoy a good lifestyle.

Legislation Implications

Local Government (Miscellaneous Provisions) Act 1960
Building Regulations 1989

Council Policy / Local Law Implications

Policy 4.5.20 “Outbuildings in Residential and Rural Areas”

Budget / Financial Implications

Nil.

Consultation

Adjacent residents affected by the proposal.

DETAILS OF PROPOSAL

The applicant proposes to extend an existing 34m² garage outbuilding by adding 42m² by way of a Colorbond structure of a similar design to the existing building.

COMMENT

The proposed floor area of the building of 76m² exceeds the maximum floor areas contemplated by Council's Policy 4.5.20 "Outbuildings in Residential and Rural Areas" which prescribes a maximum area of 54m² on a lot of 702m², without Council's specific approval.

Comments were received from adjacent landowners expressing a concern that a larger outbuilding on the applicant's lot would increase noise levels allegedly arising from motor vehicle repair activities currently occurring on the lot.

Options

- Option 1 - Refuse the application on the basis that it will have an adverse impact on the adjacent properties.
- Option 2 - Approve the application.

CONCLUSION

Officers have visited the site and believe that the proposed structure would have an adverse impact on adjacent properties because of building bulk issues and the significant wall length proposed facing the adjoining property. It is therefore recommended that Option 1 be considered.

It is considered that a garage size conforming to the maximum outbuilding policy size of 54m² would be more compatible with the residential surrounds.

D131/02 RECOMMEND

That the application by Concept Carpentry on behalf of Mr Street to extend an existing garage outbuilding on Lot 157 (No.2) Lyrebird Loop, Armadale be refused because of the likely adverse impact on the adjacent properties of the extended structure.

MOVED Cr Everts
MOTION CARRIED (7/0)

Cr Hopper left the meeting at 7.20pm.

COUNCILLORS' ITEMS

Nil.

***ANNUAL REPORT OF LOCAL GOVERNMENT TO THE EXECUTIVE DIRECTOR,
PUBLIC HEALTH***

WARD : All
FILE REF : HLT/1
DATE : 25 July 2002
REF : PM
RESPONSIBLE : HSM
MANAGER

In Brief:-

- Section 38 of the Health Act 1911 requires each local government to report annually to the Executive Director, Public Health (EDPH) on health conditions within its district.
- The EDPH has indicated his preference that the report should be to the local government's approved Environmental Health Plan.
- Recommendation that Report prepared by HSM be endorsed by Council and forwarded to the EDPH.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Through the relationship of the Annual Report to the *City of Armadale Environmental Health Plan*, has relevance to the Strategic Plan in a number of areas, including:

1. *Social Infrastructure*

- ♦ To have in place the range of services to enhance the well being and safety of the community; and
- ♦ To encourage community participation and responsibility;

2. *Communication*

- ♦ To achieve dialogue with the community to have a clear understanding of its needs and expectations;

3. *Corporate*

- ♦ Involve staff in creating a working environment characterised by teamwork and self-empowerment.

Legislation Implications

Report is required by Section 38 of the *Health Act 1911*.

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Nil.

Consultation

Reflects ongoing consultation throughout the year with the Executive Director and Environmental Health Officers, as well as summarising monthly reports to Council during that period.

BACKGROUND

The *Health Act 1911* requires local governments to provide an annual report to the Executive Director, Public Health in February each year on the health conditions within their districts.

The Executive Director has determined, however, that a variation to this procedure would apply in the case of those local governments which have adopted Environmental Health Plans approved by him in that the reporting period should be the financial year, rather than the calendar year as previously.

A Report to the City's Environmental Health Plan, addressing all program areas, has been prepared and a copy is *at Attachment "A1" of the Minutes*.

CONCLUSION

Report as attached should be endorsed and forwarded to the Executive Director, Public Health.

D132/02 RECOMMEND

That the Report to the City of Armadale's Environmental Health Plan for the Period 1 July 2001 to 30 June 2002, as presented at *Attachment "A1" to the Minutes*, be endorsed by Council and a copy be forwarded to the Executive Director, Public Health.

MOVED Cr Zelones
MOTION CARRIED (7/0)

BROOKDALE LIQUID WASTE TREATMENT FACILITY

WARD : ALL
FILE REF : A61266
DATE : 26 July 2002
REF : PM
RESPONSIBLE : HSM
MANAGER

In brief:-

- All hazardous wastes have now been removed from the Brookdale Liquid Waste Treatment Facility..
- Recommendation that a letter be forwarded to the Minister for the Environment acknowledging completion of the “hazardous waste” phase; and
- Enquiring as to whether there has been any further consideration given to the Facility’s long term future

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Potential for impact upon land use planning and development as well as social amenity in the locality of the Facility.

Legislation Implications

Facility is licensed under the provisions of the *Environmental Protection Act 1986*.

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Nil.

Consultation

Consultation with all Directorates in formulation of the City’s response to the (Consultative Environmental Review) CER and Supplementary Report.

Subsequent discussion with - Department of Environmental Protection and Brookdale Waste Management Stakeholder Reference Committee.

BACKGROUND

Following Council's response to the CER document and preparation of its Supplementary Report in September last year, a joint statement was issued by the Minister for the Environment and the Minister for Planning and Infrastructure late in December to the effect that receipt and handling of hazardous wastes at the Brookdale Liquid Waste Treatment Facility would cease by 30th June 2002.

The Minister for the Environment was requested by letter dated 7th January 2002 to, among other things, provide a firm time frame for the staged cessation of receipt and handling of hazardous wastes. In the same letter, it was pointed out that the Acting Director of the (then) Office of Waste Management had advised in writing that:

- ◆ the Facility would revert solely to Government control in 2002, following expiration of the then current contracts;
- ◆ because projections suggested a significant reduction in the volume of septage delivered by the end of the contract period, it was likely that the septage plant would either close or require substantial modification;
- ◆ population increases would put increasing pressure on the buffer zone around the site; and
- ◆ as a consequence, it was possible the Government would opt to close the plant at the end of the current contract.

In light of this, the Minister was asked whether:

- ◆ septage volume was in the order of that anticipated in 1994; and
- ◆ closure was anticipated this year (2002), and if not when it was anticipated that relocation of the Facility in its entirety would occur.

The Minister's reply, received on 21st January, included:

"Whilst the LWTF will continue to treat biological and non-hazardous wastes past 30th June 2002, the State is considering the future of the facility given the development proposed for the area. Once a decision has been made with regard to this issue, I will ensure that the City of Armadale and the community are advised."

As Committee is aware, there have been a number of "milestone" audits of progress towards achievement of the Ministerial commitment undertaken by officers of the Departments of Environmental Protection (DEP) and Minerals & Energy, and the Health Services Manager has attended as an observer, together with a community representative. The last such audit took place on Monday 1st July, and found all hazardous wastes to be removed from the site. DEP regulatory officers will keep the site under close surveillance in coming weeks to be certain that no more hazardous wastes are allowed to enter.

It should be noted, however, that some acids and alkalis beyond the pH range 2 – 12.5 (which are regarded as hazardous materials) are held on site as reagents to treat certain wastes received, and holding of them for this purpose is within the terms of the licence conditions.

COMMENT

Analysis

Given that the commitment to cease receipt, holding and handling of hazardous wastes has now been honoured, and in light of advice previously received from the Office of Waste Management, as well as impending development in the immediate vicinity, particularly the golf course and Forrestdale Business Park, it is considered timely to again approach the Minister with regard to the future of the site.

Council clearly signalled within its CER response that it believed that the long term operation of the Facility was not consistent with planning for the area and would be likely to prejudice future development. The Minister seems to have tacitly acknowledged this in her January letter.

Options

Council may prefer to take no further action at this stage and wait and see whether there is any further unsolicited advice from the Minister.

CONCLUSION

On balance, it is considered appropriate to forward a letter to the Minister on completion of the "hazardous waste" phase, and so it would seem an opportune time to further pursue the future of the Facility.

D133/02

RECOMMEND

That a letter be forwarded to the Minister for the Environment;

- ♦ **acknowledging cessation of receipt and handling of hazardous wastes at the Brookdale Liquid Waste Treatment Facility;**
- ♦ **reiterating Council's belief that the location of the facility is not consistent with planning for the area; and**
- ♦ **enquiring whether there has been any consideration given to the Facility's future further to the Minister's January letter.**

MOVED Cr Zelones
MOTION CARRIED (7/0)

ALCOHOL POLICY

WARD : ALL
FILE REF : HLT/10
DATE : 26 July 2002
REF : PM
RESPONSIBLE : HSM
MANAGER

In Brief:-

- Council's Alcohol Policy is considered to need some rewording in order to improve its workability and effectiveness.
- Recommendation for amendments which will:
 1. allow comment to the Director of Liquor Licensing with respect to Occasional Licence applications to be dealt with administratively; and
 2. impose obligations similar to those applying to licensees upon organisers of functions in Council's buildings where alcohol is consumed but not sold.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Strategic Plan: Aim – to encourage community participation and responsibility;
Indicator of success – levels of safety and well being.

Legislation Implications

Policy has a relationship to the *Liquor Licensing Act 1988*.

Council Policy / Local Law Implications

Recommended Policy modification.

Budget / Financial Implications

Nil.

Consultation

Nil.

BACKGROUND

Council adopted its Alcohol Policy at its meeting of 18th September 2000. Since that time, it has been noted that there are shortcomings in its wording that in one case prevent its strict application and in the other cause it to fail to apply Council's perceived intent.

COMMENT

Analysis

Sub clause 5.2 of the Policy requires that Club, Club Restricted, Occasional or Extended Trading Licences referred to Council for comment by the Director of Liquor Licensing will be assessed by Council's Health Department and referred to Development Services Committee with a recommendation for a response to the Director of Liquor Licensing. The full text of the sub clause is:

5.2 Liquor Licence Applications: All applications for Club, Club Restricted, Occasional or Extended Trading Licences referred to Council for comment by the Director of Liquor Licensing will be assessed by Council's Health Department. The assessment:

5.2.1 will take into account the nature of the application and known history of the facility (if applicable) with respect to noise, vandalism, anti-social behaviour and other sources of complaint from neighbouring householders relevant to the application;

5.2.2 will include consultation with the Cannington District Police Service, Ward Councillors and, in the case of Club, Club Restricted or Extended Trading applications, residents who may be affected;

5.2.3 may (and, when the application involves a Council owned building, will) include a request to the applicant to provide a House Management Plan in support of his or her application;

5.2.4 may include discussion of relevant issues with the applicant to determine appropriate management strategies; and

5.2.5 will form the basis of a report and recommendation to the Development Services Committee that the Director of Liquor Licensing be advised that Council believes:

- ◆ the application should be approved subject to appropriate conditions being included on the licence; or*
- ◆ the application should be refused where it is considered public health and safety is at risk.*

The difficulty in this case is that applications for Occasional Licences (one off events) typically occur only a few weeks before the event and in most cases comments will be sought from the City within an insufficient time frame for referral to Committee.

The other sub clause in question is 5.3, which reads:

5.3 Council Owned or Controlled Facilities: While it is not intended to totally prohibit consumption of alcohol on reserves or public open spaces under its control, Council encourages the running of alcohol free events at these venues as a matter of preference.

Further, Council expects that clubs or other organizations leasing, renting or otherwise having use of Council's buildings or reserves will exercise responsibility for the safety and comfort of people using the facility and, where a Liquor Licence is held, ensuring that alcohol is served in an appropriate manner.

5.3.1 Licensee's Responsibilities: The licensee must ensure that:

- 5.3.1.1 all persons serving alcohol are over 18 years of age;*
- 5.3.1.2 no person under the age of 18 years is allowed to purchase or consume alcohol on the premises;*
- 5.3.1.3 alcohol is not knowingly sold to a person who is intoxicated;*
- 5.3.1.4 alcohol is not knowingly sold to an adult for consumption by a person under the age of 18 years;*
- 5.3.1.5 as far as is within his or her power to control, members and their guests behave in a socially responsible manner;*
- 5.3.1.6 alcohol is not served later than midnight, except where Council and the Director of Liquor Licensing have issued approval for a specific extraordinary function with a later finishing time;*
- 5.3.1.7 if the premises are sub let, an Occasional Licence is obtained if it is intended that alcohol be sold at a function; and*
- 5.3.1.8 if any variation to an existing Liquor Licence is sought provide Council with a House Management Plan in support of that application.*

It is understood that Council would wish its position with respect to responsible alcohol consumption in buildings it owns to be made clear not only to Licensees but also to persons hiring buildings for one off functions such as birthday parties and so forth.

Amendment of the Clauses in the first instance to allow comments on Occasional Licence applications to be dealt with administratively and in the second instance to place similar obligations upon non licensed persons and organizations as those that apply to licensees will make the Policy more workable and effective.

Options

Council may choose whether or not to amend the Policy, but leaving it in its present form means that Clause 5.2 is in many cases, with respect to Occasional Licence applications, unworkable and that Clause 5.3 has no application to functions where alcohol is consumed but not sold.

CONCLUSION

On balance it is considered that Council's perceived intent would be best met by amendment in the manner indicated below.

Committee was of the view that it would be desirable for elements of Policy to be picked up by local laws, as resolved by Council some time ago, so that where necessary, enforcement by Council officers is possible. It was also suggested that a “tiered” system, facilitating the charging of higher bonds for certain types of functions, may be effective in reducing damage.

Officers undertook to research the background in order to progress the local law issue and to pass on comments related to bonds to Technical Services Directorate Officers.

D134/02 RECOMMEND

- 1. That sub clause 5.2 of Council’s Alcohol Policy be amended by deletion of the word “and” following paragraph 5.2.4 and deletion of paragraph 5.2.5 and substitution of the following:**

5.2.5 in the case of applications for Club, Club Restricted, or Extended Trading Licences, will form the basis of a report and recommendation to the Development Services Committee that the Director of Liquor Licensing be advised that Council believes:

- ♦ the application should be approved subject to appropriate conditions being included on the licence; or
- ♦ the application should be refused where it is considered public health and safety is at risk or there is a history, or sound reasons for believing there is likelihood, of public nuisance;

5.2.6 in the case of applications for Occasional Licences, will form the basis of a recommendation to the Director of Liquor Licensing by the Health Services Manager or person acting in that position that:

- ♦ the application should be approved subject to appropriate conditions being included on the licence; or
- ♦ the application should be refused where it is considered public health and safety is at risk or there is sound reasons for believing there is likelihood of public nuisance.

- 2. That sub clause 5.3 of Council’s Alcohol Policy be amended by deletion of all of the sub clause up to and including 5.3.1.8 and its substitution with the following:**

5.3 Council Owned or Controlled Facilities: While it is not intended to totally prohibit consumption of alcohol on reserves or public open spaces under its control, Council encourages the running of alcohol free events at these venues as a matter of preference.

Further, Council expects that clubs, other organizations or persons leasing, renting or otherwise having use of Council's buildings or reserves will exercise responsibility for the safety and comfort of people using the facility and, where a Liquor Licence is held, ensuring that alcohol is served in an appropriate manner.

5.3.1 Responsibilities: The licensee, or, in the case of an event where there is no sale of alcohol, the person or organization who or which has hired the facility from Council, must ensure that:

- 5.3.1.1 all persons serving alcohol are over 18 years of age;**
- 5.3.1.2 no person under the age of 18 years is allowed to purchase or consume alcohol on the premises;**
- 5.3.1.3 alcohol is not knowingly sold or served to a person who is intoxicated;**
- 5.3.1.4 alcohol is not knowingly sold or otherwise provided to an adult for consumption by a person under the age of 18 years;**
- 5.3.1.5 as far as is within his, her or its power to control, members and their guests behave in a socially responsible manner;**
- 5.3.1.6 alcohol is not served later than midnight, except where Council and, in the case of licensed premises, the Director of Liquor Licensing, has or have issued approval for a specific extraordinary function with a later finishing time;**
- 5.3.1.7 if the premises are sub let, an Occasional Licence is obtained if it is intended that alcohol be sold at a function; and**
- 5.3.1.8 if any variation to an existing Liquor Licence is sought provide Council with a House Management Plan in support of that application.**

3. That Council's Policy Manual be amended accordingly.

MOVED Cr Zelones
MOTION CARRIED (7/0)

Cr Hopper returned to the meeting at 7.30pm.

OVERDUE LICENCE AND REGISTRATION FEES

WARD : ALL
FILE REF : HLT/17
DATE : 1 August 2002
REF : IW
RESPONSIBLE : HSM
MANAGER

In Brief:

- Sixteen food premises have not renewed their eating house licence and registration which was due on 30 June 2002.
- Recommendation that legal action be instigated against the proprietors for operating an eating house without a current licence and registration if renewals have not been effected by 31st August 2002.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Nil.

Legislation Implications

The *Health Act 1911* requires all eating houses to be registered and the proprietors licensed with the Local Government on an annual basis.

Council Policy / Local Law Implications

Operation of an eating house without a current licence and registration constitutes an offence under the City Of Armadale Local Laws 2002, Clause 74.

Budget / Financial Implications

\$5,760 of budgeted income for the 2002– 2003 financial year is outstanding.

Consultation

Nil

BACKGROUND

Renewals of licences and registrations of food premises were due on 30th June 2002. The Health Act provides that proprietors have until 31st July 2002 to pay their fees before they are in breach of the Act by operating food premises without the appropriate licence and registration.

As of 2nd August 2002, sixteen premises have not renewed their licences and registrations. Reminder letters have been sent out advising of the possibility of legal action if the fees are not paid and the premises continue to operate.

COMMENT

Analysis

There has been no response to the reminder letters indicating any mitigating circumstances for those who have not paid their fees.

Options

Council has a responsibility for implementing the requirements of the Health Act within its district, and so has little option other than legal recourse in the event of premises continuing to operate without the appropriate licence and registration.

CONCLUSION

It is considered that, following the issue of a further reminder, if due payment is not received by 31st August 2002 legal action should be instigated.

Committee requested that, for purpose of members determining whether they had any conflict of interest, a list of businesses for which registration or licence fees were overdue be submitted as a "Confidential Attachment" to the Minutes for the Council meeting (refer to Attachment "B1" of the Minutes).

D135/02 RECOMMEND

That all proprietors of food premises who have not paid current licence and registration fees be advised that, if those fees are not paid by 31st August 2002, legal action will be instigated against them.

MOVED Cr Stubbs
MOTION CARRIED (7/0)

COUNCILLORS' ITEMS

Nil.

***PROPOSED REZONING OF LOTS 14 & 79 CHURCH AVENUE, ARMADALE
FROM “OFFICE” TO “SHOPPING”***

WARD : ARMADALE
FILE REF : A15994
DATE : 2 August 2002
REF : SG
RESPONSIBLE MANAGER : Acting PSM
APPLICANT : Dykstra & Associates
SUBJECT LAND : Lots 14 & 79 Church Ave,
Armadale
Property size 3184m² (after
amalgamation); Map - 23.03
ZONING : Central City Area /
MRS/TPS No.3 Office

In Brief:-

- Proposal to rezone two adjoining properties to “Shopping” to accommodate shopping / showroom uses.
- Property affected by a possible new road indicated in the Enquiry by Design report.
- Armadale Redevelopment Authority advises proposal is premature and may inhibit future planning of the City Centre area.
- Recommend that initiation be declined.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Development - “to balance the needs of development with sustainable economic, social and environmental objectives”

Legislation Implications

Town Planning and Development Act 1928
Armadale Redevelopment Act 2001
Town Planning Scheme No.3

Council Policy / Local Law Implications

Nil

Budget / Financial Implications

Should a new road be required as indicated in the Enquiry by Design Outcomes Report, funding outcomes would be subject to negotiations with the Armadale Redevelopment Authority.

Consultation

- ◆ Technical Services Directorate.
- ◆ Development Control Unit.
- ◆ Armadale Redevelopment Authority (ARA)

DETAILS OF PROPOSAL

The applicant proposes rezoning of Lots 14 & 79 Church Avenue, Armadale from “Office” to “Shopping” to enable the development of shop / showroom uses on the land. An Indicative Development Plan demonstrates how development could be accommodated on the site.

COMMENT

Town Planning Scheme No.3 (TPS No.3) provisions

Lots 14 and 79 Church Avenue are currently zoned “Office” under TPS No.3. The uses preferred for the site by the current owner are “Shop”, “Showroom” and “Warehouse”. Under the current zoning, “Shop” is an “Incidental” use and “Showroom” and Warehouse” are not permitted.

Enquiry by Design Workshop

The Enquiry by Design (EBD) plan indicates a possible road linkage from South Western Highway to Jull Street, affecting the eastern portion of Lot 79, to improve permeability through the Armadale Town Centre. The applicant argues that the proposed rezoning would not compromise the ability to achieve the road linkage. The EBD report states that “with appropriate development on each side of the new street, the street would provide a convenient cross route through the current oversized street block”. Development could potentially front the new street, as opposed to the current access from Church Avenue.

Comments from the Armadale Redevelopment Authority (ARA)

The ARA provided the following comments on the rezoning proposal:

“The EBD outcomes were...non-binding and it is certainly not the authority’s intention or expectation that all development activity within the Redevelopment Area should be suspended pending the preparation of the Authority’s own Concept Plan and Redevelopment Scheme.

However, in this instance, the location and nature of the rezoning proposal is such that its initiation at this time could have a significant impact on other opportunities for the city centre area in general and this location in particular. An appropriate outcome for the subject land is also linked to the wider issue of possible changes to the Armadale Shopping City development.

The Authority therefore shares the view (of the City) that while the uses contemplated for the subject land...may be generally appropriate to the location in the longer term, initiation of this rezoning would be premature at this time, particularly if it were to lead to development proposals such as that shown in the (Indicative Development Plan), which would inhibit the further exploration of other options that have the potential to be of considerable benefit to the functioning of the city centre.”

Analysis

Council should note that the preparation of a Redevelopment Scheme by the ARA is underway. This will include preparation of a Concept Plan which will indicate future planning for the City Centre area. At this stage, the proposal is considered premature until such time as the ARA has released its Concept Plan. It is therefore recommended that the rezoning is not initiated in order that future planning for the area is not compromised.

Options

Options for an alternative determination outcome to the recommendation provided by the ARA is not considered appropriate in this instance.

CONCLUSION

The application is premature at this stage and has the potential to compromise future planning of the City Centre area. It is therefore recommended that the rezoning request be declined.

D136/02 RECOMMEND

That Council decline the applicant's request to initiate a Scheme Amendment to Town Planning Scheme No.3, to rezone Lots 14 and 79 Church Avenue, Armadale from "Office" to "Shopping" for the following reason:

- ~~◆ — Initiation of the rezoning is premature at this time as it may inhibit the further exploration of planning options that have the potential to be of considerable benefit to the functioning of the city centre.~~**

Council resolved at its Ordinary Meeting on 19th August 2002 that Recommendation D136/02 (dot point) be amended to read as follows:-

- ◆ That the initiation of the rezoning is premature as it may inhibit the preparation of the redevelopment scheme by the Armadale Redevelopment Authority, which has the potential to be of considerable benefit to the City Centre.**

MOVED Cr Zelones
MOTION CARRIED (7/0)

***ARMADALE REDEVELOPMENT AUTHORITY –
INTERIM ARMADALE REDEVELOPMENT SCHEME***

WARD : KELMSCOTT,
ARMADALE,
WESTFIELD,
SEVILLE,
FORREST

FILE REF : PSC/38

DATE : 2 August 2002

REF : JR

RESPONSIBLE : Acting PSM
MANAGER

APPLICANT : Armadale Redevelopment
Authority

LAND OWNER : Various Public and
Private Landholders

SUBJECT : Central Armadale City
LAND Centre and various
outlying Sites

ZONING : Various Zones and
MRS/TPS No.2 Reserves

In Brief:-

- ARA have provided a six week period for the City to comment on an (interim) Redevelopment Scheme for the City Centre and the outlying discrete areas defined as the Redevelopment Area.
- The Redevelopment Scheme has the effect of extinguishing the existing Town Planning Scheme provisions and also of “triggering” the transfer of development control from the City to the ARA, in those areas defined as within the Redevelopment Area.
- Recommend that comments be submitted to ARA in respect to the draft Redevelopment Scheme and developing a protocol for continued liaison with the City in preparing the more detailed planning policies and provisions to be applied to specific project areas, through the Redevelopment Scheme.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Strategic Plan – Development

2. Promote the investment potential of Armadale as a Regional Centre

Legislation Implications

Armadale Redevelopment Act 2001

Town Planning and Development Act 1928

Metropolitan Region Scheme Act 1959 and MRS

Council Policy / Local Law Implications

- ◆ Town Planning Scheme No.2;
- ◆ Town Planning Scheme No.3;
- ◆ Local Planning Policies, Municipal Heritage List.

The above Schemes and Policies will be extinguished by the Redevelopment Scheme insofar as they relate to the ARA areas of responsibility.

Budget / Financial Implications

Drainage contributions scheme and cash-in-lieu fund – arrangements need to be made with ARA for continuation of existing practices.

Following gazettal, income from development applications could be expected to be reduced as applicants will no longer be required to submit planning applications directly to the City, this function being performed by ARA.

Consultation

Executive Directors of Technical Services, and Community and Corporate Relations

BACKGROUND

At its meeting of April 2002 Council resolved to adopt a “Protocol” defining the relationship and liaison between the City and ARA, in the exercise of Town Planning and development control powers and functions for the period until the ARA assumes the full planning control powers provided for under the Armadale Redevelopment Act 2001.

This transfer of power to ARA will occur upon the gazettal of a Redevelopment Scheme by ARA. The ARA has therefore decided to seek input on a relatively simple “interim” Scheme, which will have the effect of transferring legal planning responsibilities from the City of Armadale (or in some cases the WAPC) to the ARA.

DETAILS OF PROPOSAL

The Armadale Redevelopment Act 2001 requires the ARA to submit a Redevelopment Scheme to the Minister “as soon as is practicable”. Accordingly the ARA proposes to prepare and adopt an interim Redevelopment Scheme to serve as the principal statutory instrument for the facilitation and regulation of development within the Redevelopment Area defined by its Act.

ARA is currently seeking the comments of the City on the draft interim Redevelopment Scheme. Following referral to the EPA for clearance to advertise it is intended that the Scheme will be advertised for public comment in a similar manner to any Town Planning Scheme or Amendment.

Principal Parts of the Interim Scheme

The Scheme consists of a Scheme Text and Scheme Map. The Text comprises the following parts:

- ◆ Part 1 “Preliminary” section explains its purposes and objectives of the Scheme.
- ◆ Part 2 “Development Approval” outlines the procedures for development approvals. These will be complemented by Regulations made under the Act and gazetted in parallel with the gazettal of the Scheme.
- ◆ Part 3 “Planning Policies and Design Guidelines” establishes procedures for adopting Planning Policies and Design Guidelines made under the Scheme. However, the preparation of such Policies is proposed to be deferred to a later stage when the Redevelopment Concept Plan is available, some firm planning directions have been defined for specific locations in the Scheme area. This will allow the main effort to be applied to putting the interim provisions in place in the first instance.
- ◆ Part 4 “Administration and Enforcement” contain the means by which ARA planning decisions will be mandatory and enforceable.
- ◆ Schedules 1 and 2 provide Scheme definitions and Notices
- ◆ Appendix 1 contains the Scheme Maps, which simply define the areas to which the Scheme applies, consistent with the Act (see Redevelopment Scheme Maps overleaf).

Operation of Interim Scheme

The draft interim Redevelopment Scheme contains basic provisions for effecting development control and Town Planning powers, including the receiving, assessing and determining of development applications within the redevelopment area. However it is initially proposed to contain no “Place-based” planning provisions, such as currently provided by the zoning provisions under the City’s TPS No.2 or No.3.

In the absence of “Place-based” planning provisions such as zones and policy areas, the interim Scheme will rely on a range of broad criteria which ARA will be required to have regard to, in guiding decisions made under the Scheme. These will include the following:

- ◆ consultations with the City (and any other relevant public authority),
- ◆ the provisions of any of the Town Planning Schemes that become repealed by the Gazettal of the Redevelopment Scheme - for example including the zoning and general provisions under TPS No.2 and No.3 and the MRS (ARA advises that the requirement to have regard to the current prevailing TPS No.2 and No.3 provisions will particularly provide continuity between the new Redevelopment Scheme and planning arrangements under the current Schemes No.2 and No.3),
- ◆ the “Planning and Development Control” and “Economic and Social Development” functions of ARA defined by sections 15 and 16 of the Act,

- ◆ the objectives of the Scheme,
- ◆ any “Planning Policies and Design Guidelines” made under the Scheme (these to be developed subsequently and will therefore not be in place in the first instance),
- ◆ the requirements for proper and orderly planning and the preservation of the amenities of the locality.

Consultations with the City

When gazetted, the interim Redevelopment Scheme will have the effect of replacing the existing Armadale Schemes in relation to the defined ARA Redevelopment Area. While the zoning provisions of TPS No.2 or No.3 will no longer apply in a statutory sense, the guidance they provide can continue to be applied by ARA who are required to continue to “have regard” to the former Scheme, and also in respect to the recommendations of the City on particular development applications referred for comment by ARA.

ARA may also consult at its discretion with any owner or occupier of any land where it considers a development may have a significant effect on the land.

Timeline for interim and final Redevelopment Scheme

ARA advises that the staged process proposed, which involves an interim Redevelopment Scheme can be implemented much sooner than a full and final Redevelopment Scheme would otherwise be. This is seen as being advantageous as it will allow the community to become familiarised with the development control processes of the ARA, at the earliest opportunity.

Gazettal of the interim Redevelopment Scheme is expected to take 6 months. The approximate timeframe suggested by the ARA correspondence is described in the following table:

Status	Approximate period	Statutory Planning Instrument	Decision-making Authority	Referral Agency
Six week preliminary consultation with City on interim Scheme	July 2002 to August 2002	TPS No.3 (City Centre) TPS No.2 (outlying ARA project areas)	City of Armadale/ WAPC	ARA
Finalise draft interim Scheme	September 2002	TPS No.3 (City Centre) TPS No.2 (outlying ARA project areas)	City of Armadale/ WAPC	ARA
Public comment period	November 2002 to December 2002	TPS No.3 (City Centre) TPS No.2 (outlying ARA project areas)	City of Armadale/ WAPC	ARA
Gazettal of Redevelopment Scheme (Interim)	Early 2003	Redevelopment Scheme (Interim)	ARA	City of Armadale

The preliminary comments of the City and WAPC have been requested within a six week period, the Act requiring the ARA to have regard to those comments in its preparation of a final draft for public comment.

Final Redevelopment Scheme

It is anticipated that the interim Redevelopment Scheme will be in operation as an interim Scheme for a period of 9 months, until the full Redevelopment Scheme is implemented. The preparation of a full Redevelopment Scheme is anticipated to be effected by introducing Amendments to the gazetted interim Scheme to provide “Place-based” planning provisions for the areas under its jurisdiction. The “Place-based” planning provisions of the full Redevelopment Scheme, will reflect and provide the statutory implementation mechanisms of the “Concept Plan”, which the Act also requires ARA to prepare.

Status	Approximate period	Statutory Planning Instrument	Decision-making Authority	Referral Agency
Gazettal of Redevelopment Scheme (Interim)	Early 2003	Redevelopment Scheme (Interim)	ARA	City of Armadale
Amendments (staged) to interim Scheme to introduce “Place-based” planning provisions		Redevelopment Scheme (Interim)	ARA	City of Armadale/ WAPC
Gazettal of Redevelopment Scheme (final)	End of 2003		ARA	City of Armadale/ WAPC

COMMENT

The interim Redevelopment Scheme is a further step in the transitional arrangements, resolved by Council in April 2002, in which the protocol for liaison and administration of Town Planning functions between the City and ARA is defined. Under the proposed interim Redevelopment Scheme the powers to make planning provisions and determine development applications, will pass from the City to the ARA. ARA is required to consult with the City and “have regard” to the City’s responses.

Status of TPS No.2 and No.3

TPS No.2 and No.3 will remain in force for the ARA areas until such time as the interim Redevelopment Scheme is gazetted (in early 2003). Following gazettal, the current Schemes become matter that ARA will be required to have regard to in its decision making. They can also function as a reference for the City’s recommendations in submissions to ARA in respect to development or planning proposals.

Issues to be Addressed

Issues that ARA needs to address include:

- ◆ Clarifying the process for the transition from the existing City Schemes to the Redevelopment Scheme in a manner which the general public can understand;
- ◆ Resolving a logical planning framework for the balance of the area not included in the ARA (RS) area and currently under the City's TPS No.3 (ie should the boundaries of the ARA area be revised?);
- ◆ Adopting measures to sustain (save) statutory continuity of existing TPS Regulatory and Infrastructure provisions including:
 - Municipal Heritage List (MHI) and provisions
 - Drainage Contributions for City Centre
 - Car Parking Cash-in lieu fund
 - Development Contributions Plan for the Forrestdale Industrial Business Park (and related Structure Plan and Planning Policy and Development Guidelines).
- ◆ Establishing a protocol which reciprocates present consultative procedures between the City and ARA;
- ◆ Establishing a clear protocol and opportunity for the City to participate and comment on ARA's proposed preparation of "Place-based" provisions and "Policies and Guidelines" for implementation under the second stage of the Redevelopment Scheme.

CONCLUSION

The above clarifications and protocols need to be resolved with ARA in respect to the draft Redevelopment Scheme for development control and planning in the Armadale City Centre and outlying ARA project sites. The City will have formal opportunity to provide further comments during the public submissions stage.

TPS No.2 and No.3 will be "replaced" by the interim Redevelopment Scheme insofar as they relate to the ARA areas of responsibility. However, ARA will continue to be required to take the currently existing Town Planning Scheme No.3 and No.2 provisions into consideration during the interim period (ie until the end of 2003), whereupon a complete set of new planning provisions and policies are anticipated to be put in place by ARA, under the proposed second stage of implementing the Redevelopment Scheme for the ARA areas.

The Redevelopment Scheme continues to provide for ARA to consult with the City for development control matters. Continuing consultation with the City also needs to be guaranteed for the subsequent step of preparing the final Scheme provisions.

D137/02 RECOMMEND

That Council:

- 1. Receive and note the draft interim Redevelopment Scheme for the Armadale Redevelopment Authority project areas defined by the Armadale Redevelopment Act (2001);**
- 2. Authorise the Executive Director Development Services to prepare a response to Armadale Redevelopment Authority in accordance with the tenor of the above report.**

MOVED Cr Zelones
MOTION CARRIED (7/0)

REF : SG
FILE : SUB/119585

CONTEMPLATED SUBDIVISION REFUSAL	WARD - KELMSCOTT
SUBDIVISION NO.	SUB/119585
LANDOWNER	N I Spencer & L Hirst
APPLICANT	Scanlan Surveys Pty Ltd
LOCATION	Lot 313 Adair Avenue, Mount Nasura
ZONE	Residential R2.5
STRATEGIC PLAN	Development – “to balance the needs of development with sustainable economic, social and environmental objectives.”
PROPOSAL	To subdivide the 8861m ² property into two battleaxe lots with effective lot areas of 4001m ² and 4377m ² respectively.
<i>PROPOSED RECOMMENDATION</i>	
<i>Refusal on the following grounds:-</i>	
<ol style="list-style-type: none"> 1. The proposed subdivision is inconsistent with the comprehensive subdivision design approved for the Mt Nasura area, which reflects site topography, landscape conservation, drainage and soil conditions. 2. The proposed battleaxe leg width of 1.5m per lot does not comply with the WAPC’s minimum 4m width for battleaxe legs and is insufficient for construction of a shared driveway and provision of services. 	
<i>Note to WAPC</i>	
<ul style="list-style-type: none"> ◆ With regard to 2 above, Lot 313 currently shares reciprocal rights of access with the adjoining Lot 314. The owner of Lot 314 does not consent to use of his battleaxe leg for the additional proposed lot and has submitted a written objection to the proposal on the basis that the existing shared driveway is incapable of sustaining additional traffic due to drainage problems and the site is constrained for building purposes by soil types, underground streams and stormwater runoff. ◆ Council previously recommended refusal of a similar subdivision proposal (WAPC 81454) on 18 April 1990 (D152/90). The then Department of Planning and Urban Development subsequently refused the application. The Minister dismissed the subsequent appeal (Minister Ref. AP 269/90). Council recommended refusal of an application for two strata lots (WAPC SS611-98) on 20 July 1998 (D310/98). The WAPC subsequently conditionally approved the strata application. 	

D138/02

RECOMMEND

That the proposed recommendation to refuse Subdivision Application No.119585 be adopted.

MOVED Cr Zelones
MOTION CARRIED (7/0)

***PROPOSED SEVEN GROUPED DWELLINGS –
LOT 106 SIXTH ROAD (CNR DEVONSHIRE TERRACE), ARMADALE***

WARD : ARMADALE
FILE REF : A52441
DATE : 5 August 2002
REF : SG
RESPONSIBLE : Acting PSM
MANAGER
APPLICANT : Dale Alcock Homes
LAND OWNER : R & C McGlashan
SUBJECT : Lot 106 Sixth Rd, Armadale
LAND : Property size 2023m²
Map 22.02
ZONING : MRS - Urban
MRS/TPS No.3 : TPS 3 – Residential R40

In Brief:-

- Application for seven (7) Grouped Dwellings, including the retention of an existing residence.
- Land use permitted under TPS No.3.
- Application proposes variations to R-Codes and Policy requirements relating to building setbacks and car parking in the front setback area.
- Proposal considered appropriate in terms of design, streetscape and permissibility of land use.
- Recommend approval.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Development – “to balance the needs of development with sustainable economic, social and environmental objectives.”

Legislation Implications

Town Planning and Development Act 1928
Town Planning Scheme No.3
Residential Planning Codes

Council Policy / Local Law Implications

Policy 4.3.13 – Grouped Housing Development

Budget / Financial Implications

Nil

Consultation

- ◆ Development Control Unit
- ◆ Adjoining property owner

BACKGROUND

There is a residence on the property which fronts Sixth Road. The remainder of the lot is vacant with some mature trees.

DETAILS OF PROPOSAL

The application proposes retention of the existing well-maintained residence and construction of six additional grouped dwellings with individual frontages to Devonshire Terrace. Two slightly different designs are proposed for each second unit to provide streetscape variety. Existing mature trees are proposed to be retained.

COMMENT

Development Control Unit (DCU) comments

The DCU, at its meeting on 6 August 2002, recommended approval of the application as it is a “Permitted” land use and achieves a satisfactory design outcome for the site in accordance with the R-Codes and Council’s Policy.

Referral to adjoining landowner

The application was referred to the adjoining landowner on Devonshire Terrace in accordance with the R-Codes requirements in respect to setback variations. No comments were received.

Analysis

Town Planning Scheme (TPS No.3) and Residential Planning Codes provisions

- ◆ The property is zoned Residential R40 under TPS No.3 which permits up to eight Grouped Dwellings in accordance with R-Codes standards.
- ◆ Thirteen car parking spaces and two visitor bays are required. The application proposes fourteen car parking spaces (two per dwelling) and two visitor spaces in embayments on the verge.
- ◆ The application proposes setbacks to Devonshire Terrace of 5.8m for the Type A units and 3.25m for the Type B units. This equates to an average setback of 5m, in lieu of 6m. Clause 1.5.7 of the R-Codes states that Council may allow a lesser setback provided that in so doing, Council shall have regard to the effect on the amenity of any adjoining lot and existing setbacks in the immediate locality. The R-Codes also require the adjoining owner to be advised of the setback variation if the amenity of the lot is affected.

The adjoining property on Devonshire Terrace is developed with Grouped Dwellings up to Seventh Road with similar setbacks to the subject proposal. The owner was notified of the proposal and no comments were received. The proposal is consistent with the streetscape on the northern side of Devonshire Terrace. The southern side of Devonshire Terrace is characterised by older style, single residential housing.

- ◆ The proposal adequately complies with the ‘open space’ and ‘additional facilities’ requirements of the R-Codes.

Policy on Grouped Housing Development

Architectural Design and Layout - The proposal complies with all Policy provisions in respect to streetscape, roof pitch, use of non-reflective materials, architectural detail and trim, and solar design. The design provides quality internal arrangements with a north facing aspect for all units and an open and varied streetscape with slightly different setbacks and designs for each second unit.

Car Parking - The application proposes a single lockable garage and tandem car parking for each unit in the front setback area. Two visitor car parking spaces are proposed in embayments on the verge. Council’s Technical Services Directorate advises that visitor parking on the verge is appropriate, provided construction of the parking areas is at the cost of the owner / applicant.

While the car parking arrangement complies with the R-Codes, the Policy promotes open car parking in the front setback area to be under the curtilage of a carport. Due to constraints of the lot configuration, the permissibility of the land use under TPS No.3, the retention of trees in the front setback area and verge, and the open character of the proposal in relation to the streetscape, it is considered appropriate to vary the Policy in respect to parking in the front setback area.

The proposal complies with the Policy in respect to vehicle access, open space, landscaping and retention of the existing character dwelling.

Options

The following options are provided to assist Council in determining the application:

1. Council may approve the application on the basis that the proposed setback variation and variation to the Policy in respect to parking in the front setback area are acceptable in light of the permissibility of the land use, the open design of the development which addresses the streetscape and the long, narrow lot configuration which provides constraints to developing the property to its full potential.
2. Council may refuse the application on the basis that it does not comply with the setback requirements of the R-Codes or Council’s Policy on open parking in the front setback area.

CONCLUSION

The proposal is a “Permitted” land use under TPS No.3, however the R-Codes provide discretion to Council to vary setback requirements. The proposal for a front setback variation to average 5m in lieu of 6m is considered acceptable due to the constraints of the lot configuration, the open character and varied design of the units which is consistent with the existing streetscape on the north side of Devonshire Terrace, the solar-designed internal living arrangements and the retention of the existing character residence and trees. The application is therefore recommended for approval.

D139/02 RECOMMEND

That Council resolve to waive Clause 3.3.3 of its Grouped Housing Development Policy in respect to car parking in the front setback and approve the application for seven Grouped Dwellings, with an average front setback of 5m in lieu of 6m, at Lot 106 Sixth Road, Armadale subject to conditions including the following principal requirements:

- ♦ **Submission of a satisfactory schedule of materials and colours for the proposed dwellings. The development is to be completed in accordance with the approved schedule.**
- ♦ **Submission of fencing plans for the site demonstrating use of quality materials and colour scheme complementary to the proposed dwellings.**
- ♦ **Visitor car parking spaces proposed within the Devonshire Terrace road reserve to be constructed to specifications of Council at the cost of the applicant.**
- ♦ **Submission of a comprehensive landscape plan which is to include the verge between the roadway and the property boundary (including the retention of existing trees as indicated on the site plan) and the treatment of paved areas including visitor car parking embayments.**
- ♦ **Landscaping to be installed and continuously maintained in accordance with the approved landscape plan.**
- ♦ **Contribution to Council's City Centre drainage at the rate of \$2.65 + GST / m² of developed area.**

MOVED Cr Zelones
MOTION CARRIED (7/0)

Cr Stubbs declared an interest in this item on the basis that he has a financial relationship with the Hills Orchard Improvement Group which has an interest in the subject land and left the meeting at 7.40pm.

***PROPOSED SALE OF LAND FOR EXPANSION OF KARRAGULLEN COOL STORES
– PORTION OF LOT 46 CANNING ROAD, KARRAGULLEN***

WARD : ROLEYSTONE
FILE REF : A119312
DATE : 31 August 2002
REF : SG
RESPONSIBLE : Acting PSM
MANAGER
APPLICANT : Mr V Stirling
LAND OWNER : DOLA
SUBJECT LAND : Lot 46 Canning Rd,
Karragullen
Property size 2.9 ha (portion)
Map 28.10
ZONING : MRS - Rural
MRS/TPS No.2 : TPS 2 - Rural E

In Brief:-

- Proposal for the sale of Crown Land for expansion of Karragullen Cool Stores.
- More detailed information is required in order to properly determine the merits of the proposal.
- Rezoning application is appropriate in order to assess and advertise the proposal.
- Recommend that that sale of the land is subject to approval of a rezoning application.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Development – “to balance the needs of development with sustainable economic, social and environmental objectives.”

Legislation Implications

Land Administration Act 1997
Town Planning and Development Act 1928

Council Policy / Local Law Implications

Nil

Budget / Financial Implications

Nil

Consultation

- ◆ Development Control Unit

BACKGROUND

Lot 46 is unallocated Crown Land. Karragullen Cool Stores currently utilises 800m² of the subject land for an informal car park under a lease agreement.

DETAILS OF PROPOSAL

The Department of Land Administration (DOLA) has requested comments from Council on a proposal by Karragullen Cool Stores to purchase portion of Lot 46 Canning Road (bounded by Old Station Road, Rokewood Way and Hudson Street) for expansion of the existing Cool Stores operation currently located on Rokewood Way. An indicative Concept Plan shows the proposed development of a Fruit Packing Shed (100m x 50m) with associated access and parking arrangements.

COMMENT

Development Control Unit (DCU) comments

The DCU, at its meeting on 30 July 2002, recommended that the proposal has merit, subject to further detailed plans demonstrating compliance with relevant planning, building and health legislation.

Town Planning Scheme No.2 provisions

The subject land is zoned Rural E under TPS No.2. A 'Packing Shed' is defined as a Rural Industry which is prohibited in the Rural zone. The proposal would therefore require rezoning of the land to 'Special Use – Cool Stores' which would also be consistent with the 'Special Use' zoning of the existing Cool Stores land, located directly opposite the subject site on Rokewood Way.

Council's Rural Strategy

One of the principal policy objectives of the Rural Strategy is to preserve and expand the orchard uses of the Karragullen area.

Analysis

The proposal to use the subject land for an expansion of the Cool Stores operation raises the following issues:

Conservation - Both portions of Lot 46 located either side of Old Station Road are generally well vegetated with mature trees. Council's draft Public Open Space Study recommends the site for retention for open space purposes. Council's Environmental Officer advises that the land does not have regionally significant vegetation and clearing of vegetation would not have significant effects.

Amenity - Development of a large (100m x 50m) Packing Shed and associated additional traffic and general activity would impact on the existing visual amenity of the immediate area which is characterised by natural bush. The Concept Plan indicates the retention of bush around the perimeter of the site which would, to some extent, reduce the visual impact of the development. Additional noise created by the Fruit Packing activities may create potential noise nuisance for nearby residences. The rezoning process would provide an avenue to assess potential amenity issues.

Community Consultation - The DOLA procedures for the sale of unallocated land do not include public advertising. While the subject land is not reserved for any public purpose, the local community may perceive a certain degree of 'ownership' of the crown land. It is therefore important that the proposal for the sale and use of the land is appropriately advertised to the community for comment. The rezoning process would provide this opportunity.

Sale of Land / Rezoning Process - An officer from DOLA advises that the process for sale of unallocated land is to consult with the relevant Local Authority and generally follow the Council's advice. The DOLA process does not include advertising to surrounding or affected parties.

Prior to Council providing advice to DOLA on the appropriateness, or otherwise, of the sale of the land, a more detailed submission on the proposal and subsequent assessment and advertising would be required as part of the rezoning process. The sale of land should be conditional on a detailed proposal being approved. This would also provide certainty for the applicant. The applicant may also wish to discuss the matter with the WAPC / Hon Minister for Planning and Infrastructure who ultimately approve Scheme amendments.

Economic Development - The applicant advises that the proposed expansion of the Cool Stores would enable the employment of additional local residents. More modern facilities would also benefit the local orchard industry, which is consistent with the objectives of Council's Rural Strategy.

Options

The following options are provided to assist Council in its consideration of the proposal for the sale and development of portion of Lot 46 for the expansion of the Karragullen Cool Stores:

1. Council may recommend to DOLA that the proposal is inappropriate as the Packing Shed development would negatively impact on the existing amenity of the area in respect to vegetation conservation and visual and noise issues.
2. Council may consider that the proposal has the potential for merit and it is prepared to further consider a detailed rezoning application in respect to use of the land for a Packing Shed development, prior to sale of the land.

CONCLUSION

Issues identified in initial consideration of the proposed sale of portion of Lot 46 Canning Road, for the purposes of expanding and upgrading the existing Karragullen Cool Stores operation, relate to vegetation conservation and potential for impact on the existing amenity of the area. The proposal would support and provide more modern facilities for the existing local orchard industry which is consistent with the objectives of the Rural Strategy.

Further detailed information in relation to the proposal is required in order to properly assess the merits of the proposal. Submission of a rezoning proposal is considered appropriate in order that assessment and public consultation procedures can be undertaken. Sale of the land should be subject to approval for rezoning/development.

COMMITTEE noted that a range of stakeholders in the local Karragullen community would likely have a high level of interest in the future ownership and use of Lot 46 Canning Road, including a possible continuation of informal uses such as visitor parking for the Karragullen Field Day.

COMMITTEE were of the view that formal canvassing of community interest would be best achieved via the consultative processing of a Town Planning Scheme Amendment.

D140/02 RECOMMEND

That Council advise the Department of Land Administration that, in respect to its request for comments on the sale of portion of Lot 46 Canning Road, Karragullen for the purpose of expansion of the Karragullen Cool Stores operation, sale of the land should be conditional on rezoning of the land appropriately to allow the intended use in order that the merits of the proposal are assessed according to proper planning procedures including public consultation.

MOVED Cr Green
MOTION CARRIED (6/0)

Cr Stubbs returned to the meeting at 7.48pm.

Cr Knezevich declared an interest in this item on the basis that he is a member of the Immunogenetics Research Foundation Inc. (Board representing C. Y. O'Connor ERADE Village) and left the meeting at 7.49pm.

ERADE VILLAGE – PROPOSED INCIDENTAL CAFÉ/DELI

WARD : FORREST
FILE REF : A201789
DATE : 31 July 2002
REF : JRH
RESPONSIBLE : Acting PSM
MANAGER
APPLICANT : R L Dawkins
LAND OWNER : R L Dawkins
SUBJECT : Lot 114 Warton Rd,
LAND Forrestdale
Property size 8.2511 ha
Map 16.01
ZONING : Rural / General Rural
MRS/TPS No.2

In Brief:-

- ◆ Council approved the Masterplan for the ERADE Village in December 1999, and construction of the proposed Incubator Units is anticipated to commence shortly.
- ◆ Application proposes the conversion of an existing cottage within the ERADE Village for use as a café/deli incidental to the activities of the village.
- ◆ Recommend approval subject to appropriate conditions.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

“Development - To balance the needs of development with sustainable economic, social & environmental objectives”.

Legislation Implications

Town Planning Scheme No.2.
Town Planning & Development Act 1928

Council Policy / Local Law Implications

Southern River/Forrestdale/Brookdale/Wungong District Structure Plan.

Budget / Financial Implications

Nil.

Consultation

Nil

BACKGROUND

At its meeting of December 1999, Council resolved to approve the Masterplan for the proposed Education, Research & Development and Employment (ERADE) Village on Lot 114 Warton Road, Forrestdale. Council's approval granted delegated authority to the Executive Director – Development Services to determine applications for future stages of development that comply with the approved Masterplan.

Since the approval to the Masterplan was issued, Council granted approval to the proposed Incubator Units, in an alternative location to that depicted on the approved Masterplan, at its February 2002 round of meetings. A building licence for this proposal is currently with the City's Building Department.

In association with the incubator units, the applicant has submitted a proposal to refurbish an existing cottage on site for use as a café/deli, to provide meals, tea/coffee and other takeaway food to persons associated with the ERADE Village. As this use was not previously identified within the ERADE Village Masterplan, the application has been presented to Council for determination.

DETAILS OF PROPOSAL

ERADE Village Development

The ERADE Village once completed is proposed to contain an educational establishment for molecular biology research, development and teaching and an associated residence, and will be closely co-ordinated with future residential and commercial development identified within the Southern River/Forrestdale/Brookdale/Wungong District Structure Plan.

Currently, the Immunogenetics Research Foundation have established an annex of the University of Western Australia on the site consisting of biotechnological, medical and veterinary laboratories, lecture facilities, accommodation and computer networking facilities. The proposed Incubator Units have been designed in association with and to complement the present facilities on the site.

Proposed Incidental Café/Deli

The incidental Café/Deli proposal involves the conversion of an existing cottage on the site, to provide meals and takeaway food for students and other persons associated with the ERADE Village. The cottage is centrally positioned within the site adjacent to the existing laboratories, with the proposed Incubator Units to be located to the east and west.

In association with the application, the existing kitchen facilities within the cottage are to be enlarged and upgraded, with the rooms to be used for dining purposes, a takeaway food servery and staff facilities.

A verandah extension is to be constructed on the front of the cottage for alfresco dining, and an existing shed to the north of the cottage will provide storage facilities as required by the proposal. Toilet facilities for patrons will be provided within the adjoining laboratory.

COMMENT

Town Planning Scheme No.2 Provisions

The portion of Lot 114 containing the ERADE Village is zoned 'General Rural'. Within this zone, a café/deli as a 'stand alone' would be considered under the use class of 'Restaurant'. This is an 'SA' use which is not permitted without advertising of the proposal and determination by Council.

However, the overall use of the site for the ERADE Village has been previously advertised and approved by Council as a 'Use Not Listed' within the Scheme, incorporating activities which are of a greater scale and intensity than typical rural uses.

Whilst the café/deli was not identified within the approved ERADE Village Masterplan, a cafeteria/food outlet is a facility which would reasonably be expected as an incidental use within an educational establishment of this scale. The applicant has also indicated that he intends applying for a Restaurant Liquor Licence for the proposed café/deli, which is consistent with the restaurant use class within the Scheme.

The proposal complies with the Scheme provisions for a restaurant, with the exception of car parking. The proposed dining area of 106m² would permit a maximum of 106 patrons within the development, and require a provision of 27 car bays. A total of 45 car bays are proposed within close proximity to the café/deli, for use by patrons of the Incubator Units, and car parking is available for other components of the Village. Given that the proposal is to be incidental to the primary functions within the ERADE Village, it is not considered necessary to impose a car parking provision on the application.

Comments from other Departments

Officers from Council's Building and Health Departments have reviewed the proposal, and have been liaising with the applicant to ensure that the proposal complies with regulations such as the Health Act, Public Building Regulations and the Building Code of Australia.

Some modifications will be required with respect to the proposed kitchen, staff and toilet facilities, and to provide disabled access and facilities within the building, but these matters do not affect Council's ability to favourably consider the proposal at this stage.

Analysis

The proposed incidental café/deli is considered to be an appropriate incidental land use within the ERADE Village. The patronage of the existing and proposed stages of the Village would be in the vicinity of 150 persons, with this number to increase as further stages are approved. Presently, patrons of the ERADE Village must travel approximately 3km to buy takeaway food, at the intersection of Ranford and Nicholson Roads in Canning Vale.

The establishment of such a facility will meet the anticipated demand within the village, and is also considered to have merit as it represents an informal meeting place for persons within the complex. The congregation of students and other persons buying and consuming food and/or drinks at the café/deli is likely to create opportunities for informal discussion of studies and projects, which will make a positive contribution to the vitality and success of the village.

CONCLUSION

Whilst the café/deli was not originally incorporated within the approved Masterplan for the ERADE Village, the proposal represents the provision of a land use which would reasonably be expected within an educational establishment of this scale.

The conversion of the existing cottage in a central location to the currently approved stages of development will provide takeaway food for patrons of the ERADE Village, and make a positive contribution to the overall development. On this basis it is recommended that the proposal be approved.

D141/02 RECOMMEND

That Council approve the development of a café/deli as an incidental use within the ERADE Village on Lot 114 Warton Road, Forrestdale subject to conditions including the following principal requirements:

- 1. The operation of the café/deli is not to commence until the ERADE Village Incubator Units have been completed and commenced operation, to the satisfaction of Council.**
- 2. The applicant be advised of the need to comply with the relevant statutory regulations with respect to the proposed kitchen, staff and toilet facilities, and the provision of disabled access and facilities within the building.**

MOVED Cr Reynolds
MOTION CARRIED (6/0)

Cr Knezevich returned to the meeting at 7.51pm.

ENTRY STATEMENT - ARALUEN GOLF RESORT

WARD : Roleystone
FILE REF : A131392
DATE : 24 July 2002
REF : SA
RESPONSIBLE : Acting PSM
MANAGER
LAND OWNER : Enchanted Valley P/L
ZONING : Rural
MRS/TPS No.2 : Special Use

In Brief:-

- Refurbishment of the entry statement is required due to vandalism.
- The structure remains essentially the same except for tiles being affixed to the background material.
- Recommendation that Officers liaise with developers to ensure that the materials used blend with the surroundings.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

To balance the needs of development with suitable economic, social and environmental objectives.

Legislation Implications

Nil.

Council Policy / Local Law Implications

Activities and Trading in Thoroughfares and Public Places Local Laws

Budget / Financial Implications

Nil.

Consultation

Nil.

DETAILS OF PROPOSAL

Due to vandalism the entry statement to the Araluen Golf Resort is undergoing some refurbishment. The background material, apparently soft, had been badly damaged and some of the lettering had been stolen. The background material has been refaced with 10mm x10mm square earth tone tiles upon which similar lettering and logo will be affixed.

COMMENT

To all intents and purposes the structure will apparently remain the same except for tiles being affixed to the background material.

Analysis

Under the Activities and Trading in Thoroughfares and Public Places Local Laws (Gazetted 2001) there are provisions to control entry statements on verges. The Local Law requires that a person shall not, without a permit deposit any thing on a verge. The previous By-Laws Relating to the Care, Control and Management of Roads and Ways (Gazetted 1991) also required Council approval before any obstruction or any other thing could be deposited in a street, way, footpath or other public place.

Options

1. Require a formal application under the Activities and Trading in Thoroughfares and Public Places Local Laws.
2. Do nothing.
3. Require the entire structure to be removed.
4. Officers liaise with representatives of the developers to ensure that the entry statement, including any refurbishment is in harmony with its surroundings.

CONCLUSION

Given that the entry statement has been in-situ for a number of years without cause for concern and the current works are in the nature of refurbishment, it would appear that a formal application could be seen as being unnecessary. Therefore, it is recommended that Officers liaise with representatives of the developers to ensure that the finished article is in keeping with the quality of the development and the immediate surroundings of the structure.

COMMITTEE sought a clearer expression of the need to consider the entry statement signage for the Araluen Golf Resort in the context of maintaining a coordinated signage and landscaping strategy. Accordingly, a Part 2 was added to the Recommendation.

D142/02

RECOMMEND

- 1. That Officers liaise with the appropriate representatives of Enchanted Valley Pty Ltd, the owners of the Araluen Golf Resort, to ensure an appropriate quality design and use of materials for the refurbishment of the entry statement to the estate which is located in the road reserve of Heritage Drive, Roleystone.**
- 2. That the discussions with the owners be conducted within the context of maintaining a clearly articulated signage and landscaping strategy that will preserve the design values of the estate.**

MOVED Cr Stubbs
MOTION CARRIED (7/0)

PEDESTRIAN ACCESS WAY (PAW) BETWEEN LOTS 52 (13) AND 43 (14B) JUNEE PLACE, ARMADALE

WARD : WEST ARMADALE

FILE REF : WAY/2/02

DATE : 29 July 2002

REF : MF

RESPONSIBLE : Acting PSM
MANAGER

APPLICANT : Mr & Mrs Hansord

LAND OWNER : As above

SUBJECT LAND : Pedestrian access way (PAW)
between Lots 42 (13) &
43 (14B) Junee Place, Armadale
Map - 22-04

ZONING : Urban / Residential R.15
MRS/TPS No.2

In Brief:

- Application to close PAW due to antisocial behaviour and frequent break-ins.
- PAW can be closed but not sold to abutting landowners due to land being required for peak storm flow outlet.
- Recommend that PAW be closed and established as a Public Utilities Reserve with vesting in Council. Appropriate fencing to be erected to prevent pedestrian access.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Social Infrastructure – “Facilitate initiatives to improve the safety and security of the community”.

Legislation Implications

Land Administration Act 1997.

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Technical Services Directorate has indicated a cost of \$1,493.50 to install appropriate fencing to prevent pedestrian access in the event that Council resolves to close the PAW. The PAW land is required as a flood route and therefore should not be sold to the abutting landowners. The land can be established as a Public Utilities Reserve with vesting in Council.

Consultation

- ◆ Technical Services Directorate
- ◆ Department for Planning and Infrastructure
- ◆ Service Authorities (Water Corporation, Telstra, Western Power & Alinta Gas)
- ◆ Public advertising

DETAILS OF PROPOSAL

The applicants have requested that the PAW be closed on the grounds of increased problems associated with it including the following:

- ◆ House break-ins
- ◆ Theft of bicycles and a motor bicycle
- ◆ The PAW being used by offenders as a quick escape route
- ◆ Objects being thrown into applicants' property from the PAW
- ◆ Anti-social behaviour
- ◆ Concern that house break-ins and theft have made them feel vulnerable

The applicants' letter also contains signatures of 10 other residents supporting closure.

COMMENT

The proposal was advertised in the Comment News and to the affected landowners and also to the Service Authorities and the Department for Planning & Infrastructure.

Advertising period extended from 2 May to 7 June 2002.

Results of Advertising

No. of landowners/occupiers notified -	28
No. of service authorities notified -	4
No. of submissions received -	17
No. objecting to closure	
- Private	3
- Service Authorities	1
No. supporting/not objecting to closure	
- Private	10
- Service Authorities	3

Department for Planning & Infrastructure has no objection to closure.

Technical Services Directorate has recommended that this PAW should not be sold to the abutting landowners because the land is required for peak storm flow outlet. No objection is however raised to closing the PAW and establishing the land as a Public Utilities Reserve with vesting in Council. Appropriate fencing to prevent pedestrian access can be erected at a cost of \$1,493.50.

Water Corporation has objected to the closure on the grounds that a water main is currently located within the PAW. Objection will be withdrawn if this main is cut off and capped and the reticulation system modified at a cost of \$1,430.00. However, if the land is established as a Public Utilities Reserve with vesting in Council, the issue of cutting off and capping the water main will not arise.

It is proposed to erect this fencing only towards the reserve end of the PAW because the private fencing along the PAW is higher towards the reserve end of the PAW than at the Junee Place end of the PAW.

However, because of Budget constraints this work is unlikely to be accommodated within the current financial year.

Analysis

Resumé of support for closure:

Out of 28 residents targeted, 10 residents support closure and only 3 objections were received. This tends to suggest that the convenience aspect is of secondary importance. The supporters of closure state that a number of break-ins and property trespass have occurred. The PAW provides a quick means of escape for perpetrators of crime and should therefore be closed.

Resumé of objections to closure:

The objector's letter has also been signed by two other residents of Junee Place. The objector states that she purchased her property because of the PAW and uses it about four times a day to walk her dog. She also states that two elderly widows living in the cul-de-sac have no means of transport and use the PAW to walk to the railway station, (presumably Sherwood Station) via the PAW and reserve situated between Lots 57 & 58 Challis Road, Armadale and then along Hickson Avenue to Sherwood Station. However, the closure of this PAW & reserve by DOLA is imminent. When this occurs, the access through Junee Place will not be necessary.

Water Corporation has objected to the closure but will be prepared to withdraw its objection if the water main is cut off and capped and the reticulation system modified. However, if the land is established as a Public Utilities Reserve and vested in Council, the issue of cutting off and capping the water main will not arise.

Technical Services Directorate has recommended that the PAW should not be sold to the abutting landowners because the land is required for peak storm outlet.

Summary

The walking distance from Junee Place to Sherwood Station via the Junee Place PAW and the PAW and reserve situated between Lots 57 & 58 Challis Road, Armadale is approximately 865 metres. If the Junee Place PAW is closed, the extra walking distance to Sherwood Station from Junee Place via Wilcannia Way, Challis Road and Hickson Avenue will be approximately 110 metres.

However, with the impending closure of the PAW and reserve between Lots 57 & 58 Challis Road, Armadale, (a previous Council decision) the access through Junee Place will not be an issue unless of course the objectors would wish to walk through Clements Grove but this would represent a longer walking distance than the alternative mentioned above.

On the basis that 10 out of 28 residents support closure with only three objections, it is suggested that the PAW should be closed and established as a Public Utilities Reserve with vesting in Council. Suitable gates and/or fencing can be erected to prevent pedestrian access. However this work is unlikely to be carried out during the current financial year because of Budget constraints.

Options

- Option 1-* Decline the request to close the PAW on the grounds that since the land cannot be sold to the abutting landowners, the closure by means of suitable fencing may not have the desired outcome. Council will be responsible not only for erecting the fencing but also for the on-going maintenance of the land.
- Option 2-* Close the PAW on the basis of strong support for closure received during the advertising process. Since the land cannot be sold to the abutting landowners, it should be established as a Public Utilities Reserve with vesting in Council. Suitable fencing can be erected to prevent pedestrian access. However this work is unlikely to be carried out during the current financial year because of Budget constraints.

CONCLUSION

It is recommended that Council adopt Option 2 on the grounds of strong support for closure during the advertising process.

D143/02 RECOMMEND

- 1. That Council resolve to request the Department of Land Administration (DOLA) to close the pedestrian access way (PAW) between Lots 42 (13) and 43 (14B) Junee Place, Armadale and to establish the land as a Public Utilities Reserve with vesting in Council.**
- 2. That suitable fencing be erected across the PAW towards the reserve end of the PAW to prevent pedestrian access.**
- 3. That the applicants and respondents be advised that the provision of suitable fencing may not be accommodated during the current financial year due to Budget constraints but will be considered for inclusion in the 2003/2004 Budget.**

MOVED Cr Knezevich
MOTION CARRIED (7/0)

COUNCILLORS' ITEMS

Cr Knezevich

1. Building – Colour Schemes

Cr Knezevich queried Council's powers to require the conditions of development (eg. colour scheme) to be maintained.

Executive Director Development Services and Planning Services Manager responded that specific conditions are now imposed to require maintenance of development standards. Such conditions did not apply to older determinations. Repainting of buildings however, does not constitute development as determined under the Town Planning and Development Act.

Cr Stubbs

1. Araluen Golf Resort

Cr Stubbs referred to the need to follow up covenant requirements for landscaping of residential developments.

D144/02 RECOMMEND

That the item regarding covenant requirements for landscaping of residential developments at Araluen Golf Resort be referred to the appropriate Directorate for relevant action and/or report back to Committee.

MOVED Cr Zelones
MOTION CARRIED (7/0)

MEETING DECLARED CLOSED AT 8:10 PM

I N D E X

DEVELOPMENT SERVICES COMMITTEE

12TH AUGUST 2002

BUILDING

OUTBUILDING WITH REDUCED FRONT SETBACK - LOT 9 TALUS NORTH RD, ARMADALE	3
OVER HEIGHT OUTBUILDING APPROVED ON - LOT 122 RUBIDA RISE, ROLEYSTONE	6
PROPOSED ADDITION TO EXISTING GARAGE - LOT 157 LYREBIRD LOOP, ARMADALE	18

COUNCILLORS' ITEMS

CR KNEZEVICH - BUILDING COLOUR SCHEMES.....	61
CR STUBBS - ARALUEN GOLF RESORT	61

DEVELOPMENT

ENTRY STATEMENT - ARALUEN GOLF RESORT	55
ERADE VILLAGE - PROPOSED INCIDENTAL CAFÉ/DELI	51
PROPOSED SALE OF LAND FOR EXPANSION OF KARRAGULLEN COOL STORES – PORTION OF LOT 46 CANNING RD, KARRAGULLEN	47
PROPOSED SEVEN GROUPED DWELLINGS - LOT 106 SIXTH RD, ARMADALE	43
PROPOSED SHED - LOT 134 KOBUS HEIGHTS, ROLEYSTONE	7
PROPOSED TRUCK ACCESS - LOT 11 NICHOLSON RD, FORRESTDAL AND PROPOSED CHANGE OF USE - LOT 5 ROWLEY RD, FORRESTDAL	11

HEALTH

ALCOHOL POLICY	25
ANNUAL REPORT OF LOCAL GOVMNT TO THE EXECUTIVE DIRECTOR, PUBLIC HEALTH	20
BROOKDALE LIQUID WASTE TREATMENT FACILITY	22
OVERDUE LICENCE AND REGISTRATION FEES.....	30

PAW CLOSURE

PEDESTRIAN ACCESS WAY BETWEEN LOTS 52 & 43 JUNEE PLACE, ARMADALE	57
--	----

SCHEME AMENDMENT

PROPOSED REZONING OF LOTS 14 & 79 CHURCH AVE, ARMADALE.....	32
---	----

STRATEGIC PLANNING

ARMADALE REDEVELOPMENT AUTHORITY	35
--	----

SUBDIVISION

REFUSAL - LOT 313 ADAIR AVE, MT NASURA.....	42
---	----