

# CITY OF COCKBURN

## SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 8 AUGUST 2013 AT 7:00 PM

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# CITY OF COCKBURN

## MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 8 AUGUST 2013 AT 7:00 PM

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### PRESENT:

#### ELECTED MEMBERS

Mr K Allen	-	Deputy Mayor (Presiding Member)
Mr Y Mubarakai	-	Councillor
Mr S Portelli	-	Councillor
Ms L Smith	-	Councillor
Mrs C Reeve-Fowkes	-	Councillor
Mr T Romano	-	Councillor
Mr S Pratt	-	Councillor
Mr B Houwen	-	Councillor

#### IN ATTENDANCE

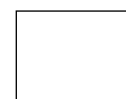
Mr S. Cain	-	Chief Executive Officer
Mr D. Green	-	Director, Administration & Community Services
Mr S. Downing	-	Director, Finance & Corporate Services
Mr M. Littleton	-	Director, Engineering & Works
Mr D. Arndt	-	Director, Planning & Development
Ms L. Boyanich	-	Media Liaison Officer
Ms M. Waerea	-	Executive Assistant

### 1. DECLARATION OF MEETING

The CEO declared the meeting open at 7.03 pm.

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

The CEO advised Mayor Howlett would be an apology for the meeting and the Deputy Mayor would act as Presiding Member. Deputy Mayor Kevin Allen assumed the role of Presiding Member, the time being 7.04 pm.



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

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

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

Nil

**5 (OCM 08/08/2013) - APOLOGIES AND LEAVE OF ABSENCE**

Mayor Logan Howlett	-	Apology
Clr Val Oliver	-	Apology

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

Nil

**7 (OCM 08/08/2013) - PUBLIC QUESTION TIME**

ITEMS IN WRITING, NOT ON THE AGENDA

**Andrew Stone, Hamilton Hill**

Q1. Is the City of Cockburn Customer Service Charter a mandatory or voluntary document? If mandatory, what is the remedy for repeated breaches of the Charter?

*A1. The Customer Service Charter sets expected levels of service performance for customer interaction. Following referral by the City of correspondence to the Corruption and Crime Commission in July 2013 in relation to matters raised by you, the City's solicitors wrote to you advising that any general enquiry you had, not related to the lodgement of a planning application or other statutory document should be directed to them. All correspondence so directed by you to our solicitors is being responded to within the parameters set down in the Customer Service Charter.*



Q2. Can the City lift the 04 July 2013 suppression of Democratic Communication Embargo against me? (REF: DM:SM:COC-34095 – McLeods Lawyers)?

A2. *The correspondence from the City's solicitors does not suppress any right of an individual.*

Q3. Presently in Muriel Court, people cannot sell their land due to the syndicates/mafias that control the street. These people could become the 9<sup>th</sup> Bankrupts in 7 years, what are their options?

A3. *The City cannot provide land owners with advice as to how they should manage or dispose of private property.*

Q4. Given the previous corruption linkage between the Council and the development company Australand, can all meetings between Australand and the Council be made public and advertised on the City's website?

A4. *This statement will be referred to the City's solicitors as it contains allegations that the City considers to be defamatory.*

Q5. Does the City consider its current regime to be respectful of all citizens civil liberties, such as democratic right to communicate about City issues and receive a written response?

A5. *Should you believe that any of your rights or civil liberties are being impeded I would refer you to the Ombudsman's Office.*

Q6. To the 7 Councillors who did not respond to my email dated 03 August 2013, why did you not respond to my email? Are you under a suppression of communication request?

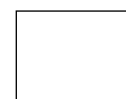
A6. *The City does not comment on matters referred to Elected Members, this is something you would have to approach them individually.*

#### ITEMS NOT IN WRITING, NOT ON THE AGENDA

#### **Ray Woodcock, Spearwood**

Q1. When will we be having a Police public forum regarding the Cockburn Police Station?

A1. *The Regional Superintendent has recently written to the Mayor and indicated that he would like some dates and locations put to him so that he can arrange a community forum. With regards to the specific petition that was lodged relating to the proposed closure of the Cockburn Police Station, the Minister has still not returned a communication to the Mayor on that matter.*



Q2. The petition is going to be an ongoing thing, it is far from finished even though I have got 720 signatures, that is not the end of it by a long shot. Regarding the petition it is nothing to do with the Minister I don't think because I have written to her on several occasions and I am battling to get a reply. If I do write to her, when I have done on occasions, she fobs the matter off to a Regional Superintendent in the same way that the previous Minister did, passes the buck. Regarding the public forum, will we have plenty of time to give notice out to the general public to attend?

A2. Yes, I would imagine so. That's why the Superintendent has asked for a few optional dates to be provided. He would make sure there was plenty of time for the community to be advised.

ITEMS NOT IN WRITING, NOT ON THE AGENDA

**John Cunai, Spearwood**

Q1. It has already been 6 years since the City of Cockburn conducted a Community Vision Forum, followed by an Ideas Workshop, on the Spearwood/Phoenix Revitalisation Plan. Apart from re-zoning and housing developments, what else has been achieved from these workshops?

Q2. Are there parts of the Spearwood Revitalisation Plan that can take place sooner, rather than later? Eg. Streetscaping, entry statement upgrades, verges, footpaths, other beautifications?

Q3. What time frame is expected for the full implementation of the "Revitalisation Plan"?

Q4. A report in the West Australian Newspaper reported the "Phoenix Shopping Centre" had been sold to a "Singaporean Consortium". Is that report correct?

Q5. Have any heads of the administration or Elected Members spoken to the new owners?

Q6. Do the new owners share the long term vision for this area as the Phoenix Revitalisation document lays out?

Q7. When is the Cockburn Bowling Club moving into its new premises?

Q8. Will the financial burden of enticing and maintaining the Fremantle Dockers Football Club to Cockburn put a setback to the Revitalisation Plans for the neglected suburbs of Spearwood, Hamilton Hill and Coolbellup? What benefit would the Dockers bring to Cockburn?





*A1. At Mr Cunai's request, responses to all of his questions raised will be provided to him in writing.*

AT THIS POINT IN THE MEETING, THE TIME BEING 7.20 PM, THE CEO MADE THE FOLLOWING ANNOUNCEMENTS:

Today the City of Cockburn was presented with two awards in regard to it's commitment to Sustainability.

The first being a Water Campaign Award, which is the major and final award in the series run by ICLEI.

That also led to the City being presented with its second award, in relation to its commitment to the Waterwise Council Program. We are now the 21<sup>st</sup> Local Government across Perth to achieve the status of being a "Waterwise Council". This comes from a significant amount of work of us reducing our water consumption. It is a measure that reflects the impact of the community and business where as a result of our efforts there has been a substantial reduction of water use from a range of small business across Cockburn, residents across Cockburn and particularly if I can point out to the Councillors, around a 25% reduction in the groundwater use across all of our public open spaces. A great outcome as a result of great commitment from our staff.

One final matter, today one of our very long serving staff members, Jill Zumach was presented with a major award by WALGA. This is in recognition of her exceptional career in working not only for the City of Cockburn, but several other local governments, but in our case 32 years at Cockburn in 9 major roles and she has done an outstanding job in celebrating and working with our community. A tremendous achievement by Jill.

## 8. CONFIRMATION OF MINUTES

### 8.1 **(MINUTE NO 5094) (OCM 08/08/2013) - ORDINARY COUNCIL MEETING - 11 JULY 2013**

#### **RECOMMENDATION**

That Council adopt the Minutes of the Ordinary Council Meeting held 11 July, 2013 as a true and accurate record.



**COUNCIL DECISION**

MOVED Clr C Reeve-Fowkes SECONDED Clr B Houwen that the recommendation be adopted.

**CARRIED 8/0**

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

Nil

**10 (OCM 08/08/2013) - DEPUTATIONS AND PETITIONS**

**1 x Deputation** was given:

Benedict and Samantha Francis, owners of property/business in relation to Item 14.8 – Retrospective Change of Use from Grouped Dwelling to Office – Location: 1A Dionysus Terrace, Atwell.

**1 x Petition** was received:

Submitted by Mr Ray Woodcock, of Spearwood containing an additional 284 signatures to add to the Petition in Relation to the Closure of Cockburn Police Station which was originally submitted at the June 2012 OCM.

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

Nil

**12 (OCM 08/08/2013) - DECLARATION OF COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS IN THE BUSINESS PAPER**

Nil.

**NOTE:** AT THIS POINT IN THE MEETING, THE TIME BEING 7.38 PM, THE FOLLOWING ITEMS WERE CARRIED BY AN “EN BLOC” RESOLUTION OF COUNCIL:

13.2	14.1	14.5	15.1	23.1		
	14.2	14.6	15.2			
	14.3	14.7	15.3			
	14.4					



### 13. COUNCIL MATTERS

#### 13.1 (MINUTE NO 5095) (OCM 08/08/2013) - MINUTES OF THE GRANTS AND DONATIONS COMMITTEE MEETING - 16 JULY 2013 (162/003) (RAVARD) (ATTACH)

##### **RECOMMENDATION**

That Council receive the Minutes of the Grants and Donations Committee Meeting held on 16 July 2013, and adopt the recommendations contained therein.

##### **COUNCIL DECISION**

MOVED Cllr L Smith SECONDED Cllr C Reeve-Fowkes that Council receive the Minutes of the Grants and Donations Meeting held on 16 July 2013, and adopt the recommendations contained within, but excluding:

1. Item 9.2 (Minute No 67) (GAD 16/7/2013) Cockburn Wetlands Precinct Joint Funding Submission – Native Arc & Cockburn Wetlands Education Centre.

and that this item be withdrawn and dealt with separately.

**CARRIED 7/1**

MOVED Cllr L Smith SECONDED Cllr C Reeve-Fowkes that Council:

- (1) approve a contribution towards the administration cost of the Cockburn Wetlands Education Centre to the value of \$83,918.50 and Native ARC to the value of \$83,918.50 for one year and subject to the following:
  1. The Cockburn Wetlands Precinct providing an annual report which includes a demonstration of their ongoing financial viability and joint programs and activities undertaken.
  2. The Cockburn Wetlands Education Centre's portion of funding (\$83,918.50) is also subject to:
    - a. The Cockburn Wetlands Education Centre (Inc) Board entering into a lease agreement with the City, the terms of which shall be considered at a future meeting of Council.
  3. The Cockburn Wetlands Precinct Committee extending an invitation to a City of Cockburn Elected Member to join the Cockburn Wetlands Precinct Committee.

4. That the City of Cockburn Officers work with the Cockburn Wetlands Precinct to develop a set of KPI's on which the Precinct's performance will be measured and reported on to the committee before the allocation of the 2014/15 budget.

**CARRIED 7/1**

### **Reason for Decision**

This is a large amount of funding that has been requested. It is 10% of the entire Grants and Donations budget and for this reason Council need to ensure each year valid reasons are provided to justify the funding and evidence given to support the request.

### **Background**

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

### **Submission**

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

### **Report**

Council approved a budget for grants and donations for 2013/14 of \$1,013,164 to be distributed as grants, donations and sponsorship. The Grants and Donations Committee is empowered to recommend to Council how these funds should be distributed.

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

#### **Community & Lifestyle**

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



**Leading & Listening**

- A responsive, accountable and sustainable organisation.

**Budget/Financial Implications**

Council approved a budget for Grants and Donations for 2013/14 of \$1,013,164. Following is a summary of the proposed grants, donations and sponsorship allocations.

**Summary of Proposed Allocations**

Committed/Contractual Donations	\$415,824
Specific Grant Programs	\$414,340
Donations	\$138,000
Sponsorship	\$45,000
<b>Total</b>	<b>\$1,013,164</b>
Total Funds Available	\$1,013,164
<u>Less Total of Proposed Allocations</u>	<u>\$1,013,164</u>
Balance	\$0

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

**Legal Implications**

N/A

**Community Consultation**

The position of Council is for the availability of grants and donations to be advertised through the City's website, local media, Cockburn Soundings, Council networks and related means.

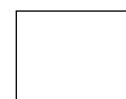
It is recommended that advertising commence immediately following the Council decision to ensure a wider representation of applications.

**Attachment(s)**

Minutes of the Grants and Donations Committee Meeting - 16 July 2013.

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

N/A



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

Nil.

**13.2 (MINUTE NO 5096) (OCM 08/08/2013) - MINUTES OF THE AUDIT AND STRATEGIC FINANCE COMMITTEE MEETING - 18 JULY 2013 (026/007) (S DOWNING) (ATTACH)**

**RECOMMENDATION**

That Council receive the Minutes of the Audit and Strategic Finance Committee Meeting held on Thursday, 18 July 2013, and adopts the recommendations contained therein.

**COUNCIL DECISION**

MOVED Clr C Reeve-Fowkes SECONDED Clr T Romano that the recommendation be adopted.

**CARRIED 8/0**

**Background**

A meeting of the Audit and Strategic Finance Committee was conducted on 18 July 2013.

**Submission**

N/A

**Report**

The Audit and Strategic Finance Committee received and considered the following items:

1. Delegated Authority and Authorised Persons Management Procedure  
As part of the 2012/13 Internal Audit review a formal assessment of the current system and associated procedures was undertaken and evaluated by the External Auditors.

As a result of this assessment, a recommendation was made to undertake a review of the Delegated Authority Register and the



way in which functions delegated to staff are to be effectively recorded.

Further to this a complete review was undertaken and a Management Procedure prepared to address the internal system to effectively manage the process as well as meet statutory requirements.

## 2. Interim External Audit Report

The Interim External Audit Report ending 30 June 2013 was considered by Committee, which covered a review of the accounting and internal control procedures in operation, including testing of transactions in the following areas:

- Bank Reconciliations
- Purchases
- Payments and Creditors
- Rate Receipts and Rate Debtors
- Receipts and Sundry Debtors
- Payroll
- Investments
- General Accounting and IT Controls
- Registers (Tenders Register)
- Review of Council Minutes

The review also included some compliance matters. Internal controls were also examined for audit purposes.

## 3. Various Debts – Write-Off

Committee considered a listing of various debts and infringements which are required to be written off. These included Sundry Debtors and Law and Order Infringements.

## **Strategic Plan/Policy Implications**

### **Leading & Listening**

- A responsive, accountable and sustainable organisation.
- Manage our financial and infrastructure assets to provide a sustainable future.
- A culture of risk management and compliance with relevant legislation, policy and guidelines

### **Budget/Financial Implications**

As contained in the Minutes.



**Legal Implications**

As contained in the Minutes.

**Community Consultation**

N/A

**Attachment(s)**

Minutes of the Audit and Strategic Finance Committee Meeting – 18 July 2013.

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

N/A

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

Nil.

**14. PLANNING AND DEVELOPMENT DIVISION ISSUES**

**14.1 (MINUTE NO 5097) (OCM 08/08/2013) - COCKBURN CENTRAL ACTIVITY CENTRE PLAN LOCATION: VARIOUS - OWNER: VARIOUS (110/088) (C HOSSEN) (ATTACH)**

**RECOMMENDATION**

That Council supports the preparation of the Cockburn Central Activity Centre Plan and endorses the approach as described in the project plan contained within Attachment 1.

**COUNCIL DECISION**

MOVED Clr C Reeve-Fowkes SECONDED Clr T Romano that the recommendation be adopted.

**CARRIED 8/0**





## Background

The Cockburn Central Activity Centre Plan (“The Plan”) was identified in the City’s Annual Business Plan 2013-14 as a key initiative. Moreover, the City’s Strategic Plan identifies the desire for Cockburn Central to grow in a sustainable manner into a Strategic Regional Centre.

The Plan is being prepared to plan in a proper and orderly manner, with the cooperation of the community, the evolution of the Cockburn Central Activity Centre into a Primary Centre by 2031.

The need to identify and plan for a network and hierarchy of Activity Centres for Perth that provide for a more equitable distribution of jobs and amenity is a key Structural Element of “*Directions 2031 and Beyond*” – the Western Australian State Government’s strategic plan for the Perth metropolitan and Peel regions (“Directions 2031”).

Currently Cockburn Central is identified as a Secondary Centre by Directions 2031 and State Planning Policy 4.2 (“SPP 4.2”). Secondary Centres, being the third level of centre offer a wide range of services, facilities and employment opportunities.

Cockburn Central, unlike many of the 18 other Secondary Centres, is not a retail dominated centre. The centre currently features a broad mix of uses including: retail, high density residential, mixed use developments, offices and multiple community facilities. This coupled with the high quality public transport links sets Cockburn Central apart from the other Secondary Centres. This trend of diversification is expected to continue with projects such as Cockburn Central West.

It is recommended that Council support the commencement of the Cockburn Central Activity Centre Plan.

## Submission

N/A

## Report

The Plan will provide for broad strategic direction to assist in the guidance of the form of future development within the Cockburn Central Activity Centre precinct. The Plan is not a statutory document but will act as a guide to future statutory planning instruments. The Plan is not intended to form the role of an Activity Centre Structure Plan as outlined in SPP 4.2. The Plan will also provide recommendations for coordinated upgrades to infrastructure and the public realm and fostering of stronger regional links *inter alia*.



The Plan is based around five key strategic themes; through which the shape, form and function of the future Cockburn Central Primary Centre will be drawn.



The five key themes are drawn from Directions 2031 and all future statutory planning instruments and initiatives of the City would be expected to justify how they consistent with the five key themes.

The Plan is seen as an important step for Cockburn Central, considering its strategic placement within the heart of the rapidly expanding south west corridor. More and more people see it as a highly desirable location in which to live, visit and invest. At the same time, the strains of the area presents unique challenges and opportunities, which demand careful study and reflection in terms of ensuring that planning for the area is suitable to enhancing opportunities residents, workers and visitors.

Importantly the Plan will seek to build on the previous experiences associated with the strategic direction of the area.

The Plan will seek to take the previous work further – examining in totality how Cockburn Central as an activity centre can be assisted in its growth to achieve its aspirations. The Plan will be developed through a comprehensive contextual and site analysis of the area, stakeholder and community and industry engagement, and the identification of major issues affecting the area.



Community Consultation will include a number of innovative engagement methods, including the use of a Digital Discussion Paper and Online interactive mapping tool.

The Plan will endeavour to widely engage with all relevant stakeholders and users of the Activity Centre.

The outputs of the Plan will include:

- A contextual, background and issues paper;
- A discussion paper and consultation outcomes report; and
- A finalised Activity Centre Plan including an implementation strategy.

It is recommended that Council support the commencement of the Cockburn Central Activity Centre Plan.

## **Strategic Plan/Policy Implications**

### **Growing City**

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

### **Community & Lifestyle**

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

### **Leading & Listening**

- Effective and constructive dialogue with all City stakeholders.

### **A Prosperous City**

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

### **Moving Around**

- An integrated transport system which balances environmental impacts and community needs.

## **Corporate Business Plan**

The Cockburn Central Activity Centre Plan is a project identified within the adopted Corporate Business Plan to be undertaken by the Strategic Planning Department in 2013/2014.

## **Budget/Financial Implications**

The project will be undertaken internally by Council staff with any minor costs associated with the project being funded from the town planning studies budget.



**Legal Implications**

N/A

**Community Consultation**

The Cockburn Central Activity Centre Project Plan (Attachment 1) builds upon the community engagement work and responses already undertaken and documented within previous projects.

Complementing this information the plan incorporates a comprehensive stakeholder and community engagement process, including a landowner survey, community visioning forums, discussion paper and interactive online mapping tool and formal community consultation phase.

**Attachment(s)**

Cockburn Central Activity Centre Plan Project Plan

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

N/A

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

Nil.

**14.2 (MINUTE NO 5098) (OCM 08/08/2013) - COOLBELLUP REVITALISATION STRATEGY LOCATION: CITY OF COCKBURN OWNER: N/A (110/019) (R PLEASANT) (ATTACH)**

**RECOMMENDATION**  
That Council supports the preparation of the Coolbellup Revitalisation Strategy and endorses the approach as described in the project plan contained within Attachment 1.

**COUNCIL DECISION**  
MOVED Clr C Reeve-Fowkes SECONDED Clr T Romano that the recommendation be adopted.  
  
**CARRIED 8/0**



## Background

The Coolbellup Revitalisation Strategy is the latest of the City of Cockburn's revitalisation projects. The Hamilton Hill Revitalisation Strategy is currently being finalised and the Phoenix Revitalisation Strategy was completed in 2009. Both strategies provide a comprehensive plan to guide future development including guidance as to how future urban infill will be delivered and works required to facilitate improvements in the urban environment.

The need to identify infill development opportunities is in part a response to "*Directions 2031 and Beyond*" – the Western Australian State Government's strategic plan for the Perth metropolitan and Peel regions. The plan anticipates a population increase to 2.2 million by 2031, which will translate directly into the need for another 328,000 houses and 353,000 jobs. The City has been actively addressing this challenge through providing innovative planning responses via revitalisation strategies for the suburbs of Spearwood, Hamilton Hill and now what is proposed for Coolbellup.

Coolbellup is considered a unique suburb in which to examine infill development opportunities and associated revitalisation work due to the following factors:

- Being a well-connected inner ring suburb and in proximity to the new Fiona Stanley Hospital, Murdoch University Precincts and close to the Fremantle city centre and Phoenix activity centre.
- Being well serviced by infrastructure.
- The physical age of built form within the suburb being such that decisions for redevelopment and/or renewal are expected to be made by landowners over the coming years, providing the opportunity to consider whether redevelopment to other forms of housing (grouped and multiple) should take place.
- Providing the opportunity to support further improvements in the town centre in conjunction with increasing residential densities in areas close to the town centre.
- A unique age demographic, which sees the opportunity to explore more diverse responses in housing variety and form through the suburb.

## Submission

N/A



## Report

The Coolbellup Revitalisation Strategy will guide the form of future development of Coolbellup, with a key aim to provide opportunities to enhance the qualities of this existing neighbourhood. The Strategy is seen as an important step for Coolbellup, considering how its strategic placement within the heart of the rapidly expanding south west corridor sees it as a highly desirable location in which to live and invest. At the same time, the lifecycle of the suburb presents unique demographic characteristics, which demand careful study and reflection in terms of ensuring that planning for the suburb is suitable to enhancing opportunities for current and future residents of Coolbellup.

Importantly the Strategy seeks to build on (and not simply ignore) the previous experiences associated with the first revitalisation strategy undertaken for the suburb over a decade ago. It is noted that this had a key focus on how social housing provision could be better managed for the suburb, and coincided with similar New Living initiatives which were popular through Perth during the 1990s.

The Strategy however will seek to take the previous work further – examining in totality how Coolbellup as a suburb can be assisted in its growth to achieve its aspirations. The Strategy will be developed through a comprehensive contextual analysis of the suburb, stakeholder and community consultation, and the identification of an effective infill development program, including:

- Identification of areas where infill development is desired;
- Development of guidelines and identification of appropriate dwelling types and densities to ensure compatibility with the existing character of the neighbourhood;
- Incentives for building new infill projects.
- Identification of possible community facilities and infrastructure required to support additional population growth.

The guiding principles of the Strategy are to:

- Preserve and enhance the unique character of Coolbellup by identifying context appropriate development.
- Provide opportunities for urban infill that meets the needs for the existing and future community of Coolbellup.
- Allow for a variety of housing types and designs, ensuring flexibility.
- Contribute to the urban infill aspirations of *Directions 2031*.
- Prioritise pedestrian orientated streetscapes and public spaces.
- Promote housing affordability broadly.

The outputs of the Coolbellup Revitalisation Strategy will include:

- A contextual and background assessment;
- A consultation outcomes report.



- An updated Revitalisation Strategy.

It is recommended that Council support the commencement of the Coolbellup Revitalisation Strategy.

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

#### **Growing City**

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.
- Diversity of housing to respond to changing needs and expectations.

#### **Infrastructure**

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

#### **Environment & Sustainability**

- A community that uses resources in a sustainable manner.

#### **Moving Around**

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

### **Corporate Business Plan**

The Coolbellup Revitalisation Strategy is a project identified within the adopted Corporate Business Plan to be undertaken by the Strategic Planning Department in 2013/2014.

### **Budget/Financial Implications**

The project will be undertaken internally by Council staff with any minor costs associated with the project being funded from the town planning studies budget.

### **Legal Implications**

N/A

### **Community Consultation**

The Coolbellup Revitalisation Strategy Project Plan (Attachment 1) builds upon the community engagement work and responses already undertaken and documented within previous projects including: the 1999-2003 Coolbellup Revitalisation Strategy (which included the



development of the 3 schools sites in Coolbellup), and surveys such as the Community Perceptions Survey undertaken annually by the City.

Complementing this information the plan incorporates a comprehensive stakeholder and community engagement process, including a landowner survey, community visioning forums, and formal community consultation phase.

**Attachment(s)**

Coolbellup Revitalisation Strategy Project Plan

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

N/A

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

Nil.

**14.3 (MINUTE NO 5099) (OCM 08/08/2013) - HOUSING AFFORDABILITY AND DIVERISTY STRATEGY PROJECT PLAN (110/089) (D DI RENZO) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) endorse the Project Plan for the Housing Affordability and Diversity Strategy; and
- (2) support the preparation of the Housing Affordability and Diversity Strategy as described within the Project Plan.

**COUNCIL DECISION**

MOVED Clr C Reeve-Fowkes SECONDED Clr T Romano that the recommendation be adopted.

**CARRIED 8/0**





## Background

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

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

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

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

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

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

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

## Submission

N/A.



## Report

It is proposed that a Housing Affordability and Diversity Strategy be prepared to identify current and projected housing needs in the City of Cockburn, establish roles and responsibilities in relation to affordable and diverse housing, and outline a range of actions the Council will pursue to improve housing affordability and diversity.

The Project Plan (Attachment 1) sets out the project vision, scope and content of the proposed Strategy in detail.

The key objectives of the Housing Affordability and Diversity Strategy are:

- To provide residents with access to housing that is appropriate to their needs in terms of size, physical attributes, and location;
- To promote a range of housing that is affordable and appropriate to households of varying financial capacity, including an adequate supply of housing that is affordable for very low, low and moderate-income households;
- To facilitate a variety of housing types in locations that are accessible to public transport, employment, essential services, and social/support networks;
- To promote affordable living, taking into consideration the total cost of living in a dwelling, including energy and water consumption, ongoing maintenance, the price of transport to access employment and essential services, and other daily needs impacted by location.

To summarise, it is proposed that the Strategy comprise the following key elements:

- Housing needs and market analysis to determine current and projected housing needs, taking into account areas beyond the City's boundary as appropriate;
- Identification of barriers to affordable and diverse housing including an assessment of the planning framework against the key outcomes of the housing needs and market analysis;
- Overview and assessment of planning mechanisms for delivering affordable and diverse housing, including various incentive possibilities;
- Identifying partnership, leadership and advocacy roles for the City, including strategies for Council owned land;



- Setting out local government and key stakeholder roles and responsibilities.

The Strategy will assist in the implementation of actions identified in a number of the City's Corporate Strategic Plans, including the following:

City of Cockburn Strategic Community Plan 2012-2022

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

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

City of Cockburn Age Friendly City Strategic Plan

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

City of Cockburn Youth Services Strategic Plan

The City's Youth Services Strategic Plan identifies that there is insufficient crisis and transitional housing options for young people in Cockburn with Anglicare operating the only service. The Housing Affordability and Diversity Strategy will provide the opportunity to examine crisis and transitional housing, and housing requirements for young people generally.

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

#### **Growing City**

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.
- Reduction in energy dependency and greenhouse gas emissions within our City.
- Diversity of housing to respond to changing needs and expectations.

#### **Community & Lifestyle**

- Community environments that are socially cohesive and embrace diversity.



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

### **Environment & Sustainability**

- A community that uses resources in a sustainable manner.
- Infrastructure that supports the uptake of public transport and pedestrian movement.

### **Corporate Business Plan**

The Housing Affordability and Diversity Strategy is a project identified within the adopted Corporate Business Plan to be undertaken by the Strategic Planning Department in 2013/2014.

### **Budget/Financial Implications**

The project will be funded from municipal funds.

### **Legal Implications**

N/A.

### **Community Consultation**

Preparation of the draft Housing Affordability and Diversity Strategy will involve liaison with key stakeholders. The draft Housing Affordability and Diversity Strategy will subsequently be presented to Council for adoption for community consultation.

The City will undertake a 30 day period of community consultation, and the outcomes will inform the preparation of the final Housing Affordability and Diversity Strategy.

### **Attachment(s)**

Housing Affordability and Diversity Project Plan

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

N/A.

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

Nil.



**14.4 (MINUTE NO 5100) (OCM 08/08/2013) - PROPOSED ADOPTION OF SCHEME AMENDMENT NO. 98 TOWN PLANNING SCHEME NO. 3 - APPLICANT: DEVELOPMENT PLANNING STRATEGIES (109/033) (R COLALILLO) (ATTACH)**

**RECOMMENDATION**

That Council

(1) adopt for final approval Amendment No. 98 to City of Cockburn Town Planning Scheme No.3 (“Scheme”) for the purposes of:

1. Amending Schedule 12 of the Scheme text by inserting the following items into Development Contribution Area 13 – Community Infrastructure, under ‘Infrastructure and Administrative Items to be Funded’ as follows (additional wording shown in **bold** text):

<p>Infrastructure and administrative items to be funded</p>	<p><u><i>Regional</i></u>                  Coogee Surf Club                  Wetland Education Centre/Native Ark                  Cockburn Central Recreation and Aquatic Centre                  Cockburn Central Community Facilities                  Visko Park Bowling and Recreation Club                  Coogee Golf Complex (excluding the pro shop and restaurant components)                  Bibra Lake Management Plan Proposals                  Atwell Oval</p> <p><u><i>Sub Regional—East</i></u>                  Cockburn Central Library and Community Facilities                  Cockburn Central Playing Fields                  Anning Park Tennis                  Cockburn Central Heritage Park                  Bicycle Network—East</p> <p><u><i>Sub Regional—West</i></u>                  North Coogee Foreshore Management Plan Proposals (excluding rebuilding of the groyne)                  Phoenix Seniors and Lifelong Learning Centre                  Beale Park Sports Facilities                  Western Suburbs Skate Park                  Bicycle Network—West                  Dixon Reserve/Wally Hagen Facility Development (excluding the café</p>
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		<p>component)</p> <p><i>Local</i>  Lakelands Reserve  Southwell Community Centre  Hammond Park Recreation Facility  Frankland Reserve Recreation and  Community Facility  Munster Recreation Facility</p> <p><b>Banjup Playing Field (including land cost)</b>  <b>Banjup Community Centre (including land cost)</b></p> <p><i>Administrative costs including –</i>  Costs to prepare and administer the Contribution Plan during the period of operation (including legal expenses, valuation fees, cost of design and cost estimates, proportion of staff salaries, computer software or hardware required for the purpose of administering the plan).</p> <p>Cost to prepare and review estimates including the costs for appropriately qualified independent persons.</p> <p>Costs to prepare and update the Community Infrastructure Cost Contribution Schedule.</p> <p><b>Costs including fees and interest of any loans raised by the local government to undertake any of the works associated with DCA13.</b></p>
<p>(2)</p>	<p>require the amendment documentation be signed and sealed and then submitted to the Western Australian Planning Commission (“WAPC”) along with the steps taken to advertise the amendment with a request for the endorsement of final approval by the Hon. Minister for Planning; and</p>	
<p>(3)</p>	<p>advise the proponent of Council’s decision accordingly.</p>	



**COUNCIL DECISION**

MOVED Clr C Reeve-Fowkes SECONDED Clr T Romano that the recommendation be adopted.

**CARRIED 8/0**

**Background**

The City through its existing Development Contribution Plan 13 (“DCP13”) has catered for the requirements of community facilities and services at the local, subregional and regional level. These were based on a forecast number of dwellings and did not include the forecast dwellings resulting from the proposed redevelopment of the former Banjup Quarry site at Lot 9004 Armadale Road, Lot 9002 Jandakot Road and Lot 132 Fraser Road, Banjup (“subject land”). This was because they were prepared prior to the proposal for urbanisation of this area. Scheme Amendment No. 98 seeks to address this point, to ensure that the urbanisation of the Banjup subject land and its associated community infrastructure requirements are catered for by the Scheme.

This Scheme amendment was lodged by Development Planning Solutions (“DPS”) on behalf of Stockland WA Development Pty Ltd (“Stockland”), the owners of the subject land. At the time of lodgement, the subject land was in the process of being rezoned from ‘Rural – Water Protection’ to ‘Urban’ under the Metropolitan Region Scheme (“MRS”) and from ‘Resource’ to ‘Development’ under the Scheme (via Scheme Amendment No. 95).

The subject land is now zoned ‘Urban’ under the MRS and is in the final stages of being rezoned to ‘Development’ with Scheme Amendment No. 95 having been adopted by Council and submitted to the WAPC for final approval.

The purpose of this report is to therefore consider Amendment No. 98 for final adoption by Council.

**Submission**

N/A



## Report

### Background

A Draft Structure Plan has been prepared by DPS and lodged with the City in support of the proposed urbanisation of the subject land. The Draft Structure Plan provides for residential development, retirement living, public open space, a town centre and a primary school. The Draft Structure Plan was adopted by Council at its 9 May 2013 Ordinary Meeting subject to the finalisation of Amendment No. 95 and various other conditions.

The proposed additional development proposed by the Draft Structure Plan results in a proportional increase in the community facilities which are required to service the future community. The proposed community facilities include a full size playing field and a community centre.

In view of the above, proposed Scheme Amendment No. 98 seeks to modify the provisions of the City's existing DCA13 within the Scheme to include additional items as a result of the future proposed urbanisation of the subject land to meet the requirements of future community/s in the locality.

Council at its meeting held on 13 December 2012 resolved to initiate Scheme Amendment No. 98 to the Scheme for the purpose of advertising. Advertising is now complete and the purpose of this report is for Council to consider Amendment No. 98 for adoption in light of any submissions received.

### Proposed Additions to Development Contribution Plan 13

In accordance with the requirements of State Planning Policy 3.6 - Development Contributions for Infrastructure ("SPP3.6") and the Scheme, an analysis of community facilities and services requirements for the Draft Banjup Structure Plan area has been undertaken by the applicant in consultation with the City. As a result of the analysis, it is proposed to add two infrastructure items to the existing DCA13 being a full size playing field and a community centre. The particulars of these items are contained within Attachment 1.

In addition to the above two infrastructure items, it was considered essential that an additional provision be incorporated via the Amendment which enables the City to recover costs for any loans it needs to raise in order to effectively and efficiently deliver any of the works associated with DCA13.





### Consultation

The Scheme Amendment was referred to the Environmental Protection Authority (“EPA”) in accordance with Section 82 of the *Planning and Development Act 2005*. The EPA advised that the overall environmental impact of the amendment would not be severe enough to warrant formal assessment under the Environmental Protection Act.

The amendment was subsequently advertised seeking public comment in accordance with the *Town Planning Regulations 1967* for not less than 42 days. A copy of the draft updated Development Contribution Plan No. 13 Report (including updated DCP13 estimated cost contribution schedule and capital expenditure plan) was advertised with the Amendment.

No submissions were received during the advertising period and as a result, no modifications are proposed to the Amendment.

### Conclusion

It is recommended that Amendment No. 98 be adopted by Council and forwarded to the WAPC for final approval.

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

#### **Infrastructure**

- Community facilities that meet the diverse needs of the community now and into the future.
- Community infrastructure that is well planned, managed, safe, functional, sustainable and aesthetically pleasing.

#### **Community & Lifestyle**

- Promotion of active and healthy communities.

### **Budget/Financial Implications**

The inclusion of a provision within DCA13 enabling the City to raise loans in respect of works and/or land as required by the City will enable community infrastructure to be delivered in a timely manner.

### **Legal Implications**

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



### **Community Consultation**

In accordance with the *Town Planning Regulations 1967* consultation was undertaken following receipt of advice from the EPA advising that the proposal was environmentally acceptable. The Amendment was advertised for a period of 42 days from 21 May 2013 to 2 July 2013. The proposal was advertised in the newspaper, on the City's website and letters were sent to affected landowners.

No submissions were received at the conclusion of advertising.

### **Attachment(s)**

Scheme Amendment No. 98 document.

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

The Proponent has been advised that this matter is to be considered at the 8 August 2013 Council Meeting.

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

Nil.

**14.5 (MINUTE NO 5101) (OCM 08/08/2013) - CLOSURE OF PORTION OF ROAD AND CREATION OF CROWN LAND PARCEL OF LAND LOCATION: MIDGEGOOROO AVENUE (NORTH LAKE ROAD), COCKBURN CENTRAL OWNER: LANDCORP APPLICANT: MCMULLEN NOLAN GROUP (6006139, 160/001, 041/004) (L GATT) (ATTACH)**

#### **RECOMMENDATION**

That Council

- (1) subject to the lodgement of a deposited plan at landgate detailing the extent of the road closure and the new road, request the Minister for Lands to realign by closure and amalgamation a portion of the road reserve for North Lake Road / Midgegooroo Avenue, Cockburn Central in accordance with Section 58 of the Land Administration Act 1997;
- (2) supports the land resulting from the road closure being purchased by the adjoining landowner (Landcorp) as per the normal procedures of the *Land Administration Act 1997*; and



- (3) require that the Deposited Plan prepared for this purpose also include the WAPC's Cockburn Central West landholding, and show the parent lot subdivision of this land and the resulting land precinct that will be allocated to the City as a Crown reserve with power to lease to facilitate the construction of the City's future integrated sports facility.

#### **COUNCIL DECISION**

MOVED Clr C Reeve-Fowkes SECONDED Clr T Romano that the recommendation be adopted.

**CARRIED 8/0**

#### **Background**

A request has been received on behalf of the adjoining landowner to close a portion of road reserve and amalgamate it with the Cockburn Central West (CCW) development currently taking place. The purpose of this report is to consider this request.

#### **Submission**

By way of letter dated 27 June 2012, McMullen Nolan Group requested that the City initiate the closure of the portion of the current North Lake Road / Midgegooroo Avenue road reserve and amalgamate it into adjoining Lot 9504 on DP57009. A copy of the letter is at Attachment 1. This is on behalf of Landcorp, who are developing the Cockburn Central project.

#### **Report**

The subject area to be closed is a 1.7654ha portion of land and is currently an existing road (North Lake Road) that was created during the original subdivision of the area. However this will no longer be required due to the realignment of and creation of Midgegooroo Avenue for Cockburn Central Stage 2 works.

The City has been involved in respect of the detailed planning for the road design and as one of the conditions of subdivision approval of the Cockburn Town Centre Stage 2 has entered into a legal agreement with Landcorp to design and construct the road.



North Lake Road is currently still in use and as a part of the Cockburn Central Stage 2 works will be realigned to create Midgegooroo Avenue. The proponent has requested that the 1.7654ha of land required to realign and create Midgegooroo Avenue be amalgamated with the land to the east owned by Landcorp.

The City's Engineering department have consented to the design subject to a few minor modifications however these will not amend the area subject to the proposed road closure. A copy of the location plan is provided as Attachments 2 & 2A.

The City's Engineering Department have commented as below:

- a truncation will need to be provided at the Midgegooroo Avenue / North Lake Road corner when Lot 9504 is subdivided; and
- that the road closure is not to come into effect until the realigned section of Midgegooroo Avenue is physically constructed and a connection with existing road networks are made as per the design drawings approved by the City.

Based on the information from the City's Engineering Department, the Minister for Lands will not be notified to proceed with the closure until such time as the clearance has been provided by the City's Engineering Department.

The City advertised the proposed road closure in the local newspaper on 13 August 2012 and there were no submissions received.

All service providers have been contacted, and there were no objections to the closure and realignment.

The proponent has agreed in writing to meet all costs associated with the proposed road closure, a copy of which is provided within Attachment 3.

During the time in considering the road closure, the City's new integrated sports facility has reached a point where it is now critical that the City secures its required landholding to accommodate the new integrated sport facility. This land is adjoining the road closure land, and involves the same proponent Landcorp that is involved in the road closure request. The City has secured agreement from the owners of the Cockburn Central West land, the WAPC, to provide the City with its required landholding to accommodate the facility. This will be in the form of a Crown reserve to the City with power to lease. A copy of the letter of support from WAPC can be viewed at Attachment 4.

But in order to do this the City needs to secure a Deposited Plan via the WAPC to obtain the required parent subdivision of the CCW



landholding such that the WAPC can then request the creation of the Crown reserve with power to lease to the City. It is considered appropriate to associate this with this road closure matter, given that it will involve changes to all landholdings in the area.

It is therefore recommended that Council support the request, subject to the requirements contained in the officer recommendation.

### **Strategic / Policy Implications**

#### **Growing City**

- Development that is soundly balanced between new and existing areas.
- Investment in industrial and commercial areas, provide employment, careers and increase economic capacity in the City.

#### **Moving Around**

- An integrated transport system which balances environmental impacts and community needs.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

Provisions of the *Land Administration Act 1997*.

### **Community Consultation**

The proposal was advertised on 13 August 2012, in accordance with Section 58 of the *Land Administration Act 1997*. No objections have been received.

### **Attachment(s)**

1. Letter of request from McMullen Nolan Group
2. Location Plans
3. Letter confirming Landcorp will pay all associated costs.
4. Letter of support from WAPC for creation of crown reserve.

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

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 8 August 2013 Ordinary Council Meeting.



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

Nil.

**14.6 (MINUTE NO 5102) (OCM 08/08/2013) - CONSIDERATION TO ADOPT SCHEME AMENDMENT NO. 101 FOR FINAL ADOPTION - LOT 10 AND 11 BRENCHLEY DRIVE, ATWELL - OWNER: ATWELL GREENS PTY LTD - APPLICANT: WHELANS (109/032) (C HOSSEN) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) endorses the Schedule of Submissions prepared in respect of Amendment No. 101 to City of Cockburn Town Planning Scheme No. 3 ("Scheme");
- (2) in pursuance of Section 75 of the Planning and Development Act 2005, adopt for final adoption Amendment 101 to the Scheme for the purposes of:
  1. Rezoning portion of Lot 10 and 11 Branchley Drive, Atwell from "Residential R20" to "Residential R40".
  2. Rezoning portion of Lot 10 and 11 Branchley Drive, Atwell from "Residential R20" to "Parks and Recreation" reserve.
  3. Amending the Scheme Map accordingly.
- (3) in anticipation of the Hon. Minister'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 all submitters to Amendment No. 101 of Council's decision accordingly.

**COUNCIL DECISION**

MOVED Clr C Reeve-Fowkes SECONDED Clr T Romano that the recommendation be adopted.

**CARRIED 8/0**



## Background

The subject land comprises a portion of Lots 10 and 11 Brenchley Drive, Atwell and is zoned "Urban" under the Metropolitan Region Scheme ("MRS") and "Residential "R20" under the City's Town Planning Scheme No. 3 ("Scheme").

The subject site is located between Brenchley Drive, the Kwinana Freeway and existing Residential development to the south. Atwell Reserve and Brenchley Park are located to directly to the east and north of the site, respectively.

The site is subject to an existing approved subdivision (WAPC ref: 144837) for 24 residential lots and a cul-de-sac. Site works associated with the approved subdivision are currently underway.

At its Ordinary Council Meeting held on 14 March 2013 Council resolved to initiate Amendment No. 101 to City of Cockburn Town Planning Scheme No. 3 ("Scheme"). The amendment was subsequently referred to the Environmental Protection Authority who granted consent to advertise. The amendment was subsequently advertised for public comment for a period of 42 days between the 11 June to 23 July 2013; in accordance with the requirements of the *Town Planning Regulations 1967*.

A total of 4 submissions were received. The purpose of this report is to consider the amendment for final adoption in light of the advertising process having taken place.

## Submission

The Proposed Scheme Amendment has been lodged by Whelans Town Planning on behalf of the Landowner, Atwell Greens Pty Ltd.

## Report

The Proposed Scheme Amendment seeks to amend the Scheme by rezoning a portion of Lot 10 and Lot 11 Brenchley Drive, Atwell from "Residential R20" to "Residential R40" and "Parks and Recreation".

The proposal seeks to rezone two individual parcels to R40. The two parcels are located in the north of the subject site, on either side of the yet to be constructed cul-de-sac. The two areas to be rezoned to R40 have a total an area of 3,328 m<sup>2</sup>.

The area to be rezoned for Parks and Recreation is 401m<sup>2</sup> in size and will be incorporated into Brenchley Park. This land is required, as a condition of the previously mentioned subdivision approval, to be ceded to the Crown free of cost in accordance with Section 152 of the



Planning and Development Act 2005. The rezoning of this land to 'Parks and Recreation' is a logical proposal and will ensure that the extension of Brenchley Park is zoned appropriately for its land use.

### Directions 2031

Directions 2031 seek to establish a 50% increase in current average residential densities from the current average of 10 dwelling per gross hectare of urban zoned land. The approved subdivision on Lots 10 and 11 Brenchley Avenue currently allows for development of 27 dwellings at a density of R20. The applicant has noted that under the proposed densities this could realistically be increased to 34 for grouped housing or 39 for multiple dwellings. Therefore the increase in total dwelling yield on the overall site would be between 7 and 12.

The applicant has listed a number of justifications to rationalise the proposed rezoning to R40. These include:

1. Variety of zoning leading to variety in housing stock; and
2. Proximity to Open Space

With regard to point 1 above, Directions 2031 and Liveable Neighbourhoods discuss the importance of ensuring a variety of housing stock provision in providing choice and affordability.

With regard to point 2 above, Liveable Neighbourhoods notes the benefits of locating areas of higher density in proximity to areas of higher amenity, such as parks. Moreover, with the possibility of multiple dwellings the likelihood of better passive surveillance of the surrounding areas of public open space is strong.

### Community Consultation

A total of 5 submissions were received. No objections were raised by adjoining landowners or servicing/government authorities. The submissions are addressed in detail in the Schedule of Submissions and raise no material matters which impact on the consideration of this proposal.

### Conclusion

In summary it is recommended that Council adopt for final adoption the proposed Scheme Amendment No.101.





## **Strategic Plan/Policy Implications**

### **Growing City**

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.
- Development that is soundly balanced between new and existing areas.
- Diversity of housing to respond to changing needs and expectations.

### **Community & Lifestyle**

- Communities that take pride and aspire to a greater sense of community.
- Safe communities and to improve the community's sense of safety.
- Promotion of active and healthy communities.

### **Environment & Sustainability**

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

### **Budget/Financial Implications**

N/A

### **Legal Implications**

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

### **Community Consultation**

In accordance with the *Town Planning Regulations 1967* consultation was undertaken subsequent to the local government initiating the Scheme Amendment and the Environmental Protection Authority ("EPA") advising that the proposal is environmentally acceptable. The amendment was advertised for 42 days.



**Attachment(s)**

1. Locality Plan
2. Current and Proposed Zoning Map
3. Schedule of Submissions

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

The Proponent(s) have been advised that this matter is to be considered at the 8 August 2013 Council Meeting.

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

Nil.

**14.7 (MINUTE NO 5103) (OCM 08/08/2013) - INITIATION OF PROPOSED AMENDMENT 102 TO TOWN PLANNING SCHEME NO. 3 (109/036) (C CATHERWOOD) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) in pursuance of Section 75 of the Planning and Development Act 2005, amend the City of Cockburn Town Planning Scheme No. 3 by:
  1. Deletion of Restricted Use 12 (RU12) from Schedule 3 and amending the Scheme map accordingly.
  2. Deletion of Additional Use 15 (AU15) from Schedule 2 and amending the Scheme map accordingly.
  3. Deletion of Special Use 26 (SU26) from Schedule 4.
- (2) upon preparation of the Amendment documentation, the Amendment be referred to the Environmental Protection Authority in accordance with Section 81 of the Act; and
- (3) advertise the Amendment for a period of 42 days in accordance with the Regulation, following receipt of advice from the Environmental Protection Authority advising that the Amendment is not subject to a formal environmental assessment.



**COUNCIL DECISION**

MOVED Clr C Reeve-Fowkes SECONDED Clr T Romano that the recommendation be adopted.

**CARRIED 8/0**

**Background**

Previous amendments to the City's Town Planning Scheme No. 3 ("the Scheme") (Amendments 82 and 89) have sought to bring the City's Scheme into alignment with the Metropolitan Region Scheme ("MRS"), specifically MRS Amendment 1180/71 which rezoned the area known as 'Cockburn Coast'.

However, there are several issues which still require further attention following the WA Planning Commission and Minister's consideration of the above mentioned amendment before the full intent of the MRS amendment can be implemented. These are deletion of:

1. Restricted Use 12 (RU12) from Schedule 3 and amending the Scheme map accordingly.
2. Additional Use 15 (AU15) from Schedule 2 and amending the Scheme map accordingly.
3. Special Use 26 (SU26) from Schedule 4.

There are a number of previous scheme amendments and planning documents which are relevant to this proposal.

**Cockburn Coast District Structure Plan**

The Cockburn Coast District Structure Plan ("CCDSP") has been prepared by the Western Australian Planning Commission ("WAPC") to guide future land use and transport initiatives within the area stretching between South Beach and the Port Coogee marina. The WAPC endorsed the CCDSP in August 2009.

The CCDSP sets a framework for future redevelopment of the Cockburn Coast area as an intensive, vibrant, mixed use coastal urban environment. It contains provisions relating to the desirable character of identified precincts, including land use mix, height and built form elements. It provides a framework for guiding development, and furthering local level planning and decision making.



Metropolitan Region Scheme Amendment No.1180/41

The WAPC resolved to amend the Metropolitan Region Scheme ("MRS") to rezone the North Coogee industrial area to reflect the outcomes of the CCDSP (MRS Amendment No.1180/41). The area was rezoned to 'Urban' via this amendment gazetted 6 September 2011.

Amendment No. 82 (Cockburn Coast Industrial Area and Newmarket Precinct)

Council previously adopted Amendment No. 82 to City of Cockburn Town Planning Scheme No. 3 ("Scheme") at the meeting of 17 March 2011 for final approval. Amendment No. 82 was gazetted on 28 August 2012.

The purpose of Amendment No. 82 was to modify the Scheme in such a way so as to implement the outcomes of the Cockburn Coast District Structure Plan ("CCDSP") for the Newmarket Precinct. It also sort to introduce 'interim' provisions south of the Newmarket precinct via changes to the then Restricted Use 9 and the introduction of a new Special Use 26.

Prior to finalisation of Amendment No. 82, a further amendment (Amendment No. 89) progressed to the point where Council resolved to advise the WAPC there was no need to include these 'interim' provisions contemplated by Amendment No. 82.

City officers also pointed out to WAPC staff there were other uses (Restricted Use 12 and Additional Use 15) which would need to be addressed.

In its final consideration, the WAPC and the Minister determined to delete the Restricted Use 9 provisions, but still introduce a new Special Use 26. No changes were made to delete Restricted Use 12 or Additional Use 15. Verbal advice was provided from WAPC this could be addressed in consideration of Amendment No. 89, which at that time had just been submitted to WAPC for final approval.

These are the uses which now need to be deleted (via this new amendment) as they are at odds with the new 'Development' zone.



Amendment No. 89 Cockburn Coast District Structure Plan Part 2  
(formerly referred to as 'Master Plan')

Scheme Amendment No. 89 was gazetted in April 2013, introducing a 'Development' zone (Development Area No. 33) for the Cockburn Coast area.

Development Area provisions set out the requirements for local structure plans, and set out the requirements for urban development in the area. These can now be found in Schedule 11 of the Scheme under Development Area No. 33. The requirements seek to ensure the targets and objectives set out in the Cockburn Coast District Structure Plan Part 1 and Part 2 can be achieved.

As part of its final approval of Amendment No. 89, Council resolved to advise the WAPC there was no need to include the 'interim provisions' contemplated by Amendment No. 82.

City officers also pointed out to WAPC staff there were other uses (Restricted Use 12 and Additional Use 15) which would need to be addressed. Further discussion on the rationale for this is set out further below in the Town Planning Context section of this report.

As discussed above, these interim provisions are at odds with the new 'Development' zone. In its final consideration, the WAPC and the Minister determination applied a number of changes on the scheme map but not to the scheme text. This is not ideal, does not assist in the implementation of the MRS, and now requires resolution via this new amendment.

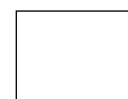
### **Submission**

N/A

### **Report**

The proposed amendment relates to three properties:  
Lot 1 Bennett Avenue, North Coogee;  
Lot 200 Cockburn Road, North Coogee; and  
Lot 222 Cockburn Road, North Coogee.

The subject lots are zoned 'Urban' under the Metropolitan Region Scheme. The area is part of the land rezoned from 'Industry' to 'Urban' via MRS Amendment No. 1180/41 to reflect the outcomes of the Cockburn Coast District Structure Plan.



All three lots are currently zoned 'Development Zone' under the City's Town Planning Scheme No. 3 and are contained within Development Area No. 33 (Cockburn Coast).

The scheme particulars for each lot are described under separate sections below.

Lot 200 Cockburn Road, North Coogee

The Scheme map annotates this property as 'RU12' or Restricted Use 12.

Schedule 3 of the Scheme lists this property as 'Restricted Use 12' which includes the following uses and conditions:

Restricted Use	Conditions
Light Industry, Service Industry, and Manufacture of Composite Materials and uses incidental to the Manufacturing of composite materials as determined by Council.	Planning approval including compliance with the Environmental Protection (Noise) Regulations 1997 and nuisance provision of the Health Act 1911 of the City of Cockburn Local Government Act Local Laws 2000.

The restricted use provisions contained within the City's Town Planning Scheme No. 3 are consistent with the Model Scheme Text and read:

*"4.6. Restricted uses*

*Despite anything contained in the Zoning Table, the land specified in Schedule 3 may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 3 with respect to that land.*

*Note: A restricted use is the only use or uses that are permitted on a specific portion of land and other uses that would otherwise be permissible in the zone are not permitted".*

The relevance of the underlying zoning of the land is integral in reading this clause. When the Restricted Use was introduced the land was zoned 'Industry'. A particular issue with Restricted Uses is they prevent the land being used for any other uses.

The current development approval (for manufacturing of composite materials) expires 29 April 2014 and is only valid for 5 years. An advice note was included on the approval indicating the area was impacted by future planning for the Cockburn Coast District Structure Plan. The business which this approval provided for has now vacated the site.



Council are not likely to approve future uses in line with the current Restricted Use provisions as this is contrary to the intent of the new 'Development' zone. It is arguable that when Council sought to remove the 'Industry' zone to implement the intent of the MRS then implicitly they also sought to remove the Restricted Uses intrinsically linked to that zone.

In this case, Restricted Use 12 prevents the proper implementation of the MRS amendment to 'Urban' as the Restricted Use is industrial in nature. To not remove the Restricted Use would be inconsistent with section 124 of the Planning and Development Act 2005, in that it creates an impediment to the implementation of the MRS rezoning from Industrial to Urban.

The purpose of the amendment as it relates to this property is to explicitly delete Restricted Use 12 to enable proper implementation of the 'Development' zone.

Lot 222 Cockburn Road, North Coogee

The Scheme map annotates this property as 'AU15' or Additional Use 15.

Schedule 2 of the Scheme lists this property as 'Additional Use 15' which includes the following uses and conditions:

Additional Use	Conditions
Drum Recycling which is limited to the cleaning and reclamation of Steel and Plastic containers together with their handling and storage.	(nil)

The additional use provisions contained within the City's Town Planning Scheme No. 3 are consistent with the Model Scheme Text and read:

*"4.5. Additional uses*

*Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated subject to the conditions set out in Schedule 2 with respect to that land.*

*Note: An additional use is a land use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land."*



The relevance of the underlying zoning of the land is integral in reading this clause. When the Additional Use was introduced the land was zoned 'Special Industry A' but the use was considered to be a non-conforming use. The building at the front has been utilised for nearly 40 years as a drum cleaning plant.

Amendment 162 to Town Planning Scheme No. 2 was introduced in 1996 to provide for expansion of this use through Additional Use 15. Expansion is not allowed under the non-conforming use provisions of the scheme.

In 1999, Council wrote to the landowner advising the State Government were reviewing planning of the area (through the North Coogee Master Plan Review Study) and this may result in rezoning to residential. However, with Additional Use 15 provisions in place, the rear hardstand area was granted a 4 year approval to store containers. This expires 4 October 2014.

Council are not likely to approve future uses in line with the current Additional Use provisions as this is contrary to the intent of the new 'Development' zone. It is arguable that when Council sought to remove the 'Industry' zone to implement the intent of the MRS then implicitly they also sought to remove the Additional Uses intrinsically linked to that zone.

In this case, Additional Use 15 prevents the proper implementation of the MRS amendment to 'Urban' as the Additional Use is industrial in nature. To not remove the Additional Use would be inconsistent with section 124 of the Planning and Development Act 2005, in that it creates an impediment to the implementation of the MRS rezoning from Industrial to Urban.

The purpose of the amendment as it relates to this property is to explicitly delete Additional Use 15 to enable proper implementation of the 'Development' zone. This would return the use to a similar situation as in 1996, in that it would again become a non-conforming use. Based on the evaluation of planning approvals for these three sites, only this property (Lot 222 Cockburn Road) would have non-conforming use rights.

Pursuant to Clause 4.8 of the Scheme, the continued use of land is allowed for the purpose for which it was being lawfully used immediately prior to the date of gazettal of the zoning change. Non-conforming use rights also allow the carrying out of development that was approved prior to the date of gazettal of the zoning change.





Pursuant to clause 4.9 of the Scheme a person cannot alter or extend a non- conforming use without planning approval. If a non-conforming use is discontinued for a period of six months the use of the land and buildings thereafter must be consistent with the provisions of the Scheme relating to the new zoning.

Lot 1 Bennett Avenue, North Coogee

Schedule 4 of the Scheme lists this property as ‘Special Use 26’ which includes the following uses and conditions:

Special Use	Conditions
Industry – Light Industry – Service Industry – Cottage Health Studio Warehouse Recreation – Private Office Public Amusement Showroom Shop Recreation Centre Storage Yard	Planning Approval that will be subject to a five year limit.
General Industry (material recovery facility)	The existing planning approval (DA09/0442) for the general industry (material recovery facility) located on Lot 1 Bennet Avenue North Coogee expires on 12 January 2013. The local government may grant an extension to this planning approval subject to it being satisfied that— <ul style="list-style-type: none"> <li data-bbox="874 1375 1410 1552">i. An extension in planning approval will not inhibit the ability for adjoining or nearby land to be developed for residential or other urban purposes.</li> <li data-bbox="874 1559 1410 1697">ii. An extension in planning approval will facilitate the orderly transition of the existing use away from the land.</li> <li data-bbox="874 1704 1410 1798">iii. An extension in planning approval will be no more than a single, once off, five year term.</li> </ul>

The special use provisions contained within the City’s Town Planning Scheme No. 3 are consistent with the Model Scheme Text and read:



#### *“4.7 Special Uses*

##### *4.7.1*

*Special use zones are set out in Schedule 4 and are in addition to the zones in the Zoning Table*

##### *4.7.2*

*A person must not use any land, or any structure or buildings on land, in a special use zone except for the purpose set out against that land in Schedule 4 and subject to compliance with any conditions set out in Schedule 4 with respect to that land.*

*Note: Special Use Zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.”*

When the Special Use was introduced the land was zoned ‘Industry’. A particular issue with Special Uses (similar to Restricted Uses) is they prevent the land being used for any other purpose.

The last development approval issued under TPS3 for this site (for a General Industry) was only valid for 5 years and expired 12 January 2013. An advice note was included on the approval indicating the area was impacted by future planning for the Cockburn Coast District Structure Plan and development of the South Beach Structure Planning area. However, the premises was substantially destroyed by fire and removed during the second quarter of 2012.

Council are not likely to approve rebuilding of the site given it would be limited to a 5 year approval but would warrant a significant investment to re-establish the necessary buildings on the site. Also, in line with the current Special Use provisions this would be contrary to the intent of the new ‘Development’ zone. It is arguable that when Council sought to remove the ‘Industry’ zone to implement the intent of the MRS then implicitly they also sought to remove the Special Uses. In the Minister’s decision on Amendment No. 89, the wording of the rezoning specified “from Special Use” (and other zones) to “Development” zone. This resulted in the scheme map change deleting the annotation of Special Use 26. Based on advice from WAPC officers, this did not enable deletion of the related Scheme text in Schedule 4.

Special Use 26 prevents the proper implementation of the MRS amendment to ‘Urban’ as the Special Use is industrial in nature. To not remove the Special Use would be inconsistent with section 124 of the Planning and Development Act 2005, in that it creates an impediment to the implementation of the MRS rezoning from Industrial to Urban.



The purpose of the amendment as it relates to this property is to explicitly delete Special Use 26 to enable proper implementation of the 'Development' zone.

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

#### **Leading & Listening**

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

#### **Moving Around**

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

### **Budget/Financial Implications**

N/A

### **Legal Implications**

Council has an obligation to render its Scheme consistent with the Metropolitan Region Scheme.

### **Community Consultation**

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

### **Attachment(s)**

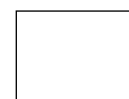
Location plan

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

The affected landowners have been advised in writing of the intent to present this report for Council's consideration on 8 August 2013.

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

Nil.



**14.8 (MINUTE NO 5104) (OCM 08/08/2013) - RETROSPECTIVE CHANGE OF USE FROM GROUPED DWELLING TO OFFICE - LOCATION: 1A DIONYSUS TERRACE, ATWELL - OWNERS: BENEDICT AND SAMANTHA FRANCIS (6013381)(J MCDONALD) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) refuse to grant retrospective approval to commence development for a change of land use from 'Grouped Dwelling' to 'Office' at 1A (Lot 3) Dionysus Terrace, Atwell for the following reasons:
  1. The proposal is contrary to Clause 10.2.1 (i) of the City of Cockburn Town Planning Scheme No. 3 by virtue that it is incompatible in its current location.
  2. The proposal is contrary to Clause 10.2.1(n) of the City of Cockburn Town Planning Scheme No. 3 as the commercial use is likely to have a detrimental impact upon the local amenity.
  3. The proposal is contrary to Clause 10.2.1(p) of the City of Cockburn Town Planning Scheme No. 3 as there is an inadequate provision for parking of vehicles on site.
- (2) notify the applicant and those who made a submission of Council's decision; and
- (3) enforce the Directions Notice issued under section 214 of the *Planning and Development Act* which requires the office currently operating from the site to permanently cease operations.

**COUNCIL DECISION**

MOVED Clr S Portelli SECONDED Clr T Romano that Council:

- (1) grant retrospective approval to commence development for a change of land use from 'Grouped Dwelling' to 'Office - Real Estate Agent' at 1A (Lot 3) Dionysus Terrace, Atwell subject to the following conditions:
  8. No more than three staff are permitted to be working at or from the premises at any one time.
  9. External signage shall be limited to a single 0.2m<sup>2</sup> signage plaque affixed to the façade building bearing



the company name. No other signage or advertising is permitted. All existing advertising, including property listings are to be removed.

10. Customer attendance at the premises shall be limited to no more than one customer at any one time. All customer attendance at the premises must be arranged by prior appointment only. All such appointments are to have a minimum 10 minute gap in between appointments.
  11. No client meetings are to be scheduled on-site between the hours of 7:30am to 9:00am and 2:00pm to 3:30pm Monday to Friday (excluding school holidays).
  12. The two car parking bays inside the garage shall be kept free of obstruction and made available for car parking purposes at all times.
  13. No car parking or vehicle access is permitted within the street verge or footpath, surrounding the subject premises.
  14. The use of the premises as a Real Estate Agents Office is granted on a temporary basis only and must cease within two years of the date of this approval, following which time the use of the premises shall revert to Residential use. At the cessation of the use as a Real Estate Agent Office the landscaping shall be re-instated with all additional paving to be removed.
- (2) notify the applicant and those individuals or parties, who have made a submission in relation to this matter, of Council's decision.

**CARRIED 7/1**

### **Reason for Decision**

The property was zoned mixed use. This was a well-intentioned philosophy by Landcorp of trying to create localised employment hubs and minimise travelling to work. The only act of non-compliance was that in this "mixed use" abode nobody was staying at the office. To withdraw their use is punitive in the extreme. They do intend to



shift to a commercial centre in the future, so in the interim we should allow them to continue. They have demonstrated how they can minimise traffic during the peak times of dropping off and picking up of students at Harmony P.S. by working appointment times.

## **Background**

### Subject Land

The subject land is located at No. 1A Dionysus Terrace in Atwell on the corner of Aurora Drive opposite Harmony Primary School. The site is developed with a single storey grouped dwelling on a strata lot which is 214m<sup>2</sup> in size. The grouped dwelling is one of a group of three dwellings all within the same ownership.

Adjacent to the subject site within the Aurora Drive Road Reserve is the Harmony Primary School drop off and pick up car parking area. There are also some other street parking embayments to the south of the subject site on the eastern side of the Aurora Drive road reserve.

### History

In January 2011, the City approved under delegated authority the development of three grouped dwellings at 65 Aurora Drive, Atwell. The land was subsequently strata titled into three strata lots, 1A, B and C Dionysus Terrace.

In May 2012, the City issued approval for the owners of 1C Dionysus Terrace to operate a Home Business (Real Estate Sales) from the premises.

In the second half of 2012 the City became aware that the owners were no longer living at the premises and therefore the land use operating at the premises was no longer being use as a residence.

On 8<sup>th</sup> November 2012 the owners were issued a Section 214 notice under the *Planning and Development Act 2005* directing them to cease using the premises as an Office within 28 days of that notice.

An application for a change of use from 'grouped dwelling' to 'office' was submitted by the owners in November 2012 during the 28 day notice period.

The initial assessment of the proposal revealed that the subject land had been developed contrary to the original planning approval for three grouped dwellings. Specifically, landscaping had not been installed and paving far exceeded what was demonstrated on the plans.



In accordance with the provisions of clause 8.3.2 of Town Planning Scheme No. 3, the applicant was advised that since there were outstanding development conditions, the City would not consider the current application until such time as landscaping had been installed to the City's satisfaction.

A landscaping theme was agreed upon and the works have now been undertaken. As the works are now completed the current application can now be considered.

### **Submission**

The application is for a change of land use from 'grouped dwelling' to 'office'. The owners operate a Harcourt's real estate agent franchise. Their agreement states they must limit their sales to residential properties only. In addition, their application states that:

- Currently only 2 staff on site however there is potential to grow to 5 – 6 staff in the next 12 months.
- No client meetings will be scheduled on site between school peak hours to avoid traffic congestion.
- Office hours are generally Monday to Friday only with some scheduled appointments on Saturdays and Sundays.
- Street parking is available on Aurora drive to accommodate client visits.

The subject site is provided with parking for two vehicles within the double garage consistent with residential requirements. There is insufficient area on the driveway for parking given the small street setback. Vehicles parked on the driveway would be predominantly parked on the crossover and not wholly within the lot boundary. Thus the site can only provide parking for two vehicles.

The plans submitted indicate that three additional vehicles could park parallel to the dwelling within the front setback area however this arrangement is not feasible given the area has recently been developed with the required landscaping and vehicles could not manoeuvre into the positions indicated on the plan. The proposed parking arrangements therefore do not comply with the scheme or design requirements.

### **Report**

#### Land Use and Zoning

The subject land is zoned "Development" under the City of Cockburn Town Planning Scheme No. 3. The Development zone is one in which



Council must adopt a local structure plan to guide the further subdivision and / or development.

The Harvest Lakes Structure Plan was adopted in 2006. The Structure Plan designates the subject land as 'Mixed Use R40'. The Structure Plan text explains that the provision of some mixed use development in close proximity to the proposed Harvest Lakes Village Centre was an initiative to meet the objectives of an employment study prepared for the WAPC in 1997 that recommended additional office space to encourage local employment opportunities.

Notwithstanding the objectives of the Structure Plan, all the land contained within the 'Mixed Use' area in question (which comprised three lots only) was developed with low density residential homes, specifically two single houses and three grouped dwellings.

'Mixed Use' is not a zone under the City of Cockburn Town Planning Scheme No. 3. Mixed Use is a planning term generally used to describe a mix of commercial and residential land use – ideally in the one development usually comprising apartments over ground floor commercial uses. It is not clear why the land was given a land use designation that did not relate to the current town planning scheme zones.

The proposed land use 'Office' is an 'A' use in the Residential zone which is a use not permitted without first being advertised and granted planning approval). 'Office' is a permitted use in the City's Commercial Zones.

However, as stated above, the subject land is zoned Development and does not have either a residential or commercial zoning under the Structure Plan as it is designated 'Mixed Use'.

The land use 'Office' under Town Planning Scheme No. 3 means: "*premises used for the administration, clerical, technical, professional or other like business activities*". Offices require car parking bays to be provided at a rate of 1 car bay per 50m<sup>2</sup> of Gross Leasable Area (GLA). The GLA of the premises (including store, garage and porch) is 136m<sup>2</sup> therefore a minimum of 3 bays are required to be provided on site.

#### Advertising

The current application was advertised to the four nearest neighbours for comment. Two submissions opposing the proposal were received. The issues raised in the objections are summarised as follows:





<b>Table of Issues Raised in Submissions</b>	
<b>Issue Raised</b>	<b>Officer Response</b>
Harvest Lakes is a residential area, not a commercial area and has been marketed as such	Comment Noted, actual zoning in Structure Plan is 'Mixed Use' whereas land has been developed for residential purposes.
On street parking nearby is at capacity during school peak hours	Proposed use will impact on street parking availability.
What will prevent the two other dwellings in the strata scheme becoming commercial premises also?	Development Approval is required for any change of use and any proposal must be considered on its individual merits.
Land zoned for commercial development in Atwell should have priority for commercial development	Noted, the land is zoned Mixed Use in the Structure Plan and this typically means a range of uses on the land comprising residential and commercial activities.
Residential property that abuts commercial property pay higher insurance premiums and are also devalued	Notes, however this is not a matter that relates to Planning principles.
Business should not operate in residential area as this increases traffic and creates parking problems	Noted, the land is zoned Mixed Use in the Structure Plan and this typically means a range of uses on the land comprising residential and commercial activities.

### Officer Assessment

#### *Statutory Framework*

The planning framework applicable to the land under the structure plan is not clear. It can be surmised that the strategic objective was that the land be developed with mixed use commercial / residential development however this did not eventuate in the built form and the land was developed with purely residential buildings. Owners of the adjoining and land nearby would therefore have a reasonable expectation that the land would remain residential in use.



### *Parking*

The proposed Real Estate Agency land use is considered to be a destination use. In other words, patrons and clients will drive to the premises with the sole and specific intent to utilise its services and require car parking facilities. It is therefore a business that relies on customer parking.

There is sufficient parking for only two car bays on the subject land which is a technical shortfall of 1 bay. It is a requirement of any development that parking be accommodated wholly on site. Approving a short fall or agreeing to verge parking is conferring a benefit on this particular use that is not generally available for other commercial land uses. The on-street car bays in this area are also either at capacity during peak times or set aside for the benefit of nearby residences as residential visitor bays.

On a visit to the site, council staff observed two Harcourt's branded vehicles parked on the verge driveway in front of the garage. There were no spaces therefore, for visitors to park. There were also two unmarked vehicles parked adjacent to the subject land in the school's exclusive pick up / drop off bays. These vehicles appeared to be vehicles owned by staff at the office. Vehicles of the same description can be observed on the City's latest aerial imagery parked in the same positions.

The businesses' website indicates that it now has 6 employees— two of whom are the owners. Assuming the owners have one vehicle between them and the other employees each has a vehicle; this would imply a parking requirement for at least five cars just for staff.

The statutory planning department has traditionally considered real estate agencies as 'offices' for the purpose of definition under the town planning scheme however, it is the department's experience that the car parking requirement of 1 bay for 50m<sup>2</sup> of gross leasable area for offices is severely deficient when applied to real-estate agents because of the high volume of customers and agents coming and going from these premises.

It is considered that the proposed use could not contain the required car parking on site and that the proposed use of Office is not applicable and the use should be defined as a 'shop' a shop allows for the provision of services of a personal nature which would include the sale of properties. Shop attracts a parking requirement of 1 bay per 12m<sup>2</sup> of net leasable area. In this case use would require the provision of 12 car parking bays.

It is considered that the proposed use be considered a Shop.



### *Commercial Hierarchy*

Of the issues raised by the submitters, staff agree that the land use should ideally be located within a commercial area such as the Harvest Lakes Village Centre which is less than a kilometre to the south west of the current location and is soon to be developed. It is desirable for all commercial uses to be within a centre so they may share customers and parking facilities, are convenient for the public to access, and so that traffic and amenity impacts may be managed and contained.

### Conclusion

It is recommended that the application or retrospective approval to commence development for change of use from Residential to Office (Real Estate Agent) be refused. Refusal is recommended as the site use is proposed at a premises that is not suitable for the use by way of insufficient parking, scale of operation and impact on the amenity of the immediate area.

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

#### **Growing City**

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

#### **A Prosperous City**

- Promotion and support for the growth and sustainability of local businesses and local business centres.

### **Legal Implications**

N/A

### **Community Consultation**

Neighbour consultation is discussed in the report above.

### **Attachment(s)**

1. Location Plan
2. Grouped Dwelling Floor Plan
3. Application for Change of Use
4. Harvest Lakes Structure Plan



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

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 8 August 2013 Council Meeting.

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

Nil.

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

**15.1 (MINUTE NO 5105) (OCM 08/08/2013) - LIST OF CREDITORS PAID - JUNE 2013 (076/001) (N MAURICIO) (ATTACH)**

**RECOMMENDATION**

That Council adopt the List of Creditors Paid for June 2013, as attached to the Agenda.

**COUNCIL DECISION**

MOVED Clr C Reeve-Fowkes SECONDED Clr T Romano that the recommendation be adopted.

**CARRIED 8/0**

**Background**

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

**Submission**

N/A

**Report**

The List of Accounts for June 2013 is attached to the Agenda for consideration. The list contains details of payments made by the City in relation to goods and services received by the City.



**Strategic Plan/Policy Implications**

**Leading & Listening**

- Effective and constructive dialogue with all City stakeholders.
- A responsive, accountable and sustainable organisation.

**Budget/Financial Implications**

N/A

**Legal Implications**

N/A

**Community Consultation**

N/A

**Attachment(s)**

List of Creditors Paid – June 2013.

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

N/A

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

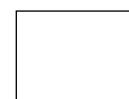
Nil.

**15.2 (MINUTE NO 5106) (OCM 08/08/2013) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - JUNE 2013 (071/001) (N MAURICIO) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) receive an interim Statement of Financial Activity and associated reports for June 2013, as attached to the Agenda; and
- (2) continue to apply a materiality threshold of a \$100,000 variance from the appropriate base amount for 2013/14 financial year in accordance with Financial Management Regulation 34(5).



**COUNCIL DECISION**

MOVED Clr C Reeve-Fowkes SECONDED Clr T Romano that the recommendation be adopted.

**CARRIED 8/0**

**Background**

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

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

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

Regulation 34(4)(a) prescribes that the Statement of Financial Activity and accompanying documents be presented to Council within 2 months after the end of the month to which the statement relates.

The regulations require the information reported in the statement to be shown either by nature and type, statutory program or business unit. The City chooses to report the information according to its organisational business structure, as well as by nature and type.

Financial Management Regulation 34(5) requires Council to annually set a materiality threshold for the purpose of disclosing budget variance details. To this end, Council has adopted a materiality threshold variance of \$100,000 from the corresponding base amount for the 2012/13 financial year and it is proposed that this continue for the 2013/14 financial year.

**Submission**

N/A



## Report

Due to ongoing end of financial year (EOFY) processing, the June financial statement being presented to Council is an interim one and subject to final audit. Whilst the current closing budget position is showing a surplus of \$10.0M, this is still to be adjusted by further EOFY processing and includes the funding for carried forward projects.

The final budget position for 2012/13 will be reported to the October Council meeting, along with the associated list of carried forward projects and a final version of the June statement.

### Closing Funds

The City's interim closing municipal position of \$10.0M mainly comprises budget underspending within the City's capital program and additional operating revenues. A significant proportion of this variance relates to the municipal funding for carried forward capital projects

The revised budget position for closing funds is showing a small \$58k deficit. However, this does not factor in the additional revenue received or savings across the Capex program (net of carried forwards). The closing funds budget position fluctuates throughout the year, as it gets impacted by Council decisions and minor system adjustments. Details on the composition of the budgeted closing position are outlined in Note 3 to the financial report.

### Operating Revenue

Operating revenue at \$119.2M is currently \$3.7M ahead of the full year budget. However, yet to be completed EOFY accrual entries will reduce this variance somewhat.

Significant variances include:

- Building permit fees were \$0.46M under budget due to a greater share of the revenue going to the Building Commission under new legislative requirements.
- Part year rating income came in \$0.6M over budget
- Underground power service charges collected were \$0.3M more than budgeted.
- In home care subsidies received were \$0.4M over budget.

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



### Operating Expenditure

Operating expenditure came in \$1.7M under full year budget at \$105.3M (including depreciation). On a cash basis, the underspend drops to \$1.0M.

Some significant areas contributing to this positive result included:

- Waste collection expenses were \$0.7M below budget primarily due to lesser than anticipated RRRC gate fees incurred to date.
- Environment Services had a net underspend of \$0.3M against their YTD budget.
- Community Services were collectively \$0.7M under budget comprising favourable variances in Community Development (\$0.24M), CoSafe (\$0.15M), SLLC (\$0.20M) and recreation projects (\$0.10M).
- There were savings of \$0.2M in salary costs across Human Services due to the closure of the out of school care programs at Atwell and Harvest Lakes.
- Health Services were \$0.3M under YTD budget primarily due to non-spending on contaminated sites remediation and clean-up activities.
- Libraries costs were \$0.26M below budget due to savings in salary costs.
- Depreciation was \$0.5M below budget overall.

Detracting from the overall positive result is:

- additional landfill levy accrued of \$1.1M to cover the extra charges imposed by the Department of Environment & Conservation.
- \$0.4M in higher operating costs at the HWRP landfill site.
- In-Home & Family Day Care payments are \$0.4M over budget due to higher service take up and are covered by the extra subsidies received.

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

Nature or Type Classification	Actual	Amended Budget	Variance to Budget
	\$	\$	%
Employee Costs	\$39.6M	\$39.3M	-0.8%
Materials and Contracts	\$33.4M	\$35.1M	4.8%
Utilities	\$4.1M	\$4.3M	5.6%
Insurances	\$1.8M	\$1.9M	2.5%
Other Expenses	\$9.1M	\$8.5M	-7.4%
Depreciation (non cash)	\$18.9M	\$19.3M	2.6%





Other expenses were adversely impacted by the additional accrual of landfill levy as referred to previously.

### Capital Expenditure

The City's capital budget spend for the year was \$48.3M versus the full year budget of \$75.9M. This represents an under spend of \$27.5M, of which most will be included in the carried forward projects brought to Council in October.

This under spend is spread across the following asset classes:

- Building construction works - \$16.4M
- Roads, footpaths & drainage - \$5.6M
- Plant & machinery - \$0.8M
- Computer infrastructure & software - \$1.4M
- Land development and acquisition - \$1.6M
- Landfill Infrastructure - \$0.4M
- Parks infrastructure development - \$1.3M

The significant spending variances by project are disclosed in the attached CW Variance analysis report.

### Capital Funding

Capital funding sources are highly correlated to capital spending and the sale of assets. Given the high underspend within the capital budget, capital funding sources are also showing large variances.

Significant variances include:

- Proceeds from land sales were \$2.1M behind the full year budget, comprising the yet to be completed subdivision of Lot 702 Bellier Place and Lot 65 Erpingham Road and lots 459 & 485 Bourbon St.
- Proceeds from plant and vehicle sales were \$0.1M behind the YTD budget.
- Grants and developer contributions towards roads and buildings projects were collectively \$1.8M below full year budget targets. However, this is related to the under spending in the Capex program and this funding will be included in the carried forwards brought to Council in October.
- Transfers to Reserves are \$2.1M behind budget due to unrealised land sales. Transfers from Reserves are \$19.2M behind budget, consistent with the overall under spend in the capital budget and primarily made up of the GP Super Clinic/Success Library (\$9.8M).



## Cash & Investments

Council's cash and current/non-current investment holdings increased to \$102.2M from \$101.9M the previous month. This is still traditionally high and is due to the delayed spending on capital projects (mainly GP Super Clinic). The loans for the underground power projects and the Emergency Services building were drawn down in June, resulting in the slight increase in cash holdings month on month.

\$76.9M represents the balance currently held in the City's cash backed reserves. \$7.4M represents funds held for other restricted purposes such as bonds, restricted grants and infrastructure contributions. The remaining \$17.9M represents the cash/investment component of the City's working capital, available to fund ongoing operations and commitments.

The City's investment portfolio made a weighted annualised return of 4.52% for the month. This compares very favourably against the adopted benchmark BBSW result of 2.83%.

The majority of investments are held in term deposit (TD) products placed with highly rated APRA (Australian Prudential Regulation Authority) regulated Australian banks. These are predominantly invested for terms ranging between six and twelve months in order to lock in current market rates in a falling interest rate environment. Factors considered when investing include maximising the value offered within the current interest rate yield curve and mitigating cash flow liquidity risks. Whilst the Reserve Bank has reduced interest rates over recent times by 125 basis points (1.25%), the current investment strategy has ensured the negative impact on the City's interest earnings has lagged well behind. Interest earnings of \$5.64M have outperformed the revised full year budget by \$0.11M

## Description of Graphs and Charts

There is a bar graph tracking Business Unit operating expenditure against budget. This provides a very quick view of how the different units are tracking and the comparative size of their budgets.

The Capital Expenditure graph tracks the YTD capital spends against the budget. It also includes an additional trend line for the total of YTD actual expenditure and committed orders. This gives a better indication of how the capital budget is being exhausted, rather than just purely actual cost alone.

A liquidity graph shows the level of Council's net current position (adjusted for restricted assets) and trends this against previous years.



This gives a good indication of Council's capacity to meet its financial commitments over the course of the year.

Council's overall cash and investments position is provided in a line graph with a comparison against the YTD budget and the previous year's position at the same time.

Pie charts included show the break-up of actual operating income and expenditure by nature and type and the make-up of Council's current assets and liabilities (comprising the net current position).

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

#### **Leading & Listening**

- A responsive, accountable and sustainable organisation.
- Manage our financial and infrastructure assets to provide a sustainable future.
- A culture of risk management and compliance with relevant legislation, policy and guidelines

### **Budget/Financial Implications**

Material variances identified impact on Council's closing budget position and contribute to the carried forwards to be brought to Council in October 2013.

### **Legal Implications**

N/A

### **Community Consultation**

N/A

### **Attachment(s)**

Statement of Financial Activity and associated reports – June 2013.

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

N/A

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

Nil.



**15.3 (MINUTE NO 5107) (OCM 08/08/2013) - PROPOSED MULTI-STOREY CAR PARK AT COCKBURN CENTRAL (052/005) (S DOWNING) (ATTACH)**

**RECOMMENDATION**

That Council not proceed with the construction of a paid multi-storey parking facility at Cockburn Central.

**COUNCIL DECISION**

MOVED Clr C Reeve-Fowkes SECONDED Clr T Romano that the recommendation be adopted.

**CARRIED 8/0**

**Background**

At the June 2013 Ordinary Meeting of Council, the Council received a report on the possible provision of a multi-storey car park at Cockburn Central. The recommendation from the officer was:

That Council not proceed with the construction of a paid multi-storey parking facility at Cockburn Central.

An alternative recommendation was passed by Council:

- (1) the matter be deferred for further consideration until the August 2013 Ordinary Meeting of Council Meeting to enable further investigation into alternative funding sources for the construction of a paid multi-storey parking station at Cockburn Central; and
- (2) investigate potential alternative construction methodologies for the construction of a paid multi-storey parking station at Cockburn Central which may substantially reduce the capital cost of constructing such a facility.

**Submission**

N/A



## Report

The report will firstly address alternative construction methods for constructing multi-storey car parking at Cockburn Central and secondly address the issue of alternative funding sources for either constructing the facility (capital) or operating the facility.

### Alternative Construction Methods

The report presented to Council in June 2013 proposed constructing the multi-storey car park of concrete, the traditional method in Australia, especially Western Australia. The cost per bay was estimated to be \$35,000 or \$28.5m for an 800 car bay parking facility. This would be a four level building consisting of 200 bays per level with no retail or office type façade (the lowest capital cost identified in the June 2013 report).

#### *Alternative 1 – Multi-storey car park – Steel*

Australia's leading steel producer was contacted to provide an estimate of cost for a multi-storey car park and examples of such facilities in WA. The one example provided is the Collie Street car park in Fremantle. This is a 455 car bay facility on three levels operated by Wilsons. The cost estimate provided verbally was \$25,000 per bay. A question was flagged as to why the cost was similar to concrete and the response was due to the unique nature of the facility, that is, there are very few so there are no economies of scale in producing steel for such facilities. This was confirmed by the operator of the Fremantle facility. The cost was less than concrete but not significantly.

#### *Alternative 2 – Top Deck Parking – Steel*

Top Deck parking is where a ground level parking facility is "top-decked" with a steel structure (single additional level only), doubling the capacity of the existing facility. The cost is \$15,000 per bay. The issue is that it is only doubling the existing parking. So if this was applied to the two existing at grade parking stations (operated by the PTA at Cockburn Central) the number of bays would go from 400 to 800 bays. The benefit of this alternative method is the time to construct. It is estimated that the time to erect is thirty days. The reason is that the actual structure is made off site and delivered on-site like a mechano/lego set. This would clearly reduce down time from 17 months for an 800 car bay facility. These facilities are "ugly" and have no redeeming design features. The added advantage however is that they will cater for the commuter where there is a short window where 800 cars will arrive and depart.



Top Deck Parking is popular in UK and Europe for airports, rail stations and shopping centre where there is limited land, existing at grade parking and demand for minimal interruption from users of the relevant facilities. A copy of a brochure is attached.

*Alternative 3 – Stacker Car Parking – Steel or concrete*

As the name suggests, this car park stacks cars into a parking facility similar to boat stacking, which is done at the Fremantle Fishing Boat harbour. The cost is \$10,000 per car. The facility would be considered a very efficient user of space and as such are popular in Manhattan, New York where the land cost per car bay is very high but more importantly the market is non-commuter. For Cockburn Central where the parking would be aimed at commuters, for economic reasons, the time to stack and unstack cars would not be suitable for an 800 bay facility where the cars would arrive in a narrow window. The aim of a stacked car park is to leave the cars for days not hours. Although the building footprint is small there would still be a need for substantial land holding to cater for commuter parking waiting to be stacked.

Alternative Funding Sources

There are sufficient capital funds in Australia that would finance the construction of one of the above style parking facilities on the basis that the actual facility makes money or has a guarantee from an entity that would meet either loan repayments or fee for service payments. The issue for the City of Cockburn is the operating revenue to fund loan or fee for service payments.

The report to the June 2013 OCM indicated that there would be insufficient operating funds to meet either loan repayments or fee for service payments based on the current scale of fees that could be charged at Cockburn Central.

On that basis, the City investigated how other revenues could be sourced to supplement the commuter or Monday to Friday 8am to 6pm time slot. The City met with a number of potential users that could guarantee revenues to assist in operating a multi-storey car park. The need was to secure revenue for night parking (6 pm to 8 am) and weekend parking. Casual use was discounted as it would not provide the certainty to a financier (including Council) of the quantum of revenues required to meet financial commitments arising from construction. The largest employer in the vicinity that could provide the funding (that is operating revenue) is the two hospital groups at Murdoch. City officers met with officers of Fiona Stanley Hospital and whilst they were opened minded to a proposal to supplement their existing 3,000 bays, the demand they had was for Monday – Friday 8am to 6pm. The night time or weekend time demand for parking was



estimated to be only 20 to 25% of the day demand. As such they believe they have sufficient parking facilities to meet their night and weekend demand. This would also apply to the St John Hospital facility as well.

In addition, Fiona Stanley staff enquired if the City would add more parking for day users. Given the recovery rate per bay per day was around the \$4 per bay per day, the deficit for providing additional parking would increase. This is a facility where the marginal cost of providing more bays does not diminish. The cost of producing another 200 bays is still the same as producing the first 800 bays.

The following table indicates the cost for all of the alternative construction methods and it determines that no construction method would pay for itself as a standalone investment in the first ten years of operation. It is acknowledged the fee structure will rise over time as demand increases and this has been built into the model below. As such the likelihood of reaching a break-even is out of the control of the City.

Unless the revenue can be locked in so as to provide the level of certainty, the City should not proceed with any multi-storey car parking facility at Cockburn Central.

	Concrete	Top Deck		Stack
Bays	800	200	400	800
Cost per Bay	\$35,653	\$15,000	\$15,000	\$10,000
Total Capital Cost	\$28,522,400	\$3,000,000	\$6,000,000	\$8,000,000
<b>Operating Costs</b>				
Depreciation	\$713,060	\$150,000	\$300,000	\$400,000
Interest 80/20	\$501,994	\$52,800	\$105,600	\$140,800
Operating Facility	\$280,000	\$70,000	\$140,000	\$400,000
Total Operating Cost	\$1,495,054	\$272,800	\$545,600	\$940,800
Cost per bay pa	\$1,869	\$1,364	\$1,364	\$1,176
<b>Fees</b>				
M-F 7am to 6pm	\$4.00	\$3.00	\$3.00	\$4.00
M-F 6pm to 7am	\$2.50	\$2.00	\$2.00	\$2.50
Weekend Day	\$2.50	\$2.00	\$2.00	\$2.50
Weekend Night	\$2.00	\$2.00	\$2.00	\$2.00
<b>Occupancy</b>				
M-F 7am to 6pm	75%	95%	95%	95%
M-F 6pm to 7am	20%	20%	20%	20%
Weekend Day	20%	20%	20%	20%
Weekend Night	15%	15%	15%	15%
<b>Revenue</b>				

	Concrete	Top Deck	Stack	
Revenue per bay pa	\$908	\$210	\$420	\$1,098
Loss pa 1 <sup>st</sup> yr per bay	-\$960	-\$1,154	-\$944	-\$78
Annual Loss 1 <sup>st</sup> year	-768,342	-230,824	-377,697	-62,088
After 10 Years Cumulative (loss)/surplus	-\$3,858,585	-\$178,944	-\$357,887	\$3,082,124

Assumptions:

1. Operating facility cost increase 5% pa (depreciation & interest remain the same over the first ten years) for concrete and Top-deck.
2. Operating facility cost increase 8% pa (depreciation & interest static) for Stack (as it is heavily labour orientated).
3. Fee increase by 50c per bay per year. Fee based on supposed Govt Fee structure for parking along the rail line.
4. Depreciation on concrete building 40years, top deck/stack 20 years. The latter two are not meant as permanent structures.
5. Interest at 4.5% pa repayable over 20 years
6. Occupancy for night and weekend use is nominal and would come from residential community at Cockburn Central.
7. Ten year cumulative loss is nominal and not discounted using a NPV model.

The parking facility option in this report and prior reports is based on constructing such a facility within the Cockburn Central townsite and on one of the WAPC owned land parcels, which is currently leased to the PTA. From a planning and transport viewpoint the construction of increased commuter car parking at either of these locations is not desirable as the predominant users of a large multi-storey car park facility would be commuters. This would result in marked increases in traffic transiting the townsite (a transport orientated precinct) particularly at peak hour periods which would have significant impacts on the traffic/pedestrian safety and amenity of the area.

The preferred location for a large multi-storey car park facility would be on the eastern side of the freeway (given the increasing demand from eastern suburbs), however this is not currently a feasible option given the WAPC/PTA have not completed all land acquisition/rationalisation including the recently closed car parking station. In addition, the impact of another 2,000 car bays at the proposed Success Rail Station and the completion of the upgrades/extensions to the Cockburn Gateway Shopping Centre need to be factored into the parking equation.





**Strategic Plan/Policy Implications**

**Infrastructure**

- Partnerships that help provide community infrastructure.
- Facilities that promote the identity of Cockburn and its communities.

**A Prosperous City**

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

**Moving Around**

- A safe and efficient transport system.

**Budget/Financial Implications**

N/A

**Legal Implications**

N/A

**Community Consultation**

N/A

**Attachment(s)**

Top Deck Modular Car Park – Top Deck Parking.

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

N/A

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

Nil.

**16. ENGINEERING AND WORKS DIVISION ISSUES**

Nil

**17. COMMUNITY SERVICES DIVISION ISSUES**

Nil



**18. EXECUTIVE DIVISION ISSUES**

Nil

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

Nil

**20 (OCM 08/08/2013) - NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING**

**20.1 FIRE CONTROL ORDER TO BE REFERRED TO THE 1 OCT 2013 MEETING OF THE BUSHFIRE REFERENCE GROUP**

CLR STEVEN PORTELLI that Council refers the Fire Control Order adopted at the July Council Meeting to the 1st October, 2013, Meeting of the Bushfire Reference Group for re consideration of the following matters:

- Policing of the new provisions related to keeping outbuildings clear of flammable material
- Potential to replace these provisions with the previous requirement to install firebreaks around outbuildings
- Opportunity for public comment on the changes regarding protection of outbuildings
- Public comment period for future Fire Control Orders.

**21. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY COUNCILLORS OR OFFICERS**

Nil



**22 (OCM 08/08/2013) - MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE**

**22.1 REVIEW OF MURIEL COURT STRUCTURE PLAN**

CLR LEE-ANNE SMITH has requested that a report be presented to a future Council Meeting regarding a review of the Muriel Court Structure Plan and to include details on the following:

1. The effect on ratepayers financially, both positively and negatively.
2. The mandatory height requirements that are currently indicated or required within that structure plan to be reviewed and whether there is any other alternatives that could be offered.
3. In terms of the practicality of the roads and the system that has been put forward in the structure, are there any other alternatives that can be offered.
4. Any known issues and reasons why other landholders supposedly can't sell property their within Muriel Court.

**23. CONFIDENTIAL BUSINESS**

**23.1 (MINUTE NO 5108) (OCM 08/08/2013) - MINUTES OF CHIEF EXECUTIVE OFFICER PERFORMANCE AND SENIOR STAFF KEY PROJECTS APPRAISAL COMMITTEE MEETING - 25 JULY 2013 (027/002) (S CAIN) (ATTACH)**

**RECOMMENDATION**

That Council receive the Minutes of the Chief Executive Officer Performance and Senior Staff Key Projects Appraisal Committee Meeting held 25 July 2013, as attached to the Agenda, and adopt the recommendations therein.

**COUNCIL DECISION**

MOVED Clr C Reeve-Fowkes SECONDED Clr T Romano that the recommendation be adopted.

**CARRIED 8/0**

## **Background**

The Chief Executive Officer Performance and Senior Staff Key Projects Appraisal Committee met on 25 July 2013 2012. The minutes of that meeting are required to be presented to Council and its recommendations considered by Council.

## **Submission**

The minutes of the Committee meeting are attached to the Agenda. Items dealt with at the Committee meeting form the basis of the Minutes.

## **Report**

The Committee recommendations are now presented for consideration by Council and, if accepted, are endorsed as the decisions of Council. Any Elected Member may withdraw any item from the Committee meeting for discussion and propose an alternative recommendation for Council's consideration. Any such items will be dealt with separately, as provided for in Council's Standing Orders.

## **Strategic Plan/Policy Implications**

### **Leading & Listening**

- A responsive, accountable and sustainable organisation.
- A skilled and engaged workforce.

### **Budget/Financial Implications**

Committee Minutes refer.

### **Legal Implications**

Committee Minutes refer.

### **Community Consultation**

N/A

### **Attachment(s)**

Minutes of the Chief Executive Officer Performance and Senior Staff Key Projects Appraisal Committee 25 July 2013 are provided to the Elected Members as confidential attachments.



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

The CEO and Senior Staff have been advised that this item will be considered at the August 2013 OCM.

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

Committee Minutes refer.

**24 (MINUTE NO 5109) (OCM 08/08/2013) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995)**

**RECOMMENDATION**

That Council is satisfied that resolutions carried at this Meeting and applicable to items concerning Council provided services and facilities, are:-

- (1) integrated and co-ordinated, so far as practicable, with any provided by the Commonwealth, the State or any public body;
- (2) not duplicated, to an extent Council considers inappropriate, services or facilities as provided by the Commonwealth, the State or any other body or person, whether public or private; and
- (3) managed efficiently and effectively.

**COUNCIL DECISION**

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

**CARRIED 8/0**

**25 (OCM 08/08/2013) - CLOSURE OF MEETING**

Meeting closed at 8.17 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: ...../...../.....

