

# CITY OF COCKBURN

## SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 13 DECEMBER 2012 AT 7:00 PM

---

---

	Page
1. DECLARATION OF MEETING.....	1
2. APPOINTMENT OF PRESIDING MEMBER (IF REQUIRED) .....	5
3. DISCLAIMER (TO BE READ ALOUD BY PRESIDING MEMBER).....	5
4 (OCM 13/12/2012) - ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (BY PRESIDING MEMBER) .....	5
5 (OCM 13/12/2012) - APOLOGIES AND LEAVE OF ABSENCE .....	6
6. ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	6
7 (OCM 13/12/2012) - PUBLIC QUESTION TIME .....	6
8. CONFIRMATION OF MINUTES.....	10
8.1 <u>(MINUTE NO 4922)</u> (OCM 13/12/2012) CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING - 08 NOVEMBER 2012 .....	10
9. WRITTEN REQUESTS FOR LEAVE OF ABSENCE.....	11
10. DEPUTATIONS AND PETITIONS .....	11
11. BUSINESS LEFT OVER FROM THE PREVIOUS MEETING (IF ADJOURNED) .....	11
12 (OCM 13/12/2012) - DECLARATION OF COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS IN THE BUSINESS PAPER.....	11
13. COUNCIL MATTERS.....	11
13.1 <u>(MINUTE NO 4923)</u> (OCM 13/12/2012) - 2011/12 ANNUAL REPORT (IM/B/009) (S SEYMOUR-EYLES) (ATTACH).....	11
13.2 <u>(MINUTE NO 4924)</u> (OCM 13/12/2012) - VOLUNTEER BUSHFIRE OFFICE BEARERS APPOINTMENT AND FIRE CONTROL OFFICERS APPOINTMENT (RS/L/007) (R AVARD) .....	13
13.3 <u>(MINUTE NO 4925)</u> (OCM 13/12/2012) - PROPOSED AMENDMENTS TO SUBURB BOUNDARIES - COOGEE, SPEARWOOD, MUNSTER, HENDERSON, WATTLEUP AND BEELIAR (CC/B/001)(D GREEN) (ATTACH) .....	17

14.	PLANNING AND DEVELOPMENT DIVISION ISSUES .....	25
14.1	<u>(MINUTE NO 4926)</u> (OCM 13/12/2012) - INDUSTRY - WORKSHOP EXTENSION TO EXISTING GENERAL INDUSTRY (LICENSED) PREMISES (PHOENIX CORROSION CONTROL) - LOCATION: 217 (LOT 104) BARRINGTON STREET, BIBRA LAKE - OWNER: STRATHAN PTY LTD - APPLICANT: PHILIP SILJEG (4313405) (T CAPPELLUCCI) (ATTACH).....	25
14.2	<u>(MINUTE NO 4927)</u> (OCM 13/12/2012) - ADDITIONS AND ALTERATIONS TO LODGING HOUSE - LOCATION: 17-19 WINTERFOLD ROAD HAMILTON HILL - OWNER: JASON TOWNES & BIG MORETON PTY LTD - APPLICANT: BERNARD SEEBER PTY LTD (2201783 & 2201784) (L REDDELL) (ATTACH).....	35
14.3	<u>(MINUTE NO 4928)</u> (OCM 13/12/2012) - RETROSPECTIVE APPLICATION COMMERCIAL VEHICLE PARKING - LOCATION: 139 BRITANNIA AVENUE BEELIAR - OWNER: KEITH LOMAX - APPLICANT: KEITH LOMAX (3411485) (L REDDELL) (ATTACH) .....	41
14.4	<u>(MINUTE NO 4929)</u> (OCM 13/12/2012) - SINGLE HOUSE - LOCATION: 146 (LOT 45) SEMPLE COURT COCKBURN CENTRAL - OWNER: CHING FONG HOU - APPLICANT: CELEBRATION HOMES (5513118) (A LEFORT) (ATTACH).....	46
14.5	<u>(MINUTE NO 4930)</u> (OCM 13/12/2012) - ENDORSEMENT OF NEW COMMERCIAL LEASE FOR KIOSK LOCATED ON RESERVE 24308 (NAVAL BASE SHACKS) - OWNER: STATE OF WESTERN AUSTRALIA - APPLICANT: CITY OF COCKBURN (SM/L/002) (L GATT) (ATTACH).....	52
14.6	(OCM 13/12/2012) - AMENDMENT NO. 97 - DEVELOPMENT CONTRIBUTION PLAN (93097) (C CATHERWOOD) (ATTACH) .....	57
14.7	<u>(MINUTE NO 4932)</u> (OCM 13/12/2012) - PUBLIC CONSULTATION ON THE EXCISION OF PORTION OF RESERVE 50535 - OCEAN DRIVE, NORTH COOGEE - APPLICANT: PETER WEBB & ASSOCIATES ON BEHALF OF PICKLED FIG CAFE (6011632) (K SIM) (ATTACH).....	62
14.8	<u>(MINUTE NO 4933)</u> (OCM 13/12/2012) - CONSIDERATION FOR FINAL ADOPTION SCHEME AMENDMENT NO. 91 - LOTS 101, 103 & 104 JANDAKOT RD, JANDAKOT - OWNER: SCHAFFER CORPORATION LTD - APPLICANT: MGA TOWN PLANNERS (93091) (C HOSSEN) (ATTACH) .....	65
14.9	<u>(MINUTE NO 4934)</u> (OCM 13/12/2012) - PROPOSED DISTRICT STRUCTURE PLAN MINOR MODIFICATION - LOCATION: VARIOUS LANDHOLDINGS BETWEEN HAMMOND ROAD AND BRANCH CIRCUS, SUCCESS - OWNER: VARIOUS - APPLICANT: CITY OF COCKBURN (SM/M/024) (C HOSSEN) (ATTACH).....	75
14.10	(OCM 13/12/2012) - PROPOSED INITIATION OF SCHEME AMENDMENT NO. 98 TO TOWN PLANNING SCHEME NO. 3 - APPLICANT: DEVELOPMENT PLANNING STRATEGIES (93098) (R COLALILLO) (ATTACH).....	82
14.11	<u>(MINUTE NO 4936)</u> (OCM 13/12/2012) - LOCAL COMMERCIAL AND ACTIVITY CENTRE STRATEGY (SM/M/045) (R SERVenty) (ATTACH) .....	88

14.12	<u>(MINUTE NO 4937)</u> (OCM 13/12/2012) - CONSIDERATION TO INITIATE SCHEME AMENDMENT NO. 99 (OMNIBUS AMENDMENT) - APPLICANT: CITY OF COCKBURN - OWNER: VARIOUS (93099) (M CAIN / C HOSSEN) (ATTACH) .....	94
14.13	<u>(MINUTE NO 4938)</u> (OCM 13/12/2012) - PROPOSED LOCAL STRUCTURE PLAN MODIFICATION - LOCATION: LOTS 4, 125 AND 126 HAMMOND ROAD, SUCCESS - OWNER: VARIOUS - APPLICANT: RPS (SM/M/061) (C HOSSEN) (ATTACH) .....	104
15.	FINANCE AND CORPORATE SERVICES DIVISION ISSUES .....	110
15.1	<u>(MINUTE NO 4939)</u> (OCM 13/12/2012) - LIST OF CREDITORS PAID - OCTOBER 2012 (FS/L/001) (N MAURICIO) (ATTACH).....	110
15.2	<u>(MINUTE NO 4940)</u> (OCM 13/12/2012) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - OCTOBER 2012 (FS/S/001) (N MAURICIO) (ATTACH).....	111
16.	ENGINEERING AND WORKS DIVISION ISSUES.....	117
16.1	<u>(MINUTE NO 4941)</u> (OCM 13/12/2012) - ADOPTION OF THE 'PLAYGROUND SHADE SAIL STRATEGY 2013-2023' (ES/V/001) (A LEES) (ATTACH).....	117
16.2	<u>(MINUTE NO 4942)</u> (OCM 13/12/2012) - OCEAN POOL INVESTIGATION REPORT (ES/V/002) (D VICKERY) (ATTACH).....	122
16.3	<u>(MINUTE NO 4943)</u> (OCM 13/12/2012) - PETITION TO CLOSE RIGBY AVENUE, SPEARWOOD (450156) (J MCDONALD) (ATTACH) .....	126
16.4	<u>(MINUTE NO 4944)</u> (OCM 13/12/2012) - SOUTHERN METROPOLITAN REGIONAL COUNCIL WITHDRAWAL ARRANGEMENTS FOR A PROJECT PARTICIPANT (CITY OF ROCKINGHAM) (ES/L/004) (M LITTLETON) (ATTACH).....	134
16.5	<u>(MINUTE NO 4945)</u> (OCM 13/12/2012) - TENDER NO. RFT 19/2012 - PLAYGROUND SOFTFALL (WHITE SAND) - CLEANING AND REPLENISHMENT (RFT 19/2012) (L VIEIRA) (ATTACH) .....	137
17.	COMMUNITY SERVICES DIVISION ISSUES.....	142
17.1	<u>(MINUTE NO 4946)</u> (OCM 13/12/2012) - EVALUATION REPORT FOR MOBILE YOUTH RECREATION SERVICE (CR/S/007) (M CHAMPION) (ATTACH).....	142
17.2	<u>(MINUTE NO 4947)</u> (OCM 13/12/2012) - EVALUATION REPORT FOR CHILDREN'S OUTDOOR PLAY SESSION SERVICE 'FROGGY'S FUN ON THE GREEN (CR/S/001) (J DE CASTRO) (ATTACH) .....	149
17.3	<u>(MINUTE NO 4948)</u> (OCM 13/12/2012) - ABORIGINAL CULTURAL & VISITORS CENTRE FEASIBILITY STUDY REPORT (CR/L/013) (G BOWMAN) (ATTACH).....	155
17.4	<u>(MINUTE NO 4949)</u> (OCM 13/12/2012) - MEN'S SHED FEASIBILITY STUDY REPORT (CR/L/001) (G BOWMAN) (ATTACH).....	167
18.	EXECUTIVE DIVISION ISSUES .....	183
19.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	184

20	(OCM 13/12/2012) - NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING .....	184
21.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY COUNCILLORS OR OFFICERS .....	184
22	(OCM 13/12/2012) - MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE .....	185
23.	CONFIDENTIAL BUSINESS .....	186
24	(OCM 13/12/2012) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995).....	186
25	(OCM 13/12/2012) - CLOSURE OF MEETING .....	186

# CITY OF COCKBURN

## MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 13 DECEMBER 2012 AT 7:00 PM

---

### PRESENT:

#### ELECTED MEMBERS

Mr L Howlett	-	Mayor (Presiding Member)
Mr K Allen	-	Deputy Mayor
Mr Y Mubarakai	-	Councillor
Ms L Smith	-	Councillor
Mrs C Reeve-Fowkes	-	Councillor
Mr T Romano	-	Councillor
Mr S Pratt	-	Councillor
Mrs V Oliver	-	Councillor
Mr B Houwen	-	Councillor

#### IN ATTENDANCE

Mr S. Cain	-	Chief Executive Officer
Mr D. Green	-	Director, Administration & Community Services
Mr S. Downing	-	Director, Finance & Corporate Services
Mr M. Littleton	-	Director, Engineering & Works
Mr D. Arndt	-	Director, Planning & Development
Mr J. Snobar	-	Media Liaison Officer
Ms V. Viljoen	-	PA to Chief Executive Officer

### 1. DECLARATION OF MEETING

Presiding Member declared the meeting open at 7.03pm.

Mayor Howlett made the following announcements:

#### **Vale Late Mr John Grljusich**

Mr John Grljusich, a former Councillor and Mayor of the City of Cockburn passed away on Wednesday 7 November 2012 after a long illness.

On behalf of Elected Members, staff and the Cockburn community Mayor Howlett acknowledged the significant contribution that Mr John Grljusich



made to the Cockburn community and extended sincere condolences to his wife Marie and the extended family.

The funeral service was by far the largest in terms of attendance that Mayor Howlett had ever been to in the City of Cockburn, a mark of respect to a man with strong links to the community, business and sport.

### **Spearwood Dalmatinac Sport & Community Club – 50<sup>th</sup> Anniversary Celebrations**

On Saturday 24 November Mayor Howlett and his wife Pat attended the 50<sup>th</sup> anniversary celebrations of the Spearwood Dalmatinac Sport & Community Association. The Club commenced in Fremantle and moved to its current location 40 years ago.

Congratulations go to the founding board members and other members who worked hard to establish the Club and to those who have followed in their footsteps.

The Club's strong volunteer and sponsorship base has ensured a sound basis on which to engage with the community through an amazing calendar of social events and the use of the Club's facilities for community events.

These activities provide a steady stream of revenue for the Club and contribute to its financial stability. The Spearwood Dalmatinac Sport & Community Club can be proud of their achievements, and importantly of the role they continue to play in providing sporting and social opportunities for people of all ages and abilities in the community.

### **Wattleup Re-Union – 80<sup>th</sup> Anniversary**

On Sunday 25 November Mayor Howlett and his wife Pat attended the Wattleup Re-Union, 80 years on from when the first European settlers moved to the locality.

He note that Mrs Gianoli, who moved to the area in 1949 was the resident who lived there for the longest period of time, 62 years was present to share in the celebrations.

Congratulations to Karina Rodwell and Lia Roberts for organising a very successful re-union.

### **2012 Telethon Home**

Mayor Howlett announced that the 2012 Telethon Home in Port Coogee sold for a record \$1.2M before the actual Telethon Weekend. The land was donated by Australand and the home built by In-Vogue with contributions coming from a vast array of tradespersons.



## **2012 Inspirational Volunteer of the Year**

On Sunday evening, 2 December, the City hosted a very successful Inspirational Volunteer of the Year Awards Evening in Manning Park.

The six category winners were:

- Youth – Katelin Neil
- Community – Michael Ricci
- Environmental & Animal Protection – Janene Watts
- Indigenous – Natalie Mippy
- Arts and Culture – Peter Fallon
- Sports & Recreation – Peter Jokic
- 

The overall winner from these six categories and the 2012 Inspirational Volunteer of the Year Award recipient was Peter Jokic.

Our congratulations are again extended to all category winners and the overall winner.

## **Next Council Meeting**

The next meeting of Council is scheduled for Thursday 14 February 2013 (Valentine's Day).

## **2013 Annual General Meeting of Electors**

The Annual Electors Meeting is scheduled for Tuesday 5 February 2013 at which time the 2011/2012 Annual Report will be presented.

## **Local Government Reform**

Mayor Howlett reminded the community that the Robson Report is now available for public comment until Friday 5 April 2013. He recommended that ratepayers and residents read the report and take the opportunity to have a say in the future of local government in the Perth metropolitan area.

A copy of the report will be available on the City's website, Administration Building and libraries or online at: [dlg.wa.gov.au](http://dlg.wa.gov.au).

## **Awards**

2012 will go down as a year in which the achievements of staff, the City's strong volunteer base and partnerships with business sector, developers, community groups, cultural groups, service clubs, sporting and the arts, education centres and schools have been recognised at a local, state and national level.



Mayor Howlett mentioned a few, some of which were presented at the meeting and others which were displayed in the gallery just outside the Council Chambers.

### ***Planning Institute of Australia Awards***

The City of Cockburn has taken home the Planning Institute of Australia's 'Hard Won Victory Award for Planning Excellence' for its Western Australian first Developer Contribution Plan.

The award recognises the City's *Community Infrastructure Development Contribution Plan 13* which ensures an equitable funding approach for new developments.

The City also received two further commendations for infrastructure development and improving planning processes and practices.

### ***Sister Cities Australia National Award***

The City was awarded the 2012 Sister Cities National Award for 'Community Involvement' relating to the 'themed' Cockburn Rotary Spring Fairs that have promoted the City's sister city relationships with the City of Split, Croatia, City of Yueyang, China and the City of Mobile, USA.

The City also received accolades for Friendship Way that showcases our sister cities, our indigenous heritage, the concept of Peace and RSL Park.

### ***2012 Sustainable Cities National Awards***

The City was a recipient of two Keep Australia Beautiful category awards:

- Energy Innovation; and
- Community Action & Partnerships.

The City was also announced as the Keep Australia Beautiful Overall 2012 Sustainable Cities National Award recipient.

### ***2012 Premier's Awards for Public Sector Excellence***

The City was a finalist in the recent 2012 Premier's Awards in the category of 'Strengthening Families & communities' in recognition of the Cockburn Community Fund (Grants & Donations Program).

The City of Fremantle won the 'Developing the Economy' category for their 'Fremantle Economic Development Strategy 2011-2015'. A great achievement for our region.





**2012 Public Health Advocacy Institute of WA Awards – in conjunction with WALGA and Healthway Second Annual Presentations of the Local Government Children’s Environment and Health Report Card Project**

On Monday 26 November the City received awards in two categories. They were:

- Certificate of Distinction for 2 categories: Shade in Public Spaces and Child Health;
- Certificate of Excellence for finishing 2<sup>nd</sup> overall in the Best of WA Award of the 2012 Local Government Children’s Environment and Health Report Card Project

Note: Two years in a row the City has received 2<sup>nd</sup> placing overall across the state.

That was just a sample of the City’s achievements this year, and as we all know, there is always more to be done. Mayor Howlett stated that he looked forward to the Council’s deliberations in 2013 and to the staff, volunteers and the many business and community organisations delivering the best possible outcomes for Cockburn.

**2. APPOINTMENT OF PRESIDING MEMBER (If required)**

Not applicable.

**3. DISCLAIMER (To be read aloud by Presiding Member)**

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

**4 (OCM 13/12/2012) - ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (BY PRESIDING MEMBER)**

The Presiding Member advised the meeting that he had received advice from Cllr Houwen that he had a proximity interest in Item 13.3 which will be read at the appropriate time.



5 (OCM 13/12/2012) - APOLOGIES AND LEAVE OF ABSENCE

➤ Clr Steve Portelli - Apology

6. ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

7 (OCM 13/12/2012) - PUBLIC QUESTION TIME

ITEMS IN WRITING, ON THE AGENDA

**Grayem White, Spearwood**

*Item 16.3 – Petition to Close Rigby Avenue, Spearwood*

Q1: I want to ask the members if in the name of social equity and to honour the principles of 'liveable neighbourhoods', you support the closure of Rigby Avenue, as petitioned by the residents?

A1: *This issue is currently before Council and will be considered tonight.*

Q2: If yes, thank you. If no, what do you suggest is done to lessen the traffic burden on Rigby Avenue and respect the needs for safety, peace health and amenity of its residents?

A2: *Alternative options to the closure of Rigby Avenue were identified in the report attached to the agenda.*

Q3: Is Council aware that while the developers suggest their objections to the engineers proposal of deleting entries to Mell road conforms with the principles of Liveable Neighbourhoods, the opposite is the case, it in fact directly violates major and multiple principles of liveable neighbourhoods?

A3: *Council is aware of the principles of the Liveable Neighbourhoods policy.*

**Alda Fraser, Spearwood**

*(Alda was unable to be present at the meeting, however requested that Grayem White read out her questions which had been submitted prior to the meeting).*

*Item 16.3 – Petition to Close Rigby Avenue, Spearwood*

Q1: The traffic on our street is worsening, unsafe and unbearable. I am 70 and am nervous to reverse out of my driveway, the only way I can leave my property. Please Council, can you tell us what you can do to fix the traffic



problem? When do you close Rigby Avenue at Mell Road?

*A1: This issue is currently before Council and will be considered tonight.*

**John Gresley, Spearwood**

*Item 16.3 – Petition to Close Rigby Avenue, Spearwood*

Q1: Since the majority of the key stakeholders support the closure of Rigby Avenue - this being namely, the community in the Rigby Avenue precinct and the developer Terra Novis - the CEO who is a Coogee Local - and given that closure of Rigby Avenue is the cheapest option and the only one that will address current and future traffic problems in the Rigby Avenue precinct - and given that the developers and the community both collectively do not support the alternatives offered by McDonald and Littleton - does Council not agree that the closure of Rigby Avenue at Mell Road is the only feasible option?

*A1: This issue is currently before Council and will be considered tonight. I would however say that the cost of any proposed treatment has not been taken into consideration in the assessment that has been conducted by the City's staff and has not been a factor in developing the options presented to Council for consideration. The assessment and the subsequent recommendations have been derived after much consideration of the broader traffic demand from the residential precinct. Whilst the closure of Rigby Avenue may be the most effective solution for the residents of that street, the impact of that decision on the broader residential precinct would be significant. It is important to acknowledge that Access roads are not there to solely to service those properties that directly abutt it. It is reasonable for residential traffic from the broader precinct to use access roads and Rigby Avenue has been used by the surrounding residential precinct for many years (traffic data shows that it was carrying approximately 2,000 vpd 10 years ago). The recommendation made is designed to effectively and equitably distribute traffic across all roads that will service the precinct.*

**Megan Jaceglav, Spearwood**

*Item 16.3 – Petition to Close Rigby Avenue, Spearwood*

Q1: Given that the cheapest and most effective option for addressing the Rigby Avenue precinct traffic problem is closure of Rigby Avenue at Mell Rd (and in the likelihood that with the recent football acquisition the Council has little spare funds) and given that the only opposition to this by McDonald and Littleton that bears any scrutiny is the impact on Gerovich - and given that this is itself very very dubious, for multiple reasons that there is no space to go into here - and given that the majority of the stakeholders support the closure of Rigby Avenue, does Council not agree that this is the primary sound alternative?



A1: *This issue is currently before Council and will be considered tonight.*

ITEMS IN WRITING, NOT ON THE AGENDA

**Michael Costarella, Spearwood**

*As Mr Costarella was not present at the meeting, he will receive a written response with answers to his questions.*

ITEMS NOT IN WRITING, ON THE AGENDA

**Megan Jaceglav, Spearwood**

*Item 16.3 – Petition to Close Rigby Avenue, Spearwood*

Q1: Why Mr Littleton and Mr McDonald's assessment of the current traffic volume using the LATM Policy, they did not factor in, the 6 crashes that have occurred on the Rigby Avenue and Rockingham Road intersection, 3 of which incurred medical treatment, 4 of which have been in the daytime in dry traffic conditions and why the results were also not included in the appendix of the final report? And also, why recent traffic data was no included in the report and the averages do not represent the peaks that Rigby Avenue experiences which in February of this year were at 2,846 for 2 days of the week and none of those particular statistics were represented in the report that was made available to the public on the matter of the traffic situation at Rigby Avenue?

A1: *Essentially the accident history was taken into consideration in the assessment against the LATM Policy. There has been 6 accidents at the intersection of Rockingham Road and Rigby Avenue, and the intersection of Rockingham Road and Rigby Avenue was considered extensively in the report. The average weekday traffic volumes that were identified was 2,744 vehicles per day using Rigby Avenue. The one undertaken in October was approx. 2,600 vehicles a day. That said, the officers have identified that as a general traffic flow, it is approaching 3,000 vehicles per day and it is approaching the upper level of what we would consider to be a maximum traffic flow along that access road.*

**Caroline Nurse, Coogee**

*Item 16.3 – Petition to Close Rigby Avenue, Spearwood*

Q1: Regarding the alternative proposal to close Rigby Avenue. Does the alternative of closing two access roads in our Estate and essentially creating one large cul-de-sac, had been considered as perhaps a safety issue? And also against livable neighbourhoods?



A1: *The traffic report has been a very detailed assessment of a range of options or opportunities for this precinct. The principle that we were looking at essentially is Option 3, which is the principle of equitably distributing traffic amongst a range of the access roads that exist in this precinct to service a broader residential node in this area. So the suggestion is that doing nothing would potentially have 5,000 vehicles per day using Rigby Avenue, which in the officers opinion, was an excessive amount of traffic and it was our desire to try and distribute traffic on all of the available roads. When you consider that in the context of the proposal, effectively that is exactly what it achieves. It looks at the Terra Novis development accessing and egressing out onto Hamilton Road, which is an equitable outcome. Yes, permeability in this precinct would be reduced, but it would be a far better scenario than actually closing Mell Road. When the officers weighed up all of the options that were available to it, it believes that equitably distributing traffic and limiting the impact on permeability was the very best outcome.*

Q2: Do you believe WAPC and FESA would support it, essentially having a large cul-de-sac for 100 homes would be a suitable outcome?

A2: *The recommendation was to pursue those road closures. If the philosophy of distributing traffic was endorsed by Council, we would then pursue Option 3A with the developers and service authorities. Ultimately, the City of Cockburn is responsible for the road ways in its municipality and the City of Cockburn is able to close roads provided it uses the processes that are required under the Road Traffic Act. The officers feel the WAPC would support the road closure if the City of Cockburn believed that it was in the best interest of its precinct. We would go through the process of closure if and when Council endorsed that as a recommendation.*

**Peter Webb, Spearwood**

*Item 16.3 – Petition to Close Rigby Avenue, Spearwood*

Q1: I am representing the Aegis Aged Care Group which has approval to develop at least 82 independent living units for the aged, just to the north of the Rigby Avenue, following the City's approval of a comprehensive structure plan and an outline development plan. The City is aware that until today, the developer of this \$22M aged accommodation complex, was not consulted over this proposed closure. Can you advise whether within your opinion, if this is an equitable process, whereby the proposed option that is being pursued by the Council (option 3A) to close Mell Road, which will then limit access severely to this aged persons complex, is an equitable proposal, and if not, perhaps it should be dismissed?

A1: *The Council hasn't made any determination. The officers have undertaken a view, presented a range of options to the Council for consideration and made a recommendation based on the officers technical expertise and judgement. The issue of whether it is equitable or not would be*



*also a test that we would apply to the Rigby Avenue residents as well as to the Aegis Aged Care facility. It is important for the City to balance the issues of equity across the broader residential precinct. This issue is therefore currently before Council and will be considered tonight.*

**Grayem White, Spearwood**

*Item 16.3 – Petition to Close Rigby Avenue, Spearwood*

Q1: If the reason for distributor road and major access roads, is it not's the Council's intention to promote the use of major roads, rather than the smaller arterial roads, a key aspect in urban development such as Spearwood Avenue? To give access to the Aged Care facility.

A1: *Our desire is to get traffic onto local and district distributor roads as quickly as we possibly can. The issue for the precinct is that there are a range of barriers for traffic flow which tends to promote the use of access roads such as Jerovic and Rigby, and the desire for people to travel from West to East to Rockingham, it is the significant draw card. The fact is that motorists will tend to take the path of least resistance and the idea when we are managing traffic is to try and ensure that we are distributing traffic as well as we possibly can amongst all of the roads that are available to use.*

**John Gresley, Spearwood**

*Item 16.3 – Petition to Close Rigby Avenue, Spearwood*

Q1: Whatever happened to the proposal of the Ocean Road going from Hamilton Road straight down to Rockingham Road because that would have been the second East to West transport road?

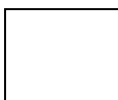
A1: *The connectivity of Ocean Road does not exist. The road reservation is not there and there are a range of limitations to accessing or to creating that, notwithstanding the fact the land is not developed and is zoned in freehold. That option of Ocean Road is no longer available to the City.*

**8. CONFIRMATION OF MINUTES**

**8.1 (MINUTE NO 4922) (OCM 13/12/2012) CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING - 08 NOVEMBER 2012**

**RECOMMENDATION**

That Council adopt the Minutes of the Ordinary Council Meeting held on Thursday, 8 November 2012, as a true and accurate record.



**COUNCIL DECISION**

MOVED Clr V Oliver SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**9. WRITTEN REQUESTS FOR LEAVE OF ABSENCE**

Nil

**10. DEPUTATIONS AND PETITIONS**

Nil

**11. BUSINESS LEFT OVER FROM THE PREVIOUS MEETING (If adjourned)**

Nil

**12 (OCM 13/12/2012) - DECLARATION OF COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS IN THE BUSINESS PAPER**

Nil.

**NOTE:** AT THIS POINT IN THE MEETING, THE TIME 7:34PM THE FOLLOWING ITEMS WERE CARRIED BY AN "EN BLOC" RESOLUTION OF COUNCIL:

13.1	14.2	14.8	14.12	15.1	16.1	17.1
13.2	14.5	14.9	14.13	15.2	16.4	17.2
	14.6	14.10			16.5	17.3
	14.7	14.11				17.4

**13. COUNCIL MATTERS****13.1 (MINUTE NO 4923) (OCM 13/12/2012) - 2011/12 ANNUAL REPORT (IM/B/009) (S SEYMOUR-EYLES) (ATTACH)****RECOMMENDATION**

That Council accept the 2011/12 Annual Report in accordance with Section 5.54 (1) of the Local Government Act, 1995, as attached to the Agenda.

**COUNCIL DECISION**

MOVED Cllr Y Mubarakai SECONDED Cllr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

Council is required to accept the 2011-12 Annual Report to enable it to be available for the Annual Electors Meeting, scheduled to be held on Tuesday, 5 February 2013. The Local Government Act 1995 ('the Act') requires Council to accept the Report no later than 31 December each year. Elected Members were provided with the Financial Report and Auditor's Report at the Audit and Strategic Finance Committee meeting in October. The consolidated report is now presented for acceptance.

**Submission**

N/A

**Report**

The 2011/12 Annual Report is in conformity with the following requirements of the Act and contains:

1. Mayoral Report
2. Chief Executive Officer's Report
3. Measuring performance data
4. Overview of the Plan for the Future of the District
5. Report in relation to the Complaints Register subject to Section 5.121 of the Act
6. Report required under Section 29(2) of the Disabilities Services Act 1993
7. Divisional Reports
8. Financial Statements
9. Auditor's Report
10. Remuneration of Senior Employees

**Strategic Plan/Policy Implications**

**Leading & Listening**

- A responsive, accountable and sustainable organisation.





**Budget/Financial Implications**

The cost of producing 50 copies of the Report is provided for in Council's Municipal Budget.

**Legal Implications**

As provided in the Report.

**Community Consultation**

The report will be available for public access at the Annual Electors Meeting to be held on 5 February 2013.

**Attachment(s)**

2011/12 Annual Report.

**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**13.2 (MINUTE NO 4924) (OCM 13/12/2012) - VOLUNTEER BUSHFIRE OFFICE BEARERS APPOINTMENT AND FIRE CONTROL OFFICERS APPOINTMENT (RS/L/007) (R AVARD)**

**RECOMMENDATION**

That Council

(1) in accordance with Section 8 of the City of Cockburn Bushfire Brigades Local Law 2000, appoint the following Brigade office bearers:

- Jandakot Volunteer Bushfire Brigade:
 

Shane Harris	Captain
Jarrad Finnerran	1 <sup>st</sup> Lieutenant
Gavin McDiarmid	2 <sup>nd</sup> Lieutenant
Emma Bramwell	3 <sup>rd</sup> Lieutenant
Travis Jewell	4 <sup>th</sup> Lieutenant
Gavin McDiarmid	Equipment/Logistics Officer
Marc Still & Damien McDonald	Training Co-ordinator
Jonelle McDiarmid	Administration Officer/Secretary

Mal Dobson	Treasurer	
<ul style="list-style-type: none"> <li>South Coogee Volunteer Bushfire Brigade:</li> </ul>		
Les Woodcock	Captain	
Bradley Treasure	1 <sup>st</sup> Lieutenant	
Chris Deboer	2 <sup>nd</sup> Lieutenant	
Ian Davies	3 <sup>rd</sup> Lieutenant	
Jesse Christidis	Equipment/Logistics Officer	
Brad Breirley	Training Co-ordinator	
Kieren Brown	Administration Officer/Secretary	
Krystal Rhodes	Treasurer	
(2)	in accordance with Section 38 (1) of the Bush Fires Act 1954 appoint the following officers as Fire Control Officers:	
Ian Hargense	Ranger	
Gary MacMillan-Smith-Davies	Ranger	
Heath Evans	Ranger	
Donna McLuckie	Ranger	
Shane Harris	Jandakot	Volunteer
Bushfire Brigade		
Jarrad Finnerran	Jandakot	Volunteer
Bushfire Brigade		
(3)	in accordance with Section 38 (2A) of the Act, publish a notice of appointment of Fire Control Officers in a newspaper circulating in the District.	

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

At the Council meeting of 14 July 2011, it appointed office bearers to its two brigades, in accordance with Section 8 (4) of the *City Of Cockburn Bush Fire Brigades Local Law 2000*. The appointments referred to



expire at the completion of the first Annual General Meeting of the Bush Fire Brigades. The Annual General Meeting was held in June 2012. Therefore, Council is required to appoint office bearers for the year 2012/13 until the next Annual General Meeting of the Bush Fire Brigade.

The Bush Fires Act 1954 also allows for Council to appoint Fire Control officers from time to time.

### Submission

N/A

### Report

In accordance with the City of Cockburn Bushfire Brigades Local law 2000, Section 8, there is a requirement for Council to appoint prescribed office bearers to the two brigades. The two brigades have advised of the following officer bearers.

- Jandakot Volunteer Bushfire Brigade:
 

Shane Harris	Captain
Jarrad Finnerran	1 <sup>st</sup> Lieutenant
Gavin McDiarmid	2 <sup>nd</sup> Lieutenant
Emma Bramwell	3 <sup>rd</sup> Lieutenant
Travis Jewell	4 <sup>th</sup> Lieutenant
Gavin McDiarmid	Equipment/Logistics Officer
Marc Still & Damien McDonald	Training Co-ordinator
Jonelle McDiarmid	Administration Officer/Secretary
Mal Dobson	Treasurer
- South Coogee Volunteer Bushfire Brigade:
 

Les Woodcock	Captain
Bradley Treasure	1st Lieutenant
Chris Deboer	2nd Lieutenant
Ian Davies	3rd Lieutenant
Jesse Christidis	Equipment/Logistics Officer
Brad Breirley	Training Co-ordinator
Kieren Brown	Administration Officer/Secretary
Krystal Rhodes	Treasurer

The following persons have completed their Fire Control Officers Course, and require appointment by Council as Fire Control Officers in accordance with Section 38 (1) of the Bush Fires Act 1954:



Ian Hargense	Ranger		
Gary MacMillan-Smith-Davies	Ranger		
Heath Evans	Ranger		
Donna McLuckie	Ranger		
Shane Harris	Jandakot	Volunteer	Bushfire
	Brigade		
Jarrad Finnerran	Jandakot	Volunteer	Bushfire
	Brigade		

### **Strategic Plan/Policy Implications**

#### **Leading & Listening**

- A culture of risk management and compliance with relevant legislation, policy and guidelines

#### **Environment & Sustainability**

- To protect, manage and enhance our natural environment, open spaces and coastal landscapes.

#### **Budget/Financial Implications**

N/A

#### **Legal Implications**

Statutory obligations for the City of Cockburn under the Bush Fires Act, 1954 and the City of Cockburn Bushfire Brigades Local Laws apply.

#### **Community Consultation**

In accordance with Section 38 (2A) of the Act, Council will publish notice of appointment of Fire Control Officers in a newspaper circulating in the District.

#### **Attachment(s)**

N/A

#### **Advice to Proponent(s)/Submissioners**

N/A

#### **Implications of Section 3.18(3) Local Government Act, 1995**

Nil.



AT THIS POINT CLR BART HOUWEN LEFT THE MEETING, THE TIME BEING 7.37PM.

### DECLARATION OF INTEREST

The Presiding Member read a declaration of a Proximity Interest in Item 13.3 “Proposed Amendments to Suburb Boundaries – Coogee, Spearwood, Munster, Henderson, Wattleup and Beeliar” pursuant to Section 5.60B(1)(c) of the Local Government Act, 1995. The nature of his interest is that he is a landowner within the current suburb boundary area.

**13.3 (MINUTE NO 4925) (OCM 13/12/2012) - PROPOSED AMENDMENTS TO SUBURB BOUNDARIES - COOGEE, SPEARWOOD, MUNSTER, HENDERSON, WATTLEUP AND BEELIAR (CC/B/001)(D GREEN) (ATTACH)**

#### RECOMMENDATION

That Council

- (1) conducts a survey of landowners affected by the proposals to change boundaries to the following localities :
  1. Spearwood to Coogee.
  2. Munster to (a) Henderson, (b) Coogee (c) Wattleup and (d) Beeliar.
  3. Henderson to Wattleup; and,
  4. The excision of part of Munster to form the new locality of “South Coogee”.

as shown in the attachments to the Agenda;
- (2) subject to the majority of responses to each of the relevant surveys supporting the proposals, advise the Geographic Names Committee (GNC) of the outcome and request that the proposals be supported by the GNC; and
- (3) formally reconsider any of the proposals which are not supported by the majority of respondents to those proposals.



**COUNCIL DECISION**

MOVED C/r C Reeve-Fowkes SECONDED Deputy Mayor K Allen that the recommendation be adopted.

**CARRIED 8/0**

**Background**

At the July, 2012, Council Meeting, Mayor Howlett included the following as a Matter to be Investigated Without Debate:

*A report be provided to a future Council Meeting to review the boundaries of the south west sector of the District with a particular reference to introducing a new suburb named South Coogee, adjusting the boundary of the suburb named Henderson and amending the boundaries of any adjoining suburbs where applicable.*

The issue of the entire suburb boundaries of Munster was subject to consideration by Council in December, 2007, however, was not finalized due to some community concerns that there was not enough evidence to justify the scale of amendments proposed at that time. The matter has not been re-visited since.

This report considers these matters in greater detail and also addresses an application previously considered by Council in October, 2011, seeking to amend the current northern boundary of the locality of Coogee to include land recently removed from an odour buffer area and to be developed for residential purposes.

**Submission**

N/A

**Report**

Currently the locality of Munster spreads from the coastline in the west of the District (including the area known as Woodman Point) and extends eastward, across Stock Road to join the boundary of the suburb of Beeliar, adjacent to the Thomsons Lake Nature Reserve. The suburbs of Coogee, Spearwood and Beeliar abut to the north, with the suburbs of Henderson and Wattleup adjoining to the south. As such, its extent and current land uses include large areas of Public Open Space, industrial (Australian Marine Complex and Cockburn Cement) and rural pursuits, in addition to a significant area of existing and more recent residential properties. Having such a diverse mix of



land uses and the growing trend towards higher urbanisation of a significant part of the suburb now presents an opportunity to review the community of interest factors associated with this suburb and seek a more logical outcome for the future.

In conducting this exercise, the primary factors for consideration are:

1. Current land uses in the affected area;
2. Proposed land uses for the affected area; and,
3. Association factors for residents/landowners within the affected area (community of interest.)

Accordingly, each proposal is addressed independently in support of an application being presented to the Geographic Names Committee (GNC) for the suggested amendments to be effected.

1. *Spearwood to Coogee (Attachment 1)*

This proposal was previously considered by Council as part of an application by developers of the land owned by George Weston Foods, which operated Watsonia smallgoods factory until recently and will in future be redeveloped for residential purposes.

At that time (October, 2011) Council deferred a decision, pending further consultation being undertaken with the developer (Terranovis) upon the extent of the area subject to a proposed suburb boundary change. Since then, (Terranovis) has limited the parcel of land subject to consideration to that area bounded by Hamilton Road, the Railway Line and Cockburn Road, as shown in Attachment 1. This is a logical amendment which is supported on the basis that it is an extension of residential use proposed for land adjoining an already established urban area immediately to the south, which is contained within the current Coogee locality.

2. *Munster to Henderson (Attachment 2 – purple colour)*

This proposal addresses land which is located immediately south of the Woodman Point Recreation Reserve and is where the Australian Marine Complex (AMC) formally commences. The origins of the current common boundary between Munster and Henderson (west of the Cockburn Road extension with Russell Road) is not known, but is assumed to have had some association to past road alignments when these roads intersected.

There is now a large section of reclaimed land owned by the development arm of the State Government (Landcorp) upon



which marine based businesses operate. The area is now extensively marketed as the AMC Estate, Henderson and it is logical that the official location name should be assigned to related land.

The current northern boundary of Henderson (Russell Road West) would be removed and relocated north to incorporate this land, as well as that located further east between Russell Road West and Frobisher Ave, which is subject to further development of the AMC. This part of the proposal is explained in greater detail later in the report (see South Coogee locality proposal).

3. *Munster to Wattleup (Attachment 2 – grey colour)*

This proposal essentially addresses the area of land occupied by Cockburn Cement Ltd. Given that this area is subject to the Hope Valley – Wattleup Redevelopment Act and will eventually form part of the State Government's Latitude 32 Industrial Area which it adjoins to the immediate south, it would be reasonable to reflect its location in the suburb name in future.

4. *Munster to Beeliar (Attachment 2 – cream colour)*

This proposal captures the remainder of the land in the far eastern sector of Munster, adjoining the boundary with Beeliar. It comprises the land which has been excluded from the Latitude 32 development zone and is used for rural purposes. The rationale for including this land in the suburb of Beeliar is to primarily differentiate the land use from the adjoining industrial zone. It is not expected this rural zoning will change in the future as the land consists mostly of operating businesses and are of such a size and subject to multiple ownership to encourage the status quo to remain in future. This was a point of contention in the past with some landholders viewing this as an opportunity to attract land developers and promote an extension of the Beeliar residential area as an alternative. This position was not based on any plans to rezone this area and would be unlikely in the future given the State Government interests in adjoining land which effectively sterilises the potential for nearby urban development.

5. *Henderson to Wattleup (Attachment 2 – dark green colour)*

This proposal seeks to address the irrational boundary which currently separates these two suburbs. Currently, the boundary follows the Railway Line from Russell Road in a southerly direction until it connects with Dalison Avenue, immediately to the north of the Wattleup townsite. While this may have had





some significance in the past by separating the townsite from other land uses to the immediate north, this relationship has disappeared since the State Government announced its Latitude 32 plans. In acknowledging that the full effect of the State's intentions for the use of this land will not be realised for many years, it has effectively shelved any community aspirations for the townsite to remain as a functioning urban area in the future, as there is now only a remnant population remaining. The remainder of the landholdings associated with the area in question is dominated by the City of Cockburn's Waste Treatment site and Cockburn Cement quarries. Despite this, there are a number of businesses and some residents occupying the remaining land and consultation with the relevant owners may be necessary to convince them of a need for change.

6. *Munster to Coogee (Attachment 2 – light green colour)*

This proposal essentially involves transferring the Woodman Point Recreation Reserve in its entirety from Munster to Coogee. This "A" Class Reserve is owned by two State Government agencies, being the Conservation Commission and the Department of Sport and Recreation. This area shares no discernible connection with the remainder of Munster, other than its suburb name. It has a historical association with adjoining Coogee, however, the current northern boundary does not reflect this. An adjustment to incorporate the entire Reserve, which is located between the coastline and Cockburn Road – a major traffic route - would more accurately reflect this, while removing the illogical link with Munster at the same time. It would be impractical to suggest that the area be named Woodman Point in its own right as there is no residential base upon which to create a "community" necessary to justify an application to this effect.

7. *Creation of New Location – South Coogee (Attachment 2 – pink colour)*

This proposal is likely to create the most attention of all the suggested amendments. While it is likely to be embraced by those landowners whose properties are included in the defined area, there is likely to be dissatisfaction among some nearby residents whose properties remain outside the suggested boundaries. It is highlighted that the purpose of recommending this outcome is to ensure that it can be justified on the basis of being compatible with the criteria for creating a new locality and to also ensure that the history of the District is recognised when considering such matters.



In this respect, it is important to recognise that the case for supporting the creation of a new suburb is premised on satisfying key criteria relating to size and lot numbers contained in both the newly created location and the residual suburban area of Munster.

GNC criteria stipulates that a new locality size for an urban area must be a minimum of 100ha and ideally around 500ha, with a minimum number of available lots (current and future) to be at least 1000. In the proposal being suggested, the newly created suburb of South Coogee is 207ha and is anticipated to ultimately yield 986 lots, with the remaining part of Munster comprising 151ha and yielding 1120 lots.

A further factor in the submission is ensuring that both the newly created and existing localities are based on reasonable and congruent boundaries and not compromised by other factors or interests. It is considered that both localities can be justified on the basis of statistical data, realistic demarcation and historical sentiment.

It is particularly important when imposing the east - west connecting boundaries that there is a plausible explanation for what is being presented. In creating the northern boundary of South Coogee, it can be seen that this has been achieved through the continuation of Beeliar Drive, east to west, along the prescribed Road Reserve alignment and that this road functions as a suburb boundary along its entire length. To the west, it is proposed that Cockburn Road serves as the boundary from the point where it intersects with the Beeliar Drive alignment and south to where it intersects with Lots 9 and 20 Cockburn Road. Both of these properties are owned by the Water Corporation of WA and contain significant infrastructure which are likely to remain in place for the foreseeable future, therefore allaying any potential concerns which could otherwise arise if the lots were in separate ownership. It is then a simple exercise to extend that boundary eastwards to connect with land currently held by the State Government for which a major thoroughfare was originally proposed (Fremantle – Rockingham Highway) but has since been replaced by the Cockburn Road – Russell Road alignment.

The eastern boundary would be Stock Road (at the connection with Beeliar Drive) and heading in a southerly direction to the intersection of Frobisher Ave. This point is significant because it defines the commencement of the AMC and the completion of the most recent urban redevelopment area. Accordingly, it is proposed that the northern boundary of Henderson and the southern boundary of the new South Coogee locality be drawn



along Frobisher Ave, in an easterly direction, to a point where it intersects with Lake Coogee (Fawcett Road reserve alignment). A line connecting the two boundary points on either side of Lake Coogee would complete the boundary between Henderson and South Coogee.

8. *Retention of Residual Urban Area of Munster (Attachment 2 – white colour)*

The aforementioned proposals, if accepted, will have a radical impact on the configuration of the current Munster locality. It is considered important to retain the identity of Munster, in recognition of its historical significance and as homage to the Council of the day, whose decision led to the creation of the suburb (including its name) in 1954. For this reason, it is recommended that any suggestion to remove the name be strongly resisted by Council and that it remains attached to the long established residential area that remains following the excision of the majority of the locality through this overall exercise. Furthermore, it is likely that any application to have this part of Munster renamed would be rejected by GNC on the basis of it being a fully developed urban area, thereby not complying with the criteria that require name changes to be effected prior to an identified area being developed.

Summary and Conclusions:

This report has endeavoured to address both the intention of the matter raised by Mayor Howlett and the long identified incongruous boundaries currently attached to Munster.

While it is acknowledged that not all of the proposals will be popular with affected stakeholders, it is considered an outcome which can be justified on the basis of rationalising the current anomaly and addressing the anecdotal evidence that the majority of the proposals will have widespread community support.

It is important for Council to recognise that the majority of the proposals affecting Munster are interdependent and that it would not be possible to accept some and reject others where it would create a disconnect of suburb boundaries. Accordingly, it will be necessary for this imperative to be factored into Council's consideration when determining this matter.

The application to extend the northern boundary of Coogee is independent of the Munster boundaries and is a relatively straight forward matter for Council to recommend to the GNC, given the logic of the application.



## **Strategic Plan/Policy Implications**

### **Community & Lifestyle**

- Conservation of our heritage and areas of cultural significance

### **Budget/Financial Implications**

Costs associated with undertaking a survey of affected landowners (estimated to be approximately \$5,000), will be drawn from the Governance Budget.

### **Legal Implications**

The GNC is an independent body which operates under the auspice of the Department of Planning. It accepts applications from local governments to amend locality names as part of its Terms of Reference and determines these in accordance with Guidelines approved by the State Government. Local Government is represented on the GNC through a delegate of the WA Local Government Association.

### **Community Consultation**

Letters will only be sent to all landowners in the areas directly affected by the proposed amended localities.

In addition, the matter will be published on Council's website and an article included in "Cockburn Soundings", should interested members of the public not otherwise affected wish to comment on any/all of the proposals.

### **Attachment(s)**

1. Copy of correspondence from land developer (Terranovis) in support of Coogee/Spearwood proposal.
2. Map identifying current Munster locality boundaries.
3. Maps showing the affected locality boundary proposals.

### **Advice to Proponent(s)/Submissioners**

The Proponents have been advised that this matter is to be considered at the December 2012 Council Meeting.

### **Implications of Section 3.18(3) Local Government Act, 1995**

Nil.



CLR HOUWEN RETURNED TO THE MEETING THE TIME BEING 7.39 PM.

THE PRESIDING MEMBER ADVISED CLR HOUWEN OF THE DECISION OF COUNCIL IN HIS ABSENCE.

#### 14. PLANNING AND DEVELOPMENT DIVISION ISSUES

##### 14.1 **(MINUTE NO 4926) (OCM 13/12/2012) - INDUSTRY - WORKSHOP EXTENSION TO EXISTING GENERAL INDUSTRY (LICENSED) PREMISES (PHOENIX CORROSION CONTROL) - LOCATION: 217 (LOT 104) BARRINGTON STREET, BIBRA LAKE - OWNER: STRATHAN PTY LTD - APPLICANT: PHILIP SILJEG (4313405) (T CAPPELLUCCI) (ATTACH)**

#### **RECOMMENDATION**

That Council

- (1) grant Planning Approval for Alterations and Additions (Workshop Extension) to Existing General Industry – (Licensed) Premises, (Phoenix Corrosion Control) at 217 (Lot 104) Barrington Street, Bibra Lake, in accordance with the attached plans and subject to the following conditions and footnotes:

#### Conditions

1. All stormwater being contained and disposed of on-site to the satisfaction of the City.
2. No activities causing noise and/or inconvenience to neighbours being carried out after 7.00pm or before 7.00am, Monday to Saturday, and not at all on Sunday or Public Holidays.
3. The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City.
4. Areas external to the approved building and existing workshop shall not be used for abrasive blasting or metal coating purposes.
5. If an odour detected at an adjacent premises is deemed to be offensive by an Environmental Health Officer, then any process, equipment and/or activities that are causing the odour shall be stopped until the process, equipment and or activity has been altered to prevent odours to the



satisfaction of the City's Manager Environmental Health Services.

6. The development site must be connected to the Water Corporation's reticulated sewerage system prior to commencement of any use.
7. All waste and recycling materials must be contained within bins. These must be stored within the buildings or within an external enclosure located and constructed to the satisfaction of the City's Manager Environmental Health Services.
8. All plant and equipment (such as air conditioning condenser units and communications hardware etc) is to be purposely located or screened so as not to be visible from the street.
9. A landscape plan must be submitted to the City and approved, prior to applying for building permit and shall include the following:-
  - a) *the location, number and type of proposed trees and shrubs;*
  - b) *any lawns to be established;*
  - c) *those areas to be reticulated or irrigated;*
  - d) *and verge treatments.*
10. Landscaping is to be undertaken in the street verge adjacent to the Lot(s) in accordance with the approved plans and be established prior to commencement of use of the building hereby approved; and thereafter maintained to the City's satisfaction.
11. No development or building work covered by this approval shall be commenced until the landscape plan has been submitted and approved, by the City prior to applying for a Building Permit.
12. The landscaping installed in accordance with the approved detailed landscape plan, must be reticulated or irrigated and maintained to the satisfaction of the City.
13. Walls, fences and landscape areas are to be truncated within 1.5 metres of where they adjoin vehicle access points where a driveway and/or parking bay meets a public street or limited in height to 0.75 metres.



14. The provision of three (3) additional car parking bays are to be included in amended plans and submitted to the City and approved, prior to applying for a building permit.
15. The vehicle parking area shall be sealed, kerbed, drained and line marked in accordance with the approved plans and specifications certified by a suitably qualified practicing Engineer to the satisfaction of the City.
16. The parking bay/s, driveway/s and points of ingress and egress to be designed in accordance with the Australian Standard for Off-street Carparking (AS/NZS 2890.1: 2004) unless otherwise specified by this approval and are to be constructed, drained and marked in accordance with the design and specifications certified by a suitably qualified practicing Engineer and are to be completed prior to commencement of the use of the building and thereafter maintained to the satisfaction of the City.
17. The provision of five (5) of bicycle parking facilities is to be provided in the locations marked on the approved plans, prior to the development first being occupied.

#### Footnotes

1. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, with any requirements of the City of Cockburn Town Planning Scheme No. 3, or the requirements of any other external agency.
2. In regards to Condition 1, all stormwater drainage shall be designed in accordance with the document entitled "Australian Rainfall and Runoff" 1987 (where amended) produced by the Institute of Engineers, Australia, and the design is to be certified by a suitably qualified practicing Engineer or the like, to the satisfaction of the City, and to be designed on the basis of a 1:100 year storm event. This is to be provided at the time of applying for a building permit.
3. With respect to condition No. 2, the development is to comply with the *Environmental Protection Act 1986* which contains penalties where noise limits exceed those prescribed by the *Environmental Protection (Noise) Regulations 1997*.



4. The *Environmental Protection (Noise) Regulations 1997* establish night time noise levels so that residential amenity is protected from 10pm until 7am. Industries are able to operate at any time, but attention must be given to ensure that noisy activities including truck deliveries to the site are minimised after 10pm. Failure to comply with the night time noise limits may result in further action and significant penalties to be paid by the owner and/or occupier.
5. The proposed development in addition to complying with the *Environmental Protection (Noise) Regulations 1997*, must comply with the following regulations:
  - *Environmental Protection (Metal Coating) Regulations 2001*;
  - *Environmental Protection Regulations 1997 – (schedule 1 Prescribed Premises) (Metal Coating)*;
  - *Environmental Protection (Abrasive Blasting) Regulations 1997*;
  - *Australia/New Zealand Standard 4114.1:2003* spray painting booths, designated painting areas and paint mixing rooms; and
  - The proposed *Environmental Management Plan*.
6. The primary use of the development hereby approved is *General Industry (Licensed)*, defined in the *City of Cockburn Town Planning Scheme No. 3* as “an industry which is a category of prescribed premises set out in Schedule 1 of the *Environmental Protection Regulations*, notwithstanding the production or design capacity for each category of prescribed premises specified in the Schedule, but where a prescribed premises is also included in Schedule 2 of the *Health Act*, the *Health Act* prevails, for the purpose of the Scheme”.

In the event that the owner/occupier of the premises intends to utilise the development hereby approved for purposes which do not constitute this definition of industry (general), approval must be obtained from the City.
7. If the owner/occupant intends to utilize these areas for these purposes, development approval must be sought from the City and appropriate screening methods and/or noise management strategies put in place.
8. All abrasive blasting and metal coating activities must be carried out within an approved booth/enclosure. Abrasive blasting and/or metal coating activities shall not be carried





out on the premises without further approval from the City.

9. The external enclosure required by Condition No. 7 must be of an adequate size to contain all waste bins, at least 1.8 m high, fitted with a gate and graded to a 100mm diameter industrial floor waste with a hose cock, all connected to sewer. The minimum provisions for internal bin storage is a concrete wash-down pad of at least 1m<sup>2</sup> graded to a 100mm diameter industrial floor waste with a hose cock, all connected to sewer. This can be centrally located within the development.
  10. The disposal of industrial liquid waste must comply with the City of Cockburn (Health) Local Laws 2000. Industrial liquid wastes, including washdown wastes, are not permitted to enter any stormwater system or directly soak into the ground without the approval of the Department of Environment and Conservation.
  11. Any signage which is not exempt under Schedule 5 of the City of Cockburn Town Planning Scheme No. 3 must be the subject of a separate development approval.
  12. The development is to comply with the requirements of the Building Code of Australia.
  13. Access and facilities for disabled persons is to be provided in accordance with the requirements of the Building Code of Australia.
- (2) notify the applicant and the Department of Environmental Conservation of Council's decision.

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr S Pratt that the recommendation be adopted.

**CARRIED 6/3**

NOTE: CLR REEVE-FOWKES REQUESTED THAT HER VOTE AGAINST THIS DECISION BE RECORDED.



## **Background**

The subject site is at Lot 104, No. 217 Barrington Street, Bibra Lake. The premises are located on land surrounded by industrial land uses to the north, west and east. Immediately to the south vacant land zoned Light and Service Industry, is situated behind the premises. Residential land uses are located approximately 150 metres to the south of the site. The vacant land to the south and a railway line with reserve separates the industrial area from the residential land. The railway is used by freight carriers to transport goods and materials.

Previously a Building Licence was granted for the site in December 1997 to construct a laboratory/factory on site. The plans were for a workshop (existing workshop 1 currently used for metal coating i.e. spray painting) of 647 square metres and an additional workshop of 610 square metres at the rear of the premises.

## **Submission**

The proposal seeks to provide two separate enclosed areas, one to conduct abrasive blasting and one for metal coating (i.e. spray painting) on site. The existing workshop would continue to be utilised as the metal coating area. The proposed workshop No. 2 with an area of 140 square metres will be an enclosed booth for abrasive blasting replacing the existing temporary structure.

The Environmental Protection Authority (EPA) document 'Separation Distances between Industrial and Sensitive Land Uses' suggests a setback distance of 200 metres is appropriate for the facilities. As the site is approximately 150 metres from the nearest residential zone, the application requires Council determination.

Concurrently, the applicant is seeking an Operational Works Approval from the Department of Environment and Conservation (DEC) to improve operations and prevent any emissions that may affect the community or the environment.

## **Report**

### Zoning and Use

The site is located within the Industrial zone, the objective of which is to provide for manufacturing, the storage and distribution of goods and associated uses, which by the nature of their operations should be separated from residential areas.

Under the Industrial zone, General Industry (Licensed) is listed as a 'D' use in Town Planning Scheme No. 3 Zoning Table. General Industry Licensed is defined as:



“An industry which is a category of prescribed premises set out in Schedule 1 of the Environmental Protection Regulations, notwithstanding the production or design capacity for each category or prescribed premises specified in the Schedule, but where a prescribed premises is also included in Schedule 2 of the Health Act, the Health Act prevails for the purpose of the Scheme”.

Abrasive blasting is not a prescribed premises under the EPA regulations and accordingly, that aspect of the use is considered ‘General Industry’ and therefore a permitted ‘P’ use in the Industrial zone. Metal coating however is a prescribed premises and therefore the land use is Industry General (Licensed) and requires Council approval under the Town Planning Scheme provisions. Metal Coating is the primary use of the land.

The vacant land to the south of the subject site is zoned “Light and Service Industry” and acts as a buffer between the “Industry” area in which the premises is located and the zoned “Residential” land uses to the south.

#### Development

The proposal entails the construction of a new enclosed area (Workshop 2) as a permanent structure at the rear of the property to conduct abrasive blasting operations on site. Workshop 2 would be 140m<sup>2</sup> (an increase of 20m<sup>2</sup> on the existing temporary structure). This would also be serviced by a new larger capacity fan which would be installed at that time. This would provide more efficient and effective ventilation of the area and subject to correct operation prevent any emissions externally and off site. The structure would also comprise a vented ridged roofline.

The new workshop proposed will be sealed, fitted with improved ventilation and dust extraction system, ensuring that any air is filtered and no visible dust is emitted to the environment.

With the existing workshop for metal coating, continued operation requires alterations of the existing procedures to operate within regulations and minimise the potential for emissions potentially having off site impacts. As such, for the existing Workshop 1, a new ventilation/extraction system and 3 metre stack above the roofline are proposed.

In addition, access between the existing structure and the proposed Workshop 2 extension will serve through an existing roller shutter opening on what was previously the southern external wall of the existing workshop building.



### Car Parking and Landscaping

The subject site requires a total of eighteen (18) car bays on-site given the land uses on-site of General Industry (140m<sup>2</sup>), General Industry (Licensed) (647m<sup>2</sup>) and Office (87m<sup>2</sup>). The proposal provides for fifteen (15) car bays on-site.

However, as per APD10 – Discretion to Modify Development Standards (Non-Residential) and given the room available on-site, in particular on the eastern boundary, a condition of the Approval has been recommended that the required three (3) additional car bays for the proposal be included in amended plans and submitted to the City and approved, prior to applying for building permit.

While in terms of landscaping, the site proposes to make changes to the existing landscaping on-site and provide a total landscaping area within the front setback of 193m<sup>2</sup>. The total lot area is 3713m<sup>2</sup> therefore the site provides 5.2% of landscaping. However, details of the type and number of species have not been provided as part of this application.

Conditions have been recommended that the verge is required to be landscaped as well as a landscaping plan needing to be submitted and approved by the City prior to application for a Building Permit.

### Amenity Impacts

The Environmental Protection Authority document ‘Guidance for the Assessment of Environmental Factors - Separation Distances between Industrial Development and Sensitive Land Uses No. 3’ (June 2005) suggests a buffer distance of 200m for this type of use. The proposed new workshop to be used for abrasive blasting will have a physical distance of approximately 150m from the nearest residential property boundary to the south on Larkspur Cross.

The buffer provided by the railway reserve and light and service industry zone to the south of the site provides an effective separation of the residential land uses and general industry land use areas. In addition, the proposal is providing new upgraded chambers (enclosed Workshops 1 and 2) as containment to minimise noise, odour and dust within the site, preventing emissions off site and ensuring that any potential adverse effects upon the environment and community are eliminated.

The large setback provided between the proposed new workshop to the rear southern boundary, in addition to the buffer provided by the lots zoned light and service industry and the closed nature of the



workshops should prevent any adverse amenity impact for nearby properties.

The built form of the new workshop is considered in keeping with the existing structures on site and will not unreasonably impact on nearby properties in relation to dust and noise in respect to visual amenity.

In addition, an Environmental Assessment Report has been prepared for this application by Emission Assessments, which details the way the proposal addresses off-site amenity impacts (see Attachment 3). The City's Health Department have reviewed the report and are satisfied with it subject to compliance with specific environmental regulations which have been outlined through a footnote.

### Referrals

The application was referred to the Department of Environment and Conservation (DEC) for comment as the site had previously been identified by the DEC as possibly being a contaminated site along with the new workshop not achieving the separation distance of 200 metres from the nearest residential zone.

The DEC noted that the site is classified under the Contaminated Sites Act 2003 as 'possibly contaminated – investigation required'. DEC's Contaminated Sites Branch (CSB) has no objection to the proposed development in its current form.

### **Conclusion**

In light of the above comments, the support of the City's Health Department and the requirement for a separate DEC Works Approval, which is being run concurrently with this proposal, it is recommended that Council approve the application, subject to appropriate conditions.

### **Strategic Plan/Policy Implications**

#### **Growing The City**

- Reduction in energy dependency and greenhouse gas emissions within our City.

#### **Environment & Sustainability**

- A community that uses resources in a sustainable manner.
- Community and businesses that are supported to reduce resource consumption, recycle and manage waste.



### **Employment and Economic Development**

- To pursue high value employment opportunities for our residents.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

Town Planning Scheme No. 3  
Planning and Development Act 2005  
State Administrative Tribunal Regulations

### **Community Consultation**

The application was not advertised for public comment on the basis that the City's Health Department have supported the submitted Environmental Assessment Report provided by Emission Assessments. In addition, as part of the DEC Works Approval, advertising is required to adjoining properties.

As such, Phoenix Corrosion Control is currently undertaking a Public Consultation process. Letters have been sent to owners and occupiers within the adjoining Industrial areas along with residents in the Yangebup area to the south of the site along Larkspur Cross, Plover Drive, Miguel Road and Barrington Street who will be notified of the changes proposed on-site.

### **Attachments**

1. Location Plan
2. Submitted Plans
3. Environmental Assessment Report

### **Advice to Proponents**

The Proponent has been advised that this matter is to be considered at the 13 December 2012 Council Meeting.

### **Implications of Section 3.18(3) Local Government Act, 1995**

Nil.



**14.2 (MINUTE NO 4927) (OCM 13/12/2012) - ADDITIONS AND ALTERATIONS TO LODGING HOUSE - LOCATION: 17-19 WINTERFOLD ROAD HAMILTON HILL - OWNER: JASON TOWNES & BIG MORETON PTY LTD - APPLICANT: BERNARD SEEBER PTY LTD (2201783 & 2201784) (L REDDELL) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) grant approval to commence development for additions and alterations to the Lodging House at 17-19 (Lots 85 & 86) Winterfold Road, Hamilton Hill, in accordance with the attached plans and subject to the following conditions and footnotes:

Conditions

1. All stormwater being contained and disposed of on-site to the satisfaction of the City.
2. During the construction phase, no activities causing noise and/or inconvenience to neighbours being carried out after 7.00pm or before 7.00am, Monday to Saturday, and not at all on Sunday or Public Holidays.
3. All landscaping shall be maintained and irrigated to the satisfaction of the City.
4. Prior to use of the development hereby approved vehicle parking bays, vehicle maneuvering areas, driveways and points of ingress and egress shall be sealed, kerbed, drained, line marked and made available for use to the satisfaction of the City.
5. The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City.
6. All plant and equipment (such as air conditioning condenser units and communications hardware etc) is to be purposely located on site, or screened so as not to be visible from the street.
7. The bin storage area at the front of the site is to be screened to a height of 1.8m with timber slat fencing (or an alternative screening treatment) to the satisfaction of the City.
8. Prior to any development, a Management Plan which addresses potential amenity impacts associated with the Lodging House including security, noise, anti-social



behaviour, car parking and processes for dealing with public complaints shall be prepared to the satisfaction of the City and shall form part of the approval.

Footnotes

1. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, with any requirements of the City of Cockburn Town Planning Scheme No. 3, or the requirements of any other external agency.
  2. In regard to Condition 1, the City requires the on-site storage capacity be designed to contain a 1 in 20 year storm of a five minute duration. This is based on the requirements to contain surface water by Building Codes of Australia.
  3. In regard to Condition 7, a screen is required to minimise the impact that the bin storage area will have on the streetscape character of Winterfold Road.
- (2) notify the applicant and those who made a submission of Council's decision.

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

The site is located on the southern side of Winterfold Road between Simms Road and Frederick Road. The site abuts by a drainage sump to the west and residential properties to the south and east. To the north, on the opposite side of Winterfold Road, are residential properties located within the City of Fremantle.

DA07/0102 sought to convert an existing church on the site to a lodging house. An approval was issued 27 June 2007, at the direction of Council, to allow the use of the site as a Residential Lodging House.





## Submission

The current application seeks approval for alterations and additions to the existing lodging house including a two-storey extension at the rear of the property which will facilitate an increase in the number of rooms from 30 to 35 (including one Manager's unit) and an increase in the number of parking spaces from 9 to 16.

## Report

### Zoning and Use

The subject site is zoned Residential in which 'Lodging House' is an "A" use which requires special notice in accordance with Clause 9.4 of the City of Cockburn Town Planning Scheme No. 3 (the Scheme). Clause 9.4.1 of the Scheme indicates that where an application is made for planning approval to commence a use or commence or carry out development which involves an "A" use, the local government is not grant approval unless notice is given.

Accordingly, while DA07/0102 issued approval for use of the site as a 'Residential Lodging House', the proposed works to expand the existing use also trigger the need to advertise the application.

### Development

In summary, the proposed works include:

1. Demolition of an existing store and laundry and an ablutions block at the rear of the site and the removal of Room 32.
2. Conversion of existing small recreation rooms to lodging rooms.
3. Construction of an addition in the south-west corner of the site containing a new communal kitchen, dining and laundry areas at ground level and two lodging rooms at first floor level.
4. Provision of a new common courtyard barbeque area.
5. Internal modifications to existing buildings to provide new ablutions areas and varied room layouts.
6. Deletion of Room 32 to allow for a larger parking area which will increase the number of car parking spaces from 9 to 16.

The applicant engaged in pre-application discussions with the City regarding the siting, design and finish of the proposed additions. The proposed plans now reflect the changes recommended by the Statutory Planning Department. The proposed additions have been assessed against the relevant provisions of the R-Codes and are compliant in respect to setbacks, height, overlooking, overshadowing and open space.



The proposed additions are generally located in the south-west corner of the site. The site is abutted to the west by a drainage sump and accordingly the critical interface is to the south. In response to this, the first floor component of the addition has been purposely sited approximately 10m from the southern boundary to ensure that it does not have an unreasonable impact on the abutting property in terms of visual bulk or overlooking and will be finished in pine panelling to match the existing buildings on site. While it is noted that there are windows on the southern side of Room 31, they are setback well in excess of the required 4.5m for a bedroom and are fully compliant with the overlooking provisions of the R-Codes.

It is further noted that the provision of four additional lodging rooms will contribute to a better mix of housing types within the City. Lodging houses provide an important opportunity for those on low incomes to reside in private accommodation where they may not otherwise have the means to do so.

The bin storage area at the front of the site is considered an appropriate location but should be screened as a condition of any approval to minimise the impact it will have on the streetscape of Winterfold Road.

### Car Parking

The proposal includes a revised car park design which increase the number of car parking spaces from 9 to 16 (including one universal access space). This will be achieved by removing Room 32 which allows the car park to be increased in size. Table 2 of the Scheme 'Residential Use Classes – Vehicle Parking' specifies a rate of 1 car space per 4 beds for a Lodging House. The proposal seeks to increase the number of beds to 35 (including one manager's unit) which generates a requirement for 9 car spaces. The proposal therefore exceeds the required minimum by 7 car spaces. The City has received complaints regarding parking issues on the site and accordingly any increase in on-site parking provision is a positive outcome for both the site and the surrounding area.

A separate pedestrian path provides access from Winterfold Road to ensure the safety of pedestrians accessing the site.

### Amenity

The application was advertised to surrounding properties on the southern side of Winterfold Road and was also referred to the City of Fremantle as the northern side of Winterfold Road is located within their Municipal boundary. A submission was received from No.16 Winterfold Road (within the City of Fremantle) which detailed amenity



concerns relating to an increase in the numbers of lodgers on site (see 'Community Consultation' below).

A review of the City's electronic records indicates that the only complaints received in relation to the lodging house have related to parking. Accordingly, it is considered that a Management Plan which details how the operators will deal with excessive noise, anti-social behaviour and public complaints and parking issues will be sufficient to address this concern.

### Conclusion

In light of the considered built form outcome and the lack of any complaints to the City regarding anti-social behaviour resulting from the existing operation of the site, it is recommended that the additions to the existing Lodging House be approved subject to appropriate conditions.

### **Strategic Plan/Policy Implications**

#### **Growing The City**

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.
- Diversity of housing to respond to changing needs and expectations.

#### **Community & Lifestyle**

- Community environments that are socially cohesive and embrace diversity.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

Town Planning Scheme No. 3  
 Planning and Development Act 2005  
 State Administrative Tribunal Regulations

### **Community Consultation**

It is noted that the application was incorrectly advertised as being an increase from 31 to 35 rooms. A review of the original application however revealed that a total of 30 lodging rooms were approved and accordingly the application represents an increase of 5 rooms, including one Manager's unit.



Two submissions were received which can be summarised as follows:

1. An increase in units will impact on the existing sewer system.
2. The original application may have contained dishonest information regarding the purpose of the site, which mostly houses ex-prisoners.
3. There are already too many units on the site.
4. There is already too much State housing in the area and other electorates ought to bear the burden of additional housing.
5. Drunk and disorderly behaviour of residents (including throwing of rubbish, bottles and syringes into gardens) affects effects local amenity.
6. The proposal will contribute to social problems in the area.
7. The owners should buy another property and build elsewhere as they are making significant economic profit.
8. The City doesn't care about rate payers.
9. A bus stop has been removed from Cockburn Road and it is mean spirited making people stand around.

In response to the objections above, it is noted that:

1. The impact on the development on the sewer system will be considered as part of any Building Permit application, which requires separate approval from the Water Corporation.
2. It is not appropriate for the City to specify or restrict to whom rooms can be rented.
3. The provision of 30 lodging rooms on site was determined to be acceptable by Council as part of its consideration of DA07/0120.
4. The existing Lodging House is privately run and is not State housing.
5. There is no evidence provided to suggest that the proposal has or will contribute to drunk and disorderly behaviour or social problems in the area.
6. The application was advertised to nearby properties within the City of Cockburn and Fremantle to provide nearby owners with an opportunity to comment on the proposal.
7. It is not the City's role to tell applicants that they should build elsewhere.
8. The location of bus shelters is not relevant to this planning application.

### **Attachments**

1. Location Plan
2. Submitted Plans
3. Plans approved for DA07/0102



### Advice to Proponents / Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 13 December 2012 Council Meeting.

### Implications of Section 3.18(3) Local Government Act, 1995

Nil.

#### 14.3 **(MINUTE NO 4928) (OCM 13/12/2012) - RETROSPECTIVE APPLICATION COMMERCIAL VEHICLE PARKING - LOCATION: 139 BRITANNIA AVENUE BEELIAR - OWNER: KEITH LOMAX - APPLICANT: KEITH LOMAX (3411485) (L REDDELL) (ATTACH)**

##### **RECOMMENDATION**

That Council

- (1) refuse planning approval for commercial vehicle parking (two vehicles) at 139 Britannia Avenue, Beeliar for the following reasons:

##### Reasons

1. The proposed development is contrary to the requirements of Clause 5.10.8(c)(iv) of the City of Cockburn Town Planning Scheme No. 3 in that the proposed development will adversely affect the amenity of the surrounding land.
  2. The proposed development is contrary to Clause 10.2.1(b) of the City of Cockburn Town Planning Scheme No. 3 in that it does not represent orderly and proper planning.
- (2) notify the applicant and those who made a submission of Council's decision;
  - (3) issue a Directions Notice under section 214 of the Planning and Development Act for the removal of any commercial vehicles that cannot be suitably parked behind the building line as determined by the City's Manager, Statutory Planning; and
  - (4) inform the owner of 139 Britannia Ave, Beeliar that only one commercial vehicle may be parked on site subject to the vehicle when parked on site being located entirely behind the main building line and provided with a suitable paved and drained crossover, driveway and parking area.



**COUNCIL DECISION**

MOVED Cllr S Pratt SECONDED Cllr C Reeve-Fowkes that Council approve the application for approval to commence development for parking of two commercial vehicles at 139 Britannia Avenue, Beeliar subject to the following conditions:

**CONDITIONS**

1. Commercial vehicles not entering/exiting the site between the hours of 10pm-6am.
2. All minor servicing and maintenance of the commercial vehicles must take place at the rear of the dwelling;
3. A revised plan shall be submitted to and approved by the City which depicts:
  - i) a new crossover on the eastern side of the lot of sufficient width to provide appropriate access for the commercial vehicles to the site;
  - ii) a hardstand area constructed to the City's satisfaction connected to the new crossover required under point i) above for parking and manoeuvring of the vehicles;
  - iii) a separate driveway and crossover to the City's specifications being provided to the existing dwelling for passenger vehicles and parking of two cars.
4. The works depicted on the revised plan required under condition No. 3 above shall be implemented within 90 days of the date of the approval.
5. All damaged kerbs and verges to be reinstated to the satisfaction of the City's Engineering Services.

**FOOTNOTES**

1. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, with any requirements of the City of Cockburn Town Planning Scheme No. 3, or the requirements of any other external agency.
2. Notify those who made submissions on the proposal of the Council's Decision.

**CARRIED 9/0**



## Reason for Decision

The Landowner has paid for improvements to be carried out on the property and street. His trucks are the source of his business and livelihood.

## Background

The application was considered by Council at its Ordinary Council Meeting on 11 October 2012 (See Item 14.5) where it was resolved to defer consideration of the application to allow the applicant to prepare revised details on how the two commercial vehicles could be suitably contained within the subject property without adversely impacting on the streetscape or adjoining landowners.

## Submission

In response to Council's decision to allow additional time to address the streetscape and amenity issues raised by the proposal, the applicant provided further information including a revised site plan (Attachment 2) to the City in late October.

## Report

The applicant seeks retrospective approval for the parking of two commercial vehicles on the site and located in the front setback area.

Information submitted with the application indicates that the owner of the site runs his own trucking business which involves the following:

- One prime mover with a tare weight of 8.25 tonnes.
- One rigid truck with a tare weight of 6.14 tonnes.
- Two trailers (one of which is for sale and will not be replaced).
- All repairs and maintenance carried out in a outbuilding at the rear of the dwelling;
- Normal working hours between 7am and 6pm, Monday to Friday;
- Trucks driven by the owner of the site, no other drivers employed.

Subsequent to the concerns expressed by the City and the two submissioners (refer to Item 14.5 in the minutes of the October OCM), the applicant has responded by advising that:

- The power pole located on the front boundary of the site has been shifted to allow easier access to the site, preventing the need to traverse the kerb or driveways on the northern side of Britannia Avenue;



- A trafficable pit cover will be provided for the Telstra pit at the front of the site to prevent damage to that asset;
- The tow hitch on the smaller of the two trucks has been removed enabling it to be parked entirely behind the boundary line which will improve sightlines along the street;
- The trailer coupling on the larger of the two trucks has been modified to allow it to be more manoeuvrable and to be parked further back on the site;
- The reversing beeper on the applicant's personal ute, which is apparently the source of the noise concerns, will be disabled.

The applicant also submitted a revised site plan which details the new location of the power pole as well as a letter from the owner of the neighbouring property at 143 Britannia Avenue (who objected when the application was originally advertised) indicating that they have settled their differences with the applicant and that they no longer object to the proposed commercial vehicle parking.

Despite this, the concerns raised in the remaining objection are considered valid given the rural residential nature and zoning of the area. While it is noted that the issue of sightlines and damage to adjacent kerbs and driveways may have been addressed by the changes that the applicant has made to his two vehicles, issues relating to vehicle noise, fumes, and streetscape have not been adequately addressed.

The site plan provided at Attachment 2 and additional information does not address the primary issue of the negative impact that the two large commercial vehicles are having on the streetscape and character of the area.

The City considers that subject to suitable arrangements being made the parking of two commercial vehicles on the site can be appropriately managed. It is not considered appropriate that the City support parking of large vehicles of these types within the front setback area. The negative impact on amenity created by the parking of two commercial vehicles in the front setback area of the lot is considered to be contrary to the Scheme and a valid objection has been raised.

As the applicant has verbally indicated in discussions with the Planning Department they do not wish to pursue the option of parking at the rear of the site, it is recommended that the application be refused.

### Conclusion

The application to park two commercial vehicles on the site ought to be refused on the grounds that the application does not comply with Town Planning Scheme No.3 Clause 5.10.8(c) (iv) as it will continue to





adversely impact on the amenity of the immediate and surrounding area. Further the approval would not be in the interest of orderly and proper planning as envisaged for the Rural Living Area under the Scheme and would set an undesirable precedent for the area.

### **Strategic Plan/Policy Implications**

#### **Growing The City**

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.
- Diversity of housing to respond to changing needs and expectations.

#### **Community & Lifestyle**

- Community environments that are socially cohesive and embrace diversity.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

Town Planning Scheme No 3  
Planning and Development Act 2005  
State Administrative Tribunal Regulations

### **Community Consultation**

As noted above, a letter was submitted with the further information provided by the applicant that indicated that the owner of 143 Britannia Avenue no longer objected to the proposal. Despite this, the additional information and revised site plan were referred to both of the properties that originally objected to ensure that they were satisfied with the proposed changes.

One further submission was received (name and address requested to be withheld during discussions with this objector during the first round of advertising) which highlighted concerns with the environmental impact of the proposal, specifically relating to the servicing of the vehicles and the disposal of waste products.

### **Attachments**

1. Location Plan
2. Revised Site Plan



### Advice to Proponents / Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 13 December 2012 Council Meeting.

### Implications of Section 3.18(3) Local Government Act, 1995

Nil

**14.4 (MINUTE NO 4929) (OCM 13/12/2012) - SINGLE HOUSE - LOCATION: 146 (LOT 45) SEMPLE COURT COCKBURN CENTRAL - OWNER: CHING FONG HOU - APPLICANT: CELEBRATION HOMES (5513118) (A LEFORT) (ATTACH)**

#### RECOMMENDATION

That Council delegate authority to the CEO to vary the provisions of Development Area 11 (Muriel Court) of Town Planning Scheme No. 3 and determine a development application for a single house at No. 146 (Lot 45) Semple Court Cockburn Central.

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**

#### COUNCIL DECISION

MOVED Clr C Reeve-Fowkes SECONDED Clr V Oliver that the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0**

### Background

The subject site is 8469m<sup>2</sup> in area and is located on the eastern side of Semple Court, Cockburn Central. The site is at a high point on Semple Court and the land falls away from the road and is thereafter relatively flat, containing sparse vegetation. The site previously contained a dwelling which was removed in late 2011 and three small outbuildings – one which was demolished and two which remain on site in a derelict state.

The subject site is zoned 'Development' under the City of Cockburn's Town Planning Scheme No.3 (TPS 3) and is located within a Special Control Area - Development Area 19 (Muriel Court) and Developer



Contribution Area 11 (Muriel Court) and is subject to the provisions of the Muriel Court Local Structure Plan (LSP).

The proposal is for a single house only. This is inconsistent with the DA19 provisions of TPS 3 which requires each subdivision and development application in the DA19 area to achieve at least 75% of the potential number of dwellings achievable under the R-Code depicted on the LSP.

Clause 5.6.1 of TPS 3 provides for variations to site and development requirements and the City has received detailed legal advice from its solicitors (confidential attachment) advising that Council has the powers to vary the DA19 provisions. The power to vary the requirement arises from TPS3 Clause 5.6.1 which reads:

*“5.6.1 Except for development in respect of which the Residential Design Codes apply, if a development is the subject of an application for planning approval and **does not comply** with a standard prescribed under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.”*

There remains an issue in relation to the need to determine compliance with the Urban Water Management Plan for Muriel Court and the applicant is currently finalising this with a consultant engineer. Council is therefore requested to delegate authority to determine the application to the CEO subject to receipt of suitable details regarding the Local Water management strategy and revised plans that address this and other minor matters that arise.

The applicant has requested the matter be expedited as the previous dwelling was demolished in the common belief that the owner would be able to build a new dwelling. The land owner is currently staying with relatives and seeks an early resolution of this matter. The Council's support for the variation of the DA19 provisions will allow the City to finalise the application details and issue a determination under delegation in a timely manner.

### **Submission**

The applicant is seeking planning approval for a single storey house which is 301.41m<sup>2</sup> in floor area, and consists of four bedrooms, two bathrooms, study, two living areas and a double garage. The dwelling has been designed to align with the southern boundary of the lot and fronts Semple Court at an angle. The applicant has included a plan with the application which demonstrates how the lot could be



developed or subdivided to achieve the density requirements of the LSP.

## **Report**

### Statutory Framework

#### *Metropolitan Region Scheme (MRS)*

The subject site is zoned 'Urban' under the MRS and the proposal is consistent with this zone.

#### *Town Planning Scheme No.3 (TPS 3)*

The subject site is zoned 'Development' and is located within a Special Control Area in accordance with Part 6 of the scheme (Development Area 19 – Muriel Court and Development Contribution Area 11 – Muriel Court). DA19 includes nine separate provisions which apply to the land in addition to any general provisions of the scheme. Whilst the proposal is consistent with provisions 1-8, it is inconsistent with provision 9 which states:

*'Each subdivision and development application in the DA area shall achieve at least 75% of the potential number of dwellings achievable under the R-Code designated for the application area on the adopted Structure Plan'*

The proposal is for a single dwelling on a lot with an area of 8469m<sup>2</sup> and so therefore the development application clearly does not achieve 75% of the potential number of dwellings achievable under the LSP.

#### *Muriel Court Local Structure Plan (LSP)*

The site is subject to the provisions of the Muriel Court LSP which was adopted by Council on 13 November 2008, modified under Delegated Authority on 8 February 2010 and endorsed by the Western Australian Planning Commission (WAPC) on 16 February 2010. The LSP identifies portions of the site as suitable for residential development with densities between R25 – R80 and the remainder of the site showing a subdivisional road, a laneway, a realigned portion of Semple Court and public open space.

#### *Local Planning Policy APD 60 - Muriel Court Structure Plan Design Guidelines*

The site is subject to APD 60 which provides design guidelines which intend to guide built form in the area. The site is located in the 'northern neighbourhood' which is identified for low to medium density



residential development. The proposed dwelling is generally compliant with the requirements of this policy with the exception of the maximum lot width which is required to be 20m. The proposed lot width is 20.6m and should the application be approved, could be required to be reduced to comply.

### Discussion

#### *Development Potential*

The LSP assigns a range of densities across the subject site as demonstrated by the table below:

	<b>Area (m<sup>2</sup>) approx</b>	<b>R-Code/Zoning</b>	<b>Development Potential</b>
Portion 1	2726	R25	7
Portion 2	1184	R40	5
Portion 3	705	R60	4
Portion 4	126	R80/Local Centre	1
Portion 5	1003	Public Open Space	N/A
Other	2725	Other - Roads	N/A
<b>Total</b>	<b>8469</b>		<b>17</b>

The table above demonstrates that the maximum number of grouped or single dwellings that could be constructed on the land is 17 dwellings. The applicant has included a plan (attached) demonstrating how the R25 portion of the site could be further developed into 7 lots which will achieve the full development potential for this portion. It should be noted that the maximum number of dwellings that the applicant could develop at this time would be 3 (those fronting Semple Court) due to the lack of road connections to the rear portions of the lot which relies on adjoining landowners.

The proposed dwelling is located abutting the southern boundary and is setback in accordance with the requirements of the Muriel Court Design Guidelines and is located within the R25 area. The dwelling does not impact on the future road network or POS shown on the LSP.

Provided that the dwelling is set at an appropriate ground level which must be informed by an urban water management plan for the site, it is unlikely that approval of the single house would prejudice the desired outcomes of the LSP or its future development potential.

#### *Dwelling Orientation*

The proposed dwelling is aligned to the southern boundary (which is to maximise the future development potential of the site and minimise wasted land area. This will result in a streetscape with dwellings with a



facade set at a significant angle to the street which is not normally desirable. However given the existing lot shapes and LSP design, this will be an unavoidable outcome in Semple Court given the alignment of the road and existing lots. Amalgamation with adjoining lots could address this issue but it may not be practical in every case and cannot easily be enforced.

#### *Urban Water Management*

It is absolutely critical that any development not compromise the drainage strategy for the area. In order to establish an appropriate ground level for the site which will enable stormwater to be disposed of adequately, the applicant will need to prepare an Urban Water Management Plan. This must be prepared and approved prior the issue of any approval as it will inform the ground levels required for the development and many result in modifications to the plan if any cutting, filling and/or retaining is required. Ground level changes could also impact adjoining landowners and require consultation.

#### *Developer Contributions*

The subject site is located within Special Control Area DCA11 (Muriel Court) which provides for various infrastructure upgrades within the Muriel Court LSP area. However in accordance with TPS3 clause 6.3.13.3, this proposal would not trigger the requirement for payment of developer contributions as the proposal constitutes the first single house on an existing lot which has not been subdivided. The same provision applies to DCA 13 (Community Infrastructure) contributions.

#### *Road Reserves and POS*

As this proposal is for a single house and does not propose to subdivide the land, it is not considered reasonable to require the landowner to cede the road reserves and POS and upgrade Semple Court at this time. It is considered reasonable for this to occur on subdivision or development of additional dwelling on the site (whichever comes first). This approach is in line with scheme provisions relating to developer contributions in which the development of a single house not proposing subdivision does not trigger the need for contributions.

#### **Conclusion**

The proposed development of a single dwelling on a lot where no subdivision is proposed is not considered to prejudice the future development potential of the land, nor the objectives of the Muriel Court LSP. This is provided that an Urban Water Management Plan is prepared to inform the correct lot level to the satisfaction of the City.



As the City's legal advice confirms that Council has discretion to vary the DA19 provisions of the scheme, Council is requested to delegate authority to the Manager Statutory Planning to determine the application accordingly.

### **Strategic Plan/Policy Implications**

#### **Growing The City**

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.
- Development that is soundly balanced between new and existing areas.
- Diversity of housing to respond to changing needs and expectations.

#### **A Prosperous City**

- Sustainable development that ensures Cockburn Central becomes a Strategic Regional Centre.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

N/A

### **Community Consultation**

N/A

### **Attachment(s)**

1. Location Plan
2. Site Plan
3. Floor Plan
4. Elevation Plan
5. Future Development Plan
6. Local Structure Plan Map
7. Site Survey Plan
8. Letter of Advice – McLeods (under separate confidential cover)



**Advice to Proponent(s)/Submissioners**

The Proponent(s) have been advised that this matter is to be considered at the 13 December 2012 Council Meeting.

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**14.5 (MINUTE NO 4930) (OCM 13/12/2012) - ENDORSEMENT OF NEW COMMERCIAL LEASE FOR KIOSK LOCATED ON RESERVE 24308 (NAVAL BASE SHACKS) - OWNER: STATE OF WESTERN AUSTRALIA - APPLICANT: CITY OF COCKBURN (SM/L/002) (L GATT) (ATTACH)**

<b>RECOMMENDATION</b>	
That Council	
(1) endorse the new commercial lease for the Naval Base Kiosk as attached, and subject to the following specific requirements:	
<b>Lease Fee Date &amp; Rent Review Date</b>	<b>Lease Fee/Reviewed Amount</b>
Commencement Date	\$2,000.00 pa payable annually in advance
1 September 2013	\$6,333.00 pa payable annually in advance
1 September 2014	\$10,666.00 pa payable annually in advance
1 September 2015	\$15,000.00 pa payable annually in advance
Following 1 September 2015, on each subsequent anniversary of the Commencement Date a CPI review will be undertaken.	<p>The Rent will be reviewed in accordance with the following formula:</p> $R2 = R1 \times \frac{\text{Current CPI}}{\text{Previous CPI}}$ <p>Where:</p> <p><b>R2</b> is the rent after the relevant anniversary of the Commencement Date.</p> <p><b>R1</b> is the rent immediately before the relevant anniversary of the Commencement Date.</p> <p><b>CPI</b> means the consumer price index published by the Australian Statistician for All Groups for Perth.</p> <p><b>Current CPI</b> means the CPI number for the quarter ending immediately before the relevant Review Date.</p> <p><b>Previous CPI</b> means the CPI number for the</p>





		<p>quarter ending immediately before the last review date before the relevant review date.</p> <p>The reviewed rent will be payable annually in advance.</p>
<p>(2) accept the lease term for a single five year term only, with no option for extension.</p>		

**COUNCIL DECISION**

MOVED Cllr Y Mubarakai SECONDED Cllr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

At the Ordinary Council Meeting on 14 June 2012 Council endorsed the following recommendation:

*That Council:*

- (1) *endorse the negotiation and preparation of a separate Commercial Lease for the Kiosk at Reserve 24308;*
- (2) *receive a further report once the Commercial Lease has been negotiated, so that the terms of this lease can be considered for endorsement by Council prior to the new lease being advertised in accordance with the requirements of Section 3.58 of the Local Government Act 1995;*
- (3) *endorse the preparation of a Business Plan for redevelopment of the Naval Base Kiosk Site; and*
- (4) *receive a further report once the Business Plan has been prepared to endorse the terms of the Business Plan.*

In accordance with the recommendation, the City's Officers have negotiated the attached lease and requests Council endorsement of the document. The lease document is provided as Attachment 1.



### Submission

The current Lessee has written to Council to request the opportunity of a further five year term which would take the lease term to 2022. A copy of the submission is provided as Attachment 2.

### Report

The future management of Reserve 24308 has been under consideration by the City over the last two years.

The leases for the holiday accommodation are currently being processed, with 70 already executed and returned to the Lessees, 13 pending a copy of their insurance, 77 ready for execution, 15 outstanding some with legitimate issues and two the subject of cancelation of the their leases.

In addition to this, to cover the current operation of the existing kiosk, the City has negotiated a new short term commercial lease for the kiosk located on the reserve, recognising the use as being different to the other shacks which are utilised for holiday accommodation.

The City appointed a licensed valuer to ascertain the appropriate lease fee taking into account the commercial exposure (e.g. passing traffic and coastal location), the size of the kiosk, and a comparison with other similar facilities. The valuation recommended a lease fee of \$15,000.00 per annum. A copy of the valuation can be viewed as Attachment 3.

In line with the lease fee increases that were introduced with the holiday accommodation leases, it is recommended that the lease fee be increased on similar terms as per the table below:

Lease Fee Date & Rent Review Date	Lease Fee/Reviewed Amount
Commencement Date	\$2,000.00 pa payable annually in advance
1 September 2013	\$6,333.00 pa payable annually in advance
1 September 2014	\$10,666.00 pa payable annually in advance
1 September 2015	\$15,000.00 pa payable annually in advance
Following 1 September 2015, on each subsequent anniversary of the Commencement	The Rent will be reviewed in accordance with the following formula: $R2 = R1 \times \frac{\text{Current CPI}}{\text{Previous CPI}}$ Where: <b>R2</b> is the Rent after the relevant anniversary of



Date a CPI review will be undertaken.	<p>the Commencement Date.</p> <p><b>R1</b> is the Rent immediately before the relevant anniversary of the Commencement Date.</p> <p><b>CPI</b> means the consumer price index published by the Australian Statistician for All Groups for Perth.</p> <p><b>Current CPI</b> means the CPI number for the quarter ending immediately before the relevant Review Date.</p> <p><b>Previous CPI</b> means the CPI number for the quarter ending immediately before the last review Date before the relevant review date.</p> <p>The reviewed Rent will be payable annually in advance.</p>
---------------------------------------	---

A demolition levy of \$300.00pa with annual CPI increases will also be charged.

The Lessee accepts all other conditions of the lease with the exception of the term in which the Lessee has requested that Council consider offering an option period of a further five years which would extend the lease term to 2022. This is not recommended by the City, as it is inconsistent with Council's previous resolution regarding the preparation of a Business Plan to investigate the most appropriate model in which to operate a commercial kiosk on the site.

The current structure is considered too small by the City's Health Department and is not built to the City's Building Standards. If a new kiosk was considered viable, it would need to be designed and built as a new more substantial structure to meet all standards and a new longer term commercial lease would be offered to the occupier. However these issues need to be synthesised and determined via the preparation of the Business Plan, which will be reported back to Council to consider a way forward.

The current location of the kiosk is also very close to the road. Options will be considered to improve this arrangement through the business plan process for the kiosk use.

It is therefore recommended to Council to endorse the new short term lease agreement for the current occupiers of the kiosk, at the lease fee as detailed above, and for a single five year term only with no option period.

A further report will be presented to Council for their endorsement following the finalisation of the business plan assessing the future opportunities of the kiosk.

### **Strategic Plan/Policy Implications**



### **Growing City**

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.

### **Infrastructure**

- Community facilities that meet the diverse needs of the community now and into the future.

### **A Prosperous City**

- Promotion and support for the growth and sustainability of local businesses and local business centres.
- Creation and promotion of opportunities for destination based leisure and tourism facilities.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

*Land Administration Act 1997*

*Property Law Act 1969*

*Commercial Tenancy and (Retail Shops) Act 1985*

*Local Government Act 1995*

*Building Act 2011*

*Health Act 1911*

*Planning and Development Act 2005*

### **Community Consultation**

In accordance with Section 3.58 *Local Government Act 1995* the intention to lease was advertised on 29 October 2012.

### **Attachment(s)**

1. Lease document
2. Submission from the Lessee
3. Valuation.

### **Advice to Proponent(s)/Submissioners**

The Proponent has been advised that this matter is to be considered at the 13 December 2012 Council Meeting.

### **Implications of Section 3.18(3) Local Government Act, 1995**

Nil.



**14.6 (OCM 13/12/2012) - AMENDMENT NO. 97 - DEVELOPMENT CONTRIBUTION PLAN (93097) (C CATHERWOOD) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) endorse the Schedule of Submissions prepared in respect of Amendment No. 97 to City of Cockburn Town Planning Scheme No. 3 ("Scheme");
- (2) in pursuance of Section 75 of the Planning and Development Act 2005 ("Act"), amend the City of Cockburn Town Planning Scheme No. 3 for the purposes of:

Providing additional clarification as to the methodology of the calculation for development contributions for Development Contribution Plan 13 into Schedule 12 as follows (additional wording shown in bold text):

<p>Method for calculating contributions</p>	<p>The City's Plan for the District identifies the needs that impact on the Development Contribution Plan. The contributions outlined in this plan have been derived based on the need for the facilities generated by the additional development in the Development Contribution Plan. This calculation excludes the demand for a facility that is generated by the current population in existing dwellings.</p> <p>Contributions shall be calculated on the basis of the number of new lots <b>and/or dwellings</b> created. Existing dwellings on a lot or lots to be subdivided or developed will be exempt from the contribution. Land required for public roads, public open space, drainage and other uses not including residential development will not be assessable. Where a lot may have further subdivisional potential, for example as a grouped dwelling site, contributions will be sought at the next development approval stage where additional dwellings or lots are created.</p> <p>Contributions applying to development of aged or dependant person's dwellings or single bedroom dwellings shall be calculated on the number of dwelling units permitted prior to the application of the variations permissible under clause 6.1.3.A3.1 of State Planning Policy Residential Design Codes.</p> <p><b>Notwithstanding the definition of 'lot' listed in Schedule 1, for the purposes of calculating cost contribution liability within DCA13, the term lot will be inclusive of green title, survey strata and built strata</b></p>
---	---



	<b>subdivisions.</b>
(3)	receive the amendment documentation, to be signed and sealed without modification, and then submitted to the Western Australian Planning Commission along with the endorsed Schedule of Submissions with a request for the endorsement of final approval by the Hon. Minister for Planning; and
(4)	advise those parties that made a submission be advised of Council's decision accordingly.

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

At its Ordinary Meeting held on 13 September 2012, Council initiated Amendment No. 97 to City of Cockburn Town Planning Scheme No. 3 ("Scheme") to consider an amendment to provide additional clarification to Development Contribution Plan 13 ("DCP13").

Community consultation occurred between 5 October and 13 November 2012, a period of 42 days. One submission objecting to the proposed amendment was received. As per section 17 of the *Town Planning Regulations 1967*, this matter is now presented for Council's consideration of submissions.

**Submission**

N/A

**Report**

Background

DCP13 was included in the City's Scheme via Amendment No. 81, gazetted in August 2011 and relates to community infrastructure.



Community infrastructure is the land, structures and facilities which help communities and neighbourhoods function effectively. This includes facilities such as sporting and recreational facilities, community centres, child care and after care centres, libraries and cultural facilities. They are often highly valued by their communities and add greatly to the overall quality of life by providing opportunities for physical activity and social interaction.

It is widely accepted that the use of community facilities has a direct correlation to the number of people using them. This is clear in the intent and basis of the relevant State Planning Policy 3.6 Development Contributions for Infrastructure as well as the City's DCP13.

What has also become clear with some applicants, being quite a complicated matter, is that they require some further clarity in the wording of Council's Town Planning Scheme to ensure they understand the intent behind DCP13 and their cost contribution liability is as clear to them as possible.

Since the initiation of this amendment, the State Administrative Tribunal has handed down a decision on the very matter which this amendment seeks to provide clarity on. A copy of the decision is included as Attachment 2 to this report. In the recent hearing it was determined the whole of the 'calculation method' section of DCP13 should be read in determining contributions which contemplates the basis of either new lots and/or new dwellings. This reinforces the City's position that the current wording of the scheme is sufficient. However, in the interests of providing additional clarity to parties, it is still recommended this amendment is proceeded with.

#### Purpose of Amendment

To introduce clarity to the Scheme wording, in particular the methodology described for DCP13 within Schedule 12, some additional wording is recommended.

The first insertion at paragraph two ensures even if the sentence is read in isolation, rather than the context of the whole paragraph, it is clear either lots or dwellings are used in the calculation of the cost contribution liability.

The insertion at the end of the table section clarifies the use of the term 'lot' is inclusive of strata and green title lots. This again is consistent with the intent of both the SPP and Section 6.3 of the Scheme which discusses development contributions more broadly. It also rectifies a potential concern with the definition of the term 'lot' within Schedule 1 should it not be read in the broader and more sensible fashion.



### Results of consultation

Details of the submissions received are included in the Schedule of Submissions appended to this report. A single submission was received objecting to the proposal. The grounds of objection have been comprehensively responded to in the Schedule. The response focuses on the objectives of the relevant SPP and the construction of DCP13, being clearly that the application of DCP13 is to the number of lots and/or dwellings being created by way of subdivision and/or development. This has clear relationship with the objective for need and nexus as required by the SPP, being that DCP13 must be applied equitably to ensure contributions are levied according to the proportionate level of demand for community infrastructure which development generates.

It is not recommended that any changes to the proposed amendment be considered as part of this objection. It is recommended that Council endorse the amendment without modification, and proceed to submit it to the WAPC and Hon Minister for final adoption.

### **Strategic Plan/Policy Implications**

#### **Growing The City**

- Development that is soundly balanced between new and existing areas.

#### **Infrastructure**

- Community facilities that meet the diverse needs of the community now and into the future.
- Community infrastructure that is well planned, managed, safe, functional, sustainable and aesthetically pleasing.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

These will provide additional clarity for applicants, developers and landowners and their representatives. Though, as reinforced in a recent SAT decision the current wording of the scheme is sufficient to convey the intent of DCA13.

### **Community Consultation**





In accordance with the *Town Planning Regulations 1967* consultation was undertaken subsequent to the local government adopting the Scheme Amendment and the Environmental Protection Authority ("EPA") advising that the proposal was environmentally acceptable. This required the amendment to be advertised for a minimum of 42 days.

#### Methods of consultation

Community consultation was carried out for a period of 42 days, from 5 October and 13 November 2012. An advertisement was placed in the Cockburn Gazette on 5 October 2012.

For this period the City's website has included details of the proposed amendment, including links to other relevant documentation people may wish to review.

All persons who lodged a submission as well as persons who have since indicated a particular interest in the matter of DCP13 were advising in writing of the proposal and invited to make comment.

#### Results of consultation

Details of the submission received are included in the Schedule of Submissions appended to this report. It is not recommended that any change to the proposed amendment is appropriate based on the submission received.

#### **Attachment(s)**

1. Schedule of Submissions
2. SAT Determination

#### **Advice to Proponent(s)/Submissioners**

N/A

#### **Implications of Section 3.18(3) Local Government Act, 1995**

Nil.



**14.7 (MINUTE NO 4932) (OCM 13/12/2012) - PUBLIC CONSULTATION ON THE EXCISION OF PORTION OF RESERVE 50535 - OCEAN DRIVE, NORTH COOGEE - APPLICANT: PETER WEBB & ASSOCIATES ON BEHALF OF PICKLED FIG CAFE (6011632) (K SIM) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) undertake public consultation to determine the level of acceptance, from the community and vested interests, of a proposal to excise from Public Recreation Reserve 50535, an area of approximately 70 square metres, in order to facilitate a lease to the café on Lot 9 Strata Plan 52597 for an upgraded café alfresco area;
- (2) requires the public consultation in (1) above be undertaken in accordance with the 'Cabinet approved guidelines set out in the Crown Land Administration & Registration Practice Manual';
- (3) require the cost of the public consultation in (1) to be met by the applicant; and
- (4) advise the applicant accordingly.

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

Reserve 50535 was created as a condition of subdivision pursuant to Section 152 of the *Planning and Development Act 2005* and has a purpose for Public Recreation. A Management Order dated April 2010 has been issued to the City of Cockburn, and does not include any power to lease.



## Submission

Peter Webb and Associates acting on behalf of the Pickled Fig Café has written to the City requesting the assistance of the City in the resolution of a problem that the café has. An existing café alfresco area has been established on the crown reserve adjoining the western boundary of the café. The existing alfresco area consists of a paved area with tables, umbrellas and chairs. Planning approval was granted by the Western Australian Planning Commission on 24 December 2010, without what appears to be an appropriate condition that required the crown land title issues to be addressed prior to the alfresco area being established.

The applicant now wishes to substantially upgrade the alfresco area, such that it will become a permanent feature of the reserve. This requires the crown land title issues to be fully dealt with, before contemplation of upgrade to the alfresco area could occur.

The only way this could take place, is if a portion of Reserve 50535 is excised, acquired by the City and then made available for leasing by the café on commercial terms as an alfresco area.

## Report

The Management Order for Reserve 50535 does not include a power to lease or licence. The proposed upgraded alfresco area would warrant a leasing arrangement, on the basis that it would privatise the portion of the reserve which it exists. As the public recreation reserve could not be granted a power to lease by way of Management Order to the City, the City would need to excise portion of Reserve 50535, acquire that portion and then make that available for leasing by the café on commercial terms as an alfresco area.

The operators of the café are seeking a substantial upgrade of the alfresco area which would include permanent glass panel walls and a roof. This would enable continued use of the area in times of inclement weather. Such a structure is deemed to give exclusive use of the area, and therefore if the land was acquired by the City it would present an opportunity for the City to undertake a commercial leasing of this land to the café operator.

The applicant has been in contact with the Department of Regional Development and Lands who has advised that the only way that the proposed upgraded alfresco could secure lawful use is for the alfresco area to be excised from the current reserve, acquired by the City as freehold land and for the City to then enter into a lease arrangement with the operator of the café. This confirms the approach suggested by this report.



As the reserve was created as a condition of subdivision under the *Planning and Development Act 2005*, the Department of Regional Development and Lands require approval for the excision from the Western Australian Planning Commission. Cabinet approved guidelines set out in the Crown Land Administration & Registration Practice (see attached document) have been developed to address all aspects of the public consultation, which is extensive given that consideration for excision of public recreation reserves should only be undertaken in very careful circumstances.

The consultation process involves mail-out to affected owners, signage, advertising, direct consultation and preparation of a report. It is deemed appropriate that the applicant meet all costs associated with this, noting also that there can be no guarantee as to the success of this process or not.

If the public consultation results in a positive response to the excision of the alfresco area from the reserve, then a future Council meeting will need to decide whether to proceed with the acquisition of the land from the Department of Regional Development and Lands and then whether to enter into a lease with the café operator and on what terms.

Department of Regional Development and Lands policy allows the City to acquire the land at 5 % of the market value. Even at this discounted rate the land could be very expensive. The value is determined by the Value General's Office and is usually not open to negotiation so any rent levied in a potential lease should allow the City to recoup its outlay within a reasonable time frame.

Following the public consultation a report will be prepared for consideration of a future meeting of Council.

### **Strategic Plan/Policy Implications**

#### **Leading & Listening**

- A responsive, accountable and sustainable organisation.
- Manage our financial and infrastructure assets to provide a sustainable future.

#### **A Prosperous City**

- Promotion and support for the growth and sustainability of local businesses and local business centres.



### **Budget/Financial Implications**

The recommendation allows for full cost recovery of the consultation process from the applicant. A further report will be presented to Council at the conclusion of the consultation process to consider whether to proceed with the acquisition process, based on the outcomes of the consultation process and also the valuation provided for the land. This will need to ensure that the City is capable of making an appropriate financial return from the proposition also.

### **Legal Implications**

Provisions of Land Administration Act apply.

### **Community Consultation**

N/A.

### **Attachment(s)**

1. Site Plan
2. Cabinet guidelines.

### **Advice to Proponents**

The Proponent has been advised that this matter is to be considered at the 13 December 2012 Council Meeting.

### **Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

- 14.8 (MINUTE NO 4933) (OCM 13/12/2012) - CONSIDERATION FOR FINAL ADOPTION SCHEME AMENDMENT NO. 91 - LOTS 101, 103 & 104 JANDAKOT RD, JANDAKOT - OWNER: SCHAFFER CORPORATION LTD - APPLICANT: MGA TOWN PLANNERS (93091) (C HOSSEN) (ATTACH)**

#### **RECOMMENDATION**

That Council

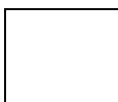
- (1) endorse the Schedule of Submissions prepared in respect of Amendment No. 91 to the City of Cockburn Town Planning Scheme No. 3 ("Scheme");
- (2) modify the advertised Amendment No. 91 to the Scheme in accordance with the following requirements:



1. Add within the 'Provisions' section of AU1 within Schedule 2 of the Scheme the following:
  - (a) "Provided that the Use classes "Masonry Production" and "Warehouse" are restricted to Lot 101.
  - (b) "Urban Water Management: Drainage systems to be designed and constructed consistent with the Stormwater Management Manual for Western Australia."
  - (c) "Bushfire Management: The Operator must prepare a Bushfire Management Plan. The Bushfire Management Plan must be to the satisfaction of the Local Government and upon approval by the Local Government, is to be implemented and regularly updated".
  
- (3) once modified in accordance with 2, adopt for final approval Amendment No. 91 to the Scheme in pursuance of Section 75 of the *Planning and Development Act 2005* for the purposes of:
  1. Extending the existing Additional Use AU1 ("AU1") over the whole of Lots 101 and 104 and a portion of Lots 103 Jandakot Road, Jandakot as depicted on the Scheme Amendment Map.
  2. Amending the Scheme Map Accordingly.
  3. Replacing the existing AU1 provisions contained under Schedule 2 of the Scheme with the following:

Schedule 2 - Additional Uses

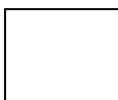
No.	Description of land	Provisions	Conditions
AU1	Lots 101 and 104 and portion of Lot 103 Jandakot Road, Jandakot	<ul style="list-style-type: none"> <li>• Nursery;</li> <li>• Masonry Production;</li> <li>• Warehouse only where ancillary to Masonry Production;</li> <li>• Showroom only where ancillary to Masonry Production</li> </ul> <p>Provided that the Use classes "Masonry Production" and "Warehouse" are restricted to Lot 101.</p> <p>Use Class Definitions: Use classes are defined in Schedule 1 of the Scheme.</p>	Planning Approval subject to compliance with the approved Staging Plan (Detailed Area Plan) and subject to the preparation and implementation of an Urban Water Management Plan.



		<p>1. Environmental Requirements</p> <p>Industrial Wastewater: All wastewater produced from activities on-site must be disposed of to a system approved by the Local Government and in liaison with the Department of Water.</p> <p>Groundwater: The operator must undertake investigations and reporting on groundwater quality from monitoring bores positioned down-gradient of the site to detect any change in water quality against the National Health and Medical Resource Council and Department of Water Drinking Water Guidelines that may occur over time while the plant continues to operate over the Jandakot Groundwater Mound. Groundwater reports must be submitted to the Local Government and Department of Environment and Conservation on an annual basis.</p> <p>Site Chemical Risk: A Site Chemical Risk Assessment Report being prepared and implemented and regularly updated.</p> <p>Dust Management: No visible dust generated by any aspect of operations on-site is to leave the subject land. The operator is required to submit to the Local Government, after consultation with the Department of Environment and Conservation, a Dust Management Plan. The Dust Management Plan must be to the satisfaction of the Local Government, and upon approval by the Local Government, is to be implemented and all times.</p> <p>Noise Emissions: The development is to comply with the <i>Environmental Protection Act 1986</i>, which contains penalties where noise limits exceed those, prescribed by the <i>Environmental Protection (Noise) Regulations 1997</i>. If noise emissions from loading operations and the block plant fail to comply with the <i>Environmental Protection Act 1986</i>, additional acoustic measures must be carried out as soon as reasonably practical to ensure the</p>	
--	--	---	--



		<p>use complies with the Act.</p> <p>Lighting: The installation and maintenance of lighting must at all times comply with the requirements of Australian Standard AS 4282-1997 "Control of the Obstructive Effects of Outdoor Lighting".</p> <p>Complaints: The operator must prepare a "Complaints Handling Procedure" to ensure that there is a process for administering any complaints including the recording, investigation and response to any concern regarding the operation.</p> <p>Urban Water Management: Drainage systems to be design and constructed consistent with the Stormwater Management Manual for Western Australia.</p> <p>The Operator must prepare a Bushfire Management Plan. The Bushfire Management Plan must be to the satisfaction of the Local Government and upon approval by the Local Government, is to be implemented and regularly updated.</p> <p>2. Design Requirements</p> <p>Building design and location shall minimise the visual impact of the development from surrounding residents.</p> <p>Building materials and colours must be clad or coloured to complement the surroundings, and/or adjoining developments in which it is located, and shall use non-reflective materials and colours.</p> <p>Product storage areas must be screened from view from the public at all times.</p> <p>Staging Plan in the form of a Detailed Area Plan shall be prepared by the applicant and approved by the Local Government detailing the timing of development across the Additional Use area.</p>	
--	--	---	--





- (4) ensure the amendment documentation be signed and sealed and then submitted to the Western Australian Planning Commission along with the endorsed Schedule of Submissions with a request for endorsement of final approval by the Hon. Minister for Planning;
- (5) the applicant be advised that Jandakot Road will be required to be upgraded in the future and this upgrading may include the widening of Jandakot Road; and
- (6) advise those parties that made a submission of Council's decision accordingly.

### **COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

### **Background**

The subject land comprises Lot 101, Lot 103 and 104 Jandakot Road, Jandakot and is zoned 'Rural – Water Protection' under the Metropolitan Region Scheme ("MRS") and 'Rural Resource' under the City of Cockburn Town Planning Scheme No. 3 ("Scheme").

The subject land is located broadly on the corner of Jandakot Road and Berrigan Drive and is commonly known as the "Urbanstone" site. Jandakot Airport is situated directly to the north of the subject site.

Lot 101 is 6.4009ha in area and is occupied by the "Urbanstone" factory producing masonry products. Lot 103, being 4.2582ha, sits at the corner of Jandakot Road and the Launderers (Lancaster) Street road reserve and is currently occupied by a nursery. The remainder of the subject site is located on Lot 103, located north and east of the "Urbanstone" plant, and is 46.6239ha in size and predominantly cleared, having been previously mined for sand resources and revegetated. The northern portion of Lot 102 is occupied by Bush Forever Site 388, which has an area of 12.97ha.



Additional Use No.1 ("AU1") of the "Scheme" is currently located over the majority of Lot 101 and allows for the use of the land for "Masonry Production" subject to a number of Environmental and Design Requirements.

### **Submission**

The Proposed Scheme Amendment has been lodged by MGA Town Planning on behalf of the landowner, Schaffer Corporation Ltd.

The proposal seeks to amend the Scheme Map to extend the Additional Use Area "AU1" over the entirety of Lot 101 and Lot 104 and a portion of Lot 103 Jandakot Road, Jandakot. Moreover, the proposal also seeks to extend the number and type of additional uses allowed on the site. In addition to the current additional use of "Masonry Production" the additional uses of "Nursery", "Showroom" and "Warehouse", where "Warehouse" and "Showroom" are ancillary to Masonry production, are proposed to be included additional uses under "AU1".

The use classes "Masonry Production" and "Warehouse" will be restricted to Lot 101.

### **Report**

#### Showroom/Warehouse

The subject site is located within the "P2 area" of the Department of Environment and Conservation's ("DEC") Land Use Compatibility in Public Drinking Water Source Areas ("PDWSA") as part of the Jandakot Underground Water Pollution Control Area ("JUWPCA") policy. The use of "Showroom" within such an area is deemed "Incompatible" with the PDWSA policy.

Within the PDWSA "Incompatible" is defined as a land use that does not meet management objectives of the priority classification area. DEC states that these uses would normally oppose approval of incompatible uses. Further to this, the PDWSA Policy states that should such uses be approved the DEC should be advised and be directly involved with the planning decision makers on issues related to water quality protection.

The "Showroom" Use is proposed to be ancillary to the existing "Masonry Production"; a Use that pre dates the PDWSA. This, along with the proposed environmental requirements of the "Additional Use" provides satisfaction in the opinion of officers that in this instance the Amendment is appropriate.



The Use “Warehouse” within the “P2 area” of the PDWSA policy is listed as “Compatible with Conditions”, this allows for conditional approval where the facility is consistent with approved State and Local Government Planning Strategies or Schemes.

Any future proposal for a “Showroom” or “Warehouse” would be subject to a Planning Approval. This Planning Approval would be subject to compliance with an approved Structure Plan and Urban Water Management Plan as outlined in Schedule 2 of the Scheme. Comments and advice would be sought from DEC for any future development application.

### Nursery Site

As noted above the proposal includes the addition of the Additional Use, “Nursery” to “AU1”. Currently a “Nursery” operates under the proviso of Clause 5.10.11(d) of the “Scheme”, where a plant nursery may operate on land within the Resource Zone where there is a land area not smaller than 4 hectares.

The proponent advises that although lot 103 is greater than 4ha in size future widening of the Launders (Lancaster) Street road reserve will see the lot decrease below the required 4ha. Thus making it non compliant with the Scheme. The Additional Use is included to allow the “Nursery” operations to continue without the reliance on non-conforming use rights.

It is deemed appropriate in this case to allow the Additional Use of “Nursery” to be included in “AU1” as part of this Amendment.

### Environmental Impact

The expansion of AU1 and indicative use of the land shows the need for remnant vegetation removal. A Level 1 Flora and Fauna Assessment indicated that the impact on native flora and fauna from this proposal is limited. The expansion of the Additional Use area has no impact on Bush Forever Site 388.

Extensive environmental requirements are included as requirements of the Additional Uses and do not vary from the existing environmental requirements. These requirements relate to noise, dust, and water management.

The Scheme Amendment was referred to the Environmental Protection Authority (“EPA”), as per Clause 81 of the Planning and Development Act 2005, to ascertain if assessment is required under the *Environmental Protection Act 1986* before the Proposed Scheme Amendment can be advertised by the City. The EPA advised on 23



July 2012 that Amendment 91 would not be subject to assessment under the *Environmental Protection Act 1986*.

### Traffic

A traffic study has been prepared by Porter Consulting Engineer's on behalf of the applicant to allow for a better assessment of the proposed future uses of the subject site.

The report outlined a number of feasible access options to the site; was undertaken in cooperation with the City's Transport Engineer.

The appropriate access to the subject site takes into consideration the following. Jandakot Road, Berrigan Drive and the surrounding road network has been subject to continuing growth in the number of vehicles per day and this is predicted to grow going forward. Further to this, the future Lancaster (Launders) Road is anticipated, by Main Roads, to carry some 21,500 vehicles per day in 2031.

The exact location of access and egress points from the site will be conducted in close cooperation with the City and this matter can further be addressed should a Development Application be submitted for the proposed additional uses.

### Public Consultation

In accordance with the *Town Planning Regulation 1967* Amendment 91 was advertised for public comment for 42 days between 7 August 2012 and 18 September 2012. Consultation included; letters to adjoining and affected landowners, advertisements in the Cockburn Gazette and letter to relevant State Government Authorities.

In total 11 submissions were received:

- 8 from State Authorities.
- 2 from affected landowners
- 1 from applicant on behalf of the owners of the subject site.

All submissions that were received are set out and addressed in the Schedule of Submissions (Attachment 3).

One affected landowner raised objections on the basis of loss of amenity from increased traffic and noise. A Traffic Impact Assessment was undertaken as part of the Scheme Amendment process, it notes a number of alternatives for dealing with any increase in traffic volumes. It is anticipated that such alternatives will be implemented should any development application for increased intensity of the site be submitted to the City. Schedule 2 of the Scheme makes particular note of the requirement for any development approved within Additional Use 1 to



comply with the noise requirements of *Environmental Protection Act 1986*. The operator of the Additional Uses must also have a “Complaints Handling Procedure” to ensure that there is a process for administering any complaints including the recording, investigation and response to any concern regarding the operation.

The provision and enforcement of such procedures should be sufficient to address any measures related to noise emanating from this site.

The Department of Water (“DoW”) lodged an objection to the proposed Scheme Amendment citing, amongst other reasons, that the proposal:

1. The proposed land uses and expansion of current land uses are inconsistent in accordance with State Planning Policy 2.3, Water Quality Protection Note 25 and Water Quality Protection Note 93; and
2. Amendment 91 will increase contamination risks to the groundwater which is incompatible with the water quality objectives of P2 areas within the Jandakot UWPCA.

The DoW’s concerns were raised primarily with regards to any increase in the size of the “Masonry Production” and wider impacts on groundwater a use such as “Showroom” would have within the P2 and wellhead protection zone (WHPZ) within the JUWPCA.

Following further consultation between the City, the applicant and the DoW, a number of minor changes to the working of Amendment 91, particularly AU1 of Schedule 2, has taken place. This resulted in the DoW withdrawing their objection. The DoW reasoning can be found within the Schedule of Submissions in Attachment 3. The accepted changes are reflected in the Council resolution.

### Conclusion

It is recommended that Amendment No. 91 be adopted by Council and forwarded to the WAPC for final approved subject to the modifications outlined above.

### **Strategic Plan/Policy Implications**

#### **Growing The City**

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.

#### **Leading & Listening**

- A responsive, accountable and sustainable organisation.



### **Environment & Sustainability**

- Identification and minimisation of impacts to human health risk.

### **Budget/Financial Implications**

The Scheme Amendment fee for this proposal has been calculated in accordance with the *Planning and Development Regulations 2009*, including the cost of advertising and this has been paid by the applicant.

### **Legal Implications**

N/A

### **Community Consultation**

In accordance with the *Town Planning Regulations 1967* consultation was undertaken subsequent to the local government initiating the Scheme Amendment and the Environmental Protection Authority (EPA) advising that the proposal is environmentally acceptable. This required the amendment to be advertised for a minimum of 42 days.

### **Attachment(s)**

1. Scheme Amendment Map
2. Local Context Plan
3. Schedule of Submissions

### **Advice to Proponent(s)/Applicant**

The Proponent and all those who lodged a submission have been advised that this matter is to be considered at the 13 December 2012 Council Meeting.

### **Implications of Section 3.18(3) Local Government Act, 1995**

Nil.



**14.9 (MINUTE NO 4934) (OCM 13/12/2012) - PROPOSED DISTRICT STRUCTURE PLAN MINOR MODIFICATION - LOCATION: VARIOUS LANDHOLDINGS BETWEEN HAMMOND ROAD AND BRANCH CIRCUS, SUCCESS - OWNER: VARIOUS - APPLICANT: CITY OF COCKBURN (SM/M/024) (C HOSSEN) (ATTACH)**

**RECOMMENDATION**

That Council

(1) adopt the Modified Branch Circus District Structure Plan, for the purposes of providing a guiding document to inform the preparation of future Local Structure Plans within the District Structure Plan area, subject to the following modifications being undertaken:

1. Relocate the road directly west of the existing Lot 125 Hammond Road, Success boundary, west to remove any future road reserve from within the current boundary of Lot 125.
2. The inclusion of a notation on the District Structure Plan map noting the need for future Local Structure Plans to address the risk posed to future residents by mosquitoes and mosquito-borne diseases.
3. Amend the Legend of the District Structure Plan map so that "Not Suitable for Urban Development or Closer Settlement" reads "Constrained Site".
4. Delete the notation on the District Structure Plan map relating to Lots 2, 3, 4 and 9000 Branch Circus, Success and replace it with the following:

"Lots 2, 3, 4 and 9000 Branch Circus, Success:

Lots 2, 3, 4 and 9000 Branch Circus, Success have been identified as constrained. These lots are affected by:

- Conservation Category Wetlands and their Buffers.
- Bushfire Risk.
- Interface Issues with the Beeliar Regional Reserve.
- Dislocation from the Urban Front.

The City Of Cockburn supports the reserving of these parcels of land for Reservation – Parks and Recreation under the Metropolitan Region Scheme.

Should reservation of the land under the Metropolitan Region Scheme not be successful, the land would alternatively be suitable for inclusion within the Conservation zone under the City's Town Planning Scheme. This can be secured by way of



a future Structure Plan.

- (2) endorse the Schedule of Submissions prepared in respect to the Modified District Structure Plan;
- (3) advise the landowners within the Structure Plan area and those who made a submission of Council's decision accordingly; and
- (4) write to the Department of Planning requesting they consider initiating an amendment to the Metropolitan Region Scheme over Lots 2, 3, 4 and 9000 Branch Circus, Success to rezone the land from Urban Deferred to Parks and Recreation Reserve under the Metropolitan Regional Scheme.

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

The purpose of this report is to consider for final adoption the Proposed Modification to a previously approved Branch Circus District Structure Plan for various landholdings between Branch Circus and Hammond Road, Success ("subject land"). Council previously adopted the District Structure Plan over the subject site on 11 August 2011 (Minutes No 4590).

In response to discussions with the Water Corporation and landowners in the subject area it was deemed necessary to modify the District Structure Plan to assist in the proper and orderly planning of the area. The changes include:

1. Decreasing the number of road crossings over Thompsons Lake – Armadale water pipeline (Lot 81 Darlot Avenue) from 5 to 3 following discussions with Water Corporation.
2. Alterations to the street and lot layout between Lots 3 and 4 Hammond Road to allow for a more orderly form of development.





**Submission**

N/A

**Report**Branch Circus District Structure Plan

In order to facilitate proper and orderly planning across the undeveloped portion of Development Area 13 (Branch Circus), the City prepared a District Structure Plan through 2011. In preparing the original District Structure Plan, regard was given to the frameworks provided by both Liveable Neighbourhoods and the City's Scheme.

The District Structure Plan provides guidance for the future development of LSPs, prescribing land uses, the local street network and local parks. In contrast to other District Structure Plans prepared and adopted by the City, the Branch Circus District Structure Plan is less conceptual in nature and provides more detail to guide the preparation of future Structure Plans and plans of subdivision. This level of detail is appropriate due to the highly fragmented nature of the subject land, and the important environmental value of the wetlands on the site.

The original District Structure Plan formed the basis of an application to the Western Australian Planning Commission to lift the urban deferment under the MRS over a portion of the District Structure Plan area.

The Modified District Structure Plan, the subject of this report, builds on the work provided for in the original plan and further supports the proper and orderly planning of the subject area. The modifications will be discussed in detail below.

Subject Land

The area within the District Structure Plan relates to the area of land bound by Hammond Road to the east, the Metropolitan Region Scheme ("MRS") "Parks and Recreation" reserve to the north, Branch Circus to the west and the Bartram Road Buffer Lakes to the south. The subject land includes Lots 3, 4, 12, 13, 22, 81, 125, 126 & UCL Hammond Road, Lots 2, 3, 4, 80, 761 & 9000 Branch Circus and Lot 760 Gadd Street, Success.

Statutory Planning Framework

The District Structure Plan area is zoned "Development" in the City's Town Planning Scheme No. 3 (the "Scheme") and included in



Development Area 13. The District Structure Plan area is zoned "Urban" and "Urban Deferred" under the MRS.

The Scheme requires the preparation of Structure Plans in order to coordinate future subdivision and development within Development Areas. These LSPs are adopted under the statutory process prescribed by Clause 6.2 of the Scheme, which results in LSPs (once adopted) forming part of the Scheme. Once adopted, all zones, reservations, land use permissibility and the like which are designated within LSPs function as if they were designated by the Scheme. This is as per the powers conferred by Clause 6.2.6.3 of the Scheme.

In areas of highly fragmented land ownership it is often difficult to coordinate individual LSPs without some form of broader district framework in which to guide planning. This is overcome through the preparation of District Structure Plans to act as guiding documents for future structure planning processes.

#### *Proposed District Structure Plan Modifications*

##### Road Crossover

The Water Corporation have previously objected to the number of proposed road crossings over Lot 801 Darlot Avenue, which contains a section of the Armadale to Thomsons Lake transfer main. Water Corporation has indicated their preference for three road crossings over their land within the District Structure Plan area.

Water Corporation has indicated that a number of the previously proposed road crossovers were located in close proximity to critical infrastructure points on the pipeline.

Through discussions with Water Corporation it has been outlined that the following two road crossings are most appropriate to alter to bring about an agreeable solution:

1. The most westerly road crossing of Lot 801 Darlot Avenue as it is in close proximity to critical infrastructure and access points for the water main.
2. The most easterly road crossover. The modification of this crossover is seen as the most logical as it forms the lowest level function, in terms of wider network permeability, compared to the remaining crossovers.

The selection of the crossovers required the balancing of good urban outcomes and the needs of the Water Corporation in protecting their asset. It is believed that the outcome is the best option for achieving both outcomes.



See Attachments 3 and 4 for a comparison between the original and modified District Structure Plans.

#### Lot 3 and 4 Hammond Road interface

It is proposed that minor alterations be made to the residential area in the south of Lot 4 Hammond Road to facilitate more orderly urban development of the subject site. See Attachments 4.

The approved District Structure Plan allows for the creation of future lots across the boundary of Lots 3 and 4 Hammond Road, Success.

In discussions with the applicant of the Local Structure Plan over Lot 4 Hammond Road it was noted that the design of the District Structure Plan resulted in a situation where future residential lots would be created across the existing boundary. As the owner of Lot 4 has previously indicated their desires to continue utilising their land for its current purposes it was deemed appropriate to revisit the design of this area to bring about a more orderly urban outcome

To facilitate this change the road frontages of the central area of Public Open Space ("POS") have been altered. The southern road frontage has been removed and the two R40 residential lots to the south have been shifted north to directly front the POS.

The modification of this section of the subject site is in accordance with the concurrent modification the Branch Circus Local Structure Plan.

#### Community Consultation

The Proposed Modified District Structure Plan was advertised for public comment from 23 October to 20 November 2012. The Proposed Modified District Structure Plan was advertised to landowners within the subject area, nearby and affected landowners, published in the Cockburn Gazette for 28 days and also referred to relevant government authorities.

In total 13 submissions were received for the proposed structure plan, including:

- 3 from adjoining and affected landowners.
- 11 from government agencies.

All of the submissions that were received are set out and addressed in the Schedule of Submissions (Attachment 5).



Ten (10) submissions received from State Government Authorities and Agencies; all noted support or provided neutral comment on the proposal.

The Department of Health provided a late submission that objected to the proposed modification. Noting the risk posed to future residents by mosquito-borne diseases. In response to this objection it is recommended that the advertised District Structure Plan be amended to include a notation on the District Structure Plan map noting the requirements for future Local Structure Plans to address the risk posed by mosquitoes and mosquito-borne diseases.

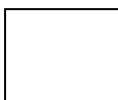
The 3 submissions from surrounding and affected landowners included; varying issues and concerns and objections to the proposal.

One objection noted concerns regarding the level of density within the subject area. The proposed densities are identical to those in the previously endorsed District Structure Plan; which are consistent with Directions 2031 targets for site density of future urban environments. This objection went further to concerns regarding traffic emanating from the development. Again, the proposal will see no increase in traffic from the original District Structure Plan and it is expected that with future upgrades to the road network (Hammond Road in particular) that the increased traffic flows can be accommodated.

An objection to the modified Branch Circus Local Structure Plan noted concern with the modification of the westerly road crossing to a cul-de-sac. These concerns are dealt with within that report to Council. However, the concerns have been factored into the recommendations of this report and note the need to move the cul-de-sac to the west to remove it from the existing Lot 125 boundary to ensure consistency between the two plans. This will ensure that access to the Special Use site remains unimpaired.

An objection with comment was lodged on behalf of the landowners of Lots 3 and 4 Branch Circus. The objection went to the fact the original and subsequent modified District Structure Plan identifies their land as having no future development potential regardless of the fact that it within a Development Area and also zoned 'urban deferred' under the MRS. The landowners note their desire for their land to be eventually included within the Parks and Recreation Reserve under the MRS, allowing the landowners to be properly compensated for the land.

The City supports these comments from the landowners, and as such has within the motion recommended a number of changes to the District Structure Plan map to note the City's support for the Western Australian Planning Commission to consider the inclusion of these parcels of land within the Parks and Recreation Reserve of the MRS



and eventual acquisition by the WAPC. Should this not occur, the recommended text is to foreshadow support for the land to be included within the Conservation zone under the Town Planning Scheme, which would also be appropriate for the land. The City will write to the Western Australian Planning Commission requesting they consider amending the MRS to rezone these lots to Reserve – Parks and Recreation.

### Conclusion

It is recommended that Council adopt the Modified District Structure Plan for Lots 3, 4, 12, 13, 22, 81, 125, 126 & UCL Hammond Road, Lots 2, 3, 4, 80, 761 & 9000 Branch Circus and Lot 760 Gadd Street, Success as a guiding document to inform the preparation of future Local Structure Plans within the District Structure Plan area, subject to the above mentioned modifications being undertaken.

### **Strategic Plan/Policy Implications**

#### **Growing The City**

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.

#### **Community & Lifestyle**

- Community environments that are socially cohesive and embrace diversity.

#### **A Prosperous City**

- Sustainable development that ensures Cockburn Central becomes a Strategic Regional Centre.

### **Budget/Financial Implications**

There are not any direct financial implications associated with the Proposed Modified District Structure Plan.

### **Legal Implications**

It is proposed to consider the Draft District Structure Plan as a guiding document. It is important this distinction is made from a LSP, given the way in which the Scheme deals with a LSP as an extension to the statutory requirements of the Scheme.

### **Community Consultation**

The Proposed Modified District Structure Plan public consultation was undertaken from 23 October to 20 November 2012. This included a notice in the Cockburn Gazette, letters to landowners within the



Structure Plan area, adjoining landowners and State Government agencies.

Analysis of the submissions has been undertaken within the 'Report' section above, as well as the attached Schedule of Submissions (Attachment 5).

**Attachment(s)**

1. Location Plan
2. Site Context Plan
3. Proposed Modified District Structure Plan
4. Adopted District Structure Plan
5. DSP Map with Proposed Changed Annotated
6. Schedule of Submissions

**Advice to Proponent(s)/Submissioners**

The proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 13 December Council Meeting.

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**14.10 (OCM 13/12/2012) - PROPOSED INITIATION OF SCHEME AMENDMENT NO. 98 TO TOWN PLANNING SCHEME NO. 3 - APPLICANT: DEVELOPMENT PLANNING STRATEGIES (93098) (R COLALILLO) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) in pursuance of Section 75 of the Planning and Development Act 2005 ("Act") and subject to the satisfactory provision of the information outlined in parts (2) and (3) of this resolution, initiate an amendment to City of Cockburn Town Planning Scheme No. 3 ("Scheme") for the purposes of:

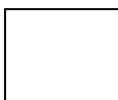
Amending Schedule 12 of the Scheme text by inserting the following items in Development Contribution Area 13 – Community Infrastructure, under 'Infrastructure and Administrative Items to be Funded' as follows (additional wording shown in **bold** text):



	<p>Infrastructure and administrative items to be funded</p>	<p><i>Regional</i>  Coogee Surf Club  Wetland Education Centre/Native Ark  Cockburn Central Recreation and Aquatic Centre  Cockburn Central Community Facilities  Visko Park Bowling and Recreation Club  Coogee Golf Complex (excluding the pro shop and restaurant components)  Bibra Lake Management Plan Proposals  Atwell Oval</p> <p><i>Sub Regional—East</i>  Cockburn Central Library and Community Facilities  Cockburn Central Playing Fields  Anning Park Tennis  Cockburn Central Heritage Park  Bicycle Network—East</p> <p><i>Sub Regional—West</i>  North Coogee Foreshore Management Plan Proposals (excluding rebuilding of the groyne)  Phoenix Seniors and Lifelong Learning Centre  Beale Park Sports Facilities  Western Suburbs Skate Park  Bicycle Network—West  Dixon Reserve/Wally Hagen Facility Development (excluding the café component)</p> <p><i>Local</i>  Lakelands Reserve  Southwell Community Centre  Hammond Park Recreation Facility  Frankland Reserve Recreation and Community Facility  Munster Recreation Facility  <b>Banjup Playing Field (including land cost)</b>  <b>Banjup Community Centre (including land cost)</b></p> <p><i>Administrative costs including –</i>  Costs to prepare and administer the</p>
--	---	---



		<p>Contribution Plan during the period of operation (including legal expenses, valuation fees, cost of design and cost estimates, proportion of staff salaries, computer software or hardware required for the purpose of administering the plan).</p> <p>Cost to prepare and review estimates including the costs for appropriately qualified independent persons.</p> <p>Costs to prepare and update the Community Infrastructure Cost Contribution Schedule.</p> <p><b>Costs including fees and interest of any loans raised by the local government to undertake any of the works associated with DCA13.</b></p>
<p>(2) require that the following documentation and supporting information be provided to the City's satisfaction:</p> <ol style="list-style-type: none"> <li>1. Modified Development Contribution Plan 13 ("DCP13") Report for Development Contribution Area 13 ("DCA13") inclusive of all current information and relevant amendments to the City's existing DCP Report.</li> <li>2. Updated Cost Contribution/Cost Apportionment Schedule for DCP13 to apportion demand to existing dwelling units for Banjup North and Jandakot catchments and then suitably apportion the DCA component between the two suburbs.</li> <li>3. Updated Capital Expenditure Plan which includes updated figures for existing infrastructure items which are consistent with the associated Cost Contribution/Cost Apportionment Schedule) and indicate appropriate timing of forecast expenditure of funds for the two new community infrastructure items.</li> </ol> <p>(3) require the amendment documentation be prepared in accordance with the standard format prescribed by the <i>Town Planning Regulations 1967</i> ("Regulations"); and</p> <p>(4) upon receipt of documents satisfying the requirements of resolutions (2) and (3) above, determine that the amendment is consistent with Regulation 25(2) of the Regulations and the amendment be referred to the Environmental Protection</p>		





Authority (“EPA”) as required by Section 81 of the Act, and on receipt of a response from the EPA indicating that the amendment is not subject to formal environmental assessment, be advertised for a period of 42 days in accordance with the Regulations. In the event that the EPA determines that the amendment is to be subject to formal environmental assessment, this assessment is to be prepared by the proponent prior to advertising of the amendment.

#### **COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

#### **Background**

DCP13 was included in the City’s Scheme via Amendment No. 81, gazetted in August 2011 and relates to community infrastructure.

Community infrastructure is the land, structures and facilities which help communities and neighbourhoods function effectively. This includes facilities such as sporting and recreational facilities, community centres, child care and after care centres, libraries and cultural facilities. They are often highly valued by their communities and add greatly to the overall quality of life by providing opportunities for physical activity and social interaction.

It is widely accepted that the use of community facilities has a direct correlation to the number of people using them. This is clear in the intent and basis of the relevant State Planning Policy 3.6 - Development Contributions for Infrastructure (“SPP3.6”) as well as the City’s DCP13.

#### **Submission**

A Scheme Amendment has been lodged by Development Planning Solutions (“DPS”) on behalf of Stockland Development Pty Ltd, the owners of a former quarry site at Lot 9004 Armadale Road, Lot 9002 Jandakot Road and Lot 132 Fraser Road, Banjup (“subject land”). The subject land is in the process of being rezoned from ‘Rural – Water Protection’ to ‘Urban’ under the Metropolitan Region Scheme (“MRS”) and from ‘Resource’ to ‘Development’ under the Scheme.



A Draft Structure Plan has been prepared by DPS and lodged with the City in support of the proposed urbanisation of the subject land. The Draft Structure Plan provides for residential development, retirement living, public open space, a town centre and a primary school. This proposed additional development results in a proportional increase in the community facilities which are required to service the future community. The proposed community facilities include a full size playing field and a community centre.

As such the proposed Scheme Amendment No. 98 (refer to Attachment 1) seeks to modify the provisions of the City's existing DCA13 within the Scheme to include additional items as a result of the future proposed urbanisation of the subject land to meet the requirements of future community/s in the locality.

## **Report**

### Existing Development Contribution Plan 13

The City through its existing DCP13 has catered for the requirements of community facilities and services at the local, subregional and regional level. These were based on a forecast number of dwellings and did not include the forecast dwellings resulting from the Banjup Quarry project, given that they were prepared prior to the proposal for urbanisation of this area. Accordingly these needs will require appropriate review and adjustment in light of the (approximately) 1800 dwellings likely to be accommodated at the Banjup Quarry development.

### Proposed Additions to Development Contribution Plan 13

In accordance with the requirements of SPP3.6 and the Scheme, an analysis of community facilities and services requirements for the Draft Banjup Structure Plan area has been undertaken by the applicant in consultation with the City. As a result of the analysis, it is proposed to add two infrastructure items to the existing DCA13 being a full size playing field and a community centre.

The playing field is proposed to be a full scale field and associated amenities comprising of one senior AFL oval, one cricket oval and two senior soccer fields (multi-marked on the same space). The minimum dimension required for this space is designated at 205m north-south and 175m east-west.

The community centre is proposed to cater for both the social and community activity needs of the Banjup community. It is intended that the community centre be located in the vicinity of the proposed primary school, active open space and town centre of the future residential estate. This is consistent with orderly and proper planning by providing



a central hub of facilities to provide a multi-functional community space that offers a variety of independent, and through creative design, compatible uses in the same location.

The type of facilities and uses anticipated to be provided as part of the community centre is as follows:

- Sporting club change rooms and amenities;
- Multipurpose club house and amenities;
- Separate multi-function community activity space and amenities;
- Arts and craft spaces for community purposes;
- Covered viewing areas
- Car parking

In addition to the above two infrastructure items it is considered essential that an additional provision be added which enables the City to recover costs for any loans it needs to raise in order to effectively and efficiently deliver any of the works associated with DCA13.

### Conclusion

It is recommended that Council initiate Scheme Amendment 98 subject to the receipt of an updated DCP13 Report, updated DCP13 Cost Contribution/Cost Apportionment Schedule and updated DCP13 Capital Expenditure Plan to the City's satisfaction. It is recommended that referral to the EPA and formal advertising not proceed until such time as the required supporting DCP13 modification documents are submitted and endorsed by the City.

### **Strategic Plan/Policy Implications**

#### **Infrastructure**

- Community facilities that meet the diverse needs of the community now and into the future.
- Community infrastructure that is well planned, managed, safe, functional, sustainable and aesthetically pleasing.

#### **Community & Lifestyle**

- Promotion of active and healthy communities.

### **Budget/Financial Implications**

The proposed inclusion of a provision within DCA13 enabling the City to raise loans in respect of works and/or land as required by the City will enable community infrastructure to be delivered in a timely manner.



## Legal Implications

*Planning and Development Act 2005*  
*Town Planning Regulations 1967*  
*Planning and Development Regulations 2009*  
City of Cockburn Town Planning Scheme No. 3

## Community Consultation

In accordance with the *Town Planning Regulations 1967* consultation is to be undertaken subsequent to the Local Government adopting the Scheme Amendment and the Environmental Protection Authority ("EPA") advising that the proposal is environmentally acceptable. This requires the amendment to be advertised for a minimum of 42 days.

## Attachment(s)

Draft Scheme Amendment No. 98 document

## Advice to Proponent(s)/Submissioners

The Proponent(s) have been advised that this matter is to be considered at the 13 December 2012 Council Meeting.

## Implications of Section 3.18(3) Local Government Act, 1995

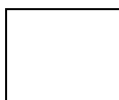
Nil.

### 14.11 **(MINUTE NO 4936) (OCM 13/12/2012) - LOCAL COMMERCIAL AND ACTIVITY CENTRE STRATEGY (SM/M/045) (R SERVENTY) (ATTACH)**

#### RECOMMENDATION

That Council

- (1) adopts the Local Commercial and Activity Centre Strategy;
- (2) proceed to implement the Local Commercial and Activity Centre Strategy in accordance with the actions and timeframes provided in Table 34 of the Strategy;
- (3) advise in writing all submissioners of the outcome of this decision; and
- (4) adopts the Schedule of Submissions.



**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

In December 2011 Council approved the Local Commercial and Activity Centres Strategy (LCACS) for advertising subject to the approval of the Western Australian Planning Commission ("WAPC") being received. However, in May 2012 the Department of Planning advised the City to progress the LCACS to advertising without the WAPC's approval. This advice was based on their opinion that under the *Planning and Development Act 2005*, the WAPC is not required to give consent prior to advertising of these types of local planning strategies and that due to resource constraints they would not be able to consider the LCACS in a timely manner. As such the LCACS was advertised for a period of 60 days, from 16 July to 10 September 2012.

The LCACS represents a new strategic direction for the planning and development of activity centres within the City. It is an important planning document for implementing the new direction for the planning of activity centres in Perth and Peel set by the refreshed policy context outlined in *Directions 2031 and beyond: Metropolitan planning beyond the horizon*, and *State Planning Policy No. 4.2 – Activity Centres for Perth and Peel*.

**Submission**

N/A

**Report**

The City of Cockburn's current Local Commercial Strategy ("LCS") was approved by Council in November 2002 and by the WAPC in 2006. This Strategy was prepared under a now superseded State Planning Policy. The LCACS is an important planning document for implementing the new direction for the planning of activity centres in Perth and Peel set by the refreshed policy context outlined in *Directions 2031 and beyond: Metropolitan planning beyond the horizon*, and *State Planning Policy No. 4.2 – Activity Centres for Perth and Peel*. These two documents reflect a growing recognition within the



State Government and the planning profession of the complex issues relating to sustainability and planning for the urban environment.

Upon adoption, the LCACS will replace the 2006 LCS and introduce a new strategic direction for the planning and development of activity centres within the City. The City will implement the LCACS by progressing the tasks outlined in the LCACS Action Plan provided in Table 34 of the Strategy (See to Attachment 1).

### Consultation Outcomes

The LCACS was advertised for a period of 60 days, from 16 July to 10 September 2012. Four submissions were received in this period (See Appendix 3). As part of the advertising of the draft LCACS the City also conducted a workshop to engage with retail industry stakeholders in Western Australia. The objective of the workshop was to gain industry feedback on the draft LCACS in order to ensure the Strategy met industry needs and could be practicably implemented by the private sector.

The four submissions and the workshop attendees were all in-principle supportive of the LCACS' strategic approach to planning of activity centres. Support for a performance and evidence based approach, rather than the use of retail floorspace caps was particularly emphasised and supported.

The workshop with industry representatives provided a valuable opportunity to discuss the implications of the LCACS and its implementation. A detailed summary of this discussion is provided in Appendix 2. The submissions raised a number of compelling concerns which should be considered when the City implements the LCACS, but do not justify any modifications the LCACS. These issues and their implications for the implementation of the LCACS are outlined below.

### Further Consultation

Two submissions expressed a wish for strong stakeholder representation and input into the preparation of the various implementation guidelines that the LCACS' Action Plan requires to be prepared (Refer to Attachment 1). The intent of this representation would be to ensure pragmatic outcomes and avoid the setting out of unrealistic expectations and target for the planning and development of the City's activity centres.

It is recommended that the City does consult with the retail industry during the preparation of these LCACS implementation documents, particularly the *General Guidelines on the Expectations and Targets for*



*Neighbourhood and Local Centres* and the guidelines for proponents and external stakeholders to aid them implement of the LCACS.

### Responsive Planning

Three submissions foresaw issues arising from a disjuncture between the aspirations of the proponent and the City when setting the expectations and targets for activity centres. The submissions identify a number of development factors which may contribute to a proponent's expectations for a centre not aligning to the City's, including to the need to stage development, a volatile or changing market demand and other economic and social considerations. The submissions note that the LCACS does recognise these considerations, but stressed the need for flexibility and pragmatism when applying the LCACS.

### Residential Targets

Submissions raised concerns regarding the interpretation and application of SPP4.2's dwelling targets for activity centres. The submissions doubt whether the targets can be realistically met in an economically viable manner in many activity centres. They point to a lack of demand in a relatively immature market, high construction costs and restrictive funding arrangements for many developers dictating against high density development in many centres.

These challenges to the medium and high density residential market in Perth are well recognised in WA and the City will need to apply a 'common sense' pragmatic approach to the application of land use diversity targets. However, land use diversity is an important principle for activity centre development, recognised at a State and local government level. It is believed that the activity centre boundaries designed under the LCACS are considered large enough to provide some flexibility in achieving the land use targets across the centre. In addition the City has put in place medium and higher density codes on residential land framing its larger centres. In the future there will be a greater need for 'deal making' between developers of different expertise to deliver the diversity targets within centres.

### Development under Existing Scheme

A number of submissions outlined a need for short term development to be able to progress under the existing TPS3 provisions prior to the implementation of the LCACS' proposed amendments to TPS3. This position is supported.



### Limitation of Cockburn Coast District Centre

One submission requested that the LCACS be modified so as to limit retail floorspace within the future Cockburn Coast Centre and the demand modelling included in the LCACS be changed to increase the forecast floorspace for the Phoenix District Centre. The submission states that a significant proportion of the 'normal' catchment of the Cockburn Coast District Centre impinges on the catchment of the Phoenix District Centre and that this will result in two under-performing and under-invested centres.

This submission is not supported as it is contrary to the intent of the LCACS and is based on a misconception of the purpose of the demand modelling. The LCACS implemented the State and Federal government's drive to remove anti-competitive regulations by removing retail floorspace caps and requiring a future review TPS 3 to remove all anti-competitive restricted use provisions that do not relate to valid planning considerations. In this light the City would not consider the introduction of new anti-competitive restrictions on the Cockburn Coast District Centre.

In addition, the high level demand modelling for City of Cockburn's activity centres, as outlined in Appendix 4, indicates the ability of both the future Cockburn Coast District Centre and Phoenix District Centre to expand their retail offer. The modelling in fact shows that Phoenix District Centre could potentially have considerable demand for expansion, up to a total of 42,210m<sup>2</sup> by 2031, which would create a large district centre.

It is important to note that the modelling is based on a gravity model and only indicates the overall trend for economic function within the wider regional economy. It provides an indicator of the 'reasonableness' of the scale of any future developments. It must be emphasised that the modelling is prepared through a generalised distribution of demand that does not consider detailed locational functions such as infrastructure, brand offer and local catchment conditions for each individual centre. These factors must be considered at the detailed planning stage for activity centres and may result in variations in the demand figures.

The LCACS does not use the demand modelling to cap retail development, which is consistent with State Planning Policy 4.2 and the Federal Government's position on anti-competitive regulations. As such retail expansion within the Phoenix District Centre will not be limited by the demand modelling, but rather it is more likely to be limited by the existing spatial limitation of the Centre. It will also be limited by the ability of the Centre to offer the shopping environment and the retail offer that draws people within the catchment to the





Centre rather than them going further afield. As such the City believes that further retail expansion of Phoenix District Centre into the future will be an activity centre design issue more than catchment issue.

### Conclusion

The LCACS is an important planning document for implementing the new direction for the planning of activity centres in the City of Cockburn. The LCACS seeks to implement an appropriate strategic framework for dealing with the effective planning and development of activity centres, and is considered to be a leading document showing how local government should be interpreting the associated broad level policy guidance contained under *Directions 2031 and beyond: Metropolitan planning beyond the horizon*, and *State Planning Policy No. 4.2 – Activity Centres for Perth and Peel*. It is recommended for adoption on this basis.

### **Strategic Plan/Policy Implications**

#### **Growing City**

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.
- Investment in industrial and commercial areas, provide employment, careers and increase economic capacity in the City.

#### **A Prosperous City**

- Investment in the local economy to achieve a broad base of services and activities.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

N/A

### **Community Consultation**

The LCACS was advertised for a period of 60 days, from 16 July to 10 September 2012. Four submissions were received in this period (See Appendix 3). As part of the advertising of the draft LCACS the City also conducted a workshop to engage with retail industry stakeholders in Western Australia. The outcomes of the advertising process have been discussed under the main report section. No modifications to the LCACS are recommended as a result.



**Attachment(s)**

1. LCACS Action Plan
2. Retail Industry Workshops
3. Schedule of Submissions

**Advice to Proponent(s)/Applicant**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**14.12 (MINUTE NO 4937) (OCM 13/12/2012) - CONSIDERATION TO INITIATE SCHEME AMENDMENT NO. 99 (OMNIBUS AMENDMENT) - APPLICANT: CITY OF COCKBURN - OWNER: VARIOUS (93099) (M CAIN / C HOSSEN) (ATTACH)**

**RECOMMENDATION**

That Council in pursuance of Section 75 of the *Planning and Development Act 2005* ("Act"), initiate an amendment to City of Cockburn Town Planning Scheme No. 3 ("Scheme") for the purposes of:

1. Modifying the Scheme Text by deleting the Veterinary Consulting Rooms use from Schedule 1 - Land Use Definitions and Table 1 - Zoning Table;
2. Modifying the Scheme Text by deleting the Veterinary Hospital use from Table 1 - Zoning Table;
3. Modifying the Scheme Text by amending the use permissibility designation of Veterinary Centre from X to A for the Rural Living zone under Table 1 - Zoning Table;
4. Modifying the Scheme Text by amending Clause 5.8.5(a)(ii) to read as follows:  
"A home occupation or home business can be undertaken subject to clause 5.8.5 (a) (ii) by the occupier of the land and is not transferable."
5. Modifying the Scheme Text by correcting the spelling under Clause 8.2.1(h) as follows:  
"the erection on a single lot of two grouped dwellings (included extensions and ancillary outbuildings) where a grouped dwelling is designated with the symbol 'P' in the cross-reference to that Use Class and a Zone in the



Zoning Table, and where the development is consistent with Local Planning Policy No. APD58 (Residential Design Guidelines) and the Residential Design Codes."

6. Modifying the Scheme Text by amending Clause 8.2.1(i)(i) to read as follows:  
"of 100 square metres or less and a wall height of 2.4 metres or less in the Development and Residential Zone".
7. Modifying the Scheme Text by amending Clause 8.3.2 to read as follows:  
"Where planning approval has been granted subject to conditions, and one or more of the conditions and/or approved plans have not been complied with to the satisfaction of the local government, the local government may refuse to issue approval for the further use or development of the land to which the conditions of a previous approval are outstanding."
8. Modifying the Scheme Text by amending Clause 10.10.1 to read as follows:  
"An applicant aggrieved by a determination of the local government in respect of the exercise of a discretionary power under the Scheme may apply for a review to the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005."
9. Modifying the Scheme Text by amending the Town Planning Act definition under Schedule 1 - General Definitions to read as follows:  
"means the Planning and Development Act 2005."
10. Modifying the Scheme Text by introducing a new Small Bar definition under Schedule 1 - Land Use Definitions as follows:  
"Small Bar: means premises licensed as a small bar under the Liquor Control Act and used to sell liquor for consumption on the premises, but not including the sale of packaged; and with the number of persons who may be on the licensed premises limited to a maximum of 120."
11. Modifying the Scheme Text to add Small Bar as a use class under the Commercial Uses category, with the use permissibility designation of A within the Regional Centre, District Centre and Local Centre zones, and as an X use in all other zones.

12. Modifying the Scheme Text by introducing a new Holiday Home (standard) definition under Schedule 1 - Land Use Definitions as follows:  
“Holiday Home (standard): means a single house (excluding ancillary accommodation), which may also be used for short stay accommodation for no more than six people (but does not include a bed and breakfast, guesthouse, chalet and short stay accommodation unit).”
13. Modifying the Scheme Text to add Holiday Home (standard) as a use class under the Residential Uses category, with the use permissibility designation of A within the Residential zone, and as an X use in all other zones.
14. Modifying the Scheme Text by introducing a new Holiday Home (large) definition under Schedule 1 - Land Use Definitions as follows:  
“Holiday Home (large): means premises conforming to the definition of holiday home (standard) with the exception that the premises provide short stay accommodation for more than six people but not more than 12 at any one time.”
15. Modifying the Scheme Text to add Holiday Home (large) as a use class under the Residential Uses category, with the use permissibility designation of an X use in all zones.
16. Modifying the Scheme Text by amending the Hotel definition in Schedule 1 - Land Use Definitions to read as follows:  
“Hotel: means premises providing accommodation the subject of a hotel licence under the Liquor Control Act and may include a betting agency on those premises.”
17. Modifying the Scheme Text by amending the Tavern definition in Schedule 1 - Land Use Definitions to read as follows:  
“Tavern: means premises licensed as a tavern under the Liquor Control Act and used to sell liquor for consumption on the premises.”
18. Modifying the Scheme Text by correcting the spelling error in Schedule 4, under SU9 Clause 3(e)(ii) as follows:  
“Signage is to complement the architectural proportion and scale of the building. Roof signs will not be permitted.”



19. Modifying the Scheme Text by correcting the spelling error in Schedule 11, under DA7 Provision 2 as follows:  
“To provide for an integrated town centre with a mix of residential, commercial, recreation, community and education facilities, in accordance with an approved Structure Plan.”
20. Modifying the Scheme Text by amending Schedule 11, under DA29 Provision 3 (b) (i) to read as follows:  
“(i) a minimum of 5% of the total area of each lot must be landscaped between the lot boundary and the building line (excluding verge areas) or as varied under the provisions of Clause 5.9.2 of the Scheme.”
21. Rezoning the portion of redundant road reserve adjoining the southern boundary of Lot 50 (No. 18) Interim Road, Spearwood from Local Reserve - Local Road to Residential R30.
22. Rezoning the southern portion of Lot 1 (No. 15) Yangebup Road, Yangebup from No Zone to Development Zone within Development Area 4 (DA4) and Development Contribution Area 4 (DCA4).
23. Rezoning the southern portion of Lot 105 (No. 45) Armadale Road, Jandakot and the adjoining portion of Road Reserve from No Zone to Development Zone within Development Area 20 (DA20).
24. Rezoning the former Pedestrian Access Way between Lot 2718 (No. 10) Benedick Road, Lot 157 (No. 14) Benedick Road and Lot 158 (No. 5) Rosalind Way, Coolbellup from No Zone to Development Zone within Development Area 34 (DA34).
25. Rezoning the stretch of land south of Bartram Road / Kwinana Freeway Primary Regional Roads Reservation and north of the Railways Regional Reservation from No Zone to Development Zone within Development Area 8 (DA8) and Development Contribution Area 2 (DCA2).
26. Rezoning the eastern portions of 44 Pearson Drive and 33 Gillen Way, Success from No Zone to Residential R40.
27. Rezoning the stretch of No Zone land north of Pearson Drive from No Zone to Residential R80.

28. Rezoning the rear portions of Lots 100 and 101 Russell Road and Lots 102 and 103 Rockingham Road, Henderson from No Zone to Light and Service Industry.
29. Adding the appropriate Additional Use 18 (AU18) designation to 44 Port Kembla Drive, Bibra Lake;
30. Rezoning Lot 2054 (No. 59) Redmond Road and Lot 3001 (No. 57) Redmond Road, Hamilton Hill from Local Reserve – Parks and Recreation to Local Reserve - Community Purpose.
31. Rezoning the southern portion of Lot 51 (No. 5) Dodd Street and 7 Dodd Street, Hamilton Hill from Residential R20 to Local Centre.
32. Rezoning Reserve No. 46985 Richmond Entrance, Success from Residential R20 to Local Reserve - Parks and Recreation.
33. Recoding Lots 1023 to 1026 (No. 1 to 7) Strand Close, Atwell from R5 to R20.
34. Rezoning the Public Purpose (WP) Local Reserve portion of Lot 1 Semple Court, South Lake to Residential R40.
35. Rezoning Lot 76 (No. 213) Winterfold Road, the western adjoining portion of Lot 4613 (No. 219) Winterfold Road and the northwest adjoining portion of Lot 4612 (No. 30) Mopsa Way, Coolbellup from Residential R20 and Public Purpose Reservation to Residential R25.
36. Rezoning the southern portion of Lot 4613 (No. 219) Winterfold Road and the adjoining eastern portion of Lot 4612 (No. 30) Mopsa Way, Coolbellup Public Purpose Reservation to Residential R25.
37. Rezoning the Local Reserve - Lakes and Drainage on portion of Lot 1301 (No. 301) Spearwood Ave and Reserve 46427 Lot 4527) Spearwood Avenue, Bibra Lake to Industry.
38. Rezoning the eastern portion of Lot 30 Tapper Road, Lot 31 (No. 52) Myall Place and eastern portion of Lot 40 Myall Place, Banjup from No Zone to Resource Zone.
39. Rezoning Lot 40 (No. 39) Cervantes Loop, Yangebup from Local Reserve - Lakes and Drainage to Residential



R30.

40. Rezoning Lot 282 Skeahan Street, Spearwood from Local Reserve - Lakes and Drainage to Residential R30.
41. Rezoning Lot 1 Lomax Court, Beeliar so that the entire lot is zoned Residential R40 within Additional Use 9 (AU9).
42. Rezoning Lot 77 (No. 52) Malvolio Road, Coolbellup from Local Reserve - Lakes and Drainage to Residential R20.
43. Deleting Additional Use 14 (AU14) from the Scheme Text and Map.
44. Rezoning Lot 75 (No. 14) Bundy Court, South Lake from Local Reserve - Public Purpose (Civic) to Residential R20.
45. Amending the Scheme Map accordingly.

Note

1. As the amendment is in the opinion of Council consistent with Regulation 25(2) of the *Town Planning Regulations 1967* ("Regulations"), the amendment be referred to the Environmental Protection Authority ("EPA") as required by Section 81 of the Act, and on receipt of a response from the EPA indicating that the amendment is not subject to formal environmental assessment, be advertised for a period of 42 days in accordance with the Regulations.
2. The amendment documentation be prepared in accordance with the Regulations.

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**



## **Background**

The purpose of this report is to consider for initiation an omnibus amendment to City of Cockburn Town Planning Scheme No. 3 ("Scheme"). The amendment proposes a number of changes to both the Scheme Text and Map, aiming in all cases to correct anomalies and ensure land is appropriately zoned reflective of its current and intended use. Importantly the proposed changes are considered policy neutral - correcting what are known minor errors which exist within the Scheme Text and Map, and also ensuring the Scheme is kept modernised noting the dynamic nature of change driven by State Level planning imperatives.

The proposed omnibus amendment has been compiled over the last 12 months, and following the last omnibus amendment completed for the Scheme (Amendment No. 72).

This report seeks Council to resolve to initiate the Scheme amendment for the purposes of advertising.

## **Submission**

This amendment proposes minor changes to both the Scheme Text and Map. Attachment 1 lists the proposals in more detail.

## **Report**

City of Cockburn Town Planning Scheme No. 3 ("Scheme") was gazetted on 20 December 2002 and has had two major omnibus amendments since that time. The first was completed in March 2004 and the second in December 2008. Consistent with this timing, this amendment proposes a further (and likely final) omnibus amendment to the Scheme.

Through the administration of the Scheme, a number of minor amendments have been identified to the Scheme Text. These broadly contain the following highlights:

1. Modification to the Scheme to remove Veterinary Consulting and Veterinary Hospital use class, and include a revised permissibility for the Veterinary Centre use class reflecting the Model Scheme text.
2. Modification to Clause 5.8.5(a)(ii) of the Scheme to be consistent with the Model Scheme Text.
3. Modification to the Scheme to correct minor spelling errors.
4. Modification to the Scheme to amend Clause 8.2.1(i)(i) in order for it to be consistent with the Residential Design Codes.
5. Modification to Clause 8.3.2 to ensure that the text is consistent with the Model Scheme Text.





6. Modification to Clause 10.10.1 to ensure that the text is consistent with the Model Scheme Text.
7. Modification to the Scheme to introduce the new use classes of Small Bar, including permissibility requirements for the Regional, District and Local Centre zones, and prohibition in all other zones. Also modification to the use class definitions of Hotel and Tavern. This is to follow the guidance provided by Planning Bulletin 85;
8. Modification to the Scheme to introduce the new use classes of Holiday Home (standard) and Holiday Home (large), including permissibility requirement for the Residential zone. This includes prohibiting the Holiday Home (large) use class. This is to follow the guidance provided by Planning Bulletin 99.  
The zoning changes are described as follows:
9. Rezoning the portion of redundant road reserve adjoining the southern boundary of Lot 50 (No. 18) Interim Road, Spearwood from Local Reserve - Local Road to Residential R30.
10. Rezoning the southern portion of Lot 1 (No. 15) Yangebup Road, Yangebup from No Zone to Development Zone within Development Area 4 (DA4) and Development Contribution Area 4 (DCA4).
11. Rezoning the southern portion of Lot 105 (No. 45) Armadale Road, Jandakot and the adjoining portion of Road Reserve from No Zone to Development Zone within Development Area 20 (DA20);
12. Rezoning the former Pedestrian Access Way between Lot 2718 (No. 10) Benedick Road, Lot 157 (No. 14) Benedick Road and Lot 158 (No. 5) Rosalind Way, Coolbellup from No Zone to Development Zone within Development Area 34 (DA34).
13. Rezoning the stretch of land south of Russell Road / Kwinana Freeway Primary Regional Roads Reservation and north of the Railways Regional Reservation from No Zone to Development Zone within Development Area 8 (DA8) and Development Contribution Area 2 (DCA2).
14. Rezoning the eastern portions of 44 Pearson Drive and 33 Gillen Way, Success from No Zone to Residential R40.
15. Rezoning the stretch of No Zone land north of Pearson Drive from No Zone to Residential R80.
16. Rezoning the rear portions of Lots 100 and 101 Russell Road and Lots 102 and 103 Rockingham Road, Henderson from No Zone to Light and Service Industry.
17. Adding the appropriate Additional Use 18 (AU18) designation to 44 Port Kembla Drive, Bibra Lake.
18. Rezoning Lot 2054 (No. 59) Redmond Road and Lot 3001 (No. 57) Redmond Road, Hamilton Hill from Local Reserve – Parks and Recreation to Local Reserve - Community Purpose.
19. Rezoning the southern portion of Lot 51 (No. 5) Dodd Street and 7 Dodd Street, Hamilton Hill from Residential R20 to Local Centre.



20. Rezoning Reserve No. 46985 Richmond Entrance, Success from Residential R20 to Local Reserve - Parks and Recreation.
21. Recoding Lots 1023 to 1026 (No. 1 to 7) Strand Close, Atwell from R5 to R20.
22. Rezoning the Public Purpose (WP) Local Reserve portion of Lot 1 Semple Court, South Lake to Residential R40.
23. Rezoning Lot 76 (No. 213) Winterfold Road, the western adjoining portion of Lot 4613 (No. 219) Winterfold Road and the northwest adjoining portion of Lot 4612 (No. 30) Mopsa Way, Coolbellup from Residential R20 and Public Purpose Reservation to Residential R25.
24. Rezoning the southern portion of Lot 4613 (No. 219) Winterfold Road and the adjoining eastern portion of Lot 4612 (No. 30) Mopsa Way, Coolbellup Public Purpose Reservation to Residential R25.
25. Rezoning the Local Reserve - Lakes and Drainage on portion of Lot 1301 (No. 301) Spearwood Ave and Reserve 46427 Lot 4527) Spearwood Avenue, Bibra Lake to Industry.
26. Rezoning the eastern portion of Lot 30 Tapper Road, Lot 31 (No. 52) Myall Place and eastern portion of Lot 40 Myall Place, Banjup from No Zone to Resource Zone.
27. Rezoning Lot 40 No. 39) Cervantes Loop, Yangebup from Local Reserve - Lakes and Drainage to Residential R30.
28. Rezoning Lot 282 Skeahan Street, Spearwood from Local Reserve - Lakes and Drainage to Residential R30.
29. Rezoning Lot 1 Lomax Court, Beeliar so that the entire lot is zoned Residential R40 within Additional Use 9 (AU9).
30. Rezoning Lot 77 (No. 52) Malvolio Road, Coolbellup from Local Reserve - Lakes and Drainage to Residential R20.
31. Deleting Additional Use 14 (AU14) from the scheme text and map.
32. Rezoning Lot 75 (No. 14) Bundy Court, South Lake from Local Reserve – Public Purpose (Civic) to Residential R20.

The amendment provides a range of changes to the Scheme Text and Scheme Map. These will further modernise the Scheme, and ensure it reflects the evolving planning context provided by the State Government.

This amendment has been collated through collaboration across the City and is a culmination of assessment of the current Scheme Text and Scheme Map in order to ensure all relevant and necessary changes are made.

### Conclusion

Council has used the Scheme now for 10 years and during that time it has become evident that refinement of the Scheme is a requirement from time to time. This omnibus amendment is considered to be a final change to the Scheme, so that the City can keep the current Scheme



operational while it prepares for a new Scheme in the coming 5 year horizon.

The amendments to the Scheme are relatively minor; however, all changes will have an impact on the efficiency in which the Scheme operates. It is recommended for initiation on this basis.

### **Strategic Plan/Policy Implications**

#### **Growing The City**

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.
- Development that is soundly balanced between new and existing areas.

#### **Leading & Listening**

- A responsive, accountable and sustainable organisation.

### **Budget/Financial Implications**

All costs associated with the Scheme amendment will be met as part of the City's normal budgetary allocations within Strategic Planning.

### **Legal Implications**

*Planning and Development Act 2005*  
*Town Planning Regulations 1967*  
 City of Cockburn Town Planning Scheme No. 3

### **Community Consultation**

In accordance with the *Town Planning Regulations 1967* consultation is to be undertaken subsequent to the Local Government adopting the Scheme Amendment and the Environmental Protection Authority ("EPA") advising that the proposal is environmentally acceptable. This requires the amendment to be advertised for a minimum of 42 days.

### **Attachment(s)**

List of amendment provisions.

### **Advice to Proponent(s)/Submissioners**

N/A

### **Implications of Section 3.18(3) Local Government Act, 1995**

Nil.



**14.13 (MINUTE NO 4938) (OCM 13/12/2012) - PROPOSED LOCAL STRUCTURE PLAN MODIFICATION - LOCATION: LOTS 4, 125 AND 126 HAMMOND ROAD, SUCCESS - OWNER: VARIOUS - APPLICANT: RPS (SM/M/061) (C HOSSEN) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) in pursuance of Clause 6.2.9.1 of City of Cockburn Town Planning Scheme No. 3 ("Scheme") adopts the modified Structure Plan for Lots 4, 125 and 126 Hammond Road, Success subject to the following modifications;
  1. Relocate the proposed road directly west of the existing Lot 125 Hammond Road, Success boundary west to remove any future road reserve from within the current boundary of Lot 125.
  2. A notation being added to the Structure Plan advising that a finalised version of a Mosquito Management Plan is to be developed in collaboration with the City and submitted with the future subdivision application.
  3. A notation being added to the Structure Plan advising that a suitable worded Section 165 notification under Section 165 of the Planning and Development Act 2005 is required to be imposed at the subdivision stage in order to advise prospective purchasers that they are near extensive natural mosquito breeding habitat and can experience substantial numbers of nuisance mosquitoes after certain environmental conditions.
- (2) subject to compliance with (1) above, in pursuance of Clause 6.2.10.1 of the Scheme, the Structure Plan be sent to the Western Australian Planning Commission for endorsement;
- (3) endorse the Schedule of Submissions prepared in respect to the Structure Plan;
- (4) advise the landowners within the Structure Plan area and those who made a submission of Council's decision accordingly; and
- (5) advise the proponent that Development Contribution Area 13 - Community Infrastructure is now in operation under the Scheme. Landowners subdividing to create residential allotments and/or developing grouped/multiple dwellings will therefore be required to make contributions in accordance with the development contribution plan requirements.



**COUNCIL DECISION**

MOVED Cllr Y Mubarakai SECONDED Cllr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

The purpose of this report is to consider for adoption the Proposed Modification to a previously approved Local Structure Plan for Lots 4, 125 and 126 Hammond Road, Success ("subject land"). Council previously adopted a Local Structure Plan over the subject site on 8 December 2011 (Minutes No 4686).

A concurrent modification to the Branch Circus District Structure Plan is also being undertaken. The proposed modification to the Local Structure Plan over the subject site is consistent with that modification.

The Proposed Modified Structure Plan seeks to provide for urban development of the subject land, comprising a range of densities and reservations as well as the associated structural elements to facilitate an urban outcome.

The requirement for modification has emerged following discussions with the Water Corporation regarding the number of road crossings over the Thompson's Lake to Armidale pipeline and also the need to rationalise the design of future residential development on the boundary of Lot 4 and Lot 3 Hammond Road, Success

The Proposed Modified Structure Plan has been advertised for public comment and also referred to authorities for comment. This report now seeks to specifically consider the Proposed Structure Plan for adoption, in light of the advertising process and assessment by officers.

Pursuant to Clause 6.2.4 and Schedule 11 of the Scheme, a Structure Plan is required to be prepared and adopted to guide future subdivision and development of the land.

**Submission**

RPS has lodged the proposal for the subject land.



## Report

### Planning Background

The subject land area is 4.0 hectares in size and generally bound by Hammond Road to the east, the Metropolitan Region Scheme ("MRS") – Parks and Recreation' reserve to the north, Branch Circus to the west and the Bartram Road Buffer Lakes to the south.

The subject area is zoned 'Urban' and 'Urban Deferred' under the MRS and 'Development' under City of Cockburn Town Planning Scheme No. 3 ("Scheme"). The subject land is also located within Development Area No. 13 ("DA13), Development Contribution Area No. 1 ("DCA 1") and Development Contribution Area No. 13 ("DCA 13").

The subject site is located within the Branch Circus District Structure Plan, adopted by Council on 11 August 2011 (Min No 4590). Modifications proposed as part of this proposal are in line with the concurrent changes being proposed to the Branch Circus District Structure Plan.

The District Structure Plan was prepared to facilitate proper and orderly planning across the undeveloped portion of Development Area 13 (Branch Circus). The District Structure Plan provides guidance for the future development of local structure plans, prescribing land uses, the local street network and local parks.

### Proposed Structure Plan Modifications

#### Road Crossover

The Water Corporation have previously objected to the number of proposed road crossings over Lot 801 Darlot Avenue, which contains a section of the Armadale to Thomsons Lake transfer main. Water Corporation has indicated their preference for three road crossings over their land within the District Structure Plan area.

This objection had resulted in the previously approved Structure Plan for the subject site featuring a notification:

*"The road connections across Lot 801 Darlot Avenue are subject to agreement with the Water Corporation. Such agreement is to adequately address issues of final road location, detailed crossing design, pavement location and land acquisition. Should agreement not be reached the Structure Plan will need to be redesigned and assessed in accordance with the requirements of City of Cockburn Town Planning Scheme. Agreement must be reached prior to subdivision or development taking place in accordance with the Structure Plan."*



Through negotiations with the applicant and the Water Corporation it has been outlined that the most westerly road crossing of Lot 801 Darlot Avenue is in close proximity to critical infrastructure and access points for the water main. Due to the need to alter two road connections it was deemed appropriate that a modification to the Local Structure Plan be undertaken. The Water Corporation in their submission on the proposal noted their 'appreciation' of the reduction of road crossings from '5' to '3'.

Although the modification to a cul-de-sac is not ideal in terms of general permeability of the road network it is an acceptable solution that should only have marginal impacts on the wider road network within the District Structure Plan area.

The modification of this road is in accordance with the concurrent modification the Branch Circus District Structure Plan.

#### Interface between Lot 3 and 4 Hammond Road

It is proposed that minor alterations be made to the residential area in the south of Lot 4 Hammond Road to facilitate more orderly urban development of the subject site (See Attachments 4).

The approved Local Structure Plan allows for the creation of future lots across the boundary of Lots 3 and 4 Hammond Road, Success. The owners of Lot 3 have previously indicated their desires to continue utilising their land for its current purposes. As such a number of future lots on Lot 4 would be required to be left in balance until future development took place on Lot 3. This is seen as a less than desirable outcome.

To facilitate this change the road frontages of the central area of Public Open Space ("POS") have been altered. The southern road frontage has been removed and the two R40 residential lots to the south have been shifted north to directly front the POS.

It is believed that these modifications will lead to a more orderly form of development offering within the locality.

The modification of this section of the subject site is in accordance with the concurrent modification the Branch Circus District Structure Plan.

#### Community Consultation

The Proposed Structure Plan was advertised for public comment from 23 October to 20 November 2012. The Proposed Structure Plan was advertised to nearby and affected landowners, published in the



Cockburn Gazette for 28 days and also referred to relevant government authorities. The Modified District Structure Plan was concurrently advertised.

In total 10 submissions were received for the proposed structure plan, including:

- 1 from adjoining landowners
- 9 from State government agencies.

All of the submissions that were received are set out and addressed in the Schedule of Submissions (Attachment 5).

Eight (8) submissions from State Government Authorities provided support or comment on the Proposed Modification.

The Department of Health provided a late submission that objected to the proposed modification. Noting the risk posed to future residents by mosquito-borne diseases. In response to this objection it is recommended that the advertised Structure Plan be amended to include two notations on the Structure Plan map noting the requirements for future Local Structure Plans to address the risk posed by mosquitoes and mosquito-borne diseases through a Mosquito Management Plan and also appropriate Section 165 notifications on titles at the subdivision stage.

The sole submission from adjoining landowners both offered objections and comments on the proposed modifications. The objection went to the redesign of the cul-de-sac on the western boundary of Lot 125 Hammond Road.

The objection noted a preference for the existing arrangement in the Local Structure Plan for a road connection onto Darlot Avenue over a cul-de-sac. Negotiations with Water Corporation, as the landowner of Thompson Lake – Armadale Pipe Line (Lot 81 Darlot Avenue) land have yielded an agreed position. The objector noted concerns regarding the level of traffic stemming from the Special Use site and the future residential properties and how the road network could handle this. However, future road upgrades of Hammond Road and intersection treatments should have a positive impact on this issue. Moreover, the modification to a cul-de-sac should have only minor impacts on the wider traffic flows of the development.

It is however recommended that the Modified Local Structure Plan be amended to move the cul-de-sac slightly west to ensure that the future road has no impact on the access arrangements of the Special Use site.





## Conclusion

It is recommended that Council adopt the Structure Plan for Lots 4, 125 and 126 Hammond Road, Success and pursuant to clause 9.2.10 of the Scheme, and following acceptable completion of the modifications refer it to the Western Australian Planning Commission for their endorsement.

## **Strategic Plan/Policy Implications**

### **Growing The City**

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.

### **Community & Lifestyle**

- Community environments that are socially cohesive and embrace diversity.

### **A Prosperous City**

- Sustainable development that ensures Cockburn Central becomes a Strategic Regional Centre.

## **Budget/Financial Implications**

The required fee was calculated on receipt of the proposed Structure Plan and has been paid by the proponent. There aren't any other direct financial implications associated with the Proposed Structure Plan.

## **Legal Implications**

Clause 6.2.9.1 of the Scheme requires Council to make a decision on the application within 60 days from the end of the advertising period of such longer period as may be agreed by the applicant. The advertising period concluded on 20 November 2012.

## **Community Consultation**

In accordance with Clause 6.2.8 of the City's Scheme the proposed local structure plan Public consultation was undertaken from 23 October to 20 November 2012. This included a notice in the Cockburn Gazette, letters to landowners within the Structure Plan area, adjoining landowners and State Government agencies.

Analysis of the submissions has been undertaken within the 'Report' section above, as well as the attached Schedule of Submissions (Attachment 5).



**Attachment(s)**

1. Site Context Plan
2. Approved Local Structure Plan
3. Proposed Modified Local Structure Plan
4. Interface of Lot 3 and 4 Hammond Road Changes Map
5. Schedule of Submissions

**Advice to Proponent(s)/Submissioners**

The proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 13 December Council Meeting.

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**15. FINANCE AND CORPORATE SERVICES DIVISION ISSUES**

**15.1 (MINUTE NO 4939) (OCM 13/12/2012) - LIST OF CREDITORS PAID - OCTOBER 2012 (FS/L/001) (N MAURICIO) (ATTACH)**

**RECOMMENDATION**

That Council adopt the List of Creditors Paid for October 2012, as attached to the Agenda.

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

It is a requirement of the Local Government (Financial Management) Regulations 1996, that a List of Creditors be compiled each month and provided to Council.

**Submission**

N/A



**Report**

The List of Accounts for September 2012 is attached to the Agenda for consideration. The list contains details of payments made by the City in relation to goods and services received by the City.

**Strategic Plan/Policy Implications****Leading & Listening**

- Effective and constructive dialogue with all City stakeholders.
- A responsive, accountable and sustainable organisation.

**Budget/Financial Implications**

N/A

**Legal Implications**

N/A

**Community Consultation**

N/A

**Attachment(s)**

List of Creditors Paid – October 2012.

**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**15.2 (MINUTE NO 4940) (OCM 13/12/2012) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - OCTOBER 2012 (FS/S/001) (N MAURICIO) (ATTACH)**

**RECOMMENDATION**

That Council adopt the Statement of Financial Activity and associated reports for October 2012, as attached to the Agenda.



**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

Regulations 1996 prescribes that a local government is to prepare each month a Statement of Financial Activity.

Regulation 34(2) requires the Statement of Financial Activity to be accompanied by documents containing:–

- (a) details of the composition of the closing net current assets (less restricted and committed assets);
- (b) explanations for each material variance identified between YTD budgets and actuals; and
- (c) any other supporting information considered relevant by the local government.

Regulation 34(4)(a) prescribes that the Statement of Financial Activity and accompanying documents be presented to Council within 2 months after the end of the month to which the statement relates.

The regulations require the information reported in the statement to be shown either by nature and type, statutory program or business unit. The City chooses to report the information according to its organisational business structure, as well as by nature and type.

Financial Management Regulation 34(5) requires Council to annually set a materiality threshold for the purpose of disclosing budget variance details. To this end, Council has adopted a materiality threshold variance of \$100,000 for the 2012/13 financial year.

**Submission**

N/A



## Report

### Closing Funds

The City's closing municipal position of \$64.7M was \$10.3M higher than the revised YTD budget target of \$54.4M at the end of October. The revised budget for end of year closing funds (currently showing a \$134k surplus) will fluctuate throughout the year as it is impacted by various Council decisions and minor system adjustments and corrections. Details of these are outlined in Note 3 to the financial report.

### Operating Revenue

Operating revenue at \$88.0M is tracking ahead of budget by \$3.2M. The key contributor to this result is \$2.4M of additional revenue from Waste Services fees & charges, comprised of \$2.1M in commercial landfill fees and an extra \$0.3M from rated rubbish charges. Human Services grant funding is also \$0.6M ahead of the YTD budget set. Underground power service charges raised to date are \$0.17M over the full year budget.

Details of material variances within the service units are disclosed in the Agenda attachment.

### Operating Expenditure

Operating expenditure (including depreciation) is tracking under budget by an overall \$2.1M.

Community Services are collectively \$0.6M under budget made p by law and public safety, SLLC and the donations program. Parks and Environment Services have a current underspend of \$0.6M. Engineering and Infrastructure Services collectively also contribute \$0.5M to the favourable budgeted position at the end of October.

Depreciation is tracking \$0.5M below budget due to useful life revisions for roads and drainage made in the last revaluation exercise conducted at 30 June 2012.

Conversely, Waste Services is over budget by \$0.96M, however this is mostly comprised of additional landfill levy accrued for \$0.88M that the City may be liable for in the future.

Details of material variances within the service units are disclosed in the agenda attachment.



The following table shows operating expenditure budgetary performance at a nature and type level:

Nature or Type Classification	Actual	YTD Amended Budget	Variance to Budget
	\$	\$	%
Employee Costs	\$12.5M	\$12.8M	2.5%
Materials and Contracts	\$9.6M	\$10.9M	1.6%
Utilities	\$1.1M	\$1.5M	29.45%
Insurances	\$1.8M	\$1.8M	2.1%
Other Expenses	\$3.5M	\$2.8M	-2.1%
Depreciation (non cash)	\$6.9M	\$7.4M	6.6%

Other expenses are impacted by the additional accrual of landfill levy.

### Capital Expenditure

The City's capital budget has incurred expenditure of \$16.0M versus the YTD budget of \$32.7M, resulting in an YTD variance of \$16.6M.

Building works in progress contributes \$9.1M (\$8.2M from the Integrated Health Facilities Project alone) and Roads works in progress contributes \$5.0M to the variance.

This reflects that cash flow budgets for major projects are not accurate and the Engineering Division is currently revising these. The November report should contain a more realist representation of the delivery of the capital budget.

The significant project spending variances are disclosed in the attached CW Variance analysis report.

### Capital Funding

Settlement of land sales is \$15.7M behind budget targets, comprising mainly the sale of lot 9001 Ivankovich Ave (\$11.9M balance owing) Grandpre Crescent development (\$1.0M balance still to settle) and subdivision of Lot 702 Bellier Place and Lot 65 Erpingham Road (\$0.9M).

Grants and developer contributions were collectively \$1.1M below YTD targets.

Loan funds of \$1.0M are still to be received for the Emergency Services building project, but will be raised in the second half of the year as it is expected lending rates will fall further.



Transfers to and from Reserves are \$12.6M and \$12.9M behind budget respectively. However, these are highly correlated with capital underspending and reduced capital income from land sales.

### Cash & Investments

Council's cash and current/non-current investment holdings reduced slightly to \$111.1M (from \$113.2M the previous month).

\$58.3M of this total cash and investment holding represents the City's cash reserves.

Another \$5.0M of the cash position represents funds held for other restricted purposes such as bonds, restricted grants and capital infrastructure contributions. The remaining balance of \$47.8M represents the cash and investment component of the City's working capital, available to fund ongoing operations and the capital program.

The City's investment portfolio made an annualised return of 5.37% for the month, in line with 5.37% the previous month. The benchmark BBSW performance for October was 3.55%.

The majority of investments held continue to be in term deposit (TD) products placed with highly rated APRA (Australian Prudential Regulation Authority) regulated Australian banks. These are mainly invested for terms of between three and six months, as this is where the value lies in the yield curve.

Whilst the Reserve Bank has reduced interest rates over the past several months by 100 basis points the City's investment strategy of rolling over TD's for six monthly terms has somewhat buffered the City's investment performance from significant and sudden falls. The 2012/13 interest budget was premised on a reduced investment earnings capacity as interest rates are likely to continue facing downward pressure and the balance of funds to invest will diminish as a result of the large capital works budget. It is expected that the Reserve Bank of Australia will further reduce the cash rate by 25 basis points either next month or in February.

### Description of Graphs and Charts

There is a bar graph tracking Business Unit operating expenditure against budget. This provides a very quick view of how the different units are tracking and the comparative size of their budgets.

The Capital Expenditure graph tracks the YTD capital spends against the budget. It also includes an additional trend line for the total of YTD actual expenditure and committed orders. This gives a better



indication of how the capital budget is being exhausted, rather than just purely actual cost alone.

A liquidity graph shows the level of Council's net current position (adjusted for restricted assets) and trends this against previous years. This gives a good indication of Council's capacity to meet its financial commitments over the course of the year.

Council's overall cash and investments position is provided in a line graph with a comparison against the YTD budget and the previous year's position at the same time.

Pie charts included show the break-up of actual operating income and expenditure by nature and type and the make-up of Council's current assets and liabilities (comprising the net current position).

### **Strategic Plan/Policy Implications**

#### **Leading & Listening**

- A responsive, accountable and sustainable organisation.
- Manage our financial and infrastructure assets to provide a sustainable future.
- A culture of risk management and compliance with relevant legislation, policy and guidelines

### **Budget/Financial Implications**

Material variances identified of a permanent nature (ie. not due to timing issues) may impact on Council's final budget position (depending upon the nature of the item) and may need to be addressed at the mid-year budget review.

### **Legal Implications**

N/A

### **Community Consultation**

N/A

### **Attachment(s)**

Statement of Financial Activity and associated reports – October 2012.





**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**16. ENGINEERING AND WORKS DIVISION ISSUES**

**16.1 (MINUTE NO 4941) (OCM 13/12/2012) - ADOPTION OF THE 'PLAYGROUND SHADE SAIL STRATEGY 2013-2023' (ES/V/001) (A LEES) (ATTACH)**

**RECOMMENDATION**

That Council adopt the Playground Shade Sail Strategy 2013 – 2023 as attached to the agenda.

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

The City adopted a position statement PSEW 12 *Shade to Playgrounds on Recreation Reserves* in 2008 which provided a guide to the appropriate shade to a playground and the application of best industry practices for protecting users of play equipment. PSEW 12 included a strategy to assist officers in facilitating the delivery of shade sails to playgrounds. During the budget process, Councillors sought to increase expenditure for shade sail structures annually. Before committing to increasing expenditure, a review of the current strategy was thought to be prudent.

**Submission**

To adopt the Playground Shade Sail Strategy 2013-2023



## Report

The Playground Shade Sail Strategy 2013-2023 sets out a framework for the delivery of shade sails to public open spaces and community facilities throughout the City. The strategy identifies a set of key criterion to guide the provision of shade sails and ensuring the continued integration of natural shade to all playground equipment.

The key themes covered by the strategy include:

1. Assessment of Demand
2. Classification of Public Open Space
3. Review of Current Installation;
4. Provision Criteria
5. Shade Sail design
6. Tree Planting
7. Asset Management & Maintenance
8. Implementation Plan

### Assessment of Demand

The City receives numerous requests for shade sails each year and is considered by the community as “standard” park infrastructure similar to bins, seats, shelters, etc. In addition residents are concerned of the increasing exposure to the sun and its effects on the children whilst utilising the equipment.

### Classification of Public Open Space

The City’s public open space (POS) hierarchy has been developed principally in accordance with the state Governments Liveable Neighbourhood planning policy. In addition to the classification of POS, Community facilities are included within the strategy due to the location of playgrounds within their confines.

- District POS - predominately serves the whole municipality and has significance due to its large size, function and diversity. District open space is primary location for structured sport and is typically accessed by the local and wider community.
- Regional POS are large signature parks or reserves that are of a high recreational, leisure, social, environmental and tourism value. These reserves attract people from outside the local government area (LGA) and are not necessarily available in every LGA.
- Local/Neighbourhood POS are generally small parks that provide a green space in dense urban areas that are easily



accessible to the immediately local community. Local/Neighbourhood parks offer valuable areas for informal recreational activities and social interaction of community members and are easily accessed by bicycle or on foot.

- Community Facilities are located on POS or lands owned by the City and are essentially buildings that are accessed by various community groups for specific activities. Community facility also provide fenced off areas for informal recreational activities by the different community groups.

### Review of Current Installation

An assessment of 187 playgrounds has identified 38 locations that have shade provision across the POS classifications. The review highlighted that the existing implementation program provides limited guidance and does not prevent requests being presented to Council for consideration. This inconsistent approach has led to an uneven distribution of shade sails across the hierarchy of parks and enabled Council to approve shade sails ad hoc. The table below outlines the current shade sail provisions per classification

#### **SHADE SAILS PER CLASSIFICATION**

Classification	Playgrounds	Shade Sails	Percentage
District POS	26	7	27%
Regional POS	10	3	30%
Local/Neighbourhood POS	133	16	12%
Community Facilities	18	12	66%
<b>TOTAL</b>	<b>187</b>	<b>38</b>	<b>20%</b>

### Selection Criteria

The review of existing shade sails identified inconsistencies in the various park classifications and community facilities which highlighted the requirement for a set of criteria to guide the future provision of shade sails. The criterion has been developed based on the POS classification framework, whether the location is multi use i.e. provides recreational and social interaction, the existing level of park infrastructure i.e. BBQ's and shade shelters and the potential for high patronage by the local and wider community.

The table below will guide the future implementation of the shade sail program and provide the evaluation mechanism for requests for shade



sails by residents within the community. Where existing shade sails have been installed on Local / Neighbourhood Parks that do not comply with the categories outlined, removal will be carried out at the end of the shade sails useful life.

#### Shade Sail Provision Criteria

Classification	Multi Use	BBQ	Picnic Shelter	High Patronage	Retention of Shade Sails
District POS	✓	✓	✓	✓	Yes
Regional POS	✓	✓	✓	✓	Yes
Community Facility	✓	✓	✓	✓	Yes
Local/Neighbourhood	X	✓	✓	✓	Yes
Local/Neighbourhood	X	X	X	X	No

#### Sail Design

Shade design will consider the playground size shape and any future developments taken into consideration. All materials installed shall be coloured to compliment the equipment and be compliant with current safety standards.

#### Tree Planting

Integration of trees surrounding playgrounds will continue to be a component of the design process with particular focus on trees surrounding playgrounds that don't meet the criteria for shade provision. Installation of new playgrounds within older parks is generally located where existing trees are situated to take advantage of this natural shade.

#### Asset Management & Maintenance

The management and maintenance of shade sails is paramount to ensure the health and safety of the public and extend the life of the playground equipment. Regular inspections enable rectification of any defects and the removal of the sail during winter reduces the potential damaged by storm events.

#### Implementation Plan

It is recommended that District POS incur the highest priority for shade provision due to the high patronage levels to these sites by the local and wider community and the existing range of facilities that are



provided. Regional POS and Community Facilities will follow in respective order based on the high recreational value and community activities attributed to these locations. Local/Neighbourhood POS will have the lower priority due primarily to the lower level of patronage and is generally only accessed by the local community. The implementation schedule is appended within the shade sail strategy attached.

### **Strategic Plan/Policy Implications**

#### **Infrastructure**

- Community infrastructure that is well planned, managed, safe, functional, sustainable and aesthetically pleasing.

#### **Environment & Sustainability**

- To protect, manage and enhance our natural environment, open spaces and coastal landscapes.

### **Budget/Financial Implications**

The implementation plan has been developed in accordance with the budget allocation for shade sails as contained in our Plan for the District of \$60,000 per annum. This will ensure that the necessary shade structures are delivered over the next 10 years. During the 2012/13 budget deliberations, Council allocated an additional \$40,000 to the program and these funds will be allocated to the playgrounds located at Anning Park and Bakers Square.

### **Legal Implications**

N/A

### **Community Consultation**

N/A

### **Attachment(s)**

Playground Shade Sail Strategy 2013-2023

### **Advice to Proponent(s)/Submissioners**

N/A

### **Implications of Section 3.18(3) Local Government Act, 1995**

Nil.



**16.2 (MINUTE NO 4942) (OCM 13/12/2012) - OCEAN POOL INVESTIGATION REPORT (ES/V/002) (D VICKERY) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) receive the attached Ocean Pool Investigation Report for information; and
- (2) consider in the forthcoming 2013/14 budget the allocation of funding for a full feasibility study into the installation of an ocean pool at a suitable location between Coogee Beach and the Island Street Groyne, South Beach.

**COUNCIL DECISION**

MOVED Mayor L Howlett SECONDED Cllr S Pratt that Council adopt the recommendation with the inclusion of a new sub-recommendation (3), as follows:

- (3) the feasibility study to incorporate the inclusion of the cooling ponds at the front of the Old South Fremantle Power Station as a potential further option for an ocean pool(s).

**CARRIED 9/0**

**Reason for Decision**

The Old South Fremantle Power Station is a State Heritage Listed Building and the inclusion of the former cooling ponds is an important aspect of preserving this heritage precinct. Their future use as an ocean pool(s) or as salt/chlorinated pools would add significant value to the heritage precinct in terms of its industrial heritage and would form part of the interpretive trail around the precinct to inform users and visitors of the site's history. The cost of the cooling pond proposal could be incorporated into the Old South Fremantle Power Station precinct development through discussion with Landcorp who are managing the Cockburn Coast development.

**Background**

The incidences of shark attacks along the Western Australian coast over recent years has led to an increased interest in the installation of



shark exclusion barriers, of research into shark behaviour and deterrents and, most recently, into the installation of ocean pools as an alternative for people not wishing to swim in the ocean.

A report was prepared earlier this year into the feasibility of installing a shark exclusion barrier at Coogee Beach, this considered at the City's Ordinary Council Meeting on 14<sup>th</sup> June 2012.

In July 2012 the Leader of the Opposition Mark McGowan pledged that were the Labor Party to win government at the forthcoming election they would allocate funds towards the construction of three ocean pools along the Western Australian Coastline, proposing these be placed at Albany, Cottesloe and one of the City's northern beaches.

At the 9<sup>th</sup> August 2012 Ordinary Council Meeting, Councillor Reeve-Fowkes requested an investigation into the opportunities to locate an ocean pool within the coastal precinct between Poore Grove and South Beach groyne.

### **Submission**

N/A

### **Report**

There are many ocean pools (sometimes referred to as ocean baths) along the east coast of Australia, particularly New South Wales and southern Queensland, with some of the oldest dating back to the late 1800's and early 1900's. These baths are very popular with the communities where they are situated, patrons seeing them as a great location to swim and recreate in a sea side environment without risk of harm from waves, rips and marine creatures. These pools are diverse in size, shape and form of construction, although generally they have been built on rock shelves or into rocky headlands rather than into sandy beaches. There are some particularly iconic ocean pools on the east coast, for instance the Newcastle Ocean Baths and the Meriwether Ocean Baths and the much more recently constructed pool in Cairns and the South Bank pool in Brisbane (actually a chlorinated pool).

Since the expressed interest in Ocean Pools in WA mid this year a number of Councils have started looking seriously at installing one, including the City of Fremantle adjacent Bathers Beach and the south mole.

An investigation report has been prepared (report attached), this documenting possible locations for an ocean pool within the City's municipality boundaries, identifying the opportunities, advantages and



disadvantages of each location, including in the context of the coastline being a dynamic entity subject to changing uses and the effects of storms and long term climate change.

In looking at opportunities for placement, the investigation has contemplated jurisdiction and necessary approvals, potential patronage, operating times, and what infrastructure and other facilities and services might be expected to be provided in conjunction with an ocean pool.

The report also touches on the likely expenditure implications associated with construction and operation of an ocean pool.

### Conclusions

The nature of the City of Cockburn's coastline is not immediately conducive to the construction of an ocean pool, on account of our beaches being dynamic and subject to erosion and accretion from natural coastal processes.

An ocean pool can none the less be positioned on or adjacent the beach subject to being designed and constructed of a form that makes it and the adjacent surrounds resistant to wave action and adverse beach erosion effects. This may include incorporating the ocean pool into an existing or proposed beach groyne or breakwater structure.

In the alternative the pool facility could be located to the rear of the foredunes, set back clear of coastal processes and still filled with sea water drawn from the ocean. There are advantages and disadvantages of either option (beach or set back), these covered in the attached report.

Of the locations considered, the most favourable appear to be adjacent the revetment leading up to the Port Coogee Marina on the south side (near the wreck of the Omeo), within the Cockburn Coast development at the proposed Robb Jetty beach node, or adjacent (on the south side) the Island Street groyne, South Beach.

To further investigate any or all of the above referred sites (or any other) will require a detailed feasibility study that would include geomorphological investigation, concept development, community consultation and/or surveys, budgetary cost development and importantly liaison with the key Stakeholders other than the community that would have an interest in the project as relates to the site(s) being looked at. This includes respectively Port Catherine Developments, Landcorp, the developers of the Islands development and the City of Fremantle.





Touched on within the investigation report has been consideration as to what associated facilities would desirably be provided with an ocean pool, including access and parking and potential opening hours and seasonal operation. It is recommended that the desirable full scope of the project including such additional considerations be built into any feasibility study and budget development.

In the absence of a community survey or other form of determining interest and possible patronage, it is not possible to gauge to what extent the community of the City of Cockburn and persons further afield would welcome the installation of an ocean pool within our precinct. It is clear however that where they have been installed they have been very popular and it can be envisaged that provided the facility is well located, designed, operated and maintained it would be a great asset for the City in its aspirations to be a great place to live and visit.

### **Strategic Plan/Policy Implications**

#### **Infrastructure Development**

- To construct and maintain community facilities that meet community needs.

#### **Budget/Financial Implications**

A suggested allocation of an amount \$70k - \$100K in the 2013/14 budget for the feasibility study.

Dependant on the outcome of the Feasibility Study, if a ocean pool were to be proceeded with there would need to be a substantial capital cost and ongoing operating cost budget provision in forthcoming budgets. Indicatively the capital cost to install an ocean pool complete with allied facilities (shade, ablutions, kiosk, parking etc.) and coastal protection treatments could range from \$5M to \$10M depending on location and size.

Annual operating and maintenance costs are similarly uncertain until the project is fully scoped.

#### **Legal Implications**

None ascertained.

#### **Community Consultation**

N/A

#### **Attachment(s)**

City Of Cockburn - Ocean Pool Investigation Report



**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**16.3 (MINUTE NO 4943) (OCM 13/12/2012) - PETITION TO CLOSE RIGBY AVENUE, SPEARWOOD (450156) (J MCDONALD) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) does not support the closure of Rigby Avenue;
- (2) provides a footpath along the northern side of Rigby Avenue, from Rockingham Road to Mell Road, during the 2013/14 financial year;
- (3) pursues the deletion of two planned road connections to Mell Road from Ocean Crest Estate with vehicle access to that estate being obtained via Hamilton Road;
- (4) pursue closure of Mell Road approximately 120 metres north of Rigby Avenue, once a suitable road connection between Hamilton Road and the northern end of Mell Road has been constructed; and
- (5) continue to monitor the traffic flows along Rigby Avenue and the general traffic movement at the intersection of Rigby Avenue / Rockingham Road.

**COUNCIL DECISION**

MOVED Deputy Mayor K Allen SECONDED Cllr T Romano that Council defer any decision regarding the closure of any road within the Packham North Structure Plan until such time as consultation has been sought from the WAPC, DFES and all affected landowners

**CARRIED 9/0**



## Reason for Decision

The recommended proposal will create more traffic issues within the Structure Plan area. Due to an existing sewer pressure main running between Hamilton and Mell Roads, the Water Corporation may not allow a road to be constructed to link Roads 3 and 4. Therefore, the Council needs to consider the following:

1. Vehicles cannot travel north, unless they use Mell or Hamilton Roads.
2. The road closures will effectively create one large cul-de-sac, where in excess of 100 homes will be using the same access route via Hamilton Road (road 7).
3. An excessive amount of vehicles will be forced to use the intersection of Road 7 and Hamilton Road and will cause more traffic problems and resident complaints.
4. Due to the large traffic volumes currently using Hamilton Road (and expected to increase in excess of 11,000 vehicles a day) drivers are likely to avoid a right hand turn from Road 7 heading north and will instead turn left into Hamilton Road and left into Mell Road – defeating the purpose of the road closures.
5. One access route servicing so many homes is against the WAPC's permeability policy and is not in accordance with Liveable Neighbourhoods.
6. The Department of Fire and Emergency Services is unlikely to support the recommendation due to safety issues.

Council needs to view other appropriate outcomes, such as a partial closure of Rigby Avenue. The Officer's recommendation is not generally supported by either the Rigby Avenue residents who have requested closure of the road, or other stakeholders in the area who will be affected by the recommendation to close other roads in the precinct.

## Background

In February a petition was received requesting the closure of Rigby Avenue, Spearwood, to address their concerns about the speed and volume of traffic. 46 residents from Rigby Avenue and the three cul-de-sacs that connect to it - Fig Place, Pear Place and Plum Place, signed that petition which states:

*"We the undersigned residents of Rigby Avenue, and surrounding closes, request that the council address the traffic problem on Rigby Avenue.*

*We in signing this petition ask for*



*Closure of access to Rockingham Road from Rigby Avenue – this making Rigby Avenue into a cul-de-sac.*

*We suggest the opening of the arterial Mell Road onto Rockingham Road as an alternative.”*

The petition was signed by 46 residents from Rigby Avenue, Fig Place, Pear Place and Plum Place. This represents 31 of the 44 properties that have either direct frontage to Rigby Avenue or are in one of the 3 cul-de-sacs that must use Rigby Avenue to access the local road network.

A number of comments were included on the petition and are summarised as:

- Very busy / busy road
- Too much traffic
- Hard to get out of
- Been here 12 years and it has got unbearable, not safe to walk across the road
- Dangerous
- Noisy
- It's hard for the people living in this area
- The accidents on our corner are worsening
- Rigby Avenue is already dangerous at Rockingham Road
- Residential traffic flow for a residential street
- Rigby Avenue has become a drag strip
- Something needs to be done
- Close road
- Good idea

A detailed review of the current and future traffic operation of Rigby Avenue has been completed by the City's Transport Engineer and is included as an attachment. That report goes into detail about the factors needed to be considered for this issue and is too lengthy to repeat here. Therefore, it is important that the attachment is read in conjunction with this report to obtain a thorough understanding of the matter.

### **Submission**

N/A

### **Report**

The request to close Rigby Avenue is not as straight forward as it may seem. The traffic operation of Rigby Avenue needs to be considered in context of current and future operation of the road, because of planned



urban development in the vicinity of the road that will potentially result in a substantial increase in traffic volume.

Rigby Avenue is a 300 metre long road that has linked Rockingham Road in the east to Mell Road in the west for over 60 years. Due to the layout of the local road network, roads such as Rigby Avenue, Gerovich Way and Mell Road are performing the function of Local Distributor roads because of the connectivity they provide to Rockingham Road, although they are classified as Access roads. As a result of that connectivity they carry a higher volume of traffic than they would typically generate alone, in/out of the local road network and linking Hamilton Road to Rockingham Road.

A traffic survey completed on Rigby Avenue in October recorded an average weekday traffic volume of 2,601 vehicles, which is within the stipulated maximum traffic volume of 3,000 vehicles for an Access road. If the road is closed, it is estimated that 2,140 of the remaining average weekday trips would be transferred to other routes. Specifically, it is estimated that closure would impact the current road layout in the following manner:

- approximately 1,300 vehicle trips transferring to Gerovich Way to continue to access the local road network between Hamilton Road and Rockingham Road, increasing the weekday traffic volume to 3,400 vehicles;
- approximately 600 vehicle trips transferring to Hamilton Road, increasing the weekday traffic volume to 9,600 vehicles; and
- approximately 280 vehicle trips transferring to Troode Street, increasing the weekday traffic volume to 3,400 vehicles.

The road has been assessed for traffic calming using the Council policy SEW3 Local Area Traffic Management. By applying the characteristics of the road to the policy's warrant system it was found that the road does not satisfy the warrant system intervention levels to justify traffic calming/management at this point in time.

There were no crashes reported to have occurred on Rigby Avenue, between Mell Road and Rockingham in the last 5-years which indicates that the road has been operating safely. Six crashes have been reported at the Rockingham Road / Rigby Avenue intersection and although that number of crashes is quite low considering the volume of traffic using Rockingham Road each day it is recommended that the City continue to monitor the intersection over time.

The desire of residents to have Rigby Avenue closed is understandable, however, is not recommended primarily because:



1. The current operation of Rigby Avenue has been demonstrated to be safe and acceptable for the roads approved road function.
2. It is a public road that has been part of the local road network for more than 60 years.
3. It is the individual's responsibility to be diligent and investigate and consider the current and potential future operation of a road, amongst other factors, before deciding to purchase property/reside there.
4. Closing the road is contradictory to the practice of trying to provide permeable and legible road networks.
5. The volume of traffic currently using the road is acceptable for the road's classification as an Access road.
6. The likely transfer of the majority of traffic to Gerovich Way is not an equitable outcome and will logically be opposed by residents of that road.

Although the current operation of the road is considered to be acceptable, the imminent development of planned new residential roads in the Packham North precinct, to the west and north of Rigby Avenue, has the potential to significantly increase the volume of traffic using that road. This issue was acknowledged during the preparation of District and Local Structure Plans (LSP) for the area and it has not been addressed to date, although these plans have been adopted by the Council.

If the new road network in that precinct is implemented as approved it is estimated that the volume of weekday traffic on Rigby Avenue could increase to between 4,100 and 5,000 vehicles per day. Ideally, much of that traffic would have been able to use the once planned extension of Ocean Road east from Hamilton Road to connect to Rockingham Road. However, it is understood that it was decided during the preparation of the DSP that the extension of Ocean Road would not be required and traffic would instead be encouraged to use Spearwood Avenue.

Although Rigby Avenue could theoretically accommodate that additional traffic that volume is higher than the maximum desirable volume of 3,000 vehicles per day suggested for Access roads. The impacts of the additional traffic would include a reduction of amenity for residents of that road; increased delays when trying to leave properties and enter Rigby Avenue traffic; a higher risk of a crash due to increased exposure; and, reduced performance of the Rockingham Road / Rigby Avenue intersection.

Also, the performance of the Rockingham Road / Rigby Avenue intersection has been analysed using the future traffic estimates for Rigby Avenue. The analysis indicates that if no action is taken to prevent additional traffic from the Packham North precinct using Rigby



Avenue, then modification of the Rockingham Road / Rigby Avenue intersection will be necessary to maintain an acceptable level of intersection performance and to allow the intersection to operate relatively safely. These modifications include providing a protected right-turn lane on Rockingham Road and separate left and right turn lanes out of Rigby Avenue.

Consideration was given to how to minimise the impact of the future traffic from the Packham North DSP area and three potential traffic management options have been developed:

#### Option 1

Close Rigby Avenue between Mell Road and Pear Place

#### Option 2

- a) Rigby Avenue remains open to traffic.
- b) A new footpath is constructed along the north side of the road to reduce the need for pedestrians to cross the road.
- c) The intersection of Rockingham Road / Rigby Avenue is upgraded in the future to provide separate turn lanes on Rigby Ave and a protected right-turn lane on Rockingham Rd.

#### Option 3

- a) Delete 2 future road connections to Mell Road from the Local Structure Plan.
- b) Close Mell Road approximately 120 metre north of Rigby Avenue
- c) Consider an additional east-west link.

After considering the stakeholder feedback on this matter, it is recommended that a modified version of Traffic Management Option 3 is implemented. The road closures proposed in that option should proceed as they will remove any direct access to the existing local road network from the new development and instead direct traffic to Hamilton Road. This is reasonable considering that the new road network will, in general, have good accessibility to Hamilton Road via multiple access points. Also, the people who choose to live in these new areas will be establishing new travel patterns, rather than having existing traffic patterns affected which would be the case if Rigby Avenue was closed. This option should be modified to delete Item 3C, the suggested additional east-west link, as it is not a critical requirement and is strongly opposed by the stakeholder because of the work involved in satisfying the storm water drainage needs for the LSP area.



It is also recommended that:

- a footpath be constructed on the north side of Rigby Avenue, from Rockingham Road to Mell Road, so that pedestrians do not need to cross the road to the footpath; and
- the City continue to monitor traffic flow on Rigby Avenue and the Rockingham Road/Rigby Avenue intersection over time.

### **Strategic Plan/Policy Implications**

#### **Growing City**

- Development that is soundly balanced between new and existing areas.

#### **Leading & Listening**

- Effective and constructive dialogue with all City stakeholders.

#### **Moving Around**

- An integrated transport system which balances environmental impacts and community needs.
- A safe and efficient transport system.

### **Budget/Financial Implications**

The estimated cost of implementing the officer recommendations is:

<b>Item</b>	<b>Estimated cost</b>
No closure of Rigby Avenue	\$0
Construct new footpath	\$25,000
Delete 2 x planned road connections between Mell Road and Ocean Crest Estate	Developer cost to amend subdivision design
Close Mell Road 120 metres north of Rigby Avenue	Developer cost if incorporated at time of subdivision. \$30,000 Council cost if implemented post subdivision.
Install protected right turn pocket on Rockingham Rd	\$50,000

### **Legal Implications**

N/A





## **Community Consultation**

As the changes to the proposed road network affect the road networks developed for the Local Structure Plans a meeting was organised to discuss the traffic management options with key stakeholders. City officers from both Engineering and Planning Services met with representatives from Roberts Day Pty Ltd, representing the Watson Local Structure Plan, and Terranovis Pty Ltd, representing the Ocean Crest Estate Local Structure Plan, to discuss the possible treatment options.

Understandably, these stakeholders are concerned about the City making changes to the approved road network at this stage of the project. Quite reasonably, they have pointed out that considerable time, effort and cost has been put into getting the Local Structure Plans completed and then approved by the Council. However, as it was identified earlier, the issue of vehicle access to these developments off Rockingham Road needed to be resolved but this was not considered or addressed by the Uloth traffic report for the DSP area or has been addressed in the LSPs.

Roberts Day Pty Ltd and Terranovis Pty Ltd have considered these issues thoughtfully and constructively and have both prepared written feedback to the Traffic Management Options. That feedback is included in the Appendix of the attached report. The feedback includes a number of valid concerns such as the considerable resources put into the preparation of the DSP and LSPs, stakeholders compliance with the City's requirement, Council endorsement of the plans, and the permeability of the road network.

The affected community of Rigby Avenue were invited to a briefing session on 29<sup>th</sup> November 2012 where aspects of the transport assessment were outlined.

### **Attachment(s)**

Rigby Avenue traffic study

### **Advice to Proponent(s)/Submissioners**

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 13 December 2012 Council Meeting.

### **Implications of Section 3.18(3) Local Government Act, 1995**

Nil.



**16.4 (MINUTE NO 4944) (OCM 13/12/2012) - SOUTHERN METROPOLITAN REGIONAL COUNCIL WITHDRAWAL ARRANGEMENTS FOR A PROJECT PARTICIPANT (CITY OF ROCKINGHAM) (ES/L/004) (M LITTLETON) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) consent to the City of Rockingham be retired from its obligations under the \$2 million secured lending facility (known as the office project loan) between the Western Australian Treasury Corporation, the participants and the Southern Metropolitan Regional Council from 31 December 2012; and
- (2) request that the Southern Metropolitan Regional Council submit a revised Exhibit B certificate to the Western Australian Treasury Corporation as required under the terms and conditions of the loan agreements specified in (1) above indicating the new percentages of the debt being apportioned to the remaining participants following the withdrawal of the City of Rockingham effective 31 December 2012.

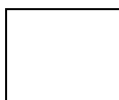
**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

1. The City of Cockburn is a participant in the SMRC which is a statutory local government authority for providing environmentally sustainable waste management solutions for the communities of Cockburn, East Fremantle, Fremantle, Kwinana, Melville and Rockingham.
2. The City of Rockingham gave notice of its intention to withdraw from the SMRC on 27 April 2011, resulting in an effective withdrawal date of 30 June 2012.



3. As a result of the notice of withdrawal of a Project Participant, the SMRC prepared Amended Business Plans for the projects that the City of Rockingham is a participant.
4. In addition to the above, Clause 11.3 of the SMRC Establishment Agreement states:
  - a. distribute to the withdrawing Participant an amount equal to the proceeds and any surplus funds which would have been payable if the SMRC was wound up; or
  - b. be entitled to recover from the withdrawing Participant an amount equal to the liability or debt which would be payable by the Participant if SMRC was wound up.

### Submission

N/A

### Report

The SMRC has now completed the final notional winding up calculations and has reported that the City of Rockingham's liability based on proportional entitlement or liability for each Project is as follows.

Table 1	Liability Final
Existing Undertakings	\$121,830
Office Project	\$65,292
<b>Total</b>	<b>\$187,122</b>

The existing undertakings include expenses towards the administration, research and education functions of the SMRC and has been calculated on the basis of a notional winding up of these functions as at 30 June 2012 and therefore Rockingham's liability is 25.6%.

The City of Rockingham is a Participant in the office project and in accordance with the Agreement it has a proportionate liability of 26.8%. The office project has a loan with the Western Australian Treasury Corporation (WATC). The loan agreement requires continuing participants to give consent to allow withdrawing participants to retire from their obligations to pay the debt.

As there is no longer an obligation for the City of Rockingham to pay any further loan repayments under the Project Agreement, it is



recommended that the City of Cockburn resolve to consent to their withdrawal and instruct the SMRC to issue a new share percentage to the WATC as part of the withdrawal process.

The SMRC is to notify the WATC of the percentages by furnishing a new Exhibit 'B' certificate with the following revised percentage shares.

#### Impact of Rockingham's withdrawal on loan liability proportionments

	FY13			
	Old %	\$	Revised %	\$
Cockburn	24.30%	437,338	35.43%	637,700
East Fremantle	2.18%	39,322	2.92%	52,581
Fremantle	8.10%	145,854	11.07%	199,329
Kwinana	7.57%	136,235	11.47%	206,452
Melville	30.34%	546,160	39.11%	703,937
Rockingham	27.51%	495,093	0.00%	-
<b>Total</b>	<b>100.00%</b>	<b>1,800,000</b>	<b>100.0%</b>	<b>1,800,000</b>

The proportional share in the asset investment will also increase by these new percentages.

#### Strategic Plan/Policy Implications

#### Environment & Sustainability

- Community and businesses that are supported to reduce resource consumption, recycle and manage waste.

#### Budget/Financial Implications

The financial implications of the City of Rockingham's withdrawal have been identified in the Amended Business Plan. The liability for the outstanding loans of the City of Cockburn will not change as a result of this decision.

#### Legal Implications

N/A

#### Community Consultation

N/A

#### Attachment(s)

The Draft letter to the WATC and SMRC.



**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**16.5 (MINUTE NO 4945) (OCM 13/12/2012) - TENDER NO. RFT 19/2012 - PLAYGROUND SOFTFALL (WHITE SAND) - CLEANING AND REPLENISHMENT (RFT 19/2012) (L VIEIRA) (ATTACH)****RECOMMENDATION**

That Council accept the Tender submission from Sifting Sands Pty Ltd (ATF Sandrehlyn Trust - T/A Sifting Sands) for Tender number RFT 19/2012 – Playground Soft Fall (White Sand) Cleaning and Replenishment for an estimated total lump sum Contract value of \$166,538.30 GST Inclusive (\$151,398.45 GST Exclusive) over three (3) years and Schedule of Rates for additional services.

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0****Background**

The City of Cockburn has under its control approximately 200 individual white sand soft fall playground sites, which are maintained by internal day staff, consisting of a basic manual hand raking and supplemented with a more comprehensive mechanical cleaning regime at specified sites. This Tender has been developed to provide a comprehensive mechanical raking regime to mitigate potential risks associated with soft fall areas, and ensure all playground soft fall areas deliver the following service outcomes:

- To produce a safe playable sand soft fall area free of weeds and debris;



- Maintain safe soft fall levels with maximum impact absorbing properties; and
- Remove and safely dispose of any contaminates that may cause harm to the public.

Tender Number RFT 19/2012 Playground Soft Fall (White Sand) Cleaning and Replenishment was advertised on Wednesday 5<sup>th</sup> September 2012 in the Local Government Tenders Section of 'The West Australian' Newspaper.

The Tender was also displayed on the City of Cockburn's E-tendering website from Wednesday 5<sup>th</sup> September 2012 to Thursday, 27<sup>th</sup> September 2012 inclusive.

### Submission

Tenders closed at 2:00pm (AWST) on Thursday 27<sup>th</sup> September and four (4) submissions were received from the following companies:

	Tenderer's Name	Trading As
1	Starbound Holdings Pty Ltd	Miracle Recreation Equipment
2	Sifting Sands Pty Ltd ATF Sandrehlyn Trust	Sifting Sands
3	Madeliene Corp Pty Ltd	Bax Specialised Cleaning Services.
4	Safer Sands Pty Ltd	Safer Sands.

### Report

#### Compliant Tenderers

All four Tenderers were deemed compliant

#### Evaluation Criteria

Evaluation Criteria	Weighting Percentage
Demonstrated Experience	25%
Tenderer's Personnel & Resources	20%
Methodology	15%
Tendered Price – Lump Sum	40%
Total Weighting	100%



Tender Intent / Requirements

The purpose of this Tender is to select an experienced, competent and reliable contractor to undertake Playground Soft Fall Cleaning and Sand Replenishment at playgrounds located throughout the City .

Evaluation Panel

The Evaluation Panel consisted of the following City of Cockburn Officers:

1. Lou Vieira – Parks Operations Coordinator (Chair);
2. Anton Lees – Manager Parks & Environment ;and
3. Glen Hanrahan – Parks Supervisor.

Scoring Table

Tenderer's Name	Percentage Scores		
	Non Cost Evaluation	Cost Evaluation	Total
	60%	40%	100%
<b>Sifting Sands **</b>	<b>42.83%</b>	<b>29.96%</b>	<b>72.79%</b>
Bax Specialised Cleaning Services	27.75%	40.00%	67.75%
Safer Sands	33.33%	31.21%	64.54%
Miracle Recreation Equipment	36.83%	23.60%	60.44%

\*\* Recommended Submission

## EVALUATION (QUALITATIVE) CRITERIA ASSESSMENT

Demonstrated Experience

All Tenderers demonstrated a level of experience in managing similar works at other Local Government Authorities (LGAs) with Sifting Sands clearly articulating its case in this regard. The listing of its current and extensive client base of LGA's, performing similar works, over a period of time at a high level and resolving issues during completion of the works during a service was clearly demonstrated to the panel.

The panel noted Sifting Sands has provided sand cleaning services to the City during the past three years.



### Tenderers Personnel & Resources

All Tenderers demonstrated that they had the personnel and resources to perform the scope of works. Sifting Sands scored slightly higher in this component compared with the three (3) other Tenderers due to its ability and capacity to deliver the works via a higher personnel and resource level. The additional capacity will enable ad hoc services to be requested as required.

### Methodology

All Tenderers demonstrated a level of understanding of the procedural requirements of this contract, particularly relating to reporting and visual records of completed works.

### Summation & Recommendation

Sifting Sands Pty Ltd (ATF Sandrhlyn Trust - T/A Sifting Sands) achieved the highest overall score and the highest qualitative assessment of all four (4) tender submissions, and is seen to being the most advantageous. The evaluation panel recommends that Council accept the submission received from Sifting Sands.

This recommendation is based on a well presented tender submission that included the following key points (below) that were identified as essential criteria:

- Comprehensively experience in performing similar works;
- A sound range of internal personnel that have the experience and appropriate resources to undertake these works; and
- The lump sum submitted \$50,466.15 GST Exclusive per annum is considered fair and reasonable for the scope of works.

### **Strategic Plan/Policy Implications**

#### **Infrastructure**

- Community infrastructure that is well planned, managed, safe, functional, sustainable and aesthetically pleasing.

#### **Environment & Sustainability**

- A community that uses resources in a sustainable manner.
- To protect, manage and enhance our natural environment, open spaces and coastal landscapes.





**Budget/Financial Implications**

There is no separate specific budget for the services to be provided under this contract, but the tendered price of \$50,466.15 GST Exclusive falls within the Operational Works project budget allocation for 2012/2013 and compares with an average non-contract expenditure per annum of \$61,000 over the past three years.

**Legal Implications**

Section 3.57 of the Local Government Act 1995 and Part 4 of the Local Government (Functions and General) Regulations 1996 refers.

**Community Consultation**

N/A

**Attachment(s)**

The following Confidential Attachments are provided under a separate cover:

1. Consolidated Score Sheet
2. Compliance Assessment
3. Tendered Prices

**Advice to Proponent(s)/Submissioners**

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 13 December, 2012 Council Meeting.

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.



17. COMMUNITY SERVICES DIVISION ISSUES

17.1 **(MINUTE NO 4946) (OCM 13/12/2012) - EVALUATION REPORT FOR MOBILE YOUTH RECREATION SERVICE (CR/S/007) (M CHAMPION) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) receive the report regarding the evaluation of the Mobile Youth Recreation Service in accordance with the previous Council decision in October 2011;
- (2) continue to provide an in-house Mobile Youth Recreation Service to be called 'BLISS-CO Youth Bus' targeting young people in identified locations of need across Cockburn; and
- (3) continue to provide the service for three sessions per week in terms one, two and four each year from three selected Cockburn locations.

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

At the Ordinary Council meeting held in October 2011 Council resolved to:

- (1) *commence the operation of an in-house outdoor Mobile Youth Recreation Service in the second week of Term 4 2011 for a period of one year;*
- (2) *require that the outdoor Mobile Recreation Youth Service provide two outdoor recreation sessions per week for a duration of three hours in term 4;*
- (3) *require that the Mobile Youth Recreation Service provide three outdoor recreation sessions per week for a duration of three hours in Term 1 and Term 2 of 2012; and*
- (4) *within one year of operation of the service, provide a report that includes attendance data, satisfaction levels of participants;*



*customer feedback, operational issues/benefits and a recommendation about the continuation of the service.*

## Submission

N/A

## Report

Following the Council decision, the City of Cockburn's Youth Services Department commenced the provision of a Mobile Youth Recreation Service two weeks into term 4 2011.

The following table provides attendance figures for the service in terms of numbers of scheduled and provided sessions as well as the total number of contacts.

Table 1.0 Attendance Data

	Location	Scheduled sessions	Actual sessions	No. of contacts	Age range	Average /session
Term 4 2011						
	Beeliar	8	8	77	9-14	10
	Coolbellup	8	8	30	8-16	4
	<b>Term Total</b>			<b>107</b>		
Term 1 2012						
	Beeliar	9	9	88	5-16	11
	Coolbellup	9	6	27	9-14	5
	Southwell	9	9	25	9-13	3
	<b>Term Total</b>			<b>140</b>		
Term 2 2012						
	Beeliar	10	9	74	10-15	8
	Coolbellup	10	9	139	10-17	16
	Southwell	1	1	2	16	2
	Spearwood	8	7	14	8-17	2
	<b>Term Total</b>			<b>229</b>		
<b>Total contacts for all 3 Terms &amp; locations</b>				<b>476</b>		

Table 1.0 shows that out of a maximum 72 possible sessions, 66 sessions were held (92%). The 6 cancelled sessions were as a result of unseasonable wet weather conditions. In total across the four sites 476 contacts were made with varying take up across the different sites.



The service was consistently provided to Beeliar and Coolbellup for each of the three terms. Southwell was trialled as a new location during term 1 and Spearwood trialled during term 2.

Beeliar was the only established location where the YMCA had provided a service earlier in 2011 and this may be the reason why this location has the most consistent weekly attendance rate.

While Coolbellup was very slow to start, this can be attributed to some difficulties finding the most ideal location and difficulties getting the promotional material to the right people both at the local primary school as well as at surrounding human service agencies. Once these two issues were addressed and rapport with young people formed the number of contacts at Coolbellup ended up exceeding all other sites. Verbal requests have been made by young people and members of the surrounding community for two sessions per week to be held from Coolbellup.

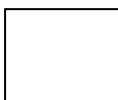
The Southwell and Spearwood locations were selected as areas of need in the Youth Services Strategic Plan, however, they received a smaller comparative number of contacts. This was despite advertising for consecutive weeks in the Gazette, on the city's website, in Cockburn Soundings and through communication with schools in the immediate surrounding area.

The age of young people attending the service is that which the service intended to attract. The average age range of attendees across all locations was between nine and fourteen years.

Virtually all young people who attend the service accessed the service on foot, by pushbike or scooter and were local to the area.

#### Operational Issues

A number of manageable difficulties were identified throughout the program including difficulty getting promotional material to the 'identified' people in the community. A hold up producing new marketing materials at the commencement of the mobile service occurred, due to a staff vacancy and recruitment process for the graphic designer position. Then a further delay was caused while new design specifications for all new marketing material was developed. These delays meant that for the three terms the bus operated without the signage, nor were there any flags to attract passersby at the physical location or to indicate this service was open for the community to join in. This has been rectified with vehicle magnets now received and Bali flags. A third difficulty was the absence of accessible locations to operate from during inclement weather conditions to ensure the continuity of service.



### Operational Benefits

Providing an in-house service provided a flexible and responsive service that was continuously improved. For example following staff observation and feedback from young people the purchase of a portable Public Address system during the program enabled young people to connect their iPods and have music playing during the session. This initiative received positive feedback from young people. An end of term BBQ at Beeliar and Coolbellup was also introduced with the highest number of contacts recorded in Coolbellup of all of the sessions.

New pre planned arts activities and basketball competitions were also successful.

This service continues to be particularly successful in attracting young people identified in the community and by key state government departments as 'at risk' and vulnerable who are known to engage in challenging behaviours. The reason this service has been able to work with this group is as a result of having staff of both genders that are suitably qualified, experienced and skilled. These staff members have consistently been available to run this high quality service over the past 12 months providing continuity of service delivery. This was not the case when the YMCA ran the service with frequent staff changeover and cessation in service delivery while recruitment took place. Internal staff members are also able to offer support to both the young people and further support to their families through networking and referral to other City of Cockburn services and government departments.

On occasion when behaviour at the sessions has become challenging these internal staff have been able to either effectively deal with the situation themselves, or call on extra community supports including CoSafe. This strategy has been found to be effective in managing concerns and ensuring the continuation of a safe service.

### Community Feedback

Feedback received from CoSafe, Police and Citizens Youth Centre, the Coolbellup School Principal, Beeliar business owners and representatives on the City's Community Interagency Crime Prevention Group, the Department of Child Protection and the Department of Housing indicated this is a very valuable and much needed service. The Cockburn Community Interagency Crime prevention Group has suggested trialling the service at a number of different locations within Cockburn.

The Youth Services Strategic plan included extensive community consultation. This plan highlighted the need for Outreached Youth



Services particularly to Beeliar, Coolbellup and Hamilton Hill. The provision of the mobile service has assisted to address this need.

The provision of the mobile service has assisted to fulfil strategies outlined in the Community Safety and Crime Prevention Plan 2011 including initiative 4.5 *intervention programs for indigenous youth* and initiative 5 *the provision of youth programs*.

#### Feedback from young people

Feedback was regularly sought from young people in attendance to assist with planning future activities, as well as to gauge their willingness to continue to attend and promote the service among other local young people. 100% of the young people who attended did so of their own choice. 100% of all young people reported that they enjoyed attending the Mobile Youth Recreation Service. A sign in sheet with participants name, age, cultural background and suburb was completed each week. The City decided to engage Research Solutions to conduct interviews with young people at the sites to gain independently collected feedback from young people.

#### Key Findings from Research Solutions Interviews conducted with young people

51 Respondents were interviewed at three locations. While the original intent was to split the interviews equally between the Youth Centre and the Youth Bus (across the three parks visited), heavy rain during the interviewing period resulted in some Youth Bus activities being cancelled and park attendances down on other days.

#### *Sample Source*

Youth Centre, Success, 36 young people surveyed

Youth Bus, 15 young people surveyed

- Len Packham Reserve, Coolbellup 21.6% (of total responses)
- Beeliar Reserve, Beeliar 7.8% (of total responses)

TOTAL SURVEYED 51

Respondents to the Youth Services survey were drawn from 17 different suburbs (up from 12 when the survey was self-administered at the Youth Centre), including Atwell, Aubin Grove, Banjup, Bateman, Beeliar, Bibra Lake, Cockburn, Coogee, Coolbellup, East, Hamilton Hill, Hamilton Hill, Hammond Park, Orelia, South Fremantle, South Lake, Success and Yangebup. 92.2% are from the City of Cockburn.



- Age – The majority are aged 10-15 years of age, anecdotally, at the parks the age profile is linked to the facilities that are provided at the park (e.g. skate facilities vs. free play facilities).
- Aboriginal / Torres Strait Islander – one in three are indigenous, which would appear to be an increase over last year.
- English speaking – almost all speak English at home
- City of Cockburn – almost all come from the City of Cockburn,

#### *Satisfaction with the Youth Bus*

93.3% are satisfied overall and 53.3% are *truly satisfied* with the Youth Bus,

#### *Frequency of Visitation*

93.3% of respondents visit the bus at least weekly

#### *Reasons for Visiting the Youth Bus at the Park*

Young people commented that the reasons why they visit are:

- To meet new friends
- To use the facilities
- Skate / scoot / BMX
- Something to do / nothing to do at home
- To take part in organised activities and programs
- It's fun
- To meet up/ hang out with friends

Staff also completed shift reports at the end of each session detailing any valuable comments relayed from young people or observations made by staff.

Attached are excerpts from daily shift reports completed by staff (Attachment 1)

Copies of the findings of surveys completed by Research Solutions are attached and support the information provided in this report (Attachment 2).

Young people who engaged in the service were consulted in relation to naming the service. 'Bliss-co Youth Bus' was one of the names suggested by a young person during consultation. Naming the bus provides a level of empowerment to the young people who attend and demonstrates a willingness of staff to take on young people's



suggestions. The new name will also aid in future marketing strategies and identify the service as unique to Cockburn. For these reasons this report recommends that in future this service be referred to as the 'Bliss-co Youth Bus'.

### Summary

Based on the number of contacts the service is having and the feedback received from a diverse section of the community Youth Services believe that continuation of the service at both the Beeliar and Coolbellup sites is essential. Many at risk young people access the service on a regular basis from these areas.

Youth Services also recognise the value of having a third site which is trialled and moved from different City of Cockburn locations on a term by term basis to enable the service to respond to new emerging needs and the growing youth population of Cockburn.

There is clear evidence that this service is addressing a community need for the Cockburn community. The service has had a largely positive effect at both Beeliar Reserve and Len Packham Reserve minimising anti social behaviour of young people by engaging them in diversionary recreational activities, relieving boredom and enabling the development of relationships with role models who are aware of local services and available supports should a referral be required.

### **Strategic Plan/Policy Implications**

#### **Community & Lifestyle**

- People of all ages and abilities to have equal access to our facilities and services in our communities.

#### **Budget/Financial Implications**

There has been no cost difference between the YMCA's fee of \$540 per session and the cost incurred in delivering the service in-house.

This service will require an ongoing operational budget of \$44,200 plus CPI and Enterprise Agreement salary increases per annum.

This amount has already been allocated as part of the 2012/13 budget.

#### **Legal Implications**

N/A





## Community Consultation

The annual City of Cockburn Research Solutions Consultation was extended to include the Mobile Youth Recreation Service with feedback received from young people in attendance at two of the three operational sites. Of the 15 young people who were interviewed 93.3% are satisfied overall and 53.3% are truly satisfied with the Bus.

While collection of this feedback was resource intensive due to the need to first secure parental permission the consultation supported the findings of Youth Workers employed to work on the bus and the young people attending sessions held. All young people interviewed were supportive of the service continuing.

The new name 'BLISS-CO Youth Bus' is the preferred option of a range of names suggested by young people who attend the mobile service on a regular basis.

### Attachment(s)

1. Comments – Staff Shift Reports.
2. Extract from Research Solutions Consultation Report.

### Advice to Proponent(s)/Submissioners

N/A

### Implications of Section 3.18(3) Local Government Act, 1995

Nil.

## 17.2 **(MINUTE NO 4947) (OCM 13/12/2012) - EVALUATION REPORT FOR CHILDREN'S OUTDOOR PLAY SESSION SERVICE 'FROGGY'S FUN ON THE GREEN (CR/S/001) (J DE CASTRO) (ATTACH)**

### RECOMMENDATION

That Council

- (1) receive the attached evaluation report Froggy's Fun on the Green Evaluation Report 2012; and
- (2) require the continued in-house operation of the "Froggy's Fun on the Green" outdoor children's mobile play sessions for two sessions per week, 4 terms per year on an ongoing basis.



**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

At the Ordinary Council Meeting held in December 2010 Council resolved to:

- (1) *commence operation of an in-house children's outdoor play session service in Term 1 2011 for a period of two years;*
- (2) *require that the outdoor play session service will provide two outdoor play sessions per week for a duration of two hours during school terms for a period of two years*
- (3) *require that the Australian Early Development Index Survey results for the Cockburn district be disseminated through weekly mobile play sessions for a 12 month period in accordance with the grant funding obtained from the Department of Education and Training; and*
- (4) *within two years of operation of the service, require a report that includes attendance data, satisfaction levels of participants, customer feedback and a recommendation about the continuation of the service.*

**Submission**

N/A

**Report**

Following the Council decision the City commenced the "Froggy's Fun on the Green" children's mobile play session service in Term 1 of 2011.

In accordance with the Council decision the service operated three sessions of two hours duration per week during all 4 school terms for the first twelve months. The majority of the salary costs for the third session for this first twelve month period plus some set up costs were funded by a Local Champions Australian Early Development Index grant from Department of Education. The service was aimed at 0-5 year olds and parents/carers and with a focus on early brain



development and the Australian Early Development Index (AEDI). In accordance with the AEDI Local Champions funding application and the Council decision, the first year of operation included two outdoor play sessions with the first being at Manning Park, and the second location rotated through the Central and East ward of the City on a term by term basis. The third outreach session required that staff visit community play groups, new mothers groups or Early Years groups to disseminate AEDI and early brain development information to parents.

This service operated well with some changes in staff but no significant operational difficulties throughout the two year period. As anticipated due to it being an outdoor service model an average of 4 sessions per year had to be cancelled due to wet weather conditions. Attendance at "Froggy" varies according to weather, time of term or year (beginning and end of term or year often have lower attendance) and according to the park.

Manning Park has traditionally had very high attendance as Buster the Fun Bus used to operate there and it is a venue which has shade, ample parking, toilets and a nearby playground.

During winter it was decided to run the 3rd term second session in a park with an indoor option. Sessions were only held indoors if there was bad weather.

Attendance at Manning Park has on many occasions been as high as 40 parents and 60 children per session which is similar to the highest numbers for the previous Buster the Fun Bus, although there have been more children in some of the Froggy's Fun on the Green sessions.

The second play session was rotated to different park areas in the District, with varying attendance numbers at each location, but with overall good average attendance numbers to justify the continuation of the second sessions at these rotating locations. For example an Atwell location in 2012 reached up to 235 parent and 310 child attendances over the term which is comparable to the Manning Park attendance numbers. The 2<sup>nd</sup> rotating sessions have increased in attendance over time and have been attracting higher numbers than the Buster the Fun Bus sessions which were not held at Manning Park, but in other Cockburn parks. It makes a significant difference to numbers to have a session in the same venue weekly, however the intent of the 2<sup>nd</sup> session which rotates venues, is not specifically high numbers, but rather accessing a broader cross section of the community and particularly the more vulnerable areas as identified through the AEDI. It has been very successful in achieving these goals.



Once the AEDI funding ceased in 2011, the Froggy's Fun on the Green program continued to run in a reduced capacity by not providing as many 3<sup>rd</sup> outreach sessions visiting early years groups, but the core business of running 2 outdoor play sessions per week continued to be funded by the City.

Table 1.0 Total Attendance 2011

VENUE	2011							
	Term 1		Term 2		Term 3		Term 4	
	Parent	Child	P	C	P	C	P	C
Manning Park, <b>Hamilton Hill</b>	301	371	152	209	148	167	292	274
Freshwater Reserve, <b>Atwell</b>	64	83						
Hopbush Park, <b>South Lake</b>			55	70				
Nicholson Reserve, <b>Yangebup*</b>					84	100		
Hargreaves Park, <b>Coolbellup</b>							71	67
Early Years Groups	17	21	34	43	95	84	41	47
Rained out	-			3				1
Public Hols	2			1				
<b>Total Participants</b>	<b>857</b>		<b>563</b>		<b>678</b>		<b>792</b>	

*\*Indoor option*

The table above shows that the 1<sup>st</sup> and 4<sup>th</sup> term is the most popular, which is to be expected considering it is an outdoor program. There has been an increase in numbers as the program has progressed and awareness increased. The 3<sup>rd</sup> term has slightly lower numbers, despite the indoor option, probably due to cold weather and illness.

Table 2.0 Attendance 2012

VENUE	2012					
	Term 1		Term 2		Term 3	
	Parent	Child	P	C	P	C
Manning Park, <b>Hamilton Hill</b>	267	356	173	235	187	253
Goodwill Reserve, <b>Atwell</b>	235	310				
Bibra Lake Reserve, <b>Bibra Lake</b>			153	218		
Nicholson Reserve, <b>Yangebup*</b>					61	84
Hargreaves Park, <b>Coolbellup</b>						
Early Years Groups	15	15	9	19	8	8



VENUE	2012					
	Term 1		Term 2		Term 3	
	Parent	Child	P	C	P	C
Rained out			4			
Public Hols	1		1			
<b>Total Participants</b>	<b>1198</b>		<b>807</b>		<b>601</b>	

The program has proved to be highly successful with an average of 722 attendances per term during 2011 rising to an average of 868 attendances per term during 2012 to date.

The outreach sessions (3<sup>rd</sup> sessions) have informed Froggy participants of other City of Cockburn services and vice versa which has been an important networking and promotional outcome. It is envisaged that once per term a third session will be delivered to continue this cross promotion and networking outcome into the future.

Participants' evaluations via surveys show consistently high levels of positive feedback in terms of satisfaction levels with 89% of people surveyed in 2011 reporting satisfaction with the service, and 95% of people surveyed reporting satisfaction with the service in 2012.

Anecdotal feedback from City of Cockburn staff and other service providers report very positive feedback about the program. For example it has been selected on more than one occasion to be an example of a successful Local Champions project when the Minister of Education, Peter Garrett was visiting Perth.

Please refer to the attached Froggy's Fun on the Green Evaluation Report 2012 for full attendance and evaluation details.

The Froggy's fun on the Green Service is also assisting to meet the following strategy contained in the City of Cockburn's Children's Services Strategic Plan 2010-15.

#### Recommendation 7

The City investigates relevant initiatives, including working in partnership with other organisations where relevant, in the provision of interventions and safe active recreation activities for children and young people, in popular parks and public open spaces.

The outcomes for this program have been achieved beyond expectation in terms of attendance with the highlights being the program attracting Culturally and Linguistically Diverse (CALD) families, grandparents and fathers. The service has also received high levels of customer satisfaction over the two year period, and has not experienced any significant operational difficulties. The in-house service provided has proven to be cost effective, consistent, and of a high quality. Having an in-house model has also provided an increased ability to continuously improve the service, and refer isolated families



to appropriate City of Cockburn support services, and other service providers in the District.

The evaluation report recommends: It is recommended that Froggy's Fun on the Green continues to be funded by City of Cockburn as a key early year's program for families with young children in a critical period in their life and their child development.

### **Strategic Plan/Policy Implications**

#### **Community & Lifestyle**

- People of all ages and abilities to have equal access to our facilities and services in our communities.

#### **Budget/Financial Implications**

The net cost to Council for 2011/2012 financial year was \$25,738 which was within the annual budget. The program also operated within budget for the 2012/2013 financial year with a net cost to Council of \$27,710.

The program will continue to require an annual operating budget of \$27,710 plus CPI and any Enterprise Agreement salary increases for the 2013/14 financial year and beyond.

#### **Legal Implications**

N/A

#### **Community Consultation**

Surveys are conducted with participants every term with the vast majority reporting being very satisfied with the service. Out of 138 respondents surveyed to date 89% reported a very high degree of satisfaction in 2011 and 95% in 2012.

The main strengths indicated by participants of the program were that there is a wide range of equipment and activities, the staff are competent and friendly, there is an opportunity for parents and children to socialise and the service is outdoor and free. There were very few weaknesses mentioned and most i.e. weather, insects, lack of coffee van were beyond the control of any outdoor program.

Where possible, suggestions for improvements were incorporated into the program.

Additional details and summary results of the surveys are contained in the attached evaluation report.



**Attachment(s)**

Froggy's Fun on the Green Evaluation Report 2012.

**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**17.3 (MINUTE NO 4948) (OCM 13/12/2012) - ABORIGINAL CULTURAL & VISITORS CENTRE FEASIBILITY STUDY REPORT (CR/L/013) (G BOWMAN) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) receive the Feasibility Study: Aboriginal Cultural and Visitors Centre Report, as attached to the Agenda;
- (2) update the Bibra Lake Management Plan to include the recommendations in the feasibility study relevant to Bibra Lake Reserve which includes:
  1. The co-location of the Aboriginal Cultural Centre with the proposed Visitors Centre.
  2. The recommended site for the co-located facility to be on the western side of Bibra Lake as described in p36 of the report.
  3. The estimated total floor size for the co-located facility be 1,500 sq.m. plus parking and outdoor spaces (which equates to 6,500 sq. m. of the Bibra Lake Reserve) to be set aside for this purpose.
- (3) increase the capital works budget for the implementation of the Bibra Lake Management Plan by an additional \$1M to bring the total to \$14,640,000 for the 2018/19 financial year, with the additional \$1M to be sourced from external grant funding;
- (4) include the recommended estimated additional net operational cost to Council for the Aboriginal Cultural and Visitors Cafe Centre facility of \$101,000 per annum, as depicted in p39 of the report, for consideration in Council's strategic and budget planning documents for the year 2019/2020;



- (5) include a budget request for Council consideration for consultancy services to develop a Tourism Strategy of approximately \$50,000, in 2016/17, in accordance with Recommendation 8 of the report; and
- (6) include a budget request for Council consideration to increase the Aboriginal Community Development Officer's Position by 0.4 FTE to a full time position in the 2016/17 budget to develop Aboriginal Community capacity building, in accordance with Recommendation 13 of the report.

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

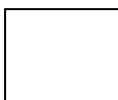
The City of Cockburn has been taking action over the past number of years to build and strengthen relationships with Aboriginal and Torres Strait Islander people in the district via its Aboriginal Reference Group (established 2002), Aboriginal Community Development Officer staff position (since 2003), participation in NAIDOC and Reconciliation Week activities and the adoption of the *City of Cockburn Reconciliation Action Plan 2011-2013*.

**Submission**

N/A

**Report**

The City of Cockburn Reconciliation Action Plan 2011-13 (RAP) adopted by Council in May 2011, contained an action to conduct a feasibility Study regarding an Aboriginal Cultural and Visitors Centre. The City subsequently applied for and was successful in receiving a \$15,000 grant from the Department of Resources, Tourism and Energy which required matching Council Funds of \$15,000 to conduct the study. Following the budget allocation the City undertook a tender





process and evaluated Better Ways Found/ Diverse Travel as the most suitably qualified and experienced consultancy firm to conduct the study.

The consultants then undertook a research, community consultation, and key stakeholder engagement process to determine the feasibility of an Aboriginal Cultural and Visitors centre for the Cockburn District.

As part of the consultancy they were required to provide recommendations regarding the following:

- The feasibility of the Centre
- The preferred operational and management model,
- The preferred location for the facility
- The capital works cost of the facility
- The operational income and expenditure budget of the facility

Based upon research and current trends the consultants have strongly recommended that a standalone accredited Visitors Centre is not currently feasible for the City of Cockburn. Instead they have recommended a co-located model with a staged approach to create viability for both the Visitors Centre and the Aboriginal Cultural centre making it feasible to proceed. Following community consultation and research the recommended model for the Aboriginal Cultural and Visitors centre is an Educational and Tourism model which will include education of Aboriginal and specifically Nyungar Culture to Aboriginal and Non-Aboriginal People. The Centre is proposed to be a place of learning about Nyungar Culture, language, music, art and dance. It will include a range of experiences and activities for a broad age range of the community. In the 'Tourism' sense, activities commonly offered via Cultural Centres to the public often include:

- Bush story trail – usually a guided bush tucker / bush medicine walk
- Tool making and spear or boomerang throwing workshops
- Art, Music and Dance performances and workshops
- Static displays – interpretive centre with timeline stories, hands on activities. Displays include traditional clothing, artefacts and weapons
- Art Gallery
- Retail Shop
- Café
- Welcome to Country – point of contact for booking the appropriate person to conduct the Welcome to Country Ceremony.
- Indigenous Educational Programs that fit the school curriculum
- Dance Troupes - point of contact for the booking of dance troupes.
- Meeting Rooms / small conference rooms; and
- They offer the Indigenous Community a Keeping Place to preserve, protect and promote culture.



To underpin a successful Cultural Centre there needs to be a strong and healthy Indigenous community that has well defined cultural objectives so capacity building over a medium term is required in readiness for the Centre to be opened successfully which also provides local community benefit.

A review of the City' RAP has highlighted the following areas where the development of an Aboriginal Cultural Centre could align with this plan:

- *Creating opportunities to build and strengthen relationships between Aboriginal and non-aboriginal people across Cockburn. Strengthening relationships – develop a venue for Aboriginal and non-Aboriginal seniors to come together to share stories and build understanding and connection.*
  - Achieved through Cultural Centre which has an educational and an active story telling element eg. living library/human library.
  - Positive role modelling of successful Aboriginal employment.
- *Ensure that NAIDOC and Reconciliation week events are increasingly supported.*
  - The Cultural Centre hosts these types of events and others.
- *Strengthen communication with Events Team and Arts/Cultural area at Council to ensure inclusion of Aboriginal interests in concerts and events. Artworks – increase provision of public art, and commit to purchasing artwork annually for display.*
  - The Cultural Centre has the space to host indigenous and non-indigenous events.
  - Council owned indigenous art is housed in the Cultural Centre and displayed.
- *Provide a Cultural Bus tour during Reconciliation week.*
  - Use Cultural Centre as pick up point for this.
  - Use guides on the bus tour as a way of training future Cultural Centre staff.
- *Cultural Awareness and Development Training for community/Council.*
  - Centre could be a “Centre for Excellence” in Cultural Awareness Training for corporates and communities. Significant numbers of organisations now have or are committed to a RAP. This could provide base funding and volume to make the financials work for the Cultural Centre element.



- *Increasing visibility of Aboriginal and Torres Strait Islander culture and peoples across the City.*
- *Ensure maintenance of Aboriginal Oral History Project, ensuring audio recordings preserved.*
  - Provides a location for the project to be preserved.
- *Welcome to Country.*
  - A booking and contact point for all organisations and not just Council.
- *Schools – establish firmer links with Aboriginal section of District Education Office.*
  - Cultural Centre can provide educational tours as a focus.
- *Nyungar Language – incorporates into Aboriginal History brochure and use this at the Centre.*

Through the development of the City's RAP and various discussions, the opportunity to become a "Centre for Excellence" in Cultural Awareness Training for the Cultural Centre was explored. An initial review of this opportunity demonstrates that whilst there are lots of online learning options, which aren't necessarily based in WA, there are few easy to access, face to face learning opportunities. With significant numbers of organisations within WA and Australia either now having a RAP, or committing to having one completed by the end of the 2012, this seems to be an excellent opportunity to provide a central hub, which would act as a revenue support for the Cultural Centre. In order to progress this training opportunity and build Aboriginal Community capacity in readiness for the Aboriginal Cultural Centre the current Aboriginal Community development Officer role would need to be increased to a full time position requiring an extra 0.4 FTE.

The Aboriginal Cultural Centre facility will require outdoor undercover spaces of approximately 1200 sq.m. plus access to surrounding Bushland, and a total floor size of 1500 sq.m. Inside the centre a space will be required for a static and interactive museum display, a number of multifunctional large spaces for a variety of cultural awareness training, educational, and general activities. These spaces will be available for hire and culturally significant events and activities. There will also be provision made for a retail shop to sell local Aboriginal products and provide visitors information. The Centre will provide the opportunity for anyone to meet and get to know a number of Aboriginal people, and it will provide a place for the Aboriginal Community to



celebrate and recognise significant cultural events and activities. It is envisaged that school students, local residents and their visiting relatives, organisations or individuals seeking Aboriginal Awareness Training, cruise ships visitors, youth groups, families, and other local visitors will utilise the Centre. This large number of visitors will therefore require ample bus and car parking for the facility. The total land area required for the facility is 6500 square metres.

A range of location options across the District were explored with a number having merit in the long term. Bibra Lake was identified early in the process as a suitable site with significant Aboriginal Cultural heritage, however after more detailed consultation with the Aboriginal Reference Group the Eastern side of the lake adjacent to the Wetlands Education Centre and Native Arc was considered by the Aboriginal Reference Group to be culturally unsuitable for Aboriginal men. The Wetland Education area is considered to be a place of cultural significance for Aboriginal Women and children, but it is not culturally appropriate for Aboriginal Men to have an ongoing presence there.

A number of site options surrounding the remainder of Bibra Lake were then explored and the recommended site was determined to be the western side of Bibra Lake located on Progress Drive. See attached site plan. This location is culturally appropriate, accessible via public transport, has high visitor numbers, and is located near the play ground, Adventure World and it backs onto high grade bushland suitable for cultural tours and activities.

The consultants recommend the bushland side of Progress Drive to ensure that visitors to the Aboriginal Cultural and Visitors Centre gain an authentic Aboriginal Cultural experience that cannot be achieved on the opposite side of the road where there are manicured lawns, playground facilities and public toilets. The Aboriginal Reference Group also believes it is important that the centre be directly located in a natural bushland setting so that the centre and the outdoor spaces are connected in a culturally appropriate way to the bush. However, due to the proposed co-location of the cafe/kiosk and Visitors Centre being crucial to the financial viability of the overall Aboriginal Cultural Centre and Visitors Centre model, people utilising the children's playground or lakeside facilities who wish to access the cafe / kiosk would be required to walk across Progress Drive. It is envisaged that many families will wish to access the cafe/kiosk and so a suitably safe and cost effective pedestrian crossing would need to be investigated and engineered and this will then need to form part of the project cost. There will also be additional car parking proposed within the development site to address the current shortage of car parking at Bibra Lake during peak periods of use.



The consultants have also investigated the possibility of relocating the Wetlands Education Centre and the Native Arc operations to the western side of the lake, to provide an opportunity of shared facilities with the proposed Aboriginal Cultural Centre / Visitor Centre. However, this was deemed to not be feasible due to the worth of the natural environment and built infrastructure within the current Wetlands precinct, which is best suited for their operations. The cost of duplicating this infrastructure did not make economic sense and the highly significant volunteer hours which have been invested in enhancing this natural bush and lake side area are not able to be easily transferred to the western side of Bibra Lake.

It is envisaged that the Wetlands Education Precinct Group which includes the Wetland Education Centre, Native Arc, and the 1st Bibra Lake Scouts group will expand its membership to include the Aboriginal Culture and Visitors Centre. This will enable the groups to work together collaboratively to share resources and to have a joint marketing strategy and promotional materials, without needing to share a common facility. It is also envisaged that there will be shared catering opportunities and jointly planned student and visitor tours with transport from one site to the other provided within the tour package. A collaborative arrangement should ensure that Bibra Lake becomes a unique tourism destination which improves the viability of all the organisations involved in the precinct and maximises the potential offered by the Bibra Lake environs.

The proposed development of a Visitors Centre inclusive of a cafe/kiosk is already contained and budgeted for within the Bibra Lake Management Plan to the value of \$3M for the 2018/19 financial year. However the floor space required for these co-located functions of Aboriginal Cultural Centre and Visitor Centre will need to increase to 1500 sq. m. which will require an additional \$1M in capital works funding in comparison to the funds budgeted for the stand alone Visitors Centre/Cafe. It is recommended that there be a requirement for the additional capital works funding to be sourced through external grant funding from Lotterywest, and the Department of Resources Energy and Tourism (TQUAL). Additional costs for a drive way, services to the site and additional car parking of approximately \$400,000 have been included after discussions with relevant planning, and engineering staff bringing the total capital works cost to \$4M.



Table 2.0 Capital Cost Estimate – Construction &amp; Fit Out

	Estimated Size Requirements Sq. M.	Rider Levett Bucknell Construction Cost 2012 Estimates		Fitout Estimates
Cafe – 50 seat	120	\$1,380	\$165,600	\$55,000
Gallery/Interpretation/Walkways & Amenities	450	\$1,380	\$621,000	\$250,000
Meeting Rooms	500	\$1,380	\$690,000	\$300,000
Presentation Space	200	\$1,380	\$276,000	\$120,000
Retail	100	\$1,380	\$138,000	\$50,000
Administration & Storage	130	\$1,380	\$179,400	\$142,750
	1,500		\$2,070,000	\$917,750

Table 2.1 Capital Cost Estimate –

	Estimated Size Requirements Sq. M.		Cost Estimate
Design – Architects & Plans, including community consultation			\$80,000
Estimated Construction	1,500		\$2,070,000
Estimated Layout	N/A		\$917,750
Estimated Landscape/signage & connections	1,200	\$120	\$144,000
Car Parking	50	\$2,420	\$121,000
			\$3,332,750
Contingency – 8%			\$267,250
Additional Carparking, services, Improvements			\$400,000
Total Cost Estimate			\$4,000,000

The proposed co-location of the Aboriginal Culture Centre with the Visitors Centre/ cafe will ensure that there is a unique tourism destination of interest from a visitor and tourism perspective to make the Visitors Centre and cafe viable. From the Aboriginal Cultural Centre perspective the cafe will provide basic visitor's information, culturally appropriate refreshments, and the lease income generated from the cafe/kiosk will subsidise the staff employment costs which will ensure financial sustainability for the co-located centre model. The proposed model is that the commercial rent collected by the City from the Cafe operator would then subsidise the operational cost to Council in employing staff to operate the Aboriginal Cultural and Visitors Centre. In order to realise the potential of the centre and adequately promote and operate the Centre there will be the need for one coordinator and one full time equivalent staff plus casual staff to provide a 7 day per week range of services. This equates to employment of 2.5 FTE staff (which is in addition to the existing position of the Aboriginal Community Development Officer position) to operate the centre which is included in table 1.0.



Table 1.0 Proposed Operating Budget

<b>Aboriginal Cultural Centre Annual Operating Budget:</b>	
<i>Summary by Revenue Stream</i>	
Tours Educational	\$19,370
Tours- general visitors & retail	\$7,507
Room Hire	\$9,370
Training Revenue	\$80,000
Cafe Commercial rent 120sqm \$210 sqm	\$25,000
<b>Total Income</b>	<b>\$141,247</b>
<i>Summary By Expense</i>	
Salaries & Wages (2.5FTE)	
L6/Cord - Level 4 x2-	\$200,000
Catering costs	\$7,700
Operating costs	\$5,000
Minor equipment	\$2,000
Marketing	\$10,000
Tour Materials	\$3,000
utilities, outgoings, maintenance	\$10,000
Grounds maintenance	\$5,000
<b>Total expenses</b>	<b>\$242,700</b>
<b>Net Cost to Council</b>	<b>\$101,453</b>

## Indirect Costs

Depreciation 2.5% of \$4M	\$100,000
Indirect Costs – ABC Charges per 3 FTE	\$90,000
<b>Total Indirect</b>	<b>\$190,000</b>

The consultants have undertaken the consultation and research process and feasibility study and have made the following key recommendations for consideration.

*Recommendation 1* - The City of Cockburn to develop their tourism product and appeal. This includes active involvement in the Catalpa Tourist Drive, joining Experience Perth, updating websites, leveraging their coastal developments and marketing their most appealing walks and trails.

*Recommendation 2* - Follow-up on the Perth Waterfront Iconic Indigenous Cultural Centre, regarding the progress of the noted initiatives and determine their impact or suitability going forward on the Iconic Cultural centre proposed for the Power station precinct.

*Recommendation 3* - Further investigate the commercial viability of a “centre of excellence in cultural awareness training” which could be facilitated in a range of hired venues initially. If established this would provide a source of revenue, and also a rich training ground for future Indigenous guides/staff.



*Recommendation 4* - Discussions to take place to determine possible shared administrative resources and co-ordinated marketing activities with the current Cockburn Wetlands Education Precinct.

*Recommendation 5* - Approach and discuss with stakeholders and potential joint venture partners various consultancy and support services that can support the preferred co-location operational model

*Recommendation 6* - Undertake "living library" opportunities to use the current Council resources to include local indigenous community members.

*Recommendation 7* - The City of Cockburn not progress the stand-alone development of a Visitor Centre, instead harnessing the surrounding visitor centre resources until sufficient tourism product is developed.

*Recommendation 8* - Develop an Integrated Tourism Strategy, and take an active role in developing further tourism product in the City, helping it to become packaged and promoted, and training the staff at nearby Visitor Centres on the range of product available.

*Recommendation 9* - As an interim strategy select your best walking trails which show off your natural attractions and market these, and focus on the Catalpa Tourist Drive or similar concept, working collaboratively with other local government and private enterprise.

*Recommendation 10* - Collate tourist information for the website and for static display at the proposed Aboriginal Cultural and Visitors Centre.

*Recommendation 11* - Update the Council website with new marketing material and information to communicate the attractiveness of the Cockburn area from a visitor's perspective

*Recommendation 12* - The City to join tourism membership organisations such as Experience Perth to leverage their expertise in marketing collaboratively your region.

*Recommendation 13* - Build the capacity of the Aboriginal community in readiness for the Aboriginal Cultural and Visitor Centre and provide Aboriginal Cultural Awareness Training to external participants by increasing the Aboriginal Community Development Officers position by two days per week to a full time position.

*Recommendation 14* - It is recommended that an Iconic Aboriginal Cultural Centre area be included in the future developments of the





Power Station precinct of Cockburn Coast. It is anticipated that this would be a long term objective (15 – 20 years).

*Recommendation 15* - It is recommended that a 1,500 sq.m. co-located Aboriginal Cultural Centre and Visitors Centre facility be constructed at Bibra Lake West. The Bibra Lake Management Plan includes a significant investment in a Visitor Centre from 2016 onwards of \$3M. The increased size of the facility will require the City to source a quarter of the capital works funds which equates to \$1M from external grant funding in order to construct the co-located facility.

*Recommendation 16* - That Council adopt the proposed co-located management model of an Aboriginal Cultural and Visitors Centre. This management model would require Council to employ 2.5 staff to enable 7 days per week operation.

*Recommendation 17* - That Council adopt the preferred site for the co-located Aboriginal and Cultural Centre at Bibra Lake West on the western side of Progress drive.

In summary the report has recommended that a co-located Aboriginal Cultural and Visitors Centre is feasible on the condition that it receives operational funding from the Council to employ staff to operate the facility, whereas they have recommended against the development of a separate standalone accredited visitors centre at this time. These recommendations have significant financial implications for Council to consider.

### **Strategic Plan/Policy Implications Infrastructure**

- Community facilities that meet the diverse needs of the community now and into the future.
- Facilities that promote the identity of Cockburn and its communities.

### **Community & Lifestyle**

- Communities that are connected, inclusive and promote intergenerational opportunities.
- The significance and richness of our local Indigenous people and diverse multicultural community will be recognised and celebrated.

### **Environment & Sustainability**

- To protect, manage and enhance our natural environment, open spaces and coastal landscapes.



### **Budget/Financial Implications**

The recommended one million dollar capital works budget increase in 2018/19 in the Bibra Lake Management Plan budget is required to be funded by external grant funding. Therefore no net cost increase to Council is required for the capital works budget.

The 0.4 FTE cost increase in the Aboriginal Community Development Officer Position to a full time position will be \$27,800 per annum plus Enterprise Agreement increases for the 2016/17 financial year.

The budget request for the Tourism Strategy is estimated to be \$50,000 for 2016/17 financial year

The net operation cost for the operation of the Aboriginal Cultural and Visitors Centre from 2019/20 onwards is estimated to be \$101,000 of direct cost to Council per annum.

### **Legal Implications**

N/A

### **Community Consultation**

Extensive community consultation was undertaken with the Local Aboriginal Community, Aboriginal Reference Group and Wetlands Education Precinct group. Key stakeholders, Elected Members, and key staff were also contacted and offered an interview by the consultants. Two public meetings and an on-line survey was also advertised and conducted as part of the process. A total of 70 people provided feedback to the consultants.

### **Attachment(s)**

1. City of Cockburn Aboriginal Cultural and Visitor Centre Feasibility Study Report – July 2012
2. Site Plan

### **Advice to Proponent(s)/Submissioners**

The Aboriginal Reference Group who were consulted in the preparation of the Report have been advised that this matter is to be considered at the December Council Meeting.

### **Implications of Section 3.18(3) Local Government Act, 1995**

Nil.



**17.4 (MINUTE NO 4949) (OCM 13/12/2012) - MEN'S SHED FEASIBILITY STUDY REPORT (CR/L/001) (G BOWMAN) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) receive the Men's Shed Feasibility Report, as attached to the Agenda;
- (2) include a Budget request for Council consideration of \$47,500 for each of the 2013/14 and 2014/15 financial years to fund an interim Men's Shed in Wattleup, in accordance with the proposal outlined in the Report;
- (3) the Minister for Lands be requested to change the purpose of Reserve 12243 from 'Drainage' to 'Community Centre'; and
- (4) subject to the approval of the Minister for Lands, commit to the construction of a purpose built Men's Shed at Lot 73 Buckley Street, Cockburn Central, in accordance with the proposal outlined in the Report.

**COUNCIL DECISION**

MOVED Clr Y Mubarakai SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 9/0**

**Background**

At the Ordinary Council meeting held in October 2011 Council resolved to consider the allocation of funds to appoint a consultant to undertake a research and consultation study for a Men's Shed in the City of Cockburn in the mid-year review of the 2011/12 Municipal Budget.

**Submission**

N/A



## Report

Following the Council decision funds were allocated to appoint a consultant to undertake a Men's Shed Feasibility Study in February 2012. The City then went through a request for quotation and evaluation process to appoint the consultant Janelle Munro to conduct the study.

The Consultant undertook the following key strategies to complete the study:

- *Strategy 1: Conduct community, key stakeholder and staff consultation and engagement regarding the project. Undertake research regarding service and facility models for Men's Sheds that are compatible with Cockburn's unique requirements, and make evidence based recommendations regarding the need and demand for the project and a preferred service and facility model*
- *Strategy 2: Complete a needs analysis and feasibility study report for a Men's Shed in the Cockburn District with evidence based recommendations, information regarding a preferred model of service delivery inclusive of a management plan, a preferred site(s), and sufficient information to proceed to the next stage if it is deemed feasible to proceed.*

Following the consultation and research process the consultant recommends that the City develop an interim, a medium term, and a long term Community Men's Shed facility to meet the current and future needs of the City.

The number of males aged over 65 is expected to increase by 3,161 (87.6%), and represent 11.5% of the population by 2021. The male age group which is forecast to have the largest proportional increase (relative to its population size) by 2021 is 80-84 year olds, who are forecast to increase by 110.5% to 783 persons.

Most of the sheds visited reported that they have between 20-25 people a day use the facility. This gives direct access and benefit to approximately 100 people over a week. It is expected that the purpose built facility will accommodate 300 members plus use for community programmes and therefore broadening the impact.

During the consultations with other sheds it became obvious that many of the programmes that operated within the sheds contributed significantly to their community including:



- Youth mentoring programmes
- Repairs to equipment and furniture for community play groups and sporting clubs
- Helping with community events
- Membership mentoring
- Partnerships with Community businesses
- Partnerships with community services including HAAC, Disability organisations, Education Department, Department of Veterans Affairs, local government services

As the proportion of older people increases over the coming decades the needs of the population will change. Utilisation patterns and preferences will evolve to include services that support continued good health and independence. Services aimed at older people will need to address physical, mental and social needs.

The existing Seniors Centre facility and the Cockburn Community Care programme has been very effective in meeting the needs of older women with 80% of members being female but has been less able to attract older men indicating an unmet need for men in the City.

The demographic commonly found in Men's Sheds is predominately older retired men who have spare time and a desire to give back to their community. However younger men who fly in fly out or are unemployed are also attracted to these facilities. Both groups are present in the City of Cockburn and are potential users of a Men's Shed facility.

### Key Consultation Findings

Community consultation was undertaken using online questionnaires, hard copy questionnaires, community meetings at both the Seniors Centre and Youth Centre, individual contact by phone or email to relevant community organisations and staff at the City of Cockburn.

Sixty six people from the community consultation responded that they would attend such a facility indicating that there is a significant demand for a Men's Shed facility. There were only two respondents that said they were not interested.

Service organisations and community groups as well as key staff from the City of Cockburn expressed support and indicated a need for such a facility.

Community feedback and research identified the need for the Cockburn Community Men's Shed to provide a safe, supportive and friendly environment for people of all ages to gather, volunteer, work, teach, learn and seek fellowship with other like - minded people. It will



provide a facility equipped for woodwork and metal work and space for social interaction and other activities that are identified by the members.

Although there are parts of Cockburn that have a higher proportion of older people, here was no significant difference in the responses from the questionnaire in relation to need or interest in a Men's Shed in any one ward area.

<b>West Ward</b>	<b>Central Ward</b>	<b>East Ward</b>
No. of respondents - 22	No. of respondents - 22	No. of respondents - 24

During the public consultation sessions there appeared to be a consensus of opinion that it would not make a great deal of difference where it was although it would be best located near public transport. The men indicated that they would be prepared to travel to a location and it was more important to find something that would accommodate a suitable sized shed to meet their needs now and into the future.

Interim Location

There was considerable discussion about existing buildings that might be suitable but nothing was available for long term use. However the existing shed at the former Wattleup Fire Station location would be available for the next two years and would be an acceptable temporary option for the Men's Shed. The location is not close to public transport, however the majority of the people during the consultation identified that their preferred option to get to the facility was to use their own car. There is ample parking on site and it is not in a residential location so noise is not a consideration.

This interim location at Wattleup allows for quick set up and space for members to meet and maintain the momentum generated from the public consultation. The existing shed has an area of 295sqm and is available for the next two years. The size of the shed would accommodate a woodwork area and some social programmes.

This temporary location allows the immediate set up of the shed and will provide information regarding viability and community impact to support the funding proposal to Lotterywest for a new purpose built Community Men's Shed facility.

*Recommendation 1 - That an interim shed at the Wattleup location be set up to take advantage of the community momentum while the funding applications and construction for the new purpose built facility are being progressed.*



*Recommendation 2: That approval for use of the interim shed be seen as a priority as the site at Wattleup is due for compulsory acquisition by Land Corp in 2015.*

### Purpose Built Location

During the consultation the participants offered various suggestions. The option to build on a site at the Resource Recovery Park was also put forward but this location was not thought to be suitable for a long term option because of distance and lack of public presence.

Discussions with officers from the Department of Regional Development and Lands have been undertaken to determine an appropriate reserve purpose. 'Men's Shed' would be too prescriptive whereas should the use of the facility change in the future 'Community Centre' should be appropriate for a range of activities.

After considerable discussion, the final proposed site was unutilised Crown Land located on Buckley Street, Jandakot.

This block of land is 4000sqm is size:

- close to public transport just off North Lake Road
- non residential location so will not have any noise implications for neighbours
- ample space for parking
- large enough for the proposed new build and possible community storage shed

*Recommendation 3: That 2,000sqm of the unutilised crown land at Buckley Street Jandakot be made available for a purpose built Community Men's Shed facility.*

### Long Term Future Need Location

It is likely that a second location would be required in the future. The economic profile and demographic information would support the development of the second location in the Spearwood area.

Interest and membership has been shown to increase dramatically in other sheds. Factors that will contribute to this need for the City of Cockburn are:

- the overall population of the City of Cockburn
- the ageing population that will increase substantially over the next 10 years
- a major user of these facilities is older men with time on their hands
- the geographical distance that the City covers
- the potential for the facility to attract the younger population



- the interest for use of the facility by women in the community
- the potential for increased use by community based projects like HAAC and Youth programmes

Stirling City Community Shed has been opened less than 2 years and has 125 members and 25 volunteers. They also have a HAAC funded programme that runs weekly. They have currently closed their books to new membership as they do not have enough space to accommodate more members. They are considering a second location that will distribute the availability of this service more evenly across the large geographical distance within their boundaries.

*Recommendation 4: That the scope for the Learning for Life/ Seniors Centre in Spearwood be expanded to include a second Community Men's Shed facility of approximately 450 sq.m. at a cost of approximately \$500 per sq.m. to meet the future needs of the population in the City of Cockburn in 2018/19.*

*Recommendation 5: That additional staffing of 1 FTE be included in staff costing*

#### Shed Facility Options

##### *Interim Shed Facility requirements*

In order to capitalise on community interest a number of interim options were explored with the interim use of an existing shed with an area of 295sqm at Wattleup for the next two years being the most cost effective and immediate. This allows for quick set up and space for members to meet and maintain momentum of the group.

Equipment funding may be sourced from local service organisations like Lion's Club who have indicated their interest in providing some financial support for the Men's Shed. Other funding can be sourced from donations for equipment and refurbishment and sponsorship from commercial interests. Membership can also be built up during the interim stage and this will then generate some income.

The funding application has a better chance of approval if the shed has proof of viability and ongoing impact on the community. The outcomes from the interim shed would provide information to support future funding proposals.

*Recommendation 6: That the City of Cockburn allocate the cost of shed maintenance, utilities, depreciation and Security for the two year interim shed at the Wattleup location in the 2013/14 budget*





### *Purpose Built Shed Requirements*

The purpose built shed would need to be a minimum 650 sq.m. to meet the programme needs identified in the consultation and to ensure that the space is large enough to accommodate future growth and would initially provide the following facilities:

- Delivery dock:
  - \* undercover with roller door
  - \* lockable
  - \* large enough for a truck to drive into
- Wood work machine room:
  - \* 100 sq.m. for preparation of wood
  - \* house large equipment like docking saw, ripping saw, surface plane
  - \* Thick separating wall to decrease noise to other parts of the building
- General work bench space:
  - \* 100 sq.m. for use with smaller hand tools and finishing off projects
- Lockable walk in storage area:
  - \* 30 sq.m. for hand tools and other portable equipment close to the general work bench space
- Metal work shed:
  - \* 100 sq.m. with attached annex for outside work. The metal work space needs to be positioned away from the woodwork area and would be ideally situated on the opposite side of the loading dock area.
- Large kitchen area:
  - \* used for cooking classes, and possibly hired space for training (Cert 1 Hygiene)
- Meeting room/s separate from the work spaces for computers, tables for planning projects and seating for social interaction. These can also be used for hire to support the facilities income.
- Office space for at least two people
- Toilets and wash room
- Community Storage Space - The need for a Community Storage facility is currently being explored and this could be included on the site if that need is established.



The City of Cockburn would apply to Lotterywest for the cost of the Capital Works and would own the building when completed. Other funding sources may include Department of Veteran Affairs (DVA) depending on DVA funding criteria.

*Recommendation 7: That the City of Cockburn is responsible for the application funding to Lotterywest and the project management of the purpose built Community Men's Shed on the Buckley St, Jandakot location.*

### Management Structure Options

There are two acceptable management options that are presently in place in other sheds.

#### *Paid Co-ordinator employed by a LGA:*

- City of Stirling's Community Men's Shed is fully owned and run by the City of Stirling. It has a full time Coordinator employed by the City of Stirling and no management committee at this stage. There are some difficulties with responsiveness of this model as all decisions have to pass through Council before they can be acted upon. They are in the process of considering independent incorporation for the Men's Shed with a paid coordinator remaining an employee of City of Stirling because of the implications of the OH&S legislation.

This model of paid coordination provides the opportunity for ongoing support for a wide range of programmes and activities to meet the need of the wider community. It reduces the risk of the facility becoming insular in its approach to membership and programmes and it still allows for members to have input into the overall and day to day management of the shed. It supports the ongoing sustainability of the facility.

However the implications for funding a fulltime position are significant and could be cost prohibitive.

#### *Paid Coordinator employed by the incorporated body through a grant from the City*

- Fremantle has a part time coordinator and a Treasurer/accountant 4 hours per week funded by a grant from the local council. The coordinator is employed by and is responsible to the Management Committee of the Men's Shed. The difficulty with this is the overall access and programme coordination that can breakdown over time.



This model of paid coordination by incorporated body through a grant from the Council provides the opportunity for ongoing support but reduces the influence they have to ensure a wide range of access to programmes and activities to meet the need of the wider community.

A grant condition would need to include ongoing participation on the Management Committee by appropriate Council staff.

### Preferred Management Structure For Interim Facility

The preferred interim model is for sponsorship by an incorporated not for profit organisation for two years with a Shed Steering Committee and a part time Project Officer funded by a grant from the City. The project officer will support the management without compromising the ownership by the members who will have input into the overall and day to day management of the shed through the steering committee.

The Sponsoring Organisation will be responsible in the interim for the overall governance of the shed for a two year period or until the shed has become an independent incorporated not for profit body. They will be responsible for the application and supervision of the grant from the City of Cockburn.

The Steering Committee/Management Committee will consist of members from the Sponsoring organisations, City of Cockburn staff, Project Officer, members from the community.

The project officer position will report to the Sponsoring organisation and the City of Cockburn through the Steering Committee and will be responsible for:

- Supporting the set up of an interim shed
- Sourcing and supporting the application funding by the City of Cockburn for a purpose built community Men's Shed facility
- Supporting the incorporation process for the Men's Shed
- Liaising with City of Cockburn regarding existing support services available
- Identifying and liaising with other users of the Men's Shed
- Identifying an ongoing management structure
- Evaluating the overall project

For this model the City of Cockburn will provide:

- Community grant for funding of the Project Officer position
- Community development support
- Development of the funding application for the new build
- Project Management of the new build
- Provision of free rental for property



- Access to materials from the Waste Recovery Park
- Maintenance and Utilities costs

*Recommendation 8 - That the Management Model for the Interim Shed be Sponsorship by an incorporated not for profit organisation for two years with a Shed Steering Committee with a part time Project Officer funded by a grant from the City.*

The public support for this is strong and there are many people who have indicated that they would be available now to move forward with this project. This momentum and the public confidence in the consultation process could be lost if not acted on in a timely fashion.

*Recommendation 9: That the grant funding for the Project Officer Position for the Interim Shed be made available from the 2013 Community Grants Round.*

*Recommendation 10: That the City of Cockburn in the 2013/14 Budget be responsible during the two year interim shed period for the cost of:*

- *Community development support*
- *Development of the funding application for the new build*
- *Project Management of the new build*
- *Provision of free rental for property*
- *Access to materials from the Waste Recovery Park*
- *Maintenance and Utilities costs for the Wattleup shed*

#### Preferred Management Structure For The Purpose Built Community Men's Shed Facility

This model needs to be further investigated by the Project Officer during the interim Management period but provides an indicative management structure until his can be completed. The preferred longer term model is similar to that currently used at Fremantle where a grant is supplied to the incorporated not for profit organisation who then employs a part- time coordinator. During the two year interim management period, the group can work towards becoming an independent incorporated organisation with an elected management committee.

The incorporated organisation can then apply for grant funding from the City of Cockburn to employ a full time coordinator to undertake organization of programming, budgeting and shed management. A grant condition would need to include ongoing participation on the Management Committee by appropriate Council staff as well as representation on the Board of Trustees.

There would also be outcome measurements that the group would need to meet for future funding including reporting of:



- utilisation
- access demographics and evidence of diversity
- access and inclusion strategies for broader community access and benefits
- membership satisfaction

Funding implications for the City of Cockburn for a grant for a fulltime coordinator would be approximately \$80,000 per year.

This model would also have ongoing Council budget considerations including:

- Building maintenance
- Depreciation
- Utilities costs
- Building insurance
- Security
- Resourcing for existing staff liaison with management committee and board meetings

*Recommendation 11 - That the longer term management model for the Purpose Built Community Men's Shed is an independent incorporated not for profit organisation with a Management Committee and a fulltime coordinator funded by a Grant from the City.*

*Recommendation 12 - That the cost of Peppercorn Rent, Outgoings and Maintenance be borne by the City of Cockburn*

*Recommendation 13 - That a long term management plan for the Community Men's Shed facility in the Learning for Life/ Seniors Centre be developed and be included in the overall planning of this centre.*

### Steering Committee

A broad representation of people on the Steering Committee will allow for a diverse range of skill, opinions and ideas and will ultimately provide a more representative expression of the needs of the community.

*Recommendation 14 - That a steering committee be formed consisting of members from the Sponsoring organisation, City of Cockburn staff, and volunteers from the community consultation. The makeup of the committee should be as representative of gender, age, ethnicity, disability, skills and interests as possible.*

### Insurance

During the course of the research it was noted that available insurance does not cover people over 85. This was found to apply for insurance



for volunteers and was consistent across insurers. This was considered to be inequitable and discriminating on the basis of age. Although this is not an issue the City of Cockburn has any jurisdiction over it was felt that this should be drawn to the attention of the National Seniors Association.

*Recommendation 15 - That a request be made to the National Seniors Association to address the issue of age discrimination in relation to insurance for people over 85 wanting to access Men's Sheds and volunteering opportunities.*

#### Supporting Strategic Documents

The development of a Men's Shed facility actively supports the following outcomes from the Age Friendly Strategic Plan:

##### *Social Participation*

Outcome: That the ageing population in the City of Cockburn has affordable and equitable access to activities and events that support social participation and fosters well being and social integration.

##### *Respect and Social Inclusion*

Outcome: That the ageing population in the City of Cockburn are recognized and included as valuable members in the social, civic and economic life of the City.

##### *Civic Participation and Employment*

Outcome: That the ageing population in the City of Cockburn has access to opportunities to continue to contribute to their communities, through paid employment or voluntary work if they so choose, and to be engaged in the political process.

##### *Communication and Information*

Outcome: That relevant information is readily accessible to older people with varying capacities and resources.

##### *Community and Health Services*

Outcome: That the ageing population in the City of Cockburn has access to affordable quality community support services and health care.

#### Resource Requirements for the Interim Shed

If Council was to proceed with the recommendations the following resources will be required.

*Part-time Project Officer Grant- \$60,000 for the two year interim period excluding GST.*



This provides a project officer 15 hours per week for 48 weeks a year for the two year duration of the interim shed

#### *Maintenance*

Current maintenance cost for the Wattleup Shed for 2011/12 was \$4,681.95 and for 2010/11 was \$3,733.26.

The projected maintenance costs for the two year period of the interim Men's Shed would be approximately \$10,000.

*Overall Indicative Cost to Council per annum for the two year interim period to be included in the 2013/ 14, and the 2014/15 Budgets*

<b>Overall Indicative Cost to Council</b>	<b>2013/14 &amp; 2014/15 (per year)</b>
Project Officer Com Grant	30,000
Shed maintenance	5,000
Utilities	2,500
Depreciation	7,500
Security	2,000
Other	500
<b>Total for two year interim period (per year)</b>	<b>47,500</b>

#### In Kind Support from the City Of Cockburn

##### *Materials*

The Waste Recovery Park indicated it could provide access to wood and metal materials for use in the shed.

##### *Community Development Support*

This support is available to all not for profit community groups and would have no direct budget implications. These services include support with:

- Advertising for membership
- Training for committee
- Other services available to support the set up of community groups

##### *Rental*

A peppercorn rental only would be charged for the use of the interim facility.

#### Resource Requirements for the Purpose Built Community Men's Shed

##### *Application for funding for the new build*

The City of Cockburn will own the new building located on Buckley Street, Cockburn Central and therefore will be responsible for the application to Lotterywest for this. The project officer position



previously identified in the interim resourcing and the community development services can assist with this process.

*Project management of the new build*

A requirement of the funding from Lotteries west will be that the City of Cockburn is responsible for the Project Management of the build.

*Contribution from the City of Cockburn*

A further condition of the funding application will be to identify the past and present contributions that the City of Cockburn is prepared to make to the project such as a community grant for the project officer position. Contributions to the new build facility other than the land identified could include:

- Shed maintenance
- Utilities cost
- Depreciation
- Security

*Community Grant for Full Time Coordinator - \$80,000 per year*

The preference for the long term management of the Community Men's Shed is for a full time co-ordinator employed by the independent incorporated Community Men's Shed organisation with community grant funding from the City of Cockburn. This model of paid coordination needs to be explored further by the project officer to ensure that a wide range of access to programmes and activities are provided that meet the need of the wider community.

<b>Indicative one off Cost to for the Purpose Built Community Men's Shed</b>	<b>2015/16 for Budget</b>	<b>Grant funding</b>
Project Management of the new build	\$15,000	0
Valuation of Land	\$5,000	0
Lotterywest funding application for Capital Costs		\$561,000
<b>Totals</b>	<b>\$20,000</b>	<b>\$561,000</b>

<b>Indicative Ongoing Cost to Council for Community Men's Shed</b>	
Community grant for a fulltime Coordinator	\$80,000
Shed maintenance	\$5,000
Utilities cost	\$5,000
Depreciation	\$6,000
Security	\$1,000
<b>Total</b>	<b>\$97,000</b>

Long Term Future Need Location

It is likely that a second location would be required in the future. The economic profile and demographic information would support the development of the second location in the Spearwood area.





<b>Indicative one off Cost to for the Long Term Community Men's shed</b>	<b>2019/20 Council Budget</b>	<b>Grant funding</b>
Project Management of the new build	15000	0
Council allocation for capital	112,500	0
Lotterywest funding application for Capital Costs		112,500
<b>Totals</b>	<b>127,500</b>	<b>112,500</b>

<b>Indicative Ongoing Cost to Council for Long Term Community Men's Shed</b>	<b>2019/20</b>
Full time Co-ordinator	\$80,000
Shed maintenance	\$3,000
Utilities cost	\$3,000
Depreciation	\$3,600
Security	
<b>Total</b>	<b>\$89,600</b>

*Recommendation 4: That the scope for the Learning for Life/Seniors Centre in Spearwood be expanded to include a second Community Men's Shed facility of approximately 450 sq.m. at a cost of approximately \$500 per sq.m. to meet the future needs of the population in the City of Cockburn in 2018/19.*

*Recommendation 5: That additional staffing of 1 FTE is included in costing for the long term Seniors Centre.*

In summary the report outlines the significant and growing community need for an interim, purpose built facility, and additional long term facility.

The recommended management models and facilities will require significant Council expenditure for the interim, purpose built and long term Community Men's Shed facilities which needs to be considered in conjunction with the community need and benefit.

## **Strategic Plan/Policy Implications**

### **Infrastructure**

- Community facilities that meet the diverse needs of the community now and into the future.
- Partnerships that help provide community infrastructure.

### **Community & Lifestyle**

- People of all ages and abilities to have equal access to our facilities and services in our communities.



## Budget/Financial Implications

### *Resource Requirements for the Interim Shed*

Overall Indicative Cost to Council per annum for the two year interim shed to be included in the 2013/ 14, and the 2014/15 Budgets

Overall Indicative Cost to Council	2013/14
Project Officer Com Grant	\$30,000
Shed maintenance	\$5,000
Utilities	\$2,500
Depreciation	\$7,500
Security	\$2,000
Other	\$500
Total one year period	\$47,500

### *Resource Requirements for the Purpose Built Community Men's Shed*

Indicative one off Cost to for the Purpose Built Community Men's shed	2015/2016 Council Budget	Grant funding
Project Management of the new build	\$15,000	0
Valuation of Land	\$5,000	0
Lotterywest funding application for Capital Costs		\$561,000
Totals	\$20,000	\$561,000

Indicative Ongoing Cost to Council for Community Men's Shed	2015/16
Community grant for a fulltime Coordinator	\$80,000
Shed maintenance	\$5,000
Utilities cost	\$5,000
Depreciation	\$6,000
Security	\$1,000
Total	\$97,000

### *Resource Requirements for the Long Term Community Men's Shed Facility*

Indicative one off Cost to for the Long Term Community Men's Shed	2019/20 Council Budget	Grant funding
Project Management of the new build	\$15000	0
Council allocation for capital	\$112,500	0
Lotterywest funding application for Capital Costs		\$112,500
Totals	\$127,500	\$112,500



Indicative Ongoing Cost to Council for Long Term Community Men's Shed	2019/20
fulltime Coordinator	\$80,000
Shed maintenance	\$3,000
Utilities cost	\$3,000
Depreciation	\$3,600
Security	
Total	\$89,600

### Legal Implications

N/A

### Community Consultation

Community consultation was undertaken using online questionnaires, hard copy questionnaires, community meetings at both the Seniors Centre and Youth Centre, individual contact by phone or email to relevant community organisations and staff at the City of Cockburn.

Sixty six people from the community consultation responded that they would attend such a facility indicating that there is a significant demand for a Men's Shed facility. There were only two respondents that said they were not interested.

Service organisations and community groups as well as key staff from the City of Cockburn expressed support and indicated a need for such a facility.

### Attachment(s)

Men's Shed Feasibility Study Report.

### Advice to Proponent(s)/Submissioners

N/A

### Implications of Section 3.18(3) Local Government Act, 1995

Nil.

## 18. EXECUTIVE DIVISION ISSUES

Nil



**19. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**20 (OCM 13/12/2012) - NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING**

**20.1 Cllr Carol Reeve-Fowkes** – that the Chief Executive Officer organise a meeting between himself, the Director of Engineering, the Mayor, the three West Ward Councillors, representatives of Coogee Beach Progress Association and representatives of Main Roads, to discuss the increasingly dangerous safety issues and concerns in accessing, using and crossing Cockburn Road in the heavily populated Coogee Area, and that a Plan of Action and Recommendations be presented to Council.

**20.2 Mayor Logan Howlett – Removal of Street Tree, 12 Drosera Loop, Beeliar** – that Council:

1. Arrange the immediate removal of the tree located on the street verge outside of 12 Drosera Loop, Beeliar;
2. The cost of removing the tree to be met by the City;
3. Discussion be held with the owners of the property at 12 Drosera Loop, Beeliar on arrangements to plant a suitable replacement tree when the current tree is removed; and
4. The owners of the property at 12 Drosera Loop, Beeliar be notified of Council's decision.

**20.3 Mayor Logan Howlett – Cash 4 Containers Campaign** – that Council continue its support and promotion for the Western Australian Local Government (WALGA) 'Cash 4 Containers' campaign by:

- (a) engaging selected local schools (on a trial basis) to participate in the program through the provision of specially marked bins and the payment of 10c per can collected; and
- (b) writing to the Minister for the Environment, the Hon Bill Marmion encouraging him to use his existing powers under the Waste Avoidance and Recovery Act 2007 to introduce cash for containers in Western Australia.

**21. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY COUNCILLORS OR OFFICERS**

Nil



## 22 (OCM 13/12/2012) - MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE

- 22.1 Clr Bart Houwen** – that a report be presented to the February 2013 Annual General Meeting on the financial performance and opportunity development that cash surpluses have contributed to the City's projects and operational activities over the past five financial years.
- 22.2 Clr Tony Romano** – that a report be presented to the February 2013 Ordinary Council meeting detailing additional options other than a roundabout at the intersection of Mayor and Peel Roads. The report to include all options that will not impede on pedestrians and/or adjacent homes. (Clr Romano also requested that no further works be carried out until a report is presented to Council).
- 22.3 Mayor Logan Howlett** – that a report be provided to the February 2013 Council meeting on the introduction of a 40kph zone on Rockingham Road from Phoenix Road to Spearwood Avenue, Spearwood.
- 22.4 Mayor Logan Howlett** – that a report be presented to a future meeting of Council addressing the opportunity of a State Government department(s) being re-located to the City of Cockburn
- 22.5 Mayor Logan Howlett** – that a report be presented to the March 2013 Council meeting aimed at establishing a Road Safety and Traffic Management Committee of Council.

The objectives to include but not be limited to:

- Establishing a Youth Driver Education and Training Centre;
- Creating an 'on-line' district wide car pooling facility;
- Examining speed reduction strategies on identified roads;
- signalised intersections;
- Pedestrian safety;
- Bike rider safety;
- Improved bus routes;
- Major road infrastructure projects & local road synergies;
- TravelSmart Program Initiatives; and
- exploring potential partnerships and funding opportunities including:
  - Local governments in the south west metropolitan area;
  - The Western Australian Police;
  - Department of Health;
  - Road Safety Council;
  - Royal Automobile Association of WA;
  - The Department of the Attorney General (Confiscation



- Grants program);
- Insurance Council of Australia;
- Lotterywest;
- Department of Education; and
- Motor Vehicle Dealers Association; etc

**23. CONFIDENTIAL BUSINESS**

Nil

**24 (OCM 13/12/2012) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995)**

**RECOMMENDATION**

That Council is satisfied that resolutions carried at this Meeting and applicable to items concerning Council provided services and facilities, are:-

- (1) integrated and co-ordinated, so far as practicable, with any provided by the Commonwealth, the State or any public body;
- (2) not duplicated, to an extent Council considers inappropriate, services or facilities as provided by the Commonwealth, the State or any other body or person, whether public or private; and
- (3) managed efficiently and effectively.

**COUNCIL DECISION**

MOVED Clr S Pratt SECONDED Deputy Mayor K Allen that the recommendation be adopted.

**CARRIED 9/0**

**25 (OCM 13/12/2012) - CLOSURE OF MEETING**

Before closing the meeting, Mayor Howlett took the opportunity to wish community members in the public gallery, Elected Members and staff and their family and friends all the very best for the festive season and the New Year.



Mayor Howlett also thanked the CEO, Mr Cain, for his leadership throughout the year and for the great achievements of the Executive team and other staff, particularly their engagement with the community. Awards won at a national, state and local level are a reflection of those partnerships and the passion and commitment that each and every staff member brings to the workplace and the community.

Mr Cain thanked the Elected Members for their support during the year and wished them a Merry Christmas and a happy New Year. He also congratulated Mayor Howlett and wished him a happy 60<sup>th</sup> birthday on Saturday, 15 December.

PRESIDING MEMBER DECLARED THE MEETING CLOSED AT 8.23PM.

**CONFIRMATION OF MINUTES**

I, ..... (Presiding Member) declare that these minutes have been confirmed as a true and accurate record of the meeting.

Signed: ..... Date: ...../...../.....

