

CITY OF COCKBURN

SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON TUESDAY, 17 JUNE 2003 AT 7:00 PM

	Page
1. DECLARATION OF MEETING.....	1
2. APPOINTMENT OF PRESIDING MEMBER (IF REQUIRED)	1
3. DISCLAIMER (READ ALOUD BY PRESIDING MEMBER)	1
4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS (BY PRESIDING MEMBER)	2
5. APOLOGIES AND LEAVE ABSENCE	2
6. (OCM 17/06/2003) - ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
7. PUBLIC QUESTION TIME	3
8. CONFIRMATION OF MINUTES.....	5
8.1 <u>(MINUTE NO 2052)</u> (OCM 17/06/2003) - ORDINARY COUNCIL MEETING - 20/05/2003.....	5
9. WRITTEN REQUESTS FOR LEAVE OF ABSENCE.....	5
10. DEPUTATIONS AND PETITIONS	5
11. BUSINESS LEFT OVER FROM THE PREVIOUS MEETING (IF ADJOURNED)	5
12. DECLARATION OF COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS IN THE BUSINESS PAPER	5
13. COUNCIL MATTERS.....	5
13.1 (MINUTE NO 2053) (OCM 17/06/2003) - CREATION OF A NEW LOCALITY TO BE NAMED 'GAEBLER' (1050) (LJCD) (ATTACH).....	6
13.2 <u>(MINUTE NO 2054)</u> (OCM 17/06/2003) - MINOR AMENDMENT TO LOCALITY OF COOGEE AND THE CREATION OF A NEW LOCALITY - WOODMAN - APPLICANT: URBAN FOCUS (1050) (LJCD) (ATTACH)	7
13.3 <u>(MINUTE NO 2055)</u> (OCM 17/06/2003) - TENDER FOR LEGAL SERVICES (RFT20/2003) (ATC).....	9

14.	PLANNING AND DEVELOPMENT DIVISION ISSUES	12
14.1	(MINUTE NO 2056) (OCM 17/06/2003) - COCKBURN BIODIVERSITY INCENTIVE STRATEGY FOR PRIVATELY OWNED PROPERTIES (6134) (CB) (ATTACH).....	12
14.2	<u>(MINUTE NO 2057)</u> (OCM 17/06/2003) - PARTIAL CLOSURE OF PEDESTRIAN ACCESSWAY - LOT 11 HAMILTON ROAD, COOGEE (3317422) (KJS) (ATTACH)	16
14.3	<u>(MINUTE NO 2058)</u> (OCM 17/06/2003) - AMENDMENTS TO THE CITY OF COCKBURN (LOCAL GOVERNMENT ACT) LOCAL LAWS 2000 (1116) (CW/LCD) (ATTACH).....	17
14.4	<u>(MINUTE NO 2059)</u> (OCM 17/06/2003) - PRIVATE SWIMMING POOL INSPECTION PROGRAM FOR 2003/2004 - TENDER NO. 22/2003 AND FUTURE INSPECTIONS (3211) (JW).....	19
14.5	<u>(MINUTE NO 2060)</u> (OCM 17/06/2003) - ESTABLISHMENT OF A CAFE/KIOSK - RESERVE 46787 PROGRESS DRIVE, BIBRA LAKE (1114553) (AJB) (ATTACH)	24
14.6	<u>(MINUTE NO 2061)</u> (OCM 17/06/2003) - CLEANER PRODUCTION STATEMENT (6101) (BH) (ATTACH)	33
14.7	<u>(MINUTE NO 2062)</u> (OCM 17/06/2003) - PROPOSED STRUCTURE PLAN - SOLOMON ROAD/CUTLER ROAD, JANDAKOT - OWNER: VARIOUS - APPLICANT: KOLTASZ SMITH (9329) (JW) (ATTACH).....	35
14.8	<u>(MINUTE NO 2063)</u> (OCM 17/06/2003) - PROPOSED STRUCTURE PLAN - LOT 8 HAMMOND ROAD, SUCCESS - OWNER: MAINPLAN INVESTMENTS - APPLICANT: KOLTASZ SMITH (9656) (JW) (ATTACH)	42
15.	FINANCE AND CORPORATE SERVICES DIVISION ISSUES	48
15.1	<u>(MINUTE NO 2064)</u> (OCM 17/06/2003) - LIST OF CREDITORS PAID (5605) (KL) (ATTACH)	48
15.2	<u>(MINUTE NO 2065)</u> (OCM 17/06/2003) - FREMANTLE HOUSING ASSOCIATION INC. - OBJECTION AGAINST REFUSAL TO ALLOW RATES EXEMPTION (8628) (KL)	49
16.	ENGINEERING AND WORKS DIVISION ISSUES.....	53
16.1	<u>(MINUTE NO 2066)</u> (OCM 17/06/2003) - TENDER NO. 21/2003 - HIRE OF DOZER OR TRACKLOADER AT HENDERSON WASTE DISPOSAL SITE (4900) (BKG) (ATTACH).....	53
17.	COMMUNITY SERVICES DIVISION ISSUES.....	56
17.1	(MINUTE NO 2067) (OCM 17/06/2003) - RESEARCH - SAFETY AND SECURITY IN COCKBURN (8957) (DMG) (ATTACH).....	56
17.2	(MINUTE NO 2068) (OCM 17/06/2003) - PROPOSED DENTAL	

	HEALTH CLINIC - CIVIC CENTRE SITE (2201726) (RA)	60
17.3	<u>(MINUTE NO 2069)</u> (OCM 17/06/2003) - PROPOSED DONATION - KWINANA HERITAGE GROUP (1032) (DMG).....	62
17.4	<u>(MINUTE NO 2070)</u> (OCM 17/06/2003) - CULTURAL ADVISORY COMMITTEE MEMBERSHIP (8810) (CC)	63
17.5	<u>(MINUTE NO 2071)</u> (OCM 17/06/2003) - COCKBURN YOUTH ADVISORY COUNCIL MEMBERSHIP (8304) (MA) (ATTACH).....	66
17.6	<u>(MINUTE NO 2072)</u> (OCM 17/06/2003) - SENIORS DROP IN CENTRE - CIVIC CENTRE LESSER HALL (2201726) (GB).....	68
18.	EXECUTIVE DIVISION ISSUES	72
19.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	72
20.	NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING.....	72
21.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY COUNCILLORS OR OFFICERS	72
22.	MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE.....	72
23.	CONFIDENTIAL BUSINESS	73
24.	<u>(MINUTE NO 2073)</u> (OCM 17/06/2003) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995).....	73
25.	CLOSURE OF MEETING.....	73

CITY OF COCKBURN

SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON TUESDAY, 17 JUNE 2003 AT 7:00 PM

PRESENT:

ELECTED MEMBERS

Mr S Lee	-	Mayor
Mr R Graham	-	Deputy Mayor
Ms A Tilbury	-	Councillor
Mr I Whitfield	-	Councillor
Mr K Allen	-	Councillor
Ms L Goncalves	-	Councillor
Mrs S Limbert	-	Councillor
Mr M Reeve-Fowkes	-	Councillor
Mrs V Oliver	-	Councillor

IN ATTENDANCE

Mr R. Brown	-	Chief Executive Officer
Mr R. Avar	-	Acting Director, Community Services
Mr A. Crothers	-	Director, Finance & Corporate Services
Mr A. Blood	-	Acting Director, Planning & Development
Mr B. Greay	-	Director, Engineering & Works
Mrs S. Ellis	-	Secretary to Chief Executive Officer
Mr C. Ellis	-	Communications Manager

1. DECLARATION OF MEETING

The Presiding Member declared the meeting open at 7.00 pm.

2. APPOINTMENT OF PRESIDING MEMBER (If required)

3. DISCLAIMER (Read aloud by Presiding Member)

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position. Persons are advised to wait for written



advice from the Council prior to taking action on any matter that they may have before Council.

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

Nil

5. APOLOGIES AND LEAVE ABSENCE

Clr A. Edwards - Apology

6. (OCM 17/06/2003) - ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Colin Crook – Public Question Time – Ordinary Council Meeting 20 May 2003 - asked how much advertising money will Council be handing over to the Cockburn Herald in this financial year?

A letter dated 27 May 2003 stated that from 1 July 2002 to 27 May 2003, the City of Cockburn had spent \$38,742.16 on advertising in the Herald newspapers.

Greg Patterson – Public Question Time – Ordinary Council Meeting 20 May 2003 – referred to the Minutes of the 17 December 2002 Ordinary Council Meeting, Minute No. 1880, where the report stated that Len Packham Reserve was under-utilised and asked on what scientific basis is this assumption made that the reserve is under-utilised.

A letter dated 27 May gave a comparison of usage rates from some other reserves within the City of Cockburn. One measure of the usage level of a reserve is to calculate the number of players per hectare using the reserve per annum. Firstly the playable area in hectares was calculated using overhead photography, this eliminated trees and surrounds. Then the number of registered players each year was noted including both summer and winter seasons, this information is data from the sporting clubs feedback most recently taken. From these numbers, the 'Players/Hectare/Year' figure was calculated. As a comparison to Len Packham Reserve, the other reserves listed had a higher usage rate each year per hectare. The nearest in terms of usage is Tempest Park (also in Coolbellup), which has an approximate usage rate of 1.7 times that of Len Packham Reserve. It was evident from the figures provided that the Len Packham Reserve is relatively under-utilised.



7. PUBLIC QUESTION TIME

Frank Massey, Pearse Road Wattleup and member of the South Coogee Volunteer Bush Fire Brigade, stated that he was informed on the 28th May, that there would be a boundary change from zone 8 to zone 1 in Wattleup with regard to Bush Fire Protection given by the South Coogee Brigade. As there is a Special Bush Fire Advisory Meeting tomorrow night where the FESA review will be tabled, but the members of both South Coogee and Jandakot will not receive a copy of that review until their next brigade meeting, did Council believe it very democratic for the Committee to table a document before the members have seen it.

The Chief Executive Officer advised that the only issue to be discussed at the Bush Fire Meeting tomorrow night is the relationship that may exist between Council and FESA about how Council should continue its employment of a Chief Bush Fire Officer. The boundary issue is not on the agenda.

Colin Crook, Doolette Road Spearwood, tabled a petition with approximately 112 signatures which reads, *"We, the undersigned, being regular users of the Coastal D.U.P. (Southwards from the Fremantle boundary) request that the City of Cockburn:- a) Lifts its standard of maintenance on the D.U.P., b) Ensures that the Port Catherine "clean-up" does not affect the continued use of the D.U.P."*

Mayor Lee responded that in regard to point a), he had been to the area today and the pathway was spotless and in regard to point b), Council will endeavour to find out.

Mr Crook also spoke in relation to the lack of community consultation for the entry statement and artwork on Phoenix Road Spearwood. He questioned who had asked for the artworks in place of the reticulation as \$40,000 was originally placed on the budget for the reticulation and beautification of Phoenix Road but that was considered to not be enough so the funds were used for the artwork instead. He asked what was going to happen about the reticulation.

Mayor Lee advised that reticulation was part of the budget papers for consideration by Council this year.

Patrick Thompson, Spearwood asked that if Council has a policy to reduce landfill, could an explanation be given as to why the pavers that are being removed from the Council premises by a bobcat, are being dumped in a truck rather than being advertised for people to come and take away.



Mayor Lee agreed entirely with the concept but unfortunately it is not that simple for Council to do that because of insurance, liability and the time factors involved.

Mr Thompson also raised the issue of allowances paid to Elected Members of \$10,000 per year to attend Council Meetings, transport etc. and wanted to make Councillors aware that a person with 3 children only gets \$7,800 per year. Councillors also received \$2,000 per year for telephones and he found it disturbing that the Mayor has been seen on occasions driving his vehicle whilst using the mobile phone and felt that a person of profile should obey the law.

In regard to item 17.2, Mr Thompson reminded Council that at the Annual General Meeting of Electors in February, a resolution was passed by the Electors that "the Council guarantee that the land that the current Council building is located on, shall never be sold and kept in perpetuity for the people of Cockburn". Subsequent to that, at the February Council Meeting, the gallery was advised that the wishes of the people could not be guaranteed as such a decision would not be binding on a future Council. It seemed to him that Council did not tell the truth because it had already agreed to sell a portion of the land for the Dental Clinic.

Mayor Lee explained that the motion from the AGM was referring to the area that was part of the original Fruitgrower's land. The section of land for the Dental Clinic is not part of that.

The Chief Executive Officer confirmed that the boundary was apparently in the location of the southern wall of the Hall.

Colin Crook, Spearwood in relation to item 13.2 asked Council to adopt the officer's recommendation.

In regards to item 14.5, Mr Crook stated that along with the café proposed at Coogee Beach, this could have financial problems for the future and if it is to go ahead, he asked Council to think about it carefully.

Jean Martin, Hamilton Hill and President of the Historical Society, supported the officer's recommendation for item 17.3. As custodians of the Azelia Ley Museum, the diorama has been in their care for about 15-20 years even though it did not exactly fit into the time period or Cockburn history which the museum portrays. The members saw an article in the Rockingham Historian about an opening of the Kwinana Museum and felt it only right to offer the piece to Kwinana as it would be a wonderful addition to a new museum as it is an extremely well created 3 dimensional picture depicting the Kwinana Area and BP Refinery.



8. CONFIRMATION OF MINUTES

8.1 (MINUTE NO 2052) (OCM 17/06/2003) - ORDINARY COUNCIL MEETING - 20/05/2003

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on Tuesday 20 May 2003 be accepted as a true and accurate record.

COUNCIL DECISION

MOVED Clr S Limbert SECONDED Clr M Reeve-Fowkes that the recommendation be adopted.

CARRIED 9/0

9. WRITTEN REQUESTS FOR LEAVE OF ABSENCE

Nil

10. DEPUTATIONS AND PETITIONS

Nil

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

Nil

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

Nil

13. COUNCIL MATTERS



13.1 (MINUTE NO 2053) (OCM 17/06/2003) - CREATION OF A NEW LOCALITY TO BE NAMED 'GAEBLER' (1050) (LJCD) (ATTACH)

RECOMMENDATION

That Council propose the suburb name of "Gaebler", defined as the area in part bounded by Gibbs Road, Rowley Road, east of the Kwinana Freeway and Lyon Road (as shown on map attached to the agenda), in a survey of effected landowners and subject to there being no substantive objections, recommend the suburb name to the Geographic Names Committee.

COUNCIL DECISION

MOVED Clr A Tilbury SECONDED Clr V Oliver that Council defer this item to the next Ordinary Council Meeting.

CARRIED 7/2

Explanation

Prior to proposing the suburb name of 'Gaebler', Elected Members would like to consider other options.

Background

The area hatched on the attached diagram is presently a part of the locality known as Banjup.

Submission

N/A

Report

The area shown in the diagram is ear marked for residential subdivision and structure plans for part of the area have already been approved.

The concept to create a new locality evolved from discussions with the Manager Planning Services as it was viewed as being inappropriate to have residential properties and rural properties within the same locality. The object of the proposal is to separate residential properties from rural properties. Hence, the properties outside the proposed locality will be in Banjup.



As the now defunct Jandakot Roads Board forms a part of the City of Cockburn it was intended to name the new locality "Nicholson" after William Nicholson the first Chairman of the Jandakot Roads Board, but the name was rejected by the Geographic Names Committee. The names Lyon and Gaebler were then submitted with the first mentioned being rejected leaving Gaebler as being acceptable.

The area of the proposed new locality can be described as the area designated for residential development between Gibbs Road and Rowley Road, immediately east of the Kwinana Freeway and south of the suburb of Atwell.

The name Gaebler is recommended because Waldemar Gaebler was a pioneer of the district from 1904 until his death. He owned and farmed a land holding (J.A.A. Lot 291) which is located within the development area.

Strategic Plan/Policy Implications

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

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

The community affected by the proposal will be surveyed to ascertain their views on the proposed suburb name of 'Gaebler'.

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

N/A

13.2 (MINUTE NO 2054) (OCM 17/06/2003) - MINOR AMENDMENT TO LOCALITY OF COOGEE AND THE CREATION OF A NEW LOCALITY - WOODMAN - APPLICANT: URBAN FOCUS (1050) (LJCD) (ATTACH)

RECOMMENDATION

That Council informs Urban Focus that it is not prepared to consider changing the boundaries of the suburbs of Coogee and Spearwood, nor is it prepared to consider a change to the suburb name of Munster in accordance with its applications of 2 & 6 February 2003.



COUNCIL DECISION

MOVED Clr I Whitfield SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 9/0

Background

The current locality boundaries as shown on diagram "A" attached to the Agenda have existed for some time.

Submission

Urban Focus submitted an application dated 2 February 2003, to amend the locality boundary of Munster to include a small portion of land into the locality of Coogee. The area in question is hatched on diagram "B" attached to the Agenda. A description of the area is – commencing at the junction of Hamilton Road and Mayor Road, following Mayor Road until the alignment of Beeliar Drive, west along Beeliar Drive until the junction of Hamilton Road and then north along Hamilton Road back to the starting point.

In addition, on 6 February 2003, Council received an application from Urban Focus to amend its locality boundaries so as to delete the locality of Munster, creating a new locality to be named Woodman and extending the localities of Wattleup and Spearwood.

Report

Urban Focus are the appointed managers of the proposed subdivision of the Mollica's land south of Mayor Road with part of the land holding within the locality of Coogee and the other part within the locality of Munster.

The current suburb boundaries between Coogee, Spearwood and Munster are clearly defined along important and significant roads (see diagram A). There appears to be no rationale in changing the boundary for a minor area other than some perceived value in a residential development being in the suburb of Coogee rather than Spearwood.

In respect to the letter of 6 February 2003 from Urban Focus, the name of Munster has been a suburb of Cockburn for many years. Council has previously surveyed landowners within Munster in respect to a



name change for suburb. Council's decision at that time was to retain the name.

It is proposed that Urban Focus be advised that Council is not prepared to consider either of the proposals put forward by Urban Focus.

Strategic Plan/Policy Implications

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

Budget/Financial Implications

A full costing estimate of \$20.00 per property has previously been determined for Council to undertake surveys of this kind. Over 1000 properties are effected.

Legal Implications

The Department of Land Administration, through its GNC, is the responsible authority for approving amendments to suburb boundaries. However, Council's comments would be taken into consideration given the scale of the proposed amendments.

Community Consultation

If the proposal proceeds, the community will be consulted through the landholder's survey.

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

N/A

13.3 (MINUTE NO 2055) (OCM 17/06/2003) - TENDER FOR LEGAL SERVICES (RFT20/2003) (ATC)

RECOMMENDATION

That Council:

- (1) accept Tender No. RFT20/2003 for the provision of legal services for the City of Cockburn, to form a panel from the following firms for a period of one year commencing 1 July 2003:

1. Jackson McDonald
2. McLeods
3. Mullins Handcock;
4. Minter Ellison; and



- (2) appoint the firm of McLeods to act on a retainer basis for legal advice for a period of one year commencing 1 July 2003.

COUNCIL DECISION

MOVED Deputy Mayor R Graham SECONDED Cllr V Oliver that:

- (1) the matter be deferred to the July Council Meeting to enable Elected Members to consider further information; and
- (2) Elected Members be provided with copies of the complying tender offers if requested.

CARRIED 9/0

Explanation

The Officer's Report did not contain information regarding the evaluation weightings recommended to Council for each of the complying tender offers. This omission in the report was corrected by an email sent out on Thursday 12 June 2003. The short timeframes involved, the omission in the Officer's Report and the importance of this tender to Council processes, means Council requires additional time to consider the tender offers before making a decision.

Background

At its meeting on 15 April 2003, Council decided to call tenders for the provision of legal services for the period of one year on the basis of the appointment of a panel.

Submission

Nine tenders were received in response to the advertised tender request. These were from the following firms:

1. Marks & Sands
2. Watts & Woodhouse
3. Maltman & Associates
4. Kott Gunning
5. Jackson McDonald
6. McLeods
7. Deacons
8. Minter Ellison
9. Mullins Handcock



Report

Tenders for the provision of legal services for the City of Cockburn were advertised in the West Australian and closed on 3 June 2003. Cllr Allen has requested that the tender results be presented to Council for decision.

Nine (9) tender responses were received but only six (6) of those fully complied with the criteria set out in the tender document. The six firms whose tender complied were:

- a. Jackson McDonald
- b. Mcleods
- c. Mullins Handcock
- d. Marks & Sands.
- e. Deacons
- f. Minter Ellison

The purpose of the tender was to select a panel of firms which were suitable to provide legal services for the City of Cockburn. The qualitative criteria used in the evaluation process was:

- a. Demonstrated experience in supplying similar services to local governments.
- b. Skills and experience of key personnel.
- c. Tenderers' resources.
- d. A demonstrated understanding of the required tasks.

While price was not a criteria in selecting suitability to be part of a panel, price will be taken into account by Administration when determining which firm is best used for a particular purpose.

After evaluating the tenders from those firms, it is believed that Jackson McDonald, Mcleods, Mullins Handcock and Minter Ellison would all be suitable firms to form a panel of legal advisors for Council. Marks and Sands and Deacons' experience in local government matters were limited and is therefore not considered suitable in regard to this tender. Of the four firms considered suitable, only McLeods provided information on operating on a retainer basis. Mcleods has successfully operated on a retainer basis with the City of Cockburn for a number of years and it is considered appropriate for this arrangement to continue.

Strategic Plan/Policy Implications

"Managing Your City" refers.

Budget/Financial Implications

Funds are contained in Council's annual budget for legal services.



Legal Implications

The firms appointed would provide legal advice to Council.

Community Consultation

N/A

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

Nil.

14. PLANNING AND DEVELOPMENT DIVISION ISSUES

14.1 (MINUTE NO 2056) (OCM 17/06/2003) - COCKBURN BIODIVERSITY INCENTIVE STRATEGY FOR PRIVATELY OWNED PROPERTIES (6134) (CB) (ATTACH)

RECOMMENDATION

That Council:

- (1) receive the report;
- (2) support the concept of providing incentives for the owners of privately owned land within the Rural, Rural Living and Resource zones within the district to retain bushland as part of a strategy to protect and maintain biodiversity;
- (3) include \$10,000 on the Budget for the 2003/04 Financial Year for a Biodiversity Incentive Strategy;
- (4) support the trialling of the Cockburn Biodiversity Incentive Strategy for privately owned properties within the district, in relation to grants; and
- (5) a report be submitted to a future Council Meeting for approval, detailing the final strategy with regard to the grant system.

TO BE CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Clr M Reeve-Fowkes SECONDED Clr S Limbert that the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Background

In March 2002, an application was made jointly by the Cities of Rockingham and Cockburn and the Town of Kwinana for a grant from the Perth Biodiversity Project (round 1). The application was successful and \$16,000 was received to appoint an officer for six months to conduct research on existing bushland incentive schemes such as rate rebates, covenants, subsidies and training packages.

During the research phase and preparation of the draft Strategy, expressions of interest were again sought for projects seeking funding from the Perth Biodiversity Project round 2). The Cities of Rockingham and Cockburn and the Town of Kwinana considered that the second stage of the landowner incentive project, the implementation phase, would be a suitable project for which to seek funding. Subsequently, an application was drafted to seek funds for the final production and printing of the incentives package and to provide initial 'seed' funding to implement the final incentives. The application was for a grant of \$25,000.

The application was successful on the proviso that Council demonstrates a financial commitment to progressing the implementation of the Landowner Incentives Strategy. A subsequent time-frame required this commitment before the end of May 2003.

In addition to the research undertaken in round 1 regarding existing incentive schemes in other local governments, a landowner questionnaire was sent to all residents in the rural and special rural zones within the City to gain insight into current bushland management and to identify the preferred forms of incentives that may be offered as part of the strategy.

Submission

The officer appointed by the participant councils has now completed the Biodiversity Incentives Research (round 1) and has submitted a report regarding the incentive schemes. Council staff have used the report as the basis for a draft Landowner Incentives Strategy for the City of Cockburn.

The draft Strategy is structured on the preferred options from the landowner questionnaire to try to maximise the uptake of the incentives. The main incentives preferred by landowners are grants/subsidies for materials, rate rebates and training packages/educational material.

It was apparent that a number of matters will require further detailed consideration however, given the time constraints for the (round 2)



funding established by the Perth Biodiversity Project, it is planned to trial a grant system to determine landowner interest in biodiversity management and to promote Council's progress towards adopting an incentives strategy. The recommended amount to be set aside for the grant is \$10,000 (plus an estimated \$5,000 from the Perth Biodiversity Fund). This commitment by Council will meet the requirements of the Perth Biodiversity Funding.

A copy of the "Cockburn Biodiversity Incentive Strategy for Privately Owned Properties" is attached to the Agenda.

Report

A grants system for bushland management is one of the easiest forms of incentives for Council to administer and trial. The grants would be for materials only and would be available on a one-off trial for 2003/04 (to be reviewed in April 2004).

The applications would be assessed against broad selection criteria and ranked in a priority order. Administration of the grants would require assessment of the proposals submitted, monitoring to determine whether the works have been carried out, the distribution of the grant money and the collation of management agreements as a condition of the funding.

Whilst this funding will not assist all bushland owners in the rural, rural living or resource zones, it will hopefully generate interest in bushland management and encourage landowners to submit a proposal. The funding would also require considerable input from the landowner to carry out the tasks proposed. For example, Council may pay for fencing materials but the landowner would be required to erect the fence themselves. Likewise, Council may pay towards weeding and revegetation materials, yet the landowner would be required to carry out the on-ground works.

It is proposed that Council allocate \$10,000 in the 2003/04 budget to be used to contribute to improved overall management of local biodiversity on private property within the district.

In addition to the proposed \$10,000 allocation, funding received from the Perth Biodiversity Project would also contribute to the pool of funds for the grant subsidies. Of the \$25,000 made available by the Perth Biodiversity Project (round 2), final production and printing of the incentives package is estimated to cost approximately \$5,000. The remaining \$20,000 would be shared appropriately between the municipalities of Rockingham, Kwinana and Cockburn. This would amount to approximately \$5,000 per Council, taking into account advertising costs and administration. Therefore, the likely pool of funds would be \$15,000.



Whilst the Landowner Incentives Strategy is still being finalised in terms of other incentives to be offered (rate rebates and training packages), to obtain the allocated funding from the Perth Biodiversity Project, a commitment towards implementing the strategy must be made. It is therefore considered that a trial for a grants system be endorsed in the interim of further incentives being presented to Council. The final administration arrangement for the grant system will be presented to Council prior to the advertising for applications.

It is anticipated that the Town of Kwinana and City of Rockingham will also be progressing a grants system in the interim of the final strategy being endorsed by Council.

Strategic Plan/Policy Implications

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

3. Conserving and Improving Your Environment
 - *"To conserve the quality, extent and uniqueness of the natural environment that exists within the district."*
 - *"To manage the City's waste stream in an environmentally acceptable manner."*

Budget/Financial Implications

To enable the Biodiversity Strategic Incentive Scheme to be trialled, \$10,000 be included in the 2003/04 budget.

Legal Implications

During the trialling of the incentive strategy it may be necessary to seek legal advice on specific issues that may arise as a result of implementing the recommended strategies contained in the report.

Community Consultation

Undertaken as part of the preparation of the landowners incentive strategy.

In excess of 97 survey questionnaires were returned out of 338 circulated, a response rate of 28%. Refer to the Agenda attachment.

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

Not applicable. However, the WA Local Government Association is currently preparing a comprehensive document for local government "Perth Biodiversity Project", to which the Council will need to have due regard.



14.2 (MINUTE NO 2057) (OCM 17/06/2003) - PARTIAL CLOSURE OF PEDESTRIAN ACCESSWAY - LOT 11 HAMILTON ROAD, COOGEE (3317422) (KJS) (ATTACH)

RECOMMENDATION

That Council request that the Department of Land Administration close 4.5 metres of the 0.1m wide Pedestrian Accessway adjoining Lot 11 Hamilton Road, Coogee subject to the following:

1. The owners of Lot 11 Hamilton Road, Coogee agreeing in writing to the endorsement of a memorial on the Certificate of Title of Lot 11, advising current and future owners that the City of Cockburn will not modify the median strip in Hamilton Road adjoining Lot 11 to allow access across the median strip to the southbound lane.
2. The owners of Lot 11 agreeing in writing to purchase the pedestrian accessway and meeting all other costs associated with the closure.

COUNCIL DECISION

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

CARRIED 9/0

Background

N/A

Submission

Complex Land Solutions, on behalf of the beneficial owner of the property Danshaw Nominees Pty Ltd, has made a written request dated 12 May 2003 for the partial closure of a pedestrian accessway which is located along part of the lots frontage to Hamilton Road to restrict road access to the land.

Report

The owners wish to subdivide lot 11 into 4 lots. Two of the proposed lots will have a common access point 4.5 metres wide at the southern end of the property.



Opposite this access point Hamilton Road bends to the south east and for safety reasons, a median strip has been placed in the road pavement.

For traffic safety reasons it is not desirable for the median strip in front of Lot 11 to be broken. Consequently, the proposed access will only have left in and left out movements.

In the past, the means to deny access to the portion of Lot 11 opposite the median strip was to create a strip of land 0.1 metre wide with a tenure of pedestrian accessway. The proposed memorial on title achieves the same outcome without compromising safety.

Strategic Plan/Policy Implications

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

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

Budget/Financial Implications

N/A.

Legal Implications

Nil.

Community Consultation

N/A

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

Nil.

14.3 (MINUTE NO 2058) (OCM 17/06/2003) - AMENDMENTS TO THE CITY OF COCKBURN (LOCAL GOVERNMENT ACT) LOCAL LAWS 2000 (1116) (CW/LCD) (ATTACH)

RECOMMENDATION

That Council pursuant to section 3.12(2) of the Local Government Act 1995, resolve to amend the City of Cockburn (Local Government Act) Local Laws 2000, as recorded in the attachment to this report and to



perform the necessary statutory procedures to ensure the promulgation of the amendments.

COUNCIL DECISION

MOVED Clr V Oliver SECONDED Clr M Reeve-Fowkes that the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Background

The City of Cockburn (Local Government Act) Local Laws 2000 came into force on 24 October 2000.

Submission

N/A.

Report

Provisions in the City of Cockburn Local Laws relating to dogs (other than Dog Act complaints, keeping of horses, miniature horses, miniature pigs, poultry (including Ostrich and Emus), bees and engaging in spray painting or fibre glassing), specify a time in which the activities are not permitted or not permitted without the written approval of Council.

Since the proclamation of the Hope Valley-Wattleup Redevelopment Act 2000, Council's Local Laws have had no jurisdiction in respect to the above land use activities within the Wattleup area because Wattleup has no zoning classification under Council's Town Planning Scheme.

It is proposed to include another definition in section 1.6 of the Local Laws 2000, which will allow the Local Laws 2000 to apply to these areas of the district.

Notwithstanding the above, the current licence issued to Hawkers, Stallholders and Street Vendors contain conditions that are not embodied in the City of Cockburn (Local Government Act) Local Laws 2000. It is considered appropriate if the Local Laws are amended to include normal licence conditions.



Strategic Plan/Policy Implications

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

1. Managing Your City
 - *“To provide effective monitoring and regulatory services that administer relevant legislation and local laws in a fair and impartial way.”*

Budget/Financial Implications

N/A

Legal Implications

Nil.

Community Consultation

If Council accepts the amendments, the Statutory Process requires that an advertisement is published in a Newspaper informing the community of the proposed amendment to the Local Laws 2000 and offering the opportunity to the community to comment on the proposed amendments.

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

Nil.

14.4 **(MINUTE NO 2059) (OCM 17/06/2003) - PRIVATE SWIMMING POOL INSPECTION PROGRAM FOR 2003/2004 - TENDER NO. 22/2003 AND FUTURE INSPECTIONS (3211) (JW)**

RECOMMENDATION

That Council:

- (1) accept the tender submitted by C.E. Nicholls & Son Pty Ltd for Tender No. 22/2003 – Inspection Services Private Swimming Pools, for an all inclusive price of \$26.10 per pool;
- (2) authorise the following persons to inspect land and swimming pools pursuant to Sections 245A (1) and 245A (5) and exercise the powers pursuant to Section 245A (6) of the Local Government (Miscellaneous Provisions) Act 1960, within the City of Cockburn subject to compliance with the Tender/Contract Documents 22/2003:



- Mr Cyril Ernest Nicholls
 - Mrs June Rose Nicholls
- (3) authorise Mr Steven Lawrance O'Meara to inspect land and swimming pools pursuant to Sections 245A (1) and 245A (5) and exercise the powers pursuant to Section 245A (6) of the Local Government (Miscellaneous Provisions) 1960, within the City of Cockburn;
- (4) set the pool inspection levy at \$39.50 per pool owner in 2003/2004 based on the tender price, together with Council's administrative costs and that such fee be included in the 2003/04 budget as a levy on all pool owners; and
- 5) request the preparation of a report on the possible change from the contract private pool inspection program once every four years, to an ongoing in-house inspection program commencing in the financial year 2004/2005, for further consideration by Council.

TO BE CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Clr V Oliver SECONDED Clr M Reeve-Fowkes that the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Background

The Local Government (Miscellaneous Provisions) Act 1960 requires that all private swimming pool barriers be inspected at least once every 4 years. This has been a requirement since 1992.

Accordingly the next swimming pool inspection program must be completed by 30 June 2004.

The swimming pool legislation requires private swimming pools to be inspected by authorised persons to ensure that pool fencing/gates and barriers comply with the Building Regulations 1989.

The Local Government (Miscellaneous Provisions) Act 1960 allows a local government for a financial year to impose a uniform charge on all owners of properties with private swimming pools to cover the estimated cost of carrying out the inspections. The Building Regulations state the charge shall not exceed \$55 (GST inclusive).



The City in the past has addressed swimming pool inspections by engaging appropriately qualified contractors/persons to carry out the function every fourth year. To fund the inspection program, a levy was applied to the rates every fourth year when the inspections were carried out. The levy for the previous three rounds of inspections was \$40 (1992), \$35 (1996) and \$32 (2000).

The Royal Life Saving Society carried out the last round of inspections in 1999/2000. A total of 2600 pools were inspected.

The City has a total of 3358 registered pools as of the end of April 2003. This is an increase of 758 pools (30%) in a little less than 4 years.

The provision of the pool inspection program for 2003/2004 has again been put to tender to be carried out by a suitably qualified and experienced contractor.

Consideration needs to be given to how Council intends to provide the statutory service after 2003/2004. The number of pools has grown to the point where an ongoing in-house inspection program needs to be considered as it could provide cost savings.

Submission

N/A

Report

A total of two(2) tender submissions were received for the provision of the pool inspection service on behalf of the City. These were as follows;

1. C.E Nicholls & Son Pty Ltd
2. The Royal Lifesaving Society Australia WA Branch (Inc)

The tenders were assessed by a panel comprising;

- Principal Building Surveyor – Mr John West
- Acting Director Planning & Development – Mr Allen Blood
- Purchasing Officer – Mr Gary Ridgway.

The tenders were assessed against the criteria set out in clauses 1.7.2 and 1.7.3 of the tender document which are as follows;

- Demonstrated experience in completing similar projects 30%
- Skills and experience of key personnel 20%
- Tenderers resources 10%
- Demonstrated understanding of the required tasks 15%



- Tendered price 25%

The results of the assessment were as follows;

Tender No.	Contractor	Price	Multi Criteria Score
1	C.E Nicholls & Son	\$26.10	78.92%
2	The R.L.S.S.	\$28.54	78.08%

C.E Nicholls & Son Pty Ltd scored highest in the multi criteria assessment and was the lowest price tendered.

The unit price is \$26.10 (including up to three inspections) and \$25.00 per additional inspection, as required and when instructed by the City.

In accordance with the outcome of the multi criteria assessment, it is recommended that Tender No. 22/2003 – Inspection Services Private Swimming Pools be awarded to C.E Nicholls & Son Pty Ltd.

Although contracting the pool inspection service out, the City will incur administrative and enforcement costs. These costs have been estimated at \$13.37 per pool GST inclusive (\$45,458 est. 3,400 pools).

The cost for the contractor to inspect an estimated 3,400 pools is 3,400 x \$26.10 = \$88,740.

The total cost to carry out the statutory inspections including the Contractor's cost (\$88,740) and Council's administrative costs (\$45,458) will be \$134,198 based on the estimated 3,400 private swimming pools (\$39.47 per pool).

The contract is to be administered by the Principal Building Surveyor with the assistance of another officer who will provide clerical/database support and support as an authorised person when required. It is envisaged this approach should ensure the security/integrity of Council's pool database and provide a flexible and cost efficient service in conjunction with the contractor for the duration of the program.

In accordance with the requirements of Section 245(A) of the Local Government (Miscellaneous Provisions) Act 1960, nominated staff of C.E Nicholls & Son Pty Ltd are to be authorised to inspect land and swimming pools within the City.

Statutory Inspections after 2003/2004

The inspection program in 2003/04 will address the statutory requirements in that year. Consideration needs to be given to the manner in which the statutory service is to be provided after that time.



The pool numbers at the end of the financial year 2003/04 are envisaged to be about 3600. By 2007/08 the next 4 yearly round of inspections the number is envisaged to be about 4400.

A survey of similar local authorities to Cockburn (population/number of pools) has revealed that a majority have an ongoing in-house inspection program.

The matter of an ongoing in-house inspection regime after 2003/04 should be further investigated to ensure that the residents of Cockburn are being provided with the best possible service that is equivalent to the industry benchmark.

Strategic Plan/Policy Implications

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

1. Managing Your City
 - *"To deliver services and to manage resources in a way that is cost effective without compromising quality."*
 - *"To conduct Council business in open public forums and to manage Council affairs by employing publicly accountable practices."*

4. Facilitating the needs of Your Community
 - *"To identify current community needs, aspirations, expectations and priorities of the services provided by the Council."*

Budget/Financial Implications

Cost neutral program with funds collected as part of 2003/04 rates. Funds to be credited to pool inspection account.

Legal Implications

Compliant with Local Government (Miscellaneous Provisions) Act 1960 Section 245A.

Community Consultation

N/A.

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

Nil.



14.5 (MINUTE NO 2060) (OCM 17/06/2003) - ESTABLISHMENT OF A CAFE/KIOSK - RESERVE 46787 PROGRESS DRIVE, BIBRA LAKE (1114553) (AJB) (ATTACH)

RECOMMENDATION

That Council:

- (1) receive the Economic Modelling and Financial Feasibility Report for the proposed Bibra Lake Café/Kiosk dated April 2003 prepared by McGees Property Consultants; and
- (2) not proceed to establish the Bibra Lake Café/Kiosk because the associated financial risks are beyond that which is considered appropriate for Council.

COUNCIL DECISION

MOVED Deputy Mayor R Graham SECONDED Cllr S Limbert that Council:

- (1) receive the report;
- (2) provide \$400,000 on the 2003/04 Municipal Budget for the project management, design, construction and servicing of the Bibra Lake Café/Kiosk;
- (3) call for submissions from suitably qualified and experienced consultants to manage the Bibra Lake Café/Kiosk project on a phased basis;
- (4) require the preparation of a report on the submissions by consultants for the project management of the Bibra Lake Café/Kiosk project for consideration by Council; and
- (5) defer the requirement for the preparation of a Business Plan until such time as accurate development costing and lease arrangements are known.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Explanation

Council believes there is a community benefit in the provision of a cafe/kiosk facility at the Bibra Lake Reserve. As a consequence, it believes it should take a role in establishing the facility where required.



Background

Council at its meeting held on 15 May 2001 (Item 19.1), resolved that a report be presented to a future Council Meeting on the possibility of establishing a restaurant, café or fixed–building Kiosk on the Bibra Lake Reserve.

At its meeting held on 21 August 2001 (Item 14.14), Council resolved to:-

- “(1) appoint a suitable consultant to undertake the market research to determine community acceptance and patronage of a restaurant/café/kiosk located on Lot 309 Progress Drive, Bibra Lake;*
- (2) appoint a suitable consultant to undertake environmental and geotechnical investigation on a site adjacent to and just south of the playground equipment located on Lot 309 Progress Drive Bibra Lake, to determine the suitability of the site for a restaurant/café/kiosk;*
- (3) as part of the public consultation process and through the “Cockburn Soundings’ publicise and entice comments and submissions from the ratepayers and interested users of the parkland as to the proposed restaurant/café; and*
- (4) transfer \$15,000 from the Land Development Reserve Fund to undertake (1) and (2) above. “*

The survey undertaken by Patterson Market Research found that the majority of respondents were in favour of a permanent food and drinks facility at Bibra Lake similar to Deep Water Point Mt Pleasant (City of Melville) and 48% indicated that the development of the facility would increase their use of the area.

Shawmac Pty Ltd were appointed to undertake the environmental and geotechnical investigations. The main findings from their report dated January 2002 are as follows;

- The soil profile is likely to contain reactive silts and clays and as such, the site will require a detailed geotechnical investigation to be carried as part of the design process. It is probable that the building design would require modified foundations which is unlikely to be cost prohibitive.
- The site is not capable of being serviced from existing utilities in Progress Drive without the extension of the water main and provision of a rising sewer main. The feasibility of providing services would be subject to definition of development needs in terms of water use and



sewerage volumes and subsequent negotiations with the servicing authorities.

- Midge are the most significant environmental issue which pose the highest level of nuisance during the summer months around dusk and dawn. Council's Environmental Management Officers have also highlighted this as a major issue.
- Car park facilities are likely to be adequate for patron demands but a formal traffic impact study should be undertaken.
- Bibra Lake is of significance to the local aboriginal people and as such, the site may need to be the subject of an ethnographic survey.

An article on the proposed Café/Kiosk was included in the December 2001 edition of Cockburn Soundings. Ten letters of support and four against were received from residents in the area in response to the article. The Bibra Lake Residents Association also made a submission opposing the proposal.

At its meeting held on 19 March 2002 (Item 14.3), it was resolved that Council:

- “(1) determine all the necessary approvals required to facilitate the construction of a Café/Kiosk on Lot 309 Progress Drive within the Bibra Lake Reserve and the level of support from the decision making authorities to the proposal;*
- (2) subject to (1) above, engage the services of a suitably qualified commercial consultant to prepare a report on the viability of the proposed Café/Kiosk at Bibra Lake;*
- (3) following the outcome of (1) and (2), prepare a Business Plan for the establishment and operation of a Café/Kiosk within the Bibra Lake Reserve for Council's consideration; and*
- (4) advise the Bibra Lake Residents Association and North Lake Residents Association of Council's decision.”*

An application for Approval to Commence Development was lodged with the Western Australian Planning Commission on 9 May 2002. The application was for a building of approximately 160m² and alfresco area of 60m². The application was approved on 23 September 2002, subject to the following conditions and advice notes;

- Connection to reticulated sewerage to the satisfaction of the Local Government.
- Upon completion of the construction works, the site shall be left in a neat and tidy condition.



- No regionally significant vegetation within Bush Forever Site 244 is to be removed or disturbed.

Department of Land Administration by letter dated 28 August 2002, confirmed that the land the subject of the proposed Café/Kiosk had been created as a Recreation Reserve and a Management Order in favour of Council with the power to lease for periods of up to twenty one (21) years has been lodged.

M^cGees National Property Consultants were appointed to undertake an Economic Modelling & Financial Feasibility study for the proposed Café/Kiosk at Bibra Lake. The outcomes and recommendations of the feasibility study are the subject of this report to Council.

Submission

N/A

Report

M^cGees have completed a detailed feasibility analysis for the development of a Café/Kiosk at Bibra Lake. A copy of the Economic Modelling and Financial Feasibility study is provided as a confidential attachment to the Agenda.

The M^cGees assessment was prepared on the following basis;

- Research prepared by Patterson Market Research on behalf of the City, Australian Bureau of Statistics Census 2001, information provided by the current mobile operator, results of similar café/kiosk operations and field inspections to confirm information used in the modelling.
- The development will be similar to the Café/Kiosk established by the City of Melville at Deepwater Point Mt Pleasant.
- A building floor space of 146m² accommodating 64 people and an alfresco area of 60m² accommodating 48 people.

The feasibility study analyses the trade catchment area, spending profiles including the potential to increase sales given a permanent structure catering for a wider market than currently exists, floor space requirements and likely development costs.

It is of interest to note that the usage patterns and catchment area determination established by Patterson Market Research and McGees, correlates almost exactly with the results of a separate number plate survey undertaken by Shawmac.



The feasibility study sets out a rental analysis and qualitative risk analysis based on a series of inputs. In preparing the feasibility, a number of assumptions had to be made. The following are of particular note as any significant variation could have a profound impact on the outcomes of the degree of financial acceptability;

- Successful negotiations with DOLA for the ground lease. The feasibility uses 20% of realistically achievable ground rental - that is a discount of 80% to market.
- The lease is negotiated on a semi-gross basis with all statutory outgoings, insurance and GST payable by the Lessee.
- Annual rent reviews to CPI plus 0.5% with an initial lease of 10 years with an option for a further 10 years (the discounted cash flow is based on the total lease term of 20 years).
- The lessee is responsible for the fit out of the café and alfresco area.
- All services are available to the leasehold boundary (currently unavailable – cost borne by the City).
- Sewer is not required and effluent is treated on site with a biomax system (this is contrary to the WAPC Approval and will need to be further negotiated).
- Suitable ground conditions (Shawmac advise that the building will require modified foundations only, which is unlikely to be cost prohibitive. However the cost differential cannot be determined until comprehensive geotechnical investigations have been completed).

The synopsis of the feasibility analysis is as follows;

- The Patterson Market Research, on behalf of the City and Australian Bureau of Statistics Census 2001, suggests there is sufficient capacity in the catchment area sufficient to support a small café/kiosk.
- The net rental return is likely to be sufficient to accommodate Treasury Finance.
- The probability of achieving the benchmark rate of return on capital of 5% after financing is approximately 82%.
- Primary influence on potential Gross Revenue for the Cafe/Kiosk stems from the frequency of child and adult purchases, spending



per adult and child purchase and gross rental as a proportion of gross revenue.

- There are some concerns due to the reliability of data in the Patterson Market Research report although the present operator confirms base gross predictions.
- The conceptual drawings showing a building floor space of 146m² and an alfresco area of 60m², is sufficiently large to accommodate estimated levels of demand.

The principal risks identified are shown in the following table:

Factor	Risk
Market Depth and Capture	Moderate <ul style="list-style-type: none"> • Age and Family profile does not support patronage of café/kiosk. • Road network facilitates ease of access to competitors (alternate POS). • Continued dry winters result in pungent odours discouraging visitations.
Cost : Capital Commitment	Moderate <ul style="list-style-type: none"> • Servicing and construction cost borne by CoC; fitout by Lessee. Can be mitigated through joint venture with proponent
Long Term Cost (operational)	High <ul style="list-style-type: none"> • Improvements owned by CoC. Vandalism could be an issue with subsequent high insurance costs. • Requirement for ongoing maintenance. Fair wear and tear.
Flexibility	Low to Moderate <ul style="list-style-type: none"> • Rigid application of concept can limit operator's input/interest. EOI process can address this issue with consultative process. • Costly to redesign and develop should concept fail. Mitigate through flexible design.
Café Size	Moderate <ul style="list-style-type: none"> ▪ Once built, fixed in size, costly to correct. Present indications suggest size is adequate. Can be mitigated by making provision for "bolt on" extensions.
Lessee Solvency	Moderate to Low <ul style="list-style-type: none"> ▪ Failure will result in market stigma. Increased leasing difficulty resulting in reduced rental. Impacts markedly on return to CoC and ability to finance loan facility. Mitigate by reversion of improvements (fitout) to Lessor on failure or lease determination. ▪ PMR research suggests high propensity for patronage. ▪ Alleviate cashflow requirements of proponent through innovative rental structure/turnover rent.
Business Risk to CoC Capital	High to Moderate <ul style="list-style-type: none"> ▪ Limited margin on cashflow. Exacerbated by potential for Lessee insolvency. ▪ Impacted by necessity to pay ground rental to DOLA.

Market Risk to CoC Capital	Moderate ▪Subject to competition from alternate POS developments.
-------------------------------	--

It should be noted that M^cGees have stated in the report that they reserve the right to re-run calculations if there are any significant variations in the construction costs, servicing costs and DOLA lease arrangements.

Having undertaken a review and assessment of all available information, M^cGees have recommended as follows:

“In its present format, the design and construct option for the proposed Café/Kiosk would appear viable at a return on capital commensurate with the cost of finance (treasury finance).”

Base gross revenue estimates support those presently attained by the incumbent operator. Qualitative measures have been applied to reflect logical increase in revenue due to added amenity and increased variety. The PMR (Patterson Market Research) report suggests reliance on their data for small sub groups may be misleading. Consequently, it would be prudent to redefine the market research with the aim of more precisely measuring visitation but also propensity to purchase and likely expenditure on purchases.

More detailed costings should be sought for the creation and servicing of site in addition to construction costs.

CoC should evaluate market interest through a registration of interest from operators of such facilities. This can be followed up by a questionnaire interview to establish market expectations based on the present concept. An EOI process could then be implemented if considered necessary.

This process will test the market’s perception and expectations of the site whilst not committing CoC to any specific course of action.

It is important to recognise that on a truly commercial basis, that is, market level rental and return on capital, that the project would not be supported by existing catchment and potential trading conditions.”

The qualification made within the report pertains to the fact that the modelling has used a lower than market cost of capital. M^cGees were informed that the City has recourse to Treasury funding which has lower interest rates than would normally be available to the market. The effect of this in the modelling, is that the costs are less than normal which has in turn translated to a viable return to the City.

The report intimates that if borrowings were to be at market rates, then the return to the City would render the project non viable. On this basis,



it is unlikely that a private party would take up an option to construct and operate the proposed Café/Kiosk. Accordingly in all likelihood, Council will need to construct the facility and lease it to an operator who will be responsible for the fit out.

It is not considered prudent for Council to proceed with the proposed Café/Kiosk development because the associated financial risks are beyond that which is considered appropriate for Council.

However, should the Council decide to not accept the officer's recommendation and proceed with the Café/Kiosk instead, then the following optional recommendation could be considered:-

"RECOMMENDATION

That Council:

- (1) receive the report;
- (2) provide \$400,000 on the 2003/04 Municipal Budget for the project management, design, construction and servicing of the Bibra Lake Café/Kiosk;
- (2) call for submissions from suitably qualified and experienced consultants to manage the Bibra Lake Café/Kiosk project on a phased basis;
- (3) require the preparation of a report on the submissions by consultants for the project management of the Bibra Lake Café/Kiosk project for consideration by Council; and
- (4) defer the requirement for the preparation of a Business Plan until such time as accurate development costing and lease arrangements are known.

TO BE CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

Item 3 of Council's resolution at its meeting held on 19 March 2002, required the preparation of a Business Plan for the establishment and operation of a Café/Kiosk within the Bibra Lake reserve for Council's consideration following the determination of all the necessary approvals required to facilitate the Café/Kiosk and completion of the consultant's report on the viability of the proposal.

It is considered that the Business Plan should not be prepared until accurate development costing and lease arrangements are known. This would be after the project has been tendered for either an operator in a Council built facility or a developer/operator and immediately prior to the commencement of the construction phase. Item 4 of the alternative recommendation reflects this situation.



If Council resolves to proceed with the Optional recommendation and appoint a Project Manager, it is recommended that the brief include a requirement to undertake the expression of interest and interview phase recommended by M^cGees.

Strategic Plan/Policy Implications

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

1. Managing Your City
 - *"To deliver services and to manage resources in a way that is cost effective without compromising quality."*
 - *"To conduct Council business in open public forums and to manage Council affairs by employing publicly accountable practices."*

4. Facilitating the needs of Your Community
 - *"To facilitate and provide an optimum range of community services."*
 - *"To identify current community needs, aspirations, expectations and priorities of the services provided by the Council."*

5. Maintaining Your Community Facilities
 - *"To construct and maintain community buildings which are owned or managed by the Council, to meet community needs."*

Budget/Financial Implications

Account No 9802 has uncommitted funds of \$4,914 which has been earmarked for further engineering input. There are insufficient funds available for the appointment of a Project Manager in the current budget and further funds will need to be allocated in the 2003/04 budget if the project is to proceed. The Draft Principal Activity Plan includes \$400,000.

Legal Implications

Section 3.59 of the Local Government Act 1995 and Regulations 9 and 10 of the Local Government (Functions and General) Regulations 1996, "Commercial Enterprises by Local Governments" refer.

The proposal is within the meaning of a "major trading undertaking" as defined under the legislation, as it is likely to involve Council expenditure of greater than \$250,000 should Council resolve to proceed. Accordingly, it will be necessary for a Business Plan to be prepared in accordance with the Act and Regulations, requiring full



financial details of the proposal to be disclosed, including details of the proponents.

Community Consultation

According to the Council files, to date there has been limited community consultation regarding the proposed development of a Café/Kiosk at Bibra Lake. This has included an article in December 2001 in the Cockburn Soundings and letters of advice to the Bibra Lake and North Lake Residents Association in April 2003.

Should the Council proceed with the project as planned, then the procedure for the adoption of a Business Plan will require a public comment period.

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

The proposed Café/Kiosk is a development that could be undertaken by the private sector and therefore, represents a duplication of services that could be provided by others.

Local government involvement in business ventures is dealt with in the "Hilmer" report.

14.6 (MINUTE NO 2061) (OCM 17/06/2003) - CLEANER PRODUCTION STATEMENT (6101) (BH) (ATTACH)

RECOMMENDATION

That Council:

- (1) receive the report; and
- (2) agree to the City of Cockburn becoming a signatory to the WA Cleaner Production Statement.

COUNCIL DECISION

MOVED Cllr A Tilbury SECONDED Cllr L Goncalves that the recommendation be adopted.

CARRIED 9/0

Background

N/A



Submission

The City of Cockburn has been invited to become a signatory to the Cleaner Production Statement that is promoted through the Centre for Excellence in Cleaner Production based at Curtin University. A draft copy of the WA Cleaner Production Statement is attached.

The goal of Cleaner Production is to increase resource efficiency and to minimise and/or prevent wastes and emissions being generated in the production, distribution and use of goods and services. This improves environmental performance and potentially reduces costs to producers.

As a signatory the City commits to adopting and promoting Cleaner Production principles as part of policies, programs and activities undertaken by Cockburn.

Report

The Western Australian Sustainable Industry Group (WA SIG) is facilitated in Western Australia by the Centre for Excellence in Cleaner Production. WA SIG is a member of the Regional Network of the World Business Council for Sustainable Development and a signatory to the International Declaration on Cleaner Production which is administered through the United Nations Environment Programme.

If the City of Cockburn should choose to become a signatory to the Cleaner Production Statement (the MoU), there are a number of responsibilities the City and WA SIG commit to. These responsibilities can be seen in the attached draft copy of the MoU. They include the production of an Action Plan by Cockburn addressing how the City will promote Cleaner Production and Eco-Efficiency within 6 months and annual reporting to WA SIG through a questionnaire that is provided. The resourcing of these requirements can be met through the existing budget of Environmental Services. The signatory period is two years and can be extended at the end of this period. The agreement can be terminated by either party or for non-performance against agreed objectives.

The Signing Ceremony for the new round of signatories (held twice per year) is scheduled for 20 June 2003. The City of Cockburn is currently pencilled in to the signing ceremony, subject to confirmation by Council.

The Cleaner Production Statement is complimentary to the Cities for Climate Protection program that Cockburn has adopted (currently progressing towards Milestone 5) by reducing greenhouse gas production and more efficient energy use.



Strategic Plan/Policy Implications

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

3. Conserving and Improving Your Environment
 - *“To manage the City’s waste stream in an environmentally acceptable manner.”*

Budget/Financial Implications

N/A

Legal Implications

There are no legal obligations associated with becoming a signatory.

Community Consultation

N/A

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

Nil.

14.7 (MINUTE NO 2062) (OCM 17/06/2003) - PROPOSED STRUCTURE PLAN - SOLOMON ROAD/CUTLER ROAD, JANDAKOT - OWNER: VARIOUS - APPLICANT: KOLTASZ SMITH (9329) (JW) (ATTACH)

RECOMMENDATION

That Council:

- (1) receive the report and note the Schedule of Submissions contained in the Agenda attachments;
- (2) adopt and implement the Vehicle Access Policy Plan prepared for Council by ERM Mitchell McCotter, subject to it being modified to show the access arrangements for Lot 500 Armadale Road in accordance with the Development Approval dated 20/3/03 and Council receiving written agreement from the Western Australian Planning Commission, that notwithstanding the normal requirements of Planning Bulletin PB 18, that land owners within the Structure Plan Area will be required to construct both carriageways of North Lake Road at the time of either subdivision or development of the land;
- (3) advise Koltasz Smith that;

1. Council is not prepared to adopt the proposed Structure



- Plan for Solomon Road/Cutler Road Jandakot until the Council has prepared a Drainage Management Plan for the area.
2. The Structure Plan will need to be reviewed and appropriately modified following the adoption of a Drainage Management Plan by Council and Waters and Rivers Commission.
 3. The Structure Plan report will need to be modified to address environmental issues relating to the portion of the Structure Plan area east of Solomon Road including the wellhead protection buffer zone and Aboriginal Heritage site and to reflect Council's requirements in respect to the construction of the dual carriageway for North Lake Road if road access is approved in accordance with the Vehicle Access Policy Plan.
- (4) advise Mr B. Blakeburn that the proposal to modify the structure plan in respect to the northern portion of Lot 2 Knock Place, located between Cutler Road and North Lake Road as detailed in Submission No 9, is supported and that the proposed development will need to comply with the requirements of Town Planning Scheme No 3 and the Design Guidelines for the East Jandakot Industrial Area and North Lake Road Frontage – Berrigan Drive to the Freeway (APD 38);
- (5) advise the owners of Lot 500 Armadale Road that;
1. The Vehicle Access Policy Plan and Structure Plan will be modified to reflect the approved access arrangements for Lot 500 Armadale Road.
 2. It is considered that a link should be provided for between Lot 500 and Knock place to enable access to and from the east which is not currently accommodated in the approved access arrangements and that this be the subject of further discussions between the owners and Council Planning Officers to determine an acceptable solution.
- (6) refer the Structure Plan to the Cockburn Central Steering Committee for consideration of the land use matters raised by Landcorp in Submission No 4;
- (7) until the matters outlined above are addressed and Council considers a modified Structure Plan as required by (3)1. above, adopt an interim land use Structure Plan for the Solomon Road Development Area (DA 20) which incorporates the following;
1. The Vehicle Access Policy Plan prepared by ERM



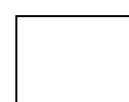
- Mitchell McCotter for Council together with the modifications referred to in (2) and (5)1. above.
2. Precincts 1, 2 and 3 Mixed Business zone as shown on the advertised draft Structure Plan.
 3. The proposed railway station car park being in accordance with plans prepared by Perth Urban Rail.
 4. Areas of public open space, conservation and possible regional sports to be shown in accordance with the advertised draft Structure Plan.
 5. The proposed extension of Princep Road to North Lake Road to be shown in accordance with the advertised draft Structure Plan.
 6. The balance area being depicted as light and service industry in accordance with Schedule 11 (DA 20) contained in Town Planning Scheme No 3.
 7. Reference being made to the Design Guidelines for the East Jandakot Industrial Area and North Lake Road Frontage – Berrigan Drive to the Freeway (APD 38) as shown on the advertised draft Structure Plan.
- (8) advise the Western Australian Planning Commission and those persons who made a submission of Council’s decision.

COUNCIL DECISION
 MOVED Clr A Tilbury SECONDED Clr L Goncalves that the recommendation be adopted.

CARRIED 9/0

Background

ZONING:	MRS:	Industrial
	DZS:	DA 20: Solomon Road Development Zone, and Industrial
LAND USE:	Partly developed	
LOT SIZE:	N/A	
AREA:	63 ha (approximately)	
USE CLASS:	N/A	



Submission

This report concerns a proposed structure plan prepared by Koltasz Smith on behalf of landowners within the Solomon/Cutler Road Development Area (DA 20), in order to provide a framework for the future development of Mixed Business, Light Industrial and Service Industrial uses in the area (See Agenda attachments for proposal location details).

The Structure Plan was submitted in July 2002 for consideration. Following discussions with the City and relevant agencies including Main Roads WA and Perth Urban Rail Development (PURD) and consultants to the landowners, the updated Structure Plan and report were submitted to Council on 15 April 2003 for formal approval. Council officers, acting under the delegated authority of Council (APD 42), determined that the revised plan was suitable to be advertised for public comment.

Report

The submitted Structure Plan was prepared for Solomon Road Development Zone (DA20) Jandakot. The Structure Plan provides for an extension of North Lake Road (Verde Drive) through the site joining with Armadale Road in accordance with approved MRS Amendments No.1038/33 – Thomsons Lake Regional Centre.

The Plan area covers approximately 63ha and includes 13 lots or portions of lots, some of which have been partially or fully developed. Existing residential areas are located south of Armadale Road in Atwell. Perth Urban Rail Development proposes a major transfer station to be constructed to service the Thomsons Lake area immediately north of Armadale Road and adjacent to the site. Industrial subdivision is presently being undertaken to the east of Solomon Road abutting the northern boundary of the eastern portion of the Structure Plan area.

The Structure Plan proposes the development of Mixed Business, Light Industrial and Service Industrial uses. As part of the Mixed Business uses, the allocation of precincts has been used to guide the development based on the property location within the Structure Plan area and the role they can be expected to play from a land use/service viewpoint. It also proposes a Regional Sportsground and a Public Open Space (also for drainage purposes) at the north-western portion of the Plan area, which are currently under review (see Agenda attachments).

The structure plan proposal was advertised for public comment for a period of 31 days, with the comment period concluding on 23 May 2003. Owners of property near and within the subject Structure Plan area and relevant agencies and servicing authorities were invited to



comment by letter. The local newspapers circulating in the locality carried advertisements of the proposal. A total of ten submissions were received including comments from W&RC, DPI, MRWA, Alinta Gas, Water Corporation and adjoining owners. A schedule of submissions is included in the Agenda attachments.

The proposed Structure Plan is generally acceptable to the agencies consulted and there are some matters of detail to be resolved in respect to several properties.

There are two issues that require further detailed discussion over and above the response contained in the Schedule of Submissions included in the Agenda attachments. These are as follows:

Construction requirements for North Lake Road

The Structure Plan provides for the extension of North Lake Road (Verde Drive) Other Regional Road through the site. Under WAPC Planning Bulletin 18 – Developer Contributions for Infrastructure, land owners are required to provide the land needed for the road free of cost, undertake full earthworks and construct a single carriageway, dual use path and drainage. This is reflected in the requirements included in the Structure Plan report.

Under normal circumstances, lots are not permitted to have direct access to a road of this status and access would therefore be either via a service road or an internal subdivision road. However, in accordance with the principles of Liveable Neighbourhoods, it has been agreed to treat North Lake Road as an integrator with limited but controlled access. Consistent with this approach, Council appointed ERM Mitchell M^cCotter to prepare a Vehicle Access Policy Plan for North Lake and Armadale Roads (see Attachments). The brief was to develop access plans for Armadale and North Lake Roads which, in conjunction with the internal road system, provide comprehensive and safe access within the East Jandakot industrial area.

The requirements of the Vehicle Access Policy Plan were included on the draft Structure Plan. What was not made clear in the report or on the Structure Plan, is that to safely allow access to North Lake Road, it needs to be constructed as a dual carriage way with any required deceleration lanes or turning pockets at the time of undertaking the subdivision. It is considered that the additional construction requirement of the second carriageway within North Lake Road by the landowners at the time of undertaking development and/or subdivision of their land, is essential if the proposal is to be safely implemented and is fair and equitable to the landowners for the following reasons:

- The cost of the additional carriageway in North Lake Road is less than the alternatives of constructing a service road or lots having



access to an internal road and control fencing for lots backing onto North Lake Road.

- Having access off North Lake Road enhances the accessibility and hence value of the lots abutting the Road.
- It is imperative that the road be constructed to its ultimate dual carriageway standard at the outset to achieve safe turning and crossing movements.

The above is the basis of recent agreements made between Council and some landowners in the area. It is important that the report be modified to reflect the above and that the Vehicle Access Policy Plan be agreed to and implemented on the basis of the full construction of North Lake Road by the land owners at the time of subdivision or development, as opposed to the normal requirements set out in Planning Bulletin PB 18. This will need to be agreed to by the Western Australian Planning Commission.

Drainage requirements

The Structure Plan area is within the South Jandakot Drainage Catchment Area and under that plan, it was intended that drainage from this area would have an outlet to Yangebup Lake.

Advice received from the Water Corporation (Submission No 8) states that stormwater drainage will not be connected to the Corporation's main drainage system and is to be disposed of on site. Water & Rivers Commission (Submission No 6) states that all stormwater is to be retained and maximised on site.

As this area is a confined catchment with no natural outflow, careful consideration needs to be given to the drainage solutions. If the discharge of stormwater is no longer permitted to Yangebup Lake as indicated in the submissions by Water Corporation and Water & Rivers, there could be major implications in respect to the land required to be set aside for drainage purposes within the Structure Plan area. Until this matter is resolved, it is considered that the structure plan for the area and in particular the area between the Freeway and Solomon Road cannot be finalised.

It is recommended that Council takes a lead role in resolving the drainage solution for the area and appoints a suitably qualified and experienced engineer to undertake the work given that Council does not have the required expertise in-house.

Summary

There is a pressing need to progress the planning of this area and in particular, land use (zoning) controls and the Vehicle Access Policy



Plan, given that there are proposals already in the system or are about to be lodged. However as noted above, drainage is a major issue that needs to be resolved and its determination could have a significant impact on the lot and road configuration, particularly for the area between the Freeway and Solomon Road, if major land areas are required for drainage purposes.

In view of the above, it is considered that Council should deal with the land use (zoning) issues now and defer consideration of the road and lot layout until such time as the drainage strategy has been adopted.

Accordingly it is recommended that Council give favourable consideration to adopting an interim Land Use Structure Plan which would control land use activities until a detailed structure plan which also deals with the road and lot layout can be prepared and adopted. The general precinct land use proposals on the advertised Structure Plan and appropriate notations should be used as the basis of the interim plan together with recommended modifications noted in the Schedule of Submissions.

Strategic Plan/Policy Implications

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

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

3. Conserving and Improving Your Environment
 - *"To conserve the quality, extent and uniqueness of the natural environment that exists within the district."*

5. Maintaining Your Community Facilities
 - *"To construct and maintain roads, which are the responsibility of the Council, in accordance with recognised standards, and are convenient and safe for use by vehicles, cyclists and pedestrians."*

The Planning Policies which apply to this item are:-

SPD1	Bushland Conservation Policy
SPD3	Native Fauna Protection Policy
SPD5	Wetland Conservation Policy
APD2	Industrial Subdivision Policy
APD26	Control Measures for Protecting Water Resources in Receiving Environments



APD 38 Design Guidelines for the East Jandakot Industrial Area and North Lake Road Frontage – Berrigan Drive to The Freeway

Budget/Financial Implications

Funds for the Drainage Study are to be drawn from the Engineering Division's Consultancy budget.

Legal Implications

Nil

Community Consultation

Advertised for public comments from 22/04/2003 to 23/05/2003 in local papers and adjoining owners and relevant authorities were sent letters advising the proposal.

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

Nil.

14.8 (MINUTE NO 2063) (OCM 17/06/2003) - PROPOSED STRUCTURE PLAN - LOT 8 HAMMOND ROAD, SUCCESS - OWNER: MAINPLAN INVESTMENTS - APPLICANT: KOLTASZ SMITH (9656) (JW) (ATTACH)

RECOMMENDATION

That Council:

- (1) adopt the proposed Structure Plan for Lot 8 Hammond Road, Success dated 15 April 2003 subject to the following:
 1. Modification of the plan to indicate a 20m by 20m truncation being taken on the bend immediately north of the proposed intersection with Hammond Road.
 2. The required 10% POS provision schedule being updated and accurately reflected in the Structure Plan.
 3. The Structure Plan and report being amended to reflect the above requirements.
 4. The Structure Plan and report being amended to reflect the modifications made to the wetland & buffer boundary and the associated amendments on the adjacent development layout.
- (2) advise the applicant that the following requirements will need to



be addressed through the subdivision process:

1. The subdivider shall prepare and implement a Drainage and Nutrient Management Plan for the subdivision, which shall be consistent with the South Jandakot Drainage Management Plan and the Environmental Management Programme for the South Jandakot Drainage Scheme.
2. The subdivider shall prepare an Environmental Management Plan addressing the potential impacts of subdivision on the adjoining wetland and Beeliar Regional Park. A Revegetation and Landscape Program shall be provided to ensure that all revegetation in the POS area and the wetland buffer zone shall be locally endemic species and be consistent with Beeliar Regional Park.
3. The subdivider shall prepare a Public Open Space Development and Management Plan, which needs to provide landscaping, earth works, drainage and public amenity facilities. The proponent should ensure that flora species known to be invasive or environmentally damaging are not used in any landscaping projects to protect the Beeliar Regional Park.
4. The subdivider shall prepare a fire management plan to demonstrate that the subdivision is in compliance with the relevant fire management requirements.
5. Groundwater availability in this region may be limited and it is suggested the applicant liaise with the Water and Rivers Commission in this regard.
6. The road reserves and pavements widths to be designed in accordance with Council policy APD30 –Road Reserve and Pavement Standards.
7. Subdivision proposals for the subject land will attract conditions requiring contributions towards the widening and upgrading of Hammond Road in accordance with Development Contribution Plan 1 (Success North).
8. The proposed intersection with Hammond Road will be left in and left out only when the widening and upgrading of Hammond Road is completed.
9. The 20m by 20m truncation taken on the bend immediately north of the intersection with Hammond Road being transferred to the Crown free of cost and to be shown on the first Plan or Diagram of Survey.

10. Detailed area plans are required to be prepared for all lots abutting the POS area.
- (3) adopt the Schedule of Submission as contained in the Agenda attachment;
- (4) advise the Western Australian Planning Commission and those persons who made a submission of Council's decision; and
- (5) request the Western Australian Planning Commission to lift the Urban Deferred in the Metropolitan Region Scheme to facilitate the residential development of Hammond Road Development Zone (TPS3: DA 13).

COUNCIL DECISION

MOVED Cllr A Tilbury SECONDED Cllr L Goncalves that the recommendation be adopted.

CARRIED 9/0

Background

ZONING:	MRS:	Urban Deferred
	DZS:	Development Zone and falls within Development Area 13, and Development Contribution Area 1.
LAND USE:	vacant	
LOT SIZE:	3.965 ha	
AREA:		
USE CLASS:	N/A	

This report concerns a proposed structure plan prepared by Koltasz Smith on behalf of Mainplan Investments for land located within the Hammond Road Development Area -DA13 (See Agenda attachment A for proposal location details).

The Structure Plan was submitted in February 2003 for consideration and was subsequently amended following discussions with Council officers to reflect the City's requirement in regard to wetland and buffer boundary as well as the entry road location from Hammond Road. Council officers, acting under the delegated authority of Council (APD 42), determined that the revised plan dated 15 April 2003 was suitable to be advertised for public comment.



Submission

The submitted Structure Plan was prepared for Lot 8 Hammond Road Success, which is one of several landholdings backing onto the Beeliar Regional Park. It proposes the development of a residential estate designated R20 on approximately 4 hectares of land. Public Open Space is provided at the western portion of the land adjoining with a Resource Enhancement wetland area and associated 50 metre buffer. An indicative layout is also shown on the Structure Plan for Lots 6, 7, & 9 Hammond Road for the purpose of coordinating adjoining future subdivisions (see Agenda attachment B).

Report

The structure plan proposal was advertised for public comment for a period of 26 days, with the comment period concluding on 23 May 2003. Owners of property near the subject land and relevant agencies and servicing authorities were invited to comment by letter. The local newspapers circulating in the locality carried advertisements of the proposal. A total of ten submissions were received including comments from W&RC, Alinta Gas, DCLM and adjoining owners. A schedule of submissions and the recommended responses is included in the Agenda attachments.

The proposed Structure Plan is generally acceptable to the agencies consulted subject to appropriate requirements being addressed through the Structure Plan approval and subdivision process.

Objections raised in the submissions from five adjoining landowners for various concerns, including:

- The Wetland & Buffer boundaries shown on Lots 6&7;
- The linkage with the adjoining landholdings,
- The road network, including the proposed intersection with Hammond Road;

These issues are contained in the schedule of submissions in detail. However, they are not considered as significant issues, which would result in the Structure Plan being rejected given the following reasons:

The Wetland & Buffer boundaries shown on Lots 6&7

A new Wetland & Buffer boundary was drawn by Council's Environmental Officer after a site inspection, which is different from the original one mapped by an environmental consultant - Landform Research appointed by the proponent. W&RC officers support in principle, the Council boundaries.



In respect to adjoining lots (Lots 6&7), the Wetland boundary drawn by Landform Research is based on visual assessment rather than field mapping. A more detailed and scientific assessment will be required and agreement reached with WRC, DEP and Council if the owners of Lots 6 & 7 decide to subdivide their properties.

The linkage with the adjoining landholdings

The Structure Plan is focused on Lot 8 only and the development layouts shown on adjoining properties are not committed. The City has required that the Structure Plan be prepared in such a way that it will provide guidance for the subsequent planning for surrounding areas. If the adjoining land owners decide to develop their land, a detailed Local Structure Plan would be required and assessed in accordance with the TPS3 provisions and in conjunction with the subject Structure Plan.

The road network, including the proposed intersection with Hammond Road

The road network for this area and the safety issues of the proposed intersection with Hammond Road has been extensively discussed between the City and the proponent, and the Structure Plan has been amended accordingly to reflect the City's requirements on these issues. The intersection with Hammond Road shown on the map complies with the safety design requirements subject to complying with the Council Engineering Officer's conditions.

Transferring the land from Urban Deferred to Urban in the MRS

The Lot 8 and its surrounding area (Northern portion of Hammond Road Development Zone) is currently zoned Urban Deferred in the Metropolitan Region Scheme. Approval from the Western Australian Planning Commission for Lifting the Urban Deferment in the MRS will be necessary to facilitate the residential development of this area.

Servicing infrastructure is available in the area and it is considered that subject to the preparation of local structure plan for the area, there is no impediment to the development of this area or lifting of the deferment.

Summary

The Structure Plan meets most planning criteria for a proposal of this type. It is recommended that Council resolve to adopt the Structure Plan for Lot 8 Hammond Road subject to the modifications detailed above and other changes and advice notes listed in the recommendation.



Strategic Plan/Policy Implications

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

2. Planning Your City
 - *"To ensure that the planning of the City is based on an approach which has the potential to achieve high levels of convenience for its citizens."*
 - *"To ensure that the development will enhance the levels of amenity currently enjoyed by the community."*
 - *"To foster a sense of community within the district generally and neighbourhoods in particular."*

3. Conserving and Improving Your Environment
 - *"To conserve the quality, extent and uniqueness of the natural environment that exists within the district."*
 - *"To ensure that the development of the district is undertaken in such a way that the balance between the natural and human environment is maintained."*

4. Facilitating the needs of Your Community
 - *"To facilitate and provide an optimum range of community services."*
 - *"To determine by best practice, the most appropriate range of sporting facilities and natural recreation areas to be provided within the district to meet the needs of all age groups within the community."*

5. Maintaining Your Community Facilities
 - *"To construct and maintain roads, which are the responsibility of the Council, in accordance with recognised standards, and are convenient and safe for use by vehicles, cyclists and pedestrians."*
 - *"To construct and maintain parks which are owned or vested in the Council, in accordance with recognised standards and are convenient and safe for public use."*

The Planning Policies which apply to this item are:-

SPD1	Bushland conservation Policy
SPD3	Native Fauna Protection
SPD5	Wetland Conservation Policy
APD4	Public Open Space
APD20	Design Principles for Incorporating Natural Management Areas Including Wetlands and Bushlands in Open Space and / or Drainage Areas
APD26	Control Measures for Protecting Water Resources in Receiving Environments
APD28	Public Open Space Credit Calculations



APD30 Road Reserve and Pavement Standards
APD31 Detailed Area Plans

Budget/Financial Implications

N/A

Legal Implications

Nil

Community Consultation

Advertised for public comments from 28/04/2003 to 23/05/2003 in local papers and adjoining owners and relevant authorities were sent letters advising the proposal.

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

Nil.

15. FINANCE AND CORPORATE SERVICES DIVISION ISSUES

15.1 (MINUTE NO 2064) (OCM 17/06/2003) - LIST OF CREDITORS PAID (5605) (KL) (ATTACH)

RECOMMENDATION

That Council receive the List of Creditors Paid for May 2003, as attached to the Agenda.

COUNCIL DECISION

MOVED Clr A Tilbury SECONDED Clr L Goncalves that the recommendation be adopted.

CARRIED 9/0

Background

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



Submission

N/A

Report

N/A

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

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

Nil.

15.2 (MINUTE NO 2065) (OCM 17/06/2003) - FREMANTLE HOUSING ASSOCIATION INC. - OBJECTION AGAINST REFUSAL TO ALLOW RATES EXEMPTION (8628) (KL)**RECOMMENDATION**

That Council advise the Fremantle Housing Association Inc.(FHA) that:

- (1) as from 1 July 2002, it is prepared to grant Rates exemption on the properties listed below:

<u>Ass. No.</u>	<u>Property Address</u>	<u>Category</u>	<u>Owner</u>
2213592	1/23 Glendower Way, Spearwood	ILP	Homeswest
5517579	2/6 Impson Gardens, South Lake	ILP	Homeswest
2200085	3/32 Stratton Street, Hamilton Hill	ILP	Homeswest
2206544	2 Watterton Street, Hamilton Hill	ILP	Homeswest
3319075	2/445 Rockingham Road, Spearwood	ILP	Homeswest
5519816	113A Elderberry Drive, South Lake	ILP	Homeswest
2205312	87A Winfield Street, Hamilton Hill	ILP	Homeswest
5517281	80 Brenchley Drive, Atwell	ILP	Homeswest
2206557	10 Bickford Place, Hamilton Hill	ILP	Homeswest
3411908	26 Colova Way, Wattleup	ILP	Homeswest
2211415	15 Helena Place, Hamilton Hill	ILP	Homeswest
2201057	6/14 Helena Place, Hamilton Hill	ILP	Homeswest

3207250	4 Sparrow Way, Spearwood	ILP	Homeswest
2200184	17 Stratton Street, Hamilton Hill	ILP	Homeswest
2213664	3/58 Stratton Street, Hamilton Hill	ILP	Homeswest
2213424	4/14 Carter Street, Hamilton Hill	ILP	Homeswest
2205772	16/19 Blackwood Avenue, Hamilton Hill	CDHP	Homeswest

(2) it will not grant exemptions on the following properties:

<u>Ass. No.</u>	<u>Property Address</u>	<u>Category</u>	<u>Owner</u>
3209904	22 Lintott Way, Spearwood	JV	Homeswest
2205663	98 Hamilton Road, Spearwood	JV	Homeswest
2204515	24 Hillier Crescent, Hamilton Hill	CHP	FHA
2210524	4 Ivermey Road, Hamilton Hill	CHP	FHA
1101027	44 Malvolio Road, Coolbellup	CHP	FHA
1101875	18 Units, 28 Waverley Road, Coolbellup	CHP	Homeswest

COUNCIL DECISION

MOVED Cllr A Tilbury SECONDED Cllr L Goncalves that the recommendation be adopted.

CARRIED 9/0

Background

Council at its meeting held on 20 May 2003, resolved that the Chief Executive Officer instigate negotiations with Fremantle Housing Association (Inc.) in regards to their claim for rates exemption and report back to Council, the results of discussions held.

Submission

Correspondence was received from the FHA in August 2002, lodging an objection pursuant to Section 6.77 of the Local Government Act against the rates record with respect to twenty-three(23) properties which the Association manages.

Fremantle Housing Association Inc. states:

1. Each parcel of land is used exclusively for charitable purposes in consequence of which the land is not rateable by the operation of s.6.26(2)(g) of the Act.
2. Fremantle Housing Association is a charitable institution endorsed by the ATO and the provision of the service is carried out in line with the charitable objects in the Constitution.



3. The land is used to provide secure, affordable and appropriate accommodation for people in financial need.
4. Residents receive a community based landlord service that is responsive to residents needs.
5. The provision of community housing accommodation directly relieves housing related poverty and is a public benefit.

Report

A confidential report was presented to the May Council meeting in regards to the current position with the Fremantle Housing Association (Inc.). Based upon the points raised in that report, Council authorised the Chief Executive Officer to initiate discussions with the Fremantle Housing Association (Inc.) regarding its application for rates exemption on a number of properties.

The current position of the properties under the control of Fremantle Housing Association (Inc.) is as follows:

<u>Ass. No.</u>	<u>Property Address</u>	<u>Category</u>	<u>Owner</u>
<u>Rates exemptions not granted:</u>			
3209904	22 Lintott Way, Spearwood	JV	Homeswest
2205663	98 Hamilton Road, Spearwood	JV	Homeswest
1101875	18 Units, 28 Waverley Road, Coolbellup	CHP	Homeswest
2213592	1/23 Glendower Way, Spearwood	ILP	Homeswest
5517579	2/6 Impson Gardens, South Lake	ILP	Homeswest
2200085	3/32 Stratton Street, Hamilton Hill	ILP	Homeswest
2206544	2 Watterton Street, Hamilton Hill	ILP	Homeswest
3319075	2/445 Rockingham Road, Spearwood	ILP	Homeswest
5519816	113A Elderberry Drive, South Lake	ILP	Homeswest
2205312	87A Winfield Street, Hamilton Hill	ILP	Homeswest
5517281	80 Brenchley Drive, Atwell	ILP	Homeswest
2206557	10 Bickford Place, Hamilton Hill	ILP	Homeswest
3411908	26 Colova Way, Wattleup	ILP	Homeswest
2211415	15 Helena Place, Hamilton Hill	ILP	Homeswest
2201057	6/14 Helena Place, Hamilton Hill	ILP	Homeswest
3207250	4 Sparrow Way, Spearwood	ILP	Homeswest
2200184	17 Stratton Street, Hamilton Hill	ILP	Homeswest
2213644	3/58 Stratton Street, Hamilton Hill	ILP	Homeswest
<u>Rates exemptions granted:</u>			
2205772	16/19 Blackwood Avenue, Hamilton Hill	CDHP	Homeswest
2204515	24 Hillier Crescent, Hamilton Hill	CHP	FHA
2210524	4 Ivermey Road, Hamilton Hill	CHP	FHA
1101027	44 Malvolio Road, Coolbellup	CHP	FHA
2213424	4/14 Carter Street, Hamilton Hill	ILP	Homeswest

Category:

- CDHP: Community Disability Housing Program
 CHP: Community Housing Program
 (Women, large families, single women, single men over 40)
 ILP: Independent Living Program for people with psychiatric disability



JV: Joint Venture

A meeting was convened between the City's Officers and FHA's Officers to determine if the FHA would be willing to consider an alternative situation which could be negotiated, the aim being to eliminate a Land Valuation Tribunal hearing.

The proposition which was presented to the FHA was based upon re-assessment of the properties which would be given rates exemption. This assessment was based on the category of housing, ie. the use of the land. Those properties which were occupied by tenants who had disabilities and are in financial need were deemed to warrant a rates exemption. These tenants have (according to FHA) severe, chronic and persistent psychiatric disabilities, need support to live independently in the community and are financially disadvantaged. These tenants are in the category of programs "CDHP - Community Disability Housing Program" and "ILP - Independent Living Program".

The other two categories which the FHA operate, being "CHP - Community Housing Program" and "JV - Joint Venture" were deemed to be rateable.

The Board of Management of the FHA has agreed to accept the offer as presented, which is summarised as follows:

<u>Ass. No.</u>	<u>Property Address</u>	<u>Category</u>	<u>Owner</u>
<u>Exemptions granted on these properties:</u>			
2213592	1/23 Glendower Way, Spearwood	ILP	Homeswest
5517579	2/6 Impson Gardens, South Lake	ILP	Homeswest
2200085	3/32 Stratton Street, Hamilton Hill	ILP	Homeswest
2206544	2 Watterton Street, Hamilton Hill	ILP	Homeswest
3319075	2/445 Rockingham Road, Spearwood	ILP	Homeswest
5519816	113A Elderberry Drive, South Lake	ILP	Homeswest
2205312	87A Winfield Street, Hamilton Hill	ILP	Homeswest
5517281	80 Brenchley Drive, Atwell	ILP	Homeswest
2206557	10 Bickford Place, Hamilton Hill	ILP	Homeswest
3411908	26 Colova Way, Wattleup	ILP	Homeswest
2211415	15 Helena Place, Hamilton Hill	ILP	Homeswest
2201057	6/14 Helena Place, Hamilton Hill	ILP	Homeswest
3207250	4 Sparrow Way, Spearwood	ILP	Homeswest
2200184	17 Stratton Street, Hamilton Hill	ILP	Homeswest
2213664	3/58 Stratton Street, Hamilton Hill	ILP	Homeswest
2213424	4/14 Carter Street, Hamilton Hill	ILP	Homeswest
2205772	16/19 Blackwood Avenue, Hamilton Hill	CDHP	Homeswest

<u>Exemptions not granted on these properties:</u>			
3209904	22 Lintott Way, Spearwood	JV	Homeswest
2205663	98 Hamilton Road, Spearwood	JV	Homeswest
2204515	24 Hillier Crescent, Hamilton Hill	CHP	FHA
2210524	4 Ivermeyer Road, Hamilton Hill	CHP	FHA
1101027	44 Malvolio Road, Coolbellup	CHP	FHA
1101875	18 Units, 28 Waverley Road, Coolbellup	CHP	Homeswest



Strategic Plan/Policy Implications

"Managing your City" refers.

Budget/Financial Implications

Based on Council endorsing that the property categories as listed in the report, the net loss in Revenue will be \$3,700.00.

Legal Implications

N/A

Community Consultation

N/A

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

Nil.

16. ENGINEERING AND WORKS DIVISION ISSUES

16.1 (MINUTE NO 2066) (OCM 17/06/2003) - TENDER NO. 21/2003 - HIRE OF DOZER OR TRACKLOADER AT HENDERSON WASTE DISPOSAL SITE (4900) (BKG) (ATTACH)

RECOMMENDATION
That Council:

- (1) accept the offer to hire a Trackloader from Source Equipment Pty Ltd for Tender No. 21/2003 – Hire of Dozer or Trackloader at Henderson Waste Disposal Site, for the period 1 July 2003 to 30 June 2004, at an hourly rate of \$128 inclusive of all fuel, labour, repairs, servicing in accordance with the contract documents and GST; and
- (2) accept the offer to extend the term of this contract for a further 12 months, subject to satisfactory performance on the initial contract.

COUNCIL DECISION
MOVED Clr A Tilbury SECONDED Clr L Goncalves that the recommendation be adopted.

CARRIED 9/0



Background

Tenders were called and closed on 3 June 2003, for the hire of a dozer or trackloader at the Henderson Waste Disposal Site for the period 1 July 2003 to 30 June 2004.

For the past 2 years, Waste Services have operated the landfill site with Contract plant provided and operated by Source Equipment. Prior to this, Council owned and operated plant was utilised to compact and cover the waste.

The plant costs/tonne (of waste disposed) are comparable over the past 3 years allowing for an average 3% inflation rate.

Waste Services have been extremely satisfied with the performance and level of cooperation provided by the private contractor Source Equipment, in their management of waste disposal operations over the past 18 months and believe this is the most efficient and cost effective way to proceed.

Consequently, tenders have been called for a 12 months hire of a traxcavator with operator, with the option to extend for an additional 12 months, subject to satisfactory performance.

Submission

Four(4) tenders were received for Tender No. 21/2003 - Hire of Dozer or Traxcavator at Henderson Waste Disposal Site, a summary of which is attached to the Agenda.

Report

Analysis of the complying tenders submitted, resulted in the following scores:

Source Equipment Pty Ltd	84
Force Equipment	70
Mayday Earthmoving	62

One non-complying tender was received from B & C Sorgiovanni.

Scores are derived from the criteria specified in the tender documents that were to be used to assess the tenders.

These criteria were:

Price	60%
Technical Conformance	15%



Demonstrated Safety Management	5%
Relevant Experience	15%
References & QA	5%

It is recommended that the offer from Source Equipment be accepted.

This company has successfully completed the previous two year contract and is also committed to providing a landfill compactor on this site until August 2005.

There have been significant benefits to Council in having the one contractor providing both items of waste handling plant, not the least of which is the reduction in daily co-ordination required to manage this site.

Source Equipment have also managed a substantial increase in waste volume (70%) over the past 18 months with a minimal increase in plant hours and no down time. This has been achieved through the provision and maintenance of excellent plant, with permanent on site backup equipment.

Strategic Plan/Policy Implications

In the Corporate Plan, one of the objectives is to "maximise revenue from alternative sources". The Henderson Landfill Site is a major contributor to revenue.

Budget/Financial Implications

The cost of hiring the tendered machine for the next year is estimated at \$410,000 and for the 2 year potential contract period, will be \$750,000 (Exclusive of GST). Sufficient funds have been budgeted for to cover the operation of this plant next financial year.

Legal Implications

Nil.

Community Consultation

N/A.

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

This recommendation is to hire plant from a private company for use at the Henderson Landfill Site.



17. COMMUNITY SERVICES DIVISION ISSUES

17.1 (MINUTE NO 2067) (OCM 17/06/2003) - RESEARCH - SAFETY AND SECURITY IN COCKBURN (8957) (DMG) (ATTACH)

RECOMMENDATION

That Council:-

- (1) based on the findings of the research into security and safety issues in Cockburn, support the concept of providing a security service in the form of either;
 - (i) a district wide mobile security/surveillance patrol; or
 - (ii) an on call response to incidents service

to operate on a full time (i.e. 24 hours/7 days per week) basis;
- (2) require the preparation of a Business Plan to include amongst other matters, costs associated with establishing an "in house" patrol service comprising of staff and equipment recruited/ acquired by the City of Cockburn to undertake the functions described in (1) above; and
- (3) upon completion of the investigation undertaken in (2) above, report the resultant information back to Council for further consideration.

COUNCIL DECISION

MOVED Mayor S Lee SECONDED Cllr V Oliver that Council:

- (1) based on the findings of the research into security and safety issues in Cockburn, support the concept of providing a security service in the form of a district wide mobile security/surveillance patrol to operate on a full time (i.e. 24 hours/7 days per week) basis;
- (2) require the preparation of a Business Plan to include amongst other matters, costs associated with establishing an "in house" patrol service comprising of staff and equipment recruited/acquired by the City of Cockburn to undertake the functions described in (1) above; and
- (3) upon completion of the investigation undertaken in (2) above, report the resultant information back to Council for further consideration.

CARRIED 8/1



Explanation

The Community Needs Survey in 2000 showed that the residents want Council to concentrate on a security service. The recent survey results in both the Soundings and through the Market Research Company, has shown that the people want Cockburn to establish a comprehensive 24-hour service. As all owners will be required to pay for the service, they all should have access to the benefits of the service.

Background

Over the past 12 months, Council has been investigating the issues related to safety and security in Cockburn and in particular, whether district wide initiatives such as mobile surveillance patrols and property identification schemes would be supported by the community. To achieve this, Council has undertaken research in the community in the form of a professional consultancy, in addition to a "self assessment" questionnaire in the "Cockburn Soundings".

Submission

N/A

Report

The major findings of the in-depth consultation process and the "Cockburn Soundings" self completion survey came to some similar conclusions and can be considered as being reasonably representative of more widespread opinion.

That being the case, it is still somewhat inconclusive as far as clear-cut support for the introduction of a district wide patrol service is concerned. Although the majority opinion supports this initiative, the actual figures in favour of patrols (around 60%), is not overwhelming, especially when considering that less than half of the self completion survey indicated they would be prepared to pay for the service.

Of major interest in both survey findings is that the type of issues being raised in the community as concerns, are those which are perceived to receive only low priority from the police service.

It would appear that many people feel the police service has inadequate resources to deal with issues at a local level to the same extent as has been the case in the past.

While this is a debateable point, it appears the community feels more vulnerable than ever before when it comes to security of their personal property. Crimes of opportunity such as breaking and entering, burglary and stealing are highly rated as concerns of residents,



although they appear to be of less priority when a response is sought from the police.

Other concerns which rated highly amongst respondents which are perceived to command little attention in a law enforcement sense, are reckless vehicle driving (particularly “burn outs”) in residential areas and other instances of anti social behaviour, primarily associated with young people gathering in public places.

Because of the difficulty in identifying the actual nexus between community perception and hard factual data, a cautious approach to the question of whether surveillance patrols would be an effective response needs to be taken.

While it appears that the majority of the community favours Council involvement in local safety and security issues, it does not necessarily follow that security patrols would or could address these concerns.

Council’s Safer City and Ranger Services personnel can attest that local police offer excellent assistance when required or requested. Similarly, Council staff are keen to cooperate with and support the police service in areas of mutual interest. In research carried out relating to “community attitudes towards safety and security in Cockburn”, there was concern expressed on the need to ensure security patrol personnel were accountable and of good character. A service run by the City would provide clear lines of accountability and control.

It is with this in mind, that it may be worth investigating the opportunity for Council to establish its own in-house unit to deal with such matters, in order to more accurately calculate a likely unit cost which could be attributed to the service.

There are two broad options available. The first is for a number of vehicles to patrol throughout the City with the intent that the vehicles be sighted regularly throughout the district. The second option is to have a base number of vehicles which are primarily ‘on call’ via a telephone hot line.

At that stage, it will be more apparent whether the likely service charge will be within an acceptable range, thus allowing Council to consider whether it should commit to the concept or not and if so, enable a decision to be made on whether Council provides the service “in-house” or whether a formal tender process should be followed and external providers be invited to formally bid for the service. On the receipt of the Business Plan Report, Council can give consideration as to whether it wishes to proceed to public tender for the preferred service model or operate this service in-house. It would be of value to Council prior to a final decision on the proposed model of service delivery, to seek public comment.



The development of a comprehensive Business Plan on the proposed models giving detail on all aspects of service delivery would be required to provide the necessary information for Council to arrive at an informed decision. To ensure propriety in the Business Plan, it is proposed that in the first instance, the necessary professional advice on the development of the Business Plan would be sought. On completion of the draft plan, a due diligence review would be conducted by an independent body. It is expected that the Business Plan will be available for consideration at the November 2003 meeting of Council.

Although this process may not be as timely as immediately calling for Tenders for the service, it is recommended that a more cautious approach be taken at this stage to validate the likely costs of the service, prior to reconsideration of the matter as a whole.

The attached documents, which need to be read in conjunction with this Report, are:-

- (i) Extract from "Community Attitudes Towards Safety and Security in Cockburn" – Research Solutions – March, 2003.
- (ii) Report on Results of Community Survey – Safety and Security Issues in Cockburn – Director – Community Services, April 2003.
- (iii) Extract from "Community Satisfaction Survey" Australian Market Intelligence – May 2003.

Strategic Plan/Policy Implications

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

Budget/Financial Implications

Security patrols are able to be funded by a separately costed Service Charge (levy), or may be absorbed into general rates.

Legal Implications

Local Government (Financial Management) Amendment Regulations 1999 refer (Reg. 54)

Community Consultation

Extensive community opinion has been sought.



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

Private security patrols are hired by individual businesses in the District to undertake after-hours patrols. Any district-wide programme could incur an additional service charge on all properties within Cockburn identified as being recipients of the service.

17.2 (MINUTE NO 2068) (OCM 17/06/2003) - PROPOSED DENTAL HEALTH CLINIC - CIVIC CENTRE SITE (2201726) (RA)

RECOMMENDATION

That Council approve the sale of 1264m² of the Civic Centre site for the establishment of a Dental Health Clinic on the previously agreed site on the corner of Rockingham Road and Coleville Crescent Spearwood, at the sale price of \$294,933 provided that the conditions of offer previously agreed by Council are met.

TO BE CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Clr S Limbert SECONDED Clr V Oliver that the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Background

At its meeting of 17 September 2002, Council resolved as follows:

- “(1) approve the sale of 1200m² of the Civic Centre site for the establishment of a Dental Health Clinic as per the attached plan at the sale price of \$280,000 provided that the conditions of offer are met;
- (2) advise Health West that, in accordance with District Planning Zoning Scheme 2, Council planning approval is required prior to construction of the Dental Health Clinic proceeding;
- (3) transfer income from the sale of the land for the Dental Health Clinic less the costs of servicing the site, costs associated with the creation of the lot and incidental costs associated with the sale of the site to the Land Development Reserve Fund; and



- (4) delegate authority to the Chief Executive Officer to approve the sale of the land subject to agreement being reached on the conditions of offer contained in this report. “

There is a need to increase the amount of land to be sold for the Dental Health Clinic by a minor amount to accommodate the Council and Clinics requirements.

Submission

N/A

Report

The Health Department has contracted an Architect to oversee the development of the Dental Health Clinic. The design of the building to allow for adequate parking and the preservation of significant trees on the site requires a site of 1264m², that is an increase in area of 64m².

Strategic Plan/Policy Implications

As Council was previously advised at its meeting of the 17th of September 2002.

Budget/Financial Implications

There will be an additional sum of \$14,933 from the sale of the land due to the increase in the area required. The cost to the City to service the site is estimated to be \$70,000 although the final cost will not be known until the tenders are submitted. It is understood that the intent of Council is to proceed with the project if tender prices are higher than anticipated due to the Clinic being a community service.

Legal Implications

Nil.

Community Consultation

As Council was previously advised at its meeting of 17 September 2002.

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

As Council was previously advised at its meeting of 17 September 2002.



17.3 (MINUTE NO 2069) (OCM 17/06/2003) - PROPOSED DONATION - KWINANA HERITAGE GROUP (1032) (DMG)

RECOMMENDATION

That Council approves of the proposal by the Historical Society of Cockburn to donate the diorama of the Kwinana BP Refinery and Oil Tanker to the Kwinana Heritage Group, in recognition of the 50th Anniversary of the Town of Kwinana, subject to the Kwinana Heritage Group making arrangements for the relocation of the diorama of the Kwinana BP Refinery Oil Tanker.

COUNCIL DECISION

MOVED Cllr L Goncalves SECONDED Cllr S Limbert that the matter be deferred to the July or August Ordinary Council Meeting until an article can be placed in the local newspapers seeking community feedback as to whether or not Council should donate the item.

CARRIED 7/2

Explanation

Council should ascertain if the community is prepared to make such a donation.

Background

This matter was deferred from the May Council Meeting to enable Elected Members to view the diorama prior to making a decision on whether to agree with a request to gift the works to the Kwinana Heritage Group.

Around 1979, Council was presented with a diorama from BP depicting the Kwinana Oil Refinery and a tanker in recognition of its status as a City. The diorama was displayed at the Spearwood Library for some years, before being donated to the Cockburn Historical Society and re-located to the Azelia Ley Museum.

Submission

The Historical Society is keen to recognise the Kwinana Heritage Group, which will be opening a museum in 2004, to correspond with the Town of Kwinana 50th Anniversary.



Report

The Historical Society of Cockburn, as custodians of the BP Diorama, see this as an appropriate gesture to recognise the Kwinana Heritage Group, by gifting it a memento of particular relevance to the history of Kwinana.

The piece has only slight significance to the history of the Cockburn district and was simply a deed of goodwill on behalf of a corporate neighbour at the time it was donated.

Accordingly, it is suggested that Council approves of the Historical Society of Cockburn presenting the diorama to the Kwinana Heritage Group to enable the works to be housed in a more relevant environment.

Strategic Plan/Policy Implications

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

Budget/Financial Implications

Nil.

Legal Implications

N/A

Community Consultation

N/A

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

Nil.

17.4 (MINUTE NO 2070) (OCM 17/06/2003) - CULTURAL ADVISORY COMMITTEE MEMBERSHIP (8810) (CC)

RECOMMENDATION

That Council, in accordance with Section 5.1 of the Local Government Act 1995, approve the following individuals as members of the City of Cockburn Cultural Advisory Committee:

- Mr Bill Wallington
- Ms Christina McGuiness
- Ms Ruth Ellicott
- Ms Julie Baker
- Mr Richard Rakatau



- Mr Dean Williams
- Mrs Margaret Taylor
- Ms Annie Otness

TO BE CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Cllr S Limbert SECONDED Cllr L Goncalves that Council, in accordance with Section 5.1 of the Local Government Act 1995, appoint the following individuals as members of the City of Cockburn Cultural Advisory Committee:

- Mr Bill Wallington
- Ms Christina McGuinness
- Ms Ruth Ellicott
- Ms Julie Baker
- Mr Richard Rakatau
- Mr Dean Williams
- Mrs Margaret Taylor
- Ms Annie Otness

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Explanation

The word 'approve' has been replaced with 'appoint' as section 5.10 of the Local Government Act (WA) requires Council to appoint members of committees.

Background

Expressions of Interest were called for this committee through advertisements in the local papers (Herald and Gazette) calling for applicants to address a brief selection criteria outlining their experience in the Cultural field. Current members were invited to re-apply. All applicants met the required criteria and are duly recommended for appointment by Council.

Council established the Cultural Advisory Committee in 2002. The terms of reference for this committee states that "a minimum of four and maximum of nine community members be appointed." This Council appointed committee promotes & supports cultural initiatives, services and facilities within the City.



The committee is involved in the development of Cultural policies with the ability to make recommendations to Council on a range of cultural related issues.

The Cultural Advisory Committee, in the past twelve months, has been actively involved in the Youth Art Scholarship programme, Pioneer Memorial Artwork and the Home-grown Festival that was held recently.

Submission

N/A

Report

The main aims of the committee are to:

- Promote, support and generate awareness of local community cultural initiatives, facilities and services in the Cockburn area.
- Provide guidance on the development of policy and programmes in cultural activities within the City of Cockburn.
- Be involved in the development and upgrade of cultural facilities within the Cockburn area.
- Develop guidelines for Youth Arts Travel & Youth Arts Further Study Scholarship programme.
- Allocate Youth Arts Scholarships assistance to City of Cockburn residents as per the aforementioned guidelines.
- Prioritise major cultural projects and investigate where and how to access additional funding.

Elected Members Cllr Linda Goncalves and Cllr Val Oliver were appointed delegates and the Cultural Development Coordinator, Cassandra Cooper, advisor to this committee at the Special Meeting of Council held on 6 May, 2003.

Strategic Plan/Policy Implications

Key Result Areas "Facilitating the needs of your community" refer.

Budget/Financial Implications

N/A



Legal Implications

N/A

Community Consultation

The positions for the Cultural Advisory Committee were publicly advertised and open to all members of the public.

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

Nil.

17.5 (MINUTE NO 2071) (OCM 17/06/2003) - COCKBURN YOUTH ADVISORY COUNCIL MEMBERSHIP (8304) (MA) (ATTACH)

RECOMMENDATION

That Council:-

- (1) in accordance with Section 5.10 of the Local Government Act 1995, approve the following individuals as members of the Youth Advisory Council:
- | | |
|----------------------|--------------------------|
| • Ryan Bulluss | • Jelena Benic |
| • Joel Baker | • Fiona Morgan |
| • Rebecca Gabrielson | • Kyogala Kitafuna-Nunez |
| • Emma Livesey | • Lance Ward |
| • Paul Bridle | • Russel Holliday |
| • Katherine Browne | • Alia Glorie; and |
| • Anita Smith | |
- (2) adopt the revised Youth Advisory Council's "terms of reference" as attached to the Agenda.

TO BE CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Clr S Limbert SECONDED Clr K Allen that Council:

- (1) in accordance with Section 5.10 of the Local Government Act 1995, appoint the following individuals as members of the Youth Advisory Council:



- | | |
|----------------------|--------------------------|
| • Ryan Bulluss | • Jelena Benic |
| • Joel Baker | • Fiona Morgan |
| • Rebecca Gabrielson | • Kyogala Kitafuna-Nunez |
| • Emma Livesey | • Lance Ward |
| • Paul Bridle | • Russel Holliday |
| • Katherine Browne | • Alia Glorie; and |
| • Anita Smith | |

- (2) adopt the revised Youth Advisory Council's "terms of reference" as attached to the Agenda.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Explanation

The word 'approve' has been replaced with 'appoint' as section 5.10 of the Local Government Act (WA) requires Council to appoint members of committees.

Background

The Cockburn Youth Advisory Council was established as a Junior Council in 1993 to provide advice to the City on youth issues. In 1997, the State Minister for Youth Affairs encouraged the establishment of Youth Advisory Councils. At this time the Cockburn City Council adopted the changeover of the Junior Council to Youth Advisory Council. Members of the Youth Advisory Council being between the ages of 12 and 21.

The Youth Advisory Council established a Charter in 1997 to outline the objectives and administrative processes for the Youth Advisory Council. In 2003, the Charter was revised and reformatted as the Youth Advisory Council Terms of Reference.

Submission

N/A

Report

As part of their annual review of the Charter, the Youth Advisory Council propose changes to the Terms of Reference (see attached).

At the Special Meeting of Council held on 6 May 2003, Deputy Mayor Richard Graham and Cllr Alistair Edwards were appointed Council delegates to the Committee with Cllr Goncalves as deputy. The Youth Services Coordinator, Mary Ashe, was appointed as an advisor to the Committee.



The Junior Mayor, Deputy Junior Mayor and Youth Services Coordinator interviewed Youth Advisory Council applicants. The names put forward for consideration by Council are those considered most appropriate for the role of Youth Advisory Council Member.

Strategic Plan/Policy Implications

To identify current community needs, aspirations, expectations and priorities of the services provided by the Council.

Budget/Financial Implications

The Youth Advisory Council is allocated an annual budget of \$2000.

Legal Implications

N/A

Community Consultation

Seats on the Youth Advisory Council are advertised as they become vacant. Applications for vacant positions are publicised through posters, leaflets and public notices in local publications and through local networks, for example, the Cockburn Gazette, Cockburn City Herald, school newsletters and in notices to community and sporting groups.

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

Nil

17.6 (MINUTE NO 2072) (OCM 17/06/2003) - SENIORS DROP IN CENTRE - CIVIC CENTRE LESSER HALL (2201726) (GB)

RECOMMENDATION

That Council:

- (1) donate the use of the Civic Centre Lesser Hall for one day per week between Monday and Thursday as of 1 August 2003, until such time as a six(6) monthly review of the service is considered by Council, for use as a drop in centre for seniors, on the basis that the volunteers are registered and a risk management plan is developed prior to commencement;
- (2) allocate in its 2003/04 budget, the sum of \$3,200 as a donation for the cost of the hire of the Civic Centre Lesser Hall for a Senior Citizens Drop in Centre;

- (3) allocate a budget amount of \$1200 for the 2003/2004 financial year for the provision of tea/coffee and biscuits; and
- (4) review the use of the Lesser Hall after a six-month trial period on the level and nature of usage in accordance with the criteria established in the report.

TO BE CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Clr L Goncalves SECONDED Clr S Limbert that Council:

- (1) donate the use of the Civic Centre Lesser Hall for one day per week between Monday and Thursday as of 1 August 2003, until such time as a six(6) monthly review of the service is considered by Council, for use as a drop in centre for seniors, on the basis that the volunteers are registered with the City of Cockburn and a risk management plan is developed by the City prior to commencement;
- (2) allocate in its 2003/04 budget, the sum of \$3,200 as a donation for the cost of the hire of the Civic Centre Lesser Hall for a Senior Citizens Drop in Centre;
- (3) allocate a budget amount of \$1200 for the 2003/2004 financial year for the provision of tea/coffee and biscuits; and
- (4) review the use of the Lesser Hall after a six-month trial period on the level and nature of usage in accordance with the criteria established in the report.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Explanation

The minor amendments to point (1) indicates where the registration is to be held and who is responsible for the creation of the risk management plan.

Background

At the Council meeting conducted on 20 May 2003, it was resolved that a report be presented to the June 2003 meeting which provides for a drop in centre for senior citizens to achieve the following outcomes:



- 1) donate the use of the Civic Centre lesser hall one day per week for a drop in centre for seniors:
- 2) provision of tea/coffee and biscuits with expenses being met by Council; and
- 3) review of the use of the lesser hall after a six-month trial period on the level and nature of usage.

Clr Oliver advises that there has been a number of seniors approach her on the need for a seniors drop in centre. A trial will allow the need for such a service to be assessed after a six-month period.

Submission

N/A

Report

Clr Oliver has advised that there is a small group of residents who have volunteered to assist with the operation of the seniors drop in centre. It is understood that the Volunteers will undertake the entire day-to-day operation of the Seniors Drop in Centre. This includes set up and provision of the tea/ coffee service and the clean up and replacement of furniture, to a state ready for use by other customers.

It is understood that the drop in service will be free of charge and will operate a half-day on Tuesday of each week. However, Clr Oliver would like to keep the option open to change the time and day of the week if customers request this.

There is an option for the Drop in Centre to come under the auspice of an existing organisation and hence be covered by this organisation's insurance and come under its management and accountability structure. There has been no organisation proposed by Clr Oliver to fulfil this role.

Should the Drop in Centre come under the auspice of the City's public liability insurance, the senior's centre volunteers will need to be registered as official City of Cockburn Volunteers. However, due to the City's public liability insurance requirements, a risk management plan will also need to be completed prior to commencement of the Seniors Drop in Centre.

The Civic Centre Lesser Hall has a regular event booking for Australia Day, the Foundation Day Event and the Art Expo. The Civic Centre is the only facility with a large function area and industrial kitchen so it is hired on a regular basis for weekend functions.



Therefore the lesser hall is available from Monday to Thursday from 9.00 until 5.00 p.m. to select a day for use as a Senior's drop in centre.

Hourly Rate for lesser hall	Number of hours per week	Number of weeks	Total Donation for hall hire
\$13.20	8	30	\$3178.40

As the Civic Centre lesser hall has an hourly charge of \$13.20 per hour, the donation for the hall hire will equate to \$3,178.40 for the 6-month trial period plus a month for Council to determine its position.

The cost of tea /coffee and biscuits has only been estimated as there is no ability to determine the number of seniors who will attend the centre. The budget allocation has been based upon \$2.00 per person and an estimate of 20 people attending the centre each week over the 6-month trial period plus a month for Council to determine its position. This therefore amounts to \$1,200.00.

Estimated number of seniors per week	Cost per person for tea/coffee	Total cost for 30 week period
20	\$2.00	\$1200

The City proposes that the volunteers collect data regarding the nature and level of usage for the seniors drop in centre. The Evaluation Criteria to include at least the following matters to the satisfaction of the Director of Community Services:-

- The number of hours that the Seniors Drop in Centre is operational.
- A register of customers identifying individuals and the number of visits each make to the Centre.
- The cost per customer.
- The customer satisfaction level.

This data will assist in determining the level of community need and provide specific information regarding the nature and level of usage, so that the Seniors Drop in Centre can be reviewed at the end of the 6 month trial period. The actual cost of the service, including tea and coffee, can be determined at this time.

Strategic Plan/Policy Implications

To facilitate and provide an optimum range of community services.

Budget/Financial Implications

An estimated cost for the provision of basic tea and coffee facilities has been calculated and the cost for the hire of the facility comes to a total



cost implication of approximately \$4,400.00 for the 6 month trial period plus a month for Council to determine its position.

Legal Implications

In order to satisfy Public Liability Insurance requirements, the volunteers who will be providing the drop in service to seniors will need to be registered as official City of Cockburn Volunteers and a risk management plan will need to be completed prior to commencement of the seniors drop in centre.

Community Consultation

Clr Oliver advises that the need for the service has been identified by people contacting her seeking a seniors drop in centre.

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

There are several other seniors centres and services operating in the area such as the Cockburn Senior Citizens, Young Place, Hamilton Hill, the Seniors Centre operating from St. Jerome's Church and the Pensioners League, Hamilton Hill.

18. EXECUTIVE DIVISION ISSUES

Nil

19. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

20. NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING

Nil

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

Nil

22. MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE

Nil



23. CONFIDENTIAL BUSINESS

Nil

24. (MINUTE NO 2073) (OCM 17/06/2003) - 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:-

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

COUNCIL DECISION

MOVED Clr M Reeve-Fowkes SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 9/0

25. CLOSURE OF MEETING

MEETING CLOSED AT 7.42 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:/...../.....

