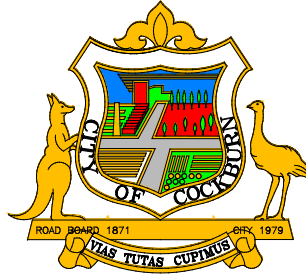


CITY OF COCKBURN



ORDINARY COUNCIL

MINUTES

FOR

THURSDAY, 13 APRIL 2017

These Minutes are subject to Confirmation

Presiding Member's Signature

Date: 11 May 2017

CITY OF COCKBURN

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CITY OF COCKBURN

MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 13 APRIL 2017 AT 7:00 PM

PRESENT:

ELECTED MEMBERS

Mr L Howlett	-	Mayor (Presiding Member)
Mrs C Reeve-Fowkes	-	Deputy Mayor
Mr K Allen	-	Councillor
Mrs L Sweetman	-	Councillor
Dr C Terblanche	-	Councillor
Mr S Portelli	-	Councillor
Mr S Pratt	-	Councillor
Mr P Eva	-	Councillor

IN ATTENDANCE

Mr S. Cain	-	Chief Executive Officer
Mr D. Green	-	Director, Governance & Community Services
Mr S. Downing	-	Director, Finance & Corporate Services
Mr C. Sullivan	-	Director, Engineering & Works
Mr D. Arndt	-	Director, Planning & Development
Mr J Ngoroyemoto	-	Governance & Risk Management Co-ordinator
Ms M Nugent	-	Media & Communications Officer
Mrs B. Pinto	-	Executive Assistant to Directors – Fin. & Corp. Services/Gov. & Comm. Services

1. DECLARATION OF MEETING

The Presiding Member declared the meeting open at 7.03 pm.

Mayor Howlett acknowledged the Noongar people who are the Traditional Custodians of this Land. He also paid respect to the Elders, both past and present, of the Noongar Nation and extended that respect to other Indigenous Australians who may be present.

Mayor Howlett made the following announcements:

Hello Baby Event

On Wednesday, 29 March 2017 the City's Hello Baby event was held in Manning Park with hundreds of families attending, It continues to be an outstanding success.



The Honourable Simone McGurk, MLA, Minister for Communities was in attendance as was Mayor Carol Adams, City of Kwinana and Councillor Terblanche.

The event included the launch of the Connecting Community for Kids Launch and the opportunity for Aboriginal and Torres Strait Islander babies to be welcomed by Nyungar Elder Marie Taylor in a special 'Welcome Baby to Country' ceremony.

Show Off 13

On 31 March 2017, Mayor Howlett officially opened Show Off 13. Congratulations go to Cassandra Cooper, the City's Cultural Development Co-ordinator and Miles Carpenter who co-curated the event, the artists who exhibited at the exhibition and to the volunteers who provided their services to allow the exhibition to be open to the public over a 9 day period.

Official Opening of the Maritime Employees Training Centre, Henderson

On Thursday, 6 April 2017 Mayor Howlett and Councillor Smith attended the Official Opening of the Maritime Employees Training Centre in Henderson by Senator Glenn Sterle.

Mayor Howlett accepted a gift on behalf of the City from Mr Simon Earle, Chief Executive Officer, Maritime Employees Training Ltd; namely a representation of a Shane Pickett piece of art ('Mugurroo Calling') encapsulated in glass.

2. APPOINTMENT OF PRESIDING MEMBER (If required)

Nil.

3. DISCLAIMER (Read aloud by Presiding Member)

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

4 (OCM 13/04/2017) - ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (BY PRESIDING MEMBER)

Clr Lyndsey Sweetman	-	Impartiality Interest – Item 15.5 & 22.1
Clr Steven Portelli	-	Impartiality Interest – Item 18.4
Clr Phil Eva	-	Impartiality Interest – Item 22.1
Clr Stephen Pratt	-	Impartiality Interest – Item 22.1



5 (OCM 13/04/2017) - APOLOGIES AND LEAVE OF ABSENCE

Clr Lee-Anne Smith - Apology
Clr Bart Houwen - Apology

6. WRITTEN REQUESTS FOR LEAVE OF ABSENCE

Nil

7. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

8 (OCM 13/04/2017) - PUBLIC QUESTION TIME

Annette McGovern, Spearwood

Item 22.1 – Billboard Advertising – Armadale Road Funding

As Ms McGovern was not present, a response to her questions in relation to the above will be provided in writing.

Stephen Greenwood, Hammond Park

Q1 As I understand it, there was \$250,000 pledged by Labor for the upgrading of the Russell Road/ Hammond Road interchange in Hammond Park/Success. As this is vital to reduce congestion in Hammond Park and Success prior to further land developments in this area - can Council please give me a firm timeframe as to when this will be completed and also confirm that this will be a roundabout and not another set of congestion enhancing traffic lights?

A1. The City has produced a concept design for a dual lane roundabout and is progressing with the identification of any utility service relocation required and an area of land acquisition. No firm timeframe can be given until these matters are resolved but as a guide it is envisaged that all necessary approvals and service relocations would happen early in FY 2017/18 with construction of the roundabout as soon as possible after all the preliminary works are undertaken. The City expects the whole project to be completed in FY 2017/18.

Q2. Also will the traffic lights at the junction of Macquarie Boulevard and Russell road be removed as a result of the roundabout being built?

A2 The City is not intending to remove the existing traffic signals at this



intersection as the traffic signals serve two primary functions in the control of turning movements at the four way intersection as well as providing safe crossing of Russell Road for pedestrians and cyclists. Removal of the traffic signals would make traffic movements from the north and south legs of the intersection both unsafe and with long delays in peak times.

Traffic counts in 2016 showed average week day volumes of 5700 vpd on Brushfoot Boulevard and 6500 vpd on Macquarie Boulevard compared to Russel Road with 18800 vpd which would effectively block the two minor flows in peak times if the traffic signals were removed.

Jane Hilton, Leeming

As Ms Hilton was not present, a response to her questions not relating to the Agenda will be provided in writing.

Annette McGovern, Spearwood

As Ms McGovern was not present, a response to her questions not relating to the Agenda will be provided in writing.

Santo Pasqua, Bibra Lake

Q1. What year did Council adopt a policy to oppose Roe 8?

A1. Council formally opposed it in 2001 and made several other decisions on it in 2005 and 2015.

Q2. Who decided on this, was the Councillors or Administration?

A2. On every occasion it was determined by the Council.

Q3. Was there any Labor Party influence?

A3. No influence by any Party or Councillors. Since 2001 there have been 25 individual Councillors and/or Mayors that represented those particular Councils. Those Councils resolved to oppose Roe 8.

Q4. Was the survey conducted then and now with the locals, not people outside of the area, to gauge for and against?

A4. By way of a Council decision in 2016 Council resolved not to proceed with a community or ratepayer survey.



- Q5. What was the reason for not wanting to conduct a survey?
- A5. The reason for this is quite lengthy. A detailed reason is outlined in the Minutes of the Ordinary Council Meeting of 10 November 2016 at Minute No.5935.
- Q6. The opposition mentioned that there were sacred sites and wetlands in the area, he believe it is less than 5% for wetlands. Can you advise where these wetlands are?
- A6. The City would be happy for a staff member to meet on site to show you where these wetlands are, rather than trying to locate it on the map.
- In reference to the Roe 8 reserve area, there were a number of wetlands there which was Roe Swamp and paddock swamp. These are deemed to belong to the Noongar people. These are held in deep regard and spiritually they believe that the area of North Lake and Bibra Lake are registered Aboriginal sacred sites in that locality. Certainly there was an outpouring of emotion from Noongar Elders and Noongar people about the intrusion into those sites and other sites that are sacred to their heritage and culture.
- Q7. Cockburn has undertaken to do revitalisation of Spearwood, Hamilton Hill, Coolbellup and soon Lakes rezoning with no consideration for traffic movement, eg. east/west movement from North Coogee. How are these people going to get to the Freeway/Stock Road?
- A7. When Council undertook the revitalisation of the Phoenix area and the Hilton areas, traffic movement was a major consideration. A number of key outcomes were identified in relation to the local road networks, some of which have been further developed, others have been identified as no longer being warranted. Traffic was a consideration undertaken in all the revitalisation strategies.
- Q8. When will the construction of the outer harbour commence?
- A8. This is a matter for the State Government to determine.
- Q9. When will Farrington Road be duplicated with a right turn from Farrington Road to North Lake made into two lanes to avoid the traffic congestion during peak hours?
- A9. This is a project identified on the 2016-2031 Major Road Works Program. This is a public document. However, the City is unable to determine exactly when the Farrington Road duplication will occur.



Q10. How many vehicle movements are there on Farrington Road between North Lake Road and Kwinana Freeway?

A10. This information is available from the City's traffic count database which can be made available.

Q11. Is there a timeframe on when the Armadale Road Bridge will be constructed?

A11. Mayor Howlett spoke with the Minister recently who is having continual discussions with the Federal Government and Infrastructure Australia in relation to re-allocation of funds from the Roe 8 project to other projects the State Government has highlighted during the campaign as priorities for them. The City is waiting to hear the outcome of those meetings.

Q12. What amount of ratepayers' money so far has gone to the Opposition for Roe 8, eg. Signage, other facilities which have been rented?

A12. The City provided no funding for the protestors camp, no toilet facilities, no food, and no champagne. The protestors' camp was on Main Roads land for close to two and half months. Main Roads allowed them to stay on this land. They relocated to the Coolbellup site near Progress Drive. They stayed there for three days before they moved away where they had an adhoc camping arrangement at the Cockburn Wetlands Centre on and off between 10.00am and 3.00pm each day Monday to Friday.

Q13. There is a sign erected on Forrest Road stating 'Stop Roe 8'. Is this going to be removed?

A13. There were two campaigns that were run during the last State Election Campaign, one for funding the Armadale Road Bridge and the other to see for the continuation of stopping Roe 8. Stopping Roe 8 was initiated in May 2015 with a specific allocation of funding from Council. Each of the funding campaigns have run and achieved their objectives. All the campaign signs will be removed effective today and in the next two weeks these will be replaced with the City's marketing messages.

Q14. Was anything being done at these places in relation to the flora, fauna and wild life when the clearing was being done?

A14. Main Roads WA and/or the Roe 8 Alliance will have that information. The City is not privy to that information.



Q15. Has the trucking industry made any submission to Council for Roe 8 to go ahead?

A15. Not that the City is aware of.

Q16. The redevelopment of the Hamilton Hill Senior High School to residential – will Council be looking at traffic flow to the freeway?

A16. This is an exercise being conducted by Landcorp. At this stage there haven't been any plans prepared in terms of how these residential lots will be redeveloped. It is likely that these will be redeveloped for housing. The issue of density of the housing still has not been resolved. The issue of access, the site does have access to Stock Road, which is the major access route to the Perth Road Network into the City.

Mayor Howlett thanked Mr Pasqua for his questions.

9. CONFIRMATION OF MEETING

9.1 **(MINUTE NO 6045) (OCM 13/04/2017) - MINUTES OF THE ORDINARY COUNCIL MEETING - 9 MARCH 2017**

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting held on Thursday, 9 March 2017 as a true and accurate record.

COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr C Terblanche that adopt the recommendation subject to amending Minute No.6023 'Minutes of the Ordinary Council Meeting – 9/2/2017, by the addition of the following:

subject to amending 'Minute No.6010 – Acquisition of Land for Road Widening Purposes, Jandakot and Solomon Road, Jandakot (041/001) (K Sim)', by deleting the words 'for discussion with the residents at the workshop' in sub-recommendation (3) and substituting the words 'as part of the future report to Council'.

CARRIED 8/0



10 (OCM 13/04/2017) - DEPUTATIONS

Mayor Howlett invited the following deputations to make their presentation:

Gary Louis & Antonio Canci – AD Canci Nominees Pty Ltd in relation to Item 15.5 – Reconsideration of Planning Application – Proposed Medical Centre, 21 Mell Road, Spearwood.

Mayor Howlett thanked Gary Louis for the information provided.

Brenden Sloan and Jill McNabb, 22 Lyon Road, Atwell in relation to Item 18.4 – Aubin Grove Station Parking Precinct.

Mayor Howlett thanked the deputation for the information provided.

CLR KEVIN ALLEN LEFT THE MEETING AT 7.49 PM AND RETURNED AT 7.50 PM

Richard Farrell, 20 Congenial Loop, Atwell in relation to Item 18.4 – Aubin Grove Station Parking Precinct.

Mayor Howlett thanked Mr Farrell for the information provided.

Gordon Lee & John Kirkness, 7 Riverside Road, East Fremantle in relation to Item 20.2 – Revised Local Development Plan – Lots 902 and 903 Hamilton Road, Lots 903-905 Sumich Gardens and Lots 906-909 DaSilva Place, Coogee.

Mayor Howlett thanked the deputation for the information provided.

11 (OCM 13/04/2017) - PETITIONS

A Petition with 115 signatures was received from Michelle Anne Paul, initiator of the Petition in relation to parking restrictions around the streets in the vicinity of the new Aubin Grove Train Station.

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

Nil



13. DECLARATION BY MEMBERS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING

Nil

14. COUNCIL MATTERS

AT THIS POINT IN THE MEETING, THE TIME BEING 8.02 PM THE FOLLOWING ITEMS WERE CARRIED BY 'EN BLOC' RESOLUTION OF COUNCIL

14.1	15.1	16.1	17.1	18.1	20.1	23.1
	15.2			18.2		
	15.3					
	15.4					

14.1 (MINUTE NO 6046) (OCM 13/04/2017) - MINUTES OF THE AUDIT & STRATEGIC FINANCE COMMITTEE MEETING - 16 MARCH 2017 (026/007) (J NGOROYEMOTO/N MAURICIO) (ATTACH)

RECOMMENDATION

That Council receive the Minutes of the Audit and Strategic Finance Committee Meeting held on Thursday, 16 March 2017, and adopt the recommendations contained therein.

COUNCIL DECISION

MOVED Clr S Portelli SECONDED Clr C Terblanche that the recommendation be adopted.

CARRIED 8/0

Background

A meeting of the Audit and Strategic Finance Committee was conducted on 16 March 2017.

Submission

N/A



Report

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

1. Risk Management Information Report
2. Land Management Strategy 2017-2022
3. Internal Audit Report – Project Management

Strategic Plan/Policy Implications

Leading & Listening

- Deliver sustainable governance through transparent and robust policy and processes.
- Ensure sound long term financial management and deliver value for money.
- Listen to and engage with our residents, business community and ratepayers with greater use of social media.

Budget/Financial Implications

As contained in the Minutes.

Legal Implications

As contained in the Minutes.

Community Consultation

N/A

Risk Management Implications

The Audit and Strategic Finance Committee is a formally appointed Committee of Council and is responsible to that body. The Audit and Strategic Finance Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The Audit and Strategic Finance Committee does not have any management functions and is therefore independent of management.

Therefore, if any Committee recommendations of the Audit and Strategic Finance Committee are not adopted or deferred by Council, officers will be unable to proceed to action the recommendations contained within the Minutes.



Attachment(s)

Minutes of the Audit & Strategic Finance Committee Meeting – 16 March 2017.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

15. PLANNING AND DEVELOPMENT DIVISION ISSUES

15.1 (MINUTE NO 6047) (OCM 13/04/2017) - PROPOSED STRUCTURE PLAN FOR LOT 5 (NO. 626) ROCKINGHAM ROAD, MUNSTER - OWNER: RAY DAVID FORREST - APPLICANT: CF TOWN PLANNING AND DEVELOPMENT (110/168) (T VAN DER LINDE) (ATTACH)

RECOMMENDATION

That Council

- (1) adopts the Schedule of Submissions prepared in respect of the proposed structure plan;
- (2) pursuant to Schedule 2, Part 4, clause 20 of the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, recommends to the Western Australian Planning Commission the proposed structure plan be approved, subject to the following modifications:
 1. Amend Part Two, section 1.3.2.4 Movement Networks, first paragraph to refer to an average weekday traffic volume of 4,174 vehicles along Rockingham Road according to traffic counts undertaken in 2015, thus resulting in the requirement that all vehicles associated with future development at the site are able to exit the site in forward gear;
 2. Amend the Acoustic Assessment dated 16 December 2016 prepared by ND Engineering (ref: 1611119) to address the recommendations set out in Main Roads letter dated 20 March 2017 and included as submission 13 within the Schedule of Submissions at Attachment 3 of this report to the satisfaction of the City in consultation with Main Roads and prior to the commencement of any



on site works; and

- (3) advise the applicant and those who made a submission of Council's decision accordingly.

COUNCIL DECISION

MOVED Clr S Portelli SECONDED Clr C Terblanche that the recommendation be adopted.

CARRIED 8/0

Background

The proposed Structure Plan relates to Lot 5 (No. 626) Rockingham Road, Munster and proposes a Residential zoning at R40 density across the subject land. A Location Plan is provided at Attachment 1.

A Structure Plan has also been lodged with the City for Lot 6 (No. 630) Rockingham Road immediately south of the subject land also proposing an R40 coding over the land. The Structure Plans are able to be approved and development carried out independently of each other.

The Structure Plan has been advertised for public comment and this report now seeks to consider the proposal in light of the advertising process.

Submission

The Structure Plan was prepared and lodged by CF Town Planning and Development on behalf of the landowner.

Report

Planning Background

The subject land is 2,346m² and is bound by Rockingham Road to the west, Stock Road to the east, a number of residential grouped dwellings directly to the north, and several lots of a similar size to the south. Much of the land in the vicinity of the subject land is progressively being redeveloped as single and grouped dwellings following preparation and approval of Structure Plans to guide development.



The subject land 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 No. 5 ("DA 5"), Development Contribution Areas No. 6 and 13 ("DCA 6") and ("DCA 13").

Pursuant to Clause 5.2.3.2 of the Scheme, a Structure Plan is required to be prepared and approved prior to any subdivision or development within a Development Area. The Structure Plan proposes a 'Residential' zoning over the subject land at an 'R40' density code. A copy of the Structure Plan is included at Attachment 2. Due to the relatively small size of the subject land, provision of 10% Public Open Space ("POS") is not proposed due to the resulting area of POS being too small to be of benefit to the community. Instead, the contribution of a cash-in-lieu equivalent will make funds available for the City to upgrade existing and future POS in the surrounding locality.

The subject land currently accommodates a single residential dwelling and several outbuildings. The subject land is in a strategic location being in close proximity to the major transport routes of Rockingham Road and Stock Road, providing convenient access to nearby existing and future employment hubs including the Australian Marine Complex, Latitude 32 and Fremantle. St Jerome's Primary School, Coogee Primary School and South Coogee Primary School are all located within 2km of the subject land. Solta Park, Albion Park, Mihaljevich Park and the proposed park at Lot 103 and Lot 104 West Churchill Avenue are all located within walking distance. A local centre offering a number of services including various food outlets is located approximately 120m north of the subject land.

Residential Density

The proposed residential density code of R40 will assist in the provision of additional dwelling diversity within the locality. The draft Perth and Peel@3.5million strategic plan advocates for urban consolidation and an overall target of 47% of all new dwellings as infill development. Directions 2031 and Beyond ("Directions 2031") and Liveable Neighbourhoods ("LN") promote a minimum of 15 dwellings per hectare as the 'standard' density for new urban areas. A minimum of 4 dwellings are required to be developed at the subject land to achieve this target. The proposed R40 density allows for a maximum of 10 dwellings to be developed at the subject land, meeting the targets of Directions 2031 and LN.

The proposed R40 density is consistent with the densities within the surrounding residential area which range from R20 to R60. Residential lots to the west of Rockingham Road and the subject land are primarily zoned R20, while north of the site several endorsed Structure Plans



have been zoned R40 and R60. The R40 density proposed on the site is further supported by convenient access to public transport along Stock and Rockingham Road with stops less than 300m from the subject site providing future residents an increased level of connectivity.

Public Open Space

In accordance with LN the proposed Structure Plan is required to cede 10% of the gross subdividable area as POS. Due to the relatively small size of the Structure Plan area, physical POS has not been provided. Instead, the POS requirement is proposed to be satisfied by way of a future cash-in-lieu contribution pursuant to clause 153 of the Planning and Development Act 2005. Having regard to clause 153 of the *Planning and Development Act 2005*, LN specifies in A2 of Appendix 4 that the WAPC may impose a condition seeking a cash-in-lieu equivalent of POS in a number of circumstances, including where “*the otherwise required 10 per cent area of open space would yield an area of unsuitable size/s and dimension/s to be of practicable use*”. This is applicable to the proposed Structure Plan and thus it is deemed appropriate to recommend a cash-in-lieu contribution at subdivision stage. Clause 154 of the Planning and Development Act 2005 sets out how the money received in lieu of open space is to be dealt with.

Furthermore, the subject site is located within walking distance of a number of areas of existing and proposed POS of varying sizes and functionality which would benefit from upgrades funded by cash-in-lieu contributions from nearby subdivisions. These include Solta Park, Albion Park, Mihaljevich Park and the proposed park at Lot 103 and Lot 104 West Churchill Avenue.

Noise

Due to the proximity of the subject land to Stock Road, a noise assessment demonstrating compliance of the proposal with *State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning* (SPP 5.4) was required.

The Acoustic Assessment included at Appendix 2 of the Structure Plan report is not compliant with SPP 5.4 for a number of reasons, including incorrect data, insufficient noise modelling and insufficient detail regarding noise mitigation measures. The recommended changes to the Acoustic Assessment are detailed in Main Roads submission on the proposal included within the Schedule of Submissions at Attachment 3. Recommendation (2)2 above requires the Acoustic Assessment be updated in accordance with these recommendations as a condition of Structure Plan approval.



Strategic Plan/Policy Implications

City Growth

- Ensure planning facilitates a desirable living environment and meets growth targets
- Continue revitalisation of older urban areas to cater for population growth and take account of social changes such as changing household types
- Ensure growing high density living is balanced with the provision of open space and social spaces
- Ensure a variation in housing density and housing type is available to residents

Budget/Financial Implications

The required fee was calculated on receipt of the proposed Structure Plan and has been paid by the proponent. There are no other direct financial implications associated with the Proposed Structure Plan.

Legal Implications

Clause 20(1) of the deemed provisions requires the City to prepare a report on the proposed Structure Plan and provide it to the Commission no later than 60 days following the close of advertising.

Community Consultation

In accordance with clause 18(2) of the deemed provisions, the Structure Plan was advertised for a period of 28 days commencing on 14 February 2017 and concluding on 14 March 2017. Advertising included a notice in the Cockburn Gazette and on the City's webpage, letters to landowners in the vicinity of the Structure Plan area, and letters to relevant government agencies.

In total thirteen submissions were received. Eleven were from government agencies, one of which provided objections to the proposal, in particular the Acoustic Assessment as discussed in the preceding report above. Two submissions were received from nearby landowners, both supporting the proposal. The Schedule of Submissions at Attachment 3 details each of the submissions received.

Risk Management Implications

If the Structure Plan is not supported, there will be no planning structure over the subject land to guide future subdivision and



development. The subject land is in a strategic location, close to major transport routes, areas of POS, employment hubs, schools and a local centre and thus it is appropriate to develop the site at an R40 residential density which also assists in achieving dwelling targets specified within Perth and Peel@3.5million.

Thus, if the Structure Plan is not adopted, there will be a missed opportunity to develop this land for residential dwellings to assist in meeting density targets and capitalise on the strategic location of the subject land.

Attachment(s)

1. Location Plan
2. Structure Plan Map
3. 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 April 2017 Council Meeting.

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

Nil.

15.2 (MINUTE NO 6048) (OCM 13/04/2017) - PROPOSED STRUCTURE PLAN - LOT 6 (NO. 630) ROCKINGHAM ROAD, MUNSTER - OWNER: NU EDGE PROPERTY PTY LTD - APPLICANT: TERRANOVIS (110/167) (T VAN DER LINDE) (ATTACH)

<p>RECOMMENDATION That Council</p> <p>(1) adopts the Schedule of Submissions prepared in respect of the proposed structure plan;</p> <p>(2) pursuant to Schedule 2, Part 4, clause 20 of the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, recommend to the Western Australian Planning Commission the proposed structure plan be approved, subject to the following modifications:</p> <ol style="list-style-type: none">1. Amend the Transportation Noise Assessment dated 10 December 2016 prepared by Lloyd George Acoustics (ref: 16123827-01) to address the recommendations set out in Main Roads letter dated 20 March 2017 (ref:



17/1445 (D17#230507)) and included as submission 12 within the Schedule of Submissions at Attachment 3 of this report to the satisfaction of the City in consultation with Main Roads;

- (3) advise the applicant and those who made a submission of Council's decision accordingly.

COUNCIL DECISION

MOVED Clr S Portelli SECONDED Clr C Terblanche that the recommendation be adopted.

CARRIED 8/0

Background

The proposed Structure Plan relates to Lot 6 (No. 630) Rockingham Road, Munster and proposes a Residential zoning at R40 density across the subject land. A Location Plan is provided as Attachment 1.

A Structure Plan has also been lodged with the City for Lot 5 (No. 626) Rockingham Road, immediately north of the subject land, also proposing an R40 coding over the land. The Structure Plans are able to be approved and development carried out independently of each other.

The Structure Plan has been advertised for public comment and this report now seeks to consider the proposal in light of the advertising process.

Submission

N/A

Report

Planning Background

The subject land is 2,245m² and is bound by Rockingham Road to the west, Stock Road to the east, several lots of a similar size and use to the subject land to the south and adjacent north. Much of this development in the vicinity of the subject land is guided by Structure Plans.



The subject land 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 No. 5 ("DA 5"), Development Contribution Areas No. 6 and 13 ("DCA 6") and ("DCA 13").

Pursuant to Clause 5.2.3.2 of the Scheme, a Structure Plan is required to be prepared and approved prior to any subdivision or development within a Development Area. The Structure Plan proposes a 'Residential' zoning over the subject land at an 'R40' density code (Attachment 2). Due to the relatively small size of the subject land, provision of 10% Public Open Space ("POS") is not proposed due to the resulting area of POS being too small to be of benefit to the community. Instead, the contribution of a cash-in-lieu equivalent will make funds available for the City to upgrade existing and future POS in the surrounding locality.

The subject land currently accommodates a single residential dwelling and several outbuildings. The subject land is in a strategic location being in close proximity to the major transport routes of Rockingham Road and Stock Road, providing convenient access to nearby existing and future employment hubs including the Australian Marine Complex, Latitude 32 and Fremantle. St Jerome's Primary School, Coogee Primary School and South Coogee Primary School are all located within 2km of the subject land. Solta Park, Albion Park, Mihaljevich Park and the proposed park at Lot 103 and Lot 104 West Churchill Avenue are all located within walking distance. A local centre offering a number of services including various food outlets is located approximately 140m north of the subject land.

Residential Density

The proposed residential density code of R40 will assist in the provision of additional dwelling diversity within the locality. The draft *Perth and Peel@3.5million* strategic plan advocates for urban consolidation and an overall target of 47% of all new dwellings as infill development. *Directions 2031 and Beyond* ("Directions 2031") and *Liveable Neighbourhoods* ("LN") promote a minimum of 15 dwellings per hectare as the 'standard' density for new urban areas. A minimum of 4 dwellings are required to be developed at the subject land to achieve this target. The proposed R40 density allows for a maximum of 10 dwellings to be developed at the subject land, meeting the targets of Directions 2031 and LN.

The proposed R40 density is consistent with the densities within the surrounding residential area which range from R20 to R60. Residential lots to the west of Rockingham Road and the subject land are primarily zoned R20, while north of the site several endorsed Structure Plans



have been zoned R40 and R60. The R40 density proposed on the site is further supported by convenient access to public transport with a stop along Stock Road being 250m from the subject land and a stop along Rockingham Road being approximately 95m from the subject land, providing future residents an increased level of connectivity.

Public Open Space

In accordance with LN the proposed Structure Plan is required to cede 10% of the gross subdividable area as POS. Due to the relatively small size of the Structure Plan area, physical POS has not been provided. Instead, the POS requirement is proposed to be satisfied by way of a future cash-in-lieu contribution pursuant to clause 153 of the *Planning and Development Act 2005*. Having regard to clause 153 of the *Planning and Development Act 2005*, LN specifies in A2 of Appendix 4 that the WAPC may impose a condition seeking a cash-in-lieu equivalent of POS in a number of circumstances, including where “*the otherwise required 10 per cent area of open space would yield an area of unsuitable size/s and dimension/s to be of practicable use*”. This is applicable to the proposed Structure Plan and thus it is deemed appropriate to recommend a cash-in-lieu contribution at subdivision stage. Clause 154 of the *Planning and Development Act 2005* sets out how the money received in lieu of open space is to be dealt with.

Furthermore, the subject land is located within walking distance of a number of areas of existing and proposed POS of varying sizes and functionality which would benefit from upgrades funded by cash-in-lieu contributions from nearby subdivisions. These include Solta Park, Albion Park, Mihaljevich Park and the proposed park at Lot 103 and Lot 104 West Churchill Avenue.

Noise

Due to the proximity of the subject land to Stock Road, a noise assessment demonstrating compliance of the proposal with *State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning* (SPP 5.4) was required.

A Transportation Noise Assessment was prepared to accompany the application and included as Appendix 2. A number of concerns were raised by Main Roads in their letter dated 20 March 2017 which are detailed in submission 12 of the Schedule of Submissions at Attachment 3. While it is recognised that the Transportation Noise Assessment generally complies with the requirements of SPP 5.4, the modifications recommended by Main Roads are logical and would result in a more accurate document. Thus, these modifications have been required as per recommendation (2)¹ above.



Strategic Plan/Policy Implications

City Growth

- Ensure planning facilitates a desirable living environment and meets growth targets
- Continue revitalisation of older urban areas to cater for population growth and take account of social changes such as changing household types
- Ensure growing high density living is balanced with the provision of open space and social spaces
- Ensure a variation in housing density and housing type is available to residents

Budget/Financial Implications

The required fee was calculated on receipt of the proposed Structure Plan and has been paid by the proponent. There are no other direct financial implications associated with the proposed Structure Plan.

Legal Implications

Clause 20(1) of the deemed provisions requires the City to prepare a report on the proposed Structure Plan and provide it to the Commission no later than 60 days following the close of advertising.

Community Consultation

In accordance with clause 18(2) of the deemed provisions, the Structure Plan was advertised for a period of 28 days commencing on 28 February 2017 and concluding on 28 March 2017. Advertising included a notice in the Cockburn Gazette and on the City's webpage, letters to landowners in the vicinity of the Structure Plan area, and letters to relevant government agencies.

In total Council received twelve submissions, ten from government agencies and two from landowners. The submission from Main Roads recommended a number of changes to the Transportation Noise Assessment as discussed in the preceding report above. One landowner supported the proposal and one objected to potential outcomes of the proposal.

The attached Schedule of Submissions at Attachment 3 details each of the submissions received.



Risk Management Implications

If the Structure Plan is not supported, there will be no planning structure over the subject land to guide future subdivision and development. The subject land is in a strategic location, close to major transport routes, areas of POS, employment hubs, schools and a local centre and thus it is appropriate to develop the site at an R40 residential density which also assists in achieving dwelling targets specified within *Perth and Peel @3.5million*.

Thus, if the Structure Plan is not adopted, there will be a missed opportunity to develop this land for residential dwellings to assist in meeting density targets and capitalise on the strategic location of the subject land.

Attachment(s)

1. Location Plan
2. Structure Plan Map
3. 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 April 2017 Council Meeting.

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

Nil.

15.3 (MINUTE NO 6049) (OCM 13/04/2017) - PROPOSED AMENDMENT TO MURIEL COURT STRUCTURE PLAN - LOTS 30 TO 33 VERNA COURT, COCKBURN CENTRAL (110/007) (T VAN DER LINDE) (ATTACH)

RECOMMENDATION

That Council

- (1) endorse the Bushfire Management Plan prepared by Bushfire Prone Planning in respect of the Proposed Structure Plan amendment dated 13 October 2016;
- (2) pursuant to *Schedule 2, Part 4, clause 20 of the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015*, recommend to the Western Australian Planning Commission that the proposed amendment to Muriel Court Structure Plan be approved, subject to the



following modifications;

1. Remove all references to the amendment being a minor amendment;
2. Include an additional requirement under Part 1, Section 4.3 that an 18m diameter cul-de-sac is required to be constructed at the eastern termination of Verna Court in accordance with the approved Waste Management Plan at Appendix 8 of the Structure Plan amendment report;
3. Amend Part 2, Section 2.2 to reflect the changes required in recommendation 4 below;
4. Amend the Noise Assessment prepared by Herring Storer Acoustics (reference: 212226-4-16262) included as Appendix 3 to address the applicable Jandakot Airport ANEF contour identified over a portion of the subject land and include reference to the following Notification on Title for those lots affected by noise from Jandakot Airport:

“This property is situated in the vicinity of Jandakot Airport, and is currently affected or may in the future be affected by aircraft noise. Noise exposure levels may increase in the future as a result of increases in numbers of aircraft using the airport, or other operational changes. Further information about aircraft noise, is available on request from the Jandakot Airport. Information regarding development restrictions and noise insulation requirements for noise-affected property, are available on request from the relevant local government offices;”

5. Amend Appendix 6 ‘Cross Sections of Common Property’ of the Structure Plan amendment report in accordance with attached sketch included at Attachment 4 of this report.

(3) advise the proponent of Council’s decision accordingly.

COUNCIL DECISION

MOVED Clr S Portelli SECONDED Clr C Terblanche that the recommendation be adopted.

CARRIED 8/0



Background

The City has received a request to amend the Muriel Court Structure Plan as it relates to Lots 30-33 Verna Court, Cockburn Central (“subject land”). A Location Plan is included at Attachment 1.

The proposed amendment seeks to rationalise the road alignments and street block extents over Lots 30-33 Verna Court as proposed by the Structure Plan to facilitate subdivision and development for residential land uses in a manner that provides for a more practical road layout.

The amended Structure Plan has been advertised for public comment and this report now seeks to consider the proposal in light of the advertising process and assessment by officers.

Submission

N/A

Report

Planning Background

The subject land is zoned ‘Urban’ under the Metropolitan Region Scheme (‘MRS’), with the majority of surrounding land zoned ‘Urban’. The Kwinana Freeway to the east is reserved as a ‘Primary Regional Road’ under the MRS.

The subject land is zoned ‘Development’ under City of Cockburn Town Planning Scheme No. 3 and is located within the Muriel Court Structure Plan also known as Development Area 19 (‘DA19’). The Muriel Court Structure Plan is a 79 hectare area bound by North Lake Road, Semple Court, Verna Court, the Kwinana Freeway and Kentucky Court, and is directly adjacent to Cockburn Central Activity Centre. Thus, it is a unique and strategic location to accommodate future residential growth.

The Muriel Court Structure Plan was prepared by the City of Cockburn and endorsed by the Western Australian Planning Commission (‘WAPC’) in 2010. Given the multiplicity of land ownership within the Structure Plan area as well as the relatively small lot sizes, it was considered that the only practical way of progressing planning of the area and facilitating its development potential was for the City to prepare a Structure Plan over the whole Development Area. The Structure Plan, in conjunction with other statutory planning instruments, provides a robust framework for the implementation of a dense, walkable, mixed use community.



The subject land is also included within Development Contribution Area 11 ('DCA11') and Development Contribution Area 13 ('DCA 13'). Contributions for items listed under each Development Contribution Plan will be required at subdivision and/or development stage.

Proposed Amendment to Structure Plan

The purpose of the proposed Structure Plan amendment is to rationalise the local road network, particularly those roads proposed on lot boundaries, in order to facilitate a more efficient and regular lot layout and to allow subdivision and development to occur independently of adjoining landowners. The Structure Plan Overlay Map at Attachment 3 depicts the proposed changes.

Key elements of the proposal are:

- Realignment of the north-south aligned road currently on the boundary of Lot 30 and 31 Verna Court. The amendment results in the entirety of the road reserve being located within Lot 31, which in turn increases the area of Residential R80 zoned within Lot 30 by 1,030m² and decreases the area of Residential R40 zoned land within Lot 31 by 920m². As a result of this change, Lot 31 is able to be developed independently of Lot 30 since the full width of the road reserve required to access future lots at Lot 31 is able to be constructed within Lot 31; and
- Realignment of the north-south aligned road on the boundary of Lot 32 and 33 currently located at an angle across the boundaries of both lots. The amendment results in the carriageway and eastern road verge being located within Lot 32 and the western road verge being located within Lot 33. This in turn decreases the area of Residential R40 and Residential R60 within Lot 32 and increases the area of POS, Residential R40 and Residential R60 within Lot 33. This amendment allows Lot 32 to be subdivided and developed independently of Lot 33 due to the road carriageway required to access proposed lots at Lot 32 being entirely located within Lot 32.

The minor increase in the area of POS over Lot 33 will not have any negative impact on the urban water management of the Structure Plan.

The proposed amendments have minimal impact on the design and functionality of the Structure Plan while still facilitating a more efficient lot layout.

Common Property

A subdivision application based on the proposed Structure Plan amendment has been lodged with the WAPC for Lots 30 and 31 Verna Court on behalf of the landowners of these lots. The City has



recommended to the WAPC that determination of this subdivision application be deferred until the proposed Structure Plan amendment is determined.

The subdivision application proposes a number of R80 lots directly fronting common property access ways of 8m and 10.5m wide. Due to these lots fronting a much narrower access way than a regular 15m wide street, it is vital that these common property areas are designed in such a way that amenity, including footpaths and street trees, are still provided for residents. At the same time, the access ways need to be functional for private and waste vehicle access.

While the Structure Plan amendment states that the provision of street trees and a footpath within common property will be required as a condition of subdivision approval, the common property cross sections depicting how this is to be achieved do not incorporate sufficient carriageway width for waste collection vehicles. Thus, point (2)5 of the above recommendation requires the cross section to be updated in accordance with the attached sketch (Attachment 4).

Noise

The noise assessment prepared in support of the proposed amendment incorrectly claims that the subject land sits outside the Jandakot Airport Frame or ANEF. The Noise Assessment will need to be amended to address the ANEF contour that applies to a portion of the subject land including reference to Notifications on Title for those lots that may be affected by noise from Jandakot Airport. Section 2.2 of the Structure Plan amendment report which references the noise assessment will also need to be updated to reflect these changes. This requirement is reflected in recommendation (2)3 and (2)4 above.

Strategic Plan/Policy Implications

City Growth

- Ensure planning facilitates a desirable living environment and meets growth targets

Moving Around

- Improve connectivity of transport infrastructure

Budget/Financial Implications

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



The subject land is located within DCA 11 and DCA 13, which requires contributions towards infrastructure within the Muriel Court Structure Plan area as well as contributions towards community infrastructure broadly across the City of Cockburn. These contributions are required to be paid at subdivision and/or development stage.

Legal Implications

Planning and Development Act 2005
City of Cockburn Town Planning Scheme No. 3
Planning and Development (Local Planning Schemes) Regulations 2015

Community Consultation

Community consultation was carried out for a period of 14 days from 7 March until 21 March 2017. The proposal was advertised in the newspaper, on the City's website and letters were sent to affected landowners in accordance with Regulation requirements.

Despite the minor nature of the proposed amendment, advertising was considered necessary due to the applicant only representing the landowners of Lots 30-32 Verna Court, while the Structure Plan amendment proposed changes over Lot 33 Verna Court. Thus the landowner of Lot 33 was notified due to the implications it has on their land.

No submissions were received during the advertising period.

Risk Management Implications

The officer's recommendation takes into consideration all the relevant planning factors associated with this proposal and is appropriate in recognition of making the most appropriate planning decision. There is minimal risk to the City if the amendment is recommended for approval as it will have minimal impact on existing landowners or the proposed development outcome under the Muriel Court Structure Plan.

If the Structure Plan amendment is not progressed, the rationalisation of the road layout will not be achieved, making it more difficult for the landowner/developer to proceed with subdivision and development of each lot. Given the highly strategic location of the subject land and in the interest of facilitating development of the Muriel Court Structure Plan in a timely manner and with minimal complications, it is recommended that the amendment be approved.

]



Attachment(s)

1. Location Plan
2. Amended Structure Plan
3. Structure Plan Overlay Map
4. Modifications to Cross Sections of Common Property

Advice to Proponent(s)/Submissioners

The Proponent(s) has been advised that this matter is to be considered at the 13 April 2017 Council Meeting.

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

Nil.

15.4 (MINUTE NO 6050) (OCM 13/04/2017) - CONSIDER PROJECT PLAN FOR NEW LOCAL PLANNING STRATEGY AND LOCAL PLANNING SCHEME (197/001 AND 197/002) (C CATHERWOOD) (ATTACH)

RECOMMENDATION

That Council

- (1) prepares a new local planning strategy to guide a new City of Cockburn Local Planning Scheme No. 4 for the entire area within the City of Cockburn, with the exclusion of land subject to the Hope Valley Wattleup Redevelopment Act 2000, Carnac Island and Rottnest Island;
- (2) pursuant to Section 72 of the Planning and Development Act 2005, prepare the above Local Planning Scheme with reference to the entire area within the City of Cockburn with the exclusion of land subject to the Hope Valley Wattleup Redevelopment Act 2000, Carnac Island and Rottnest Island, and as shown on the plan presented to the Council of the local government at its meeting of 13 April 2017 to be referred to as the Scheme Area Map;
- (3) endorses the approach for the preparation of (1) and (2) above as described in the draft project plan contained within Attachment 1; and
- (4) supports the publication of a notice (as required by Section 20 of the Planning and Development (Local Planning Schemes) Regulations 2015).



COUNCIL DECISION

MOVED Cllr S Portelli SECONDED Cllr C Terblanche that the recommendation be adopted.

CARRIED 8/0

Background

The City has an obligation under the Planning and Development Act 2005 (“the Act”) to regularly review its Local Planning Scheme, known as City of Cockburn Town Planning Scheme No. 3 (“Scheme”).

While the Scheme and its associated Local Planning Strategy have served the City well for a number of years, it is time to start planning for the next Local Planning Scheme to ensure the City’s Scheme remains relevant and consistent in light of State planning policies and strategies.

This report is to resolve the necessary resolutions in respect of beginning the new Scheme process, and to consider a project plan to undertake the new Scheme and Strategy for the City of Cockburn.

Submission

N/A

Report

A draft Project Plan (see Attachment 1) has been prepared which documents the required processes to undertake the new Scheme and strategy. The Project Plan follows the requirements set out in the Planning and Development Act 2005 and the Planning and Development (Local Planning Schemes) Regulations 2015.

Both documents are proposed to cover the land shown in the Scheme Area Map (see Attachment 2) which comprises the entire district of the City of Cockburn with three mandated exceptions:

1. Rottnest Island as this Class ‘A’ Reserve is managed by the Rottnest Island Authority and is also not covered by the Metropolitan Region Scheme.
2. Carnac Island also under management by a State department and is also not covered by the Metropolitan Region Scheme; and



3. The land known as 'Latitude 32' and covered by the Hope Valley Wattleup Redevelopment Act 2000. Section 71 of the Planning and Development Act 2005 prohibits the making of a Local Planning Scheme for that redevelopment area.

Role of the Local Planning Strategy

The strategy will set out the long-term (15-20 years) planning direction for the municipality and provides the rationale for the zones and other provisions of the Scheme.

The strategy gives context for the strategic framework and the broader environmental, social and economic goals and objectives. It will also provide a means to apply state and regional policies at the local level.

Role of the Local Planning Scheme

A Local Planning Scheme includes a variety of zones and accompanying statutory planning provisions which combine to provide for control of land use and development. This combination reflects a set formula of land use possibilities and zoning arrangements, with the intent being that the formula achieves the aims of the Scheme, which itself is derived from the strategic vision of the Local Planning Strategy.

Strategic Plan/Policy Implications

City Growth

- Ensure planning facilitates a desirable living environment and meets growth targets
- Continue revitalisation of older urban areas to cater for population growth and take account of social changes such as changing household types
- Ensure growing high density living is balanced with the provision of open space and social spaces
- Ensure a variation in housing density and housing type is available to residents

Budget/Financial Implications

No additional budgeting or resourcing is required. This project will be undertaken by existing City officers using existing equipment and resources available.



Legal Implications

The City has an obligation under the Planning and Development Act 2005 (“the Act”) to regularly review its Local Planning Scheme.

With the introduction of the Planning and Development (Local Planning Schemes) Regulations in late 2015, the provisions for local planning schemes were updated. There are now ‘model’ and ‘deemed’ provisions.

The ‘deemed’ provisions applied automatically on gazettal of the 2015 regulations. The City of Cockburn prudently sought Amendment 111 to the Scheme to remove the provisions which the ‘deemed’ provisions effectively replaced.

The remaining sections of the Scheme are expected to align to the ‘model’ provisions as the Scheme is amended. Likewise, if a new Scheme is proposed, it must adhere to the ‘model’ provisions.

Section 11 of the Planning and Development (Local Planning Schemes) Regulations 2015 mandates the preparation of the Strategy to accompany a new Scheme.

The wording of Part 2 of the recommendation is prescribed by the Western Australian Planning Commission.

Community Consultation

There will likely be a high level of public, government agency and business interest in this proposal. There are expectations for consultation set out in the Planning and Development (Local Planning Schemes) Regulations 2015. The attached project plan has included these at the appropriate stages in the process. These expectations have been built upon further in the project plan. Specifically, relevant information sheets, Frequently Asked Question sheets and Community Information Sessions will also be provided.

With both documents proposed to be advertised together, this will also allow for more than two additional months in consultation on the Local Planning Strategy than what the regulations require. This ensures our community has additional time to consider the document and prepare any submission they wish to make.

Risk Management Implications

The process for preparation and adoption of a new Local Planning Strategy and Scheme takes a number of years. Much of the timeframe is outside the control of the City, with assessments by the



Environmental Protection Authority, the WAPC and the Minister for Planning required.

Ideally a Scheme should be reviewed or replaced within its fifth year of the last consolidation. In this case, the City's Scheme was consolidated in 2015, leaving a three year period within which work can be undertaken on a new Scheme with the assurance the current Scheme is still deemed satisfactory in its existing form.

There is a risk to Council of the current Scheme becoming unsatisfactory if this project is not commenced within the year. Even if the new Strategy and Scheme progressed smoothly, they are unlikely to be approved before the last half of 2018 due to the various processes involved. However, there are usually delays for a variety of reasons so it would be prudent to anticipate these and start the project as soon as possible.

Attachment(s)

1. Draft Project Plan
2. Scheme Area Map

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

DECLARATION OF INTEREST

The Presiding Member advised the meeting he had received a written declaration of Impartiality Interest from Clr Lyndsey Sweetman in relation to the following item. The nature of the interest being that her sister lives next to the development and has lodged a submission.

AT THIS POINT IN THE MEETING CLR STEVEN PORTELLI LEFT THE MEETING THE TIME BEING 8.05 PM.



15.5 (MINUTE NO 6051) (OCM 13/04/2017) - RECONSIDERATION OF PLANNING APPLICATION - PROPOSED MEDICAL CENTRE - LOCATION: NO. 21 (LOT 6) MELL ROAD, SPEARWOOD - OWNER: AD CANCI NOMINEES PTY LTD - APPLICANT: MEYER SHIRCORE & ASSOCIATES (052/002 & DA16/0326) (D BOTHWELL) (ATTACH)

RECOMMENDATION

That Council

- (1) pursuant to S31 of the State Administrative Tribunal Act 2004 (WA), reconsider its previous decision of refusal;
- (2) grant planning approval for the proposed Medical Centre at No. 21 (Lot 6) Mell Road, Spearwood in accordance with the attached plans and subject to the following conditions and advice notes:

CONDITIONS

1. The Medical Centre is limited to the following maximum number of consultants/practitioners at any one time:
 - Tenancy 1 - 2 consultants;
 - Tenancy 2 - 2 consultants;
 - Tenancy 3 - 2 consultants;
 - Tenancy 4 - 2 consultants; and
 - Tenancy 5 - 1 consultant.
2. The hours of operation for all tenancies are restricted to between 7:00am and 7:00pm Monday to Friday, 9:00am - 3:00pm Saturday and not at all on Sunday and Public Holidays.
3. Prior to the issue of a Building Permit, the owner/applicant shall:
 - submit to the City for approval a preliminary proposal for an art work designed by a professional artist at a cost of 1% of the total project cost (to a maximum of \$250,000), to be located within the subject site as an integral part of the development;
 - submit to the City for approval an 'Application for Art Work Design'; and
 - enter into a contract with a professional artist/s to design and install (if appropriate) the art work approved by the City. The art work shall then be installed prior to occupation of the building/development and maintained thereafter to the satisfaction of the City.
4. Prior to the issue of a Building Permit, the submission of a detailed material, colours and finishes schedule for the development is to be provided to the City's satisfaction. The



details as agreed by the City are to be implemented and maintained in the development.

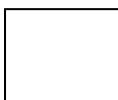
5. Prior to the issue of a Building Permit, 4 bicycle parking bays are to be designed and installed to comply with Australian Standard 2890.3 within designated bicycle parking areas marked on the site plan. Details of the bicycle parking shall be submitted to the City for assessment and approval.
6. Prior to the issue of a Building Permit, a Construction Management Plan is to be submitted to and approved by the City and all measures identified in the plan are to be implemented during the construction phase to the satisfaction of the City.
7. Prior to the initial occupation of the development, the parking bays, driveways and points of ingress shall be sealed, kerbed, drained and line marked in accordance with the approved plans to the satisfaction of the City. Car parking and access driveways shall be designed constructed and maintained to comply with Australian Standard 2890 to the satisfaction of the City.
8. Landscaping is to be installed and reticulated in accordance with an approved detailed landscape plan prior to the occupation of the dwellings. Landscaped areas are to be maintained thereafter in good order to the satisfaction of the City.
9. All service areas and service related hardware, including antennae, satellite dishes and air-conditioning units, being suitably located away from public view and/or screened to the satisfaction of the City.
10. Walls, fences and landscape areas are to be truncated within 1.5 metres of where they adjoin vehicle access points, where a driveway and/or parking bay meets a public street or limited in height to 0.75 metres to the satisfaction of the City.
11. All stormwater being contained and disposed of on-site to the satisfaction of the City.
12. All earthworks, cleared land and batters must be stabilised to prevent sand or dust blowing to the satisfaction of the City.
13. No building or construction related activities associated with this approval causing noise and/or inconvenience to neighbours between the hours 7.00pm and 7.00am, Monday to Saturday, and not at all on Sunday or Public Holidays (unless prior written approval of the City is issued).



14. The external bin enclosure shall be of an adequate size to contain all waste bins, at least 1.8m high, fitted with a gate and graded to a 100mm diameter industrial floor waste with a hose cock, all connected to sewer.
15. All outdoor lighting must be in accordance with the requirements of Australian Standard AS 4282-1997: 'Control of the Obtrusive of Outdoor Lighting'.
16. A minimum of 75% of the linear frontage for tenancy 1 fronting Mell Road is required to contain unobscured, transparent glazing that is visually permeable to the satisfaction of the City.

ADVICE NOTES

- (a) 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 Council, or with any requirements of the City of Cockburn Local Planning Scheme No. 3. Prior to the commencement of any works associated with the development, a building permit is required.
- (b) With regards to Conditions 7, the parking bay/s, driveway/s and points of ingress and egress are to be designed in accordance with the Australian Standard for Off-street Carparking (AS2890.1) and are to be constructed, drained and marked in accordance with the design and specifications certified by a suitably qualified practicing Engineer and are to be completed prior to the development being occupied and thereafter maintained to the satisfaction of the City.
- (c) With regards to Condition 11, all stormwater drainage shall be designed in accordance with Australian Standard AS3500.
- (d) The occupier of premises in which clinical waste is produced shall comply with in all respects with the Environmental Protection (Controlled Waste) Regulations 2004. For further information please contact the Department of Environment and Conservation.
- (e) The development is to comply with the noise pollution provisions of the *Environmental Protection Act 1986*, and more particularly with the requirements of the *Environmental Protection (Noise) Regulations 1997*.
- (f) With regards to Condition 3, the art work shall be in accordance with Council's Local Planning Policy LPP 5.13 Percent for Art and the 'Application for Art Work Design' and shall include a



contract between the owner/applicant and the artist, full working drawings (including an indication of where the art work is located) and a detailed budget being submitted to and approved by the City. Further information regarding the provision of art work can be obtained from the City's Community Arts Officer on 9411 3444.

- (g) Any signage which is not exempt under Schedule 5 of the City of Cockburn Local Planning Scheme No. 3 must be the subject of a separate development approval.
- (h) With regards to Condition 14, the minimum provisions for internal bin storage is a concrete wash-down pad of at least 1m² graded to a 100mm diameter industrial floor waste with a hose cock, connecting to an approved waste disposal system. This can be centrally located within the development to the satisfaction of the City.
- (i) Prior to the issue of a Building Permit, details of the outdoor lighting for the development are to be provided to the satisfaction of the City.
- (j) The occupier of premises in which clinical waste is produced shall comply with all respects with the Environmental Protection (Controlled Waste) Regulations 2004. For further information please contact the Department of Environment and Conservation.
- (k) Any liquid waste disposal via the sewer shall be with approval of the Water Corporation, if sewer is not available, any on-site liquid waste disposal shall be with the approval of the Water Corporation.
- (3) notify the State Administrative Tribunal, the applicant and those who made a submission of Council's decision.

COUNCIL DECISION

MOVED Cllr K Allen SECONDED Cllr C Terblanche that the recommendation be adopted.

CARRIED 7/0



Background

This proposal for a medical centre was previously refused by Council at its ordinary meeting held on the 13 October 2016 for the following reasons:

- 1. The proposal, if approved would detract from the amenity of nearby residents.*
- 2. The proposal, if approved would be inconsistent with the residential character of the area.*
- 3. Car parking provided in the proposal is insufficient in accordance with the requirements of Town Planning Scheme No. 3 and if approved, is likely to result in a detrimental impact on traffic and road safety in the area.*

Subsequent to Council's decision, the applicant exercised their right to apply for a review of the decision by the State Administrative Tribunal (SAT). The matter proceeded to an on-site mediation session held on 30 January 2017 between the applicant and their representatives, Elected Members and the City's staff. Also in attendance at the on-site mediation was presiding member Rebecca Moore. After extensive discussions between all parties, the applicant advised that they would submit an amended proposal with the presiding member subsequently issuing the following orders:

- 1. An amended proposal by the Applicant is to be provided to the City by Friday, 3 March 2017.*
- 2. The Respondent is invited to reconsider the proposal at the Ordinary Council Meeting of 13 April.*
- 3. The matter is otherwise adjourned to a directions hearing on 21 April at 2:00pm.*

Therefore, based on the above SAT orders, Council is requested to reconsider its previous decision of refusal, based on the amended plans/additional information provided.

Submission

N/A



Report

Proposal

In accordance with the orders made on 30 January 2017, the City has received revised plans (attached) for a medical centre. Essentially, the changes include:

- Reduction of the number of tenancies from 6 to 5;
- Reduction of consultant rooms from 10 to 9;
- Reduction of gross floor area from 660m² to 600m²;
- Additional landscaping along the rear southern boundary and internally;
- Changes to the front façade treatment to make the building appear more residential in nature; and
- Car parking now fully compliant with LPS 3 requirements.

In addition to the amended plans, the applicant has engaged the services of a Town Planning Consultant who has prepared a planning report (attached) in support of the proposal. In addition, the applicant has submitted letters of support from both the owners of the aged care facility at No. 30 Mell Road and Coogee Plaza at the end of Mell Road at No. 237 Hamilton Road.

Consultation

Further neighbour consultation based on the revised plans has been undertaken by the City. The advertising period extended from 8 March until 23 March 2017 and was advertised in the following ways:

- Letters sent to landowners surrounding the proposed development; and
- The development application plans and accompanying information were placed at the front counter of the City's Administration building.

Two (2) submissions were received in response to the re-advertising of the proposal. The objections received are summarised below:

- Mell Road is a residential road;
- Increased traffic & safety due to cars coming in and out;



- Spearwood is currently surrounded by medical centres; and
- Security.

Statutory Framework

Metropolitan Region Scheme (MRS)

The subject site is zoned 'Urban' under the Metropolitan Region Scheme (MRS) and the proposal is consistent with this zone.

Local Planning Scheme No. 3 (LPS 3)

The subject site is zoned 'Residential R30' under LPS 3 and is located within Development Area 1 (Lyon Road) and Development Contribution Area 13.

The proposed land use of 'Medical Centre' is an 'A' use under LPS 3, meaning that:

'the use is not permitted unless the local government has exercised its discretion and has granted planning approval after giving special notice in accordance with clause 9.4.'

It is to be noted that Clause 9.4 is in affect superseded by Clause 64 (3) of the Planning and Development (Local Planning Schemes) Regulations 2015. Therefore, the proposed use of Medical Centre is capable of approval under LPS3.

Planning Considerations

Land Use Compatibility

There were concerns raised by some Elected Members that approval of the subject Medical Centre would compromise residential amenity in this location. Whilst it is considered that it is important to protect the amenity of residential areas, as outlined in the original council report for the application, it is not considered that the proposed Medical Centre would detract from the residential amenity of the street which already has several examples of non-residential uses.

It should also be considered by Council that access to key services such as medical centres can contribute to the amenity of an area, rather than detract from it. Convenient access to local medical services can reduce travel times and provide a high level of convenience for residents.



Car parking

One of the reasons for refusal of the original proposal by Council was the non-compliance car parking provided on-site with the original application containing a parking shortfall of 5 car bays. Some of the Elected Members had concerns that the parking shortfall would result in an adverse impact on the locality in terms of traffic and road safety.

As mentioned in the Proposal section of this report, the applicant has now reduced the number of consulting rooms from 10 (previously proposed) to 9. This generates a total of 45 bays (rate of 5 bays per consulting room) and 45 car bays are provided on-site. Given that the car parking proposed is now compliant with the provisions of LPS3, the reason for refusal based on a car parking shortfall can now be excluded.

Traffic

With regards to the concerns expressed about traffic, as outlined in the previous Council report, upon review of the Traffic Impact Assessment submitted with the application, the City's Engineering Services advised the following:

- *Mell Road currently experiences 2,234 vehicles per day with the Local Access Road designed to accommodate 3,000 per day; and*
- *The proposed development would not result in Mell Road exceeding the maximum capacity of 3,000 vehicle movements per day and will not result in adverse traffic issues in the immediate locality.*

The proposal is therefore not anticipated to detrimentally impact on the local traffic network.

Visual Amenity

As mentioned in the original Council Report, the Medical Centre has been designed in accordance with the provisions of the R-Codes in terms of elements such as setbacks, open space and building height. As well as designing the building to be generally in-accordance with the requirements of the R-Codes, the architects for the development have also incorporated the following design elements into the revised plans which are considered to preserve/enhance visual amenity as viewed from the street and adjoining properties:

- An entry portico reduced in size, to be finished using timber lap cladding, a material/finish commonly used in residential applications;



- A hipped roof with a gable presentation to the street;
- Residential window proportions adjacent to the street;
- A detailed, purpose designed landscape response; and
- A car park surface that complements the remainder of the development.

The contrasting finishes of the white render and the timber cladding and architectural features on the front facade are considered to provide an attractive development which contains horizontal and vertical articulation, reducing the perception of building bulk and providing for an interesting façade as viewed from the street.

Landscaping

The landscaping for the development has been increased and improved to reduce the impact of the proposal from the surrounding properties. Previously, landscaping was limited to the front and eastern sides of the property. The landscaping has now been increased with a new landscaping strip down the left (east) side boundary as well as a new row of trees on the rear (south) boundary and increased landscaping within the front setback area.

LPS 3 requires a minimum of ten percent (10%) of the lot area to be set aside for landscaping or reduced to five percent (5%) if the street verge area is included to be maintained. The development now provides 9.64% soft landscaping within the site. As the verge area is also proposed to be landscaped, the development only requires 5% soft landscaping on-site with the provision of 9.64% being above and beyond this requirement.

In addition, in accordance with Clause 5.9.2 (f) of LPS3, shade trees have been provided well above the requirement of one (1) tree per ten (10) parking bays.

It is considered that the increased landscaping on the revised plans provides for a development which is aesthetically pleasing, provides visual screening on the respective lot boundaries as well as reducing the urban heat island effect which can be exaggerated in large car parking areas absent of trees.

Duplication of Services

In relation to the concern raised regarding the duplication of services in the area, this is not a valid planning matter with the demand for a



Medical Centre land use determined by the market. Council cannot limit the number of Medical Centres within its boundaries unless there is a specific policy in place addressing this which there is not.

Security

In relation to the concern regarding security, it is considered that that the development will provide passive surveillance deterring any anti-social/criminal behaviour. Lighting associated with the development as well as security cameras and staff of the Medical Centre will assist in adequately deterring this type of behaviour. The proximity of residential dwellings surrounding the building will also assist with passive surveillance.

Conclusion

The revised proposal for the Medical Centre is now compliant with the provisions of LPS3 in terms of car parking with the development now providing a compliant 45 car bays. The improvements to the building facades as well as the increase in landscaping are considered to provide for an attractive development which is sympathetic to the mostly residential character of the street and will not detract from the streetscape or amenity of surrounding residents.

It is therefore recommended that Council reconsider the decision made on Ordinary Council Meeting held on the 13 April 2017 and approve the application, subject to the conditions contained in the recommendation.

Strategic Plan/Policy Implications

Community, Lifestyle & Security

- Provide residents with a range of high quality, accessible programs and services

Economic, Social & Environmental Responsibility

- Improve the appearance of streetscapes, especially with trees suitable for shade.

Budget/Financial Implications

Should Council refuse the application, it is likely that the matter will continue to progress through to a full hearing of the State Administrative Tribunal. There will be costs involved in defending the decision at a full hearing.

Legal Implications

N/A



Community Consultation

See Consultation section of the report above.

Risk Management Implications

Should Council refuse the application, it is likely the matter will continue to progress through review of the State Administrative Tribunal. There may be costs involved in defending the decision.

Attachment(s)

1. Revised DA plans
2. Town Planning Consultants report

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 April 2017 Council Meeting.

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

Nil.

16. FINANCE AND CORPORATE SERVICES DIVISION ISSUES

16.1 (MINUTE NO 6052) (OCM 13/04/2017) - LIST OF CREDITORS PAID - FEBRUARY 2017 (076/001) (N MAURICIO) (ATTACH)

RECOMMENDATION

That Council adopt the List of Creditors Paid for February 2017, as attached to the Agenda.

COUNCIL DECISION

MOVED Clr S Portelli SECONDED Clr C Terblanche that the recommendation be adopted.

CARRIED 8/0

(This resolution was carried by 'En Bloc' resolution of Council at 8.02 pm)



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 February 2017 is attached to the Agenda for consideration. The list contains details of payments made by the City in relation to goods and services received by the City.

Strategic Plan/Policy Implications

Leading & Listening

- Deliver sustainable governance through transparent and robust policy and processes.
- Listen to and engage with our residents, business community and ratepayers with greater use of social media.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

The list of accounts for February 2017 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.

Attachment(s)

List of Creditors Paid – February 2017.



Advice to Proponent(s)/Submissioners

N/A

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

Nil.

16.2 (MINUTE NO 6053) (OCM 13/04/2017) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - FEBRUARY 2017 (071/001) (N MAURICIO) (ATTACH)

RECOMMENDATION
That Council

- (1) adopt the Statement of Financial Activity and associated reports for February 2017, as attached to the Agenda; and
- (2) amend the 2016/17 Municipal Budget in accordance with the detailed schedule in the report as follows:

Revenue Adjustments	Increase	\$217,027
Expenditure Adjustments	Decrease	\$276,670
TF from Reserve Adjustments	Decrease	500,000
Net change to Municipal Budget Closing Funds		\$6,303

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION
MOVED Deputy Mayor C Reeve-Fowkes SECONDED C/r P Eva that the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 7/0

Background

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

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



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

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

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

Local Government (Financial Management) Regulations - Regulation 34 (5) states:

- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

This regulation requires Council to annually set a materiality threshold for the purpose of disclosing budget variances within monthly financial reporting. At its August meeting, Council adopted to continue with a materiality threshold of \$200,000 for the 2016/17 financial year.

Detailed analysis of budget variances is an ongoing exercise, with any required budget amendments submitted to Council each month in this report or included in the City's mid-year budget review as considered appropriate.

Submission

N/A

Report

Mid-Year Budget Review

The statutory mid-year budget review was adopted by Council at the February Ordinary Council Meeting. Consequently, the budget



amendments contained within have now been incorporated into the revised budget figures as reported in the February financial statement.

Opening Funds

The opening funds of \$9.27M (representing closing funds brought forward from 2015/16) have been audited and budget has been amended to reflect this final position.

Closing Funds

The City's closing funds position of \$52.13M was \$11.16M higher than the YTD budget forecast. This result reflects net favourable cash flow variances across the operating and capital programs as detailed in this report.

The 2016/17 revised budget reflects an EOFY surplus of \$0.37M, unchanged from last month.

Operating Revenue

Consolidated operating revenue of \$123.42M was ahead of the YTD budget target by \$1.28M.

The following table shows the operating revenue budget performance by nature and type:

Nature or Type Classification	Actual Revenue \$M	Revised Budget YTD \$M	Variance to Budget \$M	FY Revised Budget \$M
Rates	93.81	92.93	(0.88)	95.70
Specified Area Rates	0.31	0.33	0.02	0.33
Fees & Charges	16.12	16.53	0.40	23.27
Service Charges	0.44	0.45	0.01	0.45
Operating Grants & Subsidies	8.30	8.16	(0.14)	11.11
Contributions, Donations, Reimbursements	0.72	0.45	(0.27)	0.71
Interest Earnings	3.73	3.30	(0.43)	4.87
Total	123.43	122.14	(1.28)	136.45

The significant variances at month end were:

- Rates – Part year rating was \$0.91M ahead of the YTD budget setting.



- Operating Grants & Contributions – HACC funding was also \$0.32M behind YTD budget, whilst child care fee subsidies were \$0.37M ahead of YTD budget.
- Fees & Charges - Commercial landfill fees are now \$0.28M ahead of the YTD budget target, after the mid-year review adjustment. Commercial leasing income at Cockburn Health & Community facility was \$0.28M behind YTD budget. South Lake Leisure Centre fee income was \$0.32M behind YTD budget.
- Interest Earnings – Investment earnings from the City’s financial reserves and surplus municipal funds were \$0.50M ahead of the YTD budget.

Operating Expenditure

Reported operating expenditure (including asset depreciation) of \$84.54M was under the YTD budget by \$3.60M.

The following table shows the operating expenditure budget variance at the nature and type level. The internal recharging credits reflect the amount of internal costs capitalised against the City’s assets:

Nature or Type Classification	Actual Expenses \$M	Revised Budget YTD \$M	Variance to Budget \$M	FY Revised Budget \$M
Employee Costs - Direct	31.99	31.90	(0.09)	49.78
Employee Costs - Indirect	0.52	0.64	0.12	1.41
Materials and Contracts	24.16	26.96	2.80	40.69
Utilities	2.93	3.01	0.08	4.70
Interest Expenses	0.48	0.48	0.00	0.93
Insurances	2.32	2.43	0.11	2.43
Other Expenses	5.40	5.27	(0.13)	8.48
Depreciation (non-cash)	17.56	18.15	0.59	27.42
Amortisation (non-cash)	0.72	0.79	0.07	1.19
Internal Recharging-CAPEX	(1.55)	(1.50)	0.05	(2.59)
Total	84.54	88.13	3.60	134.45

The significant variances at month end were:

- Material and Contracts - were \$2.80M under the YTD budget with the significant contributors to this result being:
 - IT & IS projects under by \$0.34M
 - Facilities Maintenance under by \$0.35M
 - Rating property valuation costs under by \$0.30M (timing).



- Ranger & Community Safety (bushfire mitigation & CCTV projects) under by \$0.26M
 - Waste Disposal costs under by \$0.28M,
 - Child care subsidy payments over by \$0.40M.
- Depreciation was collectively \$0.59M under YTD budget with roads & drainage infrastructure (\$0.30M) being the main contributors.

Capital Expenditure

The City's total capital spend at the end of the month was \$63.57M, representing an under-spend of \$19.25M against the YTD budget of \$82.82M.

The following table details the budget variance by asset class:

Asset Class	YTD Actuals \$M	YTD Budget \$M	YTD Variance \$M	FY Revised Budget \$M	Commit Orders \$M
Roads Infrastructure	7.92	15.95	8.03	17.51	1.81
Drainage	0.25	0.89	0.64	1.61	0.09
Footpaths	0.37	0.84	0.48	1.14	0.13
Parks Infrastructure	5.38	7.30	1.92	10.61	2.11
Landfill Infrastructure	0.17	0.27	0.10	1.17	0.10
Freehold Land	0.66	1.15	0.49	1.90	0.00
Buildings	44.19	49.07	4.88	55.33	2.61
Furniture & Equipment	0.19	0.89	0.70	2.80	0.00
Information Technology	0.39	0.75	0.36	1.79	0.00
Plant & Machinery	4.05	5.71	1.67	7.80	3.24
Total	63.57	82.82	19.25	101.66	10.08

These results included the following significant project variances:

- Roads Infrastructure under YTD budget by \$8.03M – including Berrigan Drive Jandakot Improvement Works (\$4.36M), Lyon & Gibbs Signalisation and Upgrade (\$1.13M), Gibbs & Liddelow Roundabout (\$0.36M), North Lake Road [Hammond to Kentucky] (\$0.34M), Beeliar Drive [Spearwood to Stock] (\$0.21M), Russell Rd [Holmes to Moylan] (\$0.32M), Mayor Rd [Rockingham to Fawcett] (\$0.51M).
- Drainage Infrastructure – works program was collectively \$0.64M behind the YTD budget of \$0.89M with most projects behind or not yet started.
- Footpath Infrastructure – the footpath construction program was collectively \$0.48M behind the YTD budget of \$0.84M with many projects behind or not yet started.



- Parks Infrastructure – the capital program was behind the YTD budget by \$1.92M with Beeliar Drive Landscaping (\$0.2M), CY O'Connor Improvements (\$0.36M), Coogee Beach master plan (\$0.26M), and Dixon Reserve works (\$0.25M) the major contributing projects.
- Freehold Land – various land acquisition & development projects were collectively \$0.49M behind the YTD budget with lot 915 Goldsmith (\$0.27M) the main contributor.
- Buildings – collectively \$4.88M behind YTD budget with Cockburn ARC (\$3.40M) and Community Men's Shed (\$0.47M) behind YTD budget, whilst the New Operations Centre was ahead of YTD budget (\$0.46M).
- Furniture & Equipment – was \$0.70M behind YTD budget comprising the fitout of the Cockburn ARC.
- Information Technology – was collectively \$0.36M under YTD budget due to a number of under spent software and website projects.
- Plant & Machinery – replacement program was behind YTD budget by \$1.67M, with most items representing this variance being on order and awaiting delivery.

Capital Funding

Capital funding sources are highly correlated to capital spending, the sale of assets and the rate of development within the City (developer contributions received).

Significant variances for the month included:

- Capital grants were \$3.92M behind YTD budget mainly due to timing issues for the Cockburn ARC state and federal grants (\$1.6M), Lyon & Gibbs signalisation (\$1.0M), Roads to Recovery grant for Mayor Road [Rockingham to Fawcett] (\$0.52M) and the Lotteries Commission grant for the Community Mens Shed (\$0.48M).
- Transfers from financial reserves were \$4.47M behind the cash flow budget due to the capital program under spending for buildings, parks, plant and roads (timing issue).
- Proceeds from the sale of assets were \$2.14M behind the YTD budget comprising of land (\$1.67M) and plant (\$0.47M). The budget variance has improved significantly from last month, as the City has now received the \$9.3M for the sale of lot 804 Beeliar Drive.



Transfers to Reserve

Transfers to financial reserves were \$1.69M behind the YTD budget mainly due to unrealised land sales of \$1.67M.

Cash & Investments

The closing cash and financial investment holding at month's end totalled \$147.87M, up from \$143.68M in January. Sale proceeds of \$9.3M from the sale of lot 804 Beeliar Drive helped reverse the trend of falling cash assets at this time of the year.

\$100.28M of this balance represents the current amount held for the City's cash/investment backed financial reserves. The balance of \$47.59M is available to meet operational liquidity needs (down from \$51.55M last month).

Investment Performance, Ratings and Maturity

The City's investment portfolio made a weighted annualised return of 2.80% for the month, slightly decreased from 2.83% last month and from 2.84% the month before. However, this still compares quite favourably against the UBS Bank Bill Index (2.08%) and has been achieved through careful management of the City's cash flow requirements. The cash rate was most recently reduced 25bp to 1.50% at the August 2016 meeting of the Reserve Bank of Australia and this reduction has impacted the investment rates achieved for new deposits since then.

However, the City's interest revenue from investments to February was ahead of the YTD budget target by \$0.50M. This was primarily due to the retention of a larger investment pool, as capital outflows have been somewhat delayed. Also assisting was a conservative budget setting, which factored in more rate cuts.

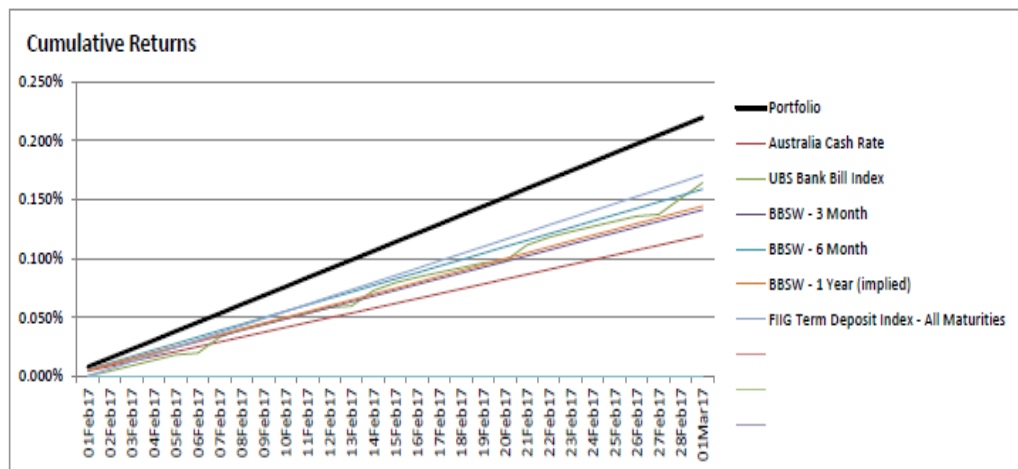


Figure 1: COC Portfolio Returns vs. Benchmarks



The majority of investments were held in term deposit (TD) products placed with highly rated APRA (Australian Prudential Regulation Authority) regulated Australian and foreign owned banks. These were invested for terms ranging from three to twelve months. All investments comply with the Council's Investment Policy other than those made under previous statutory provisions and grandfathered by the new ones.

The City's TD investments fall within the following Standard and Poor's short term risk rating categories. The A-1+ investment holding decreased marginally from 40% to 35% during the month (flowing into the A-1 category). The amount invested with A-2 banks was 51% (down from 54%), comfortably below the policy limit of 60%:

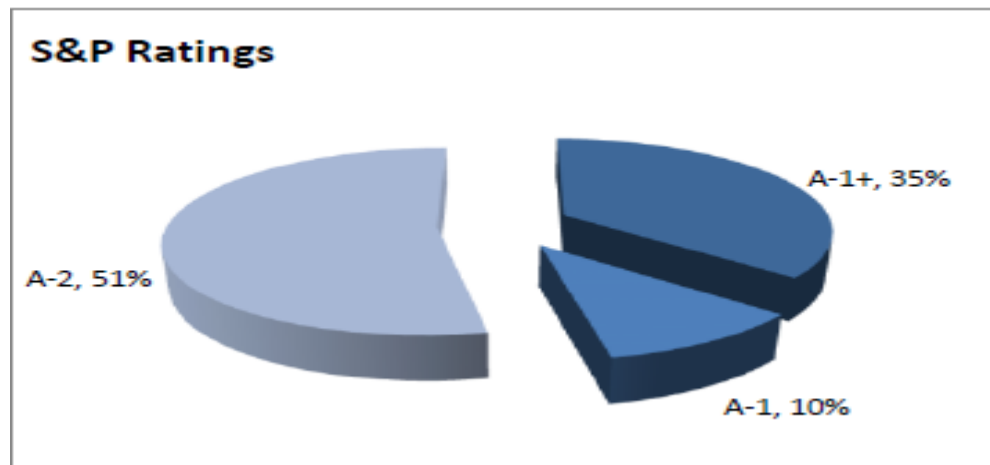


Figure 2: Council Investment Ratings Mix

The current investment strategy seeks to secure the highest possible rate on offer (up to 12 months for term deposits), subject to cash flow planning and investment policy requirements. Value is currently being provided within 3-12 month investment terms and particularly by A-2 banks.

The City's TD investment portfolio currently has an average duration of 154 days or 5.1 months (up from 149 days) with the maturity profile graphically depicted below:



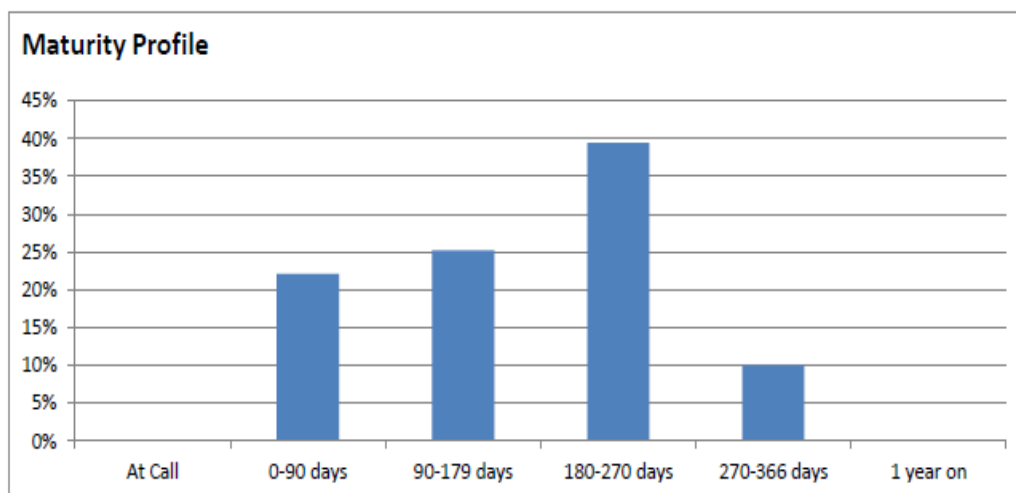


Figure 3: Council Investment Maturity Profile

Investment in Fossil Fuel Free Banks

At month end, the City held 56% (\$81.16M) of its TD investment portfolio with banks deemed as free from funding fossil fuel related industries. This was slightly down from 59% the previous month.

Budget Revisions

Budget amendments identified during the month and requiring Council adoption are as per the following schedule:

PROJECT/ACTIVITY LIST	USE OF FUNDING + / (-)		FUNDING SOURCES (+) / (-)		
	EXP \$	TF to RESERVE \$	TF FROM RESERVE \$	REVENUE \$	MUNI \$
New funding for Youth Justice program	55,807			(55,807)	
Overhead admin charge on Youth Justice program	(5,947)				5,947
Reduce Visko Park expenditure for 16/17 (further to MYBR)	(500,000)		500,000		
Additional Cockburn ARC fitout	54,000				(54,000)
Atwell Reserve floodlights (CSRFF/club/Council donation funded)	139,470			(139,470)	
Community engagement software prepaid in 2015/16 year	(20,000)				20,000
Lease - overflow parking at Adventure World				(21,750)	21,750
Totals	(276,670)	-	500,000	(217,027)	(6,303)



Description of Graphs & Charts

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

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

A liquidity graph shows the level of Council's net current position (adjusted for restricted assets) and trends this against previous years. This gives a good indication of Council's capacity to meet its financial commitments over the course of the year. Council's overall cash and investments position is provided in a line graph with a comparison against the YTD budget and the previous year's position at the same time.

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

Trust Fund

At month end, the City held \$10.95M within its trust fund. \$5.85M was related to POS cash in lieu and another \$5.10M in various cash bonds and refundable deposits.

A summary of the POS cash in lieu held follows:

Suburb	\$
Aubin Grove	845,930
Atwell	172,320
Beeliar	2,259,820
Cockburn Central	161,832
Coolbellup	167,369
Coogee	378,850
Hamilton Hill	565,254
Hammond Park	29,936
Jandakot	258,119
Bibra Lake	124,374
Munster	604,164
South Lake	56,023
Yangebup	221,286
Total	5,845,276



Strategic Plan/Policy Implications

Leading & Listening

- Deliver sustainable governance through transparent and robust policy and processes.
- Ensure sound long term financial management and deliver value for money.

Budget/Financial Implications

The budget surplus has reduced from \$368,929 last month to \$366,952 due to the application of the small surplus included in the MYBR of \$4,326, less the \$6,303 reduction included in this report.

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

Council's budget for revenue, expenditure and closing financial position will be misrepresented if the recommendation amending the City's budget is not adopted.

Attachment(s)

Statement of Financial Activity and associated reports – February 2017.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

CLR STEVEN PORTELLI RETURNED TO THE MEETING THE TIME BEING 8.06PM.



17. ENGINEERING AND WORKS DIVISION ISSUES

17.1 **(MINUTE NO 6054) (OCM 13/04/2017) - TEMPORARY CLOSURE OF KENTUCKY COURT (WITHIN THE MURIEL COURT SUBDIVISION) FOR VEHICLE PASSAGE (1492; 160/003) (J KIURSKI) (ATTACH)**

RECOMMENDATION

That Council

- (1) in accordance with Section 3.50 of the Local Government Act 1995, endorsement of a temporary closure for Kentucky Court for a period of 24 months during the construction of Lots 16, 17 North Lake Road (formerly known as Tea Tree Close) and Lot 411 Muriel Court, from 30th April 2017 to 30th April 2019 subject to:
 1. There being no substantial objection received as a result of advertising in a local newspaper;
 2. There being no substantial objection from service authorities, emergency services or adjoining owners;
 3. The developer engaging a traffic management contractor to submit a certified Traffic Management Plan to monitor and control traffic movements due to the closure;
 4. All works on existing City infrastructure (roads, footpaths, drainage, parks or verges) are completed and reinstated in accordance with the "Public Utilities Code of Practice 2000", "Restoration and Reinstatement Specification for Local Government 2002" and the City of Cockburn "Excavation Reinstatement Standards 2002" as a minimum; and
- (2) the proponent is made fully responsible for the public liability and damages arising from the works.

COUNCIL DECISION

MOVED Clr S Portelli SECONDED Clr C Terblanche that the recommendation be adopted.

CARRIED 8/0



Background

The Muriel Court Structure Plan (included as Attachment 1) has been approved by Western Australian Planning Commission and as part of the approval, the developer has to upgrade and reconstruct Kentucky Court.

McDowall Affleck Pty Ltd are the appointed consulting engineers on behalf of Harvest Properties that will carry out the subdivision works on Lots 16, 17 North Lake Road (formerly known as Tea Tree Close) and Lot 411 Muriel Court, Cockburn Central. Harvest Properties have requested that Council implements the procedures to close Kentucky Court during the construction of the development on the subdivision. This will facilitate the subdivision works and the required reconstruction/upgrading of Kentucky Court and limit the illegal access and littering in the road reserve.

Submission

McDowall Affleck Pty Ltd on behalf of Harvest Properties have requested Council implement procedures to temporarily close a portion of Kentucky Court, Cockburn Central for a period of 24 months during the construction of Lots 16, 17 North Lake Road (formerly known as Tea Tree Close) and Lot 411 Muriel Court (Attachment 2).

Report

The Cockburn Central Muriel Court Structure Plan was adopted by the City of Cockburn in February 2010. Kwinana Freeway is located east of the Structure Plan area and is the primary regional road in the locality providing access to the structure plan area, located on Beeliar Drive to the south and Berrigan Road to the north. As part of the traffic network, freeway access will be provided via North Lake Road east of the intersection of Kentucky Court and North Lake Road.

Muriel Court will be extended through to Kentucky Court and link up to North Lake road becoming the main access way for the Cockburn Central Muriel Court Structure Plan (Attachment 1).

Kentucky Court is a currently a cul-de-sac head and will only connect to Muriel Court once Lot 411 Muriel Court develops through land acquisition process as it is required for the extension of Muriel/Kentucky Court to occur (refer to Attachments 1 and 3).

Harvest Properties owns all the land holdings that requires access off Kentucky Court and are currently completing Stage 1 of their development located at the intersection of Kentucky Court and North Lake Road. As part of the Muriel Court Structure Plan, Harvest



Properties will upgrade Kentucky Court to the extent of their stage 1 development.

Because currently Kentucky Court is not connected to the road network and as no access is required, illegal dumping is a regular occurrence at this cul-de-sac head. It is recommended that a new cul-de-sac head be installed at the end of the Kentucky Court Stage 1 upgrade and the road is temporary closed beyond stage 1 to alleviate the issues (see drawings included with Attachment 2).

As development progresses, further section of Kentucky Court will be reconstructed and opened up to the public.

Moving Around

- Reduce traffic congestion, particularly around Cockburn Central and other activity centres

Community, Lifestyle & Security

The closure of Kentucky Court beyond Stage 1 will increase security in the area and alleviate illegal dumping and anti-social activities. Pedestrian and cycle access to the Kwinana Freeway share path will be maintained as a new footpath will be constructed along Kentucky Court and will connect to the existing asphalt road pavement along the road reserve.

Budget/Financial Implications

The project will be funded by the Developer and Cockburn Central contribution scheme DCA 11.

Legal Implications

Section 3.50 of the Local Government Act.

Community Consultation

The proposed temporary closure will be advertised in the local newspaper. Service authorities and emergency services as well as adjoining owners would also be advised and invited to comment.

Risk Management Implications

The City currently assigns resources to remove illegal dumping within undeveloped areas where Kentucky Ct and adjacent vacant lots are constantly attended.



Not closing Kentucky Court beyond Stage 1 would still present a risk of continuance of the illegal dumping and anti-social activities.

Attachment(s)

1. Muriel Court Structure Plan
2. Letter from McDowall Affleck including drawings
3. Location Map

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

18. COMMUNITY SERVICES DIVISION ISSUES

18.1 (MINUTE NO 6055) (OCM 13/04/2017) - DRAFT COMMUNITY SPORT AND RECREATION FACILITIES PLAN - PUBLIC COMMENT (045/002) (T MOORE) (ATTACH)

RECOMMENDATION

That Council :

- (1) receives the Draft Community Sport and Recreation Facilities Plan 2017-2031; and
- (2) endorses the Draft Community Sport and Recreation Facilities Plan 2017-2031 for the purposes of a 42 day public comment period.

COUNCIL DECISION

MOVED Clr S Portelli SECONDED Clr C Terblanche that the recommendation be adopted.

CARRIED 8/0

Background

The City is responsible for the development and management of a significant number of community facilities, sporting reserves, libraries and recreation/aquatic centres.



In May 2010, Council endorsed the Sport and Recreation Strategic Plan, which aimed to provide strategic direction and guidance in the provision of sport and recreation facilities/reserves across the City of Cockburn.

Since this time, the City has completed a number of the key recommendations within the Plan, in particular:

- Atwell Clubroom Upgrade
- Joe Cooper Recreation Centre decommissioning
- Success Regional Sports Reserve and Facilities Development
- Lighting upgrades to Anning Park and Davilak Oval
- New Clubrooms at Botany Park
- Aubin Grove Sport and Community Centre development
- Cockburn ARC Recreation and Aquatic Facility

Growth within the City of Cockburn has continued at a rapid rate over the past 5 years, with the current population at 105,000. This is an increase of approximately 16,000 residents over the past 5 years.

The past and future increases in population will continue to place pressure on the City's community, sport and recreation facilities and highlights the importance in taking a forward planning/strategic approach in the provision of facilities across the City.

Council subsequently included \$100,000 in the 2015/16 budget to undertake the development of the Community, Sport and Recreation Facilities Plan.

A briefing session was held with Elected Members in March 2017, on the key outcomes of the Draft Plan (*Attachment 1*).

As such, the Draft Plan is now presented to Council to consider endorsing for the purposes of public comment.

Submission

N/A

Report

The Draft Community, Sport and Recreation Facilities Plan (CSRFP) is intended to provide strategic guidance and direction in the provision of community, sport and recreation facilities over the course of the next 15 years.



The process undertaken in the development of the Community Facilities Plan has involved an extensive period of research, strategic analysis and planning, with key stages of work undertaken, in particular:

- Document Review
- Demographics and Community Profiling
- Community Needs Assessment
- Community Facilities Planning Framework
- Demand Gap Analysis
- Community and stakeholder engagement
- Drafting the Final CSRFP

The Draft CSRFP outlines the framework by which the City will develop and manage its community, sport and recreation facilities. In particular the plan has considered the future requirements of the following facilities and reserves:

- Recreation Centres
- Active Sporting Reserves and Clubrooms
- Outdoor Hardcourts
- Community Centres, halls, spaces and places
- Libraries
- Cultural Facilities
- Specialised Facilities i.e.
 - Youth Centres
 - Mens Sheds
 - Lawn Bowls
 - Skate Parks
 - Aboriginal Cultural Centre
 - Surf Life Saving Centre
 - BMX Facilities
 - Golf Courses

The Draft Plan outlines a number of major community, sport and recreation facilities over the course of the next 15 years. The prioritisation of the projects identified has been developed on the basis of community need, forecasted population growth projections and the community standards of provision.

The projects identified as the highest priorities have been scheduled to occur over the course of the next two financial years as follows:

2017/18

Project	Cost
Lakelands Hockey and Community Facilities Development	\$6.53M
Visko Park Bowling Club	\$9.6M



Project	Cost
Native ARC and Wetlands Education Centre Detailed Design	\$400k
Frankland Reserve Concept/Detail Design	\$400k
Bibra Lake Skate Park and Associated Facilities	\$1.88M
Golf Course Business Case Approvals	\$100k

2018/19

Project	Cost
Small Ball Sports Feasibility Study (Nicholson Reserve)	\$100k
Frankland Reserve and Sporting/Community Facility	\$4.91M
Hamilton Hill Community Centre Feasibility Study	\$100k
Treeby (Calleya Estate) Reserve and Community Centre Design	\$150k
Cockburn Central West Community Facilities Plan	\$100k
Aboriginal Cultural and Visitors Centre plan	\$75k
Wetlands Education Centre and Native ARC construction	\$4.95M
BMX Malabar Park Concept and Detailed Design	\$300k
Wally Hagan Detailed Design	\$500k
Success Reserve Netball Courts construction	\$400k

Should Council be supportive of the Draft Plan, inclusive of the proposed project implementation schedule, it is recommended that the draft plan be provided to the community for a period of public comment, before finalising the CSRFP.

Strategic Plan/Policy Implications

City Growth

- Ensure planning facilitates a desirable living environment and meets growth targets.

Moving Around

- Improve parking facilities, especially close to public transport links and the Cockburn town centre.

Community, Lifestyle & Security

- Provide residents with a range of high quality, accessible programs and services.
- Provide for community facilities and infrastructure in a planned and sustainable manner.
- Provide safe places and activities for residents and visitors to relax and socialise.
- Create and maintain recreational, social and sports facilities and regional open space.



Leading & Listening

- Provide for community and civic infrastructure in a planned and sustainable manner, including administration, operations and waste management.

Budget/Financial Implications

Whilst the community facility requirements have been developed on the basis of a 10 year period of forecasted population growth and community need, it was determined that this would place considerable pressure on the City's finances and capacity to deliver the identified projects within the 10 year timeframe. As such, the implementation of the recommended projects has been increased to occur over a 15 year time period.

The overall expenditure outlined within the Draft CSRFP over the course of 15 years is \$218.40M, however a significant amount of external income has been identified to offset the overall expenditure. See table below:

<u>Income</u>	<u>Amount</u>
Developer Contribution	\$93.13M
Cash in lieu	\$650k
Other External Grants:	\$38.57M
• Lotterywest - \$4.95M	
• Dept. Sport & Rec. (CSRFF) - \$6.5M	
• Federal Funding - \$21.68M	
• Club contributions - \$500k	
• Other \$4.93M	
Total Income	\$132.4M
Expenditure	
CSRFP Projects	\$218.40M
Total Expenditure	\$218.40M
Council Municipal Funding range (depending on successful grant funding applications \$86.05M to \$124.62M)	\$86.05M

The table below provides a further breakdown of the expenditure in terms of the types of facilities and the overall percentage of the total cost:

<u>Type of Facility</u>	<u>Cost</u>	<u>% of total CSRFP Spend</u>
Active Sporting Reserves	\$68.56M	31.6%
Community Centres	\$26.57M	12.2%
Specialised Community Centres	\$56.05M	25.6%
BMX Facility	\$2.5M	1.1%
Tennis Facilities	\$4.76M	2.1%
Netball Courts	\$1.6M	0.7%
Skate Parks	\$3.93M	1.8%



<u>Type of Facility</u>	<u>Cost</u>	<u>% of total CSRFP Spend</u>
Pump Tracks	\$165k	0.07%
Recreation and Aquatic Facilities	\$48M	22.03%
Recreation Centres	\$6.25M	2.8%
Total	\$218.40M	100%

Should Council be supportive of the implementation program outlined within the Draft CSRFP, it is recommended that these projects be considered as part of Council's long term financial planning process and be subject to Council's annual budget deliberation process.

Legal Implications

N/A

Community Consultation

As part of the overall planning process in the development of the CSRFP, a comprehensive community engagement process was conducted by Community Perspectives in conjunction with the City.

The engagement process included:

- An online survey through Comment@Cockburn
- Internal staff workshops
- Seven community workshops targeting user groups, clubs and the broader community
- one on one meetings
- Phone calls

In summary, there were over 365 visits to the Comment@Cockburn engagement site, with over 130 people participating in the survey and an additional 311 general comments put forward by survey participants. A further 125 people participated in community workshops, discussion or made a submission, with over 1,500 comments and views being put forward throughout the consultation process .

The key themes identified as part of the community engagement process are as follows:

- Improve and increase community centres and spaces
- Improve and increase opportunities for recreation and physical activity
- Improve existing sporting facilities and Reserves
- Improve and increase supporting infrastructure
- Increase the capacity of existing sports grounds
- Develop art and cultural facilities i.e. Arts and Cultural Hub and Aboriginal Cultural Centre



- Develop wider range of sport opportunities/facilities
- Address uneven distribution and standard of facilities
- Facility provision keeping up with population growth, with particular focus in the Western suburbs

Should Council be supportive of the Draft CSRFP, it is recommended that the Plan be advertised for a 42 day period of public comment. The Final Plan together with all community feedback received will then be presented to Council in July/August 2017.

Risk Management Implications

If Council decides to not endorse the Draft Plan for the purposes of public comment, there is a reputational risk that the community may not be satisfied with outcomes outlined within the Plan.

In terms of financial risk, the Implementation Plan component of the Draft CSRFP has been developed on the basis of the City's financial and resource capacity to deliver the projects identified. Should Council decide to re-prioritise the projects listed within the Draft CSRFP this may place the City under increased financial and resources pressure to deliver the projects within the designated timeframe.

Attachment(s)

Draft Community Sport and Recreation Facilities Plan 2017 -2031.

Advice to Proponent(s)/Submissioners

Those who lodged a submission on the proposal have been advised that this matter is to be considered at 13 April 2017 Ordinary Council Meeting.

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

Nil.

18.2 (MINUTE NO 6056) (OCM 13/04/2017) - BIBRA LAKE SKATE PARK AND RECREATION PRECINCT CONCEPT DESIGN (154/011) (G BOWMAN) (ATTACH)

RECOMMENDATION

That Council

- (1) approve the development of the Skate Park and all other elements, excluding the dog park, as shown in the Concept Plan, as attached to the Agenda;



- (2) require additional community consultation regarding alternate locations for the fenced dog exercise area contained in the attached Concept Plan;
- (3) require the consultation report and a recommended location(s) for the fenced dog exercise area be considered at a future Council meeting; and
- (4) include a budget allocation of \$2.075M for the detailed design and construction of the Bibra Lake Skate Park and Recreation Facility in the 2017/18 financial year.

COUNCIL DECISION

MOVED Cllr S Portelli SECONDED Cllr C Terblanche that the recommendation be adopted.

CARRIED 8/0

Background

At the Ordinary Council Meeting on 12 May 2016 Council resolved to:

- (1) *receive the report (regarding the Bibra Lake Skate Park Feasibility Study and Cost Estimate);*
- (2) *list the provision of \$40,000 for the delivery of a concept plan and quantity surveyor report on the 2016/17 budget for consideration;*
- (3) *identify a plan for a community consultation process that would include the Bibra Lake Resident's Association, the youth of the locality and other stakeholders; and*
- (4) *bring forward the proposed Bibra Lake Skate Park for inclusion in the 2017/18 budget considerations given the necessary lead up research and community consultation that is required for projects of this nature.*

Submission

The submission from the Bibra Lake Residents Association regarding their support for the Skate Park Upgrade and all other elements of the



proposed concept design, apart from the proposed location of the dog park, which they request be moved 400m to the South, is attached.

Report

In 2016, the City of Cockburn engaged Ecoscape to provide a concept design, community consultation process and opinion of probable cost for the Bibra Lake Recreation Precinct ('the Precinct'). The Precinct concept developed is a multi-use intergenerational space that includes the following key elements:

- Skate Park 1200 m
- Car Park (24 Bay)
- Dog off Leash exercise area with proposed fenced dog park area
- Toilets
- shelters and BBQ amenities
- Basketball half-court
- Playground for young children

A series of community consultation events were conducted in late 2016 by Ecoscape and site planning and design issues were resolved through an iterative concept design and feedback process from the Community and the City of Cockburn.

The objectives of the Bibra Lake Management Plan 2009 and The Lakes Revitalisation Strategy 2016 provided a framework for the concept design. This consultation and design framework helped build on the strong existing community support for the Skate Park and Recreation Precinct.

The following report provides an overview of the concept design that has been developed through community and staff consultation. The community consultation findings are included under the 'community consultation' section of this Report.

Skate Park

The Bibra Lake skate park concept was developed by the Ecoscape design team in conjunction with the City of Cockburn and extensive consultation with the skate and local community. Design parameters included an area of approximately 1,000 square metres and a budget of \$500,000.

Skate park facilities currently provided in the City of Cockburn and in the surrounding region were taken into consideration. Many of these parks consist of 'transition' (ramps, half pipes and bowls) with very few dedicated street plaza elements. A key design parameter was finding the most effective way to expand on what is currently offered.



The community consultation identified a user group with a range of ages, experience and skill levels from advanced to beginners. The new park needed to provide enough space for both clinics and free skating to occur simultaneously. Line of site and spectator view within a park setting was also a fundamental design parameter. This approach ensured the skate park was inclusive and inviting for all members of the public. The car park, rest areas and platforms all provide vantage points for parents, park users and the general community.

Street Plaza

A street plaza type skate park features flat planar surfaces. These are combined with elements such as rails and edges for board sliding and grinding and low banks and features to facilitate movement at the northern and southern ends. The park is configured to allow street style skating and the potential for skaters to 'session' features with less of the through-flow and bottlenecks seen at large skate parks that can result in collisions. It is expected that the park will be used by skateboarders, scooters, BMX riders and sports wheelchairs.

Mini Ramp

A mini ramp (half-pipe) was included in the design due to popular public demand expressed during the project's consultation phase. At 1.2m height by 7.2m width the mini ramp will provide a popular feature that complements the street plaza. The mini ramp is surrounded by some additional ramps and features including a dish that will appeal to transition skaters and BMX riders.

Scooter Track

A scooter track will be built into the path network to provide an opportunity for kids to learn skate park interaction skills in a safe environment. The track will reduce the number of inexperienced riders in the main skate park which can lead to collisions during busy times. The track includes a section with gentle rollers and berms that form a circuit alongside the main skate park.

Car Park & Bibra Drive Upgrades

Car Park

Parking facilities will be provided to cater for the skate-park and dog exercise area (at the identified location). 24 bays are proposed including two disabled access bays and two quick, skate park drop-off bays. The car park layout has been developed with Riley Traffic Consulting based on the schematic design provided in The Lakes



Revitalisation Strategy. The car park will include a semi mountable kerb adjacent to the skate park to create a defined edge and flush beam kerb alongside the Bibra Drive verge to allow storm water runoff into the adjacent grassed swale.

Pedestrian Access

Pedestrian access across Bibra Drive from Park Way and the Primary School to the precinct has been identified as a safety concern. The design includes upgraded connections at key crossing locations to minimise this. A new pedestrian refuge will be included at the school oval gate where after school crossing is expected. The refuge will be a minimum 2m in width to allow space for a bicycle to cross safely and include grab rails at the median and on the Bibra Lake verge. The crossing will require some localised widening of Bibra Drive on the western side of the carriage way to accommodate the refuge as traffic lanes adjacent to the refuge need to maintain a 3.5m width. The pedestrian refuge island will be subject to further detail design including line marking approval by Main Roads WA.

Bicycle lanes currently on Bibra Drive will be maintained wherever new treatments are proposed. If necessary, bike lanes should be demarcated with green frictional paint to ensure visibility.

Upgrade of pedestrian connections from Park Way at the roundabout is recommended. This would include new shared paths on Park Way's southern verge and from the roundabout to the Bibra Lake shared path. This would become the primary entry for visitors coming by bus or from the shops, school and parking on Park Way.

Dog Off Leash Exercise Area and Dog Park

Location

The dog of leash area is located in the southern portion of the site within stands of *Eucalyptus rudis* and a series of open spaces. The concept includes an area which will be fenced with 1.2m high chain link fencing to provide safe areas for dogs to exercise. A general area (4,780 sqm) and a small dog area (1,020 sqm) will be provided with 1.2m high chain link fence surrounds to allow safe exercising of dogs. Each area will include an enclosed entry, seating, pooch pouch bin signage station and drink fountain. Agility equipment suited to large and small dogs will be included and is an opportunity for Men's Shed involvement and community development. Durable crushed limestone paving is proposed at the entry to each compound to minimise wear in the high traffic location.



The proposed Dog Park which would enclose 5800 sq. m. of the existing Dog off leash exercise area is recommended as an option for stage 2 of the project because it is recommended that the City undertake additional consultation to determine the desired location for the facility.

Toilet Facilities

New toilets are proposed for the precinct to replace the existing units that are reaching the end of their operational life. The new facility is sited to allow access for dog walkers and skate park users. It will include three cubicles including male, female and disability access cubicles. A schematic design for the building has been developed with a local supplier. The design integrates with the picnic shelters used by the City and will ensure the major structures in the precinct are complementary. The old toilet block will be decommissioned and removed once the new facilities are installed.

Locations for power, water and sewer connections are to be determined in the detailed design stage to ensure an economical strategy and minimal disruption to the local neighbourhood.

Basketball Half-court

A basketball court is provided that includes a 3 point line court that can accommodate small informal games. The court will include a concrete slab with a sports surface finish. The hoop and backboard will be standard size. Hoop height will be relative to the size of the court to ensure that good proportions are achieved.

Playground

It is envisaged the playground will be a modest relocation and upgrade of the existing playground on the western edge of Bibra Lake. It is designed for parents who may wish to occupy their younger children while their older children are skating. The playground will complement the new adventure playground on the eastern side.

Landscape Treatments

The overarching aim of the landscape design is to provide strong connections between key elements and integrate these with the existing surrounds to provide for the specific needs of user groups as defined during the consultation phase. This is achieved through provision of shade, functional surfaces, signage and suitable vegetation. A key objective is to retain and enhance environmental values in the design so that the precinct can contribute to the ecologically and regionally significant character of the Bibra Lake



Reserve. Wherever possible, links will be encouraged through planting and swales to strengthen habitat.

Path network

The path network provides connection between all elements of the precinct in an informal way that integrates with the natural environment of the wetland. The paths are expected to be skate and scooter friendly and require consideration of surface.

Paths provide an opportunity to define the precinct entry points using ground stencil artworks. Locations for this have been included on the concept plan.

Planting

Planting for the Precinct will be appropriate to the wetland location and ensure species are selected that will increase habitat value and be durable when located near recreational uses. Broad scale revegetation planting is focused on the existing site swale and along the Bibra Drive verge and is aimed at improving the wetland character in the precinct. This will be non-irrigated and installed during winter months. There is an opportunity for community involvement on open planting days.

Trees

Trees will be selected for shade and from species that are suitable for the wetland location. These include:

<i>Eucalyptus gomphocephala</i>	Tuart
<i>Eucalyptus rudis</i>	Flooded gum
<i>Melaleuca raphiophylla</i>	Swamp Paperbark
<i>Melaleuca preissiana</i>	Stout Paperbark

Irrigation

An irrigation design that prioritises trees and mass planting near the skate park and the adjacent grass surfaces will be included in the detailed design of the skate park. Water will be supplied by a new scheme connection. Irrigation for trees and mass planting is expected to be used temporarily with the option to turn off once plants are established.

Drainage

The drainage strategy of the precinct will take into account the unique aspects of the site including the high water table and existing swales that connect to habitat areas. The proposed car park and skate park's broad hard surfaces will introduce more runoff during rain events.



Runoff from the skate park will be directed to the swale via a closed pipe system that will help recharge groundwater and assist in plant establishment.

Runoff from the car park is expected to sheet towards Bibra Drive into a proposed grassed infiltration swale.

Fencing

Fencing will be provided on both sides of the skate park to direct access through key locations and to contain rubbish that may otherwise blow into wetland areas. Fencing will be black chain link with top and bottom rails in accordance with the Bibra Lake Management Plan. Seating elements will also be integrated to ensure the location has a high level of finish.

Signage

Signage will be required for skate park identification and to provide code of conduct information for skate park users. It can also include other educational information about being aware of snakes. The signage will be designed in a way that is integrated with the skate park through graphic colour, scale and material selection.

Furniture

Surrounding the skate park are areas for seating and spectators. These will use concrete from the existing slab and salvaged timber to provide simple robust benches in shaded locations.

Shelter and BBQ's

Shelter, seating and BBQ facilities will be installed that provide amenity and allow for better inter-generational use of the space. The facilities are located with good visual connection to the playground and to provide a degree of separation from the skate park.

Lighting, Power and CCTV

The precinct is expected to be used by the community in the early evening for the skate park toilets and BBQ's. Lighting will be installed to the functional requirements of these uses on a timed circuit allowing them to automatically shut off at a designated time. Lighting will be installed for the skate park and car park using pole-top luminaries and integrated with structures for the BBQ's and toilets.

Luminaries will be metal halide and include cut outs to avoid light spill into adjacent habitat areas.



Power is to be provided at the BBQ shelter toilets and at the skate park for events. Power outlets will be weatherproof and recessed into walls wherever required.

Allowance for future installation of CCTV has been made in the concept plan including installation of provisional conduit to the skate park and car park.

Cost Estimate For the Project

The City received an Opinion of Probable Cost from Ecoscape and also a Quantity Surveyor Report for the elements of the Concept Plan as identified in the report.

After reviewing both documents and identifying cost saving for internal project management, internal design for most elements of the concept plan, procurement strategy for each element, and the risk of the project which determines the contingency allocation, a detailed budget has been developed for the project as outlined in the Budget and Financial Implications section of the report. The cost of proceeding with the project in the 17/18 Financial Year will require a total budget of \$2,075,000. However, because the Member for Willagee, Hon. Peter Tinley, MLA has confirmed an Election commitment of \$400,000 will be provided to the City for the development of the Bibra Lake Skate Park the net City of Cockburn budget allocation will need to be \$1,675,000 which includes DCA13 and Municipal funding for all elements of the concept plan to proceed.

Key Consultation Findings

The Comment on Cockburn site was visited by 325 people, with 187 contributing to the survey. The concept plan was downloaded 294 times. In summary the community consultation most strongly supported the Skate Park, and upgrade of the Toilet facilities and all other elements of the concept plan were also highly supported. However, the location of the proposed fenced Dog Park which is within the existing dog exercise area was not supported by a number of Survey Respondents and the Bibra Lake Residents Association. Due to these concerns, it is recommended that the Council require additional community consultation specifically about the preferred location of a Dog Park in the Bibra Lake East vicinity. There were 103 respondents to the Comment on Cockburn survey who said they are most likely to use either the small or large dog park in this area, so it is important to look at locations in this local area to meet the community's needs for this type of facility. Due to the Dog Act Requirements the City will then need to provide another report to Council with the consultation findings. If an identified area is then approved a further 28 day consultation



period will be required regarding the location of the proposed Dog Park area if it is outside of the current Dog Exercise area at Bibra Lake East. Then the findings of this consultation will then be provided to Council for consideration.

It is therefore recommended that Council approve the development of the Bibra Lake Skate Park and all elements of the Bibra Lake Skate Park and Recreation Precinct Concept Design, as attached to the agenda, excluding the Fencing of the Existing Dog Exercise area which requires further consultation to determine the preferred location.

Strategic Plan/Policy Implications

Community, Lifestyle & Security

- Provide for community facilities and infrastructure in a planned and sustainable manner.
- Provide safe places and activities for residents and visitors to relax and socialise.

Budget/Financial Implications

Budget Summary

Income

Grant \$400,000

Expenditure

DCA 13 \$780,720

Municipal \$894,280

Total Project Cost \$2,075,000

Please see in Table 1 a Detailed Budget for all of the elements contained in the Bibra Lake Skate Park and Recreation Precinct Concept.

Table 1 Detailed Budget for the Bibra Lake Skate Park and Recreation Precinct

Skate park Design and Construct	\$550,000.00
Dog park fencing	\$36,000.00
Dog Exercise Equipment	\$44,000.00
Toilets	\$200,000.00
Playground	\$500,000.00
Gazebo, BBQ's & Soft and Hard Landscaping	\$310,000.00
Landscape - Lighting, BBQ, CCTV(Conduit) & Power	\$60,000.00
Landscape- Water supply & Fountains, irrigation	\$50,000.00

Landscape- Soft Infrastructure	\$100,000.00
Parking	\$150,000.00
Pedestrian Crossing	\$25,000.00
Detailed Design Costs	\$50,000.00
Total	\$2,075,000.00

Member for Willagee, Hon. Peter Tinley, MLA has confirmed an Election promise of \$400,000 to be granted to the City of Cockburn to assist with the costs of Developing the Bibra Lake Skate Park, so this is included as a Grant in the budget summary listed below. Taking this grant into account the budget requirement from the City of Cockburn for the project to proceed will be \$1,675,000.

Budget Summary

DCA 13	\$780,720
Municipal	\$894,280
Grant	\$400,000

Total Project Cost is estimated to be \$2,075, 000 with a City of Cockburn budget allocation requested for \$1,675,000 for the 2017/18 Financial Year.

Legal Implications

N/A

Community Consultation

Consultation was undertaken in two phases including the initial workshops in November and December 2016 followed by the Advertising Period in February 2017, through which additional feedback was sought by the City of Cockburn.

Initial consultation included workshops with the general Community and focus on the skateboard community to ascertain the needs and values in relation to the recreation precinct. The following stakeholders were approached:

- Bibra Lake Resident's Association
- Bibra Lake Primary School (Administration)
- Skate Board WA
- Local skate board community at Bibra Lake and Cockburn Youth Centre
- Broader Skateboard community including Skate park attendees, social media and women's skate group
- BMX community



- Dog walkers at the lake and Yarra Vista dog park.
- Community members at Bibra Lake Playground opening and workshop in the park (existing skate park location).

Summary of attendance

- Bibra Lake Community Resident's Group meeting: 10 people
- Community members at the Bibra Lake playground opening and on site contacts: 80 adults, 20 kids
- Skate Community: 18 of various ages and a range of skill levels
- Women's skate group: 6, all in mid-20's

Summary of support

- Local community has been actively lobbying for the Skate Park for some time
- Overwhelming support for the concept and design
- Strong expectation it will be built this year (2017)

Dog Park

- A view that the site was unsuitable and should be revegetated / rehabilitated. Regarded as too wet and of conservation significance because of bandicoot presence
- Concerns about impacting wildlife and connectivity between remnant vegetated patches
- Some suggested the dog park be moved further south near the retirement village
- Ensure the dog park will be fenced and not impact the remnant vegetation
- Additional revegetation and landscaping occur as part of the recreation precinct design
- The Precinct plan should include rehabilitation
- Some dog owners thought a Dog Park wasn't needed and would prefer to walk around Bibra Lake itself. These people tended to be from other areas and drive to Bibra Lake for its beauty, peacefulness, relaxation and exercise
- Local people liked the idea of the Park for the social interaction it brought with other residents
- Capacity to hold events/food vans or a cafe
- Ensure dog park will be fenced as there were concerns for safety, particularly with larger dogs

Summary of initial consultation outcomes

There was recognition within the Bibra Lake community that recreation was changing and more dedicated mixed-use, 'designed' spaces were required. The primary drivers for this were seen as increasing pressure on public open space and a desire by people to be more active and engaged with outdoor activities away from 'screens'.



As a result, there was an expectation within the local community that the Recreational Precinct was 'inevitable' to meet community needs and aspirations for these types of spaces.

A concept plan was drafted by consultants Ecoscape and released for further consultation in early 2017.

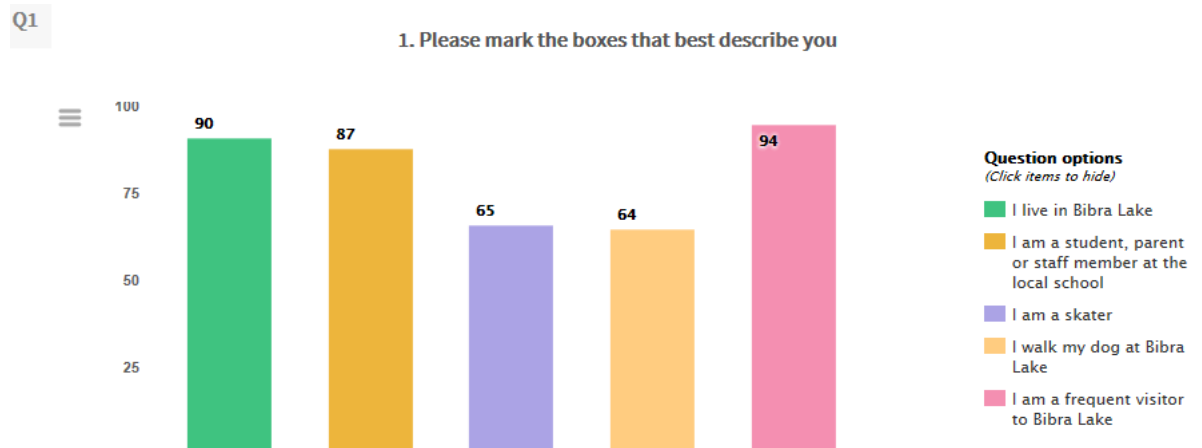
Draft Concept Plan Consultation

A survey was uploaded on Comment@Cockburn, with graphics about the proposed skate park and the concept plan for the site. This was also promoted on Facebook and by email to skaters in Perth and Cockburn.

An officer attended the Bibra Lake Residents Association meeting, and the Association was invited to meet with Elected Members and Executive to discuss the concept plan. A stall held at the Bibra Lake Regional Playground by the City of Cockburn Community Development Unit also promoted the survey. The survey was delivered to mailboxes of Bibra Drive residents, who will be directly affected by the project and to the local primary school.

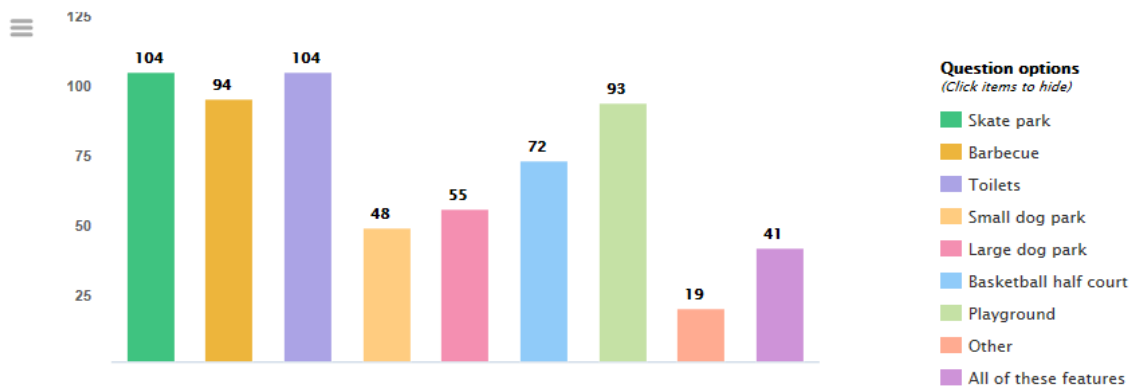
Survey results:

The Comment on Cockburn site was visited by 325 people, with 187 contributing to the survey. The concept plan was downloaded 294 times. Residents in Bibra Drive responded by hardcopy survey and their input was added into the final result below.



Q2

2. The features that I/my family are most likely to use are:



Summary of Feedback:

Points in support of draft concept plan:

- Skate park welcomed by local community, skaters, BMX riders and parents.
- Support for having separate fenced parks for large and small dogs
- High support for skate park, barbecue, toilets and playground
- Support for features that cater for all ages – playground, skate park, barbecue, dogs.

Points of concern about the draft concept plan

- Concern about impact on wildlife
- Concern that more parking is needed
- Concern that dog park was a conflict and should be relocated elsewhere
- Concern about traffic and noise management at this location
- School student concern about removing trees

Overall the survey results identify strong support for all elements of the concept plan except for the location of the proposed dog park. Concerns about issues related to wildlife, traffic, parking, noise management and minimising tree removal have all been considered in the revised Concept plan.

Risk Management Implications

If the recommendations are not followed there is a risk of community expectations not being met and reputation damage.

Attachment(s)

1. Bibra Lake Skate Park and Recreation Precinct Concept Plan
2. Community Consultation Report
3. Letter from Bibra Lake Residents Association 27/2/2017



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 13 April 2017 Ordinary Council Meeting.

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

Nil.

18.3 (MINUTE NO 6057) (OCM 13/04/2017) - COCKBURN AQUATIC & RECREATION CENTRE - DOLPHIN SWIM CLUB - SCHEDULE OF FEES AND CHARGES (154/006) (B MCEWIN) (ATTACH)

RECOMMENDATION
That Council

- (1) endorse the fees and charges for the Dolphins Swim Club as outlined in the report;
- (2) endorse the Terms and Conditions for the Fees and Charges; and
- (3) in accordance with Section 6.19 of the Local Government Act advertise the above Schedule of Fees and Charges.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION
MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr L Sweetman that the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0

Background

Council at its meeting of 9 February 2017 resolved to endorse the Fees and Charges for the Cockburn ARC “with the exception of the swim squad membership which is to be considered by Council at a future meeting to enable the Manager, Cockburn ARC to conduct additional consultation with the Dolphins Swim Club Committee Members.



Submission

N/A

Report

Meetings were held between the Executive of the Dolphins Swim Club and the City's Officers on 17 February and 15 March 2017 to discuss the proposed fees and charges for the use of the pools at the Cockburn ARC. The basis of the discussion was that the fee structure would not disadvantage members compared to the current fee structure at the South Lake Leisure Centre. There will be a number of flexible user pays entry fees, visitor passes and membership options exclusive to Dolphins Swim Club members under the age of 16 years.

It is acknowledged that the Club will have access to vastly superior facilities at the Cockburn ARC compared to what they have at the SLLC in particular access to a 50 metre outdoor pool rather than only a 25 metre indoor pool.

Table 1: Proposed Dolphins Swim Club membership fees

Membership	Charges
Junior Squad – Active	\$25.00 per fortnight direct debit
Senior Squad - Active	\$29.90 per fortnight direct debit

The following terms and conditions apply:

1. Squad active membership is for persons under the age of 16 enrolled at the Dolphins Swimming Club only.
2. Membership is direct debit payment options only.
3. Members can cancel at any time provided 28 days' notice is provided.
4. Where a person is a minor (under 18 years) the membership application must be signed by the minor's parents or guardian.
5. Where a squad member is under 11 years of age they must be accompanied and supervised by a responsible person aged 16 years or older.
6. Squad active membership includes spectator entry for one supervising responsible person, usually an adult.
7. Junior squad membership is for children 12 years of age and under.
8. Senior squad membership is for children 13 years and above.

The fees and charges and the conditions for which they apply are acceptable to the Dolphins Swim Club in accordance with correspondence between the City and the Club in a letter dated 27 March 2017, a copy of which is attached to the Agenda.



Strategic Plan/Policy Implications

Community, Lifestyle & Security

- Provide residents with a range of high quality, accessible programs and services.
- Provide for community facilities and infrastructure in a planned and sustainable manner.
- Create and maintain recreational, social and sports facilities and regional open space.

Leading & Listening

- Ensure sound long term financial management and deliver value for money.

Budget/Financial Implications

The fees and charges proposed for the Swimming Club are in accordance with the revised Management and Operations Plan on which the overall budget for the facility is based. As occurs currently the Dolphins Swimming Club is granted access to the facilities at a subsidised rate. As has occurred for many years for the Dolphins use of the SLLC a transfer from the Grants and Donations Account is made each year to reflect this subsidy. The amount anticipated to be transferred in 2017/18 is \$150,000.

Legal Implications

Sections 6.16 and 6.19 of the Local Government Act 1995, refers.

Community Consultation

The issue of squad fees is one for consideration by the City and the Dolphins Swim Club. There has been discussion and agreement between the parties.

Risk Management Implications

The risk to the City in considering fees and charges is to set prices that are competitive in the industry yet allow the Centre to operate with minimum subsidy from the City's residents and ratepayers.

There is a risk that Council may suffer reputational damage if it is seen not to be offering the junior swimming club affordable fees and charges. This needs to be balanced against the need for the club members to contribute reasonably toward the cost of operating this large complex. It is understood this balance has been achieved.



The fees and charges proposed for the Dolphins Swim Club need to be endorsed by Council for advertising prior to the anticipated opening of the complex in late May 2017.

Attachment(s)

Correspondence between the City of Cockburn and the Dolphins Swim Club dated 27 March 2017 in relation to the fees, charges and conditions.

Advice to Proponent(s)/Submissioners

The Proponent(s) who lodged a submission on the proposal have been advised that this matter is to be considered at 13 April 2017 Ordinary Council Meeting.

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

Nil.

DECLARATION OF INTEREST

The Presiding Member advised the meeting he had received a declaration of Impartiality Interest from Cllr Steven Portelli in relation to the following Item. The nature of the interest being that his daughters live in the affected area.

18.4 (MINUTE NO 6058) (OCM 13/04/2017) - AUBIN GROVE STATION PARKING PRECINCT (159/011) (R.AVARD/J MCDONALD) (ATTACH)

RECOMMENDATION

That Council :

- (1) establish the parking restrictions for the Aubin Grove Station parking precinct as shown on the attached plan and described as follows:
- No parking in all lane ways within the precinct;
 - No Stopping restrictions on both sides of Lauderdale Drive, Success;
 - No Stopping restrictions (weekdays only) on the east side of Baler Court, Hammond Park, and a 4-hour limit (8.00am-5.00pm weekdays only) on the west side;
 - 2-hour on-street parking limit from 8am to 5pm (weekdays only) around the Harvest Lakes Village.
 - A 15-minute parking limit for the 'Kiss N' Ride' parking bays



- on the west side of Flourish Loop, adjacent to the train station.
- 4-hour general on-street parking limit from 8am to 5pm (weekdays only) on all other residential streets in the parking precinct.
- (2) inform respondents to the survey who are seeking Residential Parking Permits that these will only be issued to tenants in dwellings that have more vehicles registered at a relevant address than on-site parking bays provided at the property; and
- (3) review the effectiveness of the parking restrictions in the Aubin Grove Station precinct, as part of the traffic study that the Public Transport Authority are required to undertake within 6 months of the train station opening.

COUNCIL DECISION

MOVED Clr C Terblanche SECONDED Clr S Portelli that Council:

- (1) establish the parking restrictions for the Aubin Grove Station Parking Precinct as shown on the attached plan and described as follows:
- No parking in all laneways within the precinct;
 - No Stopping restrictions on both sides of Lauderdale Drive, Success;
 - No Stopping restrictions (weekdays only) on the east side of Baler Court, Hammond Park, and a 4-hour limit (8.00am-5.00pm weekdays only) on the west side;
 - 2-hour on-street parking limit from 8.00am to 5.00pm (weekdays only) around the Harvest Lakes Village;
 - A 15-minute parking limit for the 'Kiss N Ride' parking bays on the west side of Flourish Loop, adjacent to the train station;
 - 4-hour general on-street parking limit from 8.00am to 5.00pm (weekdays only) on all other residential streets in the parking precinct.
- (2) inform respondents to the survey who are seeking Residential Parking Permits that these will only be issued to tenants in dwellings that have more vehicles registered at a relevant address than on-site parking bays provided at the property;
- (3) review the effectiveness of the parking restrictions in the Aubin Grove Station Precinct, as part of the traffic study that the Public



Transport Authority are required to undertake within 6 months of the train station opening; and

- (4) in addition to sub-recommendation (2), Issue all owners in the new/proposed Aubin Grove Station Parking Precinct who live on a lot that does not allow a formal driveway to be constructed (such as cottage style lots with rear loading garages that back onto a laneway), with 1 parking permit each per property, allowing exemption of the on-street parking time limitations of 4 hours in normal residential streets only between 8am-5pm weekdays. As such, these permits will not override the restrictions placed on other areas, such as the Kiss N Ride, shopping complexes and No Parking in Laneways restrictions.

CARRIED 7/1

Reason for Decision

Residents who live on lots that do not allow the construction of driveways on their property, do not have anywhere for their **visitors** to park other than on-street parking. Whenever family or friends come to visit, who may have a car for their long term stay while visiting, these visitors have to park in the streets.

We should encourage, not discourage, our community to get together and when we add restrictions to those properties who do not otherwise have the capacity to host **visitor** cars, we are limiting the gathering of people with those they care about.

The Aubin Grove station is different to the Cockburn Central station in that the Aubin Grove station is in the middle of a residential area where 27% of the residential properties in the Aubin Grove Station Parking Precinct are unable to have driveways constructed (due to being cottage style lots backing onto laneways).

By looking at what neighbouring councils allow for their station parking needs, the City of Melville has advised that they already have a parking permit system in place for residential properties in the Murdoch station parking precinct, and the City of Canning is in the process of developing a policy for the provision of residential parking permits.

The issuing of permits to the 309 properties without formal driveways, will be a very small financial expenditure and will only normally occur once- at the initial production of the permits. These permits will then belong to the owner of the property who can transfer the permit rights to the next owner when on-selling the property (or to the tenant). Re-issuing should only occur when owners have lost their permits and can



be done at a minimal cost (e.g. \$10) to the owner who applies for the re-issuing of such permits. The cost of policing the use of these permits should also be minimal to the City and even if it costs a small percentage of our policing efforts, it is well worth it to encourage a community who belongs, interacts and partake in family and friends' friendly practices. The long-term mental health related savings that the City will incur as a result of encouraging interaction among our residents should be worth much more than the small expenditure to check these parking permits.

Multi-unit complexes have on-site car parking capacity for visitors as required per planning policy laws and as such do not require additional permits to be issued by the City of Cockburn for their visitors to park on-street. Normal residential properties with driveways have the option of allowing long-term visitors to park on those properties.

Where there are residents who have the need to store more vehicles than provided for by their property, the City of Cockburn Parking Local Law 2007 applies.

Background

The new Aubin Grove railway station is due to begin operating on the 23rd April 2017 with approximately 2,000 new car parking bays associated with the station. These bays have been constructed by the State Government's Public Transport Authority (PTA) and are under their care and control. With the opening of the new station at Cockburn Central a significant number of parking issues became apparent particularly with insufficient car parking bays to handle the number of daily train commuters. Although additional bays were constructed by the PTA there is still a lot of illegal parking occurring on-street and on verges particularly around the Cockburn Central Town Centre area and along Knock Place on the eastern side of the Kwinana Freeway.

While it is envisaged that in the short term there will be sufficient car bays for commuters at Aubin Grove it is anticipated that there will be a number of people who will park on the nearby streets to avoid the \$2 daily parking fee. There may be in the longer term a shortage of commuter parking. To ensure that commuters establish good parking habits at the Aubin Grove Train Station the City could pre-empt any overflow parking by implementing parking controls that should discourage long-term on-street parking by commuters.



Submission

There were a total of 53 submissions received on the proposed Aubin Grove Train Station Parking precinct proposal, at the submission closure period on 31 March 2017.

This includes an online petition arranged by an affected resident, supported by 73 persons.

Report

A letter has been forwarded to 1,136 property owners/tenants in the vicinity of the new Aubin Grove Train Station parking precinct including properties on the eastern and western side of the freeway (see attached precinct plan) seeking comment on the following proposal.

1. A four hour general parking time limit for on-street parking between 8 am and 5 pm each weekday on residential streets.

Rationale:

It is expected that once the Aubin Grove Train Station is open some commuters will park their cars on surrounding streets to save having to pay the current \$2 daily fee as demand on parking in the designated parking area increases and or the parking fees go up in the train station carpark. As most residents have visitors to their homes before 8am and after 5pm and on weekends there will be limited impact with a 4-hour on-street parking time limit on residential streets. Property owners mostly have their own properties to park on and the proposed restrictions can still allow visitors to park on their street.

2. At the 'Kiss N' Ride' short-term parking area a parking time limit of 15 minutes will be imposed.

Rationale:

This is fairly self-explanatory as Kiss N' Ride parking is intended to be extremely short-term parking. Imposing a 15-minute limit will ensure that people do not park in this area for long periods.

3. There will be a 2-hour parking time limit around the Harvest Lakes Village shopping area from 8am to 5pm on weekdays.

Rationale:

The commercial success for the businesses operating in the shopping precinct is for customers to have ready access to



parking and for there to be a steady turnover of car parking bays. A limit of 2 hours is considered sufficient time for customers to transact their business in a shopping area of this nature, particularly when those businesses have their own off-street car parks. As the parking restrictions apply from 8am to 5pm and there are a limited number of residential properties in the immediate area it will mean that residents or their visitors will be able to park on the street outside of these hours for longer periods.

4. No Parking in lane ways.

Rationale:

To ensure that the City's waste management trucks and residents can access properties with vehicle access via a lane in an unobstructed manner parking in lanes in the parking precinct will be banned. There have been numerous incidents across the City where waste trucks have been unable to pick up bins. On occasions people have parked in lane ways resulting in property owners not being able to access their garages or pass down the lane. The laneways that have no parking in the precinct are:

1. Grenada Lane
2. Tupelo Lane
3. Aubin Lane
4. Leflore Lane
5. Cloverdale Lane
6. Posey Lane
7. Corinth Lane
8. Calm Lane
9. Peace Lane
10. Kukui Lane
11. Borage Lane
12. Balance Lane
13. Verve Lane
14. Purity Lane
15. Plenty Lane
16. Affable Lane
17. Esteem Lane
18. Active Lane
19. Esprit Lane
20. Vibrant Lane
21. Genial Lane
22. Relish Lane
23. Bliss Lane
24. Zest Lane
25. Valour Lane



26. Salute Lane
5. Lauderdale Drive Success will have 'No Stopping' restrictions.

Rationale:

Lauderdale Drive is one of two access routes into the bus transfer station at the Train Station car park, with the other access route being Russell Road. To ensure that buses and local residents can both travel along Lauderdale Drive unobstructed, parking needs to be banned on that road adjacent to the Train Station car park.

6. Baler Court Hammond Park will have 'No Stopping' restrictions:

Rationale:

There will be 'No Stopping' restrictions on the east side of Baler Court as there is a short walk from Baler Court to the train station. Commuters could be tempted to park on Baler Court and walk to the station leaving their cars all day on the road.

There were a total of 53 submissions in relation to the proposed Aubin Grove parking precinct. The vast majority sought parking permits for residents.

There were a number of residents who live in town houses and cottage lots in proximity to the shopping area who said that they had more cars at the property than they had on-site parking bays resulting in them having to park in the street. It is not practical, or desirable, for the City to satisfy such expectations about the supply of on-street parking in high density areas, particularly in such close proximity to good quality public transport facilities.

For example, one property owner who has a property within 100 metres of the station entrance off Flourish Loop wants residents, who on the subject street live in homes with a typical 7.5m lot frontage and double garages accessed by a rear lane, to also be able to park unrestricted on-street in the available parking embayments. The City is not able to satisfy this request in an equitable manner because there are more homes fronting the street than available on-street parking bays.

Street parking, particularly around shopping areas, is public parking and not set aside exclusively for residents or their visitors. Any preferential treatment for residents living in these units, such as residents parking permits could impact on local businesses and other residents. As the proposed parking restrictions only apply from 8am to



5pm during the week it is most likely that residents would have sufficient off-street car bays during these hours to meet their needs.

There are approximately 1,100 properties within the parking precinct area and should residential parking permits be issued to all properties there will be a significant amount of work involved in administering such a scheme. Furthermore, this may well set an expectation that there will be residential parking permits issued in other areas such as Cockburn Central and Port Coogee. Limiting the number of parking bays in these areas with the provision of residential parking permits will impact significantly on local business by limiting available parking for visitors. It is strongly recommended that Council do not set a precedent by establishing a parking permit system in the Aubin Grove Train Station precinct. Currently there is only 1 parking officer for the City who is required to monitor parking across all areas including more than 30 schools. Should Council progress with residential parking permits an additional staff member will be required to carry out this monitoring and be available to support the existing demand in the parking area across the City of Cockburn.

Notwithstanding this, if there are demonstrated circumstances where tenants of properties have more vehicles registered at an address than there are parking bays allocated on – site, there are provisions within the City of Cockburn Parking Local Law 2007 which allow for applications to be made for a Residential Parking Permit to be issued for the additional vehicle/s (to a maximum of 3). Accordingly, it is suggested that those respondents who have identified this as an issue be contacted to inform them of the process by which applications for a Permit /s can be made and considered.

The City's Engineering Services unit are collecting before/after traffic data on many roads in the vicinity of the train station to enable a detailed analysis to be done of the changes in traffic flows in the area surrounding the train station. This data will feed directly into the traffic study that the PTA are required to do within 6 months of the train station opening to identify and address issues on the local road network that can be attributed to the use and operation of the train station. It would be appropriate to include an assessment of these parking controls as part of that study. If, following this process, it was identified that there were properties where residential parking permits were warranted, the matter could be further considered by Council.

Strategic Plan/Policy Implications

Moving Around

- Reduce traffic congestion, particularly around Cockburn Central and other activity centres.



- Improve connectivity of transport infrastructure.
- Improve parking facilities, especially close to public transport links and the Cockburn town centre.
- Advocate for improvements to public transport, especially bus transport.

Leading & Listening

- Listen to and engage with our residents, business community and ratepayers with greater use of social media.

Budget/Financial Implications

Costs of signage will be funded from operational accounts set aside for this purpose.

Legal Implications

The City of Cockburn Parking and Parking Facilities Local Law 2007 gives the power to Council to restrict or prohibit parking on carriageways (streets).

Community Consultation

A letter was sent to 1,136 property owners in the area prescribed in the Aubin Grove Parking Precinct Plan as attached to the agenda. There was also information placed on the City's website seeking comment on the proposed precinct Plan. 53 responses were received at the close of submission period, which represents a return rate of 4.6%. Nearly all of the responses were from residents of the multi-density development in Hygeia Bend/Flourish Loop, Atwell, requesting to be issued with Residential Parking Permits. Reasons cited for the request were:

- This is common practice in other local governments across Perth (e.g. City of Vincent, City of Fremantle, City of Subiaco)
- Cottage style homes have no driveway or verge to park on and rely entirely on street parking to accommodate the needs of residents with cars
- Some tenants work or study part time and require on street parking for longer than 4 hours at a time
- Some households have multiple occupants all with cars
- Some residents will walk to the train station in the morning and will want to leave their car at home



Risk Management Implications

The proposed parking precinct will prescribe and control parking in the vicinity of the Aubin Grove train station area. Without such a plan it is likely that commuters using the train station will park in the streets close to the station. This will affect the amenity of the local residential area and have a negative financial impact on the businesses in the area. The early implementation of the parking plan will ensure that parking in the area will be controlled before the problems arise and good parking habits will be developed.

The City reputation is likely to be damaged should it do nothing in the area and wait for problems to arise.

There is a “Substantial” Financial and Compliance and a “High” Operational risk impact for the City, should Council resolve to issue Residential Parking Permits for residents in this area and other high density localities, as an additional Parking Officer will need to be employed to monitor compliance.

Attachment(s)

1. Map of the Aubin Grove Parking station precinct.
2. Copy of the letter sent to owners of the property in the affected area.
3. Community Consultation Paper.

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 13 April 2017 Ordinary Council Meeting.

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

Nil.

19. EXECUTIVE DIVISION ISSUES

Nil

20. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN



20.1 (MINUTE NO 6059) (OCM 13/04/2017) - COCKBURN CENTRAL WEST PARKING DEMAND (110/070) (C SULLIVAN/D ARNDT) (ATTACH)

RECOMMENDATION

That Council

- (1) receives the report; and
- (2) defers any decision on the provision of additional car parking areas at Lots 124 and 125 Poletti Road in the Power Line Easement , as shown in Attachment 1 and 2, until the future of the adjacent development areas becomes clear.

COUNCIL DECISION

MOVED Cr S Portelli SECONDED Cr C Terblanche that the recommendation be adopted.

CARRIED 8/0

Background

At the Ordinary Council Meeting of 9 March 2017, Cr Portelli submitted a 'Notice of Motion For Consideration at Next Meeting' as follows:

'That a Report be prepared and presented to Council on the provision of additional vehicle parking for public use under the Power Line Easement in Cockburn Central to address the car parking demands associated with the development of the locality.'

Reason for Decision

Council is concerned that commuters will encroach on parking areas provided for patrons of the Cockburn Aquatic and Recreational Facility and has separately resolved to ensure these areas are effectively monitored and managed. Given that there is additional land within the Power Line Easement adjacent to Poletti Road, it is intended that Council investigates the potential for these Lots to be developed to address the shortage of available parking space for use by train commuters and others who have reason to visit the Cockburn Central Town Centre area.



The City Cockburn Central West Structure Plan (December 2016) designates the lots under the power transmission lines as Public Purposes – Western Power (car park, roads and power line infrastructure), as shown on Attachment 1. Car parking areas are currently being completed in the power line easement as part of the Cockburn ARC project as shown on Attachment 2. One of those areas is a leased area from the adjacent Landcorp property to provide additional car parking capacity.

Submission

N/A

Report

It is the City's objective to provide parking options for visitors to the town centre area rather than for PTA commuters. In the absence of a plan in which to charge for this car parking, it is possible that PTA commuters would opt to access the City's free parking, rather than pay for the PTA commuter bays. This could have a dramatic impact on the City's new Cockburn ARC, if unlawful use by PTA commuters was to begin. To this end, time limited parking for all parking under the power line corridor is important to prevent unintended use by PTA commuters.

The responsibility for car parking for commuters using Cockburn Train Station is the responsibility of the Public Transport Authority (PTA). The PTA works under legislation which enables them to charge fees for the services they provide. This fee for service is both for the use of public transport and use by commuters of associated PTA parking areas.

The other component of the 'Notice of Motion' is the consideration of additional car parking for the Cockburn Town Centre. The location and amount of car parking beneath the power transmission lines has been initially provided to meet the needs of the Cockburn ARC facility. It is important the correct amount of car parking is provided, so that it can be effectively regulated and patrons accessing this car park recognise that it is for either purposes associated with accessing the Cockburn ARC, or for accessing the town centre. It should not be available for all day use, as this will clearly attract unintended use, and also limit the turnover of bays needed to support members of the Cockburn ARC coming at different times.

The City controls the entire power line easement as a reserve for power utilities and car parking, under a Management Order from the State. This becomes an important strategic asset in helping to shape the development of land within the town centre. As a general planning principle, it is expected that parking demand generated by any development should be met on the site of that development.



This recognises that insufficient car parking availability can result in potentially negative impacts on the amenity of the surrounding area. There are situations where this is not achievable, and an applicant can seek approval for alternative solutions to address a development's car parking requirements.

It would be open to the City to consider making available, by a cash in lieu arrangement, a part of the powerline easement needed by a strategically important development to locate part of its parking on the reserve land. Strategically important development would be that which is contributing towards the generation of knowledge based employment within the town centre or which is aligned to the important six key strategic industries of the City which access external markets. This would require careful consideration by Council on a case by case basis.

A cost estimate has been carried out for the land either side of Honour Way at the north end of the transmission line easement which indicates approximately 400 car parking bays could be constructed for approximately \$2,400,000, including lighting and landscaping of the area. It is not recommended that Council consider funding the additional car parking area from municipal funds until two matters become clear in the immediate area of the town centre, being the future of the existing PTA car parking areas on the western side of the Kwinana Freeway, and the future of the Landcorp property on the eastern side of the power line easement.

The City is currently working on the Draft Cockburn Central East Structure Plan which includes the proposal for the PTA to establish 1600 to 2000 car parking bays on the eastern side of the railway line for commuter parking at Cockburn Central Rail Station, The lease on the two existing PTA car parking areas expires in 2031 and the WAPC could release the two lots for future development which is the City's proposal in the draft structure plan to continue the development of the town centre. Such development sites could have a planning condition for the provision of public parking levels.

The Landcorp property (described as Lot 9002 Beeliar Drive, DP 409053) is the subject of ongoing discussions about the development possibilities on that site. Road access is available from Veterans Way at the south side and via Honour Way from the west side through the power line easement. The City is contemplating with Landcorp an exchange with a property in the town centre to allow the development of the proposed City Administration Centre on a portion of Lot 9002 fronting Veterans Way with the remainder of the lot developed as other commercial uses. Both these possibilities would need car parking



capacity in the adjacent power line easement, which could be funded as part of those developments.

Strategic Plan/Policy Implications

Moving Around

- Reduce traffic congestion, particularly around Cockburn Central and other activity centres
- Improve connectivity of transport infrastructure
- Improve parking facilities, especially close to public transport links and the Cockburn town centre

Budget/Financial Implications

Municipal funds of \$2,400,000 would need to be included for Council's consideration in future budgets unless the car park areas are funded by adjacent developments.

Legal Implications

There are no legal implications at this time as the land in question is already designated for road, car park and power utilities under the current structure plan.

Community Consultation

Consultation and notification with all local properties would take place if and when the construction of the car park areas was to proceed.

Risk Management Implications

The risk to Council is that expending funds in the short term on the construction of car parking areas pre-empts the provision of car parking associated with the development of the adjacent allotments funded by others.

Attachment(s)

1. Cockburn Central West Structure Plan (December 2016)
2. Cockburn ARC Current Parking Areas

Advice to Proponent(s)/Submissioners

N/A



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

Nil.

20.2 (MINUTE NO 6060) (OCM 13/04/2017) - REVISED LOCAL DEVELOPMENT PLAN - LOCATION: LOTS 902 & 903 HAMILTON ROAD, LOTS 903-905 SUMICH GARDENS AND LOT 906-909 DASILVA PLACE, COOGEE - OWNER: GOLDBARREL CORPORATION PTY LTD - APPLICANT: VERUS (052/002 & LDP17/02) (D BOTHWELL) (ATTACH)

RECOMMENDATION

That Council

- (1) approve the amended Local Development Plan for Lots 902 & 903 Hamilton Road, Lots 903 – 905 Sumich Gardens and Lots 906 – 909 DaSilva Place, Coogee in accordance with Clause 52 of the Planning and Development (Local Planning Schemes) deemed provisions;
- (2) delete the existing Local Development Plan for Lots 902 and 903 Hamilton Road, Lots 903 – 905 Sumich Gardens and Lots 906 – 909 DaSilva Place, Coogee; and
- (3) notify the applicant and those who made a submission of Council's decision.

COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr L Sweetman that Council:

- (1) approve the amended Local Development Plan for Lots 902 and 903 Hamilton Road, Lots 903 – 905 Sumich Gardens and Lots 906 – 909 DaSilva Place, Coogee in accordance with Clause 52 of the Planning and Development (Local Planning Schemes) deemed provisions subject to the following modifications:
 1. Insert a new provision restricting development on Lot 907 to single storey only.
 2. Amend Clause 3 (Building Setbacks) and the plan to restrict Lots 906 and 907 to one boundary wall only which shall be the shared boundary between these two lots. The length and height of boundary walls for Lots



906 and 907 shall accord with the R-Codes deemed-to-comply provisions.

- (2) delete the existing Local Development Plan for Lots 902 and 903 Hamilton Road, Lots 903 – 905 Sumich Gardens and Lots 906 – 909 DaSilva Place, Coogee; and
- (3) notify the applicant and those who made a submission of Council's decision.

CARRIED 7/1

Reason for Decision

This is a more equitable outcome. It represents good and orderly planning and protects existing and future residents.

Background

At its Ordinary Council Meeting held on 8 December 2016, it resolved to conditionally approve a development application (DA16/0578) for Subdivision Retaining Walls at No. 225 (Lot 23) Hamilton Road, Coogee.

Subsequently, on 17 December 2016, Councillor Allen put forward the following Notice of Motion:

“Council amend the Local Development Plan (LDP) for Lots 902 & 903 Hamilton Road, Lots 903-905 Sumich Gardens and Lot 906-909 Dasilva Place, Coogee to restrict the building heights for any dwellings on Lot 906 to a single storey”.

In accordance with Notice of Motion, the applicant submitted a revised LDP for the subject lots which was received by the City on 20 January 2017. The LDP is the same as the previously approved LDP (dated 16 August 2016) except that it contains an additional clause restricting the permitted building height for Lot 906 to a single storey dwelling.

On 10 February 2016, the Western Australian Planning Commission (WAPC) resolved to conditionally approve an application to subdivide Lot 23 into nine lots as depicted on the LDP. A condition of the subdivision approval was for an LDP to be submitted to and approved by the City. The original LDP was subsequently submitted to the City, and approved, under delegated authority on 16 August 2016.



The subject land which makes up the LDP area is mostly vacant with the exception of the existing single house which fronts Hamilton Road. The LDP area slopes downwards from west to east by approximately 14.32m with more subtle level differences also existing from east to west.

The application has been referred to Council for determination as objections were received during the consultation process, removing delegation from the City's administration staff.

Submission

N/A

Report

Proposal

This proposal is for a revised LDP, specifically comprising:

- Additional clause (14) titled 'Building Heights' which requires that development shall be restricted to single storey for Lot 906 shown on the LDP; and
- Deletion of reference to specific BAL ratings which were shown on the original LDP. The LDP now simply identifies the lots which area affected by bushfire hazard and therefore subject to compliance with AS2959-2009.

Neighbour Consultation

The application has been the subject of public consultation and was advertised in the following ways:

- Letters sent to landowners surrounding the LDP area; and
- The development application plans and accompanying information were placed at the front counter of the City's Administration building.

A total of 4 objections were received during the advertising period. Objections and comments for the proposal are summarised as follows:

- The revised LDP does not fully comply with the R-Codes and asks for numerous variations to the subdivision;



- Question why there is not the same single storey height restriction placed on Lot 907 as Lot 906;
- The revised LDP does not take into consideration any alternative solutions put forward by objecting parties during the advertising period for the application for subdivision retaining walls including amalgamating Lots 906 & 907;
- Objecting to issues associated with the subdivision retaining walls; and
- Object to allowing a large, heavy dump truck accessing the narrow PAW 3 times a week introducing risk to the surrounding community.

The City's comments in relation to the submissions received are discussed in the Other section of this report.

Planning Framework

Zoning and Use

The land in which the subject LDP is within is zoned 'Development' and is affected by the DA31 provisions of the City's Local Planning Scheme No. 3 (LPS3) which requires the following:

1. *Structure Plan adopted in accordance with Clause 6.2 of the Scheme to guide subdivision, land use and development.*
2. *To provide for residential development and compatible land uses.*
3. *The provisions of the Scheme shall apply to the land uses classified under the Structure Plan in accordance with Clauses 6.2, 6.3.*
4. *Each subdivision and development application in the Development Area shall achieve at least 85% of the potential number of dwellings achievable under the R-Code designated for the application area in the endorsed Structure Plan.*

The Ocean Crest Local Structure Plan indicates that the land is zoned R20, R25 and R30. The proposed revised LDP provides a site specific layer of planning information to be considered in the design and development of dwellings on the subject lots. The information is to be considered within the above mentioned local structure plan adopted by Council, as well as the R-Codes and the City's Planning Scheme and/or Policies.



Revised LDP Provisions

Building Heights

Consistent with the abovementioned notice of motion, the revised LDP contains additional clause 14 which reads as follows:

“For Lot 906 development shall be restricted to single storey”

The additional provision of the LDP restricting building height to single storey is supported as it will reduce potential adverse impacts on the adjoining property to the south in terms of access to northern sunlight, ventilation, visual privacy and building bulk which were issues raised by the adjoining landowner previously.

As part of the application for the subdivision, retaining walls were recently approved by Council. The applicant prepared an overshadowing diagram (attached) which shows an indicative shadow cast from future development at Lot 906. This was prepared to gain an understanding of the percentages of the adjoining properties lots that would be overshadowed. The deemed-to-comply provisions of the R-Codes require that no more than 35% of an adjoining property be overshadowed at midday on 21 June.

The overshadowing diagram (Attachment 3) indicates that if a two storey dwelling was erected on Lot 906, 23% (145m²) of Lot 161 Cedron Rise and 18% (114m²) of Lot 160 would be overshadowed. The indicative overshadowing diagram demonstrates compliance with the deemed-to-comply provisions of the R-Codes in terms of Clause 5.4.2 – Solar access for adjoining sites. However, it is considered important to protect the amenity of current and future landowners of the lot to the south at Lot 161 Cedron Rise as there would be some reduction in access to direct northern sunlight if a two storey dwelling was constructed on future Lot 906. On the basis that the applicant does not object to this restriction, it is appropriate to include it on the LDP. It should be noted however that the City would in these circumstances not normally require any changes to a proposed development that complies with the R Codes. This is important, as it is the applicant's agreement to the restriction that is largely driving why this is being supported by the City.

Bushfire Management

The City's officers have taken the opportunity to review the previously approved LDP and comment on any provisions that may have been subject to changes in policies/legislation. The only example of this that could be found on the LDP was the existence of specific Bushfire



Attack Level (BAL) ratings of BAL12.5 and BAL19 on Lots 905, 906, 907, 908 and 909 of the LDP.

As the relatively new provisions of State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7) have been put into practice, the City and other local government authorities across Perth have moved away from having specific BAL ratings shown on lots within LDP areas. The reason for this is that BAL ratings are not permanent and are subject to change over time, for example, the clearing of vegetation which could potentially decrease the BAL rating on an individual lot(s). Conversely, if vegetation matures/grows over time, this could potentially increase the BAL ratings/fire risk of nearby properties.

Accordingly, at the City's request, the applicant amended the LDP to delete any reference to specific BAL ratings and replace these with a yellow circle which indicates that the subject lots within the LDP area are affected by bushfire hazard with a specific BAL report which would determine the BAL rating on the subject lot at the Building Permit stage.

Other

The comments received during the advertising period have been categorised and discussed below:

The revised LDP does not does not fully comply with the R-Codes and asks for numerous variations to the subdivision

The City's officers do not share the view that the LDP does not fully comply with the R-Codes. The originally approved LDP and the revised LDP which are almost identical with the exception of the two provisions discussed above. They have been formulated in accordance with the WAPC's Planning Bulletin 112/2015 – *Medium-density single house development standards – Structure plan areas*. These standards act as a replacement to existing R-Codes standards for building and garage setbacks (Clauses 5.1.2, 5.1.3 and 5.2.1), open space (Clauses 5.1.4), parking (Clauses 5.3.3), visual privacy (Clause 5.4.1) and solar access (Clause 5.4.2). These provisions apply to Lots 901 and 902 shown on the LDP which are zoned R25, as well Lots 906, 907, 908 and 909 which are zoned R30.

For lots 903, 904 and 905 shown on the LDP, the above mentioned provisions do not apply as these lots are coded R20, with the Medium Density standards only applying to R25 up to R60. Clause 13 of the LDP addresses this with a note that the regular R-Code requirements will apply to these lots as opposed to the provisions of the medium density provisions.



In relation to the adjoining landowners comment about non-compliance with the R-Codes, this is speculation as there is no development proposed at this time. Any future development will be assessed in accordance with the R-Codes and LDP.

The City's officers do not agree with the comment that the LDP asks for numerous variations to the subdivision. The respective lot sizes and configurations depicted on the LDP are consistent with those approved by the WAPC for the subdivision of Lot 23 and the approved LSP.

Question why there has not been the same single storey height restriction placed on Lot 907 as Lot 906?

If a two storey dwelling is built on future Lot 907 as allowed for under the deemed-to-comply provisions of the R-Codes (6m wall height, 9m ridge height) there would be no adverse impact with regards to overlooking of outdoor living areas or active habitable spaces of the adjoining property to the north. The reason for this is that the alfresco, dining and living areas of the constructed dwelling at No. 11 Dasilva Place are located on the northern side of the property.

There are numerous other examples of two storey dwellings in the immediate locality including Nos. 7, 8 and 9 Cedron Rise. The streetscape is characterised by a mix of single and double storey houses with no established streetscape of either exclusively single or double storey dwellings. This mix is not considered to be inconsistent with the streetscape and existing mix of single and double storey dwellings in the immediate locality.

The revised LDP does not take into consideration any alternative solutions put forward by objecting parties during the advertising period for the subdivision retaining walls.

As outlined in the report presented to Council for the subdivision retaining walls, the suggestion that Lots 906 and 907 should be amalgamated to create a single lot has been put forward to the applicant who has advised that they object to this proposal and Council has no ability to require this.

Under the relevant LSP, the residential density of Lots 906 and 907 is R30, meaning that if the lot was amalgamated it would still have the potential for two grouped dwellings to be developed on the lot given the lot density requirements for R30. The WAPC has granted subdivision approval for the subject lots, with the City is not in a position to force the applicants to amalgamate the lots or any other suggestion at the request of the adjoining landowners.



Objecting to issues associated with the subdivision retaining walls

During the advertising period for the revised LDP, a number of the concerns associated with subdivision retaining walls approved by Council on 8 December 2016 were reiterated. As outlined in the report for the subdivision retaining walls, Lot 23 is located on the crest of a steep hill surrounded by mostly established properties, some of these adjoining properties have also incorporated fill into their finished lot levels. Accordingly, it was necessary for the retaining walls to be high at certain points.

The continued concerns regarding the retaining walls have been duly noted, however, the subject application is for a revised LDP with an additional provision restricting development on Lot 906 to single storey only. The subdivision retaining walls on Lot 23 were considered by the City's administration and Council at the time and were supported for the reasons outlined in the December 2016 Council report.

Object to allowing a large, heavy dump truck accessing the narrow PAW 3 times a week introducing risk to the surrounding community

As discussed in the Council report for the application for subdivision retaining walls (DA16/0578), this solution was designed in response to objections from landowner(s) adjoining Lot 23 Hamilton Road to the north on Dasilva Place to rubbish bins being collected from the cul-de-sac head of Dasilva Place. The City's Waste Manager has advised that it would be difficult for collect multiple bins in the subject cul-de-sac head without the waste truck reversing which is not a desired outcome from the City's perspective in terms of safety and mitigating any potential risk on the local community. The solution to this was to create a nib road which could provide road connectivity for the City's waste trucks only with lockable bollards to be installed to prohibit general traffic which is intended for Sumich Gardens to the east.

The City's Waste Manager has advised that it is not uncommon for the City's Waste Trucks to access 6m wide laneways and will have no issue accessing the 8m wide nib road from Dasilva Place to Cedron Rise. It has been further advised by the City's Waste Manager that there will be one truck movement per week on Thursday for collection of the general waste bin and one truck movement for the collection of the recycling bin waste. With regard to safety, as mentioned above, the waste collection from the nib road is a better safety option than collection from Dasilva Place.

It should also be noted that the portion of road reserve between Cedron Rise and Dasilva Place is proposed to be road reserve (nib road) and not a pedestrian access way however it will be restricted to



vehicles other than the waste truck through the use of removable Bollards.

Conclusion

The original development principles set out in the previously approved LDP have remained unchanged with the exception of the height restriction on Lot 906 and an update of the LDP to exclude specific BAL ratings which are subject to change over time. Restricting the building height to single storey for Lot 906 will assist in protecting the amenity of current and future owners of the adjoining property to the south in terms of access to direct northern sunlight, ventilation, visual privacy and building bulk. It is therefore recommended that the revised LDP is approved.

Strategic Plan/Policy Implications

City Growth

- Ensure planning facilitates a desirable living environment and meets growth targets

Leading & Listening

- Provide for community and civic infrastructure in a planned and sustainable manner, including administration, operations and waste management

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

Letters were sent to surrounding landowners in relation to the proposal. 4 objections were received, details of which are provided in the report.

Risk Management Implications

Should the applicant lodge a review of the decision with the State Administration Tribunal, there may be costs involved in defending the decision, particularly if legal Counsel is engaged.

Attachment(s)

1. Revised LDP



2. Original LDP
3. Overshadowing diagram
4. Notice of Motion from Clr Allen in relation to Lots 902 & 903 Hamilton Road, Lots 903-905 Sumich Gardens and Lots 906-909 DaSilva Place, Coogee.

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 April 2017 Council Meeting.

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

Nil.

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

Nil

22. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY MEMBERS OR OFFICERS

DECLARATION OF INTEREST

The Presiding Member advised the meeting he had received declarations of Impartiality Interest on the following item from Clr Stephen Pratt, Clr Lyndsey Sweetman and Clr Phil Eva. The nature of the interests is that they are all employed by the Department of Premier and Cabinet

22.1 (MINUTE NO 6061) (OCM 13/04/2017) - BILLBOARD ADVERTISING - ARMADALE ROAD FUNDING (006/004; 063/011) (CLR PORTELLI) (ATTACH)

RECOMMENDATION

That Council :

- (1) discontinue all further advertising thanking the Australian Labour Party (ALP) for promising Armadale Road funding throughout the City of Cockburn; and
- (2) all further newspaper and media campaigns and billboards regarding this matter are ceased, withdrawn and removed with immediate effect.



COUNCIL DECISION

MOVED Cllr S Portelli SECONDED Cllr S Pratt that the recommendation be adopted subject to sub-recommendation (1) to be amended to reference the words 'Western Australian Labor Party' instead of 'Australian Labour Party'.

CARRIED 6/2

Reason for Decision

The amendment is to denote reference being made to the right political party.

Background

Pursuant to Clause 4.11 of City of Cockburn Standing Orders 2016, Cllr Steven Portelli has requested a matter of an urgent nature to be presented to Council through an email received on Thursday, 6 April 2017 which has been accepted by the Presiding Member.

Submission

N/A

Report

N/A

Strategic Plan/Policy Implications**Leading & Listening**

- Deliver sustainable governance through transparent and robust policy and processes.

Budget/Financial Implications

N/A

Legal Implications

N/A



Community Consultation

N/A

Risk Management Implications

Should the recommendation not be adopted this could have an adverse effect on the City's brand.

Attachment(s)

Copy of motion regarding advertising forwarded by Clr Portelli.

Advice to Proponent(s)/Submissioners

N/A

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

Nil

23. MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE

23.1 (MINUTE NO 6062) (OCM 13/04/2017) - MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE - CITY OF COCKBURN COASTAL STRATEGY (082/003) (D DI RENZO) (ATTACH)

RECOMMENDATION

That Council prepare a document that provides an overview of all relevant plans and documents for the City of Cockburn's coastal areas, including a plan that spatially depicts relevant adopted management plans, structure plans and master plans.

COUNCIL DECISION

MOVED Clr S Portelli SECONDED Clr C Terblanche that the recommendation be adopted.

CARRIED 8/0

Background

A request has been received from Clr Steven Portelli under Matters to be Noted for Investigation, Without Debate, to investigate the possible



development of a formal strategic document on coastline activities in the City of Cockburn.

Councillor Portelli has requested that the 'Coastal Strategy' address the following key matters:

- * Develop the coast into a tourist attraction;
- * Identify land types and create a structure plan incorporating existing structure plans;
- * Liaise with major stakeholders;
- * Reserve lands for future road and public transport links. Light Rail;
- * Integrated transport network between Cockburn central, and the leisure Precinct at Bibra Lake and the Cockburn coast;
- * Marketing and branding strategy for Cockburn (to follow).

The recommendation seeks to bring together the extensive levels of planning that already exist for the City's coastline, and which address the request made by Cr Portelli. This will create a single summary document, rather than replicate planning work that has already taken place.

Submission

N/A

Report

There has already been a substantial amount of coordinated planning along the coast, which includes numerous adopted structure plans as follows:

- * South Beach Structure Plan
- * Robb Jetty Cockburn Coast Structure Plan
- * Emplacement Cockburn Coast Structure Plan
- * Port Coogee Structure Plan
- * Structure Plan for Henderson (Development Area 17)
- * Structure Plan for Henderson (Development Area 15)

These structure plans provide the land use planning framework to coordinate development in these areas, and to facilitate a range of uses as appropriate. These structure plans have been subject to extensive community consultation and have been adopted by Council, and the Western Australian Planning Commission.

There are also a number of management plans that have been adopted for the City's coastal areas, as follows:

- * North Coogee Foreshore Management Plan



- * Coogee Beach Management Plan
- * Coogee Beach Coastal Activities Plan
- * Woodman Point Regional Park Management Plan
- * Naval Base Shacks Management Plan
- * Coogee Beach Master Plan

These Management Plans ensure appropriate management of the environmental, recreational, and social values of the coast.

The City's coastal areas are also rich in heritage and to ensure their protection and appropriate management there are a number of these places included on the City's Local Government Inventory, and protected on the Heritage List pursuant to City of Cockburn Town Planning Scheme, and/or the State Register of Heritage Places as appropriate.

Heritage values of the Woodman Point Regional Park and Quarantine Station are managed by the Woodman Point Regional Park Heritage Interpretation Plan.

Cockburn Coastal Alliance

Currently there is also substantial work being undertaken by the Cockburn Coastal Alliance (CSCA), which was formed in 2011 in recognition that coastal erosion and inundation are common problems across jurisdictional boundaries, and that an integrated and collaborative approach is advantageous to all.

The CSCA are in the process of preparing a Coastal Vulnerability and Flexible Adaptation Pathways Project which aims to improve the understanding of the coastal processes and hazards; identify the 'value at risk' of assets; and consult with key stakeholder groups and the community to undertake a detailed analysis of the most effective and feasible adaptation options.

The results of the project (scientific information and consultation outcomes) will be incorporated into existing decision making frameworks and physical works being undertaken.

Perth Coastal Strategy

The City's coastal areas are also subject to the Perth Coastal Strategy, which has been developed to encourage better planning and protection of the Perth metropolitan coastline to ensure that it maintains its popular character.



City of Cockburn Local Planning Strategy

In 2016/2017 it is proposed that the City prepare a new local planning scheme and local planning strategy for the City of Cockburn.

The City has an obligation under the Planning and Development Act 2005 (“the Act”) to regularly review our local planning scheme, known as Town Planning Scheme No. 3 (“TPS3”). TPS3 and the associated Local Planning Strategy have served the City well for a number of years; however it is time to start planning for the next local planning scheme (“scheme”) to ensure the City’s scheme remains relevant and consistent in light of State planning policies and strategy.

The local planning strategy will set out the long-term (15-20 years) planning direction for the municipality and provides the rationale for the zones and other provisions of the scheme.

The local planning strategy will give the context for the strategic framework and the broader environmental, social and economic goals and objectives. It will also provide a means to apply state and regional policies at the local level.

The local planning strategy will provide a critical opportunity to set the strategic vision for the City’s coastal areas, dealing with all relevant planning, social, environmental and economic issues for the future of this area in further detail, informing future planning.

The local planning strategy and local planning scheme will be subject to extensive community consultation which will provide the opportunity to liaise with all relevant stakeholders in relation to coastal issues.

Conclusion

Given all of the above plans and documents it is not considered necessary to create a new Strategy for the City’s coast which would only duplicate the work contained within these plans.

However, it is considered that there would be a benefit to compiling a comprehensive overview document that clearly sets out the planning that has been done. In particular it would be helpful to have an overarching map that clearly depicts spatially where these plans apply.

This could be undertaken by the City’s Strategic Planning Department within the existing operating budget.

Such a document would be beneficial to any marketing and branding opportunities for the City’s coastal assets into the future.



Strategic Plan/Policy Implications

City Growth

- Ensure planning facilitates a desirable living environment and meets growth targets
- Continue revitalisation of older urban areas to cater for population growth and take account of social changes such as changing household types

Community, Lifestyle & Security

- Provide for community facilities and infrastructure in a planned and sustainable manner
- Provide safe places and activities for residents and visitors to relax and socialise

Economic, Social & Environmental Responsibility

- Create opportunities for community, business and industry to establish and thrive through planning, policy and community development

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

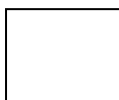
N/A

Risk Management Implications

The risk in not preparing the summary document is that perception could result in people considering that the City has not advanced planned its coastal area.

Attachment(s)

Email from Cllr Steven Portelli in relation to Cockburn coastline activities.



Advice to Proponent(s)/Submissioners

N/A

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

Nil.

24. CONFIDENTIAL BUSINESS

Nil

25. (MINUTE NO 6063) (OCM 13/04/2017) - RESOLUTION OF COMPLIANCE

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 Deputy Mayor C Reeve-Fowkes SECONDED Clr S Pratt that the recommendation be adopted.

CARRIED 8/0

26. (OCM 13/04/2017) - CLOSURE OF MEETING

Mayor Howlett took the opportunity to wish all a safe Easter holiday season.

The Presiding Member closed the meeting at 8.36 pm.

