

CITY OF GOSNELLS
ORDINARY COUNCIL MEETING
10 JUNE 2003

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Minutes of the Ordinary Council Meeting held in the Council Chambers, Administration Centre, Gosnells on Tuesday 10 June 2003.

OPENING AND WELCOME

The Presiding Member declared the meeting open at 7.34pm and welcomed those present.

DISCLAIMER

The Presiding Member 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 Presiding Member 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 _____

PRESENT**ELECTED MEMBERS**

PRESIDING MEMBER, DEPUTY MAYOR
COUNCILLORS

R CROFT
W BARRETT
A J SMITH APM
P WAINWRIGHT
R MITCHELL
S MOSS
O SEARLE JP
C MATISON
J BROWN JP
S IWANYK
D GRIFFITHS

STAFF

CHIEF EXECUTIVE OFFICER
COMMUNITY SERVICES DIRECTOR
CORPORATE SERVICES DIRECTOR
INFRASTRUCTURE DIRECTOR
PLANNING & SUSTAINABILITY DIRECTOR
REGULATORY SERVICES DIRECTOR
MINUTE SECRETARY

MR S JARDINE
MS A COCHRAN
MR R BOUWER
MR D HARRIS
MR R HAEREN
MR T PERKINS
MS A CRANFIELD

PUBLIC GALLERY

15

1. APOLOGIES

Cr PM Morris was granted Leave of Absence vide Resolution 307 of the Ordinary Council Meeting held on 27 May 2003.

2. DECLARATIONS OF INTEREST

Nil.

3. ANNOUNCEMENTS BY THE MAYOR

(without discussion)

The Presiding Member circulated to Councillors a list of functions and events the Mayor, Cr PM Morris, had attended since Tuesday 27 May 2003.

4. REPORTS OF DELEGATES

Cr C Matison reported that the City of Gosnells had achieved Milestone Four in the Cities for Climate Protection Program (CCP), which is an international program of the International Council for Local Environmental Initiatives (ICLEI) delivered in collaboration with the Australian Greenhouse Office (AGO), that assists local governments and their communities to reduce greenhouse gas emissions. Cr Matison provided an overview of the CCP program outlining the Milestones already achieved by the City and the initiatives that had been implemented.

Cr J Brown reported that last Wednesday she was present during a visit to Council by Year 5 students from Beckenham Primary School. Cr Brown conveyed appreciation, on behalf of the teachers and parents, for allowing the students the opportunity to attend and learn about the role of Council and extended thanks to the Rangers staff that made a presentation.

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 MEETINGS27 May 2003 Ordinary Council Meeting

The following questions were posed at the 27 May 2003 Ordinary Council Meeting with the response as already provided to the correspondent listed accordingly:

- * Mr Peter Pilgrim of 26 Shillington Way, Thornlie referred to a recent meeting at his residence attended by approximately 80 concerned residents, the Mayor, Deputy Mayor, the Hon. Sheila McHale (*Member for Thornlie*) and Police, to discuss anti-social behaviour and crime in the area, in particular Osprey Reserve. He then asked the following questions:

Q 1 Is the Council looking at installing lights in the area and if so when will it be undertaken?

Q 2 Can it then be put on the agenda as we believe it is quite urgent?

Response: In reply to Mr Pilgrim, the Director Infrastructure provided the following written response on the 4 June 2003:

“Re: Anti-Social Behaviour - Osprey Reserve

I refer to the questions raised at the Ordinary Council Meeting of 27 May 2003 regarding the Osprey Reserve and the response provided by the Mayor, Councillor Pat Morris that the issues raised at the meeting of residents had been forwarded to the appropriate Director and were being investigated by relevant staff.

I can advise that the issues have been investigated and the following comments are provided.

Osprey Reserve is currently an undeveloped parkland reserve, consisting mainly of remnant bushland. This reserve is classified as a level “B4” (parkland which has limited or no community infrastructure and is non-irrigated or has a manual watering system).

The City of Gosnells has 292 reserves of which 88 have the same classification as Osprey Way Reserve. Present strategies for maintenance of such reserves are restricted to the following activities.

Grass Surface	- 19 cuts per year – clippings are not collected
Landscape Gardens	- 6 visits per year if applicable
Fertilising	- Not applicable
Supervision	- 6 inspections per year
Reticulation	- On a need basis
Community Infrastructure	- Not applicable
Pest Management	- Not applicable

- Playground - 4 audits per year
Rubbish Cleanup - Minimum 26 visits per year

Whilst it would be desirable to have all our reserves developed and maintained to a higher standard (classification), it is not within Councils current resources to achieve this. The City has developed a four-year principal activity plan, which is a summary of the major activities envisaged for the four year period 2002/2006. The City has agreed to allocate \$350,000 a year to the development of parks, which are currently categorised at a "B4" level. This equates to an average of 2 parks per year.

Workshops involving Councillors and key staff were held in December 2002, February and April 2003, to identify and prioritise which parks under the "B4" classification would be developed over the next 3 years. Part of the process was to: -

Use demographic information to clearly indicate concentrations of youth.

Identify the location of the nearest surrounding parks to the ones being considered for development, and the current development (Classification) of those parks.

Unfortunately Osprey Way Reserve whilst included in the preliminary listing from Councillors was removed further into the process and thus will not be considered for redevelopment over the next three years.

However, I am pleased to inform you that the City will undertake the following works over the next eight (8) weeks.

Lighting will be installed along the pathway which connects Miner Close to Osprey Way.

The tall shrubs from within the remnant bush-land area will be removed to comply with Council's Safe City guidelines.

Please do not hesitate to contact me on Tel No 9391 3225 should you have any further queries regarding this matter."

5.1 QUESTION TIME

- * Mr Daniel Stevens of 142 Attfield Street, Maddington asked the following question:

Q 1 What is the City of Gosnells doing about Work for the Dole programmes within the City? Is the City working with Federal Government Departments in relation to this matter?

Response: The Director Community Services advised the City currently had Work for the Dole programmes in place, however, she did not have specific details on hand and invited Mr Stevens to discuss the matter with her after the meeting. She advised there were general constraints that had to be met, including human resources issues, which determined the level and extent of services the City can provide.

The Director Planning and Sustainability added the most recent Work for the Dole scheme undertaken was for the Canning River Restoration, from the single lane bridge on Station Street through to the Burslem Drive bridge, which was part of an overall plant upgrade for the environmental values of the Canning River.

Notation

The Presiding Member invited Mr Peter Hitchins to the microphone to pose the first question contained on his question time form and advised that the second question would not be allowed.

- * Mr Peter Hitchins of 36 Galaxy Street, Beckenham asked the following question:

Q 1 Is the lease granted to the Southern River Pentanque Club of the Wanaping Road Tennis Courts still in force? If so, why are the maintenance clauses not being enforced as the fence has been badly vandalized for many months?

Response: The Director Infrastructure advised that as far as he was aware there was a 7-year lease associated with the club, which commenced on 1 March 2002. He advised that if certain elements of the lease were not being enforced, the City would follow up.

Notation

Mr Hitchins commenced reading his second question and the Presiding Member interjected, advising that he would not allow the question. Mr Hitchins continued, with the Chief Executive Officer reiterating that the Presiding Member had ruled the question would not be allowed, and asked Mr Hitchins to take his seat as he was interrupting proceedings.

- * Mr Chris Brehaut of 2 Aristeia Bend, Canning Vale asked the following questions in relation to item 12.5.1 “Finalisation of Amendment No. 16 to Town Planning Scheme No. 6 - to rezone various lots in Leschenaultia Drive, Darwinia Loop, Carpensia Way, Figtree Drive, Aristeia Bend and Planetree Pass, Canning Vale” contained in the agenda:

Q 1 Why is it so important to have this land rezoned from R17.5 to R30 to allow three units to be built on that block of land when there are two units on the existing Lots 210 and 209? With reference to the Towns policy of diversification of housing, this seems to me like a concentration of medium density housing.

Response: The Director Planning and Sustainability advised that during the preparation of documentation for Town Planning Scheme No. 6 an administrative error occurred, which was identified at the time the Scheme Amendment was under consideration by the Minister for Planning and Infrastructure. The current proposal is simply rectifying that anomaly.

Q 2 Myself and other land owners in that immediate vicinity purchased that land based on Lot 212 being zoned R17.5. When was it discovered that this error in the zoning of the lots was subject to this amendment? If it was discovered prior to January 1, 2002, when the majority of the lots in the vicinity were being sold, why was this error and the potential for this amendment to be made, not made public to people interested in purchasing land in this vicinity?

Response: The Director Planning and Sustainability advised the error was identified during the development application process at which time it came to light the correct zoning had been overlooked during the preparation of the Scheme documents. The original rezoning of this area actually went through the public process prior to people purchasing. He added that the Scheme was adopted in February (2002).

- * Mrs Rosalie Jesson of Lot 1577 (6) Warton Road, Southern River asked the following question in relation to item 12.5.3 “Southern River Precinct 1 (Holmes Street) Outline Development Plan” contained in the agenda:

Q 1 In all, how many of the landowners are involved in sharing the cost of the Bush Plan?

Response: The Director Planning and Sustainability advised there were 13 private land holdings within the Outline Development Plan area, though the cost as proposed in the agenda will be dispersed over a wider area.

Q 2 If in the future the land required for the Bush Plan is not needed and is used for other purposes, do we have any recourse on that?

Response: The Director Planning and Sustainability responded that in short the answer was no, adding, that the way the process was proceeding, it can only be expected that there will be greater stringency in terms of land clearing and environmental requirements. He suggested the likelihood of it being reversed was highly unlikely highlighting that no owners in the area, or Council would have any claim to any proceeds that may be generated.

- * Mr Alan Warner of 160 Holmes Street, Southern River asked the following questions in relation to item 12.5.3 “Southern River Precinct 1 (Holmes Street) Outline Development Plan” contained in the agenda:

Q 1 Will the properties at the South East end of the Outline Development Plan be affected by the close proximity to the existing poultry farms?

Response: The Director Planning and Sustainability advised that under WA Planning Commission Policy all properties within 500m (*distance clarified by CEO*) of a poultry farm couldn't commence subdivision until the poultry farm closes. His understanding was that the process was underway for landowners who were currently negotiating with the poultry farms to secure their closure so that they could proceed with developments. He confirmed that Mr Warner was correct in that until there is a legally binding commitment that the operation of the site will cease no subdivision can occur within the immediate radius of the poultry farm.

Q 2 There is existing development within the natural boundaries of this Outline Development Plan. Has provision been made for these properties to have a contribution if cost sharing is the preferred option?

Response: The Director Planning and Sustainability advised it was most unfortunate that the developments had proceeded prior to an Outline Development Plan covering the whole area being developed, which had basically been an historic decision as opposed to one that would necessarily be encouraged now. He added that with both subdivisions approved within that area, there were significant conditions placed upon them towards infrastructure requirements. One of the sites was affected by Bush Forever and had to provide 22% open space free of cost and in addition both subdivisions were required to make a cash-in-lieu contribution towards the future construction of Garden Street.

5.2 PUBLIC STATEMENTS

- * Mr Chris Brehaut of 2 Aristeia Bend, Canning Vale made a public statement in relation to item 12.5.1 “Finalisation of Amendment No. 16 to Town Planning Scheme No. 6 - to recode various lots in Leschenaultia Drive, Darwinia Loop, Carpensia Way, Figtree Drive, Aristeia Bend and Planetree Pass, Canning Vale” speaking against the staff recommendation contained in the agenda. Mr Brehaut advised it was his understanding the proposed amendment was to rectify an error that occurred when Scheme 6 was enacted. He expressed concern that the amendment would result in a concentration of medium density housing, which he believed did not support the Council’s policy of diversification of housing, and would markedly reduce the property values adjacent and near Lot 212. In closing he stated that neither his family nor neighbours wanted any further construction of medium density housing in this stage of the Hampden Gardens development as they were led to believe when they purchased their land that would be the case.

6. CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

347 Moved Cr P Wainwright Seconded Cr S Moss

“That the Minutes of the Ordinary Council Meeting held on 27 May 2003, be confirmed.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

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 documentation presented by Councillors is located on File No. C3/1/5 and may be viewed subject to provisions of Freedom of Information legislation.

- * Cr AJ Smith presented a petition initiated by Mr Greg Borgers of 11 Miner Close, Thornlie containing 25 signatures, and accompanying letters, in relation to Osprey Way Reserve. The petition stated:

“We the undersigned electors of the City of Gosnells request that Osprey Way Reserve be reticulated, cleaned up and have lighting installed for the following reasons:

It is very untidy, a fire hazard, a ground for criminal activity and unsafe and not in-line with other Reserves in that area.”

Cr AJ Smith advised the petition and letters were presented in accordance with Standing Order 2.26(2)(b) “that the petition be received and a report be prepared”.

- * Cr AJ Smith presented the Minutes of the 7 May 2003 Gosnells Youth Care Meeting.

The Minutes will be forwarded to relevant staff for their information.

- * Cr O Searle presented a petition containing 60 signatures in relation to the proposed Thornlie Transit Station. The petition stated:

“We the undersigned, strongly object to the following items in the proposed Thornlie Transit Station Development:

(1) 20M Communications Tower, in its present proposed location, as it will attract multiple use i.e. mobile phone antennae. It is too close to Yale Primary School, Spencer Village Shopping Centre, Retirement Village and residential areas.

(2) A Pedestrian Access Way along Aylesford Way as it will encourage all day parking in Debenham Street and Aylesford Way.

(3) Playground Equipment. Not being replaced by equal facility nearby for use by neighbourhood children and visiting grand children alike.”

Notation

The petition was not in accordance with the provision of Clauses 2.26(1)(a) and (f) of the City of Gosnells Standing Orders Local Law 1998 as it was not addressed to the Mayor and did not indicate an initiator or contact person, and therefore cannot be responded to.

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.

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 Presiding Member 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

348 Moved Cr R Mitchell Seconded Cr J Brown

"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 12.5.1 Finalisation of Amendment No. 16 to Town Planning Scheme No. 6 - to recode various lots in Leschenaultia Drive, Darwinia Loop, Carpensia Way, Figtree Drive, Aristeia Bend and Planetree Pass, Canning Vale;
- * Item 12.5.3 Southern River Precinct 1 (Holmes Street) Outline Development Plan."

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

12.5.1 FINALISATION OF AMENDMENT NO. 16 TO TOWN PLANNING SCHEME NO. 6 - TO RECODE VARIOUS LOTS IN LESCHENAULTIA DRIVE, DARWINIA LOOP, CARPENSIA WAY, FIGTREE DRIVE, ARISTEA BEND AND PLANETREE PASS, CANNING VALE

File: TPS/6/16 **Approve Ref:** 0203/0156AA (SC) psrpt099Jun03
Name: City of Gosnells
Location: "Hampton Gardens" estate, Canning Vale
Lot 171 Leschenaultia Drive
Lot 115 Darwinia Loop
Lot 191 Capensia Way
Lot 140 Figtree Drive
Lot 212 Aristeia Bend
Lot 1 Planetree Pass
Zoning: MRS: Urban
TPS No. 6: Residential R17.5
Appeal Rights: Nil, however, final determination is with the Minister for Planning and Infrastructure.
Area: N/A
Previous Ref: OCM 26 November 2002

PURPOSE OF REPORT

For Council to finalise Amendment No 16 to Town Planning Scheme No 6 (TPS 6) by recoding Lot 171 Leschenaultia Drive, Lot 115 Darwinia Loop, Lot 191 Capensia Way, Lot 140 Figtree Drive, Lot 212 Aristeia Bend and Lot 1 Planetree Pass, Canning Vale from Residential R17.5 to Residential R30.

BACKGROUND

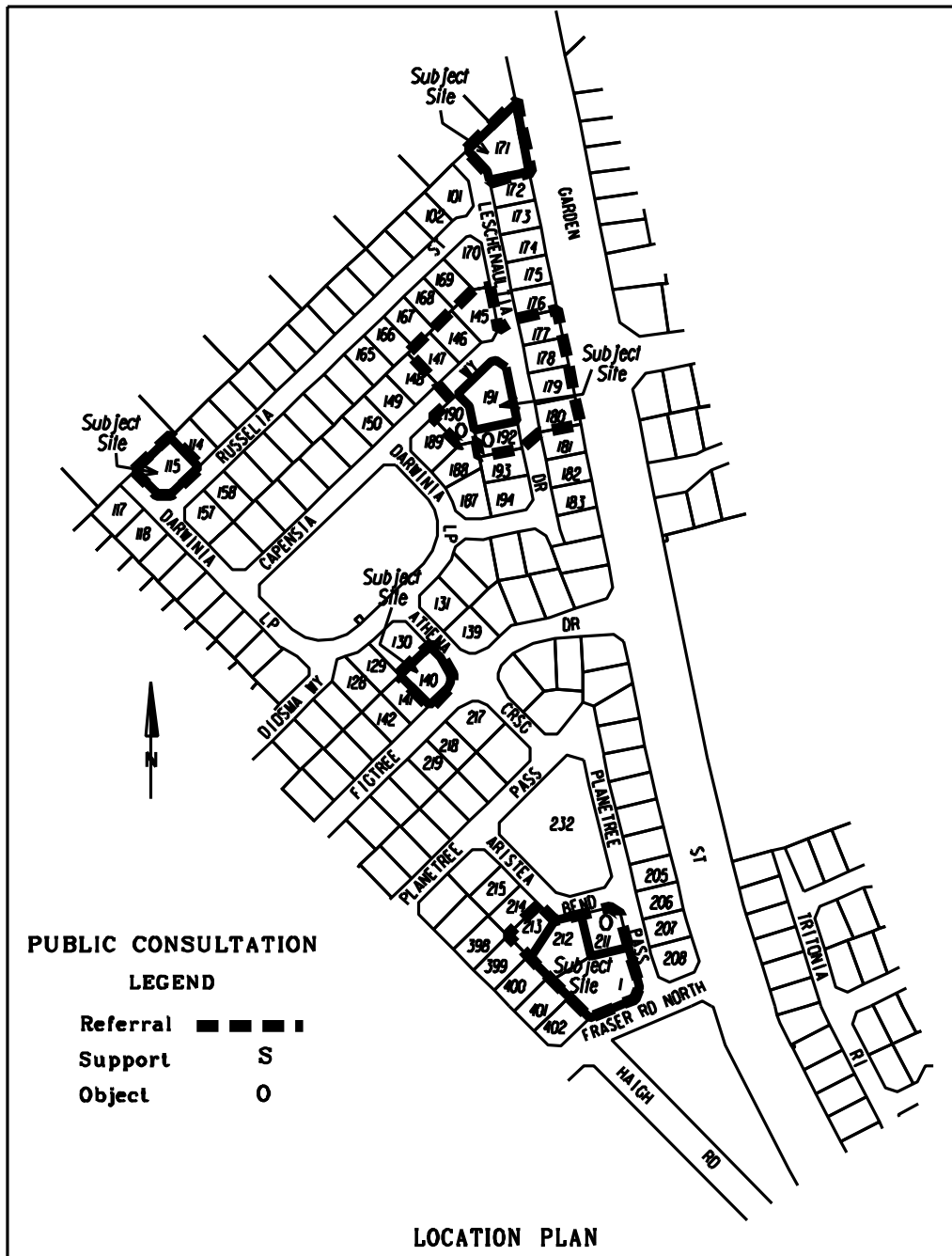
Council at its meeting held on 26 November 2002 resolved to initiate the above amendment (Resolution 954):

“That Council, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), amend Town Planning Scheme No. 6, by recoding Lots 171 Leschenaultia Drive, Lot 115 Darwinia Loop, Lot 191 Capensia Way, Lot 140 Figtree Drive, Lot 212 Aristeia Bend and Lot 1 Planetree Pass, Canning Vale, from Residential R17.5 to Residential R30, subject to the preparation of the amendment documentation.”

The Department of Environmental Protection was notified in writing and formal notice received on 18 March 2003 advising that the amendment did not warrant environmental advice and is therefore deemed assessed by the Environmental Protection Authority.

Pursuant to Town Planning Regulations 1967, the amendment was advertised for public comment for 42 days from 2 April 2003 to 14 May 2003 inclusive, with notice of the amendment advertised in the Western Australian newspaper on 2 April 2003. All owners of the subject lots were notified in writing. Signs were also placed on the two vacant lots advising of the proposed recoding and surrounding landowners notified in

writing and requested to comment (refer Location/Referral plan). Two submissions were received as summarised in the Schedule of Submissions.



Schedule of Submissions

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
1.	BS Smith	24 (Lot 145) Capensia Way, Canning Vale	<p>Objection.</p> <p>Concerns regarding rezoning of Lot 191 Capensia Way as additional dwellings will increase traffic and noise in the area.</p>	Refer Discussion Section.
2.	M White	17 (Lot 190) Capensia Way, Canning Vale	<p>Objection.</p> <p>Believes approval for two dwellings already granted as a sign on site advises contract to construct two dwellings on site.</p>	Refer Discussion Section.
3.	C Brehaut	2 (Lot 211) Aristeia Bend, Canning Vale	<p>Objection.</p> <ol style="list-style-type: none"> 1) Concerns that Lot 212 Aristeia Bend will be developed for three dwellings, therefore four dwellings located to the rear with possible three dwellings to the side of their lot. Also believes that the four dwellings to the rear were to be for retirees. 2) When purchased lot, was advised that land in 'Hampton Gardens' was zoned Residential R7.5, with no further chance for any more grouped dwellings being built. 3) Concerns that rezoning will impact on value of their property with grouped dwellings on two sides which the real estate market would deem undesirable 4) Concerns that the grouped dwellings could be leased in the future, which opens the possibility for transient, undesirable tenants in an area designed for people to raise to raise families. 5) Aware of Council policy for diversification of dwellings, however, a concentration of grouped dwellings is not diversification. 	<p>Lot 212 was designated for R30 development under TPS1. Approval for 4 grouped dwellings on 2 (Lot 1) Planetree Pass was granted in accordance with TPS1 zoning (ie Additional Use to R30 development) subject to amalgamation of the two lots (Previous 209 & 210) prior to TPS6 being gazetted. At no time was approval restricted to aged persons. Advice received was incorrect as the proposed amendment is to rectify an error that occurred when TPS1 was revoked and replaced with TPS6.</p> <p>Noted, however, this is not a planning issue.</p> <p>Noted, however, this is not a planning issue.</p> <p>Noted. Refer Discussion Section.</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			6) Concerns that Lot 212 was purchased on the basis of R30 coding, yet they were not given the same information.	Noted. Refer Discussion Section

DISCUSSION

Under Town Planning Scheme No. 1 (TPS1) the subject lots located within “Hampden Garden” Estate were zoned Residential “A” which had a density code of R17.5. However, they were included in the Fifth Schedule - Additional Uses which permitted development to a density of Residential R30. The R30 designation of the subject sites was supported by Council under Amendment No. 475 to Town Planning Scheme No. 1 (TPS 1). This rezoned land in the area from Retirement Village to Residential with a density of R17.5 generally and R30 for the specific subject lots. When TPS 6 was gazetted this additional use was not incorporated and the zoning of the subject sites reverted to R17.5 coding. Of the 6 subject lots, Lot 115 Darwinia Loop, Lot 140 Figtree Drive, Lot 171 Leschenaultia Drive, and Lot 1 Planetree Pass have all been developed or are nearing completion, whilst Lot 191 Capensia Way and Lot 212 Aristeia Bend are yet to be developed. All three submissions related to these undeveloped lots. The two submissions relating to Lot 191 Capensia Way, raised concerns related increased traffic and noise associated with the higher density development. Further, as there is a sign located on site advertising the future development, they believe that the development is already approved. However, no building licence can be granted until the amendment to recode the lots to R30 has been finalised.

The submission relating to Lot 212 Aristeia Bend raised concerns regarding increased density with grouped dwellings being located either side of their property. They believe the proposed grouped dwellings would impact on the value of the land and that the area was designed for families, and not grouped dwellings, which could be leased in the future. Concerns were also raised relating to information they had received that the area was zoned for single residential (R17.5), whilst the owner of Lot 212 was advised differently. This is a difficult issue, and hard to confirm. Under TPS1 the subject sites were designated for medium density in order to provide a mixture of single and grouped dwelling development to cater for a mix of housing and demographics, which should have remained under TPS6.

In accordance with Table 1 of the Residential Design Codes, Residential R30 requires an average of 300m² per dwelling whilst Residential R17.5 requires an average 571m² per dwelling. Lot 191 Capensia Way would therefore have the potential for 4 dwellings (an increase of 2 dwellings) and Lot 212 Aristeia Bend would therefore have the potential for 3 dwellings (an increase of 1 dwelling). As such, the Residential R30 coding would permit 3 additional dwellings. Therefore, with respect to concerns regarding additional traffic, noise and dwellings it is considered that this increase would be minimal. It should also be noted that all development would comply with Residential Design Codes with respect to design elements relating to amenity, streetscape, access, parking and privacy. The main issue for Council consideration is

that the subject proposed amendment is intended to restore development rights which were inadvertently removed when TPS 6 was introduced.

CONCLUSION

In summary, the above amendment seeks to reinstate the Residential R30 density within the "Hampden Garden" estate, therefore rationalising the existing development and permitting small scale grouped dwelling development on the 2 vacant lots. It is not considered that the proposed medium density grouped dwellings would impact on the amenity of the area with respect to increase in density, traffic or noise and therefore it is recommended that the amendment be supported.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION

Moved Cr R Mitchell Seconded Cr P Wainwright

That Council note the submissions received and pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), finalise Amendment No 16 to the City of Gosnells Town Planning Scheme No. 6, to recode Lot 171 Leschenaultia Drive, Lot 115 Darwinia Loop, Lot 191 Capensia Way, Lot 140 Figtree Drive, Lot 212 Aristeia Bend and Lot 1 Planetree Pass, Canning Vale, from Residential R17.5 to Residential R30.

Foreshadowed Motion

During debate Cr AJ Smith foreshadowed that he would move the following motion:

"That Council take note of the submissions received and pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended) finalise Amendment No. 16 to the City of Gosnells Town Planning Scheme No. 6, to recode Lot 171 Leschenaultia Drive, Lot 115 Darwinia Loop, Lot 140 Figtree Drive and Lot 1 Planetree Pass, Canning Vale, from Residential R17.5 to Residential R30."

if the motion under debate was defeated, providing the following reason:

"Section 2.10 of the Local Government Act clearly defines the role of Councillors with the initial role being to represent the interests of electors, ratepayers and residents of the district.

With regard to Lot 191 Carpensia Way 2 objections have been raised by two residents whilst with regard to Aristeia Bend 6 objections have been raised by one resident.

It may be said that these are only minimal objections and the other residents by not making any submission support the proposal but cannot the same be said that the other residents also object but felt that their objections would not be a governing factor and therefore decide against making a submission. Certainly we should not use suppositions as grounds for decision-making but rely on actual fact and that alone.

One must be mindful that the report does not contain any mention of submissions received supporting any of the proposals.

Also the objectors have taken the time to respond to the Council's canvas and voice their concerns therefore acting in accordance with the initial role of a Councillor as defined by the Local Government Act I support their objection and submit this foreshadowed motion."

Cr J Brown seconded Cr Smith's proposed motion.

At the conclusion of debate the Presiding Member put the staff recommendation, which reads:

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

349 Moved Cr R Mitchell Seconded Cr P Wainwright

"That Council note the submissions received and pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), finalise Amendment No 16 to the City of Gosnells Town Planning Scheme No. 6, to recode Lot 171 Leschenaultia Drive, Lot 115 Darwinia Loop, Lot 191 Capensia Way, Lot 140 Figtree Drive, Lot 212 Aristeia Bend and Lot 1 Planetree Pass, Canning Vale, from Residential R17.5 to Residential R30."

CARRIED 7/4

FOR: Cr W Barrett, Cr P Wainwright, Cr R Mitchell, Cr C Matison, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

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

Notation

As Council adopted the staff recommendation the foreshadowed motion from Cr AJ Smith was not proceeded with.

12.5.3 SOUTHERN RIVER PRECINCT 1 (HOLMES STREET) OUTLINE DEVELOPMENT PLAN

File: S8/9 (SRW) Psrpt105Jun03
Location: Southern River Precinct 1

Zoning: MRS:	Urban, Urban Deferred and Rural
TPS No. 6:	Residential Development, Residential and Rural
Area:	Approx 60 hectares
Previous Ref:	OCM 11 June 2002 (Resolutions 407-409)
Appendix	12.5.3A Draft Southern River Precinct 1 (Holmes Street) Outline Development Plan

PURPOSE OF REPORT

For Council to consider the most appropriate strategy to finalise Southern River Precinct 1 Outline Development Plan prior to commencing public advertising.

BACKGROUND

An initial Enquiry by Design Workshop was held in October 2001 in an effort to bring together the ideas and objectives of all key stakeholders including landowners, the City and relevant government agencies. Based on the information compiled at the workshop, a draft Outline Development Plan was prepared by Turner Master Planners Australia. Council at its meeting on 11 June 2002 considered the draft Outline Development Plan for the Southern River Precinct 1 (Holmes Street) and resolved as follows (Resolutions 387-389).

“407 That Council support the Southern River Precinct 1 (Holmes Street) Outline Development and forward the plan to the Western Australian Planning Commission and seek public comment upon the receipt of the following information to the satisfaction of the Director Planning and Sustainability:

- (i) a drainage and nutrient management plan*
- (ii) a schedule of common infrastructure works*
- (iii) full ODP and Amendment documentation,*

408 That Council pursuant to Section 7 of the Town Planning and Development Act, 1928 (as amended) initiate an amendment to the City of Gosnells Town planning Scheme No.6 to rezone Lot 1575 Holmes Street, Southern River, from “Rural” to Residential Development

409 That Council request an amendment to the Metropolitan Region Scheme to rezone Lots 1608 and 1609 from “Rural” to “Urban” through the South East District Planning Committee.”

Resolution 407 provided in-principle support for the draft ODP, subject to the finalisation of various items. It has not been possible for Council Officers to progress the ODP to the public advertising stage for reasons outlined later in this report.

With respect to Resolution 408, Lot 1575 is currently the subject of a Scheme Amendment to rezone the land to “Residential Development”. Council at its meeting of 8 April 2003 considered the Amendment for final approval and the documentation has been forwarded to the Western Australian Planning Commission and Hon. Minister for

Planning and Infrastructure for final determination. Furthermore, the Perth Regional Planning Committee on 10 December 2002 considered the subject land and rezoned the land from “Urban Deferred” to “Urban” under the Metropolitan Region Scheme.

With respect to Resolution 409, a formal request was lodged with the Western Australian Planning Commission to amend the Metropolitan Region Scheme from “Rural” to “Urban”. This amendment is currently being processed by the Commission.

Issues associated finalising the ODP for advertising

Following Council’s consideration of the matter at its meeting of 11 June 2002, Council staff have been seeking to finalise the ODP plan and documentation including the Common Infrastructure Works Schedule in conjunction with the Bush Forever Office, Department for Planning and Infrastructure, Water and Rivers Commission and the Department for Environmental Protection. In the preparation of the Common Infrastructure Works Schedule, the most significant issue discussed has been the possible cost-sharing mechanisms to acquire “core” conservation areas identified under the draft ODP.

A significant portion of the ODP area has been identified under the Bush Forever Program (Site 125) as requiring a “Negotiated Planning Solution” (NPS) to achieve a balance between conservation and development and facilitate an equitable and reasonable balance between conservation and development for land owners. It is also important to note that the Conservation Category Wetlands (CCW’s) within the ODP area largely correspond with the Bush Forever “core areas”.

The Bush Forever Office, in preparation for the October 2001 Enquiry by Design Workshop, provided a briefing paper outlining the “core” conservation areas within the Outline Development Plan area that required protection.

It has been estimated that for the acquisition of the “core” conservation areas to be set aside by way of developer contributions only, the land contribution rate (public open space, conservation and drainage) would be approximately 40%. This contribution is in addition to other common infrastructure cost items, such as the upgrading of important regional roads and precinct level drainage. For comparative purposes only, the Canning Vale Outline Development Plan incorporates a land contribution rate of 12.74%. It is considered that a 40% contribution rate would undermine the viability of any development within the precinct, preventing social, economic and environmental objectives being obtained. An alternative solution is clearly required.

DISCUSSION**Need to finalise ODP to meet social, environmental and economic objectives.**

As outlined through the Bush Forever Program and supported by Council staff, an appropriate outcome for this area is best achieved through the finalisation of an ODP that balances conservation and development and establishes the necessary cost-sharing mechanisms. For the City and the Western Australian Planning Commission to consider subdivision and development applications on a lot by lot basis would not provide protection for the conservation areas, much of which would remain in private ownership and with potentially no compensation available.

Council staff have been seeking the support of the Department for Planning and Infrastructure including the Bush Forever Office, the Water and Rivers Commission and the Department for Environmental Protection to progress the ODP as a precinct in its entirety despite not all necessary MRS and TPS amendments being finalised. To exclude properties which are not zoned Urban/Residential Development would result in increased cost implications for the remaining landowners as the costs associated with common infrastructure works are not able to be shared so widely.

Principles of the Outline Development Plan

The draft ODP has been prepared based on the information provided to the City at the Enquiry by Design Workshop and through further consultation with relevant government agencies. Furthermore, the draft ODP is consistent with the Southern River/Forrestdale/Brookdale/Wungong District Structure Plan as released by the Western Australian Planning Commission in January 2001.

In broad terms, the ODP achieves a mixture of residential densities, facilitates the development of the Amherst Town Centre at the intersection of Holmes Street and Warton Roads, identifies the core conservation areas, establishes multiple use corridors for passive recreation and drainage functions and active public open space areas.

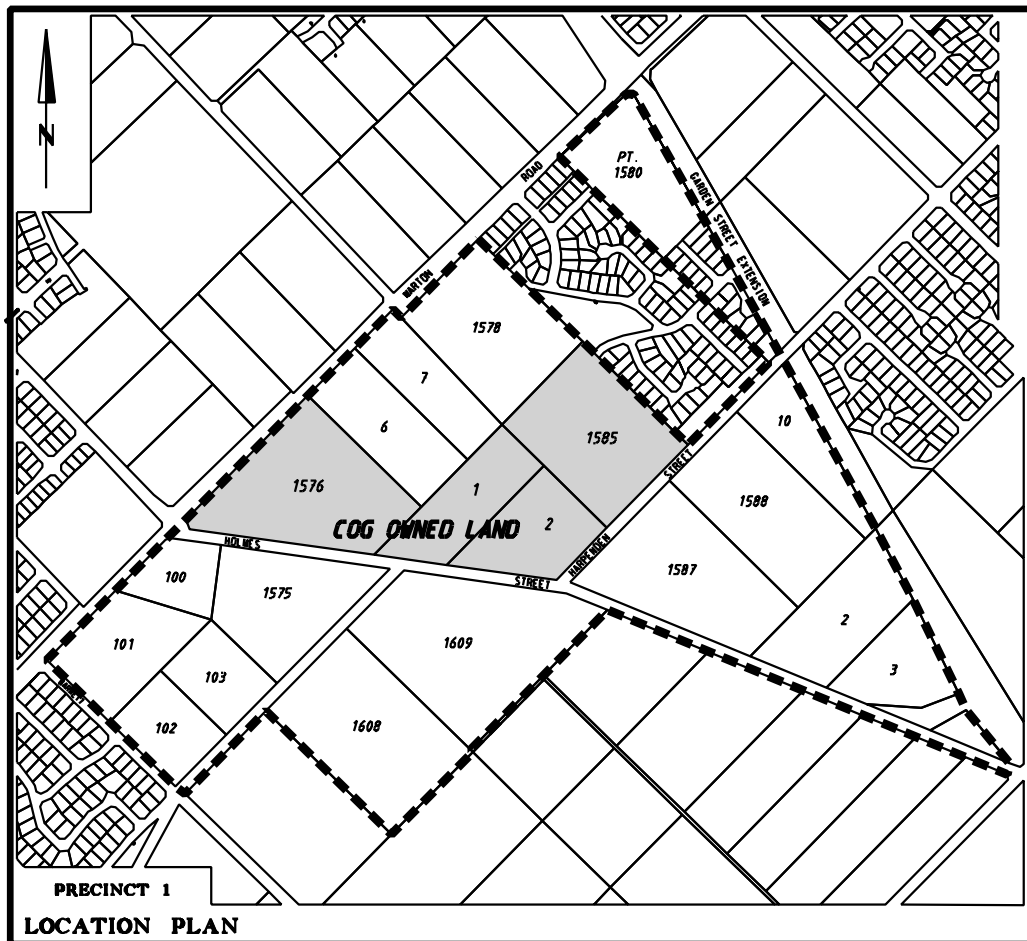
It should be noted that two aspects of the ODP that have drawn the attention of the Bush Forever Office and the Department of Environmental Protection, that of the interface between residential properties along Antiqua Place and the adjoining bush land and a movement linkage between existing residential properties in Southern Forests Estate and the future Amherst Town Centre across the conservation areas.

With respect to the above-mentioned interface between existing residential properties and bushland, it is considered essential that an additional row of lots be created fronting onto the bushland (back to back with existing lots) to establish a "hard edge" to the conservation areas that would achieve passive surveillance, reduce access to the rear of properties, create appropriate separation from potential fire risks and reduce the potential for weed infestation and dumping of rubbish. Whilst it is acknowledged that a small area of vegetation would need to be cleared to achieve this outcome, it is considered that the environmental benefits outweigh the costs.

With regards to the movement linkage across the conservation areas, the various options are to have no linkage, a limited pedestrian/cycle linkage or for a full road. To facilitate movement and accessibility objectives such as providing non-vehicular travel opportunities to a mixed use centre, it is considered necessary to have a linkage. A full road connection is considered by Council Staff to be undesirable recognising the potential for conflicting vehicle movements with fauna and opening up the conservation areas to exposure to significant “edge effects” such as weed infestation, rubbish dumping etc. The draft ODP depicts a dual use path linkage which could easily be developed as a boardwalk if required.

Land owned by the City

Within the ODP area, Council is a significant landowner (see location plan) owning four lots with a total area of 17 hectares. Council owned Lot 1585 Harpenden Street and Lots 1 and 2 Holmes Street are completely contained within Bush Forever site No. 125. The Bush Forever officer has advised no development should occur on the “core” environmental areas where the best quality bush is to be found and generally coinciding with designated CCW’s. This includes all of Lot 1585 and most of Lots 1 and 2.



It is important to note that the land owned by the City was purchased as landbank for the future and not for conservation purposes. Council also needs to be careful not to establish a precedent for other areas by giving up land free of cost where previously purchased as a financial asset.

Different options for the acquisition of conservation areas.

The greatest difficulty in finalising an ODP for this area relates to the acquisition of conservation areas. Whilst not disputing the broad value of these areas, the difficult issue is that of cost-responsibility for acquisition. Should the full cost of the acquisition of the conservation areas be borne through developer contributions, the contribution rate would be in the vicinity of 40% (in addition to infrastructure works) and therefore likely prevent any development from proceeding.

A common option for reducing developer contributions for infrastructure and conservation areas is to increase the size of the ODP area and therefore share the costs over a greater area and number of landowners. This option is not available due to the ODP area being bounded by the Canning Vale Outline Development Plan Area, Town Planning Scheme No.17 and proposed Regional Open Space.

Another common option for reducing developer contributions is to reduce the amount of land identified for conservation purposes. This option is not considered appropriate as it would not satisfy the environmental objectives for this area and would not be supported by the Department of Environmental Protection and the Bush Forever Office.

In broad terms, the following options are available:

- (1) the land is given up free of cost by the owner;
- (2) The land is set aside through cost-sharing mechanisms, based on developer contributions;
- (3) The Western Australian Planning Commission purchases either part or all of the designated conservation areas; and
- (4) A combination of the above.

To pursue option 1 would provide no compensation for the affected landowners, which is clearly not equitable nor reasonable and may potentially result in Council being liable to claims for injurious affection under the Town Planning and Development Act, 1928 (as amended). The cost implications for landowners by pursuing options 2 would be unreasonable and would be prohibitive for development. The full acquisition of the conservation areas by the Western Australian Planning Commission under Option 3 is not viable due to financial constraints.

In essence, it is not viable for developer contributions to be relied upon solely for the acquisition of conservation areas as the resulting cost implications would be prohibitive for the development of the area. Instead, the only option really considered viable by Council staff is for a sharing of cost responsibilities between landowners, the City and the Western Australian Planning Commission.

A shared approach to cost sharing

This report presents an opportunity for Council to consider a shared approach to costs associated with the acquisition of “core” conservation areas. Following the consideration of the draft ODP at the Council meeting of 11 June 2002, discussions were held between Council staff and state government agencies with a view to identifying potential options for land acquisition.

After initial lack of willingness by the state government agencies to acknowledge the difficulties associated with this ODP, staff at the Department for Planning and Infrastructure have agreed to pursue the idea of partial acquisition of conservation areas by the Western Australian Planning Commission. The Department has advised that it is willing to explore the acquisition of the privately owned lots designated for conservation purposes, on the following basis:

- The Commission to acquire Lot 1578 Warton Road.
- The City is required to give up one lot of its total landholding free of cost, with the balance to be acquired through normal developer contributions towards public open space at an “urban constrained” value.
- The balance of “core” conservation areas to be acquired through developer contributions secured through the ODP.
- These arrangements being within the context of a finalised ODP.

Should this arrangement ultimately proceed, it is not considered to be a precedent for other areas in the future due to the uniqueness of this ODP area. Particular attributes of this area that differentiate from other areas is that the majority of the ODP area is already zoned for urban development and that there is no opportunity to expand the ODP area further to share the costs over a greater area. It should be noted that while officer level support exists at the Department for Planning and Infrastructure, a formal determination on the matter will be required by the Commission.

The following provides a summary of information in relation to the proposal before Council.

- Lot 1578 (4.91ha) being acquired by the Commission at a value approximately \$740,000 based on \$150,000/ha.
- The majority of Lot 1585 Holmes Street to be given up free of cost by Council – assumed value \$600,000 (4.02ha @ \$150,000/ha)

- Portion of Lots 1 and 2 Holmes Street owned by Council to be acquired through developer contributions – assumed value \$637,000 (4.25ha @ \$150,000/ha).
- Portion of Lots 2 and 3 Holmes Street owned privately but identified for conservation purposes to be acquired through developer contributions (1.36ha @ \$150,000/ha).
- All other areas identified for public open space/drainage etc to be acquired through developer contributions at full urban value (assumed \$400,000/ha).

(Assumptions: rural value \$70,000/ha, residential constrained at 40% of Urban Value, ie \$150,000/ha and residential unconstrained - \$400,000/ha).

This proposal is essentially based on Council, landowners and the Western Australian Planning Commission each contributing towards a final outcome that has “reasonable” and “equitable” cost implications for land owners and will facilitate development that is environmentally, socially and economically responsible.

Advertising Prior to Final Determination

Should Council determine that the ODP based on the above cost sharing proposal is satisfactory for advertising, advertising for public comment including relevant government agencies is required for a period of not less than 21 days. Following the advertising period, Council is required to consider all submissions received and make a final recommendation to the Western Australian Planning Commission for determination.

CONCLUSION

It is only through the finalisation of an ODP for this area, which facilitates an appropriate balance between conservation and development that social, environmental and economic objectives can be achieved.

The Bush Forever Program identified that Negotiated Planning Solutions need to achieve “reasonable” and “equitable” cost implications for landowners. The proposed Outline Development Plan achieves this and is considered by Council staff as the most appropriate method of progressing planning for this area.

FINANCIAL IMPLICATIONS

The City owns Lots 1, 2 and 1576 Holmes Street, and Lot 1585 Harpenden Street in freehold, equating to approximately 20 percent of the entire precinct. The proposal currently before Council has the following financial implications for the City:

- Majority of Lot 1585 being given up free of cost, with a small area (0.5ha approx) able to be developed (approx 8 lots adjacent to Antiqua Place) with an undeveloped market value of approximately \$200,000.

- Lots 1 and 2 being acquired at “urban constrained” value, approx \$637,000
- Development potential being retained on Lot 1576, including likely community purpose site etc.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

350 Moved Cr R Mitchell Seconded Cr D Griffiths

“That Council, pursuant to Section 7.4 of the City of Gosnells Town Planning Scheme No. 6 determine the Southern River Precinct 1 (Holmes Street) Outline Development Plan to be satisfactory for advertising for a period of not less than 21 days to landowners, the general public and relevant government agencies.”

CARRIED 10/1

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Cr J Brown.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

351 Moved Cr R Mitchell Seconded Cr D Griffiths

“That Council, pursuant to Section 7 of the Town Planning and Development Act, 1928 (as amended) forward a copy of the ODP to the Western Australian Planning Commission.”

CARRIED 10/1

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Cr J Brown.

11. MINUTES OF COMMITTEE MEETINGS

11.1 SUTHERLANDS PARK ADVISORY COMMITTEE

File: C1/11

(RW)

RW6.1a

Appendix: 11.1A Minutes of the City of Gosnells Sutherlands Park Advisory Committee Meeting held on 14 May 2003

PURPOSE OF REPORT

For Council to receive the Minutes and consider the recommendations of the City of Gosnells Sutherlands Park Advisory Committee meeting held on 14 May 2003.

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 14 May 2003 are attached as Appendix 11.1A.

DISCUSSION

Cr D Griffiths was elected unopposed to the position of Presiding Member. The 14 May 2003 meeting resulted in three recommendations being adopted by the Committee with only one requiring the consideration of Council.

Recommendation 28

“That the Sutherlands Park Advisory Committee revisit and redevelop the Concept Master Plan for Sutherlands Park.”

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

352 Moved Cr P Wainwright Seconded Cr S Moss

“That Council receive the Minutes of the City of Gosnells Sutherlands Park Advisory Committee meeting held on 14 May 2003 as attached in Appendix 11.1A.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

353 Moved Cr P Wainwright Seconded Cr S Moss

“That Council adopt Recommendation 28 of the Sutherlands Park Advisory Committee Meeting held on 14 May 2003 which reads:

“That the Sutherlands Park Advisory Committee revisit and redevelop the Concept Master Plan for Sutherlands Park.””

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

11.2 HILLSIDE FARM MANAGEMENT COMMITTEE

File: 4/6/10

(RW)

RW6.2a

Appendix: 11.2A Minutes of Hillside Farm Management Committee Meeting held on 13 May 2003

PURPOSE OF REPORT

For Council to receive the Minutes and consider the recommendations of the Hillside Farm Management Committee Meeting held on 13 May 2003.

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 are currently providing labour to develop infrastructure of the farm. The Education Department continues to provide considerable assistance to develop the community component of the farm.

There were three recommendations made at the Hillside Farm Management Committee Meeting held on 13 May 2003, of which one requires Council's adoption.

DISCUSSION

The first recommendation is the appointment of the City of Gosnells delegate, Cr P M Morris, Mayor as the Presiding Member. The appointment was made unopposed.

The second recommendation is the confirmation of the Minutes of the previous meeting that were passed subject to two changes.

The third recommendation relates to the committee membership. A complete review and report has been compiled on the membership of the Hillside Farm Management Committee. The Committee through natural attrition has now reached a point of having four members plus the City of Gosnells delegate, Cr P M Morris, Mayor.

It is recommended by the Committee that Mr L Parkin be offered a position on the Committee with all entitlements. Mr Parkin has attended all meetings in an ex officio standing as the representative of the Education Centre leased by the Education Department and has provided invaluable input to date.

Recommendation 11

"That Mr L Parkin is appointed as a member of the Hillside Farm Management Committee."

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

354 Moved Cr D Griffiths Seconded Cr R Mitchell

“That Council receive the Minutes of the Hillside Farm Management Committee Meeting held on 13 May 2003 as attached in Appendix 11.2A.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

355 Moved Cr D Griffiths Seconded Cr R Mitchell

“That Council adopt Recommendation 11 of the Hillside Farm Management Committee Meeting held on Tuesday 13 May 2003, which reads:

“That Mr L Parkin is appointed as a member of the Hillside Farm Management Committee.”.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

12. REPORTS**12.1 CHIEF EXECUTIVE OFFICER’S REPORT**

12.2 COMMUNITY SERVICES

12.2.1 NATIONAL GRAFFITI AND DISORDER: LOCAL GOVERNMENT, LAW ENFORCEMENT AND COMMUNITY RESPONSES CONFERENCE – BRISBANE 18 TO 19 AUGUST 2003

File: C1/2/4 (MC)

Appendix: 12.2.1A Conference Programme – Graffiti and Disorder

PURPOSE OF REPORT

To advise and seek the approval of Council for an Elected Member and the Manager SafeCity Initiative to attend the National Graffiti and Disorder: Local Government, Law Enforcement and Community Responses Conference to be held in Brisbane from 18-19 August 2003.

BACKGROUND

The Australian Institute of Criminology (AIC), in conjunction with the Australian Local Government Association, have combined to initiate the development and organising of this conference which is aimed at providing a forum for practitioners and researchers on a number of conference topics relating specifically to graffiti. The keynote speaker at this conference is the Director of Australian Institute of Criminology, Dr Adam Graycar.

Some of the topics of the conference include:

- Community Partnerships
- Early Intervention Approaches
- NSW Council Plans and Policies
- Closed Circuit Television (CCTV)
- Sustainable Strategies
- Enforcement Services in Local Government
- Graffiti and Public Art
- Graffiti Reduction and Intercept Programmes
- The First Graffiti Local Law in Australia
- Managing Graffiti and Disorder

The Manager SafeCity Initiative has prepared and forwarded an abstract for a presentation about the City of Gosnells Anti Graffiti programme at the conference. Conference organisers have accepted the abstract and have invited the City of Gosnells

to provide a presentation at the conference. The acceptance of this invitation is subject to approval by Council.

DISCUSSION

The Australian Institute of Criminology (AIC), a federal agency, is Australia's national center for the analysis and dissemination of criminological data and information. The Institute aims to be responsive to the needs of government and the community with respect to policy issues in the fields of justice and the prevention and control of crime.

The aim of this particular national conference is to provide an opportunity for practitioners, researchers, policymakers, community groups and the business sector to discuss the topic, share knowledge and develop strategies to address the relevant issues.

The organisers, being the Australian Institute of Criminology and the Australian Local Government Association, have placed particular emphasis on the role of local government in addressing graffiti and disorder through preventative approaches and proactive programmes.

FINANCIAL IMPLICATIONS

Costs per person are as follows – subject to availability:

Conference Registration	515
Return Conference Airfare (Qantas)	793
Accommodation (3 nights)	405
Out of Pocket Expenses, approximately	280
Total	\$1,993

Funds are available from Account No. 40401.110.1023 and 60505.110.1023 Training and Conferences for attendance by an Elected Member and Manager SafeCity respectively.

STAFF RECOMMENDATION

Moved Cr R Mitchell Seconded Cr P Wainwright

That Council authorise Councillor _____ and the Manager SafeCity Initiative to attend the National Graffiti and Disorder: Local Government, Law Enforcement and Community Responses Conference in Brisbane from 18-19 August 2003 for an approximate cost of \$1,993 each, with funds being met from Account No. 40401.110.1023 and 60505.110.1023 respectively.

Amendment

Cr C Matison nominated Cr D Griffiths to attend the National Graffiti and Disorder: Local Government, Law Enforcement and Community Responses Conference resulting in the following amendment to the staff recommendation:

Moved Cr C Matison Seconded Cr P Wainwright

That the staff recommendation be amended by deleting the line “_____” where it appears in the first line after the word Councillor and substituting it with the name “D Griffiths”, with the amended recommendation to read:

“That Council authorise Councillor D Griffiths and the Manager SafeCity Initiative to attend the National Graffiti and Disorder: Local Government, Law Enforcement and Community Responses Conference in Brisbane from 18-19 August 2003 for an approximate cost of \$1,993 each, with funds being met from Account No. 40401.110.1023 and 60505.110.1023 respectively.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

The amendment was put and carried with the amendment becoming the substantive motion. The Presiding Member then put the substantive motion, which reads:

COUNCIL RESOLUTION

356 Moved Cr C Matison Seconded Cr P Wainwright

“That Council authorise Councillor D Griffiths and the Manager SafeCity Initiative to attend the National Graffiti and Disorder: Local Government, Law Enforcement and Community Responses Conference in Brisbane from 18-19 August 2003 for an approximate cost of \$1,993 each, with funds being met from Account No. 40401.110.1023 and 60505.110.1023 respectively.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

12.3 CORPORATE SERVICES

12.3.1 BUDGET VARIATIONS

File: F1/4/1

(MG)

june10_03bv

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	Type	Account Description	Debit \$	Credit \$
Job95129.100.1	Capital	Albany Hwy Opposite Admin. Building – Footpath Construction	16,000	
Job95109.100.1	Capital	North St –Lacey St to William St – Footpath Construction		16,000
Reason:		Additional footpath construction funded from surplus footpath construction project on North St.		
31006.181.2767	Expensed	Land Administration	895	
30403.182.3392	Expensed	Strategies		895
Reason:		To meet cost of sale agreement for land in Harpenden St, Huntingdale from budget savings.		
Job2725.500.1	Expensed	Mills Road Lot 108 – Building Maintenance	12,500	
Job2725.5004.54	Income	Mills Road – Contributions		12,500
Reason:		Building maintenance funded from DPI.		
51417.121.1700	Expensed	Capital Items Expensed	5,000	
61132.121.1700	Expensed	Capital Items Expensed	91	
Job1105.700.3	Capital	Furniture & Equipment – Facility Management Operations		4,475

Account Number	Type	Account Description	Debit \$	Credit \$
Job1305.700.3	Capital	IT Equipment – Facility Management Operations		525
Job1261.700.3	Capital	IT Equipment – DRPAC		91
Reason:		To reflect various items less than \$1,000 as an expense rather than a fixed asset.		
61121.120.1505	Expensed	Stationery	4,920	
61121.110.1003	Expensed	Salaries – Casual	3,000	
61121.380.7151	Income	Sundry Income		7,920
Reason:		To expense external grant for 'Work for Dole' project.		
61120.181.2760	Expensed	Legal Expenses	1,600	
61120.181.2763	Expensed	Postage		1,400
61120.182.3313	Expensed	Programme Activities		200
Reason:		To fund unexpected high legal fees unrecovered from customers from budget savings.		
40703.182.3303	Expensed	Noise Control Expenses	2,400	
40703.182.3256	Expensed	Audit – Industrial		1,100
40703.120.1512	Expensed	Pesticides		1,300
Reason:		Repairs to B&K 2260 sound level meter from budget savings.		
Job1294.700.3	Capital	IT Equipment – Computer Services	3,000	
Job2410.35.3	Expensed	Local Planning Strategy		3,000
Reason:		To purchase PC for staff dedicated to Local Planning Strategy from budget savings.		
Job2304.35.3	Expensed	Martin Residential Housing – Non recurrent	11,750	
Job2304.39.3	Expensed	Martin Residential Housing – Contracts and Services		11,750
Reason:		Funds dedicated to West Martin project extended to allow community consultation, required in progressing ODP of the area.		
Job2412.35.3	Expensed	Maddington Kenwick Sustainable Communities Initiative – Non recurrent.	15,709	
Job2412.39.3	Expensed	Maddington Kenwick Sustainable Communities Initiative – Contracts and Services.		15,709
Reason:		Funds transferred allow for continuation of project.		

Account Number	Type	Account Description	Debit \$	Credit \$
Job82049.100.1	Capital	Huntingdale Rd (Balfour St to Southern River) – Road Construction	179,500	
Job82049.5008.49	Income	Transfer from TPS17		179,500
Reason:		To fund forward road construction works from 2003/04, to accommodate road construction in June 2003 from TPS17.		
51608.181.2754	Expensed	Consultancy	41,330	
Job2408.35.3	Expensed	Travel Smart Project		41,330
Reason:		To fund a future traffic demand study on William Street from budget savings.		
Job6511.1.1	Expensed	Young Parents Support Programme	7,298	
Job6511.5000.51	Income	Operational Grants		7,298
Reason:		To fund Young Parents Support Programme from external grant received from South East Metropolitan Health Unit.		
Job6510.1.1	Expensed	Work for Dole Programme	19,760	
Job6510.5000.51	Income	Operational Grants		19,760
Reason:		To fund Work for Dole Programme from external grant received from Communicare.		
Job6492.1.1	Expensed	Youth Music Programme	7,800	
Job6492.5000.51	Income	Operational Grants		7,800
Reason:		To fund Youth Music Programme from external grant received from Lotteries Commission.		
Job95130.100.1	Capital	Campbell Rd – 90m shared path	8,500	
Job95131.100.1	Capital	Albany Hwy outside No. 1780 – Footpath Construction	3,500	
Job95106.100.1	Capital	Garden St – Sugarwood Dr to Yale Rd – Footpath Construction.		8,500
Job95110.100.1	Capital	Spencer Rd – Debenham St to School Crossing		3,500
Reason:		Construction of new footpaths from budget savings on completed footpath construction.		

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

357 Moved Cr C Matison Seconded Cr J Brown

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

Account Number	Account Description	Debit \$	Credit \$
Job95129.100.1	Albany Hwy Opposite Admin. Building – Footpath Construction	16,000	
Job95109.100.1	North St –Lacey St to William St – Footpath Construction		16,000
31006.181.2767	Land Administration	895	
30403.182.3392	Strategies		895
Job2725.500.1	Mills Road Lot 108 – Building Maintenance	12,500	
Job2725.5004.54	Mills Road – Contributions		12,500
51417.121.1700	Capital Items Expensed	5,000	
61132.121.1700	Capital Items Expensed	91	
Job1105.700.3	Furniture & Equipment – Facility Management Operations		4,475
Job1305.700.3	IT Equipment – Facility Management Operations		525
Job1261.700.3	IT Equipment – DRPAC		91
61121.120.1505	Stationery	4,920	
61121.110.1003	Salaries – Casual	3,000	
61121.380.7151	Sundry Income		7,920
61120.181.2760	Legal Expenses	1,600	
61120.181.2763	Postage		1,400
61120.182.3313	Programme Activities		200
40703.182.3303	Noise Control Expenses	2,400	
40703.182.3256	Audit – Industrial		1,100
40703.120.1512	Pesticides		1,300
Job1294.700.3	IT Equipment – Computer Services	3,000	
Job2410.35.3	Local Planning Strategy		3,000
Job2304.35.3	Martin Residential Housing – Non recurrent	11,750	
Job2304.39.3	Martin Residential Housing – Contracts and Services		11,750
Job2412.35.3	Maddington Kenwick Sustainable Communities Initiative – Non recurrent	15,709	

Account Number	Account Description	Debit \$	Credit \$
Job2412.39.3	Maddington Kenwick Sustainable Communities Initiative – Contracts and Services.		15,709
Job82049.100.1	Huntingdale Rd (Balfour St to Southern River) – Road Construction	179,500	
Job82049.5008.49	Transfer from TPS17		179,500
51608.181.2754	Consultancy	41,330	
Job2408.35.3	Travel Smart Project		41,330
Job6511.1.1	Young Parents Support Programme	7,298	
Job6511.5000.51	Operational Grants		7,298
Job6510.1.1	Work for Dole Programme	19,760	
Job6510.5000.51	Operational Grants		19,760
Job6492.1.1	Youth Music Programme	7,800	
Job6492.5000.51	Operational Grants		7,800
Job95130.100.1	Campbell Rd – 90m shared path	8,500	
Job95131.100.1	Albany Hwy outside No. 1780 – Footpath Construction	3,500	
Job95106.100.1	Garden St – Sugarwood Dr to Yale Rd – Footpath Construction.		8,500
Job95110.100.1	Spencer Rd – Debenham St to School Crossing		3,500”

CARRIED BY ABSOLUTE MAJORITY 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

12.3.2 TENDER NUMBER 12/2003 - SUPPLY OF COMPUTERS AND USER SUPPORT FOR ELECTED MEMBERS

File: TEN.12/2003 (PC) june10_03ten
 Appendix: 12.3.2A Tender Evaluation Matrix

PURPOSE OF REPORT

To advise Council of the results of Tender 12/2003 for the supply of Computers and User Support for Elected Members and to recommend a supplier.

BACKGROUND

The tender, advertised in the West Australian newspaper, closed on 14 May 2003.

DISCUSSION

The tender called for the supply and installation of personal computers and printers and the provision of on-site Member support for a period of two (2) years. Nine (9) companies responded to the tender.

The specification requested personal computers with a minimum Pentium IV 2Ghz processor, 512Mb Ram, minimum 20Gb Hard Disk Drive, 17" Monitor, Windows2000 or XP Pro supported by a three (3) year warranty. A personal printer was also required and suppliers were asked to indicate the cost to provide LCD flat monitors in place of standard 17" monitors.

The tender called for the installation of the equipment on-site, including the transfer of data from existing systems.

The following is a simple analysis of the quotes received for systems, printers and on-going support. A tender evaluation matrix on all proposals is attached as Appendix 12.3.2A.

Company	Cost PC & Printer / per unit	*Cost to setup & Install 12 units	Total cost to purchase & install 12 units	**Hourly support rate on-site
Ace Computing	\$2660.50	\$2772	\$34,698	\$77.00
Advante	\$2602.00	\$5995	\$37,219	\$55.00
CDM	\$2194.50	No charge	\$26,334	\$88.00
Dell & Amnet	\$2085.60	\$3927	\$28,954	\$93.50
JH Computer Services	\$2095.50	\$3366	\$28,512	\$93.50
Martin Computing Upgrades	\$2165.00	\$840	\$26,820	\$20.00
Paul Edward	\$2070.00	\$2880	\$27,720	\$60.00
Stott & Hoare	\$2800.00	\$2376	\$35,976	\$99.00
TPG	\$2114.20	\$1752	\$27,122	\$73.00

* Based in price/cost and time estimates supplied by Tenderers.

** Given as indication as many Tenderers offered lower rates for telephone support and lower on-site support costs when block hours of support are purchased.

When reviewing the tenders, consideration was given to the specifications of the equipment quoted and how these met the tender request; ability and experience of tenderer to provide support to Members for equipment and user support; supplier business information and warranty details; balanced against the requirement of systems to support the Members of the City for a period of three (3) years, and to provide support for a period of two (2) years.

Consideration was given to the supply of LCD flat screen monitors instead of full-size CRT monitors, for the small space they require. The difference in price fell within the budget allowance.

The following evaluation matrix was used to assess each tender:

Contract Evaluation and Weighting Table	Weight
Specifications of hardware offered	15%
Total price of hardware offered The lowest price tendered will be used as the benchmarked criteria in assessing price.	15%
Hourly support fee for user support The lowest price tendered will be used as the benchmarked criteria in assessing price.	15%
Availability of total solution, including maintenance and user support	15%
Proven track record in the supply, maintenance and support of computing hardware	15%
Proven track record in the provision of flexible, customer focussed support	15%
Organisational profile	10%

A full copy of the matrix is contained in Appendix 12.3.2A of this report, but the following summary illustrates the final outcome for each tender:

Contract Evaluation and Weighting Table	Evaluation Score
Ace Computing + Consulting	77.24
Advante	95.80
CDM	96.00
Dell + Amnet	90.01
JH Computer Services	93.26
Martin Computing Upgrades	81.72
Paul Edward	74.85
Stott + Hoare	87.51
TPG	95.64

The tenders from Advante, CDM and TPG scored closely.

Advante quoted personal computers from Dell. Dell would provide warranty support for the hardware, with Advante providing user support.

TPG quoted TPG computer systems. TPG would provide warranty support on the hardware with user support being provided by an authorised service agent of TPG, Alexander Computer Technologies.

CDM quoted CDM equipment, with both hardware warranty and user support being provided by CDM. CDM also provides loan equipment on-site should a system need to return to CDM for any warranty work.

All printers quoted by Tenderers are covered by the standard manufacturer's 12-month warranty.

CDM has been identified as the preferred supplier for this tender as they provide a single point of contact for both hardware warranty and user support, and their initial purchase price and setup cost is very competitive. Whilst the CDM hourly user support rate is more than that offered by Advante, the cost difference in purchase and initial setup is \$10,885, which equates to 124 hours of on-site support at \$88/hour. However, CDM offers a reduced hourly rate of \$74.80 when support hours are purchased in blocks of ten (10) hours and this option is recommended.

FINANCIAL IMPLICATIONS

Funds have been provided by Council within the 2002/2003 Budget to fund the purchase of the above equipment, in Job Number 1294.

The cost schedule is therefore:

Component	Unit Cost	Total Cost
12 CDM systems with 17" LCD Monitor	\$2,194.50	\$26,334.00
100 hours of block-time user support	\$74.80	\$7,481.00
Total Purchase Price		\$33,815.00

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

358 Moved Cr P Wainwright Seconded Cr S Moss

“That Council award Tender 12/2003 to CDM Computers, 251-257 Scarborough Beach Road, Mt Hawthorn WA 6016, for the purchase of twelve (12) Personal Computers and printers, including on-site installation and set-up, configured as required by Council with purchase of 100 hours of block-time user support, at a total cost of \$33,815.00 (GST Inclusive) for a two-year period.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

12.3.3 TENDER NUMBER 27/2003 - AUDIT SERVICES

File: TEN.27/2003

(RB) june10_03aud

PURPOSE OF REPORT

To inform Council of the results of Tender 27/2003 for the provision of Audit Services for the period 1 July 2003 to 30 June 2008 and to recommend an auditor for appointment.

BACKGROUND

Hall Chadwick, Chartered Accountants and Business Advisers, is the current provider of audit services to the City of Gosnells. The contract with Hall Chadwick expires on 30 June 2003 and tenders were called by advertisement in the West Australian newspaper on Saturday 12 April 2003.

Tenders closed at 2:00pm on Tuesday 6 May 2003 and submissions were received as follows:

- Horwath-Perth, 128 Hay Street, Subiaco
- Haines Norton, 355 Scarborough Beach Road, Osborne Park
- Hall Chadwick, Level 41, BankWest Tower, 108 St George's Terrace, Perth

DISCUSSION

The tenders contained not only the fees applicable for five (5) years but also details of their experience and qualifications, ability to perform and approach to the audit.

Comments on each tenderer are as follows:

Horwath-Perth

Horwath-Perth has developed and established itself in the market place since starting as Ansell Price and Atkins in 1978 and then becoming a member of the Duesburys Group in 1984. The Horwath-Perth team comprises four (4) partners and sixty-two (62) staff and has International Quality Assurance AS/NZS ISO 9001:1994 certification. Currently Horwath-Perth provides audit services to eighteen (18) local governments.

The partners / principals of the firm to be nominated as Council's auditors would be Mr A G Bevan and Mr G O'Brien.

The estimated hours and level of staff to perform the audit would be:

Position	Hours
Intermediate	39
Senior	66
Partner	15
	<u>120</u>

Audit Price	2003/04	2004/05	2005/06	2006/07	2007/08
Audit Fee	14,000	14,800	15,600	16,400	17,200
GST	1,400	1,480	1,560	1,640	1,720
Total	15,400	16,280	17,160	18,040	18,920

Haines Norton

Haines Norton is a national group of independent firms represented in every state and structured to share experience and resources for the benefit of clients.

The firm's current staffing structure in Western Australia comprises three (3) partners and nineteen (19) staff and Haines Norton is currently the auditors of forty-one (41) local governments.

The partners / principals of the firm to be nominated as Council's auditors would be Mr D J Tomasi and Mr R B Swarbreck.

The estimated hours and level of staff to perform the audit would be:

Position	Hours
Secretarial	2
Planning	2
Senior/Intermediate	72
Manager/Supervisor	64
Partner	25
	<u>165</u>

Audit Price	2003/04	2004/05	2005/06	2006/07	2007/08
Audit Fee	19,750	20,500	21,250	22,000	22,750
GST	1,975	2,050	2,125	2,200	2,275
Total	21,725	22,550	23,375	24,200	25,025

Hall Chadwick

Hall Chadwick is one of the oldest established firm of accountants in Western Australia. Whilst Hall Chadwick is part of a national association the firm is totally controlled by its partners in Western Australia.

The firm has six (6) partners and sixty-five (65) employees and is currently the auditors for six (6) local governments including the City of Perth. The firm adheres to the internal quality control guidelines promulgated jointly by the Institute of Chartered Accountants and the Australian Society of CPA's and has ISO 9001 accreditation.

The partners / principals of the firm to be nominated as Council's auditors would be Mr M Hillgrove and Mr M Anghie.

The estimated hours and level of staff to perform the audit would be:

Position	Hours
Intermediate	60
Senior	100
Manager	25
Partner	15
	200

Audit Price	2003/04	2004/05	2005/06	2006/07	2007/08
Audit Fee	11,650	12,100	12,500	12,950	13,500
GST	1,165	1,210	1,250	1,295	1,350
Total	12,815	13,310	13,750	14,245	14,850

Evaluation

In evaluating the tenders consideration was given to relevant experience and qualifications, ability to perform, approach to scope of audit and price.

The following Contract Evaluation and Weighting Table provides the scores and rankings of the three (3) tenderers.

Contract Evaluation and Weighting table	Weighting	Horwath Perth	Haines Norton	Hall Chadwick
Relevant Experience and Qualifications	15%	15%	15%	15%
Ability to Perform	20%	20%	20%	20%
Approach to Scope of Audit	15%	9%	12%	13%
Price	50%	38%	16%	50%
Total	100%	82%	63%	98%

CONCLUSION

Although all three (3) tenderers have the experience and qualifications to undertake the audit for the City of Gosnells, it is considered that Horwath-Perth have not allowed sufficient hours to conduct an adequately comprehensive audit and is therefore not recommended.

The evaluation scores given suggest that Hall Chadwick should be offered the audit contract for a further five (5) years.

FINANCIAL IMPLICATIONS

The audit fee payable by Council for the period 1 July 2003 to 30 June 2008 is \$68,970.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

359 Moved Cr J Brown Seconded Cr C Matison

“That Council award Tender 27/2003 for the provision of Audit Services for the period 1 July 2003 to 30 June 2008 to Michael Hillgrove and Maurice Anghie of Hall Chadwick, 108 St George’s Terrace, Perth at a total cost of \$68,970.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

12.4 INFRASTRUCTURE

12.4.1 TENDER 4/2003 – SUPPLY, INSTALLATION AND MAINTENANCE OF PUMPS

File: TEN/4/2003 (MH) MH6.1A

PURPOSE OF REPORT

For Council to consider and approve the awarding of Tender 4/2003 – Supply, Installation and Maintenance of Pumps.

BACKGROUND

Tenders were advertised in The West Australian newspaper on Saturday 11 January 2003 and closed at 2.00pm on Wednesday 22 January 2003 for the supply, Installation and Maintenance of Pumps. Tenders were received from the following:

1	Hydro Engineering Pty Ltd	14 Wright Street, Bayswater
2	JLR Pumps	520 Cleaver Street, Chidlow
3	Abonnel Pumpworks Engineering	26 Hines Road, O'Connor
4	Statewide Pump Services	24 Owen Road, Kelmscott

DISCUSSION

All submissions have been assessed against the mandatory requirements, which define the Tenderer’s ability to perform the requirements of the contract. These being experience, occupation health and safety, ability to perform and referees.

This was then integrated into the cost score analysis.

On receipt of the tender submissions, additional information was sought from all tenderers in clarifying pricing and standards.

Contract evaluation and weighting table:

Category	Weight	Hydro Engineering Pty Ltd	JLR Pumps	Abonnel Pump Works Engineering	Statewide Pump Services
Ability to perform	10%	9.00%	9.00%	8.66%	7.66%
Response to referees	10%	10.00%	10.00%	10.00%	10.00%
Experience	15%	14.00%	14.00%	14.00%	14.00%
Occupational health and safety	5%	4.33%	2.66%	3.33%	2.66%
TOTALS	40%	37.33%	35.66%	35.99%	34.32%
Rank In Score		1	3	2	4

Prices were calculated on the average cost of: -

- Removing an old pump
- Supply and installation of a new pump
- Flow testing the system

Contract evaluation and weighting table with costs scores added:

Tenderer	Price	Ranking on price only	Matrix on price - 60%	Matrix on other 40%	Total 100%	Ranking on matrix
Hydro Engineering Pty Ltd	\$7,427.00	4	49.76%	37.33%	87%	3
JLR Pumps	\$6,159.00	1	60.00%	35.66%	96%	1
Abonnel Pump Works Engineering	\$6,549.00	2	56.43%	35.99%	92%	2
Statewide Pump Services	\$7,250.00	3	50.97%	34.32%	85%	4

CONCLUSION

The above assessment indicates JLR Pumps with 96% as the highest point scorer. It will be recommended that the contract be awarded to JLR Pumps.

FINANCIAL IMPLICATIONS

The works associated with this contract are included in the 2003/2004 Parks and Building Services Operational Budgets.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

360 Moved Cr J Brown Seconded Cr D Griffiths

“That Council award Tender 4/2003 - Supply, Installation and Maintenance of Pumps to JLR Pumps, 520 Cleaver Street, Chidlow in accordance with the schedule of rates in their tender submission.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

12.4.2 TENDER 25/2003 PURCHASE OF 6X4 SIDE LOADING RUBBISH TRUCK

Deleted: VEHICLE TENDER 27/2002

File: TEN/25/2003 (AW) AW6.1a

PURPOSE OF REPORT

To seek Council approval to award tenders for a 6 x 4 side loading rubbish truck as identified in Tender 25/2003.

Deleted: for Council's vehicle fleet

BACKGROUND

Tenders were advertised in The West Australian newspaper on Saturday 19 April 2003 and closed at 2.00pm on Tuesday 6 May 2003 for the purchase of a 6 x 4 side loading rubbish truck trading P383. Tenders were received from the following:

WA Hino Sales and Service	238-246 Great Eastern Highway, Belmont WA 6104
Skipper Trucks	268 Great Eastern Highway, Belmont WA 6104
Major Motors Pty Ltd	225 Great Eastern Highway, Belmont WA 6104
Wastemaster	24 Davison Street, Maddington WA 6109
MacDonald Johnston Engineering Co Pty Ltd	PO Box 84, Bayswater WA 6053
Smith Broughton and Sons	1 Clayton Street, Midland WA 6056
W and P Truck and Machinery Sales	1835-1841 Hume Highway, Campbellfield WA 3061

DISCUSSION

Details of the tenders received are as follows:

Deleted: A Tender 27/2002 – 3 x Side Loading 6x4 Rubbish Trucks

6x4 SIDE LOADING RUBBISH TRUCK - TRADING P383							
COMPANY NAME	VEHICLE MAKE AND MODEL	COMPACTOR	ENGINE SIZE (L)	BRAKE POWER (KW,RPM)	PURCHASE PRICE (\$) Net of GST	TRADE-IN OR OUTRIGHT PURCHASE (\$) Net of GST	NET PRICE (\$)
WA Hino Sales	Ranger Pro 14	MacDonald Johnston	7.961L	191/2500	\$246,603	\$48,645	\$197,958
WA Hino Sales	Ranger Pro 14	Wastemaster Superior Pak	7.961L	191/2500	\$246,278	\$48,645	\$197,633
Skipper Trucks	Iveco Acco F2350G/285	MacDonald Johnston	8.3L	213/2000	\$269,830	\$49,091	\$220,739
Skipper Trucks	Iveco Acco F2350G/285	Wastemaster Superior Pak	8.3L	213/2000	\$269,505	\$49,091	\$220,414
Major Motors	Isuzu FVZ1400 Auto	MacDonald Johnston	9.8L	206/2000	\$277,880	\$48,645	\$229,235
Major Motors	Isuzu FVZ1400 Auto	Wastemaster Superior Pak	9.8L	206/2000	\$277,555	\$48,645	\$228,910
Wastemaster		Wastemaster Superior Pak	Body Only		\$110,555		
MacDonald Johnston		MacDonald Johnston	Body Only		\$110,880		
W&P Truck & Machinery Sales						\$40,329	
Smith Broughton & Sons						\$47,770	

The tender from WA Hino Sales for a Ranger Pro 14 does not meet the required specification as it does not have a 6-speed transmission with overdrive. This transmission is required to keep fuel costs to a minimum as the trucks travel to the Cardup waste disposal site.

The tenders submitted by MacDonald Johnston and Wastemaster are for the compactor unit only, whereas the tenders submitted by Skipper Trucks and Major Motors include both the compactor and truck. The price included in Skipper Trucks and Major Motors tenders for the compactors are exactly the same as tendered by MacDonald Johnston and Wastemaster.

The tenders submitted by W and P Truck and Machinery Sales and Smith Broughton and Sons were for the outright purchase of P383 and as the amount offered by these companies is less than that offered for trade by Skipper Trucks and Major Motors they will not be considered.

An assessment of the remaining tenders from Skipper Trucks and Major Motors for both the MacDonald Johnston compactor and the Wastemaster compactor was undertaken in accordance with the evaluation matrix as specified in the tender and is shown below.

EVALUATION MATRIX - P383				
	Skipper Trucks c/w MacDonald Johnston compactor	Skipper Trucks c/w Wastemaster compactor	Major Motors c/w MacDonald Johnston compactor	Major Motors c/w Wastemaster compactor
Customer Service 10% 3 Referees	10%	10%	10%	10%
Ability to Supply Parts in a timely manner 20%	18%	15%	17%	14%
Price 70%	69.9%	70%	67.3%	67.4%
Total %	97.9%	95%	94.3%	91.4%

The above assessment indicates Skipper Trucks as scoring the highest percentage for the supply of an Iveco Acco F2350G/285 with a MacDonald Johnston compactor trading P383. As this truck meets all required specifications, it will be recommended to accept this tender.

Council's existing fleet of side loading rubbish trucks are all International Acco trucks with MacDonald Johnston compactors. These trucks have proven to be highly reliable with spare parts available readily. By standardising the fleet of rubbish trucks, spare parts that are frequently required are carried in stock at the workshop ensuring minimum down time.

FINANCIAL IMPLICATIONS

The allocated amount of \$220,739 for the changeover of Fleet No 383 in the Capital Plant Replacement Programme has been provided for in the 2003/2004 draft Budget. The Capital Plant Replacement Programme is totally funded from the Plant and Equipment Reserve and does not require any Municipal funding.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

361 Moved Cr S Moss Seconded Cr D Griffiths

“~~That~~ Council award Tender 25/2003 to Skipper Trucks of 268 Great Eastern Highway, Belmont for the supply of one Iveco Acco F2350G/285 6 x 4 truck with a MacDonald Johnston side loading rubbish compactor, trading P383, at a changeover cost of \$220,739.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

Deleted: That Council accept the following tenders:¶

Deleted: That Council award 27/2002 ¶

Deleted: ATender 27/2002, Council accept the Tender of Skipper Trucks Belmont

12.4.3 TENDER 31/2003 PURCHASE OF 12,000KG GVM REAR-LOADING RUBBISH TRUCK

Deleted: VEHICLE TENDER 27/2002

File: TEN/31/2003

(AW)

AW6.2a

PURPOSE OF REPORT

To seek Council approval to award tenders for a 12,000kg GVM rear-loader rubbish truck as identified in Tender 31/2003.

Deleted: for Council's vehicle fleet

BACKGROUND

Tenders were advertised in The West Australian newspaper on Saturday 19 April 2003 and closed at 2.00pm on Tuesday 6 May 2003 for the purchase of a 12,000kg GVM rear-loading rubbish truck trading P184. Tenders were received from the following:

WA Hino Sales and Service	238-246 Great Eastern Highway, Belmont WA 6104
Skipper Trucks	268 Great Eastern Highway, Belmont WA 6104
Major Motors Pty Ltd	225 Great Eastern Highway, Belmont WA 6104
Wastemaster	24 Davison Street, Maddington WA 6109
MacDonald Johnston Engineering Co Pty Ltd	PO Box 84, Bayswater WA 6053
Smith Broughton and Sons	1 Clayton Street, Midland WA 6056

DISCUSSION

Details of the tenders received are as follows:

Deleted: A Tender 27/2002 – 3 x Side Loading 6x4 Rubbish Trucks

12,000kg GVM REAR-LOADING RUBBISH TRUCK - TRADING P184						
COMPANY NAME	VEHICLE MAKE AND MODEL	ENGINE SIZE (L)	BRAKE POWER (KW,RPM)	PURCHASE PRICE (\$) Net of GST	TRADE-IN OR OUTRIGHT PURCHASE (\$) Net of GST	NET PRICE (\$)
WA Hino Sales	Ranger Pro 7	7.961L	173/2500	\$157,664	\$23,963	\$133,701
Skipper Trucks	Mitsubishi FK61FL1HRFAE	7.5L	177/2600	\$154,700	\$25,770	\$128,930
Major Motors	Isuzu FSR 700 Long	7.79L	164/2400	\$156,531	\$23,963	\$132,568
Smith Broughton & Sons					\$25,770	

The tenders from WA Hino Sales, Skipper Trucks and Major Motors all meet the required specification and the tender from Smith Broughton and Sons is for outright purchase of P184 only.

An assessment of the tenders was undertaken in accordance with the evaluation matrix as specified in the tender and is shown below.

EVALUATION MATRIX - P184			
	WA Hino Sales	Skipper Trucks	Major Motors
Customer Service 10% 3 Referees	10%	10%	10%
Ability to Supply Parts in a timely manner 20%	18%	18%	17%
Price 70%	67%	70%	68%
Total %	95%	98%	95%

The above assessment indicates Skipper Trucks offering a Mitsubishi FK61FL1HRFAE with a MacDonald Johnston compactor as scoring the highest percentage. As this truck meets all requirements and the trade-in price is equal to that offered by Smith Broughton and Sons it will be recommended to accept this tender for the supply of one rear loading rubbish truck and the trade-in of P184.

FINANCIAL IMPLICATIONS

The allocated amount of \$128,930 for the changeover of Fleet No 184 in the Capital Plant Replacement Programme has been allowed for in the 2003/2004 draft Budget. The Capital Plant Replacement Programme is totally funded from the Plant and Equipment Reserve and does not require any Municipal funding.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

362 Moved Cr P Wainwright Seconded Cr S Moss

“~~That~~ Council award ~~Tender~~ 31/2003 to Skipper Trucks of 268 Great Eastern Highway, Belmont for the supply of one Mitsubishi FK61FL1HRFAE truck with a MacDonald Johnston rear-loading rubbish compactor trading P184, at a changeover cost of \$128,930.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

- Deleted:** That Council accept the following tenders:¶
- Deleted:** That Council award 27/2002 ¶
- Deleted:** ATender 27/2002, Council accept the Tender of Skipper Trucks Belmont

12.4.4 HOUSEHOLD RECYCLING COLLECTION - CLEANAWAY CONTRACT

File: W2/7

(DD)

DD6.1A

PURPOSE OF REPORT

To obtain Council's approval to enter into an agreement with Cleanaway for the provision of a kerbside household recyclable collection service for a period of eleven (11) months.

BACKGROUND

Currently, the City's household recycling collection service is provided by Cleanaway under contract. The contract is to provide a fortnightly collection of recyclable materials from households for a five-year period. The contract provides for the provision of "yellow-top" 240 litre mobile garbage bins, which will become the property of the City at the expiry of the contract, the transportation of the materials to an approved materials recycling facility, the sorting and sale of the recyclable material to suitable markets and the final disposal of material not suitable for recycling. It also includes the provision for the City to share some of the profits obtained from the sale of the recycled materials.

The contract with Cleanaway expires on 29 July 2003 and does not include any provision for an extension. The City needs to determine the most advantageous (financial, social and environmental) method of providing a household recyclable collection service. The Cities of Armadale and South Perth are in a similar situation with their household recycling contracts due for renewal within the next eight months. As the three local governments form the South East Metropolitan Regional Council (SEMRC), which was formed to initiate, promote and implement waste management strategies for the benefit of the region, the Regional Council has commissioned and engaged a consultant to report on the feasibility of the SEMRC providing/operating a collection service for its member councils, or continuing to contract out the service, either collectively or singularly. The City needs to ensure the continuity of its kerbside household recyclables collection while the SEMRC is conducting this study.

DISCUSSION

As stated previously the SEMRC was formed to initiate, promote and implement waste management strategies for the benefit of the region and it is anticipated that a collective tender for the collection of household recyclable materials, covering the three member councils, would attract favourable economies of scale. To provide the SEMRC with a timeframe suitable for the preparation, advertising and evaluation of such a tender it is necessary for the member councils to synchronise the termination date of their current recycling contracts.

The City of Armadale's contract expired in May 2003, and they have negotiated and approved a new short-term (13 months) contract with Cleanaway expiring on 30 June 2004. The City of Gosnells contract expires on 29 July 2003, and Cleanaway has agreed, subject to Council approval, to enter into a new short-term contract, also with an expiry date of 30 June 2004. The City of South Perth's contract is due to expire in January 2004, and they too intend to negotiate a short-term contract to expire on 30 June 2004. The SEMRC believes that by synchronizing the contracts to the end of the 2003/04 financial year, they will be able to fully evaluate the feasibility study, prepare and process a tender for the kerbside collection and sorting/disposal of household recyclable materials.

As the City's current contract with Cleanaway does not include any provision for an extension of the contract, it is necessary to enter into a new agreement and in normal circumstances, the City would be required to advertise a tender for such a service (total cost will be in excess of \$50,000 and Cleanaway are not the sole suppliers of that type of service). However, a member of the Technical Advisory Committee of the SEMRC has had discussions with a senior staff member of the Department of Local Government and Regional Development, and received the following advice:

- Should other recycling organisations feel that it would be feasible to submit a competitive bid for the short-term contract, then in accordance with the Local Government tender regulations, the Councils would be required to call tenders for the service.
- Should the companies feel that it was not possible to put together a competitive bid for the short term then the Councils could negotiate with Cleanaway to provide the service for this period of time.

Council staff have contacted four major recycling organisations (Sita-BFI, Visy Recycling, Collex and Roads and Robinson) to ascertain whether they would be interested in submitting a short-term tender or if they had any objections to the City negotiating with Cleanaway. The situation regarding the City being part of a regional council and the desire to synchronise expiry dates with other member councils so that a joint tender could be prepared was fully explained to the companies, with all stating that the term of the contact was too short and not economically viable and that they would be interested in submitting a tender for the collection service at a later date.

FINANCIAL IMPLICATIONS

Currently, Cleanaway collects household recyclables from 31,900 households at a cost of \$0.663/week/household (\$34.48/household/year), which equates to an approximate annual cost of \$1,099,912. Cleanaway have indicated that should the City enter into a short-term contract with them, the fee would be \$0.593/household/week (\$30.84/household/year), thus giving Council a saving of \$116,166/year. The reduction in charges is to reflect that the City will have ownership of the bins from 30 July 2003. All other terms and conditions of the current contract will continue to apply, including the provision of growth and replacement MGBs and MGB repairs.

The funding for this service forms part of the overall refuse collection rate and the reduction in costs has been accounted for in the proposed budget for 2003/2004. It will be recommended that the City enters into a short-term contract with Cleanaway as this will allow the SEMRC to fully evaluate the feasibility study, prepare and process a tender for the kerbside collection and sorting/disposal of household recyclable materials.

STAFF RECOMMENDATION

Moved Cr S Moss Seconded Cr O Searle

That Council enter into an agreement with Cleanaway for the provision of a kerbside household recyclable collection service for a period of eleven (11) months with an expiry date of 30 June 2004, at a cost of \$0.593/household/week, with all other terms and conditions to be the same as the current contract.

Amendment

During debate Cr C Matison moved the following amendment to the staff recommendation above:

“That the staff recommendation be amended, to ensure it legally satisfies the provisions of the Local Government Act, by inserting the words “, subject to written confirmation from the Department of Local Government and Regional Development as to the legal correctness of the proposal,” after the word “Council” where it appears in the first line.”

Cr J Brown Seconded Cr Matison’s proposed amendment.

At the conclusion of debate the Presiding Member put Cr Matison’s proposed amendment, which reads:

Moved Cr C Matison Seconded Cr J Brown

That the staff recommendation be amended, to ensure it legally satisfies the provisions of the Local Government Act, by inserting the words “, subject to written confirmation from the Department of Local Government and Regional Development as to the legal correctness of the proposal,” after the word “Council” where it appears in the first line, with the amended recommendation to read:

“That Council, subject to written confirmation from the Department of Local Government and Regional Development as to the legal correctness of the proposal, enter into an agreement

with Cleanaway for the provision of a kerbside household recyclable collection service for a period of eleven (11) months with an expiry date of 30 June 2004, at a cost of \$0.593/household/week, with all other terms and conditions to be the same as the current contract.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

The amendment was put and carried with the amendment becoming the substantive motion. The Presiding Member then put the substantive motion, which reads:

COUNCIL RESOLUTION

363 Moved Cr C Matison Seconded Cr J Brown

“That Council, subject to written confirmation from the Department of Local Government and Regional Development as to the legal correctness of the proposal, enter into an agreement with Cleanaway for the provision of a kerbside household recyclable collection service for a period of eleven (11) months with an expiry date of 30 June 2004, at a cost of \$0.593/household/week, with all other terms and conditions to be the same as the current contract.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

**12.4.5 INTERNATIONAL PUBLIC WORKS CONFERENCE - HOBART, 24-28
AUGUST 2003**

File: C4/2/2

(DH)

DH6.1a

Appendix: 12.4.5A Conference Brochure

PURPOSE OF REPORT

To seek endorsement and approval from Council for a nominated Councillor and the Director Infrastructure, Mr Dave Harris to attend the International Public Works Conference in Hobart from 24-28 August 2003.

BACKGROUND

The biennial National Public Works Engineering Conference is the premier event in the Institute of Public Works Engineering Australia calendar and provides a focus for the Institute in addressing current and emerging issues in the industry.

The “Back to Engineering” theme is designed to promote the importance of public works engineering to society and will highlight the latest technological and leadership advances that public works engineering can deliver to the community.

DISCUSSION

The conference with its theme “Back to Engineering” will attract delegates from Local and State Government and private practice throughout Australia as well as international delegates.

The organising committee has arranged for high calibre international, national and local speakers on the following main streams:

- Service Delivery
- Integrated Transport Planning
- Stormwater and Water Sensitive Urban Design
- Asset Management
- Risk Management
- Environment
- Public Utilities
- Traffic and Road Safety
- Fleet Management
- Pavement Management
- Community

Included in the conference programme will be a trade display of service and products and technical tours of significant public works in infrastructure.

The conference will afford the opportunity to:

- listen and interact with speakers who are leaders in their chosen fields;
- build on past professional contacts;
- create new professional contacts; and
- extract information, techniques and technology for the benefit of the City of Gosnells.

A copy of the conference programme is attached as Appendix 12.4.5A.

The Director Infrastructure will seek approval for attendance and if successful will also take the opportunity to attend an IPWEA National Board Meeting and a joint National and State Planning Forum on the Saturday and Sunday prior to the commencement of the Conference as part of his broader role as representative on the National Board.

FINANCIAL IMPLICATIONS

Costs to attend the conference, per person, are estimated as follows:

Registration Fees - Member	\$1,030
Return Airfare to Hobart (Economy)	\$700
Accommodation – West Point Hotel (Conference Venue) 6 nights at \$175 per night.	\$1,050
Out of pocket expenses	\$320
Total	\$3,100

Funds are available in Account 51605.110.1023 Staff Training/Conferences Infrastructure Administration for the Director Infrastructure and from Account 40401.110.1023 Training/Conferences for Councillor attendance.

STAFF RECOMMENDATION

Moved Cr R Mitchell Seconded Cr P Wainwright

That Council authorise that Councillor _____ and Director Infrastructure, Mr Dave Harris, at an estimated cost of \$3,100 per person, be permitted to attend the International Public Works Conference “Back to Engineering” in Hobart from 24-28 August 2003, with the costs being met from Accounts 51605.110.1023 and 40401.110.1023-Training/Conferences.

Amendment

Cr C Matison nominated Cr J Brown to attend the International Public Works Conference "Back to Engineering" resulting in the following amendment to the staff recommendation:

Moved Cr C Matison Seconded Cr D Griffiths

That the staff recommendation be amended by deleting the line "_____ " where it appears in the first line after the word Councillor and substituting it with the name "J Brown", with the amended recommendation to read:

"That Council authorise that Councillor J Brown and Director Infrastructure, Mr Dave Harris, at an estimated cost of \$3,100 per person, be permitted to attend the International Public Works Conference "Back to Engineering" in Hobart from 24-28 August 2003, with the costs being met from Accounts 51605.110.1023 and 40401.110.1023-Training/Conferences."

CARRIED 10/1

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Cr S Moss.

The amendment was put and carried with the amendment becoming the substantive motion. The Presiding Member then put the substantive motion, which reads:

COUNCIL RESOLUTION

364 Moved Cr C Matison Seconded Cr D Griffiths

"That Council authorise that Councillor J Brown and Director Infrastructure, Mr Dave Harris, at an estimated cost of \$3,100 per person, be permitted to attend the International Public Works Conference "Back to Engineering" in Hobart from 24-28 August 2003, with the costs being met from Accounts 51605.110.1023 and 40401.110.1023-Training/Conferences."

CARRIED 10/1

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Cr S Moss.

12.4.6 CANNINGVALE HIGH SCHOOL - JOINT USE FACILITIES

File: 227971 (GT) GT6.1a
Previous Ref: OCM 13 August 2002 (Resolutions 644, 645 and 646)

PURPOSE OF REPORT

To seek Council support for a budget reallocation of \$95,500 from Account 51202.220.5500 'Travel Smart' to Job 2415.35.3 'Canning Vale High School Oval Extensions and Car Park to provide for the City of Gosnells contribution towards the extension of the oval and car park at the Canning Vale High school.

BACKGROUND

The project involves the development of a changeroom and kiosk facility and the extension of an active reserve (oval) from junior to senior size, as part of the construction of the Canning Vale High School.

The active reserve and changeroom will be dual use, that is available for use by the school during school hours (8.00 am to 4.00 pm) and available for community use from 4.00 pm onwards, weekdays and all day Saturday and Sunday.

At the Ordinary Meeting of Council on 13 August 2002 Council passed the following resolutions.

Resolution 644

"That Council authorise further negotiations with the Department of Education to determine the terms and conditions of lease tenancy of the ground and the contributions to maintenance to be made by the Department and a further report be brought forward for determination by Council."

Resolution 645

"That Council consider the provision of funding of \$58,000 for the upgrade of the joint use community access active sports ground; \$300,000 for the construction of change rooms and \$37,500 for a contribution to the cost of vehicle parking at the Canning Vale Senior High School in the 2003-2004 budget subject to other budgetary considerations."

Resolution 646

"That Council approve application being made for a Community Sport and Recreation Facility Fund grant of \$100,000 to part fund the construction of change rooms at the Canning Vale Senior High School in the 2003-2004 / 2005-2006 triennium."

Council applied for and was successful in obtaining CSRFF grants for both the extension to the Oval and the part funding of change room facilities. However, the Department of Sport and Recreation awarded these funds in 2005-2006 and as a result

the Principal Activities Plan was adjusted to reflect both the CSRFF grant and the City's contribution being made available in 2005-2006.

DISCUSSION

A recent meeting with the Education Department revealed that the extensions to the oval and the car park are almost complete and the Education Department is keen for the funds to be released in 2003-2004 as indicated in Council Resolution 645.

As the Resolution indicated that funds would be subject to other budgetary considerations Council would be within its rights to withhold any contribution until 2005-2006, however as the Travel Smart Transport Study is not going to expend these funds this year due to matching State funds not being made available, these funds could be reallocated for the purpose described.

Council officers are currently negotiating with the Education Department the specifics of a lease agreement stating the contributions by each party to the ongoing maintenance of the jointly provided community space.

The proposed reallocation will also free up capital funding in 2005-2006 for other worthy projects.

CONCLUSION

It is the recommendation of staff that \$95,500 from Account 51202.220.5500 'Travel Smart' be transferred to Job 2415.35.3 'Canning Vale High School Oval Extensions and Car Park to provide for the City of Gosnells contribution towards the extension of the oval and car park at the Canning Vale High school.

FINANCIAL IMPLICATIONS

The financial implications are that there will be no change to the 2003-2004 capital budget as funds are being released from the 2002-2003 capital.

STAFF RECOMMENDATION

Moved Cr R Mitchell Seconded Cr D Griffiths

That Council approve a budget variation of \$95,500 from Account 51202.220.5500 'Travel Smart' to Job 2415.35.3 'Canning Vale High School Oval Extensions and Car Park to provide for the City of Gosnells contribution towards the extension of the oval and car park at the Canning Vale High school as per Resolution 645 of the Ordinary Meeting of Council on 13 August 2002.

Additional Motions

During debate Cr C Matison moved the following additional motions to the staff recommendation:

“First Additional Motion

That Council authorise staff to prepare a report outlining the terms and conditions of the proposed lease agreement between the Education Department of WA and the City of Gosnells for the joint use of the Canning Vale Senior High School oval and car park prior to any funds being released to the Education Department of WA.

Second Additional Motion

That Council instruct staff to enter into discussions with the City of Canning with respect to cost sharing and ongoing operational costs on the basis of the number of students anticipated to attend the Canning Vale Senior High School from the District of the City of Canning.”

Cr Matison provided the following reason for the motions:

“To seek a cost sharing with the City of Canning on the basis of the school population within the City of Canning catchment area and to allow Councillors knowledge of the lease arrangements subject to budget allocations.”

Cr J Brown seconded Cr Matison’s additional motions.

At the conclusion of debate the Presiding Member put the staff recommendation, which reads:

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

365 Moved Cr R Mitchell Seconded Cr D Griffiths

“That Council approve a budget variation of \$95,500 from Account 51202.220.5500 ‘Travel Smart’ to Job 2415.35.3 ‘Canning Vale High School Oval Extensions and Car Park to provide for the City of Gosnells contribution towards the extension of the oval and car park at the Canning Vale High school as per Resolution 645 of the Ordinary Meeting of Council on 13 August 2002.”

CARRIED BY ABSOLUTE MAJORITY 10/1

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Cr J Brown.

The Presiding Member then put Cr Matison’s additional motions, which read:

PROPOSED MOTION

Moved Cr C Matison Seconded Cr J Brown

That Council authorise staff to prepare a report outlining the terms and conditions of the proposed lease agreement between the Education Department of WA and the City of Gosnells for the joint use of the Canning Vale Senior High School oval and car park prior to any funds being released to the Education Department of WA.

LOST 3/8

*FOR: Cr C Matison, Cr J Brown and Cr S Iwanyk.**AGAINST: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr D Griffiths and Cr R Croft.*

PROPOSED MOTION

Moved Cr C Matison Seconded Cr J Brown

That Council instruct staff to enter into discussions with the City of Canning with respect to cost sharing and ongoing operational costs on the basis of the number of students anticipated to attend the Canning Vale Senior High School from the District of the City of Canning.

LOST 2/9

*FOR: Cr C Matison and Cr J Brown.**AGAINST: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.*

12.5 PLANNING AND SUSTAINABILITY

12.5.1 FINALISATION OF AMENDMENT NO. 16 TO TOWN PLANNING SCHEME NO. 6 - TO RECODE VARIOUS LOTS IN LESCHENULTIA DRIVE, DARWINIA LOOP, CARPENSIA WAY, FIGTREE DRIVE, ARISTEA BEND AND PLANETREE PASS, 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.

12.5.2 PROPOSED AMENDMENT TO THE CANNING VALE OUTLINE DEVELOPMENT PLAN - ALTERING THE LOCATION OF TWO FUTURE PRIMARY SCHOOL SITES

File:	S8/2	(SRW)	Psprt104Jun03
Name:	Department of Education and Training (DET)		
Location:	Lots 106 and 107 Fraser Road North and Lots 13 and 14 Cnr Bridge and Shreeve Roads, Canning Vale		
Zoning: MRS:	Urban		
TPS No. 6:	Residential Development		
Appeal Rights:	Council is required to make a recommendation to the Western Australian Planning Commission for final determination.		
Area:	Approx 4 hectares per site		
Previous Ref:	OCM 8 April 2003 (Resolution 214)		
Appendix:	12.5.2A Advertising Plan		

PURPOSE OF REPORT

For Council to make a recommendation to the Western Australian Planning Commission on an amendment to the Canning Vale Outline Development Plan to alter the location for two future primary school sites.

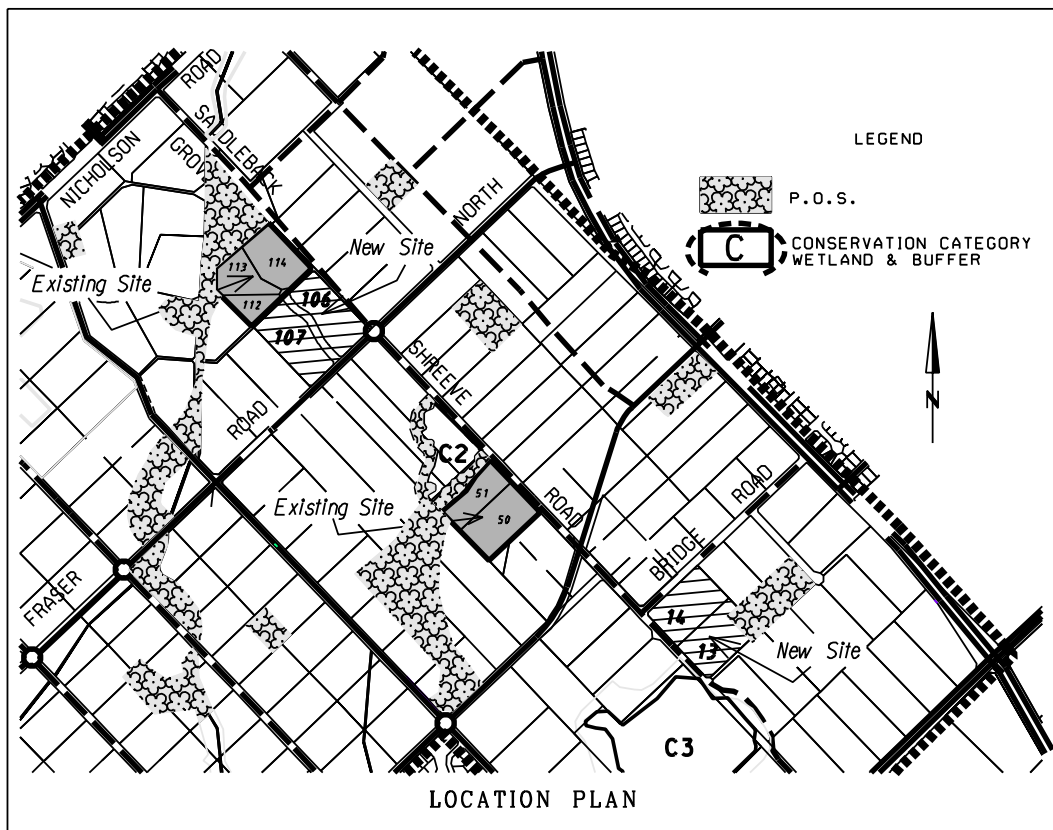
BACKGROUND

Council at its ordinary meeting of 8 April 2003 considered an Amendment to the Canning Vale Outline Development Plan (ODP) to alter the location for two future primary school sites (see Location Plan). The amendment was requested by the Department of Education and Training (DET) citing difficulties in acquiring the sites currently designated on the ODP for primary schools. It should be noted that DET has already secured ownership of the new sites.

Council at its meeting held 8 April 2003 resolved (Resolution 214):

“That Council, pursuant to Section 7 of Town Planning Scheme No.6, deem the proposed amendment to the Canning Vale Outline Development Plan satisfactory for advertising for a period of not less than 21 days.”

In accordance with the Council resolution, the amendment was advertised for a period in excess of 21 days to all nearby landowners, major developers and relevant government agencies (refer Advertising Plan – Appendix 12.5.2A). A schedule of public submissions is included on the following page.



Schedule of Public Submissions

No.	Name/ Postal Address	Description of Affected Property: Street No., Lot No., Street, etc	Summary of Submission	Staff Comment
1.	J & R Saunders	15 (Lot 239) Formosa Pass, Canning Vale	1) We have an objection with regard to moving the Shreeve Road School to Lots 13 and 14. 2) We bought and built with the knowledge that we would have a lake and park at the end of the street not a lake/park with a school backing on to it. We knew of the existing proposed site (Lots 50 and 51) and therefore bought in Formosa Pass happy with the distance between us and a primary school. We feel the lake/park doesn't have the same appeal when it backs onto a school. 3) We have no objection to the relocation of the Bushy Grove School.	Noted. This amendment does not propose to reduce the amount of public open space shown on the ODP. The exact interface treatment between the public open space and the school will need to be considered upon submission of a development application. Noted.

No.	Name/ Postal Address	Description of Affected Property: Street No., Lot No., Street, etc	Summary of Submission	Staff Comment
2.	F Ahmad 18 Inveraray Close, Canning Vale	29 (Lot 10) Clipper Parade, Canning Vale	Do not object.	Noted.
3.	M & N Rousselet	21 (Lot 642) Hambly Crescent, Canning Vale	Do not object.	Noted.
4.	F Chiera	44 (Lot 114) Gateway Boulevard, Canning Vale	Do no object.	Noted.
5.	F Chiera on behalf of Jarn Nominees PO Box 128, Riverton WA 6148	Various	Do not object.	Noted
6.	F Chiera on behalf of Level Holdings PO Box 128, Riverton WA 6148	Various	Do not object.	Noted.
7.	F Chiera on behalf of Term Nominees PO Box 128, Riverton WA 6148	Various	Do not object.	Noted.
8.	J Crickmore 56 Whaleback Avenue, Parkwood WA 6147	3 Greenwich Parade, Canning Vale	Do not object.	Noted.
9.	Red Emperor Developments 36/9 Bowman Street, South Perth WA	Lot 13 Amherst Road, Canning Vale	Do not object to the proposal. 1) New sites appear better spaced to service the area 2) Provision of schools is a matter of urgency. Council should also lobby the Department of Education to build the Huntingdale site cnr Bronzewing and Harpenden Streets.	Noted and supported. Noted. DET has advised that the Canning Vale College is scheduled for opening in 2004 and the Shreeve Road Primary in 2005. DEP is currently reviewing options in the Huntingdale area.
10.	D Clarke 17 Wildwood Heights, Leeming WA 6149	9 (Lot 80) Boongala Circuit, Canning Vale	Do not object.	Noted
11.	L Franks	15 Barkley Loop, Canning Vale	Do not object.	Noted
12.	T Jones & M Carder 6 Brinton Close, East Canning Vale	16 Formosa Pass, Canning Vale	Do not object As Bridge Street is becoming busy and also a bus route, we hope appropriate safety measures will be put in place	Noted.
13.	S Mobilia 9 McLeish Place, Thornlie	22 Alpina Bend, Canning Vale	Do object The Bridge Road school will end up close to our house.	Noted.

No.	Name/ Postal Address	Description of Affected Property: Street No., Lot No., Street, etc	Summary of Submission	Staff Comment
14.	C Jackson PO Box 5345, Canning Vale	12 Greenwich Parade, Canning Vale	Do not object	Noted.
15.	K Sims	65 Waterperry Drive, Canning Vale	Do not object	Noted.
16.	K Clark	64 Hambly Crescent, Canning Vale	Do not object	Noted.
17.	R Aurich	Lot 12 Warton Road, Canning Vale	Do not object	Noted.
18.	S Terrey 72 Beaumaris Blvd, Ocean Reef WA 6027	5 Angulata Road, Canning Vale	Do not object	Noted.
19.	K Hinrichsen & J Luxa	22 Bridge Road, Canning Vale	Do object 1) We feel that having a school so close to our home will create a thoroughfare of children, cars and bikes and make Bridge Road more of a parking lot/obstacle course than a light traffic area 2) We are also concerned that the bus stop on the edge of our property will become more of a school bus stop and increase the number of children littering and loitering in our front yard. We have previously received no information in respect of bus stop locations. Had we known the location of future bus stops it would have influenced our decision to purchase the property	Noted. The exact traffic arrangements required for the school site will need to be considered formally at the time of development application, respecting the needs of local residents. Noted.
20.	K Smith	12 Bridge Road, Canning Vale	Do not object	Noted.
21.	C & V Ley 18 Kingston Place, Kardinya	28 Coulthard Crescent, Canning Vale 6155	Do not object	Noted.
22.	J & G de Graaf	43 Barkley Loop, Canning Vale	Do not object	Noted.
23.	S Varischett	3 Barkley Loop, Canning Vale	Do object 1) We bought our land knowing where the two primary schools were proposed. If we had known the new positions, we wouldn't have considered buying in the area. It would be better if the land was purchased for the schools before you let everyone know where they are going.	Noted. The intent of the Canning Vale ODP was to identify appropriate locations ahead of development. Due to difficulties associated with land acquisition, the original locations have not been feasible.

No.	Name/ Postal Address	Description of Affected Property: Street No., Lot No., Street, etc	Summary of Submission	Staff Comment
			2) What are you going to do if everyone objects to the new positions? Build them on vacant cheap land in Huntingdale?	It is understood that the Department of Education and Training has purchased land at the proposed locations. The location of school is designed to serve catchment populations and be consistent with WAPC policies.
24.	J Rothery	14 (Lot 231) Formosa Pass, Canning Vale	Do object 1) We went to a great deal of trouble to ensure that we would not be building anywhere near a school site. My understanding (from the developers) was that the current lake was to be extended, hence there would not be any school facilities in the area 2) We would prefer the lake extension rather than an educational building. My husband is a shift worker which is another reason we are against the proposal.	Refer Submission 23. The proposal does not reduce the amount of land set aside for public open space. The proposed amendment does not reduce the amount of public open space in the area. Planning guidelines recommend that school sites be separated from residential properties by a surrounding road network and public open space, for reasons including noise management.
25.	E Campbell 5 Melba Place, Thornlie	14 (Lot 7) Clipper Parade, Canning Vale	Do not object	Noted.
26.	J & N Reyes 18 Mackay Crescent, Gosnells	1 Clipper Parade, Canning Vale	Do not object 1) We think the new location for the public primary school sites on Lots 106/107 is a good location for the two new estates Bridgeway Rise and Malcolm Park as the current nearest school is Forrest Cres. Which is too far from area. 2) Would like to see it up and running before 2005. The name Fraser Road or North Canning Primary school isn't a particularly attractive name. The Council should ask the public living in the area for some name suggestions and vote on it.	Noted. Noted. Comments will be forwarded to DET for consideration as Council is not the determining authority on matters raised.

No.	Name/ Postal Address	Description of Affected Property: Street No., Lot No., Street, etc	Summary of Submission	Staff Comment
27.	R & S Shiels	14 (Lot 214) Alpina Bend, Canning Vale	<p>1) We believe two new primary schools are not necessary and that there should be one primary school and one high school.</p> <p>2) There are no high schools around this area, but we also do not want them too close to houses, especially our house, that is why we bought into a quiet street.</p>	Based on current and projected population growth, both primary school sites will be required. The level of school provision is consistent with WAPC Policies on school sites. It is understood that planning for the proposed Canning Vale High School is nearing finalisation. Construction of the Canning Vale College is nearing finalisation. It is anticipated that the college will open in 2004.
28.	J Roberto 66 Bremner Close, Canning Vale	29 (Lot 169) Waterperry Drive, Canning Vale	Do not object.	Noted.
29.	N De Marchi	41 Planetree Pass, Canning Vale	Do not object.	Noted.
30.	S Wilmot	15 Bridge Road, Canning Vale	Do not object. 1) Canning Vale is a very young and up and coming area and more schools are definitely needed.	Noted.
31.	R Ritchie	17 Burbank Street, Canning Vale	Do not object	Noted.
32.	J & T Lawrence	3 Hokin Way, Canning Vale	Do not object	Noted.
33.	L Rowland	8 (Lot 53) Boongala Circuit, Canning Vale	Do not object 1) We agree that it would be in the best interest of not only the present residents in the Canning Vale Area but also the future residents and for the Council as the demand is going to increase as the land development in the area is progressing very quickly. Many young families are moving into the area and if not now but the near future an increase in primary school will be needed. We support the proposed development plan.	Noted.
34.	K Savage-Morton 43 Storey Road, Thornlie	5 Gateway Boulevard, Canning Vale	Do object as we believe there are enough schools to cater for the needs of future subdivisions.	Based on the information available, there is strong growth in the demand for primary schools in the Canning Vale Area that will definitely justify the construction of the two primary schools.
35.	David Rankin	6 Barkley Loop, Canning Vale	Do not object	Noted.
36.	M Eng	12 (Lot 230) Formosa Pass, Canning Vale	Do not object. 1) It will be great to have schools nearby.	Noted.

No.	Name/ Postal Address	Description of Affected Property: Street No., Lot No., Street, etc	Summary of Submission	Staff Comment
37.	W Breen 4 Peniwinkle Way,	10 (Lot 407) and 12 (Lot 408) Blade Road, Canning Vale	Do not object.	Noted.
38.	T. Van Den Dries Prestige Developments PO Box 1553 Subiaco WA 6904	Bridgeway Rise Estate Doncaster Estate Greentek Estate Malcolm Park Estate Lakeview Rise Estate Amherst Gardens Estate Lot 20 Campbell Road Lot 34 Fraser Road Lot 20 Nicholson Road,	Do not object and fully agree with the change proposed.	Noted.
39.	F Gilbert & L Tranchita PO Box 37 Canning Vale	8 (Lot 406) Blade Road, Canning Vale	Do not object	Noted.
40.	M Chan & A Vernie 2 Hollyoak Place, Thornlie WA 6108	32 (Lot 65) Boongala Circuit, Canning Vale	Do not object	Noted.
41.	D Glass & K Dally	67 (Lot 214) Waterperry Drive, Canning Vale	Do not object	Noted.
42.	H McKenzie	2 (Lot 21) Bridge Road, Canning Vale	Do object, no reason given.	Noted.
43.	G Peake	114 (Lot 19) Amherst Road, Canning Vale	Do not object. Proximity to powerlines is a concern for the Bushy Grove site.	Western Power is currently reviewing the future alignment of the transmission lines to ensure appropriate separation to the school sites. Advice received from Western Power's Network Extension Branch indicates that the proposed locations for the school sites can be catered for.
44.	K Wong	Lot 1 Shreeve Road, Canning Vale	Do not object, provided that key issues are addressed: 1) Security fencing around the school to prevent problems out of school hours. 2) Traffic congestion during school hours. Access points to school will need to be carefully designed/located. Same for parking issues. 3) Bridge Street and Shreeve Road intersection is a potential traffic hazard. 4) Location of playing fields relative to residential properties to be considered in relation to noise. 5) Light spill from school sites to be minimised.	Noted. Each of the issues raised will need to be addressed the time of detailed design. It is anticipated that a development application would be advertised for public comment prior to a determination being made by the Western Australian Planning Commission.

No.	Name/ Postal Address	Description of Affected Property: Street No., Lot No., Street, etc	Summary of Submission	Staff Comment
45.	Sikh Association of WA	Lot 123 Saddleback Grove, Canning Vale	Do not object subject to the following: 1. the intersection of Nicholson Road/Saddleback Grove be upgraded to cater for the turning traffic which is likely to increase 2. Saddleback Grove road should be upgraded to an urban standard by provision of kerbing and asphalt surface 3. The security of the area should be enhanced by rangers at night otherwise schools will become a major target of vandalism in a similar manner to that that has occurred to the buildings of the Sikh Association previously.	Noted. Exact traffic management measures will need to be considered at the time of development application being lodged. Saddleback Grove will be upgraded/extended through the subdivision and development of adjoining land. The City, through its SafeCity Urban Design Strategy is seeking to reduce opportunities for criminal activity.
46.	Dr Menies	3 (Lot 293) Angulata Road, Canning Vale	Do not object	Noted.
47.	G McFadyen	8 (Lot 117) Bramdean Crescent, Canning Vale	Do not object	Noted.
48.	N Avery	1 Bridge Road, Canning Vale	Do object. 1) However it seems ridiculous to me that the department of education still wanting to build 2 new schools so close together, within 1km of each other and there are other primary schools already established very close by also. 2) They should just build one primary school and save the money which could be better spend elsewhere. I really do not see the need for 2 schools.	Noted. The location of the school sites is consistent with the WAPC policy on school sites and is based on "neighbourhood" catchment populations. Based on expected population growth and demographics, it is anticipated that there will be strong demand for 2 new school sites. This has already been demonstrated by the high enrolment rates to Campbell Primary School.
49.	N Vatakkepat 8 Mapstone Gdns, Murdoch WA 6150	13 (Lot 18) Clipper Parade, Canning Vale	Do not object.	Noted.
50.	D Guu 1 Collins Road, Canning Vale	63 (Lot 769) Coulthard Crescent, Canning Vale	Do not object.	Noted.
51.	E & A Lim	32 (Lot 741) Coulthard Crescent, Canning Vale	Do not object.	Noted.
52.	R Pearce	54 (Lot 710) Amherst Road, Canning Vale	Do not object.	Noted.

No.	Name/ Postal Address	Description of Affected Property: Street No., Lot No., Street, etc	Summary of Submission	Staff Comment
53.	T Patel	Lot 112 Bushy Grove, Canning Vale	Do not object. I am not sure what is meant by difficulty in acquiring Lots 112-114, because I as the owner have not been approached by DET not have any of my neighbours been approached by DET. Irrespective, I think Council should act promptly in finalising the matter.	The DET has advised the City that due to substantial improvements upon the lots, particularly Lot 114, it is not likely that the land could be acquired and developed to meet the demands for schools.
54.	K Shelley	29 (Lot 646) Hambly Crescent, Canning Vale	Do not object. We think the new site on Lots 13 and 14 is better, with greater separation of the school sites. Hopefully suitable carparking will be provided so as not cause congestion on the road network.	Noted.
55.	T Spalding	42 (Lot 313) Barkley Loop, Canning Vale	Do not object.	Noted.
56.	S Nicholas	8 (Lot 108) Grafton Court, Canning Vale	Do not object.	Noted.
57.	Glenbrook Civil Engineering Contractors Pty Ltd 27 Rimmer Road, Landsdale WA 6065	Lot 93 Gateway Boulevard, Canning Vale	Do not object.	Noted.
58.	K & T Nalder	22 (Lot 22) Shreeve Road, Canning Vale	Do object 1) Under present plan a proposed school at Lots 13-14 Shreeve Road will have a total of 4 primary schools all within a max of 1.3 km of each other. 2) The area will be over-serviced with primary schools 3) In years to come, vacant schools will have to be demolished due to poor planning	Noted. The proposed locations of the primary school sites is consistent with WAPC Policies and is designed to service catchment populations. Refer 27 Refer 27

Schedule of Submissions – Government Agencies

No.	Name/ Postal Address	Summary of Submission	Staff Comment
1	Alinta Gas	Do not object. Will need to be advised prior to any service relocation. All works required to network will be at the proponents expense.	Noted.
2.	Water and Rivers Commission	Lots 106 and 107 are part of a larger area of dampland that has been classified as "Resource Enhancement" Wetland. However due to the degraded nature of this portion of wetland, the Commission has no objection to the proposal but offers the following advice: <ul style="list-style-type: none"> • Due the subject property being seasonally waterlogged, it would appear necessary to either fill or drain areas to enable development. • The subject property is within an area that has been recognised as posing an acid sulphate soils risk. Proposals that may lead to the disturbance of acid sulfate soils should be planned and managed to avoid adverse effects on the natural and built environment. 	Noted. Advice to be forwarded to applicant.

DISCUSSION

Strategic Planning Context

In considering an amendment to the Canning Vale ODP to relocate two primary school sites, it is necessary to consider the various elements of the strategic planning framework, which are outlined in the following.

Strategic Plan

A relevant goal of Council's Strategic Plan is;

“To secure a better and safer City in which to live and work, and to facilitate a sustainable future for all.”

Stemming from this goal, issues of passive surveillance, reducing dependence on automobile travel, creation of a safe pedestrian and cycle environment are key considerations in dealing with this application.

WAPC Policy No. DC 2.4 – School Sites

Parts of this policy relating to schools are now out of date, and have been updated in the WAPC's Liveable Neighbourhoods Edition 2, which is discussed below. Clauses that remain relevant are reproduced here;

“3.5.1 School and TAFE college sites should be provided with frontage access to through roads constructed on at least two sides.”

“3.5.4 Apart from accessibility by road, school sites should also provide a strong local focus for pedestrian and cycleway systems in the neighbourhood. Preferably these systems should lead as directly, conveniently and safely as possible to the school.”

Liveable Neighbourhoods Edition 2

The following requirements from the Liveable Neighbourhoods Edition 2 are relevant to this application;

“Element One, R14 - Primary Schools should generally be located near the edge of neighbourhoods to enable sharing between about three neighbourhoods, ...”

“Element Two, R14 – A network of local streets focused towards a school should be identified and detailed to provide safe and efficient pedestrian and bike access to the school.”

“Element Three, R15 – Sites for government primary schools must be ...bounded by streets on at least 75% of the frontage... Primary schools should co-located with district open space areas to encourage shared use of facilities.”

“Element Four, R2 – Public parklands should...integrate, where appropriate, with other land uses such as schools and other community facilities.”

It is necessary to consider the above strategic planning framework at both the conceptual and detailed levels of planning. Site specific comments are provided below. At a broad level, the opportunity to create a greater separation between the Bushy Grove and Shreeve Road primary school sites is beneficial in that it reduces overlap between school catchments

Integration with Public Open Space

A small number of submissions received during the advertising period raised concerns regarding the interface between the new location for the Shreeve Road primary school and the adjoining public open space. The proposed amendment to the ODP does not seek to reduce the amount of open space designated, instead the proposed school site would form an extension to it. The exact interface between school and public open space will need to be addressed at the time of Application for Development Approval.

Sites Currently Designated on the ODP as “Primary School”

This amendment proposes to designate the sites currently depicted on the ODP as “primary school” with “Residential R17.5” and “Residential Density Greater than R17.5” for the area within a 200 metre radius of the intersection of Campbell and Shreeve Roads. It is imperative that the land be designated for residential purposes to recognise the existing land uses, facilitate future subdivision and development and to ensure that the cost-sharing mechanisms for infrastructure works are not altered.

Further Landowner Consultation Required at future stages.

In addition to the consultation that was undertaken through this amendment process, extensive consultation will be required to be undertaken by the DET with the City and adjoining landowners to progress detailed designs. Particular matters that will need to be addressed include the interfaces to public open space, traffic management measures and upgrading of off-site infrastructure such as dual use paths. Given the issues of process for the change in location, this needs to be strongly reiterated to DET.

Options

In considering this matter, Council can resolve to adopt, refuse to adopt or adopt with modifications the amended ODP. Irrespective of the Council decision, the proposal is required to be forwarded to the Western Australian Planning Commission for a final determination.

CONCLUSION

There is a need to finalise this matter quickly to provide certainty for affected landowners, DET and the City. Through careful design and appropriate upgrading of infrastructure, the objectives of all stakeholders can be largely satisfied. In addition to the amendment process, Council will have the opportunity to consider detailed designs at the time of Application for Development Approval.

Upon Council making a final recommendation on this matter, this amendment is required to be forwarded to the Western Australian Planning Commission for determination.

FINANCIAL IMPLICATIONS

Nil. All costs associated with the upgrading of infrastructure to service the school sites (both onsite and off-site) shall be the responsibility of DET in conjunction with adjoining landowners, where applicable.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

366 Moved Cr R Mitchell Seconded Cr P Wainwright

“That Council, pursuant to Section 7 of Town Planning Scheme No. 6, adopt the amended Canning Vale Outline Development Plan relocating the two primary school sites from Lots 112, 113 and 114 Bushy Grove to Lots 106 and 107 Fraser Road North and from Lots 50 and 51 Shreeve Road to Lots 13 and 14 Shreeve Road, and the amended Canning Vale Outline Development Plan be forwarded to the Western Australian Planning Commission for approval.”

CARRIED 10/1

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Cr J Brown.

**12.5.3 SOUTHERN RIVER PRECINCT 1 (HOLMES STREET) OUTLINE
DEVELOPMENT PLAN (*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 AMENDMENT TO THE SOUTHERN RIVER PRECINCT 5 (LAKEY STREET)
OUTLINE DEVELOPMENT PLAN**

File:	S8/13	(SRW)	Psrpt101Jun03
Name:	Chappell and Lambert Planning Consultants		
Location:	Ranford Road, Southern River		
Zoning: MRS:	Urban		
TPS No. 6:	Residential Development		
Appeal Rights:	Determination of the matter by the Western Australian Planning Commission may be requested by the applicant.		
Previous Ref:	OCM 26 April 2000 (Resolutions 251-252) OCM 9 July 2002 (Resolution 503) OCM 11 February 2003 (Resolutions 52-53)		
Appendices:	12.5.4A Existing Southern River Precinct 5 Outline Development Plan. 12.5.4B Proposed Southern River Precinct 5 Outline Development Plan.		

PURPOSE OF REPORT

For Council to consider an amendment to the Southern River Precinct 5 (Lakey Street) Outline Development Plan to relocate an area of public open space, introduce an area of increased residential density and to alter the designation for an area of commercial development from "Residential Mixed Use" to "Mixed Business".

BACKGROUND

Council at its Ordinary Meeting on 26 April 2000 considered an ODP which was prepared to facilitate the urbanisation of land in Southern River generally bounded by Warton Road, Ranford Road and Balfour Street. At that meeting the following resolution was adopted (Resolution 251):

"That Council approve the Outline Development Plan submitted to facilitate the urban development of land generally bounded by Warton Road, Ranford Road and Balfour Street, Southern River and advise the Western Australian Planning Commission accordingly."

The ODP seeks to provide a strategic direction for future land use within the ODP area by designating area of land with different uses such as residential, open space and commercial. For the residential area within the ODP area, a base density coding of R20 has been incorporated, with particular areas being designated "Residential Density Greater than R20". In general terms, the areas designated for higher residential densities have been allocated within a 400 metre radius walkable catchment of future local centres.

Council at its meeting of 11 February 2003 (Resolutions 52 and 53) considered a minor amendment to the ODP that deleted a small area of public open space and introduced two small areas of increased residential densities consistent with the objectives of the ODP.

The amendment currently before Council is intended to serve three purposes:

- To relocate an area for public open space to a more central location.
- To designate an area for increased residential density adjacent to public open space.
- To alter the designation for a portion of commercial development along Ranford Road from “Residential Mixed Use” to “Mixed Business”.

The existing ODP is shown in Appendix 12.5.4A and the proposed ODP is shown in Appendix 12.5.4B.

DISCUSSION

Relocating Public Open Space

The proposed amendment before Council to the ODP depicts the relocation of an area of POS/drainage from the eastern corner of the ODP to a more central location, thereby improving access for future residents. A small area of POS will remain in the eastern corner, serving both a drainage and local open space function.

From a drainage perspective, advice has been received by JDA Hydrologists that demonstrates that the proposed public open space areas will suitably accommodate the drainage demands for this area.

Of interest is that the proposed amendment to the ODP will actually reduce the amount of public open space on the edge of the ODP area and immediately adjacent to a significant area of regional space. From an environmental perspective, the amendment will reduce the potential for weed infestation and facilitate a “hard edge” to the regional space thereby providing a more appropriate buffer.

Increasing Residential Densities

In relocating the public open space area from the eastern corner to a more central location, the opportunity exists to create several cottage lot precincts, with lot sizes predominantly between 350m² and 420m², with such cottage lots being serviced by rear access lanes. To ensure that issues of vehicular access, amenity and security are addressed properly, it is anticipated that detailed area plans will need to be prepared prior to recommending subdivisional approval.

Rather than supporting increased residential densities, irrespective of location, the strategic context needs to be considered. Council in supporting previous applications for increased densities has established that strategic locations for increased densities are

generally those within a 400 metre walking distance of a future mixed use centre and areas of high amenity such as adjacent to public open space. The proposed amendment satisfies these locational criteria.

Mixed Business Development along Ranford Road Frontage

Council at its meeting of 9 July 2002 considered a development application for a neighbourhood shopping centre for Lots 1620 Lakey Street and Lots 2 and 4 Ranford Road (now Pt Lot 9003). During the original preparation of the ODP, it was acknowledged that there would need to be a use or uses along Ranford Road that would buffer the internal residential lots from noise generated by the City of Armadale Kennel zone and road noise from Ranford Road. The outcome of negotiations on that issue was that the buffer use would be showrooms.

At its Ordinary Meeting of 26 February 2002 Council resolved that this centre would be allocated 4,500m² of NLA retail floorspace. The basis for that decision was retail modelling for Southern River undertaken for Council by consultants Shrapnel Urban Planning (OCM 26 February 2002 – Resolution 81) and the WA Planning Commission's Metropolitan Centres Policy (MCP). The Western Australian Planning Commission's Statement of Planning Policy No. 9 – Metropolitan Centres Policy would allow for a "once-off" increase in retail floorspace of up to 1,000m² for this main street oriented neighbourhood centre. Determination of any floorspace "bonus" would though be within the context of the centre's overall performance.

In accordance with the provisions of TPS 6, any zone depicted on an ODP shall have the same effect as a zone under the Scheme itself. The objective of a Mixed Business Zone is to provide for a variety of commercial activities including showrooms and other form of bulk retailing/display in strategically located areas of the City.

The amendment currently before Council more accurately reflects the Development Application granted by Council, thereby providing long-term certainty for landowners, the City and nearby residents.

CONCLUSION

The proposed amendments to the ODP that increase residential densities and relocate the area of future public open space will ensure that a diversity of housing product is provided to meet the needs of future populations in an appropriate manner. In amending the ODP for area fronting Ranford Road from "Residential Mixed Use" to "Mixed Business", the ODP more accurately reflects the Development Approvals granted by the City.

Council staff do not consider the proposed amendments to materially alter the intent of the ODP and therefore they can be considered as a minor variation.

FINANCIAL IMPLICATIONS

Council is required to establish and maintain trust accounts for each ODP area and as such this report does not have any direct impact on municipal funds. The common infrastructure works/costs and resulting cost contributions are currently being finalised by Council staff; the proposed amendments therefore will not affect established cost-sharing mechanisms.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

367 Moved Cr C Matison Seconded Cr D Griffiths

“That Council, in accordance with Clause 7.5 of Town Planning Scheme No. 6, adopt a minor change to the Southern River Precinct 5 (Lakey Street) Outline Development Plan to achieve the following:

1. Relocate an area of public open space from Lot 1615 to Lot 1616.
2. To redesignate portion of Lot 9003 from “Residential Mixed Use” to “Mixed Business”.
3. Redesignating a portion of Lot 1616 from “Residential R20” to “Residential Density Greater than R20”.

as shown in Appendix 12.5.4B.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

368 Moved Cr C Matison Seconded Cr D Griffiths

“That Council authorise staff to forward a copy of the proposed amendment to the Southern River Precinct 5 (Lakey Street) Outline Development to the WA Planning Commission for consideration.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

12.5.5 DEVELOPMENT APPLICATION – UPGRADING AND RELOCATION OF EXISTING PYLON SIGN – 2158 (PT LOT 100) ALBANY HIGHWAY, GOSNELLS

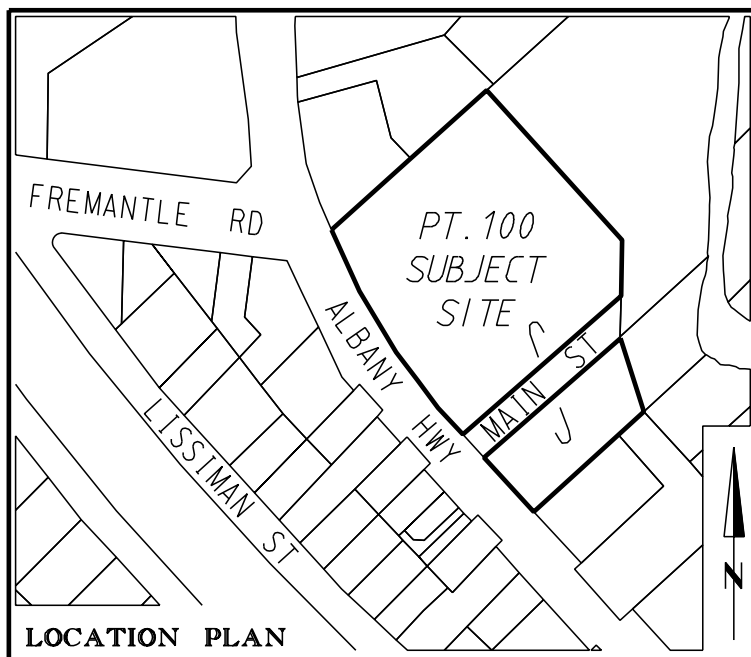
File: 202368 **Approve Ref:** 0203/1144 (EH) Psrpt103Jun03
 Name: Focus On Signs
 Location: 2158 (Pt Lot 100) Albany Highway, Gosnells
 Zoning: MRS: Urban
 TPS No. 6: District Centre (Special Control Area)
 Appeal Rights: Yes. Town Planning Appeal Tribunal against a refusal or any condition(s) of approval.
 Previous Ref: Nil
 Area: 2.2219ha

PURPOSE OF REPORT

For Council to consider an application for the upgrading and relocation of the existing pylon sign at No. 2158 (Pt Lot 100) Albany Highway, Gosnells as the proposal is outside the authority delegated to staff.

BACKGROUND

In August 1987, a Sign Licence was issued for an illuminated pylon sign to be placed on at 2158 (Pt Lot 100) Albany Highway, Gosnells. This approved sign was 8m in height and 6.85m in width. Several sign licences were subsequently issued for additional panels as new businesses were established on the site.



In May 2002, Council approved a redevelopment of the shopping centre site. This redevelopment included upgrading the existing building currently accommodating Coles Supermarket and four other tenancies as well as the development of a new two storey building at the intersection of Albany Highway and Main Street. It was also proposed to redevelop and extend the existing complex adjacent to Main Street. The upgrade of the existing building currently accommodating Coles consisted of a new façade together with a refurbishment of the carpark to enhance the visual amenity of the site. The redevelopment of the site has been approved in accordance with TPS 6 and the Town Centre Revitalisation Urban Design Guidelines.

PROPOSAL

The application proposes to upgrade the existing pylon sign and relocate closer to Albany Highway to provide tenancies with improved exposure. The upgraded sign will have a total height of 9,853mm compared to its current approved height of 8,000mm. It is proposed the sign will consist of panels for each tenancy with the major tenants being provided with larger panels than the minor tenants. For example, the proposed panel for Coles measuring 3,000mm by 1,000mm and the panels for Chemmart and Crazy Clarks measuring 3,000mm by 700mm. The proposed panels for the minor tenancies measure 3,000mm by 500mm. The upgraded sign also consists of a new logo for the shopping centre of 'Gosnells Central'. It is proposed that each panel will consist of the corporate colours for each tenancy with the signs supporting poles being a teal colour (the equivalent of Dulux Sail Maker).

It is proposed the upgraded sign will have a headway clearance of 2,800mm and be internally illuminated. The sign is currently located approximately 35m from the sites Albany Highway boundary and it is proposed to relocate the sign adjacent to the existing Western Power transformer, which is setback approximately 14m from Albany Highway.

Insert Elevation Plan

Insert Site Plan

In support of the proposal the applicant has provided photographs of the site with the proposed upgraded sign superimposed to provide a prospective view should the application be approved.



Prospective view of signage for motorists travelling south on Albany Highway



Prospective view of signage for motorists travelling north on Albany Highway

DISCUSSION

Main Roads WA Comments

The application has been 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. At the time of this report being prepared, comments from Main Roads had not yet been received. Should the application be approved, it will be recommended that an approval be subject to the approval of Main Roads WA.

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.”

Clause 6.2 – Gosnells Town Centre, states:

“In considering applications for planning approval within the Gosnells Town Centre, the Council shall have regard for the Gosnells Town Centre Urban Design Guidelines.”

Gosnells Town Centre Urban Design Guidelines Requirements

Clause 32G7.3, states:

“No roof mounted signs, pylon signs, flashing signs or bunting shall be approved.”

Clause 32G7.8, states:

“Unique signage which may enliven and entertain in keeping with the scale and character of the Town Centre Zone shall be considered on its merits.”

Gosnells Town Centre Context

This sign is regarded as a new sign in terms of the Gosnells Town Centre Revitalisation Urban Design Guidelines as existing the sign requires to be removed due to the reconfiguration of the car park. This proposed sign is contrary to the Gosnells Town Centre Revitalisation Urban Design Guidelines as it does not comply with clause 32G.7.3.

A specific concern raised previously with the sign company concerned was mitigating the visual impact of the new sign, particularly in terms of the public art work located near the intersection of Fremantle Road and Albany Highway. The images supplied which indicate the new sign superimposed on an existing photograph remain of concern due to its bulk and scale of impact, which detract from the art feature and streetscape.

However, it should be noted that attempts have been made to better integrate the sign in terms of colour finish (teal) which is sympathetic to the navy blue powdercoating finish (Dulux Navy 50282) on all town centre street furniture.

The point should be noted that under certain circumstances, the Gosnells Town Centre Revitalisation Urban Design Guidelines provide opportunities for unique signage to be considered, specifically clause 32G.7.8. This sign is clearly an improvement on the existing signage in the car park and some design attempts have been made to reflect the shopping centre’s location and a more contemporary appeal. The broader context of new development and refurbishment by the property owner to this strategic site within the town centre should also be noted as critical to the general revitalisation of the area.

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*

5.12.1 A pylon sign shall:

- (a) not have any part thereof less than 2.7m or more than 6m above the level of the ground immediately below it;*
- (b) not exceed 2.6m measured in any direction across the face of the sign or have a greater superficial area than 4m²;*

5.12.3 Notwithstanding the provisions of sub-by-law 5.12.1 and 5.12.2, approval for the erection of a pylon sign that does not meet the requirements of these by-laws may only be granted by the resolution of the Council.”

The following is a comparison of the proposed sign and the local law requirements:

Local Law Requirement	Existing Sign (metres)	Proposed Sign (metres)
Headway clearance of 2.7m	4	2.8
Maximum height of 6m	8	9.853
Maximum dimension of 2.6m measured across the face	3.6	3.8
Maximum superficial area of 4m ²	Approx. 14m ² each side	Approx. 8m ² each side

It is clear from the comparison that the proposed sign does not comply with the requirements of the local law. However, it is noted that the proposal is slightly higher than the existing approved sign but has a smaller superficial area than the existing sign.

Perhaps the most significant factor is the proposal's non-compliance with the Gosnells Town Centre Urban Design Guidelines. The landowners have been negotiating a proposal with staff for several months with previous designs, one of which had a superficial area similar to that of the existing approved sign. It is noted that the applicant has revised the design of the proposed sign to provide greater integration with the site and its surrounds. It is considered however that the sign could be integrated further if the colour scheme was revised so that the signs poles were Dulux Navy 50282 to be consistent with existing street furniture (ie light poles).

CONCLUSION

It is considered by Planning staff that the proposed sign is an improvement on the existing sign from an amenity perspective and that the location is unobtrusive to passing motorists as it is setback from the boundary rather than being placed against the boundary and therefore closer to Albany Highway. It will therefore be recommended that the application be approved subject to the approval of Main Roads WA and the revision of the sign's colour scheme.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

369 Moved Cr P Wainwright Seconded Cr D Griffiths

“That Council approve the application for an upgrade and relocation of an existing pylon sign at No. 1258 (Pt Lot 100) Albany Highway, Gosnells, subject to the following conditions:

1. Approval being obtained from Main Roads WA.
2. The sign's poles being coloured Dulux Navy 50282 to be consistent with existing Town Centre street furniture.
3. A Sign Licence Application being submitted and approved by the Manager Building Services.”

CARRIED 10/1

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Cr J Brown.

**12.5.6 DEVELOPMENT APPLICATION - RETAIL AND OFFICE DEVELOPMENT,
4 (LOT 902) SEDDON WAY, CANNING VALE**

File: 233304 **Approve Ref:** 0203/1098 (SW) psrpt102Jun03
Name: Gavin Construction
Location: 4 (Lot 902) Seddon Way, Canning Vale
Zoning: MRS: Urban
TPS No. 6: Residential Development
Appeal Rights: Yes. Town Planning Appeal Tribunal against a refusal or any condition(s) of approval.
Area: 1,651m²
Previous Ref: Nil

PURPOSE OF REPORT

For Council to consider an application for a Retail and Office Development at 4 (Lot 902) Seddon Way, Canning Vale as the proposal is outside the authority delegated to staff.

BACKGROUND**Site Description**

No. 4 (Lot 902) Seddon Way is 1,651m² in area and is located on the corner of Nicholson and Amherst Roads in Canning Vale (see Location Plan). It also has frontage to Seddon Way, which is a residential street.

The lot is flat and was previously used as a land sales office site. The land sales office has now been removed, while the landscaping and gravel access road/carpark that were installed to support the land sales office remain.

Town Planning Scheme No. 6 (TPS 6)

Clause 5.8.3 of TPS 6 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.”

Further, it is a requirement of TPS 6 that the side and rear setbacks of this proposal shall comply with the Residential Design Codes (R-Codes). In the case of the boundary wall, which has no major openings, is 20.293 metres long and has a height of 3 metres, the acceptable development criteria of the R-Codes permit a nil setback on this lot (see Site Plan).

Office, Medical Centre and Shop are all “D” or discretionary uses within the Residential Development zone under TPS 6 and can be considered on their merits.

The carparking requirement under TPS 6 is noted in the table below.

Under TPS 6 the developer would be obliged as a condition of any development approval to pay a common infrastructure contribution for the Canning Vale Outline Development Plan area.

Canning Vale Outline Development Plan (ODP)

Lot 4 is designated mixed-use centre on the Canning Vale ODP, and it forms part of a small neighbourhood centre that straddles both sides of Amherst Road. A retail Nett Leasable Area (NLA) of 550m² is allocated to the neighbourhood centre, this has previously been evenly split between both sides of the road, and as such, Lot 4 has a retail floorspace allocation of 275m².

Pedestrian Access/Shelter

The mixed-use centre is intended to be pedestrian-oriented, promoting walkability within the local 400-metre catchment. The urban design principles that have been established for this mixed-use centre therefore include animation of the building façade to the street using customer entrances and windows, the use of nil front setbacks and the provision of pedestrian shelter where buildings are built up to the road reserve. That portion of the verge between the road pavement and the building would be paved for use as a footpath by pedestrians.

Proposal

The proposal is for a mixed-use development with a total nett leasable (NLA) floorspace of 394m², broken down into the following uses:

Use	NLA floorspace (m²)	Carparking Required
Medical Centre	122	16 (4 per practitioner)
2 x Retail Tenancies	206	14
Office	66	4
Total	394	34

The building would be located with a nil setback to Nicholson Road (see Nicholson Road Elevation Plan) with crossovers to both Amherst Road and Seddon Way providing two-way access in and out of the site (see Site Plan). The developer would construct a left-in turning lane for traffic coming into the site from Nicholson Road.

Thirty-one carparking bays are shown on the proposed plan, as is a boundary wall to an adjoining residential lot. The site would be secured after hours by gates and an iron fence with limestone piers.

Insert Nicholson Road Elevation Plan

Insert Site Plan

Regarding the proposed boundary wall (see Boundary Wall Elevation Plan) which would be located on the common boundary, the applicant has made the following comments:

- “ • *We do not feel that the building would impose any negative effect on the adjoining property, viz. Lot 6 Seddon Way, as it is orientated to the south of the adjoining lot and therefore will not cut out any sun to the property.*
- *From a security point of view, we feel that if we are to build with a setback of 1.8m from the boundary, this may present a security issue as this would become an unusable space which could encourage negative behaviour within that space.*
- *We have also tried to keep the height of the wall along this boundary as low as practicably possible for the usage of the building by having a pitched roof.*
- *The orientation of the building and also the placing of the Doctors Surgery along this end of the site would be best suited for privacy and also low/no noise impact. The proposed doctors surgery, we believe, is the more “quieter” usage of the development and thus placed in this location. Also, by orientating the building “inwards” towards the courtyard this would direct the patrons away from the boundary areas. The openings along the east façade of the doctor’s surgery are also minimised. The ablutions along this wall create a noise barrier/ buffer as well.*
- *We feel that this proposal will have little impact on this adjoining property for the above reasons.”*

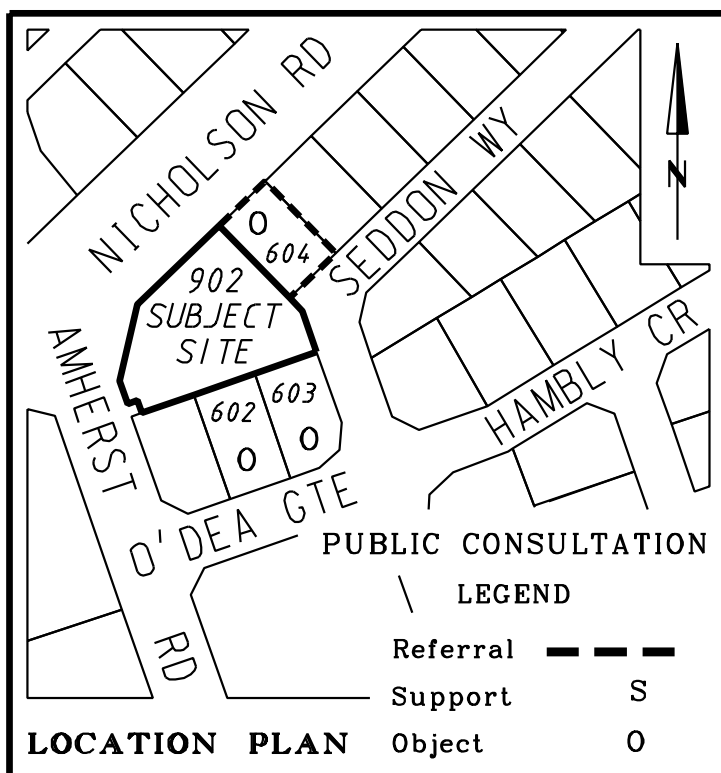
Insert Boundary Wall Elevation Plan

Outcome of Advertising

The proposal was advertised to one adjoining landowner for a period of 14 days closing on 17 April 2003 (see Location Plan), as the proposal is for a wall on the common boundary (see Site Plan). The contents of the three submissions that were received from various landowners are discussed in the Schedule of Submissions.

Schedule of Submissions

No.	Name/ Postal Address	Description of Affected Property: Street No., Lot No., Street, etc	Summary of Submission	Staff Comment
1.	D Nash	6 (Lot 604) Seddon Way Canning Vale	Objection: 1) Devaluation of property leading to stress and loss. 2) Concerned about safety of having a 6.5 metre high concrete tilt-up panel wall erected on the common boundary. 3) Will create additional traffic causing a safety problem for children crossing the road to the park. 4) Increased noise. 5) The proposed boundary wall would have negative impact upon amenity. 6) Increased crime.	Cannot be substantiated See Boundary Wall Setback section below See Traffic Section below Noted, however, approval would be subject to compliance with the Department of Environmental Protection (Noise) Regulations 1997. Note that this does not cover traffic noise. See Boundary Wall Setback section below Cannot be substantiated
2.	L & Y Theron	4 (Lot 602) O’Dea Gate Canning Vale	Objection: 1) Will cause invasion of privacy. 2) Increased noise. 3) Increased crime; 4) Will create additional traffic causing a safety problem for children crossing the road to the park. 5) Devaluation of property.	See Privacy section below Noted, however, approval would be subject to compliance with the Department of Environmental Protection (Noise) Regulations 1997. Cannot be substantiated See Traffic Section below Cannot be substantiated
3.	B Stoward	6 (Lot 603) O’Dea Gate Canning Vale	Objection: 1) Will create additional traffic causing a safety problem for children crossing the road to the park. 2) Devaluation of property. 3) Increased crime.	See Traffic Section below Cannot be substantiated Cannot be substantiated



It is noted that the objectors purchased their lots within the adjoining subdivision after the Canning Vale ODP had established the location of the mixed-use centre on this site.

DISCUSSION

Traffic

It is anticipated that the majority of customer/staff traffic using the Seddon Way crossover will be local traffic, given that external traffic will have a more direct access and egress point via the Amherst Road crossover. That being the case, the volume of traffic that the proposal would add to the local street network would be relatively low and within acceptable limits.

The proposed left-turning lane would be correctly line-marked and signed in accordance with Main Roads WA guidelines.

Carparking

TPS 6 requires the provision of 34 carparking bays, whereas the plan shows only 31 carparking bays. Clause 5.3.13 of TPS 6 gives Council the ability to permit a reduction in the number of carparking bays required where it is satisfied that the circumstances of a development justify such action and there will not be any resultant lowering of safety, convenience and amenity standards. The applicant is seeking the reduction in bays on the basis that the proximity of the site to its residential catchment will encourage walking to the site, therefore reducing the amount of carparking

required. That assessment is supported, and it is noted that there are paths within the site that would allow pedestrians from the adjoining residential catchment to reach the building.

Boundary Wall Setback

The proposed boundary wall was higher when referred to the adjoining landowner for comment (4.75 metres median height), and has now been reduced in height so as to comply with TPS 6 and the R-Codes (3 metres median height). Given that the proposed boundary wall now complies, there are no grounds to oppose the application on that basis.

Privacy

There is a window to a proposed storage/archive and tea area on the second storey mezzanine that would face over the adjoining residential lots. As that window is located a minimum of 23 metres from the nearest residential lot however, the proposal would comply with the privacy requirements of the R-Codes, if it was subject to those criteria.

Pedestrian Access/Shelter

The proposal does reflect the urban design principles that have been established for this mixed-use centre as it does provide customer entrances and pedestrian shelter to Nicholson Road. A central arcade has been provided through the building so that customers parking their vehicles in the Carpark can access the customer entries on Nicholson Road without going around the site. This supports the intent of having a zero setback to Nicholson Road, which is to encourage a vibrant pedestrian oriented street environment. This is seen as a critical requirement in terms of fulfilling Council's urban design principles embodied in the Canning Vale ODP which seeks to create a series of urban villages within walkable neighbourhoods.

CONCLUSION

The proposal reflects the desired urban design outcomes for this site and satisfies all relevant criteria within TPS 6 and the Canning Vale ODP. The proposal is supported on this basis.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION

Moved Cr R Mitchell Seconded Cr W Barrett

That Council approve the retail and office development at 4 (Lot 902) Seddon Way, Canning Vale, subject to the following conditions:

1. The construction, marking and signing of a left-turning lane into the site's Amherst Road access point to the satisfaction of the Director Infrastructure and Main Roads WA.
2. Reconstruction of the existing dual use path where it is being removed in order to install the left-turning lane to the satisfaction of the Director Infrastructure.
3. The installation of a dual-use path/paving in the Nicholson Road road reserve to the satisfaction of the Director Planning and Sustainability and Director Infrastructure.
4. The development being screened from the abutting residential land by a masonry or similarly constructed wall or fence of 2 metres in height and by trees and shrubs to the satisfaction of the Director Regulatory Services and Director Infrastructure.
5. Standard Conditions 1.2 (Canning Vale), 3.1 (31), 3.2, 4.1, 4.3, 4.4 (\$10,000), 5.1, 5.2, 6.1, 7.1; and Advice Notes D1.1, D2.1, D3.1, D13.1, D14.1.

Foreshadowed Motion

During debate Cr AJ Smith foreshadowed that he would move the following motion:

"That Council refuse the retail development at 4 (Lot 902) Seddon Way, Canning Vale."

if the motion under debate was defeated, providing the following reason:

"As previously stated the Local Government Act defines the role of Councillors with the initial role being to represent the interests of electors, ratepayers and residents of the district.

In this case, one adjoining landowner was advised of the proposal and did submit 6 objections, however, it would appear that other residents became aware of the proposal and two of them submitted 8 objections making in total 3 residents submitting 14 objections.

Once again no submissions were received supporting the proposal.

Therefore I base my objection to the recommendation on the provisions of the Local Government Act with respect to the initial role of a Councillor, being, to represent the interests of the residents of the district.”

Cr J Brown seconded Cr Smith’s proposed motion.

At the conclusion of debate the Presiding Member put the staff recommendation, which read:

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

370 Moved Cr R Mitchell Seconded Cr W Barrett

“That Council approve the retail and office development at 4 (Lot 902) Seddon Way, Canning Vale, subject to the following conditions:

1. The construction, marking and signing of a left-turning lane into the site’s Amherst Road access point to the satisfaction of the Director Infrastructure and Main Roads WA.
2. Reconstruction of the existing dual use path where it is being removed in order to install the left-turning lane to the satisfaction of the Director Infrastructure.
3. The installation of a dual-use path/paving in the Nicholson Road road reserve to the satisfaction of the Director Planning and Sustainability and Director Infrastructure.
4. The development being screened from the abutting residential land by a masonry or similarly constructed wall or fence of 2 metres in height and by trees and shrubs to the satisfaction of the Director Regulatory Services and Director Infrastructure.
5. Standard Conditions 1.2 (Canning Vale), 3.1 (31), 3.2, 4.1, 4.3, 4.4 (\$10,000), 5.1, 5.2, 6.1, 7.1; and Advice Notes D1.1, D2.1, D3.1, D13.1, D14.1.”

CARRIED 8/3

FOR: Cr W Barrett, Cr P Wainwright, Cr R Mitchell, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

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

Notation

As Council adopted the staff recommendation the foreshadowed motion from Cr AJ Smith was not proceeded with.

12.5.7 DEVELOPMENT APPLICATION – FRONT SETBACK VARIATION TO ACCOMMODATE A CARPORT – 547 (PT LOT 14) BICKLEY ROAD, MADDINGTON

File: 209149 **Approve Ref:** 0203/1133 (EH) Psrpt100Jun03
Name: Westral Outdoor Centre
Location: 547 (Pt Lot 14) Bickley Road, Maddington
Zoning: MRS: Industrial
TPS No. 6: General Industry
Appeal Rights: Yes. Town Planning Appeal Tribunal against a refusal or any condition(s) of approval.
Previous Ref: Nil.
Area: 8,762m²

PURPOSE OF REPORT

For Council to consider a application for a reduction in the front setback to accommodation a carport at No. 547 (Pt Lot 14) Bickley Road, Maddington as the a variation to the requirements of Town Planning Scheme No. 6 (TPS 6) is sought.

Insert site Plan

BACKGROUND

An application has been received for the proposed construction of a carport over 6 existing carparking bays on Pt Lot 14. It is proposed the 5.4m by 15m carport be setback 2.5m from the Bickley Road boundary. There are existing carparking bays adjacent to Bickley Road and are somewhat screened by semi-mature trees.

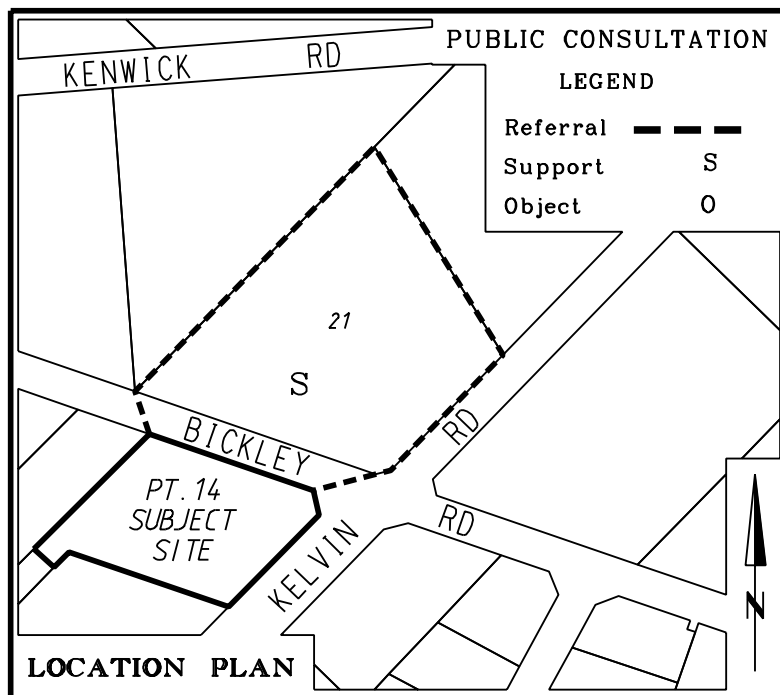
DISCUSSION

Table No. 2B of TPS 6 requires a minimum setback of 15m to the primary street and 4.5m to the secondary street in an industrial zone. Bickley Road has been considered as the primary street due to the access to Pt Lot 14 being from Bickley Road and the existing development on the lot has been orientated towards Bickley Road. Therefore, the proposed carport requires a front setback reduction of 12.5m to 2.5m.

Clause 5.5 of TPS 6 makes provision for Council to approve a non-compliant application, subject to advertising the proposed under clause 10.4. In accordance with clause 10.4 of TPS 6, the proposal requires advertising to affected landowners. It is considered that the properties potentially affected by the proposal are the adjoining Pt Lot 266 and adjacent Lot 21. Pt Lot 266 is also owned by the owner of Pt Lot 14 so the proposal only required advertising to the adjacent Lot 21.

Schedule of Submissions

No.	Name/Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
1.	I Spanjich 160 Kelvin Road Maddington 6109	Lot 21, 160 Kelvin Road, Maddington	Do not object.	Noted.



CONCLUSION

Due to there being no objections received during the advertising period and the proposed carport being located over existing carparking bays which are somewhat screened from Bickley Road, it will be recommended that the application be approved subject to the submission of a building licence application and standard conditions.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

371 **Moved Cr D Griffiths Seconded Cr S Moss**

“That Council approve the application for a Carport to Cover Six Carparking Bays at No. 547 (Pt Lot 14) Bickley Road, Maddington, subject to the following conditions:

1. Submission and approval of a Building Licence Application.
2. Standard Conditions 5.1, 5.2.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

12.5.8 MADDINGTON INDUSTRIAL LAND MARKET DEMAND STUDY

File: E10

(PW) Psrpt097Jun03

Appendices: 12.5.8A Executive Summary – Maddington Industrial Land Market Demand Study
12.5.8B Location Plan

PURPOSE OF REPORT

To examine the findings of the Maddington Industrial Land Market Demand Study commissioned by the City to assess the potential for business expansion in the Maddington and Kenwick areas.

BACKGROUND

A copy of the Maddington Industrial Land Market Demand Study report is available in the Councillors Common Room.

Over the past few years the potential rezoning of rural land in the Maddington/Kenwick areas has been raised on a regular basis with Council Officers from various stakeholder groups such as current land owners, interested investors, exiting businesses wishing to expand and new businesses seeking to relocate into the area. Activity in the area has also been the subject of several reports to Council where land use may not fit with the rural zoning.

The land has been designated as future Strategic Industrial land within the State Government's Strategic Metropolitan Planning document, Metroplan, and has held this status since 1990. In order for the land to be used for business park or light industrial purposes amendments are required under both the Metropolitan Region Scheme (MRS) and Town Planning Scheme 6 (TPS 6).

The process of considering a rezoning requires consultation with land owners and other affected parties and is a time consuming process. Prior to commencing such a process there is a need to examine demand for the rezoning and the benefits or disbenefits to the City as a whole.

DISCUSSION

In order to commence the planning process the City appointed Market Equity to produce a Maddington Industrial Land Market Demand Study (refer Location Plan).

The study was completed in May 2003 after an extensive consultation process with land development agencies, real estate professionals, existing businesses located in Maddington and existing businesses located outside Maddington as well as extensive desk top research into the demand for industrial land, trends in demand, and factors affecting that demand. Assistance with production of the initial brief was obtained from Landcorp and this agency provided access to existing research documents.

The study area encompassed the existing Maddington Industrial Area as well as land zoned rural in eastern Maddington/Kenwick, a potential area of vacant land of approximately 300 hectares. Consultants were asked to take account of significant conservation areas such as Brixton Street Wetlands. It is important to realise that this report assesses demand and supply of industrial land, compares Maddington with other areas and establishes the best options for expansion of job creating activity within the City and is not a statutory rezoning report at this stage.

The study area includes existing developed industrial land as well as vacant rural land that could potentially be developed. The existing industrial area can be split into development stages related to the timing of development with more recent development taking place towards the Tonkin Highway section of the current industrial zone. The study indicates that trends in the industrial land development lifecycle suggest that older parts of the Maddington Industrial area should be experiencing redevelopment for a higher and better use or to meet the demands of modern industrial activity. This is not occurring due to land prices in the Maddington area, the high cost to redevelop and the effects of a poor external image of the area as a business location. Business owners located in Maddington have a completely different view of the area and its merits as a business location and the actual benefits of the area as highlighted by current owners needs to be promoted. This process of addressing issues identified within the existing Maddington Industrial area will be addressed in a separate report once the City's marketing Strategy has been articulated.

The balance of this report will concentrate on assessing the demand for industrial expansion in the Maddington/Kenwick area and the need to commence consultation with the State Government and existing landowners to facilitate this process.

In broad terms the study concludes that:

“An assessment of land availability in Maddington shows very few undeveloped blocks are readily available to the market. Those that are presently available are generally of the ‘light industrial’ or ‘composite’ zonings or of low value due to ‘secondary’ type surrounding properties. The supply of this type of land appears to be dictated by private land owners, many of whom are holding on to their land for investment or private development purposes.

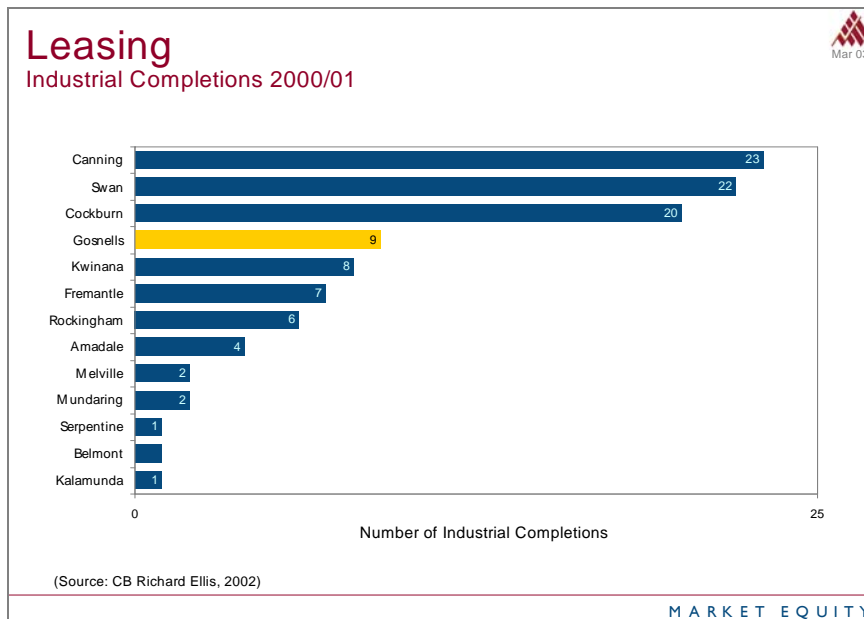
When compared to other industrial areas, Maddington would be considered to have a shortage of available undeveloped land.”

It is reported that demand for land will come from expansion of existing businesses, the increase of businesses of a similar type due to clustering activity, and the emergence of new industries over time.

The study identifies the key driving forces in demand for industrial land as being :

- The performance of the economy or the level of economic activity.
- The rate of population increase.

The economy is forecast to experience steady growth in the short term which indicates that demand for land in Maddington should be steady. Demand trends are apparent from the following leasing and development information supplied by Market Equity:



This chart extracted from the report indicates that whilst new leasing activity for 2000/01 focused in Canning Vale, Malaga and Bibra Lake, Gosnells was the fourth most active leasing area. Leasing activity is a measure of demand within the industrial land Development sector. This results from the fact that areas such as Canning Vale are becoming saturated or close to fully developed.

**City of Gosnells
Industrial Development Approvals**

Year	Number	Mean Value (\$)
2000/2001	32	245,232
2002	16	321,750
2003	3	350,000

This table extracted from the report indicates that demand for industrial development approvals within the Maddington Industrial area have dropped significantly during 2003 compared to the previous three years. The previous three years seem to indicate that the level of demand was running at or around 16 new approvals per annum and with three approvals recorded as at February 2003. This rate of uptake of industrial land means that land for new development is becoming scarce. As the Western Australian economy is strong and business investment is improving this result tends to suggest that availability of land is impacting to reduce the level of business investment in the City.

The report outlines criteria used when making a decision to buy industrial land and rates the Maddington/Kenwick area against these. The factors and analysis of the Maddington area are set out in the following table:

Comparative Strengths	Opportunities
Convenience & Accessibility Access to Public Transport Price	Surrounding Businesses Exposure (Tonkin Highway) Access to Rail
Comparative Weaknesses	Threats
Prestige Aesthetics Quality of Buildings Exposure Parking Customer Base Security	Competition Over supply of low-average quality industrial land

This table highlights areas of comparative strengths and opportunities and those of comparative weaknesses and threats for the area. The Maddington/Kenwick is assessed to be a secondary industrial area, one that will tend to attract businesses servicing a sub regional market.

The table is very well explained in the study:

*“Maddington has some inherent strengths, based on proximity to major highways and rail. Price is an advantage to the extent that land is comparatively affordable at present. It must be noted that while accessibility is a key strength in terms of location and transportation to and from other industrial areas in the same region, industrial land buyers may assess ‘accessibility’ in a different manner to consumer or commercial land buyers. While Maddington may be relatively closer to the city than many other areas, its distance from the freeway and **direct** traffic routes can create perceptions of distance based around travel timing and difficulty of navigation.*

This may pose a barrier to businesses who have a non-commercial or non-industrial client base who may consider travelling longer distances to be undesirable when making purchasing decisions.

Maddington’s weaknesses are generally correctable, however time and planning will be required to achieve this. Investment in the area by local government and private enterprise, over time, can increase the quality of buildings and aesthetics of the area, which in turn, would lift the ‘prestige’.

Given there is considerable competition from other industrial areas, and the fact that Maddington is ‘coming from behind’ in terms of prestige, this should be a key objective in any development strategy. Exposure for businesses can best be

enhanced by planning of new areas, and traffic modifications to older areas, to take advantage of Highway frontage, plus traffic flow in desirable ways. Exposure could be converted from a weakness to an opportunity by maximising land use on Tonkin and/or Roe Highways.

A further driver of future demand and potential is the current expansion of the Roe and Tonkin Highways with the Roe Highway extending to South Street in 2004 and the Tonkin Highway extending to Thomas Toad (sic) and Armadale (2004) by 2006. These expansion projects will result in increased traffic flow past the study area, and improve the relative positioning and accessibility of the Maddington area. The net flow-on effects of this should be an increase in property values in the medium to long term.

An immediate opportunity is to build on the surrounding business profile, attracting similar and complimentary businesses. This could include complimenting the business profile outside Gosnells, from Welshpool through to Cannington.

Access to rail is a growing driver of demand for industrial and commercial businesses as Australia's proportion of transportation.

Competition is the single greatest threat to Maddington's future success.

The increasing customer base around and in other industrial areas, such as Malaga with a large pool of desirable residential customers, or the critical mass of commercial businesses that occurs in locations such as Canning Vale, pose a competitive threat to the future success of Maddington which at this stage is unable to compete on either of these factors.

The growing tendency for businesses to locate near airports, distribution terminals, and other major industrial areas, coupled with the release of land in these new areas, also poses a competitive threat to the success of any new release of industrial land in Maddington.

Timing of release at Maddington will be important and a number of factors will influence the actual rate of land being taken up (ie, economic conditions, supply of available land at other southern and eastern locations). A view expressed by one industry expert was that the immediate outlook for Maddington was positive, as capacity at Canning Vale was filling and development in the Southern River area could create demand for more light industrial land in the region."

The strengths and future prospects for the area support expansion as does the fact that without expansion the City will effectively not be competing for new industrial development given that redevelopment is not occurring through market forces. The consultant's report recommends as follows:

- “1. *The area will need to have a Guided Scheme in place (ie, for the new area at a minimum and ideally the entire Maddington Industrial Area) that controls how development can take place and the design guidelines that are to be applied – this will ensure consistency and integrity in the way land is developed and facilities built.*
2. *The Council should work with existing businesses to enhance the existing industrial area, possibly through incentives (if this is achievable) for enhancing the visual appearance of the area and working together to manage crime (which is perceived to be an issue). Council could also consider ways of improving direct traffic flow through the current industrial area, to increase visibility and access. Locations closest to Albany Highway may also be suited to being converted to Commercial, given the highway access, although the costs to redevelop sites in the older industrial area will limit the appeal for redevelopment if the returns cannot be seen.*
3. *Council should take advantage of the extensions of Roe and Tonkin Highways to ‘breathe new life’ into the Maddington Area, in terms of how surrounding businesses perceive Maddington.*
4. *Council should consider dividing the area under consideration into three broad geographic zones – north, south and a central zone. These zones could be developed with considerably different applications in mind. For example, a continuation of the existing industrial uses to the south, identification of new industries to the north (to take advantage of road and railway access) and scope for a longer term horizon for the area in the centre, which is currently the most heavily occupied with residential properties.*
5. *Council should seek out and enlist interest from private developer(s) to take Maddington forward into new industries and with a new positioning. Within this process, there needs to be an assessment of the likely infrastructure costs to get the new industrial area fully equipped, against the price levels needed to ensure viability of the area.”*

The study does not specify an area that should be rezoned industrial, it simply concludes that demand does and will exist for the land if rezoned and promoted as a quality offering to the market. Similarly the study provides a projection of the potential employment that can be generated if the land is rezoned based upon current employment levels in Maddington and a higher level that may be achievable depending upon the type of industries attracted. This projection of the number of jobs ranges between 14 to 18 per hectare and between 3,675 Full Time Equivalent (FTE) and 4,847 FTE. This is a significant increase in local employment over time and would improve employment sustainability in the City.

The study indicates that the future success of the Maddington Industrial area will be its ability to compete with other industrial areas. In order to compete effectively its relative attractiveness both aesthetically and locationally and with respect to the quality of its building and layout will be important. The report also emphasises that time and planning will be required to achieve this. It will therefore be important to ensure that this planning occurs prior to any industrial uses being allowed in the area. To do otherwise would be a risk to the future success of the area.

These recommendations are based on the premise that demand for industrial land does exist and that there is a need to improve the perception of the industrial area in the minds of potential investors. The consultants highlight the need to work with existing owners to improve the older areas and potential for alternative uses along major roads such as Kelvin Road. This may have implications for the future use of City assets in the Maddington area. The importance of transport links in improving the attractiveness of an industrial areas is highlighted in recommendation 3 and recommendation 4 sets out a best option for approaching the potential staged expansion of the industrial area. In summary the recommendations are a mixture of practical steps to be taken if the industrial area is to be expanded and marketing initiatives to be considered by Council.

Given that the purpose of the study was to assess demand some of the recommendations could be viewed as premature though worthy should industrial expansion proceed. The Study Area Plan indicates the suggested geographic split of the area as a recommended option for approaching the potential staged expansion.

This recommended staging of the potential rezoning stems from expert opinion expressed in the study that if the rezoning proceeds land should be released in manageable stages. Area 1 is adjacent to the existing industrial area and is bounded to the east by Tonkin Highway offering good transport links and access to existing infrastructure. It would also offer the lowest development cost because of the proximity to existing services.

If the rezoning were to proceed it would be advisable to further stage Area 1 into two areas:

- 1A Triangular shaped area south of Kelvin Road and;
- 1B Area north of Kelvin Road bounded by Bickley and Victoria Roads and Tonkin Highway.

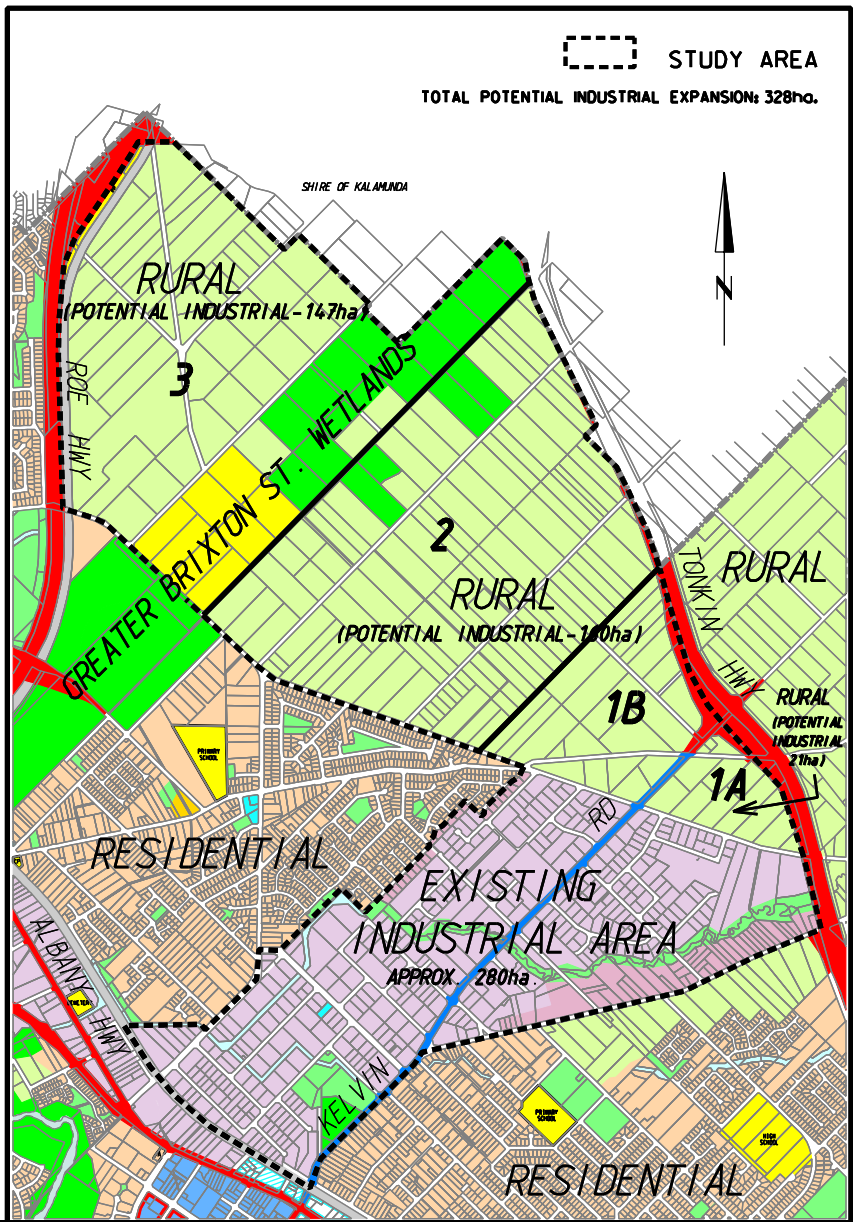
This approach would enable rezoning to take place in stages, focus development in areas adjacent to the existing industrial area and enable community consultation to be approached in an orderly manner.

Areas 2 and 3 respectively would be considered for industrial development in future, over the medium to longer term.

This approach could allow for orderly planning to take place and could see rezoning of areas 1a and 1b occur over an 18 month to 2 year period.

In order to apply for rezoning of the land various steps need to be taken and studies developed either by the City to retain control of the process or by large scale landowners or consortia of landowners who wish to rezone and develop or sell their land.

A first step in the process would be to approach the relevant authorities, the Western Australian Planning Commission and the Department of Planning and Infrastructure, to gain in principle support for the proposed rezoning to provide certainty before any substantial costs are incurred. This approach should outline the staged method of development that would be envisaged and provide the study report as proof of need and demand. Given that the area has been designated as a Strategic Industrial Area under Metroplan the State Government is unlikely not to provide in principle support for the proposal.



FINANCIAL IMPLICATIONS

The Maddington Industrial Land Market Demand Study is a first step in the potential rezoning of land from rural to industrial under the MRS and TPS6. The proposed budget for 2003/2004 includes provision of funding required to commence the rezoning process including landowner consultation to follow on from this positive first step.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION**372 Moved Cr R Mitchell Seconded Cr C Matison**

“That Council authorise staff to develop plans to improve the existing Maddington Industrial areas marketing and promotion in order to improve external perceptions of the area with a report on findings and recommendations to be presented to Council at a later date.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION**373 Moved Cr R Mitchell Seconded Cr C Matison**

“That Council formally approach the Western Australian Planning Commission and the Department of Planning and Infrastructure with the proposal to rezone areas 1A and 1B shown in Appendix 12.5.8B from Rural to General Industry seeking support for the proposal subject to appropriate studies and rezoning applications with a specific planning report to be presented to Council.”

CARRIED 10/1

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Cr J Brown.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION**374 Moved Cr R Mitchell Seconded Cr C Matison**

“That Council commence consultation with landowners in the areas designated as 1A and 1B shown in Appendix 12.5.8B to facilitate the rezoning process for the area bounded by Bickley Road, Kelvin Road and Tonkin Highway, followed by Bickley Road, Kelvin Road, Tonkin Highway and Victoria Road.”

CARRIED 10/1

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Cr S Moss.

12.5.9 ENVIRONMENTAL MANAGEMENT PLAN 2001 - AUDIT AND REVIEW

File: E3/1 (WvL) psrpt098Jun03
Previous Ref: 25 September 2001 (Resolution 827)
25 February 2003 (Resolution 91)
Appendices: 12.5.9A Environmental Management Plan 2001 Audit
12.5.9B Section 7 of Environmental Management Plan.

PURPOSE OF REPORT

For Council to consider the results of the City's Environmental Management Plan 2001 (EMP) Audit, a summary of the City's performance against the Strategic Projects contained in the endorsed EMP, and to consider the Audit's release for public use in a recommended process for the further review of the EMP.

BACKGROUND

Council at its Ordinary Meeting held on 25 September 2002 resolved (Resolution 817):

"That Council adopt the revised draft City of Gosnells Environmental Management Plan as the key document for guiding Council's actions to progressively see the City's environmental performance, and that of its community, meet both legislative and community obligations and expectations, and that the first annual review of the Plan's implementation be programmed to occur in September 2002."

The review was initiated in October 2002, and has taken some considerable time to prepare.

DISCUSSION

EMP Audit

The EMP prescribes 176 Strategic Projects, against each of which is assigned a time frame and responsible officer. A number of Strategic Projects are assigned priority ranking, indicating their importance.

The EMP Audit is the initial phase of the EMP Review. The Review will consider the Audit results and other aspects of the EMP in the course of preparing a revised EMP for Council's future consideration. The EMP Audit document is attached as Appendix 12.5.9A.

Although section 6.0 of the EMP provides twenty-one Critical Result Areas, or indicators, against which it was proposed to measure the City's performance in key areas, these measures have not been used in the EMP Audit. The resources and processes required to establish baselines for each of the twenty-one indicators and to provide data for measurement have not been developed sufficiently to allow the use of these measures to any reasonable effect. This is one matter proposed for consideration in the EMP Review.

The EMP Audit provides a measure of the City’s performance against its achievement of targets set in section 5.0 of the EMP, where Strategic Projects are assigned timeframes and, within those timeframes, priorities. The Audit measures the City’s performance against three Strategic Project groupings:

- Progress in addressing Priority Strategic Projects (42 projects);
- Progress in addressing Strategic Projects proposed to be addressed by the end of 2002/03 (98 projects); and
- Overall progress in addressing all Strategic Projects (176 projects).

Appendix 12.5.9A provides a detailed breakdown of Strategic Projects and reported action status against each Strategic Project provided by the officer responsible for that Project.

The following tables detail numerical and statistical analysis of the City’s performance against the implementation of the EMP as proposed in section 5.0 of the document. Measurement is applied where projects are:

- Completed – fully addressed and/or implemented.
- In progress – project substantially in progress, or an ongoing project being implemented.
- No action – project has not been addressed.
- Other considerations – project requires action by third party before action can be taken.

Measure: Priority Strategic Projects (total 42)	Number	Performance
Completed	15	35.7%
In progress	16	38.1%
No action	10	23.8%
Other considerations	1	2.4%
Total	42	100.0%

Measure: Strategic Projects with June 2003 deadline (total 98)	Number	Performance
Completed	27	27.6%
In progress	35	35.7%
No action	34	34.7%
Other considerations	2	2.0%
Total	98	100%

Measure: All Strategic Projects (total 176)	Number	Performance
Completed	38	21.6%
In progress	79	44.9%
No action	54	30.7%
Other considerations	5	2.8%
Total	176	100.0%

Although there is no measure defined in the EMP against which the City's overall performance can be gauged, an overall achievement of more than 66% of all Strategic Projects completed or in progress can be considered positive implementation of the EMP.

A number of factors have influenced the City's performance, and must be considered in the EMP Review. Two of the most important are:

- Significant staff changes since the EMP's adoption – the revised EMP must incorporate process to ensure continuity in such circumstances
- Restructuring, which has seen changes in organisational project responsibilities

The EMP Review will provide the opportunity to better plan for a simpler and more accurate reporting procedure.

It is recommended that Council receive the EMP Audit, and endorse the document's release for use in the public review of that document.

EMP Review

Section 7.0 of the EMP provides a framework for the document's review and is contained in Appendix 12.5.9B

It is proposed to closely follow this endorsed procedure in the Review of the EMP, with the Audit providing the catalyst for review.

Importantly, and in keeping with this endorsed procedure, the EMP Review will examine the measurement of the City's current and future performance, with a view to addressing those projects not apparently in progress, and to consider means by which a more consistent organisational approach may be archived.

It is also proposed to follow a process very similar to that followed in the EMP's development. In this instance, though, a defined timeframe would see the process aiming to be completed in December 2003. The proposed process includes:

- Two Community Forums to report the EMP Audit results, to identify and prioritise environmental issues of concern to the community, and to seek community nominations to the Stakeholder Team;

- The formation of a Stakeholder Team, comprising the Environment Portfolio Holder and Deputy, Director Planning and Sustainability, Environmental Coordinator, Environmental Officer and six community delegates (nominations to be sought at the two Community Forums, through local advertising and media releases). The Stakeholder Team would use, as a starting point, the Terms of Reference endorsed for the previous Stakeholder Team, with progress reports being provided through the Environment Portfolio;
- A review of the City's Environmental Legislative Review, which identifies and summarises the City's statutory environmental obligations and other requirements; and
- A review, with a view to inclusion in the revised EMP to provide one comprehensive plan for environmental management, of the recommendations contained in the Upper Canning/Southern-Wungong Catchment Management Plan and the City's Corporate and Community Greenhouse Action Plans.

With regard to the Community Forums, it is proposed to link the first of these events with an Environmental Workshop arising from the Ordinary Council Meeting held on 25 February 2003 (Resolution 91):

“That Council convene an Environmental Workshop prior to the end of the financial year to examine options for coordination of efforts for the various groups and the City, which operate within the City of Gosnells.”

It is proposed to hold the Environmental Workshop on Monday 21 July 2003.

It is recommended that the Audit results of the City's implementation of the EMP be presented at the 21 July 2003 Environmental Workshop. This will also provide an opportunity to canvas community interest in membership to the City's Stakeholder Team.

The timeframe for the Stakeholder Team and the EMP Review is proposed to be short-term only, concluding in December 2003.

CONCLUSION

The Audit of the EMP demonstrates that the City has an overall achievement of more than 66% of all Strategic Projects completed or in progress, which can be considered positive implementation of the EMP.

The EMP Audit will provide the catalyst for the further Review of the EMP, proposed to commence on 21 July 2003 with the Environmental Workshop arising from the Ordinary Council Meeting of 25 February 2003 (Resolution 91).

The EMP Review is proposed to follow the process outlined in section 7.0 of the EMP, and to involve the community and staff in a similar manner to that used in the development of the EMP.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with this report.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

375 Moved Cr C Matison Seconded Cr J Brown

“That Council endorse the release of the Environmental Management Plan 2001 Audit as contained in Appendix 12.5.9A, for use in the review of the Environmental Management Plan 2001.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

12.6 REGULATORY SERVICES

12.6.1 DELEGATES - COMMUNITY ORGANISATIONS

File: C3/5/2

(TP)

Rpt028Jun03

PURPOSE OF REPORT

To inform Council of correspondence received from various community groups following the appointment of delegates by Council to their organisations at the Special Council Meeting held on 6 May 2003 and recommend change accordingly.

BACKGROUND

At the Special Council Meeting held on 6 May 2003 following the ordinary elections for local government, Council nominated delegates to a range of committees and community organisations. Consequent to that correspondence was forwarded to the respective groups, advising of the appointments. As a result of this advice response letters have been received indicating a desire contrary to the prior understanding of Council. In addition, a letter has been received from Armadale Health Service seeking a replacement representative on the Community Advisory Council for former Councillor NJ Smith.

The other two organisations from which advice was received were Amaroo Village and Boogurlarri Community House Association (Inc).

DISCUSSION

For simplicity, all three organisations are addressed independently as follows:

Armadale Health Service

Correspondence from Mr Stewart McDonald OAM JP, Chairperson of Armadale Health Service Community Advisory Council dated 20 May 2003 states in part:

“In view of our terms of reference and in accordance with advice from the Hon Minister of Health it will now be necessary for your council to elect and advise the writer of a newly elected representative to replace the vacancy so caused.

Our committee meets on the first Friday afternoon in each month, commencing at 4.30pm in the seminar room, 1st floor of the Armadale Health Service campus main building. The meetings usually run from 4.30pm to 6.00pm unless we have arranged for any other special event.”

A review of Council's list of delegates to community organisations revealed this position was not included. In addition, no reference has been made throughout the past twelve months on the Councillors Diary of Events relating to the above meetings.

Research of prior minutes revealed a similar request in July 2001 at which time former Councillor N Smith was appointed for the 2001/2002 financial year.

There was conjecture at one stage that the position was one of Ministerial appointment and as such not a delegate of the City, though the correspondence of July 2001 and May 2003 would not appear to support that view.

The community Advisory Council is an independent body established by the Minister for Health to represent the public on all aspects of medicine relating to health.

Amaroo Village

Council has for many years, at the behest of Amaroo, nominated two delegates to the Amaroo Board of Directors. The delegates appointed in May 2001 were Councillors C Matison and N Smith.

In January 2002 the latter was appointed to the Board in his own right and as such tendered his resignation as a delegate of the City.

At the Ordinary Council Meeting held on 12 February 2002 Council resolved (Resolution 46) as follows:

“That Council not appoint a replacement (second) delegate at this time to represent the City on the Amaroo Board of Directors, and that the organisation be advised accordingly and the matter be reviewed in 2003.”

At the Special Council Meeting held on 6 May 2003, following the ordinary elections for local government, Council resolved (Resolution 255) the following:

“That Council appoint a second delegate to Amaroo Cottages for Senior Citizens.”

This resulted in Councillors C Matison and R Mitchell being appointed as Council’s delegates.

Subsequent advice on 12 May 2003 from the Chief Executive Officer of Amaroo Village, Mr David Fenwick stated in part:

“In accordance with this organisation’s constitution, the nominations both require endorsement by the current Board of Directors membership. This change was introduced during the last year and is effective from the date of the recent local government elections.”

Further written advice from Mr Fenwick dated 22 May 2003 stated in part:

“On behalf of the Board of Directors, I wish to advise that Cr Carol Matison has been accepted as a suitable delegate to represent Council on the Amaroo Village Board of Directors.”

As a delegate, Cr Matison becomes a Director and as such has responsibilities to represent the Board, therefore there is an expectation that her role will be one of mutual obligation.”

In an endeavour to clarify the reasoning behind the acceptance of only one delegate, Mr Fenwick was contacted. He advised of amendment to their constitution whereby it now permits up to two elected members of the Council to be appointed to the Board, indicating that this number is dependent upon the availability of positions on the Board.

The relevant extract from that constitution is as follows:

“4.3 The Board of Directors shall at all times consist of no more than twelve (12) members and no less than eight (8) members. Two (2) members to be endorsed by the Amaroo Board of Directors may be nominated by the Council of the City of Gosnells, with mutual agreement, but shall not be appointed without prior approval of the Board of Directors.”

It will therefore be recommended that it be noted Cr Matison has been accepted as a delegate to the Amaroo Village Board of Directors while at the same time recommending Resolution 255 of the Special Council Meeting of 6 May 2003 be revoked.

Boogurlarri Community House Association (Inc)

Council has had a representative on this body for in excess of ten years with in the main, former Cr N Smith being the delegate.

Following appointment of Cr P Wainwright as Council delegate at the Special Council Meeting held on 6 May 2003, Boogurlarri were advised accordingly, resulting in the receipt of correspondence from their Manager, Ms Lorena Rose which states in part:

“In response to your correspondence date 8 May 2003 I advise Boogurlarri Community House welcomes broad based membership and representation on its management committee. However, we are not aware of any delegation from the City of Gosnells and we currently do not have any vacancies.

According to Boogurlarri Community House Constitution, Management Committee is elected by the members at the Annual General Meeting (AGM). Membership is open to individuals and organisations that support the aims and objectives of the Association. Membership must be in writing on the standard form and the prescribed fees must be paid prior to the AGM.

We appreciate organisations involvement for wider input and expertise which will enhance the quality of decision making at the management level and we invite Council involvement at the next AGM.”

Contact was subsequently made with Boogurlarri with the view to clarifying the situation, however, the Manager failed to return the call on each occasion.

FINANCIAL IMPLICATIONS

The financial implications of the proposals within this report are minimal and would only relate to reimbursement of travelling allowance to Councillors.

STAFF RECOMMENDATION

Moved Cr P Wainwright Seconded Cr R Mitchell

That Council appoint _____ as delegate to the Armadale Health Service Community Advisory Council for the period 27 May 2003 to 7 May 2005.

STAFF RECOMMENDATION

Moved Cr P Wainwright Seconded Cr R Mitchell

That Council note the acceptance of the nomination of Cr C Matison as Council's delegate to the Amaroo Village Board of Directors.

STAFF RECOMMENDATION

Moved Cr P Wainwright Seconded Cr R Mitchell

That Council, in light of advice received from the Chief Executive Officer of Amaroo Village on behalf of the Board of Directors, revoke Resolution 255 of the Special Council Meeting held on 6 May 2003 which reads:

"That Council appoint a second delegate to Amaroo Cottages for Senior Citizens."

(ABSOLUTE MAJORITY REQUIRED)

STAFF RECOMMENDATION

Moved Cr P Wainwright Seconded Cr R Mitchell

That Council note the advice from the Manager of Boogurlarri Community House Association (Inc) and no longer provide a Council delegate to the Committee of Management for that organisation.

Amendment

Cr D Griffiths, in relation to the first staff recommendation, nominated Cr O Searle for appointment to the Armadale Health Service Community Advisory Council, however, Cr

Searle declined. Cr D Griffiths subsequently nominated Cr J Brown resulting in the following amendment to the first staff recommendation:

Moved Cr D Griffiths Seconded Cr P Wainwright

That the staff recommendation be amended by deleting the line “_____” where it appears in the first line after the word “appoint” and substituting it with the name “Cr J Brown”, with the amended recommendation to read:

“That Council appoint Cr J Brown as delegate to the Armadale Health Service Community Advisory Council for the period 27 May 2003 to 7 May 2005.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

The amendment was put and carried with the amendment becoming the substantive motion. The Presiding Member then put the substantive motion, which reads:

COUNCIL RESOLUTION

376 Moved Cr D Griffiths Seconded Cr P Wainwright

“That Council appoint Cr J Brown as delegate to the Armadale Health Service Community Advisory Council for the period 27 May 2003 to 7 May 2005.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

The Presiding Member then put the second staff recommendation, which reads:

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

377 Moved Cr P Wainwright Seconded Cr R Mitchell

“That Council note the acceptance of the nomination of Cr C Matison as Council’s delegate to the Amaroo Village Board of Directors.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

The Presiding Member advised the next staff recommendation was a motion to revoke with Cr R Mitchell Moving and Cr C Matison, Cr J Brown and Cr O Searle Seconding the motion. The Presiding Member then put the third staff recommendation, which reads:

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

378 Moved Cr R Mitchell Seconded Cr C Matison, Cr J Brown and Cr O Searle

“That Council, in light of advice received from the Chief Executive Officer of Amaroo Village on behalf of the Board of Directors, revoke Resolution 255 of the Special Council Meeting held on 6 May 2003 which reads:

“That Council appoint a second delegate to Amaroo Cottages for Senior Citizens.””

CARRIED BY ABSOLUTE MAJORITY 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

The Presiding Member then put the fourth staff recommendation, which reads:

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

379 Moved Cr P Wainwright Seconded Cr R Mitchell

“That Council note the advice from the Manager of Boogurlarri Community House Association (Inc) and no longer provide a Council delegate to the Committee of Management for that organisation.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

12.6.2 WALGA ELECTED MEMBER DEVELOPMENT PROGRAM

File: C4/2

(AC)

Rpt026Jun03

PURPOSE OF REPORT

To inform Council of the scheduled dates for the WA Local Government Association's (WALGA) Elected Member Development Program (EMDP) and to seek delegated authority for the CEO to approve attendance by Councillors at upcoming EMDP sessions to enable them the opportunity to complete all modules.

BACKGROUND

On 15 April 2003 WALGA launched its new one day professional development module for newly elected members titled "Getting Started – An Introduction to Local Government". The module provides an excellent opportunity for new Councillors to take a major step in learning about being an Elected Member and has been designed to:

- * Provide a practical introduction to the internal structure of Local Government, governance and operational differences;
- * Outline the role, responsibilities and scope of an Elected Member;
- * Offer professional support and development opportunities from the WA Local Government Association; and
- * Provide an overview of the primary functions and processes of an Elected Member including meetings, financial management, obligations, rights and protection, decision making and the importance of community consultation.

The new module is intended to be a pre-cursor to all other Elected Member modules.

In addition to the new "Getting Started" module, the EMDP contains 13 other modules, upon completion of which, Councillors are presented with a certificate from WALGA. To date, three (3) of the City's Councillors have completed the EMDP in its entirety. Of those Councillors who have already completed several modules, a number are eager to complete all 13.

DISCUSSION

The recent biennial local government elections held on 3 May 2003 resulted in three (3) new Councillors being elected to Council. WALGA will be conducting the full day module at their premises located at 15 Altona Street, West Perth on the following dates at a cost of \$185 per person (plus GST):

Saturday	14 June	9am to 5pm
Tuesday	17 June	9am to 5pm
Friday	20 June	9am to 5pm
Sunday	22 June	9am to 5pm
Tuesday	24 June	9am to 5pm

Each session will have three people conducting the course – one presenter from WALGA, a representative from the Department of Local Government & Regional Development, and one person from WALGA's Workplace Relations & Training Services for quality assurance and support purposes.

Additionally, as part of the annual Local Government Week, WALGA generally offer 3 EMDP modules for Councillors, with Council approving attendance in accordance with Policy 5.4.12 "Conferences/Study Tours/ Training Workshops" which states in part:

"Attendance by elected members at conferences/study tours/training workshops (herein after referred to as "the event") involving expenditure by the City requires a Resolution of Council resulting from a report to an Ordinary Council Meeting detailing the program for the event and all associated costs."

WALGA, in addition to the modules offered during Local Government Week, also offer modules on an as needs basis throughout the year. Unfortunately, notification of upcoming sessions does not always allow sufficient time for staff to prepare a report for Council's consideration prior to the scheduled date and as a result Councillors are not given the opportunity to attend. However, if the Chief Executive Officer was granted delegated authority to authorise attendance at such sessions this would result in Councillors being given a greater opportunity to attend.

CONCLUSION

Although a comprehensive induction program was conducted in-house by staff on Monday 5 May 2003 following the election, it is believed that newly elected Members will benefit significantly from attending the new "Getting Started" EMDP module.

Further, in order to afford those elected Members eager to complete the EMDP an opportunity to do so, it is recommended that the Chief Executive Officer be granted delegated authority to authorise attendance by Councillors at individual modules.

FINANCIAL IMPLICATIONS

Adequate funds have been budgeted during the 2002/2003 financial year to enable attendance by Councillors at EMDP modules, which can be met from Account No. 40401.110.1023.

STAFF RECOMMENDATION

Moved Cr P Wainwright Seconded Cr J Brown

That Council authorise newly elected Councillors W Barrett, P Wainwright and DM Griffiths to attend the WA Local Government Association's new Elected Member Development Program module titled "Getting Started", with each Councillor advising the Director Regulatory Service of their preferred date for attendance to enable registration, with the cost of \$185 per person being met from Account No. 40401.110.1023.

STAFF RECOMMENDATION

Moved Cr P Wainwright Seconded Cr J Brown

That Council, pursuant to Section 5.42 of Division 4 of Part 5 of the Local Government Act 1995, delegate the exercise of its powers and duties to the Chief Executive Officer as follows:

"The authority to authorise Councillor attendance at individual modules of the WA Local Government Association's Elected Member Development Program";

with the cost of such attendance being met from Account No. 40401.110.1023.

Amendment

During debate Cr AJ Smith moved the following amendment to the first staff recommendation:

"That the first staff recommendation be amended by inserting the words "and all those interested current Elected Members" after the word "Griffiths" where it appears in the second line."

providing the following reason:

"It would appear that staff had not been made aware of the details contained in the WALGA "Getting Started" brochure which clearly states that this program is not restricted to newly elected members but in fact encourages current elected members to also attend.

The WALGA President, Cr Clive Robartson, writes the Foreward of the brochure:

"Getting Started – An introduction to Local Government.

A one-day professional development opportunity for new and current Elected Members.

If you are a newly Elected Member or if you are a Councillor looking to refresh and renew your skills, I urge you to consider attending this one day course.”

In an effort to confirm the encouragement for current Councillors to attend the program I contacted the WALGA Training Staff and was advised that the program had already commenced and there were newly elected and previously elected Councillors from other Councils in attendance and committed to attending future courses.

It was also advised that the program was constantly updated and invaluable to current members, as it was not directed towards the Modules concept, which is otherwise provided.

The program sessions run from May 26 to August 12, a total of 9 separate sessions, two of which have already been undertaken. Each session comprises a full day covering appurtenant subjects.

We are all aware that training is an essential tool of management and is not a one off process, but must be constantly updated and ongoing, otherwise one’s knowledge becomes outdated with strategies and operating procedures being obsolete and no longer applicable to the current conditions.

Therefore, I consider it essential that this training program be made available to all available City of Gosnells Councillors for the overall benefit of the community of our City.”

Cr S Moss Seconded Cr Smith’s proposed amendment.

At the conclusion of debate the Presiding Member put Cr Smith’s proposed amendment, which reads:

Moved Cr AJ Smith Seconded Cr S Moss

That the first staff recommendation be amended by inserting the words “and all those interested current Elected Members” after the word “Griffiths” where it appears in the second line, with the amended recommendation to read:

“That Council authorise newly elected Councillors W Barrett, P Wainwright and DM Griffiths and all those interested current Elected Members to attend the WA Local Government Association’s new Elected Member Development Program module titled “Getting Started”, with each Councillor advising the Director Regulatory Service of their preferred date for

attendance to enable registration, with the cost of \$185 per person being met from Account No. 40401.110.1023.”

CARRIED 10/1

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Cr J Brown.

The amendment was put and carried with the amendment becoming the substantive motion. The Presiding Member then put the substantive motion, which reads:

COUNCIL RESOLUTION

380 Moved Cr AJ Smith Seconded Cr S Moss

“That Council authorise newly elected Councillors W Barrett, P Wainwright and DM Griffiths and all those interested current elected members to attend the WA Local Government Association’s new Elected Member Development Program module titled “Getting Started”, with each Councillor advising the Director Regulatory Service of their preferred date for attendance to enable registration, with the cost of \$185 per person being met from Account No. 40401.110.1023.”

CARRIED 10/1

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Cr J Brown.

The Presiding Member then put the second staff recommendation, which reads:

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

381 Moved Cr P Wainwright Seconded Cr J Brown

“That Council, pursuant to Section 5.42 of Division 4 of Part 5 of the Local Government Act 1995, delegate the exercise of its powers and duties to the Chief Executive Officer as follows:

“The authority to authorise Councillor attendance at individual modules of the WA Local Government Association’s Elected Member Development Program”;

with the cost of such attendance being met from Account No. 40401.110.1023.”

CARRIED BY ABSOLUTE MAJORITY 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

**13.1 FUTURE DEVELOPMENT OF GIBBS PARK AND ROCHESTER AVE PARK –
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 27 May 2003 for inclusion in “Motions for Which Previous Notice Has Been Given” of the 10 June 2003 Ordinary Council Meeting.

COUNCIL RESOLUTION

382 Moved Cr O Searle Seconded Cr AJ Smith

“That a report be brought to Council indicating Council’s intention with regard to the future development of Gibbs Park in Maddington and also the Park in Rochester Avenue in Beckenham (which is bounded by the Perth to Armadale Railway Line, the Brixton Street Bridge and the Roe Highway).”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

13.2 SKATEBOARD FACILITIES MADDINGTON – 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 27 May 2003 for inclusion in “Motions for Which Previous Notice Has Been Given” of the 10 June 2003 Ordinary Council Meeting.

PROPOSED MOTION

That a report be brought to Council as to when a properly constructed skateboard facility can be expected to be completed in the Maddington area as this has been promised to the community and they are awaiting further information.

STAFF COMMENT

The Manager City Facilities provides the following comment in relation to the proposed motion:

A workshop was held on Tuesday 3 June 2003 to discuss the issues surrounding the Thornlie wheeled facility and the future of wheeled facilities within the City of Gosnells. A report will now be prepared for Council seeking endorsement of the construction of a wheeled facility at the Westfield Reserve in Maddington and the investigation of opportunities for future facilities in Gosnells, Beckenham and Canning Vale as part of a strategic plan for facilities of this nature .

The report will also outline the timeframe for the development in Maddington and the strategies involved to manage the issues that arose throughout the development of the Thornlie wheeled facility.

COUNCIL RESOLUTION

383 Moved Cr O Searle Seconded Cr S Moss

“That a report be brought to Council as to when a properly constructed skateboard facility can be expected to be completed in the Maddington area as this has been promised to the community and they are awaiting further information.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

14. NOTICES OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING**14.1 FORMER MADDINGTON GOLF COURSE SITE WORKSHOPS – REPORT REQUEST**

Cr O Searle proposed the following motion for inclusion in “Motions of Which Previous Notice Has Been Given” of the 24 June 2003 Ordinary Council Meeting agenda.

PROPOSED MOTION FOR 24 JUNE 2003 AGENDA

That a report be brought to the Council indicating the specific dates when workshops will be held in relation to the former Maddington Golf Course Site with a brief summary of the content of the discussion items for each workshop to be included alongside the proposed dates.

14.2 FORMER KELVIN ROAD REFUSE SITE FUTURE WORKS – REPORT REQUEST

Cr O Searle proposed the following motion for inclusion in “Motions of Which Previous Notice Has Been Given” of the 24 June 2003 Ordinary Council Meeting agenda.

PROPOSED MOTION FOR 24 JUNE 2003 AGENDA

That a report be brought to the Council clearly outlining both the work to be done and the timeframe by which the intended work will be completed so that the project at the former tip site in Kelvin Road can be completed.

15. URGENT BUSINESS (by permission of Council)

Nil.

16. CONFIDENTIAL MATTERSNotation

To enable closure of the meeting to members of the public to allow discussion of confidential matters Cr R Mitchell moved the following motion:

COUNCIL RESOLUTION

384 Moved Cr R Mitchell Seconded Cr P Wainwright

“That Council declare the meeting closed to members of the public at 9.48pm to allow for discussion of confidential matters in accordance with Section 5.23(2)(c) of the Local Government Act 1995.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

9.48pm - Members of the Public left the meeting.

16.1 SALE OF LAND : PROPOSED LOTS 432 and 433 KALEE COURT, HUNTINGDALE

File: KAL.1 (EH) Psrpt093May03
Name: City of Gosnells
Location: 7 (Proposed Lot 432) Kalee Court and 9 (Proposed Lot 433) Kalee Court, Huntingdale
Zoning: MRS: Urban
TPS No. 6: Residential R17.5
Appeal Rights: Nil
Area: 1,681m²
Previous Ref: OCM 27 June 2000 (Resolution 503)
Appendix: 16.1A Confidential Report

A confidential report on the above matter is contained in Appendix 16.1A. The confidential report has not been distributed to members of the public.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

385 Moved Cr D Griffiths Seconded Cr O Searle

“That Council accept the offer of \$92,000 from Roger and Jane Woodward to purchase proposed Lot 432 Kalee Court, Huntingdale, subject to:

1. The block is sold under the “margin scheme” for the purpose of calculating GTS liability; and
2. Completion of the Subdivision to create Lot 432 within 4 months.

with proceeds of the sale being directed to Job 3318 (Payment in Lieu of POS – Huntingdale).”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

386 Moved Cr D Griffiths Seconded Cr O Searle

“That Council accept the offer of \$72,300 from Blair Harding, Sandra Harding and Alan Harding to purchase proposed Lot 433 Kalee Court, Huntingdale, subject to:

1. The block is sold under the “margin scheme” for the purpose of calculating GTS liability; and
2. Completion of the Subdivision to create Lot 433 within 4 months.

with proceeds of the sale being directed to Job 3318 (Payment in Lieu of POS – Huntingdale).”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

9.49pm - At the conclusion of Confidential matters Cr S Moss moved the following motion:

COUNCIL RESOLUTION

387 Moved Cr S Moss Seconded Cr R Mitchell

“That Council re-open the meeting to members of the public at 9.49pm.”

CARRIED 11/0

FOR: Cr W Barrett, Cr AJ Smith, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr R Croft.

AGAINST: Nil.

9.49pm – *The meeting was re-opened to members of the public.*

Notation

Upon re-opening the meeting to members of the public the Presiding Member advised that the staff recommendations as contained within the Confidential Report were endorsed by Council.

17. CLOSURE

The Presiding Member declared the meeting closed at 9.50pm.