

# CITY OF COCKBURN

## SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 9 OCTOBER 2014 AT 7:00 PM

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## CITY OF COCKBURN

### MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 9 OCTOBER 2014 AT 7:00 PM

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#### PRESENT:

##### ELECTED MEMBERS

Mr L Howlett	-	Mayor (Presiding Member)
Mrs C Reeve-Fowkes	-	Deputy Mayor
Mr K Allen	-	Councillor
Ms L Wetton	-	Councillor
Mr S Portelli	-	Councillor
Ms L Smith	-	Councillor
Mr B Houwen	-	Councillor
Mr P Eva	-	Councillor

##### IN ATTENDANCE

Mr S. Cain	-	Chief Executive Officer
Mr D. Green	-	Director, Governance & Community Services
Mr S. Downing	-	Director, Finance & Corporate Services
Mr M. Littleton	-	Director, Engineering & Works
Mr D. Arndt	-	Director, Planning & Development
Mrs B. Pinto	-	PA – Directors, Fin. & Corp. Serv./Gov. & Comm. Serv.
Mr J. Snobar	-	Media Liaison Officer

#### 1. DECLARATION OF MEETING

The Presiding Member declared the meeting open at 7.04 pm. and welcomed the Acting Director, Finance & Corporate Services – Nelson Mauricio.

The Presiding Member also acknowledged that this would be the last meeting for the Director, Engineering & Works – Michael Littleton. Mr Littleton has been appointed to a Directorate position at the City of Stirling.

Mayor Howlett on behalf of Council thanked Mr Littleton for his significant contribution as a Director and member of the Executive Group since his appointment with the City in 2005.

Mr Littleton's contributions have come at a time of rapid growth in our district, growth that continues unabated today. That in itself presented many challenges and Mr Littleton has provided strong leadership across the Engineering & works portfolio during that time.



He leaves to take up a directorship with the largest local government in Western Australia and will no doubt use the leadership, management and technical skills that he has added to during his employment with the City of Cockburn to further advance his career at Stirling and beyond.

Well done Mr Littleton. Our best wishes are extended to you and your family in coming years.

### **Bibra Lake Fun Run**

The Bibra Lake Fun Run was held on Sunday 14 September on a wonderful Spring Day. The large turnout of competitors and families to participate in the event was exceptional and thanks extended to the City's staff and the volunteers on the day who made the event an outstanding success.

### **Mayors for Peace Conference**

Mayor Howlett attended the Mayors for Peace Conference hosted by the City of Fremantle on 21 and 22 September 2014.

Ms Junko Morimoto, Hiroshima, a-Bomb survivor conveyed her experiences since 6 August 1945 to a large audience in the Fremantle Town Hall, including students from across the Fremantle Education District.

Ms Morimoto's compelling experiences outlined the devastating impact of nuclear war and for those who survived it created a journey through life very different to those experienced by most people.

### **Jervoise Bay Sea Scouts – Award of Life Membership**

On 22 September 2014 the Jervoise Bay Sea Scouts held their first birthday celebrations at their new headquarters in the South Coogee Agricultural Hall.

During the celebrations a number of announcements were made including the conferring of Community Life Membership to Deputy Mayor Carol Reeve-Fowkes.

Our congratulations are extended to Deputy Mayor Reeve-Fowkes.

### **National U/15s Lacrosse Tournament**

The Phoenix Park Lacrosse Club in conjunction with Lacrosse WA hosted a very successful National U/15's Lacrosse Tournament at the Regional Sport and Recreation Centre in Success from Saturday, 27 September to 4 October 2014.

Seventeen teams competed including one from New Zealand.



The West Australian Stars were crowned national girls champions while the Victoria Southern Cross won the boys final.

Congratulations go to the Phoenix Lacrosse Club and in particular, Ms Fran Maunton, Tournament Director and Ms Annabell Wills the Assistant Tournament Director for their significant contribution to the tournament.

The City also received very positive feedback about the facilities and the grounds at the Regional Sport and Recreation Centre, Success. In particular a call to the Parks and Gardens section early on Friday morning for the grounds to be re-mowed for the finals was responded to in less than thirty minutes.

### **Country Week Soccer Carnival**

The annual Country Week Soccer Carnival was held at Beale Park during the first week of the school holidays. The annual event was organised by Football West.

The tournament is specifically designed for the regional areas and has three key objectives: Regional Championships; Talent Identification of players and Coach Education.

Congratulations to the Cockburn City Soccer Club for 'hosting' the event and co-ordinating all the activities around an event that attracted over 1,000 participants.

### **Eisteffod**

The third annual Eisteffod was held at the Mater Christi College on the September long weekend.

The Eisteffod brings students from across the metropolitan area to display their musical and vocal skills in front of a judging panel.

Congratulations go to Mrs Lynette Ryan, Mrs Veronica Moylan OAM and their Committee for the organisation of the event.

### **Fiona Stanley Hospital**

The official opening by the Premier Colin Barnett and Professor Fiona Stanley of the Fiona Stanley Hospital was held on Friday, 3 October 2014.

The hospital is a landmark within the region and over coming months it will accept patient transfers from other hospitals and new patients as each section of the hospital is opened.

The Emergency Department is scheduled for opening in February 2015.



## Local Government Reform

As we know the submission period in terms of Intended Recommendation E1 - 2 was open for public comment until 4.00 pm, Monday, 15 September 2014.

As previously advised the LGABs latest recommendation (based on the Cockburn-Kwinana Community Committee Proposal) will amalgamate Cockburn and Kwinana with the Roe Highway Road Reserve and Jandakot Airport becoming the northern boundary.

That is, North Lake, Coolbellup, Leeming and Jandakot Airport (including Jandakot City) would be ceded to Melville and North Hamilton Hill (north of the Roe Hwy Road Reserve) and the northern part of North Coogee would be ceded to Fremantle.

It is expected that a decision on local government reform will be made in the next two weeks, the Minister having received the final report from the LGAB.

The City continues to engage with our neighbouring Councils to address transitional challenges and to position ourselves to make the best of the reform process.

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

Nil.

### 3. DISCLAIMER (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. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (by Presiding Member)

Nil

### 5 (OCM 9/10/2014) - APOLOGIES AND LEAVE OF ABSENCE

Clr Stephen Pratt	-	Apology
Clr Yaz Mubarakai	-	Apology
Mr Stuart Downing	-	Leave of Absence





**6. ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**7 (OCM 9/10/2014) - PUBLIC QUESTION TIME**

**James Houlahan, Beeliar** forwarded a question in relation to Item 14.1 – Consideration to Adopt Bushfire Hazard Assessment Maps.

As Mr Houlahan was not present at the meeting, he will be provided a response to his question in writing.

**Gloria Terlet, Piara Waters** forwarded questions in relation to payment methods regarding her rates.

As Ms Terlet was not present at the meeting, she will be provided a response to her questions in writing.

**8. CONFIRMATION OF MINUTES**

**8.1 (MINUTE NO 5374) (OCM 9/10/2014) - ORDINARY COUNCIL MEETING - 11/09/2014**

**RECOMMENDATION**

That Council adopt the Minutes of the Ordinary Council Meeting held on Thursday, 11 September 2014, as a true and accurate record.

**COUNCIL DECISION**

MOVED Clr B Houwen SECONDED Clr L Wetton that the recommendation be adopted.

**CARRIED 8/0**

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

**9.1 (MINUTE NO 5375) (OCM 9/10/2014) - REQUEST FOR LEAVE OF ABSENCE - CLR KEVIN ALLEN (083/005) (D GREEN)**

**RECOMMENDATION**

That Council grant leave of absence to Clr Kevin Allen for the period 1 November 2014 to 30 November 2014 and, if necessary, to be extended to include the 11 December 2014 Ordinary Council Meeting.



**COUNCIL DECISION**

MOVED Clr S Portelli SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 8/0**

**Background**

By email received 8 October 2014, Clr Allen has requested leave of absence from Council duties for the period 1 to 30 November 2014, with consideration to extend this period to include the Ordinary Council Meeting scheduled for 11 December 2014.

**Submission**

To grant Clr Kevin Allen leave of absence, as requested.

**Report**

Council may, by resolution, grant leave of absence to a member. Approval is recommended on this occasion.

**Strategic Plan/Policy Implications**

**Leading & Listening**

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

**Budget/Financial Implications**

N/A

**Legal Implications**

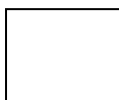
Sec. 2.25(1) of the Local Government Act, 1995, refers.

**Community Consultation**

N/A

**Attachment(s)**

N/A



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

N/A

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

Nil.

**10. DEPUTATIONS AND PETITIONS**

Nil

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

Nil

**12. DECLARATION OF COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS IN THE BUSINESS PAPER**

Nil

**13. COUNCIL MATTERS**

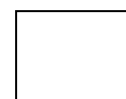
**NOTE:** AT THIS POINT IN THE MEETING, THE TIME BEING 7.23 PM THE FOLLOWING ITEMS WERE CARRIED BY AN "EN BLOC" RESOLUTION OF COMMITTEE:

14.2	14.7	15.1	16.2	16.9
14.3	14.8		16.6	
14.4			16.7	

**13.1 (MINUTE NO 5376) (OCM 9/10/2014) - WA LOCAL GOVERNMENT ASSOCIATION (WALGA) - LOCAL GOVERNMENT ACT 1995 - POLL PROVISIONS (089/004) (D GREEN) (ATTACH)**

**RECOMMENDATION**

That Council advises WALGA that it supports an extension to the poll provisions of the Local Government Act 1995 to enable the community of a local government to demand a poll where proposed boundary adjustments to the District will result in a variation to the District affecting the lesser number of 10%, or 250, rateable properties, in that District.



**COUNCIL DECISION**

MOVED Clr K Allen SECONDED Clr S Portelli that Council advise WALGA that it supports an extension to the poll provisions of the Local Government Act 1995 to enable the community of a local government to demand a poll where proposed boundary adjustments to the District will result in a variation to the District affecting the lesser of:

(1) 5%, or 250, rateable properties, or

(2) 5% of revenue,

in that District.

**CARRIED 8/0**

**Reason for Decision**

The issue of the potential for a District to be negatively impacted financially by the loss of a single ratepayer has been raised. In some instances (e.g. Burswood Casino or a major Shopping Centre), this impact can be demonstrated to be significantly greater than a simple calculation, such as the number of rateable properties, as proposed by Council's recommendation. Therefore, providing the alternative option would enable a case to be made for a poll request where the threshold value can be linked to either property numbers, or revenue.

**Background**

Correspondence has been received from WALGA seeking the input of member local governments on resolutions from the Annual General Meeting (AGM) relative to the poll provisions of the Local Government Act 1995 (the Act), otherwise known as the "Dadour" provisions.

The intent of the WALGA AGM resolutions was due to the ongoing concern that the state government is seeking to circumvent the ability of communities to initiate a poll of electors where proposals made to the Local Government Advisory Board (LGAB) result in the abolition of, or "significant" boundary adjustment to, a local government District.

WALGA State Council has subsequently resolved at its 3 September 2014 meeting to seek members' input to a number of options which could be used to ensure that the mechanisms currently being utilised to "exploit" the perceived intent of the Dadour provisions of the Act are drafted in such a way that will entrench the capacity of local government communities to access the poll provisions of the Act, where



any “significant” boundary adjustments are contemplated by any proposal.

### **Submission**

N/A

### **Report**

The current local government “reform” process has raised the concerns of local governments and their communities whereby the state government is being perceived as “manipulating” the provisions of the Act to enable “boundary adjustments” to achieve its reform agenda, thereby avoiding the capacity of some communities to demand a poll of electors where a District is either abolished, or “significantly affected”.

The belief that the “Dadour” provisions would apply to any local government as a “last line of defence” for communities to access as a means of testing elector sentiment in the current reform environment has led to the call for these poll provisions to be not only clarified in their current form, but also extended to ensure that communities cannot be omitted from the process in future.

Given the overwhelming support for these provisions to be enhanced in the legislation, WALGA has proposed a series of options for individual Councils to consider supporting, in an attempt to ensure the retention and clarity of the poll provisions are recognised.

The options, as shown in the attachment, are that any community should have the right to demand a poll of electors in the following circumstances:

1. Under **any** boundary change proposal

**OR**

2. With a significant variation in population, rateable properties or revenue by:
  - a. 10%
  - b. 25%
  - c. 50%

While there are practical restrictions in each of these options, it is clear that there is a high level of concern within the local government sector that the attempt by the state government to manipulate outcomes by circumventing the “intention” of the “Dadour” provisions in the current metropolitan local government reform process represents a



fundamental breach of faith to those affected communities who would be denied the right to call for a poll under the current statute.

This concern has also been shared by the government's partners (WA Nationals), the opposition WA Labor Party and even some of the government's own members. This level of concern in the political sphere seems now to be affecting the release of the final recommendations of the Minister, causing even greater uncertainty within the sector.

Having carefully considered the relevant legislative impacts the proposed WALGA options provide, it is suggested that the intent of part b) of its Motion could be better aligned to current provisions by referring to the same numerical circumstances as mentioned in the current Act (i.e. Schedule 2.1 clause 8. (3)) where the lesser of 250, or 10%, of affected electors can demand a poll where "amalgamations" are recommended. It is also recommended that only "rateable properties" be included as being "affected", given the relationship between electors and rateable properties is more tangible than general data sets, such as "population", or "revenue", as proposed in the WALGA Motion.

To maintain that relevance, it is recommended that Council's response reflects those figures, even though it varies slightly from the options provided by WALGA, which are portrayed in percentage terms only.

The WALGA response template gives flexibility to include this variance of feedback, while maintaining the original intent to ensure the right of communities to demand a poll where there is a "significant" change to the local government District boundaries involved in any proposal submitted for assessment by the LGAB.

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

#### **Leading & Listening**

- Effective advocacy that builds and manages relationships with all stakeholders.

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

N/A

#### **Legal Implications**

Schedule 2.1 of the Local Government Act 1995, refers.



## Community Consultation

WALGA is seeking direct input from member Councils by 31 October 2014.

## Attachment(s)

WALGA 'Infopage'.

## Advice to Proponent(s)/Submissioners

The Proponent has been advised that this matter is to be considered at the 9 October 2014 Council Meeting.

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

Nil.

## 14. PLANNING AND DEVELOPMENT DIVISION ISSUES

### 14.1 **(MINUTE NO 5377) (OCM 9/10/2014) - CONSIDERATION TO ADOPT BUSHFIRE HAZARD ASSESSMENT MAPS - APPLICANT: CITY OF COCKBURN - OWNER: VARIOUS (110/112) (C HOSSEN) (ATTACH)**

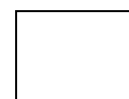
#### RECOMMENDATION

That Council:

- (1) adopt the Bushfire Hazard Assessment Maps as shown in Attachment 1 in accordance with proposed Clause 6.6.5 (b) of City of Cockburn Town Planning Scheme No. 3 ("Scheme") without modification, subject to the gazettal of Amendment No. 92 (Bush Prone Areas);
- (2) in accordance with draft clause 6.6.6 of the Scheme, and subject to the gazettal of Amendment No. 92, publish a notice of the adoption of the Bushfire Hazard Assessment Maps in (1) above; and
- (3) advise all submitters of Council's decision accordingly.

#### COUNCIL DECISION

MOVED Clr S Portelli SECONDED Clr K Allen that Council adopt the recommendation with the following amendment, by inserting a new sub-recommendation (3) and renumbering the subsequent recommendation accordingly:



- (1) as recommended;
- (2) as recommended;
- (3) endorse the revised Schedule of Submissions, as attached to the Minutes; and
- (4) as recommended.

**CARRIED 8/0**

### **Reason for Decision**

It is necessary to endorse the revised Schedule of Submissions due to one submission being inadvertently missed from the first schedule that was prepared. This submission raises no additional issues which require specific discussion within the officer report.

### **Background**

At its Ordinary Council Meeting held on 12 April 2012 Council resolved to initiate Amendment No. 92 to City of Cockburn Town Planning Scheme No. 3 ("Scheme"). Amendment 92 was then subsequently advertised and presented to Council for final adoption on 9 May 2013.

The purpose of the amendment was to place a Special Control Area over land currently zoned Rural, Resource, Rural Living and Conservation under the Scheme, dealing with bushfire risk management through the planning process. The amendment also proposed a number of alterations and additions to the Scheme Text.

Amendment No. 92 outlines the procedures to be followed in the preparation of a Bushfire Hazard Assessment Map. The City has in anticipation of the approval of the amendment by the Hon. Minister, prepared and advertised the Bushfire Hazard Assessment Maps. These are shown in Attachment 1.

The purpose of this report is for Council to consider for adoption, without modification, the Bushfire Hazard Assessment Maps. This is of course subject to the approval by the Hon Minister and gazettal of Amendment No. 92, which at the time of this report was in its final stages.





## Submission

The Bushfire Hazard Assessment Maps have been prepared by the City's Strategic Planning Business Unit.

## Report

### Status of the Bushfire Hazard Assessment Map

Draft clause 6.6.1 of the City's Scheme states that, a Bushfire Prone Area means any area located in the Rural Zone, Rural Living Zone, Resource Zone and Conservation Zone, identified by the local government and shown on a Bushfire Hazard Assessment Map. Further to this, draft Clause 6.6.3 states that a Bushfire Hazard Assessment Map shall indicate bushfire prone areas.

Therefore the establishment of Bushfire Hazard Assessment Maps are a vital instrument to achieve a suitable 'head-of-power' to enforce the AS3959-2009 bushfire building standard and complimentary planning responses to the identified bushfire risk in the relevant Bushfire Prone Area.

The Council recommendation notes that Scheme Amendment No. 92 is yet to receive Ministerial endorsement and be gazetted in line with the requirements of the *Town Planning Regulations 1967*. Therefore the City is required to await the gazettal of the amendment before formally implementing the requirements, including the adoption of any Bushfire Hazard Assessment Map.

### Identification of Bushfire Prone Land

Council at its meeting on 12 April 2012 endorsed the following methodology for use on any future Bushfire Hazard Assessment Map:

- Inclusion of identified native vegetation of 1 Ha or greater (by aerial photograph);
- Identification of native vegetation less than 1 Ha in size but within 50m of identified native vegetation (>1 Ha);
- Buffering of all the above by 100m (shown in different colour from main hazard area).

For the purpose of registering an accurate assessment of bushfire risk; the identification of bushfire prone areas includes land meeting the first two criteria but not within area covered by Bushfire Hazard Assessment Map, including areas of native vegetation within neighbouring Local Government Areas.

Subsequently, the Office of Bushfire Risk Management, an independent branch of the Department of Fire and Emergency



Services, released the State Bushfire Mapping Standard. In response to this and the need for a consistent approach to the mapping of bushfire risk, the Council through the Delegated Authorities, Policy and Position Statements Committee adopted the State Bushfire Mapping Standard as the new benchmark for mapping risks under any Bushfire Hazard Assessment Map.

The level of conflict between the two utilised approaches is minimal and has not lead to any dramatic change in the area covered by a Bushfire Hazard Assessment Map. This change is reflected in the City's Bushfire Prone Areas Local Planning Policy adopted, subject to the gazettal of Scheme Amendment No. 92, by Council at its September 2014 OCM.

### Public Consultation

In accordance with the requirements of draft Clause 6.6.4 of the City's Scheme, the Bushfire Hazard Assessment Maps were advertised for a period of 21 days to affected residents, state authorities with the required notice also placed in the Cockburn Gazette. Approximately 1,100 landowners were written to as part of the consultation period.

A total of 2 submissions were received at the close of the 21 day advertising period. The submissions raised no new issues in respect of implementing the bushfire prone planning controls.

The City has previously written to all landowners within the Resource, Rural and Rural Living three (3) times regarding the initiative to implement Bushfire Prone Areas. The response rate to all bulk mail outs has consistently been low; averaging approximately 0.1% of the total letters mailed out.

### Conclusion

It is considered that the proposed Bushfire Hazard Assessment Map will provide clear and consistent advice to residents and landowners as to the extent of Bushfire Prone Areas within the City of Cockburn. Moreover, the Bushfire Hazard Assessment Maps provide consistency between the requirements of Amendment No. 92 and the soon to be approved State Bushfire Prone Areas Map.

It is therefore recommended that Council proceed to adopt the Bushfire Hazard Assessment Maps as outlined above.



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

### **Community & Lifestyle**

- Safe communities and to improve the community's sense of safety.

### **Leading & Listening**

- Effective and constructive dialogue with all City stakeholders.

### **Budget/Financial Implications**

There are nil direct financial impacts faced by the Local Government. It is noted, as it has in all previous reports on Bushfire Prone Areas, that there are financial impacts associated with higher building costs in order to address bushfire prone areas.

### **Legal Implications**

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

### **Community Consultation**

In accordance with the requirements of draft Clause 6.6.4 of the City's Scheme the Bushfire Hazard Assessment Maps were advertised for a period of 21 days to affected residents, state authorities with the required notice also placed in the Cockburn Gazette.

### **Attachment(s)**

1. Bushfire Hazard Assessment Maps
2. Schedule of Submissions

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

Those who lodged a submission on the proposal have been advised that this matter is to be considered at the 9 October 2014 Council Meeting.



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

Nil.

**14.2 (MINUTE NO 5378) (OCM 9/10/2014) - ADOPTION OF DRAFT HOUSING AFFORDABILITY AND DIVERSITY STRATEGY (110/089) (D DI RENZO) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) adopt the Housing Affordability and Diversity Strategy for final approval as included at Attachment 1; and
- (2) advise those who have made a submission of Council's decision.

**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr L Smith that the recommendation be adopted.

**CARRIED 8/0**

**Background**

The City of Cockburn, like much of Western Australia, is facing a significant challenge in housing affordability.

There has been a growing focus on the requirement for action and cooperation across all levels of government to address housing affordability issues, particularly evidenced by the Council of Australian Governments ("COAG") National Affordable Housing Agreement 2009. The National Affordable Housing Agreement aims to ensure that all Australians have access to affordable, safe and sustainable housing.

Local Government has an important role to play in facilitating affordable and diverse housing. The City has recognised the importance of this issue in the Strategic Community Plan which identified the provision of diverse housing to respond to changing needs as a key objective. Access to secure, appropriate and affordable housing is a fundamental requirement and an essential component of an inclusive and sustainable city.



Examination of housing affordability and diversity often occurs as part of a local housing strategy. These generally comprise an analysis of local housing supply and demand, future oriented demographic and market trends, as well as policy statements and recommendations for planning processes, town planning schemes, and development controls.

The City's approach has been to develop urban revitalisation strategies which serve the function of a local housing strategy. The City has adopted two urban revitalisation strategies - the Phoenix Central Revitalisation Strategy and Hamilton Hill Revitalisation Strategy, and project planning has commenced for the Coolbellup Revitalisation Strategy.

This approach has been successful in the City, and in accordance with the City's Strategic Community Plan this approach is proposed to continue.

However, in addition to the preparation of urban revitalisation strategies, it is considered that the issue of housing affordability and diversity needs to be examined across the whole of the City. It was therefore proposed that a Housing Affordability and Diversity Strategy be prepared.

Council at its meeting of 8 May 2014 resolved to adopt the Housing Affordability and Diversity Strategy ("Draft Strategy").

The Draft Strategy was subsequently advertised for public comment for a period of 30 days ending on 31 July 2014.

The purpose of this report is for Council to consider the submissions received and make a decision regarding the final approval of the Strategy.

### **Submission**

N/A.

### **Report**

The key objectives of the Draft Strategy are:

- a) To provide households with access to housing that is appropriate to their needs in terms of size, physical attributes and location.
- b) To provide housing that is affordable to households of varying financial capacity.



- c) To provide a variety of housing types in locations that have good accessibility to public transport, and essential services.
- d) To promote affordable living, taking into consideration the total cost of living in a dwelling, including energy and water consumption, the price of transport to access employment and essential services, and other daily needs impacted by location.

The Draft Strategy includes a housing needs assessment which examines and analyses demographic projections, with a focus on household composition and size, and age structure. This is followed by an assessment of the current and projected housing stock, and urban form, to determine the appropriateness for current and future households.

To address housing affordability 'low and moderate income' households have been defined to assess and plan for the housing needs of these households. The issue of homelessness was also examined.

A market assessment has enabled household incomes to be assessed against housing prices and rental costs to ascertain housing affordability. Census data has been supplemented with real estate data and other research that has been undertaken to analyse trends on housing prices and rents.

From this assessment a number of key issues were highlighted, and the Strategy identifies mechanisms for addressing the key findings, and identifies a number of actions under the headings of 'Planning Mechanisms'; 'Partnerships'; and 'Leadership, Advocacy and Communication' (see Attachment 1).

The key findings of the assessment undertaken in the Strategy were:

#### Housing stock mismatch

The City's housing stock of predominately large detached dwellings will not provide a good range of options for future households which are getting smaller, and will be predominately one and two person households.

#### Need for compact urban form

The City should continue to strive towards a more compact urban form in existing and new areas, creating walkable, mixed use neighbourhoods, and dwellings with good accessibility to public transport and essential services.



### Declining housing affordability

Housing affordability is declining to the point where housing is becoming unaffordable for low and moderate income earners, and more households are in housing stress. This has negative impacts for the whole community.

### Cost of living impacts for low income households

While all households are impacted by increasing costs of living, it is low income households that are most affected.

### Need for adaptable housing (Universal Housing Design)

There is a lack of private and public adaptable housing in the City of Cockburn and Perth Metropolitan area generally. This means many people, particularly elderly people and those with disabilities, face living in inappropriate housing or requiring costly modifications to their dwellings.

### Demand for Aged Care Facilities

The ageing population, particularly the increase in people over 70 years of age, will see an increased demand for aged care facilities for those who can no longer live independently, and it is likely that this demand will outstrip supply.

### Shortage of crisis accommodation

There is an identified shortage of crisis accommodation in the City of Cockburn, and this is an important issue given the trend towards increasing levels of homelessness (which includes people living in inappropriate housing).

### Community Consultation

The draft Strategy was advertised for public comment for a period of 30 days and a total of seven submissions were received. All submissions are set out and addressed in the Schedule of Submissions found at Attachment 2.

Four of the submissions that were received wholly supported the Strategy. This included submissions from two landowners, Shelter WA and Disability Services Commission.

The Building Commission's submission requests that adoption of such initiatives does not lead to an increase in construction requirements more stringent than the applicable building standards within the



Building Regulations 2012 (i.e primarily those contained in the Building Code of Australia). The Strategy does not include any requirements that will lead to an increase in construction requirements. Rather the actions of the Strategy are simply seeking to better inform the community of the Liveable Design Guidelines and sustainable principles of design to assist them in their selection and design of new dwellings that are appropriate to their needs.

Two of the submissions supported the intent of the Strategy (and the majority of proposed actions) but raised some specific issues/concerns. Housing Industry of Australia (“HIA”) and the Property Council of Australia did not support the following action:

- k) *Continue to lobby the state government to undertake a comprehensive state wide review of planning mechanisms to deliver affordable housing, including the option of mandatory inclusionary zoning.*

This action is merely seeking a comprehensive review of planning mechanisms at a state government level, which should include all possible options. Given the extent of the housing affordability problem it is considered appropriate to examine mandatory inclusionary zoning as an option. Any review of the planning framework should include consideration of all options to determine whether they are appropriate. It is therefore recommended that this action remain in the Strategy.

HIA supported the Strategy overall, but raised concerns about what they perceived to be proposed ‘mandatory measures’, including mandatory requirements for universally accessible dwellings. This assumption is incorrect and there are no proposed mandatory requirements for universally accessible dwellings. The Strategy is only seeking to ‘promote’ the Liveable Design Guidelines which is an excellent online resource for the community and anyone considering building an accessible dwelling. HIA have stated in their submission that they support the promotion of this program.

#### Consultation with Disability Services Commission

The Strategy identifies that people with disabilities are vulnerable to housing stress and homelessness, and often find it difficult to obtain affordable, appropriate housing. They are more likely to be renting than other households, and there is an identified shortage of universally accessible dwellings in both the private and public dwelling stock.

During the community consultation period the City liaised extensively with the Disability Services Commission to discuss the housing needs of people with disabilities to address this issue.





This discussion has drawn attention to some specific issues regarding housing and ancillary dwellings for people with disabilities. These issues and proposed actions are discussed below, and are proposed to be included in the Strategy.

### Special Purpose Dwellings

The Residential Design Codes (“R-Codes”) provides for three types of Special Purpose Dwellings:

- Ancillary Dwellings
- Single Bedroom Dwellings
- Aged and Dependent Dwellings

The objectives of these dwellings are to:

- Ensure that residential development is provided to accommodate people with or without special needs.
- To provide ancillary accommodation which is independent or semi-independent to residents of the single house.
- To ensure that dwellings for the aged and people with special needs can be provided within residential areas.
- To provide opportunities for affordable housing.

### Ancillary Dwellings

The R-Codes provides for the development of ancillary dwellings for people who live either independently or semi-independently of the residents of a single house, sharing some site facilities and services.

Approval for development pursuant to the R-Codes, including ancillary dwellings, can be obtained in two ways:

1. Compliance with the ‘Deemed to Comply’ provisions; or
2. Demonstrated consistency with the ‘Design Principles.’

For ancillary dwellings the ‘Deemed to Comply’ requirements primarily require:

- the lot is greater than 450m<sup>2</sup>;
- maximum plot ratio of 70m<sup>2</sup> (amongst other things).

According to Disability Services Commission, in circumstances where the occupant of an ancillary dwelling has a disability, particularly a physical disability, a plot ratio of 70m<sup>2</sup> may not be adequate to meet their needs. Additional space requirements may arise to provide for:

- comfortable wheelchair access around the dwelling



- accommodating equipment, such as hoists and aids
- a larger bathroom for wheelchair accessibility and use of aids
- small additional separate bathroom facilities (shower, toilet, basin) for a carer to use
- 'breakout' space for a carer who needs to be present in the dwelling but at times needs their own space

Applicants have the option to meet the 'design principles', which do not include a maximum floor area. This provides the option to seek consideration under the 'Design Principles', providing justification for a larger ancillary dwelling.

Where development does not satisfy the 'deemed to comply' provisions, it must be demonstrated that the following 'Design Principle' is achieved:

*P1 Ancillary dwelling for people who live either independently or semi-dependently to the residents of the single house, sharing some site facilities and services and without compromising the amenity of surrounding properties.*

Such proposals are assessed on case by case basis. However, it is considered that providing further guidance, in the form of a local planning policy, would assist proponents in seeking consideration under the 'Design Principles'. Such a policy would also assist Council in determining the appropriateness of proposals.

The policy should stipulate the considerations and criteria for considering ancillary dwellings larger than 70m<sup>2</sup>, and specify the information that is required to be submitted to Council.

In this regard consideration should be given to allowing increases to the plot ratio of an ancillary dwelling (generally up to around 100m<sup>2</sup>) where the ancillary dwelling is built to the 'deemed-to-comply' standards set out in the R-Codes for 'Aged and Dependent' dwellings (i.e. universally accessible).

Requiring any ancillary dwelling that is greater than 70m<sup>2</sup> to be universally accessible will ensure that it is ideally suited to the needs of occupants with a disability. Importantly it will contribute to the stock of universally accessible dwellings which have been identified through the Strategy as being in very short supply. Such dwellings have the potential to provide affordable accessible dwellings to meet the needs of people with (or without) disabilities.

It is still very important that ancillary dwellings remain 'ancillary' to the main dwelling, and that they remain as smaller, affordable dwellings



that generally accommodate only one or two people to ensure they do not compromise the amenity of the surrounding properties.

To summarise, the local planning policy should seek to:

- Ensure that ancillary dwellings are able to meet the needs of people with disabilities, whilst still being ancillary to the main dwelling.
- Strongly encourage the development of universally accessible ancillary dwellings.
- Ensure ancillary dwellings do not compromise the amenity of the surrounding properties and the streetscape.
- Provide further guidance on the 'design principles' set out in the R-Codes for ancillary dwellings, particularly in relation to plot ratio.

It is proposed that the Strategy include the above discussion and include a new action to prepare a new local planning policy accordingly. The local planning policy itself will explore these matters in further detail, and will be subject to Council consideration, community consultation, and discussion with Disability Services Commission.

#### Aged and Dependent Dwellings

The R-Codes provides for the development of aged and dependent dwellings which are built specifically for a person who is either over 55 years of age or has a disability.

For aged and dependent dwellings (and single bedroom dwellings) the R-Codes allow a variation to the minimum and average lot sizes for subdivision and development, reducing the required site area by one third. This means that there is the potential for more dwellings to be developed than would ordinarily be permitted, proving an incentive for universally accessible dwellings to be built.

The R-Codes set out the design requirements for these dwellings (ie. minimum doorway and corridor widths; level entry ways; bathroom requirements; accessible paths from car parking area and the street etc.

The draft Strategy has identified a strong need for adaptable/universally accessible dwellings.

The 'deemed to comply' requirements of the R-codes require that aged and dependent dwellings are occupied by at least one person who is aged and/or dependent. They require that a memorial be placed on the title of these dwellings (Section 70A notification), stipulating this requirement, which then applies in perpetuity to all subsequent occupiers.



It is considered that this requirement for a memorial to be placed on the title is a significant disincentive for developers to build aged and dependent dwellings, as it potentially reduces the value of the dwelling. Even people who are aged and/or dependent may be reluctant to build or purchase such dwellings because they are aware that the restriction on occupancy may be a problem for resale or future rental potential. Consequently, with the exception of aged care providers, few aged and dependent dwellings are being built in the City of Cockburn.

It is considered that if the memorial restricting the occupancy of aged and dependent dwelling was not required this would make this incentive significantly more attractive, and would assist in increasing the stock of universally accessible dwellings. With this modification it is accepted that the dwelling could be used by anyone, however importantly the stock of universally accessible dwellings is being increased.

The memorial is not a requirement of the 'design principles'. It is therefore proposed that Local Planning Policy APD12 'Aged and Dependent Persons Dwelling' be amended to include further guidance on the application of the 'design principles' that does not require a memorial to be included on the title. It is considered important that if this were to be accepted that the dwelling size is restricted to a maximum of 100m<sup>2</sup> to ensure the dwelling is contributing both to the stock of smaller, affordable dwellings, whilst also contributing to the stock of universally accessible dwellings.

The 'deemed to comply' requirements of the R-codes state that 'Aged and Dependent Persons Dwellings' should be a minimum of five dwellings within any single development. However the R-Codes identify the option for local governments to adopt a local planning policy that varies this requirement to allow the incentive to be taken up for smaller developments.

It is therefore proposed that the City's Local Planning Policy APD12 'Aged and Dependent Persons Dwelling' also be amended to include removal of the minimum number of aged and dependent dwellings required in any single development.

For many landowners this will provide another option for the addition of a special purpose dwelling by potentially allowing an aged and dependent dwelling to be built behind their house (because of the allowance under the R-Codes to vary the site area), when they otherwise may not have a lot that is large enough to build a second dwelling.



It is considered that removing the minimum number of dwellings for aged and dependent dwellings in conjunction with the removal of the requirement for a memorial on the title would have the following benefits:

- See a significant increase in the uptake of the incentive for aged and dependent dwellings;
- Provide another housing option for many families (that can also be subdivided and placed on a separate title, which is not possible with ancillary dwellings);
- Increase the stock of universally accessible dwellings;
- Increase the stock of smaller, affordable dwellings.

### Single Bedroom Dwellings

The R-Codes provide for development of single bedroom dwellings to provide alternative and affordable housing options for singles or couples.

Through the implementation of Local Planning Policy APD56 'Single Bedroom Dwellings' since its adoption in 2008 staff have identified minor modifications that could be made to the policy to further encourage this type of accommodation within the City.

The 'deemed to comply' requirement limits the floor area of a single bedroom dwelling to 70m<sup>2</sup>. This is considered important, however the restriction on number of rooms capable of use as a bedroom is considered restrictive in today's housing market.

Given that the 'design principles' provides for housing suitable for one or two persons, the limitation of only one room capable for use as a bedroom is considered to prejudice the use of the dwelling for two people other than a couple. There may be many instances where a parent and child, two siblings, two friends/flatmates or other non-couples wish to reside together in a small dwelling without being restricted to one bedroom. It is envisaged that in the majority of instances however, the second room will typically be used as an ancillary or utility type space such as a study, a spare room, an activity room or a guest bedroom. This extra space is consistent with modern expectations and standards in contemporary housing and provides for greater flexibility generally regarding occupancy and use.

This flexibility is unlikely to cause any impact on the amenity of an area or adjoining neighbours; it simply provides a more flexible floor plan that will suit a greater range of smaller household, and it will make the incentive more attractive.



Such proposed changes to the policy were considered by Council in 2011 (Ordinary Meeting 12 May 2011). This included insertion of a new clause providing acceptance of an additional multi-purpose room capable of use as a second bedroom if required where the dwelling complied with the maximum floor area set out in the R-Codes, and where it provided limited accommodation suitable for one or two persons.

At that time the R-Codes specified a maximum floor area of 60m<sup>2</sup> for single bedroom dwellings, and Council considered that this floor area was not sufficient to adequately accommodate a second bedroom.

The R-Codes have now increased the allowable floor area to 70m<sup>2</sup>, and it is considered that this additional 10m<sup>2</sup> provides adequate space to potentially accommodate a second additional room. It is therefore appropriate to consider modifications to APD56 'Single Bedroom Dwellings' to allow consideration of an additional room capable of use as a bedroom provided that the floor area does not exceed 70m<sup>2</sup>.

#### Summary of Proposed New Strategy Actions

In response to the issues discussed, the following new actions are recommended, and have been incorporated into the Draft Strategy (Section 5.1: Planning Mechanisms) included at Attachment 1.

- Modify Local Planning Policy APD12 'Aged and Dependent Persons' Dwellings' to allow less than five dwellings to be developed in any single development.
- Modify Local Planning Policy APD12 'Aged and Dependent Persons Dwellings' to allow flexibility for Section 70A Notifications not to be included on the certificate of title that require at least one occupant to be a disabled or physically dependent person or aged person (where the plot ratio does not exceed 100m<sup>2</sup>).
- Prepare a new Local Planning Policy for Ancillary Dwellings that sets out criteria for consideration under the 'Design Principles' of the Residential Design Codes (including plot ratio greater than 70m<sup>2</sup>) to ensure ancillary dwellings are able to meet the needs of people with disabilities.
- Modify Local Planning Policy APD56 'Single Bedroom Dwellings' to allow a second multi-purpose room that could be used as a bedroom where the total floor area of the dwelling does not exceed 70m<sup>2</sup>.



- Prepare a 'Housing Options' information kit setting out information and options for special purpose dwellings to assist people understand their housing options.

#### Including Performance Indicators

Shelter WA recommended that performance indicators be included to assess whether objectives contained in this document are being achieved.

To summarise, the key actions of the Strategy focus on encouraging:

- Multiple dwellings which are in general smaller and more affordable than detached dwellings.
- Dwellings in mixed use development scenarios to increase the stock of smaller, affordable dwellings in accessible locations.
- Ancillary dwellings that have been found to be the most affordable rental accommodation in the City.
- Smaller dwellings including single bedroom dwellings that are in general more affordable dwellings for rent or purchase, and better match the needs of future households.
- Adaptable dwellings (including aged and dependent dwellings) to provide improved housing options for people with disabilities.

Therefore to measure the success of the Strategy in achieving more diverse and affordable housing it is proposed that a number of performance indicators be set out.

- Increase in the percentage of multiple dwellings approved
- Increase in the percentage of aged and dependent dwellings approved
- Increase in the percentage of single bedroom dwellings approved
- Increase in the percentage of ancillary dwellings approved
- Increase in the percentage of adaptable dwellings approved

#### Corporate Strategic Plans

The Strategy will assist in the implementation of actions identified in a number of the City's Corporate Strategic Plans as outlined below.



City of Cockburn Strategic Community Plan 2012-2022

*Diversity of housing to respond to changing needs and expectations (1.1.4)*

*Ensure our strategic land use planning in the form of: the Local Planning Strategy, Town Planning Scheme, revitalisation strategies and structure plans, achieves a robust planning framework delivering adequate supply and diversity in housing choice.*

City of Cockburn Age Friendly City Strategic Plan

One of the key outcomes of the City's Age friendly City Strategic Plan is that the ageing population in the City of Cockburn has access to affordable suitable housing options that allow them to age safely and be socially supported within the community to which they belong.

City of Cockburn Youth Services Strategic Plan

The City's Youth Services Strategic Plan identifies that there is insufficient crisis and transitional housing options for young people in Cockburn with Anglicare operating the only service.

Conclusion

It is recommended that Council adopt the Strategy for final approval as found at Attachment 1 with the modifications discussed in this report.

**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.
- Diversity of housing to respond to changing needs and expectations.

**Community & Lifestyle**

- Community environments that are socially cohesive and embrace diversity.
- Communities that are connected, inclusive and promote intergenerational opportunities.

**Budget/Financial Implications**

The project is being funded from municipal funds. Ongoing actions will be funded from municipal funds, and none of the proposed actions are considered to have significant financial impacts.





**Legal Implications**

N/A.

**Community Consultation**

The Draft Strategy was advertised for a period of 30 days, and all submissions are outlined and addressed at Attachment 2.

**Attachment(s)**

1. Draft Housing Affordability and Diversity Strategy (proposed modifications incorporated)
2. Schedule of Submissions

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

Submissioners have been advised that this matter is to be considered at the 9 October 2014 Ordinary Meeting of Council.

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

Nil.

**14.3 (MINUTE NO 5379) (OCM 9/10/2014) - LOCAL STRUCTURE PLAN FOR LOT 6 (NO. 210) HAMMOND ROAD, SUCCESS - OWNER: CHRISTINE JULIA ARMSON - APPLICANT: TPG TOWN PLANNING URBAN DESIGN AND HERITAGE ON BEHALF OF NATALIE JARDIM (PROSPECTIVE PURCHASER) (110/108) (L SANTORIELLO) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) in pursuance of Clause 6.2.9.1 (a) of the City of Cockburn Town Planning Scheme No. 3 ("Scheme") adopt the proposed Local Structure Plan subject to the following modifications:
  1. Insert an additional section within Part 1 Section 5.0 "*Land Use*" (all following sections within Part 1 are to be renumbered accordingly) and include the title "*Residential Density*" with the following text: "*Residential densities applicable to the Structure Plan area shall be those residential densities shown on the Structure Plan Map*".
  2. Insert an additional subsection within Part 1 titled "*Designated Bushfire Prone Areas – Construction Standards*" following 5.2 'Detailed Area Plans' and insert the

following additional text: *“This Structure Plan is supported by a Bushfire Management Plan (BMP) located in Appendix 4 “Bushfire Prone Planning - Bushfire Management Plan Lot 6 (210) Hammond Road, Success Project number 14110”. Any land falling within 100 metres of a bushfire hazard identified in the BMP is designated as a Bushfire Prone Area for the purpose of the Building Code of Australia”.*

3. Replace the text within Part 1 section 5.1 (2) with the following: *“Building setbacks and construction standards required to achieve a Bushfire Attack Level (BAL) 29 or lower in accordance with Australian Standards (AS3959-2009): Construction of buildings in bushfire prone areas.”*
4. Modify the text within Part 1 section 6.2 (2) as follows: *“In respect of applications for the subdivision of land the Council shall recommend to the Western Australian Planning Commission that condition(s) be imposed requiring the implementation of the Bushfire Management Plan (Appendix 4) which has been prepared as part of this Local Structure Plan.”*
5. Replace the text within Part 1 section 6.2 (3) with the following: *“No Class 1, 2, 3 or 10a structures (as defined by the Building Code of Australia) shall be approved or constructed within the area identified as ‘No Building Zone’ on the Local Structure Plan Map including minor projections and structures appurtenant to dwellings such as carports, garages, verandas, patios and outbuildings. But does not include barriers such as driveways, lawns or pathways as outlined in Appendix 4 Bushfire Management Plan. Class 1, 2, 3 or 10a structures are to be wholly contained in the BAL 29, 19 and 12.5 areas as identified on figure 9 of Appendix 4 BMP. No Class 1, 2, 3 or 10a structures are permitted within the BAL 40 or FZ areas of figure 9”.*
6. Modify Appendix 4 (BMP) section 7.1 by deleting this text *‘Department of Parks and Wildlife Reserve are to maintain parkland to the north and west to comply with Building Protection Zone requirements.’*
7. Modify the Local Structure Plan Map (Plan 1), Figure 2, Figure 3 and Figure 4 by reducing the size of the ‘Structure Plan Area’ by excluding the ‘Other Regional Road’ (Hammond Road – In Blue)”.
8. Replace the word “access” with “use” in Part 2 section 5.4 paragraph 3 and replace the word “an” with “and” under dot



point 4.

9. Appendix 3 – Engineering Servicing Report shall be updated to address the ‘outstanding issues’ identified within the Department of Water (DoW) letter received during the Local Structure Plan advertising period dated 27 August 2014 (ref:RF3769-04) to the satisfaction of the City of Cockburn.
  10. Modify Part 1 section 6.2 (1) by inserting “(c) *A mosquito management plan*”.
  11. Modify Part 1 section 5.1 by including “3. *A heightened risk of mosquito born disease in the area*”.
- (2) endorse the Schedule of Submissions prepared in respect of the proposed Local Structure Plan for Lot 6 (No. 210) Hammond Road, Success (Attachment 4);
  - (3) in pursuance of Clause 6.2.10.1 of the Scheme forward the Local Structure Plan to the Western Australian Planning Commission within 7 days of Councils adoption; and
  - (4) advise the proponent of Council’s decision.

#### **COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr L Smith that the recommendation be adopted.

**CARRIED 8/0**

#### **Background**

The proposed Local Structure Plan (“LSP”) was formally lodged with the City of Cockburn on 14 August 2014.

In accordance with Clause 6.2.7.2 of City of Cockburn Town Planning Scheme No. 3 (“Scheme”), the Structure Plan was referred to the Western Australian Planning Commission (“WAPC”) for comment. The LSP was then advertised for public comment for a period of 21 days as required by the Scheme pursuant to Clause 6.2.8.

The purpose of this report is to consider for adoption the proposed Local Structure Plan for Lot 6 (No.210) Hammond Road, Success. A copy of the LSP map is included as Attachment 3 of this report.



## Submission

The proposed Local Structure Plan was prepared by TPG Town Planning, Urban Design and Heritage on behalf of Natalie Jardim.

## Report

### Planning Background

The subject land is roughly 2.02 hectares in area and generally bounded by Hammond Road to the east. To the north and west of the subject land is an area of Beeliar Regional Park, which comprises Branch Circus Wetland (Conservation Category Wetland ("CCW")) and forms part of Bush Forever Site No. 391.

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

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.

### Wetland Buffer

The subject land (Lot 6) comprises part of a Conservation Category Wetland (CCW) known as Branch Circus Wetland, as identified in the Department's Geomorphic Wetlands Swan Coastal Plain dataset. CCWs are wetlands that support a high level of ecological attributes and functions, and are the highest priority for protection.

In accordance with the Environmental Protection Authority's (EPA's) *Guidance Statement No. 33 – Environmental Guidance for Planning and Development* (EPA 2008), the EPA requires a 50 metre buffer to protect the ecological functionality of CCWs and to protect wetlands from proposed land use change.

The applicant met with the City of Cockburn officers and the officers of the Department of Parks and Wildlife (DPaW) in early September to determine the extent of the buffer for this site. It was agreed that a reduced buffer, in the context of this site, was considered appropriate (refer to Attachment 3) provided the buffer is revegetated with appropriate native vegetation species of local provenance.



The LPS report has since been revised (September 2014) to mandate the requirement of a *'Wetland rehabilitation and landscaping strategy'* as a condition of subdivision or development approval.

Specifically, the Wetland rehabilitation and landscaping strategy will address issues such as protection of remnant vegetation, access provisions and strategies to control weeds and to revegetate the buffer to the CCW.

### Bushfire Prone Areas

The native vegetation on Lot 6 and the land to the north are classified as a 'bushfire hazard' within the accompanying Bushfire Management Plan (Appendix 4).

The BMP was prepared in accordance with the Western Australian Planning Commissions' draft *Planning for Bushfire Management Guidelines (May 2014)* and draft *State Planning Policy 3.7 'Planning for Bushfire Risk Management'*.

The revised guidelines specify that *'proposals within extreme bushfire hazard areas or areas where a BAL-40 (Bushfire Attack Level) or BAL-FZ assessment would exist are not to be supported.'*

Objective 4 of the draft guidelines specifies that planning proposals are to *'achieve a responsible and balanced approach between bushfire risk management and management measures, and landscape amenity and biodiversity conservation objectives.'*

Figure 9 *'Proposed Subdivision and BAL determination'* of the BMP provides the indicative Bushfire Attack Levels based on the classification of the native vegetation and the slope of the land beneath the vegetation. This figure includes BAL-FZ and BAL-40.

In order to ensure compliance with the draft Bushfire Risk Management Guidelines the LSP Map has been amended to include a 'No Building Zone' reflective of the BAL-FZ and BAL-40 areas.

The 'No Building Zone' prohibits the approval of any part of a residential dwelling within the areas which require BAL-40 and above construction standards.

### Conclusion

The subject land is described as Lot 6 (No. 210) Hammond Road, Success. The site is approximately 2 hectares in area and contains a Conservation Category Wetland associated with the Beeliar Regional Park.



The Local Structure Plan (LSP) will facilitate future subdivision of the wetland to be transferred from private landholdings to the Crown. In addition the City of Cockburn will secure an area of public open space adjacent to the wetland which will be serviced by a new local road.

The Bushfire Management Plan approved as part of this proposal will mandate appropriate higher building standards. The inclusion of a 'no building zone' over portions of the LSP Map will allow for increased setback to the wetland for the protection of the native vegetation. Additionally residential development will be restricted to a maximum Bushfire Attack Level of 29 which is consistent with state planning policy.

### **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.

#### **Community & Lifestyle**

- Community environments that are socially cohesive and embrace diversity.

#### **Moving Around**

- Infrastructure that supports the uptake of public transport and pedestrian movement.

### **Budget/Financial Implications**

The required fee was calculated on receipt of the proposed Structure Plan and has been paid by the proponent. There are no other direct financial implications associated with the Proposed LSP.

### **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. The advertising period formally concluded on the 4<sup>th</sup> of September 2014.

### **Community Consultation**

In pursuance of Clause 6.2.8 of the City's Scheme, public consultation was undertaken for a minimum period of 21 days. The advertising period formally commenced on 14 August 2014 and concluded on 4 September 2014.



Advertising included letters to adjoining and affected landowners, within and surrounding the LSP area as well as various Government Agencies and service providers.

Analysis of the submissions has been undertaken and included in the attached Schedule of Submissions (Attachment 4). In total the City received a total of 6 submissions all from Government agencies and service providers. No submissions from the community were received during the advertising period.

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

1. Context Plan
2. Site, Aerial and Conservation Assets Plan
3. Proposed LSP Map (revised)
4. 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 9 October 2014 Council Meeting.

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

Nil.

#### **14.4 (MINUTE NO 5380) (OCM 9/10/2014) - DRAFT MAJOR DEVELOPMENT PLAN FOR JANDAKOT AIRPORT (WAREHOUSE AND OFFICE DEVELOPMENT COMPRISING KMART DISTRIBUTION CENTRE) - LOCATION: JANDAKOT AIRPORT - APPLICANT: JANDAKOT AIRPORT HOLDINGS IN ASSOCIATION WITH KMART AND URBIS (110/01) (A TROSIC) (ATTACH)**

#### **RECOMMENDATION**

That Council: subject to there being no agreement reached on the necessary infrastructure upgrades by 31 October 2014, Council:

- (1) provide written comment on Preliminary Draft Major Development Plan for the Kmart Distribution Centre, recommending that it be refused for the following reasons:
  1. The Major Development Plan does not comply with the 2009 Jandakot Airport Master Plan.
  2. Jandakot Airport Holdings has not developed the road network in accordance with their 2009 Jandakot Airport



- Master Plan submission or to the City's requirements.
3. The road network does not adequately cater for the traffic generation from the broader development as was identified by the 2009 Jandakot Airport Master Plan and creating a further distribution centre in this location will put additional pressure on existing linkages which cannot cater for the traffic growth.
  4. The proposal is inappropriately located, being on the periphery of the site and therefore having potential adverse impacts by way of noise on the amenity of nearby residences.
  5. The proposal orientates itself from a temporary access, which has not been endorsed as a permanent access by the City.
- (2) write separately to the relevant Federal Minister (Minister of Infrastructure and Regional Development), advising them of the current issues associated with the lack of infrastructure coordination and investment which is the responsibility of Jandakot Airport Holdings in the prevailing road network

**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr L Smith that the recommendation be adopted.

**CARRIED 8/0**

**Background**

The City of Cockburn has been invited to provide comment on the proposed Major Development Plan ("MDP") for a warehouse and office development at Jandakot Airport. This will be a Kmart Distribution Centre, servicing the entire Kmart store network of Western Australia.

This major development represents yet another example of the significant development happening at Jandakot Airport, under the auspices of the 2009 Jandakot Airport Masterplan ('2009 Masterplan'). It is also cognizant of the Draft 2014 Jandakot Airport Masterplan ('2014 Masterplan'), which continues a focus on major development happening around the airport.





As part of the City's opportunity to provide comment, it is important to consider whether this proposed MDP appropriately addresses the requirements set out under Section 91 of the *Airports Act 1996*, as well as the requirements of the 2009 Master Plan.

It is recommended that Council not support the Proposed MDP.

## **Submission**

The proposed MDP has been submitted by Jandakot Airport Holdings, ('JAH') in association with Kmart and Urbis.

## **Report**

### Legislative Background

The *Airports Act 1996* and associated Regulations represents Commonwealth legislation. This has a responsibility for the regulation of ownership, management and conduct of major Australian airports. Part 5 of the Act sets out the requirements for land use, planning and building controls.

In accordance with the Act, all major airport development requires a Major Development Plan to be prepared and advertised. The MDP is then submitted to the responsible Federal Minister (Minister of Infrastructure and Regional Development) for assessment. The Minister has the power to approve or to refuse to approve the MDP.

Section 89 of the Act sets out all those activities defined as major airport development. The proposed Kmart Distribution Centre which is the subject of this Proposed MDP is determined to be major airport development as per Section 89(1)(e) of the Act:

*Constructing a new building, where:*

- (i) *The building is not wholly or principally for use as a passenger terminal; and*
- (ii) *The cost of construction exceeds \$20 million or such higher amount as is prescribed;"*

Based on the estimated construction cost in order of \$40 million, the proposed development is considered a major airport development thereby triggering the need for a MDP.

### MDP Components

The proposed development represents a significant proposal, on 9.7366ha of land located in the northwest corner of the airport nearby Berrigan Drive and rural residences. It is located on a piece of land



formed by the corner of Berrigan Drive and Spartan Street, the latter street being a temporary street that was not intended to be a focus for major development to access from.

The development comprises components including:

- A general goods warehouse with a floorspace area of 3.8035ha, with goods-in from the northeast and south-east, and goods out from the north-west, and bulk floor and racked storage with mechanical sorting in the centre;
- 20 covered receiving bays (south-east side of the building);
- 46 covered container loading bays lanes (north-east side of the building);
- 35 recessed despatch docks (north-west side of the building);
- Outdoor container area;
- A perishable goods coolroom;
- Maintenance room and battery charge room;
- Administration areas, being receiving office, despatch office and main office;
- Staff and visitor car parking;
- Pallet yard;
- Sprinkler tank and pump room.

It is planned to support the entire Kmart network in WA, which currently comprises 23 retail outlets with capacity to cater for planned growth of the store network (currently 5 additional planned). Following the completion of the construction period and once fully operational, the Distribution Centre is estimated to employ up to 120 staff, with a maximum of 80 staff being rostered on at any one time.

The use will operate 24 hours a day. This is important to consider impacts on the amenity of nearby residents within the Resource zone along Berrigan Drive. Amenity impacts are particularly important to consider in respect of the noise of the use, as well as noise associated with freight and general vehicle traffic for the use. It is noted that all truck movements are proposed via a single consolidated access point onto Spartan Street, at the southeast corner of the site.

### Key issues

There are key issues associated with this MDP that are considered to pose an unacceptable level of impact on the surrounding locality. These issues are associated with traffic and noise.

### Traffic

The MDP suggests that the development proposal does not need to propose modifications to the existing Jandakot Airport Mixed Business Precinct road network on the basis that the Kmart distribution centre



would not have significant impact on the operation of Jandakot Airport's road network or the immediately surrounding local road network. The City disagrees with this assumption, and contests that the local road network suffers from a lack of investment in the road network that Jandakot Airport Holdings were responsible for as part of the implementation of the 2009 Master Plan.

The transport related impacts of the airport are a particular concern for the City and road users because of the increasing volume of traffic that is being generated by the airport and the fact that the airport still only has a single primary access point via Karel Avenue. A secondary left-in/left out only connection of Spartan Street to Berrigan Drive has been granted as a temporary access until Orion Road connects to the Berrigan Drive/Jandakot Road intersection. The City has also acceded to allowing a signalman to provide traffic control during the PM peak period at the intersection Karel /Berrigan (north) to improve accessibility for JAH until these works are completed. These temporary solutions cannot be sustained in the longer term and provide clear demonstration of the need for investment in the external network as was identified by the 2009 Masterplan.

In Section 9.0 Road Access System of the 2009 Master plan a suite of road improvements were presented to address the impacts of the traffic generated by the airport developments onto the surrounding road network.

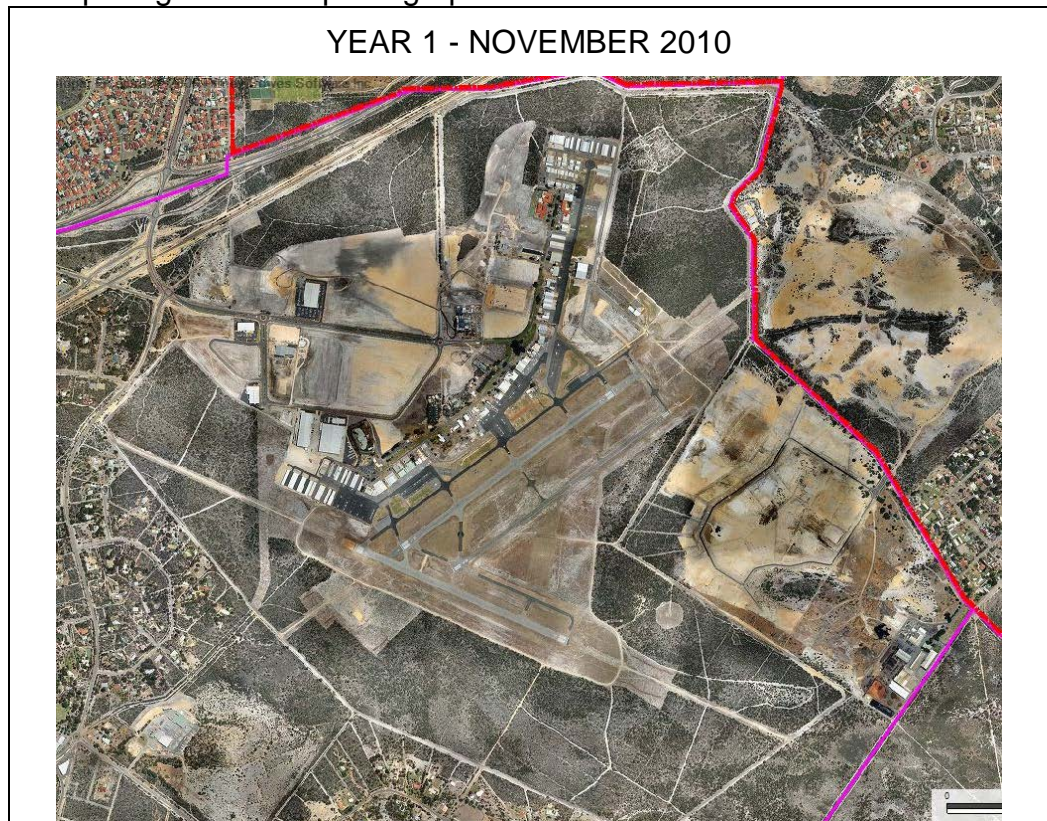
Those road improvements included:

1. Berrigan Drive (Kwinana Freeway to Jandakot Road)
  - Widen existing two-lane divided road to four-lanes divided
2. Berrigan Drive North (Karel Avenue to Jandakot Road)
  - *Upgrade* Berrigan Drive/Karel Avenue intersection from a roundabout to traffic signal control.
  - Erect *Local* Traffic Only signs at either end of this road section.
  - If *necessary*, supplement the above with traffic calming treatments.
3. East Link (Airport to Ranford Road)
  - Construct a new 2-lane arterial road with traffic signal control at Ranford Road.
4. Karel Avenue (Farrington Road to Roe Highway)
  - Upgrade of approach and departure lanes to Roe Highway from two-lane divided road to four-lanes divided.



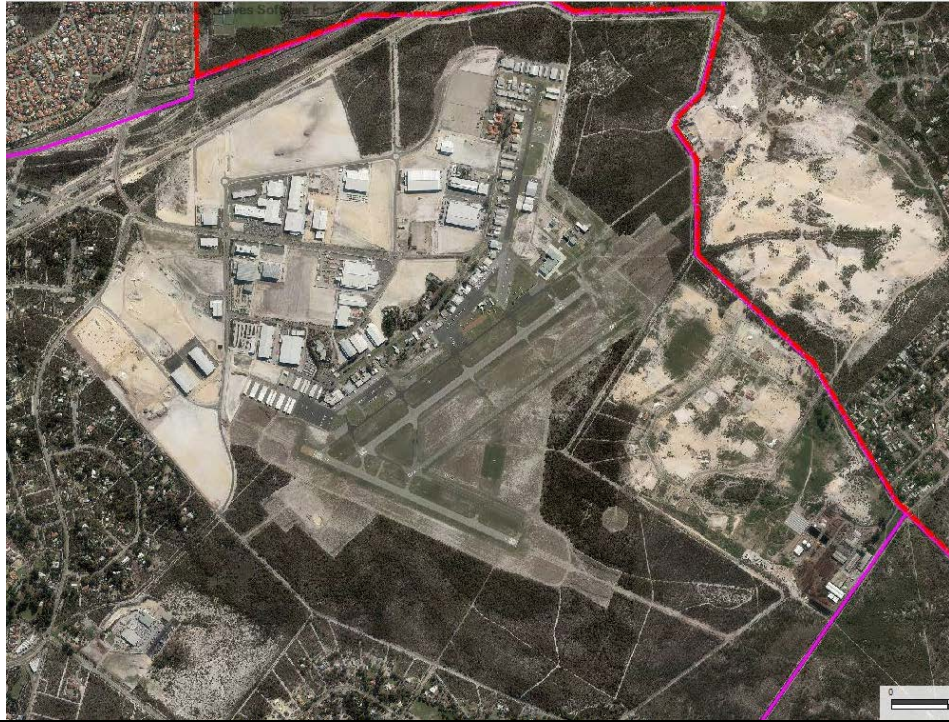
5. Karel Avenue (Roe Highway to Berrigan Drive)
  - Widen existing two-lane divided road to four-lanes divided.
6. South Link (Extension of Orion Road to Berrigan Drive/Dean Road/Jandakot Road intersection)
  - Construct a new arterial road by extending Orion Road to Berrigan Drive/Jandakot Road and installing suitable traffic control (multi-lane roundabout or traffic signals).
  - This includes realigning a section of Berrigan Drive just north of Jandakot Road so that a T-intersection is formed, with the South Link being the continuing road and Berrigan Drive the terminating road.

Since the decision in 2009 the City has been working with JAH to progress the implementation of this suite of road works in accordance with Councils recommendation. Over the years it has been presented with varying traffic modelling data and road design options for intersections prepared by a number of consultants. No significant progress has been made on any of the planned road improvements outside the airport boundary to date. Whilst the City has been prepared to consider the staging of the road network upgrades to be consistent with the rate of development, it has been continually frustrated by the lack of progress on reaching agreement for these necessary works. However, significant development of land for non-aviation commercial use has progressed in that time as can be seen by comparing the aerial photographs.





## YEAR 5 TO DATE



The mix of development that has occurred over the 5 years of the 2009 Master Plan has comprised:

- 8.4ha of warehouse;
- 2.1ha of workshop;
- 1.1ha of office;
- 0.5ha of retail.

In normal circumstances, under development that is regulated in accordance with the City's Town Planning Scheme No. 3, the City would not contemplate granting planning approval for a mix of commercial, retail and industrial uses exceeding 12ha in size with only a limited single access point. The City would have either required all infrastructure upgrades to be delivered upfront, or staged these to coordinate with the rate of development taking place. This highlights the complexity of dealing with a developer on a federal government lease.

The City has been very patient in its dealings with JAH and extended a generous level of goodwill whilst waiting on the implementation of the planned road improvements, by permitting them to:

- operate temporary (since August 2011) traffic management at the Karel Avenue/Berrigan Drive intersection, in weekday PM peak hours to minimise the delays to exiting airport traffic, and
- construct a temporary left-in/left-out access to Berrigan Drive (at Spartan Road). This access was to be available until the south link

road was provided and its future ultimately was to be considered as part of the 2014 Masterplan.

Whilst the City has provided support for the temporary left in / left out access at Spartan Street, it is clear that JAH intend to pursue retention of this link in perpetuity. The 2014 Masterplan identifies this link as forming part of the broader road network supporting the development and the Kmart distribution centre gains clear access from the link. It is important that the City be clear, this link is approved as a temporary link only until the south link road is completed. That approval however can be revisited at any time and can also be withdrawn at Councils discretion.

The issues to do with the access arrangements at Jandakot Airport have been further explored in greater detail later in this OCM agenda at Item 16.3. That item clearly articulates the necessary and priority scope of works which must be delivered to provide for the further development of the Jandakot Airport precinct and also seeks to facilitate a formal agreement which will give clarity and commitment to delivery of these works, which has been lacking to date. These 2 agenda items are linked as access to the development is critical to consideration of this MDP.

Until the south link road and other associated works are completed, the City should not support this development as the road network cannot support major industrial, commercial and retail land use which generates significant consumer, employment and freight traffic demand. If agreement cannot be reached on these necessary road upgrades as recommended at item 16.3, Council must consider the withdrawal of support for the Spartan Street access from Berrigan Drive meaning that this distribution centre (should it be approved) will need to gain access from the internal road network provided by JAH. That outcome will clearly create additional pressure on the internal network.

### Noise

The second issue of concern is the way in which noise impacts have not been examined as part the proposed MDP. The documentation states that:

*“goods from local deliveries will be via side load small vehicle, semi-trailers and B-doubles. Containers on semi-trailers, B-doubles and super-B-double vehicles will be used for the loading of goods from the covered area and rear load semi-trailers and B-doubles will be used for the transport operations at despatch. Goods-in operations are typically limited to 6:00am – 4:00pm, whilst goods-out operations occur across a longer period of day, generally between 5:30am – 8:00pm.”*



It also states:

*“The closest sensitive land use to the subject site is rural-residential development in the suburb of Jandakot to the west of the site with the nearest dwelling being less than 200 metres from the proposed Kmart Distribution Centre building.”*

As part of noise considerations, the documentation also indicates that:

*“in order to create a level site ready for development, considerable earthworks have taken place between the proposed Distribution Centre and Berrigan Drive. The level difference between the established ground level of the site and Berrigan Drive and residential development further to west creates what is termed a natural acoustic and visual barrier.”*

The document then finally contends that this level difference, the setback distance to Berrigan Drive and existing and proposed landscaping result will ensure that there will be no undue impact on the amenity of the surrounding residential development (including from flashing lights and reversing beepers).

This contention is not acceptable to the City. The City would not accept anything less than a detailed noise assessment as part of a proposed development to ensure that it will not have noise impacts on surrounding residences. The lack of a detailed noise assessment as part of this proposed MDP means that it can be concluded that the proposal will not have any undue impact on the surrounding residential/rural amenity. Such wording is also ambiguous, for example what is representative of due versus undue impact?

Where a similar development type is proposed elsewhere within the City of Cockburn, it would be necessary for the proponent to demonstrate that potential emissions would not cause adverse impacts to the residential/rural amenity of other nearby properties. The necessity for a detailed assessment of a proposal is based by the City on the separation distances identified within the Environmental Protection Authority's Guidance Statement No 3 "Separation Distances between Industrial and Sensitive Land Uses", which recommends buffer distances between the boundary of a proposed industrial land use and the boundary of the sensitive land use. The present boundary to boundary set back of the proposed MDP from the nearest sensitive land use is approximately 40m.

A similar land use identified within the EPA Guidance Statement is 'transport vehicles depot', for which the EPA Guidance Statement identifies a 200m buffer distance from sensitive land uses, with the



potential for gaseous, noise, dust and odour impacts. There are five sensitive land uses within this 200m set back from the Western boundary of the Proposed MDP. As a result, a detailed noise assessment should be provided by the proponent to demonstrate that all noise emissions would comply with the assigned noise levels imposed under the Environmental Protection (Noise) Regulations 1997, for all hours of operation.

There would be additional amenity impacts associated with the resultant increase in heavy vehicle traffic on Berrigan Drive and Spartan Street caused by this development. Heavy vehicle traffic occurring at night and in the early morning would be particularly intrusive as a result of the reduced background noise levels within residential and rural areas at these times.

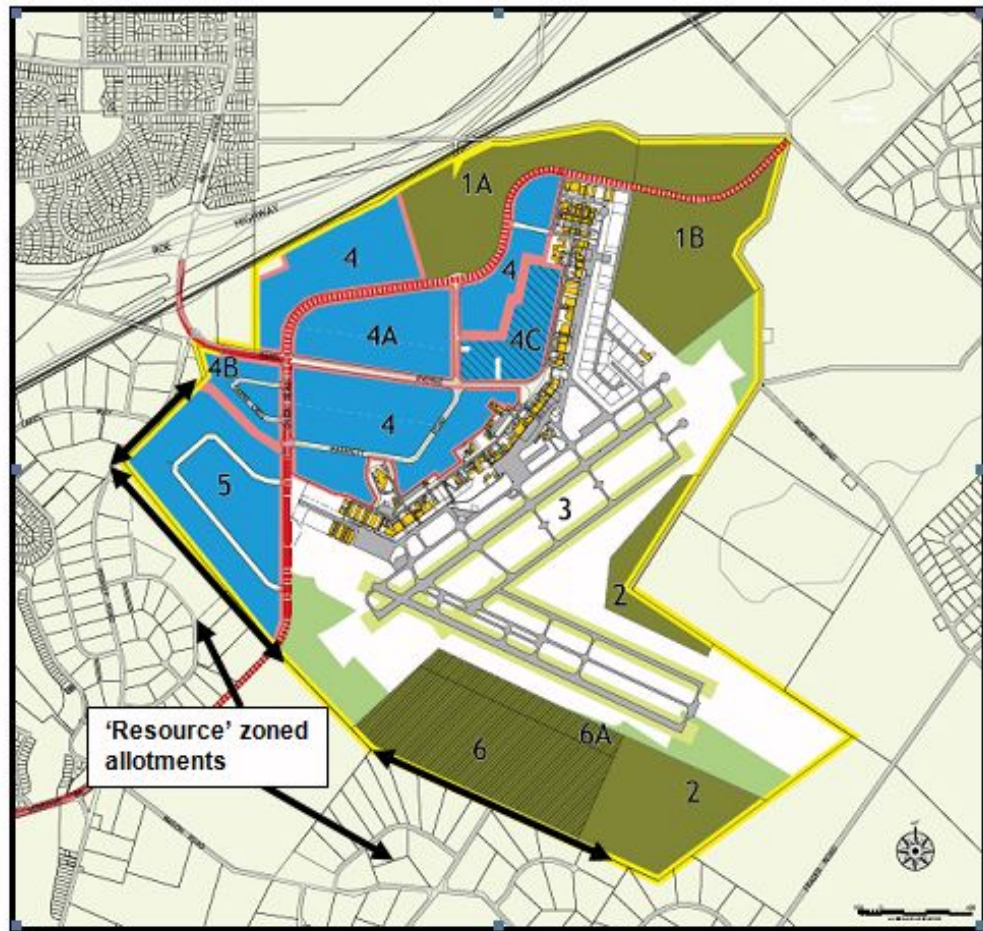
The projected increase in the volume of traffic on Berrigan Drive would also result in an increase in the 'assigned noise levels' (the permitted levels of noise) for the nearby noise sensitive properties for all noise emissions, as the assigned noise levels are related to the volume of traffic on nearby roads.

In addition, where it is necessary for the road infrastructure to be upgraded as a result of this Proposed MDP, there are noise and development implications. If Berrigan Drive (and Spartan Street) require upgrade to support the increased level of heavy vehicle traffic to Jandakot Airport, any upgrade of the road infrastructure has implications for the City under State Planning Policy 5.4, entitled "Road and Rail Transport Noise and Freight Considerations in Land Use Planning" (SPP 5.4). Under SPP 5.4, urban roads carrying more than 20,000 vehicles per day (as well as urban primary distributor roads and primary freight roads), are required to comply with noise criteria, identify measures to reduce noise impacts on existing noise sensitive development and may be required to implement noise attenuation measures to reduce noise impacts. Presently, the road reserve for Berrigan Drive is not of sufficient size to support an increase in the level of road infrastructure.

The above concerns do not represent new information for the applicant. At the time of considering the 2009 Master Plan, important concerns were raised by the City of Cockburn in respect of how the interface between higher intensity commercial development would be managed with the lower intensity 'Resource' zoned lots which adjoin the airport site. This is diagrammatically depicted following:







Issues raised at the time of the 2009 Master Plan included whether the resulting commercial development may have external impacts.

Given the nature of the airport as a specialised centre dealing with logistical warehousing and storage functions, it is reasonable to suggest that some land uses by their nature will have some external impacts. This could include potential noise, traffic and light spill impacts. Given also that the hours of operation for such uses may extend into the night, such impacts may have a higher degree of magnitude than if just restricted to daytime hours.

It was therefore important to ensure that the placement of higher impact commercial uses was not on the boundary, close to sensitive residential development, but alternatively placed internally on the airport site. For example, the placement of the recently approved ALDI Distribution Centre in the north of the airport precinct, close to Roe Hwy, is remote from the nearest residences and is provided further separation by virtue of the freight line and Roe Hwy. Also access to this is focussed from the Karel Avenue access point, meaning trucks do not need to pass the residences along Berrigan Drive in the Resource zone. In contrast, the Kmart location does not have any of these advantages in terms of physical separation from residences. It would



appear more appropriate that by centrally locating uses which are intended to operate 24 hrs per day, lower intensity uses could then buffer those higher intensity uses as the transition occurs out to the boundary of the airport site.

Given the Kmart Distribution Centre is proposed to operate 24 hours per day, and will comprise significant freight handling activities, it is arguable that its location on the periphery of the site nearby residences is inappropriate.

### Conclusion

Following analysis of the Preliminary Draft MDP, it is recommended that Council refuse supporting to proposal on the basis that:

1. It does not comply with the 2009 Master Plan;
2. The 2009 Master Plan has non-compliances associated with the lack of infrastructure investment identified in the Master Plan;
3. The proposal will exceed the traffic carrying capacity of the road network;
4. The proposal will exacerbate the already unsatisfactory traffic management levels in the area;
5. The proposal is inappropriately located, being on the periphery of the site and therefore having impacts by way of noise on the amenity of nearby residences; and
6. The proposal orientates itself from a temporary access, which is proposed to be closed in the future by the City.

### **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.

#### **Community & Lifestyle**

- Safe communities and to improve the community's sense of safety.

#### **Moving Around**

- An integrated transport system which balances environmental impacts and community needs.
- A safe and efficient transport system.
- A defined freight transport network.

### **Budget/Financial Implications**

There are no specific financial implications associated with this report.



## Legal Implications

*Airports Act 1996*

## Community Consultation

There is no specific community consultation being undertaken by the City in this respect. As part of requirements of the Act, the Proposed MDP is being advertised for public comment until 31 October 2014.

## Attachment(s)

1. Location Plan
2. Site Plan
3. Proposed Development Plans

## Advice to Proponent(s)/Submissioners

N/A. This is a request for comment from the City of Cockburn.

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

Nil.

### 14.5 **(MINUTE NO 5381)** (OCM 9/10/2014) - PURCHASE OF LOT 702 (NO. 7) BELLIER PLACE HAMILTON HILL - OWNER DEPARTMENT OF HOUSING - APPLICANT CITY OF COCKBURN (2201061) (LGATT) (ATTACH)

#### **RECOMMENDATION**

That Council:

- (1) consent to the purchase of Lot 702 (No. 7) Bellier Place Hamilton Hill for the purchase price of \$800,000.00 ex-GST; and
- (2) amend the 2014/15 adopted municipal budget by adding capital expenditure of \$800,000 (ex-GST) for the purchase of the land against a new CW project – Purchase of Lot 702 Bellier Place, Hamilton Hill and funding this via transfer from the Land Development and Investment Fund Reserve.

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



**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr S Portelli that the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0**

**Background**

As part of the Phoenix Rise Master Plan, Lot 65 Erpingham Road is identified for development. In order to maximise the development potential of this land, it is proposed to purchase Lot 702 (No. 7) Bellier Place, Hamilton Hill from the Department of Housing. This purchase provides a direct frontage to Bellier Place, to enable the entire redevelopment project to be realised for sale in accordance with the City's Land Management Strategy.

**Submission**

**Report**

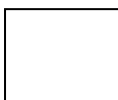
The City's officers have been endeavouring to progress the development of Lot 65 Erpingham Road, Hamilton Hill for some time. Lot 65 is currently land locked and the City has approached the Department of Housing (DOH) and BP Refinery Australia (BP) to facilitate the creation of access to the land.

For some time the City has been negotiating with BP for a road access across the BP pipeline to provide access/egress for the City's rubbish trucks and future residents of the development of Lot 65.

BP has recently consented to the construction of the road access across their pipeline and the necessary documents are being prepared to facilitate the future construction of the access.

This proposal now seeks to provide legal access to Lot 65, by purchasing the house and land located at Lot 702 (No. 7) Bellier Place Hamilton Hill and amalgamating it with the City's Lot 65. Lot 702 is owned by the DOH and they have now relocated their tenant to another more suitable property and Lot 702 is available for the City to purchase.

The purchase of Lot 702 will provide legal street access to Lot 65 along with the benefit of all services being accessible from this Lot 702. The connection of the services through Lot 702 will be straight forward and cost effective for the development. The previous plan involving the PAW access required the City to provide all services to



the lot via crossing the BP Pipeline. This would have involved more costs to the City and risk to the BP Refinery Pipeline.

The City has received a written valuation from a Licensed Valuer which states the subject property would command a market value range from \$875,000 to \$925,000 with the sum of \$900,000 considered fair and reasonable. (A copy of the valuation is attached to the Agenda). The City also sought advice from a local real estate agent (First National Real Estate Davies) to which he replied 'based on our findings we suggest a realistic market estimate of \$800,000 as a 5 unit site with an R40 zoning. We also confirm the sale of 6 Helena Place in March this year for the sum of \$505,000 set on a 332 sq.m. lot'. The DOH have provided in principal agreement that they will accept an offer from the City for \$800,000.00 ex-GST.

This report seeks a Council resolution to delegate authority to the CEO to negotiate the purchase the DOH house and land for \$800,000.00 ex-GST.

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

#### **Growing City**

- Development that is soundly balanced between new and existing areas.
- Diversity of housing to respond to changing needs and expectations.

#### **Leading & Listening**

- Manage our financial and infrastructure assets to provide a sustainable future.

### **Budget/Financial Implications**

Amend the 2014/15 adopted municipal budget by adding capital expenditure of \$800,000 (ex GST) for the purchase of the land against a new CW project – Purchase of Lot 702 Bellier Pl, Hamilton Hill and funding this via transfer from the Land Development & Investment Fund Reserve.

### **Legal Implications**

N/A



### Community Consultation

Past consultation has already been undertaken with the adjoining owners regarding the proposed changes to Lot 65 Erpingham Road, which have now been formally gazetted. The City has also previously sent a letter dated 31 August 2012 to surrounding landowners advising them of the timeline and planning of the redevelopment of Lot 65 Erpingham Road.

### Attachment(s)

1. Valuation letter from WBP Property Group (WA)
2. Location Sketch

### 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 9 October 2014 Council Meeting.

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

Nil.

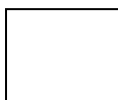
### 14.6 **(MINUTE NO 5382) (OCM 9/10/2014) - SALE OF LAND - LOT 432 (NO. 16) RODD PLACE, HAMILTON HILL (2201061) (L GATT) (ATTACH)**

#### **RECOMMENDATION**

That Council

- (1) accepts the offer from PRDnationwide Project Marketing (WA) for a consideration of \$2,400,000 (ex GST) subject to the statutory advertising required by Section 3.58 of the *Local Government Act 1995*; and
- (2) amend the 2014/15 adopted municipal budget by adding capital income of \$2,400,000 (ex-GST) from the sale proceeds against a new CW project – Sale Lot 432 Rodd Place, Hamilton Hill and transferring these into the Land Development and Investment Fund Reserve.

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



**COUNCIL DECISION**

MOVED Clr P Eva SECONDED Clr B Houwen that the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0**

**Background**

The City has owned the subject land in freehold since 1981. Lot 432 has a split zoning, with 3131sqm reserved for Parks and Recreation and 4504sqm zoned Residential R30.

**Submission**

The City has received an offer to purchase Lot 432 Rodd Place, Hamilton Hill. The offer of \$2,400,000.00 (ex-GST) is in line with the City's valuation and has a proposed settlement date of 28 February 2015. A copy of the valuation can be seen at Attachment 1.

**Report**

The sale of this land is in line with the Land Management Strategy which identified this property as being land available for sale, once it had been value added to achieve its highest potential. This occurred by way of the Phoenix Rise Master Plan, which identified a rationalised zoning to enable residential development to occur overlooking a redeveloped piece of open space. This would occur as part of the overall redevelopment of the land.

The Master Plan incorporates a number of primary elements that focus on achieving the key objectives of increasing safety and revitalisation of the area overall. The Phoenix Rise Master Plan was prepared and advertised in 2005, and adopted in 2006. A copy of the Master Plan sketch and summary is attached in Attachment 2.

The proposed purchaser will be required to purchase the entire lot 432 and subsequently cede the portion of the land reserved for recreation and open space back to the City free of cost. The proposed purchaser will also be required to upgrade the reserved land and redesign and develop the stormwater sump to the satisfaction of the City. The intent of this is to ensure a coordinated redevelopment occurs, with a positive relationship between the residential component and future public open space component.

PRDnationwide intend to construct a two storey apartment development on Lot 432.



The proposed development will take advantage of the outlook to public open space north of the development and the views south west of the development. The apartments will particularly accommodate those seeking to downsize whilst remaining part of the community they have always lived in.

The proposed sale price of \$2,400,000 (ex GST) is in line with the Licensed Valuation that has been provided. It is recommended that the sale of the land proceed in accordance with the requirements of the Act.

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

#### **Demographic Planning**

- To ensure the planning of the City is based on an approach that has the potential to achieve high levels of convenience and prosperity for its citizens.

#### **Governance Excellence**

- To conduct Council business in open public forums and to manage Council affairs by employing publicly accountable practices.

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

Amend the 2014/15 adopted municipal budget by adding capital income of \$2,400,000 (ex-GST) from the sale proceeds against a new CW project – Sale Lot 432 Rodd Place, Hamilton Hill and transferring these into the Land Development & Investment Fund Reserve.

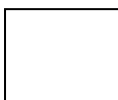
#### **Legal Implications**

Provisions of Section 3.58 of the *Local Government Act 1995* apply.

#### **Community Consultation**

As required by Section 3.58 of the *Local Government Act 1995*. Details of the proposed disposal have been advertised in the newspaper for State-wide publication, for a period of two weeks commencing on 2 September 2014.

No objections to the sale were received by the closing date of the advertising being 17 September 2014.





**Attachment(s)**

- 1: Valuation
- 2: Location Plan

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

The Proponent(s) have been advised that this matter is to be considered at the 9 October 2014 Ordinary Council Meeting.

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

Nil.

**14.7 (MINUTE NO 5383) (OCM 9/10/2014) - PROPOSED STRUCTURE PLAN - LOCATION: LOTS 12 & 13 LYON ROAD, AUBIN GROVE - OWNER: VARIOUS - APPLICANT: RPS (110/100) (C HOSSEN) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) pursuant to Clause 6.2.9.1 of City of Cockburn Town Planning Scheme No. 3 ("Scheme"), adopts the Proposed Structure Plan for Lots 12 and 13 Lyon Road, Aubin Grove subject to the following:
  1. The Local Water Management Strategy being updated to reflect the comments of the Department of Water and incorporated into the Structure Plan documentation.
- (2) in pursuance of Clause 6.2.10.1 of the Scheme, send the Structure Plan once modified to the Western Australian Planning Commission for endorsement;
- (3) endorse the schedule of submissions prepared in respect of the Structure Plan;
- (4) advise the proponent and those persons who made a submission of the Council's decision; and
- (5) advise the proponent that the site is subject to Development Contribution Area No. 13.



**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr L Smith that the recommendation be adopted.

**CARRIED 8/0**

**Background**

The purpose of this report is to consider for adoption the Proposed Structure Plan for Lots 12 and 13 Lyon Road, Aubin Grove (“subject land”). The Proposed Structure Plan seeks to provide the development framework for the subject land incorporating a medium density urban outcome and accommodating an area of public open space and associated road network.

The Proposed 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.

**Submission**

The Structure Plan was lodged by RPS on behalf of the owners of Lot 12 and 13 Lyon Road, Aubin Grove.

**Report**

Planning Background

The subject land is 8.01 ha in size and is situated between existing residential development to the north and south, the Kwinana Freeway to the west and Lyon Road to the east. The subject land is the last significant development site within the Aubin Grove locality. A location plan is shown in Attachment 1.

The subject area is zoned ‘Urban’ under the Metropolitan Region Scheme (‘MRS’). The subject area is zoned ‘Development’ under the City of Cockburn Town Planning Scheme No. 3 (‘Scheme’). The subject land is also located within Development Area 11 (DA11) and is subject to the Development Contribution Area 13 (DCA13).

Pursuant to Clause 6.2.4 and Schedule 11 of the Scheme, a Structure Plan is required to be prepared and adopted prior to any subdivision and development of land within a Development Area.



### Proposed Structure Plan

The Proposed Structure Plan as shown on Attachment 2 provides for a medium density residential development, with one area of Public Open Space ('POS') and an associated road network. Based on the design, approximately 191 dwellings (comprising single and grouped dwellings) will eventuate. The Proposed Structure Plan is expected to achieve a gross subdivisional density of approximately 26 dwellings a hectare.

The subject area is located in close proximity to the future Aubin Grove Train Station and Harvest Lakes Neighbourhood Centre; each being approximately 500m from the subject area. Therefore the site is provided with a high degree of strategic merit in assisting in achieving the performance expectations of the Harvest Lakes Activity Centre under the City's Local Commercial and Activity Centre Strategy.

The Proposed Structure Plan satisfies density objectives, POS requirements, provides a suitable road network and offers respectful integration with the existing residential areas. The proposed street layout and residential density further supports walking, cycling and public transport trips to the Proposed Aubin Grove Train Station and the Harvest Lakes Neighbourhood Centre.

### Public Open Space

The Proposed Structure Plan provides for .8646 ha of Public Open Space; one large park being located in centre subject area, a small extension of Observatory Park south is also proposed. The proposed Structure Plan meets the requirement of 10% of the gross subdivisional area as per Element 4 of Liveable Neighbourhoods. The location of the POS should allow for the retention of some remnant bushland and will also have a drainage function.

The park is provided with a high degree of visible permeability through direct lot frontage and direct street frontage.

### Community Consultation

The Proposed Structure Plan was advertised in the Cockburn Gazette for public comment for a period of 21 days from 26 August 2014 to 16 September 2014. The Proposed Structure Plan was advertised to nearby and affected landowners and also referred to relevant government authorities.

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

- One (1) from adjoining landowners



- Six (6) from government agencies
- Five (5) late submissions from adjoining landowners

The City received three (3) late submissions from residents of Twilight Mews, Aubin Grove. The submissions primarily went to concerns relating to the proposed height of retaining walls on their southern boundary of their properties. The finished lot levels and height of retaining is primarily a matter dealt with at subdivision stage of development; however, the City is cognisant of the residents' concerns and has communicated this to the applicant. The applicant has written to the City and confirmed that they will work constructively with all parties to address the matter.

Two (2) additional late submissions were received from adjoining landowners offering support for the proposal while raising some concerns. These have been directly addressed in the schedule of submissions.

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

No objections were received from either adjoining landowners or government authorities.

Comment was received from the Department of Water recommending a minor technical modification to the Local Water Management Strategy; this forms part of the Council recommendation.

As no matters of substance were raised by submitters there is no a need to directly address them in this report. Please see the Schedule of Submissions (Attachment 3) for detail and formal responses to each submission.

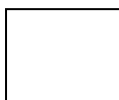
### Conclusion

It is recommended that the Council adopt the Structure Plan for Lots 12 and 13, Lyon Road, Aubin Grove, subject to modification and once the modifications are satisfactorily completed; pursuant to Clause 6.2.10 of the Scheme refer it to the Western Australian Planning Commission for their endorsement.

### **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.



- Development that is soundly balanced between new and existing areas.
- Diversity of housing to respond to changing needs and expectations.

### **Infrastructure**

N/A

### **Community & Lifestyle**

- Communities that are connected, inclusive and promote intergenerational opportunities.

### **Leading & Listening**

### **Budget/Financial Implications**

The required fee was calculated on receipt of the Proposed Structure Plan and has been paid by the proponent. The site is subject to Development Contribution Areas No 13. 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 16 September 2014.

### **Community Consultation**

In accordance with Clause 6.2.8 of the City's Scheme, the Proposed Structure Plan was advertised from 26 August 2014 to 16 September 2014. 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 Schedule of Submissions (Attachment 3) as not matters of substance were raised.

### **Attachment(s)**

1. Location Plan
2. Structure Plan
3. Schedule of Submissions



### Advice to Proponent(s)/Submitters

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 9 October 2014 Council Meeting.

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

Nil.

### 14.8 **(MINUTE NO 5384) (OCM 9/10/2014) - PROPOSED VARIATION TO ROBB JETTY LOCAL STRUCTURE PLAN: VARIOUS LOTS, NORTH COOGEE APPLICANT: LANDCORP (110/063) (C CATHERWOOD) (ATTACH)**

#### RECOMMENDATION

That Council:

- (1) pursuant to Section 6.2.8 of City of Cockburn Town Planning Scheme No. 3 ("Scheme"), advertise the proposed variation to the Robb Jetty Local Structure Plan subject to the following modifications being undertaken:
  1. Remove the reservation of 'Public Open Space' from the area of contamination on Lot 2108 Bennett Avenue and replace with the reservation 'Public Purpose (Civic)'.
  2. Public Open Space schedule and all mapping within Local Structure Plan documentation to be updated as per (1) 1 above.
- (2) advise the proponent that in advertising the proposed variation, Council is not willing to accept at this stage the future Management Order for the land indicated as 'Public Purpose (Civic)' on the proposed plan; and
- (3) advise the proponent that it may be willing to reconsider its position under (2) subject to the following:
  1. A Site Management Plan being submitted which details the maintenance responsibilities which would be associated with this site, including a breakdown of costs each year for a minimum time horizon of 30 years.
  2. An independent analysis to determine whether these maintenance responsibilities exceed (by way of cost) the normal responsibilities associated with an area of public open space which is not contaminated, for a time horizon



- of 30 years.
3. Agreement from the proponent to meet the additional cost gap, if one such exists, for the 30 year time horizon.
  4. Advice on the type of geotextile membrane proposed to be used, its likely lifespan, and the practicalities of replacement.
  5. A Landscape Management Plan for the site.

#### **COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr L Smith that the recommendation be adopted.

**CARRIED 8/0**

#### **Background**

The original Robb Jetty Local Structure Plan was adopted by Council on 8 May 2013 and endorsed by the WAPC on 16 July 2014. Since then, more detailed subdivisional design and contaminated sites investigation has led the proponent (Landcorp) to seek variations to the endorsed plan.

Detail of the variations is set out in the Report section of this item. In brief, these variations involve:

- Changing two areas of land currently zoned for 'Residential' and reserved as 'Road' to land reserved as 'Public Purpose (Civic)'. This land is proposed to retain contaminants (primarily lead) on site.
- Changing two areas currently zoned for 'Residential' to reserves for 'Lakes and Drainage'. This land is currently used for drainage purposes and is now proposed to be retained for this purpose. The associated Local Water Management Strategy has also been updated and forms an attachment to the Local Structure Plan.

City officers have noted in the draft management documentation, Landcorp's intention is to leave contaminants in the area currently shown for Public Open Space. This is not acceptable given Council's policy position of not accepting contaminated land as public open space. There is also the additional issue of development contributions being used to pay for, and embellish public open space land. City officers are not prepared to accept land with such an encumbrance as part of the 10% public open space. Therefore, an additional modification is recommended which seeks to have all the contaminated



area shown as 'Public Purpose (Civic)' so it is clear it does not form part of the 10% POS calculation (and DCP14 contribution for other landowners). There is a small surplus of public open space in Robb Jetty which should be able to accommodate this.

### **Submission**

The proponent submits the proposed variations are requested to manage contaminants (enabling retention and management in situ rather than removal off site). Retention of the contaminants also impacts the proposed drainage strategy as basins can no longer be located on the affected land without compromising the management plan.

The variation to the Robb Jetty Local Structure Plan has been submitted by HASSELL on behalf of Landcorp.

### **Report**

The purpose of this report is for Council to consider whether it is prepared to advertise the variation to the Robb Jetty Local Structure Plan.

### Delegation

Ordinarily, delegation is used to advertise a local structure plan, or a proposed variation thereof. In this case, delegation set out in APD55 Structure Plans, Rezoning Applications and MRS Amendments cannot be utilised as the proposed variation presents a conflict with adopted Council policy.

The source of conflict is the notion of contaminants being contained on land which would be vested with the City i.e. become the City's responsibility. Council quite appropriately does not normally accept land burdened in this manner.

### Planning Background

The Robb Jetty Local Structure Plan applies to the Cockburn Coast project area bounded by Rollinson, Cockburn and McTaggart Cove Roads and the foreshore reserve and freight railway line as shown in the Precinct Plan (Attachment 1).

The subject land is zoned 'Urban' under the Metropolitan Region Scheme ("MRS") and 'Development' under City of Cockburn Town Planning Scheme No. 3 ("Scheme"). The subject land is also located within Development Area 33 ("DA 33"), Development Contribution Area





No. 13 ("DCA 13") and proposed Development Contribution Area No. 14 ("DCA 14").

### Proposed Variation to Local Structure Plan

#### *Proposed retention of drainage reserves*

An updated Local Water Management Strategy ("LWMS") has been prepared to accompany the proposed variation to the Robb Jetty Local Structure Plan. Since the original LWMS was endorsed, further site investigations and stakeholder discussions have been undertaken. This resulted in the notification that additional portions of the development area are subject to contaminated material including part of the area where the proposed basin (N2) was to be located.

As a result of this contaminated lands site investigation, it was advised that the area previously identified for stormwater infiltration is no longer suitable for retaining and infiltrating stormwater due to the underlying contamination and as a consequence its potential for movement and the associated impact on surrounding areas. As such, the stormwater strategy originally proposed for Robb Jetty requires amendment to reflect the revised site conditions.

The change in the LWMS is reflected in the proposed variation to the Local Structure Plan map by reserving dedicated drainage lots as 'Lakes and Drainage'. There are associated textual and minor mapping updates within the structure plan text to reflect this change.

#### *Proposed Public Purpose (Civic) reserve*

A contaminated site investigation of the former marshalling yards site has indicated contaminants (primarily lead) present on the property. The suggested management plan is to retain these on site and manage in situ, covering in geotextile and fill. This approach is discussed further below under the subheading 'Land Management Issues'.

This land would be in addition to the minimum 10% public open space already provided for, and is situated directly adjacent to one of these areas. The land has been proposed to be removed from the Residential zone and reserved as 'Public Purposes (Civic)'. Selection of this reserve under the Scheme is important as land reserved for Public Open Space forms part of the proposed DCP14 (and DCP13 in the case of the oval site). Other landowners should not be expected to fund the management solution for this contaminated land. Reservation as 'Public Purpose (Civic)' assists in reinforcing that position.

The proposed variation to the Local Structure Plan map is shown by reserving the affected land as 'Public Purpose (Civic)'. There are



associated textual and minor mapping updates within the structure plan text to reflect this change.

*Additional Modifications required*

City officers have noted in the draft management documentation, Landcorp's intention is to leave contaminants in the area currently shown for Public Open Space. This is not acceptable given Council's policy position of not accepting contaminated land as public open space. There is also the additional issue of development contributions being used to pay for, and embellish public open space land. City officers are not prepared to accept land with such an encumbrance as part of the 10% public open space. Therefore, an additional modification is recommended which seeks to have all the contaminated area shown as 'Public Purpose (Civic)' so it is clear it does not form part of the 10% POS calculation (and DCP14 contribution for other landowners). There is a small surplus of public open space in Robb Jetty which should be able to accommodate this.

Land Management Issues

The practice of containing contaminated soil on site does not occur regularly. City staff have discussed the concept with the City's Contaminated Sites Auditor who has confirmed it is acceptable in similar circumstances, both nationally and internationally. The concept has also been discussed with the Manager of Health at the City of Fremantle (cognisant this land may transfer to Fremantle under local government reform). They have indicated they are also comfortable with the proposal.

The alternative option to management on site is to excavate, transfer to trucks, and transport to a landfill for burial. This raises concerns with potential for dust emissions.

The contaminated material is largely lead which is not especially toxic and doesn't leach to ground water. It would be buried at a depth that removes any likelihood of disturbance by excavation in the future. It would be covered by a strong geotextile sheet plus a visible warning layer to alert any future excavator.

The geotextile material would be guaranteed to last for a period of time that would be similar to the design life of a typical building and would be commonly accepted by jurisdictions around the world. Advice has been sought from Landcorp on the lifespan of the proposed geotextile. A Landscape Management Plan (also requested) would be needed to show the presence of any tall trees which may have deep roots and any structures needing deep footings and these areas will need special treatment to ensure they don't impact the geotextile layer. This would



be included in the various Management Plans and any Management Order should not be accepted until complete satisfaction is achieved with these plans. There would be an ongoing need for the managing local government to ensure that they have records systems that alert their operations workforce and planners about the presence of the material. It is noted the City of Fremantle have a number of contaminated sites with similar restrictions including in North Fremantle and around the old South Fremantle Landfill and quite possibly already manage the necessary alert systems.

This suggests that it may be viable for the City to accept future management of this contaminated land. In saying this, there are still uncertainties pertaining to financial risks. To address such uncertainties, it is recommended that Council appropriate caveat its position by not agreeing to accept management of the site, and that further information is needed to reconsider this position. This information being:

- A Site Management Plan, which details the maintenance responsibilities which would be associated with this site, including a breakdown of costs each year for a minimum time horizon of 30 years.
- An independent analysis to determine whether these maintenance responsibilities exceed (by way of cost) the normal responsibilities associated with an area of public open space which is not contaminated, for a time horizon of 30 years.
- Agreement from the proponent to meet the additional cost gap, if one such exists, for the 30 year time horizon.
- Advice on the type of geotextile membrane proposed to be used; its likely lifespan and the practicalities of replacement.
- A Landscape Management Plan for the site.

This information once received would assist Council in determining whether it is or is not willing to accept the ultimate management of this contaminated site. Note that in the absence of Council accepting such, it would fall to the State Government's Department of Land to manage.

In summary, it is appropriate for Council to initiate advertising of the structure plan variation, but to clearly advise the proponent that at this time, it is not in a position to accept future management of the 'Public Purpose (Civic)' land shown on the proposed plan. Council should also advise that it may be willing to reconsider this position, by submission of additional information as outlined above.

## **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.



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

#### **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.
- Identification and minimisation of impacts to human health risk.

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

##### Proposed Public Purpose (Civic) reserve

Should this land be vested with the City (or any entity) there would be an ongoing need for maintenance and renewal attributed to the site. The proposed management of contaminants would see a geotextile layer secured over the contaminants and a design response for the embellishment of the land planned and installed accordingly by Landcorp.

Maintenance and renewal costs are likely to be akin to management of the adjacent public open space. This land will be in addition to the minimum 10% public open space requirement. Should the City look to take on management of this land, a contribution should be made by Landcorp to offset the maintenance and renewal costs incurred in managing this site. A thirty year period should be considered appropriate. This is reflected in the officer recommendation.

##### Proposed retention of drainage reserves

Previously these basins were proposed to be 'designed out'. With their retention there may come an expectation they be visually improved by surrounding landowners. A requirement has been included that the adjoining developers, should they choose to drain into these drainage reserves, will need to contribute (proportionally) to their upgrading. This is not likely to be sufficient to cover the entire costs of upgrading the basins for aesthetic purposes. Although, the Local Water Management Strategy outlines the City has no intention to carry out further upgrades on these basins, there may be a requirement to complete the upgrade works and undertake ongoing maintenance.



**Legal Implications**

Nil

**Community Consultation**

Should Council consent to advertise this variation, it would be advertised as per Section 6.2.8 of the Scheme (not less than 21 days).

**Attachment(s)**

1. Cockburn Coast Precinct Plan.
2. Proposed variation to Robb Jetty Local Structure Plan with areas of variations marked up.

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

N/A

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

Nil.

**14.9 (MINUTE NO 5385) (OCM 9/10/2014) - FOUR (4) MULTIPLE DWELLINGS - LOCATION: 21 (LOT 26) LUPIN WAY COOGEE - OWNER: ATKINS PROPERTY DEVELOPMENT PTY LTD - APPLICANT: MOMENTUM WEALTH PROJECTS (3317437) (R TRINH) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) approve the application for Four (4) Multiple Dwellings at No. 21 (Lot 26) Lupin Way, Coogee, in accordance with the attached plans and subject to the following conditions and advice notes:

**Conditions**

1. Prior to the lodgement of a Building Permit, arrangements being made to the satisfaction of the Chief Executive Officer for the pro-rata subdivider contributions towards those items listed in the City of Cockburn Town Planning Scheme No. 3 for Development Contribution Area 13 – Community Infrastructure.
2. No activities causing 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. 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.
4. All stormwater being contained and disposed of on-site to the satisfaction of the City.
5. The development site must be connected to the reticulated sewerage system of the Water Corporation before commencement of any use.
6. A schedule of the materials, finishes and colours shall be submitted to and approved by the City prior to the lodgement of a Building Permit Application. The schedule shall include details of the type of materials proposed to be used, including their colour and texture. The development shall thereafter be maintained in accordance with the approved materials schedule.
7. All services and service related hardware, including antennae, satellite dishes and air conditioning units, being suitably located away from public view and/or screened to the satisfaction of the City.
8. The visitor parking bays shall be permanently marked, maintained and accessible at all times for use exclusively by visitors to the property, be clearly visible or suitably sign posted from the street or communal driveway and be located, together with the reversing area, in front of any security gates or barrier for the development unless otherwise approved by the City of Cockburn.
9. All vehicle parking, access ways, footpaths and external lighting shall be constructed and maintained in accordance with the Australian Standards AS2890 in the form and layout depicted on the approved plans to the satisfaction of the City.
10. Crossovers and the Common Property access way are to be constructed and drained in accordance with the City's specifications and standards.
11. Clothes drying shall not occur on open balconies at any time unless behind purpose built screening approved as part of the development. Prior to the lodgement of a Building Permit, revised plans are to be submitted to the



satisfaction of the City showing the location of the clothes drying area for Units 3 and 4 and ensuring it is screened from Lupin Way.

12. The dining room window of unit 3 shown in red on the approved plans being either: fixed obscure glazing; or with a minimum sill height of 1.6metres above finished floor level; or an obscure awning type window; or any other alternative that complies with Clause 6.8.1 (A1) of the Residential Design Codes of Western Australia to the satisfaction of the City. Details shall be provided with the Building Permit Application.
13. A minimum of 2 bicycle stands/racks that conform to Australian Standard 2890.3 shall be provided in close proximity to the entrance of the building prior to occupation of the building. Details of the bicycle parking shall be provided prior to the lodgement of a Building Permit Application.
14. Landscaping including verge planting shall be installed, reticulated and/or irrigated in accordance with the/an approved plan and maintained thereafter to the satisfaction of the City. The landscaping shall be implemented during the first available planting season post completion of development and any species which fail to establish within a period of 12 months from planting shall be replaced to the satisfaction of the City.

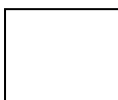
#### Advice Notes

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, or with any requirements of the City of Cockburn Town Planning Scheme No. 3 or with the requirements of any external agency.
2. Where the obligation for payment of developer contributions has been met by a previous approval, such as subdivision, Condition 1 will be deemed to have been complied with.
3. With regard to Condition 4, the onsite storage capacity for stormwater is to be designed to contain a 1 in 20 year storm of a 5 minute duration. This is based on the requirements to contain surface water by the Building Code of Australia.



4. Retaining wall(s) being constructed in accordance with a suitably qualified Structural Engineer's design and a building permit being obtained prior to construction. Retaining walls are required for any cut and/or fill greater than 150mm in height. In this regard, any fill above or below natural ground level at the lot boundaries is to be suitably retained or have a compliant stabilised embankment.
5. With regards to street numbering of this proposal, you are advised to contact the City's Strategic Planning team on 9411 3444 or email [streetnumbers@cockburn.wa.gov.au](mailto:streetnumbers@cockburn.wa.gov.au) to ensure that any street numbers used comply with the City's requirements. This should be done prior to any sales contracts being drawn up.
6. The development is to comply with the noise pollution provisions of the Environmental Protection Act 1986, and more particularly with the requirements of the Environmental Protection (Noise) Regulations 1997. The installation of equipment within the development including air-conditioners, spas, pools and similar equipment must not result in noise emissions to neighbouring properties exceeding imposed by the Environmental Protection (Noise) Regulations 1997 (as amended).
7. All toilets, ensuites and kitchen facilities in the development are to be provided with mechanical ventilation flued to the outside air, in accordance with the requirements of the Building Code of Australia, the Sewerage (Lighting, Ventilation and Construction) Regulations 1971, Australian Standard S1668.2-1991 "The use of mechanical ventilation for acceptable indoor air quality" and the City of Cockburn Health Local Laws 2000. The City's Health Service further recommends that laundries without external windows and doors should also be ventilated to external air.
8. All bathrooms, laundry facilities and sanitary conveniences in the development are to be provided with an adequate lining of impervious material in accordance with the requirements of the Sewerage (Lighting, Ventilation and Construction) Regulations 1971, the Health Act (Laundries and Bathrooms) Regulations 1971 and the City of Cockburn Health Local Laws 2000.

(2) advise the applicant and those who made a submission of





Council's decision.

**COUNCIL DECISION**

MOVED Clr S Portelli SECONDED Clr L Smith that the recommendation be adopted.

**CARRIED 7/1**

DEPUTY MAYOR CAROL REEVE-FOWKES REQUESTED HER VOTE AGAINST THE MOTION TO BE RECORDED

**Background**

The subject site is 731m<sup>2</sup> in area and is located on the southern side of Lupin Way, Coogee. The site naturally slopes upwards towards the rear of the lot by approximately 5m. The site is currently vacant and surrounded by predominantly existing single houses and grouped dwellings.

The subject site is zoned 'Residential-R30' under the City of Cockburn's Town Planning Scheme No.3 (TPS 3) and is located within Development Area 1 (Packham) and Developer Contribution Area 13.

The proposal is for four multiple dwellings, which is a 'D' use under TPS 3. 'D' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

The proposed development is also subject to comply with the Residential Design Codes (R-Codes) and is seeking approval under the design principles with regard to the rear setback, visual privacy setback to the dining room window and the plot ratio of the development. The variations were seen to potentially adversely affect neighbouring properties and therefore adjoining land owners were notified and given an opportunity to provide comments regarding the development.

As per APD53, City staff has delegation to determine development applications but due to the responses received from adjoining land owners and issues raised by some elected members of the City of Cockburn Council, this application has been referred to Council for determination.



## Submission

The applicant is seeking planning approval for four multiple dwellings with a plot ratio of 0.52 (382.62m<sup>2</sup>). Each unit consists of three bedrooms, two bathrooms, a living area and a courtyard/balcony. Eight car parking spaces are proposed for residents at the rear of the development, which follows the natural ground level of the lot and one visitor car parking bay is proposed at the front of the development.

The variations proposed for this development are for a plot ratio 0.02 (17.12m<sup>2</sup>) larger than the maximum plot ratio permitted for a R30 development, a rear setback of 0.9m in lieu of 1.5m and a side setback of 5m in lieu of 6m of a dining room window that overlooks to the western side of the lot.

## Consultation

Three (3) land owners were notified of the variations that were seen to adversely affect their property and were given 14 days to provide comments. A total of three (3) responses were received, all being objections to the development.

The objections were in regards to:

- the size of the units that exceed the plot ratio for an R30 development;
- 9 vehicle parking spaces that would generate increased noise and traffic movements;
- the proposed development not be in keeping with surrounding development;
- potentially 16-20 people that would increase impact, opposed to a standard home;
- excessive number of units proposed; and
- impact on property values.

None of the comments received were based on relevant planning consideration having regard to the design principles of the R-Codes.

## 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 'Residential-R30' under the City of Cockburn's Town Planning Scheme No.3 (TPS 3) and is located within Development Area 1 (Packham) and Developer Contribution Area 13. The proposed multiple dwellings generally comply with the provisions of TPS 3 and is a 'D' use under TPS 3. 'D' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

#### Discussion

##### *Rear setback*

The rear setback of the retaining wall is proposed at 0.9m in lieu of 1.5m. Eight (8) vehicle car parking spaces are proposed at the rear of the lot with a retaining wall and car parking shelter setback 0.9m from the rear boundary. Landscaping is proposed between the retaining wall and the rear boundary within the 0.9m setback area. The proposed car parking bays will be 3.7m lower than the fence of the property at the rear and will be sheltered and not viewable from the property behind the development. This variation met the design principles of the R-Codes as the retaining wall results in land that can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to site works and visual privacy. Therefore it was not seen to adversely affect adjoining land owners.

##### *Visual privacy*

The proposed setback from the dining room window of unit 3 is 5m in lieu of 6m. Although the setback does not meet the deemed to comply provisions of the R-Codes, the window overlooks a vehicle access way along the side of the house, which is not considered an active habitable space or outdoor living area. This variation was advertised to the affected land owner.

##### *Building Size*

R30 lots are permitted a maximum plot ratio of 0.5 of the lot, however the building bulk and scale of the proposed development is consistent with the existing and future desired built form of the locality. The minor variation of 0.02 (17.62m<sup>2</sup>) above the maximum permitted plot ratio would not affect adjoining land owners, however given that the surrounding area is predominantly single houses and grouped dwellings, the proposal was advertised to adjoining land owners.

The proposed development generally complies with the requirements of TPS 3 and the Residential Design Codes (R-Codes) with variations



to the rear setback, visual privacy setback to the dining room window and the plot ratio of the development.

In keeping with the building bulk and scale of development in the surrounding area of the lot, the proposed development maintains the aesthetics of a two-storey dwelling with access to the rear for parking, similar to other houses in the street. Although the plot ratio is above the maximum size permitted under the R-Codes, the total floor area of the development is comparable to the permitted floor area of a single house.

### Conclusion

The proposed development will not appear unbefitting to the area, given that the proposed development will be visually consistent with the surrounding area and is permissible under TPS 3. The development provides an alternative residential dwelling and creates a variety of residential choices in the surrounding area. The plot ratio is considered to meet the relevant design principle of the R-Codes.

As detailed in this report, the proposed car parking spaces at the rear of the development will be sufficiently screened from view with landscaping and well below the fence line of the adjoining property.

To satisfy the visual privacy concerns, should Council approve the proposal, a planning condition can be imposed to modify the plans submitted with the building permit to demonstrate the dining room window complying with the visual privacy requirements of the R-Codes by being either fixed obscure glazed, with a minimum sill height of 1.6 metres above finished floor level, an obscure awning type window or any other alternative that complies.

Given that the development is permissible under TPS 3 and generally complies with the requirements of the R-Codes, which will not adversely impact on the amenity of the surrounding area, it is therefore recommended that Council approve the application, subject to the conditions listed in this report.

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

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

Nil.

#### **Legal Implications**

N/A

#### **Community Consultation**

N/A

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

1. Location Plan
2. Street elevation
3. Feature and contour survey
4. Site plan
5. Ground floor plan
6. First floor plan
7. North and west elevation
8. East and south elevation

#### **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 9 October 2014 Council Meeting.

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

Nil.



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

**15.1 (MINUTE NO 5386) (OCM 9/10/2014) - LIST OF CREDITORS PAID  
- AUGUST 2014 (076/001) (N MAURICIO) (ATTACH)**

**RECOMMENDATION**

That Council adopt the List of Creditors Paid for August 2014, as attached to the Agenda.

**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr L Smith that the recommendation be adopted.

**CARRIED 8/0**

**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 August 2014 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.

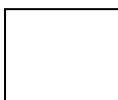
**Strategic Plan/Policy Implications**

**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 – August 2014.

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

N/A

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

Nil.

**15.2 (MINUTE NO 5387) (OCM 9/10/2014) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - AUGUST 2014 (071/001) (N MAURICIO) (ATTACH)**

**RECOMMENDATION**

That Council

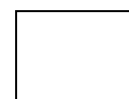
- (1) adopt the Statement of Financial Activity and associated reports for August 2014, as attached to the Agenda; and
- (2) amend the 2014/15 Municipal Budget by adjusting the net Department of Fire and Emergency Services (D.F.E.S.) funding for emergency and bushfire brigade services in accordance with advised funding levels (net income increase of \$4,498).

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

**COUNCIL DECISION**

MOVED Clr P Eva SECONDED Clr L Wetton that the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0**



## 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) explanation 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.

Local Government (Financial Management) Regulations - Regulation 34 (5) states:

- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

This Regulation requires Council to annually set a materiality threshold for the purpose of disclosing budget variance details. Council adopted a materiality threshold of \$200,000 for the 2014/15 financial year at its August meeting.

## Submission

N/A





## Report

### Opening Funds

The current figure of \$13.2M (unaudited) represents the closing municipal position for 2013/14 and covers the \$3M surplus forecast in the adopted budget, \$8.6M of municipal funding attached to carried forward works & projects and a residual balance of uncommitted funds to be further applied in accordance with Council's budget policy. This matter has been addressed in a separate item to Council this month.

### Closing Funds

The City's closing funds of \$93.9M are \$7.9M higher than the YTD budget target. This comprises net favourable cash flow variances across the operating and capital programs as detailed later in this report and the impact of the opening funds variance described earlier.

The revised budget shows end of year closing funds of \$0.1M. This change has predominantly resulted from a small increase from the notional Financial Assistance Grants (FAGS) advised to the City for 2014/15.

The budgeted closing funds fluctuate throughout the year, due to the impact of Council decisions and budget recognition of additional revenue. Details on the composition of the budgeted closing funds are outlined in Note 3 to the financial summaries attached to this report

### Operating Revenue

Consolidated operating revenue of \$91.5M was slightly below the YTD budget forecast by \$0.1M. Significant variances in this result were:

- Revenue under Governance was \$0.27M under YTD budget due to lower interest earnings on investments (down \$0.12M) and charges raised for the underground power schemes (down \$0.11M).

Further details of budget variances are disclosed in the Agenda attachment.

### Operating Expenditure

Reported operating expenditure (including asset depreciation) of \$16.7M was under the YTD budget by \$2.3M and comprised the following significant items:



- Material and Contracts were \$2.3M under YTD budget with most business units contributing. Software support expenses were \$0.4M under the YTD budget and the Engineering directorate contributed \$1.2M of the variance.
- Other Expenses were \$0.3M under YTD budget primarily due to lower charges for the landfill levy.

A more detailed explanation of the variances within each business unit is included in the attached financial report.

The following table shows the operating expenditure budget performance at the consolidated nature and type level:

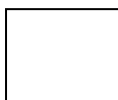
<b>Nature or Type Classification</b>	<b>Actual Expenses \$M</b>	<b>YTD Revised Budget \$M</b>	<b>Variance to YTD Budget \$</b>	<b>FY Revised Budget \$M</b>
Employee Costs - Direct	6.65	6.52	(0.13)	42.69
Employee Costs - Indirect	0.09	0.09	0.01	0.90
Materials and Contracts	3.64	5.96	2.32	35.95
Utilities	0.89	0.75	(0.13)	4.52
Interest Expenses	0.00	0.00	0.00	0.12
Insurances	1.14	1.12	(0.02)	2.34
Other Expenses	0.84	1.14	0.30	7.58
Depreciation (non-cash)	3.98	3.96	(0.02)	23.76

### Capital Expenditure

The City's actual capital spend for the month of August was \$4.1M, representing an under spend of \$4.7M on the YTD budget of \$8.8M.

The following table shows the budget variance analysis by asset class:

<b>Asset Class</b>	<b>YTD Actuals \$M</b>	<b>YTD Budget \$M</b>	<b>YTD Variance \$M</b>	<b>Annual Budget \$M</b>	<b>Commit Orders \$M</b>
Roads Infrastructure	0.84	2.25	1.42	16.42	0.94
Drainage	0.05	0.05	0.00	1.60	0.02
Footpaths	0.20	0.23	0.03	1.29	0.09
Parks Hard Infrastructure	0.18	0.61	0.43	8.21	1.40
Parks Soft Infrastructure	0.12	0.09	(0.03)	0.92	0.12
Landfill Infrastructure	0.06	0.08	0.02	1.49	0.04
Freehold Land	0.02	0.22	0.20	1.38	0.00
Buildings	1.94	3.10	1.16	31.72	2.31
Furniture & Equipment	0.00	0.01	0.01	0.01	0.00
Computers	0.19	0.52	0.33	1.19	0.21



<b>Asset Class</b>	<b>YTD Actuals \$M</b>	<b>YTD Budget \$M</b>	<b>YTD Variance \$M</b>	<b>Annual Budget \$M</b>	<b>Commit Orders \$M</b>
Plant & Machinery	0.54	1.68	1.14	5.59	1.56
<b>Total</b>	<b>4.15</b>	<b>8.85</b>	<b>4.70</b>	<b>69.83</b>	<b>6.68</b>

The major variances occur in the roads, buildings and plant & machinery asset classes. Further details on the significant spending variances by project are disclosed in the attached CW Variance analysis report.

### Capital Funding

Capital funding sources are generally highly correlated to capital spending, the sale of assets and the rate of development within the City (developer contributions received).

Significant variances for August include:

- Transfers from financial reserves were \$1.8M behind budget, consistent with the capital under spend.
- Developer contributions received under the Community Infrastructure plan are \$0.8M ahead of the YTD budget.
- Developer contributions totalling \$0.4M received for Success North and Munster DCP areas.
- POS cash in lieu contributions of \$0.2M received. These are held in restricted funds and are not budgeted due to inability to estimate.
- Proceeds from the sale of land and plant assets were collectively \$0.9M behind YTD budget settings.

### Cash & Investments

Council's cash and financial investments holding at August month end totalled \$130.9M, up from \$105.5M the previous month as rates payments flowed in. \$82.2M represented the balance held in the City's cash backed financial reserves. Another \$3.8M represented funds held for other restricted purposes such as deposit and bond liabilities. The remaining \$44.9M represented the cash and financial investment component of the City's working capital, available to fund current operations, capital projects, financial liabilities and other financial commitments.

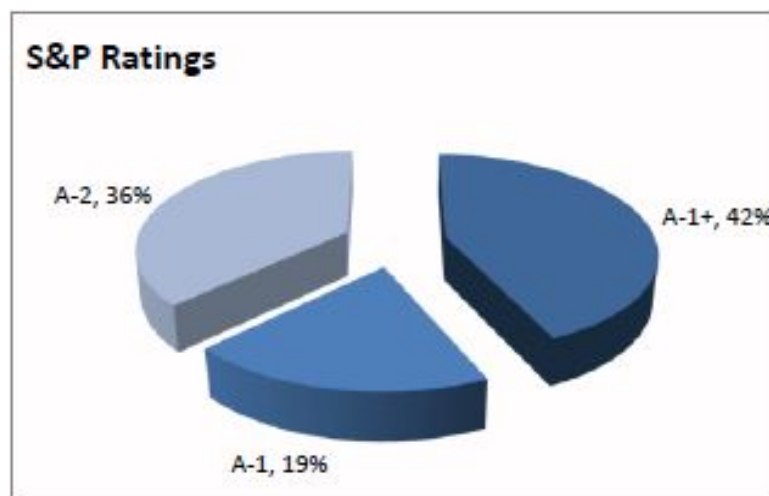
The City's investment portfolio made a weighted annualised return of 3.73% in August, down from 3.92% from the previous month. Whilst this compares favourably against the BBSW 6 month annualised rate of 2.69%, the return is trending downwards due to the low official



Australian cash rate of 2.50% and a general tightening of margins within the term deposit market.

The majority of investments are held in term deposit (TD) products placed with highly rated APRA (Australian Prudential Regulation Authority) regulated Australian banks. These are invested for terms ranging between three and twelve months in order to lock in the most beneficial rate and meet the City's cash flow requirements. Factors considered when investing include maximising the value offered within the current interest rate yield curve and mitigating cash flow liquidity risks. All TD investments comply with the Council's Investment Policy and fall within the following risk rating categories:

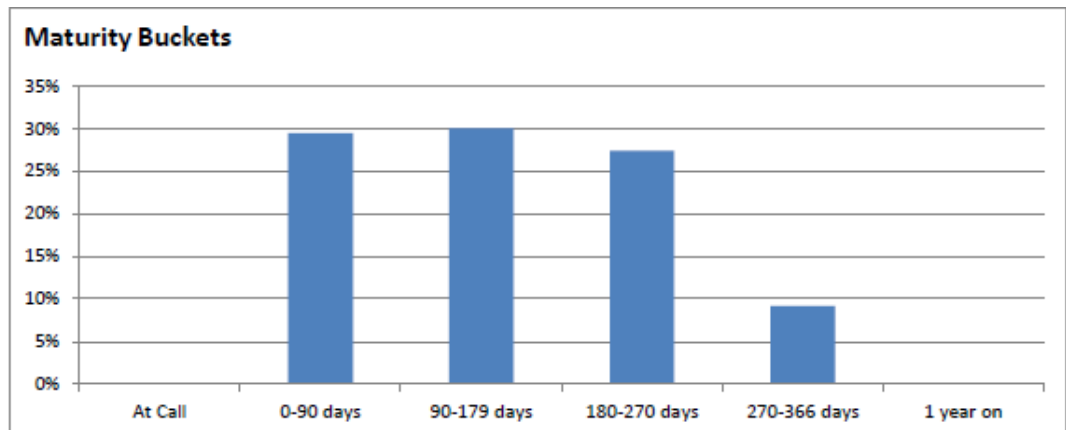
Figure 1: Council Investment Ratings Mix



Given we are now at the bottom of the current interest rate cutting cycle (consensus view of the market) the investment strategy now aims to shorten the average duration for the investment portfolio. TD investments offering value over short to medium terms (3 to 6 months) are preferred, subject to cash flow planning requirements. This will reduce risks associated with a potential increase in interest rates over the medium term. The City's investment portfolio currently has an average duration of 148 days, graphically depicted below:

Figure 2: Council Investment Maturity Profile





### Budget Revisions

A minor adjustment is necessary to the Department of Fire & Emergency Services (DFES) funded budgets in order to reconcile to the approved funding level. This will impact the City's budgeted closing funds by an increase from \$103,114 to \$107,612, a net increase of \$4,498 against GL activities 161,162 & 175.

### 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**

Budget amendment included in the recommendation. Increase the City's Municipal Budget position by \$4,498 to \$107,612.

#### **Legal Implications**

N/A

#### **Community Consultation**

N/A

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

Statement of Financial Activity and associated reports – August 2014.

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

N/A

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

Nil.

### **15.3 (MINUTE NO 5388) (OCM 9/10/2014) - 2013/14 CARRIED FORWARD WORKS & PROJECTS & CLOSING MUNICIPAL FUNDS (071/002) (N MAURICIO) (ATTACH)**

#### **RECOMMENDATION**

That Council

- (1) amend the 2014/15 budget by adding the Carried Forward Works and Projects as set out in the schedule attached to the Agenda and summarised in the following table:



Capital Expenditure	\$23,655,202
Operating Expenditure	\$481,788
Transfers to Reserves (from land sales)	\$4,022,727
Capital Income – Sale of Asset Proceeds	(\$4,258,727)
Grants yet to be received	(1,005,833)
Transfers from Reserves (Funding)	(\$11,882,349)
Restricted Grants and Contributions unspent	(\$2,122,133)
Municipal Funding required for carried forwards*	(\$8,890,675)

- (2) amends the 2014/15 budget by bringing in the 2013/14 closing municipal funds and allocating these as follows:

Closing funds as per June 2014 Statement of Financial Activity (budget surplus)	\$13,281,518
LESS: Closing funds b/fwd in 2014/15 adopted budget	(\$3,000,000)
LESS: Municipal funding required for carried forwards*	(\$8,890,675)
LESS: t/f to Community Surveillance Levy Reserve	(\$140,758)
LESS: t/f to CCW Development Fund Reserve	(\$1,250,085)
Net impact on closing budget position	Nil.

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

#### **COUNCIL DECISION**

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

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0**

#### **Background**

When Council adopted its Budget for the 2014/15 financial year (FY) at the June meeting, detailed carried forward works and projects were not included as these were unknown at that time. A \$3M estimated closing municipal position was included in the adopted budget for 2014/15.

Post 30 June 2014 end of FY year processing has now been completed, allowing for the closing municipal position and the value of carried forward works and projects to be declared (subject to external audit adjustment). Should the audit determine a change is required to the closing municipal position, this will be dealt with in the mid-year budget review.

#### **Submission**

N/A



## Report

The interim statement of financial activity presented to the August Council meeting showed closing municipal funds of \$14,098,265. Now that the end of financial year processing has been completed and the final figures calculated, the closing funds position has reduced to \$13,281,518 (a net decrease of \$816,747). An updated statement of financial activity as at 30 June 2014 is attached to the Agenda.

The closing funds include the municipal funding requirement for carried forward works and projects. A schedule of the carried forwards is attached to the Agenda, showing a net municipal funding requirement of \$8,890,675. There is also \$140,758 of unspent funds as at 30 June 2014 from the community surveillance security levy that needs to be directed to the associated financial reserve. In the 2014/15 adopted budget, the City included a brought forward municipal position of \$3,000,000.

Allowing for the abovementioned items still leaves \$1,250,085 of the final closing position uncommitted. As per Council Policy SC34 'Budget Management', surplus closing municipal funds identified at the end of each financial year are to be transferred to financial reserves or other financial contingencies with the objective of attaining the target values set for them. Accordingly, it is proposed that the \$1,250,085 be transferred into the CCW Development Fund Reserve to partially offset the borrowing requirement for this significant community infrastructure project.

Council is required to formally adopt the carried forward works and projects each year and this is being achieved through amendment to the 2014/15 budget. The carried forward works and projects include capital and operating expenditure totalling \$24,136,990. These are funded from financial reserves, grants and contributions, in addition to the municipal funding previously stated.

Whilst there are 169 projects carried forward, only 33 of these are for more than \$0.1M each and totalling \$20.7M. These account for 86% of the total carried forward expenditure. The top ten value projects comprising significant road and building infrastructure projects account for \$15.7M or 65% of the total value. The balance remaining on the Cockburn Integrated Health and Community Facility project was \$4.7M and \$3.4M was carried forward for the North Lake Rd (Hammond to Kentucky) project.

Also carried forward are outstanding land sales totalling \$4.0M, which once realised, will be transferred into the Land Development and Investment Fund Reserve as per Council's Land Development Strategy.





## **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**

The 2014/15 adopted Budget will be amended to show \$13,281,518 of opening funds brought forward from the 2013/14 FY and to include the carried forward works and projects expenditure totalling \$24,136,990 and land sales income of \$4,022,727.

### **Legal Implications**

N/A

### **Community Consultation**

N/A

### **Attachment(s)**

1. 2013/14 Schedule of Carried Forward Works & Projects.
2. Statement of Financial Activity – June 2014 (Final).

### **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 5389) (OCM 9/10/2014) - MATTERS TO BE NOTED FOR INVESTIGATION - POLICY FOR NEGOTIATION OF DEVELOPER CONTRIBUTIONS (163/006) (M LITTLETON)**

**RECOMMENDATION**

That Council note the contents of the report.

**COUNCIL DECISION**

MOVED Clr S Portelli SECONDED Deputy Mayor C Reeve-Fowkes that Council accept the report and require that a draft policy be submitted to the February 2015 DAPPS committee for consideration, stipulating that any development which has a road upgrade provision must have an agreement drafted and presented to an Elected Members' briefing prior to it being executed.

**CARRIED 5/3**

**Reason for Decision**

A briefing without objections to the proposal will allow the negotiations to be fast tracked. Any that are a concern to Elected Members can be put to Council for their further review and deliberation.

**Background**

At the Ordinary Council Meeting 12 June 2014 under Matters to be Noted for Investigation Without Debate, Clr Portelli requested the following:

*That a policy be formulated to allow Council to arbitrate on negotiations between the City and any developer that proposes a development that will impact on the community by way of adding to traffic congestion. The aim is to ensure substantial developments are supported by appropriate infrastructure so that road and path upgrades are done in a timely manner to support the extra traffic created.*

**Submission**

N/A



## Report

Development is controlled by the City's Town Planning Scheme, relevant planning and technical policies and standards as well as other relevant legislation. The City is not the final arbiter and it is important to acknowledge that developers have the right of appeal to SAT. Invariably the City and the developer must work collaboratively to arrive at a fair and reasonable compromise with regards to infrastructure upgrade contributions.

The City, represented by its officers, seeks to get the best outcome on behalf of the community. The City is represented by technical and professional staff with specific skills in engineering, planning, health, environment, building and community services. These Staff have the best knowledge of the network constraints, the infrastructure, the legislative requirements and any precedent established through other development. They are employed by the City, they work in the best interests of all, and are in the best position to negotiate an agreement which delivers the best outcome.

From an engineering perspective, development impacts on our civil infrastructure in a range of different ways:

- Roads
  - Traffic generation (internal and external)
  - Traffic flow
  - Future networks / growth
  - noise
- Paths – footpaths and cycleways
- Drainage
- Services – street lighting etc.
- Public open space areas including landscaping
- Environmental assessments
- Ground water sources including licence provisions
- facilities

There is much to consider. When considering any development, the City receives countless studies, documents and plans which details the various impacts that the development will have on the existing infrastructure. The City receives traffic impact assessments, noise assessments, drainage detail, service plans, POS landscape plans, marina and waterway plans, environmental assessments and the list goes on. Invariably these assessments support a particular position which is usually favourable to the developer (eg. traffic modelling is not an exact science and relies on a range of assumptions).

Officers use these assessments, their own assessments, peer reviews and their knowledge of the local network and environment to determine what is fair, reasonable and justifiable by way of infrastructure



upgrades. This forms the basis of the negotiations. Our officers work hard to ensure that the outcomes of any negotiations are reasonable and consistent with their understanding of the network and they ensure that their position can be substantiated. The City has been very successful in negotiating suitable agreements which have resulted in significant investment in the network as a result.

Often these agreements take years to resolve. For example the City's officers worked with the Perron group for at least 18 months to secure a reasonable agreement on road network upgrades for its recent stage 3 of the Cockburn Gateways Development. The City was clear in its objective and was ultimately able to substantiate its position through the SAT process. Having reached agreement, the WAPC and the PTA further delayed the approval process and the delivery of the works for very little additional gain (yet the City's infrastructure upgrades were agreed and committed). It is a complex process and the City's staff is its best advocate when negotiating these agreements.

To date, Council has trusted its staff to deliver the best outcomes knowing that it has been well informed through briefings and council reports and understand the general principle of the negotiations taking place through that process. Council is provided clear feedback on transport related issues through Council reports. Periodically, officers provide briefings to Council to provide an update on the progress of the development and often these relate to traffic and network upgrades because more often than not, they are a point of contention. It is also not uncommon for the developer themselves to brief council directly.

You could draw the inference from Councillor Portelli's matter to be noted for investigation that the City's current method of achieving developer contributions has failed. The City of Cockburn deals with significant developments and it has managed to secure significant investment in it's infrastructure as a result. The City uses this and other funds as leverage for increased external and government funding to further improve the road network. Council must take a strategic and holistic approach to delivering infrastructure upgrades.

The process of negotiation should be founded on being fair and reasonable and the same is expected from the developer. It is acknowledged that the developer is there to make a return but it should not do so at the expense of the existing community. For larger developments (Port Coogee, Banjup, Cockburn Central, Gateways etc), it is reasonable for infrastructure upgrades to keep pace with the rate of development. The agreement reached over the Banjup development takes these things into consideration.

The terms of that agreement require the intersection with Armadale Road to be completed before the end of this calendar year. Upgrades



of Jandakot Road (to a full dual carriageway urban standard road) and Solomon Road have been deferred until the 900<sup>th</sup> lot is developed or 2017 whichever is the sooner. That agreement is structured around the fact that initially the development will gain its sole access from Armadale Road. It is not until the first stage of the development is completed that they will require access onto the City's roads at Jandakot and Solomon. Upgrade of these roads is therefore timed to coincide with the access requirement and the rate of development. The development will not contribute to the broader traffic flow on these roads until a later stage. If Jandakot and Solomon Roads are currently experiencing problems, that is not the result of the development itself.

It is difficult to understand the basis for a policy. Taking into consideration the complexity of the issues and the amount of work that goes into negotiating and reaching a consensus position with the developer, on what basis would Council then chose to ignore the advice of staff and vary the agreement? If Council is not likely to vary the agreement, why introduce further administrative steps into the process? In any commercial negotiations you would have your expert people, those with the intimate knowledge of both parties position, reach agreement.

It is not recommended to introduce more bureaucracy into a complex process which already takes considerable time to complete. The current process already delivers infrastructure in a timely manner and supports traffic generated by the development which was a key consideration of Cr Portelli. Nothing has been presented which supports a contrary view. A policy is not necessary.

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

#### **Growing City**

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

#### **Moving Around**

- An integrated transport system which balances environmental impacts and community needs.
- A safe and efficient transport system.
- Infrastructure that supports the uptake of public transport and pedestrian movement.

### **Budget/Financial Implications**

N/A



**Legal Implications**

N/A

**Community Consultation**

N/A

**Attachment(s)**

N/A

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

N/A

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

Nil.

**16.2 (MINUTE NO 5390) (OCM 9/10/2014) - MATTERS TO BE NOTED FOR INVESTIGATION - TRAFFIC CALMING BARRINGTON STREET WEST (J KIURSKI) (1030029) (ATTACH)**

**RECOMMENDATION**

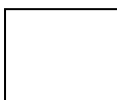
That Council:

- (1) notes the outcome of Traffic Management Warrant System (TMWS) to manage the behaviour of vehicle traffic in Barrington Street; and
- (2) develop project proposal, design concept and cost for appropriate traffic treatments on Barrington Street between Stock Road and Rockingham Road for consideration during the 2015/16 budget deliberations.

**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr L Smith that the recommendation be adopted.

**CARRIED 8/0**



## Background

At the Ordinary Council Meeting 14 August 2014, Deputy Mayor Carol Reeve-Fowkes requested that a report be prepared under Matters to be noted for Investigation the following:

*The potential traffic calming for Barrington Street (west) to identify opportunities to improve safety for residents, wildlife and motorists.*

*There have been several accidents along the road in last few years and the traffic on Barrington Street has increased as motorists seek to avoid congestion at Rockingham Road/Mayor Road/Stock Road intersections. A traffic count and review for potential safety improvements with the report to be brought back to Council for the OCM October 2014.*

## Submission

N/A

## Report

The section of Barrington Street between Stock Road and Rockingham Road is classified as a Local Distributor road under the road hierarchy classification of roads within the City of Cockburn. The function of these roads is to collect and distribute traffic from access streets, linking to the major collector roads within the neighbourhood. They can also provide secondary connections direct to the external arterial road network within the residential, industrial and commercial areas.

A preliminary assessment of the current traffic environment has been completed which includes a traffic survey, a review of traffic count data and a review of traffic crash history over the last 5 years particularly on intersections and the section between Stock Road and Rockingham Road. The current Council Policy SEW3 'Local Area Traffic Management' and the "Warrant Criteria and Weightings" have been used to evaluate the request for traffic management devices to manage the behaviour of vehicle traffic in Barrington Street.

Because of significant deference in traffic volume generated through the intersection of Barrington Street and Marvell Avenue, the "Warrant Criteria and Weightings" has been applied for two separated sections; Barrington Street between Rockingham Road and Marvell Avenue and the section between Marvell Avenue and Stock Road.

The traffic count survey completed in the last week of May 2014 shows that the average weekday traffic for the section of Barrington Road between Rockingham Road and Marvell Avenue was 5,261v/d and for



the section between Marvell Avenue and Stock Road was 7,281v/d. The traffic speed (expressed as the 85th percentile speed) of both sections is also higher than the 50km/hour posted speed environment (average traffic speed between Marvell Avenue and Stock Road is 58km/h and between Rockingham Road and Marvell Avenue is 64 km/hr). Officers also reviewed the MRWA crash statistics for this section which shows that there were 7 accidents registered for the last 5 years (3 within the section between Marvell Avenue and Stock Road).

Officers subsequently followed the procedure for evaluating the need for the installation of traffic management measures and have assessed other traffic parameters such as: road design and topography, vulnerable road users, major bicycle or pedestrian crossing points, activity generators (school, retail) and amenity factors to confirm an intervention warrant. Both sites scored more than 50 points which highlights the need for further technical assessment to determine appropriate solutions or traffic calming measures.

The City's officer will need to conduct further investigations to determine the best solutions to calm traffic and reduce a number of accidents within the section of road. These investigations will be completed prior to March 2015 to enable a design concept and budget submission to be prepared for consideration during the 2015/16 budget deliberations. During that process this project will be assessed against other budget requests, requirements and priorities having regard to budget funding limitations.

## **Strategic Plan/Policy Implications**

### **Community & Lifestyle**

- Safe communities and to improve the community's sense of safety.

### **Moving Around**

- An integrated transport system which balances environmental impacts and community needs.
- Infrastructure that supports the uptake of public transport and pedestrian movement.

## **Budget/Financial Implications**

The cost of the project development and completion of design for proposed solution has been accommodated within the current 2014/15 adopted budget, construction cost will be considered during the 2015/16 financial year budget deliberation.





**Legal Implications**

N/A

**Community Consultation**

N/A

**Attachment(s)**

1. Barrington Street [Rockingham Rd - Marvell Av] Outcome of TMWS
2. Barrington Street [Marvell Av - Stock Rd] Outcome of TMWS

**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 9 October 2014 Council Meeting.

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

Nil.

**16.3 (MINUTE NO 5391) (OCM 9/10/2014) - JANDAKOT AIRPORT ACCESS ARRANGEMENTS (J MCDONALD / M LITTLETON) (110/001) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) by 31 October 2014, complete negotiations with Jandakot Airport Holding Pty Ltd to fund and deliver an agreed scope of works generally in accordance with the Deed of Agreement attached;
- (2) authorise the CEO to execute an appropriate Deed of Agreement between the City of Cockburn and Jandakot Airport Holdings Pty Ltd to fund and deliver the agreed scope of works as detailed in the Agreement appended; and
- (3) commence actions to undertake the following if an agreement is not reached by the 31 October 2014:
  1. Withdraw approval of the temporary traffic management at the Karel Avenue/Berrigan Drive intersection.
  2. Close the temporary access of Spartan Street at Berrigan

Drive.

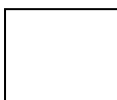
3. Advertise the temporary closure of Berrigan Drive at Jandakot Road / Dean Street roundabout and present this matter to future meeting of Council for further consideration.
4. Lodge an objection on the 2014 Masterplan on the basis that JAH have not provided necessary and promised road network upgrades to facilitate wide scale commercial, industrial and retail development on the site.

**COUNCIL DECISION**

MOVED Cllr K Allen SECONDED Deputy Mayor C Reeve-Fowkes that Council adopt the recommendation with the following amendments:

- (1) as recommended;
- (2) as recommended; and
- (3) defer consideration of points 1 to 4 below to the November 2014 Ordinary Council meeting to allow the CEO to report back on the outcomes of his negotiations with Jandakot Airport Holdings on the Deed of Agreement:
  1. Withdraw approval of the temporary traffic management at the Karel Avenue/Berrigan Drive intersection.
  2. Close the temporary access of Spartan Street at Berrigan Drive.
  3. Advertise the temporary closure of Berrigan Drive at Jandakot Road / Dean Street roundabout and present this matter to future meeting of Council for further consideration.
  4. Lodge an objection on the 2014 Masterplan on the basis that JAH have not provided necessary and promised road network upgrades to facilitate wide scale commercial, industrial and retail development on the site

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0**



## Reason for Decision

Negotiations between the City of Cockburn and Jandakot Airport Holdings on the scope of works are progressing. JAH will also be providing a briefing to Council on 23 October 2014. It is appropriate to defer consideration of these matters until after negotiations have progressed further and to enable JAH an opportunity to brief Council specifically.

## Background

Jandakot Airport is one of the busiest airfields in Australia and a substantial area, 156 hectares, of previously vacant land within the airport boundary is now being developed for non-aviation commercial purposes. Whilst the City is generally supportive of that development that is conditional on the airport adequately managing the associated amenity, environmental and transport related impacts that development will generate (*Refer Minute No. 4064 – OCM 8/10/2009*).

The transport related impacts of the airport are a particular concern for the City and road users because of the increasing volume of traffic that is being generated by the airport and the fact that the airport still only has a single primary access point via Karel Avenue. A secondary left-in/left out only connection of Spartan Street to Berrigan Drive has been granted as a temporary access until Orion Road connects to the Berrigan Drive/Jandakot Road intersection. The City has also acceded to allowing a signalman to provide traffic control during the PM peak period at the intersection Karel /Berrigan (north) to improve accessibility for JAH.

This report considers the status of road improvements planned to improve access to/from the airport and seeks to reaffirm Council's position of the access arrangements to help guide the airport's planning and decision making processes.

## Submission

Nil.

## Report

### Jandakot Airport Master Plan 2009

In March 2010, the Federal Minister for Infrastructure, Transport, Regional Development and Local Government approved the Jandakot Airport Master Plan 2009 (the Master Plan) developed by Jandakot Airport Holdings (JAH). In Section 9.0 Road Access System of the



Master plan a suite of road improvements to address the impacts of the traffic generated by the airport developments onto the surrounding road network were identified.

Those road improvements included:

7. Berrigan Drive (Kwinana Freeway to Jandakot Road)
  - Widen existing two-lane divided road to four-lanes divided
8. Berrigan Drive North (Karel Avenue to Jandakot Road)
  - *Upgrade* Berrigan Drive/Karel Avenue intersection from a roundabout to traffic signal control.
  - Erect *Local* Traffic Only signs at either end of this road section.
  - If *necessary*, supplement the above with traffic calming treatments.
9. East Link (Airport to Ranford Road)
  - Construct a new 2-lane arterial road with traffic signal control at Ranford Road.
10. Karel Avenue (Farrington Road to Roe Highway)
  - Upgrade of approach and departure lanes to Roe Highway from two-lane divided road to four-lanes divided.
11. Karel Avenue (Roe Highway to Berrigan Drive)
  - Widen existing two-lane divided road to four-lanes divided.
12. South Link (Extension of Orion Road to Berrigan Drive/Dean Road/Jandakot Road intersection)
  - Construct a new arterial road by extending Orion Road to Berrigan Drive/Jandakot Road and installing suitable traffic control (multi-lane roundabout or traffic signals).

This includes realigning a section of Berrigan Drive just north of Jandakot Road so that a T-intersection is formed, with the South Link being the continuing road and Berrigan Drive the terminating road.

These access arrangements are discussed in Section 9.0 Road Access System of the Master Plan, which is included as Attachment 1.

#### Council position on 2009 Master Plan

It is worth revisiting the council report detail from the Ordinary Council Meeting of 8 October 2009 in relation to traffic and transport as follows:

Proposed access to the airport includes the following connections:



- Access from Berrigan Drive or Karel Avenue via the Karel Avenue extension (existing);
- South Link - this road is proposed to connect from Karel Avenue to Jandakot Road and Berrigan Drive at the existing Jandakot Road/Berrigan Drive/Dean Road intersection;
- Proposed East Link - The connection of this road outside of the airport boundary will be determined in discussions with the State Government and local governments.

In respect of the proposed access and development, there are a number of issues in terms of the traffic, transport and road system which need to be addressed. These include:

1. Karel Avenue needs to be a full four lanes all the way between Farrington Road and the airport to accommodate the increased traffic and to seamlessly tie in with the existing four lanes north of Farrington Road. The railway and Roe Highway bridges will need to be widened to accommodate this and a pedestrian/cycling path link retained.
2. Berrigan Drive South will need to be widened to four lanes between the South Link Road and Kwinana Freeway to accommodate the additional traffic generated by the airport development.
3. The airport roads are considered public roads, and they should integrate with and complement the existing surrounding road system. In this respect, the new South Link Road through the airport connecting Karel Avenue and Berrigan Drive South should replace Berrigan Drive North as a District Distributor A in the City's road hierarchy. Consequently, it should be a four lane road through the airport with limited and controlled property access, and encouraged as the priority route.
4. Through traffic needs to be discouraged from using Berrigan Drive North, and its connections to Karel Avenue and the South Link Road need to take this into account.
5. The connections at South Link Road/Dean Road/Jandakot Road/Berrigan Drive will require detailed consideration, particularly as a large number of roads converge at this interchange. Private land acquisition may be required for provision and construction of South Link Road connection (outside of the airport). Should the feasibility of land acquisition become an issue, alternative options for this road connection will need to be identified as part of this Master Plan.



6. Fraser Road is an unmade road. It is shown as carrying traffic under the airport's development plan. If this road is required to facilitate the airport's road access system, then it needs to be constructed as part of the airport's road development program.
7. As the airport may be subject to emergency situations, ready, separate and controlled full turn emergency access should be provided to and from the adjacent Roe Highway away from the regular interchanges. This would be appropriate with the new Fiona Stanley Hospital being located off Roe Highway. This access point could also be utilised by other vehicles in order to reduce traffic impacts on the regular interchanges.
8. A separate study is required to model the traffic, access requirements and upgrades to accommodate the traffic generation and transport impacts on the road feeder system and the freeway/highway system. The upgrade options for Karel Avenue, Berrigan Drive, Jandakot Road, freeway accesses etc (including treatments to encourage Karel Avenue traffic to drive through the airport rather than using Berrigan Drive North) can be modelled for various scenarios to identify the most appropriate treatments. A traffic model of the area was set up by the Roe7 Alliance and this model, if available, could be readily calibrated and modified to reflect the current traffic flow characteristics and the scenarios required for the airport development.
9. The airport roads function as public roads and consequently should be designed and constructed to a minimum standard, particularly for public safety. They should be designed and constructed to the minimum requirements and procedures set by the new Local Government Guidelines for Subdivisional Development, published by the Institute of Public Works Engineering Australia (WA Division). Such should also be consistent with the City's Guidelines and Standards for the Design, Construction and Handover of Subdivision within the Municipality.
10. The subdivision process and civil works will need to be guided and monitored to ensure compliance with drawings, standards and the guidelines, and appropriate records and conformance declarations kept for any subsequent legal requirements, on-going asset management or should the care and management of the infrastructure be handed over into the future;
11. The cost of all required civil upgrade works to external infrastructure as a result of the airport's expansion is considered the responsibility of JAH to fund.



Council considered a report (*Minute No. 4064 refers*) about the Master Plan on 8 October 2009. The key recommendations from that report that relate to the airport access arrangements are:

- “2. *All specific requirements in relation to traffic and transport infrastructure as discussed under the ‘Traffic and Transport Issues’ section of the officer’s report being undertaken by JAH;*
3. *JAH being responsible for the constructing/upgrading of all the existing infrastructure outside of the airport site identified as being required to facilitate the Master Plan;*
9. *A formal protocol being established by way of Memorandum of Understanding between the City and JAH which requires involvement by the City in terms of the preparation and processing of structure plans, the processing of subdivision and development applications including parks and landscaping design and construction standards for infrastructure”*

#### What has changed?

The initial Masterplan was premised on a land-use which would have seen the development generate approximately 37,000 vehicles per day. Since the Master Plan was developed JAH have reviewed and revised the forecast development gross floor area and workforce population figures so that the total traffic generation of the airport has been reduced to approximately 24,000 vehicles per day. The suite of road network upgrades contemplated in 2009 was necessary as a result of the higher traffic forecast.

In 2009 the City believed that the further development of Jandakot Airport would be the most substantial development in this area and as a result, a significant contributor to network demands. Since 2009 the Banjup development has been approved which will also contribute to network demand in this area. On that basis it is reasonable to consider and more proportionate basis for contributions to some of road network upgrades identified.

The suite of road network upgrades contemplated in 2009 is expansive and expensive and it is reasonable for council to give some further consideration to how they will be delivered and by when. Under normal circumstances Council agrees to have road network upgrades completed that generally reflect the rate of development. This essentially ensures that there is sufficient capacity within the network to cater for traffic generated by the development.



The internal roads within the Jandakot Airport precinct are not public roads and the City has no effective control over them. That means that how these internal roads operate and their ultimate function are entirely within the control of the management of JAH. Whilst the development of the land-use will to a large degree dictate the ultimate road form, they will be unlikely to consider issues such as design standards and access control which would ultimately improve the broader road network functionality. In fact JAH have been strident in their view that their internal network should not serve a broader regional purpose despite the fact that they have actively sought to link the network to major roads through their east and south link proposals.

Whilst the City's recommendation in October 2009 clearly stipulated that JAH will be responsible to construct and fund the infrastructure upgrades identified, JAH dispute the fact that they should be responsible for funding all upgrades. As we have little in the way of planning control to bring this matter to a conclusion, we have had to enter into lengthy negotiations to reach agreement.

Works have recently commenced on the widening of the Kwinana Freeway between Farrington Road and Armadale Road. Officers believe that the traffic volumes in Berrigan Drive (north) are being distorted by a tendency for vehicles to rat run from Roe Highway to Kwinana Freeway (using Karel Avenue and Berrigan Drive north) due to the lack of capacity at the merge point of Roe Highway and Kwinana Freeway. Once this works is completed (in 2015), officers believe that the traffic volumes will substantially reduce (by about 6,000vpd) in Berrigan Drive north.

The 2009 Masterplan and more specifically the road network modelling and associated upgrades were predicated on development at Jandakot Airport being completed within a 5 year period. This development timeframe was ambitious.

It would appear that the only level of influence that the City can exert on JAH is on how it connects with the external road network as these roads are under the care, control and management of the City.

#### Berrigan Drive (north)

Over the years the City has been presented with varying traffic modelling data and many different design options for intersections. Throughout this process it has been common for the City to be presented with options that would maintain Berrigan Drive, from Jandakot Road to Karel Avenue, as a major route carrying approximately 15,000vpd which contradicts Council's view of that road as expressed in the 2009 report.





Given the lack of planning control over the leased land and our inability to dictate the manner in which Orion Road (or any other road for that matter) is designed and operated, it is not considered appropriate to seek to downgrade Berrigan Drive at this point in time. Maintaining accessibility with Berrigan Drive will improve permeability in this precinct and will give the city greater flexibility to manage traffic flow in future. The City's challenge however will be to ensure that traffic growth on Berrigan Drive is limited. Given the likely reduction in traffic volumes once the freeway widening works are completed and the recommended road network layout proposed in this report, officers believe that that will be achieved.

### Status of planned road improvements

Since 2009 the City has been working with JAH to progress the implementation of the suite of road works. The City has been prepared to consider the staging of the road network upgrades. Over the years it has been presented with varying traffic modelling data and road design options for intersections prepared by a number of consultants. No significant progress has been made on any of the planned road improvements outside the airport boundary. However, development of land for non-aviation commercial use has progressed as can be seen by comparing the aerial photographs from January 2009 and February 2014 that are included as Attachment 2.

After considerable and protracted negotiations the City and JAH have agreed on a road network layout and a priority scope of works as shown as Option 1 and is included as Attachment 3 (it may-be of some interest to some that this network is in generally the same form that was endorsed in 2009). In May, the City provided JAH with agreement in-principle (AIP) to support their application to MRWA for the installation of traffic signals at 3 intersections on the surrounding road network to facilitate this scope (refer Attachment 4) including:

1. Berrigan Drive/Dean Road/Jandakot Road/Orion Road (South Link).
2. Berrigan Drive/Orion Road T intersection.
3. Berrigan Drive/Karel Avenue intersection.

MRWA have subsequently responded to this AIP and have supported 2 of the signalised intersections with a further review of the other once the freeway widening works are completed (refer Attachment 5).

The proposed scope of works therefore is as follows:

1. The extension of Orion Road from the intersection of Berrigan Drive/Jandakot Road/Dean Road to the constructed portion of Orion Road within the Jandakot Airport boundary via the



designated road reserve (Orion Road Extension), such works to include but not be limited to:

- i. constructing the Orion Road Extension as a single carriageway road and connecting the Orion Road Extension with the external road network via a signalised intersection; and
  - ii. purchasing sufficient land to construct the Orion Road Extension as a dual carriageway and ceding that land to the Crown as road land.
2. Signalising and constructing the intersection of Jandakot Road/Berrigan Drive (south)/Dean Road/Orion Road generally in accordance with the design concept endorsed by the City and MRWA.
  3. Constructing the intersection of Berrigan Drive (north)/Orion Road generally in accordance with the design concept endorsed by the City and MRWA and providing appropriate signage control to the intersection in accordance with MRWA's approval.
  4. Signalising and constructing the intersection of Berrigan Drive (north)/Karel Avenue generally in accordance with the design concept endorsed by the City and MRWA.

This scope of works has been formulated into a Deed of Agreement which is attached at Attachment 6. The Deed specifies the timeframes for completion of the works (generally 12 months from execution of the Deed) and a range of performance conditions to be achieved. It is recommended that officers proceed to finalise and execute this agreement without further delays.

#### Further Network Upgrades

This Deed outlines the priority works required to accommodate the current development of the non-aviation land within the federal government lease and should not be considered final. Development of the airport land continues and the City will need to ensure that road network upgrades continue to keep pace with development demand. That may be harder to achieve with the reform outcome however we will need to continue to maintain a professional relationship with JAH.

Progress has been made on three projects which will further support the JAH precinct as follows:

- The City has prioritised the widening of the section of Berrigan Drive, from the Kwinana Freeway to Jandakot Road and has proposed to commence work this financial year. There is no current commitment for JAH to contribute to this road upgrade beyond the intersection works contained in the Deed of Agreement.



- Planning for the East Link has been well progressed by the Department of Planning (DoP), who have completed a study identifying a preferred road alignment. DoP are progressing with an amendment to the Metropolitan Region Scheme to formalise the road reservation needed for that road alignment. There is currently no commitment to fund this road.
- JAH extended Orion Road from Marriott Road to the airport's southern boundary (half-way to the Berrigan Dve/Jandakot Rd intersection) in the third quarter of 2012. The extension to the external road network is included in the Deed of Agreement.

#### Spartan Street Future, K-Mart Distribution Centre & 2014 Masterplan

Whilst the City has provided support for the temporary left in / left out access at Spartan Street, it is clear that JAH intend to pursue retention of this link in perpetuity. The 2014 Masterplan identifies this link as forming part of the broader road network supporting the development. It is important that we be clear, this link is approved as a temporary link only until the south link road is completed. That approval however can be revisited at any time and can also be withdrawn at Councils discretion.

From a technical viewpoint, on the basis that all other roads contained within the Deed of Agreement are constructed, there is no major objection to retaining Spartan Street in its current form (ie. left in / left out).

Recently, the City has been asked to comment on an MDP for a K-Mart distribution centre which proposes to derive an access point from Spartan Street (this matter is further considered in this OCM agenda at Item 14.4). Until the south link road and other associated works contained in the Deed are completed, the City should not support this development as the road network cannot support major industrial, commercial and retail land use which generates significant consumer, employment and freight traffic demand. It will also be the City's intention to withdraw support for the Spartan Street access from Berrigan Drive meaning that this distribution centre (should it be approved) will need to gain access from the internal road network provided by JAH. That outcome will clearly create additional pressure on the internal network.

JAH have also advertised their 2014 Masterplan for comment. This matter will be presented to council for consideration at the November OCM. It is important however to state upfront that without the necessary infrastructure being provided, we cannot support further development of this site.



### No Agreement

The City has spent considerable time and resources dealing with JAH on the access arrangements for the airport, including officer reviews of submitted reports and drawings as well as commissioning occasional peer reviews by external consultants.

The City has been very patient in its dealings with JAH and extended a generous level of goodwill whilst waiting on the implementation of the planned road improvements, by permitting them to:

- operate temporary (since August 2011) traffic management at the Karel Avenue/Berrigan Drive intersection, in weekday PM peak hours to minimise the delays to exiting airport traffic, and
- construct a temporary left-in/left-out access to Berrigan Drive (at Spartan Road). This access was to be available until the south link road was provided and its future ultimately was to be considered as part of the 2014 Masterplan.

Development of the airport land has been progressing and the need for the road improvements is now overdue and it is imperative for JAH to commit to completing them in a timely manner.

If JAH refuse to commit to an acceptable arrangement that results in the planned road improvements being completed in a timely manner, then it is reasonable that the City withdraw its goodwill by cancelling the approval for the 'temporary' traffic management at the Karel Avenue/Berrigan Drive intersection and close the connection of Spartan Street to Berrigan Drive. Officers have also considered more substantive amendments to the network – i.e. the closure of Berrigan Drive at Jandakot Road roundabout – in an effort to prioritise our residents and seek to buffer them from the Jandakot Airport operations as well as the rat running traffic created by the ineffective primary network (Roe Highway and Kwinana Freeway).

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

#### **Moving Around**

- An integrated transport system which balances environmental impacts and community needs.
- A safe and efficient transport system.
- A defined freight transport network.

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

As stated in the Master Plan.



## Legal Implications

Jandakot Airport is a Federal Government property that is leased to Jandakot Airport Holdings Pty Ltd. This means that neither the City or State Government's recommendations about the Master Plan are binding or enforceable, unless that is approved by the Federal Government.

To address this issue, a draft legal agreement has been prepared by the City's lawyers that will require JAH to commit to the planned road improvements within a specific time frame.

## Community Consultation

N/A

## Attachment(s)

1. Section 9.0 Road Access System - Jandakot Airport Master Plan 2009.
2. Aerial photographs of Jandakot Airport from January 2009 and February 2014.
3. Option 1 – Agreed Road Network layout.
4. City of Cockburn AIP
5. MRWA response
6. Deed of Agreement

## Advice to Proponent(s)/Submissioners

The Proponents have been advised that this matter is to be considered at the 9 October 2014 Ordinary Council Meeting.

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

Nil.

### 16.4 **(MINUTE NO 5392) (OCM 9/10/2014) - CITY OF COCKBURN 2014-2017 TRAVELSMART PLAN (142/007) (K BOSCHETTI) (ATTACH)**

#### RECOMMENDATION

That Council:

- (1) adopt the 2014-2017 TravelSmart Plan;
- (2) proceed to implement actions recommended by the TravelSmart Action Plan.



**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr S Portelli that the recommendation be adopted.

**CARRIED 8/0**

**Background**

The City of Cockburn has previously implemented two TravelSmart Plans – one focusing on the City employees and a broader plan targeting residents. These plans encouraged use of active travel modes for commuter trips over single vehicle car trips for work day commuting.

In order to consolidate and build on the early successes of these two Plans, the new TravelSmart Plan 2014-17 outlines actions that targets the City of Cockburn as a whole, for local workplaces and schools. This plan proactively tackles the hot community issues of traffic congestion in our City and is a supporting document for the new Integrated Transport Plan and the City's Strategic Community Plan 2012-22.

Active travel and trip chaining (trips that incorporate different active modes) builds in much needed physical activity minutes into each day for those who opt for these modes. In this way active travel contributes to the reduction of obesity and overweight issues for our community – which is currently measured at 74% of adults of the City's population.

Other additional benefits of inspiring more active travel in our City include reduction in the emissions our vehicles produce, positive impacts on the family budget, a sense of community connectedness and place making and an enthusiasm around sustainability themes for many school communities who are engaged in the TravelSmart to School program.

**Submission**

NA

**Report**

The City's existing TravelSmart Program has a reviewed focus and has aims to see:



- A reduction in the number of private vehicle trips made in the City by 10% by:
  - \* increasing the number of walking, riding and public transport trips made, and
- Improve the recall of TravelSmart messages among our community by 20% from 2013 to 2017.

This Plan looks to build and foster relationships with local schools as community hubs, workplaces, young people and Seniors and also offer a suite of initiatives for City of Cockburn staff.

With a mix of behaviour change programs, skills based programs, provision of new infrastructure and an extensive events calendar, the TravelSmart Program will look to normalise riding, walking and public transport instead of driving for the work day commute and travel for short trips.

The new Plan will capitalise on the successful engagement of 10,000 households who took part in the Your Move program over the last twelve months using resources that have been handed over such as the participant database and printed publications.

The TravelSmart Program will be run by the TravelSmart officer for the duration of the Plan.

## **Strategic Plan/Policy Implications**

### **Growing City**

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

### **Community & Lifestyle**

- Promotion of active and healthy communities.

### **Environment & Sustainability**

- A community that uses resources in a sustainable manner.

### **Moving Around**

- An integrated transport system which balances environmental impacts and community needs.
- Facilitate and promote healthy transport opportunities.



- Infrastructure that supports the uptake of public transport and pedestrian movement.

### **Budget/Financial Implications**

The financial implications of the TravelSmart Plan do not involve significant additional expenditure. The TravelSmart Officer position represents a cost of about \$100,000 per year and reflects the need for the City to focus on traffic and congestion issues from a proactive point of view, promoting the benefits of TravelSmart initiatives. The TravelSmart Officers position is currently budgeted until June 2015 and would be extended to June 2017 to coincide with the duration of this Plan.

The current financial year program budget for the TravelSmart Program is about \$60,000 and this would look to be continued for the duration of the plan.

### **Implications**

N/A

### **Community Consultation**

N/A

### **Attachment(s)**

City of Cockburn 2014-2017 TravelSmart Plan

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

N/A

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

Nil.

- 16.5 **(MINUTE NO 5393) (OCM 9/10/2014) - LOT 6 JUNCTION BOULEVARD, COCKBURN CENTRAL - TEMPORARY CLOSURE OF PORTION OF SLEEPER LANE, SIX PARKING BAYS ON LINKAGE AVENUE, TWO PARKING ON JUNCTION BOULEVARD AND TWO PARKING BAYS ON SIGNAL TERRACE (ES/R/002) (J KIURSKI) (ATTACH)**

### **RECOMMENDATION**

That Council in accordance with Section 3.50 of the Local Government Act 1995 institutes a temporary closure of portion of Sleeper Lane, six





parking bays on Linkage Avenue, two parking bays on Junction Boulevard and two parking bays on Signal Terrace, Cockburn Central for a period of 18 months commencing September 2014 to April 2016 subject to:

1. There being no substantial objection received as a result of advertising in a local newspaper.
2. There being no substantial objection from service authorities, emergency services or adjoining owners.
3. The developer engaging and appropriately accredited traffic management contractor to submit a certified traffic management plan to monitor and control traffic movement due to the closure.
4. The developer will provided the parking bays for its contractors on the Lot 5 site, which will stopped any trades people from using the existing on road parking bays.
5. The developer will install temporary perimeter fencing to the rear of car parking bays to Linkage Avenue, Junction Boulevard and Signal Terrace as detailed on the site fencing plan. The fence be positioned and of a height and form of construction that does not create a traffic hazard for motorists, cyclists and pedestrians, including mobility impaired persons, and including not blocking currently available lines of sight at intersections.
6. All works on existing City infrastructure (roads, footpaths, drainage, parks or verges) completed and reinstated in accordance with the "Public Utilities Code of Practice 2000", "Restoration and Reinstatement Specification for Local Government 2002" and the City of Cockburn "Excavation Reinstatement Standards 2002" as a minimum.
7. The developer to pay an amount of \$120,000 to any damage to the City's infrastructure prior the closure of any parking bays and the pedestrian path along Linkage Avenue, Junction Boulevard and Signal Terrace and portion of Sleeper Lane.

#### **COUNCIL DECISION**

MOVED Mayor L Howlett SECONDED Deputy Mayor C Reeve-Fowkes that Council adopt the recommendation subject to the following amendments:



- (1) as recommended;
- (2) as recommended;
- (3) the developer engaging an appropriately accredited traffic management contractor to submit a certified traffic management plan to monitor and control traffic movement due to the closure;
- (4) the developer will provide the parking bays for its contractors on the Lot 5 site, which will stop any trades people from using the existing on-road parking bays;
- (5) the developer will install and maintain temporary perimeter fencing to the rear of car parking bays to Linkage Avenue, Junction Boulevard and Signal Terrace as detailed on the site fencing plan. The fence will be positioned and of a height and form of construction that does not create a traffic hazard for motorists, cyclists and pedestrians (including mobility impaired persons) and will maintain lines of sight at intersections;
- (6) as recommended; and
- (7) the developer paying an amount of \$120,000 in the form of a bond or bank guarantee to be used as security to ensure any damage to the City's infrastructure is rectified to the City's satisfaction.

**CARRIED 8/0**

### **Reason for Decision**

These minor amendments seek to correct minor typographical errors, confirm the City's requirement to maintain the fencing for the duration of the works and to stipulate the form of the security.

### **Background**

Lot 6 Junction Boulevard Cockburn Central development was granted planning approval and building licence for 106 multiple dwellings and 6 commercial units and construction work has commenced. The development is being undertaken by Australand Holdings Ltd.

The proposed development on Lot 6 Junction Boulevard Cockburn Central is surrounded by Slipper Lane, Linkage Avenue, Junction Boulevard and Signal Terrace.



## Submission

Australand Holdings Ltd has requested Council to implements procedures to temporarily closure of portion of Sleeper Lane, six parking bays on Linkage Avenue, two parking bays on Junction Boulevard and two parking bays on Signal Terrace, for a period of 18 months during the construction of the 106 multiple dwellings & 6 commercial units on Lot 6 Junction Boulevard, Cockburn Central.

## Report

During the construction activities of (Lot 6) Signal Tce, Cockburn Central the footpath and parking bay closure can be supported for the below reasons:

The footpath and parking bays surrounding Lot 6 Signal Terrace, abutting the worksite will remain closed until the completion of works and appropriate signage will be installed to direct pedestrians to the other side of Junction Boulevard, Linkage Avenue and Signal Terrace.

Australand will maintain the footpath and parking bays area and will make good any damage caused by construction vehicles on completion of the project. The footpath and parking bays closure will have minimum impact on pedestrian movements as pedestrians will be able to use the existing footpath on northern side of Junction Boulevard, eastern side of Linkage Avenue and southern side of Signal Terrace.

Australand will install temporary perimeter fencing to the road side of the car parking bays as detailed on the site fencing plan, the temporary fence will be mesh panel fencing system and the remainder of the site will be surrounded by a combination of solid and mesh fencing system.

Australand have provided an additional 111 bays for its contractors on the Lot 5 site. This will stop any trades people using the existing car bays. Cockburn Central will therefore lose 10 car parking bays due to the development construction.

Australand has appointed a certified traffic management contractor (Altus Traffic) to monitor the impact of the footpath closure and access arrangement for the site. Altus Traffic has already submitted a traffic management plan, which is in line with Australian Standards and Main Roads field guidelines.

The proposal is for eighteen (18) months period and with appropriate traffic management controls in place, including road barriers, signage and protective surfaces covering public footpath and parking area, the



closure will not create any undue congestion and impact on surrounding land uses. Advance warning signs will also be installed and an advice of the proposed closure will be placed in both the local newspaper and West Australian newspaper prior to the closure.

All works on existing City infrastructure (roads, footpaths, drainage, parks or verges) completed and reinstated in accordance with the "Public Utilities Code of Practice 2000", "Restoration and Reinstatement Specification for Local Government 2002" and the City of Cockburn "Excavation Reinstatement Standards 2002" as a minimum.

Australand agreed to pay an amount of \$120,000 for any damage to the City's infrastructure prior the closure of any parking bays and the pedestrian path along Linkage Avenue, Junction Boulevard and Signal Terrace and portion of Sleeper Lane.

### **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.

#### **Moving Around**

- An integrated transport system which balances environmental impacts and community needs.
- Infrastructure that supports the uptake of public transport and pedestrian movement.

### **Budget/Financial Implications**

All costs to the closure will be covered by the Australand Holdings Ltd.

### **Legal Implications**

Section 3.50 of the Local Government Act.

### **Community Consultation**

To be advertised in a local newspaper and service authorities, emergency services and adjoining owners advised.

### **Attachment(s)**

Site Fencing Plan



### Advice to Proponent(s)/Submissioners

Australand Holdings Ltd have been advised that the matter will be considered by Council at the 9 October 2014 Council Meeting.

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

Nil.

## 16.6 **(MINUTE NO 5394) (OCM 9/10/2014) - CITY OF COCKBURN 2014-2020 ROAD SAFETY STRATEGY (163/007) (J KIURSKI) (ATTACH)**

### RECOMMENDATION

That Council

- (1) adopt the City of Cockburn 2014-2020 Road Safety Strategy (RSS); and
- (2) proceed to implement the short-term actions and plan for the implementation of the medium actions recommended by the RSS Action Plan.

### COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr L Smith that the recommendation be adopted.

**CARRIED 8/0**

### Background

The City's Strategic Community Plan defines the vision for the City's movement network as "a robust, safe and integrated transport network that meets people and industry needs while minimising environmental impacts." In 2013 the City revised the existing District Traffic Study, and developed a new plan to provide the foundation for the future road network planning of the City. The DTS highlighted the need for a more sustainable approach to reduce congestion within road networks.

To increase the efficiency and effectiveness of the City's transport network and to move people and goods via all modes of transport within and through the municipality, in 2014 the City developed the Integrated Transport Plan. The ITP advanced the number of actions to reduce the number of vehicles on roads, raised the community



awareness of other transport alternatives and considered the alternatives to improve safety within the road network.

The City is aware of the number of crashes that occur within the City and recognizes the negative and significant impact of road trauma on families and the broader community. There were 8,208 crashes on Cockburn Roads during the 2009 – 2013 period; 21 fatal, 427 hospital, 1,200 medical and 6,500 property damage crashes.

To define how to bring on changes to our road safety practices and culture, and eliminates death and serious injury on our roads the City's engineering service completed a review of existing crash histories and road safety issues across City, identified gaps and recommended the safety initiatives.

The engineering service completed the Road Safety Strategy which is aligned with the National Road Safety Strategy and Western Australia's Towards Zero – Road Safety Strategy, based on the "Safe System Approach" and is now presented to Council for formal adoption, and is included in the attachment.

### **Submission**

N/A

### **Report**

In line with the Strategic Community Plan, Council is aimed at bringing on changes to our road safety practices and culture, and eliminates death and serious injury on our roads. In doing so it will:

- Develop a safe road network system.
- Embed the 'Safe System Approach' into the Council and community
- Provide assurance to the government and the community that we are achieving results.

The City of Cockburn plans to use the 'Safe System Approach' to reduce road trauma in the municipality. The 'Safe System Approach', is based on approaches used in Sweden's 'Vision Zero' and the Netherlands 'Sustainable Safety', uses three main themes to promote a reduction in road crashes and the incidence and severity of associated road trauma:

- Safer Roads and Roadsides
- Safer Vehicles
- Safer Road Users.

The City of Cockburn Road Safety Strategy will draw on these elements to identify gaps and areas of improvement to create a safe system for all road users, with the City taking a lead role in coordinating



and providing a 'Safe System Approach' for everyone who lives, works, learns, spends leisure time or travels within or through City.

The reduction in road crashes will be achieved through the following approaches:

- Engineering - keeping road and roadside infrastructure and roadside environment at a safe standard.
- Education - informing road users of road safety and awareness of risk.
- Encouragement - encouraging the use and ownership of safe vehicles and to be a responsible road user.

### Road Safety Issues of Today

A review of the Crash Data 2009-2013 composed by WA Police and MRWA, and the outcome of the Collaborative Map public survey held in August 2013, identified the number of traffic and road safety issues within the City. The main issues identified are:

- Speeding in residential streets and through school zones
- Aggressive driving 'hoon' driving
- Road network congestion
- 'Black Spot' areas
- Safety for walking and cycling
- Pedestrian and school crossing
- Drivers driving under the influence of alcohol and other drugs
- Provision of pedestrian and cycling paths to key destinations
- Road crossing facility
- Parking and walking around school area.
- Promote and encourage safe cycling practices
- Visibility of motorcycles
- Provision of accessible paths for vision impaired and/or physically impaired people
- Large number of crashes

The road crashes analyses within this document aim to identify patterns and emerging trends in road trauma across the City of Cockburn, in order to target issues of concern and relevant short-term and medium-term solutions to help increase safety on our roads, for all road-users.

There were 21 fatal crashes and 427 serious injuries on Cockburn's roads during the 2009 - 2013 period. During this period the main road users group involved in serious and fatal crashes were drivers (90%) and pedestrians (3.5%) and most of the crashes took place in 60km/h and 70km/h speed zones.



Although the number of pedestrians (3.87%) and bicyclist (1.46%) is lower in comparison with other road users in the five year period 2009 – 2013, there were 6 fatalities involving pedestrians and 1 fatality was a cyclist. The highest risk group is the 25 to 39 year olds; they accounted for 29.6% of crashes in Cockburn.

The crashes by road type have been analysed and an outcome of this is that there were 1,938 road related crashes on Primary and Regional Distributor roads, 3,969 road crashes on District and Local Distributor and 1,853 crashes on Local Access roads during the period of 2009 – 2013.

In comparison with other regional Councils such as Melville, Fremantle, Kwinana and Rockingham, the data shows that the City of Melville has a slightly larger number of crashes than the City of Cockburn, but Cockburn has a higher number of fatalities than other LG areas.

The comparison based on crashes per 10,000 population shows that a large number of crashes in the category of hospital, medical and property damage are in the Fremantle area, but the fatality crashes per 10,000 population is larger in the City of Rockingham. The City of Cockburn has a similar road trauma profile to the City of Melville.

### Safe System Approach

The 'Safe System' views the road transport system holistically by seeking to manage the interaction between road users, roads and roadsides, travel speeds and vehicles. The 'Safe System' recognizes it is probably not possible to prevent all crashes but aims to prevent those that result in death and serious injury.

The Western Australia Road Safety Strategy 'Towards Zero', sets an ambitious target of 11,000 fewer deaths and serious injuries by 2020.

The City of Cockburn Strategy is about creating the environment, procedures, systems and tools to make the strategic objective a reality. It complements the State Government's Road Safety Strategy with initiatives and actions that will enhance and build capability to deliver the Towards Zero outcomes and targets.

The City's Safe System comprises three key principles: Safer Roads and Safe Roadsides, Safer Vehicles and Safer Road Users.

#### **Safer Roads and Safe Roadsides**

- Implementing appropriate infrastructure treatments, maintaining existing infrastructure to the required standards and introducing new initiatives.
- Supporting programs (such as installation of red light and speed cameras, enforcing of school





speed limits, enforcing of speed limits in built-up areas).

- Safer Vehicles**
  - Provide targeted information about safer vehicles to a range of groups in the community.
  - Provide and promote enhanced and up-to date vehicle safety features, via information on vehicle safety features and associated benefits, and information relevant to learner motorcyclists.
- Safe Road Users**
  - Engage all road users through targeted communication and tailored education and engineering programs.

By developing the RSS, Council will support safety programs delivered by State and Federal Government and place an action plan to improve the road safety of residents of the City of Cockburn.

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

#### **Demographic Planning**

- To ensure the planning of the City is based on an approach that has the potential to achieve high levels of convenience and prosperity for its citizens.
- To ensure development will enhance the levels of amenity currently enjoyed by the community.

#### **Transport Optimisation**

- To ensure the City develops a transport network that provides maximum utility for its users, while minimizing environmental and social impacts.
- To construct and maintain roads which are convenient and safe for vehicles, cyclists and pedestrians.

### **Budget/Financial Implications**

The cost of the RSS development has been accommodated within the current 2014/15 adopted budget.

Any actions arising will be considered as part of the Budget deliberations.

### **Legal Implications**

N/A



**Community Consultation**

N/A

**Attachment(s)**

City of Cockburn 2014-2020 Road Safety Strategy

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

N/A

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

Nil.

**16.7 (MINUTE NO 5395) (OCM 9/10/2014) - 2014-2024 PUBLIC OPEN SPACE STRATEGY (A LEES) (146/004) (ATTACH)**

**RECOMMENDATION**  
That Council adopt the 2014-2024 Public Open Space Strategy.

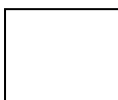
**COUNCIL DECISION**  
MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr L Smith that the recommendation be adopted.  
**CARRIED 8/0**

**Background**

The City manages approximately 577 hectares of public open space (POS), including streetscapes. POS is the most visible asset the City is responsible for providing, managing and maintaining, and provides a key opportunity for communicating the City's vision and values. POS provides a number of different services, including opportunities for social and recreational pursuits, community development, improved amenity, green spaces and ecological improvement.

The City has developed a Public Open Space Strategy in order to strategically plan the City's current and future POS management requirements.

The POS Strategy complements the City's Natural Area Management Strategy, and the two documents contain the information previously



held within the City's Greening Plan 1999, which has now been superseded by these documents.

### **Submission**

N/A

### **Report**

Public Open Space (POS) is the most visible asset the City is responsible for providing, managing and maintaining and provides a key opportunity for communicating the City's vision and values. POS provides a number of different services, including opportunities for social and recreational pursuits, community development, improved amenity, green spaces and ecological functions.

The City manages over 300 parks and 36,173 street trees along 878km of roads and this incredible responsibility necessitates a strategic approach. For the purposes of this strategy, POS is not confined to a traditional understanding, but includes roadside or streetscape areas, regional parks and foreshore reserves

The City has developed this strategy in order to strategically manage these assets for the community now and into the future. This Strategy sits within the City's broader framework of corporate strategic planning, ensuring alignment with the organisation's vision and values and is cognisant of state and local planning frameworks and regulations, which will guide the sustainable management of POS.

POS contains a number of different values, which must be understood to ensure maximum benefit for the community. The City combines these values with an understanding of trends – demographic, health, population, recreation and other – to support the creation and maintenance of community assets, which are accessible, sustainable, functional and well utilised. Because of this, POS management must be flexible in order to respond to the many factors which affect it.

The Action Plan contained within this document, enables a tangible approach to achieving the Strategy's vision, values and objectives. They are classed according to time frames and costs, which will guide future planning.

As well as outlining a classification of the City's streetscapes, this Strategy highlights the network of roads and streetscapes, which are under active management. This Strategy outlines the level of service per annum for key activities as well as a comprehensive inventory of the City's POS.



## **Strategic Plan/Policy Implications**

### **Community & Lifestyle**

- Communities that are connected, inclusive and promote intergenerational opportunities.

### **A Prosperous City**

- Creation and promotion of opportunities for destination based leisure and tourism facilities.

### **Environment & Sustainability**

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

## **Budget/Financial Implications**

Any actions arising will be considered as part of the Budget deliberations.

## **Legal Implications**

N/A

## **Community Consultation**

N/A

## **Attachment(s)**

2014–2024 Public Open Space Strategy.

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

N/A

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

N/A.

## **16.8 (MINUTE NO 5396) (OCM 9/10/2014) - COOGEE BEACH ECO SHARK BARRIER (064/030) (D VICKERY) (ATTACH)**

### **RECOMMENDATION**

That Council:

- (1) finalises negotiations with Eco Shark Barriers Pty Ltd for the



continuation of the trial for a 3 year period from November 2014 to November 2017 for a sum of \$85,000 per annum funded on a pro-rata basis, quarterly in advance, and on the basis that Eco Shark Barrier P/L will:

- Retain responsibility for installation, management, insurance, cleaning and monitoring of the barrier for the entire period of the trial.
- Provide appropriate certification for the product and any modification to the barrier during the course of the trial.
- Retain public liability insurance to the value of \$20,000,000 for the duration of the trial.
- Provide an bi-annual report (in March and September each year) detailing the impact of coastal processes on the beach environment.
- Remove the barrier, anchor piles, anchor chains and any other associated product at the end of the trial period if no alternative arrangements have been made with the City.

(2) applies for and retains necessary approvals and licenses in the name of the City from the Department of Lands and the Department of Transport for the duration of the trial; and

(3) allocate funding of:

1. an additional sum of \$45,000 via the 2014/15 FY mid-year budget review; and
2. \$85,000 per annum for the 2015/16 and 2016/17 FY budgets.

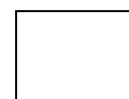
for this project.

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

#### **COUNCIL DECISION**

MOVED Mayor L Howlett SECONDED Deputy Mayor C Reeve-Fowkes that

- (1) delegate authority to the CEO to finalise negotiations with the State Government over their contribution to the eco shark barrier;
- (2) finalises negotiations with Eco Shark Barriers Pty Ltd for the continuation of the trial for a 3 year period from November 2014 to November 2017 for a City of Cockburn contribution of up to \$85,000 per annum funded on a pro-rata basis, quarterly in advance, and on the basis that Eco Shark Barrier P/L will:



1. Retain responsibility for installation, management, insurance, cleaning and monitoring of the barrier for the entire period of the trial.
  2. Provide appropriate certification for the product and any modification to the barrier during the course of the trial.
  3. Retain public liability insurance to the value of \$20,000,000 for the duration of the trial.
  4. Provide an bi-annual report (in March and September each year) detailing the impact of coastal processes on the beach environment.
  5. Remove the barrier, anchor piles, anchor chains and any other associated product at the end of the trial period if no alternative arrangements have been made with the City.
- (3) applies for and retains necessary approvals and licenses in the name of the City from the Department of Lands and the Department of Transport for the duration of the trial; and
- (4) allocate funding of:
1. An additional sum of \$45,000 via the 2014/15 FY mid-year budget review.
  2. \$85,000 per annum for the 2015/16 and 2016/17 FY budgets.
- for this project.
- CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 7/1**

### Reason for Decision

This provides scope for the CEO to complete negotiations with the State Government on a possible funding contribution to the continuation of the trial of the Eco Shark Barrier for a further 3 years.

### Background

Following an increased incidence of fatal shark attacks along the West Australian coastline, the State Government committed funds to research and trials of various shark hazard mitigation treatments. The



State Government's Department of Commerce (which houses the office of the Chief Scientist) had sought Expressions of Interest from Local Governments for grant funding of up to \$150,000 to trial a beach enclosure to protect swimmers from risk of shark encounters. The City submitted an EOI and was shortlisted, however was unsuccessful in securing the funds on account of the form of barrier the City proposed (the Eco Shark Barrier) not being consistent with the product that the State Government wanted to trial. The City of Busselton was subsequently successful in securing a grant to trial a net at Dunsborough.

As a means of testing their product, the proponents of the Eco Shark Barrier sought support from the City of Cockburn to trial their barrier at Coogee Beach over the summer months at no cost to Council. The matter was presented to Council at its 11<sup>th</sup> July 2013 Ordinary Council Meeting and the recommendation was adopted to approve the trial of the Eco Shark Barrier at Coogee Beach from September 2013 until March 2014 subject to a number of conditions including placement, engineering certification, approvals and insurances

Form Designs Pty Ltd (the designers) and Eco Shark Barriers (the inventor, funder and installer) were successful in gaining the necessary approvals and the trial of the eco shark barrier proceeded with it being installed in December 2013 and removed (with the exception of the anchor pylons and seabed components) on the 26<sup>th</sup> April 2014. The trial was successful including proving popular with beachgoers and having no marine entrapment issues.

Following the conclusion of the successful trial a report was presented to 8 May 2014 Ordinary Council Meeting and the following recommendation was adopted:

- (1) *commence negotiations with Eco Shark Barriers Pty Ltd and the state government to continue the trial for a 3 year period from September 2014 to September 2017;*
- (2) *informs Eco Shark Barriers Pty Ltd that the trial will enable the Eco shark barrier to remain in place during both summer and winter months and will provide a more robust trial of the barriers ability to withstand wave action and storm events;*
- (3) *negotiate on the basis that Eco Shark Barrier P/L will:*
  - *retain responsibility for installation, management, insurance, cleaning and monitoring of the barrier for the entire period of the trial;*
  - *provide appropriate certification for the product;*
  - *retain public liability insurance to the value of \$20,000,000 for the duration of the trial;*



- *provide an annual report (in September of each year) detailing the impact of coastal processes on the beach environment;*
  - *remove the barrier, anchor piles, anchor chains and any other associated product at the end of the trial period if no alternative arrangements have been made with the City.*
- (4) *seek approval from the Department of Lands to lease the area bounded by the Eco shark barrier for a 3 year period during the trial;*
- (5) *seek the necessary approvals from the Department of Planning and the Department of Transport to re-install the eco shark barrier for a 3 year period from September 2014 to September 2017; and*
- (6) *match the state government contributions, on a dollar for dollar basis, up to a maximum value of \$75,000 per annum.*

Most of the conditions have been met to varying degrees and it is now proposed to proceed with the further trial of the eco shark barrier under somewhat modified parameters as detailed in the report below.

### **Submission**

N/A

### **Report**

Following from 8 May 2014 OCM resolution, officers from the City have carried out discussions and negotiations with Eco Shark Barriers Pty Ltd, sought approvals and licenses from various agencies, and sought funding contribution from the State Government, with view to reinstalling the eco shark barrier in October/November 2014 for a further trial period up to September 2017. Details in respect to these negotiations and inquiries are as follows.

#### Eco Shark Barriers Pty Ltd

Eco Shark Barriers Pty Ltd (the proprietors being Craig and Leanne Moss) are keen to work with the City on a further extended trial of the eco shark barrier out to September 2017, including leaving it in place over the winter periods to test the barrier's resilience to wind and wave conditions.

Since April 2014 the company has worked on an improved design of the barrier segments to make assembly and disassemble easier and lessen their cross section width to lessen the drag in the water, whilst ensuring the strength, structural integrity and non-entrapment





characteristics of the barrier are not compromised. It is the barrier incorporating this improved design that the company want to install at Coogee Beach for the forthcoming summer of 2014/15, at no different cost to lease as compared to what would have applied if reinstalling the barrier used in the 2013/14 trial period.

The proprietors of Eco Shark Barriers Pty Ltd have provided a number of pricing alternatives on the basis, as requested by the City, of their continued ownership, maintenance and overall responsibility for the barrier over the extended trial period out to September 2017. A copy of their price proposal is attached at Appendix 1.

### State Government Agency Licenses and Approvals

Relevant State Government departments or agencies with a statutory interest in the Eco Shark Barrier installation at Coogee Beach have been approached with view to the City being the applicant or license holder over this further trial period. A summary of their responses follows:

- a) The Department of Transport – Coastal Infrastructure Branch issue an annual license for the structure (as they would for a jetty) and they have indicated that the license issued to Eco Shark Barriers can be transferred over to the City.
- b) The Department of Planning Department of Planning have advised that further approval is not required from the WAPC in respect to the re-installation of the eco shark barrier at Coogee Beach.
- c) The Department of Lands have referred to their Legal Services team the preparation of a Section 91 licence under the Land Administration Act 1997, in the name of the City of Cockburn. It is understood this will also cover any Native Title matters. The advice to the officer at the Department dealing with the City's application is that the City is seeking for the license to be issued in time for a reinstallation of the barrier by the end of October 2014.

### State Government Funding Contribution

The Mayor and the City's Director Engineering and Works made representations to the State Government in early June seeking contributory funding toward a three year extension of the eco shark barrier trial at Coogee Beach. Copies of the letters received back from the Premier Colin Barnett and the Director of the Office of Science Wendy Attenborough dated 24 and 19 June respectively are attached at Appendix 2. The responses advised that the Government is evaluating the performance of the shark barrier trial they sponsored at Dunsborough over last summer.



Further liaison with the Office of Science since these dates has received the same advice, that the Government will consider future funding options when the evaluation is finalised.

The Governments response to media inquiries around the EPA not supporting the reinstallation of the shark drum lines off the West Australian coast appears to indicate that the Government is receptive to the installation of shark barriers at Perth metropolitan beaches. However there is no certainty that the Government would support a barrier at Coogee Beach in preference to one of the other Perth beaches that could also suit such a measure.

Separate to the City's representations to the Government, the proprietors of Eco Shark Barriers have made their own submissions to both the Office of Science and to the Minister for Fisheries, seeking support from the Government toward the City's proposed reinstallation of the eco shark barrier at Coogee Beach, and also to be aware of the potential for the barrier to be installed at other Western Australian beach locations. The responses they have received have been similar to that received by the City, that the Government is not in a position to financially support the installation of a eco shark barrier (or we take it, any other form of barrier) at this point of time.

#### Timing and Cost for Reinstallation of the Eco Shark Barrier

There is a lead time for the company to proceed with procurement of the new components, assembly and reinstallation of the barrier, such that if given the go ahead following 9 October Ordinary Council Meeting the barrier could conceivably be installed around the end of October.

It is also by the end of October that the Section 91 license is expected to be issued by the Department of Lands.

Eco Shark Barrier Pty Ltd have provided three pricing options for installation of the improved shark barrier as detailed in Section 5 of their presentation document (appended at Appendix 1), these being:

- a) Cost for the City to purchase the Barrier: \$255,000, plus estimated maintenance cost \$10,000 per annum
- b) Cost for the City to lease the barrier over a 3 year period: \$100,000 per annum plus estimated maintenance cost \$10,000 per annum
- c) Cost for the City to lease the barrier for a period of 7 years including maintenance: \$65,000 per annum.



With options (b) or (c) Eco Shark Barriers would have the continuing ownership responsibilities for the barrier including any reinstatement should it be damaged by storm events or vandalism.

It is not envisaged that the City would incur any additional significant cost with any of the options over the 3 to 7 year time frame. There may be some additional minor officer time and cost in administration and periodic inspections carried out by City officers, and for the license fees.

The costs are reflective of the pylons, anchor chains, navigation markers and management plans having already been installed and available for the re-installation.

#### Additional Considerations and Recommendation

In its previous item, the City made the point that the eco shark barrier attracted users from the metropolitan area at large and on that basis, some contribution should be expected by the State Government to continue to proof up the product for more wide scale use. The City committed a sum of \$75,000 to match any contribution the state would provide. As the City has been unable to secure any contributions, it must now decide if it wishes to proceed with the trial and fund the annual costs.

In view of the eco shark barrier design essentially being a prototype, with potential for further development and improvement in the future, plus it being untested in winter conditions, it would appear prudent that the City not opt for outright purchase or an overly long lease period.

Eco Shark Barrier Pty Ltd has provided the City with a range of funding options to consider. It is also open to the City to make a counter offer to Eco Shark Barrier given it is still relatively untested in surf or swell conditions and the continued trial was contemplated as a means of enabling the company to further proof the technology. Officers believe that that is the most appropriate position to take with further negotiations with the company. It is recommended that the City offer to enter into a 3 year lease with Eco Shark Barrier as previously contemplated in its May recommendation for the sum of \$85,000 per annum (paid on a pro-rata basis and quarterly in advance). This sum will include the installation and maintenance costs for the duration of the lease. The sum is based on the capital cost of the product (\$255K) and the annual maintenance (option 1) proportioned across the lease period. All other terms shall remain the same.



## **Strategic Plan/Policy Implications**

### **Infrastructure**

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

### **A Prosperous City**

- Creation and promotion of opportunities for destination based leisure and tourism facilities.

### **Environment & Sustainability**

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

## **Budget/Financial Implications**

There is a current 2014/15 budget provision of \$42,386 carried forward from 2013/14 FY. If the recommendation is successful an additional \$45,000 allocation will be required via the 2014/15 mid-year budget review.

## **Legal Implications**

N/A

## **Community Consultation**

A website survey was undertaken over the period of the trial.

## **Attachment(s)**

1. Eco Shark Barrier Presentation to City of Cockburn 21 July 2014.
2. Correspondence from the Premier dated 24 June 2014 and the Director of the Office of Science dated 19 June 2014.

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

N/A

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

Nil.



**16.9 (MINUTE NO 5397) (OCM 9/10/2014) - MATTERS TO BE NOTED FOR INVESTIGATION - SHARED WASTE BINS (167/002) (M LITTLETON)**

**RECOMMENDATION**

That Council note the contents of the report.

**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr L Smith that the recommendation be adopted.

**CARRIED 8/0**

**Background**

At the September 2014 Ordinary Council Meeting Councillor Portelli requested under Matters to be noted for Investigation the following:

*That a report be prepared to investigate the feasibility for residents to share rubbish bins in specific areas and under varying conditions. For example to be provided at discounted rates.*

1. *How much could be proposed?*
2. *What sort of discounts could be provided if they are sharing bins?  
- This proposal is designed to recognise that some residents have minimum rubbish requirements and could be allowed to share bins and therefore reduce their respective costs.*
3. *What discounts would be feasible and what savings are possible?*
4. *Can it be done in zones or controlled so that rubbish collection cannot be uneconomical in some areas?*
5. *What issues can be seen?*

**Submission**

N/A

**Report**

Waste is an essential service. All properties generate waste and will require access to the service. Whilst it would be nice to be able to tailor the service to meet individual properties, it is difficult to see how this can be achieved (at least in the short term). We have identified a number of issues which would need to be addressed:



1. We currently provide a specific service for aged or mobility impaired residents. Whilst these residents pay the same levy, the City physically collects the bins.
2. sharing bins is currently permitted in multi-storey residential units only. Residents however pay the same levy as the City services these properties through basement level facilities with a specific low profile vehicle (requires 2 employees).
3. Sharing bins between individual freehold titles cannot be sustained as there is no way of identifying the proportion of waste being generated by either party.
4. Allowing people to share bins does not remove the need for the City to travel every street or reduce the amount of waste collected.
5. The overall costs of disposal will not change (i.e. we will still generate the same amount of MSW regardless).
6. Put simply, it removes a small number of lifts yet requires the City to collect the same tonnage and travel the same km's.
7. We cannot currently control who is putting waste in a bin (once a bin has been presented, it is open for any resident to place waste in it).
8. If you do allow residents to share, who presents the bin, who stores it, who cleans it etc?
9. Are there trespass issues?
10. It relies on neighbours to be neighbourly. What happens if the relationship sours or if one resident moves away?
11. How do we levy a fee for service?
12. What is the service? Do people opt in and opt out?

It is important to acknowledge that the current service is highly regarded by our community as is evidenced by the response to our community perceptions survey (97% satisfaction). We are also currently in discussions with the City of Kwinana to determine the best outcome for service provision in that district should reform occur.

### The Current Service

The Waste Collection budget is based on a "cost neutral" principle in that it spreads the cost of the entire service over all users. The \$435 waste charge levied on all improved properties allows the delivery of the following suite of services (proportional cost included as a percentage):

- A weekly 240lt Municipal Solid Waste (MSW) or green top bin (60%),
- A weekly 240lt recycled or yellow top bin (20%),
- 4 bulk verge collections (10%)
- 6 trailer passes (8%)
- A bin delivery/ maintenance service (1%) and
- A park and litter bin service (1%)



Residents are also charged an additional \$27/year for 4 years to cover the cost of the supply of a recycle and a general waste (MSW) bin.

### Service Charge Methodology

The current waste service requires the following:

- Green Bin - 2.17 M lifts per annum (44,000 weekly services @ 95%)
- 28,000 tonne of putrescible waste
- We travel every street every week.
- Yellow bin - 1.83 M lifts per annum (44,000 weekly services @ 80%)
- 14,000 tonne of recyclables
- We travel every street every week.
- 11 serviced areas \* 4 Verge collections per annum (servicing every domestic property in the district)
- 2,500 tonne of green waste and 1,700 tonne of junk.
- 60,000 trailer passes redeemed (of the 240,000 passes issued)

### The SMRC

Through its service charge the City is also funding the governance and administration of the SMRC as well as the significant loan liability for the RRRC. Our waste disposal costs are also reflective of the increased costs required to process our MSW through the SMRC.

### Growth

Currently the waste collection service grows at 1,200 lifts per annum. Every 5 years we must add an additional MSW and Recycle truck to the fleet to manage the growth.

Our current waste levy of \$435 per annum covers this service in its entirety and each residential property has access to the same service. Our budget is a 'closed loop' with all costs being incorporated.

### User Pays Methodology

Developing a "user pays" principle could be considered; however, is very complex to deliver. Our officers always look for opportunities to reducing waste to landfill. It is well know that those initiatives that link financial incentives to sustainability outcomes are the simplest to implement and have greatest chance of success.

As waste is an essential service, the City requires some degree of certainty to enable it to offer the range of services currently provided. Waste collection is a logistics business providing a 5 day per week



operation (with only Christmas and New Year's Day off). We manage 14 waste trucks and 17 staff. Each truck lifts in excess of 1,200 bins each day and we need to know where those services are.

User Pays becomes complicated because of the following:

- Our collection method is largely fixed.
- You cannot control who puts waste in a bin once it is on the street.
- Whilst we see some advantage in providing 140ltr and even 360ltr bins, the costs to service them are exactly the same.
- The additional costs to administer a user pays service increases.

Whilst these issues maybe overcome, I am not sure that the benefits outweigh the demand.

From a City of Cockburn service view point, there will be many residents who don't use the suite of services provided by the City e.g. libraries, recreation centres, park bins, CoSafe, etc yet are required to contribute regardless.

#### Cost plus Methodology

With a cost plus methodology the City would have to factor in the broad capital costs of delivering a base level of service and apply that cost as a levy. We could then offer additional services at a fixed fee and enable users to pick and choose based on their specific need. In taking this approach however the City would need to apply the full cost of the additional service. As an example, we could reduce the waste levy by \$30 if we were to remove all tip passes. Residents that required tip passes could purchase them from the City however we would apply the full cost of \$270 per 6 trailer passes.

The City currently enables residents to purchase additional MSW or recycling bin collections on a cost recovery basis (\$311 for a second MSW bin and \$100 per second recycle bin).

The basis of this methodology is not inconsistent with the manner in which the Water Corporation levies costs for water and sewerage. Whilst there is a broad consumption charge, every resident must pay water and sewerage rate.

#### Legislation

The Waste and Resource Recovery Act 2007 (WARR Act) Section 67 gives the Local Government the power to impose a receptacle charge on the owner of a premise provided with a waste service. The City is obliged to provide this service to all improved properties in its local





government area. Whether occupants choose to use the service by presenting or not presenting bins has no bearing on the amount charged.

The interpretation and application of this charge by the City has been sanctioned by the Department of Local Government as being consistent with the Act and the practices of other local governments.

### Waste Management & Education Strategy

In our efforts to reduce waste to landfill, officers see the merit of reducing the receptacle size. This however needs to be considered holistically and strategically. The Waste Management and Education Strategy 2013-2023 has listed an action for the 16-17 FY in respect to this matter as follows:

*“Prepare a business case for the introduction of financial incentives to reduce domestic MSW bins to 140lt.”*

Given the local government reform matters currently on the agenda, the 2016/17 timeframe is considered reasonable. This initiative fits well around the “Recycle Right” principles.

### Conclusion

Under the current fee structure there is no opportunity to reduce the costs for those users who produce less waste. The principle applied by our current waste levy effectively spreads the service costs across many users, and enables the City to maintain the service charge at the current level. If Council sought to move to a more user pays methodology officers could not predict the resource allocations required to deliver the service from 1 year to the next which would add additional costs and risk to the service. Whilst it may also marginally reduce costs to a few residents, it would not reduce the program costs thus costs to other residents would need to increase as a result.

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

#### **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.

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

N/A



**Legal Implications**

N/A

**Community Consultation**

N/A

**Attachment(s)**

N/A

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

N/A

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

Nil.

**17. COMMUNITY SERVICES DIVISION ISSUES**

Nil

**18. EXECUTIVE DIVISION ISSUES**

Nil

**19. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

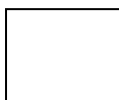
Nil

**20. NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING**

Nil

**21. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY COUNCILLORS OR OFFICERS**

Nil



**22 (OCM 9/10/2014) - MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE**

Clr Phil Eva requested a report to be presented on Graffiti. The report should outline the number of cases of graffiti in 2014 and what policies are in place in relation to graffiti.

**23. CONFIDENTIAL BUSINESS**

Nil

**24 (MINUTE NO 5398) (OCM 9/10/2014) - 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 Deputy Mayor C Reeve-Fowkes SECONDED Clr S Portelli the recommendation be adopted.

**CARRIED 8/0**

**25 (OCM 9/10/2014) - CLOSURE OF MEETING**

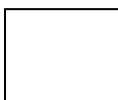
8.13 pm.



**CONFIRMATION OF MINUTES**

I, ..... (Presiding Member) declare that these minutes have been confirmed as a true and accurate record of the meeting.

Signed: ..... Date: ...../...../.....



**SCHEDULE OF SUBMISSIONS  
PROPOSED BUSHFIRE HAZARD ASSESSMENT MAP**

NO.	NAME/ADDRESS	SUBMISSION	COUNCIL'S RECOMMENDATION
1	City of Cockburn Landowner	<p>My husband and I live at 281 Henderson Road in Munster. We have done so for 9 years and have not had any bushfires come close to our property in that time. We have positioned our house close to Henderson Road and keep the firebreaks and areas around the house cleared.</p> <p>I sincerely hope that our land has not been identified as being bushfire prone. If it has, I'd like to know on what basis? What evidence is there to support that this area is bushfire prone?</p> <p>My only reason for not wanting my land identified as bushfire prone, other than the fact that it is not, is that I do not want any additional building and planning requirements to be imposed in relation to new proposed development on the land. You already cannot do anything. At the moment, the area is zoned rural so you cannot subdivide your lot, even in two. There is strong resistance to any second dwelling being erected and stringent requirements in relation to wanting to build a granny flat. The very last thing we need, is further red tape, prohibiting and limiting our freedom to do what we want on our land.</p>	<p><b>Objection Noted. Not Supported</b></p> <p>The absence of a bushfire is not necessarily an indication of the level of risk and vulnerability a particular piece of land is faced with.</p> <p>The City has utilised the Office of Bushfire Risk Managements State Bushfire Prone Area Map mapping standard to determine what areas within certain zones are likely to be subject to bushfire risk.</p> <p>This approach to addressing risk is consistent with the intent of Scheme Amendment No, 92, the recommendations of the Keelty Report and the recently released Draft State Planning Policy 3.7.</p>
2	City of Cockburn Landowner	<p>Objection</p> <p>In reference to the above Proposal, I wish to voice my opinion regarding the prevention of bush fires in the areas identified as hazardous especially on Map 3.</p> <p>Most of the areas identified as being in a bush fire prone area are in close proximity to quite densely populated urban areas. I am of the opinion that when a bush fire takes hold especially during the hot summer months in the year, they are especially difficult to control and do spread to the urban areas surrounding the bush fire prone areas with devastating results. I personally believe, it would be far more sensible to reduce the bush in these zones which</p>	<p><b>Objection Noted. Not Supported</b></p> <p>The City also wishes to avoid repeats of significant bushfire events such as those experienced on Black Saturday and the Roleystone Fires. The City in enacting Bushfire Prone Areas is actioning a recommendation of the Keelty Report into the Perth Hills Bushfires.</p> <p>By ensuring that all new development correctly addresses the bushfire risk the City hopes to lower the vulnerability of property and lives to bushfire.</p> <p>Broad scale clearing of Local and State reserves and</p>

NO.	NAME/ADDRESS	SUBMISSION	COUNCIL'S RECOMMENDATION
		<p>would considerably reduce the chance of fires breaking out in identified areas. This will reduce the damage a potential fire could cause and stop it from spreading into neighbouring built up areas causing loss of lives and homes. I'm sure no one would like to see a repeat of the Black Saturday bush fires in Perth. Also, we are already paying additional rates to cover FESA's costs in the event of a bush fire.</p>	<p>private land within the Resource Zone would be inconsistent with both the City's Scheme and various State Planning Policies. By enacting bushfire prone areas on land where people live the City is attempting to strike a balance between the preservation of environmental assets and the protection of property and lives.</p>
3	<p>Jim Houlahan 137 Britannia Avenue BEELIAR WA 6164</p>	<p><b>Introduction:</b> I have read the Keelty report. There were 55 recommendations. One of the recommendations is the subject of the above matter. The Keelty report dealt with the fires in the Perth hills area. Some of the key witnesses into the investigation of the fires were the CSIRO and Bushfire Cooperative Research Centre (Bushfire CRC).</p> <p>It is mentioned in a Council report that the reason for this map is as a result of one of the recommendations of the Keelty report. Evidence provided by the CSIRO and the Bushfire CRC makes it clear that the impact of Bush fire hazard is greatly reduced if fuel loads in surrounding bush land is reduced either by slashing, controlled burning, or complete removal.</p> <p>One of the key recommendations of the Keelty report was for Councils (with cooperation and co-ordination of other Bush Fire Authorities) to manage and maintain the reduction of fuel loads in and around areas that could be Bush Fire Prone. If fuel loads in bushland that is part of the Cockburn Cement Works and bushland to the east of Fanstone and Britannia Avenues, were reduced or removed then the areas North and North east of the cement works and properties to the west would no longer be bush fire prone or subject to bush fire hazard.</p>	<p><b>Submission noted but not supported.</b></p> <p><b>Introduction:</b> The City of Cockburn recognises the need to be proactive in respect of managing the risks associated with bushland reserves. As an example of this, the City of Cockburn has prepared and implemented fire management plans for conservation reserves such as Denis De Young Reserve, Gil Chalwell Reserve, Market Garden Swamp Reserve and Lake Coogee Reserve. In respect of the comments made about the Cockburn Cement land, it (like other privately owned land) must be managed according to the requirements of the Bush Fires Act 1954 and specifically the City of Cockburn Fire Control Order. Note that management does not infer the complete removal of bushland, rather management actions like prohibited burning times, ploughing and keeping clear fire breaks, clearing of vegetation around buildings etc. It cannot be assumed that removing bushland immediately proximate to a landholding will remove the hazard. Preparing bushfire hazard assessment maps takes into account various issues. The following is an extract from the State Government's Bushfire-Prone Area Mapping Standard:</p> <p>The bushfire-prone vegetation is based on the type and extent of vegetation. It will initially be derived through existing datasets, and will be further improved by a range of measures including local level verification, aerial photography interpretation and some field validation. The bushfire-prone vegetation includes the following vegetation communities:</p> <ol style="list-style-type: none"> <li>1. forest (including plantations);</li> <li>2. woodland;</li> <li>3. shrubland;</li> </ol>

NO.	NAME/ADDRESS	SUBMISSION	COUNCIL'S RECOMMENDATION
		<p><b>Hidden Costs:</b></p> <p>1. I understand that only new developments may become subject to this proposed amendment. However my property is designated as being "Bush Fire Prone" What is not revealed in any reports or information is that I have a duty of disclosure to inform my insurer that my property is now in a bush fire prone Area. If I do not advise my insurer I run the risk of having any future claims refused. Once my insurer is advised I am sure to get a hefty increase in my premiums a bush fire excess clause or cancellation of my policy altogether or get a "Bush Fire Hazard Assessment" done at my expense.</p>	<p>4. scrub; and 5. mallee/mulga.</p> <p>Land containing at least one of the above vegetation communities shall be identified as bushfire-prone vegetation in accordance with the following criteria:</p> <p>1. All parcels of the above vegetation that are greater than 1 hectare in size shall be identified as bushfire-prone vegetation.</p> <p>2. Single areas of the above vegetation that are between 0.25 and 1 hectare in area and are within 100 metres of other parcels of vegetation in the identified communities greater than 1 hectare in size shall also be identified as bushfire-prone vegetation.</p> <p>Accordingly it cannot be assumed that removal of bushland from one area will automatically remove the risk. As seen above, there is a need to consider different vegetation communities (referred to as bushfire-prone vegetation), different sizes of those communities, and the separation between them.</p> <p>1. The issue of insurances was raised during the original advertising of Scheme Amendment 92, which has generated the statutory framework for a bushfire prone special control area to be introduced within the Local Planning Scheme, and for subsequent Bushfire Hazard Assessment Maps to be prepared. At the Council meeting of 9 May 2013, the officer report was adopted with the following comments on insurance:</p> <p>A number of submissions noted concern that the zoning of an area bushfire prone would place upwards pressure on insurance premiums. The Insurance Council of Australia has noted that risk assessment is for the most part undertaken on a property specific basis and the declaration of an area as bushfire prone should have negligible impact on premiums as such risk is already factored into calculations. The declaration of large areas of New South Wales and Victoria, following recent fire events, has not lead to a significant shift in premiums. The insurance industry advises that dwellings built to ASC3959-2009, could over time, experience a lowering of insurance</p>

NO.	NAME/ADDRESS	SUBMISSION	COUNCIL'S RECOMMENDATION
		<p>2. I work in the Real Estate industry. If an owner decides to sell their property and they are within the Bush fire prone area the owner and real estate Agent have a duty of disclosure to inform all prospective purchasers that the property is in a " Bush fire prone area". The agent would then need to go through the onerous procedure of explaining what this means to the prospective purchaser. Simply put "it is dangerous to live here and if you want to build anything new it will cost you more than a normal depending on the level of hazard as determined by a BAL scale.. Although existing homes do not have to comply with the new bush fire building codes and some homes may not even be considered at risk, a prospective purchaser would have to pay for an assessment to determine the level of risk and from my experience most purchasers would simply say" No thanks" and look elsewhere. I have worked in this area for 20 years and Bush Fires have never been an issue. If I wanted to buy property in the Perth Hills area (the area subject to the Keelty report) or suburbs that fringe large natural forests or parklands then I would expect Bush Fire issues.</p> <p>Following is an extract from the Rural Urban Bush Fire Threat Analysis which will be used to determine Bush Fire Prone, threat or hazard.</p> <p><b>Extract from Rural Urban Bush Fire Threat Analysis (RUBTA)</b></p> <p>Whilst RUBTA provides the opportunity to undertake a considered structured approach to identifying the potential threat to a community from bush fires, it does not recommend what should be done to mitigate the potential threat.</p> <p>The RUBTA process seeks to document the items that may cause a bush fire control problem and potentially damage community assets and values. It is recommended that after undertaking the RUBTA analysis, which itself</p>	<p>premiums due to the lowering of risk through a designated bushfire prone area. (Emphasis added)</p> <p>2. The City of Cockburn completes a zoning certificate as part of the orders and requisitions process for land transactions. Once a prospective purchaser receives this information it would be clear that a property is within a Bushfire Prone Special Control Area. Should they then have specific questions about this they could refer to information provided on the City's website, or contact the City of Cockburn Statutory or Strategic Planning teams to discuss. It is not correct to conclude that there are no bushfire issues within the City of Cockburn. In complete contrast, according to the State Government's endorsed methodology for mapping Bushfire-Prone Areas, much of the City of Cockburn is in fact Bushfire Prone. As part of addressing this risk it is clear that planning undertaken by Local Government has a responsibility to appropriately respond to bushfire risks.</p>



NO.	NAME/ADDRESS	SUBMISSION	COUNCIL'S RECOMMENDATION
		<p>should have suitable community representation, the community should be consulted as to how the potential bush fire threat can be mitigated. In most instances this consultation should be undertaken via the local Bush Fire Advisory Committee.</p> <p>The bush fire threat must be mitigated to a level that the community is willing to accept. The potential consequences of the action, or alternatively inaction, must be understood by those making the decision as a pre-requisite for it to be appropriate for that community</p> <p><b>Rural Urban Bush Fire Threat Analysis (RUBTA) Methodology</b></p> <ol style="list-style-type: none"> <li>1. Have suitable people present who can provide expert advice, opinions and represent stakeholders over the range of areas to be considered or affected.</li> <li>2. Have a map or aerial photo of a suitable scale available.</li> <li>3. Determine and mark the assessment zone on the map or aerial photo. This assessment zone size and location is subjective, but needs to be sufficiently extensive to cover the protection needs of the key facilities or items requiring protection.</li> <li>4. Mark the area of non-standard fuel loads. This should include low fuel and high fuel zones (refer to page 5).</li> <li>5. Work sequentially through RUBTA analysis process and mark the determinations onto the assessment sheet.</li> <li>6. After completing the analysis determine what the relative threats are.</li> <li>7. Ascertain if that threat exceeds what the community is willing to accept.</li> <li>8. If components of the threat analysis exceed what the community is willing to accept, undertake appropriate mitigation steps that will result in acceptance, reduction, elimination or transference of the threat to an acceptable level.</li> </ol> <p><b>Extract from Keelty report</b></p> <p>While acknowledging that some commentators continue to</p>	

NO.	NAME/ADDRESS	SUBMISSION	COUNCIL'S RECOMMENDATION
		<p>question the value of prescribed burning as a bushfire mitigation technique, the Special Inquiry was convinced by the weight of scientific evidence provided by the Commonwealth Science and Industrial Research Organisation (CSIRO), Bushfire Cooperative Research Centre (Bushfire CRC), DEC and others that prescribed burning is the most effective preventative measure that can be employed to manage fuel loads and mitigate the impact of bushfires Local government has responsibility for the management of fuel loads on all freehold land that is owns, as well as all Crown land vested in it under the Land Administration Act 1997 (WA), which includes local government p parks and road reserves (verges). Under the Bush Fires Act 1954(WA), local government is responsible for establishing minimum standards of fire prevention for all other non-government lands. Local government may direct a private property owner to conduct burning or other works as it deems appropriate to reduce the fuel load.</p> <p>3. In view of what I have mentioned above I believe the community is not fully aware of the consequences and impact of this map being made law and submit that there should be more open community consultation before this matter goes any further. Further community consultation can be way of public meetings where all stakeholders are given the opportunity to discuss what I have mentioned above and perhaps find alternative ways to mitigate bush fire threat by better fuel management etc. I believe the Bush fire threat could be reduced significantly if fuel loads in surrounding bush land was better managed. I believe all effected landowners should be given a copy of the Keilty report and a copy of the Rural and Urban Bushfire Threat Analysis (RUBTA)</p>	<p>3. The City of Cockburn has undertaken significant advertising processes to make its ratpayers aware of the implications of the Bushfire Prone Special Control Area and associated Bushfire Hazaqr Assessment Maps. This has included:</p> <p>a. Advertising of the Scheme amendment for public comment for a period of 42 days between the 26 June 2012 and the 7 August 2012. Consultation included; letters to all affected landowners (almost 1,000), advertisement in the Cockburn Gazette and letter to relevant State Government Authorities. Additional consultation was also undertaken with the Banjup Residents' Association;</p> <p>b. Advertising of the Proposed New Local Planning Policy 'Bushfire Prone Area.' Community consultation was undertaken in accordance with clause 2.5.1 of the Scheme; it was advertised for 21 days with an advert in the Cockburn Gazette, letter to all affected residents (1,100 in total) and also consultation with affected Community Associations.</p> <p>c. Advertising of the Proposed Bushfire Hazard Assessment Maps. In accordance with the requirements of draft Clause 6.6.4 of the City's</p>

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		<p>Some questions that I would ask at a public meeting would be</p> <ol style="list-style-type: none"> <li>1. How much will it cost to have a "Bush Fire Hazard Assessment" done?</li> </ol>	<p>Scheme, the Bushfire Hazard Assessment Maps were advertised for a period of 21 days to affected residents, state authorities with the required notice also placed in the Cockburn Gazette. Approximately 1,100 landowners were written to as part of the consultation period. Accordingly, the City believes that the community is fully aware of the implications associated with addressing bushfire risk.</p> <p>As mentioned previously, the City of Cockburn has prepared and implemented fire management plans for conservation reserves such as Denis De Young Reserve, Gil Chalwell Reserve, Market Garden Swamp Reserve and Lake Coogee Reserve. The key emphasis being upon management. In terms of private landholdings, must be managed according to the requirements of the Bush Fires Act 1954 and specifically the City of Cockburn Fire Control Order. Note that management does not infer the complete removal of bushland, rather management actions like prohibited burning times, ploughing and keeping clear fire breaks, clearing of vegetation around buildings etc.</p> <ol style="list-style-type: none"> <li>1. The City of Cockburn has prepared the Bushfire Hazard Assessment for the City of Cockburn area subject to the new Bushfire Prone Special Control Area. Landowners wishing to undertake qualifying development will then need to complete a bushfire attack level assessment for their development. As an indicator of cost, consider the following table which indicates what additional cost a new single house would have based upon the different bushfire attack levels:</li> </ol> <p>BAL – Low Insufficient risk to warrant specific construction requirements. \$0  BAL – 12.5. Ember attack. \$11,535  BAL – 19. Increasing levels of ember attack and burning debris ignited by windborne embers together increasing heat flux. \$11,535  BAL – 29. Increasing levels of ember attack and burning debris ignited by windborne embers together increasing heat flux. \$15,471</p>

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		<p>2. Who is responsible for preparing the "Hazard Assessment" and what qualifications do they have?</p> <p>3. Is council taking action to manage and reduce fuel loads in the Cockburn Cement Works and Bushland identified on this map?</p> <p>4. Has the CSIRO or the Bushfire CRC been consulted regarding this map?</p> <p>5. Do we have a "Local Bush Fire Advisory Committee" and who are they and where are they located?</p> <p>6. Is Council working in conjunction with this committee?</p> <p>7. Is the council going to take action in regard to the other 54 recommendations of the Keilty report?</p>	<p>BAL – 40. Increasing levels of ember attack and burning debris ignited by windborne embers together increasing heat flux with the increased likelihood of exposure to flames. \$17,107  BAL – FZ. Direct exposure to flames from fire front in addition to heat flux and ember attack. \$20,885</p> <p>2. The City of Cockburn prepares and maintains the bushfire hazard assessment maps for the area of the district within the Bushfire Prone Special Control Area. This is done according to the methodology of the Bushfire-Prone Area Mapping Standard Western Australia, prepared by the Office of Bushfire Risk Management.</p> <p>3. The City of Cockburn declares Fire Control Orders which private land must abide by.</p> <p>4. The City undertook specific liaison with the State Government's Department of Fire and Emergency Services as part of the Scheme amendment. They noted no objection to the initiative. The Federal Government's CSRIO or Bushfire Cooperative Research Centre were not specifically consulted, due to the State Government's peak agency (DFES") being the key referral authority in this regard.</p> <p>5. The City of Cockburn comprises a Cockburn Bushfire Advisory Reference Group, whose primary is to liaise with the senior personnel of both volunteer brigades to ensure they are adequately prepared to perform their function as fire control organisations.</p> <p>6. The Council are represented on the Cockburn Bushfire Advisory Reference Group by Cllr Steve Portelli.</p> <p>7. As mentioned previously, the City has already taken proactive action such as the preparation and implementation of fire management plans for its reserves. The key themes of this submission seem to focus on bushfire load management. In this respect,</p>

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		<p>8. Will council be erecting "Danger warning" signs at the entrances into the "Bush Fire Prone" zones in case members of the general public get trapped during a Bush Fire? If council determines an area to be "Bush Fire Prone" then the council should take responsibility and have a "Duty of Care" for warning people of the dangers of entering such a zone.</p> <p>These are just a few questions I would ask and I am sure other property owners would have many more.</p>	<p>the State Government advise that "There are a number of Keelty Report recommendations that deal with fuel load identification, mapping and management. Bushfire risk identification and management is a critical issue and one that requires a strategic and measured approach in order to achieve an effective long-term solution. In this regard, the Bushfire Review Implementation Group has established a project team to develop proposals for an integrated bushfire risk management system. The project team consists of state and local government representatives and a volunteer representative. This project covers a number of Keelty Report recommendations, but will go beyond these individual recommendations to develop a comprehensive and integrated bushfire risk management system for WA. Two of the bushfire review working groups are focused on bushfire risk mitigation and management, and the project team will report to these working groups."</p> <p>8. The City of Cockburn does not intend to erect bushfire prone area signage. The issues of public awareness is a very important one, and something that the State Government's DFES take responsibility for. Public awareness campaigns are something that local government often partner with DFES on to ensure messages filter down to local communities of interest.</p>