

CITY OF GOSNELLS

ORDINARY COUNCIL MEETING 12 JUNE 2001

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Minutes of the Ordinary Council Meeting held in the Council Chambers, Administration Centre, Gosnells on Tuesday 12 June 2001. The Mayor declared the meeting open at 7.35pm and welcomed those members of the public present in the public gallery, Councillors and staff.

PRESENT

MAYOR
DEPUTY MAYOR
COUNCILLORS

P M MORRIS JP
R MITCHELL
S IWANYK
C MATISON
J BROWN JP
MD DEVEREUX JP
R CROFT
NJ SMITH
O SEARLE JP
A PISANO JP
T ASKEW

ACTING CHIEF EXECUTIVE OFFICER
CORPORATE SERVICES DIRECTOR
COMMUNITY SERVICES DIRECTOR
COMMERCIAL SERVICES DIRECTOR
STRATEGIC PLANNING DIRECTOR
EXEC. MANAGER PLANNING & DEVELOPMENT
MINUTE SECRETARY

MR T PERKINS
MR R BOUWER
MS A COCHRAN
MR W CORBE
MR S JARDINE
MR R HAEREN
MS A CRANFIELD

PUBLIC GALLERY

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1. APOLOGIES

Cr AJ Smith

2. DECLARATIONS OF INTEREST

Cr S Iwanyk declared an Impartiality Interest in item 11.3 “Local Emergency Management Advisory Committee”.

Reason: Member of the Local Emergency Management Advisory Committee.

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

Cr A Pisano declared a Financial Interest in:

- * Item 12.2.7 “Tender 20/2001 Appointment of Cost Planner/Quantity Surveyor for Gosnells Town Centre Civic Complex”
- * Item 12.6.1 “Revitalisation of Gosnells Town Centre – New Gosnells Railway Station and Bus Interchange; and
- * Item 12.6.2 “Revitalisation of Gosnells Town Centre – Gosnells Centre for Business Development (Business Incubator)”.

Reason: Owns property within Gosnells Town Centre.

Cr MD Devereux declared a Financial Interest in:

- * Item 12.2.7 “Tender 20/2001 Appointment of Cost Planner/Quantity Surveyor for Gosnells Town Centre Civic Complex”
- * Item 12.6.1 “Revitalisation of Gosnells Town Centre – New Gosnells Railway Station and Bus Interchange; and
- * Item 12.6.2 “Revitalisation of Gosnells Town Centre – Gosnells Centre for Business Development (Business Incubator)”.

Reason: Family Trust owns property within Gosnells Town Centre.

Cr MD Devereux declared an Impartiality Interest in item 12.2.2 “Service Standards Parks and Reserves”.

Reason: Chairperson of the Hillside Farm Management Committee.

Cr C Matison declared an Impartiality Interest in item 12.2.2 “Service Standards Parks and Reserves”.

Reasons: Chairperson of Friends of Mary Carroll Park and Sutherlands Park Advisory Committee.

3. ANNOUNCEMENTS BY THE MAYOR

(without discussion)

The Mayor circulated to Councillors a list of functions and events she had attended since Tuesday 22 May 2001.

4. REPORTS OF DELEGATES

Cr R Mitchell reported that he attended, on behalf of the Mayor, the “Plant a Tree Project” conducted along Royal Street on Sunday 10 June 2001 in recognition of the support of volunteers in the community as part of the International Year of Volunteers celebrations. Volunteers were given the opportunity to plant a tree and place a plaque in recognition of their organisation, with representatives from the following participating:

- * Amaroo Village Volunteers
- * 19th Perth-Gosnells Girls Brigade
- * Addie Mills Centre Volunteers
- * Baha’l Faith Volunteers

- * Bramfield Park Primary School Parents and Citizens Association
- * City of Gosnells Ghost Walk Volunteers
- * Earth Carers Gosnells
- * Gosnells Aussi Masters Swimming Club
- * Gosnells Community Support Services
- * Gosnells District Neighbourhood Watch
- * Gosnells Horticultural Society Inc.
- * Gosnells Maddington Girl Guides
- * Gosnells Senior High School Parents and Citizens Association Inc.
- * Gosnells Stroke Club
- * Gosnells Sub Branch of the RSL
- * Gosnells Toy Library Inc.
- * Huntingdale Girl Guides
- * Kenwick School Volunteers
- * Lifestyle Centre (For Women Over 50) Gosnells Women's Health Services Inc.
- * Orange Grove Primary School Parents and Citizens Association
- * Orange Grove Sports Club
- * Orange Tree Farm Museum Volunteers
- * Seaforth Primary School Parents and Citizens Association
- * St Judes Catholic School Parents and Friends Association
- * Thornlie Girl Guides
- * Thornlie Probus Club Inc.
- * Thornlie Red Cross
- * Thornlie Tennis Club
- * Upper Canning Southern Wungong Catchment Team
- * Urban Network
- * Yule Brook College Parents and Citizens Association Inc.

Cr R Mitchell reported that an Indigenous Youth Forum was to be held this Thursday between 9am and 2pm and all Councillors were invited to attend.

Cr R Mitchell also reported that he attended, on behalf of the Mayor, Yule Brook College on Monday 11 June 2001 for the commissioning of the School Chaplain.

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

A period of fifteen (15) minutes is allocated for questions and statements by 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.

5.1 QUESTION TIME

* Patricia Hills of 13 Kelvin Road, Maddington asked the following questions:

- Q 1 As the City of Gosnells is currently considering local parkland areas, will they relocate their Council Depot to an Industrial zone and return the area which is currently zoned Parks and Recreation, to the people of Maddington and their visitors? If not, why not? If so, then, will the Council redevelop this section of Kelvin Road, as suggested on the attached plan, to allow the people of Maddington to enjoy the use of this local parkland?

Response: The Executive Manager Planning and Development, Mr Ray Haeren, advised that the site of the Council Depot is proposed to be rezoned Industrial under Town Planning Scheme No. 6, which is presently before the Minister for Planning awaiting final approval. Any decision to redevelop the site would be part of the strategic review of the Maddington and Kenwick area and would also form part of the review of the Maddington Golf Course site. He added that he would provide a more comprehensive written response.

* D F Port of L30/408 Bickley Road, Kenwick asked the following questions:

- Q 1 Would Council advise on the date of the next committee meeting of the golf course and progress to date?

Response: The Director Strategic Planning, Mr Stuart Jardine, advised that no definitive date for the next meeting of the Maddington Former Golf Course Site Advisory Committee had been determined. He advised, however, that as soon as a date had been agreed Mr Port would be notified accordingly.

- Q 2 Has Council any information regarding the survey of residents re: housing on golf course?

Response: The Director Strategic Planning, Mr Stuart Jardine, advised that a survey of residents was due to commence shortly adding that a site survey would be conducted at a later stage subject to budget approval.

Q 3 Has Council received a report on the condition of Wanaping Road?

Response: The Mayor advised that the Director Commercial Services, Mr Werner Corbe, was currently on leave, however, the question would be taken on notice with written response to be provided.

Mr Port added that he would like an inspection carried out.

Q 4 Would Council remove rubbish dumped at Wanaping Road Tennis Courts and put a 'No Dumping' sign in place?

Response: The Mayor advised that the question would be taken on notice to enable investigation by staff, following which a written response would be provided.

* Gaye Cranfield of 16 Mahogany Street, Maddington asked the following questions:

Q 1 What is the final fate of the contents of my green and yellow recycled rubbish bin following pick up by Cleanaway?

Q 2 If this material is recycled please provide a summary of the companies who purchase this recycled material?

Response: The Acting Chief Executive Officer, Mr Trevor Perkins advised that as far as he was aware the greatest percentage of recyclables collected within the City of Gosnells by Cleanaway were on-sold to overseas markets. He added that he was not aware of their destination, however, advised the matter would be investigated with relevant staff, following which a written response would be provided.

* Mei Lin Clarke of 35 Longfield Road, Maddington asked the following questions:

Q 1 Did the City of Gosnells sign a legally binding agreement/contract with Brightstar Environmental?

Response: The Acting Chief Executive Officer, Mr Trevor Perkins advised that the City of Gosnells had entered into an agreement with Brightstar Environmental to accept the City's waste.

Q 2 Did the terms of that agreement stipulate a liability for damages clause leading to a provision for 700 million dollars in compensation payable to Brightstar Environmental?

Response: The Acting Chief Executive Officer, Mr Trevor Perkins advised that in the absence of the Director Commercial Services, Mr Werner Corbe, who was currently on leave, the question would be taken

on notice to enable investigation by relevant staff, following which a written response would be provided.

- Q 3 Upon signing of that agreement, are the Councillors of the City of Gosnells individually and jointly liable for payment of that compensation?

Response: The Acting Chief Executive Officer, Mr Trevor Perkins advised that due to the Director Commercial Services being on leave, the question would be taken on notice to enable him to peruse the agreement, following which a written response would be provided.

- Q 4 If this contingency for compensation arises, will the compensation monies of 700 million dollars be raised through the City of Gosnells and paid for by the ratepayers in the City of Gosnells?

Response: The Acting Chief Executive Officer, Mr Trevor Perkins advised that as he was not involved in the Contract, he was not in a position to comment, however, the question would be taken on notice to enable investigation by relevant staff, following which a written response would be provided.

- Q 5 Can the ratepayers therefore view and obtain a copy of that signed agreement between the City of Gosnells and Brighstar Environmental under the Freedom of Information Act?

Response: The Acting Chief Executive Officer, Mr Trevor Perkins advised he would need to investigate the matter following which he would provide a written response as to whether the document in question was obtainable or not.

* Mr W Baxter of 37 Kelvin Road, Maddington asked the following questions:

- Q 1 Why did Council ask Councillors to vote on the SWERF on 27 March 2001 and then asked Sinclair Knight Merz (SKM) for an independent report on 30 March 2001? Why didn't you wait for the results of that report before voting?

Response: The Acting Chief Executive Officer, Mr Trevor Perkins advised that as he was not involved in the Tender process, he was not in a position to comment. The Mayor added that the Acting Chief Executive Officer would need to look into the matter before providing a written response.

- Q 2 Why did you sign the contract after SKM's report repeatedly states they have serious reservations with Brightstar being awarded preferred tenderer status?

Response: The Acting Chief Executive Officer, Mr Trevor Perkins advised that he had not personally signed the Contract and was not involved in the process. He gave an undertaking to investigate the matter with relevant staff, following which a written response would be provided.

- Q 3 How is it that when SWERV the SWERF rang to ask to see the SKM's Waste to Energy final report, no one seemed to know of its existence? Certainly not the Councillors who voted on this issue.

Response: The Acting Chief Executive Officer, Mr Trevor Perkins advised that a large number of reports are received by the City, a summary of which is generally provided to Councillors in items contained within Agendas. As a rule Councillors do not see every report in its entirety unless they specifically request to peruse them. The Mayor added that the question would be taken on notice to enable the Director Commercial Services to respond upon his return from annual leave.

- Q 4 Is Council aware that SKM state in their report, that if changes are not made, then it is recommended that the contract not be awarded?

Response: The Mayor advised that she was not able to provide a response, therefore, the question would be taken on notice to enable investigation by staff, following which a written response would be provided.

- Q 5 Council is democratically elected by the people to act with due diligence and integrity for the people. Who will be held responsible for such disregard for the proper protocol?

Response: The Mayor advised, the Council.

- * Mrs C De Marco of 15 Mulline Court, Maddington asked the following questions:

- Q 1 Can Council confirm that the City of Gosnells voted to award a preferred tenderer status to Brightstar Environmental without having sited the very document, namely Sinclair Knight Merz', final report on Waste to Energy, that was to be instrumental in the decision as to whether or not Brightstar Environmental is financially, technically and responsible enough to deliver such a plant?

Response: The Mayor advised that she was not able to respond. The Acting Chief Executive Officer, Mr Trevor Perkins stated that to his knowledge the report had not been presented to Councillors.

- Q 2 In aforementioned report it was recommended by Sinclair Knight Merz that a number of issues be resolved by the City of Gosnells before

awarding preferred tendered status. I wish to ask Council if these issues have been addressed, namely:

- (a) Has the City of Gosnells clarified the relationship between BSCLP, BEH and EDL?

Response: The Mayor advised that without referring to the document she was not in a position to respond. The Acting Chief Executive Officer, Mr Trevor Perkins advised that the only person who could provide a response was the Director Commercial Services, Mr Werner Corbe, who was currently not available due to annual leave.

Mrs De Marco advised that all correspondence had been forwarded to Mr David Denton.

The Acting Chief Executive Officer, Mr Trevor Perkins added that Mr Denton was not present at this evening's meeting either, and therefore, was unable to provide a response.

- (b) Has the financial guarantee provided by EDL been reviewed in detail?

Response: The Acting Chief Executive Officer, Mr Trevor Perkins advised that his response was the same as for the previous question.

- (c) Has the City of Gosnells completed a technical due diligence report on the performance of this plant by suitably qualified personnel before awarding a preferred tenderer status to Brightstar Environmental?

Response: The Acting Chief Executive Officer, Mr Trevor Perkins advised that the matter falls back to the Director Commercial Services who was not available. He gave an undertaking, however, that he would be happy to investigate the matters raised with staff and provide a written response accordingly.

396 Moved Cr NJ Smith Seconded Cr MD Devereux

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

CARRIED 11/0

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

AGAINST: Nil.

5.2 PUBLIC STATEMENTS

- * Mr Michael Oosterhof, representing Eastcourt Properties Pty Ltd of 2/16 Moreau Mews, Applecross made a public statement in relation to item 12.5.2 “Town Planning Scheme No. 15: Proposed Amendment to Scheme Map” speaking against the staff recommendation contained within the Agenda. Mr Oosterhof outlined the economic benefits of the applicant’s proposed development within the Maddington Industrial Area. However, in order for the development to proceed he requested Council amend the recommendation by deleting the unmade portion of Reihill Road from the Scheme Map to ensure it would remain a viable proposition for the developer.
- * Mrs Maureen Soklich of 42 Dale Place, Orange Grove made a public statement in relation to item 12.5.7 “Development Application – Second Residence – No. 42 (Lot 720) Dale Place, Orange Grove” speaking in favour of the staff recommendation within the Agenda. In seeking Council’s support for the application for a second transportable residence on the property, Mrs Socklich provided details of the resultant benefits to her husband’s medical condition, her son and future daughter-in-law, and the family business.

RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS

22 May 2001 Ordinary Council Meeting

The following questions were posed at the 22 May 2001 Ordinary Council Meeting with the response as already provided to the correspondents listed accordingly:

- * Mr Warner Baxter of 37 Kelvin Road, Maddington asked the following questions:
 - Q 2 Could Council please explain how Council and a Brightstar representative are the only people aware of the new law in South Australia where compensation into the hundreds of thousands of dollars can be paid prior to a contract voted on or signed and entered into?*
 - Q 3 Is Council aware that there is no such law in WA? Why has everyone been misled?*
 - Q 4 Why, after such claims of compensation did you write to me, in answer to a question on 10 April 2001 stating, “The question of liability or payment of compensation arises only if Council should decide not to honour its commercial contract for the supply of waste”?*

Response: In reply to Mr Warner Baxter, the Acting Director Commercial Services, Mr Geof Whyte provided the following written interim response on 7 June 2001:

“I refer to the Ordinary Council Meeting of 22 May 2001 and your questions 2-4.

Your questions are currently being considered and will be responded to in full when Mr Werner Corbe returns from leave at the end of June.”

6. CONFIRMATION OF MINUTES

397 Moved Cr J Brown Seconded Cr MD Devereux

“That the Minutes of the Ordinary Council Meeting held on 22 May 2001, be confirmed as a true record.”

CARRIED 11/0

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

AGAINST: Nil.

7. PETITIONS AND MEMORIALS

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

A copy of all tabled documentation is located on File No. 1.3.1E.

- * Cr MD Devereux tabled a petition on behalf of Cr AJ Smith initiated by Adrian King and Paul Loveless of 11 Lupin Close, Thornlie containing 80 signatures requesting closure of the walkway between Lupin Close and Wisteria Place, Thornlie. The petition stated in part:

“We the undersigned electors of the City of Gosnells request the closure of walkway from Lupin Close through to Wisteria Place for the following reasons: Due to vandalism, attracting drug addicts putting our children at risk or needle-jabbing, gang loitering and rubbish dumping, fire hazard.”

Cr Devereux requested that a report be prepared by the appropriate Officer and presented to Council for consideration.

- * Cr MD Devereux tabled a letter from Julie Lane, Secretary of the Gosnells and Districts Little Athletics Centre of PO Box 146, Thornlie regarding the organisations application relating to ground fees.

Cr Devereux requested the letter be forwarded to the relevant staff for investigation and provision of an appropriate response to Julie Lane, Secretary of the Gosnells and Districts Little Athletics Centre.

- * Cr MD Devereux tabled a letter from F Merritt of 13 Evelyn Street, Gosnells regarding a dangerous street tree.

Cr Devereux requested the letter be forwarded to the relevant staff for investigation and provision of an appropriate response to F Merrit.

- * Cr R Croft tabled a letter from the Albany Highway Residents Action Group, GPO Box 73, Bentley 6102 requesting Council's assistance and support in relation to issues resulting from the realignment of Albany Highway.

Cr Croft requested the letter be forwarded to the relevant staff for investigation and provision of an appropriate response to the Albany Highway Residents Action Group.

- * Cr T Askew tabled a duplicate of the letter, tabled above by Cr MD Devereux, from Julie Lane, Secretary of the Gosnells and Districts Little Athletics Centre of PO Box 146, Thornlie regarding the organisations application relating to ground fees.

As stated above the letter will be forwarded to the relevant staff for investigation and provision of an appropriate response to Julie Lane, Secretary of the Gosnells and Districts Little Athletics Centre.

- * Cr T Askew tabled a duplicate of the letter, tabled above by Cr R Croft, from the Albany Highway Residents Action Group requesting Council's assistance and support in relation to issues resulting from the realignment of Albany Highway.

As stated above the letter will be forwarded be forwarded to the relevant staff for investigation and provision of an appropriate response to the Albany Highway Residents Action Group.

- * Cr A Pisano tabled four (4) letters in relation to the stormwater drain and driveway at 37 Wanaping Road, Kenwick from:

- 1) Mr S and Mrs M Cotter of 37 Wanaping Road, Kenwick;
- 2) Mrs J Cotter of 15 Wilson Place, Belmont;
- 3) Mr and Mrs A Connett of 39 Wanaping Road, Kenwick; and
- 4) Mr G Aiello of 303 Fisher Street, Cloverdale.

Cr Pisano requested the letters be forwarded to the relevant staff for investigation and provision of an appropriate response to each of the correspondents listed.

8. LEAVE OF ABSENCE

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

- (1) A Member seeking the Council's approval to take leave of absence shall give written notice to the CEO prior to the commencement of the meeting.
- (2) The notice referred to in paragraph (1) shall include the period of leave of absence required and the reasons for seeking the leave.

Cr PM Morris has requested Leave of Absence from 18 June 2001 to 29 June 2001 in order to attend an International Women's Conference at the invitation of the United Nations.

398 Moved Cr MD Devereux Seconded Cr A Pisano

"That Cr PM Morris be granted leave of absence from 18 to 29 June 2001, inclusive."

CARRIED 11/0

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

AGAINST: Nil.

Cr NJ Smith requested leave of absence from 23 June 2001 to 8 July 2001, inclusive and 1 August 2001 to 2 September 2001, inclusive.

399 Moved Cr MD Devereux Seconded Cr A Pisano

"That Cr NJ Smith be granted leave of absence from 23 June 2001 to 8 July 2001, inclusive and 1 August 2001 to 2 September 2001, inclusive."

CARRIED 11/0

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

AGAINST: Nil.

9. QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

(without discussion)

Nil.

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

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

400 Moved Cr NJ Smith Seconded Cr O Searle

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

- * Item 12.5.2 Town Planning Scheme No. 15 : Proposed Amendment to Scheme Map;
- * Item 12.5.3 Proposed Amendments to Town Planning Scheme No. 17;
- * Item 12.5.6 Development Application – Reduced Side Setback to Dwelling - No. 33 (Lot 7) Brookland Street, Beckenham;
- * Item 12.5.7 Development Application – Second Residence - No. 42 (Lot 702) Dale Place, Orange Grove
- * Item 12.5.8 Commercial Vehicle Parking – Lot 8 (No. 67) Gosnells Road West, Martin.”

CARRIED 11/0

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

AGAINST: Nil.

12.5.2 TOWN PLANNING SCHEME NO. 15 : PROPOSED AMENDMENT TO SCHEME MAP

File: 224986 : 224995 : TP/15 (TP) Rpt128Jun01
Name: Eastcourt Properties and W F and P M Coote
Location: Lots 431 and 309 Bickley Road, Maddington
Zoning: MRS: Industrial
TPS No. 1: General Industry
Draft TPS No. 6 General Industry
Appeal Rights: To Minister for Planning and Infrastructure
Previous Ref: N/A
Area: Total site 5.966 ha

PURPOSE OF REPORT

For Council to consider a proposal to amend the approved Scheme Map for Town Planning Scheme 15 (TPS 15).

BACKGROUND

Site Description: The subject site is generally flat, cleared and vacant. The site slopes down towards Bickley Brook in the south, however, and land abutting Bickley Brook is reserved for Parks and Recreation under Town Planning Scheme No. 1 (TPS 1). Any future development on this site would therefore be subject to a condition of development approval requiring the vesting of this reserve area in Council.

Abutting land use and zoning is also industrial. Reihill Road (see Location Plan A) has recently been constructed and its road reservation abuts the western boundary of Lot 431.

Town Planning Scheme No. 15: The Scheme Map for TPS 15 shows a subdivisional road layout to guide the subdivision and development of land within the scheme area. As can be seen from Location Plan A planning for this area is premised on a direct road link from Eva Street to Bickley Road via the constructed portion of Reihill Road and an as yet to be constructed continuation through to Bickley Road over the subject site.

The proponents have requested that Council amend the Scheme Map by deleting the road link shown over Lot 431 and Lot 309. They make this request in order to accommodate the construction of a large factory/warehouse on Lots 431 and 309 (see Proposal section below).

The proponents suggest that a proposed subdivisional road on Lot 10 Bickley Road become the alternate Scheme Map link between Eva Street and Bickley Road (see Location Plan A).

Insert Location Plan A

Clause 6.1 of TPS 15 Scheme Text allows Council to consider variations to the approved Scheme Map provided:

- (a) all adjoining owners are given 21 days written notice of the application and invited to make a written submission; and
- (b) the Council is of the view that circumstances justify such a variation.

If Council were of the view that a variation was warranted the Ministry for Planning would then need to endorse this action.

It should be noted that the Scheme Map and the accompanying Scheme Text are statutory documents that have the force of law.

The Proposal: The proponent is representing a local employer, Stramit Pty Ltd, that currently operates from Malcolm Street, Maddington. They require additional and upgraded floorspace to accommodate an expansion in the scale of their operation and, consequently, need to relocate to an alternative site. The proponents consider the subject site appropriate for their expansion plans, however, the proposed scale of the operation would preclude the continuation of Reihill Road across the subject site through to Eva Street as provided for in the TPS 15 Scheme Map. Whilst, at this stage, Council has only been requested to consider a variation to the Scheme Map the proponents have submitted a concept plan of their proposed development in order to outline both the scale of the proposal and to provide Councillors with sufficient information to fully consider the matter.

Insert Elevation and Site Plan

It needs to be highlighted that there is no basis for Council to require the proponents to either lodge a development application nor commence development for the said purpose should Council approve the Amendment. The proposal therefore should represent sound planning practice for the long term development of the area regardless of the decisions made by Stramit, although clearly Council should have regard for the stated intentions.

The initial development would involve the construction of an office of 819m² and a factory/warehouse building of 12,400m². Future expansion plans could involve construction of approximately 4,000m² additional floorspace. Whilst a detailed technical assessment will not be undertaken until such time as a development application is lodged, preliminary assessment of the submitted concept plans indicates compliance with standard TPS 1 and TPS 15 requirements in relation to setbacks, carparking, traffic circulation, etc. It is also noted that the submitted concept plan indicates an area of the site to be surrendered for Reserve purposes as referred to previously.

Public Consultation: The proposed Scheme Map variation was referred to landowners in the area who would potentially be effected as shown on the consultation plan. At the time of writing this report three submissions had been received, one objecting and two supporting the proposal as detailed in the following schedule.

Schedule of Submissions

No.	Name/Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
1.	W F and P M Coote 25 Hardinge Road Orange Grove	Lots 431, 309, 308 and 47 Bickley Road Maddington	No objection to creation of a development site which would prevent continuation of Reihill road.	Noted. The subject site is to be acquired by the proponents from the consultees.
2.	Whitehall Corporation Pty Ltd Subiaco 6008	Pt Lot 10 Bickley Road Maddington	Objection. Extension of Reihill Road through Lots 431 and 309 to Bickley Road always part of TPS 15. Proposed Variation would direct "...all major traffic" though "our" (ie Lot 10) subdivision. Proposed variation based on assumption that the subdivisional road on Lot 10 which could extend Reihill Road through to Bickley Road will actually be built.	Current TPS 15 road alignment acknowledged. Potential for increased traffic acknowledged but subdivisional road design capacity through Lot 10 would be adequate for through traffic. The future provision of a subdivisional road on Lot 10 connecting Reihill Road to Bickley Road is a critical issue. See Discussion section for detailed comment.

No.	Name/Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			<p>This is not necessarily the case: market conditions currently indicate that large industrial lots more viable and fewer (but larger) lots would reduce lot creation costs. In this case the Reihill Road to Bickley Road subdivisional road would <i>not</i> be constructed. Whitehall Corporation Pty Ltd therefore objects to the variation as this would reduce design options for future stages.</p> <p>The proposed variation would create a relatively sharp road bend which would be a problem for large trucks.</p>	<p>Agreed. Engineering and Technical Services advise that the proposed “bend” not viable – redesign required. See Discussion section.</p>
3.	D Furfaro 120 Maida Vale Road High Wycombe	14 (Lot 608) Reihill Road Maddington	<p>Non-objection. Pleased for development to go ahead.</p> <p>Wants a new road (ie Eva Street to Bickley road link) to be built immediately to prevent:</p> <ul style="list-style-type: none"> i) rubbish dumped at the end of Reihill Road; ii) use of Reihill Road as a “drag” strip. iii) burglaries on street due to Reihill Road not being a through road. 	<p>Noted.</p> <p>Concerns raised underline negative attributes of cul-de-sac in industrial areas and need for a through road connecting Eva Street to Bickley Road.</p>

In light of the proponent’s advice that “...*whilst Maddington is our preferred location, time is of the essence and must take precedence. To this end we would be grateful of your response as soon as possible*”, the staff report has been prepared prior to closure of the public consultation period which is 12 June 2001. Any further submissions received will be presented to Councillors on a separate memorandum.

It is to be noted that the subject site and the two abutting lots to the east of the site are in common ownership. One of the non-objection emanates from the owner of these properties.

Insert Consultation Plan

DISCUSSION

Lot Pt 10 Bickley Road is in process of incremental subdivision with Stages 2A and 2B (see Location Plan B) nearing completion and subsequent title creation. Plans submitted which show the later stages of the subdivision indicate a continuation of the subdivisional road through Stage 2B connecting with Reihill Road at a T-intersection. This can be seen more clearly on Location Plan A. The proposal submitted is to simply terminate the Reihill Road extension, with the road being redirected into Pt Lot 10 with a near 90° turn. Council's Technical Services Branch have advised that they consider this proposal unsafe for larger vehicles because there would be insufficient turning space on a relatively sharp bend. A redesign of this intersection would therefore be required to make the Reihill Road extension more linear and therefore safer. This is shown on Location Plan B which indicates a potential road alignment involving the acquisition of a small portion of Lot 609 Reihill Road. Any Council support for the requested TPS 15 scheme variation should therefore be subject to a road design satisfactory to the Manager Technical Services and clear identification of responsibility for associated costs.

Insert Location Plan B

A significant aspect of the Whitehall Corporation Pty Ltd response is their advice that the subdivisional road, which would form the basis of the connection through to Bickley Road, may not be constructed due to changing market factors. This would have a direct impact on the subdivisional design of the later stages of subdivision of Lot 10. Here it is to be noted that Whitehall Corporation Pty Ltd are not bound by what amounts to concept plans already submitted in respect of later stages of subdivision. There are no requirements under TPS 15 for any specific road layout on Pt Lot 10 and there is also no current requirement for the Reihill Road to Bickley Road connection to be via Pt Lot 10, indeed the current Scheme Map requires the alignment to be over the subject land.

In the event that Council supported the proposed variation staff would seek formal endorsement of the change to the TPS 15 Scheme Map from the Ministry for Planning as required by the previously mentioned scheme provisions. On the assumption that this endorsement was forthcoming the following potential scenario emerges:

- * The TPS 15 Scheme Map is amended as indicated despite the objections of Whitehall Corporation Pty Ltd.
- * Whitehall Corporation Pty Ltd submit subdivisional plans for the balance of Pt Lot 10 which are based on creation of larger lots and which do *not* include the through link to Bickley Road.
- * Council staff recommend refusal for non-compliance with TPS 15 leading to formal subdivisional refusal by WA Planning Commission (WAPC).

- * Whitehall Corporation Pty Ltd submit an appeal to the Town Planning Appeal Tribunal (or Ministerial Appeal if still available) citing as grounds of appeal the following:
- (a) Original TPS 15 Scheme Map showed through road to Bickley Road in alternative location.
 - (b) Purchase and development of Pt Lot 10 was done in the expectation that the original road layout would stand.
 - (c) The subsequent imposition of an amended road layout has unfairly limited Whitehall Corporation's design options.

It is the view of staff that such an appeal may well be upheld and, at this moment in time, it is not therefore possible to state with certainty that the through road option across Pt Lot 10 can be achieved without agreement by all parties.

An alternative to a through road connecting Eva Street and Bickley Road is the cul-de-sacing of Reihill Road. In this context Council's Technical Services have advised:

- (a) An industrial standard turning circle at the head of the cul-de-sac would need to be created. This requires a significant amount of road reservation (depending on design standard a road pavement diameter in the order of 30 metres or more plus additional land-take for road verge).
- (b) Reihill Road has been constructed as the first stage of a future through road. Creation of cul-de-sac head will require increased road reserve area which would have to be acquired off abutting Lots 609 and 707 Reihill Street and probably Lot 431 and Pt Lot 10 Bickley Road.
- (c) Creation of industrial culs-de-sac is not generally supported as they limit the permeability of the area for heavy traffic and require a large turning circle for heavy vehicles.
- (d) A through road connection between Eva Street and Bickley Road is highly desirable in traffic flow management terms. The precise alignment of such a connection is not critical but the provision of such a connection is important.

The above analysis indicates that creation of through road via Pt Lot 10 is problematic and the creation of an industrial cul-de-sac is undesirable. The achievement of a through road connecting Eva Street to Bickley Road is seen as a fundamental requirement, however, the precise alignment is not critical. There is therefore no in-principle objection to the proposed Scheme Map variation providing a satisfactory and safe road design is implemented. To achieve this it would be necessary to acquire a portion of Lot 609 Reihill road in order to reduce the angle of the road bend to meet accepted road design parameters. The portion of Lot 609 in question is a triangular area abutting Pt Lot 10 (see Location Plan B). A site inspection has revealed that this portion of land is currently utilised mainly for landscaping purposes and therefore its inclusion in a

potential road reserve is not seen as fundamentally impacting on the business operating from Lot 609. It may also be the case that in time Whitehall Corporation Pty Ltd will see merit in the through road proposal across Pt Lot 10 which would not necessarily negate a redesign to create large industrial lots.

It may therefore be concluded that the creation of a through road over Pt Lot 10 is feasible. However, the following matters would need to be addressed:

- (a) The purchase of the relevant portion of Lot 609 Reihill Road for inclusion in an amended alignment of the road reserve.
- (b) The maintenance of the through road alignment over Pt Lot 10 in a future stage of its subdivision with an appropriate design to connect the subdivisional road to Reihill road. This, in effect, requires the cooperation of Whitehall Corporation Pty Ltd.

Both points (a) and (b) above indicate the need for negotiations with the owners of the two affected properties being Lot 609 and Pt Lot 10. There would clearly be costs associated with such works and acquisition and the party responsible for this needs to be identified. There is no provision for such costs within TPS 15, therefore the costs will need to be borne by the applicant or another source identified by Council. It is considered that the proposed Scheme Map variation should be supported providing the proponents can arrange for the cooperation of the relevant abutting landowners via a process of negotiation. The proposal is therefore recommended for Council support on that basis.

It is recognised that the issues at play include significant employment creation and retention. Although not direct planning considerations these are factors that Council will need to have regard to, and on this basis the viewpoint of Council's Economic Development Manager is presented below.

View Point of Economic Development Manager: To compete effectively for new development and the attraction of jobs to a local area the City must be seen to be proactive in assisting in the development process. The development proposed by Eastcourt Properties Pty Ltd involves the relocation of an already existing manufacturing Company within the City of Gosnells. It is a fact that the vast majority of jobs that are created in any local economy are generated by already existing firms. Research indicates that 70% of all new jobs are created by existing businesses.

The firm in question is a large employer with 100 staff. It has several options as far as site are concerned with the Bickley Road site being the favoured location and the only one being considered within the City of Gosnells.

One of the major strategies that predominate in Local Economic Development practice is the Business Retention and Expansion technique. It involves working with local business to facilitate business retention and or expansion. This case involves both scenarios because the Company has the choice to relocate out of the Gosnells area and it is choosing to relocate due to pressure to expand. This is a successful Company that is currently supplying a large number of jobs in the local area. A decision to relocate to

another area would inevitably lead to job losses for local people who are employed with the Company. It would also effectively pass the potential new jobs being created as a result of this expansion on to another area to the detriment of local job seekers and potential future job seekers from the City of Gosnells.

The proposed development is estimated to be valued at approximately \$6.0M. Such a large scale building project would offer opportunities for local Construction companies. In the period 1991 to 1996 the Construction Industry ranked second highest in providing new jobs within the City of Gosnells. Major project developments such as this provide substantial employment during construction. An estimate of the number of jobs during construction is not available but the importance of this aspect of the project development should be noted. Eastcourt Properties Pty Ltd has confirmed that “should Maddington prove to be the most suitable site, we intend to appoint Mapel Building as our contractor.” Use of a local building company makes a direct injection of capital into the local economy and would have multiplier effects as other local trades are used as subcontractors and as construction workers buy goods and services in the local area.

This project has the potential to be very positive for the local economy or very negative. Some assumptions must be made in developing the argument because exact information is not available, however the potential impacts both positive and negative can be pointed out to aid the decision making process. All projections are based on job figures supplied by Eastcourt Properties Pty Ltd and confirmed by the State Manager of Stramit.

Positive Attributes	Negative Attributes
Retention of 100 jobs in Gosnells	Potential loss of 100 jobs in Gosnells
Between 10 and 73 new jobs created	Future potential jobs lost in growing business (between 10 and 73)
New quality development estimated value \$6.0M	No development of Lots 431 and 309 at this point in time
Improvement of Bickley Road industrial Area.	As above
Maintains an estimated current expenditure of \$500,000 per annum with local suppliers by Stramit. Local expenditure is likely to grow as the company expands	Potential loss of \$500,000 per annum in expenditure with local suppliers by Stramit. Loss of any growth in local expenditure as the company grows
Income to the City from Building Fees – approximately \$12,000	No income from Building fees at this point in time.
Substantial increase in ratable value of the development site	No change in ratable value at this point in time.
Vacated site (5,000m ²) redeveloped	Vacated site (5,000m ²) redeveloped.

In terms of economic development the overriding concern is the potential loss or gain in employment opportunities for local residents and in wealth generated for the local economy. In order to estimate the value that can be attributed to this element in dollar terms some assumptions have to be made. This serves to offer some measure of the value of wealth or spending power that could be gained or lost from the decision to

support or not to support the proposed development. These assumptions are set out below:

Assumptions

1. Business currently employs 100 people.
2. Say 65% or 65 of employees reside in the City of Gosnells.
3. Jobs are semi-skilled and unskilled.
4. Assume an average wage per annum per person of \$30,000.
5. Assume 50% of Gosnells residents will not travel to new location outside Gosnells i.e. $65 \text{ jobs} / 2 = 32.5 \text{ jobs}$.
6. Assume 65% of any new jobs created are filled by Gosnells residents ie $73 \text{ jobs} \times 0.65 = 47.45 \text{ jobs}$

Using these assumptions the potential gain or loss in wages alone can be gauged. This is set out in the table below:

Location – Bickley Road

\$ value of current local jobs	\$1,950,000 per annum	(65 jobs x \$30,000)
\$ value of jobs if lost to area	\$975,000 per annum	(65 jobs/2 x \$30,000)
\$ value of potential new jobs emanating from project	\$1,423,500 per annum	(47.45 jobs x \$30,000)

Based upon the above assumptions the table estimates that the current value of the business to the local economy in terms of wages provided to Gosnells residents is in the order of \$1,950,000 per annum.

It further concludes that if the business relocates outside of Gosnells \$975,000 per annum in wages could be lost as local residents decide not to travel to a new location. It has been assumed that no Gosnells residents gain jobs from the expansion process in an alternative location which would mean losing out on a further \$1,423,500 in local income per annum. The sum of these two effects is a crude measure of the loss to the local economy ie \$2,398,500 per annum.

It also indicates that if 65% of the proposed 73 new jobs created are filled by Gosnells residents then an additional \$1,423,500 per annum would be added to the local economy.

This would indicate that the Bickley Road location would eventually provide a benefit of between \$1,950,000 and \$3,373,500 in wages per annum within the City of Gosnells local economy. This does not take account of any income earned by Gosnells residents employed within the building industry during the construction phase.

It is likely that a quality development of this nature in Bickley Road would also act as a stimulant to other businesses to invest in the area.

Another important aspect of the proposal that has not been considered is the potential loss of business to local businesses which supply goods and services to the Company if it relocates outside the City of Gosnells or alternatively the positive effect on such

businesses of relocation to the Bickley site. The Stramit estimate of expenditure with local suppliers is \$500,000 per annum. This estimate of annual local expenditure increases the potential value of retaining Stramit on the Bickley Road site to between \$2,450,000 and \$3,873,500 per annum.

On the basis of this limited analysis of the proposal to develop a factory/warehouse on Lots 431 & 309 Bickley Road, Maddington Council should strongly support the project.

CONCLUSION

Achievement of a through road connecting Eva Street to Bickley Road is seen as a fundamental requirement for development in the area. The precise alignment is not critical. Provision of the through road link over Pt Lot 10 is technically feasible though an improved road design meeting standard industrial traffic design parameters is necessary. This will require acquisition of a portion of Lot 609 Reihill Road, and the submission of a complementary subdivision design for Pt Lot 10. Both of these matters will require negotiation with relevant landowners. The onus for such negotiations is seen as lying with the proponent. The staff recommendation is to support the proposal providing the land acquisition and future subdivision of Pt Lot 10 issues are suitably addressed.

FINANCIAL IMPLICATIONS

No direct costs to Council.

Moved Cr NJ Smith Seconded Cr R Mitchell

That Council recommend to the Ministry for Planning that the application to amend the Town Planning Scheme No. 15 Scheme Map by deleting the through road link over Lots 431, 308, 309 and 47 Bickley Road and substituting it with an alternative through road link over Pt Lot 10 Bickley Road be approved subject to the proponent obtaining the cooperation of the owners of Lot 609 Reihill Road and Pt Lot 10 Bickley Road, Maddington, in achieving a viable and safe subdivisional road design to the satisfaction of Council's Manager Technical Services.

LOST 0/11

FOR: Nil.

AGAINST: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr R Croft, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr T Askew and Cr PM Morris.

Foreshadowed Motion

Cr R Mitchell moved the following foreshadowed motion:

401 Moved Cr R Mitchell Seconded Cr J Brown

“That Council recommend to the Ministry for Planning that the application to amend the Town Planning Scheme No. 15 Scheme Map by deleting the through road link over Lots 431, 308, 309 and 47 Bickley Road and substituting it with an alternative through road link over Pt Lot 10 Bickley Road be approved in accordance with Location Plan B within the staff report, subject to:

- (a) the proponent entering into a legal agreement with the City of Gosnells at their cost signifying their obligation to meet the construction and land costs of an interim cul-de-sac head at the end of Reihill Road;
- (b) the cul-de-sac head design being to the satisfaction of Council’s Manager Technical Services.

CARRIED 11/0

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

AGAINST: Nil.

12.5.3 PROPOSED AMENDMENTS TO TOWN PLANNING SCHEME NO. 17

File: TP/17 SW Rpt131Jun01
Appeal Rights: Initiation – none, however amendment determination by the Western Australian Planning Commission/Minister for Planning

PURPOSE OF REPORT

To seek Council’s position in relation to the above proposal as Council endorsement is required to proceed.

BACKGROUND

When Guided Town Planning Scheme No.17 (TPS 17) was implemented, the relevant portion of Huntingdale was characterised by numerous small-holdings and a multiplicity of landowners. In those circumstances, a Guided Development Scheme was seen as being the best means of coordinating the subdivision of those landholdings and to collect and reapportion the cost of relevant common infrastructure items. Those common infrastructure items are described by TPS 17 as being the “Scheme Costs”.

TPS 17 was gazetted on 23 March 1990, and the Scheme Area is slowly being subdivided, generally from north to south. The direction of that progress reflects both proximity to the existing development front within Thornlie and Huntingdale and the location of existing services.

The purpose of this report is to review two elements of TPS 17.

The first element to be reviewed relates to services, and specifically, the provision of sewer to the southern-most portion of the Town Planning Scheme No. 17 area (see Location Plan). The Water Corporation's reticulated sewer planning for the area proposes that the unsubdivided land shown cross-hatched on the Location Plan be connected to a Water Corporation main sewer manhole that is located in public open space Reserve 38683 off Rusthall Way, Huntingdale, approximately 350 metres away.

A consultant, working on behalf of owners with unsubdivided landholdings in the hatched area, has written to Council. The consultant states that the lack of a sewer service to the hatched area has prevented further subdivision, and suggest that the costs involved in providing that service are too prohibitive for any one subdivider, or any small collection of subdividers, to bear.

Location Plan

On this basis, they have lodged a two-fold request for Council's consideration:

1. That Council, as the owner of Pt Lot 100 Balfour Street which is within the hatched area, make a contribution toward the cost of the consultant surveying the route of the 225mm diameter sewer from its outlet to Bullfinch Street, designing the sewer, obtaining the Water Corporation's approval to the sewer design, obtaining prices for the sewer, mapping its catchment and submitting the same to the City for consideration to amend TPS 17.
2. That Council then seek to amend Town Planning Scheme No.17 so as make both the consultant's fee and the sewer construction a Scheme Cost which will become payable by all landowners that have unsubdivided landholdings within the hatched area. If Council resolved to pursue this request, it would have its "landowner" contribution reimbursed from TPS 17.

The second element that requires consideration is the fact that the road network shown on the Scheme Map has dated, and does not reflect urban design principles that Council is pursuing (ie sustainability, connectivity, security etc). On two occasions the road network shown on the Scheme Map has been partially amended to more accurately reflect the abovementioned principles.

Objectives of TPS 17 which relate to the abovementioned issues include:

- a. To facilitate and co-ordinate progressive subdivision and development of the land within the Scheme Area.*
- b. To provide adequate vehicular accessibility to and from the Scheme Area and to plan suitable roads and pedestrian accessways within the Scheme Area.*
- f. To ensure the provision of services such as reticulated water and sewer throughout the Scheme Area."*

DISCUSSION

It is recommended that the two elements be discussed and dealt with separately, for the sake of efficiency.

Traditionally, the provision of sewer is not a Scheme Cost within Guided Development Schemes, and subdividers are required to negotiate the provision of that service with the Water Corporation. TPS 17 reflects that tradition, because in its current state the provision of sewer is not a Scheme Cost.

It does not appear however that the status quo will satisfy the objectives of the Scheme to ensure the provision of sewer throughout the Scheme Area, and to facilitate progressive subdivision and development of the land within the Scheme Area. This being the case, Staff recommend the following method of addressing the issue:

- Call a tender for design and costing of the sewer. The design work would also have to determine the area that would be serviced by the proposed sewer. This work can be funded as an administration cost through the existing provisions of TPS 17,

subject to resolution of Council. As a result, it would not necessary to seek funding as proposed by the consultant.

- Amend TPS 17 so as to include the sewer works as a Scheme Cost for lots within the area that would be serviced by the proposed sewer.
- Upon finalisation of the abovementioned Scheme Amendment, call tenders for construction of the sewer.
- Once the sewer is constructed, subdivision can take place, allowing the subdividers to refund the cost of the sewer to the Scheme, via the Scheme Costs they pay upon subdivisional clearance.

In regard to the second issue, it is recommended that Council authorise Staff to undertake an in-house review of the TPS 17 road network, with a view to modifying the Scheme Map. A Scheme Amendment would be necessary to effect the modifications to the Scheme Map.

The Manager Technical Services has advised that the design and costing of the sewer could occur ahead of a road network review given that both the are to be sewered and the density of development are clearly defined.

In the case of both of the proposed recommendations, an amendment to TPS 17 would be required. Although preliminary work would be undertaken at first, it is necessary to get Council's in-principle support to the proposed Scheme Amendments at this stage.

FINANCIAL IMPLICATIONS

There are adequate funds within TPS 17 to meet the cost of the design and costing study.

402 Moved Cr MD Devereux Seconded Cr NJ Smith

“That Council resolve to call a tender for the design and costing of a sewer service to the eastern section of Town Planning Scheme No. 17.”

CARRIED 11/0

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

AGAINST: Nil.

403 Moved Cr MD Devereux Seconded Cr NJ Smith

“That Council authorise Staff to undertake an in-house review of the Town Planning Scheme No. 17 road network with the view to initiating further amendment to that Scheme.”

CARRIED 11/0

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

AGAINST: Nil.

12.5.6 DEVELOPMENT APPLICATION – REDUCED SIDE SETBACK TO DWELLING - NO. 33 (LOT 7) BROOKLAND STREET, BECKENHAM

File:	221965	SC	Rpt127Jun01
Name:	S & P H Velden		
Location:	No 33 (Lot 7) Brookland Street (formerly 1621 Albany Highway), Beckenham		
Zoning:	MRS:	Urban	
	TPS No. 1:	Rural	
	Draft TPS No. 6	Residential R 17.5	
Appeal Rights:	Appeal rights available to applicant to either the Minister for Planning or Town Planning Appeals Tribunal against a refusal or any condition(s) of approval.		
Previous Ref:	Nil		
Area:	1738m ²		

PURPOSE OF REPORT

For Council determination of a building licence for a dwelling with a reduction in setbacks, as it is outside staff delegated authority.

BACKGROUND

Scheme Requirements Town Planning Scheme No. 1: The subject lot is zoned “Rural” under Town Planning Scheme No. 1 (TPS 1). Clause 27 (2) Rural Zones – Building Setbacks specifies that the side setback should be 3 metres, however, Council may set alternative setbacks in special circumstances where lot shapes, dimensions, and topographical features etc may be problematic.

Scheme Requirements Town Planning Scheme No. 6: The subject lot is zoned “Residential R17.5” under draft Town Planning Scheme No. 6 (TPS 6). In accordance with Table 2 of the Residential Planning Codes the side boundary setbacks for walls not exceeding 3 metres in height shall be a minimum of 1 metre if less than 9 metres in length and 1.5 metres where there are openings to habitable rooms or the length of wall is greater than 9 metres.

The Proposal: The applicants Mr and Mrs S & P Velden have submitted a building application for a dwelling to be located a minimum of 1.0 metre from the left (eastern) side boundary and 2.55 metres from the right (western) side boundary. An existing colorbond shed and timber patio would be demolished to allow for the new dwelling.

Site Inspection: The subject lot is flat and cleared and the surrounding lots contain single residential dwellings. Brookland Street is a cul-de-sac created by the road works associated with the realignment of Albany Highway, the new railway bridge and the Roe Highway extension.

Insert Location Plan

DISCUSSION

In accordance with Western Australian Planning Commission regulations the subject lot and surrounding lots have been designated Residential R17.5 under draft TPS 6, in order to bring them into compliance with the Metropolitan Region Scheme. TPS 6 is currently with the Minister for Planning and Infrastructure awaiting final approval.

An outline development plan for future residential development of this area will be developed in conjunction with Council's Housing Strategy. The majority of rural zoned lots within the City of Gosnells range from 1 hectare up to 8 hectares. The subject lot is 1738m² in area with the proposed dwelling located in the front portion of the lot. It is considered therefore, that the siting of the proposed dwelling, will not have a detrimental impact upon any subdivision potential of the rear portion of the lot.

In addition the subject lot is only 20.14 metres in width, which would severely impact upon the design of a dwelling in order to comply with the rural zone side setback of 3 metres.

Due to the size and dimensions of the subject lot, together with the fact that the property is to be zoned Residential R17.5 and the proposed dwelling complies with R17.5 setbacks, it is recommended that Council, in this instance, support the application to vary the side setback.

Insert Site Plan

FINANCIAL IMPLICATIONS

Nil.

404 Moved Cr NJ Smith Seconded Cr J Brown

“That Council approve the application to construct a new dwelling at 33 (Lot 7) Brookland Street, Beckenham, with minimum side setbacks of 1.0 metre and 2.55 metres, subject to issue of a building licence.”

CARRIED 11/0

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

AGAINST: Nil.

12.5.7 DEVELOPMENT APPLICATION – SECOND RESIDENCE – NO. 42 (LOT 702) DALE PLACE, ORANGE GROVE

File: 220383 (SC) Rpt124Jun01
Name: F & M Soklich
Location: No. 42 (Lot 702) Dale Place, Orange Grove.
Zoning: MRS: Rural
TPS No. 1: Rural
Draft TPS No. 6 Rural
Appeal Rights: Appeal rights available to applicant to either the Minister for Planning or Town Planning Appeals Tribunal against a refusal or any condition(s) of approval.
Previous Ref: Nil
Area: 4.0465ha

PURPOSE OF REPORT

For Council to consider an application for a second residence on the subject lot.

BACKGROUND

Scheme Requirements - Town Planning Scheme No. 1: The subject lot is zoned “Rural” under Town Planning Scheme No. 1 (TPS 1) with a minimum lot size of 8 hectares. Clause 27(4)a) states that “not more than one dwelling unit shall be constructed on a lot.”

Scheme Requirements - Town Planning Scheme No. 6: The subject lot is also zoned “Rural” under Draft Town Planning Scheme No. 6 (TPS 6), which also specifies a maximum of one dwelling per lot.

Policy: Councils Policy No. 5.2.9 - Two Houses On One Lot - permits a second dwelling in a Rural Zone where the subject lot has potential for subdivision, or where the second dwelling is to be used to house an employee and/or partner in the rural business operating from the site. This policy will still apply when TPS 6 is granted final approval.

Draft Foothills Rural Strategy: Staff are currently in the process of producing a Draft Foothills Rural Strategy which will seek to guide future development within this area. This draft strategy proposes a minimum lot size of 1 hectare. This minimum lot size would be subject to controls of the type currently applicable to Special Rural zones and land capability analysis ensuring that the subject lot is *not* identified as having low or very low potential for rural/residential subdivision.

It should be noted that the draft Foothills Rural Strategy is yet to be advertised to the public or adopted by Council and the WA Planning Commission. Therefore, draft criteria may be subject to change.

Non-Conforming Use Rights: “Non-Conforming use rights” as defined in TPS 1 “means the use of the land which, though lawful immediately prior to the coming into operation of this Scheme is not in conformity with the Scheme”. If the business was lawfully operating prior to TPS 1 coming into operation, then non-conforming use rights would exist. TPS 1 was formally gazetted on 10 May 1968. Council records confirm that a cutting and polishing of gemstones business was established on the subject lot in the late 1950’s and therefore non-conforming use rights exist for same.

The cutting and polishing of gemstones business is still operating as a family concern from the site, with the applicant’s son being a partner in that business.

The applicant also advised that they have horses on the property as well as a group of kangaroos which are appreciated by the visitors and groups of tourists to the property who come to see the gemstones and minerals which are processed on the property. The business is a tourist attraction and is listed as a Hills Tourist Association attraction.

The Proposal: The applicants Mr and Mrs F & M Soklich wish to construct a second dwelling on the property for their son. Mrs Soklich has advised the proposed dwelling will allow her son and his fiancée to have their own home for privacy whilst in close proximity to the family business for safety and security reasons and assisting in care of the livestock. This would allow them to remain on the property and enjoy the rural lifestyle whilst continuing to operate the family business.

Site Inspection: The subject lot is flat with scattered vegetation, grassed paddocks and native vegetation to the rear. It contains one dwelling, a display shop with toilet facilities, processing workshop, and horses and kangaroos. The proposed location of the second dwelling is well screened from adjacent properties. The surrounding lot sizes range from 1 hectare up to 4 hectares.

Insert Location Plan

DISCUSSION

The proposed second dwelling complies with setbacks and is for both a member of the family (son) and a partner in the business. As such it could be deemed to comply with Council's Policy relating to two houses on one lot.

In accordance with TPS 1 the minimum rural lot size is 8 hectares, however, the subject lot is only 4 hectares. The subject lot is located within Precinct No. 3 of the Draft Foothills Rural Strategy dated March 2000 which was advertised and presented to Council. The objectives and strategies for Precinct No 3 within this currently endorsed Draft Foothills Rural Strategy include the provision of a limited and properly planned increase in density of rural residential development within appropriate areas with due regard for environment, visual and socio-economic objectives. Further, it is stated that any consolidation of rural living development (ie 1.0-2.0ha lot sizes) within this precinct can only occur within the context of the Rural Residential Policy Statement the objectives of which are to avoid *ad-hoc* subdivision and to facilitate high quality rural residential development.

Insert Site Plan

In addition it should be noted that the latest draft Foothills Rural Strategy proposes a minimum lot size of 1 hectare for this area, subject to land capability analysis. In this case the Department of Agriculture data shows that the subject lot is *not* identified as having low or very low land capability for rural residential development. As such no site specific land capability study would be required in this case and also it would not be necessary for Council to extend any services in Dale Place. Given the existing lot size (4 hectares) and the proposed draft Foothills Rural Strategy recommending a minimum lot size of 1ha, it would not be unreasonable for Council to consider that the lot, may in the future, have subdivision potential in accordance with Clause 1(i) and (iii) of Policy 5.2.9.

In summary, the construction of the proposed second dwelling could be seen to comply with Policy No 5.2.9 - Two Houses on One Lot - due to the existing non-conforming use rights together with the potential for subdivision in the future. Therefore it is recommended that the application for construction of a second dwelling be supported.

FINANCIAL IMPLICATIONS

Nil.

405 Moved Cr MD Devereux Seconded Cr O Searle

“That Council approve the application by F & M Soklich to construct a second residence on 42 (Lot 702) Dale Place, Orange Grove subject to:

1. Issue of a Building Licence.
2. Standard Conditions 5.1, 6.2; and Advice Notes D2.1, D12.1, D13.1, D14.1.”

CARRIED 11/0

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

***AGAINST:** Nil.*

12.5.8 COMMERCIAL VEHICLE PARKING – LOT 8 (NO. 67) GOSNELLS ROAD WEST, MARTIN

File:	GOS.1.67 (205331)	(BH)	Rpt134Jun01
Name:	Scott Brady and Fiona Lorraine Dennis		
Location:	67 (Lot 8) Gosnells Road West, Martin		
Zoning: MRS:	Rural		
TPS No. 1:	Rural		
Draft TPS No. 6	Rural		
Appeal Rights:	Appeal rights available to applicant to either the Minister for Planning or Town Planning Appeals Tribunal against a refusal or any condition(s) of approval.		
Area:	5666m ²		

PURPOSE OF REPORT

For Council to consider an application by Mr Scott Brady & Mrs Fiona Lorraine Dennis of 67 Gosnells Road West, Martin, to park commercial vehicles consisting of one prime-mover and one semi-trailer at the property of Lot 8 (No. 67) Gosnells Road West, Martin.

BACKGROUND

Proposal

An application was received by the City on 18 May 2001 from Mr and Mrs Dennis, to park their prime-mover and semi-trailer on the property at 67 Gosnells Road West, Martin on which they have an Offer and Acceptance conditional on obtaining City of Gosnells approval for the parking of the applied for commercial vehicle combination.

Inclusive with the application was advise that the trailer will always be of a similar type and size but the licence number may vary. The applicant does not own the trailers and therefore the commercial vehicle combination could vary in regards to the trailer component.

The application is for the parking of commercial vehicles consisting of one prime-mover and one semi-trailer described as:

	Prime-Mover	Semi-Trailer (1)
Make	International	Kruger
Type	Prime-mover	Drop Deck
Year	1986	N/K
Length	N/K	13.7 metres
Height	3.9 metres	1.3 metres
Licence No:	1AWE.264	Varies
Tare Weight	9500 kgs	8000 kgs
Combined Agg Weight	42000 kgs	
Overall Length	19 metres	

Commercial Vehicle Parking for Rural Areas

Council’s Policy Statement on Commercial Vehicle Parking for Rural Areas states:

“The keeping of commercial vehicles on land zoned Rural for purposes other than as described in “A” above is not permitted unless approved in writing by Council. In this instance, only one commercial vehicle will generally be permitted, however, Council may consider application for more than one vehicle and in such cases applications will be assessed on their individual merits. Rural lots less than 4,000 square metres are to comply with the requirements for Parking of Truck Policy for Residential areas.”

Public Consultation

Six neighbouring property owners were notified and one response (objection) was received as shown on the location plan.

Schedule of Submission

No.	Name/Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
1.	S Thompson	1 (Lot 53) Teak Way Maddington	Object. Size of vehicle. Visibility diminished due to bend in road. Vehicles exceed speed limit. Own vehicle been written off at intersection of Teak Way and Gosnells Road.	Safety concerns relating to the bend in the road are covered in the Discussion section of this report.

Insert Location Plan

DISCUSSION

Size of the property is of 5666m², it is zoned rural and the vehicles would be parked behind the existing dwelling and garage adjacent to the stables, which means they would be well behind the building setback line. It is believed the vehicles would be adequately screened from the roadway and adjoining neighbours.

Approval of this application would not set a precedent because within the Kenwick and Martin rural zoned areas there are several properties that have Council approval for the parking of a prime-mover and one semi-trailer.

In light of concern expressed in the past by residents of Teak Way relating to the safety aspect created by the bend in Gosnells Road and its proximity to the proposed property, the application was referred to Commercial Services staff for comment, resulting in the following:

- “● Safe sight distance for drivers approaching Lot 8, from the curve at Lewis Road, is acceptable.
- The curve at Lewis Road reduces the travel speed of vehicles approaching Lot 8 from this direction.
- The City proposes to construct a roundabout at the junction of Lewis Road/Gosnells Road West. This will further reduce travel speed.
- Providing a semi trailer can only access/exit Lot 8 in a forward motion, there are no traffic safety objections to this proposal.

In summary, no objections to proposal providing forward ingress/egress only permitted.”

It is recommended that the application be approved because:

- It is consistent with other like approved activities with the rural zoned area of Kenwick and Martin.
- The vehicles will be adequately screened from the fronting roadway and adjacent neighbouring properties.
- Applicants property is 5666 m² (1.4 acres).
- Application complies with Council’s Policy for Commercial Vehicle Parking for Rural Zones and can be considered on its individual merits.
- The safety concerns because of the nearby bend in Gosnells Road can be controlled by a condition of approval.

FINANCIAL IMPLICATIONS

Nil

Moved Cr R Croft Seconded Cr R Mitchell

That Council approve the application of Scott Brady and Fiona Lorraine Dennis to park a prime-mover and one semi-trailer at Lot 8 (No. 67) Gosnells Road West, Martin subject to the following conditions:

1. The applicant paying the annual application/renewal fee which will be invoiced each year on the anniversary of the application approval unless the City is informed in writing that the Commercial Vehicle Parking has ceased.
2. Compliance with the provisions of Council's Policy on Commercial Vehicle Parking for Rural Areas.
3. The operations complying with the requirements of the Environmental Protection Act and the relevant regulations in respect of noise emissions.
4. The vehicles must, at all times, be located behind the front building setback line of 15 metres and suitably screened, to Council's satisfaction, from all four boundary lines of the property.
5. The area approved to park the vehicles must be constructed of hard standing material (eg roadbase, bitumen, concrete or block paving).
6. Only routine maintenance of a minor nature, such as servicing or wheel changing, is to be carried out on the subject property. No panel beating, spray painting or the removal of major body or engine parts will be permitted. All minor maintenance will be restricted to the hours between 8.00am and 8.00pm, Monday to Friday, and 9.00am to 6.00pm Saturday and Sunday.
7. The keeping of liquid fuels is limited to 250 litres and must be stored in accordance with the Storage of Flammable Liquids Regulations (ie 7 metres from the boundary, road or dwelling).
8. The approval is limited to the commercial vehicle combinations, on the subject property, as detailed in the application.
9. Where the owner wishes to change vehicles to a similar size and type, approval will be granted subject to the receipt of appropriate written details of make, type and registration number being submitted to the City.
10. Washing of the commercial vehicles on the subject lot is to be limited to the use of water and mild detergent, but exclude the use

of any solvents, degreasing substances, steam cleaning and any other processes which may cause pollution or degradation of the environment. Waste water shall be contained on-site and not discharged into the stormwater drainage system.

11. Vehicles used to transport livestock are to be cleaned prior to entering the Municipal boundaries and parking on the lot.
12. The applicant to make arrangements to the satisfaction of Council for the construction of a sealed crossover for the entry/exit of the vehicles to the public road where the road is sealed.
13. No loading or unloading from or to the commercial vehicles, or storage of goods or produce in transit, is to be carried out on the property subject of the application.
14. Due to the safety concerns with the nearby bend in Gosnells Road ingress and egress of the commercial vehicles to or from the subject property must be by forward motion only with no reversing into or from the property.

Amendment

Cr MD Devereux moved the following amendment to the staff recommendation:

Moved Cr MD Devereux Seconded Cr C Matison

That the staff recommendation be amended to clearly emphasize to the applicant the implications of non-compliance by inserting an additional condition 15 which reads:

- “15. Any substantiated breaches of the above mentioned conditions shall result in the approval to park a prime-mover and one semi-trailer at Lot 8 (No. 67) Gosnells Road West, Martin being revoked.”

with the amended recommendation to read:

“That Council approve the application of Scott Brady and Fiona Lorraine Dennis to park a prime-mover and one semi-trailer at Lot 8 (No. 67) Gosnells Road West, Martin subject to the following conditions:

1. The applicant paying the annual application/renewal fee which will be invoiced each year on the anniversary of the application approval unless the City is informed in writing that the Commercial Vehicle Parking has ceased.

2. Compliance with the provisions of Council's Policy on Commercial Vehicle Parking for Rural Areas.
3. The operations complying with the requirements of the Environmental Protection Act and the relevant regulations in respect of noise emissions.
4. The vehicles must, at all times, be located behind the front building setback line of 15 metres and suitably screened, to Council's satisfaction, from all four boundary lines of the property.
5. The area approved to park the vehicles must be constructed of hard standing material (eg roadbase, bitumen, concrete or block paving).
6. Only routine maintenance of a minor nature, such as servicing or wheel changing, is to be carried out on the subject property. No panel beating, spray painting or the removal of major body or engine parts will be permitted. All minor maintenance will be restricted to the hours between 8.00am and 8.00pm, Monday to Friday, and 9.00am to 6.00pm Saturday and Sunday.
7. The keeping of liquid fuels is limited to 250 litres and must be stored in accordance with the Storage of Flammable Liquids Regulations (ie 7 metres from the boundary, road or dwelling).
8. The approval is limited to the commercial vehicle combinations, on the subject property, as detailed in the application.
9. Where the owner wishes to change vehicles to a similar size and type, approval will be granted subject to the receipt of appropriate written details of make, type and registration number being submitted to the City.
10. Washing of the commercial vehicles on the subject lot is to be limited to the use of water and mild detergent, but exclude the use of any solvents, degreasing substances, steam cleaning and any other processes which may cause pollution or degradation of the environment. Waste water shall be contained on-site and not discharged into the stormwater drainage system.
11. Vehicles used to transport livestock are to be cleaned prior to entering the Municipal boundaries and parking on the lot.

12. The applicant to make arrangements to the satisfaction of Council for the construction of a sealed crossover for the entry/exit of the vehicles to the public road where the road is sealed.
13. No loading or unloading from or to the commercial vehicles, or storage of goods or produce in transit, is to be carried out on the property subject of the application.
14. Due to the safety concerns with the nearby bend in Gosnells Road ingress and egress of the commercial vehicles to or from the subject property must be by forward motion only with no reversing into or from the property.
15. Any substantiated breaches of the above mentioned conditions shall result in the approval to park a prime-mover and one semi-trailer at Lot 8 (No. 67) Gosnells Road West, Martin being revoked. ”

CARRIED 10/1

FOR: Cr C Matison, Cr J Brown, Cr MD Devereux, Cr R Croft, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr T Askew and Cr PM Morris.

AGAINST: Cr S Iwanyk.

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

406 Moved Cr MD Devereux Seconded Cr C Matison

“That Council approve the application of Scott Brady and Fiona Lorraine Dennis to park a prime-mover and one semi-trailer at Lot 8 (No. 67) Gosnells Road West, Martin subject to the following conditions:

1. The applicant paying the annual application/renewal fee which will be invoiced each year on the anniversary of the application approval unless the City is informed in writing that the Commercial Vehicle Parking has ceased.
2. Compliance with the provisions of Council's Policy on Commercial Vehicle Parking for Rural Areas.
3. The operations complying with the requirements of the Environmental Protection Act and the relevant regulations in respect of noise emissions.
4. The vehicles must, at all times, be located behind the front building setback line of 15 metres and suitably screened, to

Council's satisfaction, from all four boundary lines of the property.

5. The area approved to park the vehicles must be constructed of hard standing material (eg roadbase, bitumen, concrete or block paving).
6. Only routine maintenance of a minor nature, such as servicing or wheel changing, is to be carried out on the subject property. No panel beating, spray painting or the removal of major body or engine parts will be permitted. All minor maintenance will be restricted to the hours between 8.00am and 8.00pm, Monday to Friday, and 9.00am to 6.00pm Saturday and Sunday.
7. The keeping of liquid fuels is limited to 250 litres and must be stored in accordance with the Storage of Flammable Liquids Regulations (ie 7 metres from the boundary, road or dwelling).
8. The approval is limited to the commercial vehicle combinations, on the subject property, as detailed in the application.
9. Where the owner wishes to change vehicles to a similar size and type, approval will be granted subject to the receipt of appropriate written details of make, type and registration number being submitted to the City.
10. Washing of the commercial vehicles on the subject lot is to be limited to the use of water and mild detergent, but exclude the use of any solvents, degreasing substances, steam cleaning and any other processes which may cause pollution or degradation of the environment. Waste water shall be contained on-site and not discharged into the stormwater drainage system.
11. Vehicles used to transport livestock are to be cleaned prior to entering the Municipal boundaries and parking on the lot.
12. The applicant to make arrangements to the satisfaction of Council for the construction of a sealed crossover for the entry/exit of the vehicles to the public road where the road is sealed.
13. No loading or unloading from or to the commercial vehicles, or storage of goods or produce in transit, is to be carried out on the property subject of the application.
14. Due to the safety concerns with the nearby bend in Gosnells Road ingress and egress of the commercial vehicles to or from the subject property must be by forward motion only with no reversing into or from the property.

15. Any substantiated breaches of the above mentioned conditions shall result in the approval to park a prime-mover and one semi-trailer at Lot 8 (No. 67) Gosnells Road West, Martin being revoked.”

CARRIED 9/2

FOR: Cr C Matison, Cr J Brown, Cr MD Devereux, Cr R Croft, Cr NJ Smith, Cr O Searle, Cr A Pisano, Cr T Askew and Cr PM Morris.

AGAINST: Cr S Iwanyk and Cr R Mitchell.

11. MINUTES OF COMMITTEE MEETINGS

11.1 CITY OF GOSNELLS HERITAGE ADVISORY COMMITTEE

File: 9.14.7 (LPS)

Appendix: 11.1A Minutes of the City of Gosnells Heritage Advisory Committee Meeting held on Thursday 17 May 2001.

PURPOSE OF REPORT

For Council to receive the minutes and consider the recommendations of the City of Gosnells Heritage Advisory Committee Meeting held on Thursday 17 May 2001.

BACKGROUND

The City of Gosnells Heritage Advisory Committee has been established and will meet every three months to oversee issues of management and care of Council's heritage properties and broader heritage issues within the City of Gosnells.

There was no recommendations made at the meeting held on 17 May 2001, which requires Council's endorsement.

DISCUSSION

The business of the meeting is reported in the minutes of the City of Gosnells Heritage Advisory Committee Meeting held on Thursday 17 May 2001 provided as Appendix 11.1A.

In order to comply with the City of Gosnells Policy 5.4.14, an election of a chairperson for this committee was conducted at the meeting of 17 May 2001

Mr G McDonald was duly elected as chairperson of the City of Gosnells Heritage Advisory Committee.

The Committee has selected three new community representatives. The committee will be required to put forward a recommendation for Council's consideration for the

approval of these community representatives. This item will be referred back to the committee for consideration and appropriate recommendation.

FINANCIAL IMPLICATIONS

Nil

407 Moved Cr NJ Smith Seconded Cr R Croft

“That Council receive the minutes of the City of Gosnells Heritage Advisory Committee Meeting held on 17 May 2001 as attached in Appendix 11.1A.”

CARRIED 11/0

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

AGAINST: Nil.

11.2 CITY OF GOSNELLS DISABILITY SERVICES ADVISORY COMMITTEE

File: 4.6.26

(BH)

Appendix: 11.2A Minutes of the City of Gosnells Disability Services Advisory Committee Meeting held on 26 April 2001

PURPOSE OF REPORT

For Council to receive the minutes of the Disability Services Advisory Committee Meeting held on 26 April 2001.

BACKGROUND

The Disability Services Advisory Committee meets on the fourth Thursday of each month.

There were no recommendations made at the meeting held on 26 April 2001, which require Council’s endorsement.

DISCUSSION

The business of the meeting is reported in the minutes provided as Appendix 11.2A

FINANCIAL IMPLICATIONS

Nil.

408 Moved Cr J Brown Seconded Cr MD Devereux

“That Council receive the minutes of the Disability Services Advisory Committee Meeting held on 26 April 2001 as attached in Appendix 11.2A.”

CARRIED 11/0

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

AGAINST: Nil.

Cr S Iwanyk, due to being a Member of the Local Emergency Management Advisory Committee, declared an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

11.3 LOCAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE

File: 9.18.2

(MB)

Appendix: 11.3 A Minutes of City of Gosnells Local Emergency Management Advisory Committee Meeting held on 9 May 2001

PURPOSE OF REPORT

For Council to receive the minutes and consider the recommendations of the City of Gosnells Local Emergency Management Advisory Committee Meeting held on 9 May 2001.

BACKGROUND

The Local Emergency Management Committee meets every third month to discuss any major incidents that have occurred within the City and to update the Emergency Management Plan where changes have occurred.

There was two (2) recommendations made at the meeting held on 9 May 2001, which require Council’s consideration.

DISCUSSION

The business of the meeting is reported in the minutes of the City of Gosnells Local Emergency Management Advisory Committee Meeting held on 9 May 2001 provided as Appendix 11.3A

Recommendation 3 relates to a recommendation that Cr. Wiffen be forwarded a Certificate of Appreciation for his involvement with the LEMAC committee. Cr. Wiffen has served for many years as Council's delegate to this committee and the committee members request that this involvement and support be acknowledged through the presentation of a Certificate of Appreciation.

Recommendation 4 relates to the election of a chairperson for the committee. The Committee made the recommendation that a member of staff be endorsed as the chairperson. City of Gosnells Policy No. 5.4.14 Advisory Committees states that "*As staff have special relationship with Council including direct access through the existing reporting mechanism, staff allocated by Council to the Advisory Committee will only have an advisory role and act to prepare agendas and minutes and generally provide administrative support to the Committee*". As such, the recommendation put forward should not be endorsed.

The recommendation made by the Committee in relation to the election of a chairperson will be forwarded back to the next meeting of the Local Emergency Management Committee for further consideration.

FINANCIAL IMPLICATIONS

Nil

409 Moved Cr MD Devereux Seconded Cr NJ Smith

"That Council receive the minutes of the Local Emergency Management Committee Meeting held on 9 May 2001 as attached in Appendix 11.3A."

CARRIED 11/0

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

AGAINST: Nil.

410 Moved Cr MD Devereux Seconded Cr NJ Smith

“That Recommendation 3 of the Local Emergency Management Committee Meeting of 9 May 2001, which reads:

“That a Certificate of Appreciation be given to Cr. Wiffen for his involvement with the LEMAC meetings in the past”

be endorsed.”

CARRIED 11/0

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

AGAINST: Nil.

411 Moved Cr MD Devereux Seconded Cr NJ Smith

“That Recommendation 4 of the Local Emergency Management Committee Meeting of 9 May 2001, which reads:

“That Director Community Services be appointed as the chairperson of the LEMAC”

not be endorsed, due to the City of Gosnells Policy No. 5.4.14 requirement that staff only act in an advisory role and that the Recommendation 4 of the Local Emergency Management Committee Meeting of 9 May 2001 be referred back to the Committee for further consideration.”

CARRIED 11/0

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

AGAINST: Nil.

11.4 STRATEGIC PLANNING COMMITTEE MINUTES

File: 1.3.2 (TP)

Appendix: 11.4A Strategic Planning Committee Minutes

PURPOSE OF REPORT

For Council to receive the Minutes and adopt the recommendations of the Strategic Planning Committee Meeting held on 15 May 2001.

BACKGROUND

The Minutes of the Strategic Planning Committee held on 15 May 2001 are attached as Appendix “11.4A”.

FINANCIAL IMPLICATIONS

Nil.

412 Moved Cr NJ Smith Seconded Cr R Mitchell

“That the Minutes of the Strategic Planning Committee (attached as Appendix 11.4A) held on 15 May 2001 be received.”

CARRIED 11/0

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

AGAINST: Nil.

413 Moved Cr NJ Smith Seconded Cr R Mitchell

“That Recommendations 5 to 10 (inclusive) of the Strategic Planning Committee meeting held on 15 May 2001 be adopted.”

CARRIED 11/0

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

AGAINST: Nil.

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

Nil.

12.2 COMMERCIAL SERVICES

12.2.1 ASSET MANAGEMENT – BUILDING PORTFOLIO

File: 10.24.1

GAW

GW6.3a

PURPOSE OF REPORT

To seek Council's endorsement of the Asset Management programme implementation.

BACKGROUND

Council considered a detailed report at its Ordinary Meeting held on 19 December 2000 relating to the establishment of a Building Asset Management System resulting in Resolution 1012, which reads:

“That Council approve the appointment of a suitably qualified consultant to undertake a detailed Condition Assessment of the City's building portfolio in order to implement a comprehensive Preventive Maintenance Programme.”

As an outcome of a quotation process, the Tungsten Group Pty Ltd was appointed to undertake a major study. The scope of services were defined as:

- Undertake a physical inspection of the buildings listed in Schedule 1.
- Prepare a detailed condition assessment report on each building, which will list:
 - Physical condition
 - Maintenance requirements
 - Maintenance priorities
 - Refurbishment or capital requirements
 - Refurbishment or capital requirements priorities
 - Budget estimates
 - Building residual life assessment.
- Prepare a detailed maintenance management strategy for the next five (5) years.
- Undertake a desktop review of current preventive maintenance contracts.

The study has now been completed and the outcomes are reported in the following section.

DISCUSSION

The Tungsten Group Pty Ltd has submitted a detailed report as an outcome of the inspection of 121 buildings in the City's building portfolio. Buildings not included in the schedule for inspection were various sheds and minor buildings where the value of inspection and detailed report was considered not to be warranted.

The information provided with respect to each building includes:

- A detailed condition assessment,
- A costed list of maintenance works required,
- An indicative external layout plan and gross floor area assessment;
- An indication of age and assessment of residual life,
- A digital image of each building.

The information has been provided in a format that can be downloaded into the City's "Conquest" Asset Management System. Upon completion of this process, there will be a current database on the majority of the building portfolio. The items excluded from the Tungsten brief will be inspected "in house" and details incorporated into the system.

The data has also been incorporated into an Access data base developed by Tungsten which will enable manipulation of the data for the generations of a number of specific reports, such as:

Defect details by building	this report lists all defects and is some 216 pages in length.
Portfolio Report	lists all buildings by construction type and estimated residual life.
Building Condition Assessment	provides a condition summary of each building based on the critical structural elements.
Floor Area Summary	details the floor areas of all buildings.
Maintenance Liability by Cost	list the total estimated maintenance cost per building of identified defects.
Maintenance Plan	sets out a 5-year maintenance plan.

The manner in which data has been presented will facilitate preventive maintenance programming especially with respect to co-ordinating external trades. Efficiencies will be gained by being able to package up maintenance works into trade types for programming and quoting purposes.

The full report is available from the Acting Director Commercial Services.

Various other elements of the report are commented upon as follows:

Maintenance Costs

The indicative costs over a five-year period to bring the building portfolio up to an acceptable standard are \$1,465,000. The defects schedules and costings will be further examined and works will be programmed in budgets over the next five years. The year 1 programme as shown in the report will be contained within the budget already submitted for 2001-2002 and the programme adjusted thereafter.

The schedules for leased and tenanted buildings will be submitted to the tenants for their action. The estimates indicate work to the value of \$250,000 needs to be carried out. Negotiations will have to be undertaken with each tenant to develop a reasonable time frame for the carrying out of the works in the terms of their individual tenancy agreements.

Residual Life

The Residual Life of the portfolio has been assessed to assist with the programming of major refurbishments or replacement of building assets. Tungsten reports, the majority of buildings in the portfolio clearly are in the 16 to 25 year age group with several buildings having exceeded their anticipated economic life. About 20% of the portfolio have between 5 and 10 years of remaining economic life.

The outcomes will be subject to further scrutiny and report.

Preventive Maintenance Contracts

The Consultants undertook a review of current trades and preventive maintenance contracts. Several recommendations have been made for improvement and this will be a major task to be undertaken during 2001-2002.

Replacement Value

The data supplied by the Consultants will enable the replacement value of the portfolio to be accurately assessed. The methodology to be used, to ensure consistency of approach from year to year, will be to utilise Rawlinsons Australian Construction Handbook as a unit rate cost source. All buildings will be assigned a Rawlinson Construction Category which will be incorporated into the Conquest system. Floor areas have been assessed and this data will be inputted as will the annual replacement cost rate. Accurate replacement cost estimates will then be prepared on an annual basis as of 30 June.

It is anticipated the first such report will be available at the end of July 2001.

The Consultants have made the following comments:

“Tungsten undertook a comprehensive review and analysis of the City’s building portfolio, in the development of an initial strategic maintenance plan. The Plan provides a starting point for the development of a planned approach to maintaining building asset, to underpin the City’s Asset Management Programme.

The building condition assessments and inspection of the City building portfolio were based on the methodology developed by Tungsten, adapted to address the requirements of the City. In addition, Tungsten inspectors interpreted and applied building standards used in the assessment of state government assets to identify the maintenance requirements of the City.

The maintenance identified and costed suggests annual expenditure of approximately \$300,000 pa for the next 5 years is required. The prioritisation of individual maintenance works in the development of a five year plan has resulted in a planned expenditure pattern that is heavy over the first three years (peaking in the second) and falling away in the fourth and fifth years. The need to continually review the plan to ensure it responds to the changing needs of the City, is emphasised throughout the report.

Through the application of a life-cycle modelling technique (and other benchmark analyses described in Section Four) it was found that the liabilities associated with a sample of buildings generally corresponded with the cost scale on the benchmark estimate. This implies that the maintenance regime used to date has been relatively effective, albeit reactive based.

The life-cycle modelling technique validated the scale of liability identified through the inspections, by comparing the actual liability against a theoretical profile of maintenance expenditure for typical building types. The results indicated that the liability closely matched the expenditure profile.

The development of a maintenance plan and review against known benchmarks has highlighted that future maintenance liabilities are likely to fluctuate, characterised by peaks and troughs. The life-cycle model suggests that the City building maintenance plan will need to address a period of increasing maintenance costs toward the latter part of this decade.”

The recommendations included in the report are as follows:

1. The City of Gosnells to consider and adopt viable maintenance strategies that are required to achieve the City Maintenance Management Policy. This will involve clarifying the relationship between organisational objectives and the maintenance function, and should focus on:

- Define and segment assets in terms of service delivery;
 - Determine required asset performance;
 - Addressing the standards required for each building category; and
 - Ensuring that the standards can be used to prioritise maintenance works when funding is insufficient.
2. Tungsten recommend that the City adopt the five-year Maintenance Plan set out in Section Five and relevant appendices of the Report. The information and processes contained in the plan will assist the City to manage a transition from reactive maintenance to proactive maintenance, over the next twelve months. The change process requires commitment to monitor and review the maintenance plan on an ongoing basis.
3. The City to undertake regular building condition assessments and defect identification surveys.
- Undertaking regular inspections of the building portfolio is the best way to identify maintenance requirements and to ensure that priorities assigned to tasks are adequate. While priorities will change in response to particular circumstances, they generally relate to:
- City corporate objectives;
 - Resource availability;
 - Criticality of asset use;
 - Workplace health and safety issues; and
 - Response requirements.

Maintenance tasks identified through this mechanism should be entered into an appropriate maintenance works system as recommended above.

Overuse of formulas and external benchmarks will introduce unnecessary risks to the planning process. This is because:

- benchmarks will only be relevant when maintaining similar assets of a similar age, for a similar purpose, in a similar condition; and
- formulas for the life cycle of building fabric elements are not reliable as they are for plant or equipment, and are meaningless when used without consideration of the actual utilisation.

Undertaking regular building inspections of the portfolio may be achieved in various ways including:

- Revisiting the process now completed to coincide with the five year planning cycle. In Victoria, for example, the City of Casey inspect all

buildings over a three year rolling cycle, which results in one third of the building portfolio being inspected each year;

- Have the building occupiers / users conduct a structured survey on behalf of the City.

4. The City utilise the initial 12 month period of the plan to determine the most appropriate forms of procurement for maintenance works which can support a proactive strategy. This includes monitoring and improvement of existing arrangements so that they:

- Support the new maintenance strategies and priorities of the City; and
- Extract the greatest benefit from the market place through the encouragement of competition.

This will include review of preventative maintenance contracts against the following criteria:

- Agreed maintenance strategies and priorities of the City;
- Financial data including both budget allocations and performance against budgets; and
- Consultation with the actual service providers to the City

5. The City of Gosnells to acquire an IT-based maintenance works management system to manage the provision of all maintenance services and works on the City portfolio.

Utilisation of a computerised system to manage this function will permit accurate future planning of maintenance budgets based on actual historical data. In addition, this approach will enable more efficient, accurate reporting to various levels of the City Administration.

Acquiring and implementing an electronic maintenance works management system will involve a considerable investment in both time and funding. Tungsten recommend the City determine the requirements for such a system over the next 12 months as staff become familiar with change in approach to maintenance. During this period the City should utilise the Maintenance Strategy and Plan now developed as starting point for a planned approach to maintaining buildings.

6. The City of Gosnells to structure its financial accounts for the maintenance function against recognised maintenance categories of work being performed. In this manner the budgets provided can be monitored against actual work performed.

7. The City of Gosnells to record history of current maintenance works in order to assist the cost projection beyond the 5 year term of the proposed maintenance plan.

The recommendations contained within the report are all considered to be reasoned and valid in order to implement a sound Asset Management Programme.

It will be recommended they be adopted and implemented over the next five years.

FINANCIAL IMPLICATIONS

The report indicates an amount of \$1,465,000 is required to bring the City's buildings up to standard with this expenditure being prioritised over a 5-year period. Costs estimated at \$250,000 are attributable to tenanted buildings and works have to be carried out by tenants in those instances.

The schedules are to be examined with a view to integrating the defects into the maintenance programme and minimising impacts on overall maintenance budgets. This will certainly be the case for 2001-2002 where budget modelling has already been completed.

It is inevitable that there will be upward pressures on future maintenance budgets if the programme is to be effectively implemented. The downside of not implementing the programme is a more rapid deterioration of the building stock with increased maintenance and refurbishment budgets in future years.

It is inevitable that there will be upward pressures on future maintenance budget's if the programme is to be effectively implemented. This will have to be considered on the basis of funds available in the preparation of future budgets. The downside of not implementing the programme is a more rapid deterioration of the building stock with increased maintenance and refurbishment budgets in future years.

414 Moved Cr J Brown Seconded Cr R Croft

“That the report from the Tungsten Group Pty Ltd on the detailed assessment of buildings owned by the City of Gosnells be the basis upon which a comprehensive building preventive maintenance programme is established.”

CARRIED 11/0

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

AGAINST: Nil.

415 Moved Cr J Brown Seconded Cr R Croft

“That strategies be developed that will provide direction as to the standards that ought to apply for maintaining the building portfolio for

City owned facilities and that these standards should specify the detail that can be applied to individual buildings and categories of buildings to enable the setting of maintenance priorities for future works planning.

CARRIED 11/0

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

AGAINST: Nil.

416 Moved Cr J Brown Seconded Cr R Croft

“That procedures be adopted to maintain the integrity of the data that has been collected through the report prepared by the Tungsten Group Pty Ltd and this should include:

- Recording work progress against the database provided by Tungsten; and
- Undertaking regular building inspections to update and expand on the building condition and identified defects data.”

CARRIED 11/0

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

AGAINST: Nil.

417 Moved Cr J Brown Seconded Cr R Croft

“That the initial 12 month period of the plan be utilised to determine the most appropriate forms of procurement for maintenance works which can support a proactive asset strategy and this includes monitoring and improvement of preventative maintenance contracts so that they:

- Support the new strategies and priorities for maintaining City buildings; and
- Extract the greatest benefit from the market place through the encouragement of competition and minimisation of risk.”

CARRIED 11/0

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

AGAINST: Nil.

418 Moved Cr J Brown Seconded Cr R Croft

“That existing preventative maintenance contracts be reviewed in light of the findings of the Tungsten report to reflect:

- Specific strategies and standards for maintaining City buildings;
- Performance indicators for service providers; and
- Compliance with the requirements of the City with respect to the procurement of goods and service.”

CARRIED 11/0

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

AGAINST: Nil.

Cr C Matison, due to being Chairperson of the Friends of Mary Carroll Park and Sutherlands Park Advisory Committee, and Cr MD Devereux, due to being Chairperson of Hillside Farm Management Committee, declared an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

12.2.2 SERVICE STANDARDS PARKS AND RESERVES

File: 10.15.1

GAW

GW6.5a

- Appendix: 12.2.2A List of Parks and Reserves by “Liveable Neighbourhoods” classification and service level.
- 12.2.2B Service Levels Parks & Reserves
- 12.2.2C Service Requirement Illustrative Matrix

PURPOSE OF REPORT

To advise Council of service standards developed for Parks & Reserves and to recommend their adoption.

BACKGROUND

The City has a portfolio of some 282 Parks and Reserves having a total area of 1417.6 hectares.

The current definitions being used for Parks and Reserves classification is:

Neighbourhood Park

A neighbourhood park is an area of public open space of up to 1 hectare, which has a catchment of up to 400 metres walking distance.

District Park

A district park is an area of public open space of greater than 1 hectare, which has a catchment of up to 1 kilometre walking distance

Regional Park

A regional park is an area of public open space which has been identified as having regional significance, and is vested in Council (ie Mary Carroll Park, Shreeve Road Reserve). As these reserves are regionally significant, they have an unspecified catchment area.

Whilst these definitions exist and parks and reserves have been classified accordingly, there has been a lack of clearly documented standards to determine the level of maintenance which should apply.

In order to establish criteria upon which to base maintenance planning and budgeting this report sets out to:

- Provide new definitions for Parks and Reserves which more closely align themselves with industry and planning standards,
- Prepare Maintenance classifications, and
- Establish levels of maintenance which are to apply.

The report will also comment on cost implications in the event of reclassification of Parks & Reserves Maintenance Categories.

DISCUSSION**Reserve Classification**

In order to establish consistency of definition of Parks & Reserves, it is proposed that the definitions applied by the Western Australian Planning Commission (Commission) in the document "Liveable Neighbourhoods" should be adopted.

The document establishes the following objectives with respect to the provision of public open space, which can be used as a model. This will also ensure a consistency of approach within the City among all Branches involved in recreation and leisure facility creation and maintenance. It should be noted that many of the updated objectives have already been incorporated into the City's Leisure Plan.

Objectives

To ensure that public open space of appropriate quality and quantity is provided to contribute towards the recreational and social needs of the community in convenient locations.

Parkland function and distribution

Public parklands should:

- meet the needs of the community to be served, including the population density and profile of user groups;
- provide a balance between neighbourhood, district and regional open space;
- support legibility of an urban environment and the establishment of neighbourhood identity by incorporating natural and cultural features and landmarks; and
- integrate, where appropriate, with other land uses such as schools and other community facilities.

Definitions of parklands

Local Parks

Local parks are areas of public open space up to 3000m² provided for local children's play and as resting places, designed as small intimate spaces where appropriate, with lot, street and landscape layout providing good visual supervision.

Neighbourhood Parks

Neighbourhood parks are areas of public open space up to 2.5 hectares or around 3,000m², each serving about 600 dwellings, 400 m walk from most dwellings.

Neighbourhood Parks should have streets on all sides or may have a portion of its perimeter (approximately 25%) abutting development, which provides adequate surveillance through frontage.

District parks/open space

District parks, an area of public open space of around 2.5 – 4 hectares, each notionally serving three neighbourhoods, and between a 600m and 1 km walk from most dwellings.

Every effort should be made to ensure new schools are located in conjunction with district parks, enabling joint use and maintenance of open space such as playing fields.

Community facilities sites

Community facilities sites should generally not exceed 2,000 m² for each group of three neighbourhoods and should not exceed 20% or the total area of parkland provided.

Two further classifications are outlined:

Natural Areas and Cultural Facilities.

Foreshore Reserves and Regional Open Space.

Both of these categories are determined in consultation with the Commission and can vary according to circumstances.

Application to City of Gosnells

The parks and reserves within the City have been reviewed and classified within the above categories. These are shown in the schedule attached (Appendix 12.2.2A) to this report which shows classification and distribution by Suburb.

Maintenance Categories

In order to arrive at a consistent approach to the maintenance of reserves the following maintenance classifications have been developed in consultation with all relevant staff.

The objective has been to:

- assign practical and cost effective levels of maintenance, which should apply,
- evaluate all parks and assign them a relevant maintenance category, and
- ascertain basic service requirements.

The “service levels” once adopted will provide a benchmark for developing future maintenance programmes and will provide a consistent set of guidelines for parks and reserves development and ongoing maintenance.

Classifications

Active Use Areas

- A1 Sports Venue with grassed area capable of supporting various codes of sport for both summer and winter periods.
Example: Thornlie Oval; Gosnells Oval; Mills Park
- A2 Sports Venue, which has a specialist, grass playing surface.
Example: Memorial Park Tennis Grass courts, Sutherlands ‘D’ Reserve turf wickets.
- A3 Sports Venue which has a specialist synthetic playing surface
Example:- Castleglen Tennis Courts; Mills Park Tennis Courts; Cardington Way Tennis Courts.

Passive Use Areas.

- B1 - Estate areas which have been developed to a standard requiring a high level of maintenance to landscape and quality community infrastructure resulting in the application of Specified Area Rating
Example: Alexandria Boulevard Reserve (Sanctuary Waters)
- B2 - Parkland which has been developed to a standard requiring a level of maintenance to landscape and grass surface and some community infrastructure which may include feature brick paving, gazebos which does not incur and application of specified area rating.

Example: Kurrajong Drive Reserve, Masters Street Reserve; Balfour Street Reserve.

- B3 - Parkland which has some partial development, some community infrastructure, landscaping and an automatic reticulation system.
Example: Murchison Way Reserve, Greenway Avenue Reserve; Holling Street Reserve
- B4 - Parkland which has limited or no community infrastructure and is non-irrigated or has a manual watering system.
Example: Avila Place Reserve, Robinson Park; Prendiville Way Reserve.
- B5 - Land which is zoned for Public Recreation and is undeveloped.
Example: Lynstead Street Reserve, Saddleback Grove Reserve; Sandridge Street Reserve.

Conservation & Environmental

- C1 - Parkland with conservation and/or environmental management needs.
Example: Mary Carol Park

Built Facilities

- D1 - Community buildings which have reticulated landscaping and grassed areas for aesthetic purposes.

Maintenance Performance Outcomes

Performance standards have been assigned to each type of maintenance to be undertaken with these being:

- Playing Surface;
- Surrounds;
- Parking Areas;
- Floodlighting;
- Security Lighting;
- Reticulation;
- Fencing and Gates;
- Playground Equipment;
- Rubbish Clean-up;
- Landscaped Gardens; and
- Community Infrastructure.

The performance standards for each of those primary areas have been set out in the matrix shown in Appendix 12.2.2B.

The matrix clearly sets out the differences in service levels required to maintain each category of reserve.

In the Active category standards, which are to apply to sports grounds are established and these can be translated into standard work practice by ground maintenance staff. In the example of turf wicket maintenance, apart from a domestic service level, there is also capacity to vary this to meet Western Australian Cricket Association standards for competition turf wickets.

Similarly, there are differing standards applying to various parks depending on their primary function and level of development.

Service Requirements

In order to assess the maintenance performance levels which will apply an illustrative matrix has been prepared and is attached as Appendix 12.2.2C.

The maintenance budget has been calculated on the basis of the above matrix.

FINANCIAL IMPLICATIONS

The service levels have been established to assist in the preparation of annual maintenance budgets and to develop appropriate maintenance programmes. These will reflect the minimum level of service to be applied.

The primary cost implications will arise when a reserve is upgraded from a lower to higher category. Capital costs will be incurred in the necessary upgrading works to the reserve to meet the new status. Maintenance costs, of an ongoing nature, will be incurred to meet the new performance standards.

An illustrative example would be to raise a B4 reserve to a B2 status.

Capital Expenditure		
Classification	Park Size	Development Cost
B4 – B2	0 – 1ha	\$130,000
B4 – B2	1 – 2 ha	\$195,000
B4 – B2	2 – 3 ha	\$225,00

Maintenance Expenditure		
Park Size	B4 - Cost Per Hectare	B2 - Cost Per Hectare
0 – 1 ha	\$6,600	\$13,000
1 – 2 ha	\$5,000	\$11,500
2 – 3 ha	\$4,300	\$10,000

Procedural Motion

Cr R Mitchell, following lengthy debate of the staff recommendations, moved the following procedural motion in accordance with Clause 3.8.1(c) of the City of Gosnells Standing Orders Local Law 1998:

419 Moved Cr R Mitchell Seconded Cr A Pisano

“That the motions be put.”

CARRIED 8/3

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr R Croft, Cr R Mitchell, Cr A Pisano, and Cr PM Morris.

AGAINST: Cr NJ Smith, Cr O Searle and Cr T Askew.

420 Moved Cr A Pisano Seconded Cr J Brown

“That Council approve the definitions of public parkland for Local Parks, Neighbourhood Parks, District Parks, Community Facility Sites, Natural areas and cultural features and Foreshore reserves and regional open space as defined in the WA Planning Commission Liveable Neighbourhood publication Edition 2 June 2000 be adopted and be applied to all public parkland within the City of Gosnells.”

CARRIED 7/4

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr R Croft, Cr R Mitchell, Cr A Pisano, and Cr PM Morris.

AGAINST: Cr MD Devereux, Cr NJ Smith, Cr O Searle and Cr T Askew.

421 Moved Cr A Pisano Seconded Cr J Brown

“That Council approve the definitions of Maintenance categories and service levels for the maintenance of public parkland as set out in Appendix 12.2.2B and Appendix 12.2.2C to this report be adopted and applied to all public parkland within the City of Gosnells.”

CARRIED 7/4

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr R Croft, Cr R Mitchell, Cr A Pisano, and Cr PM Morris.

AGAINST: Cr MD Devereux, Cr NJ Smith, Cr O Searle and Cr T Askew.

12.2.3 TENDER 7/2001 - SEGMENTAL PAVING

File: 1.10.7/2001

(HT)

HT6.1a

Appendix: 12.2.3A Segmental Paving - Assessments

PURPOSE OF REPORT

For Council to award a contract for Tender 7/2001 for Segmental Paving for a period of two years effective from 1 June 2001.

BACKGROUND

Tenders were called and closed at 2.00pm on Thursday 10 May 2001 for the placement of Segmental Pavers. Three tenders were received as outlined below:

Description	Quantity	Unit	Hugh & Co Contracting Pty Ltd.	LP & SL Coppens Brick Paving & Landscaping	Superior Brickpaving
			Rate	Rate	Rate
Edge Strip	N/A	LM	\$ 7.00	\$ 5.50	\$ 10.00
Segmental Paving - Road Pavements	N/A	M2	\$ 14.00	\$ 22.00	\$ 12.00
Segmental Paving - Other Than Road Pavements	N/A	M2	\$ 16.00	\$ 22.00	\$ 12.00

Generally, tenders conforming to the specifications and tender documents are accepted and assessed on a range of criteria being experience, safety, financial capacity and price.

The table in Appendix 12.2.3A outlines the assessment.

As it can be noted the assessment indicates Hugh & Co with 81% as the highest point scorer. It will be recommended that the contract be awarded to Hugh & Co.

DISCUSSION

The procurement of brick paving services for the City has previously been addressed by obtaining quotations from various contractors. This process has been time consuming and occasionally caused some delays. Also in the past Council has been responsible for providing bedding sand and removal of all off cuts and final cleaning of the site after completion of the works by the contractors. This procedure has created some safety problems and in various occasions due to lack of effective communications delays have occurred.

To eliminate the delays and the associated problems the contractor will be responsible for the provision of sand and removal of all cut offs and rubbish from site.

FINANCIAL IMPLICATIONS

All paving works expenses will be charged to the funded jobs, allocation for which will be contained within the Budget for the respective financial year.

422 Moved Cr R Croft Seconded Cr MD Devereux

“That Council award tender 7/2001 Segmental Paving to Hugh & Co Contracting Pty Ltd for a period of two years effective from 1 June 2001 at a unit cost of:

- Edge Strips - \$7 linear metre
- Segmental Paving
 - Road Pavements \$14 square metre
 - Other than road paving - \$16 square metre.”

CARRIED 11/0

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

AGAINST: Nil.

12.2.4 CORFIELD STREET, GOSNELLS - CONNECTION TO TONKIN HIGHWAY

File: COR.4

JB

JB6.1a

Appendix: 12.2.4A Options Plan

PURPOSE OF REPORT

For Council to consider various options for the connection between the Corfield Street extension and the future Tonkin Highway.

BACKGROUND

For some time Council officers have been meeting with representatives from Main Roads Western Australia, the City of Armadale and the Shire of Serpentine-Jarrahdale regarding issues associated with the extension of the existing Tonkin Highway through to Mundijong. One of the issues is the extension of Corfield Street and its connectivity to the Tonkin Highway extension. Main Roads WA has commissioned BSD Consultants to examine several options on this matter.

DISCUSSION

Recently officers from Main Roads WA and BSD Consultants met with representatives from the City of Gosnells and presented four options regarding this connection. These options are shown in plan form in Appendix 12.2.4A. In addition to this, anticipated traffic volumes associated with each of the proposals is shown. The following table summarises different matters regarding each of the options.

Insert MRWA Report

It is considered by Council officers that the best option for this City is Option 4, and coincidentally is also the best option for the traffic movement on Tonkin Highway.

Once these works are completed, an opportunity exists to close the existing rail crossing at Verna Street. This existing crossing is far from ideal because of its proximity to Albany Highway and has been identified as a "Black Spot".

The closure of this level crossing will assist Council in negotiations with the Department of Transport in approving a level crossing at Stalker Road/Main Street as part of the revitalisation of the Gosnells Town Centre.

FINANCIAL IMPLICATIONS

It should be noted that Main Roads WA have indicated that the cost of extending Corfield Street and the acquisition of land associated with Corfield Street is outside of their scope of works and will have to be pursued by Council.

It is anticipated that works associated with Tonkin Highway extension will be completed within the City of Gosnells by the year 2004. For this reason it is recommended that Council include the extension of Corfield Street from Eileen Street to Tonkin Highway in the 2003/04 Arterial Road Program to be submitted to Main Roads WA for funding assistance.

At this stage, the cost to Council for these works including the purchase of land is not known, however a further report will be presented when estimated costs are known.

423 Moved Cr A Pisano Seconded Cr J Brown

"That Council support the Tonkin Highway/Corfield Street interchange Option No. 4 as shown on plans prepared by BSD Consultants attached as Appendix 12.2.4A (Option 4)."

CARRIED 11/0

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

AGAINST: Nil.

424 Moved Cr A Pisano Seconded Cr J Brown

"That Council include the extension of Corfield Street from Eileen Street to Tonkin Highway as an arterial road project for consideration in the 2003/04 financial year."

CARRIED 11/0

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

AGAINST: Nil.

12.2.5 LYREBIRD WAY/BOWER STREET, THORNIE - REPLACEMENT OF KERBING

File: 10.16.3

JB

JB6.2a

PURPOSE OF REPORT

For Council to consider the modification to existing kerbing at the intersection of Lyrebird Way and Bower Street, Thornlie.

BACKGROUND

At the Ordinary Council Meeting held on 10 April 2001 a petition containing 25 signatures was presented which stated:

“We the undersigned electors of the City of Gosnells request that high rise kerbing be put in on the corner of Lyrebird Way and Bower Street for the following reasons: To stop vehicles doing burn-outs on the grass verges.”

Cr A.J. Smith requested that a report be prepared by the appropriate officer and presented to Council for its consideration.

DISCUSSION

This problem has been investigated and discussed with residents at this intersection. It is considered that existing mountable kerbing should be removed and replaced by barrier kerbing as shown on the following diagram:

Insert diagram

FINANCIAL IMPLICATIONS

The estimated cost of this work is \$1,815, which can be accommodated within Council's Minor Works section of the road construction budget.

425 Moved Cr MD Devereux Seconded Cr NJ Smith

“That Council approve of the replacement of existing kerbing at the intersection of Lyrebird Way and Bower Street, Thornlie at an estimated cost of \$1,815 and this work be funded from the Road Construction Minor Works account.”

CARRIED 11/0

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

AGAINST: Nil.

Cr A Pisano, due to owning property within the Gosnells Town Centre, declared a Financial Interest in the following items; 12.2.6 “Tender 11/2001 – Albany Highway Streetscape Upgrade” and 12.2.7 “Tender 20/2001 Appointment of Cost Planner/Quantity Surveyor Gosnells Towncentre Civic Complex”, in accordance with Section 5.60 of the Local Government Act 1995, and left the meeting at 8.52pm.

12.2.6 TENDER 11/2001 - ALBANY HIGHWAY STREETScape UPGRADE

File: 1.10.11/2001

(MH)

MH6.1a

PURPOSE OF REPORT

For Council to consider and approve the awarding of the Albany Highway Streetscape Upgrade from the Crescent to Gosnells Road West.

BACKGROUND

Tenders were called and closed at 2.00pm on Monday 14 May 2001 for the Albany Highway Streetscape Upgrade. Three tenders were received as outlined below:

1. DME Contracting
2. BLG Australia
3. Environmental Industries

Tenders conforming to the specifications and tender documents are accepted and assessed on a range of criteria being experience, safety, financial capacity and price. The following matrix table outlines the assessment.

Contract Evaluation And Weighting Table:

COMBINED TOTALS OF MATRIX				
Category	Weight	Score		
		Environmental	DME	BLG
Experience	20%			
Experience of installation of landscaping elements within road reserves	10%	1.5	1.5	0.5
History of landscaping contracts and performance				
Referees	10%	1.5	1.5	1.2
Safety	15%			
Traffic Management	8%	1.68	1.68	1.68
Knowledge of safety procedures	7%	0	1.05	1.05
Qualifications	15%			
Number and use of qualified personnel	15%	3.6	3.6	2.25
Equipment & Machinery	10%			
Number and type of equipment to be used	10%	1.3	1.1	1.4

Category	Weight	Score		
		Environmental	DME	BLG
Price	40%	9.6	12	7.2
TOTALS		19.18	22.43	15.28
Rank In Score		2	1	3
COST		\$ 396,649.00	\$ 404,952.00	\$ 400,933.21
	Tipping Fees	\$ 48,000.00	Included	\$ 48,000.00
			-	
TOTALS		\$ 444,649.00	\$ 404,952.00	\$ 448,933.21
Rank In Cost		2	1	3

The above assessment indicates DME Contracting with 22.43 as the highest point scorer. It will be recommended that the contract be awarded to DME Contracting.

DISCUSSION

All tenderers were asked to provide further detail to their tender submissions to quantify some aspects of the cost. The most glaring omission by two of the tenderers was the assumption that tipping costs would be nil and be borne by the Council on top of the tender price. This adjustment has been reflected in the table.

FINANCIAL IMPLICATIONS

The Capital Works Budget in respect to streetscape upgrades has allocated \$395,000 to the Albany Highway Streetscape Upgrade project. The tender price of \$404,952 leaves a shortfall of \$9,952. It is anticipated that savings in completed streetscape projects will cover this shortfall. Application has also been made to Main Roads Western Australia for a financial contribution.

426 Moved Cr MD Devereux Seconded Cr R Croft

“That Tender 11/2001 for the Streetscape Upgrade of Albany Highway between the Crescent and Gosnells Road West be awarded to DME Contracting at a cost of \$404,952.”

CARRIED 10/0

FOR: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr R Croft, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr T Askew and Cr PM Morris.

AGAINST: Nil.

Cr MD Devereux, due to owning property within the Gosnells Town Centre, declared a Financial Interest in the following item, in accordance with Section 5.60 of the Local Government Act 1995, and left the meeting at 8.53pm.

Cr A Pisano having previously declared a Financial Interest in the following item in accordance with Section 5.60 of the Local Government Act 1995, due to owning property within the Gosnells Town Centre, remained outside the meeting.

12.2.7 TENDER 20/2001 APPOINTMENT OF COST PLANNER/QUANTITY SURVEYOR GOSNELLS TOWNCENTRE CIVIC COMPLEX

File: 3.1.20

GAW

GW6.2a

PURPOSE OF REPORT

To advise Council of the outcome of tenders to undertake the cost management of the Town Centre civic complex project and to recommend the appointment of a Consultant.

BACKGROUND

The development of the Civic Complex is a major component within the Gosnells Town Centre Revitalisation Scheme. In order to maintain tight financial control throughout the project and to ensure that budgets are achieved, it is necessary to commission an experienced cost planner/quantity surveyor at the outset.

The Cost Planner/Quantity Surveyor will play a key role in ensuring all design briefs and project documentation that is prepared meets approved budget objectives. They will also assist in ensuring value for money and best practice principles are incorporated into the design and management process.

It is important that, in order to achieve this object, the appointment is made directly by the City and that the Consultant is directly responsible to it and not the design and construction team.

Under submissions for funds made for the Lotteries House and Business Incubator, the council has given undertakings to responsibly manage the financial aspects of these projects of which the early commissioning of a Cost Planner/Quantity Surveyor forms an integral part.

Costs for the Gosnells Town Centre Revitalisation Scheme have previously been provided to Council and in order to achieve this budget it will be necessary to have the ongoing expert advice of a qualified Cost Planner/Quantity Surveyor so that future decisions concerning the scheme can be made in an informed manner.

DISCUSSION

A detailed tender brief was prepared based on the requirements for a project that encompasses design and construction of a multi purpose civic building.

Council has approved the construction of the following components:

- Lotteries House
- Business Incubator

Council is currently considering the following components.

- Gosnells Library
- Community Facilities, and a
- Café/Kiosk

The consultancy is for the whole of the project as defined by the five components above. The specific requirements are summarised as follows:

- The Cost Planning services to establish effective Cost Planning and Cost management systems for the project and interface with the project's timeline.
- Report to the Project Manager and the Technical Reference Group on cost planning issues.
- Provide detailed estimates on furniture and equipment items to be purchased.
- Provide and update project cashflows.
- Liaise with appointed consultants
- Carry out economic analysis of alternative design proposals.
- Comparative cost studies of alternative materials, constructional systems and services systems.
- Prepare detailed Budget Estimate and Cost Plan including recommendations on potential savings,
- Preparation of a Bill of Quantities to ensure optimum competitive tenders are obtained on reliable and accurate quantities and to provide a thorough check on the specification and drawings.
- Carry out a mathematical and technical check of the lowest (or accepted) priced Bill of Quantities, including necessary negotiations and provide a tender evaluation and report.

- Set up effective cost control and monitoring systems to ensure that the budget is maintained throughout the construction period.
- Prepare detailed Financial Status reports each month indicating the current financial position and completion date. Each report includes details of all monetary adjustments and variations both approved and those under consideration.
- At completion of the Contract carry out a final Cost Audit of the Builder's final account and where necessary negotiate and agree the final amount.

Tenders closed on 22 May and five submissions were received.

The tenders were assessed in accordance with the selection criteria and other information, which was to be submitted with and form part of the tender. One tender was not considered as the submission was made after tender close.

The conforming tenders were assessed as follows:

Cost Planner/Quantity Surveyor Consultancy						Civic Complex Project
Selection Criteria	Weighting	Currie & Brown	Davis Langdon Australia	Ralph Beattie Bosworth	Peacock Quantity Surveying	Page Kirkland Ward
Relevant experience in public buildings	25%	Late	25	25	13	21
Technical Capacity	15%		15	15	12	14
Project Personnel	15%		15	15	14	13
Methodology	15%		15	13	12	13
Appreciation of Task	15%		15	13	13	13
Price	15%		13	12	2	15
Total			98	93	66	89
Price Inc. GST		\$128,551.50	\$115,500	\$121,000	\$198,000	\$72,600

In assessing tenderers a consideration taken into account was that Davis Langdon Australia have provided all cost planning and estimating advice to date and have a thorough knowledge of the project.

Appointment will be for the term of the project and will include involvement in design brief preparation, design and documentation, tender evaluation, construction stage and defects liability period.

FINANCIAL IMPLICATIONS

Funding is available in Job No. 506.501 Business Incubator, which has a current balance of \$487,480. The costs will be apportioned over the various components when budget allocations have been made.

427 Moved Cr NJ Smith Seconded Cr R Croft

“That Tender 20/2001 for the appointment of a cost Planner/Quantity Surveyor for the Gosnells Town Centre Civic Building Project be awarded to Davis Langdon Australia for the lump sum of one hundred and fifteen thousand five hundred dollars (\$115,500).”

CARRIED 9/0

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

AGAINST: Nil.

Cr A Pisano and Cr MD Devereux returned to the meeting at 8.54pm.

The Mayor advised Cr A Pisano and Cr MD Devereux that the staff recommendations contained within the Agenda, dealt with during their absence from the meeting, were carried.

12.2.8 THE DON RUSSELL PERFORMING ARTS CENTRE – INTERIM FEES AND CHARGES

File: MUR.1.(13)

GAW

GW6.6a

PURPOSE OF REPORT

To advise Council of interim management arrangements and to seek approval of interim fees and charges to apply.

BACKGROUND

The current lease management agreement with Starlight Theatre Lighting for the management of the Don Russell Performing Arts Centre expires on 30th June.

A detailed report will be submitted to Council in late August indicating options which are available for the management of the centre in order to enhance its fundamental role as a Performing Arts Centre.

The purpose of this report is to provide Council with information as to interim arrangements for management of the Centre and to seek approval for a scale of fees and charges to apply.

DISCUSSION

Advice has been received from Starlight Theatre Lighting at the present scale of fees which apply is as follows:

Bond	\$100
Performance-per night for auditorium only	\$330 (Inc)GST
Schools – per night for auditorium only	\$275 (Inc) GST
Rehearsal Fees -Auditorium	\$20 p/h + GST
Audio Technician	\$20 per hour + GST
Room Hire Auditorium	\$15 p/h + GST
Room Hire Studio	\$10 p/h + GST

They have indicated that the Performance Fee is negotiable according to the length of the season. In other words, they reduce the charge to say \$290 per performance where there is a 3-4 night season.

Starlight Theatre Lighting also indicate that they come to an income sharing arrangement with various performing companies, for example The Black Yak Theatre Inc, Waiting in the Wings, Acorn Theatre. In these circumstances, 60% of the booking income goes to the performing company and 40% is retained by the theatre.

They have also advised that the additional charges, which apply, would be for special cleans of the premises after performances. These costs are on a recovery basis.

It will be recommended that the scale of fees be approved as an interim measure with the bond being increased to a similar level as in the present Schedule of Fees and Charges for Council Facilities. The fees for casual use of the Studio and Auditorium should be consistent with other City facilities.

It is proposed to appoint an experienced Theatre Manager in the short term, to assist in the hand-over of the premises and its management. This will enable an appropriate period of time to fully examine bookings and usage patterns in terms of the core function of the Centre as previously determined by Council. Various options for management/ leasing of the facility can be fully investigated and considered recommendations made to Council.

The interim Manager will also assist manage the handover process and ensure the terms and conditions of the present lease/management agreement are complied with in that respect.

The term of the appointment is from mid June until the 30th October 2001.

FINANCIAL IMPLICATIONS

The present lease/management agreement provides for an annual subsidy of \$49,500 plus GST to Starlight Theatre Lighting. Provision has been made in the draft budget for 2001-2002 to increase this to \$60,000.

The costs of engaging an Interim Manager will be met from those fees and will be consistent with the subsidy level paid.

Allowance has also been made in the 2001-2002 Draft Budget for all the general operating costs of the Centre, such as power and water, telephone, building cleaning, general repairs and maintenance and, garden maintenance. An allocation has also been made for minor building improvements.

Income will be generated through the several bookings that have already been sought for the Centre during this period.

The fees and charges, other than the auditorium, for performances, have been modelled on fees and charges currently charged for similar City Facilities.

428 Moved Cr R Croft Seconded Cr MD Devereux

“That the following rates for the Don Russell Performing Arts Centre be included in the Fees and Charges for the 2001/2002 financial year and be effective from
1 July 2001:

Don Russell Performing Arts Centre	
<u>Bond</u>	\$250
<u>Performance Fees</u>	
For Auditorium only for 1 or 2 consecutive performances	\$330 per performance
For Auditorium only for 3 or more consecutive performances	\$290 per performance
Schools – per night for auditorium only	\$275 per performance
Rehearsal Fees -Auditorium	\$22 per hour
Audio Technician (if available)	\$22 per hour
<u>Room Hire</u>	
Auditorium, for other than Performing Arts performances ie Meetings, Seminars.	
Commercial Groups – day hire to 6:00pm	\$22 per hour
Commercial Groups – Evening hire after 6:00pm	\$24.20 per hour
Community Groups – day hire to	\$16.50 per hour

6:00pm	
Community Groups – Evening Hire after 6:00pm	\$19.25 per hour
Junior or Seniors Groups to 6:00pm	\$8.25 per hour
Studio (equivalent to Lesser Hall rate)	
Commercial Groups – day hire to 6:00pm	\$18.70 per hour
Commercial Groups – Evening hire after 6:00pm	\$20.90 per hour
Community Groups – day hire to 6:00pm	\$12.65 per hour
Community Groups – Evening Hire after 6:00pm	\$14.85 per hour
Junior or Seniors Groups to 6:00pm	\$7.70 per hour”

CARRIED 11/0

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

AGAINST: Nil.

429 Moved Cr R Croft Seconded Cr MD Devereux

“That the action in seeking an Interim Manager for the premises until 30 October 2001 be noted.”

CARRIED 11/0

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

AGAINST: Nil.

Moved Cr R Croft Seconded Cr MD Devereux

That the Manager City Facilities be authorised to negotiate fees to various performance companies for use of the Auditorium in accordance with industry practice, such as sharing door receipts on the basis of multiple performances and, further, that the Manager City Facilities provide a report at the expiration of the interim management period outlining any such concessions and arrangements that have been entered into.

Amendment

Cr O Searle moved the following amendment to the staff recommendation to more clearly define the expiration date of the interim management period:

Moved Cr O Searle Seconded Cr A Pisano

That the staff recommendation be amended by inserting the date “(30 October 2001)” after the word “expiration” where it appears in the fifth line, with the amended recommendation to read:

“That the Manager City Facilities be authorised to negotiate fees to various performance companies for use of the Auditorium in accordance with industry practice, such as sharing door receipts on the basis of multiple performances and, further, that the Manager City Facilities provide a report at the expiration (30 October 2001) of the interim management period outlining any such concessions and arrangements that have been entered into.”

CARRIED 11/0

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

AGAINST: Nil.

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

430 Moved Cr O Searle Seconded Cr A Pisano

“That the Manager City Facilities be authorised to negotiate fees to various performance companies for use of the Auditorium in accordance with industry practice, such as sharing door receipts on the basis of multiple performances and, further, that the Manager City Facilities provide a report at the expiration (30 October 2001) of the interim management period outlining any such concessions and arrangements that have been entered into.”

CARRIED 11/0

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

AGAINST: Nil.

12.2.9 CARDIFF LOOP - PATH PETITION

File: 1.3.1E/CAR.15

JB

JB6.3a

Appendix: 12.2.9A - Petition

PURPOSE OF REPORT

For Council to consider a petition and a letter lodged by the residents of Cardiff Loop, Huntingdale against the construction of a proposed path in this street.

BACKGROUND

A similar petition was presented to Council at the Ordinary Council Meeting held on 27 March 2001. This petition is reproduced for the information of Council:

"The following petition dated 21 December 2000, has been received by Council containing eight signatures and stating:

"We, the residents listed below oppose the construction of a concrete footpath that is to be installed in Cardiff Loop, between Gay Street and Pierce Court, Huntingdale."

By proof of signatures, the residents of Cardiff Loop are strongly against the construction of a concrete footpath for the reasons listed below:

*Residents lose the appearance of their frontage;
All residents have now established their gardens;
All these gardens are fully reticulated;
A quiet "Loop", with a very low volume of traffic;
With the road being so short, high speeds are not reached;
The street is wide enough for traffic to park on the side of the road, leaving a thoroughfare wide enough for traffic to pass through;
Most driveways are brick paved, hence most residents do not want grey concrete at the front of their homes.*

In accordance with the above "Proof of Disagreement", the residents of Cardiff Loop request the cancellation of the proposed footpath. Please inform the residents of your intentions and confirm this in writing."

DISCUSSION

A further petition attached as Appendix 12.2.9A containing 18 signatures has been received.

The statement in the penultimate paragraph of the letter attached to the Petition is incorrect. It is not intended that this path will finish at Pearce Court, but will continue in the next stage of Cardiff Loop to complete the link to Gay Street. This is currently being done by the developers in the second stage of the subdivision.

Once again, the petition is focussed on the appearance of properties rather than on safety issues. It should be noted that this path, if constructed, will be kerb-aligned and will not detract from the appearance of properties at all. As there is no new argument or reason within the second petition to what has already been considered by Council, it will be recommended that the construction of this path be proceeded with, especially as the second stage of the path has been constructed.

FINANCIAL IMPLICATIONS

Council has already allocated funds for the construction of this path.

Moved Cr J Brown Seconded Cr A Pisano

That Council proceed with the construction of the footpath on the south-east side in Cardiff Loop and petitioners be advised accordingly.

LOST 0/11

FOR: Nil.

AGAINST: Cr S Iwanyk, Cr C Matison, Cr J Brown, Cr MD Devereux, Cr R Croft, Cr NJ Smith, Cr R Mitchell, Cr O Searle, Cr A Pisano, Cr T Askew and Cr PM Morris.

Foreshadowed Motion

Cr J Brown moved the following foreshadowed motion, providing the following reason for doing so:

“Information given under discussion section of report may be incorrect, where it states:

‘..... especially as the second stage of the path has been constructed.....’

The four Gosnells Ward Councillors attended this site and it appears construction of the path has not commenced.”

431 Moved Cr J Brown Seconded Cr MD Devereux

“That item 12.2.9 “Cardiff Loop – Path Petition” contained within the 12 June 2001 Ordinary Council Meeting Agenda be referred back to enable further investigation by staff following which a further report be prepared for consideration at a future Ordinary Council Meeting.”

CARRIED 11/0

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

AGAINST: Nil.

12.2.10 LENA STREET - BUS SHELTER

File: 1.3.1E

JB

JB6.4a

PURPOSE OF REPORT

To present to Council a report concerning a bus shelter in Lena Street, Beckenham of which a petition has been received requesting its removal.

BACKGROUND

At the Ordinary Council Meeting held on 13 February 2001, a petition initiated by Mr A Pomersbach of 29 Lena Street, Beckenham containing 13 signatures was tabled. The petition stated:

“We, the undersigned ratepayers and residents of Beckenham, request the City of Gosnells undertake on our behalf to have the bus stop shelter near the William St end of Lena St Beckenham removed.

We believe anti-social behaviour and house break-ins have increased within the immediate area since the installation of this shelter.

The shelter has provided an area where certain types can congregate and cause trouble.”

It was requested that a report be prepared by the appropriate officer and presented to Council for consideration, with provision of an appropriate response to Mr Pomersbach.

DISCUSSION

Prior to this shelter being installed in November of 2000, residents in the immediate area were notified by a letter drop of Council’s intention to install this shelter. As no objections from any residents were received, the installation proceeded.

Prior to this installation, requests had been received from residents in this area requesting a shelter at this bus stop.

Advice has been received from the Cannington Police stating that since September 2000 there have been two house burglaries, one domestic dispute and one traffic accident. There have been no reports of anti-social behaviour. It is considered that if there is anti-social behaviour in this area, it should be reported to the Police so that appropriate action can be taken.

As it is considered that this shelter has not contributed to the minor problems in this street and as it serves to shelter bus users from the elements, then it should remain.

FINANCIAL IMPLICATIONS

Nil.

432 Moved Cr R Croft Seconded Cr A Pisano

“That the bus shelter in Lena Street, Beckenham near the intersection of William Street not be removed and Mr A Pomersbach of 29 Lena Street, Beckenham, the initiator of the petition, be advised accordingly.”

CARRIED 11/0

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

AGAINST: Nil.

12.3 COMMUNITY SERVICES

12.3.1 FREE USE OF A COUNCIL FACILITY BY COMMUNITY ORGANISATIONS BASED WITHIN THE CITY OF GOSNELLS

File: 9.8.1

(JF)

PURPOSE OF REPORT

To provide Council with information pertaining to the resolution of Council from the Ordinary Meeting of Council of 8 May 2001 regarding the consideration of assistance to community organisations for free use of Council Facilities and to amend the Community Sponsorship Program to enable the management of such requests.

BACKGROUND

At the Ordinary Meeting of Council held on 12 September 2000, Council resolved (Resolution 741):

“That Council consider the introduction of a new category in the Community Sponsorship Program, to allow applications by City of Gosnells community organisations for one (1) free use per year of a Council facility for the sole purpose of raising funds to improve community facilities, and that guidelines be prepared by the appropriate staff to be presented to Council for their consideration.”

At the Ordinary Meeting of Council held on 8 May 2001, Council resolved (Resolution 322):

“That Council consider –

- 1. The proposal to grant the Gosnells Horticultural Society a concession of 50% in the payment of the fees to hire the Gosnells Civic Centre on May 5 and 6, 2001 for the purpose of conducting the Annual Autumn Flower Show to give support to the voluntary effort of the Society in staging this important community event provided over a period of 52 years by the members of the Society and that this concession be made retrospectively, given that a decision cannot be made prior to the nominated date, due to the delayed receipt of notice of the fees and charges to the Gosnells Horticultural Society;*
- 2. The creation of a special category within the Schedule of Fees and Charges for the hire of Council facilities to assist non-profit community organisations to conduct special events that are considered by Council to be of major significance in contributing to the quality of community life in the City of Gosnells;*

3. *The instigation of a register to record those organisations considered by Council to be eligible for the special concession and that the Register be reviewed annually in the preparation of the budget to ensure ongoing determination of the eligibility of the applicant organisations; and*
4. *That applications be required to be lodged by the 30 May annually, unless Council decides that any applicant may be registered on an ongoing basis until otherwise decided by Council under the annual review.”*

DISCUSSION

The Resolution 741 of Ordinary Meeting of Council held on 12 September 2000 appears to now be superseded by Resolution 322 of Ordinary Meeting of Council held on 8 May 2001 and discussion has been provided based on this premise.

As Resolution 322 has four parts it is considered appropriate to deal with each resolution individually as follows:

Resolution 322 – Part 1 resolved to subsidise 50% of the facility hire costs for the Gosnells Horticulture Society’s 2001 Flower Show and therefore does not need further discussion or consideration.

The Society has been advised of the Council resolution and that it was applicable to the event of the 5 and 6 May 2001 only. Further applications for concessional hall hire fees will have to be made on a booking by booking basis.

Resolution 322 – Part 2 requires consideration be given to *“the creation of a special category within the Schedule of Fees and Charges for the hire of Council facilities to assist non-profit community organisations to conduct special events that are considered by Council to be of major significance in contributing to the quality of community life in the City of Gosnells”*

Council staff have considered this resolution and recommend that the creation of a category within the Community Sponsorship Program called “Community Events” would have far greater flexibility for community organisations to access assistance for their special events. From an administrative point of view, being under the Community Sponsorship Program with specific criteria, it would ensure a high degree of accountability and equity of access.

To provide assistance to groups through the Fees and Charges Schedule is viewed as restrictive as this limits assistance to organisations hiring Council facilities, whereas a “Community Events’ category would offer opportunity to all eligible community groups to conduct events at a venue of their choice. It is recognised that not all community groups are located in Council facilities. Some bowling clubs for example would fall in this category.

It must also be acknowledged that there is no delegated authority for staff to negotiate fee variation and fees and charges must be applied in accordance with the adopted schedule.

It is proposed that the addition of a category to the Community Sponsorship Program be approved to enable community groups to gain assistance to manage a “Community Event.”

The following guidelines are recommended to manage a “Community Events” category within the Community Sponsorship Program:

1. The applicant must be an incorporated not-for-profit community organisation or sporting group that is based within the City of Gosnells.
2. Eligible applicants can request sponsorship to receive one (1) sponsorship in this category per year, up to a maximum of \$230.
3. The sponsorship can be utilised toward costs to conduct the event including facility hire, equipment hire and promotional costs.
4. The sponsorship may not be utilised for catering, trophies or uniforms.
5. Priority for sponsorship may also be given to eligible applicants who have not received sponsorship under this category in the previous three years.

Resolution 322 – Part 3 requires consideration of *“the instigation of a register to record those organisations considered by Council to be eligible for the special concession and that the Register be reviewed annually in the preparation of the budget to ensure ongoing determination of the eligibility of the applicant organisations.”*

Council Staff have considered this option and do not recommend its implementation. The concept of a register is considered not to provide equitable access to all community groups including those not on the register and does not provide the flexibility to groups to apply throughout the year for community events that may arise. The decision as to whether to include certain groups on a register is considered to be too subjective and it would not be appropriate that Council staff made up this register. City of Gosnells Policy 3.2.2 Community Sponsorship Policy states that one of the key objectives of this policy is to:

“ensure an equitable and coordinated approach to the provision of Sponsorship opportunities within the City of Gosnells.”

However, the Community Sponsorship Program provides for a very transparent process for which decisions are able to be made based on specific criteria and any community group can address these criteria through application.

It is also considered that in line with City of Gosnells Policy No 3.8.1 Community Organisation Self- Management and Self Reliance Policy that community groups should demonstrate a degree of self reliance by making application within the Community Sponsorship Program framework as opposed to being on a register that may suggest that a funding in the form of a donation is a given from year to year.

Resolution 322 – Part 4 – requires consideration “*That applications be required to be lodged by the 30 May annually, unless Council decides that any applicant may be registered on an ongoing basis until otherwise decided by Council under the annual review.*”

In addition to information supplied for not recommending the implementation of a register, it is considered that the lodgement of applications annually by 30 May is inflexible. In most instances organisations have set annual dates for their events, however, opportunities do arise during the year that if this process were implemented it would prevent event assistance being considered.

SUMMARY

It is considered that the Community Sponsorship Program has proven to be a very equitable, transparent and accountable process. It recognises and has funded the many worthwhile and diverse projects being conducted by community organisations in the City of Gosnells.

FINANCIAL IMPLICATIONS

During the budget preparation in January 2001 a total of \$5,544 which was to address resolution 741 was put forward for consideration in the 2001/02 Budget. This amount was put within the Community Sponsorship Program (General Ledger Number 61128.190.4265) as a new category called Council Facility Hire.

Should Council approve the recommendation attached to this item, it is proposed that the category Council Facility Hire be renamed Community Events and budget an amount of \$5,520, which is, based on an average of two sponsorship requests per month i.e. 24 x \$230.

Procedural Motion

Cr NJ Smith, following lengthy debate of the staff recommendation, moved the following procedural motion in accordance with Clause 3.8.1(c) of the City of Gosnells Standing Orders Local Law 1998:

433 Moved Cr NJ Smith Seconded Cr A Pisano

“That the motion be put.”

CARRIED 11/0

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

AGAINST: *Nil.*

Moved Cr R Croft Seconded Cr MD Devereux

That Council approve the proposed addition of the Community Events Sponsorship category under the Community Sponsorship Program to enable community groups to gain assistance to manage a “Community Event” and that an allocation of \$5,520 be included in the draft City of Gosnells 2001/2002 budget for consideration.

LOST 1/10

FOR: Cr T Askew.

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

Foreshadowed Motion

Cr C Matison moved the following foreshadowed motion providing the following reason for doing so:

“To provide a forum for discussion and clarification of the issues raised and to allow for a full examination of ways and means of reaching an appropriate decision in regard to matters contained in the various reports and resolutions that will achieve the intent of the resolutions as adopted by Council.”

434 Moved Cr C Matison Seconded Cr NJ Smith

“That the matters contained within –

- * Resolution 741 of the 12 September 2000 Ordinary Council Meeting;
- * Resolutions 1061 and 1062 of the 19 December 2000 Ordinary Council Meeting; and
- * Resolution 322 of the 8 May 2001 Ordinary Council Meeting;

be referred back to a workshop to be convened to review Council’s policies and practices in regard to the Community Sponsorship Program and the Schedule of Fees and Charges in order to examine the issues raised in the relevant reports and the resolutions adopted by Council in an endeavour to provide a suitable structure within which to implement the requirements of the aforesaid resolutions as adopted by Council and that the amount of \$5,520 be retained in the draft 2001/2002 budget for consideration to ensure funding, should it be required, and that a further report on the outcomes of the workshop be presented to Council for its determination and adoption in regard to this matter.”

CARRIED 10/1

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

AGAINST: Cr MD Devereux.

12.4 CORPORATE SERVICES

12.4.1 BUDGET VARIATIONS

File: 7.11.1

PURPOSE OF REPORT

To seek approval from Council to adjust the 2000/2001 Municipal Budget.

DISCUSSION

At the ordinary meeting of Council held 26 August 1997 Council resolution 418 approved a budget variation procedure where proposed budget variations could be presented to Council in a summarised form for approval. Therefore, below is a list of proposed budget variations requested by Council officers.

Account Number	Account Description	Debit \$	Credit \$
61127.130.1903	Telephones – General	600	
61127.130.1904	Telephones – Mobile	2,000	
61127.110.1003	Casual Salaries		2,600
Reason:	Apply casual salary savings against additional telephone costs		
Job6458.13.3	Senior School Holiday Program	2,456	
Job6458.5000.51	Senior School Holiday Program		2,456
Reason:	Additional grants received over budget allocation		
Job5019.400.1	Langford Netball	3,000	
Job578.143.1	Cassidy Street Toilet Upgrade		3,000
Reason:	Unforeseen repairs to netball courts funded from savings to toilet upgrade		
61129.130.1903	Telephones – General	1,900	
61129.130.1904	Telephones – Mobile	100	
Job6061.3.3	C of G & Rotary Show		2,000
Reason:	Apply savings from Rotary Show against additional telephone costs		
Job6460.9.3	Volunteer Development	3,350	
Job6460.5000.51	Volunteer Development		3,350
Reason:	Grant received from DFACS		
61128.130.1903	Telephones – General	2,000	
Job6115.15.3	Sponsorship-Schools Recreation Facilities	3,500	
61128.181.2763	Postage		1,500
61128.182.3332	Sundries		500
Job6112.15.3	Sponsorship-Marketing Category		2,000
Job6102.15.3	Sponsorship-Minor Capital Works		1,000
Job6105.15.3	Sponsorship-Volunteer Development		500

Account Number	Account Description	Debit \$	Credit \$
Reason:	Reflect current year Community (School) Sponsorship funds awarded/approved by Council, and costs of new phone system		
Job94010.143.1	The Crescent Landscaping	24,000	
Job94012.143.1	Southern River Road		24,000
Reason:	Southern River Road Landscaping complete; insufficient funds to complete The Crescent Landscaping		
Job94001.143.1	Spencer Road Landscaping	36,807	
Job94007.143.1	Burslem Drive Landscaping		13,679
Job94011.143.1	Nicholson Road Landscaping		15,374
Job94012.143.1	Southern River Road Landscaping		7,754
Reason:	Burslem Dr., Nicholson Rd and Southern River Rd landscaping works completed; further landscaping works in Spencer Road to be undertaken.		
Job1083.700.3	CEO Office Admin – Furniture & Equipment	5,000	
40402.181.2764	Receptions – Other Governance		5,000
Reason:	Purchase replacement office furniture for Chief Executive Officer		
Job1051.700.3	Kenwick Library – Furniture & Equipment	4,000	
Job583.143.1	Library Corp. Info. Ctr – Kenwick Library Building Construction		4,000
Reason:	Kenwick library telephone system has deteriorated significantly.		
51002.181.2760	Legal Expenses	2,100	
51002.182.3382	Weighbridge Maintenance		2,100
Reason:	To fund a legal opinion regarding secondary waste tender.		
51002.182.3325	SE Zone Admin Exp	5,500	
51002.182.3378	Temporary Drainage		5,500
Reason:	Additional expenditure relative to Regional Council formation.		
51002.181.2754	Consultancy	18,200	
51002.182.3380	Final Cover		16,500
51002.182.3373	Reticulation		1,700
Reason:	To fund additional SKM consultancy work relative to SWERF project.		
Job2744.500.3	Maddington Community Centre (MCF)	5,200	
Job2714.502.3	Starick House		2,200
Job2789.512.3	Gosnells Library – Contracts/Svcs		3,000

Account Number	Account Description	Debit \$	Credit \$
Reason:	MCF carpark light fittings and lamp standards are old, corroded and defective; replacements funded from Gosnells Library maintenance budget.		
Job1294.700.3	IT Equipment Computer Services 50 Microsoft Office licences	41,000	
Job1294.700.3	IT Equipment Computer Services Records & Customer Service System surplus		41,000
Reason:	Variation of budget to allow purchase of additional 50 Microsoft Office licences including version assurance. Funds available from Records & Customer Service System surplus.		

435 Moved Cr A Pisano Seconded Cr R Croft

“That the following adjustments be made to the Municipal Budget

Account Number	Account Description	Debit \$	Credit \$
61127.130.1903	Telephones – General	600	
61127.130.1904	Telephones – Mobile	2,000	
61127.110.1003	Casual Salaries		2,600
Job6458.13.3	Senior School Holiday Program	2,456	
Job6458.5000.51	Senior School Holiday Program		2,456
Job5019.400.1	Langford Netball	3,000	
Job578.143.1	Cassidy Street Toilet Upgrade		3,000
61129.130.1903	Telephones – General	1,900	
61129.130.1904	Telephones – Mobile	100	
Job6061.3.3	C of G & Rotary Show		2,000
Job6460.9.3	Volunteer Development	3,350	
Job6460.5000.51	Volunteer Development		3,350
61128.130.1903	Telephones – General	2,000	
Job6115.15.3	Sponsorship-Schools Recreation Facilities	3,500	
61128.181.2763	Postage		1,500
61128.182.3332	Sundries		500
Job6112.15.3	Sponsorship-Marketing Category		2,000
Job6102.15.3	Sponsorship-Minor Capital		1,000

Account Number	Account Description	Debit \$	Credit \$
	Works		
Job6105.15.3	Sponsorship-Volunteer Development		500
Job94010.143.1	The Crescent Landscaping	24,000	
Job94012.143.1	Southern River Road		24,000
Job94001.143.1	Spencer Road Landscaping	36,807	
Job94007.143.1	Burslem Drive Landscaping		13,679
Job94011.143.1	Nicholson Road Landscaping		15,374
Job94012.143.1	Southern River Road Landscaping		7,754
Job1083.700.3	CEO Office Admin – Furniture & Equipment	5,000	
40402.181.2764	Receptions – Other Governance		5,000
Job1051.700.3	Kenwick Library – Furniture & Equipment	4,000	
Job583.143.1	Library Corp. Info. Ctr – Kenwick Library Building Construction		4,000
51002.181.2760	Legal Expenses	2,100	
51002.182.3382	Weighbridge Maintenance		2,100
51002.182.3325	SE Zone Admin Exp	5,500	
51002.182.3378	Temporary Drainage		5,500
51002.181.2754	Consultancy	18,200	
51002.182.3380	Final Cover		16,500
51002.182.3373	Reticulation		1,700
Job2744.500.3	Maddington Community Centre (MCF)	5,200	
Job2714.502.3	Starick House		2,200
Job2789.512.3	Gosnells Library – Contracts/Svcs		3,000
Job1294.700.3	IT Equipment Computer Services		
	50 Microsoft Office licences	41,000	
Job1294.700.3	IT Equipment Computer Services Records & Customer Service System surplus		41,000
CARRIED BY ABSOLUTE MAJORITY 11/0			

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

AGAINST: Nil.

12.4.2 PRINCIPAL ACTIVITIES PLAN

File: 3.1.14

(IB)

Appendix: 12.4.2A Draft Principal Activities Plan

PURPOSE OF REPORT

To consider and approve Council's draft Principal Activities Plan for the period 1 July 2001 to 30 June 2005.

BACKGROUND

Section 5.56 of the Local Government Act 1995 requires all local governments to prepare, each year, a plan of its principal activities for the next four (4) years. The plan contains:

- a description of all the principal activities proposed to be commenced or continued during the next four (4) years;
- an explanation of why they are being carried out, the expected costs, how they are expected to be funded and how performance will be assessed; and
- an estimate of the total income and expenditure for each of the four (4) years.

A copy of Council's draft Principal Activities Plan is attached as appendix 12.4.2A.

In accordance with Section 5.57 of the Act, local public notice of the draft plan must be given, inviting members of the public to make submissions in relation to the plan for a period of forty-two (42) days.

The City's principal activities for the defined period are as follows:-

- Information Technology and Records Management
- Southern River Urban Development Framework
- SafeCity Program
- Waste Management
- Libraries and Heritage
- Road Asset Management
- City of Gosnells Leisure World
- Southern River Road Site Rehabilitation
- Revitalisation of Gosnells Town Centre
- Plant Replacement
- Parks and Reserves Development

DISCUSSION

Following the public consultation process, Council is required to consider any submissions received and may accept the plan with or without modification.

Progress towards the achievement of the performance measures contained in the plan are included in the Annual Report and are also reported on at the Annual General Meeting of Electors.

FINANCIAL IMPLICATIONS

There are no direct financial implications arising from this report.

436 Moved Cr A Pisano Seconded Cr NJ Smith

“That Council approve, for the purpose of public consultation, the draft Principal Activities Plan for the period 1 July 2001 to 30 June 2005.”

CARRIED 11/0

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

***AGAINST:** Nil.*

12.5 REGULATORY SERVICES

12.5.1 AMENDMENT NO. 548 TO TOWN PLANNING SCHEME NO.1 – SCHEME AMENDMENT FINALISATION - SITE COVERAGE

File:	TP/1/548	SW	Rpt133Jun01
Name:	City of Gosnells		
Appeal Rights:	None, however amendment determination by the Western Australian Planning Commission		
Previous Ref:	OCM 14.11.00 (Resolution 947,948)		
Appendices:	12.5.1A Draft Site Coverage – Outdoor Living Areas Policy		

PURPOSE OF REPORT

For Council to approve finalisation of Amendment No. 548 to Town Planning Scheme No. 1.

BACKGROUND

The Residential Planning Codes (R-Codes) enforce maximum site coverage on all residential zoned lots, by specifying a minimum total percentage of the site that must be set aside for open space. On the majority of residential zoned lots the R-Codes specify a minimum open space requirement of 50%.

As is evidenced in some parts of the City of Gosnells and particularly Canning Vale, there is currently a trend towards creating smaller lots and building larger homes. Meanwhile the climate in Perth still lends itself to outdoor living and entertaining, particularly in the summer months. As such, there is a common expectation that one can build an outdoor living area to maximise that opportunity.

This trend is creating a conflict with the minimum open space requirement specified with the R-Codes. Often, homeowners will build a dwelling that covers 50% of the site, without considering their future need for an outdoor living area or outbuilding.

At its meeting of 14 November 2000, Council resolved:

“That Council, pursuant to Section 7 of the Town Planning and Development Act, 1928 (as amended), initiate an amendment to the City of Gosnells Town Planning Scheme No. 1 by:

1. *Adding Clause 29(c) - Site Coverage:*

“For an unwallled outdoor living area that is proposed on a residential zoned lot, Council may permit an minimum open space requirement of 40%, or up to 40m² more than the minimum open space requirement specified in the R-Codes or relevant Design Guidelines, whichever is the lesser.”

2. *Modifying Clause 23 to add the following as a variation to the R-Codes:*

“(n) Clause 29(c) - Site Coverage”. ”, and;

“That community comment be sought on the Draft Site Coverage – Outdoor Living Areas Policy attached at Appendix 12.5.5A by giving local public notice with a 21 day submission period.”

The Scheme Amendment (No. 548) was recently advertised for public comment, with submissions closing on 28 March 2001. At the conclusion of the advertising period, a total of three submissions were received, comprising three non-objections. Those submissions are summarised in the table below.

Schedule of Submissions

No	Name/ Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Council's Recommendation
1	Department of Environmental Protection		No Objection Environmental advice is unnecessary for this amendment.	Noted Noted
2	Alysha Kempf	16 Capensia Way Canning Vale	Supports Amendment Amendment will allow residents throughout Canning Vale to enjoy outdoor lifestyle. If other residents were aware of the situation they would also register their support for this amendment.	Noted Noted Noted
3	Maurice Pearson	8 Nutbush Court Thornlie	Supports Amendment Amendment allows residents to build their desired homes and also retain the traditional Australian outdoor living area.	Noted Noted

The Draft Site Coverage – Outdoor Living Areas Policy (see Appendix 12.5.1A) was recently advertised for public comment, with submissions closing on 29 May 2001. The draft policy complements Amendment No. 548 and provides guidance as to the implementation of the proposed scheme text. No submissions were received in regard to the draft policy.

DISCUSSION

Modifying the minimum open space requirement for unwallied outdoor living areas (i.e. patio, verandah) will allow residents to maintain enough room to establish a useable outdoor living area, but prevents a dwelling and/or outbuildings from exceeding the maximum site coverage requirement specified in the R Codes.

Based on the information provided, and the results of the abovementioned advertising, it is considered appropriate that the amending documents for Amendment No. 548 be signed and sealed and forwarded to the Ministry for Planning for final endorsement. For the same reasons it is recommended that Council resolve to adopt the Draft Site Coverage – Outdoor Living Areas Policy for final approval.

FINANCIAL IMPLICATIONS

Nil

437 Moved Cr A Pisano Seconded Cr R Mitchell

“That Council note no submissions of objection were received, and, pursuant to Town Planning Regulation 17(1) and (2), Amendment No. 548 to Town Planning Scheme No. 1 be adopted, without modification.”

CARRIED 11/0

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

AGAINST: Nil.

438 Moved Cr A Pisano Seconded Cr R Mitchell

“That Council note that no submissions of objection were received, and adopt the Draft Site Coverage – Outdoor Living Areas Policy attached as Appendix 12.5.1A, without modification.”

CARRIED 11/0

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

AGAINST: Nil.

12.5.2 TOWN PLANNING SCHEME NO. 15 : PROPOSED AMENDMENT TO SCHEME MAP (Item Brought Forward)

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

12.5.3 PROPOSED AMENDMENTS TO TOWN PLANNING SCHEME NO. 17 (Item Brought Forward)

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

12.5.4 UNAUTHORISED STOCKFEED AND GRAIN SILO BUSINESS – NO. 53 (LOT 5) LADYWELL STREET AND NO. 29 (LOT 9) BROOKLAND STREET, BECKENHAM - REQUEST FOR EXTENSION TO RELOCATION SCHEDULE

File: 225054 : LAD.1.52 : ALB.1.1617 (TP) Rpt129Jun001
Name: Magrod Enterprises Pty Ltd (R Baker)
Location: No. 53 (Lot 5) Ladywell Street and No. 29 (Lot 9) Brookland Street, Beckenham
Zoning: MRS: Urban
TPS No. 1: Rural
Draft TPS No. 6 Residential (R17.5 density)
Appeal Rights: Nil – issue is one of response to unauthorised development : no exercise of Council discretion.
Previous Ref: OCM 9 October 1979
OCM 23 March 1982
OCM 26 April 2000 (Resolutions 256-259)
OCM 24 April 2001 (Resolution 299)
Area: 5,827m² (total site)

PURPOSE OF REPORT

For Council to consider the granting of an extension in time to allow for the relocation of the existing stockfeed and grain silo operation to the Maddington industrial area.

BACKGROUND

At its meeting of 26 April 2000 Council considered the matter of an unauthorised stockfeed storage and grain silo business operating from the subject lot following objections from nearby residents.

As Councillors may recall these objections related to a range of unauthorised structures, eg grain silos, sheds, etc, which had been constructed on the subject site since the inception of a small-scale business operation in 1979. At its meeting of February 1982 Council refused an application for erection of sheds for the storage of stockfeed and for a chaff cutting operation on the grounds that such development would be prejudicial to future urban consistent development in an area designated as Urban under the Metropolitan Region Scheme.

Insert Location Plan

At its meeting of 26 April 2000 Council resolved that:

- (a) An application for retrospective approval for unauthorised structures be refused. (Resolution 256 OCM 26 April 2000 refers).
- (b) That notice be served upon the owner to bring the subject site into compliance with Council's determination of 9 October 1979 by taking down and removing any structures, buildings, fixtures or fittings which had not been approved, within 12 months of receipt of the Notices. (Resolution 258 OCM 26 April 2000 refers).
- (c) That in the event that the Notice is not complied with legal proceedings be initiated. (Resolution 259 OCM 26 April 2000 refers).

The requisite Notice was issued to the owner on 12 May 2000 and therefore in accordance with Council's resolution the subject site was required to be brought into compliance by no later than 12 May 2001.

At its meeting of 24 April 2001 (Resolution 299) Council approved an application submitted by Mr Baker for the use and development of Lot 504 Garnett Way, Maddington, as a stockfeed and pet food business subject to various conditions.

In response to a written staff enquiry Mr Baker has advised that:

“We are currently drawing up final building plans for Council approval which we should be able to submit to Council in two weeks. After Council approval building should commence within three weeks and be completed within two months. After allowing for the move we will commence removing structures not permitted which would take about one further month.”

The above timetable indicates relocation could be finalised within approximately four months from the date of the letter which was 3 May 2001, ie by end of September 2001.

It is drawn to Councillors' attention that the relevant portion of Albany Highway abutted by Lot 9 has been cul-de-saced and renamed Brookland Street.

DISCUSSION

The timeframe specified by Council for a defacto relocation of the operation has now expired. It is noted though that Mr Baker has received development approval to establish the business in the Maddington industrial area, however, he is requesting additional time to effect the relocation.

The options seen as available to Council are two fold, being:

- (a) Refuse the application to extend the specified Council timeframe and consider the initiation of legal action; or
- (b) Agree to accept the request to extend the timeframe for relocation.

Given that prosecution action is costly and time consuming and that the proponent is in the process of establishing a new site for his business there would seem little point in pursuing option (a) and option (b) is therefore recommended. It is further recommended that the extension be granted until the end of October 2001 (ie approximately six months) in order to allow for unforeseen delays.

FINANCIAL IMPLICATIONS

Nil.

439 Moved Cr NJ Smith Seconded Cr A Pisano

“That Council approve an extension of time to 31 October 2001 by which Mr R Baker of No. 53 (Lot 5) Ladywell Street and No. 29 (Lot 9) Brookland Street, Beckenham, is to comply with the Notice served upon him, in accordance with Resolution 258 of the Ordinary Council Meeting held on 26 April 2000, to take down and remove any structures, buildings, fixtures or fittings associated with the unauthorised stockfeed and grain silo business on the above property.”

CARRIED 11/0

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

AGAINST: Nil.

12.5.5 DEVELOPMENT APPLICATION – REDUCED SIDE SETBACK TO OUTBUILDING – NO. 23 (LOT 17) LOWANNAA ROAD, MARTIN

File:	206386	SC	Rpt132Jun01
Name:	PD Williams		
Location:	No. 23 (Lot 17) Lowanna Road, Martin		
Zoning: MRS:	Rural		
TPS No. 1:	Rural		
Draft TPS No. 6	Rural		
Appeal Rights:	Appeal rights available to applicant to either the Minister for Planning or Town Planning Appeals Tribunal against a refusal or any condition(s) of approval.		
Previous Ref:	Nil.		
Area:	1872m ²		

PURPOSE OF REPORT

For Council determination of a development application for an outbuilding with a reduction in setbacks, as it is outside staff's delegated authority.

BACKGROUND

Scheme Requirements - Town Planning Scheme No. 1: The subject lot is zoned “Rural” under Town Planning Scheme No. 1 (TPS 1). Clause 27(2) Rural Zones – Building Setbacks specifies that the side setbacks should be 3 metres however, Council may set alternative setbacks in special circumstances, where lot size, shape and topographical features etc may be problematic.

Scheme Requirements - Town Planning Scheme No. 6: The subject lot is zoned “Rural” under Draft Town Planning Scheme No. 6 (TPS 6) with side setback remaining as 3 metres. In accordance with Clause 5.5 Council may approve variations to the standard requirements having due regard to any adverse impact the variation may have on the surrounding properties or the likely future development of the locality.

The proposal: The applicant Mr Williams, has submitted a building application for an outbuilding (garage) to be located a minimum of 1.6 metres from the left (southern) side boundary. The proposed outbuilding would be located on a flat portion of the lot to the side and rear of the dwelling and utilise the existing sealed driveway.

Site Inspection: The subject lot slopes steeply downwards from the road. A two storey timber framed and clad, metal colorbond roofed dwelling is constructed on the lot. The surrounding properties contain single residential development of similar size (around 1880m²) and sloping steeply from the road carriageway. The existing driveway is sealed, curving down around the dwelling to the location of the proposed outbuilding.

Insert Location Plan

Insert Site Plan.

DISCUSSION

The subject lot and the surrounding properties are all zoned “Rural” under both the Metropolitan Region Scheme and TPS 1. Although the lots in this area are well below the minimum rural zone lot size of 8 hectares, it is not intended that the zoning be changed and Draft TPS 6 therefore designates this area as “Rural” also.

As the surrounding properties contain single residential development and are all below the minimum rural zone lot size, it is considered that a reduced side setback would not have a detrimental impact on the amenity of the area. In addition, the location of the proposed outbuilding was referred to the adjacent property owner for comment,

however at the end of the advertising period no submission had been received and therefore it is assumed that they have no objection.

As the proposed outbuilding is to be located on the only suitably level position on the lot and due to the size of the subject lot and the steep slope, it is recommended that the application to vary the side setback be supported.

FINANCIAL IMPLICATIONS

Nil.

440 Moved Cr A Pisano Seconded Cr R Croft

“That Council approve the application to construct a garage outbuilding at 23 (Lot 17) Lowanna Road, Martin, with a minimum side setback of 1.6 metres subject to the issue of a building licence.”

CARRIED 11/0

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

AGAINST: Nil.

12.5.6 DEVELOPMENT APPLICATION – REDUCED SIDE SETBACK TO DWELLING - NO. 33 (LOT 7) BROOKLAND STREET, BECKENHAM (Item Brought Forward)

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

12.5.7 DEVELOPMENT APPLICATION – SECOND RESIDENCE - NO. 42 (LOT 702) DALE PLACE, ORANGE GROVE (Item Brought Forward)

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

12.5.8 COMMERCIAL VEHICLE PARKING – LOT 8 (NO. 67) GOSNELLS ROAD WEST, MARTIN (*Item Brought Forward*)

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

12.5.9 ROAD DEDICATION : TONKIN HIGHWAY EXTENSION (MILLS ROAD TO RANFORD ROAD)

File: TON.3 (JP) Rpt125Jun01
Name: Main Roads WA
Location: Martin, Gosnells & Southern River
Zoning: MRS: Primary Regional Roads
TPS No. 1: Controlled Access Highways
Draft TPS No. 6 Controlled Access Highways
Appeal Rights: N/A
Previous Ref: N/A

PURPOSE OF REPORT

A Council resolution is required under Section 56 of the Land Administration Act 1997 to request the Minister for Lands to dedicate land for “public street”.

BACKGROUND

The Minister for Planning and Infrastructure has announced that construction of the Tonkin Highway extension (Mills Road to Thomas Road) will commence in late 2002. Main Roads WA has advised Council that it has begun acquiring land for this purpose. In view of the limited lead-time to acquire the land by private treaty, Main Roads has proceeded with resumption action. To enable resumption to proceed, Main Roads is requesting Council to provide its support in the dedication of the land as “public street” pursuant to Section 56 of the Land Administration Act 1997. The affected land required for the Tonkin Highway Extension within City of Gosnells is shown on Location Plans 1 & 2 (which has been more particularly described as the subject land comprised in Main Roads’ Drawings 9823-114-2, 9823-115-2, 9823-116-3, 9823-117-3 and 9823-118-6).

Insert Plan 1

Insert Plan 2

DISCUSSION

Staff recommend that the request be supported, as it will progress the provision of regional infrastructure within the City of Gosnells.

FINANCIAL IMPLICATIONS

Nil. The Tonkin Highway extension is a Main Roads WA project and Main Roads will meet all costs in respect to compensation and land acquisition.

441 Moved Cr A Pisano Seconded Cr MD Devereux

“That Council consent to the dedication of land required for the Tonkin Highway Extension pursuant to Section 56 of the Land Administration Act 1997 for the subject land comprised in Main Roads’ Drawings 9823-114-2, 9823-115-2, 9823-116-3, 9823-117-3 and 9823-118-6.”

CARRIED 11/0

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

AGAINST: Nil.

12.5.10 AUTHORISED OFFICERS – LEGISLATION AND LEGAL PROCEEDINGS

File: 4.14.2

(RW) (rpt130Jun01)

Appendix:

PURPOSE OF REPORT

For Council to authorise certain employees by designation of their office, rather than individually, where an Act or Statute does not permit the local government to delegate to the CEO the discharge of any of its duties as is permitted by the Local Government Act 1995.

Also to seek updated authorisation for Rangers as a class of employees to act on behalf of Council in the Court of Petty Sessions.

BACKGROUND

In the past this local government has individually authorised specific persons to carry out the functions of an authorised person under the provisions of Acts and Statutes. Staff turnover and retirements make it necessary to regularly put up lists of names to Council for authorisation. The provisions of the Local Government Act 1995 and the adoption of the practice of Council delegating its powers to the CEO, and the CEO having the power in turn to delegate to employees any duties deemed appropriate, has reduced the number of such reports to Council.

Council's Rangers are currently individually authorised to act on behalf of Council in the Court of Petty Sessions, in accordance with resolution 279 of the Ordinary Council Meeting 26 April 2000, for breaches of various statutes. This authorisation also requires review because of recent resignations and change in Ranger personnel.

DISCUSSION

Rangers employed by the City require Council authorisation under a number of Acts and Statutes to enable them to effectively carry out their day to day duties. Legislation, other than the Local Government Act included in this category and regularly used by Ranger Services are:

- Dog Act 1976 and associated regulations
- Control of Vehicles (Off Road) Act 1978 and associated regulations
- Bush Fires Act 1954 and associated regulations
- Litter Act 1976 and associated regulations
- Caravan Parks and Camping Grounds Act 1995 and associated regulations

Authorisations under the provisions of the Litter Act 1976 and associated regulations can be effected administratively by the CEO as the provisions of that Act provide that a council officer by virtue of appointment to a local government can be an authorised person.

Council at its Ordinary Meeting held on 24 March 1998 vide resolution 1196 authorised Rangers as a group as authorised persons for nominated sections of the Caravan Parks and Camping Grounds Act 1995 and associated regulations. This matter does not need to be further considered.

The Ranger Service has an ongoing need to initiate legal proceedings under the following Acts, Regulations and Local Laws:

- Bush Fires Act 1954 and Regulations
- Caravan Parks and Camping Grounds Act 1995 and Regulations as delegated
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations
- Dog Act 1976, Regulations and Local Laws
- Litter Act and Regulations
- Local Government Act 1995, Regulations and Local Laws as delegated
- Local Government (Miscellaneous Provisions) Act 1960 as delegated.

Ranger Prosecution Officers carry a letter of authorisation from the Council in case the presiding Magistrate asks for proof that they are authorised to act and make decisions on behalf of the Council in Court. This may occur where there is a new Magistrate presiding or a defendant's solicitor challenges the authority of Council's prosecuting officer.

CONCLUSION

To overcome the current situation where authorisations and revocations of named officers are necessary by resolution of Council because of staff turnover, it will be recommended that Council adopt the practice of authorising named groups or classes of employees holding office within this local government.

Administratively individual officers authorisations are revoked when they hand in their authorisation cards when leaving the City's employ. A brief report of the proposal was provided to the Department of Local Government and they have verbally advised that this methodology is an appropriate method of authorisation of personnel under the provisions of the various Acts and Statutes. The provisions of section 53 of the Interpretations Act 1984 supports this advice.

Acting on the above advice from the Department of Local Government it will also be more efficient under Section 9.10 of the Local Government Act, from an administrative point of view, to produce a letter signed by the Chief Executive Officer noting that the Council has authorised employees designated as Rangers for the purpose of representing the Council in Court.

FINANCIAL IMPLICATIONS

Nil.

442 Moved Cr NJ Smith Seconded Cr J Brown

“That Council pursuant to the provisions of Section 38 (3) of the Control of Vehicles (Off Road) Act 1978 and associated Regulations appoints all employees designated as Rangers to be authorised officers within the District.”

CARRIED 11/0

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

AGAINST: Nil.

443 Moved Cr NJ Smith Seconded Cr J Brown

“That Council pursuant to the provisions of Section 29 of the Dog Act 1976 and associated Regulations appoint all employees designated as Rangers to be authorised persons and registration officers within the District.”

CARRIED 11/0

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

AGAINST: Nil.

444 Moved Cr NJ Smith Seconded Cr J Brown

“That Council pursuant to the provisions of Section 29 of the Dog Act 1976 and associated Regulations appoints all employees designated as Customer Services Officers to be registration officers within the District.”

CARRIED 11/0

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

AGAINST: Nil.

445 Moved Cr NJ Smith Seconded Cr J Brown

“That Council pursuant to the provisions of Section 38 (1) of the Bush Fires Act 1954 and associated Regulations appoints all employees designated as Rangers to be Bush Fire Control Officers within the District.”

CARRIED 11/0

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

AGAINST: Nil.

446 Moved Cr NJ Smith Seconded Cr J Brown

“That in compliance with Section 9.10 of the Local Government Act 1995, Council authorise and appoint the class of employees designated as Rangers for the purpose of generally representing the Council in all respects as though the Council was the party concerned in the proceedings in the Court of Petty Sessions relating to breaches of the:

- Bush Fires Act 1954 and Regulations
- Caravan Parks and Camping Grounds Act 1995 and Regulations as delegated
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations
- Dog Act 1976, Regulations and Local Laws
- Litter Act and Regulations
- Local Government Act 1995, Regulations and Local Laws as delegated
- Local Government (Miscellaneous Provisions) Act 1960 as delegated.”

CARRIED 11/0

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

AGAINST: Nil.

12.5.11 COUNCILLOR DEVELOPMENT WEEKEND – 22-25 JUNE 2001

File: (TP) Rpt126Jun01

Appendix: 12.5.11A Programme – Councillors Development Weekend 22-25 June 2001.

PURPOSE OF REPORT

To inform Councillors of a pending Councillor Development Weekend and obtain nominations for registration at such.

BACKGROUND

Advice has been received from the WA Municipal Association of a proposed Councillor Development Weekend to be held at the Sheraton Hotel Perth between Friday 22 June and Monday 25 June 2001.

A copy of the brochure outlining the programme for the weekend has previously been circulated to all Councillors through the weekly mail system.

DISCUSSION

The programme which runs over four days is broken up into three distinct sections:

Friday	Mayors and Presidents' Day
Saturday/Sunday	Councillor Development Weekend
Monday	Women in Local Government

The cost of registration per person is \$242, \$385 and \$242 respectively.

The programme, attached as Appendix 12.5.11A contains a number of topical issues for local government all of which, it is considered, would offer benefit to all who register.

FINANCIAL IMPLICATIONS

There are sufficient funds currently within the budget to permit attendance at this development weekend by all elected members.

447 Moved Cr MD Devereux Seconded Cr R Mitchell

“That Councillors be authorised to attend the Councillor Development Weekend to be conducted at the Sheraton Perth Hotel between Friday 22 to Monday 25 June 2001 with the cost of attendance being met from Account 40401.110.1023 Training/Conferences, subject to all interested Councillors informing the Acting Chief Executive Officer of their intent to attend by no later than Thursday 14 June.”

CARRIED 11/0

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

AGAINST: Nil.

12.6 STRATEGIC PLANNING

Cr MD Devereux, due to Family Trust owning property within the Gosnells Town Centre, and Cr A Pisano, due to owning property within the Gosnells Town Centre declared a Financial Interest in the following items; 12.6.1 “Revitalisation Of Gosnells Town Centre – New Gosnells Railway Station And Bus Interchange” and 12.6.2 “Revitalisation of Gosnells Town Centre – Gosnells Centre For Business Development (Business Incubator)”, in accordance with Section 5.60 of the Local Government Act 1995, and left the meeting at 9.18pm.

12.6.1 REVITALISATION OF GOSNELLS TOWN CENTRE – NEW GOSNELLS RAILWAY STATION AND BUS INTERCHANGE

File: 3.1.20

(SJ)

Appendix: 12.6.1A Letter dated 15 May 2001 from the Department of Transport

PURPOSE OF REPORT

To advise Council of the outcome of negotiations in respect of the new railway station and bus interchange associated with the Revitalisation of Gosnells Town Centre scheme and to approve the closure of the existing at-grade vehicle crossing at Verna Street.

BACKGROUND

A key project within the Revitalisation of Gosnells Town Centre scheme is the replacement of the existing Gosnells railway station with a new railway station and bus interchange, together with a new at-grade vehicle crossing at Stalker Road, adjacent to the junction of Main Street and Lissiman Street, Gosnells. Ongoing negotiations have taken place between representatives of the State Government’s Department of Transport and Council’s officers to determine the likely timelines for this project.

DISCUSSION

Council has now been advised by the Department of Transport (letter dated 15 May 2001) that the funding for the relocation of the train station and the construction of the new bus station has been allocated over the 2002/2003 and 2003/2004 financial years, in the current draft Department of Transport capital works budgets. It must be emphasised that these draft budgets have yet to be formally endorsed by the State Government and there is therefore no definitive guarantee that the funding in question will be forthcoming. Officer’s from the Department of Transport “are eager to work with the City of Gosnells to develop the concept design of the Stalker Road Bus/Train Station.”

The Department of Transport are now seeking formal confirmation that the Verna Street level crossing will be closed and that the cost of the associated road works - approximately \$60,000 (eg cul-de-sac heads etc) will be met by the City of Gosnells. Furthermore, the approval to construct a new level crossing at Stalker Road is subject to a risk assessment being undertaken and negotiations on design etc being satisfactorily

concluded with the City of Gosnells (a separate Commercial Services item relating to the closure of the Verna Street level crossing is included in a report on this agenda with regard to traffic management arrangements for the proposed Corfield Street/Tonkin Highway intersection).

The Department of Transport has further advised that Transperth has plans to review, on a short term basis, the existing Gosnells bus routes with a view to improving the passenger transfer arrangements at the existing Gosnells station at minimal cost.

FINANCIAL IMPLICATIONS

The provisional estimated cost of the new railway station and bus interchange is \$6.5 million, to be funded by the Department of Transport, and the cost of constructing the Stalker Road level crossing is estimated to be \$600,000, to be funded by Western Australian Government Railways, subject to final budget approval by the State Government.

The estimated cost of cul-de-sac works in respect of the Verna Street level crossing is \$60,000, which will need to be included in Council's draft 2003/2004 budget.

448 Moved Cr NJ Smith Seconded Cr R Mitchell

“That the provisional funding allocated in the State Government budgets for the 2002/3 and 2003/4 financial years in respect of the relocation of the Gosnells Railway Station and the construction of the bus station, together with a new level crossing at Stalker Road, be noted.”

CARRIED 9/0

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

AGAINST: Nil.

449 Moved Cr NJ Smith Seconded Cr R Mitchell

“That Council's Officer be authorised to work in consultation with the Department of Transport to develop the concept design options for the Stalker Road Bus/Train Station.”

CARRIED 9/0

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

AGAINST: Nil.

450 Moved Cr NJ Smith Seconded Cr R Mitchell

“That the closure of the Verna Street level crossing be approved following the construction of the proposed level crossing at Stalker Road

and upon completion of the extension of Tonkin Highway and Corfield Street including the interchanges at Tonkin Highway/Albany Highway and at Tonkin Highway/Corfield Street and that the sum of \$60,000 be included in Council's draft 2003/2004 budget to fund the road works associated with the closure of the Verna Street level crossing."

CARRIED 9/0

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

AGAINST: Nil.

451 Moved Cr NJ Smith Seconded Cr R Mitchell

"That without prejudice, Transperth be advised that Council supports the review of the existing Gosnells Bus routes and proposed improvements to the passenger transfer arrangements at the existing Gosnells station."

CARRIED 9/0

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

AGAINST: Nil.

Cr MD Devereux and Cr A Pisano having previously declared a Financial Interest in the following item in accordance with Section 5.60 of the Local Government Act 1995, due to owning property within the Gosnells Town Centre, remained outside the meeting.

12.6.2 REVITALISATION OF GOSNELLS TOWN CENTRE – GOSNELLS CENTRE FOR BUSINESS DEVELOPMENT (BUSINESS INCUBATOR)

File: 3.1.3

(PW)

Appendix: 12.6.2A Letter dated 19 July 2000 from Clayton Utz

PURPOSE OF REPORT

To progress the establishment of the Gosnells Centre for Business Development as part of the Gosnells Town Centre Civic Complex.

BACKGROUND

The Gosnells Centre for Business Development is a major component of the Gosnells Town Centre Revitalisation scheme. The Centre will provide small business incubation services and accommodation for new start up businesses to assist in creating new long-term jobs for the community. Council funding for the project has been previously approved and planning for construction of the facility as part of the new Civic Complex is well advanced.

This report addresses the future management of the Centre as per the feasibility study and Business Plan endorsed by Council.

DISCUSSION

The Gosnells Centre for Business Development will provide a range of services and training opportunities to the small business community with emphasis on generating new service based businesses within the City of Gosnells.

In order to manage this process effectively, it is recommended that a not for profit Incorporated Association be established under the Associations Incorporation Act 1987. Council is empowered to take part in forming such an Association under the Local Government (Functions and General) Regulations 1996. This advice is provided in the attached letter of 19 July 2000 from Clayton Utz Lawyers.

By establishing this management entity, Council will draw upon the resources and experience of the local business community and other partners to achieve the new business and employment outcomes sought from the Gosnells Centre for Business Development business incubator. Suggested strategic partners, in addition to Council, include:

- Gosnells Local Chamber of Commerce
- South East Metropolitan College of TAFE
- Local Small to Medium Enterprise operators

It is important that the management body be established to allow it to provide feedback to Council Officers on the design of the facility and to enable this group to be involved as an important stakeholder in the project. It is recommended that two Councillors also be appointed to this body and that the management body have a minimum number of six and maximum number of nine board members.

The recommended terms of reference of the Incorporated Association are as follows:

- To assist in the planning process for construction of the Gosnells Centre for Business Development.
- To establish and implement an appropriate management system for the Gosnells Centre for Business Development.
- To manage and operate the Gosnells Centre for Business Development.
- To ensure that business advisory services and training opportunities to support the establishment of new small businesses within the City of Gosnells generally and in particular within the Gosnells Centre for Business Development are provided.
- To provide assistance to those in need to establish viable business enterprises in the area and to encourage others to establish and expand industry and commerce in the area so as to increase employment opportunities.
- To facilitate the use of State and Commonwealth Government programs designed to assist those in need in the area and to assist groups who have objects similar to those of the association.

FINANCIAL IMPLICATIONS

Establishing the management body involves setting up an appropriate constitution to govern the organisation at a cost of \$600 which can be funded from Strategic Planning Consultancy Account 30403.181.2754.

452 Moved Cr R Croft Seconded Cr J Brown

“That a not for profit Incorporated Association be established to manage and operate the Gosnells Centre for Business Development with a minimum board membership of six and maximum of nine people.”

CARRIED 9/0

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

AGAINST: Nil.

453 Moved Cr R Croft Seconded Cr J Brown

“That the terms of reference be endorsed.”

CARRIED 9/0

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

AGAINST: Nil.

Moved Cr R Croft Seconded Cr J Brown

That Councillor _____ and Councillor _____ be appointed to the management body of the Gosnells Centre for Business Development for the period ending 3 May 2003.

Amendment

Cr C Matison nominated Cr J Brown, and Cr MD Devereux nominated Cr NJ Smith for appointment to the management body of the Gosnells Centre for Business Development resulting in the following amendment to the staff recommendation:

Moved Cr R Croft Seconded Cr J Brown

That the names “J Brown “ and “NJ Smith” be inserted after the words “Councillor” where they appear in the first line, with the amended recommendation to read:

“That Councillor J Brown and Councillor NJ Smith be appointed to the management body of the Gosnells Centre for Business Development for the period ending 3 May 2003.”

CARRIED 9/0

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

AGAINST: Nil.

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

454 Moved Cr R Croft Seconded Cr J Brown

“That Councillor J Brown and Councillor NJ Smith be appointed to the management body of the Gosnells Centre for Business Development for the period ending 3 May 2003.”

CARRIED 9/0

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

AGAINST: Nil.

455 Moved Cr R Croft Seconded Cr J Brown

“That the Gosnells Local Chamber of Commerce and South East Metropolitan College of TAFE be approached to provide members for a Gosnells Centre for Business Development Incubator Steering Group prior to incorporation.”

CARRIED 9/0

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

AGAINST: Nil.

456 Moved Cr R Croft Seconded Cr J Brown

“That the cost of drawing up the required constitution for the not for profit Incorporated Association, established to manage the Gosnells Centre for Business Development Association, be sourced from Strategic Planning Consultancy Account 30403.181.2754.”

CARRIED 9/0

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

AGAINST: Nil.

Cr MD Devereux and Cr A Pisano returned to the meeting at 9.20pm.

The Mayor advised Cr MD Devereux and Cr A Pisano that the staff recommendations contained within the Agenda, dealt with during their absence from the meeting, were carried.

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**13.1 PARK UPDATE – 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 22 May 2001 for inclusion in “Motions for Which Previous Notice Has Been Given” of the 12 June 2001 Ordinary Council Meeting.

457 Moved Cr NJ Smith Seconded Cr T Askew

“That a brief report be prepared for Council providing details on the proposed commencement and completion date for works proposed for the Park situated behind Kenwick Library.”

CARRIED 11/0

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

AGAINST: Nil.

14. NOTICES OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING**458 Moved Cr MD Devereux Seconded Cr NJ Smith**

“That Cr O Searle be granted permission to put forward a proposed motion for consideration at the 26 June 2001 Ordinary Council Meeting.”

CARRIED 11/0

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

AGAINST: Nil.

Proposed Motion**14.1 SKATEBOARD FACILITY – REPORT REQUEST**

That a brief report be presented to Council on the progress being made regarding the provision of a skateboard facility within the municipality.

459 Moved Cr O Searle Seconded Cr R Croft

“That the above proposed motion 14.1 “Skateboard Facility – Report Request” be included at item 13. “Motions of Which Previous Notice Has Been Given” of the 26 June 2001 Ordinary Council Meeting.”

CARRIED 11/0

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

AGAINST: Nil.

460 Moved Cr MD Devereux Seconded Cr A Pisano

“That Cr J Brown be granted permission to put forward a proposed motion for consideration at the 26 June 2001 Ordinary Council Meeting.”

CARRIED 11/0

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

AGAINST: Nil.

Proposed Motion**14.2 BAXTER CLOSE RESERVE PLAY EQUIPMENT – REPORT REQUEST**

That a report be provided to Council on the provision of play equipment in Baxter Close Reserve, Huntingdale.

461 Moved Cr J Brown Seconded Cr MD Devereux

“That the above proposed motion 14.2 “Baxter Close Reserve Play Equipment – Report Request” be included at item 13. “Motions of Which Previous Notice Has Been Given” of the 26 June 2001 Ordinary Council Meeting.”

CARRIED 11/0

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

AGAINST: Nil.

15. URGENT BUSINESS (by permission of Council)

Nil.

16. CONFIDENTIAL MATTERS

Nil.

17. CLOSURE

The Mayor declared the meeting closed at 9.27pm.