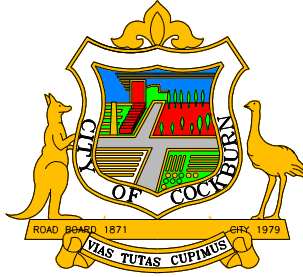


CITY OF COCKBURN



ORDINARY COUNCIL

AGENDA PAPER

FOR

THURSDAY, 9 JULY 2015

CITY OF COCKBURN

SUMMARY OF AGENDA TO BE PRESENTED TO THE ORDINARY COUNCIL MEETING TO BE HELD ON THURSDAY, 9 JULY 2015 AT 7:00 PM

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CITY OF COCKBURN

AGENDA TO BE PRESENTED TO THE ORDINARY COUNCIL MEETING TO BE HELD ON THURSDAY, 9 JULY 2015 AT 7:00 PM

1. **DECLARATION OF MEETING**
2. **APPOINTMENT OF PRESIDING MEMBER (If required)**
3. **DISCLAIMER (To be read aloud by Presiding Member)**

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.
4. **ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (by Presiding Member)**
5. **APOLOGIES AND LEAVE OF ABSENCE**
6. **ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil
7. **PUBLIC QUESTION TIME**
8. **CONFIRMATION OF MINUTES**
 - 8.1 **(OCM 9/7/2015) - MINUTES OF THE ORDINARY COUNCIL MEETING - 11 JUNE 2015**

RECOMMENDATION

That Council adopt the Minutes of the Ordinary Council Meeting held on Thursday, 11 June 2015, as a true and accurate record.

COUNCIL DECISION

8.2 (OCM 9/7/2015) - SPECIAL COUNCIL MEETING - 23 JUNE 2015

RECOMMENDATION

That Council adopt the Minutes of the Special Council Meeting held on Tuesday, 23 June 2015, as a true and accurate record.

COUNCIL DECISION

9. WRITTEN REQUESTS FOR LEAVE OF ABSENCE

10. DEPUTATIONS AND PETITIONS

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

Nil

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

13. COUNCIL MATTERS

13.1 (OCM 9/7/2015) - MINUTES OF THE COCKBURN COMMUNITY EVENTS COMMITTEE MEETING - 18/6/2015 (001/005) (S SEYMOUR-EYLES) (ATTACH)

RECOMMENDATION

That Council receive the Minutes of the Cockburn Community Events Committee Meeting held on Thursday, 18 June 2015, and adopts the recommendations contained therein.

COUNCIL DECISION

Background

The Cockburn Community Events Committee conducted a meeting on 18 June 2015. The Minutes of the meeting are required to be presented.

Submission

N/A

Report

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

The primary focus of this meeting was to consider the proposed Calendar of Events for 2015/16.

Strategic Plan/Policy Implications

Community & Lifestyle

- Community environments that are socially cohesive and embrace diversity.
- Communities that are connected, inclusive and promote intergenerational opportunities.
- People of all ages and abilities to have equal access to our facilities and services in our communities.
- Safe communities and to improve the community's sense of safety.
- Conservation of our heritage and areas of cultural significance

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

Minutes of the Cockburn Community Events Committee Meeting – 18 June 2015.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

14. PLANNING AND DEVELOPMENT DIVISION ISSUES

14.1 (OCM 9/7/2015) - DUAL KEY APARTMENTS INVESTIGATION (052/001) (A LEFORT)

RECOMMENDATION

That Council note the information.

COUNCIL DECISION

Background

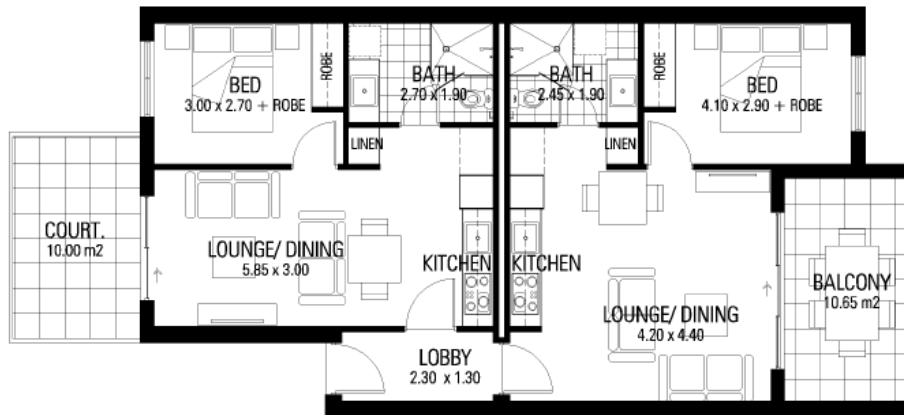
At Council's Ordinary Meeting held on 9 April 2015 Cr Bart Houwen requested under 'Matters to be Noted for Investigation, Without Debate', that a report to be presented to a future Council meeting on the impacts on the growth of developments called dual key units or apartments, and whether there is a need for a policy to be formulated should this type of unit become prevalent within the City.

Submission

N/A

Report

Dual key apartments are a relatively new form of housing in Australia. However, they have been a common housing type in other countries including US, UK and some Asian countries. A dual key apartment is effectively one main dwelling on one title which is split internally into two self-contained dwellings, some may have shared space such as a common hallway or laundry. An example of a floor plan of a dual key apartment is shown below:



Dual key apartments may suit a number of scenarios such as:

- allowing a property owner to live in one portion of the dwelling and use the other portion as rental accommodation;
- Allowing a property owner to live in one portion and use the other portion for a relative or family member (such as an elderly parent or adult children);
- Allowing a property owner to rent out both portions of the dwelling to separate parties.

The only difference between a dual key apartment and two separate apartments is that a dual key apartment is considered one apartment on one title rather than two apartments on two separate titles.

Although the Residential Design Codes (R-Codes) does not reference or provide for dual key apartments, for the purposes of allocating car parking bays, the position of the City has been to allocate parking as if the dwellings were two separate dwellings. This is a logical approach given car parking requirements in the R-Codes are based on the size of each apartment. This would ensure sufficient parking, should the dwellings be used for dual key purposes accommodating two separate, independent households. It would also reduce the likelihood of dual key apartments being designed as a 'loophole' to under-provide car parking within a development.

The advantages of dual key apartments are:

- **Adaptability** – Dual key apartments can provide a flexible housing option that may be adapted over time depending on the needs of the resident. For example, a couple may wish to reside in a dual key apartment using it as a standard two bedroom apartment. Should circumstances change and one partner leaves the household, it could be used as two single bedroom apartments. Another example could be an elderly person who may benefit from being close to a family member but can still enjoy some independence with some self-containment. Alternatively a resident requiring a live in carer could benefit from this type of housing which would provide independent living for the resident and carer within one apartment but providing some independence;
- **Affordability** – Dual key apartments can provide an affordable housing option. For example, a single person may purchase a dual key apartment and chose to live in one portion and rent out the other portion for a period of time in order to reduce the cost of mortgage repayments. There may also be some on-going cost savings with regards to strata fees (only being paid for one dwelling) and other utility connection costs etc. which would be for only one dwelling instead of two;
- **Diversity of Housing** – Dual key apartments typically offer a smaller dwelling option which would provide a greater diversity of dwellings within the City which is dominated by single detached residential dwellings on larger lots. This in turn encourages a diversity of household types including single person and couple households.
- **Flexibility for Investors** – Dual key apartments can provide good flexibility for investors who can rent out each apartment separately or as one apartment depending on the market demand. For example, at one time, a two bedroom apartment may be in high demand but the market could change and single bedroom apartments may be in more demand. In this situation the investor has the flexibility to ensure that the market demand is met.

Whilst there are some examples of dual key apartments that have been approved within the City of Cockburn, none have been constructed, so it is difficult to realise any issues arising or disadvantages this type of development can result in.

Overall, dual key apartments are considered to be an innovative approach to housing which could lead to more adaptable and affordable housing opportunities within the City. Given the limited uptake of dual key apartments in the City of Cockburn, it is not

considered at this point in time that a Local Planning Policy is necessary.

Strategic Plan/Policy Implications

Growing City

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

Leading & Listening

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

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

N/A

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

14.2 (OCM 9/7/2015) - COCKBURN YOUTH CENTRE - LEASE WITH TRE COLORI FAMILY TRUST (6017400) (L GATT) (ATTACH)

RECOMMENDATION

That Council

- (1) enter into an Agreement to Lease with 3 Star (WA) Pty Ltd acting for the Tre Colori Family Trust for 416 sq.m. (being the area of their existing premises (currently leased) plus an extension of 138 sq.m. of the Cockburn Youth Centre property situated at Lot 855 Wentworth Parade, Success, subject to:
 1. The applicant obtaining a planning approval for the use of the 138m2 and a building permit.
 2. No objections being received on the advertised proposal.
 3. The Minister for Lands consenting to enter into a new lease for the entire 416 sq.m..
 4. The initial rental being \$85,000 ex GST per annum plus outgoing costs.
 5. A six month rent free period to be made available for the new area of 138 sq. m. following the execution of the Lease.
 6. The outgoings to be paid of the entire lease area from the commencement of the lease.
 7. The rent to be subject to an annual CPI (Perth All Groups) increase and market rent review every four years.
 8. The initial lease term of five years, with the option to extend the lease for a further two terms of five years each.
- (2) require all other terms and conditions of the lease to be to the satisfaction of the Chief Executive Officer; and
- (3) amend the 2015/16 Municipal Budget by increasing Operating Reserve Budget 9535-5324 from \$70,312 to \$85,000.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION**Background**

In May 2008 Council resolved to enter into a lease agreement with 3 Star (WA) Pty Ltd acting for the Tre Colori Family Trust for the use of up to 165 sq.m. of the Cockburn Youth Centre property situated at Lot 855 Wentworth Parade, Success.

At the Ordinary Council Meeting held on 14 July 2011 Council resolved to extend the lease area of the 165 sq. m. by an additional 138 sq.m.. The variation to the lease was not taken up at this time.

The purpose of this report is to detail the conditions to be satisfied prior to the preparation and execution of an Agreement to Lease and a new Lease Agreement for the entire lease area.

Submission

The Tre Colori Family Trust has requested a lease for an additional 138 sq.m. of the commercial lease space in the Cockburn Youth Centre. They propose to extend their cafe area within the facility. The menu would continue to consist of affordable to medium priced food choices for the community and will target local families. The proponent has agreed to a rent of \$85,000 ex-GST plus all outgoing costs and is aware that the rent will be subject to CPI increases and market rental reviews. The proponent is currently paying \$56,602 ex-GST per annum plus outgoings. The proponent has requested a five year lease with an option to renew for two additional five year periods. The proponent has requested 'six months' rent free for the additional 138m2 to compensate for the significant capital outlay for the construction of the additional area.

Report

The 138 sq.m. (Shop 2) at the Cockburn Youth Centre has recently become vacant. The 138 sq.m. was previously leased to the Six Four Skate Shop and recently the office of the GP Super Clinic. A copy of a sketch detailing the entire proposed lease area can be viewed at Attachment 1.

MMJ has been appointed to represent the City for the management of leases within the Cockburn Youth Centre and they have recently valued the premises and advise that \$85,000 per annum is a fair market rent for the premises. The Lessee will be responsible for all

outgoings costs and for a proportion of the costs associated with the common areas of the overall building. In addition to this the rent will be increased on an annual basis according to CPI and market reviews every four years.

The Lessee has agreed to be responsible for the full fit out of the area, changes to the air conditioning, ceilings, floor coverings and lighting. MMJ has advised that the Lessor would normally be at least partially responsible for the removal of the wall partitioning, changes to the air conditioning plumbing and fixtures so a six month rent free term would be considered reasonable.

The proponent has requested a five year lease with an option to renew for two additional five year periods. This period is considered necessary for the proponent to regain the large capital outlay and develop the business to its potential. It is proposed that the lease for the existing area of 278 sq.m. will be surrendered at the time of entering into this new lease agreement.

The proponent has been informed that due to the purpose of the building, no liquor licence will be approved by the City. They have identified their intention to continue to have BYO alcohol served with meals. The original Management Plan for the Cockburn Youth Centre identified that a Café is a compatible use of the space. The proposal to increase the lease area to the current Lessee for the purpose of a Café and provide a separate entrance for the existing take away food trade is therefore within this use.

Strategic Plan/Policy Implications

Growing City

- Investment in industrial and commercial areas, provide employment, careers and increase economic capacity in the City.

Community & Lifestyle

- Community environments that are socially cohesive and embrace diversity.
- Communities that are connected, inclusive and promote intergenerational opportunities.

Leading & Listening

- Manage our financial and infrastructure assets to provide a sustainable future.

A Prosperous City

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

- Promotion and support for the growth and sustainability of local businesses and local business centres.
- Creation and promotion of opportunities for destination based leisure and tourism facilities.

Budget/Financial Implications

The budget revenue for Café Nocello to be increased by \$9,041.56 for the 2015/16 financial year.

Legal Implications

Section 18 of the Land Administration Act 1997
Section 3.58 of the Local Government Act 1995

Community Consultation

Advertising in the West Australian Newspaper was undertaken in accordance with Section 3.58 of the *Local Government Act* 1995 on 18 June 2015 providing a period of two weeks for comment. No submissions were received at the close of the advertising period.

Attachment(s)

Sketch of Lease Area.

Advice to Proponent(s)/Submissioners

The Proponent(s) has been advised that this matter is to be considered at the 9 July 2015 Council Meeting.

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

Nil.

14.3 (OCM 9/7/2015) - PROPOSED NEW HERITAGE PLACE - BIBRA LAKE (AUSTRALIAN WOMEN'S ARMY SERVICE CAMP) (095/001) (D DI RENZO) (ATTACH)

RECOMMENDATION

That Council

- (1) adopt the 'Australian Women's Army Service Camp, Bibra Lake (Site)' as a draft place record for the purposes of community consultation;

- (2) advertise the proposed inclusion of 'Australian Women's Army Service Camp, Bibra Lake (Site)' on the Local Government Inventory as shown in Attachment 1 for a period of twenty-one (21) days;
- (3) advertise the proposed inclusion of 'Australian Women's Army Service Camp, Bibra Lake (Site)' on the Heritage List pursuant to clause 7.1.3 of City of Cockburn Town Planning Scheme No. 3 for a period of twenty-one (21) days; and
- (4) advise SouthMetro Connect of Council's intention to include the 'Australian Women's Army Service Camp, Bibra Lake (Site)' on the City of Cockburn Local Government Inventory and Heritage List. SouthMetro Connect are also requested to consider this important heritage site as further reason not to proceed with the Roe Highway extension.

COUNCIL DECISION

Background

In May 2015 the Bibra Lake Residents Association alerted the City to a former Australian Women's Army Service ("AWAS") World War II Army Camp site on Hope Road in Bibra Lake.

The Australian Women's Army Service or "AWAS" was a non-medical women's service established in Australia during the Second World War.

The AWAS was formed on 13 August 1941 to release men from certain military duties for employment in fighting units. The service grew to over 20,000-strong and provided personnel to fill various roles including administration, driving, catering, signals and intelligence.

Following the end of the II World War, the service was demobilised and ceased to exist by 1947.

'We answered the call' by Eileen (Reilly) Tucker makes reference to the camp site in Bibra Lake.

The site is located on Hope Road, and comprises the ruins of a World War II army camp, established for a Searchlight Troop, staffed by the Australian Women's Army Service. Although all prefabricated buildings and infrastructure were removed immediately after the War, there are

sufficient traces on the surface to identify latrines, shower blocks, and tracks.

Further information and photographs of the site are included at Attachment 1.

The traces of the camp extend over an extensive area, but there is no evidence that they have ever been investigated archaeologically, and no plans of the camp are known to exist.

The City engaged Heritage Consultant, Eddie Marcus from History Now to undertake a heritage assessment of the place and to make a recommendation as to whether it should be included on the City's Local Government Inventory and/or Heritage List.

Submission

N/A

Report

The existence of the site was brought to the City's attention by the Bibra Lake Residents Association.

The purpose of this report is for Council to consider advertising the proposed inclusion of the former AWAS Camp in Bibra Lake on the City of Cockburn Local Government Inventory and Heritage List.

Subject Land

The site is located on Reserve 46787 Progress Drive, Bibra Lake. The site itself is located close to Hope Road, opposite Native Arc (172 Hope Road), Bibra Lake Scouts (174 Hope Road), and the Cockburn Wetland Education Centre (184 Hope Road).

The site is owned by the State of Western Australia, with a Management Order to the City of Cockburn.

It is reserved 'Parks and Recreation' under the Metropolitan Region Scheme ("MRS") and City of Cockburn Town Planning Scheme No. 3 ("the Scheme").

The site is located approximately 170m to the south of the current Primary Regional Road reservation for the Roe Highway extension. While the City has already clearly documented the reasons why Roe Highway is not a viable project, the discovery of the former AWAS Camp in Bibra Lake is further evidence as to why the Roe Highway

would have an unacceptable impact if it proceeds. It is recommended that the SouthMetro Connect team be made aware of this.

Heritage Assessment

The City has engaged Eddie Marcus from History Now to undertake a heritage assessment of the place, and to make a recommendation regarding whether it has heritage significance and is worthy of inclusion on the City of Cockburn Local Government Inventory and/or Heritage List.

The City's LGI is a comprehensive register of places in the City of Cockburn that are considered to have heritage significance. Each place is assigned a 'Management Category', which indicates its level of heritage significance.

In considering whether a place should be included on the LGI the assessment criteria set out in the 'Criteria for the Assessment of Local Heritage Places and Areas' published by the Heritage Council is used. The following assessment criteria are used in this process:

- * Aesthetic value;
- * Historic value;
- * Research value;
- * Social value;
- * Rarity;
- * Representativeness;
- * Condition, Integrity and Authenticity.

The heritage consultant has assessed the Bibra Lake Australian Women's Army Service Camp site using these criteria, and considers that the place has heritage significance as follows:

AWAS Army Camp (site), Bibra Lake, is significant for its associations with the area's role in defending the western coastline during World War II.

AWAS Army Camp (site), Bibra Lake, is significant for its association with the Australian Women's Army Service and their critical role in operating the searchlights during World War II.

AWAS Army Camp (site), Bibra Lake, is significant for its archaeological potential for increasing our understanding of a World War II army camp.

AWAS Army Camp (site), Bibra Lake, is significant for its educational potential to assist people to further understand the development of such sites during World War II.

Each place on the LGI is also allocated an assigned management category, which provides an indication of the level of significance of the place, as follows:

- A – Exceptional significance
- B – Considerable significance
- C – Significant
- D – Some Significance

Based on the heritage significance of the site it is recommended that it be included as a 'Management Category B' place, which means it has 'considerable significance, as follows:

Very important to the heritage of the locality. Conservation of the place is highly desirable. Any alterations or extensions should be sympathetic to the heritage values of the place

It is also recommended that this place be included on the Heritage List pursuant to Town Planning Scheme No. 3 ("the Scheme").

Currently all Management Category A and B places on the LGI are also included on the Heritage List pursuant to because these are the places with the most heritage significance. Therefore inclusion of this place on the Heritage List is consistent with the City's approach to heritage listing.

In accordance with clause 7.1.1 of the Scheme Council is required to establish and maintain a Heritage List to identify those places which are of cultural heritage significance and worthy of conservation pursuant to the Scheme. Pursuant to clause 7.1.2 of the Scheme Council is to include on the Heritage List such places on the LGI that it considers to be appropriate.

The purpose of the Heritage List is to offer a greater level of statutory protection to heritage places by requiring planning approval prior to any works being undertaken. This therefore provides Council with the opportunity to assess the impact of development on the identified heritage values of a place through the development approval process.

However, in accordance with clause 3.2.3 of the Scheme, the approval of the local government under the Scheme is not required for the commencement or carrying out of any use or development on a Regional Reserve.

However, the provisions of the Metropolitan Region Scheme continue to apply to such Reserves and approval is required under the Metropolitan Region Scheme from the Western Australian Planning

Commission ("WAPC") for the commencement or carrying out of any use or development on a Regional Reserve.

The WAPC would refer any development applications to the City of Cockburn for comment, and the City would have the opportunity to assess the proposal and make a recommendation to the WAPC.

The WAPC would also take into consideration the City's recommendation, and the fact that the place is included on the City's LGI and Heritage List.

It is therefore still recommended that Council include the place on the Heritage List pursuant to the Scheme to reflect the heritage values of the site.

A Draft Place record has been prepared by the Heritage Consultant, and is included at Attachment 1.

Clause 7.1.3 of the Scheme sets out the process for including a place on the Heritage List, and the proposal is to be advertised for a period of 21 days, with other consultation undertaken as deemed appropriate.

Subsequently submissions are to be considered by Council in resolving whether to include the place on the Heritage List.

Future of the Site

While the site has high heritage value, the condition, integrity and authenticity of the site is low, given that it comprises only remnant physical features of a site.

Condition: The current state of the place in relation to the values for which that place has been assessed, and is generally graded on a scale of High, Medium or Low.

Integrity: The extent to which a building retains its original function, generally graded on a scale of High, Medium or Low.

Authenticity: The extent to which the fabric is in its original state, generally graded on a scale of High, Medium or Low.

The site has the potential to be interpreted as an educational site, particularly given its location opposite Native Arc and the Cockburn Wetland Centre.

The heritage consultant has recommended that a provisional archaeological investigation take place, which can be considered into

the future once the advertising process of considering inclusion of the site on the LGI and Heritage List has concluded.

It would also be important to consider interpretation of the site in to the future. The heritage consultation has recommended that some kind of interpretive panel be placed near the entrance to the park, so its history can be understood by visitors.

Conclusion

Based on the heritage assessment undertaken by the City's Heritage Consultant, it is recommended that Council adopt the Draft Place Record for the 'Australian Women's Army Service Camp, Bibra Lake (Site)' for the purposes of community consultation, and advertise the proposed inclusion of the place on the Local Government Inventory as a Management Category B Place, and the Heritage List pursuant to the Scheme.

Strategic Plan/Policy Implications

Infrastructure

- Facilities that promote the identity of Cockburn and its communities.

Community & Lifestyle

- Community environments that are socially cohesive and embrace diversity.
- Conservation of our heritage and areas of cultural significance

A Prosperous City

- Creation and promotion of opportunities for destination based leisure and tourism facilities.

Budget/Financial Implications

The heritage assessment of the site has been undertaken within the Strategic Planning operational budget. Any further required heritage assessments would be subject to further reports to Council.

Legal Implications

N/A

Community Consultation

If adopted for community consultation.

Attachment(s)

Draft Local Government Inventory Place Record 'Australian Women's Army Service Camp, Bibra Lake (Site)'.

Advice to Proponent(s)/Submissioners

The Bibra Lake Residents Association has been advised that this matter is to be considered at the 9 July 2015 Council Meeting.

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

Nil.

14.4 (OCM 9/7/2015) - SUBMISSION ON DRAFT PERTH AND PEEL @ 3.5 MILLION (105/001) (C CATHERWOOD/A TROSIC) (ATTACH)

RECOMMENDATION

That Council

- (1) adopt the Schedule of Comments (Attachment 1) on the Draft Perth and Peel @ 3.5 million suite of documents, with particular emphasis of the following points:
 1. For the future development of the Banjup north precinct, a more legible spatial boundary should be adopted based upon Armadale Road; Warton Road; Jandakot Road; Berrigan Drive and; the Kwinana Freeway. This will enable a further strategic planning element to take place by local government, working with landowners and the community to determine the ultimate nature of land use and development in the precinct;
 2. Questions are raised about what happens in the area north of Jandakot Road and particularly surrounding Jandakot Airport. Is it realistic that the document seek to retain a rural setting, typified by 2ha lots sizes with the landscape containing buildings, or will this area be unable to support required levels of rural amenity given its proximity to the airport and urban development to the south;
 3. The area shown in previous planning studies (bounded by Kwinana Freeway, Rowley Road and properties on the eastern side of Kinley Rd) has not been identified in this document for urban expansion. This appears to have been an oversight in leaving this area out of the urban expansion area, given the definition used for urban

expansion within the document.

4. The area shown as 'Industrial Investigation' between the future Latitude 32 and central wetlands change is not supported. To indicate this land as such is completely inconsistent with the City's planning framework and the long held State planning framework which indicates the majority of this area should remain rural in the long term. This is in order to not only protect significant environmental features of our city, but to enable more resilience in the face of climate change and reduced rainfall;
5. The designation of the narrow strip of land between the Munster urban community and eastern foreshore of Lake Coogee for industrial investigation was inevitable, however needs to be recognised for the difficulties it will pose in delivery a viable form of industrial development;
6. There is concern that if the proposed road shown in a dotted line running north-south through the Latitude 32 industrial area is directly aligned; it could be used as a reason for MRWA to delay construction of important Primary Regional Roads. In recent years, the City has been advised by MRWA this was their intention in another project area, which creates lasting negative outcomes for the community and frustrates the implementation of proper and orderly planning;
7. Further work is needed to analyse the regional sports needs of the sub-region, before deciding whether the location on Jandakot Road as currently designated by the document is appropriate;
8. The delivery of a future Jandakot Road Other Regional Road will need to be based upon developer contributions, and need to limit land impacts to the north, given it is the southern adjoining land use that is changing from rural to urban;
9. Roe Highway should be removed from the document given it is not considered a viable infrastructure solution based upon the planning principles espoused by the document.

(2) refer the Schedule of Comments to the Department of Planning for their consideration.

COUNCIL DECISION

Background

WAPC has now developed the draft Perth and Peel@3.5 million suite of documents that plan out to 2050 (for 3.5 million people) and indicate:

- where future homes and jobs should be located;
- how we can protect important environmental assets;
- how we can best utilise existing and proposed infrastructure; and
- appropriate areas for greater infill development and residential density.

The suite consists of:

- the Perth and Peel@3.5million report that provides a snapshot of where we are now and where we might be in the future; and
- a set of subregional planning frameworks. Cockburn is in South Metropolitan Peel.

Once finalised, the frameworks will become sub-regional structure plans. They will be used by State agencies and local governments to guide residential and industrial development, and supporting infrastructure. Landowner/developer expectations will also be set by these documents. The City of Cockburn has not been consulted in the formulation of the document, and some proposals represent inconsistencies with both the local and prevailing regional planning framework. Other proposals also are sub-optimal to the planning and development which the City has and continues to embark upon for its district. As this document seeks to present a new regional planning framework, it is important that the City emphasise particularly the issues which pertain to a spatial element of the draft plan.

Submission

N/A

Report

Detailed comments have been set out in Attachment One under the following subheadings:

- Draft Perth and Peel @ 3.5 million document;
- Draft South Metropolitan Peel Sub-regional Planning Framework document; and

- Draft South Metropolitan Peel Sub-regional Planning Framework map.

However there is a need in this report to emphasise the issues which particularly have a spatial consequence associated. It is these issues which have the potential to impact the pattern of future land use and development within the City, and in representing our community we need to be satisfied that a future spatial form will support the vision and highest level objectives held by our community. There are a number of elements within the current draft documents that will not support the vision for our district, and will create a negative outcome if they are not addressed. These form the basis of discussion going forward.

Lack of guidance for land use

The draft documents lack guidance (particularly infrastructure coordination) for land, other than where it is indicated as urban. There is also a lack of capacity planning on community facilities, aviation needs and transport needs.

As a general comment, the complete lack of engagement with local government is extremely disappointing for such a critical exercise in determining the future shape and liveability of the metropolitan region. In some instances, the City of Cockburn would have been able to provide a localised level of knowledge, which would have altered a number of the elements of the spatial plan which are considered to be sub-optimal. By way of example, the selection by the Department's staff of a site for a regional sport ground should have had input from the City's specialised sport and recreation planners. These staff have better access to our community and clubs and in liaison with the City's strategic planners could have readily identified a suitable site.

Some landowners have mentioned to the City when they have contacted the Department of Planning, they have been advised they are not affected. This seems to be a misleading statement to give landowners of property on a road with an existing direct road connection into a rural area earmarked as 'Industrial Investigation'. It does not provide the City with a sufficient level of confidence its landowners are being engaged with in a transparent fashion. These are issues which most certainly would arise at the rezoning and development stages but the opportune time to acknowledge such issues is now. For a draft set of documents which have far reaching implications for all members of our community, there has been a lack of ground based involvement with the community to importantly help inform the document.

The following discussion looks at elements of the spatial plan itself which are of concern to the City:

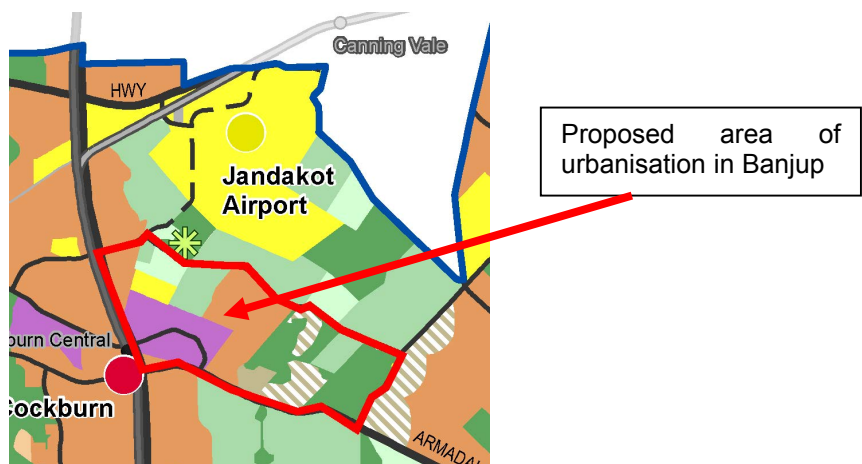
Urbanisation in Banjup between Jandakot Road and Armadale Road

As a general principle, the piecemeal approach taken over the last 5 years or so with the urbanisation of Banjup is not helpful. The landowners of Banjup and the City of Cockburn should be provided greater certainty about where urbanisation will occur in Banjup, as this is a conflict between regional planning priorities. That being whether the planning justification to support development overcomes the planning objective to regulate land use above the Jandakot Water Mound? This is something that the Minister for Planning, on advice from the Western Australian Planning Commission, needs to address.

An overall assessment needs to be done to confirm areas which can reasonably be excluded from the groundwater protection areas, where competing planning priorities such as access to activity centres and public transport nodes are clear.

There is an emerging area east of the Calleya development where an area of urban expansion is shown. This however does not reflect a spatial extent which is either clear or based upon planning objectives. If this Banjup precinct is being considered for urban development on a timeframe out to 2050, then surely planning objectives like proximity to a strategic activity centre; access to wide ranging services and facilities; access to employment; access to quality public and private transport infrastructure; all means that a more strategic view should be taken of the precinct.

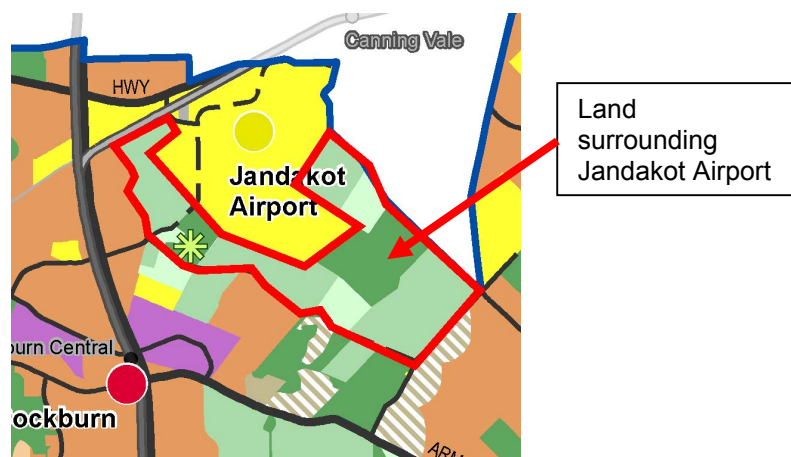
This strategic view would create a more legible spatial boundary given the high level nature of this document. This boundary could be something like Armadale Road; Warton Road; Jandakot Road; Berrigan Drive and; the Kwinana Freeway. This is shown in red following:



Importantly there would still be a further strategic planning element that would need to occur, and this is something that local government is capable of delivering – working with landowners and the community to determine the ultimate nature of land use and development in the precinct. In the absence of a strategic land designation however, the draft document will create an unrealistic form of future development to follow.

The future of land surrounding Jandakot Airport

This in turn raises the question about what happens in the area north of Jandakot Road and particularly surrounding Jandakot Airport. Do we want to see this retained in a rural setting, typically 2ha lot sizes with the landscape containing buildings, or is this rural setting to the point that it won't deliver the intended rural amenity? It may be appropriate that this rural ribbon be maintained around Jandakot Airport, as a limitation to urban development encroaching closer to the airport. However if the amenity in this area is so far removed from a rural setting, then should consideration be given to an alternate land use? This is a question that remains open in the document. The area in question is shown in red below:

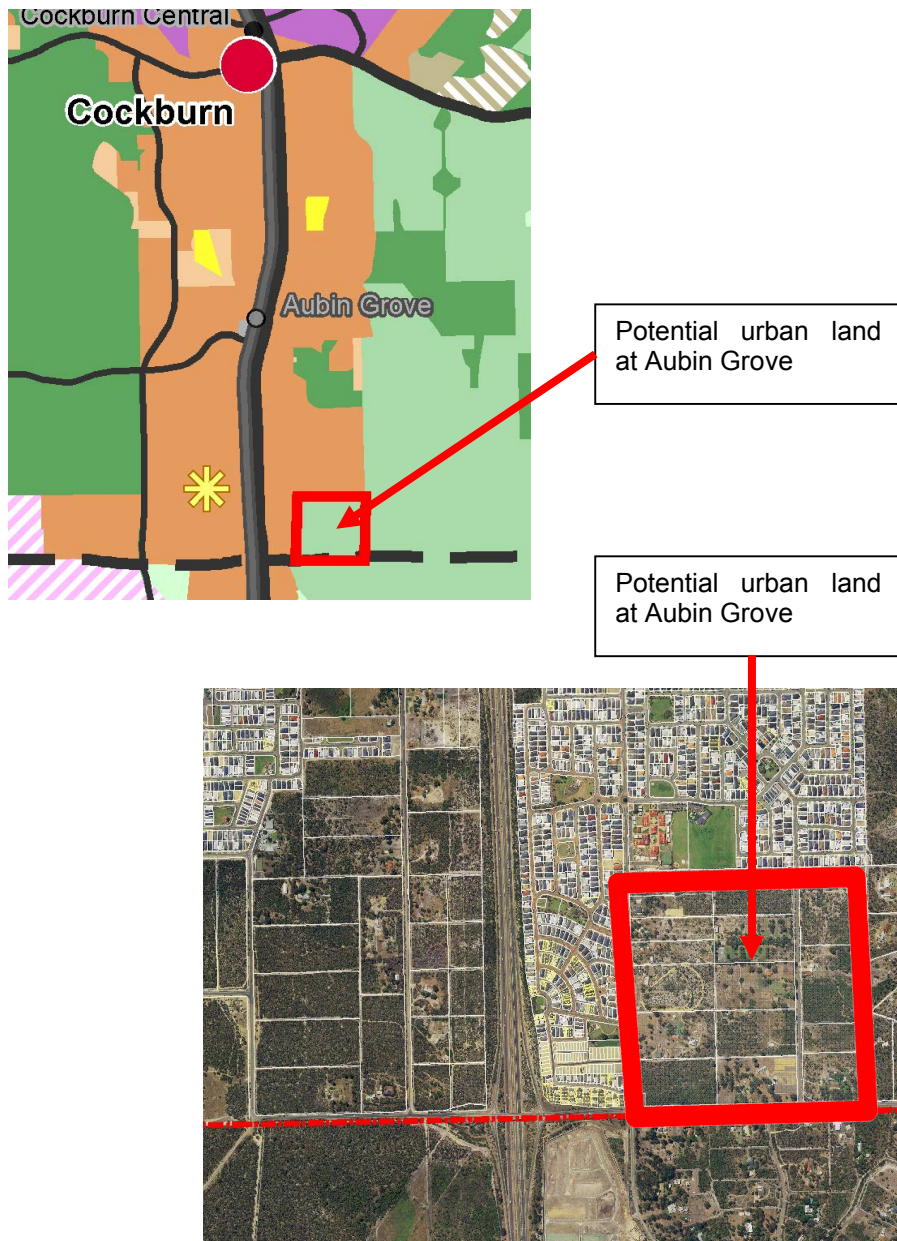


It is noted that other parts of the City, particularly with a greater prospect of being able to maintain high levels of rural amenity, have been identified as industrial investigation. This begs the question of what consideration (if any) has been given of this land precinct, between a growing industrial park and airport and urban communities to the south. This is in need of more careful consideration.

Aubin Grove Urban Extent

There is an area shown in previous planning studies (bound by Kwinana Freeway, Rowley Road and properties on the eastern side of Kinley Rd) that has not been identified in this document. This seems to

have been an oversight in leaving this area out of the urban expansion area.



The background to this area is that the land was identified as Future Urban within the Urban Expansion Policy Statement (1990) (proposals 36 and 37). This was a (then) Department of Planning and Urban Development document. Following this, DPUD released the Draft Jandakot Landuse and Water Management Strategy (1992) which also identified the land as Urban (existing or proposed). However the final (1995) version of the JLUWMS omitted the land, replacing it instead with the following text:

The following land may have the potential for urban development in the future if the development constraints can be overcome:

- (i) *Land located on the north side of Rowley Road abutting both sides of Kinley Road and extending west to Lyon Road, Banjup*

Possible urban development of this land should be assessed in light of the findings of the Select Committee on Development over Groundwater area in the Metropolitan Region and an assessment of environmental and drainage management issues.

Referring back to the Urban Expansion Policy Statement (1990), proposals 36 and 37 were subject to district planning by virtue of the South Jandakot/Mandogalup District Planning Strategy (1993). The subject land was included in the district structure plan, with the following notes:

The Structure Plan report states, "There is nothing in the physical nature of the land or environmental constraints which differentiates it from the future urban land to the north or west. However, the land has been excluded from Amendment No. 938/33 because it did not form part of the environmental approval to the Thomsons Lake Urban Structure Plan.

Coming back to the Select Committee reference in the JLUWMS, within the MRS documentation report on hearings which introduced the Rural Water Protection zone, the following information was stated:

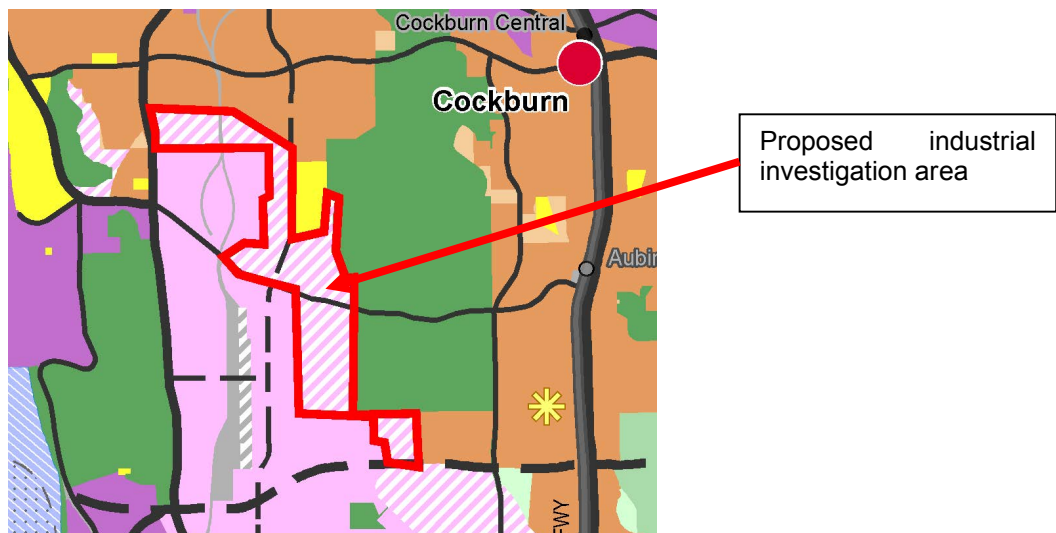
Recommendation 4.8 of the Select Committee Report indicated that where areas have been classified as Priority 2, which contain urban development and commercial zones or have been zoned for such uses, consideration should be given to changing the Priority 2 classification to Priority 3, so as to remove any inconsistency with the objectives of Priority 2. The areas zoned 'Urban' or 'Urban Deferred' in the Metropolitan Region Scheme should not be included in the RGPCZ and should be classified for Priority 3 source protection area. This will eliminate providing a precedent for further inappropriate development in Priority 2 areas. Some level of groundwater quality protection will be maintained in this area by their being retained within the Jandakot UWPCA.

Accordingly, as this land was not zoned Urban deferred already (not part of MRS Amd 938/33 due to not being part of environmental approvals for the Thomsons Lake Urban Structure Plan) it was retained within P2 and had its Rural zoning under the MRS shifted to the Rural Water Protection zoning.

This is important to recognise as the definition contained within the draft documents identifies urban expansion as “land that has been identified for potential urban development in preceding planning studies, or represents the logical expansion of an existing urban area.” Given that this precinct of land was indeed identified in previous planning studies, and represent arguably a more logical expansion of an existing urban area in comparison to the Banjup proposals, it should be included within the draft documents for urban expansion.

‘Industrial Investigation’ area adjacent to Latitude 32 and Lake Coogee (areas of comment shown circled in light blue)

This aspect of the document has caused a lot of concern among landowners. It relates to the designation of the rural interface between the future Latitude 32 industrial area and the central wetlands system being identified for industrial investigation. This is shown following:



In considering this proposal, a Key Principle espoused by the document is to “Avoid, protect and mitigate environmental attributes (with the emphasis on avoiding and protecting) when allocating proposed land uses”. It does not seem consistent with the above principles to indicate a large area of currently rural land adjacent to the Ramsar wetland of Thomson’s Lake as ‘Industrial Investigation’.

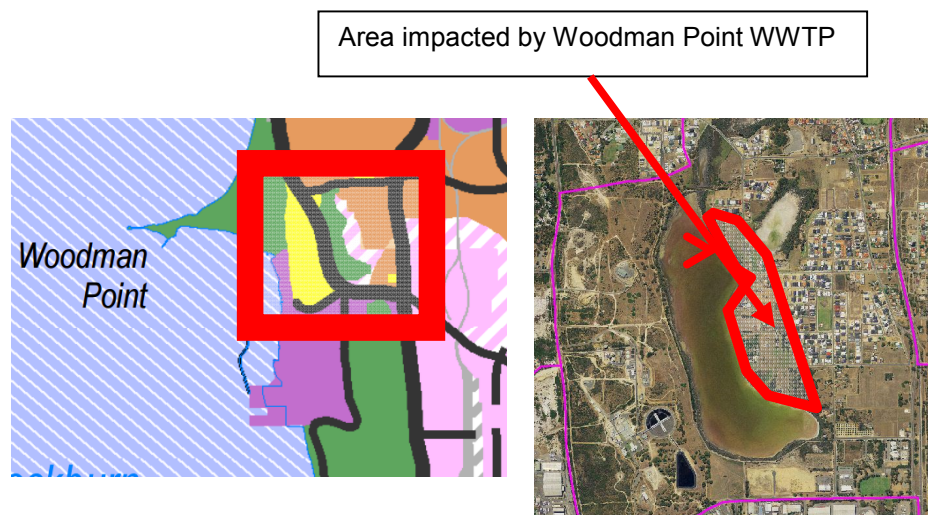
The area shown as ‘Industrial Investigation’ is not supported. To indicate this land as such is completely inconsistent with the City’s planning framework and the long held State planning framework which indicates the majority of this area should remain rural in the long term. The planning objective to protect the sensitive environmental wetlands through a ribbon of rural development on the western side is considered still a relevant objective to hold. Should we want significant environmental features of our city to not only be protected but to become more resilient in the face of climate change and reduced

rainfall, it is crucial that we look to protect such areas and ensure they be used to shape more intensive development - rather than be shaped by development as appears the current situation.

The environmental qualities of the area would stand to be adversely impacted particularly when balancing issues associated with managing bushfire risk and enabling development of private land to occur. Reducing water runoff and impacts on water quality would also represent threats to the environmental corridor.

Woodman Point Waste Water Treatment Plant

The draft documents indicate that the private land adjoining the eastern foreshore of Lake Coogee will not be developed for sensitive residential purposes. This is an area of key concern to residents within Munster, who face the prospect of a ribbon of industrial development taking place between the residential area and Lake Coogee. This is shown following:



By way of background, Council at its 12 April 2012 meeting passed the following resolution:

that Council:

- (1) *immediately advises the WAPC and the State Planning Minister of:*
 1. *Council's long standing policy position to support landowners in reducing WPWWTP odour buffer back to the eastern edge of Lake Coogee, if possible.*
 2. *Council's intention to reduce the 750m buffer guideline back to the eastern edge of Lake Coogee*

(approx 500m) immediately if there is no scientific objection to do so.

- (2) *immediately write to the EPA and DEC to give notice that, if there is no scientific justification to maintain the 750m buffer, it is the City's intention to amend the local planning strategy as soon as possible to reflect the new buffer definition at the eastern edge of Lake Coogee and remove the provision which restricts development on DA5 in Schedule 11 of TPS3."*

In accordance with Parts 1 and 2 of Council's resolution, the City wrote detailed letters on 24 April 2012 to: The Minister for Planning; The Chairman of the WAPC; The Director General of the Department for Planning; The EPA; the DEC.

As per Part 2 of Council's resolution, there was a specific intent to ascertain scientific justification to support the maintenance of the current 750m buffer. In response, the EPA did not see it as appropriate to attempt to confirm the scientific basis of a buffer in their response. This was on the basis that the decision making responsibilities of such a decision lay with the WAPC. The DEC responded similarly, advising of their role in respect of providing advice and not as a decision maker, and also advised that the DEC were not able to "to comment outside of this process."

The responses from both the Hon Minister and Department of Planning on behalf of the WAPC provided further clarity on this. Their responses stated as follows:

"The Water Corporation released the report Results of the Odour Monitoring and Modelling Program (2010), for comment. The Water Corporation has now finalised its report in order to assess the success of the Stage 1 odour control upgrade works and this was issued to the DEC to close out the works approval for the upgrade.

The Water Corporation advised the WAPC in March 2012 that it had finalised its odour monitoring and modelling report, which recommends the retention of the existing 750 metre odour buffer.

Although the Odour Improvement Plan has resulted in the reduction of odour, it cannot guarantee that there will not be odours from the plant. The report indicates that there will still be an odour impact extending to roughly the eastern edge of the urban deferred land and accordingly, that the current buffer should be retained."

The emphasis added in the last paragraph was critical to the consideration of the matter. Being the view that there was still an odour

impact, and that the current buffer and Urban Deferment under the MRS which prevented residential development should be retained.

It was therefore determined that until such time that the buffer issue was fully resolved by the WAPC in respect of the WPWWTP, there appeared no ability to advance amendments to the Local Planning Strategy or Town Planning Scheme in specific respect to reducing the extent of the odour buffer. Such amendment would be inconsistent with the relevant statutory framework presented through the *Planning and Development Act 2005* and *Environmental Protection Act 1986*.

Setting aside the issue of the buffer for one moment, there is little strategic justification which would support such an unusual precinct of land being developed for industrial purposes. The precinct is:

- difficult to access from a primary road network;
- has no real degree of exposure to a primary road network;
- takes place within a very sensitive natural area by virtue of the existence of Lake Coogee; and
- as a narrow elongated stretch of land, will provide limited opportunities in which to appropriately interface the adjoining residential area.

While it has been known for some time that the WAPC would only allow a non-residential land use outcome in this precinct, it is nonetheless an extremely difficult planning position that the City of Cockburn has to resolve. As part of Council's recent refusal of a Proposed Structure Plan for Lot 9001 Korcula Court, it was resolved to undertake District Structure Planning over the coming 12 months for this precinct. The draft document provides some certainty that such district structure planning will be limited to dealing with the structural elements of how industrial type development could occur.

Proposed Road: Spearwood-Wattleup-Postans

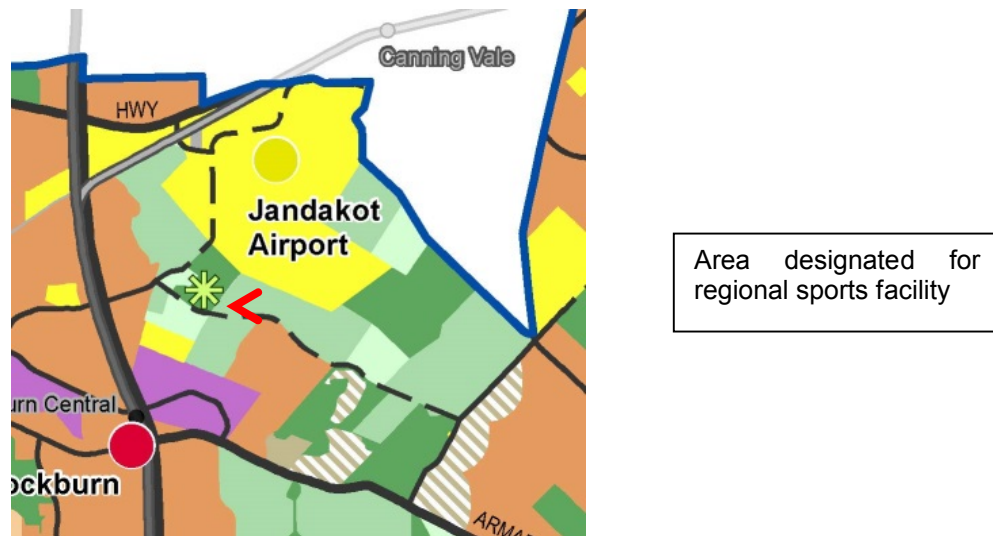
There is a proposed road shown in a dotted line running north-south through the Latitude 32 industrial area (shown in pale purple).

This is roughly the same alignment as what is known as the 'north-south road' mentioned in Latitude 32 planning to date. This is currently aligned to Abercrombie Rd to the south (to Thomas Road in Kwinana) and meets Russell Road near Henderson Rd (continuation of Spearwood Ave)

There is some concern this link if directly aligned it could be used as a reason for MRWA to delay construction of important Primary Regional Roads. In recent years, the City has been advised by MRWA this was their intention in another project area, which creates lasting negative

outcomes for the community and frustrates the implementation of proper and orderly planning.

Regional Open Space – Sport facility location



The pale green asterisk indicates the proposed location of a 20ha sport and recreation facility intended to serve greenfield areas of the South Metropolitan Peel sub-region, though given the location primarily serves the Central Sub-region. It is noted there is a site proposed for investigation of a 120ha regional sports facility immediately east of Jandakot Airport in the City of Canning. The Central Sub-region framework does not address regional sporting needs, which is why this facility is not indicated on the plan for that sub-region.

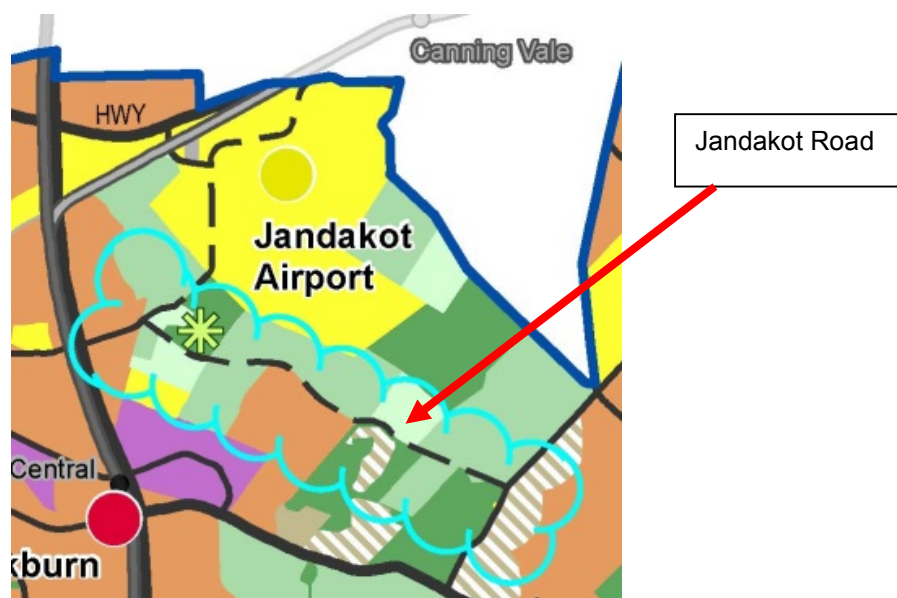
The City has been advised by Department of Planning officers, the amount of sport space required for existing and future urban areas was determined in consultation with the Department of Sport and Recreation (“DSR”). The site was identified and delineated by the Department of Planning. The Department of Planning officers have also confirmed it was not a drafting error to show the proposed Jandakot facility so close to the proposed City of Canning facility.

City officers reviewed the DSR analysis which had included liaison with City officers during formulation. Interestingly, the analysis only includes to 2031 so it is somewhat limited in its usefulness as the sub-regional framework seeks to plan to 2050. Nevertheless, the analysis contains some specific statements regarding provision of regional open space for Cockburn, which City officers concur with. The Cockburn Central West site was deemed to fulfil some of the regional needs, though the future need ideally is to sites further south to be closer to greenfield growth areas of Cockburn and Kwinana.

The site nominated by the Department of Planning is approximately 8 kilometres from our southern boundary with Kwinana. While it is acknowledged the space would need to serve beyond local government boundaries, the provision of this space so far north in the South Metropolitan Peel sub-region almost provides a greater resource to the Central Sub-region. It also provides a barrier, by virtue of distance to our southern neighbours the City of Kwinana which the DSR analysis indicates requires access to a regional space (by 2031).

Further work needs to occur to analyse, with local government, the sport and recreation needs beyond 2031. The annotation of a regional sport and recreation facility at Jandakot seems to be at odds with the DSR analysis to date and poorly located in terms of servicing the South Metropolitan Sub-region.

Jandakot Road (areas of comment shown circled in light blue)



The City supports this proposal given the current traffic volumes on this road as well as the proposed urban developments in the area.

Jandakot Road also has potential to accommodate a priority transit route function to link into the City's suggested train station at Jandakot Airport on the proposed rail line to Thornlie. Importantly, it is recommended that this infrastructure item form part of the consideration of a broader strategic land use proposal which has been discussed earlier in the report. This infrastructure will be an important element to how the land precinct bound by Armadale Road; Warton Road; Jandakot Road; Berrigan Drive and; the Kwinana Freeway would be developed. The expectation that the City wishes to set is that the cost of this road is met by the development of this urban precinct. Its function will be intended to recognise the changing land use from a

rural locality to an urban locality, which hinges upon the development of this land as a precinct. It will be foreshadowed in the City's submission that developer contribution, from the future development of the Banjup cell, will form the basis for delivering this infrastructure.

Extension of Roe Highway (west of the freeway)

The City of Cockburn opposes the construction of the Roe Highway west of the freeway (also referred to as 'Roe 8').

An alternative proposal is recommended by the City (as adopted at the 11 June ordinary meeting of Council) to:

"call on the State Government to bring development of the intermodal facility for the Outer Harbour forward by investigating and costing the City's proposal to construct an intermodal facility (similar to that currently in Forrestfield) in the Latitude 32 Precinct including the associated infrastructure as a realistic alternative to the construction of Roe 8 and cease actions associated with the proposed Roe 8 in terms of awarding contracts for its construction while the process above is completed".

Conclusion

The City's comments as provided at Attachment 1 are comprehensive. There is however the need to elevate critical comments to the headline of the City's submission, and this report, and these are as follows:

- For the future development of the Banjup north precinct, a more legible spatial boundary should be adopted based upon Armadale Road; Warton Road; Jandakot Road; Berrigan Drive and; the Kwinana Freeway. This will enable a further strategic planning element to take place by local government, working with landowners and the community to determine the ultimate nature of land use and development in the precinct;
- Questions are raised about what happens in the area north of Jandakot Road and particularly surrounding Jandakot Airport. Is it realistic that the document seek to retain a rural setting, typified by 2ha lots sizes with the landscape containing buildings, or will this area be unable to support required levels of rural amenity given its proximity to the airport and urban development to the south;
- The area shown in previous planning studies (bounded by Kwinana Freeway, Rowley Road and properties on the eastern side of Kinley Rd) has not been identified in this document for urban expansion. This appears to have been an oversight in leaving this area out of the urban expansion area, given the definition used for urban expansion within the document.

- The area shown as 'Industrial Investigation' between the future Latitude 32 and central wetlands change is not supported. To indicate this land as such is completely inconsistent with the City's planning framework and the long held State planning framework which indicates the majority of this area should remain rural in the long term. This is in order to not only protect significant environmental features of our city, but to enable more resilience in the face of climate change and reduced rainfall;
- The designation of the narrow strip of land between the Munster urban community and eastern foreshore of Lake Coogee for industrial investigation was inevitable, however needs to be recognised for the difficulties it will pose in delivery a viable form of industrial development;
- There is concern that if the proposed road shown in a dotted line running north-south through the Latitude 32 industrial area is directly aligned; it could be used as a reason for MRWA to delay construction of important Primary Regional Roads. In recent years, the City has been advised by MRWA this was their intention in another project area, which creates lasting negative outcomes for the community and frustrates the implementation of proper and orderly planning;
- Further work is needed to analyse the regional sports needs of the sub-region, before deciding whether the location on Jandakot Road as currently designated by the document is appropriate;
- The delivery of a future Jandakot Road Other Regional Road will need to be based upon developer contributions, and need to limit land impacts to the north, given it is the southern adjoining land use that is changing from rural to urban;
- Roe Highway should be removed from the document given it is not considered a viable infrastructure solution based upon the planning principles espoused by the document.

Strategic Plan/Policy Implications

Growing City

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

Budget/Financial Implications

N/A

Legal Implications

The framework is expected to be referenced as part of State Planning Policy No. 1 and lead to statutory changes in zonings in the Metropolitan Region Scheme (“MRS”).

As per section 124(2) of the Planning and Development Act 2005, a local government is then required to ensure its local planning scheme is consistent with the MRS.

Community Consultation

The documents were released in early May for advertising closing 31 July 2015. A letter to local governments from the chairperson of the WAPC noted they would like help in “providing as many options as possible for people to view the suite of documents to help inform their submissions”.

The Department of Planning website contained information including copies of the documents. The City has supplemented this with an enlarged map display in the administration foyer and a copy of the documents for our residents and landowners to read.

Additional copies were requested from the WAPC to enable these to be placed in our libraries where opening hours and location may allow better access to people who don’t often visit the administration centre, or may not be comfortable using the website option the WAPC had provided. Unfortunately, no response had been received at the time of writing this report and no additional hard copies have been received.

Given the extent of the changes proposed for some areas of Cockburn, in particular some of our rural areas, the City has also written to landowners of affected properties. Over 1800 letters were sent. The City also wrote to nearby landowners who may be affected by change to the neighbouring landholdings (for example in residential areas where the adjacent land is earmarked for ‘Industrial Investigation’). A number of letter recipients have taken the time to come into the administration office and view the plans and/or view them on the website.

Submissions are open on the draft Perth and Peel@3.5 million suite of documents till 31 July 2015. This report sets out the major elements of the proposed submission from the City of Cockburn.

Attachment(s)

Schedule of Comments

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

- 14.5 (OCM 9/7/2015) - PROPOSED STRUCTURE PLAN - LOT 47 (NO. 213) FRANKLAND AVENUE, HAMMOND PARK - OWNERS: EDWARD JOHN PHILIP NEESHAM, KERRY ANNE NEESHAM, CATHERINE THERESE CLARK, DAVID LINDSAY CLARK & LAURIE STUART CLARK - APPLICANT: GRAY & LEWIS LAND USE PLANNERS (110/082) (L SANTORIELLO) (ATTACH)**

RECOMMENDATION

That Council:

- (1) in pursuance of Clause 6.2.9.1 (a) of City of Cockburn Town Planning Scheme No. 3 ("Scheme") adopt the Proposed Structure Plan for Lot 47 (No. 213) Frankland Avenue, Hammond Park, subject to the following conditions:
 1. The 'Local Water Management Strategy' ('LWMS') included within the Structure Plan report under Attachment 5 is to be amended in line with the comments received from the *Department of Water* ('DoW') as outlined within their letter dated 2 June 2015 (Ref: RF13643 & SRS39147). This is to be to the satisfaction of the City of Cockburn in consultation with the Department of Water.
 2. To be consistent with the already adopted Structure Plans for Lots 31 and 33 Barfield Road, the Structure Plan for lot 47 is to be modified so that the Irvine Parade Road reserve, depicted as 20 metres in width, is to be reduced in width to 19.4 metres and the western 'shared use path' as depicted on the 'Local Structure Plan' is to be modified from 'shared use path' to 'foot path'.
 3. Remove reference to 'Local' with regard to 'Local Structure Plan' throughout the 'Structure Plan' report inclusive of images and figures.
 4. Structure Plan Report Part One; Section 3.2 replace 'Development Area No.9' with 'Development Area No. 26', delete the 'note' within section 4.2, section 6.1 (1) replace 'Bushfire' with 'Fire' with reference to Attachment

6, delete 5.1, 5.2 (existing) to include an additional point (2) in column three as follows *“The medium-density single house development standards as prescribed by State Planning Policy 3.1 The Residential Design Codes are varied in accordance with the relevant provisions of the WAPC Planning Bulletin 112/2015.”*, update 6.2 (1) (i)/ 6.3 to reference the most recent Fire Management Plan (date and title), replace the text within column 3 of section 7.1 with *“(1) Contribute proportional amount as per DCA 9 and DCA 13 Community Infrastructure as prescribed in the City of Cockburn Town Planning Scheme No. 3. (2) Road Upgrades – Frankland Avenue is to be proportionally upgraded to a residential standard.”* and accordingly amend the contents page and the subsequent Part One sections numbering where relevant.

5. Relocate the ‘Structure Plan Map’ to the end of Part One.
6. Structure Plan report Part Two; section 5.1 replace ‘Development Area 9 (DA 9)’ with ‘Development Area 26 (DA 26)’, delete section 5.1.1 and figure 5 from the report, section 6.3 delete the words *‘who are currently in the process of developing a Structure Plan for the site.’*, update section 8.1 inclusive of figure 8 in line with the outcome of condition ‘a’ above relating to the LWMS updates as specified by the Department of Water. Accordingly update the contents page and the subsequent Part Two sections numbering where relevant.
7. The title of the Structure Plan Report and Structure Plan map should be modified to include the street number as follows ‘Lot 47 (No. 213) Frankland Avenue Hammond Park’.

- (2) endorse the Schedule of Submissions prepared in respect of the Proposed Structure Plan;
- (3) advise the proponent and those persons who made a submission of Council’s decision; and

pursuant to Clause 6.2.10.1 of the Scheme forward the proposed Structure Plan to the Commission for its endorsement.

COUNCIL DECISION**Background**

The Proposed Structure Plan was received by Council on 22 December 2014. It was prepared by Gray and Lewis Land Use Planners on behalf of the landowners Edward John Philip Neesham, Kerry Anne Neesham, Catherine Therese Clark, David Lindsay Clark and Laurie Stuart Clark.

The Proposed Structure Plan relates to land within the Southern Suburbs District Structure Plan Stage 3 ('SSDSP3') area, namely Lot 47 (No. 213) Frankland Avenue, Hammond Park ("subject site").

The subject site is approximately 5.1907 hectares in area with frontages to the eastern side of Frankland Avenue. Under the SSDSP3 approximately 2.36 hectares of the subject site is identified for part of a future high school. The future high school is expected to cover parts of 5 separate lots inclusive of lot 47. Council has adopted 3 of the 5 required Structure Plans for the future high school. Following the adoption of this Structure Plan, for lot 47, the final remaining portion required for the future high school site will be from Lot 32 Barfield Road, Hammond Park.

The land to the north of the subject site includes two separate sites, the existing Hammond Park Catholic Primary School and Lot 31 Barfield Road. Both lot 31 and the western lot, in relation to the subject site, is yet to be developed in line with the adopted Structure Plan. The Barfield Road Structure Plan has been adopted by Council over the land to the south and east of the subject site (Vivente Estate). Recently this estate has been partially cleared of native vegetation including the land immediately to the south of the subject site.

The Proposed Structure Plan was advertised for a period of 21 days in accordance with Scheme requirements. The purpose of this report is for Council to consider this proposal in light of the information received during the advertising process. In total the City received nine (9) submissions which are discussed in the 'Report' section below and elaborated on in Attachment 3 of this report.

Submission

Gray and Lewis Land Use Planners on behalf of the land owners have lodged a Structure Plan for the subject site.

Report

Planning Background

The subject site is zoned 'Urban' under the Metropolitan Region Scheme ("MRS") and 'Development' under the City of Cockburn Town Planning Scheme No. 3. The subject site is also located within Development Area No. 26 ("DA 26"), Development Contribution Area No. 9 ("DCA 9") and Development Contribution Area No. 13 ("DCA 13").

Pursuant to Clause 6.2.3.1 of the Scheme "*the development of land within a Development Area is to comply with Schedule 11*". The specific provisions applicable to DA 26 in Schedule 11 are outlined as follows;

1. *Structure Plan/s adopted and endorsed 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 provision of the Scheme shall apply to the land uses classified under the Structure Plan in accordance with Clause 6.2.6.3.*

Residential Development

The subject land is located within the Southern Suburbs District Structure Plan – Stage 3 ('SSDSP3') area. The SSDSP3 prescribes a minimum of 15 dwellings per gross urban zoned hectare of land as the minimum standard. This prescribed density target is in accordance with the Western Australian Planning Commissions' Directions 2031 and Beyond ('Directions 2031') and Liveable Neighbourhoods ('LN').

The Outer Metropolitan Perth and Peel Sub-regional Strategy forms an integral part of the Directions 2031 vision. It provides information about the levels of expected population growth by local government area, and highlights development opportunities and density targets in Greenfield areas, including the south-west outer sub region which the City of Cockburn is located.

The Strategy identifies the subject land as being part of the "SOU1" area which has a future dwelling target of 3000+.

The proposed Structure Plan provides for 16.95 dwellings per gross urban hectare and 29.17 dwellings per site hectare. The proposed

density yield exceeds the minimum expectation of State and local policy.

The intent of the Proposed Structure Plan is to guide the subdivision and subsequent development of the subject site including an estimated yield of 48 lots (58.11% residential), 0.283 hectares for Public Open Space (10%) and 2.36 hectares for part of a future high school which equates to 45% of the total site area.

The SSDSP3, as adopted by Council, designates the subject site as a 'Medium Density' area. Residential R30 is identified as the minimum base coding in the 'Medium Density' areas of the Southern Suburbs District Structure Plan.

The SSDSP3 prescribes a density range of R35-R60 for land surrounding areas of public open space, activity nodes and public transport routes.

The proposed structure plan provides for a base density code of R30 and provides a portion of R40 coded land opposite the proposed Public Open Space. The R40 coded land directly adjoins the Public Open Space which will be serviced by a rear laneway for vehicle access and egress. The frontage of these lots will address the Public Open Space and be constructed to include uniform fencing to contribute to the amenity and visual surveillance of the Public Open Space.

The proposed density codes and lot yield meet the expectations of the SSDSP as well as the State density targets as prescribed by the Western Australian Planning Commissions' Directions 2031 and Beyond ('Directions 2031'), Liveable Neighbourhoods ('LN') and the Outer Metropolitan Perth and Peel Sub-regional Strategy.

Public Open Space (P.O.S)

Public Open Space (P.O.S) within the Structure Plan Proposal, as described above, comprises a single consolidated 'Local Park' totalling 0.283 hectares in area which equates to 10% of the subject site (see Attachment 2 for details).

The proposed Public Open Space is centrally located as per the SSDSP3 and is located opposite the future high school. At subdivision stage and in accordance with State Policy No. DC 2.3, the Western Australian Planning Commission's normal requirement in residential areas is that 10 percent of the gross subdivisible area be given up free of cost by the subdivider and vested in the Crown under the provisions of Section 152 of the Planning and Development Act 2005 (as amended) as a Reserve for Recreation.

The proposed Local Park is provided with a high degree of accessibility through direct street frontage on three sides. Under LN local parks are described as being provided for local children's play and as resting places, designed as small intimate spaces, where appropriate, and to allow pedestrian connectivity, and create a sense of place.

The Public Open Space will be developed pursuant to the requirements of LN in that it will include a minimum standard including full earthworks, basic reticulation, grassing of key areas, pathways that form part of the overall pedestrian and/or cycle network and maintained for two summers, in accordance with a landscape plan which will be provided by the applicant and approved by the City of Cockburn at subdivision stage.

A spring vegetation and flora survey of the site, excluding the high school portion which will be investigated further by the Department of Education at a later date, was carried out by a botanist on behalf of the applicant. A copy of which is included in Attachment 2 of the Structure Plan report. The report identifies the current condition of the native vegetation over the planned residential and POS component of the site. The POS serves a drainage function and accordingly the POS is required to be located at the lowest lying land of the site.

The native vegetation over the POS area is classified as 'Completely Degraded' to 'Cleared of most native plants'. The approximate location on the accompanying aerial photograph of the proposed POS is where the current dwelling and swimming pool is positioned on lot 47, see Attachment 1 for details. On this basis and unlike the Lot 33 Barfield Road Structure Plan, which was considered by Council on 11 June 2015 Ordinary Council Meeting ('OCM'), the proposed Structure Plan does not aim to retain any native vegetation. Notwithstanding, the applicant is required to obtain and secure any State and/ or federal clearing permits prior to clearing the subject site of native vegetation.

The relative small size and intricacies of Lots 33 and 47 prevent the protection of a significant local natural area of bushland in a viable size and configuration.

The City's Strategic Planning department aims to retain native vegetation, where possible, throughout the larger Structure Planning areas of the SSDSP such as those owned by Gold Estates (Vivente Estate) which is located to the south of the subject site. In that example the City was able to negotiate the retention of viable local natural areas of bushland which extends towards the much larger 20 hectare future 'Frankland Park Bushforever' site which is approximately 200 metres south south east of lot 47.

The major source of water runoff to the POS drainage system will be that from the internal roads and the adjacent section of Frankland Avenue. Runoff from internal road reserves will be conveyed by low-flow pipes and road surface to an infiltration basin within the central POS. Runoff will be captured and infiltrated in a rain garden in the centre of the basis. Runoff from larger storms will be captured in an infiltration basin surrounding the rain garden.

The Department of Water (DoW) was formally consulted during the advertising process. DoW advised that they were not satisfied with the Local Water Management Strategy ('LWMS') as originally submitted. Whilst the POS location and size is considered acceptable the details within the LWMS require further modification. The DoW advised that they are satisfied for City officers to recommend a condition requiring the final LWMS to be provided as a condition of adoption. This recommendation has been included as part of this report for Council's consideration.

Bushfire Management

A Fire Management Plan ('FMP') was prepared and included as part of the Structure Plan report under Attachment 6. The FMP covers the entire site and an additional 100 metres surrounding its perimeter.

The aim of the FMP is to minimise the impact of bushfires within the site, thereby reducing the threat to life, property and the environment.

Landholdings to the north, south and west of the site are intended for future urban development in accordance with the SSDSP3 and Council adopted Structure Plans. These lots will therefore pose only a temporary bushfire hazard consideration. For instance it is noted native vegetation within the Hammond Park Catholic Primary School, to the north of the subject site, has since been cleared following the preparation of the FMP in line with stage 2 of the schools development expansion.

Any new dwelling constructed within 100 metres of identified classified vegetation will require consideration of the need for increased construction requirements to address AS3959-2009 '*Construction of Buildings in Bushfire Prone Areas*'.

The FMP mandates the need for a Bushfire Attack Level assessment to be undertaken as part of the subdivision process to confirm the BAL ratings for each individual new lot created. Furthermore the FMP and the Structure Plan report specify that any future lots will not be created (subdivided) until the temporary bushfire hazards have been removed by the surrounding land, being adequately cleared and developed or subdivided. Similar to the clearing at the existing primary school site as

described above, it is noted that the land to the South 'Vivente Estate', being developed by Gold Estates Holdings, was recently cleared of native vegetation within 100 metres of the south of the subject site.

The FMP recognises that the area is subject to ongoing change due to incremental subdivision and clearing associated with the surrounding lots and their Structure Plans and clearing approvals.

A specific BAL assessment at subdivision state will reflect any change in the status of surrounding temporary bushfire hazards. Clearing within 100 metres of the subject site will lessen or eliminate the need for future increased bushfire standards for residential land on the subject site.

It is mandated through the Structure Plan report that any lots deemed to require fire management responses through BAL assessment, will be subject to notification pursuant to section 70A of the *Transfer of Land Act 1983* placed on the certificate(s) of title indicating that the lot(s) are subject to the requirements of a FMP.

Conclusion

The proposed Structure Plan yields a density of approximately 16.95 dwellings per gross urban hectare and 29.17 dwellings per site hectare. This equates to the approximate housing provision for a total of 81 people.

The Proposed Structure Plan provides for Public Open Space to be centrally located as per the SSDSP3 and opposite the future high school. The proposed POS is provided with a high degree of accessibility through direct street frontage on three sides. The native vegetation over the POS area is classified as 'Completely Degraded' to 'Cleared of most native plants'.

Clearing associated with the existing residential dwelling and ancillary development on the subject site in conjunction with the required drainage requirements, for the proposed development, results in a situation whereby the proposed Structure Plan cannot allow for the retention of native vegetation on site.

From a strategic perspective, to offset the clearing on the subject site, native vegetation has been secured in the larger Structure Planning areas of the SSDSP3 such as those owned by Gold Estates Holdings (Vivente Estate) which is located to the south of the subject site. In that example the City was able to negotiate the retention of viable local natural areas of bushland which extends towards the much larger 20 hectare future 'Frankland Park Bushforever' site which is approximately 200 metres south south east of lot 47.

The Structure Plan mandates that any new dwelling constructed within 100 metres of identified classified vegetation will require consideration of the need for increased construction requirements to address AS3959-2009 '*Construction of Buildings in Bushfire Prone Areas*'.

The FMP mandates the need for a Bushfire Attack Level assessment to be undertaken as part of the subdivision process to confirm the BAL ratings for each individual new lot created. Furthermore the FMP and the Structure Plan report specify that any future lots will not be created (subdivided) until the temporary bushfire hazards have been removed by the surrounding land being adequately cleared and developed or subdivided.

It is recommended that Council adopt the Structure Plan, for Lot 47 (No. 213) Frankland Avenue Hammond Park, subject to modification and then pursuant to clause 6.2.10.1 of the Scheme refer the Structure Plan to the Western Australian Planning Commission for their endorsement.

Strategic Plan/Policy Implications

Growing City

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

Community & Lifestyle

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

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 6.2.9.1 of the Scheme requires Council to make a decision on the application within 60 days from the end of the advertising period. The advertising period formally concluded on 8 June 2015.

Community Consultation

In pursuance of Clause 6.2.8 of the City's Scheme public consultation was undertaken for a period of 21 days. The advertising period commenced on 19 May 2015 and concluded on 8 June 2015.

Advertising included a notice in the Cockburn Gazette, advertising on the City's webpage, letters to selected landowners surrounding the Structure Plan area as well as letters to State Government agencies and service providers.

In total Council received nine (9) submissions from residents, government agencies and service providers. Of these nine submissions one objected to the proposal and the remaining eight were in support of the proposal. The objection was received from a local resident who currently lives approximately 350+ metres from the subject site.

Analysis of the submissions has been undertaken within the 'Report' section above, as well as the attached Schedule of Submissions. See Attachment 3 for details.

Attachment(s)

1. Aerial Photograph/Location Plan
2. Proposed Structure Plan
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 9 July 2015 Council Meeting.

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

Nil.

14.6 (OCM 9/7/2015) - PROPOSED VARIATION TO PORT COOGEE STRUCTURE PLAN: VARIOUS LOTS, NORTH COOGEE; APPLICANT: AUSTRALAND (110/023) (D DI RENZO) (ATTACH)

RECOMMENDATION

That Council

- (1) pursuant to Section 6.2.8 of City of Cockburn Town Planning Scheme No. 3 ("Scheme"), advertise the proposed variation to the Port Coogee Structure Plan, subject to the following

modifications being undertaken to the Structure Plan:

1. Dedicated public road access into Stage 5 on the southern and western sides of the island, with parking on the western side, and sufficient space to accommodate landscaping to create amenity for pedestrians while providing separation from private development;
2. Location of a dedicated public parking area in Stage 5 showing a minimum of 23 parking bays as part of the broader public road reserve as well as a drop off and pick up area with appropriate turnaround facilities;
3. A pedestrian accessway of at least 8.0m in width on the south, east and western sides of the Stage 5 island;
4. 150 public boat pens being clearly designated on the Structure Plan, so as to ensure this is physically capable of construction;
5. Reinstating of the laneway perpendicular to Scout Turn and Medina Parade;
6. a detailed building modelling analysis to provide 3D modelling of the proposed height changes as viewed from the key areas of the Marina Beach; the public look out at the top of the hill; key entrance roads to the estate; and key areas of open space. This should also consider the compatibility of bulk and scale with nearby development, as well as potential impact on views.

COUNCIL DECISION

Background

The Port Coogee Structure Plan was originally adopted by Council in March 2004 in conjunction with the Scheme Amendment introducing Development Area 22 ("DA 22"). The Amendment was gazetted in June 2005.

There have been a number of modifications to the Structure Plan since its initial adoption.

The Port Coogee Structure Plan area is zoned 'Urban' under the Metropolitan Region Scheme ("MRS") and 'Development' under City of Cockburn Town Planning Scheme No. 3 ("Scheme"). The subject land is also located within Development Area 22 ("DA 22") and Development Contribution Area No. 13 ("DCA 13").

Submission

The variation to the Port Coogee Structure Plan has been submitted by Taylor Burrell Barnett on behalf of Australand.

Report

The purpose of this report is for Council to consider whether it is prepared to advertise the variation to the Port Coogee Structure Plan.

In accordance with clause 6.2.6.4 of the Scheme, a proposed structure plan must be consistent with orderly and proper planning prior to advertising being undertaken.

Delegation

Ordinarily, delegation is used to advertise a structure plan, or a proposed variation thereof. In this case, the delegation set out in 'APD55 Structure Plans' cannot be utilised as the proposed variation presents a conflict with adopted Council policy 'APD81 Structure Plans and Structure Plan Variations' ("APD81").

The source of conflict is that the proposed variation is deemed to materially alter the intent of the Structure Plan (in accordance with the Policy), yet it has not been submitted in the Part 1 (Statutory) and Part 2 format as required by Clause 2(1a) of APD81.

Proposed Variation to Local Structure Plan

Various residential density increases and road design changes

The proposed variation to the Structure Plan includes a redesign on the north eastern section of the Structure Plan area, bound by Medina Parade and Caledonia Loop (see Attachment 1).

The redesign includes an increase to residential coding from R25, R35 and R50 to R60 and R80, with no changes proposed to building heights. This proposes small lots which are primarily rear-loaded lots.

The variation includes a proposed redesign of the road network and POS to facilitate higher density, as shown in Attachment 1. These

changes facilitate smaller lots and greater housing diversity in this area.

Change of Residential Density Code within Stage 3A

The proposed variation seeks to increase the residential density coding of land within Stage 3A from R50 and R30 to R80 and remove the public laneway shown on the current structure plan.

Stage 3A generally fronts Medina Parade between Scout Turn and Caledonia Loop.

The stated purpose of the variation is to facilitate a higher density development outcome in keeping with neighbouring R80 land to the south (existing) and north (proposed) than is currently likely under the existing residential density code.

It is envisioned the proposed increase in the residential density code will facilitate relatively small scale multiple dwellings on Medina Parade in this area.

It is proposed that vehicular access would be in a similar configuration as the existing Structure Plan, with an accessway from Scout Turn incorporated within the development site rather than as a public laneway.

Alternatively, it is also possible that the land may be developed for small lots (similar to the intended subdivision of the R80 land to the north). In this event, the proponent has advised that a public laneway (as shown on the current Structure Plan) would be provided at subdivision stage.

The proponent has stated that removing the laneway in this area to allow for a multiple dwelling development will have no impact on the proposed adjoining lots fronting Scout Turn as these gain vehicular access from Scout Turn (in accordance with approved subdivision WAPC Ref:149291). However, the laneway forms part of the subdivision approval referred to, with on-street parking shown on Scout Turn.

The removal of this laneway is not supported because it will result in garages dominating the Scout Turn streetscape (which has rear-loaded lots on the opposite side of the road); and the loss of on street parking bays which are critical in areas of medium to high density such as these. The proposed increased density of the adjacent land (as shown in Attachment 1) would make this laneway even more important as pressure for parking increases in the area.

It is therefore recommended that the Scout Turn laneway be reinstated (as a public laneway) on the proposed Structure Plan variation prior to advertising.

Modification Stage 5 residential coding from R60 to R80 and increase in maximum height

Stage 5 is within the 'other water based residential' Structure Plan precinct, located immediately north of the Port Coogee Marina Village, and is sometimes referred to as 'the island'.

Stage 5 is almost completely surrounded by the marina waterway; road access for vehicles and pedestrians from the dry land residential area is via a land bridge (Maraboo Wharf).

The proposed modification seeks to increase the residential density coding of land within Stage 5 from R60 to R80 and increase the maximum building height limit from 13.6m to 17.3m (see Attachment 3). The purpose of the variation is to facilitate a higher density development outcome on the site to include more dwellings and coverage of the site.

It is intended that the proposed density and building height increases will facilitate the development of multiple dwellings, which will contribute to the dwelling diversity within the water based residential precinct. A modification is proposed to the Building Height plan of the Port Coogee Structure Plan to increase the maximum building height (from 13.6m to 17.3m) in the Stage 5 area.

The proponent has produced a plan providing three cross sections of the Port Coogee development examining potential views towards and beyond Stage 5 (Attachment 4). This however lacks detail, particularly to understand clearly what the associated bulk and scale differences will be between a potentially single 17.3m building, versus the current Structure Plan which provides for a mix of separate allotments and apartment buildings all capped at a building height of 13.6m.

The City has concerns about what impression a taller and potentially more solid building will have, when viewed from key public areas such as the Marina Beach; the public look out at the top of the hill; key entrance roads to the estate; and key areas of open space. Accordingly it is recommended that the applicant be required to prepare a detailed building modelling analysis which will provide 3D modelling of the proposed changes as viewed from these key areas. This should also consider the compatibility of bulk and scale with nearby development, as well as potential impact on views.

Stage 5 Public Access, Boat Pens and Parking

The current endorsed Structure Plan (Attachment 2) shows the island being accessible by a public road with a central parking area for visitors and boat pen licence holders. There are 8.0m wide pedestrian Access Ways are included on the south, east and western sides, which are connected by a public road.

The Port Coogee Transport Strategy required parking bays to be provided at a rate of 0.3 bays per public boat pen, based on AS3962 Guidelines for Design of Marinas which requires 0.3 parking bays per public boat pen; and surveys at Mandurah Marina, where a demand of up to 0.22 parking bays per boat pen was surveyed.

The Port Coogee Waterways Agreement set out the requirement for a total of 300 public boat pens to be provided in Port Coogee, and 150 of these are being provided by Australand in the area adjacent to the Marina Village. This leaves the remaining 150 boat pens to be provided adjacent to Stage 5.

It is therefore critical that any planning for Stage 5 takes into consideration provision of these boat pens, and public accessibility. It also needs to take account of the current parking issues which the City is aware of throughout the area. The objective of any change is to prevent issues occurring into the future.

'Development Area 33' requires:

The Structure Plan is to provide for public access to the coast and waterways and provide for a continuous dual use path along the foreshore connecting into the existing pathway system.

The proposed variation to Stage 5 indicates the whole island as 'R80', and does not show how public access will occur. This is not acceptable to the City.

The proponent has advised the City that it seeks to propose an apartment building complex that will encompass a significant portion of the site, with Pedestrian Access Ways on the south, west and eastern side of the island.

From Maraboo Wharf, in the south eastern corner of the island there will be a private entrance to the apartment building, and another entrance to the public parking area that is to be located predominately underneath the apartment building on the southern edge.

The proponent has advised that this would allow access to the parking to be restricted to boat pen leaseholders only, which will assist in the management of the parking area.

However, this is not considered acceptable to creating and maintaining a viable marina environment, together with creating and maintaining broader community access to the site. It is considered that there should be a clear separation between the public and private realm to secure public access to the island, and to ensure the protection of residential amenity for residents of the apartments.

Public road access is considered critical to enable the City to construct and maintain the 150 boat pens that are proposed to the island. Breaking up the island in this way is the only option that is considered viable, in order to secure the demonstrated public benefit that the boat pens represent as part of the broader project.

From a commercial point of view for the City, who will be managing these boat pens, the establishment of adequate public parking and access is critical to ensure the commercial success and operation of the marina.

It is also important that Stage 5 does not become 'privatised' by controlling public access to such a degree that it is perceived by people that do not live there as being private land. Under the proposed Structure Plan it is considered likely that from Maraboo Wharf the island will appear largely as a residential apartment complex, thus appearing privatised to a greater extent than development pursuant to the current Structure Plan.

The proposed increase to the residential coding and re-design of Stage 5 includes the deletion of public roads that were a feature of the original Structure Plan, and the current Structure Plan. This includes a public road network with on-street parking, and dwellings that address the public streets. These streets themselves are 'public spaces'.

The proposed increase to the residential coding of Stage 5 removes interconnected 'public spaces' formed by the public roads, public parking and PAWs, and therefore restricts public access to a greater extent than the current Structure Plan,

It is also noted that while the proposed variation to the Structure Plan proposes to retain the PAWs on the south, west and eastern sides, these are not connected as they are in the current Structure Plan by public roads, where a circuit is created.

It is likely that the pedestrian amenity of the PAWs and waterfront environment will be negatively impacted on by the minimal setbacks to

the PAW on all sides; and the fact that there is no public road connecting the PAW.

It is therefore considered that the current proposal is not supported, and instead the design be modified to secure:

- Dedicated public road access into Stage 5 on the southern and western sides of the island, with parking on the western side, and sufficient space to accommodate landscaping to create amenity for pedestrians while providing separation from private development;
- Location of a dedicated public parking area in Stage 5 showing a minimum of 23 parking bays as part of the broader public road reserve as well as a drop off and pick up area with appropriate turnaround facilities;
- A pedestrian accessway of at least 8.0m in width on the south, east and western sides of the Stage 5 island;

This is also considered to improve the situation of waste management for the island.

Public Boat Pens

The Structure Plan for Stage 5 should show 150 boat pens to accurately reflect the total required number of public boat pens.

The required total 300 public boat pens was set out in the 'Port Catherine Project Agreement No. 2 Deed of Variation', dated 9 June 2005.

Conclusion

To ensure orderly and proper planning is addressed, it is appropriate for Council to initiate advertising of the structure plan variation only if the changes discussed in this report and outlined in the recommendation are undertaken prior to advertising.

Strategic Plan/Policy Implications

Growing City

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

Leading & Listening

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

Environment & Sustainability

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

Budget/Financial Implications

If there is no public road on the south and western sides of the island this may incur greater costs to the City in undertaking construction (if this occurs after the development of the apartments) and future maintenance to the public boat pens.

Legal Implications

N/A

Community Consultation

Should Council consent to advertise this variation, it would be advertised as per Section 6.2.8 of the Scheme (not less than 21 days).

Attachment(s)

1. Structure Plan Variation (Comparison Plan)
2. Extract from current Structure Plan (Stage 5)
3. Proposed Maximum Building Height Plan
4. Port Coogee Viewlines

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

15. FINANCE AND CORPORATE SERVICES DIVISION ISSUES

15.1 (OCM 9/7/2015) - LIST OF CREDITORS PAID - MAY 2015 (076/001) (N MAURICIO) (ATTACH)

RECOMMENDATION

That Council adopt the List of Creditors Paid for May 2015, as attached to the Agenda.

COUNCIL DECISION**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 May 2015 is attached to the Agenda for consideration. The list contains details of payments made by the City in relation to goods and services received by the City.

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

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

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

List of Creditors Paid – May 2015.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

15.2 (OCM 9/7/2015) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - MAY 2015 (071/001) (N MAURICIO) (ATTACH)

RECOMMENDATION		
That Council		
(1)	adopt the Statement of Financial Activity and associated Reports for May 2015, as attached to the Agenda; and	
(2)	amend the 2014/15 Municipal Budget by adjusting the following projects and activities:	
CW 4449-6200	CCW RPAEC – Construction Cost	\$1,500,000
CW 4449-5114	CCW RPAEC – State Govt. Capital Grant Funding	(\$1,500,000)
OP 8201-4183	Reduce Funding for MSW Bin Purchases - Mobile Bins Reserve	\$85,000
OP 8201-4593	Increase Funding for MSW Bin Purchases – Waste Collection Levy Reserve	(\$85,000)
OP 9554-4183	Reduce Funding for Recycling Bin Purchases – Mobile Bin s Reserve	\$23,000
OP 9554-4593	Increase Funding for Recycling Bin Purchases – Waste Collection Levy Reserve	(\$23,000)
CW 2473-6200	Bibra Drive, North Lake Road Roundabout – Landscaping Works	\$60,000
OP 9710-6200	LG Reform Provision Expenses	(\$283,000)
TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL		

COUNCIL DECISION

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 variance details. Council adopted a materiality threshold of \$200,000 for the 2014/15 financial year at its August meeting.

Submission

N/A

Report

Opening Funds

The opening funds actuals of \$13.17M represents the audited closing municipal position for 2013/14 and the revised budget was updated to this figure in the mid-year budget review.

The opening funds cover the \$3M surplus forecast in the adopted budget, \$8.9M of municipal funding attached to carried forward works

and projects and a residual balance of \$1.3M in uncommitted funds that was applied to the CCW Development Fund Reserve in accordance with Council's budget policy.

Closing Funds

The City's closing funds of \$41.0M were \$22.5M higher than the YTD budget target. This comprised net favourable cash flow variances across the operating and capital programs as detailed within this report.

The revised budget shows end of year closing funds of \$183k in deficit. This was due to the \$183k of budget funding adjustments reported to Council in last month's report. A reduction of surplus funding within the LG Reform project budget this month will return the budget bottom line to a small surplus next month.

The budgeted closing funds fluctuate throughout the year, due to the ongoing impact of Council decisions and budget recognition of additional revenue and costs. Details on the composition of the budgeted closing funds are outlined in Note 3 to the financial summaries attached to this report.

Operating Revenue

Consolidated operating revenue of \$122.2M was ahead of the YTD budget forecast by \$1.3M. The significant variances in this result were:

- Rates revenue \$1.0M ahead of YTD budget due to a strong level of part year rating adjustments.
- Operating grants & subsidies were over YTD budget by \$0.4M, mainly due to additional child care subsidies received.
- Reimbursement of costs received (e.g. legal, insurance) was collectively \$0.4M ahead of YTD budget.
- Revenue from parking infringements was \$0.3M greater than budget.
- Lease income from commercial property is \$0.2M ahead of the cash flow budget, but remains on track to the full year budget.
- Commercial landfill fees were \$0.8M behind the adjusted YTD budget and will underperform against the full year budget.

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

Operating Expenditure

Cash operating expenditure of \$81.0M (excluding asset depreciation) was under the YTD budget by \$3.6M. Inclusive of non-cash

depreciation, total operating expenditure of \$101.3M was \$3.3M lower than the YTD target.

The following significant items were identified:

- Material and Contract expenses were \$2.2M under YTD budget overall, with Waste Services contributing \$1.0M to this result (waste collection \$0.7M, waste disposal \$0.3M), CoSafe under budget by \$0.2M and LG reform costs under by \$0.2M. Conversely, facilities maintenance is \$0.3M over their YTD budget for contract expenses.
- Indirect employee costs were collectively \$0.6M under the YTD budget, with nearly \$0.4M of FBT charges not yet accounted for.
- Insurance costs were \$0.3M below budget due to savings in premiums for property and workers compensation insurance.
- Under Other Expenses, Council's grants & donations program was \$0.2M under YTD budget.
- The internal recharging of operating costs to the capital works program was nearly \$0.4M behind YTD budget, consistent with the budget variance within the infrastructure assets capital program.

A more detailed explanation of the variances within each business unit is included in the attached financial report.

The following table shows the operating expenditure budget performance at the consolidated 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 YTD Budget \$M	FY Revised Budget \$M
Employee Costs - Direct	30.44	32.60	2.16	35.92
Employee Costs - Indirect	0.64	1.24	0.60	1.33
Materials and Contracts	1.95	2.22	0.26	2.22
Utilities	3.99	4.24	0.25	4.62
Interest Expenses	38.54	38.76	0.22	43.86
Insurances	22.94	23.01	0.07	25.10
Other Expenses	5.36	5.43	0.06	7.54
Depreciation (non-cash)	0.07	0.07	0.00	0.12
Internal Recharging-CAPEX	(2.66)	(3.02)	(0.36)	(3.25)
Total	101.27	104.54	3.27	117.46

Capital Expenditure

The City's total capital spend at month end was \$34.3M, representing an under spend of \$17.0M against the YTD budget of \$51.3M.

The following table shows the budget variance analysis by asset class:

Asset Class	YTD Actuals \$M	YTD Budget \$M	YTD Variance \$M	Annual Budget \$M	Commit Orders \$M
Roads Infrastructure	8.68	9.96	1.29	16.77	8.68
Drainage	0.64	1.06	0.42	1.60	0.64
Footpaths	0.82	0.77	(0.05)	1.10	0.82
Parks Hard Infrastructure	3.14	5.13	1.99	8.48	3.14
Parks Soft Infrastructure	0.77	0.89	0.12	0.93	0.77
Landfill Infrastructure	0.10	0.28	0.18	0.85	0.10
Freehold Land	1.40	1.41	0.01	2.38	1.40
Buildings	14.88	25.20	10.32	33.97	14.88
Furniture & Equipment	0.01	0.01	0.00	0.01	0.01
Computers	0.56	1.06	0.50	1.14	0.56
Plant & Machinery	3.31	5.52	2.21	5.52	3.31
Total	34.29	51.30	17.00	72.75	34.29

The CCW project is responsible for \$8.6M of the net \$10.3M underspend variance in Buildings, with another \$1.7M comprising the net underspend for all other building projects.

Parks infrastructure projects were collectively \$2.0M underspent against their YTD budget of \$6.0M. This included YTD underspending of \$0.26M on the Coogee Beach Master Plan and \$0.32M on the Bibra Lake Adventure Playground.

The roads construction program is \$1.3M under the YTD budget with, North Lake Road (Hammond to Kentucky) contributing \$0.22M, North Lake Road/Osprey Drive - \$0.24M under, Beeliar Drive (Spearwood – Stock) - \$0.26M under and traffic safety management initiatives - \$0.22M under. Beeliar Drive (Hammond Road North and South) was completed ahead of schedule and is \$0.39M ahead of the YTD budget.

The City's drainage capital works program was \$0.42M behind YTD budget with several significant projects yet to start and likely to be carried forward into 2015/16.

Spending on major plant items was \$2.2M behind the YTD budget, with \$1.2M of this amount already on order and awaiting delivery. The majority of the uncommitted balance will be carried forward into the new financial year.

Software related capital projects are collectively \$0.5M under the YTD budget, with many having started and requiring funding to be carried forward.

Further details on these variances are disclosed in the attached CW Variance analysis report.

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:

- Transfers from financial reserves were \$5.1M behind YTD budget due to the capital budget under spend.
- Developer contributions received under the Community Infrastructure plan were \$1.0M over the full year budget, even though the budget was significantly increased through the mid-year review. This reflects ongoing strong levels of land development activity across the City.
- Developer contribution plans revenue for roads infrastructure was \$0.5M ahead of the YTD budget setting.
- Development partner contributions for the CCW RPAEC project were \$0.3M behind YTD budget forecasts.
- Road grant funding was collectively \$0.35M ahead of YTD budget.
- Sale of land revenue from various sub-divisions was \$3.7M behind the YTD budget. This included \$1.3M for Lot 702 Bellier Pl & Lot 65 Erpingham Rd, \$0.7M for lot 1, 4218 and 4219 Quarimor Rd, \$0.9M for lot 23 Russell Road and \$0.8M for lot 40 Cervantes Loop. Bellier/Erpingham is expected to settle in June 2015.
- Proceeds from the trade-in and sale of plant were also collectively \$0.6M behind the YTD budget.

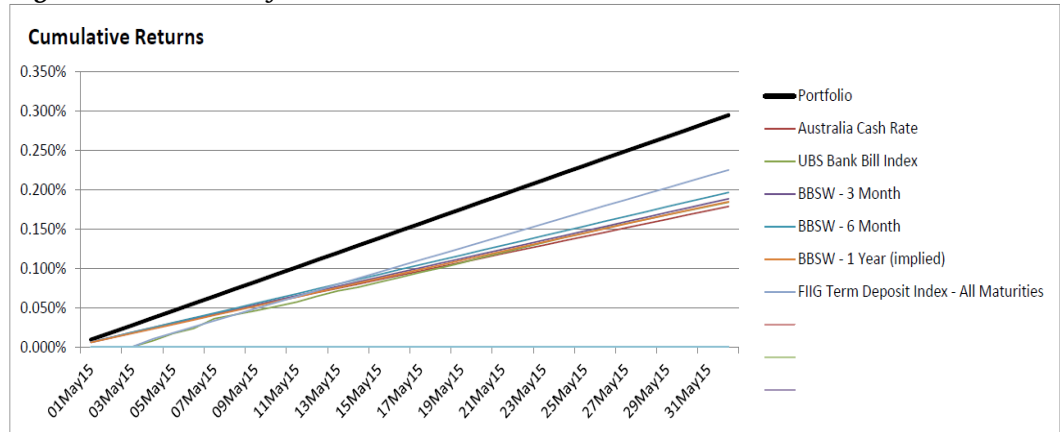
Cash & Investments

The closing cash and financial investment holding at month's end totalled \$141.5M, down from \$149.3M the previous month. \$88.6M of this balance represented the amount held for the City's cash backed financial reserves. Another \$6.3M represented restricted funds held to cover deposit and bond liabilities. The remaining \$46.6M represented the cash and financial investment component of the City's working capital, available to fund current operations, capital projects, financial liabilities and other financial commitments (e.g. end of year transfers to financial reserves).

The City's investment portfolio made a weighted annualised return of 3.41% for the month, marginally down from 3.47% the previous month and 3.52% in March. Whilst this result compares favourably against the UBS Bank Bill Index annualised rate of 2.12% and the BBSW 6 month

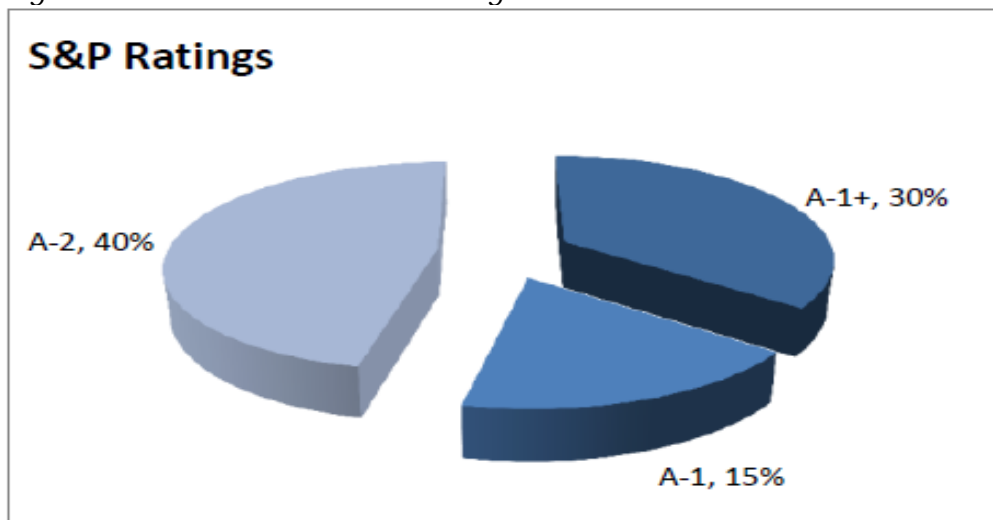
benchmark rate of 2.27%, it continues to trend downwards due to the falling Australian official cash rate impacting term deposit rates offered for new or renewed investments. The cash rate currently sits at 2.00% following the 0.25% cut by the Reserve Bank at its May board meeting. Industry expectations of a further cut later this calendar year will put pressure on the City's interest earnings budget of \$5.4M for the 2015/16 financial year.

Figure 1: COC Portfolio Returns vs. Benchmarks



The majority of investments are held in term deposit (TD) products placed with highly rated APRA (Australian Prudential Regulation Authority) regulated Australian banks. These are invested for terms ranging from three to twelve months. All investments comply with the Council's Investment Policy and fall within the following risk rating categories:

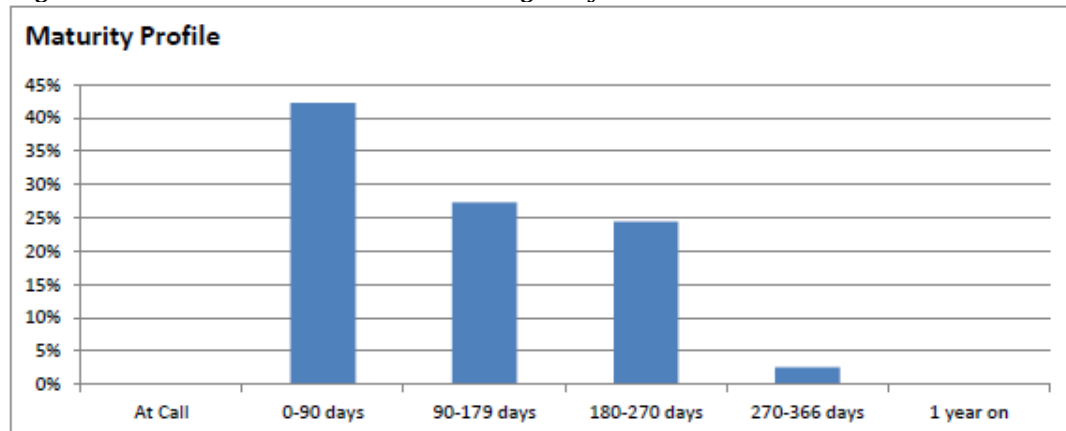
Figure 2: Council Investment Ratings Mix



The current investment strategy seeks to secure the best possible rate on offer over the longer duration terms allowed under legislation and policy (6 to 12 months for term deposits), subject to cash flow planning

requirements. The City's investment portfolio currently has an average duration of 132 days (slightly down from 135 last month) as graphically depicted below:

Figure 3: Council Investment Maturity Profile



Budget Revisions

Several budget amendments have been recommended to deal with the following matters:

- The City has received \$1.5M of the state government's \$10M capital grant towards the RPAEC project at Cockburn Central West. The income and expenditure budgets for this project have been adjusted to account for this in the 2014/15 financial year.
- Funding for the purchase of MSW and recycling bins has previously been provided from the Mobile Rubbish Bins Reserve. The funds within this reserve have been run down over the past couple of years due to a rationalisation of existing reserves. To meet the funding shortfall this year, the funds have been taken from the Waste Collection Levy Reserve.
- Additional funding of \$60k over existing allocations is required to complete landscaping works for the Bibra Drive/North Lake Road Roundabout.
- The LG Reform Provision budget allocation has excess funding of \$283k available to be returned to the municipal budget. This will eliminate the current \$183k budget deficit and fund the \$60k needed for the Bibra Drive/North Lake Road Roundabout, leaving the budget in surplus by \$40k.

Description of Graphs and Charts

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

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

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

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

Strategic Plan/Policy Implications

Leading & Listening

- Effective and constructive dialogue with all City stakeholders.
- Manage our financial and infrastructure assets to provide a sustainable future.
- A culture of risk management and compliance with relevant legislation, policy and guidelines

Budget/Financial Implications

The budget amendments included in the recommendation return the closing budget position to a small surplus of \$40k from the existing \$183k deficit.

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

Statement of Financial Activity and associated reports – May 2015.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

16. ENGINEERING AND WORKS DIVISION ISSUES

16.1 (OCM 9/7/2015) - ROADSIDE PARKING FOR HEAVY VEHICLES (163/002) (J MCDONALD) (ATTACH))

RECOMMENDATION

That Council

- (1) receive the information;
- (2) place on the Draft 2016/17 budget an amount of \$100,000 for roadside heavy vehicle parking, and if approved that this allocation continues for the next four (4) years; and
- (3) commence the parking prohibition and enforcement at the locations identified as not suitable for heavy vehicle parking.

COUNCIL DECISION

Background

At the Ordinary Council Meeting held on 11 September 2014 Clr. Portelli raised the following Matter to be Noted for Investigation, Without Debate regarding roadside parking for trucks:

“Given that Cockburn has many truckers stopping in locations to get drinks and food at activity hubs dotted around Cockburn for example, The Hive at Russell Road, Hammond Park; Fitzzy’s at Berrigan Drive, South Lake; First Choice Liquor at North Lake Road, Cockburn Central, can the City please investigate and report on the following:

- *Note and photograph locations trucks frequently park on roadside, verge side, kerb side within Cockburn;*
- *Survey trucking operations on best locations for*

roadside parking;

- *Investigate the cost of rolling out special parking for truckers to use for lunch and tea breaks;*
- *Propose optimum times for parking; and*
- *Look at trucking companies to assist in siting bays looking to provide facilities at major locations.*

The aim is to make Cockburn more trucker friendly. We are a major destination and thoroughfare for trucks with an estimated 650,000 container movements growing to 3,000,000 to 2031 for the whole metropolitan area and Cockburn being between two ports, one of them proposed, we are going to be hugely impacted.

Submission

N/A

Report

The availability of on-street parking for heavy vehicles is a genuine issue and one that is typically not well acknowledged or provided for in metropolitan areas by road authorities. When this parking does occur it is often at locations where no formal physical provision has been made for the significant loads and greater geometric turning needs of heavy vehicles. This can then lead to damage to the City’s road assets such as road pavements, paths, verges and shoulders, and/or creates road safety issues such as obstruction of paths or traffic lanes, and sight lines being reduced at intersections

The City of Cockburn contains a number of industrial and commercial precincts generating heavy vehicle traffic and the City is also a through route for heavy vehicle traffic travelling to/from surrounding trip generators such as the Fremantle Harbour, and the Latitude 32 precinct. City Officers recognised that there was a demand for short-term heavy vehicle parking and included the following action in the City’s Integrated Transport Plan (refer Page 75), that was adopted by the Council on 10 July 2014:

Implementation category	Action	Description/justification
An efficient and safe network	Development of a strong freight movement network	Consult with heavy vehicle drivers and their industry about the need for short-term parking facilities for heavy vehicles that are also located close to amenities.

The logical approach to identifying roads to be considered for on-street heavy vehicle parking is to give priority to the roads in the City that have been designated by the Department of Planning as being Primary freight roads as listed below in Table 1.

Table 1: Primary freight roads in the City of Cockburn

Road name	Authority
Armadale Road	Main Roads WA
Beeliar Drive	City of Cockburn
Cockburn Road - south from Russell Rd west	City of Cockburn
Kwinana Freeway	Main Roads WA
North Lake Road	City of Cockburn
Phoenix Road - Stock Rd to North Lake Rd	City of Cockburn
Rockingham Road – south from Stock Rd	Main Roads WA
Roe Highway	Main Roads WA
Rowley Road - East of Kwinana Fwy	City of Cockburn
Rowley Road extension - west of Kwinana Fwy	Main Roads WA
Russell Road - east of Rockingham Rd	City of Cockburn
Russell Road - west of Rockingham Rd	Main Roads WA
Stock Road	Main Roads WA
Warton Road	Cities of Cockburn / Armadale

Heavy vehicle movements are not limited to the above roads and locations, so other distributor roads need to be considered, particularly those in and around industrial/commercial precincts. Generally, those locations would be in the vicinity of lunch bars, neighbourhood centres, shopping centres, petrol stations and fast food outlets.

As noted at the Ordinary Council Meeting of 11 September 2014, a few locations known to attract on-street truck parking are shown below in Table 2:

Table 2: Identified heavy vehicle parking locations

Affected road	Attractor
Aspiration Circuit, Bibra Lake	Lunch bars on Discovery Drive
Barrington Street, Bibra Lake	Cheffy's Food Bar
Beeliar Drive, Cockburn Central	BP Petrol Station
Berrigan Drive, South Lake	Fitzy's Lakeside Tavern / South Lake Shopping Centre
Cockburn Road, Hamilton Hill	Newmarket Lunch Bar and Cafe
Cockburn Road, Henderson	Cockburn Beach Kiosk, adjacent to Naval Base Holiday Park
North Lake Road, South Lake	Lakes Shopping Centre
North Lake Road, Cockburn Central	First Choice Liquor
Poletti Road, Cockburn Central	Jay Jay's Lunch Bar
Rockingham Road, Wattleup	Wattleup Lunch Bar
Russell Road, Hammond Park	The Hive Shopping Centre
Solomon Road and Cutler Road, Jandakot	Solomon Road Lunch bar

Affected road	Attractor
Stock Road, Yangebup	Muzz Buzz Coffee, Shallcross Street
Wellard Street, Bibra Lake	Blue Post Lunch bar

Table 2 above is not an exhaustive list but represents a list of sites currently known to City Officers where heavy vehicle parking has been observed or is known to occur. In consultation with a representative of the Transport Workers Union (TWU), who was until recently a truck driver, the use of many of these locations by truck drivers was confirmed.

It was also confirmed that short-term on-street heavy vehicle parking is rarely, if ever, provided in the metropolitan area by road authorities. The need for long-term parking for heavy vehicles was discussed but not considered necessary by the TWU representative, who also agreed that on-street parking should not be permitted if it creates any safety issues.

Whilst the intent of the investigation is to identify suitable locations where short-term on-street parking might be provided for heavy vehicles, consideration needs to be given to locations where it might be inappropriate to provide that parking because of potential safety and/or amenity issues for other road users or adjacent residents or businesses.

It is also important to note that the parking would not be long-term, because this can introduce amenity issues if vehicle engines, cabin air-conditioners, or refrigeration truck systems are left running continuously or at inconvenient times of the night. It is important that heavy vehicle parking is compatible with the surrounding land uses.

To identify and prioritise suitable locations to provide on-street heavy vehicle parking the following criteria are proposed:

- The location will ideally be on a designated freight route and/or distributor road. Local streets shall typically be avoided to discourage their use by heavy vehicles and avoid unnecessary circulation through the local road network;
- There must be an adjacent service that can be demonstrated will attract heavy vehicle drivers;
- It must be possible to provide a safe facility that does not create a safety hazard for any other road users or pedestrians;
- The location of any parking bay must be compatible with adjacent land uses;
- Any heavy vehicle parking provided will be short-term parking eg. 30 minutes maximum;
- Priority will be given to providing facilities on roads that the City has responsibility for.

A preliminary assessment of the above parking locations has been completed which includes a site inspection, a review of current parking facilities and assessment for parking provision. This is discussed below and summarized in Attachment 1. Aerial photographs of the sites recommended for improvement are included as Attachment 2 and general photographs of the sites are included as Attachment 3.

Aspiration Circuit, Bibra Lake

Two cafes located on opposite corners of the Aspiration Circuit/Discovery Drive intersection create a demand for on-street parking, predominantly by small vehicles. Heavy vehicle parking attracted to this location would typically be rigid trucks.

Any parking within approximately 50 metres of the intersection is undesirable for safety and to ensure the crossovers on both sides of the street in that section of road are unobstructed. Beyond that distance, occasional short-term (informal) on-street parking is acceptable but long-term parking by heavy vehicles should be discouraged.

Barrington Street, Bibra Lake

A wide on-street parking area has been provided outside Cheffy's Food Bar and would accommodate up to a single large semi-trailer. There is evidence of verge damage by vehicles approaching that parking bay and further evidence of verge damage on the opposite side of the road. The damage to the verge should be made safe and further assessment conducted to providing a second similar size parking bay on the opposite side of Barrington Street, as there is clearly a demand at this site.

Beeliar Drive, Cockburn Central

Eastbound heavy vehicles have been known to park in left-turn lanes into the BP Petrol Station, or just past there into Lakeridge Drive. Whilst this is not desirable, it is infrequent and at least out of the through traffic lanes. When this site was visited, a semi-trailer was observed parked briefly in the petrol station forecourt. It is considered that no immediate action is required in this case, and the site be monitored. If this site does become a problem then on-street parking would need to be banned because of the presence of the left-turn lanes and associated driveways and side street (Lakeridge Drive).

Berrigan Drive, South Lake - Fitzzy's Lakeside Tavern / South Lakes Shopping Centre

Fitzzy's Lakeside Tavern is part of the South Lake Shopping area and it is located at north east corner of the intersection of South Lake Drive and Berrigan Drive. The Shopping Complex and Tavern provide reasonable car parking areas but they are not suitable for heavy vehicle traffic. Oil stains on the shared path and on-road cycle lane outside the shopping centre are evidence of heavy vehicle parking. This is undesirable in this location because of the safety hazard it creates for pedestrians and cyclists. It might be possible to provide a parking bay for heavy vehicles just east of the tavern, although this would require realignment of a shared path.

The verge on the southern side was noticeably worn by heavy vehicle parking and that area could potentially be formalised for parking. There may be an opportunity to construct some truck parking under the high voltage power line, as marked on Attachment 2.

Cockburn Road, Hamilton Hill – Newmarket Lunch Bar and Café / Ed's Sports Bar

There is evidence that the verge on the east side of Cockburn Road, immediately north of Boyd Crescent, has been used by heavy vehicles for parking. The verge is degraded and although it appears wide enough to formalise a parking bay there, it is not recommended because of sight line issues associated with the adjacent intersection at Boyd Crescent. Verge parking at this location should be banned.

Cockburn Road, Henderson – Cockburn Beach Kiosk (Naval Base Holiday Park)

Truck drivers who are visiting the kiosk adjacent to the Naval Base Holiday Park are parking their vehicles along Cockburn Road and cause noticeable damage to the verges on both sides of the road, but particularly on the east side of the road next to a bus embayment.

The verge on this section of Cockburn Road is more than 4 metres wide and there is the possibility that parking areas for trucks can be constructed, probably incorporating the existing bus embayments. The cost for construction of two parking bays on both sides of Cockburn Road would be between \$90,000 and 120,000 for civil work only, not including any land acquisition or existing service relocations.

North Lake Road, Cockburn Central - First Choice Liquor

First Choice Liquor on North Lake Road, Cockburn Central, has an off-street car park but it is not intended to cater for heavy vehicles. As a

result, drivers have been observed verge parking along North Lake Road or using the left turn-lane to the shop for their short stop. The City is currently constructing a second carriageway of North Lake Road, between Hammond Road and Kentucky Court, and there will not be opportunities to provide for short-term heavy vehicle parking. This site will be monitored and if heavy vehicle parking becomes a problem then parking restrictions will be considered.

North Lake Road, South Lake – Lakes Shopping Centre

Heavy vehicles have occasionally been observed parking in the left-turn lanes into the shopping centre or Omeo Street when drivers stop to buy food at the various fast food businesses. This parking is not ideal but it happens out of the traffic lane. As this parking is low impact and fairly random, it is recommended that the site is monitored and further action only taken if it becomes a regular problem.

Poletti Road, Cockburn Central – Jay Jay's Lunch Bar

The verges on Poletti Road and Spencer Street have been noticeably degraded by heavy vehicles being parked outside this business, despite a No Parking sign being present on Poletti Road.

Formalising that parking is not recommended on Poletti Road because of the proximity of the intersection. However, there is the potential for that to happen on Spencer Street.

Rockingham Road, Wattleup - Wattleup Lunch Bar

On Rockingham Road, a paved area in front of the lunch bar provided a place for heavy vehicles to be parked out of the traffic lane. There is evidence of verge damage by heavy vehicles on the west side of the southbound carriageway of Rockingham Road and nearby Wattleup Road. Those damaged areas should be maintained and consideration given to improving them to reduce ongoing damage to the verge and footpaths.

Russell Road, Hammond Park (The Hive Shopping Centre)

The Hive Shopping Centre, which is located at the intersection of Russell Road and Macquarie Boulevard, is a small suburban local centre that has limited parking spaces available for small vehicles, but not heavy vehicles. There is evidence of verge damage on the southern side of Russell Road which is most likely caused by heavy vehicles. The available road reserve along Russell Road and the road layout adjacent to the local centre does not provide adequate space for constructing a heavy vehicle parking bay. Parking restrictions should be installed to discourage this parking practice.

Solomon Road, Jandakot – Solomon Road Lunch Bar

This location was experiencing problems with heavy vehicles parking on Solomon Road and Cutler Road and was recently addressed by installing parking restrictions. Evidence of verge damage on Cutler Road, east of Solomon Road exists and needs to be addressed.

Alternative verge parking for heavy vehicles could be formalised on the western side of Solomon Road, just north of Cutler Road, without impact on any businesses.

Stock Road, Yangebup - Muzz Buzz Coffee, Shallcross Street

Truck drivers who visit the Muzz Buzz Coffee, Shallcross Street, are parking on both sides of Stock Road. Most of this parking appears to be occurring on the eastern side of the road where there is a very wide, but degraded verge.

It seems reasonable to formalise the parking on the east side of the road and this should be recommended to Main Roads Western Australia, who are responsible for the management of Stock Road.

Wellard Street, Bibra Lake (Blue Post Lunch Bar)

The verge outside this lunch bar has been degraded and verge parking presents a safety risk to drivers exiting Rivers Street, although that is a low volume access street. The verge needs to be maintained and improved, with a possibility for providing parking for heavy vehicles safely.

As a result of the above investigation, the following actions are recommended regarding the identified sites:

Monitor:

- Beeliar Drive, Cockburn Central (BP Petrol Station near Hammond Rd);
- North Lake Road, Cockburn Central (First Choice Liquor);
- North Lake Road, South Lake (Lakes Shopping Centre)

Introduce on-street parking restrictions:

- Aspiration Circuit, Bibra Lake (Lunch bars)
- Cockburn Road, Hamilton Hill (Newmarket Lunch Bar)
- Russell Road, Hammond Park (Hive Shopping Centre);

Recommended improvement sites, in order of priority:

- Wellard Street, Bibra Lake (Blue Post Lunch Bar);
- Berrigan Drive, South Lake (South Lake Shopping Centre);
- Cockburn Road, Henderson (Cockburn Beach Kiosk);
- Barrington Street, Bibra Lake (Cheffy's Food Bar);
- Rockingham Road and Wattleup Road, Wattleup (Wattleup Lunch Bar);
- Poletti Road and Spencer Street, Cockburn Central (Jay Jay's Lunch Bar);
- Stock Road, Yangebup (Muzz Buzz); and
- Solomon Road, Jandakot (Solomon Road Lunch Bar)

The improvements suggested for the above sites may be maintenance and/or a combination of maintenance and the construction of new/improved parallel parking facilities for heavy vehicles. Where any maintenance/improvement works are on a MRWA managed road (i.e. Cockburn Road, Rockingham Road and Stock Road) then MRWA will be requested to carry out this work.

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

- Effective and constructive dialogue with all City stakeholders.

Moving Around

- An integrated transport system which balances environmental impacts and community needs.
- A safe and efficient transport system.
- A defined freight transport network.

Budget/Financial Implications

The construction of any heavy vehicle parking facility at locations identified on public roads managed by the City will be the City's responsibility. Based on the consultation with the TWU representative, any on-street heavy vehicle bay would need to be a minimum of 2.5 metres wide (3.5 metres preferred on busy roads) and up to 40m long, depending on the size and number of vehicles to be accommodated in the parking bay. The estimated cost of constructing this infrastructure is between \$45,000 and 60,000 for civil works only, and does not include any land acquisition or the relocation of any existing services.

Where those facilities are identified for Primary Distributor roads such as Armadale Road, Cockburn Road (north of Russell Road West), Stock Road, the future Rowley Road extension, then Main Roads Western Australia would theoretically be responsible for funding those facilities. However, if they were not considered a priority by MRWA then the City may wish to consider funding the construction of those facilities.

Ideally this type of facility should be provided by the developer of the lunch bar, café etc at the time of development, at their expense. Statutory Planning and Engineering Officers involved with development applications will be encouraged to include this as a condition of development approval.

It is recommended that an annual budget of \$100,000 for heavy vehicle on-street parking be considered for inclusion in the 2016/17 financial year budget and, if approved, continue to place \$100,000 for at least a further 4 years. In the interim, the recommended improvement sites should be maintained to a safe standard.

Legal Implications

N/A

Community Consultation

Consultation on this matter was made with the Transport Workers Union (TWU). A representative of the TWU confirmed that a number of the identified locations were used by truck drivers for short-term parking.

Should the funding be approved in future Council budgets, stakeholder consultation will be required for each location with the local businesses.

Attachment(s)

1. Summarised assessment of on-street parking areas for heavy vehicles.
2. Aerial photographs of on-street truck parking sites.
3. Photographs of the identified heavy vehicle parking sites.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

16.2 (OCM 9/7/2015) - MANAGEMENT OF THE CITY'S STREET TREES (188/001) (A LEES) (ATTACH)

RECOMMENDATION

That Council continue to manage the City's Street Trees in accordance with current asset management strategies and policies.

COUNCIL DECISION

Background

At the Ordinary Council meeting 9 April 2015, Cr Portelli requested under 'Matters to be Noted for Investigation, Without Debate' for Officers to investigate and report options and costs to have a staged replacement program of inappropriate verge trees. This report provides an outline of the City's current management of street trees.

Submission

N/A

Report

Street trees are an integral component of the road reservation that contribute and define the aesthetic character of the City's urban environment. Street trees play an important role in enriching the experience for the road users and adjacent residential property owners. In order to achieve these key attributes and to reinforce climatic, cultural and historical associations the management and selection of the most appropriate tree species is critical. Trees are selected to ensure consistency with the other components of the streetscape, utility services alignment and the surrounding infrastructure. Principally, the "right tree for the right location" is the clear objective to mitigate future impacts on the infrastructure residing in the road reserve. To enable informed decisions on street tree selection, maintenance and removal processes the following management practices are implemented.

1. *PSEW15 Removal & Pruning of Trees (reviewed 11 Dec 2014)*

PSEW 15, Attachment 1, provides direction to the City's officers when requests are received for the removal or pruning of trees growing on land under the direct care, control and management

of the City. The position statement is very prescriptive when requests for removal are received by residents and for building applications. The removal of trees shall only be approved in the following situations:

1. Dead;
2. In a state of decline to the point that survival is unlikely and no further remedial techniques are appropriate;
3. Structurally unsound, to the point of constituting imminent danger to persons or property;
4. Damaging or likely to damage property, and/or public utilities where alternatives to prevent damage are not possible or the cost of ongoing repairs becomes uneconomical;
5. Part of a tree replacement program; or
6. Obstructing a Council approved works program, such as road and drainage works.

Although the Position Statement has no specific framework for the removal of street trees that are inappropriate, due to the subjective nature of the term, officers who receive a request on that basis will inspect the tree and make an assessment on a case by case basis.

2. *Public Open Space Strategy 2014 - 2024*

The POS strategy outlines the management approach to streetscapes and street trees through the City. The streetscape methodology rationalises the road hierarchy to deliver a diverse landscape treatment to increase people's daily travel experience. Streetscapes also provide ecological corridors which encourage the movement of native fauna from one bushland environment to another. The principle landscape themes are based on a precinct approach where tree species are selected to reinforce the physical character of each area and can adapt to the changing environment conditions.

The management of street trees is principally through the street tree database (75% completed), arboriculture inspections and compliance with WA Office of Energy Safety - clearance of vegetation below power lines. A key action of the POS strategy is the development a street tree master plan to supersede the Greening Plan.

3. *Street Tree Database*

A street tree audit was undertaken in 2013/14 to assist in the sustainable management of street trees. However, due to local

government reform only 75% of the City was audited with the balance to be assessed and mapped subject to further funding. The audit has been collated into a working database and incorporated as a module in the City's Intramaps program. The key criterion gathered from the audit includes;

- Location (Address, Suburb, Ward);
- Inspection Date;
- Tree Species;
- Under Power lines;
- Height;
- Canopy;
- Trunk Diameter;
- Age;
- Health Structure;
- Photograph;
- Value;
- Any works required.

A detailed street tree inventory report, Attachment 2, provides a synopsis of the key elements of the audit. A total of 36,173 street trees were assessed and mapped. A total asset value of \$130,394,388 was calculated with an average tree worth \$3,605.00, based on the Helliwell System. The report has also identified the number of trees under power lines requiring pruning on an annual basis and whether the trees were on the correct alignment in accordance with the WA Utility Providers Code.

A list of trees requiring pruning works, removal or were damaging infrastructure was forwarded through to the City on a weekly basis for attention. Although the consultant was not engaged to identify "inappropriate trees" during the audit, the report outlines the species requiring follow up inspections and consideration in future planting programs. The auditing process so far has identified 4484 trees that require some form of work that may include removal.

The database is now a fundamental instrument in the daily management of street trees and will provide the genesis of a master plan for the establishment of new streetscape avenue plantings.

With 40 street trees per kilometre of road, the sustainable management of street trees is imperative to ensure the City heads towards the mean of 64 street trees per km across Australia, *Yardstick Benchmarks 2014*. Achievement of this mean will not only result in the City being a leader across

Australian LGA's in street tree numbers but reduce the impacts of global warming by increasing the density of canopy cover. The ability to manage the variety of tree species and increase the number of street trees has improved significantly through refining policies and instigating new initiatives. These improved measures continue to mitigate the City's liability and address the majority of street tree concerns raised within the community. Based on the implementation of these current practices and policies the requirement for the development of a replacement program for inappropriate tree street trees is obviated.

Strategic Plan/Policy Implications

Growing City

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

Environment & Sustainability

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

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

1. Position Statement PSEW15 'Removal & Pruning of Trees'
2. Street Tree Inventory Summary Report for the City of Cockburn.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

17. COMMUNITY SERVICES DIVISION ISSUES

17.1 (OCM 9/7/2015) - CITY OF COCKBURN PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2015 TO CREATE PARKING STATION 2 AT COOGEE BEACH - POWELL ROAD COOGEE (025/001) (J NGOROYEMOTO) (ATTACH)

RECOMMENDATION

That Council pursuant to Section 3.12(4) of the Local Government Act 1995 proceed to make the City of Cockburn Parking and Parking Facilities Amendment Local Law 2015, as shown in the attachment to the Agenda.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

Background

Council at its meeting of 12 March 2015 resolved to defer this item to the April Council meeting. Subsequently Council at its meeting of 9 April resolved to amend the City of Cockburn Parking and Parking facilities Local Law 2007.

In accordance with section 3.12(3) of the Local Government Act 1995 and Council resolution of 9 April 2015 (Minute number 5490) Statewide notice was given in the 'West Australian newspaper on 17 April 2015 stating that:

- (1) Notice is hereby given that the City of Cockburn has resolved to amend the *Parking and Parking Facilities Local Law 2007* pursuant to Section 3.12 of the Local Government Act 1995.
- (2) The purpose of the amendment is to establish a new parking station at Coogee Beach on Lot 171, 172 and 207 4-6 Powell Road Coogee.
- (3) The effect of the amendment will be to effectively control parking at Coogee Beach Reserve to enhance traffic and pedestrian safety in the area.
- (4) A copy of the proposed local law amendments may be inspected and obtained at the City of Cockburn Administration Office and at the Spearwood, Coolbellup, and Success Libraries during office hours.

- (5) Submissions about the proposed local law amendments may be made to the CEO at the City of Cockburn by 17 June 2015.

Submission

N/A

Report

The purpose of the amendments is to amend the *City of Cockburn Parking and Parking Facilities Local Law 2007* to establish a new parking station at Coogee Beach on Lot 171, 172 and 207 4-6 Powell Road, Coogee. The effect of the amendment will be to effectively control parking at Coogee Beach Reserve to enhance traffic and pedestrian safety in the area.

Section 3.12 of the *Local Government Act 1995* contains the procedure for the making and amendment of local laws. s3.12(4) states that:

after the last day for submissions, the local government is to consider any submissions made and may make the local law (by an absolute majority) as proposed or make a local law that is not significantly different from what was proposed”.

A copy of the advice is attached.

As there were no submissions received, it is now proposed that Council adopt the proposed *City of Cockburn Parking and Parking Facilities Amendment Local Law 2015* and authorise two officers of the City, nominally the Mayor and the Chief Executive Officer, to affix the Common Seal of the City, thus progressing the processing of the Local Law and having it gazetted in the Government Gazette ultimately bringing the local law into force.

It is recommended that Council make the local law as per the Attachment, as it does not significantly differ from what was originally proposed.

Strategic Plan/Policy Implications

Infrastructure

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

Budget/Financial Implications

N/A

Legal Implications

S3.12 and 9.10 of the Local Government Act 1995 refer.

Community Consultation

State wide advertising of the proposed amendments followed by 6 weeks submission period. An advertisement was placed in the West Australian Public Notices Section on the 17th April 2015.

Attachment(s)

1. Proposed City of Cockburn Parking and Parking Facilities Amendment Local Law 2015.
2. Proposed Parking Station No.2 – Site Plan.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

17.2 (OCM 9/7/2015) - PROPOSED AMENDMENT TO BANJUP SUBURB BOUNDARY AND NEW LOCALITY NAME (159/008) (G BOWMAN) (ATTACH)

RECOMMENDATION

That Council:

- (1) advise the Geographic Names Committee (GNC) that it supports the proposal to amend the boundary of the suburb of Banjup and create a new locality as shown in the attachment to the Agenda;
- (2) advise the Geographic Names Committee (GNC) that it supports the proposal to name the new Locality “Quendalup (first preference)” or “Kwentalup (second preference)”;
- (3) advise landowners of the current Banjup locality ‘Resource Zone’ properties (bounded by Warton Road and Acourt Road), plus the developer of the remaining area (Stockland) of the proposal and invite comment on the proposal and Council’s

preferred names; and

- (4) subject to not more than 50% of those referred to in (3) above objecting to the proposal, or to Council's preferred locality names, the matter not be required to be reconsidered by Council.

COUNCIL DECISION

Background

Due to the growth and development of the northern portion of the locality of Banjup an investigation has taken place to determine whether there is an opportunity to create a new suburb by amending the boundary of Banjup. Banjup is a Nyungar name and given the Reconciliation Action Plan and the Geographic Names Committee preference for Nyungar names research and consultation regarding an appropriate Nyungar name has taken place for the proposed new locality.

The City of Cockburn's Reconciliation Action Plan 2013-16 includes an Action regarding Signage and Naming" Create a List of appropriate Nyungar Names to be used in naming Cockburn sites, roads and trails".

Submission

N/A

Report

Due to the growth and development of the Northern portion of the locality of Banjup an investigation has taken place to determine whether there is an opportunity to create a new locality by amending the boundary of Banjup.

Currently, the Banjup area extends from Acourt and Fraser Roads in the north, to Rowley Road in the south. It is bounded by Tapper, Beenyup and Lyon Roads to the west and the Local Government boundary with the City of Armadale to the east. The suburb of Banjup in its current form covers an area of 2247ha and consists of a range of different land uses.

Compliance with GNC guidelines

The GNC guidelines relating to locality names and boundaries are specific and any new/modified localities will not be approved unless they adhere to these guidelines. The two key compliance matters for modification or creation of suburb boundaries are locality size and lot numbers. The guidelines note that “a locality should not be so small that it is unable to be distinguished from the surrounding area, however they should be of a reasonable size for practical purposes”. Localities with urban development shall be a minimum size of 100ha, with the minimum number of Lots to be 1,000.

The recommended option proposes a site area of 827ha. This option once fully developed would cover a land area of 827ha with approximately 3100 lots and a projected population of 8350 by 2031.

Result on current suburbs of Jandakot and Banjup (south)

Should the City seek to restructure the existing suburb of Banjup to create a new suburb, the remaining areas of Banjup (south) would still continue to experience growth in both population and dwelling numbers. The population forecasts (forecast i.d) predict that the new Banjup (south) area will continue to grow in population over the next 20 year period by an average 1.37% per annum.

The recommended option would not modify the existing suburb of Jandakot, but would decrease the current suburb of Banjup by approximately 1/3 of its current size. Much of the Jandakot area is already built out due to its location within the Resource zone. A reduced Banjup would still be of a size sufficient under the GNC guidelines for rural areas. Population levels will continue to rise in this suburb over the next 20 years, despite the loss of all areas to the north of Armadale Road. Most areas of Banjup (south) are already subdivided into approximately 2ha blocks as per the requirements of Resource zone.

Naming of new Suburb

The requirements for a new suburb locality name are administered through the guidelines and necessitate the need for a new locality name to have some specific connection to Western Australia, or the local area in question. Banjup is a Nyungar name and following consultation a Traditional Owner Trevor Walley states that Banjup refers to the plants referred to as banjine especially the Pimelea Rosea (Rose Banjine) from which Nyungar people would make rope by twining the stems together for uses such as snares.

It is recommended that Council should seek to create a new locality and name it an Indigenous Nyungar name in accordance with the Reconciliation Action Plan and the Geographic Names Committee (GNC) preference.

In respect of the Nyungar names, these are particularly encouraged by the GNC guidelines under Section 4 as follows:

4. *Recognition and Use of Indigenous Names*

The GNC is committed to the promotion, preservation and restoration of Indigenous culture within Western Australia. This is acknowledged by a preference being given to Indigenous names where possible.

The use of Indigenous names is encouraged and the collection and compilation of recorded Indigenous topographic names is supported.

At the City of Cockburn Aboriginal Reference Group meeting held on the 18 May 2015 the Reference Group recommended that Council support one of the three preferred names that were put forward by the Elders and that were recommended by the consultants Danny Ford and Rose Ford from Kambarang consultancy. Kwentalup meaning place of the Bandicoot, Moodjarlup meaning place of the Christmas Tree; or Mangatj meaning Banksia.

Conclusions

Should the recommended option be considered, the Jandakot location would not be affected in any way. Banjup (south) would retain a land area sufficient to meet the 'rural area' GNC guidelines, with an area of land approximately 1420ha in size. This proposed new locality would meet the requirements of the GNC guidelines and would allow for the future growth of the Banjup north area to be in a new suburb that has a more urbanised character in contrast to the more rural suburb of Banjup to the south.

Each of the Nyungar names is considered a feasible option for Council to consider. The name Quendalup or Kwentalup which means place of the Bandicoot is considered easier to pronounce which is one factor that needs to be considered. However, the name Moodjarlup meaning place of the Christmas tree was identified by three elders as appropriate for the area. The Geographic Names Committee will be able to consider whether either of the names meets the other criteria.

Strategic Plan/Policy Implications

Community & Lifestyle

- Community environments that are socially cohesive and embrace diversity.
- The significance and richness of our local Indigenous people and diverse multicultural community will be recognised and celebrated.

Budget/Financial Implications

Advertising of the proposed locality change can be funded from an existing budget.

Legal Implications

There are no legal implications however if the recommendation is adopted, the proposal is required to be submitted to and approved by the Geographic Names Committee (GNC), which operates under the auspice of the Department of Planning.

Community Consultation

The City of Cockburn Aboriginal Reference Group requested Kambarang Services consult with six Traditional Owners identifying possible Nyungar names that could be considered for the naming of a new suburb to be created from the Banjup North area.

Each of the Elders/Traditional Owners (TO's) who were consulted are recognised as not only being TO's but also having a long association with the area.

Males	Females
Sealin Garlett	Theresa Walley
Trevor Walley	Marie Taylor
Len Collard	Gladys Yarran

Kambarang Services consulted with Elders/TO's on names they felt could be appropriate for the Banjup area.

Elders/TO's were informed of the project and why they were being approached. The Elders/TO's were advised that any names suggested may or may not be submitted and the final decision on names was to be decided by the Council and then referred to the Geographic Names Committee. As part of the discussion, Elders/TO's were shown a map of the Banjup North site that is proposed to be renamed (Map showing Banjup North area attached).

Elders comments and suggestions were collated and then provided in report form to the City of Cockburn and the Aboriginal Reference Group (ARG) who were to decide on which name(s) they were to submit for Council consideration. The report also contained verification, background and information on meanings or possible stories behind each suggested name.

It is also understood from the provided Department of Aboriginal Affairs (DAA) site register information that there are no significant Aboriginal heritage sites within the proposed area apart from artefact scatter in four places (see below documentation from DAA).

Trevor Walley favoured the Christmas tree name, 'moodjar' and then changed it to 'Moodjarlup' meaning place of the Christmas tree.

Theresa Walley is a Wadjuk Elder who has lived and associated in the Kwinana and Fremantle area for the past 50 plus years. Theresa was keen on the word for the Christmas tree, 'moodjar' For some Nyungar people the moodjar tree has been referred to as a spirit tree where the spirit of a deceased person passes through it. The flowers of the moodjar can be dipped into water to make a sweet drink. Moodjar as a possible word could be coupled with the affix 'up' to make Moodjalup to mean "the place where the moodjar tree is or can be found".

Sealin Garlett is a Wadjuk Elder who has lived and associated with the Coolbellup and Jandakot areas for more than 20 years. Sealin had been thinking about a word for some time and offered the word "mangatj" meaning banksia.

Marie Taylor is a Wadjuk Elder who has lived and associated in the Fremantle areas most of her life. The name favoured by Marie was bandicoot, spelt "Quenda" or "Kwenta" 'Kwinder' recommended spelling 'Kwentalup',

Gladys Yarran is of the Ballardong clan and claims her Wadjuk connection through marriage. However Gladys has lived in the Fremantle and Jandakot area since the mid 1960's. Gladys is listed as a site informant on the DAA list of Wadjuk consultants. Gladys acknowledged the closeness of the Jandakot airport and maybe a word relating to flight or flying could be considered. The word for fly or to fly away is 'bardang'. This could be altered to 'Bardangup'.

Len Collard is a Wadjuk Elder with a lifelong association to the Fremantle and Jandakot areas. Len favoured the name 'moojarlup', the place where a Christmas tree can be.

All of the words, could easily be an appropriate name for new proposed locality.

However, it was clear that of the six people consulted, three preferred the name 'moodjar or moojar(lup)'. One person favoured 'mangatj', one favoured 'Quenda(lup), Kwenta(lup), Kwinder(up)', and one favoured 'bardang(up).

This report was presented at the Aboriginal Reference Group meeting on the 18 May 2015 and the Reference group recommended that:

"Council support one of the three most liked names that were put forward by the Elders and that were recommended by the consultants Danny Ford and Rose Ford. These were Kwentalup meaning place of the Bandicoot, Moodjarlup meaning place of the Christmas Tree; or Mangatj meaning Banksia

While the preceding process represents a full and proper engagement procedure with the TOs, consideration should also be afforded to those property owners who will be directly affected by this proposal. Accordingly, it is recommended that those landowners who have a direct interest in the land be provided an opportunity to comment on the proposal. While adequate time will be allocated to this process to enable feedback, it is also recommended that unless there is strong objection from these stakeholders (i.e. exceeding 50%), that it not be necessary for Council to formally reconsider this matter for final endorsement.

Attachment(s)

1. Site map of proposed new locality.
2. Consultation Report from Kambarang Services.
3. Minutes form City of Cockburn Aboriginal Reference Group Meeting – 18 May 2015.

Advice to Proponent(s)/Submissioners

The Proponent(s) have been advised that this matter is to be considered at the 9 July 2015 Council Meeting.

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

Nil.

17.3 (OCM 9/7/2015) - CITY OF COCKBURN FIRE CONTROL ORDER (027/007) (R AVARD) (ATTACH)

RECOMMENDATION

That Council adopt the Fire Control Order for 2015/16 as attached to the Agenda.

COUNCIL DECISION

Background

Pursuant to *Section 33* of the *Bush Fires Act 1954* owners and occupiers of land situated within the City of Cockburn are required to comply with conditions set out within a gazetted Fire Control Order, established by the City of Cockburn.

The purpose of the Fire Control Order is to ensure residents have adequate provisions to reduce their fire hazard, whilst ensuring properties are accessible to emergency services during the outbreak of a bushfire.

The City's Officers have reviewed Fire Control Orders of nearby Local Governments with similar risk profiles. The review showed the City of Cockburn current Fire Control Order as being one of the most rigorous for residents within rural areas to mitigate their bushfire risk.

At the City of Cockburn Bush Fire Reference Group (BFARG) meeting 25 March 2015, the Reference Group engaged in general discussion about reviewing the Fire Control Order and possible changes to be effective in time for the upcoming bush fire season.

Submission

Three(3) submissions were received following the close of the public comment period.

Report

Following the 25 March BFARG meeting, the City's Officers have reviewed the existing Fire Control Order 2014/15 and made the necessary changes to ensure the proposed Fire Control Order is balanced with community amenity by reducing bushfire hazards without creating any unnecessary risk.

Key changes for the proposed Fire Control Order include;

- Allow for an unrestricted burning period between 1 June and 30 September for residents in rural areas to burn the land and bush without a *Permit To Set Fire To The Bush*;
- The date of which a property is to remain compliant has changed from 31 May to 15 April;
- Removal of unnecessary definitions;
- Clearly defined specifications of a compliant firebreak for land above 2,032sqm; and
- Detailed conditions of 1.0m³ burning highlighted from s24F (3) of the *Bushfires Act 1954*.

During the proposed unrestricted period (1 June – 30 September), residents will be able to take advantage of increased moisture content within flora to limit the risk of a fire spreading during pile and land burning activation.

The unrestricted period allows for residents within rural areas to remove introduced grasses that create a fire risk when dried out during the warmer months. Rural residents burning land and bushes would still have to comply with the City of Cockburn Local Laws and State Legislation regarding nuisance smoke, controlling of fire and environmental protection of native fauna and flora.

The City's administration sought community feedback during the development of the proposed Fire Control Order. The City's Officers have met with the Banjup Resident's Group and Chief Bush Fire Control Officer to discuss specific requirements.

During the community consultation period the City received the following submissions:

Submission	Date of submission	Support/objection
Anonymous Resident (attachment 2)	23 June 2015	Support
Anonymous Resident (attachment 3)	24 June 2015	Support
Banjup Residents Group	26 June 2015	Conditional support. Submission made a number of observations related to terminology and grammatical corrections, which have been reflected in the Final Draft. The change advocated to Clause 3.2 is not supported,

Submission	Date of submission	Support/objection
		however, as 'maintained living lawn' is considered an acceptable form of firebreak in rural areas by the Bushfire Reference Group.

Strategic Plan/Policy Implications

Community & Lifestyle

- Safe communities and to improve the community's sense of safety.

Leading & Listening

- Effective and constructive dialogue with all City stakeholders.
- A culture of risk management and compliance with relevant legislation, policy and guidelines

Environment & Sustainability

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

Budget/Financial Implications

N/A

Legal Implications

Bush Fires Act 1954

Community Consultation

A request for submissions was advertised through the following mediums;

Method	Date advertised
Cockburn Gazette	09 June 2015
City of Cockburn Website	3 June – 26 June 2015
City of Cockburn Facebook Page	3 June – 26 June 2015
Advised Banjup Resident Group	5 June 2015
Banjup Residents Meeting	21 June 2015

Attachment(s)

1. Proposed Fire Control Order 2015/16
2. Current Fire Control Order 2014/15

3. Community feedback (name withheld)
4. Community feedback (name withheld)
5. Banjup Resident's Group Submission

Advice to Proponent(s)/Submissioners

Those who lodged a submission on the proposal have been advised that this matter is to be considered at the 9 July 2015 Council Meeting.

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

Nil.

17.4 (OCM 9/7/2015) - COCKBURN BOWLING CLUB & ANCILLIARY RECREATION FACILITIES - VISKO PARK (154/005; 4414245) (R AVARD) (ATTACH)

RECOMMENDATION

That Council

- (1) submit an application for funds from the Commonwealth National Stronger Regions Fund for new recreation and community facilities to be located on Visko Park, Yangebup and to include the relocation of the Cockburn Bowling and Recreation Club; and
- (2) include in the Cockburn Recreation Facilities Strategic Plan 2015-2020 a range of recreation and Community Facilities on Visko Park (Reserve 47278) including the relocation of the Cockburn Bowling and Recreation Club.

COUNCIL DECISION

Background

At its October Meeting of 2011 Council resolved amongst other matters to consider the future relocation of the Cockburn Bowling Club to Visko Park in Yangebup (Reserve 47278). The City had at this time received approval to excise a portion of the Reserve to allow for the construction of a recreational and community purpose facility and for leasing. Council recommitted to the relocation at its general meeting held in April 2013.

In May 2013 Council resolved to enter a contract with the Fratelle Group for architectural services for the design of facilities to be located on Visko Park. The concept designs and costing prepared by the Fratelle Group in consultation with the Cockburn Bowling Club formed the basis of an application to the Commonwealth for funding under the National Stronger Regions Fund. The application was for a grant of \$4.23M for a total project cost of \$8.47M. In May 2015 the City was advised that its application was unsuccessful.

Submission

N/A

Report

The Commonwealths National Stronger Regions Fund provides the City with the opportunity to raise up to 50% of the cost of the new facilities on Visko Park. While the submission lodged in the first round was deemed to be strong there were a number of elements that needed to be addressed to have it prioritised for funding. The areas that have been identified that need to be enhanced in the submission with the steps taken to address the requirements identified are as follows:

- (1) The key criterion for funding is the economic impact of the development which takes up 50% of the weighting for assessment. The City has arranged for an independent economic analysis which will include work generated in the construction phase and ongoing employment opportunities. The involvement of a private company in the development, Area 5 Soccer, enhances this aspect of the project. The establishment of a café/restaurant on the site will also provide ongoing employment opportunities.
- (2) Projects are also evaluated on their capacity to address social disadvantage. Evidence of youth disadvantage in the area will be identified and programs such as the City's Kidsport which provides financial assistance for disadvantaged youth to participate in organised sport will be evidence of the ability and commitment of the City to addressing social disadvantage. Links between the Cockburn Youth Centre and the facility operators will be established to further enhance this commitment. The project includes an area available to the public at low to no cost that allows for beach volley ball and beach soccer.
- (3) The funding program supports partnership arrangements between various parties. While it is expected that the City of

Cockburn will contribute most of the balance of funds required for the project the private operator Area 5 has the capacity to fund the facilities they require.

The viability of the project in the context of the necessary land use and building design being approved or well advanced is required. The authority for excision of the land for a facility of this nature was achieved in mid-2011. Fratelle Group Architects has been again contracted and has progressed the design with significant stakeholders. An independent quantity surveyor has costed the project to ensure anticipated costs are realistic.

Strategic Plan/Policy Implications

Infrastructure

- Community facilities that meet the diverse needs of the community now and into the future.
- Community infrastructure that is well planned, managed, safe, functional, sustainable and aesthetically pleasing.
- Partnerships that help provide community infrastructure.
- Facilities that promote the identity of Cockburn and its communities.

Community & Lifestyle

- Communities that are connected, inclusive and promote intergenerational opportunities.
- People of all ages and abilities to have equal access to our facilities and services in our communities.

Budget/Financial Implications

The total estimated project cost for the establishment of the new Recreation and Community Facility inclusive of all costs is \$9m of which the grant of \$4.5m will be sought. There is a possibility of \$300,000 to be sourced from the private sector through the Area 5 Company.

Legal Implications

The current lease for the Cockburn Bowling and Recreation Club expires in December 2016.

Community Consultation

There was extensive consultation with the local community in 2011 as a statutory requirement when a portion of the land was excised to allow for the construction of recreation and community facilities on the site.

Attachment(s)

Site concept Plan - Round 2.

Advice to Proponent(s)/Submissioners

The Proponent(s) are aware that this matter will be considered at the 9 July 2015 Council Meeting.

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

Nil.

18. EXECUTIVE DIVISION ISSUES

Nil

19. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

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

22. MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE

23. CONFIDENTIAL BUSINESS

24 (OCM 9/7/2015) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995)

RECOMMENDATION

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

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

COUNCIL DECISION

25. CLOSURE OF MEETING