# ORDINARY COUNCIL MEETING

28 MAY 2013

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DISCLOSURE OF INTEREST DECLARATION

Local Government Act 1995 (Sections 5.59 to 5.73 inclusive) and
Local Government (Administration Regulations) 1996 (Regulation 34C)

Disclosures of interest must be made in writing and given to the Presiding Member of the meeting prior to
the matter being discussed to enable it to be brought to the notice of persons attending.

I ____________________________, wish to declare an interest as follows:

NAME  (Please Print)

NAME OF MEETING:    DATE:

AGENDA ITEM NO:    PAGE NO:

An 'Interest' exists if either the relevant person or a person with whom the relevant person is closely associated has;
a direct or indirect financial interest, a proximity interest, or their impartiality may be affected.

<table>
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<td>Strike through the following declaration if it is not required.</td>
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SIGNATURE ____________________________    DATE
NOTE

* Members of committees have the same liabilities as Councillors and Staff to disclose an interest.

* Relevant persons disclosing a Financial Interest must withdraw from the meeting while the item is under discussion.

DEFINITIONS

“extent” in relation to an interest, includes the value and amount of the interest.

“direct financial interest” a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government in a particular way, result in a financial gain, loss, benefit or detriment for the person.

“impartiality interest” is an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having an interest and includes an interest arising from kinship, friendship or membership of an association.

“indirect financial interest” an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

“members” in relation to a council or committee, means a council member or a member of the committee.

“proximity interest” a person has a proximity interest in a matter if the matter concerns—
(a) a proposed change to a planning scheme affecting land that adjoins the person's land;
(b) a proposed change to the zoning or use of land that adjoins the person's land; or
(c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

For the purpose of this definition land (the proposal land) adjoins a person's land if:
(a) the proposal land, not being a thoroughfare, has a common boundary with the person's land
(b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
(c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land.

"relevant person" means a person who is either a member or a person to whom section 5.70 or 5.71 applies (Council employee).
1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS/DISCLAIMER

2. RECORD OF ATTENDANCE

Cr R Mitchell was granted Leave of Absence from 1 May 2013 to 31 July 2013 vide Resolution 5 of the Ordinary Council Meeting held on 12 February 2013.

3. DISCLOSURE OF INTEREST

4. ANNOUNCEMENTS BY THE PRESIDING MEMBER (without discussion)

5. REPORTS OF DELEGATES (without discussion)

6. QUESTION TIME FOR THE PUBLIC AND THE RECEIVING OF PUBLIC STATEMENTS

A period of 15 minutes is allocated for questions with a further period of 15 minutes provided for statements from members of the public. To ensure an equal and fair opportunity is provided to address Council, a period of 3 minutes per speaker is allowed.

The person's speaking right is to be exercised prior to any matter which requires a decision to be made at the meeting.

Questions and statements are to be –

a) Presented in writing on the relevant form to the Chief Executive Officer prior to commencement of the meeting; and

b) Clear and concise.

QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS AWAITING RESPONSE

RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS

6.1 QUESTION TIME

6.2 PUBLIC STATEMENTS
7. CONFIRMATION OF MINUTES

STAFF RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 14 May 2013 as published and distributed be confirmed as an accurate record.

8. RECEIVING OF PETITIONS AND PRESENTATIONS

Petitions and Presentations are made in accordance with the requirements outlined in the City of Gosnells Standing Orders Local Law 2012.

Copies of petitions and any items tabled must be provided to the Chief Executive Officer immediately following completion of the submission.

9. APPLICATIONS FOR LEAVE OF ABSENCE

Clause 4.10 of the City of Gosnells Standing Orders Local Law 2012 states:

"(1) A Member seeking the Council's approval to take leave of absence shall give written notice to the CEO prior to the commencement of the meeting.

(2) The notice referred to in subclause (1) shall include the period of leave of absence required and the reasons for seeking the leave".

10. QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN (without discussion)

11. ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY

For the convenience of the public gallery, Council may resolve to bring forward any matter that has been raised during Item 6 'Question Time for the Public and the Receiving of Public Statements', Item 8 'The Receiving of Petitions, Deputations and Presentations' or any other agenda item known to be of interest to the public in attendance [Clause 4.12 of the City of Gosnells Standing Orders Local Law 2012]
12. **REPORTS OF COMMITTEE MEETINGS**

12.1 **AUDIT COMMITTEE MEETING HELD 7 MAY 2013**

Author: R Bouwer  
Author's Declaration of Interest: Nil.  
Previous Ref: Nil.  
Appendix: 12.1A Audit Committee Meeting Minutes dated 7 May 2013

**PURPOSE OF REPORT**

For Council to receive the Audit Committee Minutes dated 7 May 2013.

**BACKGROUND**

The Minutes of the Audit Committee Meeting held Tuesday 7 May 2013 are provided as Appendix 12.1A.

**DISCUSSION**

There is one recommendation of the Committee which requires Council's consideration and this is provided in the following report.

**FINANCIAL IMPLICATIONS**

Nil.

**STATUTORY IMPLICATIONS**

The Audit Committee is established in accordance with the *Local Government Act 1995*, Part 5, Division 2, Subdivision 2 - Committees and their meetings.

The Committee has no decision-making authority and therefore its recommendations are provided to Council in separate reports for resolution.

**VOTING REQUIREMENTS**

Simple Majority required.

**STAFF RECOMMENDATION**

That Council receive the Minutes of the Audit Committee meeting held Tuesday 7 May 2013, attached as Appendix 12.1A.
12.1.1 AUDIT COMMITTEE REPORT - INTERIM AUDIT REPORT FOR THE YEAR ENDING 30 JUNE 2013

Author: R Bouwer
Author’s Declaration of Interest: Nil.
Previous Ref: Nil.
Appendix: 12.1A Audit Committee Meeting Minutes dated 7 May 2013

PURPOSE OF REPORT

For Council to consider Recommendation 4 of the Audit Committee meeting held 7 May 2013 that seeks Council receipt of the interim audit management letter and management comments for the year ending 30 June 2013.

BACKGROUND

The Audit Committee provides Recommendation 4 arising from the Minutes dated 7 May 2013, for Council's consideration:

"That the Audit Committee resolves to recommend that Council receive the interim audit management letter and management comments for the year ending 30 June 2013, attached as Appendix 5.1A."

DISCUSSION

The City's auditors, Macri Partners, have completed their testing for the interim audit for the year ending 30 June 2013 and have provided the City with an interim audit management letter.

The interim audit process is a review of the accounting and internal control procedures in operation.

This review involves documenting the organisation's control procedures and testing on a sample basis, transactions in a range of areas to ensure that the described procedures are being adhered to.

As a result of this review Macri Partners have presented some matters for Council's consideration.

Creditors, Purchasing and Payments

There were two instances of purchases over $25,000 that did not obtain any quotes. Instead of obtaining quotes a note was written on the system that these purchases were made under Western Australian Local Government Association (WALGA) or Common Use Contracts. Council policy does not state that the quotation requirements are waived when procurement of goods and services are made under WALGA or Purchasing Agreements.
Management Comment

To date Purchasing Services has relied on Regulation 11 of the *Local Government (Functions and General) Regulations 1996* to allow this practise.

The Purchasing Policy will be amended to reflect this practise.

Sundry Debtors

There was an instance where the City raised invoices based on information provided by Boral Quarries (WA) Pty Ltd. The information was not verified by the City prior to raising the invoices. The City's auditors have recommended that management institute a process of checking the information provided prior to raising invoices.

Management Comment

As negotiations are underway for the lease extension for Boral Quarries (WA) Pty Ltd, the City will identify an appropriate audit arrangement for raising invoices.

Investment of Surplus Funds

Section 6.3(c) of the City's Investment Policy sets out maturity constraints for the City's investments. The City's auditors have referred to Regulation 19C of the *Local Government (Financial Management) Regulations 1996* which was introduced in April 2012. It stipulates, among other things, when investing in money, that a local government is not to deposit for a fixed term of more than 12 months or to invest in bonds with a term of maturity of more than three years. In view of this they recommend that the City review its Investment Policy.

Management Comment

Council's Investment Policy has already been amended to reflect these and other changes. The amended policy will be presented to Council through the annual Policy review.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY IMPLICATIONS

*Local Government Act 1995*
*Local Government (Financial Management) Regulations 1996*

VOTING REQUIREMENTS

Simple Majority required.
Item 12.1.1 Continued

STAFF RECOMMENDATION

That Council receive the interim audit management letter and management comments for the year ending 30 June 2013, attached as Appendix 5.1A*.

* Refer to Audit Committee Minutes Item 5.1 of 7 May 2013 contained in Appendix 12.1A.
13. REPORTS

13.1 CHIEF EXECUTIVE OFFICE

Nil.

13.2 COMMUNITY ENGAGEMENT

13.2.1 PLACING OF A MEMORIAL PLAQUE AT ADDIE MILLS CENTRE

Author: A Cochran
Author's Declaration of Interest: Nil.
Previous Ref: Nil.
Appendix: Nil.

PURPOSE OF REPORT

To seek Council's approval for the placement of a memorial plaque in the garden at Addie Mills Centre (AMC) in the memory of Mrs Asla Falk who was a volunteer at the Centre for the past 21 years.

BACKGROUND

In April 2013, Mrs Asla Falk, a long term volunteer at the City of Gosnells Addie Mills Centre passed away after a period of illness. Mrs Falk was a volunteer in the AMC kitchen from 1992 to 2013.

Mrs Falk's friends, fellow AMC volunteers and City Staff who have worked with her have requested Council's permission to place a small memorial plaque in her memory.

DISCUSSION

This request is in accordance with the City of Gosnells Policy 2.3.13 Placing of Memorials on Public Open Space under section 3.4 Plaques. The memorial plaque is 11 x 4.5 centimetres in size and will be permanently fixed within the flowerbed which is located in the rose garden at the rear of the main entrance to the Centre.

Whilst working as a volunteer at the City of Gosnells AMC, Mrs Falk provided and ensured excellent service in all tasks she undertook within her role as a volunteer in the kitchen.

Staff and volunteers of AMC consider it would be a fitting tribute that a permanent memorial be established at the Centre, both to celebrate Mrs Falk's life and to acknowledge her contributions to the City of Gosnells.

FINANCIAL IMPLICATIONS

The purchase of the plaque can be funded from the Volunteer Management Account Number 90-90500-3325-000 at an estimated cost of $100.
Item 13.2.1 Continued

STATUTORY IMPLICATIONS

City of Gosnells Policy 2.3.13 Placing of Memorials on Public Open Space.

VOTING REQUIREMENTS

Simple Majority required.

STAFF RECOMMENDATION

That Council approve the placement of a memorial plaque in memory of Mrs Asla Falk a long serving volunteer within the garden at the rear of the Addie Mills Centre funded from the Volunteer Management Account Number 90-90500-3325-000 at an estimated cost of $100.
13.2.2  HISTORY AND HERITAGE ADVISORY GROUP MEETING - 4 APRIL 2013

Author: S Gurney  
Author's Declaration of Interest: Nil.  
Previous Ref: OCM 13 November 2012 Resolution 539  
Appendix: 13.2.2A  
Minutes including proposed Actions of the History and Heritage Advisory Group Meeting held on Thursday 4 April 2013

PURPOSE OF REPORT

For Council to receive the Action Sheet and Minutes of the City of Gosnells History and Heritage Advisory Group (the Group) Meeting held on 4 April 2013 and to consider the staff recommendation in relation to the Group's proposed action and to note the staff responses to the Group's proposed actions which are within operational parameters.

BACKGROUND

In accordance with Policy 3.3.5, City of Gosnells History and Heritage Advisory Group - Terms of Reference, the Group meets every two months to provide a community perspective on aspects of history and heritage within the care or control of the City of Gosnells. The Minutes of the Group held on 4 April 2013 are attached as Appendix 13.2.2A.

DISCUSSION

There was one proposed action from the Group meeting held on 4 April 2013 which requires Council's consideration.

PROPOSED ACTION 2:  
That Council further investigate the cost of retaining the Fremantle Road Bridge with improvements to the handrails, the cleaning of side drainage holes located along the bridge and the entrance pits, as per attached report (see attachment 2)

The attachment 2 referred to in the above proposed action is contained in Appendix 13.2.2A History and Heritage Advisory Group Minutes held on 4 April 2013 attached to this report.

The meeting held on 4 April 2013 was attended by relevant officers from the Infrastructure Directorate. The officers provided advice to the Group that, at its meeting held on 13 November 2012, Council had considered the potential options for the works to be undertaken on the Fremantle Road Bridge. At this meeting, Council had resolved to take the following action as contained in Resolution 539 which reads:

"That Council approve Option 3 above which includes the removal of the existing road asphalt, bridge deck and guardrails of the Fremantle Road Bridge; and the investigation of installing a new pedestrian bridge supported by the existing bridge structure to reduce the long-term maintenance costs while preserving the heritage of the existing Fremantle Road Bridge."
Option Three is to maintain a pedestrian and cycle function for the bridge while preserving some of the historical and heritage links. The following reasons were provided for staff recommending Option Three in Item 13.4.6 of the OCM held on 13 November 2012, these are:

To reduce the high cost of maintaining the old road bridge which is currently used as a pedestrian and cycle bridge only, and at the same time preserving some historical and heritage links, a further option was explored which involves the removal of the existing road asphalt and timber bridge deck and replacing it with a new pedestrian bridge up to 2.5m wide complete with safety guardrails. This option would also include further inspection of the bridge's existing structure upon removal of its decking. This would determine the need for any additional work, plus allow for the full preventive maintenance and some essential minor refurbishment works. The old bridge structure will continue to support the existing gas pipeline as any relocation work for this pipeline will be very costly. The appropriateness of re-using the existing bridge deck materials for the new foot bridge decking will be unknown until the road asphalt layer is removed.

Interpretive signage should be considered as part of the optional works to provide the community with information on the bridge. It would be preferable to position a sign at one end of the bridge, to provide a context for the information. The information on the bridge's historic and social significance can be found in the City's Heritage Inventory. Images of the bridge are located in the City's Museum collection, showing it in use. The sign could be constructed in a similar manner to the entrance sign at the City of Gosnells Museum. This sign has anti-graffiti coating and has withstood vandalism and the weather very well.

Technically, Option Three as contained in the Council Resolution 539 of the OCM 13 November 2012 provides the most beneficial outcome to reduce the long-term maintenance costs whilst preserving the bridge's heritage. As such, it will be recommended that no further action be undertaken in regard to modification to the previous Council decision. Funding has been included in the Draft 2013/14 Budget to commence undertaking the preservation works.

FINANCIAL IMPLICATIONS

Actions can be addressed within operational budgets and resources.

STATUTORY IMPLICATIONS

- Local Government Act 1995, Section 5.41
- City of Gosnells Policy No. 5.4.43 Advisory Groups - Establishment and Operation applies to the operations of Advisory Groups of the City
- City of Gosnells Policy No. 3.3.5 City of Gosnells History and Heritage Advisory Group - Terms of Reference.

VOTING REQUIREMENTS

Simple Majority required.
STAFF RECOMMENDATION (1 OF 2)

That Council receive the Minutes including proposed Actions of the City of Gosnells History and Heritage Advisory Group Meeting held on Thursday 4 April 2013 attached as Appendix 13.2.2A.

STAFF RECOMMENDATION (2 OF 2)

That Council advise the History and Heritage Advisory Group that restoration work will be undertaken to the Fremantle Bridge in accordance with Resolution 539 of the Ordinary Council Meeting held on 13 November 2012.
13.3 CORPORATE SERVICES

13.3.1 FINANCIAL ACTIVITY STATEMENTS - APRIL 2013

Author: K Gill
Author’s Declaration of Interest: Nil.
Previous Ref: Nil.
Appendix: 13.3.1A Financial Activity Statement Report for the month of April 2013

PURPOSE OF REPORT

For Council to adopt the Financial Activity Statement report for the month of April 2013.

BACKGROUND

In accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, the following reports are contained in the Financial Activity Statement Report:

- Commentary and report on variances
- Operating Statement by Program
- Balance Sheet
- Statement of Financial Activity
- Net Current Assets Report
- Reserve Movements
- Capital Works Expenditure
- Outstanding Debtor Information
- Rates Report
- Investment Report

DISCUSSION

The Financial Activity Statement Report for the month of April 2013 is attached as Appendix 13.3.1A.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996, regulation 34.

VOTING REQUIREMENTS

Simple Majority required.
STAFF RECOMMENDATION

That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, adopt the following reports, contained in the Financial Activity Statement Report for the month of April 2013, attached as Appendix 13.3.1A:

A. Commentary and report on variances
B. Operating Statement by Program
C. Balance Sheet
D. Statement of Financial Activity
E. Net Current Assets Report
F. Reserve Movements
G. Capital Works Expenditure
H. Outstanding Debtor Information
I. Rates report
J. Investment Report
13.3.2  PAYMENT OF ACCOUNTS - APRIL 2013

Author: K Gill
Author's Declaration of Interest: Nil.
Previous Ref: Nil.
Appendix: 13.3.2A Cheque and EFT Payment Listing for the period 1 April 2013 to 30 April 2013

PURPOSE OF REPORT

To advise Council of payments made for the period 1 April 2013 to 30 April 2013.

BACKGROUND

Nil.

DISCUSSION

Payments of $7,040,527.89 as detailed in the cheque and EFT payment listing for the period 1 April 2013 to 30 April 2013, attached as Appendix 13.3.2A, have been approved by the Director Corporate Services under delegated authority.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY IMPLICATIONS

*Local Government (Financial Management) Regulations 1996, regulation 13 (2)* requires a local government to prepare a list of accounts for approval showing the payee's name; the amount of the payment; and sufficient information to identify the transaction and the date of the meeting of the Council to which the list is to be presented.

VOTING REQUIREMENTS

Simple Majority required.

STAFF RECOMMENDATION

That Council note the payment of accounts totalling $7,040,527.89 as shown in the cheque and EFT payment listing, attached as Appendix 13.3.2A, for the period 1 April 2013 to 30 April 2013.
13.3.3 BUDGET VARIATIONS

Author: R Bouwer
Author's Declaration of Interest: Nil.
Previous Ref: Nil.
Appendix: Nil.

PURPOSE OF REPORT

To seek approval from Council to adjust the 2012/13 Municipal Budget.

BACKGROUND

Nil.

DISCUSSION

In accordance with Section 6.8 of the Local Government Act 1995 a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:

- Is incurred in a financial year before the adoption of the annual budget by the local government
- Is authorised in advance by Council resolution
- Is authorised in advance by the Mayor or President in an emergency.

Approval is therefore sought for the following budget adjustments for the reasons specified.

FINANCIAL IMPLICATIONS

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<tr>
<th>Account Number</th>
<th>Type</th>
<th>Account Description</th>
<th>Debit $</th>
<th>Credit $</th>
</tr>
</thead>
<tbody>
<tr>
<td>JL13-30848-3800-000</td>
<td>Increase Expenditure</td>
<td>Trailer - Flatbed for mobile skate ramp - Capital Purchases</td>
<td>7,865</td>
<td></td>
</tr>
<tr>
<td>JL90-90619-3295-000</td>
<td>Decrease Expenditure</td>
<td>Wheeled Sports Facilities - Sundry Expenses</td>
<td></td>
<td>1,389</td>
</tr>
<tr>
<td>JL13-30848-1355-000</td>
<td>Increase Income</td>
<td>Trailer - Flatbed for mobile skate ramp - Non Operating Grants</td>
<td></td>
<td>6,476</td>
</tr>
</tbody>
</table>

REASON:
External LotteryWest grant received for purchase of design specific trailer to transport mobile skate ramp to venue. Additional design components required to ensure Occupational Health and Safety issues are addressed. Additional design components can be funded from Skate Park Program operations which will not impact to a great degree of program delivery.

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Type</th>
<th>Account Description</th>
<th>Debit $</th>
<th>Credit $</th>
</tr>
</thead>
<tbody>
<tr>
<td>JL14-80214-1357-498</td>
<td>Decrease Income</td>
<td>Austin Ave - Install roundabout - Federal Black Spot Funding</td>
<td>90,000</td>
<td></td>
</tr>
<tr>
<td>JL76-93108-3762-000</td>
<td>Increase Expenditure</td>
<td>Technical Services Repayment of Grant - Other Expenditure</td>
<td>110,000</td>
<td></td>
</tr>
<tr>
<td>JL14-80214-3384-499</td>
<td>Decrease Expenditure</td>
<td>Austin Ave - Install roundabout - Carry forward Expenditure</td>
<td></td>
<td>200,000</td>
</tr>
</tbody>
</table>

REASON:
Return of $110,000 in National Black spot funding as the scope of the Austin Avenue project has
Item 13.3.3 Continued

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Type</th>
<th>Account Description</th>
<th>Debit  $</th>
<th>Credit $</th>
</tr>
</thead>
<tbody>
<tr>
<td>JL15-60465-3800-741</td>
<td>Increase Expenditure</td>
<td>The Haven Irrigation works - Capital Purchase</td>
<td>33,000</td>
<td></td>
</tr>
<tr>
<td>JL15-60045-3800-741</td>
<td>Decrease Expenditure</td>
<td>Bore and Pump Rehabilitation - Capital Purchase</td>
<td>33,000</td>
<td></td>
</tr>
</tbody>
</table>

REASON:
Redirecting the City’s contribution into a specific account for The Haven subdivision irrigation works.

STATUTORY IMPLICATIONS
Section 6.8 of the *Local Government Act 1995*.

VOTING REQUIREMENTS
Absolute Majority required.

STAFF RECOMMENDATION

That Council approve the following adjustments to the 2012/13 Municipal Budget:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Account Description</th>
<th>Debit  $</th>
<th>Credit $</th>
</tr>
</thead>
<tbody>
<tr>
<td>JL13-30848-3800-000</td>
<td>Trailer - Flatbed for mobile skate ramp - Capital Purchases</td>
<td>7,865</td>
<td></td>
</tr>
<tr>
<td>JL90-90619-3295-000</td>
<td>Wheeled Sports Facilities - Sundry Expenses</td>
<td>1,389</td>
<td></td>
</tr>
<tr>
<td>JL13-30848-1355-000</td>
<td>Trailer - Flatbed for mobile skate ramp - Non Operating Grants</td>
<td>6,476</td>
<td></td>
</tr>
<tr>
<td>JL14-80214-1357-498</td>
<td>Austin Ave - Install roundabout - Federal Black Spot Funding</td>
<td>90,000</td>
<td></td>
</tr>
<tr>
<td>JL76-93108-3762-000</td>
<td>Technical Services Repayment of Grant - Other Expenditure</td>
<td>110,000</td>
<td></td>
</tr>
<tr>
<td>JL14-80214-3384-499</td>
<td>Austin Ave - Install roundabout - Carry forward Expenditure</td>
<td>200,000</td>
<td></td>
</tr>
<tr>
<td>JL15-60465-3800-741</td>
<td>The Haven Irrigation works - Capital Purchase</td>
<td>33,000</td>
<td></td>
</tr>
<tr>
<td>JL15-60045-3800-741</td>
<td>Bore and Pump Rehabilitation - Capital Purchase</td>
<td>33,000</td>
<td></td>
</tr>
</tbody>
</table>

(Absolute Majority Required)
13.3.4 INTERNATIONAL CITY MANAGEMENT ASSOCIATION (ICMA) CONFERENCE, BOSTON MASSACHUSETTS, 22-25 SEPTEMBER 2013

Author: R Bouwer
Author’s Declaration of Interest: Direct Financial Interest
Previous Ref: Nil.
Appendix: 13.3.4A Preliminary Conference Program

PURPOSE OF REPORT

To seek Council approval for the Director Corporate Services to attend the 99th Annual International City Management Association (ICMA) Conference to be held in Boston, Massachusetts.

BACKGROUND

The ICMA Conference is the largest annual event in the world for local government managers. The 99th Annual Conference is to be held in Boston, Massachusetts USA from 22-25 September 2013, with the theme of "Revolutionary Leadership".

Each year through its highly praised Annual Conference, ICMA offers an abundance of educational, information sharing and networking tools to help local government managers in today's complex environment.

DISCUSSION

The Conference is structured to provide a diverse range of thought provoking topics for local government managers. Topics to be covered by various speakers include:

- Comprehensive Sustainability: The Economic, Social and Environmental Impacts
- Economic Sustainability: The Other "Green" Alternative
- Leaders, Not Followers
- The Future of Local Government: Rhetoric vs. Reality
- Leadership and Courage in Turbulent Times
- Smart Communities and the Opportunities of "Big Data"
- Municipal Contract Management
- Successes in Collaboration
- Ideas that Worked: Rapid Fire Innovation
- Leading through Financial Crisis
- Open Data Platforms: How Open Data Lead to Transparency.

In addition to these educational and keynote sessions, there will also be opportunities for round-table discussions, field demonstrations and numerous demonstrations of technology applications.
The preliminary conference program is attached as Appendix 13.3.4A.

**FINANCIAL IMPLICATIONS**

The Director Corporate Services' previous contract of employment provided for attendance at one international conference/study tour during the term of the contract. Attendance at an international conference was deferred until now by agreement with the Chief Executive Officer (CEO) as there had been no relevant or appropriate conferences available to attend during the contract period. Funds for the conference are available in Job 85-96100-3034-000 - Staff Training/Conferences.

Current estimated costs are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration</td>
<td>$1,085</td>
</tr>
<tr>
<td>Airfares</td>
<td>$3,200</td>
</tr>
<tr>
<td>Accommodation (5 nights)</td>
<td>$2,100</td>
</tr>
<tr>
<td>Expenses</td>
<td>$660</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$7,045</strong></td>
</tr>
</tbody>
</table>

**STATUTORY IMPLICATIONS**

Nil.

**VOTING REQUIREMENTS**

Simple Majority required.

**STAFF RECOMMENDATION**

That Council approve the Director Corporate Services attending the 99th International City Management Association (ICMA) Conference in Boston, Massachusetts in September 2013 at an estimated cost of $7,045 with costs to be met from Job 85-96100-3034-000.
13.4 INFRASTRUCTURE

13.4.1 TENDER 03/2013 - FERTILISER SUPPLY AND APPLICATION

Author: B Wright
Author's Declaration of Interest: Nil.
Previous Ref: Nil.
Appendix: 13.4.1A Pricing Schedules

PURPOSE OF REPORT

To advise Council of submissions received in relation to Tender 03/2013 - Fertiliser Supply and Application and recommend the most advantageous tender for the purpose of awarding a contract.

BACKGROUND

The tender was advertised in The West Australian newspaper on Wednesday 3 April 2013 and closed at 2pm on 18 April 2013 to select a contractor to provide fertiliser supply and application for a period of three years commencing 1 July 2013 until 30 June 2016.

Submissions were received from the following companies:

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baileys Fertilisers</td>
<td>PO Box 261, Rockingham WA 6968</td>
</tr>
<tr>
<td>Lawn Doctor</td>
<td>22 Rousset Road, Joondalup WA 6027</td>
</tr>
<tr>
<td>Lovegrove Turf Services</td>
<td>41 Brentwood Road, Wattle Grove WA 6107</td>
</tr>
<tr>
<td>Turfmaster Facility Management</td>
<td>223 Collier Road, Bayswater WA 6053</td>
</tr>
</tbody>
</table>

The work is currently undertaken by Turfmaster Facility Management at a total annual cost of approximately $100,000.

DISCUSSION

Fertiliser application is critical to maintain reserve turf surfaces to an acceptable standard for use by the community. It is essential that a reliable and cost-effective provider of this service be appointed.

Tender submissions have been assessed by the Evaluation Panel against the evaluation criteria defined within the tender specification: Relevant experience, capacity to deliver the services, a service delivery plan indicating methodology and price.

The prices submitted are documented in Appendix 13.4.1A.

The following table details the assessment of each tender against the qualitative evaluation criteria as determined by the Panel.
The following table details the assessment of each tender against the price submitted. As this is not a lump sum contract the assessment for price was made against three of the most used broad acre fertiliser products and averaged out at a per hectare rate. These three products account for approximately 80% of the $100,000 annual expenditure.

- 3.1.1 granular fertiliser at 300 kg/ha
- Liquid Iron Manganese at 25 L/ha
- Sulphate of Ammonia at 300 kg/ha.

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>3.1.1 Granular Fertiliser $</th>
<th>Iron Manganese $</th>
<th>Ammonia $</th>
<th>Total Cost Ex GST per hectare $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baileys Fertiliser</td>
<td>278.29</td>
<td>132.60</td>
<td>128.29</td>
<td>539.18</td>
</tr>
<tr>
<td>Lawn Doctor</td>
<td>293.50</td>
<td>121.63</td>
<td>165.10</td>
<td>580.23</td>
</tr>
<tr>
<td>Lovegrove Turf Services</td>
<td>330.00</td>
<td>120.00</td>
<td>235.00</td>
<td>685.00</td>
</tr>
<tr>
<td>Turfmaster Facility Management</td>
<td>273.00</td>
<td>180.00</td>
<td>160.00</td>
<td>613.00</td>
</tr>
</tbody>
</table>

The tendered prices for the following three years are comparable to the existing contract with a 3% increase in the cost of applying most fertilisers.

The following table details the combined assessment of each tender against both qualitative criteria and price and ranks each tender.
The submissions received were generally professional, satisfied the City's Occupational Health and Safety requirements, addressed the qualitative criteria and demonstrated the ability to provide the City with the required services.

In terms of delivering key maintenance and turf renovation activities, all local governments in the metropolitan area are generally reliant on the same group of service providers and in most cases at the same seasonal timeframes. This has in the past caused works programming issues for the City where the service provision is significantly affected by contract workload and timeframes may not necessarily be to the advantage of the City.

To overcome this problem and ensure timely delivery of the service under consideration, it will be recommended that contracts be awarded to a panel of three service providers as this will adequately cover the City's needs.

The highest ranked panel member will be the preferred service provider with the use of other panel members being based on the overall ranking from the assessment process and the service delivery costs of individual maintenance activity.

Referees were contacted for the preferred tenderers and all referees have provided satisfactory references.

Following the assessment of the criteria, Lawn Doctor, Turfmaster Facility Management and Baileys Fertiliser were assessed as being suitable to fulfil the requirements of this contract.

Therefore it will be recommended all three companies be included on a panel and be required to perform contract services at the discretion of the City

**FINANCIAL IMPLICATIONS**

The services associated with this contract will be included in the relevant budgets for the life of the contract. The amount budgeted for 2013/14 is $100,000.

**STATUTORY IMPLICATIONS**

Section 3.57 (1) of the *Local Government Act 1995* requires a local government to invite tenders before it enters a contract of a prescribed kind under which another person is to supply the goods or services.
VOTING REQUIREMENTS

Simply Majority required.

STAFF RECOMMENDATION

That Council award Tender 03/2013 - Fertiliser Supply and Application to the following panel of contractors for a three-year period commencing 1 July 2013 in accordance with the schedule of prices submitted as Appendix 13.4.1A:

1. Lawn Doctor, 22 Rousset Road, Joondalup WA 6027.
2. Turfmaster Facility Management, 223 Collier Road, Bayswater WA 6053.
3. Baileys Fertilisers, PO Box 261, Rockingham WA 6968.
13.4.2 TENDER 04/2013 - TURF RENOVATION

Author: B Wright
Author's Declaration of Interest: Nil.
Previous Ref: Nil.
Appendix: 13.4.2A Pricing Schedules

PURPOSE OF REPORT

To advise Council of submissions received in relation to Tender 04/2013 - Turf Renovation and recommend the most advantageous tender for the purpose of awarding a contract.

BACKGROUND

The tender was advertised in The West Australian newspaper on Wednesday 3 April 2013 and closed at 2pm on 18 April 2013 to select a contractor to provide turf renovation for a period of three years commencing 1 July 2013 until 30 June 2016.

Submissions were received from the following companies:

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lawn Doctor</td>
<td>22 Rousset Road, Joondalup WA 6027</td>
</tr>
<tr>
<td>Lovegrove Turf Services</td>
<td>41 Brentwood Road, Wattle Grove WA 6107</td>
</tr>
<tr>
<td>Statewide Turf Services</td>
<td>60 Buttercup Crescent, High Wycombe WA 6057</td>
</tr>
<tr>
<td>Turf Care WA Pty Ltd</td>
<td>1/80 Attfield Street, Maddington WA 6109</td>
</tr>
<tr>
<td>Turfmaster Facility Management</td>
<td>223 Collier Road, Bayswater WA 6053</td>
</tr>
</tbody>
</table>

The work is currently undertaken by Turfmaster at a total annual cost of approximately $200,000.

DISCUSSION

Turf renovation practices are critical to maintain reserve turf surfaces to an acceptable standard for use by the community. It is essential that a reliable and cost-effective provider of this service be appointed.

Tender submissions have been assessed by the Evaluation Panel against the evaluation criteria defined within the tender specification: Relevant experience, capacity to deliver the services, a service delivery plan indicating methodology and price.

The prices submitted are documented in Appendix 13.4.2A.

The following table details the assessment of each tender against the qualitative evaluation criteria as determined by the Panel.
The following table details the assessment of each tender against the price submitted. As this was not a lump sum contract the assessment for price was against three of the most used broad acre renovation practices and averaged out at a per hectare rate. These three renovation activities account for approximately 80% of the $200,000 annual expenditure.

- Verti Mowing and Sweeping
- Verti Draining Solid Tines* at 200mm depth
- Debris Disposal Option 2.

* Tines are solid or hollow steel rods that form part of a verti-drain coring machine.

A case study was used to provide a scenario to evaluate the expected costs in practice. This case study involved undertaking verti mowing and sweeping at Thornlie Oval which is 2.5ha in size. An estimated 40m³ of debris is expected to be removed using debris disposal option 2.

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Verti Mow and Sweeping</th>
<th>Verti Drain Solid Tines at 200mm</th>
<th>Debris Disposal</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Lawndoctor</td>
<td>1,475</td>
<td>1,250</td>
<td>1,800</td>
<td>4,525</td>
</tr>
<tr>
<td>Lovegrove Turf Services</td>
<td>1,800</td>
<td>1,250</td>
<td>1,400</td>
<td>4,450</td>
</tr>
<tr>
<td>Statewide Turf Services</td>
<td>1,800</td>
<td>1,245</td>
<td>920</td>
<td>3,965</td>
</tr>
<tr>
<td>Turf Care WA Pty Ltd</td>
<td>2,200</td>
<td>1,800</td>
<td>720</td>
<td>4,720</td>
</tr>
<tr>
<td>Turfmaster Facility Management</td>
<td>1,350</td>
<td>1,400</td>
<td>1,240</td>
<td>3,990</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weighting</td>
<td>50%</td>
</tr>
<tr>
<td>Lawndoctor</td>
<td>43.81</td>
</tr>
<tr>
<td>Lovegrove Turf Services</td>
<td>44.55</td>
</tr>
<tr>
<td>Statewide Turf Services</td>
<td>50.00</td>
</tr>
<tr>
<td>Turf Care WA Pty Ltd</td>
<td>42.00</td>
</tr>
<tr>
<td>Turfmaster Facility Management</td>
<td>49.69</td>
</tr>
</tbody>
</table>
Item 13.4.2 Continued

The tendered prices for the following three years are comparable to the existing contract with a 3% increase.

The following table details the combined assessment of each tender against both qualitative criteria and price and ranks each tender.

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Qualitative Criteria %</th>
<th>Price %</th>
<th>Total %</th>
<th>Overall Ranking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lawndoctor</td>
<td>40</td>
<td>43.81</td>
<td>83.81</td>
<td>3</td>
</tr>
<tr>
<td>Lovegrove Turf Services</td>
<td>40</td>
<td>44.55</td>
<td>84.55</td>
<td>2</td>
</tr>
<tr>
<td>Statewide Turf Services</td>
<td>40</td>
<td>50.00</td>
<td>90.00</td>
<td>1</td>
</tr>
<tr>
<td>Turf Care WA Pty Ltd</td>
<td>30</td>
<td>42.00</td>
<td>72.00</td>
<td>5</td>
</tr>
<tr>
<td>Turfmaster Facility Management</td>
<td>34</td>
<td>49.69</td>
<td>83.69</td>
<td>4</td>
</tr>
</tbody>
</table>

The submissions received were generally professional, satisfied the City’s Occupational Health and Safety requirements, addressed the qualitative criteria and demonstrated the ability to provide the City with the required services.

In terms of delivering key maintenance and turf renovation activities, all local governments in the metropolitan area are generally reliant on the same group of service providers and in most cases at the same seasonal timeframes. This has in the past caused works programming issues for the City where the service provision is significantly affected by contract workload and timeframes may not necessarily be to the advantage of the City.

To overcome this problem and ensure timely delivery of the service under consideration it will be recommended that contracts be awarded to a panel of three service providers as this will adequately cover the City’s needs.

The highest ranked panel member will be the preferred service provider with the use of other panel members being based on the overall ranking from the assessment process and the service delivery costs of individual maintenance activity.

Referees were contacted for the preferred tenderers and all referees have provided a satisfactory reference.

Following the assessment of the criteria, Statewide Turf Services, Lovegrove Turf Services and Lawndoctor were assessed as being suitable to fulfil the requirements of this contract. Therefore it will be recommended these three companies be included on a panel and be required to perform contract services at the discretion of the City.

FINANCIAL IMPLICATIONS

The services associated with this contract will be included in the relevant budgets for the life of the contract. The amount budgeted for 2013/14 is $200,000.
STATUTORY IMPLICATIONS

Section 3.57 (1) of the Local Government Act 1995 requires a local government to invite tenders before it enters a contract of a prescribed kind under which another person is to supply the goods or services.

VOTING REQUIREMENTS

Simply Majority required.

STAFF RECOMMENDATION

That Council award Tender 04/2013 - Turf Renovation to the following panel of contractors for a three-year period commencing 1 July 2013 in accordance with the schedule of prices submitted as Appendix 13.4.2A:

1. Statewide Turf Services, 60 Buttercup Crescent, High Wycombe WA 6057
2. Lovegrove Turf Services, 41 Brentwood Road, Wattle Grove WA 6107
3. Lawndoctor, 22 Rousset Road, Joondalup WA 6027
13.4.3 TENDER 17/2013 - HERBICIDE AND PESTICIDE SUPPLY AND APPLICATION

Author: B Wright
Author’s Declaration of Interest: Nil.
Previous Ref: Nil.
Appendix: 13.4.3A Pricing Schedules

PURPOSE OF REPORT

To advise Council of submissions received in relation to Tender 17/2013 Herbicide and Pesticide Supply & Application and recommend the most advantageous tender for the purpose of awarding a contract.

BACKGROUND

The tender was advertised in The West Australian newspaper on Wednesday 3 April 2013 and closed at 2pm on 18 April 2013 to select a contractor to provide herbicide and pesticide application for a period of three years commencing 1 July 2013 until 30 June 2016.

Submissions were received from the following companies:

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turfmaster Facility Management</td>
<td>223 Collier Road Bayswater WA 6053</td>
</tr>
<tr>
<td>Website Weed &amp; Pest WA Pty Ltd</td>
<td>3 Tanner Court Wellard WA 6170</td>
</tr>
</tbody>
</table>

The work is currently undertaken by Turfmaster Facility Management at a total annual cost of approximately $150,000.

DISCUSSION

The application of herbicides and pesticides is critical to maintain reserve turf surfaces to an acceptable standard for use by the community. It is essential that a reliable and cost-effective provider of this service be appointed.

Tender submissions have been assessed by the Evaluation Panel against the evaluation criteria defined within the tender specification: Relevant Experience, Capacity to Deliver the Services, a Service Delivery Plans indicating methodology and price.

The prices submitted are documented in Appendix 13.4.3A.

The following table details the assessment of each tender against the qualitative evaluation criteria as determined by the Panel.
The following table details the assessment of each tender against the price submitted. As this was not a lump sum contract the assessment for price was against three of the most used broad acre chemicals and averaged out at a per hectare rate. These three chemicals account for approximately 80% of the $150,000 annual expenditure.

- Spearhead @ 5L/ha
- Prop @ 3L/ha
- Stamina 90 @ 25L/ha.

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Spearhead 5L/ha</th>
<th>Prop 3L/ha</th>
<th>Stamina 90 25L/ha</th>
<th>Total Cost Ex Gst per hectare</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turfmaster Facility Management</td>
<td>200.00</td>
<td>294.00</td>
<td>300.00</td>
<td>794.00</td>
</tr>
<tr>
<td>Website Weed &amp; Pest WA Pty Ltd</td>
<td>180.00</td>
<td>203.00</td>
<td>322.50</td>
<td>705.50</td>
</tr>
</tbody>
</table>

The tendered prices for the following three years are advantageous to the City as there is a 5% reduction in the cost of applying most chemicals when compared to the previous contract.

The following table details the combined assessment of each tender against both qualitative criteria and price and ranks each tender.

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Qualitative Criteria 50%</th>
<th>Price 50%</th>
<th>Total 100%</th>
<th>Overall Ranking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turfmaster Facility Management</td>
<td>38</td>
<td>44.42</td>
<td>82.42</td>
<td>1</td>
</tr>
<tr>
<td>Website Weed &amp; Pest WA Pty Ltd</td>
<td>32</td>
<td>50</td>
<td>82</td>
<td>2</td>
</tr>
</tbody>
</table>
The submissions received were generally professional, satisfied the City’s Occupational Health and Safety requirements, addressed the qualitative criteria and demonstrated the ability to provide the City with the required services.

In terms of delivering key maintenance and turf renovation activities, all local governments in the metropolitan area are generally reliant on the same group of service providers and in most cases at the same seasonal timeframes. This has in the past caused works programming issues for the City where the service provision is significantly affected by contract workload and timeframes may not necessarily be to the advantage of the City.

To overcome this problem and ensure timely delivery of the service under consideration it will be recommended that contracts be awarded to a panel of service providers.

The highest ranked panel member will be the preferred service provider with the use of the other panel member being based on the overall ranking from the assessment process and the service delivery costs of individual maintenance activity.

Referees were contacted for both tenderers and all referees have provided a satisfactory reference.

Following the assessment of the criteria, both Turfmaster Facility Management and Website Weed & Pest WA were assessed as being suitable to fulfil the requirements of this contract. Therefore it will be recommended both companies be included on a panel and be required to perform contract services at the discretion of the City.

**FINANCIAL IMPLICATIONS**

The services associated with this contract will be included in the relevant budgets for the life of the contract. The amount budgeted for 2013/14 is $150,000.

**STATUTORY IMPLICATIONS**

Section 3.57 (1) of the *Local Government Act 1995* requires a local government to invite tenders before it enters a contract of a prescribed kind under which another person is to supply the goods or services.

**VOTING REQUIREMENTS**

Simply Majority required.

**STAFF RECOMMENDATION**

That Council award Tender 17/2013 Herbicide and Pesticide Application to the following panel of contractors for a three-year period commencing 1 July 2013 in accordance with the schedule of prices submitted as Appendix 13.4.1A:

1. Turfmaster Facility Management, 223 Collier Road, Bayswater WA 6053
2. Website Weed & Pest WA Pty Ltd of 3 Tanner Court, Wellard WA 6170
13.4.4   CITY OF GOSNELLS ROADWISE ADVISORY GROUP MEETING 1 MAY 2013

Author: K Brosztl
Author’s Declaration of Interest: Nil.
Previous Ref: Nil.
Appendix: 13.4.4A RoadWise Advisory Group Action Sheet

PURPOSE OF REPORT

For Council to receive the Action Sheet of the RoadWise Advisory Group Meeting held on Wednesday 1 May 2013.

BACKGROUND

The City of Gosnells RoadWise Advisory Group meets on the first Wednesday of every month. The Group was established with the guiding principles to:

- Improve road safety in the City of Gosnells
- Raise community awareness of road safety issues and initiatives in the City of Gosnells
- Facilitate community planning, development and implementation of road safety programs and promotions
- Develop programs and initiatives which target groups and issues identified in the State Road Safety Strategy.

The Action Sheet of the meeting is attached as Appendix 13.4.4A.

DISCUSSION

Proposed Actions from the Group Meeting held on Wednesday 1 May 2013

There are no proposed actions from the RoadWise Advisory Group meeting that require Council consideration. There are 10 proposed actions that have been addressed within operational parameters, with the status now being reported to Council.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY IMPLICATIONS

City of Gosnells Policy 2.4.19 City of Gosnells RoadWise Advisory Group – Terms of Reference.

VOTING REQUIREMENTS

Simple Majority required.
STAFF RECOMMENDATION (1 OF 2)

That Council receive the Action Sheet of the City of Gosnells RoadWise Advisory Group Meeting held on Wednesday 1 May 2013 attached as 13.4.4A.

STAFF RECOMMENDATION (2 OF 2)

That Council note and endorse the officer's response undertaken within operational parameters to address the proposed Actions from the Group's meeting held on Wednesday 1 May 2013.

<table>
<thead>
<tr>
<th>Action Reference</th>
<th>Action</th>
<th>Current Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>RAG 1/5/2013 – Proposed Action 11</td>
<td>The RBT event will be held on 31 May 2013 from 7pm - 9pm and will be attended by volunteers from the City of Gosnells RAG and the City of Armadale. The Senior Traffic Engineer to ensure there are enough bags, organise clipboards and catering.</td>
<td>In progress.</td>
</tr>
<tr>
<td>RAG 1/5/2013 – Proposed Action 12</td>
<td>The Senior Traffic Engineer to provide feedback to Main Roads regarding these issues to include in their monitoring.</td>
<td>In progress</td>
</tr>
<tr>
<td>RAG 1/5/2013 – Proposed Action 13</td>
<td>The Technical Service Administration Officer to send letters to primary schools in the City of Gosnells regarding the art competition.</td>
<td>Final version of the letter is being completed ready for sending</td>
</tr>
<tr>
<td>RAG 1/5/2013 – Proposed Action 14</td>
<td>Cr Brown and the Senior Traffic Engineer will visit the Principal of Thornlie Senior High School on Tuesday 7 May 2013 to discuss holding the World Day of Remembrance event there and the logistics of putting on the event.</td>
<td>Completed</td>
</tr>
<tr>
<td>RAG 1/5/2013 – Proposed Action 15</td>
<td>The Senior Traffic Engineer will circulate proofs of the sticker to RAG members for comment when they are available.</td>
<td>A request has been made to Marketing to draw up a design</td>
</tr>
<tr>
<td>RAG 1/5/2013 – Proposed Action 16</td>
<td>Cr Brown to contact Steve Byrnes regarding the Perth Heat Baseball event</td>
<td>In progress</td>
</tr>
<tr>
<td>RAG 1/5/2013 – Proposed Action 17</td>
<td>Mr Newman to co-ordinate workshop at The Agonis in conjunction with the Senior Traffic Engineer.</td>
<td>In progress</td>
</tr>
<tr>
<td>RAG 1/5/2013 – Proposed Action 18</td>
<td>Cr Brown to continue to liaise with Neighbourhood Watch regarding the RAG's involvement in one their forthcoming events.</td>
<td>In progress</td>
</tr>
<tr>
<td>RAG</td>
<td>The Senior Traffic Engineer to check</td>
<td>A meeting is to be arranged</td>
</tr>
</tbody>
</table>
### Item 13.4.4 Continued

<table>
<thead>
<tr>
<th>Action Reference</th>
<th>Action</th>
<th>Current Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/5/2013 – Proposed Action 19</td>
<td>whether adding messages regarding RoadWise to the City of Gosnells website is possible and arrange accordingly.</td>
<td>between the Senior Traffic Engineer, the Communications and Marketing Coordinator and the Technical Services Administration Officer to discuss.</td>
</tr>
<tr>
<td>RAG 1/5/2013 – Proposed Action 20</td>
<td>The Senior Traffic Engineer to seek advice from Main Roads WA and Mr Wright from Motorcycle Riders Association of WA as to motivations behind the location of motorbike markings at traffic signals and report back to the meeting.</td>
<td>In progress</td>
</tr>
</tbody>
</table>
13.5 PLANNING AND SUSTAINABILITY

13.5.1 DEVELOPMENT APPLICATION - OUTBUILDING - LOT 803 GOSNELLS ROAD EAST, ORANGE GROVE

Author: M Wallace
Author’s Declaration of Interest: Nil.
Reference: 306658
Application No: DA13/00022
Applicant: R Hicks
Owner: R Hicks
Location: Lot 803 Gosnells Road East, Orange Grove
Zoning: MRS: Rural
TPS No. 6: General Rural
Review Rights: Yes. State Administrative Tribunal against any discretionary decision of Council.
Area: 10,007m²
Previous Ref: Nil.
Appendix: 13.5.1A Site Plan and Elevations

PURPOSE OF REPORT

For Council to consider an application for planning approval for an Outbuilding at Lot 803 Gosnells Road East, Orange Grove, as the proposal is outside the authority delegated to staff due to non-compliance with Local Planning Policy 2.2 - Outbuildings.

BACKGROUND

Site Description and Planning Framework

The subject site accommodates a single dwelling and is surrounded by rural properties.

A map identifying the location of the subject site follows.
Proposal

The application involves the following

- The construction of a 450m² (30m x 15m) outbuilding to replace an existing outbuilding. The outbuilding will be located at the rear of the dwelling and be setback 15m from the nearest boundary
- The proposed outbuilding will have a wall height of 5.2m and a ridge height of 6m
- The proposed outbuilding will be constructed of ‘Pale Eucalypt’ Colorbond
- The proposed outbuilding is to be used to store rare maritime tools, machinery, artefacts and models, as well as a heritage reference library for personal use only
- The proposal does not include a commercial element.

A site plan and elevations are contained as Appendix 13.5.1A.

Notably, the area in which the shed is proposed is currently occupied by a shed of 237.5m² plus a hardstand area of 109m².
Item 13.5.1 Continued

Consultation

The proposal was required to be advertised for public comment as it did not meet the exemption criteria of Council's Outbuilding Policy. During this time, one submission was received, raising no objection to the proposal.

A map identifying the consultation area and the origin of the submission follows.

DISCUSSION

Local Planning Policy 2.2 - Outbuildings

Council's Outbuilding Policy provides assessment criteria to determine whether an application for an outbuilding is generally acceptable, requires consultation to potentially affected landowners, or is generally unacceptable.

The proposed outbuilding does not meet all of the requirements of Column B and C (Acceptable) of Table 1 of the Policy with one aspect of the proposal falling within Column D (Unacceptable). In accordance with Clause 1.3 of the Policy, applications for outbuildings that fall within one or more of the criteria in Column D (Unacceptable) of Table 1 will generally be refused. The relevant criteria and staff assessment is in the following tabled.
Item 13.5.1 Continued

<table>
<thead>
<tr>
<th>Outbuildings Policy Requirements - Column D (Unacceptable Outbuildings)</th>
<th>Assessment/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>ii. The area, wall height and/or roof height of the outbuilding is more than 15% greater than specified in Column B. Column B provides for a maximum floor area of 240m², maximum wall height of 4.0m and a maximum roof height of 5.0m.</td>
<td>The proposal includes an area of 450m², which is 87.5% more than the Policy criteria. The proposal includes a wall height of 5.2m, which is 30% more than the Policy criteria. The proposal includes a roof height of 6m, which is 20% more than the Policy criteria.</td>
</tr>
</tbody>
</table>

As detailed above, the proposal does not comply with the area, wall height or roof height requirement of the Policy.

In considering the appropriateness of the proposal, the following matters are relevant:

- No objections were received from surrounding landowners
- The proposed outbuilding is located at the rear of the dwelling and will therefore have no impact on the streetscape
- The proposed outbuilding is constructed of 'Pale Eucalypt' Colorbond which is considered appropriate in rural areas
- The proposed building is setback 15m from the nearest property, and its bulk and size would not adversely impact on the subject lot or any adjoining property
- The proposed shed would replace a similar but smaller structure on the land
- The existing vegetation provides significant screening to the site of the proposed shed.

Based on the above, the variation to the Outbuildings Policy is considered acceptable in this instance.

CONCLUSION

The proposal is supported for the reasons outlined above.

It is therefore recommended that the proposal be approved, subject to the imposition of appropriate conditions as listed in the staff recommendation.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY IMPLICATIONS

- Town Planning Scheme No. 6
- Local Planning Policy 2.2 - Outbuildings.

VOTING REQUIREMENTS

Simple Majority required.
STAFF RECOMMENDATION

That Council approve the application for an Outbuilding at Lot 803 Gosnells Road East, Orange Grove, dated 25 March 2013, subject to the following conditions:

1. A geotechnical report is to be submitted certifying that the land is physically capable of development to the satisfaction of the City.

2. The applicant shall submit, and thereafter implement, a drainage plan, to the satisfaction of the City, showing how stormwater drainage from the proposed building is to be managed.

3. The approved outbuilding is not to be used for habitation, commercial or industrial purposes, without the approval of the City.

4. Existing screening vegetation is to be retained to the City's satisfaction. Any removal of vegetation will require the City's approval.
13.5.2 DEVELOPMENT APPLICATION - OUTBUILDING - 335 (LOT 103) MADDINGTON ROAD, ORANGE GROVE

Author: L Gibson
Author’s Declaration of Interest: Nil.
Reference: 221512
Application No: DA13/00040
Applicant: Michael Edward Elms
Owner: Michael and Julie Elms
Location: 335 (Lot 103) Maddington Road, Orange Grove
Zoning: MRS: Rural
TPS No. 6: General Rural
Review Rights: Yes. State Administrative Tribunal against any discretionary decision of Council.
Area: 8,772m²
Previous Ref: Nil.
Appendix: 13.5.2A Site and Elevation Plans

PURPOSE OF REPORT

For Council to consider an application for planning approval for an Outbuilding at 335 (Lot 103) Maddington Road, Orange Grove as the proposal is outside the authority delegated to staff due to non-compliance with Local Planning Policy 2.2 - Outbuildings (LPP 2.2).

BACKGROUND

Site Description and Planning Framework

The subject site accommodates a single dwelling and a 94.5m² outbuilding and is surrounded by general rural zoned properties.

A map identifying the location of the subject site follows.
Proposal

The application involves the following

- The construction of a 180m² (12m x 18m) outbuilding, located at the rear of the dwelling. The outbuilding will be constructed of green Trimdek
- The proposed outbuilding is to be set back 3m from the north eastern boundary and 1.5m from the rear boundary
- The proposed outbuilding will have a wall height of 4.5m and a ridge height of 5.382m
- The proposed outbuilding is to be used to store a motor bike, caravan, boat, four-wheel drive and household items, as well as for recreational activities
- The proposal does not include a commercial element.

A site plan and elevations are contained as Appendix 13.5.2A.

Consultation

The proposal was required to be advertised for public comment as it did not meet the exemption criteria of Council’s Outbuilding Policy. The applicant undertook this advertising, during which time, five submissions were received, all raising no-objection to the proposal.
Item 13.5.2 Continued

A map identifying the consultation area and the origin of each submission follows. Given that the submissions did not raise issues requiring analysis, a submission table has not been added to this report.

A map identifying the consultation area and the origin of each submission follows.

![Consultation Plan](image)

Referrals

The application was also referred to the DBNGP (WA) Nominees Pty Ltd (DBNGP) for a period of 30 days, as the property is affected by the Dampier to Bunbury Natural Gas Pipeline Buffer. DBNGP raised no objection to the proposal.

DISCUSSION

Local Planning Policy 2.2 - Outbuildings

Council's Outbuilding Policy provides assessment criteria to determine whether an application for an outbuilding is generally acceptable, requires consultation to potentially affected landowners, or is generally unacceptable.

The proposed outbuilding does not meet the requirements of Columns B and C (Acceptable) of Table 1 of the Policy and therefore falls within Column D (Unacceptable). In accordance with Clause 1.3 of the Policy, applications for outbuildings that fall within one or more of the criteria in Column D (Unacceptable) of Table 1 will generally be refused. The relevant criteria and staff assessment is tabled below.
As detailed above, the proposed outbuilding does not meet the standards under the Policy, in relation to its location and floor area. In considering the floor area variation, the following is relevant:

- The proposed outbuilding would not be visible from the street.
- Subject to the imposition of a condition, the proposed setback and height will comply with the policy, which will limit the impact the development will have on adjoining properties.
- The subject lot has an area of 8,772 m², with the total area of all outbuildings occupying only 3.1% of the site.
- No objections were received from surrounding landowners.

Based on the above, it will be recommended that Council support a variation to the Outbuildings Policy in this instance.

CONCLUSION

The proposal is supported for the reasons outlined above.

It is therefore recommended that the proposal be approved subject to appropriate conditions as listed in the staff recommendation.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY IMPLICATIONS

- Town Planning Scheme No. 6
- Local Planning Policy 2.2 - Outbuildings.

VOTING REQUIREMENTS

Simple Majority required.
STAFF RECOMMENDATION

That Council approve the application for an Outbuilding at 335 (Lot 103) Maddington Road, Orange Grove, dated 8 February 2013, subject to the following conditions:

1. The submission of an amended site plan, generally in accordance with the submitted plans but modified so that the proposed outbuilding is setback 3m from the rear boundary.

2. The applicant shall submit, and thereafter implement, a drainage plan, to the satisfaction of the City, showing how stormwater drainage from the proposed building and/or paved areas is to be managed.

3. The approved outbuilding is not to be used for habitation, commercial or industrial purposes, without the approval of the City.
13.5.3 DEVELOPMENT APPLICATION - COMMERCIAL VEHICLE PARKING - 54 (LOT 1) KENWICK ROAD, KENWICK

Author: M Wallace
Author’s Declaration of Interest: Nil.
Reference: 224857
Application No: DA13/00062
Applicant: T Oliver
Owner: T & T Oliver
Location: 54 (Lot 1) Kenwick Road, Kenwick
Zoning: MRS: Urban
TPS No. 6: Residential R17.5
Review Rights: Yes. State Administrative Tribunal against any discretionary decision of Council.
Area: 2,236m²
Previous Ref: Nil.
Appendices: 13.5.3A Site Plan
13.5.3B Schedule of Submissions

PURPOSE OF REPORT

For Council to consider an application for planning approval for retrospective Commercial Vehicle Parking at 54 (Lot 1) Kenwick Road, Kenwick as the proposal is outside the authority delegated to staff due to non-compliance with Local Planning Policy 2.1 - Commercial Vehicle Parking.

BACKGROUND

Site Description and Planning Framework

The subject site accommodates a single dwelling and an existing 84m² outbuilding and is surrounded by low density residential properties. It should be noted that on 26 March 2013, Council granted approval for a 66.3m² outbuilding on the subject site.

A map identifying the location of the subject site follows.
Item 13.5.3 Continued

Proposal

The application involves the following

- The parking of one Prime Mover behind the existing dwelling, 14m from Park Road and 43m from Kenwick Road
- The vehicle is used on a sub-contract basis for furniture removals
- The vehicle is expected to leave the site between 6am and 7am, and return to the site no later than 5pm, Monday to Sunday. The vehicle may be off-site between 3 to 21 days at any one time
- The vehicle dimensions are 7.50m long and 3.5m high with a tare weight of 7.8 tonne and aggregate weight of 15 tonnes
- The vehicle will only be driven by the occupants of the property.

A site plan is contained as Appendix 13.5.3A.
Item 13.5.3 Continued

Consultation

The proposal was required to be advertised for public comment as it did not meet the exemption criteria of Council's Local Planning Policy 2.1 - Commercial Vehicle Parking. During this time, 10 submissions were received, nine raising no-objection, and one commenting on the proposal. Summary of these submissions and comments thereon are provided in Appendix 13.5.3B.

A map identifying the consultation area and the origin of each submission follows.

The main issues raised in the submission are as follows:

- The appropriateness of the proposal within a Residential Zone
- Traffic.

These matters are discussed in the following section, along with any other applicable technical matters.
DISCUSSION

Town Planning Scheme No. 6

The subject site is zoned Residential R17.5 under TPS 6. In accordance with TPS 6, Commercial Vehicle Parking is a “D” use, meaning it is not permitted unless the local government has exercised its discretion by granting planning approval.

Local Planning Policy 2.1 - Commercial Vehicle Parking

Council's Commercial Vehicle Parking Policy provides assessment criteria to determine applications for commercial vehicle parking.

The Policy sets out acceptable criteria (Column A) for parking and where variations to the acceptable criteria may be considered, subject to advertising for public comment (Column B). The Policy also sets out unacceptable criteria (Column C) and states that applications meeting one or more of these criteria should generally be refused.

The proposal meets the majority of the requirements of Column A and B of Table 1 of the Policy, with the exception of those detailed in the table below.

<table>
<thead>
<tr>
<th>Policy Provision (Column C)</th>
<th>Assessment/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1C Commercial vehicle parking that does not comply with criterion 3.1B. (See Below):</td>
<td>With regard to 3.1B, the application involves parking a commercial vehicle with a height of 3.5m, which is 0.5m above what is deemed acceptable by LPP 2.1.</td>
</tr>
<tr>
<td>3.1B. In a Residential Zone:</td>
<td></td>
</tr>
<tr>
<td>i) One C-Class truck, or</td>
<td></td>
</tr>
<tr>
<td>ii) One C-Class truck plus two trailers, Providing that no truck or truck/trailer combination exceeds 10m in length and 3 metres in height.</td>
<td></td>
</tr>
</tbody>
</table>

In considering the variation to the Policy, the following is relevant:

- The lot configuration (being a corner site) makes it difficult to locate a Commercial Vehicle that would not be visible from Park Road
- When the truck is parked behind the house it is not visible from Kenwick Road
- Whilst a comment was received, it did not relate to the height of the vehicle or the visual impact of the proposal.

Residential Amenity

The submitter raised concern in regards to the appropriateness of commercial vehicle parking within a Residential zone.

Both TPS and LPP 2.1 allow for commercial vehicle parking opportunities within the Residential zone, subject to limitations on the size, location and number of vehicles. This however, is on the basis that any such proposal does not detrimentally impact on the amenity of the surrounding area. In this event, the commercial vehicle is parking behind an existing house, and is located more than 6 metres from both Park Road and Kenwick Road, and as such, will not dominate the street facade of the residence.
Traffic

Under the City's adopted Road Network Hierarchy, Park Road is designated as a Local Access Road, which is able to accommodate a vehicle with a length of 12.5m. As the subject commercial vehicle has a length of 7.5m, it is anticipated that there will be no issues associated with it travelling along Park Road, even with the traffic calming device near Lot 406 Park Road, Kenwick.

CONCLUSION

The proposal is supported for the following reasons:

- The variation to Policy relating to the height of the vehicle is not expected to have any significant detrimental impact on the amenity of the locality or on nearby landowners
- There is sufficient existing screening provided
- The commercial vehicle will be parked behind the dwelling from one street view, with compliant setbacks to both Kenwick Road and Park Road
- During the consultation period, no objections were received.

It is therefore recommended that the proposal be approved subject to appropriate conditions as listed in the staff recommendation.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY IMPLICATIONS

- Town Planning Scheme No. 6

VOTING REQUIREMENTS

Simple Majority required.

STAFF RECOMMENDATION

That Council approve the retrospective application for Commercial Vehicle Parking at 54 (Lot 1) Kenwick Road, Kenwick, dated 22 February 2013, subject to the following conditions:

1. The area approved to park the vehicle must be constructed of sealed/dust free hard standing material (for example, asphalt, bitumen, concrete or block paving) and drained to the City's satisfaction.
2. Only routine maintenance of a minor nature, such as servicing or wheel changing, is to be carried out on the subject property. No panel beating, spray painting or the removal of major body or engine parts is permitted.

3. Washing of the commercial vehicle on the subject lot is to be limited to the use of water and mild detergent, but not involve the use of any solvents, degreasing substances, steam cleaning and any other processes which may cause pollution or degradation of the environment.

4. Approval of the parking activity does not include allowance for the loading or unloading of the commercial vehicle or the storage of goods in transit that would constitute the parking activity being a transport depot or storage depot.

5. The approval shall be personal to the applicant and shall not be transferred or assigned to any other person.
13.5.4 RETROSPECTIVE DEVELOPMENT APPLICATION - SIGNAGE - 1480 (LOT 25) ALBANY HIGHWAY, BECKENHAM

Author: R Munyard  
Author’s Declaration of Interest: Nil.  
Reference: 209310  
Application No: DA12/00368  
Applicant: Taylor Burrell Barnett Town Planning and Design  
Owner: Primewest (Cannington) Pty Ltd  
Location: 1480 (Lot 25) Albany Highway, Beckenham  
Zoning: MRS: Urban  
TPS No. 6: Mixed Business  
Review Rights: Yes. State Administrative Tribunal against any discretionary decision of Council.  
Area: 5.93ha  
Previous Ref: Nil.  
Appendix: 13.5.4A Site and Elevation Plans

PURPOSE OF REPORT

For Council to consider a retrospective application for planning approval for signage at 1480 (Lot 25) Albany Highway, Beckenham as the proposal is outside the authority delegated to staff due to non-compliance with Local Planning Policy 4.9 - Signage and Flags.

BACKGROUND

Site History

In January 2013, the City approved an application for a change of use from Recreation - Private (gymnasium) to a Medical Centre, Pharmacy and Office.

The delay in presenting the current signage application to Council is due to the need to obtain the appropriate planning application fee and amended plans from the applicant, prior to the application being determined.

Site Description and Planning Framework

A portion of the subject site abuts the municipal boundary of the City of Gosnells and the City of Canning.

The site has frontages to Albany Highway and William Street and accommodates the Hometown Commercial Centre, which comprises a mix of medium sized and large format showroom and office type developments as well as smaller scale shop tenancies.

A map identifying the location of the subject site follows.
Proposal

The proposed signage relates to one of the buildings within the land which presents towards the large carpark area and is not highly visible from the Albany Highway frontage.

The application seeks approval for 11 signs as follows:

- Seven wall signs on the façade of the existing building, four of which are associated with the pharmacy (Signs 2, 3, 9 and 11) and three associated with the medical centre (Signs 1, 4 and 10)
- Four portable, banner signs (Signs 5-8) associated with the pharmacy
- Signs 1 and 10, both of which are associated with the medical centre, are illuminated.

The site and elevation plans are contained as Appendix 13.5.4A.

Consultation

The proposal was not required to be advertised for public consultation.
DISCUSSION

Town Planning Scheme No. 6

The erection of signage is defined as development under TPS 6 and as the application is not exempted by Clause 9.2 (f) of TPS 6, it requires planning approval.

Local Planning Policy 4.9 - Signage and Flags (LPP 4.9)

The application involves a total of 11 signs, consisting of seven wall signs erected on the façade of the existing building, two of which are illuminated, and four portable, banner signs.

The proposal complies with all relevant provisions of LPP 4.9, with the exceptions detailed in the table below. The assessment has been split into the different signage types for reasons of clarity.

<table>
<thead>
<tr>
<th>Signage No.</th>
<th>LPP 4.9 Signage Standards</th>
<th>Assessment</th>
</tr>
</thead>
</table>
| 1, 2, 3, 4, 9 and 10 (wall signs) | - The sign shall not be within 600mm of the end of the wall to which it is attached.  
- There shall be at least 4m between other wall signs on the same face of any building.  
- A maximum of two signs per tenancy per street frontage. | Signs 1, 2, 4, 9 and 10 are within 4m of another sign on the same face of the building. Here, it is noted that the building sits within a mixed business complex, dominated by large scale outlets. It is considered that the proposed signage is consistent with the scale of the building and the subject site as a whole as the signs provide a clear distinction between each tenancy and are considered to have sufficient distance between them to ensure they do not create an over proliferation of signage.  
Furthermore it is noted that the signage erected on the building is not visible from Albany Highway or William Street and instead faces internally within the subject site.  
Signs 2 and 3 are located within 600mm of the end of the wall to which they are attached. It is noted that despite the signs having already been erected, there is ample room for them to be relocated to ensure they are not located within 600mm of the end of the wall to which they are attached. Therefore, if the application is approved, it will be recommended that a condition be imposed requiring Signs 2 and 3 be relocated to comply with this provision of LPP 4.9. |
| 5-8 (portable signs) | - Maximum height of 1.2m.  
- Maximum double-sided area of 2m² (that is, 1m² for each side).  
- A maximum of one sign per business operating from the subject site. | Each of the four portable signs has a maximum height of 3.5m and a total surface area of 4.4m² (that is, 2.2m² per side).  
The portable signs component of this application seeks a variation to each of the three Policy requirements. With regards to these variations, it is noted that the signs are tall and narrow and are aimed at identifying the entrance to the Pharmacy, as opposed to displaying sales information. |
Item 13.5.4 Continued

<table>
<thead>
<tr>
<th>Signage No.</th>
<th>LPP 4.9 Signage Standards</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Collectively the four signs have a total double sided area of 17.2m²; however they only display a single word on each sign. The large lettering and simplistic colours and design of these signs are considered unlikely to create any adverse amenity or visual impacts on the surrounding businesses, or the subject site itself. Having regard to the above, the variations are considered acceptable.</td>
</tr>
</tbody>
</table>

CONCLUSION

The proposal is supported on the basis that the variations sought will not result in the over proliferation of signage for the subject site and therefore it is not considered to result in the loss of amenity for the immediate locality.

Furthermore, while the variation proposed regarding the distance from the end of the wall to which some of the signage is erected is considered unacceptable, it can be overcome by the imposition of a condition.

It is therefore recommended that the proposal be approved subject to appropriate conditions as listed in the staff recommendation.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY IMPLICATIONS

- Town Planning Scheme No. 6
- Local Planning Policy 4.9 - Signage and Flags.

VOTING REQUIREMENTS

Simply Majority required.

STAFF RECOMMENDATION

That Council approve the application for Signage at 1480 (Lot 25) Albany Highway, Beckenham, dated 6 November 2012, and the amended plans and modified details dated 30 January 2013, subject to the following conditions:

1. Signs 2 and 3 are to be relocated to be at least 600mm from the end of the wall to which each sign is attached, in accordance with the wall sign provisions of Local Planning Policy 4.9 - Signage and Flags, within 30 days of the date of notice of Council's determination.
2. The portable signs are to be removed at the close of business each day and shall not be erected again until the commencement of the following business day or a subsequent trading day, in accordance with the portable sign provisions of Local Planning Policy 4.9 - Signage and Flags.
13.5.5 DEVELOPMENT APPLICATION - OUTBUILDING - 1 (LOT 844) CORRIGIN STREET, SOUTHERN RIVER

Author: M Wallace
Author’s Declaration of Interest: Nil.
Reference: 231581
Application No: DA13/00090
Applicant: R Offer
Owner: R Offer
Location: 1 (Lot 844) Corrigin Street, Southern River
Zoning: MRS: Urban
TPS No. 6: Residential R17.5
Review Rights: Yes. State Administrative Tribunal against any discretionary decision of Council.
Area: 549m²
Previous Ref: Nil.
Appendix: 13.5.5A Site and Elevation Plans

PURPOSE OF REPORT

For Council to consider an application for planning approval for an outbuilding at 1 (Lot 844) Corrigin Street, Southern River, as the proposal is outside the authority delegated to staff due to the proposal not complying with Local Planning Policy 2.2 - Outbuildings, and an objection received during the consultation period.

BACKGROUND

Site Description and Planning Framework

The subject site accommodates a single dwelling and is surrounded by low density residential properties.

A map identifying the location of the subject site follows.
Proposal

The application involves the following

- The construction of a 24m² outbuilding, located at the side of the dwelling, 1.5m from the front boundary
- The proposed outbuilding will have a wall height of 2.4m and a ridge height of 2.8m
- The proposed outbuilding will be located behind an existing Colorbond fence
- The proposed outbuilding will be constructed of Colorbond.

A site plan and elevations are contained in Appendix 13.5.5A.

Consultation

The proposal was required to be advertised for public comment as it did not meet the exemption criteria of Council's Outbuilding Policy. One submission was received during the advertising period, objecting to the proposal. A summary of the submission and comments thereon follows.
Item 13.5.5 Continued

<table>
<thead>
<tr>
<th>Affected Property:</th>
<th>Postal Address:</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 (Lot 843) Tincurrin Drive Southern River</td>
<td>8 Tincurrin Drive SOUTHERN RIVER WA 6110</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Summary of Submission</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objection to the proposal. The height of the outbuilding will block sunlight entering lot 843. This may also block the solar panel installed on Lot 843.</td>
<td>The proposed outbuilding meets the relevant policy requirements relating to wall height, roof height and setbacks. In addition, the proposed outbuilding complies with the overshadowing provisions of the Residential Design Codes. In any event, the nearest component of the dwelling on Lot 843 will be the garage.</td>
</tr>
</tbody>
</table>

A map identifying the consultation area and the origin of each submission follows.

DISCUSSION

Local Planning Policy 2.2- Outbuildings

Council's Outbuilding Policy provides assessment criteria to determine whether an application for an outbuilding is generally acceptable, requires consultation to potentially affected landowners, or is generally unacceptable.

The proposed outbuilding does not meet all the requirements of Column B and C (Acceptable) of Table 1 of the Policy and therefore falls within Column D (Unacceptable) in one area of assessment. In accordance with Clause 1.3 of the Policy, applications for outbuildings that fall within one or more of the criteria in Column D (Unacceptable) of Table 1 will generally be refused. The relevant unacceptable criterion and staff assessment is in the following table.
Item 13.5.5 Continued

<table>
<thead>
<tr>
<th>Outbuildings Policy Requirements - Column D (Unacceptable Outbuildings)</th>
<th>Assessment/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>i. The proposed outbuilding is located forward of the front of the existing dwelling.</td>
<td>The outbuilding is located on the side of the dwelling, 1.5m from the Tincurrin Drive property boundary. The outbuilding is therefore located forward of the front of the existing dwelling, by virtue of the property being located on a corner.</td>
</tr>
</tbody>
</table>

As detailed above, the proposal does not comply with a locational requirement of the Policy.

In considering the appropriateness of the proposal, the following matters are relevant:

- Due to the shape of the subject site and the location of the existing dwelling, the proposed outbuilding cannot reasonably be located behind the dwelling due to limited access.
- All other aspects of the proposal comply with Local Planning Policy 2.2 - Outbuildings
- The proposed outbuilding will be located behind an existing Colorbond fence and will therefore have a limited impact on the streetscape
- The proposed outbuilding complies with the overshadowing provisions of the Residential Design Codes.

CONCLUSION

The proposal is supported for the reasons outlined above.

It is therefore recommended that the proposal be approved subject to appropriate conditions as listed in the staff recommendation.

FINANCIAL IMPLICATIONS

Nil.

STATUTORY IMPLICATIONS

- Town Planning Scheme No. 6
- Local Planning Policy 2.2 - Outbuildings.

VOTING REQUIREMENTS

Simple Majority required.
STAFF RECOMMENDATION

That Council approve the application for an outbuilding at 1 (Lot 844) Corrigin Street, Southern River dated 25 March 2013, subject to the following conditions:

1. The applicant shall submit, and thereafter implement, a drainage plan, to the satisfaction of the City, showing how stormwater drainage from the proposed building and/or paved areas is to be connected to the existing drainage system.

2. The approved outbuilding is not to be used for habitation, commercial or industrial purposes, without the approval of the City.
13.5.6 DEVELOPMENT APPLICATION - 47 GROUPED DWELLINGS - LOT 9005 RANFORD ROAD, CANNING VALE

Author: L Langford
Author's Declaration of Interest: Nil.
Reference: 307937
Application No: DA12/00431
Applicant: Handle Property Group
Owner: Kanamba Pty Ltd
Location: Lot 9005 Ranford Road, Canning Vale
Zoning: MRS: Urban
TPS No. 6: Residential Development
Review Rights: Yes. State Administrative Tribunal against any discretionary decision of Council.
Area: 1.59ha
Previous Ref: Nil.
Appendices: 13.5.6A Site Plan
13.5.6B Floor and Elevation Plans

PURPOSE OF REPORT

For Council to consider an application for planning approval for 47 Grouped Dwellings at Lot 9005 Ranford Road, Canning Vale as the proposal is outside the authority delegated to staff due to non-compliance with Local Planning Policy 1.1.1 - Residential Development.

BACKGROUND

Site Description and Planning Framework

The subject site falls within the West Canning Vale Outline Development Plan (ODP) which designates the southern portion of the site as Residential R30, and the northern portion of the site as an area which is subject to a detailed area plan (DAP) to facilitate 'Mixed Use'. Plunkett Turn is proposed to be extended to dissect the site, and Heaney Way is proposed to connect to Plunkett Turn along the north-western boundary of the site.

The northern boundary of the site abuts Ranford Road which is designated as an 'Other Regional Road' under the Metropolitan Region Scheme (MRS), and as a 'District Distributor (A) Road' under the Perth Metropolitan Functional Road Hierarchy.

A map identifying the location of the subject site, in the context of the West Canning Vale ODP, follows.
Site History

The City is currently in receipt of three subdivision applications for this site which involve the following:

- The creation of 21 green titled lots plus road reserve
- One of the green title lots in the southern portion of the site will be further subdivided to comprise four survey strata lots and common property
- A larger green titled lot in the northern portion of the site will be further subdivided to comprise 24 survey strata lots plus common property.

The City has recommended that the Western Australian Planning Commission (WAPC) defer the subdivision applications until such time that the development application is determined.
Item 13.5.6 Continued

Proposal

The application involves the construction of 47 grouped dwellings on the parent lot.

Should the development application and subdivision applications also progress, the land will ultimately be subdivided so that 19 of the dwellings will be single houses, each on their own lots, with the remainder being grouped dwellings.

The key elements of the plan are as follows:

Four Grouped Dwellings

- Access will be provided off of Layde Road
- The dwellings will be serviced by a 4m wide common property access way
- The dwellings will front on to the common property access way.

19 "Single Houses"

- Frontage will be provided to either Plunkett Turn, Heaney Way or Layde Road
- The future lot sizes range in area from 257m² to 311m²
- The average primary street setback of the dwellings is 4m.

24 Grouped Dwellings

- The 24 grouped dwellings will occupy the northern portion of the site between Plunkett Turn and Ranford Road
- Two vehicular access points will be provided from Plunkett Turn and will form a common property 'loop' road around the site.
- The common property access way will be 6.7m wide and will comprise of a driveway ranging in width from 3m to 5.5m (to provide passing points for two way access), landscaping, a 1.2m wide footpath and lighting.
- The average building setback from the front boundary to the dwellings is 2.5m
- An area of communal open space is proposed in the northern corner of the site which is anticipated to accommodate a communal pool and barbeque area
- A pedestrian access way is proposed in the northern corner of the site to provide access to Ranford Road
- Six visitor car parking bays are proposed to service the development
- A 1.8m high noise attenuating wall along the northern, north-western and south-eastern boundaries of the property, to the extent that it reaches Plunkett Turn.

A copy of the site plan and floor/elevation plans is contained as Appendices 13.5.6A and 13.5.6B respectively.
Consultation

The proposal was not required to be advertised for public consultation.

DISCUSSION

Town Planning Scheme No. 6

The subject site is zoned Residential Development under TPS 6 and is partly designated R30 and partly designated as an area subject to a DAP under the West Canning Vale ODP. In accordance with TPS 6, a Grouped Dwelling is a "D" use in the Residential zone, meaning it is not permitted unless the local government has exercised its discretion by granting planning approval.

West Canning Vale Outline Development Plan

The West Canning Vale ODP which designates the southern portion of the site as Residential R30 and the northern portion of the site as an area which is subject to a DAP to facilitate 'mixed use', being one or a combination of the following uses: Tavern, Restaurant, Cafe, Offices, Consulting Rooms, Private Recreation and Residential R40.

The application involves developing the mixed use portion of land for housing at the Residential R40 coding, which is considered to be consistent with the 'mixed use' designation. Whilst this portion of the site does not have an approved DAP, it is considered that the development application provides an acceptable level of detail to facilitate assessment of this aspect of the plan.

It should be noted that the ODP requires contributions to be paid as part of this development. If the application is approved, it will be recommended that a condition be imposed requiring the landowner/developer to pay the ODP contributions.

Residential Design Codes (R-Codes)

The R-Codes include Acceptable Development Criteria (prefixed by "A") and Performance Criteria (prefixed by "P"). Applications not complying with the Acceptable Development Criteria can be assessed against relevant Performance Criteria, with that assessment guided by the City's Local Planning Policy 1.1.1 - Residential Development (LPP 1.1.1). LPP 1.1.1 prescribes:

- Standards used to determine whether certain performance criteria of the R-Codes are met (Column B)
- Standards of development the City considers to be unacceptable (Column C).

The subject proposal complies with all relevant Acceptable Development provisions of the R-Codes or Column B criteria of LPP 1.1.1, with the exception of those detailed in the following table.
### Item 13.5.6 Continued

<table>
<thead>
<tr>
<th>R-Code and Policy Provision</th>
<th>Assessment/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Building setback from the boundary</strong></td>
<td>Dwelling types 3A, 3B, 3C, 3D and 3E have major openings which are setback 1.25m from the boundary, which represents a variation of 0.25m.</td>
</tr>
<tr>
<td><strong>6.3.1 Walls with major openings that are less than 3.5m in height are to be setback 1.5m</strong></td>
<td>In response to the Performance Criteria, the following is relevant:</td>
</tr>
<tr>
<td><strong>P1 Buildings setback from boundaries other than street boundaries so as to:</strong>*</td>
<td>• It will not impact on the ability of the dwelling or adjoining dwellings to receive adequate direct sun and ventilation.</td>
</tr>
<tr>
<td><em>-provide adequate direct sun and ventilation to the building;</em></td>
<td>• In terms of building bulk and privacy protection, any impact would not be significant or unreasonable for an R40 coded area.</td>
</tr>
<tr>
<td><em>-ensure adequate direct sun and ventilation being available to adjoining properties;</em></td>
<td></td>
</tr>
<tr>
<td><em>-provide adequate and direct sun to the building and appurtenant open spaces;</em></td>
<td></td>
</tr>
<tr>
<td><em>-assist with protection of access to direct sun for adjoining properties;</em></td>
<td></td>
</tr>
<tr>
<td><em>-assist in ameliorating the impacts of building bulk on adjoining properties;</em></td>
<td></td>
</tr>
<tr>
<td><em>-assisting in protecting privacy between adjoining properties.</em></td>
<td></td>
</tr>
<tr>
<td><strong>LPP 1.1.1 Column B - Buildings setback in accordance with Acceptable Development provisions of 6.4, 6.7, 6.8 and 6.9.</strong></td>
<td>Dwelling types 3A, 3B, 3C, 3D and 3E do not comply with 6.4 as the outdoor living areas do not have two-thirds of the required area without permanent roof cover.</td>
</tr>
<tr>
<td></td>
<td>The overall development does not comply with 6.9 (privacy) as the site is required to be filled by more than 0.5m above natural ground level.</td>
</tr>
<tr>
<td></td>
<td>The development complies with Acceptable Development provisions of 6.7 and 6.8.</td>
</tr>
<tr>
<td></td>
<td>In terms of the allowable variations to the Acceptable Development provisions of 6.4, only Dwelling types 3A does not comply with the allowable variation under LPP 1.1.1 as the outdoor living area is not capable of receiving 50% sunlight at midday June 21.</td>
</tr>
<tr>
<td></td>
<td>In this regard, it should be noted that the outdoor living area associated with Dwelling type 3A is located on the opposite side of the lot to the non-compliant setback which is subject to this clause. However, when considering the cumulative effects of the various instances of non-compliance, it should be further noted the variations in no way jeopardise the ability of the dwelling to comply with the relevant Building Code provisions relating to sunlight and ventilation. For this reason the proposed variation is considered to be acceptable.</td>
</tr>
</tbody>
</table>

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### Item 13.5.6 Continued

<table>
<thead>
<tr>
<th>R-Code and Policy Provision</th>
<th>Assessment/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2. 6.3.2 Buildings on boundary</strong></td>
<td>The application proposes boundary walls on both the north-western and south-eastern boundaries with the walls being 2.7m high and occupying less than two-thirds the length of the boundary. As the development proposes walls on two boundaries, it does not comply with the Acceptable Development provision.</td>
</tr>
<tr>
<td>A2 In areas coded R30 and higher, walls not higher than 3.5m with an average of 3m for two-thirds the length of the balance of the boundary behind the front setback, to one side boundary only;</td>
<td>Given the lot sizes and the lot frontages of around 10-12m wide, the boundary walls will assist in maximising effective use of space on the lots.</td>
</tr>
<tr>
<td>P2 Buildings built up to boundaries other than the street boundary where it is desirable to do so in order to:</td>
<td>In general, it is considered that boundary walls enhance privacy compared to walls, possibly containing major openings, which are setback 1m to 1.5m from the boundary. As such, it is considered that boundary walls can in some cases enhance the amenity of an adjoining property.</td>
</tr>
<tr>
<td>• make effective use of space; or</td>
<td>In terms of boundary walls enhancing the amenity of the development, it is considered that they allow for a desired dwelling size without the need to vary front setback, open space and outdoor living area provisions under the R-Codes, all of which are provisions which could impact on the amenity of a development.</td>
</tr>
<tr>
<td>• enhance privacy; or</td>
<td>The proposed boundary walls are not anticipated to restrict sun to major openings to habitable rooms and outdoor living areas of adjoining properties. The development complies with Clause 6.9.1 of the R-Codes which relates to overshadowing.</td>
</tr>
<tr>
<td>• otherwise enhance the amenity of the development;</td>
<td></td>
</tr>
<tr>
<td>• not have any significant adverse effect on the amenity of the adjoining property; and</td>
<td></td>
</tr>
<tr>
<td>• ensure that direct sun to major openings to habitable rooms and outdoor living areas of adjoining properties is not restricted.</td>
<td></td>
</tr>
<tr>
<td><strong>LPP 1.1.1</strong></td>
<td></td>
</tr>
<tr>
<td>Column B - Buildings built up to boundaries, other than the street boundary, providing that:</td>
<td>The applicant has not provided letters of no objection from the affected landowners.</td>
</tr>
<tr>
<td>i A letter of no objection from the affected landowner/s is provided with the application;</td>
<td>As discussed above, it is considered that the proposal complies with 6.3.2 Performance Criteria P2.</td>
</tr>
<tr>
<td>ii The development complies with Acceptable Development provisions in sections 6.4, 6.7, 6.8 and 6.9 or variations permitted to these sections by other provisions of this Policy.</td>
<td></td>
</tr>
<tr>
<td>Column C - Development deemed to not comply with 6.3.2 Performance Criteria P2.</td>
<td></td>
</tr>
<tr>
<td><strong>3. 6.4.1 Open Space</strong></td>
<td>Table 1 stipulates an open space requirement of 45% for R30 and R40 coded development. Dwelling types Aa, Ba, Bb, Ca, Cb, Cc, Cc, Cd, Da, E, Fa, Fb, G, 2A, 2B, 2C, 2D and 8 do not comply with the Acceptable Development standard, therefore assessment against the Performance Criteria is required.</td>
</tr>
<tr>
<td>A1 Open space provided in accordance with table 1 and design elements 6.2 and 6.3.</td>
<td></td>
</tr>
</tbody>
</table>
Item 13.5.6 Continued

<table>
<thead>
<tr>
<th>R-Code and Policy Provision</th>
<th>Assessment/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>P1</td>
<td>Sufficient open space around buildings:</td>
</tr>
<tr>
<td></td>
<td>• To complement the building;</td>
</tr>
<tr>
<td></td>
<td>• To allow attractive streetscape;</td>
</tr>
<tr>
<td></td>
<td>• To suit the future needs of residents, having regard to the type and density of the dwelling.</td>
</tr>
</tbody>
</table>

The development is medium density in nature. Given that all of the proposed dwellings comply with the size requirements for outdoor living areas for their particular coding, it is considered that the dwellings will suit the future needs for residents and complement the building. All of the dwellings affected by the variation comply with the front setback requirements of the R-Codes and therefore are not considered to affect streetscape amenity.

LPP 1.1.1

Column B - Open Space provided around a building on a lot zoned Residential greater than R17.5 that:

- Is at least 90% of the area required by Table 1 of the R-Codes; and
- Includes an outdoor living area that complies with the size requirement for R60 in Table 1, is capable of receiving 50% sunlight at midday June 21 and is directly accessible from a living or dining area.
- Positively contributes to an attractive streetscape.

This would require 40.5% open space. All dwellings comply with this standard.
As mentioned previously, all outdoor living areas comply with the size requirement of their respective coding, however the outdoor living areas associated with dwelling types 2A, 2B 2C and G are not capable of receiving 50% sunlight at midday June 21.

It is considered that the open space provision does not impact on the streetscape of the development.

Column C - Development which does not comply with Acceptable Development provisions of 6.4, 6.7, 6.8 and 6.9 and the cumulative effects of variations to these provisions are considered to represent overdevelopment.

Each non-compliant dwelling is provided with an outdoor living area that complies with the size and dimension requirements of the R-Codes, which also includes providing an outdoor living area which has at least two-thirds of the required area without permanent roof cover. For this reason and given that the variations are within the 10% limit, it is considered that the extent of solar access will be sufficient enough to meet the needs of future occupants of the dwellings.

4. **6.4.2 Outdoor Living Areas**

<table>
<thead>
<tr>
<th>A2</th>
<th>An outdoor living area to be provided:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• in accordance with table 1;</td>
</tr>
<tr>
<td></td>
<td>• behind the street set-back area;</td>
</tr>
<tr>
<td></td>
<td>• directly accessible from a habitable room of the dwelling;</td>
</tr>
<tr>
<td></td>
<td>• with a minimum length and width dimension of 4 m; and</td>
</tr>
<tr>
<td></td>
<td>• to have at least two-thirds of the required area without permanent roof cover.</td>
</tr>
</tbody>
</table>

Dwellings types 3A, 3B, 3C, 3D and 3E provide outdoor living areas which do not have two-thirds of the required area without permanent roof cover.

These dwellings involve 20m² outdoor living areas with 7.8m² alfresco areas, which equates to 12.2m² without permanent roof cover rather than the required 13.3m² (representing two-thirds).
## Item 13.5.6 Continued

<table>
<thead>
<tr>
<th>R-Code and Policy Provision</th>
<th>Assessment/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>P2.1</strong> An outdoor living area capable of use in conjunction with a habitable room of the dwelling, and if possible, open to winter sun.</td>
<td>All of the non-compliant outdoor living areas face east and therefore will be capable of receiving a degree of sunlight during winter.</td>
</tr>
<tr>
<td><strong>P2.2</strong> An outdoor area that takes the best advantage of the northern aspect of the site.</td>
<td></td>
</tr>
</tbody>
</table>
| **LPP 1.1.1** Column B - Open Space provided around a building on a lot zoned Residential greater than R17.5 that:  
  - Is at least 90% of the area required by Table 1 of the R-Codes; and  
  - Includes an outdoor living area that complies with the size requirement for R60 in Table 1, is capable of receiving 50% sunlight at midday June 21 and is directly accessible from a living or dining area.  
  - Positively contributes to an attractive streetscape. | All dwelling types comply with the size requirement for the R40 code.  
The outdoor living areas comply with the size requirement for the R40 code, however the dwellings will not be capable of receiving any sunlight at midday June 21.  
The streetscape is not impacted by the extent of the outdoor living areas being provided by permanent roof cover.  
The variations are considered minor (1.1m²) and the extent of solar access will be sufficient and also available in conjunction with the use of communal open space. As such, this minor variation is not considered to represent overdevelopment. |
| **Column C** - Development which does not comply with Acceptable Development provisions of 6.2, 6.3 and 6.4 and the cumulative effects of variations to these provisions are considered to represent overdevelopment. |  |
| **5. 6.6.1 Excavation or fill**  
  - **A1.1** Excavation or filling between the street alignment and building, or within 3m of the street alignment, whichever is the lesser, not exceeding 0.5m, except where necessary to provide access for pedestrians or vehicles, or natural light for a dwelling.  
  - **A1.4** Filling behind a street setback line and within 1m of a common boundary not more than 0.5m above natural level at the boundary except where otherwise stated in a local planning policy or equivalent.  
  - **P1** Development that retains the visual impression of the natural level of a site, as seen from the street or other public place, or from an adjoining property. | The site is required to be filled by up to 2.25m in order to conform to the drainage requirements under the West Canning Vale ODP. This will require the construction of retaining walls along the site's northern and south-eastern boundaries that range in height from 0.73m to 2.25m.  
The development will not retain the visual impression of the natural level of the site, given that the natural level of the site will not enable the development to meet the relevant drainage requirements.  
The impact will be most visible from Ranford Road where a 2.25m high retaining wall will be required to be built. In terms of adjoining properties, this will be a temporary difference in levels, as it will be rectified in due course as development on the adjoining lots will require similar filling. |
## Item 13.5.6 Continued

<table>
<thead>
<tr>
<th>R-Code and Policy Provision</th>
<th>Assessment/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>LPP 1.1.1</td>
<td></td>
</tr>
<tr>
<td>Column B - Development deemed to comply with 6.6.1 Performance Criteria P1 and Acceptable Development provisions of Element 8 and 9.</td>
<td>As discussed above, the development does not meet 6.6.1 Performance Criteria P1 as it will not be possible to retain the natural level of the site. The development will be capable of complying with Acceptable Development provisions of Element 8 and 9. Despite the development not complying with Performance Criteria 6.6.1 P1, it is considered necessary for this amount of fill to be placed on the land to enable the development of the site. A variation to the Policy is therefore supported in this instance.</td>
</tr>
<tr>
<td>Column C - Development deemed to not comply with Performance Criteria 6.6.1 P1.</td>
<td></td>
</tr>
</tbody>
</table>

6. 6.8.1 Visual Privacy

A1 Major openings to active habitable spaces or their equivalent which have a floor level more than 0.5m above natural ground level and positioned so as to overlook any part of any other residential property behind its street setback line, to comply with at least one of the following:

i. are set back, in direct line of sight within the cone of vision, from the boundary of an adjoining property coded up to R60, a minimum of:
   - 4.5m in the case of bedrooms;
   - 6m in the case of habitable rooms other than bedrooms; and
   - 7.5m in the case of unenclosed outdoor active habitable spaces (balconies, decks, verandahs and the like).

Or

ii. are provided with permanent vertical screening to a height of 1.6m to restrict views from any major opening of an active habitable space.

P1 Direct overlooking of active habitable spaces and outdoor living areas of other dwellings is minimised by building layout, location and design of major openings and outdoor active habitable spaces, screening devices and landscape, or remoteness.

Effective location of major openings and outdoor active habitable spaces to avoid overlooking is preferred to the use of screening devices or obscured glass.

Whilst the City does not get generally regulate matters relating to the erection of a dividing fence between private landowners, it is considered that a condition should be imposed requiring a fence to be constructed to restrict views on to neighbouring (undeveloped) properties.
Item 13.5.6 Continued

<table>
<thead>
<tr>
<th>R-Code and Policy Provision</th>
<th>Assessment/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Where these are used, they should be integrated with the building design and have minimal impact on residents' or neighbours' amenity.</td>
<td>The erection of a dividing fence (or other form of screening) which restricts views on to neighbouring (undeveloped) properties will make the development compliant with the Acceptable Development provisions of the R-Codes.</td>
</tr>
<tr>
<td>Where opposite windows are offset from the edge of one window to the edge of another, the distance of the offset should be sufficient to limit views into adjacent windows.</td>
<td>LPP 1.1.1 Column B - Appropriate measures being detailed in the application demonstrating achievement of 6.8.1 Performance Criteria P1 and a letter of no objection from the affected landowner/s being provided with the application.</td>
</tr>
</tbody>
</table>

**Waste Collection**

In terms of waste collection, it is proposed that bins will be collected from within the site by the City's contractors. As such, it will be recommended that a condition be imposed requiring a legal agreement indemnifying the City and its appointed contractors, for any potential damage that may occur within the site as a result of the City performing waste removal services for the occupants of the development.

**Transport Noise**

The subject site is impacted by noise from Ranford Road which abuts the northern boundary of the site. State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning (SPP 5.4) aims to protect major transport corridors from incompatible urban encroachment and protect people from unreasonable levels of transport noise by establishing a standardised set of criteria to be used in the assessment of proposals. The Policy requires the submission of a noise assessment which needs to address the acceptability of a proposal based on its ability to comply with noise parameters.

The applicant has submitted a noise assessment in accordance with SPP 5.4. The assessment identifies that the following measures are required to meet the acceptable noise standards:

- The construction of a 1.8m high solid wall along the northern, north-western and south-eastern boundaries of the site to the extent that it reaches Plunkett Turn. Walls will also be required on the northern internal boundaries of Dwellings Types 1D and 4.
- Windows and sliding doors on the north-eastern faces of Dwelling Types 1D, 4, 5 and 6 are to have a minimum glass thickness of 6mm.
- Notifications on title on the lots containing Dwellings Types 1D, 4, 5 and 6.

With regards to the requirement to construct a 1.8m high solid wall along the northern boundary abutting Ranford Road, it should be noted that this wall will sit on top of a
2.25m high retaining wall which is required due to fill levels associated with drainage requirements. As such, the development will present a 4.05m high façade to Ranford Road which may impact on the visual amenity of the area.

SPP 5.4 recognises that noise walls can raise concerns relating to visual amenity, however it considers that the impacts can often be minimised through appropriate design and landscaping. This can include some degree of articulation or visual relief in the wall design, coupled with suitable planting to reduce the adverse visual impact of the wall and minimise its attraction as the object of graffiti.

In terms of landscaping, it should be noted that there is a current capital works project for landscape works in the median of Ranford Road in this area, however the design does not include any landscaping on the verge. Once adjoining properties are developed, the City may consider landscaping this verge in conjunction with the adjoining verges, but in any event, it is not considered appropriate that the developer be required to undertake such landscaping at this time, particularly given that adjoining sites are yet to be developed. It is considered that any future landscaping works should attempt to alleviate the visual impacts associated with the wall and to reduce the likelihood of graffiti.

Given the prominence of the wall due to its combined height with the retaining wall, it is considered that the future wall design should contain aspects which ameliorate the visual impact of the wall. This could be achieved by the following:

- Embayments in the boundary wall to reduce visual bulk
- Details are to be added to require visual relief by banding materials.

If the application is approved, it will be recommended that Council impose a condition requiring the wall to be designed to the satisfaction of the City and in accordance with recommendations outlined in the implementation guidelines associated with SPP 5.4.

CONCLUSION

The proposal is supported for the following reasons:

- The proposal is consistent with the Residential R30 and R40 designation under the West Canning Vale Outline Development Plan
- The proposal is generally compliant with the requirements of the R-Codes and Local Planning Policy 1.1.1 - Residential Development, and where non-compliant the variation is considered to be acceptable.

It is therefore recommended that the proposal be approved subject to appropriate conditions as listed in the staff recommendation.

FINANCIAL IMPLICATIONS

Nil.
STATUTORY IMPLICATIONS

- Town Planning Scheme No. 6
- Residential Design Codes
- Local Planning Policy 1.1.1 - Residential Development
- West Canning Vale Outline Development Plan.

VOTING REQUIREMENTS

Simple Majority required.

STAFF RECOMMENDATION

That Council approve the application for 47 Grouped Dwellings at Lot 9005 Ranford Road, Canning Vale, dated 21 December 2012, subject to the following conditions:

1. The landowner/applicant shall contribute towards development infrastructure, pursuant to Town Planning Scheme No. 6 and the West Canning Vale Outline Development Plan Development Contribution Arrangement.

2. A geotechnical report is to be submitted in accordance with Australian Standards, certifying that the land is physically capable of development and detailing site conditions with respect to soil, groundwater and stormwater disposal. The report is to stipulate whether the site is suitable for on-site infiltration or what works are required to be implemented to provide for this capability or a suggested alternate means of disposal.

3. The applicant shall submit a drainage design, prescribing a functional drainage system, including detailed engineering drawings and necessary technical information to demonstrate functionality of the design. The design is to be endorsed prior to the lodgement of a Building Permit application and thereafter implemented to the satisfaction of the City of Gosnells.

4. The common property accessways being constructed and drained at the developer’s cost to the specifications and satisfaction of the City.

5. All cut and fill is to be retained within the property boundaries by retaining walls designed by a structural engineer and constructed of masonry or a similar approved material.

6. The site is to be connected to the reticulated sewerage system.
Item 13.5.6 Continued

7. A landscape plan for the development site and the adjoining road verge(s) (excluding the Ranford Road verge) is to be submitted in accordance with the City's Local Planning Policy 4.5 - Development - Landscaping, and approved by the City, prior to the lodgement of a Building Permit application.

8. Landscaping and irrigation of the development site and adjoining road verges is to be installed prior to occupying the proposed development, and thereafter maintained, in accordance with the approved landscaping plan to the satisfaction of the Manager Parks and Environmental Operations.

9. A legal agreement shall be prepared at the proponent’s cost, prior to the lodgement of a Building Permit application, indemnifying the City of Gosnells and its appointed contractors for any potential damage that may occur within the site as a result of the City performing waste removal services for the occupants of the subject development.

10. A Waste Collection Management Strategy, which details the manner by which rubbish and recycling bins are to be collected from the site, is to be submitted to the satisfaction of the City, prior to the lodgement of the Building Permit application.

11. The recommendations of the Acoustic Assessment, prepared by Lloyd George Acoustics, dated 19 April 2013, shall be implemented to the satisfaction of the City.

12. The proposed uniform fencing/noise wall along Ranford Road shall be designed in accordance with the recommendations outlined in the Implementation Guidelines associated with State Planning Policy 5.4, and involve embayments in the boundary wall and detailing to the satisfaction of the City.

13. Permanent vertical screening shall be provided where major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level, overlook any part of any other residential property, behind its street setback line, to the satisfaction of the City.

14. All lots being provided with full frontage to a constructed and dedicated road connected to the local road system, with such road being constructed and drained at the development cost, to the City’s satisfaction, prior to the occupation of the development. The construction of the road will require the provision of a temporary turnaround facility.
**13.6 GOVERNANCE**

**13.6.1 WALGA CONVENTION AND EXHIBITION 2013**

Author: K Bainbridge  
Author's Declaration of Interest: Nil.  
Previous Ref: Nil.  
Appendix: 13.6.1A WALGA Convention and Exhibition 2013 Information and Registration Brochure

**PURPOSE OF REPORT**

To inform Council of the scheduled dates for the Western Australian Local Government Convention and Exhibition 2013 and the Western Australian Local Government Association's Annual General Meeting (WALGA AGM) and obtain approval for attendance by Councillors.

**BACKGROUND**

Notice of the Western Australian Local Government Association's (WALGA) 2013 Convention and Exhibition, to be held at the Perth Convention and Exhibition Centre from Wednesday 7 August to Friday 9 August 2013 including the WALGA AGM on Wednesday 7 August 2013, has been received.

**DISCUSSION**

In previous years Councillors and the Chief Executive Officer have attended the annual conference with an invitation extended to partners to attend the Local Government Week Gala Dinner, which this year is to be conducted on the evening of Friday 9 August at the Perth Convention and Exhibition Centre, BelleVue Ballroom.

Member Councils are entitled to only two voting delegates at the WALGA AGM. Voting Delegates may be either Elected Members or Serving Officers. As Council has previously elected the Mayor and Cr J Brown as its delegates to the WALGA South-East Metropolitan Zone it will be recommended that they hold those voting rights on behalf of the City with their respective deputies named as proxies in the event that the delegates are unable to attend.

A review of expenditure on the Councillor Training and Development Allocations as at 15 May 2013 indicates that all Councillors except Councillor J Brown has adequate funds remaining in their allocations to cover the required $1,375 full delegate registration at the 2013 Convention. Consequently according to clause 2.2 of Council Policy 5.4.12 - Councillor Training and Development, authorisation by an Absolute Majority of Council is required to allow payment of the registration fee for the WALGA 2013 Convention and Exhibition for Councillor J Brown. Adequate funds remain in Account 94-94001-3034-000 Elected Members Training/Conferences for the current financial year to enable attendance by all Councillors. The cost of the Gala Dinner is $190 per head.
FINANCIAL IMPLICATIONS

Funds are available in this year's budget to enable attendance by all Councillors at this event, the cost of which would be met from Account 94-94001-3034-000 Elected Members Training/Conferences.

STATUTORY IMPLICATIONS

Council Policy 5.4.12 - Councillor Training and Development.

VOTING REQUIREMENTS

- Simple Majority required for Staff Recommendations 1, 2, 4 and 5
- Absolute Majority required for Staff Recommendation 3.

STAFF RECOMMENDATION (1 OF 5)

That Council appoint the Mayor and Cr J Brown as Council's delegates to the Western Australian Local Government Association's Annual General Meeting to be conducted on 7 August 2013 for voting purposes with their respective deputies to the South-East Zone named as proxies in the event the delegates are unable to attend.

STAFF RECOMMENDATION (2 OF 5)

That Council authorise all Councillors eligible in accordance with the provisions of Council Policy 5.4.12 - Councillor Training and Development to attend the WALGA Convention and Exhibition to be conducted at the Perth Convention and Exhibition Centre from Wednesday 7 August to Friday 9 August 2013, with all interested Councillors to advise the Acting Director Governance of their desire to attend by no later than close of business Wednesday 5 June 2013.

STAFF RECOMMENDATION (3 OF 5)

That Council, in view of Councillor J Brown not having sufficient funds available in her training and development allocation to cover the cost of registration, as outlined in clause 2.2 of Council Policy 5.4.12 - Councillor Training and Development, authorise her attendance at the Perth Convention and Exhibition Centre from Wednesday 7 August to Friday 9 August 2013.

(ABSOLUTE MAJORITY REQUIRED)
STAFF RECOMMENDATION (4 OF 5)

That Council offer all Councillors, the Chief Executive Officer and their respective partners the opportunity to attend the WALGA Gala Dinner to be held on the evening of Friday 9 August 2013 at the Perth Convention and Exhibition Centre BelleVue Ballroom with all interested Councillors to inform the Acting Director Governance of their desire to attend by no later than close of business Wednesday 5 June 2013.

STAFF RECOMMENDATION (5 OF 5)

That Council approve the cost of attendance by all Councillors at the WALGA Conference and Exhibition 2013 and associated functions being met from Account 94-94001-3034-000 Elected members Training/Conferences from the 2012/2013 Budget.
13.6.2 DEMOLITION OF DUPLEX RESIDENCE AND ANCILLARY BUILDINGS - 188 (LOT 276) HICKS STREET, GOSNELLS

Author: A Griffiths
Author’s Declaration of Interest: Nil.
Previous Ref: Nil.
Appendix: Nil.

PURPOSE OF REPORT

To inform Council of the action to have a fire damaged and neglected duplex building and incidental structures at 188A and B (Lot 276) Hicks Street, Gosnells demolished and the site cleared of all debris.

Further, to seek Council approval to award a contract to undertake the demolition works and have the cost of such work registered against the owner of the property as a debt owed to the City.

BACKGROUND

The abovementioned property has been in a state of neglect for a lengthy period of time with both units being unfit for human habitation. Numerous attempts have been made by the City to have the property cleaned up to no avail.

On 30 November 2012 a ‘Notice of Proposed Building Order’ was issued to the owner of the property requiring an application for a demolition permit to be submitted within 14 days. No correspondence was received from the owner in return.

On 27 December 2012 a ‘Building Order’ was placed on the building requiring both units to be demolished and all resulting debris removed from the site. Again no correspondence was received from the owner.

In January 2013, the left-hand side of the duplex was extensively damaged by fire. The right-hand side sustained minor fire damage.

The owner of the property has since contacted the City and an extension of time to comply with the Order was granted until 21 February 2013. To date the fire damaged unit and the neglected/derelict unit still remain.

As a result, legal proceedings were initiated and the matter heard in the Armadale Magistrates Court on Thursday 2 May 2013 on which occasion the Magistrate found the owner guilty of breaching a building order and imposed a penalty of $4,000.

As the owner has failed to comply with the terms of the Order, Section 118 of the Building Act 2011 provides the City with the ability to take action specified in the Order to rectify the situation. The section further provides the ability for the City to recover as a debt from the owner, reasonable costs and expenses incurred in carrying out the works, in a court of competent jurisdiction.
DISCUSSION

As all attempts to demolish the buildings have been unsuccessful, it is considered necessary for the City to arrange for the works to be carried out and charge the cost of those works and associated expenses as a debt to the property owner.

To progress the matter, quotations were sought from experienced demolition companies, with the following responses received:

<table>
<thead>
<tr>
<th>Company</th>
<th>Quote (Incl. GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jag Demolition, PO Box 1133, Wangara WA 6047</td>
<td>$31,860</td>
</tr>
<tr>
<td>Swift Demolition, PO Box 556, Joondalup WA 6919</td>
<td>$38,000</td>
</tr>
<tr>
<td>Vinsan Contracting, 25 Katanning Street, Bayswater WA 6056</td>
<td>$30,470</td>
</tr>
</tbody>
</table>

All three companies have previously carried out work within the City to a satisfactory standard. However Vinsan Contracting did not include an allowance for the compaction of the removed septic tanks and leach drains which was a requirement of the brief. Therefore it is recommended the contract be awarded to Jag Demolition.

FINANCIAL IMPLICATIONS

Funds have not been included in the budget for these works. However the contractor can be engaged through the private works expense account JL 43-41028-3276-499 with the cost to be raised as a debt against the property owner. Therefore it will be necessary for the following budget variation:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Type</th>
<th>Account Description</th>
<th>Debit $</th>
<th>Credit $</th>
</tr>
</thead>
<tbody>
<tr>
<td>JL43-41028-3276-499</td>
<td>Increase</td>
<td>188 (Lot 276) Hicks Street, Gosnells - Private Works</td>
<td>31,860</td>
<td></td>
</tr>
<tr>
<td>JL43-41028-1584-498</td>
<td>Decrease</td>
<td>188 (Lot 276) Hicks Street, Gosnells - Private Works Income</td>
<td></td>
<td>31,860</td>
</tr>
</tbody>
</table>

REASON: Property owner has failed to action a Building Order to demolish the burnt house at 188A and 188B Hicks Street, Gosnells. Therefore the next course of action is for the City to demolish the building and on-charge the costs to the property.

STATUTORY IMPLICATIONS

- Sections 110, 111, 112 and 118 of the *Building Act 2011*
- Section 6.8(1)(b) of the *Local Government Act 1995*.

VOTING REQUIREMENTS

- Simple Majority required for Staff Recommendations 1, 2 and 3
- Absolute Majority required for Staff Recommendation 4.
STAFF RECOMMENDATION (1 OF 4)

That Council authorise the Manager Building Services to engage the services of Jag Demolition to demolish the remains of the burnt unit and the neglected unit including incidental outbuildings situated at 188 (Lot 276) Hicks Street, Gosnells as well as remove from the site all resulting debris, at a cost of $31,860 (including GST) in accordance with Demolition Quote Number APR/13/51.

STAFF RECOMMENDATION (2 OF 4)

That Council authorise the Manager Building Services to initiate proceedings against the owner of 188 (Lot 276) Hicks Street, Gosnells in accordance with Section 118(3) of the Building Act 2011, to recover reasonable costs and expenses incurred in the demolition of the structures on that property and the removal of resulting debris thereon.

STAFF RECOMMENDATION (3 OF 4)

That Council authorise the cost of the works and reasonable expenses incurred in the demolition and cleanup of structures on 188 (Lot 276) Hicks Street, Gosnells to be charged as a debt against that property owner until the monies owing have been paid in full.

STAFF RECOMMENDATION (4 OF 4)

That Council in accordance with Section 6.8(1)(b) of the Local Government Act 1995, approve the following adjustments to the 2012/2013 Municipal Budget:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Type</th>
<th>Account Description</th>
<th>Debit $</th>
<th>Credit $</th>
</tr>
</thead>
<tbody>
<tr>
<td>JL43-41028-3276-499</td>
<td>Increase Expenditure</td>
<td>188 (Lot 276) Hicks Street, Gosnells - Private Works</td>
<td>31,860</td>
<td></td>
</tr>
<tr>
<td>JL43-41028-1584-498</td>
<td>Decrease Expenditure</td>
<td>188 (Lot 276) Hicks Street, Gosnells - Private Works Income</td>
<td>31,860</td>
<td></td>
</tr>
</tbody>
</table>

(Absolute Majority Required)
14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

15. URGENT BUSINESS
   (by permission of Council)

16. CONFIDENTIAL MATTERS

17. CLOSURE