



— City of —
Melville

REPORTS AND RECOMMENDATIONS

FROM THE

DEVELOPMENT ADVISORY UNIT

MEETING

HELD ON

24 MARCH 2009

- NOTES:**
1. This Meeting makes Recommendations to the Manager Planning & Development Services.
 2. Should any Elected Member want any matter referred and considered by the Council, please contact the Manager Planning & Development Services prior to the Tuesday (or Wednesday if Monday is a public holiday) following the date of this Meeting.
 3. Unless 'called in' by an Elected Member it is expected that the Manager Planning & Development Services will after the 'call in' date approve the recommendations, refer the matter to the Council or back to the Development Advisory Unit for further considerations.

DISTRIBUTED: 27 MARCH 2009



— City of —
Melville

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**REPORTS AND RECOMMENDATIONS FROM THE DEVELOPMENT ADVISORY UNIT
MEETING HELD IN, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD,
BOORAGOON, COMMENCING AT 1:30PM ON TUESDAY 24 MARCH 2009**

PRESENT

D Vinicombe (Presiding Member)
J Gonzalez
P. Prendergast
T Capobianco
D Monteiro
R Jessup
R Bailey

Manager Planning & Development Services
Planning Services Coordinator
Planning Services Coordinator
Principal Building Surveyor
Environmental Health Officer
Senior Horticultural Technical Officer
Technical Officer

APOLOGIES

IN ATTENDANCE

OBSERVERS

DISCLOSURES OF INTEREST

ELECTED MEMBERS' ATTENTION

Nil

DELEGATED AUTHORITY – PLANNING POLICY (1) 2

The following items are recommendations to the Manager Planning & Development Services for decision.

DISCLOSURE OF FINANCIAL INTERESTS LOCAL GOVERNMENT ACT 1995

Members' interests in matters to be discussed at meetings to be disclosed

S.5.65 (1) A member who as an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the Chief Executive Officer before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Penalty: \$10,000 or imprisonment for 2 years.

Meeting to be informed of disclosures

S.5.66 If a member has disclosed an interest in a written notice given to the Chief Executive Officer before a meeting then before the meeting -

- (a) the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) the person who is to preside at the meeting is to bring the notice to the attention of the persons who attend the meeting.

Disclosing members not to participate in meetings

S.5.67 A member who makes a disclosure under Section 5.65 must not -

- (a) preside at the part of the meeting relating to the matter; or
- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under Section 5.68 or 5.69.

Penalty: \$10,000 or imprisonment for 2 years.

Please refer to your Handbook for definitions of interests and other detail.

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Ward : Bicton - Attadale / Applecross – Mount Pleasant.
 Category : Operational
 Application Number : DA-2008-1618
 Property : 33 – 35 Davidson Road, Attadale
 Proposal : Stage 14 - Final two (2) Classrooms, lobby and store additions.
 Applicant : Ronal Hawkins Architect
 Owner : Roman Catholic Archbishop of Perth
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Responsible Officer : David Vinicombe
 Manager Planning & Development Services
 Previous Items : P07/3012 approved by Council on 19 June 2007

AUTHORITY / DISCRETION

Definition

<input type="checkbox"/>	Advocacy	<i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>when Council review decisions made by Officers.</i>
<input checked="" type="checkbox"/>	Quasi-Judicial	<i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>

U09/0052 - (JG) STAGE 14 - FINAL TWO (2) CLASSROOMS PLUS LOBBY EXTENSION AND STORE ADDITIONS TO MEL MARIA CATHOLIC SCHOOL 33-35 DAVIDSON ROAD, ATTADALE (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- Application relates to Stage 14 of the planned redevelopment of the school to provide 2 classrooms plus lobby and store additions.
- The details associated with these Stage 14 works were envisaged as “possibly being required” at the time of the previous approval in June 2007.
- Stage 14 will increase the number of students by 20 from 450 to 470.
- 2 more teachers and 6 more car parking bays will also result
- The proposed development is not expected to significantly impact on the current traffic situation.
- Proposal is an “S” use in a Living Area under the provisions of CPS No. 5 and as such was advertised for 21 days in accordance with Scheme requirements. No submissions were received during the advertising period.
- The application was referred to an Elected Member’s Workshop on 27 January 2009.
- Providing no significant objection is received by the close of business on 30 March, it is proposed to progress the issue of a conditional Development Approval.
- If a significant objection is received, or if an Elected Member requests that the matter be “called up” to Council, the proposal will be presented to Council in the April round of meetings.

BACKGROUND

A Development application DA-2006-2011 for additions was approved by Council on 19 June 2007, subject to several Special Conditions. Special Conditions 1, 7 and 10 are relevant to the subject application as they are related to the number of students and carparking provision.

- “1. *A maximum of 450 students to be permitted to attend the school at the completion to the proposed addition.*
7. *A minimum of 87 carparking bays being provided on site in accordance with the approved plans.*

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10. *In accordance with the approved plans all parking bays, driveways and points of ingress and egress areas (other than the access and 38 overflow bays on the oval) are to be permanently provided, constructed, drained, marked prior to the development first being occupied and thereafter maintained to the satisfaction of the Manager Planning and Development Services. The parking bays, driveways and points of ingress and egress are to be designed in accordance with the City of Melville Plan Nos 102A2-80E/1 (concrete commercial crossover), 423A2-87E (bitumen commercial crossover) unless otherwise specified by this approval. The applicant shall pay for where any damage is caused to a council facility, tree or street furniture, or where alteration to a council facility is required, the cost or such damage or alteration. A concrete apron having a width of 75 millimetres must be installed between a brickpaved crossing and the bitumen surface of a road. The cost of any damage to a street tree will be determined in accordance with the "Tree Amenity Valuation Formula" adopted by the Council in September 1994."*

The Council approval included a total of 15 Special Conditions and 15 Standard conditions.

The application details were the subject of advertising in accordance with Clause 7.5 of CPS No. 5. A Public Meeting was held where it was clear that the main area of concern for those in attendance related to traffic and parking safety in and around the school.

The approved plan included reference to Stage 14 (if required) for two (2) classrooms and lobby.

Scheme Provisions

MRS Zoning	: Urban
CPS 5 Zoning	: Living Area
R-Code	: R15
Use Type	: Educational Establishment
Use Class	: "S" use – Council discretion required after following advertising.

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Site Details

Lot Area : 2.4844 ha
Retention of Existing Vegetation : Yes
Street Tree(s) : Yes
Street Furniture (drainage pits etc) : Yes
Site Details : [U09_0052_PROPERTY_MAP.pdf](#)

[U09_0052_March_2009.pdf](#) A copy of the plans forms part of the Attachments to the Agenda, which were distributed to Members of the Council on Friday 27 March 2009

DETAIL

The proposal relates to the provision of 2 more classrooms, a lobby extension and store room, together with the provision of six (6) additional carparking bays. The proposed extensions comprise an area of 187sqm, therefore the plot ratio will increase by 0.0075 to 0.168.

The details of this proposal were the subject of discussion at an Elected Members Workshop which took place on 27th January 2009. It was determined at that Workshop that notwithstanding the previous advertising and consultation exercise in 2007 in relation to the previous application for redevelopment at Mel Maria School, the current application should also be advertised in accordance with Scheme requirements.

Development Requirement	Required/ Allowed	Proposed	Comments	Delegation to approve variation	Plan Notation
Open Space	Not Applicable				
Plot Ratio	0.4	0.168	Complies		
Landscaping	50%	Nil	To be requested as a Special Condition		
Building Height	8.0 metres 10.5 metres	4.5 metres 6.5 metres	Complies		
Carparking	1 per staff member (2) = 2 bays, plus 1 bay per 3 students (20) = 7 bays. Total 9 bays	6 bays	Does Not Comply	MPDS	

(Note: Non compliance is emphasised in bold)

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Setbacks

Wall	Required	Proposed	Comments	Delegation to approve Variation	Plan Notation
Front	Nil	5.3 metres	Complies		
Rear	Nil	194.0 metres	Complies		
Side - NW	Nil	62.0 metres	Complies		
Side - SE	Nil	44.0 metres	Complies		

PUBLIC CONSULTATION/COMMUNICATION

The application has been advertised in accordance with the requirements of CPS No. 5. The closing date for submissions is 30 March 2009. No comments have been made to date in relation to the current proposals. Any significant submissions received by 30 March, will be addressed at the Agenda Settlement Meeting on 31 March and referred to in the report to Council in the April round of meetings.

Advertising Required: Yes
 Neighbour's Comment Supplied: Nil (at this stage)
 Reason: "S" use – Council discretion required after following advertising.

Support/Object: Any significant comments are to be reported at Council

REFERRALS TO GOVERNMENT AGENCIES

Not Applicable

STATUTORY AND LEGAL IMPLICATIONS

Should the City of Melville refuse the application for Planning Approval, the applicant will have the right to have the decision reviewed in accordance with Part 14 of the Planning and Development Act 2005.

FINANCIAL IMPLICATIONS

Not Applicable

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Not Applicable

ALTERNATE OPTIONS & THEIR IMPLICATIONS

The proposal could be refused on the grounds of insufficient carparking and traffic congestion/management. However, as indicated in this report, it is considered that carparking is sufficient and the existing traffic is not going to be further impacted by 6 additional vehicles. Accordingly, if the application was refused and the applicant lodged an appeal with the State Administrative Tribunal, the refusal may be difficult to defend. Should Elected Members be of the view that this application should be refused, they will have the opportunity to raise concerns in regard to the application during the April round of Council meetings if the matter is “called up” or alternatively if the matter is reported to Council as a result of receipt of a significant objection by 30 March 2009.

POLICY IMPLICATIONS

Council Policy ref 06-PL-024 – Car Parking (Non Residential) exists to control the provision of non residential car parking throughout the City of Melville and requires that in the case of educational establishments, a standard of 1 bay per staff member and 1 bay per 3 students should be provided. Based on this requirement a total of 9 additional car parking bays are required, however 6 are provided.

COMMENTS

The details of this application have been assessed against the requirements of CPS No. 5.

The main issues for consideration relate to whether the proposed additions to the school can be accommodated without causing detriment to the levels of residential amenity enjoyed by local residents, particularly from the additional traffic flows to and from the site.

This stage of the redevelopment at Mel Maria Primary School involves the provision of 2 more classrooms, the extension of the existing lobby and the addition of a store. The 2 new classrooms will facilitate the provision of a 2 stream entry across years 1-6, providing Primary and Pre-Primary education for a maximum of 470 students from 17 classrooms. The school is organised as follows:

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1 Pre-Kindergarten classroom	2 groups each of 20 students attending Tuesday and Thursdays, one group in the morning and the other one in the afternoon on each day. A total of 20 students on site at any one time.
2 Kindergarten classrooms	2 groups each of 30 students attending separately 2 days per week. A total of 30 students on site at any one time.
2 Pre-Primary classrooms	2 groups each of 30 students each attending daily. A total of 60 students on site at any one time.
12 Year 1 to 6 classrooms	12 groups (2 streams per year 1 – 6) each of 30 students attending daily. A total of 360 students on site at any one time. This includes proposed Final Stage 14 for 2 classrooms.
Total of 17 classrooms	Total students – 520 (470 students at any one time).

The additional classrooms are sited adjacent the southern boundary of the school site close to Davidson Road. They will form a natural extension to an existing classroom block sandwiched between the Admin. Block and the St Joseph Pignatelli Church. The additional classrooms have been designed to match the character and external appearance of the existing classroom building to which they will be attached. As such the overall visual appearance of the school will not be compromised by the development in any significant way.

Carparking

At the time of the previous application in 2007, the applicant submitted a Parking and Traffic Study in support of the application, prepared by Uloth and Associates, Consultants in Traffic Engineering and Transport Planning, summarised as follows:

The Parking and Traffic Study proposed reduced parking standards for the redevelopment based on previous research and comparisons with other Local Authority Town Planning Schemes as follows:

- Staff 1.5 bays per classroom
- Students (primary) 14 bays per 100 students
- Drop-off/ pick-up 1 bay per 2 Kindergarten/Pre-Primary students"

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This compares to the Council standard advocated by Policy 06-PL-024 of 1 bay per staff member and 1 bay per 3 students.

The Study concluded that the level of carparking proposed would satisfy peak parking demand based on the reduced parking requirements and the assumption of a constant turn over of parking bays as students are set down during mornings or picked up during afternoons, and on that basis the reduced standards for car parking advocated by the Parking and Traffic Study were endorsed by the Council for use in the determination of the redevelopment proposals for Mel Maria School.

It is considered prudent for the purposes of consistency, that the reduced standards employed by the Council in the determination of the previous application should be similarly used in determining the car parking requirements for the current proposal.

On that basis therefore, 6 additional carparking bays are required as follows:

Students	20 in total	2.8 bays required
Staff	2 in total	3.0 bays required
Total		6 bays in total required

The application demonstrates the provision of 6 new bays accessed off Davidson Road and located immediately adjacent to the proposed additional classrooms. The application proposes 6 additional carparking bays to the 176 bays already approved by the Council. In relation to car parking therefore the proposal is supported.

It is considered based on the detailed information supplied, that the proposed car parking provision is sufficient to cater for the peak parking demand expected to be generated by the proposal, and as such the more onerous car parking requirements of Council Policy 06-024 may be set aside in this case, in accordance with Clause 9.6(f) of CPS No 5.

Traffic Generation

Whilst there will be a modest increase in the number of vehicle trips to and from the school premises as a result of the additions envisaged by this application, it is considered that this increase will be minor when compared to the general pattern of vehicular movements associated with the school. The previous approval accepted the accommodation of 450 students at the school, and the current application will result in an increase to this of just 20 additional students with minor increases in associated traffic movement. It is considered that these additional 6 vehicles to the school are not going to have a further impact on the traffic already generated by the school by the school under the previous approval.

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The application has been advertised in accordance with the Councils Scheme requirements and whilst the issue of traffic was one which concerned local residents at the time of the previous application in 2007, this does not appear to be the case in relation to the current proposal. As a result of this, and in view of the fact that the proposal incorporates the provision of 6 additional car parking bays, it is concluded that the extension to the school will not result in a reduction in the levels of residential amenity currently enjoyed by local residents, and may be supported on that basis.

CONCLUSION

The proposed development complies with the requirements of CPS No. 5, and the reduced car parking standard is justified by virtue of the Parking and Traffic Study undertaken by the applicant in support of their proposal. The application is therefore recommended for conditional approval providing no significant objection is received prior to the closure of the submission period on 30 March 2009 or the matter is “called up” to Council for determination.

OFFICER RECOMMENDATION**APPROVAL**

A) PROVIDING NO SIGNIFICANT OBJECTION IS RECEIVED IN RELATION TO THIS PROPOSAL BY 30 MARCH 2009 OR PROVIDING THAT THE MATTER IS NOT “CALLED UP” BY AN ELECTED MEMBER TO COUNCIL, THE APPLICATION FOR STAGE 14 - FINAL TWO (2) CLASSROOMS PLUS LOBBY EXTENSION AND STORE ADDITIONS TO MEL MARIA CATHOLIC SCHOOL 33-35 DAVIDSON ROAD, ATTADALE BE APPROVED SUBJECT TO FOLLOWING CONDITIONS:

SPECIAL CONDITIONS:

- 1. A MAXIMUM OF 470 STUDENTS TO BE PERMITTED TO ATTEND THE SCHOOL AT ANY ONE TIME AT THE COMPLETION TO THE PROPOSED STAGE 14 AND THE TWO STREAMS.**
- 2. ADDITIONAL 6 CARPARKING BAYS TO BE PROVIDED ON SITE IN ACCORDANCE WITH THE APPROVED PLANS.**
- 3. THE DIMENSIONS OF ALL CARPARKING BAYS, AISLE WIDTHS AND CIRCULATION AREAS COMPLYING WITH AUSTRALIAN STANDARD AS2890.1;**

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4. **PRIOR TO THE ISSUE OF BUILDING LICENCE, THE SUBMISSION OF A CONSTRUCTION MANAGEMENT PLAN FOR THE PROPOSAL TO BE SUBMITTED TO THE SATISFACTION OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES DETAILING HOW IT IS PROPOSED TO MANAGE:**
 - **THE DELIVERY OF MATERIALS AND EQUIPMENT TO THE SITE;**
 - **THE STORAGE OF MATERIALS AND EQUIPMENT ON THE SITE;**
 - **THE PARKING ARRANGEMENTS FOR CONTRACTORS AND SUBCONTRACTORS;**
 - **IMPACT ON TRAFFIC MOVEMENT;**
 - **OTHER MATTERS LIKELY TO IMPACT ON THE SURROUNDING RESIDENTS.**

5. **ON COMPLETION OF CONSTRUCTION, ALL EXCESS ARTICLES EQUIPMENT, RUBBISH OR MATERIALS AND TEMPORARY STRUCTURES ARE TO BE REMOVED AND THE SITE AND SURROUNDING AREA USED DURING THE DEVELOPMENT IS TO BE MADE GOOD AND LEFT IN AN ORDERLY AND TIDY CONDITION TO THE SATISFACTION OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.**

6. **ALL NEW SECURITY ALARM DEVICES TO BE “SILENT MONITORED” SYSTEM TO ADDRESS POTENTIAL IMPACTS ON SURROUNDING RESIDENTIAL AMENITY TO THE SATISFACTION OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.**

7. **THAT THE EXISTING MEMORANDUM OF UNDERSTANDING PREPARED BY MEL MARIA CATHOLIC SCHOOL AND EXECUTED BY THE CITY OF MELVILLE BE IMPLEMENTED IN RELATION TO THE FOLLOWING MATTERS:**
 - **COMPLIANCE WITH THE PARKING MANAGEMENT PLAN;**
 - **PARENTS TO BE INFORMED OF THE PARKING MANAGEMENT PLAN BY THE SCHOOL’S PRINCIPAL AT THE CONCLUSION OF THE DEVELOPMENT; AND**
 - **NEW PARENTS TO THE SCHOOL BEING INDUCTED AND EXISTING PARENTS BEING REMINDED AT THE BEGINNING OF EACH SCHOOL TERM OF THE REQUIREMENTS OF THE SUBMITTED PARKING MANAGEMENT PLAN.**

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STANDARD CONDITIONS

- 8. IN ACCORDANCE WITH THE APPROVED PLANS ALL PARKING BAYS, DRIVEWAYS AND POINTS OF INGRESS AND EGRESS ARE TO BE PERMANENTLY PROVIDED, CONSTRUCTED, DRAINED, MARKED PRIOR TO THE DEVELOPMENT FIRST BEING OCCUPIED AND THEREAFTER MAINTAINED TO THE SATISFACTION OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES. THE PARKING BAYS, DRIVEWAYS AND POINTS OF INGRESS AND EGRESS ARE TO BE DESIGNED IN ACCORDANCE WITH THE CITY OF MELVILLE PLAN NOS 102A2-80E/1 (CONCRETE COMMERCIAL CROSSOVER), 423A2-87E (BITUMEN COMMERCIAL CROSSOVER) UNLESS OTHERWISE SPECIFIED BY THIS APPROVAL. A CONCRETE APRON HAVING A WIDTH OF 75 MILLIMETRES MUST BE INSTALLED BETWEEN A BRICKPAVED CROSSING AND THE BITUMEN SURFACE OF A ROAD.**
- 9. PRIOR TO THE ISSUE OF BUILDING LICENCE, A DETAILED LANDSCAPING AND RETICULATION PLAN BEING SUBMITTED AND APPROVED FOR THE SUBJECT SITE AND THE ROAD VERGE(S) ADJACENT TO THE SITE. THE APPROVED LANDSCAPE AND RETICULATION PLAN SHALL TO AS FAR AS PRACTICAL RETAIN SIGNIFICANT VEGETATION ON SITE AND BE FULLY IMPLEMENTED PRIOR TO FIRST COMMENCEMENT OF OPERATION OR OCCUPATION OF THE DEVELOPMENT AND MAINTAINED THEREAFTER TO THE SATISFACTION OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.**
- 10. THE FAÇADE OF THE BUILDING/S AND WALL/S IS TO BE TREATED WITH NON-SACRIFICIAL ANTI-GRAFFITI AGENT.**
- 11. LIGHTING TO BE PROVIDED TO ALL CARPARKING AREAS AND THE EXTERIOR ENTRANCES TO ALL BUILDINGS IN ACCORDANCE WITH AUSTRALIAN STANDARD AS 1158.3.1 (CAT. P). ALL EXTERNAL LIGHTING TO BE HOODED AND ORIENTED SO THAT THE LIGHT SOURCE IS NOT DIRECTLY VISIBLE TO THE TRAVELLING PUBLIC OR ABUTTING RESIDENCES.**
- 12. PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION THE COUNCIL REQUIRES THE PROVISION OF A SUITABLE RECEPTACLE FOR THE CONTAINMENT OF WINDBLOWN RUBBISH. THE RECEPTACLE (GENERALLY A WIRE MESH CAGE) SHOULD HAVE MAXIMUM OPENINGS OF 100MM; HAVE A BASE OF 4M² AND A HEIGHT OF 1M AND A HINGED LID. THE RECEPTACLE SHOULD NOT BE ALLOWED TO OVERFILL.**

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13. DURING CONSTRUCTION ACCESS TO THE LOT TO BE VIA THE STREET FRONTAGE ONLY AND THAT NO BUILDING RUBBLE BE PERMITTED TO OVERSPILL THE SITE.
14. ALL EXISTING TREES INTENDED TO BE RETAINED AS INDICATED ON THE APPROVED PLANS ARE TO BE IDENTIFIED FOR RETENTION ON BOTH THE BUILDING LICENCE PLANS AND ON THE REQUIRED LANDSCAPING PLAN AT THE SUBMISSION OF THE BUILDING LICENCE APPLICATION AND ARE TO BE PROTECTED PRIOR TO AND DURING CONSTRUCTION TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.
15. ELECTRICAL INSTALLATION TO BE CONSTRUCTED AND MAINTAINED TO THE SATISFACTION OF WESTERN POWER IN ACCORDANCE WITH THE SAA WIRING RULES NO.CC1, PART 1, 1961.
16. ALL STORMWATER AND DRAINAGE RUN OFF TO BE CONTAINED ON SITE. AN ONSITE STORMWATER DRAINAGE SYSTEM WITH A CAPACITY TO CONTAIN A 1:100 YEAR STORM OF A TWENTY-FOUR (24) HOUR DURATION IS TO BE PROVIDED PRIOR TO THE DEVELOPMENT FIRST BEING OCCUPIED AND THEREAFTER MAINTAINED TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES. ALL DOWNPIPES TO BE CONNECTED TO SOAKWELLS. THE PROPOSED STORMWATER DRAINAGE SYSTEM IS REQUIRED TO BE SHOWN ON THE BUILDING LICENCE SUBMISSION FOR APPROVAL PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
17. THE LAND SHALL NOT BE USED FOR THE PURPOSE APPROVED UNTIL COUNCIL HAS ISSUED A CERTIFICATE OF CLASSIFICATION FOR THAT USE AND THE MANAGER PLANNING AND DEVELOPMENT SERVICES IS SATISFIED THAT ALL RELEVANT CONDITIONS OF THIS APPROVAL HAVE BEEN SATISFIED.
18. PRIOR TO OCCUPANCY OR COMMENCEMENT OF THE LAND USE THE APPLICANT IS TO ARRANGE FOR A PRACTICAL COMPLETION INSPECTION TO BE UNDERTAKEN BY THE CITY AND FOR ALL RELEVANT CONDITIONS TO BE SATISFIED TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES. IN CERTAIN CIRCUMSTANCES, AND AT ITS DISCRETION, A CONDITION MAYBE SATISFIED IN PART BY WAY OF A LEGAL AGREEMENT BEING IN PLACE AND BOND/BANK GUARANTEE BEING SUBMITTED BY THE APPLICANT/OWNER TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES. WHERE THE DEVELOPMENT INVOLVES THE ERECTION OF A BUILDING A CERTIFICATE OF CLASSIFICATION BEING OBTAINED PRIOR TO OCCUPANCY.

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FOOTNOTE:

ANY APPLICATION FOR PLANNING APPROVAL TO FURTHER DEVELOP THE SITE IS TO BE SUBJECT TO PREPARATION OF A MASTER PLAN TO BE APPROVED BY COUNCIL.

- B) SHOULD A SIGNIFICANT OBJECTION BE RECEIVED IN RELATION TO THIS PROPOSAL BY 30 MARCH 2009 OR IF THE MATTER IS “CALLED UP” BY AN ELECTED MEMBER TO COUNCIL, THE APPLICATION FOR STAGE 14 - FINAL TWO (2) CLASSROOMS PLUS LOBBY EXTENSION AND STORE ADDITIONS TO MEL MARIA CATHOLIC SCHOOL 33-35 DAVIDSON ROAD, ATTADALE BE REFERRED TO COUNCIL FOR APPROVAL SUBJECT TO THE ABOVE CONDITIONS.**

U09/0054– (RJ) - STREET TREE REMOVAL REQUESTS RELATIVE TO DEVELOPMENT PROPOSALS AT DAU MEETING 24 MARCH 2009

No.	LOCATION	TREE/BACKGROUND	RECOMMENDATION
1	26 Dandenong Road Attadale	<p>Pathway request 102028 for removal of one street tree on the verge of this property to allow construction of a crossover. This lot has subdivision approval for two side by side lots each with a 10.63 metre street frontage. The tree is a mature <i>Lophostemon conferta</i> (Box Tree) in good condition forming part of an avenue of similar trees along Dandenong Road and is located 7.0 metres from the western boundary of the western lot. The applicant has requested removal on the basis that the property has subdivision approval granted by the Western Australian Planning Commission (WAPC) and also that the City of Melville's Tree Policy Clause 2.2 C & D applies.</p> <p>A Development Application has not been received at this time.</p>	<p>Recommend that the existing street tree be retained and the crossover be located on the eastern (right) side of the lot to allow retention of the tree.</p> <p>In response to issues raised by the owner in their application dated 9 March 2009 our advice is as follows:</p> <p>1) The City of Melville previously supported subdivision on condition that measures are taken to ensure the identification and protection of street verge tree(s) adjacent to the subject land prior to the commencement of site works. The WAPC has advised the applicant to liaise with the City of Melville with respect to local policies for the protection and retention of street verge trees as part of their approval dated 2 December 2009.</p>

U09/0054– (RJ) - STREET TREE REMOVAL REQUESTS RELATIVE TO DEVELOPMENT PROPOSALS AT DAU MEETING 24 MARCH 2009

			<p>2) The City of Melville “Tree Policy” 2.2 (d) clearly states “that in the opinion of the Executive Manager Development Services, removal is necessary to provide vehicular access to a property as part of a development application.” In this case there is sufficient room for crossover access on the eastern (right) side of the lot which provides adequate access; therefore the opinion is that removal of the tree is not necessary.</p>
			<p>3) The City of Melville Tree Policy 2.2 (c) “Trees on land under the care and control of the City of Melville may be removed where: they are causing damage to property or are likely to do so in the near future.” There is no evidence of damage to the property from this tree which is similar to other trees in the street; therefore there is no need for removal.</p>

U09/0057 - (PP) NEW SCHOOL GYMNASIUM ON LOT 3043 ALL SAINTS COLLEGE, 28 EWING AVENUE, BULL CREEK (REC) (ATTACHMENT)

Ward : Bull Creek/Leeming Ward
 Category : Operational
 Application Number : DA-2008-1711
 Property : All Saints College, 28 Ewing Avenue, BULL CREEK
 Proposal : New School Gymnasium
 Applicant : Parry and Rosenthal Architects
 Owner : All Saints College
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Responsible Officer : Mr David Vinicombe
 Manager Planning and Development Services
 Previous Items : Not applicable.

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>when Council review decisions made by Officers.</i>
<input checked="" type="checkbox"/>	Quasi-Judicial	<i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>

U09/0057 - (PP) NEW SCHOOL GYMNASIUM ON LOT 3043 ALL SAINTS COLLEGE, 28 EWING AVENUE, BULL CREEK (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- Planning consent is sought for the erection of a new school gymnasium together with a new access road to the school playing field and the provision of hard and soft landscaping at All Saints College, Bull Creek.
- Proposed building exceeds the maximum building height permissible under the Precinct requirements of CPS No. 5 and therefore requires the exercise of discretion under part 4.2(b) of the Scheme provisions – Absolute Majority decision of Council required.
- Proposed use is an “S” use under CPS No. 5 provisions.
- Proposal is a discretionary use and has been advertised in accordance with requirements of CPS No. 5 – one submission was received, which has been addressed.
- Recommended that the application be referred to Council for conditional approval.

Scheme Provisions

MRS Zoning	:	Urban
CPS 5 Zoning	:	Living area Precinct
R-Code	:	R12.5
Use Type	:	Educational Establishment
Use Class	:	“S” Use

Site Details

Lot Area	:	183,521 sqm
Retention of Existing Vegetation	:	N/A
Street Tree(s)	:	N/A
Street Furniture (drainage pits etc)	:	N/A
Site Details	:	U09_0057_PROPERTY_MAP.pdf

[U09_0057_March_2009.pdf](#) A copy of the plans forms part of the Attachments to the Agenda, which were distributed to Members of the Council on Friday 27 March 2009

U09/0057 - (PP) NEW SCHOOL GYMNASIUM ON LOT 3043 ALL SAINTS COLLEGE, 28 EWING AVENUE, BULL CREEK **(REC)** **(ATTACHMENT)**

DETAIL

Development Requirements

Development Requirement	Required/ Allowed	Proposed	Comments	Delegation to approve variation	Plan Notation
Plot Ratio	0.4	<0.4	Complies		
Landscaping	33% of site area	>33% of school site is landscaped	Complies		
Building Height	10.5m max	11.1m max	Does not comply	MPDS	

(Note: Non compliance is emphasised in bold)

Setbacks

There are no specific setback provisions within CPS No 5 related to this development.

U09/0057 - (PP) NEW SCHOOL GYMNASIUM ON LOT 3043 ALL SAINTS COLLEGE, 28 EWING AVENUE, BULL CREEK (REC) (ATTACHMENT)

PUBLIC CONSULTATION/COMMUNICATION

Advertising Required: Yes
Neighbour's Comment Supplied: One
Reason: Required in accordance with CPS No. 5
Support/Object: No objection in principle

Submission Number	Summary of Submission	Support/Objection	Officer's Comment	Action (Condition/Uphold/Not uphold)
1.	<p>Request that a landscaped buffer be created in the area between the proposed gymnasium and their property at 11 Moran Close.</p> <p>Express concern that noise from activities undertaken outside the normal school day may prejudice their amenity.</p> <p>Express concern that external lighting should not disrupt their privacy.</p> <p>Express concern that the construction of the building will be undertaken at times that will result in minimal disruption to their standard of living.</p>	Neither	<p>Agree. A suitably worded condition to require the submission of a landscaping plan to address this request is recommended.</p> <p>Any activities undertaken from the gymnasium will need to comply with the Environmental Protection (Noise) Regulations 1997. A footnote to that effect is attached to all applications of this nature. This will safeguard the neighbour from any adverse impacts as a result of noise emanating from the premises.</p> <p>A condition to regulate the position of external lighting columns and the glare from the lighting itself is recommended. This will safeguard the neighbour from any loss of privacy or amenity.</p> <p>A condition is recommended to restrict the times within which construction can occur. This will ensure that disruption is minimised for the benefit of local residents.</p>	<p>Uphold</p> <p>Uphold</p> <p>Uphold</p> <p>Uphold</p>

U09/0057 - (PP) NEW SCHOOL GYMNASIUM ON LOT 3043 ALL SAINTS COLLEGE, 28 EWING AVENUE, BULL CREEK (REC) (ATTACHMENT)

	Request that the applicant advise them of the construction programme in relation to this project in due course.		In the interests of neighbour relations a footnote to request that the applicant provide details of the construction programme to the neighbour is recommended.	Uphold
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REFERRALS TO GOVERNMENT AGENCIES

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

Should the City of Melville refuse this application, the applicant will have the right to appeal the decision in accordance with Part 14 of the Planning and Development Act 2005.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

Not applicable.

POLICY IMPLICATIONS

Not applicable.

ALTERNATE OPTIONS & THEIR IMPLICATIONS

Council could refuse the application on the ground of unacceptable impacts relating to traffic and carparking increases in this sector of the site after hours and the potential for undesirable impacts on adjacent residential amenity.

U09/0057 - (PP) NEW SCHOOL GYMNASIUM ON LOT 3043 ALL SAINTS COLLEGE, 28 EWING AVENUE, BULL CREEK (REC) (ATTACHMENT)**COMMENTS**

This application seeks consent for the construction of a new gymnasium at All Saints Anglican College, Bull Creek. The proposed gymnasium is designed to enhance the standard of sporting provision for the current student and teaching cohort, and will replace the existing gymnasium which no longer meets the College's teaching and learning requirements.

The new facility includes the provision of a two court single level gymnasium together with supporting facilities including a classroom, a meeting room, staff preparation area, stores, changing facilities and toilets. Externally the new structure will be complemented by new hard and soft landscaping works, and a new access road from the site of the gymnasium complex onto the adjoining playing fields.

The building is proposed to be constructed using a combination of limestone block, glazing, and vertical composite panel cladding. It is essentially a two storey structure flanked with single storey elements designed to house the supporting facilities. Whilst it will appear as a flat roofed structure, the roof will be pitched, although the pitched element will be obscured by the full height vertical wall elements.

The application site is located to the north east of the existing school buildings between them and the school playing fields. The site is presently unused and somewhat degraded in terms of its appearance.

The school site comprises an area of 18.3 ha. It has a northern boundary to Leach Highway, and part of its western boundary abuts an area of nature conservation/open space. The remainder of the school campus shares its boundary with existing residential development in Bull Creek. The proposed gymnasium will be sited some 55m away from the nearest residential properties on Moran Close. Existing hard court sports facilities are sited to the immediate east. This will facilitate connectivity between the new and existing facilities.

There are a number of issues for consideration in the determination of this application, including:

- whether the proposal is acceptable in principle in land use terms, and
- whether the proposal is acceptable when judged against the provisions of CPS No 5, specifically in relation to development requirements, requirements in terms of advertising, and the amenity provisions contained therein.

U09/0057 - (PP) NEW SCHOOL GYMNASIUM ON LOT 3043 ALL SAINTS COLLEGE, 28 EWING AVENUE, BULL CREEK (REC) (ATTACHMENT)Land Use Considerations

In land use terms the proposed development is acceptable in this location as it relates to the existing school use. There is no change of use proposed as the land in question is part and parcel of the existing school complex.

CPS No. 5 Considerations

Under the provisions of Clause 4.2, where applications for development do not comply with a standard or precinct development requirement prescribed under the Scheme, such as the maximum height provisions, and where the variation is considered to be acceptable in principle when judged against the amenity provisions of Clause 7.8, the details of the application must be the subject of consultation in accordance with the provisions for advertising under Clause 7.5. The views expressed by residents as a result of this consultation process must be taken into consideration prior to a decision being made. Approval for such developments can be granted provided that the variation to the development requirement(s) would not have an adverse effect upon the amenity of local residents.

The details of this application have been advertised in accordance with these requirements as the proposal involves a variation to the maximum height provisions of the Scheme. This consultation has included the erection of a site notice, the publication of a press notice, and individual letters to the owners of residential properties that flank the school site, particularly along its eastern boundary.

The consultation period concludes on 30 March 2009, and to date no adverse representations have been submitted. One letter has however been received from the owners of No 11 Moran Close who, although not opposing the development, have taken the opportunity to request that the Council require the planting of trees and shrubs within the area between the proposed gymnasium and the rear of their residence, that the Council ensure that any "out of hours activities" do not detract from their lifestyle, and similarly to ensure that any external lighting will not prejudice their amenity.

A condition to require landscaping is therefore recommended, as is a condition designed to govern the location and intensity of any external lighting. In relation to noise from activities undertaken out of school hours, it is a standard requirement on planning applications of this nature that a footnote is added to decisions drawing the applicants' attention to the Environmental Protection (Noise) Regulations 1997. Development has to comply with the requirements of that legislation. This will safeguard the occupiers of No 11 Moran Close in accordance with their request. As the final decision on this proposal will be taken by full Council, any further submissions made will be included in the report to Council for the April meetings.

U09/0057 - (PP) NEW SCHOOL GYMNASIUM ON LOT 3043 ALL SAINTS COLLEGE, 28 EWING AVENUE, BULL CREEK (REC) (ATTACHMENT)

In this case the variation to the maximum height requirements of the Scheme is accepted as the increase in height is modest, 11.1m in lieu of 10.5m, the separation between the proposed building and its nearest neighbour is, at 55m, sufficient to outweigh any negative impacts that might otherwise result, and the addition of landscaping within the area between the proposed building and the nearest residential properties will soften the appearance of the proposed structure further. In addition as the application has been advertised in accordance with Scheme requirements, and as there have been no significant objections raised, it is considered that the variations to the maximum height provisions of CPS No. 5 should be supported.

The construction of a new access road to link the school playing fields to the new gymnasium complex is acceptable in principle and can be readily accommodated in the position shown without detriment to visual or residential amenity. The provision of hard and soft landscaping will complement that which already exists throughout the school campus. Both of these elements of the proposal are supported.

CONCLUSION

It is considered that the proposed gymnasium development is acceptable in principle in land use terms as it will complement the existing educational use that operates from this site. The minor variations sought to the maximum height provisions of CPS No. 5 will, having been the subject of consultation with local residents in accordance with Scheme requirements, not prejudice the spirit or intent of the scheme provisions. As such it is recommended that subject to the imposition of special conditions related to landscaping and external lighting, together with a footnote with regard to noise control, that conditional Planning Approval be granted.

OFFICER RECOMMENDATION**REFERRAL TO COUNCIL FOR
ABSOLUTE MAJORITY APPROVAL**

- A) THAT THE ERECTION OF A GYMNASIUM TOGETHER WITH LANDSCAPING WORKS AND THE CONSTRUCTION OF A NEW ACCESS ROAD ON LOT 3043, 28 EWING AVENUE, BULL CREEK BE REFERRED TO COUNCIL FOR ABSOLUTE MAJORITY APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:**

U09/0057 - (PP) NEW SCHOOL GYMNASIUM ON LOT 3043 ALL SAINTS COLLEGE, 28 EWING AVENUE, BULL CREEK (REC) (ATTACHMENT)

SPECIAL CONDITIONS:

1. PRIOR TO THE ISSUE OF THE BUILDING LICENCE, THE APPLICANT IS REQUIRED TO SUBMIT A CONSTRUCTION MANAGEMENT PLAN FOR THE PROPOSAL, TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES, DETAILING HOW IT IS PROPOSED TO MANAGE:
 - THE DELIVERY OF MATERIALS AND EQUIPMENT TO THE SITE;
 - THE STORAGE OF MATERIALS AND EQUIPMENT ON THE SITE;
 - THE PARKING ARRANGEMENTS FOR CONTRACTORS AND SUBCONTRACTORS;
 - IMPACT ON TRAFFIC MOVEMENT;
 - HOURS OF CONSTRUCTION ACTIVITY WHICH SHOULD BE WITHIN THE PERIOD 7.00AM-6.00PM MONDAY-SATURDAY ONLY WITH NO WORKING ON SUNDAYS OR PUBLIC HOLIDAYS AND;
 - OTHER MATTERS LIKELY TO IMPACT ON THE SURROUNDING RESIDENTS.
2. ON COMPLETION OF CONSTRUCTION, ALL EXCESS ARTICLES, EQUIPMENT, RUBBISH OR MATERIALS AND TEMPORARY FACILITIES ARE TO BE REMOVED AND THE SITE AND SURROUNDING AREA USED DURING THE DEVELOPMENT IS TO BE MADE GOOD AND LEFT IN AN ORDERLY AND TIDY CONDITION TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.
3. ALL SECURITY ALARM DEVICES TO BE “SILENT MONITORED” SYSTEMS TO ADDRESS POTENTIAL IMPACTS ON SURROUNDING RESIDENTIAL AMENITY TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.
4. THE FAÇADE OF THE BUILDING AND WALLS TO BE TREATED WITH AN ANTI-GRAFFITI AGENT TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.
5. DETAILS OF THE PUBLIC ART, WITH A MINIMUM VALUE OF 1% OF THE DEVELOPMENT, AS REQUIRED BY COUNCIL POLICY 25-PL-002 ARTS AND CULTURE, TO BE APPROVED BY THE MANAGER PLANNING AND DEVELOPMENT SERVICES PRIOR TO THE ISSUE OF A BUILDING LICENCE. THE APPROVED ARTWORK SHALL BE CONSTRUCTED AND INSTALLED PRIOR TO THE OCCUPATION OF THE BUILDING AND THEREAFTER MAINTAINED TO THE SATISFACTION OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.

U09/0057 - (PP) NEW SCHOOL GYMNASIUM ON LOT 3043 ALL SAINTS COLLEGE, 28 EWING AVENUE, BULL CREEK (REC) (ATTACHMENT)

6. **PRIOR TO THE COMMENCEMENT OF DEVELOPMENT A LANDSCAPING SCHEME SHALL BE SUBMITTED TO AND APPROVED IN WRITING BY THE MANAGER PLANNING AND DEVELOPMENT SERVICES. THE LANDSCAPING SCHEME SHALL INCLUDE THE AREA TO THE EAST OF THE PROPOSED GYMNASIUM BETWEEN IT AND THE REAR OF ADJACENT RESIDENTIAL PROPERTIES. THE AGREED PLANTING SHALL BE IMPLEMENTED PRIOR TO THE OCCUPATION OF THE GYMNASIUM HEREBY APPROVED.**
7. **PRIOR TO THE COMMENCEMENT OF DEVELOPMENT A PLAN FOR THE PROVISION OF EXTERNAL LIGHTING SHALL BE SUBMITTED TO AND APPROVED IN WRITING BY THE MANAGER PLANNING AND DEVELOPMENT SERVICES. THE PLAN SHALL DETAIL THE PRECISE LOCATION OF ANY LIGHTING AND ITS INTENSITY. GLARE FROM EXTERNAL LIGHTING SHALL BE MINIMISED IN THE INTERESTS OF RESIDENTIAL AMENITY.**

STANDARD CONDITIONS:

8. **THE DEVELOPMENT IS TO BE CONNECTED TO THE WATER CORPORATION'S RETICULATED SEWERAGE SYSTEM.**
9. **LIGHTING TO BE PROVIDED TO ENTRANCES TO ALL BUILDINGS IN ACCORDANCE WITH AUSTRALIAN STANDARD AS 1158.3.1 (CAT. P). ALL EXTERNAL LIGHTING TO BE HOODED AND ORIENTED SO THAT THE LIGHT SOURCE IS NOT DIRECTLY VISIBLE TO THE TRAVELLING PUBLIC OR ABUTTING RESIDENCES.**
10. **ALL SEWERAGE WASTES AND WATER PIPES TO BE CONCEALED WITHIN THE BUILDING.**
11. **PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION THE COUNCIL REQUIRES THE PROVISION OF A SUITABLE RECEPTACLE FOR THE CONTAINMENT OF WINDBLOWN RUBBISH. THE RECEPTACLE (GENERALLY A WIRE MESH CAGE) SHOULD HAVE MAXIMUM OPENINGS OF 100MM; HAVE A BASE OF 4MP2P AND A HEIGHT OF 1M AND A HINGED LID. THE RECEPTACLE SHOULD NOT BE ALLOWED TO OVERFILL.**
12. **DURING CONSTRUCTION ACCESS TO THE LOT TO BE VIA THE BROCKMAN AVENUE FRONTAGE ONLY.**
13. **ELECTRICAL INSTALLATION TO BE CONSTRUCTED AND MAINTAINED TO THE SATISFACTION OF WESTERN POWER IN ACCORDANCE WITH THE SAA WIRING RULES NO.CC1, PART 1, 1961.**

U09/0057 - (PP) NEW SCHOOL GYMNASIUM ON LOT 3043 ALL SAINTS COLLEGE, 28 EWING AVENUE, BULL CREEK (REC) (ATTACHMENT)

14. ALL STORMWATER AND DRAINAGE RUN OFF TO BE CONTAINED ON SITE. AN ONSITE STORMWATER DRAINAGE SYSTEM WITH A CAPACITY TO CONTAIN A 1:100 YEAR STORM OF A TWENTY-FOUR (24) HOUR DURATION IS TO BE PROVIDED PRIOR TO THE DEVELOPMENT FIRST BEING OCCUPIED AND THEREAFTER MAINTAINED TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES. ALL DOWNPIPES TO BE CONNECTED TO SOAKWELLS. THE PROPOSED STORMWATER DRAINAGE SYSTEM IS REQUIRED TO BE SHOWN ON THE BUILDING LICENCE SUBMISSION FOR APPROVAL PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
15. PRIOR TO OCCUPANCY THE APPLICANT IS TO ARRANGE FOR A PRACTICAL COMPLETION INSPECTION TO BE UNDERTAKEN BY THE CITY AND FOR ALL RELEVANT CONDITIONS TO BE SATISFIED TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES. IN CERTAIN CIRCUMSTANCES, AND AT ITS DISCRETION, A CONDITION MAYBE SATISFIED IN PART BY WAY OF A LEGAL AGREEMENT BEING IN PLACE AND BOND/BANK GUARANTEE BEING SUBMITTED BY THE APPLICANT/OWNER TO THE SATISFACTION OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES. WHERE THE DEVELOPMENT INVOLVES THE ERECTION OF A BUILDING A CERTIFICATE OF CLASSIFICATION BEING OBTAINED PRIOR TO OCCUPANCY.

FOOTNOTES

16. THE DEVELOPMENT HEREBY PERMITTED IS TO COMPLY WITH THE REQUIREMENTS OF THE HEALTH ACT 1911 (AS AMENDED) AND THE CITY OF MELVILLE HEALTH LOCAL LAW 1997.
17. THE DEVELOPMENT HEREBY PERMITTED IS TO COMPLY WITH THE HEALTH (PUBLIC BUILDINGS) REGULATIONS 1992 (AS AMENDED).
18. THE USE AND/OR DEVELOPMENT HEREBY OPERMITTED SHALL AT ALL TIMES COMPLY WITH THE REQUIREMENTS OF THE ENVIRONMENTAL PROTECTION (NOISE) REGULATIONS 1997. PLEASE CONSULT WITH HEALTH SERVICES PRIOR TO THE INSTALLATION OF ANY NOISY EQUIPMENT.

U09/0057 - (PP) NEW SCHOOL GYMNASIUM ON LOT 3043 ALL SAINTS COLLEGE, 28 EWING AVENUE, BULL CREEK (REC) (ATTACHMENT)

19. A HEALTH LICENCE IS REQUIRED FOR THIS DEVELOPMENT AT THE BUILDING APPROVAL STAGE.
 20. IN THE INTERESTS OF NEIGHBOURLY RELATIONS YOU ARE REQUESTED TO MAKE AVAILABLE TO THE OCCUPIER OF NO 11 MORAN CLOSE, BULL CREEK DETAILS OF THE AGREED CONSTRUCTION PROGRAMME. THE SUBMISSION OF A CONSTRUCTION PROGRAMME IS REQUIRED IN ACCORDANCE WITH CONDITION NO 1 OF THIS APPROVAL.
- B) APPLICANT AND THOSE WHO MADE SUBMISSIONS BE ADVISED OF A) ABOVE IN WRITING.