



**CITY OF VINCENT**

# **MINUTES**

**Special Council Meeting**

**12 July 2017**

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**MINUTES OF CITY OF VINCENT  
SPECIAL COUNCIL MEETING  
HELD AT THE ADMINISTRATION AND CIVIC CENTRE  
244 VINCENT STREET, LEEDERVILLE  
ON WEDNESDAY, 12 JULY 2017 AT 6PM**

<b>PRESENT:</b>	<b>Cr Roslyn Harley (Deputy Mayor)</b>	<b>North Ward</b>
	<b>Cr Susan Gontaszewski</b>	<b>South Ward</b>
	<b>Cr Jonathan Hallett</b>	<b>South Ward</b>
	<b>Cr Dan Loden</b>	<b>North Ward</b>
	<b>Cr Joshua Topelberg (from 6.03pm)</b>	<b>South Ward</b>
	<b>Cr Jimmy Murphy</b>	<b>South Ward</b>
<b>IN ATTENDANCE:</b>	<b>Len Kosova</b>	<b>Chief Executive Officer</b>
	<b>John Paton</b>	<b>Director Corporate Services</b>
	<b>John Corbellini</b>	<b>Director Development Services</b>
	<b>Craig Wilson</b>	<b>A/Director Technical Services</b>
	<b>Michael Quirk</b>	<b>Director Community Engagement</b>
	<b>Tim Evans</b>	<b>Manager Governance and Risk</b>
	<b>Emma Simmons</b>	<b>Governance and Council Support Officer</b>
<b>Media:</b>	<b>Julian Wright (Journalist), "The Guardian Express"</b>	
<b>Public:</b>	<b>Approximately 19 members of the public.</b>	

## **1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY**

The Presiding Member, Deputy Mayor Cr Roslyn Harley, declared the meeting open at 6.02pm and read the following Acknowledgement of Country statement:

*"On behalf of the City of Vincent I would like to pay my respects to the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past, present and emerging"*

Deputy Mayor Harley advised members of the gallery that the meeting will be live streamed over the internet. She further advised that the City takes all care to preserve privacy and therefore public question time will not be streamed and the cameras do not capture the public gallery.

At 6:03 pm, Cr Joshua Topelberg arrived at the meeting.

## **2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE**

Mayor Emma Cole on approved leave of absence from 7 July 2017 to 17 July 2017.

Cr Buckels on approved leave of absence from 3 July 2017 to 15 July 2017

## **3 PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS**

The following is a summary of questions and submissions received and responses provided at the meeting. This is not a verbatim record of comments made at the meeting.

### **3.1 Steve Allarding of Subiaco – Item 8.1 and 8.2**

- Spoke in support of the applications.
- Stated that the sites represent the most strategically located batching plants within the greater metropolitan region.
- Stated that both plants have been recognised by successive State Governments because of the State and Regional roles that they have played in servicing significant CBD development and government infrastructure.

*The Presiding Member Deputy Mayor Harley thanked Mr Allarding for his comments.*

3.2 Dr Carter of Perth – Items 8.1 and 8.2

- Spoke against the applications.
- Stated that rigid and heavy combination trucks are negotiating heavy traffic along Guildford Road bringing raw materials to the plants.
- Stated that there were many previous noxious industries in East Perth that have been replaced by something more pleasant and habitable.

*The Presiding Member Deputy Mayor Harley thanked Dr Carter for his comments.*

3.3 Anthony Clarkson of Rivervale – Item 8.1

- Spoke in support of the application.
- Spoke of the impact that refusing the application would have on employees of the plant.

*The Presiding Member Deputy Mayor Harley thanked Mr Clarkson for his comments.*

3.4 Ross Leighton of Perth – Items 8.1 and 8.2

- Spoke against the applications.
- Stated that previous comments regarding the necessity for the batching plants to be located close to the City are no longer valid.
- Stated that the largest concrete pours that have been undertaken within the CBD have been supplied from Osborne Park not from the CBD plants.

*The Presiding Member Deputy Mayor Harley thanked Mr Leighton for his comments.*

3.5 Ken Street of East Perth - Items 8.1 and 8.2

- Spoke against the applications.
- Stated that the development of East Perth Precinct and the surrounding area is not compatible with two batching plants on the door step.

*The Presiding Member Deputy Mayor Harley thanked Mr Street for his comments.*

3.6 Allan Stewart of Northbridge – Items 8.1 and 8.2

- Spoke against the applications.
- Stated that the applications are new development applications and should be considered as such.
- Stated that the East Perth Redevelopment Scheme does not endorse these applications and spoke of the requirements and policies under the Scheme.

*The Presiding Member Deputy Mayor Harley thanked Mr Stewart for his comments.*

3.7 Jason Brooks of Northbridge – Item 8.1 and 8.2

*Mr Brooks continued to speak on behalf of Mr Stewart.*

- Spoke against the applications.

*The Presiding Member Deputy Mayor Harley thanked Mr Brooks for his comments.*

3.8 Shane Nani, Manager Holcim Concrete, East Perth – Item 8.2

- Spoke in support of the application.
- Stated that there are currently 23 employees based at the plant and over 45 employees based at the head office in East Perth.
- Stated that the plant is integral to the company's West Australian operations and to the people it employs.

*The Presiding Member Deputy Mayor Harley thanked Mr Nani for his comments.*

3.9 Deborah Karajas of Perth – 8.1 and 8.2

- Spoke against the applications.

*The Presiding Member Deputy Mayor Harley thanked Ms Karajas for her comments.*

3.10 Mark George of Perth – Item 8.1 and 8.2

- Spoke against the applications.

*The Presiding Member Deputy Mayor Harley thanked Mr George for her comments.*

3.11 Vanessa Bullock of Perth - Item 8.1 and 8.2

- Spoke against the applications.

*The Presiding Member Deputy Mayor Harley thanked Ms Bullock for her comments.*

3.12 Thomas Kelly of Perth - Item 8.1 and 8.2

- Spoke against the applications.

*The Presiding Member Deputy Mayor Harley thanked Mr Kelly for his comments.*

3.13 Ryonen Butcher of Perth - Item 8.1 and 8.2

- Spoke against the applications.

*The Presiding Member Deputy Mayor Harley thanked Ms Butcher for her comments.*

There being no further speakers, Public Question Time closed at approximately 6.28pm.

#### **4 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

#### **5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS**

Nil

#### **6 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

Nil

## 7 DECLARATIONS OF INTEREST

Nil

## 8 DEVELOPMENT SERVICES

### 8.1 NO. 71 (LOT: 200; D/P: 92012) EDWARD STREET, PERTH - CONCRETE BATCHING PLANT (UNLISTED USE)

TRIM Ref: D17/68689











Author: Remajee Narroo, Statutory Planning Officer

Authoriser: John Corbellini, Director Development Services

Ward: South

Precinct: East Perth Redevelopment Authority – Precinct 15 Claisebrook Road North

Attachments:

1. Attachment 1 - Consultation and Location Map [⇒](#) 
2. Attachment 2 - Copy of Minister's Planning Approval 2012 [⇒](#) 
3. Attachment 3 - Timetable of Events [⇒](#) 
4. Attachment 4 - Development Plans [⇒](#) 
5. Attachment 5 - Application Letter [⇒](#) 
6. Attachment 6 - Summary of Submissions [⇒](#) 
7. Attachment 7 - Applicant's Response to the Submissions [⇒](#) 
8. Attachment 8 - Current Environmental Management Plan [⇒](#) 
9. Attachment 9 - Current Environmental Noise Plan [⇒](#) 
10. Attachment 10 - Advice Notes [⇒](#) 

#### RECOMMENDATION:

That Council, in accordance with the provisions of the City of Perth Town Planning Scheme No.2 - East Perth Redevelopment Authority Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application for development approval for a Concrete Batching Plant (Unlisted Use) at No.71 (Lot 200; D/P: 9202) Edward Street, Perth, in accordance with the plans shown as Attachment 4, subject to the following conditions, with the associated determination advice notes in Attachment 10:

#### 1. Term of Approval

This approval is granted for a term expiring on 16 October 2018;

#### 2. Vehicle Access

- 2.1 This approval limits concrete batching operations and access to the site by trucks and semi-trailers to any time between Monday and Saturday inclusive;
- 2.2 There is to be no access to the site by trucks and semi-trailers on Sundays or public holidays;

#### 3. Environmental Management Plan

- 3.1 The development must be carried out in accordance with the Environmental Management Plan prepared by Strategen Environmental Consultants dated August 2014, or any revised Environmental Management Plan approved by the City;
- 3.2 Within 28 days of this approval the applicant shall lodge with the City a revised Environmental Management Plan that requires all truck traffic associated with the development to access and egress the Claisebrook Precinct via Edward Street to Lord Street and to not utilise Claisebrook Road north of Caversham Street unless such truck movements are to provide local supplies of concrete within the Claisebrook Precinct;

#### 4. Noise Management Plan

The development must be carried out in accordance with the recommendations made in the SVT Engineering Consultants Environmental Noise Assessment dated 21 April 2011, or other Noise Management Plan approved by the City, including in particular, but without limitation:

- a. Control/reduction of noise emitted from the site and activities associated with the site;
- b. Maintenance of plant/mechanical equipment and application of inspection schedules to ensure optimal, quiet working order;
- c. Selection of equipment for onsite operations, including both prospective equipment and retrofitting of existing equipment, to minimise individual and accumulative noise impacts from the site;
- d. Induction and training of workforce to promote compliant operation, in accordance with the noise management plan;
- e. Detail the methods of on-going self-monitoring, including testing equipment, locations, frequency, technical parameters, interpretation of results, and periodic evaluation of the monitoring method (to account for further encroachment of residential development and changes to surrounding built environment over time);
- f. Complaint response methods, including short and long term abatement measures and record keeping; and
- g. Details of staff member(s) accountable for overseeing compliance with the noise management plan; and

#### 5. Landscaping

Landscaping shall be maintained in accordance with the Landscape Management Plan dated 26 June 2012, or other Landscape Management Plan approved by the City.

#### 6. General

Where any of the above conditions have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

Moved: Cr Loden, Seconded: Cr Gontaszewski

That the recommendation be adopted.

PROPOSED AMENDMENT:

Moved: Cr Topelberg, Seconded: Cr Gontaszewski

That the recommendation be amended as follows:

“That Council, in accordance with the provisions of the City of Perth Town Planning Scheme No. 2 – East Perth Redevelopment Authority Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application for development approval for a Concrete Batching Plant (Unlisted Use) at No. 71 (Lot: 200; D/P: 9202) Edward Street, Perth, in accordance with the plans shown as Attachment 4, expressly for the following reasons and subject to the following conditions listed below, together with the associated determination advice notes in Attachment 10:

**Reasons:**

- A. The development approval granted for the concrete batching plant on 21 May 2012 does not guarantee or contemplate the continued operation of the plant beyond 16 October 2017. Despite these circumstances allowing only the finite existence of the concrete batching plant and requiring its imminent cessation in October 2017, the applicant has advised that they have not considered relocation of the concrete batching plants elsewhere and instead appears to be relying on an expectation of ongoing approval. This undermines and ignores the bona fide impact and intent of the pre-existing development approval. Notwithstanding, it is considered fair and reasonable for Council to grant an extension of time to allow the long-term planning framework of the area to be finalised through adoption of the City of Vincent Draft Town Planning Scheme No. 2, under which Council has consistently resolved that the subject site and its surrounds must be zoned Residential/Commercial R160. The continued ongoing operation of the concrete batching plant on the subject site is entirely inconsistent with and detrimental to the City's future vision for the Claisebrook Precinct to transition to a mixed-use area and the community's zoning and development expectations for the area.**
- B. The continued operation of the concrete batching plant on the subject site is entirely incompatible with and detrimental to the existing and emerging residential and mixed use development character and intensity of the area, as evidenced by recent Development Assessment Panel decisions in support of high density development of that nature in close proximity to the subject site.**

**Conditions:****1. Term of Approval**

This approval is granted for a term expiring on 16 October 2018;

**2. Vehicle Access**

- 2.1 This approval limits concrete batching operations and access to the site by trucks and semi-trailers to any time between Monday and Saturday inclusive;
- 2.2 There is to be no access to the site by trucks and semi-trailers on Sundays or public holidays;

**3. Environmental Management Plan**

- 3.1 The development must be carried out in accordance with the Environmental Management Plan prepared by Strategen Environmental Consultants dated August 2014, or any revised Environmental Management Plan approved by the City;
- 3.2 Within 28 days of this approval the applicant shall lodge with the City a revised Environmental Management Plan that requires all truck traffic associated with the development to access and egress the Claisebrook Precinct via Edward Street to Lord Street and to not utilise Claisebrook Road north of Caversham Street unless such truck movements are to provide local supplies of concrete within the Claisebrook Precinct;

**4. Noise Management Plan**

The development must be carried out in accordance with the recommendations made in the SVT Engineering Consultants Environmental Noise Assessment dated 21 April 2011, or other Noise Management Plan approved by the City, including in particular, but without limitation:

- 4.1. Control/reduction of noise emitted from the site and activities associated with the site;
- 4.2. Maintenance of plant/mechanical equipment and application of inspection schedules to ensure optimal, quiet working order;
- 4.3. Selection of equipment for onsite operations, including both prospective equipment and retrofitting of existing equipment, to minimise individual and accumulative noise impacts from the site;



- 4.4. Induction and training of workforce to promote compliant operation, in accordance with the noise management plan;
- 4.5. Detail the methods of on-going self-monitoring, including testing equipment, locations, frequency, technical parameters, interpretation of results, and periodic evaluation of the monitoring method (to account for further encroachment of residential development and changes to surrounding built environment over time);
- 4.6. Complaint response methods, including short and long term abatement measures and record keeping; and
- 4.7. Details of staff member(s) accountable for overseeing compliance with the noise management plan; and

5. Landscaping

Landscaping shall be maintained in accordance with the Landscape Management Plan dated 26 June 2012, or other Landscape Management Plan approved by the City.

6. General

Where any of the above conditions have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

AMENDMENT CARRIED (5-1)

For: Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy  
Against: Cr Harley

(Mayor Cole was on approved leave of absence for the Meeting.)  
(Cr Buckels was on approved leave of absence for the Meeting.)

COUNCIL DECISION ITEM 8.1

Moved: Cr Loden, Seconded: Cr Gontaszewski

That Council, in accordance with the provisions of the City of Perth Town Planning Scheme No. 2 – East Perth Redevelopment Authority Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application for development approval for a Concrete Batching Plant (Unlisted Use) at No. 71 (Lot: 200; D/P: 9202) Edward Street, Perth, in accordance with the plans shown as Attachment 4, expressly for the following reasons and subject to the conditions listed below, together with the associated determination advice notes in Attachment 10:

Reasons:

- A. The development approval granted for the concrete batching plant on 21 May 2012 does not guarantee or contemplate the continued operation of the plant beyond 16 October 2017. Despite these circumstances allowing only the finite existence of the concrete batching plant and requiring its imminent cessation in October 2017, the applicant has advised that they have not considered relocation of the concrete batching plants elsewhere and instead appears to be relying on an expectation of ongoing approval. This undermines and ignores the bona fide impact and intent of the pre-existing development approval. Notwithstanding, it is considered fair and reasonable for Council to grant an extension of time to allow the long-term planning framework of the area to be finalised through adoption of the City of Vincent Draft Town Planning Scheme No. 2, under which Council has consistently resolved that the subject site and its surrounds must be zoned Residential/Commercial R160. The continued ongoing operation of the concrete batching plant on the subject site is entirely inconsistent with and detrimental to the City's future vision for the Claisebrook Precinct to transition to a mixed-use area and the community's zoning and development expectations for the area.

- B. The continued operation of the concrete batching plant on the subject site is entirely incompatible with and detrimental to the existing and emerging residential and mixed use development character and intensity of the area, as evidenced by recent Development Assessment Panel decisions in support of high density development of that nature in close proximity to the subject site.

**Conditions:**

1. **Term of Approval**

This approval is granted for a term expiring on 16 October 2018;

2. **Vehicle Access**

- 2.1 This approval limits concrete batching operations and access to the site by trucks and semi-trailers to any time between Monday and Saturday inclusive;
- 2.2 There is to be no access to the site by trucks and semi-trailers on Sundays or public holidays;

3. **Environmental Management Plan**

- 3.1 The development must be carried out in accordance with the Environmental Management Plan prepared by Strategen Environmental Consultants dated August 2014, or any revised Environmental Management Plan approved by the City;
- 3.2 Within 28 days of this approval the applicant shall lodge with the City a revised Environmental Management Plan that requires all truck traffic associated with the development to access and egress the Claisebrook Precinct via Edward Street to Lord Street and to not utilise Claisebrook Road north of Caversham Street unless such truck movements are to provide local supplies of concrete within the Claisebrook Precinct;

4. **Noise Management Plan**

The development must be carried out in accordance with the recommendations made in the SVT Engineering Consultants Environmental Noise Assessment dated 21 April 2011, or other Noise Management Plan approved by the City, including in particular, but without limitation:

- 4.1. Control/reduction of noise emitted from the site and activities associated with the site;
- 4.2. Maintenance of plant/mechanical equipment and application of inspection schedules to ensure optimal, quiet working order;
- 4.3. Selection of equipment for onsite operations, including both prospective equipment and retrofitting of existing equipment, to minimise individual and accumulative noise impacts from the site;
- 4.4. Induction and training of workforce to promote compliant operation, in accordance with the noise management plan;
- 4.5. Detail the methods of on-going self-monitoring, including testing equipment, locations, frequency, technical parameters, interpretation of results, and periodic evaluation of the monitoring method (to account for further encroachment of residential development and changes to surrounding built environment over time);
- 4.6. Complaint response methods, including short and long term abatement measures and record keeping; and
- 4.7. Details of staff member(s) accountable for overseeing compliance with the noise management plan; and

**5. Landscaping**

Landscaping shall be maintained in accordance with the Landscape Management Plan dated 26 June 2012, or other Landscape Management Plan approved by the City.

**6. General**

Where any of the above conditions have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

**CARRIED UNANIMOUSLY (6-0)**











**For:** Cr Harley, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Nil.

**(Mayor Cole was on approved leave of absence for the Meeting.)**

**(Cr Buckels was on approved leave of absence for the Meeting.)**

**8.2 NO. 120 (LOT: 1001; D/P: 29129 ) CLAISEBROOK ROAD, PERTH - CONCRETE BATCHING PLANT (USE NOT LISTED)****TRIM Ref:** D17/75695**Author:** Remajee Narroo, Statutory Planning Officer**Authoriser:** John Corbellini, Director Development Services**Ward:** South**Precinct:** East Perth Redevelopment Authority – Precinct 15 Claisebrook Road North

- Attachments:**
1. Attachment 1 - Consultation and Location Map 
  2. Attachment 2 - Copy of Minister's Planning Approval 2012 
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  7. Attachment 7 - Applicant's Response to the Submissions 
  8. Attachment 8 - Environmental Management Plan 
  9. Attachment 9 - Noise Management Plan 
  10. Attachment 10 - Advice Notes 

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Perth Town Planning Scheme No. 2 - East Perth Redevelopment Authority Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application for development approval for Concrete Batching Plant (Use Not Listed) at No. 120 (Lot: 1001; D/P: 29129) Claisebrook Road, Perth, in accordance with the plans shown as Attachment 4, subject to the following conditions, with the associated determination advice notes in Attachment 10:

**1. Term of Approval**

This approval is granted for a term expiring on 16 October 2018;

**2. Vehicle Access**

- 2.1 This approval limits concrete batching operations and access to the site by trucks and semi-trailers to any time between Monday and Saturday inclusive;
- 2.2 There is to be no access to the site by trucks and semi-trailers on Sundays or public holidays;

**3. Environmental Management Plan**

- 3.1 The development must be carried out in accordance with the Environmental Management Plan prepared by Holcim Australia dated June 2016, or any revised Environmental Management Plan approved by the City;
- 3.2 Within 28 days of this approval the applicant shall lodge with the City a revised Environmental Management Plan that requires all truck traffic associated with the development to access and egress the Claisebrook Precinct via Edward Street to Lord Street and to not utilise Claisebrook Road north of Caversham Street unless such truck movements are to provide local supplies of concrete within the Claisebrook Precinct;

**4. Noise Management Plan**

4. The development must be carried out in accordance with the recommendations made in the Herring Storer Acoustics Noise Management Plan (Ref:12645-3-10164) dated December 2010, or other Noise Management Plan approved by the City, including in particular, but without limitation:

- (a) Reverse the truck access route during night operations (7 pm to 6 am), so mixing trucks enter the loading area from the west, travel east through the loading bay building, then move to the night slump stand, located behind the existing delivery shed then following slumping, they turn within the site and exit via Claisebrook Road;
- (b) Ensuring that the personnel entry door to the production tower is not left open between 7 pm and 7 am;

#### 5. Landscaping

Landscaping to be maintained in accordance with the Landscape Plan (Ref: 08-13-00985A) dated 2013 or other Landscape Management Plan approved by the City; and

#### 6. General

Where any of the above conditions have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

Moved: Cr Topelberg, Seconded: Cr Loden

That the recommendation be adopted.

#### PROPOSED AMENDMENT:

Moved: Cr Topelberg, Seconded: Cr Hallett

“That Council, in accordance with the provisions of the City of Perth Town Planning Scheme No. 2 – East Perth Redevelopment Authority Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application for development approval for a Concrete Batching Plant (Use Not Listed) at 120 (Lot: 1001; D/P: 29129) Claisebrook Road, Perth, in accordance with the plans shown as Attachment 4, expressly for the following reasons and subject to the ~~following~~ conditions listed below, together with the associated determination advice notes in Attachment 10:

#### Reasons:

- A. The development approval granted for the concrete batching plant on 21 May 2012 does not guarantee or contemplate the continued operation of the plant beyond 16 October 2017. Despite these circumstances allowing only the finite existence of the concrete batching plant and requiring its imminent cessation in October 2017, the applicant has advised that they have not considered relocation of the concrete batching plants elsewhere and instead appears to be relying on an expectation of ongoing approval. This undermines and ignores the bona fide impact and intent of the pre-existing development approval. Notwithstanding, it is considered fair and reasonable for Council to grant an extension of time to allow the long-term planning framework of the area to be finalised through adoption of the City of Vincent Draft Town Planning Scheme No. 2, under which Council has consistently resolved that the subject site and its surrounds must be zoned Residential/Commercial R160. The continued ongoing operation of the concrete batching plant on the subject site is entirely inconsistent with and detrimental to the City’s future vision for the Claisebrook Precinct to transition to a mixed-use area and the community’s zoning and development expectations for the area.
- B. The continued operation of the concrete batching plant on the subject site is entirely incompatible with and detrimental to the existing and emerging residential and mixed use development character and intensity of the area, as evidenced by recent Development Assessment Panel decisions in support of high density development of that nature in close proximity to the subject site.

**Conditions:****1. Term of Approval**

This approval is granted for a term expiring on 16 October 2018;

**2. Vehicle Access**

- 2.1 This approval limits concrete batching operations and access to the site by trucks and semi-trailers to any time between Monday and Saturday inclusive;
- 2.2 There is to be no access to the site by trucks and semi-trailers on Sundays or public holidays;

**3. Environmental Management Plan**

- 3.1 The development must be carried out in accordance with the Environmental Management Plan prepared by Holcim Australia dated June 2016, or any revised Environmental Management Plan approved by the City;
- 3.2 Within 28 days of this approval the applicant shall lodge with the City a revised Environmental Management Plan that requires all truck traffic associated with the development to access and egress the Claisebrook Precinct via Edward Street to Lord Street and to not utilise Claisebrook Road north of Caversham Street unless such truck movements are to provide local supplies of concrete within the Claisebrook Precinct;

**4. Noise Management Plan**

The development must be carried out in accordance with the recommendations made in the Herring Storer Acoustics Noise Management Plan (Ref:12645-3-10164) dated December 2010, or other Noise Management Plan approved by the City, including in particular, but without limitation:

- (a) Reverse the truck access route during night operations (7 pm to 6 am), so mixing trucks enter the loading area from the west, travel east through the loading bay building, then move to the night slump stand, located behind the existing delivery shed then following slumping, they turn within the site and exit via Claisebrook Road;
- (b) Ensuring that the personnel entry door to the production tower is not left open between 7 pm and 7 am;

**5. Landscaping**

Landscaping to be maintained in accordance with the Landscape Plan (Ref: 08-13-00985A) dated 2013 or other Landscape Management Plan approved by the City; and

**6. General**

Where any of the above conditions have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

**AMENDMENT CARRIED (5-1)**

**For:** Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy

**Against:** Cr Harley

**(Mayor Cole was on approved leave of absence for the Meeting.)  
(Cr Buckels was on approved leave of absence for the Meeting.)**

**COUNCIL DECISION ITEM 8.2**

**Moved: Cr Topelberg, Seconded: Cr Loden**

That Council, in accordance with the provisions of the City of Perth Town Planning Scheme No. 2 – East Perth Redevelopment Authority Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application for development approval for a Concrete Batching Plant (Use Not Listed) at 120 (Lot: 1001; D/P: 29129) Claisebrook Road, Perth, in accordance with the plans shown as Attachment 4, expressly for the following reasons and subject to the conditions listed below, together with the associated determination advice notes in Attachment 10:

**Reasons:**

- A. The development approval granted for the concrete batching plant on 21 May 2012 does not guarantee or contemplate the continued operation of the plant beyond 16 October 2017. Despite these circumstances allowing only the finite existence of the concrete batching plant and requiring its imminent cessation in October 2017, the applicant has advised that they have not considered relocation of the concrete batching plants elsewhere and instead appears to be relying on an expectation of ongoing approval. This undermines and ignores the bona fide impact and intent of the pre-existing development approval. Notwithstanding, it is considered fair and reasonable for Council to grant an extension of time to allow the long-term planning framework of the area to be finalised through adoption of the City of Vincent Draft Town Planning Scheme No. 2, under which Council has consistently resolved that the subject site and its surrounds must be zoned Residential/Commercial R160. The continued ongoing operation of the concrete batching plant on the subject site is entirely inconsistent with and detrimental to the City's future vision for the Claisebrook Precinct to transition to a mixed-use area and the community's zoning and development expectations for the area.
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**Conditions:****1. Term of Approval**

This approval is granted for a term expiring on 16 October 2018;

**2. Vehicle Access**

- 2.1 This approval limits concrete batching operations and access to the site by trucks and semi-trailers to any time between Monday and Saturday inclusive;
- 2.2 There is to be no access to the site by trucks and semi-trailers on Sundays or public holidays;

**3. Environmental Management Plan**

- 3.1 The development must be carried out in accordance with the Environmental Management Plan prepared by Holcim Australia dated June 2016, or any revised Environmental Management Plan approved by the City;
- 3.2 Within 28 days of this approval the applicant shall lodge with the City a revised Environmental Management Plan that requires all truck traffic associated with the development to access and egress the Claisebrook Precinct via Edward Street to Lord Street and to not utilise Claisebrook Road north of Caversham Street unless such truck movements are to provide local supplies of concrete within the Claisebrook Precinct;

**4. Noise Management Plan**

The development must be carried out in accordance with the recommendations made in the Herring Storer Acoustics Noise Management Plan (Ref:12645-3-10164) dated December 2010, or other Noise Management Plan approved by the City, including in particular, but without limitation:

- (c) Reverse the truck access route during night operations (7 pm to 6 am), so mixing trucks enter the loading area from the west, travel east through the loading bay building, then move to the night slump stand, located behind the existing delivery shed then following slumping, they turn within the site and exit via Claisebrook Road;
- (d) Ensuring that the personnel entry door to the production tower is not left open between 7 pm and 7 am;

**5. Landscaping**

Landscaping to be maintained in accordance with the Landscape Plan (Ref: 08-13-00985A) dated 2013 or other Landscape Management Plan approved by the City; and

**6. General**

Where any of the above conditions have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

**CARRIED UNANIMOUSLY (6-0)**

**For:** Cr Harley, Cr Gontaszewski, Cr Hallett, Cr Loden, Cr Topelberg and Cr Murphy  
**Against:** Nil.

(Mayor Cole was on approved leave of absence for the Meeting.)  
(Cr Buckels was on approved leave of absence for the Meeting.)

**9 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil

**10 URGENT BUSINESS**

Nil



**11 CLOSURE**

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 7.11pm with the following persons present:

<b>PRESENT:</b>	<b>Cr Roslyn Harley (Deputy Mayor)</b>	<b>North Ward</b>
	<b>Cr Susan Gontaszewski</b>	<b>South Ward</b>
	<b>Cr Jonathan Hallett</b>	<b>South Ward</b>
	<b>Cr Dan Loden</b>	<b>North Ward</b>
	<b>Cr Joshua Topelberg</b>	<b>South Ward</b>
	<b>Cr Jimmy Murphy</b>	<b>South Ward</b>
<b>IN ATTENDANCE:</b>	<b>Len Kosova</b>	<b>Chief Executive Officer</b>
	<b>John Paton</b>	<b>Director Corporate Services</b>
	<b>John Corbellini</b>	<b>Director Development Services</b>
	<b>Craig Wilson</b>	<b>A/Director Technical Services</b>
	<b>Michael Quirk</b>	<b>Director Community Engagement</b>
	<b>Tim Evans</b>	<b>Manager Governance and Risk</b>
	<b>Emma Simmons</b>	<b>Governance and Council Support Officer</b>
<b>Media:</b>	<b>Julian Wright (Journalist), "The Guardian Express"</b>	
<b>Public:</b>	<b>5</b>	

These Minutes were confirmed by the Council as a true record and accurate of the Ordinary Meeting of the Council held on 25 July 2017.

Signed: ..... Deputy Mayor Roslyn Harley

Dated this ..... day of .....2017