



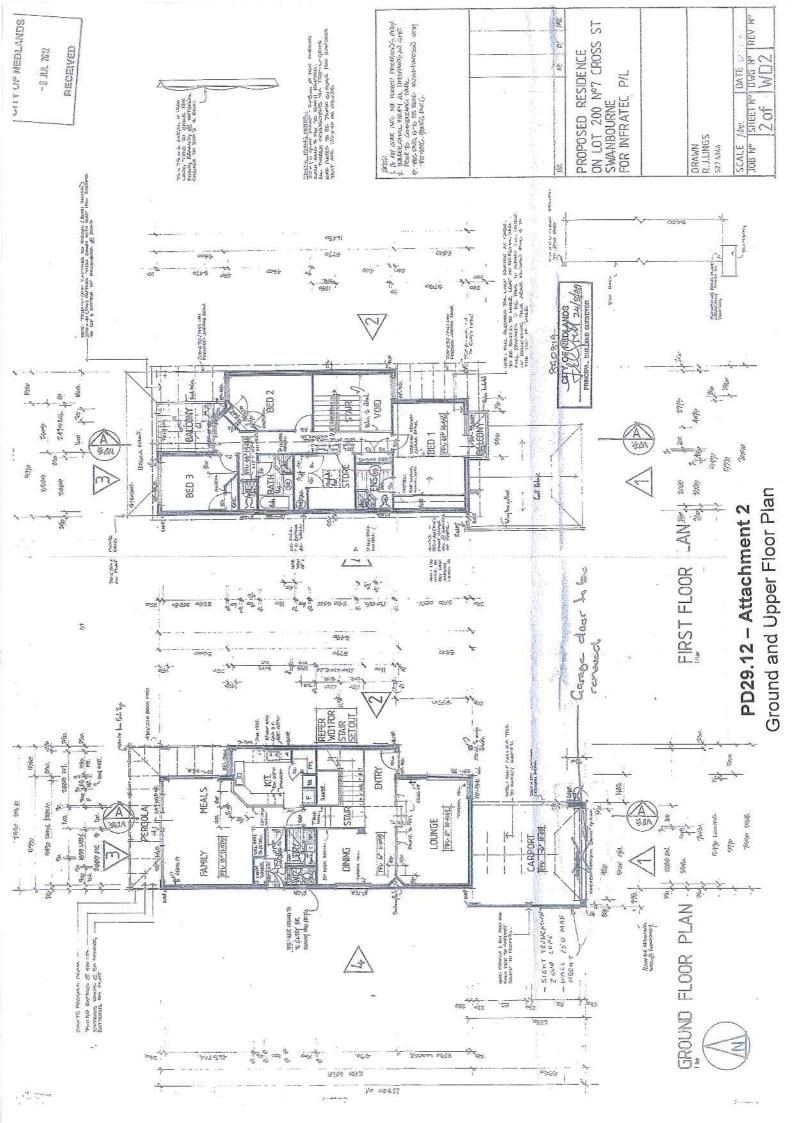
Tuesday, 7 August 2012

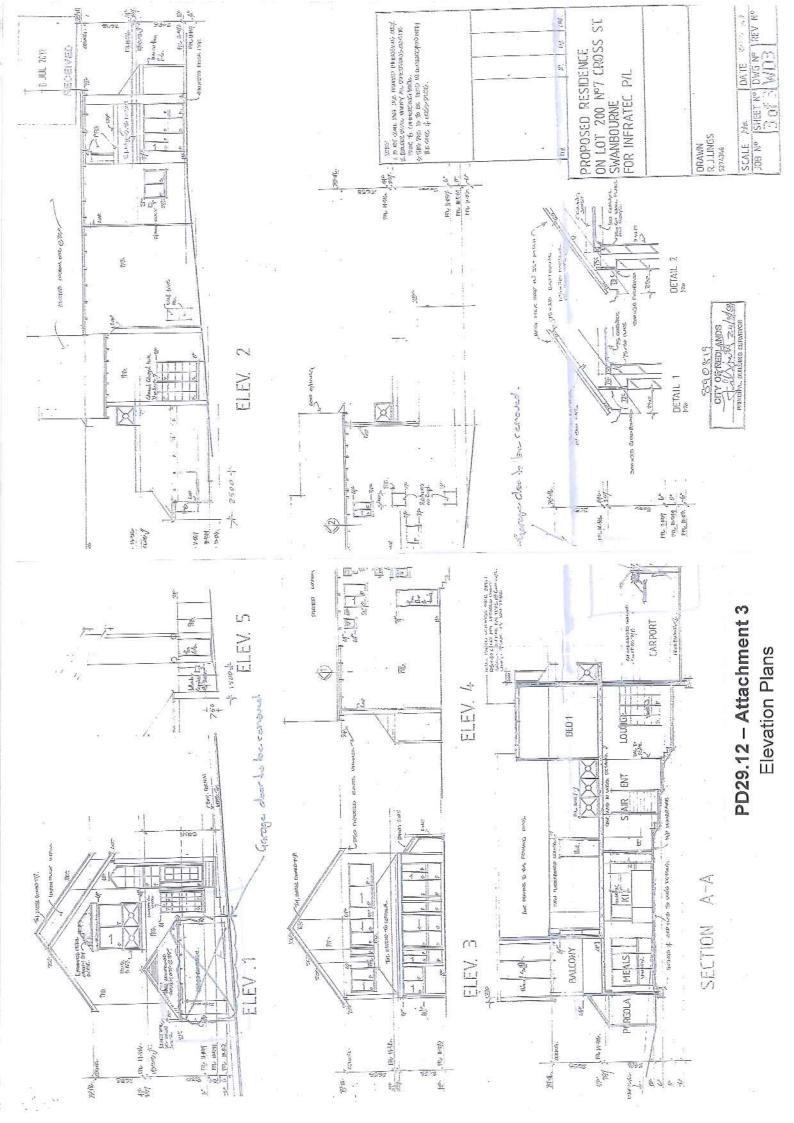
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Tuesday, 7 August 2012

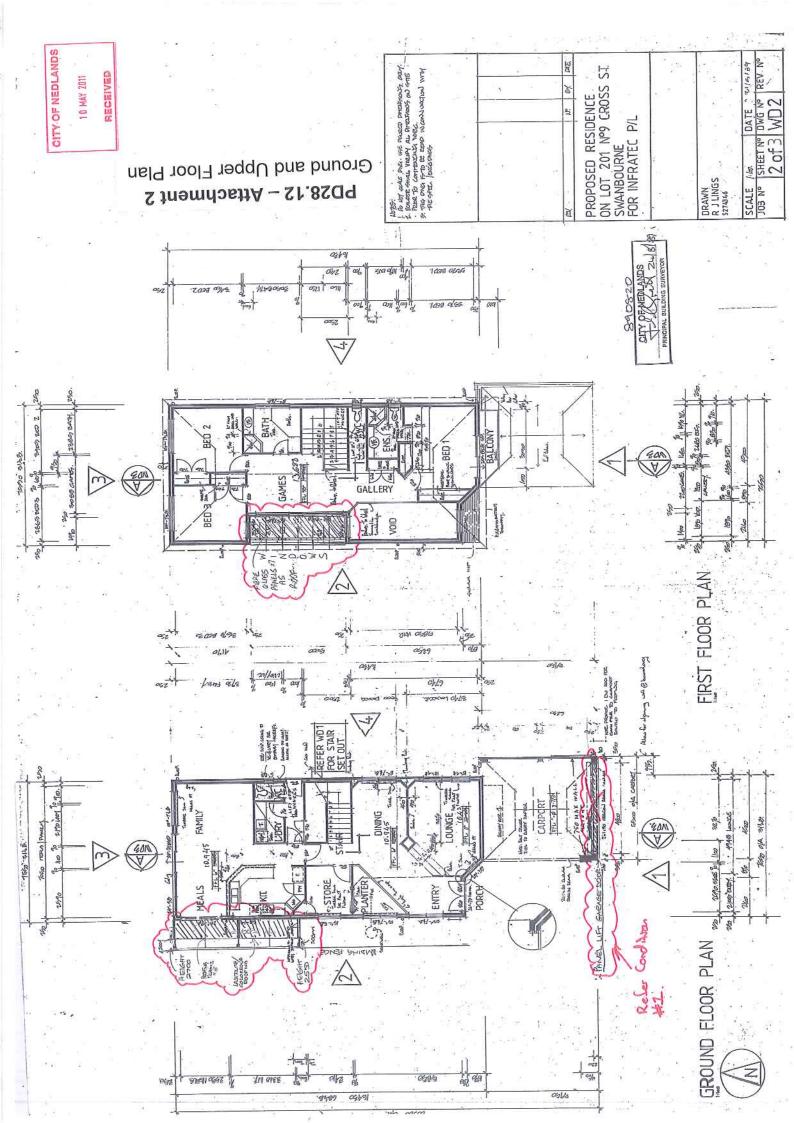
PD29.12 - Attachment 1 Locality Plan

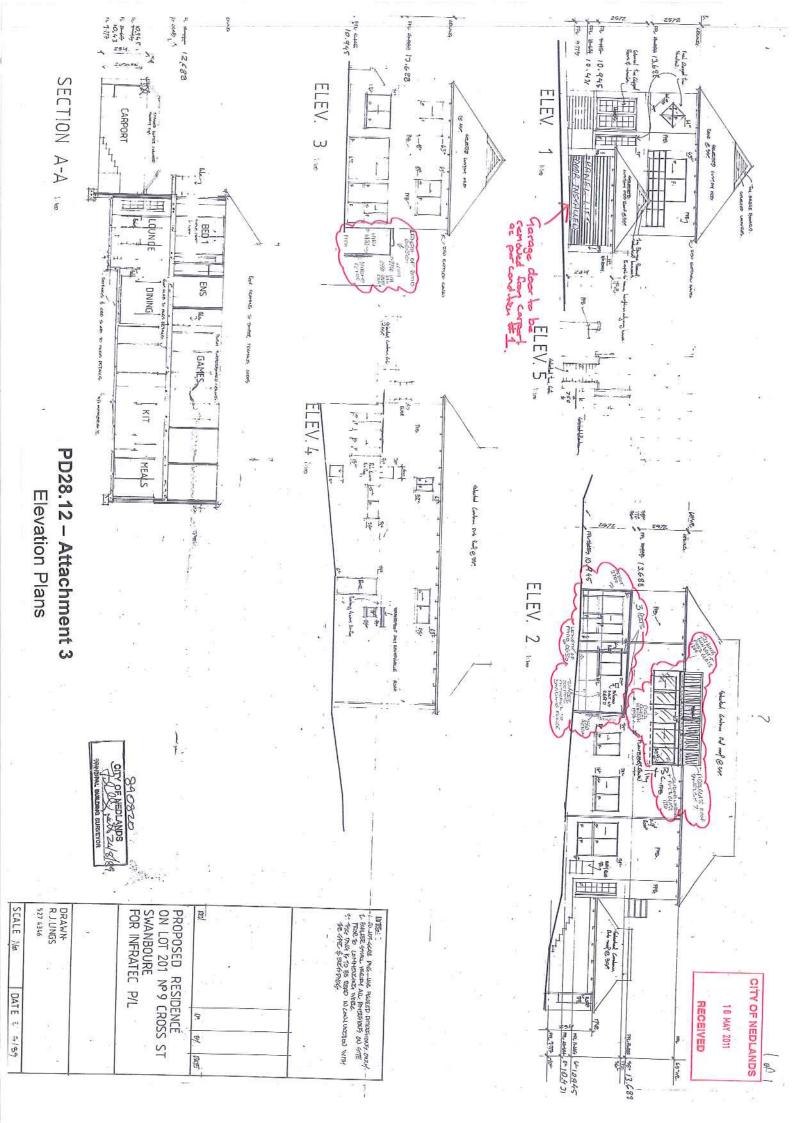
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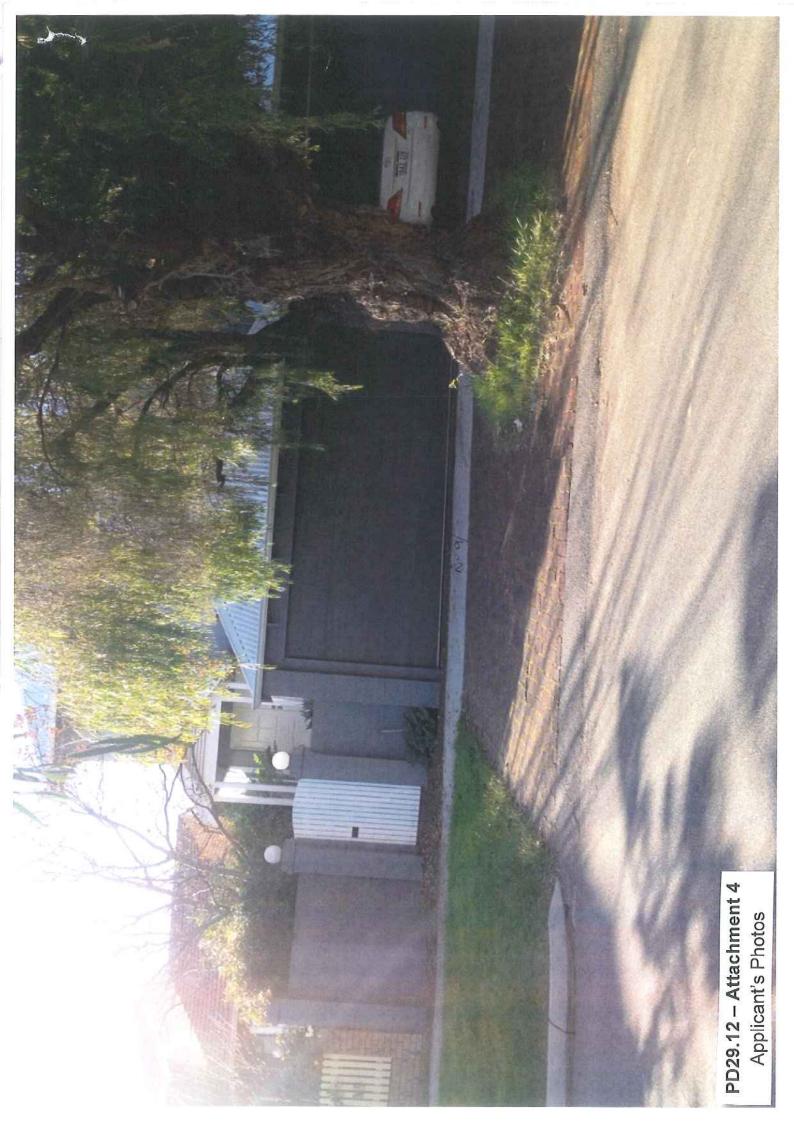
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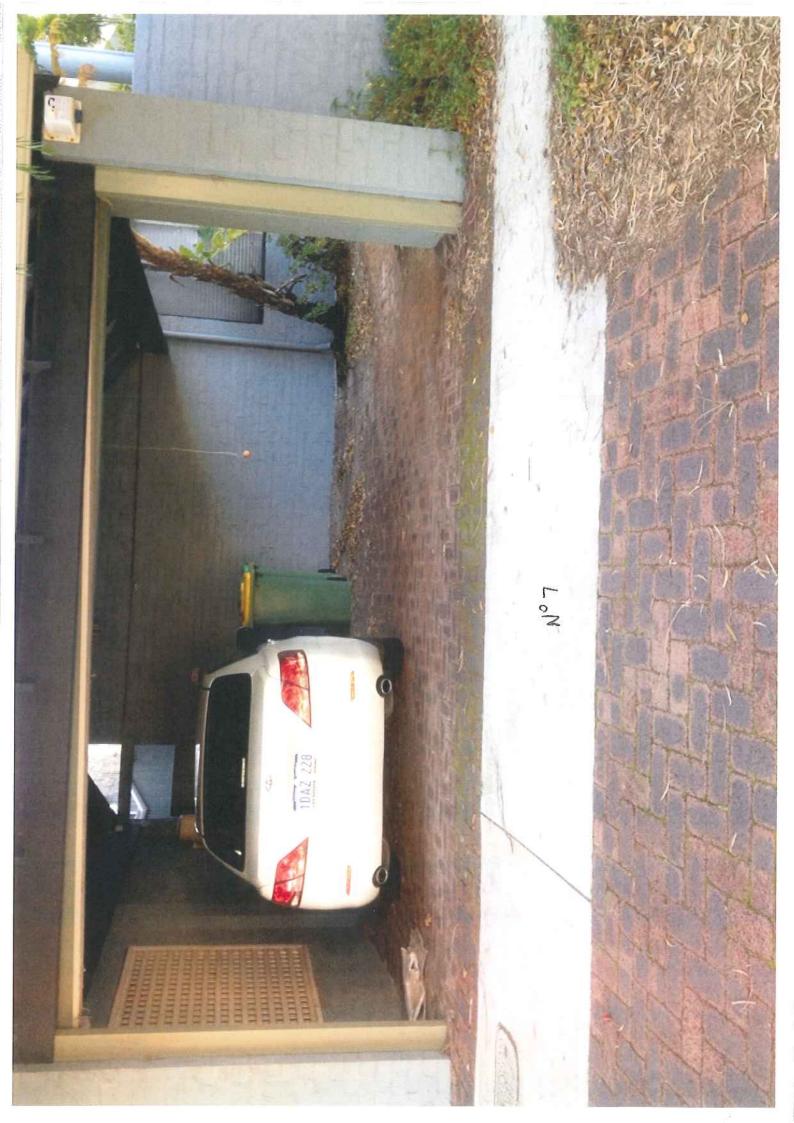
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1:500

City of Nedlands



1. Photo above, showing enclosure to the front (south) of the carport, when viewed from street



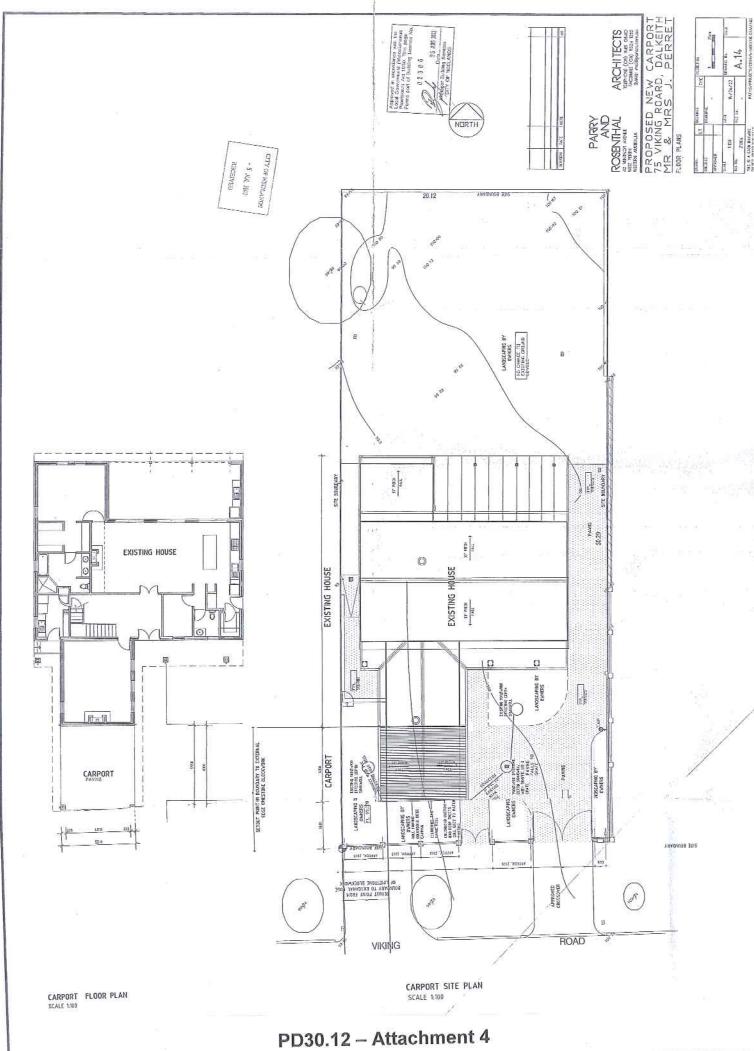
2. Photo above, showing solid limestone wall and lattice enclosing the front (south) of the carport



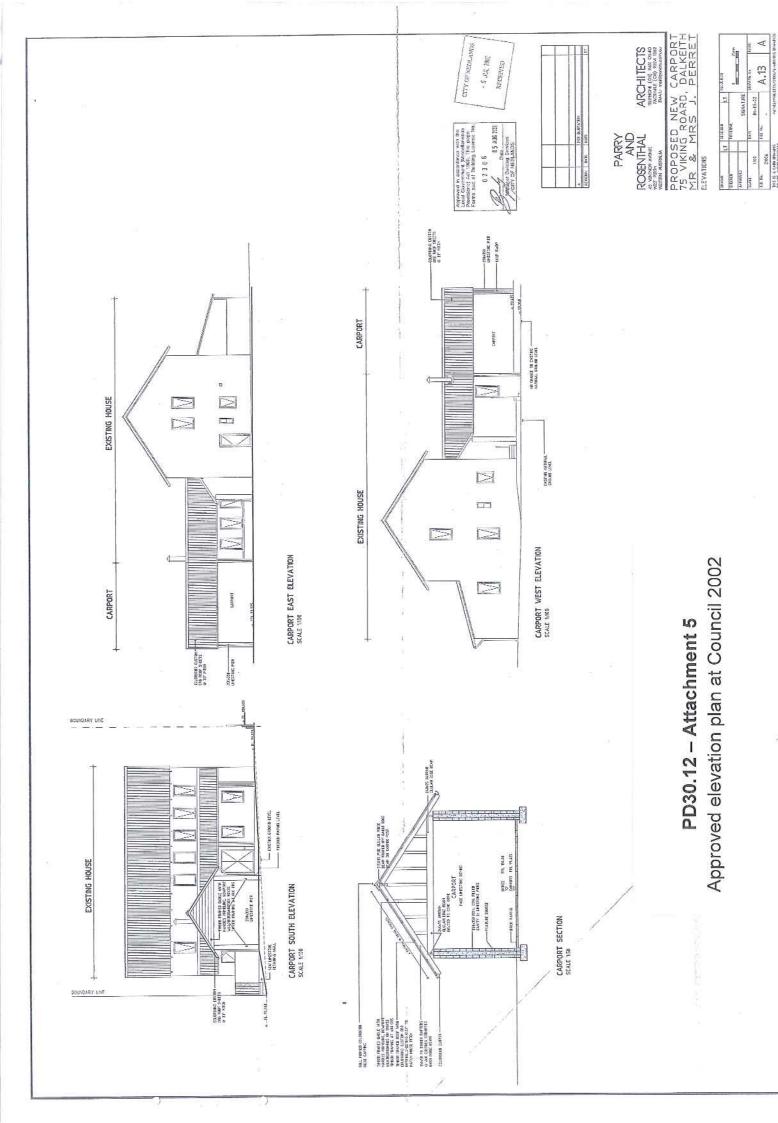
3. Photo above, showing enclosure to the side (west) of the carport

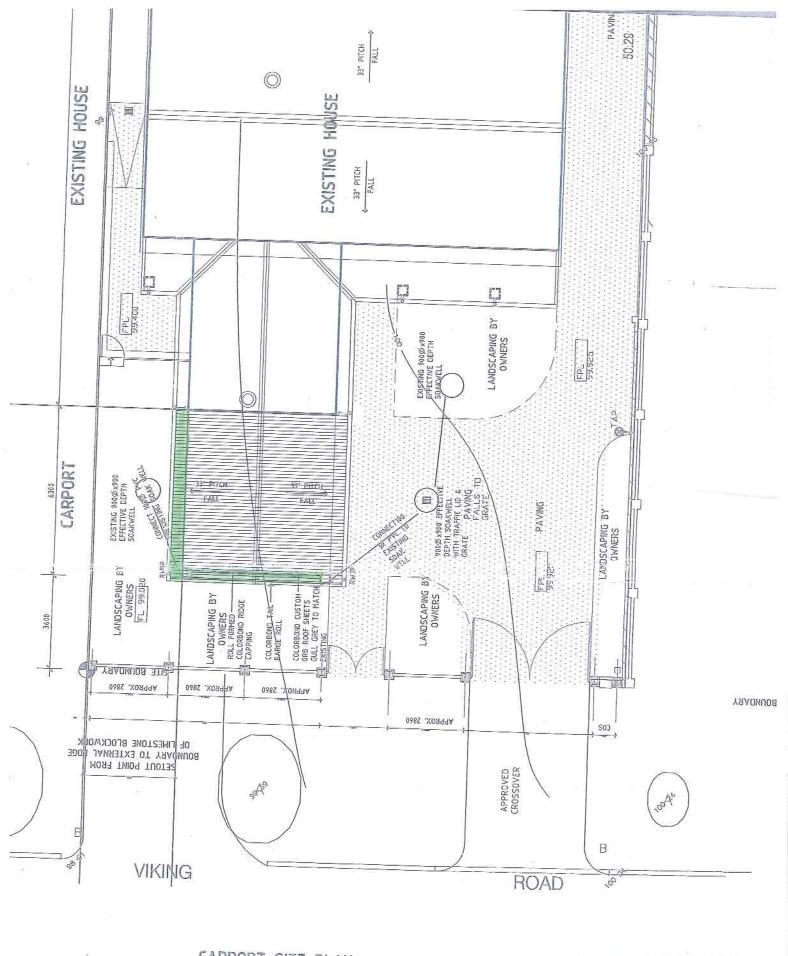


4. Photo above, showing enclosure to the front (south) and side (west) of the carport



PD30.12 – Attachment 4
Approved site plan at Council 2002



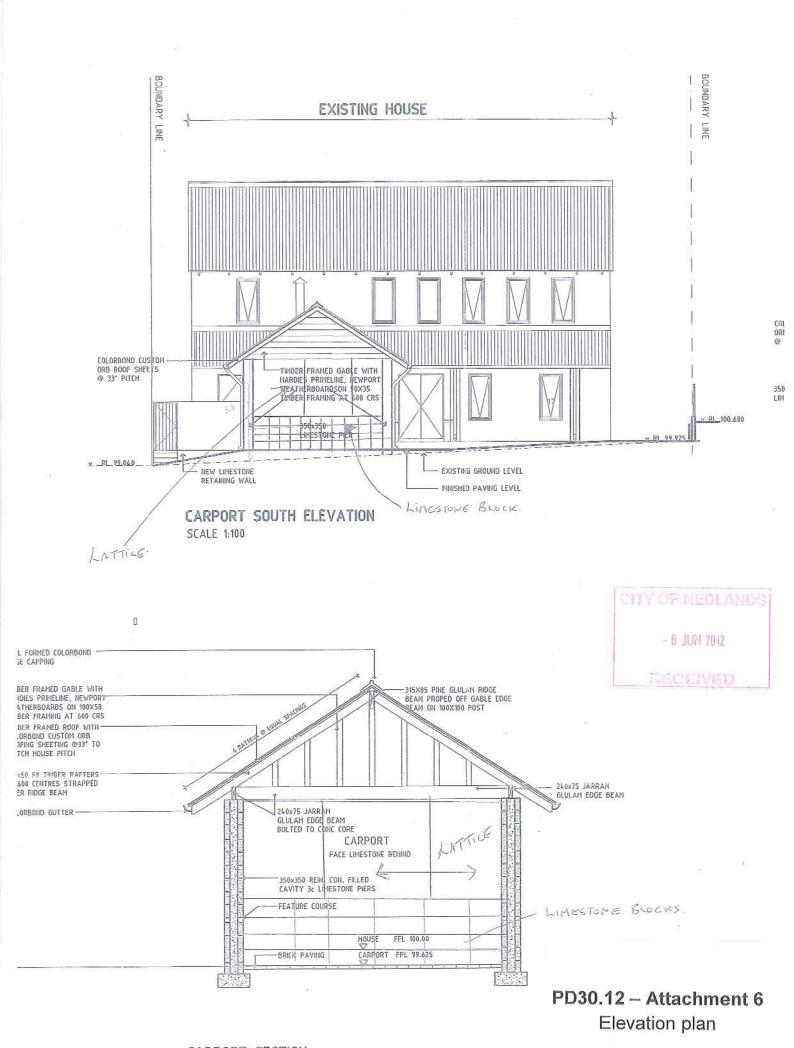


CARPORT SITE PLAN SCALE 1:100

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PD30.12 – Attachment 6 Site Plan

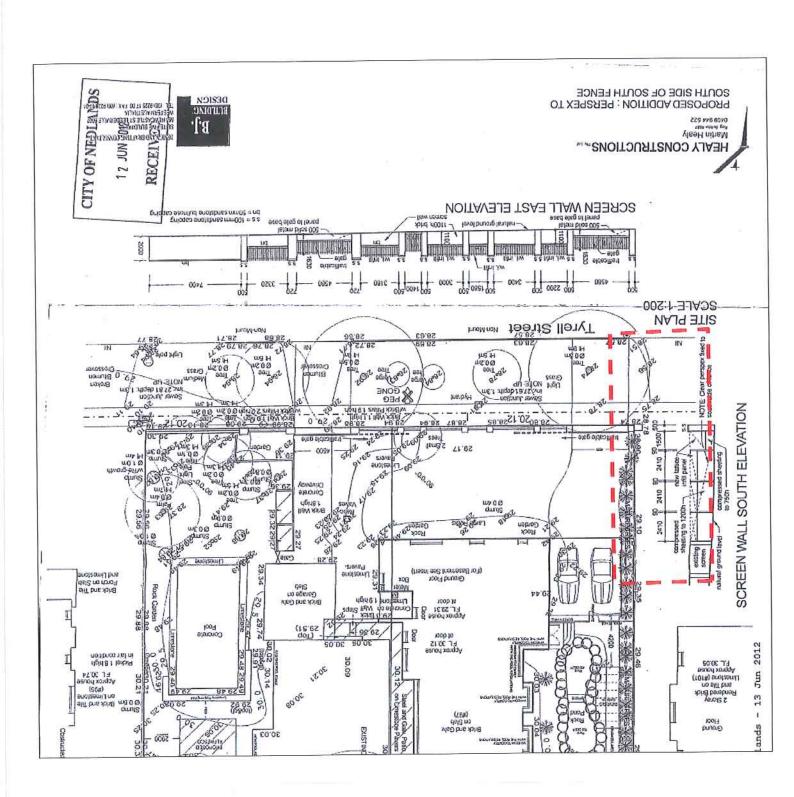




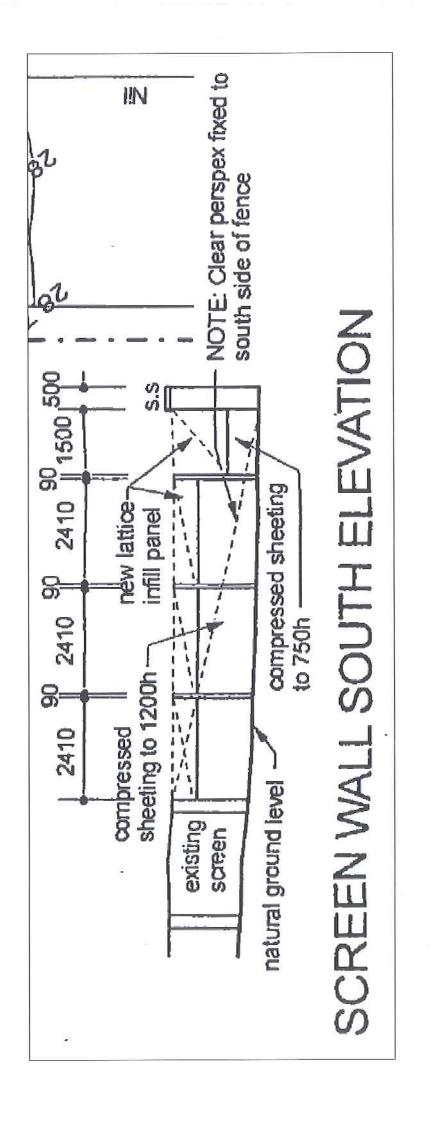
Date	Event	PD31.12 - Attachment
	2007	Background
November	The City approves a D.A. masonry front-fence.	
	2010	
June	A complaint is received from the neighbour regarding fence. The City instructs the builder to carry-out works is later received relating to the rectification works not be	to rectify the matter. A complaint
	A further complaint is received regarding the cutting of resulting in exposed brickwork, however construction is	
	The City instructs the builder to either reduce the heigh over-height fence agreement from the neighbour. The bapplication without an over-height fence agreement.	
August	The applicant completes the works and cancels the app	olication.
	2011	
February	Counter-complaint received by the landowner of the neighbour drilling holes through the fence and affixing of	
March	The City formally instructs the neighbour to remove the fence and repair damage (drill holes). The neighbour d not carry-out the work.	
	Complaint made about the side fence not being visu time the sightlines comply.	ally permeable, however at the
Мау	The carport is detached from the fence and damage to	fence repaired.
December	Complaints received about Perspex now been fitted to sightlines for drivers, being a safety issue.	the side fence, restricting visual
	2012	
January	The City identifies illegal development carried-out on th	e side <i>and</i> front fence.
February	The City advises the builder and landowner of the site of planning and safety issues then instructs that remedial works to be carried out, or lodge a retrospective application.	
March	The landowner engages the services of the applicar declines to take either option.	nt (a planning consultant), who
April	The landowner is served with a Directions Notice (under the <i>Planning and Developmen Act 2005</i>) and a Notice of Breach (under the <i>Local Government Act 1995</i>) for illegated development.	
May	The applicant lodged two appeals (one for each fence) to the State Administrative Tribunal (SAT). At the Directions Hearing, it was apparent to the Tribunal Member that mediation would not be suitable, and suggests the lodgement of a retrospective application.	
June	The applicant lodges two retrospective applications, one for the front (eastern) fence and one for the side (southern) fence which is the subject of this report.	
July	The second application for the front fence is conditionally approved under delegated authority. The conditions require the fence to be rectified to comply with the RCodes and Local Laws.	



PD31.12 – Attachment 2 Location plan (aerial)



PD31.12 – Attachment 3 Site plan & elevation





Side Dividing Fence between Nos. 97-101 Tyrell Street, Nedlands



Visually Impermeable (frost)

PD31.12 – Attachment 4
Photographs of site and surrounds



Visually Impermeable (frost)



Visually Impermeable (glare)



Visually Impermeable (glare)



Visually Impermeable (glare)



Neighbour's Reflective Driveway Material (limestone)



Risk from being Visually Impermeable (pedestrians)



Unfinished Surface (partially painted & clad with plastic)



Unfinished Surface (bare maxi-bricks on the neighbour's side)

Subiaco Wastewater Treatment Plant Odour Buffer Local Planning Policy

KFA

KFA 3 - Built Environment

Status

Council

Responsible

Planning & Development Services

Division

Planning Services

Objective

The objectives of this policy are:

- To protect the Subiaco Wastewater Treatment Plant from encroachment by those land uses that would be sensitive to its impacts;
- To promote compatible land uses within the buffer area that are unlikely to be affected by the off-site impacts associated with the Subiaco Wastewater Treatment Plant; and
- To allow other land uses within the buffer area in a way that maximises amenity, minimises environmental and health impacts and takes account of risk to nearby sensitive land uses.

1. Context

1.1 Background

- a. The Subiaco Wastewater Treatment Plant operates on Lemnos Road in Shenton Park, Nedlands. To address the issues of odour nuisance (as well as safety and amenity issues) a buffer zone was identified to protect:
 - i. the plant from the encroachment of inappropriate land uses; and
 - ii. residents from the risks of living close to a treatment plant.
- b. This policy provides a consistent approach for Council to:
 - assess the suitability of land uses proposed as part of outline development plans; and
 - provide recommendations to the Western Australian Planning Commission related to development applications.
- Ultimately, this policy will provide for the safety and amenity of surrounding land uses.

PD32.12 - Attachment 1

1.2 Planning framework

a. This policy represents a Local Planning Policy prepared and adopted according to the requirements as stipulated in the City of Nedlands Town Planning Scheme No. 2.

1.3 Application of the policy

- a. This policy applies to land within the Subiaco Wastewater Treatment Plant Odour Buffer area (refer to Figure 1).
- b. It will be applied to assist Council in:
 - determining acceptable land uses within the odour buffer area when assessing draft outline development plans; and
 - ii. providing its recommendations to the Western Australian Planning Commission for development applications on land reserved 'Public Purpose' under the Metropolitan Region Scheme.

1.4 Approvals

- a. The odour buffer area encompasses land:
 - i. reserved as 'Public Purpose' under the Metropolitan Region Scheme; and
 - ii. zoned as 'Development', 'Recreation' or 'Light industrial' under the City's Town Planning Scheme No. 2.
- The classification of the land (reserved under the Metropolitan Region Scheme or zoned under Town Planning Scheme No. 2) determines the responsible authority for issuing approvals.

1.5 Policy area

a. The policy area is shown in Figure 1.

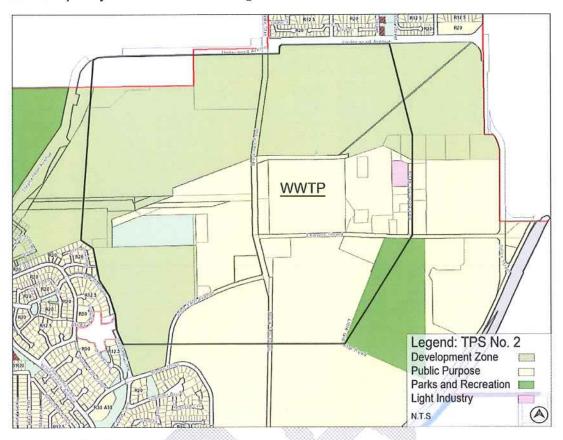


Figure 1: Policy Area

1.6 How to use this policy

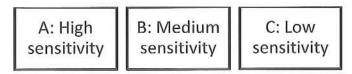
a. This policy includes the following:



Each of these is explained below.

1.6.1 Use sensitivity categories

a. This policy identifies three use sensitivity categories:



- b. In determining the sensitivity of uses the intent of a buffer zone is to protect the treatment plant from the encroachment of inappropriate land uses and also protects residents from the risks of living close to a treatment plant.
- c. Each use sensitivity type is introduced in the table below.

ID	Category	Description	
A	High sensitivity	In general, the use of land that is in close proximity to the plant such that issues of odour, noise, visual impact and safety are maximised.	
В	Medium sensitivity	In general, the use of land that is close enough to the plant such that issues of odour, noise and safety are questioned.	
С	Low sensitivity	In general, the use of a land that is located away from the plant such that issues of odour, noise; visual impact and safety are minimal.	

d. Each category is shown in Figure 2.



	Low sensitivity
	Medium sensitivity
THE RE	High sensitivity

Figure 2: Use Sensitivity Categories

1.6.2 Approval outcomes

a. The approval outcomes are listed and defined below:

Outcome	Definition
Permitted	A use that is supported by the City.
Discretionary	A use that is supported by the City, subject to meeting a sensitivity criterion and Council being satisfied that the application meets the outcomes of this policy.
Non- permitted	A use that is not supported by the City.

1.6.3 Sensitivity criteria

- a. This policy acknowledges that in certain circumstances some uses can be permitted, subject to the sensitivity of the specific use being reduced.
- b. The intent of a sensitivity criterion is to ensure that issues of odour, noise, visual impact and safety associated with the treatment plant are reduced to the extent that the proposed use is more compatible with the treatment plant.
- c. These criteria are explained in Table 1 below.

Issue	Explanation	Mitigatio	on measures	required
		High sensitivity	Medium sensitivity	Low sensitivity
Odour nuisance	It is recognised that sewage processed at the plant is very odourous when it arrives at the plant and that this leads to emission of odours throughout the plant. The complaints record shows that annoying levels of odour consistently extend up to 1800m from the plant.	Yes	Yes	Yes
Flammable or dangerous liquids in the sewer	The plant is at the downstream end of all the sewers in the CBD and south-western Perth. There is the potential for accidental	Yes	TBD	No

	spills or illegal discharges of dangerous liquids.			
Dangerous chemicals being stored at the plant	The plant uses, with full authorisation and safety precautions, a range of chemicals which are classed as hazardous materials to achieve the desired removal and processing of nutrients, wastes and sludge.	Yes	TBD	No
Consequences of a chlorine leak	Chlorine is a dense gas which is used to disinfect reclaimed water so it can be transported to reuse sites without regrowth of bacteria. In the event of a leak, the chlorine plume could be potentially injurious to health.	Yes	TBD	No
Visual impact	A sewage treatment plant has a large area for tanks, storages, processing facilities and stockpile that should not form part of the visual outlook of a residential or commercial zone.	Yes	TBD	No
Noise	A large sewage treatment plant uses a range of large pumps, blowers and other mechanical equipment to treat sewage and manufacture products for reuse.	Yes	Yes	No

Note:

- Where a mitigation measure is required, they are to be included as part of an application.
- TBD = To be determined. Upon consultation with the City and any other advice from a relevant authority a requirement for a mitigation measure will be determined.

1.6.4 Definitions

a. Any word or expression and land use in this policy has the same meaning as is given to it in the City of Nedlands Town Planning Scheme No. 2 as amended

2. Statement

2.1 Objectives

- a. The objectives of this policy are:
 - To protect the Subiaco Wastewater Treatment Plant from encroachment by those land uses that would be sensitive to its impacts.
 - ii. To promote compatible land uses within the buffer area that are unlikely to be affected by the off-site impacts associated with the Subiaco Wastewater Treatment Plant.
 - iii. To allow other land uses within the buffer area in a way that maximises amenity, minimises environmental and health impacts and takes account of risk to nearby sensitive land uses.

2.2 Outcomes

- a. The outcomes of this policy are that:
 - The right land uses are permitted in the right location.
 - Conflict between the Subiaco Wastewater Treatment Plan and sensitive land uses is avoided.
 - iii. Consistent decision-making for land within the odour buffer area.

2.3 Guiding principles

- a. The outcomes are achieved by satisfying the following guiding principles:
 - The proximity to the emission source and estimated level of impact and/or risk on the use or development.
 - The sensitivity of the proposed use or development to odour, noise, visual impact and risk issues resulting from the Subiaco Wastewater Treatment Plant.

- iii. Advice received from the Environmental Protection Agency, Department Environment and Conservation, and any other relevant agencies.
- b. The proponent should provide sufficient information with their proposal to address these matters, in addition to those contained in section 5.3 where applicable, so as to assist the decision maker in its assessment and consideration of the proposal.

2.4 Assessing uses within the high sensitivity category

a. Land uses contained within high sensitivity category are assessed according to the requirements included in this section.

2.4.1 Maps

- a. This information sheet is to be read with the following:
 - i. Figure 1: Policy Area
 - ii. Figure 2: Use Sensitivity Categories

2.4.2 Current uses

 a. Current uses on the ground are supported. Future applications that involve a change of use will be subject to this policy.

2.4.3 Permitted uses

a. The following uses are permitted uses:

Construction Yard	Funeral Parlour	Horticultural Pursuit	Kennels
Nursery	Public Utility	Recreation - Public	Recreation - Private
Salvage Yard	Transport Depot	Veterinary Hospital	Veterinary Consulting Hospital

2.4.4

2.4.5 Discretionary uses

a. Subject to meeting the objectives and outcomes of this policy and the application being able to satisfy the sensitivity criteria, the following uses are supported:

Boat Sales Yard	Caretakers Dwelling	Car Park	Car Sales Yard
Car Wash Station	Caravan or Trailer Yard	Civic Building	Club Premises
Fuel Depot	Hire Service	Industrial – General	Industrial – Light
Industrial – Service	Motor Vehicle Assembly	Office – General	Office – Professional
Office – Service	Service Station	Vehicle wrecking	Warehouse
Woodyard			

- b. Discretionary uses shall only be approved subject to the proposal including mitigation measures to satisfy the following issues:
 - i. Odour nuisance
 - ii. Flammable or dangerous liquids in the sewer
 - iii. Dangerous chemicals being stored at the plant
 - iv. Consequences of a chlorine leak
 - v. Visual impact
 - vi. Noise

Note: Each issue is explained under 1.6.3 of this policy.

2.4.6 Non-permitted uses

All other uses in shown in Use Class Table of Town Planning Scheme 2 are not permitted.

2.5 Assessing uses within the medium sensitivity category

a. Land uses contained within the medium sensitivity category are assessed according to the requirements included in this section.

2.5.1 Maps

- a. This information sheet is to be read with the following:
 - i. Figure 1: Policy Area
 - ii. Figure 2: Use Sensitivity Categories

2.5.2 Current uses

a. Current uses on the ground are supported. Future applications that involve a change of use will be subject to this policy.

2.5.3 Permitted uses

a. The following uses are supported:

	*	A0000 700	
Boat Sales Yard	Car Park	Car Sales Yard	Car Wash Station
Caravan or Trailer Yard	Caretakers Dwelling	Civic Building	Club Premises
Construction Yard	Fuel Depot	Funeral Parlour	Hire Service
Horticultural Pursuit	Industrial – General	Industrial – Light	Industrial – Service
Kennels	Motor Vehicle Assembly	Nursery	Office – General
Office – Professional	Office – Service	Public Utility	Recreation - Private
Recreation - Public	Salvage Yard	Service Station	Transport Depot
Vehicle wrecking	Veterinary Hospital	Veterinary Consulting Hospital	Warehouse
Woodyard			

2.5.4 Discretionary uses

a. Subject to meeting the objectives and outcomes of this policy and the application being able to satisfy the sensitivity criteria, the following uses are supported:

Consulting	Consulting	Educational	Health Studio
Room	Rooms	Establishment	
Lunch Bar	Market	Medical Centre	

- b. Discretionary uses shall only be approved subject to the proposal including mitigation measures to satisfy the following issues:
 - i. Odour nuisance
 - ii. Noise
- c. Upon consultation with the City and any other advice from a relevant authority a requirement for a mitigation measure will be determined for the following issues:
 - i. Flammable or dangerous liquids in the sewer
 - ii. Dangerous chemicals being stored at the plant
 - iii. Consequences of a chlorine leak
 - iv. Visual impact

Note: Each issue is explained under 1.6.3 of this policy.

2.5.5 Non-permitted uses

 All other uses in shown in Use Class Table of Town Planning Scheme 2 are not permitted.

2.6 Assessing uses within the low sensitivity category

 Land uses contained within the medium sensitivity category are assessed according to the requirements included in this section.

2.6.1 Maps

- a. This information sheet is to be read with the following:
 - i. Figure 1: Policy Area
 - ii. Figure 2: Use Sensitivity Categories

2.6.2 Current uses

a. Current uses on the ground are supported. Future applications that involve a change of use will be subject to this policy.

2.6.3 Permitted uses

a. The following uses are supported:

Boat Sales Yard	Car Park	Car Sales Yard	Car Wash Station
Caretakers Dwelling	Civic Building	Club Premises	Construction Yard
Consulting Room	Consulting Rooms	Educational Establishment	Fuel Depot
Funeral Parlour	Health Studio	Hire Service	Horticultural Pursuit
Industrial – General	Industrial – Light	Industrial – Service	Kennels
Lunch Bar	Market	Medical Centre	Motor Vehicle Assembly
Nursery	Office – General	Office – Professional	Office – Service
Public Utility	Recreation - Private	Recreation - Public	Salvage Yard
Service Station	Transport Depot	Vehicle wrecking	Veterinary Consulting Hospital
Veterinary Hospital	Warehouse	Woodyard	

2.6.3 Discretionary uses

a. Subject to meeting the objectives and outcomes of this policy and the application being able to satisfy the sensitivity criteria, the following uses are supported:

Amusement Parlour	Auction Mart	Betting Shop	Boarding House
Child Day Care Centre	Hospital	Hotel	Public Worship
Showroom	Trade Display		

- b. Those uses that are categorised as 'discretionary' can only be approved subject to the proposal including mitigation measures to satisfy the following issues:
 - i. Odour nuisance

Note: Each issue is explained under 1.6.3 of this policy.

2.6.5 Non-permitted uses

 All other uses in shown in Use Class Table of Town Planning Scheme 2 are not permitted.

Related documentation

Nil

Related Local Law/legislation

- Planning and Development Act 2005
- Town Planning Scheme No.2
- Draft Town Planning Scheme No.3

Related delegation

Nil

Issued

Date approved by Council

Amendments

Dates amendments approved by Council

FINDINGS OF 2011 STAKEHOLDER WORKSHOP

Proposed Wastewater Treatment Plant Local Planning Policy Workshop

March 2011, Mt Claremont Community Centre

Record of Findings

1. BACKGROUND

The workshop was divided into two parts: an introductory presentation; and group work.

Introductory presentation

The PowerPoint presentation was given by Director Development Services, Carlie Eldridge and covered the following topics.

- Introduction
- Historical Overview
- Current Odour Buffer Area
- Purpose of the buffer zone
- Current situation: Land uses within Odour Buffer Area
- · Current situation: Zoning
- Why do we need a policy?

Group work

The attendees were divided into two groups with an officer from the City of Nedlands at each table acting as facilitator.

Each group was asked to consider and answer the following questions:

- Question 1: What do you value most about the area and what would you like to retain?
- Question 2: What do you see as the key issues for the overall area and separately, for the area affected by the odour buffer?
- Question 3: What is your vision for the overall area and separately, for the land you are a stakeholder to?
- Question 4: What would you like to see in broad terms, and more specifically, what would you like to see incorporated into a Local Planning Policy?

2. FINDINGS

Question 1: What do you value most about the area and what would you like to retain?

	Group 1	Group 2
Value	A/3 office use Florence House	 Diversity of the neighbourhood Strategic nature of co-locating sporting assets Diversity of sporting activities Athletics Hockey Retention of bushland – green belt Location, location, location Close to CBD Between river and coast Parklands Close to Claremont and Floreat Close to Shenton College Challenge Stadium Hidden treasure Entertainment hub Vibrancy Social community
Retain	Current uses Peaceful tranquil environment Open space	 Optimise the use of the space Coexist and get along. Potential to cooperate. Still a bush feeling. Not enclosed. Drive past and see horses – niche facility. Range of people – mixed demographics No real trouble spots Farmers market at local school Barracks act as a buffer Railway line as an opportunity Iconic place – not bland World class facilities Potential for Old Swanbourne Hospital Potential for sunrise industries (economic development)

Question 2: What do you see as the key issues for the overall area and separately, for the area affected by the odour buffer?

	G	roup 1	Gr	oup 2
Key		Bedford Place	0	Lack of public transport
Issues		 Inadequate parking on 	0	Traffic and parking management
	0	road - should be one		 road network pressure
		way	0	Perception that it is the backdoor
	0	Footpaths is only ¾	1.5	to CoN (second rate)
	•	Odour not seen to be an issue	0	Access to water (maybe mainly
		except (see point 5)		John XXIII issue)
	0	Area difficult to develop due to O Zoning		 Water efficiency Problem with connectivity
		o Environmental		o Old tip site not
		constraints		remediated –
		 Black Cockatoo 		preventing UWA from
		Odour may require special		fixing its land
		requirements		 Passing through other land
			0	Walking connection from John XXIII College to Challenge
				Stadium.
			•	Undeveloped land is a blight
				\$\$\$ of remediating land in context of undevelopable nature of land
				What happens along Lemnos Street? – limit commercial
			0	Zoning lacking in clarity/impedes use of land
				Negative perception
			0	Storage of dangerous chemicals
Odour				Management of odour buffer
Buffer			0	Fear
			0	Negative perception
		*	0	Obstructs planning/uncertainty
			•	\$\$\$\$ of legal affairs
			0	Communication
				lacking/Questions about transparency
			6	Attracts other odourous uses
				Chemical storage on site
			0	Changing goal posts
			0	Contradictions of buffer
			0	Non conforming nature

Question 3: What is your vision for the overall area and separately, for the land you are a stakeholder to?

	Group 1	Group 2
Overall area	 More uniform build form, good landscaping, better streetscape Research, Sport, Wider area, high performance, medical hub. Retain serenity of area Semi rural atmosphere close to City birds in native landscaping. 	 Remains and grows as an elite sporting precinct Demonstrates sustainability Home of sporting
Specific area	 Alzheimer's association want to sell land for light industry Day respite centre – determine what they want to do Cancer Add offices – 3/4 years 	management/sustainability. John XXIII College Refurbishments main focus Environmentally sustainable model Responsible use of water New facilities potential for
	time so as not to lease in east Perth. Possibly extend accommodation • WAIS Olympic training — Olympic sports Recovery centre, not just community use.	community use Aquatic pool Performing Arts Centre Like to be a part of the sporting precinct Area that attracts families and regenerates

 Training Centre atm Science Health related /right industrial activities - offices 	 Strong tertiary presence to integrate with Parking and transport (public) Transport Options – walking, cycling, public transport
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Question 4: What would you like to see in broad terms, and more specifically, what would you like to see incorporated into a Local Planning Policy?

Group 1	Group 2	
 To prevent nasty land use Area as a character area to be wider than the odour buffer. Not too prescriptive/not restrictive Distances from plant – different requirements Fire safety to prevent bushfire – building reg. Want to restrict to keep serenity of area. 	 No odour policy at all Current draft LPP contradicts vision for precinct. If there is to be a policy, needs to reflect existing uses Residential/Dormitory Key issues Statutory body management of precinct Some residual rights/role for LGA guidelines Clarify 'public purposes' MRS Connecting to knowledge arc – light rail to sporting precinct? Provide certainty – latest version 	