

# CITY OF COCKBURN

## SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 13 OCTOBER 2011 AT 7:00 PM

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	Page
1. DECLARATION OF MEETING.....	1
2. APPOINTMENT OF PRESIDING MEMBER (IF REQUIRED) .....	3
3. DISCLAIMER (TO BE READ ALOUD BY PRESIDING MEMBER).....	3
4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (BY PRESIDING MEMBER) .....	3
5 (OCM 13/10/2011) - APOLOGIES AND LEAVE OF ABSENCE .....	3
6. ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	3
7 (OCM 13/10/2011) - PUBLIC QUESTION TIME .....	4
8. CONFIRMATION OF MINUTES.....	4
8.1 <u>(MINUTE NO 4615)</u> (OCM 13/10/2011) - ORDINARY COUNCIL MEETING - 08/09/2011 .....	4
9. WRITTEN REQUESTS FOR LEAVE OF ABSENCE.....	5
10 (OCM 13/10/2011) - 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 <u>(MINUTE NO 4616)</u> (OCM 13/10/2011) - MINUTES OF THE DELEGATED AUTHORITIES, POLICIES AND POSITION STATEMENTS COMMITTEE MEETING - 22 SEPTEMBER 2011 (CC/P/001) (D GREEN) (ATTACH) .....	5
<u>(MINUTE NO 4617)</u> (OCM 13/10/2011) - MINUTES OF THE DELEGATED AUTHORITIES, POLICIES AND POSITION STATEMENTS COMMITTEE MEETING - 22 SEPTEMBER 2011 (CC/P/001) (D GREEN) (ATTACH) .....	6
13.2 <u>(MINUTE NO 4618)</u> (OCM 13/10/2011) - SUPPORT TO WHEATBELT RAILWAY RETENTION ALLIANCE PROPOSAL TO RETAIN TIER 3 RAIL LINES (1054) (S.CAIN) (ATTACH) .....	8
14. PLANNING AND DEVELOPMENT DIVISION ISSUES .....	11
14.1 <u>(MINUTE NO 4619)</u> (OCM 13/10/2011) - PUBLIC TRANSPORT PLAN FOR PERTH 2031 (SM/L/007) (C CATHERWOOD) (ATTACH).....	11

14.2	<u>(MINUTE NO 4620)</u> (OCM 13/10/2011) - RETROSPECTIVE STORAGE YARD - LOCATION: 300 (LOT 14) HENDERSON ROAD MUNSTER - OWNER: BETTABAR PTY LTD - APPLICANT: ALBERT VAN DER BEKEN (4411144) (P HIRST) (ATTACH) .....	18
14.3	<u>(MINUTE NO 4621)</u> (OCM 13/10/2011) - PROPOSED STRUCTURE PLAN - LOCATION: LOTS 1 - 4, 4, 4 - 8, 132, 300 AND 301 HAMILTON ROAD AND LOT 9 ENTRANCE ROAD, SPEARWOOD - OWNER: GEORGE WESTON FOODS LTD - APPLICANT: ROBERTS DAY (SM/M/058) (R COLALILLO) (ATTACH).....	27
14.4	<u>(MINUTE NO 4622)</u> (OCM 13/10/2011) - PROPOSED STRUCTURE PLAN FOR PORTION OF THE PACKHAM NORTH DISTRICT STRUCTURE PLAN AREA - LOCATION: VARIOUS LOTS WITHIN MELL, OCEAN AND HAMILTON ROAD IN SPEARWOOD/COOGEE - OWNER: VARIOUS - APPLICANT: WHELANS / TERRANOVIS (SM/M/055) (M CARBONE) (ATTACH) .....	35
15.	FINANCE AND CORPORATE SERVICES DIVISION ISSUES .....	43
15.1	<u>(MINUTE NO 4623)</u> (OCM 13/10/2011) - LIST OF CREDITORS PAID - AUGUST 2011 (FS/L/001) (N MAURICIO) (ATTACH) .....	43
15.2	<u>(MINUTE NO 4624)</u> (OCM 13/10/2011) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - AUGUST 2011 (FS/S/001) (N MAURICIO) (ATTACH) .....	45
15.3	<u>(MINUTE NO 4625)</u> (OCM 13/10/2011) - 2011/12 BUDGET AMENDMENTS - CARRIED FORWARD WORKS AND PROJECTS & 2010/11 CLOSING FUNDS (FS/B/001) (S DOWNING) (ATTACH) .....	49
16.	ENGINEERING AND WORKS DIVISION ISSUES.....	54
16.1	<u>(MINUTE NO 4626)</u> (OCM 13/10/2011) - INCLUSION OF BANKSIA EUCALYPT WOODLAND RESERVE 48078 (FORMERLY LOT 800 LYON ROAD, AUBIN GROVE) INTO THE JANDAKOT REGIONAL PARK (HS/E/004 / 9328 ) (C BEATON) (ATTACH) .....	54
16.2	<u>(MINUTE NO 4627)</u> (OCM 13/10/2011) - 2004 COOGEE BEACH STRUCTURE PLAN - COCKBURN ROAD PEDESTRIAN CROSSING AT ENTRY POINT INTO PORT COOGEE (451744) (J KIURSKI) (ATTACH).....	57
16.3	<u>(MINUTE NO 4628)</u> (OCM 13/10/2011) - TENDER NO. RFT 13/2011 - LANDSCAPE CONSTRUCTION SERVICES (MINOR LANDSCAPING PROJECTS) (RFT 13/2011) (A LEES) (ATTACH) .....	60
16.4	<u>(MINUTE NO 4629)</u> (OCM 13/10/2011) - TENDER NO. RFT 14/2011 - MAINTENANCE OF IRRIGATION BORES, PUMPS AND ASSOCIATED WORKS (A LEES) (RFT 14/2011) (ATTACH).....	67
17.	COMMUNITY SERVICES DIVISION ISSUES.....	72
17.1	<u>(MINUTE NO 4630)</u> (OCM 13/10/2011) - LEASE - 90 CORDELIA AVENUE, COOLBELLUP - PORTION OF RESERVE 30189 TO MERCYCARE (1105101) (G BOWMAN) (ATTACH) .....	72
17.2	<u>(MINUTE NO 4631)</u> (OCM 13/10/2011) - PROPOSED COCKBURN OUTDOOR MOBILE YOUTH SERVICE (CR/L/010) (M CHAMPION) (ATTACH) .....	75

17.3	<u>(MINUTE NO 4632)</u> (OCM 13/10/2011) - FUNDING OPTIONS FOR A 22 SEATER REPLACEMENT BUS FOR THE COCKBURN SENIOR CITIZEN'S ASSOCIATION (CR/L/008) (G BOWMAN) (ATTACH).....	81
17.4	<u>(MINUTE NO 4633)</u> (OCM 13/10/2011) - MEN'S SHED IN CITY OF COCKBURN (CR/L/001) (G BOWMAN).....	88
18.	EXECUTIVE DIVISION ISSUES .....	91
18.1	<u>(MINUTE NO 4634)</u> (OCM 13/10/2011) - PROPOSED AMENDMENT TO LOCALITY BOUNDARIES FOR THE SUBURBS OF 'COOGEE' AND 'SPEARWOOD' (CC/B/001) (D GREEN) (ATTACH) .....	91
19.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	95
20.	NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING.....	95
21.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY COUNCILLORS OR OFFICERS .....	95
21.1	<u>(MINUTE NO 4635)</u> (OCM 13/10/2011) - NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY COUNCILLORS OR OFFICERS.....	95
22	(OCM 13/10/2011) - MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE .....	97
23.	CONFIDENTIAL BUSINESS.....	97
24	<u>(MINUTE NO 4636)</u> (OCM 13/10/2011) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995).....	97
25	(OCM 13/10/2011) - CLOSURE OF MEETING .....	98



## CITY OF COCKBURN

### MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 13 OCTOBER 2011 AT 7:00 PM

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#### PRESENT:

##### ELECTED MEMBERS

Mr L Howlett	-	Mayor (Presiding Member)
Ms H Attrill	-	Councillor
Mr I Whitfield	-	Councillor
Mrs C Reeve-Fowkes	-	Councillor
Mr T Romano	-	Councillor
Mrs S Limbert	-	Councillor
Mrs V Oliver	-	Councillor
Mr B Houwen	-	Councillor

##### IN ATTENDANCE

Mr D Green	-	Acting Chief Executive Officer
Ms J Zumach	-	Acting Director, Administration & Community Services
Mr S. Downing	-	Director, Finance & Corporate Services
Mr M. Littleton	-	Director, Engineering & Works
Mr D. Arndt	-	Director, Planning & Development
Ms S Seymour-Eyles	-	Manager, Corporate Communications
Mr J Snobar	-	Media Liaison
Ms M Waerea	-	Executive Assistant

#### 1. DECLARATION OF MEETING

The Presiding Member declared the meeting open at 7.02 pm.

Mayor Howlett made the following announcements:

##### **2011 Telstra Business Women of the Year Western Australian Finalist - Clr Lee-Anne Smith**

I am pleased to advise that Clr Lee-Anne Smith was a top five finalist in the 2011 Telstra Business Women of the Year in the Community & Government Sector Category. Clr Lee-Anne Smith, Founding Member of the HALO



Leadership Development Agency Inc. for Aboriginal Youth, was nominated for her outstanding contributions to ensuring creative pathways for Aboriginal Youth to take up leadership and mentoring roles in the community.

Congratulations go to Clr Lee-Anne Smith for her outstanding achievement and further recognition of the wider community work that she does.

Western Australia's Chief Nurse and Midwifery Officer Catherine Stoddart become the 2011 Telstra Western Australia Business Woman of the Year and will be participating in the national finals in November.

### **Clr Ian Whitfield – Retiring Councillor**

Tonight, Clr Ian Whitfield is attending his last Council meeting having announced his intention not to run for Council at the current Local Government elections.

Clr Whitfield, on behalf of Elected Members and staff of the City of Cockburn I thank you for the significant contribution you have made to Cockburn and the South West Metropolitan Region since your initial election in December 2000.

Clr Whitfield has certainly done that and more.

Clr Whitfield, I join with the Councillors, staff and community in wishing you well as you go about life outside of your Council responsibilities and know that your contribution to our community will continue unabated.

### **Clrs Carol Reeve Fowkes, Sue Limbert and Helen Attrill**

I take this opportunity to also acknowledge and thank Clrs Carol Reeve Fowkes, Sue Limbert and Helen Attrill who have nominated for re-election and wish them well on Election Night, Saturday 15 October from 6.00pm in this building.

### **Awards**

On Friday 16 September 2011, I attended the State Training Awards to see the City of Cockburn win the 'Employer of the Year' award category.

The City of Cockburn has also been named a finalist in the Western Australian Environment Awards for its 'Sustainability and Climate Change Program' in the Government Leading by Example category.

The City has focussed on leadership and commitment to develop excellence in key areas of sustainability, climate change and conservation over the past decade.



This follows the City's national award in sustainability and climate change in Canberra.

Again, congratulations go to staff across the City and the many volunteers who put their hand up to work alongside staff members with a common goal.

Thank you.

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

Nil.

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

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

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

Nil.

**5 (OCM 13/10/2011) - APOLOGIES AND LEAVE OF ABSENCE**

Deputy Mayor Kevin Allen	-	Apology
Clr Lee-Anne Smith	-	Apology

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

Nil



**7 (OCM 13/10/2011) - PUBLIC QUESTION TIME**

ITEMS IN WRITING, ON THE AGENDA

**Mr Leon Lombardo, LKL Contracting**

*Item 16.3 – Tender No. RFT 13/2011 – Landscape Construction Services (Minor Landscaping Projects)*

Mr Lombardo was not present at the meeting and therefore his written question will be responded to in writing.

ITEMS IN WRITING, NOT ON THE AGENDA

**Mr Paul Lock, Coolbellup**

*Dead Tree Removal, Hargreaves Park Coolbellup*

Mr Lock was not present at the meeting and therefore his written question will be responded to in writing.

**8. CONFIRMATION OF MINUTES**

**8.1 (MINUTE NO 4615) (OCM 13/10/2011) - ORDINARY COUNCIL MEETING - 08/09/2011**

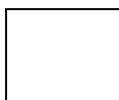
**RECOMMENDATION**

That Council adopt the Minutes of the Ordinary Council Meeting held on Thursday, 8 September 2011, as a true and accurate record.

**COUNCIL DECISION**

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

**CARRIED 8/0**





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

Nil.

**10 (OCM 13/10/2011) - DEPUTATIONS AND PETITIONS**

AT THIS POINT IN THE MEETING, THE TIME BEING 7:10 P.M. THE FOLLOWING DEPUTATION WAS PRESENTED TO COUNCIL.

Terranovis Pty Ltd – represented by Carolyn Nurse, in relation to Items 14.4 and 18.1.

**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 4616) (OCM 13/10/2011) - MINUTES OF THE DELEGATED AUTHORITIES, POLICIES AND POSITION STATEMENTS COMMITTEE MEETING - 22 SEPTEMBER 2011 (CC/P/001) (D GREEN) (ATTACH)**

**RECOMMENDATION**

That Council receive the Minutes of the Delegated Authorities, Policies and Position Statements Committee Meeting held on 22 September 2011, as attached to the Agenda and adopts the recommendations contained therein.

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

**COUNCIL DECISION**

MOVED Cllr S Limbert SECONDED Cllr I Whitfield that the recommendation be adopted.

**MOTION LOST DUE TO LACK OF AN ABSOLUTE MAJORITY OF COUNCIL 4/4**



**(MINUTE NO 4617) (OCM 13/10/2011) - MINUTES OF THE DELEGATED AUTHORITIES, POLICIES AND POSITION STATEMENTS COMMITTEE MEETING - 22 SEPTEMBER 2011 (CC/P/001) (D GREEN) (ATTACH)**

**COUNCIL DECISION**

MOVED Cllr C Reeve-Fowkes SECONDED Cllr V Oliver that Council:

- (1) receive the Minutes of the Delegated Authorities, Policies and Position Statements Committee Meeting held on 22 September 2011, as attached to the Agenda and adopts the recommendations contained therein; and
- (2) ensure all future copies of the Delegated Authorities, Policies and Position Statements that are to be approved at Ordinary Council Meetings are included with the Minutes and subsequently attached to the Ordinary Council Meeting Agenda.

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 6/2**

**Reason for Decision**

The City has a duty to the community to make sure that we are open and transparent. We will have new Councillors coming on board shortly and Council needs to ensure that the Delegated Authorities, Policies and Position Statements that are being decided upon, are clearly put into the Ordinary Council Meeting Agendas, in addition to the DAPPs Committee Agendas. It is important to make sure we have them in both papers so that Councillors can have a thorough handle on the Policies for which it is responsible. It is also important the community can see how it is that we have arrived at our decisions.

**Background**

The Delegated Authorities, Policies and Position Statements Committee conducted a meeting on 22 September 2011. The Minutes of the meeting are required to be presented to Council and its recommendations considered by Council.

**Submission**

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



## **Report**

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

## **Strategic Plan/Policy Implications**

### **Governance Excellence**

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

## **Budget/Financial Implications**

As contained in the Minutes.

## **Legal Implications**

Section 5.42 of the Local Government Act requires an absolute majority for delegations of powers to the Chief Executive Officer or his appointees.

## **Community Consultation**

As contained in the Minutes.

## **Attachment(s)**

Minutes of the Delegated Authorities, Policies and Position Statements Committee Meeting – 22 September 2011.

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

N/A

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

Nil.



**13.2 (MINUTE NO 4618) (OCM 13/10/2011) - SUPPORT TO WHEATBELT RAILWAY RETENTION ALLIANCE PROPOSAL TO RETAIN TIER 3 RAIL LINES (1054) (S.CAIN) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) support the Wheatbelt Rail Retention Alliances proposed retention of Tier 3 rail lines; and
- (2) lobbies the State Government and the City's local State Members of Parliament to seek the Government reallocate funding for road upgrades into an upgrade of the Tier 3 rail lines.

**COUNCIL DECISION**

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

**CARRIED 8/0**

**Background**

In 2009 the State Government accepted the recommendation of its Strategic Grain Network Committee to close 736km of railway lines (now known as "Tier 3" lines) servicing the Wheatbelt. It has been estimated that for the Tier 3 lines to remain in operation they require a capital investment of \$93.5 million.

Since this announcement an alliance of 18 Local Government Authorities and five zones of the WA Farmers Federation have formed the 'Wheatbelt Railway Retention Alliance' (WRRRA). The alliance seeks the State Government to reconsider its decision.

As the State's major wheat export facility is located in Kwinana, there is potential for flow on impacts of the proposed rail closures to redirect movement of grain by road into that facility. As traffic congestion is already a significant issue for the City of Cockburn, any further shift of grain cartage from rail to road would have a direct impact on the City.



## Submission

The City has received correspondence from Mr Ken Travers MLC, Shadow Minister for Transport (attached), seeking the City's support to have the State Government reconsider this matter.

## Report

The State Government is proposing to spend \$105 million upgrading roads in the Wheatbelt to carry grain that is currently moved on the Tier 3 rail lines. The attached letter from Mr Travers depicts the proposed rail closures and road upgrade projects.

However, many of the Region's main roads have been omitted from the upgrade plan. In these places the Local Government will have to fund the road investment themselves. This not only puts pressure on the budgets of these Authorities, but will have a number of other consequences for Local Governments in the Region and Perth Metropolitan Area.

Brookton Strategy. The genesis of the proposed closure of Tier 3 rail lines comes from the State Government's "Brookton Strategy". This strategy reviewed the entire rail network and made recommendations with regard the removal of lines that were deemed inefficient. In their place, the strategy recommended the local road networks be upgraded, along with grain storage facilities.

The State is proposing that growers pay to upgrade the rail loading facility at Brookton to encourage trucks to stop there and transfer their load to rail. However, there is no guarantee this will happen. Having already carted their load as much as half the way to port by truck, farmers would then have to pay to transfer the load to rail.

Furthermore the railway line from Brookton to Perth is twice the distance of the Brookton Highway. For many farmers it would become quicker and cheaper to truck their grain all the way to Kwinana.

There are 38 wheat bins on the Tier 3 lines that handle over 1.4 million tonnes of grain (average over last five years) and over 2.1 million tonnes in the peak year of 2003/04. With the closure of these rail lines this equates to an extra 57,166 and 85,362 truck movements respectively. An unknown proportion of these extra truck movements would also be pushed on to metropolitan roads.

The Strategic Grain Network Committee report failed to take into account important costs associated with transferring grain to road, including: the life of capital invested in rail relative to road, the cost to local government of roads that will not be upgraded by the state, loss of



amenity and road trauma, the extra traffic burden on metropolitan roads, pollution and greenhouse gas emissions. While capital spent on rail lasts for 35-40 years, a similar investment in roads lasts for considerably less.

CBH and its contracted railway operator WATCO want the lines to remain open and are planning to invest \$175 million in new train sets that are more efficient than the current ones. They estimate that if allowed to operate these would be cheaper than road transport (saving farmers approximately \$6/tonne).

Local Impact. The majority of the extra truck traffic would be destined for the Kwinana bulk terminal, directly affecting the residents of Armadale, Cockburn and Kwinana. However, it would also add to congestion pressures on the whole Southern Metropolitan region and further skew investment into roads and away from rail freight infrastructure to the detriment of the amenity of the residents of Fremantle.

With the City already experiencing increased congestion along the Kwinana Freeway, Roe Highway and Rockingham Road, this unwanted additional traffic into Kwinana would make this situation worse. Future development of the Latitude 32 precinct and the associated Outer Harbour will significantly increase heavy vehicle movement in the Region. The initiative of the WRRRA to have Tier 3 rail lines retained should see grain movement retained on rail in its area of production.

In its bid to have the State reconsider its decision, the WRRRA is supported by the RAC, Curtin-Monash Accident Research Centre, Roadside Conservation Committee and Professor Peter Newman. The WRRRA has established a Trust Fund, managed by the Shire of Narembeen on behalf of the alliance, to support its lobbying activities. A summary of the recent activities of the WRRRA is attached.

At its Ordinary Council Meeting of 28 September 2011, the City of Fremantle agreed to support WRRRA's position. They have also asked WALGA to bring a report to the State Council through the next Southern Metropolitan Zone meeting.

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

#### **Governance Excellence**

- 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**

N/A

**Community Consultation**

N/A

**Attachment(s)**

1. Letter from Mr Ken Travers, MLC, dated 20 September 2011
2. WRRRA activity summary

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

N/A

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

Nil.

**14. PLANNING AND DEVELOPMENT DIVISION ISSUES**

**14.1 (MINUTE NO 4619) (OCM 13/10/2011) - PUBLIC TRANSPORT PLAN FOR PERTH 2031 (SM/L/007) (C CATHERWOOD) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) adopts the 'Southwest Metro Rapid Transit Network Study – Recommendations Report' and the Schedule of Comments; and
- (2) refer the 'Southwest Metro Rapid Transit Network Study – Recommendations Report', the Schedule of Comments and a copy of the officer's report to the Department of Transport for their consideration.

**COUNCIL DECISION**

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

**CARRIED 8/0**



## **Background**

The Department of Transport has released for public comment the Draft Public Transport Plan for Perth 2031.

The Draft Public Transport Plan is intended to play a vital role in addressing congestion and accessibility issues as Perth grows to an expected population of 2.5 million by 2031. The Draft Public Transport Plan would also be used to focus major investments in public transport by the State Government over the coming 20 year period.

The Draft Public Transport Plan purports to identify the main public transport infrastructure needs and the links required between major activity centres. The Department of Planning's Directions 2031 outlines the strategic land use planning for the Perth and Peel regions, and has been used to establish travel patterns across the City which have formed the focus of the Draft Public Transport Plan.

Key initiatives include the introduction of light rail, the development of rapid transit corridors, expansion of the rail network and more buses and trains.

In terms of the rapid transit network, the City has been working closely with the Cities of Fremantle and Melville and Landcorp to prepare a detailed study of the network in order to provide the basis of a joint submission on the Draft Public Transport Plan. This study has been undertaken as a key initiative to illustrate both the feasibility and need for greater transit investment under the Draft Public Transport Plan for the Cities of Cockburn, Fremantle and Melville.

This study is to also be supplemented by a Schedule of Comments which addresses broader aspects of the Draft Public Transport Plan.

The comment period for the Draft Public Transport Plan closes on 14 October 2011. Comments on the Draft Public Transport Plan are the subject of this report.

## **Submission**

N/A

## **Report**

### Southwest Metro Rapid Transit Network Study

As noted in the background section of this report, the City has been working closely with the Cities of Fremantle and Melville as well as Landcorp to prepare a detailed study of a network between these related local government areas. These localities collectively represent





the most urbanised cell of the South West Corridor, and are at the forefront of major existing and planned investment in the region. With a focus upon major projects such as Cockburn Coast, Murdoch Activity Centre, Fiona Stanley Hospital and the Canning Bridge Precinct, it is clear that the Cities of Cockburn, Fremantle and Melville will deliver a key component of new growth for the broader Perth City over the coming 20 year period.

This realisation has led to the development of the study titled the 'Southwest Metro Rapid Transit Network Study – Recommendations Report'. This seeks to present a case for coordinated bus and/or light rail rapid transit investment in the Cities of Cockburn, Fremantle and Melville, as the key infrastructure needing to support the existing and planned growth taking place.

A number of transport links have been investigated and assessed. This is to ensure the recommended network is robust and has the highest potential for implementation based upon the criteria used by the State Government in its Draft Public Transport Strategy.

The joint study between the Cities and Landcorp recommends a rapid transit network for the area (see Attachment 5). Major links shown are:

Corridor 1: Fremantle to Canning Bridge (via Melville Plaza).

Corridor 3: Fremantle to Murdoch (via Kardinya Park Shopping Centre).

Corridor 6: Cockburn Coast to Cockburn Central (via Phoenix Shopping Centre).

Corridor 8: Murdoch to Canning Bridge via Booragoon and Riseley Street Shopping Precinct.

Corridor 9: Cockburn Coast to Murdoch (via Phoenix and Kardinya Park Shopping Centres).

Corridor 12: Fremantle to Cockburn Coast.

All of these links are reflected in the Draft Public Transport Plan's Ultimate Network Layout (see Attachment 2) with the exception of Corridor 9 which would see Cockburn Coast linked with Phoenix Shopping Centre, Kardinya Park Shopping Centre, through to Murdoch. This joint study provides a basis to demonstrate why the corridors above should form part of the regional network for the South West Corridor.

Importantly, the study underpins the City's position on responding to the Draft Public Transport Strategy, through providing evidence of the clear feasibility and need for significant early investment in coordinated bus and/or light rail rapid transit. While it would be expected that most local governments across Perth would be seeking to elevate their own needs (perceived or real) in respect of greater public transport



investment, what the study does is add research rigor to the City's response for greater public transit investment in the region. This is a critical importance to the City's response on the Draft Public Transport Plan. It is understood that the participating local governments of Fremantle and Melville will be endorsing the study on the similar basis as a key response to the Draft Public Transport Plan.

#### Other comments on Draft Public Transport Plan

The major issues covered by the Schedule of Comments (refer to Attachment 1) can be broadly categorised as follows:

1. Incorrect representation of current network.
2. Lack of servicing for the City of Cockburn by proposed network.
3. Timing of proposed network.
4. Lack of certainty over rail station location south of Cockburn Central.

These are significant local issues for the City, and form the basis of the City's submission on other aspects of the Draft Public Transport Plan. These issues are elaborated below:

#### Incorrect representation of current network

Statements are included within the plan that purport the Cockburn Central station/interchange is accessible for the surrounding urban area. There seems to be no recognition of the functional problems this station has due to the lack of delivery of other stations along the Perth-Mandurah rail line.

The lack of additional station on the Perth to Mandurah railway is a significant opportunity cost, especially given the magnitude of this tax payer funded investment in public transport.

#### Lack of servicing for the City of Cockburn by proposed network

There is a distinct gap in proposed services in the area west of the freeway, south of the river down to Rockingham, an area which not only encompasses the City of Cockburn, but also several adjacent municipalities (refer to Attachment 2).

The bus rapid transit services indicated on the plans provide for two east-west links from the Fremantle-Cockburn Coast segment. One is across to Cockburn Central interchange, the other to Murdoch interchange. It is noted the plans include the following annotation:

“only new train stations and stations linking with the proposed rapid transit network are shown”.



However, it is important to note there are a number of centres which should be serviced by these routes. The City has produced a joint study with the Cities of Melville, Fremantle and Landcorp to demonstrate a rationale rapid transit network, including centres, for the southwest metropolitan region.

#### Timing of proposed network

There are many references to timeframes throughout the document text using the terms: short, medium and long term. There is no definition around the Department's perception of what these timeframes translate to in years.

Maps included refer to 2020 and 2031 which provides some degree of what is meant by these terms. However, the only project to be included as a Stage One (see Attachment 3) project is the Fremantle to Cockburn Coast bus rapid transit (indicated as 'before 2020').

The other projects shown as Stage 2 (see Attachment 4) projects are:

1. Continuation of bus rapid transit from Cockburn Coast to Rockingham.
2. East-west link from Cockburn Coast to Cockburn Central of bus rapid transit.
3. Parallel east-west link from Fremantle/Cockburn Coast rapid bus transit line across to Murdoch.
4. Additional train station at Success/Mandogalup.

These projects are shown as after 2020 but before 2031. This is simply too far in the future given the need for these projects range from immediate to the next five years. The City of Cockburn has on numerous occasions raised the importance of these projects. It is profoundly disappointing to have these projects dismissed for another decade or more.

#### Lack of certainty over rail station location south of Cockburn Central

An additional train station at Success/Mandogalup has been shown on various plans contained within the document. From this arises a level of uncertainty around the station's location which is not acceptable. Local Governments have an obligation to plan strategically for their area. For the past decade, the City has been planning for stations at both locations, and this was considered to be in line with previous planning for the Perth-Mandurah rail line. Success in particular has advanced to development on ground predicated on a station being provided at this location. Developments north of Rowley Road, closer to the Mandogalup station, have been slower to unfold as Cockburn's



urban front moves south. However, these have also been undertaken with the understanding a station would be provided.

The City does not take such proposals lightly. In its strategic planning, where a station is indicated; this impacts on what the City plans for, not only residential densities, but location and intensity of commercial centres, location of community facilities and recreational and educational opportunities. The City requires a level of certainty with station proposals to continue to move forward in planning for its community.

If only one station is to be provided prior to 2031, then the City requires greater certainty around its location. The City strongly believes both stations should be provided as per previous planning for this rail line, however, priority in delivery of a station should be given to Success as it has less land use planning constraints than Mandogalup. There is also a unique opportunity to develop Major Park and ride facilities associated with such a station, given the existence of land beneath high voltage power line infrastructure.

This point particularly needs significant elaboration by the City in its submission.

Western Australian Local Government Association and South West Group

The City's submission will naturally focus on the issues and concerns which are pertinent to the locality. However these are considered to be consistent with the matters raised by the Western Australian Local Government Association ("WALGA") and the South West Group ("SWG") in their proposed submissions on the Draft Public Transport Plan. Their concerns are primarily related to the broader regional network however they have also outlined the need for specific local matters to be addressed. These have largely been considered as part of the City's proposed submission. The submissions by the City, WALGA and SWG are therefore not overly independent or isolated as each provides recommendations on how matters of infrastructure and implementation can be better managed from the regional level through to the local level.

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

#### **Demographic Planning**

- To ensure the planning of the City is based on an approach that has the potential to achieve high levels of convenience and prosperity for its citizens.



**Lifestyle and Aspiration Achievement**

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

**Transport Optimisation**

- To achieve provision of an effective public transport system that provides maximum amenity, connectivity and integration for the community.

**Budget/Financial Implications**

N/A

**Legal Implications**

N/A

**Community Consultation**

The Department of Transport is currently seeking comment on their draft Public Transport Plan for Perth 2031.

**Attachment(s)**

- 1 Schedule of Comments
- 2 Ultimate Network Plan
- 3 Proposed Stage 1 Projects for Rapid Transit Infrastructure
- 4 Proposed Stage 2 Projects for Rapid Transit Infrastructure
5. Southwest Metro Rapid Transit Network Study – Recommendations Report

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

N/A

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

Nil.



**14.2 (MINUTE NO 4620) (OCM 13/10/2011) - RETROSPECTIVE STORAGE YARD - LOCATION: 300 (LOT 14) HENDERSON ROAD MUNSTER - OWNER: BETTABAR PTY LTD - APPLICANT: ALBERT VAN DER BEKEN (4411144) (P HIRST) (ATTACH)**

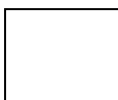
**RECOMMENDATION**

That Council: :

- (1) grant approval to a storage yard in accordance with the attached plans and subject to the following conditions and footnotes:

**CONDITIONS**

1. Goods, equipment, plant and materials stored at the premises shall at all times be consistent with the objectives of the rural zone, the rural character and amenity of the locality and directly related to rural activities and uses to the satisfaction of the City of Cockburn. General storage and storage for construction and/or industrial purposes is not permitted.
2. Commercial vehicle access to the storage yard shall be limited to between 7.00am to 7.00pm Monday to Friday, 8.00 a.m. to 6.00 p.m. Saturday and not at all on Sunday or Public Holidays.
3. Vehicle movements associated with the storage yard use of the premises generally shall not exceed 4 movements per day.
4. Access to the site by commercial vehicles is restricted to Class 1 through 4 vehicles (inclusive) of the Austroads "Vehicle Classification System - Asset and Network Information - January 2002 DWG No: 0293-009", unless the written consent is first obtained from the City of Cockburn; such consent must be requested in writing a minimum of 7 days prior to such access.
5. All vehicle movements related to the storage yard use of the premises shall be via the existing crossover and driveway nearest the southern lot boundary. Commercial vehicles are not permitted to access or egress the site via the northern crossover and driveway unless written consent is first obtained from the City of Cockburn. Consent must be requested and obtained in writing a minimum of 7 days prior to such access.
6. Prior to commencement of the use of the property as a



storage yard, a Traffic Impact Statement must be prepared by a suitably qualified traffic consultant, submitted to the City and approved by the City of Cockburn. The Traffic Impact Statement shall be adhered to at all times. The Traffic Impact Statement shall address site access, manoeuvring, traffic volumes, vehicle types and suitable arrangements to address traffic safety issues associated with vehicle access via the northern crossover when permitted in accordance with Conditions 5 and 6.

7. All trafficable areas of the land shall be maintained to the satisfaction of the City of Cockburn.
8. No signage shall be erected on the property or road reserve advertising the presence of the storage yard use.
9. Clearing of land is limited to the storage yard area marked in red on the approved plans.
10. All structures, goods, equipment and materials located and stored on the premises must be setback a minimum of 10 metres from lot boundaries, and within the designated area marked in red on the approved plans.
11. No employees associated with the storage yard use shall be based or accommodated at the premises.

#### FOOTNOTES

1. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, with any requirements of the City of Cockburn Town Planning Scheme No. 3, or the requirements of any other external agency.
  2. This planning approval is for the use of part of the property for purposes of 'storage' only, defined in the City of Cockburn Town Planning Scheme No. 3 as "a premises used for the storage of goods, equipment, plant or materials"; and shall not be used for the purposes of warehousing, defined as "the premises used to store or display goods and may include sale by wholesale", t the storage of goods or materials to be sold by others is not permitted.
- (2) advise those who objected to the original proposal for a storage yard of Council's decision accordingly;



- (3) advise the applicant of Council's decision accordingly; and
- (4) advise the State Administrative Tribunal of Council's decision accordingly.

**COUNCIL DECISION**

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

**CARRIED 8/0**

**Background**

This item arises from an order by the State Administrative Tribunal to reconsider the Council's refusal to grant development approval for a Storage Yard at 300 Henderson Road Munster. This report is provided without prejudice for Council to consider the proposal subject to a specific range of conditions that address the concerns of Council and the objectors. The proposed conditions arise from the SAT Mediation process.

In late 2010 a builder's storage yard was found to be operating from No. 300 (Lot 14) Henderson Road, Munster without planning approval. The owner of the land was found to be leasing an area of approximately 2,300m<sup>2</sup> (which included a 400m<sup>2</sup> outbuilding formerly used in association with a poultry farm) at the rear of his rural residence to a commercial building company for the purpose of storing building materials and construction industry related equipment (bricks, cement mixers, scaffolding etc).

An application for retrospective planning approval of the storage yard was submitted to the City for determination. The application was advertised to adjoining and nearby property owners in accordance with the requirements of the City of Cockburn Town Planning Scheme No. 3. Due to a number of objections to the proposal that were unable to be resolved through conditions or negotiations the application was referred to Council for determination. Council resolved to refuse the application at the 14 April 2011 Council Meeting for the following reasons:

1. The use is considered contrary to the objectives of the City's Town Planning Scheme No.3 for the use and development of land within a Rural Zone.





2. The use/development of the land are considered incompatible with the rural setting within which the subject land is located.
3. The use/development of the land is considered contrary to the amenity of the location) by virtue of impacts including noise and the visual appearance of the site.
4. The use/development of the land is considered inappropriate due to the impact of traffic movements to and from the site and in appropriate access arrangements.
5. The use/development of the land would be contrary to the orderly and proper planning of the locality if approved.

The applicant was directed to remove the storage yard from the land accordingly.

Appeal Of Council’s Refusal

On 25 May 2011, the applicant lodged an appeal to Council’s decision with the State Administrative Tribunal. As part of this process, representatives of the City entered mediation with the applicant in an attempt to resolve the matter.

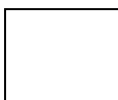
During the mediation process it was found that the former tenant of the storage yard (to which the original application was tailored) had since vacated the property. The stored materials have now been substantially removed from the site as directed by Council. However the owner of the land continues to request approval to undertake activities that generate some form of income from the disused outbuilding and idle land at the rear of his lot.

As the offending use has now been discontinued there is significant scope to consider the application provided suitable constraints are placed on the operations via Conditions of approval. These conditions also address the concerns of both adjoining property owners and Council raised against the original application. The City’s concerns and the potential solutions discussed and identified during mediation are indicated in **Table 1:**

<b>ISSUE/ CONCERN</b>	<b>MEDIATED OUTCOME</b>
Proposal being contrary to the objectives of the Rural zone.	A condition of approval (proposed Condition No. 1) that restricts the nature of goods, equipment, plant and materials stored on the premises to those directly related to rural activities and uses will ensure that the use of the land is consistent with the Rural zone. General storage and the storage of construction and/or industrial purposes are not permitted under the condition.



<p>Increased traffic</p>	<p>Proposed Condition No. 3 of approval restricts the number of vehicle movements associated with the storage yard to (generally) 4 per day. This is consistent with the number of vehicle movements generated by two commercial vehicles being parked on the property and used on a daily basis (which is permitted in the Rural zone without any approval from the local government in accordance with Clause 5.10.8 of TPS3).</p>
<p>Visual amenity</p>	<p>The visual impact of the storage of industrial/ construction equipment formerly stored on the property is not acceptable within this rural setting, and will not be permitted in accordance with proposed Condition No 1. The visual impact of the storage of goods, equipment, plant and materials directly related to rural activities and uses (as per Condition No. 1) is consistent with rural setting and the objectives of the rural zone.</p>
<p>Noise</p>	<p>Noise was identified as an issue by nearby residents, particularly with regards loading and unloading of building equipment such as scaffolding in the early morning. A condition of approval (proposed Condition No. 2) limiting commercial vehicle access to reasonable hours will address these noise concerns to some degree. Since there is no proposed tenant at the present time, the level of noise likely to be generated from the premises outside of the restricted hours cannot be predicted. Due to the nature of stored goods being directly related to rural activities, noise within the agreed operating hours is considered acceptable in the rural context.</p>
<p>Traffic safety/ management/ access arrangements associated with Henderson Road</p>	<p>The northern crossover was formerly being utilised to access the storage yard. This arrangement raised concerns from both nearby residents and the City's Engineering Services regarding disruption of traffic flows along Henderson Road as a result of trucks being parked on the road and verge while drivers lock/ unlock gates to the site.</p> <p>The southern crossover presents a safer alternative access arrangement for the proposed storage yard due to the topography of the land and the presence of electronic</p>



	<p>access gates at this access point, however the narrow driveway serving this crossover is not suitable for larger vehicles.</p> <p>Proposed Condition No. 5 will restrict vehicular access to the southern crossover - which is generally accepted by the applicant. It is acknowledged that at times, larger vehicles may be required to access the property and despite this being a rare occurrence, in such circumstances the applicant may utilise the northern crossover with the prior written approval from the City of Cockburn in accordance with Condition No. 5. Such approval will be subject to compliance with a Traffic Impact Statement (required to be submitted and approved prior to the commencement of use in accordance with Condition No. 6).</p>
Consistency with surrounding area/ precedence	<p>The land is zoned Rural, through a condition of approval (Condition No. 1) that restricts the nature of goods, equipment, plant and materials stored on the premises to those directly related to rural activities and uses, the proposed storage yard is considered to be appropriate within this setting and consistent with the objectives of the Rural zone.</p>

*Table 1: Issues, concerns and potential solutions discussed throughout mediation.*

### **Submission**

The applicant seeks Council approval to utilise an area of 2,300 m<sup>2</sup> at the rear of the existing residence which includes a 400m<sup>2</sup> former Poultry Shed for the purposes of the storage of goods equipment, plant and material directly related to rural activities subject to the Conditions outlined above.

### **Report**

The land is zoned 'Rural' under both the Metropolitan Region Scheme and the City's Town Planning Scheme. The Rural zoning of the land in part relates to the following:

- The land is situated within the Kwinana Air Quality Buffer and subject to the Environmental Protection (Atmospheric Wastes Kwinana) Policy 1992.



- The land is approximately 200 metres from the Hope Valley Wattleup Redevelopment Area.
- Proximity to Thompsons Lake (approximately 700 metres).

Metropolitan Region Scheme (MRS)

The lot is zoned 'Rural' under the MRS. The purpose of this zone is:

*“land in which a range of agricultural, extractive and conservation uses are undertaken”.*

Town Planning Scheme No. 3

The land is zoned 'Rural' under TPS 3. The objective of the 'Rural' zone, as stated in TPS 3 is to:

*“provide for a range of rural pursuits which are compatible with the capability of the land and retain the rural character and amenity of the locality”.*

A storage yard is an 'A' use in this zone, whereby an application may be approved subject to being advertised to adjoining landowners who may be impacted by the use or development. The original application for the storage of construction and building materials (refused by Council) was advertised to the owners/occupiers of 9 nearby properties in accordance with Clause 9.4 of TPS 3. The revised (mediated) proposal has not been readvertised, however concerns of nearby property owners that arose during the initial advertising process been addressed (see Table 1).

Latitude 32 Master Plan

The development is located approximately 200 metres east of the Hope Valley Wattleup Redevelopment Area.

Objections to the original advertised application were submitted by the owners of 5 nearby properties (objections were also received from 2 land owners considered too far removed from the development to be directly impacted). Submissions stating no objection to the development were received by owners of 3 nearby properties.

**Conclusion**

The proposed conditions set out a range of controls over the use of the subject portion of the land for storage. It is considered that the impact of these controls will be to restrict the use of the portion of the site in a manner that is consistent with the objectives of the Rural zone. Subject to the proposed conditions the proposed use will allow the applicant to provide a safe and secure storage site that supports rural activities and uses.



It is important that Council consider the objectives of the Rural zone when considering this application and what is in fact an acceptable form of development on this land. The mediated outcome is considered to be consistent with the objectives of the Rural zone and provides constraints on the use of the land to protect the amenity of the neighbouring properties.

The recommended set of conditions also addresses the concerns raised by Officers and objectors in relation to traffic, noise and impact on the rural character of the area.

Residents living on rural properties should not be subject to what are essentially industrial uses within close proximity to their homes. It is anticipated that the proposed set of conditions will provide the necessary controls for a storage use to be undertaken that accords with the objectives of the zone and limits the impact on the amenity of the surrounding area to an acceptable level.

In accordance with Clause 10.2.1 of the TPS3, Council is required to consider the following matters when considering this application:

- the aims and provisions of the Scheme and the Metropolitan Region Scheme;
- the requirements of orderly and proper planning;
- any approved statement of Planning Policy;
- the compatibility of a use or development within its settings
- the preservation of the amenity of the locality;
- the relationship of the proposal to the development on adjoining land or on other land in the locality;
- means of access and egress;
- the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable affect on traffic flow and safety;
- the potential loss of any community service or benefit resulting from planning approval; and
- submissions received on the application.

Should Council reaffirm its original decision to refuse the application, the matter will return to the SAT and it is likely that the matter will proceed to a hearing. In that event the original application will be assessed by the SAT on its merits and may be refused, approved in its original form or be approved with limitations by way of conditions similar to those currently being considered.



## **Strategic Plan/Policy Implications**

### **Demographic Planning**

- To ensure the planning of the City is based on an approach that has the potential to achieve high levels of convenience and prosperity for its citizens.

### **Infrastructure Development**

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

### **Employment and Economic Development**

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

## **Budget/Financial Implications**

N/A

## **Legal Implications**

N/A

## **Community Consultation**

N/A

## **Attachment(s)**

1. Property Photographs
2. Austroads "Vehicle Classification System - Asset and Network Information - January 2002 DWG No: 0293-009

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

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 13 October 2011 Council Meeting.

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

Nil.



**14.3 (MINUTE NO 4621) (OCM 13/10/2011) - PROPOSED STRUCTURE PLAN - LOCATION: LOTS 1 - 4, 4, 4 - 8, 132, 300 AND 301 HAMILTON ROAD AND LOT 9 ENTRANCE ROAD, SPEARWOOD - OWNER: GEORGE WESTON FOODS LTD - APPLICANT: ROBERTS DAY (SM/M/058) (R COLALILLO) (ATTACH)**

**RECOMMENDATION**

That Council :

- (1) pursuant to Clause 6.2.9.1 of the Scheme, adopt the Structure Plan for Lots 1–4, 4, 4–8, 132, 300 and 301 Hamilton Road and Lot 9 Entrance Road, Spearwood (as shown in Attachment 3) subject to the following modifications:
  1. The Packham North District/Local Water Management Strategy being approved by the Department of Water.
  2. A new notation being added to the Structure Plan which states as follows:  
*'The development of habitable buildings is not permitted within locations which are deemed to be above the noise limits prescribed by Table 1 of the Western Australian Planning Commission's State Planning Policy No. 5.4 (Road And Rail Transport Noise and Freight Considerations in Land Use Planning).'*
- (2) subject to compliance with (1) above, in pursuance of Clause 6.2.10.1 of the Scheme, the proposed Structure Plan be sent to the Western Australian Planning Commission for endorsement;
- (3) endorse the Schedule of Submissions prepared in respect of the Structure Plan; and
- (4) advise the proponent and those persons who made a submission of Council's decision.
- (5) advise the proponent that Developer Contribution Area 13 - Community Infrastructure is now operational under the City of Cockburn's Town Planning Scheme No. 3. Landowners subdividing to create residential allotments and/or developing grouped/multiple dwellings will therefore be required to make contributions in accordance with the developer contribution plan requirements.
- (6) advise the proponent that Council is currently in the final processes of an amendment to City of Cockburn Town Planning Scheme No. 3, which seeks to introduce new developer



contribution arrangements for Development Contribution Area 12 – Packham North. Landowners subdividing to create residential allotments will be required to make contributions in accordance with the new developer contribution arrangements once the Scheme Amendment becomes operational. This is expected late 2011.

### **COUNCIL DECISION**

MOVED Cllr S Limbert SECONDED Cllr C Reeve-Fowkes that Council adopt the recommendation subject to the following amendment to sub-recommendation (1):

(1) *the addition of a new Modification 3:*

3. The existing Norfolk Pine Trees notation being modified to read as follows:

"Norfolk Pine Trees to be retained by location within the road reserve and ensuring that the configuration of lots enables the trees to be practicably retained".

**CARRIED 8/0**

### **Reason for Decision**

It is recommended that an existing notification on the Proposed Structure Plan be modified to better address the need to protect three existing Norfolk Pine Trees which exist within the project area.

### **Background**

The subject area is approximately 28 hectares generally bound by a freight rail line to the north, Beeliar Regional Park to the west, Ocean Road to the south and Mell Road to the east.

The subject area is zoned 'Urban' under the Metropolitan Region Scheme ("MRS") and 'Development' under City of Cockburn Town Planning Scheme No. 3 ("Scheme"). The subject land is also located within 'Development Area 31' ("DA31").





Pursuant to Clause 6.2.4 and Schedule 11 of the Scheme, a Structure Plan is required to be prepared and adopted prior to any subdivision and development of land within a development area.

In accordance with the above, a Structure Plan has been submitted to the City by Roberts Day on behalf of the landowner, George Weston Foods Ltd to guide future residential subdivision for Lots 1 - 4, 4, 4 - 8, 132, 300 and 301 Hamilton Road and Lot 9 Entrance Road, Spearwood.

### **Submission**

NA

### **Report**

#### Packham North District Structure Plan

The subject area forms part of the Packham North District Structure Plan area as shown in Attachment 2. The purpose of the District Structure Plan is to facilitate the development of the former Watsons meats plant and surrounding land that was within the odour buffer of the plant for residential and associated uses. It outlines the broad land use framework including the major road network, neighbourhood structure, commercial and significant public open space areas.

The submitted Structure Plan is considered to be generally in accordance with the provisions of the District Structure Plan. This has been determined on the basis of the Proposed Structure Plan's proposed street network, street blocks and associated densities, areas of public open space ("POS") and local centre sites conforming to the locations as prescribed on the District Structure Plan and each design element meeting the associated criteria within the District Structure Plan report. Further analysis of the Proposed Structure Plan's conformity is contained within the following section.

#### Proposed Structure Plan

The Proposed Structure Plan as shown within Attachment 3 covers 14 existing lots and provides for predominantly residential development, with public open space, and a local centre. It is anticipated that the Proposed Structure Plan will yield approximately 357 lots and 440 dwellings. The general indicative arrangement of lots, streets and associated traffic management devices and public open space areas is shown within Attachment 4.



### Heritage

In recognition of the historical use of the subject area, the applicant was required to undertake a heritage assessment to investigate and determine areas of heritage significance within the subject area. The Conservation Report submitted by the applicant recommends the incorporation of elements of suitable remaining factory structures or objects as public art installations within the future development of the Structure Plan area. This is considered to be an important method of enabling the previous use of the site to be appreciated by future residents and generations. The practical application of this recommendation will be dealt with at the future subdivision and development stages.

The Conservation Report also acknowledges the importance of the former Woodlands Homestead site as it represents the cultural history of the site. The Proposed Structure Plan indicates that an opportunity exists to incorporate remaining elements of the site (e.g. steps and associated rose garden) with future development on the adjacent Local Centre site and to interpret the built form of the former homestead. These opportunities have been notated on the Proposed Structure Plan and will be implemented through the detailed area plan, subdivision and development processes.

### Movement Network

The Structure Plan proposes to widen Hamilton Road from its existing width of 20 metres to 25 metres within the subject area. The proposed widening is consistent with Liveable Neighbourhoods requirements for an Integrator Arterial B street carrying an estimated 11,000 to 13,000 vehicles per day. The Transport Assessment Report provides suitable justification for the widening and confirms that it will integrate effectively with future development to the south of the subject area. The use of roundabouts and an undivided median strip is proposed along the widened Hamilton Road in order to ensure appropriate traffic calming and safety.

In accordance with the District Structure Plan a new east-west road, which is essentially an extension of Entrance Road, will connect Hamilton Road and Mell Road through the proposed Local Centre. No other major roads are proposed however both Entrance Road and Mell Road will be required to be upgraded to an urban standard as they are only currently developed to a rural standard.

### Local Centre

Two 'Local Centre' sites have been included as part of the Proposed Structure Plan on the east of the Hamilton Road an Entrance Road



intersection. This location is consistent with the location identified within the District Structure Plan and it is considered that the proposed siting will enable optimum accessibility for future landowners to access for daily convenience needs. In accordance with Clause 6.2.6.3(c) of the Scheme, the Proposed Structure Plan provides for 'Office' uses as a (permitted) land use on residential lots within close proximity to the Local Centre area. This has been proposed in order to allow for office/residential mixed use development near the Local Centre to encourage local employment opportunities.

In order to ensure the future design and functionality of the Local Centre and surrounding mixed use areas, Detailed Area Plans will be required at the subdivision stage.

### Design and Density

The District Structure Plan identifies that the subject area should meet an urban density target of 15 dwelling units per gross urban hectare in accordance with the WAPC's 'Directions 2031 and Beyond' and 22 dwellings per net site hectare in accordance with Liveable Neighbourhoods. The Proposed Structure Plan meets these targets as it is proposed to yield a density of approximately 15.5 dwelling units per gross urban hectare and 24.8 dwellings per net site hectare.

A range of residential densities from R20 to R60 have been proposed as part of the Proposed Structure Plan. The siting of the residential density cells complies with the location criteria specified by the District Structure Plan with the higher densities being located adjacent to the Local Centre, along Hamilton Road (public transport route) and opposite POS areas. In accordance with the DA31 (Packham North) provisions of the Scheme, future subdivision and development applications within the Structure Plan are required to achieve at least 85% of the potential number of dwellings achievable under the designated R Code.

### Public Open Space

The Structure Plan proposes six areas of POS with four of these areas also fulfilling a drainage function in accordance with water sensitive urban design principles. A notional total of 12% POS is provided as part of the Proposed Structure Plan and therefore exceeds the minimum 10% POS provision prescribed by Liveable Neighbourhoods. However it should be noted that the areas of POS shown in the Proposed Structure Plan are subject to more detailed design at the subdivision and Urban Water Management Plan ("UWMP") stage, which may alter the final POS provision. The location, function and overall design of the POS areas as shown within the landscape master



plan are considered to be generally consistent with the requirements of Liveable Neighbourhoods and the District Structure Plan.

Some existing significant trees have been identified to the west of the Structure Plan area and these are required to be retained as part of future development. This will be implemented through the subdivision process.

### Consultation

The Proposed Structure Plan was referred to the Western Australian Planning Commission ("WAPC") for comment in accordance with Clause 6.2.7.2 of the Scheme as it proposes the subdivision of land. The WAPC provided comments requiring some minor changes be made to the Structure Plan document. Some of the minor changes included modifying areas of non-functional POS to verge/road reserve and providing justification for the proposed pedestrian access way to the south of the subject area. The changes were consistent with the City's own assessment and the applicant was requested to submit an amended report and plan. Following the submission of the amended/updated Structure Plan, the City proceeded to advertise the proposal for public comment.

The Structure Plan was advertised for public comment from 30 August to 20 September 2011 in accordance with the Scheme requirements. Nine submissions were received from surrounding landowners and government/service authorities. Seven of the submissions expressed no objection subject to certain conditions and/or advice, one objected and one stated support. The submissions that were received are set out and addressed in detail within the Schedule of Submissions (Attachment 5).

Only one modification to the proposed Structure Plan is recommended as a result of the formal advertising process as follows:

- The addition of a notation on the Structure Plan restricting the development of habitable buildings within locations which are deemed to be above the noise limits prescribed by Table 1 of the Western Australian Planning Commission's State Planning Policy 5.4: Road And Rail Transport Noise and Freight Considerations in Land Use Planning ("SPP5.4").

The above addition is proposed in order to ensure that future development is consistent with SPP5.4 and any potential noise impacts associated with the railway transit corridor are minimised.

The views of the Department of Transport ("DoT") have been noted; however, their concerns about the intersection design of Ocean Road and Cockburn Road are not supported by the City. The submitted



Transport Assessment Report details several proposals to upgrade the existing road infrastructure in order to cater for projected traffic volumes. These include the widening of Hamilton Road and use of appropriate traffic management devices as required.

Although Main Roads Western Australia ("MRWA") did not provide any comment on this Proposed Structure Plan, it raised no objection to the Proposed Structure Plan to the south. In addition, the submission from MRWA received for the District Structure Plan noted that the Orsino Boulevard / Cockburn Road intersection is planned for traffic light control by the end of 2011. The Ocean Road intersection is located less than 300 m north of this intersection, and will accordingly benefit from this traffic light installation together with the existing traffic lights at the Spearwood Avenue / Cockburn Road intersection.

### District/Local Water Management Strategy

In accordance with Department of Water ("DoW") requirements, landowners or groups of landowners within Development Areas need to prepare a District Water Management Strategy ("DWMS"), Local Water Management Strategy ("LWMS") and Urban Water Management Plan as part of structure planning and subdivision processes. Given the fragmented landownership within the project area and its relative size, the City has prefunded a hybrid DWMS/LWMS for the project area, with these monies to be recouped through the developer contribution arrangements being introduced for the project area under Scheme Amendment No. 87.

The City engaged the consultant Cardno to prepare the DWMS/LWMS to support the District Structure plan and subsequent local structure plans. The draft DWMS/LWMS has now been assessed by the DoW and some minor modifications have been requested to the document prior to final endorsement/approval being granted.

As the changes are only minor in nature, it is recommended that approval of the proposed Structure Plan may proceed subject to the final endorsement of the revised DWMS/LWMS by the DoW. This is this same approach used for the District Structure Plan.

### Conclusion

The Proposed Structure Plan is generally in accordance with Liveable Neighbourhood and the District Structure Plan. As such, it is recommended that Council adopts the Proposed Structure Plan subject to the minor modification relating to SPP5.4 and the final endorsement/approval of the associated DWMS/LWMS by the DoW.



## **Strategic Plan/Policy Implications**

### **Demographic Planning**

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

### **Natural Environmental Management**

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

The Planning Policies which apply to this item are:

SPD4 'Liveable Neighbourhoods'  
APD4 Public Open Space

### **Budget/Financial Implications**

The Structure Plan fees for this proposal have been calculated in accordance with the *Planning and Development Regulations 2009*, including the cost of advertising and have been paid by the applicant.

The proposed Structure Plan falls within draft Development Contribution Area 12 - Packham North which is the subject of Amendment No. 87 to the Scheme which has been approved by Council and has been referred to the WAPC for the Minister's approval. Once adopted, all landowners within DCA 12 will be required to make a proportional contribution to land, infrastructure, works and all associated costs required as part of the development and subdivision of the Packham North Development Contribution Area.

Future subdivision and development will also be subject to community based infrastructure contributions which was recently introduced into the Scheme via Scheme amendment No. 81.

### **Legal Implications**

N/A

### **Community Consultation**

Community consultation was carried out for a period of 21 days, from 30 August to 20 September 2011. The proposed local structure plan



was advertised in the newspaper, on the City's website and letters were sent to affected landowners and government/servicing authorities in accordance with the Scheme requirements. A total of nine submissions were received.

Analysis of the submissions has been undertaken within the 'Report' section above, as well as the attached Schedule of Submissions.

#### **Attachment(s)**

1. Location Plan
2. Packham North District Structure Plan
3. Proposed Local Structure Plan
4. Indicative Concept Plan
5. Schedule of Submissions

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

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 13 October 2011 Council Meeting.

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

Nil

- 14.4 **(MINUTE NO 4622) (OCM 13/10/2011) - PROPOSED STRUCTURE PLAN FOR PORTION OF THE PACKHAM NORTH DISTRICT STRUCTURE PLAN AREA - LOCATION: VARIOUS LOTS WITHIN MELL, OCEAN AND HAMILTON ROAD IN SPEARWOOD/COOGEE - OWNER: VARIOUS - APPLICANT: WHELANS / TERRANOVIS (SM/M/055) (M CARBONE) (ATTACH)**

#### **RECOMMENDATION**

That Council: :

- (1) adopts the Structure Plan for various lots within Mell, Ocean and Hamilton Road in Spearwood/Coogee pursuant to Clause 6.2.9.1 of the Scheme, subject to the following:
  1. The Packham North District/Local Water Management Strategy being approved by the Department of Water.
  2. The final treatment and design of the Ocean/Hamilton Road intersection being resolved to the City of Cockburn's satisfaction and the Structure Plan being updated accordingly.



3. Notation 7 on the Structure Plan being modified to read as follows:  
*'Hamilton Road and Ocean Road pavement to be widened in accordance with the City of Cockburn's requirements.'*
  4. The area subject to Notation 2 on the Structure Plan being extended to cover the full extent of the existing waste water pressure main to the satisfaction of the City of Cockburn.
  5. A new notation being added to the Structure Plan which states that landscaping above the existing waste water pressure main is to be undertaken by the developer.
  6. A new notation being added to the Structure Plan to ensure that rear laneway lots are provided with visitor parking directly at the front of the lots, at the rate of one visitor bay per two lots.
  7. A new notation being added to the Structure Plan which requires footpaths to be provided on all streets in accordance with the requirements of Liveable Neighbourhoods and City of Cockburn.
  8. The reference to the 'Beeliar Regional Park' on the Structure Plan being changed to 'Parks and Recreation Regional Reserve'.
- (2) subject to compliance with (1) above, in pursuance of Clause 6.2.10.1 of the Scheme, the proposed Structure Plan be sent to the Western Australian Planning Commission for endorsement;
  - (3) endorse the Schedule of Submissions prepared in respect of the Structure Plan; and
  - (4) advise the proponent and those persons who made a submission of Council's decision.
  - (5) advise the proponent that Developer Contribution Area 13 - Community Infrastructure is now operational under the City of Cockburn's Town Planning Scheme No. 3. Landowners subdividing to create residential allotments and/or developing grouped/multiple dwellings will therefore be required to make contributions in accordance with the developer contribution plan requirements.
  - (6) advise the proponent that Council is currently in the final





processes of an amendment to City of Cockburn Town Planning Scheme No. 3, which seeks to introduce new developer contribution arrangements for Development Contribution Area 12 – Packham North. Landowners subdividing to create residential allotments will be required to make contributions in accordance with the new developer contribution arrangements once the Scheme Amendment becomes operational. This is expected late 2011.

#### **COUNCIL DECISION**

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

**CARRIED 8/0**

#### **Background**

The subject land forms part of the Packham North District Structure Plan area (refer Attachment 1 - Location Plan). Council at its meeting held on the 11 August 2011 approved the Packham North District Structure Plan subject to the approval of the District/Local Water Management Strategy by the Department of Water (refer Attachment 2–District Structure Plan).

Council at its meeting held on the 9 September 2011 approved Scheme Amendment No. 87 which introduced the District Structure Plan area into Development Contribution Area No. 12 ("DCA12"). Scheme Amendment No. 87 has been referred to the Western Australian Planning Commission ("WAPC") for the Minister's approval.

The subject area is currently zoned 'Development' and 'Development Area No. 31' ("DA31") under the City of Cockburn's Town Planning Scheme No. 3, which requires a structure plan to guide future subdivision and development.

#### **Submission**

Whelans and Terranovis on behalf of various landowners within Mell, Ocean and Hamilton Road in Coogee/Spearwood have lodged a structure plan for the subject land.



## Report

### Proposed Structure Plan

The Proposed Structure Plan incorporates 22 existing rural lots, covering an area of 22.6ha and including densities of R20, R25 and R30. These densities will provide for a range of lots sizes from 270 m<sup>2</sup> to 500 m<sup>2</sup>. Three public open space ("POS") areas are proposed, two of which will connect with POS on surrounding properties. The Proposed Structure Plan will yield approximately 345 lots with future development being coordinated by Project Manager's Terranovis. Refer to Attachment 3 for a copy of the Proposed Structure Plan.

The Proposed Structure Plan is generally in accordance with the District Structure Plan. A small change to the POS distribution is proposed whereby the small POS area on Lot 31 Ocean Road has been incorporated into a larger POS area along Ocean Road. This change is considered appropriate as it will result in a larger, more appropriately located and usable POS area.

The Proposed Structure Plan satisfies the density objectives, POS requirements and provides a suitable road network. There are however some minor issues which require modification of the Proposed Structure Plan, and these are discussed following. Subject to these modifications, the Proposed Structure Plan is recommended for adoption.

### Ocean Road/Hamilton Road intersection

The Ocean Road/Hamilton Road intersection is currently a three way T-junction intersection. The Proposed Structure Plan proposes to continue Ocean Road east of Hamilton Road to create a four way intersection which is consistent with the District Structure Plan. Given the location of existing sewer mains within close proximity to the intersection, the Proposed Structure Plan incorporates the following notation on the Proposed Structure Plan:

*"The intersection configuration should have due regard to the current and future traffic network and the location of the existing sewer pressure main. Potential intersection treatments include roundabout, left-in/left-out, 4 way intersection with stop signs or future road closure."*

The above notation was included as there was previously uncertainty about the most suitable intersection solution due to the location of existing services. Since commencing advertising of the Proposed Structure Plan, the District Structure Plan has been approved by the City of Cockburn which shows the intersection as a roundabout. The roundabout is also identified as a development contribution item within



the proposed DCA12. The applicant has been liaising with the Water Corporation and other servicing agencies in relation to the location of services to determine the viability of constructing the roundabout however a determination on this matter has not yet been finally made.

A roundabout is the preferred intersection treatment for the intersection. It is now a matter of coming up with an appropriate design which deals with traffic issues as well as the location of nearby infrastructure. To ensure this is adequately dealt with as part of the Proposed Structure Plan, it is recommended that the Structure Plan be adopted subject to the applicant providing a final Ocean/Hamilton Road intersection design and treatment to the satisfaction of the City of Cockburn. This will effectively enable the Structure Plan to be adopted by the City only once an appropriate intersection design has been secured.

This forms part of the officer recommendation to Council.

#### Hamilton Road

Hamilton Road within the Proposed Structure Plan area is currently a two-lane undivided road. The '*City of Cockburn District Traffic Study*' which was prepared by Uloth and Associates in 2006 show Hamilton Road carrying between 11,000 and 13,000 vehicles per day in the long term within the Proposed Structure Plan area. The recent traffic assessment undertaken for the Proposed Structure Plan by Uloth and Associates recommends Hamilton Road be modified to provide 4.5m traffic/cycle lanes on either side of a 2m wide painted median. This arrangement is considered satisfactory to accommodate future traffic volumes.

It is also noted that the Proposed Structure Plan proposes to continue the existing direct lot frontage for residential properties along Hamilton Road. This is considered appropriate given the location of a number of existing residences along Hamilton Road which restrict alternative road design solutions for Hamilton Road. Where there are no dwellings being retained, a rear laneway has been provided to restrict vehicle access to Hamilton Road.

It is noted that Point 7 on the Proposed Structure Plan indicates that '*Hamilton Road and Ocean Road pavement to be widened subject to further investigation*'. It is recommended that this wording be changed as follows: '*Hamilton Road and Ocean Road pavement to be widened in accordance with the City's requirements*'. This will ensure that the road pavements are widened to the City's satisfaction.



### Waste water pressure main

An existing waste water pressure main affects Lot 500 Hamilton Road and Lot 6 Ocean Road. Due to the construction material of this pipe, the City has been advised that no development is permitted over the pipe. To accommodate the pipe and easement, the existing pipe is accommodated within POS and road reserves (with the road reserves being wider than usual to accommodate the pipe). To ensure that the area above the pipe is adequately treated it is recommended that a suitable notation be added to the Proposed Structure Plan requiring the area above the waste water pressure main to be suitably landscaped. This area is marked in Attachment 3 to this report.

### Laneway parking

The Proposed Structure Plan provides the indicative location of visitor parking bays for laneway lots. However in all cases they are provided at the end of laneways rather than at the front of laneway lots to provide better access to the front entrance of future dwellings. As proposed, visitors will be required to walk a considerable distance to reach the front of dwellings. To resolve this, it is recommended that an additional notation be added to the Proposed Structure Plan to ensure that rear laneway lots are provided with visitor parking directly at the front of the lot.

### Footpaths

Footpaths are provided on all lots except the cul-de-sac on Lot 26 Mell Road and a street on Lot 5 Mell Road. Liveable Neighbourhoods require footpaths to be provided on all streets and accordingly it is recommended that the Proposed Structure Plan be updated to provide footpaths on these streets.

### District/Local Water Management Strategy

In accordance with Department of Water (“DoW”) requirements, landowners or groups of landowners within Development Areas need to prepare a District Water Management Strategy (“DWMS”), Local Water Management Strategy (“LWMS”) and Urban Water Management Plan as part of structure planning and subdivision processes. Given the fragmented landownership within the project area and its relative size, the City has prefunded a hybrid DWMS/LWMS for the project area, with these monies to be recouped through the developer contribution arrangements being introduced for the project area under Scheme Amendment No. 87.

The City engaged the consultant Cardno to prepare the DWMS/LWMS to support the District Structure plan and subsequent local structure



plans. The draft DWMS/LWMS has now been assessed by the DoW and some minor modifications have been requested to the document prior to final endorsement/approval being granted.

As the changes are only minor in nature, it is recommended that approval of the proposed Structure Plan may proceed subject to the final endorsement of the revised DWMS/LWMS by the DoW. This is this same approached used for the District Structure Plan.

### Consultation

Community consultation was carried out for a period of 21 days from 9 August to 30 August 2011. There were 16 submissions received including four in support of the proposal, three objecting and nine of no objections. The submissions are addressed in detail in the Schedule of Submissions (refer Attachment 4). In response to the submissions, the only changes are as follows:

- Change the reference to the 'Beelihar Regional Park' on the plan to 'Parks and Recreation Regional Reserve'.
- Require the approval of the DWMS/LWMS before the approval of the Structure Plan.

### Conclusion

The Proposed Structure Plan is generally in accordance with Liveable Neighbourhoods and the Packham North District Structure Plan. It is therefore recommended that Council adopts the Structure Plan subject to the approval of the District/Local Water Management Strategy and the following minor changes that have been discussed:

- Change the reference from 'Beelihar Regional Park' to 'Parks and Recreation Regional Reserve' on the Structure Plan.
- The Ocean Road/Hamilton Road intersection being changed to a proposed roundabout with the final design and configuration to the City of Cockburn's satisfaction.
- Notation 7 on the Structure Plan being amended to read 'Hamilton Road and Ocean Road pavement to be widened in accordance with the City's requirements'.
- Clearly indicate that visitor parking to be provided at the front of laneway lots and at the rate of one bay per two lots.
- Footpaths to be added to the cul-de-sac on Lot 26 Mell Road and the street on Lot 5 Mell Road.
- A notation being added to the Structure Plan requiring the area above the existing waste water pressure main to be suitably landscaped.



## **Strategic Plan/Policy Implications**

### **Demographic Planning**

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

### **Natural Environmental Management**

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

## **Budget/Financial Implications**

The proposed Structure Plan falls within draft Development Contribution Area 12 – Packham North which is the subject of Amendment No. 87 to the Scheme which has been approved by Council and has been referred to the WAPC for the Minister’s approval. Once adopted, all landowners within DCA12 will be required to make a proportional contribution to land, infrastructure, works and all associated costs required as part of the development and subdivision of the Packham North Development Contribution Area.

Future subdivision and development will also be subject to community based infrastructure contributions which was recently introduced into the Scheme via Scheme Amendment No. 81.

## **Legal Implications**

Clause 6.2.9.1 of the Scheme requires Council to make a decision on the application within 60 days from the end of the advertising period or such longer period as may be agreed by the applicants. The advertising period concluded on 30 August 2011.

## **Community Consultation**

Community consultation was carried out for a period of 21 days, from 9 August to 30 August 2011. The proposed local structure plan was advertised in the Cockburn Gazette newspaper, on the City’s website and letters sent to surrounding/affected landowners and government/service authorities. There were 16 submissions received including four in support of the proposal, three objecting and nine no objections.



**Attachment(s)**

1. Location Plan
2. Packham North District Structure Plan
3. Proposed Structure Plan
4. Schedule of Submissions

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

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 13 October 2011 Council Meeting.

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

Nil.

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

**15.1 (MINUTE NO 4623) (OCM 13/10/2011) - LIST OF CREDITORS PAID - AUGUST 2011 (FS/L/001) (N MAURICIO) (ATTACH)**

**RECOMMENDATION**

That Council receive the List of Creditors Paid for August 2011, as attached to the Agenda.

**COUNCIL DECISION**

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

**CARRIED 8/0**

**Background**

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

**Submission**

N/A



**Report**

The list of accounts for August 2011 is attached to the Agenda for consideration. The list contains details of payments made by the City in relation to goods and services received by the City

**Strategic Plan/Policy Implications**

**Governance Excellence**

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

**Budget/Financial Implications**

N/A

**Legal Implications**

N/A

**Community Consultation**

N/A

**Attachment(s)**

List of Creditors Paid – August 2011.

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

N/A

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

Nil.





**15.2 (MINUTE NO 4624) (OCM 13/10/2011) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - AUGUST 2011 (FS/S/001) (N MAURICIO) (ATTACH)**

**RECOMMENDATION**

That Council receive the Statement of Financial Activity and associated reports for August 2011.

**COUNCIL DECISION**

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

**CARRIED 8/0**

**Background**

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

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

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

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

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

Financial Management Regulation 34(5) requires Council to annually set a materiality threshold for the purpose of disclosing budget variance



details. To this end, Council has adopted a materiality threshold variance of \$100,000 for the 2011/12 financial year.

### **Submission**

N/A

### **Report**

#### Closing Funds

The City's closing funds of \$73.2M are \$8.5M higher than the YTD revised budget target. The majority of this variance is attributable to the opening funds position that remains unadjusted for the end of the previous year's transactions. The final budget surplus for 2010/11 will be reported to Council in October and this year's budgeted opening position adjusted accordingly. Favourable income and expenditure numbers and capital cash flows have also impacted positively on the closing funds position.

The full year revised budget is showing a closing surplus position of \$136k, up on the \$30k adopted in the annual budget. This increase is primarily due to the declared amount of Financial Assistance Grants (FAGS) payable to the City being slightly more than budgeted.

The revised closing budget position will fluctuate throughout the year, as the City's budget is dynamic in nature. Any budget adjustments made throughout the year impacting the closing budget position are outlined in Note 3 of the financial report.

#### Operating Revenue

Overall, operating revenue is tracking very close to budget at the end of August. However, there are a number of material variances that compensate for each other. Interest earnings on reserve monies were \$0.15M ahead of budget and landfill fees were \$0.51M ahead. Yet to be recognised, Naval Base lease revenue offset these by \$0.38M (has been recognised in September). Rates revenue was down \$407k against the YTD budget, although this will be made up during the year with the issue of interim rates.

#### Operating Expenditure

Operating expenditure is showing an overall \$0.87M under spend of the budget, with most service units in the black. Waste Disposal Services is a big exception however, due to the accounting treatment for the Landfill Levy. This is not a genuine budget variance and the YTD



budget will be remodelled next month to reflect the accounting treatment.

Under spending on materials and contracts at \$1.17M mainly contributes to the overall positive variance.

### Capital Program

The City's capital budget is showing an overall under spend of \$5.6M against a YTD budget of \$9.2M, but on a cash and commitments basis, the City has spent \$13.8M. However, at this early stage, this is more an indication that the budgeted cash flows for projects need to be reset. These are initially forecast when the annual budget is set and before proper detailed project planning has been carried out. It is intended for these to be revised in October to better reflect spending patterns.

Capital funding sources are conversely down \$3.0M against budget targets.

The more significant project variances are disclosed in the attached Capex variance analysis report.

### Cash & Investments

Council's cash and current/non-current investment holdings increased to \$108.4M (from \$76.2M at the end of July). This is \$11.8M ahead of YTD budget estimates and reflects a high rate of collection of the City's rates in August. This should provide a much needed boost to the City's interest earnings, as falling interest rates are expected for the remainder of the financial year given the state of world financial markets.

Of this total cash and investment holding, \$50.1M represents the City's cash reserves, whilst another \$4.7M is held for other restricted purposes such as bonds and capital contributions. The balance of \$53.6M represents the cash/investment component of working capital available to fund the City's operations and the municipal funded portion of the capital program.

The City's investment portfolio made an annualised return of 6.28% for the month of August, versus the chosen BBSW benchmark performance of 5.14%. However, due to falling interest rates, it is anticipated that this performance will pare back as the year progresses.

Investments made during the month continued to be in short to medium dated term deposits (out to six months duration) with APRA regulated Australian banks.



### Description of Graphs and Charts.

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

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

A liquidity graph shows the level of Council's net current position (adjusted for restricted assets) and trends this against previous years. This gives a good indication of Council's capacity to meet its financial commitments over the course of the year.

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

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

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

#### **Governance Excellence**

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

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

Material variances identified of a permanent nature (ie. not due to timing issues) may impact on Council's final budget position (depending upon the nature of the item). These will be assessed and considered for inclusion in the mid-year budget review at the appropriate time.

#### **Legal Implications**

N/A

#### **Community Consultation**

N/A



**Attachment(s)**

Statement of Financial Activity and associated Reports – August 2011.

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

N/A

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

Nil.

**15.3 (MINUTE NO 4625) (OCM 13/10/2011) - 2011/12 BUDGET AMENDMENTS - CARRIED FORWARD WORKS AND PROJECTS & 2010/11 CLOSING FUNDS (FS/B/001) (S DOWNING) (ATTACH)**

**RECOMMENDATION**

That Council amend the 2011/12 Municipal Budget as follows:

- (1) the Carried Forward Works and Projects be amended, as set out in the schedule attached to the Agenda, to both expenditure items and their designated funding sources;
- (2) increase the opening funds in the 2011/12 Budget by \$12,112,479 in order to reflect the closing position for 2010/11 and maintain a balanced budget position for 2011/12; and
- (3) receive the final amended copy of the June 2011 Monthly Statement of Financial Activity.

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

**COUNCIL DECISION**

MOVED Clr H Attrill SECONDED Clr I Whitfield that the recommendation be adopted.

**CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL 8/0**

**Background**

When Council adopted its Budget for the 2011/12 financial year, no estimates were used for the carried forward works and projects as in prior years. It was decided to wait until the list of carried forward works



was finalised rather than estimated. The financial statements have now been finalised (subject to audit) and the final carried forward balances determined, as well as the closing funds for 2010/11.

**Submission**

N/A

**Report**

As the final figures have now been calculated for the carried forward works and projects, the 2011/12 adopted Budget needs to be amended to reflect the amounts carried forward.

A schedule of the proposed amendments to the carried forwards is attached to the Agenda, showing a net overall impact of an increased municipal funding requirement totalling \$7,745,550.87 in addition to funds required for restricted, reserves and grant funded carried forward projects.

The closing funds for 2010/11 has been calculated at \$12,112,479 (subject to audit) versus the forecast included in the amended 2010/11 budget of \$962,126. Whilst on the surface this represents an increase in surplus of \$11,150,353 the initial calculation for extra municipal funding necessary to cover carried forwards, was in excess of this amount.

In summary, the following funds has been carried forward from 2010/11 to 2011/12:

- Municipal Funds \$7.74m
- Restricted Funds \$2.74m
- External Funds \$2.33m
- Reserve Funds \$6.96m
- Total \$19.77m

21 projects account for 75% of the c/fwd funds.

The above figure does not include the two land sale carried forward items (Grandpre Crescent, Hamilton Hill and Progress Drive, Bibra Lake) being \$3.5m and \$1.6m respectively, as these are asset sales as against capital spending projects being the normal carried forwards.

Although this appears to be a high number of projects a review of the work undertaken in 2010/11 reveals a significant number of capital projects completed and commenced:



Capital Works	Jobs	Completed	Carried Fwd	Commenced	Not yet Commenced
Reserves	134	92	42	20	22
External	79	52	27	17	10
Restricted	10	6	4	3	1
Municipal	338	259	79	55	24
<b>Total</b>	<b>561</b>	<b>409</b>	<b>152</b>	<b>95</b>	<b>57</b>

So 17% of the City's budgeted projects will be carried forward with approximately 10% not yet commenced.

Total Municipal Funds to be carried forward - \$7.74m

Below is a summary of the main projects to be carried forward:

- Park – Anning Park \$0.30m
- Park – Santich Park \$0.33m
- Surf Club – Stage 2 \$0.30m
- Operations Depot \$1.20m
- North Coogee Groyne & MP \$0.63m
- Bibra Lake Man Plan \$0.83m
- Greening Plan Spearwood Ave \$0.32m
- Phoenix Revitalisation Park Dev \$0.37m
- Admin Centre wks \$0.38m

9 projects account for 60% of the c/fwd Municipal Funds

Total Restricted Funds to be carried forward - \$2.74m

- Road Hammond Rd (Russell/Bartram) \$1.94m
- Drainage Hammond Pk \$0.6m
- Road – Russell Rd (Ashendon/Freeway) \$0.18m

3 projects account for 99% of the c/fwd Restricted Funds

Restricted funds are funds specifically provided for a project and cannot be used for other capital projects.

Total External Funds to be carried forward - \$2.33m

- Road Spearwood Ave (Sudlow/Barrington) \$0.81m
- Road Cutler Rd (Prinsep/Chifley) \$0.6m
- Road Spearwood Ave (Stock to Doolette) \$0.16m
- Landscape – Southwell Cr \$0.15m

4 projects account for 74% of the c/fwd External Funds



External funds are from grant money provided by Government (Both State and Federal).

Reserve Funds to be carried forward - \$6.96m

- Cell 7 \$3.31m (Design completed)
- Surf Club – Stage 1 \$0.28m (work underway)
- Surf Club – Stage 2 \$0.53m
- Sub Div Wks Grandpre \$0.92m (Work underway)
- Road Plantagenet Rd \$0.46m

5 Projects account for 93% of the c/fwd Reserve Funds

Major projects are taking longer to deliver due in part to resourcing issues both inside and outside of the City, but also regulatory impacts on road and green field sites.

Although the City aims to complete major projects promptly, the following major projects have been completed by the City over the last four years:

- Administration Centre \$8m
- Youth Centre \$5m
- Hamilton Hill Memorial Hall \$4m
- Regional Recreation Centre \$10m
- Aubin Grove Community \$2m
- Interim Seniors Centre \$1m
- Coolbellup Hub \$4m
- Surf Club Stage 1 \$4m

Over the next 12 months the City will be completing the following major projects:

- Surf Club Stage 2 \$6m
- Depot \$7m
- Emergency HQ \$2.5m
- Library/GP/IHF \$38m
- Cell 7 at HWRP \$7m

Uncommitted Municipal closing funds totalling \$4,366,928.13 (subject to audit) have (as per Council Strategic Policy SC34) been allocated to the Community Infrastructure Reserve. This will negate the need for Council to borrow from the WATC to complete the Coogee Beach Surf Club, and borrow to fund Council's commitment to underwrite in advance the funds yet to be received from Community Developer Contributions (DCP) totalling \$2.43m. Funds will be advanced by the Community Infrastructure Reserve and repaid when funds from the





DCP are received. This then will allow future community infrastructure projects to proceed.

A final copy of the June 2011 monthly Financial Activity Statement has been submitted to Council, as the previous one was interim in nature and subject to end of year processing. This provides the closing funds position for the 2010/11 financial year of \$12,112,479 as previously referred to above.

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

#### **Governance Excellence**

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

### **Budget/Financial Implications**

The Budget will be amended by \$12,112,479 to reflect the final closing position for 2010/11 which includes the carried forward works and projects as attached.

### **Legal Implications**

N/A

### **Community Consultation**

N/A

### **Attachment(s)**

1. Schedule containing a reconciliation of the carried forwards included in the 2011/12 adopted Budget.
2. June 2011 monthly Statement of Financial Activity.

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

N/A

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

Nil.



**16. ENGINEERING AND WORKS DIVISION ISSUES**

**16.1 (MINUTE NO 4626) (OCM 13/10/2011) - INCLUSION OF BANKSIA EUCALYPT WOODLAND RESERVE 48078 (FORMERLY LOT 800 LYON ROAD, AUBIN GROVE) INTO THE JANDAKOT REGIONAL PARK (HS/E/004 / 9328 ) (C BEATON) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) endorse the inclusion of Banksia Eucalypt Woodland (formerly Lot 800 Lyon Road, Aubin Grove) within the Jandakot Regional Park; and
- (2) environmental services progress and finalise the inclusion of Banksia Eucalypt Woodland within the Jandakot Regional Park.

**COUNCIL DECISION**

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

**CARRIED 8/0**

**Background**

At the Ordinary Council Meeting held in July 2008 Council agreed to assume management responsibility for the bushland areas known as Lot 800 Lyon Road, Aubin Grove. Aerial photo included as an attachment.

Lot 800 Lyon Road, Aubin Grove is a natural area, approximately 27 hectares in size, which was previously managed by Western Australian Planning Commission. Currently the maintenance activities within the reserve are being undertaken by Landcorp for a period of two years as a condition of the subdivision of Lot 802 Gibbs Road, Banjup. Council's environmental services department is to oversee the maintenance being undertaken.

Directly to the south and adjacent was Crown Reserve 48078, which contained 12 hectares of very good quality bushland. The reserves have recently been amalgamated and are now known as one entity,



Crown Reserve 48078, with a gazetted name of Banksia Eucalypt Woodland. The total area comprises 39 hectares and is Bush Forever Site 492.

The OCM Agenda item of July 2008 also recommended that when the two reserves were amalgamated that the entire area could be listed for inclusion within the Jandakot Regional Park.

### **Submission**

N/A

### **Report**

Lot 800 Lyon Road has recently been amalgamated with Crown Reserve 48078 and the area is now known as one entity, this being Crown Reserve 48078, with a gazetted name of Banksia Eucalypt Woodland. The total area comprises 39 hectares and is Bush Forever Site 492.

The OCM Agenda item of July 2008 recommended that when the two reserves were amalgamated that the entire area could be listed for inclusion within the Jandakot Regional Park.

Regional Parks are areas identified as having regionally significant conservation, landscape and recreational values. The intent of regional parks is to protect open space of regional significance for conservation and recreation.

Jandakot Regional Park includes a variety of land comprising approximately 2,362 hectares, stretching from the southern end of Jandakot Airport to south of Casuarina Prison. The park is located across the Cities of Armadale, Canning, Cockburn, Gosnells and the Town of Kwinana. The responsibility for management of the reserves contained within the regional park is shared between the local authorities and the Department of Conservation and Land Management. Within the Jandakot Regional Park the City of Cockburn is responsible for the management of Denis De Young Reserve and Rose Shanks Reserve.

Banksia Eucalypt Woodland is worthy of inclusion within Jandakot Regional Park because it is a Bush Forever site, has good to very good natural vegetation on the site and is also an important ecological linkage to neighbouring bushland and wetland areas.

Inclusion of Banksia Eucalypt Woodland within the regional park will also strengthen its conservation value and give the site additional protection from future development.



The Jandakot Regional Park Community Advisory Committee, which comprises members of the community, DEC and local governments have been consulted in regards to the inclusion of the site within the Jandakot Regional Park, and are supportive of the inclusion.

The City still retains full management responsibility of the reserve even though it has been included within the regional park.

### **Conclusion**

The inclusion of Banksia Eucalypt Woodland within Jandakot Regional Park will help to ensure the protection of this important bushland area for the benefit of current and future generations.

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

#### **Infrastructure Development**

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

#### **Natural Environmental Management**

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

### **Budget/Financial Implications**

N/A

### **Legal Implications**

N/A

### **Community Consultation**

The Proponent and those who lodged submissions regarding the proposal have been advised that this matter is to be considered at the 13 October 2011 Council Meeting.

### **Attachment(s)**

Aerial Photo

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

Nil.



16.2 **(MINUTE NO 4627) (OCM 13/10/2011) - 2004 COOGEE BEACH STRUCTURE PLAN - COCKBURN ROAD PEDESTRIAN CROSSING AT ENTRY POINT INTO PORT COOGEE (451744) (J KIURSKI) (ATTACH)**

**RECOMMENDATION**

That Council complete the 2 upgrades to the pedestrian network as follows:

- (1) New pedestrian path linking the road crossing at Beach Road / Cockburn Road and the shared path system; and
- (2) New pedestrian path connecting the bus stop on Cockburn Road south of Beach Road and the pedestrian path network.

**COUNCIL DECISION**

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

**CARRIED 8/0**

**Background**

Councillor C Reeve-Fowkes has requested that a report be prepared for Council to review and update the 2004 Coogee Beach Structure Plan, specifically to address pedestrian safety with the speed of traffic at the Cockburn Road entry point into Coogee Beach. During the summer months, the beach area is heavily utilised by residents and visitors, and these numbers will increase with a growing population.

The report should specifically provide information on potential safety improvements and safer road crossing points that Council could implement, if Main Roads do not have any upgrading plans in the foreseeable future. This report to be provided to the October 2011 OCM to provide opportunities to implement improvements prior to the summer season.

**Submission**

N/A



## **Report**

Cockburn Road is classified as a 'Primary Distributor' under the Road Hierarchy and Main Roads Western Australia Classification of Roads. It is not a local government road. It is currently under the care, control and management of MRWA.

According to data provided by MRWA (2004/05 traffic data), the average weekday volume on Cockburn Road (location of counter is south of Spearwood Avenue) is in excess of 20,000 vehicles. The posted speed limit for this road is 70km/hr.

### Road Upgrade

On the 4<sup>th</sup> August, the City of Cockburn supported an approach to the Minister for Transport seeking an upgrade of Cockburn Road adjacent to the Coogee Beach access. Correspondence was sent by the Mayor on behalf of the City which is attached (refer attachment 1).

In correspondence received 15<sup>th</sup> September (refer attachment 2), the Minister advises that essentially, this project would not be a high priority for the government. Whilst the correspondence relates to the accident history at Amity Boulevard instead of the section of road between the dual carriageway and Poore Grove (as indicated in our correspondence), the outcome is not unexpected.

MRWA have indicated that they intend to upgrade Cockburn Road to a dual carriageway between Port Catherine and Rockingham Road. They have not given any indications as to when this is likely to occur. Officers suspect that it is 'long term'.

### Pedestrian Crossing

In the broader precinct, designated pedestrian crossing points on Cockburn Road are located at the intersections with Spearwood Avenue, Pantheon Avenue, Ocean Road, Orsino Boulevard, Powell Road (north and south) and Amity Boulevard. This allows pedestrians to cross the road in two stages, only having to deal with traffic in one direction at a time.

Specifically in relation to Coogee Beach there are pedestrian crossing points both north and south (proximity to Beach Road) of the access to Powell Road. The most frequent crossing access from the Coogee area to the beach is at the intersections of Beach Rd / Cockburn Rd and Amity Blvd / Cockburn Rd. Both of these access points have pedestrian islands installed on Cockburn Road to allow pedestrians to cross the road in two stages. Attachment 3 & 4 show the path network in this precinct.



The intent of the pedestrian facilities is to ensure that the network is connected to the shared path system that runs along the beach node and links North Coogee with Woodman Point. Generally the crossing points at both Amity Boulevard and north of Powell Road are well connected to the shared path network however it would appear that the crossing point at Beach Road does not connect through (refer attachment 5). It is proposed to provide this linkage prior to the summer season.

Officers have also identified a gap in the path network on the southeast side of Cockburn Road / Beach Road. Currently there is bus stop in this location which does not have designated path system connected. It is proposed to establish this connection prior to the summer season.

### Summary

Cockburn Road is under the care, control and management of the MRWA. Whilst we can continue to lobby the state government seeking commitments to upgrade this roadway, ultimately they will make the determination based on broader state priorities. In the meantime, officers have identified a number of gaps in the pedestrian network which will be actioned prior to summer to ensure that pedestrian movement and safety is enhanced.

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

#### **Transport Optimisation**

- To ensure the City develops a transport network that provides maximum utility for its users, while minimizing environmental and social impacts.
- To construct and maintain roads which are convenient and safe for vehicles, cyclists and pedestrians.

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

The path linkages can be accommodated within the current adopted budget.

#### **Legal Implications**

N/A

#### **Community Consultation**

N/A



**Attachment(s)**

1. Letter from Mayor Logan Howlett
2. Letter from Hon Phil Edman MLC and Letter from Minister for Transport Hon Troy Buswell MLA
3. Current path network at Powell Road
4. Current path network at Amity Boulevard
5. Powell Road precinct showing network gaps

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

The Proponent(s) and those who lodged submissions regarding the proposal have been advised that this matter is to be considered at the 13 October 2011 Council Meeting.

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

Nil.

**16.3 (MINUTE NO 4628) (OCM 13/10/2011) - TENDER NO. RFT 13/2011 - LANDSCAPE CONSTRUCTION SERVICES (MINOR LANDSCAPING PROJECTS) (RFT 13/2011) (A LEES) (ATTACH)**

**RECOMMENDATION**

That Council:

- (1) accepts a panel arrangement for RFT 13/2011 – Landscape Construction Services (Minor Landscaping Projects) to the following tenderers:
  - Earthcare Landscapes Pty Ltd;
  - A Proud Landmark Pty Ltd;
  - Gecko Contracting Pty Ltd t/as Gecko Contracting Turf & Landscape Maintenance;for a period of three (3) years, in accordance with the submitted Schedule of Rates and additional schedule of rates for determining variations and additional services; and
- (2) in addition, accept the discount of 2.5% offered by Gecko Contracting Pty Ltd.

**COUNCIL DECISION**

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

**CARRIED 8/0**





## **Background**

Parks Services Capital Works and Operational programmes perform a significant number of landscape projects during each financial year that require the procurement of service providers to perform a range of the works.

Over the last few years the scope of works contained in each individual landscape project has increased which has necessitated the requirement for a formal Contract to be put in place through the tender process.

The schedule of works within the tender include minor earthworks, grading, concrete/ asphalt cutting, disposal of material, soil cultivation, sand supply, limestone works, planting of trees and shrubs, temporary fencing and security services following construction.

The schedule of rates for these works will enable the Capital Works and Operational programmes to be delivered according to approved schedules.

A panel of three (3) contractors will provide the most beneficial and functional mechanism to complete the works according to predetermined timeframes in current and future capital works and Operational programmes.

The Request for tender (RFT) called for submissions from suitably qualified landscaping contractors for a period of three (3) years with Principal instigated options to extend the period for a subsequent one (1) year period and up to an additional twelve (12) months after that to a maximum of five (5) years.

Tender Number RFT 13/2011 Landscape Construction services (Minor Landscaping Projects) three (3) Year Contract was advertised on Wednesday, 20<sup>th</sup> July 2011 in the Local Government Tenders section of "The West Australian" newspaper.

The tender was also displayed on the City's e-Tendering website between the 20<sup>th</sup> July and 10<sup>th</sup> August 2011.

## **Submission**

Tenders closed at 2:00 p.m. (AWST) on Wednesday 10<sup>th</sup> August 2011 with tender submissions being received from the following eight (8) companies:



1. LKL contracting Pty Ltd
2. Gecko Contracting Pty Ltd
3. LD Total
4. A Proud Landmark Pty Ltd
5. Curnow Group Pty Ltd
6. Earthcare landscapes Pty Ltd;
7. Boomer Contract Management Pty Ltd t/as SUPERCIVIL
8. Total Landscape Redevelopment Services Pty Ltd.

## Report

### Evaluation Criteria

Tender submissions were assessed against the following criteria:

<b>Evaluation Criteria</b>	<b>Weighting Percentage</b>
Demonstrated Experience	20%
Key Personnel Skills and Experience	25%
Tenderer's Resources	30%
Tendered Price – Estimated Lump Sum	25%
<b>TOTAL</b>	<b>100%</b>

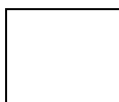
### Tender Intent / Requirement

The purpose of this Tender was to select a panel of three (3) experienced, competent and reliable landscaping Contractors to perform the Minor Landscaping Projects within the City of Cockburn.

### Evaluation Panel

The Evaluated panel consisted of the following City of Cockburn Officers.

1. Anton Lees – Parks Manager (Chair);
2. Dale Smith – Manager Parks & Environment; and
3. Christ Beaton – Environmental Manager.



Scoring Table

Tenderer's Name	Percentage Score		
	Non-Cost Evaluation	Cost Evaluation	Total
	75%	25%	100%
Earthcare Landscapes Pty Ltd**	54.94%	20.84%	75.78%
A Proud Landmark Pty Ltd**	46.28%	21.01%	67.29%
Gecko Contracting Pty Ltd**	41.56%	23.54%	65.10%
Total Landscape Redevelopment Services Pty Ltd	37.23%	25.00%	62.23%
LKL Contracting Pty Ltd	35.95%	19.42%	55.37%
LD Total	38.17%	15.40%	53.57%
Curnow Group Pty Ltd	31.06%	17.66%	48.72%
Boomer Contract Management Pty Ltd t/as SUPERCIVIL	15.78%	15.07%	30.86%

\*\* Recommended Submissions

Evaluation Criteria AssessmentDemonstrated Experience

Earthcare Landscapes Pty Ltd, Gecko Contracting Pty Ltd and A Proud Landmark Pty Ltd clearly demonstrated to the evaluation panel that they had the relative experience to perform the tasks associate with the tender.

All three (3) tender submissions provided substantial documentation of similar works performed at other Local Government Authorities and private corporations with a focus on project management and achieving outcomes.

LKL Contracting Pty Ltd, LD Total, Curnow Group Pty Ltd and Total Landscape Redevelopment Services Pty Ltd only provided minimal documentation relating to previous experience.

Boomer Contract Management Pty Ltd t/as SUPERCIVIL failed to provide documentation on previous works and management of issues that arose during a project which had a direct bearing on their score in the Non Cost Evaluation section in the table above.



### Key Personal Skills and Experience

Earthcare Landscapes Pty Ltd, Gecko Contracting Pty Ltd, A Proud Landmark Pty Ltd, LD Total, Curnow Group Pty Ltd and Total Landscape Redevelopment Services Pty Ltd clearly demonstrated they had the necessary skills and experience in their respective key personal.

All six (6) tenderers provided documentation of personal that had performed works in similar projects with well documented curriculum vitae's.

Boomer Contract Management Pty Ltd t/as SUPERCIVIL and LKL Contracting Pty Ltd did not provide sufficient documentation regarding their key personal and experience which is reflected in their score.

### Tenderer's Resources

Earthcare Landscapes Pty Ltd, Gecko Contracting Pty Ltd, A Proud Landmark Pty Ltd, LD Total, LKL Contracting Pty Ltd and Total Landscape Redevelopment Services Pty Ltd clearly demonstrated to the evaluation panel that they had the appropriate resources and contingency measures to perform the works under the Contract.

Curnow Group Pty Ltd and Boomer Contract Management Pty Ltd t/as SUPERCIVIL did not provide enough information for the panel to determine their ability to supply and sustain the resources required for the works in the tender.

### Tendered Price

The RFT required the submission of prices based on individual minor landscaping projects that will be used in conjunction with approved specifications and drawings.

The price schedule completed by each tenderer was tallied to provide one total price which was then benchmarked against each Tender submission.

Total Landscape Redevelopment Services Pty Ltd supplied the lowest price on average across all elements with Boomer Contract Management Pty Ltd t/as SUPERCIVIL providing the highest price.

In addition to the submitted price schedule the following tenderers have indicated a discount for prompt settlement of accounts.

1. Gecko Contracting is offering to the City of Cockburn a discount of 2.5% if prompt payment of invoice is made. Discount offered if



payment of invoices is made within seven (7) days of receipt of invoice, paid directly into nominated bank account of Gecko Contracting Pty Ltd.

2. Total Landscape is prepared to offer the City of Cockburn the following discounts under this tender for landscaping works:
  - a. if the City makes an EFT payment within 14 days of the date of the Total Landscape invoice a 2.5% discount will apply; and
  - b. if a purchase order is received to the value of \$50,000 or over a 2.5% discount will be applied to that project.

### Summation

Taking in consideration all of the submitted response criteria, the evaluation panel recommends to Council that the submissions received from

- Earthcare Landscapes Pty Ltd;
- A Proud Landmark Pty Ltd; and
- Gecko Contracting Pty Ltd

As being the most advantageous to Council to perform the Landscaping Construction Services (Minor Landscaping Projects) for an estimated average (annual) contract value of \$517,400.00 (Inc GST) (\$470,363.64 Ex GST) at the schedule of rates submitted and additional services based on the following:

- Significantly demonstrated experience in performing works of similar scale.
- A range of personnel that have the experience to undertake the wide range of works required under the tender.
- The required resources to complete the works.
- The price schedule submitted is considered fair and reasonable for the wide range of works to be performed.
- Discount offered by Gecko Contracting Pty Ltd (only) of 2.5% for the settlement of accounts within seven (7) days of receipt of invoice.

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

#### **Infrastructure Development**

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



**Lifestyle and Aspiration Achievement**

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

**Governance Excellence**

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

**Budget/Financial Implications**

The required funding for each financial year (FY) for Landscape Construction Services (minor landscaping projects) will differ according to the projects required during that FY.

The schedule of rates submitted by the panel of contractors will be utilised in the budgeting process to determine the required budget.

The table below indicates the budgeting expenditure for Landscape Construction Services (minor landscaping projects) over the past seven (7) years.

<b>Financial Year</b>	<b>Indicative Turnover (inc GST)</b>
2004/05	\$96,553
2005/06	\$161,168
2006/07	\$248,292
2007/08	\$691,099
2008/09	\$748,943
2009/10	\$805,696
2010/11	\$870,052
Total 2004 to 2011	\$3,621,803

**Legal Implications**

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

**Community Consultation**

N/A

**Attachment(s)**

The following Confidential Attachments are provided under a separate cover:

1. Compliance Criteria Checklist
2. Tender Evaluation Sheet (s)
3. Tendered Prices



### Advice to Proponent(s)/Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 13 October 2011 Council Meeting.

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

Nil.

#### 16.4 **(MINUTE NO 4629) (OCM 13/10/2011) - TENDER NO. RFT 14/2011 - MAINTENANCE OF IRRIGATION BORES, PUMPS AND ASSOCIATED WORKS (A LEES) (RFT 14/2011) (ATTACH)**

##### **RECOMMENDATION**

That Council accepts Tender RFT 14/2011 – Maintenance of Irrigation Bores, Pumps and Associated Works – Three (3) Year Contract submitted by Western Irrigation Pty Ltd at the schedule of rates submitted and additional schedule of rates for determining variations and additional services.

##### **COUNCIL DECISION**

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

**CARRIED 8/0**

### Background

The City of Cockburn Parks Services manages approx 200 sites that extract groundwater for irrigating its Parks, Streetscapes and Community Facilities. In addition to these extraction sites a number of pumps are used to circulate water or provide a visual amenity in the form of a fountain in constructed water bodies.

To enable these bores and pumps to perform according to the manufacturer's specifications a regular maintenance program has been developed that addresses pump repairs, bore development, water quantity and quality tests as well as calibration of water meters.



To facilitate the maintenance program and ad hoc pump breakdowns a tender is required to enable works are completed by a qualified contractor and within required timeframe.

A tender was developed and called for submissions from suitably qualified bore and pump maintenance contractors for a period of three (3) years with Principal instigated options to extend the period for a subsequent one (1) year period and up to an additional twelve (12) months after that to a maximum of five (5) years.

Tender Number RFT 14/2011 Maintenance of Irrigation Bores, Pumps and Associated Works three (3) year contract was advertised on Saturday 23 July 2011 in the Local Government Tenders Section of “The West Australian” newspaper and was also listed on the City of Cockburn’s E-tendering website from Saturday, 23<sup>rd</sup> July 2011 until Tuesday, 16<sup>th</sup> August 2011 inclusive.

**Submission**

Tenders closed at 2:00 p.m. (AWST) on Tuesday 16<sup>th</sup> August 2011 with one (1) tender submission being received from:

Western Irrigation Pty Ltd

**Report**

Evaluation Criteria

Tenders were assessed against the following criteria:

<b>Evaluation Criteria</b>	<b>Weighting Percentage</b>
Demonstrated Experience	20%
Key Personnel Skills and Experience	20%
Tenderer’s Resources	20%
Tendered Price – Estimated Lump Sum	40%
<b>TOTAL</b>	<b>100%</b>

Tender Intent / Requirement

The purpose of this Tender was to select an experienced, competent and reliable Contractor to perform the maintenance of Irrigation Bores, Pumps and Associated Works with the City of Cockburn.





Evaluation Panel

The Evaluation panel consisted of the following City of Cockburn Officers:

4. Anton Lees – Parks Manager (Chair)
5. Dale Smith – Manager Parks & Environment
6. Peter Godridge – Parks Technical Officer.

Scoring Table

Tenderer's Name	Percentage Score		
	Non-Cost Evaluation	Cost Evaluation	Total
	60%	40%	100%
Western Irrigation Pty Ltd**	48.72%	40%	88.72%

\*\* Recommended Submission

Demonstrated Experience

Western Irrigation Pty Ltd clearly demonstrated to the panel they had the relative experience to perform the tasks associated with the tender. Western Irrigation Pty Ltd has an organisational structure to perform the works required and have previously provided similar works to the City of Cockburn and other Local Government Authorities. In addition a comprehensive Occupational, Safety and Health Management Plan was submitted which received a high score by all panel members.

Key Personal Skills and Experience

Western Irrigation Pty Ltd submission clearly outlined the personnel to be utilised under the tender highlighting their experience and performance in similar works. The range of personnel employed by Western Irrigation Pty Ltd will ensure all works requested are responded to promptly and completely in a timely manner.

Tenderer's Resources

Western Irrigation Pty Ltd demonstrated to the panel they have the appropriate resources and contingency measures to perform the works under the tender. Furthermore, Western Irrigation Pty Ltd is located in Barrington St, Bibra Lake and has a fully equipped pump service and repair workshop which will enable a quick turnaround when a pump requires maintenance.



### Tendered Price

The tender required the submission of prices based on a schedule of rates for individual items of work. The price schedule received from Western Irrigation Pty Ltd is compliant with the requirements of the tender.

As Western Irrigation Pty Ltd was the sole tenderer, it was prudent that the tendered prices were compared to current quotations received for similar works. The comparison revealed that the submitted prices are almost identical to current quoted prices and is therefore deemed acceptable to the panel.

### Summation

Considering all of the submitted response criteria, the evaluation panel recommends that Council accept the submission received from Western Irrigation Pty Ltd as being the most advantageous to perform the Maintenance of Bores, Pump and Associated Works at the schedule of rates submitted and additional schedule of rates based on the following:

- Significantly demonstrated experience in performing works of similar scale.
- A range of personnel that have the experience to undertake the wide range of works required under the tender.
- The required resources and contingency measures to complete the works.
- The price schedule submitted is considered fair and reasonable for the range of works to be performed.

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

#### **Infrastructure Development**

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

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

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

#### **Governance Excellence**

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



## Budget/Financial Implications

The required funding for each financial year for the Maintenance of Irrigation Bores, Pumps and Associated Works will differ according to the programmed works schedule, reactive works and pump or bore failures outside the City's control during each financial year.

The schedule of rates submitted by Western Irrigation Pty Ltd will be utilised in the budgeting process to determine the required budget.

The table below indicates the budgeting expenditure for the Maintenance of Irrigation Bores, Pumps and Associated Works over the past nine (9) years.

Financial Year	Indicative Turnover (inc GST)
2002/03	\$138,677
2003/04	\$214,416
2004/05	\$318,306
2005/06	\$524,563
2006/07	\$164,336
2007/08	\$203,088
2008/09	\$207,417
2009/10	\$246,551
2010/11	\$311,881
Total 2003 to 2011	\$1,695,969

## Legal Implications

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

## Community Consultation

N/A

## Attachment(s)

The following Confidential Attachments are provided under a separate cover:

1. Compliance Criteria Checklist
2. Tender Evaluation Sheet (s)
3. Tendered Prices



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

The Proponent(s) and those who lodged a submission on the tender have been advised that this matter is to be considered at the 13 October 2011 Council Meeting.

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

Nil.

**17. COMMUNITY SERVICES DIVISION ISSUES**

**17.1 (MINUTE NO 4630) (OCM 13/10/2011) - LEASE - 90 CORDELIA AVENUE, COOLBELLUP - PORTION OF RESERVE 30189 TO MERCYCARE (1105101) (G BOWMAN) (ATTACH)**

**RECOMMENDATION**

That Council enter into an agreement with MercyCare to lease 208 sq.m. of the premises situated at 90 Cordelia Avenue Coolbellup, Reserve 30189 in accordance with the proposal, as attached to the Agenda, subject to the following conditions:

- (1) An initial lease period up until June 2013 with two three year period options each;
- (2) An annual rent of \$110 per sq.m. inclusive of GST and the payment of all outgoings and charges excluding water, and general building and grounds maintenance, with annual rent increases in accordance with Perth CPI;
- (3) The capacity to sub-let the premises or portions of the premises subject to the agreement of the City;
- (4) Insurance of the building, contents and public liability to be the responsibility of MercyCare;
- (5) All statutory requirements being met including but not limited to planning and building requirements'
- (6) The Lessees or Assignees to maintain, repair and keep the premises in good and substantial repair (fair wear and tear accepted); and
- (7) Other terms and conditions which may be required to protect the interests of the City.



**COUNCIL DECISION**

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

**CARRIED 8/0**

**Background**

The premises situated on a portion of Reserve 30189 located at the Coolbellup Community Hub, 90 Cordelia Avenue, Coolbellup.

The portion of the premises was previously leased to the Cockburn Vocational Centre Incorporated. The portion of the premises is now vacant and available for lease to another community based organisation whose proposed use will comply with the Management Order for the Reserve.

**Submission**

MercyCare is a not-for-profit charitable organisation which provides a broad range of community services. MercyCare provides the following community services - Workforce Development; Community Support Programs; Settlement Grants Program; addiction support; basic computer training; fostering services; Mercy Reconnect; Family Group homes; childcare services; accommodation services for young people; Aged Care; hospital; and Health Services.

MercyCare has written to the City requesting a lease for approximately 200 sq.m. of the premises located at the Coolbellup Hub at 90 Cordelia Avenue, Coolbellup. In summary, approximately 100 sq.m. of the premises is proposed to be used as a base for their Reconnect Youth Services Program. They also propose to expand some of their existing community services into the remaining 100 sq.m. of office space. Please see attached letter.

**Report**

A Management Order for Reserve 30189 was granted to the City of Cockburn for the purpose of a Community Centre, Pre-primary Centre, and Infant Health Centre. The Management Order grants to the City of Cockburn a Power to Lease for periods up to 21 years pursuant to provisions of the Land Administration Act 1997.



The proposal outlined by MercyCare to base Youth Outreach Services at the Coolbellup Community Hub will assist in the implementation of the City of Cockburn's Youth Services Strategic Plan. Facilitating MercyCare to lease the facility in Coolbellup will be meeting an identified community need to provide additional Youth Services to the suburb of Coolbellup and surrounding areas.

The purpose and intent of MercyCare's proposed use is compliant with the Management Order for the Reserve. The City is therefore in a position to enter into a Lease Agreement with MercyCare.

Under the proposed arrangements, MercyCare will be responsible for the majority of outgoings which includes cleaning, security costs, utilities and rubbish removal.

The proposed two option periods of three years each provides MercyCare with stability.

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

#### **Infrastructure Development**

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

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

The lease arrangement will result in a net increase in income for Council of \$22,880 per annum.

The costs for the preparation of the lease agreement will be borne by the City.

#### **Legal Implications**

The Local Government is exempted from the requirements of Section 3.58 of the Local Government Act by way of the Clause under the Local Government (Functions and General regulations) 1996 Section 30 (b) (i) that the MercyCare is deemed to be an organisation that has the *objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature.*

#### **Community Consultation**

Extensive community consultation was undertaken in 2010 whilst undertaking the development of the City of Cockburn Youth Services Strategic Plan 2011-2016. The consultation identified insufficient services for young people in Coolbellup.



**Attachment(s)**

1. Site Plan identifying portion of Reserve 30189 to be leased
2. Copy of Management Order for Reserve 30189.
3. Letter of offer from MercyCare

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

The Proponent has been advised that this matter is to be considered at the October 2011 Council Meeting.

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

Nil.

**17.2 (MINUTE NO 4631) (OCM 13/10/2011) - PROPOSED COCKBURN OUTDOOR MOBILE YOUTH SERVICE (CR/L/010) (M CHAMPION) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) commence the operation of an in-house outdoor mobile youth service in the second week of Term 4 2011 for a period of one year;
- (2) require that the outdoor mobile youth service will provide two outdoor recreation sessions per week for a duration of three hours in Term 4;
- (3) require that the mobile youth service provide three outdoor recreation sessions per week for a duration of three hours in Term 1 and Term 2 of 2012; and
- (4) within one year of operation of the service, require a report that includes attendance data; satisfaction levels of participants; customer feedback, operational issues/benefits and a recommendation about the continuation of the service.

**COUNCIL DECISION**

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

**CARRIED 8/0**



## **Background**

In July 2004 Council allocated funds to contract the YMCA to provide free, supervised, outdoor recreation activities targeting young people in the 10 to 17 age group. The service was to target both newly developed and established suburbs, be well organized and led by qualified youth workers. In addition, the service would provide required information and referral to support services for young people and their families. The proposal was endorsed by the then Youth Advisory Committee which believed the service would be effective in reducing young people's boredom, allowing greater access for young people to both activities and information while providing access to positive role models. The service has been operating since this time from a number of different locations which have been identified through consultation and feedback mechanisms.

## **Submission**

The City received correspondence from the YMCA notifying that the mobile bus service will cease operation. The YMCA explained ongoing staff recruitment and retention issues and the age of the bus requiring constant maintenance and repairs became unsustainable.

## **Report**

The City of Cockburn has contracted the YMCA since 2004 to provide outdoor mobile self-directed and structured youth recreation activities. These activities included specialist dance, photography and art workshops as well as more traditional sporting and craft activities in line with participant's interests. The YMCA bus also had two computers with games and internet access for young people to use.

The YMCA mobile Youth service's 5 key objectives were:

- Provision of social and recreational diversion activities to young people living in the area;
- Provision of positive adult role modelling to help build resilience and capacity in young people reducing or moderating risk factors;
- To develop or improve on skills of young people either to assist with education, employment, social inclusion, health or otherwise;
- To encourage and participate in healthy and sustainable relationships between young people and the community (including authorities, business, other services, governments and the general public.); and
- To be a point of referral to other support services for young people as required.





In Term 4, 2010 and Terms 1 and 2, 2011 data collected by the YMCA indicated that the mobile youth service in Cockburn averages 13 young people recorded as attending each weekly session.

Throughout these three most recent school terms a total of 409 contacts were recorded. The profile of participants across the seven year period the service has operated has remained constant with primarily young males up to 14 years old attending with the emphasis on those 10 to 14 years. Aboriginal young people make up approximately 50 percent of all participants.

An independent review commissioned by the Department for Child Protection in 2010 concluded that the YMCA Mobile Youth Service successfully contributed to reducing risk and maximized protective factors of groups of young people who engage.

Initially the YMCA provided 3 sessions per week at three different locations, for three school terms per annum, and additional sessions during school holidays. However due to cost increases passed on by the YMCA the number of sessions had been reduced to two sessions per week at Coolbellup and Beeliar and no funds have been available for school holiday programs on a regular basis.

Due to the success of the program and the gradual decrease in services a budget proposal was submitted to increase the number of sessions per week to three was approved by Council for the 2011/12 financial year. Based upon the Youth Services Strategic Plan 2011/16 and other information the proposed locations were Beeliar, Coolbellup, and Hamilton Hill.

Strategy 1.3 of the Youth Services Strategic Plan 2011/16 stated for the City to *Pilot the YMCA mobile youth bus to provide additional services to Beeliar and Coolbellup and investigate whether this is a sustainable provision of outreach services.*

In addition to the Youth Services Strategic Plan the Community Safety and Crime Prevention Plan 2011 supports such a proposal – see initiatives 3.8, 5.1 and 5.2, as attached.

Following notification that the YMCA had ceased operation the Cockburn Youth Services investigated whether there are other existing providers who could be contracted to deliver this service. It was found that there are no existing youth service providers who currently offer this type of service.

In order to ensure the Cockburn community continues to receive a outdoor mobile youth service the City's Youth Services department has investigated the possibility of providing an in-house pilot service to



replace the YMCA bus service with a more sustainable outreach model. Following this investigation and a cost comparison the City's Youth Services has determined that it has the experience and capacity to establish, co-ordinate and provide a similar in house Mobile Outdoor Youth Recreation Service within the existing Municipal budget. The budget includes all direct operational costs such as salary, telephone, travel and supervision costs. It is proposed that the new service will commence in the second week of Term 4, 2011 with two sessions per week of outdoor recreation, and then operate for 3 sessions per week in Terms 1 and 2 of 2012.

It is proposed that the new service be trialled until the end of Term 2, 2012 to allow sufficient time to review the new service and then make a recommendation regarding the continuation of the service.

Due to the potential of the existing YMCA service and the identified community need for this to continue Youth Services will operate substantially with the same objectives and model of service delivery for the 12 month period. The one major difference will be that the new City of Cockburn operated service will not utilise a large bus, but will instead transport equipment with an existing Youth Services trailer and small 12 seater bus. Initially, the new proposed City of Cockburn outdoor mobile youth recreation service will operate from two locations, Beeliar and Coolbellup during eight weeks of Term 4. These locations have been selected as they were identified as the highest priority in the Youth Services Strategic Plan process. Youth Services has tentatively booked an existing vehicle and trailer to enable immediate service provision with only minor equipment set up costs. Surplus funds from not providing a third session in Term 4 are proposed to be used for set up costs such as purchasing the required sporting equipment. Only minor equipment will be required such as a shade structure, portable tables and chairs, picnic blankets, sporting and craft equipment. Equipment for the new service will be stored at the Youth Centre, while the existing Youth and Human Services vehicle and trailer will continue to be stored at the depot.

The proposed Coolbellup session for Term 4 will operate on Mondays between 3:30 pm and 6:30 pm for a duration of three hours.

The proposed Beeliar session for Term 4 will operate on Wednesdays between 3:30 pm and 6:30 pm, for a duration of three hours.

From Term 1 and Term 2, 2012 the Beeliar and the Coolbellup sessions will continue to operate and an additional session will be provided in Hamilton Hill for three hours per week. The day, exact location, and the time will be determined during Term 4 well prior to Term 1 commencing.



Youth Services has a pool of existing suitably qualified casual staff who can meet the selection criteria for the two new casual Mobile Youth Officer positions. The two casual staff members who meet the selection criteria will be employed an additional ten hours each per week to perform the duties of the Mobile Youth Officer positions to provide two sessions at the above locations for Term 4. The hours of these positions will be increased to 15 hours per week in Term 1 and Term 2 2012 with up to 10 additional casual hours to attend training and supervision per term.

Both of the new staff positions will report directly to the Youth Development Officer. The Youth Development Officer has previously visited the YMCA bus to liaise regarding referrals and any issues, so the position will continue to do this and allocate additional supervision time required for this new service during school terms causing minimal impact on the officer's workload.

The Youth Services Manager has undertaken a cost/ benefit analysis, developed a Risk Management Plan, relevant procedures, Position Descriptions, equipment requirements, reporting templates, and general requirements for the new service. The Youth Development Officer will undertake the co-ordination of the new service and supervision of the two casual Mobile Youth Officer positions.

A consideration in operating a new in-house pilot service is the increased liability and increased operational risk associated with the new service. It is proposed that staff be employed on a casual basis with breaks in service over school holiday periods to lessen this risk. The review of the pilot service will include information regarding any operational issues or impacts and benefits of the new pilot service.

Shift and term reports will continue to be completed to ensure ongoing evaluation of numbers attending; support offered and followed up on as well as general community feedback. In addition to this, a customer survey will be conducted prior to the end of each term.

The City's Youth Services and Communications staff have also prepared a draft marketing plan which will be enacted immediately following the Council decision. Draft posters have been designed and will be delivered to local schools, a draft advertisement has been prepared and will be placed in 18 October edition of the Gazette (and then again at the start of each new term) and advertisements will be placed on Facebook and the web page, subject to Council endorsement of the proposal.

If the City's Youth Services department were to commence the proposed in-house outdoor mobile youth service the following additional tasks will require completion.



- Additional branding and promoting the new Cockburn run service to ensure that it is well known to young people and parents.
- Customer feedback questionnaire.
- Review of the new service following Term 2.

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

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

- To foster a sense of community spirit within the district generally and neighbourhoods in particular.
- To facilitate and provide an optimum range of community services and events.
- To deliver our services and to manage resources in a way that is cost effective without compromising quality.
- To identify community needs, aspirations, expectations and priorities for services that are required to meet the changing demographics of the district.

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

The net operational cost to Council for the proposed mobile youth service pilot will be \$41,857 for the 2011/12 financial year. The 2011/12 budget for the YMCA mobile youth service is \$46,200. Therefore, there is a net operational cost saving of \$4,343.

#### **Legal Implications**

N/A

#### **Community Consultation**

The Youth Services Strategic Plan included extensive community consultation. This consultation highlighted the need for Outreached Youth Services particularly to Beeliar, Coolbellup and Hamilton Hill. Strategy 1.3 of the implementation plan is to *Pilot the YMCA mobile youth bus to provide additional services to Beeliar and Coolbellup and investigate whether this is a sustainable provision of outreach services.*

#### **Attachment(s)**

1. Letter of notification from YMCA stating that they have ceased operation.
2. Mobile Outdoor Youth Service Budget 2011/12.
3. Extract from Community Safety & Crime Prevention Plan, 2011.



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

N/A

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

Nil.

**17.3 (MINUTE NO 4632) (OCM 13/10/2011) - FUNDING OPTIONS FOR A 22 SEATER REPLACEMENT BUS FOR THE COCKBURN SENIOR CITIZEN'S ASSOCIATION (CR/L/008) (G BOWMAN) (ATTACH)**

**RECOMMENDATION**

That Council advise the Cockburn Senior Citizen's Association (CSCA) that it:

- (1) will support any application for the funding of a replacement bus from Lotterywest that conforms with the criteria set by the funding body; and
- (2) is prepared to assist in identifying opportunities for them to collaborate with other potential partners in the district in order for them to comply with the funding criteria.

**COUNCIL DECISION**

MOVED Clr C Reeve-Fowkes SECONDED Clr V Oliver that Council adopt the recommendation with the inclusion of sub-recommendation (3), as follows, and advise the Cockburn Senior Citizens Association (CSCA) that:

- (1) as recommended;
- (2) as recommended; and
- (3) a progress report be brought back to Council within six months.

**CARRIED 8/0**

**Reason for Decision**

A progress report needs to be brought to Council to identify if external sourcing of funds has been successful. Ultimately, a replacement bus



will be required and Council needs to be kept informed of progress achieved in funding a replacement bus for our Senior Citizens.

### **Background**

At the August 2011 Council meeting, Cllr Carol Reeve-Fowkes requested that *a report be prepared to consider options for a 22 seater replacement bus for the Cockburn Seniors in Young Place, Hamilton Hill. Currently, they utilise a very old 22 seater which is reported to be 24 years old. This bus realistically will not last many more years and the Seniors will need a replacement bus to assist them in keeping mobile and active within the community. The report could specifically provide advice on funding for a new bus, or options involving sharing with other user groups.*

### **Submission**

N/A

### **Report**

The Cockburn Senior Citizen's Association (CSCA) currently has a vehicle which they have reported is 24 years old. The President has informed staff that they currently have 130 members and that the maintenance cost for the vehicle ranges between \$6000 to \$8000 per annum. The attached unaudited Income and Expenditure report for 2010/11 financial year for CSCA identifies \$6911.80 was spent on Bus maintenance costs. Due to the age of the vehicle the CSCA is required to take the vehicle over the "Pits" on an annual basis to ensure that it is road worthy prior to Vehicle Registration being permitted by the Department of Transport. The large maintenance costs and time involved in this process is concerning to the CSCA.

Recently the CSCA applied for a Lotterywest grant for a replacement 24 seat Mitsubishi ROSA bus with disability access modifications. This preferred vehicle includes disability access modifications due to a small number of their members having a physical disability and using wheelchairs. They currently cannot transport these members.

The Lotterywest application was unsuccessful and the President reported that he understood that one of the main reasons for this was that the Council did not support the application.

However, Lotterywest has verbally informed the City that the CSCA were unsuccessful because there was insufficient proposed regular use of the requested vehicle. City staff were also informed that the CSCA were not prepared to hire out the bus to other community groups without the use of their own CSCA volunteer bus drivers.



The current use of the bus of the Cockburn Senior Citizen's Association is in Table 1.1 below.

*Table 1.1 Usage of the Cockburn Senior Citizens bus (by Cockburn Senior Citizens)*

<u>DAY</u>	<u>DESCRIPTION</u>	<u>FREQUENCY</u>
Monday	Outings	Up to 4 Outings per/year (55 people per outing)
Tuesday	Bowls	Trip for bowls practice number of people varies
Wednesday	Bingo	50 round trips per year 18-22 people 9am-5pm
Thursday	Bowls	Competition Bowls or practice bowls number of people varies
Friday	Outing	Up to 4 Outings per/year (55 people per outing)

The day that the CSCA use the bus most intensively is every Wednesday for their Bingo session. The CSCA has up to 22 people who attend this Bingo session and they are collected from their home and dropped off to their home. The Bus is also used regularly for Bowls practice or competitions on Tuesdays, Thursdays and Fridays. They also use the Bus for outings on approximately 6 to 8 occasions per year where up to 55 people attend each outing.

In addition to their own use the CSCA hire out their vehicle for \$110 per day with a volunteer driver included, and required, to external community groups. Therefore, a number of community groups currently hire the CSCA vehicle for outings and activities. However, the ability of the community groups to hire the CSCA vehicle is restricted to the availability of one of the two volunteer drivers being available and the availability of the actual bus. Table 1.2 outlines the reported hire by other external groups. The CSCA do not require a bond from the external hirers, so the risk of having unknown drivers not covered by their Vehicle Insurance Policy is deemed too great a risk to take by the Committee.

The days and frequency of the hire depends on the external groups social outing requirements. Table 1.2 outlines the reported hire by other groups of the CSCA bus over the past 12 months.



*Table 1.2 Reported hire of the Cockburn Senior Citizens Association 22 seat bus by external groups over the past 12 months.*

<b>GROUP</b>	<b>DESCRIPTION</b>	<b>FREQUENCY</b>
Fremantle Legacy	Outings	Occasionally
St Jerome's	Social Group	6-8 times per year
Catholic Church	Yangebup Seniors Group	Occasionally
Bus Wanderers	Outings	Approx. twice per year
Cockburn Sewing Group	Buy sewing equipment	Approx. twice per year
Coogee Caravan Park	Dog Races/Night Serpentine Dam	Regularly – approx. monthly
Coolbellup Leisure Club	Lunch	Occasionally
Atwell Seniors Hire	Outings	Occasionally
Lakeside Village	Outings	Occasionally

A discussion held with the President showed there may be a possibility of allowing other seniors groups based in the Cockburn LGA to hire the bus without the two volunteer CSCA drivers. This change is likely to increase the availability and also the usage of the bus by other seniors groups. However, this proposed change would need to be considered and agreed by the full CSCA Committee. There would also need to be some vehicle insurance and procedural changes to manage the additional risk of allowing drivers who are unknown to the CSCA to drive the vehicle. This would then mean that the CSCA would have to consider charging a bond equivalent to the vehicle insurance excess and development of a procedure to return the vehicle to the secure shed at Young Place and keys to a locked box. They would also have to instigate a vehicle inspection process following return of the vehicle to the Young Place premises to determine if a deduction from the Bond was required. They would also have to develop a Bond refund process.

*Option 1 - Re-submit Lotterywest application in partnership with another Seniors Group in Cockburn*

Lotterywest may still be a viable funding source if CSCA can meet the Lotterywest criteria for the grant which includes demonstrated daily use of the vehicle and availability of the vehicle to other community groups for hire.

They generally require evidence that the vehicle is being used close to its ultimate capacity. With the current usage pattern there would need to be a demonstrated increase in regular usage of the vehicle through a partnership with at least one other community group to ensure 5 days per week use of the vehicle. The vehicle would also generally need to be available for hire over the weekend as well.





With the current usage pattern there would need to be a demonstrated increase in regular usage of the vehicle through a partnership with another group. This could be promoted through the City's Regional Seniors Group to determine if there are any seniors groups who could partner with the CSCA.

Generally Lotterywest requires a financial contribution towards the purchase of the vehicle if the organisation has the capacity to do this.

There would also have to be clear processes demonstrated by the CSCA regarding their ability to replace the vehicle in the future.

The CSCA Income and Expenditure Report shows that there is \$40,000 in a Term Deposit account some of which may be able to be used to contribute towards the purchase of the bus or show their ability to put money aside in the form of depreciation in order to replace the bus in the future.

Further information would need to be sourced from Lotterywest regarding any other reasons why the CSCA application was unsuccessful. This process would require the permission of the CSCA Committee.

Nil cost to Council but possible contribution up to \$40,000 required by CSCA if the grant criteria can be met.

#### *Option 2 - Private hire of Vehicles by CSCA*

The City of Cockburn 33 seater Promo Seniors Centre bus is not considered to be a viable hire option for picking up and dropping off CSCA members for Bingo even though it is available on Wednesdays. This is because the large bus is difficult and risky to manoeuvre through local streets. The City's Seniors Centre bus is not available on Tuesdays and Thursdays due to weekly Cockburn Senior's Centre outings. The City of Cockburn Seniors Centre bus is used by the CSCA for large group outings approximately 5 to 6 times per year. On these occasions they take 55 people on outings and they use their own bus and the City of Cockburn bus. See attached City of Cockburn Seniors Centre vehicle hire for the period August 2010 to August 2011.

The verbal quote for the cost of private hire for a 25 seater vehicle is \$160 per day. The CSCA uses the 22 seat vehicle 50 days per year for Bingo and 8 days per year for outings. So for 58 days of hire it will cost \$9,280 per annum.

The verbal quote for the cost of private hire for a 12 seater vehicle is \$75 per day. The Bowls practice and competitions vary so it is difficult to determine the cost per annum of this. However, if the CSCA had



one day of practice and one day of competition per week for 50 weeks it would be \$7,500 per year.

Total approximate additional cost for CSCA for private hire is \$16,780 per annum.

*Option 3 - Municipal Funding Donation of 24 Seater Disability access modified vehicle*

The City is not aware of any other large grant funding options apart from Lotterywest for the possible replacement of the CSCA 22 seater bus.

Council may decide to set a precedent to utilise Municipal funds to purchase and then donate a 24 Seat ROSA Mitsubishi Bus with Disability Access modifications based on information provided by the Cockburn Senior Citizen's Association. The net capital cost to Council would be in the vicinity of \$160,000. This includes \$40,000 Disability access modifications. This figure was provided by the President of CSCA and is an estimate only based upon the previous Lotterywest application where quotes were sourced approximately 6 months ago. There is currently no plan from the CSCA about how they would replace the bus in the future. If this is not addressed the same situation will recur when the bus reaches a point of high maintenance costs again.

The Treasurer of the Cockburn Seniors Association has provided an Income and Expenditure statement for the 2010/11 financial year. This document showed that the organisation operated with a surplus of \$8,425.85. This document also shows that they have a Term Deposit of \$40,000 and a Westpac Reserve balance of \$6,849.90. It appears as though the CSCA may have the capacity to partially fund the purchase of a new vehicle at some point in the future when the Term Deposit reaches its maturity date. Please see attached.

The net capital cost to Council could vary between approximately \$120,000 to \$160,000.

There may also be other community groups who see this precedent has been set and then request a donation from Council to purchase a Bus for their members use. Given the large number of seniors social groups and community groups in Cockburn a precedent of this nature could have a significant financial impact.



## **Strategic Plan/Policy Implications**

### **Lifestyle and Aspiration Achievement**

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

### **Budget/Financial Implications**

Option 1 and 2 will have no net cost to Council other than existing human resources to provide community development support to CSCA. The Seniors Centre Co-ordinator may be able to assist in promoting the need for a partnership with the CSCA through the Regional Seniors Group and may be able to assist in re-submitting the Lotterywest application if CSCA agrees to this.

Option 3 Municipal Funding Donation of 24 Seater Disability access modified vehicle ( refer to report for details).

The net capital cost to Council could vary between approximately \$120,000 to \$160,000.

### **Legal Implications**

N/A

### **Community Consultation**

N/A

### **Attachment(s)**

1. Cockburn Senior Citizen's Association unaudited Statement of Income and Expenditure 2010/11 financial year.
2. City of Cockburn 33 Seat Seniors Bus Hire Summary for the period 1/8/10 to the 31/8/11 (Pie Chart & Bar Graph).

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

N/A



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

Nil.

**17.4 (MINUTE NO 4633) (OCM 13/10/2011) - MEN'S SHED IN CITY OF COCKBURN (CR/L/001) (G BOWMAN)**

**RECOMMENDATION**

That Council consider the allocation of funds to appoint a consultant to undertake a research and consultation study for a Men's Shed in the City of Cockburn in the 2012/13 Municipal Budget.

**COUNCIL DECISION**

MOVED Clr H Attrill SECONDED Clr C Reeve-Fowkes that Council consider the allocation of funds to appoint a consultant to undertake a research and consultation study for a Men's Shed in the City of Cockburn in the mid year review of the 2011/12 Municipal Budget.

**CARRIED 8/0**

**Background**

At the August 2011 Council meeting, Clr Carol Reeve-Fowkes requested that *a report be prepared for Council on the possibility of setting up a "Men's Shed" in Spearwood/Hamilton Hill, along similar lines to what is already successfully implemented within the City of Fremantle. The report should provide potential locations, possible costs and potential services that could be offered from a project like this and the report be provided to the October 2011 OCM.*

**Submission**

N/A

**Report**

The Men's Shed movement has been a very successful preventative health initiative in Australia and has attracted funding under the Commonwealth Government's National Male Health Policy. It is envisaged that a Men's Shed group would be the major user of any Men's Shed facility that may be developed in Cockburn.



The desire for a Men's Shed has been mooted through the following sources:

- The desire was identified by participants in the Age Friendly Cities Consultation held in 2010 (report pending);
- The gap of a Men's Shed in Cockburn was raised by the Manager Policy and Planning, Department for Communities;
- The possible need for a Men's Shed was raised by the Seniors Centre staff who have been very successful at engaging seniors in active ageing activity.
- Adhoc feedback from male members have indicated that they would be interested in using this type of facility;
- Burdiya Aboriginal Corporation and Meerilinga Young Children's Foundation have also expressed an interest in such a facility;
- The City's Disability Access and Inclusion Officer has also received feedback from community members that they would be interested in using a Men's Shed.

A meeting held with the Fremantle Men's Shed identified that they do not have the capacity to take on new members as they are already at full membership capacity due to their ongoing success. They also explained that a number of their existing members live in the Cockburn district so they also believe that there may be a need for a Men's Shed in Cockburn.

The City has received anecdotal community feedback that a Men's Shed in the City would be desirable, however formal research and independent community consultation is recommended to determine whether there is a demonstrated community need.

In order to carry out this study and provide a comprehensive report to Council an independent and suitably qualified and experienced consultant would need to be appointed by the City.

However, there are no existing municipal resources to carry out this comprehensive research study and community consultation process, so funds will need to be allocated for a consultant to carry out the following tasks.

It is proposed that the brief for the consultant include the following:

- Identify and consult with a broad range of potential users and possible community partners regarding a Men's Shed facility;
- Research and consult to identify and document a preferred viable service model and possible services and community benefit from the development of a Men's Shed;
- Analyse consultation, demographic, and research findings for Men's Shed facilities to determine whether there is a demonstrated community need for a Men's Shed in Cockburn;



- Advise on building type, size, and broad building specifications for the preferred model for a Men's Shed;
- Provide a concept plan and capital cost estimate for a Men's Shed facility;
- Identify the amount of land required, and viable and suitable Council controlled land sites for the facility;
- Research and advise on the capital costs and operational costs of a Men's Shed;
- Develop a management plan and operation budget inclusive of possible revenue sources;
- Identify grant funding opportunities for the capital construction and ongoing operational costs for a Men's Shed facility; and
- Prepare a report on the findings for Council consideration.

Given the comprehensive list of tasks required, it is anticipated that the project will take six months to complete.

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

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

- To foster a sense of community spirit within the district generally and neighbourhoods in particular.
- To facilitate and provide an optimum range of community services and events.
- To deliver our services and to manage resources in a way that is cost effective without compromising quality.
- To identify community needs, aspirations, expectations and priorities for services that are required to meet the changing demographics of the district.

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

The cost of a consultancy to carry out the associated tasks would be in the vicinity of \$15,000.

#### **Legal Implications**

N/A

#### **Community Consultation**

Participants in the Age Friendly Cities Consultation held in 2010 identified that a Men's Shed would be highly desirable in Cockburn.



**Attachment(s)**

N/A

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

N/A

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

Nil.

**18. EXECUTIVE DIVISION ISSUES**

**18.1 (MINUTE NO 4634) (OCM 13/10/2011) - PROPOSED AMENDMENT TO LOCALITY BOUNDARIES FOR THE SUBURBS OF 'COOGEE' AND 'SPEARWOOD' (CC/B/001) (D GREEN) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) agrees, in principle, to the amendment of the locality boundaries for the suburbs of Coogee and Spearwood, by including that land currently bounded by Cockburn Road, Ocean Road, Hamilton Road and the railway line into the locality of Coogee from Spearwood, as shown in the attachment to the Agenda;
- (2) advise affected landowners of this decision and seek responses on whether they agree or disagree with this proposal;
- (3) in the event of a majority of respondents agreeing with the proposal, a formal application be forwarded to the Geographic Names Committee for approval; and
- (4) informs Terranovis that it does not support the boundary change proposed which would include that part of Spearwood bounded by Hamilton Road, Mell Road and the railway line into the locality of Coogee on the basis that it is not accepted practice to amend locality boundaries from higher graded roads (District Distributor) to lower graded roads (Local Distributor).



**COUNCIL DECISION**

MOVED Clr T Romano SECONDED Clr C Reeve-Fowkes that Council defers consideration of this matter to enable further discussion to take place between the developers and Council staff.

**CARRIED 8/0**

**Reason for Decision**

Given there is no urgency to resolve this matter at this stage, it is recommended the item be deferred to enable further dialogue to take place between the parties, which may result in a satisfactory outcome for all concerned.

**Background**

At the April 2011 Ordinary Council Meeting, Clr Romano submitted a petition containing 164 signatures supporting an amendment to the suburb boundaries of Spearwood and Coogee. The petition sought to have an area of land east of Hamilton Road, broadly incorporating properties located between the railway line (north) and Troode Street (south) and bounded by the Market Garden Swamps (eastern boundary) ceded from the suburb of Spearwood and included in the suburb of Coogee.

A response was provided to Terranovis, the developers responsible for organising the petition, rejecting the proposal on the basis that it did not comply with the basic criteria required by the approving State Government authority – the Geographic Names Committee (GNC).

Since then, Terranovis has lodged an alternative proposal, which restricts the extent of the boundary change to the area broadly affected by the Structure Plans submitted for this area, as shown on the attached plan.

**Submission**

Terranovis, one of the proponents who have lodged a Structure Plan over the redevelopment area, is seeking a change to the suburb boundaries to reflect the entire area covered by the various Structure Plans being located in one suburb (Coogee).





## Report

The current boundary between the suburbs of Coogee and Spearwood runs along Hamilton Road, between Ocean Road and the Beeliar Road alignment. The current northern boundary of Coogee is identified by Ocean Road. This is primarily because of the adjacent land to the east and north of this point being owned by George Weston Foods, which traded as Watsonia, until 2010. Prior to that, the operating abattoir and its surrounding landholdings were sterilised from development potential because of the industrial use associated with the properties.

Since its closure, the land has been remediated and the restrictive buffers removed to enable it to be developed for urban and associated purposes.

To facilitate this process, structure plans have been submitted to Council for consideration. These have been considered by Council earlier in this Agenda at items 14.3 and 14.4.

These plans indicate that the development areas will provide significantly improved land use opportunity for the City. In that context, it is understandable that the developers involved in the planning and marketing of the product would wish to have the total redeveloped area located in one suburb.

However, that reason alone does not constitute a necessity for Council and is not considered to be a matter over which Council has any influence. By way of rational consideration, it is Council's role to ensure any recommendation provided to GNC reflects a sound outcome supported by proper evidence. Consequently, it is considered that a suburb boundary should be located on a prominent feature to distinguish its presence, rather than shifted to accommodate a marketing process, as is proposed in this case.

Hamilton Road is a busy thoroughfare which has historically provided a natural boundary between Coogee (to the west) and Spearwood (to the east). Despite the fact that significant parcels of land previously owned by Watsonia traverse Hamilton Road in the proposed new development plans, Hamilton Road will remain a significant distributor of vehicular traffic. It is not considered that the redevelopment itself provides enough justification for a location boundary change on its own. To do so would probably be an injustice to the historical significance of the Watsonia factory's past presence as an iconic Spearwood business.

In addition, the relocation of the suburb boundary to the eastern side of Hamilton Road would only affect those landholders located within that development, but would otherwise appear incongruous and even confusing. The process of relocating a suburb boundary from a higher



graded road to a local road is also not accepted practice and is difficult to support on this basis.

In fact, the only criteria upon which this proposal can be supported is that the application is made prior to the redevelopment of the area. As previously mentioned, this is primarily because the developer has recognised that the structure plan for this location traverses two suburbs and wishes to avoid any identity issues which may arise during the marketing and sales of the redeveloped land in future.

On balance, it is recommended that part of the redevelopment area to the north of Ocean Road and west of Hamilton Road be ceded into Coogee, but not the area to the east of Hamilton Road.

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

#### **Governance Excellence**

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

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

Minor costs associated with distribution of correspondence to affected landholders.

#### **Legal Implications**

Sec. 26 Land Administration Act, 1997, refers.

#### **Community Consultation**

Affected landowners will be consulted on the proposal, seeking their opinion.

#### **Attachment(s)**

1. Submission by Terranovis.
2. Coogee Suburb, identifying supported amendment (blue) and unsupported proposal (yellow).
3. Extract Geographic Names Committee Guidelines.
4. Joint Department of Commerce/REIWA Guidelines – Advertising.

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

The Proponent has been advised that this matter is to be considered at the 13 October 2011, Council Meeting.



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

Nil.

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

Nil

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

Nil

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

**21.1 (MINUTE NO 4635) (OCM 13/10/2011) - NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY COUNCILLORS OR OFFICERS**

**RECOMMENDATION**

That Council receive the Minutes of the Special Delegated Authorities, Policies & Position Statements Committee Meeting held on 6 October 2011, as attached to the Agenda and adopts the recommendations contained therein.

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

**COUNCIL DECISION**

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

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0**

**Background**

The Delegated Authorities, Policies & Position Statements Committee conducted a special meeting on 6 October 2011. The Minutes of the



meeting are required to be presented to Council and its recommendations considered by Council.

### **Submission**

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

### **Report**

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

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

#### **Governance Excellence**

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

### **Budget/Financial Implications**

As contained in the Minutes.

### **Legal Implications**

Section 5.42 of the Local Government Act requires an absolute majority for delegations of powers to the Chief Executive Officer or his appointees.

### **Community Consultation**

As contained in the Minutes.

### **Attachment(s)**

Minutes of the Delegated Authorities, Policies and Position Statements Committee Meeting – 6 October 2011.

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

N/A



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

Nil.

**22 (OCM 13/10/2011) - MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE**

**22.1** MAYOR LOGAN HOWLETT has requested that a report be prepared for the November 2011 Ordinary Council Meeting, addressing the issues associated with the street tree located on the verge of Mr and Mrs Gates property at 12 Drosera Loop, Beeliar.

**23. CONFIDENTIAL BUSINESS**

Nil.

**24 (MINUTE NO 4636) (OCM 13/10/2011) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995)**

**RECOMMENDATION**

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

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

**COUNCIL DECISION**

MOVED Clr I Whitfield SECONDED Clr C Reeve-Fowkes that the recommendation be adopted.

**CARRIED 8/0**



**25 (OCM 13/10/2011) - CLOSURE OF MEETING**

Meeting closed at 7.55 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: ...../...../.....

