



PLANNING AND DEVELOPMENT COMMITTEE

MINUTES

for the meeting held on Tuesday 22nd May 2012,
in the Margaret Coates Boardroom, City Office, North Road, Albany

(File Ref: FM.MEE.1 / AM1224399)

1.0 ATTENDANCE

Councillors:	
D Wellington	Mayor
G Stocks (Acting Chairperson)	Councillor
R Sutton	Councillor
S Bowles	Councillor
Committee Members:	
Mr Rod Harris	Member
Staff:	
D Putland	Executive Director Planning and Development Services
J Cobbold	PA to Executive Director Planning and Development Services.
S Lenton	Manager Planning Services
T Wenbourne	Senior Planning Officer
A Nichol	Senior Project Planner
Apologies/Leave of Absence:	
D Dufty	Councillor
Y Attwell	Councillor
R Hammond	Councillor
F James	Chief Executive Officer

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDATION:

**MOVED: MAYOR WELLINGTON
SECONDED: CR BOWLES**

THAT the unconfirmed minutes of the Planning and Development Committee Meeting, held on 22 May 2012, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

Carried: 4-1

3.0 DISCLOSURE OF INTEREST - NIL

4.0 ITEMS FOR DISCUSSION

4.1 Councillor Bowles requested information regarding Public Open Space/Cash In Lieu of Public Open Space from a State Government and Local Government perspective.

ITEM 4.1:

Item was discussed by the Committee, Simon Lenton passed on to Cr Bowles the following items:

- a) Legislation**
- b) State Planning Policy**

Simon is still waiting on information from the Local Branch for Dept of Planning.

ACTION: Wait for all information and discuss again at next meeting.

4.2 Development Application – Outbuilding – (Lot 15) No. 55 Barry Court, Collingwood Park

ITEM 4.2: COMMITTEE RECOMMENDATION 1

THAT the Responsible Officer Recommendation for Item 2.3 Development Application – Outbuilding (Lot 15) No.55 Barry Court, Collingwood Park be AMENDED to include the following clause:

- f) THAT an additional condition be added to the application – “Not to be used for any form of human habitation”**

**MOVED: MR HARRIS
SECONDED: MAYOR WELLINGTON**

CARRIED: 5-0

RECOMMEDED TO COUNCIL

**MOVED:MAYOR WELLINGTON
SECONDED: MR HARRIS**

CARRIED: 3-2

ITEM 4.2: COMMITTEE RECOMMENDATION 3

THAT the City of Albany Outbuilding Policy be reviewed by Council.

4.3 Development Application – Livestock Grazing and Stables – Lot 195 (140) Lowanna Drive, Marbellup

ITEM 4.3 OFFICER’S RECOMMENDATION SUPPORTED

MOVED: CR SUTTON

SECONDED: MR HARRIS

THAT Council resolves to ISSUE a Notice of Planning Scheme Consent for Livestock Grazing and Stables at Lot 195 (140) Lowanna Drive, Marbellup subject to the following conditions:

- a) **The effluent storage and disposal system/s for the use hereby approved shall be designed and constructed to the satisfaction of the City of Albany.**
- b) **A dust management plan shall be submitted for approval in writing and implemented to the satisfaction of the City of Albany.**
- c) **A nutrient management plan shall be submitted for approval in writing and implemented to the satisfaction of the City of Albany.**
- d) **A landscaping plan detailing the size, species and their location shall be submitted for approval in writing, implemented and maintained to the satisfaction of the City of Albany. This shall include a minimum 3m wide landscape buffer along the southern boundary of the lot and plant specimens shall be of advanced growth.**
- e) **Stormwater disposal and earthwork plans/details shall be submitted for approval and implemented to the satisfaction of the City of Albany.**
- f) **A vehicular parking and access plan shall be submitted for approval and implemented to the satisfaction of the City of Albany.**
- g) **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.**
- h) **No signs are to be erected on the lot without the City of Albany’s approval, accord with the City of Albany’s Sign Policy.**
- i) **The use and development shall comply with the City of Albany’s *Animals Local Law 2001*.**
- j) **The keeping of livestock shall be restricted to fenced pastured areas of the lot.**
- k) **No development or stock grazing is permitted within the ‘Re-vegetation and Drainage Protection Area’ as shown on the Subdivision Guide Plan for Special Rural Area No.22.**
- l) **Outbuildings shall be designed and constructed of materials which are in character with the landscape. Unpainted zincalume and off-white colours are not permitted.**
- m) **The combined floor area for all outbuildings on site shall not exceed 240m².**
- n) **All outbuildings on the site shall comply with the heights contained within Council’s Outbuilding’s Policy for Special Rural lots over four hectares in size.**
- o) **The maximum number of horses on the property shall not exceed ten (not including the owner’s horses), The number of horses on the site are subject to complying with stocking rates recommended by the Department of Agriculture and Food Western Australia.**

- p) The loading and unloading of stock shall occur entirely within the site.
 - q) Horse lessons shall be one on one training and shall not exceed more than eight in any given week.
 - r) A suitable water supply shall be provided for the use hereby approved, to the satisfaction of the City of Albany.
 - s) Areas of significant remnant vegetation, revegetation, and landscape protection as shown on the Subdivision Guide Plan are to be protected, to the satisfaction of the City of Albany.
- CARRIED: 5-0

4.4 Final Approval of Amendment – Lot Cosy Corner Road, Kronkup

ITEM 4.4: OFFICER RECOMMENDATION SUPPORTED

MOVED: MAYOR WELLINGTON
SECONDED: CR SUTTON

THAT Council:

- 1) In pursuance of section 75 of the *Planning and Development Act 2005* and *Regulation 17(2)* of the *Town Planning Regulations 1967* **FINALLY ADOPTS WITH MODIFICATIONS** Amendment No. 308 to Town Planning Scheme No. 3 for the purposes of:
 - i. Rezoning Lot 4 Cosy Corner Road, Kronkup from the Rural zone to Special Rural zone and amending the Scheme Maps accordingly;
 - ii. Including Lot 4 Cosy Corner Road, Kronkup in Special Rural Area No. 30, Schedule 1 – Special Rural Zones – Provisions Relating to Specified Areas;
 - iii. Amending Schedule I – Special Rural Zones – Provisions Relating to Specified Areas, Special Rural Area No. 30 by amending provisions 4.1 and, 10.4;
 - iv. Amending Schedule I – Special Rural Zones – Provisions Relating to Specified Areas,
 - v. Special Rural Area No. 30 by deleting provision 5.1 (a); and
 - vi. Inserting provision 3.3 (d) and 11.0 (d) in Schedule I – Special Rural Zones – Provisions Relating to Specified Areas Schedule, Rural Area No. 30.
- 2) **NOTES** the staff recommendations within the attached Schedule of Submissions and **ENDORSES** those recommendations.

CARRIED: 5-0

4.5 Development Application – Restaurant Additions/Alterations

ITEM 4.5: OFFICER RECOMMENDATION SUPPORTED

MOVED: CR SUTTON
SECONDED: MAYOR WELLINGTON

THAT Council resolves to ISSUE a Notice of Planning Scheme consent for the change in use ,extensions and alterations subject to the following conditions:

- a) The proposal shall comply with any details and/or amendments marked in red as shown on the approved plan.
- b) Prior to commencement of development a schedule of materials and colours to be used on the development hereby approved shall be submitted for approval by the City of Albany.
- c) Vehicular parking, manoeuvring and circulation areas indicated on the approved plan being constructed, properly drained and sealed to the satisfaction of Council. All

- parking spaces being marked out and maintained in good repair.
- d) The dual use path/cycleway as shown on the approved plan shall be constructed by the applicant to the satisfaction of the City.
 - e) Stormwater disposal plans and details shall be submitted for approval and constructed to the satisfaction of the City of Albany.
 - f) The stormwater disposal system shall be maintained as per the approved stormwater details and plans to the satisfaction of the City of Albany.
 - g) Landscaping of the areas shown on the plan shall be completed with species acceptable to the City and maintained for a period of at least three years.
 - h) No goods or materials shall be stored, either temporarily or permanently, in the parking or landscape areas or within access driveways. All goods and materials are to be stored within the buildings or service courts, where provided.
 - i) The loading and unloading of goods to and from the premises shall be carried on entirely within the site at all times and shall be undertaken in a manner so as to cause minimum interference with other vehicular traffic.
 - j) Any lighting device is to be so positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries.
 - k) No processes shall be conducted in the approved structure or machinery, installed, that may cause a detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
 - l) No signs shall be erected on the lot without City's approval, in accordance with the City Of Albany's Sign Bylaws.

CARRIED: 5-0

5.0 ITEMS TO BE DISCUSSED AT FUTURE MEETINGS

5.1 In relation to Councillor Bowles previous request for information regarding Public Open Space/Cash In Lieu of Public Open Space from a State Government and Local Government perspective, Simon Lenton advised that he was waiting on information from the Local Branch of the Dept of Planning. Dale Putland will discuss with Works and Services.

5.2 Outbuilding policy review

6.0 GENERAL DISCUSSION

6.1 Planning Scheme Progress Report – From Phil Shephard. D Putland and P Shephard have been visiting local areas, (Big Grove) giving advice on how to put their submissions to Council.

The planning staff are holding information sessions at shopping centres.

Submissions to go to Council by January 2013

All submitters are sent a letter acknowledging their submission which invites them to meet with the planners to discuss.

6.2 CR Sutton had a query on parking, would like to know why the Colour Purple coffee shop on the corner of Wollaston and Middleton Rd after 60 years has had “**No Parking signs**” painted there with no consultation with the shop owner.

Simon Lenton will follow up and respond at the next meeting.

6.3 CR Bowles raised the issue of why an artist who wishes to exhibit her art in her home during the Southern Art Trail is not allowed, she is not selling.

Discussions were held in relation to Public Liability, Disability Access, Parking issues. It was suggested to Councillors that they consider a council building in the area and make those available to Southern Art Trail. Clarification of garage sales was asked and Dale Putland explained the difference, garage sales are occasional use, and is not deemed as a commercial activity.

Recommendation –Council to write a letter to Southern Art Trail Committee regarding the issues related to residential exhibition and sales during the Southern Art Trail for residential houses

Moved: Cr Bowles
Seconded: Cr Sutton

6.4 Middleton Road - scooters for hire and selling cars, running a business from home.

An infringement notice was initiated for the sign. A second one for renting and selling scooters from the site. S Lenton and A Nichol met with the owner and negotiated, the infringement was withdrawn and the sign was removed, and the operation of hiring and selling has been discontinued.

7.0 DATE OF NEXT MEETING:

Tuesday 26 June 2012

8.0 CLOSURE OF MEETING

The Chair declared the meeting closed at 6.45 pm.