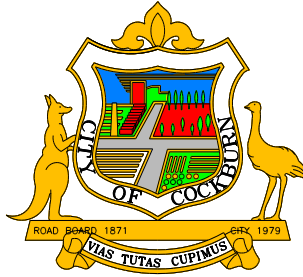


CITY OF COCKBURN



ORDINARY COUNCIL

AGENDA PAPER

FOR

THURSDAY, 12 NOVEMBER 2015

CITY OF COCKBURN

SUMMARY OF AGENDA TO BE PRESENTED TO THE ORDINARY COUNCIL MEETING TO BE HELD ON THURSDAY, 12 NOVEMBER 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, 12 NOVEMBER 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**
7. **PUBLIC QUESTION TIME**
8. **CONFIRMATION OF MINUTES**
 - 8.1 **(OCM 12/11/2015) - MINUTES OF THE ORDINARY COUNCIL MEETING - 8 OCTOBER 2015**

RECOMMENDATION

That Council adopt the Minutes of the Ordinary Council Meeting held on Thursday 8 October 2015, as a true and accurate record.

COUNCIL DECISION

**8.2 (OCM 12/11/2015) - MINUTES OF THE SPECIAL COUNCIL MEETING
- 19 OCTOBER 2015**

RECOMMENDATION

That Council adopt the Minutes of the Special Council Meeting held on Monday 19 October 2015, as a true and accurate record.

COUNCIL DECISION

**8.3 (OCM 12/11/2015) - MINUTES OF THE SPECIAL COUNCIL MEETING
- 27 OCTOBER 2015**

RECOMMENDATION

That Council adopt the Minutes of the Special Council Meeting held on Tuesday 27 October 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)

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

13. COUNCIL MATTERS

13.1 (OCM 12/11/2015) - MINUTES OF THE GRANTS AND DONATIONS COMMITTEE MEETING - 29 OCTOBER 2015 (162/003) (R AVARD) (ATTACH)

RECOMMENDATION

That Council receive the Minutes of the Grants and Donations Committee Meeting held on 29 October 2015 and adopt the recommendations contained therein.

COUNCIL DECISION

Background

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

Submission

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

Report

Council approved a budget for Grants and Donations for 2015/16 of \$1,200,000 to be distributed as grants, donations and sponsorship.

At its meeting of 29 July 2015, the Committee recommended a range of allocations which were duly adopted by Council on 13 August 2015.

The September 2015 round of grants, donations and sponsorship funding opportunities has now closed and the Committee, at its meeting of 29 October 2015, considered revised allocations for the grants and

donations budget, as well as the following applications for donations and sponsorship.

The donations recommended to Council are as follows:

Cockburn Toy Library	\$4,000
St Vincent de Paul Society Yangebup Conference	\$5,000
Cockburn Community and Cultural Council	\$9,000
Meerilinga Young Children's Services	\$10,000
Returned and Services League - City of Cockburn	\$10,000
Yangebup Family Centre	\$12,000
Cockburn Central YouthCARE Council	\$13,000
Coastal Motorcycle Club WA	\$20,000

The sponsorships recommended by the Committee are as follows:

Cockburn Masters Swimming Club	\$10,000
Swimming WA	Nil
Jervoise Bay Sailing Club	\$5,000
Southern Lions Rugby Union Football Club	\$12,500
Cockburn Central Town Centre Association	\$10,000
Mediterranean Cricket League (MCL)	Nil
Leukaemia Foundation of Australia	\$3,500
Point Peron Restoration Project	\$2,000

Strategic Plan/Policy Implications

Community & Lifestyle

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

Leading & Listening

- A responsive, accountable and sustainable organisation.

Budget/Financial Implications

Council approved a budget for Grants and Donations for 2015/16 of \$1,200,000 to be distributed as grants, donations and sponsorship.

Following is a summary of the revised grants, donations and sponsorship allocations proposed by the Committee.

Committed/Contractual Donations	\$496,000
Specific Grant Programs	\$449,000
Donations	\$185,000
Sponsorship	\$70,000
Total	\$1,200,000
Total Funds Available	\$1,200,000
<u>Less Total of Proposed Allocations</u>	<u>\$1,200,000</u>
Balance	\$0

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

The next round of grants, donations and sponsorship funding will be advertised in mid-February/March and will close on 31 March 2016.

Legal Implications

Nil

Community Consultation

In the lead up to the September 2015 round, grants, donations and sponsorship funding opportunities were promoted through the local media and Council networks. The promotional campaign has comprised of:

- Three advertisements running in the Cockburn Gazette on 01/09/15, 08/09/15 and 22/09/15.
- Three advertisements running fortnightly in the City of Cockburn Email Newsletter.
- Half Page advertisement in the August 2015 Soundings.
- Promotion to community groups through the Community Development Service Unit email networks and contacts.
- All members of the Cockburn Community Development Group and Regional Parents Group have been encouraged to participate in the City's grants program.
- Additional Advertising through Community Development Promotional Channels:
 - Community Development Calendar distributed to all NFP groups in Cockburn.
 - Community Development ENews September 2015 edition.
- Closing dates advertised in the 2015 City of Cockburn Calendar.
- Information available on the City of Cockburn website.
- Reminder email sent to regular applicants.

Attachment(s)

1. Minutes of the Grants and Donations Committee Meeting on 29 October 2015.
2. Grants, Donations and Sponsorship Committee Recommended Allocations Budget 2015/16.

Advice to Proponent(s)/Submissioners

Applicants have been advised that they will be notified of the outcome of their applications following the November 2015 Council Meeting.

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

Nil

14. PLANNING AND DEVELOPMENT DIVISION ISSUES

14.1 (OCM 12/11/2015) - PROPOSED STRUCTURE PLAN - LOT 95 WATSON ROAD, BEELIAR - OWNERS: JUAN LUIS DA LUZ & DIANE DA LUZ - APPLICANT: CREATIVE DESIGN & PLANNING (110/ 138) (L SANTORIELLO) (ATTACH)

RECOMMENDATION

That Council

- (1) in pursuance of Clause 20(2)(e) of the *Planning and Development (Local Planning Schemes) Regulations 2015* recommend to the Commission the approval of the Proposed Structure Plan for Lot 95 Watson Road, Beeliar subject to the following modification:
 1. Update Part One and the 'Approval Page' of the Proposed Structure Plan report to be consistent with Appendix 1 and 2 of the Commission's *Planning and Development (Local Planning Schemes) Regulations 2015 - Structure Plan Framework - August 2015* document.
- (2) endorse the Schedule of Submissions prepared in respect of the proposed Structure Plan; and
- (3) advise the proponent and those persons who made a submission of Council's recommendation.

COUNCIL DECISION**Background**

The Proposed Structure Plan was received by Council on 29 July 2015. It was prepared by Creative Design and Planning on behalf of the landowners Juan Luis Da Luz and Diane Da Luz. The Proposed Structure Plan relates to Lot 95 Watson Road, Beeliar ("subject site").

The subject site is 0.4047 hectares in area with frontages to the west of Watson Road and to the south of Corella Close.

The Proposed Structure Plan commenced assessment prior to the *Planning and Development (Local Planning Schemes) Regulations 2015* coming into effect ("Regulations"). This has now replaced the structure planning provisions contained within City of Cockburn Town Planning Scheme No. 3 ("Scheme").

Under the then due process, the Proposed Structure Plan was advertised for a period of 21 days in accordance with the then 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 eleven submissions during the advertising period which are discussed in the Report section below and elaborated on in detail under Attachment 3 of this report.

Submission

Creative Design and Planning on behalf of the land owners has lodged a Structure Plan for the subject site.

Report**Planning Background**

The subject land is zoned 'Urban' under the Metropolitan Region Scheme ("MRS") and 'Development' under City of Cockburn Town Planning Scheme No. 3. The subject land is also located within Development Area 4 ("DA 4"), Development Contribution Area No. 4 ("DCA 4") and Development Contribution Area No. 13 ("DCA 13").

Residential Development

Directions 2031 and Beyond (“Directions 2031”) and Liveable Neighbourhoods (“LN”) promote 15 dwellings per hectare, as the standard density for new greenfield development in urban areas, and an overall target of 47% of all new dwellings as infill development. This percentage equates to 154 000 of the required 328 000 dwellings.

The Draft Outer Metropolitan Perth and Peel Sub-Regional Strategy (“Draft Strategy”) identifies the subject land as being part of the “BEE1” area with a future dwelling target of 860+. This proposal will assist in ensuring that the state residential targets are reached while providing additional housing diversity to the area.

The intent of the Proposed Structure Plan is to guide the subdivision and subsequent development of the subject site including an estimated lot yield of 12 dwellings. The proposal includes 9.76% Public Open Space, with 0.24% provided as cash-in-lieu.

The proposed density meets the State Government density targets as well as providing for additional housing diversity in the locality. The subject site is also well connected to public transport.

At its closest point the subject area is approximately 100 metres from a bus stop, located at the intersection of East Churchill Avenue and Stock Road. This is a “nominated stop” for the 920 bus service, which is a high frequency service running between Fremantle and Rockingham.

Access and Traffic

The proponent has included a Traffic Report as part of the Structure Plan Report to provide assurance that any increase in traffic can be managed safely and efficiently by the existing road network. Furthermore the report considers the location of the proposed local road in comparison to the surrounding/ existing local roads from a vehicular safety perspective. The Traffic Report was supported by the City’s traffic engineers.

Lot 94 Structure Plan - Indicative Subdivision Detail

The Lot 94 Structure Plan as adopted by Council was the first proposed structure plan within the wider residential cell. At this early stage City officers aimed to ensure that the Lot 94 Structure Plan did not prejudice the future development potential of the residential cell.

The purpose of this wider indicative subdivision was to demonstrate future subdivision could occur in a coordinated manner. The indicative subdivision concept has been applied to Lot 95. Figure 1 below provides a visual representation of the indicative wider subdivision concept of which Lot 95 forms part.



Figure 1: Indicative, without prejudice, wider concept subdivision plan

The indicative design demonstrates that the proposed Structure Plan does not 'prejudice the specific purposes and requirements of the (surrounding) Development Area'. The indicative design does not allow for development over the adjacent lots.

The Lot 95 structure plan only applies to Lot 95. Any structure plan over the surrounding land, as identified by Figure 1, will be assessed as a separate structure plan on its merits.

Any structure plan over the surrounding land will be required to have due regard to the Lot 94 and 95 structure plans. This includes, but is not limited to, consideration of the local road network, public open space and lot layouts.

Public Open Space

As discussed above, the proposed Structure Plan includes 9.76% Public Open Space of which 0.24% is proposed to be provided as cash-in-lieu.

This section aims to explore the reasons for this and to provide a review of the existing and future POS in the area.

The structure plan has a gross subdivisible area totalling 0.4047 hectares. This equates to a POS requirement of 404.7m². The minor shortfall in POS is attributed to the Structure Plan design conforming to the design expressed by the Lot 94 Structure Plan. The shortfall in POS is considered acceptable subject to appropriate cash-in-lieu funds being provided at subdivision stage.

This POS provision is expected to form part of a larger POS area of which part has been allocated by the Lot 94 Structure Plan. Under LN this equates to a 'Local Park'. Refer to Figure 1 above.

Under LN Local Parks are generally provided for local children's play and as a resting place, designed as small intimate spaces where appropriate. Local parks are generally up to 3000 square meters in area.

The future residents of Lot 95 will be located adjacent to an area of POS which will be approximately 3000 square meters as indicated by Figure 1 above.

The provision of approximately 395m² from Lot 95 for a future larger 'Local Park' will integrate with the POS provision from Lot 94 and provide opportunity for remaining residents to integrate their POS provisions with that proposed under this Structure Plan.

Under the provisions of 153 of the *Planning and Development Act 2005* ('the Act'), the WAPC may agree to cash-in-lieu of public open space in lieu of setting aside the portion of land.

Under Section 154 of the Act, all money received by the City in this way should be applied;

- a) *for the purchase of land, by the City, for parks, recreation grounds or open spaces generally, in the locality in which the land included in the plan of subdivision is situated;*
- b) *in repaying any loans raised by the City for the purchase of any such land; and*
- c) *with the approval of the Minister for Planning, for the improvement or development of land as parks, recreation grounds or open spaces.*

The expenditure of cash-in-lieu funds must be directly related to the use or development of land for public open space purposes.

The contemplation of an equivalent POS cash-in-lieu contribution, by the developer to the City, at subdivision stage is considered appropriate in the context of the planning system and the merits and specifics of this proposal.

It should be noted that cash-in-lieu is not an 'as of right' option available to developers as specified above in this section. Each application is assessed on its own merits.

Lot 94 cul-de-sac

During the advertising period the City received an objection from the Planning consultant for Lot 94. The objection requested the Lot 95 proposal to be amended to include a cul-de-sac head at the end of the road.

The existing cul-de-sac on Lot 94 was deemed necessary for the following reason, as extracted from the Lot 94 Structure Plan report;

“As a condition of subdivision approval a temporary 18 metre diameter cul-de-sac head shall be constructed at the end of the road on Lot 94 in order to provide a turnaround area for the City’s bin truck. This cul-de-sac shall be constructed entirely within Lot 94 and no part shall encroach the public open space. A portion of the cul-de- sac, which shall be partially constructed over the balance of the residential lots, shall be the subject of an easement in gross in favour of the City. The residential lot incorporating the easement shall remain as a balance of title and suitably maintained by the developer/ landowner.”

The basis for the objectors’ objection is that the Lot 94 developer was required to provide a turning area at the end of Corella Close (refer to Attachment 1 for details). The objector seeks the relocation of the existing cul-de-sac on Lot 94 to enable the subdivision of Lot 9000 (a balance parcel of land), which contains the existing cul-de-sac.

The above mentioned extract from the approved Structure Plan report for Lot 94 does not make mention of the requirement of an additional cul-de- sac over Lot 95.

City’s waste services will collect bins along Corella Close (for the now subdivided Lot 94 and Lot 95) and utilise the existing cul-de-sac to turn around and exit Corella Close in a forward motion.

Lot 9000 (balance lot on Lot 94) will be recommended for residential subdivision, by the City, following the extension of the ‘wider’ local road network in an appropriate manner which negates the need for the cul-

de-sac. This will require additional land owners to subdivide in a coordinated manner as outlined indicatively by Figure 1 above.

It is not considered necessary, or within 'proper and orderly planning' to have two cul-de-sacs when the existing cul-de-sac should suffice for the purposes of waste collection. On this basis, City officers do not recommend that Council supports the inclusion of a cul-de-sac on the Proposed Lot 95 Structure Plan as requested by the objector.

Conclusion

The proposed Structure Plan yields a density of approximately 29 dwellings per gross urban zone as per Directions 2031 and Beyond. This equates to 32 people with an estimated 2.7 people per household.

The proposed Structure Plan provides for public open space land which integrates with the Council adopted Structure Plan for Lot 94. Whilst there is a negligible area of POS shortfall the shortfall is proposed to be compensated for as cash-in-lieu at subdivision stage. Section 154 of the Planning and Development Act 2005 outlines the manner in which the cash-in-lieu money is to be applied.

It is recommended that Council recommend the Commission approve the Structure Plan, for Lot 95 Watson Road, Beeliar, subject to modification. This modification is to account for the updated format required of Structure Plans by the State Government.

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 20 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires the City to prepare a report on the proposed structure plan and provide it to the Commission no later than 60 days following advertising.

Community Consultation

Public consultation was undertaken for a period of 21 days. The advertising period commenced on 8 September 2015 and concluded on 29 September 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 11 submissions from a Planning Consultant, government agencies and service providers. No submissions were received directly from local residents. One submission was in objection to the proposal with the remaining 10 in support of the proposal.

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. Location Plan.
2. Structure Plan Map.
3. Schedule of Submissions

Advice to Proponent(s)/Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 12 November 2015 Council Meeting.

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

Nil.

14.2 (OCM 12/11/2015) - PROPOSED VARIATION TO PORT COOGEE STRUCTURE PLAN (RECOMMENDATION FOR FINAL APPROVAL): VARIOUS LOTS, NORTH COOGEE APPLICANT: FRASERS PROPERTY (110/023) (D DI RENZO / D ARNDT) (ATTACH)

RECOMMENDATION

That Council

- (1) adopts the Schedule of Submissions prepared in respect to the proposed structure plan.
- (2) pursuant to Schedule 2, Part 4, clause 20 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, recommend to the Western Australian Planning Commission the proposed Port Coogee structure plan amendment be approved, subject to the following modifications:
 1. Reduction in proposed maximum building heights on the northern portion and eastern portions of 'The Island' to 13.6m to ensure an appropriate interface with development on Othello Quays, and to protect visual amenity of the town beach by minimising building bulk, and overshadowing.
 2. Widening of the northern most proposed L-shaped laneway to 8.5m to enable safe waste vehicle access.
 3. Inclusion of a concept plan for The Island that demonstrates the location of public parking, with convenient access to boat pens, including a manoeuvring and turnaround area.
 4. Extension of the missing section of PAW on south east corner of The Island so that it connects to the western section to ensure this area cannot be developed for residential development.
- (3) advise the proponent, landowners within the structure plan area and those who made a submission of Council's recommendation accordingly.

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").

At the Ordinary Meeting of Council 9 July 2015 Council resolved to advertise the proposed variation in accordance with section 6.2.8 of City of Cockburn Town Planning Scheme No. 3 ("Scheme"), subject to minor modifications.

The proposal was subsequently advertised for a period of 21 days.

In the meantime, the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) were gazetted on 25 August 2015 and took effect on 19 October 2015, replacing the *Town Planning Regulations 1967*.

Pursuant to the *Planning and Development (Local Planning Schemes) Regulations 2015*, it is now the responsibility of the Western Australian Planning Commission ("WAPC") to approve or refuse a structure plan.

It is the local government's role now to make a recommendation on whether the proposed structure plan should be approved by the Commission, including a recommendation on any proposed modifications.

Submission

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

Report

The purpose of this report is for Council to consider the submissions received during the advertising period of the proposed Structure Plan amendment, and make a recommendation to the Western Australian Planning Commission pursuant to Schedule 2, Part 4, clause 20 of the

deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Proposed Structure Plan Amendment

The Structure Plan amendment comprises the following elements (shown in Attachment 1):

1. *Redesign of the undeveloped north-eastern area of the Structure Plan*
 - * Increase to residential codings from R35 and R25 to R60 and R80 to facilitate small lots which are primarily rear-loaded lots (estimated to be an additional potential 28 dwellings in this area).
 - * Modification to the road network and public open space.
 - * No changes proposed to building heights.

2. *Increased density of land bounded by Medina Parade and Scout Turn*
 - * Increase in residential density from R50 and R25 to R80;
 - * Deletion of rear laneway.
 - * Facilitate relatively small scale multiple dwellings on Medina Parade in this area.
 - * Vehicular access to be in a similar configuration as the existing Structure Plan, with an accessway from Scout Turn incorporated within the development site or the land may be developed for small lots (similar to the intended subdivision of the R80 land to the north) whereby a public laneway would be provided at subdivision stage.
 - * Potential lot/dwelling yield potential depends on configuration and size of multiple dwellings on Medina Parade. Potentially could currently accommodate 55 apartments and 3 dwellings, under proposed coding of R80 could accommodate 137 apartments (assuming average apartments of 70sqm).

3. *Increase to residential density of 'The Island'*
 - * Increase in residential density from R60 to R80;
 - * Increase in maximum building heights from 13.3m to 17.3m.
 - * It is difficult to estimate the potential dwelling yield because this depends on apartment size, land requirements for parking, access etc. Plot ratio for R60 (current coding) is 0.8, and for R80 it is 1. Eg. If 1.1 ha of 'The Island' is developable (dependent on detailed

design), a coding of R60 may yield approximately 120 apartments and R80 could yield 160 apartments (assuming average apartment sizes of 70sqm).

Community Consultation

The proposed Structure Plan variation was advertised for a period of 21 days, including letters and copies of the plan to all landowners in Port Coogee (744 letters), and letters sent to government agencies.

A total of 108 submissions were received, with two submissions of support (one from Main Roads WA), one submission of partial support, and 105 submissions of objection. All submissions are outlined in (Attachment 6).

The City also received a petition with 70 signatures objecting to the proposed Structure Plan variation, with some comments attached to the petition (Attachment 5).

All submissions and comments are outlined and addressed in the Schedule of Submissions. The table below demonstrates the key issues raised in the submissions (and comments attached to the petition received), and the frequency they were mentioned.

Issue raised	Frequency mentioned
Negative impact on character and amenity	40
Unacceptable increase in traffic	38
Insufficient parking to support higher densities	35
Decrease in property values	22
Loss/negative impact on views/viewlines	24
Inadequate POS/public amenities	18
Overshadowing of town beach through increased building heights	19
Negative environmental impacts	9
Increase in crime/antisocial behaviour	7
Inadequate infrastructure to support changes	5

Parking

A total of 35 people expressed concern that there was insufficient parking in the area to support the increase in residential densities that are proposed.

In response, the proponent has advised that in the re-designed north-eastern area of the Structure Plan 10m front-loaded lots will provide a sufficient primary street setback to accommodate additional resident/visitor parking off-street.

Public Open Space

23 people were concerned that there was inadequate public open space and infrastructure to support increases to the population, given that these facilities are already under pressure. It was noted in a number of the submissions that the proposal has not demonstrated that the current provision of POS would be adequate.

In response the developer states that public open space is being provided in accordance with the quantities originally agreed upon in the Structure Plan. They have advised that the proposed local park is to be developed to a high standard, designed based on local resident feedback, to serve as both an active and passive recreation space for local residents.

Impact on character

Significant objection was expressed to the idea of 'high rise' on the coast being inconsistent with the character of coastal development in Western Australia. A total of 40 people were concerned about the impact of the changes (primarily greater building heights and increases to residential density) on the general character and amenity of the area.

The Island has always been identified for higher density development. Even the 2004 plan identified the Island as R60. The Marina Village (including residential component) has always been envisaged to have medium to high density. Building heights are up to 32m in the Marina Village. Therefore the area is not considered to have a 'low-density', suburban character.

However, it is noted that Othello Quays, to the north of The Island has a density of R25 and a maximum height of 13.6m. Therefore the proposed heights of 18.3m and density of R80 will provide an incompatible interface with development at Othello Quays.

In response to concerns regarding the increase of building heights on the Island, it is recommended that the height plan be modified to reduce building heights on the northern side of the Island to the current maximum of 13.6m. This ensures that there is an appropriate interface with Othello Quays.

In addition, it is considered reasonable to require that building heights adjacent to the town beach remain at the current maximum height of 13.6m to minimise the visual impact of the built form when viewed from the beach, which is a key public area, and to prevent any potential

additional overshadowing in the late afternoon that may result from additional building height.

Beach Overshadowing

Overshadowing of the town beach as a result of proposed increased building heights on The Island was also a key concern, raised by 19 people.

As outlined above, it is considered reasonable to require that building heights adjacent to the town beach remain at the current maximum height of 13.3m to prevent any potential additional overshadowing in the late afternoon that may result from additional building height.

Impact on viewlines

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).

Also included are two plans showing a comparison of lots that currently have a potential for views past Stage 5 versus lots that have a potential for views with the proposed increased height on Stage 5.

These plans note that the maximum height of land on Medina Parade obscures potential views from most of the land to the east already under the current height plan.

There are a total of 8 lots on the eastern boundary of the estate may be potentially affected if these lots were to build to their 10m maximum building height. According to Frasers Group only one of these lots is sold, two have sales pending and the remaining five are still available for sale and still in the ownership of Frasers Group.

In response to concerns regarding the increase of building heights on the Island, it is recommended that the height plan be modified to reduce building heights on the northern and eastern sides of the Island to the current maximum of 13.3m. This ensures that there is an appropriate interface with Othello Quays, which is coded R25, and the town beach.

Other Issues

Nine submissions were concerned about increase environmental impacts, however these are considered to be minimal as the current densities are such that there is very little vegetation. Increasing densities of existing residential zoned land also provides greater opportunities for housing infill, and can contribute to the minimisation

urban sprawl. This is in line with Directions 2031, the high level spatial framework and strategic plan that establishes a vision for future growth of the metropolitan Perth and Peel region. Directions 2031 recognises the benefits of a more consolidated city while working from historic patterns of urban growth.

Concern has been expressed that the proposal would result in an increase in crime and anti-social behaviour. There is no evidence to support the notion that higher densities lead to greater levels of crime. Good urban design plays an important role in ensuring that higher densities provide good passive surveillance (thereby reducing crime and fear of crime); and good amenity for residents.

It is important that Crime Prevention through Environmental Design ("CPTED") principles are incorporated into the design of streets and dwellings to facilitate good passive surveillance. In particular this would be addressed at the local development plan ("LDP") stage.

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 lessees. There are 8.0m wide pedestrian access ways included on the south, east and western sides, which are connected by a public road.

The proposed Structure Plan amendment does not show the PAW connecting in the south western corner of The Island. It is recommended that this be shown as connected to ensure this area cannot be developed for residential development.

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 Frasers Property (formerly 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 to ensure that the City can operate a commercially viable marina.

The current Structure Plan includes a loop road on The Island (Attachment 2), which would provide the opportunity for vehicles accessing the public parking to circulate. The proposed Structure Plan amendment does not include this element, given that public roads are proposed to be deleted in this area. It is therefore recommended that the Structure Plan include a concept plan demonstrating the location of public parking on The Island, with adequate manoeuvring and turnaround area. This can be used to inform any subdivision or development of The Island.

Road design

The redesigned north-eastern section includes an L-shaped laneway that does not provide for safe waste vehicle access. Laneways of this design create a situation where if a car is parked in the laneway a waste vehicle is forced to reverse down the laneway and back around a corner. This creates the increased likelihood of damage to property, and is unsafe for pedestrians in the laneway.

It is therefore recommended that this L-shaped laneway be increased to a width of 8.5m to enable safe waste vehicle access.

Conclusion

It is recommended that Council recommend to the WAPC that the amendment to Structure Plan be approved subject to modifications as follows:

1. Reduction in proposed maximum building heights on the northern portion and eastern portion of 'The Island' to 13.6m to address incompatible bulk and scale of buildings adjacent to Othello Quays and the town beach, and to minimise negative visual impacts and potential overshadowing of the town beach.
2. Widening of the northern most proposed laneway to 8.5m to enable safe waste vehicle access.
3. Inclusion of a concept plan for The Island that demonstrates the location of public parking, with convenient access to boat pens, including a manoeuvring and turnaround area.
4. The broken section of PAW on south east corner of The Island shown as connecting to the western section ensure this area cannot be developed for residential development.

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

N/A.

Legal Implications

N/A.

Community Consultation

The proposed structure plan variation was advertised as per Section 6.2.8 of the Scheme (not less than 21 days), which included an advertisement in the newspaper, and letters to all landowners in Port Coogee.

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
5. Petition
6. Schedule of Submissions

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

14.3 (OCM 12/11/2015) - SIGNAGE - LOCATION: NO. 435 (LOT 7) (MEMORIAL HALL) CARRINGTON STREET, HAMILTON HILL - OWNER / APPLICANT: CITY OF COCKBURN (DA15/0786 & 052/002) (G ALLIEX) (ATTACH)

RECOMMENDATION

That Council grant planning approval for the signage, in accordance with the attached plans and subject to the following conditions and footnotes:

Conditions

1. The Signage shall not comprise flashing intermittent or running lights, or images that change more than once in any five minute period.
2. The Signage boxing or casing in which it is enclosed is to be constructed of incombustible material.
3. The electrical installation of the Signage shall be constructed and maintained to the satisfaction of Western Power Corporation or the appropriate electricity supply authority and in accordance with the S.A.A. Code 3000-1991.
4. The sign shall not display inappropriate or offensive language material.
5. Any lighting associated with the signage is to be in accordance with the requirements of the Australian Standards AS 4282-1997: 'Control of the Obtrusive Effects of Outdoor Lighting'.

Footnotes

1. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the Council, or with any requirements of the City of Cockburn Town Planning Scheme No. 3 or with the requirements of any external agency. Prior to the commencement of any works associated with the development, a Building Permit is required.
2. A sign license is required to be submitted to the City's Building Services Department in accordance with the City of Cockburn Local Laws, Section 8.5 of Part viii; *Signs, Hoardings and Bill Posting Local Laws*.

COUNCIL DECISION

Background

The subject site is located at 435 (lot 7) Carrington Street, Hamilton Hill on the north-western corner of the Rockingham Road and Carrington Street intersection. The site consists of the Hamilton Hill Memorial Hall, which was constructed in 1925 and is listed in the City's Heritage Inventory as a site of 'exceptional significance' (category A). Further to this, additions to the site were approved in 2006 (DA05/0857).

The Signage proposed in this application was approved by the City in 2013 (DA13/0437) however the Signage was not installed within two years from the date of approval and as such the approval has expired. The current application proposed no changes to the previously approved application.

The proposal is being referred to Council as the building is listed as 'Category A' for which staff do not have delegation to approve.

Submission

The proposal is for an LED Sign to be placed on the extension approved in 2006 which faces Rockingham Road, with a dimension of 5.12m x 1.12m.

The City uses this building for art & cultural purposes and according to the City's event staff; it is currently difficult to promote events without good signage. There are often banners placed on site to promote events however this results in an untidy frontage. The proposed LED Sign will see the removal of banner signs on the subject site and more importantly a channel to clearly inform the community of events occurring within the building.

Consultation

Heritage

Hamilton Hill Memorial Hall is not listed on the State Register of Heritage Places and as such a referral to the State Heritage Office is technically not necessary. The application was still referred to the State Heritage Office on 13 October 2015 and a response was received on

20 October 2015 from a Senior Heritage Officer who confirmed that the place is not included on the State Register of Heritage Places and that they are unable to provide any comment on the proposed signage.

Primary Regional Road

Carrington Street is a Primary Regional Road and in many instances a referral to the Department of Planning is necessary. Given the minor nature of the proposal as per table 1 of Government Gazette 83 (dated 10 June 2014) no referral is required.

Report

Town Planning Scheme No.3 (TPS 3)

Zoning and Use

The subject site is zoned 'Urban' in the Metropolitan Region Scheme (MRS) and 'Public Purposes- Civic' in the City's Town Planning Scheme 3 (TPS 3).

Heritage Protection

The Planning and Development (Local Planning Schemes) Regulations 2015 seek to protect heritage places within the City and works to a heritage place that may harm the significance of a place will not be permitted. Clause 12.1 states that where it is desirable to facilitate the conservation of a Heritage Place entered in the Register of Places under the Heritage of Western Australia Act 1990 or listed in the Heritage List, that the local government may vary and site or development requirement specified in the Scheme by following procedures set out in Clause 5.6 of the City's TPS 3.

Local Planning Policy APD64 'Heritage Conservation Design Guidelines'

APD 64 applies to all places on the heritage list pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015 and places on the LGI and aims to establish principles for acceptable development of a heritage place in order to safeguard the documented cultural significance of these places. When assessing against the City's Heritage Policy, APD64, the proposed Sign is classified as being under 'External Alterations and Extensions' for exceptionally significant places.

It should be noted that the proposed Sign is not proposed on the Memorial Hall itself but rather on an extension approved in 2006, which is located on the south-eastern side of the Memorial Hall. The Sign is

located as far as possible from Memorial Hall whilst still fitting on the south facing wall. This is a good outcome as this location distances the Sign from Memorial Hall and as such does not reduce the significance of the place. Furthermore the addition approved in 2006 is setback 9m behind Memorial Hall therefore the Sign does not detract from the streetscape.

An LED sign at this location will have a positive impact on the place as it will communicate events to the community and bring people together therefore improving the social fabric of our suburbs. This Sign will help promote the cultural significance of the site whilst creating a more simplified streetscape by way of removing other banners, therefore resulting in a better outcome.

Local Planning Policy APD 72 'Signage'

Policy APD 72 'Signage' aims to protect the amenity of the area whilst ensuring that appropriate exposure of activities and services is provided. The proposed signage is predominantly aligned with the provisions of the Signage Policy however should Council approve the proposal; certain conditions need to be imposed in order to ensure that the Sign does not pose a threat to public safety. The Sign should not flash or change content more than once in any five minute period. This is an important provision as the four-way intersection between Rockingham Road and Carrington Street carries high traffic volumes and as such the Sign should not pose a distraction to drivers.

Conclusion

The proposed Sign will be a positive outcome for the site as it will inform the community of upcoming events and remove the need for banners on the site, which will improve the streetscape. Importantly, the proposed sign is not considered to detract from the cultural heritage significance of the site and is therefore supported subject to conditions.

Strategic Plan/Policy Implications

Growing City

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

Infrastructure

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

Community & Lifestyle

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

- Communities that take pride and aspire to a greater sense of community.
- Conservation of our heritage and areas of cultural significance.

Budget/Financial Implications

N/A

Legal Implications

Town Planning Scheme No. 3
Planning and Development Act 2005
State Administrative Tribunal Regulations
Heritage of Western Australia Act 1990

Community Consultation

N/A

Attachment(s)

1. Site Plan
2. Elevation

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 12 November 2015 Council Meeting.

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

Nil.

- 14.4 (OCM 12/11/2015) - HEALTH STUDIO (BALLET SCHOOL)- MINOR MODIFICATION TO BUILDING – LOCATION: NO. 1 (LOT 21) ROCKINGHAM ROAD, HAMILTON HILL – OWNER: POINT WORK PTY – APPLICANT: A T BRINE & SONS PTY LTD (DA15/0668 & 052/002) – (G ALLIEX) (ATTACH)**

RECOMMENDATION

That Council grant planning approval for the minor modification to the Dance School (internal staircase in lieu of external staircase as previously approved) and render to the southern wall of the building, in accordance with the attached plans and subject to the following conditions and footnotes:

Conditions

1. This Development Approval relates only to the minor modification to the Dance School (internal staircase in lieu of external staircase as previously approved) and render to the southern wall of the building. All conditions contained in the original Development Approval, DA15/0189 remain applicable.
2. This planning approval does not include approval for a mural. A new planning application will be required for a mural which includes the following:
 - (a) Detailed and accurate elevations
 - (b) Proposed materials
 - (c) Method of applying the mural
3. Cementitious material is removed from the south elevation and re-pointing in a lime mortar is undertaken prior to a lime-based sacrificial render being applied.
4. The lime-based sacrificial render shall be applied in a manner that would be entirely reversible, and would provide for the movement of damp and salt out of the existing masonry.
5. Once applied, the render shall be untouched for at least 6 months to allow for the movement of moisture out of the masonry.

Footnotes

1. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, with any requirements of the City of Cockburn Town Planning Scheme No. 3, or the requirements of any other external agency.
2. With regards to condition 2, the City of Cockburn and the State Heritage Office recommend any future mural to be applied in a muted manner that would blend into the area of applied render, and be feathered around the edges so that it is not visually distinctive. The materials used for any future mural should be breathable (i.e. lime based and not plastic paints) and not impact on the original masonry.

COUNCIL DECISION**Background**

The subject site is located at 1 Rockingham Road, Hamilton Hill on the south-eastern corner of Rockingham and Cockburn Roads with frontages to both streets. The site is known as Newmarket Hotel.

A development application was approved by Council at its meeting held on 14 May 2015 for the refurbishment of the Newmarket Hotel, change of use to 'Health Studio' (Ballet School) & associated dwelling (DA15/0189).

The proposal is being referred to Council as the building is listed as 'Category A' for which staff do not have delegation to approve.

Submission

The applicant is proposing a modification to the external stairs to the rear of the north-eastern portion of the dwelling that was originally approved as per the previous approval DA15/0189. The external stairs that were originally approved are to be replaced with internal stairs so as to allow access between levels internally rather than externally. Furthermore the applicant is proposing to render the south elevation so that a mural can be applied to it at a later date.

Consultation*State Heritage Office*

The application was referred to the State Heritage Office for comment given the building is listed on the State Heritage Register. A response was received in support of the application subject to the following conditions:

1. Cementitious material is removed from the south elevation and re-pointing in a lime mortar is undertaken prior to a lime-based sacrificial render being applied.
2. The lime-based sacrificial render shall be applied in a manner that would be entirely reversible, and would provide for the movement of damp and salt out of the existing masonry.

3. Once applied, the render shall be untouched for at least 6 months to allow for the movement of moisture out of the masonry.
4. Further design development of the proposed mural is to be submitted for further consideration prior to the work being undertaken.

Should Council support the proposal, the above can be imposed as conditions of approval.

Report

Town Planning Scheme No. 3 (TPS 3)

Zoning and Use

The subject site is zoned 'Urban' in the Metropolitan Region Scheme (MRS) and 'Local Centre' in the City's Town Planning Scheme 3 (TPS 3).

The Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) seek to protect heritage places within the City and works to a heritage place that may harm the significance of a place will not be permitted. Clause 12(1) of the Regulations states that the Local Government may vary any site or development requirement to:

- a) *facilitate the conservation of a Heritage Place entered in the Register of Places under the Heritage of Western Australia Act 1990 or listed in the heritage list, or;*
- b) *enhance or preserve heritage values in a heritage area."*

Local Planning Policy APD61 'Newmarket Precinct Design Guidelines'

Policy APD61 seeks to establish principles of development within an emerging residential area characterised by commercial development on Cockburn and Rockingham Roads. Although the policy is principally concerned with new development in the area, it can be applied to existing developments within the precinct. The proposed minor modification and render of southern wall is aligned with the objectives of the policy and design guidelines.

One of the objectives of the policy is to improve the streetscape of the locality and to ensure that signage is successfully integrated in a manner that contributes to, and reinforces the built environment. The southern wall has been home to many billboards and graffiti in the past which have never been formally approved and which are against the objectives of APD 61. The proposal seeks to improve the southern

elevation significantly by rendering the wall for a future mural which will be artistic and give meaning to the building.

Local Planning Policy APD64 'Heritage Conservation Design Guidelines'

Policy APD64 applies to all places on the heritage list pursuant to Part 3 of the Regulations and places on the Local Government Inventory (LGI) and aims to establish principles for acceptable development of a heritage place in order to safeguard the documented cultural significance of these places. The policy states that the restoration of a heritage building should be 'like for like' therefore materials which match the original material as closely as possible and external repainting matching original paint colours can be considered.

The proposed new internal staircase and the deletion of the external staircase are not considered to impact on the cultural significance of the place. In terms of the proposed render of the southern wall for a future mural, it is considered that the blank wall does lend itself to some artistic treatment if it is done in such a way that it is completely removable. Rendering the wall is important if the applicant obtains an approval for a mural later on as the render will act a barrier between the original masonry wall and the future mural.

The proposed modification to the staircase and render to the southern wall are considered to be sympathetic to the heritage value of the building and as such is consistent with the requirements of APD64.

Conclusion

The proposed modification to the staircase and render to the southern wall are supported due to the minor nature of the proposal and given it will enhance the building.

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.

Community & Lifestyle

- Conservation of our heritage and areas of cultural significance.

Budget/Financial Implications

N/A

Legal Implications

Town Planning Scheme No. 3
Planning and Development Act 2005
State Administrative Tribunal Regulations
Heritage of Western Australia Act 1990

Community Consultation

N/A.

Attachment(s)

- 3. Site Plan
- 4. Ground Floor Plan
- 5. First Floor Plan
- 6. Elevation 1,2 and 4
- 7. Elevation 3 and 5
- 8. Example of billboard on southern wall

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

Nil.

14.5 (OCM 12/11/2015) - CLOSURE OF PORTION OF FRASER ROAD, BANJUP - OWNER: STATE OF WESTERN AUSTRALIA - APPLICANT: STOCKLAND (160/001) (M CAIN) (ATTACH)

RECOMMENDATION
That Council

- (1) request that the Minister for Lands permanently close a portion of Fraser Road, Banjup pursuant to Section 58 of the *Land Administration Act 1997*;and
- (2) advise the applicant of the decision of Council accordingly.

COUNCIL DECISION

Background

A request has been received by the City of Cockburn ("City") on behalf of the adjoining landowner to close a portion of Fraser Road, Banjup as shown in Attachment 1. The portion of Fraser Road in question is located between Armadale and Jandakot Roads, as shown in Attachment 2. The road is owned by the State and is managed by the City.

Submission

Following discussion with the City's Officers, the City received a letter from Stockland requesting the City initiate the closure of a portion of Fraser Road. The proposal requests that the central portion of the Fraser Road be rehabilitated with native vegetation to compliment the adjoining bush forever site and conservation reserve that extends in to the new Calleya Estate.

Report

The proposed section of road is located between Armadale Road to the south and Jandakot Road to the north. The road reserve is currently undeveloped. Bound by the Calleya estate to the west and a bush forever reservation to the east, the proposal seeks to close the identified section of Fraser Road and rehabilitate the site with vegetation.

At present only the southern portion of Fraser Road is utilised, being the entry to the Calleya estate. As per the Structure Plan for the Calleya estate, there is no proposed continuation of Fraser Road along the eastern side boundary of the estate, with only a small utilisation of the northern section of the road reserve for a future connection to Jandakot Road. Accordingly, this central connection of the road reserve provides the ideal opportunity to connect the bush forever site with the conservation reserve land that extends in to the Calleya Estate. This connectivity of regional level conservations reserves provides an excellent environmental outcome from the proposal.

The proposed closure was advertised in the West Australian newspaper and to service providers for a period of 35 days from 11 September until 16 October as per the requirements of the *Land Administration Act 1997*. Submissions were received from all servicing authorities during the advertising period.

The only existing servicing within close proximity to the proposed closure is several operational power poles and overhead lines. Further discussion with Western Power over the progression of this application

has determined that at this point, Western Power has no objection to the proposed closure.

It is recommended that Council support the request as per the Officers recommendation.

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.

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.

Environment & Sustainability

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

Moving Around

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

Budget/Financial Implications

N/A

Legal Implications

Land Administration Act 1997

Community Consultation

Advertised for consultation for a period of 35 days from 11 September 2015 until 16 October 2015 in accordance with the requirements of Section 58 of the *Land Administration Act 1997*.

Attachment(s)

1. Proposed road closure map
2. Location Plan

Advice to Proponent(s)/Submissioners

The Proponent and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 12 November 2015 Council Meeting.

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

Nil.

14.6 (OCM 12/11/2015) - TEMPORARY HEALTH STUDIO (DANCE SCHOOL) WORKS – LOCATION: NO. 22 (LOT 2) SPHINX WAY, BIBRA LAKE – OWNER: PKG SUPER CUSTODIAN PTY LTD – APPLICANT: PETER GILL (DA15/0219 & 052/002) (G ALLIEX) (ATTACH)

RECOMMENDATION

That Council grant temporary planning approval for a Health Studio (Dance School), in accordance with the attached plans and subject to the following conditions and footnotes:

Conditions

1. Development may be carried out only in accordance with the details of the application as approved herein and any approved plan.
2. This is a temporary approval only, valid until 31 December 2016. Upon expiry of this date the use shall cease.
3. A maximum of 68 people may occupy the premises at any given time (students & teachers).
4. A minimum of 22 additional car parking bays and drop-off area being available for use for the duration of this approval on No. 18 (Lot 2016) Sphinx Way Bibra Lake for staff and visitors associated with the use approved for the subject land to the satisfaction of the City.
5. The adjoining carpark at No. 18 (Lot 2016) Sphinx Way Bibra Lake shall be sealed, drained and line-marked to the satisfaction of the City.
6. The owners shall enter into a legal agreement to be prepared by the City's solicitors at the cost of the landowner, allowing vehicles associated with the dance school to be parked at the vacant adjacent lot at 18 Sphinx Way Bibra Lake.

Footnotes

1. This is a planning approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the Council, or with any requirements of the City of Cockburn Town Planning Scheme No. 3. Prior to the commencement of any works associated with the development, a building license will be required.
2. The applicant is advised to contact the City's Health Services given the building constitutes a Public Building.
3. The applicant is advised to ensure that its customers are made aware of the additional car parking bays and drop-off zone on the adjoining site.
4. The increase in the number of students at the dance school shall only occur once the hardstand is installed at No. 18 (Lot 2016) Sphinx Way Bibra Lake, to the satisfaction of the City.

COUNCIL DECISION

Background

The subject site at 22 Sphinx Way Bibra Lake is within Phoenix Business Park and comprises an existing commercial building with two strata titled units and a total of 16 parking bays located in common property. In March 2014, the City granted planning approval (DA14/0123) for a change of use of Unit 2 (the subject site) from 'Warehouse' to 'Private Recreation' to facilitate the Valerie Heston School of Dance which relocated from its long-term premises in the City of Melville. Condition 2 of that approval limits the number of people who can occupy the premises at any one time to 24 people (students and teachers) which was based on on-site parking availability.

In October 2014, the owners approached the City as it became evident to them that the restriction of 24 persons was highly problematic for their business and they met with the City to discuss options for an increase in numbers. The main concern by the City was the lack of car parking bays available and the current situation which sees a number

of vehicles parking on the street and students being dropped off on the road with the assistance of a dance school staff member operating an informal and potentially dangerous 'drive-through' system on the road.

Subsequent to these discussions, in March 2015 the subject application was lodged which sought to increase the number of people occupying the building from 24 to 100, with no additional car parking bays proposed. A number of meetings and discussions were held between the applicant and the City since the application was lodged. The applicant has now amended their application which Council is now being requested to determine.

Submission

This application seeks temporary planning approval for an increase in the number of people occupying the unit from 24 to 68 until the end of 2016, after which time the dance school will propose to relocate to an alternative site with adequate parking provision. The exact student numbers on certain days and times is outlined in table 1 below.

The amended proposal relies on access to additional car parking bays provided by a temporary hardstand to be developed on the adjoining vacant lot at 18 Sphinx Way and is the subject of a separate planning application (DA15/0861). The temporary hardstand area proposes 22 additional parking bays and a 'Kiss and Drop' arrangement for the dance school on a leased arrangement. The total number of parking bays available exclusively to the dance school therefore increases from 7 to 29. The applicant has advised that the temporary car parking area will be completed in January 2016.

Table 1. Timetable for VHSD for 2016.

Day	Time	Student No.s
Tuesday	4.30-5.15 pm	24
	5.30-6.15 pm	40
	6.30-7.15 pm	55
Wednesday	4.30-5.15 pm	36
	5.15-6.00 pm	56
	6.00-6.45 pm	34
	6.15-7.00 pm	30
	6.45-7.30 pm	24
	7.00-7.15 pm	12
Thursday	4.30-5.15 pm	25
	4.45-5.30 pm	22
	5.30-6.15 pm	35
	5.45-6.30 pm	26
	6.30-7.15 pm	29

	6.30-7.30 pm	34
	7.30-8.15 pm	30
Friday	4.45-5.30 pm	20
	5.30-6.15 pm	30
	6.15-7.00 pm	14
Saturday	10.00-10.45 am	23
	10.30-11.15 am	21
	11.00-11.45 am/pm	26
	11.45-12.30 pm	40
	12.30-1.15 pm	28
	12.45-1.30 pm	36
	1.30-2.15 pm	45
	2.30-3.15 pm	44
	3.15-4.00 pm	56
	4.00-4.45 pm	32

Consultation

The initial application lodged on 18 March 2015 (which did not include any additional car parking) was advertised to adjoining and nearby landowners and tenants on Sphinx Way and four (4) objections were received during that advertising period. A summary of the objections received is as follows:

- Insufficient parking on site is resulting in an unsafe kiss and drop situation on the road reserve directly adjacent to 22 Sphinx Way;
- Traffic congestion & street parking on Sphinx Way make it a difficult road to drive through;
- Children waiting on the verge in an industrial area can result in an accident; and
- Overlapping operating hours with adjoining tenant creates parking and safety issues (due to the nature of adjoining business being a smash repairs).

The amended proposal has not been advertised to adjoining land owners as the City does not consider the amended proposal to have a negative impact on any of the adjoining land owners.

Town Planning Scheme No.3 (TPS 3)

Zoning and Use

The subject site is zoned 'Industrial' in the Metropolitan Region Scheme (MRS) and 'Industrial' in Planning and Development (Local Planning Schemes) Regulation 2015.

The City initially approved the dance school as 'Recreation - Private'. Since the initial approval the City has adopted a Health Studios policy (adopted on 11 September 2014) which specifically includes dance schools. Both 'Recreation – Private' and 'Health Studio' are permitted uses in this zone.

Local Planning Policy APD 78 'Health Studios'

The purpose of this policy is to provide clarity and direction on the types of health studios within the City as well as general siting and design criteria for such land uses and information required by the City to assess such applications which TPS 3 does not provide for. The policy encourages Health Studios to be located in areas such as commercial and industrial areas with a readily available supply of parking spaces or a capacity to create additional parking spaces.

Car parking for health studios as per the City Policy APD 78 is at a rate of 1 car parking bay for every two persons accommodated. Based on this rate, the total number of parking bays required as per the amended submission is 34 parking bays. As only 29 are proposed, the proposal seeks a variation to this policy.

Local Planning Policy APD 71 'Industrial Development'

The purpose of this policy is to provide guidance for the development of land in the City of Cockburn's industrial and mixed business zones in an endeavour to achieve coordinated, quality development outcomes.

Although the proposal for the hardstand will not be approved as part of the subject development application, it is important to ensure that the proposal is generally compliant with the City's Industrial Policy. Provision 15.1 of APD71 states that a limit of one (1) crossover for every 30m of lineal frontage shall apply to industrial lots. Given 18 Sphinx Way has a lineal frontage of 42.4m, two (2) crossovers are possible at this site which is a good outcome as it allows for good traffic flow for the 'Kiss and Drop' arrangement to work effectively.

Report

Car Parking

The lack of car parking was a major concern to the City in regards to the proposed increase to student numbers and the applicant and City have since March 2015, discussed a number of different solutions.

It should be noted that although 16 common parking bays exist at the front of both unit 1 and unit 2 Sphinx Way, the tenant of unit 1 (who uses the unit for a smash repairs business) occupies 9 bays during the

weekdays and on Saturdays. Therefore the dance school will have full access to 29 car bays including the temporary hard stand on the adjoining site and the provision a 'Kiss and Drop' arrangement which is used by a large proportion of parents. The original approval in 2014 did not involve a 'Kiss and Drop' arrangement and therefore as numbers started to grow the increasing street parking and traffic became a nuisance to other land owners/tenants

The temporary 'Kiss and Drop' arrangement is fundamental to the functioning of the dance school and it is likely to significantly reduce traffic congestion and potentially dangerous street parking on Sphinx Way currently occurring as a result of the operation of the dance school. The provision of a 'Kiss and Drop' also justifies the reduction of car parking bays against the requirement under APD 78.

Furthermore, the applicant has highlighted that the demand for parking arises in the evenings after 7.00pm when the older students arrive. Usually at this hour the Smash Repairs business has closed for the day therefore an extra 9 parking bays are potentially available, providing a total of 38 parking for the dance school.

Approval of the proposal including access to the temporary parking and 'Kiss and Drop' will allow the dance school to remain in its current location for the remainder of 2015 and all of 2016 providing them a reasonable amount of time to relocate to new premises that does have sufficient on-site car parking to accommodate their business needs and future growth.

Traffic

Access to additional temporary car parking bays and drop-off area on the adjoining lot at 18 Sphinx Way will significantly reduce the amount of traffic congestion and street parking that currently exists on Sphinx Way (which is a result of the existing situation with the dance school). The current situation is potentially unsafe with some parents parking cars across the road from the dance school and children crossing an industrial road with large vehicles and trucks using the area. The proposed arrangement will contain all parking and drop-offs on private property therefore allowing easy use of Sphinx Way for other road users. The details of the temporary hardstand and crossover to 18 Sphinx Way will form part of a separate approval, however should Council support the proposal to increase student numbers, a condition should be imposed regarding access to those bays and drop-off area.

Conclusion

The use of the site for a dance school provides some activation of the area outside business hours which is a desirable outcome in terms of

surveillance of the area. Approval for an increase in student numbers until the end of 2016 is supported subject to accessing additional car parking bays and a drop-off area which is proposed on the adjoining lot. It is considered that the new temporary arrangement will ensure the dance school can operate safely from the subject location without negatively impacting other landowners and tenants and without disrupting traffic and movement throughout the area.

Strategic Plan/Policy Implications

Growing City

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

Community & Lifestyle

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

Budget/Financial Implications

N/A

Legal Implications

Town Planning Scheme No. 3
Planning and Development Act 2005

Community Consultation

Please refer to Consultation section of the report above.

Attachment(s)

1. Site Plan
2. Floor Plan
3. Proposed Parking & 'Kiss and Drop' arrangement at 18 Sphinx Way

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 12 November Council Meeting.

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

Nil.

14.7 (OCM 12/11/2015) - RECOMMENDATION TO ADOPT MODIFICATION TO OCEAN CREST ESTATE STRUCTURE PLAN - LOTS 662, 663 & 664 HAMILTON ROAD, SPEARWOOD – APPLICANT: WHELANS (110/140) (M CAIN) (ATTACH)

RECOMMENDATION

That Council

- (1) pursuant to Clause 20 (2)(e) of City of Cockburn Town Planning Scheme No. 3, recommends the Western Australian Planning Commission adopts the modification to the Ocean Crest Estate Structure Plan (as shown in Attachment 1);
- (2) endorse the schedule of submissions prepared in respect of the Structure Plan; and
- (3) advise those persons who made a submission of the Council's recommendation.

COUNCIL DECISION

Background

The City has received an application from Whelans Town Planning on behalf of a number of landowners to consider a major modification to the Ocean Crest Estate Structure Plan. The original Ocean Crest Estate Structure Plan (Attachment 4) for this area was initially adopted by Council in October 2011 and endorsed by the Western Australian Planning Commission ("WAPC") in April 2012.

The proposed variation to the Structure Plan seeks to recode three lots; 662, 663 and 664 Hamilton Road, Spearwood ("the subject site") to an R40 density coding.

Pursuant to Clause 15(a)(ii) and Schedule 10 of the City of Cockburn Town Planning Scheme ("Scheme"), a structure plan is required to be prepared to guide future subdivision and development.

The Planning and Development Regulations 2015 were gazetted on 19 October 2015 and remove Council's statutory approval and refusal abilities in the determination of structure plans. Under the new deemed

provisions of the Scheme, a recommendation is required to be provided to the WAPC on all Structure Plans and modifications to Structure Plans.

In light of these new changes, the recommendation is that the WAPC adopt the proposed modification to the Structure Plan.

Submission

Lodged by Whelans Town Planning on behalf of the landowners.

Report

Planning Background

The subject site is bound by Hamilton Road to the west, Yakas Chase to the south, Nadilo Drive to the east and Ocean Road to the north. The site is mostly flat and retains three residential dwellings on the site.

The subject site is located in the suburb of Spearwood and comprises a total site area of 2,750m². The proposed structure plan seeks to increase the existing residential density of the subject site from R25 to R40, ultimately allowing for a greater variety of dwelling opportunities in the future.

The subject site is zoned 'Urban' under the Metropolitan Region Scheme ("MRS") and 'Development Area' under City of Cockburn Town Planning Scheme No. 3 ("Scheme"). The subject land is located within Development Area 31 and is subject to both Development Contribution Area 12 and Development Contribution Area 13 pursuant to the requirements of the Scheme.

The proposed density increase has originated following discussion between the landowners who have identified that the land holds greater development potential than is currently being achieved. This is largely due to the subject site's location on a key transport corridor and proximity to available services.

Planning Assessment

Directions 2031 and Beyond ("Directions 2031") and Liveable Neighbourhoods provide the policy framework in which to consider structure plans. These strategic level documents, along with the City's Scheme and relevant local planning policies allows for a more detailed planning framework to assess structure plans.

As per the requirements of Directions 2031, a minimum target of 15 dwellings per hectare has been set for new structure planned areas.

The Outer Metropolitan Perth and Peel Sub-Regional Strategy identifies this area as a growth area of the future (area identified as WAT1), with anticipated future dwelling targets projecting the need for approximately 900+ new dwellings in the future.

Following review of the site, the landowners are seeking a higher residential density to achieve the most appropriate development outcome for the site. Large parts of Spearwood and Coogee are currently subject to subdivision and development and therefore the proposed density will balance well with current and future urban fabric of the area.

The outcome of the proposed variation to the existing coding would see an increase of an additional 5 grouped dwellings, increasing the estimated potential future population of the subject site to 31 persons. Should lots 662 and 663 seek to be amalgamated in the future, the potential to develop multiple dwellings on this site would allow for approximately 12-16 apartments to be developed, again increasing the potential future population capacity. The development potential of the land at the different density coding is shown in the table below.

Lot No.	Residential R25	Residential R40
662	2 x Single Dwelling or 1 x Grouped Dwelling	2 x Single Dwelling or 4 x Grouped Dwelling
663	2 x Single Dwelling or 1 x Grouped Dwelling	2 x Single Dwelling or 4 x Grouped Dwelling
664	2 x Single Dwelling or 1 x Grouped Dwelling	2 x Single Dwelling or 3 x Grouped Dwelling

The land directly to the south of the subject site has recently been structure planned to allow for increased density. The approved Structure Plan for Lots 1, 9 & 10 Hamilton Road allows for the development of Residential R40, which is in keeping with the density proposed for the subject site.

The introduction of the higher coded lots is unlikely to significantly impact on future traffic volumes along Hamilton Road. Services such as waste collection are not predicted to be significantly affected by the proposed development. Objections received during the community consultation period in relation to the negative impact the proposed density changes will have on surrounding local residents are noted, however, the proposal does not seek to introduce high density development that will look out of place within the existing character of the area. Future development on this site is unlikely to exceed two storeys and is therefore unlikely to hinder the existing built form of the area.

The structure plan is also consistent with the requirements of Directions 2031 in so much that it is within close proximity to two identified local commercial activity centres; Coogee Local Centre (215 metres) and Eliza Ponds Local Centre (265 metres). The site is located within a 5 minute walkable distance to the existing and proposed local centre, is within close proximity to major district centres and has direct access to public transport.

Community Consultation

The proposed Structure Plan was not referred to the Commission when received as it did not propose the subdivision of land. The implementation of the new Planning and Development Regulations 2015 requires the Local Government to submit all proposed structure plans to the Western Australian Planning Commission for review.

The proposed Structure Plan was referred for public comment for a total period of 24 days from 8 September to 2 October as per the requirements of the Scheme.

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

In total, eleven submissions were received by the City, nine submissions from service and government authorities and two responses from local residents. Two of the responses were objections to the proposed structure plan.

Analysis of submissions made has been raised within the 'Report' section and addressed in more detail within the attached Schedule of Submissions (Attachment 3).

Conclusion

The proposed structure plan will allow for increased residential density in an area currently evolving with a mix of low and medium density development. The rezoning to R40 allows for the potential development of multiple dwellings should the lots be amalgamated and cleared.

The site's location, accessibility and proximity to local centres and other key services are all key factors in determining whether the proposed rezoning is suitable to support an increased residential population in the future. The proposed structure plan is in keeping with the existing structure plan to the south, which was adopted by Council in February 2015.

As per the requirements of the new Planning and Development Regulations 2015, it is recommended that Council recommend to the Western Australian Planning Commission that the modified Structure Plan be adopted.

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

N/A

Community Consultation

In pursuance to Clause 6.2.8 of the City's Scheme, public consultation was undertaken for a period of 24 days from 8 September to 2 October. Advertising included a notice in the Cockburn Gazette, advertising on the City's website, letters to selected landowners surrounding the Structure Plan area and letters to government agencies and service providers.

Attachment(s)

1. Location Plan
2. Proposed Structure Plan Map
3. Ocean Crest Estate Local Structure Plan
4. Schedule of Submissions

Advice to Proponent(s)/Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 12 November 2015 Council Meeting.

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

Nil.

14.8 (OCM 12/11/2015) - CITY OF COCKBURN SUBMISSION ON DRAFT LIVEABLE NEIGHBOURHOODS 2015 DOCUMENT (105/001) (C HOSSEN) (ATTACH)

RECOMMENDATION

That Council

- (1) adopt the Schedule of Comments (Attachment 1) on the Draft Liveable Neighbourhoods 2015; and
- (2) refer the Schedule of Comments to the Department of Planning for their consideration.

COUNCIL DECISION

Background

Liveable Neighbourhoods is a Western Australian Planning Commission ('WAPC') operational policy that guides the structure planning and subdivision for greenfield and large brownfield (urban infill) sites. The current version of Liveable Neighbourhoods, edition 4, was issued in 2009.

In general, Liveable Neighbourhoods replaces WAPC development control policies. Where such policies conflict with Liveable Neighbourhoods, Liveable Neighbourhoods will prevail unless an applicant can demonstrate why it cannot or should not apply.

The WAPC has initiated a review of Liveable Neighbourhoods which broadly included:

- a staged approach aligned to Liveable Neighbourhoods content or 'elements';
- comprehensive stakeholder engagement, including the establishment of a technical advisory group, to identify issues, operational effectiveness, emerging trends and solutions; and

- identification of major interpretation, inconsistency and implementation issues between Liveable Neighbourhoods and existing WAPC policies.

The purpose of this report is to present to Council the broad changes proposed to Liveable Neighbourhoods, and for Council to adopt the Schedule of Comments on the draft document. The Schedule of Comments have been prepared and compiled by Strategic Planning, following consultation with all relevant internal stakeholders.

Submission

N/A

Report

History of Liveable Neighbourhoods

Liveable Neighbourhoods was a response to the identified drawbacks of 1980s and early 1990s conventional planning practice and embraced emerging 'New Urbanism' planning concepts. It focussed strongly on a performance approach to structure planning and subdivision, emphasising thorough site and context analysis; and outlined preferred approaches to the design of well-defined, sustainable, self-sufficient and healthier urban communities.

It was expected that these would be achieved by a site-responsive urban design based on safe, sustainable, attractive neighbourhoods interconnected through a street layout that promotes greater use of public transport, walking and cycling, reducing dependency on private vehicles. Community needs, employment opportunities and economic sustainability are facilitated through a coherent hierarchy of mixed used main street activity centres.

Liveable Neighbourhoods has been updated four times since its release in 1997, with the latest edition (edition 4) released in 2009.

Structure of Liveable Neighbourhoods

Liveable Neighbourhoods promotes an urban structure of walkable neighbourhoods. Community facilities and services are accessible by walking, cycling and public transport through an efficient, interconnected movement network. Employment opportunities and economic sustainability are facilitated through a coherent hierarchy of activity centres.

Liveable Neighbourhoods promote an approach to planning and urban design that encompasses:

- Government commitment to the principles of sustainability;
- A thorough analysis of the site and its context to inform structure planning and subdivision design and graphically illustrate the basis of the design;
- The use of structure plans to coordinate the planning of communities;
- Neighbourhoods and activity centre design that aims to achieve compact, well-defined and sustainable walkable urban communities; and
- Performance-based policy that encourages innovation in response to community needs and economic drivers.

Liveable Neighbourhoods is a performance based document, setting high-level objectives, design principles and requirements. These address both strategic as well as operational matters. These matters are traditionally addressed directly in the assessment of Structure Plans and Subdivisions.

The draft Liveable Neighbourhoods 2015 is divided into six (6) elements:

1. Element 1: Community Design
2. Element 2: Movement Network
3. Element 3: Activity Centres
4. Element 4: Lot Design
5. Element 5: Public Open Space
6. Element 6: Education

The current Liveable Neighbourhoods is divided into eight (8) elements). Significant modifications that flow from this change are outlined in the report, below.

Element 1 provides a high level strategic outcome through its objectives, while Elements 2-6 contain detailed technical design principles and requirements.

Element 1 – Community Design

As outlined above Element 1 provides high-level strategic guidance on how community design should be set out in a site responsive manner. The objectives and requirements of this Element are further refined through detailed technical discussion in the later elements. Each objective has a number of corresponding requirements

The Element 1 objectives are:

1. Site and context analysis: to achieve a sustainable urban structure that balances the provision of urban development through site-responsive design;
2. Urban structure: to develop a coherent urban structure of compact walkable neighbourhoods which cluster around activity centres capable of facilitating a broad range of land uses, employment and social opportunities;
3. Movement network: provide a network of interconnected streets based on function within attractive, safe and pedestrian streetscapes, which facilitate accessibility for all users to, within and between neighbourhoods and activity centres;
4. Location of activity centres and employment: promote mixed-use development and activity centres that optimise commercial opportunities, access to public transport and efficient street network connections;
5. Public open space network: provide public open space that meets the recreational, social and health needs of existing and future communities;
6. Urban water management: ensure that water is protected and managed to maximise efficiency by incorporation of urban water management techniques into the urban design;
7. Housing choice and residential density: facilitate housing diversity, responsive built form, local employment and amenity within a legible and efficient urban structure of compact walkable neighbourhoods;
8. Education facilities: provide education sites and other community infrastructure to meet the needs of existing and future communities; and
9. Infrastructure coordination, servicing and staging: provide utility services in a land efficient, environmentally responsible and sustainable manner.

Element 2 – Movement Networks

Element 2 – Movement Network sets out design solutions and requirements for standard street types found within neighbourhoods that satisfy the element objectives. Although not a street design manual, Liveable Neighbourhoods attempts to provide a set of guiding principles to design integrated networks and individual streets, taking into consideration other relevant objectives from other elements.

Element 2 provides three design principles:

1. Street Layout: Create a permeable street network that prioritises pedestrians, cyclists and public transport and is integrated with surrounding land use;

2. Street Networks: Create a safe street environment for all users by applying appropriate street geometry and traffic management; and
3. Street Verge: Ensure all streets provide space for utility services, stormwater, drainage, street trees and lighting.

Element 3 – Activity Centres

Element 2 – Activity Centres expands upon the broad direction given on the planning and design of Activity Centres in Element 1 of Liveable Neighbourhoods. Element 3 is largely directed at local and neighbourhood activity centres, supporting the guidance given by State Planning Policy 4.2: Activity Centres for Perth and Peel.

As per the previous version of Liveable Neighbourhoods, the draft is focused on the establishment of well-located main street mixed-use activity centres that are pedestrian friendly and include higher density housing. Importantly, Element 3 is concerned with ensuring that local and neighbourhood centres can serve local resident populations and facilitate local employment creation.

Element 3 is supported by one (1) design principle, which states:

‘Ensure urban form and lot design facilitate safe and convenient access to services, facilities and employment in mixed land use, main-street activity centres’

Element 4 – Lot Design

This element outlines requirements for residential lot design, with a strong emphasis on greater lot variety and higher densities; the aim being to provide greater housing diversity, choice and address housing affordability. Liveable Neighbourhoods has always supported greater site responsive lot design to facilitate climate appropriate dwellings and designs that facilitate good urban streetscape outcomes.

The Element 4 objectives are:

1. Create a site-responsive street and lot layout that provides local amenity, safe and efficient access and promotes a sense of place;
2. Provide housing density and diversity to meet the changing community needs; and
3. Provide sustainable utility services to each new lot in a timely, cost-effective, coordinated and visually acceptable manner.

Element 5 – Public Open Space

Liveable Neighbourhoods recognises the role an integrated network of public open space plays in establishing a high quality of life, vitality,

identify and sense of place in a community. Since the establishment of Liveable Neighbourhoods the design and function of public open space has attempted to encourage healthy, active lifestyle through site response design.

The Element 5 objectives are:

1. Coordinate the design and delivery of an integrated network of public open space that provides communities with access to nature, sport and recreation; and
2. Optimise the siting and design of public open space to promote accessible and efficient use of land.

The significant change from the existing Liveable Neighbourhood is that the new requirements have been developed to guide provision of POS based on the function it provides the community rather than its size.

Element 6 – Education

Element 6 provides guidance generally on the provision of schools, both government and non-government, and associated facilities. Liveable Neighbourhoods holds that Government schools should be conveniently located to their local catchment with a well-connected local movement network.

The Element 6 objectives are:

1. Ensure that education sites are developable, serviceable and accessible; promoting safe, adaptable and efficient use of land and other community infrastructure including public open space; and
2. Ensure a servicing movement network that facilitates safe and efficient access to education sites by all users.

Summary of Changes

The following provides an overview of the broad changes occurring within each of the Draft Liveable Neighbourhoods 2015 from the current 2009 Liveable Neighbourhoods.

The following list of significant changes has been drawn from the Western Australian Planning Commission's Review Background Information Paper.

Element 1 – Community Design

1. Element 1 includes new information on scope and vision setting and guidance text to support the requirements that relate to context and site analysis, which is in the appendix of the current 2009 version.
2. The role of strategic structure planning is reinforced through improved content and structure of Element 1: Community Design. This includes a revised set of principal objectives and relocation of macro level requirements from the subsequent elements into Element 1, to address the key issues raised regarding the lack or poor planning at the strategic level and the lack of cohesion between the elements. This includes more information up front on the road hierarchy, location and distribution of higher order activity centres, target densities, better urban water management requirements, public open space networks and utility provision.
3. Includes the proposed size of parks in Table 1 to replace current Element 4: Public open space requirements (R14, R15, R16 and R17).
4. Incorporation of education summary Table 2 to set out locational and site requirements by education site type and educational provider.

Element 2 – Movement Networks

1. Element 2 consist of the current Element 2 and relevant requirements from the now obsolete Element 5: Urban Water management and Element 6: Utilities including requirements regarding location and alignments of utility services and stormwater drainage within the street reserve.
2. Element 2 in the current Liveable Neighbourhoods was considered to be too focused on the planning of roads for motor vehicles with an abundance of engineering type requirements. Movement Network has been amended in content and format to places greater emphasis on the design of streets for pedestrians, cyclist and public transport. This includes amended cross sections with land use interface, housing typology, setbacks and different cycling configurations.
3. Some requirements have been re-written to resolve duplication with Element 3: Lot design.
4. As part of the review process relevant Development Control (DC) policies were reviewed. DC 1.4 – Functional road classification for planning and DC 1.5 – Bicycle planning are considered to be outdated and the provisions within the draft Liveable Neighbourhoods sufficient enough to cover these aspects of planning. DC 2.6 – Residential road planning will need to be comprehensively reviewed as a consequence of this review.

5. Some engineering technical requirements have been removed in particular (Requirements 62 to 65) and replaced with technical tables (Appendix 5) to facilitate the safe crossing of pedestrians and address the issue of pedestrian severance on major roads.
6. Street reserve width have all been updated to comply with the relevant Austroads standards including increasing the outside vehicle lane width from 3.2m to 3.3m, parking lane width from 2.1m to 2.3m and 2.5m to 2.6m to comply with Austroads Standards, as well as to reduce conflict with cyclists and motor vehicles (in particular parked cars) improving the safety and amenity of cyclist considered critical particularly where conflict between cyclists and motor vehicles is becoming more frequent.
7. Street verge widths have increased to a minimum five metres to adequately accommodate street trees, utilities and street furniture assisting walkability, reduce adverse urban heat island effects and assists local stormwater collection and retention.
8. The draft Liveable Neighbourhoods advocates the provision of dedicated cycle lanes where traffic volume is more than 10,000 vehicles per day, to improve safety and amenity.

Element 3 – Activity Centres

1. Element 3: Activity Centres largely includes existing Element 7: Activity Centres and Employment, with a focus on the detailed planning of main-street mixed use and local and neighbourhood scale centres.
2. Strategic planning of activity centres and employment is included in Element 1: Community Design.
3. This includes some provisions on the location of activity centres, land fronting arterials and road spacing, industrial warehousing and strategic business sites.
4. Duplication of requirements within and between elements has been removed as much as possible to simplify implementation.
5. Requirement regarding detailed area plans included under specific requirements, guidance in Element 4: Lot design.
6. Reference to SPP 4.2 included.
7. R20 regarding service stations is not considered a desirable form of development and no longer relevant and is therefore not included.
8. R31-33 regarding home occupations considered out-of-date and no longer relevant. Home occupations are implemented through local planning schemes. Community Design emphasises mixed use.

Element 4 – Lot Design

1. Lot Design largely includes existing Element 3: Lot Layout and the service provision component of

2. Element 6: Utilities (Community Design and Movement Network include components regarding lifestyle impacts and service locations respectively).
3. Duplication of requirements within and between elements has been removed as much as possible to simplify implementation.
4. Element 3: R5 and R8 no longer relevant and covered under R-Codes.
5. Encouragement on future proofing of infrastructure (e.g. energy, water and telecommunications).
6. Clarity with regard to lots fronting parks and rear access laneway lots.
7. Clarity with regard to local development plans.
8. Design and reference to detailed area plans also included under specific requirements.

Element 5 – Public Open Space

1. The public open space (POS) element has been modified to improve the useability and distribution of POS to meet the needs of existing and future communities.
2. New requirements have been developed to guide provision of POS based on the function it provides the community rather than its size.
3. The revised POS Schedule now has a 'declaration of function' section that describes the intended purpose of the site.
4. The three primary functions of POS 'sport', 'recreation' and 'nature', have been adopted from the *Classification Framework for Public Open Space* (Department of Sport and Recreation, 2012); and these three categories improve upon the traditional terminology of 'passive' and 'active' for describing functionality of POS.
5. Sites which provide opportunities for multiple functions are encouraged.
6. The terminology used to describe the size of POS has been aligned to the DSR Classification Framework, for consistency across agencies [(small parks (up to 4,000m²), local parks (0.4ha–1ha), neighbourhood parks (1ha – 5ha) and district parks (5ha and above)].
7. The requirements related to the distribution of POS have been simplified by removing the requirement for a minimum number of sites of a particular size and instead requiring that all residents be within 300m of a POS site (of any size) and within the catchment of sites providing nature, sport and recreation opportunities.
8. The implementation of water sensitive urban design has resulted in POS being optimised for water management and drainage, often impacting on the useability of the site. New requirements have been developed in collaboration with the Department of Water to guide the credit given for POS contributions where the

land is used for water management. These new requirements are based on the infrastructure used on the site rather than the rainfall event being accounted for, to encourage innovation and integration into the landscape.

9. There is much overlap with the proposed Liveable Neighbourhoods and DC Policy 2.3: Public Open Space in Residential Areas. One Development Control provision has been used in the new draft. Section 4.3 of DC 2.3 is currently duplicated in the draft Liveable Neighbourhoods Appendix 4: cash-in-lieu for public open space. It is subsequently recommended that DC 2.3 is reviewed, for consistency with draft Liveable Neighbourhoods 2015.
10. Existing requirements R40 and R41 are moved into guidance text under 'Management orders and vesting'.

Element 6 – Education

1. No significant changes are proposed to the planning of education sites in regard to locational and site requirements.
2. DC 2.4 has been reviewed and relevant provisions retained as requirements or explanatory text, where appropriate. Disposal and administration of pro-rate funds for Government primary school sites are not addressed in the draft Liveable Neighbourhoods 2015.
3. Incorporation of summary tables to set out locational and site requirements by education site type and educational provider. Reference to middle school typology is deleted and Government district high school is confined to regional area.
4. Provisions relating to interim school sites on advice of Department of Education are no longer included as preference is to secure land for long term school sites in the first instance and the use of transportable buildings for peak enrolments.
5. Deleted Appendix 5 as it has not been common practice to prepare local development plan (formerly development area plans) for primary school sites content to be included in Element 6 explanatory text as case study graphics, where appropriate.

City of Cockburn Comments

The attachment provides a comprehensive breakdown of the City's formal comments on the draft Liveable Neighbourhoods 2015. The City's comments were drawn from all relevant internal Departments, which were then compiled for consistency by Strategic Planning.

The Comments are broken down into the respective Elements of the document for ease of reading.

Conclusion

It is recommended that Council adopt the Schedule of Comments (Attachment) on the Draft Liveable Neighbourhoods 2015, and refer the Schedule of Comments to the Department of Planning for their consideration.

Community Consultation

The documents were released, by the Western Australian Planning Commission, in late September for advertising closing 13 November 2015. The formal advertising of the Draft Liveable Neighbourhoods 2015 followed significant industry and government engagement.

The Department of Planning website contained information including copies of the documents.

Due to the technical nature of the document, and the limited timeframe, the City has not actioned additional community consultation on the Draft Liveable Neighbourhoods 2015.

Attachment(s)

Schedule of Comments

Advice to Proponent(s)/Submitters

N/A

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

Nil.

14.9 (OCM 12/11/2015) - BANJUP (TREEBY) DISTRICT STRUCTURE PLAN PROJECT PLAN – LOCATION: CITY OF COCKBURN OWNER: VARIOUS (110/141) (C HOSSEN) (ATTACH)

RECOMMENDATION

That Council supports the preparation of the Banjup (Treeby) District Structure Plan and endorses the approach as described in the project plan contained within the attachment.

COUNCIL DECISION

Background

The Banjup (Treeby) District Structure Plan has been identified for the 2015-16 year as a key initiative. Recent urban development within the study area along with changes to the metropolitan strategic planning framework over the Banjup locality necessitates the need for local level strategic planning to take place.

Council has considered proposals for urban development, both statutory and strategic, within the Banjup locality since 2011. Most recently relating to the land contained within the District Structure Plan boundary linked to the future strategic planning framework for Perth; the Perth and Peel @ 3.5M document and its subsidiary sub-regional structure plan.

The District Structure Plan is being prepared to guide the evolution of the future Banjup urban cell. It is expected that the District Structure Plan will provide a high level strategic, spatial planning framework to co-ordinate the development of land and provision of district level services within the Banjup Urban Precinct.

It is expected that the District Structure Plan will be supplemented by more detailed Local Structure Plans over the majority of the area. The District Structure Plan won't be progressed according to the statutory framework provided within the Local Planning Scheme - instead its intent is to guide the preparation and coordination of future (Local) Structure Plans which will be subject to assessment according to the prevailing statutory framework.

The District Structure Plan will be undertaken in cooperation with relevant stakeholders.

Submission

N/A

Report

The Banjup (Treeby) District Structure Plan will guide the form of future development of the locality, with a key aim to provide opportunities to enhance the qualities of this existing neighbourhood. The Strategy is seen as an important step for the Banjup urban precinct, considering how its strategic placement within the heart of the rapidly expanding south west corridor adjacent to Cockburn Central Station. At the same time, the constraints of the locality presents unique challenges, which demand careful study and reflection in terms of ensuring that planning for the area is suitable to enhancing opportunities for current and future residents of Banjup.

Perth and Peel @ 3.5M

To realise the vision of Directions 2031 and beyond and the State Planning Strategy 2050, the Western Australian Planning Commission has created a series of detailed draft planning frameworks.

The Perth and Peel @ 3.5million strategic suite of documents has been developed to engage the community in open discussion on expectations of what our city should look like in the future, on how we can maintain our valued lifestyle and on how we can realistically accommodate a substantially increased population.

The draft frameworks provide guidance on where sustainable development should occur over the next 35 to 40 years to ensure the impact of urban growth on areas of environmental significance is minimised; to protect our heritage; and importantly, to maximise the benefits of available land and existing infrastructure.

They provide an unprecedented level of certainty about the amount of land available and the best areas identified for urban expansion, including residential, commercial and industrial development.

Council previously considered this draft strategy at its July Meeting.

South Metropolitan Peel Sub-regional Planning Framework

The South Metropolitan Peel Sub-regional Planning Framework is one of three frameworks prepared for the outer sub-regions of Perth and Peel, which along with the Central Sub-regional Planning Framework establishes a long-term and integrated framework for land use and infrastructure provision.

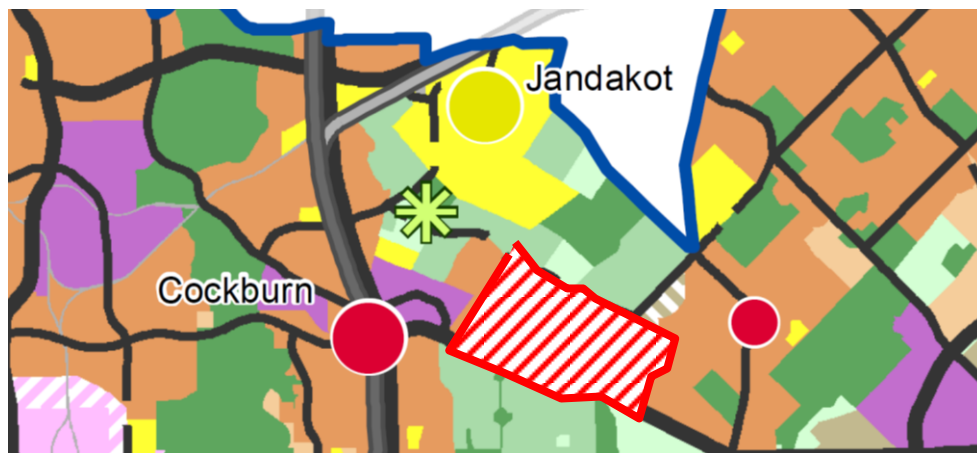
The framework builds upon the principles of Directions 2031 and will provide guidance for:

- The preparation of amendments to the Perth Metropolitan Region Scheme, local planning schemes, local planning strategies/scheme, and district, local and activity centre structure planning.
- The staging and sequencing of urban development to inform public investment in regional community, social and service infrastructure.

Importantly the Planning Framework, among other things, endeavours to develop a consolidated urban form that limits the identification of new greenfield areas to where they provide a logical extension to the urban form, and that places a greater emphasis on urban infill and increased residential density.

The following map excerpt highlights the area of Banjup which the Banjup (Treeby) District Structure Plan will apply. Noting the logical extensions of the existing urban form, in what is now close proximity to transit, jobs and major activity centres. The Banjup (Treeby) District Structure Plan will provide a boundary that is comprised of all land within Solomon Road, Armadale Road, Warton Road and Jandakot Road. This boundary is consistent with that supported by Council in its deliberations on the draft Perth and Peel @ 3.5M document at its July meeting.

In the likelihood that the final boundary of urban expansion within Banjup is altered within the finalised Perth and Peel @ 3.5M the expectation is that the Banjup (Treeby) District Structure Plan will adapt to the prevailing State planning framework.



District Structure Plan

The Banjup (Treeby) District Structure Plan will respond to the WAPC's Structure Plan Preparation Guidelines (currently under review) and the key district level coordination issues the proposed development of the Precinct presents. These are expected to include:

- Broad land-use arrangement, buffers and any relevant targets (eg density targets);
- Coordination of major infrastructure including:
 - Schools;
 - District water management;
 - District movement networks;
 - Regional & District level Open Space / Conservation areas;
 - District recreation facilities;
- Broad funding arrangements for improvements, potentially including the principles of a Development Contribution Plan (DCP).

Timing & Process

The staging for the preparation of the Banjup (Treeby) District Structure Plan is outlined in Table One - Project Delivery Strategy (Attachment 1). It should be noted that due to requests to expedite the need for district planning, by significant landholders, the City is actioning this work at a more compact pace. In short, the City is undertaking the Banjup (Treeby) District Structure Plan approximately 10 months ahead of schedule to assist landowners in the planning of their land. The table outlines a standard timeframe and expedited timeframe.

The Banjup (Treeby) District Structure Planning will be undertaken in collaboration between landowners and the City. Due to the expedited timeframe the City will through the project plan set key objectives and outcomes for the district planning process. Following this the City will form internal and external working groups to coordinate and facilitate orderly management of the key structural issues that exist within Banjup.

The District Structure Plan and supporting documentation will be written externally to the City, on behalf of a significant landholder within the subject area. Following this the City will take final control of the District Structure Plan and prepare it for presentation to Council for consideration to advertise. This approach is favoured as it is cost minimal while still providing the City with significant control over the process.

Strategic Plan / Policy Implications

Growing City

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

Infrastructure

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

Environment & Sustainability

- A community that uses resources in a sustainable manner.

Moving Around

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

Corporate Business Plan

The Banjup (Treeby) District Structure Plan is a project identified within the adopted Corporate Business Plan to be undertaken by the Strategic Planning Department in 2015/2016.

Budget/Financial Implications

The project will be predominantly undertaken externally, on behalf of a significant landowner, under close supervision of City officers.

Some work will be undertaken internally by Council staff with any minor costs associated with the project being funded as part of normal budgetary processes.

Legal Implications

N/A

Community Consultation

The Banjup (Treeby) District Structure Plan (Attachment) builds upon the community engagement work and previous strategic and statutory planning already undertaken and documented within the locality.

Complementing this information the plan incorporates a comprehensive stakeholder and community engagement process.

Attachment(s)

Banjup (Treeby) District Structure Plan Project Plan

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

14.10 (OCM 12/11/2015) - PROPOSED METROPOLITAN REGION SCHEME AMENDMENT – LOCATION: LOT 821 ARMADALE ROAD, BANJUP – OWNER: HOUSING AUTHORITY – APPLICANT: WESTERN AUSTRALIAN PLANNING COMMISSION (108/001) (C HOSSEN) (ATTACH)

RECOMMENDATION

That Council

- (1) note the proposed Amendment 1289/57, for Lot 821 Armadale Road, Banjup and surrounds, to the Metropolitan Region Scheme; and
- (2) indicates its support for Amendment 1289/57 to the Western Australian Planning Commission.

COUNCIL DECISION

Background

At the Ordinary Council held on 11 November 2010, Council considered the Draft Outer Metropolitan Perth and Peel Sub-regional Strategy. This Strategy was prepared by the Western Australian Planning Commission (“WAPC”), in order to provide further guidance at a local level to how the new Strategic Plan for Perth and Peel (“Directions 2031) will be implemented.

The Draft Strategy identified a major expansion area within the locality of Banjup, adjoining the Cockburn Central Activity Centre. This aspect of the Draft Strategy has been previously supported by Council.

In light of Council’s support for the above urban expansion, Council at the Ordinary Council Meeting on 12 September 2010 was asked to provide support towards the initiation of a Metropolitan Region Scheme (“MRS”) Amendment 1211/41 over lots Lot 9002 Jandakot Road, Lot 9004 Armadale Road, Lot 132 Fraser Road and Lot 1 Armadale, totalling 152.83 hectares, from ‘Rural – Water Protection’ to ‘Urban’. This proposal is commonly referred to as the Banjup Quarry Development.

Council again provided its support, as part of the formal advertising period towards the above mentioned MRS Amendment 1211/41 at the 08 December 2010 Council Meeting. MRS Amendment 1211/41 was gazetted on 08 January 2013.

At the Ordinary Council meeting held on 9 May 2013 Council was requested to consider the Proposed Metropolitan Region Scheme Amendment for Lot 821 Armadale Road, Banjup – the site subject to this report – from ‘Rural - Water Protection’ to ‘Urban’. Council at that meeting provided support for the proposed Amendment.

The proposal put to Council at the 9 May 2015 meeting differs slightly from the proposal currently before Council. The area proposed to be included within the ‘Urban’ zone has been increased to include the area of the un-made Fraser Road reservation where it adjoins the site. Further to this the formal Amendment also proposes to Reserve 0.29ha of land ‘Regional Reserve – Primary Regional Road’ associated with Armadale Road.

The purpose of this report is for Council to consider the proposed Amendment 1289/57, for Lot 821 Armadale Road, Banjup and surrounds, to the Metropolitan Region Scheme.

Submission

The Western Australian Planning Commission has resolved to amend the MRS, the Amendment has been provided for public comment.

Report

Background to the Draft Outer Metropolitan Perth and Peel Sub-regional Strategy

In August 2010 the WAPC released the new Strategic Plan for Perth and Peel titled Directions 2031 and Beyond. This document provides the highest level of strategic metropolitan planning, guiding the development of more detailed policies, strategies and planning actions. As an important mechanism to demonstrate how Directions 2031 are to be implemented at a local level, sub-regional strategies have been developed.

The Draft Strategy provides information about the levels of expected population growth by local government area, and highlight development opportunities as well as opportunities for increased residential densities. They provide a framework for delivering the objectives of Directions 2031.

In respect of the City, it falls within the south-west subregion, together with the City of Kwinana and City of Rockingham. The Draft Strategy identifies future growth areas, both planned (already approved) and potential urban expansion opportunities. These growth areas are tied back to the future population and dwelling growth targets which each local government have been set.

The Draft Strategy also provides forecasts and targets for economic development, industrial land and major infrastructure (water, energy etc.). A critical component to the City and broader south-west subregion in respect of accommodating growth targets is the Banjup urban expansion area. This has been identified for urban expansion commencing between 2011–2015, and covers the following specific land parcels:

- Lot 9002 Jandakot Road – 6.291 ha
- Lot 9004 Armadale Road – 36.52 ha
- Lot 132 Fraser Road – 45.32 ha
- Lot 821 Fraser Road – 20.50 ha

Lot 821 Fraser Road is the topic of this report.

The Metropolitan Region Scheme Proposal

The proposal constitutes rezoning the majority of Lot 821 Fraser Road, Banjup and surrounds from 'Rural – Water protection' to 'Urban'. A 0.29ha portion of the subject site is proposed to be reserved as 'Regional Reserve – Primary Regional Road' associated with Armadale Road. See Attachment 1.

The MRS amendment is considered to demonstrate compliance with the previous comments of support made by Council, as well as the broader strategic planning framework provided by the draft Strategy and Directions 2031 and Perth and Peel @ 3.5M.

The widening of Armadale Road assists in the proper and orderly planning of this important regional road and is entirely consistent with the City's support for the upgrade of this road.

The extension of the 'Urban' zone over the current un-made portion of Fraser Road, where it adjoins the subject site, does not indicate that the land will be subject to residential development. Current planning of the adjoining Banjup Quarry site indicates that this portion of un-made road reserve will be retained as an environmental asset. The change of zoning under the MRS will have no detrimental impacts on this outcome.

Conclusion

The proposal is considered to fulfil the various strategic objectives embodied within Directions 2031, the Draft Outer Metropolitan Perth and Peel Sub-regional Strategy and related State Planning Policies. It represents a significant urban infill targeted around the Cockburn Central Activity Centre, creating strategic synergies between investment, infrastructure, employment and activity which are required as a component to achieving more sustainable urban development. It is on this basis that it is recommended that Council write to the WAPC indicating its support for the proposal.

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.

Community & Lifestyle

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

A Prosperous City

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

Environment & Sustainability

- A community that uses resources in a sustainable manner.

Budget/Financial Implications

The City will need to undertake amendments to its Scheme to provide an appropriate zoning and special control area arrangement to cover both structure planning requirements and the need for developer contribution arrangements. This will be a matter for future consideration, if the proposal to initiate an amendment to the MRS receives support of the WAPC.

Legal Implications

The *Planning and Development Act 2005* provides the statutory basis in which an amendment to a region scheme is to be considered. This includes the statutory referral and consent processes of the Environmental Protection Authority. If the proposal is supported, the

City will also need to undertake amendments to its Scheme to provide an appropriate zoning and special control area arrangement to cover both structure plans and the need for developer contribution arrangements.

This will be a matter for future consideration if the amendment to the MRS is adopted for final approval by the WAPC.

Community Consultation

Community consultation has occurred previously in the form of the Directions 2031 Strategic Plan, Draft Outer Metropolitan Perth and Peel Sub-regional Strategy, and Perth and Peel @ 3.5m documents.

In accordance with the requirements of the Planning and Development Act 2005 the MRS amendment was made available for public inspection. The amendment was advertised from 6 October to 11 December 2015. A copy of the amendment documentation was placed in the offices of the City for public inspection.

Attachment (s)

Proposed MRS Amendment Map

Advice to Proponent(s)/Submitters

The Proponent(s) have been advised that this matter is to be considered at the 12 November 2015 Council Meeting.

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

Nil.

14.11 (OCM 12/11/2015) - RECOMMENDATION TO WAPC TO ADOPT MODIFICATION TO MURIEL COURT STRUCTURE PLAN - (COCKBURN CENTRAL NORTH CCW) - LOCATION: VARIOUS - OWNER: SHINETON PTY LTD - APPLICANT: URBIS (110/007) (C HOSSEN) (ATTACH)

RECOMMENDATION

That Council

- (1) pursuant to Clause 20 (2)(e) of City of Cockburn Town Planning Scheme No. 3 ("Scheme"), recommends the Western Australian Planning Commission adopts the modification to Muriel Court Structure Plan (as shown in Attachment 1);
- (2) endorse the schedule of submissions prepared in respect of the

- Structure Plan; and
- (4) advise those persons who made a submission of the Council's recommendation.

COUNCIL DECISION

Background

The City has received a request from Urbis on behalf of Shineton Pty Ltd to consider for adoption a major modification to the Muriel Court Structure Plan.

The propose modifications apply primarily to Lots 15, 21, 100, 101 and 102 Muriel Court, Cockburn Central; being the landholdings of the applicant. The proposed changes to the Structure Plan result in minor changes to adjoining landowners lots: namely, Lot 20 Muriel Court, and Lots 53 and 54 North Lake Road, Cockburn Central.

Pursuant to the requirement of City of Cockburn Town Planning Scheme No. 3 ("Scheme"); a Structure Plan is required to be prepared and adopted to guide future subdivision and development.

In line with the Planning and Development Regulations gazetted on 19 October 2015, Council no longer has a statutory approval role in the determination of Structure Plans. Therefore, Point 1 of the Council Recommendation is required, under the new deemed provisions of the Scheme, to provide a recommendation to the Western Australian Planning Commission ("WAPC") on Structure Plans and Structure Plan modifications. In this regard the recommendation is that the WAPC adopt the proposed modification to the Muriel Court Structure Plan.

Submission

Lodged by Urbis on behalf of the landowner.

Report

The Muriel Court Structure Plan area ("subject area"), also known as Development Area 19 ("DA19") has been earmarked for urban residential development since 1994. The subject area is located in the

locality of Cockburn Central; bound by North Lake Road, Semple Court, Verna Court, the Kwinana Freeway and Kentucky Court. Being 79 ha in size and directly adjacent to the Cockburn Central Activity Centre, it comprises a unique and strategic location to accommodate future growth.

Detailed planning of the subject area was instigated by the City's Strategic Planning Department in late 2006 and culminated in the endorsement of the Structure Plan by the Western Australian Planning Commission in February 2010. However to date, due to a number of factors, development is only now starting to respond in respect of the opportunities presented by the Structure Plan.

Initially, given the multiplicity of land ownership and the relatively small lot sizes, it was considered that the only practical way of progressing planning of the subject area and facilitating its development potential was for the City to take a lead role. The Structure Plan, in conjunction with other statutory planning instruments, to this day provides a robust framework for the implementation of a dense, walkable, mixed use community. It does however appear that some barriers to development remain, some of which are possible for addressing through a Structure Plan modification. Other barriers, particularly financial costs of servicing, are not issues which the Structure Plan or City are able or should be expected to address.

Council History

The Muriel Court Structure Plan has been presented to Council multiple times over the past 8 years. The most relevant decisions are noted below.

13 November 2008 – Council adopted a Structure Plan and requested the WAPC lift the urban deferment over the subject area.

08 July 2010 – Council adopted a Local Planning Policy for the purposes of applying design guidelines to the Muriel Court Structure Plan and a modified Structure Plan.

08 September 2010 – WAPC endorsed the modification to the Structure Plan.

14 October 2011 and 30 December 2013 – Minor modification are undertaken to the Structure Plan.

Mid to Late 2014 – Following the September 2013 OCM it was requested that staff undertake a review of the Muriel Court Structure Plan. A major variation to significant portions of the Structure Plan; relating specifically to the Residential Design Codes that applied to the

subject area was undertaken. This variation saw the removal of the majority of 'low' density coded areas and increases in areas coded 'medium' and 'high' density codes. The major modification was adopted by Council.

Statutory Framework

The subject area is zoned 'Urban' under the Metropolitan Region Scheme, with the majority of surrounding land zoned 'Urban'. The adjacent land to the south is zoned 'Industrial' and the Kwinana Freeway Reserve is reserved as a 'Regional Road Reserve'.

The majority of the subject area is zoned 'Development' under the City's Scheme, and within DA19. The land fronting North Lake Road is zoned 'Mixed Business' while being included within DA19. The majority of the subject area is also included within Development Contribution Area 11 (DCA11) and the entirety of the subject area lies within Development Contribution Area 13 (DCA 13).

The following sections provide a succinct discussion of the prevailing statutory and planning policy framework:

Muriel Court Structure Plan

The Muriel Court Structure Plan was initially prepared by officers of the City in conjunction with Koltasz Smith Planning Consultants. The City's leadership initially was seen as vital given the multiplicity of land ownership and the relatively small lot sizes. The involvement of the City was considered the only practical way of progressing planning of the subject area and facilitating its development potential.

The initial Structure Plan was prepared to be consistent with the WAPC's Liveable Neighbourhoods and Network City Strategic Planning Document (now superseded by Directions 2031). Providing a diverse and compact urban outcome that supports alternative transport choices, and further supports the Cockburn Central Activity Centre and train station, were at the heart of the planning for the area. In total the Structure Plan is expected to yield between 2,170 and 2,894 dwellings. The key planning principles that unpinning the Structure Plan preparation were Community Design; Movement Network; Lot Layout and Public Parkland; Activity Centres, Employment and schools and; Urban Water Management/Utilities;

Development Area 19

DA19 within Schedule 11 of the Scheme provides for a statutory framework that has led to a Structure Plan that guides subdivision and development within the subject area. Created as part of Scheme

Amendment 6 and further advanced by Scheme Amendment 62, it requires that any structure plan proposed on the subject area provide for residential and mixed business development where appropriate, establish the need for a set of design guidelines and ensure that proposals directly accessing North Lake Road have due regard to the North Lake Road Vehicle Access Policy.

Development Contribution Area 11

Development Contribution Area 11 (DCA 11) is situated over the majority of the subject area; it is bound by the northern edge of the mixed business zone fronting North Lake Road, Kentucky Court, the Kwinana Freeway, Berrigan Drive and Semple Court.

This forms the statutory mechanism by which cost sharing of common infrastructure takes place within the Muriel Court Structure Plan area.

Proposed Modifications to Structure Plan

The proposal relates to a significant landholding within the 'high density' walkable catchment area of the Structure Plan. Development in this portion of the Structure Plan is expected to take the form of mid-rise residential apartments with the possibility of small scale ground floor commercial opportunities.

The precinct is within the walkable catchment of the Train Station, Town Centre and the Cockburn Central West development area.

The land is currently undeveloped with a rural residential character. The City has received and approved two mixed-use developments within this precinct, both abutting North Lake Road.

Existing Structure Plan

The existing structure plan, shown right, highlights the strong traditional grid street network currently approved for the high density portions of the Structure Plan. The current design provides for a highly permeable network with strong sightlines to areas of Public Open Space. Further, it supports the design principles of the Muriel Court Design Guidelines by ensuring a hierarchy of streets that have various roles and attributes. Within the applicant's landholdings the current land use breakdown is as



follows: Residential land (56.7%), Road (30.9%) and open space (12.4%).

The central POS is one of three located within the Muriel Court Structure Plan area, these having an important role in drainage and vegetation retention.

The area's design would be generally described as robust with prominent corner focusing on the Public Open Space. An area that lends itself to a high density coding.

Proposed Structure Plan

The proposed modification to the structure plan, shown right, provides for a more streamlined grid street network that retains the important permeable nature of the existing network. The proposed design provides for a highly permeable network with strong sightlines to areas of public open space. Further, it supports the design principles of the Muriel Court Design Guidelines by ensuring a hierarchy of streets that have various roles and attributes. Within the applicants landholdings the proposed land use breakdown is as follows: Residential land (62.8%), Road (23.9%) and open space (13.3%).



The proposed changes to the subject area's POS includes a minor variation to the large central area of POS. This includes a splitting off of the north east corner, and also the inclusion of a new central 'urban' pocket park. The changes to the primary POS will not have negative impact on the urban water management of the Structure Plan. Moreover, the 'corner' is not heavily vegetated and therefore the change will have negligible impacts on the retention of vegetation.

Importantly the changes to the areas of POS in the proposed modification do not increase the total area of POS across the Structure Plan area. The retention of the total POS area ensures that there are no 'down stream' implications on the total cost of delivering the Development Contribution Area 11 infrastructure items. Any increase in POS would of in turn cost all landowners over the long term.

Key elements of the proposal are as follows:

- Deletion of a number of east-west and north-south aligned roads/laneways.
- Combining of the two main north-south roads into a single road;
- Minor relocation of other roads.
- Creation of 5 development areas rather than 9, which results in more useable parcels with a greater combined area that will enhance yield.
- Creation of a central parkland area to spread amenity across the subject land.

The proposed modification was accompanied by the following technical appendices, all of which have been assessed internally by the relevant officers:

- Addendum to approved Local Water management Strategy.
- Addendum to the approved Traffic Impact Assessment.
- An Environmental Summary.
- An updated Servicing Report.

These reports were deemed to be acceptable to inform decision making and the advertising of the Structure Plan modification.

Community Consultation

The Muriel Court Structure Plan has been subject to considerable community consultation over its history.

The proposed modification was advertised to government authorities, affected landowners for 21 days; they were also advertised in the Cockburn Gazette. Nine (9) submissions were received in total, eight (8) from State Government agencies and one (1) from an adjoining landowner. No submitter objected to the proposed modification.

As no submission raised a matter of significant concern these have not been directly addressed in this Council Report. All submissions have however been addressed in detail in the attached schedule of submissions.

Conclusion

It is recommended that Council recommend to the Western Australian Commission that the modified Muriel Court Structure Plan be adopted.

Strategic Plan/Policy Implications

Growing City

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

Community & Lifestyle

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

A Prosperous City

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

Budget/Financial Implications

There are not any direct financial implications associated with the proposed modifications to the Structure Plan.

Legal Implications

N/A

Community Consultation

The Muriel Court Structure Plan has been subject to considerable community consultation over its history.

The proposed modifications have been advertised to government authorities, affected landowners for 21 days; they were also advertised in the Cockburn Gazette. This matter is discussed above and within the Schedule of Submissions.

Attachment(s)

1. Modified Muriel Court Structure Plan
2. Current and Proposed Comparison Map
3. Schedule of Submissions

Advice to Proponent(s)/Submitters

N/A

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

Nil.

14.12 (OCM 12/11/2015) - NOMINATION FOR 'SIGNIFICANT TREE LIST' - TUART TREE 14 Gwilliam Drive, Bibra Lake (099/228) (D. DI RENZO) (ATTACH)

RECOMMENDATION

That Council

- (1) advertise the proposed inclusion of the Tuart Tree, Waldorf School at 14 Gwilliam Drive, Bibra Lake on the City of Cockburn 'Significant Tree List' pursuant to the Local Government Inventory; and
- (2) advise the Perth Waldorf School that any works or inspections to be undertaken in accordance with the recommendations of the Arborist Report are to be arranged by the Perth Waldorf School, and at their cost.

COUNCIL DECISION

Background

A nomination has been received from the Perth Waldorf School for a 'Significant Tree' located on their site at 14 Gwilliam Drive, Bibra Lake.

Submission

The nomination has been submitted by the Perth Waldorf School, and includes an arborist report prepared by Arbor Oxygen (Attachment 1).

Report

The Perth Waldorf School has nominated a Tuart tree for inclusion on the Significant Tree list pursuant to the City of Cockburn Local Government Inventory.

The tree is a *Eucalyptus gomphocephala*, and is one of the largest remaining of its species in the area.

An arborist report has been prepared and is accompanied by information prepared by the Perth Waldorf School outlining that the tree meets the following criteria for inclusion on the 'Significant Tree List':

Horticultural Value

The large Tuart tree represents a particularly fine example of the once widespread Tuart populations found through the coastal areas of the Swan coastal plain. It is one of the very few mature specimens remaining in the areas. It is a tree of great amenity value and provides a special contribution to the school grounds as a landscape feature.

It is estimated to be between 75-100 years old. It is a remnant local native tree of great value for biodiversity conservation and linkage and provides unique endemic material among the few remaining tuarts in the area.

It also provides valuable ecological functions as native habitat and food source for local fauna including the Carnaby's Black Cockatoo.

Rare or Localised

The tree is an excellent example of its species due to its age and its size. Trees of this species have the potential to live up to 400 years. It is extremely valuable as one of the last remaining mature specimens in the area. The species as a whole is critically vulnerable.

Location or Context

The tree stands 25m tall at the tip of a hill at the highest point of the Perth Waldorf School.

Exceptional size, age and form

The tree measures more than 25m in height and has a canopy spread of more than 20m. It is one of the very few trees of this stature that are left in the suburban areas of Perth.

Social, cultural or spiritual value

For many years the Tuart tree has been an intrinsic part of the educational and social life at the Perth Waldorf School and is incorporated in many aspects of the curriculum.

Early childhood education students (aged 4 to 6 years) walk up to the school to observe it and learn from it. Students have traditionally been taken up to the Tuart tree on their first woodwork lesson and given an

inspirational introduction about the tree that never fails to instil respect and awe. The tree forms an intrinsic part of the Woodwork lessons through the schooling years. Grades four to nine spend time studying the tree, and older students draw inspiration in Poetry and Creative Writing and incorporate their observations in their Ecology and Geography lessons.

The tree has become an important element of the Perth Waldorf School community, enriching the landscape and learning experience.

Arborist Recommendations

The arborist report identifies that the tree is in good health. However, it does make a number of recommendations to enhance tree root growth. This includes changes to redirect stormwater water, and changes to internal roads on the site. It also recommends annual tree inspections.

If any of these works or inspections is to be undertaken, this will be the responsibility of the Perth Waldorf School.

Conclusion

It is recommended that Council advertise the proposed inclusion of the tuart tree on the 'Significant Tree' list for a period of 21 days. Subsequently the matter will be presented back to Council for consideration of any submissions and a final decision made in relation to inclusion of the tree on the 'Significant Tree' list.

As an aside issue, it has been requested of the City that it agree to lease portion of the former Phoenix Road reserve that extended past its current intersection with North Lake Road. This will formalise the use of the land by the school, and it is anticipated that the leasing issue will be concluded in the short term.

Strategic Plan/Policy Implications

Growing City

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

Community & Lifestyle

- Communities that take pride and aspire to a greater sense of community.
- Conservation of our heritage and areas of cultural significance.

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

If adopted by Council for advertising the proposed inclusion on the 'Significant Tree' list will be advertised for a period of 21 days.

This will include an advertisement in the newspaper, and letters to adjacent landowners/occupiers.

Attachment(s)

1. Significant Tree Nomination
2. Location Plan

Advice to Proponent(s)/Submissioners

The Perth Waldorf School have been advised that this matter is to be considered at the 12 November 2015 Council Meeting.

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

Nil.

14.13 (OCM 12/11/2015) - DEVELOPMENT ASSESSMENT PANELS - NOMINATION OF ONE (1) ALTERNATE MEMBER BY COUNCIL TO THE SOUTH WEST METROPOLITAN AREA JOINT DEVELOPMENT ASSESSMENT PANEL (052/002) (L JAKOVCEVIC) (ATTACH)

RECOMMENDATION

That Council

- (1) nominate _____ as its second alternate member to the South West Metropolitan Area Joint Development Assessment Panel ("SWMAJDAP"); and
- (2) advise the Minister for Planning of the above nomination for appointment to the SWMAJDAP.

COUNCIL DECISION**Background**

The City has recently been notified by the Director General of the Department of Planning that the appointments of the current local government DAP members were appointed on 27 July 2015 for the term ending 26 April 2017.

Following the local government elections held on 17 October 2015, Clr Yaz Mubarakai, who was appointed as an alternate member, was not re-elected to Council; therefore an alternate member needs to be appointed by Council.

Council's previous resolution for the nomination of members and alternative member was made at the Ordinary Council Meeting on 12 February 2015.

The current local government DAP members are Clr Stephen Portelli and Clr Kevin Allen. The current alternate member is Clr Bart Houwen.

Submission

N/A

Report

The 2010 Amendment Act resulted in a number of amendments to the *Planning and Development Act 2005* (PD Act). Part 3 in particular, introduced Part 11A – Development Assessment Panels, into the PD Act. To give new effect to these provisions, the *Planning and Development (Development Assessment Panels) Regulations 2011* ('DAP Regulations') were introduced. The DAP Regulations provide the heads of power enabling the operation, constitution and administration of DAPs.

As described in the Western Australian Planning Commission (WAPC) Planning Bulletin 106/2011, *DAPs are panels comprising a mix of technical experts and local government representatives with the power to determine applications for development approvals in place of the relevant decision making authority. The introduction of DAPs is one of*

the fundamental principles of the national Development Assessment Forum's leading practice model for development assessment.

A total of 15 DAPs have been established by the Minister for Planning. All DAPs comprise the following membership:

- Two (2) local government representatives.
- Three (3) specialist members, one of whom will be the presiding member, one who will be the deputy presiding member, and one who will otherwise possess relevant qualifications and/or expertise.

Local authorities are responsible for nominating their two (2) DAP representatives from their pool of elected members (Councillors). When determined, a Local Authority provides the names of its nominated panel members to the Minister for appointment, following which the names of members appointed to each DAP will be published on the DAP website maintained by the Department of Planning.

A local authority is also required to nominate two (2) alternate members. The alternate members replace permanent local government DAP members when required (due to illness, leave or other cause). Alternate members can only sit in replacement of a permanent local member where they generally share the same knowledge and/or experience as the permanent member.

In the event a local authority fails to nominate two elected representatives within the specified time frame, the Minister has the power to appoint two alternative community representatives. The DAP Regulations require these persons to be local residents, with sufficient local knowledge and/or appropriate experience whereby in the opinion of the Minister, they can suitably represent the interests of their local community.

In all instances, nominated DAP and alternate members are required to undergo mandatory training before they can sit on a DAP. Training addresses the Western Australian planning and development framework, planning law, the operation of a DAP, the DAP Code of Conduct and the expected behaviour of DAP members.

DAP members will be paid by the Department of Planning where they successfully complete the required training. DAP members attending a DAP meeting will also be paid a sitting fee per meeting. Similarly, reimbursement of all travel expenses incurred when attending a DAP meeting is provided for by the DAP Regulations. Current fees and reimbursements are available on the Department of Planning's website.

All DAP members are appointed for a term of two (2) years.

DAPs meet on an irregular basis as applications that fall within the criteria are received. The City of Cockburn forms part of a Joint Development Assessment Panel (JDAP) for the South West Metropolitan Area. Other local authorities comprising this JDAP include the Cities of Fremantle, Kwinana and Rockingham, and the Town of East Fremantle.

The two appointed local government members are required to attend a JDAP meeting when an application for development within their local authority is to be determined. If they are unable to attend notice is to be given to the DAP secretariat and an alternate member is contacted. Meetings may be held at any of the member Councils offices or Department of Planning in Perth at the direction of the DAPS secretariat. These meetings are between 15 minutes – 60 minutes. Members only need to attend for the City of Cockburn items, not for other local government authority items.

In 2015 to date, there have been 10 JDAP meetings for which the City of Cockburn has submitted items. In 2014 there were 16 meetings which the City of Cockburn submitted items. Most of these meetings were held at the City of Cockburn; although some were held at the Department of Planning in Perth and a couple of meetings were held in the City of Fremantle and the City of Kwinana.

In accordance with the DAP Regulations, local authorities are required to submit the names of their nominated DAP members and alternate members (should they not be re-elected) to the Minister. Local government authorities need to submit their member names and details by Friday 30 October 2015.

Strategic Plan/Policy Implications

Leading & Listening

- Effective advocacy that builds and manages relationships with all stakeholders.

A Prosperous City

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

Budget/Financial Implications

There are no budgetary or financial implications arising from the nomination and appointment of Councillors to the JDAP. Sitting fees are as follows:

Form 1 application \$400

Form 2 application \$50

Form 1 and a Form 2 for the 1 meeting, the members will be paid \$400 only. Members must attend the meeting to be paid.

This information is available on the Department of planning, Development Assessment Panel website for members to view.

Legal Implications

Planning and Development Act 2005 (as amended).
Approvals and Related Reforms (No. 4) (Planning) Act 2010.
Planning and Development (Development Assessment Panels) Regulations 2011.

Community Consultation

N/A

Attachment(s)

1. Letter from JDAP outlining nomination details.
2. JDAP Nomination Form

Advice to Proponent(s)/Submitters

N/A

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

Nil.

15. FINANCE AND CORPORATE SERVICES DIVISION ISSUES

15.1 (OCM 12/11/2015) - LIST OF CREDITORS PAID - SEPTEMBER 2015 (076/001) (N MAURICIO) (ATTACH)

RECOMMENDATION

That Council adopt the List of Creditors Paid for September 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 September 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 – September 2015.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

15.2 (OCM 12/11/2015) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - SEPTEMBER 2015 (071/001) (N MAURICIO) (ATTACH)

RECOMMENDATION

That Council adopt the Statement of Financial Activity and associated reports for September 2015, as attached to the Agenda.

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 within monthly reporting. Council has adopted a materiality threshold of \$200,000 for the 2015/16 financial year.

Whilst this level of variance reporting helps inform the formal mid-year budget review and informal monthly budget reviews, detailed analysis of all budget variances is ongoing and put to Council for amendment where required.

Submission

N/A

Report

Opening Funds

Due to the completion of end of financial year (EOFY) processing and audit, the actual opening funds of \$13.7M in the September financial report are finalised and compare closely to the adopted budget of \$13.5M. These include the required municipal funding for carried forward works and projects of \$9.7M versus the original \$10.5M estimated in the adopted budget.

There is a separate agenda item to the November Council meeting addressing the budget requirements for the variance in closing municipal funds from last year and the adoption of the associated list of carried forward projects.

Closing Funds

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.

The City's YTD closing funds of \$89.3M are \$1.2M lower than the YTD budget target. This result comprises net cash flow variances across the operating and capital programs as detailed throughout this report.

The budgeted full year closing funds remain at \$0.29M, versus the \$0.36M originally adopted and subsequently reduced at the September OCM through some minor budget amendments.

Operating Revenue

Consolidated operating revenue of \$99.2M was slightly behind the YTD budget target of \$99.6M.

The following table shows the operating revenue budget variance at the nature and type level:

Nature or Type Classification	Actual Revenue \$M	Revised Budget YTD \$M	Variance to Budget \$M	FY Revised Budget \$M
Rates	(86.1)	(86.5)	(0.4)	(89.0)
Specified Area Rates	(0.3)	(0.3)	0.1	(0.3)
Fees & Charges	(7.8)	(8.5)	(0.7)	(25.1)
Service Charges	(1.0)	(1.0)	0.0	(1.0)
Operating Grants & Subsidies	(2.0)	(1.8)	0.2	(7.3)
Contributions, Donations, Reimbursements	(0.1)	(0.2)	(0.1)	(0.6)
Interest Earnings	(1.7)	(1.3)	0.4	(5.4)
Other Revenue	(0.0)	(0.0)	0.0	(0.0)
Total	(99.2)	(99.6)	(0.4)	(128.8)

The significant variances within this result were:

- Within fees and charges, commercial landfill fees were \$0.9M behind the YTD budget.
- Rates revenue was \$0.4M behind budget due to a delay in processing interim rates whilst systems and resources were impacted by the rates concession issue.
- Interest earnings were \$0.4M ahead of budget due to a strong cash position and locked in higher rates.
- Operating grants in the Human Services area were \$0.2M ahead of the cash flow budget.

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

Operating Expenditure

Operating expenditure of \$27.9M (including asset depreciation) was under the YTD budget by \$1.9M.

The following table shows the operating expenditure budget variance at the nature and type level:

Nature or Type Classification	Actual Expenses \$M	Revised Budget YTD \$M	Variance to Budget \$M	FY Revised Budget \$M
Employee Costs - Direct	10.2	10.7	0.5	46.5
Employee Costs - Indirect	0.2	0.2	(0.0)	1.1
Materials and Contracts	7.5	9.0	1.5	36.8
Utilities	1.0	1.2	0.2	4.6
Interest Expenses	0.0	0.0	(0.0)	0.1
Insurances	1.2	1.2	0.0	2.1
Other Expenses	1.8	1.6	(0.2)	8.9
Depreciation (non-cash)	6.6	6.9	0.4	27.7
Internal Recharging-CAPEX	(0.5)	(1.0)	(0.5)	(3.0)
Total	27.9	29.9	1.9	124.8

The internal recharging credits reflect the amount of internal costs capitalised against the City's assets.

These results comprised the following significant items:

- Material and Contracts were \$1.5M under YTD budget mainly due to underspending in parks and bushland maintenance (\$0.5M), RRRC entry fees for waste collection (\$0.2M) and family day care/in-home caregiver payments (\$0.2M).
- Salaries and direct employee on-costs were \$0.5M under YTD budget across the board without a material variance (i.e. greater than \$0.2M) in any one business area.
- Depreciation on assets was \$0.4M under the YTD budget mainly due to lower depreciation for road assets following the EOFY revaluation.
- Internal recharging of expenditure to capital works had a \$0.5M shortfall.

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

Capital Expenditure

The City's total capital spend at the end of September was \$8.3M, representing an under spend of \$10.8M against the YTD budget of \$19.1M.

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

Asset Class	YTD Actuals \$M	YTD Budget \$M	YTD Variance \$M	FY Revised Budget \$M	Commit Orders \$M
Roads Infrastructure	0.9	3.7	2.7	13.5	2.5
Drainage	0.1	0.2	0.1	1.6	0.1
Footpaths	0.1	0.0	-0.1	1.1	0.1
Parks Hard Infrastructure	0.6	1.0	0.4	7.3	1.0
Parks Soft Infrastructure	0.1	0.3	0.2	1.2	0.0
Landfill Infrastructure	0.1	0.2	0.1	0.6	0.1
Freehold Land	0.0	1.0	0.9	3.6	0.0
Buildings	5.0	10.2	5.2	66.3	75.7
Furniture & Equipment	0.0	0.0	0.0	0.0	0.0
Computers	0.1	0.4	0.3	1.0	0.1
Plant & Machinery	1.2	2.2	1.0	6.2	0.1
Total	8.3	19.1	10.8	102.4	79.7

These results comprised the following significant items:

- The CCW RAEPEC (\$2.5M), works depot upgrade (\$1.9M) and Coleville Crescent carpark works (\$0.3M) were collectively responsible for \$4.7M of the net \$5.2M underspend against the YTD budget for Buildings.
- The roads construction program was \$2.7M underspent against the full year budget, mainly due to Beeliar Drive [Spearwood – Stock] under by \$1.6M; Berrigan Drive [Kwinana Freeway to Jandakot Rd] under by \$0.7M; and North Lake Road [Hammond to Kentucky] under by \$0.3M.
- The plant replacement program was \$1.0M behind the YTD budget as several high value heavy fleet items are yet to be purchased.
- The land development program was collectively \$0.9M behind YTD budget having not incurred any significant expenditure to date.

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 \$11.1M behind the YTD budget due to the capital budget under spends, whilst transfers to reserves were \$3.5M behind budget mainly due to delayed land sales.
- Revenue received under the Development Contribution Plans was \$1.0M over the YTD budget, with \$0.6M relating to the community infrastructure plan.
- Development partner contributions for the CCW RPAEC project were \$1.6M behind the YTD budget, correlating to the project's lower expenditure to date and awaiting ministerial 'in principle' support to complete legal processes for agreements.
- Government funding for the CCW RPAEC project was \$0.9M less than the cash flow budget, offset somewhat by Main Roads funding for Spearwood Ave (Rockingham to Hamilton) at \$0.3M ahead of budget.
- Proceeds from the sale of land were collectively \$4.6M behind the YTD budget with \$4.1M attributable to delayed land sales (to be reviewed) and \$0.5M to the plant replacement program.

Cash & Investments

The closing cash and financial investment holding at month's end totalled \$173.9M, down from \$179.4M the previous month. \$106.2M of this balance represented the amount held for the City's cash backed financial reserves. Another \$6.7M represented restricted funds held to cover deposit and bond liabilities. The remaining \$61.0M 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 reconciling transfers to financial reserves).

The City's investment portfolio made a weighted annualised return of 3.04% for September, down from 3.16% the previous month and 3.29% the month before. Whilst this result compares favourably against the UBS Bank Bill Index and the various short term BBSW indices, it continues to trend downwards. This is due to the interest rates being offered on new investments being lower than those that applied to maturing investments. The cash rate currently sits at 2.00% with financial markets pricing in a possible cut to the cash rate later this calendar year or early next year. If this eventuates, the City's interest revenue budget of \$5.4M for the 2015/16 financial year could be challenged.

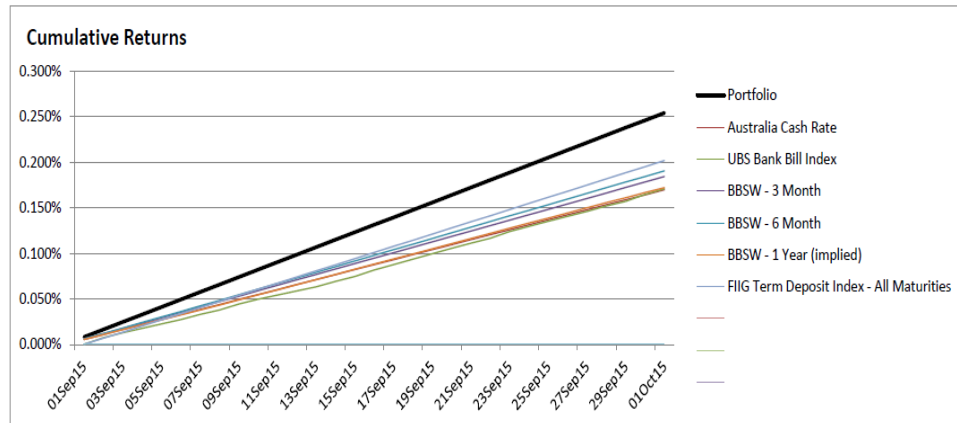


Figure 1: COC Portfolio Returns vs. Benchmarks

Nearly all 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 other than those made under previous statutory requirements and grandfathered by the new provisions.

The investments fall within the following Standard and Poors short term risk rating categories:

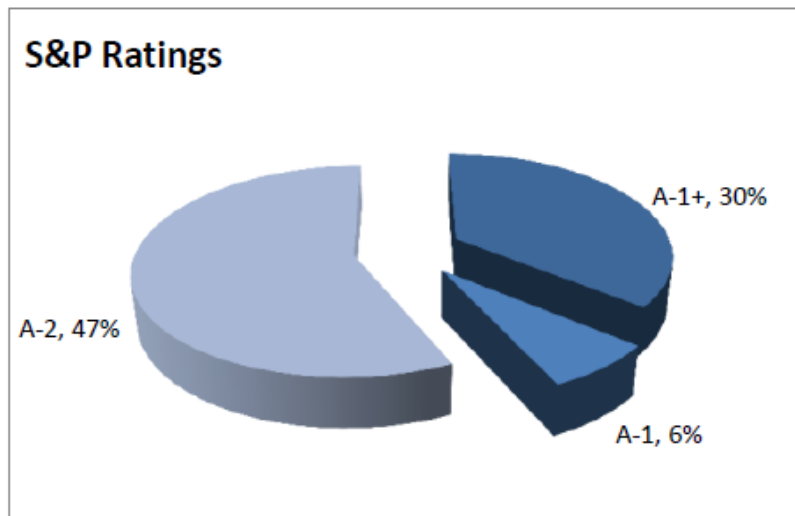


Figure 2: Council Investment Ratings Mix

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 147 days (up from 141 days last month) with the maturity profile graphically depicted below:

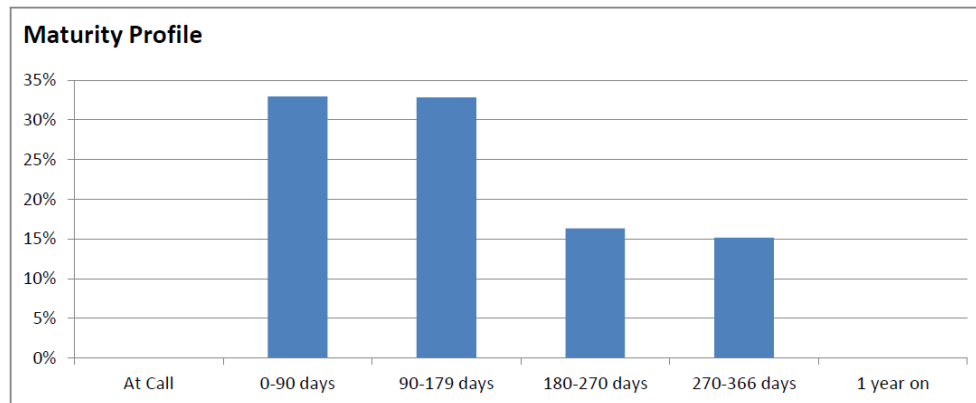


Figure 3: Council Investment Maturity Profile

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

N/A

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

Statement of Financial Activity and associated reports – September 2015.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

15.3 (OCM 12/11/2015) - CARRIED FORWARD WORKS AND PROJECTS - 2014/15 TO 2015/16 & CLOSING MUNICIPAL FUNDS (071/002) (N MAURICIO) (ATTACH)

RECOMMENDATION																					
That Council																					
(1)	amend the 2015/16 Municipal Budget by adding the Carried Forward Works and Projects as set out in the schedule attached to the Agenda and summarised in the following table:																				
	<table border="1"> <tr> <td>Capital Expenditure</td> <td>\$19,165,746</td> </tr> <tr> <td>Operating Expenditure</td> <td>\$239,995</td> </tr> <tr> <td>Transfers to Reserves (from land sales)</td> <td>\$14,922,727</td> </tr> <tr> <td>Total Expenditure /TF to Reserves</td> <td>\$34,329,468</td> </tr> <tr> <td colspan="2">Funded By:</td> </tr> <tr> <td>Capital Income – Sale of Assets</td> <td>(\$15,262,227)</td> </tr> <tr> <td>Grants & Contributions</td> <td>(\$2,088,560)</td> </tr> <tr> <td>Transfers from Reserves</td> <td>(\$7,321,610)</td> </tr> <tr> <td>Municipal Funding (held in C/FWD Projects Reserve)</td> <td>(\$9,657,071)</td> </tr> <tr> <td>Total Funding/TF from Reserves</td> <td>\$34,329,468</td> </tr> </table>	Capital Expenditure	\$19,165,746	Operating Expenditure	\$239,995	Transfers to Reserves (from land sales)	\$14,922,727	Total Expenditure /TF to Reserves	\$34,329,468	Funded By:		Capital Income – Sale of Assets	(\$15,262,227)	Grants & Contributions	(\$2,088,560)	Transfers from Reserves	(\$7,321,610)	Municipal Funding (held in C/FWD Projects Reserve)	(\$9,657,071)	Total Funding/TF from Reserves	\$34,329,468
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Municipal Funding (held in C/FWD Projects Reserve)	(\$9,657,071)																				
Total Funding/TF from Reserves	\$34,329,468																				
(2)	amend the 2015/16 Municipal Budget by adjusting the 2014/15																				

closing Municipal Funds b/fwd and allocating these as follows:

Closing funds as per June 2015 Statement of Financial Activity (budget surplus)	\$13,676,287
LESS Closing funds b/fwd into 2015/16 adopted budget	(\$13,500,000)
TF additional funds to Roads & Drainage Infrastructure Reserve	\$176,287

- (3) amend the 2015/16 budget by reducing the Municipal Funds transferred to the C/FWD Projects Reserve required to fund the carried forward works and projects attached to the Agenda and allocating these as follows:

Funding held in C/FWD Projects Reserve	\$10,500,000
LESS Municipal funding required for Carried Forward Works and Projects	(\$9,657,071)
TF additional funds to Roads & Drainage Infrastructure Reserve	\$842,929

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

Background

When Council adopted its Budget for the 2015/16 financial year (FY) at the June meeting, detailed carried forward works and projects were not included as these were uncertain at that time. However, an estimated closing municipal position for 2014/15 of \$13.5M was included in the opening funds for the 2015/16 adopted budget, with \$10.5M of this then transferred into the newly created C/FWD Projects Reserve. This reserve was established for the purpose of funding the municipal component of carried forward works and projects each year.

Post 30 June 2015 end of financial year processing and audit has now been finalised, allowing for the closing municipal position and value of carried forward works and projects to be determined and any required budget adjustments.

Submission

N/A

Report

The interim Statement of Financial Activity presented to the August Council meeting reported closing municipal funds of \$16,321,500. With the completion of end of financial year processing, the closing funds have been reduced to \$13,676,287 (a net decrease of \$2,645,213). An updated and final statement of financial activity as at 30 June 2015 is attached to the Agenda. In the 2015/16 adopted budget, the City forecast an opening municipal position of \$13,500,000, being \$176,287 less than the final actual position. Therefore this excess amount is available for other budgetary purposes.

The \$13,500,000 budgeted opening funds included an estimated \$10,500,000 municipal funding requirement for carried forward projects. This amount was budgeted to the new Carried Forward Projects Reserve to allow for the future funding of carried forwards (once finalised). The remaining \$3,000,000 was budgeted to the Roads and Drainage Infrastructure Reserve in accordance with Council's budget management policy.

A schedule of the carried forwards projects is attached to the Agenda, showing a net municipal funding requirement of \$9,657,071. Given this is less than the \$10,500,000 within the Carried Forward Projects Reserve, \$842,929 is also available for other budgetary purposes.

The carried forward works and projects include capital and operating expenditure totalling \$19,406,741. These are funded from a mix of financial reserves and grants and contributions, in addition to the municipal funding previously mentioned.

There are 122 projects carried forward this year compared to 169 last year. 35 of these projects are for more than \$0.1M each and total \$17.0M or 87% of the total carried forward expenditure. There are four projects with over \$1M carried forward as follows:

CW5261 - Bibra Lake MP Adventure Playground	2,931,847
CW3544 - North Lake Road (Hammond to Kentucky)	1,077,700
CW2475 - Beeliar Drive (Spearwood - Stock)	3,265,806
CW2989 - Berrigan Dr – [Kwinana Fwy to Jandakot] Construct 2nd cwy	1,553,064
Total	\$8,828,417

Also carried forward are outstanding land sales totalling \$14.9M, which once realised, will be transferred into the Land Development and

Investment Fund Reserve as per Council's Land Development Strategy. The main outstanding sale is Lot 9003 Beeliar Drive, Beeliar at an estimated \$9.6M.

It is recommended the excess funds of \$176,287 and \$842,929 identified earlier be allocated to the Roads and Drainage Infrastructure Reserve in accordance with Council Policy SC34 'Budget Management'. This requires surplus closing municipal funds identified at the end of each financial year are to be transferred to financial reserves or other financial contingencies with the objective of attaining the target values set for them.

Strategic Plan/Policy Implications

Leading & Listening

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

Budget/Financial Implications

The 2015/16 Budget will be amended to show \$13,676,287 of opening funds brought forward from the 2014/15 FY (an increase of \$176,287) and to include carried forward works and projects with expenditure totalling \$19,406,741, land sales income of \$14,922,727 and a municipal funding requirement of \$9,657,071 (a reduction of \$842,929).

An additional \$1,019,216 will be transferred into the Roads and Drainage Infrastructure Reserve in accordance with Council's budget management policy SC34.

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

1. Schedule of Carried Forward Works & Projects - 2014/15 to 2015/16.
2. Statement of Financial Activity – June 2015 (Final).

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 12/11/2015) - STATE OF SUSTAINABILITY REPORT 2014-15 (064/009) (J HARRISON) (ATTACH)

RECOMMENDATION

That Council adopt the State of Sustainability Report 2014-15.

COUNCIL DECISION

Background

For the past five years the City has tracked its progress towards sustainability in an annual 'State of Sustainability' report.

This reporting tool enables the City to publicly report against four key areas: Governance, Economy, Environment and Society.

The State of Sustainability report is aligned to the City's Strategic Community Plan, Sustainability Policy and Sustainability Strategy.

Submission

N/A

Report

In the 2014–15 financial year, the City had 97 indicators for sustainability across the organisation.

The State of Sustainability report uses the traffic light symbols to provide a visual snapshot of progress towards achieving a particular KPI.

Green indicates that the City is on track in achieving its stated KPI; Amber indicates that while the City is making progress, more work is needed; and Red indicates that the City is yet to make progress in achieving a particular KPI.

In this report we see significant improvement in the number of KPI's achieved during 2014-15, particularly in the areas of governance and economy.

The City's environmental and community programs have continued to deliver great outcomes for our society and the natural environment.

A summary of the KPIs under the four key areas and main achievements are provided below.

Governance

The City identified 26 KPIs to measure its progress towards achieving Governance Excellence. 73% of governance KPIs was achieved in 2014-15 (as compared to 58% in 2013-14).

Governance highlights include:

- A significant increase in the percent of sustainability clauses included in all Expression of Interest (EOI) and Request for Tenders (RFT) from 32% in 2013-14 to 97% in 2014-15.
- Continued enhancement of the City's suburbs with the finalisation of the Coolbellup Revitalisation Strategy.
- Increased opportunities for cycling with the implementation of the City's Bike Plan and the inclusion of end of trip facility provisions into the Local Planning Policy for Industrial Developments.

Environment

The City identified 25 KPIs to measure progress toward achieving best practice in Environmental Management. 48% of the environmental KPIs were achieved in 2014-15 (as compared to 59% in 2013-14).

Environment highlights include:

- Rehabilitation of 5.95 hectares of degraded bushland in 2014/15.
- Delivery of over 50 environmental and sustainability events, including the sustainable living series, sustainability grants, plus various rebates and subsidy programs.
- Partnership between UWA and Solar Dwellings to develop six sustainable home building designs.

- Continued investment in renewable energy with the installation of two Electric Vehicle charging stations, approval for geothermal at the new aquatic centre and a tender for additional Solar PV.

Society

The City identified 27 KPIs to measure progress towards achieving a more socially equitable, diverse and inclusive community. 74% of the society's KPIs were achieved in 2014-15 (as compared to 79% in 2013-14).

Society highlights include:

- The City won an Institute of Public Administration Australia (WA) Achievement Award for the Your Move program. The City also won the Heart Foundation State Local Government Award and was a finalist in the Premiers Award for its Healthy Lifestyle Programs.
- The Cockburn Integrated Health and Community Facility was completed and a construction tender awarded for the Cockburn Aquatic and Recreation Facility. Both facilities will provide residents with health and community facilities in a central location.
- Community relationships and linkages were strengthened with the 'Save Cockburn' and 'Say No to Roe' campaigns.

Economy

The City identified 19 key performance indicators (KPIs) to measure progress towards achieving best practice financial management. 48% of the economy KPIs was achieved in 2014-15 (as compared to 32% in 2013-14).

Economy highlights include:

- Finalised the Economic Development Directions Strategy.
- Partnership secured with Curtin University as part of the new Cockburn Integrated Health Centre and the new recreation facility.
- Significant progress achieved with the finalization of plans for the Aubin Grove train station.

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.

Infrastructure

- Community infrastructure that is well planned, managed, safe, functional, sustainable and aesthetically pleasing.

Community & Lifestyle

- Community environments that are socially cohesive and embrace diversity.

Leading & Listening

- A responsive, accountable and sustainable organisation.

Environment & Sustainability

- Greenhouse gas emission and energy management objectives set, achieved and reported.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

State of Sustainability Report 2013/14

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

16.2 (OCM 12/11/2015) - TENDER NO. (P900029) RFT09/2015 – CLEANING SERVICES (COMMERCIAL) - PUBLIC, COMMUNITY & ADMINISTRATION FACILITIES (3 YEAR CONTRACT) (RFT09/2015) (D VICKERY) (ATTACH)

RECOMMENDATION

That Council

- (1) accepts the Tender submission for Tender No. RFT09/2015 – Cleaning Services (Commercial) - Public, Community & Administration Facilities for the Group A – Public Toilet Facilities from Quad Services Pty Ltd for the estimated Total Contract Value (based on the Schedule of Rates) of \$592,514.21 (Inc

GST) (\$538,649.28 Ex GST) for the services over the three (3) year contract period and the additional Schedule of Rates for any occasionally required ad-hoc cleans and for determining variations;

- (2) accepts the Tender submission for Tender No. RFT09/2015 – Cleaning Services (Commercial) - Public, Community & Administration Facilities for the Group B – Community and Administration Facilities from Cleandustrial Services Pty Ltd for the estimated Total Contract value (based on the Schedule of Rates) of \$2,001,027.60 (Inc GST) (\$1,819,116.00 Ex GST) for the services over the three (3) year contract period and the additional Schedule of Rates for occasionally required ad-hoc cleans and for determining variations;
- (3) endorses the two cleaning contractors Quad Services Pty Ltd and Cleandustrial Services Pty Ltd being appointed as a panel of two Contractors whereby if the standard of cleaning falls below standard for a particular building or facility (or group of same) the City may after appropriate notice offer that cleaning service to the other Contractor, in accordance with Clauses 9.28, 9.6, 9.41 and 9.44 of the Special Conditions of Contract; and
- (4) endorses that the selection process for new building and facilities (e.g. RPAEC) will be in accordance clause 1.8 of the Tender document, whereby the City may select any contractor based on the management strategy required for the site, and the Panel contractors may or may not be offered the opportunity to clean these sites.

COUNCIL DECISION

Background

The current regular and periodic cleaning of the City's public toilet facilities and community and administration facilities is currently being undertaken by a Contractor (Spotless) under Contract to the City. That contract is reaching the end of its term including available extensions, expiring on the 29 November 2015, and to ensure continuing services the City has had a need to advertise, assess and recommend the

appointment of a suitable contractor or contractors to carry out the building and facility cleaning task for the next three (3) year period with possible extensions.

To test the market on best value propositions from potential tenderers, and to provide some flexibility in the subsequent award of the contract, the tender was structured to seek prices on two separate groupings, one being for the public toilet facilities (Group A) and the other being for the City's community and administration buildings/facilities (Group B). This was done so that the contract could be awarded to one contractor covering both, or to two different contractors each covering a different group of buildings/facilities, dependant on which offered the best value for money proposition for the City as determined from the tender assessment process.

The cleaning of barbecues was not incorporated into this tender, that service (which is also currently being undertaken through Spotless) is being procured separately, again to obtain the best value service provider for the City.

Tender Number (P900029) RFT09/2015 – Cleaning Services (Commercial) – Public, Community and Administration Facilities – Three (3) year contract, was advertised on Wednesday 27 May 2015 in the Local Government Tenders section of “The West Australian” newspaper.

The RFT was also displayed on the City's E-Tendering website between Wednesday 27 May 2015 and Tuesday 30 June 2015

Submission

Tenders closed at 2:00pm (AWST) Tuesday 30 June 2015. Tender submissions were received from the following seventeen (17) companies:

Tenderer's Name:	Registered Business Name	Group Tendered For
Academy Services	Academy Services (NSW) Pty Ltd	A and B
Advanced National Services	Advanced National Services Pty Ltd	A and B
Charles Service Company	The CR & MP Grover Family Trust	A and B
Cleandustrial Services	Cleandustrial Cleaning Services	A and B
CMC Property Services	CMC Cleaning	A and B
DMC Cleaning	DMC Cleaning Corporation Pty Ltd	A and B
Du Clene	Du Clene Pty Ltd	A and B
Glad Group	Glad Commercial Cleaning	B

Iconic Property Services	Iconic Property Services	A and B
Menzies International	Menzies International (Aust) Pty Ltd	B
Multiclean WA	Multiclean WA Pty Ltd	A and B
OCE Corporate	OCE Corporate	A and B
OCS Services	OCS Services Pty Ltd	A and B
Quad Services	Q Maintenance Services	A and B
Spotless Services	Clean Domain	A and B
TJS Services	TJS Services (WA) Pty Ltd	B
Triumphant Property Services	Triumphant Property Services	B

Report

A. Compliance Criteria

Criteria Ref.	Description
A	Attendance at the Mandatory Tender Briefing / Site Inspection
B	Compliance with the Conditions of Tendering (Part 1) of this Request.
C	Compliance with the Specifications (Part 2, 3 & 4) contained in the Request.
D	Compliance with Insurance Requirements and completion of Clause 5.2.5
E	Compliance with Qualitative Criteria requirements and completion of Section 5.3.2 (Separate Document).
F	Compliance with Fixed Price and completion of Clause 5.4.2
G	Compliance with and completion of the Price Schedule (Separate Document) in the format provided in Part 6. (Refer to Clause 1.11.2)
H	Compliance with OSH Requirements & completion of Appendix A.
I	Compliance with ACCC Requirements and completion of Appendix B.
J	Acknowledgement of any Addenda / Clarification issued.

B. Compliant Tenders

All seventeen (17) tender submissions were subject to a Compliance check by Procurement Services and following the seeking of additional information/clarification from several of the tenderers all were assessed as being compliant.

C. Evaluation Criteria

Tenderers were assessed against the following criteria:

Evaluation Criteria	Weighing Percentage
(A) Indicative Hrs Allocated per Annum	5%
(B) Demonstrated Cleaning Services Experience	25%
(C) Sustainably Managed Cleaning Services	10%
(D) Evidence of Company Stability	20%
(E) Tendered Price	40%
Total Weightings	100%

D. Tender Intent / Requirements

The City of Cockburn (The Principal) requires suitably qualified and experienced Commercial Cleaning Contractors for the cleaning of its public buildings and facilities at locations throughout the City of Cockburn.

Regular cleaning services are to be in accordance with daily and weekly schedules, as well as monthly, quarterly, post function and ad hoc cleaning services as required.

The proposed contract is for a period of three (3) years with Principal instigated options to extend by one (1) year and a further twelve (12) months thereafter to a maximum period of five (5) years.

The buildings to be cleaned as tendered consist of:

1. Recreation Centres
2. Community Centres and Halls
3. Public Libraries – Spearwood, Coolbellup and Success
4. City of Cockburn Council and Administration Offices
5. Cockburn Seniors Centre; and
6. Public Toilet Facilities and Change Rooms

The tender (and proposed Contract) divided the buildings and facilities into the following two (2) groups:

- Group A – Public Toilet Facilities
- Group B – Community & Administration Facilities (Community Centres, Administration Offices and Libraries)

Tenderers were invited to submit tenders for both Groups A and B, Group A only or Group B only.

The tender (and proposed Contract) provides that various buildings and facilities may be removed or added to the schedule of cleaning services as circumstances associated with those buildings and facilities change,

with variation of costs being determined based on agreed rates. This provision in the Contract does not mean that the cleaning of new Recreation and Aquatic Facility at Cockburn Central will necessarily be offered to either Contractor.

Tenderers were required in their submissions to address the qualitative criteria (common to both Groups A and B) and to submit their tendered rates for the cleaning of each of the listed buildings or facilities in the respective cleaning schedules for either Group A, Group B or both Groups A and B. Tenderers also submitted their rates for ad hoc cleans that may be requested of them over and above the standard cleaning schedules. The tendered amounts were aggregated to determine for Group A and/or Group B respectively each tender's estimated lump sum value(s).

E. Evaluation Panel

The tender submissions were evaluated by the following City of Cockburn Officers.

Name	Position & Organisation
Mr Doug Vickery	Manager Infrastructure Services (Chairman) (SBMG Representative)
Mr Glen Williamson	Building & Facilities Project Coordinator
Mr Paul De Bruin	Youth Centre Coordinator
Ms Biljana Gaspar	Human Resources Coordinator
Mr Phil Oorjitham	Environmental Health Coordinator

F. Scoring Tables

The below tables represents the scoring of the tender submissions for Group A (Public Toilet Facilities) and Group B (Community & Administration Facilities) tenders respectively.

All seventeen (17) tender submissions were evaluated initially on qualitative criteria only and shortlisted to the top four (4) submissions prior to inclusion of cost evaluation.

Group A (Public Toilet Facilities) and Group B (Community and Administration Facilities) – Qualitative Criteria only:

Tenderer's Name	Percentage Score Qualitative Criteria Evaluation 60%
Cleandustrial Services	40.07

Quad Services	40.00
Spotless Services	37.86
Glad Group	37.70
Charles Service Company	36.89
TJS Services	36.15
OCS Services	35.46
CMC Property Services	35.33
Multiclean WA	34.97
Academy Services	34.90
OCE Corporate	34.88
Menzies International	34.22
Advanced National Services	32.84
Triumphant Property Services	27.89
Iconic Property Services	27.29
DMC Cleaning	26.29
Du Clene	24.30

Group A (Public Toilet Facilities) only – Qualitative Criteria and Cost Criteria Evaluation:

Tenderer's Name	Percentage Scores		
	Qualitative Criteria Evaluation	Cost Evaluation	Total
	60%	40%	100%
*Quad Services	40.00	40.00	80.00
Cleandustrial Services	40.07	31.89	71.96
Spotless Services	37.86	22.82	60.68

***Recommended Tenderer.**

Note: Glad Group did not submit prices for Group A.

Group B (Community and Administration Facilities) only – Qualitative Criteria and Cost Criteria Evaluation:

Tenderer's Name	Percentage Scores		
	Qualitative Criteria Evaluation	Cost Evaluation	Total
	60%	40%	100%
*Cleandustrial Services	40.07	39.04	79.11

Spotless Services	37.86	40.00	77.86
Quad Services	40.00	33.45	73.45
Glad Group	37.70	32.41	70.11

*Recommended Tenderer.

Group A (Public Toilet Facilities) and Group B (Community and Administration Facilities) – Qualitative Criteria and Cost Criteria Evaluation:

Tenderer’s Name	Percentage Scores		
	Qualitative Criteria Evaluation	Cost Evaluation	Total
	60%	40%	100%
Cleandustrial Services	40.07	40.00	80.07
Quad Services	40.00	38.33	78.33
Spotless Services	37.86	37.61	75.47

Note: Glad Group did not submit prices for Group A.

Evaluation Criteria Assessment

Due to the very large number of tenders the Evaluation Panel did a first round of scoring against the Qualitative (non-price) Criteria so as to arrive at a short list of highest Qualitative Criteria scoring tenderers.

Tenderers were assessed on the Qualitative Criteria irrespective of whether prices had been submitted for Group A, and B or both, and was done in the absence of the tendered prices (two-envelope system).

The four (4) tenderers that scored highest in Qualitative Criteria (in no particular order) were:

- Cleandustrial Services
- Glad Group
- Quad Services; and
- Spotless Services

All tenders other than the four shortlisted were not considered further in the assessment process from this point.

Coupled with the review of the tenders, a reference check was also undertaken on the two shortlisted tenderers that scored highest in the combined Qualitative and Price scores. This information from the Tenderer’s nominated project’s Client representative referees was used to confirm rankings were well placed.

The Evaluation Panels assessment of the four shortlisted tenderer’s in respect to the Qualitative Criteria as follows:

Allocated Hours

Tenderers were required to detail their indicative number of cleaning hours per week for each of the listed facilities in Group A and/or Group B. Whilst not to be contractually bound, the provision of these figures enabled the Evaluation Panel to assess to some extent whether the tenderer fully appreciated the work task involved for the facilities listed. Three of the four shortlisted tenderers submitted indicative hours for the Group A cleaning, being Cleandustrial, Quad Services and Spotless Services (i.e. Glad did not tender for the Group A services).

All four of the shortlisted tenderers, being Cleandustrial, Quad Services, Spotless Services and Glad, submitted indicative hours for the Group B cleaning.

Overall all of the four shortlisted tenderers submitted indicative hours of work for the cleaning of the buildings and facilities listed in the schedules that were within bounds of reasonableness for the work required. Specifically, for the Group A cleaning, Quad and Cleandustrial were comparable in the indicative number of cleaning hours nominated, whilst Spotless allocated a greater number of hours. For the Group B cleaning, Cleandustrial and Spotless allocated the lesser number of indicative hours, Glad Group somewhat more and Quad Services the greatest number.

Relevant Experience

Cleandustrial have undertaken comparable and relevant cleaning services for the City of Cockburn in the recent past and also the Cities of Rockingham and Armadale and the Town of Nedlands, along with the Perth Zoo. This has included the cleaning of various administration, community, leisure and ablution facilities, all very relevant.

Glad Commercial Cleaning have relevant experience undertaking cleaning services for the City of Swan's administration buildings, the City of Melville's administration and community facilities and the City of Perth's administration buildings and walkways. Additionally they undertake the cleaning of the Public Transport Authority (PTA's) and Main Roads WA (MRWA's) Perth office buildings. Referees were provided. The company's building's cleaning experience was relevant but not comprehensively so.

Quad Services main local government related experience is Eastern States focussed however in Western Australia they undertake the cleaning services for the WA Law Courts, the Thornlie Shopping Centre, a number of Church Community facilities and various other also considered broadly relevant.

Spotless have the current City of Cockburn cleaning contract, so are well experienced in that respect, and additionally carry out the cleaning services at the various PTA metropolitan train stations, the Virgin airport facility and the University of WA.

Sustainably Managed Cleaning Services

Cleandustrial cited their policy and green stamp accreditation and demonstrated that they can accommodate the City's requirements and standards for sustainably delivered cleaning services.

Glad Commercial Cleaning showed that they have an integrated Environment Policy and practices and focus in their business, indicatively meeting the City's requirements.

Quad Services are ISO14001 accredited plus showed that they have comprehensive sustainability focussed policies and practices with very good alignment to the City's requirements.

Spotless listed their environmentally safe products and practices and proposed increased emphasis in this area should they be awarded the contract.

Company Stability

Cleandustrial have had long history in the business, including servicing Local Government contracts in the Perth Metropolitan area. Their organisation structure is logical for this size company and their personnel details demonstrate a depth of experience in the industry and a well-supported operations team. They provided just a basic financial statement with a reference which was considered satisfactory. In regard to industry associations they are a member of the Property Council, the Melville-Cockburn Chamber of Commerce, the Master Cleaners Guild, are Green Stamp accredited and have received various awards.

Glad Commercial Cleaning as part of the Glad Group of companies are a long established and large organisation. They have not had a long or substantial presence in Western Australia however, including for local government related works. They provided their high level organisation structure down to their WA based Client Services Manager only, thus no detail in regard to Supervisors and alike. They presented as being strong financially and hold various industry memberships (mostly Eastern States) including with the Green Building Council and have an award received in 2010. It was noted that their offer included a request for amended contract terms.

Quad Services have a long history in the Eastern States including in providing services to Local Government, but indicatively only in WA since 2013. They presented as having stable ownership with a good structure and being client and quality service performance focussed, as well as good industry membership and award credentials.

Spotless have a national presence including for some years now in WA undertaking this nature of work. Their middle management resourcing, staff recruitment processes, ownership changes and systems driven approach were seen as weaknesses. A limited amount of financial information was provided and a number of awards and memberships cited.

Summation, Reference Check and Recommendation

When both Qualitative and Price Scores were taken into account to provide Total Scores, the highest scoring tenderers were:

For Group A (Public Toilet Facilities) - Quad Services (at 80%), followed by Cleandustrial (at 71.96%).

For Group B (Community and Administration Buildings), the highest scoring tenderer is Cleandustrial (79.11%), followed by Spotless (77.86%).

Two of Quad Services' nominated client referees were contacted and both spoke very positively of the company's standard of service provision, responsiveness and stakeholder liaison. No particular issues were identified that would indicate this company would not be suitable for the City's cleaning works.

One only of Cleandustrial's Local Government client referees was contacted (given the City has experience with Cleandustrial already), and the officer advised that after some teething issues the company has provided good service, good client – contractor liaison and good responsiveness to customer request responses and alike. They indicated that the quality varied between individual cleaning staff but that the company was quick to rectify the situation if standards were identified to have dropped.

Based on these results, the evaluation panel recommends that Council accept:

For Group A – Public Toilets, the tender from Quad Services Pty Ltd for the Schedule of Rates Contract value of across the three year contract term of (\$538,649.28 Ex GST).

For Group B – Community and Administration Facilities, the tender from Cleandustrial Services Pty Ltd for the Schedule of Rates Contract value across the three year contract term of (\$1,819,116.00 Ex GST)

Additionally, this contract offers the opportunity for the appointment of the two Contractors, Quad Services Pty Ltd and Cleandustrial Services Pty Ltd, to be in the form of a panel appointment, such that as new buildings and facilities are brought on line the City may opt to seek prices from one company or the other or both, and award the work to the company offering the best value for money service. Similarly if the standard of cleaning provided by one of the companies drops to unsatisfactory levels then, if after appropriate performance management and notice the standard does not improve, then the panel contract offers the opportunity to offer aspects of the works to the other contractor.

Strategic Plan/Policy Implications

Infrastructure

- Community infrastructure that is well planned, managed, safe, functional, sustainable and aesthetically pleasing.

Budget/Financial Implications

Payment for cleaning services is drawn from Operational Works budget funding allocated annually, the funding need and allocation being determined from actual and anticipated costs for the financial year, adjusted if necessary at mid-year budget review.

The tenders received reflect the market rate for the services required to meet the City and our facility users required and expected Levels of Service.

For comparison purposes, for the public toilet facilities with proposed award value of \$538,649.28 ex GST plus CPI adjustments and occasional ad-hoc clean costs, the current (2015/16) budget for the cleaning services is \$175,115.00 per annum (ex GST), equivalent to \$525,345 over three years excluding CPI adjustments etc. The expenditure in 2014/15 specific to cleaning these facilities under the current contract was \$141,298.40 (ex GST).

Similarly for the Administration and Community Facilities with proposed award value of \$1,819,116.00 ex GST plus CPI adjustments and occasional ad-hoc clean costs, the current (2015/16) budget for the cleaning services is \$900,835.00 per annum (ex GST), equivalent to \$2,702,505 over 3 years excluding CPI adjustments etc. The expenditure in 2014/15 specific to cleaning these facilities under the current contract was \$649,002.50 (ex GST).

Note the annual budget funding needs to be over and above the contract base award cost to cover the unscheduled and ad-hoc

cleaning requests of various of these buildings and facilities not captured in the schedule of rates base cost, and to fund other cleaning (gutters, windows etc.) not covered in the main cleaning contract.

Legal Implications

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

Community Consultation

N/A

Attachment(s)

The following confidential attachments are provided under separate cover.

1. Compliance Criteria Assessment
2. Qualitative Criteria Assessment
3. Consolidated Evaluation Score Sheet
4. Tendered Prices

Advice to Proponent(s)/ Submissioners

Those who lodged a tender submission have been advised that this matter is to be considered at the 12 November 2015 Council Meeting.

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

Nil.

16.3 (OCM 12/11/2015) - TENDER NO. (C100293) RFT15/2015 – CLEANING OF PUBLIC BARBEQUE SERVICES (RFT15/2015) (B ROSER) (ATTACH)

RECOMMENDATION

That Council accepts the Tender submission for Tender No. RFT15/2015 – Cleaning of Public Barbeque Services from Intework Incorporated for the estimated Total Contract Value (based on the Schedule of Rates) of \$119,655.36 (Inc GST) (\$108,777.60 Ex GST) for the services over the three (3) year contract period, with Principal instigated options to extend the period for one (1) subsequent year period and up to an additional twelve (12) months after that, to a maximum of five (5) years in accordance with the submitted Schedule of Rates and additional schedule of rates for determining variations and additional services.

COUNCIL DECISION

Background

The City of Cockburn (the City) currently has 67 permanently fixed public barbecues that require regular cleaning. This service was being completed by the City's cleaning contractor Spotless who sub-contracted to The BBQ Man.

A specification was developed, a tender document prepared and tenders publicly advertised for the provision of Barbeque Cleaning Services to 67 barbecues for a period of three (3) years with principal instigated options to extend the period for one (1) subsequent year and up to an additional twelve (12) months after that.

There is also an option of adding additional barbecues to this list as they become developer contributed to the City.

Tender Number RFT 15/2015 CLEANING OF PUBLIC BARBEQUE SERVICES was advertised on Wednesday 12 August 2015 in the Local Government Tenders section of "The West Australian" newspaper.

It was also displayed on the City's E-Tendering website between Wednesday 12 August 2015 and Thursday 27 August 2015.

No Elected member has requested this tender to be submitted to Council for acceptance.

Submission

Tenders closed at 2:00pm (AWST) Thursday 27 August 2015. Tender submissions were received from the following eleven (11) companies:

Tenderer's Name:	Registered Business Name
Academy Services	Academy Services (WA) Pty Ltd
Advanced National Services	Advanced National Services Pty Ltd
Alpha Corporate Property Services	Alpha Corporate Property Services Pty Ltd
Brightmark Cleaning Services	Brightmark Cleaning Services
Dunbar Services	Dunbar Services (WA) Pty Ltd
Dustmaster Cleaning Services	Dustmaster Cleaning Services
GJK Cleaning Services	GJK Cleaning Services Pty Ltd
Intework Inc	Intework Incorporated

Kleenit	Kleenit Pty Ltd
LD Total	LD Total
The BBQ Man	NR Bradshaw & SM Bradshaw

Report

A. Compliance Criteria

Criteria Ref.	Description
A	Compliance with the Conditions of Tendering (Part 1) of this Request.
B	Compliance with the Specification (Part 2) contained in the Request.
C	Completion and submission of Form of Tender Clause 3.1
D	Compliance with Insurance Requirements and completion of Clause 3.2.5
E	Compliance with Qualitative Criteria requirements and completion of Section 3.3.2 (Separate Document).
F	Compliance with Fixed Price and completion of Clause 3.4.2
G	Compliance with and completion of the Price Schedule (Separate Document) in the format provided in Part 4. (Refer to Clause 1.11.2)
H	Compliance with OSH Requirements & completion of Appendix A.
I	Compliance with ACCC Requirements and completion of Appendix B.
J	Acknowledgement of any Addenda / Clarification issued.

B. Compliant Tenders

All eleven (11) tender submissions were subject to a Compliance check by Procurement Services and following the seeking of additional information/clarification from several of the tenderers all were assessed as being compliant.

C. Evaluation Criteria

Tenderers were assessed against the following criteria:

Evaluation Criteria	Weighing Percentage
(E) Indicative Hrs Allocated per Annum	5%
(F) Demonstrated Cleaning Barbeque Services Experience	25%
(G) Sustainably Managed Cleaning Services	10%
(H) Evidence of Company Stability	20%
(I) Tendered Price	40%
Total Weightings	100%

D. Tender Intent / Requirements

The intent of this Tender is to select a suitably qualified and experienced contractor to supply barbeque cleaning services for a period of three (3) years with Principal instigated options to extend by one (1) year and a further twelve (12) months thereafter to a maximum period of five (5) years for all of the fixed public barbeques within the City.

E. Evaluation Panel

The tender submissions were evaluated by the following City of Cockburn Officers.

Name	Position & Organisation
Mr Ben Roser	Facilities & Plant Manager (Chairman)
Mr Cliff McKinley	Manager Human Resources (SBMG Representative)
Mr Glen Williamson	Building & Facilities Project Coordinator

F. Scoring Tables

Tenderer's Name	Cost Evaluation	Non-Cost Evaluation	Total
	40%	60%	100%
*Intework Inc.	35.73%	41.12%	76.84%
GJK Cleaning Services	35.41%	35.47%	70.88%
Alpha Corporate Property Services	40.00%	27.83%	67.83%
The BBQ Man	33.10%	32.12%	65.21%
Advanced National Services	27.64%	37.20%	64.84%
LD Total	28.39%	33.80%	62.19%
Brightmark Cleaning Services	35.08%	25.27%	60.34%
Academy Services	19.02%	39.10%	58.12%
Kleenit	16.41%	32.85%	49.26%
Dunbar Services	2.67%	37.47%	40.14%
Dustmaster Cleaning Services	8.85%	16.70%	25.55%

***Recommended Tenderer.**

Evaluation Criteria Assessment

Allocated Hours

The Evaluation Panel (the Panel) found that the chosen supplier, Intework Inc, was considered to provide a similar level of hours of work and was tied with Advanced National Services Pty Ltd, Academy Services (WA) Pty Ltd and Dunbar Services (WA) Pty Ltd.

Intework Inc supplied good information relating to the effective hours of work required to complete the cleaning and their ability to average out the required cleans against seasonality requirements including the average time it takes to travel between sites.

Relevant Experience

The Evaluation Panel (the Panel) found that Intework Inc was the top selection in terms of demonstrated experience.

Intework Inc provided good examples of similar works having been completed in the Perth metropolitan region and they demonstrated to the panel that they had the appropriate level of experience required to undertake the works as outlined in this tender.

Of the other submissions Academy Services (WA) Pty Ltd were rated second, then Advanced National Services Pty Ltd and The BBQ Man.

Sustainably Managed Cleaning Services

The Panel found Intework Inc had a good understanding of the meaning of sustainability as it applies to the provision of barbecue cleaning services and was rated top.

Of the other submissions GJK Cleaning Services Pty Ltd were rated second with Academy Services (WA) Pty Ltd tied with Dunbar Services (WA) Pty Ltd. All showed a good understanding of the concept of sustainability but were rated slightly lower than the chosen supplier.

Company Stability

The Panel found that whilst Intework Inc provided good information surrounding the length of company involvement in the provision of cleaning services within WA and to the nature of the required scope they did not score as highly as some of the other responses in relation to professional or business associations and any recognition/awards.

Overall, Intework Inc scored fourth, however, it was obvious to the panel that Intework Inc had undertaken similar tasks in the past and that they had acquired the necessary equipment and company stability to allow them to undertake barbecue cleaning activities for the City to the scope required.

Academy Services (WA) Pty Ltd, Dunbar Services (WA) Pty Ltd and LD Total each demonstrated to the Panel their company stability with Dustmaster Cleaning Services providing little to no information.

Summation, Reference Check and Recommendation

When both Qualitative and Price Scores were taken into account to provide Total Scores, the highest scoring tenderer was Intework Inc.

Two of Intework Inc. nominated client referees were contacted and spoke very positively of the company's standard of service provision, responsiveness and stakeholder liaison. No particular issues were identified that would indicate this company would not be suitable for the City's barbecue cleaning service.

Strategic Plan/Policy Implications

Infrastructure

- Community infrastructure that is well planned, managed, safe, functional, sustainable and aesthetically pleasing.

Budget/Financial Implications

For the purposes of evaluating this RFT the Panel has based the cost evaluation on regularly cleaning each of the City's sixty seven (67) fixed public barbecues with an indicative amount of hours required to clean the barbecues that may vary due to seasonal and operational factors.

In 2014/15 Facilities and Plant Services expended \$110,966.20 on provision of barbecue cleaning for the barbecues listed in the tender. The City has allocated a total of \$133,000 in 2015/16.

Whilst Intework rated highest across most of the qualitative criteria they rated second in terms of price at \$36,259.20 excl GST (\$39,885.12 incl GST) per annum. When comparing the average hourly rates it was found that the selected supplier has a slightly higher average hourly rate than the contractor previously engaged (The BBQ Man via Spotless) to undertake the same tasks.

Importantly, Intework Inc is a Not for Profit group providing employment for people with disability and mental health problems in supported work environments and receives funding from the Federal Department of Social Services (FaHCSIA) to provide support to its employees.

Supported employees enjoy the same working conditions as those in the general workforce, such as superannuation and paid leave.

Given this situation, the overall amount of hours required to clean the barbecues is far less than other suppliers due to Intework Inc providing larger crews to complete the works within their costing and results in a significant cost saving to the City of over \$70,000 per annum.

The Evaluation Panel therefore recommends the City accept the tender submission from Intework Inc as being the most advantageous tenderer to the City of Cockburn.

Payment for cleaning services is drawn from Operational Works budget funding allocated annually, the funding need and allocation determined from actual and anticipated costs for the financial year, adjusted if necessary at mid-year budget review.

The tenders received reflect the market rate for the services required to meet the City and our facility users required and expected Levels of Service.

Legal Implications

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

Community Consultation

N/A

Attachment(s)

The following confidential attachments were provided under separate cover.

1. Compliance Criteria Assessment
2. Consolidated Evaluation Score Sheet
3. Tendered Prices

Advice to Proponent(s)/ Submissioners

Those who lodged a tender submission have been advised that this matter is to be considered at the 12 November 2015 Council Meeting.

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

Nil.

16.4 (OCM 12/11/2015) - TENDER NO. (C100294) RFT14/2015 – PROJECT MANAGEMENT SERVICES - REDEVELOPMENT WORKS, OPERATIONS CENTRE, BIBRA LAKE (RFT14/2015) (D VICKERY) (ATTACH)

RECOMMENDATION

That Council accepts the Tender submission for Tender No. RFT14/2015 – Project Management Services – Redevelopment Works – Operations Centre, Bibra Lake from Jacobs Group (Australia) Pty Ltd for the estimated Lump Sum Contract value of \$262,812 (Inc. GST) (\$238,920.00 Ex GST) for the services over the three (3) year contract period.

COUNCIL DECISION

Background

The City of Cockburn has embarked on a depot redevelopment project for its 52-54 Wellard Street, Bibra Lake site which involves construction of a new centralised Operations Building, new animal pound building, modifications to the workshop and various other enhancements. An

ancillary project is the provision of a sewer main from the depot through to the nearest connection on the west side of Stock Road.

Architectural design and construction tender documentation for the first stage of the works, being the new Operations Building and animal pound buildings and associated carpark works, has been completed and the construction tender has been advertised, closing Wednesday 28 October 2015.

To assist the City in this Stage 1 construction tender assessment and contract administration, and the broader project management for the further stages of the depot redevelopment project, the City has sought via this Tender RFT14/2015 the services of a qualified and experienced project management services consultant for a contract term of three (3) years.

Tender Number RFT14/2015 Project Management Services (Redevelopment Works – Operations Centre, Bibra Lake), was advertised on Wednesday 12 August 2015 in the Local Government Tenders section of “The West Australian” newspaper. It was also displayed on the City’s E-Tendering website between the Wednesday 12 August 2015 and Thursday 27th August 2015.

Submission

Tenders closed at 2:00pm (AWST) Thursday, 27 August 2015 and submissions were received from the following fourteen (14) companies:

Tenderer’s Name:	Registered Business Name
ACCORP (Projects) Pty Ltd	
Allied Projects Pty Ltd	
APP Corporation Pty Ltd	
Aquenta Consulting Pty Ltd	Aquenta Consulting
Cubix Global Pty Ltd	
Davis Langdon Australia Pty Ltd	Davis Langdon
Fabricor Industries Pty Ltd	FWF Welding Services
GHD Pty Ltd	GHD
GMPM Consulting	GMPM Consulting
Jacobs Group (Australia) Pty Ltd	Jacobs SKM
Lowes Churchill & Associates	Liangjin Rowing Australia
Lycopodium Infrastructure Pty Ltd	
NS Projects Pty Ltd	
Tracey Brunstrom & Hammond Pty Ltd	

Report

A. Compliance Criteria

Criteria Ref.	Description
A	Compliance with the Conditions of Tendering (Part 1) of this request.
B	Compliance with the Specification (Part 2) contained in the request.
C	Completion of Form of Tender
D	Compliance with the sub-contractors requirements and completion of Section 3.3.3
E	Compliance with the financial requirements and completion of Section 3.3.5
F	Compliance with Insurance requirements
G	Compliance with Qualitative Criteria requirements and completion of Section 3.4.2 (separate document).
H	Compliance with fixed price and completion of Clause 3.5.2
I	Compliance with and completion of the price schedule Part 4 in the format provided.
J	Compliance with and completion of Appendix A - Deed of Confidentiality (separate controlled documents)
K	Compliance with ACCC Requirements and completion of Appendix B.
L	Acknowledgement of any Addenda / Clarification issued.
Section 3.2	Tenderer's Contact Person

B. Compliant Tenders

All fourteen (14) tender submissions were subject to a Compliance Criteria check by Procurement Services and following the seeking of additional information from several of the tenderers all were assessed as being compliant.

C. Evaluation Criteria

Tenderers were assessed against the following criteria:

Evaluation Criteria	Weighing Percentage
(A) Company Profile & Experience	15%
(B) Tenderer's Key Personnel & Other Resources	20%
(C) Methodology	20%
(D) Sustainability	5%
Tendered Price	40%
Total Weightings	100%

D. Tender Intent / Requirements

The City of Cockburn (the Principal) is seeking the services of an independent, qualified and experienced Project Manager/Consultant to undertake project management services for the redevelopment of the Principal's works depot and Operations Centre located at 52 and 54 Wellard Street, Bibra Lake, Western Australia.

Redevelopment of the site is focussed in Stage 1 of the Project on the construction of a new centralised Operations Centre building to accommodate all the service units' management personnel and the relocation of other Engineering and Works Directorate staff from the Principal's main Administration building in Spearwood. A new animal pound building and yards is also part of the redevelopment project's Stage 1 works, whilst an ancillary project is the provision of a new gravity main Sewer Connection to the Water Corporation Sewer Main a number of kilometres away.

Stages 2 and 3 of the depot site redevelopment project involve modifications to the Principal's workshop and undercover areas, relocation of the fuel bowsers and tanks; and creation of additional hardstand areas.

The scope of the project management services required (the tendered Services) will cover both the overall project delivery for the Stage 1 works and in particular the role of Superintendent of the construction contract/s. The services required of the consultant may also be extended to deliver the Stage 2 & 3 works dependent on budget provision and overall timeframe considerations.

An indicative construction cost for the proposed works is around \$13 M (excluding GST) for the Stage 1 works including the Sewer connection and a further \$2m to \$3M (excluding GST) for the Stage 2 and 3 works that are expected to follow.

Specifically in respect to the services sought, the appointed Consultant shall carry out the role of Project Manager for the Project advancing the overall development, delivery and close out of the Operations Centre/ Depot Upgrade Project over the term of their consultancy contract. Whilst the Project Manager may work from their business premises off site, they are also expected to spend time working at the Principal's Administration Centre and/or Depot as dictated by accommodation availability and operational effectiveness, particularly for the ongoing liaison with Council staff including the Project Director and also with the builder and other contractors during the construction stage.

The Project Management tasks shall include day to day delivery planning, monitoring of progress against timelines, keeping

stakeholders informed, dealing with and initiating queries, preparing and responding to correspondence including with external agencies, tracking and reporting on progress and expenditures against budget, attending meetings and providing presentations, including to the Principal's Executive and Elected Members as may be required from time to time.

The project management tasks shall include attendance at the Project Director's team meetings, providing technical assistance and guidance to the Principal's officers and issuing instructions to service providers as needed for the successful delivery of the project. Additionally the role includes ensuring the project works including contracted construction work delivery create the least practicable disturbance to the Principal's day to day depot operations and that critically the depot operations coordinators and managers are kept informed of any impending impacts and mitigation actions are worked through with them to minimise such potential and actual impacts.

The role also includes overseeing the finalisation of the design of the office area fit-out, commissioning the fit-out works that are over and above the builder's scope of work, and the planning of the orderly movement of the Principal's staff into the new building(s).

E. Evaluation Panel

The tender submissions were evaluated by the following City of Cockburn Officers.

Name	Position & Organisation
Mr Doug Vickery	Manager Infrastructure Services (Chairman) (SBMG Representative)
Mr Nelson Mauricio	Manager Financial Services
Mr Peter McCullagh	Project Manager Facilities

F. Scoring Table

The table below represents the scoring of the tender submissions from qualitative criteria (non-cost) and cost perspective. The assessment panel evaluated the Qualitative Criteria of the tender submission in the absence of the tendered price (two-envelope system) and then the price scores were incorporated.

Tenderer's Name	Percentage Scores		
	Qualitative Criteria Evaluation	Cost Evaluation	Total
	60%	40%	100%

N S Projects Pty Ltd	41.47	39.21	80.68
Jacobs Group (Australia) Pty Ltd	41.97	38.57	80.54
APP Corporation Pty Ltd	42.18	37.11	79.30
Allied Projects Pty Ltd	39.57	39.37	78.94
GHD Pty Ltd	38.70	39.64	78.34
Davis Langdon Australia Pty Ltd	36.12	40.00	76.12
Aquenta Consulting Pty Ltd	35.03	37.26	72.30
Lowes Churchill & Associates	37.43	34.39	71.83
Lycopodium Infrastructure Pty Ltd	32.78	37.83	70.61
GMPM Consulting	31.50	36.85	68.35
ACORPP (Projects) Pty Ltd	29.80	36.53	66.33
Tracey Brunstrom & Hammond Pty Ltd	29.98	34.31	64.29
Fabricor Industries Pty Ltd	9.52	16.61	26.13
Cubix Global Pty Ltd	18.23	1.61	19.85

Evaluation Criteria Assessment

Each of the compliant tenders was assessed by the Evaluation Panel in respect to the Qualitative (Non Price) Criteria as listed above.

Following a moderating and combining of assessor's scores tendered prices were then incorporated to determine total combined Qualitative and price scores for each tenderer.

Additionally the number of hours of Consultant time as provided in the Section C-4 of the Qualitative Criteria section was referred to in the assessment, to assess whether the tenderer appeared to be offering the appropriate level of service in respect to person hours proposed to be applied to the provision of the services.

Coupled with the review of the tenders, a reference check was also undertaken on the second highest scoring tenderer, to further gauge their suitability for the tendered services.

Company Profile & Experience

Five companies, NS Projects, GHD, Jacobs, APP Corporation and Davis Langdon all scored highest in this area. These are large companies assessed as having a company profile, financial stability and a history of providing services in project management and contract administration aligned to the services sought.

Within this group Jacobs scored higher than NS Projects in regard to company profile and financial position, whilst NS Projects scored higher than Jacobs (and the other high scoring tenderers noted above) in respect to similarity of projects and contracts undertaken.

A number of other companies, being Allied Projects, Lycopodium, Aqunta Consulting and Lowes Churchill also scored reasonably high in this section of the qualitative assessment.

The lowest scoring for this qualitative criteria grouping as assessed were Fabricor, Cubix Global, Tracey Brunstrom & Hammond and ACORPP (Projects) Pty Ltd.

Tenderers Key personnel & Other Resources

Six companies, NS Projects, Allied Projects, APP Corporation, Jacobs, GHD and Lowes Churchill all scored comparatively high in this area, demonstrating that they have the key personnel with the required experience, a degree of depth in their resource pool and a capacity to undertake the work in respect to concurrent commitments.

NS Projects scored marginally higher than the other tenderers listed above, including Jacobs Group, however all were rated highly in this area.

Fabricor and Cubix Global scored least well in this Qualitative Criteria grouping, being assessed as having the lowest level of personnel experience and staffing capacity to undertake the services required.

Methodology

This set of qualitative criteria assessed the tenderers understanding of the project and contract requirements with their proposed methodology to undertake the services, their quality control systems, proposed hours allocated and the key issues they see likely to be encountered and managed.

Jacobs Group rated highest of all the tenderers across this area, in particular demonstrating a good understanding and proposed approach to undertaking the works as being sought. APP Corporation, NS Projects, Lowes Churchill and GHD also demonstrated reasonable levels of project understanding, methodology and/or systems and issues management awareness and processes.

Scoring lowest in these criteria were Fabricor, Cubix, ACORPP, Tracey Brunstrom & Hammond and Davis Langdon, each being deficient in their proposal across key areas.

Of the higher scoring group, specifically in regard to demonstrated project and contract understanding and proposed methodology to undertake the works, Jacobs scored highest whilst NS Projects scored lowest in these two sub criteria areas. NS Projects appeared not to have fully comprehended the full requirements of the brief in respect to the project and contract delivery scope and methodology.

In respect to quality control systems, of the above higher scoring tenderers, APP scored highest, followed by Jacobs and Lowes equal second, followed by NS Projects then GHD.

For the 'potential impacts' sub-criteria, NS Projects scored highest of the group, identifying pertinent issues that could arise during the course of their contract and how they would propose to deal with them. Jacobs scored a close second in this area, they providing a project specific risk item register with appropriate content.

Allocated Hours

Each tenderer was requested to indicate the number of hours they propose or expect their key staff such as their nominated Project Director and Project Manager would be assigned to the project over the three year period of the contract. This assisted the evaluation panel determine the tenderer's appreciation of the extent of work required by the brief and how they propose to resource this over the contract term. The scores for this were dealt with as a sub-criteria in the Methodology component of the assessment.

Two companies (Cubix and Fabricor) nominated hours far in excess of the median and more than would be expected for this nature of work. At the other extreme, Davis Langdon proposed an hour allocation far less of the mid-range of hours nominated and not what the City expects to provide meaningful project management and contract administration.

NS Projects, Jacobs and APP Corporation displayed a range of proposed hours. NS Projects proposed the least, Jacobs the mid-range and APP Corporation the most of these three tenderers. This difference also correlated with these tenderers submitted tender prices.

Jacobs provided a good split of hours between Project Director and Project Manager input and Project Management versus contract administration activity, across the 3 year contract term, and what appeared to be an appropriate total number of person hours in total, thus scoring close to highest in this sub criteria.

NS Projects rated marginally lower than Jacobs in this sub-criteria, in that additional to indicating a lesser number of hours overall, they also shared and spread the project management and contract administration

tasks across two officers, one being senior to the other. For the nature of the works this could be overly cumbersome as compared to the approach proposed by Jacobs, particularly when it comes to dealing with the construction contractor, the City's Project Director and other stakeholders.

Sustainability

The sustainability measures centred around the company's current level of Environmental Management System certification and indicative focus on sustainability across their organisation. Jacobs, NS Projects and Davis Langdon scored highest in this area respectively, whilst lowest scoring was Cubix, GMPM Consulting, Fabricor and Tracey Brunstrom & Hammond.

Summation, Referee Comments and Recommendation

Featuring strongly across all the qualitative scoring criteria were NS Projects and Jacobs Group (Australia) Pty Ltd. The two companies were separated only marginally on total score, Jacobs ranking higher on Qualitative and NS Projects slightly higher on price.

In consideration that the price is directly related to the person hours proposed to be allocated to the delivery of services, a lower price (and corresponding higher score in respect to price) does not necessarily represent greater value for money in this instance.

The Jacobs tender was based on a greater number of officer hours allocated as compared to NS Projects, thus potentially providing greater assurance of meeting the project and contract delivery aims provided appropriately directed. Additionally, as reflected in the high qualitative score, Jacobs was rated best suited in regard to most of the key areas of non-price focus for the City including experience, capacity and importantly an understanding of the required works and an appropriate methodology in undertaking those works.

A referee check was undertaken on Jacob's, the key Client Representatives of several of their larger projects were contacted and they responded very positively in regard to the organisation's systems and capacity and in regard to the Project Director and Project Manager nominated in the Jacob's tender to undertake the services sought by the City.

Based on achieving the highest Qualitative (non-price) score and near highest combined score, together with consideration around person hour allocation and positive referee comments, the evaluation panel recommends that Council accept Jacob Group (Australia) Pty Ltd's

tender for the services, at an estimated lump sum value of \$238,920 ex GST.

Strategic Plan/Policy Implications

Infrastructure

- Community infrastructure that is well planned, managed, safe, functional, sustainable and aesthetically pleasing.

Budget/Financial Implications

The current budget allocation (CW4385) for the planning, design and construction of the Operations Centre upgrade is \$9.17M. Further funding will be sought in the 2016/17 and 2017/18 budgets to complete the full scope of works for the site. The award of this contract will assist in resourcing the project management and contract administration task to ensure the project is delivered most cost effectively for the City.

Legal Implications

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

Community Consultation

N/A

Attachment(s)

The following Confidential Attachments are provided under a separate cover:

1. Compliance Criteria Assessment
2. Consolidated Evaluation Score Sheet
3. Tendered Prices

Advice to Proponent(s)/ Submissioners

Those who lodged a tender submission have been advised that this matter is to be considered at the 12 November 2015 Council Meeting.

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

Nil.

16.5 (OCM 12/11/2015) - TENDER NO. (C100296) RFT 16/2015 - CONSTRUCTION SERVICES - BIBRA LAKE REGIONAL PLAYGROUND (RFT 16/2015) (A JARMAN/ A LEES) (ATTACH)

RECOMMENDATION

That Council

- (1) accept the tender submitted by Menchetti Consolidated Pty Ltd (MG Group WA), for Tender No. RFT 16/2015 – Construction Services – Bibra Lake Regional Playground, for an estimated total contract value of \$3,391,999.84 GST exclusive (\$3,731,199.82 GST inclusive) and the additional Schedule of Rates for determining variations and additional services;
- (2) increase CW 5261 Bibra Lake Regional Playground from \$2,931,847 to \$3,531,847;
- (3) transfer \$600,000 from the DCP13 Reserve to CW5261 Bibra Lake Regional Playground; and
- (4) not accept the tendered price for optional Progress Drive Civil (Road) Works submitted by Menchetti Consolidated Pty Ltd and have these works undertaken in-house by the City's Roads Services.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

Background

In January 2014 tenders for design consultancy services were invited for the detailed design of the playground, and upgrades necessary to both Progress Drive's on street parking, and off-street car parking within the picnic area.

Consultant Landscape Architect's *Emerge* were subsequently engaged to lead a multi-disciplinary consultancy team to develop the adopted concept plan in April 2014. Six months after commencing work on the project it became apparent the development of the playground's design

was failing to meet the requirements of the brief for these services and the contract was terminated.

The City's Landscape Architect subsequently took charge of the detailed design and contract documentation of the project.

Tender number RFT 16/2015 Construction Services Bibra Lake Regional Playground (including Car Parks and Road Upgrades) was advertised on the Saturday 2 September 2015 in the Local Government Tenders section of the "West Australian" newspaper. It was also displayed on the City's e-tendering website between Saturday 2 September and 6 October 2015.

Three addenda clarifying details of the contents of the tender documents were issued and the submission date extended from the 1 October 2015 to the 6 October 2015 in response to a request for more time from a majority of those registered with Tenderlink.

Submission

Tenders closed at 2:00 p.m. (AWST) on Tuesday 6 October 2015 with nine tender submissions received.

Tenderer's Name	Registered Business Name
Phase 3 Landscape Construction	Phase 3 Pools
Delta Civil WA Pty Ltd	
Densford Civil Pty Ltd	Sarich Autos
BCL Group Pty Ltd	
Absecon Pty Ltd	
Ertech Pty Ltd	
Environmental Industries Pty Ltd	
Earthcare (Australia) Pty Ltd	Earthcare Development
Menchetti Consolidated Pty Ltd	MG Group WA

Report

A. Compliance Criteria

Criteria Ref.	Description
A	Compliance with the Conditions of Tendering
B	Compliance with the Specification contained in the Request for Tender
C	Completion of Form of Tender
D	Compliance with the Sub-Contractors Requirements and completion of Section 3.3.3
E	Compliance with the Financial Requirements and completion of Section 3.3.5
F	Compliance with Insurance Requirements
F1	Public Liability Insurance \$20,000,000.00 AUD
F2	Products Liability Insurance \$20,000,000.00 AUD
F3	Design and Construct Insurance \$1,000,000.00 AUD
F4	Workers Compensation
F5	Motor Vehicle
F6	Plant and Equipment
G	Completion of Qualitative Criteria - Section 3.4.2
H	Compliance with Fixed Price and completion of Section 3.5.2
I	Compliance with and completion of Price Schedule - Part 4 in format provided in the Request
J	Compliance with Occupational Health and Safety Requirements and completion of Appendix A -
K	Compliance with ACCC Requirements and completion of Appendix B
L	Acknowledgement of any Addenda issued
Section 3.2	Tenderer's Contact Person
Addenda	Addendum No. 1 - Issued 18/09/2015
	Addendum No. 2 - Issued 23/09/2015
	Addendum No. 3 - Issued 30/09/2015

B. Compliant Tenders

All tender submissions were deemed compliant and evaluated.

C. Evaluation Criteria

Tenders were assessed against the following criteria:

Evaluation Criteria	Weighting Percentage
Demonstrated Experience	20%
Tenderers Resources	15%
Methodology	20%
Sustainability	5%
Tendered Price	40%
TOTAL	100%

D. Tender Intent/ Requirements

The Bibra Lake Regional Playground project site is situated over contaminated landfill. The site contains 35 mature trees, which have grown with a shallow root system, taking advantage of the site's turf irrigation system. The project must be established with minimal disturbance to both the shallow root zone and the contaminated fill beneath.

Consequently the City of Cockburn requires the selection of an experienced company with skills and abilities not only in the construction of car parking and children's playground facilities, but strong project management skills to carefully manage sub contractor's conduct to ensure existing trees are not lost and any contaminated material excavated is managed in accordance with the City's contamination management plan.

E. Evaluation Panel

The tender submissions were evaluated by the following City of Cockburn Officers

1. Andy Jarman – Landscape Architect;
2. Anton Lees - Manager Parks and Environment;
3. Sinta Ng – Budgeting and Financial Reporting Manager;
4. Peter McCulloch – Infrastructure Project Manager; and
5. Stuart Downing - Director Finance and Corporate Services

F. Scoring Table - Combined Totals

		Percentage Score		
		Non-Cost Evaluation	Cost Evaluation	Total
Ranking	Name	60%	40%	100%
1	*Menchetti Consolidated Pty Ltd	39.47%	37.31%	76.78%
2	Environmental Industries	40.66%	35.45%	76.11%
3	Ertech	40.84%	32.49%	73.33%
4	Phase 3	35.64%	37.26%	72.90%
5	Densford Civil	36.90%	35.74%	72.64%
6	BCL Group	31.68%	40.00%	71.68%
7	Earthcare	30.31%	33.17%	63.48%
8	Delta Civil	28.65%	31.11%	59.76%
9	Absecon Pty Ltd	27.84%	31.25%	59.09%

*Recommended Submission

Evaluation Criteria Assessment**Demonstrated Experience**

The submissions by Menchetti Consolidated Pty Ltd, Environmental Industries, Ertech, Earthcare and Phase 3 clearly demonstrated to the panel they had completed significant playground project of a similar size and complexity. In addition they all identified issues arising from previous playground projects and demonstrated sound resolution techniques.

Densford Civil, BCL Group, Delta Civil and Absecon Pty Ltd did not score highly within this category as their expertise and work experience are characterised as comprising predominantly 'Civil' works contracts, with limited or undemonstrated experience in playground construction.

Tenderer's Resources

The submissions by Menchetti Consolidated Pty Ltd, Environmental Industries, Ertech, Densford Civil and Phase 3 outlined the provision of resources required to perform the project scope and the appropriate contingency measures. In addition these companies demonstrated they

had the key personal with the capacity to deliver large complex projects and sound project management skills.

Methodology

The submissions by Menchetti Consolidated Pty Ltd, Environmental Industries, Ertech, Densford Civil and Phase 3 demonstrated sound methodology programs and identified critical pathways. All these companies outlined the duration of the project and listed the relevant officers who will be responsible for performance of the works.

The panel found the submissions received from BCL Group, Delta Civil and Absecon Pty Ltd did not demonstrate methodologies to the degree required for a project of this size.

Sustainability

The submissions received from BCL Group, Densford Civil, Environmental Industries, Ertech, Menchetti Consolidated Pty Ltd outlined comprehensive environmental management systems relevant to the project's deliverables.

Summation

Following the assessment the panel identified the top three ranked submissions and subsequently contacted referees accordingly.

The references for Menchetti Consolidated Pty Ltd revealed that they had produce good results and delivered projects in accordance with the performance timelines. In addition they were extremely diligent in administration of contracts and managed sub-contractors very diligently. Their performance in delivering large road projects linked with playground and landscaping construction are a valuable commodity in the current economic climate.

The referees for Environmental Industries expressed their sound professionalism and capability of delivering large scale projects similar to the regional playground. The referees did note that they were not road works contractors and would be limited in this component of the project. However they advised of the sound capabilities and experience of the staff.

The referees for Ertech advised that the scope of works of the regional playground were easily within their capabilities and that they were very proactive and open to resolving problems. Communication was also a high point for Ertech however some minor issues were experienced with final completion items being closed.

Taking in considering all the submitted response criteria and references, the evaluation panel recommends to Council that the submission received from Menchetti Consolidated Pty Ltd (MG Group WA), as being the most advantageous to deliver the construction of the Regional Playground at Bibra Lake for an estimated total contract value of \$3,391,999.84 GST exclusive (\$3,731,199.82 GST inclusive); based on the following:

- Significant demonstrated experience in performing works of similar size.
- A range of personnel that have the experience to undertake these works.
- Appropriate resources to conduct works as required.
- The price submitted is considered fair and reasonable for the scope of works to be performed.

Due Diligence

A financial due diligence was undertaken on Menchetti Consolidated Pty Ltd by the City as required for all tenders where expenditure is greater than \$1m. The financial due diligence was undertaken by Corporate Scorecard (a division of Veda). The result of the due diligence was to report that Menchetti was financially very strong and able to financially undertake the work associated this tender.

Strategic Plan/Policy Implications

Infrastructure

- Community infrastructure that is well planned, managed, safe, functional, sustainable and aesthetically pleasing.

Community & Lifestyle

- People of all ages and abilities to have equal access to our facilities and services in our communities.
- Promotion of active and healthy communities.

Environment & Sustainability

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

Budget/Financial Implications

The estimated contract value exceeds the current budget allocation for the Bibra Lake Regional Playground. Additional funds will be required to meet the tender. The funds required will total \$600,000. The funds will be transferred from the DCP13 – Community Infrastructure Reserve, for which this project is currently entitled to receive funds. This transfer will increase the CW budget form 2015/16 from

\$2,931,847 to \$3,531,847. \$95,000 of the 2015/16 allocation had been used to complete the design.

Legal Implications

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

Community Consultation

The Bibra Lake Regional Playground is a product of numerous substantive community consultation exercises carried out during the formulation of the various plans and strategies listed above.

Attachment(s)

The following confidential attachments are provided under separate cover:

1. Compliance Assessment
2. Consolidated Evaluation Panel Score Sheet;
3. Tendered Prices

Advice to Proponent(s)/Submissioners

Those who lodged a tender submission have been advised that this matter is to be considered at the 12 November 2015 Council Meeting.

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

Nil.

17. COMMUNITY SERVICES DIVISION ISSUES

17.1 (OCM 12/11/2015) - REVIEW OF JUNIOR SPORTS FEES AND CHARGES (042/002) (T MOORE)

RECOMMENDATION

That Council retain the existing fees and charges applied to juniors for sports participation on Council reserves, as per the fees outlined in Council's 2015/16 Fees and Charges Schedule.

COUNCIL DECISION

Background

At the September 2015 Ordinary Council Meeting, Cllr Kevin Allen requested that a report be prepared and presented at a future Ordinary Council Meeting into the feasibility of offering full concession of fees to all juniors participating in sports in the City to increase participation.

Staff has since conducted a review of the existing fees and charges, including a comparison with other Local Government Authorities (LGA's), with the outcome of this review now presented to Council for consideration.

Submission

N/A

Report

The City manages the access and usage of sport and recreation reserves designated for the purposes of Recreation under the Metropolitan Regional Planning Scheme.

Under Council's 2015/16 Fees and Charges, Sporting Clubs are charged on the basis of seniors at \$73 per/player per season and junior's at \$13 per/player per season for access to the City's Reserves and clubroom/change-room facilities for training and playing.

Across Local Government, there is no real standard in place as to how LGA's charge sporting clubs for access to reserves or the % discount provided to juniors.

As part of the review, 6 other LGA's were consulted and provided the following details on their current fees and charges applied to juniors:

Town of Bassendean – 50% discount, between approx. \$12 per player depending on the sport.

City of Stirling – No charge for Junior sport players participation.

City of Armadale – No charge for Junior sport players participation.

City of Gosnells - \$11 per junior Player.

City of Rockingham – 50% team fee discount, approximately \$10.50 per player depending on the sport.

City of Melville - \$13 per junior Player.

City of Fremantle - \$43 per player, based on 15 per team. \$650 per team, approx.

City of Canning – Ground Hire \$9.90 per player (Clubroom/change-room access \$297 per club).

City of Kwinana - \$15 per junior per season – 2% of annual maintenance costs for facility.

In reviewing the feedback provided by other LGA's, it was found that the majority of LGA's charged a reduced fee in acknowledgement of encouraging junior participation. In particular, 5 of the 6 LGA's consulted advised that they had a reduced fee in place for juniors, with only the City of Stirling not charging juniors.

The City's current fee of \$13 per junior player for access to the playing fields and clubrooms/change-rooms is considered to be consistent with the majority of other LGA's fees and charges.

The City also currently administers the Kidsport program which provides funding support to assist in junior player's membership fees and associated equipment of up to \$200 per child.

Whilst Council may decide to provide no fees for juniors, this option is not recommended, as \$13 per junior player is considered to be a nominal fee, which does not impede any juniors from participating.

Should the City of Cockburn not charge a fee there may be some encouragement for parents from adjoining suburbs such as Melville and Fremantle to enrol their children in Cockburn clubs which do not pay a fee.

In summary, it is recommended that the existing junior participation fees remain as outlined within the 2015/16 fees and charges.

Strategic Plan/Policy Implications

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.
- Promotion of active and healthy communities.

Budget/Financial Implications

In 2014/15, the City received the following income in fees derived from junior sports participation:

Ground Hire	\$22,132
Clubroom Hire	\$24,912
<u>Total</u>	<u>\$47,044</u>

Should Council decide to provide junior participation free of charge, this would result in a loss of income of approximately \$47,000 per year.

Legal Implications

Should Council decide to amend the fees and charges, a public notification of the proposed amendment would be required.

Community Consultation

Staff consulted with a number of other LGA's as part of the fees and charges which they apply.

Attachment(s)

N/A

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

18. EXECUTIVE DIVISION ISSUES

Nil

19. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**19.1 (OCM 12/11/2015) - NOTICE OF MOTION - MAYOR HOWLETT - KNOCK PLACE JANDAKOT TRAFFIC CONGESTION (1490 & 099/114) (C SULLIVAN) (ATTACH)****RECOMMENDATION**

That Council

- (1) conduct a consultation process over a two week period with local business owners in the locality of Solomon Road/Cutler Street/Verde Drive and commuters using the PTA car parks in Knock Place on the eastern side of Cockburn Central Rail Station to establish their point of view in relation to the implementation of a trial of temporary traffic management for vehicles exiting the car parks;
- (2) subject to there being support for a trial, implement temporary traffic management at the intersection of Solomon Road and Knock Place, Jandakot for a two week period to divert traffic exiting Knock Place between the hours of 3.00pm and 6.00pm Monday to Friday to make a left hand only turn onto Solomon Road, detouring to Verde Drive via Cutler St. and hence gaining access to Armadale Road, as shown in the attachments to the Agenda;
- (3) undertake a post-trial survey of the landowners and carpark users to ascertain their support for continuation of the traffic deviation on a permanent basis;
- (4) approach the Public Transport Authority (PTA) with the State Member of Parliament for Jandakot, Hon. Joe Francis MLA (who has given his commitment to co-fund the traffic warden) to share the cost (50% each) of the traffic warden during the two week trial period;
- (5) approach Main Roads WA if this support is achieved, to gain approval to establish permanent signage that reflects the days and times where a right hand turn is not permitted from Knock Place;
- (6) investigate current egress points from private properties seeking to avoid the Knock Place/Solomon Road exit with a view to possible temporary access provision to improve safety; and
- (7) inform local business owners in the directly affected adjacent properties of Council's decision to ensure they are aware of the potential impact the trial may have on their operations.

COUNCIL DECISION

Background

Mayor Howlett has submitted a Notice of Motion to be presented at the 12 November 2015 Ordinary Council Meeting as follows:

That Council:

1. *Conduct a consultation process over a two week period with local business owners in the locality and commuters using the car parks in Knock Place to establish their point of view in relation to the proposed trial outlined below.*
2. *Arrange a Traffic Warden to be located at the intersection of Solomon Road and Knock Place, Jandakot for a two week period to divert traffic exiting Knock Place between the hours of 3.00pm and 6.00pm Monday to Friday to make a left hand only turn onto Solomon Road.*
3. *Install temporary signs to guide traffic exiting Knock Place and wishing to make their way back to Armadale Road via the existing road system.*
4. *Approach the Public Transport Authority (PTA) to share the cost (50% each) of the traffic warden during the two week trial period.*
5. *Proceed with the two week trial if the PTA do not agree to share the cost of funding the trial.*
6. *If the trial is successful, approach Main Roads WA to gain approval to establish permanent signage that reflects the days and times where a right hand turn is not permitted from Knock Place.*
7. *Notify all relevant authorities of the proposed trial.*
8. *Examine the opportunity to establish a temporary access road from the private landowners(s) where mainly four wheel drive owners are currently using their property to exit from Knock Place thereby bypassing the Solomon Road exit.*

Reason

Motorists are now taking up to 45 minutes (90 minutes on some days) to exit From Knock Place. The trial period outlined will allow the City, the PTA, Main Roads WA and motorists to establish if there are benefits available in putting in place an interim measure while longer term opportunities are evaluated.

Submission

N/A

Report

Prolonged delays have been experienced by patrons exiting the PTA car park off Knock Place at Cockburn Central Station for the past few years during the afternoon peak hour period, resulting in numerous complaints reported to the City. While a long term permanent solution is being discussed with the MRWA for major road infrastructure in the area, it is appropriate to trial local traffic management options to ease congestion for the patrons of the PTA car park.

The PTA car park is shown on Attachment 1 and has approximately 1000 bays. There is also a considerable number of vehicles parking on verge areas and off road in the vicinity of the car park due to the demand for the rail service along the Mandurah line. The result is that in the afternoon peak time on week days, a large number of vehicles exit the car park onto Knock Place and want to turn right onto Solomon Road to get to Armadale Road.

There is no traffic signal control at the Solomon/Armadale intersection so any vehicle turning right from Solomon onto Armadale during the afternoon peak time usually experiences a long delay. This causes a queue of vehicles extending from this intersection back along Solomon Road, which blocks the vehicles wanting to exit the PTA car park. In the past, City officers have made representation to the MRWA for the installation of traffic signals at the Solomon/Armadale intersection to control this congestion, without success. The MRWA are of the opinion that an additional set of traffic lights at this intersection would cause congestion along Armadale Road due to the spacing of the existing traffic signals along that section.

A trial is proposed over a two week period to test the option of diverting all vehicles exiting from Knock Place left along Solomon Rd and then right into Cutler Street and hence to Verde Drive where access onto Armadale Road is controlled by traffic signals. The proposed temporary route is shown on Attachment 1. The proposal is for the afternoon peak period from 3.00pm to 6.00pm on week days.

Temporary controls to convert the intersection of Knock/Solomon into a left in/left out would be required as shown on Attachment 2. Two traffic management staff would need to attend site every afternoon during the trial to install and remove the temporary barriers and signage as well as maintaining site surveillance over the traffic movements to ensure

safe operation. They will also be on hand to provide guidance to the drivers exiting the PTA car park and render any assistance required.

Since the trial is primarily for the benefit of patrons of the PTA car park, it is further proposed to approach the PTA for a 50% contribution to the cost of the trial. The results of the trial would be shared with the PTA and MRWA for discussion of the possibility of a permanent diversion during the afternoon peak, depending on the success of the trial.

Strategic Plan/Policy Implications

Infrastructure

- Community infrastructure that is well planned, managed, safe, functional, sustainable and aesthetically pleasing.

Environment & Sustainability

- Identification and minimisation of impacts to human health risk.
- Greenhouse gas emission and energy management objectives set, achieved and reported.

Moving Around

- An integrated transport system which balances environmental impacts and community needs.
- Facilitate and promote healthy transport opportunities.
- A safe and efficient transport system.
- Infrastructure that supports the uptake of public transport and pedestrian movement.

Budget/Financial Implications

Based on current traffic management costs for City road projects, a budget of \$10,000 is proposed for the two week trial period. This cost estimate includes the following items:

- Two traffic management staff for attendance to site over ten afternoons
- Direction and control signage during the trial period, temporary barriers and information signs
- Letter drop and public notifications
- Traffic counts on Solomon Road and Verde Drive

This cost could be expended under budget item CW 2375 Traffic Safety Management – Traffic Calming and Minor Works. As the trial is

mostly intended to benefit users of the PTA carpark, it is appropriate to seek co-funding from the PTA for this initiative.

Legal Implications

Nil.

Community Consultation

Consultation will be required with all properties in the area of the proposed traffic diversion by letter drop. The wider community will be informed by notification on the Council website and advertisement in the local media.

Patrons of the PTA car park would be randomly surveyed on site after the trial to get their opinion on the success of the trial.

Attachment(s)

1. Knock Place Car Park - Proposed Traffic Diversion 3.00 pm to 6.00 pm week days
2. Proposed Traffic Controls – Knock Place / Solomon Rd Intersection

Advice to Proponent(s)/Submissioners

N/A

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

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 12/11/2015) - 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

Meeting closed at _____