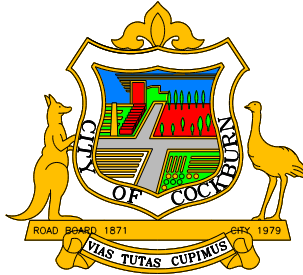


# **CITY OF COCKBURN**



**ORDINARY COUNCIL**

**AGENDA PAPER**

**FOR  
TUESDAY 10 AUGUST 1999**



## CITY OF COCKBURN

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## CITY OF COCKBURN

### AGENDA TO BE PRESENTED TO THE ORDINARY COUNCIL MEETING TO BE HELD ON TUESDAY, 10 AUGUST 1999 AT 7:30 P.M.

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#### PRESENT:

##### COUNCIL MEMBERS

Mr J F Donaldson	-	Chairperson of Joint Commission
Ms J L Smithson	-	Joint Commissioner
Mr M A Jorgensen	-	Joint Commissioner

##### IN ATTENDANCE

Mr R W Brown	-	Chief Executive Officer
Mr D M Green	-	Director Community Services
Mr A T Crothers	-	Director, Finance & Corporate Services
Mr S M Hiller	-	Director, Planning & Development
Mr B K Greay	-	Director, Engineering
Mrs S Ellis	-	Secretary to Chief Executive Officer

#### 1. DECLARATION OF OPENING

#### 2. APPOINTMENT OF PRESIDING MEMBER (IF REQUIRED)

#### 3. DISCLAIMER (To be read aloud by Presiding Member)

Members of the public who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

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

**5. APOLOGIES AND LEAVE OF ABSENCE**

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

**7. PUBLIC QUESTION TIME**

**8. CONFIRMATION OF MINUTES**

**8.1 (OCM1\_8\_1999) - ORDINARY MEETING OF COUNCIL - 27/7/1999**

**9. WRITTEN REQUESTS FOR LEAVE OF ABSENCE**

Nil

**10. DEPUTATIONS AND PETITIONS**

Nil

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

Nil

**12. ADDITIONS TO THE AGENDA**

Nil

**13. COUNCIL MATTERS**

Nil



**14. PLANNING AND DEVELOPMENT DIVISION ISSUES**

**14.1 (OCM1\_8\_1999) - PROPOSED SATELLITE DISH - LOT 91, 8 BRIDSON COURT, HAMILTON HILL - OWNER/APPLICANT: A D'ANGELO (2207173) (PT) (WEST) (MAP 7) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) approve the proposed satellite dish on Lot 91, 8 Bridson Court, Hamilton Hill in accordance with the approved plans subject to the following conditions:

Standard Conditions

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

Special Conditions

- 1. the combined height of the dish and stand is not to exceed 4 metres.
- (2) issue an MRS Form 2 Notice of Approval valid for a period of 24 months.

**COUNCIL DECISION**

**Background**

ZONING:	MRS:	URBAN
	DZS:	RESIDENTIAL – R15
LAND USE:	HOUSE	
LOT SIZE:	711 M <sup>2</sup>	
AREA:	N/A	
USE CLASS:	N/A	

**Submission**

The application is for a domestic satellite dish, 3 metres in diameter and is to be attached to a 3.7 metre stand that sits 1.5 metres above the height of the shed roof. Refer to Agenda Attachments for a copy of the plan. The dish is required to be placed at such a height in order to

pick up two satellites. The application was advertised to the surrounding neighbours for a period of 28 days and one submission was received.

### **Report**

The submission indicated that the neighbour was concerned with the height of the dish and the fact that the final combined height of the dish and stand would be approximately 5.2 metres. The owner has agreed to lower the dish 70 centimetres whereby the dish will be attached to a 3 metre stand that sits 80 centimetres above the height of the shed roof, giving a combined height of the stand and dish of approximately 4.5 metres. Since the other neighbours to the property have no objections to the installation of the satellite dish, it is recommended that approval be issued subject to the special condition that the combined height of the dish and stand is not to exceed 4 metres.

### **Strategic Plan/Policy Implications**

Council Policy PD 30 'Domestic Satellite Dishes Policy'.

### **Budget/Financial Implications**

N/A

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

Nil

## **14.2 (OCM1\_8\_1999) - FREMANTLE ROCKINGHAM CONTROLLED ACCESS HIGHWAY ALIGNMENT THROUGH HAMILTON HILL AND INTERCHANGE OPTIONS WITH ROE HIGHWAY (AJB) (9701) (9702) (ATTACH)**

### **RECOMMENDATION**

That Council:

- (1) receive the reports from Main Roads Western Australia;
- (2) advise Main Roads Western Australia that in the event that the Fremantle Eastern Bypass is constructed that:-
  1. The grade separated option connecting the Bypass and Roe Highway to Stock Road is supported in principle subject to the following:-
    - (a) Transform WA funding allocated to the Fremantle Rockingham Highway is reprioritised to enable construction of a single carriageway of the Roe

Highway to be built to Stock Road and opened at the same time as the Bypass. The proposed Stage 1 connection to Forrest Road or alternatively Rockingham Road is not supported for safety and amenity reasons.

- (b) The intersection design being modified to delete the local road connection to Ommanney Street.
  - (c) That every endeavour be made to retain the historic buildings located at the corner of Davilak Avenue and Rockingham Road (Marks House) and the intersection of Healy Road and Rockingham Road (Banks House) and that in the event that the Banks House cannot be retained due to earthworks associated with the road, that the house be relocated to a suitable location within the Healy Road area.
2. Rollinson Road and Cockburn Road be upgraded to accommodate the north south traffic movements, that traffic volumes on the link be monitored and that the Fremantle-Rockingham CAH only be constructed if and when transport imperatives determine the need.
  3. The western alignment of the Fremantle-Rockingham CAH is preferred to the MRS alignment and the Metropolitan Region Scheme should be amended accordingly to allow for the future construction of the Highway on that alignment if it is required.
  4. The western alignment be designed to accommodate grade separated pedestrian/cyclist crossings between Robb Road and Manning Park and for the existing cycleway located on the north side of the railway reserve.
- (3) provide Main Roads Western Australia with a copy of the Agenda report in support of the above points.

## COUNCIL DECISION

### Background

Council at its meeting held on 19 August 1997, considered proposals for the Fremantle-Rockingham Highway between Rollinson Road, Hamilton Hill and Rockingham Road, Wattleup prepared by Halpern

Glick Maunsell on behalf of Main Roads Western Australia (Main Roads) and resolved the following which are pertinent to the current studies;

- totally reject Scenario 1 recommended by Halpern Glick Maunsell (alignment as per the current MRS).
- accept that Cockburn Road needs to be realigned around the proposed Port Catherine Marina project and the Henderson Shipbuilding area.
- support Concept Plan 1 prepared by Council's Planning Department which does not include the Fremantle Eastern Bypass, giving priority to Rockingham/Stock Road as the major regional traffic route and provides a direct link from Cockburn Road north to Rockingham Road via Russell Road.
- in the event that the Fremantle Eastern Bypass is proceeded with in accordance with the MRS, then the southern end of the Bypass should link directly to Stock Road via the Roe Highway Reserve in accordance with Concept Plan 2 prepared by Council's Planning Department.
- that at the southern end the Fremantle-Rockingham Highway connect to Stock Road via Russell Road and that the Controlled Access Highway Reserve south of Russell Road be deleted from the MRS and the land included in the Beeliar Regional Park.
- in the event that the Controlled Access Highway is constructed that the alignment of the road between Rollinson Road and the railway should be reviewed so as to reposition the carriageways as far west as practicable to minimise the visual and physical impact of the road and to consolidate the area of Parks and Recreation as opposed to retaining a thin strip on the western side of the Highway Reserve.

A copy of Council's response on the Halpern Glick Maunsell Report including Concept Plans 1 and 2 is included in the Agenda attachments.

As a result of submissions by members of the public and Council on the Jervoise Bay Southern Harbour Project, the State Government has agreed to link the Fremantle-Rockingham Highway to Stock/Rockingham Road via Russell Road as per Concept Plan 2.

As a result of discussions between the Hon. Minister for Transport, Main Roads and Council, Main Roads were requested to review and report to the Minister on Council's alternative concept for the junction of the Fremantle Eastern Bypass, Fremantle-Rockingham Highway with Roe Highway and the alignment options between Rollinson Road and the railway.

The studies by Arup Transportation Planning were overseen by a working group comprising representatives from Main Roads, City of Cockburn, Ministry for Planning, Department of Transport and Department of Environmental Protection.

### **Submission**

Main Roads has prepared reports on the options for the Fremantle-Rockingham Controlled Access Highway alignment through Hamilton Hill and options for the junction of the Highway with Roe Highway and has sought Council's endorsement in principal to the recommended alignment. Subject to receiving Council support, Main Roads will proceed with detailed planning to more exactly define the requirements for the Highway and junction for incorporation with the revised Coogee Master Plan and amendments to the Metropolitan Region Scheme.

### **Report**

The Metropolitan Region Scheme provides for a Controlled Access Highway between the Stirling Bridge, Fremantle and Read Street, Rockingham. The section of the Highway between High Street, Fremantle and Rollinson Road, Hamilton Hill is referred to as the Fremantle Eastern Bypass and the section south of Rollinson Road as the Fremantle-Rockingham Highway (CAH).

In mid 1996, SMEC were appointed by Main Roads to prepare preliminary designs for the Fremantle Eastern Bypass and Halpern Glick Maunsell were appointed by Department of Commerce and Trade, Landcorp and Main Roads to review that section of the Fremantle-Rockingham Highway between Rollinson Road and Rockingham Road, Wattleup as part of the Jervoise Bay project which proposed to construct a section of the Highway between Mayor Road, Coogee and Rockingham Road, Wattleup.

In response to public opposition to the Bypass in particular, the Minister for Transport met with community representatives in April 1997 and agreed that Main Roads would prepare a report explaining the reasons for the Government decision to build the Bypass. The report was released in September 1997.

In the interim, Council considered the recommendations of the Halpern Glick Maunsell Jervoise Bay Infrastructure Planning Study "Road Network Access" and at its meeting held on 19 August 1997, resolved to totally reject the MRS option supported by HGM as outlined in the Background section of this report.

On 8 October 1997, the Minister for Transport advised Council of the Government's commitment to build the Fremantle Eastern Bypass and subsequent planning in the area has been progressed on that basis. As previously noted, Council advised Main Roads and the Minister for

Transport of its preferred options in the event that the Fremantle Eastern Bypass is constructed. The studies the subject of this report, are premised on the assumption that the Fremantle Eastern Bypass will be constructed as per the Minister's advice and hence pickup on the principles of Council's Option 2.

### ***Fremantle-Rockingham Controlled Access Highway Alignment through Hamilton Hill***

#### **1. Options**

The report by Arup Transportation Planning evaluates three alignments for the proposed Fremantle-Rockingham Controlled Access Highway between Rockingham Road and the proposed alignment around Port Catherine, that is, for the section generally north of the railway line. The options are as follows and are shown on figure 1 in the Agenda attachment.

- **MRS Alignment (Option 1)**

This alignment follows the coastal limestone ridge separating the North Coogee industrial area from Manning Park. The alignment closely follows the top of the coastal ridge crossing east of the ridge at the northern end. The alignment leaves a narrow strip of Parks and Recreation (70-150m) on the west side of the road which is severed from the major portion of the Beeliar Regional Park on the eastern side of the road.

Construction on this alignment will result in extensive areas of cut and fill that will be highly visible from both the east and the west.

- **Western Alignment (Option 2)**

At the northern end of the alignment is as per the MRS. However, south of the Emplacement Crescent industrial area the alignment swings further west to keep closer to the rear of the industrial land and away from the coastal limestone ridge. At the southern end the alignment rejoins the proposed MRS alignment around the Port Catherine development.

This alignment only goes through one peak on the ridge system and does not cross to the east of the coastal ridge. It allows for consolidation of the Beeliar Regional Park land on the east side of the road and is visually less intrusive than Option 1.

- **Cockburn Road (Option 3)**

The alignment utilises the proposed Rollinson Road reserve to connect to Cockburn Road at the northern end. The curved connection at Rollinson Road passes through two recently

developed industrial lots. Accordingly the intersection of Cockburn Road and Rollinson Road would need to be constructed as a standard 4 way intersection.

At the southern end, the alignment is the same as for the Cockburn Road connection to the Fremantle-Rockingham Highway under the MRS.

## **2. Traffic Requirements**

Traffic modelling undertaken as part of the study forecasts the following traffic volumes for 2021.

### **Traffic Volumes**

<b>Road</b>	<b>Location</b>	<b>1996/1997 Traffic Flow</b>	<b>2021 Traffic Flow (Option 1 &amp; 2)</b>	<b>2021 Traffic Flow (Option 3)</b>
Cockburn Road	south of Rockingham Rd	17,800	12,000	33,400
Fremantle- Rockingham CAH	south of Rollinson Rd	-	25,800	-
Hampton Road	north of Rockingham Rd	30,700	17,400	17,500
Rockingham Rd *	east of FEB	13,000	6,800	4,900
Roe Highway	east of FEB	-	19,500	22,100
Spearwood Avenue	east of Fremantle- Rockingham CAH	-	4,800	2,500

\* The model included the proposed Transitway which is under consideration

The modelling shows that the inclusion of the Fremantle-Rockingham Highway in the network will have a small impact on traffic volumes on Hampton Road, Rockingham Road, Roe Highway and Spearwood Avenue. However, there are major implications for Cockburn Road. Without the Highway, volumes on Cockburn Road are forecast to increase to 33,400 vehicles per day which is at the upper limit of a 4 lane road. For Cockburn Road to work at this level, the road would need to be widened significantly and include service roads.

## **3. Comparison of the Alternatives**

The evaluation of the three options included a multi criteria assessment and sensitivity analysis. The broad grouping of criteria were Economic, Safety, Environmental, Social and Policy. A summary of the evaluation for each criteria is as follows:

- **Economic Benefits**

Economic benefits were moderately positive for the MRS alignment and Cockburn Road with the Western alignment having the highest capital construction cost with 75% more earthworks than the MRS alignment. Cockburn Road was estimated to have the lowest capital cost but was estimated to have higher maintenance and operating costs and provide lower travel time swings.

- **Safety Benefits**

MRS and Western alignment scored equally and higher than Cockburn Road. This was due to the lower geometric standards and higher number of intersections on Cockburn Road.

- **Environmental Benefits**

The MRS alignment scored much lower in the assessment than the Western alignment and both scored lower than the Cockburn Road alignment. This was due to their potential impact on the coastal limestone ridge and their effect on Beeliar Regional Park.

- **Social Benefits**

The social impact of the three alignments was most adverse for Cockburn Road alignment, mainly due to the lower standard of road provision. The MRS and Western alignments scored equally although the MRS alignment does have an impact where it crosses east of the ridge line.

- **Policy Objective Benefits**

The MRS and Western alignments scored equally, both achieving scores higher than for Cockburn Road. This was because the Cockburn Road alignment was assessed as not supporting the regional transport strategy issues as strongly as the other options and had greater planning uncertainty due to land acquisition issues.

The assessment showed that overall the Western alignment was the preferred option followed by Cockburn Road and the MRS alignment. Sensitivity testing was undertaken to assess the robustness of the outcomes. This included scores without weighting and introducing bias into the weights for environmental and social objectives equal to 75% and 90% of the overall score. Each sensitivity test resulted in the Western alignment being the preferred option. Likewise, deletion of the policy objectives made no change to the outcome.



#### **4. Conclusions**

Traffic forecasts prepared as part of the study, predict that traffic on Cockburn Road will increase from the current level of 17,800 per day to 33,400 by 2021 if the Fremantle-Rockingham Highway is not constructed either on the MRS or Western alignments. In the event that the Highway is constructed, traffic on Cockburn Road in 2021 would be 12,000 vehicles per day, that is a 32% reduction on current volumes.

Over the next 5-10 years there are going to be extensive modifications to the road network between Fremantle and Wattleup including construction of the Fremantle Eastern Bypass, Roe Highway and changes to Cockburn Road/Fremantle-Rockingham Highway including the diversion around Port Catherine and Jervoise Bay and traffic calming Hampton Road including the Transitway. There are also a series of options including the upgrading of Stock Road.

The traffic model distributes projected volumes onto the network and the outcome reflects factors such as distance, congestion, traffic signals etc. It anticipates driver preferences given a set of road conditions. With such significant changes to occur in the area, the modelled forecast may or may not be an accurate prediction as there is no base data or trends to accurately project from.

If traffic in the area generally does not increase as forecast, it is possible that an upgraded Cockburn Road with a connection to Roe Highway and the Fremantle Eastern Bypass via Rollinson Road, will provide adequate north south capacity and an acceptable level of service. On this basis, that section of the Fremantle-Rockingham Highway between Rollinson Road and the railway may not be required.

If however, traffic in the area grows generally as per the traffic model, it is most likely that Cockburn Road will not be able to cope with the high forecast levels at some time in the future be it 2015, 2021 or 2025. At that time it would be necessary to construct the Fremantle-Rockingham Highway between Rollinson Road and the railway and clearly the Western alignment is preferable to the current MRS alignment.

In view of the points outlined above, it is considered that in the first instance Cockburn Road should be upgraded to 4 lanes and the need for the Fremantle-Rockingham Highway monitored and only constructed if and when transport imperatives determine the need. To provide for the possible future construction of the Fremantle-Rockingham Highway the alignment in the MRS should be amended as per the Western alignment - Option 2.

Deletion of the Fremantle Rockingham CAH Reserve from the MRS altogether, will not be supported by Main Roads or the Western Australian Planning Commission and is not an option at this time. If

the Western alignment is not acceptable then the existing MRS alignment will remain.

### ***Junction of Roe Highway, Fremantle-Rockingham CAH and Fremantle Eastern Bypass***

#### **1. Options**

The report by Arup Transportation Planning evaluates two options for the junction of Roe Highway, Fremantle-Rockingham CAH and the Fremantle Eastern Bypass. Consideration is given to both the short term and long term options. The alternative configurations are shown on figures 2-5 in the Agenda attachments.

- **MRS Alignment**

The Metropolitan Region Scheme shows the Fremantle-Rockingham CAH and Fremantle Eastern Bypass as the through route with an intersection with the future Roe Highway as shown on figure 2 in the Agenda attachments. The configuration has several transportation deficiencies including the inability for the intersection to be grade separated in the future if required and lack of a direct connection between the North Coogee area and the Fremantle Eastern Bypass northbound and eastbound on Roe Highway.

In the analysis by Arup Transportation Planning, the MRS alignment is referred to as the At Grade option.

- **Grade Separated Option**

Council's Concept 2 which creates the Fremantle Eastern Bypass and Roe Highway as the through route to Stock Road with an intersection with Rollinson Road linking to either Cockburn Road or the Fremantle-Rockingham Highway, is referred to as the Grade Separated option. The long and short term configurations for this option are shown on figures 3 and 4 included in the Agenda attachments.

As part of this option it is possible to include local access to the residential development in the North East Quadrant. The connection for both the short term and long term configuration would be at Ommanney Street. The Ommanney Street connection was considered to improve local access. It is not required for district or regional traffic purposes.

#### **2. Comparison of the Options**

Traffic modelling undertaken as part of the study forecasts the following traffic volumes for 2021.

### Traffic Volumes

Road	Location	1996/1997 Traffic Flow	2021 Traffic Flow (At- grade Option)	2021 Traffic Flow (Grade Separated Option)
Carrington Street	south of Roe Highway	13,700	20,200	23,700
Carrington Street	north of Roe Highway	13,700	16,100	15,700
Cockburn Road	south of Rockingham Road	17,800	12,000	10,800
Fremantle Eastern Bypass (FEB)	north of Roe Highway	-	46,900	45,600
Fremantle-Rockingham CAH	south of Roe Highway	-	28,500	26,200
Fremantle-Rockingham CAH	south of Rollinson Road	-	25,800	22,600
Hampton Road	north of Rockingham Road	30,700	17,400	17,900
Rockingham Rd *	east of FEB	13,000	6,800	7,400
Rockingham Rd *	east of Hamilton Road	16,000	16,600	18,700
Roe Highway	east of FEB	-	19,500	24,600
Spearwood Avenue	east of Fremantle-Rockingham CAH	-	4,800	2,000
Hamilton Road	south of Rockingham Road	7,290	6,400	7,800

\* The model included the proposed Transitway which is under consideration.

The modelling shows that the traffic volumes within the Fremantle area are quite similar for both options. The main difference between the two options is a shift of about 3000 vpd in the Grade Separated option from the Fremantle-Rockingham CAH/Spearwood Avenue to Roe Highway/Carrington Street. This is largely a result of the change in priority of the intersection of the grade separated option which encourages traffic to stay on Roe Highway. Whilst the overall traffic usage on the network is fairly consistent between the options, the regional roads in the area appear to carry a slightly higher proportion of the traffic loading in the At Grade option. Generally the volumes on the local roads are slightly higher for the grade separated options.

### **3. Comparisons of the Alternative**

The evaluation of the two options included a multi criteria assessment and sensitivity analysis. The broad grouping of criteria were Economic, Safety, Environmental, Social and Policy. A summary of the evaluation for each criteria is as follows:

- **Economic Benefits**

The At Grade option scored better for construction costs, land consumption and maintenance, whilst the Grade Separated option scored higher for savings in vehicle operating and travel time costs. Overall the benefits score was the same for each option.

- **Safety Benefits**

The Grade Separated option scored better than the At Grade option due to less conflict points.

- **Environmental Benefits**

The Grade Separated option scored best mainly due to better operating conditions and less visual impact on residents. The Grade Separated option also has a much lower profile which will reduce noise impact and eliminate the stop start traffic noise associated with the At Grade intersection.

The At Grade option affects a Heritage building on the corner of Rockingham Road and Davilak Avenue (Marks House - Category B) whilst the Grade Separated option affects a house on the corner of Rockingham Road and Healy Road (Banks House) which a recent assessment concluded, should be included in the Municipal Inventory and designated Category C.

- **Social Benefits**

Both options may result in severance and resumption due to road closures although the At Grade option restricts access over a larger area.

- **Policy Objective Benefits**

Both options support the aims of the Regional Transport Strategy score equally.

Overall, the assessment suggests that the Grade Separated option is the preferred option for the junction, providing a strong connection from Roe Highway to the Fremantle Port and providing the option of grade separation at this important intersection if required in the future. Each sensitivity test resulted in the grade separated option being the preferred option.

#### **4. Conclusions**

The assessment of options undertaken by Arup Transportation Planning for Main Roads, has confirmed that Council's proposal to

directly connect the Fremantle Eastern Bypass to Roe Highway to place greater emphasis on Stock Road is technically sound.

The traffic modelling shows that the resultant volumes on the coast road, be it Cockburn Road or the Fremantle-Rockingham CAH, will be marginally lower than for the current MRS configuration which was one of the desired objectives albeit that it was hoped that the volumes would be considerably lower than those forecast.

As noted in the conclusions on the alternative alignments for the Fremantle-Rockingham Controlled Access Highway, significant changes are proposed to the road network between Fremantle and Wattleup and it will take some time to determine how effective the Fremantle Eastern Bypass/Roe Highway is in diverting traffic to Stock Road.

No major issues or impediments have been identified in the assessment of the Fremantle Eastern Bypass - Roe Highway link and accordingly, it is recommended that Council reconfirm its earlier endorsement of this option.

## **5. Other Matters**

### **5.1 Ommanney Street Link**

The Grade Separated option provides the opportunity for a link to Ommanney Street. The link is not required for regional or district traffic but rather, was included to improve local access into the western portion of Hamilton Hill.

Whilst providing improved local access, the link to Ommanney Street also provided the opportunity for district traffic to use the link as a shortcut to Carrington Street.

It is considered that the disadvantage of extraneous traffic through the area outweighs the advantage of improved local access and accordingly, it is recommended that the Ommanney Street link be deleted.

### **5.2 First Stage Connection**

Figure 4 shows the first stage connection of the Fremantle Eastern Bypass - Roe Highway Road and construction of a single carriageway of the Roe Highway to Stock Road.

The connection of major arterial roads such as the Bypass and Roe Highway to local roads as an interim situation, causes major safety and amenity problems for residents along those routes as has been evidenced in numerous locations throughout the Metropolitan Area.

In December 1997, SMEC Australia undertook a study for Main Roads to determine the impact of constructing the Fremantle Eastern Bypass without the Roe Highway connection.

The study modelled the local road network for 2002 both with and without the Fremantle Eastern Bypass based on the At Grade option. Accordingly, it is difficult to determine the potential impact on Rockingham or Forrest Roads if the Roe Highway is not constructed to Stock Road as part of Stage 1.

A crude calculation of the possible order of traffic that could occur on Forrest Road is shown below as based on the following assumptions:

- 2021 Fremantle Eastern Bypass traffic is split 54% to Roe Highway and 46% to the Fremantle-Rockingham Highway. (Arup Transportation Planning)
- The Rollinson Road/Cockburn Road is not likely to be attractive to regional traffic as the Roe Highway/Forrest Road Stage 1 link. The Arup Transportation modelling for the evaluation of options for the Fremantle-Rockingham Highway option, shows a differential of 13.5% between the Cockburn Road and Fremantle-Rockingham Highway options.

#### **Forrest Road Traffic Volumes**

<b>Location</b>	<b>96</b>	<b>Roe Hwy 54% of FEB</b>	<b>13.5% Differential due to Cockburn Road</b>	<b>Estimated Total Volume 2002</b>
East of Rockingham Rd	3,412	9,880	1,110	14,392
East of Carrington St	6,995	9,880	1,100	17,975
West of Stock Road	6,212	9,880	1,100	17,192

The estimated total volumes for Forrest Road for 2002 when the bypass is opened, will be in the order of 14-18,000 vehicles per day if the Roe Highway is not constructed through to Stock Road. This is in the same order of traffic currently on Rockingham Road between Carrington Street (15,990) and Spearwood Avenue (19,917).

Whilst the expected volumes are within the normal capacity of a 4 lane road, it would exceed the environmental carrying capacity

given the number of access points, property access and geometric problems.

In view of the above, it is considered that Roe Highway should be constructed as a single carriageway to Stock Road as Stage 1 of the project. This will involve construction of an additional 2km of road.

Transform WA allocated funds for the construction of the Fremantle-Rockingham CAH for 98/99 to 02/03. It is considered that this funding should be reprioritised and allocated to construction of the Roe Highway to Stock Road to coincide with the opening of the Bypass.

Should this not be agreed to by Main Roads and the Minister for Transport, it is considered preferable to establish a link to Forrest Road which more closely aligns with the ultimate road system rather than Rockingham Road.

### **Strategic Plan/Policy Implications**

Items 6.4.1 and 6.4.4 of the Corporate Strategic Plan refer to the Fremantle Bypass and Roe Highway.

### **Budget/Financial Implications**

N/A

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

Nil

- 14.3 (OCM1\_8\_1999) - PROPOSED WORKSHOP AND POWDER COATING PLANT - UNIT 6, LOT 98, 6 GEELONG COURT, BIBRA LAKE - OWNER: R A CASTLEDINE PTY LTD - APPLICANT: BEETA BUDDY INNOVATIVE PRODUCTS (1117392) (MT) (NORTH) (MAP 7) (ATTACH)**

#### **RECOMMENDATION**

That Council:

- (1) approve the application for a workshop & powder coating plant on Lot 98; 6 Geelong Court subject to the following conditions:

#### Standard Conditions

1. Standard conditions contained in Council Policy PD17 as determined appropriate to this application by the

delegated officer under clause 7.6 of Council's District Zoning Scheme N<sup>o</sup> 2.

## COUNCIL DECISION

### Background

ZONING:	MRS:	INDUSTRY
	DZS:	GENERAL INDUSTRY
LAND USE:	VACANT FACTORY UNIT	
LOT SIZE:	STRATA LOT	
AREA:	334m <sup>2</sup>	
USE CLASS:	"P"	

### Submission

The application is to use a factory unit for constructing and powder coating tools for use in automotive workshops (eg raised platforms, swing lifts). The process includes welding together prefabricated metal, cleaning up the metal before powder is sprayed on and then hardened on in an oven. A plan of the proposed internal use of the factory unit is included in the Agenda Attachments.

### Report

The powder coating process has the potential to deem the process a "Noxious Industry" under the McNeice ruling. The process of applying powder involves sprayed it on in a spray booth and collecting the dust that does not stick to the item. Three dust collectors are proposed to collect this dust. If Council determines that the collection is to prevent a nuisance to adjoining owners, then the process would be deemed a Noxious Industry, not a permitted use in the General Industry zone.

In the Full Court case City of Cockburn vs McNeice Industrial Systems Pty Ltd, the principle was established that where preventative measures are necessary to prevent a nuisance to the health of the inhabitants of the district, the use amounts to an Offensive Trade and thus a Noxious Industry.

In the opinion of the officer the use is not a noxious industry for the following reasons:

1. The collection of dust is primarily part of the process itself. The applicant has confirmed that the primary reason for collecting the dust is so that it can be reused.



2. The secondary reason for collecting the dust is for the occupational health and safety of the workers in the unit. The dust needs to be removed from the air so as not to pose a danger to workers in the unit. The air from the collectors is to be used in the drying ovens after going through the collectors.
3. Because the dust is being collected as part of the process and for occupational health and safety reasons, the collectors are not a measure to prevent a nuisance to the health of the inhabitants, and thus not a Noxious Industry. The use is a General Industry use, a permitted use on the lot.

The use is not expected to have a negative impact on the amenity of the area by way of noise or other factors. There will be some noise from the welding of the pre-fabricated metal, but not more than is reasonable in the General Industry zone. All Scheme requirements, including car parking, were satisfied in the development of the factory units.

#### **Strategic Plan/Policy Implications**

N/A

#### **Budget/Financial Implications**

N/A

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

Nil

- 14.4 (OCM1\_8\_1999) - PROPOSED EARTHWORKS - PT LOT 19 BARTRAM ROAD, SUCCESS AND JAA PT LOT 214 LYON ROAD, JAA PT LOT 212 LYON ROAD AND PT LOT 9 BEENYUP ROAD, ATWELL - OWNER: GOLD ESTATES - APPLICANT: DEVELOPMENT PLANNING STRATEGIES (5515502) (5515370) (5515369) (5515364) (CC)**

#### **RECOMMENDATION**

That Council:

- (1) approve the proposal for earthworks on Pt Lot 19 Bartram Road, Success and JAA Pt Lot 214 Lyon Road, JAA Pt Lot 212 Lyon and Pt Lot 9 Bartram Road, Atwell subject to the following conditions and footnotes.

1. Development being carried out in accordance with the plans and information contained within the documents titled 'Thomsons Lake Subdivision Bulk Earthworks Contract' prepared by Gutteridge Haskins & Davey Pty Ltd dated June 1999 as amended and added to by letter of 26 July 1999 from Gutteridge Haskins & Davey Pty Ltd titled 'Thomsons Lake Bulk Earthworks' and plan 5706-10C02 unless superseded by a condition of this approval.
2. Development being restricted to between the hours of 7AM and 5PM Monday to Saturday and not at all on Sunday and Public Holidays.
3. The applicant is to lodge with the Council a bond/bank guarantee for the sum of \$10,000 as a surety that any restitution works to property under the control of the Council damaged as result of the development will be undertaken. The bond/bank guarantee to be returned upon Council being satisfied with restitution works.
4. Dust management and clearing of vegetation being carried out in accordance with the plans and information contained within the documents titled 'Thomsons Lake Subdivision Bulk Earthworks Contract' prepared by Gutteridge Haskins & Davey Pty Ltd dated June 1999 as added to and amended by Council's letter (attached) of 14 July 1999 titled 'Thomsons Lake Subdivision: Lots Pt 19;Pt 9: Pt 545; 214 & Pt 212 Bartram Road and Hammond Roads, Success –Dust Management'.
5. All stormwater being contained and disposed of on-site to the satisfaction of Council.
6. No earthworks or clearing of vegetation being undertaken within the portion of Lot JAA Pt 214 affected by the 340 metre buffer of the Water Corporation Jandakot Water Treatment Plant, and no earthworks or clearing to be undertaken within the portion of Lot JAA Pt 212 within 150 metres of the boundary to Lots JAA Pt 261 Lot 21 and Lot 20 Hammond Road, as shown on the plans dated 23 July 1999.
7. This approval remains valid for a period of two (2) years only. If development is not completed within this time the approval shall lapse. Where an approval has lapsed no development shall be carried out without the further approval of the Council having first been sought and obtained.

8. The developer to erect signs on site for the duration of the development visible from Hammond Road and Bartram Road to the satisfaction of the Council. The signs are to advise the public of the existence of heavy vehicle traffic, proposed duration of earthworks and the phone contact details of the principle contractor and supervising engineer.
9. The developer is required to prepare a Native Fauna Management Plan for all the vegetated areas within the application in accordance with Council Policy 42 - 'Native Fauna Protection Policy' prior to any earthworks being undertaken on the site.
10. No burning of cleared vegetation on the site.

#### Footnotes

1. The Environmental Protection Act contains penalties where the noise limits prescribed by the Act are exceeded.
- (2) issue a Form 2 Notice of Approval valid for a period of 24 months.

### COUNCIL DECISION

#### Background

ZONING:	MRS:	Urban & Urban Deferred Abuts Railways And Controlled Access Highway
	DZS:	Residential R15 Abuts Railways And Controlled Access Highway
LAND USE:	Vacant Land Future Urban Area	
LOT SIZE:	Total 162ha	
AREA:	N/A	
USE CLASS:	Use Not Listed	

The subject lots are generally located in Success and the urban corridor on the west side of the Kwinana Freeway, with the exception of Pt Lot 9 Bartram Road which is located in on the east side of the Freeway in Atwell. Pt Lot 19 and Pt Lot 9 Bartram Road are within the adopted Success Structure Plan Area and have been granted subdivisional approval for residential development.

The sites south of Bartram Road are Rural zone under TPS No.2 and Urban Deferred under the MRS. These sites are located in the draft Southern Suburbs District Structure Plan which is subject to another report in this agenda.

#### **1.1.1.1. See Agenda Attachments for Locality Plan**

##### **Submission**

Application has been made to excavate sand from portions of Pt Lot 19 Bartram Road, Success and JAA Pt Lot 212 Gibbs Road for use as fill on other Gold Estates land (JAA Pt 214, Pt 212, Pt Lot 9) which is earmarked for future residential development.

The main characteristics of the proposal are as follows.

- Works to be undertaken in 2 stages:

Stage 1 is to be undertaken from approval to October 1999. Fill material is to be cut from Cut Area C1 on PT Lot 19 (Thomsons Lake Stage 10) and transferred by truck to Fill Area F 2 Pt Lot 9 (Thomsons Lake Stage 12) on the east side of the freeway, and to Fill Area F 4 south of Bartram Road; and

Stage 2 is to be undertaken from May to September 2000. Fill material is to be cut from C1 and C2 and used to fill areas F1, F3, F 4.

- Vegetation and topsoil to be cleared from uncleared fill areas. Vegetation to be cut for fire wood and or burnt 12 weeks after stockpiling at locations 500 metres from closest resident.
- Haulage Routes restricted to Bartram, Hammond, Russell and Lyon Roads.
- Approximately 100 movements each day and each direction for trucks on route to Pt Lot 9 in Atwell.
- Proposed operating hours Monday to Saturday 7am to 5 pm.
- Traffic management to including warning signs on Hammond and Bartram Roads.
- Undertakings made in respect to dust management and the burning of cleared vegetation.

## Report

Earthworks for Pt Lot 19 and Pt Lot 9 Bartram Road are covered under current subdivision approvals. There are no subdivision approvals for sites south of Bartram Road. The proposed earthworks south of Bartram Road is considered a use not listed under TPS No. 2 and the absolute majority of Council is required for approval.

No clearing of vegetation or filling is to be allowed on the portion of Lot JAA Pt 214 affected by the 340 metre buffer of the Water Corporation Jandakot Water Treatment Plant, and the portion of Lot JAA Pt 212 identified in the draft Southern Suburbs District Structure Plan as a key local bushland and wetland area. These areas cannot be developed with residential uses and should be retained in their natural state as potential public open space.

A submission from an adjoining landowner was received. The submission raised concerns in respect to the effect the water table, storm water run off from adjacent fill areas, noise, operating hours, traffic and dust management. It is considered that the concerns of adjoining landowner can be satisfied with appropriate approval conditions. *See Agenda Attachments for Submission.*

Consulting authorities have raised no objections to the proposed earthworks.

Suitable undertakings have been made in the documentation in respect to traffic and dust management and clearing of vegetation. Any addition requirements can be conditioned.

The earthworks are a necessary precursor to the development of the land for residential and other related uses, and filling will allow for an adequate clearance of development from the ground water table.

The amount of fill for this project is estimated to be 500,000 cubic metres and will be moved over a period of 8 months. This demonstrates the enormity of the project so therefore, this is a major development in the context of the City of Cockburn.

### **Strategic Plan/Policy Implications**

Earthworks on sites South of Bartram Road may occur prior to adoption of the draft Southern Suburbs District Structure Plan and subdivision approval.

PD42 - Native Fauna Protection Policy applies.

## Budget/Financial Implications

N/A

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

Nil

### 14.5 (OCM1\_8\_1999) - ENDORSEMENT OF JANDAKOT AIRPORT FLIGHT PATHS AND PROCEDURES REVIEW REPORT (1211) (WJH) (ALL) (ATTACH)

#### RECOMMENDATION

That Council advise the Department of Transport that Council endorses the report entitled "Jandakot Towards the Fly Friendly Airport: Flight Path and Procedures Review (June 1999)" and request that the Department pursue the recommendations with urgency for the benefit of affected residents.

#### COUNCIL DECISION

#### Background

On 10<sup>th</sup> November 1998 Council resolved to:

- "(1) *contribute \$5,000 from Account Number 200462 to the Jandakot Airport Flight Paths and Circuit Training Review, as proposed by the Department of Transport;*
- (2) *nominate Councillor Elpitelli and the Principal Environmental Health Officer as Council's representatives on the Jandakot Airport Flight Paths and Circuit Training Review Steering Committee; "*

A meeting of interested parties was held on 21<sup>st</sup> December 1998 where various issues were discussed and the final membership of the Steering Group was agreed as follows:

- Two representatives from each of the four Local Governments,
- One representative from each of Air Services Australia
- Jandakot Airport Holdings
- Jandakot Chamber of Commerce
- Royal Aero Club

- Three representatives from community groups (two from western side and one from eastern side of the airport)
- Two from Department of Transport to chair and provide executive support.

A further meeting was held on 8<sup>th</sup> February 1999 to appoint the consultancy team, set the deadline for the draft report and agree the four terms of reference (as attached).

The consultants then met a focus group from each local Government area (Canning, Cockburn, Gosnells and Melville) in order to identify the concerns of the community and receive suggestions for possible solutions. The City of Cockburn Focus Group consisted of Councillor Elpitelli, the Manager Development Services and the Principal Environmental Health Officer and Community representatives from North Lake, Bibra Lake, South Lake, Atwell and Jandakot.

The consultants also met with:

- industry representatives from Jandakot Airport Holdings, the Jandakot Airport Chamber of Commerce, the Aircraft Owners and Pilots Association, and the Royal Aeroclub of WA;
- the state Department of Transport; and
- Air Services Australia and the Civil Aviation Safety Authority

A draft report was completed in mid April 1999. All Steering Committee members were then requested to provide written comment on the draft by 21 May 1999. The Principal Environmental Health Officer provided written comment on behalf of Council.

Following this a meeting of the Steering Committee was held on 14<sup>th</sup> June 1999, where the various comments were discussed and further explanation sought and given.

### **Submission**

After due consideration of the comments on the draft report, the final report was finalised by the consultancy team and circulated on 13<sup>th</sup> July 1999.

The report contains 53 recommendations grouped under the appropriate term of reference each having a priority ranking assigned. The text of the report provides the rationale for the recommendations. A copy of the Executive Summary of the report and the recommendations is attached to the agenda.

The report is based on the assumption that “...Jandakot Airport will remain as Perth’s major general aviation airport and pilots will continue to have rights to fly within the legal limits set by government.” The report also recognises that Aircraft noise causes continuing annoyance

and irritation to many members of the nearby community and that what *"...is required is for aircraft noise impacts to be minimised without compromising safety."* It is argued that this can only be achieved *"...by the co-operative participation of all involved, working towards preserving the rights of the community and the airport user."*

Recommendations made, particularly those relating to increases in altitude, were limited by the considerable impact that Perth Airport Airspace has on Jandakot Airport Airspace.

*"Perth squeezes down the control zone at Jandakot and the allowable altitude limits in the approaches and departures in the east and west. In addition movements to the north are severely restricted."*

A meeting of the Steering Committee was held on 26<sup>th</sup> July 1999 to discuss the final report. In general, the report was supported by all parties despite the fact that some parties were disappointed that the report did not make recommendations that they preferred regarding matters of particular interest to them.

For example, committee members from the Kardinya Residents Association, the Winthrop-Murdoch Community Group and the North Lake Group, who are keen to see the North west outward bound route realigned from their suburbs or aircraft heights raised substantially, are aggrieved that a suitable recommendation was not made in the report.

Air Services Australia and the Civil Aviation Safety Authority, as federal government controlled enterprises and from whom many of the recommendations require the allocation of additional resources in an environment of deregulation and corporatisation, are not in a position to endorse the report. They did however give an undertaking to assist in the implementation of the recommendations and to continue to give advice as required, with a view that the report was of value in addressing aircraft noise issues.

Other Local Government representatives expressed the view that, considering the wide range of interests represented on the committee, it would be very difficult to get total agreement on all recommendations and to completely satisfy all parties, but that the report provided a solid basis on which to go forward.

The consultants were acknowledged for their work and were released.

The committee recognised that the implementation of the recommendations will be the key to improving the noise environment for the airport's neighbours. It was also recognised that, as in the main the federal government has the legislative power in relation to aircraft activities, the implementation of the recommendations is likely to be mainly a political process.



Following endorsement of the report by the committee, the Department of Transport will refer the report to the state Aviation Policy Committee for adoption and referral to the federal Department of Transport and Regional Services. The CEO of Jandakot Airport Holdings indicated that he was keen to see the Jandakot Airport Consultative Group (JACG) reinstated at the conclusion of the steering committee activities. It was agreed that the JACG would have a major role in pursuing the implementation of the report's recommendations.

## **Report**

Noise from aircraft using Jandakot Airport has a significant impact on the environment of the surrounding area. These impacts are greatest within the circuit training areas and under the outward bound flight paths and are related to the following factors:

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

### **1. Flight Paths**

In addressing the Term of reference 1 in relation to flight paths the consultants determined that they could not recommend any change that would merely relocate aircraft noises impacts from one residential area to another or significantly increase already existing aircraft noise impacts on a residential area. Accordingly no recommendations were made to re-route flight paths.

There are six recommendations made under this term of reference. They focus on maximising the altitude of aircraft, as much as possible, as soon as possible, given the limitations imposed by Perth Airspace and maximising the entry of aircraft directly into Perth airspace.

### **2. Circuit Procedures and Alternative Locations for Circuits**

In considering this term of reference the consultative team did not consider any changes to circuit training that would merely relocate aircraft noises impacts from one residential area to another or significantly increase already existing aircraft noise impacts on a residential area.

There are 14 recommendations that focus mainly on:

- maximising the altitude of aircraft, as much as possible given the limitations imposed by Perth Airspace;
- investigating the possibility of relocating training circuit procedures to other airports;

- reviewing Perth Airspace design in order to determine if it can be redesigned such that it does not impact as severely on Jandakot Airspace;
- investigate the possibility of releasing Perth Airspace for Jandakot operations when Perth operations are low;
- curfews on circuit training and
- adequate staffing of control towers to allow other recommendations to be carried out.

### **3. Managing Aircraft Operations**

This section contains 21 recommendations that range through the following areas:

- including noise and environmental concerns in pilot training and evaluation;
- pursuing appropriate enforcement action for breaches of noise related requirements
- introduction of noise considerations in the approval and operation of special case events eg. “Warbirds” and displays
- reconvene the consultative committee
- review of the ANEF system and its applicability to Jandakot Airport
- identification of areas affected by aircraft noise and communication of such information to the community and to potential purchasers of land
- review of complaints system
- adoption of “Fly Friendly” and Fly Neighbourly principles

### **4. Consultation**

Recommendations under this term of reference stress the need for adequate cooperation between all parties and consultation with all stakeholders regarding aircraft noise related matters.

The report is wide ranging and the recommendations provide a very useful tool for addressing aircraft noise impact on the community, on the premise that Jandakot Airport continues to operate. Not all stakeholders agree with all of the recommendations (or the lack of recommendations), but stakeholders involved in initiating and steering the review do believe that they are a good basis on which to go forward. It recommended that Council endorse the report as a basis on which to work to achieve positive outcomes for affected residents.

As with any other report of this nature the implementation of the recommendations is the key to ensuring beneficial change. Due to the fact that all of the legislative power in relation to Jandakot Airport rests with the Federal Government and a number of the recommendations go against prevailing policy the implementation process will be a political one. The state Department of Transport is keen to bring the

report to the state Aviation Policy Committee prior to approaching the federal Department of Transport and regional services.

It is appropriate that the Department of Transport follow this course of action supported by a revived Jandakot Airport Consultative Committee as proposed by Jandakot Airport Holdings

### **Strategic Plan/Policy Implications**

N/A

### **Budget/Financial Implications**

Recommendations 3.13, 3.15 and 3.21 require Council to take specific action, some of which is already in place and all of which can be accommodated in the current budget.

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

Nil

#### **14.6 (OCM1\_8\_1999) - PROPOSED SHED AND LEAN-TO - LOT 26, 136 BRITANNIA AVENUE, BEELIAR - OWNER: C PARATORE & D CARARRA - APPLICANT: D CHEON & ASSOCIATES (3318253) (MT) (COASTAL) (MAP 9) (ATTACH)**

#### **RECOMMENDATION**

That Council:

- (1) refuse the application for a shed and lean-to on Lot 26; 136 Britannia Avenue, Beeliar for the following reason:
  1. The proposed use of the shed for the commercial-scale storage of craypots is not permitted in the Rural Zone;
- (2) advise the applicant of Council's decision accordingly.

#### **COUNCIL DECISION**

## Background

ZONING:	MRS:	Rural
	DZS:	Rural
LAND USE:	Vacant (House & Ancillary Accommodation Approved & In Process Of Being Built)	
LOT SIZE:	4048m <sup>2</sup>	
AREA:	396m <sup>2</sup>	
USE CLASS:	"P"	

## Submission

The plans indicate a shed 18 long by 12 metres wide with an adjoining 18 long by 10 metre wide lean-to. The total area is 396m<sup>2</sup> and the wall height is 4.2 metres. A copy of the submitted plans is included in the Agenda Attachments.

A letter from the landowner dated 27 July 1999 states the shed "*will be used for storage of my business equipment eg craypots, ropes, floats etc..*"

## Report

The submission from the owner confirms the use of the shed is to store equipment for a fishing business. Council Policy PD 18 requires that the use of the shed comply with Council's requirements for the zone. Storage of craypots is classed as a "Warehouse" – which is an "X" use in the Rural Zone. Given the size of the shed, the storage of craypots would be on a commercial-scale, rather than a small-scale which would be incidental to the domestic or rural use of the property. It is for this reason that the applicant is recommended for refusal. There may be some potential for odour from the pots and the equipment.

The shed is quite large in scale, but is not totally out of place in the area. There are a number of existing sheds of similar size nearby, most notably a colourbond shed of similar scale approved on a neighbouring property. The lie of the land means the shed will be most visible from the west, where there is primarily land used for market gardening. There are a number of residential dwellings close by but the majority are to the east and the shed will not be visible from this direction. On balance it is considered the scale of the shed would not detrimentally affect the amenity of the area.

## Strategic Plan/Policy Implications

PD 18 "Ancillary Outbuildings (Sheds) in Special Rural and Rural Zones" states:

*"Any shed in excess of 200m<sup>2</sup> in area... (in the) Rural zone must be referred to Council for development approval. The*

*applicant must provide a statement of proposed use for the outbuilding for Council's determination."*

### **Budget/Financial Implications**

N/A

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

Nil

## **14.7 (OCM1\_8\_1999) - PROPOSED AMENDMENT TO POLICY PD28 "AGED OR DEPENDENT PERSONS DWELLINGS AND ANCILLARY ACCOMMODATION ON RURAL OR SPECIAL RURAL LOTS" (9003) (MT) (ATTACH)**

### **RECOMMENDATION**

That Council:

- (1) amend Council Policy PD 28 "Aged or Dependant Persons Dwellings and Ancillary Accommodation on Rural or Special Rural Lots", in pursuance of Part 11 – "Policies" in the District Zoning Scheme No. 2, by:-
  1. In Clause 1.0 - "Definitions" inserting below the definition of ancillary accommodation the bold type words:-
 

*"Applications which do not comply with a floor area of 100m<sup>2</sup> shall be regarded by Council as grouped dwellings".;*
  2. In Clause 2.1 - "Requirements" inserting a third dot point and the words:-
 

*"the maximum floor area shall not exceed 100m<sup>2</sup> (excluding carport/garage)";*
  3. In Clause 3.0 - "Special Rural Zones" inserting a seventh dot point and the words:-
 

*"the maximum floor area shall not exceed 100m<sup>2</sup> (excluding carport/garage) where the area of the lot is a minimum of 4 hectares. (Where the area is less than 4 hectares, see Clause 4)";*
  4. Inserting a Clause 4.0 – "Priority 2 Source Protection Area" after Clause 3.0 – "Special Rural Zones" and the words:-

*“In addition to the requirements in Clause 2 and Clause 3, applications within the Priority 2 Source Protection Area are subject to the provisions of the Statement of Planning Policy No. 6 - Jandakot Groundwater Protection Policy. The effect is that where lot area is less than 4 hectares, the maximum floor area is 60m<sup>2</sup> (excluding carport/garage). Where the lot area is 4 hectares or above, the maximum floor area remains 100m<sup>2</sup>.”*

- (2) advertise the policy amendment for a period of 21 days in accordance with 11.1.1 of District Zoning Scheme No. 2.

## COUNCIL DECISION

### Background

In December 1998 Council adopted Policy - “Aged or Dependant Persons Dwellings and Ancillary Accommodation on Rural or Special Rural Lots”. It was the officer’s recommendation that a maximum floor area of 60m<sup>2</sup> be set for all applications. Council removed this requirement.

A legal opinion was sought from Council’s solicitors at the time. A copy is included in the Agenda Attachments.

### Report

There is a need to review Policy PD 28 to define the maximum floor area for aged and dependant persons and ancillary accommodation. The policy does not contain a restriction on the size of dwelling that maybe approved as aged and dependant persons or ancillary accommodation. This has led to the approval of dwellings that could be described as group dwellings. Large second dwellings have been approved on Rural and Special Rural lots. In essence, it has allowed second dwellings where otherwise only one house could be approved. This situation was anticipated by Council’s solicitors in their advice 1997 – “...it may be desirable to specify a floor limit in order to try to avoid defacto grouped dwellings established (sic) in such zones.”

Currently under DZS No.2 the following provisions apply:

- A single house is a “P” (permitted) use in both a Rural and Special Rural zone;

- An Aged or Dependant Persons' Dwelling is an "AA" (discretionary) use in a Rural zone, but is an "X" use (not permitted) in a Special Rural zone;
- Ancillary Accommodation is not listed in DZS No. 2, however Clause 5.3.3 allows for ancillary accommodation as defined in the R-Codes;
- Two Grouped dwellings are an "X" use (not permitted) in the Rural and Special Rural zones.

There are three applications for ancillary or dependant persons accommodation in this Council Agenda. It is an opportunity for Council to examine three case studies and review the policy relating to them.

It is proposed that aged and dependant persons and ancillary accommodation be restricted to a maximum floor area of 100m<sup>2</sup> (excluding carport/garage). This is small by modern day housing standards (the average new house is approximately 200m<sup>2</sup>). However, 100m<sup>2</sup> is enough for a 2 bedroom dwelling, with the normal amenities and living areas. A dwelling exceeding the 100m<sup>2</sup> would be deemed to be a group dwelling and not permitted.

An exception to this requirement would apply in the Priority 2 Source Protection Areas, because of the requirements of the Statement of Planning Policy No. 6 "Jandakot Groundwater Protection Policy". A maximum floor area of 60m<sup>2</sup> must be imposed where the lot area is less than 4 hectares. Two of the applications were referred to the Water & Rivers Commission, who recommended both be refused. A copy of their response is included in the Agenda Attachments. The S.P.P. No. 6 allows a maximum effluent loading of one septic unit per 2 hectares. Dwellings considered to be ancillary can hook up to the existing septic system of the main dwelling. A dwelling exceeding 60m<sup>2</sup> (excluding carport/garage) is not deemed to be ancillary accommodation and therefore requires a separate septic system. Hence, in the Priority 2 Area an ancillary dwelling must be no more than 60m<sup>2</sup> when the lot is smaller than 4 hectares, which includes the vast majority of the lots in the City's Special Rural Zones. Where the lot area is 4 hectares or greater, a proposed dwelling between 60m<sup>2</sup> and 100m<sup>2</sup> could still be approved. Section 5AA Policies of the WAPC are 'relevant considerations' in the exercise of a planning discretion.

With regard to aged and dependant persons dwellings, It could be argued that a different floor area limit be applied to as the 100m<sup>2</sup> proposed for ancillary accommodation. However, it is the officer's opinion that for the sake of consistency a uniform limit should be applied. For example, if a different floor area was applied to aged persons accommodation, a dwelling allowing an elderly parent to live with their son or daughter would be judged differently to one allowing a daughter or son to live on a lot with their parents in the main dwelling.

**Strategic Plan/Policy Implications**

A copy of the existing Policy PD 28 is attached to the Agenda.

The amendment to the Policy must be advertised in accordance with recently gazetted Amendment 191 – which added Part 11 “Policies” to Council’s Scheme.

**Budget/Financial Implications**

N/A

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

Nil

**14.8 (OCM1\_8\_1999) - PROPOSED ANCILLARY ACCOMMODATION - LOT 57, 8 BANKSIA COURT, JANDAKOT - OWNER/APPLICANT: E T CARTER (5514337) (MT) (EAST) (MAP 18) (ATTACH)**

<p><b>RECOMMENDATION</b> That Council:</p> <p>(1) refuse the application for ancillary accommodation on Lot 57; 8 Banksia Court, Jandakot for the following reason:</p> <p style="padding-left: 40px;">1. The proposed dwelling is inconsistent with the objectives of the Priority 2 Source Protection Area and Statement of Planning Policy No. 6.</p> <p>(2) advise the applicant of Council’s decision accordingly but that Council is prepared to consider a similar application if the floor area is not more than 60m<sup>2</sup>.</p>
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<p><b>COUNCIL DECISION</b></p>
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**Background**

ZONING:	MRS:	RURAL
	DZS:	SPECIAL RURAL ZONE NO. 1 – PRINSEP ROAD
LAND USE:	HOUSE	
LOT SIZE:	36 068m <sup>2</sup>	
AREA:	212m <sup>2</sup>	
USE CLASS:	“X”	



**Submission**

The submitted plans indicate a 3 bedroom, 2 bathroom brick dwelling with an area of 212m<sup>2</sup>. A copy of the site plan is included in the Agenda Attachments. The dwelling is for the owner's daughter and her children. A letter from the owner is included in the Attachments.

The application was referred to the Water & Rivers Commission for their comment. They opposed the development of ancillary accommodation. A copy of their response is in the Agenda Attachments.

**Report**

A review of Policy PD 28 relating to ancillary accommodation is included in this Agenda. Please refer to this item for a discussion of the major issues relating to ancillary dwellings.

The subject lot is within the Priority 2 Source Protection Area. The lot area is under 4 hectares and accordingly the Water and Rivers Commission recommended refusal of the application.

If the floor area was confined to 60m<sup>2</sup>, it could be recommended for approval. The dwelling is suitably located on the lot and should not have an impact on neighbouring properties. The owner wishes to have her daughter and grandchildren live in close proximity to her.

**Strategic Plan/Policy Implications**

Council Policy PD 43 "Rural – Water Protection Zone (MRS) Jandakot" applies to this application. It states it shall be referred to the Water & Rivers Commission and Council shall have due regard for any advice received from them.

**Budget/Financial Implications**

N/A

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

Nil

**14.9 (OCM1\_8\_1999) - PROPOSED AGED/DEPENDENT PERSONS DWELLING - LOT 114, 679A ROCKINGHAM ROAD, MUNSTER - OWNER/APPLICANT: S & P J HILLIARD (3411438) (MT) (COASTAL) (MAP 9) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) approve the application for a dependant persons' dwelling on Lot 114; 679A Rockingham Road, Munster;
- (2) issue a Form 2 Notice of Approval valid for 2 years.

**COUNCIL DECISION**

**Background**

ZONING:	MRS:	URBAN DEFERRED
	DZS:	RURAL
LAND USE:	HOUSE	
LOT SIZE:	9004m <sup>2</sup>	
AREA:	119m <sup>2</sup>	
USE CLASS:	"AA"	

**Submission**

The submitted plans indicate a 3 bedroom, 1 bathroom dwelling with attached carport. It will be located next to a new main dwelling occupied by the owners. The Agenda Attachments include a copy of the site plans.

The owners have provided evidence from their daughter's doctor and employer that the daughter and her husband are intellectually handicapped and require assistance from the parents.

**Report**

Please refer to the item in this Agenda on the proposed amendments to Policy PD 28 "Aged or Dependant Persons Dwellings and Ancillary Accommodation on Rural or Special Rural Lots ". This item includes a discussion of the issues relating to aged and dependant persons dwellings.

There is a genuine need to have the daughter and husband located near to the parents. If the floor area complies with the proposed policy, the dwelling could be approved. It meets all the Scheme requirements

and will not impact on the amenity of the area. The proposed dwelling area is 97m<sup>2</sup> (excluding carport), and therefore complies with the propose requirements of PD28.

**Strategic Plan/Policy Implications**

Policy PD28.

**Budget/Financial Implications**

N/A

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

Nil

**14.10 (OCM1\_8\_1999) - PROPOSED ANCILLARY ACCOMMODATION - LOT 303, 3 CESSNA DRIVE, JANDAKOT - OWNER: B R & G L SHORT - APPLICANT: K SHORT (5515397) (MT) (EAST) (MAP 19) (ATTACH)**

<p><b>RECOMMENDATION</b></p> <p>That Council:</p> <p>(1) refuse the application for ancillary accommodation on Lot 303; 3 Cessna Drive, Jandakot for the following reason:</p> <p style="margin-left: 40px;">1. The proposed dwelling is inconsistent with the objectives of the Priority 2 Source Protection Area and Statement of Planning Policy No. 6.</p> <p>(2) advise the applicant of Council’s decision accordingly but that Council is prepared to consider a similar application if the floor area is not more than 60m<sup>2</sup>.</p>
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<b>COUNCIL DECISION</b>
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**Background**

ZONING:	MRS:	RURAL
	DZS:	SPECIAL RURAL ZONE NO. 12 – JANDAKOT ROAD, JANDAKOT
LAND USE:	HOUSE & SHED	
LOT SIZE:	20 087m <sup>2</sup>	
AREA:	253m <sup>2</sup>	
USE CLASS:	“X”	

### **Submission**

The submitted plan indicate a 2 bedroom, 1 bathroom dwelling with a double garage below. A copy of the plans is included in the Attachments. The dwelling is for the current owners who will be living in it approximately 30% of the year. The rest of the year they will be living elsewhere. The owners' daughter and her husband will occupy the main dwelling.

The application was referred to the Water & Rivers Commission for their comment. A copy of their response is included in the Attachments.

### **Report**

A review of Policy PD 28 relating to ancillary accommodation is included in this Agenda. Please refer to this item for a discussion of major issue relating to ancillary dwellings.

The subject lot is within the Priority 2 Source Protection Area. The lot area is under 4 hectares and accordingly the Water and Rivers Commission recommended refusal of the application.

If the floor area was confined to 60m<sup>2</sup>, it could be recommended for approval. The dwelling is suitably located on the lot (within the building envelope) and will not impact on neighbouring properties. The owners wish to have a place to stay when they return to Perth to visit their daughter and grandchildren.

### **Strategic Plan/Policy Implications**

Council Policy PD 43 "Rural – Water Protection Zone (MRS) Jandakot" applies to this application. It states it shall be referred to the Water & Rivers Commission and Council shall have due regard for any advice received from them.

### **Budget/Financial Implications**

N/A

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

Nil

**14.11 (OCM1\_8\_1999) - SOUTHERN SUBURBS DISTRICT STRUCTURE PLAN (9638) (9640) (SOS) (EAST) (MAPS 15, 16, 20, 21) (ATTACH)****RECOMMENDATION**

That Council:

- (1) Receive the draft Southern Suburbs District Structure Plan;
- (2) Adopt the schedule of submissions and the recommended responses contained within the Agenda Attachments;
- (3) Forward the draft Southern Suburbs District Structure Plan and schedule of submissions to the Ministry for Planning with a view to progressing the adoption of the Plan;
- (4) Advise those persons who made a submission of Council's decision.

**COUNCIL DECISION****Background**

Council, at its meeting held on 20 April 1999, resolved to initiate Amendments 206 and 207, and at its meeting of 22 June 1999, initiated Amendment 211. The three amendments propose the establishment of the Success Lakes, Gaebler Road and Atwell South Urban Development Areas respectively.

The draft Southern Suburbs District Structure Plan has been prepared as the basis for progressing rezoning and development of land in Atwell, Success and Banjup. Initially it has a role in facilitating the lifting of the Urban Deferment in the Metropolitan Region Scheme and ultimately will form the framework for the preparation of detailed development plans for the future urban cells.

In accordance with previous Council resolutions, the Plan and supporting report have been forwarded to all affected landowners and servicing authorities for comment. The comment period closed on 28 July 1999. Copies of the Plan were provided to Commissioners on 7 July.

**Submission**

The draft Southern Suburbs District Structure Plan illustrates the conceptual development of approximately 500 hectares of future urban land in the Kwinana Freeway corridor. It supersedes previous regional

planning for the locality, namely the South Jandakot Mandogalup District Structure Planning Study 1993.

The Plan shows the broad land use and development framework including the major road network, commercial, education, community and open space areas and is supported by a detailed report. The supporting information details such matters as the statutory and strategic planning considerations, development constraints, design philosophy and implementation.

A total of 18 written submissions on the Plan have been received during the consultation period. The submissions are summarised in a schedule included in the Agenda Attachments.

The Western Australian Planning Commission is to consider the lifting of the Region Scheme Urban Deferment at its committee meetings to be held in August and September.

### **Report**

With the exception of the owner of the poultry farm at Lot 19 Hammond Road, it is evident from the submissions received that there is support for the Structure Plan amongst affected landowners. Many have made comment about specific aspects of the Plan. Whilst responses to the issues raised are included in the schedule of submissions, this report further expands upon the key issues below.

Responses from servicing authorities and government agencies indicate no major impediment to the appropriate development of the area.

The key issues emerging from the submissions requiring detailed responses are as follows:

#### ***Public Open Space/Drainage Calculations***

Section 5.4 of the Southern Suburbs District Structure Plan sets out the Public Open Space requirements and how drainage and conservation areas will be treated.

The submissions point out the differences between POS requirements set out in the Structure Plan report, Councils Policy PD 13, WAPC Policy DC2.3 and element 4 of the Community Codes. The submissions argue that Council's requirements should be in accordance with those of the Western Australian Planning Commission and that as this is a matter of detail, it should not be included in the Structure Plan report.

A comparison of requirements is set out in the following table.

## PUBLIC OPEN SPACE REQUIREMENTS

	<b>Council Policy PD 13</b>	<b>Southern Suburbs</b>	<b>WAPC Policy DC 2.3</b>	<b>Community Code Element 4</b>
Amount	10 % with cash in lieu only if resultant POS would be less than 1500m <sup>2</sup>	10%	10% but the Commission <u>may</u> support 2% cash in lieu being spent on the development of the POS	Commission <u>may</u> agree to discount the POS contribution by 2% where the codes have been followed and the parks developed to at least basic level of landscaping.
Drainage	No credit for sumps, detention basins and compensating basins designed for less than 1 in ten year capacity. Up to 50% credit for additional land required for 1:100 event.	Drainage to be separate lot and not included in 10%. No credit for water area.	Sumps not part of 10%.  Commission <u>may</u> agree to accept in part or whole items such as landscaped compensating basins. 100% credit may be given where the land is contoured, unfenced, not subject to inundation and is fully useable for recreation purposes.	Credits will be allowed for dual drainage and recreation reserves – up to 100% of swales not subject to permanent inundation, that is only inundation in a storm greater than 1:10.  Artificial Lakes, permanent drainage up to 50% credit but not to exceed 20% of total POS area.
<b>EPP Lakes and wetland conservation areas.</b>	Wetlands not acceptable unless deemed to comply criteria are met.	Not included as part of 10%.	Not covered.	Wetlands up to 50% credit but not to exceed 20% of the total POS area.
<b>Buffer areas.</b>	Areas less than 30 meters in width not acceptable.	Not covered.	Not covered.	Not covered.

The above comparison shows Councils Policy and the principles outlined in the Southern Suburbs District Structure Plan are generally in accordance with the Commissions Policy DC 2.3 relating to POS.

The reduction of POS to 8% as provided for in the Commissions Policy DC 2.3 is subject to the agreement of the Commission, Council and the developer. As a general rule Council has not supported reductions in the 10% POS requirement or agreed to Cash in Lieu.

Much of the land in the subject portion of the Southern Suburbs District Structure Plan contains EPP lakes, conservation wetlands and has a high water table. If the community code provisions are applied to the area there is no doubt that the areas for drainage and conservation purposes would generally be in excess of the maximum claimable 40% and additional area could be claimed for drainage swales/detention areas.

On this basis at least 40% of the 8% POS could be for non POS uses. This leaves 50 - 60% of a reduced amount of POS based on the community code model to provide for neighbourhood and local parks, active recreation areas and bushland protection as outlined in the report. Based on identified needs and past experience, 8% POS allowing for credits for drainage and conservation areas will be totally inadequate.

It is considered that the Council policy is appropriate for the area and that there should be no changes in that regard. It is also considered important that Councils position be clearly enunciated in the Southern Suburbs District Structure Plan as this document will be a reference document for people wanting to purchase land in the area.

In respect to the Southern Suburbs District Structure Plan it is recommended that Section 5.4 be amended to clearly state that the principles outlined are those on which the City will base its assessment of Open Space requirements and respond to subdivision applications.

### ***Primary Schools - Distribution and Location***

Taylor Burrell, in their submission, raised doubts about the projected number of lots in the area south of Russell Road and west of the Freeway and whether a primary school is required. The submission states that within the precinct south of Russell Road, the lot yield will be in the order of 300 lots less than that shown in the Structure Plan report and if this is applied over the whole structure planning area it is apparent that there is at least one surplus primary school.

Section 5.5 and figure 5.5 of the Structure Plan provide information on primary school requirements. Figure 5.5 shows 2 catchment areas south of Russell Road and west of the Freeway, which each serve an estimated 1620 lots.

These figures have been reviewed in light of the Taylor Burrell submission. The area of land to be urbanised has been verified, with various future land uses deducted from the gross area. A crude estimate has been made based on 11 lots per net hectare.

Taylor Burrell suggested that a more accurate methodology is to deduct a percentage of the net subdividable area for roads and divide the balance by the anticipated average lot size. Taylor Burrell



suggested that roads in subdivisions designed in accordance with the Community Code could be as high as 28% compared to 22-25% in conventional subdivisions.

Landowners in the area have made submissions that POS should be provided at the rate of 8% rather than 10% proposed by Council. Accordingly estimates have been prepared for both 8 and 10%.

### DEVELOPMENT AREA CALCULATIONS - PRIMARY SCHOOL REQUIREMENTS

<b>Land</b>	<b>Hectares</b>
Cell 29/31B Russell, Frankland, Rowley, Kwinana Freeway <i>(excludes land required for Russell, Rowley Roads and Frankland Ave)</i>	239.54
Cell 31A Frankland, southern boundary of Harry Warring Reserve, western limit of urban area, Rowley Road <i>(excludes land for Frankland Ave and Rowley Road)</i>	82.10
<b>Total</b>	<b>321.64</b>
<b>Less</b>	
2 primary schools @ 4 ha	8
Drainage	6
Commercial (lot 202)	3
Commercial other	2
<b>Gross subdividable area</b>	<b>302.64</b>
10% POS	<b>30.30</b>
Net subdividable area	<b>271.97</b>
OR	
8% POS	24.20
<b>Net subdividable area</b>	<b>278.44</b>

#### Estimated yield based on 10% POS

271.97 ha @ 11 lot /net ha = **2991 lots**

**or**

271.97 ha minus 76.15 ha (28% for roads) = 195.82 ha total area of lots

@ 600m<sup>2</sup> average lot size = **3263 lots**

@ 650m<sup>2</sup> average lot size = **3012 lots**

#### Estimated yield based on 8% POS

278.44 ha @ 11 lot /net ha = **3062 lots**

**or**

278.44 ha – 77.97 ha (28% for roads) = 200.47 ha total area of lots

@ 600m<sup>2</sup> average lot size = **3341 lots**

@ 650m<sup>2</sup> average lot size = **3084 lots**

The above calculations show the following;

- The estimates produced by the crude methodology (11 lots/net ha) and the methodology suggested by Taylor Burrell (deduction 28%

for roads and applying an average lot size) produce very little difference in the estimated number of lots.

- Taylor Burrell have advised that development as per the Community Code as proposed for their clients will result in roads occupying approx 28% of the land which is higher than in more conventional designs. Hence if the land is developed along more conventional principles the yield will be higher than those stated above. It is considered likely that a significant portion of the area could be developed along more conventional lines due to the multiple ownership situation south of Gaebler Road. Also it is noted that there is no guarantee that the Jamboree and Landcorp land will not be sold and subdivided along more conventional lines (the recent MDP survey labels Landcorp land “to be sold” and Jamboree tried to sell its holding earlier this year and disposal is still an option).
- The estimates above are in the order of those shown on figure 5.5 of the draft Southern Suburbs District Structure Plan (3240 lots in total). There is no discrepancy of 300 lots as stated by Taylor Burrell.
- Based on the lot estimates, it is clear that there is a need for two primary schools south of Russell Road and west of the Freeway.
- Land owned by Landcorp and Jamboree north of Gaebler Road is likely to be subdivided in the short to medium term whereas south of Gaebler Road development is not likely to occur until much later until such time issues associated with multiple ownership are resolved and market garden activities cease on some of the land. This has the following implications;
  - There is a need to secure a whole primary school within the Landcorp/Jamboree land to ensure students in this area can be accommodated.
  - If in the longer term student generation rates change, the number of students per school increases or lot yields change there is the flexibility to review the role of the proposed primary school in the area west of Frankland Avenue. This could include an option of being a temporary school in houses.
  - Development of the Southern Suburbs District Structure Plan area will take in the order of 15-20 years to be completed. At this time it is not possible to fine tune demographics for the area. The estimated number of lots south of Russell Road results in 2 primary schools the catchments of which are towards the upper limit of the normal requirement range. Accordingly it is considered prudent to proceed on the basis of requiring two primary schools and continue to monitor the need as more

detailed planning and development in the area proceeds over time.

- In respect to the catchments north of Russell Road it should be noted that an area of residential development north of Beeliar drive and west of Poletti Road is also within the catchment of the Success primary school and accordingly the catchment areas north of Russell Road are likely to be marginally higher than shown.
- The alternative location for the school across Gaebler Road proposed by Taylor Burrell is not acceptable on the grounds that it partly occupies land designated as a conservation category dampland and includes several houses including one which is fairly new and portion of an intensive market garden.

The Education Department has not provided a formal response to the school site issues raise by Taylor Burrell or Kim Valenti & Assoc on behalf of J & N Simpson. Copies of correspondence will be forwarded separately to Commissioners immediately it is received.

### ***Bushland Retention***

The submission by the Roberts Day Group on behalf of Landcorp objects to the Plan's indication of the land south of Gibbs Road (Lot 204) as a possible Bushplan site.

Landcorp believe that retention of the site for bushland conservation conflicts with MRS urban deferred zoning and is not supported by any previous regional environmental study undertaken in the general area. It argues that it would be more accurate to show the proposed development of the land for urban purposes (as outlined in the Roberts Day Group Plan) with an indicative note suggesting the land use will determined further upon consideration of the City's submission on Bushplan for inclusion of the land within a regional parks and recreation reserve. Furthermore, Landcorp argue that the Roberts Day Group Plan still shows the retention of 14 hectares of Lot 204 for inclusion within a POS reserve. It argues that the most significant environmental features would be retained, including a sumpland and adjoining vegetation.

The issue of the retention of Lot 204 as a Bushplan site is to ultimately to be considered by the Ministry for Planning. Council has previously resolved through its submission on Bushplan that the site is reserved for Parks and Recreation in the MRS. This is what Amendment 211 and the Structure Plan reflects. Supporting the submission would conflict with Council's previous resolutions. However as noted in the Plan report, in the event that the Council Bushplan submission is not supported, then the plan submitted by Roberts Day Group is considered to be a suitable basis for progressing planning in the region.

### ***Retail Centres***

One of the submissions (by CHS Pty Ltd) objected to the number and size of the retail centres shown in the Plan area. It suggested that the main commercial centre should be located adjacent to the proposed Success transit station (corner of Kwinana Freeway and Russell Road), as opposed to its location shown in the Plan (corner of Russell and Hammond Roads). The submission argues this site would be preferable for reasons of optimising public transport and access, reducing car usage, ability to provide shared car parking in peak times, and better viability of the centre. It should be noted that the alternative location suggested in the submission includes portion of the land owned by the CHS Pty Ltd.

The position of the commercial centre being moved to near the transit station is not supported. This centre is intended to offer convenience goods and it is unlikely that people would use rail transport for the type of retail facilities to be located there (eg grocery shopping and other shops typical of small local shopping centres such as newsagent, video store, take away food). The location of the neighbourhood centre as shown in the Structure Plan is central to the catchment with convenient access. The area adjacent to transit station is intended to contain a small amount of retail floorspace, primarily for convenience goods ideally suited to users of the railway and the park and ride station, but not of the size and scale suggested in the submission.

The location and size of retail centres in the Plan reflects the criteria of the Community Code for the projected population. The Plan shows a series of walkable catchments. The centre at the corner of Hammond and Russell Roads will form the key neighbourhood centre, with the other centres intended for small convenience-type shops strategically located within the residential area based on a series of defined walkable catchments.

### **Frankland Avenue Road Reserve**

The Structure Plan report refers to the need to maintain the width of the Frankland Avenue road reserve at 40 metres to accommodate a high voltage power line, earthworks and the proposed Tramway Recreational Trail. The submission from Taylor Burrell advocates reduction of the reserve from 40 to 32 metres, arguing that designs have been prepared for the road indicating the ability to contain all infrastructure within a 32 metre width. The status of the Tramway Trail is questioned and objection is raised against the Plan's proposal for the western verge of the road reserve to retain vegetation. An alternative alignment for the Trail via Russell, Pearse and Mandogalup Roads is suggested.

The reduction of the reserve to 32 metres is not supported. The Tramway Trail is an important recreational/conservation proposal initiated by the Ministry for Planning which is supported by Trailswest and Council. Consultants have prepared a Trails Master Plan for Council and recommend the route alongside Harry Waring Reserve, which is a more direct link to the continuance of the trail in the Town of Kwinana, than that suggested in the submission. The existence of the MRS Parks and Recreation reserve adjacent to Frankland Avenue south of Harry Waring reserve supports this position. Also there is doubt that infrastructure and earthworks can be accommodated within a 32 metre wide reserve, particularly as the concept prepared is considered inadequate in terms of a safe separation distance between the carriageways and the high voltage line pylons. Furthermore, as Harry Waring is a fenced marsupial reserve, earthworks and the Trail must be accommodated within the road reserve and there is no scope to have the Trail in the marsupial reserve.

### ***Russell Road Realignment***

One of the submissions recommends retaining Russell Road on its current constructed alignment (as opposed to realigning to the current MRS alignment). This issue is not supported for the reasons outlined in the Structure Plan report (section 3.2), that is, the MRS reserve alignment allows for a safer intersection between (new) Hammond and Russell Roads, particularly given it is a trucking route and longer sight distances are required than usual. The planned deviation of Hammond Road intersecting with the current Russell Road alignment would result in unacceptable intersection geometry which would also necessitate changes to the alignment of Hammond Road.

### **Residential Densities**

One of the landowner submissions advocates higher densities in close proximity to the proposed Success transit station. There are no objections to the philosophy behind this request, however the determination and allocation of residential densities is more appropriately dealt with at the Development Plan stage.

### ***Local Roads***

The Taylor Burrell submission objects to the alignment of local distributor road proposed to extend south from the intersection of Russell Road and Hammond Roads into the Gaebler Road Development Area. It recommends re-alignment as illustrated in the Taylor Burrell Plan included in the Agenda attachments.

The suggested alternative location of the local distributor was based on providing two north south bus routes south of Russell Road. Barfield Road was propose as the second route. The resultant walking

distances to the bus route would be approximately 270 metres compared to a general requirement of 500 metres.

A more central local distributor as per the draft Southern Suburbs District Structure Plan would achieve the following;

- Provision of a single bus route that meets the standard criteria applied by the Department of Transport.
- 400 metre walkable catchments which are more central within the residential area.
- 400 metre walkable catchments in accordance with the community codes, that is that the schools and active open space are located at the fringe of the walkable catchments as is shown on the plan included in the Agenda attachments.
- A more even distribution of walkable catchments which reduces the extent of overlap and minimises voids between catchments that are evident on the plan included in the Agenda attachments.

Urgent advice has been sought from the Department of Transport regarding bus routes south of Russell Road. Copies of correspondence will be forwarded separately to Commissioners immediately it is received.

### **Summary**

The Structure Plan and comments made during the public consultation period demonstrate that all regional planning considerations for the Southern Suburbs area have been accounted for. It is evident that there is no major impediment to the orderly and proper planning for the area and that the Structure Plan can adequately form the framework for progressing planning proposals, including the production of detailed Development Plans.

It is recommended that the Southern Suburbs District Structure Plan be progressed and finally adopted by the Western Australian Planning Commission and Council to provide certainty for the landowners as they progress to more detailed planning of their respective areas.

### **Strategic Plan/Policy Implications**

- PD 8 Bushland Conservation
- PD13 Public Open Space
- PD 23 Buffer Zones
- PD 25 Liveable Neighbourhoods – Community Codes

**Budget/Financial Implications**

N/A

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

Nil

**15. FINANCE AND CORPORATE SERVICES DIVISION ISSUES****15.1 (OCM1\_8\_1999) - MINOR BOUNDARY ADJUSTMENT - RESERVE 42981 - COCKBURN ROAD, HENDERSON (3317213) (KJS) (ATTACH)****RECOMMENDATION**

That Council request the Department of Land Administration to excise 47 sq.m. from Reserve 42981 Cockburn Road, Henderson in order to realign Russell Road and Cockburn Road, to facilitate the Jervoise Bay development.

**COUNCIL DECISION****Background**

Main Roads WA has previously requested minor adjustments to reserves in the vicinity of Reserve 42981, in order to realign Russell Road and Cockburn Road, to facilitate the Jervoise Bay development. Endorsement subject to existing infrastructure being re-established has been granted, in relation to Reserves 39455 and 39584 - Council resolution of 17 November 1998 states:

*That Council:*

- (1) *prepare an advice to the Department of Land Administration, that the City of Cockburn supports the amendments to Reserves 15741, 39455 and 39584;*
- (2) *seek from Jervoise Bay Projects, fully costed undertakings to reinstate fencing and other infrastructure associated with the affected reserves;*
- (3) *seek from Jervoise Bay Projects, undertakings that they will promote to the State Planning Commission of Western Australia,*

*the re-vesting of the Metropolitan Region Scheme Road Reserve, being the Cockburn Road Deviation south of the northern prolongation of Reserve 39455 and that the land be included in the Beeliar Regional Park;*

- (4) *when 2 and 3 above have been complied with, send advice contained within 1 above to the Department of Land Administration; and*
- (5) *defer consideration of the request from Jervoise Bay Projects to amend Reserve 24309 until the Council has received a full report from the Planning Services Department on the EPA Report and recommendations on the "Industrial Infrastructure and Harbour Development, Jervoise Bay - October 1998".*

**Submission**

N/A

**Report**

The minor excision from Reserve 42981 was overlooked by Main Roads, but in a letter and Plan received on 19 July 1999, is now being requested.

The excision of 47 sq.m. will have no detrimental impact on the public recreation reserve. The area of the reserve will now be 4,670 sq.m.

**Strategic Plan/Policy Implications**

N/A

**Budget/Financial Implications**

N/A

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

Nil

**15.2 (OCM1\_8\_1999) - LAND EXCHANGE - RESERVE 1712 - RUSSELL ROAD, HENDERSON - WA LIMESTONE (4412065) (KJS) (ATTACH)**

**RECOMMENDATION**

That Council advise WA Limestone that the City of Cockburn is not prepared to accept an offer to effect a land exchange of the City's



vested Reserve 1712, for Lot 51 Gaebler Road, Banjup and Lot 2 Rockingham Road, Henderson.

## **COUNCIL DECISION**

### **Background**

At Council meeting on 7 November 1995 Council resolved not to enter into an agreement to exchange Reserve 1712 for an equivalent parcel of land. WA Limestone had, in a letter on 16 October 1995 proposed to exchange Reserve 1712 for Lot 51 Gaebler Road, Banjup and Lot 2 Rockingham Road, Henderson

### **Submission**

WA Limestone have submitted two submissions - one dated May 1998 and a second in June 1999.

These submissions both propose the land swap of Reserve 1712 for Lot 51 Gaebler Road together with Lot 2 Rockingham Road.

### **Report**

In the June 1999 submission, WA Limestone stated that they became interested in the raw materials, namely the limestone and sand contained in Reserve 1712, in early 1995.

In discussions with Council Officers, representatives from WA Limestone have been made aware of the Local Government Act 1995's requirements and that no commitments could be made by Council Officers. It was pointed out that any decision to proceed with the proposal, would have to be made by Council and that any such decision would be subject to calling of a public tender.

Reserve 1712 is a reserve vested in the City of Cockburn for municipal purposes. Limestone has been extracted from a property on the western boundary. This fact and also a recent drilling program on the reserve indicates that there is a reserve of limestone rubble and sand on the site.

Lot 51 Gaebler Road owned by WA Limestone has been inspected by the City's Manager, Environmental Services and although it has good conservation value it is not considered to be exceptional or unique in content or location.

Lot 2 Rockingham Road is adjacent to the City's Landfill Site at Henderson and has been identified as a future acquisition by the Henderson Landfill Site Business Plan.

Reserve 1712 is within the Friars Report Study area. A conclusion to this report is not expected for at least twelve months. The outcome of the Friars Report will give a guide to land use directions for Reserve 1712. It is considered premature to make any decisions that will affect the land form of Reserve 1712 before the conclusion of the Friars Report.

Advice has been sought from the Department of Land Administration on the City's ability to collect a royalty for the limestone extracted from Reserve 1712. Advice given in 1990 indicates that pursuant to Section 5 (1) of the Parks and Reserves Act, the City with the approval of the Minister could collect a royalty for the sand and limestone taken from Reserve 1712.

The sand and limestone contained in Reserve 1712 is a valuable resource, that will increase at an accelerated rate, as other sources are exhausted and the development front extends southward. However, this reserve does not form part of the priority reserve area established in the Draft Basic Raw Materials Policy of May '99.

The management of this income stream needs to be managed to give the best possible outcome for the benefit of the community. It is a requirement of the Parks and Reserves Act that funds generated via a royalty are used in programs compatible to the management of the Reserve.

**Strategic Plan/Policy Implications**

N/A

**Budget/Financial Implications**

N/A

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

Nil

**16. ENGINEERING AND WORKS DIVISION ISSUES**

**16.1 (OCM1\_8\_1999) - PROPOSED POLICY F1.14 - EVALUATION OF TENDERS (4401) (DMG/JR) (ATTACH)**

**RECOMMENDATION**

That Council adopts the attached Policy F1.14 Evaluation of Tenders and this be included as information for tenderers in the tender documentation prepared for each Contract.

**COUNCIL DECISION**

**Background**

At the Ordinary Meeting of Council held on Tuesday, 22 June 1999, consideration was given to the Tender for the Cleaning of the South Lake Leisure Centre (Item 116). It was resolved that a policy be formulated on the criteria to be applied in assessing tenders.

**Submission**

N/A

**Report**

Accordingly, the list of criteria which are generally used in the evaluation of tenders for Council have been identified and are listed in the proposed Policy. As all tenders are different, with some for the supply of plant and equipment, others for services, materials, building works, consultancies etc., it is considered that the listed criteria should be used as a basis only, with specified criteria identified for individual tenders, being applied at the time of considering the acceptance of each Tender.

**Strategic Plan/Policy Implications**

N/A

**Budget/Financial Implications**

N/A

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

Nil.

**17. COMMUNITY SERVICES DIVISION ISSUES**

Nil

**18. EXECUTIVE DIVISION ISSUES**

Nil

**19. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**20. CONFIDENTIAL BUSINESS**

Nil

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

Nil

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

Nil

**23. MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE**

Nil

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

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

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

**25. CLOSURE OF MEETING**