

REPORTS AND RECOMMENDATIONS

FOR THE

DEVELOPMENT ADVISORY UNIT

MEETING

HELD ON

30 NOVEMBER 2010

- NOTES:**
1. This Meeting makes Recommendations to the Manager Planning & Development..
 2. Should any Elected Member wish to discuss the content of any item included as part of the attached agenda, please contact Peter Prendergast, Manager Planning & Development. Contact should be established as soon as possible after the publication of the agenda to the City of Melville web site. Contact details are as follows: peter.prendergast@melville.wa.gov.au or Tel 9364 0626.
 3. Should an Elected Member propose that an item on this agenda be referred to Council for determination, a request to that effect must be made to the Chief Executive Officer (CEO). This request must be received by the CEO by midday on the Friday following the publication of the DAU agenda to the City's web site.
 4. Should any applicant or adjoining property owner object to any proposal included as part of this DAU agenda, then an opportunity exists to request that the application be determined by Council. All such requests are subject to the discretion of the CEO, and must be received by him no later than midday on the Friday following the publication of the DAU agenda to the City's web site.
 5. In the absence of any referral request, it is expected that the Manager Planning & Development will, after the 'call in' deadline has passed, approve the recommendations, refer the matter(s) to the Council for determination, or refer it/them back to the Development Advisory Unit for further consideration(s).

**REPORTS AND RECOMMENDATIONS FROM THE DEVELOPMENT ADVISORY UNIT
MEETING HELD IN, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD,
BOORAGOON, COMMENCING AT 9:00 AM ON TUESDAY, 30 NOVEMBER 2010.**

PRESENT

P. Prendergast	Manager Planning & Development Services
T. Capobianco	Principal Building Surveyor
H. Shigeyoshi	Senior Planning Officer
L. Anderson	Senior Planning Officer
C. Taborda	A/ Traffic & Road Safety Coordinator (EngineeringDesign)
T. Stojanovic	Traffic & Road Safety Coordinator

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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U10/0299 - (GD) REPLACEMENT OF THE EXISTING FLOODLIGHTS ON WEBBER RESERVE: LOT 5803 (30) HODGE STREET, WILLAGEE (REC) (ATTACHMENT

Ward : Palmyra/Melville/Willagee
 Category : Operational
 Application Number : DA-2009-996
 Property : Webber Reserve: Lot 5803 (30) Hodge Street, Willagee
 Proposal : Replacement Flood Lights on Webber Reserve
 Applicant : Mr P Parsons
 Owner : State of Western Australia
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Responsible Officer : Peter Prendergast
 Manager Planning and Development Services
 Previous Items : No previous items

AUTHORITY / DISCRETION

<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>
<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>

U10/0299 - (GD) REPLACEMENT OF THE EXISTING FLOODLIGHTS ON WEBBER RESERVE: LOT 5803 (30) HODGE STREET, WILLAGEE (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- The application proposes the installation of replacement floodlighting on Webber Reserve.
- The application is generally compliant with Community Planning Scheme No. 5 (CPS5) with the exception of the proposed wattage of the replacement lights which does not comply with Council Policy 06-PL-006 'Flood and Security Lighting'. In that regard a maximum wattage of 2000 watts is proposed per light pole in lieu of 1000 watts permitted as per Council Policy.
- Formal advertising of the application was undertaken and no submissions were received.
- All replacement lights are to be orientated and hooded so the light source is not directly visible to the travelling public or to occupiers of adjoining residences.
- On that basis, the application is recommended for conditional approval.



U10/0299 - (GD) REPLACEMENT OF THE EXISTING FLOODLIGHTS ON WEBBER RESERVE: LOT 5803 (30) HODGE STREET, WILLAGEE (REC) (ATTACHMENT)

BACKGROUND

Webber Reserve is a multi-functional reserve which is bounded on all sides by road reserve (Webber, Hodge, Boon, Steel and Arkwell Streets). The reserve contains a grassed oval, club rooms with parking area fronting Boon Street and other ancillary outdoor sport facilities.

The reserve is a local reserve owned by the State Government of WA and administered by the City of Melville.

Scheme Provisions

MRS Zoning : Urban
 CPS 5 Reservation : Local Open Space Reserve
 R-Code : Not applicable
 Use Type : Recreation
 Use Permissibility : Not applicable

Site Details

Lot Area : 47,235sqm
 Retention of Existing Vegetation : Yes
 Street Tree(s) : Yes - all to be retained
 Street Furniture (drainage pits etc) : Yes
 Site Details : Refer to photo above

[U10_0299_November_2010.pdf](#) A copy of the plans forms part of the Attachments to the Agenda, which were distributed to Members of the Council on Monday 6 December 2010.

DETAIL

Development Requirements

The proposed development satisfies all of the relevant criteria of CPS5 and Council's Planning Policies, with the exception of the following:

Development Requirement	Required/ Allowed	Proposed	Comments	Delegation to approve variation	Plan Notation
Light Wattage	1000watts	2000watts	Does not comply	MPDS	

U10/0299 - (GD) REPLACEMENT OF THE EXISTING FLOODLIGHTS ON WEBBER RESERVE: LOT 5803 (30) HODGE STREET, WILLAGEE (REC) (ATTACHMENT)

PUBLIC CONSULTATION/COMMUNICATION

Advertising Required:	Yes
Neighbour's Comment Supplied:	No comments received.
Reason:	As per clause 7.5 of CPS5
Support/Object:	No comments received.

REFERRALS TO GOVERNMENT AGENCIES

There are no referral requirements to Government Agencies forming part of this application.

STATUTORY AND LEGAL IMPLICATIONS

In this case the applicant is the City. Notwithstanding this, should the City refuse to grant consent for the proposed floodlight installation, an appeal could in theory be lodged with the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*.

FINANCIAL IMPLICATIONS

There are no anticipated financial implications.

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

There are no strategic and risk management implications.

POLICY IMPLICATIONS

06-PL-006 Flood and Security Lighting

This policy outlines the location and design provisions relating to the installation of floodlighting on reserves. As outlined above, the proposed replacement lighting satisfies all of the requirements of the policy with the exception of maximum wattage.

CP-06-PL-006 Flood and Security Lighting (Draft)

This draft policy is currently the subject of public consultation and consequently has not yet been adopted by Council.

This draft policy removes the current provisions relating to maximum lighting wattage however it provides additional assessment criteria which detail that light intensity is not only a function of wattage, but also the technology and type of reflectors used.

U10/0299 - (GD) REPLACEMENT OF THE EXISTING FLOODLIGHTS ON WEBBER RESERVE: LOT 5803 (30) HODGE STREET, WILLAGEE (REC) (ATTACHMENT)

The draft Policy proposes a certification process for all applications to be undertaken by a suitably qualified lighting consultant and ensures compliance with the relevant Australian Standards.

The proposal is consistent with the criteria outlined within the draft policy.

ALTERNATE OPTIONS & THEIR IMPLICATIONS

This application is proposed to be approved under delegation through the Development Advisory Unit (DAU) process. Should Elected Members have an alternative view, the DAU 'call-

up' procedures provide the opportunity to have this matter called up for formal Council consideration.

COMMENTS

This application proposes to improve the existing lighting situated on Webber Reserve, Willagee. Specifically, the proposal entails the removal of three (3) existing light towers and replacement with three (3) new towers, each 22 metres in height. These will be located on the southern and western sides of the reserve. The new lights are intended to provide better lighting conditions for the Willagee Rugby League Football Club evening training sessions, as well as for other general users of the reserve.

The proposed lighting has been assessed in accordance with the provisions of the Community Planning Scheme No. 5 and Council Policy '06-PL-006 Flood and Security Lighting' and is found to be generally compliant with those provisions with the exception of a proposed power rating of 2000 watts in lieu of 1000 watts.

In considering the variation sought,, the proposed replacement lighting is not anticipated to have an adverse impact upon the amenity of the surrounding residential properties based on the following:

- The existing mature trees along the western and southern perimeter of the Reserve will assist in obscuring the view of the light towers and the light emitted from the proposed floodlights.
- The proposed lighting will be directed down toward the surface of the Reserve and will be hooded to prevent any light spill on to the surrounding residential properties.
- The City has previously received advice from a lighting consultant that the amount of "spill" lighting is negligible after about 12 metres (even less in some areas). The proposed lighting towers are to be situated more than 30m away from the adjacent residential properties.
- The technical data provided with the application indicates that there will be minimal light spill on to the area behind the proposed light towers.
- No objections have been raised by surrounding residents who were consulted as part of the application.
- The application for flood lighting is consistent with the draft policy Flood and Security Lighting.

U10/0299 - (GD) REPLACEMENT OF THE EXISTING FLOODLIGHTS ON WEBBER RESERVE: LOT 5803 (30) HODGE STREET, WILLAGEE (REC) (ATTACHMENT)

For the abovementioned reasons, the proposal is not anticipated to result in any significant adverse impacts upon the adjoining residential properties.

To facilitate the installation of the lighting towers, minor excavation works will need to be carried out to lay the underground electrical cables and to construct the footings. A condition of approval is consequently recommended to require that turfing works are carried out at the conclusion of the installation of the towers to restore the Reserve back to an appropriate condition.

CONCLUSION

Based on the above, the proposed lighting upgrade at the Webber Reserve is not anticipated to cause any adverse impact upon the existing surrounding residents of the locality or the use of

the Reserve. Therefore, the application is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION

APPROVAL

That the application for the replacement of the existing floodlights on Webber Reserve, Lot 5803 (30) Hodge Road, Willagee be approved with the following conditions:

- 1. Upon completion of the works hereby approved, the applicant is to reinstate the reserve to its former condition to the satisfaction of the City's Manager Planning and Development.**
- 2. The floodlights must be switched off by 9.00 pm daily.**
- 3. Any damage to the reserve and associated reticulation infrastructure is to be repaired within 7 days of the conclusion of the installation of the towers to the satisfaction of the City's Manager Planning and Development. All costs to be borne by the applicant.**
- 4. Within 30 days of the installation of the lighting towers, the applicant is provide a report from a suitable qualified lighting consultant to confirm that the lighting conforms to the relevant Australian Standard/s. If the lighting does not conform, remedial measures are to be undertaken to rectify the situation and bring about compliance with the relevant Australian Standard/s within 14 days.**