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# MINUTES

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## DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE MEETING

**Tuesday 8 March 2022**

At the conclusion of the Community & Corporate Services Committee Meeting

Council Chambers



**Development & Infrastructure Services Committee  
Terms of Reference**

**Functions:** The Committee is responsible for:

The Development and Infrastructure Services Committee is responsible for delivery of the outcomes defined in the Strategic Community Plan 2032 under the **Planet Pillar** and **Place Pillar**:

- Sustainable management of natural areas, balancing conservation with responsible access and enjoyment;
- Shared responsibility for climate action;
- Responsible growth, development and urban renewal;
- Interesting, vibrant and welcoming places;
- Local history, heritage and character is valued and preserved; and
- A safe sustainable and efficient transport network.

**It will achieve this by:**

- Developing policies and strategies;
- Establishing ways to measure progress;
- Receiving progress reports;
- Considering officer advice;
- Debating topical issues;
- Providing advice on effective ways to engage and report progress to the Community; and
- Making recommendations to Council.

**Membership:** Open to all elected members.

**Meeting Schedule:** Monthly

**Meeting Location:** Council Chambers

**Executive Officers:** Executive Director Infrastructure, Development & Environment

**Delegated Authority:** None

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DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE  
MINUTES – 08/03/2022

1. **DECLARATION OF OPENING** The Chair declared the meeting open at 7.25pm
2. **PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS**

*“Heavenly Father, we thank you for the peace and beauty of this area. Direct and prosper the deliberations of this Council for the advancement of the City and the welfare of its people. Amen.”*

*“We would like to acknowledge the Noongar people who are the Traditional Custodians of the Land.*

*We would also like to pay respect to Elders past, present and emerging”.*

3. **RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**

Mayor D Wellington

**Councillors:**

Member	P Terry
Member	A Cruse
Member	G Stocks
Member	M Traill
Member	T Brough
Member	M Benson-Lidholm JP
Member	J Shanhun
Member	D Baesjou
Member	S Smith
Member	C Thomson (Chair)
Member	R Sutton (Deputy Chair)

**Staff:**

Chief Executive Officer	A Sharpe
Executive Director Infrastructure, Development and Environment	P Camins
Manager Planning & Building Services	J Van der Mescht
Meeting Secretary	C Crane

**Apologies:**

Member	A Goode JP
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**Public**

1 member of the public (via zoom)

7.25PM

**RESOLUTION**

**MOVED: COUNCILLOR SMITH  
SECONDED: COUNCILLOR BAESJOU**

**THAT this meeting be adjourned to allow the Special Council Meeting to take place.**

**CARRIED 12-0**

8.04PM.

**RESOLUTION**

**MOVED: COUNCILLOR SUTTON  
SECONDED: MAYOR WELLINGTON**

**THAT this meeting RESUME.**

**CARRIED 12-0**

**4. DISCLOSURES OF INTEREST**

Name	Committee/Report Item Number	Nature of Interest
Nil.		

**5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE Nil**

**6. PUBLIC QUESTION TIME**

In accordance with City of Albany Standing Orders Local Law 2014 (as amended) the following points apply to Public Question Time:

- 5) *The Presiding Member may decide that a public question shall not be responded to where—*
- (a) *the same or similar question was asked at a previous Meeting, a response was provided and the member of the public is directed to the minutes of the Meeting at which the response was provided;*
- (b) *the member of the public asks a question or makes a statement that is offensive, unlawful or defamatory in nature, provided that the Presiding Member has taken reasonable steps to assist the member of the public to rephrase the question or statement in a manner that is not offensive, unlawful or defamatory.*

**8.05pm Amanda Butterworth, Allerding & Associates**

**Summary of key points:**

- Ms Butterworth addressed Council regarding DIS296: Industrial – General (Concrete Batching Plant – Additional Storage Silo & Associated Works) – 100 (Lot 21) John Street, Milpara.
- Ms Butterworth introduced herself, the company she works for and the applicant of this DIS item and then referred Councillors to page 28 of the attachments of the item, showing the current view of the property and the proposed silo superimposed on the image.
- Ms Butterworth ran through the details of the proposed structure and use within the operation of the Concrete Batching Plant addressing issues raised in the public submissions, being mostly dust and the site being appropriately zoned for these types of operations.

**7. PETITIONS AND DEPUTATIONS Nil**

**8. CONFIRMATION OF MINUTES**

**RESOLUTION**

**MOVED: COUNCILLOR TERRY  
SECONDED: COUNCILLOR TRAILL**

**THAT the minutes of the Development and Infrastructure Services Committee meeting held on 9 February 2022 as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**CARRIED 12-0**

**9. PRESENTATIONS Nil**

**10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil**

**DIS296: INDUSTRY – GENERAL (CONCRETE BATCHING PLANT –  
ADDITIONAL STORAGE SILO & ASSOCIATED WORKS) – 100 (LOT 21)  
JOHN STREET, MILPARA**

<b>Land Description</b>	: 100 John Street, Milpara, WA 6330
<b>Proponent/Owner</b>	: Proponent: Allerding & Associates Owners: Midee Nominees Pty Ltd, WF & PD Noble
<b>Business Entity Name</b>	: • Allerding & Associates ( <i>Planning Consultant</i> ) Business Name Holder being Allplan Pty Ltd, Director being Steven G Allerding • Midee Nominees Pty Ltd Directors being Michael J & Deana Barber
<b>Attachments</b>	: 1. Application Report 2. Development Plans 3. Schedule of Submissions 4. Visual Impact Assessment
<b>Supplementary Information &amp; Councillor Workstation</b>	: 1. Public submissions 2. Agency submissions 3. Additional Information 4. Applicant Response to Objections 5. Simple BAL Assessment
<b>Report Prepared By</b>	: Planning Officer (D Ashboth)
<b>Authorising Officer:</b>	: Executive Director Infrastructure, Development & Environment (P Camins)

**STRATEGIC IMPLICATIONS**

1. Council is required to exercise its quasi-judicial function in this matter.
2. This item relates to the following elements of the City of Albany *Strategic Community Plan 2032*:

**Pillar:** Place

**Outcome:** Responsible growth, development and urban renewal.

3. The item relates to the following strategic objectives of the City of Albany Local Planning Strategy 2019 (the Planning Strategy).
  - a) Support the growth of strategic and service industry by meeting the demand for industrial land.
  - b) Plan for predicted population growth to 2026.
  - c) Consolidate existing urban form and improve land use efficiency.

**Maps and Diagrams:** 100 John Street, Milpara



**In Brief:**

- The City of Albany has received an application for Industry - General (Concrete Batching Plant - Additions) at 100 (Lot 21) John Street, Milpara.
- The application proposes to install an additional storage silo with a total height of 22.27m to be used in the operations of Hanson Concrete. Associated works are also proposed to the existing batching plant, to support the installation of the additional silo.
- The proposal was advertised to adjoining landowners within a 300m radius via direct mail out and the plans were made available on the City website. At the closing of the public advertising period, five responses were received, three in support or having no objection, one in conditional support and one objection.
- The submissions received outlined the following concerns:
  - Sand and dust is currently not contained on-site with no consideration given to amenity impacts on adjoining properties.
  - The proposal cannot be supported until confirmation is received that the dust will be reduced or action taken to eliminate the dust.
- The application is presented to Council for determination, due to the concerns raised during advertising.
- The development has been assessed on its merit, with relevant concerns raised during advertising taken into consideration. Further assessment and discussion of the proposal is outlined below.
- Staff consider that the application in its current form meets the relevant provisions of the City of Albany Local Planning Scheme No.1 (LPS1).
- It is recommended that Council approve the proposed Industry - General (Concrete Batching Plant – Additions) at 100 (Lot 21) John Street, Milpara.

**RECOMMENDATION**

**DIS296: COMMITTEE RECOMMENDATION**

**MOVED: MAYOR WELLINGTON**

**SECONDED: COUNCILLOR TERRY**

**THAT the Authorising Officer Recommendation be ADOPTED.**

**CARRIED 12-0**

**DIS296: AUTHORISING OFFICER RECOMMENDATION**

THAT Council resolves to ISSUE a notice of determination granting development approval, subject to the following conditions, for Industry – General (Batching Plant Additions) at 100 John Street, Milpara.

Conditions:

1. All development shall occur in accordance with the stamped, approved plans referenced P2210564, being signed and dated by a designated Authorised Person, unless varied by a condition of approval or a minor amendment, to the satisfaction of the City of Albany.
2. If the development, the subject of this approval, is not substantially commenced within a period of 2 years from the date of approval, the approval shall lapse and be of no further effect.
3. The proposal is to comply with any details and/or amendments marked in red on the stamped, approved plans.
4. Onsite operations shall be managed effectively, to the satisfaction of the City, so that: Parking ,landscaping and road verge areas are not used for storage of materials; and Vehicle movements do not result in overflow of traffic (parking or stacking/queuing of waiting vehicles) onto the local road network including the road verge.



5. Prior to commencement of development, a schedule of materials and colours to be used on the approved buildings/structures shall be submitted to the City of Albany for approval. Prior to occupation, the approved schedule of materials and colours shall be implemented and maintained thereafter to the satisfaction of the City of Albany.

*Advice:*

- *The schedule should be lodged for approval prior to or as part of a building permit application and shall include details of all external elements of the development.*
- *The design materials and colours of the new development shall complement with those of the existing development and minimise reflectivity.*

6. The bulk storage of 'high risk' materials is not permitted within the subject site unless otherwise approved by the City of Albany.

*Advice:*

- *The applicant has provided information confirming the Supplementary Cementitious Materials stored within the silo are non-flammable. Should the applicant wish to store alternative materials within the silo, approval will need to be sought from the City of Albany in writing.*
- *A high-risk material is considered any material, which may lead to the potential ignition, prolonged duration and/ or increased intensity of a bushfire.*

7. 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.

8. Sign(s) shall not be erected on the lot without the prior approval of the City of Albany.

*Advice:*

- *Please refer to the City of Albany Local Planning Policy – Signs for further information.*

General Advice:

1. *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. (DWER)*
2. *This approval, while otherwise current and effective as a planning approval from the date of this approval, can only be acted upon from the date that the Department of Water and Environmental Regulation issues a works approval in respect of the facility. (DWER)*
3. *The development is to operate in accordance with the requirements outlined under the Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998.*

## BACKGROUND

### 4. Site details:

<b>Local Planning Scheme</b>	City of Albany Local Planning Scheme No. 1
<b>Zone</b>	General Industry
<b>LPS1 Use Class &amp; Permissibility (Table 3)</b>	Industry – General - P
<b>Lot Size:</b>	Total site area 100 (Lot 21) John Street - 11.62Ha Area of subject use – 1.7Ha (north east corner of site)
<b>Existing Land Use:</b>	Subject use: Industry – General (Concrete Batching Plant) Other uses: Industry – General (Waste Transfer Station, Garden Centre and Transport Depot)
<b>Bushfire Prone Area:</b>	Yes
<b>Applicable Local Planning Policies:</b>	<ul style="list-style-type: none"> <li>• Building Facades in Industrial Areas Policy</li> <li>• Signs Policy</li> </ul>
<b>Draft LPS 2 implications:</b>	<ul style="list-style-type: none"> <li>• No substantial changes are proposed to the existing zoning or development requirements of the subject site or adjoining sites under draft LPS2</li> </ul>

5. No. 100 John Street, Milpara lies approximately 250m east of the Chester Pass Road / John Street intersection and approximately 4kms north north-east of the Albany CBD.
6. The site is irregular in shape, with the Concrete Batching Plant use currently operated by Hanson Concrete, located in the north eastern area of the lot.
7. The development site informally operates separately from the remainder of the lot, with separate vehicle access point provided from John Street.
8. The remainder of the lot is occupied by Vancouver Waste Services, Great Southern Soils and the City of Albany Waste Processing Centre.
9. The site is surrounded by land zoned Light Industry to the north, east and south. The closest Residential zoned land and a Parks and Recreation Reserve, reserved for the purposes of Public Recreation, lies to the west and north west of the subject site, approximately 480m from the proposed storage silo.
10. The existing streetscape of John Street consists of mixed general and light industrial developments, defined by large warehouse structures with incidental offices and/or wholesale shopfronts, vehicle repair businesses, freight yards, outdoor storage and processing, and highway commercial developments fronting Chester Pass Road.
11. Dense vegetation in the north western corner and in a portion of the northern front setback of the site screens views between the existing development onsite and John Street.
12. The majority of the north eastern corner of the site is currently being used for the purpose of batching concrete and associated storage of aggregate, with existing development associated with the concrete batching operations consisting of a silo, site office and open storage areas. Hanson Concrete purchased the business in 2003 as an operational plant.
13. A review of the City's records indicate that the concrete batching plant was approved in 1994 and registered with Department of Environment in 1997, and amended registration issued in 2005.
14. The applicant indicates in their report that the proposed development will not increase capacity of the existing operations, but will allow Hanson Concrete to sustain its operations in responding to recent significant increases to demand for building products, as well as reduce carbon emissions and incorporate better waste resource recovery.
15. The applicant indicates that the additional silo will allow for the storage of cement and/or Supplementary Cementitious Material (SCM).
16. SCM's are a cement replacement product and can include but are not limited to flyash, a by-product substance from power stations and Granulated Blast Furnace Slag (GBRS), a by-product in the production of steel. SCM is added as a direct replacement in the concrete batching process (1:1 ratio) in reducing the amount of cement used per batch.
17. It should also be noted that the implementation of the Albany Ring Road will also inform the future layout and design of major internal roads including Albany Highway and Chester Pass Road, as well as associated intersections and local road network, where located inside the Ring Road.
18. In the long term, changes are expected to the design and functionality of the supporting road network in regards to vehicle types, movement and traffic volumes, following a reduction in primarily heavy vehicle traffic, most likely replaced by more commercial / lighter vehicle traffic.

**DISCUSSION**

Proposal

19. The additional silo is proposed to enhance both the sustainability and workplace operations of Hanson Concrete.
20. The additional silo is to be sited immediately adjacent the existing silo. Agitator trucks will park and receive the products from either/both of the silo/s whilst stationary.
21. In order to facilitate the new operations, the proposal also includes minor works to the existing silo including new filter top system, the modification of handrails and the construction of an aerial walkway between the existing and proposed silo.
22. Material transfer from the additional silo to the agitator trucks will use compressed air within an enclosed system.
23. The proposal generally complies with the relevant provisions for the site contained under LPS1, and has been assessed in consideration of the following.

Public Consultation

24. Given the significant overall height of the proposed silo and potential concerns regarding the visual impact on the locality, the application was advertised to all landowners within a 300m radius of the development site, for a period of 23 days via direct mail out.
25. During advertising a total of five (5) responses were received, three in support or having no objection, one in conditional support and one objection.
26. The concerns raised during the advertising period and officer response, including mitigation measures are outlined in the table below.
27. The concerns raised during advertising and officer comment is summarised below:

Issue raised	Officer comments
<i>Sand and dust is currently not contained on-site with no consideration given to amenity impacts on adjoining properties. We have no objection to the proposal, however, we strongly suggest the proposal not be considered until the current sand and dust problem is eliminated.</i>	Noted. Refer Environmental Considerations section below for further discussion.
<i>We would appreciate it if we can receive written confirmation that the dust will be reduced or action taken to eliminate the dust before we can support the proposal.</i>	Noted. Refer Environmental Considerations section below for further discussion.

Environmental considerations

28. The Concrete Batching Plant use is required to operate in accordance with the *Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998*, and any other relevant statutory requirements contained under legislation, and licences issued for the operation.
29. The applicant has confirmed that the proposed silo will not create any dust emissions, as it will incorporate all the appropriate operational filtration systems, including the following measures to control dust emissions from the proposed silo:
  - a) The transport of all material to the proposed silo will be done through an enclosed cement tanker.
  - b) Material transfer from the vehicle to silo utilises compressed air within an enclosed system.
  - c) Air released from the silo during this process is controlled through certified air filters.

30. As the development is not increasing the operational capacity of the site, an environmental management plan (specifically in relation to noise and dust emissions) was not required to be provided as part of the development application.
31. The application was also referred to DWER as the responsible agency for emissions and discharges from the construction and operation of prescribed premises.
32. In their response, DWER advised that *Environmental Protection Act 1986* requires:
  - a) a works approval to be obtained before constructing a prescribed premises, and
  - b) makes it an offence to cause an emission or discharge from an existing prescribed premises unless they are the holder of a works approval or licence (or registration); and
  - c) the emissions are in accordance with any conditions to which the licence or works approval is subject to.
33. DWER raised no objection to the proposal and advised they were currently assessing an application for the silo under their legislation.
34. As outlined above, aspects relating to ongoing compliance of the existing operations and proposed development with environmental legislation and requirements are subject to separate licences and approvals that are under the jurisdiction of DWER.
35. Where there are concerns or issues with current operations in relation to non-compliance with environmental management requirements, landowners are encouraged to contact the operators (Hanson Concrete Material Pty Ltd) directly, or otherwise contact DWER as the relevant authority.
36. The proposed development has been assessed against applicable provisions outlined under LPS1, specifically in regards to the use and bulk and scale of the development, in accordance with the objectives and relevant provisions of the General Industry zone.
37. LPS1 clause 4.5.12.8 states “All industrial developments shall provide any required buffer areas around land uses in accordance with the Environmental Protection Authority’s Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses and regulate development within the buffer area to ensure compatibility with the industrial activities and surrounding land uses.”
38. As there is no substantial change to the extent of the existing land use or increase to operational capacity, clause 4.5.12.8 of LPS1 is not applicable in this instance.

Visual impact

39. The new silo is proposed to be a height of 22.27m from natural ground level. Despite no height controls being identified within LPS1 in the General Industry Zone, the City requested a Visual Impact Assessment be undertaken to demonstrate to the City’s satisfaction that the height of the structure would not visually dominate the streetscape (refer Attachment 3).
40. Particular consideration was given to the visual impact of the structure from Chester Pass Road (being the primary vehicle entrance to the City from the east) and the Neighbourhood Centre zone across Chester Pass Road (Chester Pass Mall).
41. The results of the Visual Impact Assessment indicate the visual impact of the structure to be minimal, with views of structure predominately limited to the industrial precinct bound by John Street, Chester Pass Road and Newbey Street.
42. Given this area is dominated by industrial development; the existing amenity of the area is unlikely to be impacted by the height of the proposed silo.

43. It is acknowledged that the proposal will also be partially visible when viewed from a number of locations along Chester Pass Road and Chester Pass Mall. However, it is necessary to consider that although part of the proposed development may be visible, this aspect does not, in itself, mean that the proposed development will have a negative impact on the visual amenity of the locality.
44. In order to further ensure any visual impact of the structure is limited, the applicant has agreed to work with the City of Albany in determining a final schedule of colours appropriate for the structure, likely a dull grey or white colour. This is recommended to be applied as a condition of development approval.

Vehicle Movement

45. The applicant has indicated that the installation of the storage silo will not result in an increase in production capacity of the plant.
46. To receive a load of concrete, agitator trucks enter the site from John Street to the north, then drive through to the rear of the site to access the silo/s. Once the load is received, agitator trucks then follow a one-way internal access way to the east and then proceed to exit on John Street.
47. The new silo is proposed to be located to the west of the existing silo adjacent to the internal access way. Given LPS1 requires a minimum 5m paved and/or sealed access way to be provided, a condition is recommended requiring a 5m access way be maintained following the installation of the proposed additional silo and implementation of the associated works. It is considered this condition would best be applied as a 'mark-up' in red on the site plan.

**GOVERNMENT & PUBLIC CONSULTATION**

48. Agency responses, concerns raised during advertising, staff comment and the applicant's justification for the proposal are summarised and discussed above.

Public

49. The application was advertised to all landowners within a 300m radius of the development site for a period of 23 days via direct mail out. A public briefing note was also placed on the City of Albany website for the same time period.

Type of Engagement	Method of Engagement	Engagement Dates	Participation (Number)	Statutory Consultation
Consult	Mail Out	17/11/2021 to 10/12/2021	5 submissions received	No
Consult	Public Comment – City website	17/11/2021 to 10/12/2021		No

50. The proposal was advertised, due to potential the substantial height of the structure proposed, and potential concerns regarding detrimental visual impact on the locality. The proposal otherwise complied with the provisions of LPS1.
51. Through this process a total of five (5) responses were received, three in support or having no objection, one in conditional support and one objection.

Government

52. The site is located within a Bushfire Prone Area, however as the applicant has provided information confirming the stored SCM's are not considered flammable, referral to the Department of Fire and Emergency Services as a high risk land use was not required in this instance.
53. The application was also referred to DWER for a period of 42 days as per statutory requirements. Comments received by DWER are outlined in further detail above.

**STATUTORY IMPLICATIONS**

54. Voting requirements for this item is **SIMPLE MAJORITY**

**POLICY IMPLICATIONS**

*Legislation and policy*

55. Relevant legislation applicable to the application includes:

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Environmental Protection Act 1986*
- *Environmental Protection (Noise) Regulations 1997*
- *Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998*

56. Relevant state government policies and guidelines to the application include:

- *State Planning Policy 3.7 – Planning in Bushfire Prone Areas*
- *Environmental Protection Authority Guidance for the Assessment of Environmental Factors Western Australia No. 3, Separation Distances between Industrial and Sensitive Land Uses 2005*

57. The proposed silo is subject to a BAL rating of BAL-Low. Therefore, there is insufficient risk to warrant any specific planning requirements. The proposal is therefore consistent with *State Planning Policy 3.7 Planning in Bushfire Prone Areas*.

**RISK IDENTIFICATION & MITIGATION**

58. The risk identification and categorisation relies on the City’s Enterprise Risk and Opportunity Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Community</b> <i>The approval may result in unacceptable visual impact to area.</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>The application was assessed against the relevant statutory framework.</i>  <i>Mitigation of impacts to be achieved through adoption and enforcement of conditions.</i>
<b>Reputational</b> <i>The approval may result in unacceptable environmental impacts to nearby landowners.</i>	<i>Possible</i>	<i>Insignificant</i>	<i>Low</i>	<i>Department of Water and Environmental Regulation issues a works approval in respect of these types of facilities.</i>  <i>The applicant is responsible for obtaining and ensuring compliance with the requirements.</i>  <i>Ongoing monitoring and compliance is the responsibility of DWER.</i>
<b>Opportunity:</b> <i>Responds to the need to facilitate growth and sustainability of the construction industry to benefit the local economy.</i>				

### FINANCIAL IMPLICATIONS

59. All costs associated with the development will be borne by the proponent.
60. However, should the proponents be aggrieved by Council's decision and seek a review through the State Administrative Tribunal, the City could be liable for costs associated with defending the decision at a State Administrative Tribunal hearing.

### LEGAL IMPLICATIONS

61. Council is at liberty to use its discretion to approve or refuse the proposal. An applicant aggrieved by a decision or condition may apply for a review to the State Administrative Tribunal, in accordance with Section 252 of the *Planning and Development Act 2005*.
62. The proponent has the right to seek a review of the Council's decision, including any conditions attached to an approval. The City of Albany may be required to defend the decision at a State Administrative Tribunal hearing.

### ENVIRONMENTAL CONSIDERATIONS

63. Management of the generation of noise and/or dust emissions from the proposed additional silo is dealt with under with the *Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998* and associated legislation. The applicant is responsible for obtaining and ensuring compliance with the requirements of all relevant licences and approvals. Ongoing monitoring and compliance is the responsibility of DWER.

### ALTERNATE OPTIONS

64. Council has the following alternate options in relation to this item, which are:
- a) To resolve to refuse the proposal subject to reasons; or
  - b) To alter, amend, remove or add conditions to the approval to address potential impacts from the development.

### CONCLUSION

65. The proposal has been assessed against the provisions for the site contained under LPS1.
66. The Visual Impact Assessment indicates the visual impact of the structure to be minor, with views of structure predominately limited to the industrial precinct bound by John Street, Chester Pass Road and Newbey Street. Conditions are recommended to be applied regarding materials and finishes of the structure, to minimise impacts on visual amenity.
67. It is therefore recommended that Council approve the application for the proposed storage silo at 100 John Street, Milpara, subject to compliance with relevant conditions.

<b>Consulted References</b>	:	1. Local Planning Scheme No.1 2. City of Albany Building Facades in Industrial Areas Policy 3. State Planning Policy 3.7 – Planning in Bushfire Prone Areas. 4. Environmental Protection Authority: Separation Distances between Industrial and Sensitive Land Uses
<b>File Number (Name of Ward)</b>	:	A15845 (West Ward)
<b>Previous Reference</b>	:	Nil

**11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN Nil**

**12. MEETING CLOSED TO THE PUBLIC 8.20pm**

**13. CLOSURE**

There being no further business the Chair declared the meeting closed at **8.20pm.**

(Unconfirmed Minutes)

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Councillor Chris Thomson  
**CHAIR**



# ~ BEVANS ~

2 March 2022

**AQIS**

AUSTRALIAN QUARANTINE  
AND INSPECTION SERVICE

Reg. No 2747



Reg. No 1527



Seafood  
Processor  
Exporter

Pilchards

Sardines

Salmon

Herring

Tuna

Broadbill

Swordfish

Marron

Yabbies

Ice

Bait

City of Albany  
Planning Division  
PO Box 484  
ALBANY  
WA 6330

ATT: Dylan Ashboth  
Email: [councilliaison@albany.wa.gov.au](mailto:councilliaison@albany.wa.gov.au)  
Your Ref: A15845 / LT22255357

Dear Sir

**INVITATION TO COMMITTEE & COUNCIL MEETING, MARCH 2022  
DIS 296: INDUSTRY – GENERAL (CONCRETE BATCHING PLANT – ADDITIONAL  
STORAGE SILO & ASSOCIATED WORKS) – 100 (LOT 21) JOHN STREET, MILPARA**

Thank you for your letter dated the 1<sup>st</sup> of March outlining the scheduled meeting on March 22<sup>nd</sup>.

Please accept our written submission as we will not be able to attend this meeting.

We have no issue with a silo/s being constructed but do once again want to raise our concerns for the amount of dust we have to deal with on an ongoing basis. This problem does not seem to be addressed and we would strongly ask that immediate action be taken to eradicate this problem or even just too substantially reduce the amount of dust.

The dust is affecting our production process from sorting, filleting and packing of products not to mention the dust that constantly blows into our retail shop from next door. Customers have complained to us on numerous occasions when entering the retail shop as they had to deal with the amount of dust swirling around the site when entering.

We trust that our concerns will be taken seriously and that some action will be taken to substantially reduce or eliminate the dust.

Yours faithfully

  
Garry Bevan  
Director

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