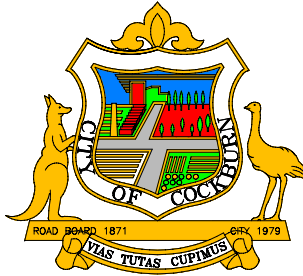


# **CITY OF COCKBURN**



## **ORDINARY COUNCIL**

## **AGENDA PAPER**

**FOR**

**THURSDAY, 12 APRIL 2007**

# CITY OF COCKBURN

## SUMMARY OF AGENDA TO BE PRESENTED TO THE ORDINARY COUNCIL MEETING TO BE HELD ON THURSDAY, 12 APRIL 2007 AT 7:00 PM

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## **CITY OF COCKBURN**

### **AGENDA TO BE PRESENTED TO THE ORDINARY COUNCIL MEETING TO BE HELD ON THURSDAY, 12 APRIL 2007 AT 7:00 PM**

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**1. DECLARATION OF MEETING**

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

**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)**

**5. APOLOGIES AND LEAVE OF ABSENCE**

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

Nil

**7. PUBLIC QUESTION TIME**

**8. CONFIRMATION OF MINUTES**

**8.1 (OCM 12/04/2007) - ORDINARY COUNCIL MEETING - 08/03/2007**

**RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held on Thursday, 8 March 2007, be adopted as a true and accurate record.

**COUNCIL DECISION**

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

**9.1 (OCM 12/04/2007) - REQUEST FOR LEAVE OF ABSENCE - CLR GRAHAM (1705) (DMG)**

**RECOMMENDATION**

That Council grant leave of absence to Clr Graham for the period 7 May 2007 to 27 May 2007, inclusive.

**COUNCIL DECISION**

**Background**

By email received 3 April 2007 Clr Graham has requested leave of absence from Council duties for the period 7 to 27 May 2007.

**Submission**

To grant Clr Graham leave of absence, as requested.

**Report**

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

## Strategic Plan/Policy Implications

### **Governance Excellence**

- *To conduct Council business in open public forums and to manage Council affairs by employing publicly accountable practices.*
- *To develop and maintain a financially sustainable City.*

## Budget/Financial Implications

Nil

## Legal Implications

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

## 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

## 13. COUNCIL MATTERS

Nil

## 14. PLANNING AND DEVELOPMENT DIVISION ISSUES

- 14.1 (OCM 12/04/2007) - SINGLE HOUSE CODES APPROVAL (SHED EXTENSION/GARAGE, PATIO AND FRONT WALL) - LOT 14 (NO. 10) GRANDPRE CRESCENT, HAMILTON HILL - OWNER/APPLICANT: M & L NEDIC (2206484) (TW) (ATTACH)

### RECOMMENDATION

That Council:

- (1) grant its approval for a shed extension/garage, patio and front wall on Lot 14 (No.10) Grandpre Crescent, Hamilton Hill, in

accordance with the approved plans subject to the following conditions:

1. Development can only be undertaken in accordance with the details of the application as approved herein and any approved plans.
2. Nothing in the approval or these conditions shall excuse compliance with all other relevant written laws in the commencement and carrying out of the development.
3. The surface finish of the shed/garage wall (including the additional height adjacent to Heal Street) is to be either face brick or rendered the same colour as the external appearance of the dwelling unless otherwise agreed with Council at working drawings stage. In all instances, the work is to be of a high standard.
4. The submission of landscaping details for the land in between the shed/garage wall and the side boundary of the lot (adjacent to Heal Street) to the satisfaction of Council at working drawings stage.
5. All landscaping being appropriately irrigated and maintained to the satisfaction of Council.
6. Walls, fences and landscape areas are to be truncated within 1.5 metres of where they adjoin vehicle access points where a driveway and/or parking bay meets a public street or limited in height to 0.75 metres.
7. All stormwater is to be contained and disposed of on-site.
8. No activities causing noise and/or inconvenience to neighbours being carried out after 7.00pm or before 7.00am, Monday to Saturday, and not at all on Sunday or Public Holidays.

#### FOOTNOTES

1. The development is to comply with the requirements of the Building Code of Australia.
  2. In the event there are any questions regarding the requirements of this approval, or the planning controls applicable to the land and/or location, Council's Planning Services should be consulted.
- (2) issue a Schedule 9 Notice of Determination on Application for Planning Approval (inclusive of MRS Form 2 Notice of



Approval);

(3) advise the applicant of Council's decision accordingly.

## COUNCIL DECISION

### Background

ZONING:	MRS:	Urban
	TPS3:	Residential R20
LAND USE:	Residential	
LOT SIZE:	830m <sup>2</sup>	
USE CLASS:	Single (R-Code) House 'P' (Permitted)	

The subject land is situated on the northern side of the intersection of Grandpre Crescent and Heal Street in Hamilton Hill. The site is occupied by a large single house, and is flanked to the north and east by single dwellings. The location generally, is characterised by single residential development.

### Submission

Application has been made to:

- Extend an existing shed (to create a garage) on the southern side of the dwelling;
- Erect a patio; and
- Erect a wall around the front of the property (Grandpre Crescent frontage).

It is noted that the extension of the shed involves an existing brick wall set off the side (Heal Street) boundary of the property.

### Report

The proposed patio and front wall generally complies with the Acceptable Development requirements of the Residential Design Codes of Western Australia (R-Codes) in respect to Elements 2 and 4, 'Streetscape' and 'Open Space' respectively. The main concern with the application relates to the boundary setbacks for the shed extension (to form the garage).

### Reduced Side Setback

The existing shed on the southern part of the property is setback 0.56 – 1.0 metres from the southern, or secondary street (Heal Street) boundary. The existing brick wall, is proposed to be increased in height for the purposes of forming the shed/garage and is setback 1.05 – 1.95 metres adjacent to Heal Street, extending as close as 0.2 metres to the truncation joining Grandpre Crescent. The Acceptable Development requirements under the R-Codes the prescribed setbacks, particularly if the truncation is treated as part of Heal Street, are 1.5 metres (setback to a secondary street).

The Performance Criteria under the R-Codes, allow variations to the requirements prescribed above where it is considered that the reduced setback does not detract or adversely impact upon the streetscape amenity or amenity of residences facing the development. As mentioned, the extent of wall adjacent to the secondary street already exists, albeit at a lesser height. Essentially, therefore, the status quo is being maintained in terms of the wall or building setback. The main consideration in ensuring the proposed works are executed in an acceptable manner relate to the final appearance of the wall.

At present, the wall to be increased in height appears as the side boundary of the property, setback the distances mentioned (there is no side boundary fence). Bearing this in mind, the applicant has been advised of the need to suitably landscape the land in-between the wall and boundary. The purpose of this requirement is to break and soften the extent of wall given the lack of a side fence. Accordingly, an appropriately worded condition is recommended to be imposed on approval.

### Recommendation

It is considered that the proposed setback variation satisfactorily addresses the Performance Criteria under the R-Codes and therefore Council should conditionally approve the application for a shed extension/garage, patio and front wall on Lot 14 (No.10) Grandpre Crescent, Hamilton Hill.

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

#### ***Demographic Planning***

- *To ensure development will enhance the levels of amenity currently enjoyed by the community.*

The Planning Policies that apply to this item are:-

APD17	Standard Development Conditions and Footnotes
ADP32	Residential Design Codes

### **Budget/Financial Implications**

In the event an application for review to the State Administrative Tribunal arises in respect of any of the conditions proposed to be imposed on approval, there may be a cost to be borne by Council.

### **Legal Implications**

Town Planning Scheme No.3  
Residential Design Codes 2002  
Planning and Development Act 2005

### **Community Consultation**

N/A Adjoining owners were not required to be consulted in respect of the proposal.

### **Attachment(s)**

- (1) Location Plan
- (2) Site plan, floor plans and elevations.

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

The proponent has been advised that this matter is to be considered at the 12 April 2007 Council Meeting.

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

Nil.

## **14.2 (OCM 12/04/2007) - DETAILED AREA PLAN - LOT 1815 ISLAND STREET, NORTH COOGEE (SOUTH BEACH) - APPLICANT: THE PLANNING GROUP - OWNER: STOCKLAND PTY LTD (9523) (2201571) (TW) (ATTACH)**

### **RECOMMENDATION**

That Council:

- (1) approve the Detailed Area Plan presented for Lot 1815 Island Street, North Coogee (South Beach), prepared by The Planning Group on behalf of Stockland Pty Ltd, pursuant to the provisions contained under Clause 6.2.15 of the City of Cockburn Town Planning Scheme No 3;
- (2) advise the applicant accordingly.

## COUNCIL DECISION

### Background

The subject land (Lot 1815 Island Street) falls within the South Beach Structure Plan Area. It comprises the land owned by Stockland on the western side of the Fremantle Port rail line. At the 14 December 2006 meeting, the Council resolved to amend the Plan to show Lot 1815 as an englobo development parcel, including areas of Public and Regional Open Space. Previously, the Structure Plan included numerous development sites across the land, providing for a mix of development at different densities.

In addition to adopting the amendments to the Structure Plan, the Council resolved to advise the applicant of the requirement to prepare a Detailed Area Plan (DAP) for the land.

### Submission

The attached (DAP) addresses amongst other matters:

- Builtform outcomes anticipated for the land (setbacks and building levels and heights);
- Building design considerations specific to the location, including material, finish and colour details;
- General principles for the purpose of achieving more sustainable development;
- Open space provision in addition to that depicted/required by the Structure Plan;
- Vehicular access and parking location details.

Where the DAP does not refer to an alternate standard, the applicable standard/s are those prescribed in the Residential Planning Codes (for residential development) and Town Planning Scheme No.3 where the R-Codes do not apply. For instance, the parking standards for residential development on the subject land are those detailed in the R-Codes, to be considered in conjunction with the access and circulation requirements detailed in the DAP.

### Report

The DAP proposed for Lot 1815 builds on the content of the amended Structure Plan adopted by Council for the subject part of South Beach. The DAP provides guidance for the purpose of achieving a particular character of development.

In the case of South Beach, the style of architecture intended for development is 'coastal' in character, reflecting the 'feel' of local beaches and existing Fremantle buildings. To reinforce the style of architecture, the DAP promotes the use of materials, finishes and colours used in coastal locations, taking into account factors such as: high exposure to salt, wind and solar impacts. For the purpose of achieving a relaxed aesthetic, the use of natural materials and finishes is also encouraged, providing for development that weathers over time.

The sustainability principles promoted through the DAP include:

- The maximising of dwelling cross ventilation, easily achievable in coastal locations; and
- Appropriate responses to solar access i.e. harnessing northern light and solar gain, whilst protecting eastern and western openings.

The use of solar cells and solar hot water systems is also encouraged.

### Conclusion

The DAP for Lot 1815 reflects the content of the amended Structure Plan for the location. It also incorporates those matters typically addressed in DAP's as required by Town Planning Scheme No.3 - in a manner that reflects the objectives for, and context of the site. Bearing these points in mind, it is recommended that Council adopt the DAP for the purposes of guiding future development on the land (and advise the applicant accordingly). The approval of a DAP is in accordance with clause 6.2.15 of the Scheme.

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

#### ***Demographic Planning***

- *To ensure development will enhance the levels of amenity currently enjoyed by the community.*
- *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.*

Council Policies that apply are:-

APD 31      Detailed Area Plans

### **Budget/Financial Implications**

N/A

## **Legal Implications**

Town Planning Scheme No.3  
Planning and Development Act 2005

## **Community Consultation**

The DAP has not been the subject of consultation. The DAP sits within the framework of the South Beach Structure Plan which has been through a comprehensive public consultation program, including workshops.

## **Attachment**

- (1) Location Plan
- (2) Detailed Area Plan

## **Advice to Proponent**

The proponent has been advised that this matter is to be considered at the 12 April 2007 Council Meeting.

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

Nil.

### **14.3 (OCM 12/04/2007) - DETAILED AREA PLAN, INCORPORATING DESIGN GUIDELINES - COCKBURN CENTRAL - APPLICANT: BSD CARDNO - PROPONENT: LANDCORP (9629) (TW) (ATTACH)**

#### **RECOMMENDATION**

That Council:

- (1) approve the Detailed Area Plan, incorporating Design Guidelines, for Cockburn Central, prepared by BSD Cardno on behalf of LandCorp, pursuant to the provisions contained under Clause 6.2.15 of the City of Cockburn Town Planning Scheme No 3;
- (2) advise the applicant accordingly.

#### **COUNCIL DECISION**

## Background

The development of Cockburn Central as a transport orientated regional centre is currently being undertaken. Council has approved the Structure Plan for the location, whilst the construction of the centre's infrastructure (roads and services) and the creation of lots sold as part of Stage One has almost been completed. Concurrently, LandCorp and its consultant team in conjunction with Council Officers, have been preparing the Detailed Area Plan (incorporating Design Guidelines) for development on the lots. This report deals with the Design Guidelines (the 'Guidelines'), their objectives, content and requirements.

The Guidelines are the same as those presented to a Council briefing session on Wednesday 28 February 2007.

## Submission

The attached Detailed Area Plan (DAP), incorporating the Guidelines, addresses amongst other matters:

- The vision for Cockburn Central;
- The purpose of the Guidelines;
- The assessment process;
- Sustainability – through a compliance matrix;
- Builtform (and related standards);
- Building character;
- Landscaping;
- Signage; and
- Servicing.

The Guidelines have been the subject of on-going review and modification, incorporating the input and knowledge of key stakeholders, LandCorp and the City. The document contains photographs and illustrations where relevant or necessary.

## Report

### Guidelines Content

The Guidelines represent a comprehensive planning document for use in the guidance of development across Cockburn Central.

The objective of the document is to achieve development in a manner that contributes to the vision for the location. The need for comprehensive Guidelines has regard for what will ultimately be a new 'urban' centre within the City - as against the 'suburban' development that characterises many existing parts of the City. The intention is to

ensure the creation of a vital, interesting town centre through attention to detail and the application of principles fundamental to such.

Recognising the various parts that will make up the town centre have different qualities and roles, the Guidelines provide for a range of different development outcomes. Some of the unique differences that will occur across the town centre arise from different requirements, including:

- A range of building heights, particularly where a building meets the street;
- The extent to which a building is to present a transparent frontage at street level;
- Finished floor levels (FFL's) where a building meets the public domain; and
- Floor to ceiling heights.

Generally, building height adjoining road reserves across Cockburn Central will be limited to 3-4 storeys in height. Additional storeys are to be setback to ensure the height and bulk of development does not overwhelm adjoining public spaces. Where the use of ground level floor space is for retail or commercial purposes, the extent of openings/glazed surface is to be greater than for residential.

Importantly, for the purpose of facilitating the change in use overtime of ground floor residential floor space to retail and commercial activities, the Guidelines require specific FFL's and floor to ceiling heights. Referred to as 'Robust Building Design', this approach anticipates appropriate change as the town centre matures into a truly vibrant, mixed use precinct.

#### Application of Guidelines

To assist in achieving high standards of development in Cockburn Central, LandCorp has agreed to include the implementation (through the Guidelines) of a thorough pre-application process. This pro-active pre-application initiative involves several meetings between an applicant, LandCorp and the City prior to the submission of an application for determination.

The first meeting with an applicant will enable the dissemination of key requirements and principles in the Guidelines - to be incorporated in the development design process. The second meeting will serve as a review function, where a development proposal can be openly discussed, enabling change prior to application.

At all times, the use of the Guidelines by developers, and their application by LandCorp and the City of Cockburn as part of the assessment process, will be pursued in a manner important to facilitating the vision for the location.



## Conclusion

The Detailed Area Plan for Cockburn Central, incorporating the Guidelines, enhances the provisions and planning controls contained in the Structure Plan for the location. The document is detailed and comprehensive in content, reflecting the importance of achieving development fundamental to realising the vision for the location. Combined with the pre-application approach to new development, the document is considered to be of a high standard and it is recommended that it be adopted by Council (and the applicant be advised accordingly). The approval of a DAP is in accordance with the provisions of 6.2.15 of the Scheme.

## **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.*

### ***Lifestyle and Aspiration Achievement***

- *To foster a sense of community spirit within the district generally and neighbourhoods in particular.*

Council Policies that apply are:-

APD 31      Detailed Area Plans

## **Budget/Financial Implications**

N/A

## **Legal Implications**

Town Planning Scheme No.3  
Planning and Development Act 2005

## **Community Consultation**

The DAP has not been the subject of public consultation but has involved extensive input from LandCorp and key stakeholders. The DAP sits within the framework of the Cockburn Central Structure Plan which has been through a public consultation program.

## **Attachment**

- (1) Detailed Area Plan

### Advice to Proponent

The proponent has been advised that this matter is to be considered at the 12 April 2007 Council Meeting.

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

Nil.

#### 14.4 (OCM 12/04/2007) - PROPOSED GABLED AND FLAT ROOF PATIO - LOT 4 (NO. 4/23) ANKA GARDENS, MUNSTER - OWNER: R PEDRI - APPLICANT: HERITAGE OUTDOOR (6006588) (BH) (ATTACH)

##### RECOMMENDATION

That Council:

- (1) grant its approval for the proposed gabled and flat roof patio on Lot 4 (No.4/23) Anka Gardens, Munster in accordance with the approved plan and subject to the following conditions:-

##### STANDARD CONDITIONS

1. Development may be carried out only in accordance with the terms of the application as approved herein and any approved plan.
2. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
3. Retaining wall(s) being constructed in accordance with a suitably qualified Structural Engineer's design and a building license being obtained prior to construction.
4. All stormwater being contained and disposed of on-site.
5. All outdoor living areas must be fully developed with appropriate paving and landscaping with visually permeable front fences above 1.2 metres in height.

##### FOOTNOTES

1. The development is to comply with the requirements of the Building Code of Australia.
2. If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the decision, the approval shall lapse and be of

no further effect.

3. Where an approval has so lapsed, no development shall be carried out without the further approval of the Council having first been sought and obtained.
- (2) issue a Schedule 9 Notice of Determination on Application for Planning Approval (inclusive of MRS Form 2 Notice of Approval);
  - (3) advise the applicant of Council's decision accordingly.

## COUNCIL DECISION

### Background

ZONING:	MRS:	Urban
	TPS3	R30
LAND USE:	Residential	
LOT SIZE:	Parent Lot = 1088m <sup>2</sup> Subject Strata Lot = 270m <sup>2</sup>	
USE CLASS:	Grouped Dwelling – 'P' (Permitted)	

The subject land is located on the north-western side of Anka Gardens, abutting St Jerome's primary school. The subject site is occupied by four (4) grouped dwellings. The surrounding streetscape is a mixture of similar grouped dwellings and single residential houses.

### Submission

An application has been made for :

- A gabled and flat roof patio

### Report

The proposed patio complies with all the Design Elements of the R-Codes with the exception of the Acceptable Development standard 3.3.1 (Buildings set back from the Boundary). These provisions require that additions such as patios be set back 0.75m from the rear and side boundaries. The proposed setback is 0.5m from both of these boundaries.

The applicant is therefore seeking a variation to the 'Acceptable Development' provisions, utilising the relevant Performance Criteria. The reduced setbacks do not compromise sunlight, ventilation and privacy. The reduced rear setback will not have any adverse effect on adjoining property owners which is a Primary School. The side setback abuts a vacant property. The proposal was advertised to the adjoining landowners but no submissions were received.

In summary, the reduced setbacks proposed are supported as it is believed that it satisfactorily addresses the Performance Criteria under the R-Codes and it will not have a negative impact of adjoining property owners.

### Recommendation

That Council conditionally approve the application for the erection of a gabled and flat roof patio at Lot 4 (No. 4/23) Anka Gardens, Munster.

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

#### **Demographic Planning**

- *To ensure development will enhance the levels of amenity currently enjoyed by the community.*

The Planning Policies which apply to this item are:-

APD17          Standard Development Conditions and Footnotes  
APD32          Residential Design Codes

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

In the event an application for review to the State Administrative Tribunal arises in respect of any of the conditions proposed to be imposed on approval, there may be a cost to be borne by Council..

#### **Legal Implications**

Town Planning Scheme No.3  
Residential Design Codes 2002  
Planning and Development Act 2005

#### **Community Consultation**

All the existing strata lot owners within the subject lot have given their consent.

The proposal was advertised to the adjoining landowner and no objections were received.

**Attachment(s)**

- (1) Location Plan
- (2) Site plan

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

The proponent has been advised that this matter is to be considered at the 12 April 2007 Council Meeting.

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

Nil.

**14.5 (OCM 12/04/2007) - PROPOSED ANCILLARY ACCOMMODATION - LOT 37 (NO. 6) GLENDALE CRESCENT, JANDAKOT - OWNER/APPLICANT: C M & P R DODD (5513640) (JL) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) grant its approval to the erection of ancillary accommodation on Lot 37 (No. 6) Glendale Crescent, Jandakot, in accordance with the approved plan subject to the following conditions:-
  - 1, Development can only be carried out in accordance with the details of the application as approved herein and any approved plan.
  - 2. Nothing in the approval or these conditions shall excuse compliance with all other relevant written laws in the commencement and carrying out of the development.
  - 3. The ancillary accommodation must only be occupied by a member(s) of the same family as the occupiers of the main dwelling.
  - 4. A notification under Section 70A of the Transfer of Land Act is to be prepared in a form acceptable to the Council and lodged with the Registrar of Titles for endorsement on the Certificate of Title for the subject lot, prior to the commencement of development works. The purpose of the notification is to alert prospective purchasers of the use and restrictions of the ancillary accommodation as stipulated under Condition c) of this approval. The notification should (at the full cost of the applicant) be prepared by the Council's Solicitors McLeod & Co and be executed by both the landowner and the Council, prior to issuance of the building license.

5. All natural vegetation currently in existence on the subject land is to be retained and protected from all on-site works associated with the erection of the ancillary accommodation to the satisfaction of the Council.
6. Any retaining wall(s) is/are to be constructed in accordance with a qualified Structural Engineer's design.

**FOOTNOTES**

1. The development is to comply with the requirements of the Building Code of Australia.
- (2) issue a Schedule 9 Notice of Determination on Application for Planning Approval – Approval (inclusive of MRS Form 2 Notice of Approval);
- (3) advise the applicant of Council's decision accordingly.

**COUNCIL DECISION**

**Background**

ZONING:	MRS:	Rural – Water Protection
	TPS3	Resource
LAND USE:	Residential	
LOT SIZE:	1.1072 hectares	
USE CLASS:	Residential – Ancillary Accommodation	

The subject land is situated between Glen Iris residential estate and Jandakot Airport on the eastern of side of Lakes Way. A single residence and a group of outbuildings currently occupy the land.

The proposal for ancillary accommodation has been advertised for comment to adjacent property owners. Namely, Lot 200 (No. 5) Flora Court; Lot 44 (No. 3) Flora Court; and Lot 40, (No. 12) Glendale Crescent. Lot 40, (No. 12) Glendale Crescent consented to the development while the other landowners did not comment.

## Submission

Application has been made to erect an ancillary accommodation building on the land. The applicant proposes to erect the building between the existing residence on-site and a large shed toward the eastern portion of the property. The floor plan presented with the application depicts two bedrooms (each 4m by 3m), a small kitchen, living area, bathroom, alfresco (4m by 4m), verandah (2.4m by 11.3m) and an unenclosed double carport. The verandah is proposed across the front of the building projecting to the main residence and is connected to the alfresco area. The materials and finishes proposed to be used in the construction of the accommodation include:

- Roof Cladding: Corrugated Colour Bond
- External Wall Cladding: Hardies Weather Boards
- Internal Lining: Gyprock

## Report

### Use

The use of the land for the purpose intended is subject to the requirements of Statement of Planning Policy No.2.3 – Jandakot Groundwater Protection Policy. In accordance with the requirements of the Policy, the application has been referred to the Department of Water for comment and we are still awaiting the Department's comments at this time. In the past the Department has shown support for ancillary accommodation proposals in this area.

### Town Planning Scheme No.3

Clause 5.10.2 of the Scheme states that ancillary accommodation is permitted within a Resource Zone where a single house already exists on a lot, the accommodation proposed is no greater than 60 square metres in size, and the land in question is greater than 2 hectares in size. In the subject instance, whilst there is an existing residence on the land and the proposed accommodation is 60 square metres in size, the lot on which the accommodation is proposed is less than 2 hectares in size. The land of 1.1072 hectares is 892m<sup>2</sup> below town planning requirements.

Accordingly, Council may, under clause 5.6 of the Scheme, despite the non-compliance, approve the application unconditionally or subject to such conditions as the Council sees fit.

In support of the variation to the Scheme standard, the applicant states the following:

- *The construction of the ancillary accommodation will not affect adjacent neighbours as relatively dense bushlands exists between them and the proposed development and the topography of the land is gently undulating preventing a clear line of site;*
- *The accommodation will be single storey with a maximum height to roof ridge of 4.2m, lower than the nearby existing residence roof and outbuilding;*
- *The clearing of trees and bushland will be minimal due to the strategic location of the development*

The above comments are considered to accurately reflect the situation on-site. An inspection of the property revealed the accommodation proposed will be appropriately situated amongst the existing buildings on the land and well removed from dwellings on adjoining properties. A significant buffer of native bush exists between the proposed ancillary accommodation and the closest adjoining dwelling is approximately 70 metres away. Bearing these points in mind the structure will not detract from the visual amenity of the location. In the past, Council has approved ancillary accommodation for undersize lots in the same locality.

#### Recommendation

It is considered that the proposed variation will not adversely affect the amenity of the area or adjoining neighbours and therefore it is recommended that Council conditionally approve the application for ancillary accommodation on Lot 37 (No. 6) Glendale Crescent, Jandakot.

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

##### ***Demographic Planning***

- *To ensure development will enhance the levels of amenity currently enjoyed by the community.*

The Planning Policies which apply to this item are:-

APD11	Aged or Dependant Persons Dwellings and Ancillary Accommodation on Rural and Resource Zone Lots
APD17	Standard Development Conditions and Footnotes

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

In the event an application for review to the State Administrative Tribunal arises in respect of any of the conditions proposed to be imposed on approval, there may be a cost to be borne by Council.



## Legal Implications

Town Planning Scheme No 3  
Residential Design Codes 2002  
Planning and Development Act 2005

## Community Consultation

Adjoining owners were consulted in respect of the proposal.

## Attachment(s)

- (1) Location Plan
- (2) Site plan, floor plan and elevations.

## Advice to Proponent(s)/Submissioners

The proponent has been advised that this matter is to be considered at the April 2007 Council Meeting.

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

Nil.

### 14.6 (OCM 12/04/2007) - SINGLE HOUSE CODES APPROVAL (REDUCED SECONDARY STREET SETBACK) - LOT 509 (NO. 1) CHARNLEY BEND, SUCCESS - OWNER: Y ZHENG - APPLICANT: CONCEPT STEEL CONSTRUCTIONS (6003013) (JL) (ATTACH)

#### RECOMMENDATION

That Council:

- (1) grant its approval for the erection of a patio on Lot 509 (No. 1) Charnley Bend, Success, in accordance with the approved plans subject to the following conditions:
  1. Development can only be undertaken in accordance with the details of the application as approved herein and any approved plans.
  2. Nothing in the approval or these conditions shall excuse compliance with all other relevant written laws in the commencement and carrying out of the development.
  3. All stormwater is to be contained and disposed of on-site.
  4. No activities causing noise and/or inconvenience to neighbours being carried out after 7.00pm or before 7.00am, Monday to Saturday, and not at all on Sunday or

Public Holidays.

**FOOTNOTES**

1. The development is to comply with the requirements of the Building Code of Australia.
  2. In the event there are any questions regarding the requirements of this approval, or the planning controls applicable to the land and/or location, Council's Planning Services should be consulted.
- (2) issue a Schedule 9 Notice of Determination on Application for Planning Approval (inclusive of MRS Form 2 Notice of Approval);
- (3) advise the applicant of Council's decision accordingly.

**COUNCIL DECISION**

**Background**

ZONING:	MRS:	Urban
	TPS3:	Residential R-20
LAND USE:	Residential	
LOT SIZE:	510m <sup>2</sup>	
USE CLASS:	Single (R-Code) House 'P' (Permitted)	

The subject land is a corner lot with primary and secondary street frontages. The site is occupied by a large single house, and is flanked to the west and south by single dwellings. The location generally, is characterised by single residential development.

**Submission**

Application has been made to:

- Erect a patio on the eastern side of the dwelling on-site

**Report**

The proposed patio generally complies with the Applicable Development requirements of the Residential Design Codes (R-Codes)

in respect to Elements 4 and 7, 'Open Space' and 'Building Height', respectively. The main concern with the application relates to the boundary setback of the patio on the secondary street.

### Reduced Side Setback

The Acceptable Development requirements under the R-Codes, prescribe that the setback on a secondary street be 1.5 metres. The applicant proposes a 0.5 metre setback.

The Performance Criteria under the R-Codes, allow variations to the requirements prescribed above where it is considered that the reduced setback does not detract or adversely impact upon the streetscape amenity or the amenity of residences fronting the development. A site assessment by Council's Planning Services revealed that there would be no adverse affect to either. The proposed patio is to be flat with a maximum height of 2.3 metres, which will not impose an adverse impact on the streetscape amenity.

In support of the variation to the R-Codes standard, the applicant states the following:

*The patio will enhance the level of amenity enjoyed by our family by alleviating the sun and heat that penetrates into the rooms on that side of the house.*

The neighbours fronting the proposed development along Bingham Drive have been consulted in respect to the proposal and have no objections.

### Recommendation

It is considered that the proposed variation satisfactorily addresses the Performance Criteria under the R-Code and therefore Council should conditionally approve the application for the erection of a patio on Lot 509 (No. 1) Charnley Bend, Success.

## **Strategic Plan/Policy Implications**

### ***Demographic Planning***

- *To ensure development will enhance the levels of amenity currently enjoyed by the community.*

The Planning Policies which apply to this item are:-

APD17	Standard Development Conditions and Footnotes
APD32	Residential Design Codes

### **Budget/Financial Implications**

In the event an application for review to the State Administrative Tribunal arises in respect of any of the conditions proposed to be imposed on approval, there may be a cost to be borne by Council.

### **Legal Implications**

Town Planning Scheme No.3  
Residential Design Codes 2002  
Planning and Development Act 2005

### **Community Consultation**

Owners fronting the proposed development were consulted in respect of the proposal and no objections were received.

### **Attachment(s)**

- (1) Location Plan
- (2) Site plan, floor plans and elevations.

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

The proponent has been advised that this matter is to be considered at the 12 April 2007 Council Meeting.

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

Nil.

**14.7 (OCM 12/04/2007) - SINGLE HOUSE CODES APPROVAL (REDUCED SECONDARY STREET SETBACK) - LOT 726 (NO. 4) ELIZA COURT, HAMILTON HILL - OWNER: FMC & VC TAYLOR - APPLICANT: WESTRAL OUTDOOR CENTRE (2200976) (JL) (ATTACH)**

#### **RECOMMENDATION**

That Council:

- (1) grant its approval for the erection of a patio on Lot 726 (No.4) Eliza Court, Hamilton Hill, in accordance with the approved plans subject to the following conditions:
  1. Development can only be undertaken in accordance with the details of the application as approved herein and any approved plans.
  2. Nothing in the approval or these conditions shall excuse

compliance with all other relevant written laws in the commencement and carrying out of the development.

3. All stormwater is to be contained and disposed of on-site.
4. No activities causing noise and/or inconvenience to neighbours being carried out after 7.00pm or before 7.00am, Monday to Saturday, and not at all on Sunday or Public Holidays.

#### FOOTNOTES

1. The development is to comply with the requirements of the Building Code of Australia.
  2. In the event there are any questions regarding the requirements of this approval, or the planning controls applicable to the land and/or location, Council's Planning Services should be consulted.
- (2) issue a Schedule 9 Notice of Determination on Application for Planning Approval (inclusive of MRS Form 2 Notice of Approval);
- (3) advise the applicant of Council's decision accordingly.

#### **COUNCIL DECISION**

#### **Background**

ZONING:	MRS:	Urban
	TPS3:	Residential R-20
LAND USE:	Residential	
LOT SIZE:	793m <sup>2</sup>	
USE CLASS:	Single (R-Code) House 'P' (Permitted)	

The subject land is situated on a 90 degree bend of a quiet cul de sac road (namely, Eliza Court) that services 11 other residents. The subject land has primary and secondary street frontages. The site is occupied by a large single house, and is flanked to the west and south by single dwellings. The location generally, is characterised by single residential development.

## **Submission**

Application has been made to:

- Erect a patio on the northern side of the dwelling on-site

## **Report**

The proposed patio generally complies with the Applicable Development requirements of the Residential Design Codes (R-Codes) in respect to Elements 4 and 7, 'Open Space' and 'Building Height', respectively. The main concern with the application relates to the boundary setback of the patio on the secondary street.

### Reduced Side Setback

The Acceptable Development requirements under the R-Codes, prescribe that the setback on a secondary street be 1.5 metres. The applicant proposes a 0.75 metre setback.

The Performance Criteria under the R-Codes, allow variations to the requirements prescribed above where it is considered that the reduced setback does not detract or adversely impact upon the streetscape amenity or the amenity of residences fronting the development. A site assessment undertaken by Planning Officers revealed that there would be no adverse affect to either. The abutting residences have significantly greater setbacks from the street and thus a large distance exists between the proposed patio and their possible line of view. Furthermore, the maximum height of the proposed patio is 3.3 metres which is at least 0.5 metre less that the height of the exiting residence, which ensure height continuity of the bulk built form.

### Recommendation

It is considered that the proposed variation satisfactorily addresses the Performance Criteria under the R-Code and therefore Council should conditionally approve the application for the erection of a patio on Lot 726 (No.4) Eliza Court, Hamilton Hill.

## **Strategic Plan/Policy Implications**

### ***Demographic Planning***

- *To ensure development will enhance the levels of amenity currently enjoyed by the community.*

The Planning Policies which apply to this item are:-

- APD17 Standard Development Conditions and Footnotes
- APD32 Residential Design Codes

### **Budget/Financial Implications**

In the event an application for review to the State Administrative Tribunal arises in respect of any of the conditions proposed to be imposed on approval, there may be a cost to be borne by Council.

### **Legal Implications**

Town Planning Scheme No.3  
Residential Design Codes 2002  
Planning and Development Act 2005

### **Community Consultation**

Under the R Codes, adjoining owners were not required to be consulted in respect of the proposal.

### **Attachment(s)**

- (1) Location Plan
- (2) Site plan, floor plans and elevations.

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

The proponent has been advised that this matter is to be considered at the 12 April 2007 Council Meeting.

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

Nil.

**14.8 (OCM 12/04/2007) - EXTRACTIVE INDUSTRY - RENEWAL - LOT 132 FRASER ROAD, LOT 9002 JANDAKOT ROAD AND LOT 9004 JANDAKOT ROAD, JANDAKOT - OWNER: RINKER AUSTRALIA PTY LTD - APPLICANT: CSR LTD/RINKER AUSTRALIA PTY LTD (5513086) (SDS) (ATTACH)**

#### **RECOMMENDATION**

That Council:

- (1) grant its approval to renew the Extractive Industry – (Sand Excavation) on Lot 132 Fraser Road, Lots 9002 Jandakot Road & Lot 9004 Armadale Road, Jandakot in accordance with the approved plan subject to the following conditions:-

#### **STANDARD CONDITIONS**

1. Nothing in the approval or these conditions shall excuse

compliance with all relevant written laws in the commencement and carrying out of development.

2. The premises shall be kept in a neat and tidy condition at all times by the operator at all times to the satisfaction of Council.
3. All stormwater must be disposed of on-site to the satisfaction of Council.

SPECIAL CONDITIONS

4. This approval remains valid for a period of two (2) years only. If development is not completed within this time the approval shall lapse. Where an approval has lapsed, no development shall be carried out without the further approval of Council having been first sought and obtained.
5. Development must only be carried out in accordance with the commitments and plans contained in the submitted Environmental Management Plan which are to include a completion criteria developed in conjunction with the City's Environmental Services and should include but not be restricted to suitable species lists, percentage folia cover delineating between weeds and endemic species, plant and species densities, weed control methods, monitoring and reporting methods and contingency strategies should criteria not be met.
6. Submission of a ground water monitoring program to monitor groundwater at regular intervals both down stream and upstream of the silt dam, prior to commencement of any excavation works beyond those specified in the approval dated 18 July 1996.
7. Excavation works being restricted to between the hours of 7am to 5pm Monday to Saturday and not at all on Sunday or Public Holidays.
8. Submission of a Revised Dust Management Plan to the City's Environmental Health Services for approval prior to the commencement of excavation works beyond those specified in the approval dated 18 July 1996, based on the practices already employed under the Dust Management Plan dated 25 April 2005.
9. Sand drift must be managed to ensure there are no visible dust emissions off-site impacting on neighbouring rural residential properties at any time. If any resident



complaints are received they must be logged into a complaints register by the operator and investigated. Where required remedial works must be undertaken without delay.

10. A register being kept of the extent, location, environmental implications and remedial actions taken for any accidental contamination of soil or water resources in a log book to be kept on-site and available for immediate inspection by the Council.
11. There shall be a 2 metre undisturbed profile between the likely maximum water table and the end surface levels of the excavation areas at all times. Plans with final contour levels demonstrating compliance with this requirement shall be submitted to the City within 30 days of this approval.
12. No burning of stockpiled vegetation or any other material to occur on-site at any time.
13. All wastes are to be disposed of at a suitably licensed waste disposal facility or recycled on-site for use in site rehabilitation.
14. Areas of Remnant Vegetation and Buffer Areas shown on the submitted plan must be surveyed and either fenced or otherwise clearly marked on-site and sign posted to protect these vegetation areas from indiscriminate clearing, prior to the commencement of excavation works.
15. No storage of materials such as petroleum, pesticides and fertilisers (including manures) and the keeping of stock is permitted within the northern portion of the subject area within a 300m Wellhead Protection Buffer.
16. The proponent must assess the site for the presence of Acid Sulphate Soils (ASS) and avoid the disturbance of any soils that could have an adverse impact on the quality of groundwater and the nearby drainage, leading to acidification of the water and damage to existing and future infrastructure resulting from increased development and maintenance costs.
17. No earthworks shall encroach onto the Armadale Road reserve.
18. No stormwater drainage shall be discharged onto the Armadale Road reserve.

19. All vehicular access shall be restricted to the existing driveway.
20. No development, other than landscaping or car parking shall be permitted on the land shown required for future road purposes on the enclosed extract of Main Roads drawing 8021-63-6.
21. The proponent shall make good any damage to the existing verge vegetation within the Armadale Road reservation.
22. Redundant driveways shall be removed and the verge and its vegetation made good at the applicant's cost.
23. The excavation shall provide for a batter outside of the area required for road widening and vegetation buffer areas so that there is no impact on ground levels within the area required for road widening or increased proximity of excavation areas to adjacent houses.
24. There shall be no further clearing of original native vegetation the subject of this approval unless a Spring flora survey is conducted for remnant vegetation within the subject lots over at least 1 year and if possible over 2 years, to determine the occurrence of the Declared Rare Flora *Caladenia huegelii* during the flowering period for this species.

#### FOOTNOTES

1. The applicant is advised that the subject area falls within the Jandakot Public Drinking Water Source Protection Area (PWSPA) and is classified as a priority 2 source protection area in accordance with State Planning Policy 2.7 (2003). This is to ensure that there is no increased risk of pollution to groundwater.
2. The Department of Conservation and Land Management notes that there is a known population of the Declared Rare Flora (DRF) species *Caladenia huegelii* within areas of remnant vegetation on Lot 9004 adjacent to Fraser Road. In addition the subject lots are adjacent to Bush Forever (BF) site 390 – Fraser Road Bushland, Banjup (Bushforever, 2000).
3. The DEC supports the proposed rehabilitation of areas with local native species to pre-mining conditions and the retention of existing remnant vegetation where possible,

as outlined in the Rehabilitation Management Plan provided. The DEC also understands from the EMP that mining has ceased in Lot 131. DEC would also note that the DRF *Caladenia huegelii* is also recorded from Lot 131 and that any future proposals to mine or disturb the vegetation on Lot 131 would need formal assessment.

4. The Water Corporation advises the proponent to have management procedures in place to prevent the potentially unacceptable impacts associated with the disturbance of the ASS, and
5. The Main Roads Department advises that the subject property is affected by land reserved in the Metropolitan Region Scheme as shown on the enclosed extract of Main Roads drawing 8021-63-6 and will be required for road widening.
6. The Main Roads Department advises that the project for the upgrading/widening of Armadale Road is not in a Main Roads current 4-year forward estimated construction program and all projects not listed are considered long term. Please be aware that timing information is subject to change and that Main Roads assumes no liability whatsoever for the information provided.
7. With regards to Condition No. 17-23, the proponent is advised that all enquires shall be directed to:-

Traffic Services Manager South  
Main Roads WA  
Waterloo Crescent  
EAST PERTH WA 6004  
Tel: 9323 4676  
Fax: 9323 4174

8. Please call Perth One Call Service (Phone 1100 or 9424 8117) for location details (of Western Power's underground cable) obtained prior to any excavation commencing. Worksafe requirements must be observed when excavation works is undertaken in the vicinity of Western Power's assets.
9. The City's Environmental Health Services note that the Liquid and solid waste management proposals issued under the Controlled Waste Regulations and PDWSA requirements adequately comply with City waste disposal and stormwater protection requirements.

- (2) issue a Schedule 9 Notice of Determination on Application for Planning Approval – Approval (inclusive of MRS Form 2 Notice of Approval).
- (3) advise the submissioners of Council's decision accordingly.

**COUNCIL DECISION**

**Background**

ZONING:	MRS:	Rural Water Protection
	TPS3	Resource
LAND USE:	Extractive Industry – sand	
LOT SIZE:	41.2779ha	
USE CLASS:	Extractive Industry (Statement of Planning Policy 2.3 "AA" discretionary use	

According to the applicant the Jandakot sand quarry has been in operation since the late 1940's. Former proponents and Readymix, which acquired the land in 1956, have excavated much of the sand resource on the site.

During the assessment of this application the applicant advised Council that they sought to continue operations and were concerned about the application expiry period on 18 July 2006. The City was critical that the application was not lodged earlier when notice was given to Readymix on 1 September 2005 that the approval was expiring. More than sufficient notice was given to submit an application for renewal of approval. The application took 10 months to be lodged with the City only 2 months before the expiry of the approval.

It was anticipated that the application, the subject of this Council report, would not be determined by 18 July 2006 given the 28 day referral period and the possibility of having to refer the application to a meeting of Council. In anticipation of this occurring, sand excavation was agreed by the City to continue until further instructed, provided that during the expiry of approval no further clearing of vegetation occurs, all sand extraction works are confined to the extent of the current operational area (consistent with the 18 July 1996 approval) and compliance with the Deed of Agreement entered into with the City of Cockburn.

Accordingly there is a degree of urgency in relation to finalising the determination of the renewal of excavation approval.

### **Submission**

The applicant has provided the following justification in support of the proposal which has been summarised accordingly:-

The sand on the site is of high quality and is preserved for use in concrete. As the sand resources from the local area are all depleted or close to depletion, the resource from Readymix's Jandakot site will be used sparingly to supply local markets as economically as possible. If extraction were to proceed at 2004 extraction levels, the remaining resource on the site would only last another 12 to 18 months, however production levels are being reduced such that extraction will be completed over the next 5 years.

Progressive excavation of sand resources is undertaken to meet on-going market demands for concrete sand and fill sand for use in the civil construction industry.

*The total operating quarry area including access roads, haul roads, processing area and ancillary facilities comprises approximately 146 hectares. Of this approximately 50 hectares have been rehabilitated to date of which some areas may be re-accessed as part of future excavation.*

*The extraction process simply involves the excavation of sand by front-end loaders onto articulated dump trucks. Material is directed to designated stockpiles on Lots 132 or 9002 for screening to remove organic material and other solid 'contaminates'. Depending on client specifications, the material may be washed and dried, prior to being loaded, weighed and dispatched via the on-site weighbridge.*

*Water for sand washing and dust suppression is sourced from a licensed production bore on-site. Domestic and potable water is sourced from scheme water supply. Total site water requirements average approximately 5ML/month, depending on dust suppression and processing requirements during sand washing.*

*On average there are 30 truck movements per day between Mondays to Saturday. During this time, the site is generally occupied by up to four Readymix personnel including the Operations Manager or his delegate, mobile equipment operators and Weighbridge Operator. Access to the site is restricted, with signage and perimeter fencing designed to deter unauthorised entry.*

A copy of the applicant's full submission should be read in conjunction with this report and is contained in the agenda attachments.

## Report

The subject land is zoned Resource under the City of Cockburn Town Planning Scheme No 3. Council has the discretion to either approve (with or without conditions) or to refuse the application.

The land is identified within Statement of Planning Policy No 2.4 – Basic Raw Materials as a priority resource area for sand extraction. The policy states that priority resource locations are of regional significance, which should be recognised for future resource extraction and not be constrained by incompatible uses or development.

In accordance with clause 9.4 of the Scheme, the application was advertised to nearby owners that were likely to be affected by the proposal. At the conclusion of the advertising period submissions were received from Government Agencies. One (1) submission of non-objection, and six (6) objections. A summary of submissions is included in the Agenda attachments.

Submissions from the Government Agencies were as follows: -

Department of Environment – no objection

Main Roads Western Australia – (conditional) no objection

Water Corporation – advice

Department of Conservation and Land Management – conditional advice

Western Power – advice

The application was referred to the Department for Planning and Infrastructure for its separate determination under the Metropolitan Region Scheme. They have since advised that because the land is not zoned Rural in the MRS clause 32 doesn't apply and therefore the Council is able to grant MRS approval with its decision pursuant to the City of Cockburn Town Planning Scheme No 3.

## Recommendation

The 5 year approval period sought in itself doesn't seem excessive but upon consideration of the decades of continued mining and progressive subdivision and development of the area and neighbouring residents resistance to mining it is considered that the renewal of approval period be limited to 2 years within which mining operations should preferably cease. This time period gives a reasonable notice period for the operator to extract the remaining resource and secure the necessary approvals needed to relocate to another site. The drawing out of sand supplies might be preferred by the operator but would only serve to continue operations and their potential impacts on nearby residents despite attempts to mitigate sand drift nuisance. It is recommended that Council support the application on that basis.

## Strategic Plan/Policy Implications

### ***Employment and Economic Development***

*• To plan and promote economic development that encourages business opportunities within the City.*

### ***Natural Environmental Management***

*• To conserve, preserve and where required remediate the quality, extent and uniqueness of the natural environment that exists within the district.*

*• To ensure development of the district is undertaken in such a way that the balance between the natural and human environment is maintained.*

The Planning Policies which apply to this item are:-

SPD1	Bushland Conservation Policy
SPD3	Native Fauna Protection Policy
SPD5	Wetland Conservation Policy
APD17	Standard Development Conditions and Footnotes

## Budget/Financial Implications

Nil

## Legal Implications

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

## Community Consultation

In accordance with clause 9.4 of the Scheme, the application was advertised to nearby owners that were likely to be affected by the proposal. At the conclusion of the advertising period six (6) submissions of objection were received, one (1) submission of no object was received, and five (5) submissions from Government Agencies. A summary of submissions is included in the agenda attachments and should be read in conjunction with this report.

## Attachment(s)

Location Plan – Marked where Submissions of Objection and Support have been received.

Schedule of Submissions

Applicant's justification and attached Figures

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

The proponent and submissioners(s) have been advised that this matter is to be considered at the 12 April 2007 Council Meeting.

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

There are no implications of the proposal under Section 3.18(3) of the LG Act.

**14.9 (OCM 12/04/2007) - PROPOSED TOWN PLANNING SCHEME AMENDMENT NO. 52 - DELETION OF ADDITIONAL USE NO. 18 - LOCKUP STORAGE - LOT 5 LYON ROAD, AUBIN GROVE - OWNER: CAMEL PTY LTD - APPLICANT: CARDNO BSD PTY LTD (93052) (MC) (ATTACH)**

#### **RECOMMENDATION**

That Council:

- (1) adopt the following amendment:

PLANNING AND DEVELOPMENT ACT 2005  
RESOLUTION DECIDING TO AMEND CITY OF COCKBURN  
TOWN PLANNING SCHEME NO. 3

#### AMENDMENT NO. 52

Resolved that Council, in pursuance of Section 75 of the Planning and Development Act 2005, amend the above Town Planning Scheme by:

1. Amending Schedule 2 by removing Additional Use No.18 which serves the purpose of additional use of lockup storage for Lot 5 Lyon Road, Aubin Grove and deleting associated special provisions;
  2. Amending the Scheme Map accordingly.
- (2) sign the amending documents, and advise the WAPC of Council's decision;
- (3) forward a copy of the signed documents to the Environmental Protection Authority in accordance with Section 81 of the Planning and Development Act;
- (4) following the receipt of formal advice from the Environmental Protection Authority that the Scheme Amendment should not be assessed under Section 48A of the Environmental Protection



Act, advertise the Amendment under Town Planning Regulation 25 without reference to the Western Australian Planning Commission;

- (5) notwithstanding (4) above, the Director of Planning and Development may refer a Scheme or Scheme Amendment to the Council for its consideration following formal advice from the Environmental Protection Authority that the Scheme Amendment should be assessed under Section 48A of the Environmental Protection Act, as to whether the Council should proceed or not proceed with the Amendment; and
- (6) should formal advice be received from the Environmental Protection Authority that the Scheme Amendment should be assessed or is incapable of being environmentally acceptable under Section 48(A) of the Environmental Protection Act, the Amendment be referred to the Council for its determination as to whether to proceed or not proceed with the Amendment.

### COUNCIL DECISION

### Background

ZONING:	MRS:	Urban
	TPS:	Development with Additional Use No 18 (allowing lockup storage). Development Area 11 Development Contribution Area 7
LAND USE:	Rural Residential	
LOT SIZE:	4.3706ha	

A local Structure Plan and Scheme Amendment were approved over the site in December 2005 which allowed the rear section of the site backing onto the Kwinana Freeway to be used for lockup storage (Additional Use No.18).

A modification to the structure plan was approved in November 2006, at the request of the owner, removing the additional use from the land and replacing it with residential lots.

This scheme amendment has been submitted to reflect the approved modified structure plan and to ensure that the residential lots are not used for lockup storage.

### **Submission**

The purpose of this amendment is to delete Additional Use No.18 (lockup storage) from Lot 5 Lyon Road, Aubin Grove to ensure only residential development occurs on the land, in accordance with the approved structure plan for the site. (refer proposed Zoning Map contained within the Agenda attachments.)

### **Report**

The approved structure plan designates the subject land for residential purposes. Surrounding properties have also been designated for residential purposes under approved structure plans.

The proposed amendment is consistent with the recently approved structure plan for the site and will ensure that no future residential lots are used for lockup storage.

In the interest of orderly and proper planning, it is recommended that the Council proceed to amend the scheme in accordance with the applicant's request.

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

#### ***Demographic Planning***

- *To ensure development will enhance the levels of amenity currently enjoyed by the community.*

### **Budget/Financial Implications**

N/A

### **Legal Implications**

Planning and Development Act 2005  
Town Planning Scheme No 3  
Town Planning Regulations 1967

### **Community Consultation**

The proposed Scheme Amendment will be advertised for a period of 42 days to relevant government agencies and surrounding community upon initiation of the amendment.

**Attachment(s)**

- (1) Location plan
- (2) Copy of the Structure Plan
- (3) Proposed zoning map

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

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 12 April 2007 Council Meeting.

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

Nil.

**14.10 (OCM 12/04/2007) - PROPOSED TOWN PLANNING SCHEME AMENDMENT NO. 58 - RECODING FROM RESIDENTIAL R20 TO R25 - LOT 1650 ARCHIDAMUS ROAD, COOLBELLUP - OWNER: DEPARTMENT OF HOUSING AND WORKS/ TIMOTHY ROADS - APPLICANT: BURGESS DESIGN GROUP (93056) (MC) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) adopt the following amendment:

PLANNING AND DEVELOPMENT ACT 2005  
RESOLUTION DECIDING TO AMEND CITY OF COCKBURN  
TOWN PLANNING SCHEME NO. 3

AMENDMENT NO. 56

Resolved that Council, in pursuance of Section 75 of the Planning and Development Act 2005, amend the above Town Planning Scheme by:

1. recoding Lot 1650 Archidamus Road, Coolbellup from "Residential" (R20) to "Residential" (R25).
  2. amending the Scheme Map accordingly.
- (2) sign the amending documents, and advise the WAPC of Council's decision;
  - (3) forward a copy of the signed documents to the Environmental Protection Authority in accordance with Section 81 of the Planning and Development Act;

- (4) following the receipt of formal advice from the Environmental Protection Authority that the Scheme Amendment should not be assessed under Section 48A of the Environmental Protection Act, advertise the Amendment under Town Planning Regulation 25 without reference to the Western Australian Planning Commission;
- (5) notwithstanding (4) above, the Director of Planning and Development may refer a Scheme or Scheme Amendment to the Council for its consideration following formal advice from the Environmental Protection Authority that the Scheme Amendment should be assessed under Section 48A of the Environmental Protection Act, as to whether the Council should proceed or not proceed with the Amendment; and
- (6) should formal advice be received from the Environmental Protection Authority that the Scheme Amendment should be assessed or is incapable of being environmentally acceptable under Section 48(A) of the Environmental Protection Act, the Amendment be referred to the Council for its determination as to whether to proceed or not proceed with the Amendment.
- (7) prior to Council finally approving the Scheme Amendment, a development application being approved by the City of Cockburn demonstrating compliance with the R-Codes and providing good presentation to the street(s) for the entire site.

**COUNCIL DECISION**

**Background**

ZONING:	MRS:	Urban
	TPS:	Residential R20 (4 units)
LAND USE:	Grouped Dwellings	
LOT SIZE:	3075m <sup>2</sup>	

**Submission**

The applicant seeks approval from the Council in initiate an amendment to recode Lot 1650 Archidamus Road, Coolbellup from Residential R20 to Residential R25 to allow additional dwellings to be constructed on the site whilst retaining the existing duplexes. (refer

proposed development concept map contained within the Agenda attachments).

The applicant has supplied the following justification for the change in residential density which has been summarised as follows;

- The site is close to schools, a university, parks, shopping facilities, employment opportunities and public transport routes (such as along North Lake Road and Waverley Road). It is appropriate to promote greater residential densities in such circumstances.
- The land is large in the context of the locality and is well suited to development at a higher density consistent with contemporary planning principles.
- The northwest and southwest corners of the site are currently under-utilised and denuded. The creation of these allotments will allow these corners to be developed and landscaped.
- The site is capable of development at the higher coding whilst still complying with the relevant R-Codes requirements.
- The creation of new housing units and/or upgrading of existing stock is considered to be consistent with the New Living aims of contributing to the upgrading of the Coolbellup locality.

## **Report**

The site currently occupies two sets of duplexes (4 units in total), with one set already redeveloped as part of the Coolbellup New Living Project and the other duplex set is in poor condition.

The subject land could accommodate up to 6 dwellings under the current zoning, however the existing dwellings would need to be demolished to accommodate this form of development.

The application seeks to increase the zoning to R25 to enable the existing dwellings to be retained whilst providing for three new dwellings (total of 7 dwellings on the site). The proposed lots would range from 366m<sup>2</sup> to 599m<sup>2</sup>.

The proposal will only result in one additional dwelling than what could be developed under the current zoning due to the proposal retaining the existing dwellings.

The subject site is considerably larger than most lots within the locality and has three street frontages. The proposal will allow the existing dwellings to be retained and allow the large areas of under-utilised land to be developed and put to optimum use. The proposed dwellings will provide the opportunity to present well to the street, improving the streetscape and provide greater surveillance of the street.

To ensure that good design results on the subject site, it is recommended that a development application/detailed area plan be submitted demonstrating good presentation to the street and compliance with the R-Codes, prior to finalisation of the amendment.

Council supported a similar Scheme amendment within Coolbellup that increased the density coding of existing apartment complexes on three separate sites. This amendment allowed existing buildings to be retained whilst permitting under-utilised land to be rationalised and redeveloped. Scheme amendment No. 14 was approved in August 2004.

Given the merits of the proposal, it is recommended that Council proceed to amend the Scheme in accordance with the applicant's request.

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

#### ***Demographic Planning***

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

#### ***Lifestyle and Aspiration Achievement***

- *To conserve the character and historic value of the human and built environment.*

### **Budget/Financial Implications**

N/A

### **Legal Implications**

Planning and Development Act 2005  
Town Planning Scheme No 3  
Town Planning Regulations 1967

### **Community Consultation**

The proposed Scheme Amendment will be advertised for a period of 42 days to relevant government agencies and surrounding community upon initiation of the amendment.

### **Attachment(s)**

- (1) Location plan
- (2) Preliminary development concept plan.

### Advice to Proponent(s)/Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 12 April 2007 Council Meeting.

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

Nil.

#### 14.11 (OCM 12/04/2007) - SIX SINGLE BEDROOM HOSTEL UNITS - LOT 3001 REDMOND ROAD, HAMILTON HILL - OWNER: THE MULTIPLE SCLEROSIS SOCIETY OF WESTERN AUSTRALIA (INC) - APPLICANT: R J MCCULLUM (2212119) (ES) (ATTACH)

#### RECOMMENDATION

That Council:

- (1) grant its approval for Six (6) single bedroom units plus shared facilities for use by the Multiple Sclerosis Society of Western Australia (MS Society) on Lot 3001 Redmond Road, Hamilton Hill, in accordance with the approved plans subject to the following conditions:
  1. Development can only be undertaken in accordance with the details of the application as approved herein and any approved plans.
  2. Nothing in the approval or these conditions shall excuse compliance with all other relevant written laws in the commencement and carrying out of the development.
  3. No development or building work covered by this approval shall be commenced until the landscape plan has been submitted and approved, by the Council.
  4. All landscaping being appropriately irrigated and maintained to the satisfaction of the Council.
  5. Walls, fences and landscape areas are to be truncated within 1.5 metres of where they adjoin vehicle access points where a driveway and/or parking bay meets a public street or limited in height to 0.75 metres.
  6. The parking bay/s, driveway/s and points of ingress and egress to be designed in accordance with the Australian Standard for Offstreet Carparking (AS/NZ2890.1) unless otherwise specified by this approval and are to be

- constructed, drained and marked in accordance with the design and specifications certified by a suitably qualified practicing Engineer and are to be completed prior to the development being occupied and thereafter maintained to the satisfaction of the Council.
7. Carbay grades are not to exceed 6% and disabled carbays are to have a maximum grade 2.5%.
  8. Uncovered parking bays shall be a minimum of 5.5 x 2.5 metres, clearly marked on the ground and served by a 6 metre wide paved accessway.
  9. Provision and maintenance of a minimum total of 9 car parking bays in accordance with the City of Cockburn Town Planning Scheme No. 3.
  10. Vehicular access to and from the site shall be restricted to that shown on the plan approved by the Council.
  11. All outdoor living areas must be fully developed with appropriate paving and landscaping.
  12. The design and construction of the kitchen must comply with the requirements of the *Health (Food Hygiene) Regulations 1993* and Chapter 3 of the Australian New Zealand Food Standards Code (Australia Only). Further information on the requirements of this legislation may be obtained from the City's Health Service on 9411 3589.
  13. The design and construction of the common areas (lounge and dining areas) must comply with the requirements of the Health (Public Buildings) Regulations 1992. Further information on the requirements of this legislation may be obtained from the City's Health Service on 9411 3589.
  14. Refuse bins shall be provided adequate to service the development and the bins are to be screened from view to the satisfaction of the Council before the development is occupied or used.
  15. All stormwater is to be contained and disposed of on-site.
  16. Earthworks over the site and batters must be stabilised to prevent sand or dust blowing, and appropriate measures shall be implemented within the time and in the manner directed by the Council in the event that sand or dust is blown from the site.



17. No activities causing noise and/or inconvenience to neighbours being carried out after 7.00pm or before 7.00am, Monday to Saturday, and not at all on Sunday or Public Holidays.

CONDITIONS TO BE COMPLIED WITH PRIOR TO APPLYING FOR A BUILDING LICENCE

18. All stormwater drainage shall be designed in accordance with the document entitled "Australian Rainfall and Runoff" 1987 (where amended) produced by the Institute of Engineers, Australia, and the design is to be certified by a suitably qualified practicing Engineer, and designed on the basis of a 1:10 year storm event.
19. A landscape plan must be submitted to the Council and approved, prior to applying for building licence and shall include the following:-
- (1) the location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area being in conformity with the City of Cockburn Greening Plan;
  - (2) any lawns to be established;
  - (3) any natural landscape areas to be retained;
  - (4) those areas to be reticulated or irrigated; and verge treatments.
20. Notwithstanding the detailed specifications required to be submitted for a Building Licence approval, a separate schedule of the colour and texture of the building materials shall be submitted and approved to the satisfaction of the Council prior to applying for a Building Licence, and before the commencement or carrying out of any work or use authorised by this approval.
21. Prior to the issue of a building licence for the proposed development the owner of Lot 100 Redmond Road, Hamilton Hill ("the City") shall grant to the owner of Lot 3001 Redmond Road, Hamilton Hill ("the Owner") an easement for car parking and access purposes over Lot 100 Redmond Road, Hamilton Hill in accordance with the specifications of and to the satisfaction of the City of Cockburn ("the City"). The owner shall be responsible to pay for all costs of and incidental to the preparation of the easement, including all stamping and registration fees.

**FOOTNOTES**

1. The development is to comply with the requirements of the Building Code of Australia.
  2. In the event there are any questions regarding the requirements of this approval, or the planning controls applicable to the land and/or location, Council's Planning Services should be consulted.
- (2) issue a Schedule 9 Notice of Determination on Application for Planning Approval (inclusive of MRS Form 2 Notice of Approval);
- (3) advise the applicant of Council's decision accordingly.

**COUNCIL DECISION****Background**

ZONING:	MRS:	Urban
	TPS3	Local Reserves – Parks and recreation
LAND USE:	Local Reserve	
LOT SIZE:	1127m <sup>2</sup>	
USE CLASS:	Not relevant as is a Local Reserve	

- The subject land is situated on the eastern side of Redmond Road in close vicinity to the Healy Road intersection. A relatively large area of public open space is located to the east of the site and a smaller area of public open space is located directly south of the site. The location generally, is characterised by single residential development.
- Recommendation was made and passed by Council on 20 April 2004 to support the establishment of residential accommodation for the Multiple Sclerosis Society of Western Australia (MS Society) on a portion of Reserve 42381 on the corner of Redmond and Healy Roads. The balance of this reserve is used for the Jean Willis Centre.
- Consent was given at this same meeting to transfer the newly created land parcel from the City of Cockburn to the MS Society.
- A requirement of the above arrangement with the MS Society was that a peppercorn lease agreement be entered into for a period of

21 years for a portion of the adjoining Lot 100 Redmond Road for the development of car parking spaces and access.

## **Submission**

Application has been made to:

- Use the subject site for the purpose of a hostel for the MS Society in the form of 6 Single Bedroom Units plus shared facilities. The facility will be constructed of brick and will be single storey.
- Provide 9 car parking spaces for the development on a portion of the adjacent northeast neighbouring site, which is an existing drainage reserve owned by the City Of Cockburn.
- Vehicular access to the site is proposed off both Redmond Road and Ingram Street via existing access to the adjacent Jean Willis Centre (249 Healy Road).

As the car parking and access is located on a portion of Lot 100 Redmond Road (the existing drainage reserve) it is noted that the owner of Lot 3001 (MS Society) will be required to enter into an agreement with the owner of Lot 100 Redmond Road ("the City") to create an easement for car parking and access on the specific site. All costs of such an easement will be the responsibility of the MS Society.

## **Report**

The proposed 6 Single Bedroom Unit Development complies with the applicable requirements of the Residential Design Codes of Western Australia (R-Codes) concerning grouped dwellings and single bedroom dwellings, additionally the use is considered to be appropriate for this local reserve in reference to Town Planning Scheme No. 3.

### Single Bedroom Dwellings

The R-Codes require that single bedroom dwellings have a maximum plot ratio floor area of 60sqm. The proposed dwellings each have a floor area of 56sqm.

### Open Space

Open Space provisions are deemed to meet R-Code requirements. Private open space is proposed as part of each dwelling and additional communal open spaces are provided throughout the development. Furthermore public open space is provided immediately adjacent to the site.

### Car Parking

The R-codes require 1 car space to be provided per single bedroom dwelling and visitors car spaces at the rate of one per four dwellings. This development is compliant with 9 car spaces proposed.

### Storage

A 25sqm storage room is proposed to be located on the rear north-western boundary of the site. The R-Codes generally require each dwelling to have a separate lockable storage area of at least 4sqm however performance criteria of the R-Codes permits variations to this storage requirement where it is considered alternative storage arrangements are adequate for the needs of the residents. Given the potential restricted mobility of the residents it is considered that the proposed storage facility will be adequate to their needs.

### Use and Development of Local Reserves

Clause 3.4.2 of the TPS3 states that determination of an application for planning approval in a local reserve must consider the ultimate purpose intended for the reserve and other matters set out in clause 10.2. The site is a local reserve primarily set aside for parks and recreation hence the ultimate purpose of the reserve should reflect this. However the following matters, discussed in clause 10.2 of the TPS3, give evidence that the proposed use of the reserve by The Multiple Sclerosis Society of Western Australia can be supported.

The site abuts an existing aged care centre, which is similarly located on the local reserve. The proposed development would be entirely compatible to this existing use. The proposed hostel will house 6 mobility impaired tenants and employ a very small staff of full time workers furthermore it is expected that some visitors will frequent the hostel. Accordingly it is not considered there will be a significant traffic volume generated from the development.

The compatibility of the use to the area and the low traffic volume expected to be generated by the development contribute to the preservation of the social issues and amenity of the local area. Furthermore the visual appearance of the hostel will not disturb the amenity of the neighbourhood as it is in keeping with the general single storey brick character of the area.

As the proposed use and development of the Reserve is for purposes other than what the land is reserved for, consultation of several local property owners (those adjacent to the subject land) was undertaken. At the close of the consultation period, no submissions were received.

## Recommendation

That Council conditionally approve the application for 6 single bedroom units plus shared facilities for use by the Multiple Sclerosis Society of Western Australia on Lot 3001 Redmond Road, Hamilton Hill.

## **Strategic Plan/Policy Implications**

### ***Demographic Planning***

- *To ensure development will enhance the levels of amenity currently enjoyed by the community.*

### ***Lifestyle and Aspiration Achievement***

- *To identify community needs, aspirations, expectations and priorities for services that are required to meet the changing demographics of the district.*

The Planning Policies which apply to this item are:-

APD17	Standard Development Conditions and Footnotes
APD32	Residential Design Codes
APD33	Town Planning Scheme No. 3 Provisions

## **Budget/Financial Implications**

In the event an application for review to the State Administrative Tribunal arises in respect of any of the conditions proposed to be imposed on approval, there may be a cost to be borne by Council.

## **Legal Implications**

Town Planning Scheme No 3  
Residential Design Codes 2002  
Planning and Development Act 2005

## **Community Consultation**

*Adjoining owners and adjacent owners were consulted in respect of the proposal. No objections were received.*

## **Attachment(s)**

- (1) Location Plan
- (2) Site plan, floor plans and elevations.

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

The proponent has been advised that this matter is to be considered at the 12 April 2007 Council Meeting.

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

Nil.

**14.12 (OCM 12/04/2007) - SOUTH BEACH SUBDIVISION CLEARANCE STAGE 2 - SOIL CLASSIFICATION - OWNER/APPLICANT: STOCKLAND - LOTS 352-365 BREAKSEA DRIVE, NORTH COOGEE (121958) (SDS) (ATTACH)**

**RECOMMENDATION**

That Council:

(1) Support the request to reclassify Lots 352 to 365 (inclusive) Breaksea Drive within the South Beach Estate with a partial soil classification of 'P' under AS2870-1996 on the basis of the Coffey Geotechnics Report titled "*South Beach Village Redevelopment – Stockland South Beach Pty Ltd, Lot 100 Rollinson Road, South Beach*", subject to:

1. Satisfactory compliance with all other conditions of Western Australian Planning Commission Subdivision Approval (WAPC Ref: 121958) for Lot 100 Rollinson Road, North Coogee dated 14 January 2004.

2. A notification under Section 70A of the Transfer of Land Act being prepared in the form below and lodged with the Registrar of Titles Office on the Certificate of Title of all lots for endorsement of development works. This Notification affects 14 lots and is to be sufficient to alert prospective purchasers of the geotechnical investigation and site classification including building and site construction requirements. The Notification should (at the cost of the applicant) state as follows:

"A 4.0m wide portion of land along the full length of the rear (rear) boundary is classified 'P' under AS2870 – 1996, because of the presence of loose soils within the soil profile along the eastern boundary, which could lead to unacceptable settlement for a residential structure located in close proximity to these loose soils if not addressed by adequate engineering. Foundations for a 'P' classification must be designed by a suitably qualified Geotechnical Engineer taking into account the conditions that have resulted in this classification. These requirements can result in additional development costs. It is recommended that structures within the remainder of the Lot (the area not classified 'P') be designed with foundation systems and to allow structural movement of

the magnitude equivalent to a residence constructed with an 'S' classification foundation under AS2870-1996."

3. A letter of support being provided by the City of Fremantle for the edge filling that has occurred beyond the subdivision into the former South Fremantle Tip site, or alternatively, the removal of the fill and an engineering solution being provided (also subject to the support and/or approval of the City of Fremantle).
4. The applicant obtaining certification from a suitably qualified structural engineer to certify the structural integrity of the existing estate wall/retaining wall.

(2) advise Stockland of the Council's decision accordingly.

## COUNCIL DECISION

### Background

At its meeting on the 8 February 2007, Council granted support to re-classify Lots 338 to 351 (inclusive) Breaksea Drive with a revised soil classification. The applicant at that time had requested subdivision clearance of the balance of the lots along Breaksea Drive due to ongoing discussions between Coffey Geosciences, van der Meer Consulting Engineers and the City regarding geotechnical issues on some of the lots. As a number of the affected lots are under Contract of Sale, the applicant has requested Council's consideration of the soil classification for the balance of these lots, Lots 352 to 365 (inclusive) Breaksea Drive.

### Submission

The applicant has sought Council's approval in a letter dated 19 February 2007 to classify the rear 4 metres of lots 352 to 365 inclusive along the eastern boundary of Breaksea Drive, which abut the former South Fremantle Tip site.

A geotechnical report has been prepared which identifies the setback of residences from the eastern boundary to reduce the risk the presence of unsuitable material will have on proposed structures.

*“In addition it is recommended that structures along this eastern boundary be designed with foundation systems and to allow structural movement of the magnitude equivalent to a residence constructed with an “S” classification foundation under AS2870-1996. A setback of 4m is proposed along the full length of this boundary. In selecting this set back distance, we have given consideration to the following: -*

- The base of the natural sand may therefore intersect the slope of the former tip site at nominally between 7m AHD (northern end of boundary line) and 9m AHD (middle of the boundary line). The pre-earthworks survey shows this intersection line would generally be along the alignment of the boundary line.*
- The proposed building set back will be more than 6m west of the line of CPT testing etc.*

*In order to provide a mechanism to regulate any proposed building access the 4m setback line, it is proposed the strip of land between this line and the building line be classified ‘P’ under AS2870-1996. A ‘P’ classification does not preclude construction. However foundations for structures built into an area classified ‘P’ would need to be designed by a competent geotechnical engineer.”*

The removal of uncontrolled fill within the former tip site that impacts on the zone of influence of building footings was ruled out as an option. This is due to the excavation required, which would encroach a significant distance into the former South Fremantle tip site. This option cannot be considered as a result of environmental/health issues.

Other engineering options were considered but these would require the removal of the boundary wall. The cost of works and practicality meant that sheet piling is not an option.

The lot classifications are proposed based on the above, as follows:-

Lots 352 to 365 – Assigned a building setback, and “P” classification, to a 4m wide strip along the rear of all Lots (adjacent the development eastern boundary). Site classification for the balance of these lots is “S”

A copy of the applicant’s full submission should be read in conjunction with this report and is contained in the agenda attachments.

## **Report**

### **Geotechnical Investigations**

Lots 352 to 365 which include 14 lots along the eastern boundary to the former South Fremantle Tip site have a ‘P’ or “Poor” classification for residential development based on Australian Standard 2870 - 1996. Council’s Filling of Land Policy APD35 does not accept class ‘P’, ‘H’



and 'E' sites, which are required to be fully remediated to enable building construction based upon Class 'A', Class 'S' or Class 'M' standards. Ordinarily the City would not favour a 'P' classification, as prospective purchasers are disadvantaged and forced to bear the costs associated with foundation design.

The applicant's Geotechnical Engineer in a report dated 15 December 2006 advised that development should be excluded from within 4.0 metres of the eastern boundary to the former South Fremantle Tip site. The 'P' classification within this area still means that the majority of the land can still be developed.

Accordingly, full remediation of the site is not required given that other engineering solutions can be applied to ensure that the site is acceptable for residential development.

### Recommendation

Based on the geotechnical advice that the applicant has obtained, that indicates the site can be developed for residential development with the engineering design solution, it is recommended that the request to reclassify the subject lots be conditionally supported.

## **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.*

### ***Lifestyle and Aspiration Achievement***

- *To conserve the character and historic value of the human and built environment.*

The Planning Policies which apply to this item are:-

APD17	Standard Development Conditions and Footnotes
APD30	Road Reserve and Pavement Standards
APD35	Filling Of Land

## **Budget/Financial Implications**

N/A

## **Legal Implications**

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

**Community Consultation**

N/A

**Attachment(s)**

- (1) Location Plan
- (2) Applicant's letter of request
- (3) Site Plan

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

The Proponent(s) have been advised that this matter is to be considered at the 12 April 2007 Council Meeting.

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

Nil.

**14.13 (OCM 12/04/2007) - ADOPTION OF COCKBURN CENTRAL TOWN CENTRE PARKING STRATEGY - VARIOUS LOTS - NORTH LAKE ROAD, BEELIAR DRIVE, JANDAKOT - OWNER: LANDCORP - APPLICANT: CITY OF COCKBURN (9629B) (RD) (ATTACH)**

**RECOMMENDATION**  
That Council:

- (1) receive the report;
- (2) pursuant to clause 2.5 of Town Planning Scheme No. 3, adopt Draft Cockburn Central Town Centre Parking Strategy for the purpose of advertising;
- (3) advise the landowner of Council's decision accordingly; and
- (4) require City's Strategic Planning Services to prepare a submission for consideration for funding on the 2007/08 budget to engage consultants to prepare preliminary designs and cost estimates for a multi-level public carpark on Lot 10 Cockburn Central.

**COUNCIL DECISION**

## Background

ZONING:	MRS:	Urban
	TPS3:	Regional Centre Development Area 23
LAND USE:	Vacant – subdivision work completed	
LOT SIZE:	Various	

The Cockburn Central Town Centre comprises the core of the Cockburn Central Regional Centre (previously Thomsons Lake Regional Centre as identified under the Metropolitan Centres Policy). It is situated immediately to the west of the Cockburn Central Rail Station (see Appendix 1).

Cockburn Central Town Centre is expected to become a showcase of Transit Orientated Development (TOD) to promote sustainable development in the region and wider Metropolitan area. One of the significant aspects of a TOD is that provision for car parking must be appropriate. Applying current non-TOD standards for car parking provision will likely encourage the use of private vehicles, which does not promote sustainability initiatives and the objectives of a TOD. On the other hand, under-supplying car parking facilities will reduce the accessibility of private vehicles to the site and hence is likely to reduce the marketability of the development lots. Therefore, a balanced car parking strategy is essential to guide the development of the Cockburn Central Town Centre, along with the Cockburn Central Town Centre Structure Plan and Detailed Area Plans.

## Report

For the purposes of obtaining reasonably accurate and balanced car parking standards for the Cockburn Central Town Centre, the City engaged consultants to carry out the following studies (also mentioned in the Draft Cockburn Central Town Centre Parking Strategy):

- Cockburn Central: Parking Review for Proposed Subdivision (Final Report October 2005) by Bruce Aulabaugh, Traffic Engineering, Transport Planning; and
- Cockburn Central – Subdivision Assessment from a Car Parking Perspective (September 2005) by Shrapnel Urban Planning.

These two studies analysed other areas including East Perth, Subiaco redevelopments as part of the process of determining appropriate standards for Cockburn Central Town Centre. The Draft Cockburn Central Town Centre Parking Strategy (the Draft Strategy, Appendix 2 refers) has been developed from the above two studies incorporating the City's additional initiatives for car parking provisions and management.

### Car Parking Provisions for Cockburn Central Town Centre

The Draft Strategy recommends the following minimum car parking provisions:

<u>Residential:</u>	1 car bay per dwelling unit, plus visitor parking 10% residential parking requirement
<u>Showroom:</u>	2 bays per 100m <sup>2</sup> GFA (Gross Floor Area).
<u>Retail:</u>	4 bays per 100m <sup>2</sup> GFA.
<u>Office:</u>	2.5 bays per 100m <sup>2</sup> GFA.
<u>Mixed Use:</u>	3 bays per 100m <sup>2</sup> GFA.
<u>Convertible Units:</u>	1 bay per unit.
<u>Service bay provision:</u>	2 bays per development (or per super lot).

Residential car parking standard has been discounted from 2 bays (required by R Codes) to 1 bay per dwelling unit. This has taken consideration that Cockburn Central Town Centre is a TOD and the residents are encouraged to use public transport which is available in close proximity. This is also to differentiate residential parking requirements for TOD and non-TOD related land.

Showroom car parking standard is basically consistent with the City's Scheme provisions with the exception of delivery bay requirement which is not required by the Draft Strategy. The delivery bay requirement has been replaced by the service bay provision which is 2 bays per development (or per super lot) in the Draft Strategy. Recent information from LandCorp indicates that it is less likely that Australand (the developer) will develop showrooms within the Town Centre, due to marketability reasons.

The car parking standards for Retail (4 bays/100m<sup>2</sup> GFA) and Office (2.5 bays/100m<sup>2</sup> GFA) are considered appropriate by the two abovementioned studies based on the Subiaco Redevelopment Authority (SRA) parking ratios.

"Mixed Use" is not defined in the City's Town Planning Scheme No. 3 and therefore it is essential for the Draft Strategy to provide the parking standards for this Mixed Use. Generally speaking, "Mixed Use" allows for a range of land uses such as retail, offices and other types of uses. Accordingly, the car parking standards for Mixed Use should be reasonably close to the ones for Retail and Office, which justifies 3 bays per 100m<sup>2</sup>.

In accordance with the approved Structure Plan and the Design Guidelines there will be a number of ground floor residential units being designed as convertible units in order to enhance the opportunities for more commercial activities happening within the streets of the Cockburn Central Town Centre. The cost of providing the additional parking bay probably would discourage future landowner/tenant(s) from

converting these units to commercial uses, which would be contrary to the intent for the area of creating a vibrant Town Centre.

Given that any development incorporating these convertible units is likely to be initially constructed on the basis that these units will be residential, any conversion from residential to commercial is likely to warrant the provision of additional carparking bays. As the overall site (super lot) will have been already fully developed the only available option would be to require the applicant to provide a 'cash-in-lieu' payment when they applied for a conversion of the use.

The only alternatives would be to either require the provision of additional carparking 'upfront' (at the time of the initial development) on the basis that these units may be potentially converted to commercial uses or to waive the requirement for additional parking to be provided at the time of the conversion. The first alternative would unfairly penalise a developer in that a number of these convertible units may never change to commercial uses and therefore would unreasonably restrict the number of residential units provided. The second alternative would probably result in a shortfall of available parking within the Town Centre. It should however be acknowledged that this shortfall would be relatively minimal as any conversions would occur gradually over a period of time. Any shortfall could be accommodated by a combination of timed on-street parking and the provision of a multi-level public carpark (proposed to be constructed on Lot 10).

The provision of service car bays is considered necessary for parking service vehicles on the sites (service vehicles may include vehicles such as for tradesmen, cleaners and removalists). This provision will replace the provision of delivery bays required by the Scheme, which has not been addressed by the two abovementioned studies.

#### Cash-in-Lieu Car Parking

As mentioned in the Draft Strategy, cash-in-lieu of parking will be required where site constraints prevent the construction of required (or additional) onsite parking. Any cash-in-lieu received will be applied as per Town Planning Scheme requirements (Clause 5.9.6) for the construction of public car parking facility.

Clause 5.9.6 (a) states:

- (i) *a cash-in-lieu payment shall be not less than the estimated cost to the owner of providing and constructing the car parking spaces required by the Scheme, plus the value, as estimated by a licensed valuer appointed by the local government, of that area of land which would have been occupied by the parking spaces and manoeuvring area;*

- (ii) *the local government having either provided, or having made firm proposals for providing a public car parking station in the vicinity of the land the subject of the application, before the local government agrees to accept a cash payment in lieu of the provision of car parking Spaces;*

The above clause suggests that the cash-in-lieu arrangement is to be dealt with on a case to case basis, in which the estimated cost of providing and constructing the car parking spaces should be provided by the owner, plus the value of the land estimated by a licensed valuer appointed by the City. Furthermore, this cash-in-lieu arrangement cannot be carried out until the City has provided, or has made firm proposals for providing a public carpark in the vicinity. Hence, a recommendation should be made to require the City's Strategic Planning Services to engage consultants to prepare preliminary designs and cost estimates for a multi-level public carpark on Lot 10 Cockburn Central, for the purpose of being able to carry out any cash-in-lieu arrangements. This should be treated as a matter of urgency, as the City may not be able to proceed with a possible cash-in-lieu arrangement with Australand's development applications due to the lack of a "firm proposal" for the multi-level carpark in place according to Clause 5.9.6.

Notwithstanding the abovementioned of which the cash-in-lieu arrangement should be dealt on a case to case basis, the City's Strategic Planning Services has carried out a preliminary cash-in-lieu car parking analysis in order to provide some indicative figures as to how much would be cost for providing a parking bay (decked or at grade). The analysis (refer to Appendix 3) offers some cost comparisons between an at grade carpark and a multi-level decked carpark, as well as between different designs of multi-level decked carpark.

### Car Parking Management

Car parking management is a critical part of a car parking strategy, especially within a TOD like the Cockburn Central Town Centre. A careful and responsive car parking management strategy will enhance the efficiency and effective use of limited car parking spaces, encourage the use of public transport, and help in achieving the objectives of TOD. For these reasons, the Draft Strategy recommends time limits for on-street parking and public carparks to ensure that on-street parking and public carparks are used for short term parking purpose by customers and visitors, not be used for long term parking by commuters.

The current situation in the Cockburn Central Town Centre shows that there are a significant number of commuters using on-street parking to park their cars for a whole day when the PTA Park-n-Ride facilities are full. This indicates that on-street parking would be likely to be occupied

by the commuters in the future if there is no time restriction for those public parking spaces.

The Draft Strategy also recommends that ticket parking may be introduced at a later stage depending upon the future situation of car parking demand in the town centre. Ticket parking as a monetary measure, is often used in many city centres. To a large extent, ticket parking is a proven measure in effectively managing car parking within many city centres. The Draft Strategy once adopted, can still be reviewed at a later stage to include relevant ticket parking clauses incorporating with the Local Parking Laws.

### Community Consultation

It is recommended that the Draft Parking Strategy be adopted as a Local Planning Policy under Clauses 2.3-2.6 of the Scheme. Clause 2.5.1 requires the Draft Strategy to be advertised for no less than 21 days, with a public notice being placed in a local newspaper once a week, for 2 consecutive weeks. The landowner will also be invited to comment.

### Conclusion

Like any other transit orientated development, a car parking strategy is essential for the Cockburn Central Town Centre to tackle the car parking issues in order to guide developments and help achieving TOD objectives.

It is therefore recommended that the Council adopt the Draft Cockburn Central Town Centre Parking Strategy for the purpose of advertising.

## **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.*

### ***Transport Optimisation***

- *To ensure the City develops a transport network that provides maximum utility for its users, while minimizing environmental and social impacts.*
- *To achieve provision of an effective public transport system that provides maximum amenity, connectivity and integration for the community.*

The Planning Policies which apply to this item are:

APD32 Residential Design Codes  
APD33 Town Planning Scheme No. 3 Provisions

**Budget/Financial Implications**

Funding for the preparation of preliminary design and cost estimates for a multi-level carpark to be considered as part of the 2007/08 budget.

**Legal Implications**

Town Planning Scheme No. 3

**Community Consultation**

It is proposed that the Draft Strategy be adopted as a Local Planning Policy under Clauses 2.3-2.6 of the Scheme. Clause 2.5.1 requires the Draft Strategy to be advertised for no less than 21 days, with a public notice being placed in a local newspaper once a week, for 2 consecutive weeks. The landowner will also be invited to comment.

**Attachment(s)**

- (1) Site Plan
- (2) Draft Cockburn Central Town Centre Parking Strategy
- (3) Cockburn Central Cash in Lieu of Car Parking Analysis – July 2006

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

N/A

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

Nil.

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

**15.1 (OCM 12/04/2007) - LIST OF CREDITORS PAID - FEBRUARY 2007 (5605) (KL) (ATTACH)**

**RECOMMENDATION**

That Council receive the List of Creditors Paid for February 2007, as attached to the Agenda.



**COUNCIL DECISION****Background**

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

**Submission**

N/A

**Report**

N/A

**Strategic Plan/Policy Implications*****Governance Excellence***

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

**Budget/Financial Implications**

N/A

**Legal Implications**

N/A

**Community Consultation**

N/A

**Attachment(s)**

List of Creditors Paid - February 2007.

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

N/A

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

Nil.

**15.2 (OCM 12/04/2007) - STATEMENT OF FINANCIAL ACTIVITY - FEBRUARY 2007 (5505) (NM) (ATTACH)**

**RECOMMENDATION**

That Council receive the Statement of Financial Activity and associated reports for the period ended 28 February 2007, as attached to the Agenda.

**COUNCIL DECISION**

**Background**

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

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

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

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

**Submission**

N/A

**Report**

Attached to the Agenda is the Statement of Financial Activity for February 2007.

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

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

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

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

### Material Variance Threshold

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

For the 2005/06 financial year, Council had adopted a materiality threshold of 10% or \$10,000, whichever is the greater. There is a need to review this for the 2006/07 financial year. For this purpose, a Position Statement will be developed and submitted to a future DAPPS Committee meeting.

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

#### ***Governance Excellence***

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

### **Budget/Financial Implications**

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

### **Legal Implications**

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

### **Community Consultation**

N/A

**Attachment(s)**

Statement of Financial Activity and associated reports – February 2007.

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

N/A

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

Nil.

**15.3 (OCM 12/04/2007) - ELECTED MEMBERS ALLOWANCES - PRO-RATA PAYMENT DUE TO CHANGE OF ELECTION DATES (1335) (ATC)**

**RECOMMENDATION**

That Council authorises the pro-rata payment of the following allowances due to the change in election dates from May to October:

- (a) Elected Members Communication Allowance;
- (b) Elected Members Information Technology Allowance; and
- (c) Elected Members Conference and Seminars Allowance.

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

**COUNCIL DECISION**

**Background**

Local Government Election dates have been changed from May to October. Several allowances payable to Elected Members are made annually based on election dates.

**Submission**

N/A

## Report

Election dates for Local Governments were recently changed from May to October. The following allowances have been paid in May each year based on election dates:

- (a) Elected Members Communication Allowance
- (b) Elected Members Information Technology Allowance
- (c) Elected Members Conferences and Seminars Allowance

Payment of these allowances was made in May 2006. The change of election dates from May to October means that the next full year's allowance will be paid in October 2007. It is considered that Elected Members are entitled to a pro-rata payment of these allowances for the five-month period between May and October to cover their expenses for that period.

The policies in regard to the above allowances refer to annual payments only and did not take into account the unforeseen one-off change of election dates when the policies were prepared. While there is no reason to change the policies to reflect this once only event, Council's authority is sought to pay the pro-rata payment of allowances.

## Strategic Plan/Policy Implications

### ***Governance Excellence***

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

## Budget/Financial Implications

Funds are available in the current budget to pay these allowances. The additional requirements will be included in next year's budget.

## Legal Implications

N/A

## Community Consultation

N/A

## Attachment(s)

N/A

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

N/A

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

Nil.

**15.4 (OCM 12/04/2007) - PROPOSED CITY DATA AND VOICE NETWORK (1406) (AJC) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) agree to the construction of the proposed City Data and Voice Network; and
- (2) approve the transfer of \$800,000 from the Computer Reserve Fund to fund the development of the network as part of the 2007/2008 Budget.

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

**COUNCIL DECISION**

**Background**

In October 2006 the Manager of Information Services was tasked to review the City's Data Network, to assess whether it had the capability and capacity to handle the services and systems that are required by the City in the future.

This review demonstrated that the City's current data network has all buildings linked using low bandwidth ADSL connections through the City's Internet provider Up n Away, with the exception of the leased microwave link between the Administration Office and the Operations Centre. The current network does not enable the staff at all outstations to access the City's computer systems or PABX. The review also highlighted that the equipment (switches and routers), used to connect all of the buildings, are ageing and did not have the functionality to handle the City's future requirements.

A new network design was required to enable the City to develop a data and voice network, which will provide the capacity and functionality for the future along with providing redundancy and other business opportunities.

### **Submission**

Nil

### **Report**

The review has highlighted the major issues that the City faces with its current IT Network Infrastructure, which has evolved over the last 15 years. This network has met the City's needs over this period, but with the introduction of Broadband, Client/Server Systems and Voice & Data convergence, the network has reached the point where it no longer has the capacity or capability to provide the service that the City now requires.

As set out in the attached report, this information has led to the design of a network that puts the backbone in place to look after the needs of the City now, while also providing the building blocks for the opportunities that might arise in the future.

The network is built around the philosophy of redundant high speed wide bandwidth fibre cabling, between major points of presence (POP) within the Community, and then linking the smaller outstations back to one of these POP's with lower cost wide bandwidth microwave technology.

In December 2006 the City commenced the first part of this project when it laid its own fibre cable between the Operations Centre and Administration Office at a cost of \$300,000. The decision to proceed with the link resolved the problem of slow access speed being encountered by the Depot operations staff.

In the past, the City has designed and upgraded its network on an ad hoc basis. With the network design set out in the attached report, however, the City now has a blueprint to guide its decision making.

The capital cost of implementing the proposed network is estimated at \$800,000 with the work planned for the 2007/2008 financial year. Funds to implement the new network can be made available from the Computer Reserve Fund, which will have a balance of \$966,000 as at 30<sup>th</sup> June 2007. This Reserve Fund will not be required in the future as information technology equipment will be changed to a lease in the near future.

It is proposed that the annual operational expenditure of \$84,000 will not be required until near the end of the 2007/2008 or early 2008/2009 financial years.

Prior to undertaking this work the City will advertise for potential joint-venture development partners. This might reduce the net capital cost by undertaking work with another major fibre network builder. There might also be potential for the City to sell or lease surplus capacity on its existing fibre network.

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

#### ***Lifestyle and Aspiration Achievement***

- *To deliver our services and to manage resources in a way that is cost effective without compromising quality.*

#### ***Governance Excellence***

- *To maximise use of technology that contributes to the efficient delivery of Council's services.*

### **Budget/Financial Implications**

#### Capital outlay (\$800,000)

- \$400,000 to lay fibre between Coolbellup and Operations Centre
- \$50,000 to lay fibre between Youth Centre and Cockburn Central
- \$100,000 to build 10 microwave links (100MB) between each outstation and a major hub (10 buildings)
- \$250,000 for the City to upgrade its switching network

#### Operation expenditure (\$84,000)

- \$40,000 per year to link Cockburn Central to the City's network at a speed of 100MB
- \$20,000 per year to link Telstra's IP network (50MB) to the City for mobile computing and home traffic
- \$24,000 per year to link 10 mobile devices to connect to the City's network

Funds for the capital outlay will come from the Computer Reserve Fund. Operation expenditure will need to be made available in the annual Information Technology budget.

### **Legal Implications**

N/A

### **Community Consultation**

N/A



**Attachment(s)**

- (1) Report by Manager Information Services on "Proposed City Data and Voice Network".

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

N/A

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

N/A

**16. ENGINEERING AND WORKS DIVISION ISSUES****16.1 (OCM 12/04/2007) - ENHANCEMENT TO CLASS 2 AND 3 RESTRICTED ACCESS VEHICLE PERMIT NETWORK (4331) (IS)****RECOMMENDATION**

That Council advises Main Roads Western Australia it endorses the proposal for the enhancement of the Class 2 and 3 restricted access vehicle permit network to include the 27.5 tonne B Triple "long vehicle" to Networks 3 and 4, as previously conditionally approved by Council, on the condition that the length of these vehicles is not increased from the current 27.5 metres.

**COUNCIL DECISION****Background**

Main Roads WA initiated the Heavy Vehicle Access Permit (HVAP) as a means for improving the delivery of heavy vehicle access to industry, whilst still allowing for the safety of other road users and the preservation of the road asset.

In many instances the roads on which these types of vehicles are travelling are under the control of Local Government.

This issue has been ongoing since 2004 when the initial trial period was instigated and Main Roads WA requested endorsement from all local authorities in Western Australia to adopt a blanket Notice system

instead of the individual Permit system for restricted access vehicles to conditionally operate on a specified network of roads. Council conditionally endorsed the proposal (Minute No. 2596 OCM 19/10/2004) and excluded approval for the Notice system to operate on nominated, mainly residential roads. Since that time there has been only one enhancement that required a Council decision (Minute No. 3107) (OCM 09/03/2006) – Addition of Cockburn Road into the permit network.

It is considered that there will be further enhancements as time goes by to further improve the Notice system and enhance the network access for these vehicle types.

### **Submission**

A letter was received on 26 September 2006 from Main Roads Western Australia requesting the Council's endorsement for the enhancement of Class 2 and 3 Restricted Access Vehicle (RAV) period permits.

Main Roads now seeks the assistance of Local Government to further enhance the period permit by including additional classes of vehicles in the existing Network 3 and 4 roads. Currently the 27.5 metre pocket road train is permitted on Network 4 only.

### **Report**

While Main Roads considers that the 27.5 metre B Triple "long vehicle" will be of the same weight as the 27.5 metre pocket road train vehicle, it is the opinion of the City's professional officers that the Main Roads WA proposal will result in more axle/wheel loadings traversing the existing road network. This may have the probability of accelerating the surface wear of the asphalt on the Network 3 and 4 roads. It is also the opinion of the professional officers within the Engineering Division that the proposed usage may be permitted as long as the length of these vehicle classes is NOT increased.

Approximately 28% of the City of Cockburn rates revenue is derived from commercial and industrial properties. This indicates there will be a high proportion of heavy vehicle traffic on the roads leading to and from these commercial/industrial areas plus the vehicles passing through the City to reach other areas outside the City boundaries, thus requiring a greater need to ensure the roads are safe for all users.

With this in mind it may be necessary for the City to investigate the pavement design of the roads within the Network 3 and 4 category to ensure they will withstand the extra axle/wheel loadings that will result from this action by Main Roads Western Australia.

## **Strategic Plan/Policy Implications**

### ***Transport Optimisation***

- *To ensure the City develops a transport network that provides maximum utility for its users, while minimizing environmental and social impacts.*

## **Budget/Financial Implications**

It is expected there will be a requirement for further funding being allocated for the rehabilitation of the roads that are included with the Network 3 and 4 category to ensure the pavement thickness will be capable of taking the extra punishment that will arise from future years of these heavy vehicles using the network as our commercial and industrial premises grow within the City boundaries and externally of the City of Cockburn as vehicles pass through.

## **Legal Implications**

If the road pavement does not withstand the extra tyre/axle/wheels of these heavy vehicles, there may well be legal ramifications from other roads users when they encounter any deterioration of the road pavement surface resulting in property damage or personal injury.

## **Community Consultation**

N/A.

## **Attachment(s)**

Nil.

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

The Proponent(s) have been advised that this matter is to be considered at the 12 April 2007 Council Meeting.

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

Nil.

**16.2 (OCM 12/04/2007) - NORTH COOGEE FORESHORE MANAGEMENT PLAN (FMP) (9523) (JS) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) advertise the draft *North Coogee Foreshore Management Plan* for public consultation for a period closing sixty (60) days from the date of advertisement;
- (2) refer the draft *North Coogee Foreshore Management Plan* to the Department for Planning and Infrastructure and Heritage Council of Western Australia for their review and comment.
- (3) write a letter of support for Ecoscape Australia to undertake consultation through a Section 18 application under the *Aboriginal Heritage Act (1972) WA*;
- (4) receive a further report to consider recommendations of final amendment to the *North Coogee Foreshore Management Plan* and adoption by Council.

**COUNCIL DECISION**

**Background**

This report pertains to the ocean foreshore beach and dunes of C.Y. O'Connor reserve lots 2064 Robb Road and the northern portions of lots 24787R McTaggart Cove and 44945R Bennet Avenue, North Coogee :

- Between the Island Street groyne, South Beach at the boundary with the City of Fremantle;
- South to Catherine Point groyne;
- From the low water mark on the western edge and the railway line on the eastern edge; and
- To the western edge of Lot 1815 Island Street, the former ANI Bradken foundry (ANI) and associated public open space (POS) lot portions.

In January 2004, development proponents Stockland and LandCorp initiated the South Beach residential development in South Fremantle and North Coogee, within the municipalities of Cockburn and

Fremantle. It is a requirement for the rezoning of the land under the Metropolitan Region Scheme (MRS), that a Foreshore Management Plan (FMP) be prepared and implemented.

Much of the dunes and foreshore in this location were previously industrial use land. A number of important studies and investigations of the marine and dune environment have been commissioned by stakeholders. Local residents have enjoyed access to a secluded beach for walking, swimming and animal exercise. With the onset of new residential development, a greater number of local residents will be utilising the coastal foreshore for a range of recreational pursuits. The City recognised the need to address these social values and provide for community health and safety, whilst respecting and preserving the cultural and environmental integrity of the coastal edge.

### Catherine Point Groyne Extension

(Refer Min. No. 3410 of OCM 8/3/2007)

In 2006 the City engaged MP Rogers and Associates (MPA) to report on the coastal processes affecting this portion of beach and make recommendations for stabilising the retreating foreshore. MPA presented modelling data, methods of investigation and findings to make a recommendation for an initial 30m extension and reconstruction of the existing Catherine Point groyne.

It is important to consider the MPA report and recommendations in light of the master planning outcomes recommended in the draft FMP. The groyne proposal was presented separately to the Council Meeting of 8 March 2007, because it is subject to approval processes and budget considerations that vary from the FMP.

### C.Y O'Connor Beach Northern Dunes Rehabilitation Project

In November 2006, the City made application to the Environmental Protection Authority (EPA) under Section 38 (1) of the *Environmental Protection Act 1986*, for consideration of recommendations for rehabilitation of a contaminated section of coastal dunes immediately west of the ANI site. The site has been subjected to dumping of rubble, building and demolition type wastes from the adjacent industry operations, and to periods of coastal erosion. ENV Australia undertook an extensive investigation and found contamination levels to not be of a health risk to humans, but may be of an environmental risk to sedentary or localised organisms, as detailed in *Site Assessment and Management Plan, CY O'Connor Beach Dunes North Coogee* (ENV, November 2006). The presence of exposed rubble may also pose a risk to humans using the beach. The proposal is broadly to remove rubbish from the fill within the dunes and rework and cover the dune face with imported clean beach sand. The dune face will then be treated in accordance with the FMP and landscaped with native

species. A development application detailing final grades landscape treatments will be prepared in accordance with the FMP and referred to the City and DPI for their consideration.

### Improvement Plan 33

In May 2006 the Western Australian Planning Commission (WAPC) established a Cockburn Coastal planning committee to consider planning development in preparation of a district structure plan (DSP) to facilitate urban development from industrial lands in North Coogee and parts of South Fremantle. The committee address district transport, land use, environmental and community development, and provide for proper negotiated outcomes with existing land owners. The project referred to as *Improvement Plan 33* (IP33), lies immediately south and east of the FMP study area, including this section of foreshore and land holdings south to Port Coogee, north of the railway line through Spearwood, to approximately Island and Healy Streets and to the eastern most boundary of Beeliar Regional Park including Manning Park. It is anticipated that a DSP will be advertised for comment towards in the latter part of 2007.

The IP33 committee has representation from the City of Cockburn and kept a watching brief with the working group formed to progress the North Coogee FMP. Advice regarding conceptual and technical matters were exchanged between the two groups to ensure that anticipated outcomes are aligned.

### FMP Working Group

The City of Cockburn initiated FMP working group was formed with City of Fremantle, LandCorp and Stockland representation in June 2006 to identify values, constraints and opportunities and issue a brief to appoint a consultant to prepare the FMP document. The group set out aims, initiated investigations and sought approvals to address contaminated sites, beach stabilisation, safety and access, environmental, social and amenity enhancements. Regular weekly meetings were held and specialist consultants and representatives attended to provide advice. Timelines and estimates were scheduled for stakeholder consideration and coordination of this multi-faceted project.

### **Submission**

The draft FMP report has been completed by landscape and environmental consultants Ecoscape ready for Council consideration and issue to the DPI and advertised for public for comment over a period of 60 days. Subsequent to considering comments and advice received from that advertising period, the City will then consider the final FMP for adoption as policy for ongoing coordinated development of this portion of the North Coogee Foreshore.

## Report

The draft FMP design is aimed at enhancing the site's natural, cultural and social values to deliver a unique place, tolerant to the intended uses. The coastal fringe affords views and access to an ocean environment calmed by island, reef and remnant vegetated features. The objective is to respect and enhance natural processes, undertake proper management and encourage recreational access.

The document details the planning and environmental context, biophysical and social environments. A concept plan broadly sets out the site planning, access and circulation, recreation nodes, furniture and structures. Strategies are provided for managing weeds, erosion, pests and fire, ecological restoration, education, interpreting cultural heritage, access and recreation. An implementation program detailing staging, estimated costs and funding sources provides for implementation of the FMP.

### Ethnographic investigation

This reserve area is subject to further consideration with regard to Aboriginal and European cultural heritage register listings. It is proposed that the draft FMP be forwarded to the Heritage Council of Western Australia for their review and comment. Ecoscape on behalf of the City of Cockburn and the West Australian Planning Commission, will also submit an application under Section 18 of the Aboriginal Heritage Act (1972) WA, to gain advice regarding Aboriginal significance for the site and appropriate recommendations for the final FMP.

### Report recommendations

A schedule of draft recommendations is provided as Attachment 1 for Council consideration. Comments and questions from Elected Members should be referred to the Director for Engineering Services, for proper response, record keeping, collation and final plan amendment.

### Implementation Stages

The stages for development relate to commitments for implementation of works by adjacent development proponents Stockland and LandCorp. In addition, the order of works also relates to timing of the Catherine Point Groyne extension, remediation works associated with the previous foundry operations of the former ANI Bradken site (ANI) and to a lesser extent the former smelter operations from Lot 10 Rollinson Road.

The City made an agreement with the ANI site development proponents, Stockland, for the City to accept disposal of Class 1 fill at the Henderson landfill site in exchange for earthworks and dust management works to the dune area adjacent to the ANI site. This arrangement provides for economies of scale and coordination of works for integrating the treatment of the ANI apartment development and associated dune area. Undertaking contiguous works also allows for better management of any nuisance to surrounding residences and businesses. Stockland are near completion of the remediation of the former ANI site ready for apartment construction beginning this year. Landscape and rehabilitation works to the dunes immediately west of the ANI site can be undertaken at completion of the remediation works.

Previous initial desktop and investigative assessments of the dunes from Island Street to Catherine Point groynes suggest that some contamination may have occurred as a result of landfill activities and past smelter works in the area of the crown reserve between the southern end of the ANI site, the railway and Rollinson Road car park. This area is outside of previous detailed risk assessment investigations and may require further consideration for the staging and nature of foreshore development works. For the interim, an acceptable treatment may be to retain existing vegetation, add fill in suitable locations and keep irrigation to a minimum to reduce leaching of any possible soil contaminants into groundwater.

The FMP have been in constant dialogue regarding commitments to various parts of this complex project. Further discussions and formal agreement allocating responsibilities for implementation of the FMP by Stockland, LandCorp, the Cities of Fremantle and Cockburn require completion. Consideration should also be given to amendment to the City's Town Planning Scheme to facilitate proper foreshore treatment adjacent to the IP33 area as an outcome of the impending district structure plan. It is essential that officers secure agreements with Stockland and LandCorp with regard to the FMP area prior to adoption of the final FMP.

## **Strategic Plan/Policy Implications**

### ***Infrastructure Development***

- *TO construct and maintain parks and bushland reserves that are convenient and safe for public use, and do not compromise environmental management..*

## **Budget/Financial Implications**

The Stage 1 works is an outcome of the ANI apartment construction and the costs will be borne by the developers. The FMP does identify costs for the City, however the extent of these costs has not yet been quantified. The 2007/08 Budget will identify an allocation of approximately \$100,000 to enable irrigation and park development



work to commence. Additional allocations will be considered in subsequent years.

### **Legal Implications**

Nil.

### **Community Consultation**

Community input was facilitated through an open invitation workshop held 18<sup>th</sup> December 2006. The workshop and outcomes are detailed in Appendices Six and Seven of the FMP.

Copies of these documents are available in the City Libraries:

- Ecoscape (Australia), *North Coogee Foreshore Management Plan* (March 2007)
- ENV Australia, *Site Assessment and Management Plan, CY O'Connor Beach Dunes North Coogee* (November 2006).
- M.P. Rogers and Associates, *South Beach Coastal Processes: Catherine Point Sediment Movement (November 2006) and South Beach Coastal Processes: Monitoring Review (February 2007)* bound into one volume.

### **Attachments**

- (1) North Coogee Foreshore Concept Plan
- (2) North Coogee Foreshore Concept Sections
- (3) North Coogee Foreshore Management Plan Recommendations
- (4) North Coogee Foreshore Staging Plan
- (5) North Coogee Foreshore Management Concept – opinion of probable costs

A copy of the draft North Coogee Foreshore Management Plan is available for viewing, with the Assistant to the Elected Members.

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

The Applicant(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 12 April 2007 Council Meeting.

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

Nil.

**17. COMMUNITY SERVICES DIVISION ISSUES**

**17.1 (OCM 12/04/2007) - PROPOSED FEES AND CHARGES FOR SOUTH LAKE LEISURE CENTRE 2007/08 (SH) (8143)**

**RECOMMENDATION**

That Council

- (1) adopt the proposed fees and charges for South Lake Leisure Centre for the 2007/2008 financial year;
- (2) apply new charges from the July 1<sup>st</sup> 2007; and
- (3) give local public notice of the fees and charges in accordance with sec. 6.19 of the Local Government Act, 1995.

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

**COUNCIL DECISION**

**Background**

The South Lake Leisure Centre is the City of Cockburn's premier recreation venue. The Centre has calculated a general price increase based on the increasing costs to provide services and also being cognisant of the need for a competitive price structure in the market place.

**Submission**

N/A

**Report**

In preparing the price recommendations for the 2007/2008 financial year, the addition of a voucher system for use of the Gym facilities was considered. The Centre generates approximately \$21,000 per year from casual gym entry. This equates to approximately 1900 casual gym visits per year. Proportionally, casual entry prices have increased significantly more than membership prices each year. The aim of this is to encourage customers to purchase Gym memberships, which provide increased value and benefits to other centres.

Given that the user of the casual entry are averse to committing for extended periods, a voucher system for Gym entry is expected to see

casual attendance increase marginally. Based on the standard voucher system used for other services at the Centre, customers would purchase ten visits for the price of nine. Vouchers would appeal to those customers who are not willing to commit to a membership term and who use the facilities infrequently but want to save money on their attendance. Given the proposed casual fee, the 10-voucher price would be \$112.50, 58% more expensive than the 1-month 1-option membership price

Given the large investment in improving the gym facilities in 2005, the Centre has adopted a strategy that focuses on commercialisation of the membership packages. This strategy aims at increasing the membership of the Centre and through this generating more usage and higher income. Given that participants should undertake regular exercise, the membership packages are structured to encourage patrons to sign up for longer terms and exercise more regularly, increasing their benefits from exercising. The Centre tailors packages to the members needs so each member can select the most suitable time period and facilities to use. Customers who purchase a membership with a Gym option are provided with an assessment and personalised workout program as part of their membership.

The introduction of a voucher system will add another option to the current structure. The likely result is that some customers who would purchase a membership will instead buy vouchers. They will be encouraged to exercise less regularly because the vouchers do not have a use by date and do not provide increased value for increased usage. They will also receive an inferior service because they are not provided with an appraisal and workout. Further, new customers, particularly those who have not used Gym facilities previously, will not be provided with an opportunity to learn how to use the equipment safely. As such, the introduction of vouchers will result in reduced member numbers, reduced income, inferior service delivery and greater risk of customer injury. Given these issues, it is recommended that a voucher system for gym usage not be introduced to the existing pricing structure.

The pricing structure for South Lake Leisure Centre caters for all services, offering a variety of payment options for many services. The current and proposed pricing structure for the Centre is as follows.

In general the room hire fees have not been recommended for an increase in the next financial year, with the exception of the Sports Stadium Day fee. The fees for most of these items are already viewed as being at the top end of the price range when compared to other Leisure Centres, and are significantly higher than like facilities in the Cockburn area. Any increase in fees is likely to reduce the number of bookings in these rooms and result in a net decrease in income.

The Senior Team Registration fees for both morning and evening competitions have stayed the same due to the competitive pricing of other sports competitions in the local area. There are two components to the competition pricing, the Team registration fees and the weekly game fees. Given the pricing structures of other competitions in the area, it is recommended that only the weekly game fees be increased, while the registration fees be held constant.

	Current fee	Proposed Fee	Plus GST	Total Fee
<b>Room Hire</b>				
Recreation Room Day (until 5 pm)	18.50	16.82	1.68	18.50
Recreation Room Evening (after 5pm)	27.50	25.00	2.50	27.50
Recreation Room Bond	220.00	200.00	20.00	220.00
Sports Stadium Day	28.00	26.36	2.64	29.00
Sports Stadium Evening (after 5pm)	35.00	31.82	3.18	35.00
Sports Stadium Bond	550.00	500.00	50.00	550.00
Crèche / Studio 2	14.00	12.73	1.27	14.00
Youth Room Day	18.50	16.82	1.68	18.50
Youth Room Evening (after 5pm)	21.00	19.09	1.91	21.00
Equipment Hire per item (Tables, chairs (10), sporting equipment)	3.00	2.73	0.27	3.00
<b>Swimming Lessons</b>				
Adult Swimming Lesson (up front payment)	105.00	110.00	0.00	110.00
Preschool Swimming Lesson (up front)	100.00	105.00	0.00	105.00
School age GST free (up front)	100.00	105.00	0.00	105.00
Parent – Child Lessons	100.00	95.45	9.55	105.00
Individual Lesson – 15 minute (up front)	150.00	165.00	0.00	165.00
Casual Lesson	18.00	18.18	1.82	20.00

<b>Aquatics</b>				
Adult entry	4.00	3.82	0.38	4.20
Adult combined	6.60	6.27	0.63	6.90
Student Entry	3.00	2.91	0.29	3.20
Student combined	4.90	4.73	0.47	5.20
Pensioner entry	2.70	2.64	0.26	2.90
Spectator	1.70	1.64	0.16	1.80
School entry	1.80	1.77	0.18	1.95
Vacation 1 child	39.40	38.18	3.82	42.00
Vacation 2 children	65.10	63.09	6.31	69.40
Vac 3 children	90.60	87.82	8.78	96.60
Vac 4 children	116.40	112.91	11.29	124.20
Vac 5 children	139.60	135.36	13.54	148.90
Vac 6 children	161.50	156.55	15.65	172.20
Adult 10	36.00	34.36	3.44	37.80
Adult 20	72.00	68.73	6.87	75.60
Adult 50	172.20	164.18	16.42	180.60
Student 10	27.00	26.18	2.62	28.80
Student 20	54.00	52.36	5.24	57.60

	<b>Current fee</b>	<b>Proposed Fee</b>	<b>Plus GST</b>	<b>Total Fee</b>
Student 50	127.90	125.09	12.51	137.60
Pensioner 10	24.30	23.73	2.37	26.10
Pensioner 20	48.60	47.45	4.75	52.20
Pensioner 50	114.80	113.36	11.34	124.70
Spa/Sauna/Steam	7.30	6.91	0.69	7.60
Pensioner Spa/Sauna/Steam	6.20	5.91	0.59	6.50
Lane Hire	15.00	13.64	1.36	15.00
Dolphin 100	236.30	229.09	22.91	252.00
Dolphin 200	412.30	399.82	39.98	439.80
Family Swim (2 adults and 2 children)	11.90	11.36	1.14	12.50

<b>Programs</b>				
Senior Team Registration (AM)	74.00	67.27	6.73	74.00
Senior Team Registration (PM)	94.00	85.45	8.55	94.00
Weekly Team Fees (AM )	32.50	32.73	3.27	36.00
Weekly Team Fees (PM)	39.50	39.09	3.91	43.00
Weekly Team Fees (Soccer)	33.00	32.73	3.27	36.00
Weekly Team Fees (Hockey)	33.00	32.73	3.27	36.00
Junior Team Registration (per player)	10.00	10.00	1.00	11.00
Junior Team Competition	28.00	27.27	2.73	30.00
Adult Courses/term (excluding Yoga, Pilates and Craft Classes)	80.00	76.36	7.64	84.00
Junior Courses/term (excluding art & ballet)	60.00	57.27	5.73	63.00

<b>Crèche</b>				
Crèche (1 <sup>st</sup> child) 1.5 hours	2.60	2.55	0.25	2.80
Crèche (additional child) 1.5 hours	1.50	1.73	0.17	1.90
Crèche (1 <sup>st</sup> child) 2 hours	3.10	3.09	0.31	3.40
Crèche (additional child) 2 hours	1.80	2.09	0.21	2.30
Crèche 10 Voucher (1 <sup>st</sup> child) 1.5 hours	23.40	22.91	2.29	25.20
Crèche 10 Voucher (1 <sup>st</sup> child) 2 hours	27.90	27.82	2.78	30.60

<b>Fitness</b>				
Casual Gymnasium and Swim	12.00	11.82	1.18	13.00
Casual Aerobic/Aquarobic	7.10	6.82	0.68	7.50
Over 50	5.50	5.18	0.52	5.70
Club 50 Voucher x 10	49.50	46.64	4.66	51.30
Aerobic / Aquarobic voucher x 10	63.90	61.36	6.14	67.50
Aerobic / Aquarobic voucher x 20	120.70	114.73	11.47	126.20
1 option 1 month	71.00	68.18	6.82	75.00
1 option 3 month	169.00	160.91	16.09	177.00
1 option 6 month	297.00	281.82	28.18	310.00
1 option 12 month	439.00	417.27	41.73	459.00
1 option Direct Debit	40.50	38.64	3.86	42.50
2 option 1 month	84.00	80.91	8.09	89.00
2 option 3 month	187.00	180.91	18.09	199.00
2 option 6 month	338.00	321.82	32.18	354.00

	Current fee	Proposed Fee	Plus GST	Total Fee
2 option 12 month	509.00	490.00	49.00	539.00
2 option Direct Debit	44.50	42.73	4.27	47.00
3 option 1 month	95.00	90.91	9.09	100.00
3 option 3 month	204.00	195.45	19.55	215.00
3 option 6 month	362.00	344.55	34.45	379.00
3 option 12 month	564.00	544.55	54.45	599.00
3 option Direct Debit	49.00	46.82	4.68	51.50
4 option 1 month	106.00	101.82	10.18	112.00
4 option 3 month	239.00	227.27	22.73	250.00
4 option 6 month	386.00	369.09	36.91	406.00
4 option 12 month	609.00	580.91	58.09	639.00
4 option Direct Debit	52.50	50.00	5.00	55.00
Off peak 1 month (Gym & Aquatics Only)	60.00	60.00	6.00	66.00
Off peak 3 month (Gym & Aquatics Only)	140.00	135.45	13.55	149.00
Off peak 6 month (Gym & Aquatics Only)	235.00	226.36	22.64	249.00
Off peak 12 month (Gym & Aquatics Only)	375.00	359.09	35.91	395.00
Off peak Direct Debit (Gym & Aquatics Only)	35.00	33.64	3.36	37.00
Joining Fee (Varies per m/ship options)	1 month DD m/ship	-	-	1 month DD m/ship
Direct Debit Cancellation Fee	110.00	104.55	10.45	115.00
Membership Suspension Fee	11.00	10.00	1.00	11.00

## Strategic Plan/Policy Implications

### ***Lifestyle and Aspiration Achievement***

- *To facilitate and provide an optimum range of community services and events.*
- *To deliver our services and to manage resources in a way that is cost effective without compromising quality.*

### ***Governance Excellence***

- *To develop and maintain a financially sustainable City.*

## Budget/Financial Implications

The income budgets for 2007/2008 financial year are based on the above fees. Any reduction in the proposed fees will result in a decrease in the projected income budget.

## Legal Implications

N/A

**Community Consultation**

N/A

**Attachment(s)**

N/A

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

N/A

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

Nil.

**17.2 (OCM 12/04/2007) - MINUTES OF MUSEUM MANAGEMENT MEETING HELD 27TH FEBRUARY 2007 (CC) (1960) (ATTACH)**

**RECOMMENDATION**

That Council receive the minutes of the Museum Management Advisory Committee dated 27<sup>th</sup> February 2007 and adopt the recommendations contained therein.

**COUNCIL DECISION**

**Background**

The Museum Management Advisory Committee advised the council at its February 2007 meeting of its intention to submit for budget consideration the position of a part time Museum/History Officer and for extension to the Wagon House at the Azelia Ley Museum.

**Submission**

Refer to Committee minutes. The committee is requesting that Council allocate ongoing funds for a part time Museum/History Officer Position with project activity funds.

## Report

The committee has stated that they believe the position of a Museum / History Officer is essential for the continued support and development of the City's heritage. This position will create a vital link and partnership between the City and the many heritage opportunities that suit. The position will enable the development of many projects and bringing together many facets of heritage issues and programmes that currently exist within the City.

This position will provide the following key services to the City and the Community:

1. As with other Local Government Authorities there is an ongoing need for the City to receive specialist support and training in how to research and deliver appropriate heritage services and opportunities for communities to make their own history visible.
2. To assist the Cockburn Historical Society as identified in their comprehensive Strategic Plan with the ongoing task of collating the many aspects of the City's local heritage as this task is becoming too onerous for a small group of volunteers.
3. Assist with opportunities to interpret Cockburn's history through community history publications and the collection of the community's stories.
4. Develop partnerships with the owners of Cockburn's extensive natural and built heritage sites such as the Lighthouse, Woodman Point Quarantine Station and wetlands to develop strategies and actions that will allow access to these sites by the community.
5. To assist the City when celebrating heritage week, local government week and WA week by providing appropriate heritage opportunities and activities for these celebrations.
6. To provide the opportunity for the Azelia Ley Museum to be more accessible to the public by extending opening hours and tour opportunities.

It is proposed that the position will be located at the Azelia Ley Museum and will be an employee of the City of Cockburn.

The Historical Society of Cockburn is receiving an increasing number of artefacts from the local community and the current wagon house is now unable to accommodate any further medium to large size artefacts i.e. Trucks, tractors, ploughs, wagons etc.

There is an urgent need to provide additional storage space in the Wagon House if the Society and the City expect to obtain and display further historical aspects of its past. There is also a requirement to



ensure a safe environment for volunteers, visitors and contractors who may be in the building and it is not possible to 'squeeze' further medium to large artefacts into the Wagon House without compromising safety. Smaller artefacts can be accommodated to a certain degree.

An extension of the Wagon House would allow the museum to display the exhibits and provide the public with a glimpse of our heritage.

## **Strategic Plan/Policy Implications**

### ***Demographic Planning***

- *To ensure development will enhance the levels of amenity currently enjoyed by the community.*

### ***Lifestyle and Aspiration Achievement***

- *To facilitate and provide an optimum range of community services and events.*
- *To conserve the character and historic value of the human and built environment.*

## **Budget/Financial Implications**

1. The requested contribution to the Museum Operating Budget is \$2,400 less than the previous financial year.
2. Should Council proceed with the appointment of a part time Museum / History Officer the following budget allocation would be required.
  - (1) \$33 223 per annum for three day a week position inclusive of all on costs
  - (2) \$3 000 for Furniture, communication and administrative costs
  - (3) \$5 000 for operational budget including small heritage projects
3. Wagon House

<b>Supplier</b>	<b>Works</b>	<b>Estimated Cost (\$)</b>
WA Commercial Builders	Wagon House Extension	64,200
Covich Electrical	Electrical Work	2,000
City of Cockburn - internal works program - Terry Atkins	Concrete Floor	6,000

LKL Contracting	Site Works/Earthworks	8,000
City of Cockburn Contractor	Certified structural engineering checks	2,000
<b>Total</b>		<b>82,200</b>

### Legal Implications

N/A

### Community Consultation

The Museum Management Advisory Committee provides an ongoing community service where the general public can visit the museum and consult with committee members on heritage matters and points of interest.

### Attachment(s)

Minutes of Museum Management Advisory Committee meeting 27<sup>th</sup> February 2007

### Advice to Proponent(s)/Submissioners

The Historical Society of Cockburn has been advised that this matter is to be considered at its meeting to be held in April 2007.

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

Nil.

## 17.3 (OCM 12/04/2007) - COMMUNITY SAFETY CRIME PREVENTION REFERENCE GROUP (8953) (RA)

<b>RECOMMENDATION</b>	
That Council:	
(1) appoint the following membership to the Community Safety Crime Prevention Reference Group:	
Manager, Human Services Law & Public Safety Manager Community Development Coordinator Local Police	Gail Bowman / Jill Zumach Mr B Leaver Mr D Hanley  Officer in Charge - Cockburn Station Officer in Charge - Hilton Station Officer in Charge - Murdoch Station

Education Department	Truancy Officer or Nominee of District Superintendent Representative
Dept. Housing & Works - Homeswest	Representative
Dept. Community Development Regional Cockburn Community Associations Group	Representatives (2)
Cockburn Aboriginal Advisory Committee	Representative
Neighbourhood Watch Committee	Representative
Youth Advisory Council	Representative
(2) appoint ..... (elected member) as a delegate and ..... (elected member) as deputy to the Community Safety Crime Prevention Reference Group.	

**COUNCIL DECISION**

**Background**

Council at its meeting of 20 January 2004, resolved to enter a partnership arrangement with the State Government for Crime Prevention and Community Safety. This agreement was formally signed on Wednesday, 9 June 2004.

The Council at its meeting of 20 January 2004, also adopted a Community Safety crime Prevention Strategic Plan which in accordance with the partnership agreement requires a mechanism for intergovernmental collaboration and community input. The City of Cockburn Community Safety Crime Prevention Reference Group has been established for this purpose.

**Submission**

The current Community Safety Crime Prevention Reference Group has sought clarification on its membership.

**Report**

Since the appointment of the Committee there has been a number of changes in personnel and the level of representation sought on the committee by external agencies. Accordingly, the above membership

of the Community Safety Crime Prevention Reference Group is proposed.

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

#### ***Lifestyle and Aspiration Achievement***

- *To foster a sense of community spirit within the district generally and neighbourhoods in particular.*
- *To identify community needs, aspirations, expectations and priorities for services that are required to meet the changing demographics of the district.*

#### ***Governance Excellence***

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

### **Budget/Financial Implications**

Administrative costs associated with the Community Safety Crime Prevention Reference Group are minor and included within current budget allocations.

### **Legal Implications**

Nil.

### **Community Consultation**

This reference group has a broad community based representation that enhances consultation processes.

### **Attachment(s)**

Nil.

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

The current membership of the Community Safety Crime Prevention Reference Group have been advised that this matter is to be considered at the April 2007 Council Meeting.

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

Nil.

**17.4 (OCM 12/04/2007) - MINUTES OF CULTURAL ADVISORY MEETING HELD 20TH FEBRUARY 2007 (8810) (CC) (ATTACH)**

**RECOMMENDATION**

That Council receive the minutes of the Cultural Advisory Committee dated 20<sup>th</sup> February 2007 and adopt the recommendations contained therein.

**COUNCIL DECISION**

**Background**

The Cultural Advisory Committee is keen to see the City of Cockburn participate in the Artopia programme running in September 2007. Artopia is an egalitarian, free-to-public, celebratory program of open studios, exhibitions and events that highlights our living artists and the strength of their contribution to our daily lives and communities.

**Submission**

Refer to Committee minutes. The committee is requesting that Council allocate funds for the City's participation in the 2007 ARTOPIA programme which is a statewide arts extravaganza.

**Report**

The Artopia project is an opportunity for the City to participate in a very wide and extensive state and interstate promotional campaign that would look at the City and the artists who live here as well as allowing opportunities for the local and broader communities to visit and participate in activities and exhibitions throughout the City.

In its first year in 2005 over 250 000 people visited an Artopia venue over the programme. Over 2000 artists took place at 200 venues across the state.

The City of Cockburn has a large artist population and would be able to promote these artists and the City as part of this programme.

In 2005 several artists in the Cockburn area opened their studios as part of the Artopia programme but were promoted as Fremantle artists.

The City would look at assisting with venue hire and exhibition assistance to artists and arts groups wishing to participate in the Artopia project as well as promotional opportunities for the City and the artists.

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

#### ***Lifestyle and Aspiration Achievement***

- *To foster a sense of community spirit within the district generally and neighbourhoods in particular.*
- *To facilitate and provide an optimum range of community services and events.*

### **Budget/Financial Implications**

\$5 000 for venue hire and promotion annually.  
\$4,000 for colour booklet of City artworks.

### **Legal Implications**

N/A

### **Community Consultation**

N/A

### **Attachment(s)**

Minutes of Cultural Advisory Committee meeting 20<sup>th</sup> February 2007

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

N/A

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

Nil.

## **17.5 (OCM 12/04/2007) - CONSTRUCTION COCKBURN YOUTH CENTRE (RFT05/2007) (GB) (ATTACH)**

### **RECOMMENDATION**

That Council:

- (1) accept the tender submitted by Gavin Construction for the construction of the Cockburn Youth Centre at the lump sum tendered price of \$5,282,426(ex. GST);

- (2) seeks to negotiate minor variations to reduce the tender price in accordance with the requirements of the Local Government Act (Functions and General) Regulation 20 (1); and
- (3) include in its 2007/08 Municipal Budget an allocation of \$3,319,244 from the Community Infrastructure Reserve Fund for the construction of the Youth Centre Building.

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

## COUNCIL DECISION

### Background

At the Ordinary Council Meeting of 21 September 2004, Council resolved to receive the Cockburn Central Youth Centre Feasibility Study Report by the appointed consultant, Colin Penter. The report detailed information from other facilities and centres that were similar to the concept for the Cockburn Youth Centre. There was no one facility or Centre that matched exactly the concept for the proposed Cockburn Youth Centre.

Subsequently, Architects Holton Connor were appointed by tender and accordingly, design work has been finalised and the construction works tendered.

To date, there has been no formal commitment from the Department for Community Development regarding the provision of capital works money for the project. In written correspondence from the Minister, he confirms his strong support for the project but was:

*“...unable to provide a firm funding commitment until the outcomes of the State Government’s capital works budget processes are known in late February 2007.”*

The Minister further advised that:

*“...the Departments for Community Development’s capital works budget is presently fully committed to other high priority projects and there is no capacity to re-prioritize funding to the Cockburn Youth Centre Project from the Department’s existing funding allocations.”*

Subsequently, the new Minister for Communities has advised that an outcome will not be known until the State Budget is handed down in May 2007.

As it is unknown whether funds from the Department of Community Development are available it has been assumed for budgeting purposes that the Council will be required to allocate the funds required.

### **Submission**

The request for tender closed at 2.30 p.m. on Wednesday 21 March 2007 with 5 submissions received from:

Badge Constructions (WA) P/L  
Dalcon Construction P/L  
Duwal Constructions  
Geo A. Esslemont & Son  
Gavin Construction

### **Report**

#### **Compliant Tenderers**

All tenders were deemed compliant with the conditions of tendering

#### **Evaluation Criteria**

<b>Evaluation Criteria</b>	<b>Weighting Percentage</b>
Relevant Experience	10%
Key Personnel Skills and Experience	10%
Tenderer's Resources	10%
Financial Position	15%
Tendered Price – Lump Sum	55%
<b>Total</b>	<b>100%</b>

#### **Tender Intent/Requirements**

Tender requirements for the construction and fit out were based on specification supplied by Holton Connor Architects and Planners.

Tenders were evaluated by:

- Holton Connor Architects – Terry Holton
- Manager Community Services – Robert Avard
- Manager Human Services- Gail Bowman



## Scoring Table

Ranking	Tender Name	Non Cost Valuation Score (45%)	Cost Evaluation Score (55%)	Total Score (100%)
3	Badge Constructions	41.36	49.61	91%
5	Dalcon Construction	21.11	40.48	61.6%
2	Duwal Constructions	43.89	51.9	95.8%
4	GEO A. Esslemont & Son	39.44	50.69	90.1%
1	Gavin Construction	41.04	55	96.00%

The tender documentation requested the total price to construct and fit out the building, as specified by Holton Connor Architects and Planners.

### Tender Assessment

The evaluation committee members separately read and evaluated the submissions, then met to discuss the ratings and recommendations. A combined rating for each criteria of each submission was determined by aggregating the scores from each of the committee members.

All tenderers were deemed compliant with the conditions of tendering and compliance criteria.

The recommended tenderer is a reputable builder with extensive experience in the industry. Positive referee reports regarding relevant building projects were received by Holton Connor Architects and Planners.

The evaluation committee recommends awarding the contract for Construction and fit out of the Cockburn Youth Centre to the Gavin Construction for an amount of \$5,282,426 excluding GST. The appointment would be subject to minor variations to the contract price in accordance with the regulations and the satisfaction of the Chief Executive Officer. A number of possible cost savings have been identified and need to be negotiated prior to entry into a contract. These could amount to approximately \$100 - \$150K.

## **Strategic Plan/Policy Implications**

### ***Infrastructure Development***

- *To construct and maintain community facilities that meet community needs.*
- *To provide an appropriate range of recreation areas that meets the needs of all age groups within the community.*

## **Budget/Financial Implications**

This project has been adopted by Council and is listed in the City of Cockburn – A Plan for the District 2006-2016.

Lotterywest has approved the funding application submitted by Council in September for the amount of \$968,182.

The Department for Community Development has indicated that the funding request for \$600 000 will be considered but that the Minister is “...unable to provide a firm funding commitment until the outcomes of the State Government’s capital works budget processes are known in late February 2007.” The Department has not provided any funding commitment to date. Due to a lack of clear commitment Council would need to allocate the balance of funds in order to accept the Tender and proceed with the project. If in future DCD allocated funds towards the project the Council contribution would then be reduced.

There has been a significant cost increase since the previous Council budget allocation of \$3,300,000. In part this has been due to cost escalation in a volatile building market. A significant amount of time was spent investigating grant-funding options with Lotterywest and the Department for Community Development. The Lotterywest grant process required revision of the floor plans and additional consultation with young people to meet grant application requirements. The Department of Health also required a complete revision of the floor plan when they identified the need to accommodate additional staff. These issues delayed the project and the Quantity Surveyor’s report did not include the cost escalation until the tender date in February 2007.

High-level acoustic treatment of offices and meeting rooms, specialised fit out, and a specialised reception area required by the Health Department have added to the tender price. This cost however, will be amortised (paid off) by the Health Department over the 15 year lease period.

The tender construction price is \$5,282,426 that is \$329,429 above the pre-tender estimate. Holton Connor Architects believes this is a reasonable differential in today’s market.

Budget Summary

Tender Construction Cost	\$5,282,426
Contingency, Architect Fees, Loose Furniture & Equipment	<u>\$1,005,000</u>
SUB TOTAL	\$6,287,426
Less Lottery West Grant	<u>\$ 968,182</u>
	\$5,319,244
Less Budget Allocation 2006/07	<u>\$2,000,000</u>
ALLOCATION REQUIRED IN 2007/08	\$3,319,244

Note all figures exclude G.S.T.

**Legal Implications**

Section 3.57 of the Local Government Act 1995 and Part 4 of the Local Government (Functions and General) Regulations 1996 refers.

**Community Consultation**

The City engaged a consultant to conduct the Cockburn Youth Centre Feasibility Study in 2004. This included a comprehensive community consultation process.

Tender RFT 05/2007 Cockburn Youth Centre- Success was advertised in the Local Government Tenders section of "The West Australian" newspaper on Saturday 17 February 2007.

**Attachment(s)**

1. Tender Evaluation Sheet (Confidential Attachment)
2. Tendered Prices (Confidential Attachment)

**NOTE:**

The tendered prices are not disclosed at the opening of Tenders nor entered into the Tenders Register.

In accordance with Part 4, Regulation 16-3(c) and 17-3 of the Local Government (Functions and General) Regulations 1996 the Principal is only required to record the price of the winning Tenderer/s in the Tenders Register.

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

Tenderers were advised that the matter of the tender for the construction of the Cockburn Youth Centre will be considered at the Ordinary Council meeting to be held on 12 April 2007.

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

Nil.

**17.6 (OCM 12/04/2007) - MINUTES OF THE COCKBURN CENTRAL YOUTH CENTRE COMMITTEE MEETING 20 MARCH 2007 (8648) (MA) (ATTACH)**

**RECOMMENDATION**

That Council receive the minutes of the Cockburn Central Youth Centre Committee meeting held on 20 March 2007 and adopt the recommendations contained therein.

**COUNCIL DECISION**

**Background**

The Council of the City of Cockburn established the Cockburn Central Youth Centre Committee to provide advice to Council on the development of a youth centre to be located on the corner of Beeliar Drive and Wentworth Parade in Success.

**Submission**

The minutes of the Cockburn Central Youth Centre Committee meeting held on 20 March 2007 are presented for consideration.

**Report**

The committee gave consideration to a report prepared on a management plan and operating budget for the Cockburn Youth Facilities design previously agreed to by Council. The committee has proposed the following annual operating budget.

<b>Income Item Projected Annual Cost</b>	
Vending Machines (4 machines generating \$120 per week each at 20%)	\$5,000.00
Hire of facilities	\$20,000.00
Lease Income Ground Floor Tenancies	\$39,000.00
Centre run events	\$10,000.00
Lease Income Health Department	\$84,000.00
Total Projected Income	\$158,000.00
<b>Expenditure Item Projected Annual Cost</b>	
Advertising & Promotion	\$15,000
Computer Expenses	\$10,000
Depreciation (Relates to fit-out assets only)	\$20,000
Music Equipment	\$5,000
Office Expenses	\$10,000
Payroll - 4.1 FTE inc on costs and Superannuation	\$201,500
Facilities Maintenance & Depreciation	\$52,000
Telephone & Facsimile	\$5,000
Training Expenses	\$6,000
Uniforms	\$2,000
Sundries	\$5,000
Programmes & Activities	\$50,000
Creche	\$10,400
Events	\$30,000
<b>TOTAL</b>	<b>\$405,900</b>
<b>Total Council Contribution per annum</b>	<b>\$263,900</b>

Consideration was also given to a Management Plan for the Cockburn Central Youth Facility by the committee a copy of which is attached to the agenda and as recommended to Council.

### **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.*

#### ***Infrastructure Development***

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

**Budget/Financial Implications**

As the Centre will not be ready for occupation until late in the 2007/08 Financial Year, only a small percentage of the Operating Budget will be required in the next Budget.

**Legal Implications**

Nil.

**Community Consultation**

N/A

**Attachment(s)**

1. Minutes of the Cockburn Central Youth Centre Committee held on 20 March 2007.
2. Management Plan

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

N/A

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

Nil.

**18. EXECUTIVE DIVISION ISSUES**

Nil

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

Nil

**20. 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. (OCM 12/04/2007) - 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**

**25. CLOSURE OF MEETING**