

CITY OF GOSNELLS

**ORDINARY COUNCIL MEETING
27 AUGUST 2002**

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PLEASE NOTE: No Appendices and not all Diagrams, Maps and Plans are included in these Minutes, however, can be viewed in the hard copy of this document kept at Council's Libraries and Administration Centre.

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Minutes of the Ordinary Council Meeting held in the Council Chambers, Administration Centre, Gosnells on Tuesday 27 August 2002.

7.33pm – Cr O Searle left the Chamber.

OPENING AND WELCOME

The Mayor declared the meeting open at 7.33pm and welcomed those members of the public present in the public gallery, Councillors and staff.

DISCLAIMER

The Mayor read aloud the following statement:

Members of the public are cautioned against taking any action on Council decisions, on items on this evening's Agenda in which they may have an interest, until such time as they have seen a copy of the Minutes of the meeting or have been advised in writing by Council staff.

COUNCIL MEETINGS – RECORDING OF

The Mayor advised all those present that the meeting was being digitally recorded.

Notice within the Public Gallery in relation to recordings state:

Notice is hereby given that all Ordinary Council Meetings are digitally recorded, with the exception of Confidential matters (in accordance with Section 5.23(2) of the Local Government Act 1995) during which time recording will cease.

Following documentation of the Minutes and distribution to Elected Members, but by no later than ten (10) business days after an Ordinary Council Meeting, a copy of the digital recording shall be available for purchase by members of the public.

Recordings will be available in the following formats at a fee adopted by Council annually:

- * *Digital recordings CD ROM (complete with FTR Reader) for use on a Personal Computer; or*
- * *Audio recordings CD ROM for use on a CD Player or DVD Player.*

For further information please contact the Administration Assistant on 9391 3212.

I _____ CERTIFY THAT THESE
MINUTES WERE CONFIRMED BY THE COUNCIL OF THE CITY OF GOSNELLS
ON _____

7.34pm - Cr O Searle returned to the meeting.

PRESENT

ELECTED MEMBERS

MAYOR	P M MORRIS AM JP
DEPUTY MAYOR	R MITCHELL
COUNCILLORS	S IWANYK
	C MATISON
	J BROWN JP
	MD DEVEREUX JP
	AJ SMITH APM
	NJ SMITH
	O SEARLE JP (<i>Arrived 7.34pm</i>)
	A PISANO JP
	S MOSS

STAFF

CHIEF EXECUTIVE OFFICER	MR S JARDINE
COMMUNITY SERVICES DIRECTOR	MS A COCHRAN
CORPORATE SERVICES DIRECTOR	MR R BOUWER
INFRASTRUCTURE DIRECTOR	MR W CORBE
PLANNING & SUSTAINABILITY DIRECTOR	MR R HAEREN
REGULATORY SERVICES DIRECTOR	MR T PERKINS
MINUTE SECRETARY	MS A CRANFIELD

PUBLIC GALLERY

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1. APOLOGIES

Cr R Croft.

2. DECLARATIONS OF INTEREST

Cr PM Morris declared an Impartiality Interest in item [12.5.11](#) “Gosnells Town Centre Reference Group - Minutes of [Meeting Held 9 August 2002](#)”.

Reason: Member of Gosnells Town Centre Reference Group.

Cr PM Morris declared an Impartiality Interest in item 11.1 “Hillside Farm Management Committee”.

Reason: Member of Hillside Farm Management Committee.

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Cr PM Morris declared a Financial Interest in item 12.5.9 “Local Housing Strategy: Stage Two Precinct Proposals: Consent to Commence Consultation”.
Reason: Reside in Precinct.

Cr C Matison declared an Impartiality Interest in item 11.2 “Sutherlands Park Advisory Committee”.
Reason: Chairperson of Sutherlands Park Advisory Committee, Council delegate.

Cr C Matison declared an Impartiality Interest in item 12.5.8 “Draft Southern River Precinct 2 (Balfour Street) Outline Development Plan”.
Reason: Council delegate to South East District Planning Committee of the WAPC.

Cr R Mitchell declared a Financial Interest in item 12.5.9 “Local Housing Strategy: Stage Two Precinct Proposals: Consent to Commence Consultation”.
Reason: Owner of house and investment property/house within outer Beckenham Precinct (near shops).

Cr NJ Smith declared a Financial Interest in item 12.5.9 “Local Housing Strategy: Stage Two Precinct Proposals: Consent to Commence Consultation”.
Reason: Owner of property in Thornlie West Housing Precinct.

Cr MD Devereux declared an Impartiality Interest in item 11.1 “Hillside Farm Management Committee”.
Reason: Chairperson of Hillside Farm Management Committee.

Cr MD Devereux declared a Financial Interest in item 12.5.10 “Tender No. 37/2002 – Street Furniture”.
Reason: Family Trust has property in Town Centre.

Cr MD Devereux declared a Financial Interest in item [12.5.11](#) “Gosnells Town Centre Reference Group - Minutes of [Meeting Held 9 August 2002](#)”.
Reason: Family Trust has property in Town Centre.

The Director Regulatory Services declared a Financial Interest in item 12.5.9 “Local Housing Strategy: Stage Two Precinct Proposals: Consent to Commence Consultation”.
Reason: Own property adjacent Thornlie West Precinct.

Cr AJ Smith declared a Financial Interest in item 12.5.9 “Local Housing Strategy: Stage Two Precinct Proposals: Consent to Commence Consultation”.
Reason: Own land in the Thornlie West Housing Precinct.

Cr A Pisano declared a Financial Interest in item 12.5.10 “Tender No. 37/2002 – Street Furniture”.
Reason: Business in the Town Centre.

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Cr A Pisano declared a Financial Interest in item [12.5.11](#) “Gosnells Town Centre Reference Group - Minutes of [Meeting Held 9 August 2002](#)”
Reason: Business in the Town Centre.

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3. ANNOUNCEMENTS BY THE MAYOR

(without discussion)

The Mayor circulated to Councillors a list of functions and events she had attended since Tuesday 13 August 2002.

4. REPORTS OF DELEGATES

Cr J Brown reported that herself, Cr C Matison and Mr David Denton (*the City’s Manager Engineering Operations & Waste Services*) had attended the Keyhole Stakeholders Briefing Strategy for Public Participation in Waste Management on 23 August 2002 which she found to be very informative adding that a report would be forthcoming from both herself and Cr Matison.

Cr C Matison reported that on Saturday 24 August 2002 she attended the launch of the Swan Canning Cleanup Program at which it was indicated there would be monitoring of the health of both the Canning and Swan rivers over future years. Cr Matison advised that two (2) copies of the Clean Up Program would be placed in the Common Room for any interested Councillors.

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

A period of fifteen (15) minutes is allocated for questions with a further period of fifteen (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 three (3) minutes per speaker will be 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

Nil.

RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS

Nil.

5.1 QUESTION TIME

* Mr J Bolam of 15 Tipuana Place, Thornlie asked the following questions:

Q 1 Is there a set procedure in place with the Council in regards to applying for the use of an oval for seasonal use, and if so, what is the procedure?

Response: The Director Infrastructure advised the question would be taken on notice with a written response to be provided.

Q 2 Would a monetary contribution towards a capital works programme by a winter user group be given precedence over a summer user group?

Response: The Director Infrastructure advised the question would be taken on notice with a written response to be provided.

* Mr Peter Warner of 23 Orbit Street, Beckenham asked the following questions:

Q 1 Could it please be explained how the Council has adopted a first come first served approach to seasonal bookings, when the normal summer seasonal booking paperwork was sent out on the 31st May this year? (e.g. Dale Districts Men's Softball Association had applied to use the oval on the 25th May this year, when no other user group had even been sent the normal paperwork. Dale Districts are winter user group making the Council's approach harder to understand.)

Response: The Director Infrastructure advised the question would be taken on notice with a written response to be provided.

Q 2 Shane Spinks has confirmed that Geof Whyte approved that erection of the homerun fence that spans, the outer perimeter of Diamond 1. – Can you confirm that he had authorization to give such approval with/or without it going to a Council meeting?

Response: The Mayor explained the questions posed would require investigation prior to response with the Director Infrastructure advising

all questions would be taken on notice with a written response to be provided.

- * Mr Stuart Armstrong of 13 Reed Close, Thornlie asked the following questions:

Q 1 If approval was sought and given, was it to be a permanent fixture or a removable fixture?

Q 2 Given your answers to the previous question how does this fence sit with in your Council bylaws Section 2.4.16 Usage of Sports Grounds item 1.5(g) & (h)?

Response: The Director Infrastructure advised that the questions would be taken on notice with a written response to be provided and suggested that a meeting be arranged to discuss the matters.

- * Mr Shane Poole of 10 Stonecreek Close, Thornlie asked the following questions:

Q 1 The home run fence that has been erected, (which we have been informed is now of a permanent status), intrudes on playing fields and has given us cause to ask the question of why, when it was decided that it would become a permanent fixture that Thornlie and Districts TeeBall Assoc was not consulted as the other main user group of the oval as to its location and structure?

Q 2 Who will be responsible for any insurance claims made if the fence injures a child during the normal cause of the game?

Response: The Mayor advised on behalf of the Director Infrastructure that the questions would be taken on notice with a written response to be provided adding that a representative of the group would be contacted to enable a meeting to be convened with the Director Infrastructure, the Manager of City Facilities and all group members.

- * Mr Andrew Bivens of 50 Bindoon Loop, Huntingdale asked the following questions:

Q 1 In the minutes from the Ordinary Council Meeting of 25th September 2001, 12.4.1 The Role of Community Facility Master Planning Exercises it states that lighting for the Langford Oval for small ball training and competition would cost approximately \$200,000 and that the Gosnells City Council would earmark \$67,000 towards the lights. Nowhere in any Minutes, or any other notes on the Master Plan does it state that, this costing was not for a single diamond, nor does it indicate that it is for the entire oval. These costings are again mentioned in the 23rd October 2001. Please advise if it is for 1 diamond or the entire oval.

Q 2 TDTBA have been led to believe that 4 lighting towers will be going up around the outfield perimeter home run fence, however, in the Ordinary Council Meeting for 23rd October 2001 under light compliance for Baseball Softball and Tee Ball it clearly states that it should consist of 6 x 25 metre poles. Please clarify which it will be?

Response: The Mayor advised that as previously stated the questions would be taken on notice with a written response to be provided and a meeting would be convened to discuss the matters to which Mr Bivens would be invited to attend.

* Ms Alana Campbell of 19 Fantail Way, Huntingdale asked the following questions:

Q 1 There are approximately 10 permanent Back nets at Langford oval on the Little Athletics side of the oval, was the appropriate minor site works paperwork put forward to the Council for these to be erected?

Q 2 If approval were given would it not have been in the best interest of all user groups to consult with all user groups?

Response: The Mayor reiterated that the questions would be taken on notice with a written response to be provided and a meeting would be convened to discuss the matters to which Ms Campbell would be invited to attend.

* Ms Kellee Mitchell of 15 Nethercott Street, Huntingdale asked the following questions:

Q 1 In following the previous question – in regards to the Back nets there are also permanent cut outs on the diamonds was the appropriate minor site works paperwork put forward to the Council for these to be put in place?

Q 2 What provisions does the Council now have in place to cover any injury that may be caused by children who are injured during the normal cause of the game, due to the cut out?

Response: The Mayor reiterated that the questions would be taken on notice with a written response to be provided and a meeting would be convened to discuss the matters to which Ms Campbell would be invited to attend. The Mayor requested that one person represent the group as the contact person for Council, to whom invitations to all interested parties would be forwarded, with Mr Peter Warner subsequently nominating himself.

Notation

The Mayor invited Mr Sebastiano Gullotti who had submitted a Question Time Form in relation to Item 12.5.4 to come forward advising that only the two questions submitted would be allowed with no further elaboration being made as the Councillors had not yet had the opportunity to debate the item in question and there were further public statements on the item. She explained that no response would be given to the questions at this time as the matter had not been dealt with by Council.

- * Mr Eric Yolden, on behalf of Mr Sebastiano Gullotti of Lot 222 No. 27 Brentwood Road, Kenwick, asked the following questions in relation to item 12.5.4 “Development Application – Community Centre – No. 404-408 (Lot 30) Bickley Road, Kenwick”.

- Q 1 What effect will the Community Centre have for re-development of the area for re-zoning?
- Q 2 Will this Centre open the books to reintroduce development of the school in the future?

Notation

The Mayor invited Ms Lynette Keelan who had submitted a Question Time Form in relation to Item 12.5.4 to come forward reiterating the advice previously given to Mr Yolden that only the questions as written could be asked with no response to be provided as the matter had not yet been dealt with by Council.

- * Mr Eric Yolden, on behalf of Ms Lynette Keelan of 411 Bickley Road, Kenwick asked the following questions in relation to item 12.5.4 “Development Application – Community Centre – No. 404-408 (Lot 30) Bickley Road, Kenwick”.

- Q 1 What controls would the Council put in place to monitor the proposed Community Centre to ensure that they comply with the conditions of development, regarding the purpose and hours of use?
- Q 2 What fencing or noise control methods will be installed in the development conditions to ensure the nearby residents are not inconvenienced?

5.2 PUBLIC STATEMENTS

- * Mr Walter Lenz of 58 Canns Road, Bedfordale made a public statement in relation to item 12.5.3 Development Application – Boutique Brewery Tavern – Pt Lot 51 Nicholson Road, Canning Vale” commenting on the objections raised in the report. He believed that the proposal was not for an additional liquor outlet in the area but a replacement for the previously approved Lot 2 Nicholson Road site. He expressed the view that the proposed local centre at the corner of Nicholson Road and Garden Street would not be a suitable location as the architectural design of the Brewery would require it to be a stand alone building surrounded by landscaping rather than being part of a modern shopping centre.

Notation

The Mayor announced that the period for receiving of public statements had expired, with Cr J Brown moving the following motion to enable an extension of time:

COUNCIL RESOLUTION

685 Moved Cr J Brown Seconded Cr MD Devereux

“That an extension of time be granted for the receiving of public statements from the public during item 5.2 “Public Statements”.

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

- * Mr Christian Ricci of 409 Bickley Road, Kenwick made a public statement in relation to item 12.5.4 “Development Application – Community Centre – No. 404-408 (Lot 30) Bickley Road, Kenwick” speaking against the staff recommendation. He asserted that the amount of traffic and noise emitted from the present premises indicated that it was already being utilised as a community centre or school. He stated that nearby residents were strongly against the proposed centre and the previous school proposal as there was an existing nearby community centre available, which he believed could be used for the stated purposes, and there was an existing Islamic facility in the City. He felt the consultation of affected residents was flawed and that the proposal indicated that buildings would be constructed on the West side of the present structure, closer to adjacent residences, therefore increasing noise and disruption. For these reasons he urged Council to reject the Community Purpose Centre proposal.
- * Mr Lloyd Phillips of 135 Herdsman Parade, Wembley made a public statement in relation to item 12.5.5 “Development Application – Advertising Billboards – Nos. 1485-1487 (Pt Lot 1) Albany Highway, Beckenham” speaking against the staff recommendation. He felt that the positioning of the signage at the entry to the City was an appropriate location to make a statement of this kind, and

aspects of the proposal could be changed to meet Council's requirements. He stated that no precedent would be set by granting approval, as this was the only City entry point on the Southern boundary on Albany Highway. He referred to pictures he had distributed to Councillors indicating that the building was fairly dilapidated and urged Council to approve the application, as he believed if the development was permitted it would improve the current situation.

- * Mr Laurence Douglas of Lot 285 Fairlie Road, Canning Vale made a public statement in relation to item 12.5.7 "West Canning Vale (Campbell Estate) Outline Development Plan - Approval to Seek Public Comment Prior to Finalisation" speaking against Council's prepared ODP and supporting the amended private ODP. He explained that in his opinion the staff recommendation did not genuinely reflect the true substance of the privately submitted ODP, which was the original ODP endorsed by Council with recommendations for minor amendments in July 1999, and now included the additional minor amendments to conform with Town Planning Scheme 6. Mr Douglas thanked Ms Maureen Hegarty (*Manager Policy and Strategy*) and Mr Simon Wilkes (*Acting Project Manager*) for their assistance in bringing the private ODP into line with Town Planning Scheme 6. He outlined a number of points he believed illustrated that the private ODP addressed Council officer's concerns as raised in the Agenda report.

Notation

The Mayor advised Mr Douglas that his three (3) minute Public Statement period had expired to which he requested some leniency as he had not yet completed his statement.

Cr MD Devereux subsequently moved the following motion to enable an extension of time to be granted to Mr Douglas as he believed the additional information being provided was of benefit to Councillors:

COUNCIL RESOLUTION

686 Moved Cr MD Devereux Seconded Cr O Searle

"That Mr Laurence Douglas be granted an extension of time of a further three (3) minutes to enable him to complete his public statement."

CARRIED 9/2

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle and Cr S Moss.

AGAINST: Cr A Pisano and Cr PM Morris.

Notation

Mr Douglas continued with his Statement:

Mr Douglas added that the amended private ODP conformed to Liveable Neighbourhoods and the Safer Cities design concepts; safe routes to school; water sensitive urban design; effective traffic management for pedestrian, cyclist

and public transport planning; and State Planning guidelines on equitable infrastructure cost sharing arrangements. In closing he expressed the view that Council's proposal would significantly discourage development and urged Council to adhere to its resolution of July 1999 and approve the amended private ODP for advertising.

6. CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

687 Moved Cr AJ Smith Seconded Cr MD Devereux

"That the Minutes of the Ordinary Council Meeting held on 13 August 2002, be confirmed."

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

7. PETITIONS AND MEMORIALS

All petitions, memorials and letters are to be handed to the Chief Executive Officer immediately following verbal advice to the meeting.

A copy of all tabled documentation is located on File No. C3/1/5.

- * Cr NJ Smith tabled a letter from Mr CE Tidy of 109 Shillington Way, Thornlie in relation to construction of a footpath in Shillington Way, Thornlie.

The letter will be forwarded to the relevant staff for investigation and provision of an appropriate response to the correspondent.

8. LEAVE OF ABSENCE

In accordance with Clause 2.9 of the City of Gosnells Standing Orders Local Law 1998:

- (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 paragraph (1) shall include the period of leave of absence required and the reasons for seeking the leave.

Cr A Pisano requested leave of absence from 5 to 14 September 2002 inclusive for an overseas trip, which includes the Ordinary Council Meeting to be held on the 10 September 2002.

COUNCIL RESOLUTION

688 Moved Cr R Mitchell Seconded Cr NJ Smith

“That Cr A Pisano be granted leave of absence from 5 to 14 September 2002 inclusive.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

9. QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

(without discussion)

Nil.

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

At this point in the meeting the Mayor may bring forward, for the convenience of those in the public gallery, any matters that have been discussed during “Question Time for the Public and the Receiving of Public Statements” or any other matters contained in the Agenda of interest to the public in attendance, in accordance with paragraph (9) of Sub-Clause 2.15.4 of City of Gosnells Standing Orders Local Law.

COUNCIL RESOLUTION

689 Moved Cr J Brown Seconded Cr A Pisano

“That the following items be brought forward to this point of the meeting for the convenience of members in the Public Gallery who have an interest:

- * Item 12.5.2 Development Application – Alterations and Additions to Reception Centre - Lot 55 Nicholson Road, Canning Vale;
- * Item 12.5.3 Development Application – Boutique Brewery Tavern – Pt Lot 51 Nicholson Road, Canning Vale;
- * Item 12.5.4 Development Application – Community Centre – No. 404-408 (Lot 30) Bickley Road, Kenwick;
- * Item 12.5.5 Development Application – Advertising Billboards – Nos. 1485-1487 (Pt Lot 1) Albany Highway, Beckenham; and

- * Item 12.5.7 West Canning Vale (Campbell Estate) Outline Development Plan - Approval to Seek Public Comment Prior to Finalisation.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

12.5.2 DEVELOPMENT APPLICATION – ALTERATIONS AND ADDITIONS TO RECEPTION CENTRE - LOT 55 NICHOLSON ROAD, CANNING VALE

File: 202336 **Approve Ref:** 0102/0881 (RV) Psrpt154Aug02
Name: Ramon Lawrence
Location: Lot 55 Nicholson Road, Canning Vale
Zoning: MRS: Urban
TPS No. 6: Light Industry
Appeal Rights: Appeal rights available to applicant to either the Minister for Planning and Infrastructure or Town Planning Appeals Tribunal against a refusal or any condition(s) of approval.
Area: 35437m²
Previous Ref: Nil.
Appendix: 12.5.2A Floor Plan and Elevations

PURPOSE OF REPORT

To have Council determine the above-mentioned application as the proposal is outside Council's staff delegation.

BACKGROUND

The City previously issued development approval for extensions to an existing dojo (ie martial arts school) and reception centre located on the subject site, on 28 September 1994, subject to the provision of 80 constructed car parking bays and a grassed overflow parking area of 70 bays.

The site was recently the subject of the initiation of Amendment No. 13 to Town Planning Scheme No. 6 (TPS 6) to rezone the land from Light Industry to Mixed Business, and to re-designate "Motel" as an "A" use within a Mixed Business zone. The intent of the rezoning was to facilitate the development of a variety of land uses on the site, including a motel on the rear portion of the subject lot. The subject proposal is not affected by Amendment No. 13.

Site Description

The subject site is located on the northern side of Nicholson Road, near the intersection of Nicholson Road and Garden Street. It has an area of approximately 3.5 hectares and is currently occupied by a single building containing the Willow Pond Reception Centre and a martial arts dojo.

The existing reception centre consists of two function rooms (located on the ground and upper floors), associated administration offices and a caretakers residence. The martial arts dojo component comprises a similar area to the ground floor function room, and is occasionally used as a function room by the reception centre. The site is provided with 150 car parking bays, of which 80 bays are constructed. The remaining 70 bays are provided on an adjacent grassed overflow parking area.

Based on the parking provisions of TPS 6, the existing uses require 202 car parking bays. As only 150 bays are provided, a car parking shortfall of 52 bays currently exists although discretion to reduce this exists.

The subject property and the lots abutting it on either side are zoned "Light Industry" under TPS 6, although Lot 888 abutting the property to the north is controlled by the Western Australian Government Railways Commission (WAGR) and is currently set aside for the future Nicholson Road train station.

Proposal

The application proposes additions and alterations to the existing reception centre and martial arts dojo located on the subject site. The proposal includes the addition of a café/bistro, alfresco area, lounge bar and museum/gallery to the rear of the existing building, the addition of a balcony to the upper floor function room, and the addition of a new auditorium for use as the martial arts dojo. The additions will result in a car parking requirement of 234 bays.

A total of 125 constructed parking bays are proposed, resulting in a parking shortfall of 109 bays.

The car parking requirement of 234 bays has been calculated on the basis that some car parking bays will be shared between the uses on the site. As the peak hours of operation for the martial arts dojo will not coincide with other uses on the site, these uses may share parking on a reciprocal basis. Similarly, people attending the reception centre will also share a portion of the parking requirement for the café/bistro and the lounge bar, as these uses are likely to share an estimated 25% of patrons at any one time. As such, 25% of the parking requirement for the café/bistro and the lounge bar has been discounted from the overall parking calculation.

The applicants have also confirmed in correspondence that any car parking shortfall may be accommodated in a grassed parking reserve at the rear of the site.

Site Plan

Scheme Compliance

The proposal generally complies with the provisions of Town Planning Scheme No. 6 (TPS 6), with the exception of the proposed car parking shortfall.

The subject land is zoned “Light Industry” pursuant to TPS 6, which classifies the proposed development as “Reception Centre”, “Restaurant”, “Tavern” and “Recreation – Private” uses. Table 1 “Zoning Table” of TPS 6 identifies the “Reception Centre” as an “X” (prohibited) use, the “Restaurant” and “Recreation – Private” uses as “D” (discretionary) uses, and the “Tavern” as an “A” (discretionary - advertising required) use. Clause 9.1 (Requirement for Approval to Commence Development) of TPS 6 prescribes that planning approval is required for all of the proposed uses.

It should be noted that the reception centre component (although now an “X” use within the “Light Industry” zone), was lawfully approved, and as such currently enjoys non-conforming use rights to continue to operate. Clause 4.9 (Extensions and Changes to a Non-Conforming Use) of TPS 6 prescribes that planning approval is required in all instances where a modification of a non-conforming use is proposed.

Clause 5.13.1 of TPS 6 requires that all non-residential development (other than a Residential Building) is required to provide concrete or bitumen sealed, kerbed, marked and drained onsite car parking in accordance with the requirements of Table No. 3A. The car parking requirement for this proposal has been determined as follows:

Use	Requirements	Area	Required
Caretakers Residence	2 spaces	N/A	2 bays
Reception Centre (Ground and upper floor function rooms - 569.9m ²)	1 space per 4m ² of seating area	569.9m ²	142 bays
Auditorium (Dojo - 105m ²)	1 space per 10m ² net floor area	105m ²	11 bays
Restaurant (Café/bistro – 305m ²)	1 space per 4m ² of seating area	375m ²	76 bays
Tavern (Lounge bar – 175m ²)	1 space per 4m ² of lounge or beer garden area	230m ²	44 bays
Total Required			275 bays
Total Provided			125 bays
Shortfall			150 bays

However, it is considered that the requirement is not a reasonable reflection of the car parking required for this use, particularly due to the reciprocal parking arrangement with the martial arts dojo and likelihood that up to 25% of patrons of the reception centre component will also use the café/bistro and lounge bar when at the site. As such, the following is considered a more accurate reflection of the parking requirement:

Use	Requirements	Area	Required	Parking Calculation Included
Caretakers Residence	2 spaces	N/A	2	2 bays
Reception Centre (Ground and upper floor function rooms - 569.9m ²)	1 space per 4m ² of seating area	569.9m ²	142 bays	142 bays
Auditorium (Dojo - 105m ²)	1 space per 10m ² net floor area	105m ²	11 bays	N/A (Discounted on a reciprocal basis)
Restaurant (Café/bistro – 305m ²)	1 space per 4m ² of seating area	375m ²	76 bays	76 bays + 44 bays minus 25% = 90 bays (25% discounted on a shared basis)
Tavern (Lounge bar – 175m ²)	1 space per 4m ² of lounge or beer garden area	230m ²	44 bays	
Total Required				234 bays
Total Provided				125 bays
Shortfall				109 bays

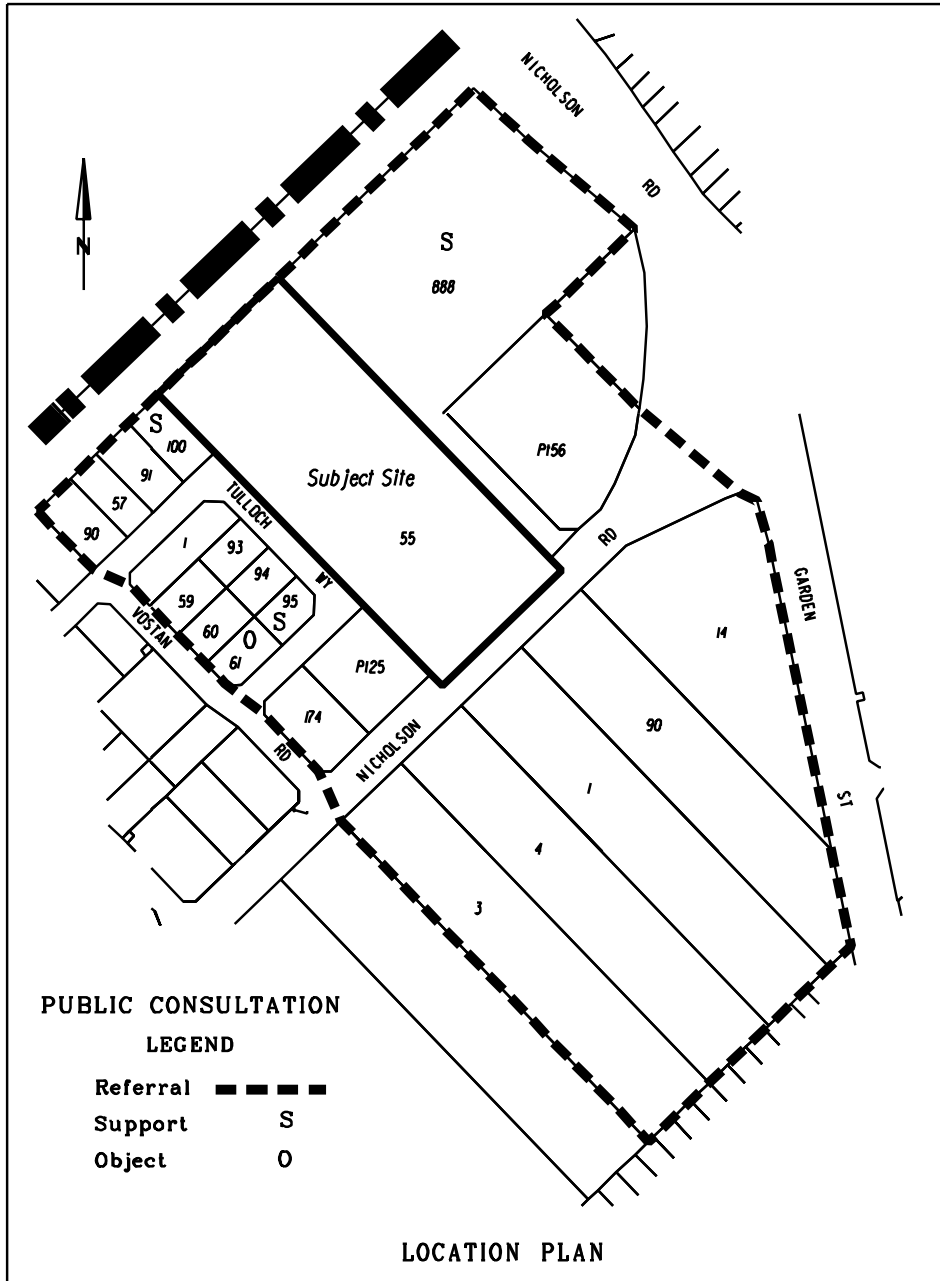
Although TPS 6 requires the car parking bays to be constructed, clause 5.5 (Variations to Site and Development Standards and Requirements) allows Council the discretion to vary these provisions if deemed appropriate.

Public Consultation

The application was advertised in accordance with clause 10.4 of TPS 6 to owners and occupiers of properties within 100 metres of the subject site. In addition, the application was referred to the Department for Planning and Infrastructure due to the lot’s location on Nicholson Road, a road reserved for “Other Regional Roads” under the Metropolitan Region Scheme. At the completion of the 14-day comment period, a total of four submissions had been received, with one submission objecting to the proposal and three providing no objections. These submissions are summarised in the following table:

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
1.	J Butler 76 Forest Crescent, Thornlie	No. 13 (Lot 61) Vostan Road, Canning Vale	Objection on the basis that there are already sufficient eating and drinking establishments in the area, and the addition of a tavern will cause additional anti-social behaviour.	Noted, however it is considered that the addition of a tavern and restaurant to the existing reception centre on site will complement the existing uses.
2.	M Jones 75A The Esplanade, Mount Pleasant	No. 60 (Lot 100) Tulloch Way, Canning Vale	No objection.	Noted.
3.	L McKelvie	No. 47 (Lot 95) Tulloch Way, Canning Vale	No objection.	Noted.
4.	L Piggot - Western Australian Government Railways Commission	Lot 888 Nicholson Road, Canning Vale	No objection.	Noted.

At the time this report was prepared, no response had been received from the Department for Planning and Infrastructure.



DISCUSSION

It should be noted that there are two other applications proposing the establishment or alteration of “Tavern” uses within Canning Vale being considered as part of this agenda each of which has been assessed based on individual merits.

The application proposes additions and alterations to the existing reception centre and dojo located on the subject site. The proposal generally accords with the provisions of TPS 6, with the exception of the car parking shortfall of 109 bays. The proposal also generally accords with the criteria of Council’s Alcohol Policy (discussed below).

It is considered that the proposal can only be supported in this instance subject to the provision of the 234 car parking bays required by TPS 6 (subject to modifications in respect of reciprocity). The considerable parking shortfall could result in the parking of vehicles overflowing into the surrounding area, particularly at peak times. The requirement to provide the additional car parking bays is also seen as reasonable as there is sufficient vacant area on the 3.5 hectare site to accommodate the additional 109 bays.

It should be noted that the applicant has advised that any additional bays required could be provided in a grassed overflow parking area or “parking reserve” at the rear of the site. Although TPS 6 requires non-residential car parking bays to be concrete or bitumen sealed, kerbed, marked and drained, clause 5.5 (Variations to Site and Development Standards and Requirements) does allow Council the discretion to modify these provisions to allow the parking reserve to be grassed. Importantly, appropriate access, signage and lighting should be available to patrons to direct them to the parking reserve when required.

The development of the new Nicholson Road railway station on an adjacent site will also include the provision of a larger car parking area for train passengers. As part of future development on the subject site, the owners should consider a reciprocal parking arrangement with WA Government Railways to allow the reception centre to share the railway station parking area, specifically to limit the area of parking that needs to be provided on the subject site. This situation is considered somewhat feasible due to the differing peak periods for each of the two uses.

Strategic Context and Liveable Neighbourhoods

It is considered that the proposal to extend the Willow Pond Reception Centre will result in a number of benefits in terms of the overall development of the Canning Vale area. The subject lot’s location adjacent to the future Nicholson Road railway station and the proposed Main Street that will extend from Nicholson Road to Garden Street, while still being separated from residential properties, results in it being a site suitable for lively activity and entertainment. However, it is considered that the elevation of the reception centre presented to the north-east boundary is unacceptable as it will not appropriately address the future road proposed to extend from Nicholson Road to the proposed Nicholson Station. (This road is intended to align with a future main street south of Nicholson Road)

The SafeCity Urban Design Initiative seeks to ensure that these access routes are easy to understand and use, and that people using the routes will be kept safer through “natural surveillance”. In this instance the proposal provides limited opportunity for any natural surveillance, and as such, should be modified so that this may occur.

The Thornlie and Nicholson Road Station Study commissioned by the Department for Planning and Infrastructure, makes a number of recommendations aimed at achieving an efficient, attractive and viable railway for what will now only be a “spur” line servicing Thornlie and Canning Vale (until the final extent of the railway is determined). As such, it highlights activities like hotels, taverns and other similar uses as being appropriate near the railway station.

With reference to the “Liveable Neighbourhoods” document, the proposal will provide for the desirable non-residential uses that service the nearby residential population, while increasing activity around the future transport node.

Alcohol Policy

The City of Gosnells Alcohol Policy requires that all applications for new liquor licences or changes to existing licences be assessed in accordance with a list of criteria. Although the current application is not for the liquor licence itself, given that the existing licence must be changed accordingly the criteria have been taken into account, and are addressed as follows:

- Is the application likely to increase the extent of alcohol abuse?

In this instance, the existing reception centre on the site caters for functions that include the consumption of alcohol. The venue would already have an appropriate liquor licence for this activity. The addition of a tavern, which will complement the reception centre, is not considered to increase the extent of alcohol abuse in the area, particularly due to the more “formal” nature of the venue.

- Are people who reside, work or travel in the vicinity of the licensed premises likely to experience any undue degree of offence, annoyance, disturbance or inconvenience?

Given the minor nature of the new tavern, the proposal will not generate any additional impact on people who reside, work or travel in the vicinity of the premises. It should be noted however that one objection to the proposal was received.

- Do police or surrounding residents support the proposal? If they object, are there reasonable grounds to support the objection?

Police have not been contacted for their comments as they will ultimately be responsible for the approval of any change in liquor licencing arrangements. However, owners of adjoining properties were consulted, with one objection to the proposal on the grounds that there are already sufficient eating and drinking

establishments in the area, and that the addition of a tavern will cause additional anti-social behaviour. It is considered that this objection should not be supported, as the growing population in the Canning Vale area will demand similar facilities, and the “formal” nature of the establishment and its association with the reception centre, are seen as limiting any anti-social behaviour.

- Is there an established need for the proposal? (Public need can be demonstrated by petitions, survey results, letters of support and statements of evidence).

Whilst the issue of “need” is not a direct planning concern, it should be noted that the population in the Canning Vale area has grown since the reception centre obtained planning approval in 1994, and will continue to grow to reach an estimated population of 11,792 by 2015-2020. As such, demand for licenced premises will increase significantly.

- The number of similar licences and availability of alcohol in the general area.

Although the new tavern will require an additional liquor licence, it will complement the existing liquor licence associated with the reception centre. It is also considered that there are only a small number of similar types of establishment in the area to cater for the anticipated population of the Canning Vale area.

- Any other relevant factors as determined by Council from time to time.

Licence Type – A Category “A” Liquor Licence will be required.

Location - In this instance, it is considered to highlight the fact that the subject site is located at a suitable distance away from residential properties and is provided in a discreet location where there will be a reduced opportunity for the annoyance of people living or working in the area.

SafeCity - Manager SafeCity advised that there is no clear evidence to demonstrate that anti-social activity such as increased vandalism of private property or drinking and rowdy behaviour in adjacent public places can be directly attributed to nearby licensed premises. It should also be noted that these activities are illegal, and under the direct jurisdiction of the police.

CONCLUSION

The proposal is considered appropriate for the subject site as it generally accords with the provisions of TPS 6 and Council’s Alcohol Policy, and is recommended for approval subject to the provision of 234 car parking bays and other standard conditions.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

690 Moved Cr A Pisano Seconded Cr NJ Smith

“That Council approve the additions and alterations to the reception centre at Lot 55 Nicholson Road, Canning Vale, subject to the following conditions:

1. All requirements of the Western Australian Planning Commission are to be complied with.
2. A Management Plan is to be submitted in accordance with the City’s Alcohol Policy.
3. Provision and maintenance of a minimum total of 234 carparking bays paved, drained and marked to Council’s standards measuring no less than 5.5m x 2.5 metres, with minimum 6 metres wide accessways, in accordance with the approved plan and Town Planning Scheme No. 6.
4. Appropriate access, directional signage and lighting is to be provided to the new car parking area at the rear of the lot.
5. The owner to pursue as part of any future development on the site, a reciprocal parking agreement with the WA Government Railways to allow the use of the carparking area associated with the Nicholson Road Railway Station, during the peak hours of operation of the reception centre.
6. The submission of an amended site plan and elevations which address the interface with the proposed road abutting the north-east boundary of the lot, in accordance with the requirements of the SafeCity Urban Design Study.
7. Compliance in all aspects with Health (Public Buildings) Regulations.
8. Standard Conditions 3.2, 4.1, 4.4 (\$5000), 5.1, 6.1, 7.1, 47.1 (ii) and (iii) and Advice Notes D1.1, D2.1, D13.1, D14.1 and D18.0.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

**12.5.3 DEVELOPMENT APPLICATION – BOUTIQUE BREWERY TAVERN –
PT LOT 51 NICHOLSON ROAD, CANNING VALE**

File: 235105 **Approve Ref:** 0203/0903 (SC) Psrpt153Aug02
Name: W Lenz
Location: Pt Lot 51 Nicholson Road, Canning Vale.
Zoning: MRS: Urban
TPS No. 6: Light Industry
Appeal Rights: Yes. Minister for Planning and Infrastructure (Appeals Office) or Town Planning Appeal Tribunal against a refusal or any condition(s) of approval.
Area: 1.4855ha
Previous Ref: N/A

PURPOSE OF REPORT

For Council determination of an application for a Boutique Brewery Tavern as it is outside Council's staff delegation.

BACKGROUND

Part Lot 51 Nicholson Road is located at the intersection of Nicholson Road and Tulloch Way, Canning Vale. The site is cleared and flat, and currently accommodates a dwelling and related outbuilding.

Proposal

The applicant wishes to develop a Boutique Brewery Tavern, the beer is brewed onsite and sold directly to the tavern customers. The tavern also incorporates a garden bar area, restaurant dining area, dance floor, lounge bar and drive-through bottleshop. The applicant has advised the following in support of the application:

- The satellite brewery concept has been developed by the Darling Range Brewing Company and is unique to Australia.
- Existing "Last Drop" tavern outlets are located at Warnbro, Kalamunda, Nedlands and Armadale.
- The first stage of the brewing process producing the non alcoholic "Wort" is to be undertaken at the "Mother-Brewery" located at Elizabethan Village in Armadale.
- The "Wort" is to be transported by stainless steel tanker to the tavern where it is fermented and lagered in 3000 litre refrigerated tanks located behind the bar.
- Once the process is complete, the beer is totally free of any artificial additives or preservatives and served direct to the customer.
- The copper tanks will be visible both from inside and outside of the building through large glass windows.
- Location has been chosen based on population growth figures and traffic flows for the area.

- The onsite manufacturing process in addition to restaurant and licensed liquor outlet is more suited to the light industry zoning.
- Traffic access/egress from Tulloch Way only, thereby not interfering with Nicholson Road traffic and to ensure safety of patrons.
- It is anticipated that with the completion of Roe Highway extension, through traffic using Nicholson Road will be reduced, thus making the proposed location better suited for the surrounding residential and industrial areas.
- Visually attractive old world design and will provide a traditional Old English Country Pub atmosphere, food and entertainment targeting both local business proprietors and home owners.
- The aim of the Last Drop Brewery is to become a local meeting place, a venue for social interaction and casual entertainment.
- The proposal is to create a community facility benefiting the area both socially and aesthetically as well as providing a tourist attraction.
Any source of disturbance, annoyance or excessive drinking would be counter productive and would not be tolerated.
- A House Management Plan is to be provided as part of the Liquor Licensing requirements and a copy forwarded to Council to satisfy this condition.

Insert elevations

Insert floor plan

Insert Site Plan

Scheme Compliance

In accordance with Town Planning Scheme No. 6 (TPS 6), the subject lot is zoned “Light Industry”. A Tavern is an “A” use, meaning that the use is not permitted unless the local government has exercised its discretion by granting approval after giving special notice in accordance with Clause 10.4 (Advertising of Applications).

Public Consultation

A total of 34 surrounding properties within a 200metre radius were advised of the application and requested to comment (Refer consultation plan.) The application was also referred to the Department for Planning and Infrastructure (DPI) as the subject lot abuts Nicholson Road which is reserved “Other Regional Road” under the Metropolitan Region Scheme, designated under Western Australian Planning Commission control and classified under Category 2 – access subject to approval. A sign was also placed on site advising of the proposal and requesting comments. At the close of the submission period, a total of 11 submissions were received, 1 conditional non objection from DPI, 5 non objections and 5 objections. Please note that one objection is not shown on the Location Plan as it is outside the map area. All comments received are detailed in the submission table below.

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
1.	Department for Planning and Infrastructure		Conditional Non Objection. Metropolitan Region Scheme road widening reservation for Nicholson Road to be shown on site plan to allow for future road upgrading and to ensure that development does not preclude future widening/construction of Nicholson Road.	Noted. Revised site plan showing road widening to be submitted.
2.	V Gastev (Kelstar Pty Ltd) C/- Lakers Tavern Murdoch Road, Thornlie.	Lakers Tavern Thornlie (Not indicated on submissions plan as outside plan area).	Objection. Believes the area within a 7 kilometre radius has an adequate number of licensed premises that cater for the public’s requirements.	This is a consideration of the Liquor Licensing Board. Market competition is not a planning consideration when assessing individual development applications. Refer Discussion section.
3.	K H Tee and L S Koh	Lot 713, 8 Harwood Close, Canning Vale.	Objection. 1) Concerns regarding location in respect of the adjacent recreation park as believe that some customers may hang around the park, which may cause disturbances to an otherwise peaceful area.	Noted, however, difficult to substantiate. Refer discussion section. Refer Discussion section.

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			2) Concerns regarding noise from the dance floor.	Any approval would be subject to compliance with the Department of Environmental protection (Noise) Regulations 1997.
4.	Charnley-Bryce Pty Ltd PO Box 1747 Canning Vale WA 6970	Lot 201, 2/25 Tulloch Way, Canning Vale.	Objection. Believes that the proposal will attract problems such as: * Rowdy behaviour * Drunkenness * Increase vandalism. * current industrial area will be used as a race track and roads as parking.	Noted, refer discussion section. On site parking shall be in accordance with scheme requirements..
5.	J Partridge	Lot 5 Hughes Street, Canning Vale WA 6155	Support, 1) Requests an 8 foot high fence (2.4m) be erected at the developers costs to avoid any noise impact and to ensure privacy. 2) Concerns regarding the smell of hops. 3) Requests that any sewer connection for the development be suitable for extension to other adjacent lots.	Noted. Councils fencing local law states maximum height 2 metres which equates to 6 feet. Noted. Must comply with relevant legislation with respect to odour. Water Corporation is responsible for sewer connections.
6.	T Yeo PO Box 5168, Canning Vale WA 6155	Lot 201, 7/25 Tulloch Way, Canning Vale WA 6155	Non Objection Believes the proposal will attract more business to the area.	Noted, however, difficult to substantiate.
7.	Ms B Mullan	Lot 691, 7 Harwood Close, Canning Vale WA 6155	Objection. 1) Concerns regarding the adjacent park becoming a "hang-out" for patrons 2) Concerns regarding noise issues. 3) Concerns regarding increase in break-ins in the area.	Noted, Refer SafeCity comment discussion section.. Approval would be subject to compliance with the Dept. of Environmental Protection (Noise) Regulations 1997. Cannot be substantiated. Refer 7.1 above.
8.	F & K Baiamonte 7 Calder Way, Atwell WA 6164	Lot 201, 3/25 Tulloch Way, Canning Vale WA 6155	Non Objection.	Noted.
9.	G de Mamiel	Lot 663, 4 Kanani Drive, Canning Vale WA 6155	Non Objection Believes the area needs this development.	Noted.

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
10.	L McKelvie 47 Tulloch Way, Canning Vale WA 6155	Lot 84, 17 Tulloch Way, Canning Vale WA 6155	Non objection.	Noted.
11.	R Lawrence Lot 55 Nicholson Road, Canning Vale WA 6155	Lot 55 Nicholson Road, Canning Vale WA 6155	<p>Objection.</p> <ol style="list-style-type: none"> 1) Concerns regarding increase in crime 2) Concerns regarding viability of sales of packaged alcohol as four (4) existing Bottle Shop located at Thornlie Bottle Shop, Forrest Lakes Centre, Livingston centre, and Lakers Tavern within area. 3) Believes the development will adversely impact upon the future extensions to Willowpond Reception Centre including proposed Café Bistro Restaurant with Lounge Bar/Tavern. 4) Plans do not show 12metre road widening along Nicholson Road. 5) Concerns regarding only 95 car parking bays shown on the plan with limited on-street parking available. 6) Concerns that 3metre wide landscaping not shown along full Nicholson Road frontage. 7) Does not believe that proposed "Boutique Brewery" will produce beer onsite but will be dependent upon product being supplied from outside the area. 	<p>Refer discussion section.</p> <p>Noted, however this is a matter dealt with by the Liquor Licensing Board.</p> <p>Each development is assessed on its merit without reference to competitive market factors which are not a planning issue.</p> <p>Agree. Refer Point 1 above.</p> <p>Refer discussion section.</p> <p>Agree. A revised site plan which is to submitted prior to issue of building licence shall incorporate landscape scheme requirements.</p> <p>Noted. A variety of Darling Range Brewing Company beers are to be produced on site. Refer Proposal section.</p>

DISCUSSION

It should be noted that there are two other applications proposing the establishment or alteration of "Tavern" uses within Canning Vale being considered as part of this agenda.

Alcohol Policy

The City of Gosnells Alcohol Policy requires that all applications for new liquor licences or changes to existing licences be assessed in accordance with a list of criteria. Although the current application is not for the liquor licence itself, given that a licence will be required the criteria have been taken into account, and are addressed as follows:

- Is the application likely to increase the extent of alcohol abuse?

The proposed tavern is to be a venue for social interaction and like the other Last Drop outlets are intended to provide a family orientated facility. With respect to an increase in the extent of alcohol abuse, it would seem that although the tavern is new and will therefore increase the opportunity to purchase alcohol within the Canning Vale area, due to the anticipated increase in population in the area, the provision of additional alcohol retail outlets may be seen as satisfying a growing community demand.

- Are people who reside, work or travel in the vicinity of the licensed premises likely to experience any undue degree of offence, annoyance, disturbance or inconvenience?

Due to the surrounding Light Industry and Composite Residential/Light Industry zones together with the proposed tavern's separation from existing and future residential development, the potential for adverse impacts is not considered to be significant (see further detail re the site's locational attributes below).

- Do police or surrounding residents support the proposal? If they object, are there reasonable grounds to support the objection?

As shown on the public consultation plan, 2 objections were received from residential properties located on the south side of Hughes Street and 2 objections from owners of industrial units in Panama Street. This compares with 3 submissions from Light Industrial property owners supporting the submission and 1 from a residential owner on Kanini Drive. No other submissions were received from landowners within the referral area. Staff comment regarding the objections is contained in the schedule of submissions and in summary generally concerned the potential for anti social behaviour. The proposed tavern is not in immediate proximity to existing housing - See discussion section for further detail.

- Is there an established need for the proposal? (Public need can be demonstrated by petitions, survey results, letters of support and statements of evidence).

Council may be aware that the ultimate population of Canning Vale will be in the order of 11,792 by 2015-2020 generating future demand. The issue of "need" however, is not a direct planning concern.

- The number of similar licences and availability of alcohol in the general area.

Council's records show that existing tavern licences are held by Nicholson's Bar and Grill located at the corner of Birnam and Nicholson Roads and Lakers Tavern located in Murdoch Drive, Thornlie. It is further drawn to Council's attention that in the event of approval for the redevelopment of the Willowpond Function Centre, an application for a tavern licence will be considered. Approval, however, is the responsibility of the Director of Liquor Licensing.

- Any other relevant factors as determined by Council from time to time.

Licence Type - The applicant has advised that the type of licence required is Category A.

Location - In terms of the appropriateness of the subject site for the proposal tavern development the following is seen as relevant:

- The proposed tavern would be approximately 100m from the nearest existing housing on Hughes Street to the south west of the site.
- Proposed residential development on land directly opposite the site within the Canning Vale Outline Development Plan ODP area would be separated from the tavern by Nicholson Road which is a major arterial road which will in time be upgraded to a 4 lane dual carriage. It is therefore considered that this would mitigate the potential impacts from the tavern on any future housing south of Nicholson Road.
- Only the portion of the site abutting Nicholson road would be developed for a tavern. The portion of the site which is zoned Light Industry and abuts Tulloch Way is to be developed for light industrial purposes as advised by the owner .
- The portion of the site which is zoned Composite Residential/Light Industry abutting Hughes Street when developed, will provide for a light industrial interface between the rear of the tavern development area and existing and future residential development either side of Hughes Street.

- The Canning Vale ODP provides for a local centre on land in proximity to the intersection of Nicholson Rd and Garden Street. It is drawn to Councillors attention that at the Ordinary Meeting of Council held on 18 December 2001, a concept for a Main Street was considered and approved by Council. This Main Street proposal was seen as appropriate given its location directly opposite the proposed access road to the future Nicholson Station.

A tavern is considered to be an intensive land use which would ideally be located within or in close proximity to other intensive land uses such as the proposed local centre. For this reason, it is considered that the most appropriate location for the proposed tavern would be within the proposed local centre. However, Council has been requested to consider a Tavern application for the subject site and in view of its location within the Light Industry zone its potential for adverse impacts on the amenity on existing and proposed residential development in the area is considered to be much reduced.

- Comments were received regarding the location of the tavern and the close proximity to the reserve located on the corner of Hughes Street and Harwood Close, with respect to the potential for anti-social behaviour. As stated in the submission table, this cannot be substantiated, however, as the proposed tavern is to be a family-orientated venue, with an accent on the supply of beer and good food, it is envisaged that anti-social behaviour directly associated with the development would be minimal. Also it is pertinent to note that the subject site is 100 metres from the POS area and does not directly abut it. With respect to noise issues, the proposal would be required to comply in all aspects with the Department of Environmental Protection (Noise) Regulations.

SafeCity Initiative - Manager SafeCity advised that there is no clear evidence to demonstrate that anti-social activity such as increased vandalism of private property or drinking and rowdy behaviour in adjacent public places can be directly attributed to nearby licensed premises. It should also be noted that these activities are illegal, and under the direct jurisdiction of the police.

Light Industry Requirements

Table 2B: Industrial Zones and Table 3A: Parking Standards specifies the minimum setbacks and landscaping and parking requirements. The application meets these requirements, however, any approval should be subject to a revised site plan being submitted showing the road widening requirement along Nicholson Road. With respect to carparking, a total of 89 bays are provided on site which accords with scheme requirements. Should the application be supported, it would be subject to compliance with the City's Shade Policy with respect to the provision of trees within the carpark area. Further, the proposed "Tudor" style façade complies with TPS 6 requirements and it is considered that the overall aesthetic appearance will provide an interface between the future residential development south of Nicholson Road and light industrial development.

Traffic

The subject lot abuts Nicholson Road, which is reserved under the MRS and requires approval by the WAPC for any access. The DPI advised that they have no objection to the proposal subject to no access from Nicholson Road and that the site plan be revised to ensure that the proposed building and carparking does not encroach on any of the future road widening reservation along Nicholson Road. This will ensure that the development does not preclude or affect road upgrading in the future. Access is to be from Tulloch Way only, with two entrances/exits provided for ease of access.

CONCLUSION

In summary, therefore, the main issues relating to the proposed Boutique Brewery Tavern located on the corner of Tulloch Way and Nicholson Road, relate to amenity together with location factors. The proposal can be said to meet TPS 6 development requirements with respect to setbacks, landscape, carparking etc. The “Tudor” style design will provide a visually attractive feature for the area, together with being located in the Light Industry zone which will provide an interface between the surrounding industrial and existing and future residential development. In order to attain the requisite liquor licence, the applicant requires planning approval and shall also submit an Alcohol Management Plan to ensure the safety and health of both patrons and surrounding properties. Given the above, it is therefore considered that the proposal meets the requirements and the intent of the City’s Alcohol Policy and statutory requirements and therefore the application is supported.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

691 Moved Cr A Pisano Seconded Cr R Mitchell

“That Council approve the application for a boutique brewery tavern development at Pt Lot 51 Nicholson Road (corner Tulloch Way), Canning Vale, subject to the following conditions:

1. Compliance in all aspects with Health (Public Buildings) Regulations.
2. Management Plan to be submitted in accordance with the City’s Alcohol Policy
3. Placement of a sign on site to notify existing and future residents of the intended development.

4. Applicant to submit a revised site plan incorporating future road widening Nicholson Road and 3metre landscape strip along all road frontages.
5. Details of fencing to be provided prior to issue of building licence.
6. Issue of Building Licence.
7. Standard Conditions: 3.1(89 with minimum 2 disabled bays), 3.2, 4.1, 4.3, 4.4(\$10,000), 5.1, 5.3, 6.1, 7.1, 8.1 and Advice Notes: D1.1, D2.1, D3.1, D12.1, D13.1, D15.1, D17.1, and D18.1.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

12.5.4 DEVELOPMENT APPLICATION – COMMUNITY CENTRE – NO. 404-408 (LOT 30) BICKLEY ROAD, KENWICK.

File: 217757 **Approve Ref:** 0203/0921 (SC) Psrpt150Aug02
Name: A Sayed
Location: 404-408 (Lot 30) Bickley Road, Kenwick
Zoning: MRS: Rural
TPS No. 6: General Rural.
Appeal Rights: Yes. Minister for Planning and Infrastructure (Appeals Office) or Town Planning Appeal Tribunal against a refusal or any condition(s) of approval.
Area: 1.8.947ha
Previous Ref: OCM 23 July 2002 (Resolutions 550, 551).

PURPOSE OF REPORT

For Council to consider an application for a Community Purpose Facility located at 404-408 Bickley Road, Kenwick.

BACKGROUND

Scheme Requirements

In accordance with Town Planning Scheme No. 6 (TPS 6), the subject lot is zoned “General Rural”. Table 1: Zoning Table designates Use Class 18 Community Purpose as an “D” use which means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

“Community purposes” is defined as:

“means the use of premises designed or adapted primarily for the provision of education, social or recreational facilities or services by organisations involved in activities for community benefit”.

Site History

At the Ordinary Meeting of Council held on 23 July 2002, Council considered an application for an Islamic Girls School on the subject lot. Council resolved to refuse this application to utilise the subject site (given a potential to prejudice future industrial land use development identified in the Metroplan document – WA Planning Commission 1990), however, it was resolved that a separate development application for community purpose would be considered.



Proposal

The applicant has now submitted a separate application to utilise the site for community purposes. The Community Centre incorporates a Main hall, Lesser hall, office, library, toilets, store and administration, together with a 145m² outbuilding to be used to park the community bus and for storage. (Refer site plan below).

Insert site plan

Insert Elevation

The applicant has advised that the proposed community centre will be used for cultural and social interaction with occasional meetings to discuss matters of relevance to the Islamic community. The number of people attending these functions will be 100 maximum. It is intended that the hours of operation will be daytime hours with only the occasional evening use. No amplified music or alcohol will be available at the centre. The existing dwelling is to be converted for administrative purposes, whilst a new building located to the west, containing office, rest room and library will be utilised by the women of the community. The segregation of activities undertaken by men and women is an integral part of the Islamic faith. It is also intended to garage the existing community bus on site, which is to be used for transporting non-drivers within the Islamic community to the proposed centre. The application shows a total of 216 car parking bays provided on site in accordance with TPS 6 Table 3A – Parking Requirements. Refer Discussion Section “Traffic” where an appropriate car parking provision for the site is detailed.

DISCUSSION

Kenwick Future Development

The Draft Foothills Rural Strategy, which was approved by Council in July 2001 and is awaiting finalisation by Western Australian Planning Commission, provides Council with a strategic planning tool for land use and management of rural land in the foothills. The subject lot is located within Precinct 4, which is to be retained as rural. This precinct has also been identified for potential industrial expansion in Metroplan 1990. Accordingly, the objectives of Precinct 4 are to maintain and retain the existing rural character and amenity with the recommendation that no further subdivision occur in order to allow for future industrialisation in this area. In addition, TPS 6 Scheme report also recognises that this area be retained as rural until such time as studies have been undertaken regarding this proposed future industrialisation. For these reasons, the City previously refused development of a school on the subject site. However, in accordance with TPS 6, a community purpose centre maybe considered in both the General Rural and General Industry zones. However, due to Council’s previous recommendation, although applications for a community purpose centre can be considered under delegation, in this instance the matter is referred to Council for determination. Therefore, in assessing the application, having considered the relevant zonings and the proposed design layout, it is considered that the development is an appropriate use within the surrounding rural area. By retaining the rear portion of the lot for parking and the garaging of the community bus only, it could be said that the proposed development would also allow for future industrial development with the proposed outbuilding being able to be relocated if necessary, thus allowing for any interface issues to be resolved at that time.

Further, the properties opposite the subject site are zoned Residential R17.5 and contain single dwellings. A community centre is considered an appropriate and compatible use within both the residential zoned land and rural zoned land. In this instance, the proposed community centre could also be considered to provide an appropriate buffer between the existing residential development on the southern side of Bickley Road with any future industrialisation of the rural zoned land adjacent to lot 30.

Traffic

As Council is aware, concerns raised previously when considering the proposed Islamic Girls School to be located on the subject site, related to an increase in traffic, speed and safety issues. This community centre proposal incorporates separate entry and exit points, with a one way internal driveway ensuring safety of those using the centre and traffic using Bickley Road. As a community centre is a use that Council can consider and approve within the General Rural zone without the need to refer to surrounding landowners for comment, the following comments are reiterated:

The City's Technical Services section completed a traffic survey which concluded that traffic volumes were considered to be low (average 1360 vehicles per day), although the mean speed of 64.2km was considerably higher than the 50km per hour speed limit. Bickley Road is a two lane, undivided road with a carriageway of 7.4 metres width and contains a footpath on the southern side adjacent to the residential properties. This type of road is designed to cater for up to 6000 vehicles per day, therefore the increase in traffic associated with the use of the site as a community centre, mainly during the day, is not considered to have a detrimental impact and is therefore supported.

Whilst the 216 carparking bays are the strict scheme requirement, it is considered in view of the applicants estimate of likely usage that this figure maybe excessive. Clause 5.13.3 permits Council to vary car parking requirements for a development provided safety, convenience and amenity standards are maintained. The anticipated usage is for a maximum of 100 persons at any one time. On this basis the provision of a lesser number of bays is considered appropriate.

A further factor to consider is that a rationale for the current development is the maximisation of future potential industrialisation. Therefore it is considered the proposed bus shed should be relocated adjacent to the carpark area in order to allow the rear portion of the lot to remain undeveloped, thus further maintaining the potential for future industrial development. For these reasons, it is seen as appropriate to only require a reduced car parking area and for development to be contained within the front half of the lot only.

Drainage

Due to the subject lot being low lying, requiring some fill and sub-soil drainage, a drainage management plan, would be required to be submitted to the satisfaction of the City of Gosnells prior to the commencement of any site works. This plan should incorporate both original and final level contours, showing how stormwater is to be contained on site

CONCLUSION

In summary, the City has the ability to assess and approve a Community Centre in the General Rural zone. Having taken into account the aims and objectives of both local and state strategic planning objectives for future development of the area, and having considered traffic and drainage issues, it is considered that the proposal would not adversely impact upon the amenity of the area. Further, it is considered that the proposal would not have a detrimental impact on the surrounding rural land uses, and could be said to provide a buffer between the existing residential and any potential future industrial development. In conclusion, therefore, approval of a Community Centre as submitted is supported.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

692 Moved Cr R Mitchell Seconded Cr MD Devereux

“That Council approve the development of a Community Purpose Centre on 404-408 (Lot 30) Bickley Road, Kenwick subject to:

1. Compliance in all respects with Health (Public Buildings) Regulations 1992.
2. Compliance with the Department of Environmental Protection (Noise) Regulations 1997.
3. Applicant to submit a Drainage Management Plan incorporating a Hydrology and Geotech Report to the satisfaction of Council.
4. The site is to be connected to reticulated sewerage system.
5. Proposed Bus shed outbuilding to comply with the City’s Policy 5.1.16 – Outbuildings.
6. Relocation of the bus shed so that it is sited in close proximity to proposed community centre buildings to the satisfaction of the Director Planning and Sustainability.
7. Provision of a total of 70 car parking bays to be paved, drained and marked on site, with the provision of a grassed parking overflow area.
8. Provision of shade trees for the car park area at suitable locations.
9. Standard Conditions: 3.2, 4.1, 4.4(\$40,000), 5.1, 7.1, and 8.1.”

CARRIED 7/4

FOR: Cr S Iwanyk, Cr C Mattison, Cr MD Devereux, Cr NJ Smith, Cr R Mitchell, Cr A Pisano and Cr PM Morris.

AGAINST: Cr J Brown, Cr AJ Smith, Cr O Searle and Cr S Moss.

Foreshadowed Motion

During debate Cr S Moss foreshadowed that she would move the following motion:

“That Council not approve the development of a Community Purpose Centre on 404-408 (Lot 30) Bickley Road, Kenwick.”

if the motion under debate was defeated, and provided the following reason:

“That Council not approve the development of the Community Purpose Centre on 404-408 (Lot 30) Bickley Road, Kenwick as the Draft Foothills Strategy is still awaiting finalisation by the Western Australian Planning Commission and further the proposed development is located in an area for potential industrial expansion as outlined in Metroplan 1990.

The Draft Foothills Rural Strategy identifies this lot in Precinct 4 which is to be retained as rural. The objectives of Precinct 4 are to maintain and retain the existing rural character and amenity. TPS 6 scheme report also recognises that this area be retained as rural until such time as studies have been undertaken regarding the proposed future industrialisation of the area.”

12.5.5 DEVELOPMENT APPLICATION – ADVERTISING BILLBOARDS – NOS. 1485-1487 (PT LOT 1) ALBANY HIGHWAY, BECKENHAM

File: 202302 **Approve Ref:** 0102/0820 (EH) Psrpt152Aug02
Name: Braeside Nominees Pty Ltd
Location: Nos. 1485-1487 (Pt Lot 1) Albany Highway, Beckenham
Zoning: MRS: Urban
TPS No. 6: Local Centre
Appeal Rights: Yes. Appeal rights available to applicant to either the Minister for Planning and Infrastructure or Town Planning Appeals Tribunal against a refusal or any condition(s) of approval.
Area: 3848m²
Previous Ref: Nil
Appendices: 12.5.5A Elevations
 12.5.5B Report lodged by Applicant

PURPOSE OF REPORT

To have Council determine the above development application as the proposal is outside Council's staff delegation.

BACKGROUND

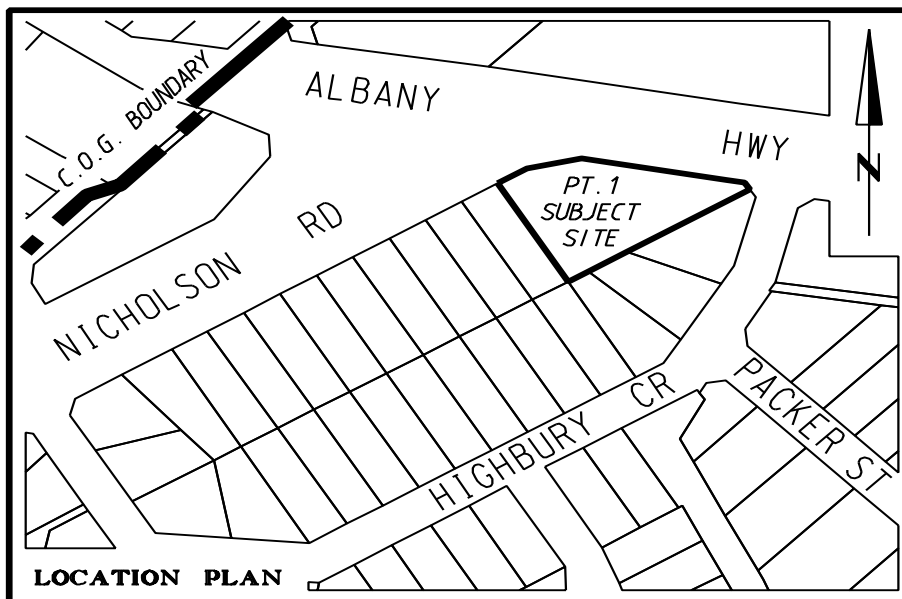
An application proposing a general building upgrade as well as the incorporation of four new advertising panels into the fascia of the existing building at Nos. 1485-1487 (Pt Lot 1) Albany Highway, Beckenham has been received.

The subject site is a triangular shaped lot near the intersection of Nicholson Road and Albany Highway and is currently occupied by a single storey workshop and showroom of approximately 150m² (Ian Diffen Tyres) and a larger single storey building of approximately 900m² divided into two showrooms (Betta Curtains and a vacant tenancy – although a funeral parlour has been approved by Council for this tenancy at the meeting of 9 July 2002 (Resolution 507)). The lot is accessed by a service road that runs from Wimbledon Street to Highbury Crescent.

The subject site is highly visible to traffic and, given its location, the site is seen as a “gateway” to the City. It is considered that the site has been chosen by the applicants specifically because of its high exposure. Assessment of the application by Council will therefore inevitably involve consideration of both:

- The appropriateness of the proposed signage on the subject site; and
- The wider issue of the proliferation of signage along major roads.

These matters are considered in the Discussion section.



PROPOSAL

The application proposes the erection of a steel structure above the three visible elevations of the large showroom building (Betta Curtains) to form a cladded façade continuous with the line of the building. The façade will accommodate four hoardings measuring 12.1m by 3.3m (area of 40m²) each – one to the east, two to the north and

one to the west elevation. In addition, it is proposed to mount municipal flags above the façade. This signage/advertising would then be externally illuminated at night. This advertising would be in addition to a rationalised amount of signage for the two tenancies in the building.

It is also proposed to relocate the existing “Betta Curtains” horizontal signs. It appears that the existing sign on the front façade measuring 16m by 1.5m has a sign licence issued in 1991. However, a search of Council records indicates sign licence for the sign on the eastern side of the building has never been issued by Council. The proposed horizontal signs for the front façade of the building measures 12m by 1.2m (area 14.4m²) for the Betta Curtains unit and 10m by 1.2m (area 12m²) for the proposed funeral parlour unit. The proposed horizontal sign for the eastern façade measures 7.2m by 1.2m. The proposed horizontal signs will have a headway clearance of approximately 4m.

The existing building with the additional structure will be 10 metres in height and will be paint rendered. The bitumen carpark is proposed to be re-marked with an allowance for new reticulated garden beds and associated kerbing, which will improve the overall appearance of the development while also stopping vehicles entering the lot at random points – as is the case at present. As the proposed funeral parlour was approved subject to an access study being undertaken to indicate the most viable dedicated access points to the parking on site, the proposed landscaping and remarking and kerbing of the carparking area, which forms part of this application, is to be considered in conjunction with the development approval conditions of the proposed funeral parlour. Refer to Appendix 12.5.5A for elevation photos.

In support of the proposal the applicant provided additional correspondence, an extract reads as follows:

“Desirable Civic Objectives and Benefits to the Council

1. *Perth Sign Company will permanently dedicate one [advertising] panel for Council-related messages of your choice.*
2. *The enhanced profile of the building with changing advertisements on it will help provide visual signal to business that the City of Gosnells is serious about creating employment and opportunities.*
3. *We believe the concept of incorporating several panels appropriately within one strategic site provides a unique solution to any potential problem of setting a precedent.*
4. *Safe movement of traffic within and about the site will be significantly enhanced by the positioning of trees and garden beds.*
5. *Given the strategic location at a major entry point to the City, this concept will give your authority a unique opportunity for municipal promotion, the cost of which being entirely subsidised by the commercial content of the structure.”*

To summarise, the application proposes to:

- Extend the existing façade and paint render the building;
- Erect four hoardings on the extended façade;
- Erect two new horizontal signs above each tenancy;
- Erect five municipal flags on the building;
- One hoarding has been offered to Council for advertising; and
- Upgrade of carparking area, including landscaping.

Main Roads WA Comments

The application was referred to Main Roads WA due to the location of the subject site and the potential for the advertisements to affect traffic movement in the area. While not refusing the proposal, the following comments were provided:

“I advise that Main Roads has a duty of care to ensure that the road network is as safe as practicable for all road users including pedestrians. The significant safety consideration in this instance would be the distraction caused to motorists at an intersection of high traffic volume...”

...Main Roads will provide approval to the installation of the advertising structures, subject to strict compliance with the following conditions:

- 1) The type of sign and location complies fully with all relevant by-laws and planning schemes made by Council.*
- 2) Each structure shall contain independent simple messages or pictures.*
- 3) Sign content shall not duplicate traffic signal or road sign colours, imitate road signs or display content that may be interpreted as being offensive to the public.*
- 4) The signs and sign structures are placed on private property and do not hang over or encroach upon the road reserve.*
- 5) If lighting is provided, a low level of illumination is used and it must not flash or pulsate.*
- 6) No other unauthorised signing is displayed.*
- 7) The signage must not be modified.”*

Town Planning Scheme No. 6 Requirements

Clause 5.12.1- General, states:

“For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Act requiring, except as otherwise provided, the prior planning approval of the Council. Planning approval is required in addition to any licence pursuant to Council’s Signs Local Law.”

Clause 5.12.3 - Consideration of Applications, states:

“Without limiting the generality of the matters which may be taken into account when making a decision upon an application for planning approval to erect, place or display an advertisement, Council shall examine each such application in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed, including its historic or landscape significance and traffic safety, and the amenity of adjacent areas which may be affected.”

Building Services Comments

The City of Gosnells Signage Local Law states:

“As Council’s Advertising Policy is in its early infancy the current Local Laws should be relied upon to and in particular the following sections:

3.1.5 Notwithstanding that a Sign or Hoarding complies with the provisions of these Local Laws the Council may refuse a licence if:

- (a) such sign or hoarding would, in its opinion, increase the number or variety of signs so as to become too numerous or various to the locality to be injurious to the amenity or natural beauty or safety of the locality; or*
- (b) such sign or hoarding advertises goods or services which are not produced, displayed or offered for sale or otherwise available to the public upon or from the premises where such sign or hoarding is erected, attached or affixed*

3.4.2 An application for the first issue of a licence in respect to a sign or hoarding shall be accompanied by duplicate plans, drawn to a scale of not less than 1 to 50 showing the size, position, design and inscriptions to appear thereon, the method of construction and fixing of the sign or hoarding to a building or structure, setbacks of the sign or hoarding from a street, way, footpath or other public place, boundaries where applicable together with such further information as Council may require.

5.6.1 Hoardings shall not: ...

- (c) be of greater area than 22m².*

5.7.1 A horizontal sign shall: ...

- (c) conform as to depth to the following table:*

<i>Minimum Distance of Bottom of Sign Adjacent to Street Level</i>	<i>Maximum Depth of Sign</i>
<i>Less than 4.5</i>	<i>600mm</i>

4.5m to 7.5m	750mm
7.5m to 12m	1 metre

5.7.4 *The name of the building or structure, owner or occupier may be shown on the facade of a building or structure but:*

- (a) *unless otherwise approved by the Council, only one such name shall be placed on any facade;*
- (b) *the letters of the name shall not exceed 1.2m in height;*
- (c) *the letter shall be of metal or other non-combustible material;*
- (d) *the letter shall not be lit or illuminated unless all illuminated lettering has been approved by the Council.”*

Five flags are proposed which extend, by an unspecified height, above the 10m high building façade. The flags are designed for short-term visual recognition of the advertising and the building and are considered to be excessive and a continuing issue of maintenance and should not be considered.

The proposal intends to extend the façade by approximately double the existing height of the building fascia and is considered excessive, as the signage will be the dominant feature to a major intersection.

It is therefore suggested not to approve either the four hoardings or the five flags due to the proliferation of signage on the property.”

DISCUSSION

With reference the relevant sections of the Local Law, the following comment is provided:

- 3.1.5 (a) It is staff opinion that the signage proposal is too numerous and varying and that the proposal will become injurious to the amenity of the locality.
- (b) The proposed hoardings will advertise goods or services, which are not produced, displayed or offered for sale from the subject property.
- 5.6.1 (c) Proposed hoardings are approximately 40m², the maximum permitted area is 22m².

5.7.1 The proposed horizontal signage is in compliance with the Local Law.

The applicant has offered Council the permanent use of one of the hoardings at no cost to Council. An example of Council advertising is shown in the photograph provided by the applicant.

There is concern that the offer for Council to utilise a hoarding may be perceived as a gift to Council and could be considered as a conflict of interest. Council has previously advertised its services on Council owned property or within the road reserves and not on privately owned property. It is also considered that the location is inappropriate for the display of Council's municipal flag, given the commercial use of the site.



In addition to the application's non-compliance with the Local Law, the core issues relating to this application are seen as the appropriateness of extending building façades for the accommodation of large commercial advertising signs, the proliferation of signage along major roads and the appropriateness of the site for the proposed signage taking each in turn, the following is provided:

- (a) There is a general trend to use buildings as, in effect, large advertising signs by increasing the size of façades. It is evident that review of Council's Local Law (and/or policy formulation) is necessary to address this issue. It is intended to commence this process in the near future as staff resources become available. At this time though the salient point is that the proposal does not comply with existing statutory requirements.
- (b) The proliferation of signage along major roads such as Albany Highway is a general matter of concern. Whilst accepting the need to promote local business this further reinforces the need for a strategic review as mentioned at (a) above.
- (c) Any approval of the subject application is seen as providing an undesirable precedent for future similar application.

It is therefore recommended that the application be refused on the basis of:

- i) non-compliance with Council's Signs, Hoardings and Billposting Local Law;
- ii) due to non-compliance with Local Law, Main Roads WA approval is not valid and their comments constitute an objection;
- iii) inappropriate location for scale and size of advertising;
- iv) inappropriate location for display of municipal flags;
- v) if approved, signs would add to the existing proliferation of advertising in commercial areas and would set an undesirable precedent.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

693 Moved Cr NJ Smith Seconded Cr MD Devereux

"That Council refuse the application by Perth Sign Company for additions to the building façade on Pt Lot 1 (1485-1487) Albany Highway (cnr Nicholson Road), Beckenham for the purpose of displaying hoardings, horizontal signs and municipal flags, for the following reasons:

1. Non-compliance with Council's Signs, Hoardings and Billposting Local Law.
2. Objection from Main Roads WA in view of non-compliance with Local Law.
3. Inappropriate location for scale and size of advertising.
4. Inappropriate location for display of municipal flags.
5. Approval would set an undesirable precedent for similar applications."

CARRIED 9/2

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr O Searle, Cr S Moss and Cr PM Morris.

AGAINST: Cr R Mitchell and Cr A Pisano.

Foreshadowed Motion

During debate Cr R Mitchell foreshadowed that he would move the following motion:

“That Council approve the application by Perth Sign Company for additions to the building on Pt Lot 1 (1485-1487) Albany Highway, Beckenham for the purpose of displaying hoardings, horizontal signs and municipal flags subject to:

- 1. Compliance with provisions of TPS 6.*
- 2. Upgrades to walls and facades in a consistent colour and texture.*
- 3. Lodgement of a landscape plan in accordance with Council Policy.*
- 4. One billboard being dedicated for use by the City of Gosnells free of charge.*
- 5. Signage being maintained such that signs are not permitted to be left where peeling or fading.*
- 6. Standard conditions as imposed by Council’s Development Control Unit.*

if the motion under debate was defeated, and provided the following reason:

“The proposal and the position makes sense.”

Foreshadowed Motion

During debate Cr C Matison foreshadowed that she would move the following motion:

“That item 12.5.5 “Development Application – Advertising Billboards – Nos. 1485-1487 (Pt Lot 1) Albany Highway, Beckenham” of the 27 August 2002 Ordinary Council Meeting be referred back for further investigation.”

if the motion under debate was defeated, and provided the following reason:

“If carried, the motion could be in excess of Council’s by-laws.”

12.5.7 WEST CANNING VALE (CAMPBELL ESTATE) OUTLINE DEVELOPMENT PLAN - APPROVAL TO SEEK PUBLIC COMMENT PRIOR TO FINALISATION

File:	S8/1	(SRW)	Psrpt151Aug02
Location:	West Canning Vale		
Zoning:	MRS:	Urban	
	TPS No. 6:	Residential Development	
Appeal Rights:	Should Council resolve that an ODP is not satisfactory for advertising, the proponent may request the Western Australian Planning Commission to determine the proposal.		
Area:	60.0ha		
Previous Ref:	OCM 27 July 1999 (Resolution 654)		
	OCM 27 February 2001 (Resolution 96)		
Appendices:	12.5.7A	Original ODP	
	12.5.7B	Revised ODP (Council prepared)	
	12.5.7C	Revised ODP (Privately prepared)	

PURPOSE OF REPORT

For Council to approve an Outline Development Plan for the West Canning Vale (Campbell Estate) Outline Development Plan area for forwarding to the Western Australian Planning Commission and seeking public comment prior to finalisation.

BACKGROUND

Council at its meeting on 27 July 1999 considered an Outline Development Plan for the Campbell Estate, bounded by Campbell, Nicholson and Ranford Roads. The following resolution was adopted (Resolution 654), part of which reads:

"That Council:

- B. Endorse, in principle, the draft ODP, subject to the following modifications being made:*
- (i) The amount of Commercial non-retail being reduced to include Lots 1, 2, and only as much of Lot 278 that is required for rounding off.*
 - (ii) The area of Home Based Business and proposed commercial development located on Lot 281 Campbell Road being held in abeyance pending further investigation as to its justification under the City of Gosnells Draft Commercial Strategy.*
 - (iii) The R17.5 R-Code being shown over the proposed Residential Development zoned land*
 - (iv) All dual use paths that require construction being shown."*

After failing to receive an amended ODP and documentation from the proponents, Council again considered the ODP at its ordinary meeting on 27 February 2001 and the following resolution was adopted (Resolution 96):

“That Council endorse the City Planning staff progressing the finalisation of the ODP documentation for the West Canning Vale area as a matter of priority due to the apparent inability of private planning consultants to obtain consensus amongst land owners.”

In accordance with the decisions previously passed by Council, Officers have coordinated additional studies into wetland classifications and have finalised the draft ODP. Concurrently, Peter Green and Lawrence Douglas, two landowners in the area undertook to finalise an alternative OPD for the same area. Both ODP's are currently before Council for consideration. The most significant difference between the two ODP's relates to urban water management.

A Council decision is required for any ODP to be forwarded to the Western Australian Planning Commission and to seeking public comment prior to finalising.

DISCUSSION

In accordance with the Decision by Council on 27 February 2001, Council officers have been progressing the finalisation of the ODP. The following major issues have been identified as requiring further consideration:

- Treatment of wetlands, particularly conservation category wetlands (CCW's)
- Urban Water Management
- Commercial Development along Ranford Road.
- Cost Sharing Arrangements.
- Residential density codings.

The following sections provide greater detail on each of these major issues and outline how each of the two ODP's address them.

Overall Design Philosophy

The overall design objectives for the ODP area are as follows:

- An overall layout which responds to the physical and social context of the site
- An interconnected grid based network to provide maximum permeability and legibility
- Centrally located public open space which is within 400 metres of all residences, providing a neighborhood focus and fostering pedestrian and cyclist movements.
- A developed open space network incorporating drainage functions consistent with environmental and engineering best practice solutions.

As both ODP's are based on the original urban design, both ODP's address the majority of issues identically. The principle differences from a design perspective between the two ODP's are those of integration of wetlands and urban water management. These issues are discussed further in this report.

Wetland Treatment

In accordance with the management categories outlined in the Environmental Protection Authority (EPA) Bulletin 686, Campbell Estate contains three management categories: Conservation, Resource Enhancement, and Multiple Use. Conservation category wetlands possess a high degree of naturalness. Resource Enhancement wetlands are defined as modified but with no clearly recognised human uses in their settings. Wetlands in the Multiple Use Management Category have been severely degraded, possessing few natural attributes and limited human use interest.

The EPA may consider approving the partial filling of wetlands and/or use as drainage basins in Multiple Use and Resource Enhancement wetlands, provided:

- Wetland function is retained within the development;
- A wetland is constructed or rehabilitated to fulfil equivalent functions; and/or
- The hydrological change enhances the wetland and its function, and does not lead to a loss of water quality.

Since the compilation of the original ODP in 1999, individual wetland assessments have been undertaken by Bowman Bishaw Gorham Environmental Management Consultants, with the results forming the basis of the current wetland classifications.

The experience gained during the Canning Vale urbanisation process (ie amendment No. 478) and during the rezoning application for Lot 1 Nicholson Road, corner Ranford Road (Scheme Amendment No. 530), indicated that both the Department of Environmental Protection (DEP) and the Water and Rivers Commission (WRC) would subject any proposed rezoning and ODP for the West Canning Vale area to very close scrutiny. In particular the remnant vegetation and the wetland on Lot 2 Nicholson Road (abutting Lot 1) required careful environmental assessment.

In order to expedite the matter, Council commissioned the services of environmental consultant Bowman Bishaw and Gorham to undertake further wetland assessments. One of the major outcomes from the wetland assessments was the classification of the wetland on Lot 2 Nicholson Road as “Conservation Category” and is therefore only appropriate for conservation purposes. The portion of the conservation category wetland previously shown on Lot 1 Nicholson Road has been cleared and filled.

To limit degradation of the wetland, it will be necessary to provide fencing for the wetland, incorporating a buffer of not less than 50m in width. In consultation with the Department for Environmental Protection and the Water and Rivers Commission, a management plan will ultimately need to be developed for this wetland. Clearly the Conservation Category Wetland on Lots 2 and 290 will need to be incorporated into the ODP's.

The ODP prepared by Council Officers integrates the Conservation Category Wetland into the overall fabric, providing a 50 metre buffer on all sides. The manner in which development on Lot 1 corner Nicholson and Ranford Roads addresses the wetland shall

be determined though at the time of development application, in consultation with the Department for Environmental Protection.

The ODP prepared privately does not reflect the conservation category wetland, instead proposing “Mixed Business”, consistent with the ODP presented to Council in 1999.

Urban Water Management

To meet environmental objectives, urban water management must be effective in removing nutrients and other contaminants entrained in stormwater. The principle mechanisms by which pollutants are removed from stormwater in constructed wetlands are through sedimentation, filtration and absorption. Compensation/treatment basins provided extended detention time for collected stormwater to allow sedimentation of fine particles and treatment of nutrients through biological uptake and other processes. They also slow water flow to avoid downstream erosion and provide a compensation (volume attenuation) effect.

The Water and Rivers Commission does not support the use of permanent lakes as a suitable technique for stormwater management, particularly as the Canning Vale local environment does not naturally feature permanent water bodies and there are several natural seasonal wetlands within the development site. The Commission promotes and encourages the use of “source” and “in-transit” controls in a treatment train approach. The recommended principal source control mechanism is to maximise infiltration as close to where rainfall hits the ground as possible. The stormwater management system should therefore be designed to minimise impervious surfaces and to maximise infiltration through the system.

The Commission encourages the use of a “Living Streams” approach to stormwater management by the use of natural streamlines or the conversion of existing drains to “natural” meandering streams with flood storage accommodated along the streamline. In this approach, infiltration and detention is maximised at base flow and low intensity rainfall events, while in infrequent high rainfall events, flow velocities are minimised and flood storage is maximised. The Commission would like to see a drainage management plan that incorporated “living streams” rather than compensating basins.

The Water and Rivers Commission clearly indicated that they did not support the original ODP and requested a drainage nutrient management plan be prepared based on a “living streams” approach to urban water management.

In 2001, Council commissioned Bowman Bishaw Gorham Environmental Management Consultants to prepare a drainage and nutrient management plan (DNMP) for the ODP area. An effective DNMP was produced to the satisfaction of the Water and Rivers Commission, however it did not integrate appropriate stormwater management mechanisms into the original ODP, instead purely being based on environmental criteria.

In consultation with the Water and Rivers Commission, Council officers explored the opportunity to incorporate a living streams approach to urban water management into the original ODP and determined that further assessment of the viability was required.

Council officers recently commissioned Bishaw Gorham and Ewing Consulting Engineers to prepare a drainage strategy for the Campbell Estate utilising the basic form of the existing ODP and incorporating the principles of “living streams” urban water management. From initial discussions with the Water and Rivers Commission, the revised plan satisfy their objectives.

The revised ODP privately prepared continues to incorporate permanent water-bodies within the public open space areas. The proponents cite the following reasons for the design:

- Precedents established in the surrounding areas
- The creation of management and attractive wetlands
- The use of a sensitive approach to urban water management
- The deep water bodies are not lined, with open swales for nutrient stripping.

It is the view of Council officers, based on advice from the Water and Rivers Commission and from past experiences, that permanent water-bodies where they do not naturally occur fail to satisfy the objectives of water-sensitive urban design. Furthermore, the City has historically experienced midge and mosquito problems associated with permanent lakes, resulting in considerable management issues.

Commercial Development Adjacent to Ranford Road

The original ODP proposed the designation of various locations for non-residential development along Ranford Road, principally at the corner of Nicholson and Campbell Roads. Council, at its meeting on 27 July 1999 adopted Resolution 654, which in part reads as follows:

- “...(i) *The amount of Commercial non-retail being reduced to include Lots 1, 2, and only as much of Lot 278 that is required for rounding off.*
- (ii) *The area of Home Based Business and proposed commercial development located on Lot 281 Campbell Road being held in abeyance pending further investigation as to its justification under the City of Gosnells Draft Commercial Strategy.*”

Corner Nicholson and Ranford Roads

Shrapnel Urban Planning, responsible for the preparation of the City’s draft Commercial Strategy has previously provided comment on the issues of commercial non-retail zonings within this area, as follows:

“In my view, the extent of the commercial area currently proposed within the West Canning Vale Structure Plan is too large and should be reduced to include Lots 1, 2, 290 and only as much of Lot 278 that is required for rounding off. The commercial non-retail area should remain at this reduced size and under no circumstances be allowed to get any bigger in the future.”

The majority of Lot 2 is designated as a conservation category wetland. Lot 290 has not been subject to any proposals for commercial development. The development of Lot 1 and a portion of Lot 278 for commercial non-retail purposes is justified. This has been incorporated into both the Council Officer prepared ODP and the privately-prepared ODP, with the principle difference between the designation of Lot 2 for conservation versus mixed development.

Home Based Business

One component of the Council decision on 27 July 1999 was the following:

“The area of Home Based Business and proposed commercial development located on Lot 281 Campbell Road being held in abeyance pending further investigation as to its justification under the City of Gosnells Draft Commercial Strategy.”

There is no specific zone for home based businesses under the City of Gosnells Town Planning Scheme No. 6. On the original ODP, the northern section of the ODP area was designated as “Home Based Business”. A Planning Policy exists that applies across the City allowing for the development of home based business in appropriate locations. The policy also applies in this area and as such there is no justification for a specific zone.

Lot 281 – Corner Ranford Road and Campbell Road.

Lot 281 is located adjacent to the Ranford Neighbourhood centre, in the north eastern corner of the ODP. Previous Council resolutions have recommended that the commercial development on Lot 281 Campbell Road be held in abeyance pending further investigation as to its justification under the City of Gosnells Draft Commercial Strategy. No further direction on this matter has been provided by the draft Commercial Strategy to date.

Council Officers believe there is merit in supporting non-residential development on Lot 281, to compliment the existing neighbourhood centre and provide an appropriate buffer to residential development. From a strategic planning perspective, any development on Lot 281 will need to demonstrate that it is not contributing to the proliferation of shop/retail activities and will also not prejudice the viability of regional and district centres. Irrespective of the Outline Development Plan, the City of Gosnells Town Planning Scheme No. 6 lists “showroom” as a not permitted use in a Residential Development Zone.

Such uses as private recreation, community purpose or limited commercial (excluding retail) may be appropriate for this site. From discussions with the land owner, he is interested in developing a garden centre and small array of associated commercial premises, including reticulation suppliers, garden furniture etc. It is the view of Council officers that such uses would not be complimentary to the existing neighbourhood centre and would jeopardise the opportunity to develop land uses that would encourage the use of public transport and walking both within the local area and the broader region.

Both ODP's prepared incorporate a "Mixed Use" area on the corner of Campbell and Ranford Roads.

Residential Densities

Council at its meeting on 27 July 1999 resolved to support a Residential R17.5 density coding for residential development within the ODP area. Consistent with the Canning Vale ODP and to contribute the economic viability of the existing Ranford Neighbourhood Centre (cnr Ranford and Campbell Roads), Council officers recommend increased residential densities within a 200-metre radius of the centre.

The privately-prepared ODP proposes a base residential coding of R17.5, with pockets of Residential R25 coding around public open space areas. Increased densities around the existing Ranford Neighbourhood Centre have not been incorporated. It is the view of Council Officers that there is limited merit in supporting increased residential densities adjacent to the proposed open space areas.

Common Infrastructure Works (Cost-Sharing Arrangements)

One of the principle objectives of the Outline Development Plan is to facilitate and coordinate the provision of infrastructure necessary to support the development of land. In accordance with Section 7 and Schedule 12 of the City of Gosnells Town Planning Scheme No. 6, Common Infrastructure Works for outline development plan areas are funded by contributions from landowners at the time of subdivision. Developer contributions for the various works are supported by Western Australian Planning Commission policy.

Common to both ODP's currently before Council are the following common infrastructure works:

- Provision of dual use paths
- Provision and development of public open space
- Works required for drainage purposes.
- Upgrading of Ranford Road between Campbell and Nicholson Road.
- The preparation of Environmental Review documents
- The preparation of a drainage nutrient management plan.
- Service relocation
- Administration
- Traffic management

Common Infrastructure Works included in the ODP prepared by Council officers but excluded from the privately-prepared ODP include the following:

- The acquisition of land for the future widening of Nicholson Road.
- The acquisition of land for the Conservation Category Wetland located on Lot 2 and 290.

- One quarter of the cost of upgrading the roundabout at the intersection of Campbell Road and Ranford Road

Council at its meeting of 27 February 2001 considered, amongst other matters, the level of contribution required through the ODP for the upgrading of Important Regional Roads. In accordance with Western Australian Planning Commission policy, a contribution is ordinarily required for half the cost of constructing one carriageway and earthworks for the second carriageway for extent to which the development area fronts such roads; this cost is ordinarily in addition to the land acquisition required to facilitate the road widening.

The Campbell Estate was compared with other recent land developments in the surrounding area, including a comparison of the level of important regional road frontage to development area. Council considered that due to the level of important regional road frontage, an “onerous” impost would result and that the road upgrade requirement should be reduced, however all land requirements should be maintained. A contribution for the upgrading of Ranford Road was chosen ahead of Nicholson Road on the basis that the urgency/need for upgrading is considerably greater in this locality.

Having considered the reduced road upgrading, Council at its meeting of 27 Feb 2001 (Resolution 96) passed the following decision in relation to the Common Infrastructure Works:

“(a) Contribution to half the cost of constructing one carriageway and earthworks for the second carriageway for Ranford Road to the extent to which this road abuts the extent of the defined ODP Area.

All other new and existing roads within the ODP area are to be constructed and/or upgraded as a condition of subdivision in the normal progress of subdivision in the area with provisions from Section 28 of the Town Planning and Development Act 1928 (as amended) applying to both new and existing roads.”

Having already provided for a reduced road upgrading contribution than that allowed for under Western Australian Planning Commission Policy, Council officers do not recommend a further reduction of the road upgrading contribution.

The omission of cost contributions associated with the acquisition of land for the conservation category wetland is considered unacceptable by Council officers.

Calculation of Cost Contributions

In determining the cost-contributions payable at the time of development/subdivision, the total common infrastructure works costs are calculated and then divided by the number of hectares of developable land. Such developable land clearly excludes land required for public open space, conservation category wetlands etc.

Based on the rationale proposed in the ODP prepared by Council officers, the common infrastructure costs total \$2,685,290, for a total developable area of 48.75ha at a rate of

\$55,084 per hectare. Residential development will be required to provide public open space at a rate of 15.156% of developable area, which will cater for local open space, conservation category wetland and drainage purposes.

In comparison the privately developed ODP provides for a cost contribution of \$39,872 per hectare and public open space provided at a rate of 10.41%. The principle differences in the costs and land requirements are related to the acquisition of land for the future widening of Nicholson Road and the Conservation Category Wetland respectively. Also, the construction of dual use paths along Ranford Road and Nicholson Road has been omitted.

FINANCIAL IMPLICATIONS

As previously considered by Council at its meeting on 27 February 2001, the contributions required to be made by landowners towards Infrastructure Works was amended from "*Contribution to half of the cost of constructing one carriageway and earthworks for the second carriageway for Nicholson Road and Ranford Road to the extent to which these roads abut the extent of the defined ODP area*" to exclude Nicholson Road. An increase in future road budget requirements in the order of \$650,000 resulted from this decision.

Should Council resolve to support the privately-prepared ODP, common infrastructure costs such as land acquisition for Nicholson Road and dual use path construction along Nicholson and Ranford Roads will need to be funded from alternative sources. The potential exists for additional financial burden to be placed on Council, where Western Australian Planning Commission policy ordinarily provides for such costs to be covered by developer contributions.

All other costs associated with the preparation and management of the ODP area are covered through the cost sharing arrangements established through the ODP and become the responsibility of the land owners through cost contributions at the time of subdivision/development.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

694 Moved Cr NJ Smith Seconded Cr S Moss

“That Council, in accordance with Clause 7.4.2 of the City of Gosnells Town Planning Scheme No. 6 determine that the privately prepared Outline Development Plan, as contained in Appendix 12.5.7C, is not satisfactory for advertising for the following reasons:

1. The plan fails to reflect the Conservation Category Wetland, located on Lot 2 and Lot 290 Nicholson Road.
2. The plan fails to meet the objectives of water sensitive urban design.
3. The plan fails to incorporate the acquisition of land required for the future widening of Nicholson Road, as is required by the City of Gosnells Town Planning Scheme No. 6 and Western Australian Planning Commission policy.
4. The ODP fails to provide dual use paths along the Nicholson Road and Ranford Road frontages to the ODP area.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

695 Moved Cr NJ Smith Seconded Cr S Moss

“That Council, in accordance with Clause 7.4.2 of the City of Gosnells Town Planning Scheme No. 6 determine that the draft Outline Development Plan prepared by Council Officers, as contained in Appendix 12.5.7B, is satisfactory for advertising and submission to the Western Australian Planning Commission prior to finalisation.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

11. MINUTES OF COMMITTEE MEETINGS

9.21pm – Cr AJ Smith left the meeting.

The Mayor advised the meeting that she, due to being a member of the Hillside Farm Management Committee and Cr MD Devereux, due to being Chairperson of the Hillside Farm Management Committee had disclosed an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

11.1 HILLSIDE FARM MANAGEMENT COMMITTEE

File: 231312 (SS) SS8.2b

Appendix: 11. 1A Minutes of Hillside Farm Management Committee Meeting held on 6 August 2002.

PURPOSE OF REPORT

For Council to receive the Minutes and consider the recommendations of the Hillside Farm Management Committee Meeting held on 6 August 2002.

BACKGROUND

The Hillside Farm Management Committee meets on a monthly basis to discuss the development of the community component of the farm. The volunteer committee members provide ongoing assistance to the City in the development and management of the Common Area of the farm. The Education Department, through the Hillside Farm Education Centre continue to provide considerable assistance to develop the community component of the farm.

The Minutes of the City of Gosnells Hillside Farm Management Committee held on 6 August 2002 are attached as Appendix 11.1A.

DISCUSSION

The 6 August 2002 meeting resulted in two recommendations being adopted by the Committee with one of these requiring consideration by Council.

Hillside Farm Management Review

The draft Hillside Farm Management Review was tabled at the 6 August 2002 meeting by the Recreation and Leisure Development Officer, who provided an overview of the report. In essence the review proposed three alternative options for the future management of the Hillside Farm Common Area which are reprinted below:

“Option A – Development of a Joint Management Group.

This option involves the development of a joint Management Group comprising of members from the Hillside Farm Education Centre Board of Management, the City of Gosnells and current user groups. An outline of the model is provided in Figure 4 and includes the development of a Friends of Hillside Farm Group (which would be a voluntary group of interested community members who would assist in the day to day operations of Hillside Farm), a mechanism for input from community groups and the general community using the facility.

It is suggested that the group comprise of the following:

- Hillside Farm Education Centre Board of Management (1)*
- Hillside Farm Education Centre Programme Co-ordinator (1)*
- City of Gosnells Councillor (1)*
- User Group Representative (1)*
- Friends of Group Representative (1)*
- Community Member (1)*

It is envisaged that this group would take on a more hands on role in regards to the development and management of the farm, including both the EDWA lease and the Common Area. As a result appropriate Terms of Reference for the group would need to be established to give the group scope to manage the ongoing development and operation of the farm. On this basis it would not be considered necessary to maintain the group as a Committee of Council, however consideration would need to be given to at least an annual reporting process to Council.

In terms of funding it is envisaged that the Education Department would remain responsible for the funding of the Hillside Farm Education Centre and the City of Gosnells maintain existing funding to cover the ongoing cost related to the maintenance of existing infrastructure. Funding relating to the future development of the farm, in particular the common area would be sought from the funding sources identified within Section 10.2 of the Hillside Farm Management Review.

Insert Plan Here

This model presents a number of advantages including the development of a small and more focused management team to guide the development of Hillside Farm and the opportunity for the continuing involvement of the community within this process. The model also allows for more direct and therefore greater clarity of communication between the Hillside Farm Education Centre, the City of Gosnells and the existing users of the Hillside Farm Common Area. The model also provides the opportunity for greater clarity in the role of the management group.

The proposed model, however, does have a number of disadvantages. The most important of these is that the model does not address the issue of lack of resources to enable direct property management, without which the best laid plans for the future development of Hillside Farm Common Area will fail. To address this issue consideration needs to be given to the provision of a onsite co-ordinator who can co-ordinate the activities of the existing user groups and those of the community in general. Apart from having funding implications, (particularly from the City of Gosnells's perspective) there is also the duplication in resources given that the Hillside Farm Education Centre has existing staff undertaking on-site co-ordination of activities on the EDWA lease.

Option B – Incorporated Community Based Management Group

This option involves the development of an incorporated community based management group to be responsible for the development and ongoing management of the Common Area of Hillside Farm. It is envisaged that this body would replace the existing City of Gosnells Hillside Farm Management Committee and would operate independently of the Hillside Farm Education Centre Board of Management.

This option is primarily based on a similar model which is currently in place at Naragebup – Rockingham Regional Environment Centre.

The Naragebup Rockingham Environment Centre (Inc.) is situated on Safety Bay Road in Rockingham and is a privately funded organisation, which operates on land leased from the City of Rockingham. The centre is managed through an incorporated body of volunteers and is self funded. The centre provides a range of resources including “Science and Environment Talks & Walks” for community and school groups, a lecture theatre, meeting room and associated equipment and an amphitheatre with a 350 seat capacity. The centre offers courses in Straw Bale Building techniques, organic gardening, permaculture, photography etc and has recognised expertise in Natural Resource Management. The centre also produces a regular newsletter, the Naragebup News (refer to Appendix 7 of the Hillside Farm Management Review).

Based on this model, the incorporated community management group would become totally responsible for the development and ongoing management of the common area of Hillside Farm. As a result an appropriate constitution and related terms of reference would also need to be developed. Naragebup provides a suitable example for reference.

In terms of funding, the Education Department of WA would remain responsible for the funding and ongoing development of the Hillside Farm Education Centre. The City of Gosnells may continue to provide a level of funding, through a grant, to cover the ongoing cost of maintenance of existing infrastructure on the common area, as a consequence of a more facilitatory role, rather than one of direct provision.

The model presents a number of advantages, including the ability to facilitate greater community involvement in the development and ongoing management of the Hillside Farm Common Area. The model also provides greater delegated authority to the management group and therefore greater control relating to the development and ongoing management of the facility. The model also provides for greater clarity of the role of the incorporated body.

The disadvantages of the model include a greater reliance on volunteers in the running of the day to day operation of the facility, and a greater reliance on alternative funding avenues other than the City of Gosnells. However, for the successful implementation of this model, the management group will need to consider the appointment of a on-site co-ordinator position to provide the necessary administrative and technical support to the management group. Once again raising questions of duplication, given existing resources at the Hillside Farm Education Centre.

Option C – extension of Education Department of WA lease

This option involves the extension of the current Education Department of Western Australia lease to include the Common Area of Hillside Farm, in doing

so replacing the City of Gosnells Hillside Farm Management Committee as the managing body of the Common Area.

The primary benefit of this option lies in the synergies it provides in relation to the existing on-site management resources at the Hillside Farm Education Centre, which have the potential to provide the technical expertise and co-ordination resources necessary to assist and oversee current and future user group and community involvement.

In comparing the underlying philosophies of both the Hillside Farm Common Area and the Hillside Farm Education Centre, one can also identify striking similarities.

As a result of the stakeholders workshops undertaken as a part of the study process, the Vision and Mission of the Hillside Farm Common Area have been identified as being ;

Vision - "That Hillside Farm be a great place for community education and learning."

Mission - "To develop a preserve Hillside Farm as a resource that promotes sustainable living practices through education and recreation."

In comparison, the philosophy of the Hillside Farm Education Centre is one which seeks to provide educational learning opportunities for students through agriculturally based programmes, underpinned by the concept of sustainability.

As a result, one can see that there is clearly identifiable link between the two through the promotion of educational opportunities within the overall context of the sustainability concept. Hence one can suggest that it would be more effective for both groups to work as one rather than independently and given that the Hillside Farm Education Centre has the appropriate management structure already in place, it would seem logical that this be used to manage the activities of the Common Area as well.

This option also addresses the existing weaknesses associated with co-ordination and direct property management and will also clarify issues relating to delegated authority, committee role and address concerns in relation to Council processes. The implementation of this option will also give the Hillside Farm Education Centre greater scope in its programme development, given the number of projects that can be undertaken by students (in partnership with the community) as a part of the development of the Common Area. This would prove to be extremely beneficial to the given the growing numbers of students visiting the centre and plans to eventually make the centre's programmes available to schools within the wider metropolitan area. One may also consider this option as a logical progression in the management of Hillside Farm, given the already extensive involvement and investment of the Education Department in the

Hillside Farm Education Centre and in the provision of facilities on the Common Area.

However, there are a number of factors which require further consideration. The first of these is to ensure the development of a suitable management structure that will include existing user groups, including the proposed Friends of Hillside Farm and encourage the participation of the community. The development of such a structure could be based on that of the Lansdale Farm School, which has successfully integrated community involvement into the management of an educational facility.

The other main issue relating to this option involves the funding of ongoing maintenance of existing infrastructure located on the common area and of future developments on the common area.

The adoption of this option would see the City's role go from one of direct provision to one of facilitation. As a result it is envisaged that the City would maintain a level of grant funding to cover the ongoing maintenance costs associated with existing infrastructure on the common area, as has been outlined within Option B. In terms of the cost of future developments, it is envisaged that external funding would be sought for development items within the plan with a large proportion of the development being undertaken by the existing user groups, employment training programmes, students and the general community."

The Hillside Farm Management Review recommendation reads:

"13.3 Recommendation

Based on the above findings and analysis, it is recommended that the City further explore the adoption of option C as a future management structure for Hillside Farm.

This proposed structure will enhance existing synergies in relation to the utilisation of the existing Hillside Farm Education Centre on site management structure to co-ordinate the activities within the common area."

The Recreation and Leisure Development Officer advised the Committee members that the Education Department of Western Australia (EDWA), through the Directors of the Canning Education District had been briefed on the report and its recommendation, and further advised that EDWA, through the Canning Education District supported the Review recommendation in principle and will enter into further discussions.

The Committee unanimously supported the recommendation of the Hillside Farm Management Review. The Committee did, however, feel that it was of paramount importance that the community was able to be continually involved in the ongoing development of the common area and that the community were able to continue to hire the existing community facilities on the common area.

FINANCIAL IMPLICATIONS

The implementation of the Hillside Farm Management Review recommendation will have minimal impact on the City's current operating budget as it is envisaged that the grant as discussed within the recommendation will be to a similar level that the City currently expends on maintenance of the facilities on the Common Area.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

696 Moved Cr J Brown Seconded Cr S Moss

"That Council receive the Minutes of the Hillside Farm Management Committee Meeting held on 6 August 2002 as attached in Appendix 11.1A."

CARRIED 10/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

697 Moved Cr J Brown Seconded Cr S Moss

"That Committee Recommendation 5 of the Hillside Farm Management Committee Meeting held on the 6 August 2002, which reads:

"That Council adopt the Recommendation of the Hillside Farm Management Review, which reads:

"Based on the above findings and analysis, it is recommended that the City further explore the adoption of option C as a future management structure for Hillside Farm.

This proposed structure will enhance existing synergies in relation to the utilisation of the existing Hillside Farm Education Centre on site management structure to co-ordinate the activities within the common area."

be adopted, and Council authorise the Director Infrastructure to enter into discussions with the Education Department of Western Australia with the view to implementation of the Hillside Farm Management Review recommendation."

CARRIED 10/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil

The Mayor advised the meeting that Cr C Matison due to being Chairperson of the Sutherlands Park Advisory Committee had disclosed an Impartiality Interest in the

following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

11.2 SUTHERLANDS PARK ADVISORY COMMITTEE

File: C1/11

(SS)

SS8.3b

Appendix: 11.2A Minutes of the City of Gosnells Sutherlands Park Advisory Committee Meeting held on 7 August 2002

PURPOSE OF REPORT

For Council to receive the Minutes and consider the recommendations of the of the City of Gosnells Sutherlands Park Advisory Committee meeting held on 7 August 2002.

BACKGROUND

The City of Gosnells Sutherlands Park Advisory Committee meets on a bi-monthly basis. The Committee members are currently providing support and information between the user groups and the City of Gosnells to further develop and enhance the facility for the community as whole.

The Minutes of the City of Gosnells Sutherlands Park Advisory Committee held on 7 August 2002 are attached as Appendix 11.2A.

DISCUSSION

The 7 August 2002 meeting resulted in three recommendations being adopted by the Committee with none of these requiring consideration of Council.

FINANCIAL IMPLICATIONS

Nil

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

698 Moved Cr MD Devereux Seconded Cr J Brown

“That Council receive the Minutes of the City of Gosnells Sutherlands Park Advisory Committee meeting held on 7 August 2002 as attached in Appendix 11.2A.”

CARRIED 10/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil

9.24 pm - Cr AJ Smith returned to the meeting.

12. REPORTS

12.1 CHIEF EXECUTIVE OFFICER'S REPORT

12.2 COMMUNITY SERVICES

12.3 CORPORATE SERVICES

12.3.1 PAYMENT OF ACCOUNTS

File: F1/6/1

(GW) aug27_02acc

PURPOSE OF REPORT

To advise Council of payments made for the period 17 July 2002 to 20 August 2002.

DISCUSSION

Payments of \$10,514,829.31 as detailed in the cheque listing for the period 17 July 2002 to 20 August 2002 which was circulated to Councillors under separate cover and will be tabled at the meeting, have been approved by the Director Corporate Services under delegated authority.

Notation

The Mayor tabled the cheque listing for the period 17 July 2002 to 20 August 2002, a copy of which has been placed on Records File C3/1/5.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

699 Moved Cr MD Devereux Seconded Cr R Mitchell

“That Council note the payment of accounts as shown in the cheque listing for the period 17 July 2002 to 20 August 2002, as tabled.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

12.3.2 BUDGET VARIATIONS

File: F1/4/1

(MR) aug27_02bud

PURPOSE OF REPORT

To seek approval from Council to adjust the 2002/2003 Municipal Budget.

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:

- a) is incurred in a financial year before the adoption of the annual budget by the local government
- b) is authorised in advance by Council resolution, or
- c) 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.

Account Number	Account Description	Debit \$	Credit \$
Job6510.1.1	Work for the Dole Programme	15,000	
Job6510.5000.51	Operating Grants		15,000
Reason:	Grant from Communicare utilised for Work for the Dole Programme		
71602.110.1040	Workers' Compensation Insurance: Prior Year Contribution Adjustments	55,204	
71602.990.9017	Transfer from Reserve (Operating) – General Insurance Reserve		55,204
Reason:	Fund payment for 1998/1999 Workers' Compensation adjustment from General Insurance Reserve		

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

700 Moved Cr MD Devereux Seconded Cr S Moss

“That Council approve the following adjustments to the Municipal Budget:

Account Number	Account Description	Debit \$	Credit \$
Job6510.1.1	Work for the Dole Programme	15,000	
Job6510.5000.51	Operating Grants		15,000
71602.110.1040	Workers' Compensation Insurance: Prior Year Contribution Adjustments	55,204	
71602.990.9017	Transfer from Reserve (Operating) – General Insurance Reserve		55,204 ”

CARRIED BY ABSOLUTE MAJORITY_11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

12.4 INFRASTRUCTURE

12.4.1 LYNFORD GATE: BINDOON LOOP CONNECTION TO BALFOUR STREET, HUNTINGDALE

File: TP/17, BRO.10, PIL.1, BIN.2 & LYN.3 (OP) Op8.1B

Appendix: 12.4.1A Map

PURPOSE OF REPORT

To address Council's Resolution 840, Ordinary Meeting held 10 October 2000, relating to the impact of the link road, now named Lynford Gate, from Bindoon Loop to Balfour Street, and to assess if the opening of Pilot Road at the intersection of Balfour Street is still required to increase traffic permeability, as requested in a petition which was tabled at the 9 May 2000 OCM.

BACKGROUND

A petition was tabled at the 9 May 2000 OCM that was signed by 75 people, mostly from Bellbird Avenue and adjoining streets and makes the following request:

"We, the ratepayers, request that the Council take immediate action to re-open "Bronzewing Street" and return Bellbird Avenue to its previous state as a relatively quiet area. The redirection of traffic down Bellbird Avenue has resulted in a higher volume of traffic causing not only increased noise – especially at night – but increased incidences of cars using it as a racing track. The junction of Mistletoe Drive and Bellbird Avenue in particular has been the scene of many near misses as some drivers refuse to slow down to negotiate the turn and is a source of danger for local residents. The undersigned respectfully ask the Council to consider their request."

It is understood that the request in fact relates to re-opening the section of former Bullfinch Street, now known as Pilot Road, where it intersects with Balfour Street. This section was closed in 1996 in order to eliminate an undesirable four-way intersection in accordance with the Town Planning Scheme No. 17 subdivision plan for the area (map attached as Appendix 12.4.1A).

A report was presented at the Ordinary Council Meeting on 10 October 2000 and the following resolution was adopted.

Resolution 840

"That any decision related to traffic problems experienced in the precinct of Bellbird Avenue, Limbee Glade/Swift Close and Bronzewing Street be deferred until the link road between Bindoon Loop and Balfour Street is constructed and monitored for a period of 3 months to gauge the impact on the current problems being experienced in the precinct, and at the end of that period a report be presented to Council addressing Resolution 312 of the 9 May 2000, which reads:

“That a site meeting be held in the locality with residents, Councillors and staff to discuss issues related to the traffic problems expressed in the petition and that a further report be referred to Council on the matter following the site meeting.”

And the impact of the connection of the new link road from Bindoon Loop to Balfour Street for consideration and resolution of Council.”

DISCUSSION

With the development of Bindoon Loop and adjoining streets, traffic wishing to access Balfour Street had no choice but to use Pilot Road, Swift Close/Limbee Glade and Bellbird Avenue. This created congestion on these roads, which restricted the permeability of the local road network.

With this in mind, a new road now named Lynford Gate was constructed in May 2000 to link Bindoon Loop to Balfour Street. Traffic volumes in Pilot Road consequently reduced from a weekday average of 1174 vehicles in May 1999 to 871 vehicles in July 2002, a reduction of 303 vehicles per weekday or 26%. These vehicles now exit Bindoon Loop via Lynford Gate, which has a weekday average of 367 vehicles.

Furthermore, the initiator of the petition, Mr Jackson of 43 Bellbird Avenue has since moved out of the area, and discussions with his neighbours have revealed that the traffic congestion previously experienced in Bellbird Avenue had significantly diminished since the construction of Lynford Gate.

Additionally, with further residential developments in the area, a third road is proposed to be constructed, that will tie into the existing roundabout at the intersection of Bronzewing Street and Bellbird Avenue and will provide further accessibility from Bindoon Loop.

FINANCIAL IMPLICATIONS

Nil

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
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701 Moved Cr AJ Smith Seconded Cr A Pisano

“That Council note that no further problems have been reported regarding accessibility from Bindoon Loop to Balfour Street.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

Notation

Cr MD Devereux advised the following staff recommendation was superfluous as the meeting referred to in Resolution 312 of the 9 May 2002 Ordinary Council Meeting had already been held. The motion subsequently lapsed due to lack of a mover.

STAFF RECOMMENDATION

That Council revoke Resolution 312 of the Ordinary Council Meeting held on 9 May 2000, which reads:

“That a site meeting be held in the locality with residents, Councillors and staff to discuss issues related to the traffic problems expressed in the petition and that a further report be referred to Council on the matter following the site meeting.”

in light of the fact that with the construction of Lynford Gate between Bindoon Loop and Balfour Street, traffic problems previously experienced in the area have now been resolved and the present road network is operating satisfactorily.

LAPSED DUE TO LACK OF A MOVER

12.5 PLANNING AND SUSTAINABILITY

12.5.1 DEVELOPMENT APPLICATION – ALTERATIONS TO EXISTING RECEPTION CENTRE AND TAVERN – LOT 6 NICHOLSON ROAD (CORNER BIRNAM ROAD), CANNING VALE

File:	230517	Approve Ref:	0102/0899	(LS)	Psrpt155Aug02
Name:	Luciana Holdings Pty Ltd				
Location:	Lot 6 Nicholson Road, Canning Vale				
Zoning: MRS:	Urban				
TPS No. 6:	Residential Development				
Appeal Rights:	Appeal rights available to applicant to either the Minister for Planning and Infrastructure or Town Planning Appeals Tribunal against a refusal or any condition(s) of approval.				
Area:	Currently Lot 6 = 7007m ² however, this will increase to 7944.4m ² as 937.4m ² is to be amalgamated into the lot from the adjoining property (Lot 22 Birnam Road) to form a new lot, shown as Lot 2000 on the site plan.				
Previous Ref:	OCM 24 October 2000 (Resolution 893)				
Appendix:	12.5.1A	Site Plan			

PURPOSE OF REPORT

To have Council determine the above development application as the proposal is outside Council's staff delegation.

BACKGROUND

A Reception Centre has operated from No. 6 (Lot 6) Nicholson Road, Canning Vale since 1982. In 1998 an application for a tavern licence was made to the Office of Racing, Gaming and Liquor by the property's owners, which was approved in April 1999. Following a change in ownership the reception centre underwent some internal alterations and commenced trading with one of the former function rooms being made open to the general public for food and alcohol in accordance with the tavern licence that had been issued.

Preliminary plans for new additions to the existing building including a bottleshop were submitted in October 1999. Council staff advised the applicant that the proposal was unlikely to comply with the requirements of Town Planning Scheme No. 1 (TPS 1), and that a bottleshop was considered an inappropriate use for the site. As a result, the application was never formalised. However, approval was issued in October 2000 for a Tavern (less than 220m² gross area) to occupy one of the function rooms, which effectively formalised the trading arrangements that were already occurring on the site following the granting of the tavern licence. The approval was issued subject to the following conditions:

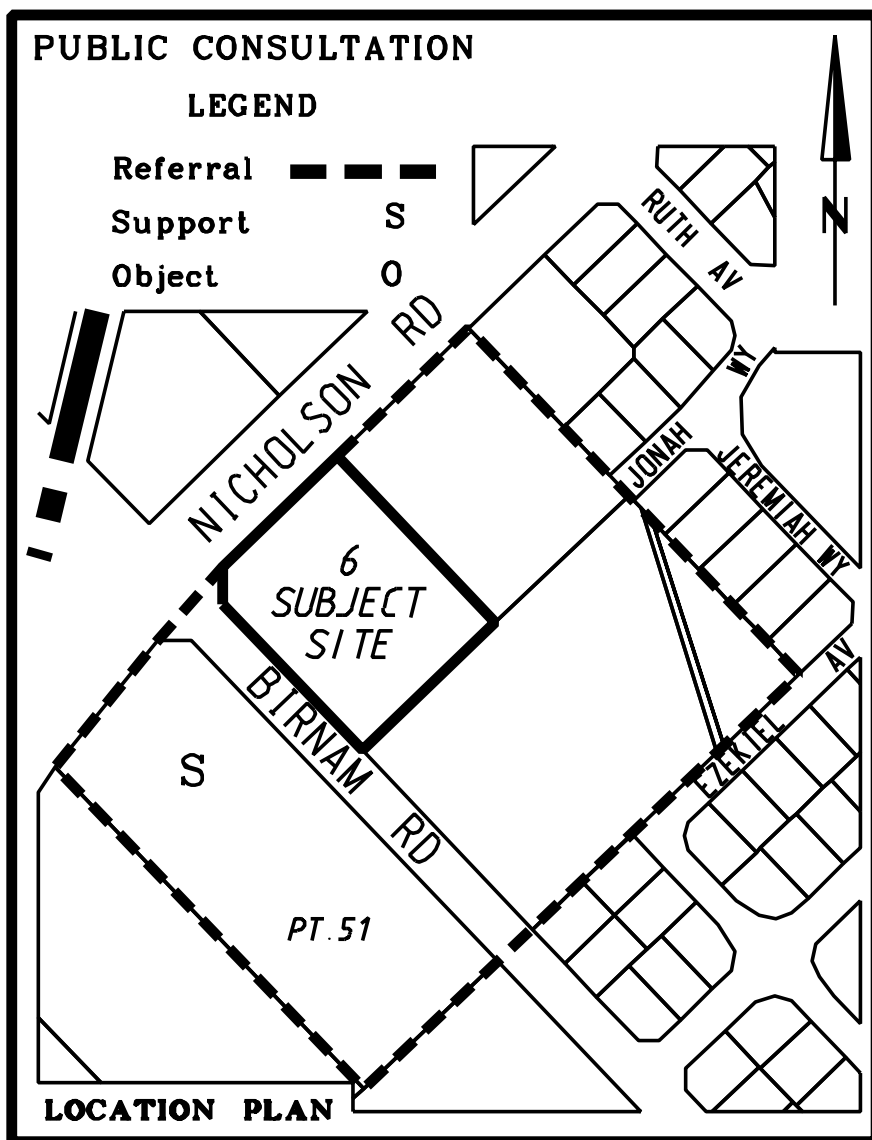
- “1. Finalisation of Amendment No. 478 to Town Planning Scheme No. 1 to rezone the lot from “Rural” to “Residential Development”.
2. The area of the building used for Tavern purposes not to exceed 220m² gross floor area. All other function rooms are to be used for organised function purposes only in accordance with the existing development approval for Reception Centre.
3. Compliance with standard condition 7.1.
4. That a building application be submitted under the Local Government (Miscellaneous Provisions) Act 1960 (as amended) to seek a change of classification as required by the Building Regulations 1989 Section 22(3) to a Class 6 and 9B building.”

The “Tavern” use was restricted to 220m² as a result of the TPS 1 Use Class 38 that had been applied, being “Taverns smaller than 220m² gross area”. Any establishment exceeding this area would have had to be assessed under a different use class. This floor area restriction is not applicable under Town Planning Scheme No. 6 (TPS 6). As such, the applicant is now seeking to extend the tavern floor area to include a new beer garden.

Proposal

Under TPS 6 “Reception Centre” is defined as “premises used for functions on formal or ceremonial occasions but not for unhosted use for general entertainment purposes”, and “Tavern” is defined as “premises licensed as a tavern under the Liquor Licensing Act 1988 and used to sell liquor for consumption on the premises”.

The current application proposes no new building works associated with the Tavern or the Reception Centre, however the car park shown on the plans as providing 147 bays has been constructed without Council approval. As such, the current application is effectively for the additional “Tavern” floor area as well as the retrospective approval of the construction works associated with the new car park. The “Reception Centre” component has remained unchanged. The additional tavern area will be in the form of a beer garden located between the existing building and Nicholson Road.



Scheme Compliance

Lot 6 Nicholson Road is zoned “Residential Development” under the City of Gosnells Town Planning Scheme No. 6 and “Urban” in the Metropolitan Region Scheme. The existing development on site is deemed to be a combination of the use classes “Reception Centre” and “Tavern”, both of which are designated as “A” (discretionary – advertising required) uses within a Residential Development zone.

The application is considered to comply with the requirements of TPS 6 and relevant Council policies, with the exception of car parking. The carparking requirement for the development is as follows:

Component of Development	Required No. of Car Parking Bays	Provided No. of Car Parking Bays	Shortfall
Tavern:			
• Bar area	1 bay per 2m ² bar area = 5 bays	0 bays	5 bays
• Lounge/dining area	1 bay per 4 seats = 23.5 bays	23.5 bays	0 bays
• Beer garden	1 bay per 4m ² area = 77.5 bays	77.5 bays	0 bays
Reception Centre:			
• Function rooms	1 bay per 4 seats = 46 bays	46 bays	0 bays
Staff			
	1 bay per staff member on site = 8 bays	0 bays	8 bays
Total	160 bays	147 bays	13 bays

Given the shortfall of 13 car parking bays, the applicant was advised that a reduction in area and/or seating would be required to bring the application into compliance. The applicant agreed that the way to achieve this would be through the reduction of the beer garden area from 310m² to 258m². It should also be noted that the TPS 6 car parking requirements for Tavern and Reception Centre uses are formulated through applying either a floor area calculation or a seating calculation whichever is the greater. In this instance the applicant has provided seat numbers and floor areas, however, the floor areas result in a greater car parking requirement, as such the floor areas must be reduced to reflect the same requirement as that based on the seating information provided.

Public Consultation

As the application constitutes only a minor addition to the existing Tavern use and the Reception Centre use remains unchanged, advertising as required under clause 10.4 of TPS 6 was restricted to the nearest three lots. At the completion of the 14-day comment period one submission had been received from the owner of Lot 51 Birnam Road, who stated no objection to the proposal.

Although located on Nicholson Road, a road reserved under the Metropolitan Region Scheme for "Other Regional Roads", the application was not required to be referred to the Department for Planning and Infrastructure as the subject lot is accessed via an existing crossover to Birnam Road, and this access arrangement will remain unchanged.

DISCUSSION

It should be noted that there are two other applications proposing the establishment or alteration of "Tavern" uses within Canning Vale being considered as part of this agenda each of which has been assessed based on individual merits.

Given that under TPS 6 Tavern use is not restricted to 220m², it is considered that the current application is merely to ensure that the site has sufficient car parking to provide for the proposed additional beer garden area.

Alcohol Policy

The City of Gosnells Alcohol Policy requires that all applications for new liquor licences or changes to existing licences be assessed in accordance with a list of criteria. Although the current application is not for the liquor licence itself, given that the existing licence must be changed accordingly the criteria have been taken into account, and are addressed as follows:

- Is the application likely to increase the extent of alcohol abuse?

In this instance, the existing development on site (Nicholson's Bar and Grill) has already obtained a liquor licence, and it is unlikely that a new beer garden area will increase the extent of alcohol abuse in the area.

- Are people who reside, work or travel in the vicinity of the licensed premises likely to experience any undue degree of offence, annoyance, disturbance or inconvenience?

Given the minor nature of the additional tavern area, it is not considered that the proposal will generate any additional impact on people who reside, work or travel in the vicinity of the premises. It should also be noted that none of the owners of adjoining property objected to the application.

- Do police or surrounding residents support the proposal? If they object, are there reasonable grounds to support the objection?

Police have not been contacted for their comments as they will ultimately be responsible for the approval of any change in liquor licensing arrangements. However, owners of adjoining properties were consulted and none of them provided any objections to the proposal.

- Is there an established need for the proposal? (Public need can be demonstrated by petitions, survey results, letters of support and statements of evidence).

The reception centre on site has been operating since 1982, and since this time its operators have voiced the need for a tavern aspect to the development to ensure that the business remains viable. Whilst the issue of "need" is not a direct planning concern, it should be noted that the future population of the Canning Vale area is anticipated to reach 11,792 by 2015-2020 and as such demand for licensed premises will increase significantly.

- The number of similar licences and availability of alcohol in the general area.

The current application does not propose to alter the number of licences in the area, and as such it is not considered that this criteria is relevant.

- Any other relevant factors as determined by Council from time to time.

Type of Licence – A Category “A” Liquor Licence will be required.

Location - In this instance, it is considered that the additional tavern area is acceptable, as it is proposed to be located between the existing building and Nicholson Road – a road carrying a large amount of traffic. This results in the new beer garden area being in a position suitably separated from the nearby residential properties.

SafeCity Initiative - Manager SafeCity advised that there is no clear evidence to demonstrate that anti-social activity such as increased vandalism of private property or drinking and rowdy behaviour in adjacent public places can be directly attributed to nearby licensed premises. It should also be noted that these activities are illegal, and under the direct jurisdiction of the police.

CONCLUSION

Given the above, and the minor nature of the alterations to the existing activities associated with Nicholson’s Bar and Grill, it is recommended that the application be approved subject to standard conditions, as well as conditions aimed at ensuring the car parking provision on site is sufficient for the development.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

702 Moved Cr NJ Smith Seconded Cr MD Devereux

“That Council approve the application for alterations to an existing Reception Centre and Tavern at Lot 6 Nicholson Road (corner Birnam Road), Canning Vale, subject to the following conditions:

1. The amalgamation of a portion of the adjoining Lot 22 Birnam Road, is to be finalised to form the revised lot area as shown on the approved site plan attached as Appendix 12.5.1A.
2. The beer garden area indicated on the site plan is to be reduced to 258m².
3. Reception Centre activities are to be restricted to 184 seats and 184m² floor area respectively.
4. Tavern activities are restricted to 94 seats and 94m² lounge/eating area, 10m² bar area and 258m² beer garden area.

5. A Management Plan is to be submitted in accordance with the City's Alcohol Policy.
6. Compliance with the Health (Public Buildings) Regulations.
7. Lodgement of detailed landscape plans, in accordance with Council's Subdivision and Development Landscaping Policy, for the site and the adjoining road verge(s). This plan should incorporate the provision of shade trees for the car park area at suitable locations.
8. Standard Conditions: 3.1 (147), 6.1, 7.1 and 47.1 (i)(ii)(iii) Advice Notes: D3.1, D15.1(a), D17.1, D27.3."

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

**12.5.2 DEVELOPMENT APPLICATION – ALTERATIONS AND ADDITIONS TO RECEPTION CENTRE - LOT 55 NICHOLSON ROAD, CANNING VALE
(Item Brought Forward – Refer to Item 10)**

The above item was brought forward in accordance with paragraph (9) of Sub-Clause 2.15.4 of the City of Gosnells Standing Orders Local Law 1998 and is relocated under Item 10 "Items Brought Forward for the Convenience of those in the Public Gallery" as the first report in these Minutes.

12.5.3 DEVELOPMENT APPLICATION – BOUTIQUE BREWERY TAVERN – PT LOT 51 NICHOLSON ROAD, CANNING VALE (Item Brought Forward – Refer to Item 10)

The above item was brought forward in accordance with paragraph (9) of Sub-Clause 2.15.4 of the City of Gosnells Standing Orders Local Law 1998 and is relocated under Item 10 "Items Brought Forward for the Convenience of those in the Public Gallery" as the second report in these Minutes.

12.5.4 DEVELOPMENT APPLICATION – COMMUNITY CENTRE – NO. 404-408 (LOT 30) BICKLEY ROAD, KENWICK. (Item Brought Forward – Refer to Item 10)

The above item was brought forward in accordance with paragraph (9) of Sub-Clause 2.15.4 of the City of Gosnells Standing Orders Local Law 1998 and is relocated under Item 10 "Items Brought Forward for the Convenience of those in the Public Gallery" as the third report in these Minutes.

**12.5.5 DEVELOPMENT APPLICATION – ADVERTISING BILLBOARDS – NOS. 1485-1487 (PT LOT 1) ALBANY HIGHWAY, BECKENHAM
(Item Brought Forward – Refer to Item 10)**

The above item was brought forward in accordance with paragraph (9) of Sub-Clause 2.15.4 of the City of Gosnells Standing Orders Local Law 1998 and is relocated under Item 10 “Items Brought Forward for the Convenience of those in the Public Gallery” as the fourth report in these Minutes.

12.5.6 DEVELOPMENT APPLICATION – NEIGHBOURHOOD SHOPPING CENTRE, NOS. 271-289 (LOT 14) AMHERST ROAD (CNR WARTON ROAD), CANNING VALE

File: 226632 **Approve Ref:** 0102/0832 (SW) Psrpt157Aug02
Name: Taylor Burrell
Location: 271-289 (Lot 14) Amherst Road, Canning Vale
Zoning: MRS: Urban
TPS No. 6: Residential Development
Appeal Rights: Yes. Minister for Planning and Infrastructure (Appeals Office) or Town Planning Appeal Tribunal against a refusal or any condition(s) of approval.
Area: 3.5410ha
Previous Ref: OCM 27 June 2000 (Resolutions 469-476)

PURPOSE OF REPORT

To have Council determine the an application for a neighbourhood shopping centre at 271-289 (Lot 14) Amherst Road (corner Warton Road), Canning Vale, as the proposal is outside Council’s staff delegation.

BACKGROUND

Site History

At the Ordinary Meeting of Council held on 27 June 2000 (Resolutions 469-476), Council resolved to approve a development application for a neighbourhood centre (4500m² NLA retail floorspace) on 271-289 (Lot 14) Amherst Road (corner Warton Road), Canning Vale, subject to standard and appropriate conditions (see Approved Plan).

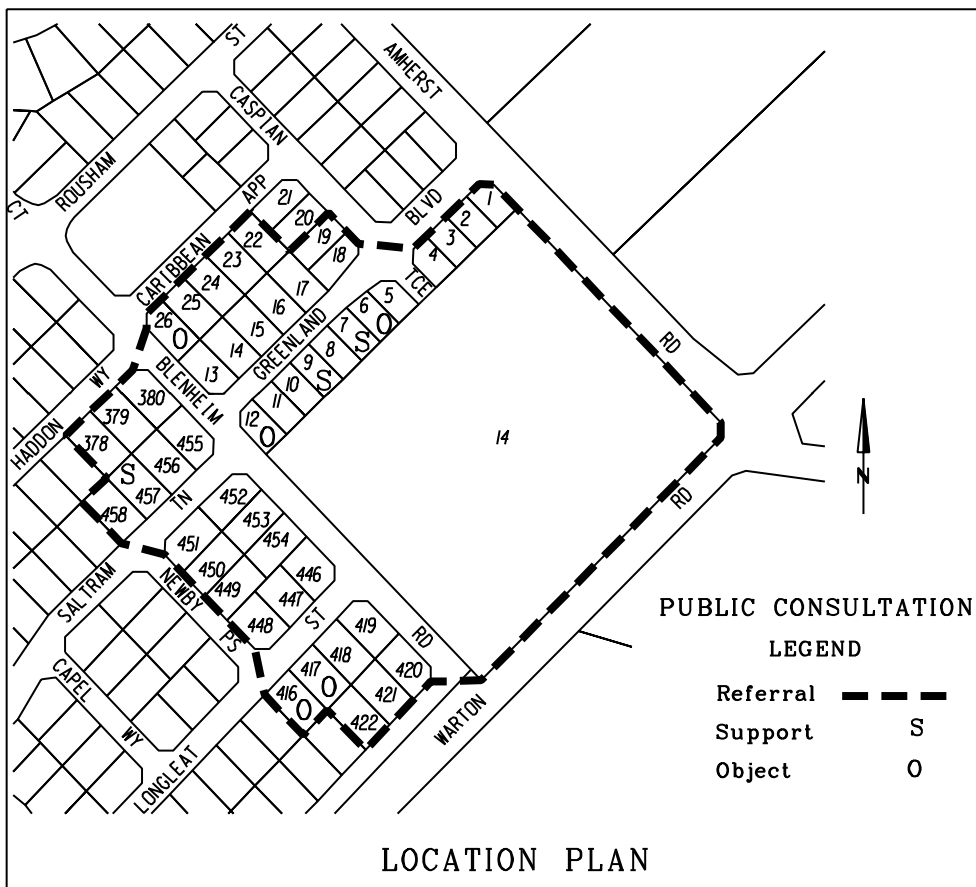
Insert Approved Plan

At its Ordinary Meeting of 11 June 2002, Council resolved to approve an application for a temporary pharmacy on Lot 14.

On 27 June 2002 staff issued a reapproval for the neighbourhood centre originally approved by Council on 27 June 2000.

Site Description

Lot 14 Warton Road is 3.5140ha in area (see Location Plan). It is flat and low-lying in parts, and contains areas of remnant native vegetation and partially cleared areas. It also contains an open drain, and abuts residential subdivisions on two sides, both of which provide road access to it.



Proposal

The proposal is a modification of the previously approved plan (see Site Plan). It comprises the following:

- Retail Shops (3200m² NLA supermarket and 1300m² NLA specialty shops)
- Non-Retail commercial

- Restaurants (Fast Food and other)
- Offices
- Child Care Centre (site only)
- 11 Grouped Dwellings and 16 Aged Persons Dwellings (site only)
- Stormwater drainage detention basin
- Carparking

Insert Site Plan

The proposed plan differs from the previously approved plan in the following ways:

- Angled on-street carparking on Amherst Road instead of parallel carparking;
- Additional setback on Amherst Road to accommodate angled on-street carparking;
- Deletion of one crossover to Warton Road;
- Widening of Warton Road incorporated;
- Home-Based Business lots have been deleted and replaced with a relocated non-retail commercial/retail building, child care centre site and a grouped dwellings/aged persons dwellings site;

The proposed uses are nominated for several freestanding buildings and lots, which form a cohesive whole. These uses can be approved because the Canning Vale ODP shows the site as being a mixed-use centre. The uses nominated as “site only” have no detailed plans attached to them at the moment, which means that a further development application will be required for those uses in the future. Those development applications would, in turn, be assessed in order to determine their compliance with Town Planning Scheme No. 6 (TPS 6) and relevant Council policies, such as the Safe City Urban Design Strategy. That fact should be communicated to the applicant if the proposal is approved, by the attachment of an appropriate advice note.

The plan shows a total of 364 carparking bays, with 36 being partly located within the Amherst Road road reserve, and the balance of 328 bays being located on-site. If the application were approved, the developer should be required to upgrade Amherst Road and construct the on-street carparking bays.

The applicant has made the following comments about the carparking requirement:

“The proposed parking provision (364 car bays) is almost the same as that shown in the originally approved concept (370 car bays), which was re-approved only last June. The critical differences between the original plans and the current proposal, in terms of car parking provision, are as follows:

- *On-street parking has been removed from Warton Road at the request of Council’s engineers;*
- *On-street parking on Amherst Road has been modified from parallel parking to angle parking, resulting in improved parking provision along the Main Street shopfront; and*
- *Internal parking and access arrangement has been redesigned to facilitate road widening requirements on Warton Road, and improve vehicle safety along the main driveway entrance from Warton Road.*

In the course of undertaking these modifications, the total commercial floorspace has reduced by 816 m², from 8596 m² to 7780 m². When measured in terms of Council’s current shopping centre parking ratio, this reduction equates

to a reduction in the technical parking requirement of 49 bays, whereas the total parking provision has only reduced by six bays.

In reflecting on the history of the parking concessions previously granted to this development, Council's support for the reduced parking provision was substantially in recognition of the endeavours of the proponent to apply Main Street commercial principles.

We therefore submit that Council has already made a considered decision on the parking provision in respect of this proposal. The most significant fundamental difference between the original approved plan, and the current proposal, is that the total parking requirement has reduced by 49 bays."

It should be noted that the Child Care Centre, Grouped Dwellings and Aged Persons Dwellings were not incorporated into this carparking calculation and would have to provide adequate on-site carparking at a future stage.

The 36 "on-street" carparking bays are shown as 60 degree angled parking, whereas the previously approved plan showed parallel parking on Amherst Road. In addition, the building has been moved back from the previous nil setback, to accommodate the angled parking.

The applicant has advised that the reasons for these changes are:

- Required power line easement for Western Power; and
- To enable a higher volume of street parking directly adjacent to the proposed Main Street shopfront.

Further, they have stated that:

"In Main Street development, the relationship between street parking and Main Street shop fronts is critical, even more so when the Main Street centre is situated in a low density outer residential suburb. The improvement in on-street parking volume achieved by the angle parking is considered critical to protecting the viability of the Main Street retail concept."

Four 18 metre high light poles are proposed across the site for lighting and security surveillance. In the past an 18 metre high pole was approved at another neighbourhood shopping centre site for lighting and security surveillance, and it was subsequently fitted out as a mobile phone tower. Given that the pole existed, the additional mobile phone equipment constituted a low-impact facility.

The applicant has made the following comment about the proposed light poles:

"It is understood that the height of the poles enables the most effective coverage of the parking area for both lighting and surveillance, using the minimum number of poles. If Council is concerned about potential impact on adjoining

residential amenity, our Client is willing to reduce the size of the pole closest to the Brookland Greens subdivision.

Furthermore, if Council is concerned about the potential use of the poles for a purpose other than that stated within the application, this should be alleviated by placing an appropriate condition on the approval that the structures are to be used only for the stated purpose.”

The drainage detention basin would be constructed with a maximum 1-in-6 embankment in line with normal engineering standards for landscape detention basins (as opposed to drainage sumps). The basin would be designed as a dry detention basin (ie only containing water during infrequent storm events) predominantly grassed, and with landscaping around the perimeter, as shown on the site plan. It is intended that this would be developed and maintained to a high visual standard, in recognition of its proximity to the adjoining residential and childcare sites. The objective is to encourage the adjoining residential site to maintain an open aspect over the detention basin, to provide good natural surveillance of the parking area outside of normal business hours. If the proposal is approved, a condition should require landscaping and maintenance of the basin to the satisfaction of the Director Infrastructure.

Town Planning Scheme No. 6

TPS 6 requires the construction of 469 carparking bays for the proposal, based upon a carparking requirement for shopping center of 6 spaces per 100m² of net commercial floorspace. With respect to carparking requirements, Clause 5.13.3 states that,

“Where the Council is satisfied that the circumstances of a development justify such action and there will not be any resultant lowering of safety, convenience or amenity standards, it may permit a reduction in the number of car parking spaces required by clause 5.13.1.”

In terms of setbacks, TPS 6 requires that all setbacks on Lot 14 be to the design requirements of Council. Clause 5.8.3 of TPS requires that,

“On any land which is zoned for Commercial purposes and which adjoins land zoned for residential purposes, the commercial development shall be screened from the abutting residential land by a masonry or similarly constructed wall or fence not less than 2 metres in height and by trees and shrubs to the satisfaction of the Council.”

Outcome of Advertising

The proposal was advertised to surrounding landowners for a period of 14 days between 29 July 2002 and 12 August 2002. The results of the advertising are shown in the table below, and the location of the submitters' properties is shown on the Location Plan.

Schedule of Submissions

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
1.	S Roper 18 Greenland Boulevard Canning Vale WA 6155	Same	No Objection, suggest that the row of houses backing onto the site have the height of their fences raised.	Noted. TPS 6 requires the construction of a masonry wall where the proposed commercial uses abut residential lots.
2.	T Pragnell 24 Saltram Turn Canning Vale WA 6155	Same	No Objection	Noted.
3.	Prestige Developments (1995) Pty Ltd GPO Box 2400 Perth WA 6001	14 Greenland Boulevard Canning Vale WA 6155	No Objection	Noted
4.	L Walden 12 Greenland Boulevard Canning Vale WA 6155	Same	Objection 1. Would prefer the shopping centre component to be smaller and the residential component to be bigger; 2. It could bring down the value of my property; 3. It could attract young people hanging around and making trouble/crime.	The appropriate control mechanism, being a maximum retail floorspace of 4500m ² , is not being exceeded. Cannot be substantiated. Cannot be substantiated.
5.	A Christou 62 Coogee Road Wanneroo WA 6065	23 Longleat Street Canning Vale WA 6155	Objection	Noted
6.	J Louis 21 Longleat Street Canning Vale WA 6155	Same	Objection: 1. Would increase traffic on Longleat Street; 2. Shops not required here, as others are available in close proximity.	See Discussion Section The Canning Vale Outline Development Plan nominates this as a commercial site based on modeling for retail demand.
7.	C E Holtom 24 Greenland Boulevard Canning Vale WA 6155	Same	Objection: 1. Increase in traffic; 2. Increase in break-ins and vandalism; 3. Place for adolescents to hangout, drink and make drug deals	See Discussion Section Cannot be substantiated. Cannot be substantiated.

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
8.	P Stacey 73 Broadhurst Crescent Bateman WA 6150	12 Caribbean Approach Canning Vale WA 6155	Objection, concerned that Blenheim Road and Caspian Pass lead directly to the proposed shopping centre but are not sized or designed to accommodate commercial traffic volumes. This would create a danger for residents and children.	See Discussion Section

DISCUSSION

Retail Floorspace Allocation

Given the need for vibrant, active uses to be located on the main street, it is a concern that only 60m² of retail floorspace is shown possibly abutting the main street. It is therefore recommended that if the proposal is approved, it be a condition of development approval that the retail floorspace allocations shown on the site plan be deleted. The total retail floorspace allocation for this site (ie 4500m² nett retail floorspace) will still apply. This would allow the potential for retail uses to locate along the main street subject to a viable commercial environment.

On-street Carparking Bays/Amherst Road Setback

The issue of the required power line easement for Western Power is irrelevant, as the powerlines would be undergrounded as part of the upgrading works for Amherst Road.

It is recommended that whatever the final configuration of Amherst Road is, the City should design and construct it, in order to ensure coordination and consistency. To achieve that, the City would obtain monies from the developers on either side of the road, who would otherwise have to undertake those works themselves.

The applicants comment about the desirability to maximise carparking along the main street is noted; it is important from Council's point of view that the main street, and the wider centre, be a viable commercial entity. The previously approved plan located 19 parallel carparking bays on this side of Amherst Road, with the potential for approximately 16 parallel bays to be constructed on the other side. Thus, if parallel parking was chosen, this section of Amherst Road would accommodate approximately 35 bays, whereas under the applicant's proposal 36 bays could be accommodated on their side of the road alone. The use of angled on-street carparking therefore has the potential to significantly increase access to the future tenancies within the main street.

The City's Manager Technical Services favours parallel parking, however, 60-degree angled parking is acceptable providing an adequate manoeuvring area in line with the relevant design standard is provided which does not impinge on traffic flows.

The Australian Standards do allow for the construction of on-street 60-degree angled carparking, however, in those circumstances it requires a generous lane width behind

the carparking bays. The design requirements of the Australian Standard can be accommodated, however that would necessitate the widening of Amherst Road because having on-street carparking bays and pedestrian access located half within the road reserve and half on Lot 14, would create issues of management responsibility and public access. On-street carparking should be wholly located within the road reserve so that it can be managed and maintained as part of the whole road pavement, and be accessed at all times by the public. This reflects the fact that in a main street situation it is likely, and encouraged, that a customer park in the road reserve and then make a number of trips to tenancies on different sides of the road. It is therefore recommended that if the development is approved it be subject to a condition requiring the widening of Amherst Road to accommodate the carparking bays and pedestrian access.

It is not considered that angled parking on Amherst Road would widen the main street too much, if the design process pays particular attention to the issue of pedestrian access, including the provision of safe pedestrian crossing points at strategic locations along the main street.

For the abovementioned reasons, it is recommended that the proposed 60-degree carparking on Amherst Road be approved, subject to a condition requiring the widening of Amherst Road to accommodate the carparking bays and pedestrian access. The road widening should take place after the design has been completed; it is likely that approximately 4 metres would need to be taken from Lot 14 and accommodated into the road reserve.

On-site Carparking

The proposed amount of carparking bays is considered adequate, for two reasons. Firstly, the pedestrian-based nature of the centre shall encourage the use of alternative means of travel to the centre, and thus reduce the amount of carparking that is required. Secondly, the majority of the proposed uses are either predominantly night-time, or predominately daytime. For example, the proposed restaurants, which are predominantly nighttime uses that will operate when the other uses are not, require 70 carparking bays. This differentiation means that their patrons will rarely require carparking at the same time.

It is therefore recommended that Council grant a reduction in the carparking requirement for the proposal, in accordance with Clause 5.13.3 of TPS 6.

18 metre high lightpoles

The proposed lightpoles do not need 18 metres of height in order to achieve their lighting and security surveillance function. It is therefore recommended that if the application is approved, a condition be applied requiring that they be reduced in height appropriately.

Traffic

Local traffic, from the Brookland Greens and Amherst Gardens, has a number of routes it may use in order to access the proposed centre (ie Longleat Street, Saltram Turn, Blenheim Road and Caspian Terrace). This has the effect of spreading that local traffic over a wider area, therefore reducing the amount of traffic upon any given street.

Traffic from the wider catchment will access the site primarily from either Amherst Road or Warton Road. Thus, the higher traffic volumes generated by the centre will be located primarily on the local distributor and Other Regional Road.

Urban Design

The proposal is well integrated with adjoining subdivisions, maximising pedestrian access to the centre. Where a change of use does not occur along a common boundary, the applicant has demonstrated that other measures will be used to prevent a negative impact upon residential amenity, such as a landscape buffer between the non-retail commercial building and Blenheim Road. These include the use of low profile landscaping to maximise surveillance opportunities and careful attention to design and architectural details of the buildings to Blenheim Road elevation.

Clause 5.8.3 of TPS 6 requires, a

“masonry or similarly constructed wall or fence not less than 2 metres in height should be required where the proposed restaurant/office building and carpark abut existing residential lots to the north.”

In regard to the interface to Blenheim Road, the residential lots opposite the non-retail commercial/retail building side onto Blenheim Road, and would not directly overlook that building. Therefore, the non-retail commercial/retail building would provide the opportunity to afford some surveillance of the residential lots' fenced side boundaries. There is therefore a need for some additional windows to be located on the Blenheim Road frontage so as to increase this surveillance.

A concern was raised with the applicant that the proposed façade to Warton Road for the commercial/retail building nearest to Blenheim Road did not provide for a tenancy that would have an active frontage to Warton Road. The applicant has responded by proposing a relocation of tenancies that would place an active frontage tenancy on the Warton Road frontage. That requirement is proposed to be enforced using a condition of development approval relating to the need for the building's Warton Road elevation to be to Council's satisfaction.

Council staff and the applicant's have liaised closely over design details. As an overall development concept for the site, the proposal, subject to recommended conditions, is seen as addressing Council's primarily strategic objectives in terms of provision of an "active" main street and an appropriate interface with the surrounding area. Commercial consideration relating to economic viability have necessitated a degree of compromise in design terms relating to the Blenheim Road presentation, however, use of appropriate landscaping and a high quality visual presentation is seen as acceptable. The application is therefore recommended for approval.

FINANCIAL IMPLICATIONS

Nil

STAFF RECOMMENDATION

Moved Cr A Pisano Seconded Cr MD Devereux

That the proposed neighbourhood shopping centre on 271-289 (Lot 14) Amherst Road, Canning Vale be approved subject to the following conditions and advice notes:

1. Warton Road being widened and upgraded to the satisfaction of the City of Gosnells.
2. The payment of a satisfactory contribution to the Council for the upgrading of Amherst Road.
3. Amherst Road being widened to the satisfaction of the Director Infrastructure.
4. The height of the proposed light poles being negotiated with the applicant to the satisfaction of the Director Planning and Sustainability.
5. The construction of a masonry or similarly constructed wall or fence not less than 2 metres in height where the proposed restaurant/office building and carpark abut existing residential lots to the north, to the satisfaction of the Director Regulatory Services.
6. The provision of a drainage easement over relevant infrastructure, at the developer's expense, to the satisfaction of the Director Infrastructure.
7. The Stormwater drainage detention basin being landscaped to the satisfaction of the Director Infrastructure.
8. The total amount of net retail floorspace on the site shall not exceed 4500m², with the distribution of that floorspace being to the satisfaction of the Director Planning and Sustainability.
9. Additional windows being located on the Blenheim Road frontage of the non-retail commercial/retail building to the satisfaction of the Director Planning and Sustainability.
10. The elevation of the non-retail commercial/retail building to Warton Road being to the satisfaction of the Director Planning and Sustainability.

11. Compliance with all aspects with Health (Public Buildings) Regulations.
12. Standard Conditions and footnotes: 1.2 (Canning Vale), 3.1 (364), 3.2, 4.1, 4.3, 4.4 (\$50,000), 5.1, 5.3, 6.1, 7.1, D1.1, D2.1, D3.1, D12.1, D13.1, D14.1, D17.1, D18, D24.1
13. Advice Note: The configuration of the common boundary between the Child Care Centre site and 11 Grouped Dwellings and 16 Aged Persons Dwellings site is not fixed as shown on the approved plan. That configuration may change at the time of a further development application being lodged over those sites.

Amendment

During debate Cr J Brown moved the following amendment to the staff recommendation:

Moved Cr J Brown Seconded Cr MD Devereux

That the staff recommendation be amended by deleting the words “City of Gosnells” where they appear in condition 1 after the words “satisfaction of the” and substituting them with the words “Director Infrastructure”, with the amended condition to read:

- “1. Warton Road being widened and upgraded to the satisfaction of the Director Infrastructure.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

Amendment

During debate Cr C Matison moved the following amendment to the staff recommendation to ensure comments by the applicant, as stated on page 61 of the 27 August 2002 Agenda, were included:

Moved Cr C Matison Seconded Cr AJ Smith

That the staff recommendation be amended by inclusion of the following additional Advice Note:

- “14. Advice Note: That the light poles/towers not be used for any other purpose than stated in the application.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

The amendments were put and carried with the amendments becoming the substantive motion. The Mayor then put the substantive motion, which reads:

COUNCIL RESOLUTION

703 Moved Cr J Brown Seconded Cr C Matison

“That the proposed neighbourhood shopping centre on 271-289 (Lot 14) Amherst Road, Canning Vale be approved subject to the following conditions and advice notes:

1. Warton Road being widened and upgraded to the satisfaction of the Director Infrastructure.
2. The payment of a satisfactory contribution to the Council for the upgrading of Amherst Road.
3. Amherst Road being widened to the satisfaction of the Director Infrastructure.
4. The height of the proposed light poles being negotiated with the applicant to the satisfaction of the Director Planning and Sustainability.
5. The construction of a masonry or similarly constructed wall or fence not less than 2 metres in height where the proposed restaurant/office building and carpark abut existing residential lots to the north, to the satisfaction of the Director Regulatory Services.
6. The provision of a drainage easement over relevant infrastructure, at the developer’s expense, to the satisfaction of the Director Infrastructure.
7. The Stormwater drainage detention basin being landscaped to the satisfaction of the Director Infrastructure.
8. The total amount of net retail floorspace on the site shall not exceed 4500m², with the distribution of that floorspace being to the satisfaction of the Director Planning and Sustainability.
9. Additional windows being located on the Blenheim Road frontage of the non-retail commercial/retail building to the satisfaction of the Director Planning and Sustainability.

10. The elevation of the non-retail commercial/retail building to Warton Road being to the satisfaction of the Director Planning and Sustainability.
11. Compliance with all aspects with Health (Public Buildings) Regulations.
12. Standard Conditions and footnotes: 1.2 (Canning Vale), 3.1 (364), 3.2, 4.1, 4.3, 4.4 (\$50,000), 5.1, 5.3, 6.1, 7.1, D1.1, D2.1, D3.1, D12.1, D13.1, D14.1, D17.1, D18, D24.1
13. Advice Note: The configuration of the common boundary between the Child Care Centre site and 11 Grouped Dwellings and 16 Aged Persons Dwellings site is not fixed as shown on the approved plan. That configuration may change at the time of a further development application being lodged over those sites.
14. Advice Note: That the light poles/towers not be used for any other purpose than stated in the application.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

12.5.7 WEST CANNING VALE (CAMPBELL ESTATE) OUTLINE DEVELOPMENT PLAN - APPROVAL TO SEEK PUBLIC COMMENT PRIOR TO FINALISATION (*Item Brought Forward – Refer to Item 10*)

The above item was brought forward in accordance with paragraph (9) of Sub-Clause 2.15.4 of the City of Gosnells Standing Orders Local Law 1998 and is relocated under Item 10 “Items Brought Forward for the Convenience of those in the Public Gallery” as the fifth report in these Minutes.

The Mayor advised the meeting that Cr C Matison, due to being Council delegate to the South East District Planning Committee of the WAPC had disclosed an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

12.5.8 DRAFT SOUTHERN RIVER PRECINCT 2 (BALFOUR STREET) OUTLINE DEVELOPMENT PLAN

File: (SRW) Rpt148Aug02
Location: Southern River
Zoning: MRS: Rural, Urban Deferred
TPS No. 6: Rural
Area: 326.4 hectares
Previous Ref: OCM 27 March 2001 (Resolution 216)
Appendices: 12.5.8A Precinct Boundaries for Southern River
12.5.8B Draft Southern River Precinct 2 ODP

PURPOSE OF REPORT

To seek Council's in-principle support for the draft Southern River Precinct 2 Outline Development Plan (ODP) and to formally request the Western Australian Planning Commission to consider transferring land from Urban Deferred to Urban under the Metropolitan Region Scheme.

BACKGROUND

Southern River was identified for Urban Development when the Corridor Plan for Perth (1970) was reviewed. The "Planning for the Future of the Perth Metropolitan Region" report (November 1987) proposed a widening of the South-East Corridor within its Preferred Strategy. This was followed by the "Urban Expansion Policy Statement for the Perth Metropolitan Region" (1990) and "Metroplan" (1990) which re-iterated this policy position.

In July 1993 the (then) State Planning Commission initiated Metropolitan Region Scheme Amendment (No. 927/33) covering the whole of Southern River and part of Canning Vale. As a result of concerns expressed by a number of agencies (including the City of Gosnells) in submissions received, the amendment was substantially modified prior to finalisation. The result of this was that Canning Vale was zoned Urban and most of Southern River was zoned Urban Deferred under the Metropolitan Region Scheme.

In 1998 the (then) Ministry for Planning commenced a process for developing a structure plan for Southern River, Forestdale, Wungong and Brookdale. The draft plan was released for comment in 2000, with numerous submissions received.

The WA Planning Commission has endorsed a modified version of the structure plan in January 2001. It should also be noted that an Urban Water Management Strategy (UWMS) has been required in line with concerns expressed by the Department of Environmental Protection. The City of Gosnells is contributing towards the

development of the Urban Water Management Strategy through staff representation on the steering committee and partially funding the study with the City of Armadale and the Department for Planning and Infrastructure. The UWMS is currently being finalised.

Council at its meeting on 27 March 2001 considered the need for progressing planning in the Southern River area, having regard for the district structure plan. It was suggested that the best way to progress the matter was to break the area into a number of precincts, with each precinct to have a separate Outline Development Plan. It was also suggested that the development of ODP's would be done progressively from north-west to south-east, reflecting the availability of services along the existing "urban" front. Refer Appendix 12.5.8A - Precinct Boundaries.

The planning for each of the precincts will require the development of Outline Development Plans, parallel with amendments to the City of Gosnells Town Planning Scheme No. 6 to reflect the intentions of the District Structure Plan. Some amendments will be required to the Metropolitan Region Scheme, to which Council would need to provide appropriate input.

The Draft ODP for Precinct 1 was considered by Council at its meeting on 11 June 2002, for which public advertising will be commencing shortly. An adopted ODP exists for Precinct 5. Currently before Council is a draft ODP for Southern River Precinct 2. This ODP was submitted by Mitchell Goff and Associates on behalf of Devoncourt Pty Ltd, Daws and Son Pty Ltd and Emanuel Exports Pty Ltd. The developable land is predominantly zoned Urban Deferred under the Metropolitan Region Scheme and Rural under the City of Gosnells Town Planning Scheme No. 6.

DISCUSSION

Council officers have been advised that the relevant government authorities are currently finalising the Urban Water Management Strategy and establishing implementation procedures. It is quite likely that the implementation of the District Structure Plan will occur on a staged basis, providing opportunities for monitoring and review.

The Department for Planning and Infrastructure has indicated that it will not be supporting any amendments to the Metropolitan Region Scheme until such time as the UWMS is finalised and implementation strategies established. It is not known to what extent this will impact on the transfer of land from "Urban Deferred" to "Urban".

To facilitate the ultimate development of the land within the Southern River Precinct 2, the Western Australian Planning Commission will need to endorse the transfer of land from Urban Deferred to Urban under the Metropolitan Region Scheme. Amendments will be required to the City of Gosnells Town Planning Scheme No. 6 to rezone land from "Rural" to "Residential Development", requiring all development and subdivision of land to be in accordance with an adopted ODP.

The draft Southern River Precinct 2 ODP currently before Council is generally consistent with the Southern River/ Forestdale/Wungong/Brookdale District Structure Plan, reflecting key conservation areas, design elements and land use allocations.

Key features of the ODP include the following:

- Bush Forever sites are shown as proposed Regional Open Space.
- Open space links connecting Bush Forever sites and potentially function as drainage corridors
- A primary school site along Balfour Street and a senior high school site along Southern River Road (corner Lander Street)
- A village centre along Southern River Road midway between Holmes and Lander Streets
- Two neighbourhood centres are shown within the ODP area and a third on the boundary at Balfour Street
- Balfour Street realigned to prevent a direct connection between Ranford Road and Garden Street
- Mixed business development along Southern River Road
- Accommodation of Bush Forever sites, Conservation Category and Environmental Protection Policy wetlands
- Road systems and multi-use corridors aligned with hydraulic gradient to accommodate storm water drainage by surface flow
- Provision for lot size and housing variety including aged persons accommodation.

Council will have the opportunity to formally consider the ODP and Amendments to Council's Town Planning Scheme (prior to seeking public comment) following the lifting of Urban Deferment under the Metropolitan Region Scheme.

FINANCIAL IMPLICATIONS

All costs associated with the preparation of the Southern River Precinct 2 ODP are the responsibility of the proponents. Council staff resources are required for reviewing the ODP and for consultation with the relevant government authorities; such resources have already been budgeted.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

704 Moved Cr NJ Smith Seconded Cr MD Devereux

“That Council request the South-East District Planning Committee of the Western Australian Planning Commission to consider the lifting of urban deferment under the Metropolitan Region Scheme for land contained within the Southern River Precinct 2 Outline Development Plan area.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

705 Moved Cr NJ Smith Seconded Cr MD Devereux

“That Council request the South-East District Planning Committee of the Western Australian Planning Commission to consider an amendment to the Metropolitan Region Scheme to rezone Lots 1625, 1626, 1627, 1628, 1629, 1630, 1631 and 1631 from “Rural” to “Urban” and “Parks and Recreation”, consistent with the Southern River/Forrestdale/Wungong/Brookdale District Structure Plan.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

706 Moved Cr NJ Smith Seconded Cr MD Devereux

“That Council support in-principle the draft Southern River Precinct 2 Outline Development Plan and invite formal submission from the planning consultants following further advice from the Western Australian Planning Commission on the amendments and lifting of urban deferment to the Metropolitan Region Scheme.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

The Mayor advised the meeting that herself, Cr NJ Smith and Cr AJ Smith due to owning property in the Thornlie West Housing Precinct, Cr R Mitchell due to owning a house and investment property within the outer Beckenham Precinct (near shops) and the Director Regulatory Services due to owning property adjacent the Thornlie West Precinct had disclosed a Financial Interest in the following item in accordance with Section 5.60 of the Local Government Act 1995.

9.30pm – The Mayor Cr PM Morris, Deputy Mayor Cr R Mitchell, Cr NJ Smith, Cr AJ Smith and the Director Regulatory Services left the meeting.

9.30pm – Cr MD Devereux left the meeting.

Notation

The Chief Executive Officer called for nominations from Councillors for a Chairperson following the departure of both the Mayor and Deputy Mayor from the meeting. Cr S Iwanyk subsequently nominated Cr A Pisano, resulting in the following motion:

COUNCIL RESOLUTION

707 Moved Cr S Iwanyk Seconded Cr S Moss

“That Cr A Pisano take the Chair.”

CARRIED 6/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr O Searle, Cr S Moss and Cr A Pisano.

AGAINST: Nil.

9.31pm – Cr A Pisano took the Chair.

12.5.9 LOCAL HOUSING STRATEGY: STAGE TWO PRECINCT PROPOSALS: CONSENT TO COMMENCE CONSULTATION

File:	S10/22	(AV)	Psrpt149Aug02
Previous Ref:	OCM 8 February 2000 (Resolution 55) OCM 22 May 2001 (Resolution 382) OCM 18 December 2001 (Resolutions 991 and 992)		
Appendices:	12.5.9A Local Housing Strategy – Flow Chart 12.5.9B Housing Survey Summary Results for Maddington, Beckenham, Kenwick and Gosnells Housing Precincts. 12.5.9C Detailed Analysis of First Four Housing Precincts. 12.5.9D Proposed Housing Strategy Map Format (Example Only) 12.5.9E Plans of Proposed Residential Density Boundaries for the Stage 2 Precincts		

PURPOSE OF REPORT

To seek approval from Council to advertise for public comment the residential density proposals outlined in this report, which form Stage Two of the City’s Local Housing Strategy. The Stage Two proposals centre on the four Housing Strategy Precincts of Outer Beckenham, Langford, Thornlie East and Thornlie West.

BACKGROUND

General

At the Ordinary Council Meeting held on 8 February 2000 it was resolved to support the revision of the Local Housing Strategy (Resolution 55). In May 2001 Council endorsed the principles and methodology for the Review, which identified 16 Housing Precincts for which each would have a separate Housing Strategy developed, and which would link into an overarching Housing Strategy framework. The 16 Housing Precincts were given a priority according to the perceived pressure and capacity for their redevelopment and are being progressed in 4 Stages, each comprising 4 Housing Precincts.

Older areas near railway stations, or where infill sewerage is being developed for example, were given the highest priority. The first four highest priority Housing Precincts progressed as Stage One of the Housing Strategy therefore included Central Maddington, Central Beckenham, Kenwick and North Gosnells. The proposals for residential density increases for the Stage One Housing Precincts were presented to Council in December 2001, and following Council endorsement were advertised to the local community in April to May this year. A schedule of the submissions received as well as the final Housing Strategy Plan proposed for each of these Housing Precincts is scheduled to be presented to Council in September this year.

This report provides a summary of the analysis undertaken and recommendations made for the next four Housing Precincts, which comprise Stage Two of the Housing Strategy. They include the following:

1. Outer Beckenham (Housing Precinct No. 2)
2. Langford (Housing Precinct No. 3)
3. Thornlie East (Housing Precinct No. 8)
4. Thornlie West (Housing Precinct No. 9).

Proposals for the remaining eight Housing Precincts will be consecutively presented to Council in Stages Three and Four of the Housing Strategy, as they are progressed.

State Government Planning Context

The impetus for the development of Local Housing Strategies originates with State Government policy. The State Government's Planning Strategy for the Perth Metropolitan Region, "Metroplan", was released in December 1990, and encourages Local Governments to prepare Local Housing Strategies as a local policy framework for determining residential zonings, densities and standards of development within their municipality. The State Government has released several other documents which provide a regional policy framework for determining residential zonings, densities and standards of development, including:

- Residential Planning Codes Manual (December 1991), and the more recent Residential Design Codes Manual (August 2002, currently awaiting gazettal).

- WAPC Policy DC1.6 – “Development near Metropolitan Railway Stations Policy” (1990). The objectives of this policy (amended in 1992 and currently under review) are to:
 - Promote optimum use of land within 800m of railway stations by encouraging appropriate residential, commercial and other intensive uses;
 - Promote the viability, accessibility and patronage of the Metropolitan Railway network.
- Draft Residential Densities and Housing Mix Policy.
- Draft Metropolitan Regional Residential Densities Policy.

In addition to this, the Model Scheme Text, a template document released by the Western Australian Planning Commission in 2000, requires Local Governments to prepare a Local Planning Strategy (LPS). The LPS is intended to become a central feature of local town planning schemes, providing local governments with a strategic planning document setting out their broad aims for future land use and long-term growth and change. To this end it is proposed that the Local Planning Strategy will be viewed as a working document from which amendments to Town Planning Scheme No. 6 will be made as Council reviews its approaches to planning considerations such as residential density, urban design, rural land use and commercial floorspace distribution. The Local Housing Strategy will form an integral part of the LPS along with the following strategic planning documents:

- Local Commercial Strategy
- Foothills Rural Strategy
- Municipal Heritage Inventory.

The flowchart attached in Appendix 12.5.9A provides an outline of the context, principles and process involved in the development of the Local Housing Strategy.

Methodology

The process for revising the Local Housing Strategy, as endorsed by Council, comprises the following steps:

1.	<p>Step One: Research and Contextual Analysis of Each Precinct</p> <ul style="list-style-type: none"> • Detailed evaluation of accessibility and strategic mapping of each Precinct, with residential areas shown on a sliding colour scale depicting levels of access to public transport, community facilities and other local services. Prior to mapping, the levels of accessibility were weighted as follows: <ol style="list-style-type: none"> 1. railway stations/public transport routes (highest weighting) 2. public open space areas 3. local and retail centres 4. community facilities (schools, community and recreation centres, medical facilities). • Survey assessment of existing housing stock, undertaken in June 2001. A summary of the general housing stock in the Stage 2 Precincts drawn from the survey is attached in Appendix 12.5.9B, and provides a useful basis for determining the capacity for density development within the City. • Analysis of demographic trends • Assessment of existing and future infrastructure service provision • Identification of major environmental and other constraints to development • Identification of 400m pedestrian catchment areas around railway stations and local shopping centres (equivalent to a 5 minute walk). <p>A detailed summary of the investigations and contextual analysis undertaken for the Stage 2 Housing Precincts are provided in Appendix 12.5.9C.</p>
2.	<p>Step Two: Advertising and public consultation period</p> <ul style="list-style-type: none"> • Advertising and public consultation period of 28 days undertaken with the affected communities on a “precinct-by-precinct” basis, and comprising: <ul style="list-style-type: none"> • local newspaper advertisements • brochures delivered to all households within the affected Precincts • public displays at Council offices, libraries and local shopping centres, with staff in attendance at specific times • submission forms provided at all locations and on the Council website.
3.	<p>Step Three: Review of Submissions and Endorsement of Amended Precinct Proposals</p> <ul style="list-style-type: none"> • Review, summarise and assess submissions received • Address issues raised in submissions, and revise suggested Housing Strategy proposals as appropriate • Conduct Council Briefing session, reviewing summary of submissions received and the direction to be taken in response to them.

4.	<p>Step Four: Preparation of a Housing Strategy Plan for each Housing Precinct</p> <p>(a) A separate final Housing Strategy Plan is to be prepared for each Housing Precinct. Each Housing Precinct Strategy Plan will:</p> <ul style="list-style-type: none"> • display the designated residential precincts, the proposed residential densities (R-Codes), existing and future housing areas, critical areas where specific policies may apply (eg. residential development adjacent to industrial zones), major transport routes and the location of employment, shopping, education and community facilities • be accompanied by a strategic written statement which will summarise the Strategy recommendations for the Precinct. <p>(b) Each Housing Precinct Strategy Plan will be presented to Council for adoption. See Appendix 12.5.9D for a proposed example of a Housing Strategy Map and written statement.</p>
5.	<p>Step Five: Identification of Suitable Implementation Mechanisms for each Housing Precinct Strategy Plan</p> <p>(a) Suitable statutory planning tools such as local town planning scheme amendments, the Outline Development Plan process, Council policy and structure planning will be identified to progress the recommendations and concepts of each Strategy plan into a statutory format. The Housing Strategy Plans will also guide the next Town Planning Scheme review.</p> <p>(b) Final advertising and public consultation. Because these statutory processes are independent processes and require extensive community consultation, the community will be consulted a second time and will be able to examine each proposal in final detailed form. This Step will be progressed independently of the Local Housing Strategy process.</p>
6.	<p>Step Six: State Government Endorsement</p> <ul style="list-style-type: none"> • Once all 16 Housing Precinct Strategy Plans has been adopted by Council, the final step is the submission of the completed Local Housing Strategy document, comprising all 16 Housing Precinct Plans as well as the overarching Strategy framework and text, to the State Government for their formal endorsement.

DISCUSSION

Besides satisfying the requirements of State Government policy, the main aims of the revised Local Housing Strategy are to provide the City with:

- A strategic tool that will guide provide a framework for making decisions on proposals for increased densities, enabling a degree of certainty and direction for the public, Council and staff.
- A firm rationale and consistent approach in determining future housing needs and the capacity for density development across the City.

- Assist assessment of applications for rezoning or development by identifying those areas most suitable for residential density increases based on established and accepted principles and criteria, and discouraging spot residential rezoning of land outside of those areas.
- Implementation considerations and controls such as Outline Development Plans, guided development schemes, rezoning and Residential Design Guidelines, in order to provide the City with a workable strategic document with clearly defined outcomes.

Key Principles

The Local Housing Strategy review has been based upon the following key principles:

1. **Density based on Accessibility**

The purpose in developing the Accessibility maps (the “Access index” maps which were referred to previously), has been to produce a consistent and defensible tool which can be used to help identify those areas best suited to residential density increase, and those areas most constrained and inappropriately located for increased density. Those areas having the highest levels of access to public transport, public open space and local community facilities and services will have the greatest potential for increased residential density.

- #### 2. **Promotion of diverse and sustainable housing** options to accommodate an increasing and diverse population, through the provision of a range of household sizes, incomes and housing forms.

The City of Gosnells is currently in a phase of rapid population growth, largely due to rapidly increasing residential development in the suburbs of Canning Vale, Southern River and Maddington. As the Perth Metropolitan population and family structures continue to change and grow, it will be necessary to provide well-located and suitably designed housing to meet the diverse needs of the future population. To accommodate additional housing it is important that more liveable and compact, medium-density housing be encouraged in existing residential areas within the City of Gosnells, as well as in new suburbs.

3. **Liveable Neighbourhoods Principles**

The principles of the State Government’s *Liveable Neighbourhoods* document are a key element underpinning the proposals of the Local Housing Strategy review. They have helped to establish the proposals that walkable areas generally within a 400 metre pedestrian catchment of local neighbourhood centres are most ideally located for increased residential density. The principles of *Liveable Neighbourhoods* are briefly summarised below:

- To provide for an urban structure of compact inter-connected walkable neighbourhoods (within a 400 metre - or 5 minute walk - radius)

clustering to form towns of compatibly mixed uses in order to reduce car dependence for access to employment, retail and community facilities.

- To facilitate mixed-use urban development, which provides for a wide range of living, employment and leisure opportunities, capable of adapting over time as the community changes.
- To ensure that walkable neighbourhoods and access to services and facilities are designed for all users, including users with disabilities.
- To foster a sense of community and strong local identity in neighbourhoods and towns.
- To provide for access generally by way of an interconnected network of streets which facilitate safe, efficient and pleasant walking, cycling and driving.
- To ensure active street-land use interfaces, with buildings fronting streets to improve personal safety through increased surveillance and activity.
- To facilitate new development which supports the efficiency of public transport systems where available, and provides safe, direct access to the system for residents.
- To provide a variety of lot sizes and housing types to cater for the diverse housing needs of the community at a density that can ultimately support the provision of local services.
- To ensure the avoidance of key environmental areas and the incorporation of significant cultural and environmental features of a site into the design of an area.
- To provide for a more comprehensive approach to the design of open space and urban water management.
- To ensure cost-effective and resource-efficient development to promote affordable housing.

4. **Mixed-Use Development**

- Encouraging mixed-use development within medium-density walkable neighbourhoods will help better service local inhabitants within the City. This principle can be observed in “healthy” cities worldwide, helping to strengthen communities and create neighbourhoods which are not only more liveable, but also more economically viable and environmentally sustainable.
- Coupled with the provision of good public transport services, mixed-use development enables commercial, retail and community services and employment to be located within easy walk and reach of local residential communities, helping discourage car dependence, and thereby minimising harmful effects on the environment.
- The provision of mixed-use development supported by medium-density residential areas also helps to bring social and economic vitality back to

local neighbourhoods, largely by providing more opportunity and places for “exchange” between local inhabitants.

5. Residential Development Urban Design Guidelines

- The City’s Residential Development Urban Design Guidelines, recently adopted by Council in July 2002, will play an vital role in guiding the nature and form of future residential development which is likely to occur as a result of the increased density proposals for the Housing Strategy, to ensure high standards and quality of design.
- The principles of the City’s *SafeCity* Urban Design Strategy form a fundamental component of the Residential Development Urban Design Guidelines. They aim to reduce physical isolation and improve street visibility and surveillance.

Assessment of The Stage Two Housing Precincts and Recommendations

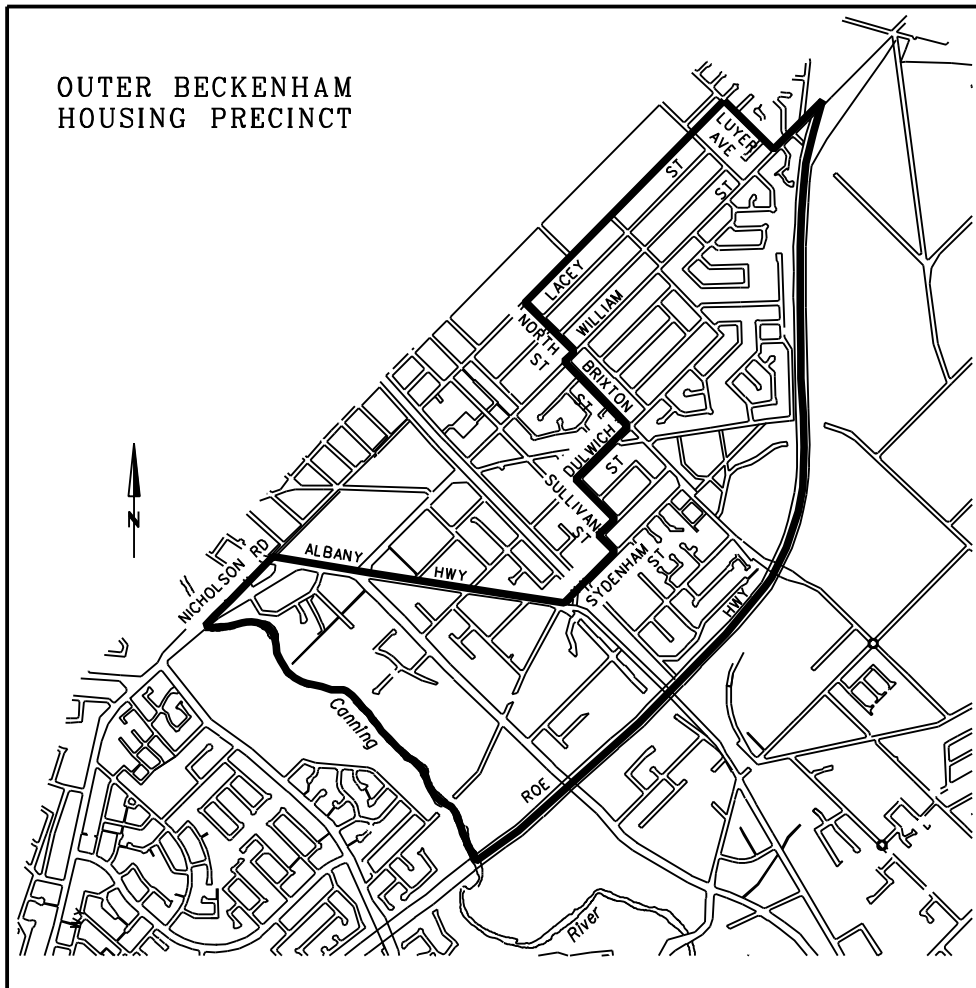
Based on the detailed evaluation of the accessibility, serviceability and urban form within each Housing Precinct, proposals for areas best suited to residential density increases have been made as part of the Local Housing Strategy review. These areas generally lie within a 400 metre pedestrian catchment (equivalent to a 5 minute walk) from train stations and/or local neighbourhood centres. The suggested boundaries and proposed R-Codes in these areas are displayed on the plans provided in Appendix 12.5.9E. At this stage, the following minimum residential density codes have been proposed:

- R-Codes between R25-R40 have generally been proposed for areas surrounding local neighbourhood centres. R25 is recommended as a minimum in these areas to enable smaller properties to develop, given the prevalence of 700-800m² size lots within the City. It is believed the maximum suitable R-Code for areas located around local neighbourhood centres would be R40.
- R-Codes between R40-R60 have generally been proposed for areas surrounding railway stations. R40 is recommended as a minimum in these areas, in line with State Government Policy DC1.6 which promotes higher densities around stations. It is believed the maximum suitable R-Code for areas located around railway stations in the City of Gosnells would be R60.

Full results of the analysis undertaken for the Stage Two Housing Precincts, comprising Outer Beckenham, Langford, Thornlie East and Thornlie West are presented in full in Appendix 12.5.9C. A summary of the salient points gained from the studies are presented below.

Outer Beckenham Housing Precinct

The Outer Beckenham Precinct is located within the suburb of Beckenham and is generally bounded by the Canning River to the south-west, the Municipal Boundary to the west, and Roe Highway to the east. It excludes the central station precinct area.



Housing Stock

- Overall, the Precinct comprises a wide variety of both housing stock and housing ages, generally in average to good condition. Plenty of large lots remain (1000m²+), while grouped dwelling development is generally limited to the eastern portion of the Precinct. The widest variety of housing ages are located in the north, there are pockets of older development and relatively young development in the south, and typically 1960's and 1970's development in the east.

Access and Traffic

- Overall, the Precinct is very accessible by both rail and road, being in close proximity to the Beckenham railway station, and having the future Roe Highway to the east, Nicholson Road to the west, Albany Highway and the Kenwick Link to the south. New residential development adjacent to these major access routes may need to address noise levels through quiet house design principles or include memorials on titles in relation to the road and rail noise levels
- Pedestrian access is restricted where major roads, particularly Albany Highway, the Kenwick Link and Roe Highway, form a barrier for residential areas to access the services on the other side.
- New residential development adjacent to major road and rail access routes may need to address noise levels through quiet house design principles and/or include memorials on titles.

Public Transport

- The majority of the Precinct lies outside an 800 metre radius of the Beckenham railway station, and therefore pedestrian access to this key public transport node requires more than a 10 minute walk.
- Bus services within the Precinct generally run along major roads, including Albany Highway Nicholson Road, and William Street, as well as local roads to the north of the Precinct, including Tooting, Brixton, Sydenham and Ladywell Streets.

Facilities and Services

The Precinct is generally well-serviced by public open space.

- Mills Park is a significant local sports ground which provides four sports ovals, nine tennis courts, bowling greens and an adventure playground, and a skate park is also planned on the corner. As part of the Mills Park Masterplan, a feature lake will be created in the centre of the Park, through which the Yule and Woodlupine Brooks will be opened up and run.
- A linear park following Woodlupine Brook to the north (a Water Corporation drainage area) is to be enhanced in the future, and the creation of new parks along other areas of both the Woodlupine and Yule Brooks is also being encouraged.

Existing/Potential Neighbourhood Centres

The Precinct contains two shopping areas which are identified as suitable neighbourhood centres (both zoned Local Centre under TPS 6), and a third potential neighbourhood centre on a site facing Mills Park:

1. The shopping centre located at the intersection of William and Tooting Streets to the north of the Precinct (comprising approximately 1740m² of retail floorspace) provides a well-serviced local neighbourhood. It includes a small supermarket, deli, newsagent, video shop, medical practice, butcher, laundromat, liquor store, mechanic, pizza shop, and fish and chip shop, amongst others.
2. The small shopping area located on the corner of Albany Highway and Highbury Crescent has been identified as a suitable future neighbourhood centre. Currently it consists of a Grower's Mart with several adjoining showrooms
3. A future new shop, to be located on the corner of Brixton and Ladywell Streets (Lot 507 Ladywell Street), facing Mills Park, has recently been granted development approval by Council. It is considered that a future neighbourhood centre at this location is suitable and should be supported, given the level of accessibility to bus services which pass this site, the significant recreation facilities at Mills Park, and the establishment of a new local shop facing Mills Park, on the corner of Ladywell Street.

Recommendations for the Outer Beckenham Housing Precinct:

The factors assessed above indicate that:

- residential areas lying close to the Tooting Street neighbourhood centre identified above are potentially suitable for a residential coding between R25 and R40;
- residential areas lying close to the Albany Highway/Highbury Crescent neighbourhood centre are potentially suitable for a residential coding between R20 and R30, given the public transport and services that are available to service the local communities in these areas. (The adjacent Lot 700 Packer Street, a lot of almost 5 hectares in size, has not been included within the area identified for increased density coding, but may be included in the Housing Strategy proposals subject to conforming with detailed design criteria.);
- residential areas lying close to the Brixton Street neighbourhood centre identified above are potentially suitable for a residential coding between R20 and R30.

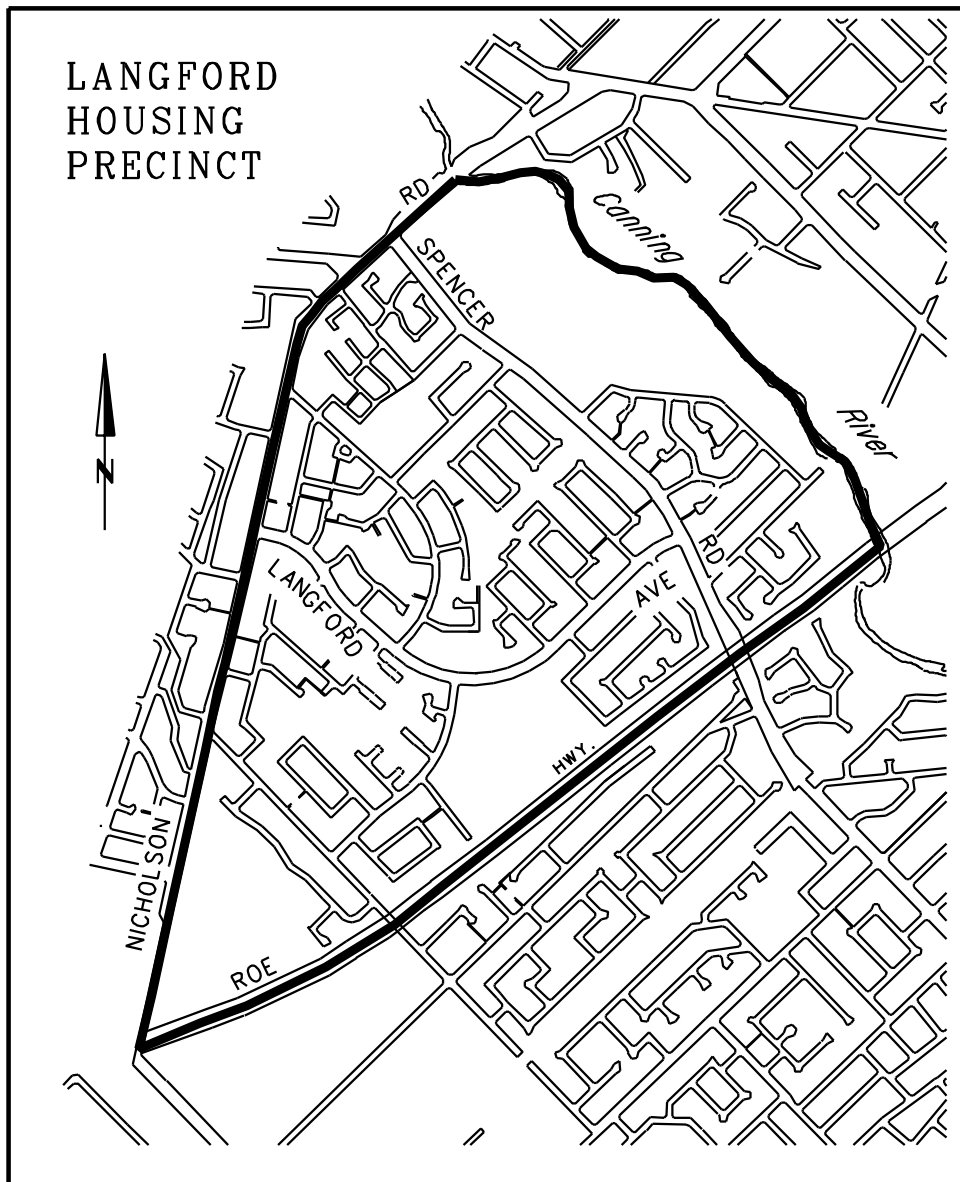
The exact location of the proposed increased density boundaries are provided in the plans attached in Appendix 12.5.9E, and are in line with the highest accessibility contours shown on the "Access Index" map of the Housing Precinct.

Langford Housing Precinct

The Langford Housing Precinct incorporates the suburb of Langford and is bounded by the Canning River to the north-east, the future Roe Highway to the south-east and Nicholson Road to the west.

Langford Redevelopment Project

- The Ministry for Housing’s Landstart Division, together with Project Managers Voran Consultants, commenced in the late 1990’s an urban renewal project for Langford, known as “Langford Living”. The project seeks to redress public perceptions of the area by redeveloping and refurbishing 24 sites within Langford, many of which are Homeswest sites. This aims not only at improving the standards of housing within the area, but also at increasing resident’s pride, as well as property values. As part of the project, the Ministry for Housing also intend to reduce Government-owned public housing in the area from 30% to 10%.



Housing Stock

- The majority of the housing stock was constructed in the 1960's, 1970's and 1980's. Housing is predominantly low-density brick and tile dwellings on average lot sizes generally ranging between 650m² to 750m².
- Most housing within the Precinct is in good to average condition, with some in poor/very poor condition. Some housing has already been demolished as part of the redevelopment project.
- A number of spot rezonings to R30 to facilitate grouped dwelling development are generally based around Langford Avenue and the shopping centre. There is also a clustering of grouped and multiple dwellings on Wingrove Avenue, in close proximity to Langford Avenue, POS and the shopping centre.
- Younger housing stock (post-1980) is located more to the north and north-east of the Precinct. The most recent example is Ruby Gardens, a subdivision still under construction located off the Nicholson/Spence Road corner, with lot sizes between 500m² to 550m².

Access and Traffic

- The Precinct is very accessible by road, being bounded by Nicholson Road (a Regional Road) to the north-west, and Roe Highway (a Primary Regional Road) to the south. Spencer Road (another Regional Road) also runs through the Precinct to the north. Within the Precinct, many residential roads are culs-de-sac and "P"-shaped access ways, some connected by Public Access Ways. The existing road network is in good condition and street beautification works are in progress as part of the Langford refurbishment project.

Public Transport Services

- The eastern portion of the Precinct is partly located within an 800m radius of the proposed Thornlie Railway station, however access to the proposed station will be predominantly via the future Spencer Road bridge.
- Current bus services follow Nicholson Road, Langford Avenue, and Spencer Road, and are therefore well distributed throughout the Precinct.

Facilities and Services

- The Langford Village Shopping Centre is centrally located on Langford Avenue and includes a medical centre, post office, and a range of local shops, as well as a tavern and a service station. Some vacant shops have reestablished since redevelopment started.
- The Langford Sports Ground, facing the Langford Village Shopping centre, is one of the City's most intensely used local sporting venues. An upgrade of this sporting ground is planned. The Precinct is also well-served by passive recreation areas and public open space, including Hester Park on the River Foreshore to the north, and a small constructed wetland on the southern corner.

- The Langford Community Centre, located adjacent to the Langford Village shopping centre, includes a Childcare Centre and Senior Citizens Club, and is also used by the Boogurlarri Community House Youth Group amongst others. The Langford Library is also located in this area, however it is currently only small and open on Tuesdays.
- Other community facilities within the Precinct include three primary schools (one public and two private). The Education Department is currently investigating the possibility of rationalising the Brookman and Langford Primary Schools, due to decreased attendance. Medical practices are located at the shopping centre and on the corner of Oaktree Court and Spencer Road.

Existing / Potential Neighbourhood Centres

- The primary neighbourhood centre is focused at the Langford Village Shopping Centre and the adjacent Langford Community Centre. The Langford Sports Ground also faces the shopping centre, making this neighbourhood centre highly accessible to a range of local community facilities and services.

Recommendations for the Langford Housing Precinct:

- The factors assessed above indicate that residential areas lying within close proximity of the Langford Village neighbourhood centre are well suited to an increased residential density coding between R25 and R40.

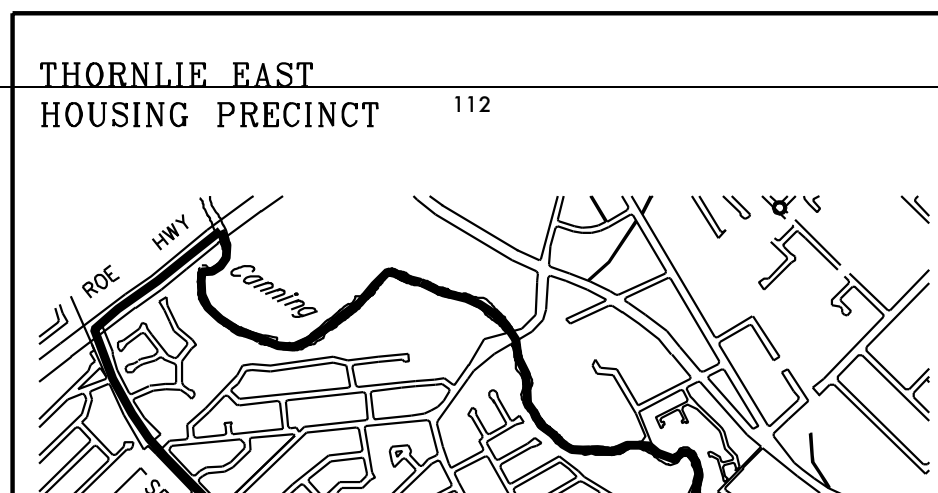
The exact location of the proposed increased density boundaries are shown in the plans attached in Appendix 12.5.9E, and are in line with the highest accessibility contours shown on the "Access Index" map of the Housing Precinct.

Thornlie East Housing Precinct

The Thornlie East Precinct is bounded by the Canning and Southern Rivers to the north and east, Spencer Road to the south and the future Roe Hwy to the west.

Housing Stock

- The majority of residential development within the Precinct occurred during the 1960's and 1970's, with predominantly low-density brick and tile dwellings on average lot sizes generally greater between 650m² and 850m².
- There is some pre-1950 development south of Thornlie Avenue, and some 1980's development to the south of the Precinct (closest to the Southern River), as well as north of Thornlie Avenue.
- Grouped dwellings are located at either end of Lester Drive in the north-west portion of the Precinct, as well as in the south-east corner of the Precinct and some scattered across the entire Precinct.



Thornlie and Nicholson Road Station Study

A study entitled “Transit Oriented Development within the proposed Nicholson Road and Thornlie Rail Station Precincts” was prepared by Hames Sharley for the Department of Planning and Infrastructure in May 2002, following the State Government’s decision to construct a spur line from the Armadale line to Thornlie and Nicholson Road. The study recommended the following for the Thornlie railway station area:

- that the City of Gosnells investigates opportunities for increase the residential density coding of R60 to R80 within a 400 metre walking distance of the station;

- that the zoning be amended to “Residential Development” and that an ODP be developed;
- rezoning a portion of Aylesford Reserve for medium-density residential purposes;
- that the potential redevelopment of the Yale School site for medium-density residential purposes be further investigated, given the dwindling student enrolments;
- the provision of additional retail/commercial floorspace at the Spencer Village Shopping Centre, including possible residential and commercial uses above ground floor retail.

Access and Public Transport Services

- A major transit station is to be constructed just south of the railway crossing on Spencer Road. This will feature “Park and Ride” and “Kiss and Ride” drop-off and pick-up lanes, as well as a bus interchange facility. In addition, a new traffic bridge over the railway will be built on Spencer Road, which will include entry and exit points for easy vehicle access to and from the railway station, making this area highly accessible by public transport.
- Bus services currently run along Spencer Road and through the centre of the Precinct, along Thornlie Avenue past Thornlie Square/Leisure World.

Community Facilities

- This Precinct contains two well-patronised shopping centres, both located off Spencer Road: Thornlie Square is designated a District Centre under TPS 6, and Spencer Village Shopping Centre is designated a Local Centre. Both contain a range of shops, services and food outlets that service both the local and outer communities.
- The Thornlie Community Centre abuts the Canning River Foreshore Reserve on Glenbrook Road, and includes a multi-use sports hall, Council offices as well as meeting rooms servicing a number of user groups.
- Leisure World, an indoor water-based leisure facility, with gymnasium, spa and café, lies adjacent to the Thornlie Square Shopping Centre and is one of the most intensely used community facility in the City. A masterplan has been prepared for the facility, recommending its expansion and refurbishment.
- The Thornlie Library, a Child Health Centre and a new Skate Park are also located adjacent to Leisure World.
- The Thornlie Campus of the South East Metropolitan College of TAFE is located at the south-east corner of the Precinct. There are two schools within the Precinct, one a Primary School.
- The Thornlie Tennis Club and Thornlie Bowling Club are located off Thornlie Avenue and provide major venues for tennis and bowling sports in the area.

- There are a number of small grassed public open space areas containing children's play equipment scattered throughout the Precinct.

Recommendations for the Thornlie East Housing Precinct:

- The factors assessed above indicate that residential areas lying within close proximity to the future Thornlie train station and Spencer Village Shopping Centre are potentially suitable for a medium-density residential coding between R40 and R60, in line with State Government policy for development around railway stations. (These suggested densities are not as high as those recommended by the Thornlie/Nicholson Road Station Study, however until such time as an ODP is undertaken for this area the Housing Strategy will promote a consistent approach to densities surrounding all City railway stations.)
- Residential areas lying within close proximity to the Thornlie Square Shopping Centre have been identified as potentially suitable for a residential density coding between R20 and R30.

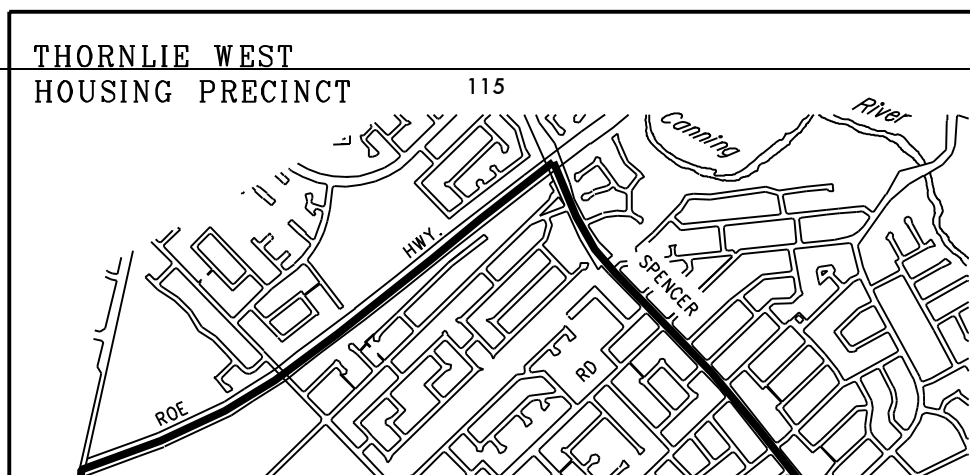
The exact locations of the proposed increased density boundaries are provided in the plans attached in Appendix 12.5.9E, and are in line with the highest accessibility contours shown on the "Access Index" map of the Housing Precinct.

Thornlie West Housing Precinct

The Thornlie West Housing Precinct is bounded by Spencer Road to the north, Hume Road to the east, Nicholson Road to the south and Roe Highway to the west.

Housing Stock

- Housing within the area is mainly low-density brick and tile with a few grouped, medium-density developments in the north-western portion of the Precinct. As a general trend, older housing stock is located in the north-east, and younger to the south-west.
- Some post-1980's subdivision has occurred in the south-east corner of the Precinct, including a reasonable amount of grouped dwelling development. Generally lots are around 700m².
- In the north-west corner of the Precinct (on the northern side of the railway line), housing is mostly from the 1970's and lots are generally between 650 and 750m². To the east, housing is generally from the 1960's, in average to good condition on lots around 850 to 950m².
- In the south housing is generally from the post-1980's, with some 1970's development, on lots between 500 and 700m², and is in average to good condition.



Thornlie and Nicholson Road Station Study

A study entitled “Transit Oriented Development within the proposed Nicholson Road and Thornlie Rail Station Precincts” was prepared in May 2002 by Hames Sharley for the Department of Planning and Infrastructure, following the State Government’s decision to construct a spur line from the Armadale line to Thornlie and to Nicholson Road. The study recommended the following for the Nicholson Road station area:

- that the opportunity for residential development in a mixed-use format surrounding the station, south of Nicholson Road and the railway line, be considered, especially within a 400 metre walking distance;
- that higher-density residential uses should generally be encouraged within 800 metres of the railway station. The residential area immediately north of Nicholson Road should however remain a low-density residential area because of its poor level of access to the future railway station, due to the cul-de-sac road pattern and the major barrier created by Nicholson Road.

Access and Public Transport

- A major transit station is to be constructed, just south of the railway crossing on Nicholson Road. This will feature “Park and Ride” and “Kiss and Ride” drop-off and pick-up lanes, linked to bus services on Nicholson Road.
- Bus services are provided along Spencer, Yale, Murdoch, Storey, Berehaven and Nicholson Roads, south-east of the railway line.

Community Facilities

- There are few local shops or community facilities currently located within the Precinct, however major facilities are located close to each corner of the Precinct which are within easy access of the residential areas nearby. They include Spencer Village Shopping Centre outside the north-eastern corner, the Thornlie Square Shopping Centre (including Leisure World and the Library) outside the south-east corner, and Forest Lakes Shopping Centre outside the south-west corner. The proposed Thornlie railway station will also be located within the north-east corner of the Precinct, while the proposed Nicholson Road railway station will be located just outside the north-east corner.
- The Tom Bateman Sporting Complex is located in the south-west corner of the Precinct within Bush Forever Site 456 and includes two grassed ovals, changerooms, a children’s playground and a carpark. A concept plan has been prepared for this facility and includes a major baseball venue at the front of the Reserve (fronting Nicholson Road), constructed wetlands, a village green, boardwalks, dual use pathways and a new Environmental Centre.
- Walter Padbury Park in the south-east of the Precinct includes three recreation grounds, which are currently used for soccer, football and cricket, and a pavilion. A future upgrade of the Park is planned, including the installation of netball, volleyball, basketball and tennis courts, a new BBQ area and landscaping improvements.

Recommendations for the Thornlie West Housing Precinct:

- The factors assessed above indicate that residential areas lying within close proximity of the proposed Thornlie and Nicholson Road railway stations are potentially suitable for a medium-density residential coding between R40-R60. (These suggested densities are not as high as those recommended by the Thornlie/Nicholson Road Station Study, however until such time as an ODP is undertaken for this area, the Housing Strategy will promote a consistent approach to densities across all City railway stations.) Residential areas located within culs-de-sac adjacent to the proposed Thornlie and Nicholson Road railway stations have been excluded from the suggestions for increased residential densities, however this may be reviewed if road access to these areas is improved.

- Residential areas lying within a 400 metre pedestrian catchment of the Thornlie Square Shopping Centre have been identified as potentially suitable for a residential coding between R20 and R30.

The exact locations of the proposed increased density boundaries are provided in the plans attached in Appendix 12.5.9E, and are in line with the highest accessibility contours shown on the “Access Index” map of the Housing Precinct.

FINANCIAL IMPLICATIONS

Financial implications attached to the preparation of a Local Housing Strategy are all within existing operational budgets. Infrastructure requirements required for density increases will be accommodated by ODP or Scheme funding mechanisms.

9.32pm - Cr MD Devereux returned to the meeting.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

708 Moved Cr J Brown Seconded Cr C Matison

“That Council adopt for the purpose of consultation the proposals for the Stage Two Housing Precincts, which include Outer Beckenham, Langford, Thornlie East and Thornlie West, which recommend residential density increases in areas surrounding existing and/or proposed railway stations and neighbourhood centres, as outlined in this report and shown in Appendix 12.5.9E, in order to progress the Local Housing Strategy.”

CARRIED 7/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr O Searle, Cr S Moss and Cr A Pisano.

AGAINST: Nil.

9.33pm – The Mayor Cr PM Morris, Deputy Mayor Cr R Mitchell, Cr NJ Smith, Cr AJ Smith and the Director Regulatory Services returned to the meeting.

Notation

Cr A Pisano, upon the return of the Mayor Cr PM Morris, Deputy Mayor Cr R Mitchell, Cr NJ Smith, Cr AJ Smith and the Director Regulatory Services to the meeting, advised that Council had endorsed the staff recommendation as contained in the Agenda.

9.33pm – Cr A Pisano vacated the Chair.

9.33pm - The Mayor, Cr PM Morris resumed the Chair.

The Mayor advised the meeting that Cr MD Devereux, due to family Trust having property in the Town Centre, and Cr A Pisano due to owing business in the Town Centre had disclosed a Financial Interest in the following item in accordance with Section 5.60 of the Local Government Act 1995.

9.34pm – Cr MD Devereux and Cr A Pisano left the meeting.

12.5.10 TENDER NO. 37/2002 – STREET FURNITURE

File: G2/2/5

(BJ) Psrpt0156Aug02

PURPOSE OF REPORT

To advise Council of the outcome for Tender 37/2002, for the supply of street furniture for the Gosnells Town Centre, and recommend the appointment of a preferred supplier(s) for a period of three years.

BACKGROUND

The Gosnells Town Centre Revitalisation project has progressed into an implementation phase and as such the procurement of street furniture over the next three years is required for the development of streetscapes as part of the project.

DISCUSSION

Tenders were invited for the supply only of various street furniture products for a period of three years in the West Australian newspaper on 11 May 2002. Although Council preferred a job-lot tender, tenderers were able to choose not to submit for one or more of the items.

Council has previously endorsed a list of street furniture (Resolution 17, OCM 13 February 2001) for the town centre, and only submissions that conformed to these were considered. This list has formed the basis and standard for the tender with tenderers being permitted to submit similar approved alternatives within their submission.

The street furniture to be supplied are as follows:

Street Furniture Item	Amount (\$)
Tree Grills	160
Bench Seats	33
Bin Surrounds	31
Equal Access Drinking Fountains	7
Bicycle Racks	21
Bollards	36
Pedestrian Lights	13

The tenders were assessed in accordance with the selection criteria and tender documents.

Each item was assessed separately with reference to its quality and conformity to the specification, customer service and price (with the lowest price tendered being used as the benchmark criteria when assessing price).

A supply arrangement period for three years was called to facilitate the order of street furniture, as it is required as various stages of the town centre are completed.

The following table provides a breakdown of prices provided by tenderers for each item.

Pricing Submissions

	Miracle Recreation Equipment	Emerdyn Pty Ltd	Pinedale Corporation Pty Ltd	Folkes Smith & Associates	Furphys Foundry Sales	Ingal Eps	Streetside Advertising	G & S Industries	Artcraft	Streetside Advertising
Grills	NS	NS	NC	NS	\$517.50	NC	NS	NS	NC	NS
Seats	NC	NS	\$1,126	NS	\$830.50	NC	NC	NS	\$ 689.89	NC
Bin Surrounds	\$1,100.00	\$1,283	\$1,268	NS	NS	NC	NC	NS	\$1,358.50	NS
Drinking Fountain	NC	NS	NS	\$ 3,952	NS	NC	NS	NS	NS	NS
Bike Stands	\$ 93.50	\$ 172	\$ 161	NS	\$311.85	\$ 399	NS	NS	\$ 192.50	NS
Bollards	NS	\$ 379	\$ 556	\$ 678	NS	NC	NS	NS	\$ 436.91	NS
Pedestrian Light	NS	NS	NS	NS	NS	\$3,258	NS	\$2,700	NS	NS

(Note: NS stands for No Submission; NC stands for Non Conforming Submission)

Within the submissions, some different pricing options were provided depending on whether the goods were ordered immediately or periodically over the three year period. The prices shown are the least expensive, and consequently are for immediate delivery for some items.

Although space is of a premium at the Operations Centre, by purchasing all products at current prices, there is a significant financial saving to be gained. With negotiation, some suppliers have indicated they will be willing to accept an order for the total number of items and either manufacture them as required or store them on site with payment when goods are received. The remaining would then have to be stored at the Operations Centre for which space has been made available.

The quality of the product was assessed based on its compliance with the item specification and construction, and given a score out of 15. Customer service was also assessed out of a score of 15, addressing company experience, safety information, delivery ability, experience and supplementary information.

Issue was raised with regard to the weathering ability and quality of existing street furniture, as endorsed by the Town Centre Reference Group. It was identified that the furniture needed ongoing preventative and restorative maintenance, which would be the

case of any product installed. An ongoing maintenance schedule will be developed to cater for all existing and new street furniture acquisitions in the town centre in cooperation with the Parks and Buildings Services Branch and the manufacturer specifications.

Evaluation Matrix

		Miracle Recreation Equipment	Emerdyn Pty Ltd	Pinedale Corporation Pty Ltd	Folkes Smith & Associates	Furphys Foundry Sales	Ingal Eps	Streetside Advertising	G & S Industries	Artcraft	Streetside Advertising-
Grills	Quality of Product (15%)	NS	NS	NC	NS	15	NC	NS	NS	NC	NS
	Customer Service (15%)					12					
	Price (70%)					70					
	Total					97					
Seats	Quality of Product (15%)	NC	NS	8	NS	15	NC	NC	NS	10	NC
	Customer Service (15%)			9		12				11	
	Price (70%)			55		65				70	
	Total			72		92				91	
Bin Surrounds	Quality of Product (15%)	8	15	11	NS	NS	NC	NC	NS	9	NS
	Customer Service (15%)	12	12	9						11	
	Price (70%)	70	65	65						63	
	Total	90	92	85						83	
Drinking Fountain	Quality of Product (15%)	NC	NS	NS	15	NS	NC	NS	NS	NS	NS
	Customer Service (15%)				11						
	Price (70%)				70						
	Total				96						
Bike Stands	Quality of Product (15%)	15	15	15	NS	15	15	NS	NS	15	NS
	Customer Service (15%)	12	12	9		12	12			11	
	Price (70%)	70	66	67		59	55			65	
	Total	97	93	91		86	82			91	
Bollards	Quality of Product (15%)	NS	13	13	15	NS	NC	NS	NS	10	NS
	Customer Service (15%)		12	9	11					11	
	Price (70%)		70	67	65					69	
	Total		95	89	91					90	
Pedestrian Light	Quality of Product (15%)	NS	NS	NS	NS	NS	13	NS	15	NS	NS
	Customer Service (15%)						12		12		
	Price (70%)						64		70		
	Total						89		97		

(Note: NS stands for No Submission; NC stands for Non Conforming Submission)

From the tender matrix most items were straightforward in their acknowledgment as the desired product scoring highest in quality and overall. Greater consideration was required in regard to the bollards, tree grills and bin surrounds.

Bollards

The specification for the bollards called for the Mark Cox Urban Furniture Systems PMD: BLD-2 bollard or similarly approved. Folkes Smith and Associates (FS & A) submission for the bollards scored greatest in the product quality, yet overall the Emerdyn Pty Ltd submission of the Lockyer bollard scored greater. Withstanding the fact that the FS & A bollard is the specified item, Council could save \$299 per bollard or a total of \$10,764 by selecting Emerdyn Pty Ltd. The difference in design appearance is minimal, and they are also within the design scope and of equal quality to the FS & A bollard. Appendix 12.5.10A and Appendix 12.5.10B provide illustrations of the two different bollard options. The major difference being that the circular inner tube on the Lockyer Bollard is 100mm as opposed to 165mm diameter in the FS & A, and that the vertical bars are 50 x 12mm and 25 x 10mm respectively. As such Emerdyn Pty Ltd have been recommended as the preferred supplier.

Tree Grills

Staff's recommended supplier Furphy's Foundry Sales (based on the evaluation matrix), was approached for a supply price for a 1,000 x 1,000 mm grill. Their rate was \$517.50 each at current prices or \$566 each fixed for three years. The following three suppliers tendered for the supply of the tree grills but were assessed as being non-conforming. Artcraft's submission did not match the existing design by Council and was considered to may not comply with Access standards with large drainage holes possibly allowing heels, walking sticks and frames to be caught in the openings. Ingall Eps submission was a product cut from sheet steel which has the tendency to polish, and cause a slip hazard raising concern of complying with Access standards. Similarly, no information was provided as to how well the sheet is reinforced, with an under reinforced product being susceptible to distortion due to traffic movement and temperature. Pinedale's submission was excluded, as it did not conform to the design requirements in the specification.

Bin Surrounds

Since requesting tenders for the bin surrounds, it was noted that a bin surround of a reduced height would provide easier access for the elderly and young children. All conforming tenderers were approached to provide a revised cost for a bin surround to house a 120 litre "wheelie" bin instead of a 240L bin as specified in the tender.

Essentially this meant an overall reduction in the sidewalls by around 150mm for each of the products, and an inclusion of a rubbish chute in the bin mouth. The revised costs have been included in the pricing submission table

FINANCIAL IMPLICATIONS

The provision of street furniture has been budgeted for within the Town Centre Revitalisation budget. The cost of the items will be funded from job 87004, Street Furniture.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

709 Moved Cr AJ Smith Seconded Cr NJ Smith

“That Council award the following components for Tender No 37/2002 Street Furniture for a period of three years commencing September 2002 to:

1. Aluminium Tree Grills to Furphy’s Foundry Sales of Drummond Road, Shepparton, Victoria, for 160 units at \$517.50 each, for a sum of \$82,800.
2. Bench seats to Furphy’s Foundry Sales of Drummond Road, Shepparton, Victoria, for 33 units at \$830.50 each, for a sum of \$27,406.50.
3. Bin Surrounds to Emerdyn Pty Ltd of 24 Wiggs Road, Riverwood, New South Wales, for 31 units at \$1,283 each, for a sum of \$39,773.
4. Drinking fountains to Folkes Smith and Associates of 19A Troy Street, Applecross, Western Australia, for 7 units at \$3,952 each, for a sum of \$27,664.
5. Bicycle Racks to Miracle Recreation Equipment of 10 McIntyre Way, Kenwick, Western Australia, for 21 units at \$93.50 each, for a sum of \$1,963.50.
6. Bollards to Emerdyn Pty Ltd of 24 Wiggs Road, Riverwood, New South Wales, for 36 units at \$379 each, for a sum of \$13,644.
7. Pedestrian Light Poles to G and S Industries of 97 Guthrie Street, Osborne Park, Western Australia, for 13 units at \$2,700, for a sum of \$35,100.”

CARRIED 8/1

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle and Cr PM Morris.

AGAINST: Cr S Moss.

The Mayor advised the meeting that she, due to being a member of the Gosnells Town Centre Reference Group had disclosed an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

The Mayor advised the meeting that Cr MD Devereux, due to Family Trust having property in the Town Centre, and Cr A Pisano due to owing business in the Town Centre had disclosed a Financial Interest in the following item in accordance with Section 5.60 of the Local Government Act 1995.

Both Cr Devereux and Cr A Pisano remained outside the meeting.

12.5.11 GOSNELLS TOWN CENTRE REFERENCE GROUP – MINUTES OF MEETING HELD 9 AUGUST 2002

File: 3.1.20G (LMcA) Psrpt147Aug02
 Appendix: [12.5.11A](#) Minutes of Gosnells Town Centre Reference Group Meeting held on [9 August 2002](#)

PURPOSE OF REPORT

To advise Council of the outcome of the meeting of the Gosnells Town Centre Reference Group held on [9 August 2002](#), and to make recommendations on the outcomes.

DISCUSSION

A meeting of the Gosnells Town Centre Reference Group took place on Friday, [9 August 2002](#). The business of the meeting is reported in the Minutes provided as Appendix [12.5.11A](#).

From the business of the meeting three items are submitted for Council’s consideration as follows:

1. Main Street Public Art Project – Presentation of Submissions Received

A total of nine Expressions of Interest have been received from Artists for the Street Banner Project, from the following Artists:

- [Ronald Corbett](#)
- [Allison Buckingham](#)
- [Kevin Draper/Paul Caporn](#)
- [Robert Ewing](#)
- [Judith Forest/Richard Fry](#)
- [Andrew Kay](#)
- [John Tarry](#)
- [Federico Medina](#)
- [Kath Wheatly](#)

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 Federico Medina¶
 <#>Chris Williamson¶
 <#>Jason Hirst and Trish Burvill.¶

Deleted: Tony Jones

The Town Centre Reference Group was presented with examples of previous work from all three Artists. After the presentation, members used the score sheets provided to indicate their preference for each Artist's work. Three artists where short listed to received \$500 to progress their designs to a marquette.

These artists where in order of points received:

- 1) Andrew Kay 135
- 2) Kevin Draper and Paul Caporn 121.5
- 3) Jon Tarry 119

As well as the financial outlay for short-listing, only three consultants will provide a suitable selection from which to choose the final design for Main Street.

2. Computer Modeling Program

Guidance from the Town Centre Reference Group was sought on the value of having a computer model constructed of the Town Square and Civic Complex for promotional and information purposes. The Group recommended that there may be value in using the computer model and that three quotes be gathered to progress this issue.

3. Next Meeting of the Gosnells Town Centre Reference Group

It was recommended that an extra meeting of the Group be called in order for the Group to view the designs of the street banners and make recommendation on preferred designs. It was decided that the next Special Meeting of the Gosnells Town Centre Reference Group be held on Friday, 6 September 2002.

FINANCIAL IMPLICATIONS

All costs are incorporated within existing 2001/02 operational or capital budgets.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

710 Moved Cr NJ Smith Seconded Cr S Moss

That Council invite the following three (3) artists to develop their proposals for the Main Street Public Art Project to a schematic design to be presented to the Gosnells Town Centre Reference Group on 4 October 2002, with each artist to receive a fee of \$500 to progress their designs.

- 1) Andrew Kay
- 2) Kevin Draper and Paul Caporn
- 3) Jon Tarry

CARRIED 8/1

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr S Moss and Cr PM Morris.

AGAINST: Cr O Searle.

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9.35pm - Cr MD Devereux and Cr A Pisano returned to the meeting.

Notation

The Mayor, upon the return of Cr MD Devereux and Cr A Pisano to the meeting, advised that Council had endorsed the staff recommendations as contained in the Agenda at Items 12.5.10 and 12.5.11.

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That Council adopt the Artist's Brief for the City of Gosnells Main Street Public Art Project and that the Brief is distributed appropriately to interested artists, with standard additional tender clauses noted and included.¶

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That Recommendation 24 of the Gosnells Town Centre Reference Group meeting which reads:¶
¶
"That the Town Centre Reference Group nominates Federico Medina to undertake the design of the Street Banners, in accordance with the tender documentation (Tender No. 23/2002) and the Arti: ... [14]

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12.6 REGULATORY SERVICES

12.6.1 POLICY REVIEW

File: A1/2/1

(TP) Rpt063Aug02

Appendix: 12.6.1A Amended Policies

12.6.1B New Policy – Deputising for the Mayor at Functions

PURPOSE OF REPORT

For Council to review and adopt proposed amendment to policies contained within the Policy Manual in accordance with the provisions of Policy 5.4.5 and adopt a new policy titled Deputising for the Mayor at Functions.

BACKGROUND

Council Policy 5.4.5 relating to the Policy Manual states in part:

“All Policies shall be reviewed on an annual basis and a report presented to Council depicting proposed changes, if any, in the month of August.”

A memorandum, dated 21 June 2002 was forwarded to Councillors and staff seeking comment in relation to proposed amendments to existing policies, which resulted in the need for a number of changes being identified.

DISCUSSION

As part of the review process Governance policies identified for amendment were forwarded to all Councillors, appended to the Communications Portfolio Agenda, on 24 July 2002.

At the meeting of that Portfolio on 30 July 2002 the proposed changes were discussed at length resulting in additional minor amendment being identified. All such changes have been included in the policies contained within Appendix. 12.6.1A.

In addition to these policies the Infrastructure Directorate has for some time been conducting a review of Fees and Charges which incorporates a number of policies, the responsibilities for management of which lies with that Directorate. Those policies will be addressed in a separate report to Council in the near future. Likewise Planning policies are currently being reviewed to bring them in line with SafeCity Urban Design Strategy and will be presented to Council at a later date.

Further, in order to take into account the organisational restructure that has taken place throughout the past twelve months it would be prudent in this annual review to restructure and renumber the Policy Manual to address such changes. Rather than identify every individual change in this report it will simply be recommended that the Manual be reformatted and numbered to reflect the current management structure.

For clarity amendment to policies contained within Appendix 12.6.1A is identified by a line through wording to be deleted e.g. ~~Secretary~~ with the substituted or additional wording being in bold italics e.g. *Personal Assistant*.

Policy No.	Title	Amend	Revoke	Reason
3.2.2	Community Sponsorship	✓		Amend the clause under the heading “Community Sponsorship Program Categories” by 1. Deleting all words in the first line. 2. Deleting the words “The allocation is broken down into” where they appear in the second line of the first paragraph and substituting them with the words “Community Sponsorship applications will be considered under”. 3. Deleting any reference to dollar values as these may be amended from time to time throughout the year. The actual sponsorship allocations are adopted by Council in July of each year with the budget.
3.3.2	Hire of City Community Information Banner Sites	✓		Amend sub-clause 2.1 by deleting the words “to a flat rate of \$370 per period (to cover installation and removal costs)” as they appear in the first sentence and substituting them with “to payment of the fee adopted from time to time by Council”.
3.5.3	Hazard Management and Prescribed Burning	✓		Amend by deleting reference to Fire Prevention Officer as that title is no longer relevant for the City.
5.1.2	General Appearance of Buildings		✓	The provisions of this Policy are now adequately addressed in the Residential Design Codes and the Residential Urban Design Policy and as such it could be deemed obsolete.

Policy No.	Title	Amend	Revoke	Reason
5.1.5	Footpaths – Builders Crossovers		✓	Policy considered obsolete. As the current trend is for insitu paths which are not practical to remove on a temporary basis. As security bonds are taken with building licenses to cover damage by builders to paths this policy is no longer warranted.
5.1.12	Sign Policy – Advertising Commercial Signs Within Council Reserves	✓		Amend to recognise the transfer in responsibility for the management of this policy from Building Services to City Facilities. Amend Clause 1 by the inclusion of the words “in writing” after the word “submitted” where it appears in the second line.
5.1.20	Fencing Within Front Setbacks in Residential Areas	✓		Amend to accord with the provisions of the “SafeCity Urban Design Strategy” by deleting the words “one third” where they appear under “Note” in Clause 3 and substitute them with “50%”.
5.3.1	Rangers – Infringement Notices		✓	The provisions of this policy are more than adequately covered by authorisations and delegations of authority to relevant staff.
5.3.9	Alcohol Policy	✓		Amend under “Assessment Criteria” to reflect industry terminology and provide clarity to criteria.
5.3.10	Collection and Disposal of Improperly Discarded Sharps in Public Places	✓		Minor amendment to provide clarity and deletion of reference to the “Alcohol and Drug Information Service (ADIS)” in the policy appendix.
5.4.1	Annual Electors Meetings	✓		To more accurately define the purpose for and location of the meeting and bring forward the meeting date to November.
5.4.5	Policy Manual	✓		Substantial expansion of this policy has been carried out in order to more clearly outline the purpose for and processes to be adopted when amending existing or developing new policies.
5.4.8	Composite Photograph – Councillors/Executive Staff	✓		Amend to address two year election cycle as well as the possibility of extraordinary elections and resignation of staff.
5.4.9	Administration Centre –	✓		To better clarify the intent of the

Policy No.	Title	Amend	Revoke	Reason
	Booking of Meeting Rooms			Policy, amend obsolete position titles and renumber.
5.4.10	Code of Conduct for Council Members and Staff	✓		Amend Clause 2.4 in order to better define the meaning of "token gifts" and Clause 3.7 to provide clear direction as far as relationships between members and staff are concerned. Renumber clauses.
5.4.12	Conferences/ Study Tours/ Training Workshops	✓		Amend Clause 2 to better clarify expense provisions. Amend Clause 3 to bring it in line with current practice of reports being presented as Information Items and the reporting period from 30 to 60 days to provide attendees greater time to prepare their report. Include new paragraph under Clause 6 to limit members from attending further events if reports not submitted. Renumber clauses.
5.4.13	Order of Precedence	✓		Amend terminology to reflect that contained within the Local Government Act as well as the new title for Western Australian Local Government Association.
5.4.14	Advisory Committee	✓		Amend Clause 1 to provide better guidance for the provisions required before establishing advisory committees. Amend Clause 4 to provide for the attendance of non-committee members at meetings. Amend Clause 7 to ensure members of advisory committees are conversant with the fact that they are not in a position to expend Council funds or initiate action without a Council resolution. Amend Clause 9 by including two additional sub-clauses to prescribe for the benefit of staff the requirement for agendas and minutes. Delete Clause 10 Financial Interests and substitute it with a new Clause 10 which defines in more detail the requirements for

Policy No.	Title	Amend	Revoke	Reason
				financial and impartiality interests. Amend the order of Clause 11 to better reflect meeting processes. Re-number clauses.
5.4.21	Question Time and Public Statements at Council Meetings	✓		Delete the word "procedure" where it appears in the first line of the last paragraph and substitute it with the word "guidelines" to more accurately reflect the document in place.
5.4.22	Council Meetings – Digital Recording of Proceedings	✓		Amend to more clearly define the process by which access to recordings can be obtained and reflect change in technological advances.
5.4.23	Elected Member Allowances and Expenses	✓		Amend by including a new paragraph under sub-clause 1.4.3 covering maintenance of equipment. Amend sub-clause 2.1.5 by deleting the words "as a representative of" and substituting it with the words "attended whilst deputising for" to better reflect the intent. Inclusion of a new Clause 6 Medical Expenses to satisfy the provisions of Resolution 237 of the Ordinary Council Meeting held on 9 April 2002.

Explanation supporting the more extensive proposed amendments is outlined as follows:

Policy 5.4.1 – Annual Electors Meeting

Staff have for some time been endeavouring to put processes in place that would enable the convening of the Annual Electors Meeting earlier than seven months after the close of the financial year which has been the case in the past.

Adoption of the 2002/2003 budget by Council on 1 July 2002 has enabled the circumstances to be reviewed, the outcome of which is the proposal for amendment of the policy to reschedule the Annual Electors Meeting to the fourth Monday in November each year. In addition minor amendment has been proposed for the policy to more accurately define its purpose.

Policy 5.4.5 – Policy Manual

Substantial expansion of this policy is proposed in order to more clearly outline for Councillors and staff the purpose for and processes to be adopted when amending existing or developing new policies. The original content of this policy is retained but expanded upon.

Policy 5.4.8 – Composite Photograph – Councillors/Executive Staff

It is proposed this policy be amended to address the biennial election cycle while at the same time taking into account the need for additional photographs brought about by the conduct of extraordinary elections or the resignation of Executive staff.

Policy 5.4.10 – Code of Conduct Council Members and Staff

It is proposed Clause 2.4 Gifts and Bribery be deleted in its entirety with a new clause substituted in its place.

At the time of amendment to the Local Government (Administration) Regulations 1996 which required the inclusion within a Council's Code of Conduct provision for the receipt of "token gifts", personnel from the Department of Local Government were reluctant to provide guidance as an acceptable value of such gifts.

During the recent assessment of the management practices of the City, by an officer of the Department of Local Government and Regional Development, it was suggested this policy required review as the dollar value contained within was considered inappropriate. The amendment to this section of the policy has been carried out in accordance with the direction from that officer.

Clause 3.7 be deleted and substituted with a reworded clause that outlines in more detail the expected relationship between elected members and staff. Renumber individual clauses.

Policy 5.4.12 – Conferences/ Study Tours/ Training Workshops

Clause 2 – A range of amendments are proposed for this clause in order to provide greater clarity in the interpretation of accommodation, meals and incidental expenses.

In addition amendment of Clause 3 is proposed to bring the reporting requirement in line with current day practices and allow an increase in the time frame for providing reports on conferences as Information Items.

Further, at the Communications Portfolio Briefing held on 30 July 2002 it was proposed an additional paragraph be included within Clause 5 Nominations, in order to limit the ability of Councillors attending additional conference where they have not submitted a report in accordance with the provisions of Clause 3. Renumber individual clauses.

Policy 5.4.14 – Advisory Committees

Clause 4 – It is proposed sub-clause 4.2 be amended to include the words “including Councillors” in order to provide clear indication to committee members that attendance by anyone other than members is only in the capacity of an observer.

Include an additional sub-clause 4.3 to provide guidance to a committee seeking to invite non members to a meeting.

Amend Clause 7 to identify to members of advisory committees that they are not in a position to expend Council monies or initiate action without specific resolution of Council.

Include two additional sub-clauses under Clause 9 to identify the processes for Agenda and Minute preparation.

Clause 10 – On legal advice it is proposed this clause be deleted in its entirety and substituted with clauses containing expanded detail on the requirement for financial and impartiality interests.

Reorder and renumber individual clauses.

Policy 5.4.22 – Council Meetings – Digital Recording of Proceedings

Minor amendment is proposed throughout in order to make it very clear what can and cannot be provided.

In recent times a number of requests have been received for printed transcripts of the proceedings of meetings. This is not the intent for which recordings were initiated and to sanction it would be a drain on staff resources.

Policy 5.4.23 – Elected Member Allowances and Expenses

It is proposed a new paragraph C). be included under sub-clause 1.4.2 to prevent individuals carrying out maintenance to Council equipment that may negate warranties.

Amend sub-clause 2.1.5 to better clarify the intent.

Include a new Clause 6. Medical Expenses to satisfy the provisions of Resolution 237 of the Ordinary Council Meeting held on 9 April 2002.

Proposed New Policy – Deputising for the Mayor at Functions

On reviewing the policies and those of other local governments it was identified the City does not have in place a documented protocol to address the appointment of a deputy to represent the Mayor at official functions when she or he is not available.

Subsequently a draft policy has been prepared for the consideration of Council.

While in essence the process outlined within this draft policy has been followed in the past the documentation of a protocol will provide clear direction for all.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION

Moved Cr S Moss Seconded Cr A Pisano

That Council, following the annual review of policies in accordance with Council Policy 5.4.5, adopt the amendments contained within Appendix 12.6.1A to the following policies:

Policy No.	Policy
3.2.2	Community Sponsorship
3.3.2	Hire of City Community Information Banner Sites
3.5.3	Hazard Management and Prescribed Burning
5.1.12	Sign Policy – Advertising Commercial Signs Within Council Reserves
5.1.20	Fencing Within Front Setbacks in Residential Areas
5.3.9	Alcohol Policy
5.3.10	Collection and Disposal of Improperly Discarded Sharps in Public Places
5.4.1	Annual Electors Meetings
5.4.5	Policy Manual
5.4.8	Composite Photograph – Councillors/Executive Staff
5.4.9	Administration Centre – Booking of Meeting Rooms
5.4.10	Code of Conduct for Council Members and Staff
5.4.12	Conferences/ Study Tours/ Training Workshops
5.4.13	Order of Precedence
5.4.14	Advisory Committee
5.4.21	Question Time and Public Statements at Council Meetings
5.4.22	Council Meetings – Digital Recording of Proceedings
5.4.23	Elected Member Allowances and Expenses

9.51pm - Cr O Searle left the meeting.

9.54pm – Cr O Searle returned to the meeting.

Amendment

During debate Cr MD Devereux moved the following amendment to the staff recommendation to enable further amendment to Policy 5.4.14 Advisory Committees, and provided the following reason:

“To allow elected members to attend Committee Meetings, where they will be able without restriction, to represent the interests of the Community. The Local Government Act requires elected members to represent the interest of the ratepayers etc of the District and therefore there is an obligation placed upon them to comply with this requirement.

The Community has a right for their Advocate to attend any Committee Meeting, where they are able, without restriction, to represent their interests and voice the concerns of their constituents.”

Moved Cr MD Devereux Seconded Cr S Moss

That the staff recommendation be amended by inserting the following words at the end of the recommendation:

“subject to proposed Clause 4.2 of Policy 5.4.14 being deleted and substituted with the following Clause 4.2(a):

“That elected members, not being members of the Committee, may attend the Meetings, where they may ask questions, make statements and enter into the debate but not be permitted to move, second or cast a vote with respect to any Motion.”

CARRIED 8/3

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr O Searle and Cr S Moss.

AGAINST: Cr R Mitchell, Cr A Pisano and Cr PM Morris.

Amendment

During debate Cr MD Devereux moved the following amendment to the staff recommendation to enable further amendment to Policy 5.4.14 Advisory Committees, and provided the following reason:

“To allow members of the public to attend Committee Meetings, where they will be permitted to exercise the same rights and privileges as they do at Ordinary Council Meetings.

We are all aware that Advisory Committee Meetings are structured on the Ordinary Council Meeting program. If this Motion is supported the transition of Advisory Committee Meetings onto the same structure of that of Ordinary Council Meetings will be complete.

At a recent Training Session attended by other Councillors of the City and myself it was stated by those present that they supported that all Committee Meetings are open to the public thereby preventing the perception of secret agendas.

If I can recall correctly one Councillor stated if the public is prevented from attending Committee Meetings then the perception is 'what have you got to hide?'.

I do not infer that there is anything to hide but we all too well know about perceptions being stronger than fact."

Moved Cr MD Devereux Seconded Cr S Moss

That the staff recommendation be further amended by inserting the following words at the end of the recommendation:

"and inclusion of an additional Clause 4.2(b) to Policy 5.4.14 which reads:

"That members of the public, not being members of the Committee may attend Committee Meetings but are to be confined to asking questions and making statements during the designated public question and submission time, in compliance with Ordinary Council Meeting Rules."

LOST 4/7

FOR: Cr MD Devereux, Cr AJ Smith, Cr NJ Smith and Cr S Moss.

AGAINST: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr R Mitchell, Cr O Searle, Cr A Pisano and Cr PM Morris.

Amendment

During debate Cr C Matison moved the following amendment to the staff recommendation to enable further amendment to Policy 5.4.14 Advisory Committees, and provided the following reason:

"The Chief Executive Officer would not always be present at Advisory Committee Meetings."

Moved Cr C Matison Seconded Cr S Iwanyk

That the staff recommendation be further amended to enable an additional amendment to Policy 5.4.14 by inserting the following words at the end of the recommendation:

"inclusion of the words "/Presiding Member" after the words "Chief Executive Officer" where they appear in Clause 10."

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

Amendment

During debate Cr AJ Smith moved the following amendment to the staff recommendation to enable amendment to Policy 5.4.12 Conferences/Study Tours/Training Workshops, and provided the following reason:

“The amendment to this Policy will bring it into line with the State Public Service Award (on which it is based) as stated in Paragraph 1 sub-heading (iv).

The Public Service Board advises that they do not have a firm interpretation of “Incidental Expenses” as their Award includes the words “such as” thereby permitting other items to be included as “Incidentals”.”

Moved Cr AJ Smith Seconded Cr MD Devereux

That the staff recommendation be further amended inserting the following words at the end of the recommendation:

“deleting the words “Incidental expenses shall be interpreted as reasonable expenses incurred by the delegate for” where they appear in the sixth paragraph of Clause 2 of Policy 5.4.12 and substituting them with the words “Delegates shall be afforded reasonable incidental expenses such as”.

LOST 5/6

FOR: Cr C Matison, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith and Cr O Searle.

AGAINST: Cr S Iwanyk, Cr J Brown, Cr R Mitchell, Cr A Pisano, Cr S Moss and Cr PM Morris.

The amendments were put with those carried being included in the substantive motion. The Mayor then put the substantive motion, which reads:

COUNCIL RESOLUTION

711 Moved Cr MD Devereux Seconded Cr C Matison

“That Council, following the annual review of policies in accordance with Council Policy 5.4.5, adopt the amendments contained within Appendix 12.6.1A to the following policies:

Policy No.	Policy
3.2.2	Community Sponsorship
3.3.2	Hire of City Community Information Banner Sites
3.5.3	Hazard Management and Prescribed Burning
5.1.12	Sign Policy – Advertising Commercial Signs Within Council Reserves

5.1.20	Fencing Within Front Setbacks in Residential Areas
5.3.9	Alcohol Policy
5.3.10	Collection and Disposal of Improperly Discarded Sharps in Public Places
5.4.1	Annual Electors Meetings
5.4.5	Policy Manual
5.4.8	Composite Photograph – Councillors/Executive Staff
5.4.9	Administration Centre – Booking of Meeting Rooms
5.4.10	Code of Conduct for Council Members and Staff
5.4.12	Conferences/ Study Tours/ Training Workshops
5.4.13	Order of Precedence
5.4.14	Advisory Committee
5.4.21	Question Time and Public Statements at Council Meetings
5.4.22	Council Meetings – Digital Recording of Proceedings
5.4.23	Elected Member Allowances and Expenses

subject to proposed Clause 4.2 of Policy 5.4.14 being deleted and substituted with the following:

“That elected members, not being members of the Committee, may attend the Meetings, where they may ask questions, make statements and enter into the debate but not be permitted to move, second or cast a vote with respect to any Motion”;

inclusion of the following words “/Presiding Member” after the words “Chief Executive Officer” where they appear in Clause 10”.”

CARRIED 10/1

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Cr MD Devereux.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

712 Moved Cr S Moss Seconded Cr A Pisano

“That Council, following the annual review of policies in accordance with Council Policy 5.4.5, revoke the following policies as their provisions are now adequately covered by either legislation, other policy or formal agreement:

Policy No.	Policy
5.1.2	General Appearance of Buildings
5.1.5	Footpaths – Builders Crossovers
5.3.1	Rangers – Infringement Notices

CARRIED BY ABSOLUTE MAJORITY 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

713 Moved Cr S Moss Seconded Cr A Pisano

“That Council authorise the Policy Manual and policies contained therein be reformatted and numbered to reflect the current management structure of the City.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

714 Moved Cr S Moss Seconded Cr A Pisano

“That Council adopt the new Policy “Deputising for the Mayor at Functions” as contained in Appendix 12.6.1B.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

12.6.2 DELEGATION OF AUTHORITY - REVIEW

File: A1/3/1

(TP) Rpt065Aug02

PURPOSE OF REPORT

To review Delegations of Authority made under the various statutes to the Chief Executive Officer and other relevant staff.

BACKGROUND

Since the adoption of the Local Government Act 1995 Council, pursuant to Section 5.42 of Division 4 of Part 5 of that Act, has delegated the exercise of its statutory powers and duties to the Chief Executive Officer the form of some 41 delegations relating to the day to day operations of the local government.

The current delegations are as follows:

1. Payment of Accounts
2. Investment of Funds
3. Tenders – Calling Of
4. Tenders – Acceptance Of
5. Contracts
6. Contract Variations
7. Donation Requests
8. Legal Proceedings
9. Media Statements
10. Impounded Vehicles
11. Reimbursement of Councillors Expenses
12. Council Purchase Orders
13. Debtors
14. Recovery of Rates and Service Charges – Leased Properties
15. Traders Licences
16. Building Plans and Specifications
17. Footing Design
18. Relocatable Houses
19. Sign Applications
20. Stopping Unlawful Building Works
21. Certificate of Classification
22. Dangerous Building Notices
23. Temporary Road Closures
24. Street Parties
25. Special Fire Hazard Abatement Orders
26. Service Acknowledgment
27. Fencing On A Truncation Less Than 8.0 Metres
28. Community Information Banner Sites
29. Overgrown Vegetation, Rubbish Or Disused Materials
30. Acquisition and Disposal of Real Estate
31. Expressions of Interest/Calling of Tenders

32. Write Off of Debts
33. Fire and Emergency Service Authority Training Courses
34. Parking and Parking Facilities Local Laws 2000 – Appointment of Authorised Persons
35. Fencing Local Laws 2000 – Appointment of Authorised Persons
36. Property Local Law 2000 – Appointment of Authorised Persons
37. Health Local Law 2000 – Appointment of Authorised Persons
38. Dogs Local Laws 2000 – Appointment of Authorised Persons
39. Notice of Required Alteration
40. Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000 – Appointment of Authorised Persons
41. Town Planning Scheme No. 6 – Appointment of Authorised Officers

In addition to those listed above, further delegations to specific officers made under the Local Government Act and other statutes have been adopted, these being:

101. Dangerous Trees
102. Sand Drift
103. Caravan and Camping Grounds – Camping
104. Caravan and Camping Grounds – Occupation of Caravans
105. Caravan and Camping Grounds – Park Homes
106. Caravan and Camping Grounds – Annexes
107. Closure of Food Premises
108. Unfit for Habitation
109. Nuisance Orders
110. Food Standards
111. Public Buildings
112. Sewer Connection
113. Provision of Sanitary Conveniences
114. Eating House Licences
115. Itinerant Vendors Licence
116. Offensive Trade Licence
117. Legal Proceedings – Health Act 1911 (As amended)
118. Prohibited Burning Times
119. Fire Hazard Abatement Orders
120. Service Acknowledgment
121. Strata Title Certificates
122. Planning Approvals
123. Radio Masts
124. Occasional Liquor Licences, Function Permits
125. Applications to Conduct Gaming Activities
126. Impoundment of Signs
127. ~~Mobile Rubbish Bins~~ Revoked – Resolution 953 OCM 13/11/2001
128. ~~Rubbish Receptacle Enclosures~~ Revoked – Resolution 952 OCM 13/11/2001
129. Local Government (Parking for Disabled Persons) Regulations 1988 – Administration of
130. City of Gosnells Health Local Laws 1999 (General)
131. City of Gosnells Health Local Laws 1999 (Fire Management)
132. City of Gosnells Health Local Laws 1999 (Waste Management)

DISCUSSION

A review of the above delegations has revealed that with the exception of Delegations 12, 15, 27, 29, 33, 37, 104, 110, 115, 120, 122, 123, 124, 131 and 132 all are current, do not require amendment and their retention is necessary to ensure the efficient on-going operation of the City.

In relation to the fifteen (15) delegations referred to above all but numbers 15, 115 and 120 require minor amendment to correct typographical errors or reflect either policy or positional changes within the organisation and industry.

It will therefore be recommended that the review of the delegations be received and all current delegations be retained subject to minor amendment to Delegations 12, 27, 29, 33, 37, 104, 110, 122, 123, 124, 131 and 132.

In relation to Delegation 15, 115 and 120 it will be recommended they be revoked as they are adequately addressed elsewhere within the Delegation Register.

These delegations relate to:

Number	Title	Delegation
15	Traders Licenses	This delegation refers to Local Laws relating to hawkers, stallholders and trading in public places which have subsequently been repealed. The adoption by Council of the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000 in 2001 resulted in Council adopting Delegation 40 of the same title which provides for the administration of this local law.
115	Itinerant Vendors Licenses	The adoption of the City of Gosnells Health Local Laws and Delegation 130 of the same title has brought about a duplication in the delegations and as such it is considered 115 is no longer warranted.
120	Service Acknowledgement	For some reason over the years there appears to have been a duplications of the Service Acknowledgement delegation with it appearing as both 26 and 120 in the Register. It is therefore proposed to delete 120.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

715 Moved Cr J Brown Seconded Cr A Pisano

“That Council receive the report on the 2002 review of Delegations of Authority to the Chief Executive Officer and relevant staff members with delegations 1-14, 16-41, 101-114, 116-119 and 121-132 contained within Councils Delegation Register being retained subject to the following amendments:

No.	Title	Delegation
12	Council Purchase Orders	Delete Purchasing Clerk and Stores Clerk. Substitute with Purchasing Officer
27	Fencing on a Truncation Less Than 8.0 Metres	Amend the title to read “Fencing with Front Setbacks in Residential Areas” to reflect the amended policy adopted by Council on 28 August 2001. Delete reference to Policy 5.1.17 and substitute it with “Policy 5.1.20”.
29	Overgrown Vegetation, Rubbish or Disused Materials.	Delete the wording under the heading “Legislation” which reads “Local Laws relating to the removal of refuse, rubbish, litter and disused materials” as these local laws have been repealed
33	Fire and Emergency Services Authority Training Courses	Delete reference to Director Community Services and substitute with Director Regulatory Services.
37	Health Local Law 2000 – Appointment of Authorised Persons	Delete the numerals “2000” where they appear in the title and body of the delegation and substitute them with “1999” to correct a typographical error.
104	Caravan and Camping Grounds – Occupation of Caravans	Under the heading “Legislation” delete the numerals “12” and substitute “11” to correct a typographical error.
110	Food Standards	Delete reference to the “Australian Food Standards Code” and substitute it with words “Food Standards Australia New Zealand” to recognise recent industry change. Under the heading “Legislation” delete “Section 246P”.
122	Planning Approvals	Delete reference to “Executive Manager Planning and Development” and “Manager Planning Services” and substitute “Director Planning and Sustainability” and “Manager City Planning”.
123	Radio Masts	Delete reference to “Executive Manager Planning and Development” and “Manager Planning Services” and substitute “Director Planning and Sustainability” and “Manager City

No.	Title	Delegation
		Planning”.
124	Applications to Conduct Gaming Activities	Delete reference to “Executive Manager Planning and Development” and “Manager Planning Services” and substitute with “Director Planning and Sustainability” and “Manager City Planning”.
131	City of Gosnells Health Local Laws 1999 (Fire Management)	Delete reference to “Manager Fire and Emergency Services” and substitute with “Manager Emergency Services”.
132	City of Gosnells Health Local Laws 1999 (Waste Management)	Delete reference to “Manager Waste Services” and substitute with “Manager Engineering and Waste Services”.

CARRIED BY ABSOLUTE MAJORITY 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

716 Moved Cr J Brown Seconded Cr A Pisano

“That Council revoke the following delegations from the Delegation Register as they are adequately addressed elsewhere in that Register.

- Delegation 15 – Traders Licenses
- Delegation 115 – Itinerant Vendors Licences
- Delegation 120 – Service Acknowledgement ”

CARRIED BY ABSOLUTE MAJORITY 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

12.6.3 CITY OF GOSNELLS – FESA BUSH FIRE SERVICES REVIEW

File: O1/39

(TP)

Rpt066Aug02

Appendix: 12.6.3A Report and Attachments from City of Gosnells – FESA Bush Fire Services Review

PURPOSE OF REPORT

For Council to receive the report and consider the recommendations made under a review by the City of Gosnells and the Fire and Emergency Services Authority (FESA) in respect to the future delivery of fire services in the City of Gosnells.

BACKGROUND

Staff of the City of Gosnells and FESA have been discussing the future management options for the volunteer Bush Fire Brigade within the City since late 2001.

Given increasing community expectations of service delivery, the need to manage risk appropriately and the need to maintain the spirit of volunteerism, it was agreed by senior FESA and City of Gosnells personnel that a thorough review of the City's Bush Fire Services was overdue.

Accordingly, it was determined that FESA undertake a review based upon mutually agreed Terms of Reference and provide the City with a report detailing a range of actions and recommendations to enhance future service delivery. The report canvassed the views of City of Gosnells Bush Fire Brigade personnel, stakeholders including Council's representative on the Local Emergency Management Advisory Committee and staff, the Friends of Ellis Valley, CSR Quarry, FESA staff and volunteers.

Under the current Bush Fires Act the City of Gosnells is responsible for fire prevention, preparedness, response and recovery services within its boundaries for those areas that fall outside the Gazetted Fire District. This is an area to the east of Tonkin Highway covering approximately forty one square kilometres. This area has a population of approximately two thousand persons, contains five hundred and forty residences and a small number of commercial operations.

Fire response in that area is, and has for many years been, provided by volunteer personnel made up largely of Council employees during business hours and by forty volunteer bush fire brigade members at all other times.

DISCUSSION

The review was undertaken in two broad phases – the first involving research, and the second data/information analysis and report writing. During the first phase, a great deal of information was gathered as to the background to the project and the Brigade. Stakeholders were identified and interviews and/or meetings were arranged. A structured approach to gathering information was developed, based on a three-part questionnaire. The questionnaire was used as a guide during meetings and interviews and as a means of recording responses. Appendix 2 of the report details the contacts

made during the course of the review. Office based analysis and data/information summary then formed the basis of the report.

Following the release of the draft report on the review, a briefing on the findings was presented by the author of the document, Mr Mal Constedt of FESA, to available Councillors, Executive and volunteer fire personnel in the Reception Room of Council's Administration Building on 17 July 2002.

The report contains a series of 12 recommendations which are reprinted and commented upon as follows:

Recommendation 1

“That a formal agreement regarding FESA and City of Gosnells roles, resource and commitments be implemented as soon as possible. The City's Emergency Services Manager should be an integral part of the development and implementation of the agreement.”

The establishment of a formal agreement between the City and FESA will ensure a strategic approach to emergency services within the City. The agreement should ensure better utilisation of limited resources by both state and local government.

It is imperative that the City's Manager Emergency Services is involved in the development and implementation of the agreement in order to safeguard the interests of not only our volunteer services but the community as a whole.

Recommendation 2

“That FESA and the City initiate a review, in consultation with Brigade members, of the Brigades structure, ranks and functional positions required, with a view to streamlining, simplifying and improving Brigade decision making efficiency and effectiveness.”

During the review the author of the report identified what he perceived as inefficiencies in the structure of the Bush Fire Brigade (BFB) suggesting that the distinction between rank and function could be easily confused. Preliminary discussion has been held with members of the Brigade who have responded positively to the proposed changes identified.

Recommendation 3

“That the CBFCO and Brigade, in partnership with FESA district and community safety staff, develop appropriate prevention and preparedness strategies that align with FESA's strategic direction and recognises the needs of the community served.”

(Note: CBFCO – Chief Bush Fire Control Officer)

The City has a well documented fire prevention plan in place which describes the risks within the City and arrangements for the management. The report identifies the need to

implement prevention and preparedness programs to further complement that plan, with members of the brigade being an integral part of the development and implementation of such programs.

The implementation of prevention programs and their subsequent adoption by members of the community is imperative to ensure the reduction of risks to life and property for residents within our bush fire district.

Recommendation 4

“That the City assess the current day time response capability of the Brigade and work with FESA Fire Service Managers to develop and implement a recruitment strategy to close any identified gaps.”

The report looks closely at the proximity of the BFB to the career FESA station in Maddington identifying similar response areas for each unit. It correctly identifies the volunteer service could be further enhanced by the recruitment of additional volunteers through improved strategies.

Recommendation 5

“That the City incrementally establishes a Brigade roster that extends over 24 hours/7 days and simultaneously de-establishes the day crew arrangements.”

The “Day Crew” volunteers referred to relates to a group of Council employees from both the Operations Centre and the Administration Building who volunteer their services for bush fire duties during business hours when personnel from the volunteer BFB are not available.

In addition over the years it has been practice to have these personnel on standby between their normal hours of knock off and 5.00pm when volunteers are generally available to attend call out. A change in volunteers and their availability has in many cases seen the necessity for this standby to be reduced.

It is considered with proposed improved recruitment strategies and membership drives, over a period of time, the volunteer base could be extended to such that it would be in a position to service the community on a full time basis.

Those employees of the City would, if they so desired, still be considered as volunteers and if the need arose be deployed to attend outbreaks of fire during normal business hours.

The intent of the recommendation is to better coordinate the volunteer base that is available to the City in order to maximise the resources that are available to it.

Recommendation 6

“That the Brigade’s regional support role be recognised as a primary strength and it be considered for inclusion in a broader range of regional plans.”

During the review it was clearly identified that the City’s BFB is highly regarded throughout the region due to the quality of the resources, personnel and training provided. It is considered because of the location of the Brigade and the skills contained within, they are an ideal regional resource to back up outer metropolitan local governments in times of need.

Recommendation 7

“That FESA FRS is mobilised to all fires within the City of Gosnells where life, structures, vehicles or other property values are reported to be threatened. The Brigade should also always be simultaneously mobilised to fire incidents within their area of responsibility.”

(Note: FESA FRS – Fire and Emergency Services Authority Fire Rescue Service)

This recommendation is simply formalising a practice that has been in place in more recent years due largely to the improved relationship between both the career and volunteer services. Indication from the volunteers suggests that they are well respected on the fire ground by their career colleagues.

Recommendation 8

“That the City address the SWOT issues through the implementation of a FESA/City MOU and the associated business planning of FESA Fire Services Perth South.”

(Note: MOU – Memorandum of Understanding)

As part of the review process the strengths, weaknesses, opportunities and threats (SWOT) of the volunteer BFB were addressed by all persons interviewed with the key issues emerging as follows:

- The Brigade is regarded as professional and competent by stakeholders.
- The Brigade is well resourced within the City.
- The volunteer recruitment and retention is regarded as problematic and requiring attention.
- Brigade facilities are in need of attention.
- The Brigade and some stakeholders are desirous of expanding the Brigades competencies and role, including integration with FESA SES.
- There is a perception that some Brigade roles may be removed or limited in the future.

In the interests of providing an efficient service to members of the community it will be necessary to address these issues with the method proposed in the recommendation being the establishment of a memorandum of understanding between the two agencies.

The adoption of a formal document of this nature would establish clear guidelines as to the roles and responsibilities and resource requirements for both agencies. It should further provide for better resource allocation by the reduction for the need of duplication of services.

Recommendation 9

“That consideration be given to closer operational and administrative integration of the Brigade and FESA SES leading to the creation of a FESA unit.”

Currently the City of Gosnells BFB and the SES are two totally separate entities of volunteers operating within the community. The integration of emergency services within the State in more recent times provides the impetus for amalgamating these two groups with a view to enhancing the services provided by the limited volunteer resource.

During the interviews of volunteer personnel it became apparent that members were looking to expand their knowledge base and gain greater skills in the emergency services area. Repetition and lack of actual fire ground activities was identified as one of the possible reasons for difficulty in retaining volunteers.

The amalgamation of the two services would provide all involved a diverse range of activities and skills base which should assist in the long term retention of members.

Recommendation 9

“That the City consult with FESA and the Brigade concerning the proposed City Depot facility review and its impact on the Brigade/FESA SES facilities.”

The justification for the Brigade in its current location is questioned in the report in light of the close proximity to the Maddington FESA station. It was suggested by some that there was need for a new station situated more central to the fire district. It is considered that the Maddington/Kenwick Strategic Review will take into account the strategic benefit of the current Council Depot which incorporates the Bush Fire Brigade and SES facilities.

Recommendation 11

“That closer management ties with FESA be developed and implemented through a City/FESA Memorandum of Understanding (MOU). The MOU should provide the formal and agreed basis for mutual responsibilities and commitments in terms of service delivery, resourcing and brigade management.”

As previously indicated the establishment of a MOU offers benefit to FESA, the City and members of the district who volunteer their services to assist the community in times of fire and emergency.

There are certain provisions contained within the draft memorandum of understanding, attached as Appendix 12.6.3A that require refining however it is considered that through negotiation this can be achieved thus providing benefit to all concerned.

Recommendation 12

“That a position be established with FESA Fire Services Perth South for the purposes of implementing and maintaining the MOU and associated Service Delivery Plan. The draft MOU and Service Delivery Plan are attached for endorsement. The position should be the City’s appointed CBFCO, being encompassed within the FESA management structure and be jointly funded.”

The intent of this recommendation has merit however, as previously indicated there are certain areas that require refinement within the MOU prior to the City formally agreeing to this proposal.

The concept of Council’s Manager Emergency Services being encompassed within the FESA management structure would provide for greater integration of emergency services within the district. However this should only be agreed on the basis that FESA provide an unequivocal commitment to the ongoing management of the volunteer Bush Fire Brigade and the SES within the City being contained within the FESA management structure. This aspect however can be addressed during the refinement of the MOU.

The sharing of the Manager Emergency Services position will offer cost savings to the City as FESA have indicated a willingness to subsidise the position along with vehicle operating costs on a 50/50 basis.

FINANCIAL IMPLICATIONS

The adoption of the report and recommendations contained within will offer the City financial savings as the MOU commits FESA to funding 50% of the cost of the Manager Emergency Services and the operation of his vehicle. The extent of the savings will be entirely dependent upon the formalisation of the agreement and timing of the transfer.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
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717 Moved Cr A Pisano Seconded Cr S Moss

“That Council receive the City of Gosnells/FESA Bush Fire Services Review June 2002 conducted by Mr Mal Cronstedt of the Fire and Emergency Services Authority, as contained in Appendix 12.6.3A.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

718 Moved Cr A Pisano Seconded Cr S Moss

“That Council adopt the recommendations contained within the report on the City of Gosnells/FESA Bush Fire Services Review and the Director Regulatory Services be authorised to negotiate with the Fire and Emergency Services Authority amendment of the Memorandum of Understanding and Service Delivery Plan to ensure the interests of the City are protected.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

719 Moved Cr A Pisano Seconded Cr S Moss

“That Council be provided with a quarterly report clearly outlining the progress with the implementation of all items identified within the Service Delivery Plan.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**13.1 REFERENDUM TO ABOLISH WARD BOUNDARIES – REPORT REQUEST**

The following motion was proposed by Cr MD Devereux during “Notices of Motion for Consideration at the Following Meeting” at the Ordinary Council Meeting held 13 August 2002 for inclusion in “Motions for Which Previous Notice Has Been Given” of the 27 August 2002 Ordinary Council Meeting.

MOTION

That Council seek a report on the possibility of conducting a referendum in conjunction with the 2003 local government elections, to enable the electors of the District to be canvassed on the issue of abolition of ward boundaries within the City.

COUNCILLOR COMMENT

To provide the community the opportunity to have a say in whether they consider the City should maintain ward boundaries or abolish them.

Should the majority be in favour of dispensing with boundaries then the new process could be adopted in time for the 2005 local government elections.

In the interim staff could liaise more closely with the Local Government Advisory Board with the view to implementing policy changes to negate the need for a total spill of Councillors in the event a local government resolves to abolish boundaries.

If this negotiation is not successful, candidates in the 2003 elections could be made aware at time of nomination that if the community were to vote in favour of the abolition of boundaries then their term may only be for a two year period.

COUNCIL RESOLUTION

720 Moved Cr MD Devereux Seconded Cr NJ Smith

“That Council seek a report on the possibility of conducting a referendum in conjunction with the 2003 local government elections, to enable the electors of the District to be canvassed on the issue of abolition of ward boundaries within the City.”

CARRIED 8/3

FOR: Cr S Iwanyk, Cr C Matison, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle and Cr A Pisano.

AGAINST: Cr J Brown, Cr S Moss and Cr PM Morris.

13.2 WARD BOUNDARIES – ABOLITION OF – REQUEST FOR REVIEW OF ADVISORY BOARD POLICY

The following motion was proposed by Cr R Mitchell during “Notices of Motion for Consideration at the Following Meeting” at the Ordinary Council Meeting held 13 August 2002 for inclusion in “Motions for Which Previous Notice Has Been Given” of the 27 August 2002 Ordinary Council Meeting.

MOTION

That this Council lobby the Local Government Minister, Department of Local Government and the Local Government Advisory Board to review their policy in regard to abolition of ward boundaries where a full spill of Councillors is required.

COUNCILLOR COMMENT

To ensure the provision of split Council elections to provide for good governance is included/looked at in regard to the policy.

COUNCIL RESOLUTION

721 Moved Cr R Mitchell Seconded Cr MD Devereux

“That this Council lobby the Local Government Minister, Department of Local Government and the Local Government Advisory Board to review their policy in regard to abolition of ward boundaries where a full spill of Councillors is required.”

CARRIED 8/3

FOR: Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle and Cr A Pisano.

AGAINST: Cr S Iwanyk, Cr S Moss and Cr PM Morris.

13.3 PUBLIC OPEN SPACE DELLAR ROAD AND TONKIN HIGHWAY – REPORT REQUEST

The following motion was proposed by Cr O Searle during “Notices of Motion for Consideration at the Following Meeting” at the Ordinary Council Meeting held 13 August 2002 for inclusion in “Motions for Which Previous Notice Has Been Given” of the 27 August 2002 Ordinary Council Meeting.

MOTION

That a report be submitted to Council indicating future intentions regarding the development of public open space situated between Dellar Road and Tonkin Highway, Maddington incorporating into the report a time frame for development to give this area a friendlier focus.

COUNCILLOR COMMENT

Very small blocks. No developed POS except one very small park through which there flows an open drain. Need for social justice to be considered. Young families. All Council took was a deep and ugly drain for the POS in the area. People need to have something in their area. There is nothing at present.

COUNCIL RESOLUTION

722 Moved Cr O Searle Seconded Cr S Moss

“That a report be submitted to Council indicating future intentions regarding the development of public open space situated between Dellar Road and Tonkin Highway, Maddington incorporating into the report a time frame for development to give this area a friendlier focus.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

14. NOTICES OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING

COUNCIL RESOLUTION

723 Moved Cr NJ Smith Seconded Cr AJ Smith

“That Cr MD Devereux be granted permission to put forward a proposed motion for consideration at the 10 September 2002 Ordinary Council Meeting.”

CARRIED 11/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr S Moss and Cr PM Morris.

AGAINST: Nil.

Proposed Motion**14.1 MAYORAL ELECTION**

That Council address the proposal of changing the method of filling the office of Mayor of the City of Gosnells to election by the electors of the District as specified by Section 2.11(1)(a) of the Local Government Act.

COUNCILLOR COMMENT

I have been contacted by a number of electors of the City who consider that election of the Mayor should be their democratic right and request that their views be brought to the attention of their Councillor representative and debated by Council.

I am aware that this Motion has been previously brought to Council but at the request of the electors of the City I now table this matter again.

PROPOSED MOTION

Moved Cr MD Devereux Seconded Cr AJ Smith

That the above proposed motion 14.1 "Mayoral Election" be included at item 13. "Motions of Which Previous Notice Has Been Given" of the 10 September 2002 Ordinary Council Meeting.

LOST_5/6

FOR: Cr MD Devereux, Cr AJ Smith, Cr NJ Smith, Cr O Searle and Cr S Moss.

AGAINST: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr R Mitchell, Cr A Pisano and Cr PM Morris.

15. URGENT BUSINESS (by permission of Council)Notation

Cr O Searle requested permission to bring forward an item of urgent business with the Mayor enquiring if the matter was of a legal or financial nature.

Cr O Searle expressed concern that she was unable to move a motion requesting a meeting be convened to address issues related to use of ovals for baseball, softball and tee ball raised by members of the public during question time earlier in the meeting.

The Mayor advised that as the matter was not of a legal or financial nature it could not be raised during Urgent Business, however, gave an assurance that as per responses provided during question time, the Director Infrastructure would convene a meeting between the parties concerned with Councillors to be advised of the date.

16. CONFIDENTIAL MATTERS

Nil.

17. CLOSURE

The Mayor declared the meeting closed at 10.43pm.

The Reference Group endorsed the appointment of two replacement private sector representatives as members of the Reference Group, through local newspaper advertisements seeking nominations from local businesses.

4. Gosnells Centre for Business Development

The Reference Group noted the unqualified support for the Civic Complex plan given by the Gosnells Centre for Business Development Steering Group, although the business incubator group would prefer to maximise Albany Highway exposure.

5. Councillor Workshop For Civic Complex Design Issues

Members of the Town Centre Reference Group agreed that an additional workshop for Councillors to work through their areas of concern in regards to the Civic Complex design, as proposed by the Director Planning and Sustainability, would be very worthwhile.

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, subject to the availability of Mr Patric de Villiers who is to present the Concept Plans for the Town Square at the meeting. If Mr de Villiers is unavailable on 26 July 2002, then the Special Meeting will be held as already scheduled on Friday, 19 July 2002

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Unknown

13/08/2002 1:11:00 PM

That Recommendation 24 of the Gosnells Town Centre Reference Group meeting which reads:

“That the Town Centre Reference Group nominates Federico Medina to undertake the design of the Street Banners, in accordance with the tender documentation (Tender No. 23/2002) and the Artist’s submission.”

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City of Gosnells

13/08/2002 4:34:00 PM

STAFF RECOMMENDATION (2 OF

Page 126: [16] Deleted

City of Gosnells

14/08/2002 2:55:00 PM

3)

That Recommendation 34 of the Gosnells Town Centre Reference Group meeting which reads:

“That there is benefit to the use of a computer modeling program for the Town Centre Project. To pursue the purchase of computer modeling equipment and as such obtain three quotes.”

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That Recommendation 25 of the Gosnells Town Centre Reference Group meeting which reads:

“That the Town Centre Reference Group nominates in order of preference, Jason Hirst and Trish Burvill, and Chris Williamson, to undertake the design of the Street Banners, should the preferred Artist be unable to meet the terms of the tender, in accordance with the tender documentation and the Artist’s submission.”

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be adopted by Council.

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STAFF RECOMMENDATION (3 OF 5)

That Recommendation 26 of the Gosnells Town Centre Reference Group meeting which reads:

“That Cr N Smith and Cr J Brown JP meet with the Director Planning and Sustainability to review the nominations received in response to the advertisement for two replacement members from the private sector, and recommend their selection to Council at its meeting on 23 July 2002, in order that the two selected members can attend the next Town Centre Reference Group meeting on 26 July 2002.”

be adopted by Council.

STAFF RECOMMENDATION (

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That Recommendation 27 of the Gosnells Town Centre Reference Group meeting which reads:

“That the Town Centre Reference Group endorse that the Totems Artwork, currently positioned near Jack Chapman House in the Town Centre, be

relocated to the site within the City of Gosnells Administration Offices lawn adjacent to Albany Highway.”

be adopted by Council.

Page 126: [21] Deleted Elina Bachop 14/05/2002 12:17:00 PM

That Council seek quotations to produce leadlighting for incorporation into the new Civic Complex to a maximum value of \$10,000.

Page 126: [22] Deleted Elina Bachop 15/05/2002 11:39:00 AM

STAFF RECOMMENDATION (3 OF 7)

That advertisements be placed in local newspapers seeking nominations for two replacement representatives from other private sector businesses, in a similar way to that used to seek interested community representatives.

STAFF RECOMMENDATION (4 OF 7)

That membership of the Town Centre Reference Group be updated to include the following City of Gosnells representatives:

City of Gosnells representatives:

Mayor, Cr Pat Morris JP
Councillor Norm Smith (Canning Vale Ward)
Councillor Olwen Searle JP (Bickley Ward)
Councillor Julie Brown (Gosnells Ward).”

STAFF RECOMMENDATION (5 OF 7)

That members who have recently left the Town Centre Reference Group be thanked for their contribution to the Reference Group by the Mayor or Chief Executive Officer.

STAFF RECOMMENDATION (6 OF 7)

That the Reference Group note the fact that the acceptance of the Civic Complex plan by the Gosnells Centre for Business Development Steering Group represents unqualified support, although the business incubator group would prefer to maximise Albany Highway exposure.

STAFF RECOMMENDATION (7 OF 7)

That it be noted that the Town Centre Reference Group is highly supportive that a further Councillor workshop be conducted, prior to the new Civic Complex design being finalised.

Page 126: [23] Deleted City of Gosnells 14/08/2002 2:55:00 PM

STAFF RECOMMENDATION (3

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That Recommendation 35

of the Gosnells Town Centre Reference Group meeting which reads:

“That a Special Meeting of the Gosnells Town Centre Reference Group be held on Friday, 6 September 2002 to meet and make recommendation on the final designs of the Banners.”

“That the next Special Meeting of the Gosnells Town Centre Reference Group be held on Friday, 26 July 2002, subject to the availability of Mr Patric de Villiers who is to present the Concept Plans for the Town Square at the meeting. If Mr de Villiers is unavailable on 26 July 2002, then the Special Meeting will be held as already scheduled on Friday, 19 July 2002.”