

CITY OF GOSNELLS

**ORDINARY COUNCIL MEETING
14 OCTOBER 2003**

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Minutes of the Ordinary Council Meeting held in the Council Chambers, City of Gosnells Administration Centre, 2120 Albany Highway, Gosnells on Tuesday 14 October 2003.

OPENING AND WELCOME

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

DISCLAIMER

The Mayor read aloud the following statement:

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

COUNCIL MEETINGS – RECORDING OF

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

Notice within the Public Gallery in relation to recordings state:

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

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

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

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

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

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

PRESENT**ELECTED MEMBERS**

MAYOR
DEPUTY MAYOR
COUNCILLORS

P M MORRIS AM JP
R CROFT
W BARRETT
P WAINWRIGHT
R MITCHELL
S MOSS
O SEARLE JP
C MATISON
J BROWN JP
S IWANYK
D GRIFFITHS

STAFF

ACTING CHIEF EXECUTIVE OFFICER
COMMUNITY SERVICES DIRECTOR
INFRASTRUCTURE DIRECTOR
ACTING PLAN. & SUSTAINABILITY DIRECTOR
REGULATORY SERVICES DIRECTOR
MANAGER CITY PLANNING
MINUTE SECRETARY

MR R BOUWER
MS A COCHRAN
MR D HARRIS
MS K ROSSEL
MR T PERKINS
MS M HEGARTY
MS A CRANFIELD

PUBLIC GALLERY

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1. APOLOGIES

Chief Executive Officer, Mr Stuart Jardine.

2. DECLARATIONS OF INTEREST

Cr P Wainwright declared an Impartiality Interest in item 12.6.3 “Tender 42/2003 - Project Management Services for the Remediation of Lot 1768 Furley Road, Southern River”.

Reason: Tenant recommended of property Financial Management by employer.

Cr S Iwanyk declared an Impartiality Interest in item 15.2 “Lot 801 (No. 33) Mills Road West - Budget Re-Allocation”.

Reason: Council delegate to Heritage FM, Board Member and Chair Program Committee.

3. ANNOUNCEMENTS BY THE MAYOR

(without discussion)

The Mayor circulated to Councillors a list of functions and events she had attended since Tuesday 23 September 2003.

4. REPORTS OF DELEGATES

Cr J Brown reported that on Saturday 11 October 2003 she attended the Leisure World Family Fun Night, which was a very enjoyable evening and thanked staff for their time and dedication in making the event such a success.

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

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

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

Questions and statements are to be –

- a) Presented in writing on the relevant form to the Chief Executive Officer prior to commencement of the meeting; and
- b) Clear and concise.

QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS AWAITING RESPONSE23 September 2003 Ordinary Council Meeting

- * Mr Hitchins of 36 Galaxy Street, Beckenham asked the following question in relation to item 12.5.6 “Potential Residential Development in Gosnells Town Centre” on the agenda:

Q 3 Did not this Council pass a resolution about two years ago to the effect that no more City parks would be sold off, or parts thereof?

Interim Response: The Acting Director Planning and Sustainability, Karen Rossel, forwarded the following interim response to Mr Hitchins on 14 October 2003:

“I refer to your question taken on notice at the 23 September 2003 Ordinary Council Meeting regarding “Potential Residential Development in Gosnells Town Centre”.

Please be advised the matter is currently being investigated by staff and a detailed response to your question will be provided in the near future.”

RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS

Nil.

5.1 QUESTION TIME

- * Mrs Linda Macri of 1600 Balfour Street, Southern River asked the following questions in relation item 12.5.1 “Southern River Precinct 2 – Proposed Outline Development Plan and Associated Scheme Amendments” on the agenda:

Q 1 I wish to ask a 2-part question in relation to State Government acquisition of private property with the agendas of Bush Plan and Swan Catchment effects to true land value:

- (a) Does Gosnells Shire believe or support, that all ratepayers are rightfully entitled to receive an honest fair market value or price for property purchased?
- (b) Will Gosnells Shire lobby State Government or Federal Government to determine and achieve that all ratepayers are treated equally and are presented or paid a true land value price, attained from an unbiased licensed property valuer regardless of schemes and impeachments, bought about to deflate the land value and minimize equal opportunity to private property owners?

Response: The Acting Director Planning and Sustainability, in response to part (a), advised that the position of the City would be, as a principle, to support the notion of fair and equitable prices to be achieved for acquisition of such properties. In response to part (b) the Acting Director advised that upon direction from Council, officers would make direct approach to the WA Government to encourage fair and equitable prices to be achieved for the owners.

- * Mr Ralph Prestage of 51 Dover Crescent, Wembley Downs (property address Lot 1610 Barrett Street, Southern River) asked the following question in relation item 12.5.1 “Southern River Precinct 2 – Proposed Outline Development Plan and Associated Scheme Amendments” on the agenda:

Q 1 Will the Council support the landowners, whose land is zoned as a Bush Forever site, gain a fair unaffected market value, being the lands highest

and best use value, during the course of acquisition by the WA Planning Commission?

Response: The Acting Director Planning and Sustainability responded similarly to part of (a) of Mrs Macri question that, yes, we do support in principle.

- * Christine Campbell of 89 Barrett Street, Southern River asked the following question in relation item 12.5.1 “Southern River Precinct 2 – Proposed Outline Development Plan and Associated Scheme Amendments” on the agenda:

Q 1 As ratepayers why can't we have the support of the City of Gosnells to have our area Barrett Street, Southern River, a combination of housing and urban parks and recreation as a flow on from the prestige development at Boardwalk, Southern River?

Response: The Acting Director Planning and Sustainability referred the question to the Manager City Planning who advised the question would be taken on notice to enable investigation prior to a written response being provided.

5.2 PUBLIC STATEMENTS

- * Mr Ralph Prestage of 51 Dover Crescent, Wembley Downs (property address Lot 1610 Barrett Street, Southern River) made a public statement in relation to item 12.5.1 “Southern River Precinct 2 – Proposed Outline Development Plan and Associated Scheme Amendments”. Mr Prestage referred to property owners whose land is gazetted as Bush Forever or Public Open Space within Precinct 2. He expected they would incur an extremely large financial burden, which he believed should not be borne by the landowners. He urged that Council, on behalf of the affected landowners, pursue all avenues to ensure that a fair and unencumbered or unaffected market value for their properties is achieved.

6. CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

654 Moved Cr P Wainwright Seconded Cr J Brown

“That the Minutes of the Ordinary Council Meeting held on 23 September 2003, be confirmed.”

CARRIED 11/0

FOR: Cr W Barrett, Cr R Croft, Cr P Wainwright, Cr R Mitchell, Cr S Moss, Cr O Searle, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr 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 documentation presented by Councillors is located on File No. C3/1/5 and may be viewed subject to provisions of Freedom of Information legislation.

- * Cr S Moss presented four (4) petitions, including a covering notation page, initiated by Mr P Hitchins of 36 Galaxy Street, Beckenham containing a total of 63 residents signatures in relation to verges.

The notation page stated:

“Four verge petitions, containing 63 resident’s signatures

Notation:

Re: The Verges on Bickley Road. The area of Mills Park is kept mowed regularly, including verge of Bickley, and the Eastern verge of Gravity St. The ratepayer at No. one Gravity has no front or rear lawn, and does not own a lawnmower!

The bare area on verge (photo’s 4) was supposed to be revegetated by “Leighton’s” after they had shifted their site shed! The verge between 200-204 gets mowed approx. (sic) once a year by the Water Corp. There would appear (sic) to be no real reason why that verge, & the one on corner, could not be done when Mills Park and Gravity St verge are mowed.

*P Hitchins
36 Galaxy St. Beckenham.”*

The petitions stated:

Petition 1

Page 1 (included a photograph and 6 signatures) stated:

“To the Mayor & Chief Executive Officer, City of Gosnells

The undersigned ratepayers earnestly request that the City roadside verges pictured, be cleaned up & kept tidy in keeping with ‘best practices’ as adopted by our City! [Photos P. Hitchins]

Data Cr. Bickley – Gravity Beckenham Record No. 3/1

Page 2 (included a photograph and 12 signatures) stated:

Data Corner Bickley – Gravity – Beckenham Record No. 3/2”

Petition 2

Page 1 (included a photograph and 7 signatures) stated:

“To the Mayor & Chief Executive Officer, City of Gosnells

The undersigned ratepayers earnestly request that the City roadside verges pictured, be cleaned up & kept tidy in keeping with ‘best practices’ as adopted by our City! [Photos P. Hitchins]

Data City Boundary Railway Parade, Beck – Record No. 1/1

Page 2 (included a photograph and 9 signatures) stated:

Data City Boundary – Railway Prd. Beckenham Record No. 1/2

Page 3 (included a photograph and 4 signatures) stated:

Data City Boundary – Railway Pd. Beckenham Record No. 1/3”

Petition 3

Page 1 (included a photograph and 7 signatures) stated:

“To the Mayor & Chief Executive Officer, City of Gosnells

The undersigned ratepayers earnestly request that the City roadside verges pictured, be cleaned up & kept tidy in keeping with ‘best practices’ as adopted by our City! [Photos P. Hitchins]

Data Verge between 204-200 Bickley Rd Record No. 2/1

Page 2 (included a photograph and 7 signatures) stated:

Data Vacant verge between 204-200 Bickley Rd Record No. 2/2”

Petition 4

Page 1 (included a photograph and 8 signatures) stated:

“To the Mayor & Chief Executive Officer, City of Gosnells

The undersigned ratepayers earnestly request that the City roadside verges pictured, be cleaned up & kept tidy in keeping with ‘best practices’ as adopted by our City! [Photos P. Hitchins]

Data Opposite 250-52 Bickley Road Beckenham Record No. 4/1

Page 2 (included a photograph and 3 signatures) stated:

“This area was where Leighton Constructions cleared and sited (sic) their data & control office whilst constructing Roe Hy (sic), Beckenham section, the agreement was that they would rehabilitate area when they removed their office – this has obviously not been done!

Data Bickley Road Beckenham – Op.252 Record No. 4/2”

Cr S Moss requested the petitions be forwarded to relevant staff for investigation and response to Mr Hitchins.

Notation

The petitions submitted were not in accordance with the provisions of Clause 2.26(1)(c) of the City of Gosnells Standing Orders Local Law 1998 as they did not state the request on each page of every petition.

8. LEAVE OF ABSENCE

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

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

Nil.

9. QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

(without discussion)

Nil.

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

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

COUNCIL RESOLUTION

655 Moved Cr R Mitchell Seconded Cr D Griffiths

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

- * Item 12.5.1 Southern River Precinct 2 – Proposed Outline Development Plan and Associated Scheme Amendments.”

CARRIED 11/0

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

AGAINST: Nil.

12.5.1 SOUTHERN RIVER PRECINCT 2 – PROPOSED OUTLINE DEVELOPMENT PLAN AND ASSOCIATED SCHEME AMENDMENTS

File:	S8/1/10	(SRW)
Name:	MGA Town Planners	
Location:	Southern River Precinct 2. Area north of Southern River Road between Ranford Road and Holmes Street	
Zoning: MRS:	Urban	
TPS No. 6:	General Rural	
Appeal Rights:	Nil, however final determination is made by Hon. Minister for Planning and Infrastructure	
Area:	326.4 hectares	
Previous Ref:	OCM 27 August 2002 (Resolutions 704 – 706)	
Appendix:	12.5.1A – Proposed Outline Development Plan	

PURPOSE OF REPORT

For Council to consider an Outline Development Plan for Southern River Precinct 2 and to initiate an amendment to the City of Gosnells Town Planning Scheme No 6 to rezone the subject area and establish cost-sharing mechanisms.

BACKGROUND

Southern River was identified for Urban Development when the Corridor Plan for Perth was reviewed in 1970. The 'Planning for the Future of the Perth Metropolitan Region' report (November 1987) proposed a widening of the South-East Corridor as part of its 'preferred strategy'. This move was later followed by the 'Urban Expansion Policy Statement' for the Perth Metropolitan Region' (1990) and 'Metroplan' (1990) which reiterated this policy position.

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

In 1998 the (then) Ministry for Planning commenced a process for developing a structure plan for Southern River, Forrestdale, Wungong and Brookdale. The draft plan was released for comment in 2000, with numerous submissions received. The WA Planning Commission released a final version of the District Structure Plan in January 2001. It should also be noted that an Urban Water Management Strategy (UWMS) was required to be prepared to ensure that environmental objectives are achieved through future development. The City of Gosnells has recently signed a Memorandum of Understanding (MOU) with various agencies supporting the implementation of the UWMS which stipulates the general philosophies to be embraced in developing urban water management strategies, on-going monitoring and review.

Insert Plan here

A draft Outline Development Plan was prepared by MGA Town Planners on behalf of various landowners in Precinct 2 in Mid 2002 to support the 'lifting of urban deferment' under the Metropolitan Region Scheme. Council at its meeting 27 August 2002 provided in-principle support for the draft ODP and invited formal submission of the ODP following the receipt of further advice from the Western Australian Planning Commission. The Perth Region Planning Committee (PRPC) considered the matter at its meeting of 8 April 2003 and passed a resolution to transfer land from the Urban Deferred Zone to the Urban Zone as shown in Location Plan. The City of Gosnells is obligated to initiate an amendment to TPS 6 to bring the Scheme into conformity with the MRS and for this reason, a 'Residential Development' Zone is proposed.

A formal ODP submission has been lodged with the City for Southern River Precinct 2. The ODP, if supported, will form the basis of further amendments to the Metropolitan Region Scheme, amendments to the City of Gosnells Town Planning Scheme No 6 and to ultimately guide future subdivision and development. This report provides the opportunity for Council to consider the draft ODP and determine whether it is satisfactory for seeking public comment.

Should Council determine the ODP satisfactory for advertising and initiate an amendment to TPS 6, the plans and documentation will be referred to the Environmental Protection Authority for consideration and for consent to seek public comment. Following statutory advertising, the ODP and Scheme Amendment will be re-presented to Council to determine a final recommendation which will be forwarded to the Western Australian Planning Commission/Hon. Minister for Planning and Infrastructure for determination.

DISCUSSION

Land Identified As Regional Open Space

The fundamental purpose of the Southern River/Forrestdale/Brookdale/Wungong District Structure Plan was to determine the nature of future land uses in these areas, including the identification of land required for future Regional Open Space. Much of the Regional Open Space was identified under the Bush Forever Program (formerly Perth Bush Plan).

The City is obligated to reflect all regional open space shown on the District Structure Plan on any local structure plan prepared for the area, with land acquisition to be undertaken by the Western Australian Planning Commission. Based on advice received from the Bush Forever Office, the Metropolitan Region Scheme (MRS) amendment relating to these areas has recently been presented to the Western Australian Planning Commission (WAPC) with advertising for public comment anticipated in early 2004. The ODP currently before Council is based on the latest information available from the Bush Forever Office. As a result of formal consultation and statutory processes undertaken by WAPC, it is quite possible that the Bush Forever Amendment may be modified. Any modification made to the MRS Amendment will need to be reflected in the structure plan and for this reason the City is seeking to progress the ODP, TPS Amendments and MRS amendments for all areas concurrently.

It is important to note that only the core wetland and Bush Forever sites have been identified for acquisition by the WAPC, the required buffer areas have not. It is standard Department of Environment policy to require a 50-metre buffer which is to be identified and ultimately set aside through the ODP process. It is for this reason that one of the staff recommendations is to formally request the WAPC to amend the MRS for those areas not identified as Regional Open Space with such amendments to be progressed concurrently.

Poultry Farms

Within the ODP area, there are two existing poultry farms. Each of the owners has expressed potential interest in closing their operations upon achieving an Urban zoning under the Metropolitan Region Scheme. The ODP clearly illustrates the location of these poultry farms, with residential subdivision/development prevented within 500 metres of an operational poultry farm. Any future development will need to be phased with the discontinuation of the poultry farms. It should be noted that there is no obligation at present for these poultry farms to cease operating and no obligations are proposed through the ODP.

Neighbourhood and Village Centres

The District Structure Plan for the Southern River Area establishes a range of neighbourhood and village centres which are located within clusters of neighbourhoods. Further analysis was undertaken as part of the City's Local Commercial Strategy, with the results determining the allocation of retail floorspace in the Southern River Area. Two of the neighbourhood centres within the ODP area were allocated zero retail floorspace in the analysis to enable sufficient floorspace to be allocated to the Village Centres to be able to accommodate such land uses as supermarkets that typically require 3,000m².

The matter has previously been discussed with DPI and advice provided to the effect that a small centre is capable of functioning without a retail component provided that activity generating land uses can be focused into the centre. This would include at the most basic level facilities such as a public telephone and a post box and could include also small-scale office development, medical centres, and community infrastructure including offices for statutory authorities and surrounding higher density residential development. On this basis, the proposed network of centres under the District Structure Plan is seen as remaining viable even without a retail component in some of the smaller centres. Accordingly, the staff recommendation includes the depiction of all Neighbourhood Centres on the ODP.

Residential Densities

The ODP has adopted a base density coding of Residential R20, consistent with State Policy. Areas of increased density have been shown on the ODP within reasonable walking distance of the proposed Local Centre on Southern River Road and also based around the intersection of Furley Road and Balfour Streets. Consistent with the Canning Vale ODP, it is recommended that rather than stipulate a particular density coding of R30/40 that the ODP depicts 'Density Greater than R20'. This is recommended on the basis of increased flexibility at the time of subdivision or development and to actively encourage higher densities for reasons of achieving diversity of housing stock, creating walkable neighbourhoods and supporting the hierarchy of neighbourhood and village centres.

Public Open Space

Within the ODP area, public open space is required to serve the functions of passive and active recreation, drainage and as a buffer to areas of environmental significance. One of the concerns raised by Council staff in the review of the draft ODP was the significant amount of open space required as a wetland buffer, potentially at the expense of local open space for recreation purposes.

To ensure that residential properties are well served by local open space, it is recommended that an area of public open space be provided central to residential development in the western half of the ODP area. This may be achieved by the relocation of public open space adjacent to the proposed primary school to a new location.

Of note, the District Structure Plan for this area illustrates a multiple use corridor linking the Lander Swamp area through to the Southern River Precinct 5 (including 'The Boardwalk Estate' by Stockland). This linkage has not been illustrated on the ODP and further advice from the Department of Environment will be required on this during the advertising period.

Urban Water Management

In accordance with the Urban Water Management Strategy prepared for the Southern River Area, the ODP proposes a philosophy of maximising local infiltration and creation of overland flows using drainage swales, multiple use corridors etc. This is in contrast to a conventional approach of stormwater retention in compensating basins and a strong focus on piped drainage.

As mentioned above, further advice will be required from the Department of Environment during the advertising period of the need to achieve a multiple use corridor between Southern River Precinct 5 and the Lander Swamp area.

Garden Street and Southern River Road

The City of Gosnells, in conjunction with the Department for Planning and Infrastructure, is currently reviewing the preliminary concept plans prepared for both the Garden Street extension and Southern River Road. This review is being done to more accurately determine the adequacy of existing reservation widths and as a basis for any amendments required to the MRS/TPS. It is envisaged that the road planning will be progressed concurrently with the ODP and that the ODP may need to be amended prior to finalisation to reflect more accurate requirements.

Primary School Sites

Based on advice received from the Department of Education and Training, a second primary school site may be required in the area south of Warton Road where only one is shown on the District Structure Plan. From recent discussions with the Department, the planning for school sites in this area will also impact on Southern River Precinct 1, Southern River Precinct 5 and potentially into the Huntingdale and Forrestdale areas.

As significant land use (typically 4 hectares for each primary school) there is a need to finalise planning for school sites in the locality as a matter of priority. Other considerations in planning for school sites are proximity to catchment populations, transport options, integration with public open space etc. It is for these reasons that the staff recommendation requests the Department of Education and Training to finalise planning for school sites in this locality as a matter of priority. One situation that the City should actively discourage is the acquisition of land by the Department for school sites outside of formal planning processes, as occurred in the Canning Vale area.

Lot 1627 Ranford Road

Based on the draft mapping provided by the Bush Forever Office, a portion of land on Lot 1627 Ranford Road has been identified as not being required for Regional Open Space despite being surrounded on three sides by Conservation Category Wetlands and Remnant vegetation. On the District Structure Plan, the land is identified as 'multiple use corridor' suggesting acquisition as local open space for drainage and recreation purposes through the ODP. Council staff have identified this site as having particular attributes worthy of further investigation.

The ODP depicts a large portion of the land as 'Residential R20', ie traditional housing density. Council staff does not consider this to meet the objectives of the District Structure Plan in achieving multiple use corridors for recreation, drainage and environmental purposes. One option that should be considered is that of high-density housing developed in an environmentally sensitive manner using best practice strategies, maybe only using a portion of the site. The opportunity to provide an innovative housing type, with high density in close proximity to areas of environmental significance and ready access to major community and commercial facilities and future road and public transport linkages may result in a product that achieves a broad range of planning objectives. It is for that reason that the staff recommendation includes the land being designated as 'grouped housing' with the matter to be further discussed with the relevant agencies during the advertising period.

Common Infrastructure Costs/Works

In the majority of ODP's there is the need to establish cost-sharing mechanisms to fund and coordinate the provision of district level infrastructure. The ODP for Southern River Precinct 2 proposes that the following items form part of the Common Infrastructure Works/Costs:

- Public open space
- Drainage construction
- Shared use paths
- Road upgrading (Southern River Road and Holmes Street)
- Road resumption (for road widening)

- Traffic management
- Service relocation
- Conservation category wetland development; and
- General administration and studies.

A once-off contribution is payable by landowners at the time of subdivision or developments towards the common infrastructure works/costs. Furthermore, an owner who undertakes any of the common infrastructure works may claim credit for such works where agreed to beforehand by Council.

Administrative Processes And Consultation

Where land is required to be rezoned, it is common for the ODP and associated TPS Amendments to be progressed concurrently. As an initial step, Council is required to determine that the ODP is satisfactory for advertising and that associated TPS and MRS amendments have been initiated/formally requested. If acceptable to Council, both the ODP and TPS amendment will be referred to the Environmental Protection Authority (EPA) for environmental review. It is only upon receiving advice from the EPA that Council can formally seek comment from other service authorities, landowners and the wider community.

Following a 42-day advertising period, Council will be required to consider all submissions received on both the TPS amendment and ODP and forward a recommendation to the WAPC for determination.

CONCLUSION

The ODP as presented to Council reflects the broad objectives established under the Southern River/Forrestdale/Brookdale/Wungong District Structure Plan. The City is obligated to initiate an amendment to rezone the area to reflect an Urban zoning under the MRS.

It is important to note that the ODP has not been advertised as yet for public comment, as this will be undertaken as part of normal statutory processes.

FINANCIAL IMPLICATIONS

The ODP proposes the establishment of cost-sharing mechanisms for district level infrastructure based on developer contributions. Upon approval the City will be responsible for the management of funds collected for such infrastructure.

STAFF RECOMMENDATION

Moved Cr P Wainwright Seconded Cr R Croft

That Council, pursuant to Part 7 of the Town Planning and Development Act, 1928 (as amended) amend the City of Gosnells Town Planning Scheme No. 6 by rezoning the area bounded by Balfour Street, Furley Road, Southern River Road and Holmes Street from 'General Rural' to 'Residential Development' and insert an attachment to Schedule 12 of TPS 6 to establish the 'Common Infrastructure Works/Costs' for the ODP area.

STAFF RECOMMENDATION

Moved Cr P Wainwright Seconded Cr R Croft

That Council, pursuant to Section 7 of the City of Gosnells Town Planning Scheme No 6 deem the ODP as shown in Appendix 12.5.1A satisfactory for seeking public comment subject to the following modifications:

1. The relocation of public open space from adjacent to the primary school site to a central location in the western area of residential development
2. Residential densities shown as R30/40 – to be replaced by 'Residential Density Greater than R20'
3. A portion of the residential development on Lot 1627 being shown as 'Grouped Housing'.
4. All neighbourhood centres shown on the District Structure Plan being illustrated on the ODP.
5. The area of local open space on Lot 1628 abutting Southern River Road being replaced by 'Regional Open Space' in accordance with the District Structure Plan.

and the submission of full documentation by the planning consultant to the satisfaction of Director Planning and Sustainability.

STAFF RECOMMENDATION

Moved Cr P Wainwright Seconded Cr R Croft

That Council formally request the Western Australian Planning Commission through the South-East District Planning Committee to amend the Metropolitan Region Scheme from 'Rural' to 'Urban' for those areas within the ODP area that are not required for regional open space and that these amendments be progressed concurrently with the MRS amendment for the Bush Forever sites.

STAFF RECOMMENDATION

Moved Cr P Wainwright Seconded Cr R Croft

That Council advise the Department of Education and Training of the need to undertake planning for future school sites in accordance with orderly and proper planning processes and to finalise the planning for school sites in the Southern River and Huntingdale localities as a matter of priority.

Additional Motion

During debate the Mayor read aloud the following additional motion to the staff recommendations moved by Cr C Matison:

“That Council lodge a submission during the public comment period with the Western Australian Planning Commission seeking fair and equitable compensation, based on market value, for all landowners of designated Bush Forever sites and buffer zones in the City of Gosnells.”

Cr R Mitchell seconded Cr Matison’s additional motion.

At the conclusion of debate the Mayor put Cr Matison’s additional motion, which reads:

COUNCIL RESOLUTION

656 Moved Cr C Matison Seconded Cr R Mitchell

“That Council lodge a submission during the public comment period with the Western Australian Planning Commission seeking fair and equitable compensation, based on market value, for all landowners of designated Bush Forever sites and buffer zones in the City of Gosnells.”

CARRIED 11/0

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

AGAINST: Nil.

The Mayor then put the staff recommendations individually, which read:

Staff Recommendation 1 of 4:

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

657 Moved Cr P Wainwright Seconded Cr R Croft

“That Council, pursuant to Part 7 of the Town Planning and Development Act, 1928 (as amended) amend the City of Gosnells Town Planning Scheme No. 6 by rezoning the area bounded by Balfour Street, Furley Road, Southern River Road and Holmes Street from ‘General Rural’ to ‘Residential Development’ and insert an attachment to Schedule 12 of TPS 6 to establish the ‘Common Infrastructure Works/Costs’ for the ODP area.”

CARRIED 11/0

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

AGAINST: Nil.

Staff Recommendation 2 of 4:

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

658 Moved Cr P Wainwright Seconded Cr R Croft

“That Council, pursuant to Section 7 of the City of Gosnells Town Planning Scheme No 6 deem the ODP as shown in Appendix 12.5.1A satisfactory for seeking public comment subject to the following modifications:

6. The relocation of public open space from adjacent to the primary school site to a central location in the western area of residential development
7. Residential densities shown as R30/40 – to be replaced by ‘Residential Density Greater than R20’
8. A portion of the residential development on Lot 1627 being shown as ‘Grouped Housing’.
9. All neighbourhood centres shown on the District Structure Plan being illustrated on the ODP.
10. The area of local open space on Lot 1628 abutting Southern River Road being replaced by ‘Regional Open Space’ in accordance with the District Structure Plan.

and the submission of full documentation by the planing consultant to the satisfaction of Director Planning and Sustainability.”

CARRIED 10/1

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

AGAINST: Cr J Brown.

Staff Recommendation 3 of 4:

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

659 Moved Cr P Wainwright Seconded Cr R Croft

“That Council formally request the Western Australian Planning Commission through the South-East District Planning Committee to amend the Metropolitan Region Scheme from ‘Rural’ to ‘Urban’ for those areas within the ODP area that are not required for regional open space and that these amendments be progressed concurrently with the MRS amendment for the Bush Forever sites.”

CARRIED 11/0

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

AGAINST: Nil.

Staff Recommendation 4 of 4:

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

660 Moved Cr P Wainwright Seconded Cr R Croft

“That Council advise the Department of Education and Training of the need to undertake planning for future school sites in accordance with orderly and proper planning processes and to finalise the planning for school sites in the Southern River and Huntingdale localities as a matter of priority.”

CARRIED 11/0

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

AGAINST: Nil.

11. MINUTES OF COMMITTEE MEETINGS

12. REPORTS

12.1 CHIEF EXECUTIVE OFFICER’S REPORT

12.2 COMMUNITY SERVICES

12.2.1 PURCHASE OF POOL BLANKETS AT LEISURE WORLD

File: L4/2/8 (SC)

Appendix: 12.2.1A Swimming Pool Heating Evaluation - Without Blankets
12.2.1B Swimming Pool Heating Evaluation - With Blankets

PURPOSE OF REPORT

To seek Council approval for a budget variation to enable the purchase of pool blankets and associated materials at the City of Gosnells Leisure World.

BACKGROUND

Pool blankets are the most effective means of pool insulation as they retain the heat in the water during non-operating hours, thereby reducing heating costs. A secondary benefit is that they reduce other maintenance issues caused by airborne combined chlorine particles corroding the fabric of the building.

Leisure World is open to the public 15½ hours/day, however the pools' circulation and heating system must remain operating 24 hours/day to maintain water quality and temperature set points. This means that water heating is most expensive while the pool is not being used. A means of reducing heat loss during this time can lead to a significant saving in costs and gas consumption. In 2000/01 the gas consumption was \$100,000, 2001/02 - \$85,000, 2002/03 - \$95,000 and the budget for 2003/04 is \$103,000. It is estimated that pool blankets could save up to 30%, or \$30,000 pa on pool heating costs.

Installation of pool blankets has been considered in the past but was not recommended for several reasons. Previous blanket designs have been impractical due to:

- Alterations required to the pool: previous designs have required staff to remove lane ropes, starting blocks and other pool attachments before application.
- Cost: quotes have been over \$35,000 for blankets and rollers without mechanical support.
- Storage: previous designs used up to four separate rollers which each require a large amount of storage space. This space has not been available.
- Time: the difficult install/removal process required up to one hour of staff time before and after opening hours and in some cases it required two people to operate the equipment.

When making enquiries about blankets for the new spa during May 2003, it became apparent that some pool blanket suppliers had overcome the logistical problems associated with applying and removing the large blankets required for the indoor pools at Leisure World. However, by June 2003 with budget deliberations all but concluded it was not possible to include the cost of blankets as part of the 2003/04 budget. Given

the potential savings to operating cost staff are keen to take advantage of the benefit as soon as possible.

During the investigations into the use of blankets, John Webb Director of Elite Pool Covers completed an Energy Efficiency Audit on the operation of the pool plant. Based on the previous gas consumption, cost per unit of gas, size of the building (including location of windows, doors, offices) and hours of operation, it was calculated the potential saving for Leisure World (based on 2002/03 budget) on gas could be a saving of up to 30% or \$28,500 p.a. A copy of this assessment is shown in Appendix 12.2.1A and 12.2.1B.

DISCUSSION

It is proposed that five (5) blankets be designed to provide approximately 90% coverage to the indoor main pool and indoor leisure pool at Leisure World.

The supply of a motorised mechanism to pull the blankets on and off eliminates the occupational safety and health issues, as there is no need for staff to physically pull the blankets on or off. The mechanical controller also eliminates the need for two people to handle the blankets. One staff member can safely complete the operation within 15 minutes.

To eliminate the storage issue, a section of the internal garden can be converted into a storage area. Once the plants are removed, the ground will be concreted, an enclosure built and plants reinstated to help providing screening.

Three quotes for pool blankets have been obtained. The table below provides summary information.

Elite Pool Covers	Details	Amount (\$)
	Five Elite Thermal 'Lane Rope Friendly' Pool Blankets	\$14,440.00
	One Tandem Roller	\$ 4,800.00
	One Triple Roller	\$ 5,760.00
	Electrical Roller Control 'Blanket Buddy'	\$ 6,390.00
	Total	\$31,390.00
Daisy Pool Covers	Six Polyethylene Blue Bubble Pool Blankets	\$12,692.73
	Two A203D Rollers (with Boom) (Lap Pool)	\$ 5,658.18
	One T152D Roller (Leisure Pool)	\$ 3,200.00
	Total	\$21,550.91
Stuart Bell Sails (through Ian Coombs NZ)	Ten Macball HSV Pool Blankets	\$19,964.00
	Four rollers (one tandem roller ICL 722, two single rollers ICL 710 & ICL 125)	\$17,156.00
	Autowinder	\$ 5,153.00
	Total	\$42,273.00

After evaluating cost, thermal efficiency, quality, product support, ease of use for staff and warranty, staff recommends the purchase of Elite Pool Covers.

An analysis of the probable expenditures and savings resulting from the adoption of the Pool Blanket Project has been made. Savings on Gas Expenditure is conservatively estimated at 26% pa (16% for part of 03/04).

Table of Expenditure and Savings (the figures are rounded for convenience)	2003/2004	2004/2005
Payments		
Pool Blankets	31,390	
Storage Area	7,330	
Incidental Maintenance plus 3% CPI pa		200
Total Payments	(38,720)	(200)
Savings at 16% & 26%	16,450	27,583
Actual \$ Value Benefit	(22,270)	27,383
Cumulative \$ Value Benefit	(22,270)	5,150

This table indicates that there will be a shortfall of \$22,270 for the project for 2003/2004, with a corresponding benefit of \$27,383 in 2004/2005. The shortfall for this year can be funded from the Leisure World - Mechanical Plant Services Reserve (9.91.908 Job3007) that has a current balance of \$260,972.66. Council has the option to transfer back a similar amount to the reserve in 2004/2005 from the identified savings.

Net Present Value is a financial tool to evaluate capital funding decisions. An analysis of the Net Present Values of all expenditures and savings over the expected 10-year life span of the pool blankets at the current interest rate on council cash investments at 5% reveals potential benefit to council of over \$150,000. Therefore it is recommended that the project be adopted. The required budget variation for this project is:

Job/Account	Details	Dr	Cr
Job 300.700.3	FE7201 Leisure World Pool Blankets	31,390	
Job 644.143.3	Pool Blanket Storage Area	7,330	
Job 5736.713.5	Gas for heating		16,450
61101.995.9008	Leisure World Mechanical Plant Services Reserve		22,270
		\$38,720	\$38,720

It is estimated the gas expenditure budget will be reduced in 2003/2004 by \$16,450 to \$86,550 to reflect the 16% savings and in 2004/2005 by \$27,600 to reflect the expected 26% savings in gas heating. This will be the base for future gas expenditure and will be a measure of the success of this project.

The estimated savings and projected Gas Expenditure for the next five years are:

	03/04	04/05	05/06	06/07	07/08
Current Gas Budget plus 3% pa	103,000	106,090	109,273	112,552	115,929
Revised Gas Budget	86,500	78,500	80,900	83,300	85,800
Savings on Gas Heating	16,450	27,600	28,400	29,300	30,100
Transfer to Reserve		22,270			

A transfer to reserve from Leisure World to the Mechanical Plant Reserve in 2004/05 of \$22,270 will make this a self-funding project.

Pool Blankets

The total cost for the purchase of the Elite Pool Cover blankets, roller and controls is \$31,389 (+GST).

Creation of Storage Area

Leisure World staff can project manage the alterations with the use of City of Gosnells preferred suppliers. The total estimated cost of the alterations is \$7,330. This will keep the blankets and rollers safely away from the pool deck and the public during operating hours.

Funding

Environmental Considerations

The City of Gosnells Environmental Coordinator has stated that the proposal is in keeping with the City's strategic direction with regard to energy conservation and greenhouse gas emissions reduction, outlined in the City's adopted Environmental Management Plan 2001 (EMP). The proposal is also in keeping with the City's adopted Corporate Greenhouse Action Plan (CGAP), which specifically identifies Leisure World.

FINANCIAL IMPLICATIONS

While funds have not been budgeted for these works they can be funded through a budget variation from the Leisure World – Mechanical Plant Service Reserve as follows:

Job Name	Comment	Amount (\$)
Purchase of Blankets	Five Elite Thermal 'Lane Rope Friendly' Pool Blankets, two rollers, one mechanical puller system	\$31,390
Storage Compound	Combination of Leisure World staff and City of Gosnells Preferred Suppliers	\$ 7,330
TOTAL (excl. GST)		\$38,720

STAFF RECOMMENDATION

Moved Cr D Griffiths Seconded Cr C Matison

That Council authorise the purchase of the Elite Pool covers, roller and mechanical puller and the construction of daytime storage compound for City of Gosnells Leisure World at an estimated cost of \$38,720.

STAFF RECOMMENDATION

Moved Cr D Griffiths Seconded Cr C Matison

That Council authorise the budget variations as follows:

Job/Account	Details	Dr	Cr
Job300.700.3	FE7201 Leisure World Pool Blankets	31,390	
Job644.143.3	Pool Blanket Storage Area	7,330	
Job5736.713.5	Gas for heating		16,450
61101.995.9008	Leisure World Mechanical Plant Services Reserve		24,250
		\$38,720	\$38,720

(ABSOLUTE MAJORITY REQUIRED)

Amendment

During debate the Mayor read aloud the following amendment to the second staff recommendation moved by Cr R Mitchell:

“That Council, in order to rectify a typographical error, amends the second staff recommendation by deleting the figure “24,250” where it appears in the “Cr” column adjacent “Job/Account 61101.995.9008” and substituting it with the figure “22,270”.”

Cr O Searle Seconded Cr Mitchell’s proposed amendment.

At the conclusion of debate the Mayor put Cr Mitchell’s proposed amendment, which reads:

Moved Cr R Mitchell Seconded Cr O Searle

“That Council, in order to rectify a typographical error, amends the second staff recommendation by deleting the figure “24,250” where it appears in the “Cr” column adjacent “Job/Account 61101.995.9008” and substituting it with the figure “22,270”, with the amended recommendation to read:

“That Council authorise the budget variations as follows:

Job/Account	Details	Dr	Cr
Job300.700.3	FE7201 Leisure World Pool Blankets	31,390	
Job644.143.3	Pool Blanket Storage Area	7,330	
Job5736.713.5	Gas for heating		16,450
61101.995.9008	Leisure World Mechanical Plant Services Reserve		22,270
		\$38,720	\$38,720”

CARRIED 11/0

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

AGAINST: Nil.

The amendment was put and carried with the amendment becoming the substantive motion. The Mayor then put the first staff recommendation and the substantive motion, which read:

Staff Recommendation 1 of 2:

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
--

661 Moved Cr D Griffiths Seconded Cr C Matison

“That Council authorise the purchase of the Elite Pool covers, roller and mechanical puller and the construction of daytime storage compound for City of Gosnells Leisure World at an estimated cost of \$38,720.”

CARRIED 11/0

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

AGAINST: Nil.

Amended Staff Recommendation 2 of 2 (substantive motion):

COUNCIL RESOLUTION

662 Moved Cr R Mitchell Seconded Cr O Searle

“That Council authorise the budget variations as follows:

Job/Account	Details	Dr	Cr
Job300.700.3	FE7201 Leisure World Pool Blankets	31,390	
Job644.143.3	Pool Blanket Storage Area	7,330	
Job5736.713.5	Gas for heating		16,450
61101.995.9008	Leisure World Mechanical Plant Services Reserve		22,270
		\$38,720	\$38,720”

CARRIED BY ABSOLUTE MAJORITY 11/0

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

AGAINST: Nil.

12.3 CORPORATE SERVICES

12.4 INFRASTRUCTURE

12.4.1 WHEELCHAIR SWING INSTALLATION - TOM BATEMAN RESERVE

File: 202301 (GT) GT10.2a
Previous Ref: OCM 23 June 2003 - Resolution 398

PURPOSE OF REPORT

To seek Council approval to expend funds from Cash-in-Lieu of Public Open Space Reserve Account 9.91.936 in the 2003-2004 financial year, for the construction of a swing specifically designed for use by wheelchair bound children in the Tom Bateman Reserve playground.

BACKGROUND

At the Ordinary Council Meeting on 24 June Council made the following Resolution with respect to a wheelchair swing:

Resolution 398

“That Council staff identify from cash-in-lieu of Public Open Space Reserve account or other sources the necessary amount to purchase and construct a wheelchair swing to be located at the Tom Bateman Reserve children’s playground, purpose built for children with disabilities, and a further report to be presented to council”

DISCUSSION

Council officers have sought the approval of the Minister of Planning for the use of cash-in-lieu of Public Open Space and permission has been given for the intended purpose.

As per the Council Resolution this report is now being presented to Council to confirm their desire for the swing to be installed at the Tom Bateman Reserve children’s playground. This specific piece of equipment will augment the provision of opportunities for disabled children to enjoy the activities provided at this very popular playground.

FINANCIAL IMPLICATIONS

The costs of the installation is as follows:

Excavation	\$880
Fill	\$158
Footpath	\$451
Limestone wall	\$1,584
Ballistrading	\$3,547
Rubber Softfall	\$13,500
Sub-Total	\$20,121
Liberty Swing (supplied separately)	\$26,000
Total	\$46,121

As the work is comprised of two separate components and there is only one supplier in Australia for this type of swing, Council will not be required to go to public tender for the work.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
663 Moved Cr D Griffiths Seconded Cr W Barrett

“That Council approve the expenditure of \$46,121 from the Cash-in-Lieu of Public Open Space Reserve Account 9.91.936 for the purchase and construction of a wheelchair swing to be located at the Tom Bateman Reserve playground.”

CARRIED BY ABSOLUTE MAJORITY 11/0

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

AGAINST: Nil.

12.4.2 GROUNDS MAINTENANCE AND SIGNAGE - FORMER MADDINGTON GOLF COURSE SITE

File: 231313

(MB)

MB10.1a

PURPOSE OF REPORT

To seek Council approval for grounds maintenance work to be undertaken and signage to be erected at the Former Maddington Golf Course site.

BACKGROUND

At the Ordinary Council Meeting of 8 April 2003 Council approved the engagement of a consultant to produce a Master Plan for the Former Maddington Golf Course site. The consultant's role involved facilitating a number of workshops with community members who were involved in various advisory committees to Council. It is anticipated that the draft Master Plan and report will be available for Council consideration in November 2003.

During the course of the workshops it was the view of the participants that public perception of the site would be improved by periodically undertaking some basic grounds' maintenance. The site is currently used by the local community for informal passive recreation activities such as walking and dog exercise. There is also a BMX facility on the site which is well used by young people on a casual basis.

It is the view of the community representatives that with the production of the draft Master Plan the time is now opportune to improve the presentation of the site to confirm its future development as a significant park in Maddington. To this end community members at the workshops requested that some limited grounds' maintenance be undertaken on the site this financial year.

DISCUSSION

Since the Golf Course closed in 1999 there has been a limited amount of maintenance undertaken on the site each year due mainly to uncertainty regarding its future development and use. The limited amount of maintenance, which has occurred, has comprised of broad acre mowing and the periodic removal of rubbish from the site when required. No grounds maintenance allocation has been included in Council's 2003/2004 Budget for expenditure at the site.

It is considered by officers that the request of the community representatives has considerable merit, as the production of the draft Master Plan will provide the impetus to raise the profile of the site within the wider community. As part of Council's approval process there will be a public comment period on the draft Master Plan. During this period the draft plan will be on display and information signage erected at the site. It is considered that the public comment period will provide an opportunity to 'market' the area to the community as a future recreation resource. Good presentation of the site will inevitably be a significant factor in reinforcing community perception of the area as a future park rather than a disused golf course.

FINANCIAL IMPLICATIONS

Discussion with the Manager of Parks and Buildings confirms that the cost of one broad acre mowing operation is \$1,400 and one rubbish removal operation at the site is approximately \$150. It is estimated that the cost of signage and incidentals for the public comment process will be another \$1,000. It is estimated that the area will require mowing on three occasions between October 2003 and June 2004.

Mowing (3 occasions)	\$4,200
Rubbish removal (4 occasions)	\$ 600
Signage (public comment)	\$1,000
TOTAL	\$5,800

The Maddington Golf Course Reserve Account receives \$15,000 per year in rental income from the telecommunication towers on the site, currently the balance of the account is \$14,689. The transfer of \$5,800 from Maddington Golf Course Reserve Account No 9.91.933 to Job No 5167 will enable the general grounds' maintenance to occur and the public comment process to proceed in 2003/2004.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
--

664 Moved Cr P Wainwright Seconded Cr R Croft

“That Council approve the transfer of \$5,800 from the Maddington Golf Course Reserve Account No 9.91.933 to Job No 5167 for expenditure on general grounds' maintenance and information signage at the Former Maddington Golf Course.”

CARRIED BY ABSOLUTE MAJORITY 11/0

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

AGAINST: Nil.

12.5 PLANNING AND SUSTAINABILITY

12.5.1 SOUTHERN RIVER PRECINCT 2 – PROPOSED OUTLINE DEVELOPMENT PLAN AND ASSOCIATED SCHEME AMENDMENTS *(ITEM BROUGHT FORWARD – REFER TO ITEM 10)*

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

12.5.2 PROPOSED OUTLINE DEVELOPMENT PLAN - LOTS 173, 174, 175, 176 AND 177 BURSLEM DRIVE, MADDINGTON

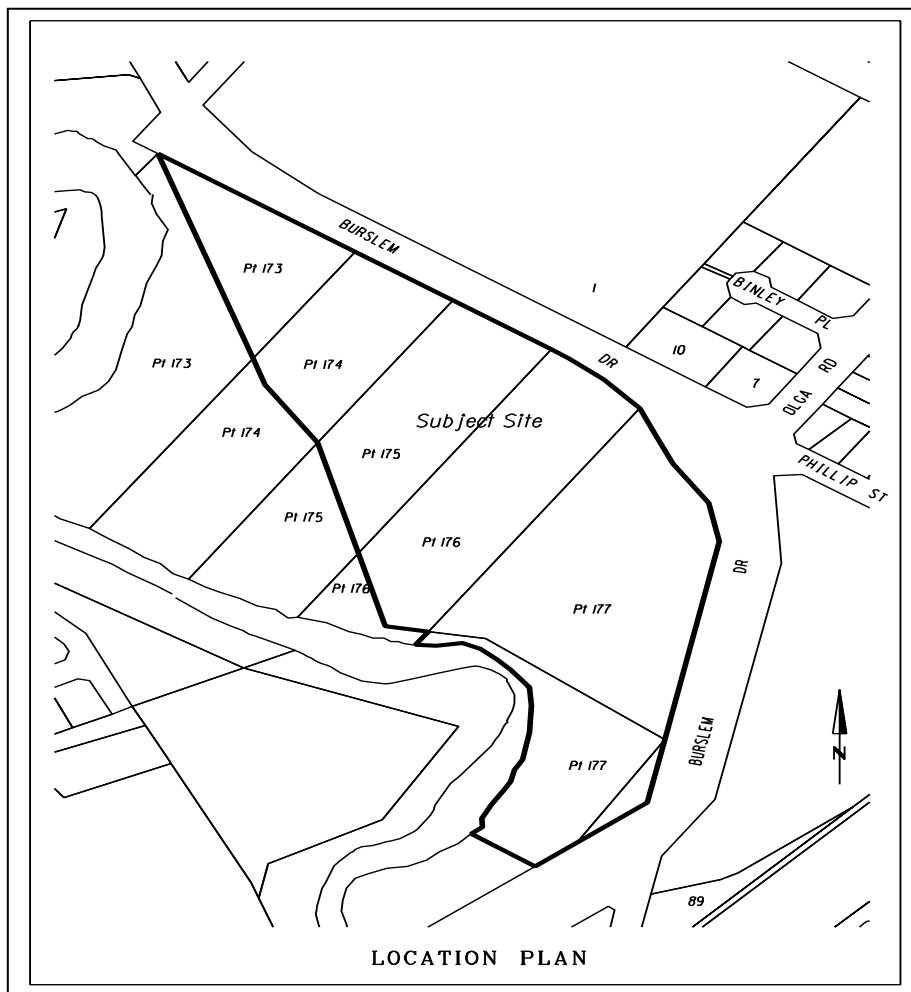
File:	S8/1/18	(SW)
Name:	PMdR	
Location:	Lots 173, 174, 175, 176 and 177 Burslem Drive, Maddington	
Zoning: MRS:	Urban	
TPS No. 6:	Residential Development	
Appeal Rights:	Where the applicant is aggrieved by Council's decision they may request that the Western Australian Planning Commission consider the matter.	
Area:	8.7872 ha (Total)	
Previous Ref:	N/a	
Appendix:	N/a	

PURPOSE OF REPORT

For Council to, subject to modification, determine if the proposed Outline Development Plan (ODP) for Lots 173, 174, 175, 176 and 177 Burslem Drive, Maddington is satisfactory for advertising.

BACKGROUND**Site Description**

This site, which comprises 5 lots, is bounded by Burslem Drive on its northern and eastern sides, and the Canning River on its southern and western sides (See Location Plan). Some portions of the site slope down toward the Canning River, are low-lying and located within the flood fringe.



The site was previously used as market gardens/citrus orchard and as such, was cleared of native vegetation at some point. A number of buildings are located in the southwestern corner of the site, being the Maddington Homestead and associated buildings. The Homestead itself is a two storey rendered and painted mud brick dwelling, with corrugated iron roofing and a verandah.

The site is located adjacent to the Maddington Regional Centre, with the Maddington Shopping Centre being located directly opposite the site and the Maddington Train Station being within walking distance.

Town Planning Scheme No. 6

As the site is zoned Residential Development under Town Planning Scheme No. 6 (TPS6), an approved ODP for the site is required before the City can either recommend that a subdivision be approved or issue any development approval.

Clause 7.4.2 of TPS6 states that upon receiving a Proposed Outline Development Plan, Council is to either:

- “(a) determine that the Proposed Outline Development Plan is satisfactory for advertising;*
- “(b) determine that the Proposed Outline Development Plan is not to be advertised until further details have been provided or modifications undertaken; or*
- “(c) determine that the Proposed Outline Development Plan is not satisfactory for advertising and give reasons for this to the Proponent.”*

Clause 7.3.4 of TPS6 states what items a proposed ODP should include.

Heritage Listing

Maddington Homestead is included within the TPS6 Heritage List, which was adopted at the Ordinary Meeting of Council held on 17 December 2002. As such, any proposal to demolish Maddington Homestead or alter the interior or exterior requires development approval.

In addition to its inclusion on the TPS6 Heritage List, Maddington Homestead is included within the City’s Municipal Heritage Inventory and the Heritage Council of Western Australia’s Register of Heritage Places.

Town Planning Scheme No. 21 (TPS21)

The site was, at one point, included within the proposed TPS21 area and was removed because it was zoned Residential Development under TPS-6 requiring the adoption of an ODP which serves the same purpose as the Town Planning Development Scheme being the facilitation of development through infrastructure cost sharing mechanisms.

Local Housing Strategy (LHS)

The site is included within the Central Maddington Precinct of the City’s Local Housing Strategy, however it was not considered as part of the LHS because at the time, the site was still included in TPS21. This scheme would determine the density; similarly the ODP will determine the density based on the principles of the Local Housing Strategy. These principles support increased densities in locations within close proximity to services and facilities.

Proposal

The draft ODP proposes the redevelopment of the site for predominantly residential purposes, including approximately 81 single residential lots and seven grouped housing sites capable of accommodating approximately 119 grouped dwellings (See Draft Outline Development Plan). It is proposed that the single residential lots would be developed at the R30 density and that the grouped dwellings would be developed at the R40 density. On this basis it is estimated that the site would accommodate approximately 200 new dwellings and a population of 430 people.

It is proposed that the grouped housing sites backing onto Burslem Drive would not have road access to Burslem Drive, and this would be reinforced through the construction of a solid wall on the boundary so as to reduce the impact of traffic noise on the adjoining dwellings. Thirteen single residential lots and one grouped housing site directly abut local or regional open space: it is proposed that permeable fencing be constructed on the boundary so as to promote surveillance through the interface.

Insert Plan Here

Non-residential land uses would include one area of local open space (3162m²) abutting Burslem Drive, and a 1.0477 hectare Heritage Site, which would accommodate the Maddington Homestead. It is proposed that the Maddington Homestead would be retained and become a heritage based culinary and craft centre; the landowner has appointed a heritage consultant to carry out a detailed assessment of the Heritage Site.

The 3162m² area of local open space would comprise 3.6% of the site and as such, the developer would be obliged to pay a cash-in-lieu contribution for the balance of their 10% public open space requirement (i.e. 6.4%). This will enable funds to be directed into either development of the river area or acquisition of land in other parts of Maddington where needed. The proposed area of local open space was located adjoining Burslem Drive in order to provide a connection to the Maddington Shopping Centre.

The developer proposes to landscape and beautify the adjoining portion of regional open space, in addition to constructing a shared use path adjoining the Canning River. The ODP does not show the location of proposed footpaths or shared use paths.

The proposed road network comprises a 16-metre wide loop road that starts and finishes at Burslem Drive and runs through the centre of the site, and a number of other local roads. One of those local roads is an 8-metre wide access lane that would run between a grouped housing site and some single residential lots.

Common Infrastructure Costs

Unlike the majority of other ODP areas which are in fragmented landownership, this ODP area is owned by a single landowner. There are no common infrastructure costings proposed, as there is no need to share, coordinate or manage the provision of infrastructure costs between a large number of landowners.

Engineering Report

The applicant has submitted an engineering report in support of their application, which addresses issues such as site evaluation, road works, stormwater drainage, sewer and water reticulation. In summary, the report concludes that the site is capable of being provided with all essential services.

DISCUSSION

Staff are generally satisfied that the proposed ODP includes adequate information, in accordance with Clause 7.3.4 of TPS6, for the purpose of public advertising. Other issues, and exceptions to this assessment, are discussed below.

Density Coding

The proposed density of development (ie R30/R40) is considered to be consistent with the principles of the City's Local Housing Strategy, and the proposals for similarly located land within TPS21. The ODP however, does not designate the proposed density

codings, and should be amended to do so. It is recommended that Council determine that the proposed ODP is not to be advertised until those density codings are shown on the ODP.

Road/Open Space Interface

The proposal that the grouped housing sites backing onto Burslem Drive should have a solid wall constructed on the boundary does not comply with the City's SafeCity Urban Design Strategy or Policy 6.3.2.1 Uniform Fencing Laws – Outline Development Plans and Subdivision. A number of alternative interface treatments could potentially be used and it is recommended that Council determine that the proposed ODP is not to be advertised until an alternative interface treatment, that complies with its SafeCity Urban Design Strategy and Policy 6.3.2.1 Uniform Fencing Laws – Outline Development Plans and Subdivision, is identified. In that regard, it is recommended that the Director Planning and Sustainability be granted delegated authority to determine if the alternative interface treatment is satisfactory.

Although, in a number of places, single residential lots and one grouped housing site are proposed to directly abut local or regional open space, it is believed that the proposed permeable fencing, in conjunction with design guidelines and the creation of a suitable level difference favoring the residential lots would create sufficient surveillance through the proposed interface. The draft ODP does not require amendment to reflect these outcomes, as they can be implemented as conditions of subdivision.

Loop Road

The proposed loop road shall require the inclusion of some additional traffic calming devices in order to deter through traffic from using it to avoid the roundabout at the intersection of Olga Road and Burslem Drive. The draft ODP does not require amendment to reflect this outcome.

Laneway

The proposed 8-metre wide access lane needs to be widened to a 12-metre reserve width so that it complies with the City's engineering standards. It should also be extended through to the Burslem Drive road reserve, as that would reduce the amount of residential lot interface backing onto Burslem Drive, and improve pedestrian permeability through the site. It is recommended that this modification be shown on the draft ODP prior to advertising.

Path Network

The draft ODP should be amended to show the proposed path network, including a shared use path within the foreshore reserve and 16-metre wide road reserve, and footpaths on all other roads.

Local Open Space

It is not common for local open space to be located abutting a heavily trafficked road such as Burslem Drive, because of perceived safety issues (i.e. children running onto the road) and potential impacts upon the amenity of users. Where a subdivision or ODP is located adjoining regional open space it is common for the local open space to be located adjoining the regional open space.

In this case, however, it is considered that the proposed local open space would provide a strong link between the Maddington Shopping Centre and the site. That link could be further strengthened by ensuring that the local open space is located opposite the southern entrance to the Maddington Shopping Centre and the path network/development plans for the local open space enhance the link. It appears that the proposed location of the local open space is in close proximity to an existing citrus orchard and that may provide an opportunity to incorporate some of the site's history into the local open space design, if potential maintenance issues associated with the trees can be addressed. It may be appropriate to increase the size of the local open space to provide for both the retention of some citrus trees and some useable active/passive open space areas. A tree survey would establish which trees are suitable to be retained; that information would form the basis of a "thinning out" of the orchard and lifting of tree crowns so as to improve surveillance and ensure compliance with the SafeCity Urban Design Strategy.

CONCLUSION

With some minor modifications the draft ODP shall be satisfactory for advertising. It is recommended that the Director Planning and Sustainability be granted delegated authority to initiate the advertising once satisfactory modifications have been completed.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
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665 Moved Cr R Croft Seconded Cr W Barrett

"That Council subject to the draft Outline Development Plan for Lots 173, 174, 175, 176 and 177 Burslem Drive, Maddington being amended to include the following modifications to the satisfaction of the Director Planning and Sustainability:

1. The proposed density codings being shown
2. The proposed interface treatment between Burslem Drive and the proposed residential lots being modified to comply with the City of Gosnells SafeCity Urban Design Strategy

3. The proposed 8-metre wide access lane being widened to a 12-metre reserve width and having its road reserve, but not its road pavement, extended through to the Burslem Drive road reserve
4. The proposed path network, including a shared use path within the foreshore reserve and 16 metre wide road reserve and footpaths on all other roads, being shown
5. The proposed local open space being modified as required to ensure that the local open space is located opposite the southern entrance to the shopping centre, provide for retention of portion of the existing citrus orchard and provide for some useable active/passive areas

determine that the Outline Development plan is satisfactory for advertising pursuant to Clause 7.4.2 (b) of Town Planning Scheme No. 6.”

CARRIED 7/4

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

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

12.5.3 DEVELOPMENT APPLICATION – TWO GROUPED DWELLINGS – NO. 1 (LOT 424) ESK CLOSE, CANNING VALE

File: SD119351 **Approve Ref:** 0304/1202 (BF)
Name: R A Minett
Location: Lot 424 Esk Close, Canning Vale
Zoning: MRS: Urban
TPS No. 6: Residential Development
Appeal Rights: Yes. Town Planning Appeal Tribunal against a refusal or any condition(s) of approval.
Area: 600m²

PURPOSE OF REPORT

For Council to consider an application for two grouped dwellings at No. 1 (Lot 424) Esk Close, Canning Vale, as the proposal is outside the authority delegated to staff.

BACKGROUND**Site Description**

Lot 424 is 600m² in area and has two road frontages to Gateway Boulevard and Esk Close (see Location Plan). Lot 424 is zoned Residential Development under Council's Town Planning Scheme No. 6. and is shown as having a density greater than R17.5 (up to R40) under Canning Vale Outline Development Plan.

Residential Design Codes (R-Codes)

The proposal complies with the Acceptable Development Criteria of the R-Codes except for the minimum open space requirements and the need to have external access to store rooms. R-Codes Clause 3.4.1 A1 requires open space to be provided in accordance with Table 1, i.e. a minimum of 45% of the site.

The staff delegation for Clause 3.4.1 only relates to applications, which comply with the Acceptable Development Criteria A1. The proponent has requested consideration of the proposal based on the Performance Criteria of the R Codes being Clause 3.4.1 P1 Open Space Provision that requires the following criteria to be met:

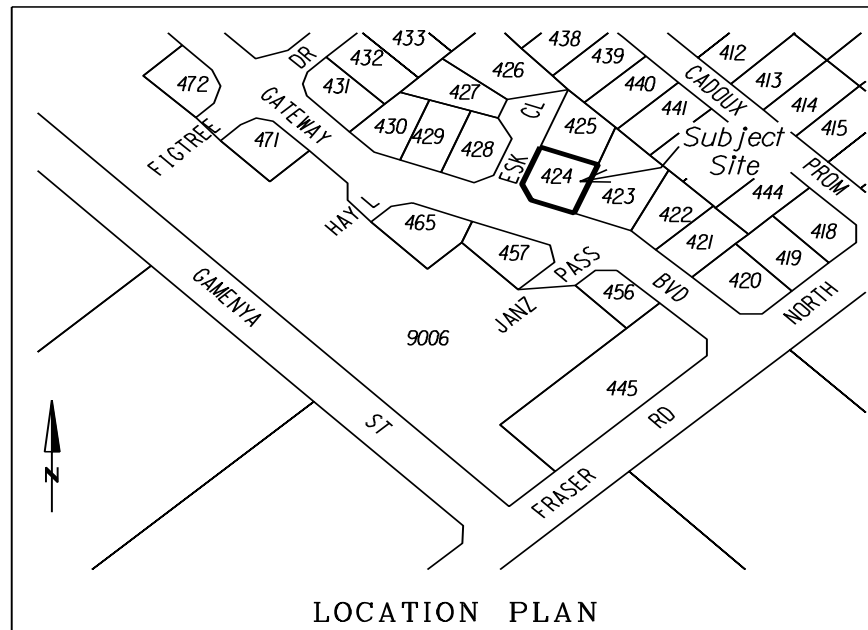
“Sufficient open space around buildings:

- *To complement the building;*
- *To allow attractive streetscapes;*
- *To suit the future needs of residents, having regard to the type and density of the dwelling”*

The matter is therefore referred to Council for determination.

Vehicle Parking And Access For Residential Development (Policy No. 6.2.19)

Under Council's Policy No. 6.2.19 double garages shall comply with a minimum internal dimensions of 5.7m wide and 5.5m in length.



Proposal

The applicant proposes two grouped dwellings fronting Esk Close and Gateway Boulevard. The site area for Unit 1 is 301m² and for Unit 2 is 299m².

The proposal does not comply with Acceptable Development Criteria Clause 3.4.1 A1 relating to the provision of open space on site, which for Unit 1 is 43.3% and for Unit 2 is 44.1% instead of 45%, as is determined in Table 1 of the R-Codes. The applicant seeks a 1.7% (for Unit 1) and 0.9% (for Unit 2) variation to the Acceptable Criteria of the R-Codes and has submitted the following information in support of this request for consideration under the performance criteria:

“The proposal complies with the performance based criteria of the R-Codes Clause 3.4.1 P1 whereby the open space allows adequate open courtyard space to meet the future needs of the residents, having regard to the medium density of the development. The proposal complies with all other aspects of the open space assessment and only seeks a very minor variation.”

In addition to the above the stores have to be accessible from outside a dwelling. There are no doors on the stores shown on proposed plan. Stores are accessible only through the street via garage.

Also, the proposed garages for Unit 1 is 5.53m length and 5.41m wide and for Unit 2 5.75m length and 5.41 width. Although the proposed widths for both garages comply with the R-Codes requirements, they do not comply with the minimum dimensions required by the Policy No. 6.2.19.

Insert Plan Here

DISCUSSION

The application was lodged in July 2003 and since that time the applicant has submitted two additional amended plans at the request of officers, but a detailed fencing plan has not been submitted. The third amended plan complies with R-Codes except for the open space requirements.

The proposed garages for both units do not comply within the minimum dimensions defined by the Policy No. 6.2.19. In order to achieve required minimum internal dimensions it is possible for both garages to reduce the side setback to nil. A nil setback will create an extra of 0.5 - 0.7m, which could be used for enlargement of the other areas within dwellings or to provide for an internal garage width greater than the minimum 0.5 - 0.7m required by Policy No 6.2.19.

As a result of this, the open space provision will be reduced to 41.03% for Unit 1, this equates to approximately 12m² and 42.08% for Unit 2 equating to approximately 9m².

A reasonable amount of open space is provided for in the front setback to contribute to an attractive streetscape and to the side and rear of the Unit 2 site. The main private courtyard and family room windows face northeast which is ideal with respect to passive solar orientation. This will therefore complement the building and will provide a comfortable living environment for future residents.

Stores for both units need an additional door in order to be accessible from outside the dwelling. This can be addressed by a condition of approval.

CONCLUSION

The proposal complies with all the R Code requirements, except the minimum open space requirement. Given the passive solar aspects of the design and the open space provided within the primary and secondary streets front setback area, it is recommended that Council approve the proposal based on the Performance Criteria, subject to non-standard and standard conditions of development approval.

FINANCIAL IMPLICATIONS

Nil

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

666 Moved Cr D Griffiths Seconded Cr R Croft

“That Council approve the application for two grouped dwellings at No. 1 (Lot 424) Esk Close, Canning Vale, subject to the following conditions:

1. A personnel door to both stores in order to have access from outside to be provided.
2. A garage for both units to comply with minimum dimensions of 5.7m wide and 5.5m length.
3. Lodgement of detailed fencing plans with the Building Licence application to the satisfaction of the Director of Planning and Sustainability.
4. Standard Conditions 5.1, 5.2 and 6.1; and Advice Notes D12.1.”

CARRIED 8/3

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

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

12.5.4 DEVELOPMENT APPLICATION – TWO GROUPED DWELLINGS – NO. 3 (LOT 425) ESK CLOSE, CANNING VALE

File: SD119351 **Approve Ref:** 0304/1203 (BF)
Name: R A Minett
Location: Lot 425 Esk Close, Canning Vale
Zoning: MRS: Urban
TPS No. 6: Residential Development
Appeal Rights: Yes. Town Planning Appeal Tribunal against a refusal or any condition(s) of approval.
Area: 600m2

PURPOSE OF REPORT

For Council to consider an application for two grouped dwellings at No. 3 (Lot 425) Esk Close, Canning Vale, as the proposal is outside the authority delegated to staff.

BACKGROUND**Site Description**

Lot 425 is 600m2 in area and has one street frontage to Esk Close. Lot 425 is zoned Residential Development under Council's Town Planning Scheme No. 6 and is shown as having a density greater than R17.5 (up to R40) under Canning Vale Outline Development Plan.

Residential Design Codes (R-Codes)

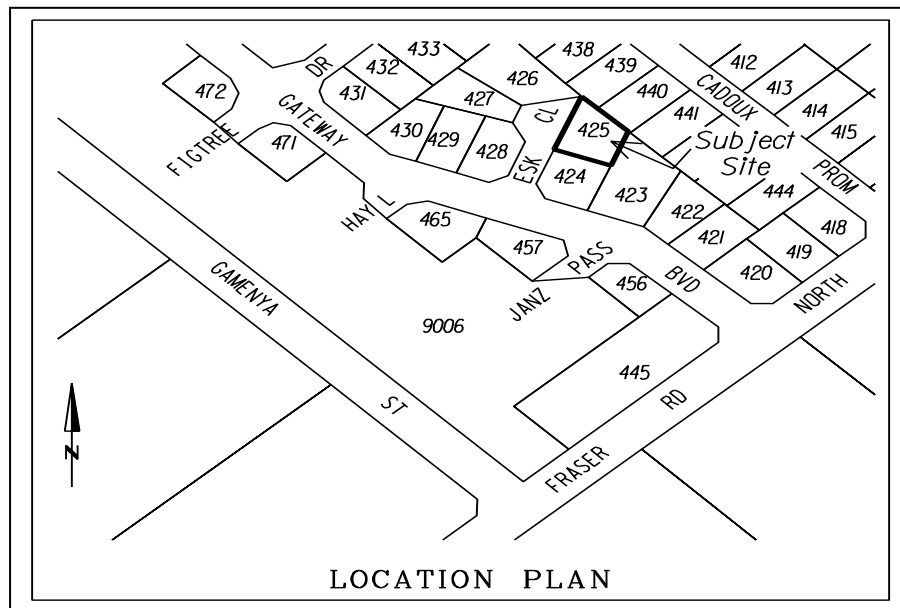
The proposal complies with the Acceptable Development Criteria of the R-Codes except for the minimum open space requirements and the need to have external access to store rooms. R-Codes Clause 3.4.1 A1 requires open space to be provided in accordance with Table 1, i.e. a minimum of 45% of the site. The open space provided for one of the units is approximately 41.56%.

The staff delegation for Clause 3.4.1 only relates to applications, which comply with the Acceptable Development Criteria A1. The proponent has requested consideration of the proposal based on the Performance Criteria of the R Codes being Clause 3.4.1 P1 Open Space Provision, which requires the following criteria to be met:

“Sufficient open space around buildings:

- *To complement the building;*
- *To allow attractive streetscapes;*
- *To suit the future needs of residents, having regard to the type and density of the dwelling”*

The matter is therefore referred to Council for determination.



Proposal

The applicant proposes two grouped dwellings, each on a site of 300m² in area. Unit 1 complies with Acceptable Development of R-Codes.

The proposal for Unit 2 provides 41.56% and therefore does not comply with Acceptable Development Criteria for open space, which is 45%, so the applicant has submitted the following information in support of his request for consideration under the Performance Criteria:

“The proposal complies with performance based criteria of the R-Codes Clause 3.4.1 P1 whereby the open space allows adequate open courtyard space to meet the future needs of the residents, having regard to the medium density of the development. The proposal complies with all other aspects of the open space assessment and only seeks a minor variation.”

In addition to the above the stores have to be accessible from outside a dwelling. There are no doors on the stores shown on proposed plan. Stores are accessible only through the street via the garage.

Insert Plan Here

DISCUSSION

The application was lodged in July and since then the applicant has submitted two additional amended plans at the request of officers. The third amended plan complies with R-Codes except for the open space requirements and personnel doors to store rooms. Regarding the open space, the applicant is seeking only a minor 3.44% variation to R-Codes, which on a site of 300m² in area equates to approximately 10m². A reasonable amount of open space is provided for in the front setback to contribute to an attractive street and to the side and rear of the Unit 2 site. The main private courtyard and family room windows face northeast which is ideal with respect to passive solar orientation. This will therefore complement the building and will provide a comfortable living environment for future residents.

Stores for both units need an additional door in order to be accessible from outside the dwelling. This can be addressed by a condition of approval.

CONCLUSION

The proposal complies with all the R Code requirements, except the minimum open space requirement and need for personnel doors to store. Given the passive solar aspects of the design and the open space provided within the front setback area, it is recommended that Council approve the proposal based on the performance criteria, subject to non-standard and standard conditions of development approval.

FINANCIAL IMPLICATIONS

Nil

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
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667 Moved Cr R Mitchell Seconded Cr W Barrett

“That Council approve the application for two grouped dwellings at No. 3 (Lot 425) Esk Close, Canning Vale, subject to the following conditions:

1. The provision of a personnel door to both stores in order to have access from outside the dwelling.
2. Standard Conditions 5.1, 5.2 and 6.1; and Advice Notes D12.1.”

CARRIED 8/3

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

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

12.6 REGULATORY SERVICES

12.6.1 SMOKE EMISSIONS - CHARCOAL CHICKEN EXPRESS CAFE, SHOP 9, 74 WARTON ROAD, HUNTINGDALE

File: 208427

(BM)

Rpt048Sep03

PURPOSE OF REPORT

To advise Council of actions taken in relation to a petition regarding smoke emissions at Charcoal Chicken Express Café, Shop 9, 74 Warton Road, Huntingdale received at the Ordinary Council Meeting of 26 November 2002.

BACKGROUND

At the Ordinary Council Meeting of 26 November 2002, ex-Councillor M Devereux presented a petition initiated by Ricky Van Heekeron of 3 Colony Court, Thornlie, containing 41 signatures in relation to emissions from Charcoal Chicken Express Café, Shop 9, 74 Warton Road, Huntingdale. The petition stated:

“We the undersigned electors of the City of Gosnells request that smoke emissions from Charcoal Chicken, Warton Road, Huntingdale, stop encroaching on our properties and cease interfering with our quality of life and our right to quiet enjoyment of property for the following reason:

The smell from the smoke is unbearable, it raises serious health issues and is drawn into homes through air-conditioning systems ruining carpet and soft furnishings, the smell also lingers on ones person and is offensive in the extreme.”

Cr Devereux requested that the petition be forwarded to relevant staff to enable preparation of a report for presentation to Council for consideration.

DISCUSSION

In February 2002, plans for a new Charcoal Chicken Express Cafe store in Huntingdale were submitted to Council’s Health Services Branch for assessment. As Councillors may be aware, all food businesses are required to comply in all respects with the *Health (Food Hygiene) Regulations 1993*. In particular, the following condition of approval applies to exhaust hoods:

“Condition No 6. EXHAUST HOODS

Provide above all cooking facilities exhaust hoods in compliance with the requirements of the Australian Standard AS1688.2 - 1991, titled “The Use of Mechanical Ventilation and Air-Conditioning in Buildings Part 2: Mechanical Ventilation for Acceptable Indoor Air Quality” published by the Standards Association of Australia. Specifications to be supplied prior to installation.”

As a consequence, plans for the exhaust hood were received on 12 February 2002 by the Health Services Branch. Council's Health Services Branch was subsequently advised by the installer that the proposed exhaust canopy complied with the Australian Standard and that it was sufficient to handle the exhaust output from the charcoal fire cooker. Following the above approvals, Charcoal Chicken Express Cafe was approved to open to the public.

Within a month of opening, complaints were received from some residents regarding smoke and cooking chicken fat odour discharging from Charcoal Chicken Express Café exhaust flue. Investigations by a City Environmental Health Officer at the time, resulted in a letter being sent by Council's Health Services Branch to Charcoal Chicken Express Café. The letter requested that the installer of the exhaust system be contacted by Charcoal Chicken Express Cafe to undertake additional modifications to address residents' concerns. As a result, the installer removed the Chinaman's cap on the exhaust stack and replaced it with a vertical discharge unit. The purpose of this discharge unit was to propel the emissions from the flue directly upwards into the atmosphere where they would hopefully disperse before affecting the neighbouring properties. Despite the above modifications, complaints continued.

As a consequence, further inspections of Charcoal Chicken Express Café were carried out by City Environmental Health Officers and an environmental consultant engaged by the City to provide a solution in December 2002. The inspections indicated that the excessive smoke resulted from staff loading additional charcoal onto the charcoal fire that is used to cook the chickens. The proprietor was subsequently advised to modify cooking practices in order to reduce the excessive smoke being created.

Council's Health Services Branch also contacted the Department of Health and the Department of Environment in December 2002 seeking additional information on further modifications to the exhaust system so as to alleviate the problem. Although the Department of Health was unable to provide the City with assistance, the Department of Environment however, became involved as they also had received complaints. The Department advised that such complaints constitute air pollution under the provision of the *Environmental Protection Act 1996*. Following an inspection of the food business on 12 December 2002, a Department of Environment Officer was of the view that the emissions constituted a pollution offence and subsequently issued an Environmental Field Notice on Charcoal Chicken Express Café. The notice required Charcoal Chicken Express Cafe to investigate modifications of the chimney stack to reduce the smoke pollution and report back to the Department of Environmental Protection within a 2 week period. Charcoal Chicken Express Cafe did not report back to the Department regarding the Environmental Field Notice and the Department of Environment advised the City in February 2003 that they believed the problem was primarily a local government issue and would be better handled by the City.

Mr and Mrs Van Heekeron were contacted by a City Environmental Health Officer and kept informed of actions taken throughout the City's investigation. To further assist the City's Health Services Branch, copies of emission record diaries were issued to Mr and Mrs Van Heekeron for distribution to other complainants within the immediate vicinity to establish date, time, frequency and degree of impact created by the emissions during the cooking process. Only 2 of the 41 petition signatories returned emission record diaries to the City documenting smoke and odour occurrences from 24 January 2003 through to 13 February 2003.

In addition, on the 10 April 2003 a house to house door knock survey was conducted of 11 residences in the area around Charcoal Chicken Express Café by a City Environmental Health Officer. Those surveyed comprised of both residents who had signed the petition, and those that had not. From this survey, 3 of the 11 residents surveyed indicated that they were adversely affected. Results from the emission record diaries and surveys were analysed with results indicating that the smoke and odour from Charcoal Chicken Express Café was most noticeable between 4:00pm and 7:00pm on both weekdays and weekends.

Since the above survey, in July and August, a City of Gosnells Environmental Health Officer inspected the area surrounding Charcoal Chicken Express Cafe between 4:00pm and 7:00pm. During these inspections the smoke and odour from Charcoal Chicken Express Cafe has been barely noticeable and deemed to be reasonable. This may be due to modified cooking practices being adopted by the proprietor since the issue of the Department of Environment notice. The Health Services Branch has not received a complaint since July 2003.

CONCLUSION

The City's Health Services Branch has investigated complaints of smoke and odour from Charcoal Chicken Express Cafe for 9 months, enlisting the help of both an environmental consultant and the Department of Environment. While initial investigations provided evidence of possible smoke and odour nuisance issues, recent inspections/investigations have failed to provide any further evidence of the problem, which could be as a result of modified cooking practices.

The Health Services Branch will continue to monitor this problem and it will be recommended that no further action be taken unless additional evidence is provided of either a smoke or odour problem.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

668 Moved Cr R Croft Seconded Cr D Griffiths

“That Council receive the report and note the actions of Health Services officers with respect to odour and smoke emissions from Charcoal Chicken Express Café, Warton Road, Huntingdale and requests the Manager Health Services to advise the petitioners that no further action can be taken unless additional information of a nuisance is provided.”

CARRIED 11/0

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

AGAINST: Nil.

Notation

The Mayor read the following announcement in relation to item 12.6.2 “Standing Orders Local Law – Amendment”:

“In accordance with the Local Government Act 1995, Council for the City of Gosnells proposes to repeal its current Standing Orders Local Law 1998 and adopt a new local law titled, City of Gosnells Standing Orders Local Law 2003.

The purpose of these standing orders is to provide for orderly conduct of meetings of the Council and committees, the manner of making an effective petition to the local government and for the safe custody and use of the common seal.

The effect of these standing orders is that all Council and committee meetings, the manner of making a petition to the local government and the use of the common seal, are to be governed by the standing orders unless otherwise provided in the act or regulations.”

12.6.2 STANDING ORDERS LOCAL LAW - AMENDMENT

File: L1/2/2 (TP) Rpt049Sep03
Previous Ref: Resolution 509 – 22 July 2003 Ordinary Council Meeting
Appendix: 12.6.2A Amendments to the City of Gosnells Standing Orders
Local Law 1998
12.6.2B Draft Standing Orders Local Law 2003

PURPOSE OF REPORT

To repeal the City of Gosnells Standing Orders Local Law 1998 (Adopted on 11 August 1998) and adopt the City of Gosnells Standing Orders Local Law 2003.

BACKGROUND

At the Ordinary Meeting of Council held on Tuesday 22 July 2003 Council resolved (Resolution 509) to give Statewide public notice of its intent to amend the City of Gosnells Standing Orders Local Law 1998.

The required notice, stating the purpose and effect of the local law and the intent of the local government to undertake amendment was advertised in the West Australian newspaper on Saturday 26 July 2003. In addition further notices and copies of the local law and proposed amendments were also displayed at each of the City’s public libraries as well as the Administration Customer Services area.

The submission period closed on Monday 8 September 2003 with no comment received from the public.

DISCUSSION

As an integral part of the review process copies of the proposed amendments were forwarded to Council's legal advisers Minter Ellison as well as the Department of Local Government (Department), both of which provided a response.

While the latter raised no issue with the amendments proposed it did advocate amendment to clause 3.2.8 of the existing local law with a response in part as follows:

"While they are not part of the current amendments I note subclauses 3.2.8(1) and (2) refer to circumstances which give rise to either preventing a member from participating in debate or removal from the council chamber. The Parliament's Joint Standing Committee on Delegated Legislation ('the Committee') considered the issue of prohibiting councillor involvement in debate in their report entitled City of Perth Code of Conduct Local Law Report. The Committee is aware that in some jurisdictions councils have prevented participation of councillors at successive meetings for failing to apologise for offensive remarks made against a fellow councillor, however, no regulations have been made under section 5.25 of the Local Government Act 1995 to prevent participation of councillors. Other than to protect the proper conduct of a meeting of council under its Standing Orders Local Law or as a result of the suspension of a council by the Minister, there appears to be no power to make a local law excluding councillors from participating in a meeting. The Committee is of the view that such power is inconsistent with the clear participatory intent of the Act."

Clause 3.2.8 states:

"3.2.8 Continued breach of order

(1) Where a Member —

- (a) persists in any conduct which the Presiding Member decides is out of order; or*
- (b) refuses to make any explanation, retraction or apology required by the Presiding Member under subclause 3.4.5;*

the Presiding Member may direct that Member to refrain from taking any further part in the meeting of the Council, other than by complying with the pecuniary interest and voting provisions of the Act. The Member shall comply with the direction.

(2) Any Member of the Council who converses aloud, or makes any noise, or disturbance after being called to order by the Presiding Member, or who willfully obstructs or interrupts the orderly conduct of business shall, upon the request of the Presiding Member cease to do so. In the event of the Member persistently disregarding the authority of the Chair when requested, the Member may by order of the Presiding Member be removed from the Council Chamber or meeting room for the remainder of the sitting."

Following discussion with the author of the above response and Council's legal advisor it is considered the repeal of Clause 3.2.8 will have no detrimental effect on the Standing Orders and conduct of Council Meetings.

While the greater majority of local governments within this State have adopted local laws with clauses similar to, or the same as, clause 3.2.8 the Department advises that as a result of the ruling by Joint Standing Committee on Delegated Legislation a directive will be issued in the not too distant future to have the anomaly corrected. As the City is in the process of amending its local law it is opportune to include such amendment in this review. To overlook it at this stage will result in additional cost and resources if and when the Department directs the need for change.

In relation to the overall amendment of the local law, Council's legal adviser advocated change to a number of areas, albeit in most cases minor, the reason for which being to ensure consistency with the remainder of the Standing Orders in format and wording.

The proposed amendments incorporating the changes advocated by the Department and the legal advisor are attached as Appendix 12.6.2A.

The Local Government Act 1995 prescribes that after the last day of submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law that is not significantly different from what was proposed. If the changes are significant it is then necessary to restart the entire review process.

The proposed amendments as contained in Appendix 12.6.2A do vary in a number of areas to those considered by Council at its meeting on 22 July 2003. Council's solicitor in correspondence dated 10 September 2003, in response to a request for comment on the proposed amendments stated in part as follows:

"In our view, while many of the changes that we have suggested will effect substantially the legal interpretation of particular Standing Orders, none of those changes, if adopted, would result in amendments that were 'significantly different' from what was proposed in the advertisement for public submissions for the purposes of section 3.12(4) of the Local Government Act 1995. It would follow that none of those proposed changes would need to be readvertised for the purposes of the City's law making powers."

This comment was made without the knowledge of the amendments proposed by the Department. While the changes may not be considered significant they are numerous and coupled with that proposed by the Department warrants recommencing the review process in order to provide the community ample opportunity for input.

Another aspect that needs to be considered is whether for expediency, it would be better to repeal the existing Standing Orders and adopt a new local law incorporating all of the proposed amendments or simply adopt the amendments. Cost wise for gazettal purposes the difference is minimal. On the other hand however, amendment of the existing copies of the Standing Orders would be both time consuming and cumbersome. In all there are some 49 amendments. These coupled with those previously made in September 2000 could make an amended document a little hard to follow.

It will therefore be recommended Council repeal the existing local law and adopt a new City of Gosnells Standing Orders Local Law 2003 as contained in Appendix 12.6.2B.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION

Moved Cr P Wainwright Seconded Cr R Croft

That Council give Statewide public notice that it proposes to repeal the City of Gosnells Standing Orders Local Law 1998 and adopt the City of Gosnells Standing Orders Local Law 2003 as contained in Appendix 12.6.2B and invites submissions about the proposed Local Law for a period of 6 weeks from the date of advertisement.

Amendment

During debate the Mayor read aloud the following amendment to the staff recommendation moved by Cr J Brown:

“That Council amend the staff recommendation by inserting the following words at the end of the motion “, subject to the following words being included under Clause 2.8 Order of Business:

“Item 5 Reports of Delegates (without debate)”

and all subsequent numerals be renumbered to accommodate this inclusion.”.”

Cr Brown provided the following written reason for the proposed amendment:

“To afford Councillors the opportunity to bring to Council’s notice, issues of importance that relate to Council business.”

Cr C Matison Seconded Cr Brown’s proposed amendment.

At the conclusion of debate the Mayor put Cr Brown’s proposed amendment, which reads:

Moved Cr J Brown Seconded Cr C Matison

“That Council amend the staff recommendation by inserting the following words at the end of the motion “, subject to the following words being included under Clause 2.8 Order of Business:

“Item 5 Reports of Delegates (without debate)”

and all subsequent numerals be renumbered to accommodate this inclusion.”, with the amended recommendation to read:

“That Council give Statewide public notice that it proposes to repeal the City of Gosnells Standing Orders Local Law 1998 and adopt the City of Gosnells Standing Orders Local Law 2003 as contained in Appendix 12.6.2B and invites submissions about the proposed Local Law for a period of 6 weeks from the date of advertisement, subject to the following words being included under Clause 2.8 Order of Business:

“Item 5 Reports of Delegates (without debate)”

and all subsequent numerals be renumbered to accommodate this inclusion.”

CARRIED 7/4

FOR: Cr W Barrett, Cr S Moss, Cr C Matison, Cr J Brown, Cr S Iwanyk, Cr D Griffiths and Cr PM Morris.

AGAINST: Cr R Croft, Cr P Wainwright, Cr R Mitchell and Cr O Searle.

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

COUNCIL RESOLUTION

669 Moved Cr J Brown Seconded Cr C Matison

“That Council give Statewide public notice that it proposes to repeal the City of Gosnells Standing Orders Local Law 1998 and adopt the City of Gosnells Standing Orders Local Law 2003 as contained in Appendix 12.6.2B and invites submissions about the proposed Local Law for a period of 6 weeks from the date of advertisement, subject to the following words being included under Clause 2.8 Order of Business:

“Item 5 Reports of Delegates (without debate)”

and all subsequent numerals be renumbered to accommodate this inclusion.”

CARRIED 11/0

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

AGAINST: Nil.

The Mayor advised the meeting that Cr P Wainwright due to “tenant recommended of property being Financial Management by employer” had disclosed an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

12.6.3 TENDER 42/2003 - PROJECT MANAGEMENT SERVICES FOR THE REMEDIATION OF LOT 1768 FURLEY ROAD, SOUTHERN RIVER

File: 231314 (TP) Rpt050Oct03

Appendix: 12.6.3A Evaluation Assessment Matrix

PURPOSE OF REPORT

For Council to award a contract for Tender 42/2003 – Project Management Services for the Remediation of Lot 1768 Furley Road, Southern River.

BACKGROUND

Tender 42/2003 was advertised in the West Australian on Saturday 9 August 2003 and closed at 2.00pm Monday 1 September 2003.

A total of seven (7) submissions were received from the following companies.

Name	Address	Tender Price GST Incl.
Sinclair Knight Merz	263 Adelaide Terrace, Perth	\$126,786
Golder Associates	182 Lord Street, Perth	\$88,660
Environmental & Earth Science Pty Ltd	78 Webster Street, Nedlands	\$46,376
GHD Pty Ltd	239 Adelaide Terrace, Perth	\$30,262
ENV Australia	152-158 St Georges Terrace, Perth	\$30,013.50
Parsons Brinckerhoff	589 Hay Street, Subiaco	\$22,604.20
Voran	329 Hay Street, Subiaco	\$21,450

DISCUSSION

Though the Tender Specification clearly outlined the scope of work for this project it was evident from the prices tendered that the respective companies placed differing emphasis on the various aspects of the tender.

The purpose of the tender was to access a consultancy with primary skills in the areas of project management, tender development and evaluation and supervision of engineering contracts. These areas of expertise needed to be supplemented with sufficient knowledge of contaminated site management to ensure that tenders for the remediation of the site are drafted correctly and adequate supervision could be maintained over the earthworks contractor and its environmental consultant.

Included in the tender documentation was the evaluation methodology and weighting table against which all submissions were to be assessed.

Due to the diversity of the submissions received both in content and value and the fact that contaminated site remediation is a specialist field, it was deemed appropriate to engage a firm of environmental scientists to assess the submissions against the evaluation criteria contained within the tender specifications. ATA Environmental (ATA) were appointed to perform that task. In their response they provided a brief qualitative analysis of each submission. Their assessment in accordance with the tender evaluation criteria is contained in Appendix 12.6.3A.

In their response ATA state in part:

“This ranking is very highly influenced by the high weighting given to the price in the tender document. The very high weighting has adversely affected the two tenders (SKM and Golders) that have provided the highest level of resources and the highest quality bids.”

“This qualitative analysis suggests that the bids submitted by Golders and SKM would be preferred on the basis of methodology and services offered but because of the high weighting applied to price, these tenders were ranked 6th and 7th.”

The review panel members both considered that Council would get the best service and support from either of the two highest priced bids.”

The evaluation weighting awarded to price in the matrix was 60%.

As previously indicated the respective tenderers placed differing emphasis on the various aspects of the tender. This became more apparent when comparison of time allocation for the individual components of the contract was undertaken. The total hours allocated for the overall project as contained within the submissions ranged from an estimated 160 to 1,052. In one of the main aspects of the works, site supervision, the variation ranged from 54 to 356 hours on site.

The tender proposing the highest allocation of resources is that of Sinclair Knight Merz, consulting engineers who have been involved in investigations associated with the site for the City since 1995. Their submission was very comprehensive and covered all aspects of the Scope of Works in the Tender Specification in detail.

In light of the advice from ATA it will be recommended that the tender be awarded to Sinclair Knight Merz even though they were not ranked number one on the evaluation assessment matrix. This next phase of the remediation of the site is one of, if not the most important component of Council’s ten year journey towards clearing up this site. While considerable monies could be saved by awarding the tender to the cheapest bid these savings could be lost tenfold if the consultant does not conduct the necessary level of validation and supervision throughout the cleanup process.

While the tender by Sinclair Knight Merz is very comprehensive it is considered there are areas within their submission that could be adjusted downwards offering financial savings to the City. This would however need to be negotiated after awarding the tender but prior to entering into a contract. The Local Government Function and (General)

Regulations 1996 (Regulation 20) makes provision for such negotiation. Should the tender be awarded to Sinclair Knight Merz it will be recommended the Director Regulatory Services be authorised to negotiate the total hours allocated to the project.

FINANCIAL IMPLICATIONS

There are adequate funds contained within the Southern River Contaminated Site Rehabilitation Reserve to cover the cost of these works.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
--

670 Moved Cr C Matison Seconded Cr R Croft

“That Council award Tender 42/2003 – Project Management Services for the Remediation of Lot 1768 Furley Road, Southern River to Sinclair Knight Merz of 263 Adelaide Terrace, Perth for a price up to \$126,786 (Inclusive of GST) with the Director Regulatory Services being authorised to negotiate with that firm with the view to negotiating the allocated hours and cost downwards.”

CARRIED 11/0

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

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
--

671 Moved Cr C Matison Seconded Cr R Croft

“That Council approve the transfer of \$126,786 from the Southern River Contaminated Site Rehabilitation Reserve into operational expenditure account 40703.182.3405 to enable the further progression of the remediation of the site.”

CARRIED BY ABSOLUTE MAJORITY 11/0

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

AGAINST: Nil.

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

14. NOTICES OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING**14.1 WILLIAM STREET, DAMAGE TO HOUSES – REPORT REQUEST**

Cr O Searle proposed the following motion for inclusion in “Motions of Which Previous Notice Has Been Given” of the 28 October 2003 Ordinary Council Meeting agenda.

PROPOSED MOTION FOR 28 OCTOBER 2003 AGENDA

That a report be brought to Council advising Elected Members:

- (i) As to when the complaints made by William Street residents about damage to their homes was extensively investigated and by whom; and*
- (ii) As to where a copy of the Insurer’s advice to the Council can be sighted.*

14.2 WHEELED FACILITY MADDINGTON – REPORT REQUEST

Cr O Searle proposed the following motion for inclusion in “Motions of Which Previous Notice Has Been Given” of the 28 October 2003 Ordinary Council Meeting agenda.

PROPOSED MOTION FOR 28 OCTOBER 2003 AGENDA

That in light of the fact there is a Council resolution determining that a wheeled facility be built in Maddington and that there is also a “project plan” completed and ready to execute, I move that a report be brought to Council outlining all the reasons why there has been no progress with this facility, and incorporated into the report there be:

- (i) An outline of all advantages of “Early Start” projects in the Kenwick/Maddington area and the reasons why planned initiatives are not being progressed when it is clearly acknowledged that the Sustainability Plan for this area will not happen overnight; and*
- (ii) What assurances can the City give the local residents that their recreational needs will be given due consideration and will not be suspended until after the Maddington/Kenwick Strategy has been fully completed.*

15. URGENT BUSINESS (BY PERMISSION OF COUNCIL)Notation

The Mayor read aloud the following motion to enable consideration of two items of urgent business, which was moved by Cr C Matison:

COUNCIL RESOLUTION

672 Moved Cr C Matison Seconded Cr R Croft

“That Council, in light of the consent of the Presiding Member, grant permission to bring forward two (2) items of Urgent Business relating to:

- (i) Item 15.1 “Strategic Planning Committee - Special Meeting”; and
- (ii) Item 15.2 “Lot 801 (No. 33) Mills Road West - Budget re-allocation

to this Ordinary Council Meeting in accordance with Clause 2.11 of the City of Gosnells Standing Orders Local Law 1998.”

CARRIED 11/0

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

AGAINST: Nil.

15.1 STRATEGIC PLANNING COMMITTEE - SPECIAL MEETING

File: C3/8/1 (TP) Rpt051Oct03
Appendix: 15.1A Minutes of the Special Strategic Planning Committee Meeting held on 7 October 2003

PURPOSE OF REPORT

For Council to receive the Minutes of the Special Strategic Planning Committee Meeting held on 7 October 2003 and consider the recommendations there-in.

BACKGROUND

The Minutes of the Special Strategic Planning Committee Meeting held on 7 October 2003 are attached at Appendix 15.1A.

DISCUSSION

The Special Strategic Planning Committee Meeting was convened to discuss the draft Strategic Plan for the period 2004-2007.

This draft Plan is the outcome of a revision of the City of Gosnells Strategic Plan 2000 which was conducted through a series of workshops attended by Councillors, Executive and Managers and facilitated by staff from Curtin University School of Business.

The review process resulted in the development of a range of new strategies which set the standard of performance, in broad terms, for each identified goal.

There was only one recommendation adopted by the Committee in relation to the draft Strategic Plan that requires the consideration of Council, that being Recommendation 45 which reads:

“That the Strategic Planning Committee approve, for public consultation purposes, the City of Gosnells draft Strategic Plan for 2004 to 2007 as contained in Appendix 5.1A subject to Strategy 4 of the Organisation Goal being amended to include the words “Assess and” before the word “Determine” where it appears at the commencement of the Strategy.”

FINANCIAL IMPLICATIONS

Funds for the development and advertising of the draft Strategic Plan are contained within the budget for the current financial year.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

673 Moved Cr J Brown Seconded Cr P Wainwright

“That Council receive the Minutes of the Special Strategic Planning Committee held on Tuesday 7 October 2003, attached as Appendix 15.1A.”

CARRIED 11/0

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

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

674 Moved Cr J Brown Seconded Cr P Wainwright

“That Council adopt Recommendation 45 of the Special Strategic Planning Committee held on 7 October 2003 which reads:

“That the Strategic Planning Committee approve, for public consultation purposes, the City of Gosnells draft Strategic Plan for 2004 to 2007 as contained in Appendix 5.1A subject to Strategy 4 of the Organisation Goal being amended to include the words “Assess and” before the word “Determine” where it appears at the commencement of the Strategy.””

CARRIED 11/0

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

AGAINST: Nil.

Cr S Iwanyk, due to being Council's delegate to Heritage FM and Board Member and Chair Program Committee disclosed at Item 2 of the Agenda "Declarations of Interest", an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

15.2 LOT 801 (NO. 33) MILLS ROAD WEST - BUDGET RE-ALLOCATION

File: 236725 (GT) GT10.1a
Previous Ref: OCM 24 June 2003 - Resolution 393
OCM 12 August 2003 – Resolutions 521 to 523

PURPOSE OF REPORT

To seek Council approval of the transfer of \$52,000 from Job 2424, Travel Smart Programme to Job 2725, Lot 801, Mills Road West, to be used for the completing of renovation works required to bring the house up to a habitable state.

BACKGROUND

On 24 June 2003 Council considered a number of options for use of Lot 801 Mills Road West, Gosnells. It was resolved that the matter be referred back for further information.

On 12 August 2003 after further consideration it was agreed to lease the property subject to conditions to Heritage FM Inc for the purposes of conducting an FM radio station.

In the initial report that went to Council it was pointed out that to bring the premises up to standard suitable for leasing it was necessary to undertake expenditure in the order of \$24,500.

DISCUSSION

Since these broad estimates were provided to Council it is now possible to be more accurate in terms of costs to bring the building up to the required standard.

The house has been subjected to extensive vandalism over the past 12 months even after Council officers boarded up all of the doors and windows. Carpets have been burnt, wall defaced and any major plant items such as stoves and hot water systems have been damaged beyond repair.

Council officers have estimated that the cost to bring the house up to a reasonable habitable standard will be in the vicinity of \$50,000 and ongoing grounds maintenance will cost approximately \$3,000 per annum.

It is important to note that the damage has not been a result of poor management of the facility as in fact it was not the City's responsibility until 13 May 2003. Prior to that date the Department of Planning and Infrastructure were the owners of the building and paid little or no attention to its upkeep.

On the transfer of responsibility under a Management Order the City received a contribution towards the renovation of the building from Department of Planning and Infrastructure of \$12,500 which was recorded as income against the building in the financial year 2002-2003.

No maintenance was performed on the house in 2002-2003 pending Council's decision regarding the future use of the facility.

On 12 August 2003 after further consideration it was agreed to lease the property subject to conditions to Heritage FM Inc for the purposes of conducting an FM radio station. As a result of this decision various works totalling \$11,210 have been performed including reconnection of power, installation of mini pillar by Western Power and general grounds clean up.

Council officers are now seeking Council's support for the transfer of \$52,000 from Job 2424, Travel Smart Programme to Job 2725, Lot 801 Mills Road to complete the works and provide funds for grounds maintenance until 30 June 2004.

The funds will be used in the following way:

\$11,210 to cover costs to date.

\$39,000 to complete works as estimated by Council officers.

\$1,790 to cover the remainder of the 2003-2004 grounds maintenance.

Note: These costs would be required regardless of who the future tenant would be.

It is important to note that Heritage FM will be performing additional work including the installation of security systems and more specific internal fit-out which will reduce the City's future operational costs.

FINANCIAL IMPLICATIONS

Transfer of \$52,000 from Job 2424, Travel Smart Programme to Job 2725, Lot 801 Mills Road West.

The Travel Smart Programme has been deferred until later in 2004 to coincide with the completion of the new Gosnells rail station therefore these funds are available for other projects during the 2003-2004 financial year.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
--

675 Moved Cr R Croft Seconded Cr W Barrett

"That Council approve the transfer of \$52,000 from Job 2424, Travel Smart Programme to Job 2725, Lot 801, Mills Road, to be used for the completing of renovation works required to bring the house up to a habitable state."

CARRIED BY ABSOLUTE MAJORITY 9/2

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

AGAINST: Cr S Moss and Cr O Searle.

16. CONFIDENTIAL MATTERS

Nil.

17. CLOSURE

The Mayor declared the meeting closed at 8.26pm.