

# CITY OF COCKBURN

## SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 9 FEBRUARY 2006 AT 7:00 PM

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## CITY OF COCKBURN

### MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 9 FEBRUARY 2006 AT 7:00 PM

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#### PRESENT:

##### ELECTED MEMBERS

Mr S Lee	-	Mayor
Mr R Graham	-	Deputy Mayor
Ms A Tilbury	-	Councillor
Mr I Whitfield	-	Councillor
Ms L Goncalves	-	Councillor
Mr T Romano	-	Councillor
Mrs J Baker	-	Councillor
Mrs S Limbert	-	Councillor
Mrs V Oliver	-	Councillor

##### IN ATTENDANCE

Mr S. Cain	-	Chief Executive Officer
Mr D. Green	-	Director, Administration & Community Services
Mr A. Crothers	-	Director, Finance & Corporate Services
Mr M. Littleton	-	Director, Engineering & Works
Mr M. Ross	-	Acting, Director, Planning & Development
Mrs B. Pinto	-	Secretary/PA, Finance & Corporate Services
Ms M. Greaney	-	Public Affairs Officer

#### 1. DECLARATION OF MEETING

Mayor Lee declared the meeting open at 7.04 pm.

Mayor Lee mentioned a presentation of 3 Awards on Australia Day where the winners of the Australia Day Citizen of the Year Awards were presented. There was 3 categories, namely

- The Overall Citizen of the Year, which was awarded to Les Richardson;
- The Youth Citizen of the Year, which was awarded to Nigel Morrison;
- The Premier's Australia Day Active Citizenship Award for a Community Group or Event of the Year. The recipient of this Award was not present on the day and therefore Mayor Lee mentioned that he wished



to make this presentation of the Award and present a cheque for \$200.00 to Mr Henk Van Der Werff of the Insurance Task Force.

Mr Van Der Werff has been responsible for assisting in the successful establishment of 14 Residents Associations in the district, by providing the ability for those Associations to access affordable insurance, such as public liability and accident cover, thus safeguarding residents who are active in their community. These Associations work in partnership with the City of Cockburn and the members of these Associations donate their time and talents voluntarily.

**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 09/02/2006) - APOLOGIES AND LEAVE OF ABSENCE**

Clr K. Allen - Apology

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

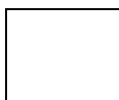
Nil

**7 (OCM 09/02/2006) - PUBLIC QUESTION TIME**

**Vincent Lombardo, Spearwood**

Agenda Item 14.4 – Pedestrian Accessway Closure – Huxley Place to Marvell Avenue, Spearwood

Q1. Would the Cockburn Council consider implementing a policy or adapting Safety Bay Clr Mal McFetridges' policy on public



accessways that have caused a level of misery and frustration to ratepayers?

Mayor Lee replied that Clr McFetridge does not set the policy but may have contributed towards setting the policy. It is the Council that sets the policy. Mayor Lee advised Mr Lombardo that he has not seen the policy he is referring to from the City of Rockingham.

- A1. The Cockburn Council's Pedestrian Accessway Closure Policy APD21 already provides effective guidance on how to evaluate a proposal to close a PAW and guidance to applicants on matters Council will take into consideration when evaluating a proposal to close a PAW.

Council's Policy takes into consideration the degree of nuisance experienced by residents living near the PAW, but this should not be the primary reason to close a PAW where local residents want the PAW to be left open, the PAW is located well in relation to community facilities and the PAW has an important role as part of a continuous access route. Each request to close a PAW can only be considered by Council based on the merits of each case.

### **Colin Crook, Spearwood**

Agenda Item 14.1 – Closure of portion of Ocean Road, Spearwood to the passage of vehicles pursuant to Section 3.50 of the Local Government Act, 1995

- Q1. Has Council any contingency plans for the heavier traffic use of King Street during the next 12 months?

- A1. This question was asked and answered at Council's Annual Meeting of Electors on 31 January 2006. To reiterate, an increase in traffic on other local access roads such as King Street as a result of the closure of Ocean Road is anticipated however, the extent cannot be quantified. Local access roads will be monitored throughout the closure and any problems addressed at that time.

### **Glen Bebbington, Jandakot**

Agenda Item 17.1 – Emergency Services Facilities Provision

- Q1. What date did discussions take place where representatives of Jandakot Volunteer Bushfire Brigade gave their support for co-located facilities to include Jandakot being relocated in those facilities?

- A1. The City received an email of notes from 19 January 2006 meeting, which indicated that there was general agreement by all parties present on the suitability of the Parkes Street site(s) for co-located



facilities. Informal discussion on the issue between FESA and officers of the City reinforced the view that all parties were happy with the proposed co-location site.

- Q2. How and when was Jandakot Volunteer Bushfire Brigade advised the proposal was to be submitted to Council at the February 2006 meeting?
- A2. The discussion on the future location of CVES, South Coogee and Jandakot Brigades has been carried out through the local FESA who fund the service and have day-to-day management responsibility. FESA representatives at a meeting held with officers of the City on 12 January 2006 were advised that subject to the agreement of all parties, the proposal to have joint facilities on the Parkes Street site in Yangebup would be submitted to the February 2006 meeting of Council. The matter of when the issue would go to Council is understood to have been raised by FESA at a meeting held on 19 January 2006 attended by representatives of CVES, South Coogee and Jandakot Brigades.

Mayor Lee requested the Chief Executive Officer to provide a written response as outlined above to Mr Bebbington.

**Malcolm Dobson, Jandakot**

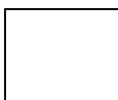
Agenda Item 17.1 – Emergency Services Facilities Provision

- Q1. Does the wording in Recommendation (1) using the term ‘merged’ indicate the amalgamation of both South Coogee and Jandakot Volunteer Bushfire Brigades as one Cockburn Unit, or is the term only being used due to proposed joint tenancy of the Brigades at the proposed Parkes Street site?
- A1. It was the view of the City’s authorising officer that if the Jandakot and South Coogee Brigades were to come together on the Parkes Street site they ought to be merged. It is quite likely there would be confusion, competition and disputes over equipment, recruitment of volunteers and call-outs with two separate brigades with the same functions, operating from the same premises.

**Frank Carlino, Spearwood**

Agenda Item 14.4 – Pedestrian Accessway Closure – Huxley Place to Marvell Avenue, Spearwood

- Q1. Mr Carlino submitted two petitions to the Council, one for the walkway to be kept open and the other to remove the gazebo? How come a response on the gazebo petition has not been received as yet?



- A1. As there was insufficient time to investigate this matter, your question will be taken on notice and responded to in writing.

**8. CONFIRMATION OF MINUTES**

**8.1 (MINUTE NO 3079) (OCM 09/02/2006) - ORDINARY COUNCIL MEETING - 12/01/2006**

**RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held on Thursday, 12 January 2006 be accepted as a true and accurate record.

**COUNCIL DECISION**

MOVED Clr V Oliver SECONDED Clr A Tilbury that the recommendation be adopted.

**CARRIED 9/0**

**8.2 (MINUTE NO 3080) (OCM 09/02/2006) - SPECIAL COUNCIL MEETING - 31/01/2006**

**RECOMMENDATION**

That Council adopt the Minutes of the Special Council Meeting held on Tuesday, 31 January 2006 as a true and accurate record.

**COUNCIL DECISION**

MOVED Clr I Whitfield SECONDED Clr A Tilbury that the recommendation be adopted.

**CARRIED 9/0**

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

Nil

**10. DEPUTATIONS AND PETITIONS**

Nil



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

Nil

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

Nil

**13. COUNCIL MATTERS**

Nil

**14. PLANNING AND DEVELOPMENT DIVISION ISSUES**

**14.1 (MINUTE NO 3081) (OCM 09/02/2006) - CLOSURE OF PORTION OF OCEAN ROAD, SPEARWOOD TO THE PASSAGE OF VEHICLES PURSUANT TO SECTION 3.50 OF THE LOCAL GOVERNMENT ACT 1995 (450039) (KJS) (ATTACH)**

**RECOMMENDATION**

That Council close portion of Ocean Road between Cross Road and Cockburn Road, Spearwood, to the passage of vehicles for the duration of development works associated with the Port Coogee Project, subject to the Port Coogee Project establishing alternative route signage, physical barriers and general signage.

**COUNCIL DECISION**

MOVED Clr T Romano SECONDED Clr S Limbert that the recommendation be adopted.

**CARRIED 9/0**

**Background**

The subject section of Ocean Road connects a semi rural area of Spearwood across to Cockburn Road.

**Submission**

Taylor Burrell Barnett Town Planners on behalf of Port Catherine Developments Pty Ltd have written to the City requesting the closure.





## Report

The development of the Port Coogee Project will necessitate major earthworks for an extended period. The proposed closure will enable the contractors to exclude vehicular access and create a safer work site.

The entrances to the section of road will be clearly sign-posted and blocked with large water filled barriers. Signage showing alternative routes will be established at the expense of the proponent.

The proposal has been advertised in the local newspaper and at the conclusion of the statutory period no objection has been received. All of the service authorities and emergency agencies have been notified with no objection being received. The period for the closure to vehicular access will be until earthworks and subsequent roads have been completed.

Ocean Road will connect to the realigned Cockburn Road at the completion of the Port Coogee Project. At this stage the redundant portions of Ocean Road will be permanently closed in association with the subdivision process.

## Strategic Plan/Policy Implications

2. Planning Your City
  - *"To ensure that the development will enhance the levels of amenity currently enjoyed by the community."*

## Budget/Financial Implications

N/A

## Legal Implications

Temporary closures of roads by Local Governments is pursuant to Section 3.50 of the Local Government Act 1995.

## Community Consultation

The proposal was advertised in the Cockburn Gazette and service authorities and emergency services were advised.

## Attachment(s)

- (1) Location Plan

## 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 February 2005 Council Meeting.

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

Nil.

**14.2 (MINUTE NO 3082) (OCM 09/02/2006) - LIGHT RAIL PROPOSAL FEASIBILITY STUDY (9303) (MR)**

**RECOMMENDATION**

That Council:

- (1) receive the report;
- (2) advise the South West Group that it supports the Light Rail Feasibility Study being extended to include the City of Cockburn district and is prepared to provide a contribution of \$15,000; and
- (3) amend its 2005/06 Budget by increasing the budgets for Account No.GL-500-5320 – Development Applications Income and Account No.GL-500-6229 – Consultancy Expenses by \$15,000.

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

**COUNCIL DECISION**

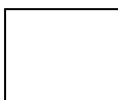
MOVED Cllr V Oliver SECONDED Cllr A Tilbury that the recommendation be adopted.

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

**Background**

On 22 November 2005 the South West Group sought advice from the City regarding a proposal by the City of Fremantle to fund a feasibility study into light rail for the region. The South West Group resolved to circulate the City of Fremantle letter to Member Local Authorities and the Department of Planning and Infrastructure for comment and to list the item for the next meeting likely to be held in February 2006.

A previous Council report to the OCM 17/08/2004 Minute 2532 (Item 14.12) on Port Coogee Related Issues examined the implications of the



development on the surrounding road network and this included a brief consideration of the Fremantle to Midland Railway Line as follows:-

### Fremantle to Midland Railway Line

The Fremantle to Midland Railway line passes by the northern boundary of the Port Coogee Marina development.

The Local Structure Plan for Port Coogee adopted by the Council provides for a rail station adjoining the housing estate. Similarly, the South Beach Village project also makes provision for a station within its development area. These have been provided on the assumption that at some time in the future a passenger service will extend from Fremantle south to South Beach and Port Coogee.

The line that will be used is the freight line which serves Midland, Kewdale, Canning Vale, Kwinana and Rockingham. The State Government, in its 6 point plan for the freight network south of the river, proposes that the line between Fremantle and Kewdale be used to transport sea containers (CTU) between the port and inland terminals. Over the next 10 years it is predicted that 30% of all CTU's will be conveyed by rail, which could represent between 300,000 to 350,000 CTU's per year.

Based on current advice, it is difficult to combine freight and passenger traffic on a common line, because of operational incompatibilities. Given this, it may not be possible to achieve a passenger rail to the south of Fremantle.

The Council supports the State Government's 6 point transport plan which includes the increase in rail freight traffic.

The passenger line, if it eventuates, could simply come south to:-

- South Beach and South Beach Village and terminate
- Port Coogee Marina and the power station and terminate
- Thomsons Lake Regional Centre via the disused railway reserve through Bibra Lake, as an alternative connection to Perth via Fremantle
- Thomsons Lake Regional Centre via the existing railway line via Yangebup, as an alternative connection to Perth via Fremantle.

There is little doubt that a potential rail service between Port Coogee and Fremantle and by this connection, to Perth, could be valuable for tourists and recreational users. It is unlikely that it would be an alternative commuter service for those of the upper socio-economic groups that are expected to reside at South Beach and Port Coogee.



Studies undertaken in the past have indicated that there is a very low need to provide a passenger rail connection between the Perth-Mandurah line and Fremantle. The desire is to travel to the Perth CBD.

Given this it is unlikely that any passenger rail service will be achieved between Fremantle and destinations to the south in the short to medium term. Subject to the need for extensive investigation, it may be a long term possibility.

Without knowing what the future may hold at this stage, it is considered worthwhile making provision for a railway station stop to serve Port Coogee as part of the current plan.

It is therefore concluded that the:-

- introduction of a passenger rail service along the existing rail service to serve Fremantle, Perth and Midland be supported.
- Fremantle, Perth and Midland line operate as a loop and within the City of Cockburn include stations at the intersection with the Perth to Mandurah line as a rail to rail interchange, Yangebup, Spearwood, Port Coogee and South Beach Urban Village.
- station provided as part of the Port Coogee Marina Structure Plan be reconfirmed.

### **Submission**

The City of Fremantle's proposal to conduct a light rail feasibility study includes the possible involvement of neighbouring municipalities. The City of Fremantle have allocated \$15,000 in its 2005/06 budget for a study into the feasibility of light rail services in Fremantle. The City has stated that:-

*"A network light rail services operating solely within the City of Fremantle makes little sense and therefore the feasibility study should consider light rail in the context of transport needs in the broader south-west metropolitan region. For example, potential light rail routes radiating out from Fremantle could include:-*

- *Fremantle – Rockingham via Cockburn and Kwinana (the designated route of the Fremantle Rockingham Transitway);*
- *Fremantle – Coogee via the proposed South Beach Village, Cockburn Coast and Port Coogee developments;*
- *Fremantle - Murdoch Railway Station along South Street (a designated activity corridor in the Network City Planning Strategy); and*
- *Fremantle – Canning Bridge Railway Station along Canning Highway (a designated activity corridor in the Network City Planning Strategy).*



*These four possible routes pass through all six municipalities comprising the south-west metropolitan region etc.*

*On behalf of the City of Fremantle I therefore request that the South West Group consider allocating funding to allow the conduct of a broader light rail feasibility study for the south-west metropolitan region. The project scope can be tailored to suit the level of available funding, or visa versa."*

## **Report**

A broader South West light rail study will provide valuable research information on the potential for establishment of a light rail network that could benefit the wider south-west metropolitan region. The potential rail route from Fremantle – Coogee via the South Beach Village, Cockburn Coast and Port Coogee Developments are of particular relevance to the district.

The passenger line, if it eventuates, could simply come south to:-

- South Beach and South Beach Village and terminate
- Port Coogee Marina and the power station and terminate
- Thomsons Lake Regional Centre via the disused railway reserve through Bibra Lake, as an alternative connection to Perth via Fremantle
- Thomsons Lake Regional Centre via the existing railway line via Yangebup, as an alternative connection to Perth via Fremantle.

There is little doubt that a potential rail service between Port Coogee and Fremantle and by this connection, to Perth, could be valuable for tourists and recreational users. It is unlikely that it would be an alternative commuter service for those of the upper socio-economic groups that are expected to reside at South Beach and Port Coogee.

It is recommended that Council provide financial support to the light rail project by matching the contribution from the City of Fremantle of \$15,000 towards this study.

## **Strategic Plan/Policy Implications**

The Corporate Strategic Plan Key Result Areas which apply to this item are:-

2. Planning Your City
  - *"To ensure that the planning of the City is based on an approach which has the potential to achieve high levels of convenience for its citizens."*



**Budget/Financial Implications**

No allowance for this project has been made within the 2005/06 Budget. An account adjustment is required to reallocate \$15,000 from the Statutory Planning Services Development Application Fees Account to Consultancy Expenses Account. Excess income derived from development application fees can be reallocated to cover the cost of the Council's contribution towards the light rail study.

**Legal Implications**

N/A

**Community Consultation**

N/A

**Attachment(s)**

N/A

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

The Proponent(s) has been advised that this matter is to be considered at the 9 February 2005 Council Meeting.

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

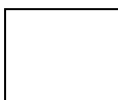
Nil.

**14.3 (MINUTE NO 3083) (OCM 09/02/2006) - FINAL ADOPTION OF AMENDMENT NO. 36 - LOT 48 ROCKINGHAM ROAD AND LOTS 4897 & 4436 RUSSELL ROAD, HENDERSON - OWNERS: CITY OF COCKBURN/STATE OF WA - APPLICANT: LANDCORP (93036) (MD) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) adopt the recommendations made in the Schedule of Submissions attached to the Agenda;
- (2) adopt the amendment subject to modifications outlined below:-
  1. amending the Scheme Text by deleting 'Primary and Secondary Schools' from Schedule 11 item 4(b) of the Development Area 6 provisions;
  2. amending the Scheme Text by inserting 'Primary and



Secondary Schools' within Schedule 11 under item 4(a) of the Development Area 6 provisions; and

3. amending the Scheme Text by inserting '(but excludes Primary and Secondary Schools)' after the words 'educational establishment' under item 2(a) point 1 of Schedule 4 - Special Use 9 provisions;
- (3) proceed to sign and seal the documents and forward these to the Western Australian Planning Commission in anticipation of the Hon. Minister's advice that final approval will be granted;
- (4) write to the applicant (Landcorp) advising of the necessity to update the Environmental Management Plan, Drainage and Nutrient Management Plan and Site Contamination Management Plan to include Lot 48 Rockingham Road and Lots 4897 & 4436 Russell Road, Henderson prior to subdivision and/or development; and
- (5) advise those who made submissions of Council's decision accordingly.

#### **COUNCIL DECISION**

MOVED Mayor S Lee SECONDED Cllr T Romano that Council:

- (1) defer consideration of this item until Item 14.10 from the January 2006 Council Meeting, dealing with the issue of the 'A' Class reserve cancellation, is resolved; and
- (2) request an extension from the Western Australian Planning Commission until 18 April 2006 to the requirements of Regulation 18(1) that would otherwise require the Council to forward its advice to the Commission on its decision on the Scheme amendment by 2 March 2006.

**CARRIED 9/0**

#### **Reason for Decision**

Item 14.10 from last month's Council Agenda and Item 14.3 from this month's Agenda are linked together by dealing, in the main, with the same parcels of land.

Council resolved at last month's meeting to seek more information before relocating the 'A' Class reserve. This process is an important and integral part of the success of the AMC and should be supported



by Council but the adoption of this amendment is something that could and indeed should await the impending conclusion of Item 14.10 from last month's Council Meeting and then both processes can run in parallel.

Council will not proceed with both amendments but having decided to seek more information this would give Elected Members the opportunity to receive that information before proceeding further.

**Background**

ZONING:	MRS:	Lot 48: Urban Lot 4897: Urban Lot 4436: Urban
	TPS3:	Lot 48: Public Purposes Lot 4897: Public Purposes Lot 4436: Parks & Recreation
LAND USE:		Lot 48: Agricultural Hall Lot 4897: Former South Coogee Primary School Site Lot 4436: South Coogee Reserve
LOT SIZE:		Lot 48: 0.9105 ha Lot 4897: 0.9221 ha Lot 4436: 3.2479 ha

Council at its meeting held 14 July 2005 resolved to adopt Amendment 36 for the purpose of advertising.

**Submission**

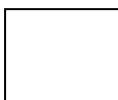
The amendment has been advertised to the community and referred to relevant government agencies for a period of 42 days. This report seeks Council support to final adoption of Amendment 36.

**Report**

The Scheme Amendment was referred to the Environmental Protection Authority ("EPA") in accordance with Section 7A(1) of the Act.

The EPA advised that the overall environmental impact of the amendment would not be severe enough to warrant formal assessment under the *Environmental Protection Act*, however the EPA provided advice and recommendations with respect to environmental buffers, noise, acid sulfate soils and soils and groundwater contamination.

It is recommended that the scheme amendment documents be modified to address the advice received from the EPA by ensuring that sensitive uses such as 'Primary and Secondary Schools' are uses that are not permitted in both the odour buffer surrounding the Woodman Point Waste Water Treatment Plant and the Kwinana Air Quality EPP buffer.





The EPA comments regarding child care premises not being permitted within the Kwinana Air Quality Buffer are not supported for the following reasons:-

1. Child care premises have been identified as an integral component of the Marine Technology Park from the beginning of the structure plan and rezoning process and such facilities will be potentially developed as part of the common user facilities;
2. TPS 3 currently provides for child care premises as a 'D' use within Schedule 4 - Special Use 9 provisions;
3. The EPA/DoE have not previously raised issues of sensitive land uses within the Kwinana Air Quality buffer (i.e. in the Structure Plan process and at the TPS review); and
4. Council previously resolved to permit "Childcare Facilities" outside the Waste Water Treatment Plant odour buffer. (OCM 15/2/05 Item 14.10)

The Schedule of submissions contained in the Agenda attachments addresses the EPA advice and recommendations and the submissions received from Landcorp and the Department of Industry and Resources.

A copy of the proposed amendment map is included in the Agenda attachments.

### Conclusion

The purpose of this amendment is to provide appropriate zoning and development provisions to accommodate the development of the land that forms the Technology Precinct of the Australian Marine Complex at Cockburn Sound.

The proposed rezoning of portion of the subject site to 'Development Area 6' and 'Special Use (9) Zone' and modifications to Schedule 4 – SU9 and Schedule 11 – Development Area (6), are considered to be logical in order to facilitate the development of the Marine Technology Precinct.

It is recommended that Council proceed to adopt the scheme amendment and refer it to the WA Planning Commission for final consideration.

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

The Corporate Strategic Plan Key Result Areas which apply to this item are:-



1. Managing Your City
  - *"To conduct Council business in open public forums and to manage Council affairs by employing publicly accountable practices."*
2. Planning Your City
  - *"To ensure that the planning of the City is based on an approach which has the potential to achieve high levels of convenience for its citizens."*
  - *"To ensure that the development will enhance the levels of amenity currently enjoyed by the community."*
3. Conserving and Improving Your Environment
  - *"To conserve the quality, extent and uniqueness of the natural environment that exists within the district."*
4. Facilitating the needs of Your Community
  - *"To facilitate and provide an optimum range of community services."*
5. Maintaining Your Community Facilities
  - *"To construct and maintain parks which are owned or vested in the Council, in accordance with recognised standards and convenient and safe for public use."*
  - *"To construct and maintain community buildings which are owned or managed by the Council, to meet community needs."*

### **Budget/Financial Implications**

N/A

### **Legal Implications**

Rezoning of Lot 4436 Russell Road (South Coogee Oval) from "Parks & Recreation" to "Special Use 9" will not affect the reserve classification. Reclassification of the reserve will be addressed as a separate matter pursuant to the Land Administration Act.

### **Community Consultation**

Following receipt of advice from the EPA, the amendment was advertised for a 42 day period. The 42 day public consultation period for Amendment 36 concluded on 22 December 2005. At the close of the advertising period 2 submissions were received. One submission being from the developer – Landcorp and the other submission being from the Department of Industry and Resources.

Refer Schedule of submissions contained in the Agenda attachments.



**Attachment(s)**

- (1) Site Plan
- (2) Amendment report
- (3) Zoning Map
- (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 February 2006 Council Meeting.

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

Nil.

**14.4 (MINUTE NO 3084) (OCM 09/02/2006) - PEDESTRIAN ACCESSWAY CLOSURE - HUXLEY PLACE TO MARVELL AVENUE. SPEARWOOD (450515) (KJS)**

**RECOMMENDATION**

That Council note the Officer's report.

**COUNCIL DECISION**

MOVED Cllr L Goncalves SECONDED Cllr S Limbert that Council:

- (1) note the Officer's report;
- (2) install a bollard light on the elbow of the pedestrian accessway and advise the adjoining landowners accordingly; and
- (3) fund the works estimated to be \$1,000 from Account No.OP8403 – Street Lighting –Minor New.

**CARRIED 9/0**

**Reason for Decision**

The laneway is very well used, therefore making its closure is not warranted. However, there are security issues that have been raised by adjoining landowners that need to be addressed.



There are sufficient unallocated funds in Council's current budget for street lighting to install the bollard light, which should also improve the safety of the accessway.

### **Background**

Council at its meeting held on 12 January 2006 resolved to:

- (1) *not support the closure of the pedestrian accessway (PAW) between Huxley Place and Marvell Avenue, Spearwood, given the strong local support reflected in two petitions against the closure and the pedestrian connectivity afforded by the PAW to the local school and other services;*
- (2) *advise the petitioners and the four (4) adjoining owners of Council's decision;*
- (3) *require a report to be prepared to the February meeting of Council on the costs associated with installing additional lighting and lockable gates at the two entry points of the Pedestrian Accessway and the cost of Council's Security Patrol Service opening and closing these gates, which is also to include the timing that the gates would be locked;*
- (4) *through the Neighbourhood Watch Service write to the residents affected in the vicinity of the pedestrian accessway to encourage them to become members of the City's Neighbourhood Watch Program, if they are not already members;*
- (5) *immediately erect neighbourhood watch signs at each entrance of the pedestrian access way;*
- (6) *advise Judy Troy, the Neighbourhood Watch Co-ordinator of the problems of the subject pedestrian accessway; and*
- (7) *advise the Cockburn Security Patrol Service to treat this area as a "hot spot".*

### **Submission**

N/A

### **Report**

The estimated costs to install lighting, lockable gates and ensure that the gates are opened and closed each day are as follows:

- Installation of bollard lighting \$3,000 plus \$500 per annum maintenance and electricity usage.
- Lockable gates at each end of the accessway total \$7,000.



- Security patrol costs to open and close each gate every day of the year is \$1,460 per annum.

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

The Corporate Strategic Plan Key Result Areas which apply to this item are:-

2. Planning Your City
  - *"To ensure that the development will enhance the levels of amenity currently enjoyed by the community."*
  - *"To determine by best practice, the most appropriate range of recreation areas"*

The Council Policies which apply to this item are:-

APD21 PEDESTRIAN ACCESS WAY CLOSURES

### **Budget/Financial Implications**

There are no funds allocated in the 05/06 Budget to meet the capital costs of \$10,000 and ongoing annual costs of \$1,960.

### **Legal Implications**

N/A

### **Community Consultation**

N/A

### **Attachment(s)**

N/A

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

The proponents and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 9 February, 2006 Council Meeting.

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

Nil.



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

**15.1 (MINUTE NO 3085) (OCM 09/02/2006) - LIST OF CREDITORS PAID (5605) (KL) (ATTACH)**

**RECOMMENDATION**

That Council receive the List of Creditors Paid for December 2005, as attached to the Agenda.

**COUNCIL DECISION**

MOVED Clr I Whitfield SECONDED Clr A Tilbury that the recommendation be adopted.

**CARRIED 9/0**

**Background**

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

**Submission**

N/A

**Report**

N/A

**Strategic Plan/Policy Implications**

Key Result Area *Managing Your City* refers.

**Budget/Financial Implications**

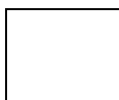
N/A

**Legal Implications**

Section 13 of the Local Government (Financial Management) Regulations 1996.

**Community Consultation**

N/A



**Attachment(s)**

List of Creditors Paid – December 2005.

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

N/A

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

Nil.

**15.2 (MINUTE NO 3086) (OCM 09/02/2006) - BUDGET REVIEW - PERIOD ENDING 31 DECEMBER 2005 (5402) (ATC) (ATTACH)**

**RECOMMENDATION**

That Council amend the Municipal Budget for 2005/06 as set out in the attached report, summarised as \$ 1,646,244 – Income and \$1,646,244 – Expenditure.

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

**COUNCIL DECISION**

MOVED Clr A Tilbury SECONDED Clr I Whitfield that Council amend the Municipal Budget for 2005/06 as set out in the attached report, summarised as \$1,646,244 – Income and \$1,646,244 – Expenditure, subject to the following changes:

- (1) increase the allocation to Account No.GL116-6229 - Chief Executive Officer's Consultancies by \$30,000; and
- (2) reducing the transfer to the Community Recreational Facilities Reserve Fund by \$30,000.

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

**Reason for Decision**

Funds are needed to employ consultants who are expert in fundraising to explore opportunities to raise funds for community infrastructure as set out in the Corporate Strategic Plan, that are otherwise unfunded.

**Background**

Council reviews its Budget once each year for the period ending 31 December 2005.



**Submission**

N/A

**Report**

A report on the review of the Municipal Budget for the period 1 July 2005 to 31 December 2005 is attached to the Agenda. The report sets out details of all proposed changes and a brief explanation as to why the changes are required.

The proposed changes can be summarised as follows:

<b>Service Unit</b>	<b>Income \$</b>	<b>Expenditure \$</b>
Elected Members	0	5,500
Executive Services	0	31,744
Other Governance	-3,948	138,711
Other General Purpose Income	-684,218	0
Road Construction & Maintenance Services	432,635	-363,440
Road Design Services	-65,000	14,978
Parks Services	-19,700	155,834
Facilities Maintenance Service	200,000	-66,900
Plant Maintenance Services	-75,600	65,100
Waste Collection Services	-84,000	0
Waste Disposal Services	-1,693,000	24,310
Recycling Services	0	57,500
Works Overheads	0	9,600
Transfers to Reserves	0	1,990,776
IT Services	0	3,000
Records Services	0	19,400
Rates Services	-118,000	70,000
Human Resource Services	0	83,500
Building Services	-147,696	27,500
Health Services	-7,940	7,166
Environmental Services	-26,817	51,617
Strategic Planning Services	-5,000	6,944
Land Administration Services	4,040	0
Statutory Planning Services	-130,000	18,000
Customer Services	0	10,000
Fire & Emergency Services	31,000	-31,000
Law, Order & Public Safety	-36,000	31,000
Social Services	783,000	-729,896
Management Libraries Services	0	15,300
<b>TOTAL</b>	<b>-1,646,244</b>	<b>-1,646,244</b>

**Strategic Plan/Policy Implications**

N/A





**Budget/Financial Implications**

A number of amendments to the Budget are recommended.

**Legal Implications**

Section 33A(1) of the Local Government (Financial Management) Regulations 1996 requires Council to review its annual budget between 1 January and 31 March in each year.

**Community Consultation**

N/A

**Attachment(s)**

Schedule of Budget Amendments.

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

N/A

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

Nil.

**15.3 (MINUTE NO 3087) (OCM 09/02/2006) - STATEMENT OF FINANCIAL ACTIVITY - DECEMBER 2005 (5505) (NM) (ATTACH)**

**RECOMMENDATION**  
That Council receive the Statement of Financial Activity and associated documents for the period ended 31 December 2005, as attached to the Agenda.

**COUNCIL DECISION**  
MOVED Clr S Limbert SECONDED Clr T Romano that the recommendation be adopted.  
**CARRIED 9/0**



## **Background**

Regulation 34(1) of the Local Government (Financial Management) Regulations 1996 prescribes that a local government is to prepare each month a Statement of Financial Activity.

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

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

Regulation 34(4)(a) prescribes that the Statement of Financial Activity and accompanying documents are to be presented to the Council.

## **Submission**

N/A

## **Report**

Attached to the Agenda is the Statement of Financial Activity for December 2005.

Note 1 shows how much capital grants and contributions are contained within the reported operating revenue.

Note 2 provides a reconciliation of Council's net current assets (adjusted for restricted assets and cash backed leave provisions). This provides a financial measure of Council's working capital and an indication of its liquid financial health.

Also provided are Reserve Fund and Restricted Funds Analysis Statements. These assist to substantiate the calculation of Council's net current assets position.

The Reserve Fund Statement reports the budget and actual balances for Council's cash backed reserves, whilst the Restricted Funds Analysis summarises bonds, deposits and infrastructure contributions held by Council. The funds reported in these statements are deemed restricted in accordance with Australian Accounting Standard AAS27.



Material Variance Threshold

For the purpose of identifying material variances in Statements of Financial Activity, Regulation 34(5) requires Council to adopt each financial year, a percentage or value calculated in accordance with Australian Accounting Standard AAS5 - Materiality.

For the 2005/06 financial year, Council has adopted a materiality threshold of 10% or \$10,000, whichever is the greater.

**Strategic Plan/Policy Implications**

Key Result Area *Managing Your City* refers.

**Budget/Financial Implications**

Where variances are of a permanent nature, these will be noted and addressed at the mid-year budget review.

**Legal Implications**

Section 6.4 of the Local Government Act, 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996, refer.

**Community Consultation**

N/A

**Attachment(s)**

Statement of Financial Activity and associated reports for December 2005.

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

N/A

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

Nil

**16. ENGINEERING AND WORKS DIVISION ISSUES**

Nil



**17. COMMUNITY SERVICES DIVISION ISSUES**

**17.1 (MINUTE NO 3088) (OCM 09/02/2006) - EMERGENCY SERVICES FACILITIES PROVISION (1240) (RA) (ATTACH)**

**RECOMMENDATION**

That Council:-

- (1) supports the proposal for the development of a building to accommodate the Cockburn Volunteer State Emergency Services and a merged South Coogee Volunteer Bush Fire Brigade and Jandakot Volunteer Bush Fire Brigade on either lot 4 or lot 5 Parkes Street, Yangebup and advise the Fire and Emergency Services Authority accordingly;
- (2) seek approval from the Western Australian Planning Commission and other relevant authorities to develop an emergency services facility on either lot 4 or lot 5 Parkes Street, Yangebup; and
- (3) advise the South Coogee and Jandakot Volunteer Bush Fire Brigades that the Council support for new facilities is conditional on the two brigades merging to form a single brigade.

**COUNCIL DECISION**

MOVED C/r I Whitfield SECONDED C/r V Oliver that Council:

- (1) defer consideration of this matter to a future meeting of Council to allow further consultation between all parties; and
- (2) require the Bushfire Advisory Committee to consider the matter and report back to Council.

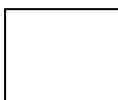
**CARRIED 9/0**

**Reason for Decision**

Further discussion is needed between Council staff, FESA and the Jandakot and South Coogee Volunteer Bushfire Brigades so that all parties are aware of the planning implications. This will be best achieved through the Bushfire Advisory Committee.

**Background**

The South Coogee Volunteer Bush Fire Brigade has been located in Wattleup for many years. With the creation of the Wattleup/Hope



Valley industrial estate the Fire and Emergency Services Authority (F.E.S.A.) adjusted the boundaries with the effect that the Fire and Rescue Service (FRS) had primary responsibility for the area. The result of this action was that the South Coogee Brigade took on a support role to the F.R.S. and other volunteer brigades. Combined with these factors is the reduction in the population within Wattleup which has also resulted in a decline in brigade membership.

The Jandakot Volunteer Bush Fire Brigade operates from premises located on the corner of Liddelow and Oxley Roads in Banjup. This is a viable brigade with a strong membership and leadership.

The Cockburn Volunteer State Emergency Service (SES) operates from Council owned premises in Kent Street, Spearwood. These premises are somewhat dated and do not have the ready capacity to be expanded to meet the needs of the City as its residential areas increase.

All costs associated with the operation of the Volunteer Bush Fire Brigades and the S.E.S. are met by the F.E.S.A. levy. There is, however, no lease fees paid to the City by F.E.S.A. for the use of the Council owned properties occupied by these services.

### **Submission**

The South Coogee Volunteer Bush Fire Brigade has written to the City identifying issues with the location of the current premises in Wattleup and seeking support from the Council to be relocated to an alternative area.

### **Report**

The S.E.S's Kent Street premises has a number of significant maintenance and structural problems that need to be addressed. The roof needs replacing, kitchen upgraded to meet health standards and disabled access provided. Combined with these factors is the building cannot be readily expanded to meet the growing needs resulting from the increased residential development in the City.

The Kent Street premises is in the north west corner of the City and hence poorly located in relation to the residential development in the eastern portion of the City.

The land on which the building is located is held by the City in fee simple although it currently is reserved for recreational purposes. A facility such as the S.E.S. headquarters is not the best and highest value use of the land. There may be scope in the future for the Council to sell this land or use it for a higher value purpose.



The rationale for the S.E.S. to be located more centrally in the City in new custom-built facilities is compelling.

The South Coogee Volunteer Bush Fire Brigade facilities in Wattleup are adequate to meet the brigade's needs, however, the location of the facility in the newly zoned industrial area with a declining population justifies consideration for them to be relocated or disbanded. As the City's residential areas increase the areas to be covered by the Volunteer Bush Fire Brigades declines.

The Jandakot Volunteer Bush Fire Brigade is well located for access to the high-risk semi rural properties along the eastern boundary of the City.

Apart from the Volunteer Bush Fire Brigades and the S.E.S. being emergency services funded by F.E.S.A., there are a number of organisational and operational synergies between the two. During winter the S.E.S. are frequently called upon to assist with issues resulting from storms and is a period when the bush fire brigades have little to no activity. During the summer months the bush fire brigades are busier and in cases of severe fires the S.E.S. are called upon to give logistical support.

A centrally located facility provides numerous opportunities to share facilities and personnel. Training rooms, kitchen areas, ablution facilities and car parking can be readily shared and hence reduce duplication of facilities within the City. Volunteers can operate, with appropriate training, in both an S.E.S. and bush fire capacity. Notwithstanding the synergies between the organisations, a well designed building will provide the scope for the S.E.S. and the bush fire brigade to retain their identity.

There is a strong case for the S.E.S. to be relocated and collocated with the volunteer bush fire brigades. The most efficient arrangement would be for the South Coogee and Jandakot Volunteer Bush Fire Brigades to merge to form a single brigade. This entity then could be collocated with the S.E.S.

There has been three sites identified for the location of new emergency service facilities. The Council depot site has land available and is under the control of the City. It is reasonably centrally located for S.E.S. activities but some distance from the bush fire prone areas in the east of the City. The land is owned freehold by the City and could be used for a number of purposes. The location of an emergency services building on a portion of the depot site, whilst having some merit, would be a better option in a more central location on land of lesser value.

There is reserve land near the Success Fire Station which has a relatively central location and on the important Hammond Road. The



reserve, however, has been planned to accommodate a range of community and recreational facilities and there are a number of other facilities that would be more appropriate for this site.

There are two areas of land in Parkes Street, Yangebup which are centrally located within the City and will be incorporated into the Beeliar Regional Park in time. Lot 5 (127 Parkes Street) is currently owned by the Western Australian Planning Commission. The adjoining lot 4 (135 Parkes Street) is privately owned and was previously used as a cement works. This land is in the process of being acquired by the State for inclusion within the Beeliar Regional Park. Both sites have degraded areas and would readily accommodate a new building suitable for a volunteer emergency services centre for the City.

Either lot 4 or lot 5 Parkes Street would be suitable for an emergency services facility although there may be legal difficulties in using lot 4 for this purpose if the land is reserved. It is proposed that the option for either lot 4 or lot 5 to be used be left open to the City. F.E.S.A. have inspected the site and will support the location of facilities on the site.

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

“To facilitate and provide a range of services responsive to the community needs”

### **Budget/Financial Implications**

Should Council decide to relocate the Cockburn Volunteer State Emergency Service it opens the opportunity for the future sale or higher value use for a portion of 9 Kent Street, Spearwood.

It would be expected that the portion of lot 4 or lot 5 Parkes Street, Yangebup would be provided free of charge by the State for use as an emergency services facility. All operational and capital costs associated with Volunteer Emergency Services provision is borne by F.E.S.A. from funds accumulated through the Emergency Services Levy.

### **Legal Implications**

N/A

### **Community Consultation**

Discussions have been held with representatives from the Cockburn State Emergency Services, South Coogee and Jandakot Volunteer Bush Fire Brigades and F.E.S.A. and there is general support for collocated facilities on either of the identified Parkes Street sites.



**Attachment(s)**

(1) Site Map

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

Volunteer emergency services organisations in the City are aware that this proposal for collocated facilities on a Parkes Street site will be submitted to Council for consideration at the February 2006 meeting.

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

Nil.

**18. EXECUTIVE DIVISION ISSUES**

Nil

**19. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**20. 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. MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE**

Nil

**23. CONFIDENTIAL BUSINESS**

Nil





**24. (MINUTE NO 3089) (OCM 09/02/2006) - 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 Cllr I Whitfield SECONDED Cllr A Tilbury that the recommendation be adopted.

**CARRIED 9/0**

**25 (OCM 09/02/2006) - CLOSURE OF MEETING**

MEETING CLOSED 7.40 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: ...../...../.....

