
TABLE OF CONTENTS

1	DECLARATION OF OPENING	3
2	ATTENDANCE.....	3
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	4
4	PUBLIC QUESTION TIME	4
5	APPLICATIONS FOR LEAVE OF ABSENCE.....	12
6	PETITIONS, DEPUTATIONS OR PRESENTATIONS	12
7	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING – AS CIRCULATED	12
8	ANNOUNCEMENTS BY THE CHAIR (WITHOUT DISCUSSION)	13
9	REPORTS OF COMMITTEES AND OFFICERS	14
9.1.	REPORTS OF THE CHIEF EXECUTIVE OFFICER	14
	CEO02 CONFIDENTIAL ITEM – PROPOSED CARAVAN PARK ON RESERVE 46860 – LEASE TO SKYBOW HOLDINGS PTY LTD.....	14
9.2.	REPORTS OF BUSINESS AND COMMUNITY SERVICES	15
9.3.	REPORTS OF CORPORATE SERVICES	16
	GF555 THEATRE 8 GERALDTON INC – LEASE RENEWAL	16
9.4.	REPORTS OF TECHNICAL SERVICES	18
	EIS411 GERALDTON FORESHORE REDEVELOPMENT AND CBD REVITALISATION PROJECT – CATHEDRAL PRECINCT PUBLIC ART (EXPRESSION OF INTEREST 19/0607) 18	
	EIS412 EMERGENCY MANAGEMENT ARRANGEMENTS – APPROVAL OF GENERAL PLAN 21	
9.5.	REPORTS OF THE DEVELOPMENT SERVICES	23
	DELEGATE APPROVALS	23
	PSD621 DIESEL LOCOMOTIVE T1804.....	24
	PSD622 PROPOSED DEMOLITION OF EXISTING BUILDING ON LOT 91 (No 18) FRANCIS STREET, GERALDTON.....	26
	PSD623 PROPOSED DEMOLITION OF EXISTING RESIDENCE ON LOT 90 (No 16) FRANCIS STREET, GERALDTON.....	31
	PSD624 PROPOSED DEMOLITION OF EXISTING RESIDENCE ON LOT 90 (No 14) FRANCIS STREET, GERALDTON.....	36
	PSD625 PROPOSED DEMOLITION OF TWO EXISTING RESIDENCES ON LOT 308 (No 8 & 8A) JOSE STREET, GERALDTON.....	41
	PSD626 PROPOSED DEMOLITION OF EXISTING RESIDENCE ON LOT 1 (No 87) FITZGERALD STREET, GERALDTON.....	45
	PSD627 PROPOSED DEMOLITION OF EXISTING RESIDENCE ON LOT 2 (No 152) AUGUSTUS STREET, GERALDTON.....	50
	PSD628 PROPOSED TWO STOREY DWELLING ON LEASE LOT 2209 (No 10) CAPTAINS CRESCENT (CNR HELM WAY), WEST END.....	55
	PSD629 PROPOSED OUTBUILDINGS ON LOT 638 (No 205) EIGHTH STREET, WONHELLA	61
	PSD630 PROPOSED RETAIL COMPLEX – LOT 25 (No. 54) FITZGERALD AND GREGORY STREETS, GERLADTON.....	64
	PSD630 WHITE PAPER – PROPOSED RETAIL COMPLEX – LOT 25 (No. 54) FITZGERALD AND GREGORY STREETS, GERALDTON.....	79
9.6.	REPORTS TO BE RECEIVED	85
	REPORTS TO BE RECEIVED.....	85
	CEO02 CONFIDENTIAL ITEM – PROPOSED CARAVAN PARK ON RESERVE 46860 – LEASE TO SKYBOW HOLDINGS PTY LTD.....	86
10	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	88

11 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN 88

**12 URGENT BUSINESS APPROVED BY PRESIDING MEMBER OR BY DECISION OF THE
MEETING..... 88**

13 CLOSURE 88

CITY OF GERALDTON
ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 12 JUNE 2007 AT 7.00PM

MINUTES

DISCLAIMER:

The City of Geraldton advises that persons interested in any topics raised in this Agenda should wait for formal written advice from the City before taking any action on an application that is listed for consideration.

1 **DECLARATION OF OPENING**

The Presiding Member declared the meeting open at 7.00pm.

2 **ATTENDANCE**

Present:

Commissioner Jeff Carr (Chairperson)
Commissioner Malcolm Smith (Deputy Chairperson)
Commissioner Jan Grimoldby

Officers:

G P Brennan, Chief Executive Officer
H L Eaton, Director of Corporate Services
P C Melling, Director of Development Services
G E Shoemark, Director of Technical Services
R M Gorbunow, Director of Business and Community Services
C Ware, Executive Support Personal Assistant

Apologies:

Nil

Leave of Absence:

Nil

COUNCIL DECISION:

**MOVED COMMISSIONER GRIMOLDBY, SECONDED
COMMISSIONER SMITH**

That Part 10 of the Standing Orders be suspended for the duration of this Council meeting.

CARRIED

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Rose Walker, 62 Gregory Street, Geraldton

Question 1

What protection does the Municipal Inventory (MI) listing give to Heritage buildings in this area bounded by Lester, Fitzgerald, Gregory and Augustus Streets? (Part of "Precinct A")?

Question 2

Can the City of Geraldton guarantee that no more heritage listed buildings will be approved for demolition in the Precinct, especially the block described above?

Question 3

Is the Geraldton Hotel vulnerable to expanded development of the proposed K-Mart site?

Question 4

Are the adjoining properties to the south also vulnerable?

Question 5

Is the proposed development to be approved prior to the formal adoption of the "Precinct A Design Guidelines?"

Response

Commissioner Carr corrected Ms Walker by noting that the area referred to was part of Precinct 'B'. He advised that all Municipal Inventory properties have been included in Town Planning Scheme No 3 and it is Council's policy to seek advice from the Regional Heritage advisor as to the balance of questions. Commissioner Carr advised that the Commissioners cannot give guarantee on behalf of the future Council. Officers take into account the heritage value and each application is considered on its merits.

Paul Connolly 63 Gregory St Geraldton WA 6530

RE: Proposed Shopping Complex [K-Mart] Fitzgerald/Gregory Streets

The officer's report on the above [Page 60] seems to indicate that the developers are providing nearly twice as much car parking as they are required to provide under the Town Planning Scheme requirements; IE 125 bays in lieu of the 63 bays required.

This is not apparent when one rationalizes the number of bays actually provided for customer use on the proposed premises with the potential permanent loss of on street bays in the vicinity apparently to facilitate access onto the site as noted on Pp 60 & 61.

If one were to delete from the total 125 bays being provided the number of private “staff only” bays that are to be provided, being 24, these leaves a total of 125 minus 24 being 101 parking bays. Deduct from this the number of on-street bays on Fitzgerald Street to be lost of 26 and the number of on-street bays on Gregory Street to be lost of a minimum of 12[being a total of 38 bays lost] leaves a total of 101 minus 38 being 63 parking bays being available to their customers – this is exactly the number of bays required under the Town Planning Scheme.

Question 1

How can a large developer potentially manipulate the parking requirements so that public parking bays that currently exist in our streets and are available for the use of all of our citizens be now contained on their own site for, I assume, their own sole use?

Question 2

How will the City Commissioners ensure that the public who may be visiting friends at nearby residences or carrying out business at nearby shops be allowed to legally park in the shopping complex car park as their previously available on-street parking has now been deleted and apparently absorbed into the shopping centre car park?

Question 3

How will Council solve the situation that may develop if the overload of shopping centre staff and customer parking that could develop were to impinge on the customer street parking that now exists for the current businesses in Gregory Street north being the Fruit and Vegie Shop and Chis ‘n’ Fips, bearing in mind that they are legitimate commercial premises whose operations historically rely on on-street parking?

Question 4

What restrictions will be placed on shopping complex delivery vehicles [especially 19m long semi trailers which were mentioned at the Briefing session on Monday 11 June 2007] so that their presence will have little or no effect on the residents of the south end of Gregory Street north being the portion of road on which the proposed shopping centre is to be built?

Question 5

How will Council restrict shopping complex delivery trucks from entering and leaving the north end of Gregory Street from Augustus Street, bearing in mind that Augustus Street has possibly the narrowest road reserve width in the area, leads directly to the Geraldton Primary School and is basically the start of the residentially zoned area?

Question 6

Will Council be considering chicanes, speed bumps or road closure devices in the vicinity of the Chis'n'Fips shop to deter truck movements on Gregory Street south of the proposed shopping complex so that the extra noise and increased hazards of multiple truck movements will not unduly impinge on the amenity of the residents who currently reside in the area?

Question 7

In the past when the Geraldton Hotel was the 'in place' to go, Friday and Saturday night on-street parking would extend all the way down both sides of Gregory Street to Augustus Street. How would Council address a future scenario of this venue being once more popular and Gregory Street now potentially containing a large portion of prohibited kerbside parking to accommodate the proposed shopping complex?

Response

Commissioner Carr replied, advising there would in fact be a considerably larger number of parking bays available in the total area. There would be different demands placed at different times but the allocation of parking bays should be effective. The developer has been asked to provide more information with respect to parking, loading, delivery times etc to the satisfaction of Council.

Sue and Peter Wellington, 84 Gregory Street Geraldton.Question 1

The question relates to the proposed retail complex in Fitzgerald/Gregory Streets. Our concerns are of a social nature. We already experience enough anti-social behaviour in this area without providing a place for this type of element to gather. One only has to go to Centro Northgate or Centro Stirlings during late night shopping to see the level of security required. Even after close of business this complex will have an impact on the area. Large areas encourage groups to congregate and participate in anti-social behaviour. Who will be responsible for controlling these groups during trading and particularly after hours?

Response

The responsibility of managing anti-social behaviour falls with police. The shopping complex may employ its own security to play a role. There is a condition included in Part 1(a), of the recommendation to request the developer to modify the layout to comply with 'Designing Out Crime' Planning guidelines.

Paul Robb, 26 Bosuns Crescent, Point Moore.Question 1

Why has the Council removed Public Statement Time from the Council agenda? When did this occur? Why did this occur?

At which Council meeting was it decided to override a previous Council decision? How was this legally done?

Response

Commissioner Carr advised that upon the Commissioners commencing their appointment with the City of Geraldton they looked at the Standing Orders which do not include a requirement for Public Statement Time.

Scott Cox, 111 Fitzgerald Street, Geraldton.Question 1

The City of Geraldton struggled to cope with the unruly behaviour occurring within the Fitzgerald Street/West End area, how will putting up a shopping complex not contribute to improving safety in this area?

Response

Commissioner Carr advised that recommendation includes a proposal to the applicant to take action to minimise crime in the area.

Richard Earl Carr, 882 Allanooka Springs Road, Walkaway.Question 1

I have been democratically elected to serve on the Council until 2009 and will not betray my commitments. Mr Gary Brennan is not working for the Shire of Greenough/City of Geraldton electors, but with the Geraldton Guardian and Kmart. The Kmart development should not be decided by the Commissioners who have not been democratically elected. Why isn't Mr Brennan serving as he should and working for the electors?

Response

Commissioner Carr replied that the Commissioners are happy with the performance of the Chief Executive Officer.

Ida Curtois, 110 Fitzgerald Street, Geraldton.Question 1

To assist the residents of Fitzgerald Street, whose major objection to the proposed development, is speed and traffic, put in traffic calming devices to return the street for residential use and not just an extension of the Southern Corridor.

Response

G Shoemark, Director of Environmental and Infrastructure Services advised that the City as part of the further discussions with the Developer will be considering possible options to assist with traffic management in the surrounding streets which aim to manage traffic

speeds and increase traffic volumes that the development may impact on the level of service of these streets

Question 2

Would the Council consider a 40km speed limit 24 hours by 7 days a week and police it?

Response

G Shoemark, Director of Environmental and Infrastructure Services advised that the provision of a 40kph speed zone may be considered together with other traffic management options. The only issue with speed zones is they require policing to be effective and generally require the introduction of traffic calming devices to achieve the speed reduction

Question 3

What plans or guarantees have Council to make sure our area stays residential?

Response

The subject site is zoned 'City Centre' which does permit commercial uses. The residential areas are zoned for 'Residential Activity' and therefore commercial uses are not permitted.

Question 4

Where are parents going to park when taking their kids to school, with no parking allowed?

Response

G Shoemark, Director of Environmental and Infrastructure Services advised that the on street parking areas in Fitzgerald Street from Sanford to Augustus Street will remain, and this is the main area which is used for collection and drop off of Children to the adjoining Primary School. From past and recent on site investigations, very little parking occurs at any time on street in Fitzgerald Street between Sanford and Lester Avenue

Commissioner Carr advised that traffic management is still subject to continuing negotiations with the proponents. The area concerned will continue its residential status as this is within the precinct guidelines which make it clear the area is and will remain residential.

John Todaro, Bella Vista Café, Marine Terrace, GeraldtonQuestion 1

As there are a number of more suitable locations, (such as ex WA Salvage / IGA Rigters on Marine Terrace) why then is Council allowing the developer to choose the back streets of a quiet residential area?

Response

Commissioner Carr advised that the Council does not choose where someone wishes to undertake development. The Town Planning Scheme is in place where certain uses are permitted.

Question 2

Is it not the Councils job to represent the people of Geraldton if the people object to the proposal, and why are planning decisions being made for this project in Perth?

Response

Council does not choose the site that suits Council. Councils use the Town Planning Schemes in place to best identify the suitability of where certain developments are proposed to take place.

Rose Walker, 62 Gregory Street, GeraldtonQuestion 1

The Council says it can't stop the Kmart development, but why can't they enforce their own heritage guidelines, to preserve and protect heritage listed buildings, and refuse demolition of 43 Gregory Street, then Kmart would not want to build there.

Response

The heritage provisions of the Town Planning Scheme were given due consideration in this application, but all aspects have to be considered including that the land use proposed is a permitted use in the 'City Centre' zone.

Marie Lewis, Chapman Valley Road, Yetna.Question 1

Is it possible to amend the town planning scheme so that these historic precinct areas do not include large retail shops.

Response

Commissioner Carr responded that amending the Town Planning Scheme requires the Council to consider any changes then submit the changes to the Town Planning Commission in Perth to have changes accepted. It is a lengthy process and requires extensive consultation.

Phil Melling, Director of Development Services advised that during the advertising of the draft Town Planning Scheme No 3 the 'City Centre'

zone did not go all the way down to Augustus Street. Following public submissions received it was extended down to Augustus Street area (north side).

Tom Sotiroff, 9 Falmouth Close, Tarcoola.

Question 1

Is tonight's decision asking for a further application?

Response

Commissioner Carr advised that it was not. The recommendation was asking that new plans be submitted.

Question 2

How can a judgement be made before final plans are lodged?

Response

Commissioner Carr advised that a development can be conditionally approved but continue with negotiations to ensure the proposal complies with certain conditions.

C Gabelish, 105 Riflerange Road, Rangeway.

Question 1

Would Council agree that as a permitted use, where the applicant complies with all reasonable conditions, put forward by the City, that a refusal would leave the City liable to costs orders on appeal to State Administration Tribunal (i.e. paying Kmart's legal costs) and the potential for negotiated development conditions to also be lost?

Response

Commissioner Carr confirmed that a refusal of the application may lead to costs orders if the applicant appealed to the State Administration Tribunal.

Question 2

As reported by the Guardian that false applications for demolishing of heritage listed buildings have been lodged with the City, will the City seek to recover costs associated with staff time from the applicants?

Response

Council has acted entirely on the assumption that the applications have been made in good faith and have had no reason to believe otherwise. Therefore there is no intention of seeking compensation.

Question 3

Given the traffic chaos brought about by the so called demonstration, with vehicles being parked either side of Fitzgerald Street, will the City consider prohibiting parking on either or both sides of Fitzgerald Street, south of the Augustus Street roundabout?

Response

This issue relates to the request proposed in the recommendation, for the proponent to come back to Council Officers with a traffic management plan.

Question 4

Does this mean that consideration may be given to reduce parking to the whole length of Fitzgerald Street?

Response

Commissioner Carr advised that no consideration has been given to prohibit parking.

Richard Grose, 116 Fitzgerald Street, GeraldtonQuestion 1

If it's the case to reduce parking along the length of Fitzgerald Street, then will that extend to other busy streets?

Response

Commissioner Carr replied that if it became an issue, it would be investigated and treated on its merits but not something currently being considered.

Paul Connolly 63 Gregory St Geraldton WA 6530Question 1

In respect to Officer's Recommendation Clause 1 a. and given that the above project involves the demolition of a Municipal Inventory listed residence at 43 Gregory Street, MI Category 3 and there are numerous other demolition applications for MI listed buildings ranging from Categories 2 to 6 in this agenda (which were applied for over 12 months ago by their various owners and myself) and which are all recommended as refusals and a previous application to demolish 63 Gregory Street (an MI Category 2 residence) was also refused earlier this year, would the Commissioners give stronger consideration to refusing the actual demolition of 43 Gregory Street and offering further encouragement to the developers to utilize it and hopefully link it into the Gregory Street streetscape as part of this development application?

Response

Commissioner Carr advised that a distinction should be made that the demolition and applications should indicate they want them demolished for a particular purpose. Council does not see merit in a complete absence of reason.

Rose Walker, 62 Gregory Street, GeraldtonQuestion 1

If I were to put up an application to demolish my property in Gregory Street (which is heritage listed) with a reason, council would then consider it?

Response

Commissioner Carr advised that every application is treated on its merits.

Paul Connolly 63 Gregory St Geraldton WA 6530Question 1

In regards to the Officer's Recommendation Clause ii, I believe that (with respect) this issue is too important an application to be delegated to the CEO. Considering the amount of public input during the advertising period and the fact that this shopping complex as mooted has the potential to impact for many years to come on its neighbouring properties and neighbouring and feeder streets, I feel that the final development design should be available to the Commissioners when their decision is ultimately made. Will the Commissioners give strong consideration to this?

Response

Commissioner Carr replied that it was the Commissioners view that the reasoning behind the recommendation is that the Chief Executive Officer acts in accordance with decisions made and endorsed tonight. The Chief Executive Officer would ensure that all conditions are met.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS, DEPUTATIONS OR PRESENTATIONS

Nil

**7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING
– as circulated**

RECOMMENDED that the minutes of the ordinary meeting of Council held on 29 May 2007, as previously circulated, be adopted as a true and correct record of proceedings.

COUNCIL DECISION:

That the minutes of the ordinary meeting of Council held on 29 May 2007, as previously circulated, be adopted as a true and correct record of proceedings.

CARRIED

8 ANNOUNCEMENTS BY THE CHAIR (WITHOUT DISCUSSION)

DATE	FUNCTION	REPRESENTATIVE
Tues 29 May	Local Emergency Management Committee meeting – Shire of Greenough Chambers	Commissioners Carr, Smith and Grimoldby
	Attended presentation by Murchison Metals – Shire of Greenough Chambers	Commissioners Carr, Smith and Grimoldby
	Attended Shire of Greenough and City of Geraldton Council meetings	Commissioners Carr, Smith and Grimoldby
Wed 30 May	Met with community member re: Drummonds Cove leases	Commissioners Carr and Smith
Thurs 31 May	Attended Mid West Open 4BBB Stableford Scrounger Championship 2007 – Geraldton Golf Club	Commissioner Jeff Carr
Fri 1 Jun	Attended Batavia Regional Organisation of Councils meeting – City of Geraldton	Commissioner Jeff Carr
	Attended launch of Burglar Beware – Geraldton Police Station	Commissioner Jeff Carr
Thurs 7 Jun	Attended the launch of Relay for Life – Conversations by Indigo	Commissioner Smith
Mon 11 Jun	Meeting with Shane Hill MLA	Commissioners Carr, Smith and Grimoldby
	Meeting with Grant Woodhams MLA and Murray Criddle MLC	Commissioners Carr, Smith and Grimoldby
	Attended Geraldton Greenough Regional Council meeting	Commissioners Carr, Smith and Grimoldby
	Attended Council Briefings – Shire of Greenough Chambers	Commissioners Carr, Smith and Grimoldby
Tues 12 Jun	Attended presentation of Joint Library Proposal – Geraldton Regional Library	Commissioners Carr, Smith and Grimoldby

9 REPORTS OF COMMITTEES AND OFFICERS***9.1. Reports of the Chief Executive Officer***

CEO02	CONFIDENTIAL ITEM – PROPOSED CARAVAN PARK ON RESERVE 46860 – LEASE TO SKYBOW HOLDINGS PTY LTD
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AGENDA REFERENCE:	07/04811
AUTHOR:	G Brennan, Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	5 June 2007

Confidential Item, details of which were circulated separately.

COUNCIL DECISION:

That Item CEO02 be moved to the end of the agenda.

CARRIED

Note: Council requested Item CEO02 be moved to the end of the agenda to discuss the contents of the confidential report behind closed doors.

9.2. *Reports of Business and Community Services*

Nil

9.3. Reports of Corporate Services

GF555	THEATRE 8 GERALDTON INC – LEASE RENEWAL
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AGENDA REFERENCE:	07/04746	
AUTHOR:	B Robertson,	Manager
	Administration	
DISCLOSURE OF INTEREST:	Nil	
DATE OF REPORT:	1 June 2007	

SYNOPSIS:

Lease term extension for the Theatre 8 Geraldton Inc for a further period of 21 years from the 1 June 2007.

BACKGROUND:

As above.

COMMENT:

The Theatre 8 Geraldton has a lease with the City of Geraldton that is due to expire on the 31 May 2007. The premises are situated in Eighth Street, Wonthella on Reserve 29388 on lots 2499 and 2632.

The maximum term for lease is a term of 21 years.

CONSULTATION:

Not Applicable.

STATUTORY ENVIRONMENT:

Regulation 30 Local Government (Functions and General) Regulations 1996 – sub regulation (1) states that a disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 Local Government Act 1995.

Sub regulation (2) (b) states that a disposition of land is an exempt disposition if (b) (i) the objects of which are of charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature.

POLICY IMPLICATIONS:

Not Applicable.

FINANCIAL IMPLICATIONS:

Annual lease rent of \$275 per annum reviewed annually as per adopted council fees and charges. This club has not previously paid an annual lease fee as it was exempt under existing council policy.

VOTING REQUIREMENTS:

Simple majority required.

OFFICER'S RECOMMENDATION:

That

- i Council approve the renewal of the lease for the Theatre 8 Geraldton Inc for a further period of 21 years from the 1 June 2007;
- ii Annual rent of \$275 payable reviewed annually as per adopted council fees and charges.

COUNCIL DECISION:

That

- i **Council approve the renewal of the lease for the Theatre 8 Geraldton Inc for a further period of 21 years from the 1 June 2007;**
- ii **Annual rent of \$275 payable reviewed annually as per adopted council fees and charges.**

CARRIED

9.4. Reports of Technical Services

EIS411	GERALDTON FORESHORE REDEVELOPMENT AND CBD REVITALISATION PROJECT – CATHEDRAL PRECINCT PUBLIC ART (EXPRESSION OF INTEREST <u>19/0607</u>)
AGENDA REFERENCE:	07/04762
AUTHOR:	Geoff Shoemark, Director Technical Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	31 May 2007
SITE INSPECTION:	No

SYNOPSIS:

Endorsement by Council of Public Art selection for Cathedral Ave Precinct through Registration of Interest and Tender 19/0607. The item is referred to Council for final acceptance as the Registration of Interest amount was greater than \$50,000 for the public artwork.

BACKGROUND:

Within the Foreshore Redevelopment & CBD Revitalisation Project a number of locations for Public Artworks have been identified through the development of a Public Art Master plan which has been previously endorsed by the Public Arts Advisory Committee and Council.

The first major public art icon is to be located in the central foreshore precinct adjacent to the Cathedral Ave / Foreshore Drive intersection.

The Public Art Advisory Committee prepared a brief and established a sub committee to select the public artwork through endorsement of Council. Copies of Brief and sub committee details are attached.

A public information evening to promote the artwork commission was also arranged on Tuesday 3rd April 2007.

COMMENT:

From the initial Registration of Interests there were nine artists' submissions from which the Public Arts Sub Committee selected three artists to prepare more detailed tender submissions. The selection of artists was evaluated through assessment against the Public Artists selection criteria.

Regrettably one selected artist withdrew, with the following artists presenting their detailed public art proposals on Friday 25th May.

- Silvio Gallelli – design utilising a combination of safety glass, galvanised steel framing and carve formed limestone to depict the ocean wave spraying against the rock land form, with interpretive indigenous carvings within the limestone features.
- Dr Nigel Helyer – design of “Zephyr” comprising two structures incorporating vertical wind vanes supporting sail like pair of aerofoils which emit passive harmonic sounds generated by the wind.

Details of the submissions have been circulated to the Commissioners.

The Sub-Committee selected the Gallelli artwork based on considering

- Effective use of space
- Interpretation to the site
- Structural integrity and maintenance
- Local artist development

The other artwork by Dr Helyer was also recommended by the Sub committee for consideration for use as the proposed future public art icon for Durlacher Square subject to evaluation by the project Landscape Architects and agreement by the artist.

CONSULTATION:

The development of the public art brief for the site was developed through extensive consultation by the Public Art Advisory Committee.

The final public art submissions were prepared in consultation with the project coordinator and Landscape Architects to ensure the final submission achieved the required criteria.

STATUTORY ENVIRONMENT:

Tenders are called to determine a preferred supplier to comply with the provisions of the Local Government Act 1995 and with Local Government (Functions and General) Regulations 1996

The requirements to call tenders at the time of calling for Registration of Interests was \$50,000. This has recently been increased to \$100,000 by the Department of Local Government.

POLICY IMPLICATIONS:

The Public Art work has been developed in accordance with the City of Geraldton Public Art Policy and Procedures

FINANCIAL IMPLICATIONS:

Each of the final public art submissions were tendered within the budget allocation of \$90,000 excluding GST.

The second choice artwork design may be able to be negotiated for purchase through a retention fee with final payment being made at the planned construction timeframe in 2009.

STRATEGIC IMPLICATIONS:

Within the City of Geraldton Strategic Plan – Key Result Area 2 – “A Centre of Excellence” within Direction 2 – “A Vibrant Arts and Cultural Environment” an Activity is listed to - “Further Develop the Public Arts Program”.

The inclusion of Public Artworks will provide significant aesthetic and cultural value added benefits to the project.

The City has already adopted a Public Art Master Plan for the Project.

VOTING REQUIREMENTS:

Simple majority required

OFFICER’S RECOMMENDATION:

Recommended that Council:

- i. Endorse the selection of public artwork by Silvio Gallelli by the Public Arts Advisory Sub Committee for placement within the Cathedral Precinct of the Foreshore Redevelopment Project through the Registration of Interest and Tender 19/0607 at a cost of \$90,000 excluding GST
- ii. Endeavour to secure the public art icon design by Dr. Nigel Helyer for consideration within the Durlacher Square precinct.

COUNCIL DECISION:

That Council:

- i. **Endorse the selection of public artwork by Silvio Gallelli by the Public Arts Advisory Sub Committee for placement within the Cathedral Precinct of the Foreshore Redevelopment Project through the Registration of Interest and Tender 19/0607 at a cost of \$90,000 excluding GST**
- ii. **Endeavour to secure the public art icon design by Dr. Nigel Helyer for consideration within the Durlacher Square precinct.**

CARRIED

EIS412 EMERGENCY MANAGEMENT ARRANGEMENTS – APPROVAL OF GENERAL PLAN

AGENDA REFERENCE:	07/04763
AUTHOR:	Peter Karczub, Manager Infrastructure Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	31 May 2007
SITE INSPECTION:	No

SYNOPSIS:

The report seeks Council's approval of Part I General Plan of the Emergency Management Arrangement's Plan.

BACKGROUND:

The Emergency Management (EM) Arrangements Plan – Part 1 is the principle document that prescribes how emergencies are managed in the Geraldton-Greenough-Abrolhos Islands.

COMMENT:

The City and Shire of Greenough in accepting their responsibility under the Emergency Management Act 2005 have taken over from the Police Department the responsibility for ensuring an EM Arrangements plan is available and maintained for their community.

The plan is a revised version originally developed for Geraldton Greenough community by the Police Department.

A copy of the revised plan is attached.

CONSULTATION:

Extensive consultation has been undertaken through the Local Emergency Management Committee and special meetings with Geraldton based Hazard Management Agency personal.

STATUTORY ENVIRONMENT:

Under the Emergency Management Act 2005 the City and Shire are required to prepare, maintain a plan and have it available for inspection by members of the public.

POLICY IMPLICATIONS:

Not applicable

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

Under Community Strategic plan KRA 5 Direction 5 Council is committed to work with other agencies to develop plans to minimise the risk of, and respond to, natural and man-made hazards and disasters.

VOTING REQUIREMENTS:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council approves the Local Emergency Management Arrangements Plan part I – General Plan dated May 2007

COUNCIL DECISION:

That Council approves the Geraldton Greenough Abrolhos Islands Local Emergency Management Arrangements Plan Part I – General Plan dated June 2007.

CARRIED

9.5. Reports of the Development Services

DELEGATE APPROVALS

TP FILE	APPLICANT	SUBJECT/PROPERTY	PROPOSED USE
97/055	Paul Connolly	Lots 1395, 1396, 1397 & 1398 Whitfield Place, Beachlands	Planning Renewal - Proposed four attached dwellings.
99/149	Paul Connolly	Lots 1001, 1002 & 2 Marine Terrace, Geraldton	Planning Renewal - Proposed fish market.
01/069	Paul Connolly	Lot 213 (63) Gregory Street, Geraldton	Planning Renewal - Proposed construction of shed.
04/146	Paul Connolly	Lot 212 (61) Gregory St, Geraldton	Planning Renewal - proposed demolition of existing residence and construction of four two storey grouped dwellings.
04/214	Murray Davidson	Reserve 26293 Town Beach, Geraldton	Planning Renewal - Proposed continuation of watersports operation.
06/047	Paul Connolly	Lot 4 (113) Augustus St, Geraldton	Planning Renewal - Proposed additions to existing single residential dwelling.
06/207	Summerstar Pty Ltd	Lot 2493 and 2767 Marine Terrace, Geraldton	Proposed extension of Lifestyle Village (23 new sites) Belair Gardens Caravan Park
07/083	Peter Teakle & Co	Lot 50 (250) Place Road, Wonthella	Proposed three grouped dwellings
07/106	Homeswest	Lot 171 (92A & B) Blencowe Road, Utakarra	Proposed patio for existing grouped dwelling
07/107	Homeswest	Lot 92 (37A & B) Devenish Street, Utakarra	Proposed patio for existing grouped dwelling
07/108	Carol Margaret Darnell	Lot 8 (5, 270) Fourth Street, Wonthella	Proposed patio for existing grouped dwelling
07/113	Anthony Franco	Lot 22 (23A & B) Lawley Street, Spalding	Proposed carports

OFFICER'S RECOMMENDATION:

That the Schedule of delegated approvals be received.

COUNCIL DECISION:

That the Schedule of delegated approvals be received.

CARRIED

PSD621 DIESEL LOCOMOTIVE T1804

AGENDA REFERENCE: 07/04764
FILE REFERENCE: S/HER005
AUTHOR: M Bell, Assistant Planning Officer
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 28 May 2007
SITE INSPECTION: No
DELEGATED AUTHORITY: No

SYNOPSIS:

Request from Northampton Friends of the Railway Inc for the permanent loan for the diesel locomotive T1804, be transferred from the Northampton Historical Society to Friends of the Railway Inc. Recommended Council approve the transfer of the permanent loan.

BACKGROUND:

The City of Geraldton was given a diesel shunting locomotive T1804 approximately 17 years ago by the then Westrail (now the Public Transport Authority). At that time there were preliminary ideas to put the locomotive and assorted rolling rock display in the vicinity of Batavia Park / Geraldton Railway Station however due to other planning options that eventuated, Batavia Park was no longer seen as an option.

Council resolved at its meeting of 22 February 2005, to seek expressions of interest for the locomotive T1804 either on a permanent loan or temporary basis. Further to this, Council at its meeting on 24 May 2005 resolved as follows:

"That the Northampton Historical Society be advised that the City of Geraldton agrees to a 'permanent loan' of diesel locomotive T1804 for display at the Mary Street station in Northampton. Should circumstances change where there is no longer any interest in the locomotive or its display in Northampton, it would be returned to the City of Geraldton for alternate uses to be considered.

COMMENT:

Correspondence has been received from the Northampton Friends of the Railway Inc and the Northampton Historical Society advising that the Friends of the Railway Inc have recently split from the Historical Society Inc. The Northampton Historical Society has advised that the Friends now administer all matters pertaining to the Mary Street station site.

The Friends of the Railway Inc is now requesting for a transfer of the loan agreement held at present by the Historical Society. The Friends have agreed to undertake all the principals of the permanent loan agreement for the diesel locomotive T1804, including the locomotive

being displayed in a safe manner and all insurance costs borne by the Friends of the Railway Inc.

CONSULTATION:

Not applicable.

STATUTORY ENVIRONMENT:

Not applicable.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple majority required.

OFFICER'S RECOMMENDATION:

That Council approve the transfer of the permanent loan for the diesel locomotive T1804 from the Northampton Historical Society Inc to the Northampton Friends of the Railway Inc.

COUNCIL DECISION:

EN BLOC MOTION

That Council approve the transfer of the permanent loan for the diesel locomotive T1804 from the Northampton Historical Society Inc to the Northampton Friends of the Railway Inc.

CARRIED

PSD622	PROPOSED DEMOLITION OF EXISTING BUILDING ON LOT 91 (No 18) FRANCIS STREET, GERALDTON
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AGENDA REFERENCE:	07/04676
LOCATION/ADDRESS:	Lot 91 (No 18) Francis Street, Geraldton
NAME OF APPLICANT:	Paul Connolly
OWNER:	Kerlin Pty Ltd (T Thuiss)
FILE REFERENCE:	TP07/064 & FRAN/18
ZONING:	Residential R12.5/30/50
AUTHOR:	N Browne, Acting Coordinator of Planning
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	24 May 2007
SITE INSPECTION:	Yes

SYNOPSIS:

An application has been received to demolish the existing building on the above property. Recommended that Council not support the proposal to demolish the building on the above property.

BACKGROUND:

The building is located at the front of the property and there are also two grouped dwellings located at the rear of the property.

The property has been strata titled, hence the building is now on its own strata titled lot.

It is proposed to demolish the building at the front of the property, leaving this strata lot vacant. The two grouped dwellings at the rear of the property will remain on their own strata lots.

A photograph of the building is attached.

COMMENT:

The building is currently used as an office for Accountants. This use has occupied the building for a number of years.

The building has been included in the City of Geraldton Municipal Inventory of Heritage Places. The building was given a Management Category of 2 – Maximum Incentives Under Town Planning Scheme. “High level of protection appropriate: provide maximum encouragement to the owner under the Town Planning Scheme to conserve the significance of the place. Photographically record the place prior to any major redevelopment or demolition.”

The Place Record for the building in the City’s Municipal Inventory describes the building as a large rendered masonry building with a corrugated iron gambrel roof with arched bargeboards to the two timber louvred gablets. A smaller separate gambrel roof to the south

east replicates the main roof. A separate hipped verandah roof to the north and east elevations is supported on metal verandah poles. The roof is punctuated by three tall rendered masonry chimneys with exposed brick corbelling and terracotta chimney pots. Windows are timber framed and double hung with a french door to the east verandah.

The statement of significance on the Place Record for the building states that “the building has considerable aesthetic significance given its large scale, high integrity and built features such as the tall corbelled chimneys, unusual gablets, timber windows and wrap around verandah. The building makes an important contribution to the built environment of the locale.”

No plans for redevelopment of the site have been submitted.

CONSULTATION:

Given that the existing building is included in the City’s Municipal Inventory of Heritage Places the application was referred to the Midwest Regional Heritage Adviser for comment. The Midwest Regional Heritage Adviser has advised of the following issues in regard to the proposal:

1. Town Planning Scheme Precinct
The place is located in Precinct C – Urban Conservation as defined in the City of Geraldton Town Planning Scheme.
 2. Character of Locale
The building is situated in an area of Geraldton which contains numerous heritage places, as is evident by the listings in the Municipal Inventory. The following places are located in the near vicinity:
 - H M Customs Office and Residence: No 7 – 9 Francis Street (MI No. 173 and listed on the State Register of Heritage Places).
 - Meekaway Pre Primary: No 11 Francis Street (MI No. 175).
 - House: No 14 Francis Street (MI No. 176).
 - House: No 16 Francis Street (MI No. 177).
 - Harbour Pines Centre: No 20 Francis Street (MI No. 179).
 - House: No 31 Francis Street (MI No. 180).
 - House: No 33 Francis Street (MI No. 181).
 - House: No 34 Francis Street (MI No. 182).
 - House: No 36 Francis Street (MI No. 183).
 3. Redevelopment Plans
The development application contains no plans for any proposed redevelopment of the site following demolition of the existing residence. It is not good conservation practice to approve of demolition without any plans for redevelopment of
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the site. The creation of gaps in the streetscape should be avoided.

The Midwest Regional Heritage Adviser conducted a site inspection on 12 April 2007 and the building appeared to be in good condition.

In conclusion the Midwest Regional Heritage Adviser has advised that based on the above considerations it is recommended that the development application to demolish the building be refused.

STATUTORY ENVIRONMENT:

The subject property is zoned Residential R12.5/30/50 under the City's Town Planning Scheme No. 3.

The property is located in Precinct C – Urban Conservation under the City's Town Planning Scheme No. 3. The objective for the precinct is to “recognise the mixed use nature of the land uses of the precinct and to protect the streetscape and urban amenity of Duboulay Street.”

Further to the above it is noted that Council, at it's meeting held on 27 April 2007, resolved that pursuant to Clause 2.2 of Town Planning Scheme No. 3, adopt the Design Guidelines Precinct A Fitzgerald Street, Design Guidelines Precinct C Augustus Street and the Design Guidelines Precinct E Mount Scott for the purposes of seeking public comment with advertising for a period of 42 days.

The objective of Clause 2.3.2 'Retention of Buildings' of the draft Design Guidelines for Precinct C is “to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where it is necessary, that vacant idle land does not result which upsets the rhythm of the streetscape.”

Clause 2.3.2 'Retention of Buildings' of the draft Design Guidelines also provides the following:

- “a) Buildings of good quality, architectural character, and particularly those listed in the Municipal Inventory are to be retained wherever possible.
- b) Application for the demolition of a structurally sound building or any buildings listed on the Municipal Inventory will not generally be supported in isolation but rather will require the concurrent lodgement of an application for planning approval for the subsequent development/use of the site so as to minimise vacant lots in the precinct.”

It is noted that the above Design Guidelines are currently on advertising and as such haven't yet been formally adopted, however it is still considered important to be considering the intent of the Design Guidelines in considering development applications.

The City's Building Department have also advised that from a visual inspection the building appears to be in sound condition.

The City Planning Department does not support the proposed demolition of the residence.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Key Result Area 5 Caring for our Community

Direction 4: Protected Built and Natural Heritage Assets

VOTING REQUIREMENTS:

Simple majority required.

OFFICER'S RECOMMENDATION:

That the application to demolish the existing building on Lot 91 (No 18) Francis Street, Geraldton, be refused for the following reasons:

- i. The building is listed in the City's Municipal Inventory of Heritage Places with a Management Category of 2 which is 'Maximum Incentives Under Town Planning Scheme' and high level of protection appropriate.
- ii. The building makes an important contribution to the built environment of the locale, as an individual building and within a historic 'minor precinct' which comprises of a small group of domestic scale buildings.
- iii. The building contributes to the character of a wider heritage precinct including the buildings on Marine Terrace, Francis Street and Gregory Street.
- iv. The development application contains no plans for any proposed redevelopment of the site following demolition. Any future development of the site should be encouraged to provide opportunities to incorporate the existing place or elements of it.
- v. The building is located in Precinct C – Urban Conservation under the City's Town Planning Scheme No. 3.

FOOTNOTES:

1. In regard to point (v.) above it is noted that Design Guidelines for Precinct C are currently being advertised. The intent of these Design Guidelines is to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where it is necessary, that vacant idle land does not result which upsets the rhythm of the streetscape.

COUNCIL DECISION:**EN BLOC MOTION**

That the application to demolish the existing building on Lot 91 (No 18) Francis Street, Geraldton, be refused for the following reasons:

- i. The building is listed in the City's Municipal Inventory of Heritage Places with a Management Category of 2 which is 'Maximum Incentives Under Town Planning Scheme' and high level of protection appropriate.
- ii. The building makes an important contribution to the built environment of the locale, as an individual building and within a historic 'minor precinct' which comprises of a small group of domestic scale buildings.
- iii. The building contributes to the character of a wider heritage precinct including the buildings on Marine Terrace, Francis Street and Gregory Street.
- iv. The development application contains no plans for any proposed redevelopment of the site following demolition. Any future development of the site should be encouraged to provide opportunities to incorporate the existing place or elements of it.
- v. The building is located in Precinct C – Urban Conservation under the City's Town Planning Scheme No. 3.

FOOTNOTES:

1. In regard to point (v.) above it is noted that Design Guidelines for Precinct C are currently being advertised. The intent of these Design Guidelines is to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where it is necessary, that vacant idle land does not result which upsets the rhythm of the streetscape.

CARRIED

PSD623	PROPOSED DEMOLITION OF EXISTING RESIDENCE ON LOT 90 (No 16) FRANCIS STREET, GERALDTON
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AGENDA REFERENCE:	07/04677
LOCATION/ADDRESS:	Lot 90 (No 16) Francis Street, Geraldton
NAME OF APPLICANT:	D E Hammond
OWNER:	Estate of E G Bryant
FILE REFERENCE:	TP07/065 & FRAN/16
ZONING:	Residential R12.5/30/50
AUTHOR:	N Browne, Acting Coordinator of Planning
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	24 May 2007
SITE INSPECTION:	Yes

SYNOPSIS:

An application has been received to demolish the existing residence on the above property. Recommended that Council not support the proposal to demolish the residence on the above property.

BACKGROUND:

The residence is located at the front of the property and there are two outbuildings located at the rear of the property.

It is proposed to demolish all buildings on the property, leaving the lot vacant.

A photograph of the residence is attached.

COMMENT:

The residence has been included in the City of Geraldton Municipal Inventory of Heritage Places. The building was given a Management Category of 2 – Maximum Incentives Under Town Planning Scheme. “High level of protection appropriate: provide maximum encouragement to the owner under the Town Planning Scheme to conserve the significance of the place. Photographically record the place prior to any major redevelopment or demolition.”

The Place Record for the building in the City’s Municipal Inventory describes the residence as stone construction with a hipped zincalume clad roof which is punctuated by a rendered masonry corbelled chimney to the north east. The front façade has a separate hipped verandah roof which has been partly enclosed with fibro sheeting and louvre windows. The verandah roof to the south of the central doorway has been set at a shallower pitch and is supported on metal poles. The stonework of the front façade is coursed and pointed with random rubble stonework to the side elevations. A low brick wall runs along the property boundary to the footpath.

The statement of significance on the Place Record for the building states that “although this large residence has had some alterations to the front verandah, it still has considerable aesthetic appeal which is enhanced by the corbelled chimney and entry surround. Accordingly the place makes an important contribution to the streetscape of the locale.”

No plans for redevelopment of the site have been submitted.

CONSULTATION:

Given that the existing building is included in the City’s Municipal Inventory of Heritage Places the application was referred to the Midwest Regional Heritage Adviser for comment. The Midwest Regional Heritage Adviser has advised of the following issues in regard to the proposal:

1. Town Planning Scheme Precinct
The place is located in Precinct C – Urban Conservation as defined in the City of Geraldton Town Planning Scheme.
2. Character of Locale
The building is situated in an area of Geraldton which contains numerous heritage places, as is evident by the listings in the Municipal Inventory. The following places are located in the near vicinity:
 - H M Customs Office and Residence: No 7 – 9 Francis Street (MI No. 173 and listed on the State Register of Heritage Places).
 - Meekaway Pre Primary: No 11 Francis Street (MI No. 175).
 - House: No 14 Francis Street (MI No. 176).
 - House: No 18 Francis Street (MI No. 178).
 - Harbour Pines Centre: No 20 Francis Street (MI No. 179).
 - House: No 31 Francis Street (MI No. 180).
 - House: No 33 Francis Street (MI No. 181).
 - House: No 34 Francis Street (MI No. 182).
 - House: No 36 Francis Street (MI No. 183).
3. Redevelopment Plans
The development application contains no plans for any proposed redevelopment of the site following demolition of the existing residence. It is not good conservation practice to approve of demolition without any plans for redevelopment of the site. The creation of gaps in the streetscape should be avoided.

The Midwest Regional Heritage Adviser conducted a site inspection on 12 April 2007 and the building appeared to be in sound condition.

In conclusion the Midwest Regional Heritage Adviser has advised that based on the above considerations it is recommended that the development application to demolish the building be refused.

STATUTORY ENVIRONMENT:

The subject property is zoned Residential R12.5/30/50 under the City's Town Planning Scheme No. 3.

The property is located in Precinct C – Urban Conservation under the City's Town Planning Scheme No. 3. The objective for the precinct is to “recognise the mixed use nature of the land uses of the precinct and to protect the streetscape and urban amenity of Duboulay Street.”

Further to the above it is noted that Council, at its meeting held on 27th April 2007, resolved that pursuant to Clause 2.2 of Town Planning Scheme No. 3, adopt the Design Guidelines Precinct A Fitzgerald Street, Design Guidelines Precinct C Augustus Street and the Design Guidelines Precinct E Mount Scott for the purposes of seeking public comment with advertising for a period of 42 days.

The objective of Clause 2.3.2 ‘Retention of Buildings’ of the draft Design Guidelines for Precinct C is “to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where it is necessary, that vacant idle land does not result which upsets the rhythm of the streetscape.”

Clause 2.3.2 ‘Retention of Buildings’ of the draft Design Guidelines also provides the following:

- “a) Buildings of good quality, architectural character, and particularly those listed in the Municipal Inventory are to be retained wherever possible.
- b) Application for the demolition of a structurally sound building or any buildings listed on the Municipal Inventory will not generally be supported in isolation but rather will require the concurrent lodgement of an application for planning approval for the subsequent development/use of the site so as to minimise vacant lots in the precinct.”

It is noted that the above Design Guidelines are currently on advertising and as such haven't yet been formally adopted, however it is still considered important to be considering the intent of the Design Guidelines in considering development applications.

The City's Building Department have also advised that from a visual inspection the building appears to be in sound condition.

The City Planning Department does not support the proposed demolition of the residence.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Key Result Area 5 Caring for our Community

Direction 4: Protected Built and Natural Heritage Assets

VOTING REQUIREMENTS:

Simple majority required.

OFFICER'S RECOMMENDATION:

That the application to demolish the existing residence on Lot 90 (No 16) Francis Street, Geraldton, be refused for the following reasons:

- i. The building is listed in the City's Municipal Inventory of Heritage Places with a Management Category of 2 which is 'Maximum Incentives Under Town Planning Scheme' and high level of protection appropriate.
- ii. The building makes an important contribution to the built environment of the locale, as an individual building and within a historic 'minor precinct' which comprises of a small group of domestic scale buildings.
- iii. The building contributes to the character of a wider heritage precinct including the buildings on Marine Terrace, Francis Street and Gregory Street.
- iv. The development application contains no plans for any proposed redevelopment of the site following demolition. Any future development of the site should be encouraged to provide opportunities to incorporate the existing place or elements of it.
- v. The building is located in Precinct C – Urban Conservation under the City's Town Planning Scheme No. 3.

FOOTNOTES:

1. In regard to point (v.) above it is noted that Design Guidelines for Precinct C are currently being advertised. The intent of these Design Guidelines is to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where it is necessary, that vacant idle land does not result which upsets the rhythm of the streetscape.
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COUNCIL DECISION:**EN BLOC MOTION**

That the application to demolish the existing residence on Lot 90 (No 16) Francis Street, Geraldton, be refused for the following reasons:

- i. The building is listed in the City's Municipal Inventory of Heritage Places with a Management Category of 2 which is 'Maximum Incentives Under Town Planning Scheme' and high level of protection appropriate.
- ii. The building makes an important contribution to the built environment of the locale, as an individual building and within a historic 'minor precinct' which comprises of a small group of domestic scale buildings.
- iii. The building contributes to the character of a wider heritage precinct including the buildings on Marine Terrace, Francis Street and Gregory Street.
- iv. The development application contains no plans for any proposed redevelopment of the site following demolition. Any future development of the site should be encouraged to provide opportunities to incorporate the existing place or elements of it.
- v. The building is located in Precinct C – Urban Conservation under the City's Town Planning Scheme No. 3.

FOOTNOTES:

1. In regard to point (v.) above it is noted that Design Guidelines for Precinct C are currently being advertised. The intent of these Design Guidelines is to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where it is necessary, that vacant idle land does not result which upsets the rhythm of the streetscape.

CARRIED

PSD624	PROPOSED DEMOLITION OF EXISTING RESIDENCE ON LOT 90 (No 14) FRANCIS STREET, GERALDTON
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AGENDA REFERENCE:	07/04678
LOCATION/ADDRESS:	Lot 90 (No 14) Francis Street, Geraldton
NAME OF APPLICANT:	D E Hammond
OWNER:	E D Hammond
FILE REFERENCE:	TP07/066 & FRAN/14
ZONING:	Residential R12.5/30/50
AUTHOR:	N Browne, Acting Coordinator of Planning
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	24 May 2007
SITE INSPECTION:	Yes

SYNOPSIS:

An application has been received to demolish the existing residence on the above property. Recommended that Council not support the proposal to demolish the residence on the above property.

BACKGROUND:

The residence is located at the front of the property. It is proposed to demolish the residence, leaving the lot vacant.

A photograph of the residence is attached.

COMMENT:

The residence has been included in the City of Geraldton Municipal Inventory of Heritage Places. The building was given a Management Category of 6 – Significant But Diminished. Assess in more detail when considering a development application.

The Place Record for the building in the City's Municipal Inventory describes the residence as stone construction with a hipped zincalume clad roof which is punctuated by a tall rendered corbelled chimney. There is a lean-to roof which covers a fibro clad extension. An art deco style flat concrete awning supported on metal posts covers the windows and central entry door to the front façade. Windows are small paned and casement style to the front façade. A low masonry wall forms the street boundary of the place.

It is noted that the unsympathetic render and the art deco style flat concrete awning supported on metal poles to the front façade, as described in the Place Record above, have been removed as part of restoration works undertaken in recent years by the present owner. As a result the walls of the building are now face stonework.

The statement of significance on the Place Record for the building states that "although this residence has been altered the original form

of the buildings is still evident. The windows, roof style and tall chimneys give the place a presence which enhances the streetscape.”

No plans for redevelopment of the site have been submitted.

CONSULTATION:

Given that the existing building is included in the City's Municipal Inventory of Heritage Places the application was referred to the Midwest Regional Heritage Adviser for comment. The Midwest Regional Heritage Adviser has advised of the following issues in regard to the proposal:

1. Town Planning Scheme Precinct
The place is located in Precinct C – Urban Conservation as defined in the City of Geraldton Town Planning Scheme.
2. Character of Locale
The building is situated in an area of Geraldton which contains numerous heritage places, as is evident by the listings in the Municipal Inventory. The following places are located in the near vicinity:
 - H M Customs Office and Residence: No 7 – 9 Francis Street (MI No. 173 and listed on the State Register of Heritage Places).
 - Meekaway Pre Primary: No 11 Francis Street (MI No. 175).
 - House: No 16 Francis Street (MI No. 177).
 - House: No 18 Francis Street (MI No. 178).
 - Harbour Pines Centre: No 20 Francis Street (MI No. 179).
 - House: No 31 Francis Street (MI No. 180).
 - House: No 33 Francis Street (MI No. 181).
 - House: No 34 Francis Street (MI No. 182).
 - House: No 36 Francis Street (MI No. 183).
3. Redevelopment Plans
The development application contains no plans for any proposed redevelopment of the site following demolition of the existing residence. It is not good conservation practice to approve of demolition without any plans for redevelopment of the site. The creation of gaps in the streetscape should be avoided.

The Midwest Regional Heritage Adviser conducted a site inspection on 12 April 2007 and the building appeared to be in sound condition.

The Midwest Regional Heritage Adviser has also advised that the recent restoration works undertaken (as described above) have resulted in the significance of the place being enhanced. It is the opinion of the Heritage Adviser that the place warrants being

allocated a Management Category of 3 when the Municipal Inventory is reviewed at some future date.

In conclusion the Midwest Regional Heritage Adviser has advised that based on the above considerations it is recommended that the development application to demolish the building be refused.

STATUTORY ENVIRONMENT:

The subject property is zoned Residential R12.5/30/50 under the City's Town Planning Scheme No. 3.

The property is located in Precinct C – Urban Conservation under the City's Town Planning Scheme No. 3. The objective for the precinct is to “recognise the mixed use nature of the land uses of the precinct and to protect the streetscape and urban amenity of Duboulay Street.”

Further to the above it is noted that Council, at its meeting held on 27th April 2007, resolved that pursuant to Clause 2.2 of Town Planning Scheme No. 3, adopt the Design Guidelines Precinct A Fitzgerald Street, Design Guidelines Precinct C Augustus Street and the Design Guidelines Precinct E Mount Scott for the purposes of seeking public comment with advertising for a period of 42 days.

The objective of Clause 2.3.2 ‘Retention of Buildings’ of the draft Design Guidelines for Precinct C is “to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where it is necessary, that vacant idle land does not result which upsets the rhythm of the streetscape.”

Clause 2.3.2 ‘Retention of Buildings’ of the draft Design Guidelines also provides the following:

- “a) Buildings of good quality, architectural character, and particularly those listed in the Municipal Inventory are to be retained wherever possible.
- b) Application for the demolition of a structurally sound building or any buildings listed on the Municipal Inventory will not generally be supported in isolation but rather will require the concurrent lodgement of an application for planning approval for the subsequent development/use of the site so as to minimise vacant lots in the precinct.”

It is noted that the above Design Guidelines are currently on advertising and as such haven't yet been formally adopted, however it is still considered important to be considering the intent of the Design Guidelines in considering development applications.

The City's Building Department have also advised that from a visual inspection the building appears to be in sound condition.

The City Planning Department does not support the proposed demolition of the residence.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Key Result Area 5 Caring for our Community

Direction 4: Protected Built and Natural Heritage Assets

VOTING REQUIREMENTS:

Simple majority required.

OFFICER'S RECOMMENDATION:

That the application to demolish the existing residence on Lot 90 (No 14) Francis Street, Geraldton, be refused for the following reasons:

- i. The building is listed in the City's Municipal Inventory of Heritage Places with a Management Category of 6 which is 'Significant But Diminished' and assess in more detail when considering a development application. With the recent restoration works that have been undertaken it is the opinion of the Midwest Regional Heritage Adviser that the place warrants being allocated a Management Category of 3 when the Municipal Inventory is reviewed.
- ii. The building makes an important contribution to the built environment of the locale, as an individual building and within a historic 'minor precinct' which comprises of a small group of domestic scale buildings.
- iii. The building contributes to the character of a wider heritage precinct including the buildings on Marine Terrace, Francis Street and Gregory Street.
- iv. The development application contains no plans for any proposed redevelopment of the site following demolition. Any future development of the site should be encouraged to provide opportunities to incorporate the existing place or elements of it.
- v. The building is located in Precinct C – Urban Conservation under the City's Town Planning Scheme No. 3.

FOOTNOTES:

1. In regard to point (v.) above it is noted that Design Guidelines for Precinct C are currently being advertised. The intent of these Design Guidelines is to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where it is necessary, that vacant idle land does not result which upsets the rhythm of the streetscape.

COUNCIL DECISION:**EN BLOC MOTION**

That the application to demolish the existing residence on Lot 90 (No 14) Francis Street, Geraldton, be refused for the following reasons:

- i. The building is listed in the City's Municipal Inventory of Heritage Places with a Management Category of 6 which is 'Significant But Diminished' and assess in more detail when considering a development application. With the recent restoration works that have been undertaken it is the opinion of the Midwest Regional Heritage Adviser that the place warrants being allocated a Management Category of 3 when the Municipal Inventory is reviewed.
- ii. The building makes an important contribution to the built environment of the locale, as an individual building and within a historic 'minor precinct' which comprises of a small group of domestic scale buildings.
- iii. The building contributes to the character of a wider heritage precinct including the buildings on Marine Terrace, Francis Street and Gregory Street.
- iv. The development application contains no plans for any proposed redevelopment of the site following demolition. Any future development of the site should be encouraged to provide opportunities to incorporate the existing place or elements of it.
- v. The building is located in Precinct C – Urban Conservation under the City's Town Planning Scheme No. 3.

FOOTNOTES:

1. In regard to point (v.) above it is noted that Design Guidelines for Precinct C are currently being advertised. The intent of these Design Guidelines is to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where it is necessary, that vacant idle land does not result which upsets the rhythm of the streetscape.

CARRIED

PSD625 PROPOSED DEMOLITION OF TWO EXISTING RESIDENCES ON LOT 308 (No 8 & 8A) JOSE STREET, GERALDTON

AGENDA REFERENCE:	07/04679
LOCATION/ADDRESS:	Lot 308 (No 8 & 8A) Jose Street, Geraldton
NAME OF APPLICANT:	Fraser Adam
OWNER:	Fraser Adam
FILE REFERENCE:	TP07/067 & JOS/8
ZONING:	Residential R12.5/30/50
AUTHOR:	N Browne, Acting Coordinator of Planning
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	24 May 2007
SITE INSPECTION:	Yes

SYNOPSIS:

An application has been received to demolish the two existing residences on the above property. Recommended that Council not support the proposal to demolish the two residences on the above property.

BACKGROUND:

The property contains two heritage buildings, the main residence which is centrally located on the lot and is original to the street and a small cottage located to the side and rear of the main residence which was relocated to the site. There is also an outbuilding located at the rear of the property.

It is proposed to demolish all buildings on the property, leaving the lot vacant.

A photograph of the two residences is attached.

COMMENT:

Both residences have been included in the City of Geraldton Municipal Inventory of Heritage Places. The place listed as No 8 Jose Street (being the main residence) was given a Management Category of 5 – Significant In Contributing to Local Character. Significant but not essential to an understanding of the history of the district. Photographically record the place prior to any major redevelopment.

The place listed as No 8A Jose Street (being the small cottage) was given a Management Category of 3 – Significant As An Individual Building. Retain and conserve if possible: endeavour to conserve the significance of the place through provisions of the Town Planning Scheme. Photographically record the place prior to any major redevelopment.

The Place Record for the main residence in the City's Municipal Inventory describes it as timber frame construction and clad with weatherboards. It has a hipped corrugated iron roof which extends broken back to cover the front verandah which is partially enclosed with fibro sheet infill to balustrade height. The main roof has a feature gable over the verandah roof and a tall brick chimney to the rear.

The statement of significance on the Place Record for the main residence states that "although altered with the addition of a small lean-to, the original fabric and simple style of this house are still evident. The place is representative of a weatherboard house of its era and contributes to the streetscape of Jose Street."

The Place Record for the small cottage in the City's Municipal Inventory describes it as a narrow timber framed weatherboard clad building with an iron roof. The original bullnose verandah has yet to be reinstated. The cottage was relocated from No 47 Gregory Street to this property in 1996 and is sited well to the rear of the property.

The statement of significance on the Place Record for the small cottage states that "this small narrow house has historic significance having been relocated from Cue in the early part of the 20th century. The house is representative of simple timber framed dwellings of its era and it retains much of its original fabric and style."

Both buildings are considered to contribute to the historic character of the area. No plans for redevelopment of the site have been submitted.

CONSULTATION:

Given that the existing buildings are included in the City's Municipal Inventory of Heritage Places the application was referred to the Midwest Regional Heritage Adviser for comment. The Midwest Regional Heritage Adviser has advised of the following issues in regard to the proposal:

1. Town Planning Scheme Precinct
The places are not located in a conservation precinct as defined in the City of Geraldton Town Planning Scheme.
 2. Character of Locale
The building is situated in an area of Geraldton which contains numerous heritage places, as is evident by the listings in the Municipal Inventory.
 3. Redevelopment Plans
The development application contains no plans for any proposed redevelopment of the site following demolition of the existing residence. It is not good conservation practice to approve of demolition without any plans for redevelopment of
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the site. The creation of gaps in the streetscape should be avoided.

The Midwest Regional Heritage Adviser conducted a site inspection on 12 April 2007 and the building appeared to be in good condition.

In conclusion the Midwest Regional Heritage Adviser has advised that based on the above considerations it is recommended that the development application to demolish the building be refused.

STATUTORY ENVIRONMENT:

The subject property is zoned Residential R12.5/30/50 under the City's Town Planning Scheme No. 3.

The property is not located in a conservation precinct as defined under the City's Town Planning Scheme No. 3, however both residences are considered to contribute to the overall historic character of the area. This is represented by the numerous heritage places in the surrounding area, as evident by the listings in the Municipal Inventory. The following places are located in the near vicinity:

- House (Category 3): No 5 Jose Street (MI No. 253).
- House (Category 5): No 9 Jose Street (MI No. 256).
- House (Category 5): No 10 Jose Street (MI No. 257).
- House (Category 5): No 13A Jose Street (MI No. 258).
- House (Category 5): No 15 Jose Street (MI No. 259).
- House (Category 5): No 25 Jose Street (MI No. 260).
- House (Category 5): No 28 Jose Street (MI No. 261).
- House (Category 5): No 29 Jose Street (MI No. 262).

In addition to the above there are seven properties in Conway Street which have been included in the City's Municipal Inventory of Heritage Places.

The City's Building Department have also advised that from a visual inspection both residences appear to be in sound condition.

The City Planning Department does not support the proposed demolition of the residences.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Key Result Area 5 Caring for our Community

Direction 4: Protected Built and Natural Heritage Assets

VOTING REQUIREMENTS:

Simple majority required.

OFFICER'S RECOMMENDATION:

That the application to demolish the two existing residences on Lot 308 (No 8 & 8A) Jose Street, Geraldton, be refused for the following reasons:

- i. Both buildings are listed in the City's Municipal Inventory of Heritage Places with No 8 Jose Street having a Management Category of 5 which is 'Significant In Contributing to Local Character' and No 8A having a Management Category of 3 which is 'Significant As An Individual Building' retain and conserve if possible.
- ii. The buildings make an important contribution to the built environment of the locale, as an individual building and within a historic 'minor precinct' which comprises of a small group of domestic scale buildings.
- iii. The buildings contribute to the character of a wider heritage precinct including the buildings on Jose Street and Conway Street.
- iv. The development application contains no plans for any proposed redevelopment of the site following demolition. Any future development of the site should be encouraged to provide opportunities to incorporate the existing place or elements of it.

COUNCIL DECISION:**EN BLOC MOTION**

That the application to demolish the two existing residences on Lot 308 (No 8 & 8A) Jose Street, Geraldton, be refused for the following reasons:

- i. **Both buildings are listed in the City's Municipal Inventory of Heritage Places with No 8 Jose Street having a Management Category of 5 which is 'Significant In Contributing to Local Character' and No 8A having a Management Category of 3 which is 'Significant As An Individual Building' retain and conserve if possible.**
- ii. **The buildings make an important contribution to the built environment of the locale, as an individual building and within a historic 'minor precinct' which comprises of a small group of domestic scale buildings.**
- iii. **The buildings contribute to the character of a wider heritage precinct including the buildings on Jose Street and Conway Street.**
- iv. **The development application contains no plans for any proposed redevelopment of the site following demolition. Any future development of the site should be encouraged to provide opportunities to incorporate the existing place or elements of it.**

CARRIED

PSD626	PROPOSED DEMOLITION OF EXISTING RESIDENCE ON LOT 1 (No 87) FITZGERALD STREET, GERALDTON
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AGENDA REFERENCE:	07/04765
LOCATION/ADDRESS:	Lot 1 (No 87) Fitzgerald Street, Geraldton
NAME OF APPLICANT:	K J Walden
OWNER:	K J Walden
FILE REFERENCE:	TP07/068 & FIT/87
ZONING:	Residential R17.5/40
AUTHOR:	N Browne, Acting Coordinator of Planning
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	24 May 2007
SITE INSPECTION:	Yes

SYNOPSIS:

An application has been received to demolish the existing residence on the above property. Recommended that Council not support the proposal to demolish the residence on the above property.

BACKGROUND:

The residence is located at the front of the property. It is proposed to demolish the residence, leaving the lot vacant.

A photograph of the residence is attached.

COMMENT:

The residence has been included in the City of Geraldton Municipal Inventory of Heritage Places. The building was given a Management Category of 3 – Significant As An Individual Building. “Retain and conserve if possible: endeavour to conserve the significance of the place through provisions of the Town Planning Scheme. Photographically record the place prior to any major redevelopment.”

The Place Record for the building in the City’s Municipal Inventory describes the residence as stone construction with a zincalume roof. There is a separate bullnosed verandah roof to the front which extends around the corners. A feature decorative gable to the verandah roof enhances the main central entrance. The stonework to the front façade is pointed. There is a high brick wall along the front boundary of the property.

The statement of significance on the Place Record for the building states that “although this residence has had alterations to the verandah and is set behind a tall brick wall, the roof form, is still visible. Given this, the place contributes to the streetscape of the area. Further the place demonstrates the use of local materials (stone).

No plans for redevelopment of the site have been submitted and the applicant has advised that he has no immediate plans to redevelop the site.

CONSULTATION:

Given that the existing building is included in the City's Municipal Inventory of Heritage Places the application was referred to the Midwest Regional Heritage Adviser for comment. The Midwest Regional Heritage Adviser has advised of the following issues in regard to the proposal:

1. Town Planning Scheme Precinct
The place is located in Precinct A – Urban Conservation as defined in the City of Geraldton Town Planning Scheme, which states: “The objective for the precinct is to retain the residential amenity and streetscapes which are predominantly influenced by existing residences and other buildings, either listed as being of heritage significance, or which are representative of earlier periods of the City's development.”
2. Character of Locale
The building is situated in an area of Geraldton which contains numerous heritage places, as is evident by the listings in the Municipal Inventory.
3. Redevelopment Plans
The development application contains no plans for any proposed redevelopment of the site following demolition of the existing residence. It is not good conservation practice to approve of demolition without any plans for redevelopment of the site. The creation of gaps in the streetscape should be avoided.

The Midwest Regional Heritage Adviser conducted a site inspection on 12 April 2007 and the building appeared to be in good condition.

In conclusion the Midwest Regional Heritage Adviser has advised that based on the above considerations it is recommended that the development application to demolish the building be refused.

STATUTORY ENVIRONMENT:

The subject property is zoned Residential R17.5/40 under the City's Town Planning Scheme No. 3.

The property is located in Precinct A – Urban Conservation under the City's Town Planning Scheme No. 3. As stated above the objective for the precinct “is to retain the residential amenity and streetscapes which are predominantly influenced by existing residences and other buildings, either listed as being of heritage significance, or which are representative of earlier periods of the City's development.”

Further to the above it is noted that Council, at its meeting held on 27th April 2007, resolved that pursuant to Clause 2.2 of Town Planning Scheme No. 3, adopt the Design Guidelines Precinct A Fitzgerald Street, Design Guidelines Precinct C Augustus Street and the Design Guidelines Precinct E Mount Scott for the purposes of seeking public comment with advertising for a period of 42 days.

The objective of Clause 2.3.2 'Retention of Buildings' of the draft Design Guidelines for Precinct A is "to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where (if demolition is necessary), that consequent vacant land does not result in development which upsets the rhythm of the streetscape."

Clause 2.3.2 'Retention of Buildings' of the draft Design Guidelines also provides the following:

- "a) Buildings of good quality, architectural character, and particularly those listed in the Municipal Inventory are to be retained wherever possible.
- b) Application for the demolition of a structurally sound building or any buildings listed on the Municipal Inventory will not generally be supported in isolation but rather will require the concurrent lodgement of an application for planning approval for the subsequent development/use of the site so as to minimise vacant lots in the precinct."

It is noted that the above Design Guidelines are currently on advertising and as such haven't yet been formally adopted, however it is still considered important to be considering the intent of the Design Guidelines in considering development applications.

The City's Building Department have also advised that from a visual inspection the building appears to be in sound condition.

The City Planning Department does not support the proposed demolition of the residence.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Key Result Area 5 Caring for our Community

Direction 4: Protected Built and Natural Heritage Assets

VOTING REQUIREMENTS:

Simple majority required.

OFFICER'S RECOMMENDATION:

That the application to demolish the existing residence on Lot 1 (No 87) Fitzgerald Street, Geraldton, be refused for the following reasons:

- i. The building is listed in the City's Municipal Inventory of Heritage Places with a Management Category of 3 which is 'Significant As An Individual Building' retain and conserve if possible: endeavour to conserve the significance of the place through provisions of the Town Planning Scheme.
- ii. The building makes an important contribution to the built environment of the locale.
- iii. The building contributes to the character of a wider heritage precinct, being Precinct A.
- iv. The development application contains no plans for any proposed redevelopment of the site following demolition. Any future development of the site should be encouraged to provide opportunities to incorporate the existing place or elements of it.
- v. The building is located in Precinct A – Urban Conservation under the City's Town Planning Scheme No. 3 with the objective being to retain the residential amenity and streetscapes which are predominantly influenced by existing residences and other buildings, either listed as being of heritage significance, or which are representative of earlier periods of the City's development.

FOOTNOTES:

1. In regard to point (v.) above it is noted that Design Guidelines for Precinct A are currently being advertised. The intent of these Design Guidelines is to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where it is necessary, that vacant idle land does not result which upsets the rhythm of the streetscape.
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COUNCIL DECISION:**EN BLOC MOTION**

That the application to demolish the existing residence on Lot 1 (No 87) Fitzgerald Street, Geraldton, be refused for the following reasons:

- i. The building is listed in the City's Municipal Inventory of Heritage Places with a Management Category of 3 which is 'Significant As An Individual Building' retain and conserve if possible: endeavour to conserve the significance of the place through provisions of the Town Planning Scheme.
- ii. The building makes an important contribution to the built environment of the locale.
- iii. The building contributes to the character of a wider heritage precinct, being Precinct A.
- iv. The development application contains no plans for any proposed redevelopment of the site following demolition. Any future development of the site should be encouraged to provide opportunities to incorporate the existing place or elements of it.
- v. The building is located in Precinct A – Urban Conservation under the City's Town Planning Scheme No. 3 with the objective being to retain the residential amenity and streetscapes which are predominantly influenced by existing residences and other buildings, either listed as being of heritage significance, or which are representative of earlier periods of the City's development.

FOOTNOTES:

1. In regard to point (v.) above it is noted that Design Guidelines for Precinct A are currently being advertised. The intent of these Design Guidelines is to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where it is necessary, that vacant idle land does not result which upsets the rhythm of the streetscape.

CARRIED

PSD627	PROPOSED DEMOLITION OF EXISTING RESIDENCE ON LOT 2 (No 152) AUGUSTUS STREET, GERALDTON
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AGENDA REFERENCE:	07/04766
LOCATION/ADDRESS:	Lot 2 (No 152) Augustus Street, Geraldton
NAME OF APPLICANT:	D J Mills
OWNER:	D J Mills
FILE REFERENCE:	TP07/080 & AUG/152
ZONING:	Residential R12.5/30/50
AUTHOR:	N Browne, Acting Coordinator of Planning
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	24 May 2007
SITE INSPECTION:	Yes
DELEGATED AUTHORITY:	No

SYNOPSIS:

An application has been received to demolish the existing residence on the above property. Recommended that Council not support the proposal to demolish the residence on the above property.

BACKGROUND:

The residence is located at the front of the property and there is an outbuilding at the rear of the property.

It is proposed to demolish the residence and outbuilding, leaving the lot vacant.

A photograph of the residence is attached.

COMMENT:

The residence has been included in the City of Geraldton Municipal Inventory of Heritage Places. The building was given a Management Category of 6 – Significant But Diminished. Assess in more detail when considering a development application.

The Place Record for the building in the City's Municipal Inventory describes the residence as a small rendered cottage with a hipped corrugated iron roof which extends to cover the front verandah with a skillion roof to the rear. An additional lean-to roof to the rear covers a brick extension. The front verandah is fully enclosed with fibro sheeting and louvre windows.

The statement of significance on the Place Record for the building states that "although this residence has been altered over the years it nevertheless retains the basic form and scale of the original house. The place has some aesthetic significance for its use of local stone, its simple style and as an example of construction of the late 19th

century. Furthermore, its proximity to the street affords the place streetscape value.”

No plans for redevelopment of the site have been submitted and the applicant has advised that it is intended to fully clear the site to make it more attractive to prospective purchasers.

CONSULTATION:

Given that the existing building is included in the City’s Municipal Inventory of Heritage Places the application was referred to the Midwest Regional Heritage Adviser for comment. The Midwest Regional Heritage Adviser has advised of the following issues in regard to the proposal:

1. Town Planning Scheme Precinct
The place is located in Precinct C – Urban Conservation as defined in the City of Geraldton Town Planning Scheme.
2. Character of Locale
The building is situated in an area of Geraldton which contains numerous heritage places, as is evident by the listings in the Municipal Inventory.
3. Redevelopment Plans
The development application contains no plans for any proposed redevelopment of the site following demolition of the existing residence. It is not good conservation practice to approve of demolition without any plans for redevelopment of the site. The creation of gaps in the streetscape should be avoided.

The Midwest Regional Heritage Adviser conducted a site inspection on 12 April 2007 and the building appeared to be in good condition.

The Midwest Regional Heritage Adviser has also advised that the place has undergone restoration works since the completion of the Municipal Inventory and in the opinion of the Heritage Adviser would warrant a management category of 3 being assigned to it during the review process of the Municipal Inventory.

In conclusion the Midwest Regional Heritage Adviser has advised that based on the above considerations it is recommended that the development application to demolish the building be refused.

STATUTORY ENVIRONMENT:

The subject property is zoned Residential R12.5/30/50 under the City’s Town Planning Scheme No. 3.

The property is located in Precinct C – Urban Conservation under the City’s Town Planning Scheme No. 3. The objective for the precinct is

to “recognise the mixed use nature of the land uses of the precinct and to protect the streetscape and urban amenity of Duboulay Street.”

Further to the above it is noted that Council, at it’s meeting held on 27th April 2007, resolved that pursuant to Clause 2.2 of Town Planning Scheme No. 3, adopt the Design Guidelines Precinct A Fitzgerald Street, Design Guidelines Precinct C Augustus Street and the Design Guidelines Precinct E Mount Scott for the purposes of seeking public comment with advertising for a period of 42 days.

The objective of Clause 2.3.2 ‘Retention of Buildings’ of the draft Design Guidelines for Precinct C is “to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where it is necessary, that vacant idle land does not result which upsets the rhythm of the streetscape.”

Clause 2.3.2 ‘Retention of Buildings’ of the draft Design Guidelines also provides the following:

- “a) Buildings of good quality, architectural character, and particularly those listed in the Municipal Inventory are to be retained wherever possible.
- b) Application for the demolition of a structurally sound building or any buildings listed on the Municipal Inventory will not generally be supported in isolation but rather will require the concurrent lodgement of an application for planning approval for the subsequent development/use of the site so as to minimise vacant lots in the precinct.”

It is noted that the above Design Guidelines are currently on advertising and as such haven’t yet been formally adopted, however it is still considered important to be considering the intent of the Design Guidelines in considering development applications.

The City’s Building Department have also advised that from a visual inspection the building appears to be in sound condition.

The City Planning Department does not support the proposed demolition of the residence.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Key Result Area 5 Caring for our Community

Direction 4: Protected Built and Natural Heritage Assets

VOTING REQUIREMENTS:

Simple majority required.

OFFICER'S RECOMMENDATION:

That the application to demolish the existing residence on Lot 2 (No 152) Augustus Street, Geraldton, be refused for the following reasons:

- i. The building is listed in the City's Municipal Inventory of Heritage Places with a Management Category of 6 which is 'Significant But Diminished' and assess in more detail when considering a development application. With the recent restoration works that have been undertaken it is the opinion of the Midwest Regional Heritage Adviser that the place warrants being allocated a Management Category of 3 when the Municipal Inventory is reviewed.
- ii. The building makes an important contribution to the built environment of the locale, as an individual building.
- iii. The building contributes to the character of a wider heritage precinct including the buildings on Francis Street and Augustus Street.
- iv. The development application contains no plans for any proposed redevelopment of the site following demolition. Any future development of the site should be encouraged to provide opportunities to incorporate the existing place or elements of it.
- v. The building is located in Precinct C – Urban Conservation under the City's Town Planning Scheme No. 3.

FOOTNOTES:

1. In regard to point (v.) above it is noted that Design Guidelines for Precinct C are currently being advertised. The intent of these Design Guidelines is to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where it is necessary, that vacant idle land does not result which upsets the rhythm of the streetscape.
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COUNCIL DECISION:**EN BLOC MOTION**

That the application to demolish the existing residence on Lot 2 (No 152) Augustus Street, Geraldton, be refused for the following reasons:

- i. The building is listed in the City's Municipal Inventory of Heritage Places with a Management Category of 6 which is 'Significant But Diminished' and assess in more detail when considering a development application. With the recent restoration works that have been undertaken it is the opinion of the Midwest Regional Heritage Adviser that the place warrants being allocated a Management Category of 3 when the Municipal Inventory is reviewed.
- ii. The building makes an important contribution to the built environment of the locale, as an individual building.
- iii. The building contributes to the character of a wider heritage precinct including the buildings on Francis Street and Augustus Street.
- iv. The development application contains no plans for any proposed redevelopment of the site following demolition. Any future development of the site should be encouraged to provide opportunities to incorporate the existing place or elements of it.
- v. The building is located in Precinct C – Urban Conservation under the City's Town Planning Scheme No. 3.

FOOTNOTES:

1. In regard to point (v.) above it is noted that Design Guidelines for Precinct C are currently being advertised. The intent of these Design Guidelines is to ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where it is necessary, that vacant idle land does not result which upsets the rhythm of the streetscape.

CARRIED

PSD628	PROPOSED TWO STOREY DWELLING ON LEASE LOT 2209 (No 10) CAPTAINS CRESCENT (CNR HELM WAY), WEST END
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AGENDA REFERENCE:	07/04767
LOCATION/ADDRESS:	Lease Lot 2209 (No 10) Captains Crescent (cnr Helm Way), West End
NAME OF APPLICANT:	Corey Jones
OWNER:	City of Geraldton
FILE REFERENCE:	TP07/102 & CAPT/10
ZONING:	West End
AUTHOR:	N Browne, Acting Coordinator of Planning
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	29 May 2007
SITE INSPECTION:	Yes

SYNOPSIS:

An application has been received to modify and partially demolish the existing residential dwelling and construct a two storey dwelling on the above property. Recommended that Council support the proposal subject to the imposition of relevant conditions.

BACKGROUND:

The lease lot comprises an area of 303m² and has a 15.08 metre frontage to Captains Crescent and a 20.12 metre frontage to Helm Way.

The lease lot currently contains a brick and corrugated iron cottage which is proposed to be modified and partially demolished. The lot is leased from the City of Geraldton and is currently leased until December 2025.

Photos of the existing dwelling on the lease lot are attached. Plans of the proposal are also attached.

The West End zone is unique as it caters for holiday style beach cottage type residences on leasehold land.

COMMENT:

The residential dwelling is proposed to be two storey and will have three bedrooms and two bathrooms. Two balconies are also proposed, the main one being at the front on the northern side of the dwelling and a smaller one at the front of the dwelling on the southern side.

A double garage is also proposed with a parapet wall on the common side boundary.

The dwelling is proposed to comprise an area of approximately 281.4m² (including the garage and balcony areas). It is proposed to predominantly use the existing building footprint as the existing external walls for the living and dining areas to the north west and the northern wall of the northern bedroom will be retained. It is also proposed to retain the existing floor of the original dwelling except for the portion that will be demolished to the south.

The applicant has advised that the walls of the new dwelling will be clad with fibro cement panels and planking in keeping with the existing palette of materials and aesthetics of the area. A metal deck roofing is also proposed.

CONSULTATION:

A letter was sent to the abutting property owner regarding the proposed parapet wall on the common side boundary. At the close of the advertising period no comment had been received from the abutting property owner.

It is noted that there is already an existing wall on the common boundary where the garage currently exists on-site. The existing wall actually extends to a nil setback on Helm Way. The proposed fibre cement planking wall will be replacing the existing painted corrugated iron wall and will also be reducing the length of the existing wall by 2 metres (ie from Helm Way). It is also proposed to be constructed 100mm from the boundary. As such it will be a marked improvement to the streetscape amenity and overall visual appearance.

STATUTORY ENVIRONMENT:

The subject property is zoned West End under the City's Town Planning Scheme No. 3.

It is noted that the use single residential dwelling is a use not permitted under the City's Town Planning Scheme. The West End zoning only permits the uses 'Holiday Accommodation', 'Caravan Park', 'Park Home Park' and 'Camping Area' is a discretionary use.

Council, at it's meeting held on 24 September 2002, resolved to adopt Scheme Amendment No 25 to the City of Geraldton Town Planning Scheme No. 3 to provide for a number of changes including inserting the definition 'West End Dwelling' into the Use Class Table as a 'P' (permitted) use in the West End zone.

The definition of 'West End Dwelling' means "a building or portion of a building located on leasehold land being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family."

The new definition was included as part of the omnibus Scheme Amendment No 25 in order to ensure that the residential type uses and buildings being carried out in the West End zone have a use right. The only current provision in the Scheme Text is for Holiday Accommodation, Caravan Park, Park Home Park or Camping Area which does not include those who may reside in such a building on a permanent basis. The new definition was based on the new Residential Design Codes 2002 definition of dwelling as single house or grouped dwelling definitions were not compatible with the type of use in the West End zone.

The omnibus Scheme Amendment No 25 has not yet received final approval, however as Council resolved to adopt the Scheme Amendment No 25, which included the new definition of 'West End Dwelling', the applicant has requested that consideration be given to the proposed new residential dwelling on this basis.

Further to the above it is noted that the proposal is for the same use that currently exists on-site. The lease agreement also states that the use of leased premises is for beach cottage residential accommodation. The lease agreement does not specify that lots are not to be used for permanent residential use. As such the intention is to permit permanent residential use and the City recognises that the predominant use is now permanent residential accommodation.

Clause 4.13.2 of Town Planning Scheme No. 3 states that "development for holiday accommodation or other permitted uses on land in the West End zone shall be in accordance with any requirement imposed by Council as a condition of planning consent or the issue of a lease for the land, and Council will have regard to the need for preservation of the area's amenity, adequate privacy for adjoining land, streetscape and landscape where appropriate."

Furthermore Clause 4.13.3 of Town Planning Scheme No. 3 states that "without affecting the generality of sub clause 4.13.2, Council, in considering an application for development, will have regard to the provisions of the R35 Residential Planning Code."

Given the above the proposed two storey residential dwelling was assessed in accordance with the R35 density code. The proposal complies with the R35 density, however the applicant is seeking Council discretion for the proposed setback to Helm Way. The Residential Design Codes requires a minimum setback of 1.5 metres to a secondary street, the applicant is proposing a setback of 0.5 metres at the closest point.

It is noted that the existing dwelling has a nil setback to Helm Way, therefore the proposed 0.5 metre setback is an improvement on the current situation. Furthermore it is only a 3 metre length of wall (being the entry to the dwelling) where the 0.5 metre minimum setback is

proposed. The majority of the dwelling complies with the required 1.5 metre setback and in this regard averages 1.5 metres. The proposal is also deemed to comply with the performance criteria of the Residential Design Codes, being Clause 3.2.1 P1 'Setback of Buildings Generally'.

The applicant has also satisfactorily addressed the privacy provisions of the Residential Design Codes in that the required setbacks are achieved, screening has been provided where required or there are no major openings overlooking abutting properties.

At the time Council considered a previous application for a two storey dwelling on lease lot 2217 (No 2) Captains Crescent it was recognised that a legal disclaimer/possible memorial on the lease relating to existing and future coastal processes including storm risk/flooding was required. This was addressed via legal advice received from Civic Legal (Local Government Lawyers). Civic Legal reviewed the standard lease and suggested new provisions that should be included in any new lease. The suggested amendments were included in the lease agreement for lease lot 2217 in order to address the above issue. It is recommended that the lease agreement for lease lot 2209 be amended to reflect the same changes.

The City's Corporate Services Department who manage the lease agreements for the West End area are aware of the legal advice received and are in the process of modifying all lease agreements to reflect the same changes.

POLICY IMPLICATIONS:

Council, at its meeting held on 23 May 2006, adopted as a policy to Town Planning Scheme No. 3 the 'West End Development Guidelines'. These Guidelines were implemented in response to a similar application that was received in 2005, being to redevelop another lease lot for a two storey dwelling. This application was granted approval in August 2006.

The objectives of the 'West End Development Guidelines' policy is "to provide for the progressive redevelopment of the West End zone, should leaseholders wish to redevelop, in recognition of the permanent residential land use occurring there. Development is to be in accordance with the R Codes at the R35 density and the Building Code of Australia yet still retain the unique character of the area's open streetscape that results in the relaxed, informal holiday village atmosphere. Dwellings will be permitted to a maximum of 2 storeys."

It is also an intention of the policy to "ensure that any future development within this zone is in compliance with the R Codes and the Building Code of Australia and is of a higher standard than existing dwellings, in keeping with permanent residential dwellings."

The proposal complies with the 'West End Development Guidelines' policy. It is noted that the policy does indicate that boundary walls should not be permitted, however in this instance it is proposed to replace an existing boundary wall which is more aesthetically pleasing and which will also be reducing the length of the existing wall by 2 metres (ie from Helm Way). The R Codes also has provisions allowing boundary walls of which this proposal complies with.

A Council disclaimer is also been included within the policy which clearly reminds leaseholders that these lots are leasehold and as such the City is under no obligation to initiate the freehold process on account of expense incurred by leaseholders for development on these lots.

It is considered that the redevelopment of the site will be a positive outcome in that it will allow the area to be brought into compliance in regards to the Residential Design Codes and the Building Code of Australia as they are applied to new structures which is one of the primary objectives of the West End Development Guidelines' policy.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple majority required.

OFFICER'S RECOMMENDATION:

Upon the lease agreement for lease Lot 2209 (No 10) Captains Crescent, West End, being suitably modified in order to reflect the new provisions as advised by Civic Legal on 21 July 2006, the Chief Executive Officer be granted delegated authority to approve the application to modify and partially demolish the existing dwelling and construct a two storey dwelling on lease lot 2209 (No 10) Captains Crescent, West End, subject to compliance with the following:

- i. Standard Conditions TG11,T2, T8, H3, H5, H6, H29, H30, B14, B17, B18, TG2, TG8, TG12(a), TG14, TG15, TD1, TD2, TD3 & TG16; and
- ii. Compliance is required with the Building Code of Australia;

FOOTNOTE:

1. The applicant is advised that the Department of Health's approval is required for the proposed effluent disposal system.
2. The City of Geraldton reminds leaseholders that these lots are leasehold and that they are low lying and in close proximity to the ocean. The City accepts no responsibility for property damage in the event of an extreme natural event. Furthermore the City is under no obligation to initiate the freehold process on account of expense incurred by leaseholders for development on these lots.

COUNCIL DECISION:**EN BLOC MOTION**

Upon the lease agreement for lease Lot 2209 (No 10) Captains Crescent, West End, being suitably modified in order to reflect the new provisions as advised by Civic Legal on 21 July 2006, the Chief Executive Officer be granted delegated authority to approve the application to modify and partially demolish the existing dwelling and construct a two storey dwelling on lease lot 2209 (No 10) Captains Crescent, West End, subject to compliance with the following:

- i. Standard Conditions TG11,T2, T8, H3, H5, H6, H29, H30, B14, B17, B18, TG2, TG8, TG12(a), TG14, TG15, TD1, TD2, TD3 & TG16; and**
- ii. Compliance is required with the Building Code of Australia;**

FOOTNOTE:

- 1. The applicant is advised that the Department of Health's approval is required for the proposed effluent disposal system.**
- 2. The City of Geraldton reminds leaseholders that these lots are leasehold and that they are low lying and in close proximity to the ocean. The City accepts no responsibility for property damage in the event of an extreme natural event. Furthermore the City is under no obligation to initiate the freehold process on account of expense incurred by leaseholders for development on these lots.**

CARRIED

PSD629 PROPOSED OUTBUILDINGS ON LOT 638 (No 205) EIGHTH STREET, WONTHELLA

AGENDA REFERENCE:	07/04768
LOCATION/ADDRESS:	Lot 638 (No 205) Eighth Street, Wonthella
NAME OF APPLICANT:	Shoreline Outdoor World
OWNER:	B Bilbe
FILE REFERENCE:	TP07/0112 & EIG/205
ZONING:	Residential R12.5/40/50
AUTHOR:	M Bell, Assistant Planning Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	24 May 2007
SITE INSPECTION:	No

SYNOPSIS:

An application has been received to construct an outbuilding comprising a total area of 60m² on the above property. The size of all the outbuildings on the property is in excess of what is normally allowed in the residential zone; hence the applicant is seeking Council approval. Recommended that Council approve the application subject to the imposition of relevant conditions.

BACKGROUND:

The subject property comprises an area of 1219m² and has a 20.12 metre frontage to Eighth Street, Wonthella. The property presently contains a single residential dwelling and two outbuildings.

Plans of the proposal are attached.

COMMENT:

The outbuilding is proposed to be 9.88 metres in length, 6.08 metres wide with a wall height of 4 metres and ridge height of 4.5 metres. The shed is proposed to be constructed of custom orb colorbond and includes three sliding doors to the front elevation and one to the rear.

The outbuilding is proposed to be located at the rear of the property behind the existing single residential dwelling and as such will have no impact on the streetscape.

The applicant has confirmed in writing that the outbuilding will be used for storage purposes only and not for commercial use.

CONSULTATION:

The applicant has provided letters of no objection from all abutting property owners for the proposed outbuilding.

STATUTORY ENVIRONMENT:

The subject property is zoned Residential R12.5/40/50 under the City's Town Planning Scheme No. 3.

The proposal complies with the Residential Design Codes in regards to setbacks and open space, however does not comply with maximum floor area allowable and the height for the proposed outbuilding.

Clause 3.10.1 A1 of the Residential Design Codes states "outbuildings do not exceed 60m² in area or 10 per cent in aggregate of the site area, whichever is the lesser." The proposed new outbuilding does not exceed the maximum area however the combined total area of the three outbuildings is proposed to be 114m² in area and as such is 54m² in excess of this requirement.

In addition to the above, the Residential Design Codes states "outbuildings do not exceed a wall height of 2.4 metres and a ridge height of 4.2m." The application proposes a wall height of 4 metres for the outbuilding and a ridge height of 4.5m therefore is seeking discretion from Council.

The R12.5 density code requires a minimum open space provision of 55% of the site. With the addition of the outbuildings the subject property would have an approximate total of 937m² of open space or 77%, therefore exceeding the minimum requirement.

Furthermore, given the size of the lot it has the potential for two grouped dwellings under the City's Town Planning Scheme No. 3 (ie the existing house and an additional residence at the rear). The site coverage of an additional dwelling would be similar, if not more, than the proposed outbuilding and with similar boundary setbacks.

The proposal is considered to meet the performance criteria of Clause 3.10.1 P1 of the Residential Design Codes in that the "outbuilding does not detract from the streetscape or the visual amenity of residents or neighbouring properties."

It is also noted that Council has recently approved other similar applications for outbuildings exceeding the maximum floor area allowable and wall height. All of the previous applications were approved to have a floor area of 120m². As such, this application is consistent with the floor area previously approved by Council.

Given the above and that the abutting property owners have no objection to the proposal the City Planning has no objection to the application.

The City's Technical Departments also have no objection to the proposal subject to the imposition of relevant conditions.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple majority required.

OFFICER'S RECOMMENDATION:

That the application to construct a new outbuildings with a floor area of 60m² on Lot 638 (No 205) Eighth Street, Wonthella, be granted approval subject to compliance with the following:

- i. Standard Conditions TG11, TG2, H29, H30, B14, B18, TG8, TG12(a), TG14, TG15, and TG16;
- ii. Outbuildings not to be used for industrial or commercial use
- iii. The subject property, including the outbuilding, is not permitted to be used in conjunction with the existing commercial premises, being Highway Auto Barn, on the abutting property at Lot 1 (No. 201) Eighth Street, Wonthella ; and
- iv. Compliance is required with the Building Code of Australia.

FOOTNOTE:

1. In regards to conditions ii and iii, it is noted that the subject property has a residential zoning and as such cannot be used for commercial or industrial purposes.

COUNCIL DECISION:**EN BLOC MOTION**

That the application to construct a new outbuildings with a floor area of 60m² on Lot 638 (No 205) Eighth Street, Wonthella, be granted approval subject to compliance with the following:

- i. Standard Conditions TG11, TG2, H29, H30, B14, B18, TG8, TG12(a), TG14, TG15, and TG16;**
- ii. Outbuildings not to be used for industrial or commercial use**
- iii. The subject property, including the outbuilding, is not permitted to be used in conjunction with the existing commercial premises, being Highway Auto Barn, on the abutting property at Lot 1 (No. 201) Eighth Street, Wonthella; and**
- iv. Compliance is required with the Building Code of Australia.**

FOOTNOTE:

- 1. In regards to conditions ii and iii, it is noted that the subject property has a residential zoning and as such cannot be used for commercial or industrial purposes.**

CARRIED

PSD630	PROPOSED RETAIL COMPLEX – LOT 25 (No. 54) FITZGERALD AND GREGORY STREETS, GERLADTON
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AGENDA REFERENCE:	07/04810
LOCATION:	Lot 25 (No. 54) Fitzgerald & Gregory Streets, Geraldton – Batavia Motor Inne site
APPLICANT:	Greg Rowe & Associates on behalf of McCrystal Enterprises Pty Ltd
OWNER:	Valadon Pty Ltd
FILE REFERENCE:	FIT/54
ZONING:	“City Centre”
AUTHOR:	M Connell, Strategic Planner
DISCLOSURE OF INTEREST:	Nil
DELEGATED AUTHORITY:	No
SITE INSPECTION:	Recommended for the site itself and surrounding areas especially Fitzgerald and Gregory Streets
DATE OF REPORT:	01 June 2007

SYNOPSIS:

An application has been received for the development of a retail complex comprising a Discount Department Store (K-Mart) with 4 shop tenancies on the site presently occupied by the Batavia Motor Inne. The application will involve demolition of all the existing improvements on the site inclusive of a heritage building listed on the City's Municipal Inventory. Plans of the proposal are attached. The application has been publicly advertised and it is recommended that Council advise the applicant that favourable consideration will be given to the proposal subject to a modification in design and layout and further that delegation be granted to the CEO to approved the amended plans and grant planning consent.

BACKGROUND:**The Proposal**

The subject land involves 5 strata lots currently used for the Batavia Motor Inne, the Green Room Health Club and a single residence.

The application involves a total land area of just over 1 hectare on which it is proposed to build a single structure containing a Discount Department Store of 4,000m² NLA and 4 retail tenancies of 129m², 765m², 243m² and 165m² NLA.

The development will primarily address Fitzgerald Street with servicing, staff car parking and the smallest of the 4 retail tenancies fronting Gregory Street. A total of 125 car parking bays are proposed (101 customer and 24 staff). Materials proposed are a customorb cladding and panted precast concrete.

Previous Council Decision

The application was considered at the Planning and Sustainable Development Committee held on Monday 16 April 2007 where it was resolved that:

- i Council, having taken into consideration the provisions of Town Planning Scheme No. 3, give notice of the application for a retail complex on Lot 25 (No. 54) Fitzgerald and Gregory Streets, Geraldton and publicly advertise the application for a period of 21 days pursuant to Clause 7.2 of Town Planning Scheme No. 3; and*
- ii Officers be requested to work with the applicants to achieve a mutually beneficial outcome.*

Modifications to the plans were made and a 'white paper' presented to Council at the meeting held on Friday 27 April 2007 where it was resolved that Council:

- i advise Greg Rowe & Associates of Council's overall in-principle support of a retail complex on Lot 25 (No. 54) Fitzgerald and Gregory Streets, Geraldton; and*
- ii having taken into consideration the amended plans and the provisions of Town Planning Scheme No. 3, give notice of the application for a retail complex on Lot 25 (No. 54) Fitzgerald and Gregory Streets, Geraldton and publicly advertise the application for a period of 21 days pursuant to Clause 7.2 of Town Planning Scheme No. 3.*

CONSULTATION:

The application was advertised for a period of 21 days. A notice was published in the Geraldton Guardian and signs placed on-site at both the Fitzgerald and Gregory Street frontages. Landowners and occupiers within 100 metres of the site were advised in writing of the application and invited to make comment. The application was available for viewing at the City office and has been widely publicised in the local media (inclusive of radio).

Regional Heritage Advisor

The application involves the demolition of the building located at 43 Gregory Street which is listed on the Municipal Inventory as follows:

Management Category 3: Significant as an Individual Building or Place.

Retain and conserve if possible: endeavour to conserve the significance of the place through provisions of the Town Planning Scheme with encouragement to the owner to conserve the place.

Photographically record the place prior to any major redevelopment of demolition.

The application was referred to the Midwest Regional Heritage advisor who recommended:

Further redesign options be considered which would result in the Fitzgerald Street shop frontages (or portion thereof) being positioned along the lot boundary so that they directly address Fitzgerald Street, with the carparking located away from the street frontage. This would serve to better reflect the predominant building setbacks in the locale and ensure a more active interface with the street. Similarly, the use of tall blank walls and large expanses of glass should be kept to a minimum, and instead a design and material palette which reflects some of the character of the nearby built fabric should be considered.

Corporate signage be of a design and scale so as not to dominate the site and street.

An archive record form be completed for the residence at 43 Gregory Street prior to a demolition license being issued.

The salvage of any original built fabric and features from the heritage building be actioned where possible.

A full copy of the Heritage Advisors report is attached.

SUBMISSIONS:

As a result of the advertising, a total of 86 submissions were received (14 in support of the application and 72 objections). Two petitions were received (21 and 172 signatures) objecting to the proposal.

Listed below is a summation of the comments/concerns raised from the public comment period:

SUPPORT

- Need something new and fresh to town.
 - Will improve shopping facilities.
 - Need to provide service to increasing population.
 - Knocking down an ageing, shabby hotel/motel and replacing it with a new building which has been carefully planned and designed to fit in with the existing streetscape.
 - The area is a "permitted use" area.
 - Location is good as it will boost the west ends businesses and surrounds.
 - Location currently contains hotels, motels, nightclubs, fruit & veg, fish & chips, vet holiday accommodation and various other private and government buildings. These all exist in this heritage area.
-

- Central location will encourage people to walk.
- Parking seems adequate.
- Progress is good for youth employment.
- Bring more activity to the west end area.
- Legitimate business in the CBD.

OBJECT

Traffic

- Would not welcome the extra traffic woes at school pick-up and drop-off times.
- Additional congestion with cars and conflict with children, pedestrian and cycle traffic
- Increased traffic pollution and emissions.
- Increase of, and alteration to, traffic flow.
- Existing traffic situations will not cope with further traffic.
- Loss of on-street parking and further expensive traffic management measures at the ratepayer's expense.
- Fitzgerald & Gregory Street too narrow and crowded already.
- Overflow traffic into surrounding residential streets is unwelcome.
- Increased likelihood of a collision near the corner of Lester Avenue and Gregory Street.
- Increased delivery by large trucks.
- Since the development of the Southern Transport Corridor, Fitzgerald Street is now a major through road and this development will increase the traffic flow.

Design

- Will result in predominantly 'back of house' appearance to the existing residential area on Gregory Street.
 - The car parking areas on both frontages with minimal setbacks does not enable the development to be provided with high quality landscaping areas to soften the impact of the development.
 - The northern tenancy proposes a nil rear setback adjoining the car park associated with the existing hotel on the adjoining land. This blank wall will be visible to Gregory Street and could be a target for vandalism that the owners of the shopping centre will not have the ability to maintain without trespassing on adjoining property. A landscaping setback should be provided.
 - The split car parking areas are undesirable without appropriate connection being provided to the shopping centre entrance. A narrow corridor with doors/gates at either end is not desirable or a safe pedestrian link.
 - The public toilets and accessways represent a serious safety concern that should be designed out in accordance with sound 'Crime Prevention Through Environmental Design Principles'.
-

- Not clear if the development is providing end of trip facilities such as bike racks and showers for staff.
- However sympathetically designed, a large variety store will not fit in with the style and function of the area.
- Any new commercial development within Gregory Street should maintain the established scale and proportion, with any new structures higher than the Geraldton Hotel set back from the boundary to minimise their impact. A satisfactory solution is achievable, however while the scheme offered to date has undergone some modifications, it has not attained the necessary degree of resolution considered acceptable.
- The loading dock should be relocated as it is currently proposed directly opposite a residence and the sounds of stopping, breaking, manoeuvring and reversing warning 'beeps' would have an impact.
- The loading dock could become a messy neglected area, similar to most other loading docks on retail developments.
- A redesign should include retention and renovation of the existing heritage building on Gregory Street.
- The design is contradictory to the intentions of the policy statements for Precinct B and consideration should be given to elevation treatments that reflect narrow individual roof shapes, with a diversity of materials to give the impression of a row of small shops rather than a large shopping centre.
- Lack of landscaping and suggest Norfolk Island/Hawaiian pines to compliment the area.
- Car park will become an additional venue / meeting place used to foster anti social behaviour.
- The entrance should be kept as far as possible from the school.

Streetscape

- The Gregory Street streetscape is essentially a domestic scale streetscape and while there are commercial activities conducted in the street, the premises are of a smaller scale. It is recognised that the existing Batavia Motor Inne is a large scale building, however the setback from the street and the surrounding vegetation, minimise its visual impact. This said, its high limestone walls are imposing and contribute nothing to the streetscape.
 - Will not produce a sympathetic building that requires a vast barren car park and massive signage.
 - The City's proposed draft guidelines for Precinct A emphasise development fitting into the existing context of the area with respect to building bulk and preserving or enhancing streetscapes. The proposal will not enhance the overall streetscape of Gregory Street and is not in keeping with the existing development of the area.
 - Need to retain "active streetscapes", and the idea of a huge wall along Gregory Street is hardly "active".
-

- The Batavia Motor Inne doesn't fit into the heritage area, but does that mean we replace it with something else that also doesn't.
- The scale of the complex does not fit in with the streetscape.

Heritage

- Heritage value of Gregory Street and the West End must retain its integrity.
- Will result in demolition of one of Geraldton's very few heritage buildings.
- Heritage listed buildings in the immediate area become downgraded and destabilized due to demolition and construction on the site.
- Heritage values of the precinct will not be preserved.
- Huge commercial complex is not compatible in this location of such significant heritage.
- Geraldton has the opportunity to take advantage of their historic buildings and precincts to attract visitors to the West End. The City's design guidelines advocate this direction.
- Demolition of the MI listed residence would be inconsistent with a previous Council decision to refuse demolition of another MI listed building at 63 Gregory Street.
- Heritage tours are conducted in the area and this proposal would compromise those tours.

Location

- Many other suitable locations.
 - Other sites have better road infrastructure to cater for this type of development.
 - Majority of Geraldton's residents would be better served by this complex being if it were on the NW Coastal Highway.
 - Incompatibility between a large retail complex and a school.
 - Located in school and residential area.
 - Location is land-locked and does not provide for future expansion, which such development will inevitably require.
 - Allowing the site to be used by a major retail chain will compromise the entire area and place additional pressure on surrounding sites for similar uses at the expense of existing residences thereby eroding the historical qualities of the area.
 - With the Foreshore redevelopment this area should be reserved for uses that encourage tourism and enjoyment of the foreshore.
 - Having this complex so close to schools may encourage children to frequent the complex in their breaks which concerns educators and will increase the possibility of stranger danger issues.
-

Car Parking

- Provision of 94 bays may not be sufficient and some sort of overflow parking will spill onto Gregory Street further adding to congestion from existing retail in the narrow street.
- Insufficient staff car parking.
- To cater for increased vehicles in the area, on-street parking in the vicinity may need to be time restricted or restricted all together thus impinging on existing businesses and their livelihood.

Noise and Amenity

- Elderly people dreading more noise and more people hanging around the area.
- Negative social changes for residents and user groups in the area.
- Increase in noise omissions for local residents.
- Considered essential for the proposal to provide an appropriate interface with the adjoining development to ensure the predominant surrounding residential amenity is preserved.
- 'Back of house' design will have a number of impacts on the residential amenity including noise, odour and lights.
- If café permitted to open after normal business hours it has the potential to adversely impact on the amenity of the residential properties particularly by way of noise.
- Increased traffic noise, particularly commercial traffic in Gregory Street can only interfere with the long established land uses such as accommodation, residential, small business, professional services and education.

Other

- A fall in property values is a likely result for organisations and residents.
 - A commercial entrance on Gregory Street demonstrates scant respect to a very significant historic location and tourism will be little enhanced by the proximity of the delivery/dispatch entrance to the place where John Forrest set out on his historic 1874 expedition of exploration to South Australia.
 - Would provide a place for further anti-social behaviour especially during night time.
 - There is no way loading times can be policed and thus would impact on the residents.
 - A condition of planning consent is that an archival record (documentary evidence along with measured drawings and photographs) is made of the premises proposed for demolition.
 - Inner city accommodation is in far greater need, and much more desirable than a retail complex.
 - A refusal would send a strong message that the Council supports the residents and considers their well being as a far
-

greater priority than the financial deliberations of a large multi national organisation.

- Allowing this development represents a lost opportunity for the City.
- Many small businesses in the area rely on passing trade and this development would remove the high turn over of transient workers/tourists, resulting in shops closing and the area becoming underutilised and not in keeping with the vision of vibrancy within the new foreshore precinct development.

Copies of the actual submissions are available to the Commissioners upon request.

STATUTORY ENVIRONMENT:

The subject land is zoned "City Centre" under the Town Planning Scheme No. 3 and is located in Precinct B and is on the border of Precinct A which includes the western frontage to Gregory Street. Of relevance to this application is the following extracts from the Town Planning Scheme:

2.1 GENERAL OBJECTIVES & POLICIES

Council's general objectives for the Scheme area are:

- *to secure and enhance the role of the City as the primary centre of the Mid-West region for commercial, industrial, residential and civic activity;*
- *to ensure a satisfactory diversity of urban character in all aspects of the City's development, which recognises and, where desirable, takes advantage of established aspects of the natural and built environment;*
- *protection of buildings, places and streetscapes considered to be of significance to the City's heritage and urban character;*

4.5 CITY CENTRE

4.5.1 Zone Objective & Policies

The zone objective is to ensure that development of the City Centre's commercial, civic and residential components is implemented in a manner which will secure the status and attraction of the City as the primary centre for the region. Council policies will therefore be to:

- *permit a wide range of uses appropriate to achieving the objective;*

- *prepare and progressively implement strategies to improve accessibility, car parking, streetscape and internal movement within the centre;*
- *ensure that buildings and streetscapes which impart some distinctive character to the centre are utilised to the fullest extent possible in order to increase the attraction of the centre for residents and visitors.*

4.15.2 Precinct B – Urban Conservation

The objective for the precinct is to ensure that, in the interests of a desirable diversity of City Centre use and character, buildings listed as being of heritage significance, and selected other buildings and facades representative of the City's early development are able to materially contribute and not be unduly prejudiced by further development.

- (iv) In view of the precinct's location relative to the foreshore and maritime activities, Council will give sympathetic consideration to developments which ... reflect a maritime character or are considered to otherwise contribute materially to the streetscape and amenity of the area.*

4.15.1 Precinct A – Urban Conservation

The objective for the precinct is to retain the residential amenity and streetscapes which are predominantly influenced by existing residences and other buildings, either listed as being of heritage significance, or which are representative of earlier periods of the City's development.

- (i) In considering planning consent to development in the precinct and any conditions thereunder, Council will ensure that the residential amenity of existing houses is not unduly prejudiced by reasons of building bulk, intrusion of privacy, occlusion of natural light, excessive additional traffic generation and appearance of the streetscape generally.*
- (ii) For development in the precinct, Council will require that design and materials are, in its opinion, sympathetic to and consistent with the character of existing buildings on adjoining sites.*

The proposed development is classed as a "Shop" which is defined under the Town Planning Scheme as:

Shop: *means premises wherein goods are kept, exposed or offered for sale by retail or fore hire, including premises for the*

provision of personal services, but does not include a bank, fuel depot, market, service station, milk depot, marine collectors yard, timber yard or land and buildings used for the sale of vehicles or for any purpose falling within the definition of industry.

A Shop is a "P" Permitted Use in the City Centre Zone meaning.

'P' means that the use is permitted, provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by Council in granting its planning consent.

POLICY IMPLICATIONS:

Design Guidelines Precinct A – Fitzgerald Street (draft)

The subject land is located on the border of Precinct A which includes the western frontage to Gregory Street. Council at its meeting held on Friday 27 April 2007 resolved to adopt the draft guidelines for the purposes of seeking public comment (which closes on Friday 22 June 2007). Of relevance to this application are the following extracts:

2.3.1 INFILL DEVELOPMENT

Objective: To ensure any infill development makes a positive contribution to the streetscape. The intention is not for new development to mimic existing heritage buildings. New development should be recognisable as such, but should still achieve a sympathetic relationship with the conservation area contiguous with it. In other words, it should not intrude unreasonably. The primary concern is the effect of new development upon the existing streetscape where there is an easily identifiable pattern of development or character of significance. To this end, Council will not assess as critically infill development that is not visible from the street or is located in an area of the precinct that is not considered significant as a result of existing unsympathetic development.

2.3.2 RETENTION OF BUILDINGS

Objective: To ensure that existing buildings are not unnecessarily demolished where reasonable alternative exists and where (if demolition is necessary), that consequent vacant land does not result in development which upsets the rhythm of the streetscape.

2.3.4 HEIGHT AND BULK

Objective: To ensure new development is consistent with existing development of heritage significance within the vicinity, in terms of height and bulk and does not dominate the streetscape.

2.3.5 BUILDING FORM

Building 'form' refers to the overall shape and volume and the general arrangement of its main parts. Roof, facades and verandahs and openings are generally the significant elements when considering the form of a building. Where there is a distinct pattern of repetition of a

building form, such as frequently seen in areas of heritage significance, any variation from the theme can appear highly irregular.

Objective: New development should include details which provide visual interest to the façade in a manner which complements the level and style of detailing to the local heritage buildings in a contemporary manner.

2.3.6 MATERIALS AND COLOUR

Objective: To ensure building materials and colours are harmonious with the overall character of the heritage streetscape, complementing the texture, form and colour of materials used in local heritage buildings.

COMMENT:

Car Parking:

Car parking requirements for new development in the City Centre zone are 1 space per 80m² GFA. As a minimum the proposal will require 63 car parking bays (5,302m²) and has provided a total of 125 bays.

Site Requirements:

The Scheme allows for a variable plot ratio between 0.5 and 3.0, variable minimum setbacks between nil and 6 metres and a landscaping percentage variable between 2.5 to 10%, subject to Council discretion. Landscaping as proposed would entail approximately 2.2%, but for this type of development should be guided by quality and functionality rather than a strict percentage.

Traffic Impact:

A Traffic Impact Statement was prepared by Transcore estimated that the future traffic volumes during the critical peak school hour (Friday between 3.00pm and 4.00pm) would be in the order of:

- Fitzgerald Street – 280 southbound movements and 295 northbound movements (575 total movements per hour).
- Gregory Street – 57 southbound movements and 58 northbound movements (115 total movements per hour).

The above figures are well below the recognised lane saturation figure of 800 vehicles per hour for a single lane carriageway.

The advent of the proposed development and the requirement to provide intersection treatments would require a total on-street parking ban be imposed on Fitzgerald Street between Lester Avenue and existing parking restrictions in the vicinity of the Geraldton Primary School. Basically this would mean the potential loss of 26 on street parking spaces to provide a safe on street traffic environment.

Currently no parking restrictions apply in Gregory Street between Lester Avenue and Augustus Street. There are currently 29 marked on street parking spaces between Augustus Street and the Chis'n'Fips with the remainder of the on street kerbside parking spaces unmarked.

Service vehicle movements in Gregory Street will require the removal of a minimum 12 (up to a maximum of 15) on street car parking spaces to accommodate ingress/egress turning movements of a 19.0 metre length service vehicle. Gregory Street would require rationalisation of the existing on-street parking to accommodate service vehicle access, crossovers and turning path.

To maintain a Safe Road Network, Local Area Traffic Management treatments would need to be provided for the section of Fitzgerald Street from Lester Avenue up to and including intersection with Sandford Street, to allow for the increase vehicle movements to enter and exit the proposed development's car parking facility. Such treatments may include:

- The introduction of a median strip to allow right turning movements and the requirement to reprofile a section of Fitzgerald Street to accommodate the realignment of through traffic flow.
- An upgrade of the Sandford Street intersection to provide safer right turning movements out of Sandford Street into Fitzgerald Street, (it is considered that the traffic flow from the District Distributor Road, Cathedral Avenue will increase along Sandford Street to travel to the development site thus requiring additional right turning movements into Fitzgerald Street).
- Pedestrian refuge required due this section of Fitzgerald Street having a footpath on both sides, and the nearest crossing point/pram ramp facility from the proposed development site is at the Lester Avenue / Fitzgerald Street round-a-bout.
- Signage to prevent on-street parking for the Fitzgerald Street frontage of the proposed development site to allow for increasing traffic movements.

General:

Town Planning Scheme No. 3 (refer to Statutory Environment section of this report) places considerable emphasis on streetscape. The subject land is located in an area which is considered to have significant heritage and cultural values as is evident by the high number of places included in the Municipal Inventory.

As the land is located in the periphery of the City Centre zone, and is in part adjacent to a residential zone, it is considered essential for the proposed development to provide an appropriate interface with adjoining development to ensure the residential amenity is preserved.

In assessing this application it is evident that the development will have a significant impact on the streetscape of both Fitzgerald and Gregory Streets and there is an opportunity for the overall scale of the built form to contribute significantly to the character and amenity of the public realm.

Current planning philosophies and principles of sustainable development advocate that out-of-town development (often mono-functional in nature), such as retail centres and office parks be curtailed and these elements brought back into urban centres to become part of the urban mix. A preferred approach is to absorb 'big box' type development into the transition area on the edge of the retail core and wrap the main perimeter of the box with a skin of smaller buildings, concealing its bulk and creating active frontages.

Conclusion:

It is considered that the application/information presented has failed to adequately address the issue of streetscape, which is critical to this application given its location, and it is therefore recommended that redesign/modifications to the plans be required.

The later approval of modified plans is warranted on the basis that where a planning authority seeks to regulate a particular aspect of development which is truly central to the development, then that aspect of the development should be dealt with at the time of granting approval and not deferred for later consideration (by way of conditions). Streetscape is considered a central aspect to this development and therefore no approval should be issued until such time as this issue has been adequately addressed.

FINANCIAL IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

5 Year Strategic Plan

Key Result Area 3 – Working for Geraldton

Direction 2: A Vibrant CBD

Key Result Area 4 – Places for People

Direction 6: A Built Environment to Meet the Needs of People

Key Result Area 5 – Caring for our Country

Direction 4: Protected Built and Natural Heritage Assets

VOTING REQUIREMENTS:

Simple majority required.

OFFICER'S RECOMMENDATION:

That Council:

- i. Having taken into consideration the submissions received, the provisions of Town Planning Scheme No. 3 and the plans as submitted, advise the applicant that Council would be willing to favourably consider an application for a retail complex on Lot 25 (No. 54) Fitzgerald and Gregory Streets, Geraldton once amended plans/information are submitted and approved which address the following:
 - a. Modifications to the layout so that active frontages are created to both Gregory and Fitzgerald Streets with a desire to achieve activation (direct access) on at least one third the length of the Fitzgerald Street and one half the length of the Gregory Street frontages. Favourable consideration shall be given for the possibility of these active frontages being 2 storey to help break the overall visual impact of the development. Pedestrian connection should be provided between Gregory and Fitzgerald Streets and the layout should encompass "Designing Out Crime" planning guidelines. Every attempt should be made to the layout in order to preserve the heritage listed building.
 - b. Modifications to the design to better reflect the character of the area and reduce the use of tall blank walls and large expanses of glass (such as pitching of roofs, feature gables, elevation treatments that reflect narrow individual roof shapes, with a diversity of materials to break up the monotony of the large building frontage).
 - c. Details of landscaping with the use species that compliment the area (such as Norfolk Island/Hawaiian pines).
 - d. Details of lighting.
 - e. Defined delivery/loading times.
 - f. Relocation/modification of the loading area so as not to unduly affect the amenity of the residence opposite.
 - g. Details of disabled access from parking areas (ramp slopes/walkways must comply with provisions of AS 1428.1-2001).
 - h. Details of fire fighting facilities which may impact on streetscape (such as fire hydrants and/or on-site storage tanks and pumps).
 - i. Details of parking layout to comply with the provisions of AS/NZS 2890.1:2004 in relation to minimum aisle width for user class 3A.
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- j. Proposed gradient of parking bays for people with disabilities (need to comply with the provisions of Clause 2.4.5 (a) of AS2890.1-1993 in relation to gradients).
 - k. Details of proposed on-site stormwater collection and disposal system. The City will require on-site retention and disposal of all stormwater runoff with a possible high level overflow into the City's' Fitzgerald Street stormwater drainage system, however no stormwater runoff to be discharged off-site into the Gregory Street drainage system. Headworks charges will apply for an overflow into the City's' Fitzgerald Street system.
 - l. Existing or design levels for both footpaths along Gregory and Fitzgerald Streets as this may have an impact on design of internal car park levels.
 - m. Details of signage.
 - n. Details of the palette of external colours and building materials which should reflect the nearby built environment.
 - o. Provision of 'end of trip' facilities such as bike racks and showers for staff.
 - p. Details and the provision of, Local Area Traffic Management treatments.
- ii Delegate to the CEO the issuing of a planning consent (inclusive of conditions) subject to the receipt of amended plans that address the above items to the approval of the CEO.
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PSD630	WHITE PAPER – PROPOSED RETAIL COMPLEX – LOT 25 (No. 54) FITZGERALD AND GREGORY STREETS, GERALDTON
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AGENDA REFERENCE:	07/04810
LOCATION:	Lot 25 (No. 54) Fitzgerald & Gregory Streets, Geraldton – Batavia Motor Inne site
APPLICANT:	Greg Rowe & Associates on behalf of McCrystal Enterprises Pty Ltd
OWNER:	Valadon Pty Ltd
FILE REFERENCE:	FIT/54
ZONING:	“City Centre”
AUTHOR:	M Connell, Strategic Planner & P Melling, Director Development Services
DISCLOSURE OF INTEREST:	Nil
DELEGATED AUTHORITY:	No
SITE INSPECTION:	Recommended for the site itself and surrounding areas especially Fitzgerald and Gregory Streets
DATE OF REPORT:	08 June 2007

SYNOPSIS:

Amended plans have now been received from the applicant, which address (in part) some of the items requested by City staff. The amended plans have not been diligently assessed by City staff and therefore it is recommended that Council advise the applicant that favourable consideration will be given to the proposal subject to further modifications and information, and further, that delegation be granted to the CEO to approved the amended plans and grant planning consent.

BACKGROUND:

During the advertising period, the applicant was advised of the general nature of the submissions being received and City staff stressed the timing factors involved in assessment of modified plans (if forthcoming). This issue was again highlighted at the Commissioner briefing session held on 28 May 2007.

Following the Commissioner briefing session the applicant advised that their client wished to have the current plans (ie. the plans that were publicly advertised) presented to the meeting on 12 June 2007.

A report was subsequently prepared on that basis.

The applicant subsequently submitted amended plans via an email sent on Saturday 02 June 2007 which was not opened by City staff until Tuesday 05 June 2007. It is important to note that reports for the Council Agenda are required to be finalised by Friday 01 June 2007.

Further plans have been submitted via email on Thursday 07 June 2007 (these being a site/floor plan P01 Rev 4 and an elevation plan P02 Rev 3), which will be tabled at the meeting.

It is current City procedure that all amended plans be assessed via the Development Control Unit (and if required sent to the Regional Heritage Advisor for comment). At the time of writing this report these plans have yet to be fully assessed.

COMMENT:

Town Planning Scheme No. 3 places considerable emphasis on streetscape and it is considered that this aspect is truly central to the development. Design issues such as lighting, materials, colour, signage, landscaping and external design all contribute to streetscape and therefore should be dealt with at the time of granting approval and not deferred for later consideration by way of conditions.

The Regional Heritage advisor also raised streetscape as an issue and it is considered only proper that comments be sought on any modified plans that change the streetscape appearance.

Given that the amended plans have only been recently received, they appear to address several issues raised by City staff, however it is still considered that further minor modifications and additional information is required in order to adequately address the issue of streetscape. For example with signage it is common for a pylon sign to be part of this type of development and it is considered that this would have streetscape implications if not addressed at the time of planning approval.

An amended recommendation giving overall support for the proposal has been prepared however it is still necessary to follow the process outlined in the earlier recommendation including delegation to the CEO. This is due to the need for assessment and the additional detail required as per the recommendation below.

VOTING REQUIREMENTS:

Absolute majority required.

WHITE PAPER OFFICER'S RECOMMENDATION:

That Council:

- i Having taken into consideration the submissions received, the provisions of Town Planning Scheme No. 3 and the amended plans submitted, advise the applicant that Council would be willing to favourably consider an application for a retail complex on Lot 25 (No. 54) Fitzgerald and Gregory Streets, Geraldton once amended plans/information are submitted and approved which address the following:
-

- a. Modifications to the layout so that pedestrian connection be provided between Gregory and Fitzgerald Streets encompassing "Designing Out Crime" planning guidelines and every attempt be made to the layout in order to preserve the heritage listed building.
 - b. Modifications to the design to better reflect the character of the area and reduce the use of tall blank walls and large expenses of glass (such as pitching of roofs, feature gables, elevation treatments that reflect narrow individual roof shapes, with a diversity of materials to break up the monotony of the large building frontage).
 - c. Details of landscaping with the use species that compliment the area (such as Norfolk Island/Hawaiian pines).
 - d. Details of lighting.
 - e. Defined delivery/loading times.
 - f. Modifications to the loading area, inclusive of noise attenuation measures, so as not to unduly affect the amenity of the residence opposite.
 - g. Details of disabled access from parking areas (ramp slopes/walkways must comply with provisions of AS 1428.1-2001).
 - h. Details of fire fighting facilities which may impact on streetscape (such as fire hydrants and/or on-site storage tanks and pumps).
 - i. Details of parking layout to comply with the provisions of AS/NZS 2890.1:2004 in relation to minimum aisle width for user class 3A.
 - j. Proposed gradient of parking bays for people with disabilities (need to comply with the provisions of Clause 2.4.5 (a) of AS2890.1-1993 in relation to gradients).
 - k. Details of proposed on-site stormwater collection and disposal system. The City will require on-site retention and disposal of all stormwater runoff with a possible high level overflow into the City's' Fitzgerald Street stormwater drainage system, however no stormwater runoff to be discharged off-site into the Gregory Street drainage system. Headworks charges will apply for an overflow into the City's' Fitzgerald Street system.
 - l. Existing or design levels for both footpaths along Gregory and Fitzgerald Streets as this may have an impact on design of internal car park levels.
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- m. Details of signage.
- n. Details of the palette of external colours and building materials which should reflect the nearby built environment.
- o. Provision of 'end of trip' facilities such as bike racks and showers for staff.
- p. Details of Local Area Traffic Management treatments to address the following:
 - Right turning movements from Fitzgerald Street into the car park and through traffic flow along Fitzgerald Street in the vicinity of the development;
 - Safer right turning movements out of Sandford Street into Fitzgerald Street;
 - Pedestrian access across Fitzgerald Street in the vicinity of the development; and
 - On-street parking on Gregory Street in the vicinity of the development and on Fitzgerald Street between Sanford Street and Lester Avenue, to allow for increasing traffic movements.
- ii Delegate to the CEO the issuing of a planning consent (inclusive of conditions) subject to the receipt of amended plans that address the above items to the approval of the CEO.

COUNCIL DECISION:**That Council:**

- i **Having taken into consideration the submissions received, the provisions of Town Planning Scheme No. 3 and the amended plans submitted, advise the applicant that Council would be willing to favourably consider an application for a retail complex on Lot 25 (No. 54) Fitzgerald and Gregory Streets, Geraldton once amended plans/information are submitted and approved which address the following:**
 - a. **Modifications to the layout so that pedestrian connection be provided between Gregory and Fitzgerald Streets encompassing "Designing Out Crime" planning guidelines and every attempt be made to the layout in order to preserve the heritage listed building. *Favourable consideration shall be given for the possibility of the pedestrian connection to be in the form of an 'arcade' that has sufficient width to encompass internal shop frontages and is able to be closed during non-trading hours.***

- b. Modifications to the design to better reflect the character of the area and reduce the use of tall blank walls and large expenses of glass (such as pitching of roofs, feature gables, elevation treatments that reflect narrow individual roof shapes, with a diversity of materials to break up the monotony of the large building frontage).**
 - c. Details of landscaping with the use species that compliment the area (such as Norfolk Island/Hawaiian pines).**
 - d. Details of lighting.**
 - e. Defined delivery/loading times.**
 - f. Modifications to the loading area, inclusive of noise attenuation measures, so as not to unduly affect the amenity of the residence opposite.**
 - g. Details of disabled access from parking areas (ramp slopes/walkways must comply with provisions of AS 1428.1-2001).**
 - h. Details of fire fighting facilities which may impact on streetscape (such as fire hydrants and/or on-site storage tanks and pumps).**
 - i. Details of parking layout to comply with the provisions of AS/NZS 2890.1:2004 in relation to minimum aisle width for user class 3A.**
 - j. Proposed gradient of parking bays for people with disabilities (need to comply with the provisions of Clause 2.4.5 (a) of AS2890.1-1993 in relation to gradients).**
 - k. Details of proposed on-site stormwater collection and disposal system. The City will require on-site retention and disposal of all stormwater runoff with a possible high level overflow into the City's' Fitzgerald Street stormwater drainage system, however no stormwater runoff to be discharged off-site into the Gregory Street drainage system. Headworks charges will apply for an overflow into the City's' Fitzgerald Street system.**
 - l. Existing or design levels for both footpaths along Gregory and Fitzgerald Streets as this may have an impact on design of internal car park levels.**
 - m. Details of signage.**
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- n. **Details of the palette of external colours and building materials which should reflect the nearby built environment.**
- o. **Provision of 'end of trip' facilities such as bike racks and showers for staff.**
- p. **Details of Local Area Traffic Management treatments to address the following:**
- **Right turning movements from Fitzgerald Street into the car park and through traffic flow along Fitzgerald Street in the vicinity of the development;**
 - **Safer right turning movements out of Sandford Street into Fitzgerald Street;**
 - **Pedestrian access across Fitzgerald Street in the vicinity of the development; and**
 - **On-street parking on Gregory Street in the vicinity of the development and on Fitzgerald Street between Sanford Street and Lester Avenue, to allow for increasing traffic movements.**
- ii *That favourable consideration be given to the provision of public art in accordance with Council's policy and implementation guidelines with favourable consideration given towards the provision of public art on site which utilises materials sourced from the heritage listed building.*
- iii **Delegate to the CEO the issuing of a planning consent (inclusive of conditions) subject to the receipt of amended plans that address the above items to the approval of the CEO.**

CARRIED BY ABSOLUTE MAJORITY

Note 1: A white paper dated 8 June 2007 containing additional information was tabled at the Council meeting.

Note 2: Council amended the White Paper Officer's Recommendation by inserting another paragraph to Pt i to address some of the concerns about the design catering for a safer environment and inserting a new Pt ii seeking to persuade the developers to use public art in the site and incorporate heritage designs.

9.6. Reports to be Received**REPORTS TO BE RECEIVED**

AGENDA REFERENCE: 07/04747
AUTHOR: G Brennan, Chief Executive Officer
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 1 June 2007

SYNOPSIS:

A report to adopt together those items for Council's receipt.

BACKGROUND:

At the request of Commissioners, information and items for noting or receiving (ie. periodic reports, minutes of other meetings) are to be included in an appendix attached to the Council agenda.

COMMENT:

The following reports are attached in the Appendix to this agenda:-

Report of the CEO

ECD328 Midwest Murchison Family Day Care Scheme
Coordinators Monthly Report – May 2007
ECD329 Geraldton Greenough Australia Day Celebrations Committee
ECD330 Youth Coordinating Network
ECD331 Events Approvals – May 2007

EIS408 Parks Department Report
EIS409 Works Department Report
EIS410 Environmental and Waste Management Report
EIS413 Coastal Subgroup of the Midwest Regional Road Group
EIS414 Community Management Initiative for the Chapman
River Estuary

CONSULTATION:

Not applicable.

STATUTORY ENVIRONMENT:

Not applicable.

VOTING REQUIREMENTS:

Simple majority required.

OFFICER'S RECOMMENDATION:

That Council receive the appended reports attached to this agenda.

COUNCIL DECISION:

That Council receive the appended reports attached to these Minutes.

CARRIED

CEO02	CONFIDENTIAL ITEM – PROPOSED CARAVAN PARK ON RESERVE 46860 – LEASE TO SKYBOW HOLDINGS PTY LTD
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AGENDA REFERENCE:	07/04811
AUTHOR:	G Brennan, Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	5 June 2007

Confidential Item, details of which were circulated separately.

COUNCIL DECISION:

That Council move behind closed doors at 7.55pm.

CARRIED

Note: Council moved behind closed doors in accordance with Section 5.23.2(e) of the Local Government Act for the purpose of discussing items of a confidential nature relating to commercial issues.

COUNCIL DECISION:

That Council move back from behind closed doors at 7.57pm.

CARRIED

COUNCIL DECISION:

That Council endorse the lease arrangements with Skybow Holdings Pty Ltd as follows:

- i. A \$200,000 bond will be paid to the City of Geraldton (City of Geraldton-Greenough as of 1 July 2007) to be placed into a trust fund. The bond is to be forfeited should the proposed lease be sold to another entity or otherwise non-performance of the intention to proceed with the proposed development.

Should the approvals not be acquired then the bond plus any interest be returned to Humfrey Land Developments (Skybow Holdings Pty Ltd). Once the necessary approvals have been secured by Humfrey Land Developments (Skybow Holdings Pty Ltd) \$70,000 will be transferred from the trust fund to the credit of the City of Geraldton-Greenough representing the first year lease payment.

- ii. On the first anniversary a further amount of \$90,000 is to be transferred from the \$130,000 balance held in trust in favour of the City of Geraldton-Greenough representing the second year lease payment. Should the practical completion of the project occur prior to the second anniversary a sum of \$110,000 will be deducted from the balance of the trust fund amount.
- iii. At the conclusion of the first year of trading the lease amount shall be in the sum of \$242,000 per annum for the balance of the first 5 years of the lease.
- iv. Prior to the conclusion of the first 5 years lease a revaluation will be conducted by valuers engaged by the City of Geraldton-Greenough to determine the unimproved capital valuation to be the annual lease for the following 5 years. A revaluation shall occur every 5 years thereafter.

CARRIED

10 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

12 URGENT BUSINESS APPROVED BY PRESIDING MEMBER OR BY DECISION OF THE MEETING

13 CLOSURE

The Presiding Member declared the meeting closed at 7.59pm.
