



— City of —  
**Melville**

**REPORTS AND RECOMMENDATIONS**

**FROM THE**

**DEVELOPMENT ADVISORY UNIT**

**MEETING**

**HELD ON**

**12 AUGUST 2008**

- 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: 15 AUGUST 2008**



— 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 12 AUGUST 2008**

**PRESENT**

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

Manager Planning & Development Services  
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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**U08/0221– (RJ) - STREET TREE REMOVAL REQUESTS RELATIVE TO DEVELOPMENT PROPOSALS AT DAU MEETING 12 AUGUST 2008**

<b>No.</b>	<b>LOCATION</b>	<b>TREE/BACKGROUND</b>	<b>RECOMMENDATION</b>
1	32 Woodhams Street, Willagee	<p>A Building Licence is currently under assessment.</p> <p>The property owner has emailed the City of Melville requesting consideration for removal of the tree as it obstructs access to the proposed garage.</p> <p>The tree is a mature <i>Lophostemon conferta</i> (Box Tree) located on the non wired (power) side of Woodhams Street.</p> <p>The tree forms an integral part of the landscaped streetscape.</p>	<p>Retain existing Street Tree and deviate cross over allowing 1.0 metre clearance from base of tree. This will enable reasonable access and maintain the existing streetscape.</p>

**U08/0222 – (MB) - APPLICATION FOR GREEN TITLE SUBDIVISION (WAPC REF 137450) ON LOT 57 (88) NORMA ROAD BOORAGOON (REC) (ATTACHMENT)**

Ward	:	City
Category	:	Operational
Application Number	:	DA-2008-517 and DA-2008-518
Property	:	Lot 57 (88) Norma Road Booragoon
Proposal	:	Two applications for green title subdivision
Applicant	:	Allerding and Associates
Owner	:	Primewest (Norma Road) Pty Ltd
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	:	No relevant previous items

**AUTHORITY / DISCRETION**

- Quasi-Judicial *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.*

**KEY ISSUES / SUMMARY**

- An application for green title subdivision on Lot 57 (88) Norma Road Booragoon.
- It is recommended that the application be supported subject to conditions which control the access points for the lots onto McCoy Street and Norma Road.

**BACKGROUND**

The City of Melville has issued a planning approval (DA-2006-1530) dated 21 December 2006 for a showroom development on the site. A subsequent amended planning approval (DA-200601530/A) dated 12 June 2007 has also been issued.

The land owner has indicated that they do not wish to carry out the approved development and is now interested in subdividing the site into smaller parcels for sale to persons whom may develop the site with similar uses.

**U08/0222 – (MB) - APPLICATION FOR GREEN TITLE SUBDIVISION (WAPC REF 137450) ON LOT 57 (88) NORMA ROAD BOORAGOON (REC) (ATTACHMENT)****Scheme Provisions**

MRS Zoning	:	Industrial
CPS 5 Zoning	:	Mixed Business
R-Code	:	R20/25
Use Type	:	NA
Use Class	:	NA

**Site Details**

Lot Area	:	1.9691 ha
Retention of Existing Vegetation	:	No
Street Tree(s)	:	Yes, not shown on proposed plan of subdivision
Street Furniture (drainage pits etc)	:	
Site Details	:	<a href="#">U08_0222_PROPERTY_MAP.pdf</a>

[U08\\_0222\\_August\\_2008.pdf](#) A copy of the plans forms part of the Attachments to the Agenda, which were distributed to Members of the Council on Friday 15 August 2008.

**DETAIL****Development Requirements**

Not applicable.

**Setbacks**

Not applicable.

**PUBLIC CONSULTATION/COMMUNICATION**

Advertising Required: No

**REFERRALS TO GOVERNMENT AGENCIES**

Required: No

**STATUTORY AND LEGAL IMPLICATIONS**

No statutory or legal implications.

**U08/0222 – (MB) - APPLICATION FOR GREEN TITLE SUBDIVISION (WAPC REF 137450) ON LOT 57 (88) NORMA ROAD BOORAGOON (REC) (ATTACHMENT)**

### **FINANCIAL IMPLICATIONS**

There are no anticipated financial implications.

### **STRATEGIC AND RISK MANAGEMENT IMPLICATIONS**

Proposed Amendment No. 47 is currently with the Department for Planning and Infrastructure for a regional planning assessment. The proposed Amendment has the support of the Council. The proposed Amendment is of no consequence to the applications for subdivision and is more concerned with development restrictions for the development and use of the land after it has been subdivided.

There are no anticipated risk management implications.

### **POLICY IMPLICATIONS**

Policy 06-pl-009 Subdivision – this Policy concerns itself only with the construction of fencing where the land is close to a major road (e.g. a Freeway or other major highway) and is not applicable in this circumstance.

### **ALTERNATE OPTIONS & THEIR IMPLICATIONS**

There are no alternative options.

**U08/0222 – (MB) - APPLICATION FOR GREEN TITLE SUBDIVISION (WAPC REF 137450) ON LOT 57 (88) NORMA ROAD BOORAGOON (REC) (ATTACHMENT)****COMMENT**Minimum Lot Size

There are no Scheme or Policy standards for minimum lot size. Notwithstanding, the lot sizes, which will ultimately range from 1000 - 1265 sqm, aim to provide small business owners with small green title lots as an alternative to strata title lots. These lots provide for greater independence than strata lots where strata companies can place additional constraints on landowner's activities. They have been very successful throughout the metropolitan area in recent years and are becoming a popular form of industrial/commercial subdivision.

Comments

A traffic impact statement or assessment is not required for the current application. A traffic impact assessment was provided and approved as part of the planning approval (DA-2006-1530) dated 21 December 2006. It is likely that future development on the site will be similar to that approved development.

The current proposal forms part of Western Australian Planning Commission subdivision application No. 137450 (DA 2008-517) with a subdivision plan which involves the creation of 9 lots. There will be 8 smaller lots which vary in size between 1076 to 1266sqm and a 10600sqm lot. All 9 lots have their own street frontage.

The standards for access requirements for emergency vehicles show that any lots with a minimum frontage less than 22 metres will provide access problems for emergency vehicles. All lots have a minimum frontage of 22m.

The applicant has provided an access plan at the City of Melville's request. The purpose of the access plan is to provide safe access to each of the proposed lots by reducing the number of access points to Norma Road and McCoy Street and ensure an adequate separation from the intersection. Where possible, access will be shared and access points will be located as far away as possible from street intersections. Easements will be required to be registered over proposed lots at the shared access points. The access plan provided shows crossovers for Norma Road and to provide for adequate separation from the roundabout treatment at the intersection of Norma Road and McCoy Street. It is recommended that additional shared access points be provided at the common boundaries of proposed lots 105/106 and 107/108 to reduce the number of crossovers on McCoy Street.

U08/0222 – (MB) - APPLICATION FOR GREEN TITLE SUBDIVISION (WAPC REF 137450) ON LOT 57 (88) NORMA ROAD BOORAGOON (REC) (ATTACHMENT)

**OFFICER RECOMMENDATION**

**SUPPORT**

THAT THE COUNCIL ADVISE THE WESTERN AUSTRALIAN PLANNING COMMISSION THAT IT SUPPORTS THE APPLICATION FOR GREEN TITLE SUBDIVISION (WAPC REF 137450) ON LOT 57 (88) NORMA ROAD BOORAGOON AND SUBJECT TO THE FOLLOWING:

1. THE APPLICANT/OWNER IS TO PROVIDE A GEOTECHNICAL REPORT OR OTHER EQUIVALENT REPORT TO THE APPROVAL OF THE CITY OF MELVILLE SHOWING THAT THE SOIL IS APPROPRIATELY COMPACTED TO THE APPROVAL OF THE CITY OF MELVILLE.
2. THE OWNER TO PROVIDE VEHICULAR ACCESS AT DESIGNATED ACCESS POINTS ON THE COMMON BOUNDARIES OF PROPOSED LOTS 101/102, 105/106 AND 107/108 BY WAY OF EASEMENTS IN GROSS REGISTERED ON THE CERTIFICATES OF TITLE IN FAVOUR OF THE CITY OF MELVILLE TO THE SATISFACTION OF COUNCIL'S SOLICITORS.
3. SUITABLE ARRANGEMENTS BEING MADE WITH THE CITY OF MELVILLE FOR THE PROVISION OF VEHICULAR CROSSOVERS TO SERVICE THE LOTS SHOWN ON THE APPROVED PLAN OF SUBDIVISION IN ACCORDANCE WITH THE SUBMITTED ACCESS PLAN AND CONDITION 2 ABOVE.
4. THE LAND BEING GRADED AND STABILISED AT THE SUBDIVIDER'S COST TO THE SATISFACTION OF THE CITY OF MELVILLE.
5. THE LAND BEING FILLED AND DRAINED ON SITE AT THE SUBDIVIDER'S COST TO THE SATISFACTION OF THE CITY OF MELVILLE AND ANY DRAINAGE EASEMENTS AND/OR RESERVES NECESSARY FOR THE IMPLEMENTATION THEREOF, BEING PROVIDED FREE OF COST.

**FOOTNOTES:**

- A) THE WESTERN AUSTRALIAN PLANNING COMMISSION IS ADVISED THAT THE CITY OF MELVILLE'S RECORDS SHOW THAT SEWER CONNECTION IS NOT AVAILABLE TO PROPOSED LOTS FRONTING MCCOY STREET AND NORMA ROAD. IF CONNECTION IS NOT AVAILABLE, THE CITY OF MELVILLE PREFERS DEEP SEWER CONNECTION PROVIDED TO THESE LOTS FROM ACROSS THE PROPOSED LOT 109 FRONTING PITT WAY AND THE USE OF EASEMENTS AS IS NECESSARY.
- B) THE WESTERN AUSTRALIAN PLANNING COMMISSION IS ADVISED THAT IF A TRANSFORMER/SUBSTATION IS REQUIRED TO PROVIDE POWER TO THE SUBDIVISION, THEN THE CITY OF MELVILLE REQUESTS THAT THE TRANSFORMER/SUBSTATION SITE BE LOCATED ALONG THE FRONT BOUNDARY ADJACENT A SIDE BOUNDARY OF PROPOSED LOT 109.

**U08/0225 - (GD) – THREE STORAGE SILOS ON LOT 12 (16 – 18) SAINSBURY ROAD,  
PALMYRA WA 6157 (REC) (ATTACHMENT)**

Ward : Palmyra/Melville/Willagee  
Category : Operational  
Application Number : DA – 2008 - 907  
Property : 16 – 18 Sainsbury Road, Palmyra WA 6157  
Proposal : Construction of 3 Silos  
Applicant : A.B. Engineering & Building  
Owner : Vinidex Pty Ltd  
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 :

**AUTHORITY / DISCRETION**

- |  | <u>Definition</u>   |
|--|---|
| <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 &amp; policies.</i>  |
| <input type="checkbox"/> Review                    | <i>when Council reviews 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 (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |

**U08/0225 - (GD) – THREE STORAGE SILOS ON LOT 12 (16 – 18) SAINSBURY ROAD,  
PALMYRA WA 6157 (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- The applicant seeks approval for three (3) storage silos of approximately 12.5m in height at the subject site.
- Supported for approval subject to conditions.

**BACKGROUND**

Not applicable

**Scheme Provisions**

MRS Zoning	:	Industrial
CPS 5 Zoning	:	Industrial
R-Code	:	Not applicable
Use Type	:	Industry General
Use Class	:	Permitted “P”

**Site Details**

Lot Area	:	22,678 sqm
Retention of Existing Vegetation	:	Not applicable
Street Tree(s)	:	Not applicable
Street Furniture (drainage pits etc)	:	Not applicable
Site Details	:	<a href="#">U08_0225_PROPERTY_MAP.pdf</a>

[U08\\_0225\\_August\\_20081.pdf](#) A copy of the plans forms part of the Attachments to the Agenda, which were distributed to Members of the Council on Friday 15 August 2008.

**DETAIL**

The company operating from the site is Vinidex. They are involved in the manufacture of thermostat pipe systems for the transportation of fluid, data and energy. The application proposes to construct three, 12.5m silos adjacent the western boundary and the Fremantle Cemetery.

U08/0225 - (GD) – THREE STORAGE SILOS ON LOT 12 (16 – 18) SAINSBURY ROAD,  
PALMYRA WA 6157 (REC) (ATTACHMENT)

**Development Requirements**

Development Requirement	Required/ Allowed	Proposed	Comments	Delegation to approve variation	Plan Notation
Plot Ratio	1.2	0.47	Complies		
<b>Building Height</b>	<b>2 storeys generally (6 metres)</b>	<b>12.5</b>	<b>Does not comply</b>	<b>MPDS</b>	

(Note: Non compliance is emphasised in bold)

**PUBLIC CONSULTATION/COMMUNICATION**

Not applicable

**REFERRALS TO GOVERNMENT AGENCIES**

Not applicable

**STATUTORY AND LEGAL IMPLICATIONS**

Not applicable

**FINANCIAL IMPLICATIONS**

Not applicable

**STRATEGIC AND RISK MANAGEMENT IMPLICATIONS**

Not applicable

**POLICY IMPLICATIONS**

Not applicable

**U08/0225 - (GD) – THREE STORAGE SILOS ON LOT 12 (16 – 18) SAINSBURY ROAD,  
PALMYRA WA 6157 (REC) (ATTACHMENT)****COMMENT**

The applicant has submitted a letter with the following comments:

*“Our manufacturing process begins with the receipt and storage of raw materials. At present these are received in bulk bags. We are proposing to install 3 storage silos in which we will store our raw materials. The silos are 12.5 metres high.*

*The area of our site where we are proposing to erect the silos is marked on the site layout. It is presently used for product storage. The range and demand for PVC pipe has significantly increased during the last several years. This has resulted in the requirement to produce a greater quantity and type of dry blend mix. The proposed location is due to the distance from the mixing plant and extrusion lines from the PVC dry blend storage silos which must be kept to a minimum to reduce the separation and degradation of the dry blend during pneumatic conveying. Due to the quantity of dry blend required the height of the silos is 12.5 metres. The angle of the the silo base must be 70 degrees. This angle is required to ensure that the dry blend flows in the silo. The angle has a significant effect on the overall dimensions of the silo”.*

*The silos will offer our business numerous advantages in areas os safety and efficiency.”*

The City's Community Planning Scheme No.5 stipulates a height limit of generally two storey's within industrial zoned land. The proposal involves a maximum height of 12.5m. The location of these silos is along the western boundary, which abutts the Fremantle Cemetery, 60m from Sainsbury Road and behind an existing factory building which is 8m high. This provides considerable screening from the street directly in front of the lot. However, it will be possible to obtain some view of the silos from Sainsbury Road to the west of the lot. The view from this direction will be partly obscured by an existing tree on the site and trees on the adjoining lot (cemetery). As this area is also used for vehicle access, it is necessary to reduce the impact of the silos on the adjoining property by painting the silos green.

The landscaping which currently exists on site is approximately 13.6% in lieu of 15%. The proposed silos will not result in the removal of any landscaping on site.

**CONCLUSION**

Accordingly, the application is recommended for approval subject to standard and appropriate conditions.

**U08/0225 - (GD) – THREE STORAGE SILOS ON LOT 12 (16 – 18) SAINSBURY ROAD,  
PALMYRA WA 6157 (REC) (ATTACHMENT)**

**OFFICER RECOMMENDATION**

**APPROVAL**

**THAT THE APPLICATION FOR THREE (3) STORAGE SILOS ON LOT 12 (16-18)  
SAINSBURY ROAD, PALMYRA BE APPROVED SUBJECT THE THE FOLLOWING  
CONDITIONS;**

**SPECIAL CONDITIONS:**

- 1. THE SILOS TO BE OF A NON REFLECTIVE MATERIAL AND TO BE PAINTED IN A  
GREEN COLOUR TO REDUCE THE IMPACT OF THE DEVELOPMENT ON THE  
ADJOINING PROPERTY AND SAINSBURY ROAD.**

**STANDARD CONDITIONS:**

- 2. 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 SATISFACTION 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. THE LODGING OF DETAILED LANDSCAPE AND  
RETICULATION PLANS, TO THE SATISFACTION OF THE MANAGER PLANNING  
AND DEVELOPMENT SERVICES FOR THE DEVELOPMENT OF THE SITE AND  
THE ADJOINING ROAD VERGE(S) AT THE TIME OF SUBMITTING A BUILDING  
LICENCE APPLICATION.**