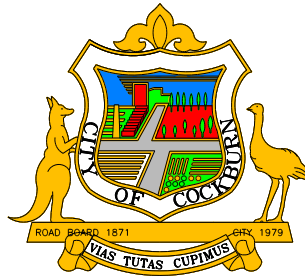


CITY OF COCKBURN



ORDINARY COUNCIL

AGENDA PAPER

**FOR
TUESDAY 11 MAY 1999**

CITY OF COCKBURN

SUMMARY OF AGENDA TO BE PRESENTED TO THE ORDINARY COUNCIL MEETING TO BE HELD ON TUESDAY, 11 MAY 1999 AT 7:30 P.M.

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CITY OF COCKBURN

AGENDA TO BE PRESENTED TO THE ORDINARY COUNCIL MEETING TO BE HELD ON TUESDAY, 11 MAY 1999 AT 7:30 P.M.

- 1. DECLARATION OF OPENING**

- 2. APPOINTMENT OF PRESIDING MEMBER (IF REQUIRED)**

- 3. DISCLAIMER** (To be read aloud by Presiding Member)
Members of the public who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

- 4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS (by Presiding Member)**

- 5. APOLOGIES AND LEAVE OF ABSENCE**

- 6. ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

At the Ordinary Meeting of Council held on the 20th April 1999, the following actions were taken on notice and subsequently dealt with by the Administration:-

Ms Heather Smedley asked a question to Commissioner Donaldson regarding what is the amount being paid to the Commissioners. A response dated the 29th April 1999 was sent to Mrs Smedley from the Director, Finance & Corporate Services which advised that Commissioner Donaldson would receive \$4,500 per calendar month and Commissioners Smithson and Jorgensen, \$3,250 per calendar month plus expenses of office.

Mr Colin Crook tabled a letter which included 4 questions in regards to designated truck routes. A response dated the 30th April 1999 was sent to Mr Crook by the Director, Engineering & Works which advised:-

- (1) Spearwood Avenue is classified as a blue road under the MRS but is not currently operating in that capacity. It is not being used by a high volume of trucks. Truck drivers have chosen other routes to get to their destinations.
- (2) Phoenix Road between North Lake Road and Stock Road has been constructed as a 4-lane dual carriageway road. There is a more suitable route for trucks than Forrest Road between Stock Road and North Lake Road which is single carriageway.
- (3) Phoenix Road between Stock Road and Rockingham Road has always been designated as a secondary truck route. If the land use changes and trucks start using other east-west routes the classification of those roads can be reviewed.
- (4) Cutler Road will be changed from Jandakot Road to Prinsep Road - to Solomon Road to Prinsep Road.

7. PUBLIC QUESTION TIME

8. CONFIRMATION OF MINUTES

8.1 (OCM1_5_1999) - ORDINARY MEETING OF COUNCIL - 20/4/1999

9. WRITTEN REQUESTS FOR LEAVE OF ABSENCE

10. DEPUTATIONS AND PETITIONS

10.1 (OCM1_5_1999) - PROPOSED CONFERENCE/FUNCTION CENTRE - LOT 9 WATTLEUP ROAD, WATTLEUP - OWNER/APPLICANT: V LOMBARDO (4412312)

Mr Lombardo to address the meeting.

10.2 (OCM1_5_1999) - PETITION - ROCKINGHAM-FREMANTLE TRANSITWAY (9636) (AJB)(WEST/COASTAL)

Note: Chairman to read the petition prayer.

RECOMMENDATION

That Council :

- (1) receive the petition in relation to the Rockingham-Fremantle Transitway; and
- (2) advise the petition organiser, Mr Andrew Di Carlo, that the matter will be referred to the Council Meeting of the 25th May 1999 for consideration.

COUNCIL DECISION

Background

A petition containing 289 signatures was received on the 22nd April 1999, requesting that the Rockingham-Fremantle Transitway Project be stopped.

Submission

N/A

Report

In accordance with Council's Standing Orders (Clause 53), the petition is presented to Council for it to be formally received and given consideration of future action to be taken in response to the subject matter of the petition.

Strategic Plan/Policy Implications

Strategic Plan Item 6.1 refers "...achieve a comprehensive public transport service for all residents".

Budget/Financial Implications

The selected Transitway route is likely to require Council funded modifications to the City's roads infrastructure.

Implications of Section 3.18(3) Local Government Act, 1995

This project complies with the requirements of Section 3.18(3).

11. BUSINESS LEFT OVER FROM THE PREVIOUS MEETING (if adjourned)

Nil

12. ADDITIONS TO THE AGENDA

13. COUNCIL MATTERS

13.1 (OCM1_5_1999) - ESTABLISHMENT OF OTHER COMMITTEES (1701) (DMG)

RECOMMENDATION

That :-

- (1) the following Committees be appointed pursuant to Section 5.8 of the Local Government Act 1995 :
 - (a) Audit Committee
 - (b) Azelia Ley Museum Committee
 - (c) Bush Fire Committee
 - (d) Cockburn/Split (Croatia) Sister City Committee
 - (e) Cockburn/Yueyang (China) Sister City Committee
 - (f) Eco-Tourism Committee
 - (g) Disability Services Committee
 - (h) Centenary of Federation Committee

- (2) the initial meeting of each of these Committees be convened by the Chief Executive Officer.

COUNCIL DECISION

Background

Council is able to establish Committees to assist it with specific matters. The tenure of these Committees continues until they are disbanded or the next ordinary elections day.

Now is the appropriate time to consider this matter, as a range of functions and issues require the continued involvement of these Committees into the foreseeable future.

Submission

N/A

Report

N/A

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

13.2 (OCM1_5_1999) - APPOINTMENT OF COMMITTEE MEMBERS (1701) (DMG)

RECOMMENDATION

That the following persons be appointed to Committees established by Council, pursuant to Section 5.10 of the Local Government Act 1995:-

(1)	Audit Committee	<ul style="list-style-type: none"> ▪ Commissioner Donaldson ▪ Commissioner Jorgensen ▪ Chief Executive Officer ▪ Director - Finance & Corporate Services
(2)	<p>Bush Fire Committee</p> <p>(Non-Voting Delegate)</p> <p>(Non-Voting Delegates)</p>	<ul style="list-style-type: none"> ▪ Chief Bush Fire Control Officer ▪ Deputy Chief Bush Fire Control Officer ▪ Fire Weather/Communications Officer ▪ Captain - South Coogee Volunteer Bush Fire Brigade ▪ 1st Lieutenant - South Coogee Volunteer Bush Fire Brigade ▪ Captain - Jandakot Volunteer Bush Fire Brigade ▪ 1st Lieutenant - Jandakot Volunteer Bush Fire Brigade ▪ Representative - Department of Conservation & Land Management ▪ 2 Representatives - Fire & Emergency Services Authority
(3)	Cockburn/Split (Croatia) Sister City Committee	<ul style="list-style-type: none"> ▪ Administrative Support/Research Officer ▪ Ivica Svilicich ▪ Marija Lacman ▪ Peter Skrmeta ▪ Lyn Thomas ▪ Yerko Radich ▪ Marya Vujcic ▪ Nick Blues ▪ Anthony Radich ▪ Ante Zorotovic ▪ Angela Separovich
(4)	Cockburn/Yueyang (China) Sister City Committee	<ul style="list-style-type: none"> ▪ Administrative Support/Research Officer ▪ Ms Michelle Badrock ▪ Mr Ray Woodcock ▪ Ms Laurel Johnson ▪ Mr Chang Wang ▪ Ms Winnie Law ▪ Mr Vince Green ▪ Mr Richard Bartlett ▪ Mrs Rosemarie De Vries ▪ Mr Rob De Vries ▪ Mr Choi Lee

		<ul style="list-style-type: none"> ▪ Mr Simon Lee ▪ Mr Bill Thomas, MLA
(5)	Azelia Ley Museum Committee	<ul style="list-style-type: none"> ▪ Director - Community Services ▪ President - Historical Society of Cockburn ▪ Curator - Azelia Ley Museum ▪ Representative - Education Department of WA
(6)	Eco-Tourism Committee	<ul style="list-style-type: none"> ▪ Director - Community Services ▪ Manager - Environmental Services ▪ Representative - Cockburn Wetlands Education Centre ▪ Representative - Department of Conservation & Land Management
(7)	Disability Services Committee	<ul style="list-style-type: none"> ▪ Co-Ordinator - Disability Services ▪ Mrs Pam Barrass ▪ Mrs Bev Ross ▪ Mr Gary Ross ▪ Ms Mayla Mariolini ▪ Ms Lesley Cangemi ▪ Mrs Michelle Hodgson ▪ Mr Fred Mooibroek ▪ Ms Pia Madrigali ▪ Representative - Disability Services Commission ▪ Mrs Dani McAllister ▪ Mrs Doris Carmody ▪ Mr Rowan McAllister
(8)	Centenary of Federation Committee	<ul style="list-style-type: none"> ▪ Manager - Community Services ▪ Representative - Uniting Church ▪ Representative - St. Jeromes Parish ▪ Representative - Cockburn Community & Cultural Council ▪ Representative - Cockburn Youth Advisory Council ▪ Mrs Val Oliver ▪ Mr Mario Da Silvo Antonio ▪ Mrs Valda Ellement

COUNCIL DECISION

Background

The appointment of persons to Committees established by Council, is required under the provisions of the Local Government Act 1995. It has been normal process for Councillors to be appointed to these Committees. However, due to the limited tenure and autonomy of these Committees, there would seem little benefit in appointing Commissioners to any or all of these Committees, at this stage.

Submission

N/A

Report

It should be noted that in each case, a Council staff member is recommended for appointment to these Committees, pursuant to Section 5.9 of the Act. This will provide a mechanism for any issues wishing to be brought to the attention of Council, to be appropriately raised.

It has been past practice for Council to nominate the times and frequency of these meetings. However, this process has proved to be inflexible in the past and it is proposed that all meetings will be conducted on an as required basis and convened pursuant to Clause 2.20 of Council's current Standing Orders. Because none of the Committees has delegated authority, meetings are not subject to the public advertising requirements which apply to Council Meetings.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

13.3 (OCM1_5_1999) - APPOINTMENT OF DELEGATES/REPRESENTATIVES TO EXTERNAL ORGANISATIONS (1701) (DMG)

RECOMMENDATION		
That the following delegates/representatives be appointed to the organisations as listed:-		
(1)	Swan Region Fire Protection Committee (Normally meets twice yearly in May and November)	<ul style="list-style-type: none"> ▪ Commissioner _____ (Delegate) ▪ Chief Bush Fire Control Officer (Delegate) ▪ Commissioner _____ (Deputy Delegate) ▪ Deputy Chief Bush Fire Control Officer (Deputy Delegate)
(2)	Cockburn Sports Council	<ul style="list-style-type: none"> ▪ Co-Ordinator - Recreation Services
(3)	Recreation Committee	<ul style="list-style-type: none"> ▪ Co-Ordinator - Recreation Services
(4)	South-West District Planning Committee (Meets bi-monthly or as required, 7:30pm first Monday - rotating venue)	<ul style="list-style-type: none"> ▪ Commissioner _____ (Delegate) ▪ Commissioner _____ (Deputy Delegate)
(5)	South Metropolitan Zone Local Government Association (Meets 5:30pm bi-monthly, Monday prior to WAMA Meetings - rotating venue)	<ul style="list-style-type: none"> ▪ Commissioner _____ (Delegate) ▪ Commissioner _____ (Delegate) ▪ Chief Executive Officer (Delegate)
(6)	Cockburn Community & Cultural Council	<ul style="list-style-type: none"> ▪ Community Arts/Cultural Officer
(7)	Cockburn Voluntary Emergency Service	<ul style="list-style-type: none"> ▪ Administrator, Ranger Services
(8)	Cockburn/Rockingham/Kwinana Environmental Review Committee (Meets as necessary - usually Thursday - rotating venue)	<ul style="list-style-type: none"> ▪ Commissioner _____ (Delegate)
(9)	South West Group Management Committee (Meets bi-monthly)	<ul style="list-style-type: none"> ▪ Commissioner Donaldson (Delegate) ▪ Commissioner _____ (Deputy Delegate)

(10)	South West Corridor Development & Employment Foundation	<ul style="list-style-type: none"> ▪ Director - Finance & Corporate Services
(11)	Cockburn Sound Conservation Committee (Meets as required)	<ul style="list-style-type: none"> ▪ Commissioner _____ (Delegate)
(12)	Fremantle Port Authority Outer Harbour Community Liaison Group (Meets as required)	<ul style="list-style-type: none"> ▪ Commissioner _____ (Delegate)
(13)	Jandakot Airport Group (Meets as required)	<ul style="list-style-type: none"> ▪ Commissioner _____ (Delegate) ▪ Commissioner _____ (Deputy Delegate)
(14)	Coogee Implementation Committee	<ul style="list-style-type: none"> ▪ Director - Planning & Development ▪ Strategic Planner
(15)	Wetlands Education Centre Committee	<ul style="list-style-type: none"> ▪ Manager - Environmental Services
(16)	Jandakot Groundwater Discussion Group	<ul style="list-style-type: none"> ▪ Manager - Environmental Services
(17)	South West Group Transport Committee	<ul style="list-style-type: none"> ▪ Manager - Engineering
(18)	Regional Transport Planning Study Steering Committee	<ul style="list-style-type: none"> ▪ Strategic Planner
(19)	Community Policing	<ul style="list-style-type: none"> ▪ Director - Community Services
(20)	Fremantle/Cockburn Local Enterprise Committee	<ul style="list-style-type: none"> ▪ Chief Executive Officer
(21)	Cockburn Youth Advisory Council	<ul style="list-style-type: none"> ▪ Co-Ordinator - Youth Services
(22)	Neighbourhood Watch Committee	<ul style="list-style-type: none"> ▪ Director - Community Services
(23)	Regional Fun Coast Tourism Marketing Association	<ul style="list-style-type: none"> ▪ Customer Services Manager
(24)	Woodman Point Management Planning Committee	<ul style="list-style-type: none"> ▪ Manager - Community Services
(25)	Regional Road Funding Sub-Group (Meets once a year)	<ul style="list-style-type: none"> ▪ Commissioner _____ (Delegate) ▪ Director - Engineering & Works
(26)	Fremantle Eastern By-Pass Community Liaison Group	<ul style="list-style-type: none"> ▪ Strategic Planner
(27)	Fremantle-Rockingham Highway Road Re-alignment	<ul style="list-style-type: none"> ▪ Strategic Planner
(28)	Crime Prevention Steering Committee	<ul style="list-style-type: none"> ▪ Manager - Community Services

(29)	Jandakot Airport Flight Paths & Circuit Training Review Committee	<ul style="list-style-type: none"> ▪ Co-Ordinator, Environmental Services
(30)	Beeliar Regional Park Advisory Committee	<ul style="list-style-type: none"> ▪ Manager - Environmental Services
(31)	Roe Highway (East of Kwinana Freeway) Community Liaison Group	<ul style="list-style-type: none"> ▪ Strategic Planner
(32)	Melville-Cockburn Chamber of Commerce (Meets monthly alternating times 7:30am and 6:30pm - rotating venue)	<ul style="list-style-type: none"> ▪ Commissioner _____ (Delegate)
(33)	Care Options Incorporated	<ul style="list-style-type: none"> ▪ Social Services Manager (Delegate) ▪ Manager - Community Services (Deputy Delegate)

COUNCIL DECISION

Background

Council has traditionally provided various local community representative organisations with a Council delegate(s). Those organisations listed in the recommendation, have always been provided with an elected member as this delegate. However, due to the uncertain length of tenure of the current Council, it is suggested that only those organisations requiring some short term political representation on behalf of the City of Cockburn, be provided with a Commissioner as delegate.

Council employees will suffice for the remaining organisations.

Submission

N/A

Report

Some organisations in the community, meet very infrequently and/or do not require a Council representative due to their current autonomous operating structure. Therefore, it is recommended that Council not provide specific delegates to these organisations.

Should any of these organisations feel aggrieved by this decision, the matter can be reviewed on an individual basis.

Those organisations are listed below:-

- (1) Joe Cooper Recreation Centre Committee
- (2) Coolbellup Child Care Committee
- (3) South Lake Child Care Committee
- (4) Skillshare
- (5) Hamilton District High School Chaplaincy Council
- (6) Lakeland Senior High School Chaplaincy Council
- (7) Co-Assist
- (8) Bridging The Gap
- (9) Tourism Advisory Group
- (10) Jandakot Regional Sporting Complex Committee
- (11) Fremantle Accord
- (12) Volunteer Home Support (Inc.)
- (13) Year 2000 Olympic Torch Relay Community Working Committee
- (14) Atwell Parklands Community Centre
- (15) Beale Park Management Committee
- (16) Road Wise Community Committee
- (17) Cockburn Volunteer Sea, Search & Rescue Group
- (18) Perth Airport Municipalities Group
- (19) Municipal Heritage Inventory Committee (Committee's brief finalised)
- (20) Arborcultural Committee
- (21) Western Australia Croatian Association Working Group

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

14. PLANNING AND DEVELOPMENT DIVISION ISSUES

14.1 (OCM1_5_1999) - PROPOSED SATELLITE DISH - LOT 163, 6 ASPIC CRESCENT, SPEARWOOD OWNER/APPLICANT: M. DA LUZ (MAP NO.8) (3317983) (PT)(COASTAL)(ATTACH)

RECOMMENDATION

That Council :

- (1) approve the proposed satellite dish on Lot 163, 6 Aspic Crescent, Spearwood in accordance with the approved plans subject to the following conditions:

Standard Conditions

1. Standard conditions contained in Council Policy PD17 as determined appropriate to this application by the delegated officer under clause 7.6 of Town Planning Scheme - District Zoning Scheme No. 2.

Special Conditions:

1. trees being planted on the site to screen the dish from view from neighbouring properties, to Council's satisfaction.
- (2) Issue an MRS Form 2 Notice of Approval valid for a period of 24 months.

COUNCIL DECISION

Background

ZONING:	MRS:	URBAN
	DZS:	RESIDENTIAL – R30
LAND USE:	HOUSE	
LOT SIZE:	644 M ²	
AREA:	N/A	
USE CLASS:	N/A	

Submission

The application is for a domestic satellite dish, 3 metres in diameter and 1.5 metres above the gutter line on the rear south wall of the existing residence. The applicant has the approval of surrounding neighbours, as indicated on submitted application.

Refer to Agenda Attachments for a copy of application and submitted plans.

Report

The application has been referred to Council, under the provisions of Council Policy PD 30 'Domestic Satellite Dishes Policy', as the proposed dish is over 2 metres in diameter. As the surrounding neighbours of the property have no objections to the installation of the satellite dish, conditional approval is recommended.

It should be noted that the owner is required to plant sufficient trees to screen the dish from view from the neighbouring properties, to Council's satisfaction. This will minimise the visual impact of the satellite dish to existing and future dwellings in the locality.

Strategic Plan/Policy Implications

Council Policy PD 30 'Domestic Satellite Dishes Policy'.

Budget/Financial Implications

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

14.2 (OCM1_5_1999) - PROPOSED CONFERENCE/FUNCTION CENTRE - LOT 9 WATTLEUP ROAD, WATTLEUP - OWNER/APPLICANT: V LOMBARDO (4412312) (SA) (SOUTH)

RECOMMENDATION

That Council :

- (1) refuse the proposed conference/function centre on Lot 9 Wattleup Road, Wattleup for the following reason:
 1. the proposed development will adversely affect the rural amenity of the locality.
- (2) issue an MRS Form 2 Notice of Refusal;

- (3) advise those who made submissions of Council's decision accordingly.

COUNCIL DECISION

Background

ZONING:	MRS: Rural
	DZS: Rural
LAND USE:	Diving centre
LOT SIZE:	20000m ²
AREA:	N/A
USE CLASS:	"SA"

Council, at its meeting of the 20th April 1999, resolved to defer the application until the owner/applicant has returned to Perth and has the opportunity to put a deputation to the next Council Meeting.

Submission

The submitted plans indicate a change of use from the diving centre, which is no longer operating, to a reception/function centre. The applicant has advised the centre would operate weekends and weeknights, for a maximum of 100 people. An additional 40 car parking spaces will be developed. Refer to previous attachments for a copy of the plan.

Report

The proposal was advertised for a period of twenty one (21) days, with advertising closing on the 6 April 1999. Fifteen (15) submissions were received, all objecting to the proposal for the following reasons:

1. will detrimentally affect the peaceful rural lifestyle of the locality;
2. will increase noise and traffic in the area, as the centre will be operating day and night, seven days a week;
3. proposal development is a commercial nature and therefore should be located in a commercial site; and
4. will encourage boisterous and anti-social behaviour.

Refer to previous attachments for further details of the submissions.

It is recommended that the application for a change of use to the reception/function centre be refused for the following reasons:

1. the proposal will adversely affect the current rural amenity of locality as there will be an increase in noise and traffic;
2. the surrounding landowners were extremely concerned about the detrimental impact the proposed development would have on their rural lifestyle.

Despite the number of objections from the local residents to the proposal, it is difficult to see how this existing "Dive Training Resort" could be re-used with any other suitable use, except for say an education facility or motel.

From a planning viewpoint the proposed Conference / Function Centre is a suitable re-use of these facilities, subject to conditions to prevent noise and other potential impacts on the "rural" amenity of the area.

Given that the site is already developed with the vacated "Dive Training Resort" it is difficult to see the land reverting to a rural use or rural - residential use.

The recommendation, however, is based on the significant number of objections received during the advertising period and the fact that the proposed use is "not permitted" in the rural zone unless approval is granted by the Council.

Strategic Plan/Policy Implications

Subject lot included in the FRIARS area.

Budget/Financial Implications

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

14.3 (OCM1_5_1999) - SAND EXTRACTION - PT LOT 135 ARMADALE ROAD, BANJUP - OWNER/APPLICANT: CSR READYMIX CONCRETE (MAP 20) (EAST) (CC) (5513296) (ATTACH)

RECOMMENDATION

That Council :-

- (1) refuse the proposal to excavate sand from the Armadale Road Important Regional Roads reservation and the 40 metre buffer on Pt Lot 135 Armadale Road for the following reasons:
 1. The proposal would result in a loss of visual amenity by the removal of natural vegetation and ridgelines and the opening of the pit to external views which would impact negatively on the rural character of the locality;
 2. The proposal would set an undesirable precedent for other owner/occupiers of sand excavation sites to seek approval to similar proposals;
- (2) advise the applicant that Council would be willing to consider an alternative proposal to excavate the 40 metre buffer only to the limit of the Important Regional Roads Reservation;
- (3) issue a MRS Form 2 Notice of Refusal and;
- (4) advise the referral authorities and the Western Australian Planning Commission of the Council's decision.

COUNCIL DECISION

Background

ZONING:	MRS:	Rural Water Protection & Important Regional Roads
	DZS:	Rural
LAND USE:	Rural and Important Regional Roads	
LOT SIZE:		
AREA:		
USE CLASS:	SA use	

Council, at its meeting of the 20th April 1999, resolved as follows:

- '1) *defer consideration of the proposal to excavate from the Armadale Road Reservation until the Planning Application Fee has been paid; and*
- 2) *advise the application accordingly.'*

The Planning Application Fee has been paid and the Commissioners can now consider the application.

Submission

N/A

Report

See Agenda Attachments April CDC Item 9.5 for details and consideration of the sand extraction proposal.

Commissioners are requested to note that this proposal is to be determined by the Western Australian Planning Commission on the grounds that the Commission's Notice of Delegation provides for referral of development applications on Important Regional Roads under the control of MRWA where the advice of MRWA in respect to the proposed development is unacceptable to the Council, and not on the grounds that it is an extractive industry in the Rural Zone. The land is now classified Rural-Water Protection zone.

Strategic Plan/Policy Implications

PD 21 Extractive Industries.

Budget/Financial Implications

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

14.4 (OCM1_5_1999) - PROPOSED ROCK LOBSTER PROCESSING PLANT - LOT 111, 50 BENNETT AVENUE, HAMILTON HILL - OWNER: FREMANTLE FISHERMAN'S CO-OPERATIVE SOCIETY - APPLICANT: MAROCCHI & ROBINSON (SA) (2213465) (WEST) (MAP 2)

RECOMMENDATION

That Council

- (1) defer the application for the proposed rock lobster processing plant at Lot 111, 50 Bennett Avenue, Hamilton Hill on the basis that the property is located within the Coogee Master Plan area which is currently the subject of a comprehensive review being undertaken by the Ministry for Planning;
- (2) advise the applicant of the Council's decision and invite the applicant to discuss the purpose of the review and the potential for the proposal to be either delayed or re-located.

COUNCIL DECISION

Background

ZONING:	MRS:	Industrial
	DZS:	Special Industry "A"
LAND USE:	Vacant	
LOT SIZE:	17, 575m ²	
AREA:	2652m ²	
USE CLASS:	"P"	

In January 1999, Consultants ERM Mitchell McCotter were appointed by the Ministry for Planning to undertake a review of the Coogee Development Agreement, which was established between the State Government and the City of Cockburn in 1988.

The review was deemed necessary by the Ministry and the Council because of changes that have taken place over the past 11 years that have caused the original plan, the basis of the Agreement, to be questioned.

The study by the consultants has only just commenced.

The study is being overseen by the Coogee Implementation Committee which has representatives from the Ministry, DOCAT, Landcorp, DEP, Cities of Cockburn and Fremantle and the study consultants.

Council previously resolved to defer consideration of another "Permitted Use" application in the Hamilton Hill Industrial area, on the basis that the property is located within the Coogee Master Plan area which is currently the subject of a comprehensive review. The applicant and landowner have been notified in writing by Council (dated 23rd April 1999) about the Coogee Master Plan Review Study.

Submission

The submitted plans indicate the construction of rock lobster processing factory, approximately 2652m² in area, including a processing room, chill store, cold store, freezer rooms, ante-rooms, plant room, office and laboratory areas.

Report

The proposed development is located in a central position of the study area, on the ocean side of Bennett Avenue. Approval of the proposed rock lobster development could jeopardise the opportunities for alternative land uses in Coogee, particularly residential.

Therefore, in the interests of the study and land use planning for the future, it would be prudent to defer this application until the study is further advanced.

Although this is considered to be the most appropriate decision from a planning viewpoint, it impacts on the applicant in that:-

1. The land use is permitted (P) in this Special Industry 'A' zone.
2. It is not certain when a final decision will be made about the future of the land, given the likelihood of community involvement in the study, government decisions and possible re-zoning.

Should this development proceed, the need to continue with the current study could be put in question.

The Council's Planning Department would strongly recommend that the application be deferred pending the outcome of the current study.

Given that the proposal is a permitted use in the Special Industry 'A' Zone, it is important that discussions be held with the proponents to advise them of the purpose of the study and to determine whether or not there is any scope to delay commencement until after the study findings are known or the potential to relocate the proposed business to another suitable site.

Strategic Plan/Policy Implications

The Council's recently adopted Ultimate Strategic District Plan, shows the North Coogee area as Urban. This is also reflected in the Council's draft TPS No. 3.

The Council supports the review of the Coogee Master Plan.

Budget/Financial Implications

The Council has contributed \$10,000 to the Coogee Master Plan Review.

Implications of Section 3.18(3) Local Government Act, 1995

Nil

14.5 (OCM1_5_1999) - PROPOSED OFFICE AND FREEZER WAREHOUSES - LOT 4, 1 DARKEN AVENUE, HAMILTON HILL - OWNER: BIGSTREET PTY LTD - APPLICANT: HOLTON CONNOR ARCHITECTS & PLANNERS (SA) (2212258)(MAP 2)(WEST)

RECOMMENDATION

That Council :-

- (1) approve the proposed office and freezer warehouses on Lot 4, 1 Darken Avenue, Hamilton Hill in accordance with the approved plans subject to the following conditions:

Standard Conditions

1. Standard conditions contained in Council Policy PD17 as determined appropriate to this application by the delegated officer under clause 7.6 of Town Planning Scheme - District Zoning Scheme No. 2.
- (2) issue an MRS Form 2 Notice of Approval valid for a period of 24

- months;
- (3) advise the applicant about the Coogee Master Plan Review in the advice letter and footnote to the approval; and
 - (4) advise the Ministry for Planning of Council's decision accordingly.

COUNCIL DECISION

Background

ZONING:	MRS:	Industrial
	DZS:	Special Industry "A"
LAND USE:	Vacant	
LOT SIZE:	6372m2	
AREA:	4101m2	
USE CLASS:	"P"	

In January 1999, Consultants ERM Mitchell McCotter were appointed by the Ministry for Planning to undertake a review of the Coogee Development Agreement, which was established between the State Government and the City of Cockburn in 1988.

The review was deemed necessary by the Ministry and the Council because of changes that have taken place over the past 11 years that have caused the original plan, the basis of the Agreement, to be questioned.

The study by the consultants has only just commenced.

The study is being overseen by the Coogee Implementation Committee which has representatives from the Ministry, DOCAT, Landcorp, DEP, Cities of Cockburn and Fremantle and the study consultants.

Council previously resolved to defer consideration of another "Permitted Use" application in the Hamilton Hill Industrial area, on the basis that the property is located within the Coogee Master Plan area which is currently the subject of a comprehensive review. The applicant and landowner have been notified in writing by Council (dated 23rd April 1999) about the Coogee Master Plan Review Study.

Submission

The submitted plans indicate the construction of three freezer warehouses, two storey office area, sorting area and loading dock.

Report

The proposed development is located in northern area of the study area, abutting the existing Ricciardi Seafoods and Coldstores. The applicants and landowners met with the Council Officers on the 3rd May 1999, to discuss the situation with the review of the Coogee Master Plan area. As a result of this meeting, it was resolved that the landowners had two choices:

1. proceed with the application as is, which will result in a Council decision after the 11th May 1999; or
2. refer the matter to the Minister for Planning, as an appeal against Council's deemed refusal, as the application has now exceeded the sixty (60) day consideration period.

The applicants and landowners emphasised throughout the meeting, the need for the development to proceed, as it is an extension of the existing facility and a joint venture between Ricciardi Seafood and Sealanes. The landowners also expressed concern about future development of their businesses in area.

Approval of the proposed office and freezer warehouse development could jeopardise the opportunities for alternative land uses in Coogee, particularly residential. Therefore, in the interests of the study and land use planning for the future, it would be preferable to defer this application until the study is further advanced.

Although this is considered to be the most appropriate decision from a planning viewpoint, it impacts on the applicant in that:-

1. Up until now, the owner has not been aware of the commencement of the study and the staff advising the applicant, was of the understanding that the review applied only to the Bradken, Westrail and Wesfarmers site north of Rollinson Road.
2. The land use is permitted (P) in this Special Industry 'A' zone.

3. It is not certain when a final decision will be made about the future of the land, given the likelihood of community involvement in the study, government decisions and possible re-zoning.
4. The landowners have made a substantial financial investment and commitment in this development and the surrounding land, for future expansion of their businesses.

Regardless of Council's decision, the applicant has advised Council Officers that they will be proceeding with the proposed development. Under these circumstances, there seems little point in deferring this application and it should be approved subject to conditions, based on the discussions with the applicant and landowners.

Strategic Plan/Policy Implications

The Council's recently adopted Ultimate Strategic District Plan, shows the North Coogee area as Urban. This is also reflected in the Council's draft TPS No. 3.

The Council supports the review of the Coogee Master Plan.

Budget/Financial Implications

The Council has contributed \$10,000 to the Coogee Master Plan Review.

Implications of Section 3.18(3) Local Government Act, 1995

Nil

- 14.6 (OCM1_5_1999) - NON-APPROVED COMMERCIAL VEHICLE PARKING - LOT 17 BORONIA ROAD, BANJUP - OWNER: MR J L WILSON, 7 GLEDHILL WAY, LEEMING (5500103) (EAST) (MAP 21) (PT) (ATTACH)**

RECOMMENDATION

That Council :

- (1) advise the occupant and land owners of Lot 17 Boronia Road, Banjup, that they have twenty-eight (28) days in which to comply with Council's requirements for Special Rural Zone 6.0 Liddelow Road, Banjup, as stipulated in the Sixth Schedule of District Zoning Scheme No.2;

- (2) instruct Council's solicitors to initiate legal action against the owner and occupants of Lot 17 Boronia Road, Banjup for contravening Council's District Zoning Scheme No.2 provisions for Special Rural Zone 6.0 Liddelow Road, Banjup. This legal action will be initiated if the owner and occupants have not complied with the Council's requirements within the twenty-eight day period; and
- (3) advise the occupant and land owner of Council's decision accordingly.

COUNCIL DECISION

Background

ZONING:	MRS:	Rural – Water Protection
	DZS:	Special Rural
LAND USE:	Residence, shed and commercial vehicle parking	
LOT SIZE:	2.0822ha	
AREA:	N/A	
USE CLASS:	"AA"	

Submission

Council received a complaint from a neighbouring property regarding commercial vehicle parking. The main grounds for complaint, was the number of trucks on the property and the noise they made, especially in the morning. The complainant also mentioned that it looked unsightly.

Report

Council Officers have monitored the property and have noted at various times, some commercial vehicles parked on the subject site. Both the land owner and the occupant of the property have been notified that they were in contravention of Council's District Zoning Scheme No.2 Special Rural provisions and to either cease using the site for Commercial Vehicle Parking, or submit an application for commercial vehicle parking in accordance with Council's provision for Special Rural zones.

In the period since the complaint was made, four(4) letters have been sent to the occupant (dated 20th November 1998, 22nd December 1998, 9th February 1999 and 23rd March 1999). The occupant said that he intended to sell two of the trucks and buy one new truck and then apply to Council for commercial vehicle parking approval.

The occupant spoke to Steve Ryan (Manager - Planning Department) on the 16th February 1999 and stated that he had removed two of the trucks and that he did not understand the application requirements for Commercial Vehicle Parking. Mr Ryan explained the details of the application and the occupant advised he would lodge an application.

A final warning letter was sent to the occupant with all the application information on the 23rd March 1999. He was given 14 days to submit an application. No application has yet been received by Council. The last inspection from the roadside on the 27th April 1999 at 10:05am, revealed that there was still one truck parked on site. It is therefore recommended that Council pursue the matter through Council's solicitors.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

Pursuing legal action is costly if required, in terms of legal fees and officer time. However it is possible for Council to recoup part of the expenses through the Courts.

Implications of Section 3.18(3) Local Government Act, 1995

Nil

- 14.7 (OCM1_5_1999) - PROPOSED OVERSIZE RURAL SHED - LOT PT 9 BARFIELD ROAD, BANJUP - OWNER: C H & M M MILLER - APPLICANT: WA SHED COMPANY, 15 HANSON STREET, MADDINGTON (5513278) (EAST) (MAP NO.16) (PT) (ATTACH)**

RECOMMENDATION

That Council :

- (1) approve the proposed rural shed on Lot Pt 9 Barfield Road,

Banjup in accordance with the approved plan, subject to the following conditions:

Standard Conditions

1. Standard conditions contained in Council Policy PD17 as determined appropriate to this application by the delegated officer under clause 7.6 of Town Planning Scheme - District Zoning Scheme No. 2.

Special Conditions:

1. The shed is to be clad in a material of a type or colour of natural or earth tonings to complement the surroundings or make the shed less conspicuous to the adjoining developments and environment which it is located.
 2. The use of the shed must comply with Council's requirements for the Rural zone.
 3. Prior to applying for a building licence, the applicant must provide a statement of proposed use for the outbuilding for Council determination; and
- (2) Issue an MRS Form 2 Notice of Approval valid for a period of 24 months.

COUNCIL DECISION

Background

ZONING:	MRS:	Urban Deferred
	DZS:	Rural
LAND USE:	Vacant	
LOT SIZE:	1.5703ha	
AREA:	434M ²	
USE CLASS:	N/A	

Submission

The submitted plans indicate the construction of a 434m² rural shed. The shed will be constructed in colour bond trimdeck and

is 6.6 metres in height. Refer to agenda attachment for a copy of the plan.

Report

The proposed development has been referred to Council as the shed is 434m² in area and 6.6 metres in height, therefore is affected by Council Policy "PD18 – Ancillary Outbuildings (Sheds) in Special Rural and Rural Zones" (adopted 15th December 1998) which states that:

- “1. Any shed in excess of 200m² in area and/or 4.5 metres in height in a Special Rural or Rural zone, must be referred to Council for development approval. “

The proposed shed complies with the requirements of Council for setbacks, (as per Policy "PD2 – Rural Setback Policy") and the general provisions of District Zoning Scheme No. 2. for rural zones, therefore approval is recommended.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

- 14.8 (OCM1_5_1999) - NON-APPROVED SATELLITE DISH - LOT 71-141 APARA COURT, SOUTH LAKE - OWNER/APPLICANT: N. DE JESUS MENDES (MAP 14) (5101127) (PT)(EAST)(ATTACH)**

RECOMMENDATION

That Council :-

- (1) advise the landowner that the satellite dish may remain in its present location subject to the following:

2. trees being planted on the site to screen the dish from view from neighbouring properties that face Allamanda Drive, to Council's satisfaction, and
 2. lowering the dish on it's base stand to reduce the visibility of the dish above the fence line.
- (2) in addition, if lowering the dish is not an option, then the owner will need to move the dish back from the side fence line to reduce its visual impact on the adjacent properties; and
- (3) advise the complainant and those who made submissions, of Council's decision accordingly.

COUNCIL DECISION

Background

ZONING:	MRS:	URBAN
	DZS:	RESIDENTIAL – R15
LAND USE:	HOUSE	
LOT SIZE:	857M ²	
AREA:	N/A	
USE CLASS:	N/A	

A complaint was lodged with the Council by a neighbour regarding a recently installed satellite dish on the subject lot. A site inspection revealed it was of a size that a planning application was required. The owner of the lot was advised to apply to Council for approval for the satellite dish.

The black coloured satellite dish is mounted to the ground of the subject dwelling. The top of the dish is visible above the fence line from two neighbouring properties and from Allamanda Drive.

Submission

The application is for a domestic satellite dish, three metres in diameter and three metres in height located in the rear yard. Refer to Agenda Attachments for a copy of the plan.

The application was advertised for 28 days, and one submission was received, refer to Agenda Attachments for further details

Report

As the dish is already in place, Council cannot issue a retrospective approval. However, Council can allow the structure to remain or alternatively, require the owner to remove the dish.

After advertising to surrounding residents, one submission was received (from the initial complainant). Refer to the Schedule of Submissions in Agenda Attachments.

It is recommended that the owner be required to plant sufficient trees to screen the dish from view from the neighbouring properties that face Allamanda Drive, South Lake. This will minimise the impact of the top of the dish that is visible from above the fence line. A total of 5-8 trees would be required, depending on the type of tree planted.

The owner also needs to lower the stand thereby reducing the visibility of the top of the dish. If the lowering of the dish is not an option, then the owner will need to move the dish from the fence line to reduce its visual impact on the adjacent property.

Strategic Plan/Policy Implications

Council Policy PD 30 'Domestic Satellite Dishes Policy'.

Budget/Financial Implications

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

- 14.9 (OCM1_5_1999) - PROPOSED SATELLITE DISH - LOT 92, 232 HEALY ROAD, HAMILTON HILL - OWNER/APPLICANT: G. TUFILLI (2204732) (MAP 6) (PT) (WEST) (ATTACH)**

RECOMMENDATION

That Council :

- (1) approve the proposed satellite dish on Lot 92, 232 Healy Road, Hamilton Hill in accordance with the approved plans subject to

the following conditions:

Standard Conditions

1. Standard conditions contained in Council Policy PD17 as determined appropriate to this application by the delegated officer under clause 7.6 of Town Planning Scheme - District Zoning Scheme No. 2.
- (2) issue an MRS Form 2 Notice of Approval valid for a period of 24 months.

COUNCIL DECISION

Background

ZONING:	MRS:	URBAN
	DZS:	RESIDENTIAL – R15
LAND USE:	HOUSE	
LOT SIZE:	971 M ²	
AREA:	N/A	
USE CLASS:	N/A	

Submission

The application is for a domestic satellite dish, 3 metres in diameter and is to sit approximately 2.5 metres above the ground. Refer to Agenda Attachments for a copy of the plan. The application was advertised to the surrounding neighbours for a period of 28 days and no submissions were received.

Report

Since the surrounding neighbours to the property have no objections to the installation of the satellite dish, it is recommended that approval be issued.

Strategic Plan/Policy Implications

Council Policy PD 30 'Domestic Satellite Dishes Policy'.

Budget/Financial Implications

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

14.10 (OCM1_5_1999) - ACOUSTIC BARRIER FOR LOADING DOCK - LOT 63; 254 ROCKINGHAM ROAD, SPEARWOOD - OWNER: VOLLEY INVESTMENTS PTY LTD - APPLICANT: KEN PATERSON ARCHITECTS (2206913) (MT) (WEST) (MAP 7) (ATTACH)

RECOMMENDATION

That Council :

- (1) approve the application dated 30th November 1998 (plan dated 8th February 1999) for an acoustic barrier on Lot 63; 254 Rockingham Road, Spearwood subject to the following conditions:

Standard Conditions

1. Standard conditions contained in Council Policy PD17 as determined appropriate to this application by the delegated officer under clause 7.6 of Council's District Zoning Scheme N^o 2;

Special Conditions

1. Detailed design plans to be submitted with the Building Licence application incorporating relief panels and/or contrasting materials to minimise the visual impact of those sections of the acoustic barrier wall visible from adjacent properties.
- (2) issue a MRS Form 2 Notice of Approval valid for a period of 2 years.
 - (3) advise those who made a submission of Council's decision accordingly.

COUNCIL DECISION

Background

Council, at its meeting of the 20th April 1999, resolved that this matter be deferred and listed on the next Council Agenda and that an inspection of the property be arranged by the Planning Staff.

ZONING:	MRS: URBAN
	DZS: COMMERCIAL
LAND USE:	SHOPPING CENTRE
LOT SIZE:	57 484m ²
AREA:	870m ²
USE CLASS:	

The item was deferred at the February and March Council Meetings, to be presented to the CDC Meeting again in April.

A letter on behalf of the Phoenix Park Shopping Centre advising that they are no longer considering purchase of Mr and Mrs Musulin's property, is attached to the Agenda.

Noise emissions from the eastern accessway and loading dock of Phoenix Park Shopping Centre have been an issue for many years.

In 1993 complaints were received from Olinda Court residents. Various measures were undertaken in an attempt to control the noise emissions, including boundary fences and agreements to control delivery hours.

Pollution Abatement Notices were served on Woolworths and Volley Investments in September 1996. They attempted to restrict after hours access to the loading dock and prevent vehicles queuing in the accessway. These Notices were appealed by Woolworths.

In November 1997, an on site meeting with all the relevant parties was arranged by the appeal convener. At the meeting residents of March Street explained that enforcement of the PAN had led to the trucks parking on March Street. It was determined that the best solution was to enclose the dock and access areas. At this meeting the issue of noise from the baling press was first raised too.

Preliminary sketches showed the enclosure with 4.5 metre high walls on the boundary. This was not well received by residents because it allowed trucks to exit via the eastern accessway and did not cover the baling press.

A further design was drawn up with a reconfiguration of the loading dock, a roundabout adjacent to March Street, and all vehicles entering via March Street. This design was rejected because Big W opposed the reconfiguration of the loading dock and it did not attenuate the noise from the baling press. The design also created an extreme slope on the loading dock, which was difficult for some trucks to negotiate.

Following the submission of the current application, a meeting between the aggrieved neighbour, the applicant, the Phoenix Shopping Centre management, Council staff and the Ward Councillors was held. From the meeting the applicant agreed to revise the application by setting back the barrier from the neighbouring properties and amending the structures height in the way indicated in the revised plans dated 8 February 1999.

Submission

The application is to erect a precast concrete and metal roof structure to the existing loading dock and queuing area to act as an acoustic noise barrier for neighbouring residential properties.

The revised site and elevation plans (dated 8 February 1999) are included in the Agenda Attachments. They indicate the following:

- a 2 metres setback along the frontage with the neighbouring residential property;
- the height of the structure is 5.25 metres at the 2 metre setback, sloping the roof up to 7 metres high at a 6 metres setback from the boundary;
- the wall outside the gates is 4.5 metres in height only.

One submission was received in the advertising period. A summary is included in the Agenda Attachments.

Report

The current application is proposed to attenuate all the noise issues related to the loading dock area. As can be seen from the information in the Background section above, the application is the result of those ongoing noise complaints. The structure covers the loading dock, the truck queuing area, and the baling press.

The applicant has indicated that an internal height of 5.7 metres is required to ensure clearance from the truck emptying the baling

press. The tray of the truck tilts up to pick up the bin. It is this action that requires a minimum 5.7 metres clearance.

The neighbour's submission raises concerns with the height of the structure. As they correctly detail, under the original proposal the structure would be a maximum height of 10 metres above their property. However, amendments made by the applicant, as shown on the revised plans, improve on the original plan.

These revised plans are a significant improvement over the original submission in terms of visual impact on the neighbouring property. Effectively, from the neighbouring property this equates to a wall, setback 2 metres from the boundary, of height 7 metres for half the length of the boundary, and 7.75 metres in height for the remainder of the boundary. Revised site & elevation plans are contained in the Agenda Attachments.

Council officers and the aggrieved neighbour have discussed the application. He would be satisfied if the wall was a maximum of 4.5 metres high. However, for the reasons of clearance mentioned above, this is not possible.

The previous plan for an acoustic barrier, mentioned in the neighbour's submission, did have a maximum height of 4.5 metres. However that plan did not propose to cover the baling press, one of the sources of noise complaints.

In respect to the neighbour's concern about overshadowing, the Residential Planning Codes maybe used as a guide. The R-codes require that *"No (residential) development shall cause more than 50% of the adjoining lot to be in shadow at noon on June 21, save with the approval of Council."* As the wall is on the western boundary of the residential lot, this guideline would be satisfied. Additional afternoon overshadowing will, however, result.

The proposed development will have an adverse visual impact on the neighbouring residential property. As a guide, if the proposed wall were for a residential development, the 7.75 metre high section would have required a 2.3 metre boundary setback. The 7 metre high section would have required a 2 metre boundary setback. No specific setback restrictions apply to commercial development, however the adverse visual amenity will be offset by increased amenity as noise emissions from the dock are substantially reduced.

The potential for a reduction in the length of the acoustic barrier wall parallel to the Musulin's property boundary has been discussed with the Architect.

The following technical issues are relevant to Mr and Mrs Musulin's proposed amendment. (Refer attachment)

The southern limit of the 5.2 metre high wall which is to be set back 2 metres from the property boundary is fixed by the extent of manoeuvring area required by large service vehicles reversing into the loading docks. The height of the acoustic barrier is fixed by the 4.5 metre truck clearance required.

The removal of the existing brick wall adjacent to the compactor will improve the existing large service vehicle manoeuvring alignment. This may or may not allow the length of the acoustic barrier wall to be reduced, with a corresponding reduction of the visual impact on the Musulin's property.

Beyond the 5.2 metre high acoustic barrier enclosing the loading dock and compactor is a 4.5 metre high acoustic barrier designed to attenuate any noise transmitted through a roller door placed in the southern section. The length of this wall could be reduced, however, the applicant is reluctant to reduce the length or height of this section of wall as this may allow some noise emissions. Control of noise emissions is the reason for the acoustic barrier structure and the Shopping Centre owners wish to adopt a conservative approach to noise attenuation due to the ongoing complaints by the Musulins.

The issues to be resolved are:

Firstly, achieving a reasonable balance between the visual amenity impact caused by building a very high acoustic barrier in close proximity to a residential property boundary, and the positive amenity due to reduced noise nuisance which will result from its construction.

Secondly, the effective functioning of the loading dock cannot be compromised. The Architect advises (see attachment) that all of the area within the acoustic barrier enclosure is required for service vehicle manoeuvring and that there is no further scope for design compromise from the Shopping Centre's point of view. Council does not have the in-house expertise to either confirm or dispute this point of view. Any reduction in the length of the acoustic barrier wall is, however, likely to be minor given the length of the service vehicles requiring access to the loading dock.

In view of the above, the Officer Recommendation remains approval to the plan in the configuration as submitted, but with

the addition of a Special Condition to reduce the wall's visual impact.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

14.11 (OCM1_5_1999) - PROPOSED FACTORY AND OFFICE FOR CURING OF SKINS AND HIDES - LOT 20 COCKBURN ROAD, HAMILTON HILL - MILLS AND HASSALL (SMH) (2200603)

RECOMMENDATION

That Council :

- (1) approve the application to establish a Curing of Skins and Hides premises on Lot 20 Cockburn Road, Hamilton Hill subject to:-

1. Standard Conditions

Standard Conditions contained in Council's Policy PD17 as determined appropriate to this application by the delegated officer under clause 7.6 of Council's District Zoning Scheme No. 2.

2. Special Conditions

Conditions to be complied with prior to applying for a Building Licence

1. A Building Licence must be issued before any work commences on the site.
2. Submission of mechanical engineering design drawings and specifications, together with certification by the design engineer that satisfy the requirements of the Australian Standard 3666 of 1989 for Air Handling and Water Systems, is to be submitted in conjunction with the Building Licence application.

3. An Offensive Trades application being approved prior to applying for a Building Licence.
4. Prior to the commencement of any on site works and applying for a building licence the applicant must submit stormwater drainage details to the Council's satisfaction.

Conditions to be completed prior to Occupation

5. Until the Council has issued a Certificate of Classification under Regulation 20 of the Building Regulations 1989, there shall be no approval to use the building for the purposes of the development herein conditionally approved and the land shall not be used for any such purpose.
6. An approved effluent disposal system to the satisfaction of the Council and / or the Health Department of Western Australia must be installed prior to the occupation of any building the subject of this approval.
7. The landscaping must be completed in accordance with an approved detailed landscape plan, prior to the occupation of any building.
8. Landscaping to be undertaken to the satisfaction of the Council in the street verge adjacent to the Lot(s) must be established prior to the occupation of the building, and maintained to the Council's satisfaction.

Special Conditions

1. The planting and maintenance of a minimum of fifteen (15) trees.
 2. All potential odours generated by the processes used in the factory for curing skins and hides are to be confined within the buildings on the lot.
- (2) advise the applicant about the Coogee Master Plan Review in the advice letter and footnote to the approval;
- (3) issue an MRS Form 2 Notice of Approval valid for a period of 2 years;

(4) advise the Ministry for Planning of the Council's decision.

COUNCIL DECISION

Background

ZONING:	MRS:	Industry
	DZS:	Special Industry 'A'
LAND USE:	Vacant	
LOT SIZE:	16011m ²	
AREA:	N/A	
USE CLASS:	"P"	

At the Council meeting held on the 20th April 1999, it resolved to:-

- (1) *defer the application for a Curing of Skins and Hides premises on Lot 20 Cockburn Road, Hamilton Hill on the basis that the property is located within the Coogee Master Plan area which is currently the subject of a comprehensive review being undertaken by the Ministry for Planning;*
- (2) *seek the urgent advice of the Ministry for Planning on the approach to be taken in relation to the processing of this application and any other applications received in the Coogee Master Plan Area while the review is being undertaken;*
- (3) *advise the applicant of the Council's decision;*
- (4) *invite them to meet with the Director of Planning and Development to discuss alternative approaches in relation to the establishment of the Curing of Skins and Hides Business."*

On Thursday 22nd April 1999, the Director of Planning and Development, the Senior Planning Officer and representatives of ITAL PEL Mr Joe Princi and others, met to discuss the proposal and the reasons for deferring the application.

In January 1999, Consultants ERM Mitchell McCotter were appointed by the Ministry for Planning to undertake a review of the Coogee Development Agreement, which was established between the State Government and the City of Cockburn in 1988.

The review was deemed necessary by the Ministry and the Council because of changes that have taken place over the past 11 years that have caused the original plan, the basis of the Agreement, to be questioned.

The study by the consultants has only just commenced.

The study is being overseen by the Coogee Implementation Committee which has representatives from the Ministry, DOCAT, Landcorp, DEP, Cities of Cockburn and Fremantle and the study consultants.

On 18 February 1999, the Council received an application from Mills and Hassall to erect a large premises on behalf of the owners Princi and Stellitano (ITAL PEL International Pty Ltd) to conduct a Skins and Hides Curing business.

The proposal will cost about \$1 million to construct and employ between 15 to 20 people.

The use is permitted 'P' in the Special Industrial zone.

ITAL PEL has been operating at the rear of Lot 22 Cockburn Road as a tenant to Carbon and Sellwood Pty Ltd.

The owner has now sold to a competitor of ITAL PEL and the new owners are understood to have asked them to relocate within the next 2 months.

ITAL PEL purchased Lot 20 Cockburn Road, just north of their existing rented premises in 1992, with a view to relocating there in the future.

An application has now been received for the development of Lot 20, the subject of this report.

Submission

On Thursday 22 April the meeting with the owners of ITAL PEL indicated that they were keen to proceed with their development as proposed. However, they were prepared to allow staff to investigate the opportunity for an alternative site for their business. It was agreed that this be done within 2 weeks.

A letter was written to Landcorp asking if they had another site for ITAL PEL, which met the company's requirements.

On Monday 3 May, Mr Steve Winke spoke to the Director of Planning and Development by phone advising that Landcorp had another 1 ha site that could be suitable except for the specialised sewer connection. Landcorp was not interested in a land exchange because the ITAL PEL site was severely affected by a SECWA easement. Mr Princi of ITAL PEL had met with Mr Winke and advised that he was not prepared to spend any money on another lot.

Mr Winke is to write and confirm the Landcorp position.

In the meantime, Mr Princi is keen to proceed with his development.

Mr Princi was advised that if his project did proceed as planned, then it would be a condition that all odours are to be contained within the buildings. Mr Princi accepted this and advised that odours would only occur if the wet skins had decayed, and that this was detrimental to his business.

Lot 20 already has an EPA licence for the proposed business.

Report

Once the application was received it was forwarded to MFP for assessment because it abuts a regional reserve.

MFP in a letter dated 1 April 1999, advised as follows:-

"I refer to your letter to Tim Hillyard dated 19 March 1999, concerning the proposed development application for Lot 20 Cockburn Road Hamilton. Tim has asked me to reply on his behalf due to my involvement with the land use review in North Coogee. Steve Hiller is also a member of the group overseeing this review.

You will be aware that the site lies within an area of North Coogee which is subject to the Coogee Master Plan 1993. The Coogee Master Plan Implementation Committee has questioned the need for industrial uses in North Coogee, and the Minister has agreed to a Land Use Review to be undertaken to evaluate the potential land use requirements in the area. This study is currently underway and is being coordinated by Max Poole at the Ministry and undertaken by Mitchell McCotter. At this stage it is apparent that residential use of this area may be favoured.

The proposed use in this application, if approved, could seriously impact on the outcome of the study. It lies within an important location adjoining a key east-west dual use pathway

for residents of Spearwood and Hamilton Hill to get to the beach, and the picnic area immediately north of the South Fremantle Power Station.

It also adjoins the main approach into the Power Station which is Heritage listed and which the Minister wishes to see re-used for a major public or private facility for the benefit of the wider area. A facility of this nature at such a key location may seriously detract from the prospect of achieving such a use for the power station.

I would appreciate it if you could reflect these concerns in dealing with the current application."

These concerns should be conveyed to the applicant.

At a meeting of the Coogee Implementation Committee held on Monday 12 April, the application by ITAL PEL was raised and it was generally agreed that:-

1. The application should be deferred while the study is being undertaken;
2. The WAPC be requested to adopt a Clause 32 call-in for all development within the study area for its consideration and approval. This will probably be considered by the Commission at its meeting to be held on 20 April; and
3. All affected landowners within the study area be advised of the study as soon as possible. The MFP will undertake this task.

Given that Lot 20 is almost in the middle of the study area, immediately east of the Western Power switch yard, the development of the site for a Skins and Hides Curing business could jeopardise the opportunities for alternative land uses in Coogee, particularly residential.

Therefore, in the interests of the study and land use planning for the future it would be prudent to defer this application until the study is further advanced.

Although this is considered to be the most appropriate decision from a planning viewpoint, it impacts on the applicant in that:-

1. Up until now the owner has not been aware of the commencement of the study, and the staff advising the applicant was of the understanding that the review

applied only to the Bradken, Westrail and Wesfarmers site north of Rollinson Road.

2. The applicant must re-establish the business as soon as possible, given the termination of the current lease on Lot 22.
3. The land use is permitted (P) in this Special Industry 'A' zone.
4. It is not certain when a final decision will be made about the future of the land, given the likelihood of community involvement in the study, government decisions and possible re-zoning.

In the circumstances it is recommended that approval be issued, subject to all odours being contained within the buildings on the lot.

Should residential development occur on land nearby, it should not be affected by the operation of the skin and hide curing business.

Also, in the meantime there has been no response from the Ministry for Planning as to how these applications should be handled during the course of the study.

Moreover, based on the advice of the owner, the Ministry still has not advised landowners about the study.

Landcorp, which is represented on the North Coogee Review Steering Committee, is continuing to promote the sale of land in the Robb Jetty Industrial Estate, and it is understood they also are not advising potential purchasers about the study. This matter has been brought to the attention of the Ministry.

Strategic Plan/Policy Implications

The Council's recently adopted Ultimate Strategic District Plan, shows the North Coogee area as Urban. This is also reflected in the Council's draft TPS No. 3.

The Council supports the review of the Coogee Master Plan.

Budget/Financial Implications

The Council has contributed \$10,000 to the Coogee Master Plan Review.

Implications of Section 3.18(3) Local Government Act, 1995

Nil

14.12 (OCM1_5_1999) - JANDAKOT AIRPORT - DRAFT ENVIRONMENTAL STRATEGY AND MASTER PLAN (1211) (SR/ AJB/ DW/ JH) (ATTACH)

RECOMMENDATION

That Council resolve to:

(1) forward a submission to Jandakot Airport Holdings and the Department of Transport and Regional Development on the basis of the Officers Report and comprising the following Recommendations:

1. Draft Environmental Strategy

1.1 That consideration be given to the incorporation of Areas 2A and 2C into the Jandakot Botanic Park, for management by the Department of Conservation and Land Management.

1.2 That connection to sewer be a pre-requisite for any significant expansion of Aviation or Non-Aviation development on the airport.

1.3 A more detailed assessment of the conservation value of the site be provided as part of any proposals for major developments on the site.

1.4 Existing groundwater contamination from the BP facility be remediated immediately.

1.5 All contamination from underground fuel storage tanks be remediated and underground tanks be replaced by bunded above ground tanks as a matter of priority.

2. Draft Master Plan

2.1 The construction of the fourth runway is opposed due to:

- the increased capacity for aircraft movements;
- the consequent increased noise impacts upon the City's residents; and
- the negative impact on the conservation values of Area 2A.

- 2.2 That the 'Do Nothing' option, being the use of a satellite touch and go airstrip is strongly supported. This is a fundamental requirement to ensure the future environmental acceptability of the airport and it is further recommended that commitments be made by the State and Federal Governments to investigate this option prior to any final approval of the Master Plan.
- 2.3 That a restriction on the maximum number of flights, particularly circuit training, permitted before 7 am and after 9 pm be imposed to reduce noise impacts on the City's residents.
- 2.4 That Beech 58 and similar higher noise generating aircraft be progressively phased out from use in training circuits.
- 2.5 That a restriction on the maximum number of aircraft movements per annum be imposed, namely 360,000. This is in order to provide a level of certainty for the Airport Lessee and the surrounding community in regard to the airport's future capacity and associated noise impacts.
- 2.6 That terminology for zones and land use activities within the development precinct be consistent with City of Cockburn District Planning Scheme No. 2.
- 2.7 That uses permitted within agreed zones be in accordance with City of Cockburn District Zoning Scheme No. 2.
- 2.8 That any retail activity within the development precinct be considered on the basis of serving the airport precinct and this is most suitably located in close proximity to the residential colleges.
- 2.9 That the airport Master Plan require the preparation and adoption of a detailed structure plan for the development precinct by JAH in close consultation with the City of Cockburn.
- 2.10 That a traffic management plan be prepared as part of the Structure Plan and such works required to minimise or ameliorate adverse impacts be undertaken by JAH.
- 2.11 That the proposed future road connection to Ranford Road is supported.

- 2.12 That the Airport Master Plan include a Protocol that provides for Council's input into the preparation and processing of Structure Plans, the processing of subdivision and development applications and construction standards for infrastructure.
- (2) forward a copy of the Council's submission to the Ministry for Planning and Department of Transport for information.

COUNCIL DECISION

That Council:

Background

On 1 July 1998 the Federal Government sold a 50 year lease of Jandakot Airport with an option for a further 49 year lease extension. The Lessee, Jandakot Airport Holdings is required to prepare a draft Master Plan and a draft Environmental Strategy. These reports are required to be advertised for a 90 day period for receipt and consideration of public comments by the Airport Lessee. The Master Plan is then to be submitted to the Federal Minister for Transport and Regional Services for approval and will remain in force for a period of 5 years.

The Executive Summaries of the Draft Environmental Strategy and the Draft Master Plan are included as attachments to the Agenda. This supplements the briefing provided to Council by the Jandakot Airport Holdings' Consultants, Sinclair Knight Merz on 20 April 1999.

Prior to the Federal Government's decision to lease the airport, Council adopted a Land Use Plan in 1997 in order to advise prospective lessees of Council's preferred allocation of land use within the boundaries of the airport. This plan is attached to the Agenda.

Submission

1. DRAFT ENVIRONMENTAL STRATEGY

The Strategy comprises a description of the existing natural environment of the Airport. It notes the significance of the banksia woodland which covers approximately 400 hectares and is on the Interim List of

the Register of the National Estate. Significant wetlands are identified.

The Strategy classifies the site according to the conservation value of particular areas using a 1 - 3 rating.

The report states that 200 hectares of the 622 hectare site will be set aside for conservation, with the majority of the high conservation value (Level 1) banksia woodland being protected. No areas of Level 1 significance will be cleared for non-aviation facilities. 272 hectares of the site is set aside for aviation facilities, with 148 hectares to be developed for non-aviation use.

The Strategy includes an audit of the environmental impacts of current airport activities and includes a series of recommended actions to address and monitor soil and groundwater contamination, drainage and waste disposal.

The Strategy notes that a series of more detailed Environmental Management Plans will be prepared for each of the development precincts within one year of the approval of the Strategy.

2. DRAFT MASTER PLAN

The Draft Master Plan includes the following components:

- regulatory and planning context
- description of the existing airport site and facilities
- air traffic growth forecast and assumptions
- description of preferred land use plan, including options for the fourth runway
- description of airport operational requirements and facilities including support facilities, road access and service infrastructure
- description of land use proposals, ie conservation areas, aviation-related development and non-aviation (commercial / light industrial) development
- description of and comparison of existing (1997) and Ultimate Capacity noise impact areas.

Report

1. DRAFT ENVIRONMENTAL STRATEGY

1.1 Conservation Issues

The proposed development and expansion of airport activities will impact on the conservation values of the bushland and wetlands on the site which are included in Bushplan and the Interim Register of the National Estate. The key issue is getting a reasonable balance between the protection of these values and appropriate development of the site.

The level of detail provided in the documents does not allow a proper analysis of the impacts of development / expansion proposals on the conservation values. Much more detail is required in order to undertake a full assessment of the impacts and acceptability of the proposals.

The proposals do however represent a step forward in comparison to the previous proposals and are closer to Council's preferred option. The proposed fourth runway development is of concern however as it will result in the loss of a considerable portion of higher quality bushland in Area 2A.

Additionally, it will substantially reduce the values of the remaining 2A bushland by reducing the overall size of the "block" and create a more linear shape which is difficult to manage. The expansion of the airport based activities into Area 2A provide similar concerns.

It is therefore recommended that the City seek a more detailed assessment of the proposed development on the conservation values of the site both in a local and regional context. Secondly, it is recommended that the City oppose the development of the fourth runway on the basis of its impact on the conservation values of Area 2A and instead focus on the development of a nearby "touch and go" site.

Thirdly, the extent of the airport related extensions in Area 2B should be questioned. Finally, it is recommended that consideration be given to incorporating Areas 2A and 2C into the bushland in the adjacent Beeliar Regional Park site on Fraser Road to create a "super block" of bushland which could be fenced and managed separately to the airport.

1.2 Sewer

It is considered imperative that the site be sewered if the proposed expansion / development is to occur. While the

problems with distance to mains is appreciated, it is not acceptable that development on the scale proposed occurs without sewer, particularly given the local groundwater issues. A local sewer treatment / package plant could be a solution, however it is recommended that the City strongly recommend sewer as a pre-requisite for development.

1.3 *Draft Environmental Strategy*

The EMS generally covers the main issues / aspects but is very superficial in terms of detail. It appears that much of the detail is to follow in the preparation of further Management Plans and an Environmental Management System (EMS). It is important that the City has a role in reviewing and making comment on the acceptability of these further plans and that the airport operators are committed to their implementation.

1.4 *Fuel Storage and Contamination*

It is strongly recommended that the existing groundwater contamination from the BP facility be remediated immediately. Additionally, it is recommended that plans for the improvement of other storage facilities - in particular underground storage tanks be brought forward.

2. *LAND USE PROPOSALS*

The airport Master Plan identifies the following potential development precincts in the North West Quadrant:

Aviation Related activities including hangars, flying training schools, dormitories and lettable sites.

Commercial property development including:

- Zone 3a Commercial / Recreation for commercial vehicle parking, storage warehouse facilities, light industry and sporting activities.
- Zone 3b Business Park for high technology, research, offices and showroom.
- Zone 3c Light and Service Industry for light manufacturing, office / warehouse, recreational and commercial centre activity.

The report also notes that commercial / retail activities should be centred near the main airport entrance and future train station (Zone 3b).

The general allocation of land use activities is supported. However, it is considered that any retail activity within the development precinct would only serve the local catchment and would be more appropriately located centrally and in closer proximity to the flying training schools and dormitories.

It is also relevant to note that there is no significant relationship between a railway station and a local retail facility which justifies siting this facility near the airport entrance.

The designation of the development precinct as Commercial is not appropriate. Generally a Commercial designation is confined to shops, service stations and other higher order uses. The description of land use activities for each of the 3 zones are more appropriately defined as mixed business and light /service industry.

For clarity and ease of interpretation it is recommended that the nomenclature for zones and uses be consistent with those used in City of Cockburn District Zoning Scheme No. 2.

The Master Plan provides details of the Airport internal road system and access plan (figure 8.2). No detail is provided on how the 3 development zones are to be structured and developed. It is recommended that the Master Plan make reference to the need for the preparation and adoption of detailed structure plans for each area to co-ordinate and guide future subdivision and development.

The structure plan should be prepared in consultation with the City of Cockburn and should address matters such as land use proposals, indicative road layout, drainage, open space etc. A traffic management plan should be prepared as part of the structure plan.

It is understood that land within the development area could be freeholded and subdivided. If this were to occur agreement would need to be reached with the City of Cockburn to take over roads, drainage, open space and other appropriate reserves.

All infrastructure in this area would need to be constructed to Council's specifications and it is recommended that any further development in this area

be to standards agreed between Council and JAH and that JAH engineers certify that infrastructure has been constructed accordingly.

Development on the airport is not subject to normal State Government or local government subdivision or development processes. However there is a need for Council to be closely involved and consulted on the development of the North West Quadrant.

There is a need to establish a protocol between JAH and Council to cover matters including the preparation and adoption of a structure plan for the precinct, development standards, zones and permitted uses and standards for roads, drainage etc, particularly if the area is to be freeholded in the future.

This has been discussed with JAH and there is agreement to further identify items that could be included and possible procedures.

Items important to Council are as follows:

- The use of terms, definitions, zones and development standards that are consistent with City of Cockburn District Zoning Scheme No. 2.
- Adoption of a Structure Plan by JAH in consultation with Council which shows adequate detail to guide subdivision and development of the area.
- Referral of subdivision and development applications to Council for its information and comment.
- Procedures for certification that infrastructure including roads and drainage have been constructed to Council specifications.

3. *TRANSPORT ISSUES*

As previously noted there is a need for a traffic management plan to be prepared as part of the structure plan to ensure that the external and internal road systems are adequate to serve the proposed level of development.

Plans for Zone 3B adjacent to the proposed railway station should be designed to maximise the potential benefits of a possible future station adjacent to this area.

The proposed future road link to Ranford Road is supported to minimise any potential impact on Jandakot Road.

4. **AIRCRAFT NOISE**

Noise from aircraft using Jandakot Airport has a significant impact on the environment of the surrounding area.

These impacts are greatest within the circuit training areas and under the outward bound flight paths and are related to the following factors:

- level of noise emitted by the aircraft
- flight settings of the aircraft (eg rate of climb, power etc)
- aircraft altitude
- frequency of overflight
- predictability of overflight

Whilst it is recognised that the ANEF contours are likely to shrink, many of the airports neighbours will continue to be severely affected by aircraft noise. Any change to airport operations that increases the number of movements at Jandakot Airport will result in an increased noise impact on nearby residents.

4.1 **Fourth Runway**

The proposal to provide for a fourth runway is a significant planning issue which will increase the noise impact resulting from the airport's operations.

As documented at page 56 of the Master Plan the runway capacity on 06/24 with parallel runway is approximately 1.6 times higher than on days where only the single runway at 12/30 only is operating. From these figures it can be expected that the provision of the fourth runway will result in an additional 568 movements on those days where runway 12/30 is the only runway operating.

The Draft Preliminary Master Plan states "*On an annual basis the noise impacts should be relatively slight. However for affected residents the noise impacts associated with the use of the 12/30 direction runways will be **intense**, at **infrequent intervals** and of relatively short duration.*" The intensity of the noise coupled with the infrequent intervals between flights and increased

volume of movement will result in higher impacts on residents affected by these flights. By far the majority of movements on 12/30 will occur during the summer months.

For these reasons the construction of the fourth runway is opposed.

4.2 *Alternative Options*

The City of Cockburn should strongly favour the 'do nothing' option. This option which it is hoped would result in the use of a touch and go runway within 30 nautical miles of Jandakot Airport, would contribute to a significant reduction in aircraft noise impacts overall. This would be of significant benefit to the community surrounding the airport.

4.3 *ANEI and Ultimate Capacity ANEF*

While it is recognised that the airport owners are obliged to produce an ultimate capacity ANEF, the validity of the ANEF system as a means of determining the ultimate noise impact of the airport on neighbouring land and as a land use planning for nearby local governments is questionable.

The ANEF system is of limited applicability to general aviation airports for the following reasons:

1. It does not provide the complete picture as it doesn't adequately consider frequency and occasional intensity.
2. It predicts community reaction not individual reaction. It does not provide sufficient information for individuals to determine how **they** might be affected.
3. It predicts reaction to average noise exposure not diurnal, seasonal or other variations in aircraft distribution.
4. It only classifies persons as seriously or moderately affected. There is no classification for "chronically" or "critically" affected.
5. It does not adequately deal with the frequency of noise events as it is based on the equal energy concept.

4.4 ERM Mitchell McCotter Study

The "Jandakot Airport Noise and Social Survey" prepared for the Federal Airports Corporation and published in December 1997 concludes that:

- (a) The reaction to aircraft noise around Jandakot was approximately 7 ANEF units higher than predicted,
- (b) The actual noise levels are approximately 3 ANEF units higher than predicted, and
- (c) The community reaction was approximately 4 ANEF units higher than expected.

This implies that a non-adjusted ultimate capacity ANEF for Jandakot Airport is not an appropriate tool for predicting aircraft noise impacts on the surrounding area. It does not accurately predict actual noise levels or social impact and therefore has only limited applicability as a land use planning tool or predictor of environmental impact in this case.

The ERM Mitchell McCotter Study concluded that, due to this 7 ANEF Unit difference *"The results suggest that the 15 ANEF contour should be considered as the threshold for residential land use around Jandakot Airport, in lieu of the 20 ANEF contour, as recommended in the Australian Standard AS 2021-1994- Acoustics - Aircraft Noise Intrusion - Building Siting and Construction."* A plan showing the extent of residential areas within the 1996 ANEI 15 contour is included as an attachment.

4.5 Options to Reduce Aircraft Noise

The ERM Mitchell McCotter Study considered 5 options for reducing the impact of aircraft noise on the surrounding residential community; namely:

- 1. restrictions on the hours of operation;
- 2. restrictions on the type of planes operating in the training circuits;
- 3. increasing the height of the training circuits;
- 4. reduction in aircraft numbers;
- 5. dispersion of flight tracks.

Some of these noise management options will be further assessed by the Jandakot Airport Flight Paths and Training Circuit Review currently being conducted by consultants for the State Department of Transport.

Options 1, 2 and 4 are largely within the control of the Airport Lessee and it is therefore recommended that they also be specifically addressed by the Lessee via the draft Master Plan process.

In this regard, it is recommended that Council recommend the following operational restrictions be applied to the airport.

1. Hours of Operation

A restriction on the maximum number of flights, particularly circuit training, permitted before 7 am and after 9 pm should be imposed.

2. Restrictions on the type of planes operating in the training circuits

Recommend that Beech 58 and similar higher noise generating aircraft be progressively phased out from use in training circuits.

3. Reduction in Aircraft Numbers

Recommend that aircraft numbers be capped at 360,000 movements, being the estimated number of movements forecast for the year 2008. This is also consistent with a reasonable planning and construction timeframe for a remote touch and go airstrip to be established. Establishment of a remote touch and go airstrip to accommodate circuit training flights should be the Council's principal recommendation to reduce aircraft noise impacts on the community. Currently circuit training accounts for about 60% of all aircraft movements at Jandakot.

The 2019 forecast of 472,000 movements is considered an unacceptably high level.

This is based on the community's adverse reaction to the previous high levels of over 400,000 movements experienced in recent years.

It is also noted that the 1994/95 aircraft movements per annum at comparable general aviation airports was as follows:

Archerfield (Brisbane)	230,000
Bankstown (Sydney)	385,000
Moorabbin (Melbourne)	350,000
Parafield (Adelaide)	275,000

(Ref: F.A.C. 10.12.95)

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

15. FINANCE AND CORPORATE SERVICES DIVISION ISSUES

15.1 (OCM1_5_1999) - REMUNERATION OF COMMISSIONERS - BUDGET AMENDMENT (1335; 1705) (ATC)

RECOMMENDATION

That the 1998/99 Municipal Budget be amended as follows:

- (1) Account No.110252 - Mayoral allowance from \$21,500 to \$17,500;
- (2) Account No.110250 - Meeting allowance from \$75,000 to \$58,000;
- (3) Account No.110290 - Conferences from \$40,000 to \$30,000;
- (4) New Account - Commissioners Remuneration - \$28,600; and
- (5) New Account - Commissioners Expenses - \$2,400.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

Background

The Minister for Local Government has determined that Commissioners are to receive remuneration and allowances from Council funds.

Submission

N/A

Report

The Minister for Local Government has determined that the Commissioners are to be paid the following remuneration and allowances from Council funds:

- Mr. Donaldson (Chairperson), \$4,500 per calendar month plus expenses of office.
- Ms. Smithson and Mr. Jorgensen, \$3,250 per calendar month each, plus expenses of office.

It is proposed that Council's Budget be amended to provide for these payments, with funds being reallocated from Councillors' Meeting Allowances, Mayoral Allowance, and Conference accounts.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

Overall budget will not be affected but individual allocations will change as per recommendation.

Implications of Section 3.18(3) Local Government Act, 1995

Nil

15.2 (OCM1_5_1999) - REIMBURSEMENT OF ELECTION EXPENSES (1700) (ATC)

RECOMMENDATION

That candidates for the May 1999 election of Council, be reimbursed expenses incurred in respect of the election, subject to production of receipts/documentary evidence for the amount claimed, with funds for a reimbursement being drawn from Account No.110460 - Election Expenses.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

Background

The May 1999 election of Councillors was cancelled by the Minister for Local Government.

Submission

N/A

Report

Candidates for the May 1999 Election of Council, incurred expenses in respect of the Election prior to cancellation by the Minister for Local Government.

The Minister for Local Government has stated that expenses incurred by candidates will be reimbursed. It is proposed that the cost of reimbursement be drawn from Account No.110460 - Election Expenses, with claims being paid, subject to production of receipts/ documentary evidence.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

Funds are available in Account No.110460 - Election Expenses of \$37,000.

Implications of Section 3.18(3) Local Government Act, 1995

Nil

16. ENGINEERING AND WORKS DIVISION ISSUES

Nil

17. COMMUNITY SERVICES DIVISION ISSUES**17.1 (OCM1_5_1999) - USE OF RESERVES (4802) (RA)
(ATTACH)****RECOMMENDATION**

That Council delegate authority to the Chief Executive Officer to approve the use of reserves by organisations or individuals holding not-for-profit events with a minimum bond of \$100 being payable, as per the instrument of delegation attached to the Agenda.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION**Background**

Frequently, organisations and individuals approach Council requesting use of a reserve for a specific purpose, for example, a staff Christmas party or individual's birthday party. Whilst individuals and groups are free to use reserves (other than active reserves that are booked), there is an interest for Council to know of larger events where structures such as marquees are to be put up. There is a further requirement for approval for the consumption of liquor on venues which is delegated to the Chief Executive Officer. There is no policy or delegation in respect to the authorised use of reserves by groups or individuals holding special events.

Under the vesting which Council controls reserves, the use of reserves by groups or individuals cannot result in the reserve not being accessible by members of the general public

Submission

N/A

Report

When approached by an organisation or individual to hold an extraordinary event on a reserve, there are a number of options currently available to administration. In general terms, these include advising that no approval is required unless liquor is to be consumed; handling the matter administratively without a Council policy; or putting the matter to Council for consideration.

It is argued that a policy which delegates authority to approve such proposals, has the following advantages:

- provides an opportunity for Council to ensure there is sufficient infrastructure such as toilets and bins available;
- provides an opportunity to ensure that a responsible party is identified in cases of anti-social behaviour and/or damage and littering;
- provides an opportunity to ensure appropriate access to the reserve, reticulation is not damaged and off at the appropriate time and location of the event minimises impact on other users and the like;
- provides an opportunity for a bond to be paid to cover damage and clean up costs;

Given the varied and diverse nature of the events that can be held on reserves, it is proposed that a minimum bond of \$100 be set with the scope for the delegated officer to raise the amount as deemed appropriate.

It is expected that this delegated authority only apply to not for profit events of a significant size to require additional resources from Council. Where the event is for profit or an event is of such a size or nature that it is deemed by the delegated officer to require consideration by Council, the matter will be put to Council for its consideration.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

18. EXECUTIVE DIVISION ISSUES**18.1 (OCM1_5_1999) - STATE UNDERGROUND POWER PROGRAM (9118) (RS)****RECOMMENDATION**

That Council :-

- (1) advise the Office of Energy of the results of the survey of property owners in Coolbellup, part of Spearwood and part of North Lake;
- (2) advise the Office of Energy that the Underground Power Program cannot be supported at this stage; and
- (3) include the results of the survey and Council decision in an edition of the Cockburn Soundings.

COUNCIL DECISION**Background**

The State Underground Power Program addresses retrospective installation of electricity distribution systems where overhead systems are now in place. The State Government's long term goal is for 50% of Perth's houses to have underground power by 2010. Together with Western Power the Government has committed \$27.5 million over three years commencing in 1998/99. Funding will be provided through cost sharing grants, with Local Authorities contributing 50% of the costs.

The selection criteria include the size of the projects - 1,000 to 1,250 lots, the age of the area, vulnerability to storm damage,

savings in tree pruning costs and evidence of community willingness to participate in the project.

Council, at its June 98 meeting, resolved to:

- “(1) Consult with residents of the suburbs of North Lake, Coolbellup and Spearwood advising of the proposed underground power program and seeking their views on making a contribution (50%) towards the cost of replacing the existing power line system with underground power in their respective suburbs.*
- (2) Prepare an Application for Funding under the State Underground Power Program to include those suburbs from whom agreement, of at least 75% of the owners of residences, is received.*
- (3) Facilitate the implementation of the Project if approved by the Office of Energy.”*

Submission

N/A

Report

2,057 property owners in Spearwood (north of the rail line) were surveyed and 1,168 responses (56.8%) were received. Of the responses received only 383 (32.8%) were in favour of contributing to the scheme

1,599 property owners in Coolbellup and North Lake (there are only 71 properties in North Lake without underground power) were surveyed and 905 responses (56.6%) were received. Of the responses received 430 (47.5%) were in favour of contributing to the scheme.

The above statistics do not include HomesWest's 740 properties in Coolbellup (32.6%). They have indicated they would contribute to the cost of undergrounding power in the same proportion as private property owners (as part of the suburb redevelopment project). However any recommendation should be based on the responses of private property owners only.

With community support being less than one third in Spearwood and less than one half in Coolbellup/North Lake neither area should be considered for conversion to underground power at this stage.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

19. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

20. CONFIDENTIAL BUSINESS

21. QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION

22. NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING

23. MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE

24. RESOLUTION OF COMPLIANCE (Section 3.18(3), Local Government Act 1995)

(Section 3.18(3), Local Government Act 1995)

Council is satisfied that resolutions carried at this Meeting and applicable to items concerning Council provided services and facilities, are:-

- (a) integrated and co-ordinated, so far as practicable, with any provided by the Commonwealth, the State or any public body;
- (b) not duplicated, to an extent Council considers inappropriate, services or facilities as provided by the Commonwealth, the State or any other body or person, whether public or private; and
- (c) managed efficiently and effectively.

25. CLOSURE OF MEETING