

CITY OF COCKBURN

SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 11 FEBRUARY 2016 AT 7:00 PM

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CITY OF COCKBURN

MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 11 FEBRUARY 2016 AT 7:00 PM

PRESENT:

ELECTED MEMBERS

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

IN ATTENDANCE

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

1. DECLARATION OF MEETING

The Presiding Member declared the meeting open at 7.04 pm.

Mayor Howlett made the following announcements:

Clr Lyndsey Sweetman

Congratulations to Clr Sweetman (nee Wetton) who was married during January to Nicholas. Our best wishes are extended to Lyndsey and Nicholas for a life full of love, happiness, health and achievement.



Clr Philip Eva, JP

The City extends its best wishes to Clr Philip Eva who will be shortly travelling to the UK as his Mother is gravely ill. Clr Eva, our thoughts and prayers are with you and your family at this time.

Proposed Delegation from the City of Split

The City had intended to receive a delegation from its Sister City, Split, Croatia in the latter part of January, however the visit was postponed until later in the year.

Drazenko Pacalat – Croatian Artist

At the invitation of the Croatian Consul general the renowned artist Drazenko Pacalat held a very successful art exhibition at the Memorial Hall, Hamilton Hill based on his artist style of painting with wine, often referred to as winorel.

Other exhibitions are being held across the Perth Metropolitan area.

Premier's Australia Day Active Citizenship Awards

The recipient of these Awards are people who have made noteworthy contributions during the current year, or given outstanding service to the local community over a number of years through active involvement.

On Australia Day 2016 the City was pleased to award the Premier's Australia Day Active Citizenship Award to Maureen Fisher-Sim.

The Award for a person under 25 years of age went to Stephanie Wilson.

The Award for an outstanding community group or event was presented to the Harvest Lakes Residents Association.

NBN Roll Out in Cockburn

The City met with representatives from NBN on Tuesday, 9 February 2016 to discuss the proposed rollout of the NBN network across the City.

The City is awaiting a more robust set of information and timetables from NBN so that residents and business owners have a clearer picture of the rollout.

2. APPOINTMENT OF PRESIDING MEMBER (If required)

Nil.



3. DISCLAIMER (Read aloud by Presiding Member)

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

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

Nil

5 (OCM 11/2/2016) - APOLOGIES AND LEAVE OF ABSENCE

Clr B Houwen	-	Apology
Clr L Smith	-	Apology

6. ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

7 (OCM 11/2/2016) - PUBLIC QUESTION TIME

Alison Bolas, Hamilton Hill

Agenda Item 14.9 – Allow Contaminated Land for Public Open Space

Q1. Has the site assessment taken into consideration the likely consequences of the development on the surroundings? The proximity of the development to the nearby stables and horse track will affect the sustainability of Randwick Stables as working stables?

A1 Lot 51 Healy Road is a privately owned piece of land, which is zoned for 'Development' under City of Cockburn Town Planning Scheme No. 3. The purpose of the Development zone is to provide for future (in this case) residential development in accordance with a comprehensive structure plan prepared under the Scheme. At this stage no proposal has been lodged with the City for the subject land.

If the "development" is interpreted as the remediation project then the assessment has focussed on the identification of the location of the landfill waste, which is a significant distance (more than 200m) from the stables and the community garden. The excavation is scheduled to take 2-3 days and the excavation is scheduled to be backfilled to



the original level within two weeks, and will not have any impact on the stables.

Q2. Has the assessment RAP (Remedial Action Plan) identified the effect of the development on groundwater in the area?

A2 The Remediation Action Plan relates only to the removal of the landfill waste and will have no impact on groundwater which is more than 1.6m below ground. The removal of the landfill waste in fact reduces the risk that the contaminants from the waste may leach into the groundwater over time. The detailed analysis of numerous samples of the material taken from the subject site indicated that there are no leachable components. The groundwater monitoring that has been carried out by the City in relation to the Dixon Reserve site, which was the main location of the landfill in 1968, indicates that the landfill has had little impact on groundwater downstream of the site.

The Presiding Member thanked Ms Bolas.

Christine Duckham, Hamilton Hill

Agenda Item 14.9 – Allow Contaminated Land for Public Open Space

Q1. Have the process and requirements as set out in the regulations specified by the Department of Environment Regulation (DER) been followed in the assessment of the site (Lot 51) and development of a Remedial Action Plan (RAP)?

A1 The assessment of the site has been carried out in compliance with the Contaminated Sites Act and Guidelines. The assessment of the waste has been in compliance with the DER Landfill Waste Classification to allow disposal at the Henderson Landfill Site. The investigation has been carried out by experienced Environmental Health Officers with advice and oversight by qualified Contaminated Sites consultant Golders Associate and an accredited Contaminated Sites Auditor, Jason Clay

Q2 Can the council provide a copy of the Site Remediation and Validation (SRV) report for Lot 51?

A2 Yes, a copy of the Remediation Action Plan can be provided. The validation report however can only be prepared once the works are completed.

Q3 The community consultation guidelines (WA DEC 2006) provides guidance on the requirements for community consultation for each



stage of the management of contaminated sites. Can the council provide details of how these requirements have been met with regard to the site (Lot 51)?

- A3 The City Officers are familiar with the DER Community Consultation Guidelines. The extent of community consultation is dependent on the potential health risks, potential impacts to the environment or values of their property, loss of amenity, and short term nuisance such as noise. The minor scale of the works justified a letter-drop to all houses fronting Dixon Reserve and the users of the Wally Hagen Stadium. The letter provided to the residents outlined full details of the project. The two closest dwellings are located approximately 50 metres from the works and the remaining dwellings are located more than 100m away. It is considered that due to the nature, limited size and time of the remediation works that they will have minimal impacts on any surrounding residents.

Jodie Yukich, Munster

Agenda Item 14.12 – Objection to Decision to Refuse Keeping (Racing) Pigeons at Premises located at 51 Barrington Street, Munster

- Q1 How is the daily noise disturbance to neighbouring properties managed and reduced?
- A1 It is unlikely that the noise from 50 pigeons will actually exceed the limits specified in the Noise Regulations but it is likely that from time to time the noise will be audible to neighbours. Whether the noise is a nuisance or not is entirely subjective. Action could only be taken by the City's noise officers where the pigeon noise exceeds the specified noise limits under the Regulations or is deemed to be unreasonable (for example where the pigeon keeper purposefully agitates the birds in order to cause them to be noisy and therefore creating a nuisance, particularly during night-time).
- Q2. Who is financially liable for the restoration/replacement and or cleaning of property within our boundary that has been affected as a direct result of pigeons being housed in such close proximity?
- A2 The cleaning of bird droppings on residential premises is typically the responsibility of the owner/occupier of the premises. From a legal perspective it would be very difficult to prove the source of bird droppings.
- Q3 How do I explain to our daughter that she can't play outside anymore between daylight and 9.00am, then 3.30pm – 7.00pm, because the pigeons are flying overhead and it's different now and not pleasant for



her anymore?

- A3 It's difficult to answer this question but the risk associated with wild birds in the area and any pigeons are the same. There are some cases where feral pigeons are known to frequent areas near to racing pigeon lofts therefore the number of birds in the area may increase. But birds flying overhead are unlikely to make it unpleasant for anyone. Once again however this is a subjective issue.
- Q4 If our daughters (or anyone's) health was affected in anyway due to the close proximity of the pigeons, who is liable?
- A4 The impact of a pigeon loft on neighbours relates to amenity and nuisance rather than direct health effects. The owner of the pigeons is required to comply with the City's local law otherwise the licence will be revoked and the pigeons removed.
- Q5 How often would the property be inspected and by whom, to ensure the increased instance of rodents and snakes that are attracted to this environment are effectively managed?
- A5 The loft would be inspected annually by the City's Environmental Health Officer or more frequently in response to any complaints received.
- Q6. Should there be a conflict directly related to a situation arising from the housing of pigeons at this property, what is the dispute resolution process?
- A6 Any person affected by the pigeons, or the condition of the loft, or increased pest (including rodent) activity they should lodge a complaint for investigation by City Officers who will enforce the local laws to ensure that the pigeons are kept in compliance with the local laws.

Paul Watson, Hamilton Hill

- Q1. The stand of heritage-listed Tuart trees (Local Government inventory number 110) in Hamilton Hill Swamp Precinct were among the first trees to be heritage-listed by Cockburn City. How will the Council ensure that these trees will be retained by Landcorp, within lot 51, Healy Road, if is developed as a residential site?
- A1. The City's heritage listing describes the stand of remnant Tuart trees as being located within the Roe Highway Road Reserve, north of the Randwick Stables and opposite Gordon/Healy Roads intersection. The north-western portion of Lot 51 Healy Road is outside of the Roe



Highway Road Reservation but opposite the Gordon Road/Healy Road intersection so it is unclear as to whether the stand of trees referred to under the Heritage Inventory includes the trees within Lot 51 Healy Road. As a result of the query the City Officers are currently investigating the original submission to ascertain the exact location and which specific trees are included within the listing.

As the subject land is zoned for 'Development' under City of Cockburn Town Planning Scheme No. 3. A structure plan is required to be submitted and approved prior to any development occurring. The structure plan will need to identify and respond to the unique characteristics of any site, including natural elements (such as significant trees) and heritage values.

Q2. The Hamilton Hill Swamp Precinct has been identified as containing important natural, colonial and Aboriginal heritage sites, with a high likelihood of many significant artefacts being present. To ensure that such artefacts are not disturbed or destroyed by earthworks and that Developers are able to comply with State Cultural Heritage Due Diligence Guidelines, will the Council agree to prohibit earthworks or construction on the site until proper heritage investigations are performed?

A2. The specific area to be excavated is not identified as having any aboriginal heritage value by the Department of Aboriginal Affairs. Aerial photos from 1968 indicate it was at the edge of a degraded swamp when it was filled with domestic waste and inert fill. The excavation being carried out will simply remove the waste and replace it with clean fill. There is no intention to excavate below what was the natural ground level in 1968. The works will be supervised by the City's Environmental Health Officers at all times, who will ensure that all waste is removed.

Q3. Is Council aware that bones were found among the debris when Council Officers carried out the excavation recently?

A3. Director, Planning & Development was aware that some excavation was undertaken. However, the excavation that was undertaken was outside of the area that was proposed to be excavated to remove the contaminated soil.

The Presiding Member thanked Mr Watson.

Debbie Gibson, Hamilton Hill

Q1. Are you Mr Cain and Mr Green agreeable to the City's resources and ratepayers' funds being utilised to compact and construct a residential



driveway in Hamilton Hill measuring approx. 30m x 3m wide? If this is so can everyone else in the Cockburn City receive this preferential residential driveway?

- A1. Mayor Howlett responded that in relation to staff matters, these cannot be raised in a public forum such as tonight's meeting. The City has a record of your questions which will be taken on notice and the Chief Executive Officer will respond to those as a matter of urgency.
- Q2. How do the general ratepayers get to know about reports and investigations?
- A2. In the context of staff related matters the City cannot entertain comments or allegations made in a public forum such as tonight's meeting.

Geoff Sach, Coogee

- Q1. Mr Sach refers to the recent refusal by the City to the proposal by Fraser's Property Group to amend the undeveloped portions of Port Coogee Structure Plan. What action can the City take if the State Planning Commission does not accept the City's recommendation?
- A1. Director, Planning & Development advised that there is no formal third party right of appeal if the WA Planning Commission resolves to reject or adopt the amendments to the local structure plan. The City has the right to investigate and see if there is any question of law and potentially take formal legal action in the Supreme Court if it feels that the Commission has made a decision which is errant under the applicable legislation. However, it cannot make or does not have any grounds to appeal against the decision of the Planning Commission.
- Q2. Is it possible to go to the State Administrative Tribunal (SAT)?
- A2. The only rights of appeal available are for the applicant. There are no third party rights of appeal under the current Planning legislation.
- Q3. What action can the City take if the Planning Commission accepts the City's recommendation and if Fraser' Property Group appeals the decision with SAT? Will the City seek representation to defend its position at the SAT hearing?
- A3. That is a point of conjecture, as the Commission has not made any decision on the structure plan. If the Commission did refuse the application and if the applicant chose to make an appeal to SAT, it would be open for the City to request to be an adjoining party to the appeal process.



Michael Separovich, Spearwood

Q1. With the lead up to the Federal Election later this year and having received quite substantial funding last year, is the City intending to engage in such a request this year for further funding?

A1. Mayor Howlett responded that this matter is being progressed with the City of Armadale and a campaign will be launched shortly to obtain funds for the completion of the Armadale Road bridge extension to North Lake Road.

Q2. Does the City have any plans for new proposals to be able to source more funding for major infrastructure projects?

A2. Yes, this is looked at from time to time. The City makes use of all the funding applications. Specifically for the Federal Election the City is only intending to conduct a campaign for the completion of Armadale Road.

8. CONFIRMATION OF MINUTES

8.1 (MINUTE NO 5705) (OCM 11/2/2016) - MINUTES OF THE ORDINARY COUNCIL MEETING - 10/12/2015

RECOMMENDATION

That Council adopt the Minutes of the Ordinary Council Meeting held on Thursday, 10 December 2015, as a true and accurate record.

COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr C Terblanche that the recommendation be adopted.

CARRIED 8/0

9. WRITTEN REQUESTS FOR LEAVE OF ABSENCE

Nil



10 (OCM 11/2/2016) - DEPUTATIONS AND PETITIONS

The Presiding Member advised the meeting that requests for two deputations were received in relation Item 14.13 and 16.2.

Mayor Howlett invited Lorraine Bennett, Lesley Johansen, Paula Deni and Pam Thomson, on behalf of 81 petitioners, to brief the Council of their concerns in relation to Item 16.2.

Mayor Howlett thanked the deputation for the presentation.

Mayor Howlett invited Justin Hansen, Associate Director, Creative Design & Planning, to brief the Council in relation to Item 14.13.

Mayor Howlett thanked Mr Hansen for his presentation.

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

Nil

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

Nil

13. COUNCIL MATTERS

AT THIS POINT IN THE MEETING, THE TIME BEING 7.52 PM THE FOLLOWING ITEMS WERE CARRIED BY 'EN BLOC' RESOLUTION OF COUNCIL

14.2	14.6	14.13	15.1	18.1
14.3	14.7	14.15	15.3	
14.4	14.8			
14.5	14.9			

13.1 (MINUTE NO 5706) (OCM 11/2/2016) - DELEGATE - COCKBURN WETLANDS EDUCATION CENTRE (INC.) (064/001) (D GREEN)

RECOMMENDATION

That Council appoint _____ (Elected Member) as its delegate to the Cockburn Wetlands Education Centre (Inc.) (CWEC) Board of Management, with _____ (Elected Member) as Deputy.



COUNCIL DECISION

MOVED Cllr S Pratt SECONDED Cllr S Portelli that Council appoint Cllr Bart Houwen as its delegate to the Cockburn Wetlands Education Centre (Inc.) (CWEC) Board of Management, with Cllr Philip Eva as Deputy.

CARRIED 8/0

Reason for Decision

Cllr Houwen and Cllr Eva nominated for these positions.

Background

Correspondence has been received from CWEC requesting Council re-assess representation to its Board of Management.

Council has provided representation to the CWEC Board in the past, however, this lapsed when former Councillor Oliver retired from office in 2013.

Submission

N/A

Report

The Centre has been in operation for over 20 years in its current location on Hope Road, Bibra Lake. Council is an ongoing supporter of activities which occur there and provides recurrent funding to assist in its administration. Accordingly, it is logical that Council participate in the management of the Centre to oversee the investment it provides and to ensure Council's interests are monitored in the future, given the array of matters which occur in the adjacent surroundings.

Regular meetings of the CWEC Board occur at the Centre, 184 Hope Road, Bibra Lake, on a quarterly basis on the second Monday of March, June, September and December, from 5.30 pm. Meetings generally finish by 7 pm.

In summary, it is recommended that Council provide Elected Member representation to the Board in the form of a delegate and deputy delegate.



Strategic Plan/Policy Implications

Infrastructure

- Partnerships that help provide community infrastructure.

Community & Lifestyle

- Conservation of our heritage and areas of cultural significance

Leading & Listening

- Effective and constructive dialogue with all City stakeholders.

A Prosperous City

- A range of leading educational facilities and opportunities.
- Creation and promotion of opportunities for destination based leisure and tourism facilities.

Environment & Sustainability

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

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

N/A

Advice to Proponent(s)/Submissioners

The Proponent has been advised that this matter is to be considered at the 11 February 2016 Council Meeting.

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

Nil.



13.2 (MINUTE NO 5707) (OCM 11/2/2016) - MEMBERSHIP - COCKBURN COMMUNITY EVENTS COMMITTEE (152/010) (D GREEN)

RECOMMENDATION

That Council appoint _____ (minimum of 3 Elected Members) to the Cockburn Community Events Committee.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr C Terblanche that Council appoint:

- (1) Deputy Mayor Carol Reeve-Fowkes;
- (2) Clr Kevin Allen;
- (3) Clr Lyndsey Sweetman; and
- (4) Clr Stephen Pratt

to the Cockburn Community Events Committee.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0

Reason for Decision

These Councillors nominated for positions to the Committee.

Background

The Cockburn Community Events Committee was established in June 2014 for the purpose of providing recommendations to Council on the annual community events program funded in the budget in accordance with Council Policy.

Submission

N/A



Report

Membership of the Committee ceased at the date of the Council elections held in October 2015. Previous members of the Committee were Councillors Reeve–Fowkes, Pratt, Portelli, Wetton, Eva and former Councillor Mubarakai.

Given the events program will be completed over the next two months, it is timely for membership to be re–convened to enable the Committee to appraise the success of the program and provide feedback for officers to consider for next year`s events season.

Strategic Plan/Policy Implications

Community & Lifestyle

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

Leading & Listening

- A responsive, accountable and sustainable organisation.

Budget/Financial Implications

N/A

Legal Implications

Sec. 5.10 of the Local Government Act 1995 refers.

Community Consultation

N/A

Attachment(s)

N/A

Advice to Proponent(s)/Submissioners

N/A

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

Nil.



14. PLANNING AND DEVELOPMENT DIVISION ISSUES

14.1 **(MINUTE NO 5708) (OCM 11/2/2016) - WAREHOUSE ADDITION - LOT 120 EMPLACEMENT CRESCENT, HAMILTON HILL (2212235) (P ANDRADE) (ATTACH)**

RECOMMENDATION

That Council

- (1) refuse to grant planning approval for a warehouse at 2 (Lot 120) Emplacement Crescent, Hamilton Hill for the following reasons:
 1. Approval of the proposal is likely to adversely impact on amenity of the future residents in the locality as per Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015.
 2. Approval of the proposal would not constitute orderly and proper Planning as per Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015.
 3. Approval of the proposal would set an undesirable precedent.
 4. Approval of the proposal may facilitate further intensification of the existing non-conforming land use which may prejudice future development of the area in accordance with the approved Emplacement Local Structure Plan.
- (2) notify the applicant of Council's decision.

COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Mayor L Howlett that Council not consider this matter based on the request from the owner that the application be withdrawn.

CARRIED 8/0

Reason for Decision

Written advice has been received from the landowner that the development will not be proceeding and is now requesting that the application be withdrawn.



Background

The subject site is 8514m² in area and fronts Emplacement Crescent and Cockburn Road in the former North Coogee Industrial area. The site contains existing industrial buildings being used by Alba Oils for the manufacture and production of edible oils. The land and buildings operate under non-conforming use rights in accordance with Part 4.9 of the City's Town Planning Scheme No. 3 (TPS 3).

In 1998 approval was issued for an industrial development which included a warehouse to be constructed in the same location as proposed by this application, however the warehouse was never constructed. In 2001, further additions were approved. In 2007, additions to the yard were approved including another warehouse in the same location as the proposed application, however the warehouse was not constructed. In 2015 two sea-containers and a canopy were approved

This proposal for a warehouse is now presented to Council for determination due to the significant implications of the decision in relation to the timely delivery of the Cockburn Coast development area.

Submission

The proposal consists of a free standing warehouse which has a loaded canopy attached. The warehouse is proposed to be constructed of colorbond metal, is 528m² in area and the attached canopy is 192m². Information included with the application states that:

- The warehouse is solely for protection of packaging and stored goods from contamination of foreign particles;
- Products are highly sensitive material; and
- The canopy is to be used solely for protection from the weather for loading goods into the warehouse.

Report

Statutory Planning Framework

City of Cockburn Town Planning Scheme No. 3 (TPS 3)

Under TPS 3, the lot is zoned *Development* and the objective of the Development zone is defined in TPS 3:



'to provide for future residential, industrial or commercial development in accordance with a comprehensive Structure Plan prepared under the Scheme'.

The site is located in a Development Area (DA 33 – Cockburn Coast) and as such is subject to the provisions of Schedule 10. The objectives of the Cockburn Coast Development Area outlined in Schedule 10 guide the preparation of Local Structure Plans for the area.

Council adopted the 'Emplacement Local Structure Plan' over the lot on 8 May 2013 which identifies the site for R100/Mixed Use with Public Open Space. The portion of the site area in which the development is proposed is identified for R100/Mixed Use.

As per the Land Use Table contained in TPS 3 (Table 1), a warehouse is an 'X' use in both Residential and Mixed Use zones which means it is not permitted. A warehouse is defined in TPS 3:

'means premises used to store or display goods and may include sale by wholesale.'

Notwithstanding the above, the site operates under non-conforming use rights since the adoption of the Structure Plan in 2013 in accordance with Clause 4.8 of TPS 3 which states that:

'Except as otherwise provided in the Scheme, no provision of the Scheme is to be taken to prevent –

- (a) The continued use of any land for the purpose of which it was lawfully used immediately prior to the Gazettal date;*
- (b) The carrying out of any development on that land for which, immediately prior to the gazettal date, an approval or approvals, lawfully required to authorise the development to be carried out, were duly obtained and are current...'*

Clause 4.9 of TPS 3 deals with extensions and changes to non-conforming uses which is relevant to this application. It states the following:

'A person must not –

- a) alter or extend a non-conforming use;*
- b) erect, alter or extend a building used in conjunction with or in furtherance of a non-conforming use; or*
- c) change the use of land from a non-conforming use to another non-conforming use,*

without first having applied for and obtained planning approval under the scheme'



It is therefore open to Council to approve the proposal. However in doing so, there are a number of issues that must be considered.

Community Consultation

In accordance with Part 4.9.2 of the City's TPS 3, the application was advertised for a period of 14 days to three (3) nearby or adjacent properties. During the advertising period, no responses were received.

Issues

Land Use Intensification

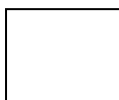
The development of an additional warehouse building on the subject site clearly constitutes intensification of the land use and may facilitate expansion of the operation. From a planning perspective, this is undesirable given the residential/mixed use zoning identified in the approval structure plan. Whilst the applicant may argue that the warehouse building is minor, can be removed easily and is proposed simply to store existing stock that is currently being stored outside, previous aerial images do not reveal outdoor storage of the same area proposed by the 528m² warehouse. This reinforces the City's concerns that the approval will facilitate expansion which would make transition to the desired residential/mixed use land use less likely.

Amenity

Should the proposal be approved, it may facilitate increased traffic movements to and from the site, increased production levels and increased noise/emissions, all of which have the potential to impact on the amenity of future residents within the Cockburn Coast Development Area. The close proximity of future residents to the site is certain as Landcorp has recently released residential lots to the market in the Rob Jetty precinct directly opposite the site on the western side of Cockburn Road.

Undesirable Precedent

In determining this proposal, Council must consider the implications of its decision on other non-conforming industrial uses in the Emplacement precinct. Incremental development that appears minor in nature has the ability to provide expansion opportunities for existing businesses in the area and new businesses entering into the area. Should Council resolve to approve the subject proposal which is substantial in size, it may lead to an undesirable precedent regardless of the fact that each proposal is assessed and determined on its own merits.



Conclusion

Approval of the proposal is not supported for the following reasons:

- The additional warehouse effectively contributes to an expansion of the existing industrial operation which is inconsistent with the objectives of the approved Emplacement Local Structure Plan;
- The additional warehouse results in an intensification of land use which may negatively impact on the amenity of future residents who will be in close proximity to the site;
- The additional warehouse creates an incentive for the operation to remain at the site which is contrary to the objectives of the approved Emplacement Local Structure Plan; and
- It would create an undesirable precedent for other non-conforming industrial uses in the area which may consider expansion which would cumulatively prejudice the future development of the area.

Strategic Plan/Policy Implications

Growing City

- Development that is soundly balanced between new and existing areas.
- Diversity of housing to respond to changing needs and expectations.

A Prosperous City

- Promotion and support for the growth and sustainability of local businesses and local business centres.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

As mentioned under 'Community Consultation'.



Attachment(s)

1. Location Plan
2. Site plan
3. Elevations
4. Applicant's accompanying letter

Advice to Proponent(s)/Submissioners

The proponent has been advised that this matter is to be considered at the 11 February 2016 Council Meeting.

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

Nil.

14.2 (MINUTE NO 5709) (OCM 11/2/2016) - RECOMMENDATION TO WAPC TO APPROVE STRUCTURE PLAN LOCATION: LOTS 75-81 VIEW ST AND LOTS 84-90 WATSON RD, BEELIAR - OWNER: VARIOUS - APPLICANT: ROWE GROUP (110/132) (C HOSSEN) (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 structure plan for Lots 75-81 View Street and Lots 84-90 Watson Road, Beeliar, be approved, subject to the following modifications:
 1. The preparation of a Bushfire Hazard Level assessment, in accordance with State Planning Policy 3.7, to provide a measure of the likely intensity of a bushfire and the likely level of bushfire attack in accordance with the Guidelines for Planning in Bushfire Prone Areas. Should the Bushfire Hazard Level assessment indicate either a moderate or extreme risk is present across any of the subject land, then a Bushfire Management Plan being prepared to adequately address the risk and the Structure Plan being subsequently updated to reflect the requirements of the Bushfire Management Plan.
- (3) advise the landowners within the structure plan area and those



who made a submission of Council's recommendation accordingly.

COUNCIL DECISION

MOVED Clr S Pratt SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 8/0

Background

The subject land area is 5.7 hectares in size; it is bound by the existing residential development to the north and south, Watson Road to the east and Stock Road to the west. See Attachment 1.

The entirety of the site has historically been used for market gardening and other agricultural uses. The site is currently vacant and has no visible land use present.

The subject area is zoned 'Urban' under the Metropolitan Region Scheme ("MRS"). The subject site is adjoined on its western boundary by the Stock Road Regional Road Reservation.

The subject area is zoned 'Development' under City of Cockburn Town Planning Scheme No. 3 ("Scheme"). The subject land is located within Development Area 4 ("DA4"), Development Contribution Area No. 13 ("DCA13") and Development Contribution Area No. 4 ("DCA4").

Pursuant to Clause 6.2.4 and Schedule 11 of the Scheme; a Structure Plan is required to be prepared and adopted to guide future subdivision and development.

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 11 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

Rowe Group on behalf of the land owners has lodged a Structure Plan for the subject site.



Report

Proposal

The proposal is for a structure plan, providing for a residential development outcome. The structure plan proposes densities ranging from Residential R30 in the south through to Residential R40, R60 and R80 as you move to the north of the structure plan. Densities provide an appropriate interface, noting the interface with open space and existing development densities. The structure plan proposes the creation of two public open space areas, one being the continuation of the existing open space along Firbank Road and a new open space along the western edge of Watson Road. The structure plan is discussed in more detail following.

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 future dwellings for Perth forecast growth to 2031, being located within existing zoned areas.

This proposal will assist in ensuring that the residential targets are reached while providing additional housing diversity to the area. The proposed Structure Plan provides for a range of residential densities from R30 to R80. This meets the objects set within Liveable Neighbourhoods, seeking for a range of residential densities to translate in to a range of future household types.

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, and benefits from close proximity to the growing Beeliam Town Centre comprising the local primary school and retail / commercial facilities.

Public Open Space

The proposed Structure Plan allocated 5,614m² of the subject site for the purposes of Public Open Space (“POS”). The POS is divided into two distinct areas. In the north of the subject area it is proposed to extend the existing Desert Pea Park by an area of 702m². This will further extend the useability of this park, as there is no expectation that drainage from the subject area will be piped to this area. Further to this it will create an increased buffer between the existing residential developments and those likely to occur on the subject site.



A second area of POS is proposed along the eastern boundary of the subject area, adjoining Watson Road. This proposed area of POS totals 4,211m² and will fulfil local recreational needs as well as providing drainage purposes for the subject area.

Overall the provision of POS within the proposed Structure Plan is consistent with Liveable Neighbourhoods. It provides for the creation of a new neighbourhood park, the continuation of an existing open space and provides excellent utility and proximity for future residential development.

Access and Traffic

The proposed road network is typified by a permeable short street blocks in a grid network. Such designs are strongly supported by modern planning principles and will encourage walkability.

The road network consists of Access Street C roads with appropriate width reservations provided for on the Structure Plan map. The proposed street network provides multiple access points onto the existing street network, providing a more equitable distribution of future traffic volumes.

As part of the development of the subject site it will be required that the future subdivider will make good, to the City's standard, the existing unmade Prizmic Road reservation

The subject site is a short walk to Beelias Drive which is classified as a high frequency bus route, further to this the 531 bus runs along Watson Road adjacent to the subject site.

The subject site is approximately 400m from both the Beelias Village Neighbourhood Centre and South Coogee Primary School. As such the subject site has strong walkable characteristics that will assist in reducing car dependency.

Bushfire Risk

The subject site has not been supported by a Bushfire Management Plan, a requirement that is standard for proposals in proximity to bushfire prone vegetation.

At the time of lodgement of the Structure Plan the subject area was not indicated as bushfire prone. The applicant has undertaken an assessment and determined that vegetation in the proximity of the subject site was below the threshold for classification under the previous requirements.



Following the gazettal of the 'Map of Bushfire Prone Areas' by the Office of Bushfire Risk Management a significant portion of the site is located within a bushfire prone area. Therefore in accordance with the requirements of State Planning Policy 3.7 it is prudent, when considering the precautionary principles of that document, to recommend that a Bushfire Hazard Level assessment be undertaken prior to adoption.

As the subject site is isolated from the bushfire risk along the Stock Road reservation, by the future Prizmic Road reservation (20m), there is substantial enough confidence for the City to recommend support for adoption subject to further assessment.

Community Consultation

The proposed Structure Plan was advertised for public comment from 24 November 2015 and 18 December 2015. All submissions that were received are set out and addressed in the Schedule of Submissions (Attachment 3). A total of eleven (11) submissions were received

Ten submissions were received from government agencies and servicing authorities; none of these objected to the proposal. A number of submissions raised points of comment which have been addressed in the schedule of submission.

One (1) submission was received from adjoining landowner who provided general support for the development of the subject area, though offered an objection to the medium density zonings proposed on the Structure Plan. This matter is addressed in the Schedule of Submissions. In short, the proposal is consistent with the prevailing State Government Framework that endeavours to increase the gross residential density of greenfields suburbs by 50% to 15 dwellings per hectare. The site is also within a 5 minute walk from the Beeliar Neighbourhood Centre and also adjacent to high frequency bus routes along Beeliar Drive. Higher densities are to be located in proximity to local conveniences and also good quality public transit.

With regard to on-street parking in proximity to laneway lots, the City's standard is one on-street parking bay per 2 laneway dwellings. It can also be expected that the majority of the site will be developed for green title residential dwellings, standard house designs traditionally allow for additional parking on private driveways.

It is considered that the concern regarding density will be overcome through appropriate application of the R Codes, to shape the future form of subdivision and development across the subject land.



Conclusion

It is recommended that Council recommend the Western Australian Planning Commission approve the Structure Plan at Lots 75-81 View Street and Lots 84-90 Watson Road, Beeliar, subject to modification relating to the bushfire management issue.

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 24 days. The advertising period commenced on 24 November 2015 to 18 December 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.



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 Submission

Advice to Proponent(s)/Applicant

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 11 February 2016 Council Meeting.

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

Nil.

14.3 (MINUTE NO 5710) (OCM 11/2/2016) - LOCAL STRUCTURE PLAN PROPOSAL - LOT 3 (642) ROCKINGHAM ROAD, MUNSTER - OWNERS: (KYLIE CHAMBERLAIN) - APPLICANT: HERMAN PROPERTY PTY LTD (110/140; SP15/24) (D KING/A TROSIC) (ATTACH)

RECOMMENDATION

That Council

- (1) pursuant to Clause 20(2)(e) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, recommend to the Western Australian Planning Commission the Proposed Structure Plan for Lot 3 (No. 642) Rockingham Road, Munster, be approved; and
- (2) adopt the Schedule of Submissions prepared in respect to the Proposed Structure Plan.

COUNCIL DECISION

MOVED Clr S Pratt SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 8/0



Background

The Proposed Structure Plan relates to Lot 3 (No. 642) Rockingham Road, Munster. Similar to how development of lots between the southern stretch of Rockingham Road and Stock Road has been development, the structure plan seeks to affect a residential outcome across the subject land.

The purpose of this report is to consider for adoption the Proposed Structure Plan, in light of the advertising that has taken place.

Submission

The Structure Plan was prepared by the applicant/owner Kylie Chamberlain of Herman Property Pty Ltd.

Report

Planning Background

The subject land covers an area of 2170m² and is bound by Rockingham Road to the west, a Public Access Way owned by the State of Western Australia (R38244) to the south, Stock Road to the east and a residential lot to the north.

The subject land is zoned 'Urban' under the Metropolitan Region Scheme ("MRS") and 'Development' under City of Cockburn Town Planning Scheme No. 3 ("Scheme"). The subject land is also located within Development Area No. 5 (DA 5), Development Contribution Areas No. 6 and 13 (DCA 6) and (DCA 13).

The site currently operates as a salvage yard under a non-conforming use, having been approved in 1983 as an Open Air Display Yard. The lot contains three buildings, a transportable office and two metal sheds, while timber corrugated iron, bricks and steel are also being stored on site. Development of the site into residential R60 will result in the termination of a non-conforming use under Clause 4.11.1 of the City's Scheme. This is of planning benefit, as well as delivering a contribution towards improved residential amenity.

Pursuant to Clause 6.2.4 of the Scheme, a Structure Plan is required to be prepared and adopted prior to any subdivision or development within the Development Area. The Proposed Structure Plan provides for a 'Residential' zoning with a density code of 'R60'. The proposed Structure Plan does not propose any area of Public Open Space, due to a 10% amount creating an unusable piece of open space for the community. This is a common occurrence in fragmented areas, and the



contribution of a cash in lieu equivalent will make funds available for the City to upgrade open space in the surrounding locality.

Residential Density

The proposed residential density code of 'R60' will assist in the provision of additional dwelling diversity within the locality. Directions 2031 and Beyond ("Directions 2031") and Liveable Neighbourhoods ("LN") promote a minimum of 15 dwellings per hectare, as the 'standard' density for new urban areas, 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 of Perth's future dwelling needs taking place as infill development.

The proposed R60 density is generally conducive to the densities within the surrounding residential density ranging from R20 to R60. The residential area west of Rockingham road and the subject site is primarily zoned R20, while north of the site several endorsed Structure Plans have been zoned R40 and R60. The R60 density proposed on the site is further supported by accessibility to high frequency Public Transport along Stock and Rockingham Road with stops within 300m of the subject site providing future residents an increased level of connectivity.

In terms of industrial buffers, Lot 3 Rockingham Road, Munster does not fall within any of these. Accordingly the Proposed Structure Plan is consistent with the provisions of Development Area 5 as outlined within Schedule 11 of the Scheme. Specifically the Structure Plan does not propose residential development within *the buffers of the Woodman Point WWTP, Munster Pump Station, Cockburn Cement or the Draft Western Trade Coast Protection Area.*

Public Open Space

In accordance with Liveable Neighbourhoods the Proposed Structure Plan requires a total of 10% of the gross subdividable area to be ceded as Public Open Space ("POS") and reserved for recreation.

The Structure Plan, as recommended for adoption, does not provide any land for POS. The POS requirement is proposed to be provided for by way of a future cash-in-lieu subdivisional arrangement, pursuant to clause 153 of the *Planning and Development Act 2005*.

Having regard to clause 153 of the *Planning and Development Act 2005*, LN specifies in A2 of Appendix 4 that the WAPC may impose a condition seeking the provision of cash-in-lieu equivalent of the public open space, where:



- *‘The local government has an adopted strategy to provide open space by land acquisition in the locality of the subdivision; or*
- *The otherwise required 10 per cent area of open space would yield an area of unsuitable size/s and dimension/s to be of practicable use; or*
- *The local government has requested the condition and identifies an existing or potential surplus of public open space’*

The Proposed Structure Plan meets point one above as the subject site falls within 400 metres of the future ‘Munster Sports Facility’ which is expected to be located on the land at the corner of Rockingham and Frobisher Roads, Munster (refer to Attachment 1). The future sports facility has been identified in the City’s ‘*Sport and Recreation Strategic Plan 2009*’ and the City’s ‘*A Plan for the District 2010 – 2020*’.

The Proposed Structure Plan meets point two above as the required 10% POS equates to an area of approximately 217m². Considering the size, location, dimension and function of the space, it is deemed appropriate to recommend a cash-in-lieu contribution at subdivision stage. Clause 154 of the *Planning and Development Act 2005* sets out how the money received in lieu of open space is to be dealt with.

Furthermore, the subject site is located within a 5 minute walking distance to a number of areas of POS with varying sizes and functionality. These include Solta Park, Albion Park and Mihaljevich Park.

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.

Moving Around

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

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 28 days. The advertising period commenced on the 15 December and concluded on the 12 January 2016.

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

In total Council received 4 submissions of which all four were from State Government agencies. No submissions were received from members of the local community.

Analysis of the submissions has been undertaken within the 'Report' section above, as well as the attached Schedule of Submissions (Attachment 3)

Attachment(s)

1. Location Plan
2. Local Structure Plan
3. Schedule of submissions

Advice to Proponent(s)/Applicant

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 11 February 2016 Council Meeting.

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

Nil.



14.4 (MINUTE NO 5711) (OCM 11/2/2016) - CONSIDERATION TO ADOPT SCHEME AMENDMENT NO. 114 LOCATION: LOT 117 (26) HAMILTON ROAD, HAMILTON HILL OWNER: WATER CORPORATION APPLICANT: TPG TOWN PLANNING, URBAN DESIGN AND HERITAGE (109/050) (D KING/A TROSIC) (ATTACH)

RECOMMENDATION

That Council

- (1) endorse the Schedule of Submissions prepared in respect of Amendment 114 to City of Cockburn Town Planning Scheme No. 3 (“Scheme”);
- (2) adopt Scheme Amendment No. 114 for final approval for the purposes of:
 1. Rezoning a portion of Lot 117 (No. 26) Hamilton Road, Hamilton Hill from ‘Public Purpose – Water Corporation’ to ‘Residential R40’.
 2. Rezoning a portion of Lot 117 (No.26) Hamilton Road, Hamilton Hill from ‘Public Purpose – Water Corporation’ to ‘Local Reserve – Local Road’.
 3. Amend the Scheme map accordingly.
- (3) note the amendment referred to in resolution (2) above is a ‘standard amendment’ as it satisfies the following criteria of Regulation 34 of the Planning and Development (Local Planning Schemes) Regulations 2015:

an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;

an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- (4) ensure the amendment documentation, be signed and sealed and then submitted to the Western Australian Planning Commission along with a request for the endorsement of final approval by the Hon. Minister for Planning; and
- (5) advise those parties that made a submission of Council’s decision accordingly.



COUNCIL DECISION

MOVED C/r S Pratt SECONDED C/r K Allen that the recommendation be adopted.

CARRIED 8/0

Background

The subject land is Lot 117 (No. 26) Hamilton Road, Hamilton Hill, is zoned 'Urban' under the Metropolitan Region Scheme (MRS) and reserved for 'Public Purpose – Water Corporation' under the City's Town Planning Scheme No. 3 ("Scheme").

The subject site is located on Hamilton Road within the suburb of Hamilton Hill, approximately 16.8km south-west of Perth Central Business District and approximately 4.5km south-east of Fremantle.

The site is within close proximity to a number of public transportation routes, local centres and within a 400m catchment of Manning Park and Davilak Oval.

The amendment was referred to the *Environmental Protection Authority* who granted consent to advertise. The amendment was subsequently advertised for 42 days as per the requirements of the *Town Planning Regulations 1967*.

A total of nine submissions were received. The purpose of this report is to consider the amendment for final adoption in light of the advertising process having taken place.

Submission

The proposed scheme amendment has been lodged by TPG Town Planning, Urban Design and Heritage on behalf of the landowner, Water Corporation.

Report

The proposed scheme amendment seeks to amend the scheme by rezoning Lot 117 Hamilton Road, Hamilton Hill from 'Public Purpose – Water Corporation' to 'Residential' and 'Local Reserve – Local Road'.

The proposal seeks to rezone the majority of the subject lot to 'Residential R40' and the balance of the lot 'Local Road'. The portion that would be rezoned to R40 is an area of 947m² and the Local Road portion is 55m².



Water Corporation, who own the site, have deemed the subject lot surplus to their requirements and the logical step in orderly and proper planning is to rezone the land to match the surrounding zoning of 'Residential R40'. The zoning is consistent with the City's 2012 Hamilton Hill Revitalisation Strategy.

Directions 2013 and Beyond

Directions 2031 seeks to establish a 50% increase in current average residential densities from the current average of 10 dwellings per gross hectare of urban zoned land. The approved subdivision of Lot 117 Hamilton Road, Hamilton Hill has the potential to accommodate between 4 and 5 dwellings within R40 zoning.

The applicant has provided a number of justifications to rationalise the proposed zoning to R40, including:

1. The amendment is consistent with surrounding residential development and density of the area; and
2. Proximity to useable public open space.

Hamilton Hill Revitalisation Strategy

The Hamilton Hill Revitalisation Strategy was adopted by the City of Cockburn in 2012, as a response to the Directions 2031 Strategic Plan push to accommodate additional residential growth within existing urban areas of Perth and Peel.

Scheme Amendment No. 100

Scheme Amendment No. 100 was implemented as one of the actions of the Hamilton Hill Revitalisation Strategy. The amendment was granted final approval on 27 August 2014 and has introduced various changes to the residential densities within the revitalisation strategy area including the subject property.

Community Consultation

A total of nine submissions were received. No objections were raised by adjoining landowners or servicing/government authorities. The submissions are addressed in detail within the Schedule of Submissions and raise no material matters which impact the consideration of this 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.
- Diversity of housing to respond to changing needs and expectations.

Community & Lifestyle

- Communities that take pride and aspire to a greater sense of community.

Budget/Financial Implications

N/A

Legal Implications

Planning and Development Act 2005
City of Cockburn Town Planning Scheme No.3

Community Consultation

In accordance with the *Town Planning Regulations 1967* consultation was undertaken subsequent to the local government initiating the scheme amendment and the Environment Protection Authority advertising that the proposal is environmentally acceptable. The amendment was advertised for 42 days.

Attachment(s)

1. Locality Plan
2. Current and Proposed Zoning Map
3. Schedule of Submissions

Advice to Proponent(s)/Applicant

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 11 February 2016 Council Meeting.

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

Nil.



14.5 (MINUTE NO 5712) (OCM 11/2/2016) - PROPOSED NEW HERITAGE PLACE 'HAMMOND ROAD COTTAGE, SUCCESS' (ADOPTION FOR COMMUNITY CONSULTATION) (095/001) (D DI RENZO) (ATTACH)

RECOMMENDATION

That Council

- (1) adopt the 'Hammond Road Cottage, Success' found at Attachment 2 as a draft Local Government Inventory place record for the purposes of community consultation;
- (2) advertise the proposed inclusion of 'Hammond Road Cottage, Success' on the City of Cockburn Local Government Inventory as a 'Management Category C' place for a period of 30 days; and
- (3) advise the developer and landowner that planning approval is required prior to demolition of the former dwelling, and that preparation of an archival record and installation of interpretation, such as a plaque near the oak tree which is to be retained, will be a requirement of any such approval to provide an insight for users of the future Public Open Space into the history of the area.

COUNCIL DECISION

MOVED Clr S Pratt SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 8/0

Background

The City has received a nomination from a member of the community requesting the inclusion of a former dwelling located on Lot 9015 Hammond Road, Success on the City of Cockburn Local Government Inventory. The purpose of this report is to consider that submission.

Submission

A nomination has been received from a member of public nominating the place for inclusion on the LGI.



Report

Subject Land

The former dwelling is located on Lot 9015 Hammond Road, Success. This is located within the 'Lakeside Success – Hammond Road' Structure Plan area, and the land is identified as 'public open space', located outside the identified wetland buffer to the Conservation Category Wetland ("CCW") located to the south (see Attachment 1).

The potential heritage value of this former dwelling has recently come to light, following information provided by the community and the dwelling becoming visible from Hammond Road.

Occupation and Landownership

The nomination states that the former dwelling was built and occupied by James Hammond and sons in 1887 (a pioneering family of the district).

However, further research of historical newspaper articles and a land title search reveals that the land was never owned by the Hammond family.

The oldest land title available reveals that the subject land was originally owned by William Henry Barfield and his son John Henry Barfield, and the land remained in the ownership of the Barfield family until 1945.

The land was sold in 1945 to Stanley Melville Thomas Kingdon, and again in 1952 to Edward Fruzynski. The Fruzynski family ran the Jandakot Caravan Park on the site from around 1970 until 2013.

History of the Barfield Family

William Henry Barfield, his wife Annie Fowler Barfield and their son John Henry Barfield moved to Western Australia from New Zealand. William Barfield is documented in historical newspaper articles and land title searches as being a dairy farmer, and him and his son John Henry Barfield took up a lease and later purchased the land in Jandakot and ran a poultry farm.

A 1953 aerial photograph indicates structures on the subject land indicative of that seen on poultry farms, and supports the location of a poultry farm in this location.



In 1908 William Barfield was the Treasurer of the Jandakot Agricultural Society, and he was re-elected in 1909. William Barfield died 8 April 1912.

In 1914 William Barfield's son, John Barfield married Miss Hetty Willis. He was described in a 1914 Sunday Times article as "one of the most successful and popular farmers of Jandakot", with the article also stating that "both bride and bridegroom are descendants, of very old and highly-respected colonists."

John Barfield was enlisted in WWI on 24 March 1916 at the age of 32. It is known from his medical record that he lost his eyesight and was captured 14 April 1917 and made a prisoner of war.

John Barfield's address subsequent to the 1930s is noted as Fremantle, where he was apparently a well-known figure and a member of the Fremantle Returned Soldiers League. John Barfield died on 27 August 1952.

History of the Dwelling

The former dwelling is visible on the 1953 aerial photograph, which is the oldest available aerial photograph of the area.

It is not known if the dwelling was constructed and/or occupied by the Barfield family. However, given their operation of a poultry farm on the land it is possible. It is also possible that if they did build and occupy the dwelling it was only for a small amount of time given that William Barfield died in 1912, and John Barfield was injured in the war, returning in 1917.

While the land remained in John Barfield's ownership until 1945, there is no evidence to suggest he continued operating the farm on his return from the war, and it is noted that items associated with a farm were sold in 1919 (The West Australian, 9 March 1916).

Based on its style (further discussed below) it is estimated that the dwelling was built around 1910, which would correlate to the time William and John Barfield owned and farmed the land.

Subsequent modifications appear to have been made in the late 1940s and/or 1950s.

The former dwelling was converted to a sales office in 2014 which involved substantial internal modifications.



Description of the Place

The building is a simple dwelling structure with masonry walls and a high pitched hipped corrugated iron roof.

The former dwelling has verandahs on the east, west and northern sides that have been enclosed on the northern and eastern sides, with a verandah remaining on the western side.

There is evidence of various modifications to the roof beams, and it is possible that the verandahs were added at a later date. The verandah has slender timber verandah posts and simple timber balustrading.

All the doors, window frames and portions of the timber flooring appear to have been replaced in the late 1940s and/or 1950s. This would correlate to the time the dwelling was owned by Stanley Melville Thomas Kingdon.

In recent years the dwelling has been substantially modified further, particularly internally, where it has been refurbished as an office. At this time there was no knowledge of any potential heritage value of the building.

The only original internal features are the timber lined ceiling (painted white), and wide floorboards in a portion of the building.

On the eastern side of the dwelling is a corrugated iron clad pitched roofed outbuilding. This is connected to the dwelling by a pitched roof pergola structure. This outbuilding has been refitted as an office kitchen. To the east of this outbuilding is the slab and remnants of an outhouse toilet.

There is another larger outbuilding to the south of the former dwelling that has a corrugated iron pitched roof and corrugated iron cladding on three sides. There is a large oak tree adjacent to this outbuilding.

These remaining outbuilding structures are visible on the 1953 aerial photograph, and are likely to date from the late 1940s or 1950s.

Preliminary Heritage Assessment

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

In considering whether a place should be included on the LGI the assessment criteria set out in the 'Criteria for the Assessment of Local



Heritage Places and Areas' published by the Heritage Council is used. The following assessment criteria are used in this process:

Nature of Significance

- * Aesthetic value;
- * Historic value;
- * Research value;
- * Social value;

Degree/Level of Significance

- * Rarity;
- * Representativeness;
- * Condition, Integrity and Authenticity.

Criterion 1: Aesthetic Value

For a place to be considered to have aesthetic value it should have characteristics of scale, composition, texture and colour that have value for the local district. This may encompass:

- * Creative or design excellence
- * The contribution of a place to the quality of its setting
- * Landmark quality
- * A contribution to important vistas

The place never had landmark value in the locality, as it has remained hidden from Hammond Road until recently. It therefore is not considered to be a reference point for the local district.

Criterion 2: Historic Value

In order for a place to meet the criterion of 'Historic Value', the place is to have special association with a person, group of people or organisation important in shaping the locality. The associations should be strong and verified by evidence and, ideally, demonstrated in the fabric of the place.

The Barfield family were early settlers in the Jandakot area, however based on the evidence available it appears likely that they only lived in the area from 1895 at the earliest, to 1916 when John Barfield served in WWI.

The family therefore did not have a longstanding association with the area, and were subsequently associated with the Fremantle area. In this respect it is not considered there is evidence to suggest the Barfield family were important in shaping the locality. In addition, given



it is not known if they built the dwelling, this is not demonstrated in the fabric of the place.

The dwelling does however have some historic value as one of the last known remaining homesteads in the Jandakot area.

Criterion 3: Research Value

A place included under the criterion may be a standing structure that is an important benchmark or reference site. There is no evidence to suggest that the dwelling has any research value.

Criterion 4: Social Value

A place is considered for inclusion under this criterion where the community, or a significant part of the community, has held the place in high regard for an extended period, and where the community has a special attachment to the place, often public places.

While community consultation will provide further insight, the place is not known to have high social value, primarily because it has been hidden from public view until recently.

It is therefore not considered that the place meets the criterion for 'social value'.

Criterion 5: Rarity

A place is considered to meet this criterion when it demonstrates rare, uncommon or endangered aspects of the cultural heritage of the local district.

The dwelling is rare in the locality as one of the remaining pre 1950 farming homesteads. There are no other similar dwellings included on the LGI.

However, it is noted that given significant modifications to the dwelling it does not clearly demonstrate the building function, or the farming way of life.

Criterion 6: Representativeness

To be considered a good representative example, the place should have a high level of authenticity.



Condition, Integrity and Authenticity

Condition –The place is considered to be in fair condition, with the exterior appearing modified but intact.

Integrity –The former dwelling is considered to have ‘low’ integrity as it has been significantly modified, particularly internally, and it is difficult to read the original use of the building.

Authenticity – The dwelling rates ‘low’ as it has been significantly modified, particularly the interior.

Given that the former dwelling has low authenticity and integrity it is not considered to have high representative value.

Heritage Recommendations

It is considered that the place has some heritage significance, specifically demonstrating some historic and rarity value given that it one of the remaining pre 1950s farm dwellings in the locality. For this reason, it is considered worthy of inclusion on the LGI.

However, the level of significance is considered to be low for the following reasons outlined further above.

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

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

It is considered that the place be assigned a Management Category C level of significance to reflect that the place is significant, however it is not considered to have considerable or exceptional significance for the reasons outlined above.

In accordance with the Scheme, Council is required to establish and maintain a Heritage List to identify those places which are of cultural heritage significance and worthy of conservation pursuant to the Scheme.

Pursuant to the Scheme, Council is to include on the Heritage List such places on the LGI that it considers to be appropriate. Currently all Management Category A and B places on the LGI are also included on



the Heritage List because these are the places with the most heritage significance.

Therefore it is not recommended that this place be included on the Heritage List, consistent with the City's approach to heritage listing.

Future of the Site

The developer has indicated that the intention has always been to demolish the former dwelling to allow the POS and drainage sump to be created in this area consistent with the adopted Structure Plan. The large oak tree is proposed to be retained.

Pursuant to the Scheme, planning approval is required prior to demolition of the building because it is a 'sales office', and not a dwelling (demolition of a dwelling is exempt from planning approval).

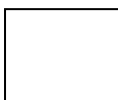
Local Planning Policy APD64 'Heritage Conservation Design Guidelines' sets out the following guidance on demolition of 'Management Category C' places:

2. (a) *Retention of the building or place is encouraged, however demolition may be supported, subject to the consideration of heritage significance together with other relevant planning issues.*
- (b) *An archival record will be required as a condition of development approval for demolition, and the archival record should be prepared in accordance with the Heritage Council of WA guidelines.*
- (c) *Consideration should be given to the inclusion of interpretation of the heritage place (refer to 7.0).*

Therefore, should the developer seek planning approval for demolition of the dwelling it is recommended that a condition be imposed requiring the preparation of an archival record.

The mature fig tree located near the former dwelling is proposed to be retained in the POS. It is recommended that the developer be encouraged to include basic interpretation, such as a plaque near the tree to provide an insight for users of the POS into the history of the area.

It is possible that planning approval could be sought by the landowner for the demolition of the building in the coming months prior to the finalisation of inclusion of the place on the LGI. If this is the case it is still recommended that an archival record be prepared for the place,



and interpretation installed, on the basis of identified cultural heritage significance, which is a consideration pursuant to the Scheme (ie. this is a matter to be considered by local government in determining planning applications).

Community Consultation

Clause 45 (4) of the *Heritage of Western Australia Act* requires that local governments compile a LGI with proper public consultation.

This will include letters to the landowner and developer, and advertisements in the newspaper seeking comment within 21 days.

Conclusion

It is recommended that Council advertise the proposed inclusion of the place on the LGI as a Management Category C place, to be named 'Hammond Road Cottage, Success'.

It is recommended that Council adopt the draft place record for 'Hammond Road Cottage, Success' (Attachment 2) for the purposes of community consultation, and advertise the proposed inclusion of the place on the Local Government Inventory.

It is recommended that Council also advise the landowner that demolition of the dwelling requires planning approval prior to a demolition licence, and would require the preparation of an archival record to ensure there is a record of the place; and installation of interpretation.

Strategic Plan/Policy Implications

Infrastructure

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

Community & Lifestyle

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

A Prosperous City

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

Budget/Financial Implications

N/A



Legal Implications

N/A

Community Consultation

If adopted for community consultation the proposed inclusion of the place on the LGI will be advertised for a period of 21 days. This will include letters to the landowner and developer, and advertisements in the newspaper seeking comments.

Attachment(s)

1. Aerial Photographs and Structure Plan Overlay
2. Draft Local Government Inventory Place Record 'Hammond Road Cottage, Success'

Advice to Proponent(s)/Submissioners

The person who nominated the place for inclusion on the LGI has been advised that this matter will be presented to the 11 February 2016 Council Meeting.

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

Nil.

14.6 **(MINUTE NO 5713) (OCM 11/2/2016) - PROPOSED AMENDMENT TO PORT COOGEE STRUCTURE PLAN: LOTS 891, 892 & 893 OTHELLO QUAYS, NORTH COOGEE - APPLICANT: MW URBAN (110/023) (D DI RENZO) (ATTACH)**

RECOMMENDATION

That Council

- (1) adopts the Schedule of Submissions prepared in respect to the proposed Structure Plan amendment;
- (3) pursuant to Schedule 2, Part 4, clause 20 of the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, recommend to the Western Australian Planning Commission the proposed Structure Plan amendment for Lots 891, 892 and 893 Othello Quay, North Coogee, be refused for the reasons of incompatibility with the planned future residential amenity comprising low density development along Othello Quays; and



- (3) advise the landowners within the structure plan area and those who made a submission of Council's recommendation accordingly.

COUNCIL DECISION

MOVED Clr S Pratt SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 8/0

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.

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 area is also located within DA 22 and Development Contribution Area No. 13 ("DCA 13").

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

The subject land comprises Lots 891, 892 and 893 Othello Quays, North Coogee, as shown in Attachment 1.

At the 13 August 2015 Ordinary Meeting of Council, Council considered a Structure Plan amendment for Lots 891, 892 and 893 Othello Quay, North Coogee, and refused to adopt the Structure Plan for final approval. The proposed Structure Plan amendment sought to provide for a split coding of Residential R25/R40 f

Subsequent to Council's decision, the *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted. The changes pursuant to these Regulations mean that all Structure Plans are now determined by the Western Australian Planning Commission ("WAPC"), and the role of local governments is to make a recommendation to the WAPC only.

The proponent (on behalf of the landowners) has therefore resubmitted the same Structure Plan with the City of Cockburn for consideration once again. According to the requirements of the new State



Government planning legislation, the City of Cockburn is required to process this Structure Plan, regardless of the fact that it was previously refused by Council.

In accordance with the Regulations, the City is required to advertise a Structure Plan within 28 days of receiving it where it complies with Schedule 2, Part 4, clause 16(1) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The Structure Plan was therefore advertised for public comment between 18 December 2015 and 18 January 2016.

The purpose of this report is therefore to consider the proposed Structure Plan amendment to Lots 891, 892 and 893 Othello Quay, North Coogee (Attachments 1 and 2).

Submission

The amendment to the Port Coogee Structure Plan has been submitted by MW Urban on behalf of the landowners.

Report

The purpose of this report is for Council to consider whether it is prepared to recommend to the WAPC that the proposed Structure Plan amendment be approved, in light of the assessment undertaken by officers and the advertising process that has taken place.

Proposed Amendment to Structure Plan

Change of Residential Density Code

The proposed Structure Plan amendment seeks to provide for a split coding of Residential R25/R40 for Lots 891, 892 and 893 Othello Quays, North Coogee (Attachment 2). The current residential density that applies to the land, and the entirety of Othello Quays, is R25.

It is proposed that the subject site would retain an underlying coding of R25, consistent with the remainder of Othello Quays, with a higher coding possible should a landowner or proponent meet certain requirements that are set out in the Structure Plan

The key requirement is the preparation of a Detailed Area Plan to be approved by the City, demonstrating how a suitable comprehensive development outcome based on an R40 density could occur.



Should no Detailed Area Plan be lodged with the City and approved, all development on the subject site would be required to conform to the requirements of the R25 code.

The concept of having a higher spot zoned portion of land at the end of a cul-de-sac created initial concerns for officers. Upon further consideration of these concerns, and in light of the further objections received following advertising, officers are not completely satisfied that the proposal will maintain the residential amenities along Othello Quays. Amenity from a planning perspective includes a combination of elements such as appearance; streetscape; visual aesthetics; safety; privacy and; security.

Othello Quays represents a residential environment of planned low density character, which through development will create a unique set of characteristics (appearance, streetscape, visual aesthetics, safety, privacy, security) that will form the amenity of the area as a low density street. In the absence of full development at a Residential R25 density along Othello Quays, officers hold a degree of uncertainty as to how the low density amenity will be impacted by a proposal to have a 'spot zoned' portion of higher density at the end of Othello Quays. These concerns have evolved following officer's original report that recommended support of the application.

Across all of the City's streetscapes attempts are made to ensure consistent residential density streetscapes exist, particularly within compact environments like that represented by a cul-de-sac. This results in the proposal for Lots 891, 892 and 893 Othello Quays, being now considered to not reflect orderly and proper planning, and not able to absolutely guarantee the maintenance of future low density residential amenities. On this basis it is not supported.

Built Form/Massing

Within the Port Coogee Structure Plan area all built form massing and building design is controlled by Design Guidelines and Detailed Area Plans.

Currently 'Port Coogee – Othello Quays' Detailed Area Plan applies to the subject site. This Detailed Area Plan outlines building bulk, mandatory garage location, setbacks to ground and upper floors and height, amongst other things. An excerpt of the relevant Detailed Area Plan is below for reference.

To demonstrate the massing and building bulk under the current R25 coding in comparison to the potential R40 coding, the applicant has provided current and prospective massive diagrams. The massing diagrams can be found in Attachment 3.





It is acknowledged that the massing diagrams go a long way in demonstrating that a similar appearance could be achieved in respect of development undertaken at an R40 density, versus development undertaken at the R25 density. However in the absence of seeing how full development of the street takes place, and how intact (or otherwise) the streetscape becomes, it is difficult to absolutely guarantee that visual appearance, bulk and scale will be appropriate under a higher R40 density, compared to the current density of Residential R25.

Any proposal for multiple dwellings on the subject site will be likely to result in a small increase in vehicle numbers. The Transport report for the Port Coogee Structure Plan classified Othello Quays as a residential access street, stating that “

“These streets are intended to provide access to abutting properties and service local trips within the development. Traffic volumes are estimated to be less than 1000 vpd for the majority of these streets with a target speed environment of 40 km/hr.”

This report states that the number of vehicle trips per day from single residential dwellings is estimated to be seven. Othello Quays can therefore be expected to carry under its current density approximately 196 vehicle movements. The proposal for multiple dwellings is expected to yield 12 dwellings on the existing three residential lots.



Utilising the same assumptions the proposed change in density would yield approximately 259 vehicle movements per day on Othello Quays when all development has occurred. It should be noted that standard traffic engineering principles state that the higher the density a lesser number of trips per day from a dwelling are to be expected.

Therefore the local road network, namely Othello Quays will, regardless of the built form outcome on the subject site, be below the reasonably expected traffic volumes for a local access street.

Secondarily to matters related to traffic volumes is the provision of off-street parking on the subject site and assumed additional demand for on street parking should multiple dwellings be proposed.

To ensure that adequate parking is provided, the draft Detailed Area Plan for the site proposes visitor parking for any multiple dwelling to be provided at double the rate required by the Residential Design Codes – being a rate of 0.5 per dwelling.

Therefore should 12 multiple dwellings be established on site a total of six visitor parking bays will be established in addition to the required parking for each individual dwelling.

Similar to the discussion on amenity above, the characteristics of car parking associated with the development of 3 houses under the current coding of R25, will be very different compared to the characteristics of car parking associated with 12 apartments. While the application does technically show how adequate car parking can be achieved, it is the nature of differences in character of car parking and vehicle activity that makes it unable to be supported.

Community Consultation

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* the City is required to advertise the Structure Plan within 28 days of receiving it where it contains the information required.

In this case it meant that the advertising period fell over the Christmas and New Year period. For that reason the proposed Structure Plan amendment was advertised for a period of 28 days, which is the longest period of time permitted for advertising under the Regulations (which allow advertising for a period between 14 and 28 days).

During the advertising of Structure Plan letters and copies of the proposed Structure Plan map were sent to all landowners on Othello Quays on 18 December 2015, with comments required by 18 January 2016.



A total of five submissions were received, and all submissions are set out and addressed in the Schedule of Submissions (Attachment 5).

Two submissions were from government agencies, and did not raise any concerns.

Two submissions were received from landowners on Othello Quays, and one submission was lodged by the Coogee Beach Progress Association. These three submissions provided an objection to the proposal.

The key concerns expressed in the submissions were as follows:

1. Concerns relating to traffic volumes and parking.
2. Building bulk and scale – Changes to the amenity of the street and area.
3. Structure Plan changes occurring against residents' expectations for the estate.

These key issues are generally held in respect of the officer discussion in the preceding sections of the report.

Conclusion

It is recommended that Council pursuant to Schedule 2, Part 4, clause 20 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, recommend to the Western Australian Planning Commission the proposed Structure Plan amendment for Lots 891, 892 and 893 Othello Quay, North Coogee, be refused for the reasons of incompatibility with the planned future residential amenity comprising low density development along Othello Quays.

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

Advertising of the proposed Structure Plan amendment was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Advertising occurred between 18 December 2015 and 18 January 2016, with letters sent to all landowners on Othello Quays inviting comments.

Attachment(s)

1. Location Plan
2. Structure Plan Map
3. Building Massing Plans
4. Draft Detailed Area Plan
5. Schedule of Submissions

Advice to Proponent(s)/Submitters

All submitters were advised that this matter is to be considered at the 11 February 2016 Ordinary Meeting of Council.

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

Nil.

14.7 (MINUTE NO 5714) (OCM 11/2/2016) - NOMINATION FOR 'SIGNIFICANT TREE LIST' - CORRIDOR OF TUART, MARRI, KARRI AND EUCALYPTUS TREES (099/228) (D DI RENZO) (ATTACH)

RECOMMENDATION

That Council

- (1) advertise the proposed inclusion of the corridor of Tuart, Marri, Karri and Eucalyptus trees as listed in Attachment 2



(excluding those located within the City of Melville) on the City of Cockburn 'Significant Tree List' pursuant to the Local Government Inventory; and

- (2) advertise the proposed inclusion of the Tuart, Marri, Karri and Eucalyptus trees on the City of Cockburn 'Significant Tree List' pursuant to the Local Government Inventory to Perth Metro Connect, and all other relevant landowners and government agencies.

COUNCIL DECISION

MOVED Clr S Pratt SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 8/0

Background

A nomination has been received from the Save Beelihar Wetlands Group nominating trees within the Roe Highway Regional Road Reservation for inclusion on the 'Significant Tree List' pursuant to the Local Government Inventory.

In January 2016 a large jarrah tree was removed from within the Roe Highway 'Primary Regional Road' reservation. It is understood that the tree was removed by a tree removalist engaged by Main Roads because there had been complaints about bees in the tree. There is significant community and Council concern in the way this occurred, and an independent arborist report supports these concerns. In simple terms, that report concludes the tree should not have been removed on the basis that it posed no safety risk, and that the bees could have been handled in a way which did not require the tree's removal.

The West Australian Supreme Court in a decision on 16 December found that the previously obtained environmental approval for Roe Highway is invalid.

While it is perfectly reasonable to expect that no tree would have been felled in the road reserve in light of the Supreme Court judgement, this recent event has required urgent action by the City to consider what it can do to strengthen the protection of trees which have heritage significance in the road reserve.



Submission

The nomination has been submitted by the Save Beelias Wetlands group.

Report

Save Beelias Wetlands group has nominated a large number of Tuart and Marri trees for inclusion on the Significant Tree list pursuant to the City of Cockburn Local Government Inventory.

These trees are located primarily on land owned by the State of Western Australia, with some land parcels owned by Western Australian Planning Commission, and Department of Transport. They are located on land reserved 'Primary Regional Road', 'Other Regional Road' and 'Parks and Recreation'.

These trees have all been previously assessed by an Arborist as part of the Roe Highway Extension Public Environmental Review. This assessment included details regarding the tree species, the height of trees, number and size of hollows, and occupancy of the tree.

City of Cockburn Criteria for 'Significant Trees'

The LGI sets out criteria for the 'Significant Trees', as follows:

Historical Significance

Tree/s commemorating a particular occasion, including plantings by notable people, or having associations with an important event in local, state or national history. Tree/s that possess a history specifically related to the City or its surrounding areas.

Horticultural Value

Tree/s of outstanding horticultural or genetic value and that which could be an important source of propagating stock, including specimens particularly resistant to disease or exposure.

Rare or Localised

Tree/s species or variety rare or very localised in distribution, enhancing the diversification of the local urban forest.

Location or Context

Tree/s that occur in a unique location or context so as to provide a major contribution to landscape and/or local place character. Includes outstanding aesthetic value which frame or screen views, or act as a landmark.



Exceptional Size, Age and Form

Tree/s noted for particular age, size or irregular form relative to other normal mature tree species that currently reside within the City. Also includes curious forms, particularly abnormal outgrowths, fused branches or unusual root structures.

Indigenous Association

Tree/s that has a recognised association with Indigenous people, or that is valued for continuing and developing cultural traditions.

Based on the information available at this time, none of these trees individually appear to meet the criteria.

However, as a collection these trees are considered to meet the criteria for 'Location or Context'. As a corridor of very large, mature marri and tuart trees they make a major contribution to the landscape and local place character.

These trees are the last vestiges of the former natural landscape which once dominated this area. They are valuable in terms of their cultural, aesthetic and historic context, as a symbol of original vegetation patterns in the area.

As a collection these trees visually dominate the local area through their sheer size and scale – they are considered to have significant landscape value.

This quality is considered to make the trees together worthy of consideration for inclusion on the 'Significant Tree' list pursuant to the LGI.

The proposed list of 446 trees is included at Attachment 3, and excludes trees that were identified in the survey as being dead.

Significant Tree Listing – What does it mean?

The nominated 'Significant Trees' are located on land that is reserved 'Primary Regional Road', 'Other Regional Road' and 'Parks and Recreation' under the Metropolitan Region Scheme ("MRS").

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



It must also be noted that in accordance with the *Planning and Development Act 2005* the crown is not bound by a local planning scheme, however they are bound by a region planning scheme, as follows:

5. *Crown bound*

- (1) *Except as provided in section 6 this Act binds the Crown.*
- (2) *A region planning scheme binds the Crown.*
- (3) *An improvement scheme binds the Crown.*

6. *Public works, Act does not interfere with*

- (1) *Subject to section 5(2) and (3) and subsections (2) and (3) of this section, nothing in this Act interferes with the right of the Crown, or the Governor, or the Government of the State, or a local government —*
 - (a) *to undertake, construct or provide any public work; and*
 - (b) *to take land for the purposes of that public work.*
- (2) *Rights referred to in subsection (1) are to be exercised having regard to —*
 - (a) *the purpose and intent of any planning scheme that has effect in the locality where, and at the time when, the right is exercised; and*
 - (b) *the orderly and proper planning, and the preservation of the amenity, of that locality at that time.*
- (3) *The responsible authority is to be consulted at the time when a proposal for any public work, or for the taking of land for a public work, is being formulated to ensure that the undertaking, construction, or provision of, or the taking of land for, the public work will comply with subsection (2).*

The Crown can therefore undertake 'public works', which may include the removal of trees without the requirement for approval. Therefore it is important to note that including these trees on the 'Significant Tree' list will not alter this, and there is no available heritage mechanism that will 'protect' the trees, or guarantee their retention.

However, in accordance with Section 6 Clause (2) of the *Planning and Development Act* public works can only be undertaken where regard is had to 'the purpose and intent of any planning scheme....and the



orderly and proper planning, and the preservation of the amenity of that locality at that time.'

Therefore, by including the trees on the 'Significant Tree' list it will become a matter that will need to be considered in accordance with Section 6 Clause (2) of the *Planning and Development Act*, as it would be a matter related to preservation of the amenity of the locality.

Inclusion of the trees on the 'Significant Tree' list will also clearly demonstrate the importance of the trees to the community.

Conclusion

It is recommended that Council advertise the proposed inclusion of the trees 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 trees on the 'Significant Tree' list pursuant to the LGI.

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
3. List of proposed 'Significant Trees'

Advice to Proponent(s)/Submissioners

The Save Beelihar Wetlands Group has been advised that this matter is to be considered at the 11 February 2016 Council Meeting.

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

Nil.

14.8 (MINUTE NO 5715) (OCM 11/2/2016) - 'SIGNIFICANT TREE LIST' - TUART TREE - PERTH WALDORF SCHOOL - 14 GWILLIAM DRIVE, BIBRA LAKE (099/228) (D DI RENZO) (ATTACH)

RECOMMENDATION

That Council

- (1) include 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 of Council's decision, and 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 at their cost.

COUNCIL DECISION

MOVED Cllr S Pratt SECONDED Cllr K Allen that the recommendation be adopted.

CARRIED 8/0



Background

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

Council at the Ordinary Meeting of 12 November 2015 resolved to advertise the proposed inclusion of the Tuart tree on the Significant Tree list pursuant to the Local Government Inventory.

The proposal was subsequently advertised for a period of 21 days and no comments were received.

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 are to be undertaken this will be the responsibility of the Perth Waldorf School.



Community consultation

The proposed inclusion of the Tuart tree on the 'Significant Tree' list was advertised from 15 December 2015 until 14 January 2016 and no submissions were received.

Conclusion

It is recommended that Council resolve to include the tuart tree on the 'Significant Tree' list pursuant to the LGI.

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

The proposed inclusion of the tuart tree on the 'Significant Tree' list was advertised between 15 December 2015 and 14 January 2016 and no submissions were received.

This included an advertisement in the newspaper, and letters to landowner.

Attachment(s)

1. Significant Tree Nomination.
2. Location Plan



Advice to Proponent(s)/Submissioners

The Perth Waldorf School has been advised that this matter is to be considered at the 11 February 2016 Council Meeting.

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

Nil.

14.9 **(MINUTE NO 5716) (OCM 11/2/2016) - ALLOW CONTAMINATED LAND FOR PUBLIC OPEN SPACE (2200821; 2200820) (N JONES/D ARNDT) (ATTACH)**

RECOMMENDATION

That Council consent to a variation to Policy LPP 5.1 'Public Open Space' to agree to the developer (Landcorp) of Lot 51 Healy Road, Hamilton Hill to cede the portion of Lot 51, as detailed in Attachment 2, as their public open space contribution.

COUNCIL DECISION

MOVED Clr S Pratt SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 8/0

Background

The subject land, Lot 51 Healy Road, Hamilton Hill (Lot 51), is privately owned and abuts Dixon Reserve (Reserve 24550). Portion of Lot 51, together with Reserve 24550 was filled by the City using municipal waste in the 1970s. Lot 51 is currently in the process of being sold and the issue of the site contamination needs to be addressed prior to the sale. In order to facilitate the subdivision and address the contamination issue approval is sought to vary Council policy and allow the contaminated land to be allocated as Public Open Space (POS).

Submission

N/A

Report

Council Policy LPP 5.1 details that:



- (1) *The following land will not be accepted by the City as part of any public open space requirement:*
 5. *Land with a restriction on the certificate of title which in the opinion of the City will unreasonably impede the ability to use the land for public open space.”*
- (4) *The following land will not be accepted by the City as public open space, unless ‘in principle’ support is also obtained at the local structure plan stage from Department of Regional Development and Lands and the land will be remediated or investigated to the satisfaction of the Department of Environment and Conservation and the City prior to vesting:*
 1. *Land considered to be ‘contaminated’ or ‘possibly contaminated’ under the Contaminated Sites Act 2003.*

In accordance with Policy LPP 5.1 the City would not accept any land that is contaminated or has a restriction on the Certificate of Title. The land the City is considering accepting as the 10% POS contribution is contaminated and has a Memorial on the Certificate of Title regarding the contamination.

The City’s investigations have demonstrated that a portion of Lot 51 Healy Road, Hamilton Hill (Lot 51) contains overflow contamination from the City’s use of Reserve 24550. Landcorp is developing or selling Lot 51 and has requested the City remediate the overflow contamination from Lot 51. The City (subject to Council consent) has reached an agreement for a partial remediation of a portion of Lot 51 with the remainder of the contaminated land to be transferred to the City as the 10% POS subdivision contribution.

The works are predicted to involve the excavation of a footprint of about 2000sq/m to a depth of about 1m to be carried out in February-May 2016. The excavation will be backfilled with clean fill to allow residential land use. Attachment 1 shows the area to be remediated and the area to be allocated as POS. All works to be carried out in compliance with the Contaminated Sites Act. The cost of the works will be shared between the City and Landcorp. Wherever possible, works will be carried out in-house by Council staff to minimise external costs.

The City is legally obligated to remove the old landfill material which was dumped on land adjacent to its landfill in about 1968. The cost of removing the landfill material from the proposed POS area is considered to be excessive therefore this POS area will be incorporated into the adjacent Dixon Reserve. The majority of the



reserve area contains old landfill waste and it would be uneconomical to remove this material at any stage in the future. The retention of this land as POS would also enable the retention of a number of mature trees which form the western boundary of Dixon Reserve.

As detailed in sketch at Attachment 1 the City's boundary of Reserve 24550 encroaches into Lot 51 and the proposed negotiated outcome will see the boundary realigned to the current perceived alignment.

Subject to Council consenting to a variation to Policy LPP 5.1 to accept the contaminated land as the 10% POS, the land will be ceded to the State of WA free of cost under Section 152 of the *Planning and Development Act 2005*, with the City consenting to the Management Order issued to the City for the care control and management of the Reserve.

Strategic Plan/Policy Implications

Infrastructure

- 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.
- Identification and minimisation of impacts to human health risk.

Budget/Financial Implications

The cost of the works will be taken out of the Contaminated Sites reserve account which is allocated for the purpose of investigating and remediating the City's contaminated sites. An amount of \$350,000 has been allocated to undertake these works as part of the mid-year budget review (to be also considered at the February 2016 Ordinary Council Meeting).

Legal Implications

N/A

Community Consultation

Residents surrounding the reserve will be notified about the proposed partial remediation by direct written correspondence.



Attachment(s)

1. Aerial photo of the land
2. Map showing proposed POS area

Advice to Proponent(s)/Submissioners

N/A

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

Nil

14.10 (MINUTE NO 5717) (OCM 11/2/2016) - SALE OF LOT 805 MEREVALE GARDENS, BEELIAR - PROPONENT: YARRAN PROPERTY GROUP (6015949) (K SIM) (ATTACH)

RECOMMENDATION

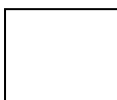
That Council

- (1) offer Lot 805 on Deposited Plan 405761 to Yarran Property Group for a purchase price of \$2,082,000 GST inclusive utilising the margin scheme, subject to the completion of requirements of section 3.58 of the Local Government Act 1995;
- (2) advertise the offer in (1) in accordance with the provisions of 3.58 of the Local Government Act 1995;
- (3) subject to no objections being received as a consequence of the advertising in (2), authorise the Chief Executive Officer to endorse a contract of sale; and
- (4) amend the 2015/16 adopted municipal budget by adding capital income of \$2,082,000 from the sale proceeds against a new CW project – Sale of Lot 805 Merevale Gardens, Beeliar and transferring these into the Land Development and Investment Fund Reserve.

COUNCIL DECISION

MOVED C/r K Allen SECONDED C/r C Terblanche that Council:

- (1) defer the sale of Lot 805 Merevale Gardens, Beeliar at this time; and



(2) advertise an Expression of Interest (EOI) for the land.

CARRIED 8/0

Reason for Decision

It is in Council's best interest to achieve the greatest benefit for its ratepayers.

Adopting an Expressions of Interest process rather than sale by private treaty will truly test the value the market considers appropriate for the land. There is no urgency to sell the land at the present.

Background

Council at its meeting held on 14 May 2015 resolved to defer consideration of the sale of Lot 805 Merevale Gardens, to a future Council meeting date. Since that time, Deposited Plan 405761 sets out the creation of Lots 805 and 804 Beeliar Drive, and Lot 803 Durnin Avenue, Beeliar. These are the parent titles which complete the future town centre, as shown below:



This piece of land was originally valued by Mr Tim Hammond of Burgess Rawson, Licenced valuer. The valuation placed on this land was \$500 per square meter. The offer from Yarran was for \$400 per square metre. The offer price was significantly below the valuation so the proposed purchaser withdrew their offer. With renewed interest (and offer), the City obtained a new valuation (the original valuation was older than six months, so under Council's policy a new valuation is requested). The new valuation by the City's usual valuer, Mr Wayne Srhoy of McGees provided a value commensurate with the offer as a result of falling land prices and proximity to the railway line.

Council at its meeting held on 10 December 2015 resolved to accept an offer from RPD1 Pty Ltd to purchase Lot 803 Durnin Avenue, Yangebup for a consideration of \$1,740,000 (GST Included). Lot 803 is 3316sqm.

Council at its meeting held on 14 September 2014 resolved to accept an offer to sell Lot 804 for a consideration of \$9.6m (inc GST) to CCI Group nominated Special Purpose Pty Ltd entity. Lot 804 is 2.9999ha.

The purpose of this report is to consider selling Lot 805, which is 5205sqm.

Submission

Yarran Property Group have written to the City of Cockburn with a proposal to acquire a lot having an area close to the area of Lot 805 in this location. They have proposed a consideration based on \$400 per square metre

Report

Proposed Lot 805 is generally rectangular in shape running between Merevale Gardens and the railway reservation. The purchaser is understood to be developing the site by the construction of a centrally placed access for traffic and services with lots of approximately 200 square metres on each side.

The offer to sell Lot 805 is supported by a valuation by Licensed Valuer Wayne Srhoy who valued Lot 805 Merevale Gardens, Beeliar at \$2,080,000. The valuation is dated 20 November 2015.

This equates to \$400 per square metre. This rate is less than that achieved with the sale of Proposed Lot 803 Durnin Avenue, but takes into account the impacts this lot may receive from the adjoining railway line and its less favourable position.

Section 3.58 of the Local Government Act 1995 requires that a Local Authority advertise any proposal to sell land by private treaty in a newspaper that has state wide publication. The advertisement must give details of the property, the proposed disposition and a recent valuation. The advertisement is to give notice inviting submissions to be made on the proposal and allowing such submissions for a period not less than 2 weeks from the date of the advertisement.

Notice concerning the proposal will be placed in the West Australian newspaper. The officer recommendation to Council is framed in such a way that it is subject to no objection being received as a result of the



public advertising of the Section 3.58 disposition of land notice. If any objections are received within the statutory advertising period, the matter will be brought back to the next Council meeting for determination.

A subdivision application for this proposal and the creation of three additional lots has been conditionally approved by the Western Australian Planning Commission. Subdivision estimated costs, which will include the provision of all services, have been provided by a consulting engineer. The cost of the services required by the subdivision are estimated at \$1,000,000 but importantly covers all four lots being the subject of the subdivision.

It is recommended that Council continue with what is considered an orderly disposition of land in this locality. Lot 9004 shown on the Deposited Plan is a balance lot will require a new sewer connection at the low point in Beeliar Road before it can be fully developed. It remains in Council ownership.

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.

Leading & Listening

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

Budget/Financial Implications

Funds have been allocated in the 2015/16 Budget

Legal Implications

The Local Government Act 1995

Community Consultation

N/A

Attachment(s)

1. Deposited Plan 405761
2. Valuation Report



Advice to Proponent(s) / Submissioners

The affected owners have been advised that this matter is to be considered at the 11 February Ordinary Council Meeting.

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

Nil.

14.11 (MINUTE NO 5718) (OCM 11/2/2016) - RECOMMENDATION TO APPROVE MODIFICATION TO STRUCTURE PLAN - LOT 100 JOINDRE WAY, SUCCESS - APPLICANT: LB PLANNING (110/147) (C HOSSEN) (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 approves the modification to the Lot 14 & 15 Hammond Road, Success Structure Plan (as shown in Attachment 2), subject to the following modification:

1. Deletion of the annotation on the Structure Plan map relating to development contributions.
2. Inserting the following provision within the Structure Plan:

“Prior to any subdivision or development taking place, a Local Development Plan is required to be prepared by the applicant and submitted to the Local Government for approval in accordance with the requirements of the Deemed Provisions of City of Cockburn Town Planning Scheme No. 3. In addition to any other elements required by the City, as a minimum, the Local Development Plan must specify:

- (a) a minimum front setback of 5m to both roads as part of all development;
- (b) car parking being internalised on the site as part of all development;
- (c) single residential dwellings or grouped dwellings only interfacing along Carnegie Parade;
- (d) grouped or multiple dwellings only interfacing along Joindre Way.



- (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

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr K Allen that Council adopt the recommendation subject to deleting sub-recommendation (1) 2. (a) and substituting the following:

- (1) 2. (a) an appropriate minimum front setback to both roads as part of all development

CARRIED 8/0

Reason for Decision

Following discussion with the applicant, it is recommended that a minor amendment to the recommendation be made. The amendment would provide the opportunity for front setbacks to be determined at the Local Development Plan stage which will occur following the adoption of the Structure Plan. This would allow performance based flexibility and the creation of a compatible streetscape appearance.

Background

The City has received an application from LB Planning on behalf of the landowner of Lot 100 Joindre Way, Success to consider a major modification to the Lot 14 and 15 Hammond Road, Success Structure Plan.

The current Lot 14 and 15 Hammond Road, Success (Attachment 3) for this area was initially adopted by Council on 17 August 2004 and endorsed by the Western Australian Planning Commission ("WAPC") on 8 February 2008.

The proposed variation to the Structure Plan seeks to recode Lot 100 Joindre Way, Success from 'Residential R20' to 'Residential R40'.



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

LB Planning on behalf of the landowners.

Report

Planning Background

The subject site is bound by Joindre Way to the west, existing low density residential development to the north and south and Carnegie Parade to the east. The site, which is predominantly flat and contains no significant remnant vegetation, contains an existing residential dwelling and associated outbuildings.

The subject site is located in the suburb of Success and comprises a total site area of 2,781m². The proposed structure plan seeks to increase the existing residential density of the subject site from R20 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’ under City of Cockburn Town Planning Scheme No. 3 (“Scheme”). The subject land is located within Development Area 13 and is subject to both Development Contribution Area 1 and Development Contribution Area 13.

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 and accessibility to areas of employment.



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. As the subject site was developed in the early 2000’s the density is below current targets.

The subject site is within the frame area of the Cockburn Central Activity Centre Plan. This plan outlines a desire to achieve a minimum density of 30 dwellings per gross hectare on all undeveloped lands within its boundary. The proposal is therefore in keeping with the intent of the Activity Centre Plan.

The Subject Site is also in proximity to the following; Cockburn Central Regional Centre, Cockburn Train Station, Jandakot primary School, and high frequency bus routes.

The subject site features two road frontages assisting in the orderly distribution of traffic from the site.

Community Consultation

The proposed Structure Plan was referred for public comment for a total period of 28 days from 29 December 2015 to 19 January 2016 as per the requirements of the Scheme. The advertising period was extended beyond the standard 21 days due to the holiday period.

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, 19 submissions were received by the City, eleven (11) submissions from service and government authorities and eight (8) responses from local residents. One (1) landowner submission objected to the proposal, while seven (7) provided support to the proposal.

The objection raised concern surrounding the increased number of dwellings allowable on the proposed site should rezoning occur as well as concerns surrounding the ‘look’ of the new dwellings compared to the existing.



In response to the objection, the likely number of dwellings will not place an undue impact on the existing services in the area, particularly the road network. Further to this end the location is highly accessible to high quality public transport. The site also has dual road frontages which further distributes future traffic.

In terms of concerns about design, the dual road frontage provides the opportunity to manage car parking in a manner which ensures an appropriate interface occurs with the public street, and the streetscape broadly. Being a site of 2,781sqm, within a full developed street, means there needs to be careful design control imposed as part of contemplating changes in density. This explains the modification set-out in the officer recommendation.

The seven (7) comments of support offered a number of rationales with a strong theme being the change allowing additional families in the area and the higher density being appropriate considering the high number of services in the area.

Detailed analysis of submissions has been addressed in more detail within the attached Schedule of Submissions (Attachment 4).

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.

The site's location, accessibility and proximity to local/regional 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.

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. The modified structure plan, as it pertains to addressing the objection received, will ensure a local development plan is prepared prior to subdivision or development to control, inter alia, setbacks and interfacing forms of 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.
- 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 28 days from 29 December 2015 to 19 January 2016. 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. Current Structure Plan Map
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 11 February 2016 Council Meeting.

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

Nil.



14.12 (MINUTE NO 5719) (OCM 11/2/2016) - OBJECTION TO DECISION TO REFUSE KEEPING (RACING) PIGEONS AT PREMISES LOCATED AT 51 BARRINGTON STREET MUNSTER (3315266) (P OORJITHAM) (ATTACH)

RECOMMENDATION

That Council pursuant to Sec 9.5 of the Local Government Act 1995, dismiss the Objection lodged by Christian Randolph Warner regarding his application (which was refused) by the City's Health Services for the registration of premises for the keeping of pigeons at 51 Barrington Street Munster WA 6166.

COUNCIL DECISION

MOVED Clr S Portelli that Council pursuant to Sec. 9.5 of the Local Government Act 1995, accept the objection lodged by Christian Randolph Warner in respect to his application, which was refused by the City's Health Services, and issue a Certificate of Registration for the keeping of up to 50 pigeons at 51 Barrington Street, Munster.

MOTION LAPSED FOR WANT OF A SECONDER

MOVED Clr K Allen SECONDED Clr S Pratt that the recommendation be adopted.

CARRIED 7/1

Background

An application was received from Christian Randolph Warner for registration of premises for the keeping of pigeons at 51 Barrington Street Munster WA 6166 on 13 January 2016. Mr Warner intended to purchase the property of 51 Barrington Street Munster and made it a condition of purchase of the property that an approval to keep 50 pigeons be granted by the City.

Mr Warner (the applicant) made enquiries sometime before 13 January 2016, with the City's health Services and obtained the information necessary to make an application.

In support of his application the applicant submitted diagrammatic representation of the loft, location of the loft, distances from neighbouring dwellings as well as the written opinions from adjoining land owners as required through Division 7 of City of Cockburn (Local Government Act) Amendment Local Law 2010.



Submission

Applicant has provided a comprehensive written report to support his objection. The applicant goes into details of the objections and concerns raised and attempts to allay the concerns that were expressed.

Report

The applicant has submitted an application on the approved form for registration of premises to keep up to 50 pigeons at 51 Barrington Street Munster.

The application was assessed and a visit to the property was undertaken on 19 January 2016. The application was found to fulfil the requirements of the Local Laws which specified a number of things:

The block size was to be greater than 600m², the proposed loft was able to be located so that it maintained a minimum distance of 9m from all neighbouring houses and a minimum distance of 1.2 m from the boundary. The proposed design and materials intended to be used were also in compliance with the City's Local Laws.

In addition the City's Local Laws required that the written opinions from all adjoining neighbours be sought by the applicant. Three written opinions were submitted with the application. Of the three, two supported or had no objection to the application and one neighbour objected to the application.

The neighbour who objected also wrote a letter expressing their non-support and discomfort with the prospect of having 50 pigeons being kept next door to them. They cited having young children who play outside and were concerned for their health and wellbeing with the potential for the increased level of bird droppings to contaminate play equipment and also expressed concern for their drying laundry to be soiled. In addition, they also cited increased noise from the birds as well as odours associated with the keeping of the birds.

Taking all of this into account, and that the adjoining neighbours entertainment area and swimming pool, all abutted the proposed loft area, the City's Manager Health Services using delegated authority made the decision to refuse the application. This decision was based upon the matters contained in the objecting neighbour's submission due to potential impacts relating to public health and nuisance.



Environment & Sustainability

- To protect, manage and enhance our natural environment, open spaces and coastal landscapes.
- Identification and minimisation of impacts to human health risk.

Budget/Financial Implications

N/A

Legal Implications

In compliance with Division 1, Section 9.5 of the Local Government Act 1995

Community Consultation

Adjoining neighbour's opinions were sought in relation to the application.

Attachment(s)

1. Objection Form 4
2. Submission from the applicant to support his objection

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 11 February Council Meeting.

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

Nil.

14.13 (MINUTE NO 5720) (OCM 11/2/2016) - PROPOSED AMENDMENT TO COOLBELLUP TOWN CENTRE STRUCTURE PLAN - OWNERS: THE COOBY HOTEL PTY LTD - APPLICANT: CREATIVE DESIGN & PLANNING ON BEHALF OF URBAN CAPITAL GROUP (110/145) (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 Lots 1, 2, 3 and 101 Coolbellup Avenue; portion of Lot 301 Waverley Road and; portion of Lot 300 and Lots 500 and 501 Cordelia Avenue, Coolbellup.

- (2) endorse the Schedule of Submissions prepared in respect of the Proposed Structure Plan.
- (3) advise the proponent and those persons who made a submission of Council's recommendation; and
- (4) pursuant to Clause 22 (7) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, request that the Commission provides written notice of its decision regarding the structure plan.

COUNCIL DECISION

MOVED Cllr S Pratt SECONDED Cllr K Allen that the recommendation be adopted.

CARRIED 8/0

Background

The Proposed Structure Plan was received by Council on 29 October 2015. It was prepared by Creative Design and Planning on behalf of their client Urban Capital Group, representing the owners of the land that previously comprised the Coolbellup Hotel Site. The Proposed Structure Plan relates to Lots 1, 2, 3 and 101 Coolbellup Avenue; portion of Lot 301 Waverley Road and; portion of Lot 300 and Lots 500 and 501 Cordelia Avenue, Coolbellup ("subject site").

The subject site is 6.059 hectares in area with frontages to Coolbellup Avenue to the west, Waverley Road to the north and Cordelia Avenue to the south. The eastern boundary of the site abuts Len Packham Park, a large active public open space area, as well as the primary school. The City's community facility is also located in the southeast extent of the town centre, with existing retail development at the southern end of the town centre.

The Proposed Structure Plan amendment was advertised for a period of 21 days in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.



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 27 submissions during the advertising period of which 10 support the proposal and the remaining 17 object to the proposal. The submissions are discussed in the 'Report' section below and elaborated on in detail under Attachment 4 of this report.

Submission

Creative Design and Planning on behalf of Urban Capital Group 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 ("Scheme"). The subject land is also located within Development Area 7 ("DA7") and Development Contribution Area No. 13 ("DCA13").

DA7 provides a number of Development Area provisions. These include requirements for an approved Structure Plan to guide subdivision and development; and to provide for an integrated town centre with a mix of residential, commercial, recreation, community and education facilities, in accordance with an approved Structure Plan.

The site is located within the Coolbellup Town Centre Structure Plan area, specifically in 'Precinct A', which under the existing adopted structure plan, is intended for high density 'Residential' and minor 'Mixed Use' (ground floor component) development.

Under the proposed amendment Precinct 'A' is defined as being intended for a mixed use zone with a range of residential and retail/commercial uses, including the inclusion of an 'anchor supermarket'.

The current draft without prejudice indicative development application plans identify a Woolworths and separate multiple dwelling development. The inclusion of high density residential within a Town Centre is a desired planning and design outcome; as it is widely recognised having people live within the neighbourhood centre is essential for creating diversity, vitality and vibrancy, activation beyond traditional working hours and ultimately contributes to the economic success of the Town Centre.



Access and Traffic

A number of objections to this proposal raised the issue of vehicular access and traffic, primarily in respect to the (potential) Woolworths development.

It is important to note traffic and access issues are primarily development application considerations and not strictly a relevant assessment component of this structure plan amendment proposal.

The purpose of a structure plan as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* is to 'provide for the coordination of future subdivision and zoning of an area of land'. The Structure Planning process does not explore the specific land use components of the potential development application.

As car parking requirements are linked via Scheme and Local Planning Policy to land uses it is not considered appropriate to consider the 'required' parking at this early stage. Notwithstanding this, the applicant has provided details with regard to their strategic vision which has been reviewed and supported by the City's engineering services. These details are explored below.

The Proposed Structure Plan amendment includes Appendix 3 – '*GTA Consultants Structure Plan Transport Assessment*'. The assessment provides a comprehensive traffic analysis of the future commercial tenancies and residential apartments in the context of the existing road network. The transport assessment specifies that the surrounding road network is expected to have adequate capacity to accommodate proposal generated traffic to the 2028 design year.

Based on empirical parking demand data from surveys of similar land uses, GTA recommends that a minimum of 234 car parking spaces would be adequate.

The structure plan proposal indicates that the parking demand for the future development application is able to be met with a total provision of 254 spaces, with a small overflow visitor parking demand able to be accommodated within retail parking provision and/or on street car parking provision.

The draft preliminary development application car parking layout is generally compliant with the City of Cockburn's car parking requirements and Australian Standard design requirements (yet to be formally lodged with the City for formal assessment).

The draft preliminary development application loading facilities is considered adequate to service the anticipated needs of the proposal.



The indicative draft without prejudice development application provides a one way formal internal slip lane off Waverly Road. This slip lane is designed to be partially sunken below the existing adjacent road level and intended to be provided purely for service vehicles. The design maintains a footpath along Waverly Road with line making crosswalks at vehicle entry and exit points. This area is drafted to be completely separated from the existing road network which will provide for an optimal vehicular safety and amenity outcome for the required service vehicles.

Retail needs assessment and/or retail sustainability assessment

A number of objections raise the concern that a retail needs assessment and/or retail sustainability assessment was not, and should be provided in support of this application. It is noted under the City's *Local Commercial and Activity Centre Strategy* ('LCACS') such requirements are referenced to the requirements as specified by *State Planning Policy 4.2 - Activity Centres for Perth and Peel* ('SPP 4.2').

Under SPP 4.2 there is no such requirement for a retail needs assessment and/or retail sustainability assessment within the context of this proposal. SPP 4.2 does not require an assessment at Structure Plan Stage nor does it specifically require an assessment for a 'Neighbourhood Centre'.

The Structure Plan amendment proposal does not alter the underlying zone of the site, which is 'Local Centre' (please refer to Attachment 2 for details). This amendment does not propose any alterations to the permissibility of the uses on site.

As mentioned above, the centre is identified as a 'Neighbourhood Centre' under the LCACS. The review of the Centre under the LCACS provides for a comprehensive analysis of the site. The LCACS provides a review of the site in the context of, but not limited to, 'intensity', 'diversity', 'employment', 'urban form' and 'economic activation'. Under the LCACS the centre is classified as performing in the 'poor' category for 'intensity' and 'employment'; 'average' for 'diversity' and 'urban form'; and 'below average' for 'economic activation'. On this basis there is considered to be the potential need to increased commercial/ retail growth, economic activation and employment options.

The City of Cockburn undertook a survey in 2013 under the Coolbellup revitalisation strategy. Question three of the survey asked residents to rate their satisfaction and importance with a number of characteristics and elements within Coolbellup. Of the 23 questions, an attractive town centre and local shops rated the highest with regard to importance and received the third lowest scoring in terms of satisfaction. This information suggests the Coolbellup shopping centre has an important



role to play in the Coolbellup community and is considered by the community (in 2013) to be underperforming. The City received a total of 150 dissatisfied comments (stated either within Part 2 – Q1 or Q4) of the 2013 Coolbellup revitalisation strategy residents survey.

Thinking about the issue of economic impacts resulting from increased competition, it needs to be emphasised that the mere possibility of increased competition is not a relevant planning consideration, and needs to be carefully managed as such. What is relevant however, is the principle laid down in the decision of the High Court in *Kentucky Fried Chicken Pty Ltd and Gantidis*. This provided that:

“If the shopping facilities presently enjoyed by the community or planning for in the future are put in jeopardy by some proposed development, whether that jeopardy be due to physical or financial causes, and if the resultant community detriment would not be made good by the proposed development itself, that appears to me to be a consideration proper to be taken into account as a matter of town planning. It does not cease to be so because the profitability of individual existing businesses are at one in the same time also threatened by the new competition afforded by that new development.”

The decision also states that:

“The mere threat of competition to existing business if not accompanied by a prospect of a resultant overall adverse effect upon the extent and adequacy of facilities available to the local community if a development be proceeded with, will not be a relevant planning consideration”

As stated above, the centre is identified as a ‘Neighbourhood Centre’ under the LCACS. Under the LCACS the centre is classified as performing in the ‘poor’ category for ‘intensity’ and ‘employment’; ‘average’ for ‘diversity’ and ‘urban form’; and ‘below average’ for ‘economic activation’. On this basis there is considered to be the need for increased commercial/retail growth, economic activation and employment options. This also appeared to be supported as part of the public consultation undertaken through the 2013 Coolbellup Revitalisation Strategy.

With respect to SPP 4.2, the site is considered to have the potential for further growth. Table 3 of SPP 4.2 specifies that more than one supermarket is acceptable for a Neighbourhood Centre. Notwithstanding the above it is noted that the population forecast as identified within the LCACS is also outdated in that it does not take into account the City’s Coolbellup Revitalisation Strategy and its associated residential up-coding scheme amendment. On this basis the economic viability of the existing centre, to which the majority of the objections



were received, should be impacted in the positive sense, with additional customers living locally within the catchment area.

Competition is an element that State and Federal Government policy is clear on, that it should be encouraged and welcomed. What needs to be considered therefore are relevant planning issues, which inform the City's consideration of orderly and proper planning.

According to SPP 4.2, its main purpose is to specify broad planning requirements for the planning and development of new activity centres and the redevelopment and renewal of existing centres in Perth and Peel. It is mainly concerned with the distribution, function, broad land use and urban design criteria of activity centres, and with coordinating their land use and infrastructure planning.

Of particular relevance are the policy objectives. Such as Objective 3:

"3. Plan activity centres to support a wide range of retail and commercial premises and promote a competitive retail and commercial market."

Looking at the key policy provisions, it is important to note:

"5.1(2) (2) The responsible authority should not support activity centre structure plans or development proposals that are likely to undermine the established and planned activity centre hierarchy. Activity centre structure plans and developments should be consistent with the centre's classification in the hierarchy. The responsible authority should consider the main role/function and typical characteristics for each centre type outlined in Table 3."

Looking at Table 3, for a neighbourhood centre like Coolbellup, the typical retail types specified are Supermarket/s; Personal services; Convenience shops. Accordingly more than a single supermarket is anticipated by SPP 4.2.

Section 5.1.2(1) also provides specific objectives for neighbourhood centres as:

"(1) Neighbourhood centres are important local community focal points that help to provide for the main daily to weekly household shopping and community needs. They are also a focus for medium density housing. There are also many smaller local centres such as delicatessens and convenience stores that provide for the day-to-day needs of local communities."

And:



“(2) Neighbourhood and local centres play an important role in providing walkable access to services and facilities for communities. These centres should be recognised in local planning strategies, and also in structure plans for new urban areas.”

This helps to frame in a positive sense what neighbourhood centres are intended to be or become, which is an important sounding board for any proposal affecting a neighbourhood centre. Proposals will need to demonstrate how they are moving towards this intended objective.

Under Section 5.2 of SPP 4.2, there is a focus on activity. One of the unique aspects of Coolbellup is the integrated way in which educational, cultural, recreation and community facilities are already part of the town centre. Notwithstanding this, the overall centre, as identified in the LCACS, was noted as performing in the ‘poor’ category for ‘intensity’ and ‘employment’; ‘average’ for ‘diversity’ and ‘urban form’; and ‘below average’ for ‘economic activation’. This needs to be addressed if the centre is to realise the objective of a neighbourhood centre for Coolbellup.

Some submissions have mentioned the issue of a retail sustainability assessment. SPP 4.2 advocates for [under s6.2.2(2)] that:

“(2) The local planning strategy should show the estimated retail need and indicative distribution of floorspace across the activity centres in the local government area, consistent with the activity centre hierarchy.”

Looking at the LCACS, it provides a framework for increased development based upon a Population Driven Demand Analysis, provided under Appendix 1. This is a guide to how centres should consider evolving:

Ultimately the Strategy sets a need for between 3005-5008sqm, based on the 2016 measure.

	Coolbellup Neighbourhood Centre			
	2011	2016	2021	2026
SHP	2,235-3,725	2,603-4,338	2,844-4,739	2,957-4,928
RET	0-0	0-0	0-0	0-0
OFF	109-181	130-217	147-245	153-255
ENT	225-374	272-453	305-508	317-529
Total	2,568-4,280	3,005-5,008	3,295-5,492	3,427-5,712

This is a guide, and both the LCACS and SPP 4.2 provide advice as to how this guide should be interpreted. Depending on the type of DA that is submitted in the future, a retail sustainability assessment *may* be required. This is on the basis of s6.5.2 of SPP 4.2:

6.5.2 When required and exemptions

- (1) *Major developments* and scheme amendments or structure plans that provide for *major development* are to include a RSA. Furthermore, any proposal that would result in the total *shop-retail* floorspace of a neighbourhood centre exceeding 6000 m² nla, or expanding by more than 3000 m² *shop-retail nla* also requires a RSA.
- (2) The responsible authority may waive this requirement where the proposed *shop-retail* floorspace is substantially within the walkable catchment of a passenger rail station, in view of the scale and likely impact of the proposal.
- (3) Where an endorsed local planning (commercial) strategy, district, local or activity centre structure plan includes an indicative amount of *shop-retail* floorspace derived from a retail needs assessment, a RSA is only required where a significant increase to this *shop-retail* floorspace is proposed.
- (4) *Major developments* and scheme amendments or structure plans that provide for *major development* in the Perth Capital City or strategic metropolitan centres do not require a RSA.

At this moment in time, the LCACS expects between 2603sqm to 4338sqm of shopping dedicated floor-space, with an ultimate 3005 – 5008sqm floors-pace in 2016. This provides the basic parameters in which a future development application needs to examine whether a retail sustainability assessment will or will not be required.

If a future development application meets this target range, and is less than 3000sqm retail-shop floor-space, then a retail sustainability assessment cannot be required. The points raised in submissions about the need for such an assessment will become known at the development application stage, given that this proposal of a structure plan amendment does not set an explicit floorspace provision.

Current Development Application Approval

The Coolbellup Town Centre Structure Plan was adopted by the City of Cockburn on 14 February 2013. A Development Application for a proposed Mixed Use (Commercial/Retail) development at the proposed site was approved by the Metro South-West Joint Development Assessment Panel (JDAP) at its meeting 13 November 2013. A subsequent application to amend the approval to include 'Dual-Key' dwelling product was granted by the JDAP at its meeting held on 9 April 2015.

The current approval (as amended) for Lot 1 incorporates a Mixed Use development of 150 Multiple Dwellings and 9 Commercial Units.

A number of the objections received by Council, in relation to this structure plan amendment proposal, seek to ensure that the applicant



proceeds with the current development approval, as opposed to the potential (future) Woolworth's development application.

The application before Council relates specifically to an amendment to a Structure Plan and not that of the development application. The previously approved development application was lodged with the City for formal assessment and approved by the independent Development Assessment Panel. The applicant does not wish to proceed with the development of the approved DA plans. The City has no statutory mechanism to mandate that the applicant undertakes construction in accordance with the approved DA plans. Any future DA will need to be assessed based on its merits, according to the planning framework prevailing at the time, and based upon all relevant planning issues and being particularly careful to avoid irrelevant (non-planning) issues. On this basis the objections are noted however the City does not have the statutory control to meet the needs of the objectors with regards to the previous DA approval.

Development Application ('DA') Considerations

A number of objections received during the advertising period of this application are considered to be issues relating to the development application stage and not specifically structure planning issues.

The car parking requirements, commercial floor area, access and egress details, potential reciprocal access agreements, the service areas and land uses are all matters that will be addressed at development application stage. The purpose of a structure plan as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* is to 'provide for the coordination of future subdivision and zoning of an area of land'. The proposal does not make mention of the applicants' wants or needs to subdivide and the underlying zone 'Local Centre – R80' remains unchanged. The Structure Plan amendment provides the big picture details regarding the future planning for the site. The issues raised in relation to the DA will be considered at the next stage of the process. Objections of this nature are premature in the context of the application at hand.

The issues relating to noise associated with semi-trailer trucks or refrigeration systems and general site activity are considered by the Planning Department to be development application issues in this context. In this instance the Planning Department is confident that the potential noise issues can be addressed at DA stage pursuant to the requirements as specified by the *Environmental Protection (Noise) Regulations 1997*. This legislation is separate to the *Planning and Development Act 2005* notwithstanding the Local Planning Scheme makes mention of amenity being a DA consideration. These issues will



be resolved at the next planning stage and thereafter in perpetuity under the legal requirements as specified by the noise regulations.

Conclusion

The proposed structure plan amendment does not propose to alter the underlying zone of the subject site nor does the application propose to alter any of the permissibility aspects of the zone. This application seeks to reposition the 'Mixed Use' and 'Residential' components, both of which are permissible, on the subject site.

The City's Planning Department has sighted the draft without prejudice development application plans which identify the desire to locate a Woolworth's Store on the subject site. The draft plans do not propose to alter any of the existing trees along the Coolbellup Avenue road reserve nor do they pose any drastic development application concerns (see Attachment 4). The proposal includes a traffic assessment in support of the application which has been reviewed and is supported by the City's engineers.

In total the City received 27 submissions of which 10 support the proposal and the remaining 17 object to the proposal. The majority of the objections were from the existing shopping centre owners or that of their planning or legal consultants who provided objection on their behalf. These objections relate primarily to the concern that the Woolworth's development may pose a significant, in their view, competitive risk to the existing economic operations.

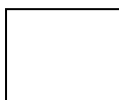
These concerns are respectfully addressed in detail within Attachment 5 of this report and explored in the 'report' section above. Whilst these concerns are understood, for the majority, these concerns are not specifically planning issues nor can the planning system address these concerns specifically at this stage.

The application before Council is purely for the consideration of a Structure Plan amendment and not that of a development application. It is recommended that the Council, 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 Lots 1, 2, 3 and 101 Coolbellup Avenue; portion of Lot 301 Waverley Road; and portion of Lot 300 and Lots 500 and 501 Cordelia Avenue, Coolbellup.

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 17 November 2015 and concluded on 15 December 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 27 submissions of which 10 support the proposal and the remaining 17 object to the proposal. The majority of the objections were from the existing shopping centre owners or that of their planning or legal consultants who provided objection on their behalf.

Analysis of the submissions has been undertaken within the 'Report' section above, as well as the attached Schedule of Submissions. See Attachment 5 for details.



Attachment(s)

1. Location Plan.
2. Current Structure Plan/ Proposed Structure Plan comparison plan
3. Proposed Structure Plan Map
4. Street Trees comparison
5. Schedule of Submissions

Advice to Proponent(s)/Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 11 February 2016 Council Meeting.

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

Nil.

14.14 (MINUTE NO 5721) (OCM 11/2/2016) - COCKBURN CENTRAL ACTIVITY CENTRE STRUCTURE PLAN - SEEKING SUPPORT FOR FINAL ADOPTION (110/088) (R PLEASANT) (ATTACH)

RECOMMENDATION

That Council

- (1) pursuant to Schedule 2, Part 5, clause 36 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, provide the Western Australian Planning Commission a copy of Council's report on the draft Activity Centre Plan, and a copy of the Schedule of Submissions and responses and recommend that the Proposed Activity Centre Plan for Cockburn Central be approved subject to the following modifications:
 1. Amend the title of the document to *Cockburn Central Activity Centre Plan* and ensure all references within the document are amended to reflect the new title;
 2. Amend page 38 (precinct 6) to include the relevant local urban design and movement and access considerations so as to inform future design work;
 3. Amend precinct 1 key opportunity sites by removing reference to a government school;
 4. Amend the plan to provide an update on community engagement processes undertaken and to be adopted



into the future;

5. Provide updated information on the current status of the Armadale Road deviation / North Lake Road Bridge and extension project, including the latest preferred alignment option;
6. Add the following recommendations to the action plan on page 41:
 - (a) *Undertake a review of the Solomon Road Local Structure Plan. The review will be informed by, as a minimum, the submissions received during the advertising of the Cockburn Central Activity Centre Plan and further involvement with stakeholders including landowners;*
 - (b) *Prepare a signage strategy for Cockburn central east in conjunction with the review of the Solomon Road LSP;*
 - (c) *The City of Cockburn to undertake further consultation with DoE regarding further analysis work to identify medium to long term requirements for early childhood and primary school needs in the Core Area;*
 - (d) *Prepare a Pedestrian and Access Strategy in conjunction with the detailed design process for the Armadale Road deviation / North Lake Road Bridge and extension project;*
 - (e) *The City to investigate a suburb boundary change to include all areas of the Core Area into the suburb of Cockburn Central;*
 - (f) *The City to provide a copy of all submissions relating to road design issues (including desired access arrangements and needs for individual lots) to MRWA so as to inform the detailed design process for the North Lake Bridge and Armadale Road extension;*
 - (g) *The City to advise MRWA of the need to provide opportunities for precinct signage to be provided at key locations. One such location likely to be appropriate is prior to the intersection of the northern entrance to the southern precinct (the northern entrance to Knock Place off the North*

Lake Bridge extension).

- (2) advise those who made a submission of Council's recommendation accordingly.

COUNCIL DECISION

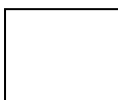
MOVED Clr S Portelli SECONDED Clr L Sweetman that Council adopt the recommendation subject to the inclusion of the following sub-recommendations (1) 6 (h) and (i), and (1) 7, as follows:

- (1) 6 (h) That the Main Trade Area Figures and the Population Driven Demand Figures be reviewed and updated accordingly.
- (i) The Precinct 3 plan of the Draft Cockburn Central Activity Centre Structure Plan on page 35 be amended as follows:
1. 'Access/egress points' to 'Potential access/egress points'.
 2. 'Important pedestrian link' to 'Important to grade pedestrian link; and
 3. Add 'indicative layout' to the text – 'Future built form to address internal and external streets'.
7. amend the Schedule of Submissions to include a submission from TPG on behalf of Gateways Shopping Centre and the City's response, as attached to the Mintues.

CARRIED 8/0

Reason for Decision

TPG has identified further minor changes relating to annotations/text for Precinct Plan 3 to provide greater clarity for future reference for the Gateways Shopping Centre and to include a submission from TPG on behalf of Gateways Shopping Centre, which was received by the City but was not included in the original Schedule of Submissions. TPG in their submission have provided additional information in relation to the Main Trade Area forecasts for the Gateways Shopping Centre. These figures need to be reviewed by the City and if required the Main trade Figures and the Population Driven Demand Figures will need to be updated accordingly.



Background

The purpose of this report is to advise the submissions received during the advertising of the draft Cockburn Central Activity Centre Plan (draft Activity Centre Plan), recommend modifications, and based on this information seek Council's support to recommend approval of the Plan to the Western Australian Planning Commission ("WAPC").

Submission

The City of Cockburn prepared the draft Activity Centre Plan with key input informed by consultation with stakeholders including landowners in the project area and State Agencies.

Report

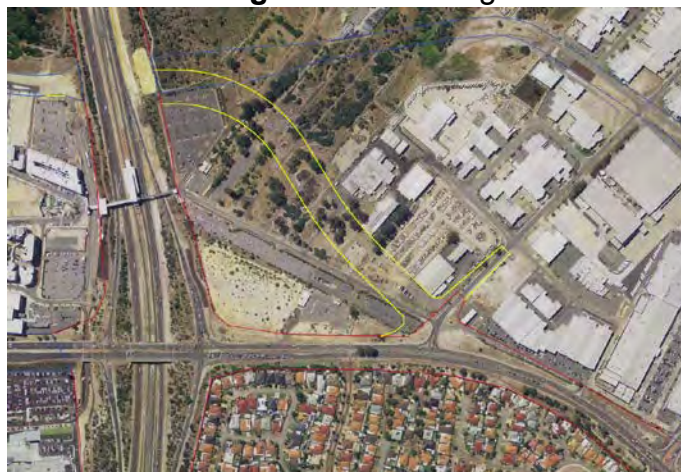
Recap of previous decision - September 2015 Ordinary Council Meeting

At the 10 September Ordinary Council Meeting, Council supported the draft Activity Centre Plan for the purposes of advertising and as a result the document was advertised for public comment for 28 days during September and October 2015.

Council also resolved to request the Western Australian Planning Commission to resolve to declare a Planning Control Area ("PCA") (Planning and Development Act 2005 – s.112) over all the land that forms part of the alternative Armadale Road deviation / North Lake Road bridge and extension design, as detailed within the draft Activity Centre Plan.

As a result, the City undertook this request noting that during this process, discussions with MRWA and WAPC resulted in a refinement to the PCA alignment. The alignment shown in yellow in **Figure 1** will be considered at the 2 February 2016 WAPC meeting.

Figure 1 –PCA alignment.



Draft Activity Centre Plan objectives

Building on the *Cockburn Central Background Analysis Report and Action Plan*, the draft Activity Centre Plan confirms the shared vision for the City's largest activity centre, and identifies the necessary actions required to achieve this aspiration.

The Draft Activity Centre Plan is ultimately prepared to ensure an action plan is in place to elevate Cockburn Central in the activity centres hierarchy (refer State Planning Policy 4.2) from a Secondary Centre to a Strategic Metropolitan Centre. This is reflective of the shared vision which was developed through stakeholder engagement undertaken as part of the *Cockburn Central Background Analysis Report and Action Plan* in late 2014. The vision captured within the 2014 Plan and endorsed through the process of Council following detailed community consultation was that:

“Cockburn Central be positioned as a Strategic Metropolitan Centre and the most influential Activity Centre in the South West Metropolitan Sub-Region by 2031.”

Of most importance in achieving this vision is the identified action to coordinate infrastructure delivery, specifically the North Lake Road extension / Armadale Road deviation which has effectively stalled the centre. Further actions importantly relate to:

- Improving the public realm of the Activity Centre through greening initiatives;
- Improving movement and access by undertaking Car Parking, Pedestrian and Cycling Strategies;
- Monitoring the land use, diversity and intensity targets across the Activity Centre every 2 years;
- Continue lobbying to improve transport in and around the Activity Centre, and;
- Improving the amenity and function of Beeliar Drive.

Current status of the Armadale Road deviation / North Lake Road Bridge and extension project

In December/January 2015/16 MRWA with the assistance of Urbsol undertook analysis work to identify a preferred network option for the Cockburn Central area to 2031 and beyond. Two main network options were assessed during the investigation - the current Main Roads preferred option and the City of Cockburn's alternative option as illustrated within the draft Activity Centre Plan.



As a result of the analysis undertaken, including a Network Planning Workshop, the City's option was preferred with modifications. The City's option is shown in **Figure 2**. The modified option is identified in Figure 3.

Figure 3: City of Cockburn Network option (now superseded).



Figure 4: Modified City of Cockburn Developed Option (Shown in red - intersections proposed to be grade separated). Current preferred route.



The analysis concluded that the modified option illustrated in **Figure 4** resulted in the option that provides the best performance in light of the regional network objectives.

A key element of the preferred option is that for the network option to function effectively the intersection of Armadale Road/North Lake Road/Solomon Road must be grade separated. The analysis report



importantly states that - *whilst the provision of grade separated intersections at the critical intersections of Armadale Road/North Lake Road and Armadale Road/Tapper Drive will preserve the required regional function of the route, they will also create elements of freeway/highway operations such as merging, weaving and diverging areas. As such access in the vicinity will need to be carefully planned; the local road network must be complimentary to ensure suitable property access so that objectives around urban growth and economic development can still be achieved.*

This information importantly highlights the importance of ensuring landowners needs are represented in the following detailed design stage for the new alignment. The following section of this report details submissions received expressing concern regarding negative impacts on local businesses including access arrangements. In order to consolidate the relevant urban design and movement and access considerations from a local perspective, a modification is proposed in the draft Activity Centre Plan to *Precinct 6* on page 38.

The draft Activity Centre Plan will require modification to provide an update on the modified preferred alignment.

Consultation

As previously stated the draft Activity Centre Plan was advertised for a period of 28 days during September and October 2015, to: major landowners, State Agencies and infrastructure providers, and an advertisement was placed in the Cockburn Gazette.

A total of 17 submissions were received by the close of advertising, including: 14 from major landowners and 3 from state authorities.

Of the submissions a total of 2 objections were received, 5 others in support and a further 8 suggested modifications.

Generally there were no objections received regarding the overall objectives and recommended actions of the draft Activity Centre Plan, rather the body of submissions relate to the Armadale Road deviation / North Lake Road Bridge and extension proposal.

The City's response to submissions are provided in the Schedule of Submissions (**attachment 1**) and also discussed in broader terms as follows.

Impacts on site access for landowners as a result of the Armadale Road deviation / North Lake Road Bridge and extension



2 submissions were received from landowners located within the vicinity of the PCA (North of Knock Place) raising concerns that the proposed alignment of the North Lake Road Bridge and extension would impact negatively on site access in and out of private landholdings.

Submissions express concern that an emphasis is being placed on facilitating regional traffic through the precinct and that this comes at the expense of landowners who are of the view that they will not have adequate access in and out of their sites and into the local road network as a result of the project.

In response the City is committed to identifying a design outcome that will meet both regional and local needs. Now that the relevant agencies are in support of the proposed option 2 alignment, the detailed design stage can progress. This includes identifying access points for individual lots. MRWA will be undertaking this work and the City will continue to communicate with landowners as these plans progress. This includes providing relevant comments from the submissions received.

As a result the draft Activity Centre Plan is proposed to be updated with a new recommendation to action this point. The City remains committed to facilitating a strong communication process with the overall aim of meeting both regional movement network outcomes and the needs of local land owners and businesses.

Resulting impacts on Verde Drive as a result of the revised Armadale Road deviation / North Lake Road Bridge and extension

1 submission raised concern regarding the future of Verde Drive, stating that it will be downgraded and result in an “industrial back street”.

The City recognises the importance of ensuring businesses located within the precinct including those along Verde Drive are provided with good visibility for passing trade and are accessible. The City continues to progress plans for the upgrade and extension of Verde Drive and disagrees it will become an “industrial back street”, rather what is envisaged is that the road will be built to a standard to accommodate functional requirements for businesses and land owners including the need for trucks to access. The upgrade is also expected to improve the legibility and accessibility for vehicles.

It is noted that should Verde Drive be downgraded as a result of the delivery of the alternative road alignment, then the current restricted nature of cross over provision as identified within the City’s policy



APD62 presents an opportunity to review and may result in opportunities for new cross overs. This would see accessibility to individual lots improved as a result of the review in addition to improved congestion levels along this road as a result of improved regional connections.

While the proposal is advantages in that it will remove unnecessary through traffic of which will reduce congestion, it is also recognised that the removal of through traffic can reduce the potential for passing trade. In response it is proposed the issue of advertising and visibility can be addressed through an overarching signage strategy for the precinct. This strategy should be undertaken alongside the review of the Solomon Road LSP. This may include significant gateway signage along Armadale Road identifying the precinct and its businesses. Therefore a new recommendation is proposed to be included within the CCACP to address this point.

Car parking provision and pedestrian access across the activity centre

The Department of Transport (DoT) identified the need to undertake a Car Parking and Pedestrian and Cyclist Strategy to support the final Activity Centre Plan. In response, until such time as the Armadale Road deviation / North Lake Road Bridge and extension is further understood there is little merit in undertaking a car parking strategy and a pedestrian and cycling strategy. The draft Activity Centre Plan importantly identifies the need to undertake a car parking review for the Activity Centre. With regard to pedestrian and cycle access, these Strategies should be undertaken in conjunction with the detailed design process for the Armadale Road deviation / North Lake Road Bridge and extension project.

1 further submission expressed concern regarding the ongoing car parking provision around Knock Place, particularly in the vicinity of the train station and pedestrian access across major roads and through the Solomon Road precinct. In response this issue will also be considered during the detail design stage.

Ongoing consultation with landowners in the Solomon Road Industrial Area

Generally the submissions received clearly indicate a need to continue the strong communication process already undertaken with key stakeholders and landowners. The City remains committed to its important facilitation role between landholders and business owners and State Agencies throughout the delivery of the project.



Consolidating the issues expressed by stakeholders regarding the impacts on the Armadale Road deviation / North Lake Road Bridge and extension a modification is recommended to precinct 6 of the draft Activity Centre Plan to identify the guiding design principles to guide the detailed design stage. This information shall be made available to MRWA.

Education needs in the activity centre core area

1 submissioner expressed concern that insufficient consideration has been given the planning for education needs within the Activity Centre catchment for residents. In response, the Department of Education in their submission identifies that the Core Area is currently within the South Lake Primary School catchment area. This school currently has spare accommodation capacity for students. The DoE further states other existing schools provide further opportunities to accommodate growth including Atwell and Jandakot schools.

Nonetheless as stated within the draft Activity Centre Plan there is a desirable dwelling yield of 6,300 dwellings within the core area anticipated and given this significant forecast the City believes further discussions are required with DoE.

The DoE further states the need for further information to inform their analysis needs and therefore a further action is suggested in the draft Activity Centre Plan to provide this information and continue discussions with the DoE.

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.

A Prosperous City

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

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

Certain recommendations such as ongoing stakeholder consultation, monitoring of the activity entre performance every 2 years and lobbying for improved infrastructure items can be undertaken as part of the City’s normal processes using existing resources and allocations.

However there are costs associated with the recommendations relating to the following:

Greening concept plan and regional recreation track (opinion of probable costs report on concept planning, action plan and costing)*	\$50,000
Beeliar Drive Corridor Enhancement Project (opinion of probable costs report on concept planning, action plan and costing)*	\$50,000

*The full cost of delivering the project will only be known when these studies are undertaken.

The proposed works will need to be funded and planned for within the City’s budgeting framework.

Legal Implications

N/A

Community Consultation

Discussed within the body of this report.

Attachment(s)

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 11 February 2016 Council Meeting.



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

Nil

14.15 (MINUTE NO 5722) (OCM 11/2/2016) - USE NOT LISTED (HIGH IMPACT TELECOMMUNICATIONS FACILITY) - LOCATION: NO. 50 WELLARD STREET BIBRA LAKE - OWNER/APPLICANT: CITY OF COCKBURN - (DA15/1051; 052/002) (G ALLIEX) (ATTACH)**RECOMMENDATION**

That Council grant approval to commence development for a High Impact Telecommunications Facility at 50 (Lot 52) Wellard Street Bibra Lake, in accordance with the attached plans and subject to the following conditions and footnotes:

Conditions:

1. This facility is to be operated in compliance with the mandatory standard for human exposure to EME – currently the Radio communications (Electromagnetic Radiation Human Exposure) Standard 2003.
2. The height of the tower hereby approved shall not exceed 40m from the natural ground level.

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. The proposed work is located within close proximity to energised electrical installations and powerlines. The person in control of the work site must ensure that no person, plant or material enters the “Danger Zone” of an overhead powerline or other electrical network assets. The “Danger Zone” is set out in Western Australian Occupational Safety and Health Regulation 1996 – Specifically Reg 3.64. For queries relating to these requirements, visit www.commerce.wa.gov.au/WorkSafe or contact WorkSafe on 1300 307 877.



COUNCIL DECISION

MOVED Clr S Pratt SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 8/0

Background

The subject site is located at 50 (Lot 52) Wellard Street Bibra Lake, has a total lot area of 5030m² and is zoned 'Industry' under the City of Cockburn Town Planning Scheme No. 3 (TPS 3). The site is currently vacant however on 8 January 2015 planning approval was issued for the City of Cockburn's new operations building (Civic Use), animal facility and animal yards, outbuilding, emergency generator and substation (DA15/0801). The current proposal for the telecommunications facility is being referred to Council for determination as objections were received during public consultation.

Submission

The proposal is for a 40m high lattice tower which is setback 41m from the front boundary and which has a width of 3.301m at ground level and 0.6m at the top. Given the site has approval for Civic Use, the telecommunications facility is considered a use ancillary to this purpose necessary to provide communications. In terms of colour, the galvanised steel tower is not proposed to be colour-treated.

Consultation

In accordance with the provisions of clause 9.4 of TPS 3 and APD 13, notice of the proposed development was sent to all landowners within a 200 metre radius of the site. Seven (7) submissions were received, with five (5) indicating no objection and two (2) objections. Both objections are in relation to health concerns from the radiation from the facility and therefore not planning related.

Report**Town Planning Scheme No.3 (TPS 3)***Zoning and Use*

The subject site is zoned 'Industry' in the Metropolitan Region Scheme (MRS) and 'Industry' in the City's Town Planning Scheme 3 (TPS 3). Telecommunication facilities are not listed in TPS 3 and are therefore dealt with under Clause 4.4.2 which states that: *'If a person proposes to carry out any use that is not specifically mentioned in the:-*



- (a) *Zoning Table – Table 1 and cannot be reasonably be determined as falling within the type, class or genus of activity of any other use category in the table the local government may –*
- (i) *determine that the use is consistent with the **objectives** of the particular zone and is therefore permitted;*
 - (ii) *determine that the use may be consistent with the objectives of the zone and thereafter follow the advertising procedure of clause 9.4 in considering an application for planning approval..’*

Policy APD13 ‘Telecommunications – High Impact Facilities’

Local Planning Policy APD13 ‘Telecommunications – High Impact Facilities’ was prepared to deal with high impact facilities that must obtain planning approval. The policy aims to minimise the impact of proposed high impact telecommunications facilities on adjoining landowners.

The proposed telecommunications facility complies with the provisions of APD 13 as the facility is located on an industrial lot and as such is not located within close proximity to any residential development. In terms of the visual impact of the facility, the galvanised finish of the facility will be less visually intrusive than a darker shade. The selection of a lattice tower reduces the perception of bulk given the structure is visually permeable (as opposed to a monopole for example). Furthermore given the facility is 41m setback from the front boundary, the base of the structure will be screened by landscaping and buildings as approved in DA15/0801 for Civic Use.

APD13 requires all applications for telecommunications facilities to include an Electromagnetic Emissions (EME) report for the facility in order to check compliance with the Australian Radiation and Nuclear Protection Safety Agency (ARPANSA) Electromagnetic Radiation - Human Exposure Standard.

This facility is to be operated in compliance with the mandatory standard for human exposure to EME – currently the Radio communications (Electromagnetic Radiation Human Exposure) Standard 2003. The maximum EME level has been calculated at 0.032% of the maximum permissible level (attachment 4)



Statement of Planning Policy 5.2 'Telecommunications Infrastructure'

Statement of Planning Policy 5.2 'Telecommunications Infrastructure' (SPP5.2) is a state wide planning policy which aims to facilitate the provision and development of effective state-wide telecommunications in a consistent manner which is considerate of the economic, environmental and social objectives of planning in Western Australia. SPP 5.2 is supported by the *Guiding Principles for the Location, Siting and Design of Telecommunications Infrastructure*.

The proposed telecommunications facility is deemed to be consistent with SPP5.2 as the City's Policy APD13 addresses the provisions in SPP5.2.

Conclusion

The proposed siting of the telecommunications facility meets the intent of APD13 and SPP5.2 given the land is zoned Industrial. The future buildings and landscaping associated with the civic use will screen the base of the telecommunications facility from the street. Furthermore the lattice tower with a galvanised finish will not negatively impact the streetscape as it is a permeable structure that will complement the operations depot.

In relation to public health concerns, the report on the estimated Radiofrequency Electromagnetic Emissions demonstrates operation of the facility at a level well within the requirements set by the Federal Australian Communications Authority (ARPANSA) which are themselves below the World Health Organisation Standards.

Given the above, it is considered that the proposed telecommunications facility at 50 Wellard Street, Bibra Lake be supported.

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. Location Plan
2. Site Plan
3. Elevations
4. Environmental Impact Assessment

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 11 February 2016 Council Meeting

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

Nil

15. FINANCE AND CORPORATE SERVICES DIVISION ISSUES

15.1 (MINUTE NO 5723) (OCM 11/2/2016) - LIST OF CREDITORS PAID - NOVEMBER & DECEMBER (076/001) (N MAURICIO) (ATTACH)

RECOMMENDATION

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

COUNCIL DECISION

MOVED Clr S Pratt SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 8/0

Background

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

Submission

N/A



Report

The list of accounts for November and December 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 for November & December 2015.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

15.2 **(MINUTE NO 5724)** (OCM 11/2/2016) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - NOVEMBER 2015 & DECEMBER 2015 (071/001) (N MAURICIO) (ATTACH)

RECOMMENDATION

That Council

- (1) adopt the Statement of Financial Activity and associated reports for November 2015 and December 2015, as attached to the Agenda; and



- (2) amend the 2015/15 Municipal Budget by the following net adjustment amounts as detailed in the attached financial reports:

Expense Adjustments:		
Capital Expenditure	Increase	18,079
Operating Expenditure	Increase	289,482
Transfers to Reserves	Increase	716,198
Total Expenditure/TF to Reserves	Increase	\$1,023,759
Funding Adjustments:		
Grants & Contributions	Increase	882,805
Transfers from Reserves	Increase	152,771
Total Funding/TF from Reserves	Increase	\$1,035,576
Net change to Municipal Budget Closing Funds	Increase	\$11,817

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Clr L Sweetman SECONDED Clr S Portelli that the recommendation be adopted.

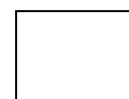
CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0

Background

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

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

- (a) details of the composition of the closing net current assets (less restricted and committed assets);
- (b) 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 to inform the mid-year budget review, detailed analysis of all budget variances is an ongoing exercise. Certain budget amendments are submitted to Council each month where deemed necessary to do so ahead of the mid-year review.

Submission

N/A

Report

Given there was no Council meeting in January, the November statement needs to be adopted by Council together with the December statement. However, this report only addresses the December financial results.

Opening Funds

The opening funds of \$13.7M brought forward from last year have been audited and the budget has been amended to reflect this final position. These compare closely to the opening funds used in the adopted budget of \$13.5M and include the required municipal funding for carried forward works and projects of \$9.7M (versus the original \$10.5M estimated in the adopted budget). The additional \$1.0M of available municipal funding was redirected into the Roads & Drainage



Infrastructure Reserve at the November 2015 Ordinary Council meeting.

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 closing funds of \$71.4M were \$4.1M lower than the YTD budget target. This comprises a number of unfavourable cash flow variances across the operating and capital programs (as detailed later in this report).

The budgeted end of year closing funds currently shows \$0.30M, versus the \$0.36M originally adopted and subsequently reduced through monthly minor budget amendments.

Operating Revenue

Consolidated operating revenue of \$111.0M was just over the YTD budget target by \$1.8M.

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	(89.0)	2.0	(86.9)	(89.0)
Specified Area Rates	(0.3)	0.1	(0.3)	(0.3)
Fees & Charges	(12.9)	(1.3)	(14.2)	(25.1)
Service Charges	(1.1)	0.0	(1.0)	(1.0)
Operating Grants & Subsidies	(4.0)	0.4	(3.6)	(7.5)
Contributions, Donations, Reimbursements	(0.5)	0.1	(0.4)	(0.8)
Interest Earnings	(3.2)	0.4	(2.8)	(5.4)
Other Revenue	(0.0)	0.0	(0.0)	(0.0)
Total	(111.0)	1.8	(109.2)	(129.1)

The significant variances within this result were:

- Commercial landfill revenue of \$3.9M was \$1.5M behind the YTD budget. (subject to a mid-year budget review adjustment)



- Rates revenue was over the YTD budget by \$2.0M due to the processing of significant interim rating adjustments. Revenue to date has almost achieved the expected full year budget target.
- Subsidies received for child care services were \$0.21M ahead of YTD budget.
- Interest earnings were \$0.4M ahead of budget with investment interest contributing an extra \$0.16M, interest on a deferred land settlement of \$0.10M and interest on outstanding rates \$0.13M ahead of the cash flow budget.

Operating Expenditure

Reported operating expenditure (including asset depreciation) of \$60.3M was under the YTD budget by \$2.2M and comprised the following significant items:

- Material and Contracts were \$1.3M under YTD budget with Parks Services (\$0.35M), Infrastructure Services (\$0.36M) and Waste Services (\$0.40M) contributing mostly to this result.
- Utilities were \$0.22M under the YTD budget.
- Salaries & direct on-costs were collectively \$0.51M under the YTD budget.
- Salaries and direct employee on-costs were \$0.3M under YTD budget across the board without any material variances (i.e. greater than \$0.2M) in any one business area.
- Depreciation on assets was \$0.82M under the YTD budget mainly due to lower depreciation for road assets of \$0.31M following the EOFY revaluation and lower building depreciation of \$0.23M.
- A net refund payment of \$0.61M to a landowner for ceded land under DCP9 for the Hammond Road reserve has resulted in a budget variance of this amount.

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

Nature or Type Classification	Actual Expenses \$M	Revised Budget YTD \$M	Variance to Budget \$M	FY Revised Budget \$M
Employee Costs - Direct	22.6	23.1	0.5	46.6
Employee Costs - Indirect	0.3	0.4	0.0	1.1
Materials and Contracts	17.0	18.3	1.3	37.0
Utilities	2.1	2.3	0.2	4.6
Interest Expenses	0.0	0.0	0.0	0.1
Insurances	2.1	2.1	0.1	2.1
Other Expenses	4.1	3.5	-0.6	8.9
Depreciation (non-cash)	13.1	13.9	0.8	27.9



Nature or Type Classification	Actual Expenses \$M	Revised Budget YTD \$M	Variance to Budget \$M	FY Revised Budget \$M
Internal Recharging- CAPEX	-1.0	-1.2	-0.2	-3.0
Total	60.3	62.6	2.2	125.4

Capital Expenditure

The City's total capital spend at end of December was \$22.5M, representing an under spend of \$11.4M against the YTD budget of \$33.9M.

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	2.9	4.2	1.3	13.5	1.6
Drainage	0.3	0.7	0.3	1.6	0.0
Footpaths	0.4	0.4	-0.1	1.1	0.0
Parks Hard Infrastructure	1.2	2.7	1.5	7.4	0.1
Parks Soft Infrastructure	0.2	0.5	0.3	1.2	0.0
Landfill Infrastructure	0.1	0.4	0.3	0.6	0.0
Freehold Land	0.1	0.5	0.3	1.2	0.2
Buildings	15.5	19.2	3.8	66.6	65.0
Furniture & Equipment	0.0	0.0	0.0	0.0	0.0
Computers	0.2	0.8	0.6	1.0	0.1
Plant & Machinery	1.6	4.6	3.0	6.5	0.7
Total	22.5	33.9	11.4	100.7	67.8

These results included the following significant items:

- The Works Depot upgrade (\$2.1M) and Civic building HVAC upgrade works (\$0.8M) were the significant variances in the net \$3.8M underspend against YTD budget for Buildings. The CCW RAEPEC project was \$0.6M over the YTD budget reflecting good progress being made on the construction.
- The roads construction program was \$1.3M underspent against the YTD budget, mainly due to Berrigan Drive [Kwinana Freeway to Jandakot Rd] under by \$1.4M; and North Lake Road [Hammond to Kentucky] under by \$0.6M.
- The plant replacement program was \$3.0M behind the YTD budget although \$1.8M of heavy & light fleet items is on order awaiting delivery.



- The parks capital program is collectively \$1.8M behind budget with the adventure playground at Bibra Lake the major contributor to the variance at \$0.8M.

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 \$12.1M below YTD budget due to the capital budget under spends.
- Developer contributions received under the Community Infrastructure plan were \$0.66M over the YTD budget and \$0.38M over the YTD budget for DCP1 - Success North.
- The total funding for Road Construction from Grant Funded and Council Funded were \$1.0M behind YTD budget.
- External funding for CCW RPAEC project was \$5.8M behind YTD budget comprising \$3.4M from development partner contributions, \$1.3M from state capital grants and \$1.1M from federal capital grants.
- Proceeds from the sale of land were \$15.1M below the YTD budget due to several unrealised land sales. These have been addressed at the mid-year budget review.
- Proceeds from the sale of plant items were \$0.9M behind YTD budget, correlating to the lag in the replacement program.

Cash & Investments

The closing cash and financial investment holding at month's end totalled \$164.1M, down from \$169.9M the previous month. \$102.1M of this balance represented the amount held for the City's cash backed financial reserves. Another \$6.9M represented restricted funds held to cover deposit and bond liabilities. The remaining \$55.1M 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 2.96% for the month, down from 2.97% the previous month and 3.00% in October 2015. Whilst this result compares favourably against the UBS Bank Bill Index and the various short term BBSW indices, it continues to trend slightly downwards. This is due to lower rates being offered for new or renewed investments than those on currently held investments, although this impact is now reducing. The cash rate set by



the Reserve Bank of Australia currently sits at 2.00% and is not expected to change within the next several months.

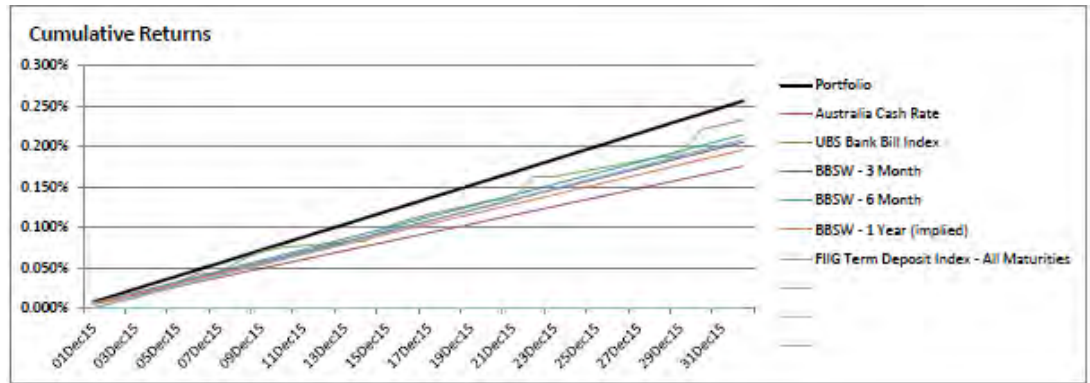


Figure 1: COC Portfolio Returns vs. Benchmarks

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

TD investments fall within the following Standard & Poors short term risk rating categories:

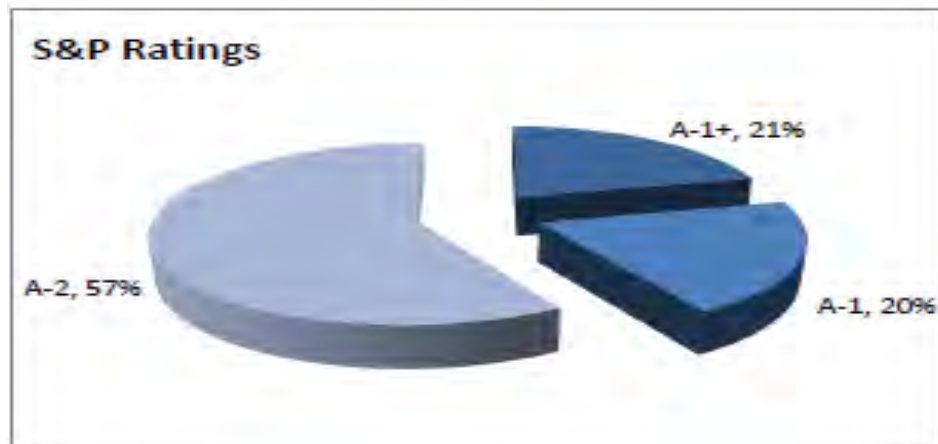


Figure 2: Council Investment Ratings Mix

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 118 days (reducing from 126 days the previous month) with the maturity profile graphically depicted below:



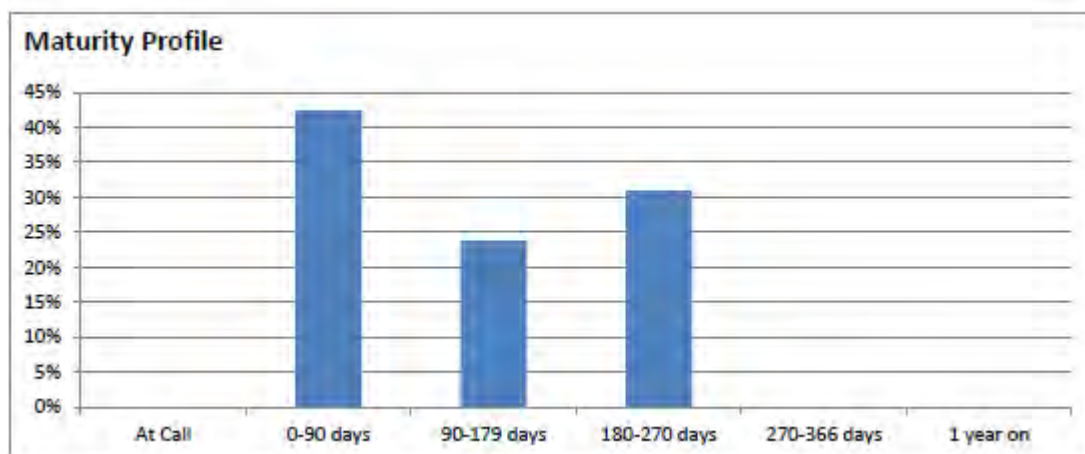


Figure 3: Council Investment Maturity Profile

Budget Revisions

Several budget amendments are recommended as per the tables included in the attached financial reports for November 2015 and December, 2015. These reflect various adjustments recognising additional external funding received and necessary changes. The net impact on the City's closing budget position from these adjustments is an increase of \$11,817 to \$303,059.

Description of Graphs and Charts

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

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

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

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



Strategic Plan/Policy Implications

Leading & Listening

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

Budget/Financial Implications

The City's closing Municipal Budget position will increase by \$11,817 to \$303,059.00

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

Statement of Financial Activity and associated reports for November 2015 and December 2015.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

15.3 (MINUTE NO 5725) (OCM 11/2/2016) - RATES NOTICES & INFORMATION (150/012) (S DOWNING) (ATTACH)

RECOMMENDATION

That Council :

- (1) write to WALGA requesting that WALGA zones consider a process that provides ratepayers with information about how Councils set rates including an advertising campaign; and



(2) receives the report.

COUNCIL DECISION

MOVED Clr S Pratt SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 8/0

Background

At the Ordinary Council Meeting held on 13 August 2015, Council resolved the following:

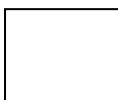
1. *On Rate Notices, itemise by each category the relevant dollar amounts that apply for the Rates levied on its' ratepayers by the Council, the State Government and where applicable the Federal Government;*
2. *Improve the extent of information provided in the Rates Information Brochure issued with the Rates Notices to reflect the need for informing ratepayers, in a more meaningful way, all sources of revenue and expenditure;*
3. *Improve the information included in the Differential Rates - Reasons and Objects Notice to inform in a more meaningful way the ratepayers of the proposed income and expenditure for the forthcoming financial year as it applies. This action to include a community engagement process with ratepayers prior to the finalisation of the Differential Rates - Reasons & Objects Advertising Notice period; and*
4. *Call on WALGA to adopt the Recommendation at Points 1, 2 and 3 above through the WALGA Zone process and to consider an advertising program aimed at informing ratepayers about the "rating" process.*

Submission

N/A

Report

1. *On Rate Notices, itemise by each category the relevant dollar amounts that apply for the Rates levied on its'*



ratepayers by the Council, the State Government and where applicable the Federal Government.

What can appear on a Rates Notice is governed by the Local Government Act and the Local Government (Financial Management) Regulations, which is detailed below as to the minimum of what can appear on a Rates Notice:

The heads of power is contained in the Local Government Act, Section 6.41. Service of rate notice:

- (1) *A local government is required to give to —*
 - (a) *the owner of rateable land; and*
 - (b) *the owner or occupier, as the case requires, of land on which a service charge is imposed, a rate notice stating the date the rate notice was issued and incorporating or accompanied by the details and particulars prescribed.*

- (2) *The rate notice is to be given —*
 - (a) *as soon as practicable after —*
 - (i) *the rate record of the land is completed; or*
 - (ii) *the rate record of the land is amended, if that amendment results in a change in the amount of rates or service charges payable on that land; or*
 - (b) *where an election has been made under section 6.45 to pay rates or service charges by instalments, not less than 28 days before each instalment is due.*

- (3) *Notwithstanding sections 75 and 76 of the Interpretation Act 1984 service of the rate notice is deemed to have been effected if delivered to the address shown in the rate record for the owner at the time of delivery.*

As noted in Clause 6.41 (1) (b), the Act goes on to say what should be in the Rates Notice as “Prescribed”, which refers to the Local Government (Financial Management) Regulations, in particular Regulation 56 as detailed below:

56. *Rate notice, content of etc. (Act s. 6.41)*
- (1) *A rate notice may include more than one property where those properties are in common ownership or occupation, as the case requires, if details in relation to each property are shown separately.*



- (2) *Where the same person is responsible for both the rates and service charges on land the rate notice for that land may include both rates and service charges if the detail of each rate and each service charge is shown separately.*
- (3) *A rate notice for land is to include —*
- (a) *the date the notice was issued; and*
 - (b) *in relation to the land the subject of the notice —*
 - (i) *a description of the land; and*
 - (ii) *unless the rate notice is for a service charge only, the valuation of the land recorded in the rate record; and*
 - (c) *details (including the amount and, where applicable, the rate in the dollar) of every rate and service charge imposed on the land; and*
 - (d) *where, under the Rates and Charges (Rebates and Deferments) Act 1992, a rebate on a rate or service charge may be allowed, the amount of the probable rebate adjacent to the words “State Government Rebate”; and*
 - (d) *where a service charge is imposed on the land, the purpose, as specified in regulation 54, for which the service charge is imposed; and*
 - (e) *where a differential general rate is imposed on the land details of —*
 - (i) *the rate imposed; and*
 - (ii) *the characteristics of the land upon which the rate is based; and*
 - (f) *where a specified area rate is imposed on the land —*
 - (i) *details of the rate imposed; and*
 - (ii) *the name of the rate, which must reflect the purpose for which the rate is imposed;*
 - (g) *minimum payment is imposed on the land, the amount of that minimum payment; and*
 - (h) *brief details of the instalment options of the local and —*
 - (i) *the date for payment of each instalment under each option; and*
 - (ii) *the amount payable for each instalment of each option; and*
 - (iii) *the total amount payable under each option; and*



- (i) *deleted*
- (j) *if a rate or service charge (or any part of a rate or service charge) remains unpaid from the previous financial year the amount of those arrears; and*
- (k) *the date the rates or service charges become due and payable; and*
- (l) *the place appointed for the receipt of rates or service charges and the hours during which payment may be made; and*
- (m) *where the rate is the result of the amendment of the rate record for a preceding year under section 6.39(2)(b), in addition to the details specified in this sub-regulation, equivalent details for that year; and*
- (n) *a brief summary of the objection and review rights subdivision 7 of Part 6 of the Act and under the Valuation of Land Act 1978.*

Additional information that can go on the rates notice or can accompany the rates notice is included in Attachment 1 – Local Government (Financial Management) Regulations – Regulation 56 (4).

As you will note from the above, there is no requirement to insert onto the Rates Notice the amounts of funds payable to the State and Federal Governments in response to legislation imposed onto Local Government. If Council chose to do this, it would be purely a voluntary measure that no other Council in WA has taken to date.

One example of how a Rates Notice could look under this scenario is as follows:

<u>Rates Notice 2016/17</u>	
Total Annual Council Rates	\$1,825.00
State Govt's Emergency Services Levy	\$300.00
Total Payable on Rates Notice	\$2,125.00
<u>Allocated as follows:</u>	
Local Government	\$1,714.96 or 80.7%
State Govt.	\$404.57 or 19.0%
Federal Govt.	\$5.47 or 0.03%

So 19.03% of every dollar a ratepayer pays the Council goes straight to the State or Federal Government.



It is clear that this kind of presentation would receive scrutiny from the Department of Local Government. It may also be confusing for many senior ratepayers. In essence the presentation is overtly political, trying to emphasise to ratepayers what the impact is from State and Federal Government legislation. On the other hand, this could be used in accompanying material sent to ratepayers each year rather than the Rates Notice itself.

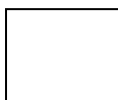
The City pays the following to the State and Federal Government in response to legislative demands placed upon the Council.














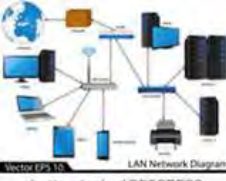



Total expenditure for 2015/16	\$128,190,000	%	Comment
Landfill levy	\$4,121,250	3.21%	Based on 75% going to consolidated revenue rather than to COC
Emergency Services levy	\$105,000	0.08%	For CoC Buildings and Facilities
Synergy - Street Lights	\$2,450,000	1.91%	Payable by COC for a State owned asset
Building Commission	\$650,000	0.51%	Approximately 50% of all building permit fees now go to the State Govt
Loan Tax	\$17,500		The recently increase the tax from 0.001% to 0.007%
State Directed Expenditure	\$7,343,750	5.73%	
FBT	\$426,000	0.03%	For the provision of a fleet to service the needs of the community
Federal Directed Expenditure	\$426,000	0.03%	
Total Federal and State Directed	\$7,769,750	5.76%	

There would be insufficient room to detail all of the above on a standard Rates Notice. That said, the above table could be inserted into the accompanying Rates Brochure

2. *Improve the extent of information provided in the Rates Information Brochure issued with the Rates Notices to reflect the need for informing ratepayers, in a more meaningful way, all sources of revenue and expenditure;*

Use of diagrams for both Revenue and Expenditure details how the City sources revenue and spend the funds. This data is based on the table below.



<p><u>Waste:</u></p>  <p>shutterstock - 69032500</p> <p>Total Expenditure: \$23.1m</p>	<p><u>Parks:</u></p>  <p>Total Expenditure: \$12.8m</p>	<p><u>Environment:</u></p>  <p>shutterstock - 104523245</p> <p>Total Expenditure: \$2.5m</p>
<p><u>Infrastructure</u></p>  <p>Total Expenditure: \$16.7m</p>	<p><u>Planning:</u></p>  <p>Total Expenditure: \$4.6m</p>	<p><u>Finance:</u></p>  <p>Total Expenditure: \$5.5m</p>
<p><u>Events:</u></p>  <p>shutterstock - 261368993</p> <p>Total Expenditure: \$3.2m</p>	<p><u>Corporate Communications & Customer Services:</u></p>  <p>shutterstock - 107083826</p> <p>Total Expenditure: \$3m</p>	<p><u>Rangers:</u></p>  <p>shutterstock - 155891234</p> <p>Total Expenditure: \$4.7m</p>
<p><u>Recreation Services:</u></p>  <p>shutterstock - 201395231</p> <p>Total Expenditure: \$3.0m</p>	<p><u>Community Development:</u></p>  <p>shutterstock - 313557920</p> <p>Total Expenditure: \$8.0m</p>	<p><u>Libraries:</u></p>  <p>shutterstock - 109218872</p> <p>Total Expenditure: \$3.5m</p>
<p><u>Governance:</u></p>  <p>shutterstock - 348496661</p> <p>Total Expenditure: \$5.3m</p>	<p><u>Information Systems:</u></p>  <p>shutterstock - 138397580</p> <p>Total Expenditure: \$4.7m</p>	<p><u>HR:</u></p>  <p>shutterstock - 262144853</p> <p>Total Expenditure: \$2.7m</p>
<p><u>Environmental Health:</u></p>  <p>shutterstock - 92386942</p> <p>Total Expenditure: \$1.8m</p>	<p><u>Road/Traffic:</u></p>  <p>Total Expenditure: \$23.1m</p>	<div style="border: 2px solid black; padding: 10px; text-align: center;"> <p>Total = \$128.2m</p> </div>



Business Unit	Annual Budget	Per Ratepayer	%	Per Resident	%
Governance	4,284,397	\$97	3%	\$40	3%
Executive Support Services (Gov)	996,587	\$23	1%	\$9	1%
Finance - Financial Services	5,478,589	\$125	4%	\$52	4%
Information Services	4,661,939	\$106	4%	\$44	4%
HR Management	2,676,655	\$61	2%	\$25	2%
Library Services	3,508,452	\$80	3%	\$33	3%
Community Services (Events, Rangers & Recreation)	10,941,830	\$249	9%	\$103	9%
Human Services (Comm. Dev.)	8,025,095	\$182	6%	\$76	6%
Corporate Communications	3,190,690	\$73	2%	\$30	2%
Statutory Planning (Planning)	1,433,266	\$33	1%	\$14	1%
Strategic Planning (Planning)	1,569,602	\$36	1%	\$15	1%
Building Services (Planning)	1,650,796	\$38	1%	\$16	1%
Environmental Health Services	1,763,894	\$40	1%	\$17	1%
Waste Management	23,035,139	\$524	18%	\$217	18%
Parks and Environment Services	15,193,219	\$345	12%	\$143	12%
Engineering - Roads	23,106,526	\$525	18%	\$218	18%
Infrastructure Services	16,679,012	\$379	13%	\$157	13%
	128,195,689	\$2,914	100%	\$1,209	100%

3. *Improve the information included in the Differential Rates - Reasons and Objects Notice to inform in a more meaningful way the ratepayers of the proposed income and expenditure for the forthcoming financial year as it applies. This action to include a community engagement process with ratepayers prior to the finalisation of the Differential Rates - Reasons & Objects Advertising Notice period.*

The City has a two-fold strategy in relation to the information contained within the Reasons and Objects:

First is to meet the basic requirements as prescribed by the Local Government Act and secondly to add value to the base information. The City does this by detailing:

- The annual budget strategy
- Provides a high level budget
- Provides highlights that are being considered by Council to ensure ratepayers and residents are aware of where there funds are going.

In addition, the City has policy for dissemination of the Rates – Objects and Reasons (DA – LGAFCS1)



1. Display advert in the West Australian newspaper – Local Government Notices.
2. Display advert in the Community newspaper – Cockburn Gazette.
3. Display advert in the Cockburn Herald newspaper.
4. City's Public Notice Board.
5. City's Libraries – Spearwood, Coolbellup and Success.
6. Front page of the City's web site.
7. City's Social Media outlets.
8. Copy sent to community and ratepayer groups.
9. Copy sent to groups and organisations who have registered to receive the City's email newsletters.

The only means of communication not included is for the City's Administration to write to each and every ratepayer, which is not advocated as the cost is prohibitive (at around \$80,000 and not cost effective).

I have attached a copy of other Council's Reasons and Objects. They all meet the basic legislative requirements of the Local Government Act but no more.

The following Council's Objects and Reasons are attached:

- City of Fremantle
- City of Melville
- City of Kwinana
- City of Rockingham
- City of Wanneroo
- City of Swan

4. *Call on WALGA to adopt the Recommendation at Points 1, 2 and 3 above through the WALGA Zone process and to consider an advertising program aimed at informing ratepayers about the "rating" process*

As a result of this report and Council's endorsement, a letter will be dispatched to WALGA seeking their support through the Zone process to enhance the information made available to ratepayers on the rate-setting process. If WALGA adopted this and provided a format that all Councils could use to inform their ratepayers it would lead to a significant understanding how rates were set and subsequently spent in the community.

It should be noted that WALGA is active in this space in relation to rating issues included lobbying against the imposition of rate and rebate capping. To date, there has been no decision in relation to rate capping by the State Government. As to Rebate



Capping, the State Government has amended the relevant Regulations but has not announced the level of any proposed capping.

Strategic Plan/Policy Implications

Leading & Listening

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

Budget/Financial Implications

N/A

Legal Implications

Local Government Act, S.6.41

Community Consultation

N/A

Attachment(s)

1. City's 2015/16 Objects & Reasons
2. Objects & Reasons – Cities of Kwinana, Rockingham, Melville, Fremantle, Wanneroo and Swan.
3. Regulation 56 (in full) of the Local Government (Financial Management) Regulations

Advice to Proponent(s)/Submissioners

N/A

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

Nil.



15.4 (MINUTE NO 5726) (OCM 11/2/2016) - MID-YEAR REVIEW OF BUSINESS PLAN 2015/16 AND 2015/16 MUNICIPAL BUDGET (075/011; 021/002) (S DOWNING) (ATTACH)

RECOMMENDATION

That Council

- (1) note the information in relation to the 2015/16 Business Plan Review; and
- (2) amend the Municipal Budget for 2015/16 as set out in the Schedule of Budget amendments, as attached to the Agenda.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr P Eva that the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0

Background

Section 33A (1) of the Local Government (Financial Management) Regulations 1996 requires Council to review its annual budget between 1 January and 31 March each year.

Council adopted its annual Municipal Budget at the Ordinary Council Meeting in June 2015. In accordance with the Local Government Act and associated Regulations a formal report on the progress of the Budget is presented to the February 2016 Ordinary Council Meeting.

Submission

N/A

Report

Business Plan Review 2015/16

Each year a mid-year review of the Annual Business Plan is presented to Council.



Mid-Year Budget Review

A detailed schedule on the review of the Municipal Budget for the period 1 July 2015 to 31 December 2015 is attached to the Agenda. The report sets out details of all proposed changes recommended by City Officers and a brief explanation as to why the changes are required. All forecasts are post allocation of ABC cost charges or income recoveries. A list of significant revenue and expenditure items are noted below with a detailed budget reference linking to the attached schedules. The recommended adjustments are in addition to the normal monthly adjustments to the adopted budget that are presented for Council's consideration and determination as part of the ordinary course of Council business.

Rating Income

Rating income for 2015/16 is in line with the Budget and no changes are forecast for the balance of the financial year.

Interest Income

Interest income is slightly ahead of budget, but this is due to the slower forecast expenditure on RPAEC and other capital projects. No changes are forecast for the balance of the financial year for this item other than bringing to account interest earned from a deferred settlement on the Erpingham Street/Belier Ave land sale. The amount of interest received was \$104,000. In addition, the City has earned \$83,000 more in interest on instalments than budgeted.

Fees and Charges - Waste Disposal and Collection

The Henderson Waste and Recovery Park will fall approximately 20,000 tonnes below budget for 2015/16 due to competition from other landfill sites. This is equivalent to \$3.08m. This revenue shortfall is offset with a reduction in landfill levy and other costs of \$2.31m. In addition, the transfer to the Waste and Recycling Reserve will be reduced by \$1.03m. All funds are quarantined from the municipal fund and as such this shortfall of revenue will have no impact on services by Council.

Waste Collection Levy income is in line with the budget for 2015/16. Lower collection tonnes from MSW to 31 December 2015 should see a small surplus on this account. This will be closely monitored in the second half of the financial year and any surplus transferred to the Waste Collection Reserve.



Fees and Charges – Other

The City received \$100,000 more in Dog Registration fees for 2015/16 than budget. Strategic Planning has earned \$37,000 more than budget for Structure Plans and Zoning Statements.

All other operating revenue items are running in line with the budget.

Major Expenditure Items

Comments are provided on major items of \$50,000 or over although the attached schedules detail all expenditure where a budget adjustment is required and presented.

Information Technology

Additional licencing costs were incurred for VMware, the City's desktop core system. The original contract was signed and paid for a three year period. When preparing the 2015/16 budget this item was overlooked. The amount in the MYBR of \$70,000 is for a three year period. A further \$30,000 has been provided for WiFi initiatives in the City as a result of the Report provided to Council.

South Lake Leisure Centre

There are a number of minor revenue and expense items but these net out below \$5,000.

Rangers and Animals

The current budget needs to be increased by \$208,000 as a result of Management review of the Ranger Operations area which includes recent changes to the Rangers Salaries. The review was undertaken as a result of a higher than usual turnover of Ranger staff and the need to be competitive with other Councils.

Additional funding has been provided for the successful programs of Dog Microchipping (\$15k) and Cat sterilisation (\$15k). Cat services using the Cat Haven (\$58k) will require additional funding .. The use of the Cat Haven will cease when the new animal facility is constructed as part of the Depot Project.

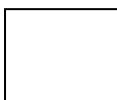
Libraries

Two projects flagged for this year have been deferred to 2016/17 due to a staff illness. Those projects are Spydus (core library system) upgrade \$32,000 and Scanning Project \$33,000.



Summary of Capital Expenditure to 31 December 2015

Capital Expenditure Category	Annual Budget (\$m)	YTD Spend (\$m)	Spend %	Full Yr Est (\$m)	Full Yr %
Light Vehicle Purchase	\$1.33	\$0.30	22.6%	\$1.33	100.0%
Major Plant Purchases	\$4.79	\$1.12	23.4%	\$3.60	74.9%
Building Improvements - Minor	\$3.66	\$1.04	28.5%	\$2.70	73.8%
Building Improvements - Major	\$12.47	\$0.99	8.0%	\$6.60	52.9%
Asset Management Services	\$0.01	\$0.01	84.1%	\$0.01	85.8%
Crossovers	\$0.11	\$0.07	64.6%	\$0.10	95.2%
MRRG Road Rehabilitation	\$0.05	\$0.01	23.8%	\$0.05	98.7%
Drainage	\$1.17	\$0.23	20.0%	\$0.95	81.3%
Sumps	\$0.41	\$0.10	23.5%	\$0.33	80.2%
Traffic Management	\$0.67	\$0.25	37.3%	\$0.49	71.9%
Roads Construction	\$8.92	\$0.57	6.4%	\$5.00	56.0%
Resurfacing	\$1.42	\$0.93	65.9%	\$1.41	99.6%
Fed Black Spot Program	\$0.05	\$0.00	0.0%	\$0.05	99.5%
State Blackspot Program	\$0.87	\$0.32	37.0%	\$0.75	86.4%
MRRG Road Construction	\$1.39	\$0.78	56.3%	\$1.20	86.3%
Bus Shelter Construction	\$0.16	\$0.01	5.7%	\$0.16	100.0%
Bike Plan	\$0.10	\$0.00	0.0%	\$0.10	100.0%
Footpaths Rehabilitation	\$0.25	\$0.09	35.7%	\$0.25	99.2%
Footpaths New	\$0.76	\$0.36	47.8%	\$0.76	99.9%
Subdivisional Works	\$0.04	\$0.00	4.6%	\$0.03	75.0%
Environmental Works	\$0.97	\$0.55	56.5%	\$0.75	77.4%
Construction of Parks	\$7.25	\$0.80	11.1%	\$6.25	86.2%
Waste Disposal	\$0.66	\$0.11	16.8%	\$0.54	81.4%
Land Development	\$1.24	\$0.14	11.2%	\$0.95	76.6%
Cultural Services	\$0.19	\$0.02	10.7%	\$0.12	64.2%
Aged & Disabled - HACC	\$0.35	\$0.18	51.3%	\$0.25	71.4%
Human Services	\$0.04	\$0.00	0.0%	\$0.04	97.7%
Law, Order & Public Safety	\$0.04	\$0.01	25.0%	\$0.04	97.7%
SLLC	\$0.01	\$0.01	107.6%	\$0.12	106.1%
Recreation	\$0.06	\$0.00	0.0%	\$0.06	100.0%
Spearwood Library	\$0.00	\$0.00	0.0%	\$0.00	0.0%
Management Library Services	\$0.03	\$0.00	0.0%	\$0.00	0.0%
Software Developments	\$0.84	\$0.15	18.5%	\$0.70	83.7%
IT Infrastructure	\$0.12	\$0.00	0.0%	\$0.09	73.9%



Capital Expenditure Category	Annual Budget (\$m)	YTD Spend (\$m)	Spend %	Full Yr Est (\$m)	Full Yr %
Computer Equipment					
Corporate Governance	\$50.52	\$13.44	26.6%	\$50.52	100.0%
Total Capital Expenditure	\$100.92	\$22.61	22.4%	\$85.67	84.9%

Comments on the Progress of the 2015/16 Capital Expenditure Program

Major Projects – RPAEC (\$109.02m)

Progress has been rapid leading up to Christmas 2015 with approximately 12% completed. Brookfield Multiplex has indicated that handover could be by December 2016. Monthly briefings of Elected Members will continue for this specific project.

Depot Project Stage 1 (\$9.1m)

The tender has been awarded to Pindan Constructions and commencement is planned for February 2016. It is estimated that construction will take 55 weeks. On that basis the capital spend of \$9.1m will be \$5.0m in 2015/16 and \$4.1m in 2016/17

Bibra Lake Regional Playground (\$3.65m)

The tender has been awarded to Menchetti Consolidated Pty Ltd and the contract is scheduled to commence in February 2016 and completed by June 2016 (pending the arrival of playground equipment from overseas). A further \$270,000 has been allocated to the Project to allow for contingencies. The funds have been allocated from the surplus derived from the Progress Drive Road works.

Visko Park – Bowling and Community Facility

An amount of \$150,000 has been placed on the MYBR to complete further design work for this facility as a result of the Federal Government's contribution of \$4m to the project. To date no agreement has been received from the Government.

Other Projects

Several projects have been deferred and will be rescheduled for next year, these include:

- The HVAC project for the administration building (air-conditioning).
- The Men's Shed – Funds have been placed on the budget for design only with construction (pending a successful \$400k



Lotterywest Grant). Construction would commence is 2016/17 where funds will be allocated accordingly.

- Car Port along the southern side of the Administration Building which will also aid the installation of additional solar PV.

Other Capital and Operating projects to be amended:

- North Lake Road Upgrade will be completed this financial year. A further \$545,300 has been allocated to the project. The funds have been sourced from completed road projects including a surplus on the road resurfacing program of \$290,000. (This was due to lower prices being received for the overall resurfacing program).
- Port Coogee Precinct – An additional \$120,000 is being allocated to address a number of issues in the Precinct including \$53,000 to fix the water feature and playground; \$67,000 to provide funding for more POS maintenance. Part funds (33%) will come from the Reserve and the balance from the Municipal Fund.
- Drainage Maintenance – a further \$110,000 has been provided to complete the 2015/16 enlarged program.
- Verde Drive Footpath project – an additional \$85,000 has been provided to complete this project, which was required due to the scope of the project being increased.
- Flooding on Hammond Road (Tony Ales) – An amount of \$64,000 has been provided to fix flooding issues on this part of Hammond Road.
- A number of new projects have been added due to the urgent nature of the work required. \$60k for seven facilities to address roof issues (anchor points), \$25k for emergency lighting at 4 facilities and \$20k for Fencing issues at a number of Cockburn facilities.

Municipal Budget position as at 31 December 2015

Based on the attached budget amendments, the City’s municipal budget position for 2015/16 is projected to 30 June 2016 as follows:

Projected Budget Position of 2015/16 and adoption of these recommendations:

Adopted Closing Municipal Position for 2015/16	\$360,000	Surplus
LESS net budget adjustments before statutory budget review	\$56,941	Reported in monthly Agenda
Closing Municipal Position before mid-year review	\$303,059	Surplus
Mid-year budget review items:		
Net revenue (external funding)	-	Reduced revenue
	\$5,425,654	
T/F from Reserves	-\$95,288	Reduced transfer from



		Reserves
Net adjustment - capital expenditure	\$1,619,426	Reduced capital spending
Net adjustment - operating expense	934,451	Reduced operating spending
T/F to Reserves	\$4,252,704	Reduced t/fr to Reserves
Net mid-year budget review adjustment	\$685,639	Increased Surplus
Closing Municipal Position after mid-year review	\$388,698	Balanced Budget

Any additional funds arising from an end of financial year surplus the Mid-Year Budget Review are intended to be allocated to the Road Reserves for capital expenditure in 2016/17.

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 Municipal Budget will be amended in accordance with the recommended changes.

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

1. Mid-year 2015/16 Business Plan Review.
2. Schedule – Mid-year Municipal Budget Review 2015/16.

Advice to Proponent(s)/Submissioners

N/A



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

Nil.

16. ENGINEERING AND WORKS DIVISION ISSUES

16.1 (MINUTE NO 5727) (OCM 11/2/2016) - MATTERS TO BE NOTED FOR INVESTIGATION WITHOUT DEBATE - BEAUTIFICATION OF SPEARWOOD AVENUE (146/002) (A LEES) (ATTACH)

RECOMMENDATION

That Council

- (1) continue with the Friendship Way landscaping program; and
- (2) consider placing funds in the 2016/17 Municipal Budget based on a detailed cost estimate to be provided by Council officers for the vegetation screening treatment.

COUNCIL DECISION

MOVED Clr L Sweetman SECONDED Clr K Allen that Council:

- (1) continue with the Friendship Way Landscaping Program;
- (2) consider placing funds in the 2016/17 Municipal Budget based on a detailed cost estimate to be provided by City Officers for the colorbond fencing or concrete panels option with or without the removal of existing fences; and
- (3) authorises City Officers to consult with affected property owners on the Colorbond Fencing option prior to the completion of the 2016/17 budget.

CARRIED 6/2

Reason for Decision

Waiting 5-10 years for piecemeal fence replacement as development potentially occurs, and for the screening trees to reach greater maturity does not provide the optimal outcome for the completion of Friendship Way, which is now in its ninth year of works. Planting vegetation is a high maintenance, higher cost option that does not guarantee the desirable result, which is a uniform, beautified entry statement to Coogee from the east or to Spearwood from Fremantle. Colorbond or concrete panel fencing is a low cost, low maintenance and good quality option.



Background

At the September 2015 OCM Deputy Mayor Carol Reeve-Fowkes requested a report be prepared regarding the beautification of Spearwood Avenue, between Rockingham Road and Hamilton Road. The intention being to provide appropriate screening to the assortment of back fences and create a more visually appealing interface. This report provides the City's current strategy for this section of road.

Submission

N/A

Report

In 2007 the City of Cockburn's Sister City Committee resolved to dedicate the length of Spearwood Av as a "Friendship Way". The committee adopted the division of Spearwood Ave into five (5) sections with each section dedicated to the City's endeavours in forming good relations within its own community and communities around the world. A sixth section, Australia, was added during the master planning stage in order to preserve the continuity of the route. The six sections along Spearwood Ave are as follows:

- Mobile – Cockburn Rd to Hamilton Rd
- Peace - Hamilton Rd to Rockingham Rd
- Australia – Rockingham Rd to Doolette St
- Nyungar – Doolette St to Sudlow Rd
- Yue Yang – Sudlow St to Barrington St
- Split – Barrington St to Beeliar Dr

The design strategy composed for Friendship Way enabled a reflective style that accentuated the special characteristics of each Sister City, designated to that section of the road. Key elements included the relationship with the City, a totem or symbol of the Sister City or community, a welcome in the local vernacular and themed planting. Concepts were developed over time principally framed around road pavement upgrade timeframes, with further refinement at detail design stage which provided greater interpretation of the respective community characteristics. Since inception of the Friendship way program, works have been completed to Spilt, Mobile and Yue Yang sections of Spearwood Ave. The remaining three sections are currently being staged over a number of years to accommodate the Park Service Units, 10 year capital works program funding parameters. It is anticipated that these sections will be completed over the next two financial years subject to Council adoption.



The Peace section, the subject of this report, is dedicated to commemorating world peace and is framed with one of the City's war memorials at Beale Park, Hiroshima Peace Park and residential properties backing onto Spearwood Ave. The symbolism for peace has a myriad of associations with the City's Landscape Architect identifying the non-fruiting high decorative pink almond to line the verge of this section of Spearwood Ave as the most appropriate tree species. In Japan, cherry blossom is celebrated typically by family gatherings and picnics or cherry blossom festivals. The planting of ornamental almonds to the verges will provide screening to reduce the prominence of the fences and mitigate pruning for the overhead powerlines. On maturity the ornamental almonds will provide an attractive streetscape that will change in foliage and flower through the seasons.

The introduction of plaques depicting the Noble Peace prize winners to the footpaths, further embodies the sentiments of world peace and combined with the almonds will provide a unique character to the street environment. In addition to these elements, the Peace section commences with a large wall at the Hamilton Rd intersection, which provides the back drop for a white dove that symbolises the pathway to world peace. Further works to the Peace section include landscaping to the median island, Hamilton Rd roundabout and associated entry garden beds.

The proposed treatment to the section of Spearwood Ave between Rockingham Rd and Adela Pl (South side) / Beale (North side) will provide a filtered screen which over time will reduce the prominence of these fences. Furthermore these properties have been rezoned to R40 enabling an increase to the number of dwellings per lot. This development framework has already resulted in two properties on Adela Pl being redeveloped which has included the installation of new fencing to Spearwood Ave. It is envisaged that over the next 5 to 10 years a number of these properties will proceed with redevelopment, resulting in the renewal of the fences to Spearwood Av. This renewed interface along with the maturing almonds will transform the landscape for the motorist and pedestrians accessing this section of the Spearwood Ave road network.

Although the proposed landscape treatment and impending development will change the presentation of Spearwood Ave, there are opportunities should Council determine such are warranted. Principally the renewal of fences is the prime option as the construction of any fencing or screening within the road reserve is constrained due to utilities and topography of the site. A list of properties bordering the section of Spearwood Av under review, respective fencing material and their access to Spearwood Av is outlined in Table 1.



Table 1: Properties adjacent to Spearwood Av between Rockingham Rd and Adela PI (South side) / Beale (North side)

Address	Fence Material				Vehicle Gate	Gate	Cross over
	Colour bond	Brick	Fibro	Asbestos			
2 Adela PI				✓			
10 Adela PI				✓			
12 Adela PI				✓			
14 Adela PI	✓						
16 Adela PI				✓			
18 Adela PI				✓			
20 Adela PI	✓	✓					
22 Adela PI				✓			
24 Adela PI			✓	✓			
26 Adela PI			✓				
28 Adela PI			✓				
317 Rockingham Rd			✓	✓			
33 Leaside Way				✓	✓	✓	
35 Leaside Way				✓			
37 Leaside Way				✓			
39 Leaside Way				✓			
41 Leaside Way	✓		✓	✓			
43 Leaside Way				✓	✓		
45 Leaside Way	✓						
47 Leaside Way				✓		✓	
49 Leaside Way				✓	✓		
51 Leaside Way				✓	✓		
53 Leaside Way			✓	✓		✓	
55 Leaside Way		✓					
311 Rockingham Rd				✓	✓		✓

Based on the fencing analysis outline on Table 1 there are four options that are discussed further to deliver a continuous fencing style to the section of Spearwood Av under review. The extent of fencing is shown in the attachment.

Fibro Fencing

Fibro fencing is a standard type of fencing used commonly in new residential suburbs with level housing plots. Fibro fencing sits 1800mm from ground level with a primary installation process which on completion provides a uniform frame. The risk with this product is the existing topography varies along the entire length which would result in a fluctuating line. Although six boundary fences are fibro, to ensure a consistent and continuous line a totally new line would require consideration. An indicative cost to remove the existing fencing, excluding the brick walls, and install fibro fencing is \$100,000.



Colour Bond Fencing

Colour bond fencing has increased in preference to fibro fencing due to the reduced cost, colour range and improved longevity. Colour bonding fencing can range in height from 1800mm to 2400mm with installation slightly more onerous than fibro fencing. The benefit of colour bond fencing in this situation with an undulating ground form is the ability to terrace the panels to a predetermine finish height. With four properties with colour bond the ability to integrate new panels would be relatively easy to facilitate. Based on the current framework an indicative cost to install colour bond fence is \$75,000

Brick Wall

The construction of boundary brick walls is common in new subdivisions specifically at major entry points and at strategic locations that complement the design elements of the estate. Brick walls have structural integrity over fibro and colour bond fences and can be architecturally designed to create a visually attractive road landscape and eliminate variances in ground levels. As there are two (2) properties currently with brick walls it would be prudent to continue with similar brick patterns and colour. Indicative costs for the construction of a brick wall is \$350,000

Concrete Stencilled Wall

Concrete stencilled walls are principally used on major road project for noise attenuation and soil retention. These walls are prefabricated offsite and accommodate stencilled or moulded designs in accordance with the architectural vision. Typically concrete walls are framed with "I" beams, powder coated to match, that have been drilled into place prior to delivery of the walls. The prospect of prefabrication enables designs to accommodate the fluctuating ground levels facilitating clean lines through the landscape. The impediment to delivering this product is the existing brick walls which on one lot is a component of the dwelling. An indicative cost for the installation of a concrete stencilled wall is \$450,000.

The delivery of either of these options will need to consider the removal and disposal of the existing asbestos fencing which could exceed \$100,000 subject to extraction conditions and landfill fees. Also with a number of property owners having access to Spearwood Ave via gates and one with a crossover a determination of their continuing existence will be required. Furthermore the City is exempt under the Dividing Fences Act 1961 and any decision that considers the investment to replace the fences will require legal advice on the proposition and a comprehensive risk audit.



The action to replace these fences and install new infrastructure would set a precedent for other property owners across the City adjacent to road networks or public open space. As this report is essentially a feasibility study no community engagement has been conducted with any of the affected property owners and should Council proceed with any option, will require such engagement to be carried out.

The above cost estimates are summarised in the table below:

Table 2 Cost Summary of Fencing Options

Fencing Option	Fence Estimate (\$)	Asbestos Removal (\$)	Total (\$)
Fibro	100,000	100,000	200,000
Colour Bond	75,000	100,000	175,000
Brick work	350,000	100,000	450,000
Concrete stencilled	450,000	100,000	550,000

As a result of the design intent for this section of Spearwood Ave and the road reserve constraints, the request for additional beatification to screen the fences that back on to Spearwood Ave between Rockingham Rd and Adela Pl should be considered following completion of the entire works program and full maturity of the ornamental almonds. City Officers have produced a view of either side of this section of Spearwood Avenue with the existing trees at maturity and these two images are included for reference in the attachment. When the trees reach maturity the visual presentation of the verges will be much improved and hence it is recommended that this is the preferred option.

In the interim, planting low level bushes or shrubs along the existing fence lines would provide some screening to the fences and this would be a cost that Council could consider for the 2016/17 budget. An indicative cost to supply, plant and maintain would be approximately \$200,000. This cost comprises installation of a bore water supply for irrigation in the reserve adjacent to the railway line to the south west of the site and a supply along both fence lines and the installation of mature stock hedges.

Truck watering from Spearwood Avenue to the fence lines has been assessed as not practical for such a number of years and hence the bore supply would be required. The bore supply for irrigation means that ongoing maintenance costs for the screening vegetation would be minimal. It could also be argued that the installation of the bore in the reserve would facilitate the development of the reserve and hence provides a benefit to the City separate from the streetscape upgrade.

More investigation would be needed to better quantify the cost of the bore supply and screening vegetation in order for Council to consider this option further as part of the 2016/17 budget deliberations.



Strategic Plan/Policy Implications

Environment & Sustainability

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

Budget/Financial Implications

Inclusion of the remainder of the landscape program in the City Long Tem Financial Plan.

Legal Implications

N/A

Community Consultation

The local community would be consulted as part of the ongoing landscape program.

Attachment(s)

1. Spearwood Avenue Fencing Options
2. Images of Spearwood Avenue Verges (5 to 10 years)

Advice to Proponent(s)/Submissioners

N/A

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

N/A

16.2 (MINUTE NO 5728) (OCM 11/2/2016) - PETITION - REMOVAL OF 5 CASUARINA TREES FROM THE PORT COOGEE STREETSCAPE DUE TO HEALTH & SAFETY CONCERNS (148/003) (A LEES) (ATTACH)

RECOMMENDATION

That Council

- (1) not remove the 5 *Casuarina equisetifolia* subspecies *incana*. located on Socrates Parade adjacent to the Ocean Edge Apartments; and
- (2) advise the petitioners of Council decision in writing.



COUNCIL DECISION

MOVED Cllr K Allen SECONDED Deputy Mayor C Reeve-Fowkes that Council:

- (1) lift and transplant the 5 *Casuarina equisetifolia* subspecies *incana*, into the north west region of the park so as to avoid the south west winds opposite the Ocean Edge Apartments, located on Socrates Parade, to create shade in the Public Open Space;
- (2) transplant the five trees during the autumn/winter months to maximize transplantation success rate;
- (3) replant 5 smaller low growing shrubs appropriate for the marine environment in front of these apartments;
- (4) require the cost of relocation to be shared by property owners requesting this outcome as per Position Statement PSEW15 'Removal and Pruning of Trees'; and
- (5) advise the residents accordingly.

MOTION LOST 3/5

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

- (1) defer the item to consider removal the 5 *Casuarina equisetifolia* subspecies *incana*, located on Socrates Parade adjacent to the Ocean Edge Apartments, pending full consultation with all owners who have balconies overlooking Socrates Parade, and a report being returned to Council that includes the outcomes of consultation, on the proviso that if Council were to support relocation to the north west region of the Park so as to avoid prevailing south westerly winds, the cost of relocation would be shared by supporting owners as per PSEW 15 Position Statement on Removal and Pruning of Trees; and
- (2) advise the petitioners of Council's decision in writing.

CARRIED 8/0

Reason for Decision

A factor in selecting this species of tree for this location was its wind amelioration properties and provision of shade at maturity, along with its suitability for the local environment and the amenity of the



streetscape as detailed in the street tree master plan. If the trees were relocated to the opposite side of the road, the wind amelioration benefit would be negated as well as the change to the streetscape presentation. For these reasons, it is prudent that all owners with apartment balconies overlooking Socrates Parade be consulted and a report provided back to Council with a schedule of any comments received prior to any decision on relocation occurring. Given that the trees do not meet any of the criteria for removal under PSEW15, the cost for relocation must be shared by advocating owners.

Background

At the September 2015 OCM, a petition was received for the removal of five (5) Casuarina trees located within the Port Coogee Streetscape directly adjacent to the Ocean Edge Beachside Apartments. The submission, registered by five (5) residents from the beachside apartments, provides a foundation for the removal of the Casuarina trees only on Socrates Parade with the identical tree species on Napoleon Parade to be retained. Following receipt of the petition an Ecologist was engaged to confirm the tree species and an Arboriculturalist to investigate the health and safety concerns raised in the petition. A copy of the Petition is included for reference.

Submission

N/A

Report

The Ocean Edge Beach Apartments are located at 37 Orsino Boulevard, North Coogee within the Port Coogee Development. The apartment block is bordered by Orsino Boulevard, Socrates Parade, Napoleon Parade and Socrates Park (Reserve No 50980). Construction of the apartment block commenced in early 2013 with completion in late 2014. The apartment is regulated on a residential strata unit configuration with 101 individual lots. The petition has been signed by seventeen (17) individual unit owner's residing in thirteen (13) different units with five (5) individual tenants from four (4) units. The remaining forty eight (48) signatures reside within the suburbs of the City of Cockburn and suburbs outside our boundaries including; Willetton, Palmyra, Parkwood, Guildford, Darlington, and Bateman. A compilation of the petitioners is provided in the spreadsheet attached.

Port Coogee Development

The Port Coogee development sub division conditions required the development of a Street Tree Master Plan to provide a strategy for the planting of trees within the streetscape realm and public open space to



ensure consistency throughout the entire development site. The firm engaged to develop the master plan was required to define a palette of trees that responded to the environmental conditions of the site, ensure streetscape continuity, alignment and growth habits at full maturity. The plan was to consider future lot developments enabling the appropriate species were selected, location to assist in the amelioration of the prevailing winds and to ensure integration with the built form.

The established master plan would provide clarity for the development and procurement of standard sized trees but also sourcing of mature trees for entry statements and specific locations within the public open space. The master plan provided the foundation for the developer to inform future lot owners of the tree species and location so as to ensure the built design on each lot accommodated the trees future growth. A copy of the original Street Tree Master Plan is attached for reference.

Ecologist Evaluation

The trees located on Socrates Parade, directly adjacent to the Ocean Beach Apartments, have been identified as *Casuarina equisetifolia* subspecies *incana*. The identification method comprised of a specimen collection followed by an evaluation by two (2) Taxonomists from the Western Australian Herbarium and discussions with the current landscape consultant for the Port Coogee development on the source of the plant supplier. The confirmation of the tree species aligns with the street tree master plan approved for the development.

Although various literature on *Casuarina equisetifolia* subspecies *incana*, reports differing growth habits they are typically described as a small tree with a growth height ranging from 6m to 12m with a rounded crown and conical formation. The City currently has two hundred and nine (209) *Casuarina equisetifolia* planted within street verges with the highest being 14m and the widest canopy spread of 10m. The majority of mature *Casuarina* specimens range in height from 7m to 14m.

Arboriculturalist Evaluation

The City engaged the services of a consulting Arboriculturalist to inspect the trees and liaise with relevant professionals and organisations to enable an informed analysis of the concerns raised by the petitioners. A precis of the report is provided below with the full report attached.

Site Investigation

Five (5) young *Casuarina equisetifolia* subspecies *incana* were found within the streetscape of Socrates Pde adjacent to the Ocean Edge



Apartments. The trees were located within garden beds containing understorey plantings and of reasonable health and vitality. The trees are separated from the property boundary by a 3m wide footpath which facilitates access to the on street parking. In addition the consultant identified a number *Casuarina equisetifolia* subspecies *incana* within the subdivision, in accordance with the master plan, that were thriving with some showing signs of stress. Following receipt of the consultant's commentary an action plan is being developed to improve the health and vitality of these poor performing trees.

Pollen Production

Casuarina equisetifolia subspecies *incana* are known to be monoecious, in that they can have both male and female flowers on the same tree or be a single male or female tree. Determination of the flowering is realised once the trees have been established and are a few years old. Comprehension of the flowering body enables the understanding of pollen production which has been raised as a health issue by the petitioners. The five (5) trees on Socrates Parade comprise of two (2) male flowers only, two (2) female flowers only and one (1) male and female flower. Research identifies the male flowers as having a higher pollen production than the female or male/female combination. The volume of pollen produced will be subject to the trees maturity, seasonal impacts and environmental conditions. The pollen produced would be no more prolific than flowering plants, grass and weeds that reside within the streetscape and adjacent public open space. In addition the WA Department of Health provides no literature on the *Casuarina equisetifolia* subspecies *incana* being problematic from a pollen or allergy perspective.

Tannin's

The *Casuarina equisetifolia* subspecies *incana* has needle like foliage which is essentially green jointed branchlets that function similar to a leaf. The leaves are tiny tooth like structures that protrude from around the top of each joint. Tannins contained within this foliage would be of no higher value than the majority of trees throughout the City. Tannins are a class of chemical based on polyphonic structures, water soluble and the colour component of tea. Research doesn't consider tannins to be carcinogenic.

She-oak Moth

The *Casuarina species* is susceptible to the She-oak moth; however it is not as prominent as on the east coast of Australia. Although the She-oak moth differs between male and female species they have a common wing span of 3 cm. The moth is typical of most insects in that they are attracted to bright lights. As no moths were evident at the time



of inspection a detailed analysis maybe required to confirm whether this is the species that is impacting the residents or another species attracted by the surrounding landscape.

Limb Failure

The structure and foliage of the *Casuarina equisetifolia* subspecies *incana* has the ability to tolerate strong winds more than any other species. This is predicated on the branches ability to bend more efficiently in strong winds and the needle like foliage allows wind to pass through unabated. These characteristic and ability to grow within sandy coastal soils make them a preferred tree species for coastal developments. As trees are a part of the natural environment it is impossible to determine when limb failure will occur; however, should a tree have a series of failures an investigation will be conducted and works actioned accordingly.

Fruit and Nut Drop

The *Casuarina equisetifolia* subspecies *incana* health and vitality will determine the volume of fruit and nut growth. However the volume produced would be no different to other tree species i.e. Eucalyptus trees, Bottlebrush trees, Melaleuca trees, or Plane trees. There is no research to whether the male or female species develop more fruit than the other; however their fruiting period extends from March to April and is retained on the tree for a period of time. The management of the falling fruit and nuts is facilitated during the regular servicing to the streetscapes.

Recommendation

The consultant is of the opinion that there is no substantive reason to remove the five (5) *Casuarina equisetifolia* subspecies *incana*. However, it is recommend that annual inspections are undertaken with the view to conducting selective pruning to remove any overhanging foliage into the adjacent property.

Position Statement PSEW 15 'Removal and Pruning of Trees'

PSEW 15 provides clear direction to City officers when requests are received for the removal and pruning of trees growing on land under the direct care, control and management of the City. The position statement specifically outlines that trees will not be removed unless they are dead, in state of decline, structurally unsound, damaging or likely to damage property when alternatives to prevent damage are not possible or part of a tree replacement program.



Based on the current health and structural integrity of these trees and that the trees are not causing any damage, officers are unable to proceed or recommend removal. However, PSEW 15 outlines a process where Council can elect to the removal of the tree(s) following an officer's report detailing the request, which is the subject of this report. Where council has resolved to authorise the removal of the tree(s) the full cost of the removal will be borne by the property owner making the request. Following removal the Council at its cost will plant a replacement tree, suitable for the location.

Managing Street Trees as an Asset

It is important to understand the asset value of trees within the built environment and their mitigating value to the heat island effect. Trees provide a broad range of benefits including; reduction of air pollution, reduction of UV exposure, improved well-being, reduced demand for energy, etc. There is also research which clearly attributes the location of a verge tree with an increase to the adjacent property value. Additionally the recent audit of the City's street tree network, which was valued at \$130m (based on an 80% pick up), shows the average value of a tree at \$3,600 is worth retaining until all other retention mechanism have been exhausted.

Street Tree Selection

As outlined in the City's Public Open Space Strategy the selection of a tree species is made to reinforce climatic, environmental, historical, cultural and natural associations. Trees selected will be in scale with other components of the streetscape and subject to service alignment, surrounding infrastructure with the largest growing species identified. The key street tree selection objective of 'the right tree for the right location' ensures that the selection of the species is appropriate to local environmental conditions and the constraints of the planting location. Additionally the species selection aims to ensure that the tree makes a positive contribution to environmental, amenity, aesthetic and heritage values of the area and any negative impacts are minimised. The tree selection for the entire Port Coogee Development went through a robust and exhaustive process to ensure the viability and success of the various tree species.

Recommendation

The research and composition of Port Coogee Development Street Tree Master Plan has provided the City with an environmentally sensitive palette of street trees that integrate with the built form to benefit all community members. The tree species selected for Socrates Parade ensures the principal aspects of the prevailing environmental



conditions have been fully considered and minimal impacts to the adjacent property owners.

The removal of these trees will establish an undesirable precedent in that other requests for similar or more minor reasons will be received and warrant Council resolution. Based on the Arboriculturalist report, the City's position statement PSEW15 and comprehensive program for managing street tree, it is recommended that the *Casuarina equisetifolia* subspecies *incana* adjacent to the Ocean Edge apartments are not removed.

Strategic Plan/Policy Implications

Community & Lifestyle

- Promotion of active and healthy communities.

Environment & Sustainability

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

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

1. Petition to Remove 5 x Casuarina Trees adjacent to the Ocean Edge Apartments
2. Spreadsheet of petitioners
3. Port Coogee Street Tree Master Plan
4. Ecoscape Report – Casuarina identification: 37 Orsino Boulevard (Socrates Parade)
5. Paperbark Technologies Report – Arboricultural Advice 37 Orsino Boulevard, Port Coogee

Advice to Proponent(s)/Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 11 February Council Meeting.



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

N/A

16.3 (MINUTE NO 5729) (OCM 11/2/2016) - TRAFFIC DIVERSION TRIAL - KNOCK PLACE, JANDAKOT (163/002; 163/006; 159/009) (J MCDONALD & C SULLIVAN) (ATTACH)

RECOMMENDATION

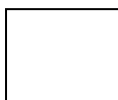
That Council

- (1) receive the report on the results of the traffic diversion trial conducted at Knock Place Jandakot in December 2015, as attached to the Agenda;
- (2) authorise City officers to further investigate the cost of permanent traffic diversion arrangements, including completion of the consultation with MRWA and with local business owners on such proposed arrangements;
- (3) complete the design and cost estimate of Verde Drive from the existing intersection with Biscayne Way through to Solomon Road for consideration by Council in 2016/17 Municipal Budget; and
- (4) provide a further report to Council for consideration.

COUNCIL DECISION

MOVED Mayor L Howlett SECONDED Cllr S Portelli that Council:

- (1) receive the report on the results of the traffic diversion trial conducted at Knock Place Jandakot in December 2015, as attached to the Agenda;
- (2) advertise the continuation of the trial with a proposed re-commencement date of 1 March 2016 through to 31 October 2016 with a permanent sign stating the deviation is from 3.00pm to 6.00pm being erected at the Knock Place/Solomon Road intersection and other temporary signage identifying the alternative route to Armadale Road;
- (3) address the feedback from business owners, commuters etc about improvements to the road hierarchy, the phasing of signals at the Armadale and Tapper Road intersection and other



- matters in the lead up to the re-commencement of the trial;
- (4) authorise City officers to further investigate the cost of permanent traffic diversion arrangements, including completion of the consultation with MRWA;
 - (5) complete the design and cost estimate of Verde Drive from the existing intersection with Biscayne Way through to Solomon Road for consideration by Council in 2016/17 Municipal Budget; and
 - (6) provide a further report(s) to Council for consideration as deemed necessary.

CARRIED 8/0

Reason for Decision

There is compelling evidence from the feedback received in the post-trial survey results from the majority of users that the trial was successful. The outcome can be improved still further for all stakeholders by actively addressing the feedback from the surveys and where necessary providing further reports to Council on the need to consider funding in the 2016/17 Municipal Budget or subsequent years.

Background

At the Ordinary Council Meeting held on 12 November 2015, the Council considered a report addressing a Notice of Motion (Item 19.1 refers) raised by Mayor Logan Howlett about traffic congestion in Knock Place, Jandakot. As a result, the Council adopted the following recommendations:

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.*

This report presents the results of the trial and discusses the implementation of the above recommendations.

Submission

N/A

Report

Background

The car park on Knock Place, Jandakot for commuters using the Cockburn Central Train Station, was extended by the Public Transport Authority (PTA) by 450 bays in 2012 resulting in a total car park capacity of approximately 1000 bays, which includes additional parking on the north side of Knock Place. That extension was approved on 22



March 2011 by the Western Australian Planning Commission (WAPC) despite the City's objection to the proposal in January 2011, which was based on:

"..the absence of information demonstrating that vehicular traffic can be adequately managed throughout the area, which includes the wide road network.

The proposal has the potential to considerably increase vehicular traffic movements, which will exacerbate existing traffic problems in this area. The proposal does not demonstrate to the City's satisfaction that the increased vehicular traffic can be adequately managed."

The WAPC approval for the car park extension was subject to a number of conditions, the following conditions being most relevant to the traffic issues relating to Knock Place:

- (8) *The applicant/owner shall be responsible for all costs associated with the land acquisition, and design and construction of road upgrades, as identified in the Traffic Impact Assessment prepared by TARSC Pty Ltd, dated 12/01/11. This includes road markings, relocation of services, street lighting, and the costs incurred by Main Roads Western Australian for the checking of construction drawings and any required site inspections.*
- (12) *The installation of a roundabout at the intersection of Solomon Road and Avior Avenue, including upgrades to the intersection as required, to the satisfaction of the City of Cockburn, prior to the completion of approved development works.*

For reference, the road upgrades recommended in the report by TARSC Pty Ltd included:

- Modification of the Solomon Road/Knock Place intersection to permanently restrict the right turn out of Knock Place at all times.
- Construction of a roundabout at the Solomon Road/Monash Gate/Avior Avenue intersection to facilitate U-turn movements, primarily by commuter traffic during the PM peak hour.
- Installation of direction signs to guide motorists along the suggested traffic diversion route of Solomon Road, Cutler Road, Biscayne Way and Verde Drive to Armadale Road.

The installation of the above treatment by the PTA has not progressed because the City has not permitted these upgrades to be made to the local road network. Instead, the City has been working with Main



Roads Western Australia to investigate the traffic in that area in more detail and possibly identify other potential solutions. As an example, a joint traffic study commissioned by the City and MRWA found that traffic signals could be installed at the Armadale Road/Solomon Road intersection and perform at an acceptable level but that treatment was not supported by MRWA.

The ongoing frustration and complaints about long delays received by the City from drivers seeking to exit Knock Place during the PM peak hour since 2012 led to Council adopting the above recommendations at the OCM of November 2015. In the afternoon peak period, exit times were reported and confirmed as being up to 45 minutes or even up to 90 minutes at times.

Implementation of Council recommendations

Commentary on the results of the trial follows.

- (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.*

This recommendation was addressed in late November/early December by sending a letter to all businesses/property owners in the area bounded by Armadale Road, the Kwinana Freeway, Cutler Road and Verde Drive. Commuters were made aware of the trial by signs erected close to the station access and information sheets handed out by City officers during morning peak periods.

In both cases, the businesses and commuters were asked to complete an on-line survey form, at which time they could also provide comments. A total of 230 responses were received to that survey. The split between business owners and car park commuters was 16% and 84% respectively. Support to conduct the trial was 76% yes, 24% no. With this level of support, the trial was conducted.

- (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 Rd. and hence gaining access to Armadale Road, as shown in the attachments to the Agenda;*



The two week traffic management trial commenced on Monday 7 December and ended on Friday 18 December.

Works undertaken for the diversion trial included the installation of temporary barriers and signage for delineation purposes to limit access to Knock Place to left-in / left-out only. Barriers were removed every day at the end of the trial period. The trial diversion route is shown below:



That trial was successful at reducing the delays experienced by commuters exiting Knock Place between the hours of 3 pm and 6 pm. However, as anticipated by City officers and many of the survey respondents, the diversion of traffic created problems elsewhere on the local road network including:

- Motorists performing U-turns at the end of the temporary barriers in Solomon Road to return towards Armadale Road.
- Motorists turning right into the Petrol Station at the intersection of Solomon/Armadale Roads to return towards Armadale Road.
- Motorists using the driveways of businesses along Solomon Road to turn around and return towards Armadale Road.
- Motorists turning into Monash Gate or Avior Avenue and immediately performing a U-turn to return towards Armadale Road.
- Increasing the existing traffic queue on Verde Drive, extending back from the Armadale Road traffic signals, back into Biscayne Way and Cutler Road.



- (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;*

A follow-up survey was opened during the second week of the trial and the same methods were used to invite feedback from businesses and commuters. A total of 162 responses were received, with a split of 3% business owners and 97% commuters. All five business owners rejected the trial is being an impediment to the operation of their businesses. For the commuters who responded, 76% supported the trial and 21% did not, to the question of improvement to time delays in exiting the car park (i.e. 3% undecided). A similar split among commutes (76% and 22%) was received to the question about the effect of the trial on overall travel time.

A response of 67% for and 32% against was received the question of whether the Knock Place/Solomon Road intersection should be permanently left in/left out into the future.

- (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.*

Following confirmation of the cost of the trial, the City's Director of Engineering and Works has written to the Hon. Joe Francis MLA requesting his support in obtaining half the cost of the trial from the PTA. This matter is still ongoing.

- (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.*

Installing signage to ban right turns from Knock Place during only a part of the day is not supported because it would have a high level of non-compliance by motorists, unless there is constant CCTV surveillance with a resolution that allows infringements to be issued.

To be as effective as possible, there needs to be physical restrictions in the form of traffic islands, to control vehicle movements. This concept needs further consultation with MRWA. Design aspects being assessed by City staff include a dedicated left turn slot out of Knock Place to allow the right turn into Knock Place to be retained as well as median modifications to prevent the u-turn movements back to Armadale Road noted above.



- (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*

The attachment identified an illegal vehicle movement over private properties on the north side of Knock Place to gain access to Verde Drive west of Solomon Road which the City needs to address.

Should Council resolve to make the trial diversion permanent, vehicle access/egress for the affected businesses must be considered and further consultation carried out (bearing in mind the responses from business owners to the post trial survey mentioned above).

- (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.*

The local business owners were all informed of the proposed trial before the event. Further consultation would be required should Council decide to implement a permanent diversion based on the results of the trial. This will be carried out once a decision on this matter has been made by Council.

It should be noted that City officers have been in discussion with the Swires Group in relation to the extension of Verde Drive to Solomon Road. This is primarily part of the development of the local road network leading on from the Community Connect South initiative including the proposed extension of North Lake Road to Armadale Road. In relation to the diversion of traffic, the extension of Verde Drive would shorten the diversion route from Knock Place to the intersection of Verde Drive and Armadale Road.

City officers will be completing the design and cost estimate with a view to inclusion of the project for Council's consideration in the 2016/17 budget.

Conclusion

The following conclusions can be drawn from the results of the trial:

- The trial was well supported by commuters using the car park areas and showed improvement in the afternoon traffic peak period travel times.
- The trial was not supported by the local business owners who responded to the surveys.



- Further investigation is required by City officers for the design of traffic controls to make the intersection of Knock Place/Solomon Road permanently left in/left out, to allow a cost estimate to be produced and consultation carried out with MRWA and local business owners.
- Extension of Verde Drive from the existing intersection with Biscayne Way through to Solomon Road will shorten the proposed diversion should Council decide to implement such diversion as well as progressing the development of the local road network
-
- A further report can then be submitted for Council's consideration.

Strategic Plan/Policy Implications

Leading & Listening

- Effective and constructive dialogue with all City stakeholders.

Moving Around

- An integrated transport system which balances environmental impacts and community needs.
- A safe and efficient transport system.
- Infrastructure that supports the uptake of public transport and pedestrian movement.

Budget/Financial Implications

The cost of the trial has now been confirmed as \$12,100.

Legal Implications

N/A

Community Consultation

As part of this trial, consultation was undertaken with the commuters who use the car park on the east side of the Cockburn Central Rail Station and the businesses in the local area defined above.

Attachment(s)

Knock Place Jandakot - Review of PM Peak Hour Traffic Diversion Trial.



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 Ordinary Council Meeting 11 February 2015 and a decision made on the future traffic arrangements.

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

Nil.

17. COMMUNITY SERVICES DIVISION ISSUES

17.1 (MINUTE NO 5730) (OCM 11/2/2016) - PROPOSED NEW LOCALITY NAME OF TREEBY - BANJUP (NORTH OF ARMADALE ROAD) (159/008) (D GREEN) (ATTACH)

RECOMMENDATION

That Council

- (1) advises the Geographic Names Committee (GNC) that it supports the creation of a new locality to be named 'Treeby' for the entire current area of Banjup located north of Armadale Road; and
- (2) informs those who lodged a submission and the Banjup Resident's Group of Council's decision.

COUNCIL DECISION

MOVED Clr S Portelli SECONDED Clr C Terblanche that Council advise the Geographic Names Committee (GNC) that:

- (1) it does not support the proposal to re-name the entire current area of Banjup north of Armadale Road as a new locality of 'Treeby' on the basis of differing land uses within that defined area;
- (2) it reiterates its preference that the current area of Banjup located in the Resource (Rural) Zoned land, north of Jandakot Road, be included in the adjacent locality of Jandakot, and
- (3) the new locality of 'Treeby' be created in the area of land contained in Council's original decision of August 2015, as highlighted in the attachment to the Minutes.

CARRIED 8/0



Reason for Decision

Council's initial proposal was submitted to clearly define different land use types.

Treeby as originally proposed will be residential with Public Open Space and a nature reserve bounded by Armadale Road to the South and Jandakot Road to the North. The area north of Jandakot Road is never likely to be rezoned to accommodate urban residential development and will continue to be used as a buffer to the Jandakot Airport.

It is considered important that the traditional land uses in this area be recognised to ensure the tenure of those located in the Resource Zone is more definite, while enabling a new urban population to develop and be emphasised as a separate locality.

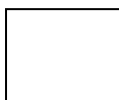
Background

At the Ordinary Meeting of Council held on 13 August 2015 it was resolved as follows:

That Council:

- (1) *advises the Geographic Names Committee (GNC) that it supports:*
 1. *The creation of a new locality to be named "Treeby" for the area of Banjup bounded by Armadale Road, Warton Road, Jandakot Road, Solomon Road, Dollier Road and the current Jandakot (north / south) location boundary between Dollier Road (to the north) and Armadale Road (to the south) and "Quendalup" as second priority, as shown in the attachment to the Agenda.*
 2. *The inclusion of the area of Banjup bounded by Jandakot Road, Warton Road, Acourt Road and Fraser Road into the existing locality of Jandakot.*

Accordingly, GNC was informed of Council's decision, accompanied by information and data supporting the resolution.



Submission

To reconsider sub-clause (1) 2. of the Council resolution and allocate the name “Treeby” to the entire part of Banjup currently situated to the north of Armadale Road.

Report

GNC has responded to Council’s August 2015 decision by informing that it considers “Treeby” to be an appropriate locality name and would support its application to the area of land proposed by Council.

However, it also suggests that the land described in part (1) 2. of its previous decision could also be allocated the name “Treeby”, given its proximity and the preference to transfer the entire current area of Banjup (north of Armadale Road) and apply it in its entirety and reflect the new name only once.

Coincidentally, this proposal was also one which was pursued by the Banjup Resident’s Group in July 2015, when it was circulating a petition of residents within the Rural / Resource Zone areas of (north) Banjup.

This exercise resulted in a 53 signature petition being collected in support of the name “Treeby” to be considered as Council’s first preference, when the item was presented to Council in August 2015.

The related officer report did not include reference to the petition on the basis that the previous Council decision (July 2015) was for the City of Cockburn to arrange its own community consultation with residents of the affected areas in order to gauge community opinion on the proposals prior to making its recommendation to GNC in August 2015.

Accordingly, the information received from both the City instigated consultation has been cross referenced, in order to determine if there was any notable level of support for what is now being suggested by GNC. As a result of that exercise, the following outcomes can be realistically concluded.

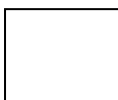
1. The main “community of interest” for the area under reconsideration is comprised mainly of 98 Rural / Resource Zoned lots of approximately 2 ha area and located in the north eastern corner of the current Banjup locality
2. A further 12 large lots are also located in that area of Banjup, under the ownership of various State Government departments.



3. The previous consultation methodology employed by Council captured 98 of the 110 landowners referred to in 1. and 2. above in order to ascertain the level of support for their land to be transferred from “Banjup” to “Jandakot”. This exercise resulted in 39 responses (none from Government agencies) with 15 in favour and 24 against. Of the 24 against, 10 nominated “Treeby” as the preferred name, 1 preferred “Quendalup”, 4 preferred to remain “Banjup” and 9 offered no comment.
4. A further 14 landowners were consulted on whether they were in favour of being included in the new locality proposed to be situated south of Jandakot Road as an outcome of the newly developed residential area commencing with the “Calleya” Estate. These landholdings are also 2 ha “lifestyle” lots. This resulted in 1 response in support of the proposal for the name “Kwentalup” and 13 against. Of the 13 against, 5 nominated “Treeby” as the preferred name, 3 preferred “Quendalup”, 1 preferred to remain “Banjup” and 4 offered no comment.
5. The petition separately circulated by the Banjup Resident’s Group (supporting the name “Treeby” to be recognised) contained 9 signatures from “Rural Zone” landholders who had not responded to the Council’s consultation questionnaire referred to in 3. above.
6. The sum of responses received from the “Rural / Resource” areas totalled 62 (of a possible 112) which represents a 55% response rate. The distribution of these responses resulted in the following preferences:
 - 24 favoured “Treeby”
 - 15 favoured “Jandakot”
 - 13 opposed “Kwentalup” or “Quendalup”, but offered no other comment
 - 5 favoured retaining “Banjup”
 - 4 favoured “Quendalup”
 - 1 favoured “Kwentalup” or “Quendalup”

Given these findings, it would seem that a large proportion of the longer term (Rural / Resource Zone) residents have embraced the name “Treeby”. It is worth noting that this support came about, despite not being promoted by the City of Cockburn initially.

Accordingly, given its suitability and a substantial level of support in residents of the area proposed to be incorporated into the new locality, it is recommended that Council advises GNC that it supports the name “Treeby” to be allocated to a new locality, as depicted in the attachment.



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

- Effective advocacy that builds and manages relationships with all stakeholders.
- A responsive, accountable and sustainable organisation.

Budget/Financial Implications

N/A

Legal Implications

Council's role is limited to recommending its preference to the Geographic Names Committee, which is established under the Land Administration Act.

Community Consultation

Council has previously consulted with the affected landowners, details of which were contained in the report provided to Council in August 2015. The results of that exercise confirmed that a large proportion of the landowners are new or future residents who have minimal interest in the nomenclature of the new locality.

Accordingly, it is not considered necessary to undertake further consultation with the community due to this ambivalence.

Attachment(s)

1. Map of proposed new locality of "Treeby"
2. Extract of Minutes from August 2015 Council Report.

Advice to Proponent(s)/Submissioners

The Geographic Names Committee (GNC) has been advised that this matter is to be considered at the 11 February 2016 Council Meeting.

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

Nil.



17.2 (MINUTE NO 5731) (OCM 11/2/2016) - COCKBURN BOWLING CLUB & ANCILLARY RECREATION FACILITIES - VISKO PARK (154/005; 4414245) (R AVARD) (ATTACH)

RECOMMENDATION

That Council

- (1) place on its 2016/17 and 2017/18 Municipal Budget a total of \$4,406,287 as its contribution toward the construction of a new Bowling and Recreation Facility to be located at Visko Park (Reserve 47278) and \$400,000 to reflect the contribution of Area 5 for the inclusion of football (soccer) facilities within the development; and
- (2) enter into a funding agreement with the Commonwealth of Australia in accordance with the National Stronger Regions Fund Agreement for the grant of \$4,556,287; and
- (3) establish a reference group of the following Elected Members _____ to provide oversight during the development phase of this project.

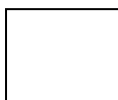
COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr S Pratt that Council adopt the recommendation and appoint:

- (1) Cllr Steve Portelli;
- (2) Deputy Mayor Carol Reeve-Fowkes;
- (3) Cllr Philip Eva;
- (4) Cllr Kevin Allen;
- (5) Mayor Logan Howlett; and
- (6) Cllr Stephen Pratt

as members of the Reference Group to provide oversight during the development phase of the project.

CARRIED 8/0



Reason for Decision

These members nominated for positions on the Group.

Background

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

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

In July 2015, Council resolved to:

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

On 7 December 2015, the City was advised that the application under Round Two of the National Stronger Regions Fund (NSRF) was successful and funding of up to \$4,556,287 (GST exclusive) for the construction of a Bowling and Recreation Facility at Yangebup had been approved.

Submission

N/A

Report

The proposed project will relocate the current Cockburn Bowling Club from its 50-year-old premises on Rockingham Road, Spearwood to the



new facility, with a high growth population catchment and more sustainable operational model. The facility will accommodate additional sports (football/soccer and beach volleyball) that are currently lacking in the region to encourage youth participation, as well as increase visitor numbers and new business with a local café/restaurant. The facility will support regional sporting events, functions and commercial activities.

In addition to the facilities offered to the identified groups there have been approaches made for facilities suitable for darts and fencing. It is proposed that during concept design that these additional uses be incorporated if practical.

Fratelle Group Architects are contracted to provide a suite of architectural services including all required consulting engineers. The quantity surveyor will be contracted by the City directly to enhance cost control and the project management will be either contracted out by the City or undertaken in-house.

The broad scope of the proposed project will deliver:

- 2 synthetic bowling greens (one covered) including lighting and spectator shelters
- 2 football/soccer pitches including lighting
- beach volleyball courts
- Multi-purpose community facility including:
 - Kitchen
 - Dining Room/Restaurant/Café space
 - Large function room with demountable stage
 - Meeting rooms
 - Change rooms
 - Toilets
- Landscaped carpark (approx. 160 bays)

As part of the brief, the Architect and sub-consultants will be engaged to review the on-site parking and local traffic management provisions associated with the design, to ensure the facility in operation will have a minimal impact on the surrounding neighbourhood.

Project Cost

The following table sets out the total estimated cost of the project being \$9.5 million (ex-GST). A preliminary project cost estimate has been developed by independent Quantity Surveyor, Aquenta.

Estimated Project Costs	Amount \$ (ex. GST)
Building Costs (including preliminaries)	\$3,834,279
External Works Costs (including preliminaries)	\$3,360,965
Contingencies, Allowances, Escalation	\$1,591,330



Professional Fees	\$726,000
Total Estimated Project Costs	\$9,512,574

Funding Strategy and Budget

The following table sets out the indicative project funding levels and highlights that a total of \$4.55 million was sourced from the Federal Government (47.9% of project cost). The key project partners are contributing a total of \$4.95 million to the project (52.1% of the project cost).

Funding Source	Amount \$ (ex. GST)	% of Total Project Cost
Committed Funding		
City of Cockburn	\$4,556,287	47.9%
Area 5 Football	\$400,000	4.2%
Total Confirmed Funding	\$4,956,287	52.1%
Federal Government	\$4,556,287	47.9%
Total Project Funding	\$9,512,574	100%

Key Activities to Progress Project

- A budget commitment for a total of \$4.55 million budget is being requested from the Council Budgets 2015/16 and 2016/17.
- The concept design and preliminary plans need to be modified.
- The Development Approval needs to be re-submitted with modified plans.
- The Federal Funding Agreement needs to be negotiated and executed, with all approvals in place within 6 months of signing the agreement, and construction to commence within 12 months of signing the agreement.
- A construction tender (to include the Area 5 facilities) to be advertised and awarded. Current anticipated date for award is November 2016 and completion of the build in December 2017.

An important consideration will be the establishment of a management structure that addresses the needs of the bowling club and the other users including the interests of the private investor to ensure long term financial viability and broad community usage. An agreed management structure will need to be achieved before final design as this will impact on the functionality of the building and its operation and use by the various users.

As the City of Cockburn is contributing approximately 50% of the cost of the project and is the recipient of the Commonwealth project funding it will be required to manage all aspects of the project.



Similarly to ensure the facility has maximum ongoing recreational utility for the various groups using it, and the community at large, it is proposed an ongoing management structure be set up with the City playing a key ongoing role in its operation.

To allow Elected Members to be kept abreast of the progress of the project it is proposed that a reference group of members be established for regular briefings.

Strategic Plan/Policy Implications

Infrastructure

- Community facilities that meet the diverse needs of the community now and into the future.
- Partnerships that help provide community infrastructure.

Community & Lifestyle

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

Budget/Financial Implications

The total estimated project cost for the establishment of the new Bowling and Recreation Facility inclusive of all costs is \$9.5 million (ex-GST), of which a \$4,556,287 million grant has been approved by the Federal Government and \$400,000 will be provided by Area 5 Football.

A commitment of the balance of \$4,406,287 million of the project budget is being requested from the Council Budget for 2016/17 noting \$150,000 is committed in the current (2015/16) financial year.

There will be \$4,655,453 (48.94% of the total cost) available from the developer contribution fund toward the project.

Legal Implications

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

Community Consultation

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



Stakeholders from Cockburn Bowling and Recreation Club, Area 5, Volleyball WA and City of Cockburn were involved in the concept design meetings with Fratelle Group architects for the Round 2 project proposal in June and July 2015. There will be significant further consultation with the key stakeholders on all aspects of the design to achieve the best outcome.

Attachment(s)

Gantt Chart - Key Milestones

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 11 February 2016 Council Meeting.

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

Nil.

(MINUTE NO 5732) (OCM 11/2/2016) - EXTENSION OF TIME

COUNCIL DECISION

MOVED Cllr K Allen SECONDED Deputy Mayor C Reeve-Fowkes that pursuant to Clause 14.4 of Council's Standing Orders, the time being 8.58 pm the meeting be extended by 30 minutes to enable the business of the meeting which remains unresolved to be considered.

CARRIED 8/0

17.3 (MINUTE NO 5733) (OCM 11/2/2016) - NAMING OF NEW RECREATION AND AQUATIC FACILITY (154/006) (S SEYMOUR-EYLES) (ATTACH)

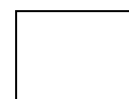
RECOMMENDATION

That Council apply the name 'Requa Cockburn' to the Cockburn Recreation and Aquatic Centre based on outcomes of the Focus Group workshops conducted in December 2015.

COUNCIL DECISION

MOVED Mayor L Howlett SECONDED Cllr S Pratt that Council:

(1) refer the proposed name for the Cockburn Recreation and



Aquatic Centre to the City's Aboriginal Reference Group for consideration at their scheduled meeting on Tuesday 16 February 2016. The name being; 'Cockburn Boodjar' (earth, land, country);

- (2) on receipt of advice from the Aboriginal Reference Group of their support for the proposed name proceed with the relevant administrative actions; and
- (3) if the advice from the Aboriginal Reference Group is in the negative, proceed to name the Cockburn Recreation and Aquatic Centre, 'Cockburn ARC'.

MOTION LOST 3/5

MOVED Cllr K Allen SECONDED Deputy Mayor C Reeve-Fowkes that Council:

- (1) defer naming of the new recreation and aquatic centre;
- (2) undertake a 4 week community naming competition via Council's website, Cockburn Chat and Facebook page; and
- (3) advertise names on the website, Cockburn Chat and on Facebook as they are nominated by both Council and the Community and seek direct community involvement and feedback.

MOTION LOST ON CASTING VOTE OF PRESIDING MEMBER 4/4

MOVED Cllr S Portelli that the officer's recommendation be adopted.

MOTION LAPSED FOR WANT OF A SECONDER

MOVED Cllr S Pratt SECONDED Cllr L Sweetman that Council:

- (1) defer naming of the new recreation and aquatic centre;
- (2) undertake a 4 week community naming competition via Council's website and Facebook page; and



- (3) advertise the 4 names that are being proposed on the Council's website and Facebook page, and seek community involvement and feedback on the 4 proposed names.

CARRIED 7/1

Reason for Decision

Council should accept the suggested names put forward by the professional marketing company and in turn present these suggestions to the community. Providing the 4 names will make the process easier for Staff to finalise a name which needs to be resolved within the coming month.

Background

At the December 2015 Ordinary Council Meeting, the following resolution was carried in relation to this matter.

...that:

- (1) *for three focus groups (one in each Ward) to be conducted on the following proposed names for the Cockburn Recreation and Aquatic Centre:*

1. *AVIVA Cockburn*
2. *Requa Cockburn*
3. *Stadium Central*
4. *Cockburn Arc*

- (2) *more names can be added by the Focus Groups or other parties for Councils consideration.*

Ideally, Council needs to approve a name for the new Recreation and Aquatic Facility to enable a brand style guide to be developed to inform the outfit of the interior of the facility, signage and marketing material. A rigorous naming process was researched and developed by the Corporate Communications and Recreation Services Teams. This resulted in four names being shortlisted. These four names were presented to three independently run focus groups, representative of age and ward in December 2015. The subsequent report has provided adequate information to recommend 2 preferred names.

Submission

N/A



Report

The Cockburn Recreation Physical Activity and Education Centre is being developed as a community facility that will provide programs and services for all ages. It is being developed as a regional facility and will service residents of the whole of Cockburn Local Government area (LGA). Some of the attractions will draw people from the wider southern Perth region, with the waterslides likely to attract people from an even broader distance. It will be one of the most significant LGA facilities in Australia with state-of-the-art: aquatic, fitness, sports, rehabilitation, wellness, café and crèche care facilities. There are multiple stakeholders including the co-location of the Fremantle Football Club (FFC) training facilities, Curtin University, sporting clubs, commercial tenants and the general public.

The facility will need to operate in a highly competitive market. There are Local Government Leisure facilities in the surrounding areas and a number of private sector health clubs, gyms and facilities in close proximity to the new facility (as detailed in the Business Plan).

To achieve the sales required, the facility will require solid marketing and branding from the outset. The facility needs to have a name and brand that support the aspirations of the facility to be a destination in its own right that people want to visit, experience and return to.

Effective names have a number of qualities:

- They communicate something meaningful about the essence of the brand;
- They are distinctive, easy to remember, say and spell;
- They are future oriented e.g. positioned for growth, change and success;
- They should be modular i.e. enable brand extensions;
- They are protectable, meaning they can be trademarked and domain names are available;
- They feel positive and certainly have no negative connotations;
- The word should be visual i.e. will lend itself to graphic presentation in a logo, in text and in brand architecture.

The names were developed from considering a vision for the facility. This involved the Working Group defining the core pillars of the destination, understanding the value proposition for the customers and extensive research into effective branding. The pillars were defined as 'active,' 'social,' 'health,' 'community' and 'destination'. These words were further expanded to assist the Working Group in developing a working vision for the facility. The working vision is:



to be the best destination of its kind in Australia, we are constantly focusing on an innovative experience that is fun, healthy and social for active lifestyles.

We greet people by name, we know and understand their needs and we communicate and inform in an effortless village-like way.

To provide a destination of excellence, we believe in collaboration between our four main pillar groups – active, social, health and community – which allows us to evolve with our user landscape in ways that others cannot.’

Seven different names types were investigated and assessed:

- Founder – *Ben & Jerrys, Ralph Lauren, Ford*
- Descriptive – *YouSendit, Toys “R” Us*
- Fabricated – *Pinterest, Kodak*
- Metaphor – *Nike, Patagonia, Apple*
- Acronym – *IBM, BMW*
- Magic Spell – *Flickr, Netflix*
- Combinations – *CitiBank, eBay*

Over a period of several months, a series of workshops were undertaken internally and 200 plus names were distilled down to preferred names through a process of elimination. Initial workshops were around creative name generation with subsequent workshops used to analyse options based on key criteria. The core Working Group rated a pool of around 60 names to reduce the number of names to 25. These 60 names included five Nyungar Aboriginal names that had been researched and their derivations. Examples include - BOOLA (many); Boola West, Boola Central; YIRA (up) – Yira Central, Yira Place; DJINDA (star) – Jindaplace; Jindapoint; KORANG (twist/turn) – Korang Central; KADA (across; bridge; link) – Kada Place; Kada Junction.

These 25 were then rated by the broader group. The highest scoring names were taken (Viva Stadium and Aspire) plus two options to satisfy more traditional tastes (Cockburn Central Arena and Success Arena). Of these preferred names, preliminary investigations showed trade marking difficulties for three of them and Success Arena was considered confusing for its locator, as the facility is not in Success. Two additional names (Stadium Central and Arena Central) were added for investigation by Executive. The word Arena was problematic for trade marking in the category of recreation and aquatic facilities, therefore Arena Central was dropped. The team then reviewed VIVA which became AVIVA and reverted to investigating names that were highly trade markable. REQUA came from this research, as did Cockburn ARC. The final list of four names comprises names that



have shown no issue in regard to being trade-marked, so they are in the process of being trade-marked. These are:

- AVIVA Cockburn
- Requa Cockburn
- Stadium Central (Executive addition)
- Cockburn ARC

The City received notice on 23 November from IP Australia that all four names passed the examination stage. The names will now be advertised in the Australian Official Journal of Trademarks, at which point, the public has two months to oppose registration of the trade-mark. If it is not opposed, IP Australia will register the trademark. This will occur approximately five months from the filing date of the applications (7 October 2015) – so in March 2016. The earliest a trade mark can be registered is seven and a half months after the filing date. This would make it June 2016. The City has been verbally advised that at this stage it is almost certain the trademark will be accepted, but there is still a small chance that it might be contested.

City Officers applied for all four names, so that Elected Members could be briefed on four names, provide guidance as to their preferred option and know that whichever name was recommended could continue the trade-marking process.

Subsequently following a request by Councillor Portelli, the City put in a request to trademark Cockburn Arena, although as detailed above IP Australia had already deemed the word Arena problematic. The initial report indicates (see attached) that Cockburn Arena would not be trade-markable. IP Australia Headstart reports gives an indication of the final outcome (but not definite). The reason for rejection was explained by IP Australia as follows. Because Cockburn is an area and arena is a descriptive word – it is not in conflict with other marks – it is rejected because many businesses may want to use these ‘plain words’ and the City trademarking it would make it difficult for them. However, the name could be put forward with a logo and it might be accepted (as per Perth Arena). The City would have to start this process, which would require time to develop logo concepts, acceptance of logo concepts, lodging of logo and name with a risk that it is still declined. This would put the branding of anything back by eight to nine months.

Once Council has agreed on the name of the facility there will need to be a brand style guide prepared that will ensure the brand is consistently applied. This will include the logo, uniforms, promotional art work for flyer layout, poster layout, digital artwork, such as e-newsletters; e-signatures; Facebook templates, business cards, stationery, and signage. A project website will need to be prepared to generate interest in the progress of the



facility up to opening day and then be a key source of information for all users and those with an interest in the facility.

In accordance with Council's December 2015 decision, 3 focus groups were run by The Brand Agency. Recruitment of these focus groups was via the South Lake Leisure Centre Database; by inviting representatives from the City's Community Groups and Sporting Groups, and an invitation to 120 residents who took part in a survey about their possible future use of the Centre and who had provided their contact details to receive future information about the new Recreation and Aquatic Centre. There were 10 participants allocated to each Group.

The focus groups comprised a presentation on branding and naming; of the process followed to date and a presentation of the four shortlisted names and their pros and cons. The facilitators led a discussion on these names to obtain a view from the group. These results have formed the basis of this report to Council.

The report cites that there were two clear favourites: Cockburn ARC and Requa COCKBURN. Aviva Cockburn and Stadium Central didn't resonate. Cockburn ARC was favourite with the 40+ groups and Requa Cockburn was favoured by the 18-40s. An overriding wish was for the name to include Cockburn in it.

Where alternative names were put forward by the groups and discussed, no one thought they were better than the names already discussed. So while they put them forward as a group, there was no consensus that any of the names they suggested was a suitable replacement for the names the City was presenting to them.

Cockburn ARC - The more popular with two groups -the 40-55 and 55+. The positives were that they recognized ARC as an acronym; that is was easy to use in a sentence; strong feeling of community and unity – also associating to Noah's Ark; the name is unique; the name covers the criteria, it explains the location. The negatives associated with Cockburn ARC were that it might be shortened to CARC, that it may be spelt as ARK; that is not cool enough or may not resonate with younger audiences and that it is not modern or specific enough.

Requa Cockburn. The positives highlighted by the groups were, immediately understand the meaning; sound of the word; they thought it would resonate with younger generations. Some 18-40s said they would be disappointed if it wasn't named Requa. It meets the criteria and is not limiting; it explains the location. The negatives were that it is not descriptive enough and some didn't like the play on words.

Although Cockburn ARC was favoured by two of the three groups, there were more negatives associated with it including that it may not resonate



with the young and the possibility of it being referred to as CARC. Requa Cockburn was still accepted by the 40+ age group but was favoured by the 18-40s and only had two negatives associated with it that were of less concern.

In order to reflect the demographic profile for membership of the South Lake Leisure Centre, statistical information confirms that the 18-40 age group comprises slightly greater than 50% of members, followed by 40-55 (30%) and 55+ just under 20%.

Timing

The Brand Style Guide ideally needs to be developed by 1 May 2016 for the architects to integrate the brand in to the building i.e. the colours are incorporated throughout the design of the building and the brand is incorporated within the signage. If a Council decision is made in February 2016, the following timeline would apply with the development of three further logo concepts for the preferred name.

Action	Date	Outcome	Comment
Focus Groups	15-17 December		Completed
Council Agenda item with name recommendation	Week 2 – February 2016	Name is decided	
Three further brand/logo concepts are worked up on the preferred name	2 weeks – complete 12 February - 25 February 2016	There are six logo options to choose from	Project planning of content/client meetings; two weeks to design secondary graphic elements and examples of brand applications; one week approval process
Preferred three options are presented to the reference group for discussion	3 March 2016	Logo option is decided	
Brand Style Guide is Developed	Commences 4 March 2016 with 4-6 weeks by 10 April	Brand Style Guide is used by architects to inform interior/signage; is used to develop future promotional material including websites; advertisements; e-newsletters; uniforms; membership cards	
Architects require brand style guide to	By 1 May	Brand is integrated in to the building	



Action	Date	Outcome	Comment
inform interior/signage			
Work on project website* can commence 13 April 2016 *note this is only a project website, not the full facility website which will need to be developed by the Marketing Staff in conjunction with Corporate Communications and Business Systems.	Completed by mid - May	Project website informing status of project; what is coming in the new facility	Website is covered here but the facility website will need to be budgeted for in 2016/17

Strategic Plan/Policy Implications

Infrastructure

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

Budget/Financial Implications

- Develop three further concepts for the final logo - \$2,000
- Develop Brand Style Guide - \$30,000
- Develop project website - \$5,000 (this is not the ultimate website for the facility, which will need to be budgeted for separately for 2016-17).
- Three Focus Groups – \$8,000
- Final trademark registration per name - \$300 x 4 - \$1,200

Legal Implications

Trade-marks for this name are currently being filed. The initial assessment in September, 2015 indicated that the chosen name would meet the requirements for accepting the registration under the Trade Marks Act 1995. Where this is the case, IP Australia advised that it is almost certain that the trade mark will be approved.

Community Consultation

Three community-based Focus Groups have provided clear guidance on the final recommendation for the preferred name and confirmed that two of the names presented for consideration were considered to be appropriate.



Attachment(s)

1. Extract from The Brand Agency Focus Group Workshop Report
2. IP Australia Cockburn Arena Headstart Report – Cockburn Arena.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

18. EXECUTIVE DIVISION ISSUES

18.1 (MINUTE NO 5734) (OCM 11/2/2016) - CITY OF PERTH ACT - SUPPORT FOR THE CITY OF SUBIACO'S OBJECTIONS TO THIS BILL (011/011; 091/004) (SC) (ATTACH)

RECOMMENDATION

That Council

- (1) confirms its' support to the City of Subiaco's objections to the draft City of Perth legislation which deal with proposed boundary changes to that City; and
- (2) advises this position to members of the Legislative Council prior to the Bill being considered.

COUNCIL DECISION

MOVED Clr S Pratt SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 8/0

Background

The State Government introduced legislation to amend the boundaries of the City of Perth in late 2015. Although the Local Government Reform process of amalgamations and boundary adjustments was formally abandoned by the Government in February 2015, the State sought to use a legislative approach to enshrine a larger Capital City independent of the procedures that were available for it to follow under the Local Government Act (the Act).



While aspects of the proposed legislation are not controversial, the principle of legislating boundary changes disenfranchises residents and ratepayers from being able to express their own views on such.

On behalf of its residents, the City of Subiaco has objected to this outcome. It has written to other Local Governments seeking their support to object to this aspect of the draft legislation, see Attachment 1.

As this matter could not be formally considered by Council in its regular business cycle, given the urgency of the matter and following consultation with the City's Elected Members, a letter was sent to south metropolitan members of the Legislative Council in late December 2015, see Attachment 2.

Subsequently the City received a letter from Hon Nick Goiran, MLC, querying the basis of the City's objections, see Attachment 3. As this included reference to the Council's position, after consultation with Mayor Howlett it was agreed that formalising this position would allow further advice to be sent back to Mr Goiran.

Submission

The City of Subiaco has sought formal support from Local Governments to write to the City of Cockburn's Legislative Council members seeking their rejection of the proposed City of Perth Act, in its current form.

Report

The State Government's whole of metropolitan Perth Local Government Reform program formally ceased in March 2015, following the withdrawal of Governor's Orders.

For the majority of Local Governments this outcome ended six years of protracted and often divisive debate on this matter. However, the Premier indicated that he still supported modifications to the City of Perth's boundaries, in order to create a more substantive Capital City for the State. This outcome was embodied in the draft City of Perth Act.

While many aspects of this legislation were not controversial and indeed were supported by the local government sector, the decision to arbitrarily amend the boundaries of the City of Subiaco did not fall into this category.



Changes to Subiaco Boundaries

The proposed boundary changes would move 3,000 of Subiaco's residents; approximately 4% of its population, into the City of Perth. If legislated, this change would occur without any reference to these residents.

Under Schedule 2.1 of the Act, a boundary adjustment can be formally considered by the Local Government Advisory Board (LGAB). This process is relatively straightforward and was used by the Minister for Local Government to initiate the most recent metropolitan reform assessment.

One of the key elements of Schedule 2.1 2 (2) (a) is the requirement for the proponent to:

- set out clearly the nature of the proposal, the reasons for making the proposal and the effects of the proposal on local governments; (underlining added)

This is to ensure that all aspects of the Proposal, positive and negative are known by the LGAB, prior to them giving the Minister a recommendation to 'accept' or 'reject' the Proposal.

Proposals submitted under this process are required to address a number of key factors, as detailed in cl 5 (2). These criteria included the requirement to consider:

- matters affecting the viability of local governments, and
- the effective delivery of local government services

City of Perth Act

In taking a legislative approach to boundary adjustment, there has been no impact analysis conducted on the proposed changes to the City of Subiaco.

The transfer of 4% of its population impacts its capacity to raise rate income. While the correspondence from Subiaco (Attachment 1) has not quantified this impact, the loss of such income as well as the associated Federal Government Financial Assistance Grant income that is distributed on a per capita basis; will negatively impact Subiaco's bottom line. As there are no offsets proposed, the remaining Subiaco residents are left with picking up the shortfall in revenue; or as Attachment 1 notes, "reducing services".

On the other side, transferring additional rate revenue to the City of Perth, the State's most prosperous local government, is simply not an



equitable situation. Enriching Perth, while reducing the income of Subiaco, will impact the service delivery capacity of the latter. The City of Subiaco has already engaged in discussion with its staff about the potential for staff redundancies if this were to occur.

Assessing this type of impact is a core rationale for consideration of boundary changes. If this principle is 'enshrined' in the Act, where is the justification for using another approach (ie legislative) to circumvent such assessment?

The process, by which the LGAB is required to undertake its assessment of any boundary proposal, also requires it to consult with the community. Such consultation has not occurred in the framing of the City of Perth Act. Indeed local media has reported strong hostility from local (Subiaco) residents to the arbitrary way the boundary change is being achieved.

A straightforward and equitable course of action would be to let the local residents decide their own destiny. However, for this to occur, the current City of Perth Act would need to be amended to remove the proposed boundary changes to Subiaco. This is the position being advocated by the City of Subiaco.

Strategic Plan/Policy Implications

Leading & Listening

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

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

While consultation with the community has not been undertaken in preparing this report, City of Cockburn residents objected strongly to arbitrary boundary adjustments that were proposed for their City during the reform process.

Attachment(s)

1. Letter from City of Subiaco dated 11 December 2015



2. Letter to members of the Legislative Council dated 22 December 2015
3. Letter from Hon Nick Goiran dated 30 December 2015

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

19. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

20 (OCM 11/2/2016) - NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING

The following Notice was provided by Clr Kevin Allen:

- (1) City officers proceed with the preparation of the design of the car park area in Lot 193 to the east of the Coogee Beach Surf Lifesaving Club (Option 1), submit an application to the DER for vegetation clearing of this area and progress the land tenure options to enable the City to invest in public infrastructure works on land owned or managed by the City as an activity in parallel with the development of the design of the car park extension (Option 2) as resolved by Council at the OCM of 11 June 2015, which is currently underway.
- (2) Construction of Option 1 proceed under the Public Transport Authority (PTA) Licence while the land tenure is being resolved, subject to the required funding allocation by Council.

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

Nil



22 (OCM 11/2/2016) - MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE

22.1 **Deputy Mayor Carol Reeve-Fowkes** requested a report on the mature trees on the Administration Site/Senior Centre/Bowling Club with a view to incorporating the City's Heritage Significant Tree Inventory.

22.2 **Clr Steve Portelli** requested that an investigation be undertaken for the purposes of listing on the Significant Tree Register the trees in the road reserves as per Officers report OCM 13/8/15 item 16.1. These roads shall need to be upgraded due to extra traffic if Roe 8 is not built:

- Bibra Drive 2 to 4 lanes
- Farrington Road to 4 lanes by 2020
- North Lake Road north of Berrigan Drive
- Russell Road west of Hammond Road

Compare the amount of bush land that will need to be cleared with the above roads with the proposed Roe 8 reserve. Hectares in area and the number of significant trees.

Also an estimate of the costs to upgrade all Cockburn roads as per report if Roe 8 is not built.

22.3 **Mayor Logan Howlett** requested a report be prepared for a future Council meeting that considers recommending an amendment(s) to the WA Building Regulations that compels builders to provide skip bin(s) on all building sites to contain building and other waste.

Given that any amendment(s) would apply state-wide the matter, if adopted by Council, should be referred to the Western Australian Local Government Association for their consideration.

23. CONFIDENTIAL BUSINESS

Nil



24 (MINUTE NO 5735) (OCM 11/2/2016) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995)

RECOMMENDATION

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

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

COUNCIL DECISION

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

CARRIED 8/0

25 (OCM 11/2/2016) - CLOSURE OF MEETING

9:15 pm.

CONFIRMATION OF MINUTES

I, (Presiding Member) declare that these minutes have been confirmed as a true and accurate record of the meeting.

Signed: Date:/...../.....

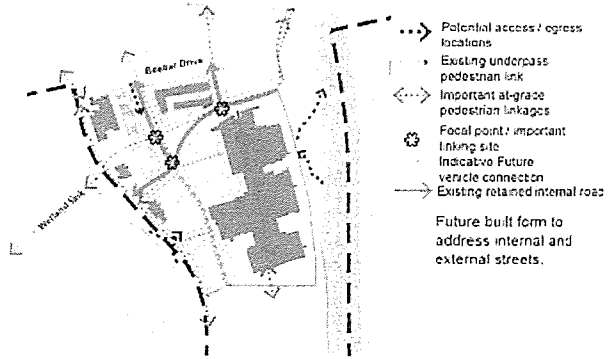


Additional submission to be added to schedule of submissions and modification table
Draft cockburn central activity centre strategy
February 2016

NO.	NAME/ADDRESS	SUBMISSION	COUNCIL'S RECOMMENDATION
18.	TPG Town Planning and Design on behalf of Cockburn Gateways Shopping Centre	<p>On behalf of Perron Group Pty Ltd (Perron), TPG Town Planning, Urban Design and Heritage (TPG) have prepared this submission in relation to the draft Cockburn Central Activity Centre Structure Plan (CCACSP).</p> <p>In summary, Perron broadly supports the draft CCACSP, which is considered to refine and expand upon the previous Local Commercial and Activity Centres Strategy (LCACS) vision for the Cockburn Central Activity Centre (Activity Centre) based on a better understanding of projected population growth and the relative development potential of specific areas.</p> <p>Perron generally acknowledges and supports the sound planning strategies and analysis contained within the LCACS and the CCACSP, and supports the key elements of the plan relating to:</p> <ul style="list-style-type: none"> • Recommendations to address congestion in and around the activity centre including actions to support the North Lake Road Extension. • Opportunities to increase the level of amenity in the structure plan area through the downgrading of Beeliam Drive. • Recommendations to improve connectivity and amenity for pedestrians and cyclists. <p>In particular Perron support the main objective of the CCACSP, which is to strengthen the position of Cockburn Central and provide a cohesive framework that will enable Cockburn Centre to become a Strategic Metropolitan Centre by 2031.</p> <p>Perron would however like to make the following comments with respect to the draft CCACSP, with a view to these comments being considered and integrated into the finalised document. These comments relate to both the overall document and in particular in relation of the Gateways Shopping Precinct, within which Perron is the major landowner and operator of the Cockburn Gateways Shopping Centre (Gateways).</p> <p>In support of this submission Perron have engaged Urbis Economics who have undertaken some independent trade area and demographic studies that have been used to inform some of the commentary below relating to main and total trade areas. Additional detail and supporting data from these studies can be provided separately to this submission.</p> <p>Introduction and Contextual</p> <ul style="list-style-type: none"> - Within the introduction on Page 5, paragraph three refers to a catchment that will be exceeded 'by this time'. This comment should be clarified with a timeframe (2036?), with the revised population and trade area projections to be revised in accordance with the latest data summarised in the table below: <p>Urbis Economics – Trade Area Forecasting October 2015</p>	<p><u>Updated MTA figures</u></p> <p>The Main Trade Area forecasting figures are an important component of the draft Plan. The City agrees these figures require review and updated accordingly. The City would like to meet with TPG and Urbis Economics to discuss the figures in further detail prior to updating the final document. The City will be in contact regarding this discussion.</p> <p><u>The need for a retail sustainability assessment</u></p> <p>Noted. <i>SPP4.2, Clause 6.5.2 When required and exemptions, states - (3) Where an endorsed local planning (commercial) strategy, district, local or activity centre structure plan includes an indicative amount of shop-retail floorspace derived from a retail needs assessment, a RSA is only required where a significant increase to this shop-retail floorspace is proposed.</i></p> <p><u>Perron's commitment to viable retail provision within the Activity Centre</u></p> <p>Noted</p> <p><u>Update of population driven floorspace demand</u></p> <p>Agree. When the City has discussed the updated MTA figures, the population Driven floor space demand can be reviewed and updated.</p> <p><u>Support for the Greening Plan through the Perron site</u></p> <p>Noted.</p> <p><u>Support for key objectives identified for Precinct 3 (Gateways)</u></p> <p>Agreed, the City strongly supports alternatives to at grade car parking as the centre evolves and matures, minimising impacts from traffic and the extension of eating precincts and pedestrian linkages.</p> <p><u>Minor amendment to the precinct 3 plan on page 35</u></p>

NO.	NAME/ADDRESS	SUBMISSION	COUNCIL'S RECOMMENDATION												
		<table border="1" data-bbox="434 236 958 379"> <thead> <tr> <th>Year</th> <th>Main Trade Area</th> <th>Total Trade Area</th> </tr> </thead> <tbody> <tr> <td>2015</td> <td>123,000</td> <td>254,000</td> </tr> <tr> <td>2020</td> <td>152,500</td> <td>340,000</td> </tr> <tr> <td>2025</td> <td>174,000</td> <td>396,000</td> </tr> </tbody> </table> <p>Specifically with reference to the 'Main Trade Area' figures quoted in the last paragraph of Page 5, based on the most current figures as provided by Urbis (October 2015) quoted above, the actual trade area is significantly more than that envisaged in previous estimates and reflected in the draft CCACSP. For example, the most current projections note that the 'Main Trade Area' projections noted on Page 5 of the CCACSP for 2036 are envisaged to be exceeded by 2025, which has significant implications on the retail demand for the precinct.</p> <p>- These figures should be revised throughout the document to reflect the Urbis calculations noted above - that are based on actual credit card patron expenditure data and modelled projections.</p> <p>As noted previously additional information and detail can be provided in this regard if required to inform final versions of the documents.</p> <ul style="list-style-type: none"> - Perron support the 'future objectives' for Beelias Drive as noted on Page 10, and in particular the creation of a better interface with the road reserve area once the greater movement network is resolved and the road can be downgraded to a more pedestrian friendly scale. - Perron agrees with the assertion that the Gateways centre has strong trade and high projections for growth, with the resolution of traffic access arrangements critical to divert traffic not directly associated with the town centre away from Beelias Drive and allow for additional road capacity to accommodate retail floorspace growth. <p>Residential Density and Future Dwelling Growth</p> <p>It is noted that the residential density within the core area is calculated to be 638 dwellings under the target of 30 dwellings per hectare, with the shortfall envisaged to be taken up by the utilisation of vacant or undeveloped land within the core area. In this regard the specific residential provision obligations under SPP4.2 have been met and there is no requirement for residential development to be provided within the Gateways Shopping Precinct.</p> <ul style="list-style-type: none"> - It is also noted that the availability and quality of the floorspace demand analysis both provided by Perron consultants and separately by the City through the LCACS removes the requirement for Cockburn Gateways to prepare a Retail Sustainability Assessment (RSA) as per Clause 6.5.2 of SPP4.2. - - It is Perron's commitment in this regard to ensure that retail provision within the area closely reflects demand and best practice when it comes to variety and quality of retail experience, and conducts ongoing internal assessments of local retail supply to ensure the retail offer remains current and viable. - In terms of specific 'population driven' floorspace calculations noted on Page 18, it is requested that these figures be revised in accordance with the upgraded Main and Total Trade area population figures that are noted in the table above. As retail floorspace is directly population and catchment driven, the significant changes in projected trade area will directly translate into an increased 	Year	Main Trade Area	Total Trade Area	2015	123,000	254,000	2020	152,500	340,000	2025	174,000	396,000	<p>Agree to the following minor amendments to the text within the key on page 35:</p> <ol style="list-style-type: none"> 1. "access/egress points" to "potential access/egress points" 2. "important pedestrian link" to "Important at grade pedestrian link" <p>Disagree to the final proposed amendment "Future built form to address internal and external streets", "potential built form to be resolved as part of future development and planning processes", rather the City recommends adding to the text ""indicative layout."</p>
Year	Main Trade Area	Total Trade Area													
2015	123,000	254,000													
2020	152,500	340,000													
2025	174,000	396,000													

NO.	NAME/ADDRESS	SUBMISSION	COUNCIL'S RECOMMENDATION
		<p>floorspace demand over time. The figures quoted within the document are based on 2011 data - and population / trade area growth has significantly exceeded projections to date.</p> <ul style="list-style-type: none"> - The ACSP notes that there is a 'clear opportunity' for office and commercial space to exist within the activity centre to meet this objective given the quality urban environment planned for the precinct. Commercial uses of this type are envisaged to become viable to include as the activity centre matures, and will potentially for part of future development stages as the activity centre progresses to being a strategic centre. - The completion of wider scale road network will be critical to the provision of additional diversity within the Gateways Shopping Precinct, as the downgraded Beeliar Drive will catalyse the redevelopment of the built form adjacent to the road reserve, and will directly facilitate linkages between the Gateways Precinct and the town centre to the north. The lower traffic volumes will allow for much improved integration with the street, and potentially allow for the re-direction of public transport routes from inside Cockburn Central to running along Beeliar Drive. - The CCACSP notes that the biggest traffic generator within the core area is Cockburn Gateways, and also notes that the success of the Cockburn Gateways and the business that it attracts are key strengths of the Activity Centre and provide the main focus of activity in the activity centre area. Resolution of the wider area external traffic issues will be critical in ensuring that the Gateways Centre continues to provide the employment and activity backbone of the Activity Centre with enhanced integration over time to other precincts. - The ACSP contains a public domain 'Greening' concept plan that includes a 'Green pedestrian loop' and 'primary street' that go through the Cockburn Gateways site. Perron support the identification of this linkage and has made significant public realm investment that forms part of this linkage to reinforce the main street and 'pedestrian loop' through Cockburn Central West and the Town Centre. <p>Movement and Access</p> <p>Perron strongly support the delivery of the North Lake Road extension and the upgrades to Armadale Road, and believe that both are critical for the ongoing development and maturity of Cockburn Central into a Strategic Centre and achieving the objectives of the CCACSP.</p> <p>In terms of the Gateways Centre, specific traffic access and movement considerations that recognise the scale and patronage of the centre should be considered as part of any wider reconfiguration of access, including potential consideration of direct freeway access / egress into the Gateways Centre to further free up capacity to the remainder of the network.</p> <p>Precinct 3 – Gateways Shopping Precinct</p> <p>The objectives of the precinct are supported, with the following comments:</p> <ul style="list-style-type: none"> - The downgrading of Beeliar Drive is critical for the built form to have any real integration or relationship with the streetscape, and to minimise the impacts of vehicle movement on the core area. The integration of future carparking into built form including rooftop and subterranean parking will be a consideration in future development stages. A key element will be the creation of internal access to car parking capacity in different areas on the site- which can then be managed without impacting external networks - The extension of eating precincts and pedestrian linkages will be a key feature of future stages of 	

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		<p>development of the Gateways Centre, with the extent and composition of the retail and food and beverage offerings to be resolved as part of a detailed retail planning and leasing exercise.</p> <p>In terms of the conceptual plan, although acknowledging that the plan is high level and conceptual in nature, the application of the a 2-dimensional plan into 3-dimensional built form can be problematic, and to avoid confusion during later development stages we request that the following minor amendments are undertaken in accordance with previous discussions with the City (refer to Requested Amendment Plan below):</p> <ul style="list-style-type: none"> - Whilst our suggested car park entry points have been designated on the plan, the exact location and nature of these access / egress points has not been determined. It is suggested that these access / egress points are referenced as 'Potential Access / Egress Location' so as not to pre-empt the location of at grade or under croft access. - The wording has been removed and replaced with a more We request that the generic 'important pedestrian link' wording shown be replaced with 'at-grade' to note that these connections will provide level pedestrian crossings over the future downgraded Beeliar Drive. - The built form shown in grey on the current plan indicates an open-air connection heading north – south where it envelops the western side of the existing built form. Again it is our intention not to pre-empt the design and configuration of the centre, so we request that the area is shown greyed out as potential built form to be resolved as part of future development and planning processes. - There is a textual error reading 'Existing Reailned Internal Roads' which should be corrected.  <p>As noted above, Perron are very supportive of the CCACSP and the key objectives involving the resolution of the greater movement network issues and the unlocking of development and retail capacity within the emerging centre. Of key importance is the inclusion of the most up to date and relevant population projections provided within this submission which underline the importance of the centre and that the activity centre is expanding more rapidly than current projections have predicted or allowed for with projected demand.</p> <p>We look forward to Council's favourable consideration of this submission and would be pleased to discuss any aspects of the proposal during the consideration of this submission.</p>	

