

## ALTERNATE MOTION BY COUNCILLOR HOLLINGWORTH

ITEM NUMBER: PD128  
ITEM TITLE: PROPOSED HOME BUSINESS AND FILL-LOT 355, 307-321 EMU POINT DRIVE, COLLINGWOOD PARK

DATE & TIME RECEIVED: MONDAY 12 DECEMBER 2016 AT 1.56PM

**PD128: ALTERNATE MOTION BY COUNCILLOR HOLLINGWORTH  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council resolves to ISSUE a notice of determination granting development approval, subject to the following conditions, for a Home Business and Fill at Lot 355, 307-321 Emu Point Drive, Collingwood Park:**

**Conditions:**

- (1) Prior to occupancy of use, unless varied by a condition of approval or a minor amendment to the satisfaction of the City of Albany, all development shall occur in accordance with the stamped, approved plans as amended via condition 9-12.**
- (2) Earthworks and management of stormwater drainage shall be undertaken in accordance with the earthworks plan, including proposed levels**
- (3) Surface water management shall be undertaken to ensure that the vehicle storage area is suitably drained and sealed.**
- (4) All vehicle wash-downs shall be undertaken off-site at the appropriate commercial facilities and there shall be no direct discharges from the vehicle storage area.**
- (5) No servicing of vehicles shall be undertaken on the premises.**
- (6) A landscaping plan detailing the size, species and location of trees/shrubs shall be submitted for approval in writing and implemented to the satisfaction of the City of Albany.**
- (7) All landscaped areas shall be maintained as per the approved landscaping plan(s) to the satisfaction of the City of Albany.**
- (8) Crossover(s) shall be constructed to the specifications, levels and satisfaction of the City of Albany.**
- (9) The existing Crossover to the east shall be used for passenger vehicles and all vehicle movements associated with the approved Home Business use, with any required modifications to the existing crossover construction modified to the specifications of the City of Albany**
- (10) The crossover to the west of Lot 4 shall have use restricted to passenger vehicles and residential uses only**
- (11) The crossover and driveway to the west shall be constructed at least 6 metres away from lot 4 and this 6m area shall be appropriately landscaped in accordance with Condition 7 above**
- (12) Truck parking and other equipment associated with the Home Business use shall be restricted to the North Eastern rear corner of Lot 355 outside the 10m exclusion and battered area**

**Advice:**

***A 'Permit for Vehicle Crossover Construction' from the City of Albany is required prior to any work being carried out within the road reserve, which shall be in accordance with drawing nos. 97024 1/3 – 97024 3/3 (refer to the City of Albany's Subdivision and Development Guidelines).***

- (13) The level of noise emanating from the premises shall not exceed that prescribed in the Environmental Protection Act 1986, and the Environmental Protection (Noise) Regulations 1997.**

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**(14) The development hereby approved shall not prejudicially affect the amenity of the neighbourhood by, but not limited to, the emission of noise, vibration, smell, smoke or dust.**

**(15) No preparation of bitumen shall be undertaken on the premises.**

**(16) Prior to the commencement of development, the developer must complete an “acid sulphate soils self-assessment form”; if required as a result of the self-assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to the Department of Environment Regulation (DER) for the assessment.**

**Advice: DER may determine that an acid sulphate soils management plan is required to be submitted for their approval and implemented accordingly.**

**(17) There shall be no storage of construction materials or dumping of construction waste (including asphalt) on the premises; materials associated with the Home Business Use, being sand, gravel, stone, or other natural materials must not exceed 3 cubic metres in volume and must be banded.**

**Councillor Reason:**

- The City of Albany seeks to encourage small business enterprise.
- This use can be permitted by the City in this zone under certain conditions and those conditions must be complied with by the small business operator.
- In order to protect the amenity of lot 4, conditions 9-12 have been introduced.

**Officer Comment:**

The proposed conditions will reduce the impact on the residents of lot 4. Staff consider this to be a good compromise, allowing the development and the use, but reducing the impact on the neighbour's amenity.