

CITY OF GOSNELLS

**ORDINARY COUNCIL MEETING
22 JUNE 2004**

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Minutes of the Ordinary Council Meeting held in the Council Chambers, City of Gosnells Administration Centre, 2120 Albany Highway, Gosnells on Tuesday 22 June 2004.

1. OFFICIAL OPENING/ANNOUNCEMENT OF VISITORS/DISCLAIMER

The Mayor declared the meeting open at 7.32pm and welcomed those members of the public present in the public gallery, Councillors and staff.

DISCLAIMER

The Mayor read aloud the following statement:

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

COUNCIL MEETINGS – RECORDING OF

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

Notice within the Public Gallery in relation to recordings state:

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

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

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

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

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

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

2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**ELECTED MEMBERS**

MAYOR
DEPUTY MAYOR

CR P M MORRIS AM JP Honorary Freeman
CR R CROFT
CR W BARRETT
CR R HOFFMAN
CR P WAINWRIGHT
CR R MITCHELL
CR S MOSS
CR O SEARLE JP
CR J BROWN JP
CR S IWANYK
CR D GRIFFITHS

STAFF

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

PUBLIC GALLERY

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APOLOGIES

Nil.

APPROVED LEAVE OF ABSENCE

Cr C Matison was granted Leave of Absence vide Resolution 274 of the Ordinary Council Meeting held on 8 June 2004.

3. DECLARATIONS OF INTEREST

Cr D Griffiths declared an Impartiality Interest in item 12.1 "Sutherlands Park Advisory Committee".

Reason: Council delegate and Presiding Member to Sutherlands Park Advisory Committee.

Cr R Hoffman declared an Impartiality Interest in item 12.2 "City of Gosnells RoadWise Committee".

Reason: Chairman of RoadWise Committee.

Cr S Iwanyk declared an Impartiality Interest in item 12.2 "City of Gosnells RoadWise Committee".

Reason: Council delegate to RoadWise Committee.

Cr S Moss declared an Impartiality Interest in item 12.2 "City of Gosnells RoadWise Committee".

Reason: Community representative committee member to the RoadWise Committee.

Cr P Wainwright declared an Impartiality Interest in item 12.2 "City of Gosnells RoadWise Committee".

Reason: Council delegate to RoadWise Committee.

4. ANNOUNCEMENTS BY THE PRESIDING MEMBER

(without discussion)

The Mayor circulated to Councillors a list of functions and events she had attended since Tuesday 8 June 2004.

5. REPORTS OF DELEGATES

(without debate)

Cr R Hoffman reported that last week he attended the 10th Anniversary of RoadWise where a number of people were congratulated by the Minister and various dignitaries on the progress that RoadWise had made in helping to reduce the death toll and injuries from serious crashes within Western Australia.

Cr J Brown reported that she had been asked by the Gosnells Heritage Advisory Council to thank those Council staff involved in the erection of lights in the museum carpark, advising that since installation there had been no unruly behaviour, with the lighting being most welcome by residents.

6. 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 MEETINGS8 June 2004 Ordinary Council Meeting

The following question was posed at the 8 June 2004 Ordinary Council Meeting with the responses as already provided to the correspondents listed accordingly:

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

Q 2 What was the date of the last request from City staff to Main Roads to lower the speed limits on Brixton and William Streets to 50kms as stated at last Council meeting on the 25 May?

Response: In reply to Mr Hitchins the Director Infrastructure provided the following written response on 21 June 2004:

*“Re: OCM 8 June 2004 – Question Taken on Notice
Question Relating to 50km/h Speed Limits in Brixton and
William Streets, Beckenham*

In relation to the above question raised at the Ordinary Council Meeting held on 8 June 2004, I can advise that the issue of the appropriateness of a 50km/h speed limit in Brixton Street was raised by Council officers at the Main Roads' Western Australia Traffic Management Group meeting

held on 7 May 2003, and by the consultants undertaking the Beckenham Traffic Study when seeking the views of Main Roads WA in January 2004 on issues within the study area.

The road environments for both Brixton Street and William Street are not appropriate for 50km/h speed zoning, which is also a view shared by Main Roads WA.

As you are aware, a number of traffic management treatments were recommended for both streets as part of the Beckenham Traffic Study and following the implementation of these measures, a further review of the most appropriate speed zone for Brixton Street will be undertaken.

Given that William Street is classified a 'District Distributor Road', it is not appropriate that the speed zoning be reduced to 50km/h, however the City of Gosnells will be implementing the recommendations of the Beckenham Traffic Study, which will greatly assist in redefining the character of the street and improving safety."

6.1 QUESTION TIME

- * Mrs Christine Jancey asked the following questions in relation to item 13.5.2 "Development Application – Expansion of Poultry Farm – 127 (Lot 246) Victoria Road, Kenwick" of the agenda:

Q 1 Why did Council officers after admitting they had made a mistake and not given approval under Town Planning Scheme No. 6 not issue a 'Stop Work' order until due process had been followed?

Response: The Director Planning and Sustainability advised there were 3 main reasons. First, given the history of the site, in his opinion, any stop work notice would be overturned on appeal; secondly, to stop works midstream would be more likely to increase nuisance associated with works on site, and thirdly in terms of issuing a stop work notice, it was normal procedure for Council to determine the matter prior to any such notice being issued.

Q 2 Why have no odour and dust studies been done given that the Environmental Code of Practice states that before tunnel ventilation is installed it should be demonstrated that noise, dust and odour emitted from the discharge end of the sheds should not adversely affect neighbours?

Response: The Director Planning and Sustainability advised that the assessment referred to was for installation in a new facility adding that when improvements are implemented on an existing poultry farm it is accepted the new measures would improve existing practices on the site.

- * Mrs G Bennett of 122 Victoria Road, Kenwick asked the following questions in relation to item 13.5.2 “Development Application – Expansion of Poultry Farm – 127 (Lot 246) Victoria Road, Kenwick” of the agenda:

Q 1 Why are Council staff recommending approval of extensions to poultry sheds when 80% of residents asked objected due to the increasing problem of smell?

Response: The Director Planning and Sustainability advised the staff recommendation for approval was based on the history of the site and previous approvals issued. First, any refusal would be overturned on appeal and would not provide Council with the opportunity to impose conditions, which it considered to be appropriate. Secondly, it is the view of staff that the measures being proposed would improve the situation that currently existed on the site.

Q 2 If 80% of the people asked are not listened to, what is the point of asking for peoples’ opinion in the first place?

Response: The Director Planning and Sustainability advised that in terms of advertising any approvals, Council was obliged to determine whether any submissions made had validity from a planning perspective.

- * Mr Ray Macey of 78 Victoria Road, Kenwick asked the following questions in relation to item 13.5.2 “Development Application – Expansion of Poultry Farm – 127 (Lot 246) Victoria Road, Kenwick” of the agenda:

Q 1 With increased traffic anticipated if the application is granted will there be a stipulation on the hours, especially nighttime, when trucks can operate? If not, why not?

Response: The Director Planning and Sustainability advised that the situation in terms of timing of movement of the birds is regulated through the poultry farm industry and is designed to minimise impact overall. He added there would be a requirement placed on the approval that it operate under the Code of Practice, which are recognised as the best operating standards.

Q 2 Will there be a survey on the increased traffic movements and the increased noise impact to Victoria Road residents?

Response: The Director Planning and Sustainability advised the information presented to Council thus far did not indicate the issue of noise would increase. With the sheds to be fully enclosed it was anticipated that noise levels would reduce in terms of the birds themselves. In relation to traffic movement he would be happy to look into whether a survey was required, however, advice from Council’s

Engineering staff was that the traffic levels were within acceptable limits.

- * Mr George Walczak of 99 Victoria Road, Kenwick asked the following question in relation to item 13.5.2 “Development Application – Expansion of Poultry Farm – 127 (Lot 246) Victoria Road, Kenwick” of the agenda:

Q 1 If Gosnells policy is not to allow new poultry farms to be approved, why would they allow expansion of existing ones, that are already impacting on residents due to smell and which do not comply with Environmental Code of Practice Poultry Industry regarding buffer zones (i.e. 100 metres from boundary to sheds).

Response: The Director Planning and Sustainability advised that a blanket policy in relation to the expansion of poultry farms would not be supported on appeal as each individual circumstance must be considered on its merits. Council cannot impose requirements retrospectively on existing poultry farms as the development already carries a valid approval.

- * Mrs June Deane, on behalf of Mr John Raymond Deane, asked the following questions in relation to item 13.5.2 “Development Application – Expansion of Poultry Farm – 127 (Lot 246) Victoria Road, Kenwick” of the agenda:

Q 1 We should like to know why we were never given the opportunity to express our concerns &/or objections to the three previous additions/extensions, before approval was given?

Response: The Director Planning and Sustainability advised the situation in relation to the previous applications goes back some way. The application submitted in 2000 was a mirror of the previous application and there was no requirement under Council’s policy to seek public comment. The application in 2001 although changing configuration, was considered to be consistent with Council’s previous approval and was therefore dealt with administratively. It was considered the previous consultation had already raised the issues, which the Council was aware of, and officers considered in the application that was put forward at that time.

Q 2 Also, why did it take the City of Gosnells 5 months to try and address the residents concerns, which still haven’t been answered and in the meantime the extensions have been built?

Response: The Director Planning and Sustainability advised a letter was sent to those residents who had raised issues advising them staff were seeking legal advice. As a result of the issues raised, following advice from Council’s solicitors, it became apparent there was a need for an approval under Council’s District Town Planning Scheme. On that basis the matter was progressed to the point where it had to be considered by Council. In relation to issuing a stop work notice, based on the points raised previously, it was considered to cease works midway through

would have resulted in more detrimental effects. Further it is common practice for Council to determine such matters before any stop work notice can be issued.

* Mr Peter Hitchins of 36 Galaxy Street, Beckenham asked the following questions:.

Q 1 In which year can residents expect a footpath in Orbit Street, Beckenham, commenced 19-20 years since, to be completed?

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

Q 2 Repeat of question at previous OCM. When did the staff make their last request to Main Roads WA relating to speed limits on William and Brixton Streets in Beckenham, and is it still 'the preferred option' of our Infrastructure Department that the current speed limits remain, in spite of ratepayers wishes?

Response: The Director Infrastructure advised that a letter had been sent to Mr Hitchins in relation to his question taken on notice at the last Council Meeting advising the last time Main Roads were approached regarding a 50kmph speed limit in Brixton Street was as part of the Beckenham Traffic Study where the consultants met with Main Roads officers. Staff will consider a review of the situation once the nature of the street is redefined by the installation of traffic management devices in accordance with recommendations of the traffic management scheme.

Mr Hitchins advised that wasn't really the question, he was aware the traffic study had been done and had contributed to it. He repeated his question to which the Mayor advised that although Mr Hitchins may not have received the response he was seeking, the Director had responded and would determine after looking at this evenings question whether there was any additional information he needed to provide.

Notation

A copy of the response referred to by the Director Infrastructure dated 21 June 2004 is reprinted above within these minutes beneath the heading "Responses to Questions Taken on Notice at Previous Meetings".

6.2 PUBLIC STATEMENTS

- * Mr George Walzcak made a public statement in relation to item 13.5.2 “Development Application – Expansion of Poultry Farm – 127 (Lot 246) Victoria Road, Kenwick” speaking against, and expressing disappointment at, the staff recommendation contained within the agenda. Mr Walzcak stated that 81% of residents objected to the proposal adding that since moving to Victoria Road in 1985 the poultry farm had nearly doubled in size during which time he had never been asked to comment, although he fell within the 300m consultation zone. He advised that odour nuisance from the poultry farm had been bearable over the years, however, in the past six months had escalated. Mr Walzcak added residents’ requests for Council officers to stop the expansion until due process had been carried out had been refused. He expressed concern that a study of odour, dust and noise had not been undertaken and requested Council delay approval until proper studies had been carried out as residents believed the odour and dust may be impacting on their health.
- * Mr K Potts of Lot 8 Nicholson Road, Forrestdale made a public statement in relation to item 13.6.1 “Reduced Side Setback to Proposed Residence Lot 509 (No.18) Corsican Way Canning Vale” speaking in favour of the staff recommendation contained within the agenda. Mr Potts, in seeking Council’s favourable consideration, stated the reduced setback would allow sufficient room on the block to enable a lap pool to be constructed in the back yard.

7. CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

301 Moved Cr R Hoffman Seconded Cr W Barrett

“That the Minutes of the Ordinary Council Meeting held on 8 June 2004 be confirmed.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

8. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

All petitions 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 S Moss presented a petition initiated by Mr Peter Hitchins of 36 Galaxy Street, Beckenham containing 128 signatures in relation to Woodlupine Brook Reserve. The petition stated:

“We the undersigned electors of the City of Gosnells request Council to implement the following improvements to the ‘Woodlupine Reserve’: shades and seats for playgrounds, rubbish bins, signs, trees, soft floodlighting etc for the following reasons:

To enhance the amenity of this potentially enjoyable Reserve (please note these requests previously made).”

The petition will be forwarded to staff for investigation and response.

9. APPLICATIONS FOR 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.

10. QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

(without discussion)

Nil.

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

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

COUNCIL RESOLUTION

302 Moved Cr S Moss Seconded Cr P Wainwright

“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 13.5.2 Development Application – Expansion of Poultry Farm – 127 (Lot 246) Victoria Road, Kenwick;
- * Item 13.6.1 Reduced Side Setback to Proposed Residence Lot 509 (No.18) Corsican Way Canning Vale.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

**13.5.2 DEVELOPMENT APPLICATION – EXPANSION OF POULTRY FARM –
127 (LOT 246) VICTORIA ROAD, KENWICK**

File: 226182 **Approve Ref:** 0203/1154 (SW) Psrpt085Jun04
Name: R & J Terrace
Location: 127 (Lot 246) Victoria Road, Kenwick
Zoning: MRS: Rural
TPS No. 6: General Rural
Appeal Rights: Yes. Town Planning Appeal Tribunal against a refusal or any condition(s) of approval.
Area: 4.0495ha
Previous Ref: OCM 23 December 1997 (Resolution 861)
OCM 14 March 2000 (Resolution 141)

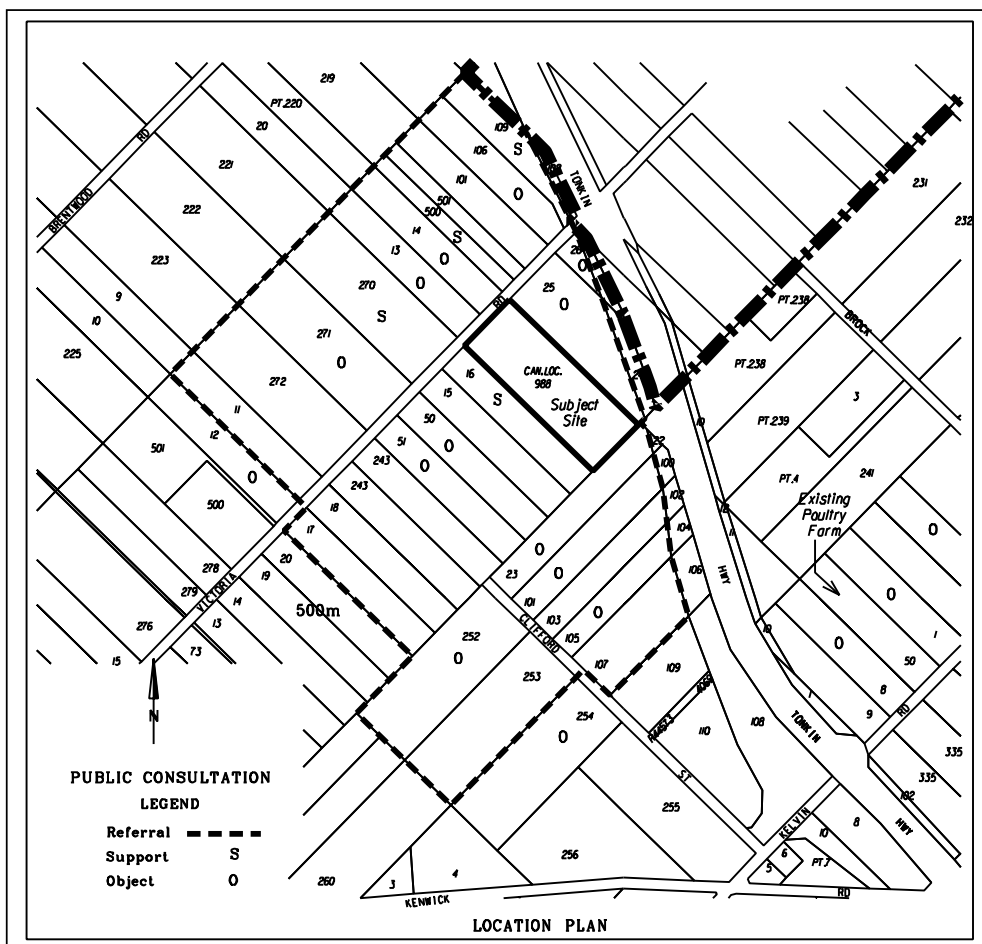
PURPOSE OF REPORT

For Council to consider a development application for an expansion of the existing (broiler) Poultry Farm at No. 127 (Lot 246) Victoria Road, Kenwick as the proposal is outside the authority delegated to staff.

BACKGROUND**Western Australian Planning Commission (WAPC) Statement of Planning Policy
No. 4.3 - Poultry Farms Policy**

The purpose of Statement of Planning Policy No. 4.3 (SPP 4.3) is to identify the issues that the WAPC and Local Government should address when considering planning applications involving poultry farms. The section of SPP 4.3 that deals with the expansion of existing poultry farms is reproduced below:

- “ 5.2.1 *Applications to expand existing poultry farms located in a rural zone which is not identified for short or medium-term urban or rural-residential development may be permitted. This applies particularly to egg production farms where there is no increase in bird/stock numbers.*
- 5.2.2 *New sheds on an existing poultry farm should be no closer than 100 metres from the poultry farm boundary (unless the nearby land does not contain an existing or proposed use sensitive to poultry farm operations, in which case the Commission could require a lesser setback distance). In cases where there is an existing shed located closer than 100 metres from a poultry farm boundary a new shed should generally be located no closer than the existing shed from that boundary. In making its determination the Commission will consider the Environmental Code of Practice: Poultry Industry.*
- 5.2.3 *A sign indicating the type of operation, hours of operation and possibility of undesirable environmental impacts on the surrounding areas should be required as a condition of development approval to expand.”*



Report on Odour Emissions from the Poultry Farms in Western Australia

The “Report on Odour Emission from Poultry Farms in Western Australia”, by the University of New South Wales and the Center for Water and Waste Technology (1998), provides the following background information regarding broiler farms:

“Broiler farms grow birds for chicken meat production.

On a typical broiler growout farm, a minimum of six batches of chickens will be raised over a 7 – 8 week period life cycle each year.

The farmer is contracted by an integrator company to raise the chickens using food and veterinary inputs provided by the integrator with environmental inputs (eg housing, litter, heating and cooling, etc) being provided by the farmer.

Each batch is brought in from the integrator at age one day. During the growout period, dead birds are removed daily and taken away from the farms by contractors.

The integrator will generally harvest on three occasions – at about ages 35 days (“take aways” up to 1.8kg), 42 days (“intermediates” up to 2 kg) and up to 56 days (“big birds” more than 2 kg).

The first two harvesting (or entries) provide birds in the smaller size ranges and also makes space for the remaining birds to grow to the larger size ranges. At the end of a batch, shed litter incorporating faeces and urine dropped during the batch, is removed, and the shed floor, walls and roofing cleaned and sanitized by high pressure water and chemicals. A fresh layer of sawdust, about 50mm thick, is placed on the concrete shed floor ready to receive the next batch.

The key environmental requirement for optimal weight gain and health of broiler chickens is temperature. Optimal temperature is highest (about 31 degrees Celsius when the chickens are first brought into the shed and falls with increasing bird age (to about 22 degrees Celsius by week 5).

Typically, sheds are provided with variable flaps and ridge openings with manual or computerized control systems to enable rapid response to changes in ambient weather conditions. During colder periods, supplementary gas/electric heating is generally provided, particularly when the birds are very young and their metabolic energy is insufficient to maintain optimum temperature even with the openings closed.

In hot weather, natural ventilation control alone is often inadequate to meet cooling demands. Consequently, naturally ventilated sheds are usually also equipped with fans to assist airflow and increase the wind speeds across the bird’s surface (ie producing wind chill). Additional cooling is generally provided by the use of external wall misters to pre-cool the air prior to ingress. In extreme temperatures further cooling may be necessary, and can be provided by internal water fogging or misting devices to provide evaporative cooling.

In sheds designed to be “tunnel ventilated”, banks of fans are used to increase wind speeds along the shed’s long axis in conjunction with fogging and/or evaporative cooling pads or columns.”

Environmental Code of Practice for Poultry Farms (May 2004)

This Code of Practice was prepared by the poultry industries in Western Australia in conjunction with the State Government and other relevant parties, including local government. The Code:

- Helps interpret controversial issues as appropriate separation buffers from sensitive environments;
- Makes it easier to understand and manage the issues of concern to Government when establishing or expanding poultry farms;
- May provide a marketing advantage for the industry as it aims for sustainable, environmentally friendly product practice;

- Permits benchmarking of farms against recognized acceptable environment practice and assists the industry in dealing with farms that operate in a sub-standard manner, and
- References relevant documentation that will aid in the Best Practice operation and management of a poultry farm.

Policy 6.2.12 – Animal Husbandry – Intensive

The requirements of the abovementioned policy with regard to poultry farms are that, *“New development of commercial poultry rearing or egg producing establishments within the City of Gosnells shall not be approved.”*. As such, the policy is silent on the issue of expansions to existing poultry farms.

Strategic Planning Issues

This area has been identified as Strategic Industrial under the WAPC’s Metroplan document, and the City has commenced strategic planning for a potential industrial rezoning of the area. The City’s Draft Foothills Rural Strategy acknowledges that the area may be redeveloped in the future, and as such, does not support further subdivision in this area.

A poultry farm comes under the “Animal Husbandry – Intensive” use class in the City’s Town Planning Scheme No. 6 (TPS6), which is an “A” use in the General Industry zone. As such, a poultry farm is not considered to be a use that is incompatible with the potential future industrial zoning.

Site History – Complaints to Health Services Section

A site history of complaints to the City’s Health Services Branch about the poultry farm operation is detailed below. The site history is arranged in financial years:

1998 – 1999	No Complaints
1999 – 2000	2 Complaints, one regarding odour and the other regarding noise from loading trucks
2000 – 2001	No Complaints
2001 – 2002	No Complaints
2002 – 2003	No Complaints
2003 – present	4 Complaints regarding odour

Site History – Development Applications

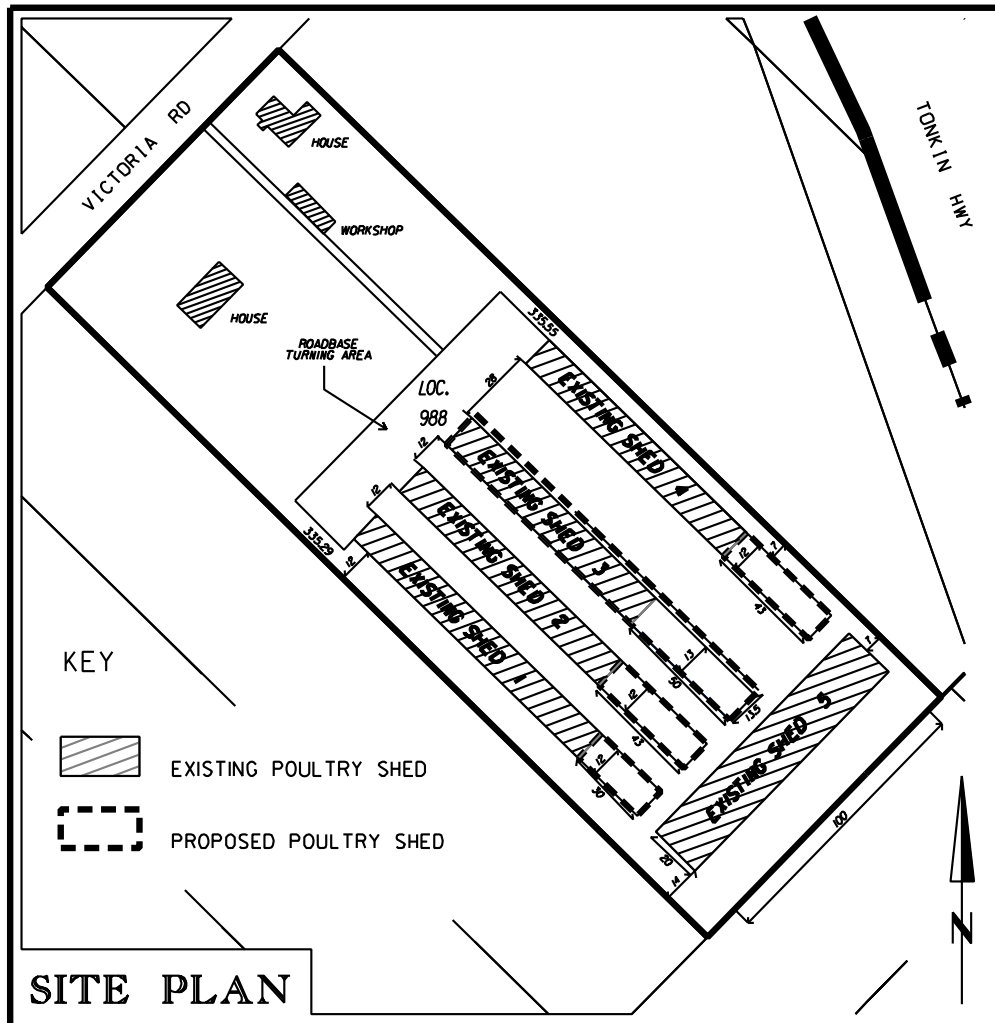
A review of the site history in terms of development approvals has also been carried out, and is summarised below:

- Development Approval for expansion to existing poultry shed and 2 new poultry sheds granted by City 10/8/1979, valid for 12 months.
- Development Approval for second dwelling granted by City 30/5/1984, valid for 24 months.

- Development Approval for new poultry shed granted by City 4/9/1991, valid for 24 months.
- Development Approval for 2 new poultry sheds granted by City 24/3/1994, valid for 24 months.
- Development Approval for machinery shed & stable granted by City 24/9/1994, valid for 24 months.
- Letter from City dated 12/12/1995 approving an extension of 3 months for the development approval dated 24/3/1994, to 24/6/1996.
- Letter from City dated 29/5/1996 approving an extension of 3 months for the development approval dated 24/3/1994, to 24/6/1996 (The reason for this apparent “double-up” [see abovementioned point] is not indicated in Council records).
- Letter from City dated 10/6/96 approving a further extension of 3 months for the development approval dated 24/3/94, to 24/9/1996.
- Development Application submitted 26/11/1997 for one new poultry shed. The one that was not built under the 24/3/94 development approval. Council resolved to recommend to the WAPC that the application be approved because it was seen to comply with the State Government’s Draft Statement of Planning Policy regarding Poultry Farms (OCM 23/12/1997).
- WAPC granted Development Approval for the 26/11/1997 application on 3/3/1998.
WAPC’s Statement of Planning Policy No. 5 - Poultry Farms Policy (now renumbered 4.3) is gazetted on 18/12/98.
- Development Application submitted 22/2/2000 for one new poultry shed; the one that was not built under the 24/3/94 or 3/3/1998 development approvals. Council resolved to recommend to WAPC that the application be approved because it was seen to comply with the Statement of Planning Policy regarding Poultry Farms (OCM 14/3/2000).
- WAPC granted Development Approval for the 22/2/2000 application on 20/6/2000.
- Development Application submitted 16/2/2001 for expansion to poultry sheds; this application differed from 20/6/2000 approval in as much as it constituted additions to the existing four sheds rather than construction of a new shed. Tunnel ventilation was proposed to be used.
- WAPC granted Development Approval for the 16/2/2001 application on 7/6/2001 subject to technical report addressing potential odour & noise impacts in the area.
TPS6 is gazetted on 15/2/2002.

Proposal

The subject development application was received on 19 May 2003; it represents a variation to the un-actioned 7 June 2001 development approval, which proposed 2065m² of additions to the existing four sheds. The variation is to replace the existing Shed 3 with a new shed of the same length but 5.5m wider, thus increasing the previously approved area of expansion (2065m²) by 770m² (see Site Plan).



City staff sent a letter dated 30 June 2003 to the WAPC recommending that it approve the application subject to conditions. The WAPC granted development approval for the application on 24 October 2003, and the City staff have subsequently issued a building licence for the expansion, which has been acted upon by the owner. The application has not been determined by the City under TPS6.

Site History - Question Time/Public Statements/Complaints

Council has received a number of questions, public statements and complaints regarding expansions that are currently being carried out at the abovementioned poultry farm, primarily concerning the approval process (see table below).

Schedule of Submissions

No.	Name/ Postal Address	Summary of Submission	Staff Comment
1.	G & K Walczak 99 (Lot 51) Victoria Road Kenwick WA 6107	What is the Council's requirement in notifying residents or asking for comments when poultry farms reapply/or apply for building modifications/expansions? Is it the Council's policy to approve modifications to an application granted six years ago without consultation with residents who already have a problem with smell from the farm?	See Process Issues section below As noted above, the City has not granted development approval for the proposed expansion.
2.	R.J. & G Bennett 122 (Lot 13) Victoria Road Kenwick WA 6107	Why were only 2 objections noted when the matter of the construction of 2 extra sheds at 127 Victoria Road (chicken farm) was brought before a full Council meeting in December 1997 when I have been advised that 6 different landowners objected in writing at the time?	Only 2 objections had been received when the report to Council was written; that is why the report only notes two submissions. A memorandum was forwarded to Council prior to its meeting, informing it of the remaining 7 objections that were received after the report had been completed. Thus, Council had considered a total of 9 objections prior to making its decision.
3.	B & C Jancey 128 (Lot 14) Victoria Road Kenwick WA 6107	Does the Council consider increasing the shed sizes and new shed structures at 127 Victoria Road, Kenwick is in the best interest of the residents living in the proximity of the chicken farm considering the fiasco which occurred in Huntingdale? In regards to chicken sheds is a person who is supplied chickens, feed and removal by outside company trucks classed by the Council as a primary producer or a commercial enterprise on rural property?	This question will be answered when Council determines the application, however it is noted that the circumstances of the two applications are different. Unlike Huntingdale this area is Rural zoned and a Poultry Farm is a "rural" use. See reference to Use Class in the Process Issues section below
4.	J R & J V Deane 64 (Lot 23) Clifford Street Orange Grove WA 6109	Concerned that expansion was approved without being given the opportunity to comment. Their property is affected by noise and odour from the poultry farm.	As noted above, the City has not approved the proposed expansion. Noted that advertising has now occurred on this application. Noted. See Odour and Noise Sections Below.

The local residents raising these issues were sent an interim letter that acknowledged their submission, while the matter was referred to the owners and the City's solicitors for their comment. A response has now been received from both the owners and the City's solicitors, and as such, the matter is referred to Council for its consideration.

Process Issues

On the basis of the abovementioned information, the relevant procedural issues concerning the development application dated 19/5/2003 for poultry farm expansions are:

- In addition to the WAPC determination under the MRS, the City is required to determine the application under TPS6, as the application related to zoned land. Council has not yet determined the application under TPS6.
- A poultry farm comes under the “Animal Husbandry – Intensive” use class in TPS6, which is an “A” use in the General Rural zone. As such, Council has discretion to consider and determine the proposal on its merits, once it has been advertised to the public.

Town Planning Scheme No. 6 (TPS6)

It should be noted that despite the fact that more than 90 days have elapsed since the development application was lodged, Clause 11.9.3 of TPS6 gives Council the ability to now determine the application under TPS6.

Council’s statutory obligation under TPS6 is to advertise this development application to the public in one or more of the following ways:

- “ (a) *notice of the proposed use or development served on nearby owners and occupiers who, in the opinion of the local government, are likely to be affected by the granting of planning approval, stating that submissions may be made to the local government by a specified date being not less than 14 days from the day the notice is served;*
- (b) *notice of the proposed use or development published in a newspaper circulating in the Scheme area stating that submissions may be made to the local government by a specified day being not less than 14 days from the day the notice is published;*
- (c) *a sign or signs displaying notice of the proposed use or development to be erected in a conspicuous position on the land for a period of not less than 14 days from the day the notice is erected.”*

The objective that TPS6 specifies for the General Rural zone is:

“To provide for a range of rural pursuits which are compatible with the capability of the land and retain the rural character and amenity of the locality.”

Portion of Clause 5.11.1 of TPS6 states that,

“When considering an application for planning approval in any of the Rural zones, Council will have regard to any potential conflict with existing uses in the locality and to the purpose and intent of the zone in which the development is proposed.”

Policy 6.1.1.1 - Advertising/Referral of development applications

The purpose of this policy is to provide administrative direction to the City’s Planning Services staff, whilst maintaining staff consistency in dealing with the advertising and referral of development applications. The policy requires staff to refer such an application to landowners within a 300 metres radius of the site, or the nearest 21 lots, whichever is the greater, for their comment. The advertising period concluded on 31 May 2004 after 14 days. The submissions are summarised in the table below.

When referring to the location plan it should be noted that some of the submissions were received from persons outside the referral area, and in particular, some people whose properties abut another, existing poultry farm, on Kelvin Road.

Schedule of Submissions

No.	Name/ Postal Address	Description of Affected Property: Street No., Lot No., Street, etc	Summary of Submission	Staff Comment
1.	I Smith 150 (Lot 109) Victoria Road Kenwick WA 6107		Support; the poultry farm is a legitimate Rural use.	Noted
2.	N G Thomson 110 (Lot 270) Victoria Road Kenwick WA 6107		Support; the poultry farm is a legitimate Rural use.	Noted
3.	B Houlihan 134 (Lot 500) Victoria Road Kenwick WA 6107		Support	Noted
4.	M. Sayer 117 (Lot 16) Victoria Road Kenwick WA 6107		Support: 1. The applicant has acted in good faith, obtaining development approval from the WAPC and a building licence from the City without being made aware of the requirement for development approval under TPS6. 2. All poultry should be brought in and out of the site at the same time, so as to minimise the periods when odour and noise are generated.	Noted Noted, a condition of approval is that current best practice is applied.

No.	Name/ Postal Address	Description of Affected Property: Street No., Lot No., Street, etc	Summary of Submission	Staff Comment
			3. The existing "gap" between one load of poultry being removed from the site, and the new load being brought in, should be maintained so as to minimise the periods when odour and noise are generated.	Noted, as above.
5.	J R & J V Deane 64 (Lot 23) Clifford Street Orange Grove WA 6109		Objection. 1. Increased odour from poultry sheds. 2. Increased noise levels. 3. Devaluation of property.	Noted. See Odour Section Below. Noted. See Noise Section Below. Cannot be substantiated
6.	B & C Jancey 128 (Lot 14) Victoria Road Kenwick WA 6107		Objection. 1. Increased odour from poultry sheds. 2. Increased noise levels. 3. Will increase stress and anxiety amongst adjoining residents, thus creating health problems.	Noted. See Odour Section Below. Noted. See Noise Section Below. Noted.
7.	R.J. & G Bennett 122 (Lot 13) Victoria Road, Kenwick WA 6107		Objection. 1. Increased odour from poultry sheds. 2. Increased noise levels. 3. Increased dust levels.	Noted. See Odour Section Below. Noted. See Noise Section Below. Noted. See Dust Section Below.
8.	G & K Walczak 99 (Lot 51) Victoria Road Kenwick WA 6107		Objection. 1. Increased odour from poultry sheds. 2. Increased noise levels. 3. Increased dust levels. 4. Increased traffic.	Noted. See Odour Section Below. Noted. See Noise Section Below. Noted. See Dust Section Below. Noted. See Traffic Section Below.
9.	Mr & Mrs Chipchase 131 (Lot 249) Victoria Road, Wattle Grove		Objection: Increased odour from poultry sheds.	Noted. See Odour Section Below.

No.	Name/ Postal Address	Description of Affected Property: Street No., Lot No., Street, etc	Summary of Submission	Staff Comment
10.	G & M Candeloro RMB 4101 Toodyay WA 6566	108 (Lot 271) Victoria Road, Kenwick	Objection: in 2 to 5 years a decision to approve the proposal would create extra expense and long problems.	It has not been specified what aspect/s of the proposal would become problematic; therefore it is difficult to determine if the point made has any validity. Future landuses in area subject to a resolution of strategic issues by Council/WAPC. A poultry farm is a discretionary use that may be considered in either the General Rural or General Industry zones.
11.	P Rowson 107 (Lot 50) Victoria Road Kenwick WA 6107		Objection: Increased odour from poultry sheds.	Noted. See Odour Section Below.
12.	A Duross 62 (Lot 101) Clifford Street Maddington WA 6109		Objection. 1. Increased odour from poultry sheds. 2. Increased noise levels. 3. Concerned about visual pollution from poultry sheds; planting vegetation around the perimeter of the site could reduce this.	Noted. See Odour Section Below. Noted. See Noise Section Below. Noted, this could become a condition of any planning approval.
13.	J Hood 145 (Lot 26) Victoria Road Kenwick WA 6107		Objection: Increased odour from poultry sheds.	Noted. See Odour Section Below.
14.	D & S Rouse 61 (Lot 252) Clifford Street Maddington WA 6109		Objection: Increased odour from poultry sheds.	Noted. See Odour Section Below.
15.	G & C Bennier 226 (Lot 8) Kelvin Road, Orange Grove WA 6109		Objection. 1. Opposed to any proposal to increase numbers of poultry within poultry farms in the City of Gosnells. 2. Poultry farms in the City of Gosnells should be relocated.	Noted. Noted.
16.	S Fleming PO Box 1005 Cannington WA 6107	139 Victoria Road Kenwick WA 6107	Objection. 1. Increased odour from poultry sheds. 2. Victoria Road is not suitable for heavy vehicles; Increased traffic.	Noted. See Odour Section Below. Noted. See Traffic Section Below.

No.	Name/ Postal Address	Description of Affected Property: Street No., Lot No., Street, etc	Summary of Submission	Staff Comment
			3. Increased noise levels, the generator and loading/unloading are two on-site sources of noise.	Noted. See Noise Section Below.
17.	M Exell 246 Kelvin Road Orange Grove WA 6109	254 (Lot 11) Kelvin Road Orange Grove WA 6109	Objection. 1. Increased odour from poultry sheds. 2. Increased noise levels.	Noted. See Odour Section Below. Noted. See Noise Section Below.
18.	D Stinson 244 (Lot 1) Kelvin Road Orange Grove WA 6109		Objection. 1. Increased odour from poultry sheds. 2. Poultry farms should be relocated out of the metropolitan area.	Noted. See Odour Section Below. Noted.
19.	R Hibble 52 (Lot 105) Clifford Street Maddington WA 6109		Objection: Increased odour from poultry sheds.	Noted. See Odour Section Below.
20.	B Palmer 41 (Lot 254) Clifford Street Maddington WA 6109		Objection: Increased odour from poultry sheds.	Noted. See Odour Section Below.
21.	M Cuijpers 146 (Lot 106) Victoria Road Kenwick WA 6107		Objection: Increased odour from poultry sheds.	Noted. See Odour Section Below.
22.	R Macey 78 (Lot 12) Victoria Road Kenwick WA 6107		Objection: increased heavy vehicle traffic.	Noted. See Traffic Section Below.

DISCUSSION

Town Planning Scheme No. 6 (TPS6)

The proposal complies with the relevant requirements of TPS6 in terms of setbacks, etc.

In regard to the abovementioned portion of Clause 5.11.1 of TPS6, the proposal does have the potential to conflict with existing (residential) uses in the locality, however, regard must be given to the fact that the use is existing, and that it complies with the purpose and intent of the zone in which the development is proposed. It has previously been determined by the City that the use is also compatible with the capability of the land.

Location

As mentioned above, SPP 4.3 states that in cases where there is an existing shed located closer than 100 metres from a poultry farm boundary a new shed should generally be located no closer than the existing shed from that boundary. In this case, the two existing sheds that abut a property boundary and are proposed to be extended, have an existing side setback of 12 metres and 7 metres respectively. The proposed expansion of those sheds would maintain the same side setback, in accordance with the Statement of Planning Policy requirement.

Odour

It is noted that there have been complaints about odour from this poultry farm.

The “Report on Odour Emissions from Poultry Farms in Western Australia” provides the following background information regarding odour produced by broiler farms:

“In a poultry shed, the underlying causes of odour generation are the deposited faecal material and the birds themselves.

Odour generation increases with the size of the birds as the chicken manure accumulates on litter surfaces and odour is absorbed onto the chicken bodies.

The use of the foggers and consequent increase in humidity is likely to dampen the birds’ feathers and hence increase the generation of chicken body odour.

The amount of odour emitted from a shed depends on:

- the level of odour generation from litter and bird sources within the shed;
- odour concentration within the shed; and
- volumetric flow rate/ventilation rate if the odorous are out of the shed.

All three above factors are also related to each other.

The harvesting of birds during a batch results in increased bird movements and stirring of the litter. This exposes pockets of trapped odourants, causing higher odour generation during the harvesting process.

Following the final harvest of birds, odour generation in the empty shed may increase if the litter is allowed to remain undisturbed and oxygen become depleted, causing accelerated biological breakdown of organic compounds in the spent litter. (When chickens are present, their scratching provides the aeration needed to reduce formation of a crusted anaerobic conditions.)

Normally, the spent letter is removed soon after final harvesting. During the removal process, fresh surfaces may be exposed, also leading to transient high odour generation.

Other operational factors may also contribute to odour emitted by a broiler farm, such as on-site dead bird storage, incineration and/or disposal, and the application of spent litter to horticultural or other crops in the poultry farm. The situation may be complicated when complainants ascribe odour generation to a poultry farm when in fact the litter from the farm or other poultry farms is used in neighbouring horticultural properties or when generated in a neighbouring farm adds to the odour generated on the poultry farm subject to study.

In regard to the cooling of the birds, the owner has commenced installation of a tunnel with installation ventilation cooling system having been completed on two sheds, with work having commenced on a third shed.

Other best practice management techniques to reduce odour are detailed in the Environmental Code of Practice for Poultry Farms (May 2004) and are intended to be required as conditions of approval.

Noise

Noise originating from the site is required to comply with the Environmental Protection (Noise) Regulations 1997. Noise monitoring has not been carried out at the poultry farm to confirm if the levels prescribed in those regulations have been exceeded. However, there are some processes which have been identified through the public consultation process as raising noise concerns, being:

- loading/unloading of the sheds at night-time to minimise heat stress and dehydration;
- cleaning the sheds out at night; and
- running a generator.

Potential noise impacts arising from the last two points can be addressed, as cleaning the sheds out can occur during the day, and the generator could be shielded to reduce noise. Other best practice management techniques to reduce noise are detailed in the Environmental Code of Practice for Poultry Farms (May 2004) and are intended to be required as conditions of approval.

Traffic

The issues raised regarding traffic within the road reserve include safety and noise from trucks entering and leaving the property. The City has not received any road safety complaints regarding trucks entering and leaving the property; Victoria Road is considered to be of a suitable width and standard of maintenance to accommodate heavy vehicles. In terms of noise, vehicles within the road reserve are not subject to the Environmental Protection (Noise) Regulations 1997, and as such, the City has no control over the noise they make within the road reserve.

It should be noted that the poultry farm is not the only use on Victoria Road that generates movements of heavy or commercial vehicles.

Dust

There is dust associated with poultry farms, from the litter within the sheds and the birds' feathers. Loading/unloading of the sheds and other farm operations, such as cleaning of the sheds may generate dust in greater than normal quantities.

Best practice management techniques to reduce dust are detailed in the Environmental Code of Practice for Poultry Farms (May 2004) and are intended to be applied.

CONCLUSION

The proposal is an extension of a legitimate rural use that complies with the objective of the General Rural zone, as defined within TPS6. In terms of proximity to its neighbours the proposal complies with the locational requirements of SPP 4.3, which is the relevant criteria. On this basis, it is considered that the proposal has merit and should be supported.

The applicant is in the process of installing tunnel ventilation within the existing poultry sheds. However, that there may be some further improvements that could be made in terms of the farm's management practices meeting best practice standards.

The recent release of the Environmental Code of Practice for Poultry Farms (May 2004) provides a benchmark against which the farm's management practices can be measured. In that regard, it is recommended that Council approve the application, subject to the preparation and implementation of an environmental management plan that complies with the Environmental Code of Practice.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
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303 Moved Cr R Mitchell Seconded Cr P Wainwright

"That Council approve the application for Expansion of Poultry Farm – 127 (Lot 246) Victoria Road, Kenwick subject to the following conditions:

1. Subject to the preparation and implementation of an environmental management plan that complies with the Environmental Code of Practice for Poultry Farms (May 2004), to the satisfaction of the Director Planning and Sustainability.
2. A sign being erected to the satisfaction of the Director Planning and Sustainability which indicates the type of operation, hours of

operation and possibility of undesirable environmental impacts on the surrounding areas.

3. The lodgement and implementation of a landscape plans for the site so as to screen the poultry sheds from adjoining properties where possible, to the satisfaction of the Director Planning and Sustainability.”

CARRIED 9/2

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Cr S Moss and Cr O Searle.

**13.6.1 REDUCED SIDE SETBACK TO PROPOSED RESIDENCE LOT 509
(NO.18) CORSICAN WAY CANNING VALE**

File: 238072 (BG) Rpt024Jun04
Owner: K Potts & E Rolfe
Builder: Tangent Nominees Pty Ltd
Application: 0401197
Topography: Level site
Appeal Rights: Yes
Zoning: R17.5
Area: 510m²

PURPOSE OF REPORT

For Council to consider a proposal to erect a residence at Lot 509 (No.18) Corsican Way Canning Vale. The garage to the residence is proposed to be constructed with a parapet wall on the boundary separating Lot 509 Corsican Way and Lot 113 Nicholson Road Canning Vale.

BACKGROUND

The Residential Design Code called up by the City of Gosnells Town Planning Scheme No.6 allows the proposed construction provided that consideration is given to the effect on the amenity of the adjoining property. Comment was sought from the adjoining property owners, who have provided advice of their objections which is reprinted in part as follows:

“We Object to having a boundary wall being built up to the boundary adjoining my property because this may lead to reduce (sic) amenity, increased shadows and also reduced (sic) the value of my property including future subdivision potential.”

DISCUSSION

In considering the requested variation Council must consider what impact it will have on the adjoining property and the streetscape. In respect to the adjoining property, the primary considerations are the effect that the variation has on privacy, day lighting, over shadowing and the amenity of the adjoining property. It is noted that;

1. The variation has no effect on the neighbours privacy.
2. The garage wall is to be 6.230metres long and 2.657metres high. This ratio of the length of the wall to the height of the wall complies with the provisions of the Residential Design Codes.

The adjoining property is a large property that will in due course become part of the residential subdivision development on which the subject property stands. The proposed wall has no effect on the amenity of the adjoining property.

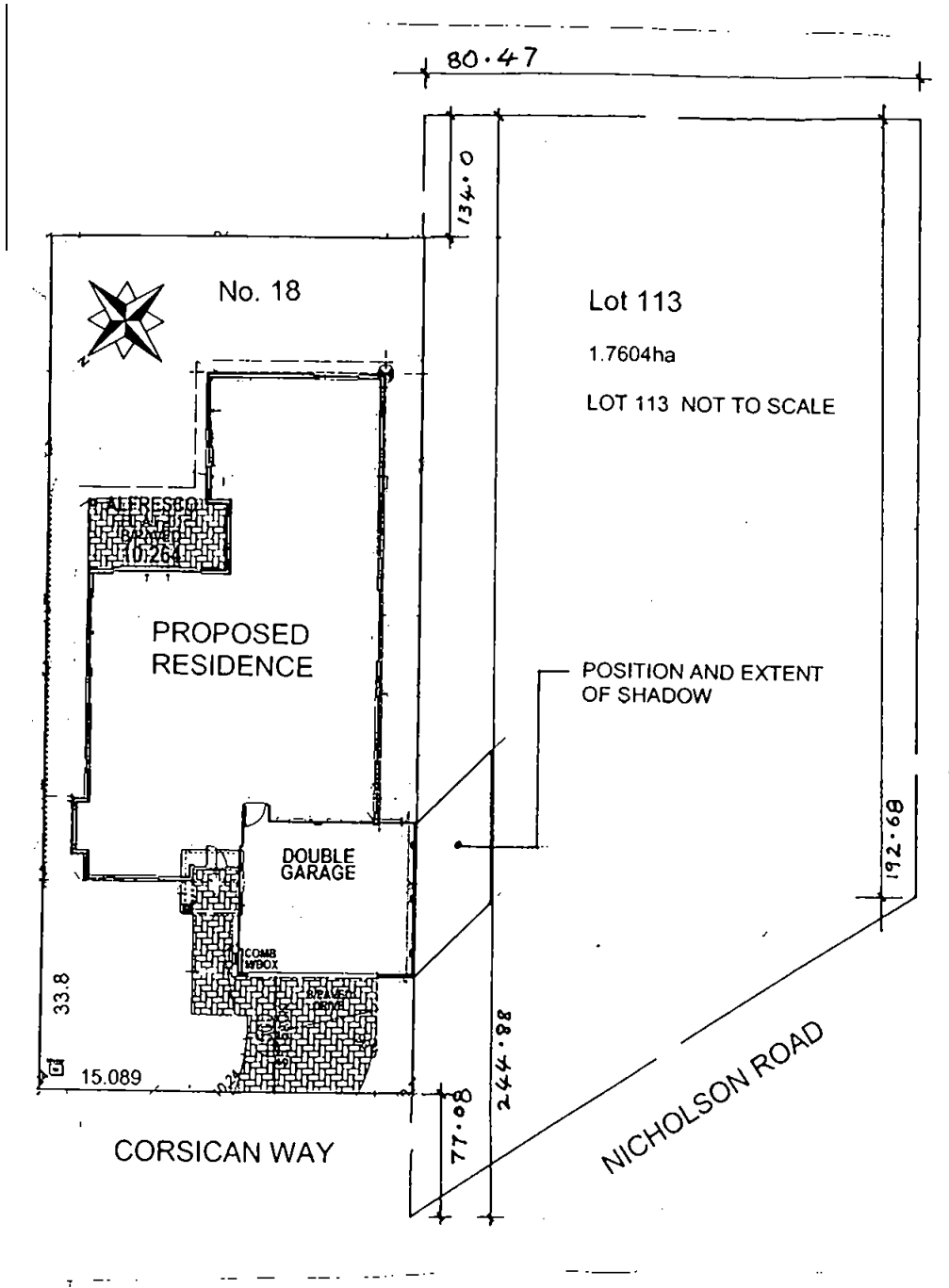
3. The variation that is sought is for a wall beside a common boundary that is proposed to be sited 4.5metres from the front boundary rather than at 6.0metres.

The 4.5metre setback when considered in relationship to the existing residences in the street is harmonious and has no adverse impact on the streetscape.

4. Over shadowing (day lighting) is considered to affect the amenity of the adjoining property if more than 25% of the adjoining property is in shadow at midday on June 21. As can be seen from the attached site plan only a small portion of the adjoining property is in shadow at that time of that day (0.07%).
5. The effect on the property values is not a consideration when determining variations.

As the proposed structure has no effect on the amenity of the streetscape, the residential use or the development potential of the adjoining property it is recommended that the variation be approved.

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FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

304 Moved Cr D Griffiths Seconded Cr S Iwanyk

“That Council approve Building Application 0401197 submitted by Tangent Nominees Pty Ltd for the erection of a residence to be constructed at lot 509 (No.18) Corsican Way Canning Vale as proposed.”

CARRIED 8/3

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr O Searle, Cr D Griffiths and Cr PM Morris.

AGAINST: Cr S Moss, Cr J Brown and Cr S Iwanyk.

12. MINUTES OF COMMITTEE MEETINGS

The Mayor advised the meeting that Cr D Griffiths, due to being Council delegate and Presiding Member to the Sutherlands Park Advisory Committee had disclosed an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

12.1 SUTHERLANDS PARK ADVISORY COMMITTEE

File: [C1/11](#)

(RW)

RW6.1a

Appendix: [12.1A Minutes of the City of Gosnells Sutherlands Park Advisory Committee Meeting held on 2 June 2004](#)

PURPOSE OF REPORT

[For Council to receive the Minutes and consider the recommendations of the of the City of Gosnells Sutherlands Park Advisory Committee meeting held on 2 June 2004.](#)

BACKGROUND

[The City of Gosnells Sutherlands Park Advisory Committee meets on a quarterly 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 a whole.](#)

[The Minutes of the City of Gosnells Sutherlands Park Advisory Committee held on 2 June 2004 are attached as Appendix 12.1A.](#)

[There were a total of two \(2\) recommendations adopted by the Committee, of which the following, Recommendation 4, requires consideration of Council.](#)

[“That the draft Sutherlands Park Master Plan be submitted to Council for endorsement”.](#)

DISCUSSION

[If endorsed by Council, the above recommendation will result in a separate report detailing the Draft Master Plan for Sutherlands Park.](#)

FINANCIAL IMPLICATIONS

[Nil.](#)

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

305 Moved Cr R Croft Seconded Cr S Moss

“That Council receive the Minutes of the City of Gosnells Sutherlands Park Advisory Committee meeting held on 2 June 2004 as attached in Appendix 12.1A.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

306 Moved Cr R Croft Seconded Cr S Moss

“That Council endorse Recommendation 4 of the Sutherlands Park Advisory Committee, which reads:

“That the draft Sutherlands Park Master Plan be submitted to Council for endorsement”

and staff present a report to a future meeting of Council detailing the features of the Plan and financial implications to the City.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

The Mayor advised the meeting that Cr R Hoffman due to being Chairman of the RoadWise Committee, Cr S Iwanyk and Cr P Wainwright due to being Council delegates to the RoadWise Committee and Cr S Moss due to being a community representative committee member to the RoadWise Committee had disclosed an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

12.2 CITY OF GOSNELLS ROADWISE COMMITTEE

File: T7/1/5

(JB)

JB6.1b

Appendix: 12.2A Minutes of the City of Gosnells RoadWise Committee Meeting held on Wednesday 2 June 2004

Deleted: .

PURPOSE OF REPORT

For Council to receive the Minutes of the RoadWise Committee Meeting held on Wednesday, 2 June 2004 and consider the recommendations therein.

BACKGROUND

The City of Gosnells RoadWise Committee meets on the first Wednesday of every month, to develop strategies, which encourage community participation and education to achieve a safer road environment for City of Gosnells road users.

The Minutes of 2 June 2004 RoadWise Committee are attached as Appendix 12.2A.

DISCUSSION

There were a total of two (2) recommendations adopted by the Committee of which the following requires the consideration of Council:

Recommendation 13

“That this Committee recommend to the Council that television/DVD/video set-up and a generator suitable for running an urn, be purchased for the RoadWise trailer from RoadWise account no. 51608.182.3341 at an approximate cost of \$750.”

The other main points of discussion at the meeting were:

- The possibility of lobbying the WA Police Service to post out reminder notices to drivers who have accumulated several demerit points on their license.
- The desire of the Committee to run another safe travel rewards programme at local schools later in the year.
- The timing and venue for an initiative that will provide a free checking service of child safety restraints in vehicles.
- The future expansion of the Safe City initiative “Dob in a Hoon” campaign.

Prior to the meeting an awards presentation was conducted, which acknowledged local businesses and community members involved in the donation of prizes at the Easter Vehicle Safety Checks Campaign.

FINANCIAL IMPLICATIONS

Recommendation 13 of the Minutes of the RoadWise Committee Meeting held on Wednesday, 2 June 2004 regarding the purchase of items for the RoadWise trailer will require the utilisation of funds from RoadWise Account No. 51608.182.3341 in the amount of approximately \$750. It is hoped that the level of expenditure will be reduced if sponsorship for the television/DVD/video unit can be secured.

The display trailer was manufactured with the capacity to provide a connection to a television/DVD/video unit, which is still considered necessary to show educational videos at community events. Given the nature of some of the community events availability of power cannot be relied upon, therefore a small generating unit to accommodate the television/DVD/video unit and an urn would be beneficial.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

307 Moved Cr R Hoffman Seconded Cr D Griffiths

“That Council receive the Minutes of the Meeting of the City of Gosnells RoadWise Committee held on Wednesday, 2 June 2004 attached as Appendix 13.4.2A.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

308 Moved Cr R Hoffman Seconded Cr D Griffiths

“That Council adopt Recommendation 13 of the City of Gosnells RoadWise Committee held on 2 June 2004 which reads:

“That this Committee recommend to the Council that television/DVD/video set-up and a generator suitable for running an urn, be purchased for the RoadWise trailer from RoadWise account no. 51608.182.3341 at an approximate cost of \$750.””

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

13. REPORTS

13.1 CHIEF EXECUTIVE OFFICER'S REPORT

13.2 COMMUNITY SERVICES

13.3 CORPORATE SERVICES

13.3.1 PAYMENT OF ACCOUNTS

File: F1/6/1

(GW)

Jun22_04acc

PURPOSE OF REPORT

To advise Council of payments made for the period 19 May 2004 to 15 June 2004.

DISCUSSION

Payments of \$4,665,597.63 as detailed in the cheque listing for the period 19 May 2004 to 15 June 2004 which was circulated to Councillors under separate cover and will be tabled at the meeting, have been approved by the Director Corporate Services under delegated authority.

Notation

The Mayor tabled the cheque listing for the period 19 May 2004 to 15 June 2004.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

309 Moved Cr S Moss Seconded Cr P Wainwright

“That Council note the payment of accounts as shown in the cheque listing for the period 19 May 2004 to 15 June 2004, as tabled.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

13.3.2 TENDER 34/2004 - SUPPLY OF HARDWARE

File: TEN/34/2004

(BK) jun22_04hware

PURPOSE OF REPORT

To seek Council approval to award Tender 34/2004 for the Supply of Hardware for a two-year period commencing 1 July 2004.

BACKGROUND

The existing contract for the Supply of Hardware to the City of Gosnells expires on 30 June 2004. Gosnells Hardware is the current supplier and the expected turnover is in excess of \$100,000 per annum.

The Tender was advertised on 8 May 2004 in the West Australian newspaper and closed on 27 May 2004.

DISCUSSION

Tenderers were asked to supply a price, inclusive of GST, on the following list of hardware items and to provide a percentage mark-up applicable to other items:

Item Description	Item Description
Surveyors Flagging Tape	Pkt of Wood Jig Saw Blades
450mm Scavenger Broom	Pkt Metal Jig Saw Blades
Aluminium Broom Handle	500ml Pva Wood Glue
50kg Drum of 6mm Galv Chain	20 x 50mm x 9mm Hex Head Bolt
50kg Drum of 8mm Galv Chain	20 x 9mm Hex Nuts
Selleys No More Nails	20 x 50mm x 6mm Hex Head Bolt
Selleys Clear Silicone Sealer	20 x 6mm Hex Nuts
Selleys No More Gaps	100 x 38mm No8 C/Sunk Self Tapping Screw
15kg 50mm Galv Roofing Nails	20 x 4mm x 38mm Tek Screw For Wood
15kg 75mm Galv Roofing Nails	20 x 4mm x 38mm Tek Screw For Metal
50m x 4m x 200um Black Poly Builders Film	6m Length 40mm Waste Pipe
Stanley 13pc Screwdriver Set	6m Length 50mm Waste Pipe
Plastic Dustpan & Brush Set	6m Length 65mm Waste Pipe
10m Electric Extension Cord	6m Length 100mm Sewer Pipe
20m Electric Extension Cord	1/2" Brass Hose Cock/Tap
30m Electric Extension Cord	Chrome Pillar Tap - For Sink
30mm Steel Butt Hinge	Ceramic Toilet Pan With P Trap
30mm Brass Butt Hinge	75lt Electric Hot Water Service
75mm Steel Barrel Bolt	75lt Gas Hot Water Service
12mm Wide Rolls Of Masking Tape	10lt Zip Instant Hot Water System
38mm Wide Rolls Of Masking Tape	1/2" Stop Cock
Roll of Silver P V C Pipe Joining Tape	3/4" Stop Cock
Roll of Electrical Tape	6m Length 1/2" Copper Pipe
Roll of Packing Tape	6m Length 3/4" Copper Pipe
Plastic Toilet Seat	50m Tape Measure

Item Description	Item Description
Chrome Toilet Roll Holder	30m Tape Measure
Sharpen 9" Tungsten Circular Saw Blade	Record Engineers 100mm Vice
Makita 4" 80 Grit Sanding Belt	

All tenders conforming to the specifications and tender documents are accepted and assessed on a range of criteria including customer service and price.

Only one tender was received from Gosnells Hardware and assessed using the Weighted Price Method, as follows:

Contract Evaluation and Weighting Table	%	Tenderer
		Gosnells Hardware
Customer Service: To supply the correct goods in a timely manner	10%	10%
Price	90%	90%
Total Weighted Score	100%	100%

The percentage mark up quoted in the tender submission received, for items outside those listed above, was 15%.

The tendered prices have been compared to prices obtained from other suppliers and are competitive to those prices obtained.

It is therefore recommended that the contract be awarded to Gosnells Hardware.

FINANCIAL IMPLICATIONS

The prices tendered by Gosnells Hardware have increased by an average of 3.5% on current prices.

The funding associated with this contract will be provided from funds included in the Operational Budgets.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

310 Moved Cr R Mitchell Seconded Cr S Moss

“That Council award Tender 34/2004 for the Supply of Hardware for a two-year period commencing 1 July 2004 to Gosnells Hardware, 94 Lissiman Street Gosnells in accordance with the following Pricing Schedule:

Item Description	Price	Item Description	Price
Surveyors Flagging Tape	\$2.85	Pkt of Wood Jig Saw Blades	\$2.95
450mm Scavenger Broom	\$21.00	Pkt Metal Jig Saw Blades	\$2.95
Aluminium Broom Handle	\$11.40	500ml Pva Wood Glue	\$4.20
50kg Drum of 6mm Galv Chain	\$156.00	20 x 50mm x 9mm Hex Head Bolt	\$3.40
50kg Drum of 8mm Galv Chain	\$156.00	20 x 9mm Hex Nuts	\$1.00
Selleys No More Nails	\$2.30	20 x 50mm x 6mm Hex Head Bolt	\$1.75
Selleys Clear Silicone Sealer	\$4.40	20 x 6mm Hex Nuts	\$0.55
Selleys No More Gaps	\$1.95	100 x 38mm No.8 C/Sunk Self Tapping Screw	\$2.75
15kg 50mm Galv Roofing Nails	\$75.65	20 x 4mm x38mm Tek Screw For Wood	\$1.45
15kg 75mm Galv Roofing Nails	\$71.00	20 x 4mm x 38mm Tek Screw For Metal	\$1.75
50m x 4m x 200um Black Poly Builders Film	\$64.65	6m Length 40mm Waste Pipe	\$9.20
Stanley 13pc Screwdriver Set	\$30.80	6m Length 50mm Waste Pipe	\$13.25
Plastic Dustpan & Brush Set	\$2.10	6m Length 65mm Waste Pipe	\$23.60
10mt Electric Extension Cord	\$6.30	6m Length 100mm Sewer Pipe	\$25.25
20mt Electric Extension Cord	\$11.85	1/2" Brass Hose Cock/Tap	\$3.20
30mt Electric Extension Cord	\$30.60	Chrome Pillar Tap - For Sink	\$14.25
30mm Steel Butt Hinge	\$0.55	Ceramic Toilet Pan With P Trap	\$88.50
30mm Brass Butt Hinge	\$0.85	75lt Electric Hot Water Service	\$488.00
75mm Steel Barrel Bolt	\$2.10	75lt Gas Hot Water Service	\$690.00
12mm Wide Rolls of Masking Tape	\$1.25	10lt Zip Instant Hot Water System	\$925.00
38mm Wide Rolls of Masking Tape	\$2.45	1/2" Stop Cock	\$3.70
Roll of Silver P V C Pipe Joining Tape	\$2.40	3/4" Stop Cock	\$6.10
Roll of Electrical Tape	\$1.00	6m Length 1/2" Copper Pipe	\$16.80
Roll of Packing Tape	\$1.55	6m Length 3/4" Copper Pipe	\$36.75
Plastic Toilet Seat	\$7.95	50m Tape Measure	\$29.45
Chrome Toilet Roll Holder	\$4.95	30m Tape Measure	\$22.10
Sharpen 9" Tungsten Circular Saw Blade	\$12.00	Record Engineers 100mm Vice	\$79.70
Makita 4" 80 Grit Sanding Belt	\$2.20	Other items not listed Materials at cost (plus percentage mark-up)	15%

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

13.3.3 BUDGET VARIATIONS

File: F1/4/1

(CP) jun22_0404bv

PURPOSE OF REPORT

To seek approval from Council to adjust the 2003/2004 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 \$
40703.182.3332	Expense	Sundry Expenses	4,000	
40703.380.7128	Income	Fines		4,000
	Reason:	Contribution to Cat Haven and Cat Sterilisation Society (OCM resolution 232, 11 May 2004 refers)		
Job609.39.3	Capital	Upgrade Key Systems - All Buildings	15,000	
Job649.100.3	Capital	Beckenham Community Centre Airconditioning Installation	18,232	
Job635.39.3	Capital	Hester Park - Toilets		28,232
Job639.39.3	Capital	City Impound Facility Modifications		5,000
	Reason:	Complete airconditioning Beckenham Community Centre and continue key upgrades - from Budget savings		
Job2450.1.3	Expense	Emission Reduction Initiative Programme (ERIP)	51,000	
Job2450.5005.53	Income	ERIP - Contributions		51,000
	Reason:	To fund project from income received over and above expected amount		
Job85107.100.1	Expense	Crack Sealing - various LRR	15,000	
Job85120.100.1	Expense	Grenadier Dr - Spencer Rd -	23,000	

Account Number	Type	Account Description	Debit \$	Credit \$
		Spencer Rd LRR		
Job85107.5004.52	Income	External Funding - Crack Sealing - various		15,000
Job85120.5004.52	Income	External Funding - Grenadier Dr - Spencer Rd - Spencer Rd		23,000
Job85139.100.3	Expense	Reservoir Rd/Maddington Rd Intersection LRR		19,000
Job85140.100.3	Expense	Reservoir Rd/Stephen St Intersection LRR		19,000
Job85139.5004.52	Income	External Funding - Reservoir Rd/Stephen St Intersection	19,000	
Job85140.5004.52	Income	External Funding - Reservoir Rd/Stephen St Intersection	19,000	
	Reason:	Transfer of Untied Grant for 2003/2004 to reflect works completed for grant acquittal		
40501.182.3424	Expense	Service Agreement	3,100	
Job1582.76.3	Expense	Bush Fire Brigade		1,550
Job1583.76.3	Expense	State Emergency Service		1,550
	Reason:	To cover additional cost of salary component for Community Fire Manager as per Memorandum of Understanding with FESA		
Job2501.1.3	Expense	Receptions	700	
40401.110.1023	Expense	Staff Training / Conferences		700
	Reason:	To fund purchase of Kodak CX7430 camera for use at Citizenship Ceremonies		
Job95180.100.1	Expense	Westfield St Park Circumference path	66,500	
Job95134.100.1	Expense	Canning River Cycleway		23,500
Job95150.100.1	Expense	Kelvin Rd - Westfield St to Stebbing Rd - Footpath Construction		12,500
Job95174.100.1	Expense	Belmont Rd - Kenwick Rd to Bickley Rd - Footpath Construction		12,000
Job95176.100.1	Expense	Swanley St - Rosekelly Rd to Corfield St - Footpath Construction		18,500
	Reason:	To construct new paths from savings on completed footpath construction.		

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

311 Moved Cr R Hoffman Seconded Cr R Croft

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

Account Number	Account Description	Debit \$	Credit \$
40703.182.3332	Sundry Expenses	4,000	
40703.380.7128	Fines		4,000
Job609.39.3	Upgrade Key Systems - All Buildings	15,000	
Job649.100.3	Beckenham Community Centre Airconditioning Installation	18,232	
Job635.39.3	Hester Park - Toilets		28,232
Job639.39.3	City Impound Facility Modifications		5,000
Job2450.1.3	Emission Reduction Initiative Programme (ERIP)	51,000	
Job2450.5005.53	ERIP - Contributions		51,000
Job85107.100.1	Crack Sealing - various LRR	15,000	
Job85120.100.1	Grenadier Dr - Spencer Rd - Spencer Rd LRR	23,000	
Job85107.5004.52	External Funding - Crack Sealing - various		15,000
Job85120.5004.52	External Funding - Grenadier Dr - Spencer Rd - Spencer Rd		23,000
Job85139.100.3	Reservoir Rd/Maddington Rd Intersection LRR		19,000
Job85140.100.3	Reservoir Rd/Stephen St Intersection LRR		19,000
Job85139.5004.52	External Funding - Reservoir Rd/Stephen St Intersection	19,000	
Job85140.5004.52	External Funding - Reservoir Rd/Stephen St Intersection	19,000	
40501.182.3424	Service Agreement	3,100	
Job1582.76.3	Bush Fire Brigade		1,550
Job1583.76.3	State Emergency Service		1,550
Job2501.1.3	Receptions	700	
40401.110.1023	Staff Training / Conferences		700
Job95180.100.1	Westfield St Park Circumference path	66,500	

Account Number	Account Description	Debit \$	Credit \$
Job95134.100.1	Canning River Cycleway		23,500
Job95150.100.1	Kelvin Rd - Westfield St to Stebbing Rd - Footpath Construction		12,500
Job95174.100.1	Belmont Rd - Kenwick Rd to Bickley Rd - Footpath Construction		12,000
Job95176.100.1	Swanley St - Rosekelly Rd to Corfield St - Footpath Construction		18,500

”

CARRIED BY ABSOLUTE MAJORITY 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

13.4 INFRASTRUCTURE

13.4.1 TENDER 25/2004 – INSITU CONCRETE AND LIMESTONE BASED CONCRETE PATH CONSTRUCTION

File: TEN/25/2004

(DD)

DD6.4b

PURPOSE OF REPORT

For Council to award Tender 25/2004 – Insitu Concrete and Limestone Based Concrete Path Construction, for a period of two years, commencing 1 July 2004.

BACKGROUND

Resolution 264 of the Ordinary Council Meeting held 25 May 2004 cites:

“That Council refer back item 13.4.5 “Tender 25/2004 – Insitu Concrete and Limestone Based Concrete Path Construction” of the 25 May 2004 Ordinary Council Meeting to allow staff to prepare a matrix for the consideration of elected members in order to demonstrate that due consideration was given to relevant experience, ability to perform, continuity, prices, total weighted score and ranking, as this type of matrix was provided for the two previous contracts for this service to the City and we should be acting no differently this time to demonstrate that we are consistent.”

In accordance with that resolution the matrix from the original report has been amended to include details of relevant experience, ability to perform, continuity, prices, total weighted score and ranking. In addition some comments clarifying/supporting the staff recommendation have been included.

In March 2003, Council awarded a contract to construct insitu concrete and limestone based concrete paths to Sandtech Pty Ltd for a two-year period. Unfortunately, in April 2004, Sandtech Pty Ltd informed the City that they had appointed an Administrator (voluntary liquidation) and were no longer trading, as such they could not complete the term of the contract. This is the second time, in a relatively short space of time, that the contract to construct paths has been frustrated by the Contractor’s inability to perform/complete the contract. There are a large number of concrete contractors willing/able to construct paths and as such it is a very competitive “cost structured” industry and the larger companies try to “price” other companies out of business. However, as the City is committed to expanding and upgrading its path network and as in excess of \$50,000 is expended annually, it is necessary to appoint a concrete contractor to execute this work. Whilst every effort is made by staff to investigate and check the backgrounds and stability of these organisations, there will always be some risk associated with their appointment.

It should be noted that during 2003/2004, Sandtech Pty Ltd completed the construction of the City's Path Replacement and Construction Programme (approximately 50,000m²). The finished product was of an extremely high standard and the working relationship between the company and Council staff has always been outstanding.

DISCUSSION

Tender 25/2004 was advertised in the West Australian Newspaper on 17 April 2004 and closed on 5 May 2004. Submissions were received from the following five companies.

Name	Address
Paul Every	105 Harpenden Street, Huntingdale WA 6110
Grayson's Concrete Services	25 Rushton Terrace, Mt Nasura WA 6112
Dowsing Concrete	PO Box 1419, East Victoria Park WA 6981
Westside Concrete Contractors P/L	Lot 107 Casuarina Place, Henley Brook WA 6055
Techsand Pty Ltd	6 Inverness Street, Malaga WA 6090

The following matrix details the submissions received:

Proponents Name	Paul Every	Grayson's Concrete Services	Dowsing Concrete	Westside Concrete Contractors	Techsand Pty Ltd.	Unit
"A" footpath 1.5m wide						
Full installation concrete	\$23.80	\$24.00	\$21.45	\$23.65	\$22.00	m ²
Placing only concrete	\$11.35	\$11.55	\$10.45	\$12.35	\$10.00	m ²
Full installation limestone base	\$35.35	\$39.60	\$44.00	\$34.65	\$31.00	m ²
Placing only limestone concrete	\$15.35	\$20.90	\$25.30	\$12.35	\$10.00	m ²
"B" footpath 2.0m wide						
Full installation concrete	\$23.80	\$24.00	\$21.45	\$23.65	\$22.00	m ²
Placing only concrete	\$11.35	\$11.55	\$10.45	\$12.35	\$10.00	m ²
Full installation limestone base	\$35.35	\$39.60	\$44.00	\$34.65	\$31.00	m ²
Placing only limestone concrete	\$15.35	\$20.90	\$25.30	\$12.35	\$10.00	m ²
"C" footpath 3.0m wide						
Full installation concrete	\$23.80	\$24.00	\$21.45	\$23.65	\$22.00	m ²
Placing only concrete	\$11.35	\$11.55	\$10.45	\$12.35	\$10.00	m ²
Full installation limestone base	\$35.35	\$39.60	\$44.00	\$34.65	\$31.00	m ²
Placing only limestone concrete	\$15.35	\$20.90	\$25.30	\$12.35	\$10.00	m ²
Sealer for l/stone based concrete	\$4.00	\$3.00	\$6.60	\$1.65	\$2.00	m ²
Supply of clean sand	\$20.00	\$12.00	\$25.00	\$11.00	\$10.00	m ³

Proponents Name	Paul Every	Grayson's Concrete Services	Dowsing Concrete	Westside Concrete Contractors	Techsand Pty Ltd.	Unit
Bobcat hire	\$66.00	\$71.50	\$66.00	\$60.00	\$55.00	per hour
Bucket Width	1.50	1.80	1.65	1.75	1.65	m
Removal & disposal of concrete slabs from work site	\$2.00	\$2.20	\$6.60	included	included	m ²
Rebate for the acceptance of spoil	\$5.00	\$4.40	\$5.00	\$6.80	\$0.50	m ³
Crossovers	\$23.80	\$27.50	\$29.15	\$23.65	\$25.50	m ²
Fixed price	No	Yes	No	Yes	Yes	

The tender documents detailed that evaluation would be based on four main criteria:

- Relevant experience (number of experienced staff etc.) 10%
- Ability to perform (past contracts with local government etc.) 10%
- Continuity (assign same crew to City of Gosnells work) 10%
- Price 70%

The following matrix outlines the evaluation (weighted scores) based on the criteria listed in the tender documentation.

	Paul Every	Grayson's Concrete	Dowsing Concrete	Westside Concrete	Techsand
Type "A" – insitu conc (60%)	54.08	53.63	60.00	54.42	58.50
Type "A" – L B conc (5%)	4.38	3.91	3.52	4.47	5.00
Type "B" – insitu conc (60%)	54.08	53.63	60.00	54.42	58.50
Type "B" – L B conc (5%)	4.38	3.91	3.52	4.47	5.00
Type "C" – insitu conc (60%)	54.08	53.63	60.00	54.42	58.50
Type "B" – L B conc (5%)	4.38	3.91	3.52	4.47	5.00
Supply of sand (2%)	1.00	1.67	0.80	1.82	2.00
Bobcat Hire (3%)	2.50	2.31	2.50	2.75	3.00
Average Price Score (70%)	61.96	61.52	66.82	63.46	68.50
Relevant Experience	10.00	10.00	10.00	10.00	10.00
Ability to Perform	10.00	10.00	10.00	10.00	10.00
Continuity	10.00	10.00	10.00	10.00	10.00
TOTAL SCORE	91.96	91.52	96.82	93.46	98.50

The major components of the contract are:

- cost to supply and lay insitu concrete.
- cost to supply and lay limestone based concrete.

In order to evaluate the submitted prices fairly it is necessary to “break-down” the 70% weighted score into its various components. Therefore the following weighted scores have been allocated as follows:

- Insitu concrete – 60% (insitu concrete = 91% of concrete to be supplied and laid).
- Limestone based concrete – 5% (Limestone based concrete = 9% of concrete to be supplied and laid).
- Supply of sand – 2%.
- Bobcat hire – 3%.

The average price score is based on the cost to supply and lay paths, supply of sand and bobcat hire. A score for “removal of slabs from site” has been excluded from the evaluation because if one contractor includes the task as part of the overall cost and another contractor charges for that activity it causes an extremely “biased/skewed” result in favour of the contractor that includes the activity as part of the overall cost.

Relevant Experience

It is extremely difficult to differentiate between contractors with regard to relevant experience. Westside Contractors have been operating since 1974, however, many of their employees have less than two years experience in grano work. It cannot be assumed that the crew allocated to City of Gosnells projects will be supervised by a person with many years of experience. Conversely, Techsand Pty Ltd was only formed in April 2004, but all of its employees have two years or more grano experience. All tenderers have considerable concrete and grano experience and it is the opinion of staff that all of the companies could fulfill the requirements of the contract to the complete satisfaction of Council.

Ability to Perform

Over time all of the contractors have either contracted directly with the City or indirectly as sub-contractors and all have the ability to complete the requirements of the proposed contract to the full satisfaction of the City.

Continuity

All contractors have agreed to assign the same crew and supervisor to the City’s projects to ensure continuity. This has been requested in order that a rapport between the contractor and Council staff can be established and maintained thus eliminating potential conflicts.

It is difficult not to allocate the maximum score to each contractor for relevant experience, ability to perform and continuity. Therefore, the evaluation must be centered on price. It should be noted that Techsand Pty Ltd are a new company (formed in April 2004), however, the workforce is very experienced as they were formally employed by Sandtech Pty Ltd. When Sandtech Pty Ltd liquidated, one of the supervisors formed the new company, Techsand Pty Ltd.

Type of Contract

The tender documents included a rise and fall clause and prospective tenderers were encouraged to avail themselves of this provision. This was done in order to try and prevent a re-occurrence of what happened with Tender 33/2002, where the contractor submitted a fixed price and then requested a price increase, and to obtain the most competitive prices available. Three of the five submissions elected to submit a fixed price for the period of the contract although there was the opportunity to submit a rise and fall clause. The concrete contracting industry is extremely "cost" focused and any increase in materials and labour can considerably affect a contractor's profit margins and financial viability. However, it should be noted that the City recently advertised a contract for the supply and delivery of premixed concrete and submissions indicated that suppliers of premixed concrete are willing to submit fixed prices for two years and the increase in cost/tonne is only \$2.00. It therefore appears the suppliers are anticipating a period of minimal price increases.

From the above matrix it can be seen that Dowsing Concrete has tendered the cheapest price, however they do charge extra for the removal and disposal of concrete slabs from the work site. Whereas Techsand Pty Ltd, with a marginally higher rate per square metre, remove and dispose the slabs free of charge. It is therefore necessary to try and estimate what effect this will have on the City's typical annual path construction programme. In 2003/2004, approximately 50,000m² of path was constructed, 28,000m² was path replacement/rehabilitation (removal of slabs and replace with insitu concrete). On average 1 in 6 slabs are broken and are left for the contractor to remove. Therefore Dowsing Concrete would charge an additional \$30,800 (28,000m²/6 @ \$6.60m²) to the \$1,072,500 (50,000m² @ \$21.45/m²) for the supply and lay of insitu concrete, making a total cost of \$1,103,300. Techsand Pty Ltd would charge \$1,100,000 (50,000m² @ \$22.00/m²). There is a very small difference in overall cost.

It can also be seen that the cost of supplying and installing limestone based concrete charged by Dowsing Concrete is considerably higher than the cost charged by Techsand Pty Ltd (\$44.00/m² against \$31.00m²). Limestone based concrete paths are installed in the Gosnells Town Centre and it is anticipated that at least two kilometres of path may be constructed in the life of this proposed contract (Federation Parade, Albany Highway adjacent to Civic Complex etc.), which will impact on overall expenditure for path construction.

On anticipated overall expenditure for the next two-year period it is expected that Techsand Pty Ltd will be the most cost-effective contractor, it will therefore be recommended that they be awarded the contract.

It should be noted that due to the “voluntary liquidation” of Sandtech Pty Ltd several metropolitan local governments have had to re-advertise their concrete path and concrete work contracts. Recently, the City of Stirling has appointed Techsand Pty Ltd as their concrete path contractor and it is understood that they are being considered by at least two other local governments.

FINANCIAL IMPLICATIONS

There are no direct financial implications as all costs incurred in relation to the above tender are provided for through existing construction and maintenance budgets. It is envisaged that approximately \$1million worth of concrete pathwork will be undertaken in 2004/2005.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

312 Moved Cr P Wainwright Seconded Cr R Hoffman

“That Council award Tender 25/2004 – Insitu Concrete and Limestone Based Concrete Path Construction, for a two-year period commencing 1 July 2004 to Techsand Pty Ltd, 6 Inverness Place, Malaga WA 6090 for the prices detailed below:

"A" footpath 1.5m wide	
Full installation concrete	\$22.00
Placing only concrete	\$10.00
Full installation limestone base	\$31.00
Placing only limestone concrete	\$10.00
"B" footpath 2.0m wide	
Full installation concrete	\$22.00
Placing only concrete	\$10.00
Full installation limestone base	\$31.00
Placing only limestone concrete	\$10.00
"C" footpath 3.0m wide	
Full installation concrete	\$22.00
Placing only concrete	\$10.00
Full installation limestone base	\$31.00
Placing only limestone concrete	\$10.00
Sealer for l/stone based concrete	\$2.00
Supply of clean sand	\$10.00
Bobcat hire	\$55.00
Removal & disposal of concrete slabs from work site	Incl.
Rebate for the acceptance of spoil	\$0.50

CARRIED 9/2

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Cr O Searle and Cr J Brown.

13.4.2 TENDER 27/2004 – SUPPLY AND DELIVERY OF CLEAN SAND PRODUCTS

File: TEN/27/2004

(DD)

DD6.1b

PURPOSE OF REPORT

For Council to award Tender 27/2004 for the supply and delivery of clean sand products to the City of Gosnells for a two-year period commencing 1 July 2004.

BACKGROUND

Tender 27/2004 was advertised in The West Australian newspaper on 8 May 2004. CSR Readymix is the current contractor for the supply of filling sand at a price of \$5.90 per tonne. In 2003/2004 the City has expended in excess of \$135,000 in filling sand.

DISCUSSION

Tenders for the supply and delivery of clean sand products closed on 26 May 2004 and submissions were received from the following five companies.

Name	Address
Rocla Quarry Products	130 Fauntleroy Avenue, Redcliffe, WA 6104
Readymix Quarries	Cockram Road, Martin, WA 6110
Roadstone	55 Miguel Road, Bibra Lake, WA 6103
WA Limestone	41 Spearwood Avenue, Bibra Lake, WA 6103
Resource Recyclers Pty Ltd	42 Kelvin Road, Maddington, WA 6109

The tender documents requested prices for filling sand, drainage sand, white washed sand and brickies yellow sand delivered to the City's Operations Centre. Submissions have been evaluated on price (90%) and service/delivery (10%) as detailed in the tender documentation.

The following matrix details the submissions received.

Name	Rocla Quarry Products			Readymix Quarries		
	Truck & Trailer	Semi Trailer	6/8 Wheeler	Truck & Trailer	Semi Trailer	6/8 Wheeler
Filling Sand (\$/tonne)	8.75	8.75	11.10	8.85	9.24	10.04
Drainage Sand (\$/tonne)	8.75	8.75	11.10	8.85	9.24	10.04
White Washed Sand (\$/tonne)	15.45	15.45	16.50	17.10	17.50	18.30
Brickies Yellow Sand (\$/tonne)			13.65			
Price Score (90%)						
Filling Sand	73.54	73.54	66.00	72.71	72.71	72.97
Drainage Sand	88.73	79.20	69.57	82.78	75.00	75.00
Average score	81.14	76.37	67.79	77.75	73.86	73.99
Service/ delivery (10%)	10.00	10.00	10.00	10.00	10.00	10.00
TOTAL SCORE	81.14	86.37	77.79	87.75	83.86	83.99

Name	Roadstone			WA Limestone		
	Truck & Trailer	Semi Trailer	6/8 Wheeler	Truck & Trailer	Semi Trailer	6/8 Wheeler
Filling Sand (\$/tonne)	8.80	8.80	12.10	N/A	7.70	8.58
Drainage Sand (\$/tonne)	10.00	10.00	13.80	N/A	7.70	8.58
White Washed Sand (\$/tonne)	12.20	12.20	16.80	N/A	N/A	N/A
Brickies Yellow Sand (\$/tonne)						11.99
Price Score (90%)						
	73.13	73.13	60.55	N/A	83.57	85.38
	73.26	69.30	55.96	N/A	90.00	90.00
Average score	73.20	71.22	58.26	N/A	86.79	87.69
Service/ delivery (10%)	10.00	10.00	10.00	10.00	10.00	10.00
TOTAL SCORE	83.20	81.22	68.26	-	96.79	97.69

Name	Resource Recyclers Pty Ltd		
	Truck & Trailer	Semi Trailer	6/8 Wheeler
Filling Sand (\$/tonne)	7.15	7.15	8.14
Drainage Sand (\$/tonne)	8.14	8.14	8.69
White Washed Sand (\$/tonne)	N/A	N/A	N/A
Brickies Yellow Sand (\$/tonne)			9.68
Price Score (90%)			
	90.00	90.00	90.00
	90.00	85.14	88.86
Average score	90.00	87.57	89.43
Service/ delivery (10%)	10.00	10.00	10.00
TOTAL SCORE	100.00	97.57	99.43

The price score is based on averaging the prices for filling sand and drainage sand only, as these two commodities represent the major component of the proposed contract. The City does not purchase large quantities of white washed sand (<200 tonnes per annum) or brickies yellow sand, therefore these two items have been disregarded in the overall evaluation.

Resource Recyclers Pty Ltd are cheapest for filling sand, irrespective of quantities delivered, and are cheapest for drainage sand if delivered by truck and trailer. WA Limestone is cheapest for drainage sand if delivered by semi trailer or 6/8 wheeler trucks.

All suppliers have a good reputation for service/delivery although Roadstone is not known to staff.

It should be noted that the price submitted by Resource Recyclers Pty Ltd (the lowest tenderer) for filling sand represents an increase of 21.2% and an increase of 27.19% for drainage sand.

In addition to the conforming tender evaluated above, Resource Recyclers Pty Ltd has submitted an alternative pricing schedule for sand products. They are offering filling

sand, drainage sand, brickies yellow sand, topsoil and recycled sand at competitive rates if the City elects to pick up (loaded at supplier's cost) and transport the materials.

This proposition has several advantages:

- Reduce the volume of material stored at Operations Centre.
- Eliminates potential "wind blown" nuisance.
- Eliminates contamination/wastage costs.
- Saves loading costs.
- Enables the City to purchase sands on an "as needs basis" rather than stockpiling large quantities of material.

The City would need to retain some sand products at the Operations Centre for emergencies such as oil spills that occur after hours or at weekends.

The alternative prices offered by Resource Recyclers Pty Ltd. are:

	Ex Kelvin Road Site	Delivered to Operations Centre
Filling sand	\$6.93/tonne	\$7.15
Drainage sand	\$7.59/tonne	\$8.14
White washed sand	N/A	N/A
Brickies Yellow Sand	\$8.80/tonne	\$9.68
Topsoil	\$11.00/tonne	
Recycled sand (suitable for most fill applications)	\$4.95/tonne	

It can be seen that the products are marginally cheaper if picked up from Resource Recyclers site rather than have the material delivered to the Operations Centre, off-loaded and then re-loaded and transported when required.

It is suggested that the City "trial" Resource Recyclers Pty Ltd alternative offer of supplying from their Kelvin Road site, whilst retaining the option to revert to having the sand products delivered to the Operations Centre if so determined.

In relation to white washed sand it is recommended that the City purchase it on an "as needs" basis from any "best priced" supplier at the time of purchase.

FINANCIAL IMPLICATIONS

The quantity of sand products used by the City is dependent on various construction and maintenance programmes and is difficult to estimate. However, all sand purchased is costed to individual projects.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

313 Moved Cr R Croft Seconded Cr R Hoffman

“That Council award Tender 27/2004 – Supply and Delivery of Clean Sand Products to Resource Recyclers Pty Ltd, 42 Kelvin Road, Maddington, WA 6109, for a period of two years commencing 1 July 2004 for the following prices:

Type of Sand	Cost (Ex Kelvin Rd Site)	Cost (Delivered)
Filling sand	\$6.93/tonne	\$7.15
Drainage sand	\$7.59/tonne	\$8.14
Brickies yellow sand	\$8.80/tonne	\$9.68

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

13.4.3 TENDER 28/2004 – SUPPLY AND DELIVERY OF ROADBASE

File: TEN/28/2004

(DD)

DD6.2b

PURPOSE OF REPORT

For Council to award Tender 28/2004 for the supply and delivery of roadbase to the City of Gosnells for a two-year period commencing 1 July 2004.

BACKGROUND

Boral Quarries currently have the contract to supply the City with roadbase at a cost of \$9.40/tonne delivered.

DISCUSSION

Tenders were advertised in The West Australian newspaper on 8 May 2004 and when submissions closed on 26 May 2004 submissions were received from the following four companies.

Name	Address
Readymix Quarries	Cockram Road, Martin, WA 6110
Pioneer Constructions Pty Ltd	123 Burswood Road, Victoria Park, WA 6100
Boral Quarries	PO Box 195, Gosnells, WA 6990
B & J Catalano Pty Ltd	PO Box 1828, Midland, WA 6936

The following matrix details the submissions received and their subsequent evaluation based on the criteria detailed in the tender documentation.

	Readymix Quarries	Pioneer Construction	Boral Quarries	B & J Catalano
Roadbase				Crushed Ferricrete Alternative
\$ per tonne ex pit	\$5.80	\$6.60	\$6.55	\$8.25
Score (90%)	90.00	79.10	79.69	63.27
\$ per tonne delivered to Council Depot	\$7.92	\$11.00	\$8.80	\$15.46
Semi				
Score (90%)	90.00	64.80	81.00	46.11
6/8 wheeler	\$8.25	\$11.55	\$9.50	\$17.55
Score (90%)	90.00	64.29	78.16	42.31
Location of quarry	Martin	Byford	Orange Grove	Gidgegannup
* Average Score (90%)	90.00	69.40	79.62	50.56
Service/delivery (10%)	7.00	7.00	7.00	7.00+
TOTALS	97.00	76.40	86.62	57.56

* Score based on average of the three submitted prices.

+ Service/delivery score based on advice from other local governments

The most advantageous price to the City was submitted by Readymix Quarries (irrespective of size of vehicle used or ex-pit).

The prices submitted by Readymix Quarries are less than those currently been paid by the City. Based on the price/tonne delivered by semi-trailer the reduction in price is \$1.15/tonne (-12.2%).

FINANCIAL IMPLICATIONS

The quantity of roadbase used by the City is dependent on construction and maintenance programmes and is difficult to estimate. However, all roadbase purchased is costed to individual projects.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

314 Moved Cr P Wainwright Seconded Cr J Brown

“That Council award Tender 28/2004 – Supply and Delivery of Roadbase to Readymix Quarries, Cockram Road, Martin, WA 6110, for a period of two years commencing 1 July 2004, for the following prices:

Cost Per Tonne		
Ex Pit	Delivered (Semi)	Delivered (6/8 wheeler)
\$5.80	\$7.92	\$8.25

”
CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

13.4.4 TENDER 29/2004 – SUPPLY AND DELIVERY OF PREMIXED CONCRETE

File: TEN/29/2004

(DD)

DD6.3b

PURPOSE OF REPORT

For Council to award Tender 29/2004 for the supply and delivery of premixed concrete to the City of Gosnells for a two year period commencing 1 July 2004.

BACKGROUND

Boral Quarries currently have the contract to supply pre-mixed concrete to the City at a rate of \$119/m³ for 20/14/80 and 20/20/80 mix concrete.

DISCUSSION

Tenders were advertised in The West Australian newspaper on 8 May 2004. When tenders closed on 26 May 2004, only one submission from Boral Concrete, 63-69 Abernethy Road, Belmont WA 6104, was received.

The prices which are fixed for the period of the contract, submitted by Boral Concrete, are as follows:

Concrete Mix	Cost
20/14/80	\$121/m ³
20/20/80	\$121/m ³

Whilst it is disappointing to attract only one submission, the price increase is only \$2/m³ (1.68%), which in today's volatile price market is very advantageous for the City.

FINANCIAL IMPLICATIONS

The quantity of premixed concrete required by the City is dependent on the construction and maintenance programmes and is difficult to estimate, however, all concrete used is costed to individual projects approved by Council.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

315 Moved Cr R Mitchell Seconded Cr J Brown

“That Council award Tender 29/2004 – Supply and Delivery of Premixed Concrete to Boral Concrete WA, 63-69 Abernethy Road, Belmont, WA 6104, for a two-year period commencing 1 July 2004 at \$121/m³ for 20/14/80 and 20/20/80 mix concrete.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

13.4.5 TENDER 30/2004 – SUPPLY AND DELIVERY OF 240 LITRE MOBILE GARBAGE BINS

File: TEN/30/2004

(DD)

DD6.5b

PURPOSE OF REPORT

For Council to award Tender 30/2004 – Supply and Delivery of 240 Litre Mobile Garbage Bins, for a period of two years, commencing 1 July 2004.

BACKGROUND

The current contractor is G C Sales WA Pty Ltd at a price of \$42.90 per bin. The City is currently issuing between 30 and 40 new 240 litre mobile garbage bins per week and has been doing so for the past couple of years. These are used for newly requested services and the replacement of bins that have reached the end of their effective life. Indications are that with the development taking place within the City (especially in Caning Vale and Southern River) the number of new bins issued will be similar to, possibly slightly greater than, the past couple of years.

Mobile garbage bins were introduced in the City in 1985 and have lasted much longer than originally anticipated, many now are displaying signs of fatigue and will need replacing.

DISCUSSION

Tender 30/2004 was advertised in The West Australian newspaper on 22 May 2004 and closed on 8 June 2004. Submissions were received from the following three companies.

Name	Address
David Gray and Co Pty Ltd	PO Box 2084, Palmyra DC, WA 6169
G C Sales WA Pty Ltd	4/16 Oxleigh Drive, Malaga, WA 6090
J D MacDonald	239 Collier Road, Bayswater, WA 6053

Submissions have been evaluated on price (90%) and service delivery (10%) as outlined in the tender documentation.

The following matrix details the submissions received:

	David Gray and Co Pty Ltd	G C Sales WA Pty Ltd	J D MacDonald
Bin Manufacturer	Sulo	Nylex	Mastec
240 litre MGB	\$44.82	\$42.90	\$42.32
Wheels	\$5.72	\$6.60	\$6.82
Lids	\$10.97	\$9.90	\$10.07
Axles	\$5.72	\$6.60	\$5.66
Price (90%)	84.98%	88.78%	90.00%
Service and delivery (10%)	8.00%	10.00%	6.00%
TOTALS	92.98%	98.78%	96.00%
Warranty (manufacturing defects)	10 years	10 years	8 years

The majority of the bins in service within the City have been manufactured by either Nylex or Sulo. Occasionally, the City has purchased bins based on price alone, with no consideration being given to the fact that the City has to maintain a larger inventory of spares as many of the components are not interchangeable between different manufacturers.

The bins offered by J D MacDonald are not known to the City. They do however meet the specifications detailed in the tender documentation. It is noted that Mastec bin axles differ in length from Nylex and Sulo bins, albeit marginally. Also the manner in which the lids are attached to the bin are considered not to be as robust as Sulo or Nylex bins.

Although the bins offered by J D MacDonald are marginally cheaper (\$0.58/bin) than the Nylex bins offered by G C Sales, it is suggested that the quality and anticipated service life of the bin together with the proven service/delivery record of G C Sales more than offsets the price differential.

FINANCIAL IMPLICATIONS

Replacement bins are funded from the Mobile Garbage Bin Plant and Equipment Reserve Fund and \$110,000 has been included in the 2004/05 draft budget for this purpose. It should be noted that the price submitted by G C Sales WA Pty Ltd (\$42.90/bin) is the same as the current contract.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

316 Moved Cr J Brown Seconded Cr R Croft

“That Council award Tender 30/2004 – Supply and Delivery of 240 Litre Mobile Garbage Bins to G C Sales WA Pty Ltd. 4/16 Oxleigh Drive, MALAGA, WA 6090 for a price of \$42.90 per bin for the period 1 July 2004 to 30 June 2006 with the purchase of bins being funded from Account No. 51001.990.9003 - Mobile Garbage Bin Plant and Equipment Reserve Fund.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

**13.4.6 PARKS AND LEISURE AUSTRALIA – 2004 NATIONAL CONFERENCE
IN CONJUNCTION WITH THE 8TH WORLD LEISURE CONFERENCE
“LEISURE MATTERS”**

Deleted: ¶

Deleted: .

File: H8/1 (MH) MH6.1b
Appendix: 13.4.6A Conference Programme

PURPOSE OF REPORT

To seek approval from Council for the Manager Parks and Environmental Operations and a Councillor to attend the Parks and Leisure 2004 National Conference to be held in conjunction with the 8th World Leisure Conference in Brisbane from 12 September to 17 September 2004.

BACKGROUND

Parks and Leisure Australia is the peak organisation for the parks and recreation industry in Australia.

Parks and Leisure Australia conducts an annual conference focusing on the Parks and Leisure industry and where possible combines this with an ongoing international conferencing programme.

DISCUSSION

The conference will bring together delegates from diverse cultural backgrounds and will include researchers, policy makers, social planners and managers of parks and leisure services. Some questions to be addressed at the conference include, how is leisure understood and experienced by people from diverse socio-cultural contexts, and how do patterns of leisure vary across different social groups.

Building on current examples of evidence-based practice, the conference will also focus on the future and the role that leisure and the organised parks and leisure services field might play in it.

Other topics of discussion include:

- International perspective on park policies
- Horticultural management and research
- Service quality
- International perspective on urban parks
- Marketing and managing national parks
- Managing water based resources
- Management tools for resource management

As in the past, a large and comprehensive exhibition will be held in conjunction with the conference, incorporating a wide range of state of the art equipment and products.

This conference programme supports the setting of higher sustainable standards, developing new practices and being innovative in approaches to the management, planning and provision of recreation and leisure services. With Parks and Environmental Operations preparing a new business plan focusing on service delivery of our rapidly expanding City, valuable techniques and information will be extrapolated from this conference to assist management in the continual improvement of this business unit.

The conference will afford the opportunity to:

- Listen and interact with international and national speakers who are leaders in their chosen fields.
- Build on past professional contacts.
- Create new professional contacts.
- Participate in workshops for hands on experience.
- Extract information, techniques and technology for the benefit of the City of Gosnells.

A copy of the conference programme is attached as Appendix 13.4.6A.

FINANCIAL IMPLICATIONS

Registration fees - PALA Member	\$1,320
Return flight to Brisbane (Internet booking)	\$580
Accommodation (6 nights at Conference Venue)	\$882
Out of pocket expenses and transfers	\$450
Total per person	\$3,232

A budget allocation has been included in the Parks and Environment Overhead Budget 2004/2005 ledger Account Number, Job S1502.1362.223.

STAFF RECOMMENDATION

Moved Cr J Brown Seconded Cr R Mitchell

That Council authorise Councillor _____ and the Manager Parks and Environmental Operations to attend the Parks and Leisure 2004 National Conference "Leisure Matters" to be held in Brisbane from 12 to 17 September 2004 at an estimated cost of \$3,232 per person with funds to be met from Training/Conference Account Job S2000.1362.223 (Elected Member) and Job S1502.1362.223 (staff) respectively.

Nomination

Cr R Croft nominated Cr R Mitchell to attend the Parks and Leisure 2004 National Conference "Leisure Matters" resulting in the following amendment to the staff recommendation:

Moved Cr R Croft Seconded Cr R Hoffman

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 "R Mitchell", with the amended recommendation to read:

"That Council authorise Councillor R Mitchell and the Manager Parks and Environmental Operations to attend the Parks and Leisure 2004 National Conference "Leisure Matters" to be held in Brisbane from 12 to 17 September 2004 at an estimated cost of \$3,232 per person with funds to be met from Training/Conference Account Job S2000.1362.223 (Elected Member) and Job S1502.1362.223 (staff) respectively."

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

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

COUNCIL RESOLUTION

317 Moved Cr R Croft Seconded Cr R Hoffman

"That Council authorise Councillor R Mitchell and the Manager Parks and Environmental Operations to attend the Parks and Leisure 2004 National Conference "Leisure Matters" to be held in Brisbane from 12 to 17 September 2004 at an estimated cost of \$3,232 per person with funds to be met from Training/Conference Account Job S2000.1362.223 (Elected Member) and Job S1502.1362.223 (staff) respectively."

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

13.5 PLANNING AND SUSTAINABILITY

13.5.1 OUTLINE DEVELOPMENT PLAN AND AMENDMENT 6 TO TOWN PLANNING SCHEME NO. 6 - REZONING OF LOTS 2, 801, 803 AND PORTION OF LOT 1297 SOUTHERN RIVER ROAD AND LOT 806 AND PORTION OF LOTS 1301 AND 1302 CHAMBERLAIN STREET, GOSNELLS

File:	S8/1/15, TP/6/6	(SRW)	Psrpt086Jun04
Name:	Civil Technology		
Location:	Area generally bounded by the Southern River, Southern River Road and Chamberlain Street, Gosnells		
Zoning: MRS:	Urban		
TPS No. 6:	General Rural		
Appeal Rights:	Nil, however the final determination is made by the Hon. Minister for Planning and Infrastructure		
Area:	20.3ha approximately		
Previous Ref:	OCM 16 December 2003 (Resolutions 805-808) OCM 12 August 2003 (Resolution 539) OCM 26 March 2002 (Resolution 198) OCM 28 August 2001 (Resolutions 702-707)		
Appendix:	13.5.1A ODP as advertised		

PURPOSE OF REPORT

For Council to consider for final approval Amendment No. 6 to Town Planning Scheme No. 6 and an accompanying Outline Development Plan, for the area bounded by Southern River Road, Chamberlain Street and the Southern River.

BACKGROUND

Council at its meeting of 28 August 2001 considered an application from Broughton Planning to rezone the subject area from 'Deferred Urban' to 'Residential Development' under Town Planning Scheme No. 1 (TPS 1) in conjunction with an Outline Development Plan (ODP). Council resolved to support in-principle the rezoning application, subject to the gazettal of TPS 6 and the finalisation of a legal agreement for the irrevocable closure of a poultry farm on Lot 803 (Formally Lot 1298) Southern River Road.

Following the gazettal of Town Planning Scheme No. 6 (TPS 6) in February 2002, Amendment No. 6 was initiated by Council at its meeting of 26 March 2002 to rezone the area bounded by Southern River Road, the Southern River and Chamberlain Street from 'General Rural' to 'Residential Development' subject to the finalisation of the poultry farm legal agreement.

Following various attempts by Kevin Broughton of Broughton Planning to have the abovementioned legal agreement executed, it became apparent that this would not be achieved. Furthermore, in early 2003 Broughton Planning ceased operating as a business. Correspondence was sent to all landowners seeking expressions of interest to

engage a planning consultant and progress the planning for the area, however no responses were received. Based on the lack of progress, Council considered the matter at its meeting of 12 August 2003 and resolved to advise the WA Planning Commission that it did not wish to proceed with Amendment No. 6 due to the absence of a proponent, appropriate documentation and poultry farm legal agreement.

Shortly after the matter was considered by Council in August 2003, Civil Technology on behalf of a number (but not all) of the landowners made contact with the City and the Department for Planning and Infrastructure (DPI) with a view to progressing the planning for this area. A plan of subdivision has been lodged with the Western Australian Planning Commission (WAPC), however it is envisaged that the subdivision application would not be determined until the finalisation of the ODP and Amendment No. 6.

Council at its meeting of 16 December 2003 again considered the Amendment 6 and an ODP for this area, addressing the previously outstanding matters including a lack of proponent, formal documentation and poultry farm legal agreement. At its meeting, Council passed the following resolutions:

Resolution 806

“That Council formally request the Perth Region Planning Committee, through the South East District Planning Committee to consider the “lifting of Urban Deferment” under the Metropolitan Region Scheme for the area bounded by Southern River Road, Chamberlain Street and the Southern River in addition to Pt Lot 1296 Southern River Road and portion of Lot 1000 Prince Regent Boulevard.”

Resolution 807

“That Council, pursuant to clause 7.4.2 of Town Planning Scheme No. 6 deem the Outline Development as shown in Appendix 12.5.4B Plan satisfactory for advertising subject to the following:

- 1. The designation of portion of Lots 1301 and 1302 as “Private Recreation”.*
- 2. The designation of the existing poultry farm on Lot 1298 on the ODP.”*

Resolution 808

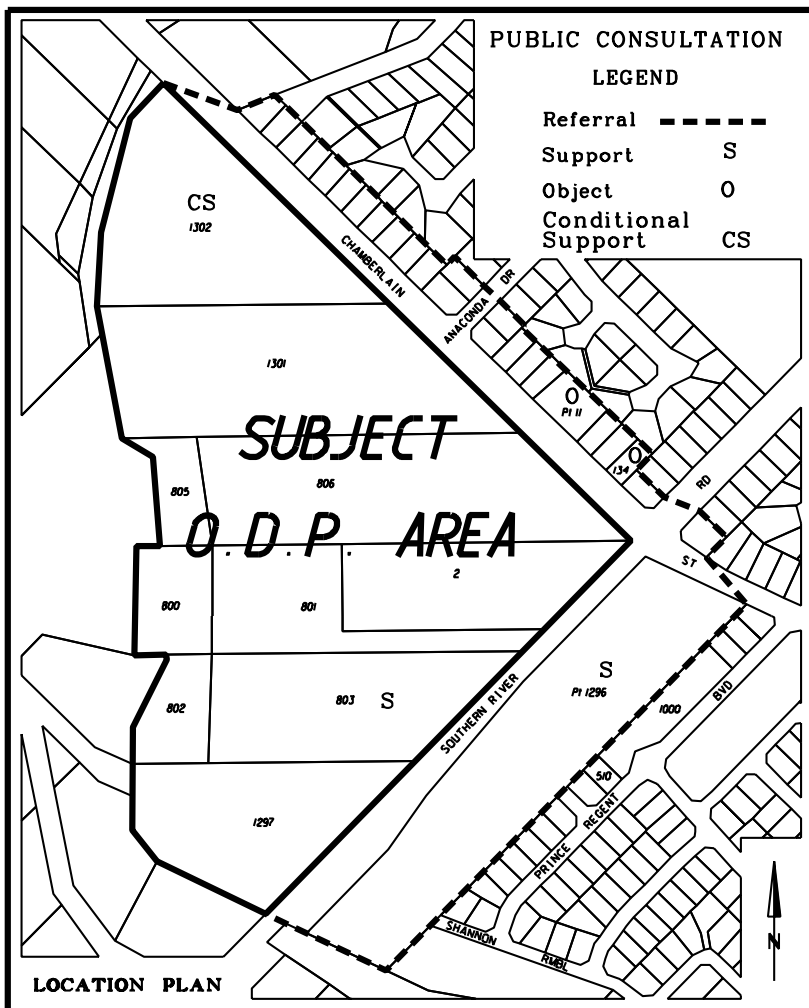
“That Council, pursuant to section 7 of the Town Planning and Development Act, 1928 (as amended) re-initiate Amendment 6 to the City of Gosnells Town Planning Scheme No 6 to rezone portions of Lots 1297, 1298, 1300, 1301, 1302 and Lots 801 and 2 from “General Rural” to “Residential Development”.”

In accordance with Resolution 806, the lifting of 'urban deferment' was presented to the Perth Region Planning Committee on 9 March 2004 where it passed a resolution to transfer the land to the 'Urban Zone'. The City and landowners were consequently advised of the decision of the Committee.

The lifting of Urban Deferment enabled the City to proceed with the advertising of Amendment 6 and the ODP that had been presented to Council at its meeting of 16 December 2003. The progressing of Scheme Amendment 6 and associated ODP have been intended to bring TPS 6 into conformity with the Metropolitan Region Scheme (MRS), in accordance with legislative requirements.

DISCUSSION

Scheme Amendment 6 and the ODP were advertised for public comment in accordance with statutory requirements with submissions closing 30 April 2004. A newspaper advertisement was published, with landowners and nearby residents directly notified. In addition to seeking comment from the public, comment was also sought from relevant government agencies. The following plan illustrates the scope of advertising and the origin of submissions received.



Schedule of Public Submissions

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
1.	MG & E Ward	281 (Lot 803) Southern River Road, Southern River	<p>Support.</p> <p>1.1 We believe the above land should be rezoned to Residential Development as soon as possible.</p> <p>1.2 We believe the proposed subdivision will be an excellent use of the land given that the poultry farm will then cease operations.</p> <p>1.3 The land is already within close proximity of existing services and should be developed to provide additional housing lots at affordable prices.</p> <p>1.4 Our suggestion is that the Gosnells Council and Waters and Rivers Commission further develop the river foreshore to provide an aesthetic reserve which can enhance the public use of the river area.</p>	<p>Noted. Amendment 6 to TPS 6 is intended to rezone the subject land.</p> <p>Noted. The use of the land for urban purposes is consistent with the Metropolitan Region Scheme</p> <p>Noted. The pricing of lots would be a function of the property market and can not be determined by the City.</p> <p>Noted. It's in the interests of all parties that the foreshore area be protected and where possible enhanced to ensure that environmental, aesthetic and recreational objectives are achieved. Refer discussion section for full comments.</p>
2.	Epoque Pty Ltd	Lot 1296 Southern River Road, Southern River	<p>Support.</p> <p>2.1 We note from your letter that whereas our Lot 1296 is currently zoned General Rural it has not been shown to be re-zoned to Residential Development along with the area referred to in your letter.</p>	<p>Noted. Lot 1296 is not part of the proposed ODP.</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>2.2 We understand that the reasons for Lot 1296 being General Rural are no longer applicable. In that regard we would appreciate your attention to inclusion of Lot 1296 along with the area on north west side of Southern River Road for rezoning from "General Rural" to "Residential Development".</p>	<p>This report includes a staff recommendation that a scheme amendment be initiated for Pt Lot 1296 and Portion of Lots 501, 1000. Refer discussion section for full comment.</p>
3.	C. Lander	Lot 1302 Chamberlain Street, Southern River	<p>Conditional Support.</p> <p>3.1 Opposed to a secondary road along side Southern River Road.</p> <p>3.2 There should only be one entry into development</p>	<p>The road layout provided through the ODP and Scheme Amendment is for illustrative purposes only. The need for a secondary road stems from the designation of Southern River Road as a future Important Regional Road and the principles of the Safe City Urban Design Guidelines to maximise passive surveillance whilst providing an attractive streetscape.</p> <p>A fine balance is required between residential amenity and accessibility, to ensure that both are achieved. The provision of multiple entrances into the area accords with the contemporary design philosophy and will ensure that traffic volumes are dispersed and high levels of accessibility are achieved. Refer discussion section for full comments.</p>
			<p>3.3 Would like to see higher standard of development</p>	<p>Any residential development will be required to conform with the requirements of the Residential Design Codes. It is not possible nor appropriate for the City to regulate the pricing of land or housing stock.</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>3.4 The water level of the Southern River should be raised to create deeper water, enhance marine life, reduce algae and give the new residents a water play area</p> <p>3.5 I have a strong desire for own property not be developed, instead retained as a 'heritage farm.'</p>	<p>The City is seeking to work with landowners, the broader community and State Government Agencies to enhance and protect the foreshore area into the future. It is not considered reasonable for a subdivider to be required to undertake such works.</p> <p>Noted. It is for this reason that the ODP clearly illustrates the farm area as 'private recreation'. Refer to discussion section for full comments.</p>
4.	C & C Dawe	48 (Lot 134) Chamberlain Street, Southern River	<p>Object.</p> <p>4.1. Totally disappointed that land opposite home is to be rezoned and developed at this time</p>	<p>The City is obligated to consider rezoning, subdivision and development applications against statutory requirements and strategic objectives. The City is obligated to progress a Scheme amendment to ensure that its Town Planning Scheme is in conformity with the Metropolitan Region Scheme. Refer discussion section for full comments.</p>
			<p>4.2 Made previous enquiries of the City and every time we were assured that this land would only be considered for rezoning well after several sites in the Gosnells area, including Verna Street, had been fully developed. Maps on display at Centro Maddington last year confirmed this, shown the subject area as 'general rural'</p>	<p>The zoning displayed as part of the Local Housing Strategy correctly illustrated the zoning of the TPS 6, 'general rural' at that time. Refer 4.1 and discussion for full comments.</p> <p>There is no formal Council position relating to specific timeframes for rezoning/ODP for the subject land.</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>4.3 We object strongly to any proposed 'corner store', recreation centre, petrol station or mixed use centre on the corner of Southern River Road and Chamberlain Street as this will have a direct impact on our quality of living here. Concerns include the constant noise of cars, people using the area as a meeting place congregating in the street, litter being dumped, increase in vandalism and graffiti.</p> <p>4.4 People already use our verge as a parking lot because it is the only shade in the street, having any kind of retail or service development across the road would greatly increase this annoying and noise problem. In addition, the area will become a possible target for robbery if the establishment involves money.</p>	<p>Noted. No formal proposal has been prepared for a neighbourhood centre at this time, however provision is to be made for such a centre in the future. Issues of residential amenity, parking, traffic movements and building design would need to be properly addressed through an application for planning approval.</p> <p>Noted. Refer 4.3</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>4.5 The proposal for high density housing (R30), if approved, angers us. Long term residents who purchased in the area years ago did so for the larger blocks of land and the semi-rural feel of the place. To go from general rural to high density is not acceptable</p> <p>4.6 We also object to any development other than residential, on Lots 1000 and 1296, opposite our home, for the same reasons mentioned above.</p> <p>4.7 Chamberlain Street and Southern River Road is already a 'black spot'. Surely any kind of establishment, which causes more traffic at an already congested intersection is not what the area needs</p>	<p>The predominant density for residential development in the ODP is proposed to be R17.5, ie predominantly single residential dwellings. Only a small portion of the ODP site is designated as R30 (a medium density standard). Some medium density development will provide for diversity in housing. Any residential development will be required to conform with the requirements of the Residential Design Codes, addressing such matters as building design, streetscape and general amenity.</p> <p>Noted. It is not envisaged at this time that the land to the south of Southern River Road would be zoned for uses other than residential, however any change would be subject to public comment.</p> <p>Both Southern River Road and Chamberlain Street are designed as 'distributor roads' to accommodate a medium level of traffic movements. In the design of the intersection upgrade that occurred in recent years, provision was made for further residential development in proximity in both the short to medium term. The ultimate configuration of Southern River Road is dual carriageway and will need to be designed accordingly. Refer discussion section for full comments.</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>4.8 If the majority of traffic that uses Chamberlain Street and Anaconda Drive as a cut through to get to Corfield Street/Southern River Road was made to use the 4 lane Corfield Street by means of one way traffic and/or local traffic only restrictions, it would help an already overloaded Anaconda Drive, deal with speeding motorists, large trucks most of whom do not live locally.</p>	<p>Noted. This suggestion is beyond the scope of the Scheme Amendment and ODP and as such further follow up and direct response will be provided by Technical Services.</p>
5.	Vandor Nominees 36 Austin Ave, Kenwick	38 (Lot Pt 11) Chamberlain Street, Gosnells	<p>Objection. 5.1 It was great disappointment that we realised the rezoning intention from rural to residential development. The rural zoning was the initial reason we decided to purchase our home. We have watched with great dismay the new residential development on the other side of Chamberlain Street, resulting in an increase in traffic and anti-social behaviour from people using the new roundabout as their personal racing track</p>	<p>Noted. Refer 4.1 and discussion for full comments.</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>5.2 Southern River Road and Chamberlain Street have had to withstand a marked increase in traffic flow through the area, mainly due to the development in Southern River, Huntingdale and Canning Vale. New residents use these roads as a thoroughfare and at peak times the volume of traffic most alarming. Further development will only add to the burden these roads must already contend with, not to mention the increase in noise and pollution the residents must withstand.</p>	<p>Southern River Road has been identified as a future Important Regional Road to link the localities of Gosnells, Huntingdale and Southern River. Provision has historically been made for Southern River Road to eventually be duplicated to a dual-carriageway standard. Issues of residential amenity, noise, pollution, landscaping etc will need to be addressed through the detailed design for Southern River Road.</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>5.3 Also of major concern is the corner store that is marked on the plans for the corner of Chamberlain Street and Southern River Road. To place a shop in this area is ridiculous as there is absolutely no need for further convenience stores in the Gosnells area. There are at least five already existing within a 2-3 kilometre radius. There is also the major upgrade to the Foothills Shopping Centre taking place. With all of these shops in close proximity, we fail to see Council's planning logic in approving yet another one. Unfortunately with shops comes an increase in antisocial behaviour due to kids using them a place to 'hang out'.</p> <p>5.4 Gosnells is fast losing what little rural charm it had. We are strongly opposed to any sort of residential or commercial development of any kind taking place opposite us. We feel a more attractive alternative would be to offer larger blocks, of a half acre or more and create something similar to Araluen or the Chestnuts, another high density housing estate is not what Gosnells needs.</p>	<p>Noted. Issues of accessibility, hierarchy of commercial centres and residential amenity have to be carefully considered. Refer comments in report on the potential for a neighbourhood center.</p> <p>The subject area was zoned 'Urban Deferred' in 1978 to accommodate future residential development. Issues of infrastructure servicing, accommodating growth in population, protection of the river environment etc have to be carefully considered in determining the future of this area. The Scheme Amendment and ODP are consistent with both statutory requirements and strategic objectives.</p>

No.	Name Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>5.5 The landowner of lots 1301 and 1302 has a great idea in wanting to create a heritage farm. The area is rich in history and this needs to be preserved.</p> <p>5.6 Our final concern is for the beautiful pine trees at the front to our property. Already, because our frontage is large we get hoons racing through these trees in their cars and ripping up the grass we meticulously maintain. As a street is proposed in the plans, opposite us, we fear this we only get worse. These trees may have some historical significance – it would be a great shame to lose them.</p>	<p>Noted. Refer 3.5.</p> <p>Issues of vehicle/driver conduct need to be referred to WA Police Service for attention.</p> <p>The retention of remnant vegetation, where appropriate, is a key consideration for the City. It is difficult to see how the construction of a new intersection would compromise the long term retention of the existing trees.</p>

Schedule of Government Agency Submissions

No.	Name	Summary of Submission	Staff Comment
1.	Department of Planning and Infrastructure – Integrated Transport Planning	<p>The Integrated Transport Planning (ITP) directorate has examined the proposal and notes that the Outline Development Plan (ODP) does not include any reference to non-motorised transport issues, nor does the proposed ODP include facilities to assist and encourage the convenient movement of pedestrians and cyclists.</p> <p>The ODP incorporates an area of Public Open Space, which should include a Dual Use Path connection to facilitate more convenient north-south access for pedestrians and cyclists adjacent to the Parks and Recreation Reserve for the Southern River.</p>	<p>Noted. Through the subdivision process, it is envisaged that an integrated path network would be achieved through the ODP area.</p> <p>Refer 1.1</p>

No.	Name	Summary of Submission	Staff Comment
2.	Environmental Protection Authority	<p>The proposal to rezone this area has previously referred to the Environmental Protection Authority (EPA) for assessment pursuant to S48 of the Environmental Protection Act. The previous advice of the EPA is still considered relevant to this proposal.</p> <p>However, the EPA Service Unit notes that in initiating the above town planning amendment it has not incorporated the previous advice of the EPA dated 19 August 2002 for this area.</p>	<p>Noted.</p> <p>The matters identified by the EPA shall be addressed through appropriate conditions of subdivision.</p>
3.	Water Corporation	<p>Sections 5.1 and 5.2, relating to water and sewerage services for the proposed area appear to be consistent with the Corporation's existing and planned infrastructure.</p>	<p>Noted</p>
4.	Department of Indigenous Affairs	<p>4.1 It is possible that there are sites that have not yet been entered on the Aboriginal Sites Register. The Aboriginal Heritage Act 1972 (the Act) protects all Aboriginal sites in Western Australia whether they are known to this Department or not.</p> <p>Prior to any proposed development/activity, so that no site is damaged or altered (which would result in a breach of Section 17 of the Act) it is recommended that suitable qualified consultants are engaged to conduct ethnographic and archaeological surveys of the area. This should ensure that all Aboriginal interest groups are consulted so that all sites on the designated land are avoided or identified.</p>	<p>Noted and proponent advised of responsibilities under the Aboriginal Heritage Act 1972.</p> <p>Noted. All proposed works to achieve ultimate subdivision will remain clear of the Parks and Recreation Reserve that includes the Southern River. It is acknowledged that there are native title claims pending resolution in respect of the river environment.</p>
5.	Department of Education and Training	<p>As described in the ODP, it is expected that 152 single residential lots will be created in the proposed development. At full development this area could yield about 40 to 60 additional primary aged students, and 20 to 30 additional secondary school students. Students resident in this area would be entitled to attend the nearby Ashburton Drive Primary School or Gosnells Senior High School.</p> <p>No additional government school sites will be required to serve this proposed development.</p>	<p>Noted.</p> <p>Noted</p>

No.	Name	Summary of Submission	Staff Comment
6.	Swan River Trust	<p>The board resolved to support the ODP and TPS amendment subject to various conditions including the preparation of a drainage and nutrient management plans, a geotechnical and water quality investigation,</p> <p>Further detailed information being provided regarding the best method of road and stormwater drainage. The drainage design should ensure that water sensitive urban design principles are included within the drainage design, therefore minimising impacts on the surrounding environment that includes the Swan River catchment. It is also considered that if the proposed public open space is to be utilised to drain stormwater from the site then further land should be given up as open space for this purpose.</p> <p>A comprehensive site geotechnical and water quality investigation should be undertaken prior to subdivision and commencement of earthworks to the satisfaction of the Swan River Trust on advice from the Department of Environment to address the following:</p> <ul style="list-style-type: none"> • any contamination from existing and previous land uses and shall include a remediation strategy and implementation as appropriate • groundwater quality including nutrient levels. The groundwater may already be nutrient rich, any drainage basins proposed will reflect this aspect with algal blooms as has already occurred within the Southern River catchment. • Initial desktop study for acid sulfate soils (ASS), further soil sampling may be required if ASS is detected 	<p>Noted. The requirements of the Swan River Trust can be accommodated through appropriate conditions of subdivision approval.</p> <p>A full drainage and nutrient management plan will be recommended as a condition of subdivision to ensure that both water quality and water quantity objectives are satisfied.</p> <p>Noted and agreed.</p>

No.	Name	Summary of Submission	Staff Comment
		<p>Prospective developers should prepare and implement a foreshore management plan that includes remediation and revegetation of the Parks and Recreation Reservation and POS area to the requirements of the Swan River Trust and the City of Gosnells</p> <p>Consideration should be given to the lodgment of memorials on prospective certificates of title to ensure that new land purchasers are aware of the possibility of impacts of the rural pursuits associated with the proposed heritage farm and past rural pursuits on the land. It is considered that the urban zoning will conflict with the proposed heritage farm, ie noise, odours, machinery etc. A suitable management strategy should be requested and implemented to ensure that the farm issue can be adequate managed within a proposed urban subdivision</p> <p>The site is adjacent to the Southern River and is considered to be a riverside urban development precinct. Prospective developers should be made aware of water sensitive urban design principles that also include planting of native vegetation and other principles to minimise the transport of nutrients to groundwater and the Swan/Canning river systems</p>	<p>Noted, however it is considered unreasonable as part of the rezoning/subdivision process to require the preparation of a foreshore management plan. A more appropriate approach/outcome would be achieved by the City progressing this matter in conjunction with the WAPC as the vestee of the land.</p> <p>Noted. Such matters will need to be considered through subdivision and development approval processes for both nearby properties and the potential heritage farm.</p> <p>Noted. It is envisaged that the subdivision process will require the preparation of a drainage and nutrient management plan to be prepared to the satisfaction of relevant government agencies.</p>

Based on the submissions received from the public and government agencies, the following key issues have been identified:

- the timing/appropriateness of the area being developed for residential purposes;
- potential for a neighbourhood centre;
- traffic movements/road configuration;
- the rezoning of land to the South of Southern River Road;
- provision of public open space;

- management/enhancement of the river and foreshore environment;
- the establishment of a “heritage” farm on Lots 1301 and 1302

The following sections provide further information and discussion on the above matters.

Development of the ODP area for Residential Purposes

Two of the submissions received from the public questioned the appropriateness of the ODP area being developed for residential purposes and the timing of any such development. As the land in question is in private ownership, the City does not have control over the timing of land development. The City instead has an obligation to ensure that any development that does occur is consistent with statutory requirements and strategic objectives. Furthermore, the subject area has only been zoned ‘Urban Deferred’ and not ‘Urban’ under the Metropolitan Region Scheme (MRS) due to the presence of a poultry farm on Lot 803; the poultry farm has recently discontinued its operations. Nonetheless potential urban development on the subject site has been foreshadowed by the MRS.

With the ODP area being transferred to the ‘Urban’ zone under MRS, the City is obligated to take such necessary steps as to bring its District Town Planning Scheme TPS 6 into conformity with the MRS. The use of an ODP as a planning tool provides appropriate guidance for future subdivision with fragmented land ownership and development and to address matters of local significance.

Potential for a neighbourhood centre

The *Liveable Neighbourhoods – Community Design Code* and Council’s Safe City Urban Design Strategy suggest that neighbourhood urban form should be based on a five-minute walk (400 to 450 metres) from a series of neighbourhood centre. Each centre is intended as a community focus with a compatible mix of uses which provide for a variety of daily needs without need for a motor vehicle. From a broad locational perspective, neighbourhood centres should be located on or at the intersection of important local streets served by public transport; on this basis, the potential for a future neighbourhood centre as shown on the ODP exists.

The draft City of Gosnells Local Commercial Strategy 1999 identifies the potential for neighbourhood centres on the basis of such matters as retail competition, demographic profile and location/accessibility. The Strategy recommends a maximum amount of retail floorspace per ‘Main Roads Zone’, with the subject area included in Main Roads Zone No. 394 covering the southern portion of Huntingdale and south Gosnells. For this zone, the Strategy recommends that in addition 1,484 square metres could be provided across the entire zone by 2026 subject to demand. Since the Local Commercial Strategy was prepared in 1999 there has been extensive residential development in the area which, together with potential residential development on the subject land, provides a basis for consideration of additional local level retail floorspace.

To ensure that any future centre retains a 'neighbourhood' focus, a maximum retail floorspace of 150 square metres is recommended to accommodate a corner store or similar. At this stage, no application has been received for non-residential land uses, however it is important that the ability to accommodate a neighbourhood centre be retained to serve existing and future residents. Any application for a corner store or similar would require an Application for Planning Approval, which in turn would need to demonstrate that issues of urban design, parking, traffic movements and general amenity are properly addressed.

Traffic movements/road configuration

In the submissions received, concerns were raised about the potential for increased traffic movements stemming from an increased number of dwellings in the area. An increased number of dwellings will undoubtedly result in increased traffic movements and as such the future road configuration needs to be carefully considered to ensure that issues of amenity and accessibility are properly addressed.

Southern River Road has been identified at a district level as a future 'Important Regional Road', providing a linkage between the localities of Gosnells, Huntingdale and Southern River. It is envisaged that the ultimate configuration of Southern River Road would be four lanes to accommodate future traffic movements. An appropriate interface will need to be achieved between future residences and Southern River Road, which the ODP achieves through the construction of a local 'service road'. This allows for passive surveillance and removes the need for residential lots to 'back' onto Southern River Road.

The ODP illustrates three (3) potential intersections to Chamberlain Street, which have been noted in the public submissions. Chamberlain Street is intended to remain as a local distributor road to service the needs of local residents. The number of access points into and out of the ODP area are considered necessary to ensure permeability and accessibility for future and nearby residents and to ensure that traffic flows are distributed across the ODP area so that traffic volumes on each local road remain low. The exact intersection alignment and treatment (where required) will be addressed through the subdivision process.

Rezoning of land to the South of Southern River Road

Pt Lot 1296 and portion of Lots 1000 and 510, to the Southern side of Southern River Road, are currently zoned 'General Rural' under TPS 6 and 'Urban' under the MRS. As with land within the ODP area, the zoning under both TPS 6 and the MRS has been a function of the poultry farm on Lot 803 Southern River Road. With the discontinuation of the poultry farm operations, the land is now zoned 'Urban' under the MRS and as such the City is required to take such necessary steps to ensure that TPS 6 conforms with the MRS.

Council has recently been advised by the Department for Planning and Infrastructure (DPI) that DPI would be willing to support the inclusion of Lot 1296 and portion of Lot 1000 into existing Amendment 6, potentially without readvertising. It is though the opinion of Council staff that a separate scheme amendment should be initiated and

progressed for this area. A separate Scheme Amendment will ensure transparency in process and provide the opportunity for government agencies and general public to comment on the future zoning of the land prior to finalisation. This position has been reflected in the staff recommendations.

Provision of Public Open Space

Western Australian Planning Commission Policy (DC Policy 2.3 – Public Open Space) requires that 10% of the net subdivisible area is to be given up as public space. For each ODP and subdivision application, consideration has to be given to the context of the land with respect to achieving a balance between passive and active open space areas, in addition to drainage, conservation and aesthetic functions.

The ODP proposes 5% (5,740 square metres) of the ODP area be provided as local open space on the basis of the following:

- approximately 3.5 hectares of land will be provided as Regional Open Space
- a further 20+ hectares of Regional Open Space (associated with Southern River) is located within 400 metres of the subject land including a dedicated playground area
- Sutherlands Parks is located within 400 metres.
- Southernwood Park is located within 350 metres
- Three local parks (Swingler Park, Cerutty Road and Pipit Close) are located within 600 metres of the Outline Development Plan area.

Based on discussions with City Facilities staff, the provision of 5,740 square metres as public open space is considered appropriate from a maintenance, usability and accessibility perspective. To provide a larger area of open space within the ODP would not significantly increase accessibility for future residents nor functionality. The balance of the 10% requirement is to be provided as POS improvements and cash-in-lieu which the City may use for the improvement of other POS areas within the locality. On this basis, it is recommended that the 5% provision of POS in land within the ODP area (10% contribution overall) be considered appropriate.

Management/Enhancement of the river and foreshore environment

Submissions received from the public refer to the future protection and enhancement of Southern River and foreshore areas, in addition to a suggestion by the Swan River Trust that the proponent be required to prepare a foreshore management plan. The protection and enhancement of the foreshore area is clearly of paramount importance in the planning for this area. It is understood that all subdivision works required for the future development of this area would not intrude into the Regional Open Space area. It is the opinion of Council staff that to require the proponent to prepare a foreshore management plan as part of the rezoning and/or subdivision process would indeed be unreasonable and unrealistic and as such, an alternative approach is proposed.

It is proposed that the City in conjunction with the Western Australian Planning Commission, would in the future seek to engage consultants to prepare a foreshore rehabilitation, access and management plan. It is likely that sympathetic capital improvements plan could be accommodated including pathways, seating and interpretive signage. In the preparation of the plan, liaison will be required with the Department of Indigenous Affairs to ensure that matters of Aboriginal Heritage Significance are properly addressed. The costs associated with the preparation of the management plan and resulting capital improvements are expected to be covered by the State Government's Area Assistance Grants Scheme.

Establishment of a "heritage type farm" on Lots 1301 and 1302

The landowner of Lots 1301 and 1302 has expressed a desire to create a "heritage farm" on portions of these two properties. The landowner has a long association with the area and does not wish to develop or subdivide his properties at this time, but rather develop the property such that it may be open to the public. Should this proceed, it is likely that such a use would be classified as an "exhibition centre", a discretionary use requiring advertising under the TPS 6 in a Residential Development Zone. A formal application and assessment would be required for the proposal to proceed, with detailed design considerations being able to be addressed at this time. In the interim, however, the interface between a future heritage farm and residential subdivision will need to be carefully considered to achieve the objectives of the Safe City Urban Design Strategy. Rather than leaving portions of these properties with a "General Rural" zoning (and inconsistent with the MRS), it is recommended that these properties be included in the rezoning process, however shown on the ODP as "Private Recreation".

CONCLUSION

Scheme Amendment 6 is required to achieve conformity between the MRS and TPS 6. The ODP, as advertised, provides a suitable framework for future subdivision and development and that the various matters identified through the advertising period can be appropriately addressed through future subdivision and development application processes.

FINANCIAL IMPLICATIONS

Due to the small scale of the ODP, comprising 14 hectares of developable area, it is not considered necessary for Council to establish a cost-sharing mechanism for the provision of district level infrastructure. The subdivision processes through the Western Australian Planning Commission will provide for infrastructure necessary to service future subdivision and development.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

318 Moved Cr W Barrett Seconded Cr R Hoffman

“That Council in accordance with Section 7.4 of the City of Gosnells Town Planning Scheme No. 6 adopt for final approval the Outline Development Plan as shown in Appendix 13.5.1A subject to the following modifications:

1. The designation of portion of Lots 1301 and 1302 as “Private Recreation”.
2. The designation of the former poultry farm on Lot 803 on the ODP.”

and forward the Outline Development Plan to the Western Australian Planning Commission for final determination.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

319 Moved Cr W Barrett Seconded Cr R Hoffman

“That Council, pursuant to Town Planning Regulation 17(1), uphold in part the submissions received; and further, pursuant to Town Planning Regulation 17(2), adopt Amendment No. 6 to Town Planning Scheme No. 6 for final approval by rezoning Lots 2, 801, 803 and Portion of Lot 1297 Southern River Road and Lot 806 and Portions of Lots 1301 and 1302 Chamberlain Street, Gosnells from ‘General Rural’ to ‘Residential Development’.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

320 Moved Cr W Barrett Seconded Cr R Hoffman

“That Council, pursuant to Section 7 of the Town Planning and Development Act, 1928 (as amended), amend Town Planning Scheme No. 6 by rezoning portion of Pt Lot 1296 Southern River Road and portions of Lot 1000 and Lot 510 Prince Regent Boulevard from ‘General Rural’ to ‘Residential R17.5’.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

**13.5.2 DEVELOPMENT APPLICATION – EXPANSION OF POULTRY FARM –
127 (LOT 246) VICTORIA ROAD, KENWICK (*ITEM BROUGHT
FORWARD – REFER TO ITEM 11*)**

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 2003 and is relocated under Item 11 “Items Brought Forward for the Convenience of those in the Public Gallery” as the first report in these Minutes.

13.6 REGULATORY SERVICES**13.6.1 REDUCED SIDE SETBACK TO PROPOSED RESIDENCE LOT 509
(NO.18) CORSICAN WAY CANNING VALE *(ITEM BROUGHT
FORWARD - REFER TO ITEM 11)***

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 2003 and is relocated under Item 11 "Items Brought Forward for the Convenience of those in the Public Gallery" as the second report in these Minutes.

13.6.2 LOCAL GOVERNMENT WEEK 2004

File: E9/1 (TP) Rpt023Jun04
Appendix: 13.6.2A Local Government Week 2004 Programme

PURPOSE OF REPORT

To inform Council of the scheduled dates for Local Government Week 2004 and the Western Australian Local Government Association Annual General Meeting (WALGA AGM), and obtain approval for attendance by Elected Members.

BACKGROUND

Preliminary notice of the Western Australian Local Government Association's (WALGA) 2004 Local Government Week Convention "One Voice" to be held at the Burswood Resort Convention Centre, Perth from Saturday 7 August to Monday 9 August, together with procedural information for submission of motions for WALGA's AGM scheduled for Sunday 8 August, has been received.

DISCUSSION

In previous years Elected Members and the Chief Executive Officer have attended the annual conference with an invitation extended to spouses to attend the Local Government Week Gala Dinner, which this year is to be conducted on the evening of Monday 9 August at the Burswood Resort Casino.

Member Councils are entitled to be represented by only two voting delegates at the WALGA AGM. It will therefore be recommended that the Mayor and a Councillor, to be determined by Council, hold these voting rights.

The fee structure of the Conference is as follows:

Mayors and Presidents Forum (Saturday 7 August):	\$125
Conference Attendance (Saturday 7 August):	\$275
Conference Attendance (Sunday 8 August):	\$155
Conference Attendance (Monday 9 August):	\$275
Gala Dinner (Monday 9 August):	\$125.50 (per person)

FINANCIAL IMPLICATIONS

Funds have been included in the Draft Budget for the 2004/2005 financial year to enable attendance by all Elected Members at this function, the cost of which should be met from Job No. S2000.1362.223 Elected Members Training/Conferences.

STAFF RECOMMENDATION (1 of 5)

Moved Cr P Wainwright Seconded Cr D Griffiths

That Council appoint the Mayor and Cr _____ as Council's delegates for voting purposes at the Western Australian Local Government Association Annual General Meeting to be conducted on Sunday 8 August 2004.

STAFF RECOMMENDATION (2 of 5)

Moved Cr P Wainwright Seconded Cr D Griffiths

That Council authorise the Mayor to attend the Mayors and Presidents Forum on Saturday 7 August 2004 at a cost of \$125.

STAFF RECOMMENDATION (3 of 5)

Moved Cr P Wainwright Seconded Cr D Griffiths

That Council authorise all Elected Members to attend the Local Government Week Convention to be conducted at the Burswood Resort Convention Centre on Saturday 7 August to Monday 9 August 2004 at a cost of up to \$831 per person, with all interested Councillors to advise the Director Regulatory Services of their desire to attend by no later than Friday 2 July 2004.

STAFF RECOMMENDATION (4 of 5)

Moved Cr P Wainwright Seconded Cr D Griffiths

That Council offer all Elected Members, the Chief Executive Officer and their respective partners the opportunity to attend the Local Government Week Gala Dinner to be held on the evening of Monday 9 August 2004 at the Burswood Grand Ballroom with Council meeting the cost of such attendance at \$125.50 per head and those interested Councillors inform the Director Regulatory Services of their availability by no later than Friday 2 July 2004.

STAFF RECOMMENDATION (5 of 5)

Moved Cr P Wainwright Seconded Cr D Griffiths

That the cost of attendance at the Local Government Week Conference 2004 and associated functions be met from Job No. S2000.1362.223 Elected Members Training/Conferences.

Nomination for Staff Recommendation (1 of 5)

The Mayor sought a nomination for the first staff recommendation, with Cr R Mitchell nominating Cr J Brown as Council's second delegate for voting purposes at the Western Australian Local Government Association Annual General Meeting. Cr R Hoffman seconded the nomination.

Amendment to Staff Recommendation (3 of 5)

During debate Cr R Hoffman moved the following amendment to the third staff recommendation:

"That staff recommendation (3 of 5) be amended by deleting the words "a cost of up to \$831" and substituting them with the words "an estimated cost of \$920", in order to include the cost of the Lunch for Delegates (\$45) and Sundowner (\$45) to be held on Sunday 8 August 2004 in the cost of attendance."

Cr R Mitchell Seconded Cr Hoffman's proposed amendment.

Additional Motion

During debate Cr J Brown moved the following additional motion to the staff recommendations:

"That Council offer all elected members and their partners the opportunity to attend the Local Government Lunch and Sundowner on Sunday 8 August 2004."

Cr Brown provided the following written reason for the motion:

"To allow elected members and their respective partners the ability to attend the Local Government Honours Awards Ceremony".

Cr R Croft seconded Cr Brown's additional motion.

At the conclusion of debate the Mayor put Cr Hoffman's proposed amendment to staff recommendation (3 of 5), which reads:

Moved Cr R Hoffman Seconded Cr R Mitchell

That staff recommendation (3 of 5) be amended by deleting the words "a cost of up to \$831" and substituting them with the words "an estimated cost of \$920", in order to include the cost of the Lunch for Delegates (\$45) and Sundowner (\$45) to be held on Sunday 8 August 2004 in the cost of attendance, with the amended recommendation to read:

“That Council authorise all Elected Members to attend the Local Government Week Convention to be conducted at the Burswood Resort Convention Centre on Saturday 7 August to Monday 9 August 2004 at an estimated cost of \$920 per person, with all interested Councillors to advise the Director Regulatory Services of their desire to attend by no later than Friday 2 July 2004.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

The amendment to staff recommendation (3 of 5) having been put and carried became the substantive motion. The Mayor then put the substantive motion, staff recommendations and additional motion from Cr J Brown, which read:

Staff Recommendation (1 of 5) including nomination:

COUNCIL RESOLUTION

321 Moved Cr R Mitchell Seconded Cr R Hoffman

“That Council appoint the Mayor and Cr J Brown as Council’s delegates for voting purposes at the Western Australian Local Government Association Annual General Meeting to be conducted on Sunday 8 August 2004.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

Staff Recommendation (2 of 5):

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

322 Moved Cr P Wainwright Seconded Cr D Griffiths

“That Council authorise the Mayor to attend the Mayors and Presidents Forum on Saturday 7 August 2004 at a cost of \$125.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

Amended Staff Recommendation (3 of 5):

COUNCIL RESOLUTION

323 Moved Cr R Hoffman Seconded Cr R Mitchell

“That Council authorise all Elected Members to attend the Local Government Week Convention to be conducted at the Burswood Resort Convention Centre on Saturday 7 August to Monday 9 August 2004 at an estimated cost of \$920 per person, with all interested Councillors to advise the Director Regulatory Services of their desire to attend by no later than Friday 2 July 2004.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

Staff Recommendation (4 of 5):

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

324 Moved Cr P Wainwright Seconded Cr D Griffiths

“That Council offer all Elected Members, the Chief Executive Officer and their respective partners the opportunity to attend the Local Government Week Gala Dinner to be held on the evening of Monday 9 August 2004 at the Burswood Grand Ballroom with Council meeting the cost of such attendance at \$125.50 per head and those interested Councillors inform the Director Regulatory Services of their availability by no later than Friday 2 July 2004.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

Staff Recommendation (5 of 5):

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

325 Moved Cr P Wainwright Seconded Cr D Griffiths

“That the cost of attendance at the Local Government Week Conference 2004 and associated functions be met from Job No. S2000.1362.223 Elected Members Training/Conferences.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

Additional Motion:

COUNCIL RESOLUTION

326 Moved Cr J Brown Seconded Cr R Croft

“That Council offer all elected members and their partners the opportunity to attend the Local Government Lunch and Sundowner on Sunday 8 August 2004.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**14.1 PARKING OF COMMERCIAL VEHICLES – CLASSIFICATION REVIEW**

The following motion was proposed by Cr R Mitchell during “Notices of Motion for Consideration at the Following Meeting” at the Ordinary Council Meeting held 8 June 2004 for inclusion in “Motions for Which Previous Notice Has Been Given” of the 22 June 2004 Ordinary Council Meeting.

PROPOSED MOTION

That Council look at a classification for parking of commercial vehicles that fits between classification “Transport Depot” and classification “Commercial Vehicle Parking”.

COUNCILLOR COMMENT

Cr R Mitchell provided the following written comment in relation to the proposed motion:

“There is obviously a need within the community for a ‘use’ to cater for parking of more than 2 commercial vehicles without being a transport depot as such.”

STAFF COMMENT

The Coordinator Planning Implementation provides the following comment in relation to the proposed motion:

“The assignment of the use class ‘Transport Depot’ to proposals involving commercial vehicles necessarily requires consideration of the definition for this use class contained in Town Planning Scheme No.6 (TPS No.6). At this time there is little scope for discretion given the specific nature of the definition.

To provide more flexibility in classification as requested by Council, appropriate amendments would need to be undertaken to TPS No.6 whereby the use class ‘Transport Depot’ is qualified or restricted in some manner. Also introduction of additional clause(s) making clear the distinction between the parking of more than one commercial vehicle and a transport depot will need to be considered. Such a distinction will need to take account of the scale and precise nature of operation.

Given that TPS No.6 incorporates standard, ‘Model Scheme Text’ provisions, it will be necessary for staff to liaise closely with the Department of Planning and Infrastructure. Staff will research the range of issues involved and it is anticipated that a report on the matter could be presented to the Ordinary Council meeting of either 13 or 27 July 2004.”

COUNCIL RESOLUTION

327 Moved Cr R Mitchell Seconded Cr R Croft

“That Council look at a classification for parking of commercial vehicles that fits between classification “Transport Depot” and classification “Commercial Vehicle Parking”.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr R Hoffman, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Nil.

14.2 MADDINGTON HOMESTEAD RESTORATION – 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 8 June 2004 for inclusion in “Motions for Which Previous Notice Has Been Given” of the 22 June 2004 Ordinary Council Meeting.

PROPOSED MOTION

That a report be brought to Council to inform the Council of any role it can take to assist in the restoration of one of the City’s oldest heritage buildings namely Maddington Homestead.

COUNCILLOR COMMENT

Cr O Searle provided the following written comment in relation to the proposed motion:

“If upon inspection there is the opportunity to rebuild this house, Council may be able to lend support to attract funding through such agencies as Lotteries, State Government, Heritage funding, local clubs and public subscriptions etc.”

STAFF COMMENT

The Coordinator Planning Implementation provides the following comment in relation to the proposed motion:

“Staff and the property owner have recently attended meetings, organised by the Heritage Council of Western Australia, to discuss the restoration of Maddington Homestead. The Heritage Council is of the view that damage to Maddington Homestead can be repaired and the building successfully restored. The property owner remains committed to both the property's restoration and to its future use by a charity organisation.

Staff are examining options for Council's role in the matter. Maddington Homestead is located on privately owned land and is classified on the State register of heritage places. Ultimately its conservation is primarily a matter for the landowner and the Heritage Council.”

PROPOSED MOTION

Moved Cr O Searle Seconded Cr S Moss

“That a report be brought to Council to inform the Council of any role it can take to assist in the restoration of one of the City’s oldest heritage buildings namely Maddington Homestead.”

WITHDRAWN BY MOVER AND SECONDER

Notation

At the conclusion of debate the Mover and Secunder withdrew, in light of the staff comment contained within the agenda, and as a result the motion was not proceeded with.

15. NOTICES OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING**15.1 USED OIL RECYCLING COLLECTION POINTS – REPORT REQUEST**

Cr S Moss proposed the following motion for inclusion in “Motions of Which Previous Notice Has Been Given” of the 13 July 2004 Ordinary Council Meeting agenda.

8.46pm – The Director Planning and Sustainability left the meeting.

PROPOSED MOTION FOR 13 JULY 2004

That a report be presented to Council on the setting up of used oil recycling points throughout the City of Gosnells in conjunction with the Western Australian Local Government Association’s Municipal Waste Advisory Council.

COUNCILLOR COMMENT

Cr S Moss provided the following written comment in relation to the proposed motion:

“The Municipal Waste Advisory Council is assisting Western Australian Councils financially as well as practically by providing used oil recycling collection points along with education and promotional activities to make residents aware of such facilities in their area to encourage the use of the collection points.

Given the toxic, contaminating nature of used oils, the collection points would be a sound and sensible way of encouraging the responsible disposal by residents and businesses (e.g. industrial area) of their used oils. Furthermore, according to information in the June 2004 edition of the Local Government Focus (page 16. Used Oil Recycling Across Australia), “used oils can be recycled, cleaned and used again in a variety of ways, including industrial burner oil, mould oil, hydraulic oil, in bitumen based products, as an additive in manufactured products or as a re-refined base oil for use as a lubricant, hydraulic or transformer oil” – another positive outcome from the recycling of used oils.”

16. URGENT BUSINESS
(by permission of Council)

Nil.

17. CONFIDENTIAL MATTERS

Nil.

18. CLOSURE

The Mayor declared the meeting closed at 8.47pm.