

CITY OF COCKBURN

SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 13 NOVEMBER 2014 AT 7:00 PM

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CITY OF COCKBURN

MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 13 NOVEMBER 2014 AT 7:00 PM

PRESENT:

ELECTED MEMBERS

Mr L Howlett	-	Mayor (Presiding Member)
Mrs C Reeve-Fowkes	-	Deputy Mayor
Ms L Wetton	-	Councillor
Mr Y Mubarakai	-	Councillor
Mr S Portelli	-	Councillor
Ms L Smith	-	Councillor
Mr S Pratt	-	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 A Lees	-	Acting Director, Engineering & Works
Mr D. Arndt	-	Director, Planning & Development
Mrs L. Jakovich	-	PA to Directors of Planning/Development and Engineering/Works
Mr J. Snobar	-	Media Liaison Officer

1. DECLARATION OF MEETING

The Presiding Member declared the meeting open at 7.02 pm. and welcomed everyone attending. The Presiding Member also welcomed Mr Anton Lees, the Acting Director, Engineering and Works.

The Presiding Member made the following announcements.

The funeral service for the Late Ray Lees JP and Freeman of our City was held on 22 October 2014. Ray Lees was a long serving councillor with our City and a former mayor. He was well known throughout our district and a



strong advocate and supporter for the community throughout his life. He is now at rest and re-united with Rose.
Rest in Peace Ray.

On the 11 October I attended the 21st birthday celebrations of the Cockburn Wetlands Education Centre. A large gathering of people involved throughout the years gathered to share stories and to hear of the plans for the Centre's future.

On the 11 October I officially opened the Cockburn Community & Cultural Council (the Council) Art & Crafts Exhibition. I commend Mr Bill Wallington, President of the Council for 39 of its 40 years and the Committee for the high standard of the exhibit year after year.

The standard of art and craft work was exceptional and credit goes to our local artists and craft workers.

On 24 October I officially opened the City's Integrated Health & Community facility in Success. It is another iconic facility that is strategically located and one that will benefit our community for many years to come.

The City celebrated its 35 year Anniversary at a dinner with the community, political and business leaders in acknowledgement of how far the district has come since obtaining 'City' status 1979.

The transformation from predominately market gardens, flower gardens, orchards, vineyards and dairies and the like has been significant as we look at our growth in residential, retail, commercial and industry and opportunities for jobs, education and recreational as a series of key outcomes.

On 26 October the Cockburn Rotary Spring Fair was held and again proved to be an outstanding success drawing people from across our community and beyond. Congratulations to the Rotary Club of Cockburn and Cassandra Cooper, Cultural Development Co-ordinator and members of the City's Events Team and the Youth Advisory Collective for a very successful event.

Congratulations goes to our Events staff for an amazingly successful Teddy Bears Picnic held on 29 October 2014. It is always a great family day and the number of attendees continues to grow.

The 30 October saw the opening of the extensions to the Gateway City Shopping Centre. A very large crowd gathered for the official opening by the Hon Francis Logan MLA and Mr Stan Perron. Thousands of people took the opportunity to head for the great sales that were available on opening day. The Centre provides further opportunities for our community and importantly local jobs for local people.



The 'Getting Air' Sculpture was unveiled on 30 October. The sculpture is located just off Rockingham Road adjacent to the skate park and Market Garden Swamp.

I was pleased to be present at the 2014 WA Seniors Awards with Messrs Stephen Cain and Paul Hogan on Saturday, 8 November. The Cities of Fremantle, Melville and Cockburn were the State finalists in the Age Friendly Communities (Local Government) Award. Our regions high level of service to our seniors well recognised in the category.

The City was announced as the winner and presented with the Award by the Hon Tony Simpson, MLA, Minister for Local Government & Communities and Ms Jennifer Matthews, Director General, Department of Local Government & Communities.

Congratulations to the City of Cockburn RSL Sub-branch for their organisation of this year's Remembrance Day Commemorative Service at the Hamilton Hill Memorial Hall and for their hospitality following the Service at their facilities in Frederick Street, Hamilton Hill.

The 11 November 2014 also saw the inaugural Experiencing Nyungar Culture for Seniors Event on the Bibra Lake Foreshore. Well over 100 people attended and enjoyed the music, song & dance provided by Aboriginal performers and the opportunity to enjoy damper, kangaroo stew and kangaroo tail. Congratulations to the Seniors Centre and our Aboriginal Services Co-ordinator for a very successful event.

I attended the Hamilton Senior High School and Southwell Primary School on 12 November where three students were awarded NAIDOC Medals of Excellence. The medals were jointly presented by the National Executive Director for NAIDOC Week and myself. There were only 20 NAIDOC Medals of Excellence awarded in Western Australia from 32,000 entries.

I am pleased to announce that Ms Katy Boschetti, the City's TravelSmart Co-ordinator was announced as the 2014 Travel Smart Champion at a recent TravelSmart Awards event. The Award recognises Katy's great work within the City, in the community & particularly in our local schools.

The local government reform process entered a new phase with the announcement of the Minister for Local Government & Communities detailing the amalgamations and boundary adjustments for Perth Metropolitan local governments (22 October) with a further announcement on funding the following week (29 October). Essentially the ratepayers are being required to fund the cost of amalgamations or boundary adjustments themselves with very little in terms of grant or loan dollars. This is an appalling state of affairs that will have flow on outcomes for many years to come.



2. APPOINTMENT OF PRESIDING MEMBER (If required)

Nil.

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

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

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

Nil

5 (OCM 13/11/2014) - APOLOGIES AND LEAVE OF ABSENCE

Clr Kevin Allen - Leave of Absence

6. ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

7 (OCM 13/11/2014) - PUBLIC QUESTION TIME

Items not on the Agenda

Ray Woodcock, Spearwood – Phoenix Revitalisation Strategy

Q1 When will the next meeting for ratepayers be held on the matter of the Phoenix Revitalisation Strategy which started seven years ago? We had a meeting just over two weeks ago and I believe there would be a follow up meeting; I would like to know when the date will be set for this next meeting.

A1. There is no date specified. There was an indication that there will be one 4-6 weeks after the previous meeting. We will notify those people who attended.

Q2. When will there be another swimming pontoon mourned near the Coogee Beach jetty. There were two there for some years. One on the south side which was moved to the Coogee Beach Surf Lifesaving Club and the second one was moved to the shark enclosure area after the shark enclosure area had been established there and it was done



to attract more swimmers to come into sail, patronising the shark area. If you want to leave those two pontoons where they are, I would like to know when will there be a third one placed at the jetty.

- A2. At this stage there are no plans for a further pontoon at Coogee Beach; however, the location of the two existing pontoons can be a matter for discussion.

Michael Separovich, Munster – Local Government Reform

- Q1. With the fact that there was no further amount of funding to be provided by the State Government, I was wondering would the Council consider the fact that putting it to a referendum and renaming the new Council, the City of Cockburn.

- A1. The interim name that has been provided is the City of Jervois Bay and it will be up to the new incoming new Council in October 2015 to look at that name and any other name.

The naming of the new entity will be specified in the Governor's Orders following a poll, which will enable the amalgamation to be ratified and until such time a new Council is elected in October 2015, then that interim name that is specified in the Governors Orders will remain.

- Q2. On your website you have stated that you are not looking to a poll for Cockburn/Kwinana. I was wondering if you were collecting signatures to retain Hamilton Hill, Coolbellup and Jandakot City for the new Council.

- A2. That is a complicated issue and you may or may not be aware of the procedures that surround the northern suburbs as it was proposed to be transferred to the City of Fremantle and City of Melville, so the suburbs that are subject to those transitions are actually boundary adjustments which does not trigger the poll provisions.

The poll provisions are allowed to be initiated by people within those suburbs. The poll positions relate to the new entity being the amalgamation of the current City of Kwinana and the residual area of the current City of Cockburn.

Michael Separovich commented and quoted what was on the City of Cockburn website regarding the boundary adjustments.

The efforts of the City of Cockburn is trying to retain as much of the area as possible in its current form and based on that outcome, it probably does not have any long term benefit with the City of Cockburn initiating a campaign not to support the amalgamation.



Mr Separovich asked about the boundary adjustments.

This was responded to outlining the two separate proposals which are subject to poll provisions.

Santo Pasqua, Bibra Lake

Q1. It seems strange to me that we are habituating losing Hamilton Hill entirely. The original plans show that we undergo along the road via the reserve. Instead of continuing that we should have gone Roe Highway Reserve in my view at least to Forrest Road, back down to Rockingham Road. That way we retain the Memorial Hall and Davilak Reserve. It is not all of it, but at least this way we retain at least part of it. Hamilton Hill is Cockburn so we should try to retain some of it at least.

A1. In the last submission we went looking to save those particular locations and our submission went to the Roe Highway as the northern boundary; however, the Local Government Advisory Board when they announced their recommendations to the minister changed it again. They were very positive about it and they made Phoenix Road the boundary.

It was mentioned that a petition was going around from residents for signatures to retain these areas and not amalgamate. They are looking to see if there is enough interest in organising a poll.

8. CONFIRMATION OF MINUTES

8.1 (MINUTE NO 5399) (OCM 13/11/2014) - ORDINARY COUNCIL MEETING - 9/10/2014

RECOMMENDATION

That Council adopt the Minutes of the Ordinary Council Meeting held on Thursday, 9 October 2014, as a true and accurate record.

COUNCIL DECISION

MOVED Clr Y Mubarakai SECONDED Clr S Portelli 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

NOTE: AT THIS POINT IN THE MEETING, THE TIME BEING 7.26 PM THE FOLLOWING ITEMS WERE CARRIED BY AN "EN BLOC" RESOLUTION OF COMMITTEE:

14.2	15.1	16.1	17.1
14.4		16.2	
14.5		16.3	

13.1 (MINUTE NO 5400) (OCM 13/11/2014) - MINUTES OF THE GRANTS AND DONATIONS COMMITTEE MEETING - 21 OCTOBER 2014 (162/003) (R AVARD) (ATTACH)

RECOMMENDATION

That Council receive the Minutes of the Grants and Donations Committee Meeting held on 21 October 2014 and adopt the recommendations contained therein.

COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr S Pratt that the recommendation be adopted.

CARRIED 9/0

Background

The Council of the City of Cockburn established the Grants and Donations Committee to recommend on the level and nature of grants and donations provided to external organisations and individuals. The Committee is also empowered to recommend to Council on donations and sponsorships to specific groups.

Submission

To receive the Minutes of the Grants and Donations Committee and adopts the recommendations of the Committee.

Report

Council approved a budget for Grants and Donations for 2014/15 of \$1,049,591 to be distributed as grants, donations and sponsorship.

At its meeting of 15 July 2014, the Committee recommended a range of allocations which were duly adopted by Council on 14 August 2014.

The September 2014 round of grants, donations and sponsorship funding opportunities has now closed and the Committee, at its meeting of 21 October 2014, considered revised allocations for the grants and donations budget, as well as the following applications for donations and sponsorship.

A summary of the donations recommended to Council are as follows:

Returned and Services League – City of Cockburn	\$10,000
Cockburn Community and Cultural Council	\$9,000
St Vincent de Paul Society Yangebup Conference	\$5,000
Trainingship Cockburn Navy Cadets	\$2,500
Tales of Times Past Senior Storytellers Cockburn	\$750
Yangebup Family Centre	\$12,000
Cockburn Toy Library	\$4,000
Cockburn Central YouthCARE Council	\$48,100
Meerilinga Young Children's Services	\$10,000

A summary of the sponsorships recommended by the Committee is as follows:

Centrepoint Church	\$2,000
Parkrun Australia	\$5,000
The 29er Class Association of WA	\$5,000
Southern Lions Rugby Union Football Club	\$12,500
Whitefish Global Enterprises	\$0



Strategic Plan/Policy Implications

Community & Lifestyle

- Community environments that are socially cohesive and embrace diversity.
- Communities that take pride and aspire to a greater sense of community.
- Promotion of active and healthy communities.

Leading & Listening

- A responsive, accountable and sustainable organisation.

Budget/Financial Implications

Council approved a budget for Grants and Donations for 2014/15 of \$1,049,591 to be distributed as grants, donations and sponsorship.

Following is a summary of the revised grants, donations and sponsorship allocations proposed by the Committee.

Committed/Contractual Donations	\$428,100
Specific Grant Programs	\$381,491
Donations	\$160,000
Sponsorship	\$80,000
Total	\$1,049,591
Total Funds Available	\$1,049,591
<u>Less Total of Proposed Allocations</u>	<u>\$1,049,591</u>
Balance	\$0

These allocated funds are available to be drawn upon in response to grants, donations and sponsorship applications from organisations and individuals.

The next round of grants, donations and sponsorship funding will be advertised in mid-February/March and will close on 31 March 2015.

Legal Implications

Nil

Community Consultation

In the lead up to the September 2014 round, grants, donations and sponsorship funding opportunities were promoted through the local



media and Council networks. The promotional campaign has comprised of:

- Three advertisements running in the Cockburn Gazette on 09/09/14, 16/09/14 and 23/09/14.
- Three advertisements running fortnightly in the City of Cockburn Email Newsletter.
- Half Page advertisement in the August 2014 Soundings.
- Promotion to community groups through the Community Development Service Unit email networks and contacts.
- All members of the Cockburn Community Development Group and Regional Parents Group have been encouraged to participate in the City's grants program.
- Additional Advertising through Community Development Promotional Channels:
 - Community Development Calendar distributed to all NFP groups in Cockburn.
 - Community Development ENews August and September 2014 editions.
- Closing dates advertised in the 2014 City of Cockburn Calendar.
- Information available on the City of Cockburn website.
- Reminder email sent to regular applicants.

Attachment(s)

1. Minutes of the Grants and Donations Committee Meeting on 21 October 2014.
2. Grants, Donations and Sponsorship Committee Recommended Allocations Budget 2014/15.

Advice to Proponent(s)/Submissioners

Applicants have been advised that they will be notified of the outcome of their applications following the November 2014 Council Meeting.

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

Nil



14. PLANNING AND DEVELOPMENT DIVISION ISSUES

14.1 (MINUTE NO 5401) (OCM 13/11/2014) - REVOCATION OF PREVIOUS COUNCIL DECISION - MINUTE NO 5293 (OCM 10/4/2014) - CONSIDER SUBMISSIONS AND ADOPT TOWN PLANNING SCHEME NO 3 AMENDMENT 103 - AMENDING DEVELOPMENT CONTRIBUTION AREA 14 COCKBURN COAST: ROBB JETTY AND EMPLACEMENT PRECINCTS (109 / 027) (C CATHERWOOD) (ATTACH)

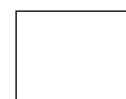
RECOMMENDATION

That Council

- (1) pursuant to Regulation 10 of the Local Government (Administration) Regulations 1996 (as amended) revokes the following decision made at the Ordinary Council Meeting conducted on 10 April 2014 (Minute No 5293):

“That Council

- (1) *endorse the Schedule of Submissions prepared in respect of Amendment 103 to City of Cockburn Town Planning Scheme No. 3 (“Scheme”);*
- (2) *modify Scheme Amendment No. 103 as follows:*
1. *Item ‘North Coogee Foreshore Management Plan Proposals (excluding rebuilding of the groyne)’ to remain as ‘Subregional West’ catchment as currently provided for in Development Contribution Plan 13*
 2. *Item ‘Cockburn Coast Foreshore Reserve Proposals (excluding coastal protection measures)’ to shift to ‘Subregional West’ catchment to align with current foreshore item currently provided for in Development Contribution Plan 13*
 3. *Item ‘Cockburn Coast Beach Parking’ to shift to ‘Subregional West’ catchment to align with current foreshore item currently provided for in Development Contribution Plan 13*
- (3) *Subject to modifications outlined in (2) above being undertaken, adopt Scheme Amendment No. 103 for final approval for the purposes of:*
1. *Amending Schedule 12 of the Scheme text by inserting the following items in Development*



*Contribution Area 13 – Community Infrastructure, under ‘Infrastructure and Administrative Items to be Funded’ as follows (additional wording shown in **bold text**):*

<p><i>Infrastructure and administrative items to be funded</i></p>	<p><i>Regional</i> Coogee Surf Club Wetland Education Centre/Native Ark Cockburn Central Recreation and Aquatic Centre Cockburn Central Community Facilities Visko Park Bowling and Recreation Club Coogee Golf Complex (excluding the pro shop and restaurant components) Bibra Lake Management Plan Proposals Atwell Oval</p> <p><i>Sub Regional—East</i> Cockburn Central Library and Community Facilities Cockburn Central Playing Fields Anning Park Tennis Cockburn Central Heritage Park Bicycle Network—East</p> <p><i>Sub Regional—West</i> North Coogee Foreshore Management Plan Proposals (excluding rebuilding of the groyne) Phoenix Seniors and Lifelong Learning Centre Beale Park Sports Facilities Western Suburbs Skate Park Bicycle Network—West Dixon Reserve/Wally Hagen Facility Development (excluding the café component) Cockburn Coast Foreshore Reserve (excluding coastal protection measures) Cockburn Coast Beach Parking</p> <p><i>Local</i> Lakelands Reserve Southwell Community Centre Hammond Park Recreation Facility Frankland Reserve Recreation and Community Facility Munster Recreation Facility Cockburn Coast Sport Oval and Clubroom (including land cost)</p>
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		<p><i>Administrative costs including – Costs to prepare and administer the Contribution Plan during the period of operation (including legal expenses, valuation fees, cost of design and cost estimates, proportion of staff salaries, computer software or hardware required for the purpose of administering the plan).</i></p> <p><i>Cost to prepare and review estimates including the costs for appropriately qualified independent persons.</i></p> <p><i>Costs to prepare and update the Community Infrastructure Cost Contribution Schedule.</i></p>
<p>(3) <i>ensure the amendment documentation, once modified, be signed and sealed and then submitted to the Western Australian Planning Commission along with the endorsed Schedule of Submissions with a request for the endorsement of final approval by the Hon. Minister for Planning and for the Minister’s consideration to take into account the preferred proposal for local government reform as it relates to the City of Cockburn should it be known at the time of their consideration;</i></p> <p>(4) <i>advise those parties that made a submission of Council’s decision accordingly;</i></p> <p>(5) <i>request the Western Australian Planning Commission consider participation in the proposed DCP13 with a view to effectively ‘seed funding’ the oval proportionate to the area previously reserved for recreation (portion of Lot 2110 Bennett Ave) which were rezoned from ‘Parks and Recreation’ to ‘Urban’ under the Metropolitan Region Scheme via Amendment 1180/41;</i></p> <p>(6) <i>advise the Western Australian Planning Commission and Department of Local Government and Communities that this amendment further builds upon the City’s comprehensive development contribution planning framework, as it relates to both community infrastructure and to infrastructure necessary for progressing structure planning across fragmented land holdings. This amendment has been carefully progressed in the full knowledge of Council in respect of its municipal funding obligations. This amendment also relates to a DCP which has an operational period until at least 30 June 2031.</i></p>		



Both agencies therefore need to carefully consider how the City's DCP can practicably be rationalised if a reform proposal is adopted which disaggregates the City; and

- (7) *request a formal response from both the Director General of the Department of Planning and the Department of Local Government and Communities following Council giving them advice as per Part (6) above".*
- (2) endorses the Schedule of Submissions prepared in respect of Amendment 103 to City of Cockburn Town Planning Scheme No. 3 ("Scheme");
- (3) advises the Western Australian Planning Commission that the City of Cockburn no longer wishes to proceed with Scheme Amendment No. 103;
- (4) provides the Western Australian Planning Commission with a summary of the reasons related to this decision not to proceed with Scheme Amendment No. 103;
- (5) requests the Western Australian Planning Commission return all copies of previously signed and sealed Scheme Amendment No. 103 documents as they are signed in accordance with a rescinded decision;
- (6) advises the applicant and all submitters of this decision; and
- (7) advises the City of Fremantle of this decision.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

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

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Background

At its ordinary meeting dated 10 April 2014, Council adopted proposed Town Planning Scheme Amendment 103 ("Amendment 103") for final approval and requested the endorsement of the Minister for Planning.



Amendment 103 seeks to include additional items to the City's Development Contribution Plan 13 ("DCP13") for community infrastructure. Since that time, local government reform proposals have continued to evolve and a vastly different scenario is proposed, whereby much less of Cockburn is transferred to the adjacent City of Fremantle. The impact of this creates a vastly different reality for the Cockburn Coast project, with it now being contained fully within the City of Fremantle. In light of this, officers have had to carefully reassess planning within the Cockburn Coast project, especially as it relates to development contributions that have a significant ratepayer (municipal) liability attached. It is necessary to reassess Amendment 103 and determine particularly whether it is consistent with orderly and proper planning to be embarking on a process which will have a significant municipal liability for the future responsible authority to contemplate (City of Fremantle).

The purpose of this report is to therefore reconsider submissions and final adoption of Amendment No. 103 to the City of Cockburn Town Planning Scheme No. 3 ("Scheme") which seeks to include additional items to Development Contribution Plan 13 ("DCP13"). It is written looking at the planning merits of the proposal, while also balancing whether it may be more suitable for the future responsible authority for the project (City of Fremantle) to be progressing their own proposal.

In starting this reassessment, Council resolved to initiate the Amendment for the purposes of advertising at the Ordinary Meeting of 12 September 2013. It was advertised for public comment for a period of 42 days from 29 October to 10 December 2013. It should be noted, this amendment was initiated prior to any local government reform proposal which sought to disaggregate the City of Cockburn being made public.

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

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

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



City's DCP13. It is also widely accepted that there needs to be a disciplined process of capital expenditure planning, to ensure that any items included in a development contribution plan are capable of being delivered according to their indicative timing. This is particularly important for items which carry a large (ratepayer) component, such as those within Cockburn Coast.

This report seeks Council to consider all submissions received during the advertising noting the issues raised and recommending the Amendment not be proceeded with. As per the Town Planning Regulations, Council will need to provide a summary of reasons for not continuing with the amendment.

Submission

Amendment 103 proposes to modify the provisions of the City's existing DCP13 to include additional items as a result of the future proposed urbanisation of the subject land to meet the requirements of future community/s in the locality.

Report

Existing Development Contribution Plan 13

The City through its existing DCP13 has catered for the requirements of community facilities and services at the local, subregional and regional level. While the existing DCP13 recognised there would be growth within the Cockburn Coast area, planning was not sufficiently advanced to include infrastructure items brought about by this development.

Proposed Additions to Development Contribution Plan 13

The community infrastructure items proposed to be included in DCP 13 are identified in the District Structure Plan and Local Structure Plans for Cockburn Coast. The community infrastructure items proposed to be included in Schedule 12 of DCP 13 are detailed below. The addition of these items is proposed via Amendment No. 103 to the City's Town Planning Scheme No. 3.

Additional enhancement is proposed to that covered by the North Coogee Foreshore Management Plan (existing Sub-Regional item) to reflect the scale and intensification of development now envisaged for the Cockburn Coast project area. The total cost of this work is estimated at \$18,000,000.

Additional beach parking is also proposed alongside the linear (east-west) public open space to accommodate visitors from the broader



area. The parking area is located on the eastern side of the railway line for traffic management and rail safety reasons. The total cost of this work is estimated at \$178,799.

The Cockburn Coast district open space comprising sports oval and clubrooms have been identified as a Local community infrastructure item. This item is only intended to support the local community needs across the catchment of Coogee/North Coogee. The total cost of this work is estimated at \$13,368,090.

LG Reform Impacts

Given the developments in local government reform, it is not considered appropriate to include any of these items in DCP13. Given the magnitude of the cost burden to the future City of Fremantle (as municipal contributions for these items is more than 50%), it is instead appropriate that the expanded City of Fremantle determine how it wishes to manage its approach to funding infrastructure. It is not considered appropriate, given the knowledge that Fremantle will be implementing the whole Cockburn Coast, that Cockburn make a decision that have implications of this magnitude associated.

Community Consultation Outcomes

A total of nine submissions were received on this amendment. Five of these raised concerns with various issues which are set out below.

The main themes of concern relate to the existing DCP13 and how that functions and the proposed items for inclusion.

Concern was raised about the notion of adding items to DCP13. The perception being the content of the DCP would be fixed. While it is correct that there is a degree of certainty by items being listed in the Scheme, the scheme amendment process is there to consider potential additions or deletions.

One submission proposed modifying the methodology of DCP13 from a per new lot/dwelling basis to a per hectare basis. The methodology has already been established and the DCP operational for a number of years. This amendment does not deal with the methodology and it is not considered appropriate to revise this part way through the DCP operation period.

Concern was also raised about the contribution rate and how these have changed since introduction of DCP13. The estimated contribution rate advertised for this amendment is only able to reflect the current items plus the proposed items. In terms of changes to the rates since originally advertised, the City is required to undertake an annual



review. There have now been several of these since gazettal of DCP13. City officers time these with the commencement of each financial year. There is a requirement to publish these rates, but not to provide a notice period to developers they are about to change. In this time a couple of key projects have gone through major phases and this has reflected in the contribution rates increasing.

Several submissions raised the issue of local government reform, the concern being that DCP13 should be disbanded altogether in light of the Minister for Local Government's proposal to disaggregate Cockburn which would result in the Cockburn Coast area becoming part of an extended City of Fremantle. A more extensive response is contained within the Schedule of Submissions but in summary, there is no positive outcome for any local government or the community should DCP13 be abandoned. There may be a perceived benefit to developers by not being liable for contribution payments. This however would impact community infrastructure items, affecting a substantial part of the funding model which is likely to affect delivery times, project scope or whether a facility is even provided.

There is the option though, to not add additional items to DCP13 (i.e. to not proceed with the amendment). Given the recent developments in local government reform, this is now seen as a prudent approach from a good governance viewpoint. Given the magnitude of the cost burden to the City of Fremantle (new infrastructure totalling \$31,546,889), they ought to be afforded the opportunity of determining whether their own DCP is established for the above community items. It should be acknowledged this places Landcorp in a position where they would need to begin discussions with the City of Fremantle, to determine how best to affect an approach towards community facilities in the Cockburn Coast area. Officers believe this is appropriate, and is not something that the City of Cockburn (by deciding on this amendment) should seek to impose upon the future responsible local government authority in Fremantle.

As part of the original consideration of submissions, a specific resolution was made to seek advice from both the Western Australian Planning Commission and the Department of Local Government and Communities. This was due to the very practical concerns that need to be considered in a variety of matters concerning local government reform and development contribution plans. Letters were sent to both parties seeking advice on a range of matters. Given these agencies roles as the preeminent state level authorities on these matters, assistance, or at least advice, was expected which might placate some of the very real concerns held. No response was received from the WA Planning Commission. A brief letter was received from the Department of Local Government and Communities (see attachment 1). What was clear from the response is, while there is an appreciation of the issues



raised, there are no solutions available at this point. There is further advice to continue to make decisions in the interests of good governance.

As part of the consideration of the scheme amendment, relevant considerations are set out in Division 3 of the Planning and Development Act, 2005. In brief, these are:

- Effect of State planning policy
- Advice from Heritage Council
- Advice from Environmental Protection Authority/Environmental review outcomes
- Consultation of persons likely to be affected.

In terms of the latter of these, several submissions have indicated their concern with the amendment as outlined above. In the original consideration of this amendment, it was tenuous to say the adjacent local governments were 'likely' to be affected. At that point, a number of local government reform proposals were before the Local Government Advisory Board ("LGAB"). Now the situation has moved substantially. The Minister's decision has been made and there is a substantial reduction in area transferred to the City of Fremantle.

Reference should also be made to 3.18(3) of the Local Government Act (set out at the end of this report) with the obligations of good governance (as inferred by the Department of Local Government and Communities). A potential total of \$31,546,889 of new infrastructure to the area which will transfer to Fremantle and which will have a minimum municipal obligation of \$13,990,423 is substantial. With only a small area of land transferred to Fremantle this amplifies the risk that they would need to fund the total amount and may not be able to efficiently manage delivery of these items. A matter which must never be overlooked in responsibly administering a DCP is the need for municipal contribution and the commitment to provide the infrastructure in a timely manner. If those aspects cannot be guaranteed, then the DCA (or additions to it) should not be considered for inclusion in any Scheme amendment.

As the current administrator of TPS3 in its entirety, and in the knowledge this liability would transfer to the City of Fremantle, the City of Cockburn cannot assume that the future responsible local government authority will have the ability to meet the required municipal contribution. It is recommended the previous resolution to adopt with modifications be rescinded and the Western Australian Planning Commission be advised the City no longer wishes to proceed with this amendment.



Both the proposed issues raised and the progression of local government reform outcomes has led to this position.

Conclusion

It is recommended that Council revokes the resolution for the Scheme Amendment to proceed, endorses the Schedule of Submissions and advises the WAPC there is no longer a wish to proceed with this amendment.

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

There is no budget or financial implications for the City of Cockburn arising from the position not to proceed with the amendment.

Legal Implications

Planning and Development Act 2005
Local Government Act 1995
Town Planning Regulations 1967
Planning and Development Regulations 2009
City of Cockburn Town Planning Scheme No. 3

Community Consultation

The Amendment was advertised for public comment for a period of 42 days from 29 October 2013 to 10 December 2013.

Attachment(s)

1. Advice letter from the Department of Local Government and Communities.
2. Notice of Revocation
3. Schedule of Submissions



Advice to Proponent(s)/Submitters

Should Council choose to rescind the previous motion, both the applicant and the Department of Planning will be advised.

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

The Minister for Local Government's decision on local government reform will see less area transferred to the City of Fremantle than previously envisaged. While this is a positive for Cockburn, it potentially creates greater financial risk for Fremantle. This potentially creates difficulty in ensuring adherence to 3.18(3)(C):

3.18. Performing executive functions

- (3) A local government is to satisfy itself that services and facilities that it provides.
 - (a) integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body, i.e. (Landcorp).

14.2 **(MINUTE NO 5402) (OCM 13/11/2014) - INITIATION OF PROPOSED SCHEME AMENDMENT NO. 106 - LOCATION: LOT 545 BARTRAM ROAD, SUCCESS - OWNER: JEANETTE ANN BEASLEY - APPLICANT: PLANNING SOLUTIONS (109/042) (C HOSSEN) (ATTACH)**

RECOMMENDATION

That Council

- (1) in pursuance of Section 75 of the *Planning and Development Act 2005*, amend City of Cockburn Town Planning Scheme No. 3 ("Scheme") by:
 - 1. Rezoning parts of Lot 545 Bartram Road, Success from 'Residential R20' to comprise the zones of 'Residential R30', 'Residential R40' and 'Residential R60' as depicted on the Scheme Amendment Map.
 - 2. Reserving parts of Lot 545 Bartram Road, Success as 'Local Road' and 'Parks & Recreation' as depicted on the Scheme Amendment Map.
 - 3. Remove Lot 545 Bartram Road from Development Area 14.
 - 4. Amend the Scheme Map accordingly.
- (2) as the amendment is in the opinion of Council consistent with Regulation 25(2) of the *Town Planning Regulations 1967* ("Regulations"), and upon the preparation of the necessary amendment documentation, the amendment be referred to the



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

COUNCIL DECISION

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

CARRIED 9/0

Background

The subject land comprises Lot 545 (No. 77) Bartram Road, Success and is zoned ‘Urban’ under the Metropolitan Region Scheme (“MRS”) and ‘Residential R20’ under City of Cockburn Town Planning Scheme No. 3 (“Scheme”).

The subject site is located directly west of Wentworth Parade, north of Bartram Road and east of the Twin Bartram Structure Plan area (refer to Attachment 1 for the Locality Plan). The Twin Bartram Swamps Conservation Category Wetland is located immediately to the north of the subject site.

Submission

The Proposed Scheme Amendment has been lodged by Planning Solutions, in conjunction with John Chapman Town Planning Consultant, on behalf of the prospective purchaser of the land, Allvivid Pty Ltd.

Report

The Proposed Scheme Amendment seeks to amend the Scheme by rezoning the subject site from ‘Residential R20’ to ‘Residential R30’, ‘Residential R40’ and ‘Residential R60’. The proposal also seeks to reserve portions of the site for ‘Local Roads’ and ‘Parks and Recreation’. See Attachment 3 for a concept plan of the subject area.



The area to be rezoned for 'Parks and Recreation' is 7949m² in size and will act as an extension of the planned open space areas to the west of the site. Wetland fringe vegetation buffer forms 4620 m² of the open space area, this area will be revegetated during the development stage of the proposal. The total of the open space area is consistent with the 10% provisions within Liveable Neighbourhoods.

In recent times, areas subject to greenfields residential development have been zoned 'Development' and subject to the preparation of a comprehensive Structure Plan undertaken in accordance with Part 6 of the Scheme. This Structure Plan becomes the zoning and reserving mechanism, working in conjunction with the Scheme to regulate land use and development. Within the northern half of the locality of Success, there are a number of undeveloped land parcels that are zoned 'Residential' but are also within a Development Area. The situation is largely due to the zoning sourced from the former Town Planning Scheme No. 2 combining with the structure planning requirements introduced in Town Planning Scheme No. 3. The subject site is one of these parcels.

As the land is currently zoned 'Residential' it has been communicated to the City from the Western Australian Planning Commission ('WAPC') that support should be directed towards a Scheme amendment which seeks to put in place the pattern of zones and reserves to be ultimately reflected by the subdivision and development of the land. This is considered manageable for this site, given its discrete size and logical planning of zones and reserves to build on the surrounding pattern.

Therefore the Proposed Scheme Amendment looks to retain the 'Residential' zoning of the land, while introducing a more contemporary residential coding mix and appropriately address the Conservation Category Wetland Buffer. To facilitate this outcome the Proposed Scheme Amendment has been accompanied by a comprehensive Explanatory Report that provides the same level of detail and planning rigour as found within a Structure Plan explanatory report.

Directions 2031

Directions 2031 seek to establish a 50% increase in current average residential densities from the current average of 10 dwelling per gross hectare of urban zoned land. The Scheme Amendment explanatory report assumes an expected yield of 99 dwellings. Gross density of the site is therefore likely to be 25 dwellings a hectare, an amount consistent with Directions 2031 and Liveable Neighbourhoods.

The dwelling yield is also consistent with the actions/Initiatives of the Draft Cockburn Central Activity Centre Plan.



Traffic

The applicant has undertaken a traffic impact assessment to support the Scheme Amendment. The report has been analysed by the City's engineering department and deemed to be satisfactory in both its assumptions and recommendations. All expected traffic volumes are within standard limits expected by the City.

Bushfire Risk

The applicant has undertaken a Fire Management Plan to support the Scheme Amendment. The report has been analysed by the City and deemed to be to the City's and the WAPC's standard.

The Fire Management Plan and the proposed layout of the subject area strike an appropriate balance between reducing vulnerability to the bushfire risk and the protection and improvement of the functionality of the Twin Bartram Swamps.

Conclusion

In summary it is recommended that the City initiate the proposed Scheme Amendment No.106.

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.

Environment & Sustainability

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

Budget/Financial Implications

N/A

Legal Implications

N/A



Community Consultation

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

Attachment(s)

1. Locality Plan
2. Current and Proposed Zoning Map
3. Concept Plan

Advice to Proponent(s)/Applicant

The Proponent(s) have been advised that this matter is to be considered at the 13 November 2014 Council Meeting.

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

Nil.

14.3 **(MINUTE NO 5403)** (OCM 13/11/2014) - SALE OF LAND - LOT 33 DAVILAK AVENUE, HAMILTON HILL - OWNER: CITY OF COCKBURN (2201160) (K SIM) (ATTACH)

RECOMMENDATION

That Council

- (1) sells Lot 33 Davilak Avenue , Hamilton Hill for a consideration of \$1,370,000 (inc GST) to 51 West Pty Ltd; and
- (2) amend the 2013/14 adopted municipal budget by transferring \$1,370,000 (net of GST) to the Cockburn Central West Reserve.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

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

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0



Background

Lot 33 Davilak Road, Hamilton Hill has been in the ownership of the City of Cockburn since 1947. According to the prevailing City of Cockburn Land Management Strategy, it has been recommended for sale following a process of value adding that has involved rationalisation of drainage functions and rezoning as part of the Hamilton Hill Revitalisation Strategy. It is recommended that Council proceed with the sale of the land.

Submission

An offer to purchase the land in the form of an Offer and Acceptance Contract has been received from 51 West Pty Ltd of P O Box 1040, East Victoria Park. A valuation report has also been received from Licensed Valuer Wayne Srhoy from McGee's Property.

Report

The Land Management Strategy 2011-2016 draws upon an analysis of all of the City of Cockburn's freehold land. This analysis identified this particular property as being recommended for sale, subject to investigation. This investigation has been long term, and has focussed upon value adding through drainage rationalisation and rezoning.

Prior to 2012, Lot 33 contained a small drainage sump measuring 20 metres by 10 metres catering for stormwater off Davilak Avenue. This sump was located in the centre of the lot and approximately 7 metres from the front boundary. In 2012, after calculation of the storage capacity required, the open sump was replaced by a series of concrete below ground tanks. These tanks are located at the front section of the lot adjacent to the road reserve occupying an area of 18 metres by 7 metres. This process represented important value adding as envisaged through the Land Management Strategy.

The purchaser is aware of the tanks and has indicated that they do not impose any detrimental impact on their future development of the land. A future driveway can be constructed over the tanks. A condition of the sale is that these tanks will be the subject of an easement in favour of the City of Cockburn for the purpose of drainage. The easement will allow for the future maintenance of the infrastructure.

In terms of rezoning, Lot 33 was the subject of recently gazetted Amendment 100 to City of Cockburn Town Planning Scheme 3. This amendment implemented recommendations of the Hamilton Hill Revitalisation Strategy, rezoning the land R40/60.



The purchase price of \$1,370,000 (incl of GST) is acceptable, comparing this to the value determined by Licensed Valuer Wayne Srhoy who valued the land at \$1,315,000 (incl of GST). The contract allows the City to utilize the margin scheme for the purpose of accessing GST.

In accordance with provisions of the Local Government Act 1995 the proposed disposition was advertised in the West Australian newspaper. At the conclusion of the statutory advertising period there were no objections.

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

Proceeds of the sale totalling \$1,370,000 (net of GST) will be transferred to the Cockburn Central West Reserve.

Legal Implications

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

Community Consultation

Details of the sale were advertised in a newspaper for State wide publication, as required by Section 3.58 of the *Local Government Act 1995*.

Attachment(s)

Location Plan

Advice to Proponent(s)/Submitters

The Proponent(s) have been advised that this matter is to be considered at the 13 November 2014 Council Meeting.



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

Nil.

14.4 (MINUTE NO 5404) (OCM 13/11/2014) - INITIATION OF PROPOSED SCHEME AMENDMENT REZONING PORTION - LOT 14 FREDERICK ROAD, PORTION LOT 34 CLARA ROAD HAMILTON HILL AND LOT 110 MARCH ROAD, SPEARWOOD - APPLICANT/OWNER: CITY OF COCKBURN (109/043) (M CAIN) (ATTACH)

RECOMMENDATION

That Council

- (1) in pursuance of Section 75 of the Planning and Development Act 2005 ("Act"), amend City of Cockburn Town Planning Scheme No. 3 by:
 1. Rezoning the northern portion of Lot 14 (No. 75) Frederick Road, Hamilton Hill from 'Local Reserves – Lakes & Drainage' to 'Residential R40'.
 2. Rezoning the front portion of Lot 34 (No. 27) Clara Road, Hamilton Hill from 'Local Reserves – Lakes and Drainage' to 'Residential R30'.
 3. Rezoning Lot 110 (No. 29) March Street Spearwood from Public Purpose (Pre-School) to 'Residential R40'.
 4. Amending the Scheme Map accordingly.
- (2) as the amendment is in the opinion of Council consistent with Regulation 25(2) of the *Town Planning Regulations 1967* ("Regulations"), the amendment be referred to the Environmental Protection Authority as required by Section 81 of the Act, and on receipt of a response from the EPA indicating that the amendment is not subject to formal environmental assessment, be advertised for a period of 42 days in accordance with the Regulations.

COUNCIL DECISION

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

CARRIED 9/0



Background

This amendment comprises three sites that are being proposed for rezoning. These sites are:

- The northern portion of Lot 14 (75) Fredrick Road, Hamilton Hill from 'Local Reserves – Lakes & Drainage' to 'Residential R40'.
- The rear portion of Lot 34 (27) Clara Road, Hamilton Hill from 'Local Reserves – Lakes & Drainage' to 'Residential R30'.
- 29 March Street Spearwood from Special Purpose 'Pre-School' to 'Residential R40'.

Attachments 1, 2 and 3 contains locality plans of the subject sites.

Submission

N/A

Report

The subject lots are zoned 'Urban' under the Metropolitan Region Scheme ("MRS") and are therefore suitable for urban (residential) development.

As per the City's Land Management Strategy, the City has the ability to rationalise land as part of creating the best utility of its land portfolio. The City's Land Management Strategy manages these land parcels, developing a strategic vision for land assets and establishing an effective framework to manage the City's land portfolio. The City owns all three sites in freehold.

The portions of land in Hamilton Hill currently zoned 'Local Reserves – Lakes & Drainage' are to be rezoned for residential development. Lot 14 Frederick Road is proposed to be rezoned 'Residential R40' and Lot 34 Clara Road is proposed to be rezoned 'Residential R30'. The remaining portions of land will keep their 'Lakes and Drainage' local reservation, given they comprise a drainage basin function still.

Investigation has revealed the ability for portions of the subject sites to be released from their current Lakes and Drainage local reservation. Importantly, the portions of land being released are not required, nor do they currently function, as any type of drainage basin. The main drainage basin for both subject sites will remain on the portion of land not covered by the proposed amendment.



Lot 14 (75) Frederick Road, Hamilton Hill

Located on the corner of Frederick and Forrest Road, Hamilton Hill, Lot 14 is surrounded by residential development, mixed business uses and local centres, with increased future residential development taking place as part of the Hamilton Hill Revitalisation Strategy.

Following investigation of the site in accordance with the City's Land Management Strategy, it is apparent that the northern portion can be rationalised to release a 'Residential R40' allotment for development. This is what the Scheme amendment seeks to do.

At present the site also has a Western Power easement that traverses part of it. The City has contacted Western Power, who have agreed to reduce the width of the easement to fit that which exists elsewhere along the power corridor. They advise that the current 40m easement width (across the City's lot) is only needed around the actual power towers. As there is no power tower on the City's land, it can be reduced to a width of 20 metres. The removal of this constraint significantly increases the development potential of this site.

The subject site is ideally located for future residential development as it is well situated on the corner of a main road and also has access to public transport along Forrest Road. The site is well serviced by surrounding local commercial and retail businesses, which is an important consideration when rezoning land for residential purposes.

Development of this site may see the inclusion of grouped or multiple dwellings. This is further consistent with the City's Hamilton Hill Revitalisation Strategy and the Directions 2031 Strategic Plan for Perth.

Lot 34 (27) Clara Road, Hamilton Hill

This site is located off Forrest Road. The rear portion of this lot is currently vacant and is not affected by the sump at the front of the lot. Surrounded by residential development, the City proposes that the rear portion of the lot be rezoned for 'Residential R30' development, in accordance with the surrounding area.

This site has no other constraints and is highly suited to residential development. It will be available to all adjoining landowners to consider purchasing.

29 March Street Spearwood

The site contains a child health centre service currently operated by the City. Plans are currently underway to relocate the two Health Nurses



running the operation to the City's Starling Street Centre. This will leave the premises at 29 March Street, Spearwood vacant and provide the opportunity for the City to consider disposing of the property.

This irregular shaped lot is centrally located adjacent, and to the east, of the Phoenix Shopping Centre. Land to north, east and south is zoned 'Residential R40'. While the western side of March Street is the location of the shopping centre and car park, March Street presents as a low scale suburban residential street.

The subject site is ideally located for residential development given its close proximity to services. The site is likely to present an optimal outcome for medium density development given its dual frontage to March Street and Olinda Court to the South. Medium density development in this location is consistent with the Phoenix Revitalisation Strategy.

Conclusion

The rationale for the proposed amendment is therefore based upon the City's endorsed Land Management Strategy, and the principles of orderly and proper planning that have been discussed in this report.

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

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

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

A Prosperous City

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

Budget/Financial Implications

All costs associated with the Scheme Amendment will be met as part of the City's normal Strategic Planning budget allocations. The result of this Scheme amendment will be the ability to develop or sell the



northern portion of Lot 14 Frederick Road, Hamilton Hill, the front portion of Lot 34 Clara Road, Hamilton Hill and Lot 110 March Street, Spearwood.

Legal Implications

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

Community Consultation

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

Attachment(s)

1. Location Plan – Lot 14 Frederick Road, Hamilton Hill
2. Location Plan – Lot 34 Clara Road, Hamilton Hill
3. Proposed rezoning plan Lot 14 Frederick Road
4. Proposed rezoning plan Lot 34 Clara Road
5. Location Plan – 29 March Street, Spearwood

Advice to Proponent(s)/Submitters

N/A

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

Nil.

14.5 (MINUTE NO 5405) (OCM 13/11/2014) - POWER STATION MASTER PLAN - CONSIDERATION OF REQUEST FOR LIFTING OF URBAN DEFERMENT (108/003) (D DI RENZO) (ATTACH)

RECOMMENDATION

That Council

- (1) advise the Western Australian Planning Commission (“WAPC”) that the request for the lifting of urban deferment for Lot 2 Robb Road and portion of Lot 3 Robb Road, North Coogee is supported subject to the following modifications being undertaken to the Master Plan:

1. The three residential buildings shown to the south of the



Power Station located on 'Parks and Recreation' reserve being removed from the Master Plan, and throughout all plans in the document.

2. The public car park in Figure 1.2 being shown in the correct location to the east of the rail line shown in all other maps in the Master Plan.

- (2) in accordance with Section 126 of the *Planning and Development Act 2005*, request the WAPC to concurrently zone the extent of the urban deferment land to 'Development' under City of Cockburn Town Planning Scheme No. 3.

COUNCIL DECISION

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

CARRIED 9/0

Background

For a number of years the State Government has been working toward realising the vision for the Cockburn Coast development. The project is intended to see the redevelopment of the former Robb Jetty industrial area and the South Fremantle Power Station.

The Cockburn Coast District Structure Plan 2009 ("CCDSP 2009") was prepared to guide future land use and transport initiatives within the area stretching between South Beach and the Port Coogee marina.

In 2012, this was supplemented and in part refined by the Cockburn Coast District Structure Plan Part 2 ("CCDSP Part 2") prepared on behalf of LandCorp.

The Metropolitan Region Scheme ("MRS") Amendment No. 1180/41 was made effective on 16 August 2011 to rezone the majority of the Cockburn Coast industrial area from 'Industry' to 'Urban' to reflect the outcomes of the CCDSP Part 2. The South Fremantle Power Station site was rezoned to 'Urban Deferred'.

The Western Australian Planning Commission ("WAPC") identified that this site has a number of unique characteristics that would require further consideration prior to being rezoned to 'Urban'. The WAPC



identified that for the Urban Deferment to be lifted a detailed Master Plan would need to be prepared for Lots 2, 3 and 2167 Robb Road, North Coogee.

To progress the planning for the Power Station site Landcorp have engaged HASSELL to prepare a Master Plan on behalf of Synergy, the landowners of Lot 2 and 3 Robb Road, North Coogee.

The Master Plan has been submitted to the City of Cockburn seeking Council's support for the lifting or 'Urban Deferment' prior to lodging the request with the WAPC. This is recommended to Council, subject to important modifications however. This is further explained in the report following.

Submission

The South Fremantle Power Station Master Plan has been submitted by Landcorp on behalf of Synergy (formerly Verve Energy), the landowners of Lot 2 and 3 Robb Road, North Coogee.

In the context of the Cockburn Coast project, a memorandum of understanding between Verve Energy (2011) and LandCorp, was signed with a view to investigating the redevelopment potential of the Power Station.

The Master Plan has also been advertised by the City of Cockburn for public comment for a period of 30 days.

Report

The purpose of this report is for Council to consider the proposed lifting or Urban Deferment for Lots 2 and 3 Robb Road, North Coogee, and to provide a recommendation to the WAPC accordingly.

Land Ownership

The Master Plan comprises Lots 1, 2, 3 and 2167 Robb Road, North Coogee, Lot 2161 McTaggart Cove, North Coogee and McTaggart Cove and Robb Road reserves, with a number of landowners.

Lot 1 is owned by Western Power and includes the switchyard which is still operational. The ultimate success of the Power Station Master Plan relies on the relocation of the switchyard. Western Power will in the future need to upgrade the terminal switchyard to accommodate demand. The intent is to facilitate a coordinated approach to the relocation of the switchyard and the development of the Power Station.



Lots 2 and 3 are owned by Synergy and include the Power Station structure.

Lot 2161 is the foreshore to the west of the Power Station, and it is owned by the State of Western Australia and leased by The State Electricity Commission of Western Australia. The cooling pond and groyne associated with the Power Station are located within this lot.

Lot 2167 is a public open space reserve owned by the Crown, and managed by the City of Cockburn.

Role of the Master Plan

It is important to note that the purpose of the Master Plan is to demonstrate that the land is appropriate for an 'Urban' zoning under the MRS. The Master Plan itself is not the plan that will be implemented, or that will facilitate or guide subdivision and development of the land. The future process for that to occur is via the integration of a Development zone on the land, which will also be located within a Development Area. These two aspects involve amendment to City of Cockburn Town Planning Scheme No. 3. Once this is done a Proposed Structure Plan will be prepared, which will be the statutory mechanism by which to guide subdivision and development.

The Master Plan has been submitted as a requirement of WAPC, set out as part of MRS Amendment No. 1180/41.

Power Station Structure

The Power Station is proposed to be adapted to provide for a mix of land uses. It is proposed to be the key destination within the Power Station Activity Centre.

The Turbine Hall is a vast open space designed in a cathedral architectural style. It is proposed to be a publically accessible area to accommodate a diverse number of activities. It includes an 'Urban Park' with retail, commercial and civic land uses.

The Boiler House has two structural elements. The first is proposed to be converted into an internal street 10m wide allowing the public to move through the Power Station. The second is proposed to be converted into residential apartments.

It is proposed that additional residential apartments will be added to the eastern portion of the Power Station to the height of the original chimney stacks, thus reflecting the existing structure and ensuring the Power Station remains the focal point of the Master Plan area.



In total there are 147 residential apartments proposed in and over the Power Station building.

The proposed maximum height of the residential development is to be less than the existing Power Station Structure and the height of the original chimney stacks. A local structure plan and associated design guidelines will provide guidance in this regard, and will be subject to community consultation and Council adoption.

There is approximately 6,970m² of retail/commercial floor space proposed within the Power Station.

Residential Land Uses

The Master Plan identifies over 900 potential residential dwellings, including the 147 residential apartments over the Power Station building.

Access and Car Parking

A proposed ramped bridge provides for pedestrian and vehicular access. The bridge has been designed to a 30km/hr speed environment. Currently the Master Plan does not provide for at grade access to the Power Station area from the east.

The Master Plan includes the following:

- * Pedestrian paths connecting the Master Plan to the surrounding areas.
- * Pedestrian bridge connecting multi storey car parking area with the Power Station.
- * Rapid Bus Transit (RBT) is located to the east of the railway line at the intersection of the pedestrian bridge and Cockburn Road.

Open Space

The Master Plan includes a 'Power Station Piazza' located to the north-east of the Power Station building that will be a focal point for the community to gather. The space can facilitate farmers markets on the weekends; a program of events during the year and cafes, eateries and restaurants.

The area to the west of the Power Station structure will form the basis of a water feature showcasing the function of the cooling ponds and other heritage features, including outdoor pools.



Boardwalks are proposed to be constructed over the existing groynes to enhance the public enjoyment of the existing cooling ponds and outdoor pools.

The existing ship wrecks are proposed to be interpreted in the landscaping, ensuring terraced open space areas do not impact on the wrecks.

The Master Plan includes:

- * Timber boardwalk beach access along the heritage break water.
- * Grass terraces for picnics and outdoor events.
- * Dunal system and native dunal vegetation.
- * The Promenade is the length of the Master Plan area facilitating pedestrian and cycle movements. The Promenade will also provide a space for alfresco areas.
- * Family park with shelters, BBQ and seating.
- * Family beach.

Future proposed rezoning of 'Parks and Recreation' to 'Urban'

One of the most critical issues is that the Master Plan includes a portion of 'Parks and Recreation' reserve being shown as urban development, to be the subject of a future MRS Amendment (from 'Parks and Recreation' reserve to 'Urban'). That is, the Master Plan suggests that a part of the public foreshore reserve be made available for private residential development. This is not supported by the City of Cockburn.

The Master Plan shows this portion of land containing three residential apartment buildings of approximately 4-5 storeys in height, totally approximately 100 residential dwellings, as shown in Attachment 4.

This reduces this portion of 'Parks and Recreation' reserve by a width of approximately 30m from 65-70m in width, to approximately 35-40m in width.

This portion of land has always been shown as 'Parks and Recreation' in both the CCDSP (2009) and CCDSP (Part 2). The CCDSP (2009) annotated this area as a 'high amenity beach and foreshore improvements'. The suggestion to now make this available for private development is in contrast to the higher order planning that has occurred for the project. This high order planning noted that retention of the public foreshore reserve was important to:

1. Provide access to recreation space adjacent the beach; and



2. Provide a buffer between the Port Coogee residential development and what was then derelict, contaminated former industrial land and buildings to the north. Given the unknown future land-uses and redevelopment time frames for the Cockburn Coast Redevelopment Area, the buffer would provide separation between non-compatible adjacent developments.

Landcorp now assert that this area is not required because:

- * The parks and recreation reserve is not required as a buffer to derelict or contaminated land.
- * The functions of the parks and recreation reserve are accommodated in an alternative configuration within the revised plan.
- * The parks and recreation reserve did not serve or provide for any special purpose or activity in that location.
- * Parks and recreation opportunities for all users, including regional visitors are better provided for in the master plan than by the MRS Parks and Recreation reserve.
- * The master plan better uses open space areas to support heritage enhancement and public realm integration.
- * Pedestrian and cyclist movement is enhanced to and through the site and surrounding areas in the master plan (no loss of movement or amenity).
- * The proposed open space areas are better integrated into a comprehensive urban renewal outcome rather than in the absence of a surrounding plan.
- * The revised plan supports and is supported by a Place making Strategy for the Power Station as the leisure, entertainment and recreational destination of the Cockburn Coast with “summer and winter spaces for year round activation.”
- * Allowing the development of the MRS reserve area will enable the provision of funding to enhance and reinterpret the former cooling ponds and limestone revetments as a high-amenity regional open beach-front environment for regional visitors. The landscape area will include boardwalks, grassed terraces, a possible protected swimming lagoon, public art and heritage interpretation.

The City does not support these assertions. The City’s position, on behalf of the community, is that rationalisation of the portion of



foreshore reserve in the manner proposed by the Master Plan has not been a consideration of the higher order planning that has occurred. In respect of a coastal location like Cockburn Coast, arguably the most critical issue to secure and agree on early would be how public accessibility of the foreshore reserve is managed in conjunction with the pressure to provide for urban development either adjoining or within parts of the reserve. The public sentiment towards such an issue has been shown in recent memory through the experiences of the Leighton beach redevelopment, and the Fremantle Harbours Master Plan.

The extent of foreshore reserve that has been secured as part of the early planning for Cockburn Coast is considered the minimum component that needs to remain. In terms of the foreshore reserve in question, rationalisation as proposed by the Master Plan would deleteriously impact on the ability to provide a useable recreation space adjoining the beach – something that the community value as part of the Cockburn Sound Foreshore Environment. Examples of Coogee Beach, Poore Grove and Woodman Point are testament to this.

It is therefore not considered appropriate for the Master Plan to foreshadow future possible changes to the MRS. Rather it is considered appropriate that the Master Plan reflect the current MRS zonings, and focus on addressing the issues relating to the lifting of 'Urban Deferment'.

Retention of this portion of land as 'Parks and Recreation' is considered essential to provide an important area of foreshore reserve available for recreation.

This portion of 'Parks and Recreation' is an expansive area of foreshore reserve that is not 'beach focused' or 'water-focused', providing the potential for a different foreshore recreational experience. It is considered important to retain flexibility in the foreshore reserve to explore a range of different beach experiences within the Power Station area, and to ensure that there is adequate space to accommodate infrastructure and facilities to make this a regionally significant coastal node.

For example, the reduced area of foreshore reserve proposed in this location is not considered adequate to accommodate a regional playground, whereas the existing area would be large enough for such a facility. At its full width this area of 'Parks and Recreation' could also provide the potential for events to be held, such as triathlons or volleyball tournaments. However the smaller area proposed would limit such potential.



The DSP Part 2 also had this portion of 'Parks and Recreation' separated from residential development by a road. This meant that the area was very 'public' in its function. The Master Plan shows the development of three residential apartment buildings directly adjacent to the reduced area of 'Parks and Recreation'. While the overlooking of this area by the residential buildings is positive from a Crime Prevention Through Environmental Design ("CPTED") perspective (by providing passive surveillance and creating a sense of ownership of the space), this may serve to give a perception of 'privatisation' of a portion of this space, particularly directly abutting the buildings. This will further reduce the actual useable area for recreation by and for visitors. It also has the potential to reduce the range of recreational uses and events that could be held there given the impact of such events on residential amenity.

Importantly the loss of this portion of 'Parks and Recreation' would remove arguably the most important and accessible vista of the Power Station, where visitors can appreciate its scale, grandeur and prominence.

These points can be demonstrated through the CCDSP Part 2 which featured views of this foreshore reserve (see Attachment 4).

It is also noted that MRS Amendment 1180/41 rezoned 2.3 ha of 'Parks and Recreation' north of McTaggart Cove to 'Urban' to 'provide critical mass to the redevelopment of the Power Station'. However, this was subsequently incorporated into the Robb Jetty Structure Plan area. It is not considered appropriate to now rezone further areas of 'Parks and Recreation' for the same reason. This would ultimately serve to reduce the available area of foreshore reserve for the community.

It is therefore recommended that the lifting of 'Urban Deferment' be subject to removal of urban development on land reserved for 'Parks and Recreation' in the Master Plan.

Community Consultation Outcomes

The Master Plan was advertised for a period of 30 days, ending on 2 September 2014, and this included an Information Evening.

There were a total of 32 submissions received, with 19 submissions of support, 10 objections (including submissions raising concerns regarding the Master Plan), and three submissions making comments on the Master Plan.

All submissions are included and addressed at Attachment 2.



The objections that were received all related to elements of the Master Plan, rather than being objections to the lifting of 'urban deferment' itself. There were no objections received to the lifting of 'urban deferment'.

There were two objections to the proposed development shown on a portion of 'Parks and Recreation'. Notwithstanding some level of public objection, the position of technical officers provided in this report is that the rationalisation of public foreshore reserve is something that should not be supported, irrespective of whether the public were specifically aware of the proposal or not.

Amendment to City of Cockburn Town Planning Scheme No. 3

The role of the Master Plan will be to secure the lifting of urban deferment for the subject land. In doing this however, there are still a number of steps in which to appropriately arrange the City's Town Planning Scheme No. 3 following the lifting taking place. These include:

- A Scheme amendment to secure a Development Zone over the land.
- A Scheme amendment to extend Development Area 33 over the land.
- A Scheme amendment to extend a Development Contribution Area over the land.
- A Structure Plan in order to guide land use and development.

There is the opportunity under Section 126 of the Planning and Development Act 2005 to request the WAPC to concurrently amend the City's Scheme to include the subject land within a Development Zone. This will effectively remove one of the four steps that still need to occur before realisation of land use and development potential on the subject site.

In the interest of expediency for the broader Cockburn Coast project, it is recommended that Council seek a concurrent amendment to its Town Planning Scheme No. 3.

Conclusion

It is recommended that the lifting of 'Urban Deferment' for Lot 2 Robb Road and portion of Lot 3 Robb Road, North Coogee be supported subject to the Master Plan being amended to remove urban development shown on land reserved for 'Parks and Recreation' under the MRS. It is also recommended that Council seek the concurrent amendment under the Local Planning Scheme.



Strategic Plan/Policy Implications

Growing City

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

Infrastructure

- Community facilities that meet the diverse needs of the community now and into the future.
- Facilities that promote the identity of Cockburn and its communities.

Community & Lifestyle

- Communities that take pride and aspire to a greater sense of community.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

The South Fremantle Power Station Master Plan was advertised for public comment for a period of 30 days, ending on 2 September 2014. This included letters to nearby landowners, advertisements in the Cockburn Gazette, and notices in City of Cockburn libraries and the administration centre. An Information Evening was also held on 4 August 2014.

Attachment(s)

1. South Fremantle Power Station Master Plan
2. Landcorp's supporting information for 'Parks and Recreation' area
3. 'Parks and Recreation' area information/maps
4. 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 13 November 2014 Council Meeting.



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

Nil.

14.6 (MINUTE NO 5406) (OCM 13/11/2014) - DRAFT 2014 JANDAKOT AIRPORT MASTER PLAN - OWNER: JANDAKOT AIRPORT HOLDINGS (1211) (A TROSIC) (ATTACH)

RECOMMENDATION

That Council make a submission to Jandakot Airport Holdings on the basis of the officer's report, which recommends Council provide its support to the draft Jandakot Airport Master Plan 2014 subject to:

1. A modified Deed of Agreement outlining the agreed road networks upgrades being executed between the City of Cockburn and Jandakot Airport Holdings prior to submission of the draft Master Plan to the Federal Government.
2. The draft Master Plan being modified to remove all references to connectivity to Solomon Road for future Precincts 6 and 6A.
3. The draft Master Plan being modified to re-emphasise the importance of the southern link road, as it was previously done in the 2009 Master Plan.
4. The draft Master Plan being modified to reconfigure Precincts 6, 6A and 2A to ensure a minimum 200m separation is retained with the interfacing rural living allotments. The modification needs to be reflected throughout the document.

COUNCIL DECISION

MOVED Cllr L Smith SECONDED Cllr Y Mubarakai that Council make a submission to Jandakot Airport Holdings on the basis of the officer's report, which recommends Council provide its support to the draft Jandakot Airport Master Plan 2014 subject to:

1. A modified Deed of Agreement outlining the agreed road networks upgrades being executed between the City of Cockburn and Jandakot Airport Holdings prior to submission of the draft Master Plan to the Federal Government.
2. The draft Master Plan being modified to remove all references to connectivity to Solomon Road for future Precincts 6 and 6A.
3. The draft Master Plan being modified to re-emphasise the



importance of the southern link road, as it was previously done in the 2009 Master Plan.

4. Jandakot Airport Holdings acknowledging that the design of the each mixed use facility/development in Precinct 6 needs to mitigate the potential impact of the development on the adjoining rural-residential properties, in respect to noise, light, dust or odours (acknowledging that those properties are impacted by the airport operations). In order to assess the suitability of any noise attenuation measures incorporated into any development in Precinct 6, Jandakot Airport Holdings shall engage an Acoustic Consultant/Engineer with relevant qualifications and experience, and who is a member of either the Australian Acoustical Society and/or the Association of Australian Acoustical Consultants to undertake an assessment of that development.

CARRIED 9/0

Reason for Decision

Jandakot Airport Holdings (JAH) has advised the City that in order to provide a minimum 200m separation between Precinct 6 and the adjoining rural living properties it would result in the loss of over 20ha of developable land. They have further advised that due to environmental requirements imposed by the Federal Government, they would be unable to reconfigure the conservation area, Precinct 2A, to compensate for the loss of developable area, as anticipated in the officer's recommendation. In subsequent discussions JAH have acknowledged their obligation to mitigate the potential impact that any development within Precinct 6 might have on the adjoining rural living properties. They believe that this can be adequately addressed by the location, design and layout of individual developments within the precinct and are prepared to undertake such an assessment prior to undertaking each respective development. It is therefore proposed that the recommendation be amended to reflect such an arrangement.

Background

The City of Cockburn has been invited to provide comment on the preliminary version of the draft Jandakot Airport Master Plan 2014 (draft Master Plan). This is the key opportunity for the City to provide a formal response to the draft Master Plan, before it is finalised for submission to the Federal Government for approval.



Some of the issues raised in this report deal with similar issues that the City raised in providing its comments to the then 2009 draft Jandakot Airport Master Plan. These issues are particularly in respect of transport infrastructure coordination for the site, interface to rural development and future land use in the southern precinct. These issues remain a focus of this report.

As discussed in the report, it is recommended that Council provide its support to the draft Master Plan subject to a number of conditions which are set out in the recommendation. It should be expected that implementation of the Master Plan over the coming five years will satisfy Council's conditions as imposed in its decision. This will provide a clear basis by which to consider the next iteration of the Master Plan, which will be due in five years from now.

Submission

NA

Report

Overview

In terms of statutory context, the development of airports is undertaken within the regulatory framework of the *Airports Act 1996*, and the following key legislation and regulations:

- *Airports Regulations 1997*;
- *Airports (Building Control) Regulations 1996*;
- *Airports (Control of On-Airport Activities) Regulations 1997*;
- *Airports (Protection of Airspace) Regulations 1996*;
- *Airports (Environment Protection) Regulations 1997*;
- *Environment Protection and Biodiversity Conservation Act 1999*.

The *Airports Act 1996* is the principal statute regulating the ownership, management and conduct of Federally leased airports. Part 5 of the Act prescribes a number of controls over land use, planning and building at airports and Part 6 details environmental management.

Under Section 70 of the Act, each Commonwealth airport is required to produce a final master plan. A final master plan is one which has been approved by the Federal Minister of Infrastructure and Regional Development. Prior to submitting a draft master plan to the Minister, the airport is required to take into account public comments. Subsequent development at the airport must be consistent with the final master plan.



Section 70 of the Act requires that the purposes of a final master plan for an airport are to:

- establish the strategic direction for efficient and economic development at the airport over the planning period of the plan;
- provide for the development of additional uses of the airport site;
- indicate to the public the intended uses of the airport site;
- reduce potential conflicts between uses of the airport site, and to ensure that the uses of the airport site are compatible with the areas surrounding the airport;
- ensure that all operations at the airport are under taken in accordance with relevant environmental legislation and standards;
- establish a framework for assessing compliance at the airport with relevant environmental legislation and standards;
- promote the continual improvement of environmental management at the airport.

A new master plan is to be developed every five years and must relate to a planning period of 20 years.

Key requirements that a master plan must satisfactorily include are listed under Section 71. Of particular relevance to Jandakot Airport:

- (b) *the airport-lessee company's assessment of the future needs of civil aviation users of the airport, and other users of the airport, for services and facilities relating to the airport;*
- (c) *the airport-lessee company's intentions for land use and related development of the airport site, where the uses and developments embrace airside, landside, surface access and land planning/ zoning aspects;*
- (d) *an Australian Noise Exposure Forecast (in accordance with regulations, if any, made for the purpose of this paragraph) for the areas surrounding the airport;*
- (e) *the airport-lessee company's plans, developed following consultations with the airlines that use the airport and local government bodies in the vicinity of the airport, for managing aircraft noise intrusion in areas forecast to be subject to exposure above the significant ANEF levels;*
- (f) *the airport-lessee company's assessment of environmental issues that might reasonably be expected to be associated with the implementation of the plan;*
- (g) *the airport-lessee company's plans for dealing with the environmental issues mentioned in paragraph (f) (including plans for ameliorating or preventing environmental impacts);*
- (ga) *in relation to the first 5 years of the master plan—a plan for a ground transport system on the landside of the airport that details:

 - (i) *a road network plan;*
 - (ii) *the facilities for moving people (employees, passengers and other airport users) and freight at the airport;**



- (iii) *the linkages between those facilities, the road network and public transport system at the airport and the road network and public transport system outside the airport;*
- (iv) *the arrangements for working with the State or local authorities or other bodies responsible for the road network and the public transport system;*
- (v) *the capacity of the ground transport system at the airport to support operations and other activities at the airport; and*
- (vi) *the likely effect of the proposed developments in the master plan on the ground transport system and traffic flows at, and surrounding, the airport;*

Part 5 of the *Airports Act 1996* sets out the statutory process for preparing and consulting in relation to a draft Master Plan. In specific respect of consultation, Section 79(2) of the *Airports Act 1996* states:

- (2) *If members of the public (including persons covered by subsection (1A)) have given written comments about the preliminary version in accordance with the notice, the draft plan submitted to the Minister must be accompanied by:*
 - (a) *copies of those comments; and*
 - (b) *a written certificate signed on behalf of the company:*
 - (i) *listing the names of those members of the public; and*
 - (ii) *summarising those comments; and*
 - (iii) *demonstrating that the company has had due regard to those comments in preparing the draft plan; and*
 - (iv) *setting out such other information (if any) about those comments as is specified in the regulations.*

It is unfortunate that the City of Cockburn and local government generally, do not enjoy a regulatory position in respect of approving or refusing Master Plans, and any subsequent development undertaken in accordance with Master Plans at airports. Local government is considered to be the best equipped to be able to regulate land use and development undertaken within its district, compared with the alternative of this being regulated by the Federal Government. Notwithstanding this, it is understood that Council's views are taken very seriously by the Federal Government, in considering the Master Plan. It is therefore expected that any conditions that Council imposes in its support for the Master Plan will be respected by the Federal Government in ultimately determining the Master Plan. Council and the community should therefore have a reasonable level of confidence that its issues will be taken carefully into account via the Master Plan and process of ongoing development at the airport.

In terms of advertising, the Federal Government make it clear that the responsible Federal Minister expects that consultation is undertaken with all stakeholders and that prudent consideration is given to



comments received during the consultation period. Section 79(2) does require the airport company to demonstrate that it has had due regard to those comments in preparing the draft plan. This does portray then the need for the City's comments to be carefully considered by both Jandakot Airport and the Federal Minister. The consultation period for this Draft Master Plan closes on 18 November 2014.

Draft 2014 Master Plan

The draft 2014 Master Plan indicates further aviation and non-aviation development across the airport site. This has been planned on a precinct basis, with six main precincts (and additional sub-precincts) identified in the following table. Note also the accompanying graphic which shows the spatial extent of these precincts:

Master Plan 2014 Precinct	Land Area (hectares)
1A Conservation (Existing)	48 ha
1B Conservation (Existing)	31 ha
1A & 1B Sub Total	79 ha
2A Conservation (Existing)	29 ha
2B Conservation (Existing)	11 ha
2A & 2B Sub Total	40 ha
3 Aviation Operations	250 ha
4 Mixed Business	117 ha
4 Sub Total	117 ha
5 Mixed Business	41 ha
6 Mixed Business	37 ha
6A Aviation Operations	10 ha
6 & 6A Sub Total	47 ha

Table of land uses	
1A Conservation (Existing)	48 ha
1B Conservation (Existing)	31 ha
1A & 1B Sub Total	79 ha
2A Conservation (Existing)	29 ha
2B Conservation (Existing)	11 ha
2A & 2B Sub Total	40 ha
3 Aviation Operations	250 ha
4 Mixed Business	117 ha
4 Sub Total	117 ha
5 Mixed Business	41 ha
6 Mixed Business	37 ha
6A Aviation Operations	10 ha
6 & 6A Sub Total	47 ha

Draft 2014 Master Plan

The abovementioned precincts have resulted in planned land use within the airport site as being:

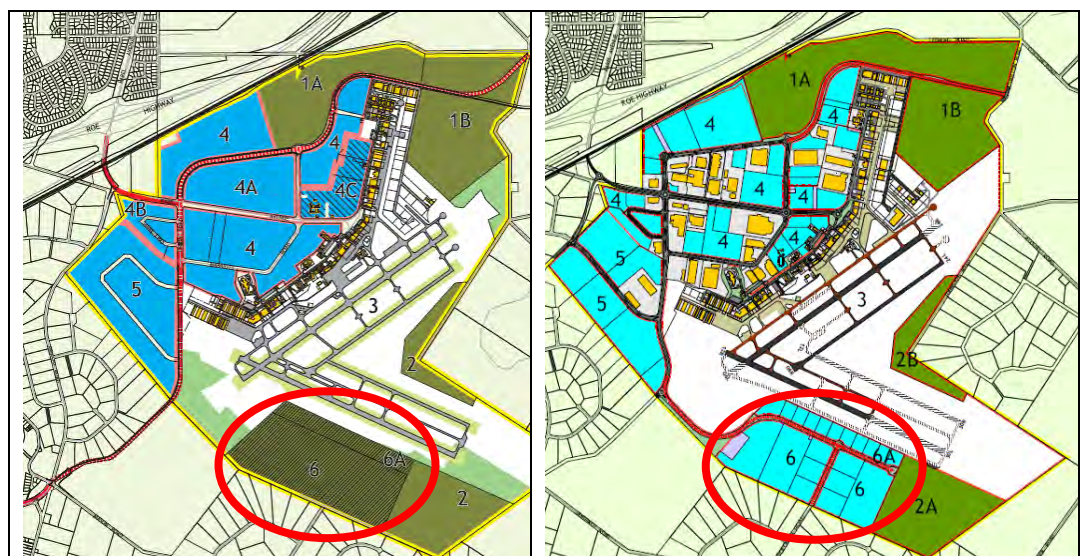
- Conservation 119 hectares (19%);



- Aviation Operations (includes runways and taxiways) 260 hectares (42%);
- Non-Aviation Development 195 hectares (31%);
- Existing and Proposed Internal Roads and Services Area 48 hectares (8%).

Land Use Issues

In terms of land use, the draft Master Plan indicates some key differences to the 2009 Master Plan. The most significant difference is in the way in which Precincts 6 and 6A were presented in the 2009 Master Plan, versus how they are now presented in the Draft Master Plan. This visual comparison is provided following:





2009 Master Plan

Draft 2014 Master Plan

As can be seen, the identification of Precincts 6 and 6A as being subject to future development consideration has now shifted to become a mixed business (37ha) and aviation operation (10ha) precinct, connected to a low scale rural community at the end of Solomon Road north of Jandakot Road. Two issues are associated with this – the first being the contemplation of a major road link through what is (and what was planned to remain) a quiet rural community, and the second being the contemplation of this land for a mixed business development outcome.

In terms of road connectivity, early engagement with City of Cockburn officers resulted in the City giving advice to Jandakot Airport Holdings that this would not be permitted. Firstly, contemplating connection of an almost 50ha mixed business park via a local rural road which has a function of servicing a small rural community is not consistent with orderly and proper planning. Configuration of the broader road network has never contemplated this road connection extending into the airport.

Further to this, the way in which the draft Master Plan indicates the road priority seems to contradict the function of what the southern link road is intended to perform. This is shown by priority being indicated towards the internal road servicing the new mixed business precinct, instead of to the southern link road. This is an incorrect representation of how the road network is planned:

	
<p>2009 Master Plan – significant emphasis given to southern link road via red line</p>	<p>Draft Master Plan – reduced emphasis placed on southern link road</p>

This needs to be corrected in all versions on plans contained within the Draft Master Plan, and also appropriately written into the draft Master Plan.

As Council are aware, Solomon Road at its intersection with Armadale Road is already experiencing significant problems, particularly at peak PM times as commuters leaving the Public Transport Authority’s park and ride facility at the end of Knock Place coincide with vehicles leaving the freeway along Armadale Road and employees leaving the surrounding industrial area. To contemplate funnelling an almost 50ha new business park via Solomon Road down to its intersection with Armadale Road would create a traffic problem that could not be designed with an acceptable solution. Accordingly, the City of Cockburn will clearly advise that no connection into the airport via an extension of Solomon Road will be permitted.

In terms of mixed business development, at the time of considering the 2009 Master Plan the officer’s report raised very specific concerns in the way in which the separation to rural development that surrounds the airport needed to be respected. In this regard, as development has and continues to occur across Precinct 5, and now Precinct 6, there are growing implications for those lots which adjoin the mixed business precincts. These implications were illustrated in the report to Council in October 2014, whereby it was revealed that a major 24 hour per day operation was proposed in the western corner of the airport site, in



close proximity to existing rural dwellings. This was for a major Kmart distribution centre. The officer report noted:

“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 part of dealing with the Kmart Major Development Plan (MDP), the City has indicated the desire to work with the applicant to address the proximity of development to sensitive development. Understanding that the operation is proposed as a 24/7 operation, the City should be involved in the detailed design and also the detailed consideration of noise management issues. However this does reveal the problem that occurs if arguably highly incompatible land uses do not achieve a physical separation by way of a transitional or buffer zone.

In normal circumstances, commercial type development requires planning approval from the City. Such development (like all development) needs to comply with the requirements of City of Cockburn Town Planning Scheme No. 3, of which amenity impacts form a key consideration. The City would utilise the EPA’s Guidance Statement No. 3 “Separation Distances between Industrial and Sensitive Land Uses”, to ensure (as the name suggests) that adequate separation is achieved between industrial type development and sensitive development (particularly residential properties). If for example the City had received the Kmart Distribution Centre as an application for planning approval, it is likely that it would not be approved without adequate separation to the nearest sensitive development. This would likely have resulted in the development shifting to a more internal location further away from the airport boundary.



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. In respect of Precinct 5, it was noted that in some parts a grade separation meant that interface issues were not considered by Jandakot Airport Holdings on the whole as being unable to be managed. As further development is now proposed for the interface however, it appears that issues are increasingly becoming more difficult to manage, and that grade separation does not exist to the finished extent as initially predicted.

The following example shows how the previous 4-5m sand ridge that separated properties on Glendale Crescent from development has been removed, and how the resulting level is generally the same as adjoining rural properties.



Map showing previous contours (ridge highlighted) and the finished level beneath





Map showing isometric view and ridge removed

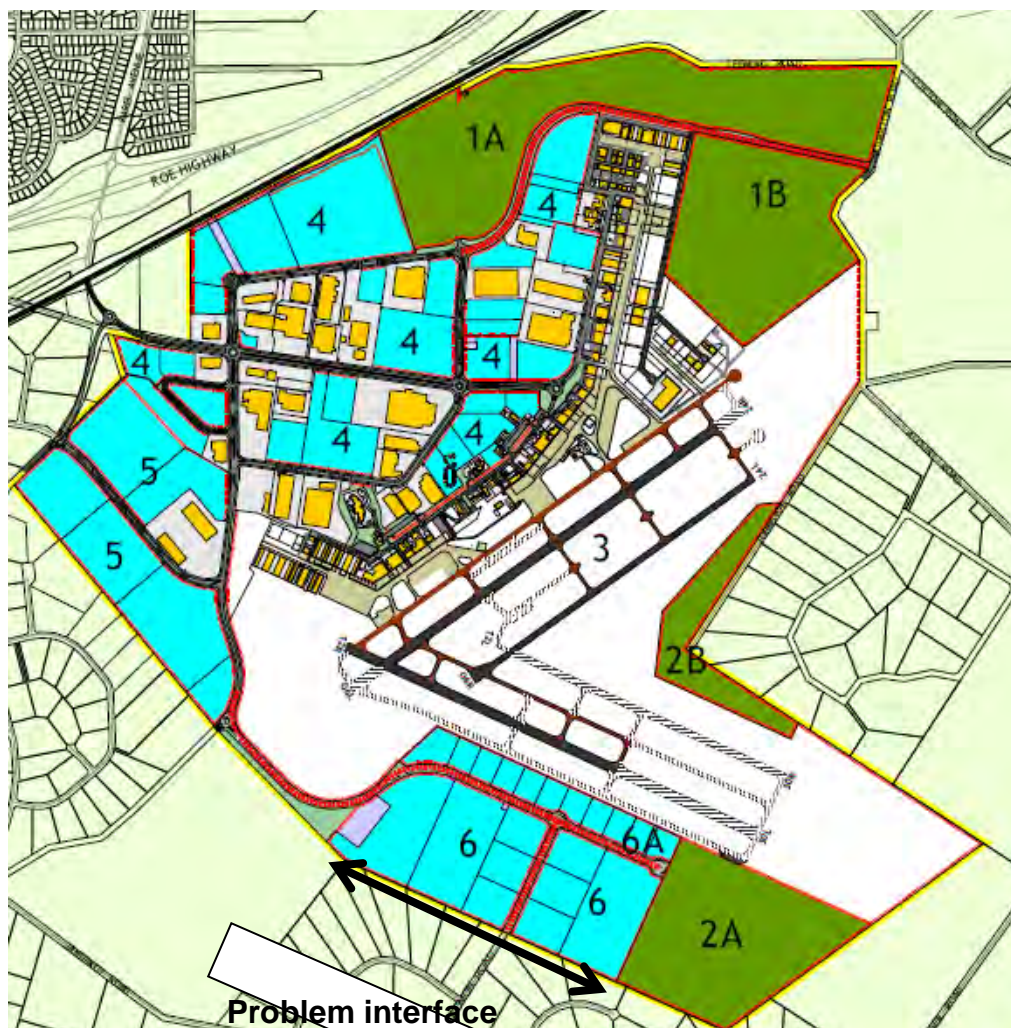
In looking at what is proposed for Precinct 6, the similar sand ridge will be removed leaving future mixed business land at basically the same level as rural properties. This means that interface issues cannot be managed through separation of grade. This is shown following:



Map showing how Precinct 6 will be earth worked to likely remove ridge, creating same level (28-30 contour) as properties adjoining

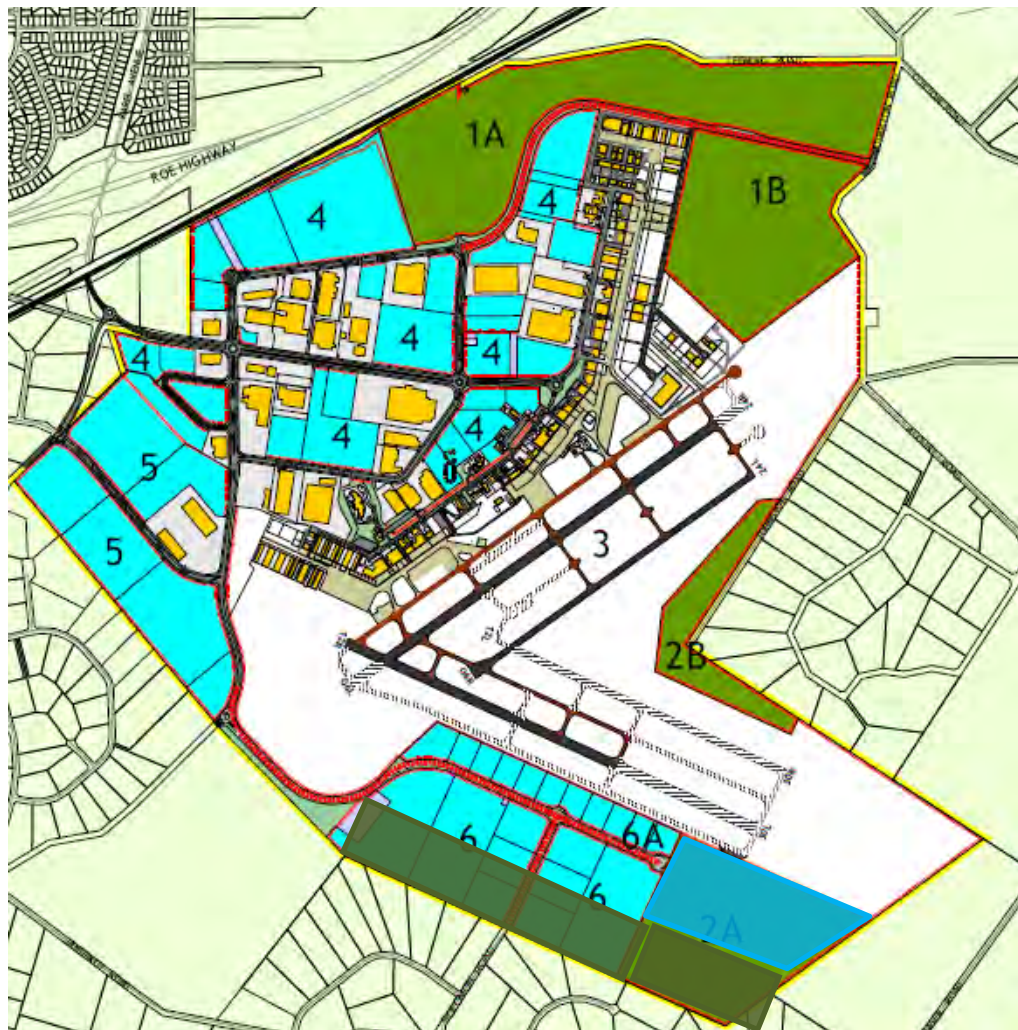


This accordingly produces a problem interface as shown:



As part of the draft Master Plan, it is recommended that Council formally require the reconfiguration of Precinct 6, 6A and 2A so as to achieve an approximate 200m conservation zone separation from rural development and future mixed business development. This will provide the community with the most effective safeguard against inappropriate development being permitted in too closer proximity to sensitive development. It also appears to be an effective solution in that net developable area is not eroded, but rather reconfigured. This is notionally shown following:





Conservation zone interface (green) – 200m. Note the reconfiguration of the mixed business precinct.

Considering that the 2005 Master Plan depicted these Precincts 5 and 6 as part of the wider conservation area which spans the southern interface of the airport site, there appears to be some potential to revisit this in the manner shown by the City of Cockburn. Having the transitional interface like that recommended is considered the most effective way to safeguard the amenity of the community adjoining and nearby the airport site.

Given the nature of the airport as a specialised centre dealing with logistical warehousing and storage functions, it is reasonable to suggest that pressure will continue for further development of land use types for commercial, warehousing and logistical purposes. These will likely have associated with them noise, traffic and light spill impacts. Given also that the hours of operation for such uses are likely to extend into the night, such impacts will likely have a higher degree of magnitude than if just restricted to daytime hours. This means that separation is considered the best way to prevent inappropriate development occurring close to the City's residents.



Traffic and Transport Issues

Outstanding Road Upgrades

The other significant point is that associated with traffic and transport. The October 2014 Council meeting dealt specifically with a report written by the Director Engineering, setting out the traffic situation surrounding Jandakot Airport.

As per the Director Engineering report to Council, it is made clear that the City expects road network upgrades to be completed that generally reflect the rate of development taking place. This essentially ensures that there is sufficient carrying capacity within the network to cater for traffic generated by the development.

As the City has no planning control to bring this matter to a conclusion, the City has been in lengthy negotiations to reach agreement. A Draft Deed of Agreement was prepared and presented to Council for consideration; refer Council Item 16.3 of the 9 October 2014 OCM (Minute No. 5391). Council's resolution enabled the CEO, under delegation, to complete negotiations and formalise an agreement with Jandakot Airport Holdings. On 31 October an agreement was reached between the City and Jandakot Airport Holdings which will see an increased scope of works completed. The general context of the agreement reached is as follows:

Berrigan / Karel

- Jandakot Airport Holdings to secure any necessary land and to construct the road generally in accordance with Option 3 SK-C-0050 to SK-C-0053.
- The design will look at continuing the south bound dual carriageway to provide a better transition into the left turn pocket at Spartan Street.
- Jandakot Airport Holdings will need to secure all approvals from MRWA for the signal.
- Both the City and MRWA will need to certify the final design prior to construction commencing.
- This intersection will be substantially commenced within 12 months of execution of the Deed.

South Link Road (Pilatus)

- Jandakot Airport Holdings will construct South Link Road as a single carriageway road to its connection as shown on SK-C-0041.
- Jandakot Airport Holdings will secure all land necessary to construct the road and cede that land to the City. The final land requirement will be finalised through detail design.



- The necessary land above will be purchased within 12 months of executing this Deed.
- The construction of South Link Road will be completed within 12 months of completion of the Berrigan Drive Upgrade Project (stipulated below).

Berrigan Drive Upgrade Project - Berrigan Drive duplication from Freeway to commencement of South Link Road above (including Dean/Jandakot / South Link Road (Pilatus) signalised Intersection and Berrigan / South Link intersection (no signal)

1. Within 12 months of execution of this Deed, the City of Cockburn shall complete the design of the following - Berrigan Drive duplication from Freeway to commencement of South Link Road above (including Dean / Jandakot / South Link Road (Pilatus) signalised Intersection and Berrigan / South Link intersection (no signal) which will be referred to as the Berrigan Drive Upgrade Project. The design will finalise the extent of land necessary to complete the scope of works.
2. Jandakot Airport Holdings and the City will secure all land necessary land to complete construction and drainage in accordance with the terms of the agreement reached.
3. The necessary land above will be purchased within 12 months of executing this Deed.
4. Within 24 months of the all land being transferred to the City, the City shall commence works to complete the Berrigan Drive Upgrade Project stipulated above.
5. The City shall seek all approvals from MRWA for the signalisation of the intersection at South Link / Jandakot / Dean. No signal will be established as part of this agreement at Berrigan / South Link in accordance with MRWA advice.
6. The construction of the Berrigan Drive Upgrade Project will be completed no later than December 2018. This does not preclude the road from being constructed prior to this date.

On the basis of the agreement reached the City of Cockburn shall:

1. Support the continuation of the temporary signalmen at Berrigan/Karel until the intersection work is completed.
2. Support the retention of the access at Spartan Street as left in left out. The section of Berrigan Drive between Karel Avenue and Spartan Street should be reviewed to improve accessibility and transition from Karel Avenue to Spartan Street (continue dual carriageway to left turn pocket). Street lighting and other associated infrastructure will need to be reviewed as part of this upgrade works.
3. Only seek to remove the RAV classification on the section of Berrigan Drive south of the intersection of Spartan Street.
4. Agree that these network upgrades resolve the immediate traffic issues identified in our consideration of the MDP for the Kmart



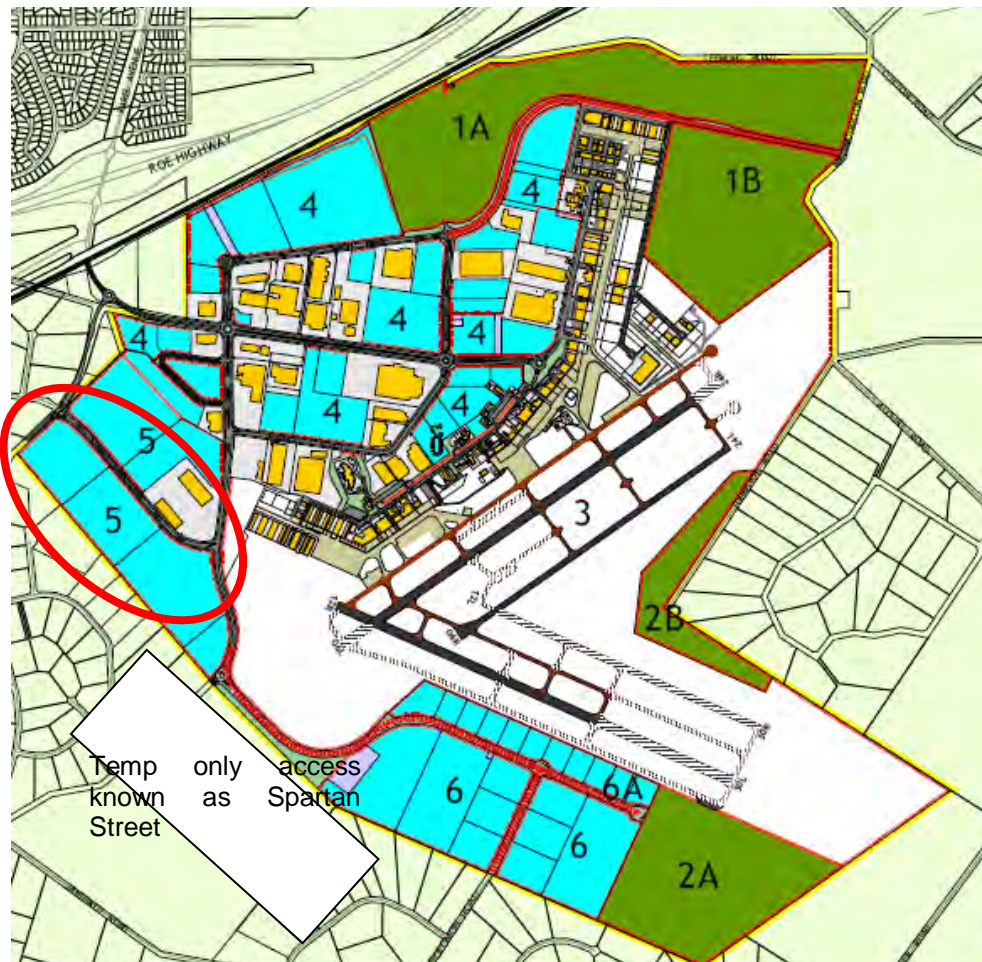
distribution centre. The issues of noise etc will still need to be addressed.

The City's position on the Draft Master Plan is contingent on execution of the final agreement for road network upgrades and actual delivery of this works in accordance with the timeframes stipulated.

Solomon Road Connection

The 2014 Masterplan proposes a further access for the new precinct 6 at Solomon Road. If this connection is permitted through Precinct 6, it will see industrial type traffic mixing with rural residential traffic from the existing community. Officers do not believe that it is reasonable to permit this connection as it compromises the use enjoyed and expected by our existing community who purchased their lifestyle lots with little prospect of seeing substantial traffic volumes on their access road. Road upgrades to Solomon Road, the intersection with Jandakot Road and potentially improvements to Jandakot Road itself would also be necessary and the Master Plan does little to identify the upgrade requirement or commitment.

Spartan Street Access



On the basis of reaching agreement with Jandakot Airport Holdings on the broader network upgrades, it is important to now contemplate the future use of Spartan Street. It has to this point been permitted as a temporary access however Jandakot Airport Holdings are now seeking approval to retain it going forward.

The intersection is currently structured as a left in left out and provides further permeability for the Jandakot development which will be important for the development as it proceeds. It will primarily provide access into the Kmart distribution centre proposed and planned for in this area, however the limited egress arrangements will tend to push exiting traffic out using the South Link Road or Karel Avenue. On that basis officers are willing to support retention of this link going forward.

Other Amendments to the Master Plan Text

The Draft Master Plan will need to be amended to reflect this agreement. A schedule of further minor amendments is included below:

Page	Section	Comment
43	6.3 Traffic generation	<ul style="list-style-type: none"> • This section needs to explain why the latest forecast of 23,100 vpd is different to the 37,000 vpd forecast used in the 2009 Master Plan. • A table detailing the trip generation calculations would be useful and help with transparency of the forecasts. • All assumptions about the road network used in the ROM 2034 forecasts must be provided to the City for review/agreement (e.g. number of traffic lanes, connections, etc) because those assumptions will affect how the model distributes traffic. If the City's review identifies any changes are required to the model then the model should be rerun to produce updated outputs. • Karel Avenue, east of Berrigan Drive, within the airport already has 11,355 vehicle trips per day. How can the 5-year forecast for the airport estate be for only 5,900 vehicles per day?
43/44	6.5 Road Upgrades	<ul style="list-style-type: none"> • Require redrafting to deal with updated Deed of Agreement.
44	6.7 Public Transportation	<ul style="list-style-type: none"> • A statement could be added to the effect that development growth at the airport and improved road linkages may create opportunities to link buses servicing the airport to other

		destinations like Cockburn Central, any future rail station at Canning Vale etc.
Figures 6.1 to 6.4		<ul style="list-style-type: none"> • “Accourt Road” should be Acourt Road. • Berrigan Drive (north) should be shown intersecting Pilatus Street as a T-junction. • No connection should be shown to Solomon Street
Figure 6.2	Future Traffic Flows 2034	<ul style="list-style-type: none"> • To be able to consider the traffic forecasts in some context, it would be useful to include 2014 traffic flows on Figure 6.2 or as a separate figure. • The forecasts are said to be for 2034 but the MRWA ROM, said to have been the source of the forecasts, is typically quoted for 2031? • Show traffic forecasts on Roe Highway, Kwinana Freeway, Karel Avenue (north of Roe Highway) Farrington Road and Ranford Road as well.
Figure 6.3	Future Road Improvements	<ul style="list-style-type: none"> • Pilatus Street should be shown as a possible future 4-lane divided road from Marriott Road to Jandakot Road. • It would improve the permeability of the road network if Eagle Drive was linked to either Pilatus Street or even Marriott Road. This would help distribute traffic movements better and avoid the need for all Eagle Drive traffic to have to use Karel Avenue, which would allow that road and the intersections along it to operate as efficiently as possible, particularly during peak hours. Providing more efficient access/egress to Eagle Drive would be beneficial to emergency services vehicles.
Figure 6.4	Public Transport Plan	<ul style="list-style-type: none"> • Line colours/style for paths should be consistent with those used in the Department of Transport’s Local TravelSmart Guides.

Environmental Issues

The City notes the continuation of vegetation clearing proposed by the draft Master Plan. For example, clearing associated with creating Precincts 6 and 6A will be approximately 50ha. The City holds concerns that the offsets provided by Jandakot Airport Holdings for such clearing and loss of amenity are not benefiting residents of the City of Cockburn. That is, offsets are not created in the district of the City.



Given that Precinct 6 and 6A are currently vegetated, it is recommended that (as per the earlier discussion in this report) a reconfiguration take place such that a 200m separation zone is retained between the small (generally 2ha) rural living allotments located adjoining. This will help address both interface issues and also help maintain biodiversity linkage.

There also needs to be some assessment and consideration of the bushfire risk at the interfaces between the remaining conservation areas and the adjacent industrial lots. Bushfire Protection Zones and Hazard Reduction Zones should be accommodated in the developable area and not in the remaining bushland.

Noise Issues

The proposed fourth runway is predicted to increase capacity at the airport. Air traffic movements at Jandakot Airport reached a peak of 415,284 annual movements in 2005/2006, and declined significantly after the Global Financial Crisis. While the past five years have seen flat movement growth, local training schools have indicated that the demand for pilot training is expected to increase in 2015/2016 due partly to forecast world-wide pilot shortages being attributed to the continued demand for air travel and the aging pilot base. There are currently 800 students undertaking fixed-wing pilot training, resulting in 80,000 flying hours per annum. The training schools are estimating that over the next 5-10 years student numbers will increase by 40% and their flying hours will reach 126,000 hours per annum.

At an average growth rate of 4.0% per annum for fixed-wing movements and 3.4% average growth rate for helicopter movements, the airport could expect to reach the theoretical operating capacity of 460,000 fixed wing and 66,000 helicopter movements identified in this Master Plan within the 20 year planning horizon. While the assumed average growth rate of 4% is higher than growth rates forecast at similar general aviation airports, the expected student pilot intake, aircraft fleet changes and construction of the fourth runway have been taken into consideration and it is likely that this growth can be achieved. Based on this forecast, by 2026/27 Jandakot Airport could expect similar movement volumes to what was experienced in 2005/2006.

The Australian Noise Exposure Forecast (“ANEF”) system is the recognised method of predicting likely impacts of aircraft noise on the general public. This has already been prepared by Jandakot Airport Holdings, and integrated in to the draft Master Plan.

The City understands that the update to the ANEF represents a significant modernisation of the technology used to develop ANEF



models. To that end it is an important addition to both the draft Master Plan as well as to help guide land use planning under its relationship back to the operative State Planning Policy No. 5.4.

The changes in the ANEF are characterised as a 'reduction' in the linear extent of the contours, and an increase in the 'burst' of contours very close to the area around the airport. This is understood to be associated with improving noise management on aircraft; aircraft numbers being significantly below their peak pre GFC; and the presence of more sophisticated techniques in understanding the impacts of helicopter training at the airport. This last element particularly, accounts for the burst of ANEF around the immediate airport.

It is noted that the ANEF (which has already been approved) is less punitive in its extent upon City of Cockburn residents surrounding the airport.

Health Premises

It should be noted that State Health legislation relating to Food Premises, Lodging Houses, Public Buildings and the installation of onsite effluent treatment and disposal systems is applicable and will continue to be administered via the City.

Conclusion

It is recommended that the City provide its support to the draft Master Plan subject to a number of conditions. These conditions include:

1. A modified Deed of Agreement outlining the agreed road networks upgrades being executed between the City of Cockburn and Jandakot Airport Holdings prior to submission of the draft Master Plan to the Federal Government.
2. The draft Master Plan being modified to remove all references to connectivity to Solomon Road for future Precincts 6 and 6A.
3. The draft Master Plan being modified to re-emphasise the importance of the southern link road, as it was previously done in the 2009 Master Plan.
4. The draft Master Plan being modified to reconfigure Precincts 6, 6A and 2A to ensure a minimum 200m separation is retained with the interfacing rural living allotments. The modification needs to be reflected throughout the document.

On the basis that these conditions are agreed by Jandakot Airport Holdings, it is recommended the draft Master Plan be supported.



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.

Budget/Financial Implications

The Deed of Agreement has outlined the various funding contributions to be made by JAH and other obligations on the City. The road network will require some degree of land acquisition and further detail on final costs will not be known until these negotiations have been completed.

Legal Implications

In terms of statutory context, the development of airports is undertaken within the regulatory framework of the *Airports Act 1996*. This requires that for each airport, there is to be an approved Master Plan that indicates the airport planning for the next 20 years. A requirement of the *Airports Act 1996* is the preparation of a Master Plan every five years, and accordingly this Draft Master Plan represents a review and refinement of the approved 2009 Master Plan.

Community Consultation

N/A.

Attachment(s)

Draft 2014 Master Plan

Advice to Proponent(s)/Submitters

The proponent has been advised that this matter will be considered at the Council meeting of 13 November 2014.

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

Nil.



15. FINANCE AND CORPORATE SERVICES DIVISION ISSUES

15.1 (MINUTE NO 5407) (OCM 13/11/2014) - LIST OF CREDITORS PAID - SEPTEMBER 2014 (076/001) (N MAURICIO) (ATTACH)

RECOMMENDATION

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

COUNCIL DECISION

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

CARRIED 9/0

Background

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

Submission

N/A

Report

The List of Accounts for September 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 – September 2014.

Advice to Proponent(s)/Submitters

N/A

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

Nil.

15.2 (MINUTE NO 5408) (OCM 13/11/2014) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - SEPTEMBER 2014 (071/001) (N MAURICIO) (ATTACH)

RECOMMENDATION

That Council

- (1) adopt the Statements of Financial Activity and associated reports for September 2014, as attached to the Agenda; and
- (2) amend the 2014/15 Municipal Budget by:
 1. Adding an expense budget of \$65,000 to GL 137-6600 (Customer Services – Telecommunications Expenses) in order to meet committed costs not allowed for in the 2014/15 adopted Budget.
 2. Adding an expense budget of \$20,687 to OP 6245-6200 (Coastal Vulnerability and Adaptation Planning) to compensate for unspent committed funds not previously carried forward from 2013/14.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL



COUNCIL DECISION

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

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Background

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

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

- (a) details of the composition of the closing net current assets (less restricted and committed assets);
- (b) 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

ReportOpening 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, \$8.9M of municipal funding attached to carried forward works & projects and a residual balance of \$1.3M in uncommitted funds to be further applied in accordance with Council's budget policy. This matter was addressed the October Council meeting and will be adjusted in the October financial report.

Closing Funds

The City's closing funds of \$88.1M are \$10.0M 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 \$0.02M. The previous month's position of \$0.11M has been reduced by annual telecommunication expenses of \$65k omitted from the adopted budget and a coastal planning project with an unspent balance of \$21k not included in the carried forwards listing brought to Council last month. 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 \$94.7M was ahead of the YTD budget forecast by \$0.35M. Significant variances in this result were:

Rates revenue is \$0.2M ahead of YTD budget due to higher part year rating adjustments.

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



Operating Expenditure

Reported operating expenditure (including asset depreciation) of \$27.1M was under the YTD budget by \$1.8M and comprised the following significant items:

- Material and Contracts were \$1.3M 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 \$0.8M under YTD budget due to the City's grants program being \$0.75M behind the YTD budget set in the management budget. This cash flow forecast will be reviewed for next month.

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:

Nature or Type Classification	Actual Expenses	YTD Revised Budget	Variance to YTD Budget	FY Revised Budget
	\$M	\$M	\$	\$M
Employee Costs - Direct	10.02	9.69	(0.33)	42.69
Employee Costs - Indirect	0.16	0.14	(0.02)	0.90
Materials and Contracts	7.84	9.11	1.27	35.96
Utilities	1.02	1.16	0.14	4.58
Interest Expenses	0.00	0.00	0.00	0.12
Insurances	1.15	1.12	(0.02)	2.34
Other Expenses	1.69	2.53	0.84	7.58
Depreciation (non-cash)	5.98	5.94	(0.04)	23.76

Capital Expenditure

The City's actual capital spend for the month of September 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:

Asset Class	YTD Actuals \$M	YTD Budget \$M	YTD Variance \$M	Annual Budget \$M	Commit Orders \$M
Roads Infrastructure	1.29	3.46	2.17	16.42	0.84
Drainage	0.06	0.10	0.04	1.60	0.03
Footpaths	0.31	0.50	0.18	1.29	0.02



Asset Class	YTD Actuals \$M	YTD Budget \$M	YTD Variance \$M	Annual Budget \$M	Commit Orders \$M
Parks Hard Infrastructure	0.33	0.99	0.66	8.21	1.06
Parks Soft Infrastructure	0.13	0.15	0.03	0.92	0.14
Landfill Infrastructure	0.07	0.13	0.06	1.49	0.01
Freehold Land	0.02	0.34	0.32	1.38	0.00
Buildings	2.70	4.98	2.28	31.73	4.31
Furniture & Equipment	0.00	0.01	0.01	0.01	0.01
Computers	0.30	0.59	0.29	1.19	0.09
Plant & Machinery	0.69	1.92	1.23	5.58	1.50
Total	5.92	13.18	7.26	69.84	8.01

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

Significant variances for September include:

- Transfers from financial reserves were \$3.1M behind budget, consistent with the capital under spend.
- Developer contributions received under the Community Infrastructure plan are \$1.2M ahead of the YTD budget.
- Developer contributions totalling \$0.45M received for Success North, Munster and Yangebup East DCP areas.
- POS cash in lieu contributions of \$0.25M received. These are restricted funds and are not budgeted due to inability to estimate.
- Fremantle Football Club contributions to the CCW Cockburn Regional Physical Activity and Education Centre were ahead of the budget setting by \$0.35M
- Proceeds from the sale of land and plant assets were collectively \$0.96M behind YTD budget settings.

Cash & Investments

Council's cash and financial investment holding at September month end totalled \$145.4M, up from \$130.9M the previous month. This was

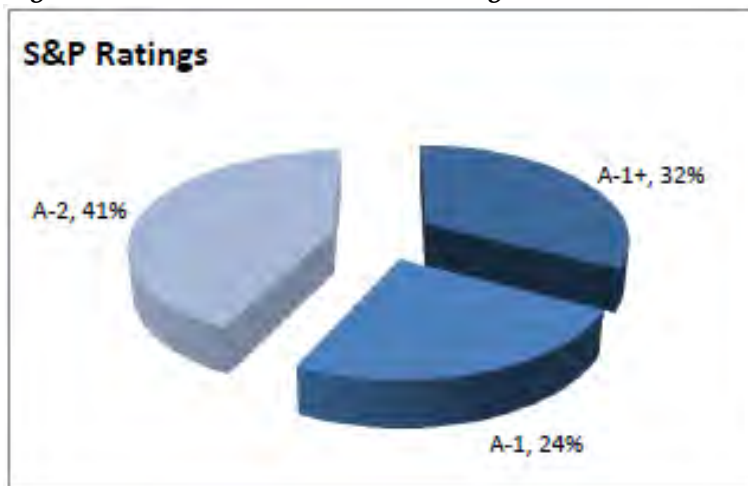


boosted by rates payments for the first instalment due at the start of the month. \$82.3M represented the balance held in the City’s cash backed financial reserves. Another \$3.8M represented funds held for other restricted purposes such as deposit and bond liabilities. The remaining \$59.3M represented 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 3.67% in September, down from 3.73% from the previous month. Whilst this compares favourably against the BBSW 6 month annualised rate of 2.74%, 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:

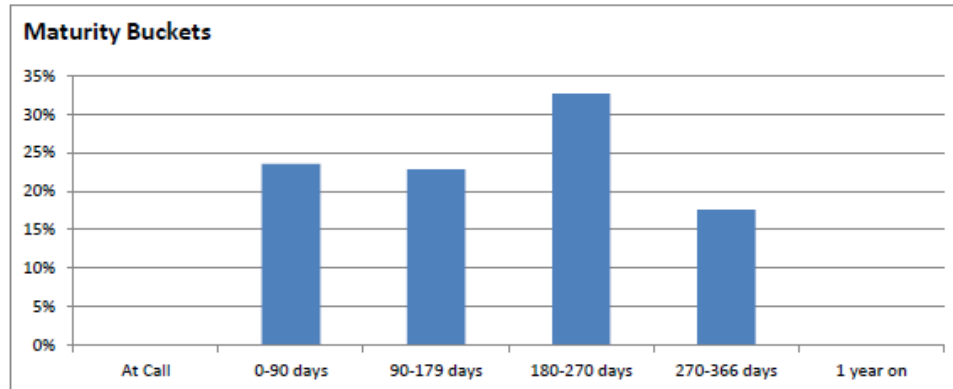
Figure 1: Council Investment Ratings Mix



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 168 days, graphically depicted below:



Figure 2: Council Investment Maturity Profile



Budget Revisions

A budget adjustment is necessary to fund corporate communication expenses of \$65,000 left out of the 2014/15 adopted budget. A coastal vulnerability planning project with an unspent balance of \$20,687 was left off the carried forwards listing brought to Council last month and also needs to be funded to cover existing commitments.

These latest adjustments will decrease the City's budgeted closing funds from \$107,612 to \$21,925, offsetting the increase in Financial Assistance Grants previously adjusted.

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 amendments included in the recommendation will decrease the City's closing Municipal Budget position for 30 June 2015 by \$85,687 to \$21,925.

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

Statement of Financial Activity and associated reports – September 2014.

Advice to Proponent(s)/Submitters

N/A

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

Nil.

16. ENGINEERING AND WORKS DIVISION ISSUES

16.1 (MINUTE NO 5409) (OCM 13/11/2014) - DAVILAK RUINS MANAGEMENT STRATEGY (2202283) (A LEES) (ATTACH)

RECOMMENDATION

That Council

- (1) adopt the Davilak Ruins Management Strategy;



- (2) continue to maintain the ruins in accordance with actions plan; and
- (3) consider funding in the 2015/16 for the development of a Master Plan for Manning Park.

COUNCIL DECISION

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

CARRIED 9/0

Background

Restoration of the Davilak ruins in Manning Park has been discussed on numerous occasions with the Historical Society which seeks to retain their National Significance. To facilitate these requests two reports were compiled in order to determine the merits of protection and restoration works to ensure they remain in perpetuity. An outcome of these reports is the development of a management strategy to guide the future management of these significant ruins.

Submission

A Davilak Ruins Management Strategy has been prepared.

Report

The Davilak House and Farm Complex Ruins are recognised at State Heritage level as of National Significance, unique in WA and likened to Port Arthur. The *Davilak Ruins* are the remains of buildings constructed by members of the Manning family between the late 1850s and early twentieth century. The ruins represent the remains of a large homestead (comprising 11 rooms and a detached kitchen) and its associated outbuildings, together with farm buildings associated with the homestead such as stables, a coach house and accommodation for farm workers. The buildings on the site were destroyed by fire.

Two recent studies have identified the need to protect and restore the ruins: a *Draft Archeological Management Strategies* (DAMS) report and *Stabilisation Works: Heritage Impacts Statement*. Both studies have recommended that the site is protected, restored and managed.



The DAMS report has identified that the ruins are a part of the Manning Estate (including Azelia Ley Museum and Homestead) and because of this, have protection as an archaeological site under the *Western Australian Heritage Act 1990*. The extent of this assessment has ensured that features formerly associated with the activities that were carried out on Manning Estate are protected.

Although the ruins are older than the Homestead and their story is an important part of the significance of the Manning Estate, their historic and cultural significance has often been overlooked.

The Heritage Impact Statement Report has noted that “At present, parts of the ruins are in a vulnerable condition and are likely to collapse further if immediate stabilisation works are not undertaken. As the ruins have aged and deteriorated, the structural support system has failed or been removed from site leaving the remnant walling in a weakened and precarious state. The ruins are open to the public but works are required to both make the site safer and to prolong the longevity of the ruins. Preliminary stabilisation works have occurred, but more work is necessary to ensure the sustainability of this important historic site.

Based on the original DAMS report, a *Davilak Ruins Management Strategy (DRMS)* has been developed, to guide the site’s future maintenance, protection and enhancement.

Given the site’s current protection under the Heritage Act, the management strategy has identified a series of actions to be completed over the next two years. A number of the actions contained within the Management Strategy are already underway and/or can be completed utilising council resources (existing municipal budgets and staff expertise). Individual budget requests will be raised on an as needs basis for larger scale items within the Strategy. However future considerations on full restoration will need to be determined on the overall sites future directions.

Manning Park continues to attract a significant amount of interest by various community groups/members and internal service units. Primarily these parties seek to claim ownership and implement the visions they have developed or intending to develop. Current activities that have been identified include; stairway from the car park to the lookout, Bravery Garden, Mountain Bike Trail, Davilak ruins restorations, community gardens, etc. Along with these aspirations Manning Park hosts a number of community group running activities, visitors to the ruins and historical components, general park users and active environmental enthusiasts. To ensure a comprehensive foundation, to facilitate these interacting components, a Master Plan is required. The master plan will provide the framework and mechanism



to ensure Manning Park is embellished through a stage process whilst still enabling the community its rightful access to the park. It is recommended that the 2015/16 includes the provision for the development of the Manning Park Master Plan

Strategic Plan/Policy Implications

Community & Lifestyle

- Conservation of our heritage and areas of cultural significance.

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

N/A

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

Davilak Ruins Archaeological Management Strategy

Advice to Proponent(s)/Submitters

N/A

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

Nil.



16.2 (MINUTE NO 5410) (OCM 13/11/2014) - STATE OF SUSTAINABILITY REPORT 2013/14 (064/009) (J HARRISON) (ATTACH)

RECOMMENDATION

That Council adopt the State of Sustainability report 2013/2014.

COUNCIL DECISION

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

CARRIED 9/0

Background

In 2012, the City adopted its integrated reporting platform for sustainability. This culminates in an annual State of Sustainability Report which enables the City to publicly track its progress towards sustainability across four key areas: Governance, Economy, Environment and Society.

The State of Sustainability report is aligned to the City's Strategic Community Plan and Sustainability Policy and Strategy.

The 2013/14 report is the City's fourth annual State of Sustainability report.

Submission

N/A

Report

In the 2013/14 financial year, the City had 105 indicators for sustainability across the organisation. In comparison to the previous year of reporting, the number of indicators has almost doubled.

During 2013/14 Local Government reform caused a shift in priorities across the organisation with some projects deferred to 2014/15. This change in business focus and the addition of new indicators has meant that many of the Key Performance Indicators (KPIs) were still in progress.



The focus areas of Environment and Society have excelled in 2013/14 with a significant increase in the number of 'completed' KPIs in comparison to the previous year.

The report uses the traffic light symbols to provide a visual snapshot of progress towards achieving a particular KPI.

Green indicates that the City is on track in achieving its stated KPI; Amber indicates that while the City is making progress, more work is needed; and Red indicates that the City is yet to make progress in achieving a particular KPI.

A summary of the KPIs under the four key areas and main achievements are provided below.

Governance

The City has identified 28 KPIs that measure its current progress towards achieving Governance Excellence.

Highlights include:

- Improved safety, health and wellbeing of the workforce with a decrease in 'lost time injury' frequency rate.
- Adoption of a corporate risk register.
- Creation of new liveable, walkable and mixed use neighbourhoods by incorporating liveable neighbourhood elements into structure plans.

Environment

The City has identified 27 KPIs to measure its current progress toward achieving best practice in Environmental Management.

Highlights include:

- 7.46 hectares of bushland rehabilitated in 2013/14.
- Increase in renewable energy generation with a 99kW PV system installed on the Success Integrated Health and Community Centre plus the development of a 'Solar PV Implementation Plan'.
- Council is on track to achieving its 2020 emissions reduction targets.

Society

The City has identified 28 KPIs to measure its current progress towards achieving a more socially equitable, diverse and inclusive community.



Highlights include:

- Council adopted the final designs for the new Regional Aquatic and Recreation Centre.
- Health promotion officer employed top deliver Healthy Lifestyle initiatives.
- Community Engagement Framework adopted by Council which compliments the diverse range of initiatives and events offered to the Cockburn community.

Economy

The City has 22 identified key performance indicators (KPIs) to measure its current progress towards achieving best practice financial management.

Highlights include:

- Commenced development of an Economic Strategy.
- Continued support for local business operators in the municipality.
- Partnership secured with a tertiary education facility and continued support for Challenger Institute of Technology.

Strategic Plan/Policy Implications

Growing City

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

Infrastructure

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

Community & Lifestyle

- Community environments that are socially cohesive and embrace diversity.

Leading & Listening

- A responsive, accountable and sustainable organisation.

Environment & Sustainability

- Greenhouse gas emission and energy management objectives set, achieved and reported.

Budget/Financial Implications

N/A



Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

State of Sustainability Report 2013/14

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

16.3 (MINUTE NO 5411) (OCM 13/11/2014) - MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE - COCKBURN CENTRAL TOWN CENTRE PARKING (163/006) (J MCDONALD) (ATTACH)

RECOMMENDATION

That Council does not proceed with the introduction of Resident Parking Permits in Cockburn Central Town Centre because that would contradict the key principles upon which the Town Centre has been planned as a Transit Orientated Development.

COUNCIL DECISION

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

CARRIED 9/0

Background

At the Ordinary Council Meeting 14 August 2014, Mayor Logan Howlett requested:

“that a report be prepared and presented to the September 2014 Ordinary Council meeting detailing car parking options for



businesses, residents and visitors within the Cockburn Central Town Centre.”

This request is based on a request for Council to issue residential parking permits, from a resident who has received parking infringements for parking on-street longer than permitted and parking on a footpath.

Submission

N/A

Report

The Cockburn Central Town Centre was deliberately planned as a high density mixed-use Transit Orientated Development (TOD) because of the access to high quality and frequency public transport. This is provided by the passenger rail services connecting to major employment and entertainment centres such as the Perth CBD and destinations beyond to the north and Mandurah, kilometres away, to the south and the numerous feeder bus routes servicing the surrounding suburbs.

The Town Centre is bordered by Midgegooroo Avenue to the west, North Lake Road to the north, the Perth – Mandurah railway on the east and Beeliar Drive to the south. The Cockburn Gateways Shopping Centre is situated opposite the Town Centre, on the southern side of Beeliar Drive.

The first stage of the Town Centre subdivision was completed in 2006 and since then properties have been developed for residential and commercial purposes. The final stage of the Town Centre was completed earlier this year by Landcorp and approximately 60-70% of the total available land in the Town Centre has been/is being built on or is being used as at-grade parking for rail commuters. It is anticipated the Town Centre will have been substantially developed within a few years' time, due to the development applications that are known to have been approved in recent times or for which approval is pending. Photographs of the Town Centre are included as Attachment 1.

TODs are planned on the principle that residents, employees, and visitors to the TOD will travel by public transport, cycling and walking at a greater rate than more low density developments. This is also deliberately influenced by reducing the parking requirements for developments in TODs, to encourage greater use of sustainable transport options like cycling, walking and public transport.



A parking strategy for the Cockburn Central Town Centre was adopted by the City in June 2007 to guide the implementation of parking for both on and off-street parking and a copy of that document is included as Attachment 2.

Two extracts from that strategy that are relevant to the desire for residential parking permits are:

1. *Car Parking Management*

It is recommended that street signs be erected within the Town Centre to limit time with on-street parking and public carparks (e.g. 2 hours limit) which will restrict commuters from using on-street parking or public carparks for long term parking purpose. This is to ensure that on-street parking and public carparks are used for short term parking purpose by customers and visitors to businesses and residential uses within the Town Centre.

2. *Notification of TOD Principles (from strategy)*

That any developer within the Cockburn Central Town Centre provide, at point of sale, information clearly outlining the TOD principles that the development has been undertaken on (including but not limited to TravelSmart and car parking limitations).

The car parking requirements for businesses, residents, and commuters in the Town Centre are primarily accommodated off-street. For business and resident parking, the volume of car parking to be supplied for each development is determined at the Development Application stage, by referring to the parking rates specified in the Cockburn Central Town Centre Design Guidelines. Commuter parking within the Town Centre has been provided by the Public Transport Authority in two at-grade car parks on Points Way and Fettler Lane, which have a total capacity of vehicles in the order of 200-210 bays each, which includes Disabled Access bays and motor cycle bays.

Where parking is permitted on-street in the Town Centre it is mostly catered for in parking embayments separate to the traffic lane. With the exception of Points Way, it is undesirable for motorists to park anywhere else that embayments have not been provided. These on-street bays are typically limited to a 2 hour time limit between 8am and 5 pm on weekdays. There are a few exceptions to this such as short-term set down/drop off bays at the entrance to the bus/rail station, with a 15 minute limit; and, a few longer term (up to 6 hours) bays close to the station.

Options to address the perceived parking shortfall include:

1. Residential parking permits



2. Extend on-street parking time limits
3. Introduce paid parking on verge embayments
4. Paid multi-storey parking station

Option 1 – Residential Parking permits

Residential Parking Permits are topical as there is a perceived lack of available parking bays for the residential complex. This issue however is one of car ownership within a TOD. In this form of development parking bays are limited to encourage greater use of the available public transport options. Increasing parking bays for residential users is actually counter intuitive and does not support the broader principles of inner city living that are being developed in this regional centre.

Ultimately however, providing residential parking permits in this precinct will not work as there will be a lack of supply. For the Town Centre to operate successfully as a TOD, it is important to consider one of the key principles of the Parking Strategy as follows:

‘Ensure an appropriate balance is achieved between parking supply and demand, while taking care not to over provide and unduly encourage use of motor vehicles.’

As noted in Table 1, the Town Centre has an approximate on-street parking capacity for 208 vehicles. However, there are approximately 200 apartments already constructed in the Town Centre and approximately another 400 are under construction or have been approved for development. It is estimated there could be a further 200 apartments constructed on other lots in the Town Centre in the future.

Table 1: Cockburn Central Town Centre on-street parking capacity

Road	Capacity
Junction Boulevard	42
Linkage Avenue	49 ¹
Midgegooroo Avenue	28
Points Way	18 ²
Signal Terrace	47 ³
Stockton Bend	24
Total	208

Notes:

1. Linkage Avenue includes short-term set-down/pick-up parking bays.
2. Approximate capacity on Points Way allowing for clearances from intersections and driveways
3. Signal Terrace includes taxi parking, short term set-down/pick-up parking, permit parking, and motor cycle parking bays.



So, even if each dwelling was only permitted to have a single parking permit then demand for long-term use of on-street parking bays would potentially exceed supply by approximately 400%. That would be an undesirable situation to manage and would only create frustration for residents wanting to park on-street, and frustration and economic impacts for businesses whose visitors would have difficulty finding on-street parking.

The provision of Resident Parking Permits is strongly discouraged because:

- It is not in keeping with the TOD principles upon which the Town Centre is based;
- It is not possible to implement a system that would be equitable for the ultimate resident population in the Town Centre;
- It would negatively impact on the ability for visitors to shops/offices to find on-street parking.

Option 2 – Extend on-street parking time limits

The implementation of the 2-hour time limit has generally been done progressively and only introduced to sections of road in the Town Centre once developments are completed and occupied. In early July this year, though, a 2-hour weekday time limit was introduced to all remaining on-street parking to coincide with the introduction of paid parking in off-street car parks operated by the Public Transport Authority. If that had not been done, the available on-street parking would have been largely occupied by commuters wanting to avoid paying for parking, at the expense of residents and businesses.

Whilst extending the 2 hour limit may minimise the inconvenience for residential residents, the current time limit increases the amount of turnover of the parking bays and improves patronage of the business that have established in the centre. Any initiative that disadvantages businesses at this point in time is not recommended.

This option is not recommended at this time.

Option 3 – Paid on-street parking.

As development increases in the Town Centre and demand for short-term on-street parking increases it is likely that the introduction of paid on-street parking will be justifiable. If residents have permits that exempt them from paying for on-street parking then it will create inequity with other motorists wanting to use on-street parking bays and the City will receive less parking revenue that would be used to fund ongoing monitoring and enforcement of parking and could be used to subsidise public transport facilities or even shared car services.



Option 4 – Paid Multi-Storey Parking Station

This matter has previously been considered by Council in August 2013, (refer Minute 5107 OCM 08/08/2013 - Proposed Multi-Storey Car Park at Cockburn Central) when the Council adopted the recommendation “That Council not proceed with the construction of a paid multi-storey parking facility at Cockburn Central.”

This recommendation was based on the finding that constructing and operating a multi-storey parking station was not be financially viable for the City. The report also correctly noted that building a large capacity multi-storey car park in the Town Centre is not desirable because it would generate increase in traffic in the Town Centre, particularly at peak hours, which would have significant impacts on the traffic/pedestrian safety and amenity of the area.

Integrated Transport Plan

The Implementation Plan in the City’s Integrated Transport Plan, adopted by the Council in June this year, includes actions for Parking and Travel Demand Management. The action to improve management of car parking includes the following task:

“Undertake a detailed review of parking within Cockburn Central Town Centre. Consider whether time restrictions require review to better meet demand, the role of enforcement and potential for parking charges. This should be considered in the activity centre structure plan being developed for the centre.”

This means that many of the issues contained in this report will be revisited in more detail and the community would have an opportunity to comment on parking as part of any consultation for the structure plan. The City’s Strategic Planning Services unit have commenced preparation of that structure plan which will include the Town Centre and surrounding areas.

Strategic Plan/Policy Implications

A Prosperous City

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

Environment & Sustainability

- Greenhouse gas emission and energy management objectives set, achieved and reported.



Moving Around

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

Budget/Financial Implications

The administration, constant monitoring and enforcement of a Residential Parking Permit scheme for the Town Centre would add additional pressure on the City's Rangers and Parking enforcement staff. There is not enough capacity with existing resources to be able to effectively implement an intensive parking permit scheme in the Town Centre, without the need for additional staff and vehicle resources.

Legal Implications

Nil.

Community Consultation

Nil.

Attachment(s)

1. Photographs of the Cockburn Central Town Centre
2. Cockburn Central Town Centre Parking Strategy, June 2007

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 13 November 2014 Council Meeting.

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

Nil.



17. COMMUNITY SERVICES DIVISION ISSUES

17.1 **(MINUTE NO 5412) (OCM 13/11/2014) - CITY OF COCKBURN PROPOSED BUSHFIRE RISK MANAGEMENT PLAN 2014-2019 (027/007; 028/027) (R AVARD) (ATTACH)**

RECOMMENDATION

That Council seek public comment on the:

- (1) draft Bushfire Risk Management Plan 2014-2019; and
 - (2) Residents Guide – Bushfire Risk Management Plan 2014-2019;
- prior to formal adoption of the Plan at a future Council Meeting.

COUNCIL DECISION

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

CARRIED 9/0

Background

Council resolved at 14 August Ordinary Council Meeting to defer the release of the proposed Bushfire Risk Management Plan 2014 – 2019 (BRMP) for public comment, due to concerns about the residents' ability to understand the document.

The City's Administration has subsequently reviewed the BRMP with consideration of feedback supplied by the Banjup Residents Group and the Office of Bushfire Risk Management.

The City's Administration provided a presentation to the Elected Members to highlight the aim and objectives of the proposed BRMP.

Under the State Emergency Management Plan for bushfire (*Westplan - Fire*), Local Government has responsibility for the prevention, preparedness and response to bushfire, within their district.

Within the prevention and mitigation component of *section 2.1.1 Westplan – Fire*, it is a requirement for Local Government to facilitate the commencement of a Bushfire Risk Management Plan (BRMP)



(attachment 1) using the AS/NZS ISO 3100:2009 risk management framework outlined by SEMP 2.9 – Management of Risk.

Submission

N/A

Report

Risk assessments were carried out on land tenures in the district to determine the risk of bushfire, consequence and likelihood for individual assets. All assets identified during this process were categorised into four groups:

- Human Assets (property and homes);
- Economic Assets (rail lines, gas pipelines etc);
- Environmental Assets (Council managed reserves and DPaW regional parks); and
- Cultural assets (registered aboriginal sites and assets from the Local Government Inventory as adopted by Council on 14 July 2011).

During the consultation phase of the proposed BRMP the City's officers sought extensive collaboration from the following agencies:

- Department of Fire and Emergency Services (DFES);
- Office of Bushfire Risk management (OBRM);
- Department of Parks and Wildlife (DPaW);
- Department of Lands;
- WA Planning Commission;
- LandCorp;
- Main Roads WA;
- Jandakot Airport Holdings;
- Western Power; and
- Department of Education.

Mitigation strategies assigned within the *Treatment Schedule* of the proposed BRMP are currently restricted to a recommendation on all crown land due to the limitations of *Section 33* of the *Bush Fires Act 1954 (as amended)*.

It is anticipated that the new Emergency Services Act will require Government Agencies to proactively reduce fire risk on land managed by them. The City of Cockburn BRMP will in the first instance be a voluntary guide on what the City sees as required to reduce fire risk on crown and other government land.

The Banjup Residents Group provided a critique of the proposed BRMP prior to the document going out for formal public comment by



Council decision. After analysis of this review the BRMP was amended to include;

- An executive summary;
- A documented mechanism for interaction between stakeholders;
- Increase detail on community engagement activities relevant to bushfire related matters;
- Overview of the risk terminology use within Chapter 5 and 6 of the BRMP; and
- Objectives for each tier level defined within Chapter 7 of the BRMP.

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.

Leading & Listening

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

Environment & Sustainability

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

Budget/Financial Implications

Endorsement of a BRMP by Council will require additional bushfire mitigation works be carried out on lands managed by the City. The cost of these works will be identified on the completion of the Community Consultation period for consideration by Council.

Due to the upcoming 2014/2015 prohibited burning season, mitigation works are unlikely to be implemented prior to the start of the 2015/2016 financial year.

Legal Implications

Bush Fires Act 1954 (as amended)
Emergency Management Act 2005



Community Consultation

Community engagement was conducted during the consultation phase of the draft BRMP. This engagement was carried out through two workshops to gain the residents views, on a range of topics relating to bushfire risk and gauging the resident's level of acceptance of risk associated with mitigation strategies. The workshops were extensively promoted within the community to ensure a diverse group of residents attended.

Residents that attended the workshops showed a strong desire to have a BRMP incorporated into the City's management of reserves and other land owned by the State. Salient findings of the community engagement workshops were added as appendix 6 within the draft BRMP.

The draft BRMP adopted by Council will be advertised for public comment in the Local newspaper, website and social media for comment.

Those groups who participated in the initial consultation process will be advised that the draft is available for review and public comment.

Attachment(s)

1. Proposed Bushfire Risk Management Plan (BRMP) 2014 - 2019
2. Proposed Residents Guide – Bushfire Risk Management Plan 2014 -2019

Advice to Proponent(s)/Submitters

The Proponent(s) have been advised that this matter is to be considered at the 13 November 2014 Council 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 5413) (OCM 13/11/2014) - 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 Clr S Portelli SECONDED Clr Y Mubarakai that the recommendation be adopted.

CARRIED 9/0



25 (OCM 13/11/2014) - CLOSURE OF MEETING

Meeting closed at 7:41 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:/...../.....

