

CITY OF ARMADALE

A G E N D A

OF DEVELOPMENT SERVICES COMMITTEE TO BE HELD IN THE COMMITTEE ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY, 19 FEBRUARY 2008 AT 7:00 PM.

A meal will be served at 6:15 pm

PRESENT:

APOLOGIES:

OBSERVERS:

IN ATTENDANCE:

DISCLAIMER

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

DECLARATION OF MEMBER'S INTERESTS

QUESTION TIME

Minimum time to be provided – 15 minutes (unless not required).

CONFIRMATION OF MINUTES

RESOLVED

Minutes of the Development Services Committee Meeting held on 22 January 2008, to be confirmed.

Moved Cr _____
Carried/Lost ()

DEPUTATION – 7.15PM

Proposed “Spud Shed” retail produce market - Lot 10 (130) Third Avenue, Kelmscott

- ◆ *Mr Ben Doyle, Senior Planner
Planning Solutions
(acting on behalf of Vegie Bandits Pty Ltd the proprietors of Lot 10 Third Ave, K/S)*
- ◆ *Tony Galati (Proponent)*
- ◆ *Sindy Goodhew (Proponent)*

ITEMS REFERRED FROM INFORMATION BULLETIN – ISSUE No.1/2008

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

- **Outstanding Matters & Information Items**
Report on Outstanding Matters - Development Services Committee
- **Health**
Health Services Manager’s Report for the month of November 2007
- **Items for Information**
Implementation of the City of Armadale State of the Environment Report 2005
- **Planning**
Planning Services Manager’s Report for the month of November 2007
Town Planning Scheme No.4 - Amendment Action Table
Planning Applications Monthly Statistics - November 2007
Subdivision Applications - WAPC Approvals/Refusals - November 2007
Subdivision Applications - Report on Lots Registered for 2006/07 & 2007/08
PAW Closure Report - Significant Actions during November 2007
Road Naming Report 2007/08 & consequential action of Council Recommendation
Compliance Officer’s Report for the month of November 2007
- **Building**
Building Services Manager’s Report for the month of November 2007
Building Applications Monthly Statistics for the month of November 2007

ITEMS REFERRED FROM INFORMATION BULLETIN – ISSUE No.2/2008

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

- **Outstanding Matters & Information Items**
Report on Outstanding Matters - Development Services Committee
- **Health**
Health Services Manager’s Report for the month of December 2007
- **Planning**
Planning Services Manager’s Report for the month of December 2007
Town Planning Scheme No.4 - Amendment Action Table
Planning Applications Monthly Statistics - December 2007
Subdivision Applications - WAPC Approvals/Refusals - December 2007
Subdivision Applications - Report on Lots Registered for 2006/07 & 2007/08
PAW Closure Report - Significant Actions during December 2007
Road Naming Report 2007/08 & consequential action of Council Recommendation
Compliance Officer’s Report for the month of December 2007
- **Building**
Building Services Manager’s Report for the month of December 2007
Building Applications Monthly Statistics for the month of December 2007

If any of the items listed above requires clarification or a report for a decision of Council, this item is to be raised for discussion at this juncture.

DEVELOPMENT SERVICES COMMITTEE

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19 FEBRUARY 2008

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**DEVELOPMENT
SERVICES
COMMITTEE**

HEALTH

**** ADOPTION OF LOCAL LAW AMENDMENTS**

WARD : ALL
FILE REF : LE/LL
DATE : 30 January 2008
REF : JE
RESPONSIBLE : HSM
MANAGER

In Brief:-

- Council resolved on 16 July 2007 to advertise proposed amendments to the City's Environment, Animals and Nuisance Local Laws 2002 for public comment.
- Further to advertising, no submissions were received.
- It is recommended that City of Armadale Amendment Local Law 2008 be adopted.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Nil

Legislation Implications

Power to make local laws provided under the Local Government Act 1995.

Council Policy / Local Law Implications

The City of Armadale Health Plan 2003-2008 includes an annual review of local laws within the Health Department's jurisdiction, to ensure they remain consistent and contemporary.

Budget / Financial Implications

Provision has been made in the budget for advertising minor amendments.

Consultation

The proposed amendments have been advertised in the *West Australian* and *Examiner* newspapers and been available for comment on the City's website.

BACKGROUND

Council resolved at its meeting of 16 July 2007 its intent to adopt proposed amendments to the City's Environment, Animals and Nuisance Local Laws 2002, the purpose and effect that was to:

- a) Reflect provisions and maps of Town Planning Scheme No.4;
- b) Correct minor errors;
- c) Enable alternatives to refuse receptacles to be used to manage litter on building and development sites;

- d) Create a prescribed offence for not ensuring all refuse arising from a building or development site is contained and prevented from being blown from the site by wind; and
- e) Increase penalties for not managing refuse on building and development sites from \$250 to \$500.

The draft City of Armadale Amendment Local Law 2008 was subsequently advertised for public comment in the *West Australian* and *Examiner* newspapers, in accordance with Section 3.12 of The Local Government Act 1995, and referred to the Minister for Local Government and Regional Development.

At the advertised closing date, no submissions had been received.

As a result of advice from the Department of Local Government and Regional Development on behalf of the Minister for Local Government and Regional Development, some minor drafting style and format changes were made to the amendment local law after advertising.

COMMENT

The proposed amendments to the local law are minor and will assist in controlling litter on building sites, which has become an issue due to the increased level of development in the City.

OPTIONS

Council may;

- 1. proceed with the amendment local law as proposed; or
- 2. make alterations that are not significantly different from what was first proposed; or
- 3. decide not to proceed with the amendment local law.

Option 1 is recommended.

RECOMMEND

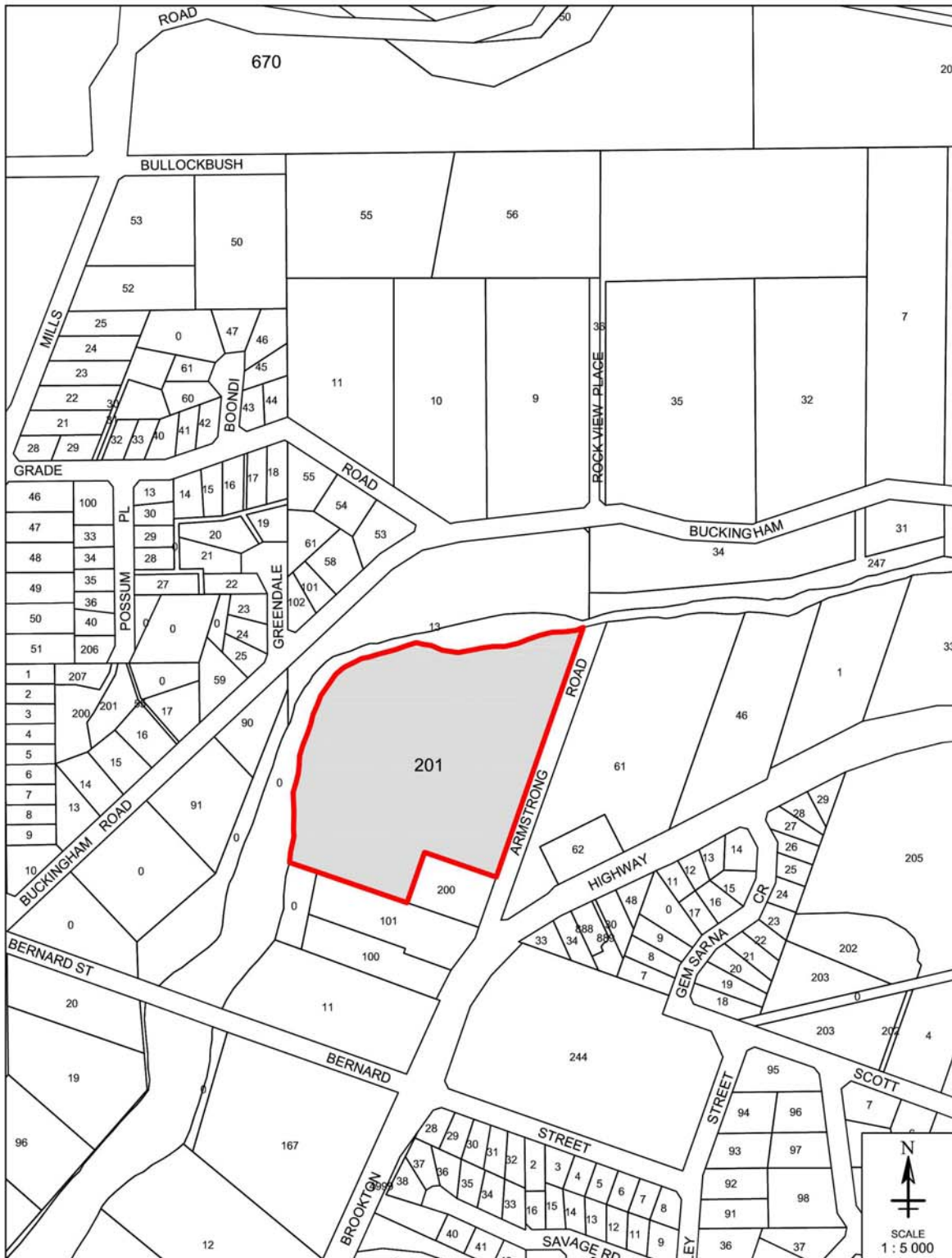
That Council adopt the Environment, Animals and Nuisance Amendment Local Law 2008 (refer to Attachment "A1" of the Agenda, (refer Summary of Attachments - yellow page).

**** ABSOLUTE MAJORITY DECISION REQUIRED**

Moved Cr _____
Carried/Lost ()

**DEVELOPMENT
SERVICES
COMMITTEE**

PLANNING



LOCATION PLAN
LOT 201 ARMSTRONG ROAD, KELMSCOTT

***HEALTH RETREAT / HOLIDAY ACCOMMODATION –
LOT 201 ARMSTRONG ROAD, KELMSCOTT***

WARD : JARRAH

APPLN NO. : 10.2007.360.1

DATE : 8 February 2008

REF : EP

RESPONSIBLE : PSM
MANAGER

APPLICANT : Dykstra Planning

LANDOWNER : Proganics Pty Ltd

SUBJECT LAND : Lot 210 Armstrong Road,
Kelmscott
Property size 5.2ha

ZONING
MRS : Rural
TPS No.4 : Rural Living-2 “RL2”

In Brief:

- This application was considered by Council at its meeting on 17 December 2008 and recommitted to the next Development Services Committee meeting pending further detailed information from the applicant.
- The application proposes to establish a Health Retreat that includes Holiday Accommodation, a restaurant and facilities for wedding functions.
- As the property abuts the Swan River Trust Management Area the application has been referred to the WAPC for determination.
- The application was advertised for public comment and attracted 2 submissions of objections.
- The proposal is considered to be consistent with the intent and objectives of the Rural Living zone.
- Recommend that Council approve the application subject to appropriate conditions.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

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

Legislation Implications

Planning and Development Act 2005
Town Planning Regulations 1967
Metropolitan Region Scheme (MRS)
Town Planning Scheme No.4
Swan River Trust Act 1988
Environmental Protection (noise) Regulation 1997



AERIAL PHOTOGRAPH
LOT 201 ARMSTRONG ROAD, KELMSCOTT

Council Policy / Local Law Implications

Local Planning Strategy 2005

Budget / Financial Implications

Nil.

Consultation

- ◆ Development Control Unit
- ◆ Surrounding Landowners
- ◆ Western Australian Planning Commission

PREAMBLE

Development Services Committee considered this application at its meeting on 11 December 2007. A letter from the applicant was tabled at this meeting requesting “*that the maximum capacity of the building be determined through the Building Code rather than through a condition of planning approval*” to allow for the increase in attendance capacity from the recommended 50 to 100. Consequently the Committee resolved as follows:

“That the proposed application for a Health Retreat including Holiday Accommodation and an incidental function Centre at Lot 201 Armstrong Road, Kelmscott be recommitted to the next meeting of the Development Services Committee pending further detailed information from the applicant” (D141/12/07) .

The Committee’s resolution was adopted by Council at its meeting on 17 December 2007. In response to the City’s request to provide further information regarding traffic and noise management methods, the applicant has now presented more information and accepted a condition to restrict the maximum attendance capacity to 50 guests. Such information has been incorporated within the relevant headings in this report.

BACKGROUND

The City received an application to operate a Health Retreat that also included Holiday Accommodation, a restaurant and a function centre facility in July 2007. As the subject property abuts the Swan River Trust Management Area and is subject to Clause 30A (1) a (ii) of the Metropolitan Region Scheme (MRS), the application was referred to the Western Australian Planning Commission (WAPC) for determination.

As the City’s Health Department has raised concerns regarding the effluent disposal of this large scale development that abuts the Canning River, negotiations were carried out with the applicant and the Swan River Trust to ascertain the possibility of the site being connected to the reticulated sewer system. Consequently, the applicant has agreed to provide reticulated sewer to the development.



SITE PLAN
 LOT 201 ARMSTRONG ROAD, KELMSCOTT

DETAILS OF PROPOSAL

The applicant proposes to establish a Health Retreat, which entails the following:

- ◆ A health retreat with ten (10) one bedroom units within the main building and treatment rooms providing exercise programmes, massage and spa therapy;
- ◆ Seven (7) holiday accommodation units and a managers residence;
- ◆ Existing residence to be converted into a staff meals and change rooms;
- ◆ Meals will be provided to those staying at the facility;
- ◆ Other facilities include a restaurant, swimming pool, tennis court and a small putting green;
- ◆ All buildings will be set back a minimum of 60m from the Canning River;
- ◆ The proposed landscaped gardens and facilities would be used for wedding functions;
- ◆ Maximum of 50 guests to attend functions at any one time;
- ◆ No more than one (1) function to be held per month;
- ◆ Access to the property is provided from Armstrong Road;
- ◆ Parking for patrons using all facilities and services will be provided on site.

The application was accompanied by a report that included discussion of land forms and soils, hydrology, vegetation, fauna and habitats, land capability and effluent disposal.

EXISTING SITUATION

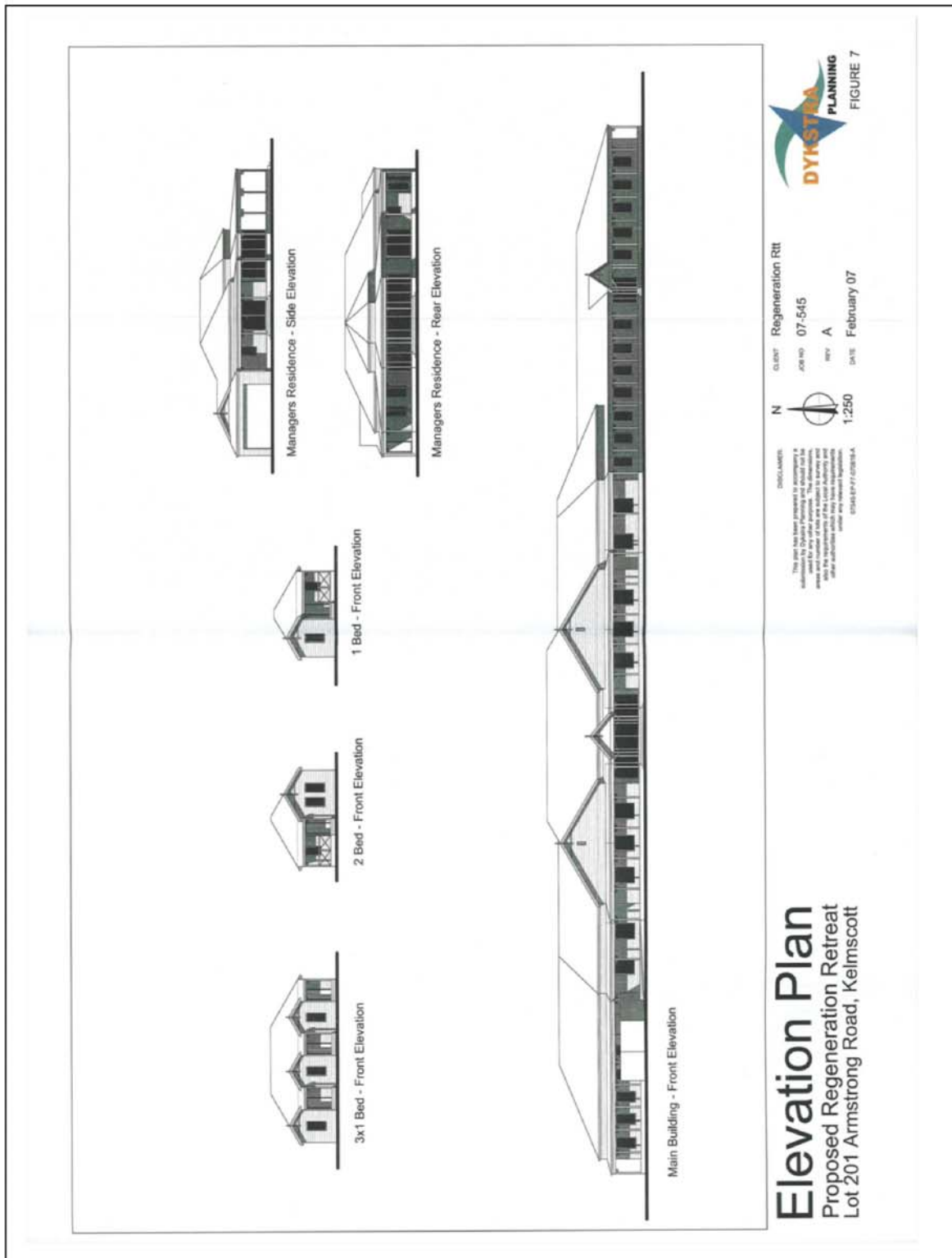
Lot 201 Armstrong Road has a total land area of 5.2476ha and has frontage to Armstrong Road (constructed to a point abutting the existing dwelling). A reservation for Waterways (Canning River) in the MRS forms the northern and western boundaries of the lot.

The subject land contains a single house and several sheds located near to the house towards the southern boundary of the property. The land is fully cleared of native vegetation except for a few mature flooded gums and paperbark trees fringing the Canning River. A macadamia nut orchard occupies approximately 1.5ha of the lot. The applicant advises that whilst the orchard is not a commercial operation, it is popular with local fruit-eating birds and the current owners intend to retain the Macadamia trees, primarily for their landscape value and possibly for a small supplementary income, however it is not currently an income producing asset.

COMMENT

Development Control Unit (DCU)

At its meeting of 22 November 2007, DCU considered the application and supported the development, subject to conditions including the extension and upgrading of Armstrong Road and the site being connected to reticulated sewer.



ELEVATION PLAN
LOT 201 ARMSTRONG ROAD, KELMSCOTT

Public Advertising

The application was advertised for public comment by letters to 12 affected and nearby landowners for 14 days.

Total No. of submissions received	:	2
No. of submissions of conditional support/no objection	:	0
No. of submissions of objection	:	2

Whilst both submissions support the proposal of the Health Retreat, objections are raised on noise, traffic and intrusion on life style by the proposed wedding / function centre and the restaurant. These main issues raised by the submissions are addressed in the report below. ***Refer to the Confidential Attachment “B1” of the Agenda for a Location Plan of respondents.***

City Environmental Officer’s Comments

As the proposed development is well setback from the Canning River with connection to reticulated sewer, no concerns were raised by the City’s Environmental officer.

ANALYSIS

Planning and Swan River Trust Legislation

As the subject property abuts the Swan River Trust Management Area (under the Swan River Trust Act 1988), Clause 30A (1) a (ii) of the Metropolitan Region Scheme (MRS) Act 1963 requirements applies to this development application. Consequently, the application was referred to the Western Australian Planning Commission (WAPC) for determination.

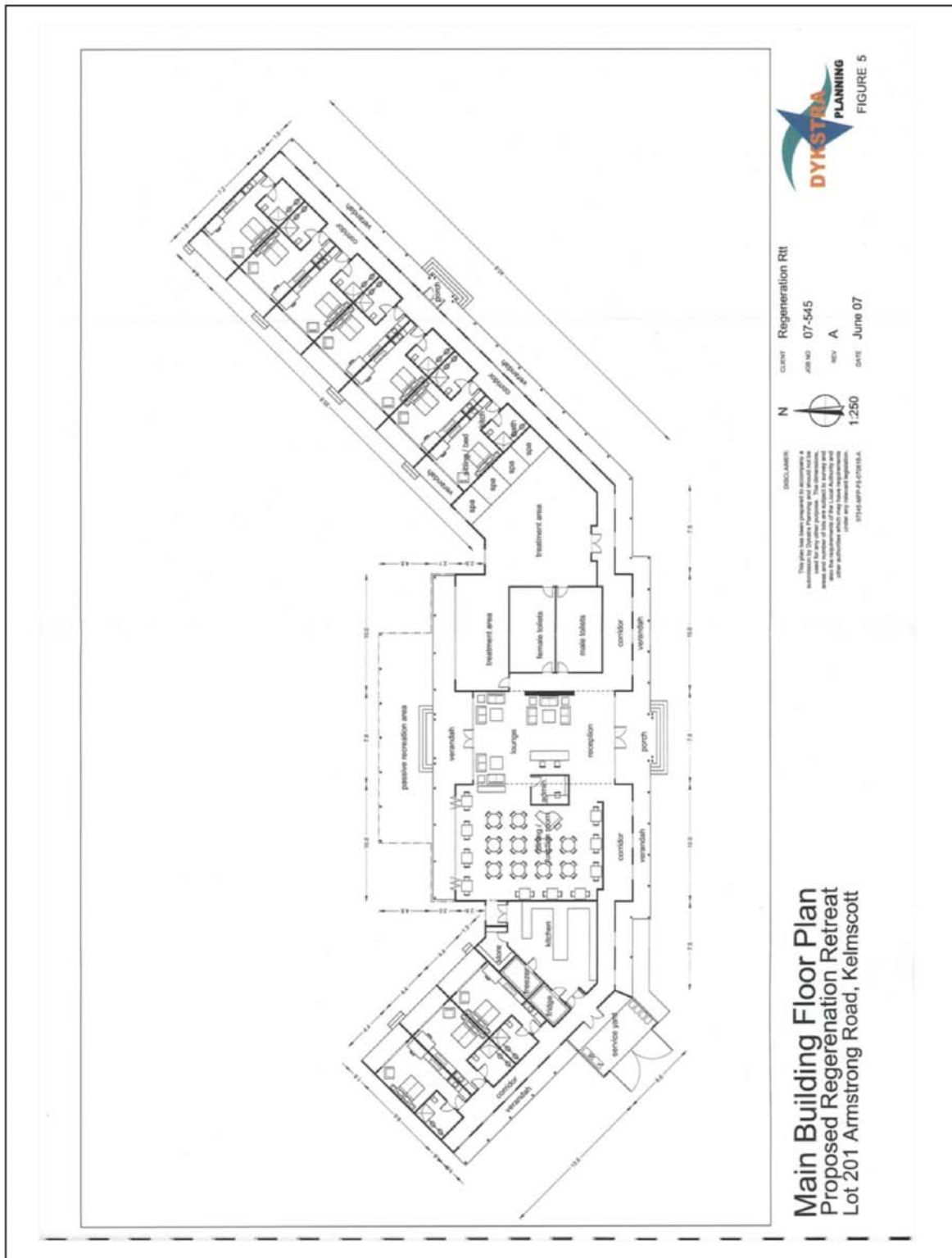
The Swan River Trust has determined the application under Clause 30A of the MRS and issued an approval subject to conditions, including a 30m foreshore reserve being ceded to the Crown free of cost, tennis courts being relocated outside the foreshore reserve, sewerage conditions and various management plans.

Council is also required to determine the application separately under Town Planning Scheme No.4.

Town Planning Scheme No.4 (TPS No.4)

Lot 201 Armstrong Road is zoned “Rural Living 2” under City of Armadale Town Planning Scheme No.4.

A “Health Retreat” is not listed as a specific use within the zoning table of the Scheme and does not have its own specific definition within the Scheme. However, it falls generally within the definition of “Recreation – Private” which means “*premises used for indoor or outdoor leisure, recreation or sport which are not usually open to the public without charge.*” A “*Health Studio*” is listed under the broad heading of “Recreation” within Schedule 11A of TPS No.4 giving further support to the consideration of the proposal as “Recreation – Private”.



FLOOR PLAN
LOT 201 ARMSTRONG ROAD, KELMSCOTT

In addition to the Health Retreat, the proposed development includes a manager’s residence and a number of accommodation units for those using the retreat facilities. This aspect of the proposal fits the definition of “Holiday Accommodation” which means “*accommodation comprising two or more cabins, apartments, chalets, cottages, or flats which, by way of trade or business, or for the purpose of any trade or business, is held out as being available or is made available for holiday purposes for occupation by purposes other than the proprietor.*”

Whilst the primary use of the facility will be as a Health Retreat, it is also proposed to be used for wedding functions occasionally. This use may be considered as a “Reception Centre” which means “*premises used for functions on formal or ceremonial occasions but not for unhosted use for general entertainment purposes.*”

All of the proposed uses may be considered within the Rural Living zone and are classified as “A” uses meaning that they can be approved at Council’s discretion after the City has first given notice of the proposal to land owners deemed to be affected by it.

Clause 4.2.3 of Town Planning Scheme No.4 specifies the objectives of the Rural Living zone as:

- “(a) To provide for a variety of rural living environments based on defined lot sizes, land form and natural environmental characteristics;
- (b) To provide for a range of associated compatible development, consistent with the environmental opportunities and constraints applicable to individual sites;
- (c) To ensure development is sited, designed and managed in harmony with the natural environment and so as to protect the rural landscape and amenity”.

The subject property and adjacent properties abutting the Canning River are zoned Rural Living 2, however nearby land to the north-west and south-east is zoned Residential and is coded R10/25. A small area adjacent to Brookton Highway and approximately 50 metres from the subject land is zoned “Local Centre”. The local centre consists of a beauty salon, hair studio, continental deli / grocery shop and a restaurant.

Car Parking Requirements

In accordance with the TPS No.4, if each use is considered in isolation a total of 63 parking bays are required to service these facilities as follows:

Proposed Use	Required No. of Parking bays under TPS No.4	Proposed No. of Parking bays
Holiday Accommodation	17	
Recreation Private	16	
Reception Centre	22	
Staff	8	
Total	63	52

The applicant states that the guests staying in the accommodation at the health centre will also be using the recreation facilities and that wedding functions will not be held at the same time that clients are attending the retreat. The applicant argues that 52 bays would be sufficient to service the entire facility. Whilst this argument is considered acceptable it is also noted that the property is large enough to provide for any overflow parking.



FLOOR PLAN
 LOT 201 ARMSTRONG ROAD, KELMSCOTT

Local Planning Strategy (LPS)

The subject land falls within the Kelmscott (east) and Mount Nasura (Canning River and Foothills Precinct). The precinct has a varied topography being situated at the junction of the Canning River as it reaches the coastal plain.

Key strategies for this precinct focus on encouraging further residential development and redevelopment that is compatible with the area's heritage, topographic features, natural vegetation and landscape attributes, improving the amenity and accessibility of the Kelmscott Centre by streetscape planting and enhancement of public recreation spaces etc.

The subject land is located within the Canning Valley and slopes gently down from Armstrong Road to the Canning River which forms the northern and western lot boundaries. The value of the visual landscape qualities of the site are primarily derived as a result of the views from the lot towards nearby hills and the setting in the river valley. The subject lot is located on the inner edge of an area identified within Special Control Area Map 1 of Town Planning Scheme No.4 as an area of Prime Landscape Quality.

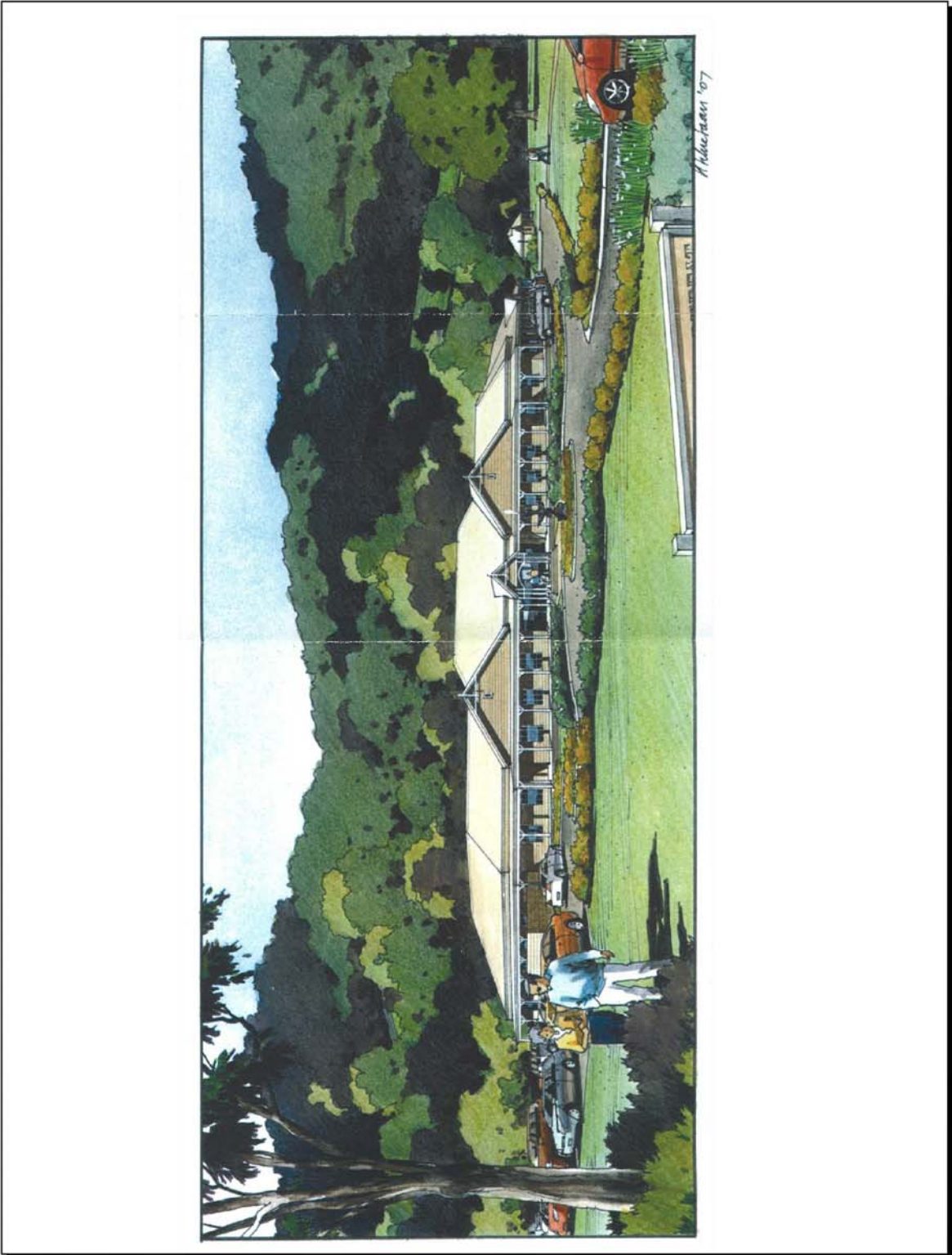
The lot is generally cleared of indigenous vegetation with the exception of several native trees adjacent to the river. A Macadamia orchard occupies approximately 1.5ha of the property. Although the proposal does not involve the removal of any indigenous vegetation, additional planting of vegetation to enhance the visual appearance as well as rural character of the site is required. This could be imposed as a condition of approval.

The proposed parking areas along the front perimeter of the site are considered to be too close to the road in an area identified as being within a Prime Landscape Quality area. Therefore, it is suggested that the parking areas should be located at a minimum of 10.0m from the road and landscaping be installed along the front perimeter of the site to obscure parking bays and the proposed internal roundabout from Armstrong Road.

Traffic

Concerns were expressed in a submission that since there are 52 parking bays shown on the plan there would be a large amount of traffic anticipated/generated as a result of this development. Given the close proximity of the subject site to the submitter's property, it is stated that this will have an impact on their quiet rural lifestyle.

In response to the submissions the applicant has indicated that the facility includes a total of fifty-two (52) car parking bays, which is inclusive of eight (8) staff parking bays and the primary use of the site as a Health Retreat does not generate a need for this many number of bays. However, they are proposed in order to accommodate peak demand during the occasional times when a function may be held at the facility. Functions are not proposed to be held every weekend and are to be incidental to the primary use as a Health Retreat. Functions will only be held when programs are not running at the retreat and the hours would be from mid afternoon to midnight. The applicant advises that as a result, such functions are likely to be infrequent.



CONCEPT PLAN
LOT 201 ARMSTRONG ROAD, KELMSCOTT

The application states that the primary use of the proposed facility is to provide a place where people may come and stay for periods ranging from three (3) to ten (10) days to rest and recuperate. All meals will be provided to guests, who will participate in a range of treatments as well as activity and exercise programs during each day of their stay. The nature and purpose of the retreat is such that each guest will be encouraged to remain at the retreat for the full duration of their stay. A total of seventeen (17) accommodation rooms are proposed and if a vehicle associated with each guest room was to remain at the retreat for the duration of the occupant's stay then it would likely result in no more than 34 guest vehicle movements over a three (3) day period. The applicant has advised that no visitors will be allowed to visit guests during their stay and service vehicles will be kept to a minimum.

Given the live-in nature of the Health Retreat and the subject property's close proximity to Brookton Highway, the increase in traffic movements is unlikely to have a major impact on the lifestyle of the surrounding residents.

Noise

Concerns were raised in submissions regarding noise generated by loud music and guests attending functions and the restaurant.

In response to such concerns the applicant has advised that uses associated with the Health Retreat are not expected to generate noise that will have an adverse impact on the lifestyle of adjacent landowners. The applicant has advised that by limiting the number of functions to once a month and the attendance capacity to 50, the types of functions to be held are likely to be small family gatherings and the likelihood of unacceptable noise levels would be reduced. Notwithstanding this, the applicant advises that the facility is proposed to be operated with an on site manager who will also reside on the premises and ensure the smooth operation of the functions with minimal disturbance to the neighbours. Any functions to be held at the facility will occur in the dining/function room (which is not proposed to be used as a restaurant open to the general public). The building has been deliberately sited and designed to limit noise impact on surrounding residents.

The main building and parking areas are set well away from adjoining residential property boundaries and the nearest dwelling is approximately 80 metres away. This is a reasonable separation distance and is similar to the distance between the nearest dwelling and an existing restaurant within the nearby local centre. The design of the building includes separate internal walls for the function room (i.e. the outer wall of the building is additional to the internal walls of the dining/function room on the southern side of the building), which the applicant expects will greatly assist in minimising the impact of noise from inside the building.

The separation distance of the building from surrounding residences, the careful management of functions (which will be held only occasionally), and the design of the building will all assist in mitigating noise associated with the facility. In addition, as part of a detailed landscape plan for the proposal it will be possible to incorporate additional vegetation that will soften the impact of noise emanating from the facility. Given the above considerations, it is envisaged that noise associated with the use of the facilities will be capable of complying with the Environmental Protection (Noise) Regulations. However, it is recommended that the applicant be required to prepare and implement a Noise Management Plan to demonstrate compliance with the Noise Regulations. The applicant has agreed to provide such a Noise Management Plan for the City's consideration and approval.

Servicing

The subject lot has frontage to Armstrong Road, which is constructed to a point adjacent to the existing dwelling on the lot. The Armstrong Road “road reserve” continues beyond the existing dwelling and terminates at the Canning River. The proposal generates a need for Armstrong Road carriageway to be extended and some minor upgrading of the existing section of the pavement to be agreed with the City’s Technical Services.

The lot is serviced with electricity / telecommunications and scheme water and reticulated sewer is located nearby on the corner of Armstrong Road and Brookton Highway. The applicant has verbally advised that the lot would be connected to the sewerage system. This could be imposed as a condition of approval.

OPTIONS

1. Council may approve the application subject to appropriate conditions.
2. Council may refuse the application and specify reasons for refusal.

CONCLUSION

The overall proposal is considered to be consistent with the objectives of the rural living zone, with the development being on a comparatively large block of land which will take advantage of its scenic location abutting the Canning River. Given the open cleared nature of the site this proposal would enhance the rural character of the site by revegetation and benefit the river environment by connecting the entire site development to reticulated sewer. The entire development is proposed to be setback over 50m from the river.

The main concerns raised in the two submissions were regarding the impact from the function centre component. The additional information provided by the applicant demonstrates that appropriate measures would be taken to ensure that function activities could be managed in a responsible manner to minimise impact to the neighbours. It is considered that this activity could be managed with imposition of appropriate conditions on any approval issued for the site. Given the above, option one (1) is recommended.

RECOMMEND

That Council:-

- A) Approve the application for a Health Retreat including Holiday Accommodation and an incidental Function Centre at Lot 201 Armstrong Road, Kelmscott subject to the following conditions:**
 - 1. The upgrading and extension of Armstrong Road carriageway for an appropriate length such that vehicular access to the development can be achieved to the satisfaction of the Executive Director Technical Services.**

- 2. Submission of a Noise Management Plan that addresses compliance with Environmental Protection (Noise) Regulations 1997 and sound amplification to the satisfaction of the Executive Director Development Services. The approved Noise Management Plan to be implemented to the satisfaction of the Executive Director Development Services.**
- 3. A schedule of external colours and materials is to be submitted to and approved by the Executive Director Development Services.**
- 4. Submission and implementation of a stormwater management plan in accordance with water sensitive design principles to the satisfaction of the Executive Director Technical Services.**
- 5. Crossovers, driveway, car parking and vehicle manoeuvring spaces shall be designed, constructed, drained, sealed, kerbed, marked and continuously maintained in accordance with the approved site plan to the satisfaction of the Executive Director Technical Services.**
- 6. Visitor parking spaces shall be clearly marked and clearly signposted to the satisfaction of the Executive Director Technical Services.**
- 7. Submission of a comprehensive landscape plan to the satisfaction of the Executive Director Development Services that includes:**
 - i) revegetation of at least 15.0 metres of the foreshore with local native species;**
 - ii) a wide strip of landscaping at least a 10.0m width along the street and southern perimeters of the site, except where buildings and crossovers/driveways exist or are approved;**
 - iii) landscaping around proposed buildings and car parking areas; and**
 - iv) provision of one (1) shade tree per four (4) vehicle parking spaces.**

The landscape plan shall include plant species (predominantly West Australian natives), numbers, location, container size and method of irrigation of the landscaped areas. The landscaping plan is to be approved, installed and continuously maintained thereafter, to the satisfaction of the Executive Director Development Services.

8. The development is to be connected to the reticulated sewer system to the satisfaction of the Executive Director Development Services.
 9. Only one (1) function per month with more than 40 guests is permitted and a maximum of fifty (50) guests are permitted on the premises at any time to the satisfaction of the Executive Director Development Services.
 10. The existing residence on site to be used for the purpose of staff amenities and not for overnight stay to the satisfaction of the Executive Director Development Services.
 11. No sound amplification to take place outside the building to the satisfaction of the Executive Director Development Services.
 12. A Waste Management Plan to be submitted to and approved by the Executive Director Technical Services and development to occur in accordance with those plans.
 13. A Lighting Plan showing lighting to pathways and car parking areas is to be submitted and approved to the satisfaction the Executive Director Development Services. All lighting to be installed and operated as per approved plan.
 14. Compliance with any conditions imposed by the Western Australian Planning Commission and Swan River Trust.
 15. All proposed buildings and structures being setback at least 15 metres from the proposed foreshore reserve and at least 50 metres from the outer edge of the permanent water course to the satisfaction of the Executive Director Development Services.
 16. All conditions to be complied with prior to exercising the right of this approval, to the satisfaction of the Executive Director Development Services.
- B) Advise the applicant, in addition to the standard advice notes with respect to development application that:
1. With regards to Condition No.2, the Noise Management Plan is to demonstrate compliance with the Environmental Protection (Noise) Regulations 1997.
 2. With regards to Condition No.7, please find enclosed a copy of the City's Landscaping Guidelines – Screening and the Landscaping Guidelines – Plants to Avoid, to assist you to formulate a satisfactory landscaping proposal.

3. **With regard to Condition No.12, the waste management plan to indicate and create a suitable rubbish bin collection area.**
 4. **The applicant to liaise with the City's Health Services to arrange for an inspection of the premises to ensure compliance with requirements of the Health Act 1911.**
 5. **A planning application will need to be submitted to Council indicating the comprehensive advertising sign format for the site. Subsequent applications for sign licences shall conform to the planning consent as issued by Council.**
 6. **The applicant is advised that this development requires a separate determination under the Metropolitan Region Scheme by the Western Australian Planning Commission, prior to any works commencing on-site.**
- C) **Advise the Western Australian Planning Commission of Council's decision.**

Moved Cr _____
Carried/Lost ()



LOCATION PLAN
LOT 10 THIRD AVENUE, AVENUE

***PROPOSED RETAIL PRODUCE MARKET –
LOT 10 (130) THIRD AVENUE, KELMSCOTT***

WARD : HERON

APPLN NO. : 10.2007.114.1

DATE : 13 February 2008

REF : PRR

RESPONSIBLE : PSM
MANAGER

APPLICANT : Planning Solutions

LANDOWNER : A & VP Galati

SUBJECT LAND : Property size 2.1588ha

ZONING
MRS / TPS No.4 : Industrial / Industrial
Business

In Brief:

- The City received an application for a retail produce market (shop) on Lot 10 (130) Third Avenue, Kelmscott on 12 February 2007.
- The proposal was advertised to surrounding residents for 14 days, yielding one (1) submission expressing concerns. It was also referred to surrounding shopping centres for comment, but no responses were received.
- The proposal is a discretionary use within the Industrial Business zone.
- Recommend that Council refuse the application based on objectives of the zone, potential impact on the retail hierarchy, retail floor space allocation within the retail hierarchy possibility for precedent and land use viability.

Tabled Items

Traffic Impact Statement and associated findings.

Officer Interest Declaration

Nil.

Strategic Implications

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

Legislation Implications

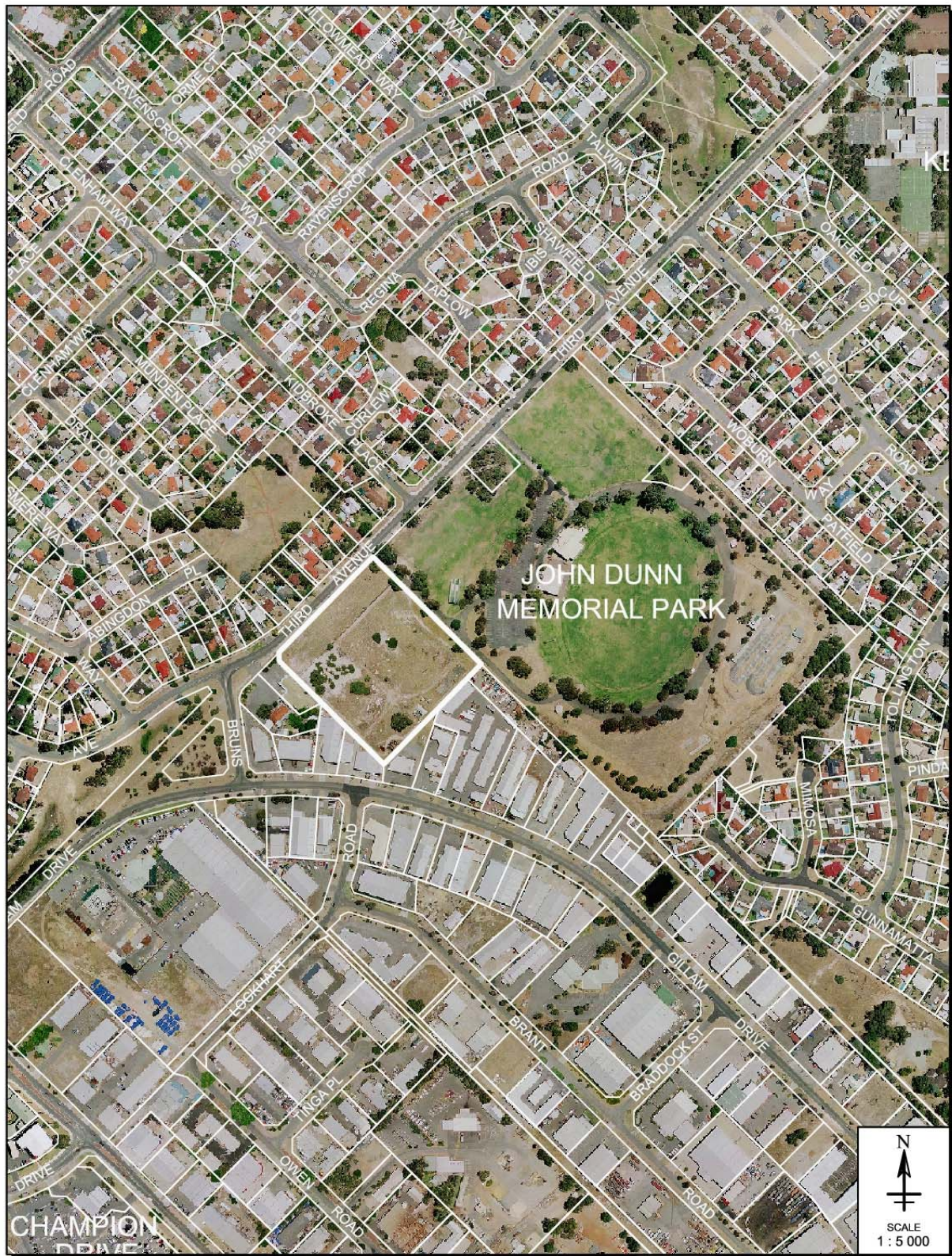
Planning and Development Act 2005
Metropolitan Region Scheme
Town Planning Scheme No.4

Council Policy / Local Law Implications

PLN4.1 – Design of Industrial Estates

Budget / Financial Implications

Nil.



AERIAL PHOTOGRAPH
LOT 10 THIRD AVENUE, KELMSCOTT

Consultation

- ◆ Surrounding landowners;
- ◆ Surrounding shopping centre owners;
- ◆ Development Control Unit;
- ◆ Technical Services Directorate; and,
- ◆ Shrapnel Urban Planning (the City's retail consultant).

BACKGROUND

The City received an application for a retail produce market on Lot 10 Third Avenue, Kelmscott on 12 February 2007. Lot 10 is the largest of a handful of undeveloped lots remaining in the Kelmscott industrial area. A report was referred to the July 2007 Committee meeting recommending refusal of the proposal, however the applicant requested that the item be withdrawn from the agenda so the plans could be amended and further justification provided in order to address concerns.

The application has been referred to Council for determination as the application is considered a 'shop' under Town Planning Scheme No.4 (TPS No.4), which is a discretionary ('A') use class within the 'Industrial Business' zone.

DETAILS OF PROPOSAL

The applicant proposes to utilise 1.0137ha of the 2.1588ha site for the development of a retail produce market (or shop) known as 'Spud Shed'. The market would sell a wide variety of fresh fruit and vegetables as well as meat and other grocery related convenience items. The applicant has advised that much of the produce is offered at lower cost to the public than other retail outlets as the company produces much of its own produce.

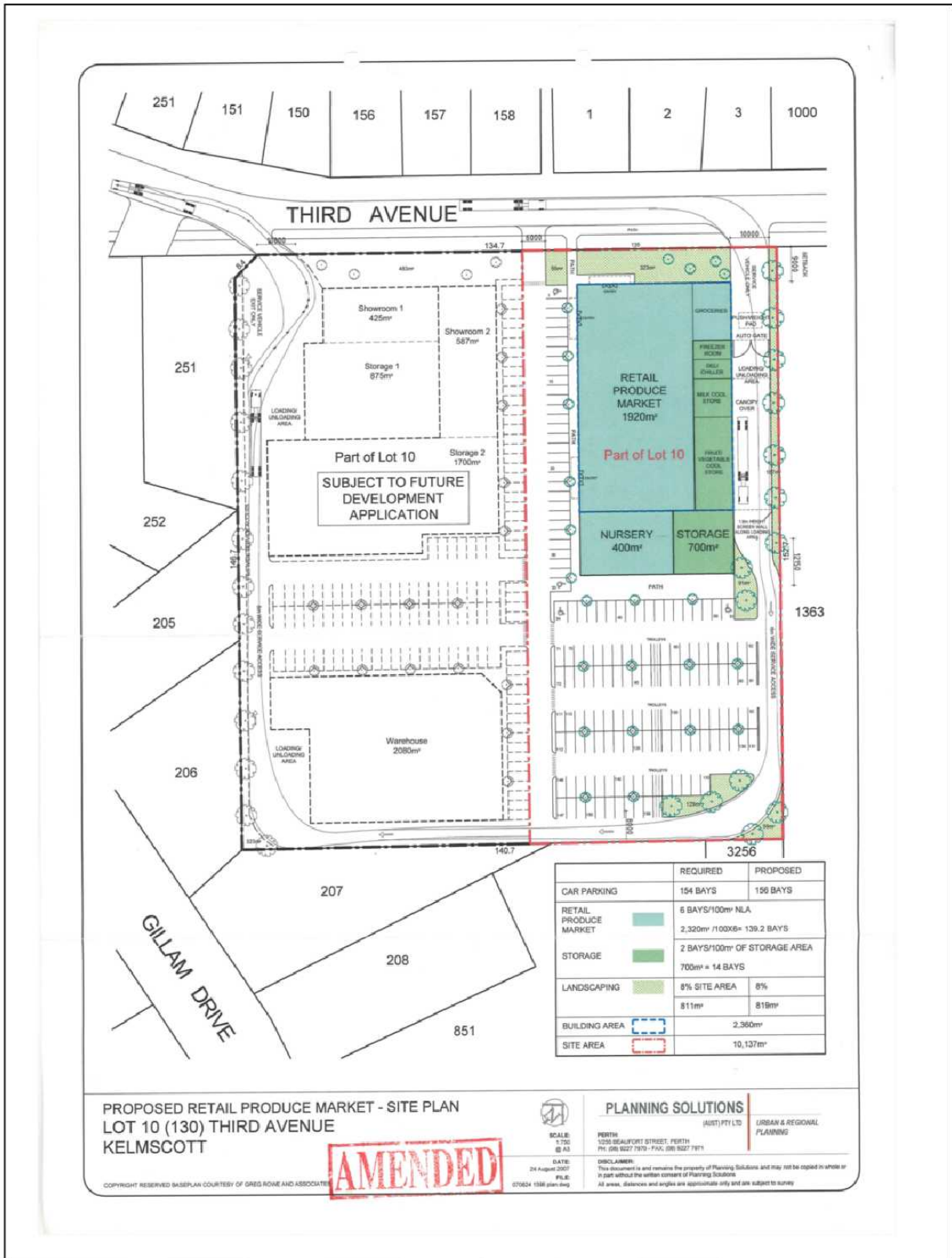
The proposed development includes a 1920m² shop, a 400m² nursery and a 700m² storage area. The Economic Impact Assessment provided by the applicant indicates that 70% of the retail floor space would be dedicated to fresh fruit and vegetables, whilst the remaining 30% would constitute an array of grocery items. Parts of the nursery and storage areas are covered areas, meaning the actual size of the building is 2400m² (60m by 40m). 156 car parking bays are also proposed.

The development is proposed to be completed in concrete tilt-panel walls with a Colorbond roof and gables supported by bush poles at three (3) separate entry points.

COMMENT

Surrounding Shopping Centres

Letters were sent to the owners of the Westfield Shopping Centre, Kelmscott Village Shopping Centre, Stargate Shopping Centre and the Champion Drive Shopping Centre, however no responses were received.



SITE PLAN
LOT 10 THIRD AVENUE, KELMSCOTT

Shrapnel Urban Planning

Shrapnel Urban Planning prepared Council's Retail Hierarchy Review, which was finalised in October 2004 and now forms part of the City's Local Planning Strategy. As such, the City requested that Shrapnel examine the Economic Impact Assessment provided by the applicant in respect of the proposal. The applicant's arguments and Shrapnel's comments are examined later in the report.

ANALYSIS

Public Advertising

The proposal was advertised for 14 days, closing on 23 March 2007. This advertising was carried out by way of a sign on-site and letters to affected and nearby landowners.

Total No. of submissions received	:	1
No. of submissions of conditional support/no objection	:	1
No. of submissions of objection	:	0

Refer to Confidential Attachment "B4" of the Agenda for location plan of submitters.

The issues raised by the submission have been summarised and responded to below.

Lighting

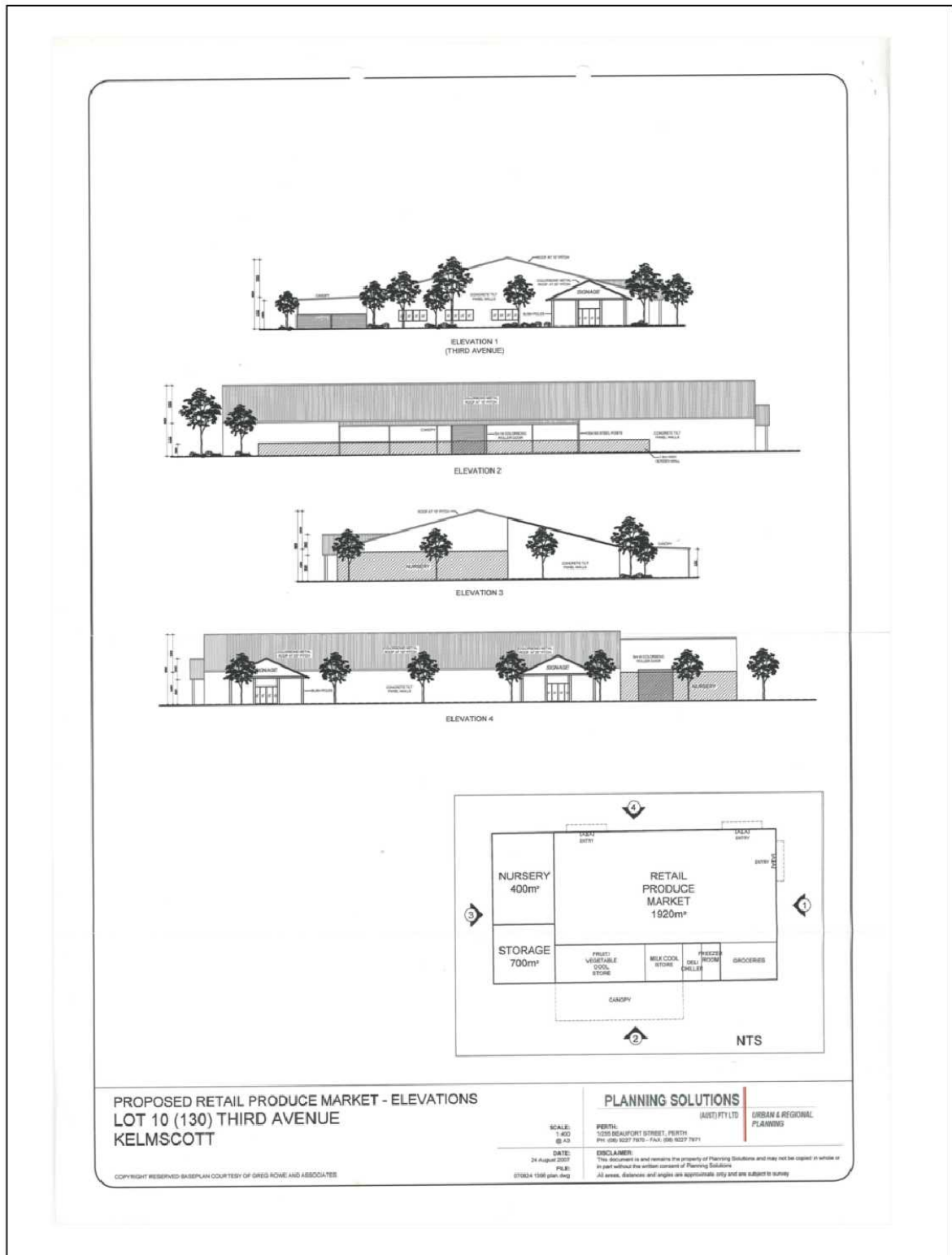
No issue with the development, but concerned as to the type of lighting the development would have, as my house is in direct line of it. Would not like something like Simplicity Funerals fluorescent light, which has caused many problems.

Comment

The City agrees that lighting for commercial premises can be a problematic issue in that the security it provides is necessary, but at the same time intrusive if alternate land uses are located in close proximity as in this instance. There are solutions in respect of lighting design and if the application is approved, it is recommended that a condition be imposed requiring the submission of a lighting plan for the development demonstrating lighting of the car park in such a way that it is not intrusive in respect of the residential land uses opposite.

Recommendation

That the issue is supported.



ELEVATION PLAN
 LOT 10 THIRD AVENUE, KELMSCOTT

Traffic / Parking

No issue with the development, but concerned over the volume of traffic, particularly when combined with High School start and finish times and Simplicity Funerals when they have a funeral. Simplicity Funerals' parking is also a concern with cars all over the verge which has caused a few accidents.

Comment

Traffic generation is an issue that needs to be considered carefully in respect of the application. A Traffic Impact Statement and Technical Services findings will be tabled and discussed at the Committee meeting.

Parking for the proposed development is adequate and as such the City should not require further bays to be constructed. It may be possible however for the owner of Lot 10 to investigate the possibility of reciprocal parking terms with Simplicity Funerals for their overflow, to resolve the issue of cars parking on the verge. Given the issue is not one associated with this particular application, at best, Council could apply an advice note on an approval (if issued) with respect to the possibility.

Recommendation

That the issue is supported in part.

Town Planning Scheme No.4 (TPS No.4)

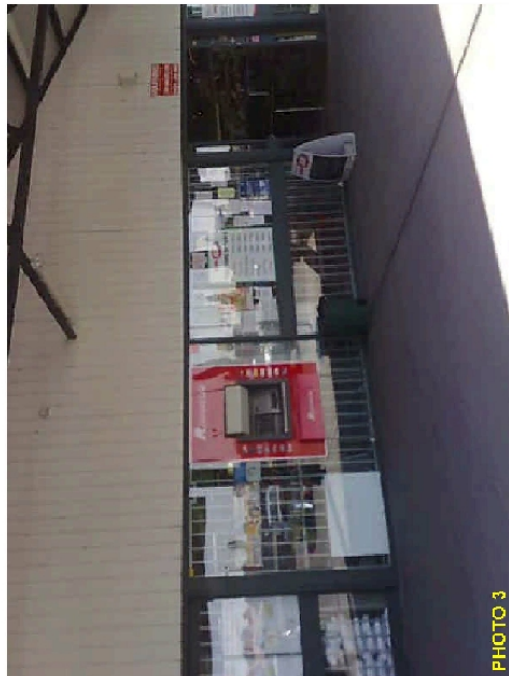
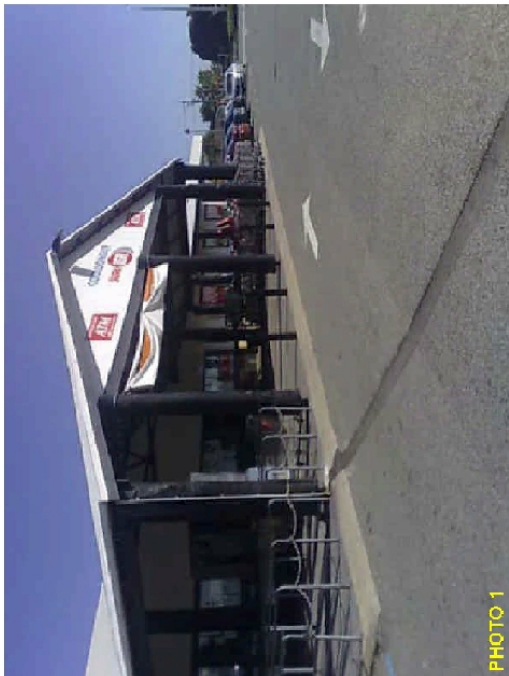
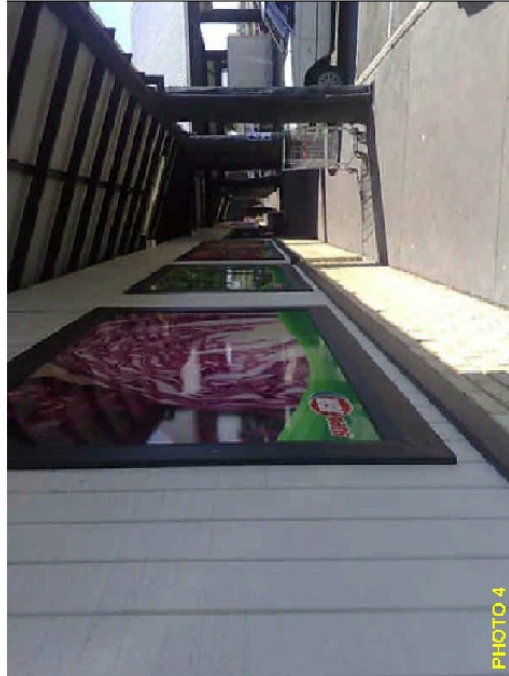
Part 5D of TPS No.4 (Industrial Business and General Industry Zone Requirements) outlines a number of items to be considered, including setbacks, building height, building bulk, landscaping, car parking, loading areas, storage yards, buffers and effluent disposal. The application has adequately addressed these scheme provisions and standard conditions could be imposed on an approval (if issued) to obtain further information as required (such as a detailed landscape plan for example).

Also to be considered is Schedule 11B of TPS No.4 which requires end of trip bicycle facilities for shops at the rate 1 space per 500m² over 1000m². A condition could be included on an approval (if issued) with respect to the provision of bicycle facilities.

PLN 4.1 – Design of Industrial Estates (PLN 4.1)

PLN 4.1 addresses several elements of Building Design with industrial zones, including setbacks, building design, driveways and crossovers, car parking, fencing, landscaping, signage, parapet walls and storage areas. The application meets the requirements of PLN 4.1 and as mentioned above, standard conditions can be imposed upon an approval (if issued) to finalise certain details, such as colour scheme.

It is noted that originally the proposed development was to be constructed with white refrigeration panels that did not comply with the requirement of PLN 4.1 to have brick or masonry facades. The applicant has now altered the material to tilt-up concrete, which meets the requirements of the policy.



PHOTOGRAPHS OF PROPOSED EXTERNAL CLADDING
LOT 10 THIRD AVENUE, KELMSCOTT

Amenity / Streetscape

Originally, concern was expressed by officers over the expanse of car park in front of the development. All car parking bays were located between the development and Third Avenue, which means the proposed structure does not address the street at all representing a poor streetscape outcome whilst the car park itself could be adjudged as having a detrimental impact on the amenity of the area in terms of its size. However, the applicant has partially addressed this issue, moving the building forward on the lot and placing the majority of car parking at the rear.

Zoning / Land Use

There are two fundamental strategic planning principles challenged by this application, the first being whether the City's industrial areas should be used for what is predominantly a retail function.

The Kelmscott Industrial area is committed to its current users. New businesses seeking an industrial location for their operation have very limited opportunities at Kelmscott and are accordingly turning to other locations. The Forrestdale Business Park will satisfy some of the future demand when subdivided and developed later this year, however, it is likely that this land also will be taken up rapidly. The Minister for Planning and Infrastructure recently sought the Council's comment on the proposal to extend the Armadale Redevelopment Authority area to enable an extension of the Forrestdale Business Park to cover land west of Tonkin Highway. This was in part due to the region-wide shortage of industrial land. The City's industrial area in south Armadale is also being rapidly committed to industrial and associated uses. There is a sound strategic case to carefully utilise industrial zoned land for industrial type activities in view of the scarce land resource.

The avoidance of industrial areas becoming a source of cheaper land for retail activity than would be available in the designated commercial areas was a conscious consideration in drafting the provisions of TPS No.4. In particular the scheme objectives for the Industrial Business zone are set out clearly:

"4.2.9 Industrial Business

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

While it is acknowledged that a Shop is “A” under the Scheme – meaning “*the use is not permitted unless the City has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4;*” this should be considered in the light of the zone objectives. It is appropriate to consider the extent to which retail would be supported by the extent to which retailing would be ancillary to the industrial business activity undertaken on site. For instance, the retailing of product manufactured or assembled on site. A number of the current activities in the Kelmscott Industrial area fall into this category.

The application is premised on the basis that because retailing can be considered for the Council’s discretionary approval it should necessarily be approved provided the direct impacts could be managed. However, the Council is required to exercise its collective mind in considering all the issues relating to the planning of the district in giving discretionary approval and in doing so, the first consideration is whether the proposed use is acceptable in the first place.

It is quite clear that the proposed development does not meet the objectives of the zone. In terms of the objectives, it would appear that the reason that the proponent does not wish to locate in commercial centres is that the proponent does not wish to pay commercial land values, which is not an argument that should persuade the Council. It is certainly not true that the product “*cannot be practically provided within commercial centres because of either the extensive land area requirements or the performance characteristics of the activity*”.

Economic Impact Assessment (EIA) / Retail Hierarchy

The second fundamental strategic planning principle challenged by this application is the issue of whether the proposal would detrimentally impact on the retail hierarchy as planned through the City’s Retail Hierarchy Review and implemented through the investment decisions of retail developers who have invested in good faith. The proponent has prepared a number of economic impact assessments which have been assessed by the City’s retail consultant. The proponent’s consultant’s (Macroplan) EIAs have been modified at each iteration in response to the City’s consultant’s identification of technical shortcomings and oversights. The final identical conclusion of each iteration has been that “*the impacts are likely to be limited and not significantly detriment the viability of any existing retail precinct.*”

The difficulty in the assessment has been created by the application being the same one as originally submitted however the intentions would appear to have been modified to address concerns identified in discussions between retail consultants and officers of the City. In particular, the City’s concern through its consultant has been that as originally understood the proposed development would create a practical substitute for the existing supermarkets in the Westfield and Champion Drive neighbourhood centres. As now modified and described in the EIA (although not clearly through an amended application) the proposal according to the City’s consultant will not amount to a practical supermarket substitute.

However, the City's consultant warns that "*If, however, over time it morphs into a supermarket substitute, then significant additional negative economic impacts on the two neighbourhood centres are highly likely*" (Shrapnel, February '08). From experience elsewhere it is apparent that developments of this nature present notorious difficulties for local government officers to monitor and assess compliance. If an approval was based upon a portion of floor space being allocated to fresh fruit and vegetables and a defined portion allocated to "*grocery items in a limited bulk consignment ensuring no significant competition to existing supermarkets*" (wording from EIA Pg 3) then this would have to be controlled over the long-term by clear and enforceable conditions.

While it is not doubted that conditions could be drafted to clearly set out the limits of retailing, the major issue relates to the suitability of the site within the Industrial Business zone for the proposed use.

Traffic Impact Assessment

At the time of writing the report revisions to the applicant's Traffic Impact Statement have not been finalised. The traffic report will be submitted, analysed and the findings tabled at the Committee meeting. As a result there may be a need to reflect conclusions in the recommendation.

OPTIONS

1. Council could approve the application for a proposed retail produce market on Lot 10 Third Avenue, Kelmscott subject to appropriate conditions.
2. Council could refuse the application for a proposed retail produce market on Lot 10 Third Avenue, Kelmscott on the grounds that the economic impact assessment does not clearly demonstrate that the proposed development will not have an impact on the retail hierarchy and that industrial land within the estate is limited and the proposed shop could be located in a number of alternate zones.

CONCLUSION

Whilst the design itself addresses, in the majority, the requirements of TPS No.4 and PLN 4.1, and despite the modifications made by the applicant, there remains concerns with the proposal in respect of the proposed location within the Industrial Business zone and the development's potential impact on the retail hierarchy. In addition, industrial land is an extremely scarce resource that should be utilised for industrial purposes, further to which there is no retail component identified within the industrial area under the Retail Hierarchy Review. As such, it is recommended that Council refuse the application in accordance with Option 2.

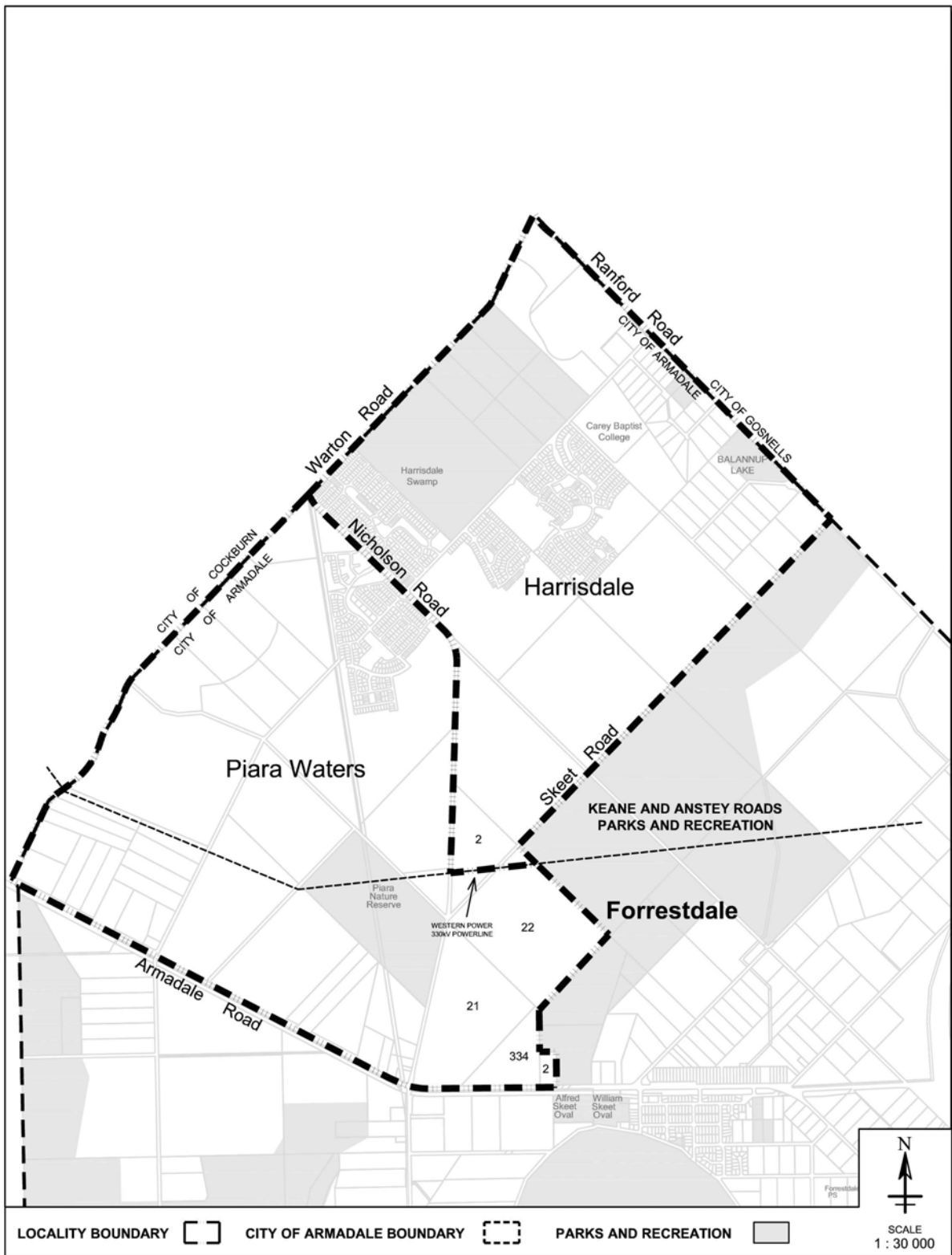
RECOMMEND

That Council refuse the application for a proposed retail produce market on Lot 10 (130) Third Avenue, Kelmscott for the following reasons:

- a) **The proposed development is inconsistent with the objectives of the 'Industrial Business' zone as specified in Clause 4.2.9 of Town Planning Scheme No.4 in that the proposal is not an industrial business and could be practically provided within existing commercial centres;**
- b) **The proposed development is inconsistent with Council's Local Planning Strategy in that the Retail Hierarchy Review has not planned for any retail floor space on the subject land;**
- c) **The applicant has not adequately demonstrated through quantitative analysis that the proposal will not have a detrimental impact on retail floor space within the City in terms of 'State Planning Policy 4.2 – Metropolitan Centres Policy Statement for the Perth Metropolitan Region' or Council's Retail Hierarchy Review within the Local Planning Strategy. The proposal is likely to have a detrimental impact on the viability and functionality of nearby retail centres within the locality; and**
- d) **The proposed development may create a precedent for further non-industrial land uses to be located within the Industrial Business zone.**

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PIARA WATERS LOCALITY

PETITION OBJECTING TO THE PIARA WATERS LOCALITY NAME

WARD : LAKE
FILE REF : G/B/4
DATE : 8 February 2008
REF : PS
RESPONSIBLE MANAGER : PSM
APPLICANT : Various Petitioners
LAND OWNER : Various
ZONING MRS / TPS No.4 : Various

In Brief:-

- The Geographic Names Committee advised on 9 July 2007 that Harrisdale and Piara Waters had been approved as locality names in the north Forrestdale area.
- Council, at its meeting on 19 November 2007, received a petition objecting to the Piara Waters name and suggesting either North Forrestdale as an alternative suburb name or to include Piara Waters in Harrisdale.
- The reasons provided for the objection are examined and discussed.
- The City has received a petition seeking to retain the name of Piara Waters.

Recommend that Council resolve:

- To confirm its support for the locality name Piara Waters;
- Decline to further consider the appeal outlined in the petition received at the Council meeting of 19 November 2007 objecting to the choice of Piara Waters for the locality name; and
- Advise the organisers of the petitions and GNC accordingly.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Fits with our aims in:

- ♦ Developing our City to sustain and maintain the distinctive character of the City.
- ♦ Communicating and Marketing to maintain dialogue to understand community needs and expectations.

Legislation Implications

Land Administration Act 1997

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Nil.

Consultation

Previous consultation with landowners, newspaper advertisements and signs on-site.

Petition, forwarded by the C Y O'Connor ERADE Village on behalf of landowners and interested parties, objecting to the name Piara Waters was received at Council's meeting on 19 November 2007 (328/11/2007 refers).

A second petition was received by the City on 6 February 2008 on behalf of landowners seeking to retain the name of Piara Waters.

BACKGROUND

In 2002 landowners requested the renaming of a portion of the Forrestdale locality north of Armadale Road. Council agreed in June 2002 to seek public comment on the proposal and comments were sought in October 2002. Of the 41 submissions received, 36 supported a change to Princeton. Five opposed any name change and eight suggested an alternative name.

The Geographic Names Committee (GNC) criterion indicates, "*Preferred sources of names should include names from Aboriginal languages, pioneers of the State or area, or citizens who have made a significant community contribution.*" While Princeton was strongly supported by some landowners it did not carry such high credentials for a local indigenous West Australian or Australian content in terms of the GNC locality naming guidelines. Notwithstanding the predicted difficulties of achieving the name of Princeton, Council appropriately decided in January 2003 to submit the name to GNC.

Consideration of the request by GNC resulted in advice in March 2003 that the arguments for the name of Princeton were tenuous at best and that the Committee strongly supports names with an Australian emphasis, whereas Princeton tended to connect with the USA. Following the provision of additional information in June 2003, GNC advised that they remained unconvinced of the arguments connecting the name of Princeton to the area and confirmed their desire that an alternative name be sought. However, GNC agreed that the new locality could coincide with the new development area of north Forrestdale.

Council, at its meeting on 21 August 2006, resolved (D92/8/06):

1. *To undertake public consultation by letter to the residents/landowners of the North Forrestdale area, newspaper advertisement and appropriate signs on site seeking comment on:*
 - ◆ *the suitable locality boundaries for localities within the North Forrestdale area; and*
 - ◆ *suitable names for localities within the North Forrestdale development area.*
2. *To support the creation of two localities in North Forrestdale: one for the area east of Nicholson Road and one to the area west of Nicholson Road.*
3. *That names that could be suggested by the City as part of the public consultation could include Harrisdale and Balannup for the area north and east of Nicholson road, and Piara and Buchanan for the area south and west of Nicholson Road.*

The advertising period was from 21 September 2006 and 10 November 2006. Letters and submission forms were sent to over 200 landowners within the affected area. Signs advertising the proposal were placed in prominent locations. Advertisements were also placed in the Comment News on 26 September 2006 and Weekend Examiner on 28 September 2006. Details of the proposal were also available on the City's website and Administration office.

Council, at its meeting on 15 January 2007, resolved to:

1. *Support the creation of two new localities in the northern portion of Forrestdale and seek approval from the Geographic Names Committee to the creation and naming of two new localities, as identified on the attached plan, in the northern portion of Forrestdale:*
 - i) *“Harrisdale” which includes the land bounded by Ranford Road to the north, Skeet Road to the east, a portion of Nicholson Road and the powerlines on Lots 2 and 22 Nicholson Road to the south and Warton Road to the west, or any other minor variation required by GNC; and*
 - ii) *“Piara” which includes land bounded by Armadale Road to the south, Warton Road to the west, a portion of Nicholson Road and the powerlines on Lots 2 and 22 Nicholson Road to the north and Anstey Keane Parks and Recreation reserve to the east, or any other minor variation required by GNC.*
2. *Advise submitters of the above decision.*

The Geographic Names Committee, when approached, advised that it supported Harrisdale but did not support Piara, saying it was too similar to Kiara in the City of Swan. Buchanan was also not a possibility as there were similar localities in Queensland, South Australia and New South Wales. It suggested considering having the area all within the locality of Harrisdale. A further representation was made to the GNC pointing out that:

- ♦ Piara was the most popular name chosen by landowners during the submission period;
- ♦ Piara, which is the aboriginal name for Banksia attenuate, is the name of a prominent lake/reserve in the area along Nicholson Road, which is one of the most important landscape and natural features of the area. The recognition of such natural features (similar to Harrisdale) is an important part of developing community spirit and pride in an area;
- ♦ The north Forrestdale area, given its size and potential population when developed, was too big for one locality and more appropriate to two localities;
- ♦ the Piara / Kiara issue had not previously been raised by the GNC when advice was sought and it was not considered that the names would be confused. However, to avoid such a thought the GNC might like to consider adding a word such as “Waters” or “Park” or similar to Piara to distinguish it.

The Geographic Names Committee advised on 9 July 2007 that Harrisdale and Piara Waters had been approved as locality names and GNC had advised 15 organisations and departments of the new suburbs. The City sent letters to over 650 landowners, residents and submitters on 18 July 2007 advising of the new suburb names and boundaries. Press releases were prepared and notification of the new suburb names and boundaries were also placed in City Views. The City received a number of phone calls providing positive feedback on the suburb names.

DETAILS OF PETITIONS

Council, at its meeting on 19 November 2007 received a petition on behalf of sixty-five (65) landowners, developers, people working in the vicinity (mainly the ERADE) and residents. The prayer of the petition reads:

“We, undersigned, would like to record our objection to the proposed name Piara Waters for the new suburb between Nicholson Road and Warton Road, Forrestdale. Possible alternatives, for your consideration, include North Forrestdale or extending the boundaries of Harrisdale.”

Reasons provided in accompanying letters include:

1. The name Piara Waters was neither proposed nor canvassed;
2. The use of the word “Waters” is unappealing and provides points of ridicule as:
 - ♦ There are no substantive bodies of water in the area so the name does not reflect the character of the area and is interpreted as an attempt to create a false impression of the area;
 - ♦ Negative associations with the television programs ‘Arcadia Waters’ (corrupt local authority) and ‘Sylvania Waters’ (dysfunctional families);
3. Association of urine (waters) especially with the prefix ‘pee’ or with priapism (painful erection);
4. The CY O’Connor ERADE Village is a high-tech Business Incubator / R&D establishment on the corner of Nicholson and Warton Roads. Piara Waters is not considered a suitable address to attract the calibre of tenants required for its growth and success. In addition a Bio-tech park is planned in adjacent land;
5. There is a significant cost associated with changing letterheads, business cards etc with the possibility of losing previous clients not familiar with a suburb name change. This has recently been the experience of established businesses on Armadale Road, following the name change from Forrest Road.

The City also received several letters from developers and landowners raising similar matters.

The City has also received a second petition on behalf of twenty-one (21) landowners and residents. The prayer of the petition reads:

“We, the undersigned electors and residents of the City of Armadale, petition the City of Armadale to retain the name of Piara Waters for the locality bounded by Nicholson, Armadale and Warton Roads.”

The petition included the following reasons:

1. Residents like the name Piara Waters and use it in our address with pride;
2. The name has style and rightly portrays the ambience of the area;
3. Do not agree that the name is unsuitable for the area or could or should be portrayed in a derogatory light; and
4. The name is indicative of our vision for the future of the area with water courses, reserves and open space being a distinctive feature.

On 8 January 2008, GNC wrote to the City advising that the name of Piara Waters was approved in June 2007, *“but the use of the name has been deferred because of similar doubts raised with the use of the ‘Waters’.”* The doubts referred to in GNC’s letter were expressed in terms of the renaming of Westfield to Camillo Waters. The GNC provided advice raising reservations about the inclusion of “Waters” in the proposed name Camillo Waters. GNC advised that *“this term has not been previously used in a suburb name in WA, and its use in the eastern states is in very different circumstances. In comparing the eastern states use of the term there is almost a sense of parody, and its use should be reconsidered.”*

The addition of “Park” or “Waters” was proposed to the suburb name and “Waters” was supported by GNC. GNC have advised that *“on reflection, “Park” or an alternative such as “Grove” would have been a better choice, and your thoughts on a change would be appreciated.”*

GNC has advised that the Committee has a high regard for the consultation processes followed by the City for locality issues, and considers Piara, an indigenous name, a good choice if a suitable extension can be agreed on.

GNC has also advised that the Member for Armadale has advised there is a petition of some 29 persons objecting to the name Piara Waters, and she has suggested that further engagement needs to take place. She has also offered to convene a meeting of the various stakeholders. GNC have requested Council’s consideration of the Member for Armadale’s suggestion and offer. GNC further state that *“if an alternative to Piara were to be considered the Committee’s view is that it must have a similar link to the area.”*

COMMENT

A brief consideration of the arguments presented to support the first petition follows:

1. The Name Piara Waters

The name “Piara” by itself was both proposed and canvassed and from the submissions was the most popular name for the area west of Nicholson Road. Piara is the aboriginal name for the *Banksia attenuate*. The “Waters” portion of the name was not canvassed. In light of the GNC’s unexpected advice that Piara was too similar to Kiara, the suggestion was made that the GNC may like to consider adding “Waters” or “Park” or some other suitable appellation to Piara to avoid any perceived confusion. The GNC subsequently advised they had approved the name Piara Waters.

2. The Use of the Word Waters

- ◆ The marketing material for the area refers to constructed water bodies and water wise initiatives. The Piara Reserve does at times contain a considerable body of water and is one of the most important landscape and natural features of the area.
- ◆ Piara sounds nothing like Arcadia or Sylvania so it is difficult to see a huge negative association with television programmes of some years ago.

3. Association of the Word “Waters” and “Piara” With Other Words

The association of urine with waters appears very esoteric and the tenuous connection of the word Piara with priapism, whilst perhaps having very limited currency with medical specialists, is unlikely to resound with the general population and does not sound similar.

4. Piara Waters Considered Not Suitable

This argument is quite subjective and care needs to be taken before giving it too great a weight. Some may not like the name, others do. This dissatisfaction is not the reflection of the entire resident population.

5. Cost Associated With Change

This would apply if the locality became part of Harrisdale or was named North Forrestdale as mentioned in the petition. It is a consideration in any name change but cannot carry a burden of argument.

Stockland also wrote to the City objecting to the name of Piara Waters and suggesting that the new suburb name “*causes confusion in the eyes of prospective residents, when there is no significant body of water in the immediate locality*”. This comment appears to be inconsistent with Stockland’s marketing material which refers to water bodies they have constructed and water wise initiatives.

ANALYSIS

The locality is already named Piara Waters according to previous correspondence from the GNC. Despite some argument raised to the contrary, Piara is a suitable name as Council has previously agreed. It is also suggested that Waters is a suitable appellation should there be a need to avoid any confusion with Kiara.

Of all the names suggested during the submission process, the only ones that are not currently duplicated in some fashion or combination anywhere appear to be Warton and Kersley, however the City has not received any detailed information to justify the use of these names. More importantly, these two names are not considered suitable.

It is important to note that a number of the sixty-five (65) signatures on the petition were from developers, people employed in the area or renting properties. The City has received a petition from twenty-one (21) residents supporting the name Piara Waters. There are over 330 new lots in the Piara Waters area, so the petitions of objection and support do not contain a significant number or percentage of the residents. The City has received numerous phone calls and comments from purchasers and residents that support the suburb name of Piara Waters. The organisers of the petition objecting to Piara Waters have not demonstrated that there is significant opposition to the name.

OPTIONS

Council has various options including:

1. Confirm its support for the name Piara Waters and decline to consider the appeal in the first petition to revisit the Piara Waters name.
2. Retain the name Piara and consider an alternative appellation and seek GNC approval thereof without reference to the residents or seek approval from the residents of the area prior to approaching the GNC for approval.
3. Consider renaming the suburb of Piara Waters to North Forrestdale or include the area in the suburb of Harrisdale as requested in the first petition.
4. Undertake a full renaming of the locality currently known as Piara Waters by a letter drop to all owners and residents, signs on site at strategic positions and newspaper advertising seeking submissions on the name with suggestions for names that Council considers appropriate.

Option 1 – The City has received a significant amount of positive comment on the name Piara Waters and a petition supporting the name. The organisers of the petition objecting to Piara Waters have not demonstrated that there is significant opposition to the name and there does not appear to be overwhelming reasons for the City to change the suburb name. The Council should reiterate its support for the name Piara Waters and decline the Member for Armadale's offer to GNC to convene a meeting of various stakeholders. This option is recommended.

Option 2 – Should Council consider the argument against the "Waters" portion of the name has some validity, there are other possibilities that can be considered. Piaradale combines the Dale theme of the area (but somehow the conjunction loses any inherent beauty in the Piara name itself). Piara Downs, Grove, Park, Ville or Vale may be suitable considerations, but are considered to be less suitable than Piara Waters. This option is not recommended.

Option 3 – The area bounded by Ranford, Warton, Armadale and Skeet Roads is estimated to have the potential to house 25,000 people when fully developed. Despite this still being early in the development process, the previous decision to have two new localities in the area should be upheld. The area is too large and will have too large a population to be contained in one locality, eg Harrisdale, as identified in GNC criteria and the City's previous experience. It is suggested that considering North Forrestdale as a name is a retrograde step which appeals as being neither here nor there. GNC have previously indicated concerns about the name as an option. This option is not recommended.

Option 4 – The City has been through a substantial administration and consultation process as part of the current renaming proposals for the new urban growth areas in Forrestdale, which has explored numerous possible suburb names and boundaries. It is important to remember from the City’s previous experience with suburb naming that it is nearly impossible to select a new suburb name that all residents will support. It is always likely that some residents will not support whatever name is chosen. The commencement of a new suburb naming process would cause concerns with the creation of the new suburb identities and identification of the suburb names in marketing material. This option is not recommended.

CONCLUSION

The reasons advanced to support the prayer of the petition objecting to the choice of Piara Waters for the locality name and suggesting either North Forrestdale as an alternative or extending the boundaries of Harrisdale to include the locality of Piara Waters do not appear to be overwhelming reasons for the City to change the suburb name. The City has received a significant amount of positive comment on the name Piara Waters and a petition supporting the name. The organisers of the petition objecting to Piara Waters have not demonstrated that there is significant opposition to the name. The revisiting of a locality name change should only be undertaken where there is a need (i.e. significant new urban development is or will occur), the suburb is too large or where it has been demonstrated that a significant portion of the local community request the change.

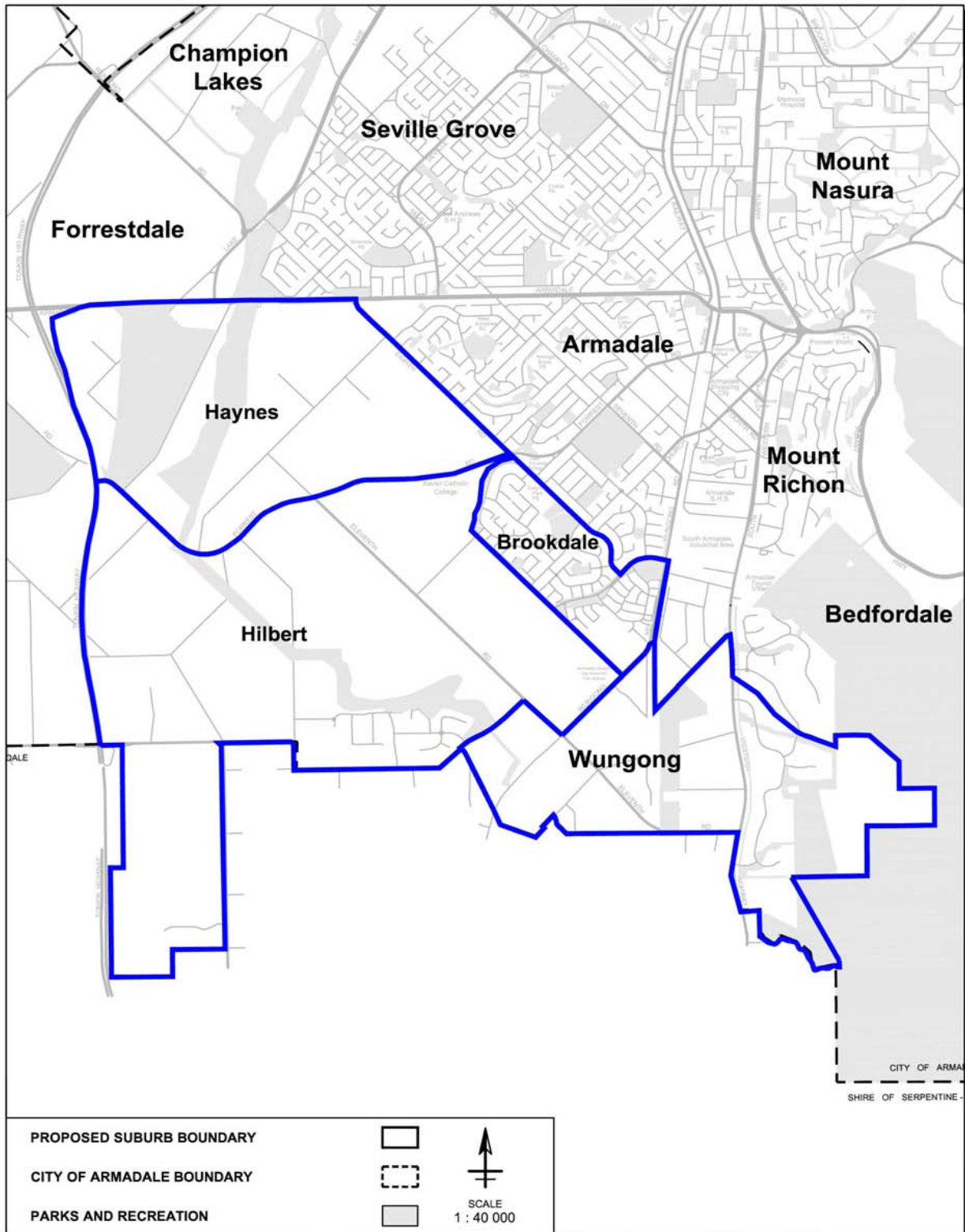
Given the above information and consideration of the petitions, the Council should confirm its support for the locality name Piara Waters. Therefore Option 1 is recommended.

RECOMMEND

That Council:

- 1. Confirm its support for the locality name Piara Waters;**
- 2. Decline to rescind its decision to name the locality Piara Waters in response to the petition objecting to the choice of Piara Waters for the locality name; and**
- 3. Advise the organisers of the petitions and Geographic Names Committee accordingly.**

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Carried/Lost ()



PROPOSED NEW LOCALITY BOUNDARIES - BROOKDALE

RENAMING A PORTION OF THE BROOKDALE LOCALITY AND BOUNDARIES

WARD : LAKE
DATE : 6 February 2008
REF : PS
RESPONSIBLE MANAGER : PSM
LANDOWNER : Various
SUBJECT LAND : Brookdale and Wungong Locality
ZONING : Various
MRS / TPS No.4 : Various

In Brief:

Council resolved at its meeting on 15 August 2006 to seek public comment on:

- Suitable locality boundaries for Wungong and Brookdale and boundaries of new localities within the future development areas of Brookdale;
- Suitable names for localities within the Brookdale development area;
- To support the creation of two new localities in Brookdale: one for the area west and one for the area east of the Wungong River; and
- That names that could be suggested by the City as part of the public consultation could include, Hilbert or Neerigen for the area east of the Wungong River and south of Armadale Road and Willows or Gribble be suggested for the area west of the Wungong River.

Council resolved at its meeting on 15 June 2007 to:

- Support the retention of the suburb of Brookdale for the existing residential area;
- Retain the existing boundaries of Wungong;
- Support the creation of two new localities: Haynes and Hilbert; and
- Seek GNC's advice on the possible inclusion of the land south of Rowley Road being included in the Darling Downs locality.

GNC have advised that the Member for Armadale has advised that "*there is some local resistance to Hilbert by Brookwood residents and she has advised against adopting the name.*" The Member for Armadale considers there is a local preference for Neerigen in place of Haynes.

- Recommend that Council reiterate its support for the creation of two new localities: Haynes and Hilbert.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Fits with our aims in:

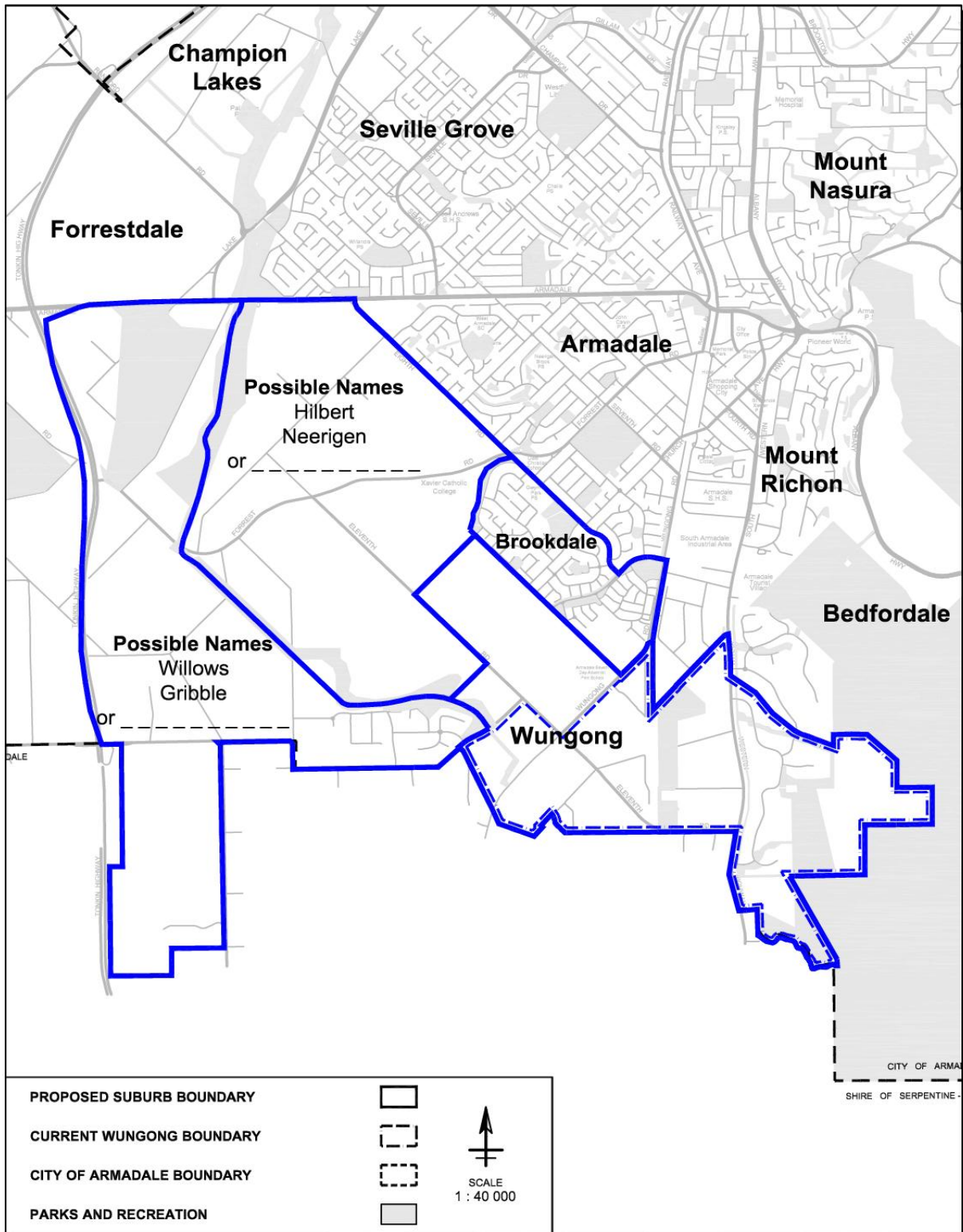
- Developing our City to sustain and maintain the distinctive character of the City.
- Communicating and Marketing to maintain dialogue to understand community needs and expectations.

Legislation Implications

Land Administration Act 1997.

Council Policy / Local Law Implications

Nil.



**PROPOSED NEW LOCALITY BOUNDARIES - BROOKDALE
AS ADVERTISED**

Budget / Financial Implications

- ◆ Letter drop to Brookdale and Wungong landowners.
- ◆ Advertising in local newspapers and the City's website.
- ◆ Signage on site.

Consultation

- ◆ Previous consultation with owners of properties in Brookdale and Wungong.
- ◆ Geographic Names Committee (GNC).
- ◆ Armadale Redevelopment Authority (ARA).

BACKGROUND

The Brookdale area has been or is currently being developed with housing. The majority of the area is being planned under the ARA's Master Plan. It is anticipated that the future population within the Master Plan area will be in excess of 30,000 people.

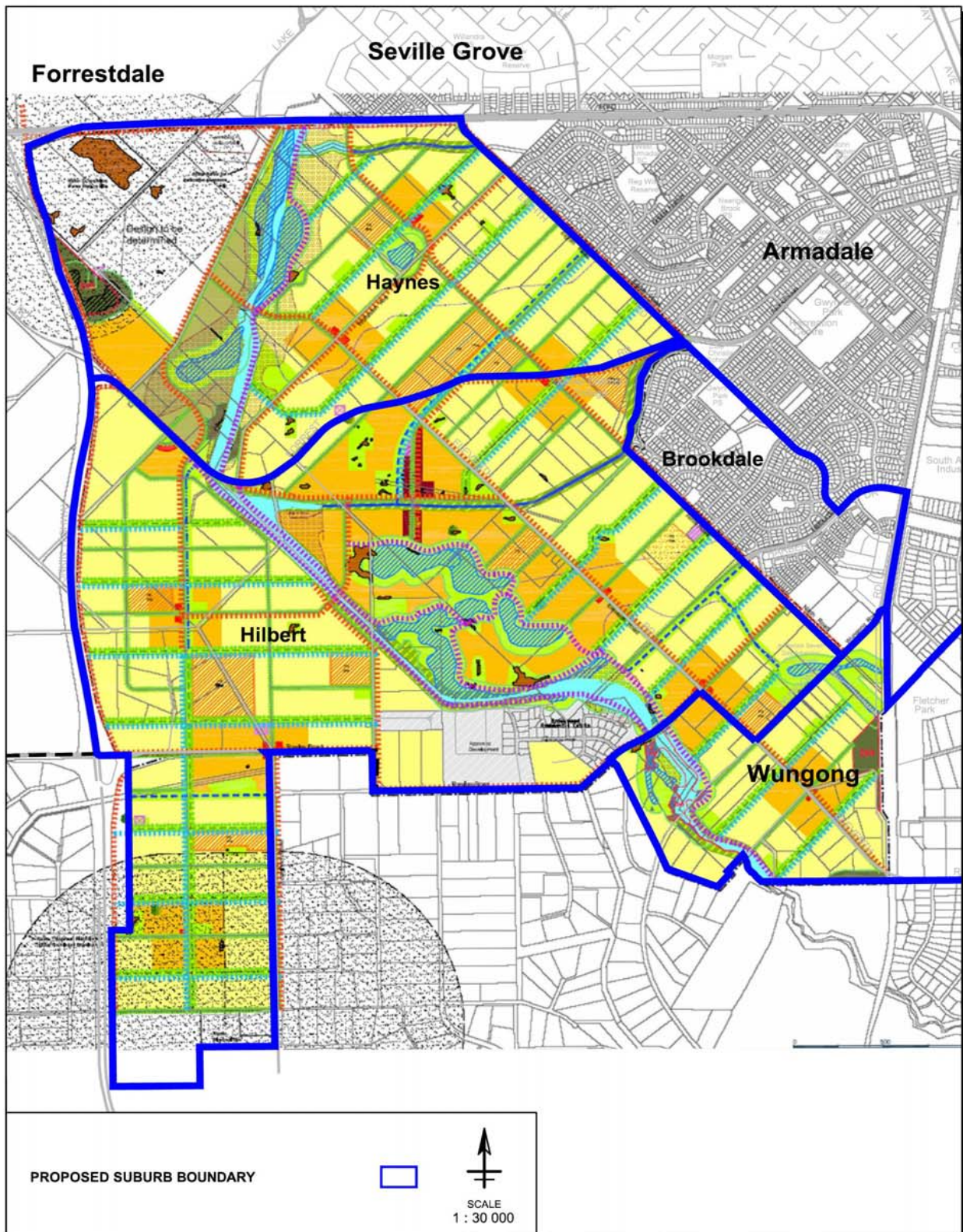
To prepare for the future development and establish suburban identities it would be appropriate to consider the division of the Brookdale locality into smaller areas based on logical boundaries and common features.

Council, at its meeting on 21 August 2006, resolved (D91/8/06):

1. To undertake public consultation by letter to the residents/landowners of the Brookdale area, newspaper advertisement and appropriate signs on site seeking comment on:
 - ◆ The suitable locality boundaries for Wungong and Brookdale and boundaries for new localities within the future development areas of Brookdale; and
 - ◆ Suitable names for localities within the Brookdale development area.
2. To support the creation of two new localities in Brookdale: one for the area west and one the area east of the Wungong River.
3. That names that could be suggested by the City as part of the public consultation could include, Hilbert or Neerigen for the area east of the Wungong River and south of Armadale Road and Willows or Gribble be suggested for the area west of the Wungong River.

The advertising period was from 16 October 2006 to 1 December 2006. Letters and submission forms were sent to over 1100 landowners within the affected area. Signs advertising the proposal were placed in prominent locations. Advertisements were also placed in the Comment News on 24 October 2006 and the Weekend Examiner on 26 October 2006. Details of the proposal were also available on the City's website and Administration office.

One hundred and three (103) responses were received during the submission period, 72 supporting, 17 objecting to the proposal, 6 responses supported the proposal but provided no suggestions in regards to the names and 8 responses came in from people who didn't own land in the area concerned. Details of the submissions and Council's consideration of the submissions is included in the report considered by Council at its 18 June 2007 meeting.



PROPOSED NEW LOCALITY BOUNDARIES - BROOKDALE

Council resolved at its meeting on 18 June 2007 to:

1. Support the retention of the name of Brookdale for the existing residential area of Brookdale bounded by Powell Cr, Tijuana Road, Harbour Drive, Wungong Road, Ninth Road and Whiteley Road, as identified on the attached plan or any other minor variation required by GNC;
2. Retain the existing boundaries of Wungong;
3. Support the creation of two new localities in the Brookdale Locality and seek approval from the GNC to the creation and naming of two new localities, as identified on the attached plan, in the western portion of Brookdale:
 - i) “Haynes” which includes the land bounded by Armadale Road, Tonkin Highway and Forrest Road or any other minor variation required by GNC;
 - ii) “Hilbert” which includes land bounded by Forrest Road, Tonkin Highway, the southern boundary of the City of Armadale, Rowley Road, Eleventh Road, Wungong Road, Ninth Road, Whiteley Road and Powell Crescent and the eastern boundary of Lot 1 Forrest Road or any other minor variation required by GNC; and
4. Seek GNC’s advice on the possible inclusion of the land in the City of Armadale south of Rowley Road being included in the Darling Downs locality.
5. Advise submitters and the ARA of the above decision.

In October 2007, GNC advised that the new locality names of Haynes and Hilbert were approved pending the definition of the boundary between the two being resolved. To finalise the approval process, the City was required by GNC “*to provide the outcome of discussions with the ARA on the position of the dividing locality boundary.*” GNC also advised of concerns that the Member for Armadale has expressed in regard to the name of Hilbert and that this may affect the acceptance of Hilbert as a new locality. The Member for Armadale would investigate the matter with possibly a submission letter.

Officers of the City held negotiations with the ARA and it was resolved that the dividing locality boundary shall be Forrest Road as per the original proposal from the City. GNC were advised via letter dated 9 November 2007 by the City and requested to finalise the creation of the Haynes and Hilbert localities.

In its letter dated 8 January 2008, GNC advised that the names of Hilbert and Haynes were approved by GNC in September 2007 subject to finalisation of the locality boundaries, which was settled via the City’s letter dated 9 November 2007 and therefore the proposal is acceptable to GNC.

However, GNC have advised a further issue has arisen in respect of the names and the Member for Armadale has indicated that “*there is some local resistance to Hilbert by Brookwood residents and she has advised against adopting the name.*” The Member for Armadale also considers there is a local preference for Neerigen in place of Haynes.

GNC have advised that it “*considers the Hilbert and Haynes proposals were well researched and substantiated by Council, and that there has been good community consultation. The names chosen may not be the personal choice of some, but they meet the Committee’s guidelines. If there are any local objections to these names then Council should be approached by those objectors. If this does not happen, and Council remains confident with the choice of names, then the Committee would be prepared to go ahead with their adoption on receipt of such advice.*”

ANALYSIS

It is disappointing that the Member for Armadale did not raise her concerns during the advertising period or earlier in the process. The City undertook an extensive consultation process, including letters to residents/landowners, signs, website and newspaper advertising.

The City has not received any new information or submissions on the naming proposals. The majority of the names suggested during and after the advertising period by the Brookwood residents (including Mahogany Lakes, Mahogany Meadows, Mahogany Park, Greendale, Rowley and Morrell Vale) are unsuitable, are duplicated or do not comply with GNC criteria. The suggested Mahogany locality names for a portion of Brookdale are unlikely to be supported by the GNC due to the existing Mahogany Creek locality in the Shire of Mundaring. Greendale locality is unsuitable as there are two Greendales in NSW, one in Vic and Greenvales in Vic and QLD.

No information has been submitted to the City to demonstrate that there is a local preference for Neerigen in place of Haynes. The name Neerigen was included as an option in the City’s consultation process. Few submissions of support from local landowners/residents and several submissions of objection to the name Neerigen were received during the advertising period. Neerigen is very similar to Narrogin. The GNC criteria state that similar sounding and duplicated names are not usually accepted.

OPTIONS

Council appears to have several options, including:

1. Council could reiterate its support for the renaming of a portion of the Brookdale locality to Haynes and Hilbert and request the Geographic Names Committee finalise the renaming of the suburb.
2. Council could support the name Neerigen instead of Haynes.
3. Council could consider any alternative names and/or boundaries or restart the suburb naming process with new suburb names.
4. Council could resolve to not proceed with the renaming of any portion of the Brookdale locality or any boundary changes and retain the current boundaries of the suburb of Brookdale.

Option 1 – Hilbert was one of the most popular names during the submission period. The suburb of Hilbert is proposed to include the land generally south of Forrest Road, with the Hilbert Road wetlands and Wungong River being central and major recreational and environmental features of the new suburb. The Haynes family have owned land and operated a dairy farm in the northern portion of the area for many years. Members of the family have made significant contributions to local community organisations for many years, such as sporting clubs, and helped establish many other groups. The family has made a significant contribution to the City and its residents. The names of Haynes and Hilbert are appropriate suburb names in the City. The Council should reiterate its support for the renaming of a portion of the locality of Brookdale to Hilbert and Haynes.

Option 2 – Neerigen was not a popular name in the submissions. Neerigen is very similar to Narrogin and is unlikely to comply with GNC criteria, which states that similar sounding and duplicated names are not usually accepted. This option is not recommended.

Option 3 – The City has been through a substantial administration and consultation process as part of the current renaming proposals for the suburb of Brookdale, which has explored numerous possible suburb names and boundaries. Further delays in the renaming of a portion of Brookdale could cause concerns with the creation of new suburb identities and identification of the suburb names in marketing material. This option is not recommended.

Option 4 - The Council could retain the current boundaries of the suburb of Brookdale, however the suburb of Brookdale would be too large and contain a population of over 30,000 people when the area is urbanised. To prepare for the future development and establish suburban identities, the City needs to consider the division of the Brookdale locality into smaller areas based on logical boundaries and common features as proposed. Therefore, this option is not recommended.

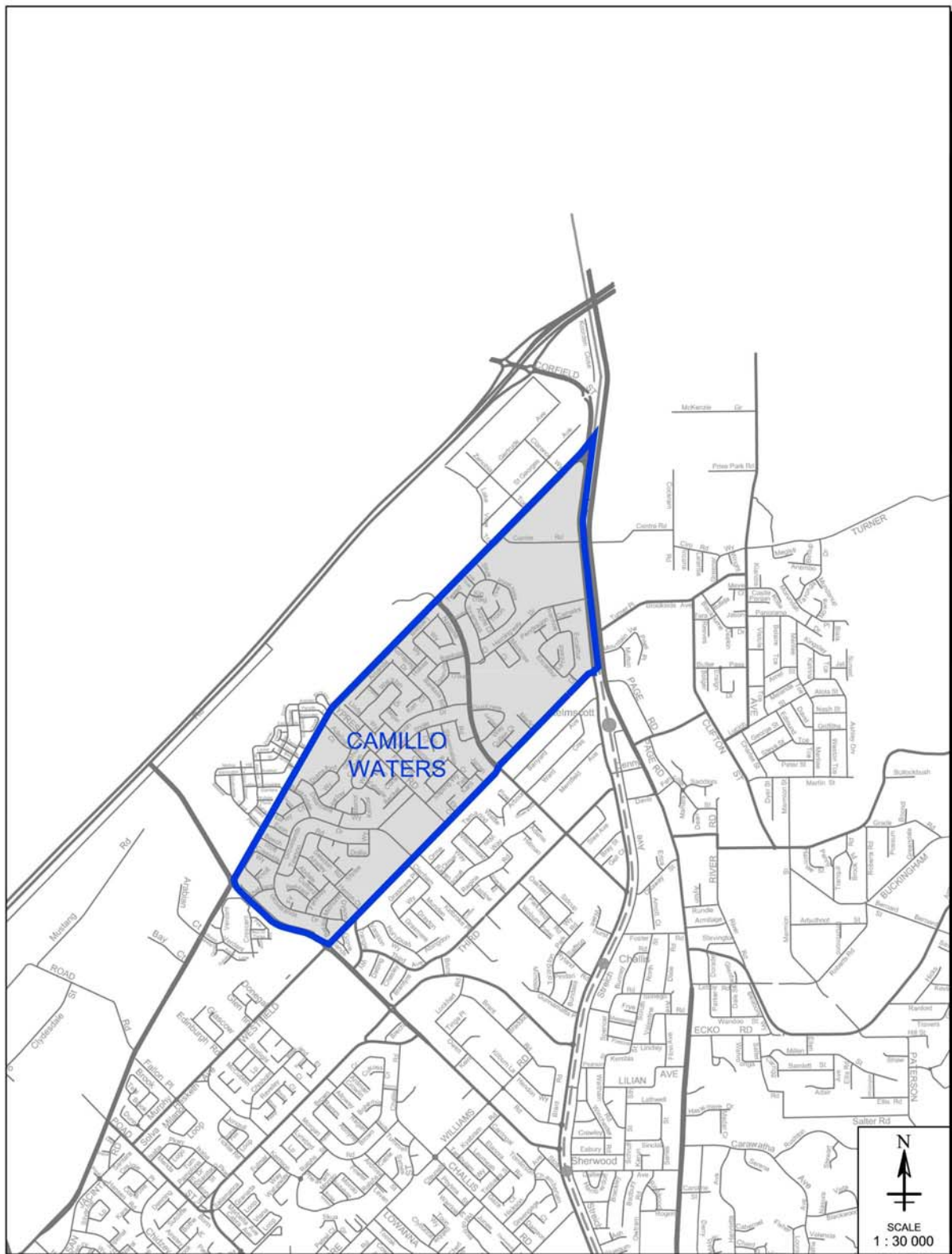
CONCLUSION

The current suburb of Brookdale will be too large when the area is urbanised, the creation of two new localities within the existing Brookdale locality is necessary. The existing residential area of Brookdale should continue with the name of Brookdale. The names of Haynes and Hilbert are appropriate new suburb names for the area for the reasons outlined above. Option 1 is recommended. The Council should reiterate its support for the renaming of a portion of the locality of Brookdale to “Hilbert” and “Haynes” as previously requested by Council.

RECOMMEND

That Council reiterate its support for the renaming of a portion of the locality of Brookdale to “Hilbert” and “Haynes” and request the Geographic Names Committee finalise the new suburb names and boundaries of “Hilbert” and “Haynes” as previously requested by Council.

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PROPOSED LOCALITY - CAMILLO WATERS

***RENAMING OF WESTFIELD –
REQUEST TO AMEND CAMILLO WATERS TO CAMILLO***

WARD : HERON
FILE REF : NAM/1
DATE : 1 February 2007
REF : PS
RESPONSIBLE : PSM/EDDS
MANAGER

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Fits with our aims in:

- Developing our City to sustain and maintain the distinctive character of the City.
- Communicating and Marketing to maintain dialogue to understand community needs and expectations.

Legislation Implications

Land Administration Act 1997.

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Nil.

In Brief:-

- At its 19 February 2007 meeting, Council considered the submissions received during the advertising period and resolved to:
 - Uphold the submissions of objection and retain the boundaries of Kelmscott, with the exception of those lots west of Westfield Road.
 - Support the re-alignment of the suburb boundary of Westfield along Westfield Road between Cammillo Road and Railway Avenue and seek the approval of the Geographic Names Committee to rename the suburb name of Westfield to Cammillo Waters.
- On 18 October 2007, the Geographic Names Committee requested Council consider amending the name Cammillo Waters to Camillo Waters (ie Camillo with one “M”) and advised that the approval of Camillo Waters can be achieved upon confirmation by the City.
- At its December 2007 meeting, Council supported GNC’s request and requested GNC finalise the naming of the suburb to Camillo Waters.
- GNC have now provided further advice raising reservations about the inclusion of “Waters”. The Member for Armadale has also written to GNC questioning the inclusion of “Waters” and urging that consideration be given to using just Camillo.
- Recommend that Council reiterate its support to rename the locality of Westfield to Camillo Waters.

Consultation

- ◆ Geographic Names Committee (GNC).
- ◆ Previous consultation has been undertaken on renaming – see Council report on 19 February 2007 meeting.

BACKGROUND

At its meeting on 19 February 2007, Council resolved to request the approval of the Geographic Names Committee to rename the suburb of Westfield to Cammillo Waters and to re-align the suburb boundary to Westfield Road between Cammillo Road and Railway Avenue, so the locality would be bounded by Lake Road, Champion Drive, Westfield Road and Railway Avenue. A full copy of the report to Council is included *at Attachment “A2” of the Agenda, (refer Summary of Attachments - yellow page).*

The Geographic Names Committee, at its meeting in September 2007, considered the City’s request to rename the suburb of Westfield to Cammillo Waters and to realign the suburb boundary to Westfield Road. The GNC supported the renaming of Westfield and the realignment of the boundary *“providing the Armadale Council consider amending Cammillo to Camillo (ie Camillo with one “M”). The approval of Camillo Waters can be achieved upon confirmation by the City.”* The GNC further advised of their concern with the increased practise of proposing double-barrelled locality names and advised that it did not wish to imply a precedent of supporting the use of “Waters” and the like.

Camillo was a child of Gertrude Seeligson an early property owner of the area and Cammillo Road was part of the subdivision. At its December 2007 meeting, Council supported GNC’s request for Camillo Waters and requested GNC finalise the naming of the suburb to Camillo Waters. A letter was sent to GNC advising of Council’s decision.

On 8 January 2008, GNC provided further advice raising reservations about the inclusion of “Waters” in the proposed name. GNC advised that *“this term has not been previously used in a suburb name in WA, and its use in the eastern states is in very different circumstances. In comparing the eastern states use of the term there is almost a sense of parody, and its use should be reconsidered.”*

The Member for Armadale has also written to GNC questioning the inclusion of “Waters” and urging that consideration be given to using just Camillo. GNC have advised that it would be prepared to support the name Camillo, and formally requests that Council consider adopting the name in this form.

COMMENT

It is disappointing that the GNC has modified its position on the name Camillo Waters and that the Member for Armadale did not raise her concerns during the advertising period or earlier in the process. The City undertook an extensive and costly consultation process, including letters to residents, signs, website and newspaper advertising. The City has been through a lengthy process over a number of years and it is necessary to bring the matter to a conclusion.

OPTIONS

Council appears to have several options, including:-

1. Council could reiterate its support for the renaming of the locality of Westfield to Camillo Waters and request the Geographic Names Committee finalise the renaming of the suburb to Camillo Waters.
2. Council could support the request of the Geographic Names Committee to amend the name Camillo Waters to Camillo.
3. Council could restart the suburb naming process with new suburb names.
4. Council could resolve to not proceed with the renaming of Westfield or any boundary changes.

Option 1 - GNC have previously advised that the approval of Camillo Waters can be achieved upon confirmation by the City of amending Cammillo Waters to Camillo Waters. Cammillo Waters was the most popular name in the submissions overall and from the residents of Westfield, the name was proposed by the community, acknowledges the permanent and seasonal water bodies in the area and addresses the community's desire to link the suburb with the Champion Lakes development. Camillo Waters is considered to be a relevant and appropriate name for the suburb.

Option 2 - Whilst the renaming of the suburb to Camillo would be consistent with GNC criteria and would be permitted by GNC, the name Camillo does not address the community's desire to link the suburb with the Champion Lakes development and the City did not receive any significant number of submissions from residents of the area proposing or supporting the name Camillo.

Option 3 - The City has been through a substantial administration and consultation process as part of the current renaming proposals for the suburb of Westfield, which has taken a number of years and explored numerous possible suburb names. A significant number of the submissions from Westfield residents wanted or requested that the renaming of Westfield occur in a timely manner. Further delays in the renaming of Westfield is likely to frustrate residents who previously lodged submissions supporting a change in the suburb name.

Option 4 - Retaining the current suburb name of Westfield will not address the submissions requesting a change to the Westfield suburb name. The majority of the submissions during the advertising period from the Westfield area supported the renaming of the suburb, with few submissions suggesting that the name of Westfield should be retained.

CONCLUSION

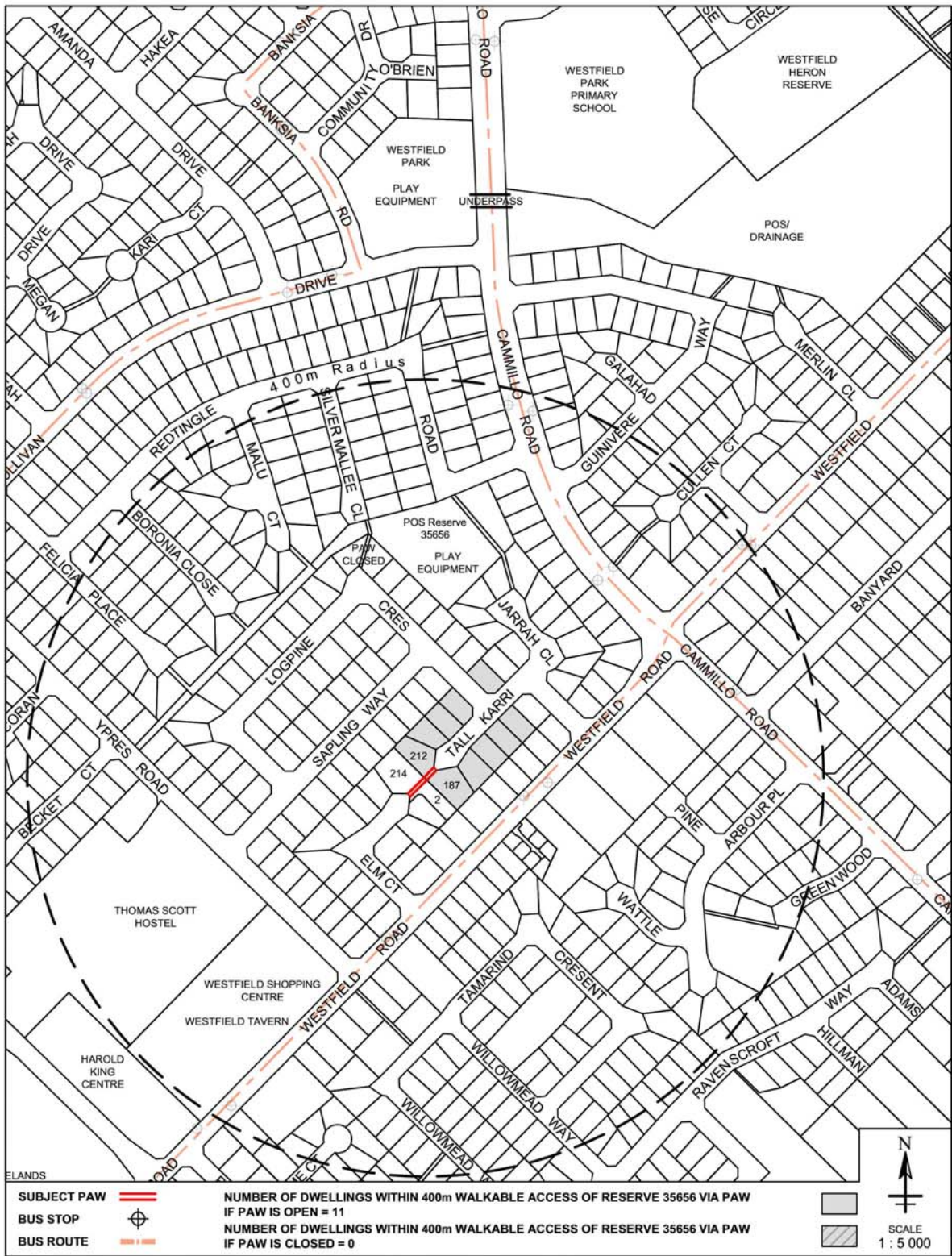
“Cammillo Waters” was the most popular name from the City’s consultation process and was considered to be a relevant and appropriate name for the suburb. The Geographic Names Committee required the name Cammillo to be spelt with one “m” (i.e. Camillo) and has now requested the reconsideration of the inclusion of “Waters” in the new suburb name. Camillo Waters acknowledges the permanent and seasonal water bodies in the area, addresses the community’s desire to link the suburb with the Champion Lakes development and responds to the argument from Westfield residents that a new name would overcome the perceived stigma of the Westfield name. Council should adopt Option 1 and resolve to reiterate its support for the renaming of the locality of Westfield to Camillo Waters.

RECOMMEND

That Council reiterate its support for the renaming of the locality of Westfield to “Camillo Waters” and request the Geographic Names Committee finalise the renaming of the suburb to “Camillo Waters”.

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PEDSHED PLAN
 PAW BETWEEN LOTS 214 & 2 ELM COURT AND
 LOTS 212 & 187 TALL KARI CLOSE, WESTFIELD

PEDESTRIAN ACCESS WAY (PAW) BETWEEN LOTS 214 (No.22) & 1 (No.9) ELM CLOSE AND LOTS 212 (No.7) & 187 (No.10) TALL KARRI COURT, WESTFIELD

WARD : HERON
FILE REF : WAY/8/98
DATE : 31 January 2008
REF : PMS
RESPONSIBLE MANAGER : PSM
APPLICANT : K Fitzpatrick and T Day
LAND OWNER : Crown
SUBJECT LAND : Pedestrian access way (PAW) between Lots 214 & 1 Elm Close and Lots 212 & 187 Tall Karri Court, Westfield
ZONING MRS : Urban
TPS No.4 : Unzoned

In Brief:-

- Request received to close above PAW due to anti-social behaviour.
- The PAW closure has been advertised in the 'Comment News' and to the surrounding landowners and Government agencies for comment.
- Recommend that Council resolve to decline the PAW closure request on the grounds that the PAW provides safe and easy access to community facilities, including Westfield Shopping Centre, Primary School and Community Centre.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Building our Community – “Improve the overall well-being and safety of the community.”

Legislation Implications

Land Administration Act 1997.

Council Policy / Local Law Implications

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

Budget / Financial Implications

Nil.



AERIAL PHOTOGRAPH
PAW BETWEEN LOTS 214 & 2 ELM COURT AND
LOTS 212 & 187 TALL KARRI CLOSE, WESTFIELD

Consultation

- ◆ Technical Service Directorate.
- ◆ Government Agencies.
- ◆ Surrounding Landowners.
- ◆ Newspaper Advertising and signs on site.
- ◆ Department for Planning and Infrastructure.

DETAILS OF PROPOSAL

The landowners of Lots 187 Tall Karri Court and Lot 214 Elm Close, Westfield have submitted a request to have the PAW closed on the following grounds:

- ◆ Anti-social behaviour;
- ◆ Vandalism; and
- ◆ Theft.

The PAW is approximately 38 metres long and 4 metres wide and connects Elm Close and Tall Karri Court. The fencing along the PAW consists of super 6 sheeting in good condition. The concrete pathway is in good condition. The PAW does not contain any overhanging branches from the abutting properties and very little vegetation is found in the PAW. There are bollards and lighting at both ends of the PAW.

COMMENT

The proposal was advertised in the ‘Comment News’ and to the surrounding landowners/occupiers, the Government Service Agencies for comment. The advertising period was from 8 February 2007 to 19 March 2007.

Results of Advertising

No. of Landowners/Occupiers Notified:	35
No. of Government Agencies:	4
No. of Submissions Received:	26

No. of Submissions of Objection to the PAW Closure:	24
Private Submissions:	21
Government Agency Submissions:	3

No. of Submissions of Support / No Objection to PAW Closure:	2
Private Submissions:	1
Government Agency Submissions:	1

Refer to the Confidential Attachment “B2” of the Agenda for a Location Plan of respondents.



PHOTOGRAPH 1

PAW BETWEEN LOTS 214 & 2 ELM COURT AND
LOTS 212 & 187 TALL KARI CLOSE, WESTFIELD



PHOTOGRAPH 2

PAW BETWEEN LOTS 214 & 2 ELM COURT AND LOTS 212 & 187 TALL KARI CLOSE,
WESTFIELD - VIEW FROM TALL KARI CLOSE LOOKING TOWARDS ELM CLOSE

The Water Corporation has objected to the closure on the grounds that an existing water main located within the closure is affected. Investigation has revealed that the main can be cut, capped and the reticulation system modified at a cost of \$6401.27, inclusive of GST. This fee was valid until 30 June 2007 and is subject to review if not paid within this period. If this condition is met, the Water Corporation will withdraw its objection to the closure. The applicants/purchasers would need to meet this cost.

Technical Services Directorate has no objection.

The Department for Planning and Infrastructure (DPI) has not yet provided a response to the closure. In accordance with the West Australian Planning Commission's (WAPC) Planning Bulletin No.57: Closure of PAW - Planning considerations and the *Land Administration Act 1997*, the City prepared a PAW Closure report and referred the report to DPI in April 2007.

In accordance with the WAPC's Planning Bulletin No.57, the City is not able to progress the closure of a PAW without a positive response from DPI (Planning), which has significantly delayed the City's processing of a number of PAW closure requests. Over the last 18 months, officers of the City have been assisting and liaising with DPI officers more closely to ensure that more prompt responses to the City's referral of PAW closure reports are received.

WAPC's Planning Bulletin No.57 (Closure of PAWs) - Part 2.3 specifies that "*DPI will endeavour to provide comment within 60 days of the receipt of the LG Closure report*".

DPI's response has yet to be received and due to the significant delay in the response (over 9 months), the City should proceed with the PAW closure process to address the concerns of the residents.

ANALYSIS

Local Connectivity

The subject PAW provides a link for residents of Tall Karri Close to the Westfield Shopping Centre. If the PAW is closed, access to Westfield Shopping Centre for residents of Tall Karri Close will be compromised and residents will be obliged to use the street system via Sapling Way and Westfield Road. There is an Aged Care Facility, Primary School and Community Centre adjacent to the nearby Westfield Shopping Centre on the corner of Westfield Road and Ypres Road. The PAW also provides a more direct route for residents of Elm Court to Recreation Reserve 35656, which includes play equipment.

Quality of Alternative Routes

The alternate route is via Westfield Road, which has a footpath on both sides.

Police Statistics of Reported Crime

The Police crime statistics demonstrate that significant anti-social behaviour is occurring in the vicinity of the PAW. However, the City is not able to determine if the PAW has contributed to any of the crime.



PHOTOGRAPH 3

PAW BETWEEN LOTS 214 & 2 ELM COURT AND LOTS 212 & 187 TALL KARI CLOSE,
WESTFIELD - DAMAGE TO FENCE LOT 214 ELM CLOSE

Resume of Support for PAW Closure

The supporters of the PAW closure feel that the closure will alleviate the problems currently being experienced by the local community for the grounds specified earlier in this report.

Resume of Objections to PAW Closure

The objectors state that they use the PAW almost on a daily basis for their daily walk and that it is a well used and safe route for children attending Westfield Park Primary School and for elderly and handicapped people accessing the Westfield Shopping Centre and the Community Centre adjacent to the Shopping Centre. They do not agree with the claims of anti-social behaviour in the street as most have been living there a number of years and have not witnessed any of the claims. The objectors state that closing the PAW will force the residents to use the road network, particularly Westfield Road with its inherent danger.

A number of the people, responding during the advertising period, mentioned that the area is active in the Neighbourhood Watch program and that they were very shocked at the claims of the anti-social behaviour and criminal activity apparently occurring. They state that the PAW is very useful and provides a safe route to access the neighbouring shopping centre, community centre and school for the children, the elderly and themselves. One respondent is a legally blind amputee who has advised that they need the use of the PAW to get to and from the Westfield Shopping Centre in safety.

Westfield Study

In July 2007, the City and DPI (Planning) appointed consultants to investigate a range of design options for a portion of Westfield. The subject PAW is included within the Core Study Area, the draft Study recommended that this PAW and many other PAWs be upgraded. The draft Study is still being prepared and will be amended prior to further consideration by City officers and the preparation of a report for Council's consideration. This PAW should remain open for the reasons included in this report.

OPTIONS

1. Council could resolve to decline the closure of the PAW on the grounds that the PAW provides convenient and safe access to community facilities, the Westfield Shopping Centre, Aged Care Facility, Primary School, Community Centre and local POS, as indicated by the objectors to the closure.
2. Council could defer consideration of the PAW pending advice from the DPI (Planning).
3. Council could resolve to close the PAW for any reason it considers appropriate.

CONCLUSION

It is recommended that Council should adopt Option 1 on the grounds that the PAW provides safe and easy access to community facilities, including the Westfield Shopping Centre, Aged Care Facility, Primary School, Community Centre and local POS. The objections to the PAW closure appear to be valid.

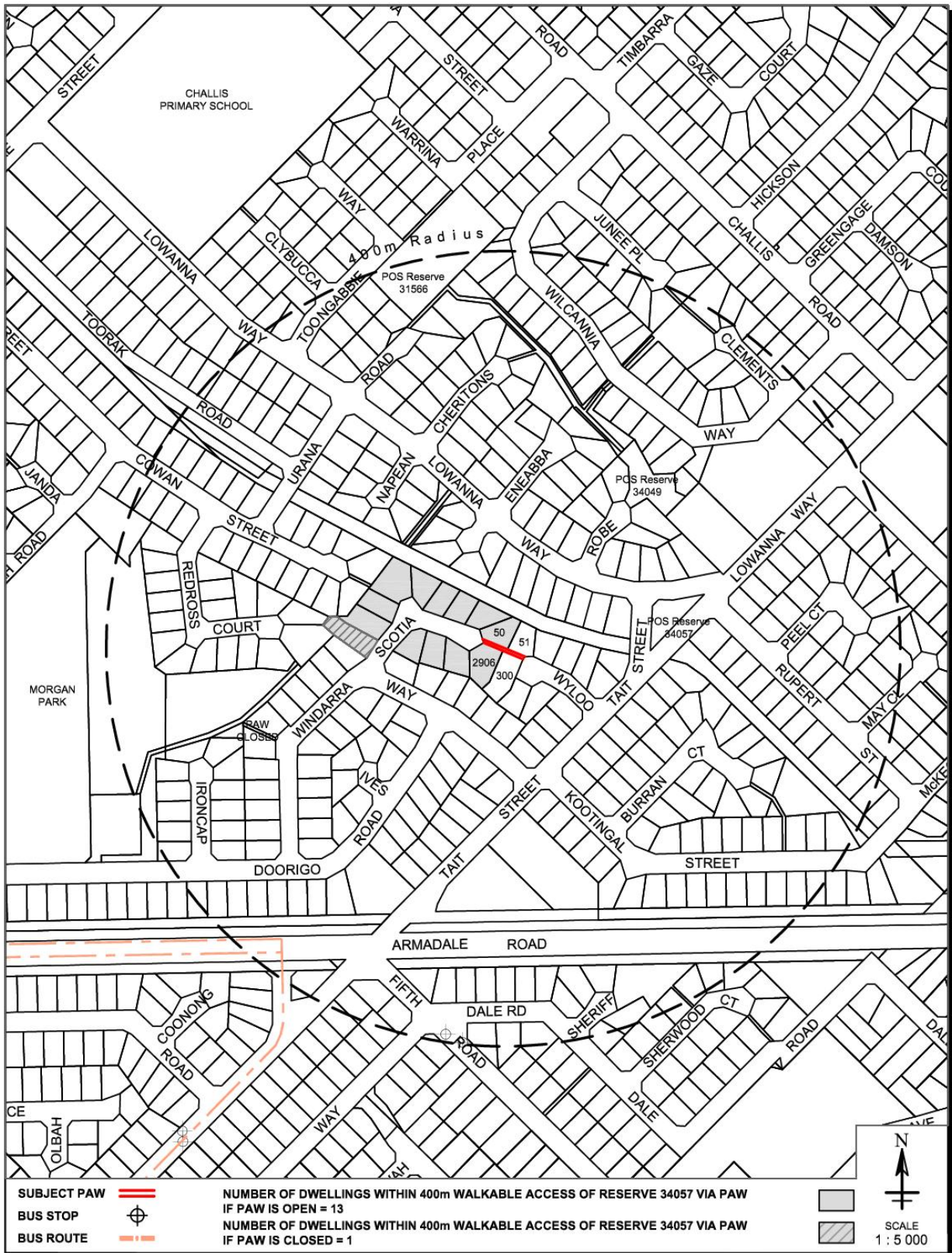
RECOMMEND

That Council:

- 1. Decline the request to close the pedestrian access way (PAW) between Lots 214 & 1 Elm Close and Lots 212 & 187 Tall Karri Court Westfield on the grounds that the PAW provides safe and easy access to community facilities, including the Westfield Shopping Centre, Aged Care Facility, Primary School, Community Centre and local POS as evidenced by the responses received during the advertising process.**
- 2. Advise the Department for Planning and Infrastructure, applicant and submittees be advised of Council's decision.**
- 3. The matter of non-closure of the PAW be drawn to the attention of the Technical Services Directorate in respect of maintenance, lighting and other improvement works that may be required.**

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PEDSHED PLAN
 PAW BETWEEN LOTS 50 & 2906 SCOTIA PLACE AND
 LOTS 51 & 300 WYLOO PLACE, ARMADALE

PEDESTRIAN ACCESS WAY (PAW) BETWEEN LOTS 300 (No.8) & 51 (No.9) WYLOO PLACE AND LOTS 50 (No.18) & FORMER RESERVE 34702 SCOTIA PLACE, ARMADALE

WARD : PALOMINO
FILE REF : WAY/28/07
DATE : 30 January 2008
REF : PMS
RESPONSIBLE MANAGER : PSM
APPLICANT : The City of Armadale
LAND OWNER : Crown
SUBJECT LAND : Pedestrian access way (PAW) between Lots 300 & 51 Wyloo Place and Lots 50 & former Reserve 34702 (now lot 2906) Scotia Place, Armadale
ZONING MRS : Urban
TPS No.4 : Unzoned

In Brief:-

- The City is currently undertaking the formal processes to dispose of former Reserve 34702 (now Lot 2906) as part of the City's Public Open Space Strategy.
- The PAW closure has been advertised in the 'Comment News' and to the surrounding landowners and Government agencies for comment.
- Department for Planning and Infrastructure does not support the PAW Closure.
- Recommend that Council retain the PAW on the grounds that the PAW provides safe and easy access to community facilities, including local primary school.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Building our Community – "Improve the overall well-being and safety of the community."

Legislation Implications

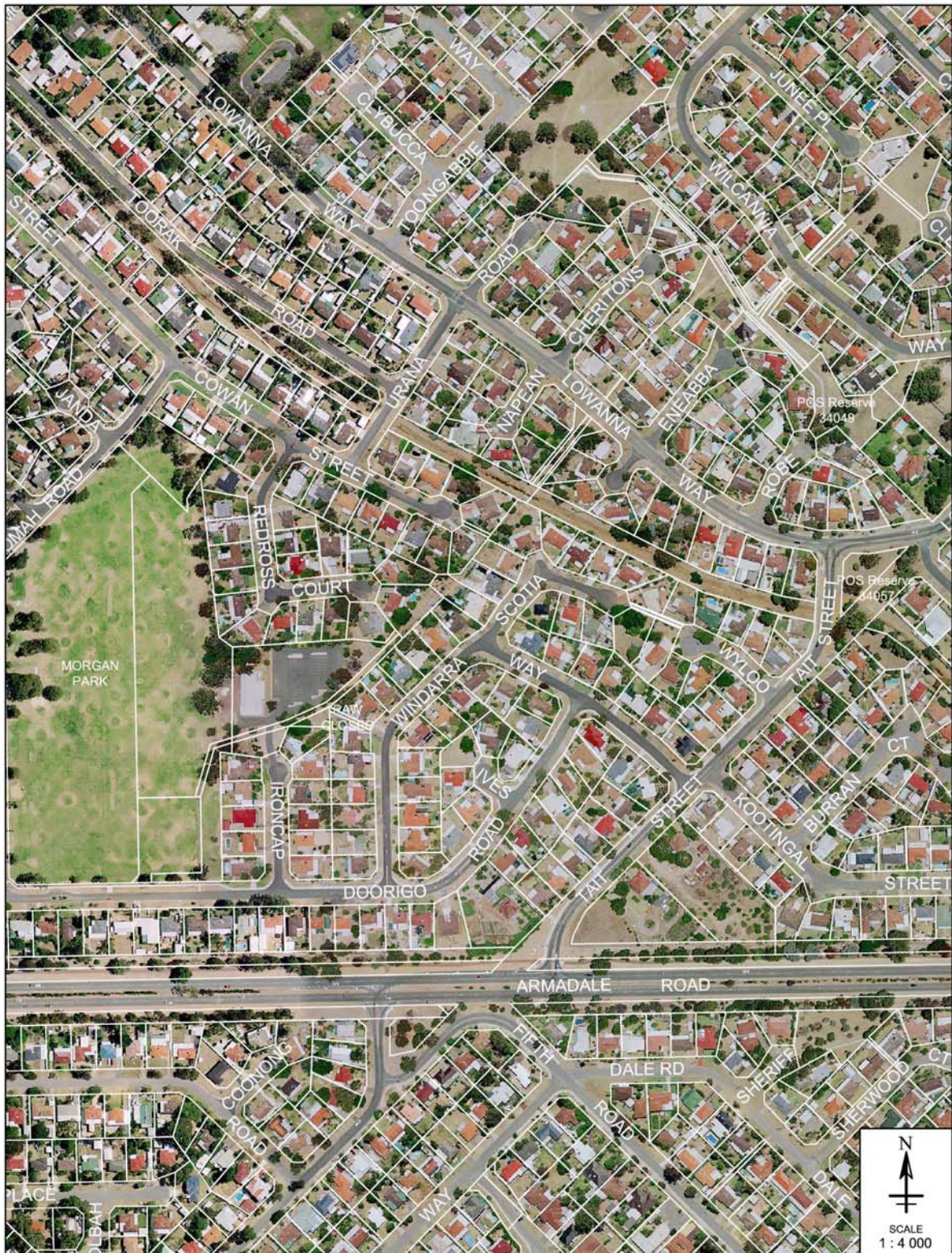
Land Administration Act 1997.

Council Policy / Local Law Implications

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

Budget / Financial Implications

Nil.



AERIAL PHOTOGRAPH
PAW BETWEEN LOTS 50 & 2906 SCOTIA PLACE AND
LOTS 51 & 300 WYLOO PLACE, ARMADALE

Consultation

- ◆ Technical Service Directorate.
- ◆ Government Agencies.
- ◆ Surrounding Landowners.
- ◆ Newspaper Advertising and signs on site.
- ◆ Department for Planning and Infrastructure.

DETAILS OF PROPOSAL

This PAW abuts former Reserve 34702 (now Lot 2906) and the City is currently considering the disposal of the former Reserve under its Public Open Space Strategy. The Council should decide whether the PAW should be closed or retained, prior to disposing of the former Reserve.

The City advertised the proposed closure to gauge feedback from the surrounding landowners with regards to the closure. It was the City's intent to close the PAW and amalgamate the PAW land with Lot 2906 and other lots, if no objections were received to the PAW closure during the advertising period.

The PAW is approximately 46 metres long and 3 metres wide and connects the cul-de-sac heads of Scotia Place and Wyloo Place. The fencing along the PAW is super 6 sheeting of varying conditions. The fencing along Lot 300 Wyloo Place is 1.2 metres high and there is no fencing along Reserve 34702 (Lot 2906). The PAW does not contain any over hanging branches from the abutting properties and very little vegetation is found in the PAW. There is lighting at the Wyloo Place end of the PAW.

COMMENT

The proposal was advertised in the 'Comment News' and to the surrounding landowners/occupiers and the Government Service Agencies for comment. The advertising period was from 15 February 2007 and 21 March 2007.

Results of Advertising

No. of Landowners/Occupiers Notified:	32
No. of Government Agencies:	4
No. of Submissions Received:	8
No. of Submissions of Objection to the PAW Closure:	5
Private Submissions:	4
Government Agency Submissions:	1
No. of Submissions of Support/No Objection to PAW Closure:	3
Private Submissions:	0
Government Agency Submissions:	3

Refer to the Confidential Attachment "B3" of the Agenda for a Location Plan of respondents.



PHOTOGRAPH 1

PAW BETWEEN LOTS 50 & 2906 SCOTIA PLACE AND LOTS 51 & WYLOO PLACE,
ARMADALE - VIEW FROM WYLOO PLACE LOOKING TOWARDS SCOTIA PLACE



PHOTOGRAPH 2

PAW BETWEEN LOTS 50 & 2906 SCOTIA PLACE AND LOTS 51 & WYLOO PLACE,
ARMADALE - VIEW FROM SCOTIA PLACE LOOKING TOWARDS WYLOO PLACE

The Water Corporation has objected to the closure on the grounds that an existing water main located within the closure is affected. Investigation has revealed that the main can be cut, capped and the reticulation system modified at a cost of \$1878.25, inclusive of GST. This fee was valid until 30 June 2007. If this condition is met, the Water Corporation will withdraw its objection to the closure. The applicants/purchasers would need to meet this cost.

Technical Services Directorate advised that they are using the PAW as a drainage outlet and closure or sale of the land would require an easement of minimum 3.0m wide over the total length of the PAW. This easement should be provided at the applicant's cost in accordance with established procedures and practises.

The Department for Planning and Infrastructure (DPI) response was received on 13 December 2007. DPI does not support the PAW closure on the grounds that the majority of submissions received during the advertising period objected to the proposed closure for the following reasons-

- ◆ The PAW provides pedestrian and cyclist connectivity from Scotia Place to the surrounding area including the local primary school. Evidence from local residents suggests the PAW is well used for this purpose particularly by children.
- ◆ A number of objections were received from surrounding residents who use the PAW.
- ◆ The Department notes that the City of Armadale is currently considering disposal of Reserve 34702, as such closure of the PAW may be reconsidered once the City of Armadale has determined the future of Reserve 34702 subject to further justification being provided for the closure within the context of the future use of Reserve 34702.

ANALYSIS

Local Connectivity

The subject PAW provides a route for school children living in Scotia Place, en-route to the local primary school on Lowanna Way and Reserve 34057 on Tait Street. The distance to Challis Primary School with the PAW open is approximately 900 metres. The distance to Challis Primary School with the PAW closed is approximately 1200 metres. Residents would have to use the street system of Scotia Place, Windarra Way and along Tait Street to access Lowanna Way.

Access to Facilities

The number of houses within 400m walkable access of Reserve 34057 if PAW is open is 13 and 1 if the PAW is closed. Reserve 34057 is not reticulated, has no playground equipment and is of limited recreational use.

The distance from the PAW in Scotia Place to Morgan Park along Windarra Way and Doorigo Road is 525 metres. Morgan Park is the most likely POS area that residents would use. Morgan Park is reticulated, used regularly for organised sporting activities and recreational purposes. There is playground equipment within the POS area. The closure of the PAW is unlikely to have a significant impact on resident's access to Morgan Park.



PHOTOGRAPH 3

VIEW OF MORGAN PARK LOOKING TOWARDS DOORIGO WAY



PHOTOGRAPH 4

PLAYGROUND EQUIPMENT AT MORGAN PARK

Quality of Alternative Routes

If the PAW is closed, the alternative access route is via the street system. There are no footpaths along Scotia Place and Wyloo Place. Tait Street and a portion of Windarra Way has a footpath. The street system provides an appropriate pedestrian system.

Police Statistics of Reported Crime

The Police crime statistics do not demonstrate that there is any significant anti-social behaviour occurring in the vicinity of the PAW.

Resume of Support for PAW Closure

There were no public submissions of support for the PAW closure.

Resume of Objections to PAW Closure

The objectors all state that they use the PAW almost on a daily basis for their daily walk and that it is a well used and the safest route for children attending Challis Primary School. One objector states that closing the PAW would also make it more difficult and longer to walk to the Deli/shop.

The Department for Planning and Infrastructure does not support the proposed closure on the grounds that this PAW forms an integral part of the pedestrian movement network in this locality. The DPI – Land Asset Management Services (LAMS) will not usually allow a PAW to be closed without the support of DPI – Planning. The Council could request the WAPC to reconsider the PAW closure in-accordance with Planning Bulletin No.57.

OPTIONS

1. Council could retain the PAW on the grounds that the PAW provides convenient and safe access to community facilities, including the Primary School as indicated both by the objectors to the closure and also the Department for Planning and Infrastructure.
2. Council could request the WAPC to reconsider the PAW closure in-accordance with Planning Bulletin No.57.

CONCLUSION

It is recommended that Council should adopt Option 1 on the grounds that the PAW provides safe and easy access to community facilities, including Challis Primary School. The objections to the PAW closure appear to be valid and have been endorsed by the Department for Planning and Infrastructure.



PHOTOGRAPH 5
VIEW OF MORGAN PARK FROM CLUBROOMS



PHOTOGRAPH 6
RESERVE 34057 LOOKING TOWARDS TAIT STREET



PHOTOGRAPH 7

VIEW OF RESERVE 34057 LOOKING TOWARDS LOWANNA WAY

RECOMMEND

That Council:-

- 1. Retain the pedestrian access way (PAW) between Lots 300 & 51 Wyloo Place and Lots 50 & 2906 (formerly Reserve 34702) Scotia Place, Armadale on the grounds that the PAW provides safe and easy access to community facilities, including the Primary school and its facilities, as evidenced by the responses received during the advertising process.**
- 2. Advise the Department for Planning and Infrastructure and the submittees of Council's decision.**

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ROAD NAMING – FORRESTDALE BUSINESS PARK

WARD : PALOMINO
FILE REF : R/A/1
DATE : 8 February 2008
REF : HC
RESPONSIBLE MANAGER : PSM
APPLICANT : Armadale Redevelopment Authority (ARA)
LAND OWNER : Various
SUBJECT LAND : Various
ZONING MRS / TPS No.4 : Industrial
: N/A Falls under ARA Scheme

In Brief:-

- Council has received a proposal to name a new east-west spur road in the Forrestdale Business Park as “Remisko Drive”.
- The proposed road name is of a deceased land owner of long standing in the area. The road passes through the lot that he owned.
- Recommend that Council approach the Geographic Names Committee (GNC) seeking approval for the new road name “Remisko Drive” (or suitable road type acceptable to the GNC) for the east-west spur road from the Ranford Road / Lake Road roundabout to Alex Wood Drive in the Forrestdale Business Park.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

- Relates to the aim for developing our City to:
- Sustain and maintain the distinctive character of the City; and
- Maintain Armadale as a special place.

Legislation Implications

Land Administration Act 1997.

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Nil.

Consultation

- ◆ Armadale Redevelopment Authority
- ◆ Benchmark Projects Australasia

BACKGROUND

At its meeting of 16 July 2007, Council resolved to seek approval from the Geographic Names Committee (GNC) to approve the name of the main spine road in the Forrestdale Business Park as Alex Wood Drive and a road in the vicinity of the old fire station as Giacomelli Road. A number of other potential road names for the area were sought to be reserved.

The GNC approved the name Alex Wood Drive. The GNC has unofficially advised it cannot approve Giacomelli Road at this stage because it does not connect with any other named roads. It could, however, be approved when more progress is made with the subdivision. Nor will the GNC reserve the other requested road names at this stage as the City already has 60 names in the Reserve Register. They can be submitted as and when required as road names.

DETAILS OF PROPOSAL

The applicant proposes to name another important spur road that will join the Lake and Ranford Roads roundabout with Alex Wood Drive. The name sought to be used is Remisko Drive.

COMMENT

The Remisko family has owned land at Lot 52 Brigade Road, Forrestdale, and been associated with the area for decades. Mr Remisko has passed away but Mrs Remisko still lives on the property.

In earlier plans of the Forrestdale Business Park, the ARA had selected Remisko Drive for the east-west spine road. The east-west spine road from the Lake / Ranford Road roundabout to Alex Wood Drive runs through Lot 52 and the naming of this road after these pioneers of the area and long time land owners would be a fitting gesture.

Informal consultation with officers of the GNC suggests that the name Remisko Drive will meet GNC criteria for road naming. The road name is not used elsewhere in the metropolitan area.

OPTIONS

1. Approve the road name Remisko Drive as submitted.
2. Not approve the road name and request the developer to provide an alternative road name complying with GNC criteria.
3. Not approve the road name and that Council recommend a new road name to GNC and the developer from the list of names already considered by Council for the area.

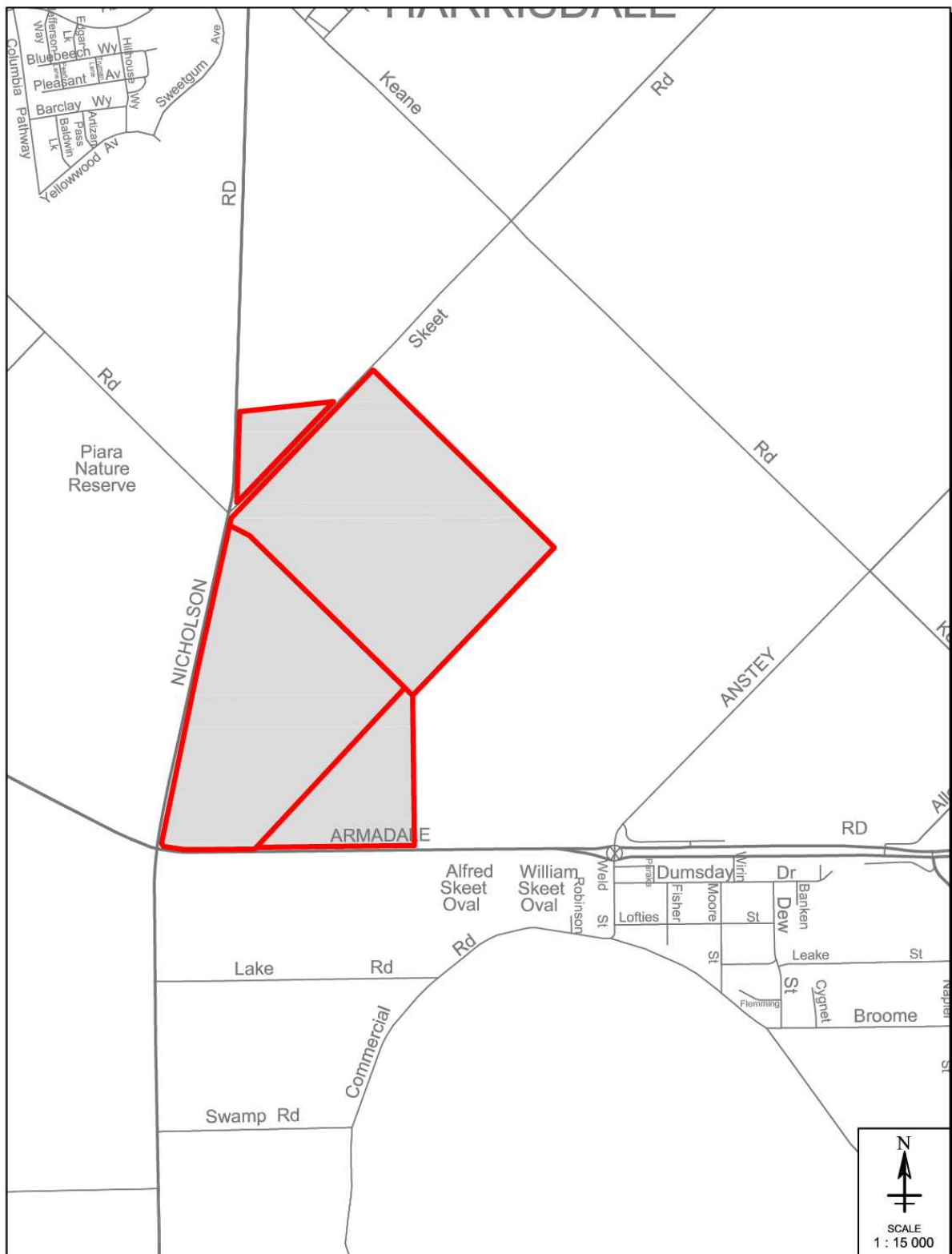
CONCLUSION

The road name “Remisko Drive” should meet GNC criteria and appears to be an appropriate proposal for Council to approve. Option 1 is recommended.

RECOMMEND

That Council approach the Geographic Names Committee (GNC) seeking approval for the new road name “Remisko Drive” (or suitable road type acceptable to the GNC) for the east-west spur road from the Ranford Road / Lake Road roundabout to Alex Wood Drive in the Forrestdale Business Park.

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LOCATION PLAN
LOTS 2, 21 AND 22 NICHOLSON ROAD AND
LOT 334 ARMADALE ROAD, PIARA WATERS

FINAL ADOPTION OF STRUCTURE PLAN SECOND STAGE “NORTH FORRESTDALE” LOTS 21, 22 AND PORTION OF LOT 2 NICHOLSON ROAD AND LOT 334 ARMADALE ROAD, PIARA WATERS

WARD : LAKE
DATE : 8/2/2008
APPLN No. : 35.2007.9.1
REF : JR
RESPONSIBLE MANAGER : PSM
APPLICANT : Chappell Lambert Everett
LANDOWNER : Zamia Property Pty Ltd (Lot 2), Jubado (Lot 22), Di Florio (Lot 21), Roman Catholic Archbishop of Perth (Lot 334)
SUBJECT LAND : Property size 102ha
Map 17:03-17:04
ZONING : Urban (MRS) / Urban
MRS / TPS No.4 : Development Zone

In Brief:

- The draft Structure Plan “North Forrestdale Second Stage Urban Development Area” has been advertised for public comment with four submissions being received.
- Recommend that Council adopt the Structure Plan with modifications determined by the Executive Director Development Services to provide statutory guidance for individual landowners to undertake more detailed planning.
- Forward the Structure Plan (as modified) to the Western Australian Planning Commission for approval.

Tabled Items

Nil (larger Scale Plan will be available at the Meeting). A late submission from the Department of Environment and Conservation may be tabled at Committee (an officer of DEC has advised they would like to submit some late comments but may do so directly to the WAPC since they are unable to meet timeframes for agenda report preparation).

Officer Interest Declaration

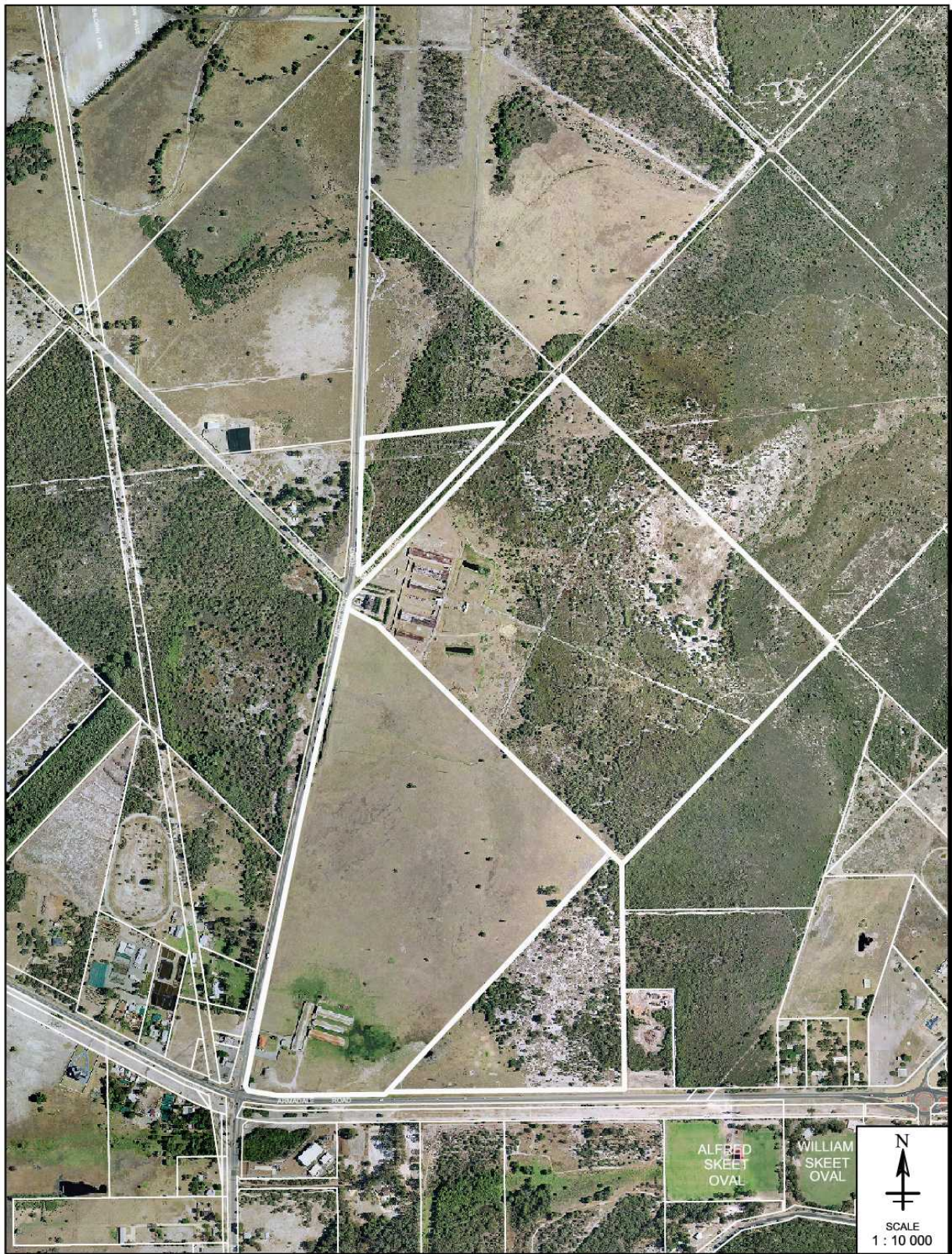
Nil.

Strategic Implications

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

Legislation Implications

- ◆ Planning and Development Act 2005
- ◆ Metropolitan Region Scheme (MRS)
- ◆ Town Planning Scheme No.4
- ◆ Environmental Protection Act 1986
- ◆ Local Government Act 1995



AERIAL PHOTOGRAPH

LOTS 2, 21 AND 22 NICHOLSON ROAD AND
LOT 334 ARMADALE ROAD, PIARA WATERS

Regional Landuse Policy Implications

- ◆ Southern River / Forrestdale / Brookdale / Wungong District Structure Plan (2001) (SRFBWDSP)
- ◆ Subregional Urban Water Management Strategy (UWMS 2002)
- ◆ Memorandum of Understanding (MOU) (2004)
- ◆ Integrated Land and Water Management Plan (ILWMP) (July 2007)
- ◆ Arterial Drainage Scheme for Forrestdale Main Drain (ADSFMD) (draft in preparation)
- ◆ Environmental Protection (Swan – Canning Rivers) Policy (EPP)
- ◆ Riverplan: (Comprehensive Management Plan and Implementation Strategy for the Swan-Canning Rivers EPP)

Council Policy / Local Law Implications

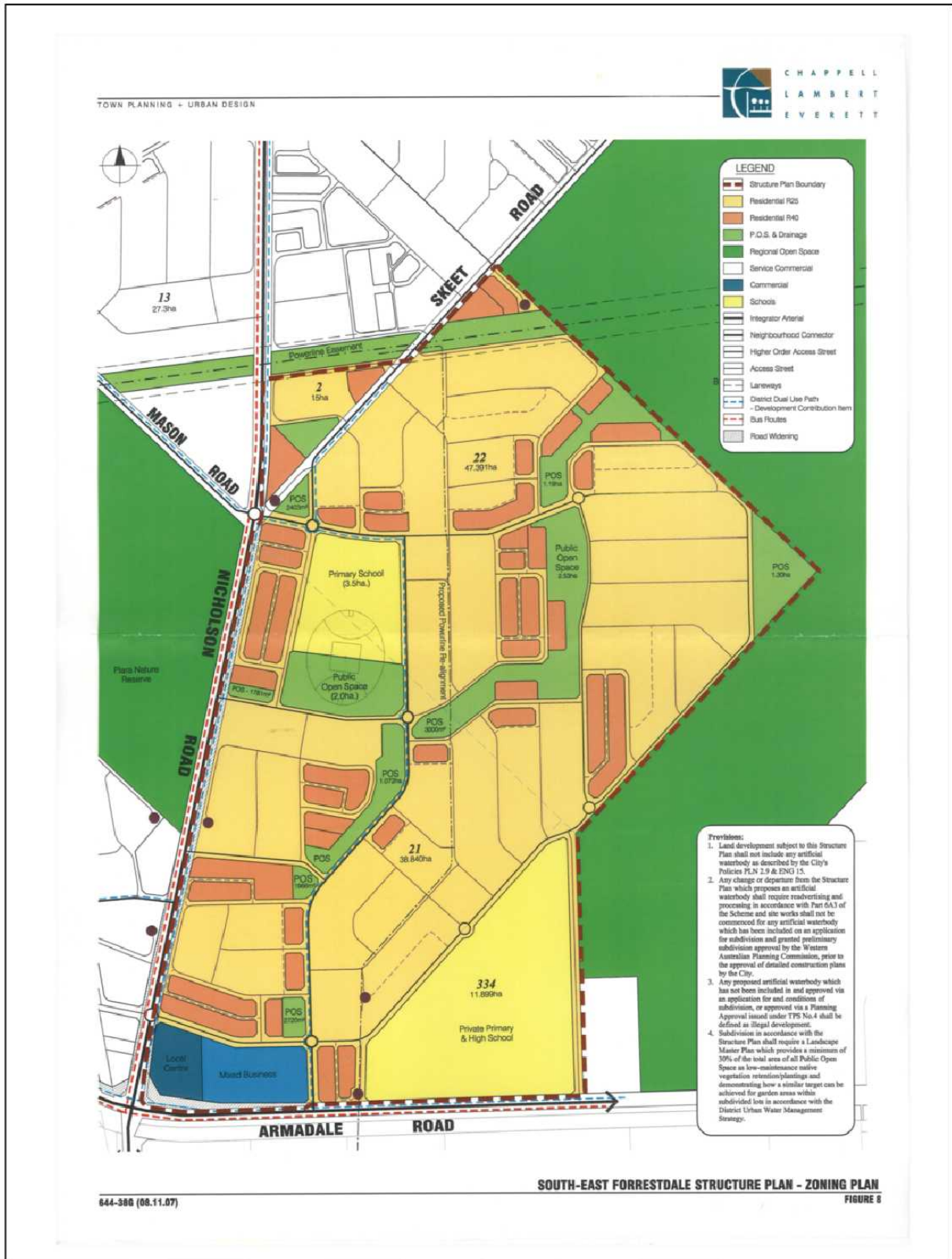
- ◆ Local Planning Strategy 2005;
- ◆ Water Sensitive Urban Design Policy;
- ◆ Landscaping (Artificial Waterbodies and Landscaping) & Policy ENG 15.

Budget / Financial Implications

In the context of the economic development of the City and the Armadale Town Centre, increasing the population of the City is a strategic objective which is supported by expansion of the North Forrestdale development area. The Development Contribution No.3 which applies to the land requires all lots to make a contribution towards a range of infrastructure items including community and recreation facilities.

Consultation

- ◆ Officers within the City's Development Services, Technical Services and Community Services Directorates;
- ◆ An MOU Group with representatives of key stage agencies for land development and water management (including officers of the City) has also been engaged in commenting on the water management documents associated with the proposal;
- ◆ North Forrestdale Urban Planning Steering Group including representation from:
 - Existing land developers in the wider area, the Department of Planning & Infrastructure (DPI), the Education Department of WA and the Public Transport Authority;
 - Planning consultants representing various landowners and developers in the wider area;
- ◆ The applicant's Chappell Lambert Everett (CLE) have undertaken additional further consultation with agencies on this specific proposal particularly the Water Corp, DOW, DEC, DPI and Education Department.



STRUCTURE PLAN STAGE 2
ZONING PLAN

PREAMBLE

The new residential developments in the “North Forrestdale” planning area are setting new standards of development in the City and focussing attention of the wider market on the benefits of living in the Armadale locality.

“North Forrestdale Second Stage Urban Development Area” is identified as the SP South East precinct on the **Indicative Staging Plan** overleaf. Planning is also progressing rapidly in other stages with a brief description of the current planning status set out as follows:

“North Forrestdale Urban Planning Area”			
Staging	Indicative Precinct	Statutory Planning steps in hand	Current activity
<i>First Stage</i>	SP Central	Planning Completed	Extensive subdivision and house construction completed and ongoing
<i>Second Stage</i>	SP South East	MRS and TPS No.4 Zoning in place	Structure Plan advertised (current proposal)
<i>Third Stage</i>	SP South	MRS Zoning in place	Draft Local Structure Plan and TPS No.4 Zoning Amendment being prepared
<i>Fourth Stage</i>	SP East	nil	MRS Amendment to be advertised imminently
<i>Fifth Stage</i>	SP Ranford	nil	MRS Amendment being prepared by WAPC for advertising
<i>Sixth Stage</i>	SP North	Planning Completed	Development by Department of Housing and Works is imminent
<i>Seventh Stage</i>	SP ERADE	MRS and TPS No.4 Zoning in place	Some development completed and ongoing
<i>Eight Stage</i>	SP Ballanup	nil	nil

BACKGROUND

Council rezoned the site from “Rural Living X and General Rural zone” to “Urban Development zone” under Amendment No.24 which was gazetted in May 2007 (D17/02/07). Amendment No.24 also included the land within the boundary of Development Contribution Plan No.3 which was gazetted in January 2007.

The “Urban Development zone” requires a Structure Plan to be prepared pursuant to the provisions outlined in Part 6A and taking effect upon adoption by both the City of Armadale and the Western Australian Planning Commission.



STRUCTURE PLAN STAGE 2
ROAD AND LOT LAYOUT PLAN

Schedule 12 requires the Structure Plan to incorporate assessments and recommend design and management responses to the satisfaction of the City for the following environmental planning factors:

- i. The urban water management recommendations in the Southern River / Forrestdale / Brookdale / Wungong District Structure Plan – Urban Water Management Strategy and subsequent guidelines for integrating urban water management with land use planning in the North Forrestdale area;
- ii. Survey assessments of existing flora and fauna, heritage sites, conservation category wetlands, land contamination, acid sulphate soils, sources of noise or odour impacts on development and interfaces to adjacent conservation areas;

Advertising of Draft Structure Plan

The draft Structure Plan for Development Area No.31 “North Forrestdale Second Stage Urban Development Area” was advertised for a period of 28 days closing on 19th December 2007.

Advertising was carried out by a combination of methods including:

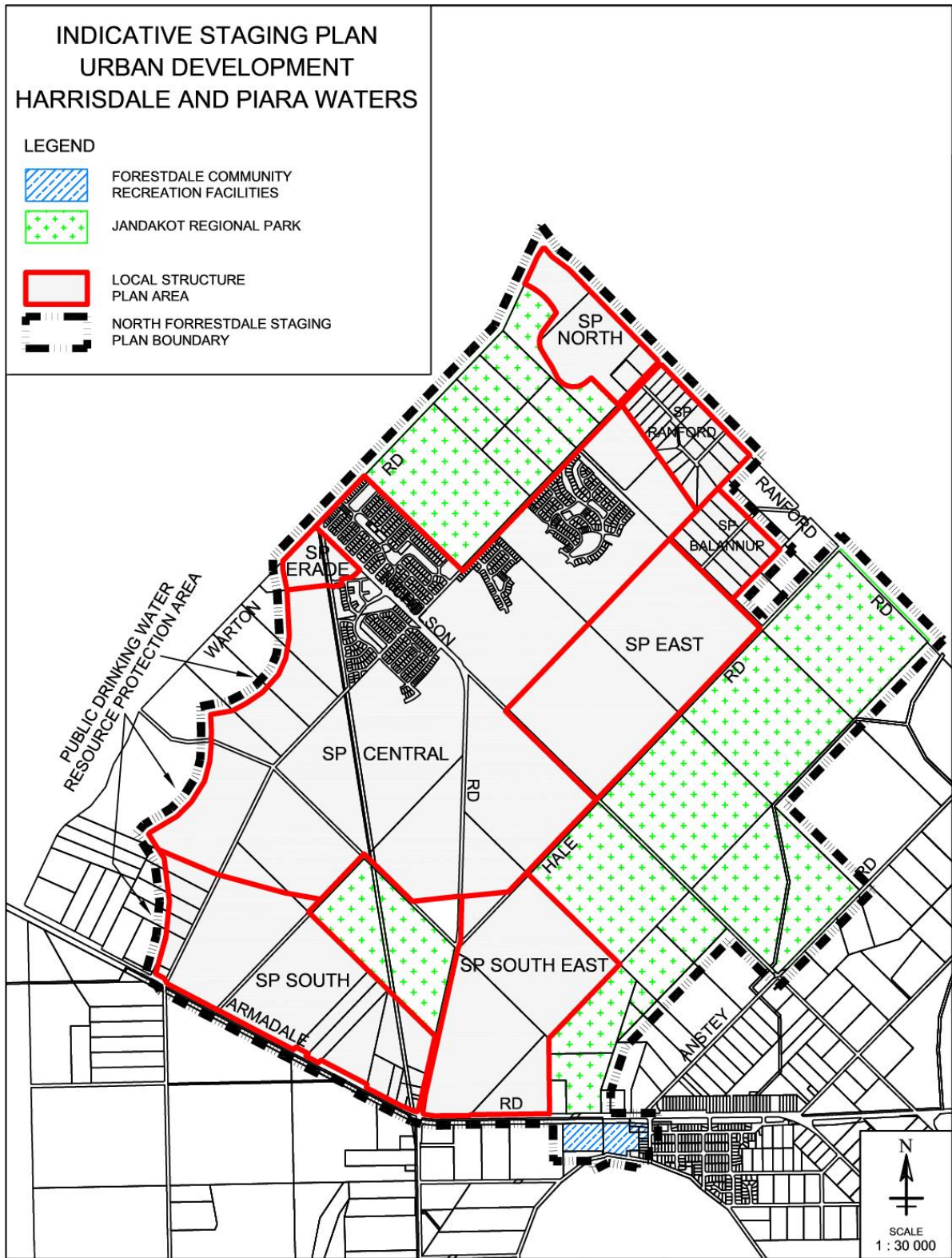
- Letters to affected and adjoining property owners and relevant state agencies;
- Signs erected on the site;
- A notice published in a circulating newspaper; and
- Publication on the City’s Website.

DETAILS OF PROPOSAL

The site area of approximately 102ha is generally bounded by Nicholson Road to the west, Armadale Road to the south and Skeet Road and the Anstey Keane Dampland regional Parks and Recreation Reservation and Bush Forever site to the north and east (*refer to Air Photo overleaf*).

The Structure Plan indicates potential subdivision of the site into approximately 1000 new lots. The Structure Plan proposes lot sizes ranging from 450m² to 650m² R25 single lots (60-70%) to 300m² to 450m² R30/40 lots over the balance, which may include some aged persons/retirement village sites (*refer to Structure Plan – Zoning Plan and Road and Lot Layout Plan overleaf*). Similar to the first stage estates such as Vertu and Newhaven it is anticipated that design guidelines or Detailed Area Plans will be prepared to guide the built form outcome for the cottage homesites and medium density developments.

Key Features of the Structure Plan are a commercial precinct on the corner of Armadale and Nicholson Roads and augmenting the exiting local centre. A 3.5ha Primary School site is located in the northern half of the Development Area and has abutting a 2ha area of Public Open Space allowing for shared use facilities including a full sized senior active recreation oval and community building to be funded in part through DCP contributions.



**INDICATIVE STAGING PLAN
HARRISDALE AND PIARA WATERS**

On the Armadale Road frontage abutting the regional Parks and Recreation Reservation is a 12ha site owned by the Roman Catholic Archbishop of Perth and zoned for a Catholic Primary and High School.

A linear corridor of POS accommodates a multiple use drainage corridor configured as a “living stream” similar to the first stage SP Central. Medium density home sites are generally located overlooking areas of POS. The strong north/south and east/west road orientation of the road layout provides good opportunities for passive solar design and home construction.

COMMENT

TPS No.4

The “Urban Development zone” operates in a similar way to the Urban Deferred zone in the MRS. Under the “Urban Development zone” it is the Structure Plan itself that identifies the density coding and permissibility of various land uses in the same way as the Scheme Map normally does in a standard Residential zone of TPS No.4. It identifies whether specific landuses are permitted (P), discretionary (D) or not permitted (X) by reference to the Zoning Table of TPS No.4.

By identifying land for a particular landuse zone the Structure Plan also becomes the implementation mechanism by which the zone provisions of TPS No.4 are applied to the land. For example in the case of non-residential development such as commercial type uses, the Structure Plan can identify the setbacks, landscaping and car parking requirements by reference to the specified standards in TPS No.4. The Structure Plan also provides the key statutory guide for subdivision and development which is the standard function of all structure plans.

ANALYSIS

The Second Stage “North Forrestdale” Urban Development Area has previously undergone planning, servicing and environmental assessments via amendments to the MRS (gazetted August 2005) and TPS No.4. Planning is therefore at a reasonably advanced stage, with the Structure Plan refining a more detailed response to the range of issues identified in preceding assessments.

The Structure Plan itself is accompanied by a report and separate volume of Technical Appendices which include an Environmental Assessment Report by Coffey Environmental, a Traffic Report by Riley Consulting and a Local Water Management Strategy (LWMS) prepared by Parsons Brinckerhoff. Civil Engineers Ewing VDM and Brown Geotechnical and Environmental also participated in the preparation of the Structure Plan.

Environmental issues and particularly urban water management are prominent issues in all the new urbanisation areas identified by the Southern River / Forrestdale / Brookdale / Wungong District Structure Plan (2001) (SRFBWDSP) including the current Second Stage area.

These issues have been given high priority attention in the joint local government/state agency protocols and arrangements that have subsequently been put in place. These include the Subregional Urban Water Management Strategy (UWMS 2002), Memorandum of Understanding (MOU) (2004), Integrated Land and Water Management Plan (ILWMP) (July 2007) and more recently the Arterial Drainage Scheme for Forrestdale Main Drain (ADSFMD) (draft in preparation).

Through the MOU a technical working group has been established to assess and oversee approvals for all urban water management strategies and plans adopted by local governments and/or resulting from WAPC subdivision approvals.

The City contributes to refinement of all urban water management strategies and plans by the MOU technical working group prior to their ultimate approval by the DOW and WAPC.

Environmental Assessment Report

The Coffey Environmental Assessment Report concludes that implementation of the Structure Plan would be unlikely to have any significant adverse impacts on the local or regional environment.

While most of the site has been previously cleared for agricultural purposes, noteworthy environmental features of the Structure Plan include the retention of better quality vegetation with Public Open Space/Multiple Use Corridors including mature *Melaleuca preissiana* trees on Lot 22 Nicholson Road. The treatment of stormwater through swales and detention basins linked within Multiple Use Corridors provides additional benefits for wildlife habitat and recreational functions. The Structure Plan does not adversely impact on adjacent Bush Forever sites or the nearby Jandakot Groundwater Protection Area.

Structure Plan “provisions”

Two environmental and water management issues of high priority to the City are specifically addressed by new Structure Plan “provisions” contained in a text box overlain on the Structure Plan itself.

These give statutory affect to the City’s general presumption against the use of “Artificial Waterbodies” located directly on-line within living stream multiple use drainage corridors or unless a Development Approval has been issued and conditioned by the City. This concern arose from developers installation of “Artificial Waterbodies” in parts of the First Stage and the high ongoing management costs and environmental impacts associated with such infrastructure.

The requirements for “Artificial Waterbodies” in the Structure Plan “provisions” are consistent with the City’s policies PLN 2.9 and ENG 15.

The second priority issue dealt with by statutory provisions of the Structure Plan is the requirement that 30% of all open space be vegetated with low maintenance native vegetation and the need for private gardens to also achieve a similar standard of native vegetation planting. This concern arose from the general recommendations of the 2002 Subregional Urban Water Management Strategy.

Traffic Report

The Riley Consulting Traffic Report concludes that the internal road network provided by the Structure Plan is well planned and forecast traffic volumes on local streets accord with current planning principles.

Local Water Management Strategy

The Parsons Brinckerhoff Local Water Management Strategy (LWMS) defines the strategy for water management at the local level. It follows on from the District Water Management Strategy that supported the MRS Amendment.

The LWMS goes through an extensive process of review by the environmental and servicing agencies both when it is being prepared by the applicant prior to advertising and subsequently for adoption by the determining authorities principally the local government, the Department of Water and the WAPC. This process of refinement produces a number of iterations culminating in the final approved document that is then implemented in various UWMP's as part of subdivision works.

As indicated above the DOW and WAPC issue final approval to the LWMS through the functions of and on the advice of the MOU technical working group. The MOU Group generally supports the LMWS however have raised a number of minor queries with the applicant before they consider endorsing the final document.

The LWMS outlines the techniques to be implemented at subdivision and development. Each subsequent individual subdivision application is then required to prepare a detailed Urban Water Management Plan which provides more detailed specifications of the system design and water management techniques to be constructed.

The LWMS addresses site's characteristics, constraints and opportunities identifying critical management issues and in respect to the:

- Principles, objectives and requirements for total water cycle management;
- Water related design objectives and conceptual stormwater management system; and
- The proposed monitoring and implementation framework which.

The City's special requirements regarding the presumption against "Artificial Waterbodies" and for 30% of all open space to be vegetated with low maintenance native vegetation are specifically addressed in the Structure Plan text box "provisions", however the City's regulations pertaining to these infrastructures should also be cross referenced in the main Structure Plan and technical LWMS report.

The key objective of the stormwater management system is to maintain post development flows at the same rate as predevelopment levels and to improve water quality outfalls. The UWMS proposes Best Management Practices of water sensitive urban design to address water quality objectives including soakwells within lots, flood storage areas and bioretention swales. Flood management objectives will be met by directing surface water to drainage corridors within swales or Multiple Use Corridors.

Water saving techniques such as use of landscaping plants with low water requirements ("xeriscaping"), waterwise POS design using areas of un-irrigated POS will also be incorporated together with reduced lawn and garden areas and education. Subsoil drains will promote infiltration and protect lots from high groundwater levels. The Controlled Groundwater Level would be set to avoid impacts on Groundwater Dependent Ecosystems.

The UWMS is based on 2 years of pre-development groundwater monitoring which will be augmented by an additional year with monitoring results guiding the preparation of the UWMP which will be required for subdivision approval.

Post development monitoring will involve quarterly and six monthly reviews of quality and flows.

Submissions

The 4 external submissions received were confined to state government agencies and are summarised as follows. More detailed comments are contained in the *Schedule of Submissions at Attachment “A3” of the Agenda, (refer Summary of Attachments - yellow page).*

The Water Corporation have provided comments in relation to the Arterial Drainage Scheme for Forrestdale Main Drain (ADSFMD) (draft in preparation) to the effect that the proposed LWMS is consistent with the Corporation’s preferred Option A of the interim ADSFMD, which the City also supports. Briefly Option A involves overflow of larger rainfall events into existing areas of natural vegetation rather than increasing storage and conveyance capabilities. This use of the natural assimilative capacity of existing wetlands has the potential to offset the negative impacts of the drying climate upon natural vegetation.

The Corporation notes however, that Option A is still pending approval by the DEC and if Option B were to be required by DEC, then the basin volumes and land areas identified in the LWMS would need to be increased. Option B involves greater levels of retention and conveyance of stormwater in constructed systems.

Through its participation in the MOU Group, the Corporation’s comments on the LWMS have also been provided via project consultant Shelley Shepherd Essential Environmental Services. The City is also party to this group and the Technical Services Directorate has provided comments separately on the LMWS for incorporation into the final approved document.

As indicated above, all the participating agencies need to be supportive of the final format of the LWMS and the executive determination of final approval is provided primarily by the DOW and the WAPC through its final adoption of the Structure Plan.

The Water Corporation’s submission also provided information on the pump station and sewer main requirements for reticulated sewer network serving the area which it advises may require prefunding by the developer. The Corporation also notes that a larger capacity pump station may be required if the planned major pressure sewer main route cannot be constructed within the unmade portion of Keane Street as planned as a result of this planned infrastructure corridor being denied by the environmental agencies.

The construction of the final linking section between Anstey and Skeet Road, that would allow a joint road and sewer main construction project to proceed. The City is currently seeking environmental approval to construct the final linking section of Keane Road subject to strict environmental conditions and offsets – the EPA has set a formal Public Environmental Review level of assessment on the Keane Road Strategic Link with this documentation currently in preparation (CS108/12/07).

An alternative alignment between Skeet and Anstey Road traversing the north east boundary of the SP South East precinct with the Jandakot Regional Park will be examined during the assessment with this option requiring minor modifications to the advertised Structure Plan.

The Corporation has also identified a potential temporary supply point for reticulated water supply at Armadale Road.

Westnet Energy (Alinta) and Western Power have provided details of their network infrastructure on or in proximity to the site. These agencies generally require liaison prior to site works which may disturb infrastructure or any new connections.

The Public Transport Authority has simply advised it has no objection to the Structure Plan.

The Department of Environment and Conservation (DEC) has advised they would like to submit late comments but may do so directly to the WAPC since they are unable to meet timeframes for agenda report preparation. Any late submission received will be tabled at Committee.

OPTIONS

1. Council may resolve to determine the submissions in accordance with the recommendations and adopt the draft Structure Plan to guide development of the area with the minor modifications and information requirements described below.
2. Council may refuse to adopt the draft Structure Plan if it considers it to be contrary to the orderly and proper planning of the area or for any other reason of inadequacy.

CONCLUSION

Planning for the Second Stage “North Forrestdale” Urban Development Area has progressed through planning, servicing and environmental assessments for both amendments to the MRS and TPS No.4 and is therefore at a reasonably advanced stage. The Development Contribution Plan is also in place requiring per lot contributions towards common and community infrastructure by each subdivider.

The Structure Plan is the remaining key statutory document prior to subdivision and development. In addition to providing a strong guide on subdivision, development and statutory controls over residential density and landuse, the Structure Plan also identifies how the previously highlighted environmental issues have been addressed and will be implemented as part of the subdivision process.

All relevant agencies have been given the opportunity to comment on detailed planning through the advertising process. The small number of submissions received during the advertising period were all from government agencies however, as no new issues were raised it is appropriate for the proposal to proceed to formal endorsement by the WAPC.

Officers have been working with applicant during the advertising period to improve the revised Structure Plan design for final adoption and resolve some outstanding queries, particularly in respect to road layout and traffic management.

Accordingly the Structure Plan submitted as modified and referred to in the following recommendation is deemed suitable for adoption. Following Council’s endorsement the WAPC will consider final approval of the Structure Plan and the DOW in conjunction with the MOU group will consider issuing final approval on the LWMS.

Subsequent subdivision and development will be required to generally conform with the Structure Plan details. Minor departures may be allowed in subdivision or development applications where changes have no adverse impacts and from time to time, more significant modifications proposed by subdividers may require further advertising and approval as departures from the approved Structure Plan or as Detailed Area Plans.

It is recommended that Council adopt the Structure Plan subject to minor modifications arising from the additional information to be submitted including addressing the following matters as determined by the Executive Director Development Services;

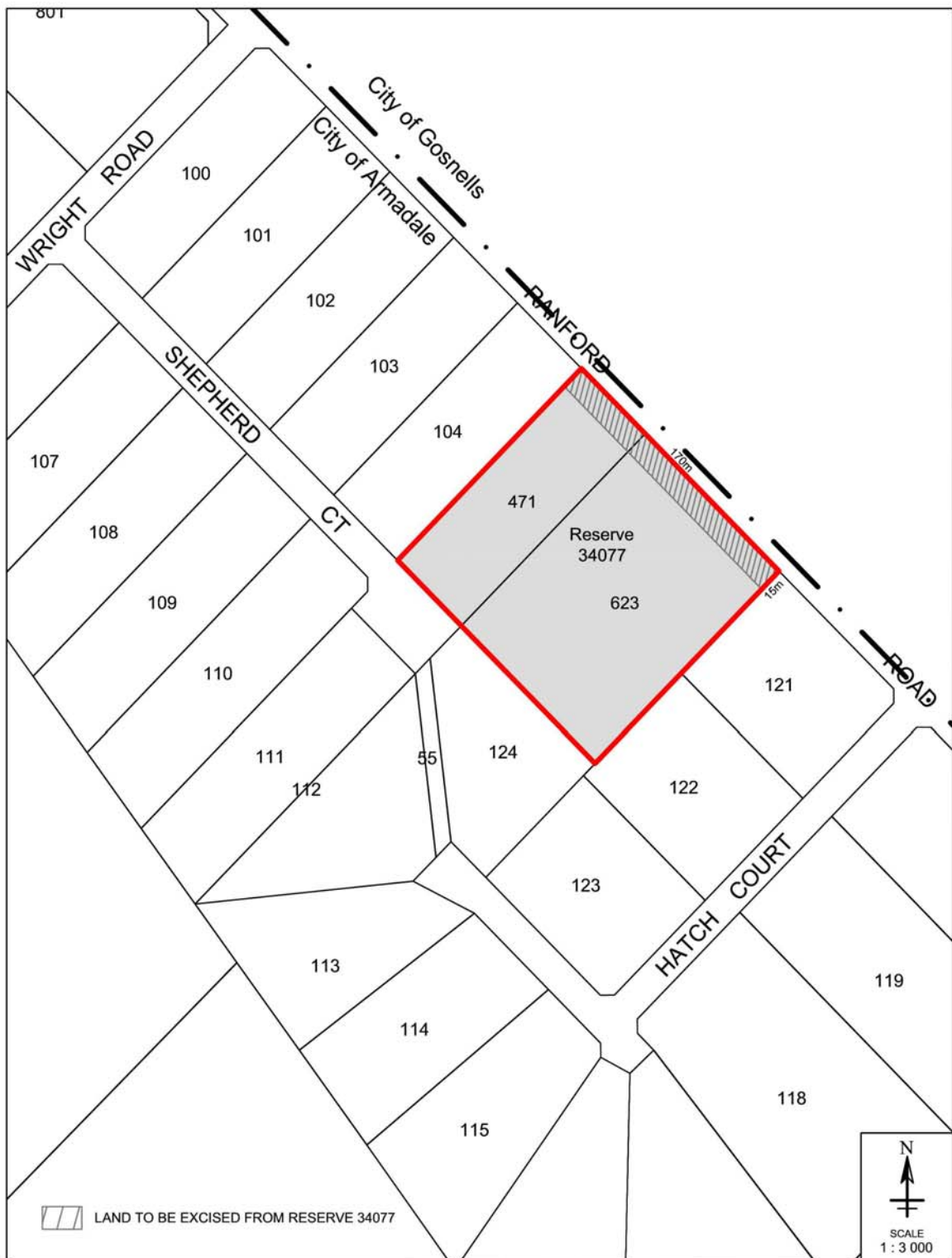
- i) *revising the main Structure Plan report and LWMS to note that:*
 - a. *The Option A drainage model for the Arterial Drainage Scheme for Forrestdale Main Drain is still pending approval by the DEC and if Option B were to be required by DEC, then any resulting increase in the basin volumes and land areas identified in the LWMS would need to be reflected in the UWMP and subdivision design;*
 - b. *The UWMP and Landscaping Plans associated with subdivision are to be prepared in accordance with City's policies PLN 2.9 and ENG 15 dealing with Landscaping and "Artificial Waterbodies".*
- ii) *clarifying/modifying the structure road layouts:*
 - c. *surrounding the intersection of Mason, Nicholson and Skeet Roads and taking into account the anticipated use and structure of Lot 12 Mason Road, Lots 53 and 54 Keane Road and traffic capacity requirements arising from north-south traffic flows on the alignment from Southern River Road into the localities Harrisdale and Piara to Nicholson Road;*
 - d. *to facilitate possible option for the City to propose an alternative to the Keane Road alignment by extending a new direct road link from Skeet Road to Anstey Road and ultimately Armadale Road and traversing an area of Parks and Recreation Reservation located to the immediate south-east of the SP SE precinct;*
 - e. *to address the other road layout queries and modifications raised by the Technical Services Directorate during the advertising period;*
 - f. *to demonstrate that the proposed oval and related infrastructure can be accommodated within the area provided for the joint POS and primary school site and confirming the allocated site area meets the requirements of the Department of Education and Training;*
- iii) *modifying the Legend for greater consistency of land use classifications with the Zoning Table of TPS No.4; and*
- iv) *any late submission comments received from DEC.*

RECOMMEND

That Council:-

- 1. Pursuant to Clause 6A.3.7(a) of Town Planning Scheme No.4, adopt the Structure Plan over Lots 21, 22 and portion of Lot 2 Nicholson Road and Lot 334 Armadale Road with modifications generally in accordance with the further supporting information outlined in the above report and recommendations made in the schedule of submissions to the satisfaction of the Executive Director Development Services.**
- 2. Upon receipt of appropriately modified documents, forward the Structure Plan (as modified) to the Western Australian Planning Commission for approval under Clause 6A.3.9.**
- 3. Endorses the comments and recommendations made in the schedule of submissions to be forwarded to the Western Australian Planning Commission and advise the submittees of its decision.**

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LOCATION PLAN
RESERVE 34077 RANFORD ROAD, FORRESTDAL

***PROPOSED EXCISION OF PORTION OF RESERVE 34077 (LOTS 471 & 623)
RANFORD ROAD, HARRISDALE***

WARD : LAKE

FILE REF : P5058; P5059

DATE : 11 February 2008

REF : MF

RESPONSIBLE MANAGER : PSM

APPLICANT : COA

LAND OWNER : CROWN

SUBJECT LAND : Reserve 34077, described as
Lots 471 & 623, Ranford Road,
Harrisdale.

ZONING MRS : Rural, Other Regional Roads
Reservation

TPS No.4 : Parks & Recreation (Local),
MRS Other Regional Roads
reservation

In Brief:-

- DPI – State Land Services have advised the City that Council’s previous resolution on 17 December 2007 to excise a portion of Reserve 34077 for road widening must also include the word “dedication”.
- Recommend that Council request the dedication of the proposed excision from Reserve 34077 for road widening purposes and to authorise the issue of a Statutory Declaration in relation to any interests over the Reserve as required by DPI - State Land Services.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Physical Infrastructure – “Continue to develop an integrated transport system by constructing Ranford Road and Champion Drive to provide interconnectivity with Tonkin Highway”.

Legislation Implications

Planning and Development Act 2005.
DPI Guidelines for the administration of S.20A “public recreation” reserves.
Land Administration Act 1997.
Town Planning Scheme No.4.

Council Policy / Local Law Implications

Nil.



AERIAL PHOTOGRAPH
RESERVE 34077 RANFORD ROAD, FORRESTDAL

Budget / Financial Implications

There are financial implications for the land adjoining the Reserve.

Consultation

- ◆ Technical Services Directorate
- ◆ Department for Planning and Infrastructure (Perth Office)
- ◆ Department for Planning and Infrastructure (State Land Services)

BACKGROUND

At its meeting of 17 December 2007, Council resolved as follows:

1. To request the Department for Planning and Infrastructure (DPI) – State Land Services to excise for road widening, a portion of Reserve 34077 (170m long and 15 metres wide) and described as Lot 471 (on Diagram 49689 – CT 3144/723) and Lot 623 (on Plan 12788 – CT 3144/724) Ranford Road, Harrisdale.
2. Surrender the Vesting Order to the Department for Planning and Infrastructure (DPI) – State Land Services for Reserve 34077 in exchange for a new Management Order for the reduced area of Reserve 34077.

A request was accordingly sent to the DPI – State Land Services to proceed with the excision in accordance with the above resolution.

DETAILS OF PROPOSAL

The Department for Planning and Infrastructure – State Land Services has now advised the City as follows:

- ◆ the excision of the land as contained in the above resolution must include the word “dedication” of the land for road widening purposes;
- written support is required from the Western Australian Planning Commission to the proposed excision;
- the City’s resolution must include the dedication of the excised land for road widening and indemnification, pursuant to Section 56 of the Land Administration Act 1997; and
- A Statutory Declaration is also required in relation to any interests over the Reserve.

COMMENT

Council officers have now obtained the support of the Western Australian Planning Commission. In all other respects the previous report submitted for Council’s determination remains the same and is *at Attachment “A4” of the Agenda, (refer Summary of Attachments - yellow page).*

OPTIONS

1. Council could resolve not to dedicate the land for road widening purposes, however this would delay the upgrading and construction of Ranford Road.
2. Council could resolve to request the dedication of the land for road widening purposes.

CONCLUSION

The excision and dedication is required to facilitate the widening and construction of Ranford Road. It is recommended that Council should adopt Option 2.

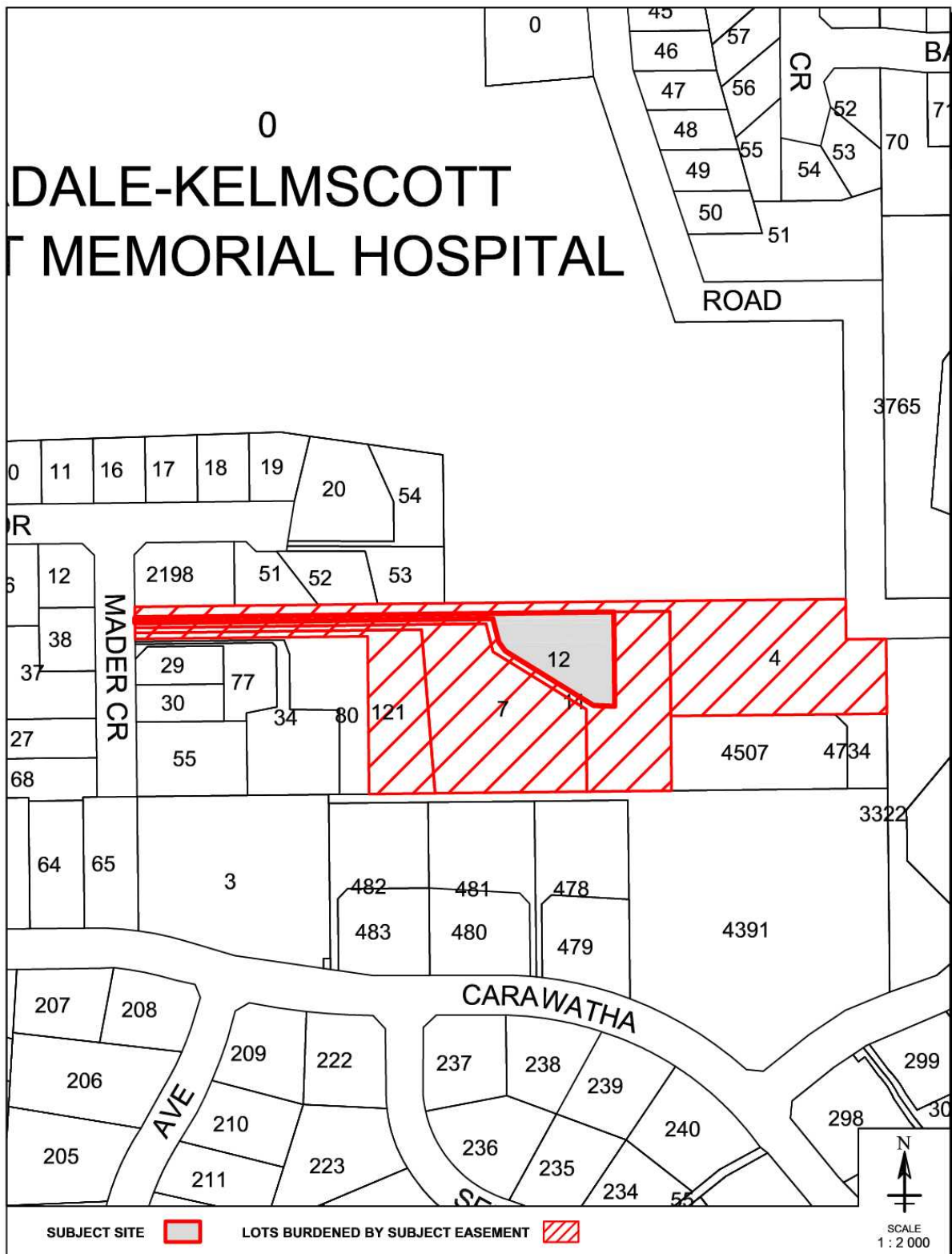
RECOMMEND

That Council:

1. **Request the dedication of the proposed excision from Reserve 34077 and described as Lot 471 (on Diagram 49689 – CT 3144/723) and Lot 623 (on Plan 12788 – CT 3144/724) Ranford Road, Harrisdale for road widening purposes.**
2. **Surrender the Vesting Order to the Department for Planning and Infrastructure (DPI) – State Land Services for Reserve 34077 in exchange for a new Management Order for the reduced area of Reserve 34077.**
3. **Authorise the issue of a Statutory Declaration in relation to any interests over the Reserve 34077 in accordance with the Oaths, Affirmations and Statutory Declarations Act 2005.**
4. **Advise the Department for Planning and Infrastructure (DPI) – State Land Services of Council's decision.**

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LOCATION PLAN
LOT 12 (No. 2E) MADER CRESCENT, MOUNT NASURA

REQUEST FOR CITY TO CONSENT TO PARTIAL SURRENDER OF CARRIAGEWAY EASEMENT – LOT 12 (No.2E) MADER CRESCENT, MT NASURA

WARD : NEERIGEN
FILE REF : PLU/A/1
DATE : 11 February 2008
REF : HC
RESPONSIBLE MANAGER : PSM
APPLICANT : Mimma Shaw Property Settlements OBO AS & MT O'Neill
LAND OWNERS : MS & M Edmondson, GH & J Baptie, AS & MT O'Neill, RJ Kelly, and SR & SD Miller
ZONING MRS : Urban
TPS No.4 : Residential R5

In Brief:-

- The City is a party to a Grant of Right of Carriageway for a number of properties in Mader Road, Mt Nasura.
- The Parties covenanted with the City not to surrender, release, abandon, modify or extinguish either wholly or partially the easement without the prior written consent of the City.
- Owners of Lot 12 Mader Crescent wish to build a house that will impinge onto portion of the access easement so are requesting the surrender of a portion of the Easement.
- Other affected parties have agreed to the surrender of a portion of the easement.
- The surrender will apparently have no detrimental effect on access arrangements.
- Recommend that Council consent to the Partial Surrender of the Granted Easement Rights (right of carriageway easement rights) over the part of Lot 12 (No.2E) Mader Crescent, Mt Nasura, as is depicted and marked "A" on Deposited Plan 58707 only and authorise the Mayor and Chief Executive Officer to sign and seal the Instrument of Partial Surrender.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Fits with the aim of developing our organisation to deliver high quality, professional governance and administration.

Legislation Implications

Town Planning and Development Act 1928 (then)
Transfer of Land Act 1893
Planning and Development Act 2005 (now).

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Nil.

Consultation

Technical Services Directorate.

BACKGROUND

In March 1993, the City became a party to a Grant of Right of Carriageway between Lots 100 (Dominant Tenement) and 101 (Servient Tenement) Mader Crescent, Mt Nasura, for reciprocal rights of access. The Parties covenanted with the City not to surrender, release, abandon, modify or extinguish either wholly or partially the easement without the prior written consent of the City.

There have been a number of subsequent subdivisions of the land comprised in the above lots and the new lots have become parties to the easement.

DETAILS OF PROPOSAL

The owners of Lot 12 Mader Crescent wish to build a house, part of which would enter into the area of a portion of the easement, upon their land so they are requesting that the City consent to a partial surrender of the easement. The portion of easement in question is outlined in the Diagram 58707 in this report. The owners of Lots 4, 7, 11, 12 and 121, created by subsequent subdivisions and affected by the easement, have all agreed to the partial surrender.

COMMENT

The portion of easement in question is a small portion of a larger reciprocal rights access easement. The portion is not utilised for access by Lot 4 to the east of Lot 12. Their sealed access is in an area of easement to the north of the portion of easement requested to be surrendered.

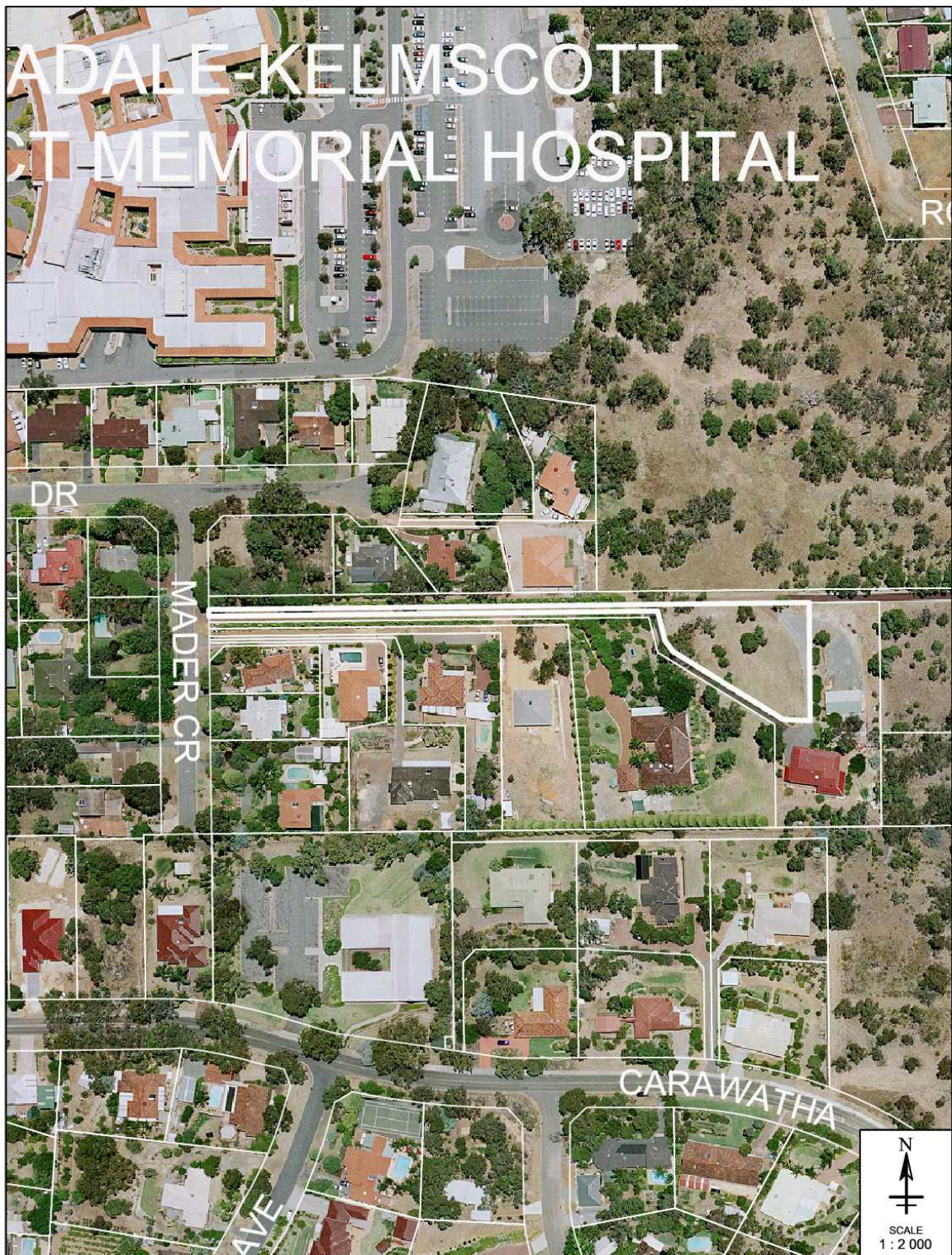
The portion of easement in question is not utilised for access by Lot 11 to the south-east of Lot 12. Their sealed driveway is via the battleaxe access leg below the southern boundary of Lot 12.

The properties at Lots 7 and 121 are to the west of Lot 12 (i.e. closer to Mader Crescent) and will not be affected by any surrender of a portion of easement.

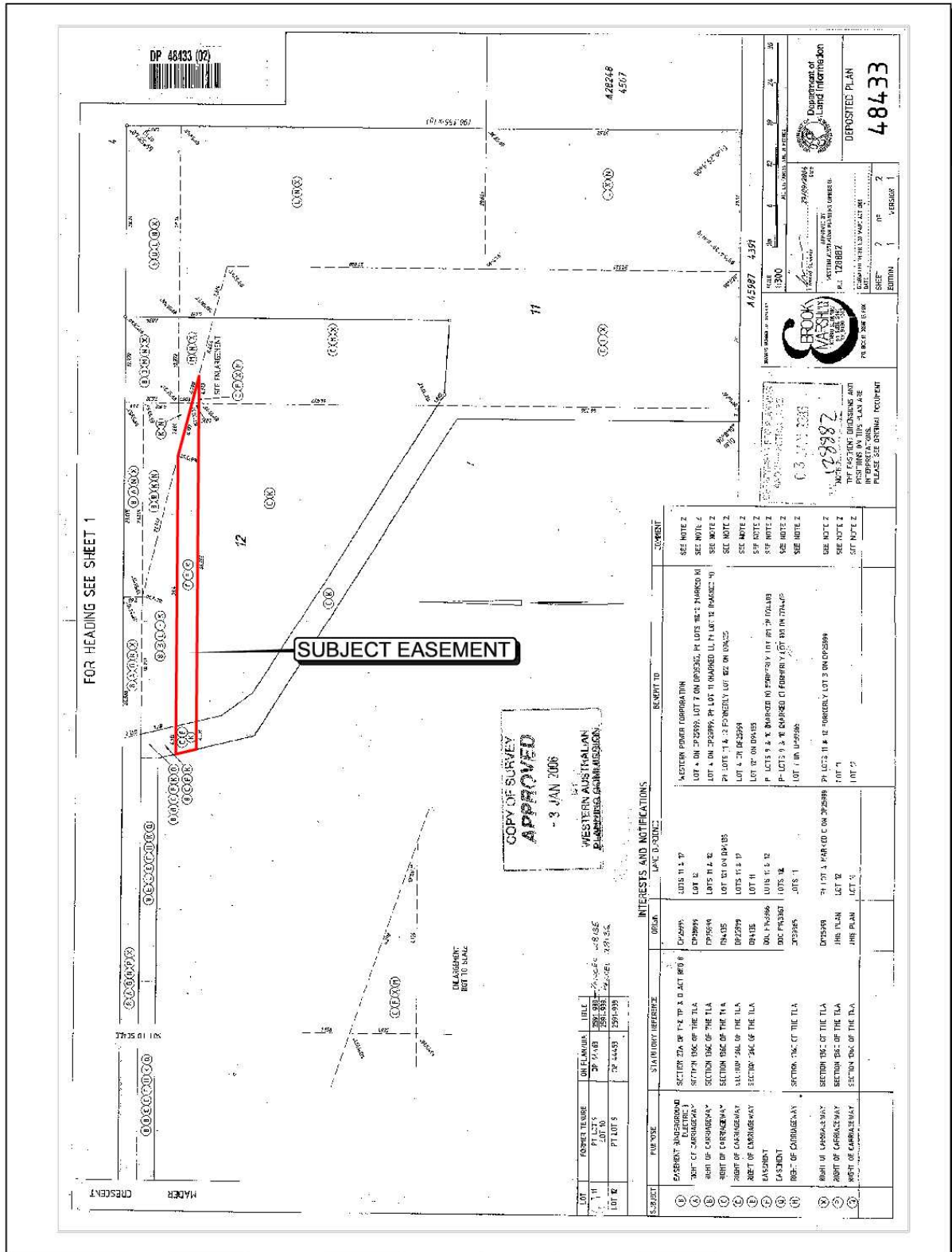
All the neighbours who have become parties to the easement as a result of subsequent subdivisions have signed the Partial Surrender of Easement Deed, acknowledging that the surrender of the portion in question will have no effect on their access or rights.

An easement of some 7.8m will remain to the north of the portion of easement sought to be surrendered, and this will allow ample access should this be required by Lot 11 to the south-east and Lot 4 to the east.

The Technical Services Directorate advises that there appears to be no drains in the portion of easement in question or nearby.



AERIAL PHOTOGRAPH
LOT 12 (No. 2E) MADER CRESCENT, MOUNT NASURA



DEPOSITED PLAN 48433
EXISTING EASEMENTS

ED/VER: _____ APPENDMENT: _____ BY: _____ SIGNATURE: _____ DATE: _____	FOR INTEREST PURPOSES ONLY		INITIAL INTEREST'S: STATUTORY REFERENCE: _____ LAND REFERENCE: _____ BENEFIT TO: _____ COMMENT: _____
TYPE: FREEHOLD PURPOSE: INTEREST PLAN OF: _____		EASEMENT AND/OR INTERESTS OVER LOT 12 ON DP48433	
DISTRICT: CANNING LOCAL AUTHORITY: CITY OF ARMADALE LOCALITY: MOUNT NASURA		BSA No: _____ FILE: _____ FORM: DCP14 (27/3/04, 23/05)	
SCALE: 1:250 @ A3 I. NJ FRANKIE SURVEYOR'S CERTIFICATE: 189/54 I hereby certify that this is a correct representation of the information provided to me and that I have taken all reasonable steps to ensure that the information is true and correct.		APPROVED BY: _____ (SIGNED BY) (LOCAL PLANNING COMMISSIONER)	
LICENSED SURVEYOR: _____ TYPE OF VARIATION: _____ REASON: _____ EFFECTIVE DATE: _____		DEPOSITED PLAN: 58707 SHEET: 1 OF 1 EDITION: 1 VERSION: 1	

DEPOSITED PLAN 58707
EASEMENT TO BE REMOVED

OPTIONS

1. Council could consent to the Partial Surrender of the Easement and authorize the Mayor and Chief Executive Officer to sign and seal the instrument of Partial Surrender.
2. Council could decline to consent to the Partial Surrender of the Easement and advise the parties accordingly.

CONCLUSION

As the affected properties have all agreed to the surrender of a portion of the easement, and the surrender will apparently have no detrimental effect on access arrangements, Option 1 is recommended.

RECOMMEND

That Council:

1. **Consent to the Partial Surrender of the Granted Easement Rights (right of carriageway easement rights) over the part of Lot 12 (No.2E) Mader Crescent, Mt Nasura, as is depicted and marked “A” on Deposited Plan 58707 only; and**
2. **Authorise the Mayor and Chief Executive Officer to sign and seal the Instrument of Partial Surrender.**

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URBAN DESIGN AWARD CRITERIA

WARD : ALL
DATE : 29th January 2008
REF : IM
RESPONSIBLE : EDDS
MANAGER

In Brief:-

- Council resolved in September 2007 to establish a Mayor's Urban Design Award system.
- To guide the Mayor in selecting Award recipients a range of criteria have been proposed in the report.
- Recommend that Council note the recommended criteria set out in the report to be used to guide in the nominating of developments for the Mayor's Urban Design Award.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

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

Legislation Implications

Nil.

Council Policy / Local Law Implications

Heritage Management Incentives Policy PLN 3.8

Budget / Financial Implications

It is anticipated that the costs of the occasional awards would be accommodated within current budget allocations.

Consultation

- ♦ Officers in the City's Planning Department

BACKGROUND

At its meeting on 17th September 2007 Council resolved to request that criteria be developed for the establishment of a Mayor's Urban Design Award system. The purpose was to establish a system that would result in the bestowing of occasional awards by the Mayor to reward good development by public recognition and affording the promotion of good design through related media statements and articles. It could result in just one or two nominations a year, even the possibility that some years there would be none.

While some Councils provide a whole nomination and judging process this Council is inclined to adopt an approach that would avoid an additional administrative impost of that nature. Instead the benefits of identifying and rewarding good design are proposed without lengthy and complex associated processes through the Mayoral award.

DETAILS OF PROPOSAL

To provide guidance and consistency in the selection by the Mayor of Design Award recipients criteria should be provided. These should be reasonably wide ranging to cover the different objectives relating to aesthetics, community benefit, environmental benefit, and heritage conservation that the City seeks to promote through the award system.

One or more of the following criteria should be met in selecting projects for nomination for an urban design award:

The Project:

- ◆ Provides an attractive and pleasant view from the street and public places;
- ◆ Provides a particular facility of great value to the community;
- ◆ Provides for improved surveillance of public places and implements Crime Prevention Through Environmental Design (CPTED) principles;
- ◆ Provides attractive and creative use of materials, colours and landscaping;
- ◆ Achieves significant sustainability outcomes;
- ◆ Facilitates the enhancement and continued utility of a place included in the City's Municipal Heritage Inventory;
- ◆ Reflects and responds to local built environment;
- ◆ Enhances and improves the local natural environment.

COMMENT

There is merit in presenting occasional Design Awards as an opportunity to publicly praise development of value to the community. Such actions highlight the type of development the City seeks to encourage.

The establishment of selection criteria has utility in guiding the recommendations by officers and the decisions by the Mayor on behalf of Council. The criteria suggested cover a range of considerations relating to streetscape, surveillance, construction, use, as well as natural and man-made heritage.

It is proposed that the design award should take the form of a framed certificate on which was stated the name of the project, the owner, developer and designer with a brief statement from the Mayor explaining the merit of the recipient in the context of the criteria.

OPTIONS

Council could:

1. Note the suggested criteria that would be used to guide the selection of projects to receive design awards.
2. Consider other criteria to guide the selection of projects to received design awards.
3. Not promote any criteria for the selection of Urban Design Awards.

CONCLUSION

Council has previously supported a Mayor's Urban Design Award system to identify and reward developments providing a high standard of design. To guide the selection of recipients selection criteria are proposed for Council's adoption. Option 1 is recommended.

RECOMMEND

That Council note the recommended criteria set out in the report to be used to guide in the nominating of developments for the Mayor's Urban Design Award.

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***REFERRAL ITEM –
CITY OF ARMADALE COMMERCIAL / INDUSTRIAL PROPERTIES***

At Council's meeting on 11 February 2008, Cr Butterfield referred the following –

“That the matter of officers investigating strategies which would empower Council's compliance officers to ensure that commercial / industrial properties within the City are not permitted to fall into a derelict condition be referred to the Development Services Committee”.

The following comments have been provided by Cr Butterfield for consideration by Committee:

“Several prominent buildings within the City of Armadale have fallen into a derelict condition over the past year. The buildings are or have been situated on sites awaiting redevelopment. The vacant buildings have been vandalized to the point they are an embarrassment to the residents in the area and a constant source of anti social behaviour resulting in numerous calls to police, council officers and councillors.

Such buildings attract a small but destructive element of society, who have seen fit to smash every pane of glass, graffiti and even set fire to these unsecured premises. If the ultimate fate of a building is demolition, then it should be done in a safe, professional and timely manner. Until that time the premises should be secured and maintained so as not to advertise its vacancy to vandals.

Local residents should not have to put up with the anti social behaviour and the community should not have to suffer the negative effect such derelict, vandalised buildings have on an area”.

Committee to discuss.

RECOMMEND

LATE ITEMS

COUNCILLORS' ITEMS

EXECUTIVE DIRECTOR DEVELOPMENT SERVICES REPORTS

1. *Unauthorised Use of Property – Lot 900 (11) Wakehurst Place, Kelmscott*

At its meeting on 18 June 2007, Council resolved to authorise officers to institute legal proceedings, subject to legal advice, against Mr PW Doulton and Mrs YL Doulton, owners of Lot 900 (11) Wakehurst Place, Kelmscott for contravening the provisions of the *City of Armadale Town Planning Scheme No.4* for conducting a storage use on the property without the consent of Council.

On 23 January, Mr PW and Mrs YL Doulton were convicted in the Armadale Magistrates Court. Each landowner was charged with one charge of unauthorised use of property contrary to Clause 5A.2.1 and 5A2.2 of the Town Planning Scheme No.4 relating to storage of goods and materials on the subject property without Council approval.

Each landowner was convicted by the Magistrate on an endorsed plea of guilty and fined \$300 each with costs of \$595.00 each, totalling \$1790.00.

2. *Unauthorised Use (Storage) of Property - Lot 47 (31) Cohuna Drive, Armadale*

At its meeting on 13 November 2007, Council resolved to authorise officers to institute legal proceedings, subject to legal advice, against Mr Willem Hendrick Bull, owner of Lot 47 (31) Cohuna Drive, Armadale for contravening the provisions of the *City of Armadale Town Planning Scheme No.4* for conducting a storage use on the property without the consent of Council.

On 6 February, Mr Bull was convicted in the Armadale Magistrates Court.

The landowner was charged with one charge of unauthorised use of property contrary to Clause 5A.2.1 and 5A2.2 of the Town Planning Scheme No.4 relating to storage of goods and materials on the subject property without Council approval.

The landowner was convicted by the Magistrate on a plea of guilty and fined \$1500.00 with costs of \$775.70, totalling \$2277.70.

Originally the Magistrate intended to fine Mr Bull \$3000.00, however, in consideration of Mr Bull's mother having died in October 2007 and in view of him making an effort to clear the property the Magistrate halved the fine to \$1500.00.

MEETING DECLARED CLOSED AT _____

DEVELOPMENT SERVICES COMMITTEE

SUMMARY OF “A” ATTACHMENTS

19 FEBRUARY 2008

ATT NO.	SUBJECT	PAGE
BUILDING		
HEALTH		
A1	Copy of City of Armadale Environment, Animals & Nuisance Amendment Local Law 2008.	127
PLANNING		
A2	Copy of Report re Review of Westfield Locality Name and Boundaries – February 2007	130
A3	Schedule of Submissions – North Forrestdale – Structure Plan – Stage 2 – Nicholson Road & Armadale Road, Piara Waters	139
A4	Copy of previous report re proposed excision of portion of Reserve 34077 (Lots 471 & 623) Ranford Road, Harrisdale	142

LOCAL GOVERNMENT ACT 1995

City of Armadale

ENVIRONMENT, ANIMALS AND NUISANCE AMENDMENT LOCAL LAW 2008

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Armadale resolved on (date to be inserted) to make the following local law.

1 Citation

This local law may be cited as the *City of Armadale Environment, Animals and Nuisance Amendment Local Law 2008*.

2 Principal Local Laws

In this local law, the *City of Armadale Environment, Animals and Nuisance Local Laws 2002* published in the *Government Gazette (Special)* No.36 of 1 March 2002 and amended in *Government Gazette* No.190 of 22 October 2002, No.174 of 4 November 2003, No.22 of 1 February 2005 and No.66 of 11 April 2006 are referred to as the principal local laws. The principal local laws are amended as follows.

3 Clause 3 amended

Clause 3 is amended by deleting the definitions of "residential zone" and "rural zone" and inserting instead the following definitions in the appropriate alphabetical order – **"residential zone"** means and includes any area zoned "Residential" or "Special Residential" under the City's Town Planning Scheme; "

and

"rural zone" means and includes any area zoned "Rural Living" or "General Rural" under the City's Town Planning Scheme; "

4 Clause 38 amended

Clause 38(1) is deleted and substituted with –

"Within the portion of that land described in the City's Town Planning Scheme No.4 as Development Area No.11 north of Waterwheel Road and shown in Schedule 9, no person shall keep any:

- (a) cat;
- (b) poultry, including any rooster, peafowl, guinea fowl, turkey or goose; or
- (c) farm animal".

5 Clause 39 amended

5.1 Clause 39 is deleted and substituted with – "39. Deleted".

5.2 The associated clause 39 in the table in Schedule 14 is deleted.

6 Clause 40 amended

The heading for Clause 40 is deleted and replaced with the following heading –

6.1 “Responsibilities of the builder, owner or occupier”

6.2 Subclause 40(1)(i) is deleted and the following is inserted instead – “ensure all refuse arising on the building or development site is contained and prevented from being blown from the site by wind”.

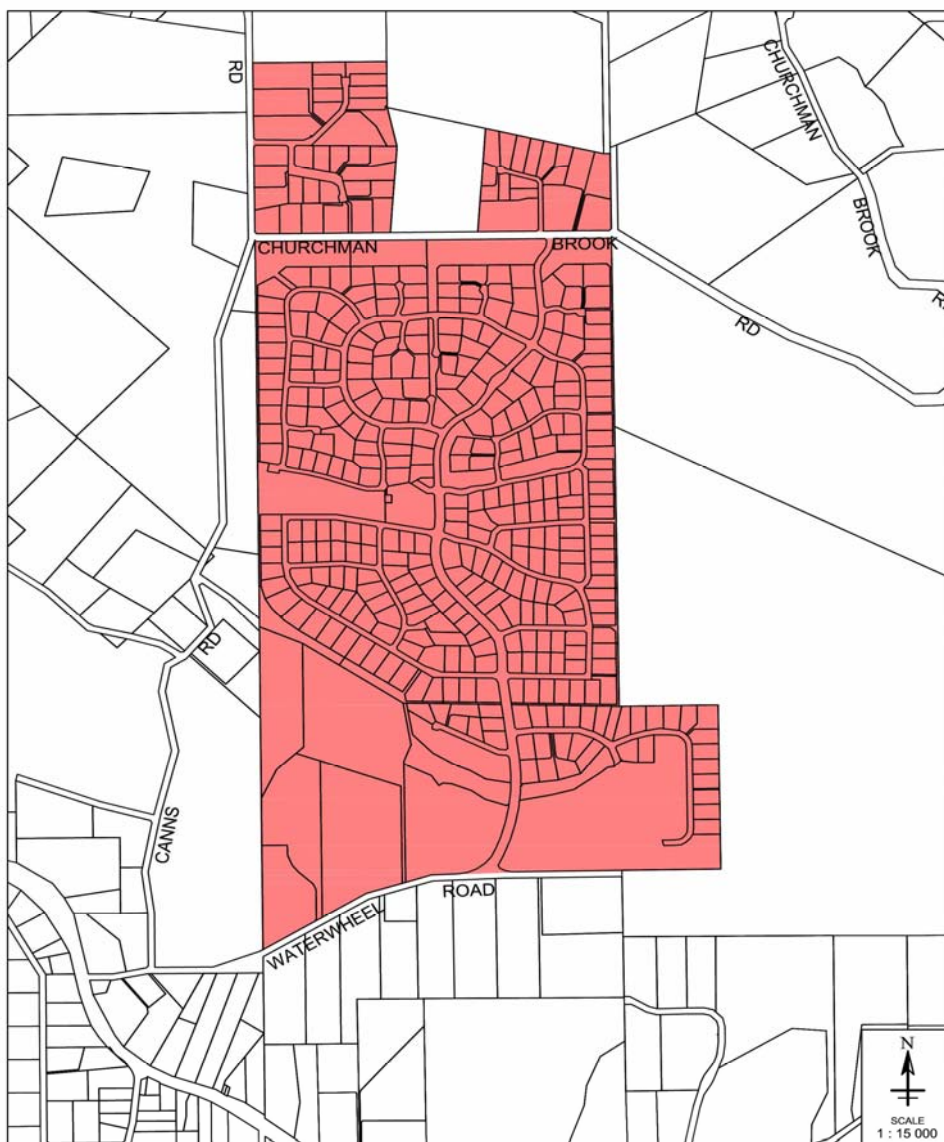
6.3 Subclause 40(1)(iv) is amended by deleting the word “the” and inserting instead the word “any”.

7 Schedule 9 amended

Schedule 9 is deleted and the following is inserted instead –

Clause 38(1)

**Schedule 9
City of Armadale
Local Government Act 1995**



8 Schedule 14 amended

Clause 40(1) in the table in Schedule 14 is deleted and the following inserted instead –

“

40(1)	<i>Failure to:</i> <ul style="list-style-type: none">• <i>ensure all refuse arising on a building site is contained and prevented from being blown from the site by wind;</i>• <i>keep a building or development site as free as practicable of refuse;</i>• <i>maintain a street verge adjacent to a building or development site free from refuse; or</i>• <i>ensure a refuse receptacle is emptied when full</i>	500
--------------	--	-----

”

Dated _____ 2008.

The Common Seal of the)
City of Armadale was)
affixed by authority of a)
resolution by Council in the)
presence of –)

LINTON REYNOLDS
Mayor

RAY TAME
Chief Executive Officer

DEVELOPMENT SERVICES 7
COMMITTEE MEETING – *Locality Renaming*

13 FEBRUARY 2007

Cr Reynolds declared a financial interest in this item on the basis that he resides within the boundary surveyed and left the meeting at 7.03pm.

REVIEW OF WESTFIELD LOCALITY NAME AND BOUNDARIES

WARD : HERON / RIVER
FILE REF : NAM/1
DATE : 23 January 2006
REF : PMS/PS
RESPONSIBLE : PSM/EDDS
MANAGER

Tabled Items

Nil.

Officer Interest Declaration

Nil

Strategic Implications

Fits with our aims in:

- Developing our City to sustain and maintain the distinctive character of the City.
- Communicating and Marketing to maintain dialogue to understand community needs and expectations.

Legislation Implications

Land Administration Act 1997.

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

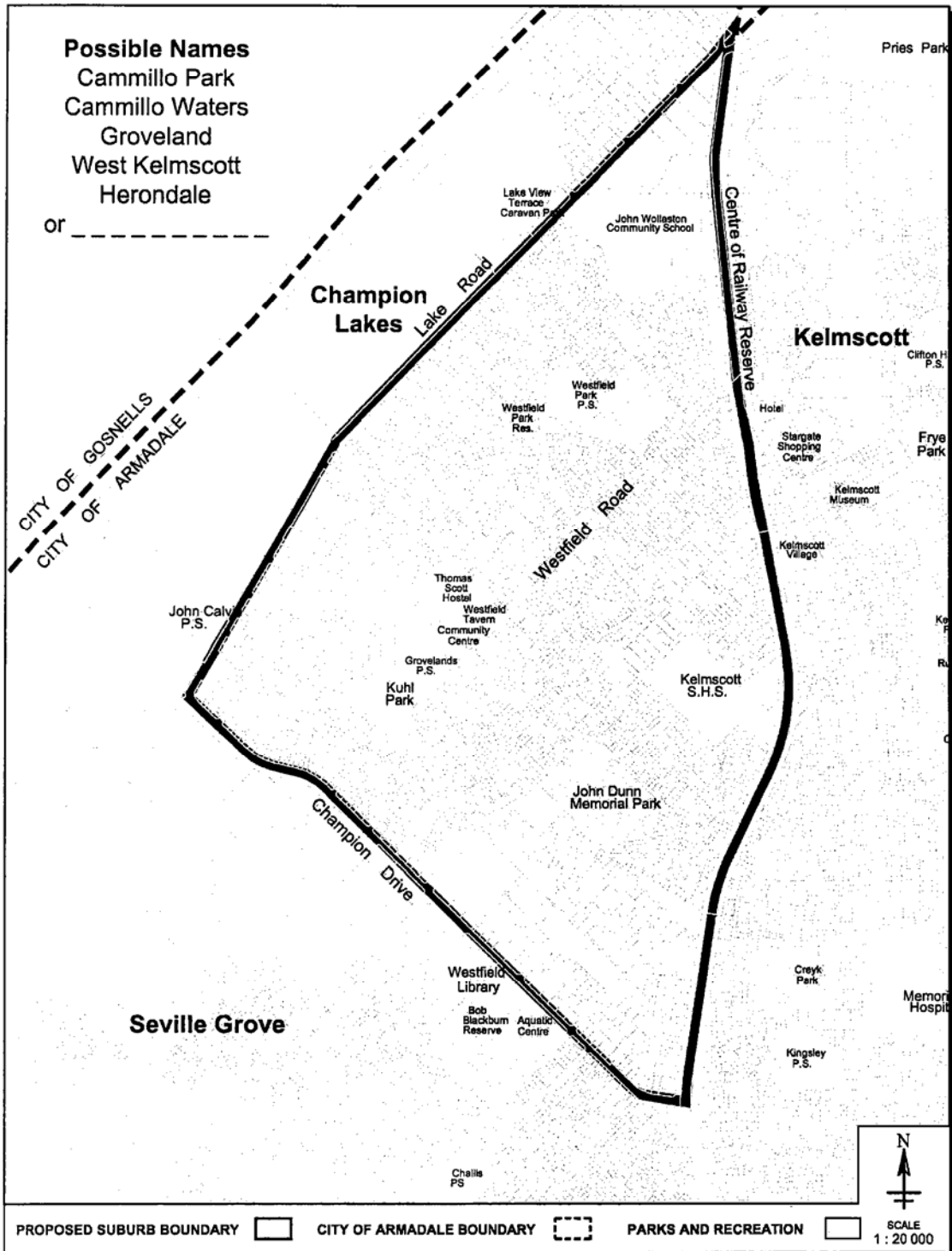
- Letter drop to Westfield and Kelmscott residents.
- Advertising in local newspapers and the City's website.
- Signage on site.

In Brief:-

- Council received a petition signed by 370 Westfield residents requesting that the boundaries of Champion Lakes be amended to include the suburb of Westfield within Champion Lakes.
- At its 15 May 2006 meeting, Council resolved to:
 - refuse the proposal to change the name of the Locality of Westfield to Champion Lakes and the enlarging and amending the boundaries of the locality of Champion Lakes by the inclusion of the Westfield locality.
 - support a proposal that the locality of Westfield and the area of Kelmscott west of the railway line be considered for a possible unique locality with a new name, and undertake public consultation, by letter to the residents/landowners of Westfield and the portion of Kelmscott and newspaper advertising in both local newspapers, seeking comment on the proposal and suggestions for a suitable name. Names that could be suggested by the City as part of the public consultation could include Cammillo Park, Cammillo Waters, Groveland, West Kelmscott and Herondale.
- The proposal was advertised for public comment and this report considers the submissions received.

Recommend that Council:

- Uphold the submissions of objection and retain the boundaries of Kelmscott, with the exception of those lots west of Westfield Road.
- Support the re-alignment of the suburb boundary of Westfield along Westfield Road between Cammillo Road and Railway Avenue and seek the approval of the Geographic Names Committee to rename the suburb name of Westfield to Cammillo Waters.



PROPOSED NEW LOCALITY BOUNDARY AS ADVERTISED
WESTFIELD AND PORTION OF KELMSCOTT AND SEVILLE GROVE

Consultation

- ♦ Owners of properties in Westfield and the portion of Kelmscott west of the railway line.
- ♦ Geographic Names Committee (GNC).

BACKGROUND

At its meeting on 20 April 1998, Council resolved to recognise the high level of public opinion demonstrated in respect of proposed locality boundary changes in the Kelmscott/Westfield area and include such area bounded by Cammillo Road, Third Avenue, Trangie Way and Westfield Road as an area to be canvassed for community comment in addition to other affected areas as previously determined by Council at its meeting on 16 March 1998.

At its meeting on 16 November 1998, Council resolved to authorise the Executive Director Development Services to approach the Geographic Names Committee (GNC) to include the area bounded by Westfield Road, Cammillo Road, Third Avenue and Champion Drive into the Kelmscott locality.

Following the refusal of the proposal by the GNC, Council at its meeting on 15 February 1999 resolved to undertake a broad consultation process by way of notice being placed in the local newspapers (advertising period of 4 weeks) canvassing the community as to the desirability of a section of Westfield bounded by Westfield Road, Cammillo Road, Third Avenue and Champion Drive being transferred into the Kelmscott locality.

At its meeting on 21 June 1999, Council resolved to make a further proposal to the GNC seeking its approval to include the area bounded by Westfield Road, Cammillo Road, Third Avenue and Champion Drive into the Kelmscott locality stating the strong community support and previous history of the name of the area. (The GNC ultimately approved the proposed boundary change on 2 September 1999).

At its meeting on 21 May 2001, Council resolved to seek approval from the GNC to rename the area bounded by Lake Road, Ranford Road, Tonkin Highway and Seaforth Avenue as a new locality to be called "Champion Lakes" reflecting the community's support for the name change. Champion Lakes was created out of portion of Westfield and Armadale.

Initially the GNC did not support the proposal. At its meeting on 20 August 2001, Council resolved to receive the GNC's information and request the GNC to reconsider the proposal to rename the area bounded by Lake Road, Ranford Road, Tonkin Highway and Seaforth Avenue to Champion Lakes, affirming the community's and Council's strong support for the proposal. (The GNC ultimately approved the new locality as Council requested).

In February 2005, Council received a petition signed by 370 residents, the prayer of which read:

"We the undersigned request that you consider changing the boundaries of Champion Lakes along Champion Drive, Westfield Road and Railway Avenue so that the suburb of Westfield is known as Champion Lakes. This will allow the area to be associated with the future major sporting facility which will dominate the locality".

At its meeting of 21 February 2005, Council resolved that the petition be received and referred to the Development Services Committee.

At its meeting of 21 March 2005, Council resolved to advertise for community comment the proposal to rename the locality of Westfield as either Champion Lakes or another name that may arise during the request for public comment. Council considered the matter at its September 2005 meeting and resolved that the proposal be recommitted pending further advice and consultation with Councillors.

Options That Were Considered To Resolve the Matter

Residents of Westfield indicated they wanted to change the Westfield name and indicated a preference to become part of Champion Lakes. As this was not an option that Council approved, other options that were considered included:

- ♦ Renaming the locality of Westfield in its current boundaries to a more acceptable name;
- ♦ Including Westfield as a part of Kelmscott again;
- ♦ Seeking public comment on creating a new locality that includes Westfield and a portion of Kelmscott, seeking suggestions on where the proposed boundary should be located.

The suburb boundaries should follow significant roads, infrastructure (i.e. railway) and/or land features, rather than lot boundaries. Therefore other adjustments to the suburb boundaries were also proposed to be advertised, concurrently with the proposed renaming of Westfield.

At its 15 May 2006 meeting, Council resolved (D43/5/06) to:

1. Refuse the proposal to change the name of the Locality of Westfield to Champion Lakes and the enlarging and amending the boundaries of the locality of Champion Lakes by the inclusion of the Westfield locality and advise the applicants and submittees accordingly.
2. Support a proposal that the locality of Westfield and the area of Kelmscott west of the railway line be considered for a possible unique locality with a new name, and undertake public consultation, by letter to the residents/landowners of Westfield and the portion of Kelmscott west of the railway line, and newspaper advertising in both local newspapers, seeking comment on the proposal and suggestions for a suitable name. Names that could be suggested by the City as part of the public consultation could include Cammillo Park, Cammillo Waters, Groveland, West Kelmscott and Herondale.

ADVERTISING

The advertising period was from 23 October 2006 and 8 December 2006. Some 3311 individual letters and submission forms were sent to all owners of properties in Westfield and the portion of Kelmscott west of the railway line.

Advertisements were also placed in the Comment News on 31 October 2006 and Weekend Examiner on 2 November 2006. Details of the proposal were also available on the City's website and Administration Office. Signs advertising the proposal were placed on the corners of Lake Road and Champion Drive, Trangie Way and Champion Drive, Champion Drive and Railway Avenue, Railway Avenue opposite Denny Avenue intersection, Westfield Road and Railway Avenue and Lake Road and Cammillo Road.

ANALYSIS

Council received 578 submissions representing a response of 17% from the 3311 letters sent out. Of these submissions, 237 were from Westfield owners/residents and 320 were from Kelmscott owners/residents. Twelve (12) submissions came from people who didn't own land in the area concerned, 2 came in anonymous, 4 came in with no decision and 3 provided a decision but had no suggestions of a name.

Total Submissions

The total combined submissions were:

- 281 supported the proposal;
- 276 objected to the proposal; and
- 21 incomplete submissions.

Submissions from Westfield Residents

The 237 submissions received from the owners and residents of Westfield. Of the submissions:

- 195 supported the proposal; and
- 42 objected to the proposal.

Submissions from Kelmscott Residents

The 320 submissions received from the owners and residents of Kelmscott. Of the submissions:

- 86 supported the proposal; and
- 234 objected to the proposal.

Other Submissions

The 21 submissions received from other residents of the community, included:

- 12 responses received from residents outside the subject area;
- 2 anonymous responses;
- 4 responses received with no decision indicated; and
- 3 responses received indicating their decision, but not providing a suggestion for the locality name.

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COMMITTEE MEETING – *Locality Renaming*

13 FEBRUARY 2007

Total figures for suggested names from the consultation period:

Cammillo Waters	103	36.00%
Herondale	33	11.70%
West Kelmscott	32	11.30%
Cammillo Park	27	9.60%
Champion Lakes	24	8.50%
Grovelands	9	3.20%
Westfield	4	1.30%
Kelmscott	2	0.70%
Others suggested names	50	17.70%

In considering the submissions, the Council should have regard to the location of the submitter. The City has mapped the location of each of the submitters and their support, objection and suggested name. Results of suggested names from the consultation period by suburb area are:

Westfield Residents

Kelmscott Residents

Cammillo Waters	72	Cammillo Waters	31
Herondale	32	Herondale	1
West Kelmscott	23	West Kelmscott	9
Cammillo Park	16	Cammillo Park	11
Champion Lakes	10	Champion Lakes	14
Grovelands	5	Grovelands	4
Westfield	2	Westfield	2
Kelmscott	5	Kelmscott	0
Others suggested names	0	Others suggested names	5

Other names suggested by Kelmscott residents through the consultation period were:

Champion Park	2
Tollington Park	2
Lakeview	1
Wollaston Park	1
Torrige	1

Other names suggested by Westfield residents through the consultation period were:

Darling View	14	Minnawarra Gardens	1
Kelmscott West	4	Westlake Park	1
Champion Grove	3	Lakefield Park	1
Westfield Park	2	Lakewest	1
Westlakes	2	Lakeside Park	1
Hammond	1	Hale Valley	1
Scottsfield	1	Watershill	1
Westport	1	Sherwood	1
Lakelands	1	Goolawrup	1
Heron Park	1	Boronia Park	1
William Morris	1	Westcott	1

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There were four (4) late submissions, one (1) Westfield resident supporting the proposal and the name Cammillo Waters, two (2) Kelmscott Industrial Area residents objecting to the proposal and one (1) anonymous submission objecting to the proposal stating that house prices will be affected.

COMMENT

Opposition to the Proposal from the residents of Kelmscott west of the Railway Line

There is a large degree of opposition to the proposal from the residents of the portion of Kelmscott west of the railway line. Many residents have a strong association with the name Kelmscott and do not support any change to the suburb name. They claim that the reputed social stigma of the Westfield area will degrade the Kelmscott area and the values of their Kelmscott property will be greatly affected, if Westfield was to be incorporated into the existing Kelmscott area. Given the submissions received, it is recommended that the portion of Kelmscott west of the railway line be retained in the suburb of Kelmscott. Several landowners along Champion Drive in Seville Grove were also opposed to the inclusion of their land into a new suburb or renaming.

Renaming the Locality of Westfield

The majority of submissions from the Westfield area supported the renaming of the suburb, with few submissions suggesting that the name of Westfield should be retained. The renaming of Westfield would have the least impact on other areas and achieves a measure of success in changing the Westfield name. The name of Cammillo Waters was the most popular name in the submissions (overall and within the Westfield suburb) and is considered to be a relevant and appropriate name for the suburb.

Westfield Suburb Boundary

Currently the Westfield suburb boundary is Lake Road, Champion Drive, Westfield Road and Railway Avenue, with the exception of various lots along Westfield Road. The Westfield Road boundary between Cammillo Road and Railway Avenue is not located along the centre line of Westfield Road. Re-aligning this suburb boundary along the centre line of Westfield Road would be appropriate and provide more distinctive locality boundaries.

OPTIONS

Council appears to have several options, including:

1. Retain suburb names and boundaries as they are.
2. Retain Kelmscott boundary/name and rename Westfield to an alternative name such as Cammillo Waters, Herondale, West Kelmscott, Cammillo Park, etc.
3. Include the area of Westfield in the locality of Kelmscott.
4. Include the area of Westfield and the area of Kelmscott west of the railway line as a new locality with a suitable new name.

Option 1

Whilst retaining the suburb of Kelmscott is supported in the submissions, this option would not address the submissions requesting a change to the Westfield suburb name.

Option 2

Retaining the suburb name of Kelmscott was strongly supported by the Kelmscott residents and the renaming of the suburb of Westfield was supported by the residents of Westfield. Cammillo Waters was the most popular name in the submissions overall and from the residents of Westfield. The renaming of Westfield would perhaps assist Westfield residents overcome the perceived stigma of the Westfield name. The current Westfield boundary should be re-aligned along the centre line of Westfield Road between Cammillo Road and Railway Avenue.

Option 3

Including the area of Westfield in the locality of Kelmscott, would again be a solution that could perhaps assist Westfield residents overcome the perceived stigma of the Westfield name. It appears that many Westfield people have considered themselves as Kelmscott, having been given that name as their locality when they bought property in the area, and some residents continue to identify with the name. However, the responses received from the residents in the area of Kelmscott involved claim that the stigma of the Westfield area and the values of their Kelmscott property will be greatly affected if Westfield was to be incorporated into the existing Kelmscott area.

Option 4

The inclusion of the area of Westfield and the area of Kelmscott west of the railway line in a new locality with a suitable new name would perhaps assist Westfield residents overcome the perceived stigma of the Westfield name, and assist in the rationalisation of the large Kelmscott locality. However, there was strong opposition from the residents of Kelmscott. Therefore, such an option should not be supported.

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CONCLUSION

Kelmscott residents strongly object to the proposal of creating a new locality out of the two suburbs with a new name or the inclusion of Westfield in the locality of Kelmscott. Westfield residents are requesting a change of suburb name and Cammillo Waters was the most popular name in the submissions. As such, Option 2 is recommended.

D14/02/07 RECOMMEND

That Council resolve to:

- 1. Uphold the submissions of objection from the Kelmscott residents and retain the boundaries of Kelmscott, with the exception of those lots west of Westfield Road.**
- 2. Request the approval of the Geographic Names Committee to rename the suburb of Westfield to Cammillo Waters and to re-align the suburb boundary to Westfield Road between Cammillo Road and Railway Avenue, so the locality is bounded by Lake Road, Champion Drive, Westfield Road and Railway Avenue.**

MOVED Cr Zelones
MOTION CARRIED (6/0)

Cr Reynolds returned to the meeting at 7.10pm.

TOWN PLANNING SCHEME NO.4 STRUCTURE PLAN SP SOUTH EAST STAGE 2 "NORTH FORRESTDALE" DEVELOPMENT AREA NO.31				
NO	NAME & ADDRESS	AFFECTED PROPERTY	RESUMÉ OF SUBMISSION	RECOMMENDATION
1	Water Corporation PO Box 100 Leederville 6902		<p>1. The Water Corporation supports Option A of the Arterial Drainage Scheme for Forrestdale Main Drain (ADSFMD) which it has finalised but implementation still requires DEC approval.</p> <p>2. The flows and volumes in the proposed LWMS are consistent with the Corporation's preferred Option A but if DEC approves Option B which involves greater levels of retention and conveyance of stormwater in constructed systems, then the basin volumes and land areas identified in the LWMS would need to be increased.</p> <p>3. Sewerage infrastructure planning indicates a requirement for a permanent type 40l/sec pump station with a site large enough to accommodate a 30m radius odour buffer and a pressure main discharging to a gravity sewer main in Armadale Road. These may need prefunding by the developer. A temporary pressure main may be required with the discharge point being dependent on the time and extent of development in the surrounding areas.</p> <p>4. If the planned major pressure sewer main route cannot be constructed within the unmade portion of Keane Road as planned, due to environmental significance of the area, a larger capacity (up to a type 350l/sec) pump station with a site large enough to accommodate a 50m radius odour buffer may be required (letter in support of joint construction of the Keane Road Strategic Link and co-located pressure main sewer dated 7th September 2006 is also attached).</p>	<p>1. Noted - Option A involves overflow of larger rainfall events into existing areas of natural vegetation rather than increasing storage and conveyance capabilities.</p> <p>2. Noted - the City also supports Option A but if DEC approves Option B, changes would be required at the Local Urban Water Management Plan level and accommodated in subdivision applications.</p> <p>3. Noted - the sewer reticulation requirements are a matter that will be addressed at subdivision by the developers.</p> <p>4. Noted - the City is currently seeking environmental approval to construct the final linking section of Keane Road between Anstey and Skeet Road that would allow a joint road and sewer main construction project to proceed - the EPA has set a formal Public Environmental Review level of assessment on the Keane Road Strategic Link with this documentation currently in preparation (CS108/12/07).</p> <p>5. Noted - the water reticulation requirements are a matter that will be addressed at subdivision by the developers.</p> <p>6. Noted - the queries and comments related to the earlier version (the MOU group noted in Notes from its 19th October 2007 meeting that additional comments may come from Water Corporation at a later date). Accordingly it is recommended that Water Corporation's queries and comments on the LWMS should be considered by the DOW and</p>

SCHEDULE OF SUBMISSIONS TOWN PLANNING SCHEME NO.4 STRUCTURE PLAN SP SOUTH EAST STAGE 2 "NORTH FORRESDALE" DEVELOPMENT AREA NO.81			
NO	NAME & ADDRESS	AFFECTED PROPERTY	RECOMMENDATION
			<p>MOU Group for suitable modifications to the final LWMS with the exception of point 7 below which the City does not support.</p> <p>7. Not supported – the City together with the MOU signatories use their best endeavours in assessment of strategies, plans and implementation of the stormwater management system but the city cannot be expected to provide guarantees of final water quality outcomes. In that regard the City accepts no more responsibility than any other agency party to the approval of the subdivision and supporting documentation. The ratepayers of the City do not indemnify any agency or party against any failure to achieve water quality targets. However the City would undertake normal maintenance of installed stormwater management systems and also take reasonable efforts to rectify design or other failures in conjunction with the relevant state agencies.</p>
		<p>5. Reticulated Water – Until the ultimate planned infrastructure to the north is constructed the preferred temporary supply will be via a 250mm diameter connection to the existing 760mm diameter water main in Armadale Road with a likely requirement for a temporary Pressure Reducing Valve.</p> <p>6. Local Water Management Strategy – comments on an earlier version of the LWMS were provided in a letter dated 6th November 2007 to the DOW (through the MOU group) but appear to have not yet been incorporated into the current advertised LWMS and therefore are attached to this submission, including the following issues:</p> <ul style="list-style-type: none"> ➤ Refer to the recently completed Water Corporation studies (ILWMP and ADSFMD); ➤ Surface Storage Water requirements section – the infiltration rate should be set at 1m/day; ➤ Earthworks and Subsoil drainage section – separation distance between maximum groundwater and building foundation should be 1.5m; ➤ Wetland and Waterways protection should have a proposed operating regime for Baileys (Anstey/Keane) Wetland; and ➤ Role and Responsibility section should acknowledge that the Corporation has not agreed to responsibility for non potable water supply. 	<p>MOU Group for suitable modifications to the final LWMS with the exception of point 7 below which the City does not support.</p> <p>7. Not supported – the City together with the MOU signatories use their best endeavours in assessment of strategies, plans and implementation of the stormwater management system but the city cannot be expected to provide guarantees of final water quality outcomes. In that regard the City accepts no more responsibility than any other agency party to the approval of the subdivision and supporting documentation. The ratepayers of the City do not indemnify any agency or party against any failure to achieve water quality targets. However the City would undertake normal maintenance of installed stormwater management systems and also take reasonable efforts to rectify design or other failures in conjunction with the relevant state agencies.</p>

SCHEDULE OF SUBMISSIONS			
TOWN PLANNING SCHEME NO.4 STRUCTURE PLAN SP SOUTH EAST STAGE 2 "NORTH FORRESTDALE" DEVELOPMENT AREA NO.31			
NO	NAME & ADDRESS	AFFECTED PROPERTY	RECOMMENDATION
			RESUMÉ OF SUBMISSION
			<p>7. Water Quality - in respect to "Ongoing Maintenance" as a principle there have been no provisions for water quality treatment in the Corporation's main drainage system and therefore the following sentence should be added: <i>"The achievement of nutrient reduction is the responsibility of the developer, and maintenance of Local Government. Any shortcomings in these achievements are to be addressed by the DOW"</i>.</p>
2	Westnet Energy (Alinta Gas) PO Box 8491 Perth BC 6849		<p>1. A Plan of Gas Mains is attached to submission and if the gas network is affected the following conditions apply: a) all work to accommodate or connect the proposal will be at the proponent's expense. b) Westnet Energy requires a month's notice prior to the commencement of works.</p>
3	Western Power		<p>1. Noted - the gas network requirements are a matter that will be addressed at subdivision by the developers.</p>
3	Western Power		<p>1. Noted - these are identified in the Structure Plan report and electrical transmission network requirements will be dealt with in the Structure Plan report and are a matter that will be addressed at subdivision by the developers.</p>
LATE SUBMISSION			
4	Department of Environment and Conservation		<p>1. Any late submission from the Department of Environment and Conservation received in time will be tabled at Committee.</p>
			<p>1. An officer of DEC has verbally advised they would like to submit some late comments but may do so directly to the WAPC since they are unable to meet timeframes for agenda report preparation.</p>

COUNCIL MEETING 17 DEC 2007

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11 DECEMBER 2007

***PROPOSED EXCISION OF PORTION OF RESERVE 34077 (LOTS 471 & 623)
RANFORD ROAD, HARRISDALE***

WARD : LAKE
FILE REF : P5058; P5059
DATE : 26 November 2007
REF : MF
RESPONSIBLE MANAGER : PSM
APPLICANT : COA
LAND OWNER : Crown
SUBJECT LAND : Reserve 34077, described as Lots 471 & 623, Ranford Road ,
Harrisdale
ZONING MRS : Rural, Other Regional Roads
Reservation
TPS No.4 : Parks & Recreation (Local), MRS
Other Regional Roads reservation.

In Brief:-

- A portion of Reserve 34077 requires excision in order to facilitate the widening of Ranford Road.
- The widening and upgrading of Ranford Road is being funded by Auslink Strategic Regional Programme and the Cities of Armadale and Gosnells.
- Recommend that Council request the DPI – State Land Services to excise a fifteen (15) metre wide portion of Reserve 34077 for road widening purposes and to surrender the existing Vesting Order in exchange for a new Management Order for the reduced area of this reserve.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Physical Infrastructure – “Continue to develop an integrated transport system by constructing Ranford Road and Champion Drive to provide interconnectivity with Tonkin Highway”.

Legislation Implications

Planning and Development Act 2005.
DPI Guidelines for the administration of S.20A “public recreation” reserves.
Land Administration Act 1997.
Town Planning Scheme No.4

Council Policy / Local Law Implications

Nil.

COUNCIL MEETING 17 DEC 2007

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AERIAL PHOTOGRAPH
RESERVE 34077 RANFORD ROAD, HARRISDALE

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Budget / Financial Implications

There are financial implications for the land adjoining the Reserve.

Consultation

Technical Services Directorate
Department for Planning and Infrastructure (Perth Office)
Service Agencies
City of Gosnells
Environmental Officer

BACKGROUND

As part of the proposal to upgrade and widen Ranford Road between Warton Road and Balannup Road, the Technical Services Directorate is at an advanced stage of planning the acquisition of private land, whether by mutual agreement or compulsory purchase. The upgrading of Ranford Road is being funded by Auslink Strategic Regional Programme and the Cities of Armadale and Gosnells. The upgrade will also affect Reserve 34077, a portion of which will need to be excised.

DETAILS OF PROPOSAL

The City proposes to excise a portion (measuring 170m long and 15m wide) of Reserve 34077 to facilitate the proposed widening of Ranford Road, Harrisdale. The Reserve comprises Lots 471 and 623 and has been set aside under Section 20A of the Town Planning and Development Act 1928. The Reserve is vested in the City for the purposes of "public recreation" and any disposal or reduction in its size must be carried out in accordance with the guidelines for dealing with Section 20A reserves developed by the Department for Planning and Infrastructure.

COMMENT

The Section 20A guidelines state, among other things, that where the "public recreation" reserve is to be cancelled or substantially reduced, a Council or other proponent must signpost the affected reserve to indicate the intended change, advertise in the local newspaper and, in appropriate cases, canvass nearby landholders by mail in order to demonstrate to the Minister the level of ratepayer support.

Results of Advertising

The proposal was advertised to nearby property owners and the service agencies for comment and was also advertised in the Comment News. Advertising period extended from 26 June to 3 August 2007. The Reserve was also signposted. No response was received from any of the nearby property owners and no response was received either from the Department for Planning and Infrastructure or the City of Gosnells.

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The Water Corporation has no objection to the proposal. Western Power provided its standard response.

Telstra advise that they have major assets in the vicinity of the reserve but state that the assets should have no bearing on the proposed widening of Ranford Road. All servicing infrastructure will be dealt with as part of road construction.

The City's Environmental Officer has advised that vegetation in the reserve is in very good condition. However, the 15m wide strip that is required for road widening purposes is in poor condition and weed infested, except for an area of 115m² which is described as being in 'fair to good condition'.

The Technical Services Directorate has advised that the Metropolitan Region Scheme (MRS) originally provided a reservation of 20 metres but as the design of Ranford Road progressed, it became apparent that only 15 metres would be required and accordingly the MRS is proposed to be amended to reduce the reservation to 15 metres. Alternative alignments for the dualling of Ranford Road were examined in 2006 and were rejected because of their greater impact on 'Bush Forever' areas and wetland sites. The current design of Ranford Road will cause least impact on bushland and the vegetation that will be affected by the clearing is in poor condition and weed infested compared to the area further back from the carriageway. Fencing of the new boundary, repositioning of the reserve name plate and gate will be undertaken as part of the road project.

ANALYSIS

The road widening for Ranford Road has been an 'Other Regional Road reservation' in the Metropolitan Region Scheme (MRS) for a number of years. MRS reservations are automatically included in the City's Town Planning Scheme No.4

The excision of a 15 metre wide strip of the reserve will facilitate the widening of Ranford Road. The Technical Services Directorate has advised that the land acquisition process has reached an advanced stage of negotiation and for this reason the excising of the portion of Reserve 34077 needs to be completed as soon as possible.

OPTIONS

1. Council could resolve not to support the excision of the reserve.
2. Council could resolve to support the excision on the grounds that this is necessary to facilitate the widening of Ranford Road

COUNCIL MEETING **17 DEC 2007**

DEVELOPMENT SERVICES
COMMITTEE MEETING – *Miscellaneous*

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CONCLUSION

The excision will facilitate the widening and construction of Ranford Road. The existing Vesting Order will need to be surrendered to the Department for Planning and Infrastructure (DPI) – State Land Services in exchange for a new Management Order for a reduced area of Reserve 34077. It is recommended that Council should adopt Option 2.

D155/12/07 RECOMMEND

That Council:-

- 1. Request the Department for Planning and Infrastructure (DPI) – State Land Services to excise for road widening, a portion of Reserve 34077 (170m long and 15 metres wide) and described as Lot 471 (on Diagram 49689 – CT 3144/723) and Lot 623 (on Plan 12788 – CT 3144/724) Ranford Road, Harrisdale.**
- 2. Surrender the Vesting Order to the Department for Planning and Infrastructure (DPI) – State Land Services for Reserve 34077 in exchange for a new Management Order for the reduced area of Reserve 34077.**

MOVED Cr MacDonald
MOTION CARRIED (6/0)



SOUTH EAST FORRESTDALE STRUCTURE PLAN - ROAD & LOT LAYOUT PLAN
FIGURE 9

644-37N (08.11.07)

STRUCTURE PLAN STAGE 2
ROAD AND LOT LAYOUT PLAN



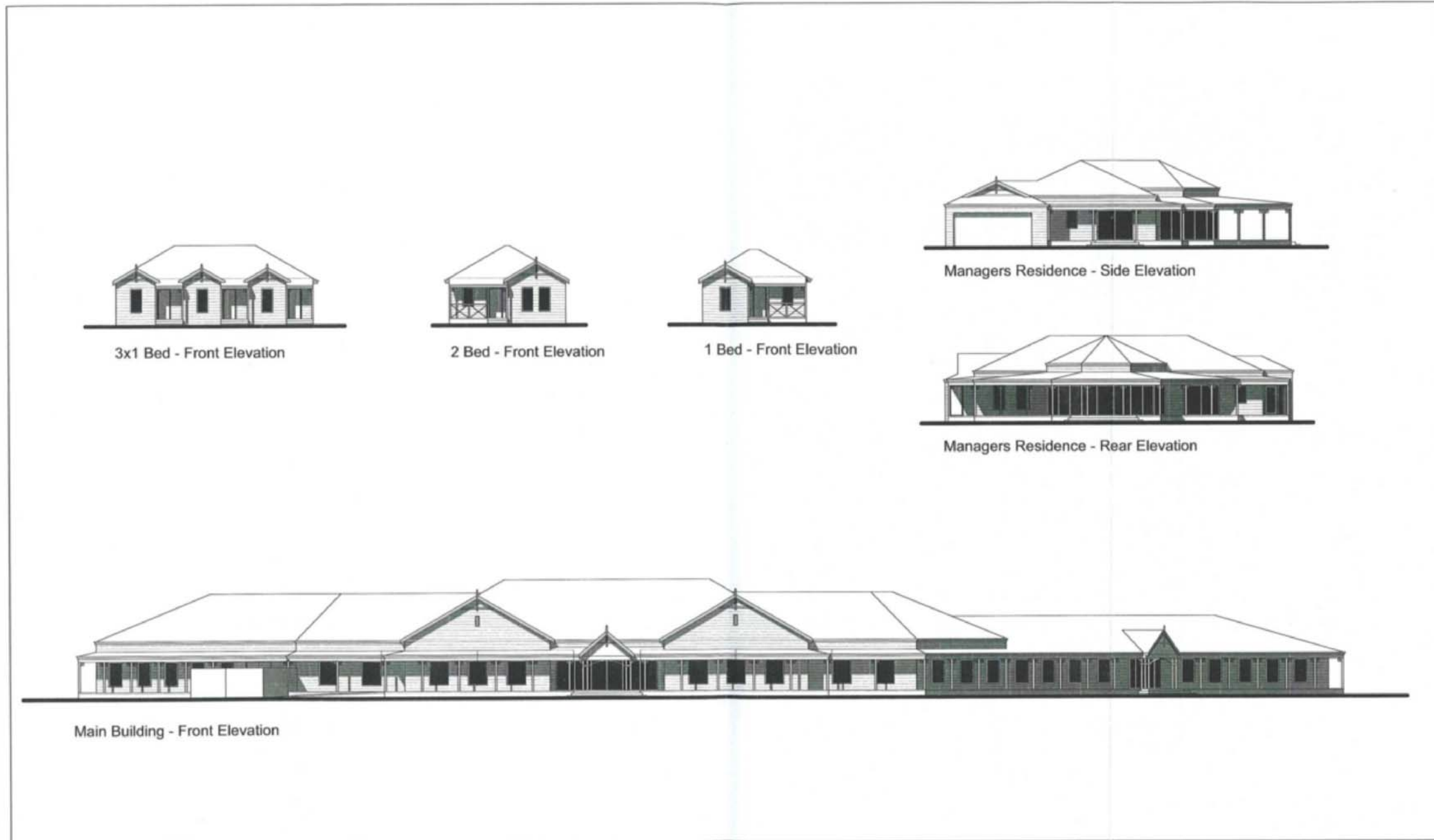
SOUTH-EAST FORRESTDALE STRUCTURE PLAN - ZONING PLAN
FIGURE 8

644-386 (08.11.07)

STRUCTURE PLAN STAGE 2
ZONING PLAN



CONCEPT PLAN
LOT 201 ARMSTRONG ROAD, KELMSCOTT



Elevation Plan

Proposed Regeneration Retreat
Lot 201 Armstrong Road, Kelmscott

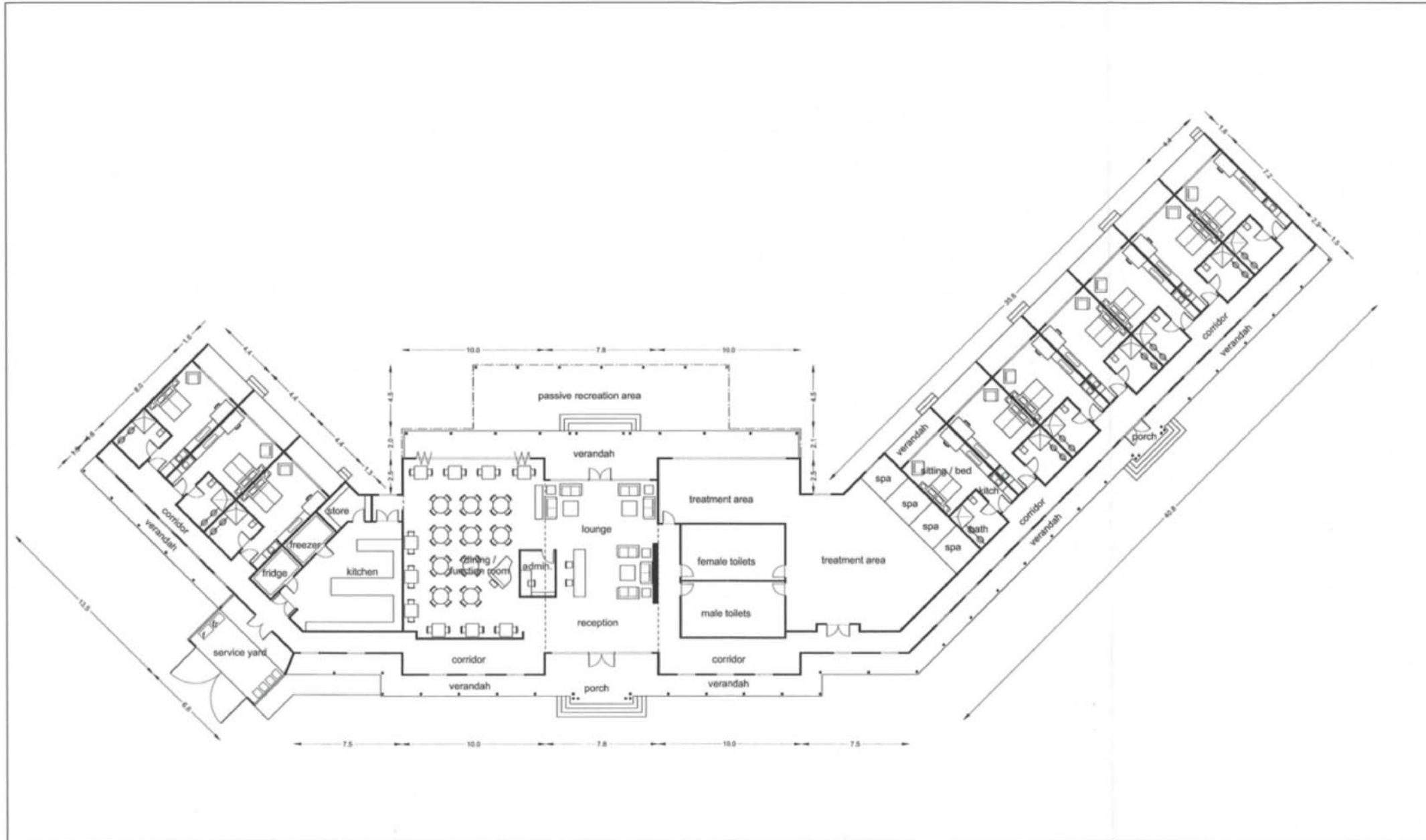
DISCLAIMER:
This plan has been prepared to accompany a submission by Dykstra Planning and should not be used for any other purpose. The dimensions, areas and number of lots are subject to survey and also the requirements of the Local Authority and other authorities which may have requirements under any relevant legislation.
07545-EP-F7-070618-A



CLIENT: Regeneration Rtt
JOB NO: 07-545
REV: A
DATE: February 07



ELEVATION PLAN
LOT 201 ARMSTRONG ROAD, KELMSCOTT



Main Building Floor Plan
Proposed Regeneration Retreat
Lot 201 Armstrong Road, Kelmscott

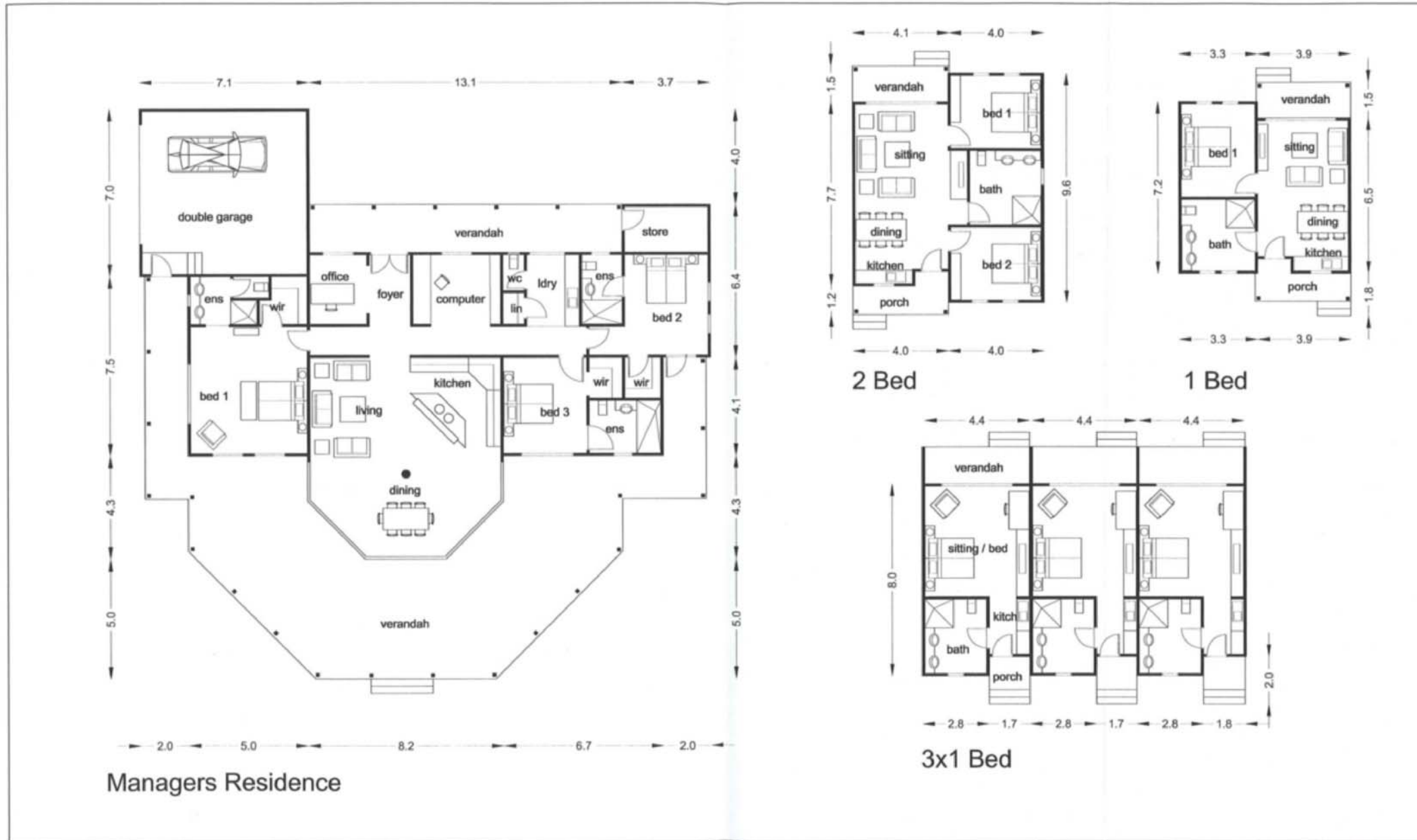
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07545-MFP-PS-070618-A



CLIENT Regeneration Rtt
JOB NO 07-545
REV A
DATE June 07



FLOOR PLAN
LOT 201 ARMSTRONG ROAD, KELMSCOTT



Floor Plans

Proposed Regeneration Retreat
 Lot 201 Armstrong Road, Kelmscott

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 07545-PP-F6-070518-A



CLIENT: Regeneration Rtt
 JOB NO: 07-545
 REV: A
 DATE: February 07



FLOOR PLAN
 LOT 201 ARMSTRONG ROAD, KELMSCOTT

