

CITY OF COCKBURN

SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON TUESDAY, 18 APRIL 2000 AT 7:30 P.M.

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CITY OF COCKBURN**MINUTES OF ORDINARY COUNCIL MEETING HELD ON
TUESDAY, 18 APRIL 2000 AT 7:30 P.M.**

PRESENT:**COUNCIL MEMBERS**

Mr J F Donaldson - Chairperson of Joint Commission
Ms J L Smithson - Joint Commissioner
Mr M A Jorgensen - Joint Commissioner

IN ATTENDANCE

Mr R W Brown - Chief Executive Officer
Mr D M Green - Director Community Services
Mr A T Crothers - Director, Finance & Corporate Services
Mr S Ryan - Acting Director, Planning & Development
Mr B K Greay - Director, Engineering & Works
Mrs B Pinto - Secretary/PA, Finance & Corporate Services
Ms R Edwards - Public Affairs Officer

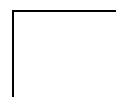
493. (AG Item 1) DECLARATION OF OPENING

The Presiding Member declared the meeting open at 7.31 pm.

The Presiding Member complimented staff for achieving the third place in the Western Australian IMM Management Challenge. The contest was conducted between local authorities from around Western Australia.

**494. (AG Item 2) APPOINTMENT OF PRESIDING MEMBER (IF
REQUIRED)**

Nil



495. (AG Item 3) DISCLAIMER

The Presiding Member read aloud the following disclaimer:

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.

496. (AG Item) (OCM1_4_2000) - ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS (by Presiding Member)

Cmr Donaldson advised that he had received written advice from Cmr Smithson of a financial interest in Agenda item 13.3 which will be read at the appropriate time.

497. (AG Item) (OCM1_4_2000) - APOLOGIES & LEAVE OF ABSENCE

Mr S Hiller

Annual Leave

498. (AG Item 6.1) (OCM1_4_2000) - ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Mary Jenkins - Annual General Meeting of Electors General Business - 7 February 2000 - queried why builder's sand had been used to fill the beach sand area adjacent to the step down to the beach at Coogee Jetty as it was unsightly.

A response dated 14th March 2000 advised that the builder's sand was used as it is more stable than beach sand and not subject to as much wind erosion however, beach sand would be used in future.

John Smedley - Annual General Meeting of Electors General Business - 7 February 2000 - complained about the noise emanating from the air-conditioning system during the meeting.

The letter dated 14th March 2000, informed that a new air-conditioning system was recently installed at Council's Administration Building and measures were being instituted by the contractor to minimise the resulting noise nuisance. An acoustics expert had investigated the



noise problem and prepared recommendations which will be effected by the contractor and hopefully, eliminate the problem.

Bert Renner - Annual General Meeting of Electors General Business - 7 February 2000 - made two requests; that some sand or coarse rock be placed as a fill in between the rocks at the seafront at Woodman Point so people don't fall in the gaps when crossing the rocks and that tree planting be considered as a noise buffer to the Bibra Industrial Park opposite the St Paul's residential estate in Phoenix Road.

A written response dated 14th March 2000 advised that as Woodman Point is under the control of CALM, his request has been forwarded to them for any appropriate action. Also, that vegetation along the Phoenix Road verges in front of the industrial area will be planted as part of the City's Greening Plan in conjunction with the owners of the adjacent property.

Stephen Lee - Public Question Time - 15 February 2000 - had requested previously, that bus shelters be located outside the Spearwood Shopping Centre and queried whether it had been placed on the Budget. If not, he requested if a shelter under System 21, could be placed in that location.

Discussions with Transperth have found that they are intending to supply a new Adshel type shelter at this location as part of the System 21 Rapid Transit Route which will include 14 stops with new shelters proposed for outside both the Phoenix and Spearwood Shopping Centres.

Val Oliver - Public Question Time - 15 February 2000 - requested that the footpath between Cordelia Avenue and Prospero Road Coolbellup be constructed as a matter of urgency. Also requested that Council reinstate the bus shelter on Cordelia Avenue which was removed last year.

The footpath along Cordelia Avenue was constructed during the last financial year. The rest of Cordelia Ave (east of Coolbellup Ave) is on this year's program for upgrade which started on the 22nd February with the rest (west of Prospero Road) planned for the 2001 financial year.

The bus shelter was removed due to ratepayer requests and since its removal 2 years ago, no requests (until now) have been received to justify the \$3000 cost to re-establish a shelter.



Colin Crook - Public Question Time - 21 March 2000 - queried what had happened to the funds allocated to the Area Wide Traffic Management Study.

A letter from the Director Engineering dated 28th March, advised that it was agreed at Budget Review, that a number of projects would not be proceeding including the above. The funds from those projects were then reallocated to other projects.

Mr Crook also read a letter which he later tabled, regarding "Commissioners duty as representatives of the Citizens of Cockburn" which queried why correspondence addressed to Commissioners, was being replied to by staff and requested a written response.

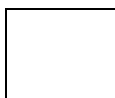
A letter dated 28th March 2000 from Cmr Donaldson, advised that all correspondence to Council must be addressed through the Chief Executive Officer and that staff do consult with Commissioners where appropriate, before a response is forwarded.

Heather Smedley - Public Question Time - 21 March 2000 - advised Council that there was debris floating in Cockburn Sound as a result of a seawall being constructed and asked Council to follow it up with the appropriate authorities.

Council wrote to the Ministry for Planning advising of this matter and requesting investigation. The letter dated 27th March 2000, also advised that the Cockburn Power Boat Assoc. had yet to be approached by Landcorp, to discuss the plans for the Northern Harbour.

499. (AG Item) (OCM1_4_2000) - PUBLIC QUESTION TIME

Stephen Lee a resident and ratepayer and also a suspended Councillor spoke in relation to Town Planning Scheme No.3 - FRIARS. He asked why does the map in the Agenda attachment not include an area where it mentions noxious industry? Acting Director, Planning and Development responded that there is no area zoned for noxious industry within the new Scheme. Mr. Lee asked why would it have in the Scheme Text a definition for noxious industry if in the map there is no area which indicates it is noxious. Acting Director, Planning and Development replied that "noxious industry" defined those uses which were excluded from the industrial use permitted within the Scheme area. Mr Lee requested that the adoption of Town Planning Scheme No.3 be deferred because of the horrendous injustice of the FRIARS

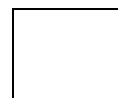


report as it is proposing general industry in the large part of the City.

As an Act of Parliament, the Government is making major amendments to Council's Town Planning Scheme No.3. The Act of Parliament always says that Town Planning Scheme No.3 must comply with the Metropolitan Region Scheme(MRS) . Mr Lee says that the MRS is going to change by the Act of Parliament or attempts are being made to change the MRS by the act of Parliament, then it is not really responsible for Council to proceed with Town Planning Scheme No.3 and hence his request to defer it. In Town Planning Scheme No.3 there is industry, and there are such things as a Waste Depot or Liquid Waste Treatment Processing or Waste Storage or any other classification which would be considered to be noxious. This can be placed anywhere within the FRIARS region where it is classified as general industry. So bearing this in mind he requests that Town Planning Scheme No.3 in its present form be deferred pending some form of resolution from the FRIARS report.

Cmr Donaldson replied that a response to the request to defer Town Planning Scheme No.3 is quite simple. Council would be delinquent in its responsibility to agree with the request for a number of reasons. Firstly, Town Planning Scheme No.3 is designed to achieve a result for the whole of the City of Cockburn and many areas of the City of Cockburn are noxious in the FRIARS report. Those people have a right and Council has the responsibility to determine a new Town Planning Scheme which will affect their properties and their lifestyle. While Council is very sensitive about the impact of the FRIARS, it cannot by deferring Town Planning Scheme No.3 abrogate the responsibility for making a decision. There are many areas within the City over which Council has no planning authority. Once FRIARS is approved, much of the planning approval of that area will be taken away from Council, so now it is Council's responsibility to progress with Town Planning Scheme No.3 with information after review and relevant community consultation from the whole of the City and deal with FRIARS as an issue once the outcome is known.

Carol Reeve-Fowkes a resident, ratepayer and President of the Yangebup Progress Association spoke with regard to the proposed Town Planning Scheme No.3. She asked where has all the noxious industry gone within this area? The map shows no noxious industry. What about all the industries in Cockburn that are currently classified as noxious industry? If they are now called something different will they also no longer be noxious? She also asked how many other Councils have adopted the Model Scheme Text for Town Planning Scheme No.3? Cmr Donaldson replied that he does not have an answer at the present time but will take this question on notice and respond in writing.



Mrs Reeve-Fowkes also asked which other Councils are adopting this section under Land Use definitions as General Industry Licensed, which specifically include cleaning establishments, laundries, metal finishing, boat building and maintenance, liquid waste treatment processing, waste storage, processing or treatment? Do other Councils specifically have these categories excluded from their noxious industry zones or is this specific to Cockburn? Cmr Donaldson responded that this will be taken on notice and responded to in writing.

She said the category of Waste Depot and Waste Storage and processing or treatment is open to all kinds of interpretations and the fear is that Council Officers are not putting the checks and balances in place to protect the residents. Cmr Donaldson stated that Council Officers do not vote on decisions that affect the City of Cockburn, but are made by the Council. Mrs Reeve-Fowkes urged the Commissioners to look very closely at this specific area of Town Planning Scheme No.3 and to think independently and conscientiously about whether Cockburn can cope with any more noxious industry, which is what Town Planning Scheme No.3 will allow. She further emphasised and requested Council to put this section of the Town Planning Scheme No.3 on hold, pending further information about the FRIARS plans, which will have very far reaching consequences.

Mrs Reeve-Fowkes referred to the Status Report (Item 17.1) and the information provided on the issue of Ward Boundaries and Councillor numbers and noted that a report on this issue is due to be reported to Council by May 2000. She asked if this process was likely to cause any delay in the election of a new Council following the Inquiry. Cmr Donaldson responded that the two issues are separate and that the Minister will nominate the date for the elections at the conclusion of the inquiry process.

Val Oliver spoke in relation to the Western Australian Croation Club - Public Question Time - 21 March 2000. Her query was what percentage of people come from Cockburn. She said on making enquiries the number provided was not correct and wondered whether Council could provide some accurate figures. Cmr Donaldson replied that he did not have an answer and that her query would be taken on notice and responded to in writing.

Trevor Waldron spoke with regard to Agenda Item 13.9. He asked what is the reasonable number of avairies? Cmr Donaldson replied that he did not have an answer. He did not know what a reasonable number would be. He suggested it would be best to wait until the matter is dealt with by Council at the appropriate time to see what the outcome is.



Laurie Humphreys, a ratepayer and suspended Councillor stated that the last 12 months had not been an easy time. He appreciates that the Commissioners have done a better job that was originally thought. Cmr Donaldson thanked Mr. Humphreys for his comments on behalf of Council.

Mr Humphreys also queried as to what the actual costs were for the transfer of duties from Main Roads. Cmr Donaldson responded that the present moment he did not have the figures requested but will take the matter on notice and respond in writing.

Stephen Lee spoke in relation to Item 13.1. He stated that public servants are often required to implement decisions that they don't necessarily agree with and that aspects of their job could be unpleasant, however, that is what they are paid to do.

Cmr Smithson in response to this comment stated that the Policy was appropriate as she was aware of circumstances when officers were required to defend Council decisions in the Town Planning Appeals Tribunal when the Council decision was in conflict with their professional opinion.

Stephen Lee requested for the matter to be deleted but if it cannot be done at the present time, then the matter be deferred until after the Inquiry has been completed.

Stephen Lee spoke in relation to Item 14.6. He referred to an item which says "Remove contaminated soil from Reserve 1820 - \$136,000 placed on the Budget. He asked where Reserve 1820 is and what is the contamination in the soil? Acting Director, Planning and Development replied that Reserve 1820 is located at the corner of Warton and Armadale Roads. Part of the land was used as a waste disposal site some years ago with the approval of State Health Department. The need for removal of the contaminated soil had been identified by the Waters and Rivers Commission as the site was within the Jandakot Groundwater area.

Cmr Jorgensen noted that further details were provided in the attachments to the Budget submission.

Stephen Lee also queried another matter - Item 14.6 regarding South Coogee Reserve - replace condemned playground equipment for \$15,000. Cmr Donaldson replied that the original equipment was assessed as structurally unsafe, during a routine safety audit. It was important for the this to be replaced for the safety of the children of the Primary School adjacent to the Reserve. The equipment that was there previously was dismantled by Council several months ago which were old pine logs.



Laurie Humphreys said he was concerned and supports some of the comments made earlier with regard to Item 13.1. He requested Council to wait until after the Inquiry was completed so that both sides have some agreement. Cmr Donaldson thanked Mr. Humphreys for his comments.

Andrew Millar resident of Munster spoke with regard to Item 13.6. He spoke in support of his application for a horse training facility.

500. (AG Item 8.1) (OCM1_4_2000) - ORDINARY COUNCIL MEETING - 21/3/2000

MOVED Cmr Smithson SECONDED Cmr Jorgensen that the Minutes of the Ordinary Council Meeting held on 21 March 2000 be confirmed as a true and accurate record.

CARRIED 3/0

501. (AG Item 12.1) (OCM1_4_2000) - AMENDMENT TO DELEGATED AUTHORITY - CALLING OF TENDERS (DA-F4) (1015) (DMG) (ATTACH)

RECOMMENDATION

That Council amend its Instrument of Delegation No. DA-F4 (Calling of Tenders) by extending the effect of the delegation to include the calling of expressions of interest, as highlighted in the attachment to the Agenda.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Cmr Smithson SECONDED Cmr Jorgensen that the recommendation be adopted.

CARRIED 3/0

Background

Council currently delegates authority to the Chief Executive Officer to call (subject to conditions) tenders for the provision of goods and services to or from Council.

Submission

N/A



Report

On some occasions, it is more appropriate to invite expressions of interest from specific providers where certain identifiable expertise is required. This process then allows a short list of preferred tenderers to be compiled and restricted (as opposed to public) tenders called for specific goods / services.

Strategic Plan/Policy Implications

Key Result Area "Managing Your City" refers.

Budget/Financial Implications

Nil.

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

N/A

502. (AG Item 12.2) (OCM1_4_2000) - DELEGATE - SWAN REGION FIRE PROTECTION ADVISORY COMMITTEE (1557) (DMG)

RECOMMENDATION

That Council nominate Commissioner Jorgensen as Council's Delegate to the Swan Region Fire Protection Advisory Committee with Commissioner Donaldson as Deputy Delegate and Council's Chief Bush Fire Control Officer as advisor with Council's Deputy Chief Bush Fire Control Officer as Deputy.

COUNCIL DECISION

MOVED Cmr Smithson SECONDED Cmr Donaldson that the recommendation be adopted.

CARRIED 3/0

Background

With the suspension of Council in April, 1999, Council reconsidered the requirement to have this Committee represented by a "political"



representative, and chose to appoint Council's Chief and Deputy Chief Bush Fire Control Officers as its representatives on this Committee.

Submission

To appoint a Commissioner to the position of Council Delegate on this Committee.

Report

It is traditional for local government to appoint a political, as well as an officer representative to this Committee. Council's current representation is weighted with practitioner representation and by adopting this recommendation Council will redress this imbalance.

Strategic Plan/Policy Implications

Key Result Area - "Managing Your City" refers.

Budget/Financial Implications

N/A

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

This Committee comprises all Councils in the Metropolitan Region which share the Metropolitan Fire District with areas supported by Volunteer Bush Fire Brigades, which are the responsibility of local government.

While the urban spread will diminish the Council controlled component of this arrangement over time, it is likely that Council will always retain a responsibility to be involved in bush fire operations associated with its Resource (Special Rural) Zones.

503. (AG Item 12.3) (OCM1_4_2000) - REQUEST FOR LEAVE OF ABSENCE - CMR J. SMITHSON (1705) (RWB)

RECOMMENDATION

That Council grant a Leave of Absence to Cmr J. Smithson for the period 20th April to 5th June 2000 inclusive.



COUNCIL DECISION

MOVED Cmr Jorgensen SECONDED Cmr Donaldson that the recommendation be adopted.

CARRIED 3/0

Background

By facsimile dated 31st March 2000, Cmr Smithson has sought Leave of Absence for the period 20th April to 5th June 2000 inclusive.

Submission

N/A

Report

N/A

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

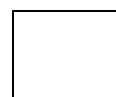
Implications of Section 3.18(3) Local Government Act, 1995

Nil

504. (AG Item 13.1) (OCM1_4_2000) - POLICY PD46 - RESPONSE TO APPEALS AND INVESTIGATIONS (9003) (SMH) (ATTACH)

RECOMMENDATION

That Council adopt Policy PD46 - Response to Appeals and Investigations, and include it in the Council's Policy Manual.



COUNCIL DECISION

MOVED Cmr Jorgensen SECONDED Cmr Smithson that the matter be deferred until the next meeting.

CARRIED 3/0

Explanation

The Commissioners felt that the policy needs to be looked at more closely so that improvements could be made to the policy in the way it should be exercised as well as for it to be written in a more constructive way. Specific attention should be directed to defining "correcting / improving" and whether part of the Policy was necessary. Also, the Policy provided for potential conflict where an Officer was not the Chief Executive.

Background

At its meeting held on 21 March 2000, the Council resolved to defer consideration of the proposed policy in order for it to be redrafted and refined.

A revised policy has been prepared accordingly.

There are situations that arise where the Council changes the recommendation of a Council officer which can lead to an appeal by the applicant and an investigation by the Ombudsman.

In the past, the Council officers have been required to respond to the Minister or the Parliamentary Commissioner and attend as an expert witness to a tribunal dealing with the matter, on behalf of the Council, when the Council decision is contrary to the recommendation of the officer.

This is a difficult situation and places the officer in an invidious position.

The decision making authority needs to be responsible and accountable for its actions where they are totally opposed to the recommendations of an officer.

The Local Government Act has been amended to include Regulation 11(d)(da), which now requires Council to document the reasons for making a recommendation different from that of an officer or a committee.

A policy is required to clarify the role and responsibility of the Council and its staff in respect to recommendations and decisions that are different.



Submission

N/A

Report

Attached is a policy which has been prepared to provide for situations where a staff recommendation and a Council decision are different and an appeal or an Ombudsman investigation follows.

The purpose of the policy, is to put the onus for a Council decision squarely with the Council so that:-

- (1) Council decisions which are the same or essentially the same as a staff recommendation, then the staff is obliged, unless the Council directs otherwise, to represent the Council in an appeal or an investigation.

Provision needs to be made where a Council decision may, by being different from the staff recommendation, correct or improve on the recommendation in the interests of the Council, the applicant or both.

- (2) Council decisions which are totally different to a staff recommendation, then the Council should be required to represent its position and if necessary, Councillors act as an expert witness.

This approach would clarify the role, responsibility and accountability of the Council in this circumstance.

Although the situation does not arise often, a policy makes it clear should it occur in the future.

Strategic Plan/Policy Implications

A new policy is proposed.

Budget/Financial Implications

N/A

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

Nil



505. (AG Item 13.2) (OCM1_4_2000) - ADDITION TO COUNCIL'S STANDARD SUBDIVISION CONDITIONS - RETAINING WALLS (9003) (SMH)

RECOMMENDATION

That Council:

- (1) add the following subdivision condition to Policy PD16 - Standard Subdivision Conditions and Footnotes:-

"75B Retaining Wall - Location

Where subdivision works includes the installation of retaining walls, the wall shall be located so that the footing and the top of the wall are fully within the boundaries of the lower lot."

- (2) amend its Policy Manual accordingly.

COUNCIL DECISION

MOVED Cmr Smithson SECONDED Cmr Jorgensen that:

- (1) the matter be deferred;
- (2) advice be sought from the Western Australian Planning Commission on dividing fences; and
- (3) legal advice be sought from Council's Solicitors on the merits of the Policy.

CARRIED 3/0

Explanation

It was felt that as the issue on dividing fences can be a notorious situation between neighbours, advice be sought from the Western Australian Planning Commission as to what standards exist at other Councils. It was also decided that legal advice be sought from Council's Solicitors.

Background

Due to recent complaints about the responsibility for retaining walls and the erection of common fencing within subdivisions, particularly



residential subdivisions, it is necessary to ensure that this can be facilitated with a minimum of difficulty.

A case in Regent Court at Thomsons Lake illustrates the point. Here the subdivider erected retaining walls between lots without a building licence. The stability and suitability of the walls is now a matter for the owners.

Regardless of whether the walls are approved or unapproved, because the walls are located within the boundary of the high (retained) lots the owner of a property on the low side cannot erect a fence behind the retaining wall because it is on the adjoining property.

Owners generally want to erect the fence on or at the top of the wall so that they can achieve maximum privacy.

In the case in Regent Court, the owner of the high lot has no intention of commencing a house and therefore does not want to erect a fence. The owner of the low lot cannot get approval to enter the adjoining owners land to erect the common fence.

Submission

N/A

Report

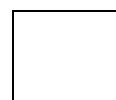
By requiring all retaining walls to be located within the lower lot this problem would be overcome.

Strategic Plan/Policy Implications

A revision to the standard conditions for subdivision is required. Amend Policy PD16.

Budget/Financial Implications

By including this requirement as a standard condition it could reduce the amount of staff time involved in trying to resolve matters such as this between unco-operative owners.



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

Council only makes recommendations on proposed subdivision to the WAPC. The Council, therefore, must rely on the WAPC including its recommended condition in its conditional approval.

This is the most efficient and effective way to attempt to resolve this potential problem, but it relies totally on the co-operation of the WAPC.

DECLARATION OF FINANCIAL INTEREST

Cmr Donaldson read aloud advice that Cmr Smithson declared a financial interest in Agenda Item 13.3. The nature of the interest being that her employer, BSD Consultants, has previously undertaken work for Watsons.

AT THIS POINT THE TIME BEING 8.16 PM CMR SMITHSON LEFT THE MEETING

506. (AG Item 13.3) (OCM1_4_2000) - POLICY PD48 - WATSONS BUFFER (9003) (SMH) (ATTACH)

RECOMMENDATION

That Council:

- (1) receive the report;
- (2) adopt "Policy PD48 - Watsons Buffer" and include it in the Council's Policy Manual;
- (3) include "Policy PD48 - Watsons Buffer" in its Delegated Authority Register with Authority to apply the Policy on behalf of the Council given to the Director Planning and Development, Manager Development Services and Manager Planning Services.

COUNCIL DECISION

MOVED Cmr Jorgensen SECONDED Cmr Donaldson that the recommendation be adopted.

CARRIED 2/0

Background



Watsons and their representatives met with the Director Planning and Development and the Manager Development Services to express their concern that subdivision and scheme amendments were occurring in the area around their plant without their knowledge. This is a cause of concern to Watsons while they have yet to complete their Odour Study.

They expressed concern about the Scheme Amendments 205 and 214, having proceeded without them being aware of it.

Submission

Watsons have requested that Council advise them of subdivisions, discretionary development applications and scheme amendments within the EPA (500m) buffer around the Watsons plant.

Report

In the interim the Council could adopt a policy where it undertakes to advise Watsons of any discretionary land use or development proposal within the EPA (500m) buffer, together with subdivisions and scheme amendments.

The information forwarded to Watsons would be advisory only and at the discretion of the Council. The advice would not place any obligation on either the Council or Watsons to deal with the matter in any particular way.

The Council would not be bound by any response or reaction from Watsons when advised of any proposal.

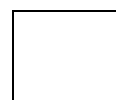
The concerns of Watsons are appreciated given that the Odour Study they are required to complete before mid 2000, could be compromised when a final outcome is determined by the EPA.

Strategic Plan/Policy Implications

A new policy is proposed, with delegated authority to the Director Planning and Development, Manager Development Services and Manager Planning Services to apply the Policy on the Council's behalf.

Budget/Financial Implications

N/A



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

Nil.

CMR SMITHSON JOINED THE MEETING AT THIS STAGE THE TIME BEING 8.17 PM

507. (AG Item 13.4) (OCM1_4_2000) - UNLAWFUL LAND USE - TIMBER YARD - 27 HOLMES ROAD, MUNSTER - OWNER: J & S PEARSON (4411180) (PT) (MAP NO. 16) (ATTACH)

RECOMMENDATION

That Council authorise legal action under the Town Planning and Development Act against the owners and/or occupiers of 27 Holmes Road, Munster, for continuing unlawful land use on the property.

COUNCIL DECISION

MOVED Cmr Donaldson SECONDED Cmr Jorgensen that no legal action be taken on this matter.

CARRIED 3/0

Explanation

The decision to take no legal action was as a result of information received prior to the meeting that the timber had been removed from the premises.

Background

ZONING:	MRS:	RURAL
	DZS:	RURAL
LAND USE:	TIMBER STORAGE YARD	
LOT SIZE:	1.1939 HECTARES	
AREA:	1.1939 HECTARES	
USE CLASS:	USE NOT LISTED	

Council received complaints from surrounding residents of the subject property. The complaints stem from a timber storage business being run from the site. The timber is used for concrete form work on construction sites. The timber is stored and distributed from the site. The use cannot



be approved in the Rural zone as it is not a 'Use Class' permitted in the Rural Zone under Council's Town Planning Scheme.

Both the owner and the tenant have been notified on several occasions. The initial letter was sent to both parties on 6 August, 1999 outlining that the activity was in contravention of the provisions of the Council's District Zoning Scheme No.2. Mr G. Andrews notified Council in a fax received 28 October, 1999 that an alternative site had been located and that he would move the business. The business is still operating from the property. The complainants want the activity to cease.

Report

The timber yard operation is considered unacceptable and a disruption to the amenity of the locality, due to the following:

- Dust nuisance. Dust is generated by the moving of the timber by fork lift and the transporting of the timber by semi trailers.
- Noise from the operation of the forklift and the movement of the trucks.
- Traffic hazards. The semi trailers on several occasions have been parked on Holmes Road to be loaded and unloaded which causes a traffic safety concern. There is also a slight increase in traffic from the transport vehicles.
- Amenity. The large stockpiles of timber are visually unattractive, especially from Holmes Road. Also the basic quiet lifestyle and nature of the rural area is disrupted from this large scale business.
- Fire risk. The large quantity and stockpiles of timber pose a potential fire risk.

As there is no approval for the operation, there are no conditions in place to control disturbance. There is a number of Rural properties located in the immediate vicinity of 27 Holmes Road. Whilst the degree of disturbance for residents adjacent to the site is considerable, there is not a large number of residences directly affected by the operations. This fact does not legitimise the operations and its continued nuisance caused to the local community necessitates legal action to enforce compliance.

Council should consider the fact that the matter could take some time before it goes to Court and if significant progress is made with relocation during that time, legal action can be halted.

Strategic Plan/Policy Implications

N/A



Budget/Financial Implications

Pursuing legal action is costly, in terms of legal fees and officer time. However it is possible for Council to recoup part of the expenses through the Courts.

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

N/A

- 508. (AG Item 13.5) (OCM1_4_2000) - AMENDMENT NO. 209 - ZONING CSL 4252 MURDOCH DRIVE & PORTION OF RESERVE R44544 (LOC 4253) FARRINGTON ROAD, NORTH LAKE TO MIXED BUSINESS - RESTRICTED USE - OWNER: HEALTH DEPT - APPLICANT: RICHARD PAWLUK & ASSOC (92209) (CC) (ATTACH)

RECOMMENDATION

That Council:

- (1) adopt the Schedule of Submissions as contained in the Agenda Attachments;
- (2) adopt Amendment 209 for final approval;
- (3) in anticipation of the Hon. Minister for Planning's advice that final approval will be granted, the amendment documents be signed, sealed and forwarded to the Western Australian Planning Commission; and
- (4) advise the applicant of the Council's decision accordingly.

COUNCIL DECISION

MOVED Cmr Smithson SECONDED Cmr Jorgensen that the recommendation be adopted.

CARRIED 3/0

Background

ZONING:	MRS:	Public Purpose Hospitals
	DZS:	Public Purpose Hospitals



LAND USE:	Hospital Laundry
LOT SIZE:	Approximately 3.5 ha
AREA:	N/A
USE CLASS:	N/A

Council at its meeting of the 28 September 1999 resolved to rezone the land on the corner of Murdoch Drive and Farrington Road, North Lake to Mixed Business - Restricted Use.

The rationale for the amendment is to allow for the hospital laundry facility on the site to be sold and privatised. Land surplus to the hospital laundry facility may also be subdivided in the future. The City of Melville has adopted a similar amendment for the portion of the hospital facility in their local authority.

The land's Public Purpose – Hospital reservation in the MRS is proposed to be rezoned to Urban in the South West District Omnibus Amendment No.4, which is close to finalisation.

See Agenda Attachments for Background Details

Submissions

Five submissions were received during the advertising of the Amendment 209. Servicing authorities raised no objections to the proposal.

A resident on the adjacent side of Farrington Road raised concerns that future development may be high-rise, unsightly or noisy.

See Agenda Attachments for Summary of Submissions.

Report

In respect to the objection, multiple dwellings are an 'X use' in the Mixed Business zone and any future development is required to meet the relevant noise regulations and Scheme provisions for matters such as landscaping.

The rezoning of the land to Mixed Business is justified on the following grounds:

- The land is surplus to Health Department requirements.
- A Mixed Business zone may allow the development of consulting rooms, offices and other types of uses that do not necessarily require a location within a commercial or industrial area. The Mixed Business



zone may also provide for a range of uses complementary to the nearby hospital, Murdoch University and the TAFE College. The laundry facility already services the hospital, as well as providing services for the nearby Murdoch Chase residential estate.

- The City of Melville supports a Mixed Business zone for the Laundry Facility site in their local authority.
- No substantial objections having been received.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

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

Council objected to the MRS Amendment which proposed to rezone the land from 'Public Purpose' to 'Urban'. The WAPC did not support the Council's submission and the amendment is to be presented shortly to Parliament with the 'Urban' zone for the site.

Council is required to make its Scheme consistent with the Metropolitan Region Scheme. The proposed 'Mixed Business' zone is consistent with the proposed Urban zone of the MRS Amendment.

- 509. (AG Item 13.6) (OCM1_4_2000) - OUTBUILDING FOR A HORSE TRAINING FACILITY - LOT 25 HOLMES ROAD, MUNSTER - OWNER: A & C MILLAR - APPLICANT: INHOUSE BUILDING DESIGN (4411376) (MT) (MAP NO. 16) (ATTACH)**

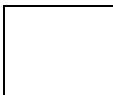
RECOMMENDATION

That Council:

- (1) approve the application for an outbuilding for horse training on Lot 25 Holmes Road, Munster subject to the following conditions:

Standard Conditions

1. Standard conditions contained in Council Policy PD 17 as



determined appropriate to this application by the delegated officer under clause 7.6 of Council's District Zoning Scheme N^o 2;

Special Conditions

2. A revised plan being submitted indicating the outbuilding setback 15 metres from the front boundary and 5 metres from the side boundaries;
- (2) Issue a Form 2 Notice of Approval to the applicant valid for a period of 2 years.

COUNCIL DECISION

MOVED Cmr Smithson SECONDED Cmr Jorgensen that the recommendation be adopted.

CARRIED 3/0

Background

ZONING:	MRS:	RURAL
	DZS:	RURAL
LAND USE:	VACANT	
LOT SIZE:	13 952m ²	
AREA:	800m ²	
USE CLASS:	N/A	

Submission

Application is made for a 6 metre high, 40 by 20 metres shed, constructed of weathered (non reflective) zincalume. The shed is to be setback 10.5 metres from the front boundary and 4.5 metres from the eastern boundary. The shed is to be used as a 'dressage' training facility for a couple of horses belonging to the owner of the land.

Report

The application was referred to surrounding landowners. No submissions were received. The building exceeds the floor area and height (200m² & 4.5 metres) to be considered an ancillary outbuilding and as such required planning approval under Council Policy PD 18. The use of the outbuilding must comply with the Scheme. Horse training could be considered a "Rural Pursuit", a permitted use in the Rural zone.



The shed is considerably larger than the prevailing size in that area. However, there are no houses close to the proposed location and the neighbours have not objected to the development. The size and close proximity of the structure to Holmes Road will necessitate the planting of trees to screen it. The owners have indicated they are prepared to plant numerous trees to achieve this.

A recent amendment to Council's Scheme requires setbacks of 20 metres to the street frontage and 10 metre setbacks from all other boundaries. Prior to the amendment Council Policy required setbacks of 10 metres from the front and 5 metres from the other boundaries. The application was received prior to the amendment being gazetted and officer advice to the applicant was on the basis of the Policy setbacks. It is therefore recommended that the outbuilding be approved with 5 metre side setbacks. A setback of 20 metres to the front boundary should be maintained because of the size of the shed. The water tanks may be located within this setback as they are not classified as buildings.

Strategic Plan/Policy Implications

Council Policy PD18 "Ancillary Outbuildings (Sheds)"
Council Policy PD2 "Rural Setback Policy" is reviewed in a separate report in this agenda.

Budget/Financial Implications

N/A

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

Nil

510. (AG Item 13.7) (OCM1_4_2000) - REVISED POLICY PD2 - "RURAL SETBACK POLICY" (9001) (MT) (ATTACH)

RECOMMENDATION

That Council:

- (1) revise Council Policy PD2 "Rural Setback Policy" by:
 - 1. deleting "(a)" and inserting a new "(a)" with the following wording: "On Rural zoned land, all buildings should be setback in accordance with Clause 5.5.1(3) of Council's



District Zoning Scheme No.2.”;

2. deleting “(b)” and inserting a new “(b)” with the following wording: “where the prevailing setbacks in the immediate locality are less than the minimum setback allowed under the Scheme, a reduced setback may be approved, but in no case shall the setback be less than 7.5 metres from the street boundary or less than the minimum side setback as prescribed by the Bush Fires Act 1954 (3 metres)”;
3. deleting “(c)” and inserting a new “(c)” with the following wording: “where the proposed development is replacing a similar development which does not conform with the Scheme setback provision, Council is authorised to approve variations to the setback in accordance with the existing setback.”

COUNCIL DECISION

MOVED Cmr Smithson SECONDED Cmr Jorgensen that:

- (1) revise Council Policy PD2 “Rural Setback Policy” by amending:
 1. Background to read as follows:

Clause 5.5 of the Scheme specifies the following building setbacks for the rural and resource zones:

 - (a) In the case of the Street Alignment: 20 metres
 - (b) In all other cases: 10 metres
 2. Purpose to read as follows:

To provide guidelines for the exercise of Council discretion regarding building setbacks within the rural zone.
 3. deleting “(a)” and inserting a new “(a)” with the following wording: “On Rural zoned land, all buildings should be setback in accordance with Clause 5.5.1(3) of Council’s District Zoning Scheme No.2.”;
 4. deleting “(b)” and inserting a new “(b)” with the following wording: “where the prevailing setbacks in the immediate locality are less than the minimum setback allowed under the Scheme, a reduced setback may be approved, but in no case shall the setback be less than 7.5 metres from

the street boundary or less than the minimum side setback as prescribed by the Bush Fires Act 1954 (3 metres);

5. deleting “(c)” and inserting a new “(c)” with the following wording: “where the proposed development is replacing a similar development which does not conform with the Scheme setback provision, Council is authorised to approve variations to the setback in accordance with the existing setback.”

CARRIED 3/0

Explanation

The 'Background' and 'Purpose' of the revised policy in the Agenda attachment did not reflect the modifications made to the policy.

Background

Amendment 202 was gazetted on 17 March 2000. The essence of the amendment was the introduction of the “Resource Zone” into Council’s Scheme and provisions pertaining to that zone. Elements of the amendment affected provisions related to all “Rural” land in the City. Clause 5.5 of the Scheme introduces minimum building setbacks for the Rural and Resource Zones. These setbacks are:

- “(a) In the case of the Street Alignment: 20 metres*
- “(b) In all other cases: 10 metres”*

Prior to the recent amendment, Council’s Scheme did not contain provisions relating to setbacks on Rural land. Policy PD2 “Rural Setback Policy” guided Council when determining setbacks. The Policy dictates setbacks of 10 metres from the front and rear boundaries and 5 metres from the side boundaries. A copy of the existing policy is attached to this agenda.

Report

The purpose of the revised Policy is to outline the circumstances in which Council may approve a variation to the Scheme provisions. Clause 5.3.3 of Council’s Scheme states that development of Land for a Residential Purpose shall conform to the provisions of the Residential Planning Codes. Clause 1.5.7 of the Codes permits Council to vary the minimum setback provided it has regard for the existing setbacks from the street alignment.



Rural setbacks are now prescribed in the Scheme, however, there is value in allowing some flexibility regarding setbacks. In some of the Rural areas in the City, particularly the smaller rural lots in Munster and Wattleup, reduced front and side setbacks are common, with many lots already being developed with a single residence. The revised policy allows for an exception in line with the prevailing setback in the immediate locality, but not less than 7.5 metres from the front and 3 metres from the side boundaries.

By comparison, in Banjup in the former Special Rural zones, setbacks are generally controlled by 'building envelopes' which typically have a street setback in excess of 20 metres and side setbacks in excess of 10 metres.

Exceptions should be granted where the building will be replacing an existing building that has a setback which is not in accordance with the Scheme provisions. The policy includes a clause to this effect.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

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

Nil

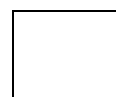
511. (AG Item 13.8) (OCM1_4_2000) - AMENDMENT NO. 219 - ADDITIONAL USE - FRUIT AND VEGETABLE WAREHOUSE AND DISTRIBUTION CENTRE - LOT 81 WATTLEUP ROAD, WATTLEUP - OWNER/APPLICANT: POWERWIDE CORPORATION (92219) (CC) (MAP NO. 17) (ATTACH)

RECOMMENDATION

That Council:

- (1) Adopt the following amendment:

TOWN PLANNING AND DEVELOPMENT ACT, 1928 (AS AMENDED).
RESOLUTION DECIDING TO AMEND A TOWN PLANNING



SCHEME.
CITY OF COCKBURN TOWN PLANNING SCHEME – DISTRICT
ZONING SCHEME NO. 2

AMENDMENT 219

1. Adding to the Second Schedule of the Scheme Text under the headings the following:

Street	Particulars of Land	Additional Use Permitted
Wattleup Road	Lot 81 on Plan 8190 Being on Certificate of Title Volume 1313 Folio 552	Fruit and Vegetable Distribution Centre for the handling, processing, treating, packing and carrying of fruit and vegetables limited to an area not greater than 7000m ² .

2. Adding to the Scheme Map, the additional use symbol and annotation 'Fruit and Vegetable Warehouse and Distribution' over portion of Lot 81 Wattleup Road, Wattleup.

- (2) forward a copy of a signed document to the Environmental Protection Authority in accordance with section 7 A(1) of the Act;
- (3) forward copies of the signed documents to the Western Australian Planning Commission, requesting consent to advertise be granted following receipt of written advice from the Environmental Protection Authority, that the Scheme Amendment is not required to be assessed under section 48A of the Environmental Protection Act; and
- (4) advise the applicant of the Council's resolution.

COUNCIL DECISION

MOVED Cmr Smithson SECONDED Cmr Jorgensen that the recommendation be adopted.

CARRIED 3/0

Background

ZONING:	MRS:	RURAL
	DZS:	RURAL
LAND USE:	Vacant Rural Land	



LOT SIZE:	2.6735
AREA:	7000m ²
USE CLASS:	Rural Pursuit 'P' use

Council at its meeting of 18 January 2000 resolved to conditionally approve a fruit and vegetable packaging facility on Lot 81 Wattleup Road. The owner seeks an additional use on the site to allow the packaging of fruits and vegetables from outside the locality.

Council at its meeting of 18 January 2000 considered the proposed additional use over portion of Lot 81 Wattleup Road, Wattleup for a Fruit and Vegetable Distribution Centre and resolved as follows:

'This matter be deferred to seek additional information from the proponent with regard to the implications of the amendment on the scale of the operation.'

The Council deferred the Amendment in order to seek additional information from the proponent with regard to the implications of the amendment on the scale of the building, operation and any amenity issues such as hours of operation, additional truck movements etc. See *Agenda Attachments for January Report*

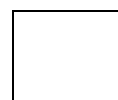
Submission

The proponent has submitted the following additional information:

- Area required for the development to be 94X70m=6,580^{m²}
- Ultimate Development (Packing Shed) may be 1200m².
- 10 staff for proposed development with a possible total of 15 in case of future expansion.
- Estimated 4 truck movements per day during working hours with potential for 6 movements per day when extensions are complete.
- Warehouse to contain 2 air-conditioned rooms (chillers) built for the storage of potatoes and vegetables and two air-conditioned cooling systems for the warehouse. Both systems to be operated during summer months with air-conditioned rooms (chillers) to operate 24 hours and cooling systems during working hours.
- Retention of existing trees as shown on the concept plan. See *Agenda Attachments*

Report

A fruit and vegetable distribution centre is located nearby, close to the corner of Wattleup and Mandogolup Roads within Cockburn and Kwinana. This proposal took place in the Rural Zone via an amendment to the TPS No.1 in 1982.



The proponent has advised that although the sourcing of the produce from the locality is economical due to savings in transport costs, some produce, such as potatoes, are not grown locally and need to be sourced from non-local areas such as the south west of the state.

The following table compares the existing development approval and the development that may occur in the event that Amendment 219 is adopted.

Existing Development Approval	Development possible under Amend. 219
A packing shed of 600 ^{m2} X 6 metre high including office, loading, and parking area	Same development as existing approval but with future expansion of development to 1200m2
10 employees	Possible 15 employees
4 truck movements per day	Potential of 6 truck movements per day
Packaging of local produce only	Packaging of local and non-local produce
-	Amendment indicates installation of chillers and cooling system in the development

The additional use is proposed for the front portion of Lot 81, to limit the size of the operation but still allowing for possible future expansion.

Outwardly, the facilities proposed including a shed (600^{m2}), residence and parking area would be similar in nature to other sheds and residence in the locality. In comparison, 3 shed of 1280m² used for hydroponics have been developed nearby on Lot 77 Wattleup Road. If a future stage of the development is constructed then the development would be of a similar scale to these sheds.

The estimated number of truck movements 4-6 per day is minimal and unlikely to have a noticeable impact on traffic and safety.

It is considered that the use of a portion of the site for warehousing and packaging of local and non-local fruits and vegetables is consistent with the intent of the Rural zone.

Strategic Plan/Policy Implications

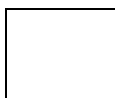
N/A

Budget/Financial Implications

N/A

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

Nil



512. (AG Item 13.9) (OCM1_4_2000) - PROPOSED AVIARIES FOR PARROT BREEDING - LOT 138, 84 EAST CHURCHILL AVENUE, BEELIAR - OWNER/APPLICANT: T WALDRON (3411630) (MT) (MAP NO. 9) (ATTACH)

RECOMMENDATION

That Council:

- (1) refuse the application for aviaries for parrot breeding on Lot 138; 84 East Churchill Avenue, Beeliar for the following reason:
 - 1. The proposal will detrimentally affect the amenity of the area through noise emissions.
- (2) issue a Form 2 'Refusal to Commence Development' to the applicant;
- (3) advise those who made a submission of Council's decision accordingly.

COUNCIL DECISION

MOVED Cmr Jorgensen SECONDED Cmr Smithson that the:

- (1) the matter be deferred; and
- (2) officers make attempts to negotiate the potential trial of a smaller number of birds to assess the impact.

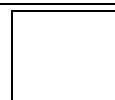
CARRIED 3/0

Explanation

The decision to defer the matter was because Council felt that an assessment could be made on a smaller number of birds and what impact this would have on the noise created by the birds considering that it is a smaller number.

Background

ZONING:	MRS:	RURAL
	DZS:	RURAL
LAND USE:	HOUSE	
LOT SIZE:	4047m ²	



AREA:	720m ²
USE CLASS:	USE NOT LISTED

Submission

Application is made to build 40 aviaries to house the variety of parrot known as '28s'. The aviaries are 2.4 metres high, 6.5 metres long, and 1.8 metres wide. They are to be placed 1 metre from the western boundary near the rear of the property. The tin aviaries will be joined together on a common concrete foundation with a watering and showering system servicing each cage. Seed is to be placed at the back of the cage, with a tray catching all unused seed.

The submission states '28s' are "on the low end of the noise scale". When they are housed in pairs they don't have to compete for nesting sites so they don't make much noise. A trellised passion fruit vine will block what noise the birds make.

Report

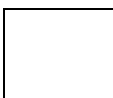
The application was referred to surrounding landowners. Six submissions were received, all opposing the proposal. A summary of the submissions is attached to this agenda.

The breeding of parrots is classed as a "Rural Pursuit" in Council's Scheme. The definition is worded such that "the breeding, rearing or boarding of domestic pets" is not permitted *unless* approved by Council.

One of the major concerns of neighbouring landowners and Council's Health Services is vermin. Rats and mice will be attracted to the birdseed. The mesh on the cages will not allow vermin inside but there is the potential for seed to scatter outside the cages. The applicant has undertaken to maintain the aviaries in a clean state.

The other possible impact is the noise created by the birds. "28s" have a propensity to produce excessive noise in the wild, particularly at sunset. The 1999 New Years Eve concert in Cottesloe was interrupted by a flock of "28s" screeching for 30 minutes at sunset. The applicant claims that when caged in pairs the birds do not make much noise. Officers have requested documented research to this effect. A letter from a veterinarian and aviculturist has been submitted and is attached to the Agenda.

The lot is in a rural lifestyle / market gardening area. There are residences either side of the subject lot, the closest being approximately 40 metres from the aviaries. On the opposite side of East Churchill Avenue is a residential area, zoned 'Residential - R20' under Council's



Scheme. These residential dwellings are within 100 metres of the proposed development. It is probable that any screeching from the birds will carry a considerable distance. The proposed passion fruit vine is unlikely to act to reduce noise emissions. It is likely that, if the birds do screech, it will detrimentally effect other resident's enjoyment of their property. Consultation with other Local Authorities has shown that similar developments have been located within industrial or commercial zones with separation from residential dwellings.

It is the scale of the use that has led to resident and officer concerns. It is reasonable to accept a small number of parrots kept as pets, as this is an incidental part of the 'as of right' domestic use of any property which does not require any form of Council approval. However the combined effect of 120 birds is clearly not incidental use and could result in problems with noise emissions. If Council was of a mind to approve the application, it might be prudent to restrict the number of parrots, however, determining a 'reasonable' number is problematic. The structure should be setback at least 5 metres from the neighbour's boundary to comply with Council Policy PD 2.

Strategic Plan/Policy Implications

Council Policy PD 2 - Rural Setback Policy.

Budget/Financial Implications

N/A

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

Appeal rights to the Minister for Planning or the Town Planning Appeals Tribunal are available in the event of a Council refusal.

513. (AG Item 13.10) (OCM1_4_2000) - PROPOSED MODIFICATIONS TO COUNCIL'S POLICY MANUAL (9001) (SA) (ATTACH)

RECOMMENDATION

That Council:

- (1) delete Policy PD 29 - Coogee Precinct Development Guidelines from Council's Policy Manual;
- (2) revise Policy PD 40 Henderson Industrial Area - Development Control, as per attached document and adopt it as PD 40 North



Coogee, Robb Jetty and Henderson Industrial area - Development Control;

(3) advise Landcorp of Council's decision, accordingly.

COUNCIL DECISION

MOVED Cmr Smithson SECONDED Cmr Jorgensen that the matter be deferred as the Policy required further modifications to be carried out.

CARRIED 3/0

Explanation

Council felt that the Policy needed some fine tuning and therefore could not be adopted in its present form.

Background

ZONING:	MRS:	N/A
	DZS:	N/A
LAND USE:	N/A	
LOT SIZE:	N/A	
AREA:	N/A	
USE CLASS:	N/A	

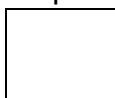
Council currently has three different polices in place regarding development guidelines for industrial areas, these include:

1. Policy PD 19 - Landscape Standards for Industrial, Commercial and Mixed Business Development,
2. Policy PD 29 - Coogee Precinct Development Guidelines, and
3. Policy PD 40 - Henderson Industrial Area - Development Control.

The question is raised, does Council need three separate policies.

Submission

The two of the three polices are similar in format, content and nature, Policies PD 29 and PD 40. Policy PD 29 was created and adopted as a result of Landcorp contractual requirements for development in the Coogee and Robb Jetty Industrial areas. It came to Council's attention in August 1997 that Landcorp had specific design requirements, beyond Council's Scheme provisions, therefore Council adopted Landcorp's requirements as a policy.



However, Landcorp have changed their contractual design requirements, and they may change again in the future.

Policy PD 40, for the Henderson area, was the result of a study by Max Margetts, on behalf of the South Metro area, and followed the format of Landcorp's design requirements.

PD 19 stands alone from the other policies as it specifically targets only the landscaping component of development in industrial, commercial and mixed business zones.

Report

It would be preferable to delete Policy 29 from the Policy manual as this would resolve the issue of differences in development requirements and standards between Council and Landcorp. Council is bound by District Zoning Scheme No. 2 provisions for setback, car parking, access and landscaping. If Landcorp wish to modify and changes their contractual development requirements, this should have no bearing on Council's development requirements and policy.

Policy PD 40 (Henderson Development Control guidelines) provide a generic set of provisions which provide guidance for the development of land in industrial areas, in the endeavour to achieve coordinated quality development, and by including the Robb Jetty and North Coogee industrial area into this policy, it would create a coordinate approach to quality development within the two industrial areas.

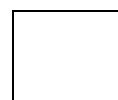
Landcorp will still have a control over the standard of development, via their contractual requirements with the individual landowners, and Council's policy of refer all development applications in the Robb Jetty and North Coogee area to Landcorp for approval, prior to Council's consideration.

Strategic Plan/Policy Implications

Alteration to the Policy Manual and Delegated Register,

Budget/Financial Implications

N/A



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

Nil

514. (AG Item 13.11) (OCM1_4_2000) - PROPOSED NEW MUNSTER SEWERAGE PUMP STATION AND BIBRA LAKE MAIN SEWER EXTENSION - IMPROVED OPTION (9100) (AJB) (ATTACH)

RECOMMENDATION

That Council:

- (1) support the improved option outlined by WA21; and
- (2) advise the Department of Environmental Protection and WA21 accordingly.

COUNCIL DECISION

MOVED Cmr Smithson SECONDED Cmr Jorgensen that the recommendation be adopted.

CARRIED 3/0

Background

Council, at its meeting held on 16th February 1999, gave consideration to the Public Environmental Review (PER) for the proposed new sewerage pump station at Munster and extensions to the Bibra Lake main sewer and resolved to advise the Water Corporation, that the proposed new pump station on the western side of Lake Coogee was the preferred option.

Point 3 of Council's resolution was to advise that construction of the additional pump station on the western side of Lake Coogee and associated storage facilities, should be brought forward as a matter of priority along with the decommissioning of the existing Munster pump station site.

Submission

The Woodman Alliance (WA21) by letter dated 13th April 2000, has requested Council's approval to an improved option for the proposed pump station associated with the Woodman Point treatment facility.



The submission requests Council to provide a letter of approval to the Department of Environmental Protection.

Report

The approved upgrading of sewerage infrastructure in the Mayor Road area, including pump stations and construction of the Bibra Lake main sewer, are as follows and as shown on the plan included in Agenda Attachment Book 2 :-

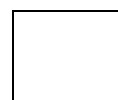
- Construction of the Bibra main sewer from existing Munster Pump Station No.2 located in Mayor Road, to a new facility located on Water Corporation land west of the proposed Fremantle-Rockingham Highway.
- Immediate construction of Munster Pump Station No.3 at the new site.
- Construction of Munster Pump Station No.4 at the new site in 2050.

The resultant system as approved, is as follows :-

- The existing Munster No.2 Pump Station located in Mayor Road and the proposed Munster Pump Station No.3, would work in parallel until approximately 2050.
- Post 2050, a fourth pump station (No.4) would be constructed adjacent to Pump Station No.3 and the existing Munster Pump Station No.2 in Mayor Road, would be decommissioned.

The improved option under investigation, which Council has been requested to support, would be as follows :-

- Proposed Pump Station No.3 and No.4 would be constructed in a single building as part of the current development. The building would contain two wells, initially fitted with two pumps each with provision for a third, to provide the required capacity for 2050.
- That existing Munster No.2 Pump Station would be decommissioned in 2002 when Pump Stations 3 and 4 are operational.
- It is a requirement that the overflow facility within the existing Munster No.2 Pump Station site, would be required for at least 10 years.



- During the period to 2010, the Water Corporation will monitor use of the overflow facility and determine whether or not overflow capacity is required. If it is determined that overflow capacity is required, then a new facility would be constructed north of Pump Stations 3 and 4 and the existing Munster No.2 Pump Station would then be totally decommissioned.
- Following the total decommissioning of the existing Munster No.2 Pump Station, the Water Corporation would seek rezoning of the land to allow for its development and subdivision.
- It should be noted that improvements on the existing pump station site, may not be removed until the overflow facility is no longer required.

WA21 state that the advantages of the improved option, are as follows :-

- Surrounding residents are no longer subject to noise or vibration nuisances from the existing pump station.
- No odours emanating from the existing pump station - although still possible for odours to emanate from the existing overflow storage facility.
- There will be reduced risk of overflow to the existing overflow storage facility.
- There could be earlier development and subdivision of the existing pump station site - following decommissioning of overflow storage.
- Consolidation of Pump Stations 3 and 4 in a single building, will reduce the overall visual impact of the infrastructure.

In discussions, WA 21 officers advised that the overflow facility would not be relocated from the existing Munster No.2 Pump Station site at this time for the following reasons :-

- This would significantly alter the scope of the project and result in the need for completion of further environmental formalities which would delay the project.
- Given the increased capacities and back-up systems at Pump Stations 3 and 4, it is considered that no storage will be required. However, it is necessary to monitor the performance of the system for some 10 years to confirm this situation and to then obtain approvals from the Department of Environmental Protection for no overflow system to be provided.



- The cost of constructing an overflow facility in the vicinity of Pump Stations 3 and 4 cannot be justified at this time, given an alternative exists.
- The likely occurrence of events resulting in the use of the existing overflow facility with Munster Pump Station No.2, will be significantly reduced as a result of the proposed works and accordingly, the situation for abutting residents will be improved.

It is considered that the improved option should be supported given that the amenity of the area around the existing Munster No.2 Pump Station will be significantly improved by 2002, compared to 2050 under the previous proposal and that it is generally in accordance with Council's previous position, albeit that the overflow area won't be decommissioned for some 10 years.

Policy PD21 - Public Works, provides that *formal advice will not be provided on any planning proposal from a Government Department or Agency where the proposal is immune from complying with Acts, Regulations etc.*

The proposed development is a public work and therefore, subject to Policy PD21. However, it is considered that Council should provide a formal response in this instance, given that Council has previously provided advice on this project (before Policy PD21 was adopted) and that without Council support, the Department of Environmental Protection will not agree to the proposed changes which clearly benefit the residents in proximity to the existing Munster No.2 Pump Station.

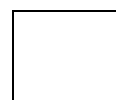
Strategic Plan/Policy Implications

The proposal is consistent with Item 2 of the Corporate Strategic Plan which provides that development should enhance the levels of amenity currently enjoyed by the community.

Policy PD21 applies to public works. It is considered that the policy should not be applied in this instance for the reasons outlined in the report.

Budget/Financial Implications

N/A



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

This is a State Government project. There are no implications.

515. (AG Item 13.12) (OCM1_4_2000) - FREMANTLE-ROCKINGHAM INDUSTRIAL AREA REGIONAL STRATEGY (FRIARS) - FINAL REPORT (9332) (SR) (ATTACH)

RECOMMENDATION

That Council:

- (1) reiterate its opposition to the FRIARS report;
- (2) reiterate point (3) of the Council's 22 June 1999 Resolution, ie:
 - "(3) *the Council's preference for a Development Authority to implement the FRIARS recommendations is subject to:-*
 1. *Any new industrial zoned land created under FRIARS should remain within the affected local government districts and not become a separate authority.*
 2. *The local government should retain the ability to levy rates from land within the control of any Development Authority.*
 3. *The local government should retain the delegated authority to issue planning consents and building licences within any area controlled by a Development Authority, together with the ability to make recommendations in relation to scheme amendments, subdivision and to manage health matters.*
 4. *The affected local governments being represented on any Development Authority.*
 5. *The Development Authority being established to be the "project manager" to plan the area, co-ordinate the provision of infrastructure, amalgamate and subdivide the land, to fund works, acquire and sell the land and to promote and market the estate.*
 6. *The Development Authority to be abolished at the conclusion of its role as project manager and the*



respective local governments to assume responsibility for the on-going development control and management of the area under the Councils' Town Planning Schemes."

- (3) reiterate 'Option 5' and 'Option 6' as detailed in the Council's 1999 FRIARS Submission as the preferred alternatives for industrial expansion within the region;
- (4) provide a copy of the Executive Summary of the Council's FRIARS Submission and an outline of 'Option 5' and 'Option 6' to relevant community groups, and all 'minor party' and 'independent' members of the legislative Council.

COUNCIL DECISION

MOVED Cmr Smithson SECONDED Cmr Donaldson that:

- (1) reiterate its strong opposition to the outcome of the FRIARS report;
- (2) reiterate point (3) of the Council's 22 June 1999 Resolution, ie:
 - "(3) *the Council's preference for a Development Authority to implement the FRIARS recommendations is subject to:-*
 - 1. *Any new industrial zoned land created under FRIARS should remain within the affected local government districts and not become a separate authority.*
 - 2. *The local government should retain the ability to levy rates from land within the control of any Development Authority.*
 - 3. *The local government should retain the delegated authority to issue planning consents and building licences within any area controlled by a Development Authority, together with the ability to make recommendations in relation to scheme amendments, subdivision and to manage health matters.*
 - 4. *The affected local governments being represented on any Development Authority.*
 - 5. *The Development Authority being established to*

be the "project manager" to plan the area, coordinate the provision of infrastructure, amalgamate and subdivide the land, to fund works, acquire and sell the land and to promote and market the estate.

6. *The Development Authority to be abolished at the conclusion of its role as project manager and the respective local governments to assume responsibility for the on-going development control and management of the area under the Councils' Town Planning Schemes."*

- (3) reiterate 'Option 5' and 'Option 6' as detailed in the Council's 1999 FRIARS Submission as the preferred alternatives for industrial expansion within the region;
- (4) provide a copy of the Executive Summary of the Council's FRIARS Submission and an outline of 'Option 5' and Option 6' to relevant community groups, and all 'minor party' and 'independent' members of the legislative Council.
- (5) Council being provided with further reports to the next Council meeting on the implementation issues and the proposed legislation including implications for Town Planning Scheme No.3.

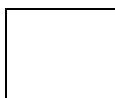
CARRIED 3/0

Explanation

It was decided to amend the officer's recommendation in response to a question that was raised during Public Question Time concerning the possible need to defer the Town Planning Scheme No.3 pending the outcome of the FRIARS Report. Council considered it important that the Report be studied in detail and further advice provided to Council.

1.0 BACKGROUND

The State Government made available the Final Report of the Fremantle-Rockingham Industrial Area Regional Strategy (FRIARS) on 12 April 2000. This follows the recent announcement by the Minister for Planning of the State Government's plan to introduce the 'Hope Valley - Wattleup Redevelopment Bill' into the current Parliamentary session. This timeframe has not allowed a full examination of the issues from the Council's perspective in this report, and further reports to Council examining particular issues may therefore be necessary.



The Executive Summary of the Final Report is included as an Attachment, together with the 'Preferred Land Use Strategy' plan. This depicts the 896 hectares contained within the defined Redevelopment area earmarked for future light, general and heavy industrial development within the City of Cockburn and the Town of Kwinana.

1.1 Draft FRIARS Report (1999)

A Discussion Paper was released in 1997 setting out the key issues and a broad concept plan was released for public consultation. The draft FRIARS report detailing 5 land use options and an analysis of the related economic, environmental, planning and social issues was released for public comment in March 1999. The State Government identified its preferred position, 'Option 4', in this draft report which was considered by Council at its meeting on 22 June 1999.

1.2 Council Position (1999)

The Council's position on the draft report is outlined in the 22.6.99 Resolution (refer Attachment). This Resolution, together with a comprehensive report, formed the basis of Council's submission to the WAPC which was to oppose the State Government's proposed 'Option 4'. The Summary of the Council's submission is also included as an Attachment.

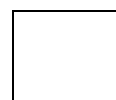
This summary provides an overview of the key issues and a critique of 'Option 4' from the City of Cockburn's viewpoint. Most of the landuse elements of Option 4 have been carried through to the Final Report and, consequently, the basis of the Council's objection remains largely unchanged.

The Council Submission then used the various planning criteria which (in the view of the State Government) justified 'Option 4' to develop two (2) alternative proposals 'Option 5' and 'Option 6' (refer Attachment).

'Option 5' proposed an additional 1026 hectare expansion of the Kwinana Industrial Area (KIA) by an easterly extension of the KIA within an area bounded by (proposed) Rowley Road, Anketell Road and the Kwinana Freeway within the Town of Kwinana.

'Option 6' proposed that the KIA be confined to its current zoned area and that a major new general industrial estate be established in the locality of 'Oldbury', approximately 14 kilometres east of Kwinana.

1.3 Submissions and Hearings Panel Process



A total of 322 submissions on the Draft FRIARS Report were received by the WAPC, with 52 persons/organisations (including the City of Cockburn) also making oral submissions to a Hearings Panel.

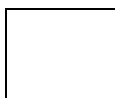
Consideration of the community's views resulted in some marginal changes to 'Option 4'.

2.0 FRIARS FINAL REPOT

2.1 Key Issues

The Key Issues as listed in the Final Report may be summarised as follows:

1. The need to maximise the potential development of the KIA with protection of the State's premier industrial site being protected by the planning process;
2. The related benefit to the State in delaying Government infrastructure expenditure on new sites;
3. Need to ensure that residents are subject to air quality that complies with the required Environmental Protection Policy standards;
4. Full development of the KIA within the current zoned area would see acceptable risk criteria exceeded within the Hope Valley Townsite, although Wattleup Townsite would be outside the 1 in a million risk contour.
5. The increased noise associated with additional road and rail infrastructure and industries within the currently zoned KIA may further impact on residential amenity in Wattleup and Hope Valley;
6. The need to protect groundwater quality and minimise long term nutrient inputs to Cockburn Sound;
7. Protection of EPP lakes and wetlands and recognition of proposed 'Bushplan' sites;
8. An immediate need to plan for general industrial land in the southern metropolitan region.
9. Need to upgrade transport and service infrastructure to cater for additional development within the KIA.
10. Need to consider the local community;



11. Need to consider the broad economic needs of the State;
12. Need to resolve uncertainty about the future.

The 'Final Report' states that: "*The Strategy is premised on the need to protect and optimise the KIA.*" This is a critical statement which signifies that in a situation where local community interests 'compete' with State economic interests regarding landuse planning outcomes, the local community interest is secondary from a State Government viewpoint.

The Council's 1999 Submission to FRIARS was premised on the view that it is possible to provide for the State interest of a major expansion of the KIA (ie 'Option 5') but in a manner which largely retained the status quo for Wattleup Townsite and surrounding rural areas within the City of Cockburn.

2.2 Preferred Land Use Strategy

There is only one significant change to 'Option 4' in the 'Preferred Land Use Strategy' relevant to the City of Cockburn as follows:

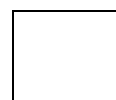
The 'Rural' zoned area in the north-east of the Kwinana Air Quality Buffer bounded by Holmes Road, Russell Road, Henderson Road and Cockburn Cement's Landholding is to be retained as 'Rural', rather than being 'Industrial'. The resultant area denoted for industrial use comprises Wattleup Townsite in its entirety and approximately 140 rural lots, together with the Henderson Landfill site and existing extractive industry lots.

Approximately 500 hectares of the 800 hectares of General Industry land contained in the Preferred Land Use Strategy is within the City of Cockburn. The timeframe for development of this land is dependent on market demands and the resource life of extractive industry sites and will probably exceed 25 years.

The FRIARS report predicts the long term creation of employment for 10,000 persons within the development area. This employment forecast exceeds the total number of Cockburn residents currently employed in the manufacturing and related industrial employment sectors. There is currently 868 hectares of 'occupied' industrial land within the City of Cockburn by comparison.

The timeframe for land acquisition is stated as being over a ten (10) year period in the report.

From a State Government perspective, removal of the Hope Valley and Wattleup townsites removes a long term potential 'constraint' to the full utilisation of the existing KIA for a combination of Heavy Industry and



General Industry. It would also allow the unfettered road and rail access in the long term to future port developments.

2.3 Implementation

The three broad issues are land assembly, statutory/legislative requirements and social/community issues.

In terms of land assembly, it is logical (if the legislation is finalised in Parliament) that a single government agency be responsible for this, given the multiplicity of small rural lots. The report does however state that some properties will not be required for many years and some existing uses compatible with industrial development could be retained.

Council's previous Resolution accepted the principle of a 'Development Authority' being the logical method of implementation. The Authority (ie LandCorp) would have the capacity to acquire land, fund infrastructure works and develop the industrial estate in an integrated manner, along similar lines as has occurred in Joondalup, East Perth and Subiaco.

The proposed legislation to give effect to the FRIARS plan requires detailed examination and will be the subject of a separate report in the future.

The social/community issues are related to land acquisition, timing, and other project implementation issues which are dependent on the approval of otherwise of the FRIARS legislation by State Parliament.

3.0 CONCLUSION

The Council's broad position in respect to the Wattleup Townsite and surrounding Rural land within the FRIARS area is stated in Council's Local Planning Strategy as follows:

- **Strategy** Conserve a landbank of Rural land to act as a 'Greenbelt' between urban areas and the Kwinana Industrial Strip and to provide opportunities for productive rural activities, rural living and the extraction of basic raw materials.
- **Action** Lobby the State Government to retain the existing Rural Zone in Wattleup and Munster as the outcome of the FRIARS study.

The planning rationale for the Council's previous Resolution in respect to the draft 'Option 4' remains essentially unchanged.

Therefore, the Council should restate this position being, firstly, to oppose the major expansion of General Industrial activity as contained in



the FRIARS report and the accompanying legislation to be considered by State Parliament.

Secondly, the City should continue to promote 'Option 5' and 'Option 6' as realistic alternatives which address the State's economic objectives of optimising the development of the Kwinana Industrial Area and promoting regional employment within the South-West and South-East corridors.

The outcome will be determined by the political process of the 'balance of power' in the State Legislative Council. The Labor Party's position on FRIARS is broadly consistent with the City of Cockburn's (refer attached). The City should therefore appropriately target its objection to FRIARS towards the 'minor party' and independent members of the Legislative Council.

Strategic Plan/Policy Implications

Corporate Strategic Plan, Strategy 2.3 f) and Action 2.36 and Strategy 2.3 j) and Action 2.3.10 generally apply to this matter.

Also Strategy 4.2 and Action 4.2.2, Strategy 4.3 and Actions 4.3.1 and 4.3.2 apply together with Strategy 4.4 and Action 4.4.1.

Budget/Financial Implications

N/A

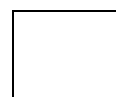
Implications of Section 3.18(3) Local Government Act, 1995

Nil.

516. (AG Item 14.1) (OCM1_4_2000) - LIST OF CREDITORS PAID (5605) (KL) (ATTACH)

RECOMMENDATION

That Council receive the List of Creditors Paid for March 2000, as attached to the Agenda.



COUNCIL DECISION

MOVED Cmr Jorgensen SECONDED Cmr Smithson that the recommendation be adopted.

CARRIED 3/0

Background

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

Submission

N/A

Report

N/A

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

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

N/A

517. (AG Item 14.2) (OCM1_4_2000) - DEBT WRITE OFF - BIBRA LAKE SCOUT GROUP - RESIDENTIAL RENT (1114662) (KL)

RECOMMENDATION

That the amount of \$711.62 owed to Council by the Bibra Lake Scout Group be written off.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL



COUNCIL DECISION

MOVED Cmr Jorgensen SECONDED Cmr Smithson that the recommendation be adopted.

CARRIED 3/0

Background

The Bibra Lake Scout Group have had an agreement with Council to occupy a Council residence next to the Bibra Lake Wetlands Centre and the old scout hall on Hope Road, Bibra Lake since 1991. Council, at its meeting on 22 September 1993, resolved to offer to the Group, the house for \$50 per week subject to:-

- (1) the group pay all outgoings and carry out all non structural repairs to the building; and
- (2) the group to also take on the security responsibility for the adjoining Cockburn Wetlands Education Centre Building.

Submission

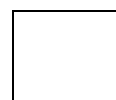
Correspondence has been received from the Bibra Lake Scout Group in regards to the outstanding debt of \$711.62 for rent at the Hope Road house. The tenant of the house, a Mr Aaron Murray, rented the house through the scouts and was recouping the Scout Group. The Scout Group paid the City of Cockburn.

Mr Murray fell behind with payments to the Scout Group and still owes them \$1,500. The group impressed upon Mr Murray that they could no longer support him and that he would be responsible for payments directly to the City of Cockburn. The group was unaware that he was not making payments, although they were receiving monthly accounts. Mr Murray, who was contacted by the Scouts on a number of occasions, assured the Treasurer that he would clear all debts, but to date has not honoured the agreement.

As the Scouts are a non-profit organisation and find fundraising very difficult, they request that Council write off the debt.

Report

The Scout Group are currently in debt to Council for \$711.62 which represents 13 weeks rent (\$975.00 less bond monies forfeited of \$263.38). The Scout Group vacated the premises in June 1999. At no



stage did the Scouts contact the City advising that rent was going to be payable direct to the City.

Debts which are non-recoverable require Council's authorisation under the provisions of the Local Government Act 6.12(1)(c).

Legal action has not been take due to the fact that recovery action against a community organisation was not seen as being appropriate.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

Loss of potential revenue for Council of \$711.62 due to non-recovery of debt.

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

Nil.

518. (AG Item 14.3) (OCM1_4_2000) - REPORT ON FINANCIAL STATEMENTS (5505) (KL) (ATTACH)

RECOMMENDATION

That Council receive the Report on the Financial Statements for the second 1999/00 triennial period ending 29 February 2000.

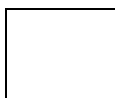
COUNCIL DECISION

MOVED Cmr Jorgensen SECONDED Cmr Smithson that the recommendation be adopted.

CARRIED 3/0

Background

Section 6.4 of the Local Government Act 1995 requires Council to prepare Financial Reports. Section 34 (1) of the Local Government (Financial Management) Regulations 1996 prescribes that a local



government is to present reports ending 31 October, 28 February and 30 June.

Submission

N/A

Report

Attached to the Agenda is a Report on the Financial Statements for the period ending 29 February 2000.

Any significant variations between the year to date income and expenditure totals and the relevant Annual Budget provisions have been identified and addressed through the Budget Review, submitted to Council.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

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

N/A

519. (AG Item 14.4) (OCM1_4_2000) - REVIEW OF RESERVE FUNDS (5000) (ATC)

RECOMMENDATION

That Council resolve to set aside money in the appropriate Reserve Funds to allow for the orderly funding of major projects and that the Reserve funds be reviewed on an annual basis.

COUNCIL DECISION

MOVED Cmr Jorgensen SECONDED Cmr Smithson that the recommendation be adopted.

CARRIED 3/0



Background

Council reviews its Reserve Funds on an annual basis.

Submission

N/A

Report

A report by the Director, Finance and Corporate Services on the Review of Reserve Funds is attached to the Agenda.

Strategic Plan/Policy Implications

Use of Reserve Funds is in line with Council's Strategic Plan.

Budget/Financial Implications

The proposed movements in Reserve Funds outlined in the report will be used in Council's Principal Activities Plan and the first draft budget for 2000/01. Use of Reserve Funds as set out may be varied at Budget meetings.

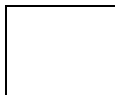
Implications of Section 3.18(3) Local Government Act, 1995

N/A

520. (AG Item 14.5) (OCM1_4_2000) - PRINCIPAL ACTIVITIES PLAN 2000/01 - 2003/04 (5406) (ATC) (ATTACH)

RECOMMENDATION

That Council resolve to adopt the Draft Principal Activities Plan 2000/01 - 2003/04, as attached to the Agenda, and that the Plan be advertised for public comment.



COUNCIL DECISION

MOVED Cmr Jorgensen SECONDED Cmr Smithson that the recommendation be adopted.

CARRIED 3/0

Background

Under the Local Government Act 1995, each year the City is required to prepare a Plan of its principal activities for the next four years. The Plan must be developed in conjunction with the community and when finalised, will be the basis for adoption of the annual budget for the City.

Submission

N/A

Report

The Draft Principal Activities Plan is required to be available for public comment for a period of six weeks. It is intended to advertise the Plan as being available from Wednesday, 26 April 2000 with public comment closing on 7 June 2000. Comments on the Plan and the proposed final Plan would then be submitted to Council at its Meeting on 20 June 2000.

Strategic Plan/Policy Implications

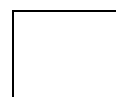
The Draft Principal Activities Plan describes its links to the Corporate Strategic Plan.

Budget/Financial Implications

The Principal Activities Plan when adopted forms the basis of the budget for 2000/01. Any variances from the Principal Activities Plan must be detailed in the Budget document.

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

N/A



**521. (AG Item 14.6) (OCM1_4_2000) - BUDGET REVIEW - PERIOD
ENDING 29 FEBRUARY 2000 (5402) (ATC) (ATTACH)**

RECOMMENDATION			
That Council amend the Municipal Budget for 1999/00 as follows:			
A/c. No.	Description	Current Budget	Proposed Budget
105131	Interest on Municipal Investments	680,000	800,000
8220B	1CCC Fairlane Ghia (Sold July 99)	3,505	60
110255	Commissioners Expenses	10,000	2,000
110290	Conferences/Seminars/Training	10,000	5,000
110422	Meals All Meetings	24,000	15,000
110230	Members Telephone Expenses	4,000	500
110200	Support Staff Salaries	30,000	1,300
575782	Basketball Half Courts - various locations	10,000	0
575859	Basketball Half Courts - various locations	5,000	0
573274	Beeliar Parklands	10,221	0
573342	Carlhusen Reserve	2,641	0
573333	Lydon Boulevard Verges	13,144	0
573269	Tapper Road Reserve - Atwell	33,940	0
573355	Thomsons Lake East of Freeway	33,000	0
573318	Water Wise Garden	2,635	0
485090	Rubbish Tip Fees	1,773,720	2,253,151
200460	Noise Control Management	6,500	4,000
730102	Building Licence Fees	440,000	540,000
500476	TPS3 Legal	9,545	5,000
500474	TPS3 Consultation	50,000	45,000
500100	Zoning Statement Fees	35,000	45,000
500110	Fines and Penalties	1,500	17,400
505479	Computer Retail Study	35,000	30,000
505320	Legal Expenses	15,000	2,500
505350	Advertising	3,000	1,000
670730	Purchase Plant - Parks	391,800	369,300
650050	MRWA contribution to maintenance Forrest Rd	24,900	28,000
170481	Police Presence	10,000	0
560200	Salaries	25,833	21,209
560230	Communication Costs	2,500	1,180
560350	Advertising	2,000	0
560400	Printing & Stationery	300	13
560463	Recreational Programs	2,000	1,794
560464	Sundry Minor Expenses	1,000	207
560260	Building Cleaning	12,000	10,000
680576	RAMBURES WAY[Grandpre/Bourbon] - New path	11,200	8,822
680578	GILCHRIST AVE[Hope/Parkway] - New path	8,150	0
680858	NORTH LAKE RD[Berrigan/Semple] - Install DUP	19,977	13,811



680507	ASHBOURNE WAY[Amberley/Oldridge] - Replace slab path	13,750	10,055
680509	DERINTON WAY[Oldridge/Hamilton] - Replace slab path	18,850	16,710
680510	OLDRIDGE ST[Phoenix/Amberley] - Replace slab path	12,700	7,742
680512	FREETH RD[Gerald/Doolette] - Replace slab path	24,460	20,103
680513	LANCASTER ST[Shallow/Rockingham] - Replace slab path	11,700	6,904
680514	MARCH ST[Lancaster/Goffe] - Replace slab path	20,400	16,574
680516	MIRO ST[Wattleuo/Stamford] - Replace slab path	15,300	11,571
680568	GLENDOWER WAY[Shallow/Gerald] - New path	2,550	0
680570	HARTWELL PDE[Turnbury/Berrigan] - Instal path	26,500	21,486
680573	MACMORRIS WAY[Gerald/Lancaster] - New path	12,230	103
695505	HOWSON WAY[Parallel to Stock] - Upgrade stage2	116,000	41,561
650469	KERB MAINTENANCE	47,965	1,404
695524	SIMMS RD - Street enhancement	188,000	156,000
695529	DEAN RD[POS/Lot301] - TMD's	36,560	13,000
695536	NINEHAM AVE -Instal road plateau	6,050	1,434
695537	O'CONNELL ST[near Burr ridge] - Instal road humps	8,050	3,272
695539	REDMOND RD[Forrest/Hillier] - TMD's	52,240	24,277
695891	ETHERINGTON AVE - Instal road plateau	4,000	1,463
695944	EDELIN ST/ROCKINGHAM RD - Modification	29,679	10,563
695949	GIBBS RD/LIDDELOW RD - Upgrade intersection	18,807	15,892
695961	EDELIN ST - TMD	4,646	1,123
695930	SPEARWOOD TRAFFIC STUDY	7,473	4,945
580814	Anning Park Changerooms - Sewerage	10,000	1,230
580714	JOE COOPER CENTRE - Replace windows	24,000	16,000
873463	LINK TO MAINFRAME PROPERTY SYSTEM	46,830	21,830
110253	Commissioners Remuneration	99,000	132,000
116300	Insurance	1,800	5,715
575985	Various Locations - Arboricultural Safety Assessment of Mature Trees in Parklands	15,000	21,000
573319	Emergency Bore Maintenance	15,000	35,000
960497	Transfer to Rubbish Development Reserve	0	162,000
200300	Insurance	1,801	5,714
200280	Printing & Stationery	3,500	5,500
200700	Furniture & Equipment	11,360	13,360

500350	Advertising	10,000	12,000
8508	Daihatsu (Terious)	7,960	11,000
500300	Insurance	1,800	6,000
500106	Quarry Licences	10,000	7,000
500104	Strata Title Fees	2,000	0
505317	Consulting Lot 4 Yangebup Road	18000	23,000
670730	Purchase Plant - Parks	369,300	391,800
315516	Quest International Program	0	10,000
475090	Hope Rd House (next to hall) Rent	4,000	0
960490	Transfer to Community Facility/Recreation Reserve Fund	300,000	394,000
555200	Recreation Services Salaries	38,820	50,050
680841	SPEARWOOD AVE EXT[Hamilton/Cockburn] - Install DUP	11,074	15,916
680551	BRENCHLEY DR[Waters/#67] - Instal path	17,300	21,431
650465	ROAD MAINTENANCE	518,695	565,256
695507	MELL RD[Hamilton/Mentha] - Widen & upgrade	84,500	109,863
695510	WARTON RD/JANDAKOT RD - Reconstruction	41,700	88,000
695511	ARMADALE RD/TAPPER RD - Instal street lighting	22,000	30,000
695532	GLEN IRIS DR[near Bunker Gardens] - TMD's	18,800	24,500
695946	FORREST RD/SUDLOW RD - Upgrade bend & intersections	36,000	70,000
695956	STEPHANO WAY-PROSPERO CRES - Parking & kerb realignment	18,000	25,000
695918	ROCKINGHAM RD/DALISON AVE/MUSSON ST - Kerbing & shoulder work	3,075	10,000
680110	Transfer from Restricted Trust	97,000	85,129
580713	JOE COOPER CENTRE - Reclad fascia	10,000	18,000
580700	Anning Park Changerooms - Replace Roof Cladding	7,000	20,422
960491	Computer Reserve Fund	160,000	460,000
NEW	Donation to Cockburn Senior Citizens for Bus	0	6,691
NEW	Remove contaminated soil from Reserve 1820	0	136,000
NEW	Income for Henderson Landfill site for disposal	0	108,200
NEW	South Coogee Reserve - Replace condemned playground equipment	0	15,000
NEW	Atwell Estates Parks & Landscaped Maintenance	0	153,720
NEW	South Lake Leisure Centre Floor Finish	0	65,000
NEW	PACKHAM ST[Blackwood/Morton] - Replace slab path	0	9,300
NEW	RAMBURES WAY[Maxworthy/Grandpre] - New path	0	5,700
NEW	MARVELL AVE[Newton/Stevenson] - New path	0	8,000



NEW	HOMESTEAD AVE[Hope/Parkway] - New path	0	16,000
NEW	SPEARWOOD AVE[Stock/Sudlow] - Design of 2nd carriageway	0	14,000
NEW	SPEARWOOD AVE[Sudlow/Yangebup] - Design of new road	0	18,000
NEW	POLLETTI RD - Widening to 8m.	0	37,000
NEW	4WD VEHICLE - New purchase	0	25,000
NEW	Contribution to Olympic Torch Relay Celebrations in Fremantle	0	5,000
<u>TO BE PASSED BY ABSOLUTE MAJORITY OF COUNCIL</u>			

COUNCIL DECISION			
MOVED Cmr Jorgensen SECONDED Cmr Smithson that the recommendation be adopted subject to the following deletion not being included in the Budget Review:			
A/c. No.	Description	Current Budget	Proposed Budget
110255	Commissioners' Expenses	10,000	2,000
<u>CARRIED 3/0</u>			

Explanation

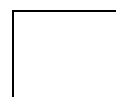
The Chief Executive Officer advised that since no claims have yet been made by the Commissioners, nor has Council considered if an annual allowance should be made, it was better these funds were left in the account so that expenses could be paid for if claims were made.

Background

Council has resolved to review its Budget twice each year for the periods ending October and February.

Submission

N/A



Report

A report on the review of the Municipal Budget for the period 1 July 1999 to 29 February 2000 is attached to the Agenda.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

A number of amendments to the Budget are recommended.

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

N/A

522. (AG Item 15.1) (OCM1_4_2000) - TRANSFER OF RESPONSIBILITIES FOR ROAD PAVEMENT MARKINGS AND SIGNING ISSUES ON LOCAL ROADS FROM MAIN ROADS WA TO LOCAL GOVERNMENT (4306) (BKG)

RECOMMENDATION

That Council advises the Minister for Transport, the Minister for Local Government, W.A.M.A., the Commissioner of Main Roads, and the opposition spokesperson on Transport, that the City of Cockburn is concerned at the possible decline in safety of local roads due to the Main Roads WA decision to reduce its role in the responsibility for local roads.

COUNCIL DECISION

MOVED Cmr Jorgensen SECONDED Cmr Smithson that:

- (1) Council advise the Minister for Transport, Minister for Local government, Western Australian Municipal Association, the Commissioner of Main Roads WA and the Opposition Spokesperson of Transport that it objects strongly:
 1. To the continued devolution of responsibilities of Main Roads WA to Local Government without the accompanying funding or training.



2. To the possible short term decline in safety on local roads due to the unilateral decision to allocate work to local government that is currently their responsibility without any warning or consultation.
3. To Main Roads WA decision that will cause the fragmentation of responsibility for safety on local roads between state and local government agencies.

CARRIED 3/0

Explanation

Council strongly felt that it needs to express its firm position in response to Main Roads WA's decision of transferring its responsibilities to local government.

Background

A letter has been received from Main Roads WA stating that they are in the final stages of a major restructure.

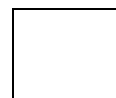
The letter states:

The main activities that have been moved from Main Roads to Local Government in the past 18 months are:

- *Production of pavement marking and signing drawings for local roads (including new guard controlled school crossing locations),*
- *Installation of pavement markings and signs on Blackspot projects,*
- *Investigation, design and installation of new traffic signal proposals on local roads,*
- *Investigation, design and installation of traffic signal modifications on local roads.*

The final stage of the change will occur on June 1 2000 when the following activities will be transferred to Local Government:

- *Investigation of all pavement marking and signing issues on local roads with the exception of speed zoning and guide signing issues,*
- *All letters sent to Main Roads by members of the public regarding pavement marking and signing issues will be forwarded to local government (with the exception of maintenance issues).*



The letter continues by saying that even after the local government has taken the enquiries and prepared the designs, approval from Main Roads WA staff is still required.

Submission

N/A

Report

This proposal by Main Roads WA can impact severely on the safety of the users of local roads.

Most local governments by definition are relatively small organisations. The budget for road and traffic design for a larger metropolitan Council such as Cockburn is \$300,000. This allows for the employment of four (4) full time staff.

Obviously, for the majority of the other 125 Councils in the State, the number of professionally trained staff in road and traffic management, is low.

The moving of tasks as outlined in the letter from Main Roads WA makes resourcing of this critical area very difficult.

A local government will be required to employ a trained and qualified road safety practitioner for an unknown work volume.

Main Roads WA have for the past 40 years, had the responsibility for road marking and signs on all roads.

In their letter they state they will still have the responsibility for this, but local government has to do the preliminary work.

This would seem to be highly inefficient.

It would seem to make more sense for Main Roads WA to do all of the work from enquiry to approval in the interests of efficiency.

If the aim is to reduce costs, then invoices could be sent to each local government for the services Main Roads WA supplies. At least then the costs associated with the road safety on local roads throughout Western Australia is known. If further measures need to be taken, the State Government is aware of what is currently being spent and can request further funds if it is serious about reducing crashes on local roads.

Strategic Plan/Policy Implications



One of the objectives of the Corporate Plan is to:

"Construct and maintain roads which are the responsibility of the Council in accordance with recognised standards and are convenient and safe for use by vehicles, cyclists and pedestrians.

Budget/Financial Implications

The Design Manager is requesting his budget be increased by \$50,000 in the 2000/01 Budget to allow for the following tasks to be carried out:

- Production of pavement marking and signing drawings for local roads;
- Installation of pavement markings and signs on Blackspot projects;
- Investigation, design and installation of new traffic signal proposals on local roads;
- Investigation, design and installation of traffic signal modifications on local roads;
- Investigation of all pavement markings and signing issues on local roads;
- Replies to letters forwarded to Local Government by Main Roads WA as local road issues;
- Negotiation, discussion and amendment of proposals submitted to Main Roads WA for approval.

No budget provision has been made in the Principal Activity Plan.

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

There will be a duplication of tasks with Main Roads

Local Government will investigate and prepare designs for pavement markings and signs. Main Roads WA will then approve by investigating and checking the design of the same project.

523. (AG Item 15.2) (OCM1_4_2000) - PURCHASE OF A WHEEL LOADER FOR HENDERSON LANDFILL SITE (4409) (BKG)

RECOMMENDATION

That Council:

- (1) purchase a wheel loader with 1.4 cubic metre bucket for use at the Henderson Landfill with funds from the rubbish development

fund and that the replacement machine for the Caterpillar 963 Traxcavator not be purchased at this time; and

(2) amend the Budget accordingly.

TO BE PASSED BY ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Cmr Smithson SECONDED Cmr Jorgensen that the recommendation be adopted.

CARRIED 3/0

Background

There is a need for a wheel loader at the Henderson Landfill Site. At present there are two machines on site: a Caterpillar 963 Traxcavator and a Caterpillar 816 Compactor.

Submission

N/A

Report

A report was finalised recently outlining the future plant requirements at the Henderson Landfill Site.

This was required because the site is currently accepting between 90,000 and 100,000 tonnes per annum.

However, with the anticipated closure of Canning landfill site in October 2001, the tonnages are expected to increase to 180,000-200,000 tonnes per year.

This will result in the upgrading of the traxcavator and the compactor to a larger size and the need to purchase a wheel loader.

On this year's Budget, funds were allocated for the replacement of the Caterpillar 963 Traxcavator.

However, as it is only 12 months away from when a larger machine will be required, it is recommended the machine be kept for another 12 months.



There is a present and a continuing need for a wheel loader. It will be used in loading cover material, working with the greenwaste stockpile area and on the inert fill area.

At present, machinery is hired to carry out those tasks. It is recommended that the wheel loader be purchased this financial year.

Strategic Plan/Policy Implications

The objectives of the corporate plan relating to this purchase are:

- ensure the Henderson Landfill Site is managed in accordance with EPA licence conditions.
- ensure Council services are operating in a cost effective and efficient manner
- maximise the City's revenue sources.

Budget/Financial Implications

The sum of \$240,000 for the trade-in of the Caterpillar 963 Traxcavator will remain in the plant replacement reserve funds for another 12 months.

A sum of up to \$240,000 will be allocated from the rubbish disposal development reserve fund to purchase a new wheel loader.

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

N/A

524. (AG Item 15.3) (OCM1_4_2000) - CUTLER ROAD TRAFFIC MANAGEMENT (450060) (SL)

RECOMMENDATION

That Council advise the Masters Cycling Council of WA Inc. that their request to not proceed with the installation of road humps in Cutler Road cannot be supported due to the need to improve road safety and discourage illegal afterhours activities.

COUNCIL DECISION

MOVED Cmr Jorgensen SECONDED Cmr Smithson that:

- (1) Council advise Masters Cycling Council of WA Inc. that their



request to not proceed with the installation of road humps in Cutler Road cannot be supported due to the need to improve road safety and discourage illegal afterhours activities; and

- (2) Council indicates to Masters Cycling Council of WA Inc. that it is open to considering other suggestions to accommodate their needs.

CARRIED 3/0

Explanation

It was felt that Council would welcome any other alternative solution to meet the needs of Masters Cycling Council of WA requirements.

Background

A letter was received on 28th March 2000 from the Masters Cycling Council of WA Inc. requesting the City of Cockburn not to proceed with the installation of road humps in Cutler Road. The circuit embracing Cutler Road, Solomon Road, Jandakot Road and Prinsep Road, represents six events on their annual racing calendar and the road is regularly used as a training circuit.

Submission

N/A

Report

Dalla Riva (Aust.) Pty. Ltd. of 31 Cutler Road, Jandakot lodged a complaint on 23rd October 1997 that a group of young motorists were using Cutler Road as a racing track every weekend. The company suspected that these motorists had also caused damage to the company's automatic gate control panel during the weekend preceding the lodgment of the complaint.

Design staff met with the complainant, discussed the issue and identified the damage. Accordingly, traffic treatments were proposed and submitted to Council for possible inclusion in the 1998/99 Budget.

On 11th September 1998, an article appeared in a community newspaper (*The Cockburn Gazette*) highlighting the drag racing problem in Cutler Road together with a photograph showing a high number of tyre marks on the road pavement.



In response to the article, Main Roads WA advised Council on 27th October 1998 that the posted speed limit in Cutler Road had reduced from 110km/h to 60km/h.

Council allocated funds in the 1998/99 Budget for the installation of traffic treatments in Cutler Road. Design was subsequently undertaken.

However, Cook Industrial Minerals Pty Ltd in Cutler Road objected to the proposal based on their concern that the proposed speed plateaux would place an extra burden on their trucks and that large machinery that came on low clearance trucks may find these road plateaux difficult to negotiate.

Brambles Western Australia (a heavy haulage specialist company) and Main Roads Heavy Haulage Licensing Department were consulted. They do not support the above claims.

However, the design has been revised. Watt's Profile road humps, which are more *gently* on trucks, are proposed.

The installation of speed reduction devices in Cutler Road is recommended, as the prevailing speed of traffic remains high. A traffic survey was undertaken in 1999. The prevailing speed of traffic in Cutler Road was 79 km/hr despite the 60 km/hr posted speed limit already in place.

In order to improve road safety for all users and to discourage afterhours vehicle abuse, illegal racing and gatherings, the City of Cockburn should not support the request from the Masters Cycling Council of WA Inc.

Strategic Plan/Policy Implications

One of the objectives of the Corporate Plan is to:

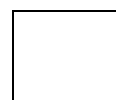
"Construct and maintain roads which are the responsibility of the Council in accordance with recognised standards and are convenient and safe for use by vehicles, cyclists and pedestrians.

Budget/Financial Implications

N/A

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

Nil



525. (AG Item 16.1) (OCM1_4_2000) - SHOP FRONT LIBRARY - THOMSONS LAKE (5515217) (RA)

RECOMMENDATION

That Council:

- (1) establish a shop front library within the Gateway Shopping Centre at Thomsons Lake by the leasing of space for up to 5 years subject to a satisfactory lease agreement being reached;
- (2) commits to placing on its 2000/01 budget the sum of \$193,000 for the operation of the library and \$60,000 for set up expenses should an agreement be reached; and
- (3) give the Chief Executive Officer delegated authority in accordance with Section 5.42 of the Local government Act 1995 to negotiate the terms and conditions for the lease of space suitable to establish a library.

TO BE PASSED BY ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Cmr Smithson SECONDED Cmr Jorgensen that:

- (1) establish a shop front library within the Gateway Shopping Centre at Thomsons Lake by the leasing of space for up to 5 years subject to a satisfactory lease agreement being reached;
- (2) commits to placing on its 2000/01 budget the sum of \$200,000 for the operation of the library and set up expenses should an agreement be reached; and
- (3) give the Chief Executive Officer delegated authority in accordance with Section 5.42 of the Local government Act 1995 to negotiate the terms and conditions for the lease of space suitable to establish a library.

CARRIED 3/0

Explanation

As an amount of \$200,000 was included in the Draft Principal Activity Plan which was prepared for public comment, the recommendation has been changed to reflect the amount contained in the Plan.



Background

There has been an identified need to establish a library to serve the eastern portion of the City which has been included in Council's Forward Plan for construction in 2002/03. An opportunity has been identified to lease an area of space within the Gateway Shopping Centre to set up a shop front library. This would allow Council to have an immediate presence in the area and delay the construction of a customised library.

Submission

N/A

Report

Council currently has two libraries, which serve a population of 65,000 people. The central Spearwood Library has a primary catchment population of Spearwood, Hamilton Hill, Munster, Coogee, Yangebup, Wattleup and the western portion of Beeliar. The Coolbellup Library primary catchment population is the suburbs of Coolbellup, North Lake and Bibra Lake. The proposed library at Thomsons Lake would have the primary catchment population of Atwell, Success, South Lake, Jandakot, Banjup, eastern portion of Beeliar and a portion of Yangebup. In the case of Yangebup there is likely to be a relatively even usage spread between the Spearwood and proposed Thomsons Lake Library. The current population identified for the Thomsons Lake Library is approximately 18,000.

The City of Cockburn has the right to a LISWA book stock of 80,000 based on the allocation of 1.25 books per capita. The current LISWA stock held by the City is 45,000. Provided additional library space is available Council will be able to increase its LISWA stock progressively over the next year. Should the Thomsons Lake Library proceed the proposal is, as an interim measure for library stock to be drawn from the Spearwood and Coolbellup Libraries and as the additional LISWA stock is allocated to the City to distribute it across the Council's Libraries.

The Gateway Shopping Centre has a shop area of 104 sq.m. available immediately for lease at a fee of \$300 per sq.m., which for the first full year equates to \$31,200 plus electricity usage. Should Council proceed with the proposal there would be a \$60,000 set up cost for partitioning, telephone connection, furniture, shelving and the like. Some of this infrastructure could be used when the custom built library is established. There would be a \$215,000 on-going operational cost for the library. The proposed hours of operation of the library is from 10.00am to 5.30pm



each week day other than Thursday night when the library will be open from 10.00 am to 9.00pm. The library will be open on Saturday from 10.00am to 5.00pm. These times are essentially the same as the shopping centre other than a slightly later opening time.

The preference would be for the library space to have external access that is the library could be used while the shopping centre is closed. There is no external space available for lease and it is unlikely a space will come up of sufficient size within the next year or so given the nature of the exiting tenancies. There will be some negotiation required between the City and the agents acting on behalf of the owners of the to reach an agreement on suitable term and conditions.

Strategic Plan/Policy Implications

Council has the specific objective in its Corporate Strategic Plan to “To facilitate and provide an optimum range of community services.” There is a clear need to provide a Library for the residents in the eastern portion of the City.

Budget/Financial Implications

Councils Principal Activity Plan has factored in the construction of a library for 2002/03 with an operational budget for 2003/04. The opportunity presented by the Thomsons Lake- Gateway Shopping Centre proposal allows for the construction of a new library in the eastern portion of the City to be moved out to 2004/05. Funds to operate the library for the full year are estimated to be \$215,000. The operational costs for 2000/01 and 2001/02 can be covered within the existing budget by reducing the amount to be transferred to the Facilities Reserve Fund by this amount. The actual budget required for 2000/01 is \$ 60,000 for set up and \$193,000 (inclusive of rent) for a service to operate from the 1st of October 2000 from the Shopping Centre.

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

Local Government is primarily responsible for library provision. The option to lease an area for a library for a period rather than custom build a facility is a prudent expenditure of funds as a large future capital expenditure can be provided for through setting aside reserve funds.

- 526. (AG Item 16.2) (OCM1_4_2000) - PROPOSED YOUTH DEVELOPMENT OFFICER (8173) (JG) (ATTACH)**

RECOMMENDATION

That Council establish a new youth development officer position within the social services team utilising funds available within the existing



community safety crime prevention budget allocation.

COUNCIL DECISION

MOVED Cmr Jorgensen SECONDED Cmr Smithson that:

- (1) a new youth development officer position be established within the social services team utilising funds available within the existing community safety crime prevention budget allocation; and
- (2) a review be undertaken after twelve(12) months of specific outcomes as a result of the introduction of this new position.

CARRIED 3/0

Explanation

It was felt that Council should review and monitor the progress and feasibility of employing a Youth Development Officer to find out what specific outcomes have been achieved.

Background

In 1999 the City undertook an extensive community consultation in relation to community safety. Significant recommendations were made in the subsequent report tabled at the Council's December meeting. At that time the administration advised that a detailed proposal regarding the creation of a new youth development position would be prepared for councils consideration at its February meeting.

Submission

N/A

Report

The City currently allocates significant funds to facilitate the development of initiatives aimed at the mainstream youth within the municipality. To date the youth services coordinator has facilitated these activities with assistance of youth work staff employed in the contracted youth programs auspiced by the City.

The recent crime and safety report again highlighted the need for the Council to undertake a greater coordination & delivery role in the



development of local area based youth initiatives, which focus on the provision of positive recreational and social activities for our youth.

At present youth work team staff are employed to provide specific contracted services funded by both the Department of Family and Children's Services and the Ministry of Justice. Both these programs target young people already captured by the juvenile justice system or those identified to be at risk of entering the judicial system. The City's capacity to develop broader mainstream preventative programs is seriously hindered by a lack of human resource to undertake the facilitation and coordination role.

In 1999 staff within the youth services team these have included such activities as have undertaken several new initiatives:

- ◆ Young women's group
- ◆ Adventure program
- ◆ Music and gigs program
- ◆ A youth magazine
- ◆ Protective Behaviours

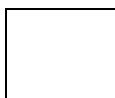
These mainstream programs have also been complemented by projects, which the City has continued including the youth vacation care program "Youth Outrage". The City has also developed with funds from Cockburn Rotary the youth grants program "U Fund" which aims to provide small seed funds to local initiatives. The Recreational service area has also worked towards the construction of a new skate facility for the City.

As the activities have developed so to have the demands placed on youth services staff to juggle their contracted obligations with additional tasks allocated by the City. With the increased development of mainstream activities their continued involvement would have a negative impact upon contract obligations.

To date little work has been done to develop local community based youth activities and this is an area seen as a real opportunity to forge new collaborative partnerships. This will enhance social and recreational based activities aimed at reducing anti social activities associated with some of the young people within the City.

In the report the community expressed the strong view that the City ought to allocate funds to the mainstream youth and not simply provide contracted services targeting the minority group caught in the legal system.

Significant policy and developmental work has already been done laying a solid foundation for a newly created position to further develop current or new initiatives which will enhance the network of community groups & provision of support to our youth.



The creation of this new position will allow for clarity in the role of the youth services coordinator. The youth development officer will provide much needed human resources to undertake initiatives specifically for youth.

This new structure will allow the youth services coordinator to focus on service management issues, the development of operational and organisational policy, as well as open opportunities for collaboration at the macro level to address structural inequities. The Youth Services Coordinator would maintain their role with the youth advisory council to ensure that matters raised are addressed within the operation and planning of youth services.

The population of people aged between 15 and 25 years was 8,659 (1996 ABS) in the 1996 census, this represents 15% of the Cockburn population. It is anticipated that this percentage will increase substantially by 2010.

Strategic Plan/Policy Implications

The Youth Consultation Report (1998) and Community Needs Survey (1998) have also identified the need to enhance resources allocated to "mainstream" youth within the Municipality. The youth services review and social services plans have also identified the need for increased human resources to develop & implement youth initiatives.

Key Result Area - "Facilitating the Needs of Your Community" also refers.

Budget/Financial Implications

Council has placed on its 1999- 2000 budget \$100,000 for community safety/ crime prevention initiatives. Of this sum \$45,000 has been committed to projects for this financial year leaving a balance of \$55,000. The anticipated expenditure for the employment of a youth development officer for the period May to June 2000 is approximately \$6,860, with a further \$2,500 required for office furniture and equipment. There are ample funds in the budget for this purpose.

The 2000-2001 allocation for the position including on costs is \$41,650. For a level 4 step one position.

It is anticipated that this figure would rise with additional program costs in subsequent budgets.



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

Nil.

527. (AG Item 17.1) (OCM1_4_2000) - CHIEF EXECUTIVE OFFICER'S ORGANISATIONAL STATUS REPORT (1054) (RWB) (ATTACH)

RECOMMENDATION

That Council receive the Organisational Status Report from the Chief Executive Officer dated April 2000.

COUNCIL DECISION

MOVED Cmr Smithson SECONDED Cmr Jorgensen that the recommendation be adopted.

CARRIED 3/0

Background

At its meeting of the 9th March 1999, Council determined that a report on matters of interest be provided to Council on a quarterly basis.

The Organisational Status Report replaced the report previously prepared relating to performance measurement.

As Council received the last Status Report in January 2000, it is now time for the next report to be provided.

Submission

N/A

Report

Directors, Managers and staff have generally contributed to the information report which has been titled "Organisational Status Report".

The Status Report will be provided to Council on a quarterly basis highlighting issues that may be of interest to Council.



The Report provides a snapshot of issues at a particular point of time, even though they may currently be in the process of being considered by Council.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

Nil

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

Nil

THE PRESIDING MEMBER PUT FORWARD THE FOLLOWING ITEM TO WHICH THERE WAS NO OBJECTION

Agenda Item 20.1 - Extension of Time - Amendment Proposals 192, 193, 206, 207 and 211 (92192; 92193; 92206; 92207; 92211) (SOS)

DECLARATION OF FINANCIAL INTEREST

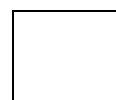
Comr Smithson advised the meeting that she had a financial interest in the preceding item. The nature of the interest being that her employer, BSD Consultants had made a submission on behalf of the owners regarding the rezoning.

AT THIS POINT CMR SMITHSON LEFT THE MEETING THE TIME BEING 8.50 PM

528. (AG Item) (OCM1_4_2000) - EXTENSION OF TIME - AMENDMENT PROPOSALS 192, 193, 206, 207 AND 211 (92192) (92193) (92206) (92207) (92211) (SOS)

RECOMMENDATION

That Council request the Hon. Minister for Planning grant an extension of 90 days for Council to consider submissions on Amendments 192, 193, 206, 207 and 211 for the reasons outlined in the Officer's report.



COUNCIL DECISION

MOVED Cmr Donaldson SECONDED Cmr Jorgensen that the recommendation be adopted.

CARRIED 2/0

Background

The following Amendment proposals have recently been advertised for public comment:

Amendment 192 – Generic provisions concerning Structure Planning requirements and Development Areas.

Amendment 193 – Generic provisions concerning Developer Contribution/Cost sharing arrangements.

Amendment 206 – Rezoning of land in Success for urban development and associated Structure Planning and Developer Contribution Arrangements.

Amendment 207 - Rezoning of land in Banjup for urban development and associated Structure Planning and Developer Contribution Arrangements.

Amendment 211 - Rezoning of land in Atwell for urban development and associated Structure Planning requirements.

Submission

The City of Cockburn is the first local authority in Western Australia to implement within its Town Planning Scheme, the Western Australian Planning Commission's Model Text Provisions for Structure Planning (Amendment 192) and Developer Contributions (Amendment 193).

Amendments 206, 207 and 211 concern the land covered by the Southern Suburbs District Structure Plan, adopted by Council and the Commission last year. There is a strong link between the generic provisions of Amendments 192 and 193 and these local area amendments. The Commission has advised that the finalisation of Amendments 206, 207 and 211 cannot be progressed ahead of Amendments 192 and 193.

Advertising on each of the Amendment proposals concluded during March.



Report

Given that Amendments 192 and 193 mirror the content of the Western Australian Planning Commission's draft model text provisions, their advertising has effectively provided the first opportunity for the development industry to review the model provisions. These Amendments have attracted a rigorous review with approximately 30 submissions having been made. As the issues raised in the submissions are intrinsically linked to the appropriateness of the model provisions, officers of both the City and the Commission are currently examining the submissions. This review will not be completed prior to the usual 42 day period afforded to Council to consider the submissions.

Amendments 206, 207 and 211 have each attracted only several submissions. Whilst there is general support for the proposals, it is inappropriate that they are considered ahead of Amendments 192 and 193.

A request for a 90-day extension to consider the submissions for each of the Amendments is therefore required. The Commission has informally advised it will support such a request.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

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

Nil

CMR SMITHSON JOINED THE MEETING THE TIME BEING 8.51 PM

529. (AG Item 23.1) (OCM1_4_2000) - RESOLUTION OF COMPLIANCE (Section 3.18(3), Local Government Act 1995)

MOVED Cmr Jorgensen SECONDED Cmr Smithson that Council is satisfied that resolutions carried at this Meeting and applicable to items concerning Council provided services and facilities, are:-

- (a) integrated and co-ordinated, so far as practicable, with any provided by the Commonwealth, the State or any public body;



- (b) 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
- (c) managed efficiently and effectively.

CARRIED 3/0

The Presiding Member invited the Hon. Simon O'Brien MLC to make his presentation.

Mr O'Brien stated that he was requested by the Minister for Local Government to make a presentation tonight. He was pleased to have the opportunity to observe the proceedings of the meeting, and thanked the Commissioners for their conscientious and dedicated efforts put into the tasks that they have to perform.

Mr O'Brien said that as part of the Safer WA Program initiatives, funds of \$15,000 had been allocated for a Skate Park in South Lake, which was approved by the Minister. Funds placed in the Program are used for a variety of issues that involve youth. Therefore he made a presentation on behalf of the Minister with a cheque for \$15,000 for a Skate Park in South Lake.

Cmr Donaldson thanked Mr. O'Brien and requested him to convey to the Minister Council's appreciation for these funds and assured him that it will be put to good use to the benefit of the youth.

MEETING CLOSED 8.53 PM

CONFIRMATION OF MINUTES

I, (Presiding Member) declare that these minutes have been confirmed as a true and accurate record of the meeting.

Signed: Date:/...../.....

