

CITY OF ARMADALE

MINUTES

OF DEVELOPMENT SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 14TH OCTOBER 2002, AT 7:00 PM.

PRESENT:

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

APOLOGIES: Cr G M Hodges

OBSERVERS:

Cr J A Stewart	(7.00pm to 8.10pm)
Mr I MacRae	(EDDS Appointee)

IN ATTENDANCE:

Mr R S Tame	Chief Executive Officer
Mr J H A Adderley	Executive Director Development Services
Mr L Fouché	Planning Services Manager
Mr I Townson	Building Services Manager
Mr I Watt	Acting Health Services Manager
Ms N Cranfield	Minute Secretary
Public	18

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

Nil.

QUESTION TIME

Mr Boris – 32 Clenham Way, Kelmscott

1. In respect to proposed closure of pedestrian access way (PAW) between Lots 191 & 194 Clenham Way and between Lots 1012 & 1022 Kidbroke Place, Kelmscott, Mr Boris queried the Department of Planning & Infrastructure's (DPI) suggestions to 'trial alternative options to closure' ?

Chairman responded that the matter would be subject to Committee consideration but the proposed recommendation signals further consultation with DPI to progress the closure.

Mr T Laird – 48 Rushton Tce, Mt Nasura

1. Mr Laird queried why locality changes were being considered ?

Chairman indicated that changes to the Armadale locality had in part been driven by requests from residents and also because of factors relating to area and population growth.

Mr Boris – 32 Clenham Way, Kelmscott

2. Indicated that in respect to PAW closure, Clenham Way, the majority of landowners are in favour of closure and requested whether it would be appropriate for himself to attend the suggested meeting with DPI in order to progress the PAW Closure ?

Executive Director Development Services responded that the facts of the matter would be canvassed with DPI but bearing in mind the range of attitudes in the local community relating to PAW closure, it would not be appropriate for any one party to attend officer discussions with DPI. It is open however, for Mr Boris to independently contact DPI and to provide any additional information to DPI and Council in writing.

CONFIRMATION OF MINUTES

RESOLVED

Minutes of the Development Services Committee Meeting held on 9th September 2002 were confirmed.

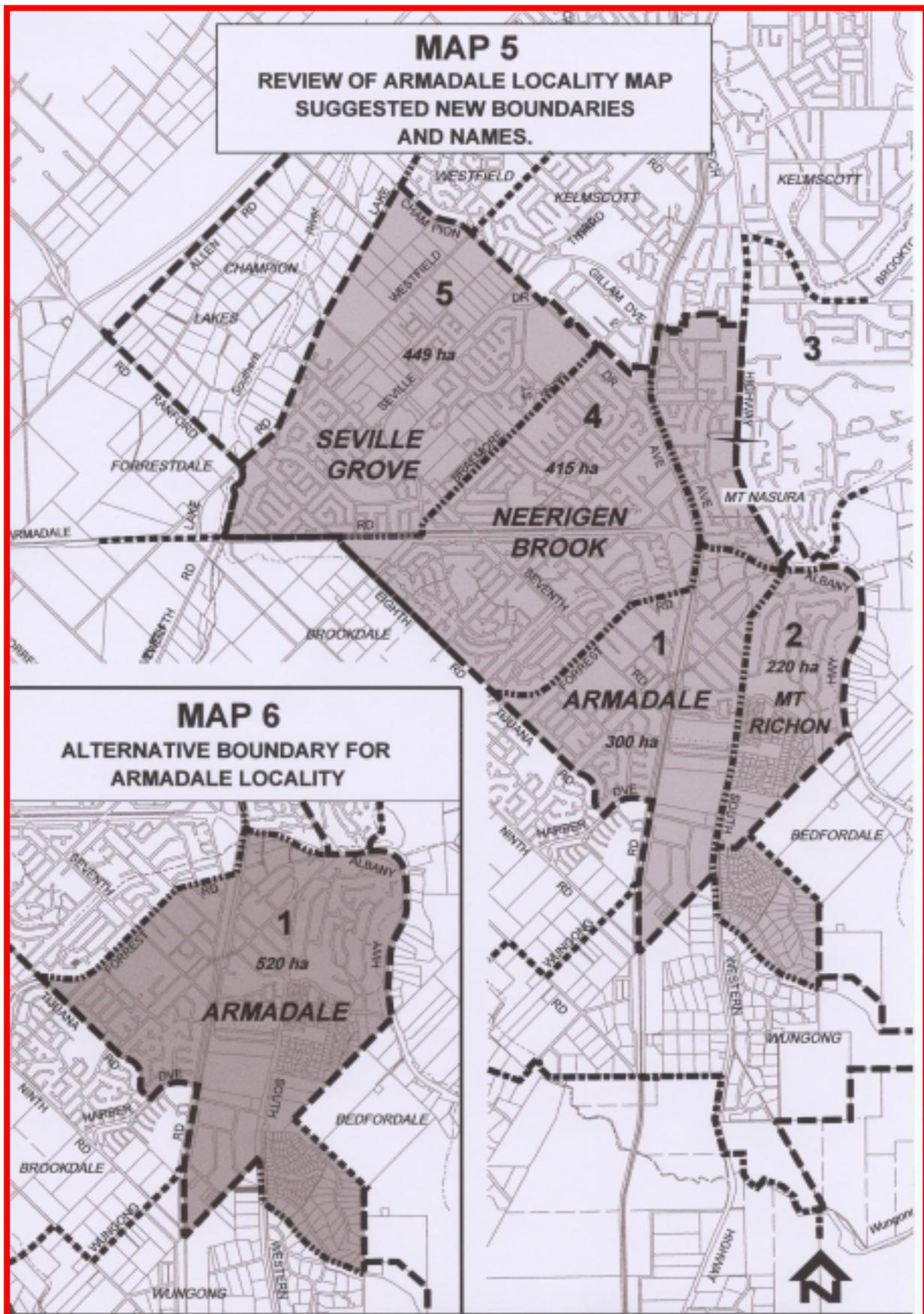
MOVED Cr Zelones
MOTION CARRIED (7/0)

ITEMS REFERRED FROM INFORMATION BULLETIN – ISSUE No.19/2002

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

- Report on Outstanding Matters – Development Services CommitteeD-1
- Health Services Manager’s Report for August 2002.....D-2
- PAW Closure Report – significant actions during August 2002.....D-8
- Compliance Officer’s Report for the month of July/August 2002.....D-9
- Town Planning Scheme No.2 & No.3 – Amendment TableD-11
- Subdivision Applications – Recommendation TableD-14
- Monthly Admin Reports for July / August 2002.....D-15
- Building Services Manager’s Report for August 2002D-32
- Financial Statements for the period ending 31st August 2002.....D-45
- Proposed Sale Of Alcohol Within Indoor Sporting Complex.....D-53

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



REVIEW OF THE ARMADALE LOCALITY BOUNDARIES

WARD : ARMADALE
WEST ARMADALE
SEVILLE
FORREST

FILE REF : NAM/5

DATE : 1 October 2002

REF : CCB / HC

RESPONSIBLE : PSM
MANAGER

In Brief:-

- Subsequent to advertising, Council received 1312 submissions (and a 675 signature petition in favour of Mt Richon) regarding the proposed review of Armadale locality boundary.
- The Seville Grove and Mt Richon proposals received majority support while the Neerigen Brook proposal and addition of portion of Armadale to Mt Nasura did not receive majority support.
- Recommend that Council seek approval from the Geographic Names Committee (GNC) for new localities of Seville Grove and Mt Richon with the remainder continuing as the locality of Armadale. Residents and owners to be informed by letter and advertisement of the results of the GNC consideration and approval of the matter.
- *COMMITTEE additionally recommended the inclusion of a condition to ensure that Wirra Willa Gardens, the Pioneer Village (including the School), the Narrogin Inne, Armadale Real Estate (old Muckcross Hall) and adjoining properties north of the Water Corporation pump station be retained in the locality of Armadale.*

Officer Interest Declaration

Nil.

Strategic Implications

To foster ownership, pride and supportive and caring community

Legislation Implications

Land Administration Act 1997.

Council Policy / Local Law Implications

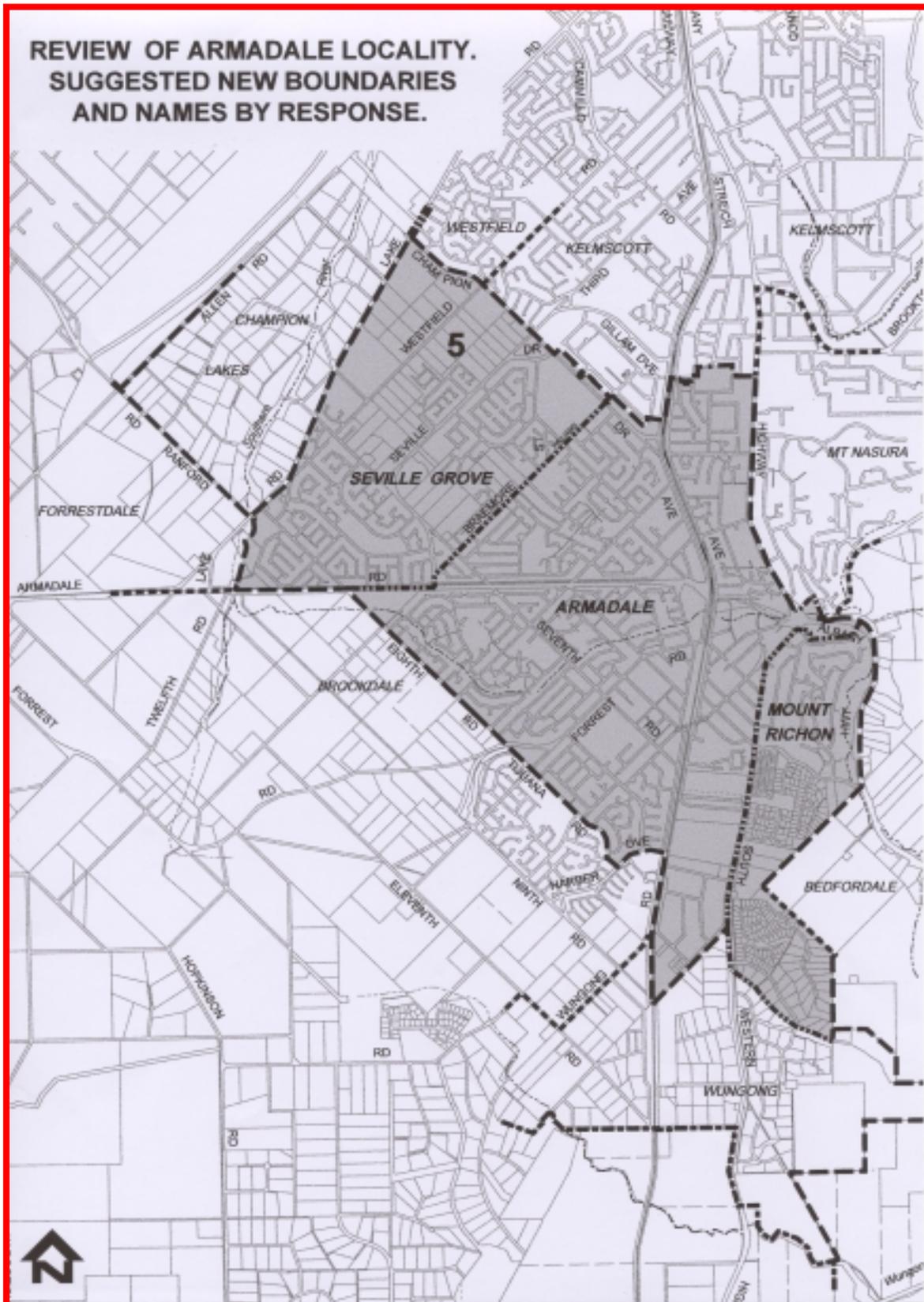
Nil.

Budget / Financial Implications

Officer time, postage and newspaper advertising approximately \$4000.

Consultation

- ♦ Geographic Names Committee (GNC)



BACKGROUND

At its meeting of 16 July 2001, Council resolved (D157/01) to adopt a “Suggested new boundaries and Names Map No.5” for possible new localities with the present Armadale locality, but asked that areas of Armadale and Mt Richon, incorporating a portion of Wungong be recommitted to the next meeting of the Development Services Committee for further consideration.

At its meeting of 20 August 2001, Council resolved (D205/01) to adopt “Suggested New Boundaries” for the Armadale and Mt Richon locality boundaries and proceed with public consultation.

At its meeting of 21 January 2002, Council resolved (D10/02) to invite members of the Geographic Names Committee (GNC) to meet with the Development Services Committee, to discuss certain locality boundaries.

On 11 February 2002, a delegation from the GNC discussed the proposed localities with the Development Services Committee. Council resolved (D22/02) on 18 February 2002 to note that the proposed division of the Armadale locality to establish Seville, Neerigen and extend Mt Nasura was generally acceptable in accordance with GNC criteria. It noted that the GNC would write to the City to summarise its overall advice.

In March 2002 Council received advice from the GNC suggesting that the proposed name of *Seville* be changed to *Seville Grove*, since Seville exists in Victoria. The GNC also suggested that the proposed name of *Neerigen* be changed to *Neerigen Brook* to avoid confusion over the closeness of pronunciation of the two names Narrogin and Neerigen.

The GNC found the *Mt Richon* boundaries acceptable but suggested a portion of Bungendore Park be included in the locality. It was suggested that Mt Nasura be extended north to Foster Road. The area and boundaries for the portion of *Armadale* remain the same.

At its meeting of 20 May 2002, Council resolved (D63/02) to adopt a “Suggested New Boundaries Map No.5” for Armadale, Seville Grove, Neerigen Brook, Mt Nasura and Mt Richon locality boundaries and proceed with public consultation. It was also resolved that an alternative suggested new Boundaries Map No.6 (amalgamating Mt Richon and Armadale into a single Armadale locality) be included for the community’s comment.

COMMENT

The proposals were advertised in the Comment News and Weekend Examiner and also to the affected landowners by letter. There was an opportunity for residents to comment on both the proposed boundary changes and the proposed locality names. Following an enquiry and request for wider consultation by residents in Mt Nasura, letters were forwarded to existing landowners in Mt Nasura and the advertising period was extended for a further 30 days to allow them to comment on the proposed changes.

Analysis

The following overall results were obtained from a mail-out of some 8269 letters: -

Total number of submittees:	1312
Total number supporting changes:	711 (54%)
Total number opposing changes:	601 (46%)

The individual results require scrutiny on a locality-by-locality basis as the individual results were not so overwhelming in certain areas. Some submissions dealt only with the proposed new locality they were situated in. Others dealt with all the proposed new localities. The results for each of the areas are as follows:

1. Armadale

A total of 389 responses were received relating to Armadale. Of these, **240 (62%) supported** the change and **149 (38%) opposed** the proposal. [Of those actually in the Armadale area, **12 (29%) supported** the proposal and **29 (71%) opposed** it].

Some concern was expressed at the minimisation of the Armadale entity and one submission suggested that Armadale should be promoted rather than downsized.

2. Mt Richon

A total of 702 responses were received relating to Mt Richon. Of these, **544 (77.5%) supported** the change and **158 (22.5%) opposed** the proposal. [Of those actually in the proposed Mt Richon area, **372 (94%) supported** the proposal and **25 (6%) opposed** it].

In addition to the results of the Council survey, a petition containing 675 signatures, supporting the locality and name change to Mt Richon, was received by Council.

One resident suggested Pykeview as an alternative name for the proposed new locality to commemorate Harold Frank (Jim) Pyke M.I.D., a war hero and a long-standing and community-minded resident of Armadale.

A majority of respondents supported the Mt Richon proposal. There was however one objection to the taking of a further area of Wungong to add to Mt Richon and a suggestion that the "Richon" name, chosen by Mr McCarthy, who bought the vineyard and may have renamed the Richon vineyard after Rishon or Richon le Zion in Palestine, was inappropriate.

3. Mt Nasura

A total of 909 responses were received relating to Mt Nasura. Of these, **401 (44%) supported** the change and **508 (56%) opposed** the proposal. [Of those actually in the area proposed to be added to the Mt Nasura area, **118 (72%) supported** the proposal and **46 (28%) opposed** it. There was more opposition from residents already in the Mt Nasura area to the proposal to add the portion of Armadale between the railway line and Albany Highway to Mt Nasura. From current Mt Nasura residents, **21 (6%) supported** the addition and **336 (94%) opposed** it].

The opposition from current residents of Mt Nasura related mainly to the possibility that inclusion of the area west of Albany Highway would lower the median house price for the suburb and devalue their properties. The other main argument was that the area proposed to be added to Mt Nasura was flatter and did not deserve the “Mount” title. It was also noted that if the new locality goes ahead, Minnowarra Park will be partly in Armadale and partly in Mt Nasura.

4. Neerigen Brook

A total of 720 responses were received relating to Neerigen Brook. Of these, **364 (50.5%) supported** the change and **356 (49.5%) opposed** the proposal. [Of those actually in the proposed Neerigen Brook area, **188 (44%) supported** the proposal and **237 (56%) opposed** it].

A number of alternative names were suggested. These included:

“Indigenous name”	“Minnowarra Park”
“Orchard Brook”	“North Armadale”

The majority of objections to the proposed name and boundary were on the grounds of losing the historical value of the Armadale name and the costs and confusion involved in a change of name. It was suggested that some people lived less than 500 metres from central Armadale yet could be losing their Armadale identity. A number of people expressed opposition to the name “Neerigen Brook” as lowering the tone of the area. Others suggested Armadale Road as a more logical boundary with the area divided into two localities north and south of Armadale Road.

It was also suggested that a more appropriate name for the area would be “Sherwood” to fit in with the theme commenced in the 1925 Sherwood subdivision based on the Herbert Dale Cullen property, “Sherwood”, that was established in the area in the 1890s. The Sherwood railway station would then have a locality to which it was directly associated. It could be noted that there is a “Sherwood” in Queensland so Sherwood by itself would not meet GNC criteria as previously outlined.

5. Seville Grove

A total of 629 responses were received relating to Seville Grove. Of these, **449 (71%) supported** the change and **180 (29%) opposed** the proposal. [Of those actually in the proposed Seville Grove area, **205 (73%) supported** the proposal and **77 (27%) opposed** it].

A number of alternative names, without supporting reasons, were suggested. These included:

- a) “Armadale North”
- a) “Heritage Park
- b) “Willandra”
- c) “Orchard Grove”
- d) “Indigenous names” (but no suggested names given).

The majority of objections appeared to be from residents in the Strawberry Park and Kadima Park areas, on the grounds that the changes could devalue their properties. It was also suggested that Seville, rather than Seville Grove would be a more appropriate name. However, it should be noted that the "Grove" was added at the GNC's suggestion to differentiate it from Seville in Victoria.

Map 6 Alternative Proposal for the Armadale Locality. (Combination of Proposed Armadale and Mt Richon Areas).

A total of **357 responses** were received relating to the combined Armadale and Mt Richon proposal. Of these, **117 (33%) supported** the proposal and **240 (67%) opposed** it. [Of those actually in the proposed Map 6 area, **42 (31.5%) supported** the proposal and **91 (68.5%) opposed** it]. As previously noted, there was much support for the locality and name of a separate Mt Richon locality contained in submissions and a petition.

Comments Received General to All Areas

Concern was raised by one submittee about the lack of explanation and justification for size differences of the localities and to the lack of relationship between the proposed localities and City of Armadale electoral ward boundaries. It was suggested that any changes should ensure that each ward is comprised of complete postal localities as the lack of relationship between localities and ward boundaries will increase confusion.

Another submittee suggested that any decision on changes to locality boundaries should be postponed until the Armadale Redevelopment Authority has completed its deliberations and outcomes are firmly established.

It was suggested that Council should consult local Aboriginal elders and liaise with them on suitable Noongar names for proposed new localities.

Options

The options appear to be:

1. Take no further action and retain the Armadale locality as it is.
2. Adopt the localities and names previously identified by Council (and contained in Map 5) and seek GNC approval for them as new localities and locality names.
3. Adopt the localities and names previously identified by Council in Map 5 but with the Armadale and Mt Richon areas incorporated as one area called Armadale (as contained in the alternative Map 6) and seek GNC approval for them as new localities and locality names.
4. Adopt a different configuration of three localities in accordance with the general trends of the submissions received. In this configuration it is suggested that Council adopt new localities of **Seville Grove** (bounded by Armadale Road, Neerigen Brook, Lake Road, Champion Drive, Braemore Street and Williams Road) and **Mt Richon** (bounded by South Western Highway, Cooliaberra Drive, Leys Rise, Bungendore Park, Albany Highway and including Wirra Willa Gardens) with the remainder of the area continuing as **Armadale** and seek GNC approval for them as new localities and locality names. This option is outlined in the attached map entitled "*Review of Armadale Locality. Suggested New Boundaries and Names by Response*".

CONCLUSION

It is suggested that option 1 is not suitable with the interest and expectations raised by the review process. Options 2 and 3 have not met the level of public support to recommend their adoption as such. Option 4 appears to be a compromise that should meet the aspirations of a majority of the residents who have expressed their views on the locality review.

Officer's report recommends –

1. That Council seeks approval from the Geographic Names Committee to rename:
 - a) The area bounded by Armadale Road, Neerigen Brook, Lake Road, Champion Drive, Braemore Street and Williams Road as a new locality to be known as Seville Grove.
 - b) The area bounded by South Western Highway, Cooliaberra Drive, Leys Rise, Bungendore Park, Albany Highway and including Wirra Willa Gardens as a new locality to be known as Mount Richon.
 - c) The remainder of the Armadale locality not included above to be retained as the locality of Armadale within its new boundaries.
2. That residents and owners within the bounds of the new localities be advised by letter and local newspaper advertisement of the results following Geographic Names Committee consideration and approval of the matter.

COMMITTEE discussed the locality renaming proposal and it was foreshadowed that the officers recommendation should be modified to ensure that Wirra Willa Gardens, the Pioneer Village (including the School), the Narrogin Inne, Armadale Real Estate (old Muckcross Hall) and adjoining properties north of the Water Corporation pump station be retained in the locality of Armadale.

Cr Green acknowledged the level of community support for the establishment for the proposed Mt Richon locality and accepted that this reflected the desire of local residents. Cr Green indicated that he maintained strong reservations and was opposed to the recommendation as a matter of principle because it represented a detraction from and a diminution of the historic boundaries of the locality of Armadale.

Cr Reynolds MOVED that the Recommendation be modified in order to ensure retention of:-

- ◆ *Wirra Willa Gardens {Lot 7 (No.3250) Albany Highway};*
- ◆ *Pioneer Village and Pioneer Village School {Lot 100 (No.3258) Albany Highway};*
- ◆ *Narrogin Inne {Lot 100 (No.3258) Albany Highway};*
- ◆ *Armadale Real Estate (old Muckcross Hall), {Lot Pt 186 South Western Highway}; and*
- ◆ *Kate Wilkinson's Cottage {Lot Pt 186 (No.16) South Western Highway};*

within the property boundaries of the Armadale locality.

MOTION CARRIED (7/0)

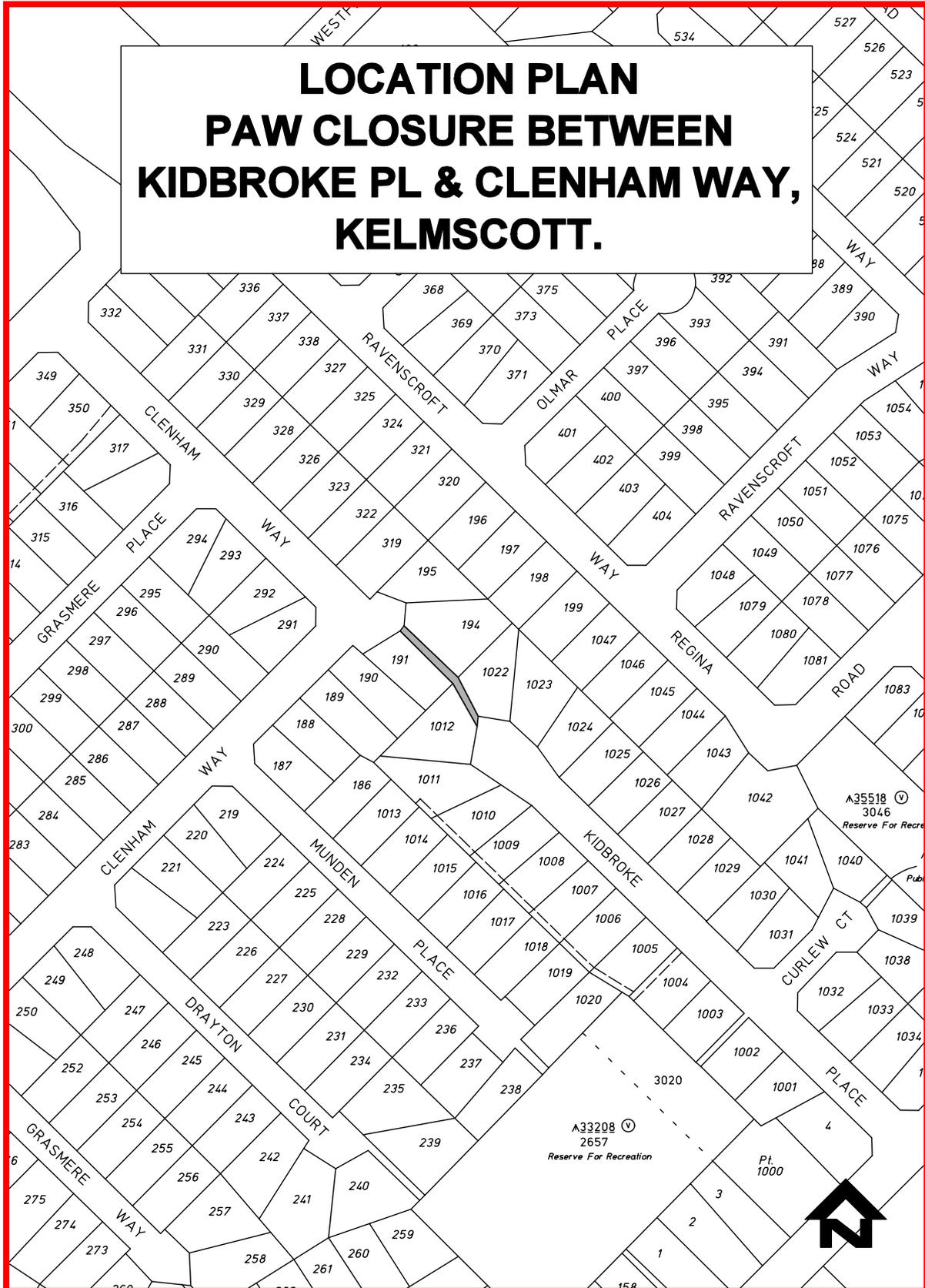
D175/02

RECOMMEND

1. That Council seeks approval from the Geographic Names Committee to rename:
 - a) The area bounded by Armadale Road, Neerigen Brook, Lake Road, Champion Drive, Braemore Street and Williams Road as a new locality to be known as Seville Grove.
 - b) The area bounded by South Western Highway, Cooliaberra Drive, Leys Rise, Bungendore Park, Albany Highway but excluding:-
 - ♦ Wirra Willa Gardens {Lot 7 (No.3250) Albany Highway};
 - ♦ Pioneer Village and Pioneer Village School {Lot 100 (No.3258) Albany Highway};
 - ♦ Narrogin Inne {Lot 100 (No.3258) Albany Highway};
 - ♦ Armadale Real Estate (old Muckcross Hall), {Lot Pt 186 South Western Highway}; and
 - ♦ Kate Wilkinson's Cottage {Lot Pt 186 (No.16) South Western Highway};to be known as the new locality of “Mount Richon”.
 - c) The remainder of the Armadale locality not included above to be retained as the locality of Armadale within its new boundaries. *Note – the properties identified in (b) be accordingly included in the locality of Armadale.*
2. That residents and owners within the bounds of the new localities be advised by letter and local newspaper advertisement of the results following Geographic Names Committee consideration and approval of the matter.

MOVED Cr Zelones
MOTION CARRIED (5/2)

Cr Green and Cr Cominelli requested that their names be recorded as opposed to the Recommendation.



PROPOSED CLOSURE OF PEDESTRIAN ACCESS WAY (PAW) BETWEEN LOTS 191 (24) & 194 (22) CLENHAM WAY AND BETWEEN LOTS 1012 (28) 1022 (27) KIDBROKE PLACE, KELMSCOTT

WARD : WESTFIELD
FILE REF : WAY/3/97
DATE : 27 September 2002
REF : MF
RESPONSIBLE MANAGER : PSM
APPLICANT : Mr Boris
LAND OWNER : As above
SUBJECT LAND : Pedestrian access way (PAW) between Lots 191 (24) & 194 (22) Clenham Way and between Lots 1012 (28) & 1022 (27) Kidbroke Place, Kelmscott; Map 22-06
ZONING : Urban / Residential 'R.15'
MRS/TPS No.2

In Brief:

- Physical closure of PAW to be reconsidered following consultation with adjoining landowners.
- Department of Land Administration unable to proceed with closure due to lack of support from the Department for Planning & Infrastructure.
- Recommend that Council resolve to pursue closure with the Department for Planning & Infrastructure.

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.



PUBLIC ACCESS WAY
VIEW FROM CLENHAM WAY



PUBLIC ACCESS WAY
VIEW FROM CLENHAM WAY

Budget / Financial Implications

Technical Services Directorate has indicated a cost of approximately \$3,500.00 to install a welded mesh type fencing and gate at each end of the PAW if Council resolves to close the PAW and establish the land as a Public Utilities Reserve with vesting in Council. This cost has been included in the 2002/2003 Budget.

Alternatively, if Council resolves to decline the request to close the PAW, some improvement works will need to be carried out to increase the safety and security of the PAW as follows:

1. Basic upgrading including concrete repairs to the PAW and general tidying up at a cost of \$800.00.
2. Installation of vandal proof lighting along the fence line at a cost of approximately \$5,000.00.

These costs have not been included in the 2002/2003 Budget but will form part of Technical Services Directorate's 5-year Programme.

Consultation

- ◆ Technical Services Directorate
- ◆ Department for Planning & Infrastructure (DPI)
- ◆ Department of Land Administration (DOLA)
- ◆ Abutting landowners
- ◆ Grovelands Primary School

BACKGROUND

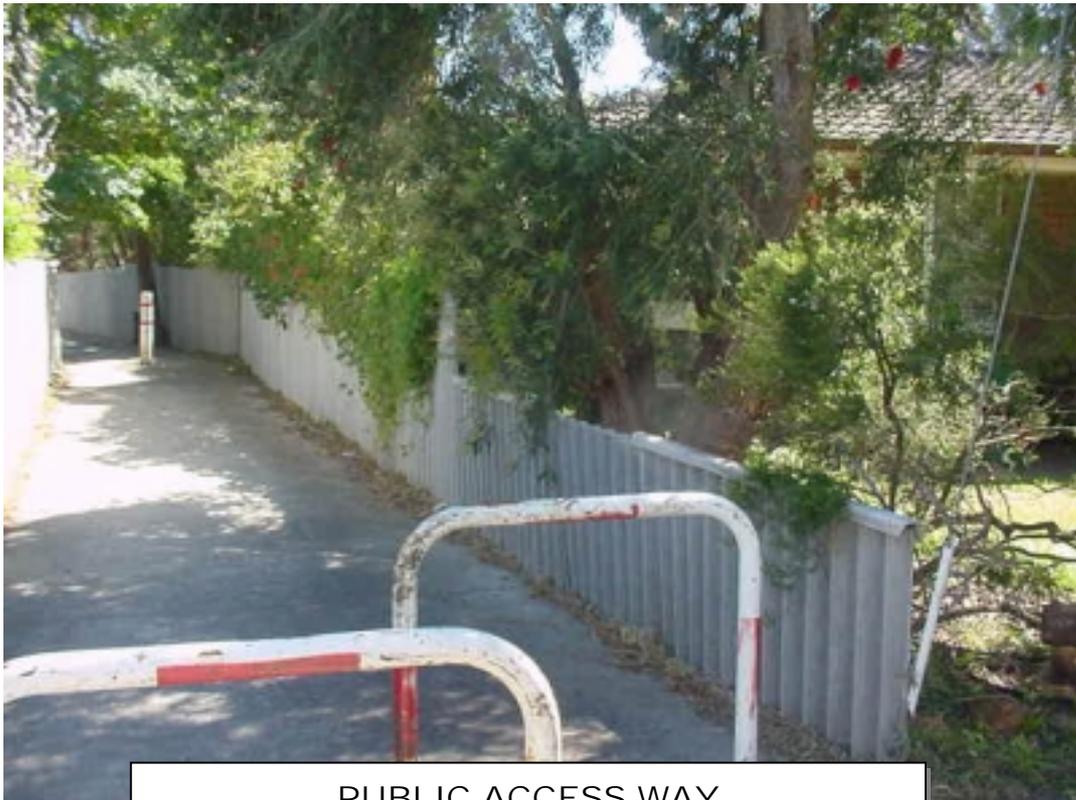
At its Meeting of 17 June 2002 Council resolved as follows:

1. *To request the Department of Land Administration (DOLA) to close the pedestrian access way (PAW) between Lots 191 (24) and 194 (22) Clenham Way and between Lots 1012 (28) and 1022 (27) Kidbroke Place, Kelmscott and that the land be established as a 'public utilities reserve' with vesting in Council.*
2. *That the matter of physical closure of the public utilities reserve be reconsidered following further consultation with adjoining landowners.*
3. *That applicant and respondents be advised of Council's determination.*

In accordance with item 2 of Council's resolution, Council Officers consulted with the adjoining landowners. There was a varying consensus of view regarding closure of the PAW as summarised below.

COMMENT

The applicant has stated that he would prefer to purchase the PAW, subject to easements and if necessary with strict covenants. The applicant has also stated that he would be prepared to install gates and continue to maintain the land.



PUBLIC ACCESS WAY
VIEW FROM KIDBROKE PLACE



PUBLIC ACCESS WAY
VIEW FROM KIDBROKE PLACE

One of the abutting landowners consulted has objected to the closure proposal at the outset on the grounds that she uses the PAW on a regular basis to walk her children to School. Her home was broken into about 10 years ago but since she has carried out some basic measures to improve the security of her home, she has not had any further break-ins. She suggests that the applicant should perhaps also consider taking some basic measures such as increasing the height of his low fence and installing a gate to improve security and to deter intruders from accessing the rear of his property from the PAW.

Department of Land Administration (DOLA) has indicated that approval from the DPI is required to enable DOLA close the PAW.

The pedestrian count conducted on Monday (11 February), Tuesday (12 February) and Wednesday (13 February) revealed that 56 pedestrians used the PAW between 7.30 a.m. and 8.45 a.m. and 30 pedestrians used the PAW between 2.45 p.m. and 3.45 p.m. on the days in question.

NEW INFORMATION

The Principal of Grovelands Primary School has also submitted a letter stating that the PAW is used by a significant number of school children and its closure will raise issues of safety because the children will have a longer unsupervised journey.

The Department for Planning & Infrastructure (DPI) has reiterated its previous position and does not support closure. In its recent letter, the DPI is of the view that:

1. The PAW forms an important part of the local pedestrian and cycle route that provides for good overall permeability through the area;
2. There is not a consensus of view regarding the merits of closing the PAW;
3. There are impediments to the closure such as the objection from the Water Corporation;
4. Council should examine and trial alternative options to closure.

Analysis

In the absence of support from the DPI, DOLA will not proceed with the legal formalities to close the PAW.

Options

1. Advise applicant that the closure of the PAW cannot proceed owing to lack of support from the Department for Planning & Infrastructure.
2. Pursue the closure of the PAW with the Department for Planning & Infrastructure.

CONCLUSION

Council could adopt Option 1 and advise applicant that the closure of the PAW cannot proceed owing to lack of support from the Department for Planning & Infrastructure. The applicant could also be advised to liaise with the Armadale Police on basis security measures.

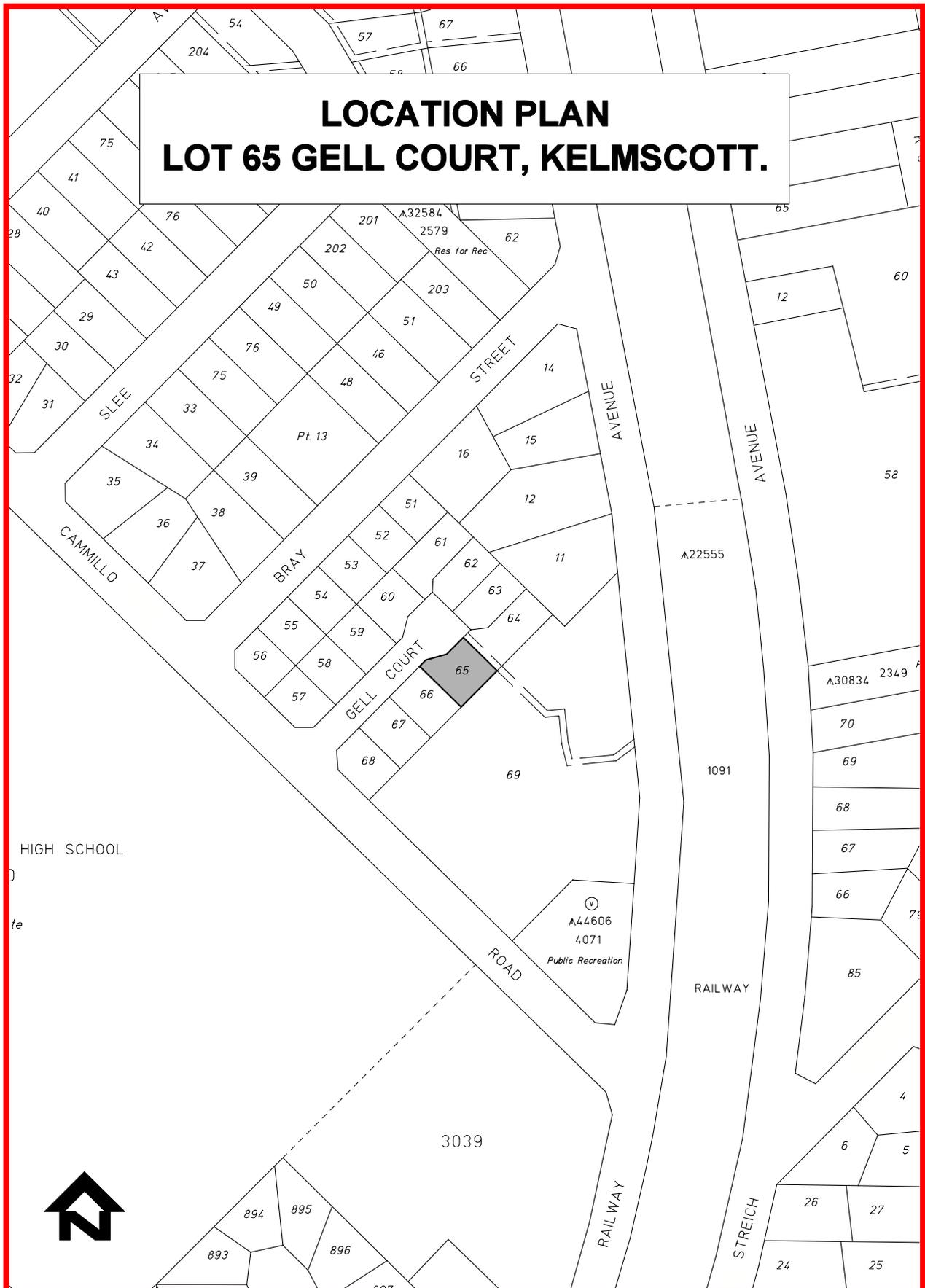
However, in view of the history of antisocial behaviour associated with the PAW, it is recommended that Council Officers should discuss the closure proposal further with the Department for Planning & Infrastructure.

D176/02 RECOMMEND

- 1. That Council resolve that proposed closure of the pedestrian access way (PAW) between Lots 191 (24) and 194 (22) Clenham Way and between Lots 1012 (28) and 1022 (27) Kidbroke Place, Kelmscott be further discussed with the Department for Planning & Infrastructure.**

- 2. That applicant and abutting landowners be advised of Council's determination.**

MOVED Cr Reynolds
MOTION CARRIED (7/0)



PROPOSED CAR PARK – LOT 65 (No.7) GELL COURT, KELMSCOTT

WARD : KELMSCOTT
FILE REF : A223539
DATE : 19 September 2002
REF : PRR
RESPONSIBLE MANAGER : PSM
APPLICANT : Mr G Collins
LAND OWNER : Uniting Church Homes
SUBJECT LAND : Property size 562m²
Map 22.06
ZONING : Urban / Residential 'R12.5'
MRS/TPS No.2

In Brief:-

- Council received an application for a car park on Lot 65 Gell Court, Kelmscott on 2 September 2002.
- Advertising of the proposal resulted in one submission of no objection.
- Recommend that Council approve the application 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
Town Planning Scheme No.2

Council Policy / Local Law Implications

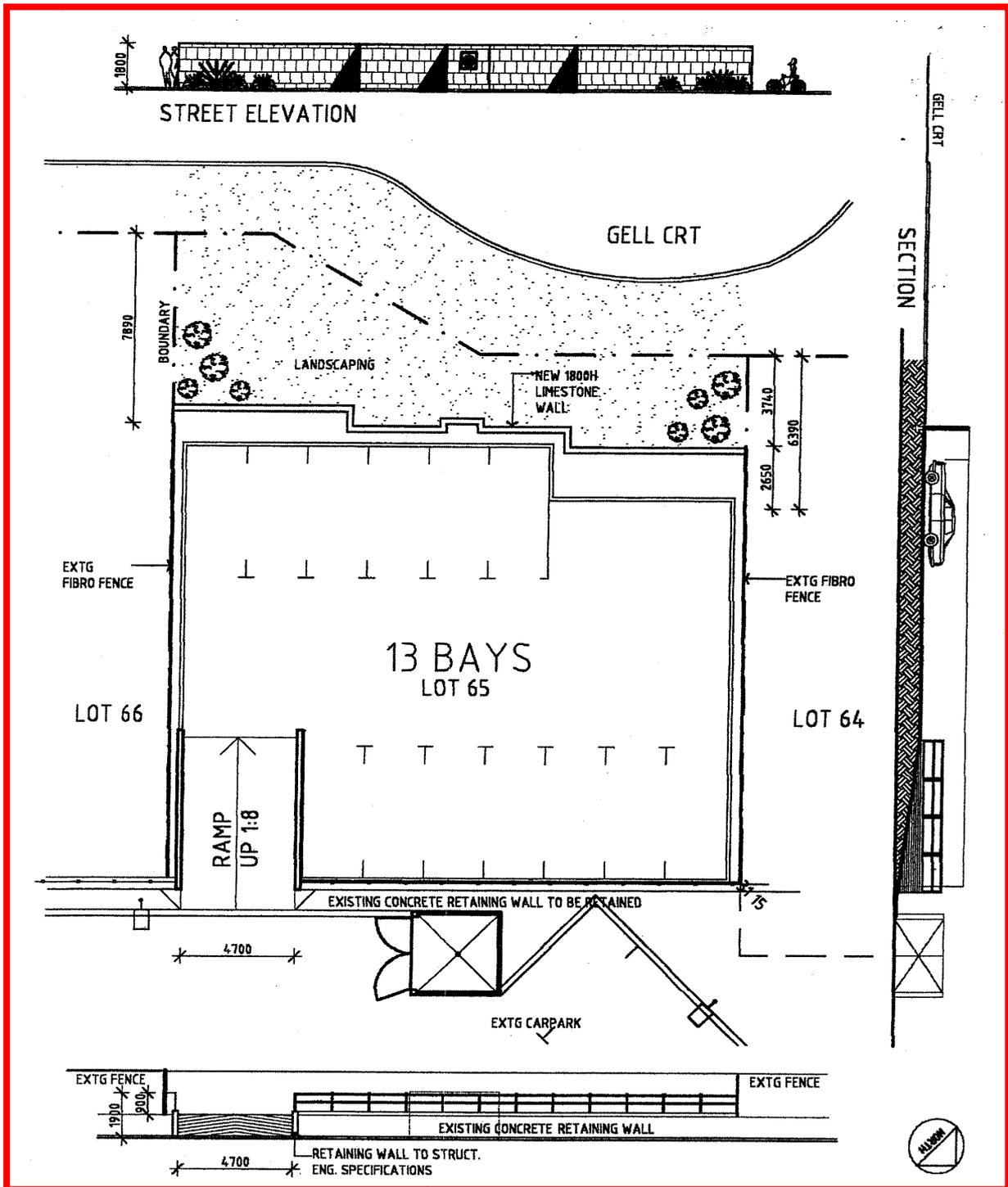
Nil.

Budget / Financial Implications

Nil.

Consultation

- ♦ Development Control Unit
- ♦ Surrounding Landowners



PROPOSED CAR PARK LAYOUT PLAN
LOT 65 GELL COURT, KELMSCOTT

BACKGROUND

At its meeting of 19 March 2001, Council resolved to refuse an application for a temporary car park on Lot 65 Gell Court as follows (D60/01):

- A) *That Council refuse the application to construct a temporary car parking facility at Lot 65 Gell Court, Kelmscott based on the following reason:*
- ◆ *The proposal will increase traffic generation along Gell Court and Cammillo Road resulting in a detrimental impact on the surrounding residential amenity in terms of noise, dust, traffic generation and visual amenity of the streetscape.*
- B) *That Council officers liaise with the applicant to address car parking issues at the building site.*

Council received a revised proposal on 2 September 2002 responding to concerns identified in the determination of the previous application. As the proposed use is considered to be an ‘IP’ use under Town Planning Scheme No.2, the matter has been referred to Council for determination.

DETAILS OF PROPOSAL

The applicant proposes to develop a permanent 13 bay car park on the subject lot. It should be noted that whilst the previous application was directed at addressing car parking shortfalls during the construction of the aged care facility on the neighbouring Lot 69, the current application has been submitted to address car parking shortfalls experienced by the residents of the now complete aged care facility, given a higher than expected number of visitors to the facility.

The proposed car park would be accessed via a small ramp from Lot 69, due to the difference in levels of 1.9m between the aged care facility and Lot 65 Gell Court. The proposed car park would be screened from Gell Court through the construction of a 1.8m high limestone wall, and the associated frontage would be landscaped and maintained by Uniting Church Homes.

Only staff would be permitted to use the new car park, thereby alleviating the use of the existing car bays for use by residents. In addition, the applicant has submitted that no parking would be allowed on Lot 65 after 9.00pm to reduce potential noise impacts. It is expected that this will not cause a problem for those staff on night shift, who will be able to use existing bays on Lot 69 during these hours, when no visitors are present.

COMMENT

Development Control Unit (DCU)

At its meeting held on 8 October 2002, DCU recommended that the item be referred to Council for approval, subject to appropriate conditions.

External Comments and Advice

The application was advertised to surrounding landowners for a period of two weeks. A total of one submission was received, stating that no objection was held.

ANALYSIS

Existing Parking on Lot 69

With regard to the parking difficulties being experienced by the aged care facility on Lot 69 Cammillo Road, the site provides 30 car parking bays. The application was considered akin to a hospital use, and as such 1 parking bay for every 4 beds was required under Town Planning Scheme No.2. With a total of 60 beds on site, the requirement for parking under Town Planning Scheme No.2 was 15 bays. As the facility provided double this figure, parking was not considered to be an issue with this proposal.

The applicant however maintains that parking for residents of the facility is a problem, with residents being fined for parking illegally on Cammillo Road. This proposal therefore presents a possible solution to the parking difficulties being experienced on Lot 69.

Use Consideration

Town Planning Scheme No.2 outlines that an ‘IP’ use is “*a use that is not permitted unless such use is incidental to the predominant use of the land as determined by the Council*”. Given the proposal is of a low scale, directly relates to the needs of the aged care facility on Lot 69, and efforts have been made to address the concerns as identified by residents in the previous application, the use seems appropriate as an incidental use. Therefore, if the Council should consider the use as appropriate, it is recommended that the subject lot and Lot 69 be amalgamated as the car park is incidental to the predominant use of the aged care facility.

Land Use Compatibility

The area immediately surrounding the proposed car park is predominantly residential in nature, with non-residential uses nearby including the Kelmscott Senior High School on the south-west side of Cammillo Road and the aged care facility adjoining the subject lot. With respect to the surrounding uses the proposal is of a low scale and has taken into account previous concerns held by surrounding residents. The one submission received with regard to the proposal commended the applicant for working together with the residents to resolve the ongoing parking problem in the area. It is therefore felt that the proposal is justified as an incidental use to the aged care facility and that potential impacts have been addressed satisfactorily.

Impact on Amenity

The applicant has submitted this proposal with due regard for the surrounding landowners. The correspondence accompanying the application from the applicant demonstrates that measures would be implemented to limit potential impacts to surrounding residents as far as is possible, with limitations on times the proposed car park could be used.

Consideration for the amenity of the surrounding area, particularly with regard to the Gell Court frontage has also been given, in terms of landscaping. A wall prevents vehicle access to and from Gell Court, which was one of the concerns held by residents in the previous application and will be sealed to reduce potential dust impacts.

It is recommended that should Council approve the car park, a detailed landscape plan for the proposed development should be required and a condition be imposed stating that direct access shall not be obtained from Gell Court, to avoid any possible future access issues.

OPTIONS

1. Council could approve the application for a car park on Lot 65 Gell Court Kelmscott, as a use incidental to the aged care facility on Lot 69 Cammillo Road, subject to appropriate conditions with regard to landscaping, access and amalgamation.
2. Council could refuse the application for a car park on Lot 65 Gell Court Kelmscott, as a use incidental to the aged care facility on Lot 69 Cammillo Road, if it is not satisfied that the proposal will not have a detrimental impact on the amenity of the area.

CONCLUSION

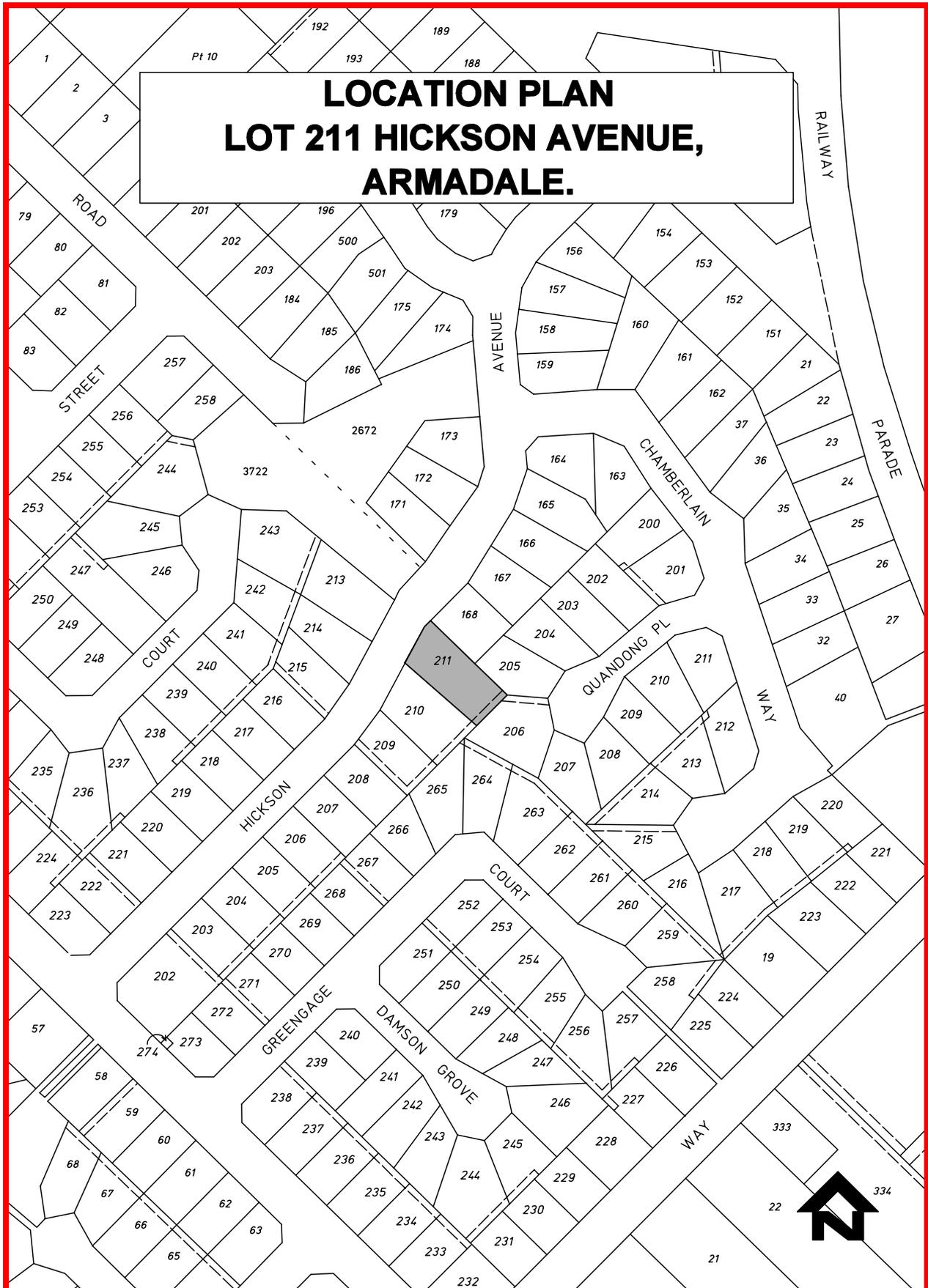
The proposal has demonstrated merit in terms of consideration of the impact on the surrounding properties. Given that no objections have been received from the surrounding landowners, it is recommended that Council approve the application in accordance with Option One.

D177/02 RECOMMEND

That Council approve the application for a car park at Lot 65 Gell Court, Kelmscott, subject to the following principle requirements:

- a) **Lot 65 Gell Court is to be amalgamated with Lot 69 Cammillo Road.**
- b) **Vehicle access to the car park is to be obtained via Lot 69 Cammillo Road to the satisfaction of Council and direct vehicle access to the car park from Gell Court is not permitted.**
- c) **The submission of a comprehensive landscape plan is required. The landscape plan is to include plant species and method of irrigation of the landscaped areas. The landscape plan is to be approved by Council and all landscaping is to be completed and maintained thereafter to the satisfaction of Council.**

MOVED Cr Zelones
MOTION CARRIED (7/0)



***OVERSIZE STORAGE OUTBUILDING –
LOT 211 (No.24) HICKSON AVENUE, ARMADALE***

WARD : WEST ARMADALE

FILE REF : A195815

DATE : 7 October 2002

REF : IT

RESPONSIBLE : BSM
MANAGER

APPLICANT : Mr G Agent

LAND OWNER : As above

SUBJECT LAND : Property size 1004 m²
Map 22-04

ZONING : Residential R15
MRS/TPS No.2

In Brief:-

- Application requesting approval to construct a 96m² outbuilding in the rear corner of the lot.
- Recommendation that the application be refused because of the building's likely adverse impact on the amenity of the surrounding residential area.

Tabled Items

Pictures and document submitted by the applicant in support of the request.

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

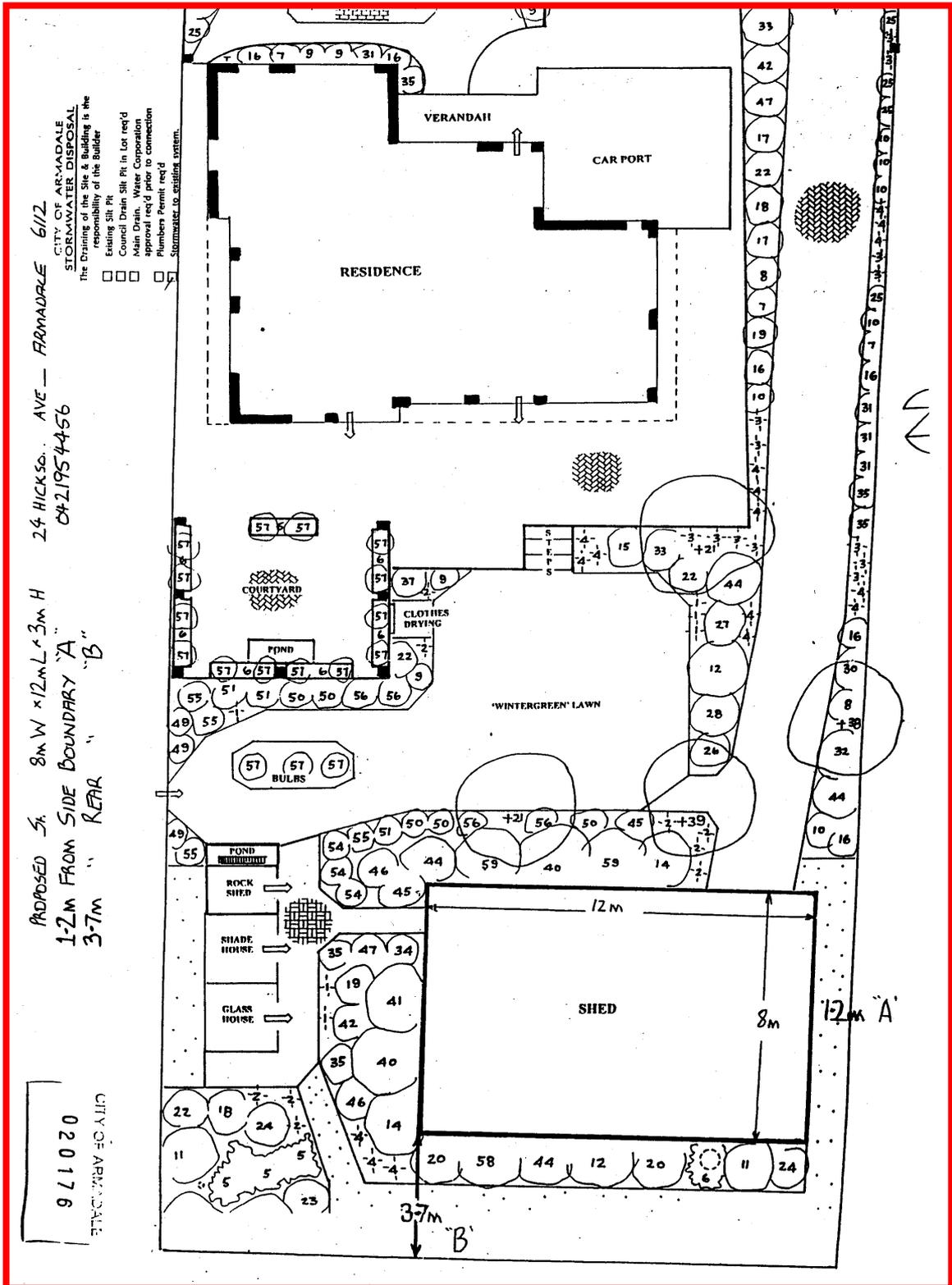
Local Government (Miscellaneous Provisions) Act 1960
Building Regulations 1989

Council Policy / Local Law Implications

Council Policy 4.5.20 Outbuildings in Residential and Rural Areas

Budget / Financial Implications

Nil.



SITE PLAN
LOT 211 HICKSON AVENUE, ARMADALE

Consultation

- ◆ Adjacent landowners

DETAILS OF PROPOSAL

The applicant proposes to construct a Colorbond Garage/Workshop of 96m² in the rear yard area of his property.

Application letter, in part:

“ The reason I want to build this size garage is because my hobby is restoring vintage aeroplanes and I need the space to lay the plane out during restoration so that I can work on different parts of the plane simultaneously. I have included some pictures of a current project

I understand that there is reluctance from the council to allow the erection of out-buildings in excess of 60m² but I would like to submit the following points for consideration of my application.

Please take into account that my residence was located as far forward and to the right on the block as possible to allow rear access and the appropriate space for this size structure. Please also note that this leaves well over half of my block empty at present. (see attached pictures)

I have employed the services of a landscape designer to ensure that the shed will be environmentally low impact and aesthetically pleasing to the eye. Over \$5,000 will be spent on plants. I submit the landscape design for your perusal.

The garage design was selected from a number of presentations for its durability and pleasing looks. It was not the cheapest and is in a Mist Green colour to blend naturally with the landscaping. All work on its construction will be carried out by reputable trades persons' whom I have already checked for quality workmanship. The design also includes insulation in the ceiling which will assist soundproofing.

The type of work involved in restoration of this type is more painstaking than noisy. Very little machinery is involved apart from normal handyman equipment. Because of Civil Aviation Regulations, any work that may involve industrial level noise, will be out-sourced to the accredited workshops.

The rear boundary fence is 2700mm. high for three quarters of its length because it has been built behind a small retaining wall. I have moved the shed site further forward than is required for easement purposes so that even with the garage in place it will not extend or affect the shadow caused by the existing height of the fence.”

CITY OF ARMADALE
020176

Registered Professional Engineer 341550
Andrew Matukewitch
MEng (Structural)
NPER-3
Specialist
Registered on the NPER-3 in the Category of
Structural
National Professional Engineers Register Section Three
PAC 4748

John F. Hart
MEng (CFE) Eng
Chartered Professional Engineer
Membership No. 345317
I.E.Aus.
The Institution of Engineers, Australia.
\$12,000.00

TYPICAL MULTIBUILD STRUCTURES – GENERAL ARRANGEMENT 1

DATE : JANUARY 2001

SCALE : N.T.S.

SHEET : 1 of 5

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A B CONSULTING ENGINEERS
STRUCTURAL AND CIVIL
341550
Registered Professional Engineer
Andrew Matukewitch
MEng (CFE) Eng (Structural)
NPER-3

Signature: _____ Date: _____
Registered on the NPER-3 in the Category of
Structural
National Professional Engineers Register Section Three.

ELEVATION PLAN
LOT 211 HICKSON AVENUE, ARMADALE

COMMENT

Council's outbuilding policy prescribes a maximum size for an outbuilding on a 1000m² lot of 75m².

Consultation with the adjoining landowners has resulted in the receipt of two objections to the proposal, one expressing concerns about the possibility that the building will be used for purposes not compatible with the amenity of a residential area.

While the application was submitted prior to the introduction of the new Residential Design Codes and will be dealt with under Council's existing outbuilding policy, it is worthy to note that the new Codes would impose an "Acceptable Development" limit of 60m² on a lot zoned for Residential purposes. In addition, it is considered that the building's bulk would also adversely impact on adjacent properties.

Options

1. Refuse the application on the basis that the building's size is not compatible with the amenity standards appropriate to a lot zoned for residential purposes.
2. Approve the application

CONCLUSION

The proposed building is significantly larger than the sizes prescribed in Council's current outbuilding policy and the recently introduced Residential Design Codes. Officers have concerns that the building could be used for purposes not compatible to residential amenity objectives.

Officer's report recommends –

That the application to construct a 96m² outbuilding on Lot 211 (No.24) Hickson Avenue, Armadale be refused because of its potential to adversely impact on the amenity of adjacent properties due to its bulk and potential to be used for purposes not compatible with adjacent residential development.

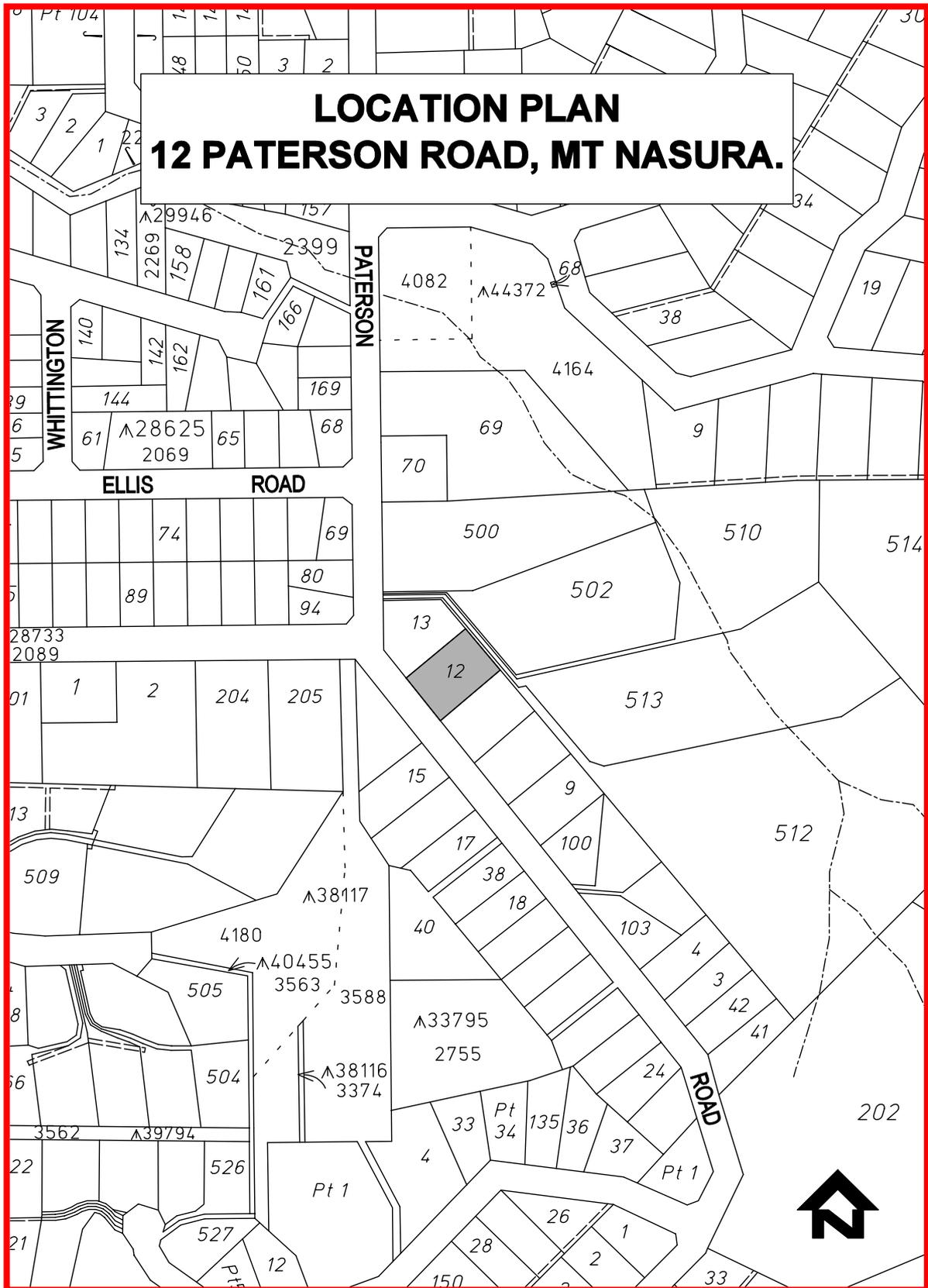
During COMMITTEE discussion, it was queried whether it was appropriate to refer to the potential usage of the shed and assumption of inappropriate activities.

It was agreed that reference to hypothetical activity was inappropriate to be recorded as a reason for Council determination of this matter, hence Committee's revised recommendation below.

D178/02 RECOMMEND

That the application to construct a 96m² outbuilding on Lot 211 (No.24) Hickson Avenue, Armadale be refused because of its potential to adversely impact on the amenity of adjacent properties due to its excessive bulk.

MOVED Cr Knezevich
MOTION CARRIED (7/0)



PROPOSED GARAGE - LOT 12 (NO.42) PATERSON ROAD, MT NASURA

WARD : KELMSCOTT
FILE REF : A94542
DATE : 7 October 2002
REF : SLH
RESPONSIBLE : BSM
MANAGER
APPLICANT : Great Western Sheds
LAND OWNER : P & H Croft
SUBJECT LAND : Property size 2 035 m²
Map 23.05
ZONING : Urban / Residential 'R5'
MRS/TPS No.2

In Brief:-

- Proposal to construct a 36m² metal-framed garage with 'Colorbond' finish cladding and roof sheeting.
- Located forward of the existing dwelling (ie 1.5m from the right-hand side boundary and 20.00m from the front boundary).
- Recommendation for approval on the grounds of the minimal impact on the streetscape and neighbouring properties conditional upon the utilisation of materials in complementary colours and planting of additional vegetation to screen the outbuilding.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

To maintain the City of Armadale as a place where the average family can enjoy a good lifestyle. Development – to balance the needs of development with sustainable economic, social and environmental objectives.

Legislation Implications

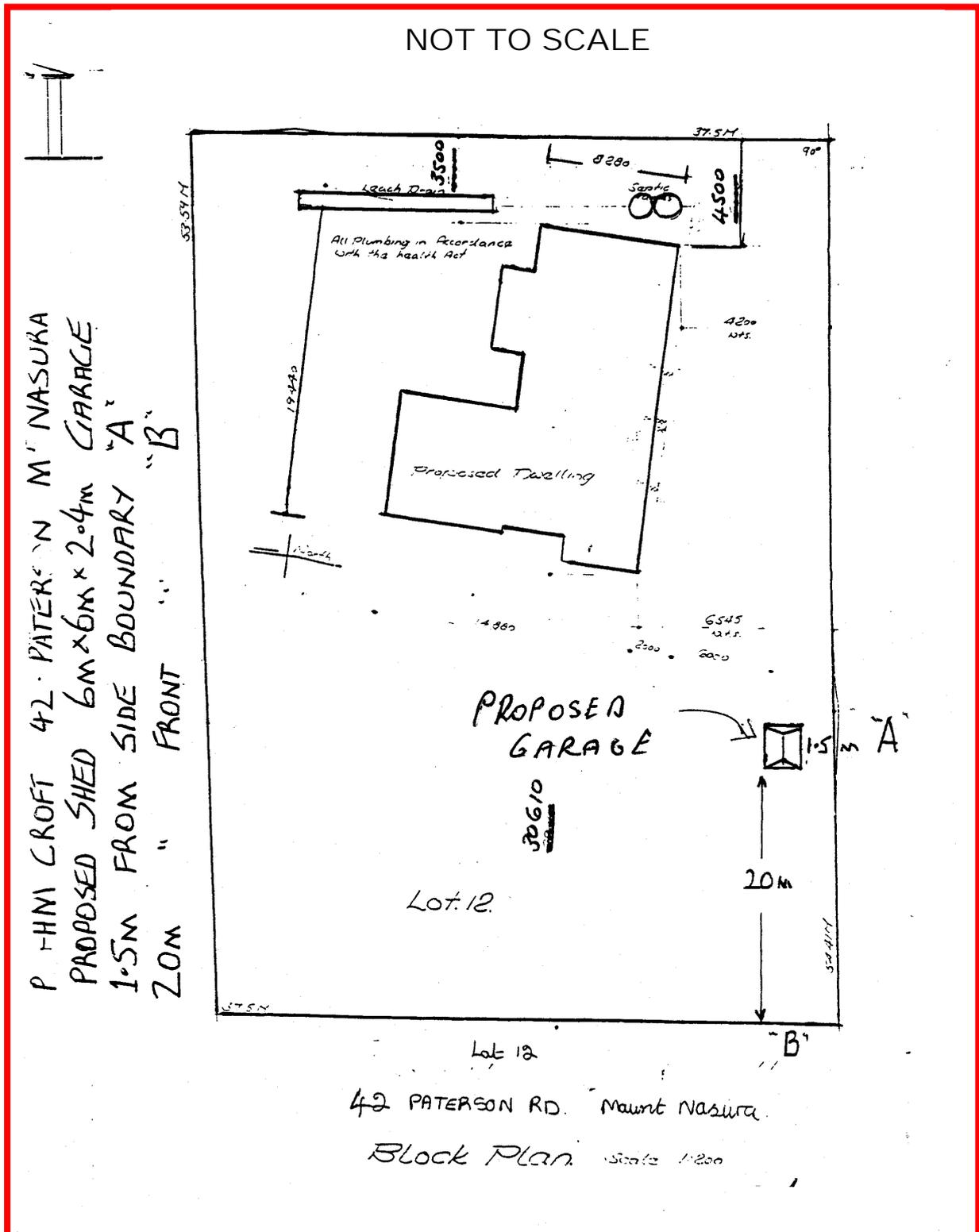
Metropolitan Region Scheme
Town Planning Scheme No.2
Residential Design Codes of Western Australia

Council Policy / Local Law Implications

Policy 4.5.20 Outbuildings in Residential and Rural Areas

Budget / Financial Implications

Nil.



SITE PLAN
LOT 12 PATERSON RD, MT NASURA

Consultation

- ♦ The proposal was advertised to four (4) neighbouring properties for comment.

BACKGROUND

Under the City's 'Outbuildings' Policy', outbuildings proposed to be forward of the main building line should be constructed of materials that match the main dwelling or be suitably screened from view.

As the proposed garage is located forward of the existing residence and the materials do not match those used to construct the main dwelling, the application requires Council's determination.

Also, it is of note that the new Residential Design Codes have been introduced since receipt of the application under review, which require outbuildings to meet Performance Criteria (ie outbuildings should not detract from the streetscape or the visual amenity of the residents or neighbouring properties.)

DETAILS OF PROPOSAL

The applicant proposes to construct a 36m² metal-framed garage with 'Colorbond' (Caulfield green) roof and cladding with contrast trim (Tuscan Red) located forward of the existing residence.

COMMENT

Consultation was undertaken with adjacent landowners who may be affected by the outbuilding.

One submission indicating 'No objection' was received. One neighbour, however, objected strongly to the proposal for various reasons. Of note were those relating to planning issues and the impact of the proposed outbuilding and associated reduced land values, creation of an 'industrial area' and interruption of the valley view.

Analysis

Officers have visited the site and confirmed that the existing residence is brick and tile and located towards the rear of the property facing towards the valley view and barely visible from the street.

The rectangular shaped block combined with the gradient, which falls substantially downward from the street restricts access to the property and any intended development, hence the proposal to locate the garage forward of the existing dwelling where the area has been levelled and is presently utilised for parking and turnaround of vehicles.

Discussions were held with the owners in relation to the proposed location of the outbuilding and usage of materials, which are lightweight rather than brick and tiles but the colours complement the existing dwelling. The owner intends planting additional vegetation to screen the garage from view.

Options

In consideration of the above, it is believed that there are three options available to Council.

1. Refuse the application.
2. Approve the application, which details the use of metal- framed with ‘Colorbond’ finish cladding and roofing materials.
3. Request that the applicant submits an amended proposal, which details the use of brick and tiles to match the existing dwelling.

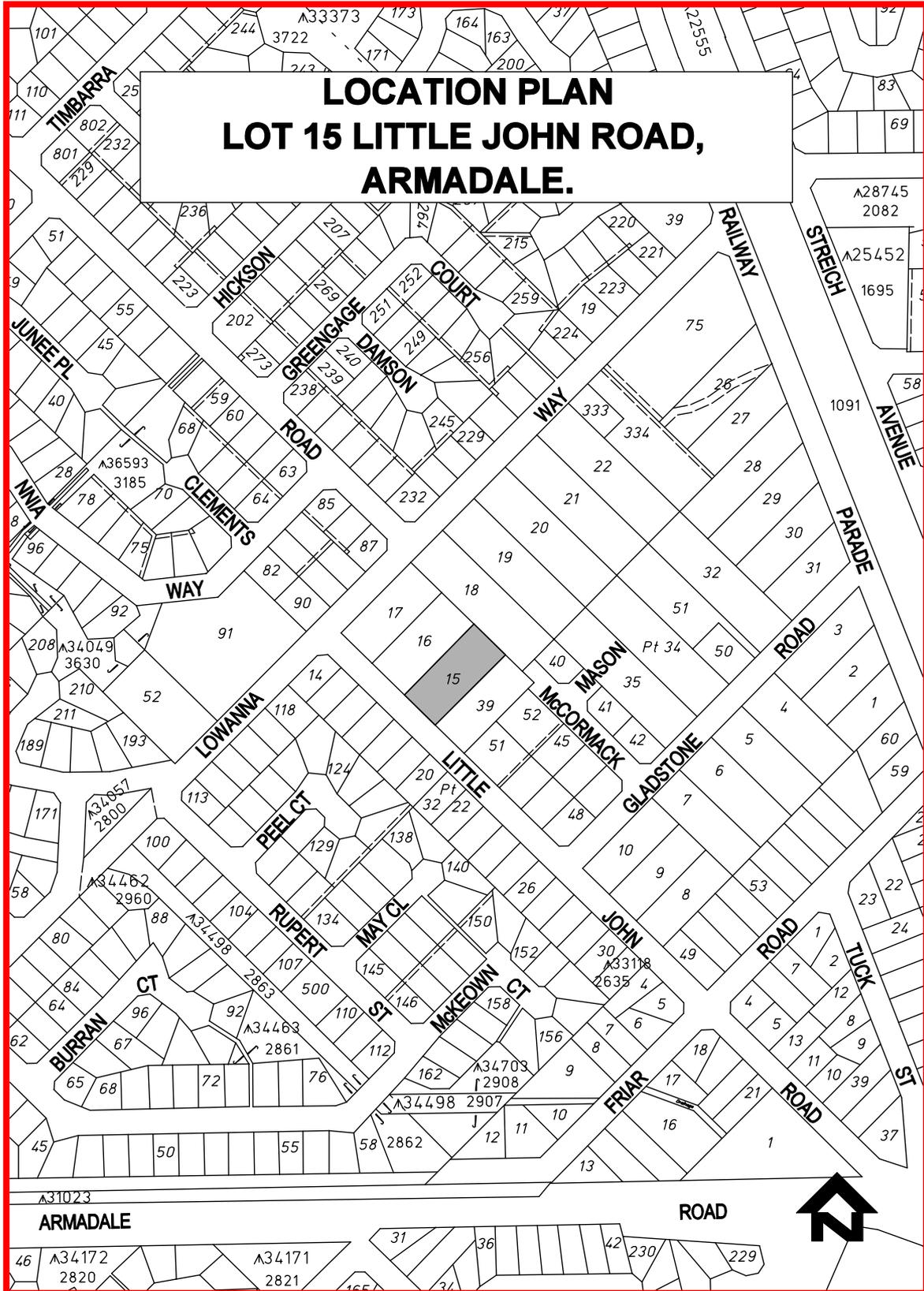
CONCLUSION

Officers are of the opinion that the proposal will have a minimal impact on the amenity of the surrounding properties and streetscape with the inclusion of complementary colours and additional vegetation and therefore recommend approval.

D179/02 RECOMMEND

That the builder’s request for Council to issue Planning Consent to permit the development of a 36m² metal-framed with ‘Colorbond’ finish garage located forward of the existing dwelling on Lot 12 (No.42) Paterson Road, Mt Nasura be approved conditional upon the utilisation of complementary colours and the inclusion of additional vegetation to screen the garage.

MOVED Cr Zelones
MOTION CARRIED (7/0)



***UNAUTHORISED OUTBUILDING ADDITIONS –
LOT 15 (No.59) LITTLE JOHN ROAD, ARMADALE***

WARD : WEST ARMADALE
FILE REF : A37906
DATE : 7 October 2002
REF : IT
RESPONSIBLE : BSM
MANAGER
LAND OWNER : Mr P Hillbrick
SUBJECT : Lot 15 Little John Rd, Armadale
LAND : Property size 2883m²
Map 22-04
ZONING : Residential R15
MRS/TPS No.2

In Brief:-

- Report advising of the existence of an unauthorised addition to an outbuilding on the above lot
- Recommendation that a Form 2 Planning Consent be issued conditional upon the painting of the shed addition and the previously existing building.

Tabled Items

Photographs

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

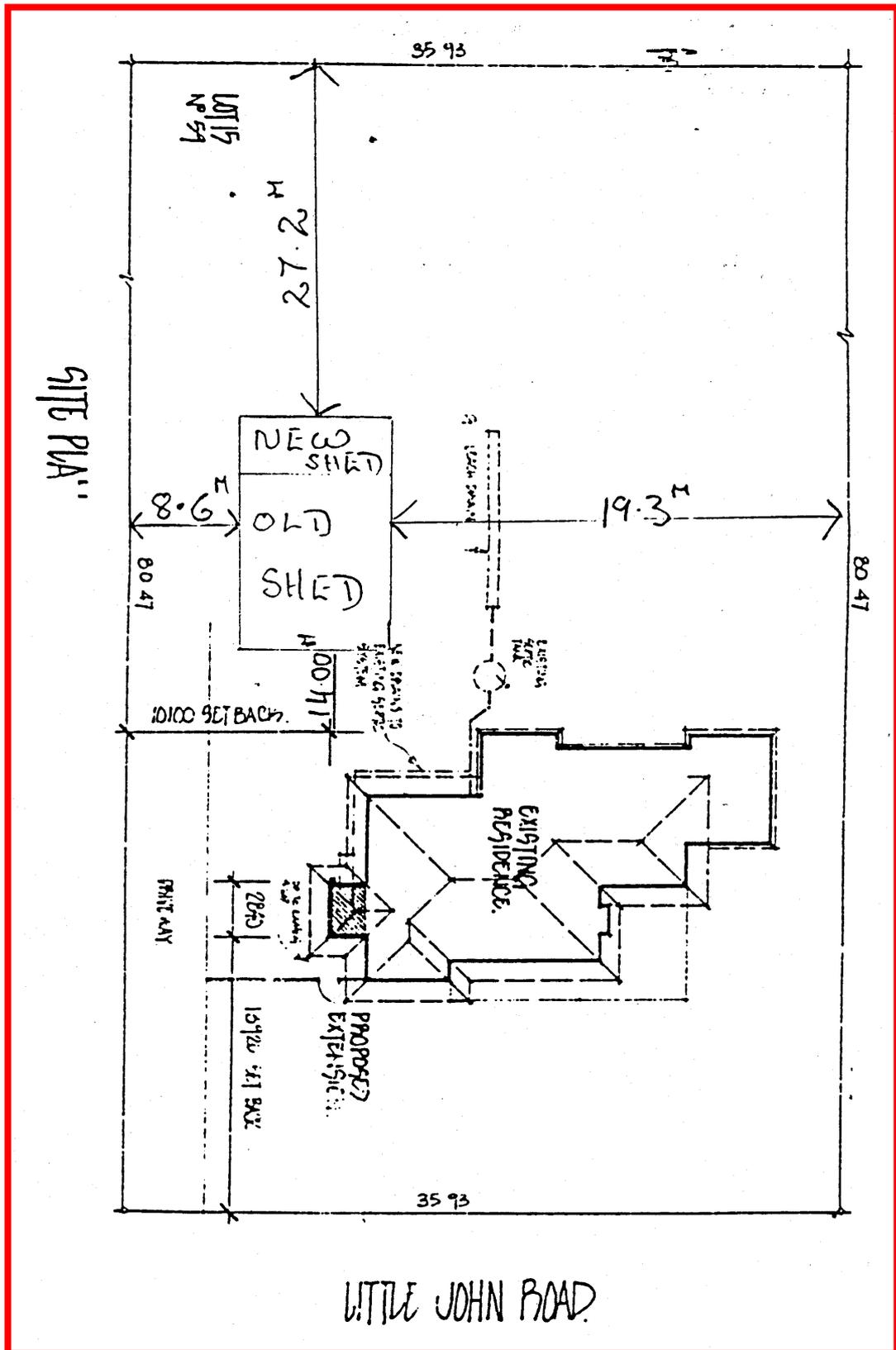
Town Planning and Development Act 1928
Local Government (Miscellaneous Provisions) Act 1960
Building Regulations 1989

Council Policy / Local Law Implications

Policy 4.5.20 Outbuildings in Residential and Rural Areas

Budget / Financial Implications

Nil.



SITE PLAN
LOT 15 LITTLE JOHN ROAD, ARMADALE

BACKGROUND

In response to a letter from an adjacent resident advising that unauthorised works were being undertaken on the site officers have visited the property and have confirmed that unauthorised building works were being undertaken in the form of an addition to an existing metal garage building on the site. The unauthorised shed addition measures 5 metres wide x 7.5 metres long x 4 metres in height and has been constructed from Zinalume Custom Orb sheeting.

The building additions have been inspected and are considered to be both structurally sound and of a good construction standard.

DETAILS OF PROPOSAL

The City has received an Application for Approval to Commence Development for the extension to the existing shed.

It is considered that the total size of the addition and the existing shed, at 118 m², is not excessive on a lot of 2883 m². Council's policy permits the approval of a shed of approximately 140 m² on a lot of the size being considered, subject to the associated amenity issues being addressed.

The shed is setback 8.6 metres from the nearest boundary of the lot, and most of the building is screened by mature vegetation.

Options

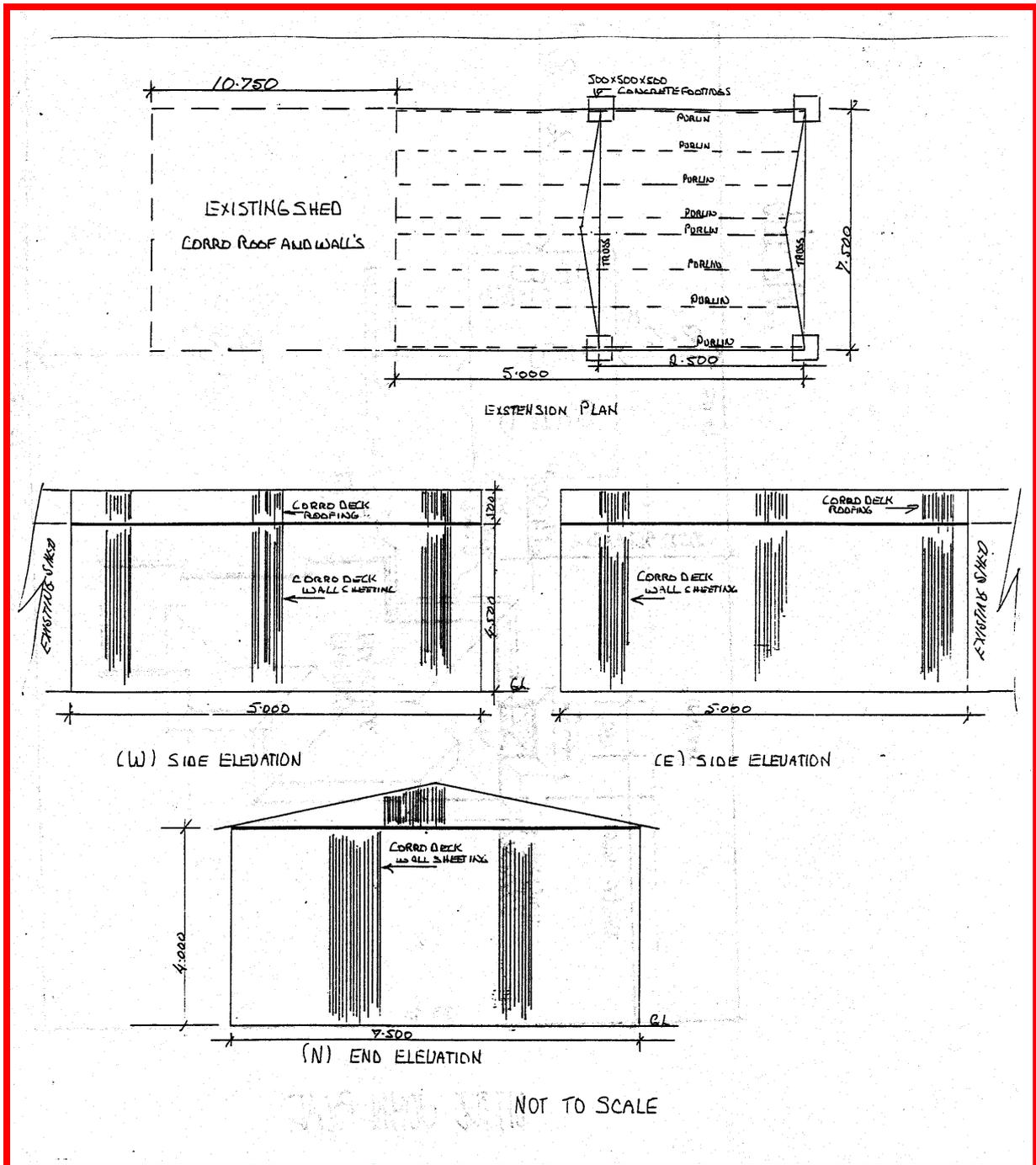
1. Serve notice under the Local Government (Miscellaneous Provisions) Act 1960 on the landowner requiring the removal of the addition.
2. Issue a Form 2 Planning Consent with a condition requiring that the addition and the existing structure be painted Mist Green to a standard considered satisfactory by the Building Services Manager.
3. Take no further action.

CONCLUSION

It is considered appropriate to further investigate the actions of the builder and/or the landowner with the view of instigating legal proceedings under the Local Government (Miscellaneous Provisions) Act 1960 for commencing to build prior to obtaining the required building licence. At this time it is not clear whether there is sufficient evidence available to pursue a formal action, but further enquiries are being undertaken. If the enquiries and legal advice confirm an action is possible a further report will be prepared.

Given the quality of the completed addition and its negligible impact on adjacent properties it is not considered appropriate to pursue the removal of the unauthorised work from the site in this case.

The landowner has responded positively to the suggestion that the addition and existing structure be painted in an appropriate colour. (Mist Green has been contemplated)



ELEVATION PLAN
LOT 15 LITTLE JOHN ROAD, ARMADALE

On the basis of the above, it is considered that Option 2 is the most appropriate in the circumstances that prevail.

Officer's report recommends –

That a Form-2 Planning Consent be issued applicable to the construction of an addition to an existing garage on Lot 15 (No.59) Little John Road, Armadale, conditional upon the full structure being painted Mist Green to the satisfaction of the Building Services Manager.

COMMITTEE considered that the works undertaken without a building licence should be inspected and certified by a Structural Engineer to ensure that the works are structurally adequate.

D180/02 RECOMMEND

That a Form-2 Planning Consent be issued applicable to the construction of an addition to an existing garage on Lot 15 (No.59) Little John Road, Armadale, conditional upon the full structure being painted Mist Green to the satisfaction of the Building Services Manager and the structural adequacy of the addition being Certified by a Structural Engineer.

MOVED Cr Knezevich
MOTION CARRIED (7/0)

COUNCILLORS' ITEMS

Nil.

HEALTH ACT – FEES AND CHARGES

WARD : ALL
FILE REF : GOV 7
DATE : 2 October 2002
REF : IW
RESPONSIBLE : HSM
MANAGER

In Brief:-

- The West Australian Local Government Association has sent out a circular to Local Governments seeking their opinion on the proposal to increase the Health Act fees and charges.
- Recommendation that Council endorse the action of the Acting Health Services Manager in advising W.A.L.G.A. that Council supports the proposed increase in the Health Act fees and charges.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Nil.

Legislation Implications

Amendments will need to be made to the Health Act to accommodate the new fee structure.

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

There will be a slight increase in the revenue raised by the Health Department.

Consultation

Nil

BACKGROUND

W.A.L.G.A. is seeking comments from Local Governments in relation to fees and charges administered by the Health Act. A circular letter was sent to Local Governments seeking comments on the proposed changes. The information was required by W.A.L.G.A. prior to this Committee Meeting and therefore a response was forwarded accordingly.

HEALTH ACT FEES AND CHARGES
CALCULATIONS OF INCREASES BASED ON CPI

<i>REGULATION</i>	<i>CURRENT FEE</i>	<i>PLUS CPI *</i>
Offensive Trades (Fees) Regulations 1976 – Gazetted 1992		
Slaughterhouses	170	220
Piggeries	170	220
Artificial Manure Depots	120	155
Bone Mills	100	130
Places for storing, drying or preserving bones	100	130
Fat melting, fat extracting or tallow melting establishments		
- Butcher shop and similar	100	130
- Larger establishments	170	220
Blood Drying	100	130
Gut scraping, preparation of sausage skins	100	130
Fellmongeries	100	130
Manure Works	120	155
Fish curing establishments	120	155
Laundries, Drycleaning establishments	85	110
Bone Merchant premises	100	130
Flock factories	100	130
Knacheries	170	220
Poultry Processing establishments	170	220
Poultry Farming	170	220
Rabbit Farming	170	220
Places used for dealing in scrap metal, other than by heat, for the recovery of metal	100	130
Fish processing establishments in which whole fish are cleaned and prepared	170	220
Shellfish and Crustacean processing establishments	170	220
Any other offensive trade not specified	170	220
Health (Treatment of Sewage and Disposal of Liquid Waste) Regulations 1974 – Gazetted July 1997		
Application for the approval of an apparatus by Local Governments under Regulation 4	75	85
Fee for an inspection of an apparatus under regulation 10 (1)		
(a) for one or 2 major fixture (fee last amended June 2000)	55	60
(b) for each additional major fixture (fee last amended June 2000)	13.50	15
Fee for an inspection of an apparatus under regulation 10(3) (fee last amended June 2000)	27.50	30
Health (Public Building) Regulations 1992 – Gazetted April 1992		
Fee equal to considering the cost of considering the application up to	500	645
Health (Food Standards) (Administration) Regulations 1986 – Gazetted November 1986		
Fee for the purpose of Section 246ZJ of the Health Act	25	40
Health (Pet Meat) Regulations 1990 – Gazetted November 1990		
Registration of a knackery	250	350
Hire of a stamp for a knackery (fee last amended May 2001)	55	60
Registration of a processing establishment	25	35
Hire of a brand for a processing establishment (fee amended May 2001)	55	60
Registration of a Class 1 pet meat shop	150	210
Registration of a Class 2 pet meat shop	75	105
Transfer of registration	75	105

* CPI Calculations are cumulative since year of gazettal, however rates were only available from 1994/95 – previous years have been calculated based on average CPI increases since 1994.
CPI Calculations are based on Perth metropolitan
Amounts have been rounded to the nearest unit of 5

The fees relate to various approvals, inspections, registrations and licensing functions which must be performed during the administration of the Health Act. The fees are prescribed by Regulation and have not been amended for some time, despite the increasing costs of delivering such services. The fee structure has not kept pace with the CPI and therefore it is appropriate that the fees be raised.

W.A.L.G.A. is working with the Health Department of WA to review the fee structure.

D181/02 RECOMMEND

That Council endorse the action of the Acting Health Services Manager in advising W.A.L.G.A. that the new fee structure is supported.

MOVED Cr Stubbs
MOTION CARRIED (7/0)

DALE SPORTS CLUB – LIQUOR LICENCE

WARD : WEST ARMADALE
FILE REF : HLT/10
DATE : 23/09/02
REF : IW
RESPONSIBLE : HSM
MANAGER
LANDOWNER : City of Armadale

In Brief:-

- Dale Sports Club (situated at Bob Blackburn Reserve) have not provided us with a House Management Plan in accordance with Council's Alcohol Policy.
- The Club has also failed to complete a licenced premises survey as part of the *Gosnells Armadale Alcohol Project*.
- Recommendation that Council approach the Liquor Licensing Branch of the Department of Racing, Gaming and Liquor with a view to having the liquor licence for the Dale Sports Club withdrawn.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Nil.

Legislation Implications

Nil.

Council Policy / Local Law Implications

Compliance with the City Of Armadale Alcohol Policy.

Budget / Financial Implications

Nil.

Consultation

Manager, Community Services

BACKGROUND

The licensee of the Dale Sports Club has been written to on a number of occasions requesting them to provide the City with a House Management Plan in accordance with the requirements of the City's Alcohol Plan.

The licensee was advised in our last correspondence that if a House Management Plan was not submitted by 13th September 2002 the matter would be referred to Council.

COMMENT

Analysis

Council, through its Alcohol Policy, encourages responsible alcohol consumption throughout the community and in particular within Council owned buildings. The Sports Club has not forwarded a House Management Plan or completed the Licenced Premises Survey as part of the Gosnells Armadale Alcohol Project. This survey involves the Liquor Licensing Act 1988 and the South Suburban Alcohol Accord.

The Club has not acknowledged requests for a House Management Plan and have not responded to requests to complete the Licenced Premises Survey. Dale Sports Club is the only club using Council premises to not provide a House Management Plan and not complete the Licenced Premises Survey as requested.

Options

Council has two options in regard to this matter:

1. Approach the Liquor Licensing Branch with a view to having the Liquor Licence withdrawn.
2. Take no action in regard to the matter.

CONCLUSION

It is appropriate to take action against the Club in view of the fact that they are not complying with our requests for information and are not complying with Council's Alcohol Policy. However, action taken should not penalise other members (e.g. junior members) who have no role in the running of the Club.

D182/02 RECOMMEND

That Dale Sports Club be advised that, should they fail to provide a House Management Plan in accordance with Council's Alcohol Policy by 8th November 2002, the matter will be referred to the Liquor Licensing Branch with a view to having the Club's liquor licence withdrawn.

MOVED Cr Stubbs
MOTION CARRIED (7/0)

PROSECUTION - MANIA AND RUSIECKI, LOT 54 THIRD AVENUE, KELMSCOTT

WARD : KELMSCOTT
FILE REF : A105335
DATE : 1 October 2002
REF : IW
RESPONSIBLE : HSM
MANAGER
LANDOWNER : C & HZ Mania &
MK Rusiecki

In Brief:-

- Council, at its meeting of 8th July, 2002 resolved to prosecute the owners of Lot 54 Third Avenue, Kelmscott if outstanding costs are not paid.
- Recommendation that Council endorse the action of the Acting Health Services Manager in instigating legal action.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Nil.

Legislation Implications

Nil.

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

The cost of the cleanup was \$135.30.

Consultation

Include internal and external consultation

BACKGROUND

Council's Health Department had received a number of complaints about an accumulation of rubbish at No.18 Third Ave. Kelmscott. The owners of the property failed to remove the rubbish despite several written requests by Council's Health Department. The rubbish was subsequently removed by Council employees and the landowners billed for expenses incurred.

One of the landowners, Ms Rusiecki, claimed she was in financial difficulties but agreed to pay the costs by 6th September 2002. No payment has been received to date.

Council, at its meeting of 8th July 2002, resolved to instigate legal action against C & HZ Mania and MK Rusiecki to recover costs and for failing to comply with an order issued pursuant to Section 184 of the Health Act.

OPTIONS

1. That legal action continue to recover expenses incurred and for failing to comply with the terms of a requisition issued under the provision of Section 184 of the *Health Act 1911*.
2. That legal action be withdrawn and the outstanding costs be registered as a charge against the land.

CONCLUSION

In view of the lack of cooperation shown by the owners, legal action instigated to recover costs incurred and for failing to comply with the terms of a requisition remain.

D183/02 RECOMMEND

That Council endorse the action of the Acting Health Services Manager in instigating legal action against C & HZ Mania and M K Rusiecki.

MOVED Cr Zelones
MOTION CARRIED (7/0)

COUNCILLORS' ITEMS

Cr Stubbs

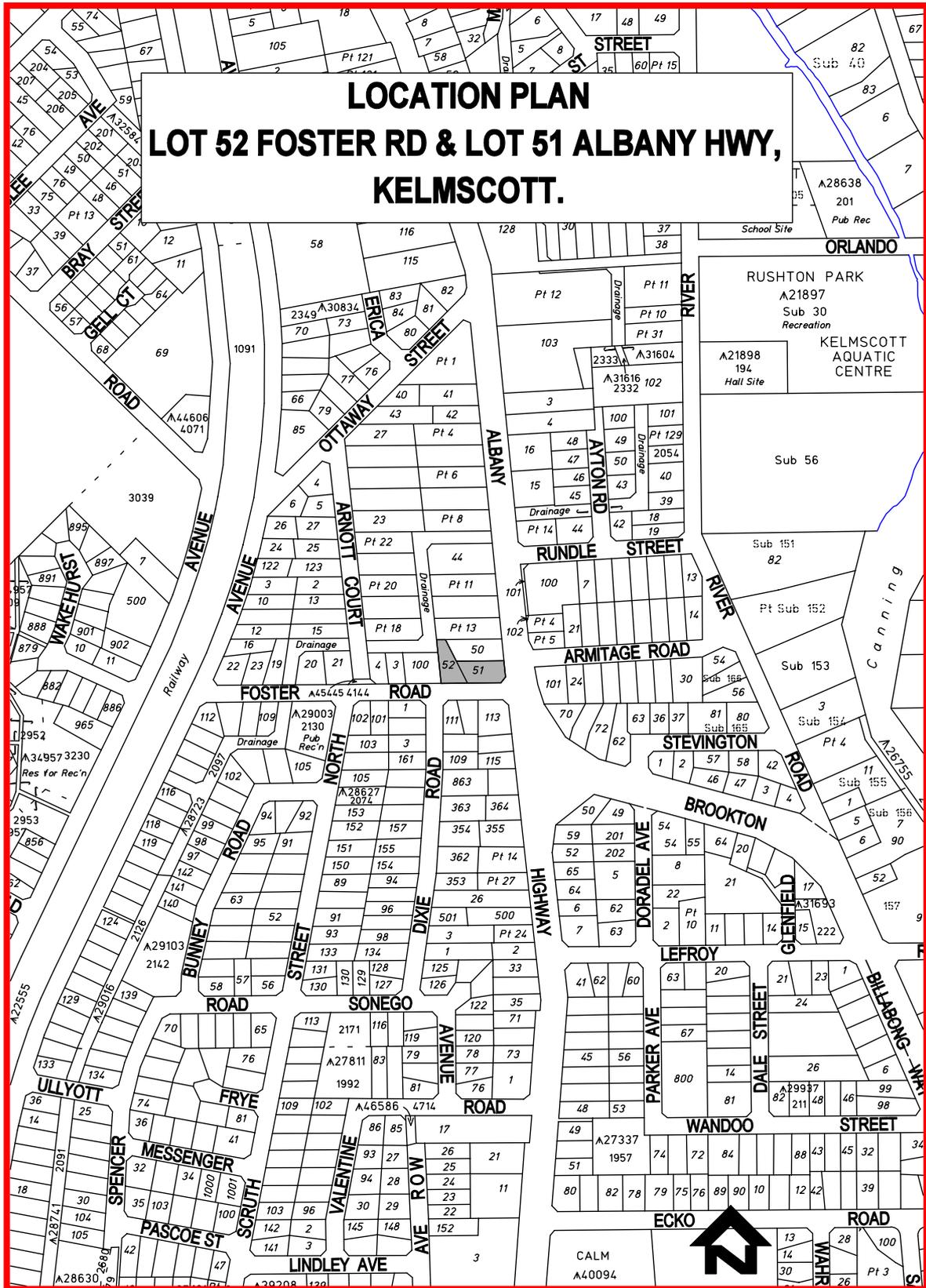
1. Noisy Deliveries

Cr Stubbs noted complaints from residents concerning early morning truck deliveries to Roleystone Primary School and Roleystone Shopping Centre characterised by truck reverse alarm generating noise nuisance at inappropriate times of the day.

D184/02 RECOMMEND

That officers investigate and report on possible considerations and measures of control of unacceptable after hours delivery noise nuisance activities within residential areas.

MOVED Cr Zelones
MOTION CARRIED (7/0)



***PROPOSED REZONING OF LOT 51 ALBANY HWY & LOT 52 FOSTER RD,
KELMSCOTT FROM “RESIDENTIAL R10 “ TO “SPECIAL USE - MEDICAL CENTRE”***

WARD : KELMSCOTT
FILE REF : SCH/2/184
DATE : 7 October 2002
REF : GIW
RESPONSIBLE : PSM
MANAGER
APPLICANT : Master Plan
LAND OWNER : F B Webb Pty Ltd
SUBJECT LAND : Lot 51 Albany Highway &
Lot 52 Foster Road,
Kelmscott; Map 22.06
ZONING : Urban / Residential R10
MRS/TPS No.2

In Brief:-

- Council initiated the proposed amendment at its meeting held on 20 May 2002.
- Council to consider submissions received during the advertising period.
- Recommend that the amendment be finally adopted subject to no objection being received from Main Roads.

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

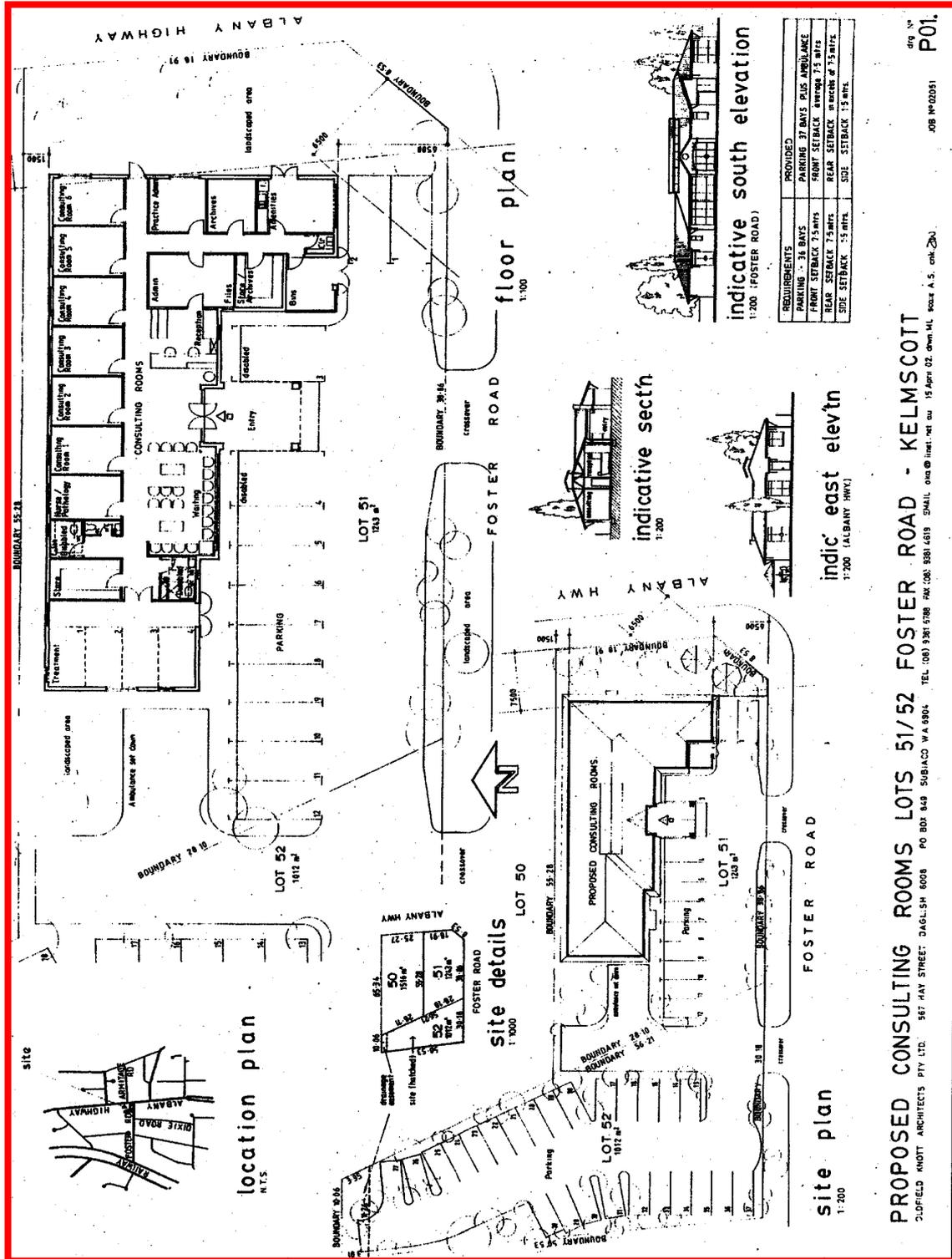
Town Planning & Development Act 1928
Metropolitan Region Scheme Act 1959
Town Planning Scheme No.2

Council Policy / Local Law Implications

Nil

Budget / Financial Implications

Nil.



CONCEPT PLAN LOTS 51 ALBANY HWY & LOT 52 FOSTER RD, KELMSCOTT

Consultation

- ◆ Development Control Unit (DCU)
- ◆ Surrounding landowners and Government Agencies
- ◆ Advertisement in West Australian newspaper
- ◆ Sign on site

BACKGROUND

At its meeting held on 20 May 2002, Council resolved to initiate the proposed Scheme Amendment subject to preparation of a traffic management study prior to final adoption.

The applicant has subsequently submitted a traffic management study to demonstrate that the proposal poses minimal impact on traffic flows along Albany Highway.

As the advertising period has now been finalised, Council is requested to determine the submissions received and consider final adoption of the proposed Amendment.

EXISTING SITUATION

The Armadale Kelmscott Specialist Centre currently occupies the subject premises. The existing medical practice was approved as a ‘consulting room’ on each lot, which comprises two buildings (each containing a consulting room) for up to (4) practicing consultants with associated car parking. Vehicular access to the site is obtained via two crossovers entering from Foster Road.

The present approval on the subject site is restricted to four (4) practising consultants in accordance with the definition of a consulting room as per Town Planning Scheme No.2 (i.e. maximum two (2) professional consultants per “consulting room”), consequently a formal rezoning of the site is required to accommodate the additional two (2) practicing consultants which are proposed.

DETAILS OF PROPOSAL

The amendment proposes to rezone the subject lots from “Residential R10” to “Special Use: Medical Centre” in order to accommodate a Medical Centre with up to (6) consulting rooms on site.

COMMENT

Development Control Unit (DCU)

DCU at its meeting held on 7 October 2002 recommended Amendment No.184 be finally adopted.

SCHEDULE OF SUBMISSIONS TOWN PLANNING SCHEME NO.2 AMENDMENT NO.184				
NO	NAME & ADDRESS	AFFECTED PROPERTY	RESUMÉ OF SUBMISSION	RECOMMENDATION
1	Western Power GPO Box L921 Perth WA 6842		<p>No objection to proposal:</p> <ol style="list-style-type: none"> Perth On Call Service must be connected and location details (of Western Power's underground cable) obtained prior to any excavation commencing in the future. Work safe requirements must be observed when work is undertaken in the vicinity of Western Power's assets. 	<ol style="list-style-type: none"> Noted Noted
2	F B Webb 45 Dale Place Orange Grove WA 6109	Lot 51 Albany Highway & Lot 52 Foster Road - Property Owner	<p>Supports Proposal:</p> <ol style="list-style-type: none"> It will allow for the expansion of medical services offered by a group with an outstanding history of medical service within Armadale and Kelmscott 	<ol style="list-style-type: none"> Noted

Technical Services Directorate (TSD)

TSD advised that the traffic impact assessment prepared by the applicant satisfactorily demonstrates that the proposed land use poses minimal impact on traffic flows at the intersection of Albany Highway and Foster Road, and therefore raised no objection to the proposed amendment.

Main Roads Western Australian (MRWA)

Main Roads has provided no comments on the proposal to date. Although traffic issues or concerns have been addressed to the satisfaction of the City, it is recommended that the proposal be determined subject to receiving no objection from Main Roads.

Public Advertising of Amendment No.184

The proposed Amendment was advertised from 16 August 2002 to 2 October 2002. Advertising involved notifying surrounding landowners and external authorities by mail, a sign on site and advert in the 'West Australian' newspaper.

Total No. of responses received	:	2 (including Government Agencies)
No. opposed to the proposal	:	0
No. in favour / no objections	:	2

A copy of the schedule of submissions is at attachment to this report.

Analysis

Land Use Compatibility

The subject site is appropriately located in close proximity to compatible medical facilities along Albany Highway. The proposed land use within the rezoning is consistent with the existing approved medical practice currently operating on site. Although the proposal will result in (2) additional practising consultants being accommodated on site, being a slight intensification of the existing land use, it is considered that appropriate development controls outlined within the Special Use Table will ensure that the development poses minimal impact on the surrounding residential area, through the following means:

- ◆ The proposed building shall be compatible with the surrounding residential area in terms of architectural design and scale;
- ◆ Car parking areas abutting residential lots is to be screened with masonry fencing to mitigate headlight glare and noise associated vehicular movements;
- ◆ A minimum of 36 car parking bays (6 bays per consulting room) shall be provided in accordance with TPS No.2 requirements;

Traffic

Given the site's existing land use, corner location and convenient access to Albany Highway, it is considered that the proposal is unlikely to significantly increase traffic volumes along Foster Road and the surrounding residential streets. A traffic impact assessment study prepared by the applicant also satisfactorily demonstrates that the proposed land use poses minimal impact on traffic flows at the intersection of Albany Highway and Foster Road.

Visual Amenity / Streetscape

A preliminary concept development plan satisfactorily demonstrates that a Medical Centre consisting of up to six (6) consulting rooms can be accommodated with sufficient car parking for 36 bays on the subject site. It should be noted that the concept plan is indicative only (prepared in support of this amendment) and is not binding on Council.

The final orientation and layout of the proposed development is restricted by the irregular, narrow lot configuration. As a consequence of the awkward shape and corner location of the site, the proposed medical centre building affects frontage to Foster Road. It is therefore essential that the building facade and setback addressing Albany Highway be appropriately designed and sited to preserve and maintain the streetscape. This aspect can be addressed in detail with the submission of a formal development application through compliance with the Special Use zoning provisions.

CONCLUSION

The proposal is consistent with the existing medical land uses on site and compatible with the adjoining residential area in terms of land use suitability and design. The implementation of appropriate development controls and Special Use provisions (such as utilising masonry fencing and landscaping to screen car parking areas) will ensure the development poses minimal impact on the amenity of the adjoining residential properties. The building facade and setback addressing Albany Highway is to be appropriately designed and sited to preserve and maintain the Albany Highway and Foster Road streetscapes in accordance with the Special Use provisions.

Traffic concerns have been addressed and no objections or concerns were raised during the advertising period.

It is therefore recommended that Council finally adopt the proposed amendment subject to no objection being received from Main Roads.

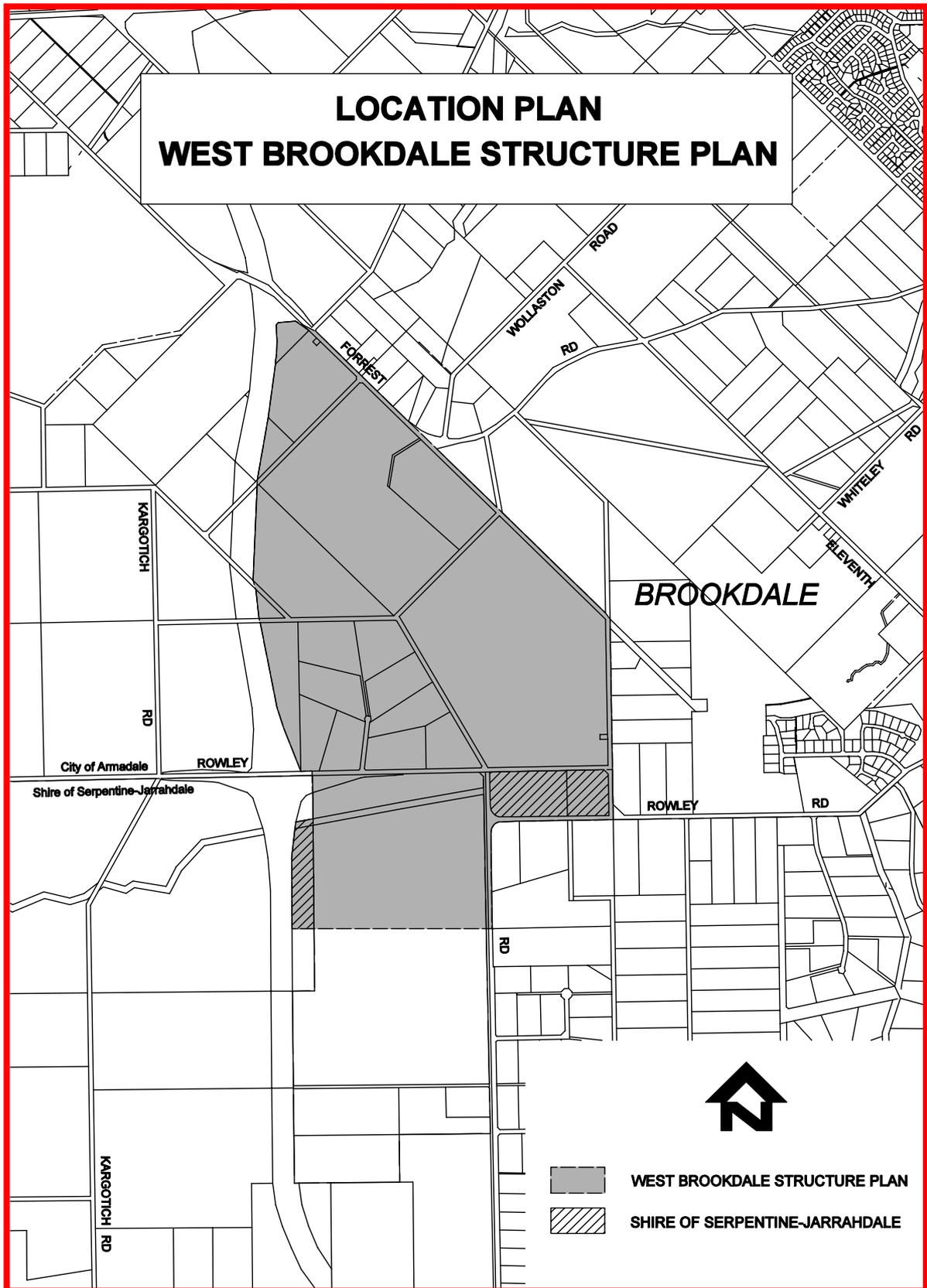
D185/02 RECOMMEND

1. That Council determine submissions to Scheme Amendment No.184 in accordance with recommendations in the Schedule of Submissions recorded in this report.
2. That subject to no objection to the proposal by Main Roads Western Australia, Council under and by virtue of the powers conferred upon it by the Town Planning and Development Act, 1928 (as amended) and the Metropolitan Region Town Planning Scheme Act, 1959 (as amended), hereby adopt Town Planning Scheme Amendment No.184 without modification by:
 - a) Rezoning Lot 51 Albany Highway and Lot 52 Foster Road, Kelmscott from “Residential R10 “ to “Special Use- Medical Centre”;
 - b) Amending the Scheme Text by inserting in appropriate numerical order, a new entry in to the Special Use Development Table as follows:

Prescribed Special Use	Requirements	Particulars of Land
Medical Centre	<ol style="list-style-type: none"> 1. A maximum number of (6) consulting rooms shall be permitted. 2. The overall development of the site shall be of high quality unified architectural design that reflects a level of integration and consistency with the surrounding built environment. 3. Car parking to be provided at a ratio of 6 bays per consulting room. 4. Car parking areas abutting residential properties shall be screened with masonry fencing to the satisfaction of Council. 5. Site layout, landscaping, fencing and car parking shall be to the satisfaction of Council. 6. No vehicular ingress / egress shall be permitted onto Albany Highway. 7. Subject lots are to be amalgamated to satisfaction of Council. 	Lot 51 Albany Highway & Lot 52 Foster Road, Kelmscott

3. That Council authorise the Mayor and the Chief Executive Officer to execute the amendment documents.

MOVED Cr Stubbs
MOTION CARRIED (7/0)



FACILITATION OF LOCAL STRUCTURE PLAN – BROOKDALE (WEST) AREA

WARD : FORREST
FILE REF : SCH/2/167
DATE : 4 Oct 2002
REF : JR
RESPONSIBLE MANAGER : PSM
APPLICANT : Taylor Burrell
LANDOWNER : Peet & Company Forrestdale Syndicate and Peet Oakford, the Di Florio family and various other landowners
SUBJECT LAND : Lots bounded by Tonkin Hwy Reservation, Forrest Rd and Wungong Brook, Hilbert Rd, Rowley Rd and Hopkinson Rd Maps 20:01, 20:39, 20:40
ZONING : Rural X, Rural C and
MRS/TPS No.2 Residential/Development Area (Environmental Conditions)

In Brief:-

- The applicants seek the City's endorsement and support to proceed with preparing a draft local Structure Plan for the proposed area of Brookdale west of the Wungong Brook and south of Forrest Road.
- It is timely to provide a good foundation of urban design, contemporary standards of infrastructure and addressing the development pressures that can be expected with the 2006 southward construction of Tonkin Highway.
- Recommend that an informal steering group be established to provide advice to the City in formulating a local Structure Plan for the Brookdale area (west of the Wungong Brook).

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

City of Armadale Strategic Plan

1. Long Term Strategic Planning - Promote employment and residential growth, encouraging the economic well-being of the community.
 - 1.4 Complete the structure plans for Brookdale and Forrestdale, focusing on provision of high quality residential development.

Southern River / Forrestdale / Brookdale / Wungong District Structure Plan (WAPC)

The SR/F/B/W District Structure Plan recommends more detailed local Structure Planning be undertaken as part of a logical development sequence.

Legislation Implications

Local Government Act
Town Planning and Development Act.
Environment Protection Act
Metropolitan Region Town Planning Scheme Act

Council Policy / Local Law Implications

Water Sensitive Urban Design Policy

Budget / Financial Implications

Nil.

Consultation

Consultation to date has been limited to correspondence with a small number of landowners representatives recently expressing interest in pursuing development in the area and in respect to rezonings and Scheme Amendments relevant to the area.

BACKGROUND

At its meeting of June 2002 (CS 58/02) Council considered submissions from Peet & Co on the prioritisation of Brookdale and from other parties on North Forrestdale. Council affirmed its position that the broad interests of the City of Armadale are best served by providing “a level playing field” on which individual developers can supply a choice of residential estates in a range of Armadale locations. The City of Armadale is supportive of developing new residential estates in both Brookdale and in north Forrestdale as a means of fostering population growth in the municipality and establishing the City of Armadale as a desirable location in which to live, work and recreate’.

Lot 1 Hilbert Road was Gazetted as a Residential zone/Development Area (Environmental Conditions) under TPS No.2 in June 2002. The larger area to the north of Rowley Road in which lot 1 Hilbert is located was previously gazetted as Urban Zone in the MRS in May 2000.

DETAILS OF PROPOSAL

The applicant proposes the City of Armadale coordinate the planning required for the development of Brookdale west of the Wungong Brook and south of Forrest Road. It is suggested that a Steering Group be established to provide inputs to planning process and that the Structure Plan be prepared by consultants Taylor Burrell and Halpern Glick Maunsell Engineers. Major landowners would be represented including Peet and Co and the Di Florio family with invitations to other landowners for Council to determine appropriate representation.

Taylor Burrell also seeks the City’s support for using the Brookdale (west) local Structure Plan area as a case study for the implementation of the SR/F/B/W District Structure Plan Urban Water Management Strategy. The project team intend to make a formal request to the Water & Rivers Commission and Department of Environmental Protection for consideration of such as case study area.

COMMENT

Areas such as the proposed western portion of Brookdale are subject to land fragmentation and it is difficult to coordinate planning and development. A Steering Group coordinated by the City, which liaises with landowners in preparing a Structure Plan can help facilitate planning and effectively bring forward the development time horizons that would otherwise apply if left entirely to individual landowners. Part of the area proposed has already been zoned to Urban zone in the MRS and a smaller part of that area, has already been zoned Residential/Development Area (Environmental Conditions) in TPS No.2. The land proposed forms a discrete area suitable for preparation of a local Structure Plan and it all has been earmarked for future urban development under the SR/F/B/W District Structure Plan.

The construction of the Tonkin Highway by 2006 to Mundijong Road will intensify pressures for development in this area, making it timely to commence with a local Structure Plan which will ensure a good foundation of urban design, proper and orderly development when it proceeds and that new communities have access to contemporary standards of infrastructure as they are established.

The appropriate composition of a Steering Group can be determined following initial consultation with landowners, recognising that a Steering Group needs to be limited to a small effective group. Communication with the larger group of all landowners can be accommodated as required via formal communications.

CONCLUSION

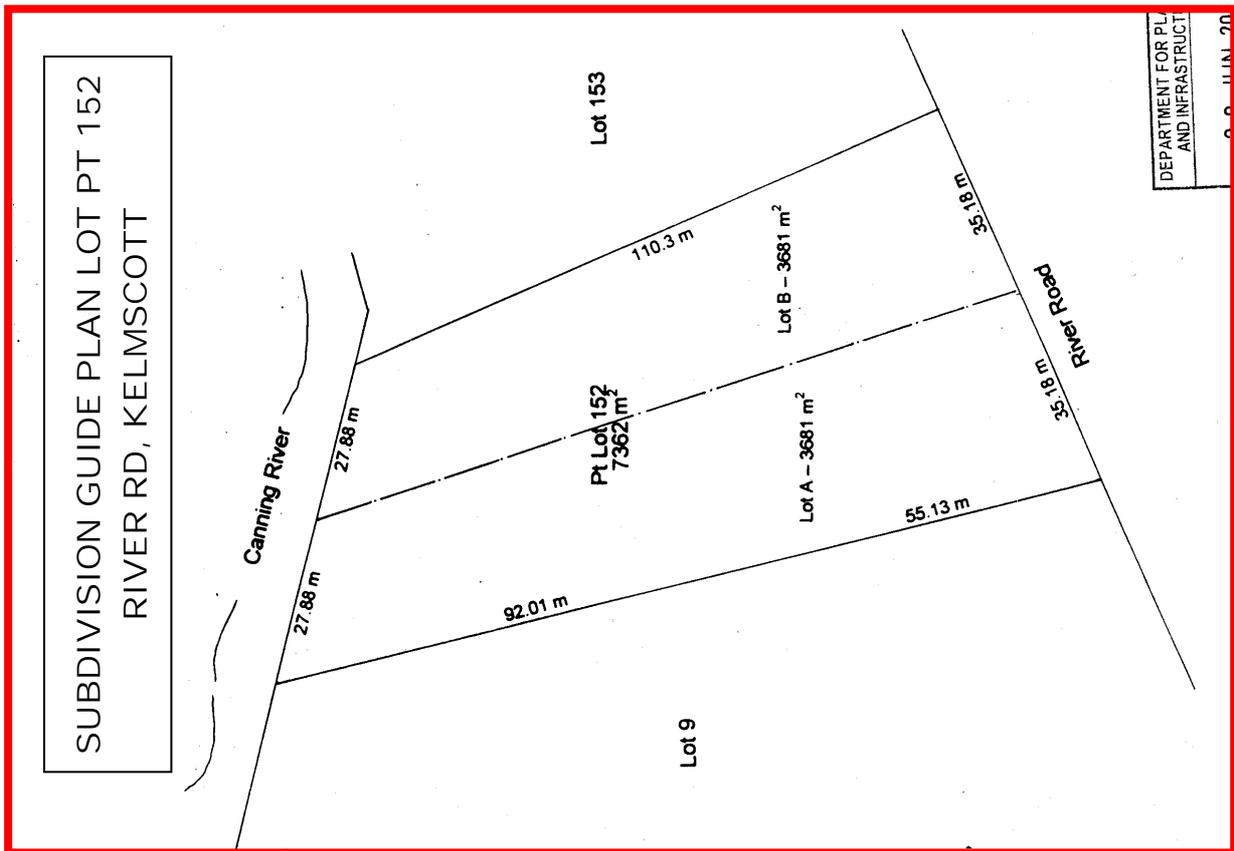
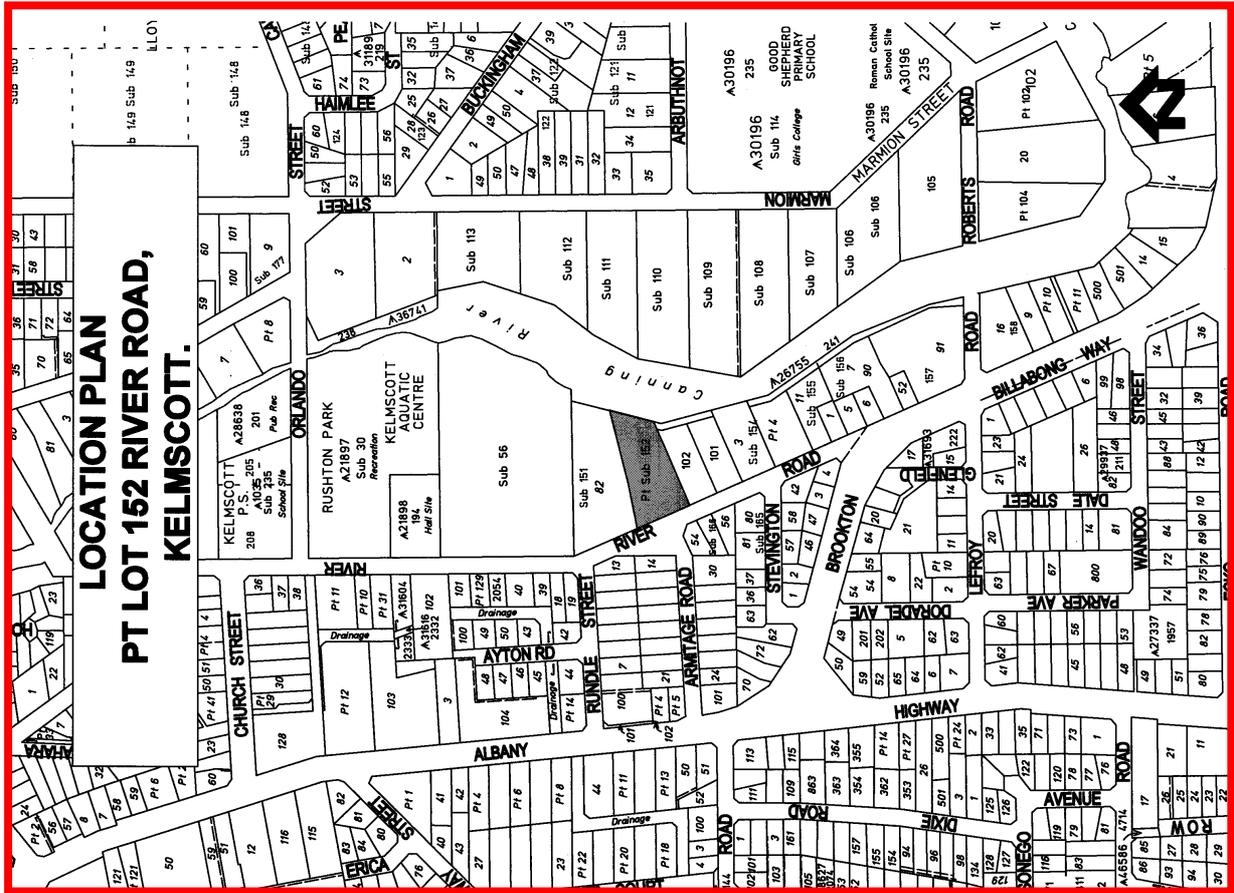
Landowner representatives in north Forrestdale previously requested the City play a role in coordinating the planning in that area and an MRS Amendment is proceeding through preliminary assessment largely as a result of the coordinating work done by the informal Steering Group.

In order to similarly facilitate development in the Brookdale (west) area it would be appropriate for a working group to be established with a view to coordinating landowners representatives in preparation of a draft Local Structure Plan suitable for public consultation and submissions, in accordance with the provisions of the Scheme. The working group should be under the direction of the Executive Director of Development Services and include officer representatives of Development Services, Technical Services and Community Services. As part of the area earmarked for future urban development is within the Shire of Serpentine Jarrahdale, it is recommended they also be invited to participate. The Department of Planning and Infrastructure may also be prevailed upon to contribute to a Steering Group.

D186/02 RECOMMEND

- 1. That Council acknowledge the applicants' intention to proceed with preparing a draft local Structure Plan for the proposed area of Brookdale west of the Wungong Brook and south of Forrest Road.**
- 2. That Council support the Brookdale (west) local Structure Plan area as a case study example of implementation of the principles of the Southern River / Forrestdale / Brookdale / Wungong District Structure Plan Urban Water Management Strategy.**
- 3. That the Development Services Directorate offer assistance in preparing a draft local Structure Plan by establishing an informal project area Steering Group, liasing with the Shire of Serpentine Jarrahdale and the Department of Planning and Infrastructure as well as inviting nominations from landowner representatives to participate in meetings of the Steering Group.**

MOVED Cr Zelones
MOTION CARRIED (7/0)



REF: EP

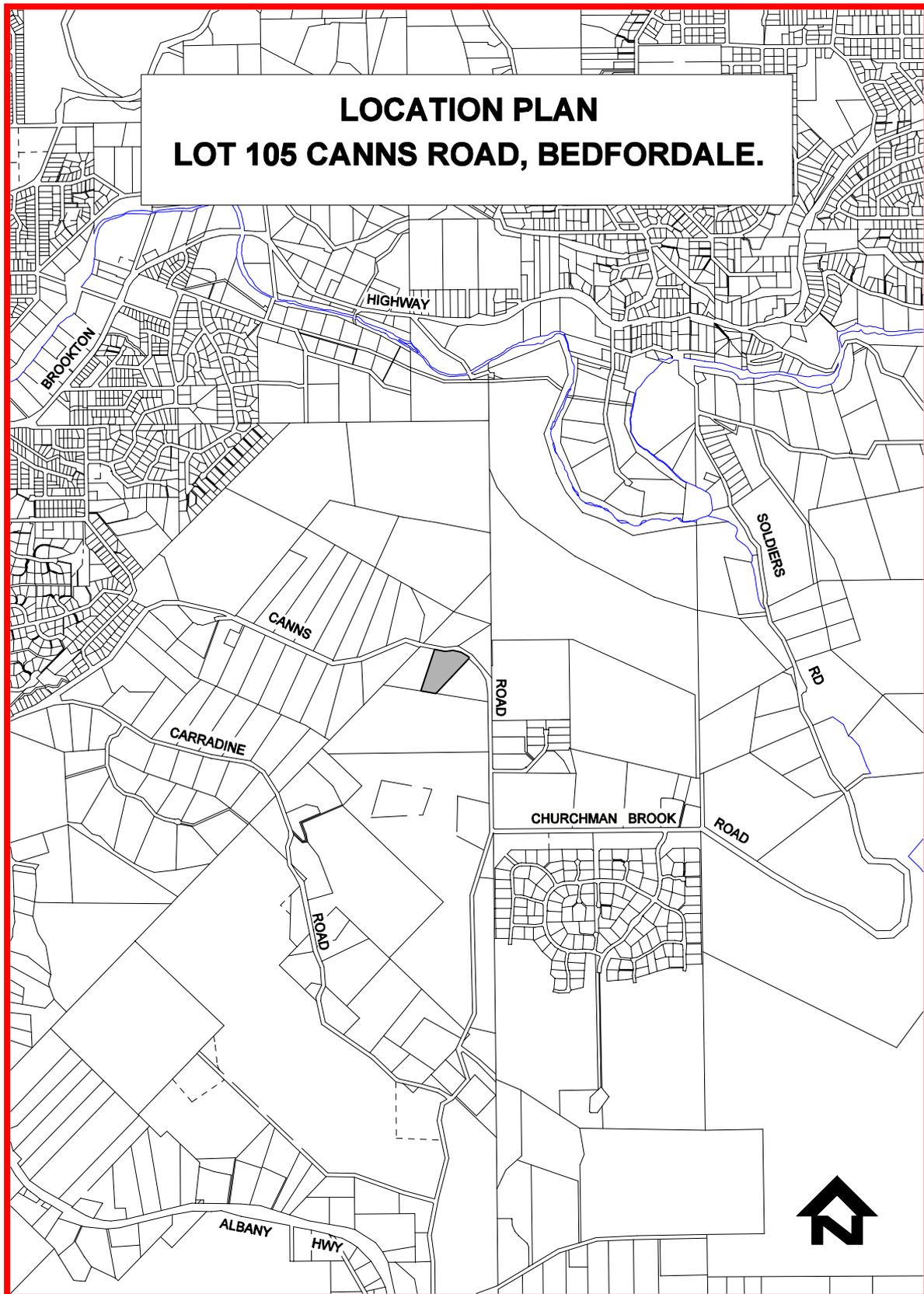
CONTEMPLATED SUBDIVISION REFUSAL	WARD KELMSCOTT
SUBDIVISION NO.:-	SUB / 119537
LANDOWNER:-	Tegra Pty Ltd & Argyle Holdings Pty Ltd
APPLICANT:-	Dykstra & Associates
LOCATION:-	Lot Pt 152 River Road, Kelmscott
ZONE:-	Rural “E” (minimum 1ha, average 2ha)
RURAL STRATEGY	Kelmscott Rural Planning Area
LAND SUITABILITY	Level 1 –High Potential Level 4 – Unsuitable (near Canning River foreshore)
LAND CAPABILITY	Class 2 – High Capability Class 5 – Very low capability (near Canning River foreshore)
STRATEGIC PLAN	Development – “to balance the needs of development with sustainable economic, social and environmental objectives”
PROPOSAL:-	To subdivide this 7362m ² lot into 2 lots of 3681m ² each.
<i>PROPOSED RECOMMENDATION</i>	
<i>Refusal on the grounds:-</i>	
<ol style="list-style-type: none"> 1. Does not comply with the subdivision requirements of the Rural “E” zone which sets a minimum lot size of 1 ha with an average lot size of 2ha. 2. The property is part of Canning River environment and contributes to the greater scenic quality of the river and is identified as a major value quality in the Rural Strategy. Any change to subdivision standards should only be by way of comprehensive measures such as rezoning and structure planning rather than piecemeal as proposed. 3. In the absence of any change to the current zoning of the property, the subdivision as proposed is considered premature and not in the interest of orderly and proper planning of the locality. 	
Advice to WAPC:	
<ul style="list-style-type: none"> ◆ A similar application for this property was considered by Council in February 1996, which was recommended for refusal. The WAPC subsequently refused the application. An appeal against the Commission’s refusal was dismissed by the Hon. Minister for Planning in August 1996. ◆ The Commission is advised that Council considered an application to subdivide Lot 153 River Road, Kelmscott, which is located adjacent to the subject lot in August 2000 and recommended favourable determination by the Commission. The application was ultimately refused by the WAPC and an appeal against the Commission’s refusal was upheld by the Hon. Minister for Planning in February 2002. 	

D187/02

RECOMMEND

That the proposed recommendation to refuse subdivision application No.119537 be adopted.

MOVED Cr Zelones
MOTION CARRIED (7/0)



SECOND RESIDENCE – LOT 105 CANNIS ROAD, BEDFORDALE

WARD : ARMADALE
FILE REF : A231839
DATE : 2 October 2002
REF : EP
RESPONSIBLE MANAGER : PSM
APPLICANT : Dykstra & Associates
LAND OWNER : D H Tripp
SUBJECT LAND : Property size 3.1ha
Map 24-04
ZONING : Rural / Rural “C”
MRS/TPS No.2

In Brief:-

- Proposal involves the development of a second residence on the subject property.
- A relaxation to the house separation criteria requirement in the Policy ‘Two Houses on One Lot in the Rural Zone’ is requested.
- Proposal complies with Town Planning Scheme No.2 requirements.
- 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 and environmental objectives.

Legislation Implications

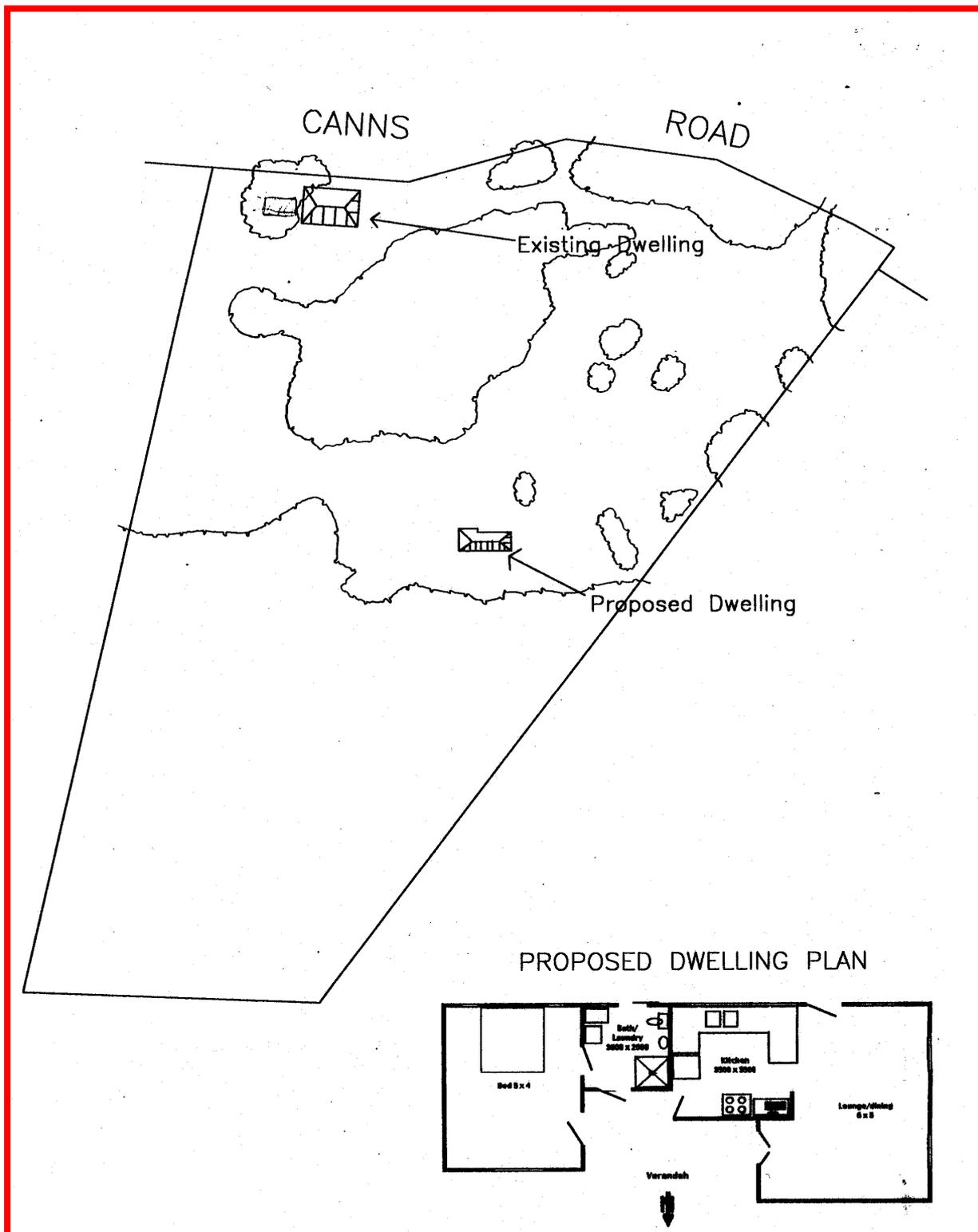
Metropolitan Region Scheme Act 1959
Town Planning and Development Act 1928
Town Planning Scheme No.2

Council Policy / Local Law Implications

4.3.2 ‘Two Houses on One Lot in the Rural Zone’
Draft Rural Strategy

Budget / Financial Implications

Nil.



SITE PLAN
LOT 105 CANNIS ROAD, BEDFORDDALE

Consultation

Development Control Unit (DCU)

BACKGROUND

Council received the application on 20 August 2002 to construct a second residence at the subject property.

Since the proposal does not comply with aspects of Council's Policy on 'Two Houses on One Lot in the Rural Zone', the application has been referred to Council for determination.

The subject property is located within a locality proposed to be rezoned (Amendment No.182) from Rural "C" to Rural "D1".

EXISTING SITUATION

Lot 105 Canns Road, Bedforddale is a relatively well elevated and partly vegetated rural lot located on the south side of Carradine Road. The southern half of the property is well vegetated and the northern half of the property, fronting Canns Road, is predominantly cleared with the exception of remnant vegetation along the road frontage and to the rear of the existing dwelling, which is located close to the road.

DETAILS OF PROPOSAL

Details pertaining to the application include the following:

- ◆ Construction of a second residence towards the rear of the property, in a position approximately 85m away from the existing house, situated close to Canns Road;
- ◆ The second house is to be occupied by the landowner, while the existing house will be occupied by his daughter. The owner of the property will provide a Statutory Declaration to this effect;
- ◆ The second residence will be built of natural products such as rammed earth and straw.

Assessment of Location of Second Residence

The information provided by the applicant in support of requesting the second residence to be located at 85m distance from the existing house is as follows:

- ◆ The land adjacent to the existing dwelling is highly visible from the road frontage, is well vegetated and is either prone to flooding in winter or too steep for building;
- ◆ The chosen site is the best location on site, as it is on a cleared and elevated section of the block;
- ◆ The chosen site is not visible from Canns Road and also in line with the building envelopes of recent subdivisions in the locality;
- ◆ The site does not require any removal of vegetation and being nestled in such a location would have minimal visual impact.



AERIAL PHOTOGRAPH OF PROPOSED SECOND RESIDENCE
LOT 105 CANNS ROAD, BEDFORDALE

COMMENT

Development Control Unit (DCU)

DCU considered this matter at its meeting on 10 September 2002. Given its compliance with the Town Planning Scheme Requirements and the applicant's reasons for requesting a variation to the Policy requirement are acceptable, it was recommended that the application be approved.

Analysis

Town Planning Scheme No.2

Clause 5.2.2(d) states that only one dwelling will be constructed per lot in the Rural Zone, except in a situation where a lot exceeds 2 ha in size, and Council is satisfied that the development of a second residence complies with the other provisions of Clause 5.2.2. Council should also have due regard to Clause 7.3 (Matters to be Considered by Council) of Town Planning Scheme No.2, as well as specific regard to avoiding the appearance of excessive building bulk.

Given the lot size, and as the tree coverage would reduce any building bulk appearance, the application as submitted complies with the Town Planning Scheme requirements.

Lot 105 Canns Road is located within a wider locality, which is currently subject to a rezoning proposal from Rural "C" to Rural "D1" to facilitate the subdivision of a few large lots within this precinct. This however, is unlikely to have any impact on the subject lot as the existing 3.1ha lot size of Lot 105 Canns Road, does not have any subdivision potential even under the proposed Rural "D1" zoning, which requires a minimum lot size of 2ha.

Council's Draft Rural Strategy

The subject lot is situated within the Canns Rural Planning Area as set out by the Rural Strategy. The Principal Policy Objective for the Canns Area is "*To preserve the scenic and environmental quality of the area*". The Development Guidelines for the Canns Area are also relevant, as they include the following statement: "*Visual impact, particularly along major transport linkages and along steeper valley sections, will be an overriding concern*". As such, development of a second residence within the Canns Rural Planning Area should be considered with high regard to visual amenity.

The Draft Rural Strategy identifies this land as having a combined level 1 and 2 suitability (high and fair potential) and a combined level 2 and 3 capability (high and fair capability) for rural residential development.

Given the vegetation cover, the proposed second dwelling is unlikely to be visible from any vantage points and will have minimal impact in visual terms. The land suitability and capability indicates encouragement for further residential development.

Council's Two Houses on One Lot in the Rural Zone Policy (4.3.10)

The proposal satisfies the intent of Policy 4.3.10, with the proposed second residence being for family purposes. With regard to this intent, the majority of the requirements of Policy 4.3.10 have been satisfied, with the exception of the house separation criteria. The Policy requires the second residence to be located adjacent to / in close proximity to the existing residence with the intent to:

- ◆ promote the clustering of houses as outlined in the Strategy to maximise the potential for a rural use development or retention of special features on the balance of the land;
- ◆ avoid exploitation of Council's concessions by restricting the opportunity to subdivide the two dwellings.

The current application shows the proposed dwelling located at a distance of 85m from the existing house.

Additionally, Policy 4.3.10 states that approval to a second residence will not be issued for an area identified within a Primary or Secondary Landscape Quality Area as identified by Council's Rural Strategy unless it can be satisfactorily demonstrated to Council that the development will not detrimentally impact on the landscape quality of the area. The subject site is situated within a Secondary Landscape Quality Area.

It was observed at a site inspection that given the topography of the land and the dense vegetation cover, the chosen location for the proposed residence would not be visible from Canns Road. The already cleared nature of the chosen site supports the policy intention of encouraging retention of vegetation to maintain the quality of the existing landscape. This would also provide the prospect of requiring the applicant to revegetate the cleared area to contribute to the enhancement of this secondary landscape quality area. Visual impact could therefore, be mitigated in this instance.

Given the above, and as the cleared nature of the chosen location for the second residence would preserve the integrity of this Secondary Landscape Quality Area by not requiring any tree removal for the development, the request to vary the Policy requirement pertaining to the house separation criteria is considered acceptable.

Options

Council has two options in considering this application.

1. To refuse the application on the basis that the proposal does not comply with the building separation criteria in Council's Policy for 'Two Houses on One Lot in the Rural Zone'.
2. Approve the application subject to appropriate conditions.

CONCLUSION

The application is consistent with the requirements of the Town Planning Scheme No.2.

Given the applicant's reasons and the character and land use prospects of the property the chosen location appears to be acceptable.

It is considered that, if approval is granted, the non-compliance of the application with one aspect of the policy would not have an adverse effect on the amenity of the surrounding area or the future development of the locality.

It is recommended that option 2 be adopted.

Officer's report recommends –

That Council approve the application to construct a second residence at Lot 105 Canns Road, Bedfordale subject to standard conditions including the following principal requirements:

- a) Submission of the building material type and colour scheme relative to the external appearance of the development and such submission be approved by Council. The development is to be completed in accordance with such approval and to be maintained thereafter to the satisfaction of Council.
- b) Submission of a landscape plan to indicate native vegetation planting along the cleared sections of the north east and south west perimeters of the site and particularly around the proposed residence to enhance the rural character of the property. Such submission be approved by Council and all landscaping to be installed as per the approved plan and maintained thereafter to the satisfaction of Council.
- c) The second residence shall only be occupied by family members or a relative of the immediate family of the owner of the land. The landowner is to submit a statutory declaration to Council to certify this arrangement.

COMMITTEE considered that landscape and revegetation requirements should be focussed on the proposed building site rather than property boundaries.

D188/02 RECOMMEND

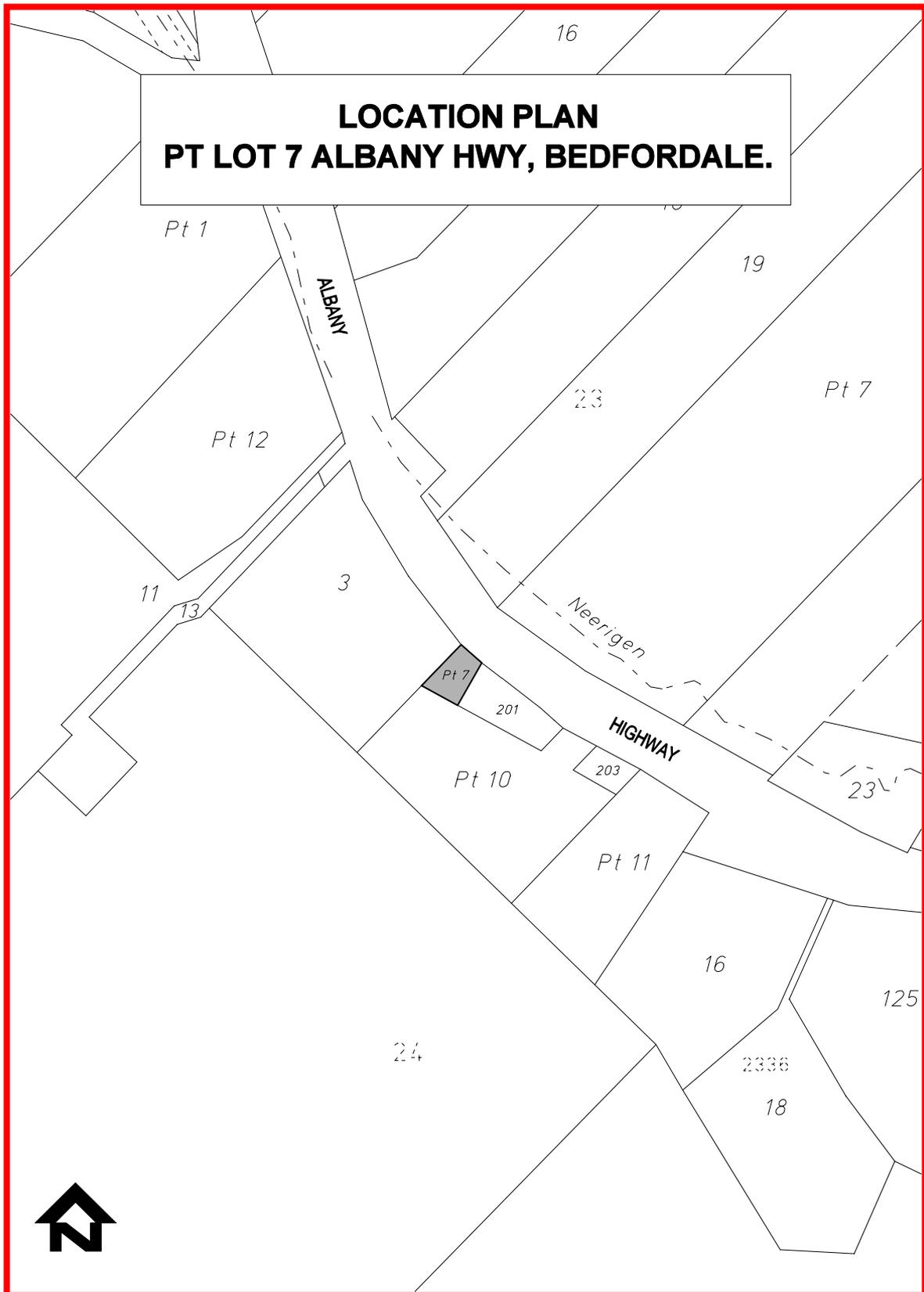
That Council approve the application to construct a second residence at Lot 105 Canns Road, Bedfordale subject to standard conditions including the following principal requirements:

- a) Submission of the building material type and colour scheme relative to the external appearance of the development and such submission be approved by Council. The development is to be completed in accordance with such approval and to be maintained thereafter to the satisfaction of Council.**

- b) Submission of a landscape plan to indicate native vegetation planting along the cleared sections of the north east and south west aspects around the proposed residence to enhance the rural character of the property. Such submission be approved by Council and all landscaping to be installed as per the approved plan and maintained thereafter to the satisfaction of Council.**

- c) The second residence shall only be occupied by family members or a relative of the immediate family of the owner of the land. The landowner is to submit a statutory declaration to Council to certify this arrangement.**

MOVED Cr Green
MOTION CARRIED (7/0)



PROPOSED SHED – LOT PT 7 (No.217) ALBANY HIGHWAY, BEDFORDALE

WARD : ARMADALE
FILE REF : A3371
DATE : 3 October 2002
REF : EP
RESPONSIBLE MANAGER : PSM
APPLICANT : Garagex
LAND OWNER : R Smitz
SUBJECT LAND : Property size 1173m²
Map 23 – 01
ZONING : Rural / Rural"E"
MRS/TPS No.2

In Brief:-

- Application is to construct a 81m² zincalume and “Colorbond” shed.
- The maximum aggregate floor area of outbuildings on site does not comply with provisions of Council’s ‘Outbuildings Policy’.
- The application is not considered to detract from the existing streetscape and amenity of the area.
- Recommended for approval subject to appropriate conditions.
- *Committee recommended that the application be refused on the basis that-*
 - *the structure is excessive in scale, in comparison to the existing residence and the size of the property; and*
 - *the proposal does not comply with the criteria of “maximum allowable Aggregate Floor Area proportionate to the site area” under Council’s ‘Outbuilding Policy’.*

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

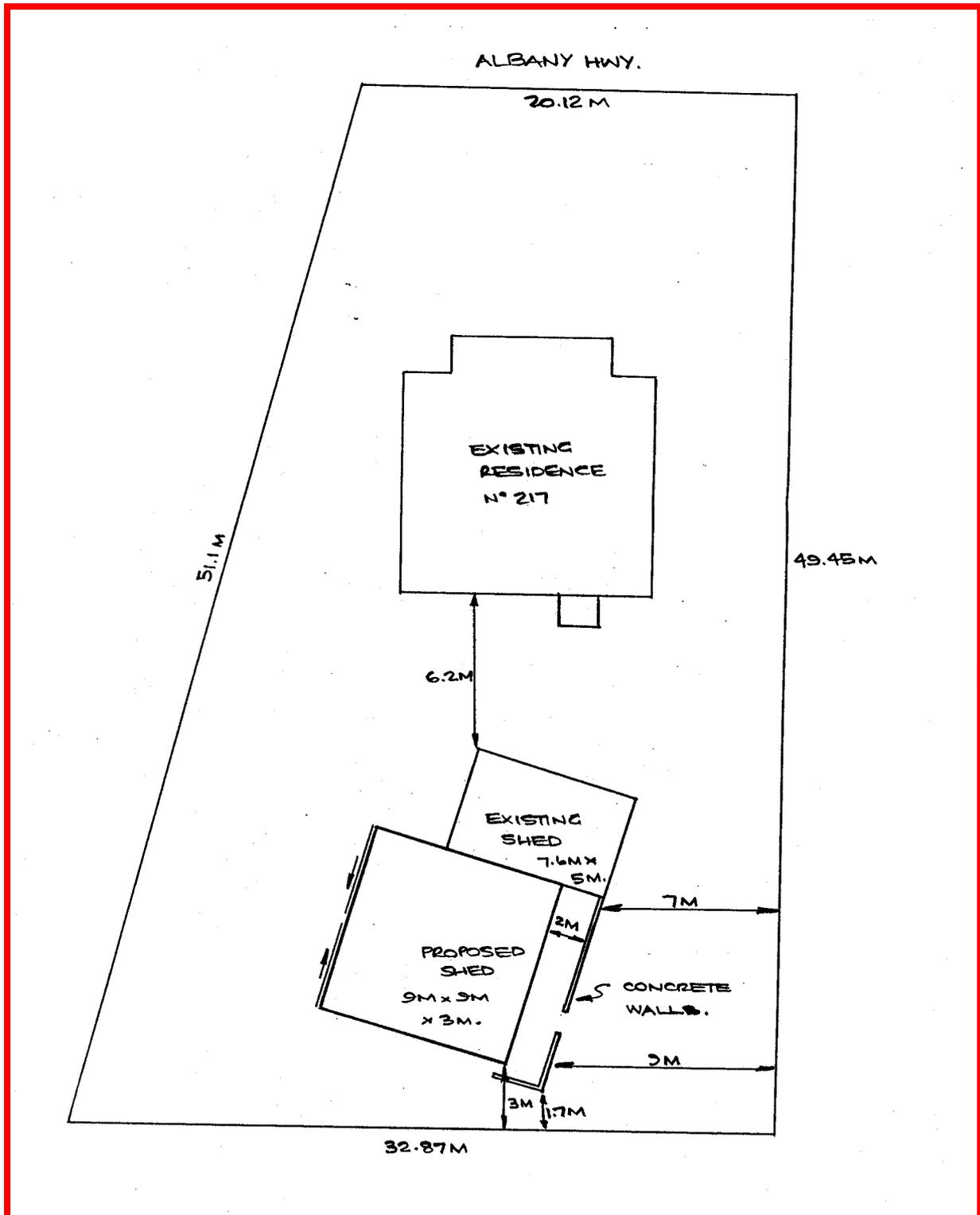
Town Planning & Development Act 1928
Metropolitan Region Scheme Act 1959
Town Planning Scheme No.2

Council Policy / Local Law Implications

4.3.7- Setback Variation Rural and General Rural zone
Outbuildings Policy

Budget / Financial Implications

Nil.



SITE PLAN
LOT PT 7 ALBANY HWY, BEDFORDALE

Consultation

Development Control Unit (DCU)

BACKGROUND

Council received the application on 26 August 2002 to erect a shed at the subject property.

Since the proposal does not comply with Council's Outbuilding Policy, the application has been referred to Council for determination.

The matter of the condition of the property has been referred to Council's Liaison & Compliance Officer for appropriate action.

EXISTING SITUATION

Existing improvements on the property include an old tin roof and weatherboard house located close to Albany Highway and a 38m² zinalume shed located behind the house. The entire property is generally well vegetated. The site however, could benefit from a structure to house various materials located on the property and on the road verge.

DETAILS OF PROPOSAL

Details pertaining to the application include the following:

- ◆ Erection of a "Colorbond" and zinalume shed 9m in length, and 9m in width, with a total floor area of 81m². The total height consists of a 3m wall height, 4m ridge height and a roof pitch of approximately 14 degrees.
- ◆ The shed will be set back 3m from the rear property boundary, 9m from the eastern boundary and 10m from the western boundary.
- ◆ Three sides of the shed and the roof are proposed to be finished in zinalume to match the existing shed and the roof of the house on site.
- ◆ A dark green 'Colorbond' façade is proposed to the side, which is potentially visible from the neighbouring property.
- ◆ Shed is to be used to store the disused materials accumulated on site.
- ◆ A letter of consent to build a zinalume shed at a 3m setback from the common property boundary from the affected neighbour was also submitted by the applicant.

COMMENT

Development Control Unit (DCU)

DCU at its meeting held on 24 September 2002 recommended that the application be approved based on the following reasons:

- ◆ The shed will be obscured by the existing residence and the vegetation on site;
- ◆ The bulky appearance of the total aggregate floor area of the outbuildings will not have any adverse visual impact on Albany Highway or any other vantage points;
- ◆ The shed will assist to tidy-up the site by storing materials accumulated on site to improve the appearance of the property.

Analysis

Site Details

The subject property is a relatively small and reasonably vegetated block located within the Rural zone. The ground level of the property towards the rear of the site is approximately 2.5m below the adjacent lots. This ground level variance of the proposed shed location would obscure the walls of the structure and considerably minimise the visual impact from the abutting neighbours. The narrow frontage, tree coverage and the existing residential building would obscure the building from public view.

Council's Outbuilding Policy

The 119m² aggregate floor area of the existing and proposed sheds (38m² floor area of the existing shed and the 81m² floor area of the proposed shed) exceeds the maximum aggregate 80.4m² floor area allowable under Council's 'Out Building Policy'. It is generally consistent with the maximum wall height of 3m, and the maximum overall height of 4m as prescribed in the policy.

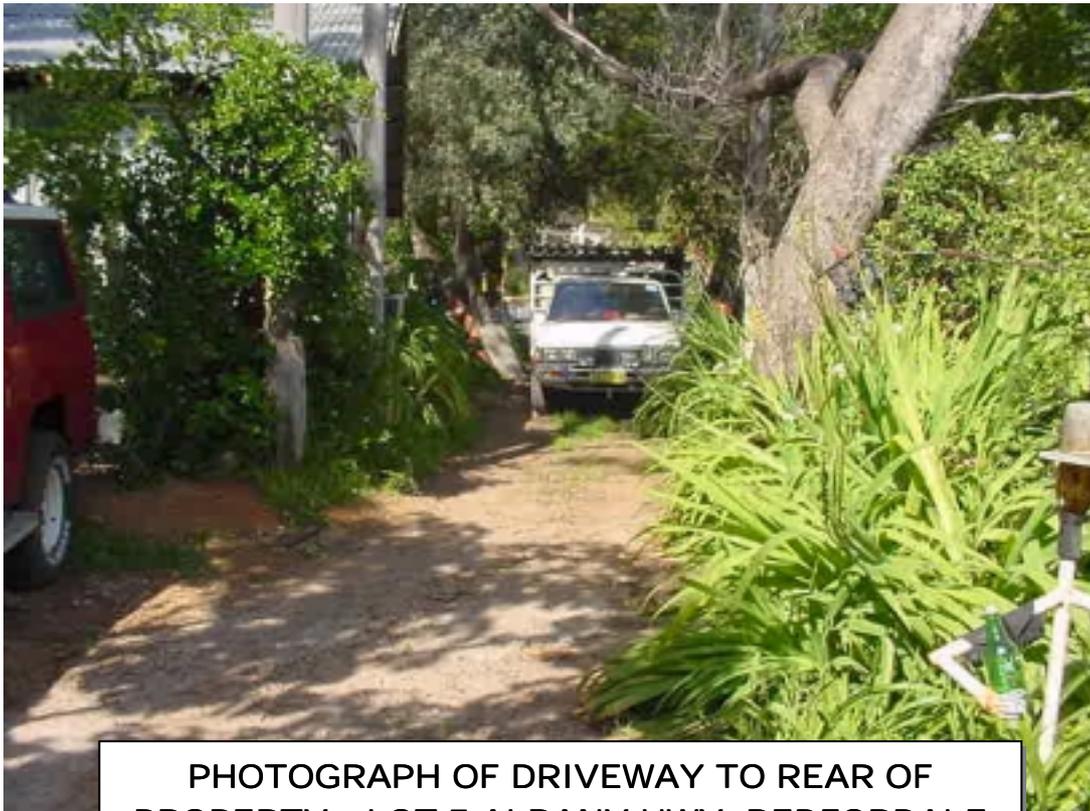
In justifying the size of the proposed outbuilding the applicant asserts that the intent of such a shed is to house all material currently stored outdoors. It is also argued that the structure will be obscured from public view and therefore will not have any adverse amenity impact. The subject property is heavily treed, with dense vegetation along the Albany Highway frontage, which will screen the proposed shed from public vantage points. In addition, the ground level of the property in the vicinity of the proposed shed is considerably lower than the residence on the lot to the south-west of the property. Consequently, it is unlikely that the shed will create adverse visual impacts to adjoining properties.

The objective of the 'Outbuilding Policy' is to ensure that outbuildings are designed, sited and constructed in a manner to be sympathetic in scale and construction with the streetscape and not detract from the amenity of the area. The details presented in relation to this application suggest that the proposal would not be contrary to such objective, irrespective of the building being over size under the criteria set out in the Policy. It will also provide the applicant with the opportunity to tidy up the property thereby improving the overall appearance of the site from Albany Highway.

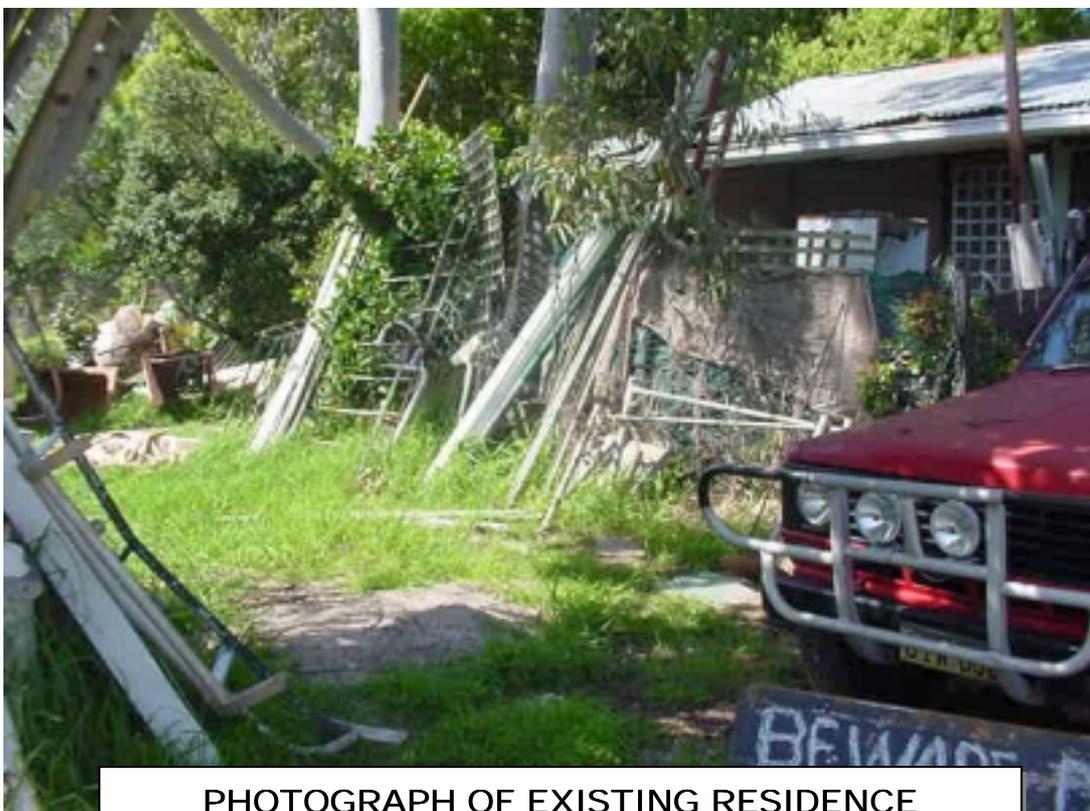
Policy on 'Setback variation Rural and General Rural Zone'

Given the lot configuration being less than 50m in effective depth and width, the proposed setback variations from property boundaries can be addressed under the provisions of Council's Policy on 'Setback Variation Rural and General Rural Zone'.

As observed at a site inspection, given the location of the proposed shed, the existing tree coverage and the location of the existing residence would all contribute to obscuring the proposed structure from any public vantage points. Given the topography of the site the visual impact of the development on surrounding neighbours would be minimal. However, given the ground level variance of the surrounding properties it is suggested that the applicant be required to build the roof and the façade of the shed in 'Colorbond' material.



PHOTOGRAPH OF DRIVEWAY TO REAR OF
PROPERTY – LOT 7 ALBANY HWY, BEDFORDALE



PHOTOGRAPH OF EXISTING RESIDENCE
LOT 7 ALBANY HWY, BEDFORDALE

Options

1. Refuse the application based on the proposal does not comply with the criteria of “maximum allowable Aggregate Floor Area proportionate to the site area” under Council’s ‘Outbuilding Policy’.
2. Approve the application subject to appropriate conditions.
3. Approve the application subject to the floor areas of the proposed shed being reduced in size to a maximum of 43m², to comply with the maximum floor area requirement as specified in Council’s Outbuildings Policy.

CONCLUSION

Given the location of the shed and the vegetation cover, the proposal is unlikely to have an adverse impact in terms of streetscape and rural amenity.

The applicant should be advised to store all disused material located on site inside the proposed shed and the property to be kept in a neat and tidy manner at all times.

It is recommended that option No.2 be adopted.

Officer’s report recommends –

1. That Council approve the application to erect a shed at Lot 7 (No. 17) Albany Highway, Bedfordale subject to conditions including the following principal requirement:-
 - ◆ The roof and the front wall of the shed to be built of ‘Colorbond’ material in a colour to complement the rural environment of the site.
2. The applicant be advised that all disused materials should be stored inside the shed and the property to be maintained in a neat and tidy manner at all times to the satisfaction of Council and to comply with Council’s Local Laws and Town Planning Scheme No.2 provisions.

COMMITTEE commented that the rationale to approve the shed in order to (in part) effect a tidy up and storage of materials on the property was inappropriate.

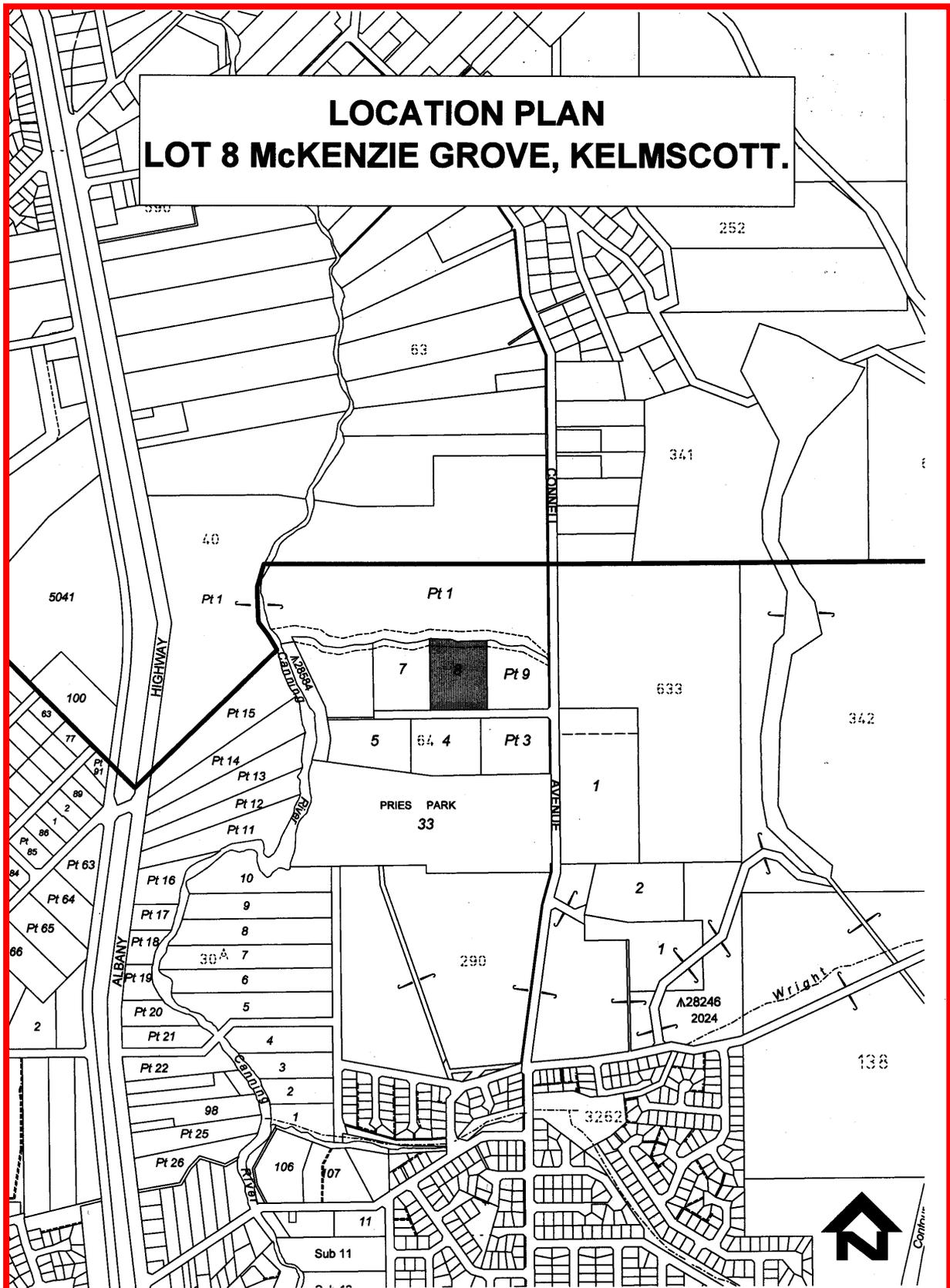
COMMITTEE was of the view that there were no reasonable grounds to vary size of the shed beyond the terms of Council's Outbuilding Policy.

D189/02 RECOMMEND

That Council refused the application to erect a shed at Lot 7 (No.17) Albany Highway, Bedfordale on grounds that:-

- ♦ **The structure is excessive in scale, in comparison to the existing residence and the size of the property, and therefore detracts from the Rural Residential amenity of the area; and**
- ♦ **The proposal does not comply with the criteria of “maximum allowable Aggregate Floor Area proportionate to the site area” under Council's ‘Outbuilding Policy’.**

MOVED Cr Green
MOTION CARRIED (7/0)



PROPOSED BOUTIQUE WINERY – LOT 8 (No.14) McKENZIE GROVE, KELMSCOTT

WARD : Kelmscott
FILE REF : A091893
DATE : 23 August 2002
REF : PRR
RESPONSIBLE MANAGER : PSM
APPLICANT : Mr Markovic & Ms Papagno
LAND OWNER : Mr Markovic & Ms Papagno
SUBJECT LAND : Property size 2.1247ha
Map 23.09
ZONING : Rural / Rural 'D'
MRS/TPS No.2

In Brief:-

- Application requests permission to open a small boutique winery to the public on weekend afternoons.
- No objection received from surrounding resident.
- Recommend that Council approve the application 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

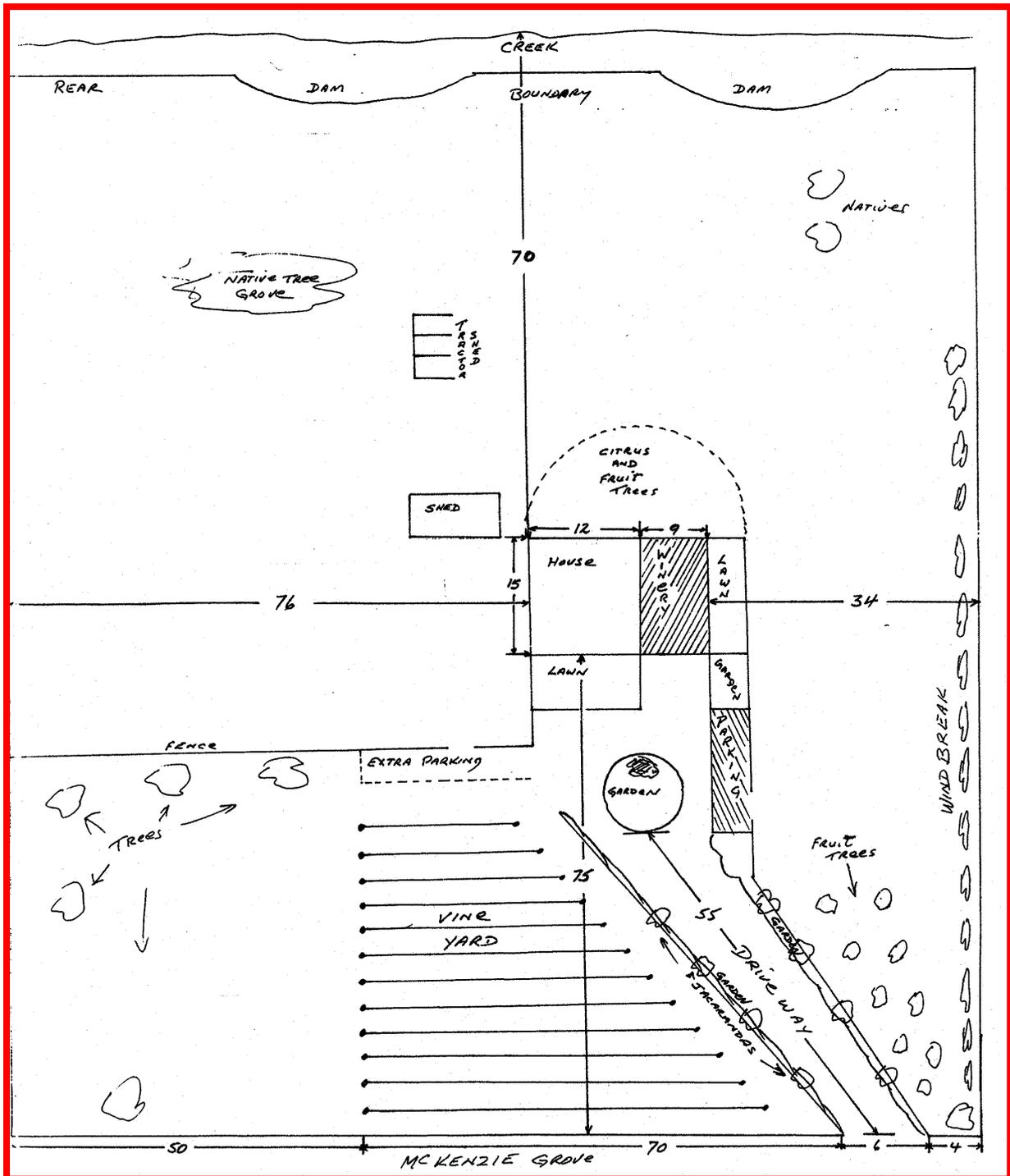
Town Planning and Development Act 1928
Metropolitan Region Scheme Act 1959
Environmental Protection Act 1986
Liquor Licensing Act 1988
Town Planning Scheme No. 2

Council Policy / Local Law Implications

Rural Strategy
Council’s Alcohol Policy

Budget / Financial Implications

Nil.



SITE PLAN
LOT 8 MCKENZIE GROVE, KELMSCOTT

Consultation

- ◆ Development Control Unit
- ◆ Surrounding Landowners
- ◆ Council's Environmental Officer

BACKGROUND

Council received an application for a boutique winery on Lot 8 McKenzie Grove, Kelmscott on 8 August 2002. Whilst viticulture is considered to be a 'Rural Use' within a 'Rural D' zone, the proposed boutique winery also incorporates wine production and sales which are not covered in the definition of a 'Rural Use'. It could therefore be considered as a 'Use Not Listed' and as such, the matter has been referred to Council for determination.

DETAILS OF PROPOSAL

The applicant proposes to open the property to the public for wine tasting / sales on Saturday and Sunday afternoons between 12.00pm and 6.00pm. The wine making process itself would involve the use of the following equipment:

- ◆ Crusher
- ◆ Basket press
- ◆ Pump (to move wine from one container to another)
- ◆ Various storage containers and barrels
- ◆ Hand operated corker

The applicant currently grows grapes on the property and uses this equipment for making wine for private consumption, and utilises existing structures on the property for the process. The applicant maintains that he can undertake the workload involved with his wife, and that further employees will not be necessary. The applicant states that approximately 2 tonnes of grapes were crushed recently, yielding about 1000 bottles per tonne.

COMMENT

Development Control Unit (DCU)

At its meeting held on 27 August 2002, DCU recommended that the item be referred to Council for approval, as it is in keeping with the intent and purpose of the Rural zone.

Town Planning Scheme No.2 Clause 3.4

Clause 3.4 of Town Planning Scheme No.2 (the Scheme) outlines the procedure for determining a use that is considered to be a 'Use Not Listed' under the Scheme. The definition of a 'Use Not Listed' is when "*a particular use or class is not mentioned in the list of use classes or is not included in the general terms of any of the use classes in the Development Table, that use or purpose is prohibited unless it is permitted by the subsequent provisions of the Scheme*".

The proposal for the winery includes the growing of grapes (considered a 'Rural Use'), the production of wine (considered a 'Rural Industry'), and the tasting/sale of wine on the premises (partially a 'Retail Liquor Outlet'). As such, the proposal should be considered as a 'Use Not Listed' because it does not entirely fit into any single Scheme definition.

Council is to determine whether the proposed use is consistent with the objectives and purpose of the zone. Advertising has been undertaken in accordance with Clause 7.2, as required by Clause 3.4(b).

External Comments and Advice

The applicant submitted five letters of no objection from surrounding landowners with the application, maintaining that the remaining surrounding landowner had been overseas and could not be reached. The application was therefore advertised to the remaining adjoining landowner for a period of two weeks, with no submissions being received.

Advice was also sought from the Western Australia Police Service Alcohol and Drug Advisers, and the Swan River Trust (SRT). Relevant comments will be addressed in the Analysis section of this report.

ANALYSIS

Public Submissions

The letters from the surrounding landowners state that they were made aware by the applicant that two tonnes of grapes were recently crushed on the property to make wine, that at no stage did they hear, see, smell or in any way become aware of this taking place, that they are satisfied the proposed activity is in no way detrimental to the neighbourhood and that subsequently no objection is held to the proposal.

Other Agencies' Comments

Council's Alcohol Policy is aimed at reducing alcohol related problems in the community, and as such stipulates that all applications involving alcohol should be referred to the WA Police Service for comment.

The WA Police Service has recommended that should the application be approved, the applicant attend a training course and submit a management plan to address Harm Minimisation issues regarding underage drinking, safety management in relation to the service of alcohol, drink driving and general responsible service principles. These measures are seen to be appropriate.

The SRT were contacted as a stream that runs along the rear of the property empties into the Canning River, and therefore there may be environmental issues associated with the proposal. The SRT advise that no objection is held to the application, but that the applicant should contact the Water and Rivers Commission with regard to obtaining a groundwater licence if necessary for irrigation and for information about a nutrient and irrigation management plan that must be prepared. This plan would address issues like waste product (ie grape skins and disposal). Should the application be approved, the applicant should be made aware of these requirements.

Environmental Officer Comments

Council's Environmental Officer indicated that there was a potential issue arising with the disposal of grape skins, as these could leach nutrients if disposed of incorrectly on the subject property.

The SRT requirement for a nutrient and irrigation management plan could address processing waste disposal. If approved, it should be required that the disposal of grape skins on site, other than in accordance with the approved management plan, is prohibited.

Strategic Planning Issues

The Policy Statement for the Rural zone states that it is a zone intended for the fostering of semi-intensive rural use of land, and that where compatible, such uses promoting tourism may be permitted. Council must be satisfied, as per Clause 3.4 of Town Planning Scheme No.2, that the use is consistent with the objectives and purpose of the zone. Given that Council's Rural Strategy does not list the proposed activity as an undesirable land use for the Kelmscott Rural Planning Area, and the proposal is compatible with the Policy Statement for the Rural zone, it is recommended that the application be approved.

Impact on Amenity

A site visit on 22 August 2002 confirmed that the equipment appeared to be appropriate for an operation of the minor scale proposed, and that the loudest noise is produced by the crusher, which is no louder than that produced by a ride-on lawnmower. Further to this, the applicant maintains that the actual process of crushing the grapes takes one day and occurs twice a year.

The detail provided by the application does not include whether or not spraying of the vines occurs and if so, at what time of day and for how long. Additionally, it does not provide details on how long the picking process takes and what hours the process would be carried out. As such, if the application is approved, a land management plan should be required to further outline these elements.

The applicant has ample room for parking on the property, and the bays indicated would appear to be adequate. It would be beneficial however, if they were identified on site by some means, and it is recommended that should the application be approved this be imposed as a condition. McKenzie Grove and Connell Avenue do not cater for high volumes of traffic. It is therefore felt that the extra traffic generated by the proposal can be easily accommodated and will not cause a problem.

OPTIONS

1. Council could approve the application for a small boutique winery on Lot 8 McKenzie Grove, Kelmscott, subject to appropriate conditions with regard to parking and management as well as an advice note relating to compliance with the recommendations of the Western Australian Police Service and Swan River Trust.
2. Council could refuse the application for a small boutique winery on Lot 8 McKenzie Grove, Kelmscott, on the grounds that it is not satisfied the proposal will not detrimentally impact on the surrounding neighbourhood.

CONCLUSION

As the proposal is in keeping with the intent and purpose of the Rural zone and no reasonable objections have been raised, it is recommended that Council approve the application for a boutique winery in accordance with Option 1.

Officer's report recommends –

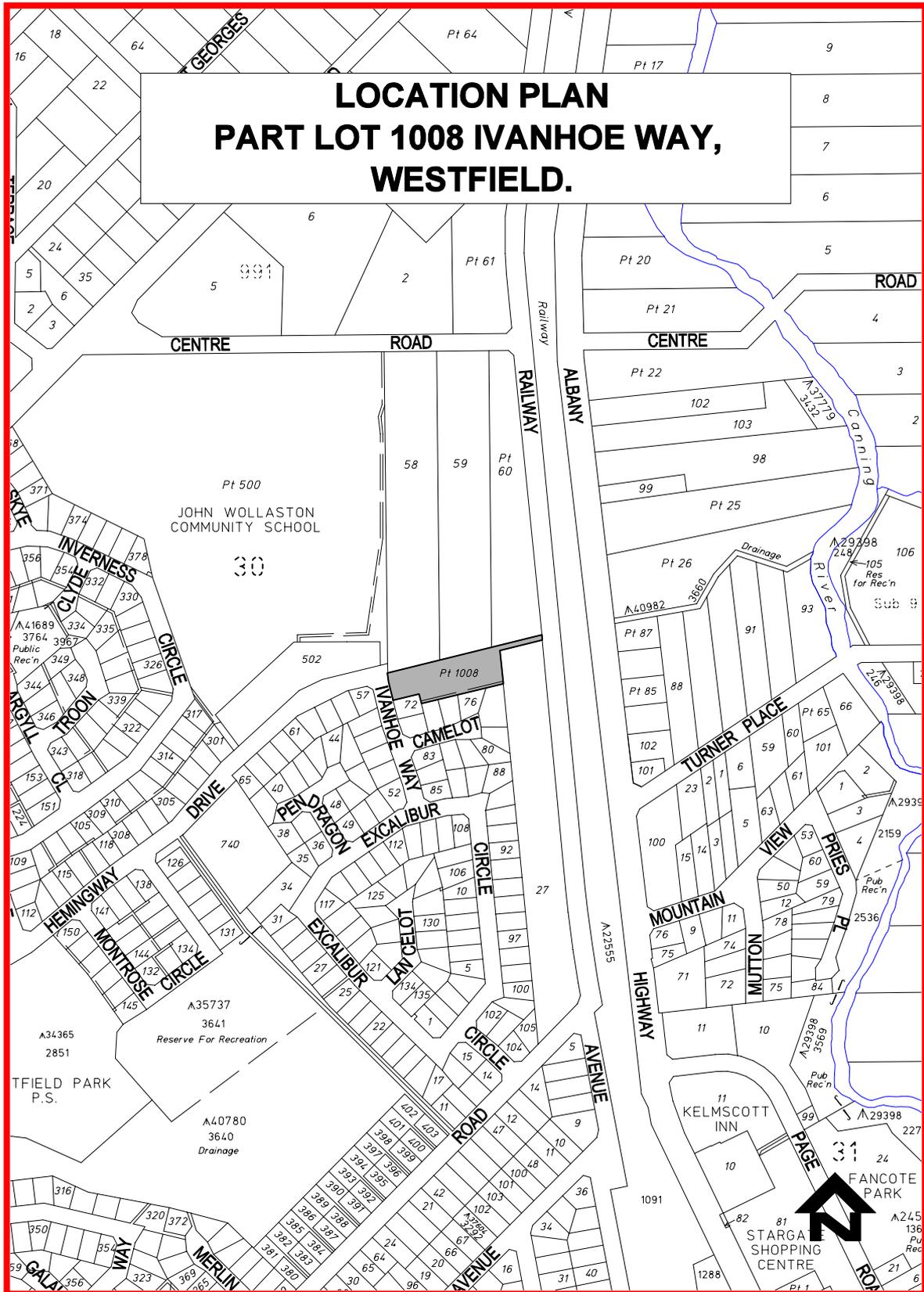
1. Council determine that the proposed boutique winery submitted by Mr Markovic and Ms Papagno for Lot 8 McKenzie Grove, Kelmscott, constitutes a use that may be consistent with the objectives and purposes of the Rural zone and approve the use subject to the following principal requirements:
 - ◆ On site parking to be identified to the satisfaction of Council.
 - ◆ A land management plan to be submitted to address property management, including the issue of spray drift to the satisfaction of Council. The property is to be managed in accordance with the approved plan thereafter.
 - ◆ The disposal of processing waste on site, other than in accordance with the Swan River Trust approved Nutrient and Irrigation Management Plan, is prohibited.
2. The applicant be advised that compliance with the “Noise Provisions of the Environmental Protection Act 1986”, as well as the advice of the Western Australia Police Service and Swan River Trust, is required.

COMMITTEE was of the view that it would be appropriate to limit production of the winery to the processing of produce grown on the site.

D190/02 RECOMMEND

1. **Council determine that the proposed boutique winery submitted by Mr Markovic and Ms Papagno for Lot 8 McKenzie Grove, Kelmscott, constitutes a use that may be consistent with the objectives and purposes of the Rural zone and approve the use subject to the following principal requirements:**
 - ◆ **On site parking to be identified to the satisfaction of Council.**
 - ◆ **A land management plan to be submitted to address property management, including the issue of spray drift to the satisfaction of Council. The property is to be managed in accordance with the approved plan thereafter.**
 - ◆ **The disposal of processing waste on site, other than in accordance with the Swan River Trust approved Nutrient and Irrigation Management Plan, is prohibited.**
 - ◆ **The proposed winery shall be limited to production solely from produce grown on the site.**
2. **The applicant be advised that compliance with the “Noise Provisions of the Environmental Protection Act 1986”, as well as the advice of the Western Australia Police Service and Swan River Trust, is required.**

MOVED Cr Stubbs
MOTION CARRIED (7/0)



PROPOSED MEDITATION TEMPLE – LOT 1008 IVANHOE WAY, WESTFIELD

WARD : WESTFIELD
FILE REF : A166816
DATE : 19 September 2002
REF : PRR
RESPONSIBLE MANAGER : PSM
APPLICANT : Daniel Cassettai Designs
LAND OWNER : Australia Burma Buddhist Association
SUBJECT LAND : Property size 5688m²
Map 22.08
ZONING : Urban / Residential 'R15'
MRS/TPS No.2

In Brief:-

- Council received an application for the development of a meditation temple on Part Lot 1008 Ivanhoe Way, Westfield on 13 August 2002.
- The proposal was advertised to surrounding landowners for a period of three weeks, resulting in one submission of no objection.
- Recommend that Council approve the application 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

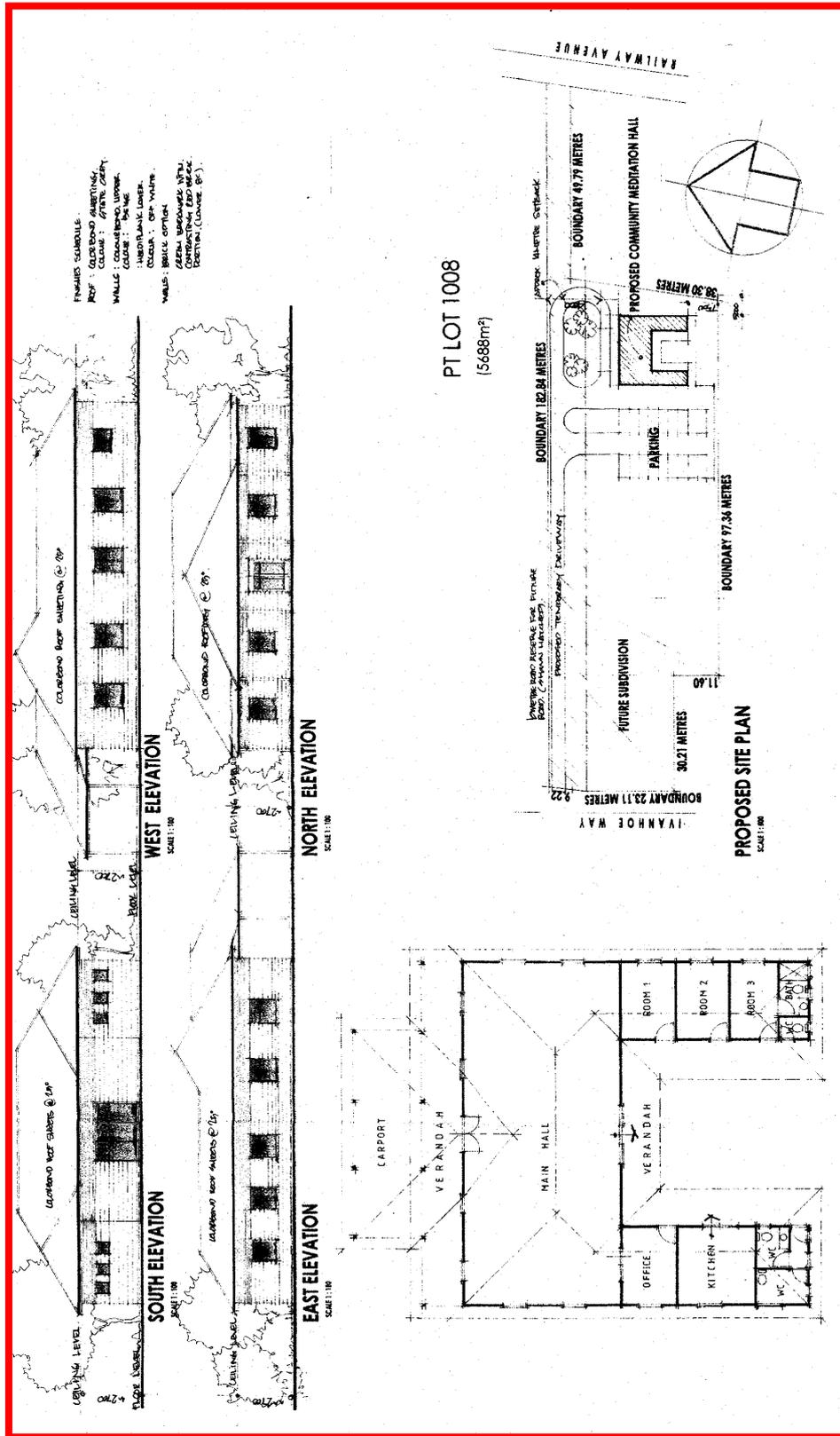
Town Planning and Development Act 1928
Metropolitan Region Scheme Act 1959
Town Planning Scheme No.2

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

May have ramifications in relation to rate income if exemption is sought on the basis of religious institution qualification.



SITE PLAN
 LOT 1008 IVANHOE WAY, WESTFIELD

Consultation

- ◆ Development Control Unit
- ◆ Surrounding Landowners

BACKGROUND

Council received the application for a meditation temple (place of worship) centre on Part Lot 1008 Ivanhoe Way, Westfield on 13 August 2002. A 'Place of Worship' is an "SA" use in the Residential Zone under Town Planning Scheme No.2, which requires public advertising prior to determination by Council.

DETAILS OF PROPOSAL

The applicant proposes to develop a meditation temple on the subject lot. The proposed building would be situated in the south-east corner of the site, 14m from the northern boundary, 7.5m from the southern boundary and 5m from the eastern boundary (site plan attached). The building itself is a 'U' shape, approximately 18m wide by 17.5m long, with a ceiling level 2.7m high. Two possibilities for the construction materials of the walls have been put forward. The first would involve the upper third being beige 'Colorbond' and the lower two-thirds being off-white 'Hardiplank'. The second possibility is for brickwork, with the lower eight courses being red, and the remainder being beige. The roofing material would be slate grey 'Colorbond' at a pitch of 25°. Eighteen (18) car parking bays have also been indicated on the site plan.

The applicant has indicated that the proposed meditation temple would be run by two volunteers, would be open 8am to 10pm seven days a week, and that it is expected that no more than twenty patrons would be on site at any one time.

COMMENT

Development Control Unit (DCU)

At its meeting held on 8 October 2002, DCU supported the proposal and recommended that the item be referred to Council for approval, subject to appropriate conditions.

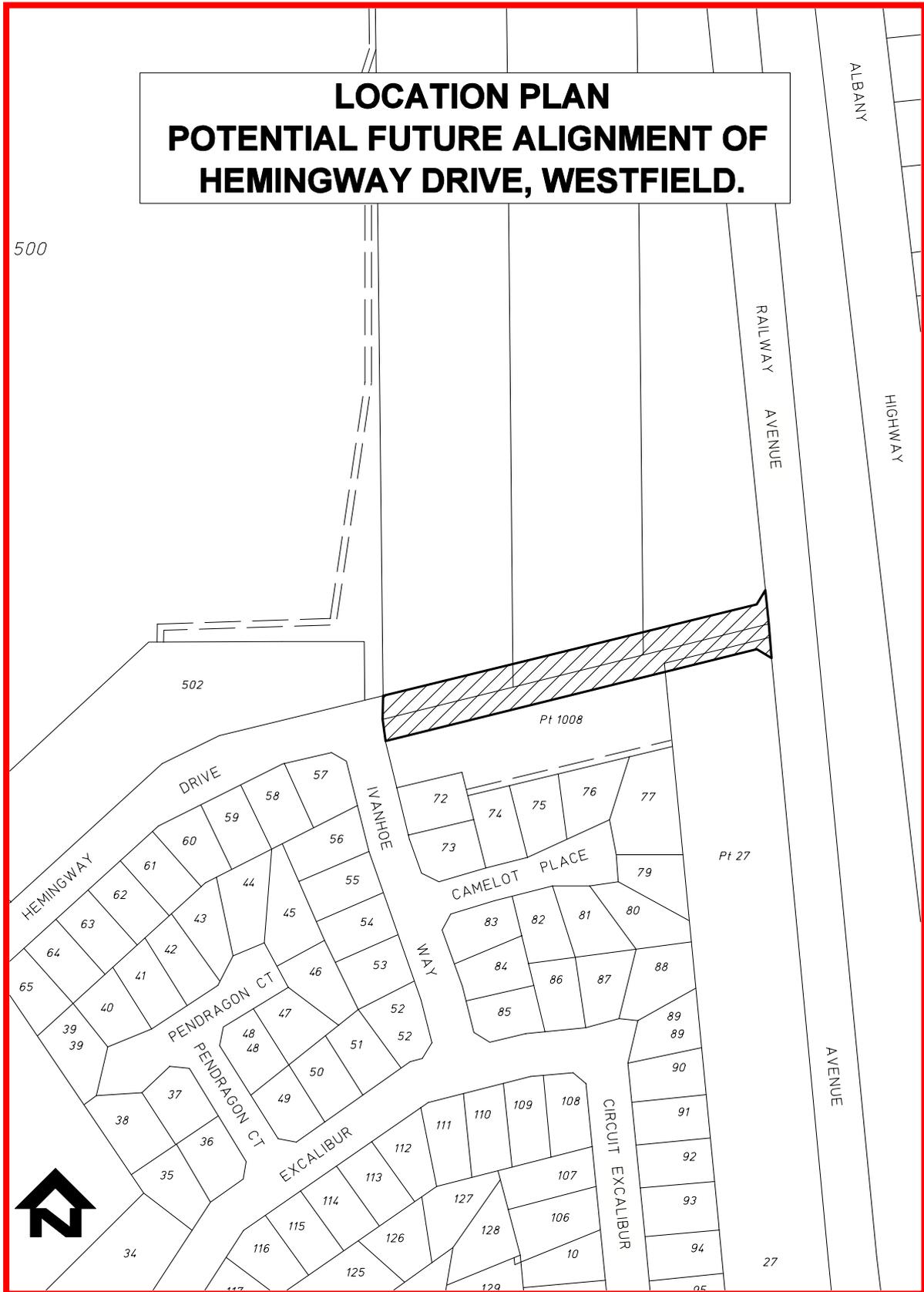
External Comments and Advice

The application was advertised to surrounding landowners for a period of three weeks. A total of one submission was received, stating that no objection was held.

ANALYSIS

Strategic Planning Issues

The land surrounding the subject lot will eventually be subdivided into smaller residential lots, and the ideal situation would be for Hemingway Drive to be continued through to Railway Avenue.



The proposal on Lot 1008 has taken the possibility of this future extension into account, as demonstrated by the 10m wide future road widening reserve shown on the site plan. In assessing the proposal in terms of future impacts, it is noted that additional lots could be created to the north and east of the subject lot.

Future lots to the north of the proposal will be separated by Hemingway Drive, adjacent to a school and as such the proposal would not be singled out as the only surrounding non-residential use. Any lots created to the east of the proposal would create a similar situation to that which exists to the south of the proposal and to which no objections were received. It is therefore believed that the proposed use is not out of scale or character with the existing and future development of the area.

With regard to the extension of Hemingway Drive, it is unlikely that the road will be further developed until such time as the lots to the north of the subject lot decide to pursue further subdivision. At this time negotiations between the City, the owner of Lot 1008 and the owners of the lots to the north may be entered into. It is not considered necessary that the road be created in association with this proposal.

Car Parking

Town Planning Scheme No.2 requires one parking bay per 4 attendees for a place of worship in a Residential Zone. Given the applicants projected figures of an expected 20 patrons and 2 volunteers on site at any one time, 5.5 parking bays would be required. The application demonstrates eighteen (18) parking bays, which is in excess of the required amount.

Meditation

The applicant has indicated that the meditation undertaken in association with this proposal will be silent, and will not disrupt the amenity of surrounding residents. Therefore there are no noise related concerns with this proposal.

Setbacks

The front and side setbacks for the proposed development are in accordance with the requirements of Town Planning Scheme No.2, but the applicant is seeking a variation to the rear setback requirement. The lot currently fronts Ivanhoe Way and in taking this as the frontage, a variation of 2.5m to the rear setback is being applied for (5m instead of 7.5m).

As previously stated, the extension of Hemingway Drive through to Railway Avenue is desirable, and if this occurs the development will obtain its access directly from Hemingway Drive. Taking the future Hemingway Drive as the frontage for Part Lot 1008, all setbacks are in accordance with the requirements of Town Planning Scheme No.2. Therefore, it seems appropriate that Council could consider a setback variation of 2.5m to the rear boundary based on the lot's current frontage to Ivanhoe Way and potential for all setbacks to comply when the lot fronts Hemingway Drive in the future.

Materials and Landscaping

Budget permitting, the applicant has indicated that the brick and slate grey ‘Colorbond’ option for construction is preferred which is possibly the more aesthetically pleasing of the two options. If however cost prohibits this option, the beige ‘Colorbond’ and off-white ‘Hardiplank’ option would be pursued. Should the application be approved, it is recommended that a condition relating to the confirmation of materials and colours be imposed.

No fencing has been indicated on the site plan and no specific elevations regarding fencing have been provided, but if the application is approved, the applicant should be made aware that if fencing is required, relevant details including materials and colours will need to be provided.

Given no details of proposed landscaping have been submitted, a detailed landscape plan for the proposed development should be required in the event of any approval being given.

OPTIONS

1. Council could approve the application for a meditation temple on Part Lot 1008 Ivanhoe Way, Westfield, subject to appropriate conditions with regard to the future of Hemingway Drive, the submission of a landscape plan and a schedule of materials and colours.
2. Council could refuse the application for a meditation temple on Part Lot 1008 Ivanhoe Way, Westfield, if it is of a view that the proposal will have a detrimental impact on the residential amenity of the locality.

CONCLUSION

Given that the proposal is a low intensity development, consistent with possible future surrounding residential land uses, the proposed use of quiet meditation is not considered to impact on the existing residences located on Champion Drive, nor on future residential uses in terms of noise of visual amenity, and the situation with regard to the proposed setback variation, it is recommended that Council approve the application in accordance with Option 1.

D191/02 RECOMMEND

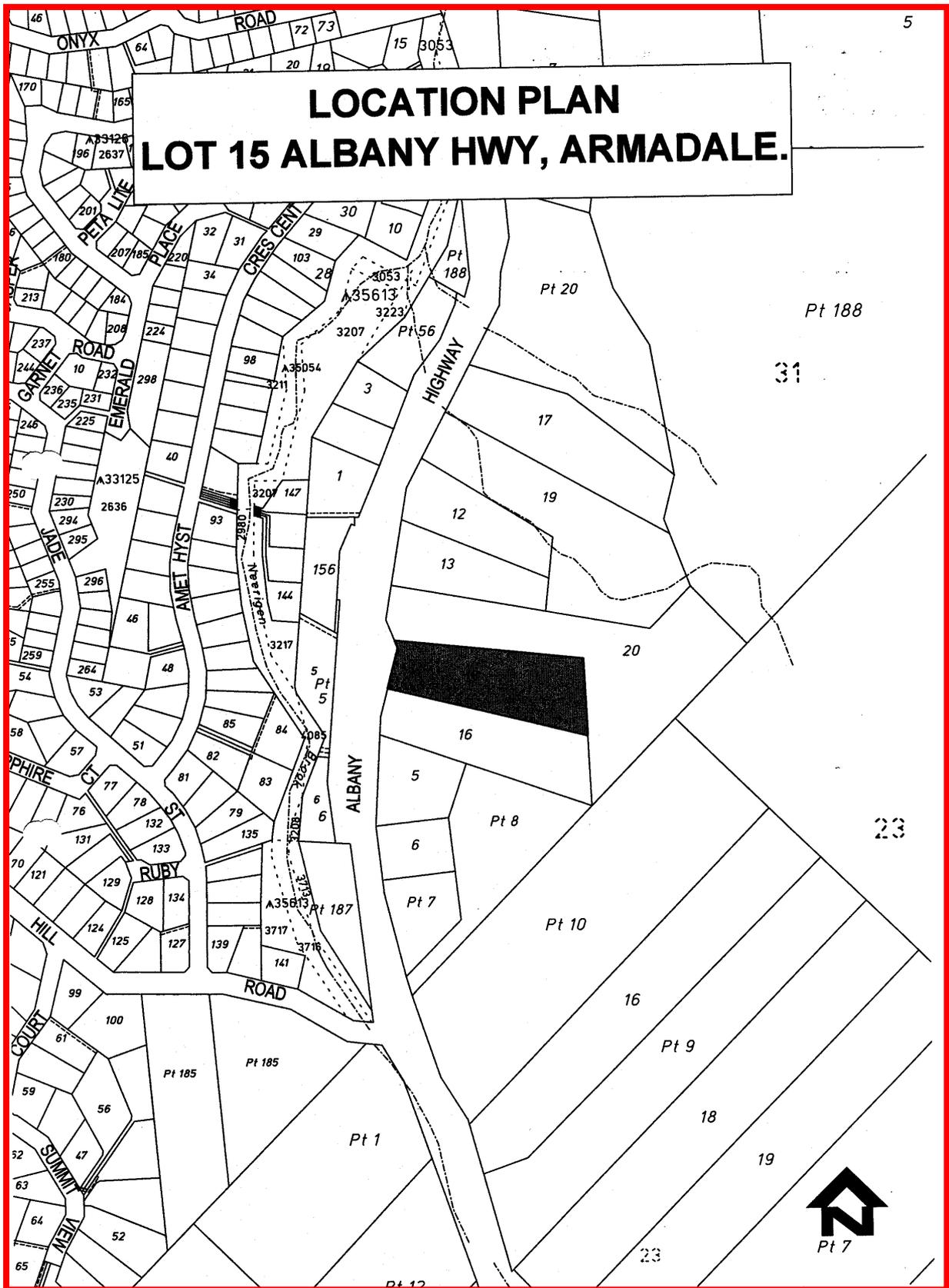
That Council approve the application for a Meditation Temple at Part Lot 1008 Ivanhoe Way, Westfield, subject to the following principal requirements:

- a) The 10m wide strip of land abutting the northern property boundary (as indicated on the site plan) is required for the future extension of Hemingway Drive to Railway Avenue. This strip of land is not to be developed, other than for the purposes of vehicle access and landscaping and such development is to be to the satisfaction of Council.**

- b) The submission of a schedule of materials and colours for the development (including any fencing) to be approved by Council. The development is to be completed and maintained in accordance with the approved colour scheme to the satisfaction of Council.**

- c) The submission of a comprehensive landscape plan is required. The landscape plan is to include plant species and method of irrigation of the landscaped areas. The landscape plan is to be approved by Council and all landscaping is to be completed and maintained thereafter to the satisfaction of Council.**

MOVED Cr Reynolds
MOTION CARRIED (7/0)



***HERB NURSERY AND LECTURE ROOM –
LOT 15 (No.124) ALBANY HIGHWAY, BEDFORDALE***

WARD : ARMADALE
FILE REF : A003795
DATE : 12 September 2002
REF : PRR/ JEH
RESPONSIBLE : PSM
MANAGER
APPLICANT : M Eves
LAND OWNER : M & C Eves
SUBJECT LAND : Property size 1.5935ha
Map 23.02
ZONING : Rural / Rural 'C'
MRS/TPS No.2

In Brief:-

- Application for herb nursery and lecture room was received 5 October 2001.
- Additional information requested by Council in resolution D98/02 received 6 September 2002.
- Recommend that Council approve the herb nursery and lecture room, 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

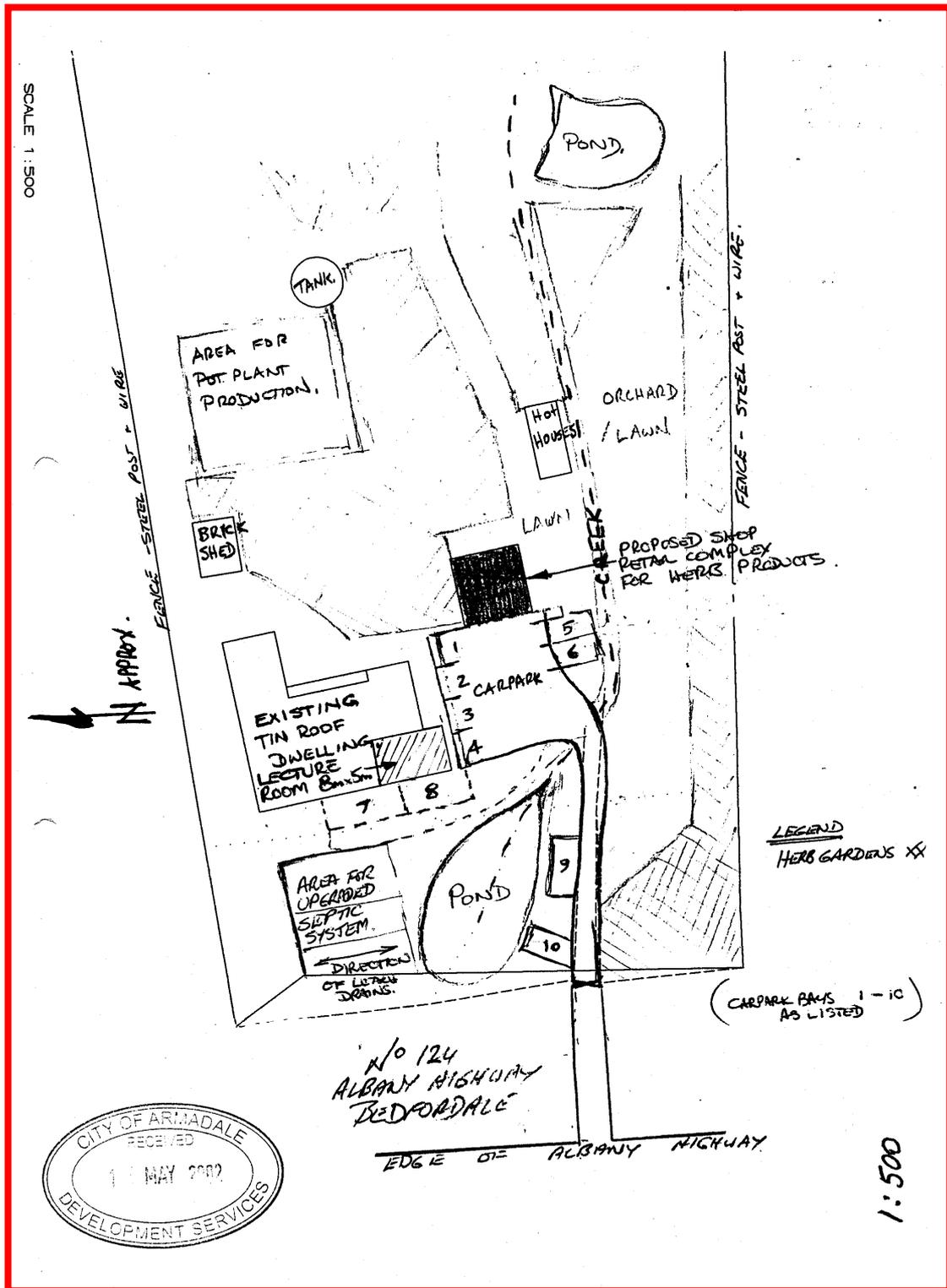
Town Planning and Development Act 1928
Metropolitan Region Scheme Act 1959
Rights in Water and Irrigation Act 1914
Town Planning Scheme No 2.

Council Policy / Local Law Implications

Rural Strategy
4.3.2 - Highway Development Policy

Budget / Financial Implications

Nil.



SITE PLAN 1:500
LOT 15 ALBANY HWY, BEDFORDDALE

Consultation

- ◆ Development Control Unit
- ◆ Surrounding landowners
- ◆ Water and Rivers Commission
- ◆ Main Roads Western Australia

BACKGROUND

Council received the application for the herb nursery and lecture room on 5 October 2001. After substantial assessment was conducted, the applicant was requested to provide additional information and amended plans with respect to the application on 27 November 2001. The information and plans were received 13 May 2002.

Council then considered the application at its meeting of 17 June 2002, where it was resolved as follows (D98/02):

That the application for a proposed Herb Nursery and Lecture Room on Lot 15 Albany Highway, Bedforddale be recommitted for further consideration in conjunction with an additional report clarifying arrangements intended for an adequate water supply for irrigation of the Herb Nursery.

The applicant has provided additional information in accordance with Council's resolution, received 6 September 2002.

DETAILS OF PROPOSAL

The applicant proposes to utilise part of the property to grow herbs, which would be potted and sold on site from an outdoor retail area. Herb seeds and associated herb products would also be sold from the site.

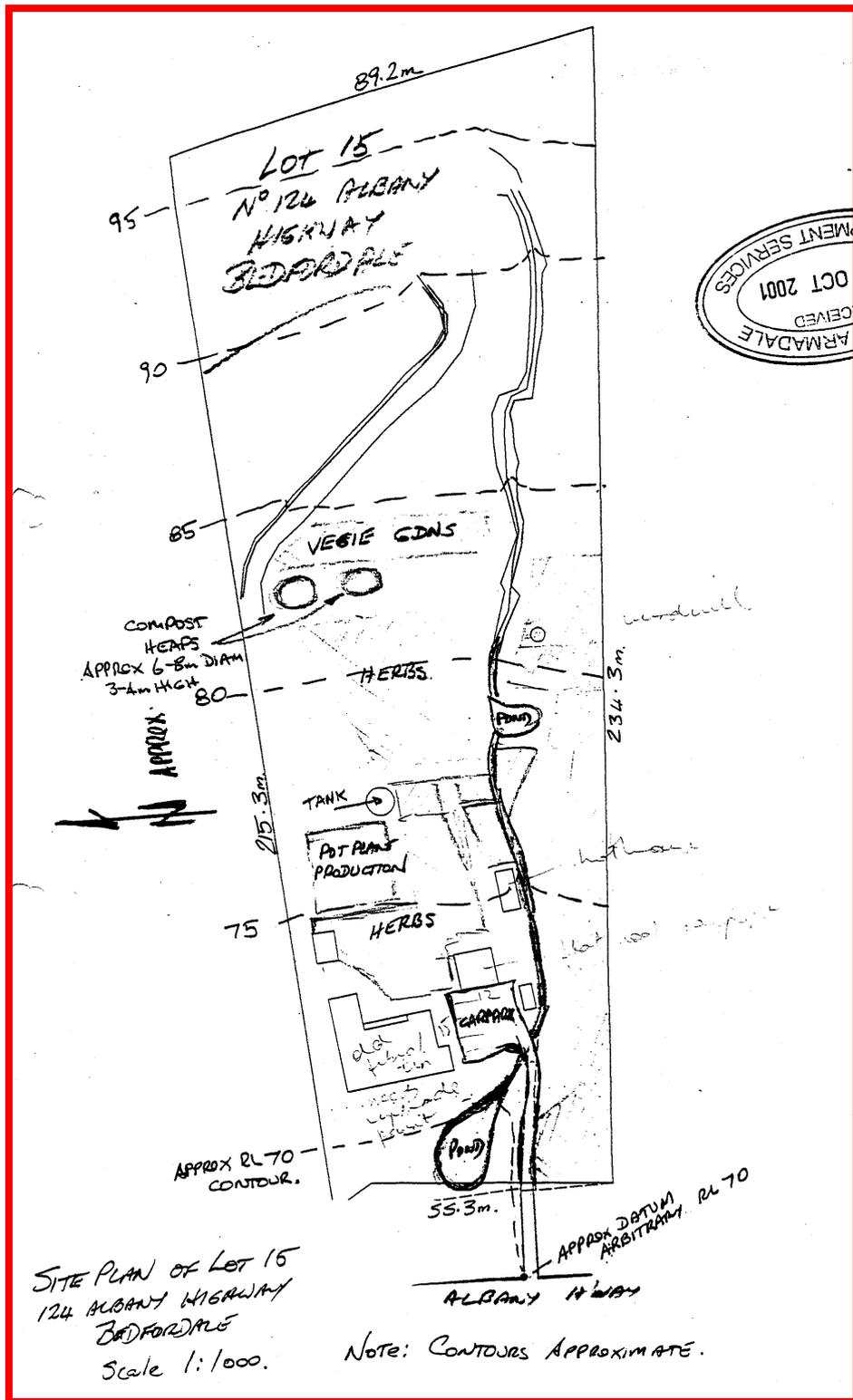
In addition, the applicant proposes to utilise one room of the existing residence as a lecture room (maximum of ten people), to pass on information regarding organic plant cultivation and the use of herbs.

The original intent of the applicant was to utilise water from Neerigen Brook for the purpose of irrigating the herb nursery. This was not acceptable to the Water and Rivers Commission (WRC), and the applicant has now submitted that a bore will be used for irrigation purposes.

COMMENT

Development Control Unit (DCU)

At its meeting held on 28 May 2002, DCU recommended that the item be referred to Council for determination with the recommendation that the application be approved subject to relevant conditions, based on the information received 13 May 2002.



SITE PLAN 1:1000
LOT 15 ALBANY HWY, BEDFORDDALE

Surrounding Landowners

The application was advertised to surrounding landowners for a period of three weeks. One (1) submission was received objecting to the proposal in four main areas as follows:

1. *The applicant had been operating the nursery for several years without approval.*

A site visit on 8 May 2002 found that herb gardens were being cultivated, but there were no signs advertising the property as a nursery, or any obvious evidence of retail activity.

2. *Traffic would be increased in direct relation to the proposal.*

Traffic would increase slightly as a result of this application being approved, but it would not be a major concern should the advice received from Main Roads Western Australia (MRWA) be implemented.

3. *Pollution of Neerigen Brook may result.*

The City's Environmental Officer recommended that commercial planting be set back a distance of 10m from the seasonal water course on the subject property, and that unfertilised buffer vegetation be planted in this 10m setback. With regard to the parking as indicated on the site plan, it was also indicated that any parking bays within the 10m buffer to the creek should be permeable (ie grassed). As such, any approval given to the nursery should incorporate these measures.

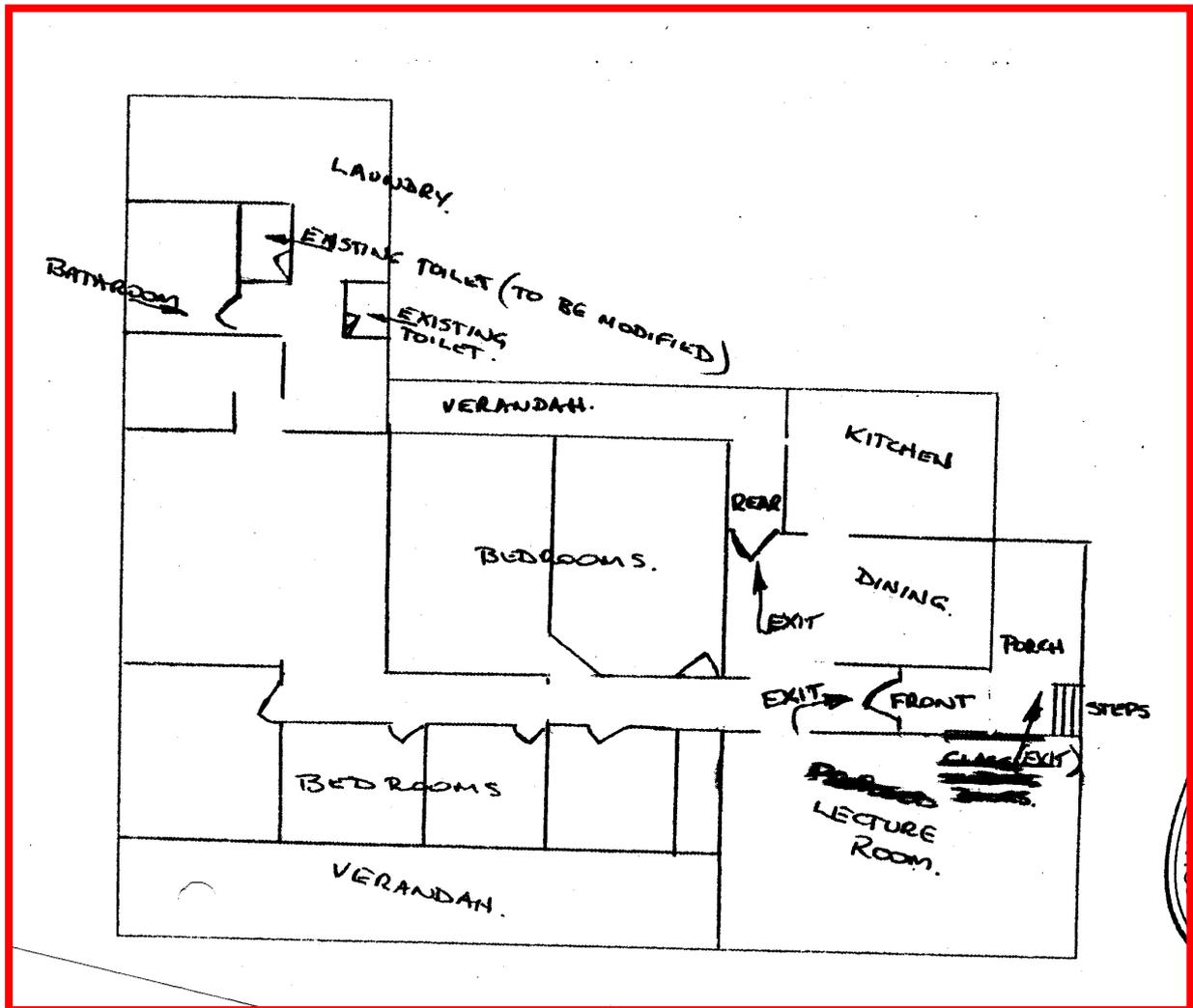
4. *Neerigen Brook was currently being used as the water source.*

The site inspection on 8 May 2002 could not confirm this aspect. Any approval would be conditional that water used to irrigate the herb nursery is not to be obtained from Neerigen Brook. The applicant also submitted that bore water will be used.

Water and Rivers Commission

As a result of the public submission received, further advice was sought from the Water and Rivers Commission (WRC) with regard to Neerigen Brook. The WRC advised that it does not support the use of water drawn from the Neerigen Brook and associated tributaries for anything other than domestic purposes, as per the Neerigen Brook Access Agreement. This consists of use within the home, a garden of no more than 0.2 ha in size, and stock watering, and is imposed to prevent potential impacts on downstream users.

The WRC have noted that the property is not in a proclaimed groundwater area, and therefore there is no requirement for the landowner to obtain a groundwater licence to sink or draw water from a bore.



FLOOR PLAN OF PROPOSED LECTURE ROOM
LOT 15 ALBANY HWY, BEDFORDALE

Main Roads Western Australia (MRWA)

Advice from MRWA was received on 6 November 2001, outlining that the proposal was acceptable subject to the following conditions:

1. Vehicle access limited to the driveway only.
2. Vehicle access to be left in – left out only. No median opening shall be provided.
3. Rectification of traffic issues as a direct result of this development shall be at the developers cost. This shall include costs involved in the design and construction.

It is recommended that these conditions be applicable to any approval given, as the measures proposed by MRWA are attainable.

ANALYSIS

With regard to the herb nursery, horticulture is considered to be a Rural Use under Council's Town Planning Scheme No.2, which is an 'AA' use in the Rural zone. With regard to the lecture room component, an educational establishment is considered to be a 'SA' use in the Rural zone. As such, both the nursery and lecture room components of the application require determination by Council.

Rural Strategy

The subject lot is within the Bedforddale Rural Planning Area, the Principal Policy Objective of which is "*to preserve the scenic and environmental quality of the valley.*" Horticulture is listed under the Desirable / Condition Land Uses for the Bedforddale Area, but one of the key issues identified is the provision of water for horticulture uses. Provided the applicant could address the issue of water supply for the herb nursery, the proposed use is compatible with Council's Rural Strategy.

4.3.2 Highway Development Policy

Council's Highway Development Policy deals with development control along Highways and Regional Roads to protect and improve existing traffic movements for community safety, the economy of vehicle movements and the efficiency of the road system. The Policy states that if a proposed use is not a 'P' (permitted) use for the zone in which it is proposed, Council should only approve said use if it is considered that it will generate equal or lesser traffic to 'P' uses.

Given that the proposal is of a small scale, unlikely to generate a significant traffic increase and is consistent with the Rural Strategy and the Policy Statement for the Rural zone in Town Planning Scheme No.2, deviating from the Policy is considered to be acceptable.

Water Usage

A significant factor of this application was the original intent to utilise Neerigen Brook as the water supply for a commercial operation. The WRC have made it clear that this would be unacceptable and based on such the application could not be supported. It was also indicated however, that should water be found elsewhere on the property, the applicant is free to utilise it and this would satisfy the concerns held. Utilising the proposed bore for irrigation purposes would therefore be acceptable.

With respect to Council's resolution at its June meeting, the applicant has indicated that whilst the proposed bore has not been drilled, due to the financial outlay involved and the uncertainty of whether the application will be approved, the diviners consulted indicated that the water source should be capable of producing 1500 gallons per hour. However if approval were to be obtained for the proposal, a bore would be sunk to tap this source.

The applicant expects the nursery would use 2000 gallons a day in the middle of summer, and states that even if the bore only produces 33% of the original amount, the water supply would still be sufficient. It should be noted that these figures are highly speculative, and no certainty can be derived from diviner advice.

Retail Component

The applicant has specified that the commercial aspect of the operation would involve the sale of the herbs grown on the property as well as seeds, pot plants and items made using herbs like aromatic oils and pot pourri. As such the herb nursery can be considered as a Rural Use, as per the definition in Council's Town Planning Scheme No.2, which outlines that Council may at its discretion approve the sale of produce grown on the property.

It is recommended that any approval granted for this use be subject to conditions limiting the commercial nature of the proposal to produce grown on the property and herb related products, as development of a more substantial nature would mean the proposal should be considered as a Retail Garden Centre, which is an 'SA' use in a Rural zone and as such would be treated with the potential to have a more significant impact on the surrounding properties, roads etc.

Lecture Room

Council's Building and Health Departments advised that further assessment would be required with regard to the proposed lecture room when the applicant submits a Building Licence, in terms of upgrading the current effluent disposal system to a nutrient removal system, as well as demonstrating compliance with the Health (Public Buildings) Regulations 1992 and Building Code of Australia 1996. There is adequate room on site to accommodate the upgraded effluent disposal system.

Parking

It was recommended that 4 bays be provided as being sealed, marked and maintained as such thereafter, with an additional 6 overflow bays to accommodate for the lectures being held. Any parking bays within 10m of the creek line on the property should be permeable, to reduce potential for pollution.

OPTIONS

1. Council could approve the application for herb nursery and lecture room on the subject property, subject to appropriate conditions.
2. Council could refuse the application for herb nursery and lecture room on the subject property, if it is of a view that the applicant has not adequately addressed concerns regarding the impact on the environment (including the Neerigen Brook).

CONCLUSION

It is considered onerous to require that a bore be drilled prior to any application being approved due to the associated costs. If the applicant is unable to obtain water from the bore when it is drilled, and the application is conditioned so that water cannot be taken from the Neerigen Brook, the nursery will probably not be viable at any rate. The decision on the operational and commercial viability of the nursery is therefore a decision to be made by the applicant.

As such, it is recommended that Council pursues Option 1 with respect to the application and approve both components of the application as the use is appropriate for the Rural C zone and measures have been identified to address concerns held in terms of water usage, retail restrictions, traffic management and buffers to the creek line on the property. The applicant should also be advised that the lecture room component will be subject to a Building Licence application.

Officer's report recommends –

1. That Council approve the proposed herb nursery and lecture room on Lot 15 Albany Highway, Bedfordale, subject to the following principal conditions:
 - ◆ Herb/garden beds to be a minimum distance of 10m from the creek line on the property, and this buffer area to be vegetated, to the satisfaction of Council.
 - ◆ All hard stand areas, including car bays 1 to 4 on the approved site plan, crossover and driveway to be constructed, drained, sealed, marked and kerbed and continuously maintained to the requirements of Council.
 - ◆ Overflow parking bays within the 10m buffer area are to be permeable (ie grassed), to the satisfaction of Council.
 - ◆ Retail component to be limited to produce grown on the property and herb related products.
 - ◆ Water for the proposed commercial herb nursery is not to be obtained from Neerigen Brook, as per Water and Rivers Commission advice.
 - ◆ The effluent disposal system must be upgraded to a nutrient removal effluent disposal system to the satisfaction of Council.

2. That the applicant be advised that adherence to the conditions outlined by Main Roads Western Australia in their correspondence dated 1 November 2001 is required, and that the lecture room component will be subject to a Building Licence Application.

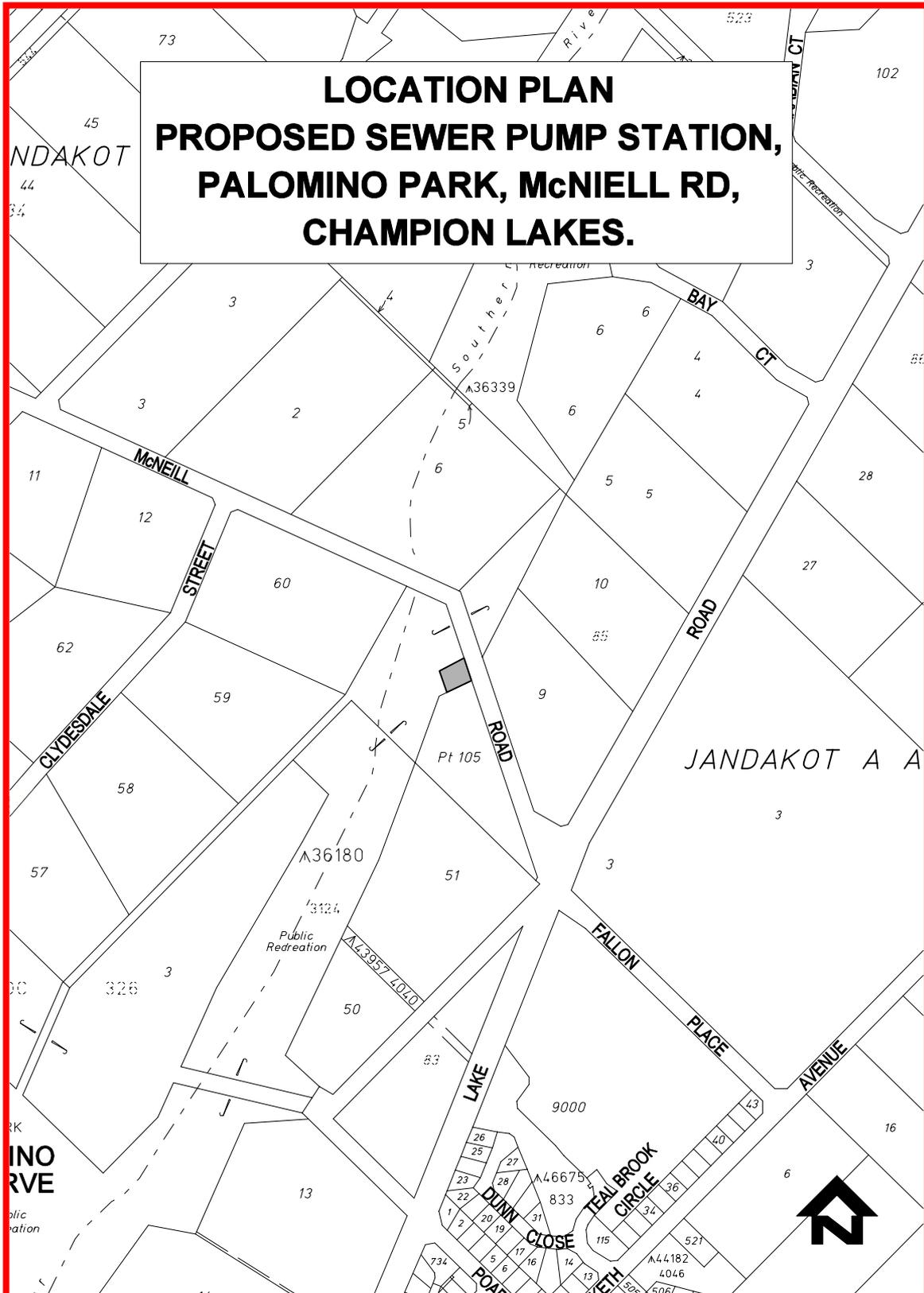
COMMITTEE discussed and raised concern with respect to the proponent needing to ensure that irrigation could be conducted from adequate water resources without reliance on the Neerigen Brook. Accordingly an additional Part 3 was added to the Recommendation.

D192/02 RECOMMEND

- 1. That Council approve the proposed herb nursery and lecture room on Lot 15 Albany Highway, Bedfordale, subject to the following principal conditions:**
 - ♦ **Herb/garden beds to be a minimum distance of 10m from the creek line on the property, and this buffer area to be vegetated, to the satisfaction of Council.**
 - ♦ **All hard stand areas, including car bays 1 to 4 on the approved site plan, crossover and driveway to be constructed, drained, sealed, marked and kerbed and continuously maintained to the requirements of Council.**
 - ♦ **Overflow parking bays within the 10m buffer area are to be permeable (ie grassed), to the satisfaction of Council.**
 - ♦ **Retail component to be limited to produce grown on the property and herb related products.**
 - ♦ **Water for the proposed commercial herb nursery is not to be obtained from Neerigen Brook, as per Water and Rivers Commission advice.**
 - ♦ **The effluent disposal system must be upgraded to a nutrient removal effluent disposal system to the satisfaction of Council.**
- 2. That the applicant be advised that adherence to the conditions outlined by Main Roads Western Australia in their correspondence dated 1 November 2001 is required, and that the lecture room component will be subject to a Building Licence Application.**
- 3. That the applicant be advised of the need to design and implement a suitable storage and irrigation system independent of the Neerigen Brook.**

MOVED Cr Green
MOTION CARRIED (7/0)

Cr Stewart left the meeting at 8.10pm and did not return.



***PROPOSED SEWER PUMP STATION ON RESERVE NO.36180 McNEILL ROAD,
CHAMPION LAKES (PALOMINO PARK)***

WARD : SEVILLE
FILE REF : A184078
DATE : 30 August 2002
REF : JRH
RESPONSIBLE : PSM
MANAGER
LANDOWNER : Crown (Vested in City of
Armadale)
SUBJECT LAND : Reserve 36180 McNeill
Road / Palomino Way,
Armadale (Palomino
Reserve)
ZONING:- : Reserve
MRS (Parks & Recreation)
TPS No.2 Regional Reserve
(Parks & Recreation)

In Brief:-

- Council previously resolved to support the development of a proposed sewerage pumping station and the excision of a portion of Reserve No.36180 at its August 1999 round of meetings. The excision has subsequently been advertised for public comment, with concerns being identified with the potential environmental impact of the proposed pumping station.
- Additional information on the proposal has been submitted by the applicant, which has been presented at a meeting of affected persons and re-advertised for comment.
- Recommend Council support the development of the proposed sewerage pumping station, and advise the Department of Land Administration to proceed with the excision of the portion of the reserve to accommodate the development.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

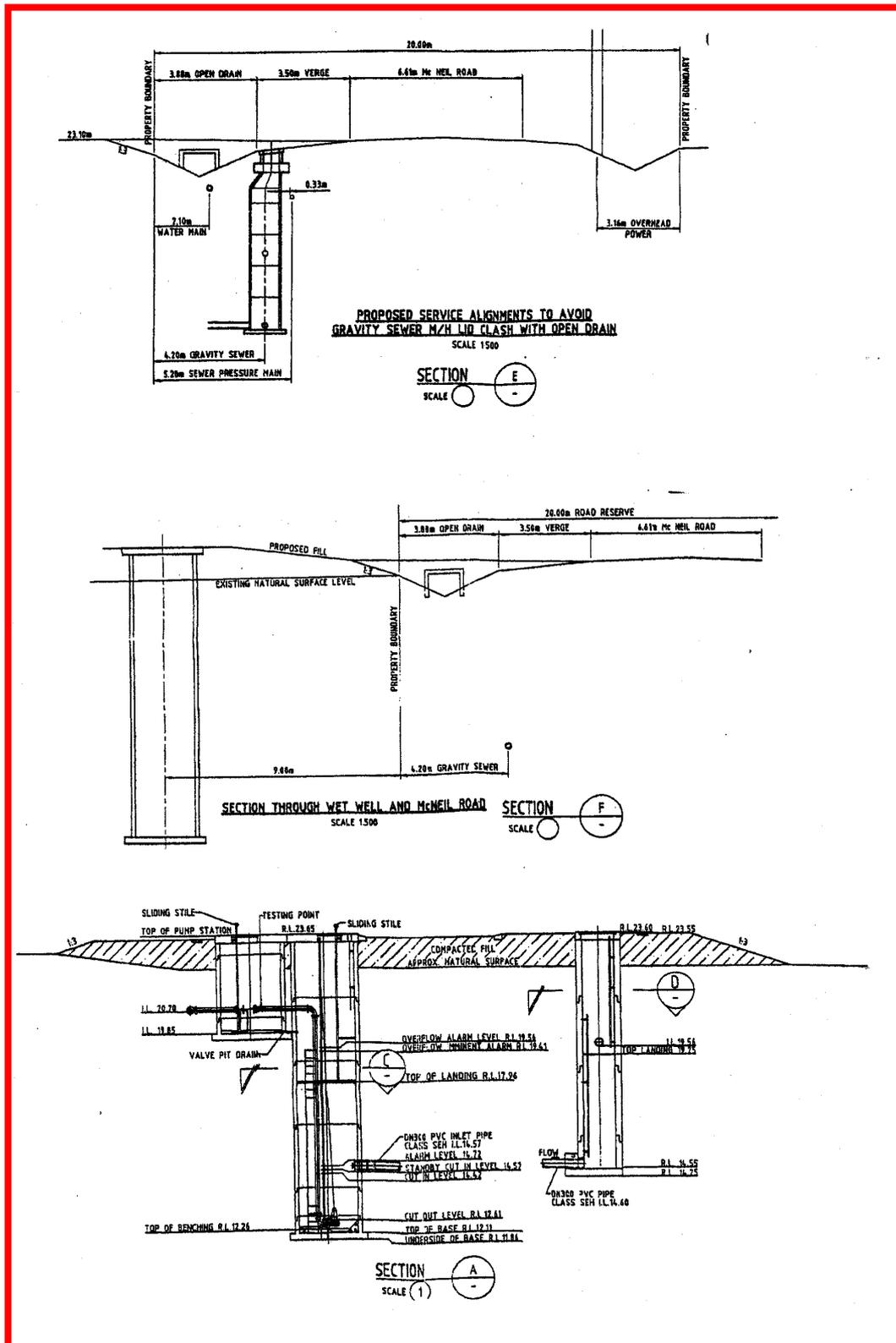
Physical Infrastructure – “to achieve a whole of government approach in the provision of infrastructure to our community – ie. transport, water management systems, regional facilities”

Legislation Implications

Town Planning & Development Act 1928
Metropolitan Region Scheme Act 1959
Town Planning Scheme No.2
Land Administration Act 1897

Council Policy / Local Law Implications

Nil.



CROSS SECTIONS OF PROPOSED SEWERAGE PUMPING STATION – PALOMINO PARK, CHAMPION LAKES

Budget / Financial Implications

Nil.

Consultation

- ◆ Sign on site and written notification to surrounding landowners;
- ◆ Palomino Reserve Catchment Group;
- ◆ Public meeting.

BACKGROUND

At its meeting of August 1999, Council resolved to support the request by the Water Corporation to close part of Reserve No.36180 McNeill Road, Armadale for the development of a sewer pump station. The advice was forwarded to the Western Australian Planning Commission, as the determining authority for development on regional reserves, but a decision has not yet been made at this stage.

Council's officers have continued to liaise with the Department of Land Administration and the Western Australian Planning Commission regarding the procedure for the disposal of the reserve. A valuation for the land was obtained from the Valuer General's office and the proposed closure advertised for comment from 4th December 2001 to 1st February 2002, after Council granted an extension to the comment period at its January 2002 round of meetings (D9/02).

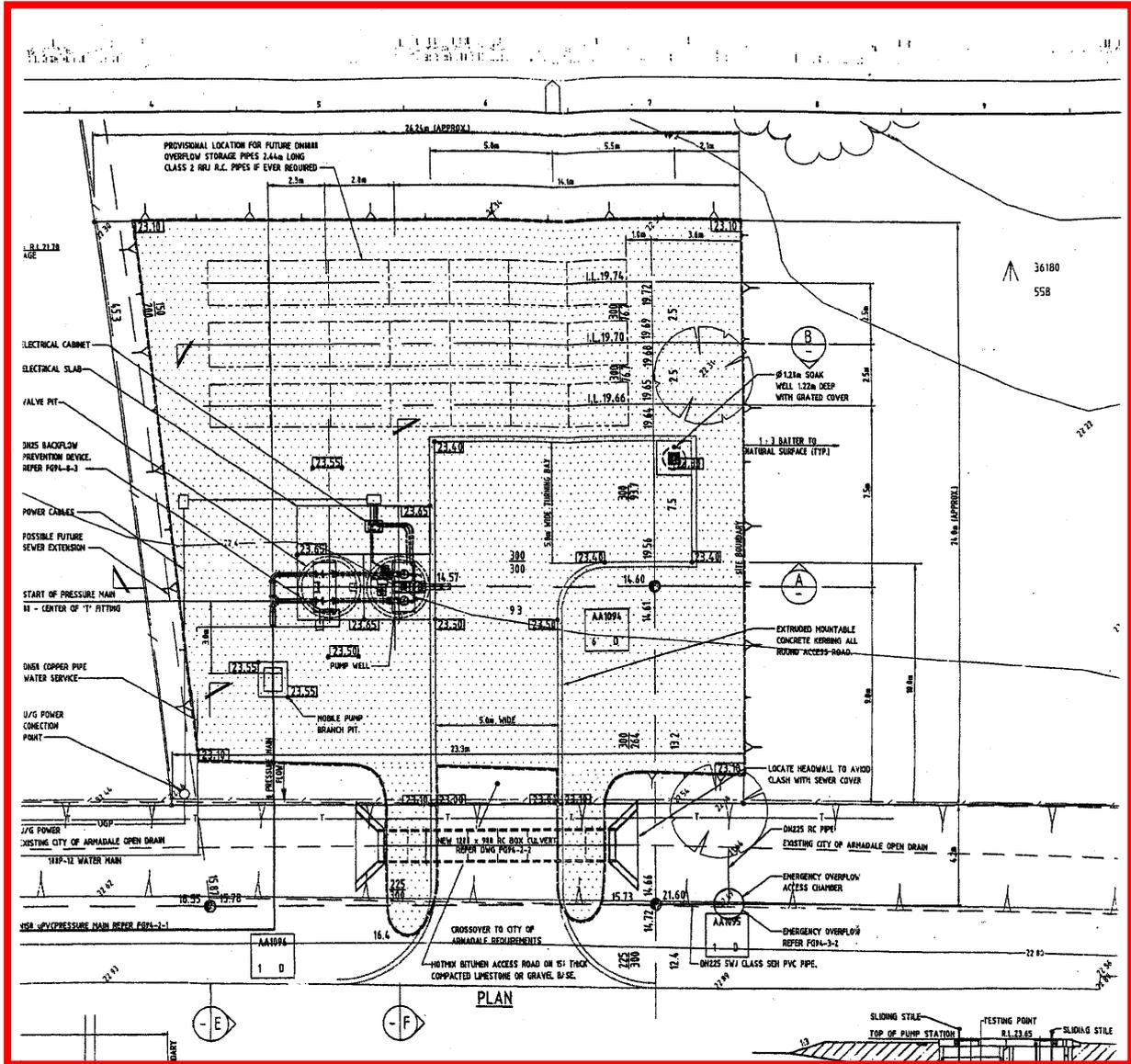
Following numerous requests by submitters, a public meeting was held on 19th March 2002 at the City of Armadale, and was attended by interested parties, Council officers and officers from the Water Corporation (WC). At the meeting the Corporation provided an overview of the planning process for sewerage pumping stations, detailed plans for the pumping station and emergency procedures and practices to manage the facility and prevent overflows. At this meeting, WC officers undertook to respond to the concerns and questions raised by residents, and present the information at another public meeting. This meeting was subsequently held on 30th July 2002, and information relating to issues discussed at this meeting has been submitted to Council for its consideration.

Once this additional information was received, the proposal was re-advertised for public comment. Council is now requested to consider submissions received during the advertising periods, and additional information provided by the Water Corporation, to determine whether it supports the disposal of the portion of the reserve containing the proposed pump station site.

DETAILS OF PROPOSAL

The applicant proposes the excision of 594sqm of land from Lot Jandakot A.A 558 of Reserve 36180, for the purpose of constructing a sewerage pumping station to service the urban zoned land to the east of Lake Road in the short term. This site could also provide sewerage infrastructure for land to west of Lake Road through to Southern River, should this land be developed for urban purposes in future.

The portion proposed to be excised is approximately 26m x 24m, and located within the flood fringe of the Southern River.



SITE PLAN OF PROPOSED SEWERAGE PUMPING STATION
PALOMINO PARK, CHAMPION LAKES

COMMENT

Results of advertising

The proposal to excise a portion of Reserve No.36180, to accommodate the proposed sewerage pumping station, was advertised for public comment from 4 December 2001 to 1 February 2002. Notification consisted of letters to surrounding property owners, the Palomino Reserve Catchment Group, and the Palomino Reserve Management Committee. During this advertising period, seven (7) submissions were received.

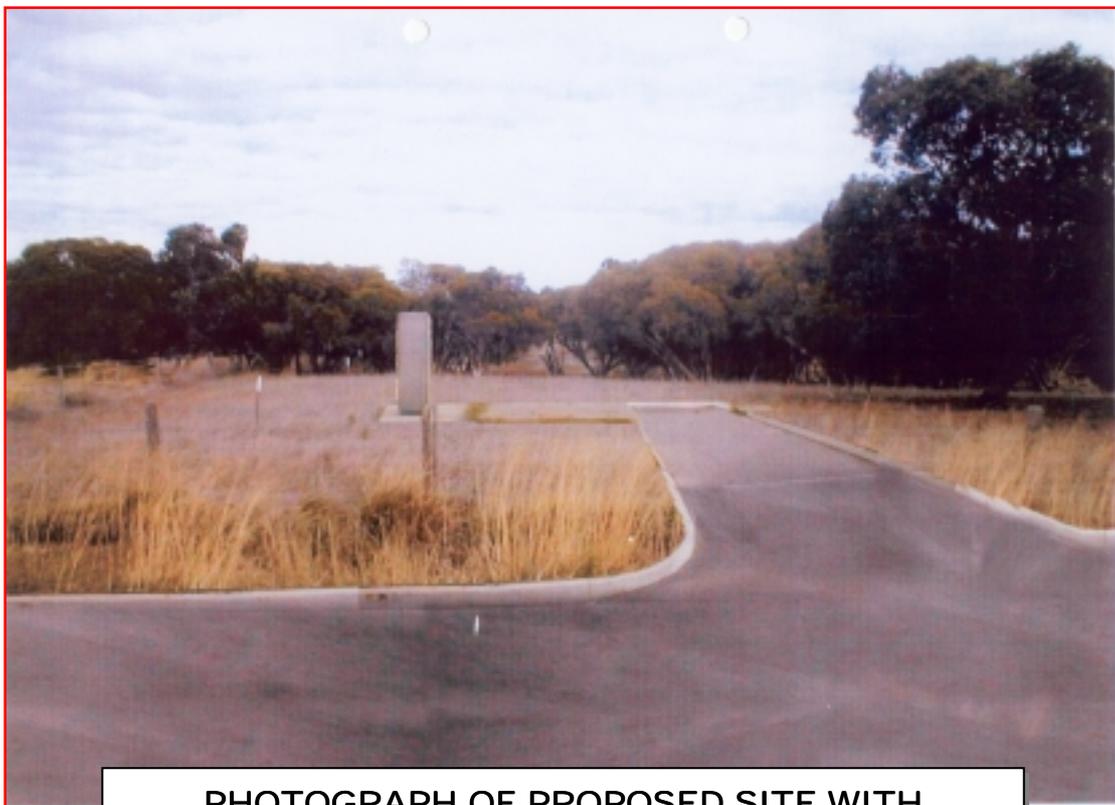
Following receipt of additional information, the proposal was re-advertised for public comment from 16 September 2002 to 1 October 2002. During this advertising period, no further submissions were received.

Objections raised during the first advertising period are analysed below:

	Statement	No. Submitters holding view
1	<p><i>Why does the sewer pumping station have to be on the river?</i> The location has been selected by the Water Corporation as it will limit the number of pumping stations and serve land using a gravity system, its position accommodates current and future development potential, and it is consistent with their objectives being near public open space and remote from housing.</p> <p>Water Corporation advise that relocating the pumping station upstream, on the east side of Lake Rd, does not overcome the expressed concern of spillage/overflow draining to the Southern River. In the unlikely event of spillage occurring, it would be through the drainage network to the lowest point in the catchment, being the Southern River, no matter where the pumping station is located.</p>	
2	<p><i>What action will be taken should an accident occur? Southern River in the location of the proposed pumping station has previously been subject to flooding, which could result in sewerage overflowing into the river. Residents surrounding the proposed site are not on scheme water, and rely on the groundwater for cooking, cleaning, bathing and other water requirements. Should there be any leakage of sewerage, the groundwater would become contaminated and residents would be affected.</i></p> <p>Should a failure occur within the pumping station, the system will have a sewerage storage capacity of 3 hours, based on the ultimate peak flow from the full catchment which is unlikely to occur for several decades. In the event of a failure, the Water Corporation has an established emergency procedure, with emergency response and contingency procedures for dealing with any situation at the pump station. This ensures that faults can be rectified within the 3 hour period. In addition, the pump station contains two pumps, so that a spare is immediately available should the primary pump require maintenance.</p> <p>The Water Corporation advise that the pumping station's well is void with minimal internal pressure from sewerage flow and subject to external hydrostatic pressure from earth and groundwater. As the external hydrostatic groundwater pressure will be greater than the internal pressure, groundwater could be forced into the well if a crack was to develop within the well. This further minimises the likelihood of sewerage leaking from the unit into the groundwater.</p>	



**PHOTOGRAPH OF PROPOSED SITE FOR
SEWERAGE PUMPING STATION**



**PHOTOGRAPH OF PROPOSED SITE WITH
SEWERAGE PUMPING STATION SUPERIMPOSED**

	Statement	No. Submitters holding view
3	<p><i>The proposed pumping station is being constructed to service the residential area to the east of Lake Road. Why is the sewer pumping station not being located in the area which it is intended to serve?</i></p> <p>The Water Corporation selected the proposed location as it is positioned within a central catchment which would cater for current and potential future urban development. The site also represents the most cost-effective command of the catchment. Relocation of the pumping station to the east of Lake Road would result in components of the sewerage infrastructure being significantly deeper in the ground, which increases construction costs and would not alter the potential risk to the Southern River in the unlikely event of a spill.</p>	
4	<p><i>Water Corporation mapping differs from other maps which define the flood plain of the Southern River, with some maps showing the proposed sewerage pumping station located within the 1 in 100 year flood level. Which is correct?</i></p> <p>The City's officers requested that Water Corporation provide confirmation of the location of the flood plain, as the mapping was conducted in 1988 and there were concerns that the information would not depict the current situation. The Water Corporation obtained advice from the Water & Rivers Commission (WRC) on this matter, which indicates that the information is still relevant.</p> <p>This data indicates that the proposed pumping station is located within the 1 in 100 year flood fringe of the Southern River, but not within the 1 in 100 year flood plain. The WRC require the minimum building level on the site to be 23.6m AHD, maintaining a 0.5 metre separation above the 1 in 100 year flood level. The pump station incorporates a level of 23.65m AHD, which will ensure that the station and associated electrical equipment is not flooded and access can still be gained to the pumping station.</p>	
5	<p><i>The construction of the pumping station will affect the visual amenity of the river and the rural environment.</i></p> <p>The location of the proposed pumping station has been previously subject to extensive clearing. Once completed, the only components of the pumping station above ground level will be the electrical control box and the bitumen driveway, which would result in minimal visual impact on the amenity of the locality. The site will not be fenced, and landscaping may be incorporated to provide screening of the electrical control box, which will further reduce visual impacts.</p>	

Environmental Issues

During the first advertising period of the proposal, several environmental issues were identified by submitters, which primarily related to the potential for the pumping station to pollute the Southern River in the event of a failure. The Water Corporation has provided additional information, which indicates that the likelihood for the Southern River to be contaminated by sewerage from the pumping station would be extremely remote.

Further clarification on the 1 in 100 year flood plain for the Southern River has been obtained from the Water & Rivers Commission, which confirms that the proposal is outside the flood plain. In addition, the well of the pumping station will be completely sealed and sewerage will enter the well at a pressure which is lower than groundwater pressure, which means that if the well were to develop a crack, groundwater would enter the well as opposed to sewerage leaking into the groundwater. Monitoring systems to be put in place by the authority would detect this situation and rectify the fault before adverse impacts could occur.

In the event of a failure, the pumping station will have a sewerage storage capacity of 3 hours, based on the ultimate peak flow from the full catchment which is unlikely to occur for several decades. Should a failure occur within the pumping station, the Water Corporation has a fully documented Incident Management Plan, with emergency response and contingency procedures for dealing with any situation at the pump station, within the available minimum 3 hour emergency storage capacity. These procedures include 24 hour / 7 day monitoring of the alarm systems connected to the stations, work crews on call at all times, private tanker companies on call, and mobile generating and pumping units available at its Canning Vale depot.

The Water Corporation and the Department of Environmental Protection have established a self-assessment procedure for the development of sewerage pumping stations, which the Water Corporation are obliged to comply with under their legislation. Officers of the Water Corporation advise that the proposal is generally consistent with the self-assessment guidelines, with the assessment to be completed once approval to the proposal has been received from the Western Australian Planning Commission.

Based upon the above, it is considered that the proposal is unlikely to result in any adverse impacts on the environment in the vicinity of the pumping station.

Locational Issues

During the advertising period, many submitters questioned the need for an infrastructure facility servicing an urban development to be located within the rural environment. The Water Corporation have subsequently provided further justification for the proposed location, on both practical and aesthetic grounds.

Construction Implications

To establish a gravity-fed sewerage system, the pipe network must follow the contours of the land to pump station, located at the lowest point in the network. Often this network correlates with the natural drainage pattern, resulting in the pumping station being located adjacent to rivers and other natural water features. The authority advise that locating the pumping station within the development on the eastern side of Lake Road would result in the following:-

- ◆ Increase the construction depth of the pumping station by approximately 2.6m, due to 1.1m extra depth in running the sewer against the natural fall of the land and 1.5m extra depth due to the rise of the natural ground level;
- ◆ Deepen the sewer along McNeill Rd from the river by an average of 4.8m (increase from a 3.3m average to a 7.1m average for the sewer and access chambers);
- ◆ Increase the depth of the section of sewer under Lake Road by 6.7m (increase from 3.3m to 10m);
- ◆ Deepen overflow storage system by an average of 1m.

The increase in depth of the sewers will also increase the difficulty of construction and will require more costly alternative construction techniques. The proposed pump station site will be filled to a level of 23.65AHD, which will involve changes in level to a maximum of 2 metres, and a buffer of 1 in 3 around the site. Recontouring should occur in a manner which complements the surrounding landform.

Servicing of the Catchment

The Authority has formulated a catchment to be serviced by the proposed pumping station, to a scale which accommodates development which could reasonably be expected within the life of the facility, being approximately 50 years. The resulting catchment is bounded by Hesketh Avenue/ Westfield Road to the east, Southern River to the west, Regional Open Space to the north and the Williams Rd Main Drain to the south.

Land planning within this area shows that all land to the east of Lake Road is zoned 'Urban' under the metropolitan Region Scheme (MRS), with the land to the west of Lake Road being zoned 'Rural'. The City has advised the Water Corporation that the land zoned Rural under the MRS is not anticipated to be rezoned to permit urban development in the medium to long term. However, given that the proposed location is preferred for other reasons such as construction implications, and its position within open space reserves away from residential properties, the pumping station has been designed to incorporate potential urban development in this location.

Statutory Matters

Under Clause 32 of the Metropolitan Region Scheme Act 1959, the proposal requires approval by the Western Australian Planning Commission (WAPC) as it constitutes works on a regional reserve by a public authority. Council previously considered the development of the sewerage pumping station and land excision at its August 1999 meeting (D228/99). At the meeting, Council recommended that the WAPC approve the development application and that the portion of the reserve be disposed of in accordance with the guidelines of the Department of Land Administration (DOLA). The WAPC have not yet considered the application, but expect to determine the proposal following re-consideration of the application by Council.

A valuation of the subject portion of the reserve has been conducted by the Valuer General's Office, which specifies a value of \$2500 for the portion to be excised. DOLA have informed Council that its processing costs relating to the excision will amount to \$625, which is to be met by the Water Corporation.

Following public advertising of the proposed excision, Council should now consider the submissions received during advertising, and the potential for adverse impacts that may be generated by the proposed sewerage pumping station to be located on the excised portion, prior to advising DOLA whether it wishes to proceed with the excision application. The portion to be excised is located adjacent to McNeill Road, and will not affect the usability or functionality of the reserve. The site will not be fenced, and the hardstand area for vehicle manoeuvring within the site may be used for parking by persons accessing the reserve.

Options

With respect to the proposed development application, Council may proceed with the proposal in accordance with one of the following options:

1. Resolve to advise the Western Australian Planning Commission that following consideration of submissions received during the reserve excision process, and a review of additional information on the proposal submitted by the Water Corporation, Council supports the development of the proposed sewerage pumping station on Reserve No. 36180 McNeill Road, Champion Lakes (Palomino Park);
2. Resolve to advise the Western Australian Planning Commission that following consideration of submissions received during the reserve excision process, and a review of additional information on the proposal submitted by the Water Corporation, Council does not support the development of the proposed sewerage pumping station on Reserve No. 36180 McNeill Road, Champion Lakes (Palomino Park), as the proposal has potential to create adverse environmental impacts to the reserve and the Southern River in the event of a failure within the pumping station;

With respect to the proposed excision of Palomino Reserve to accommodate the proposed sewerage pumping station, Council may proceed with the proposal in accordance with one of the following options:

3. Resolve to advise the Department of Land Administration that Council supports the disposal of the portion of Reserve No. 36180 McNeill Road, Champion Lakes (Palomino Park) to accommodate the proposed sewerage pumping station;
4. Resolve to advise the Department of Land Administration that Council does not support the disposal of the portion of Reserve No. 36180 McNeill Road, Champion Lakes (Palomino Park) to accommodate the proposed sewerage pumping station (subject to Council not supporting the development of the sewerage pumping station as outlined in Option 2 above).

CONCLUSION

Council had previously provided a recommendation to the WAPC on the proposed sewerage pumping station within Palomino Park at its August 1999 round of meetings, and commenced procedures to excise a portion of the reserve to accommodate the proposal. The procedure for excision included advertising of the proposal, which generated significant community concern with the establishment of the sewerage pumping station in close proximity to environmental features such as groundwater resources and the Southern River.

Following identification of the concerns by submitters, the applicant has provided additional information on the proposal with respect to its proposed location, and how the operation of the pumping station is managed to reduce the potential for adverse environmental impacts to a minimum. This additional information has been presented to submitters and surrounding residents, with no further comments received.

Based upon the additional information submitted, and an assessment of the design of the proposed sewerage pumping station, it is considered that the development will not detrimentally affect the visual amenity of the reserve, and is capable of being managed in a way which avoids negative impacts to surrounding environmental features. It is therefore recommended that the proposal be determined in accordance with Option 1.

The proposed excision of a portion of Palomino Reserve has previously been supported by Council, with submissions received during the advertising period generally relating to the proposed sewerage pumping station rather than the excision. Given that the concerns relating to the establishment of the sewerage pumping station have been suitably addressed, it is considered that the excision application may be determined in accordance with Option 3.

Officer's report recommends –

1. That following consideration of matters raised during the advertising period with respect to the proposed excision of Reserve No. 36180 McNeill Road, Champion Lakes (Palomino Park) to accommodate the proposed sewerage pumping station, Council advises the Western Australian Planning Commission that it supports the proposal subject to conditions including the following:
 - a) The applicant is to submit a plan showing details of landscaping improvements within and around the proposed excised portion of the reserve, to screen the proposed development and complement the surrounding rural amenity of the locality to the satisfaction of Council. Such plan to be approved by Council and is to be installed to the satisfaction of Council.
 - b) Payment of compensation to Council for the subject portion of the reserve of \$2500, which is to be applied to improvement works within the reserve, and payment of all costs involved in finalising the excision application with the Department of Land Administration.
2. That Council advise the Department Of Land Administration that Council supports the disposal of the portion of Reserve No.36180 McNeill Road, Champion Lakes (Palomino Park) to accommodate the proposed sewerage pumping station, and requests that the Department finalise the matter accordingly.

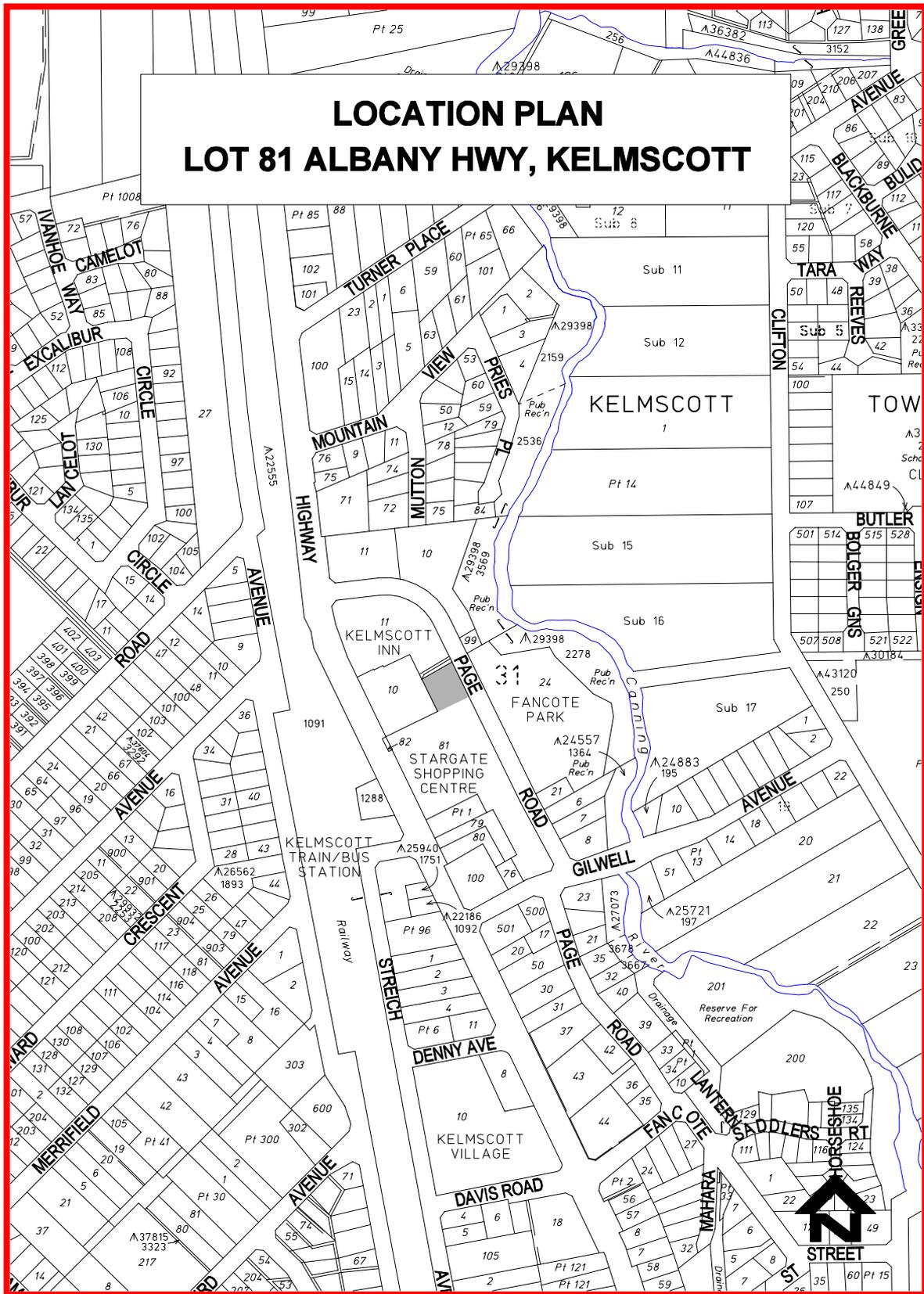
COMMITTEE members noted some reservations as to the appropriate improvement works associated with the pump station signalling the desirability to require improvements such as public access and parking.

COMMITTEE members also queried the paucity of the compensation value and suggested the need for an updated market valuation.

D193/02 RECOMMEND

- 1. That following consideration of matters raised during the advertising period with respect to the proposed excision of Reserve No. 36180 McNeill Road, Champion Lakes (Palomino Park) to accommodate the proposed sewerage pumping station, Council advises the Western Australian Planning Commission that it supports the proposal subject to conditions including the following:**
 - a) The applicant is to submit a plan showing details of access, parking and landscaping improvements within and around the proposed excised portion of the reserve, to enhance and screen the proposed development and complement the surrounding rural amenity of the locality to the satisfaction of Council. Such plan to be approved by Council and to be implemented to the satisfaction of Council.**
 - b) Payment of compensation to Council for the subject portion of the reserve, which sum is to be applied to improvement works within the balance of the reserve, and payment of all costs involved in finalising the excision application with the Department of Land Administration. Compensation to be based on an updated market valuation of the subject land (at cost of the Water Corporation).**
- 2. That Council advise the Department Of Land Administration that Council supports the disposal of the portion of Reserve No. 36180 McNeill Road, Champion Lakes (Palomino Park) to accommodate the proposed sewerage pumping station, and requests that the Department finalise the matter accordingly.**

MOVED Cr Stubbs
MOTION CARRIED (6/1)



PROPOSED CINEMA COMPLEX - LOT 81 ALBANY HIGHWAY, KELMSCOTT

WARD : KELMSCOTT
FILE REF : A150704
DATE : 1 October 2002
REF : GIW / EDDS
RESPONSIBLE MANAGER : PSM
APPLICANT : Holton Connor Architects
LAND OWNER : Carcione Nominees
SUBJECT LAND : Lot 81 Albany Hwy,
Kelmscott
Property size 1.7170ha
Map 22.07
ZONING : Urban / Shopping
MRS/TPS No.2

In Brief:-

- Application to develop a six-screen cinema complex adjoining an existing shopping centre (Stargate Shopping Centre).
- Refer application to the Western Australian Planning Commission for consideration under Clause 32 of the MRS as the proposal is inconsistent with Statement of Planning Policy No.9: Metropolitan Centres Policy.
- Recommend that the Western Australian Planning Commission be advised that Council does not support the application.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Development-“ to create an integrated Regional Centre with a full range of services, including: residential, business, commercial, recreational, civic and leisure”.

Legislation Implications

Town Planning & Development Act 1928
Metropolitan Region Scheme Act 1959
Town Planning Scheme No.2
5AA Statement of Planning Policy No.9: Metropolitan Centres Policy

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Nil.

Consultation

- ◆ Development Control Unit (DCU)
- ◆ Western Australian Planning Commission (WAPC)
- ◆ Armadale Redevelopment Authority (ARA)

BACKGROUND

A copy of the application has been referred to WAPC for consideration under Clause 32 of the Metropolitan Region Scheme.

An approval for a cinema complex on Lots 1, 2 and 105 Streich Avenue, Kelmscott was issued by Council on 5 January 2000.

DETAILS OF PROPOSAL

Details pertaining to the application include the following:

- ◆ Constructing a 6 (six) screen cinema, kiosk and foyer area above the existing car park of the Stargate shopping centre (Please refer to attached site and elevation plans);
- ◆ Existing car park is to be retained and converted to an undercroft parking facility; Proposed cinema building is to be constructed at a similar level and scale to the existing shopping centre building.

Analysis

Development Control Unit (DCU)

DCU at its meeting held on 9 September 2002 advised that it does not support the proposal on the grounds that a cinema is considered a higher order land use more appropriate for the Armadale Strategic Regional Centre, and therefore is inconsistent with the Metropolitan Centres Policy.

Advantages of Proposal

Although the proposal has not been formally advertised for public comment, the prospect of a cinema complex being developed within Kelmscott has generated significant local community interest and some expression of support in local newspapers.

The proposed cinema is relatively accessible via Page Road and close to public transport routes along Albany Highway and the Kelmscott railway station. It should be noted however that direct pedestrian access between the railway station and the proposed cinema is poor due to a lack of crossings along Albany Highway.

The proposed cinema has the potential to generate vitality and provide a focal point for the North Eastern sector of the Kelmscott District Centre.

Armadale Redevelopment Authority (ARA)

The ARA provided initial written comments on a preliminary application regarding this proposal. An excerpt of ARA's advice is outlined below:

“Realistically, given the present nature of the regional catchment and competition already afforded by facilities elsewhere in the corridor, the Armadale region seems unlikely to be able to attract and sustain more than one cinema development in the short to medium term. On that basis, it is the Authority's view that the Armadale city centre, as a more major centre, would be the preferred location for a higher order leisure /entertainment use such as a cinema complex, rather than the District level Kelmscott centre. An Armadale location is also somewhat further from the major competitor at Carousel, and also more accessible to the regions future growth areas, and therefore arguably better able to sustain a use of this kind in the longer term”.

Town Planning Scheme No.2

The proposal is classified as “Public Amusement”, which is a discretionary use (“AA” Use) in the “Shopping” zone under Town Planning Scheme No.2.

Western Australian Planning Commission's Statement of Planning Policy No.9: Metropolitan Centres Policy (MCP) – Gazetted October 2000

The purpose of the MCP is to define the scope and function of various shopping centres throughout the Metropolitan Region, including Local, District, Regional and Strategic Regional centres. The Kelmscott Commercial Area is identified as a District Centre under the Western Australian Planning Commission's Metropolitan Centres Policy. The role of Kelmscott as a District Centre (in the context of the MCP) is to “provide mainly convenience goods, a range of comparison goods, local services and local employment”.

The MCP encourages higher order land uses such as entertainment and recreational facilities (including cinemas) to locate within Strategic Regional Centres (Armadale City Centre), in order to service a wider regional catchment and sustain the viability of such land uses. Strategic Regional Centres (in the context of the MCP) are “major multi-purpose and employment centres containing a full range of regional shopping, office, administration, social, entertainment, recreation and community facilities”.

In order to maintain a strong hierarchy of centres it is necessary to ensure that appropriate commercial / retail development and land uses are encouraged to locate within the corresponding centres, to enable a sufficient level of service provision without compromising the viability of other centres within the hierarchy.

In this regard, the present cinema proposal in Kelmscott is inconsistent with the intent of the MCP and therefore has the potential to compromise the viability of establishing a cinema complex (a potential stimulus to promote further development) within the higher order Armadale Strategic Regional Centre. It should also be noted that Council has sought to attract a cinema into the Armadale City Centre by public tender process.

Armadale Enquiry-by-Design Workshop

The importance of attracting regionally significant land uses such a cinema complex into the Armadale Town Centre and its potential benefits were reinforced by the outcomes of the Armadale Enquiry-by-Design workshop as follows:

“Cinemas offer the greatest chance of vitality for Armadale in the immediate future... vital for the region. A cinema is a great enhancer of street life and will expand the town’s activity cycle. Of all the potential development products, cinemas have the greatest potential to change the competitive nature of the town”(p54).

Tender No.19/01- Armadale City Centre Cinemas

Council will be aware of the above tender that commenced in July 2001 largely resultant from the Armadale Enquiry-by-Design Workshop selection processes for development of cinemas in the Armadale Strategic Regional Centre. In view of the purpose of the tender, it is suggested that whilst it is appropriate and reasonable for the City to articulate it’s planning consideration and recommendation on the proposal for cinemas in Kelmscott, it would be desirable for the actual decision to be taken by the Western Australian Planning Commission in accordance with Clause 32 provisions of the Metropolitan Region Scheme. This would avoid any perception of the City exercising planning powers influenced by the interest of the tender process.

Kelmscott Enquiry-By-Design Workshop

The Kelmscott workshop provides an opportunity to examine the role of the centre in a broader context and identify potential urban design and land use improvements for the area. The workshop is non-binding and the outcomes will not alter the District Centre status of Kelmscott or intent of the MCP to promote the viability of centres with the hierarchy. It is therefore considered unwarranted to defer consideration of this proposal pending the outcomes of the workshop.

City of Armadale’s Strategic Plan 2000

A key element of Council’s Strategic Plan 2000 is to promote Armadale as a major Regional Centre. The plan aims to achieve this vision by creating an *“integrated Regional Centre with a full range of services including, residential business, commercial recreational, civic and leisure facilities through private investment opportunities.”* In this regard, the objectives of the Strategic Plan provide a clear focus towards attracting such facilities into the Armadale City Centre.

Building Design & Streetscape

The main entrance faces west towards Albany Highway and a covered walkway is proposed to link the entrance with the mall of the existing shopping centre building. The proposed building appears to be obscured from Albany Highway by an existing commercial building. A detailed elevation of the proposed covered walkway and western elevation from Albany Highway would be required to accurately assess visual qualities.

The building backs onto Page Road and continues the blank rear facade of the existing shopping centre building. The design also affords no passive surveillance of the adjoining Fancote Park which poses civic design problems.

The proposed building also protrudes forward of the existing shopping centre building line to between approximately 0.4m – 3m in lieu of 12.5m from the Page Road property boundary. This dramatically increases the building's scale and bulk and therefore has the potential to adversely impact on the Page Road streetscape and residential development to the north.

Traffic & Car Parking

The proposed cinema (total seating capacity of 720) requires a minimum of 180 car parking bays to be provide on site in accordance with Town Planning Scheme No.2 car parking requirement of 1 bay per 4 seats. No extra car parking bays have been provided.

The applicant argues that additional car parking will not be required as existing car parking on site is currently under utilised. A comprehensive car parking and traffic management study would be required to demonstrate this prior to considering a relaxation of car parking standards of this magnitude.

Options

1. Council may advise the WAPC to defer the application pending the Kelmscott Enquiry-by-Design Workshop.
2. Council may advised the WAPC that it does not support the application.
3. Council may advise the WAPC that it supports the proposal subject to design and parking issues being addresses.

Contextual Analysis

A cinema may provide short term benefits in terms of redevelopment of the subject site and satisfy some of the entertainment needs of the local community. However, establishment of a cinema complex in Kelmscott in the short term could severely hamper the viability of a cinema proposal in the Armadale City Centre and subsequent longer term benefits it offers such as servicing the future regional growth areas of Armadale (such as Brookdale, Wungong and Forrestdale), and stimulating investment and development / redevelopment opportunities within the Armadale City Centre.

CONCLUSION

Whilst there are possible short term benefits of developing a cinema complex in the Kelmscott District Centre, it nevertheless has the potential to seriously compromise the viability of establishing a cinema in the Armadale Strategic Regional Centre with longer term benefits of better service to the future regional growth areas of Armadale, and stimulation of development opportunities within the Armadale Town Centre. It is also the intent of the Metropolitan Centres Policy to maintain a strong hierarchy of centres.

Notwithstanding the above, the proposal also has the potential to adversely impact on the Page Road streetscape and Fancote Park in terms of excessive building bulk and lack of passive surveillance. In addition, the proposal has not satisfactorily demonstrated that the car parking needs of the total development could be achieved without the provision of additional parking bays.

It is therefore recommended that Council adopt option 2 above and advise the WAPC that it does not support the proposal.

Officer's report recommends –

That the Western Australian Planning Commission be advised that Council does not support the application to develop a six screen cinema complex at Lot 81 Albany Highway, Kelmscott for the following reason:

- a) The proposal is inconsistent with the intent of the Metropolitan Centres Policy and therefore has the potential to compromise the viability and clearly enunciated objective of establishing a cinema complex within the higher order Armadale Strategic Regional Centre.
- b) The proposed architectural design and building bulk will adversely impact on the visual amenity of the Page Road streetscape and the adjoining Fancote Park.
- c) The applicant has not satisfactorily demonstrated that the car parking needs of the total development on the subject lot can be met without the provision of additional parking bays.

COMMITTEE considered the Cinema proposal at length including discussion of the following points:-

- ◆ *The opportunity to secure a cinema facility in the region;*
- ◆ *The objectives of pursuing cinemas in Armadale consistent with the City's Strategic Plan, Armadale Enquiry-by-Design recommendations and Armadale Redevelopment Authority objectives;*
- ◆ *The prematurity of the proposal pending Kelmscott Enquiry-by-Design outcomes;*
- ◆ *Design shortcomings;*
- ◆ *An appropriate scale of cinema / entertainment facilities in Kelmscott, having regard to Metropolitan Centres Policy objectives.*

Executive Director Development Services advised Committee of the importance of remaining focussed on strategic objectives and the need for firm and consistent decision making in order to ensure that the City's community, investors and potential developers had confidence in the outcomes that the City and the ARA were seeking to achieve.

COMMITTEE agreed that the recommendation should emphasise that the matter of scale of the proposal was a factor that should be included in its determination.

D194/02 RECOMMEND

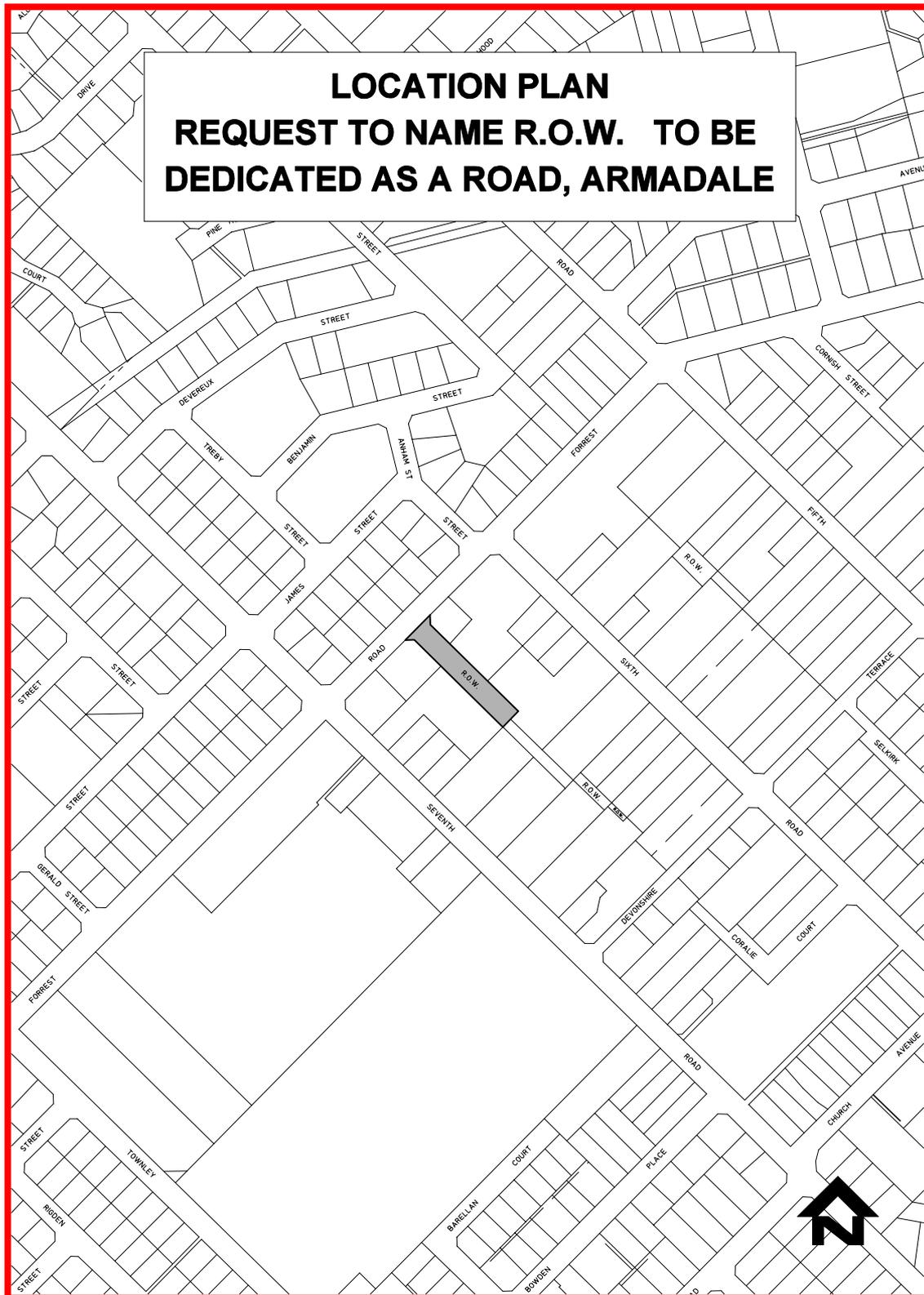
That the Western Australian Planning Commission be advised that Council does not support the application to develop a six screen cinema complex at Lot 81 Albany Highway, Kelmscott for the following reason:

- a) The proposal, and particularly the scale of the cinema complex as identified, is inconsistent with the intent of the Metropolitan Centres Policy and therefore has the potential to compromise the viability and clearly enunciated objective of establishing a cinema complex within the higher order Armadale Strategic Regional Centre.**

- b) The proposed architectural design and building bulk will adversely impact on the visual amenity of the Page Road streetscape and the adjoining Fancote Park.**

- c) The applicant has not satisfactorily demonstrated that the car parking needs of the total development on the subject lot can be met without the provision of additional parking bays.**

MOVED Cr Zelones
MOTION CARRIED (5/2)



NAMING OF RIGHT OF WAY (ROW) IN FORREST ROAD BETWEEN SIXTH AND SEVENTH ROADS, ARMADALE

WARD : ARMADALE
FILE REF : A50221
DATE : 3 October 2002
REF : HC
RESPONSIBLE MANAGER : PSM
APPLICANT : Department of Housing & Works
LAND OWNER : Department of Housing & Works
SUBJECT LAND : ROW off Forrest road between Sixth and Seventh Roads, Armadale. Map 22.02
ZONING : Urban / Residential R40
MRS/TPS No.2

In Brief:-

- Council resolved to request the Minister for Lands to dedicate a section of ROW off Forrest Road, situated between Sixth and Seventh Roads, as a road.
- DOLA requires that the ROW be named prior to it being dedicated as a road.
- Council sought approval of the Geographic Names Committee (GNC) to name the road “Chester Court”.
- The GNC requested a suitable replacement name to be submitted due to the name already occurring five times in the Metropolitan Area.
- Recommend that Council seek approval from the GNC for the name “Beeny Lane” to be adopted as the road name.
- *COMMITTEE recommended that the application be recommitted to the next Development Services Committee on the basis that more time is required to address a broader range of options for naming the Right of Way.*

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

To foster ownership, pride and a supportive and caring community.

Legislation Implications

Land Administration Act 1997.

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Nil.

Consultation

Geographic Names Committee (GNC).

BACKGROUND

On 23 November 2001, the Department of Housing and Works received a development approval to construct a grouped housing development of 15 units on Lot 7 (No 113) Seventh Road, Armadale.

Council, at its ordinary meeting on 14 June 2002, resolved to request DOLA to dedicate a section of this ROW as a public road. Advice from DOLA indicates that prior to the dedication of the road, a road name needs to be established.

At its meeting of 15 July 2002, Council resolved to approach the Geographic Names Committee seeking approval of the name “Chester Court”, Armadale, for the Right of Way (D122/02 refers).

DETAILS OF GEOGRAPHIC NAMES COMMITTEE RESPONSE

The GNC replied to Council’s request and advised:

“A search of our database and the StreetSmart Street Directory shows that the name “Chester” is used ten times in the metro area (as Avenue in Dianella and Two Rocks, Court in Forrestfield and Orelia, Place in Beechboro, Road in Claremont, Street in South Fremantle, Subiaco and Belmont, Way in Rockingham and there is also a Chesters Way in Winthrop).

“Under the current guidelines a road name should not be duplicated more than 5 times in the metropolitan region. Also, the guidelines state that “Lane” is the preferred road type for a laneway or ROW. Can you please submit a suitable replacement name.”

COMMENT

The Department of Housing and Works has suggested that Council consider “Thrift Lane” as an alternative to previous unsuccessful considerations. “Thrift” is a reserved road name for the Armadale area contained on a list supplied by the GNC.

As previous “English name” themes have not been considered suitable and preference has been shown for a local pioneer, “Beeny Lane” could also be considered as a name for the portion of ROW in question.

Robert Beeny was a soccer player in the local Armadale Club in the 1920s and went on to become a State player. Other State soccer players from the area around this time were Bill Scott and Les Hardin.

Analysis

Thrift is a name listed by the GNC as a reserved road name for Armadale. It is not represented elsewhere in the Street Directory and meets GNC naming criteria.

Beeny is also a name not represented in the Street Directory and GNC staff have indicated verbally that it meets the naming criteria.

Hardin is also not represented elsewhere in the Street Directory but is similar in sound to some other names and may not be quite as suitable.

It could be noted that there is already a Scott Road in Kelmscott and it is represented many times elsewhere in the Street Directory.

Options

1. Adopt Thrift Lane as the name for the ROW.
2. Adopt Beeny Lane as the name for the ROW.
3. Adopt Hardin Lane as the name for the ROW.

CONCLUSION

It is recommended that Beeny Lane is a suitable road name for the ROW in question as it has historical links to the Armadale area and meets the GNC criteria.

Officer's report recommends –

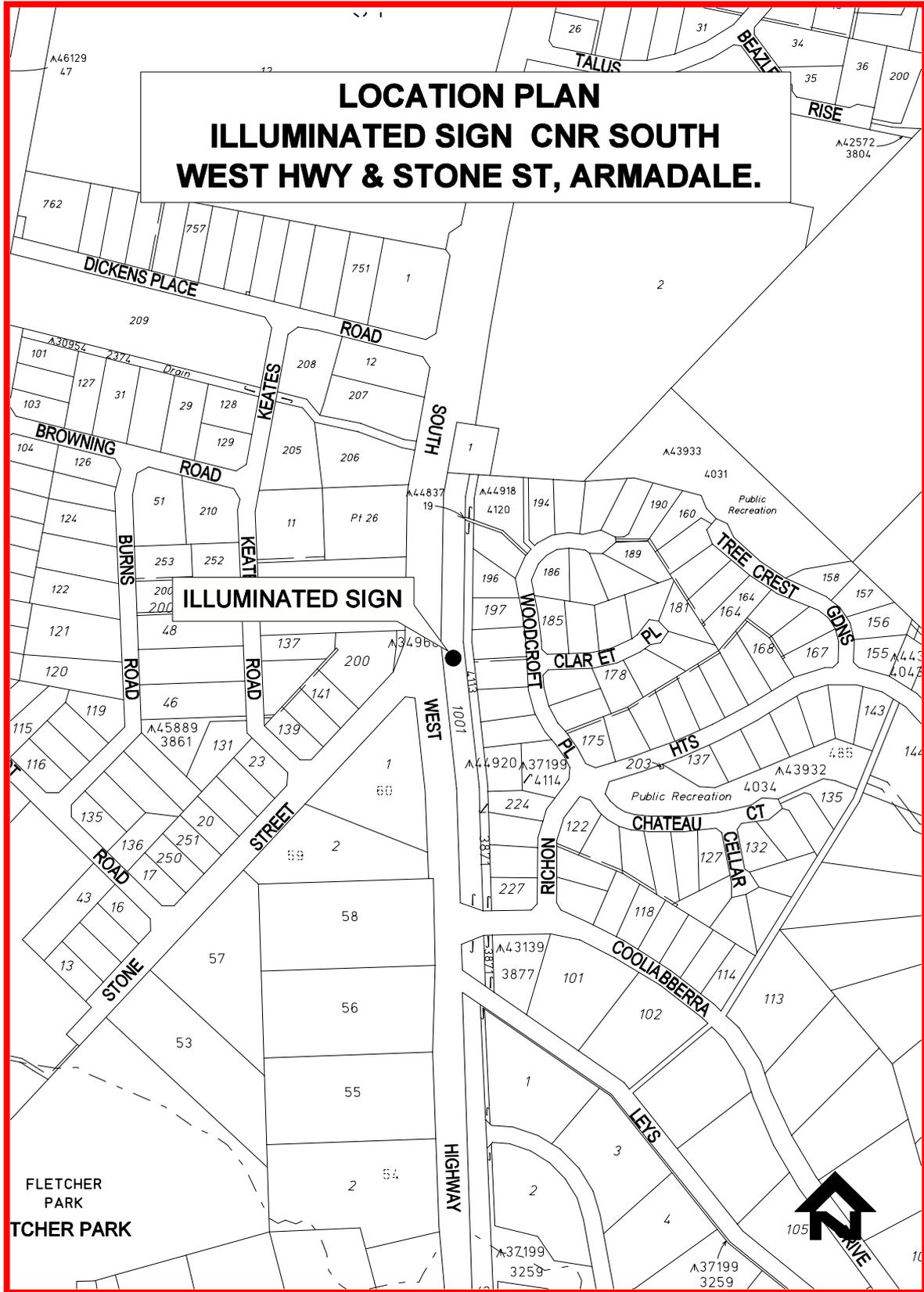
That Council approach the Geographic Names Committee seeking approval of the name “Beeny Lane”, Armadale, for the Right of Way (giving access to Lot 7 Seventh Road) between Sixth and Seventh Roads, Armadale.

COMMITTEE sought more time to address a broader range of options for naming the Right of Way.

D195/02 RECOMMEND

That the application regarding naming of Right of Way (ROW) in Forrest Road between Sixth and Seventh Roads, Armadale be recommitted to the next Development Services Committee.

MOVED Cr Zelones
MOTION CARRIED (7/0)



PROPOSED ILLUMINATED DIRECTION SIGN – INTERSECTION OF SOUTH WESTERN HIGHWAY AND STONE STREET, ARMADALE

WARD : ARMADALE
FILE REF : SGN/3
DATE : 1 October 2002
REF : SA
RESPONSIBLE : PSM
MANAGER
APPLICANT : Claude Outdoor Pty Ltd

In Brief:-

- New application received for an illuminated directional sign to be erected at the intersection of South Western Highway and Stone Street, Armadale.
- Recommend refusal as the sign does not meet Council criteria and could set an undesirable precedent for the South Western Highway entrance to Armadale.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

To foster a distinctive character for the City based on good design principles.

Legislation Implications

Local Government Act, 1985.

Council Policy / Local Law Implications

Commercial / Tourism Advertising Format and Criteria for Establishing Commercial / Tourism Advertising Signage (June 1994).

Signs, Hoardings and Bill Posting Local Law.

Local Laws Relating to Activities and Trading in Thoroughfares and Public Places.

Budget / Financial Implications

Annual Rental income of \$300.00 +GST per sign.

Consultation

As the sign does not comply with Council policy, comment from internal and external agencies has not been sought.

Sign A. (Approach)

Sign B. (Depart)

STREET PANELS
PRIMARY

STONE ST

SECONDARY

STH ARMADALE INDUSTRIAL AREA

WESTERN AUSTRALIA... ARMADALE COUNCIL
MAIN SIGN... TRIM SIZE - 1570 x 1115 x 3 Jaxon SG100
STREET NAMES : Small... TRIM SIZE 990 x 290 x 3
STREET NAMES : Long... TRIM SIZE 990 x 340 x 3
STREET NAMES : 3M SCOTCHCAL VINYL
BLACK on WHITE 3430-20
TYPEFACE : HIRSDAD (serif)
COMMUNITY MESSAGES - White on Holy Green 3630-76
TOP CABINET - Holy Green Text on Holy Panel & Council Crest
Holy Green Background and Cabinet

CLAUDE
OUTDOOR

3M SCOTCHCAL VINYL
Process Blue 3630-337
Yellow 3630-015
Red 3630-33

FINAL ART APPROVAL

Client Signature	Client Name	Date	Client Signature	Client Name	Date
_____	_____	____/____/____	_____	_____	____/____/____

CLIENT ADDRESS: 3m Western Hwy & Stone St Armadale
 SITE OF SIGN: 1120/1001 v 1585/000
 DATE: MAY 5 / 97 / 2602

ATTORNEYS

COPY	HERFOT in mm	COLOR	BACKGROUND	CABINET
Armadale	80 - 120	Black	Yellow	Green
New & Secondhand... TYRES	80 / 205	Blue		
Hancock	182	Blue		
Tyre Images	185	Black		
Text	73	Red		
9399 2008	125	Red		
Signs	20	Black		
2nd right / e/verses	160 - 236	White	Blue	

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ILLUMINATED SIGNAGE LAYOUT PLAN - LOCATED ON SOUTH WESTERN HWY OPPOSITE STONE ST, ARMADALE

BACKGROUND

At its meeting of June 1994 Council resolved to adopt a format for commercial / tourism advertising signs and criteria for the establishment of such signs. The criteria for establishing commercial / tourism advertising signage are:-

- ◆ Only to be located subject to Council approval on Council controlled roadways, reserves etc. Design and specifications to meet Australian standard requirements and Council's Engineering requirements.
- ◆ Signage should be a comprehensive generic description of a Centre and avoid promotion of individual businesses and brand names.
- ◆ The incidence of such signage to be very selective and limited to strategic locations otherwise avoiding clutter and confusion.
- ◆ The cost of establishing and maintaining such signage in good order is to be borne by the applicants. In the event of non-compliance with maintenance standards, the Council may within 14 days of notice remove such signage and bill the applicants for the removal and disposal costs. All obligations to be confirmed in writing.

DETAILS OF PROPOSAL

The applicant proposes to erect an illuminated direction sign advertising "Armadale New and Secondhand Tyres" and "Hankook Tyres" on the eastern side of South Western Highway opposite its intersection with Stone Street, Armadale. Colouring of the sign employs a yellow background with blue and red lettering. The support pole is coloured green, as is the background to the Industrial area identification and the surround of the street name. It is proposed that panels indicating South Armadale Industrial Area and Stone Street will be affixed to the supporting pole. The applicant says that the sign is of great importance to their client as the business does not have exposure to passing highway traffic and the Industrial Area message will benefit other business in the area at no cost to Council.

COMMENT

Analysis

Though the sign proposes to incorporate the City's logo, indicates the direction of the South Armadale Industrial Area and a road name sign, it promotes an individual business rather than being a generic description of a centre or locality.

Existing illuminated direction signs for Champion Drive Shopping Centre (Newmart), Araluen (Country Club, Restaurant and Golf Course), West Armadale Shopping Centre (Farmer Jacks) and Mazzega's have previously been approved. With the exception of Mazzega's sign, it could be said that these signs are of a generic nature, with highlighted businesses, rather than the proposed sign, which purely advertises a business and a product name.

South Western Highway is an important entrance to the City and it appears inappropriate to support a sign that promotes an individual business. The application of Council criteria, particularly that (i) signage should be a comprehensive generic description of a centre, and (ii) the incidence of such signage should be selective and limited to strategic locations otherwise avoiding clutter and confusion can be taken into consideration for this important location. Whilst it could be argued that the identification of the Industrial Area on its southernmost boundary is a strategic location, approval of a non-generic sign could set an undesirable precedent and is therefore considered inappropriate.

It should also be noted that Council refused two similar non-generic signs on the intersections of South Western Highway and William Street, Armadale and South Western Highway and Third Road, Armadale at its ordinary meeting held on 20th August 2001.

Options

1. Council can refuse the application for an illuminated direction sign to be erected at the intersection of South Western Highway / Stone Street, Armadale on the grounds that the proposed sign does not meet Council criteria and could set an undesirable precedent for the South Western Highway entrance to Armadale.
2. Council could approve the sign providing it is generic in nature. For example, the predominant message being the South Armadale Industrial area but a particular business being advertised less prominently.

CONCLUSION

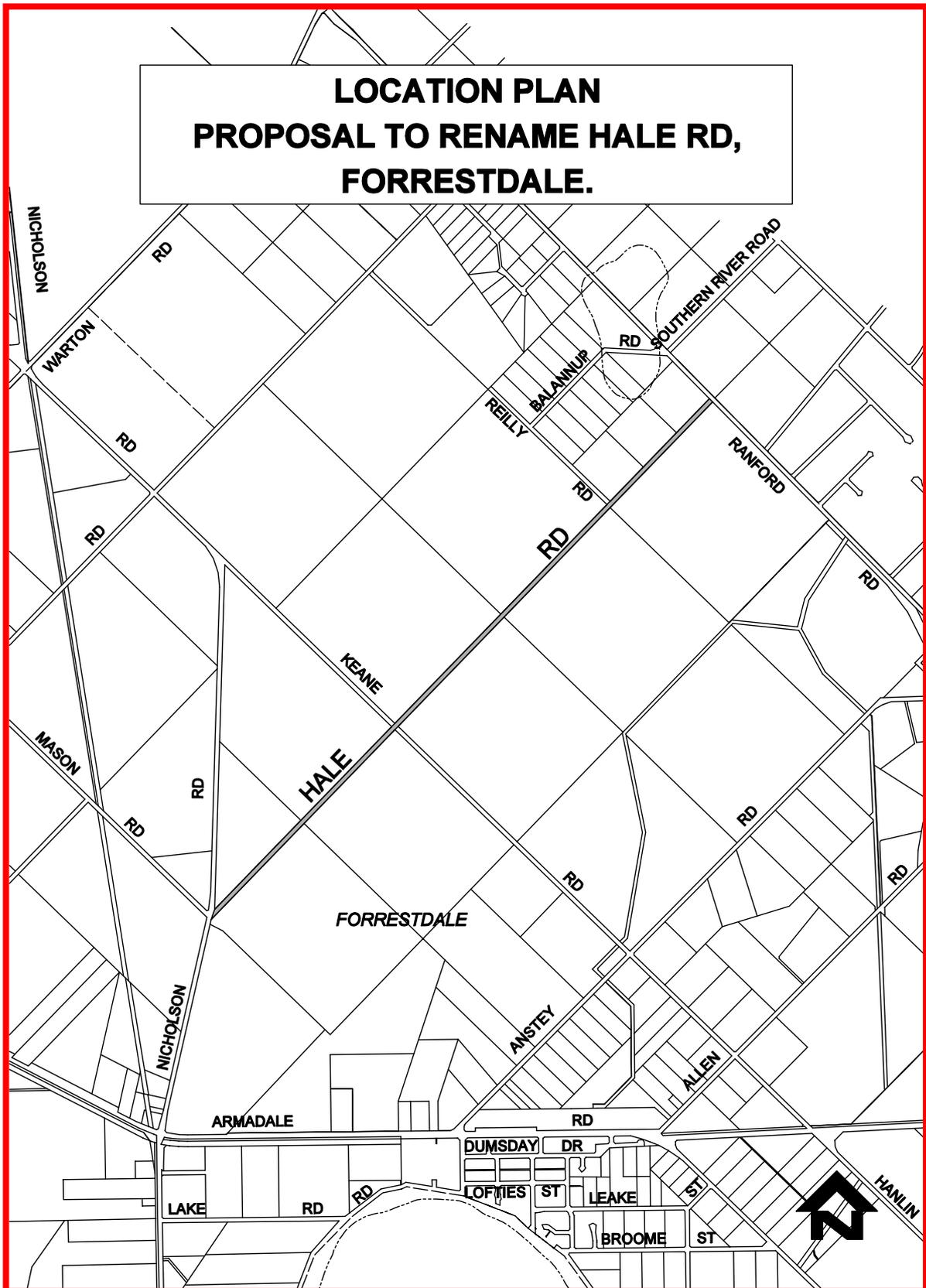
The proposed illuminated direction sign is non-generic, does not meet Council's criteria for generic description and limited strategic locations and could set an undesirable precedent for the important South Western Highway entrance to Armadale. Taking these factors into account and the fact that Council has refused similar signs on South Western Highway in the same vicinity and in the recent past, it is recommended that Council refuse the application.

D196/02 RECOMMEND

That Council refuse the application by Claude Outdoor to erect an illuminated direction sign at the intersection of South Western Highway and Stone Street Armadale, on the grounds that it does not meet Council criteria and could set an undesirable precedent for the South Western Highway entrance to Armadale.

MOVED Cr Green
MOTION CARRIED (7/0)

**LOCATION PLAN
PROPOSAL TO RENAME HALE RD,
FORRESTDAL.**



REQUEST TO RENAME HALE ROAD, FORRESTDAL

WARD : FORREST
FILE REF : NAM/2
DATE : 4 October 2002
REF : CCB
RESPONSIBLE : PSM
MANAGER
SUBJECT LAND : Hale Road, Forrestdale
APPLICANT : Mr & Mrs Chester

In Brief:-

- Request received to rename Hale Road, Forrestdale in view of confusion with Hale Road, Forrestfield and therefore misdirecting of mail and emergency services.
- Alternative names suggested and assessed and affected landowners canvassed.
- Recommend that Council seek approval from the Geographic Names Committee to change Hale Road, Forrestdale to Burdook Road, Forrestdale.
- *COMMITTEE recommended that the application to rename Hale Road, Forrestdale be recommitted to the next Development Services Committee.*

Officer Interest Declaration

Nil.

Legislation Implications

Land Administration Act 1997

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Minimal postal costs.

Consultation

Geographic Names Committee (GNC).

BACKGROUND

Council received correspondence from Mr & Mrs Chester in relation to difficulties with the name of Hale Road in Forrestdale because it is often mistaken for Hale Road Forrestfield and vice versa. They have requested that Council consider changing the name of the road.

It appears that incidents have occurred in the past where Police/Emergency services were unable to locate persons in Hale Road due to confusion between the Forrestdale and Forrestfield localities. There is constant concern about mail being delivered to the wrong suburb and people getting lost by mistaking Hale Road Forrestdale for Hale Road Forrestfield and vice versa.

Twelve (12) properties on Hale Road in Forrestdale will be affected by the name change. In view of the identification problems outlined it would appear prudent to consider renaming Hale Road in Forrestdale to address ratepayers' concerns.

At its meeting of 17 June 2002, Council resolved (D104/02) to support the proposal to rename Hale Road Forrestdale and seek suggestions by canvassing affected landowners, Forrestdale Progress Association and Armadale-Kelmscott Historical Society.

COMMENT

Two responses were received to the request for comments.

1. One respondent suggested the name "Fullin" in recognition of Vic Fullin who contributed towards the advancement of the concrete industry, with Skeet as second choice.
2. The other respondent will support any of the previously proposed names.

Analysis

Geographic Names Committee (GNC) criteria for road naming indicates that "Preferred sources of names should include names from Aboriginal languages, pioneers of the State or area, or citizens who have made a significant community contribution".

GNC also suggests that "When a duplicated name is proposed elsewhere, it must not be duplicated more than 5 times in the metropolitan region, and must be at least 10 km from existing duplication".

The Fullin name does not appear to be as suitable as Mr Fullin, a resident of Forrestdale for many years, is still alive. GNC criteria do not support naming in honour of people still living.

A number of pioneer families related to the Forrestdale area have had streets in the municipality named after them. Two names related to Forrestdale that could perhaps be further considered are Skeet and D'Voretsky.

The D'Voretsky family established a successful dairy farm in the area and helped lay the foundation for the district's fine dairy farming reputation. There is no similar name noted in the Street Directory.

In 1885 Alfred and William Skeet were granted a 'Special Occupation' licence for 100 acres around what is now Lake Forrestdale where they grew vegetables and crops, ran dairy cattle and sold wood. They were very active in the district and prominent in a campaign to obtain telephone facilities for the district. They were also involved in the building of the settlers' hall. Mrs Skeet suggested the name Forrestdale (after Lord Forrest) for the area and this was gazetted on 15 April 1915.

There is no other Skeet Road recorded in the Street Directory. The only similar names are Skate Court in Sorrento (some 45 kms away) and Skeit Road in Madeley (some 50 kms away). Brief discussion with a GNC Officer suggests that whilst the matter will need to be considered on its merits, it should meet GNC road naming criteria.

An aboriginal name Bur-dook (meaning “short way”) has previously been suggested. GNC staff indicate it may be suitable if the hyphen is deleted.

Options

1. Decline to support a name change of Hale Road, Forrestdale.
2. Support a name change to Burdook, D’Voretsky or Skeet Road.

CONCLUSION

A name change to avoid confusion with Hale Road, Forrestfield appears prudent. It is recommended that out of the suggested names in Option 2, “Burdook” is a suitable name for the road. It is an Aboriginal name, meets GNC criteria and is not represented elsewhere at present in the Street Directory.

Officer’s report recommends –

COMMITTEE sought more time to address a broader range of street name options before seeking approval to rename Hale Road, Forrestdale.

D197/02 RECOMMEND

That the application to rename Hale Road, Forrestdale be recommitted to the next Development Services Committee meeting.

MOVED Cr Zelones
MOTION CARRIED (7/0)

ROAD NAMING – CHURCHMAN BROOK ESTATE, BEDFORDALE

WARD : ARMADALE
FILE REF : NAM/2
DATE : 4 October 2002
REF : HC
RESPONSIBLE : PSM
MANAGER
APPLICANT : Taylor Burrell
LAND OWNERS : Spar Nominees Pty Ltd; AL,
R & JL Payton; RG Lyons
SUBJECT LAND : Lots 502, 9000,9002, 9003
Churchman Brook Road,
Bedfordale; Map 25.02
ZONING : Rural / Special Use No 69.
MRS/TPS No.2

In Brief:-

- Council has received a proposal to name road reserves within the next stage of the Churchman Brook Estate.
- Proposed names have historic relevance to Churchman Brook area and comply with Geographic Names Committee (GNC) criteria.
- Recommend that council approach the GNC seeking approval for the following road names in the Churchman Brook Estate: Aulini Drive, Blissett Drive, Emily Road, Fello Rise, Fyfield Way, Hitchens Grove, Kilfoyle Rise, Ryniker Road and Skewes Way.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

To foster ownership, pride and a supportive and caring community.

Legislation Implications

Land Administration Act 1997.

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Nil.



ROAD NAMES PLAN
CHURCHMAN BROOK ESTATE

Consultation

- ◆ Geographic Names Committee.

DETAILS OF PROPOSAL

Council has received a proposal for the naming of road reserves within the next stage of the Churchman Brook Estate subdivision.

The applicant proposes the following names to be allocated to the new road reserves:

- | | | |
|-----------------|------------------|------------------|
| ◆ Aulini Drive | ◆ Blissett Drive | ◆ Emily Road |
| ◆ Fello Rise | ◆ Fyfield Way | ◆ Hitchens Grove |
| ◆ Kilfoyle Rise | ◆ Lotus View | ◆ Ryniker Road |
| ◆ Skewes Way | | |

COMMENT

Geographic Names Committee (GNC) criteria for road naming indicates that “Preferred sources of names should include names from Aboriginal languages, pioneers of the State or area, or citizens who have made a significant community contribution”.

GNC also suggests that “When a duplicated name is proposed elsewhere, it must not be duplicated more than 5 times in the metropolitan region, and must be at least 10 km from existing duplication”.

Council officers have obtained initial comments from the Geographic Names Committee (GNC) staff for the above proposed names and they have indicated initial acceptance.

Analysis

The names all have historic relevance to the Churchman Brook area and appear to comply with the GNC road naming policy. The following gives further details for the proposed names:

AULINI (AULINI DRIVE)

Lucy Aulini, a widowed sister of C B Churchman, owned the land on which Churchman Brook Road is located on the death of her brother. (First Stage South).

BLISSETT (BLISSETT DRIVE)

This is the second name of Charles Blissett Churchman who arrived in the Swan River Colony on the ship Protector on 25 February 1830. He was granted 5,666 in the Roleystone area in January 1831 and died at the age of 43 in 1833 (*First Stage South*).

EMILY (EMILY ROAD)

Emily Hanlin named her house on King George's sound Road, Mt Paradise. The Rev Hanlin purchased 80 acres of land overlooking Paradise Farm from Edward Marsh in 1890 and constructed the house from stone quarried from the nearby hillside (*First Stage South*).

Paradise Farm on the Albany Highway was settled prior to 1850 by Joseph Batt and his family and was also connected later to the Marsh family. Water for the Narrogin Inne was carted from a permanent water supply on the Neerigen Brook near the 20 mile peg by Paradise Farm. The waterwheel on the corner of Albany Highway and Waterwheel Road marks the spot today (*First Stage South*). Horses for the coach service were pastured at Paradise Farm and taken down, fresh, to the Narrogin Inne.

FLELLO (FLELLO RISE)

Herbert Stanley Flello was listed as an orchardist on Lot 53 Bedfordale in the 1912 Post Office Directory and the 1917/1918 Armadale Kelmscott Rate Book.

FYFIELD (FYFIELD WAY)

Mr Fyfield was an orchardist in Bedfordale, listed in the Bedfordale Post Office Directory in 1920, 22, 23.

HITCHENS (HITCHENS GROVE)

Mr Hitchens was a workman killed in an accident in the late 1890s at a sawmill on or near William Stevens' property "Eden" on the Perth-Albany Road. William Stevens married Miss Livingstone who previously supplied local housewives with home grown produce from her family's property near Waterwheel Road, Bedfordale (*First Stage South*).

KILFOYLE (KILFOYLE RISE)

Mr Kilfoyle was an orchardist on Bedfordale Lot 484, which was on the King Georges Sound Road (Old Albany Road) adjacent to the Churchman Brook water way. He was listed in the Rate Book in 1911 and the Post Office Directory in 1912.

LOTUS (LOTUS VIEW)

Lotus is the name of the ship in which Frances Gregory (nee Churchman) arrived in Western Australia, together with her husband and five sons, on 6 October 1829.

Frances Gregory inherited the property on which the Churchman Brook development is located on the death of her brother in 1833 (*Bicentennial Dictionary of Western Australia 1829 –1888* Volume 11 D-J Page 1273).

Frances Gregory's sons became notable surveying explorers in WA and Northern Australia, recognised with two brass plates in St Georges Terrace, Perth.

RYNIKER (RYNIKER ROAD)

Mr Ryniker was an early settler in Bedforddale registered as clearing land in the orchard district in the 1880s and 1890s (*First Stage South* by Daphne Popham). He was listed in the Armadale/Kelmscott Road Board Rate Book in 1908 and 1910 and also the Post Office Directory in 1915.

SKEWES (SKEWES WAY)

Mr Skewes was a fruit grower in the Bedforddale district in the 1920s. He married Amy Sewell, the daughter of the owners of the Derry Na Sura Vineyard. He was listed in the *Bicentennial Dictionary of WA 1829-1888* Volume 3, and the Post Office Directory.

Options

1. Approve the names as submitted.
2. Approve alternative names complying with GNC criteria.

CONCLUSION

Option 1 appears suitable as the names submitted comply with GNC criteria and have a historic relevance to the Churchman Brook area.

COMMITTEE agreed that Lotus View should be deleted in favour of Vellender View.

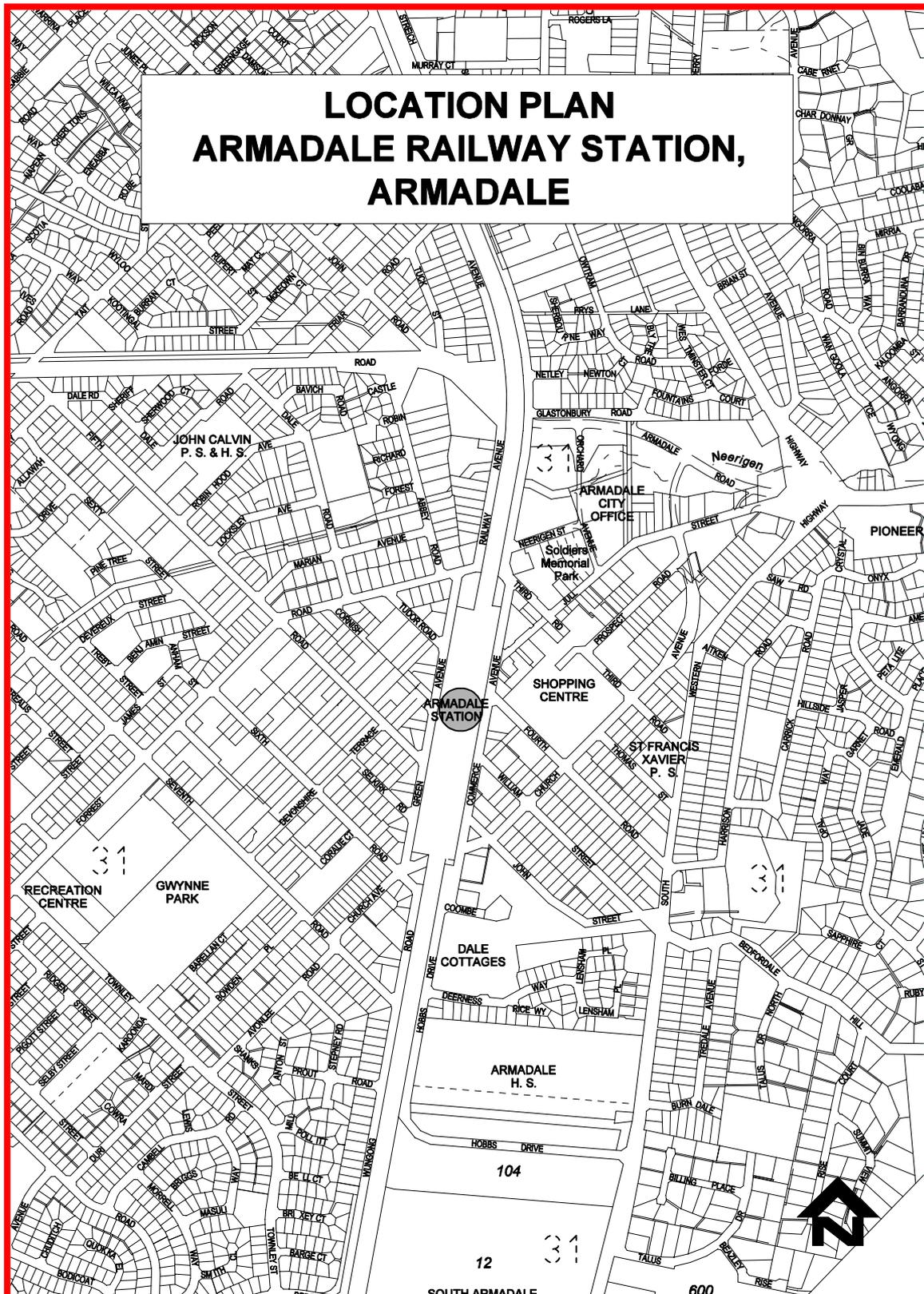
Cr Green agreed to provide historical origin information for the City's records.

D198/02 RECOMMEND

That Council approach the Geographic Names Committee seeking approval for the following new road names in the Churchman Brook Estate subdivision:

- ♦ **Aulini Drive;**
- ♦ **Blissett Drive;**
- ♦ **Emily Road;**
- ♦ **Flelo Rise;**
- ♦ **Fyfield Way;**
- ♦ **Hitchens Grove;**
- ♦ **Kilfoyle Rise;**
- ♦ **Lotus View;**
- ♦ **Ryniker Road;**
- ♦ **Skewes Way;**
- ♦ **Vellender View.**

MOVED Cr Green
MOTION CARRIED (7/0)



ARMADALE STATION REDEVELOPMENT

WARD : ARMADALE
FILE REF : A178736
DATE : 1 October 2002
REF : JHA
RESPONSIBLE : EDDS
MANAGER

In Brief:-

- That Council note and endorse the process of architectural design for the Armadale Station Precinct.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Strategic Plan objective to create an integrated Regional Centre with a full range of services.

Legislation Implications

Town Planning Scheme No.3
Armadale Redevelopment Bill 2001

Council Policy / Local Law Implications

N/A

Budget / Financial Implications

Potential to broaden rate base and resultant income as a consequence of accelerated investment and development.

BACKGROUND

Query was raised at the September, City Strategy Committee Meeting concerning opportunity for Council to input to the architectural design of the proposed Armadale City Centre train station.

Executive Director Development Services informed Committee of the Armadale Redevelopment Authority's (ARA) organised workshop to explore station design ideas (held Friday, 16th August) and the subsequent decision to arrange a limited design competition.

EXECUTIVE DIRECTOR DEVELOPMENT SERVICES REPORTS

The present arrangement for the design competition involves invitation to a limited number of architectural practices to develop conceptual designs and architectural design guidelines for the future development of the rail station precinct, including the effective integration of such development with the redevelopment of the station infrastructure, which will be designed by WAGR's own appointed architects. The ARA Board has agreed to contribute \$10,000 to the process, for the payment of honoraria to the invited architects and WAGR is adding \$15,000 to make up the total of \$25,000 cost of the exercise.

Closing date for submissions is 3rd August 2002.

Arrangements have been made to refer the concept proposals to the City for consideration and advice as to preferred architectural theme(s) prior to reference back to WAGR's appointed architects who will then be required to reflect the chosen design principles in the final detail station design process.

It should be noted that the WAGR architects will not be designing the station "landmark" building to front Commerce Avenue at the end of Jull Street, nevertheless, the process of establishing the overarching station architectural concept / design guidelines will be highly relevant to the future design and character of the station building.

The range of submitted concepts should be available for perusal at the meeting.

Executive Director Development Services reported that concept plans were not yet available and that viewing and consideration by Councillors would be arranged as soon as practicable.

D199/02 RECOMMEND

That Council note the process of architectural design for the Armadale Station Precinct.

MOVED Cr Zelones
MOTION CARRIED (7/0)

DETERIORATION OF LOCAL RETAIL CENTRES

The matter of deterioration of local retail centres referred to Development Services Committee by Council at its meeting of 7th October 2002, on request by Councillor Zelones.

Cr Zelones advised Committee on the subject of Local Centre deterioration as considered by South East District Planning Committee. It has been noted that a considerable number of smaller Centres throughout the metropolitan area were suffering in terms of economic viability and were deteriorating as a result of vacancies, neglect and vandalism.

Local Authorities were being asked to assess this phenomenon within their areas and report to District Planning Committee for collective assessment and consideration.

D200/02 RECOMMEND

That officers prepare a report on the status of Local Centres within Armadale to the South East District Planning Committee in order to contribute to a coordinated assessment of Centres in the south east region.

MOVED Cr Zelones
MOTION CARRIED (7/0)

COUNCILLORS' ITEMS

Cr Green

1. Untidy Property

Cr Green requested investigation of storage and accommodation of disused materials on property at Lot Pt 7 Albany Highway, Bedfordale.

2. Street Names

Cr Green requested that all Councillors be provided with a copy of the potential street name list maintained by Planning Department.

Cr Stubbs

1. Heritage

Cr Stubbs requested Committee be briefed on recent Tribunal decision on status of Municipal Inventory Heritage List and on heritage status of Stewart Residence No.2953 (Management Category B).

2. Kelmscott Enquiry-by-Design

Cr Stubbs queried consultants suggestions as to commercial floorspace.

Executive Director Development Services noted that any floorspace proposals from Kelmscott Enquiry-by-Design workshop will need to be tested by rigorous retail impact analysis to demonstrate regional sustainability.

D201/02 RECOMMEND

That the Councillors' items listed as follows:-

- a) Untidy Property - (Cr Green);**
- b) Street Names - (Cr Green);**
- c) Heritage - (Cr Stubbs);**
- d) Kelmscott Enquiry-by-Design Workshop – (Cr Stubbs)**

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 9.25 PM

I N D E X

DEVELOPMENT SERVICES COMMITTEE

14TH OCTOBER 2002

BUILDING

OVERSIZE STORAGE OUTBUILDING - LOT 211 HICKSON AVE, ARMADALE	27
PROPOSED GARAGE - LOT 12 PATERSON RD, MT NASURA.....	33
UNAUTHORISED OUTBUILDING ADDITIONS - LOT 15 LITTLE JOHN RD, ARMADALE.....	39

COUNCILLORS' ITEMS

CR GREEN - STREET NAMES.....	155
CR GREEN - UNTIDY PROPERTY	155
CR STUBBS - KELMSCOTT ENQUIRY-BY-DESIGN WORKSHOP	155
CR STUBBS - HERITAGE	155
CR STUBBS - NOISY DELIVERIES	50

DEVELOPMENT

HERB NURSERY & LECTURE ROOM - LOT 15 ALBANY HWY, BEDFORDALE	100
PROPOSED BOUTIQUE WINERY - LOT 8 MCKENZIE GR, KELMSCOTT	85
PROPOSED CAR PARK - LOT 65 GELL CRT, KELMSCOTT.....	21
PROPOSED CINEMA COMPLEX - LOT 81 ALBANY HWY, KELMSCOTT.....	124
PROPOSED MEDITATION TEMPLE - LOT 1008 IVANHOE WAY, WESTFIELD.....	92
PROPOSED SEWER PUMP STATION ON RESERVE NO.36180 McNEILL ROAD, CHAMPION LAKES (PALOMINO PARK)	111
PROPOSED SHED - LOT PT 7 ALBANY HWY, BEDFORDALE	76
SECOND RESIDENCE - LOT 105 CANNIS RD, BEDFORDALE	67

HEALTH

DALE SPORTS CLUB - LIQUOR LICENCE.....	47
HEALTH ACT - FEES AND CHARGES.....	44
PROSECUTION - MANIA AND RUSIECKI, LOT 54 THIRD AVENUE, KELMSCOTT	49

I N D E X

DEVELOPMENT SERVICES COMMITTEE

14TH OCTOBER 2002

MISCELLANEOUS

ARMADALE STATION REDEVELOPMENT	152
DETERIORATION OF LOCAL RETAIL CENTRES	154
NAMING OF RIGHT OF WAY IN FORREST RD BETWEEN SIXTH & SEVENTH RDS, ARMADALE --	133
REQUEST TO RENAME HALE ROAD, FORRESTDALE.....	142
REVIEW OF THE ARMADALE LOCALITY BOUNDARIES	5
ROAD NAMING – CHURCHMAN BROOK ESTATE, BEDFORDALE	146

PAW CLOSURE

PROPOSED CLOSURE OF PEDESTRIAN ACCESS WAY BETWEEN LOTS 191 & 194 CLENHAM WY AND BETWEEN LOTS 1012 1022 KIDBROKE PLC, K/S	14
---	----

SCHEME AMENDMENT

PROPOSED REZONING OF LOT 51 ALBANY HWY & LOT 52 FOSTER RD, KELMSCOTT	52
--	----

SIGNAGE

PROPOSED ILLUMINATED DIRECTION SIGN – INTERSECTION OF SOUTH WESTERN HIGHWAY AND STONE STREET, ARMADALE	137
---	-----

STRATEGIC PLANNING

FACILITATION OF LOCAL STRUCTURE PLAN – BROOKDALE (WEST) AREA.....	60
---	----

SUBDIVISION

REFUSAL - LOT PT 152 RIVER RD, KELMSCOTT	65
--	----

