



**ORDINARY COUNCIL MEETING
22 NOVEMBER 2005**

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Minutes of the Ordinary Council Meeting held in the Council Chambers, City of Gosnells Administration Centre, 2120 Albany Highway, Gosnells on Tuesday 22 November 2005.

1. OFFICIAL OPENING/ANNOUNCEMENT OF VISITORS/DISCLAIMER

The Mayor declared the meeting open at 7.31pm and welcomed those members of the public present in the public gallery, Councillors and staff.

DISCLAIMER

The Mayor read aloud the following statement:

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

COUNCIL MEETINGS – RECORDING OF

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

Notice within the Public Gallery in relation to recordings state:

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

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

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

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

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

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

2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

ELECTED MEMBERS

MAYOR	CR P M MORRIS AM JP Honorary Freeman
DEPUTY MAYOR	CR C MATISON
	CR P WAINWRIGHT
	CR O SEARLE JP
	CR R MITCHELL
	CR J HENDERSON
	CR S IWANYK
	CR D GRIFFITHS
	CR J BROWN JP
	CR R HOFFMAN
	CR R CROFT
	CR W BARRETT

STAFF

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

PUBLIC GALLERY

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APOLOGIES

Nil.

APPROVED LEAVE OF ABSENCE

Nil.

3. DECLARATIONS OF INTEREST

Cr P Wainwright declared an Impartiality Interest in item 12.2 “Audit Committee”.

Reason: Council delegate to the Audit Committee.

Cr P Wainwright declared an Impartiality Interest in item 12.3 “City of Gosnells RoadWise Committee”.

Reason: Chairperson of the RoadWise Committee.

Cr PM Morris declared an Impartiality Interest in item 12.1 “Safe City Task Force Committee”.

Reason: Chairperson of the Safe City Task Force.

Cr PM Morris declared an Impartiality Interest in item 12.2 “Audit Committee”.

Reason: Chairperson of the Audit Committee.

Cr PM Morris declared an Impartiality Interest in item 12.4 “Strategic Planning Committee”.

Reason: Chairperson of the Strategic Planning Committee.

Cr S Iwanyk declared an Impartiality Interest in item 12.1 “Safe City Task Force Committee”.

Reason: Council delegate to the Safe City Task Force Committee.

Cr S Iwanyk declared an Impartiality Interest in item 12.2 “Audit Committee”.

Reason: Council delegate to the Audit Committee.

Cr C Matison declared an Impartiality Interest in item 12.2 “Audit Committee”.

Reason: Member of the Audit Committee.

Cr D Griffiths declared an Impartiality Interest in item 12.3 “City of Gosnelle RoadWise Committee”.

Reason: Member of the RoadWise Committee.

Cr R Hoffman declared an Impartiality Interest in item 12.3 “City of Gosnells RoadWise Committee”.

Reason: Member of the RoadWise Committee.

Cr J Brown declared a Financial Interest in item 13.5.4 “Southern River Precinct 3 – Establishment of a Framework For Future Planning”.

Reason: Own land within Precinct 3 though not within the portion of land proposed to transfer from ‘Urban Deferred’ to ‘Rural’.

Notation

The following declaration was read aloud by the Mayor at the commencement of item 12.4.

Cr R Mitchell declared an Impartiality Interest in item 12.4 “Strategic Planning Committee Meeting”.

Reason: Member of the Strategic Planning Committee.

4. ANNOUNCEMENTS BY THE PRESIDING MEMBER

(without discussion)

The Mayor circulated to Councillors a list of functions and events she had attended since Tuesday 8 November 2005.

The Mayor announced that she attended the Open Day of the Maddington Community Hub in Westfield St Maddington (*Saturday 19 November 2005*) which was very well attended by members of the community, and advised it was complemented by the work carried out at the PCYC in Maddington.

5. REPORTS OF DELEGATES

(without debate)

Cr P Wainwright thanked Council for the opportunity to attend the Road Safety Conference in New Zealand last week. She reported strategies that came out of the conference were very effective, many of which she believed could be implemented in the City of Gosnells by the RoadWise Committee which would make the City's roads safer.

Cr R Mitchell thanked the Mayor for the opportunity to attend on her behalf the Old Austria Club National Day and also the opening of this year's Canning Show. He advised he had a fantastic time with great hosts at both functions.

Cr Mitchell advised that as this was the last meeting he would be attending for 2005 he would like to take the opportunity to thank staff, in particular Manager Community Capacity Building, Ms Beth Horton and Engineering Technical Officer, Mr Rod McConkey for their rapid response to a disability access issue he had passed on from a community member, which was resolved within 24 hours. He also thanked the Executive Team for all their work and continued support and asked that his best wishes be passed on to all staff for Christmas and the New Year.

Cr R Hoffman reported on his recent attendance at the National General Assembly at which he attended a Recognition Breakfast where he was delighted to accept from the Federal Minister for Environment, the Hon Ian Campbell MLA, on behalf of the City, a Cities for Climate Protection Plus Award together with a Certificate for Outstanding Commitment to Sustainable Development from ICLEI (International Council for Local Environmental Initiatives). He advised the Cities for Climate Protection Plus Award was a culmination of six years work by the City, who joined the CPP Programme in 1999, with every year receiving a Certificate, with the Plus Award being the ultimate.

At the conclusion of his report Cr Hoffman presented the two framed certificates to the Mayor following which she asked that Council acknowledge the work undertaken by staff in Planning and Infrastructure and asked the Director to pass on sincere thanks to those who had been involved in the initiatives.

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

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

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

Questions and statements are to be –

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

QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS AWAITING RESPONSE

8 November 2005 Ordinary Council Meeting

- * Mr Ralph Prestage of 51 Dover Crescent, Wembley Downs asked the following questions in relation to item 13.5.2 “Southern River Precinct 2 Outline Development Plan” of the agenda:

- Q 1 (a) With regard to rezoning land to residential has the Council considered a recommendation previously put by me that a levy be charged on each residential lot developed to provide funds towards the purchase of privately owned land that is being resumed to provide a public amenity such as bush or wetland as at present a mere pittance is only being offered by the government?
- (b) Has the Council researched my previous comments that the Kalamunda Shire were last year charging a levy of \$12,500 (indexed/reviewed annually) for each residential lot developed in the Cell 9 area to provide funds for the purchase of land for community use? If no enquiries were made why not as a levy would assist many long term ratepayers if used for land resumption?
- Q 2 Southern River Infrastructure - Can the Council advise me what development is being taken place on the western side of my Lot 1610 Barrett Street in the area of Lakey Street which was realigned to assist Taylor Woodrow in landscaping their development. The area was rezoned to Public Open Space and I only became aware of the road

realignment when I viewed a Road Directory issued at that time. What Government Department is responsible for this development in the City of Gosnells and why has it not been shown in the Council Minutes, that I am aware of? And is it normal that neither the Council nor any Government Department has the courtesy to advise an adjoining land owner if it is a major development?

RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS

Nil.

6.1 QUESTION TIME

Nil.

6.2 PUBLIC STATEMENTS

- * Mr Ray Haeren of Taylor Burrell Barnett, 286 Roberts Road, Subiaco made a public statement in relation to item 13.5.4 “Southern River Precinct 3 – Establishment of a Framework For Future Planning speaking in favour of the staff recommendation, commending the officer report which he believed provided a well articulated and logical basis for the approach taken.

7. CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

515 Moved Cr J Brown Seconded Cr P Wainwright

That the Minutes of the Ordinary Council Meeting held on 8 November 2005, be confirmed.

CARRIED 12/0

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

AGAINST: Nil.

8. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

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

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

Nil.

9. APPLICATIONS FOR LEAVE OF ABSENCE

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

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

Nil.

10. QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

(without discussion)

Nil.

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

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

COUNCIL RESOLUTION

516 Moved Cr R Croft Seconded Cr R Hoffman

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

- * Item 13.5.4 Southern River Precinct 3 – Establishment of a Framework For Future Planning;
- * Item 13.5.6 Development Application – Shop and Showroom – 1490 (Lot 25) Albany Highway, Beckenham; and
- * Item 13.5.8 Commercial Vehicle Parking of One Truck - 13 (Lot 202) Newenden Street, Maddington.

CARRIED 12/0

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

AGAINST: Nil.

The Mayor advised the meeting that Cr J Brown, due to owning land within Precinct 3 though not within the portion of land proposed to transfer from 'Urban Deferred' to 'Rural', had disclosed a Financial Interest in the following item in accordance with Section 5.60 of the Local Government Act 1995.

7.40pm – Cr J Brown left the meeting.

13.5.4 SOUTHERN RIVER PRECINCT 3 – ESTABLISHMENT OF A FRAMEWORK FOR FUTURE PLANNING

File: S8/1/11 (KN) psrpt144Nov2005
Applicant: Taylor Burrell Barnett Town Planning and Design
Owner: Various
Location: Area generally bound by Leslie Street, Matison Street, Southern River Road and Holmes Street
Zoning: MRS: Urban Deferred
TPS No. 6: General Rural
Review Rights: Nil
Area: 372.17ha
Previous Ref: OCM 27 March 2001
Appendix: 13.5.4A Southern River Precinct 3 – Sub-Precinct Plan.
13.5.4B Southern River Precinct 3 Developer Information Requirement Checklist.

PURPOSE OF REPORT

For Council to formally consider a request from an applicant, received via the Western Australian Planning Commission, to transfer a portion of land generally bound by Leslie Street, Matison Street, Holmes Street and Southern River Road, Southern River from "Urban Deferred" to "Urban" under the Metropolitan Region Scheme (MRS). This report also provides Council with the opportunity to establish a framework for the future planning for Southern River Precinct 3 in its entirety.

BACKGROUND

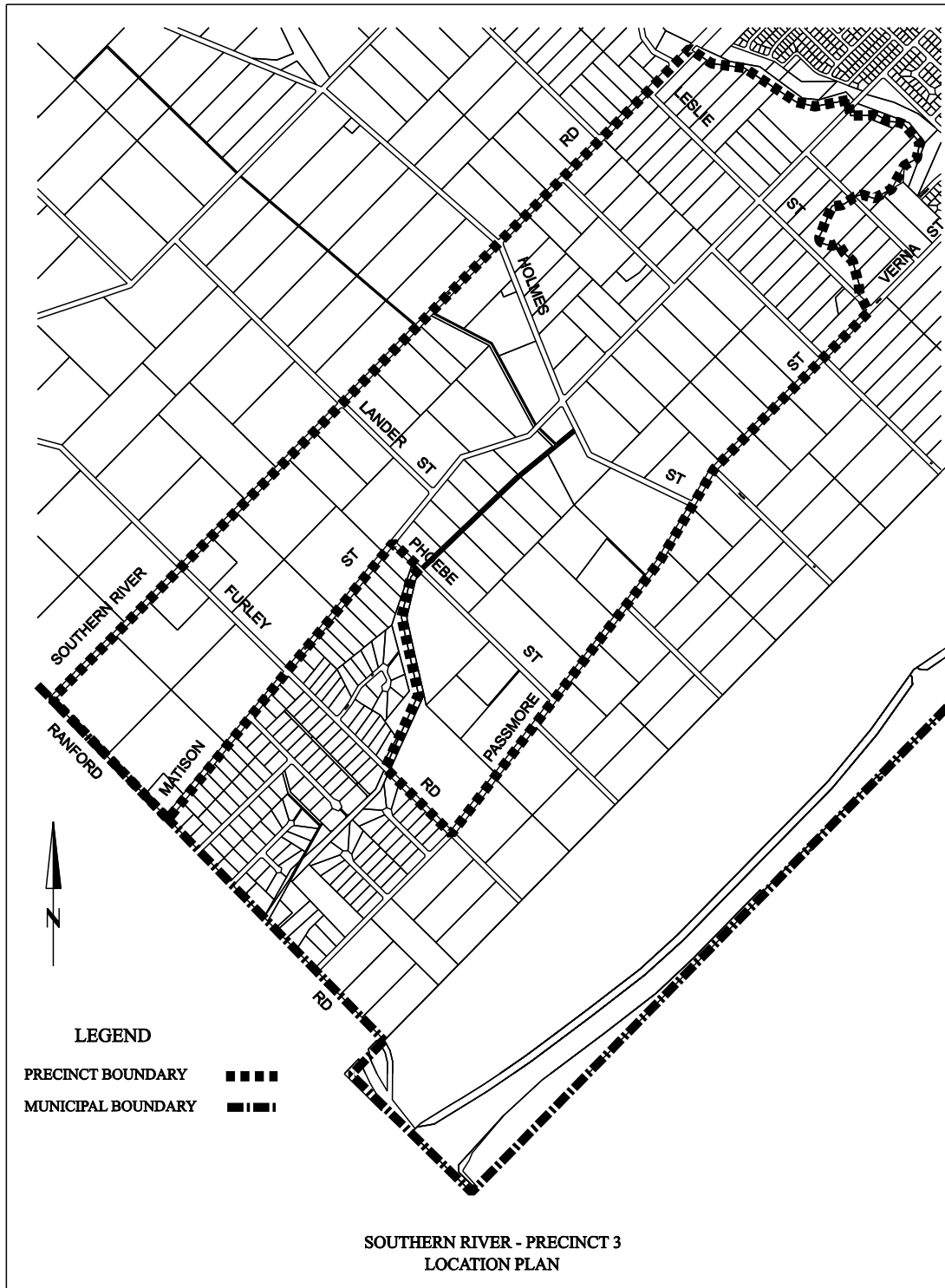
Planning History

Southern River was identified for Urban Development by the Corridor Plan for Perth (1970) and by subsequent State planning documents such as "Planning for the Future of the Perth Metropolitan Region" report (1987), the "Urban Expansion Policy Statement for the Perth Metropolitan Region" (1990) and "Metroplan" (1990).

In July 1993 the (then) State Planning Commission initiated an Amendment to the Metropolitan Region Scheme (MRS) (No. 927/33) to rezone the whole of Southern River and part of Canning Vale from "Rural" to "Urban". As a result of concerns expressed by a number of agencies (including the City of Gosnells) the amendment was substantially modified prior to finalisation. The result of this was that Canning Vale was zoned "Urban" and the majority of Southern River (including the subject area) was zoned "Urban Deferred" under the MRS.

In January 2001, the Western Australian Planning Commission released the Southern River/Forrestdale/Brookdale/Wungung District Structure Plan (DSP). The purpose of this plan was to provide a broad framework for land use and development including major community facilities, conservation areas, Bush Forever sites, public open space and residential development.

Following the release of the DSP, Council resolved at its 27 March 2001 Ordinary Council Meeting, to divide Southern River into six separate precincts. The area generally bound by Southern River Road, Passmore Street, Ranford Road and the Southern River was identified as Southern River Precinct 3 (see Southern River Precinct 3 location plan below).



Environmental Review

In September 2005, the City engaged ENV Australia Pty Ltd to undertake a comprehensive environmental review of the Southern River Precinct 3 area. The basis for initiating such a review was the Section 16 advice provided by the Environmental Protection Authority on the Southern River/Forrestdale/Brookdale/Wungung District Structure Plan (DSP), which outlined a number of environmental considerations that would require further investigation prior to any further detailed planning. ENV's review will identify and map all wetlands, flora and fauna. The purpose of the review was to achieve a base understanding of all environmental considerations in the area. This information will then further inform detailed planning for the area.

Proposal

The two matters to be considered by Council are the lifting of the "Urban Deferment" status over a portion of Southern River Precinct 3 and the establishment of a framework for future planning for Precinct 3 in its entirety.

The City recently received a request to lift the "Urban Deferment" status over a portion of land (thus achieving an "Urban" zone) within Southern River Precinct 3, bounded by Leslie Street, Southern River Road, Matison Street and the existing MRS "Other Regional Road" reservation for the future extension of Garden Street. The land is currently zoned "Urban Deferred" under the MRS and "General Rural" under the City of Gosnells Town Planning Scheme No.6 (TPS 6).

In summary, the proponent has provided the following in support of the lifting of "Urban Deferment" status:

- Structure planning at the district level is sufficiently advanced to enable the proper integration of development at the local precinct and sub-precinct levels.
- The land is located adjacent to existing urban facilities and infrastructure and can therefore be readily serviced.
- The extent of the sub-precinct is clearly defined and contained within the existing road network and is capable of being planned and developed in a manner that is self-contained but easily integrated with the balance of Precinct 3.
- Whilst there are still regional drainages issues to be resolved by the appropriate government agencies, the planning undertaken for the subject site demonstrates that the development of this area is not directly affected by this issue, nor will it adversely affect the ongoing work on this issue.
- The subject area contains no significant environmental issues and it is anticipated that the City's environmental review of the area, currently being undertaken, will assist in addressing any issues that may arise through the planning process.

The proponent has also proposed the division of Southern River Precinct 3 into separate sub-precincts (see Appendix 13.5.4A). The purpose of this is to allow particular areas

with specific planning, environmental and/or engineering issues to progress independently of each other. The area subject of this current request for the lifting of Urban Deferment is contained in sub-precinct 3A on Appendix 13.5.4A.

The portion of land within sub-precinct 3A, south of the existing “Other Regional Road Reservation”, is not subject to this request for the lifting of Urban Deferment as it is likely that the regional road reservation will be amended to realign with the existing alignment of Holmes Street. The lifting of the Urban Deferment status over this portion of land will not be sought until the alignment of the “Other Regional Road” reservation has been finalised.



Extent of Landowner Agreement

There is no statutory requirement to formally advertise the lifting of “Urban Deferment” under the MRS, however the Western Australian Planning Commission’s Guidelines for the Lifting of Urban Deferment outline that an indication of the extent of agreement from landowners to the lifting of Urban Deferment is desirable. As such, the City sought comments from landowners directly affected by the request (27 landowners), on their agreement to the lifting of the Urban Deferment status and the results are summarised below along with staff comments.

1	Name and Postal Address: John Zloich Lot 1745 Bradley Street Southern River WA 6110	Affected Property: Lot 1745 Bradley Street Southern River
Summary of Submission		Staff Comment
No objection to proposal. Considers the lifting of Urban Deferment status as a positive progression for planning for the area.		Noted.

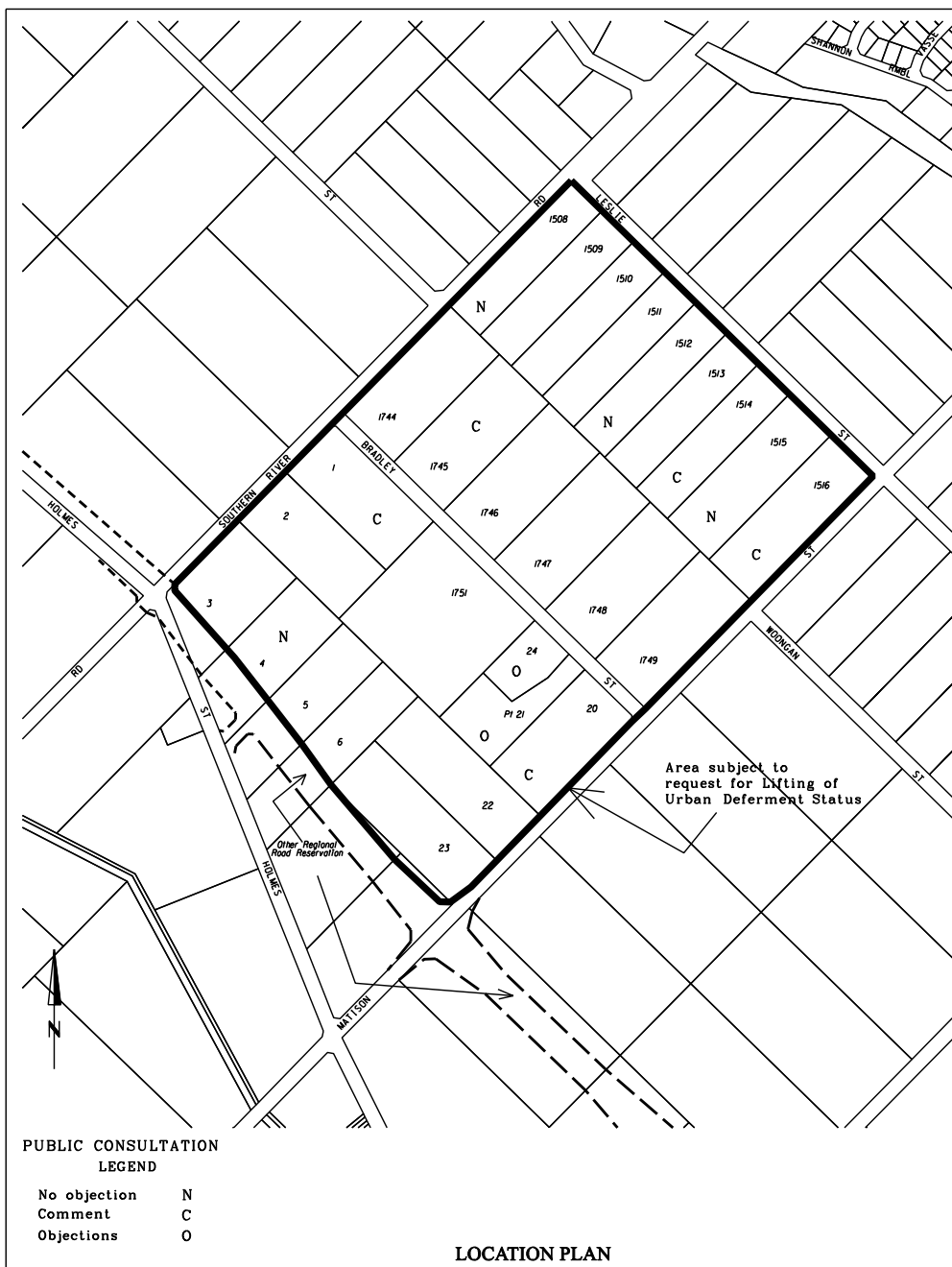
2	Name and Postal Address: Kee Lim Lot 4 Holmes Street Southern River WA 6110	Affected Property: 4 (Lot 4) Holmes Street Southern River
Summary of Submission		Staff Comment
No objection to proposal.		Noted.

3	Name and Postal Address: Don Douglas Lot 1516 Leslie Street Southern River WA 6110	Affected Property: Lot 1516 Leslie Street Southern River
Summary of Submission		Staff Comment
No objection to proposal. 3.1 Supports lifting of Urban Deferment status. 3.2 Have requested Water Corporation to provide deep sewerage to the area. 3.3 Considers extent of planning matters to be addressed in future planning for the area to be comprehensive. 3.4 Questioned whether there was likely to be any provision of a doctors and/or dentist surgery and child care centre. 3.5 Questioned if there will be provision for higher densities in the area.		Noted. Issue to be addressed through development of Outline Development Plan for the area. Noted. Issues of specific land uses will be addressed through the development of an Outline Development Plan for the area. Issues of specific residential densities will be addressed through the development of an Outline Development Plan for the area.

4	Name and Postal Address: Ronald Simpson Lot 1515 Leslie Street Southern River WA 6110	Affected Property: Lot 1515 Leslie Street Southern River
Summary of Submission		Staff Comment
No objection to proposal.		Noted.

5	Name and Postal Address: Henri Ramonfosse Lot 1514 Leslie Street Southern River WA 6110	Affected Property: Lot 1514 Leslie Street Southern River
Summary of Submission		Staff Comment
No objection to proposal. 5.1 Support the lifting of Urban Deferment status.		Noted
6	Name and Postal Address: E J and E M Wibberley 7 Arno Crescent Attadale WA 6156	Affected Property: Lot 1 Southern River Road Southern River
Summary of Submission		Staff Comment
No objection to proposal. Supports the lifting of Urban Deferment status and considers the area will only benefit from future urbanisation.		Noted.
7	Name and Postal Address: Peter and Jacqueline Robson Lot 1508 Leslie Street Southern River WA 6110	Affected Property: Lot 1508 Leslie Street Southern River
Summary of Submission		Staff Comment
No objection to proposal.		Noted.
8	Name and Postal Address: David Ford Lot 20 Bradley Street Southern River WA 6110	Affected Property: Lot 20 Bradley Street Southern River
Summary of Submission		Staff Comment
No objection to proposal. Supports the lifting of Urban Deferment status.		Noted.
9	Name and Postal Address: Chris Munrowd 21 (Lot 21) Bradley Street Southern River WA 6110	Affected Property: 21 (Lot 21) Bradley Street Southern River
Summary of Submission		Staff Comment
Objects to the proposal.		Noted.
10	Name and Postal Address: Mary Hart Lot 1512 Leslie Street Southern River WA 6110	Affected Property: Lot 1512 Leslie Street Southern River
Summary of Submission		Staff Comment
No objection to proposal.		Noted

11	Name and Postal Address: Rhonda Scott Lot 24 Bradley Street Southern River WA 6110	Affected Property: Lot 24 Bradley Street Southern River
Summary of Submission		Staff Comment
Objects to the proposal 11.1 Does not support the lifting of Urban Deferment status. 11.2 Does not want the area to be urbanised and values the existing rural nature of the area.		Noted Noted. However the area has been zoned "Urban Deferred" under the MRS since 1993 and has been earmarked for future urban development in various planning documents as far back as 1970. Importantly, lifting of the Urban Deferment status will not compel or require landowners to subdivide or develop their properties.



The general response from landowners is clearly in favour of lifting of the Urban Deferment status over the relevant portion of Precinct 3. Nine letters of non-objection (support) and two letters of objection were received, with most acknowledging and understanding that an amendment to the MRS was the first phase in planning for the area. Of the two letters of objection, one did not provide any further comments outlining their reason for objection, whilst the other stated that they were against the future urbanisation of this part of Southern River as they valued the existing “Rural” nature of the area.

It should be acknowledged at this point, that the City is not the determining authority for the lifting of “Urban Deferment”. This authority lies with the Western Australian Planning Commission following their referral of the request to all relevant authorities (including the local government) and relevant District Planning Committee.

DISCUSSION

Framework for Future Planning

As previously mentioned, at the 27 March 2001 OCM, Council resolved to divide the Southern River locality into six separate precincts, with five (including Precinct 3) to be the subject of a separate Outline Development Planning process and the sixth being the existing Kennel zone. The reason for separating the locality into these precincts was the broad range of factors constraining development (wetlands, poultry farms, contaminated sites, kennels, etc.) throughout different areas of Southern River. Precinct level planning was also considered to be more efficient from a procedural perspective.

Southern River Precinct 3 is an extensive parcel of land spanning some 372ha and includes 81 separate landholdings. The area contains a number of Bush Forever sites, Conservation Category Wetlands (highest priority wetlands), a remediated former liquid waste disposal site and a number of poultry farms. Whilst it may be advantageous in some respects to progress planning for the precinct in its entirety, given the previously mentioned matters and the varying development intentions of landowners, Council staff consider that the development of Precinct 3 on a sub-precinct basis is the most likely, logical and efficient approach.

Following discussions between the proponent and Council staff, a proposal was put forward by the applicant to divide Precinct 3 into 6 separate sub-precincts. The basis for the identification of these sub-precincts was the location of core conservation areas including Bush Forever sites and Conservation Category Wetlands (CCW’s), current MRS zonings and existing uses and subdivision patterns (see Appendix 13.5.4A). On this point it should be noted that some portions of Precinct 3 are zoned “Rural” under the MRS and require the resolution of a number of substantial issues prior to the achievement of an “Urban” zoning.

Issues to be addressed

Whilst the division of Precinct 3 into separate sub-precincts may be considered the most practical approach in the forward planning for the area, it is still essential to ensure that development occurs in a coordinated and cohesive manner. In achieving this outcome, Council staff required the proponent to demonstrate at which stage of the planning process various issues would be addressed, recognising the need for coordination with other sub-precincts. Subsequently the proponent prepared a draft information requirement checklist that could apply to the development of any land within Precinct 3 (see Appendix 13.5.4B).

The checklist outlines the particular information to be provided at the various levels of planning; these being the lifting of “Urban Deferment” or relevant MRS amendment, the scheme amendment to TPS 6 and the sub-precinct based Outline Development Plan. The checklist also includes a Local Structure Plan for Precinct 3 in its entirety. This has been included in the event the City receives a request from one party to undertake a Local Structure Plan or ODP for the entire Precinct.

The checklist outlines the following key information requirements to be provided:

- Community Design – including land use allocations and rationale, indicative design, site analysis, wetland management plans, drainage management plans and Acid Sulphate Soils Assessment.
- Movement Network – Indicative Road Layout, transport and traffic management reports, shared path networks and all associated cost-sharing requirements.
- Activity Centres and Employment – Identification of commercial/employment centres location, design principles and floors space allocation.
- Lot Layout – Design principles, density objectives and indicative lot layouts.
- Public Parkland – Design principles, environmental context (Bush Forever sites and wetlands) and zoning/allocation of open space.
- Schools – Needs/servicing requirements, location of schools and zoning/allocation of schools.
- Utilities – Servicing report, stormwater drainage and all servicing related cost-sharing requirements.

The information requirements have generally been based upon the WAPC’s Liveable Neighbourhoods Edition 3. In using this document, it should be noted that whilst environmental values will be a key consideration for the future planning for the area, they inform most parts of the planning process and therefore are not considered to require their own category of specific elements.

The establishment of this information requirement checklist will create a framework for the future development of any part of Southern River Precinct 3. It is envisaged that all future proposals will have to provide the necessary information at various stages throughout the planning process in accordance with the checklist. In this way, proponents will be required to give due consideration to broader level considerations prior to undertaking detailed planning for a particular area.

Importantly, the establishment of this framework and checklist of requirements also allows for cost sharing arrangements to be established on a whole of precinct basis. The draft information requirement checklist requires that at the very least, the principles for the cost-sharing arrangements on a precinct wide basis are established early in the planning process. Ensuring that cost-sharing provisions will apply on a precinct wide basis will ensure a fair and equitable outcome for all landowners. This is of particular importance given the likely substantial areas unsuitable for urban development due to significant environmental constraints.

In seeking landowner comment on the request for the lifting of Urban Deferment, Council staff also sought landowner's comments on the proposed Information Checklist; however no specific comments were received in regard to the checklist or its contents.

Whilst Council endorsement of this checklist is a suitable basis for lifting the Urban Deferment in this instance, staff propose to construct this checklist as a formal Policy under TPS 6 and submit it to Council for adoption in the future. This will provide greater formality and legitimacy for this approach, while also giving landowners in the entire Precinct 3 area the opportunity to comment on the policy (when it is advertised) that will provide the framework for future planning and development within Precinct 3.

CONCLUSION

Planning for such a large parcel of land with high levels of fragmented landownership and various development constraints is likely to be both a complex and lengthy process. Dividing Precinct 3 into 6 workable sub-precincts, will allow various parties to progress planning for particular areas as and when they wish to do so. It should be acknowledged however that whilst sub-precincts may be able to be progressed independently, they may not be able to progress in isolation until broader level issues are resolved in an orderly and proper manner.

Council's endorsement of the information requirement checklist will ensure that all developers must give due consideration to broader level issues such as district level urban water management and cost sharing early in the planning process. It is considered that this approach is generally in accordance with the "Natural and Built Environment" related actions outlined in the City's Strategic Plan 2004-2006.

Planning for Southern River Precinct 3 is likely to be landowner/developer driven with the City providing a role of facilitation between proponents and relevant State government agencies. It will also be the role of Council staff to ensure adequate public consultation occurs and that the numerous landowners have a full understanding of the issues to be addressed and the process to be undertaken to address these issues.

Council staff support the proposal to transfer a portion of land generally bound by Leslie Street, Matison Street, Holmes Street (current "Other Regional Road" alignment) and Southern River Road, Southern River from Urban Deferred to Urban under the Metropolitan Region Scheme (MRS). It should be noted however, that this is only the first phase of the planning process for this portion of land and that landowners in all of the proposed sub-precincts will be given numerous opportunities to comment and be involved in the planning process as it evolves (ie advertising of ODP's and scheme amendments).

FINANCIAL IMPLICATIONS

Creation of a planning framework and supporting the lifting of "Urban Deferment" has no direct financial implications for Council. Funds however have been allocated in the 2005/2006 budget to progress the initial stages of planning for Southern River Precinct 3, such as through the commissioning of ENV Australia Pty Ltd to undertake a comprehensive environmental review of Precinct 3.

STAFF RECOMMENDATION (1 of 3) AND COUNCIL RESOLUTION

517 Moved Cr D Griffiths Seconded Cr R Mitchell

That Council support the creation of six sub-precincts within the Southern River Precinct 3 Outline Development Plan area, to enable an Outline Development Plan to be progressed in stages, as shown in Appendix 13.5.4A.

CARRIED 11/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (2 of 3) AND COUNCIL RESOLUTION

518 Moved Cr D Griffiths Seconded Cr R Mitchell

That Council support the lifting of the "Urban Deferment" status under the Metropolitan Region Scheme for the area generally bounded by Leslie Street, Matison Street, Holmes Street (current "Other Regional Road" alignment) and Southern River Road, Southern River and request the Western Australian Planning Commission to refer this proposal to the South-East District Planning Committee for their consideration.

CARRIED 11/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (3 of 3) AND COUNCIL RESOLUTION**519 Moved Cr D Griffiths Seconded Cr R Mitchell**

That Council endorse the Southern River Precinct 3 Developer Information Requirements Checklist as shown in Appendix 13.5.4B as a basis for future planning and consideration of relevant issues, and further that Council note this checklist will be converted into a formal Policy under Town Planning Scheme No. 6 for Council's adoption at a later date.

CARRIED 11/0

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

***AGAINST:** Nil.*

7.41pm – Cr J Brown returned to the meeting.

Notation

The Mayor upon the return of Cr J Brown to the meeting advised that Council had endorsed the staff recommendations as contained in the agenda.

**13.5.6 DEVELOPMENT APPLICATION – SHOP AND SHOWROOM –
1490 (LOT 25) ALBANY HIGHWAY, BECKENHAM**

File:	209310	Approve Ref:	0405/1781	(AL)	psrpt142Nov2005
Applicant:	Planning Solutions (Aust) Pty Ltd				
Owner:	Baymark Pty Ltd				
Location:	1490 (Lot 25) Albany Highway, Beckenham				
Zoning: MRS:	Urban				
TPS No. 6:	Mixed Business				
Review Rights:	Yes. State Administrative Tribunal against a refusal or any condition(s) of approval.				
Area:	5.93ha				
Previous Ref:	Nil				
Appendix:	13.5.6A Conditions to be imposed on development approval.				

PURPOSE OF REPORT

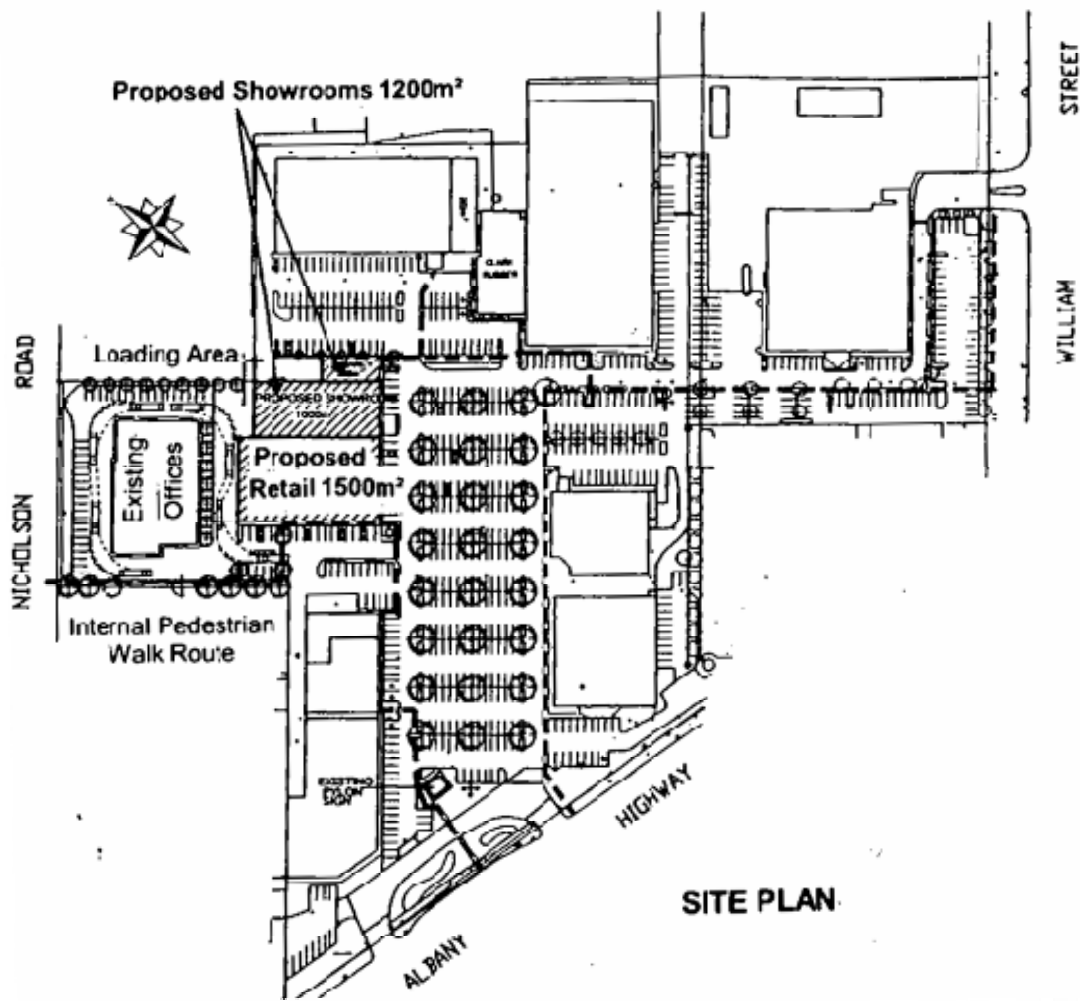
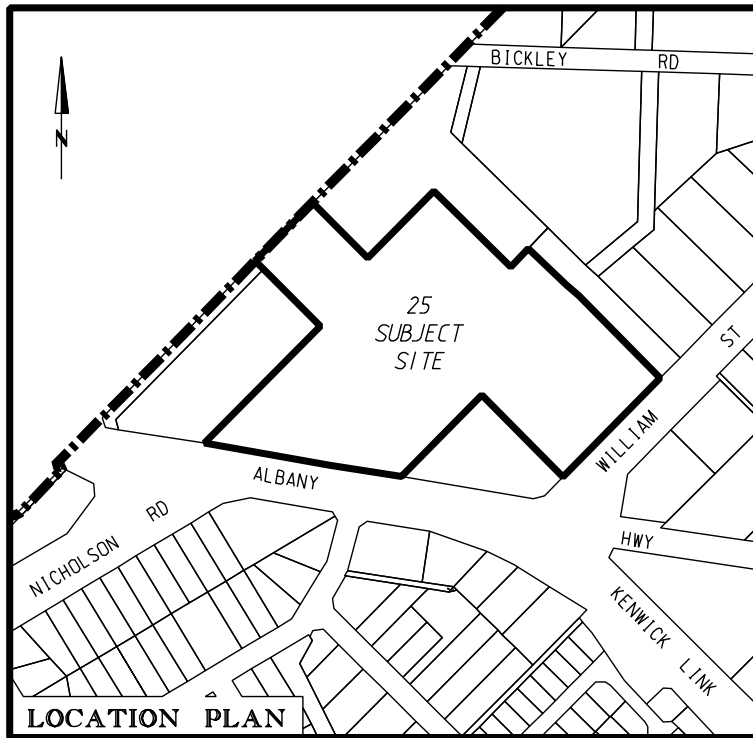
For Council to consider an application for a shop and showrooms at 1490 (Lot 25) Albany Highway, Beckenham as the proposal exceeds recommended floorspace figures outlined in Council's Draft Local Commercial Strategy.

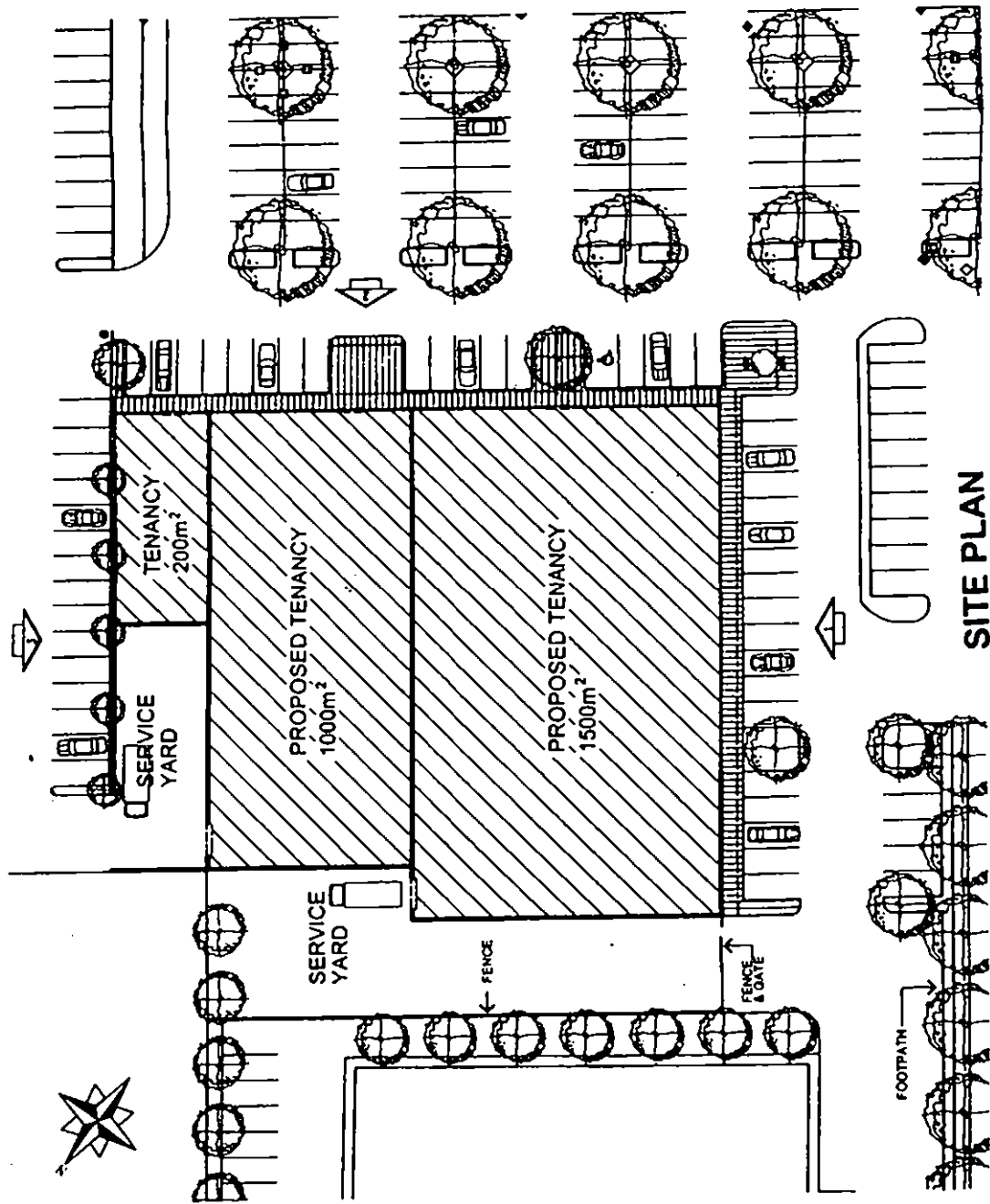
BACKGROUND**Site Description**

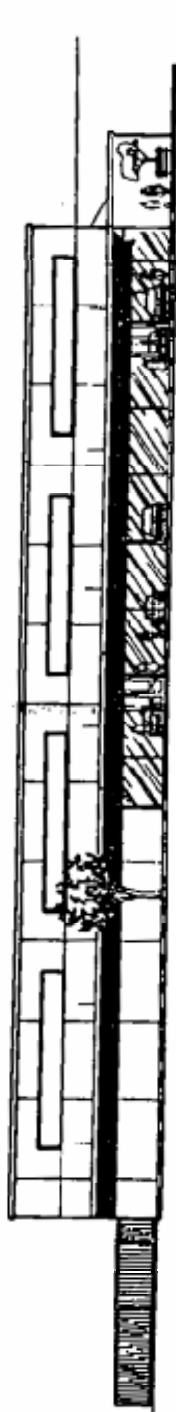
The subject site is located on Albany Highway in Beckenham close to the intersection of William Street and has frontages to Albany Highway, William Street and Nicholson Road. The subject site is approximately 5.93ha in area and is known as "Hometown" which contains several other showrooms, offices and other businesses. The subject site is located approximately 700m from the Beckenham Railway Station and approximately 1km from the Cannington Regional Centre (Carousel Shopping Centre). Vehicle access to the site is provided on Albany Highway and from William Street.

Proposal

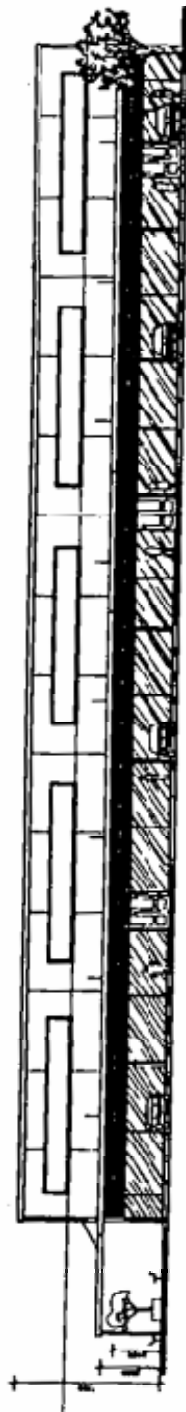
The proposal is for the development of a 1,500m² retail supermarket and a 1,200m² showroom (see site plan and elevations below) on a portion of the subject site which is currently developed with an existing 1,750m² showroom building. This building currently houses Clark Rubber and several Op Shops/Charity Stores and is proposed to be demolished.



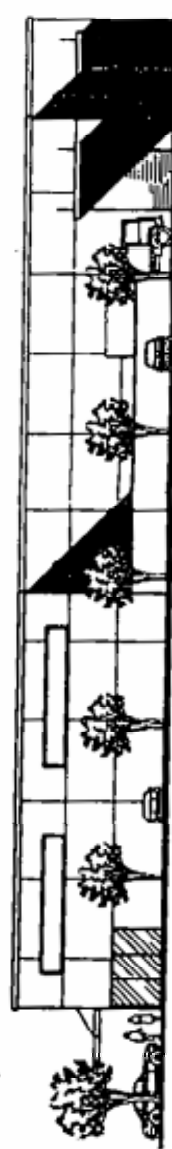




ELEVATION 1



ELEVATION 2



ELEVATION 3

Western Australian Planning Commission

The proposal has been referred to the WAPC for determination under the Metropolitan Region Scheme (MRS) in accordance with WAPC Statement of Planning Policy (SPP) No. 4.2 - Metropolitan Centres Policy Statement for the Perth Metropolitan Region. Under this policy, applications are required to be forwarded to the WAPC for determination in the absence of an endorsed Local Strategy where retail floorspace levels specified in the policy are exceeded. The Commission's determination under the MRS is required in addition to Council's determination under Town Planning Scheme No. 6. The Commission has not yet made its determination on this proposal. Assessment of the proposal against SPP No. 4.2 is provided in the Discussion section of this report.

City of Canning

The proposal was referred to the City of Canning as the subject site abuts the municipal boundary. The City of Canning raised no objections to the proposed development but requested that the proponent address several issues relating to the amenity of the existing residential area to the north of the subject site. These issues included provision of landscaping and restricting access and time and frequency of deliveries to the proposed loading area. Should Council support the proposal, a condition of Development Approval could be imposed requiring a Management Plan to be submitted and endorsed by Council addressing potential noise and access issues associated with the proposed development.

DISCUSSION

Town Planning Scheme No. 6

The subject site is zoned Mixed Business under the City of Gosnells Town Planning Scheme No. 6 (TPS 6). A "Shop" and a "Showroom" are both "D" uses which means they are not permitted unless the local government has exercised its discretion by granting planning approval. Although Council staff do have delegated authority to approve these uses in a Mixed Business zone, the proposal is referred to Council for determination because it is not in accordance with Council's Draft Local Commercial Strategy.

TPS 6 states that the objective of the Mixed Business zone is:

"To provide for a variety of commercial activities including showrooms and other forms of bulk retailing/display in strategically located areas of the City."

TPS 6 defines a "Shop" as:

"means premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hair dresser or beauty therapist) but does not include a showroom or fast food outlet."

TPS 6 defines a "Showroom" as:

“means premises used to display, sell by wholesale or retail, or hire, automotive parts and accessories, camping equipment, electrical light fittings, equestrian supplies, floor coverings, furnishings, furniture, household appliances, party supplies, swimming pools or goods of a bulky nature.”

The proposed development is consistent with the objectives of the Mixed Business zone and the definitions of a “Shop” and “Showroom”.

Parking

The parking provisions under TPS 6 are detailed in the table below:

Use	Parking Bays Required
Shop	1 bay/15m ² NLA = 100
Showroom	1 bay/50m ² GFA = 24
Total	124

There are currently 713 parking bays on the site which cater for all of the businesses operating at Hometown. This represents a surplus of 99 bays above scheme requirements. Of the bays already provided on site 35 are provided for the existing showroom (as per TPS 6 parking ratio of 1 bay/50m²GFA) which is to be demolished. Demolition of the existing showroom and construction of the proposed development will result in the requirement for an additional 89 bays (ie 124 – 35 bays already provided for the current showroom). However, the surplus of 99 bays plus the addition of 40 new bays comfortably satisfies the parking requirements of TPS 6 and still leaves a surplus of 50 bays on site.

Statement of Planning Policy No. 4.2

The WAPC’s Statement of Planning Policy No. 4.2 (SPP 4.2) “Metropolitan Centres Policy Statement for the Perth Metropolitan Region” was gazetted in October 2000. Its purpose is to provide a broad regional planning framework to coordinate the location and development of retail and commercial activities in the metropolitan region. The policy is also intended to provide a guide for centre development that is flexible enough to enable commercial development to respond to market conditions. SPP 4.2 calculates retail floorspace per capita and provides a figure of 0.53m² per capita for neighbourhood and local centres.

Using the 2001 ABS population statistics, SPP 4.2 states that Neighbourhood and Local centres in the locality of the subject site are limited to 4,772m² of retail floorspace (based on the 0.53m² per capita ratio). By taking into account the existing Neighbourhood Centres of Queens Park Shopping Centre (2,500m² floorspace) and Beckenham Retail Centre (1,740m²) (totaling 4,240m²), the locality is provided with a capacity to accommodate an additional 532m² retail floorspace. Addition of the 1,500m² retail floorspace proposed by this application would therefore result in an apparent oversupply of 968m² of retail floorspace to the locality. Therefore, based on SPP 4.2, the 1,500m² retail floorspace proposed cannot be accommodated.

However, it should be noted that under the provisions of SPP 4.2, retail floorspace is generated using a capita/m² methodology based on overall population figures and total shopping floorspace. SPP 4.2 states that:

“no account has been taken of variations to productivity, profitability, accessibility, spending capacity and population characteristics of individual centres.”

The applicant argues that these are legitimate planning considerations, and claims such considerations have large impacts on the levels of accurate assessments and should not be ignored when assessing and forecasting retail floorspace.

The applicant has advised that the 2001 ABS population statistics are out dated and so has provided revised floorspace calculations using projected 2011 population forecasts as outlined in the City of Gosnells Draft Local Housing Strategy document. Based on an increase in population in Beckenham from 9,002 persons in 2001 to 10,456 persons in 2011, and using the same floorspace calculation outlined in SPP 4.2, the locality is forecasted to support 5,542m² of retail floorspace, which is 770m² more than the 2001 population could support. On this basis the locality could support an additional 1,032m² of retail floorspace (current capacity of 532m² plus 770m² due to population growth), meaning the proposed development would effectively only result in an oversupply of retail floorspace of 198m², which is considered reasonable.

City of Gosnells Draft Local Commercial Strategy

The City of Gosnells Local Commercial Strategy (LCS) was adopted by Council in September 1999 and is intended to provide a basis for preparing and amending town planning schemes and assessing commercial development applications.

The LCS does not identify the subject site or the surrounding area as being suitable for additional retail floorspace and specifically states that in Mixed Business / Highway Commercial zoned sites:

“No additional supermarkets or convenience stores to be permitted other than those currently existing”

“Additional Shop Retail uses should not be permitted...”

The LCS outlines that Shop retail uses should not be permitted in this zone as they would be more appropriately located within the Retail Core and Town Centre mixed use areas.

The LCS was adopted by Council more than 6 years ago and is now outdated and not considered truly representative of current and future commercial activity within the City. This situation is exacerbated by demographic changes, a major review of SPP4.2 and the advent of Network City (WAPC 2004). In view of this, the comments in the LCS relating to supermarkets and convenience stores should be applied on a case by case basis having regard to the individual merits of each proposal. In this instance,

given the expected increase in population and lack of retail supermarket of the proposed size in the immediate vicinity it is considered reasonable to support the proposal.

Economic Impact Assessment

To support the development of retail shopping on the subject site, the proponent engaged Macroplan Australia Pty Ltd to conduct an Economic Impact Assessment of the proposed development. The assessment uses an expenditure per capita methodology to calculate retail floorspace. This methodology differs from the methodology used in SPP 4.2 where floorspace is based purely on population catchments and does not take into account spending capacity and population characteristics. This alternate method of calculating retail floorspace is considered to have some merit and can be taken into account when considering an increase in retail floorspace.

The Economic Impact Analysis undertaken by Macroplan on behalf of the applicant supports the proposal by confirming the immediate commercial viability of a retail operation and demonstrates that a retail supermarket on the subject site will have limited impacts on competing local centres (including William Street, Kenwick Village, Langford Village and Spencer Village). Based on population increase of 2.59% from 2004 to 2011 and retail expenditure levels in the area, the report forecasts supermarket expenditure in the “Main Trade Area” to increase by \$4.1 million to \$21.3 million from 2003/2004 to 2010/2011. This forecasted increase in population and supermarket expenditure in the “Main Trade Area” is then considered to generate demand for additional retail floorspace which could potentially be supplied by the proposed supermarket.

Beckenham Rail Station Precinct

The “Rail Station Precinct Study – Optimising Integration Between Landuse Transport and Urban Form”, was prepared by the then Ministry of Planning in July 2000 and proposed comprehensive landuse changes, rezonings and changes in road network configurations to facilitate redevelopment around the Beckenham Rail Station (among others). Council’s Local Housing Strategy (LHS) was developed based on principals outlined in this document.

The LHS identifies areas that have capacity to accommodate increased residential densities, in order to cater for population growth and change. The subject site is located in close proximity to the Central and Outer Beckenham precincts identified in the Local Housing Strategy for increased density, based on the recommendations of the Rail Station Precinct Study. An increase in density in the area will lead to an increase in the number of residents living in the area, thus contributing to the catchment for the proposed development. The LHS has been endorsed by Council and the WAPC.

Based on intensifying density and activity in the area around the Beckenham Rail Station, the City anticipates creation of a future retail centre near the station of approximately 1,500m². The applicant has stated that the proposed retail supermarket on the subject site will not detrimentally affect any future proposed retail centre in the rail station precinct due to timeframe and projected population in the area. In support of the proposed development, the applicant suggests that a realistic timeframe for the rail station retail area to be developed is 15-20 years, therefore the proposed development will not cause an adverse affect to this future centre. Staff consider this timeframe to be reasonable.

CONCLUSION

The proposed supermarket and showroom development to be located at Hometown in Beckenham is considered to provide an important retail facility for the surrounding neighbourhood that is not considered to detract from existing or future retail centres in the locality. Based on current State planning policy and additional retail planning analysis, the applicant has demonstrated that the proposed development can operate on the subject site without causing a detrimental impact to existing surrounding and planned retail centres. It is therefore recommended that Council approve the development under Town Planning Scheme No.6, subject to appropriate conditions as contained in Appendix 13.5.6A.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
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520 Moved Cr R Hoffman Seconded Cr P Wainwright

That Council approve the application for a shop and showrooms at 1490 (Lot 25) Albany Highway, Beckenham, subject to conditions contained in Appendix 13.5.6A.

CARRIED 12/0

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

AGAINST: Nil.

**13.5.8 COMMERCIAL VEHICLE PARKING OF ONE TRUCK - 13 (LOT 202)
NEWENDEN STREET, MADDINGTON**

File: 214645 **Approve Ref:** 0506/0053 CVP (PTS) Psrpt139Nov05
Applicant: Francesco Gucciardi
Owner: Francesco and Peppina Gucciardi
Location: 13 (Lot 202) Newenden Street, Maddington
Zoning: MRS: Urban
TPS No. 6: Residential R17.5
Review Rights: Yes. State Administrative Tribunal against a refusal or any condition(s) of approval.
Area: 1,056m
Previous Ref: Nil
Appendix: 13.5.8A Conditions to be imposed on development approval.

PURPOSE OF REPORT

For Council to consider an application for retrospective planning approval for the parking of one commercial vehicle at 13 (Lot 202) Newenden Street, Maddington. The application has been submitted on the basis that only one of the two commercial vehicles driven by the applicant during the course of his employment, will be parked at the subject property at any one time. This item cannot be determined under delegated authority because objections to the proposal have been received and the application does not comply with Council's commercial vehicle parking policy, as both proposed vehicles exceed the maximum allowable length and the subject vehicle cannot be parked behind the front building line of the property.

BACKGROUND**Site Description**

The subject site is a residential zoned property measuring 50.29m x 21m on Newenden Street. It is developed with a brick and tile residence and is fenced with standard super six fencing on all sides. The residence and attached garage are setback 7.8m and 9.7m respectively from the front property boundary. The width of the existing driveway is approximately 6m. There is a vacant and unfenced block of land to the North Western side of the subject property, residential housing to the South Eastern side and residential housing with a community open park area on the opposite side of Newenden Street which is a no through road to the South East of the subject property. The frontage of the property is visible from Newenden Street.

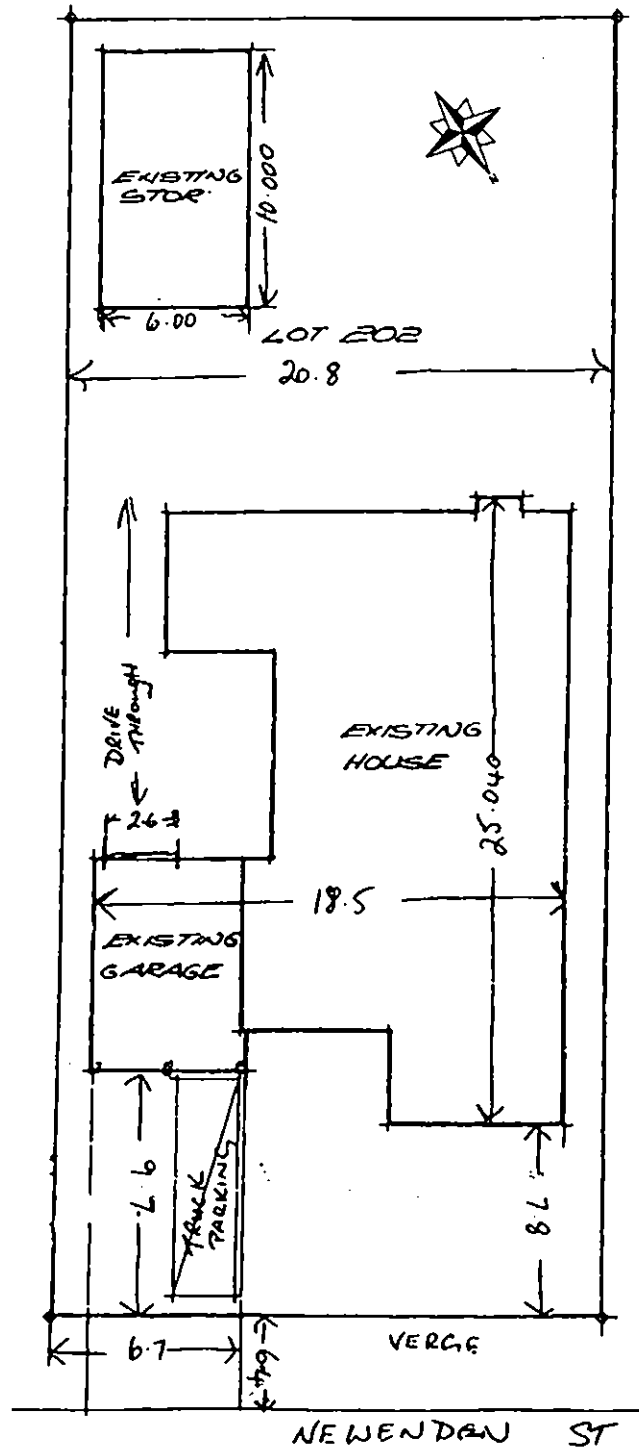
Proposal

The applicant is employed by Western Water Services Pty Ltd and is required by his employer to park a work "emergency call out vehicle" at his property after normal working hours and on weekends in order for him to respond rapidly to emergency call outs regarding sewer blockages, both of a domestic and industrial nature, in and around the Perth (South) Metropolitan area at any given time on a 24 hour – 7 day a week basis. This fact has been confirmed in writing by the Planning Manager of Western

Water Services and the Senior Customer Support Officer, Western Australian Water Corporation.

Of the two “emergency call out” vehicles driven by the applicant, only one is parked on the property at any given time.

The applicant has been parking a commercial vehicle at the subject site for the past 12 months. During this period no incidents or complaints from nearby residents/property owners have been reported or received by the City.



The applicant intends to continue parking the subject commercial vehicle in a position to the front of the existing residence and to the North Westerly side of the double paved driveway, which will not obstruct or hinder the ingress or egress of other family members vehicles to and from the double garage. However the vehicle will not be in a position placing it behind the front building line and due to the lack of adequate screening in this position it will be in full view of the passing public. There are no existing trees or shrubs on the property frontage which would assist in screening the vehicle from public view.

The majority of neighbouring houses in the immediate vicinity of the subject site are set back similar distances from their respective front boundaries as the dwelling on the subject lot.

The details of the two proposed commercial vehicles are as follows:

Vehicle No: 1	Truck
Make	Isuzu
Type	Tray Top
Year	1999
Length	8.5m
Height	2.6m
Licence No.	1AOJ 447
Overall Length	8.5m

Vehicle No: 2	Truck
Make	Isuzu
Type	Tray Top
Year	2000
Length	8.9m
Height	2.7m
Licence No.	1AXR 579
Overall Length	8.9m

Public Consultation

In accordance with the City's Policy 6.1.1.1 – Advertising/Referral of development Applications consultation was undertaken with nearby landowners along Newenden Street, Rand Street and Dellavanzo Street. A total of 23 neighbouring property owners were notified and 13 formal responses were received; 11 responses raised no objection to the application with 2 objections. A summary of submissions received and staff comments thereon is provided in the Discussion section of this report.

The applicant has also personally approached a total of 20 nearby residents in Newenden Street and Rand Street all of whom have signed a document registering their support of the application.

DISCUSSION

Town Planning Scheme No. 6

Under the TPS 6 Zoning Table “Commercial Vehicle Parking” in a Residential Zone are classified as a “D” use meaning a use not permitted unless the local government has exercised its discretion by granting planning approval.

Both of the nominated commercial vehicles fit within the TPS 6 definition for commercial vehicles by virtue of having a carrying capacity in excess of 1.5 tonnes.

Commercial Vehicle Parking Policy

This application complies with the provisions of Council’s Commercial Vehicle Parking Policy with the exception of those discussed in the table below.

Policy Requirement/Clause	Staff Comment
4.4.3 A hardstand area upon which to park the vehicle should be provided either behind the front building line of the dwelling or within an enclosed outbuilding.	The commercial vehicle is parked forward of the building line, in front of the existing garage and would not be parked in an enclosed outbuilding.
4.4.6 The vehicle should not exceed 3.0m in height (including the load) and 8.0m in length.	Although only one of two commercial vehicles is to be parked on the property at any one time, both vehicles exceed the maximum specified length of 8.0m by 0.5m and 0.9m respectively.
4.4.7 Consideration of the visual impact the commercial vehicle is likely to have on the appearance and function of the street.	This matter is discussed under the Discussion section of this report in respect to “Amenity”.

Clause 4.4.9 of the Policy enables Council to consider variations to the Policy where the size, dimensions and any other features of the lot or the vehicle involved are such that the parking of the commercial vehicle can be done in a manner that, in Council’s opinion, will not detrimentally impact upon the amenity and safety of the surrounding community.

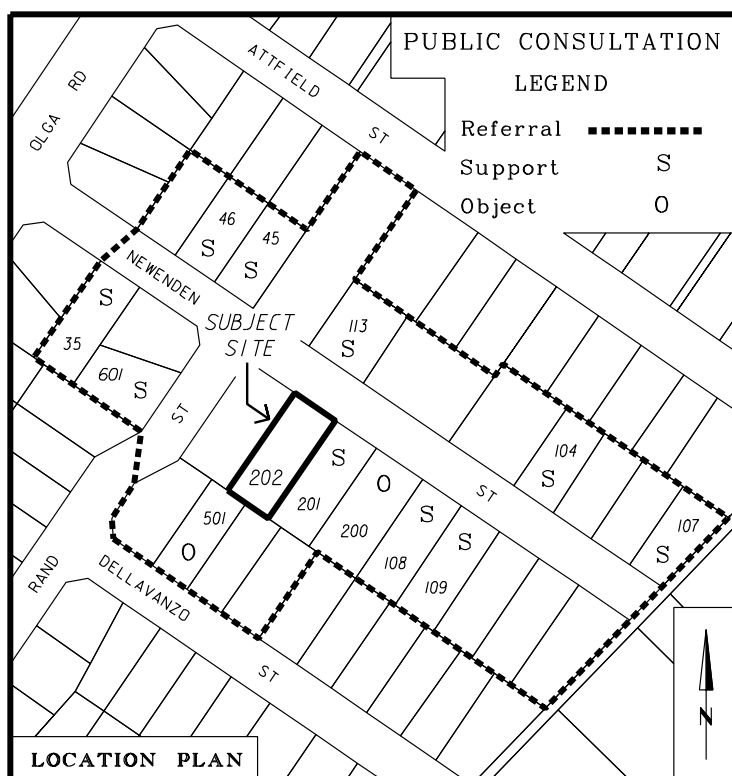
Schedule of Submissions

1	Name and Postal Address: J A Battaglia 38 Aralia Way Forrestfield WA 6058	Affected Property: 19 (Lot 108) Newenden Street Maddington
Summary of Submission		Staff Comment
No objection to proposal		Noted

2	Name and Postal Address: P N Brown 28 Newenden Street Maddington WA 6109	Affected Property: 28 (Lot 107) Newenden Street Maddington
Summary of Submission		Staff Comment
No objection to proposal		Noted
3	Name and Postal Address: D B Cameron 8 Newenden Street Maddington WA 6109	Affected Property: 8 (Lot 45) Newenden Street Maddington
Summary of Submission		Staff Comment
No objection to proposal. Availability of emergency vehicle call outs when essential services are interrupted is appreciated and supported.		Noted
4	Name and Postal Address: R D' Agnone 15 Newenden Street Maddington WA 6109	Affected Property: 15 (Lot 201) Newenden Street Maddington
Summary of Submission		Staff Comment
No objection to proposal		Noted
5	Name and Postal Address: L D' Agnone 15 Newenden Street Maddington WA 6109	Affected Property: 15 (Lot 201) Newenden Street Maddington
Summary of Submission		Staff Comment
No objection to proposal		Noted
6	Name and Postal Address: R De Boer 22 Newenden Street Maddington WA 6109	Affected Property: 22 (Lot 104) Newenden Street Maddington
Summary of Submission		Staff Comment
No objection to proposal		Noted
7	Name and Postal Address: C V Forward 6 Newenden Street Maddington WA 6109	Affected Property: 6 (Lot 46) Newenden Street Maddington
Summary of Submission		Staff Comment
No objection to proposal – Has commented that support is based on the fact that vehicle is used for essential emergency work.		Noted

8	Name and Postal Address: K R Hill 3 Rand Street Maddington WA 6109	Affected Property: 3 (Lot 601) Rand Street Maddington
Summary of Submission		Staff Comment
No objection to proposal		Noted
9	Name and Postal Address: A T Van Der Burg 3 Newenden Street Maddington WA 6109	Affected Property: 3 (Lot 35) Newenden Street Maddington
Summary of Submission		Staff Comment
No objection to proposal		Noted
10	Name and Postal Address: J Willis 12 Newenden Street Maddington WA 6109	Affected Property: 12 (Lot 113) Newenden Street Maddington
Summary of Submission		Staff Comment
No objection to proposal. Support for the application is based on the fact that the subject vehicle will be parked in the driveway of the applicants property, not on roadway or verge.		Noted.
11	Name and Postal Address: R Biffin 103 Attfield Street Maddington WA 6109	Affected Property: 103 (Lot 70) Attfield Street Maddington
Summary of Submission		Staff Comment
No objection to proposal. The truck parking will cause no inconvenience to me.		Noted.
12	Name and Postal Address: E L Johnson 4 Dellavanzo Street Maddington WA 6109	Affected Property: 4 (Lot 501) Dellavanzo Street Maddington
Summary of Submission		Staff Comment
Object to proposal. The parking of the truck should be in an industrial area, not residential area. The truck parking would de value property prices and give an industrial image to the area.		Disagree. Both vehicles subject of this application are not large transport trucks and the physical presence of either of the trucks is expected to have little impact on the amenity of the area or vehicular traffic. No previous concerns have been received by the City in relation to this activity

13	Name and Postal Address: I Pisano P O Box 721 GOSNELLS WA 6110	Affected Property: 17 (Lot 200) Newenden Street Maddington
Summary of Submission		Staff Comment
13.1 Object to proposal. The applicant has already damaged two verges by parking the truck to the front of his property and because of the size of the truck it should not be parked in a residential zone. 13.2 Also, the applicant has lobbied all residents of Newenden Street in an endeavour to gain support for his application and has stated that as the community parkland opposite his residence is rarely used by residents of Newenden Street, the parking of the truck at his premises would have no effect on those persons who did use the park for recreational purposes.		Noted – No kerb damage to the front of applicants property has been reported or was sighted during site inspection although some minor surface displacement on verge area to front of vacant block adjoining applicants property was observed. The applicant has provided 20 signatures of support from nearby residents in addition to the supportive responses received in answer to the City’s referral of the application. No record available of any complaint or expression of concern having been lodged with the City in relation to the parking of the truck at this site having any adverse effect on the amenity of the area or the usage of the community park by local residents.



In addition to the results of public consultation above, correspondence relative to this matter has been received from the office of Sheila McHale JP MLA, Member for Kenwick, stating that in view of the positive response from most neighbours who were canvassed by the applicant and the fact that the vehicle subject to the application is a vehicle used primarily as an “emergency call out response vehicle”, she is in support of the proposal.

Amenity

The area is zoned Residential R 17.5 and the subject property is 1,056m² in area. The two proposed commercial vehicles owned by the applicants employer, are used by the applicant to provide a rapid response to emergency call outs in relation to Sewer blockages, sewerage overflows into environmentally sensitive areas including rivers and waterways and residential property floodings. This service can be called upon at any time, 24 hours-seven days per week.

It is the applicants intention to park the commercial vehicle on the existing paved double driveway to the front of his property. In this location the vehicle will not be behind the building setback line of the subject lot and will not be screened from view of the roadway/footpath and the passing public.

There will therefore be an unavoidable degree of visual impact in relation to surrounding residential properties and the passing public in general.

Notwithstanding the fact that the parked vehicle will not be screened from surrounding properties or the passing public, neither of the nominated vehicles is excessively large in the context of a “commercial vehicle”.

Both are under the maximum allowable height of 3m and while both are minimally over maximum allowable length by 0.5m and 0.9m respectively, the length difference is not likely to have any additional impact on the amenity if the immediate area.

Parking and Traffic

Newenden Street in the vicinity of the subject site is a two way neighbourhood road. The City’s Senior Road Safety Officer has inspected the subject site and is of the opinion that there are no foreseeable traffic problems relating to the proposal, providing the parking position of the subject commercial vehicle does not restrict the line of sight and distance of other motorists turning into or out of residential crossovers within the street. The nominated parking position of the vehicle will not create an impediment in relation to these factors.

This application represents a deviation from current policy standards as the nominated commercial vehicle cannot be parked behind the front building line of the lot and cannot be screened from view of the passing public along Newenden Street. In addition both nominated vehicles do not meet policy requirements as both minimally exceed the maximum overall length of 8m. Council has the ability to consider exceptions to the policy requirement where they can be justified based on the merit of the particular case.

CONCLUSION

Whilst the application does not strictly comply with the provisions of Council's Commercial Vehicle Parking Policy, it is considered, given the circumstances of the application, that the parking of the "emergency call out response vehicle" at 13 Newenden Street, Maddington will not have any adverse amenity or safety impacts on neighbouring properties or the surrounding area. This is reflected in the fact that the vehicle has, according to the applicant, been parked on the property for the past 12 months, without an incident or complaint being lodged with the City. Further, of 23 nearby landowners who were invited to comment on the proposal 13 responses were received, comprising of 11 responses of no objection and only 2 responses objecting to the proposal.

It is therefore recommended that Council grant retrospective planning approval for the Commercial Vehicle Parking, subject to appropriate conditions as contained in Appendix 13.5.8A.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION

Moved Cr D Griffiths Seconded Cr W Barrett

That Council grant retrospective planning approval to park either of the two nominated commercial vehicles being Isuzu Tray Top Truck registration number 1AOJ 447 and Isuzu Tray Top Truck registration number 1AXR 579 at 13 (Lot 202) Newenden Street, Maddington subject to appropriate conditions as contained in Appendix 13.5.8A.

Amendment

During debate Cr P Wainwright moved the following amendment to the staff recommendation:

"That the staff recommendation be amended to ensure consistency with conditions imposed upon other commercial vehicle parking approvals, by inserting an additional condition in Appendix 13.5.8A, which reads:

- 6) This approval is personal to the applicant and is not transferable or assignable to any other person or property."*

Cr R Croft Seconded Cr Wainwright's proposed amendment.

At the conclusion of debate the Mayor put Cr Wainwright's proposed amendment, which reads:

Moved Cr P Wainwright Seconded Cr R Croft

That the staff recommendation be amended to ensure consistency with conditions imposed upon other commercial vehicle parking approvals, by inserting an additional condition in Appendix 13.5.8A, which reads:

- 6) This approval is personal to the applicant and is not transferable or assignable to any other person or property.

with the amended recommendation to read:

“That Council grant retrospective planning approval to park either of the two nominated commercial vehicles being Isuzu Tray Top Truck registration number 1AOJ 447 and Isuzu Tray Top Truck registration number 1AXR 579 at 13 (Lot 202) Newenden Street, Maddington subject to appropriate conditions as contained in Appendix 13.5.8A, subject to inclusion of an additional condition in Appendix 13.5.8A which reads:

- 6) This approval is personal to the applicant and is not transferable or assignable to any other person or property.”

CARRIED 12/0

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

AGAINST: Nil.

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

COUNCIL RESOLUTION

521 Moved Cr P Wainwright Seconded Cr R Croft

That Council grant retrospective planning approval to park either of the two nominated commercial vehicles being Isuzu Tray Top Truck registration number 1AOJ 447 and Isuzu Tray Top Truck registration number 1AXR 579 at 13 (Lot 202) Newenden Street, Maddington subject to appropriate conditions as contained in Appendix 13.5.8A, subject to inclusion of an additional condition in Appendix 13.5.8A which reads:

- 6) This approval is personal to the applicant and is not transferable.

CARRIED 12/0

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

AGAINST: Nil.

12. MINUTES OF COMMITTEE MEETINGS

The Mayor advised the meeting that herself due to being Chairperson of the Safe City Task Force, and Cr S Iwanyk due to being a Council delegate to the Safe City Task Force, had disclosed an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

12.1 SAFE CITY TASK FORCE COMMITTEE

File: C1/2/1 (SP)
Appendix: 12.1A Minutes of Safe City Task Force Committee Meeting held on Thursday 20 October 2005

PURPOSE OF REPORT

For Council to receive the Minutes of the City of Gosnells Safe City Task Force Committee Meeting held on Thursday 20 October 2005.

BACKGROUND

The Safe City Task Force Committee meets every two (2) months to provide advice to Council on the Safe City Initiative.

The Minutes of the Safe City Task Force Committee Meeting held on Thursday 20 October 2005 are attached as Appendix 12.1A.

DISCUSSION

There were a total of seven (7) recommendations made at the meeting, of which the following six (6) require the consideration of Council.

Recommendation 13:

“That Council appoint Mr B Scully, Senior Sergeant S Byrne and Mr P Billing to the selection panel to adjudicate on the 2005 Safe City Community Safety Awards”.

The Safe City Community Safety Awards are run annually in recognition of community involvement in new and existing crime prevention or community safety programmes. The three (3) Awards are the Community Initiative Award (individuals or groups), the Community Kids Award (primary school students) and the Constable Peter Ball Memorial Youth Award (youth 13 to 25yrs).

Recommendation 14:

“That Council needs to appoint Cr S Iwanyk, Mr T Brown and a representative from the Examiner newspaper to the selection panel to adjudicate on the 2005 Safe City Bright City Christmas Lights Competition”.

The Safe City Bright City Christmas Lights Competition is an annual event encouraging residents to decorate their homes and spread the joy of Christmas within the community. There are two (2) categories: "Best Private Residence" and "Best Decorated Street", both offering cash prizes and commemorative plaques. The City of Gosnells and the Examiner newspaper jointly sponsor the competition.

Recommendation 18:

"That a letter of appreciation be sent to Chamber of Commerce representative, Mr C Chakravarty thanking him for his past contribution and advising that in accordance with Advisory Committee Policy No. 5.4.14 (Item 4.1) relating to non-attendance, he is no longer a member of the Safe City Task Force Committee".

As a result of Mr C Chakravarty not attending the Task Force Committee since March 2003, the Committee agreed that as stated in the Advisory Committee Policy No. 5.4.14 (Item 4.1), a letter will be sent to Mr Chakravarty advising that he is no longer a member of the Task Force Committee. As with all committee members, Mr Chakravarty has been advised and has been forwarded agendas for meetings.

Recommendation 19:

"That a letter of invitation be sent to the Gosnells City Business and Tourism Association for nomination of a representative on the Safe City Task Force Committee".

The Committee agreed that it would be beneficial to invite a representative for the Task Force Committee from the Gosnells City Business and Tourism Association.

Recommendation 20:

"That a letter of appreciation be sent to the National Seniors Association representative, Ms R Charsley thanking her for her past contribution to the Safe City Task Force Committee".

Ms R Charsley advised that she can no longer attend the Task Force Committee as a representative for the National Seniors Association. The Committee agreed that Ms Charsley has contributed greatly to the Task Force Committee during her membership and that a letter should be forwarded to her to acknowledge this. Another representative of this association will be attending the meetings.

Recommendation 21:

"That Chas Cassey be recommended for the position of Police and Citizens Youth Club representative on the City of Gosnells Safe City Task Force".

A suggestion was made that Mr Chas Cassey be recommended as a representative on the Task Force Committee and all members were in favour of this.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION (1 of 7) AND COUNCIL RESOLUTION**522 Moved Cr R Mitchell Seconded Cr J Brown**

That Council receive the Minutes of the Safe City Task Force Committee Meeting held on Thursday 20 October 2005 as attached in Appendix 12.1A.

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (2 of 7) AND COUNCIL RESOLUTION**523 Moved Cr R Mitchell Seconded Cr J Brown**

That Council adopt Recommendation 13 of the Safe City Task Force Committee meeting held on Thursday 20 October 2005, which reads:

“That Council appoint Mr B Scully, Senior Sergeant S Byrne and Mr P Billing to the selection panel to adjudicate on the 2005 Safe City Community Safety Awards”.

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (3 of 7) AND COUNCIL RESOLUTION**524 Moved Cr R Mitchell Seconded Cr J Brown**

That Council adopt Recommendation 14 of the Safe City Task Force Committee meeting held on Thursday 20 October 2005, which reads:

“That Council needs to appoint Cr S Iwanyk, Mr T Brown and a representative from the Examiner newspaper to the selection panel to adjudicate on the 2005 Safe City Bright City Christmas Lights Competition”.

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (4 of 7) AND COUNCIL RESOLUTION

525 Moved Cr R Mitchell Seconded Cr J Brown

That Council adopt Recommendation 18 of the Safe City Task Force Committee meeting held on Thursday 20 October 2005, which reads:

“That a letter of appreciation be sent to Chamber of Commerce representative, Mr C Chakravarty thanking him for his past contribution and advising that in accordance with Advisory Committee Policy No. 5.4.14 (Item 4.1) relating to non-attendance, he is no longer a member of the Safe City Task Force Committee”.

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (5 of 7) AND COUNCIL RESOLUTION
--

526 Moved Cr R Mitchell Seconded Cr J Brown

That Council adopt Recommendation 19 of the Safe City Task Force Committee meeting held on Thursday 20 October 2005, which reads:

“That a letter of invitation be sent to the Gosnells City Business and Tourism Association for nomination of a representative on the Safe City Task Force Committee”.

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (6 of 7) AND COUNCIL RESOLUTION
--

527 Moved Cr R Mitchell Seconded Cr J Brown

That Council adopt Recommendation 20 of the Safe City Task Force Committee meeting held on Thursday 20 October 2005, which reads:

“That a letter of appreciation be sent to the National Seniors Association representative, Ms R Charsley thanking her for her past contribution to the Safe City Task Force Committee”.

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (7 of 7) AND COUNCIL RESOLUTION
--

528 Moved Cr R Mitchell Seconded Cr J Brown

That Council adopt Recommendation 21 of the Safe City Task Force Committee meeting held on Thursday 20 October 2005, which reads:

“That Chas Cassey be recommended for the position of Police and Citizens Youth Club representative on the City of Gosnells Safe City Task Force”.

CARRIED 12/0

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

AGAINST: Nil.

The Mayor advised the meeting that herself due to being Chairperson of the Audit Committee, and Cr C Matison, Cr S Iwanyk and Cr P Wainwright due to being Council delegates to the Audit Committee, had disclosed an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

12.2 AUDIT COMMITTEE

File: F1/8/2 (RB) Nov22_05acte
Appendix: 12.2A Minutes of the City of Gosnells Audit Committee meeting held 15 November 2005

PURPOSE OF REPORT

For Council to receive the Minutes of the City of Gosnells Audit Committee meeting held 15 November 2005.

BACKGROUND

At the Ordinary Council Meeting held 23 November 2004 Council agreed to establish an Audit Committee comprising of the Mayor, Deputy Mayor, Organisation Portfolio Holder and Organisation Deputy Portfolio Holder.

The Audit Committee meets on the first Tuesday in the months of February, May, August and November of each year, or as required.

The Minutes of the City of Gosnells Audit Committee meeting held 15 November 2005 are attached as Appendix 12.2A.

DISCUSSION

The Audit Committee Terms of Reference adopted by Council on 13 September 2005 stated that one of the purposes for establishing the Committee was to ensure a commitment to high quality objective financial reporting. The Terms of Reference also stated that it shall be the responsibility of the Audit Committee to:

- review the management letter provided by the external auditor on any weakness in internal accounting, organisation and operating controls and consider recommendations made by the auditor and the action taken by management in response to the auditors' suggestions;
- advise Council on matters relating to its Annual Financial Statements.

Both the audited Annual Financial Statements and the auditors' management letter were presented to the Audit Committee and management's response and proposed actions to the auditors' suggestions were discussed.

Only one recommendation from the Audit Committee meeting requires the consideration of Council.

Recommendation 3:

“That the Audit Committee accept the Audited Annual Financial Report for the period ended 30 June 2005 as attached as Appendix 5.1A and recommend acceptance by Council.”

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION (1 of 2) AND COUNCIL RESOLUTION
--

529 Moved Cr R Croft Seconded Cr R Hoffman

That Council receive the Minutes of the City of Gosnells Audit Committee meeting held 15 November 2005 attached as Appendix 12.2A.

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (2 of 2) AND COUNCIL RESOLUTION
--

530 Moved Cr R Croft Seconded Cr R Hoffman

That Council adopt Recommendation 2 of the City of Gosnells Audit Committee meeting held on Tuesday 30 August 2005, which reads:

“That the Audit Committee accept the Audited Annual Financial Report for the period ended 30 June 2005 as attached as Appendix 5.1A and recommend acceptance by Council.”

CARRIED 12/0

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

AGAINST: Nil.

The Mayor advised the meeting that Cr P Wainwright due to being Chairperson of the RoadWise Committee, and Cr R Hoffman and Cr D Griffiths due to being Council delegates to the RoadWise Committee, had disclosed an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

12.3 CITY OF GOSNELLS ROADWISE COMMITTEE

File: T7/1/5 (BH) BH11.1b
Appendix: 12.3A Minutes of the City of Gosnells RoadWise Committee Meeting held on Wednesday, 2 November 2005

PURPOSE OF REPORT

For Council to receive the Minutes of the RoadWise Committee Meeting held on Wednesday, 2 November 2005 and consider the recommendations therein.

BACKGROUND

The City of Gosnells RoadWise Committee meets on the first Wednesday of every month. The Committee is established with the guiding principles to:

- Improve road safety in the City of Gosnells.
- Raise community awareness of road safety issues and initiatives in the City of Gosnells.
- Facilitate community planning, development and implementation of road safety programs and promotions.
- Develop programs and initiatives which target groups and issues identified in the State Road Safety Strategy.

The business of the meeting is reported in the Minutes provided as Appendix 12.3A.

DISCUSSION

Following recent resignations and subsequent advertising for Community Representatives on the Roadwise Committee, one application for membership of the Committee was received from Mr Lyal Richardson. Recommendation 2 of the Minutes of the RoadWise Committee Meeting held on Wednesday, 2 November 2005, is in relation to this application for membership.

Recommendation 2:

“That Council accepts Mr Lyal Richardson as a new Community Representative to the RoadWise Committee.”

The other main points of discussion at the meeting were:

- It was noted that the City of Gosnells officers and the Roadwise Trailer would be participating in the Arrive Alive Road Safety Convoy and Blessing of the Roads on 9 December 2005.
- Mr Alan Gill was nominated as the Roadwise Committee Representative to attend the Office of Road Safety, Road Safety Forum and Awards on 11 November 2005.
- The Two-Speed Trailer funding submissions for the South East Regional Roadwise Advisory Group have been completed and will be submitted by the City of Gosnells. Total cost for both Trailers is \$35,000.
- Child Restraint Checking was completed, with 19 restraints being checked.
- The Vehicle Safety Checks were also successfully held during the month of October, with 13 vehicles receiving a safety check.

FINANCIAL IMPLICATIONS

There are no financial implications resulting from the last Roadwise Committee Meeting that have not been previously reported to Council.

STAFF RECOMMENDATION (1 of 2) AND COUNCIL RESOLUTION

531 Moved Cr J Brown Seconded Cr R Hoffman

That Council receive the Minutes of the Meeting of the City of Gosnells RoadWise Committee held on Wednesday, 2 November 2005, attached as Appendix 12.3A.

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (2 of 2) AND COUNCIL RESOLUTION

532 Moved Cr J Brown Seconded Cr R Hoffman

That Council adopt Recommendation 2 of the City of Gosnells RoadWise Committee Meeting held on Wednesday 5 October 2005, which reads:

“That Council accepts Mr Lyal Richardson as a new Community Representative to the RoadWise Committee.”

CARRIED 12/0

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

AGAINST: Nil.

The Mayor advised the meeting that herself due to being Chairperson of the Strategic Planning Committee, and Cr R Croft, Cr R Mitchell and Cr C Matison due to being Council delegates to the Strategic Planning Committee, had disclosed an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

12.4 STRATEGIC PLANNING COMMITTEE MEETING

File: C3/8/1 (TP) Rpt037Nov05
Appendix: 12.4A Minutes of 15 November 2005 Strategic Planning Committee Meeting

PURPOSE OF REPORT

For Council to receive the Minutes of the Strategic Planning Committee meeting held on 15 November 2005 and adopt the recommendations therein.

BACKGROUND

The Strategic Planning Committee meets quarterly on the third Tuesday of February, May, August and November of each year, to discuss issues of strategic importance.

The Minutes of the Strategic Planning Committee meeting held on Tuesday 15 November 2005 are attached as Appendix 12.4A.

DISCUSSION

There were a total of eleven (11) recommendations made at the meeting, of which the following seven (7) require the consideration of Council.

Recommendation 41:

“That Council adopt the Tourism Product Development Audit on Ellis Brook Valley as attached as to Appendix 6.3.1C as a basis for future development of the Reserve to promote increased visitation.”

Recommendation 42:

“That Council approve the nomination of Lots 4 and 5 Rushton Road Martin for inclusion in the Tourism Western Australia Landbank Initiative for potential marketing to tourism investors.”

Recommendation 44:

“That Council, with the support of sporting clubs, evaluate the feasibility of relocating clubs from the rear playing fields at Maddington Oval to Harmony Fields, or other suitable location, in preparation for a possible decision by the Federal Government that lot 72 Alloa Road and/or lot 65 Lower Park Road Maddington is the appropriate site for the construction of an Australian Technical College.”

Recommendation 45:

“That Council Officers establish a Council workshop to consider the various implications of the proposal to relocate sporting clubs to Harmony Fields and to locate the Australian Technical College on the Junior Oval site in Maddington.”

Recommendation 46:

“That Council Officers consult closely with the sporting clubs operating from the rear playing fields at Maddington Oval on the proposal to relocate to the sporting facilities to be developed at Harmony Fields.”

Recommendation 47

“That Council authorise the Director Planning and Sustainability to carry out revision of Policies and Delegated Authority within the City Planning Branch and amendment of Town Planning Scheme No. 6. with the view to streamlining the planning approvals process within the City.”

At the Economic Development Portfolio Briefing held on 18 October 2005 the Tourism Product Development Audit on Ellis Brook Valley recommending various improvements to encourage increased visitation and development of short stay accommodation adjacent the Reserve was discussed.

The Briefing was advised that the Audit could be used to guide future development of the Reserve, with Lots 4 and 5 Rushton Road, Martin identified for inclusion in the Tourism Western Australia Landbank Initiative, resulting in Recommendation 41 and 42 above.

A review of potential sites has been carried out with the preferred location for the Australian Technical College within the Maddington area being part of the existing Junior Oval site. Recommendation 45 above relates to establishing a workshop to consider the various implications of the proposal to relocate sporting clubs to Harmony Fields and to locate the Australian Technical College on the Junior Oval site in Maddington. Due to timing constraints associated with the establishment of the Australian Technical College this workshop was held on 9 November 2005. This occurred to give sporting clubs the maximum opportunity to consider the various issues related to potential relocation and to also meet with the requirements of the Local Government Act 1995 should the potential relocation proceed.

Council support for Recommendations 43 and 44 above is sought and endorsement of actions taken in relation to Recommendation 45.

The third item discussed was the potential introduction of planning initiatives aimed at improving economic development within the City resulting in Recommendation 47 above.

Recommendation 50:

“That Council support the proposed timetable for adoption of the 2006/2007 Budget and Five-Year Financial Plan, as attached Appendix 6.5.2A.”

The proposed Budget timetable setting a target date for the adoption of the Annual Budget on 4 July 2006, with four (4) Councillor Workshops scheduled for 13 February 2006, 7 March 2006, 4 April 2006 and 30 May 2006 was deliberated, requiring Council adoption of Recommendation 50 above.

FINANCIAL IMPLICATIONS

Any financial implications associated with the potential relocation of sporting clubs and the location of the Australian Technical College is currently being quantified.

STAFF RECOMMENDATION (1 of 8) AND COUNCIL RESOLUTION

533 Moved Cr R Hoffman Seconded Cr J Brown

That Council receive the Minutes of the Strategic Planning Committee Meeting held on 15 November 2005 attached as Appendix 12.4A.

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (2 of 8) AND COUNCIL RESOLUTION

534 Moved Cr R Hoffman Seconded Cr J Brown

That Council adopt Recommendation 41 of the Strategic Planning Committee held on 15 November 2005, which reads:

“That Council adopt the Tourism Product Development Audit on Ellis Brook Valley as attached as to Appendix 6.3.1C as a basis for future development of the Reserve to promote increased visitation.”

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (3 of 8) AND COUNCIL RESOLUTION**535 Moved Cr R Hoffman Seconded Cr J Brown**

That Council adopt Recommendation 42 of the Strategic Planning Committee held on 15 November 2005, which reads:

“That Council approve the nomination of Lots 4 and 5 Rushton Road Martin for inclusion in the Tourism Western Australia Landbank Initiative for potential marketing to tourism investors.”

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (4 of 8) AND COUNCIL RESOLUTION**536 Moved Cr R Hoffman Seconded Cr J Brown**

That Council adopt Recommendation 44 of the Strategic Planning Committee held on 15 November 2005, which reads:

“That Council, with the support of sporting clubs, evaluate the feasibility of relocating clubs from the rear playing fields at Maddington Oval to Harmony Fields, or other suitable location, in preparation for a possible decision by the Federal Government that lot 72 Alloa Road and/or lot 65 Lower Park Road Maddington is the appropriate site for the construction of an Australian Technical College.”

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (5 of 8) AND COUNCIL RESOLUTION**537 Moved Cr R Hoffman Seconded Cr J Brown**

That Council endorse Recommendation 45 of the Strategic Planning Committee held on 15 November 2005, which reads:

“That Council Officers establish a Council workshop to consider the various implications of the proposal to relocate sporting clubs to Harmony Fields and to locate the Australian Technical College on the Junior Oval site in Maddington.”

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (6 of 8) AND COUNCIL RESOLUTION**538 Moved Cr R Hoffman Seconded Cr J Brown**

That Council adopt Recommendation 46 of the Strategic Planning Committee held on 15 November 2005, which reads:

“That Council Officers consult closely with the sporting clubs operating from the rear playing fields at Maddington Oval on the proposal to relocate to the sporting facilities to be developed at Harmony Fields.”

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (7 of 8) AND COUNCIL RESOLUTION**539 Moved Cr R Hoffman Seconded Cr J Brown**

That Council adopt Recommendation 47 of the Strategic Planning Committee held on 15 November 2005, which reads:

“That Council authorise the Director Planning and Sustainability to carry out revision of Policies and Delegated Authority within the City Planning Branch and amendment of Town Planning Scheme No. 6. with the view to streamlining the planning approvals process within the City.”

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (8 of 8) AND COUNCIL RESOLUTION**540 Moved Cr R Hoffman Seconded Cr J Brown**

That Council adopt Recommendation 50 of the Strategic Planning Committee held on 15 November 2005, which reads:

“That Council support the proposed timetable for adoption of the 2006/2007 Budget and Five-Year Financial Plan, as attached Appendix 6.5.2A.”

CARRIED 12/0

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

AGAINST: Nil.

13. REPORTS

13.1 CHIEF EXECUTIVE OFFICER'S REPORT

13.2 COMMUNITY ENGAGEMENT

13.2.1 2005 BEANBAG CENTRES PROGRAMME-UNLIMITED CONFERENCE 12 AND 13 DECEMBER 2005 IN SYDNEY

File: Y1/1/4 (AC)
Appendix: 13.2.1A 2005 Beanbag Centres Programme - Unlimited Conference

PURPOSE OF REPORT

To seek the approval of Council for the Coordinator Youth Services to attend the Beanbag Centres Programme – Unlimited Conference in Sydney from 12 to 13 December 2005.

BACKGROUND

The Inspire Foundation are partners with the City in the provision of the Beanbag Net Centre hosted at the Kenwick Youth Resource Centre. The Beanbag Net Centre, which was opened in October 2003, has been well received and used by the young people. As part of the Maddington Kenwick Sustainable Communities Partnership, this externally funded programme will be delivered from the Sheoak Road Community Hub in partnership with the Gosnells Police and Citizens Youth Club (PCYC) and The Smith Family. Representatives from both the PCYC and The Smith Family have been invited by the Inspire Foundation to attend this conference as well.

The Beanbag Centres Programme – Unlimited Conference will provide the opportunity for staff to keep abreast of issues that arise in providing free Internet access for young people at a community venue. The workshop will also provide a valuable networking opportunity.

DISCUSSION

Beanbag Net Centres are located across Australia. The Inspire Foundation which coordinates Australia wide Beanbag Net Centres has invited one City of Gosnells staff member to attend this conference. The Foundation will fund travel and accommodation for attendance at this conference.

The workshop will cover topics highly relevant to the Youth Services team's supervision and provision of the Beanbag Net Centre such as:

- On line safety
- Digital Story telling
- Working with indigenous Communities
- Working with Culturally and Linguistically Diverse Communities
- Working with the media

Attendance by Coordinator Youth Services at The Beanbag Centres Programme – Unlimited Conference will be of significant benefit to the City and youth using these services. The City of Gosnells Youth Services staff will be able to share information on the successful operation of the Beanbag Net Centre at the Kenwick Youth Resource Centre as well as gaining information from other organisations on their experiences of operating a Beanbag Net Centre.

The current Beanbag Net Centre has an average usage of 55 youths per week. Based on the opening hours of the Kenwick Youth Centre, there is 28 hours of drop-in per week; there are two computers, which therefore provide 56 hours of usage per week.

FINANCIAL IMPLICATIONS

The Beanbag Centres Programme – Unlimited Conference is funded by the Inspire Foundation which will cover all travel, meals and accommodation costs for one staff member to attend the workshop. The City of Gosnells financial commitment would be to fund out of pocket expenses for the staff member attending.

Costs per person are as follows:

Item	Amount \$
Out of Pocket Expenses	210
Total/	210

Funds are available from Account Number 61126.110.1023 Staff Training/Conferences within the 2005/2006 operating budget.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
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541 Moved Cr D Griffiths Seconded Cr P Wainwright

That Council authorise the Coordinator Youth Services to attend the Beanbag Centres Programme – Unlimited Conference to be held in Sydney from 12 to 13 December 2005 inclusive at an estimated cost of \$210 for the staff member with funds being met from account number 61126.110.1023 Staff Training/Conferences.

CARRIED 12/0

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

AGAINST: Nil.

13.3 CORPORATE SERVICES

13.3.1 FINANCIAL ACTIVITY STATEMENT REPORT – OCTOBER 2005

File: F1/6/1 (FS) Nov22_05fn
Appendix: 13.3.1A Financial Activity Statement Report for October 2005

PURPOSE OF REPORT

For Council to adopt the Financial Activity Statement Report for the month of October 2005.

BACKGROUND

In accordance with Financial Management Regulation 34 the following reports are contained in the Financial Activity Statement Report:

- Commentary and report and variances
- Operating statement by Directorate
- Balance Sheet
- Statement of Financial Activity
- Reserve Movements
- Capital Expenditure Detail
- Outstanding Debtor Information
- Various Notes

DISCUSSION

The Financial Activity Statement Report for the month of October 2005 is attached as Appendix 13.3.1A.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
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542 Moved Cr W Barrett Seconded Cr R Hoffman

That Council, in accordance Regulation 34 of the Local Government (Financial Management) Regulations, adopt the following reports, contained in the Financial Activity Statement Report for the month of October 2005, attached as per Appendix 13.3.1A:

- A. Commentary and report and variances
- B. Operating statement by Directorate
- C. Balance Sheet
- D. Statement of Financial Activity
- E. Reserve Movements
- F. Capital Expenditure Detail
- G. Outstanding Debtor Information
- H. Various Notes

CARRIED 12/0

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

AGAINST: *Nil.*

13.3.2 PAYMENT OF ACCOUNTS

File:

F1/6/1

(GW)

Nov22_05acc

PURPOSE OF REPORT

To advise Council of payments made for the period 19 October 2005 to 15 November 2005.

DISCUSSION

Payments of \$8,921,216.85 as detailed in the cheque listing for the period 19 October 2005 to 15 November 2005 which was circulated to Councillors under separate cover and will be tabled at the meeting, have been approved by the Director Corporate Services under delegated authority.

Notation

The Mayor tabled the cheque listing for the period 19 October 2005 to 15 November 2005.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION**543 Moved Cr P Wainwright seconded Cr R Croft**

That Council note the payment of accounts as shown in the cheque listing for the period 19 October 2005 to 15 November 2005.

CARRIED 12/0

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

AGAINST: Nil.

13.3.3 BUDGET VARIATIONS

File: F1/4/1

(RM) Nov22_05bv

PURPOSE OF REPORT

To seek approval from Council to adjust the 2005/2006 Municipal Budget.

DISCUSSION

In accordance with Section 6.8 of the Local Government Act 1995 a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:

- is incurred in a financial year before the adoption of the annual budget by the local government
- is authorised in advance by Council resolution, or
- is authorised in advance by the Mayor or President in an emergency.

Approval is therefore sought for the following budget adjustments for the reasons specified.

Account Number	Type	Account Description	Debit \$	Credit \$
Job651.143.3	Increase Expenditure	Close Circuit TV Systems - Upgrade	19,500	
Job300.39.3	Decrease Expenditure	Furniture and Equipment - Close Circuit TV Main Street		19,500
	Reason:	To allow the installation of Close Circuit TV systems to the Town Centre		
Job6963.1.1	Increase Expenditure	Help Young People Engage (HYPE) wages	2,728	
Job6936.5000.56	Increase Income	Sponsorship		2,728
	Reason:	Sponsorship from Thornlie Square Shopping Centre to fund (Help Young People Engage) HYPE wages and operating costs		

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

544 Moved Cr D Griffiths Seconded Cr J Brown

That Council approve the following adjustments to the Municipal Budget:

Account Number	Account Description	Debit \$	Credit \$
Job651.143.3	Close Circuit TV Systems - Upgrade	19,500	
Job300.39.3	Furniture and Equipment - Close Circuit TV Main Street		19,500
Job6963.1.1	Help Young People Engage (HYPE) wages	2,728	
Job6936.5000.56	Sponsorship		2,728

CARRIED BY ABSOLUTE MAJORITY 12/0

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

AGAINST: Nil.

13.3.4 BAD DEBTS – WRITE OFF

File: F1/6/1 : F1/1/4

(KP) Nov22_05bdebts

PURPOSE OF REPORT

For Council to consider writing off a debt in accordance with section 6.12 (1) (c) of the Local Government Act 1995.

BACKGROUND

The following debt is outstanding and processes have been exhausted in securing its recovery:

Elke Winkins School of Dance \$1,895.85

DISCUSSION

The debt was incurred through the hire of Don Russell Performing Arts Centre for a Dance Studio between August 2003 and December 2003. Although debts were pursued, the bailiff advised that no funds were left after the sale of property. It is recommended that the debt should be written off.

FINANCIAL IMPLICATIONS

This debt has been provided for as a doubtful debt and the formal elimination from the debtors' ledger will not impact on the operating result of the City of Gosnells for the year ended 30 June 2006.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
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545 Moved Cr D Griffiths Seconded Cr R Hoffman

That Council authorise the sum of \$1,895.85 owing by Elke Winkins School of Dance to be written off in accordance with section 6.12 (1) (c) of the Local Government Act 1995.

CARRIED BY ABSOLUTE MAJORITY 12/0

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

AGAINST: Nil.

13.4 INFRASTRUCTURE

13.4.1 TENDER 34/2005 ARCHITECTURAL CONSULTANCY SERVICES FOR NEW ADMINISTRATION CENTRE

File: Ten/34/2005 (AP) AP11.1b
Previous Ref: OCM 26 July 2005, Resolution 328, Resolution 391
OCM 13 September 2005

PURPOSE OF REPORT

For Council to award Tender 34/2005 Architectural Consultancy Services for the New Administration Centre project.

BACKGROUND

The proposal to construct a new administration centre and renovate the current facility to accommodate the projected growth in staff numbers was established in 2002.

In November 2003, James Christou and Partners Architects was commissioned to produce a Due Diligence Report on the existing building and conduct a Future Administration Facility Study.

A comprehensive Due Diligence Report was completed in June 2004, which involved an in-depth assessment of the current administration building's structure, mechanical systems (air conditioning), electrical services and hydraulic / fire services.

James Christou and Partners Architects also conducted a Future Administration Facility Study and presented three conceptual Master-Plans and their respective cost estimates to several Councillor workshops for consideration and discussion.

At its Ordinary Council Meeting held on 26 July 2005 the Council resolved:

Resolution 328

“That Council approve the calling of tenders for the design and documentation of the New Administration and Civic Facility based on the Option 2 (at an estimated cost of \$16,050,000) provided by James Christou and Partners Architects, comprising a new three story building plus renovation of the remaining administration and Civic areas; and with the aim of optimising the sustainability of the design and construction including a high standard of energy and water efficiency.”

A detailed Project Plan outlining the project objectives and overall methodology for the delivery of the New Administration Centre Project was developed and was approved by the Executive Team. As part of the Project Plan a Technical Reference Group (TRG) comprising of the following staff members was established:

Director Infrastructure (Chair)
Manager City Facilities
Manager Information Services
Manager Building Services
Environmental Coordinator
Building Projects Coordinator
Project Manager

The Project Plan includes the City's communication process with staff, Councillors and the public for the entire project, which will be coordinated through the Manager, City Facilities.

In order to achieve the Council's targets for a high standard of energy and water efficiency in the New Administration Centre, it was required to appoint an independent Environmentally Sustainable Design (ESD) Consultant. On 23 August 2005, Kellog Brown and Root Pty Ltd (KBR) was appointed as the City's independent ESD Consultant through a quotation process for a sum of \$34,984 (Exc GST). KBR was also the City's independent ESD Consultant for the recently completed The Agonis Building.

To maintain a tight financial control throughout the project, it was necessary to commission an experienced Cost Planner/Quantity Surveyor (CP/QS) independent of the Architectural Consultancy Team. The tender for provision of CP/QS services for the new Administration Centre was advertised in the West Australian newspaper on 31 July 2005. Four tender submissions were received and considered by Council at its Ordinary Council Meeting held on 13 September 2005. Council resolved:

Resolution 397

"That Council award Tender 31/2005 for Cost Planner/Quantity Surveyor Services for the New Administration Centre to Currie and Brown (Australia) Pty Ltd, Suite 4 Shafto Lane, 880 Hay Street, Perth WA 6000, for a tender price of \$109,960 (Excluding GST)."

DISCUSSION

A detailed design brief for the tender of Architectural Services for New Administration Centre was prepared, with input from members of the TRG, covering the following stages of the project:

- Design Brief Development and Concept Design Stage
- Design Development
- Contract Documentation
- Tender Evaluation
- Contract Administration including Defects Liability Period

The Tender documentation requires the Architectural Consultancy Team (ACT) to:

- Conduct a series of workshops with staff representatives as a Client Reference Group (CRG) and Councillors (as a user group) to finalise the Design Brief Development and Concept Design.
- Hold a separate workshop with the City's Building Maintenance Unit to address any issues on refurbishment requirements for the existing building and the new works.
- Obtain Sign-Offs from the TRG and Council at the end of each stage where applicable.

The Tender was advertised in The West Australian newspaper on 10 September 2005 with a closing date of 11 October 2005.

The following evaluation matrix was specified in the tender document for the assessment of tenders.

No.	Detail	Weighting
1	Experience in Public Buildings	20%
2	Experience in Buildings Incorporating Environmentally Sustainable Design (ESD)	10%
3	Experience of Key Personnel	20%
4	Methodology	10%
5	Price	40%
	Total	100%

At tender closing 11 tenders were received with prices as listed below:

Company Name	Address	Conforming Tender Price (Exc GST)
Bollig Design Group Pty Ltd	8 Cook Street , West Perth, WA 6005	\$846,860
Design Inc Perth Pty Ltd	Level 3 IBM Building, 1060 Hay Street, Perth, WA 6005	\$937,440
Hames Sharley (WA) Pty Ltd	50 Subiaco Square, Subiaco, WA 6008	\$999,600
Hodge & Collard Pty Ltd	3 Floor, 38 Richardson Street, West Perth, WA 6005	\$786,300
Holton Connor Architects & Planners	56 Thomas Street, West Perth, WA 6005	\$765,300
James Christou + Partners Architects	24 Kings Park Road, West Perth, WA 6005	\$755,450
Ken Patterson Architects	4 Bowman Street, South Perth, WA 6951	\$1,158,305
Oldfield Knott Architects Pty Ltd	567, Hay Street, Subiaco, WA 6008	\$773,475
Peter Hunt Architect	8 Colin Grove, West Perth, WA 6005	\$899,700
T & Z Pty Ltd	679 Murray Street, West Perth, WA 6005	\$719,980
Woodhead International	Level 2, 191 St George's Terrace, Perth, WA 6000	\$993,220

Tender Compliance Criteria

Professional Indemnity Insurance (PI):

Current PI insurance of six tenderers (Hames Sharley, James Christou, Ken Patterson, Oldfield Knott, Peter Hunt and Woodhead) complies with the minimum required PI insurance for the project of \$10 million.

Four tenderers (Bollig Design Group, Design Inc, Hodge and Collard and Holton Connor) have confirmed that their existing PI insurance of \$5 million can be extended to the required \$10 million if they are appointed as the preferred tenderer.

The remaining tenderer, T and Z, has only submitted evidence of their current PI cover of \$5 million. However on subsequent tender clarification T and Z confirmed that their tender is inclusive of provision of \$10 million PI insurance.

Submission of Tender Schedule:

T and Z has not submitted the schedule of hourly rates as required in the 'Pricing Schedule' of the tender document. On subsequent tender clarification T and Z made available their schedule of hourly rates.

For tender evaluation purposes all 11 tenders were deemed as practically conforming.

Tender Evaluation

The tender evaluation panel consisted of the following five officers from the TRG:

Manager City Facilities
Manager Building Services
Environmental Coordinator
Building Projects Coordinator
Project Manager

An independent tender evaluation was also carried out by the City's CP/QS Consultant, Currie and Brown, inclusive of detailed written notes on each submission.

Each panel officer carried out an independent assessment of the 11 tenders. Each submission was rated under the first four evaluation criteria specified in the Evaluation Matrix on a scale of 1 (=Insufficient or unclear) to 5 (=Excellent). These ratings were then multiplied by the Weighting % specified in the Evaluation Matrix for each criterion to obtain a % Score for each criterion. Price was scored on the City's established procedure of giving the highest % Score (=40%) specified in the Evaluation Matrix to the lowest priced tender and all other tenders getting a pro rata score for their tender price submitted.

All individual % Scores were then added to arrive at the final % Tender Score for each tender. A final evaluation panel meeting was held to discuss the individual scores and to agree on the average scores for each tender.

Currie and Brown's scores were not taken into the average score of the five panel members and as such remained as an independent score.

The final average % Tender Score for each tender given by the five member evaluation panel is listed below.

Company Name	Experience in Public Buildings	Experience in ESD	Experience of Key Personnel	Methodology	Price	Tender Score
Maximum Score	20.0%	10.0%	20.0%	10.0%	40.0%	100.0%
Bollig	16.5%	5.5%	12.5%	6.5%	34.0%	75.0%
Design Inc	14.0%	6.5%	12.5%	4.0%	30.7%	67.7%
Hames Sharley	14.5%	6.0%	12.5%	7.0%	28.8%	68.8%
Hodge and Collard	12.5%	4.8%	11.0%	4.3%	36.6%	69.1%
Holton Connor	14.0%	5.8%	13.0%	6.8%	37.6%	77.1%
James Christou	15.0%	6.0%	14.0%	7.3%	38.1%	80.4%
Ken Patterson	8.0%	3.0%	9.5%	4.5%	24.9%	49.9%
Oldfield Knott	12.5%	6.8%	13.0%	5.0%	37.2%	74.5%
Peter Hunt	14.0%	6.5%	13.0%	7.0%	32.0%	72.5%
T and Z	13.5%	4.3%	11.5%	5.8%	40.0%	75.0%
Woodhead	15.0%	6.5%	14.5%	7.8%	29.0%	72.7%

The independent scoring as carried out by Currie Brown is also listed below.

Company Name	Experience in Public Buildings	Experience in ESD	Experience of Key Personnel	Methodology	Price	Tender Score
Maximum Score	20.0%	10.0%	20.0%	10.0%	40.0%	100.0%
Bollig	16.0%	6.0% 4.0%	12.0%	4.0%	34.0%	70.0%
Design Inc	16.0%	8.0%	12.0%	4.0%	30.7%	70.7%
Hames Sharley	8.0%	2.0%	8.0%	6.0%	28.8%	52.8%
Hodge and Collard	8.0%	2.0%	12.0%	8.0%	36.6%	66.6%
Holton Connor	16.0%	2.0%	16.0%	10.0%	37.6%	81.6%
James Christou	20.0%	6.0%	16.0%	8.0%	38.1%	88.1%
Ken Patterson	4.0%	2.0%	4.0%	2.0%	24.9%	36.9%
Oldfield Knott	8.0%	8.0%	8.0%	4.0%	37.2%	65.2%
Peter Hunt	20.0%	10.0%	16.0%	8.0%	32.0%	86.0%
T and Z	12.0%	2.0%	8.0%	4.0%	40.0%	66.0%
Woodhead	20.0%	10.0%	20.0%	6.0%	29.0%	85.0%

A summary of the final average % Tender Scores given by the evaluation panel and Currie and Brown for each evaluation criterion follows:

Experience in Public Buildings (Max % Score = 20%).

The evaluation panel scored Bollig (16.5%) the highest with James Christou (15.0%) and Woodhead (15.0%) as joint second.

Currie and Brown scored James Christou (20%), Woodhead (20%) and Peter Hunt (20%) the highest.

Experience Incorporating ESD in Buildings (Max % Score = 10%).

The evaluation panel scored Oldfield Knott (6.8%) the highest with Woodhead (6.5%), Design Inc (6.5%) and Peter Hunt (6.5%) all sharing second place.

Currie and Brown scored Woodhead (10%) and Peter Hunt (10%) at the top followed by Design Inc (8%) and Oldfield Knott (8%).

Experience of Key Personnel (Max % Score = 20%)

The evaluation panel scored Woodhead (14.5%) at the top followed by James Christou (14.0%), Holton Connor (13%), Oldfield Knott (13%) and Peter Hunt (13%).

Currie and Brown scored Woodhead (20%) at the top followed by James Christou (16%), Holton Connor (16%), and Peter Hunt (16%).

Methodology (Max % Score = 10%)

The evaluation panel scored Woodhead (7.8%) at the top followed by James Christou (7.3%), Hames Sharley (7%) and Peter Hunt (7%).

Currie and Brown scored Holton Connor (10%) at the top followed by James Christou (8%), Peter Hunt (8%), Hodge and Collard (8%) and Woodhead (6%).

Price (Max % Score 40%)

The evaluation panel and Currie and Brown scores are the same for Price as all followed the City's procedure for scoring price.

The lowest tender submitted by T and Z scored the highest (40%), followed by James Christou (38.1%), Holton Connor (37.6%) and Oldfield Knott (37.2%). Woodhead has submitted the second highest tender price and scored 29%.

The top six tenderers in the evaluation panel table above, with the highest total % Tender Score in descending order are James Christou (80.4%), Holton Connor (77.1%), Bollig (75.0%), T and Z (75.0%), Oldfield Knott (74.5%) and Woodhead (72.7%).

The top six tenderers in the Currie and Brown table in descending order are James Christou (88.1%), Peter Hunt (86.0%), Woodhead (85.0%), Holton Connor (81.6%), Design Inc (70.7%) and Bollig (70.0%).

The evaluation panel scored James Christou with the highest average Tender Score of 80.4%. Each of the individual panel members also scored James Christou with the highest Tender Score within a range of 78.1% to 85.1%.

Currie and Brown also scored James Christou the highest with a Tender Score of 88.1%.

The following is a review of James Christou's tender submission including the proposed sub-consultant team:

James Christou: Architecture and interior design work

Experience in similar projects include: City of Albany Administration Centre, Joondalup Civic and Cultural Centre, Shire of Mundaring Administration Centre, City of Melville (Multiple projects), City of Gosnells 'Due Dilligence and Future Administration Centre Report'.

BCA Consultants: Sub-Consultants for Electrical, Mechanical, Lift, Fire and Security

Experience in similar projects includes the Administration Centres for City of Belmont, City of Stirling, City of Mandurah, City of Canning and City of Albany.

Other major projects in Perth include Burswood Casino and Resort Redevelopment and Perth Convention, Exhibition Centre and Hotel. BCA Consultants have two staff with 'Green Star Accredited Professional' status in their proposed project team.

Kellog Brown and Root (KBR): Sub-Consultants for Structural and Civil work

KBR is a leading multi-discipline engineering consultancy and is also the independent ESD Consultant for the project. They have good experience in combining ESD principles into structural and civil works design.

Connell Mott MacDonald: Sub-Consultant for Hydraulics

Connell's is also a leading multi-discipline engineering consultancy and was the Structural and Civil Sub-Consultant for the recently completed The Agonis building. Connell's has also included a staff member with a 'Green Star Accredited Professional' status in their team.

Gabriels Environmental Design: Sub-Consultants for Acoustics

Gabriels is an experienced acoustic consultant and was also the acoustic sub-consultant for The Agonis building.

Tract: Sub-Consultants for Landscaping

Tract is an experienced landscape consultancy firm.

John Massey Group: Sub-Consultants for Building Surveying

John Massey Group is an experienced building surveying firm.

Currie and Brown carried out a detailed analysis of the Tender Price Schedule of James Christou and Partners, including a breakdown of their sub-consultants' prices. Currie and Brown has confirmed that the Tender Price of James Christou and Partners appears to combine an appropriate level of service with a competitive price.

James Christou and Partners Architects scored the highest Tender Score of 80.4% in the City's tender evaluation by a five-member evaluation panel. They also scored the highest Tender Score of 88.1% in the independent evaluation carried out by the City's CP/QS Consultant, Currie and Brown. James Christou has tendered the second lowest tender price.

The preferred tenderer from the evaluation matrix is James Christou and Partners Architects.

FINANCIAL IMPLICATIONS

The New Administration Centre consultancy services are budgeted within Job 654 "Administration Building Phase 1" of the 2005 / 2006 Capital Budget.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
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546 Moved Cr J Henderson Seconded Cr D Griffiths

That Council award Tender 34/2005 for Architectural Consultancy Services for New Administration Centre to James Christou and Partners, 24 Kings Park Road, West Perth, WA 6005, for a tender price of \$755,450 (Excluding GST).

CARRIED 12/0

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

AGAINST: Nil.

13.4.2 TENDER 38/2005 - DESIGN AND CONSTRUCTION OF WHEELED SPORTS FACILITIES AT JEAN GARVEY PARK, ASHBURTON DRIVE, GOSNELLS AND WESTFIELD STREET RESERVE, MADDINGTON

File: S6/13/6, S6/13/2 (JB) JB11.1b
Previous Ref: OCM 24 June 2003 (Resolutions 395 and 396)
OCM 11 November 2003 (Resolution 735)
OCM 28 September 2004 (Resolution 554)

PURPOSE OF REPORT

For Council to award Tender 38/2005 for the Design and Construction of Wheeled Sports Facilities at Jean Garvey Park, Ashburton Drive, Gosnells and Westfield Street Reserve, Maddington.

BACKGROUND

At the Ordinary Council Meeting on 24 June 2003, Council considered a report to support the establishment of future wheeled sports facilities at Westfield Street Reserve, Maddington and other sites in Gosnells, Beckenham and Canning Vale yet to be identified. The following resolutions were adopted:

Resolution 395

“That Council approve the establishment of a wheeled sports facility on the Westfield Street Reserve in Maddington, subject to final design, consultation and securing of additional funds with a further report to be submitted to Council.”

Resolution 396

“That Council approve the construction of a wheeled sports facility in the Gosnells area, subject to staff carrying out a more detailed study and cost analysis for the proposal with the findings to be submitted to Council.”

At the Ordinary Council Meeting on 11 November 2003, Council considered a report to provide an update of the progress on the Maddington Kenwick Sustainable Communities Partnership and the planning, design and construction of a wheeled sports facility at the Westfield Street Reserve, following this Council adopted the following resolution:

Resolution 735

“That Council authorise the development of detailed designs for the upgrade of Westfield Street Reserve, incorporating a wheeled sport facility designed to be developed in two stages.”

A concept design for the redevelopment of Westfield Street Reserve has been prepared, which includes a wheeled sports facility, playground equipment, a public toilet and

landscaping. Concept design of the wheeled sports facility in consultation with local young people and City representatives forms part of the scope of Tender 38/2005

The findings of the detailed study and cost analysis for the Gosnells facility were presented to the Ordinary Council Meeting on 28 September 2004. The findings identified Jean Garvey Park as the optimum location and that there was support from a majority of the surrounding residents.

The study also included consulting a group of young people from Gosnells Senior High School to develop and approve a concept design of the proposed facility. This concept and location was approved in the following resolution:

Resolution 554

“That Council approve the concept design and location of the Gosnells Wheeled Sports Facility on Jean Garvey Park and that an amount of \$87,213 be listed on Council’s Draft 2005/2006 Budget for consideration as part funding for the project.”

The planned development of Jean Garvey Park includes the wheeled sports facility, a dog exercise area and landscaping.

DISCUSSION

Tenders were invited on 8 October 2005 to design and construct wheeled sports facilities at Jean Garvey Park, Gosnells and Westfield Street Reserve Maddington. The request for tender was advertised in the West Australian on that day and tenders closed on 27 October 2005 when one tender was received from Convic Skate Parks of Unit 13 46–50 Regent Street, Richmond, Victoria.

The scope of works required in the tender include providing detailed design and construction of the Jean Garvey Park facility using the Skatepark Concept Plan tabled at the Ordinary Council Meeting of 28 September 2004 and providing concept plan, consultation with the Youth Advisory Group, then detailed design and construction of the Westfield Street Reserve facility.

Convic Design’s tender offered to carry out these activities for the following prices:

- Detailed design and construction of Jean Garvey Park wheeled sports facility - \$213,000 plus GST; and
- Full design and construction of Westfield Street Reserve wheeled sports facility - \$221,000 plus GST.
- Total tender price - \$434,000 plus GST.

Other information requested from the tender included evidence of previous company and personnel’s experience in completing similar work. Convic provided details of many concrete wheeled sports facilities constructed by them in many areas of Western

Australia, including the Thornlie facility which they built in 2002 as well as interstate. They have also built the facilities in Belmont, Manning and Leederville, the latter of which is the homebase for the WA Skate Association and the only facility in the Metro area to rate five stars in the Skateboard.com.au website.

FINANCIAL IMPLICATIONS

Funding for the Gosnells and Maddington Wheeled Sports Facilities has been approved in the 2005 / 2006 budget as follows:

Job No	Project	Municipal	TPS	Grants	Total
90102	Wheeled Sports Facility – Jean Garvey Park	\$87,964	\$116,000	\$101,829	\$305,793
C60016	Wheeled Sports Facility – Westfield Reserve	\$246,660		\$117,000	\$364,076

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

547 Moved Cr R Mitchell Seconded Cr P Wainwright

That Council award Tender 38/2005 - Design and Construction of Wheeled Sports Facilities at Jean Garvey Park, Ashburton Drive Gosnells and Westfield Park, Westfield Street Maddington to Convic Skate Parks of Unit 13, 46–50 Regent Street, Richmond, Victoria for the tendered price of \$434,000 plus GST.

CARRIED 11/1

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

AGAINST: Cr O Searle.

13.4.3 GREENLAND BOULEVARD MEDIAN ISLAND REQUEST FOR LANDSCAPING UPGRADE

File: GRE.7 (MH) MH11.1b
Previous Ref: OCM 11 October 2005 Section 8, Petitions
Appendix: 13.4.3A Photographs of eight entry points into Brookland Greens

PURPOSE OF REPORT

To seek Council endorsement of the response to the petition tabled on behalf of residents of Greenland Boulevard, Canning Vale at the Ordinary Council Meeting of 11 October 2005.

BACKGROUND

A petition containing 50 signatures, including supporting photographs was presented to the Ordinary Council Meeting of 11 October 2005 from residents of Greenland Boulevard, Canning Vale. The petition stated:

“We the undersigned electors of the City of Gosnells request revamping median strip on Greenland Boulevard with reticulation and shrubbery for the following reasons:

To bring into the standard of other entries into Brookland Greens and to enhance the entry from Amherst Road.” (Appendix 13.4.3A).

It should be noted that the conforming component of the petition contained 1 signature, with a separate page attached containing a further 49 signatures, which did not comply with the provisions of Clause 2.26(1)(c) of the Standing Orders as it did not state the request of the petition.

In addition to the petition, the Brookland Greens Residents Association raised the issue during their October Residents meeting. The Staff response of 21 October 2005 stated:

“The landscaping included with the median island on Greenland Boulevard was provided by the estate developer and has been maintained as originally installed since that time, although the standard of maintenance deteriorated for a short time due to the completion of one contractor’s term of contract and the start up date of the next contractor taking over the site during September 2005.

Entries into the estate include:

*Chatsworth Gate
Sandringham Promenade (2 x entry points)
Ladham Turn
Welbeck Road
Rousham Turn
Corsham Gardens
Greenland Boulevard*

Of these entries only the two top listed streets have significant landscaping to the median island. Greenland Boulevard is the only other entry that has landscaping of any description. Therefore it is evident that Greenland Boulevard is at a higher standard to most other entry points to the estate. Greenland Boulevard is also above the standard for streetscaping for most of Canning Vale Ward.

Landscaping to small medians such as Greenland Boulevard is fraught with maintenance issues due to regular damage incurred to planting and irrigation systems caused by vehicles riding over the kerb. Garden beds in such locations create an unsafe situation for maintenance workers who are effectively working in the centre of a road.”

DISCUSSION

The petition refers to the main entrance into what was Amherst Gardens Estate before it was incorporated into the Brookland Greens Estate for the purpose of parks and gardens maintenance during 2002.

During the handover process, City staff had been in constant discussion with the developer over the street tree irrigation and the problems encountered with washed out verge areas and collapsed crossovers due to breaks in the PVC pipe. Some residents had cut into the reticulation pipe running past their properties and were watering their gardens from the system. The developer had disabled this station a few weeks before the hand over.

At the time the street trees were two years old and had been sufficiently developed not to require further supplementary irrigation. The four trees in the median island of Greenland Boulevard (*Fraxinus raywoodii*) did continue to struggle and were placed on the tree watering programme.

The Amherst Gardens Estate name was removed from the display walls built on the truncation of Amherst Road and Greenland Boulevard. These walls were then cleaned and rendered. It was planned to remove the non-irrigated vegetation at the base of these walls and install brick paving but as there were no surplus funds in the 2004/2005 Brookland Greens maintenance budget this work was postponed to the current financial year.

There are eight entry points into Brookland Greens Estate.

These can be summarised as:

Street Name	Road Treatment	Landscape Treatment
Chatsworth Gate	Paved entry with median island broken into segments	Median island contains trees and shrubs; irrigated from bore
Sandringham Promenade (Campbell Road)	Paved entry with small paved island divider	None
Corsham Gardens	Paved entry	None
Ladham Turn	Paved entry	None
Wellbeck Road	Coloured bitumen with small paved island divider	None
Rousham Street	Paved entry	None
Greenland Boulevard	Paved entry and paved median island extends to the intersection with Caspian Terrace.	Median island contains trees. Truncation landscaping. Not irrigated
Sandringham Promenade (Warton Road)	Paved entry with median island broken into segments	Median island contains Trees, shrubs and turf. Irrigation from bore

Photos of these intersections are included as Appendix 13.4.3A.

The installation of entry statements within Brookland Greens as with most new subdivisions is paid for by the developer and then used by the developer as a marketing tool to attract prospective purchasers.

A number of local governments insist on the complete or partial removal of entry statements prior to the handover of subdivision maintenance.

Entry statements within the City are more than comparable with statements in other local governments and maintained to a comparable and in many instances higher standard.

FINANCIAL IMPLICATIONS

Maintenance of the entry statement is included in 2005/2006 Parks and Environmental Operations recurrent budget.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

~~548 — Moved Cr R Hoffman Seconded Cr D Griffiths~~

~~That Council endorse the retention of the existing level of median treatment in Greenland Boulevard, Canning Vale with maintenance to the required Special Area Rate (SAR) level be maintained and that the petitioners be advised accordingly.~~

CARRIED 12/0

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

~~*AGAINST: Nil.*~~

Revoked
Vide
Resolution
371
8 August 2006
OCM

13.4.4 REQUEST FOR DETERMINATION TO ALLOW OPERATION OF MODEL AIRCRAFT AT HESTER PARK, LANGFORD

File: A1/1/2/1 (RMW) RW11.1b
Appendix: 13.4.4A Aerial Photo Hester Park
13.4.4B Guidelines for use of Model Aircrafts, Control Line Model Aircrafts and Radio Controlled Helicopters on Council Reserves

PURPOSE OF REPORT

For Council to determine whether to allow the operation of control line model aircraft on the City of Gosnells property by the Thornlie and Regions Model Aircraft Club (Inc).

BACKGROUND

The Thornlie and Regions Model Aircraft Club Inc (TARMAC) approached City of Gosnells requesting to utilise a reserve to fly control line model aircrafts.

TARMAC was recently notified that they needed to vacate the premises at the West Aviat Golf Club, Kalamunda Road, South Guildford due to the land now being developed into brickworks. TARMAC has been utilising these premises at South Guildford without incident for the past sixteen (16) years.

The Club is an incorporated body which carries \$20 million public liability cover. The members of the Club are from the Thornlie, Gosnells and adjacent areas and the Club has been active since 1975.

The control line model aircraft flight is defined as:

“Control line flight is flight during which the model aeroplane is aerodynamically manoeuvred by control surfaces in altitude or attitude, by the pilot on the ground, by means of one or more inextensible wires or cables directly connected to the aeromodel”.

The control line model aircraft usually requires a flight area of at least one 50m circle.

Staff have considered a number of reserves that would be suitable for the usage of model aircraft and after some deliberation it was agreed that the most appropriate site for this type of activity is Hester Park, Langford.

TARMAC has requested the use of a Reserve on weekends only. Presently there are no permanent bookings on Hester Park during the week or on the weekend so there will be no conflicts with other user groups should TARMAC's booking be endorsed.

Hester Park is a 45 hectare site that borders the Canning River Regional Park (Appendix 12.4.4A). The park is currently utilised for a number of passive recreation activities such as dog and recreational walking.

DISCUSSION

Local Government Property Law 2000

Local Government Property Local Law 2000 states that whilst ordinarily prohibiting the operation of motorised model airplanes on local government property (schedule 2, clause 1.9), Council can make a determination to allow the operation of such an activity on specified local government property:

“Part 2 – Determinations in respect of Local Government Property

Division 1 – Determinations

Determination as to use of local government property:

2.1 (1) The local government may make a determination in accordance with clause 2.2

- a) Setting aside specified local government property for the pursuit of all or any of the activities referred to in clause 2.7:*

Activities which may be pursued on local government property on conditions:

Clause 2.7 (1) A determination may provide that specified local government property is set aside as an area which a person may:

- c) Fly or use a motorised model aeroplane;”*

Should Council wish to allow the use of model aircraft on Hester Park, there is a set procedure to adhere to. This procedure is specified in the Local Government Property Local Law 2000 as reprinted below:

“Procedure for making a determination

2.2 (1) The local government is to give local public notice of its intention to make a determination.

(2) The local public notice referred to in subclause (1) is to state that –

- a) The local government intends to make a determination, the purpose and effect of which is summarised in the notice;*
- b) A copy of the proposed determination may be inspected and obtained from the offices of the local government; and*
- c) Submissions in writing about the proposed determination may be lodged with the local government within 21 days after the date of publication.*

(3) If no submissions are received in accordance with subclause (2)(c), the local government is to decide to either

- a) *Give the local public notice that the proposed determination has effect as a determination on and from the date of publication;*
 - b) *Amend the proposed determination, in which case subclause (5) will apply; or*
 - c) *Not continue with the proposed determination.*
- (4) *If submissions are received in accordance with subclause (2)(c) the local government is to-*
- a) *consider those submissions; and*
 - b) *decide –*
 - i) *whether or not to amend the proposed determination; or*
 - ii) *not to continue with the proposed determination.*
- (5) *If the local government decides to amend the proposed determination, it is to give public notice –*
- a) *of the effect of the amendments; and*
 - b) *that the proposed determination has effect as a determination on and from the date of publication.*
- (6) *If the local government decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.*
- (7) *A proposed determination is to have effect as a determination on and from the date of publication of the local public notice referred to in subclause (3), (5) and (6).*
- (8) *A decision under subclause (3) or (4) is not to be delegated by the Council.”*

Guidelines for Use

A set of guidelines, attached as Appendix 13.4.4B outlining the obligations of the user groups wishing to utilise a Council Reserve has been created. The guidelines must be adhered to by all groups wishing to utilise Council Reserves for the purpose of flying Model Aircrafts, Control Line Model Aircrafts or Radio Controlled Helicopters.

As part of the guidelines of use the group will be subject to a three month probationary period.

FINANCIAL IMPLICATIONS

If approved Thornlie and Regions Model Aircraft Club be charged a fee of \$700 annually to utilise the Hester Park. The fee was based on the similar calculations that are used for seasonal sporting groups.

STAFF RECOMMENDATION (1 of 2)

Moved Cr D Griffiths Seconded Cr R Croft

That Council give local public notice that it intends to make a determination to enable the flying of Control Line Model Aircraft and radio controlled helicopters on Hester Park Reserve, Spencer Road, Thornlie, subject to a satisfactory three (3) month trial period and no receipt of noise complaints.

STAFF RECOMMENDATION (2 of 2)

Moved Cr D Griffiths Seconded Cr R Croft

That Council endorse the guidelines set out for this type of activity on Council Reserves, attached as Appendix 13.4.4B.

Amendment

During debate Cr C Matison moved the following amendment to staff recommendation (1 of 2):

“That staff recommendation (1 of 2) be amended by inserting the word “valid” after the word “of” where it appears in the last line.”

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

“To ensure that any noise complaints received are valid”.

Cr R Hoffman Seconded Cr Matison’s proposed amendment.

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

Moved Cr C Matison Seconded Cr R Hoffman

That staff recommendation (1 of 2) be amended by inserting the word “valid” after the word “of” where it appears in the last line, with the amended recommendation to read:

“That Council give local public notice that it intends to make a determination to enable the flying of Control Line Model Aircraft and radio controlled helicopters on Hester Park Reserve, Spencer Road, Thornlie, subject to a satisfactory three (3) month trial period and no receipt of valid noise complaints.”

CARRIED 11/1

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

AGAINST: Cr O Searle.

The amendment was put and carried with the amendment becoming the substantive motion. The Mayor then put the substantive motion and staff recommendation (2 of 2), which read:

Amended Staff Recommendation (1 of 2):

COUNCIL RESOLUTION

549 Moved Cr C Matison Seconded Cr R Hoffman

That Council give local public notice that it intends to make a determination to enable the flying of Control Line Model Aircraft and radio controlled helicopters on Hester Park Reserve, Spencer Road, Thornlie, subject to a satisfactory three (3) month trial period and no receipt of valid noise complaints.

CARRIED 11/1

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

AGAINST: Cr O Searle.

STAFF RECOMMENDATION (2 of 2) AND COUNCIL RESOLUTION
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550 Moved Cr D Griffiths Seconded Cr R Croft

That Council endorse the guidelines set out for this type of activity on Council Reserves, attached as Appendix 13.4.4B.

CARRIED 11/1

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

AGAINST: Cr O Searle.

13.5 PLANNING AND SUSTAINABILITY

13.5.1 AMENDMENT TO TOWN PLANNING SCHEME NO. 6 – REZONING OF 1538 (LOT 8) AND 1540 (LOT 7) ALBANY HIGHWAY, BECKENHAM FROM RESIDENTIAL R17.5 TO SPECIAL USE ZONE.

File: 212324, 221365 **Approve Ref:** 0506/0192AA (SC) psrpt141Nov2005
TPS/6/51

Applicant: Dykstra & Associates

Owner: G J Turner & B Turner

Location: Lot 7 (1540) and Lot 8 (1538) Albany Highway, Beckenham.

Zoning: MRS: Urban

TPS No. 6: Residential R17.5

Review Rights: Nil

Area: 3,192m² (Lot 8) and 2,562m² (Lot 7)

Previous Ref: OCM 27 October 1987 (Planning Services Committee Recommendation 299)
OCM 26 July 1988 (Planning Services Committee Recommendation 136)
OCM 25 September 2001 (Resolution 820)
OCM 26 March 2002 (Resolution 196)
OCM 8 October 2002 (Resolution 809)

PURPOSE OF REPORT

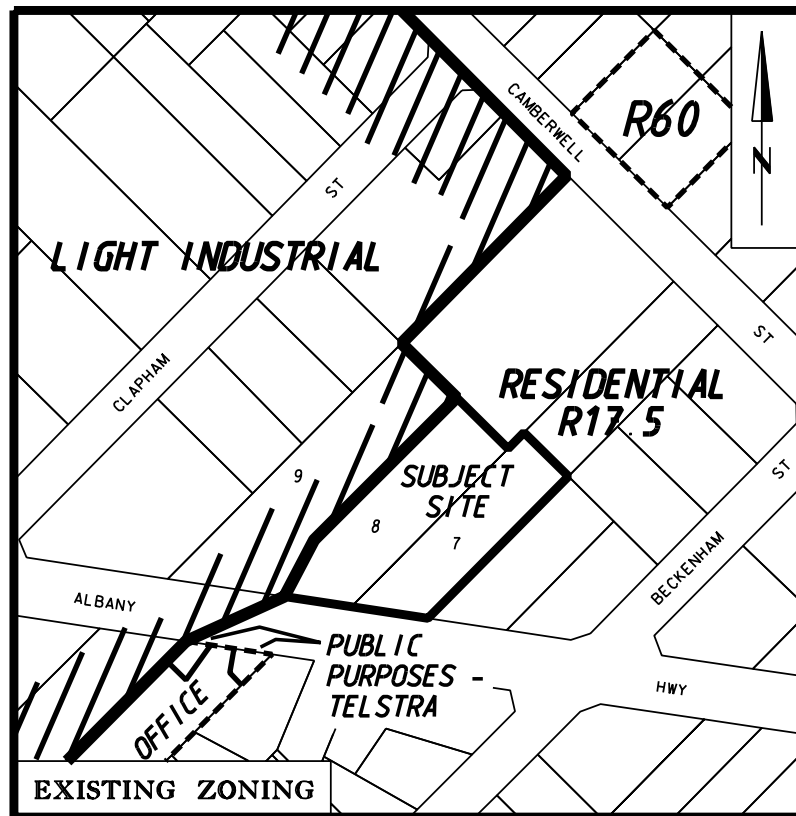
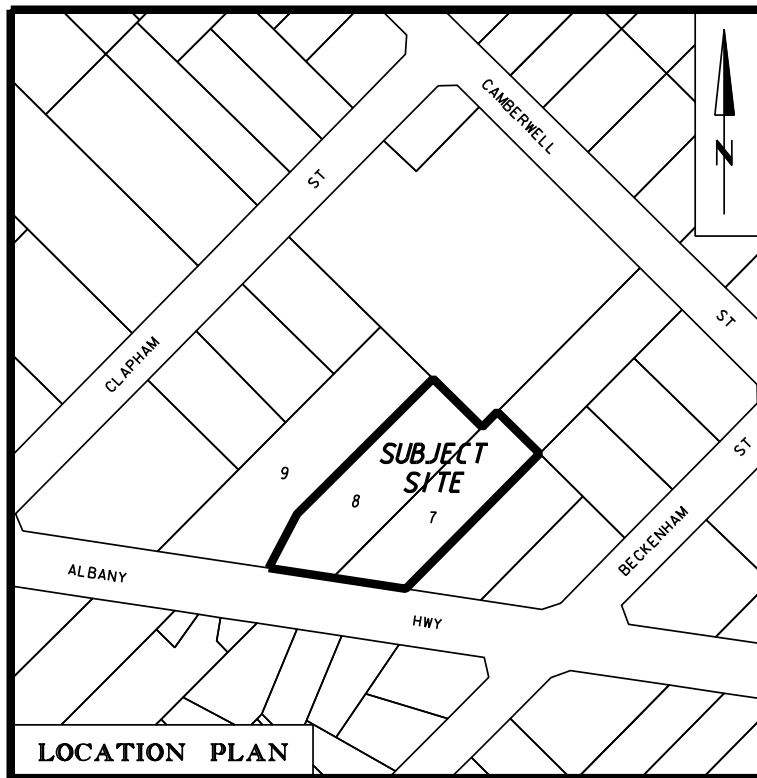
For Council to consider initiating an amendment to Town Planning Scheme No. 6 (TPS 6), to rezone 1538 (Lot 8) and 1540 (Lot 7) Albany Highway, Beckenham, from “Residential R17.5” to “Special Use” and amend the Scheme Text accordingly.

BACKGROUND

Site Description

Both lots are flat and contain brick and tile dwellings. The rear of Lot 8 is also used as a truck depot that is accessed through the adjoining Lot 9. The applicant has advised that the Minister for Planning approved the truck depot during the 1960’s, however a search of the City’s records did not reveal a copy of that approval.

The lots are located on the north side of Albany Highway, to the east of the Clapham Street intersection (see Location Plan). The land to the north and west is zoned Light Industry under Town Planning Scheme No. 6 (TPS 6) and contains Caravan Sales yards. The adjoining lots to the east and south are zoned Residential R17.5 and comprise single dwellings. The adjoining residential lots are also located within the Outer Beckenham Precinct of the Local Housing Strategy and have been endorsed by Council for future Residential R25 coding.



Previous Applications/Meetings

At its meeting of 27 October 1987, Council resolved not to initiate a rezoning of Lots 5, 6, 7 and 8 Albany Highway, Beckenham, from Residential "A" R17.5 to Light Industry, for the following reasons:

- "1. The proposal represents an encroachment of light industrial activity into an existing residential precinct and would increase the number of residential properties which abut or are adjacent to industrial land uses.*
- 2. The proposed rezoning is likely to increase nuisance to existing residential properties within the locality."*

At its meeting of 26 July 1988, Council resolved not to initiate a rezoning of Lot 8 Albany Highway, Beckenham, from Residential "A" R17.5 to Light Industry, for the following reasons:

- "1. Such a zoning will increase the impact of light industrial uses on adjoining residential properties; and*
- 2. The proposed redevelopment of adjoining Lot 9 will result in an inadequate buffer between residential and industrial activities."*

At its meeting of 25 September 2001 Council resolved to initiate a scheme amendment to TPS 6 to rezone the subject lots from Residential R17.5 to Mixed Business when TPS 6 was gazetted (Resolution 820). Following the gazettal of TPS 6 on 15 February 2002, Council resolved at its meeting of 26 March 2002 (Resolution 196) to initiate this Scheme Amendment. Following advertising of the amendment, Council at its meeting of 8 October 2002 resolved to reject the submissions of objection that had been received and adopt the amendment for final approval, without modifications (Resolution 809).

On 17 April 2003, the Minister for Planning and Infrastructure upheld the submissions objecting to the Amendment, noted the submissions supporting or not objecting to the amendment, and refused to grant final approval. The Minister advised that the proposed zone (Mixed Business) had the potential to negatively impact on the amenity of the adjacent residential area, and the site is suitable for use and development under the current Residential zoning.

On 19 September 2005 consultation occurred between the applicant, owner, the Department for Planning and Infrastructure and City of Gosnells planning staff, regarding a fresh proposal to rezone the subject lots from "Residential R17.5" to "Office" with additional uses and restrictions. These restrictions included the prohibition of some use classes seen as having a detrimental impact on the surrounding residential area. The amendment also proposed the inclusion of some additional uses which were not seen as having a detrimental impact on the surrounding area. The various uses permitted would provide a buffer between the existing light industrial and residential uses located either side of the subject lots. It was also accepted that the rear portion of the lots should be limited to residential uses only. In addition, in accordance

with TPS 6 provisions where any land is zoned for commercial purposes and which adjoins land zoned for residential purposes, a 2m high masonry wall would need to be constructed along the boundary of the subject land in order to screen the commercial development from adjoining residential development.

Given the number of use classes selected to be permitted and the number to be restricted, it was considered that a more appropriate way to accommodate the proposal would be to apply a Special Use zone to the subject site. Under TPS 6 Special Use zones are set out in Schedule 4, in which, special uses, their permissibility and associated conditions can be specified for individual special use zones, where the proposed land uses and development cannot be easily accommodated within other zones of the Scheme, such as the Mixed Business zone.

Proposal

The applicant seeks to rezone the subject site from “Residential R17.5” to “Special Use” with the following special use table applicable to the land to be incorporated in Schedule 4 – Special Use Zones, as follows:

No	Description of Land	Special Use	Conditions
1.	Lots 7 & 8 Albany Highway, Beckenham	<ol style="list-style-type: none"> 1. “P” uses: Family Day Care; Home Office; Single Dwelling; and Office. 2. “D” uses: Bed and Breakfast; Caravan Sales; Childcare Premises; Carpark; Consulting Rooms; Educational Establishment; Exhibition Centre; Funeral Parlour; Grouped Dwelling; Home Business; Home Occupation; Lunch Bar; Medical Centre; Showroom; Single House; and Warehouse 	<ol style="list-style-type: none"> 1. All development requires planning approval and is to accord with Scheme provisions pertinent to the use. 2. Residential development is limited to an R17.5 density in accordance with the surrounding density coding. 3. Development of the rear (north-eastern) portion of the lots is limited to permissible uses listed in Table 1 of TPS 6 (“P”, “D” & “A” uses) within the Residential zone only. 4. As part of any non residential development of the land, the construction of a masonry wall will be required to any boundary that adjoins existing residential zoned land.

The applicant has advised that the proposed uses listed will facilitate the redevelopment of the subject site whilst allowing for transitional land uses that will provide a buffer between the adjoining light industry development to the north, west and south as well as complement adjoining residential areas to the east and northeast. The permitted and discretionary uses to be listed in Schedule 4 will allow for land uses that have little or no potential for land use conflicts with each other or adjoining residential areas in respect to noise, odour dust etc. In addition, the rear (north-eastern) portion of both lots (approximately 30%) is to be limited to those use classes permissible in Table 1 of TPS 6 within the Residential zone. This means caravan sales, showroom and warehouse development could be considered only if located within the front portion of the lots.

The applicant also advised that the proposed “Special Use” zone with the listed permitted and discretionary land uses “*represents a sensible approach to optimising the use, management, and attributes of the land*” and “*provides an appropriate transitional zoning option for this location*”.

DISCUSSION

Strategic Context

The subject land is zoned “Urban” under the Metropolitan Region Scheme. Under the City’s Draft Local Commercial Strategy (LCS), the strategy map identifies the Beckenham Industrial Area together with the subject lots as a Mixed Business Area based on the existing land uses and Light Industrial zoning along Albany Highway. It should also be noted that because of demographic changes, foreshadowed major review of WAPC Metropolitan Centres Policy (SPP4.2) and the advent of Network City (WAPC 2004) the LCS needs to be reviewed to address a changing strategic environment. Although the LCS is still a draft document, due regard is given to it by staff when determining applications.

The subject land is located within Residential zoned land on the Northern side of Albany Highway which has been identified under the City’s Draft Local Housing Strategy (LHS), for a higher density coding based on access to transport, commercial and community facilities. In this instance, the subject lots have been identified for a higher density of Residential R25. This would allow for residential development to a minimum and average lot area per dwelling of 320m² and 350m² respectively.

The subject site will be included in any future LHS rezoning for the Outer Beckenham Precinct to ensure that future residential development accords with that applicable on abutting residential lots. That means that any future precinct-wide LHS scheme amendment to increase the density in that precinct will also need to incorporate a change to the density specified in Condition 2 for the proposed special use zone over the subject site.

At this time the implementation strategy for the LHS does not propose any site specific (“spot”) rezonings, therefore in terms of the subject scheme amendment it is considered that maintenance of the subject site’s current R17.5 density coding be maintained (as indicated by Condition 4 in the table to be included in Schedule 4). The proposed Special Use zone accords with both the draft LCS and draft LHS with respect to the permitted and discretionary uses listed and is therefore supported.

Statutory Context

The subject lots are currently zoned Residential R17.5. The proposed uses to be listed in Schedule 4 – Special Use zone, would allow for the development of the subject site with such uses as caravan sales, showroom, and warehouse being located adjacent to the existing light industrial zoned land along the Albany Highway frontage. Residential uses and those uses normally associated with residential purposes such as single or grouped dwellings, medical centres or child care facilities are to be uses which can be

considered in the rear portion of the subject lots. Development of the site in accordance with the uses and conditions to be incorporated in Schedule 4 is therefore considered to be compatible with the existing surrounding development, limit any potential impact on the amenity of the existing development, provide transitional land use options and accord with both the existing zoning, and proposed future higher residential density as endorsed by in the LHS and the Minister for Planning and Infrastructure.

It should also be noted that Clause 5.8.4 (iii) of TPS 6 provides for applications for residential/commercial or residential development in a commercial zoned area to be assessed in accordance with the provisions of the Residential Design Codes at the R80 density coding. However, the Special Use zoning whilst, in this case, being specifically tailored to allow for appropriate, low scale, mixed uses is not in itself a commercial zoning. To avoid any contrary interpretation in the case of this special use zone, a condition will be included in the relevant table in Schedule 4 restricting the density of residential development on the lots to R17.5.

Given the previous history of proposed amendments, the proposed Special Use zone with its limited uses and conditions is therefore considered a desirable and appropriate outcome and is supported. It should also be noted that any development of the site (including the residential uses to be located in the rear portion of the site) requires planning approval in order to ensure proper and orderly planning in accordance with scheme provisions.

Drainage

As part of the City's LHS, a drainage study has been carried out for the Beckenham area. This study has confirmed that the existing drainage system in the locality is sub-standard and will require significant upgrading in order to facilitate development. Should this amendment be gazetted, the applicant would need to adequately address stormwater drainage requirements for the subject site as part of any future development for the site. This can be incorporated in the proposed amendment by including a new condition 5 in the Special Use table to be included in Schedule 4 of TPS 6.

Traffic

Albany Highway is designated as a Primary Distributor Road. The City's Senior Road Safety Officer has assessed the proposed amendment and advised that the proposed uses would not create a safety problem in terms of traffic. It should be noted that the traffic volumes along this portion of Albany Highway have reduced considerably with the construction of the Kenwick Link located to the south. The Kenwick link is designated as a Primary Regional Road on the Metropolitan Region Scheme (MRS) and TPS 6, whilst the portion of Albany Highway adjacent to the subject site is designated as a local road. Although not currently reserved in the MRS this portion of Albany Highway is under Main Roads WA control. This means that any development on the subject site would be referred to Mains Road WA for comment. Should Council initiate the amendment, it would be referred to Main Roads WA for comment as part of referral to all affected servicing authorities.

The applicant has advised that any future development would be designed to incorporate consolidated access points to either a single crossover or reciprocal access arrangements with adjoining properties to reduce any adverse impacts.

Amenity

Given that a proposed Mixed Business zone with restricted uses had previously created some concern amongst surrounding landowners and the Minister for Planning and Infrastructure, it was considered appropriate to consider a Special Use zone which listed discretionary uses that would be unlikely to cause potential amenity conflict. As such the proposed Schedule 4 uses and conditions listed allow for development of the subject site with uses that would provide an appropriate transitional buffer to the adjacent light industrial uses as well as allowing development of uses considered appropriate within residential zoned land. In addition, the affect on amenity and the compatibility of a use or development with its setting would also be considered at the development application stage, in accordance with Clause 11.2 of TPS 6.

CONCLUSION

The proposed uses and conditions listed in Schedule 4 – Special Use zone, allow for residential uses together with some low-impact uses which would act as a buffer between the Light Industrial and Residential zonings. By restricting the uses permitted on the site and in particular the rear portion of the site being restricted to residential type uses only, the proposal addresses the Ministers previous concerns regarding impacts on the adjacent residential area.

The proposed Special Use zone allows for the potential establishment of land uses on the site which have been customised, via a site specific Special Use zoning, to ensure appropriate future development outcomes. Increasing the residential density at this time ahead of the LHS implementation strategy is not seen as appropriate for the reasons stated earlier, however, any future density increases in the Outer Beckenham Precinct could be readily reflected by concurrent text amendment to the Special Use conditions relating to the proposed zoning of the subject lots.

It is recommended that Council adopt the proposed amendment to Town Planning Scheme No. 6, subject to a new condition 5 being added to the Special Use table requiring drainage issues to be addressed as part of any future development application for the site.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION (1 of 2) AND COUNCIL RESOLUTION

551 Moved Cr D Griffiths Seconded Cr R Croft

That Council, pursuant to Section 7 of the Town Planning and Development Act, 1928 (as amended), adopt Amendment No. 51 to Town Planning Scheme No. 6 for the purpose of:

1. Rezoning 1538 (Lot 8) and 1540 (Lot 7) Albany Highway, Beckenham, from “Residential R17.5” to “Special Use” zone.
2. Inserting the following details in Schedule 4 – Special Use Zones of Town Planning Scheme No. 6:

No	Description of Land	Special Use	Conditions
1.	Lots 7 & 8 Albany Highway, Beckenham	1. “P” uses: Family Day Care; Home Office; Single Dwelling; and Office. 2. “D” uses: Bed and Breakfast; Caravan Sales; Childcare Premises; Carpark; Consulting Rooms; Educational Establishment; Exhibition Centre; Funeral Parlour; Grouped Dwelling; Home Business; Home Occupation; Lunch Bar; Medical Centre; Showroom; Single House; and Warehouse	1. All development requires planning approval and is to accord with Scheme provisions pertinent to the use. 2. Residential development is limited to an R17.5 density in accordance with the surrounding density coding. 3. Development of the rear (north-eastern) portion of the lots is limited to permissible uses listed in Table 1 of TPS 6 (“P”, “D” & “A” uses) within the Residential zone only. 4. As part of any non residential development of the land, the construction of a masonry wall will be required to any boundary that adjoins existing residential zoned land. 5. Stormwater drainage requirements must be addressed to the City’s satisfaction as part of any future development application for the site.

3. Deleting the text under the heading of Clause 4.7 which states “(There are no Special Use zones which apply to this Scheme)”.

CARRIED 11/1

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

AGAINST: Cr O Searle.

STAFF RECOMMENDATION (2 of 2) AND COUNCIL RESOLUTION**552 Moved Cr D Griffiths Seconded Cr R Croft**

That Council forward Amendment No. 51 to:

- (i) The Environmental Protection Authority (EPA) for comment, pursuant to Section 7A1 of the Town Planning and Development Act 1928 (as amended); and
- (ii) The WA Planning Commission for information.

and, further that subject to no objections being received from the EPA, the amendment be advertised for public comment pursuant to Regulation 25(2) of the Town Planning Regulations 1967 for a period of 42 days.

CARRIED 11/1

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

***AGAINST:** Cr O Searle.*

13.5.2 AMENDMENT NO. 42 TO TOWN PLANNING SCHEME NO.6 - FINALISATION - REZONING OF LOT 5007 MILLS ROAD WEST, MARTIN FROM MIXED BUSINESS, RESIDENTIAL R17.5 AND R30 TO MIXED BUSINESS

File: TPS/6/42 **Approve Ref:** 0405/0189AA (KN) psrpt143Nov2005
Applicant: Melvista Park Pty Ltd
Owner: Film Management Company Pty Ltd
Location: Lot 5007 Mills Road West, Martin
Zoning: MRS: Urban
TPS No. 6: Residential R17.5, Residential R30 and Mixed Business
Review Rights: Nil, however determination is with the Minister for Planning and Infrastructure
Area: 4.5275ha
Previous Ref: OCM 21 December 2004 (Resolutions 757-759)
Appendix: 13.5.2A Draft Detailed Area Plan

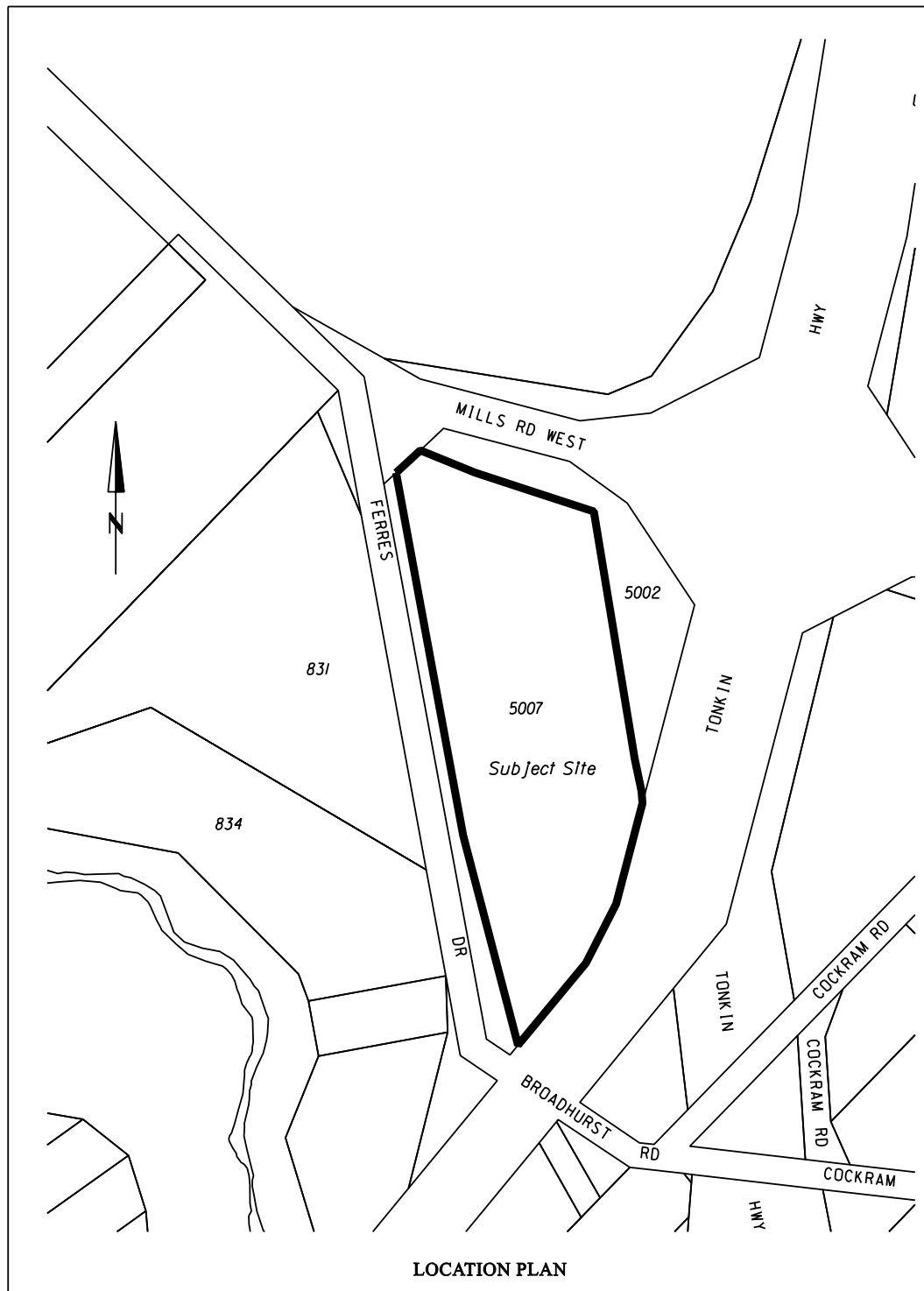
PURPOSE OF REPORT

For Council to consider support for the finalisation of Amendment No. 42 to Town Planning Scheme No. 6 (TPS 6), to rezone the entire area encompassed by Lot 5007 Mills Road West, Martin from “Residential R17.5”, “Residential R30” and “Mixed Business” to “Mixed Business”. This report also gives Council the opportunity to approve a Detailed Area Plan for the site addressing issues of interface between Tonkin Highway, Mills Road West, Ferres Road and the future residential development to the west.

BACKGROUND

Site Description

The subject site is 4.5275ha and is bound by Mills Road West, Tonkin Highway and Ferres Road. The site is predominantly cleared apart from a small number of trees that flank two open drains that traverse the site. The site is gently undulating with a fall of approximately 2m running east to west.



Proposal

At present approximately one-third of the subject site is zoned Mixed Business under TPS 6. The applicant is proposing to rezone the remainder of the site to Mixed Business in order to facilitate predominantly bulky goods showrooms with a smaller element of retail/commercial based uses such as a service station, office and medical centre.

Planning Background

At the Ordinary Council Meeting of 21 December 2004 Council resolved to (summarised):

1. Adopt Amendment No. 42 to rezone the above site from Residential R17.5, R30 and Mixed Business to entirely Mixed Business (Resolution 757);
2. Include the subject lot in Schedule 3 (Restricted Uses) of TPS 6 allowing only the following uses to occur on the property and subject to the conditions listed (Resolution 758):

Restricted Uses - Warehouse, Showroom, Service Station, Medical Centre, Convenience Store

Conditions - Medical Centre limited to Four Practitioners. Convenience Store limited to 240m² net lettable area.

3. Advise the applicant of the need for (Resolution 759):
 - (i) A Detailed Area Plan addressing issues of interface between Tonkin Highway, Mills Road West, Ferres Road and the future residential development to the west prior to the commencement of advertising.
 - (ii) A traffic impact study to be submitted for consideration prior to the finalisation of the amendment by Council.

The restricted uses referred to in Resolution 758 were incorporated into the amendment due to staff concerns about the types of uses permissible under a "Mixed Business" zoning (i.e. Liquor Store, motor vehicle sales etc.) and their appropriateness for the subject site given its proximity to the Gosnells Town Centre, and the potential for these uses to undermine the objectives of the Gosnells Town Centre Revitalisation project by drawing the retail/business focus away from the City's District Centre.

The preparation of a Detailed Area Plan (DAP) in accordance with Section 7.6 of TPS 6 was requested to assist in guiding development and ensuring that appropriate interfaces with Tonkin Highway and Mills Road West were achieved. The requirement for a DAP would also ensure that an adequate interface and an element of pedestrian oriented access would also be incorporated to address the potential future residential development to the immediate west of the site.

Outcomes of Advertising Period

In accordance with Council’s resolution to initiate Amendment No.42, the amendment was referred to the Environmental Protection Authority for comment, who determined that it was environmentally acceptable. Following this determination, Amendment No. 42 was advertised for a 42 day period between 8 August 2005 and 21 September 2005 by way of a sign on site, newspaper advertisement, letters to nearby landowners and all relevant government agencies. Landowners and agencies were also asked to comment on the Draft Detailed Area Plan (DAP).

A total of 24 submissions were received during advertising of Amendment 42, with one submission objecting to the amendment and all other submissions either providing comment or raising no objection to the proposal. A number of the submissions were from businesses whose interest or relationship to the local area is unknown. It is understood that the applicant may have canvassed various business associates and potential lessees to lodge submissions of support for the amendment.

A summary of submissions received and staff comments thereon are provided in the Schedule of Submissions below.

Schedule of Submissions

1	Name and Postal Address: Colin Devlin 11 Broadhurst Road Martin WA 6110	Affected Property: 11 (Lot 1) Broadhurst Road Martin
Summary of Submission		Staff Comment
No objection to proposal. Will the traffic lights at Ferres Drive and Albany Highway be retained to cater for increased traffic?		Council staff have not been notified by Main Roads WA of their intention to remove these traffic signals.
2	Name and Postal Address: Wayne Bull Lumen Christi College 81 Station Street Martin WA 6110	Affected Property: 81 (Lot 5) Station Street Martin
Summary of Submission		Staff Comment
No objection to proposal. Not opposed to development however has concerns relating to increased volumes of traffic and how this issue is going to be treated.		Refer to Discussion Section of this report in relation to Traffic Impact Study.
3	Name and Postal Address: Danny Murphy LWP Property Group Pty Ltd 1/60 Coolamon Boulevard Ellenbrook WA 6069	Affected Property: Lots 830 & 831 Ferres Road Martin
Summary of Submission		Staff Comment
No objection to proposal. 3.1 Support the development as it will provide amenity for proposed residential development.		Noted.

Summary of Submission	Staff Comment
3.2 Suggest inclusion of local shopping centre with 2,000 m ² NLS.	Proposed Detailed Area Plan provides for a Convenience Store (240m ²) along Ferres Drive that will provide for the day-to-day needs of local residents and workforce. Additional land uses that will provide services are a medical centre at 280m ² , display areas at 1,610m ² , showroom at 14,350m ² and showroom/warehouse at 3,665m ² . Refer to Discussion section of this report in relation to Draft Local Commercial Strategy and Provision of Local Conveniences.

4	Name and Postal Address: Peter Ambrose Readymix Holdings PO Box 138 Gosnells WA 6110	Affected Property: Lot 5036 Cockram Road Lot 5505 Mills Road East
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Summary of Submission	Staff Comment
<p>No objection to proposal.</p> <p>4.1 Requested that memorials be placed on respective titles acknowledging Readymix's operational activities including blasting, dust and traffic movement, which may impact upon future development of the site.</p> <p>4.2 Have concerns relating to the proposed medical centre and the possible impact Readymix's operational activities (ie blasting) may have on patients and their well-being.</p>	<p>Such memorials on titles may be appropriate to apply at the time of subdivision or development. This requirement could be included as a notation on the proposed Detailed Area Plan, if supported by Council.</p> <p>Issues of noise attenuation will be addressed through the subdivision and development application process.</p>

5	Name and Postal Address: A. Castrianni 12 Cockram Road Martin WA 6110	Affected Property: 12 (Lot 822) Cockram Road Martin
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Summary of Submission	Staff Comment
<p>No objection to proposal.</p> <p>Suggests that a local supermarket should be incorporated into proposed development.</p>	<p>Proposed detailed area plan provides for a Medical Centre (280m²) and a Convenience Store (240m²) that will provide a range of services within close proximity of proposed abutting residential development and local work force.</p>

6	Name and Postal Address: Karen and Tony Harford Lot 57 Connell Ave Martin WA 6110	Affected Property: Lot 57 Connell Avenue Martin
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Summary of Submission	Staff Comment
<p>Objection to proposal.</p> <p>6.1 Not in best interests for Martin residents.</p> <p>6.2 Would support a development that included a medical centre, service centre, deli, coffee shop, gift shop and news agency conveniences the local community requires.</p>	<p>Noted, although no justification is provided.</p> <p>Proposed detailed area plan provides for a Medical Centre (280m²) and a Convenience Store (240m²) that will provide a range of services within close proximity of proposed abutting residential development and local work force.</p>

Summary of Submission	Staff Comment
6.3 Development should reflect the semi-rural life style.	This is a detailed design issue that can be considered at the development approval of the site. However, it should be noted that the majority of surrounding land is zoned "Urban" under the Metropolitan Region Scheme and "Residential R17.5" under TPS 6.

7	Name and Postal Address: Department for Planning and Infrastructure	
Summary of Submission	Staff Comment	
Comment on proposal		
7.1 Suggest modification to the City's Draft Local Commercial Strategy to be updated to market demand	Refer to Discussion section of this report in relation to Draft Local Commercial Strategy section.	
7.2 Suggests consideration of SPP No 4.2 Metropolitan Centres Policy and Network City.	Refer to Discussion section of this report in relation to Draft Local Commercial Strategy section.	

8	Name and Postal Address: Water Corporation	
Summary of Submission	Staff Comment	
Comment on proposal		
8.1 Water: Requires an upgrade of the existing mains at developers cost	Noted. This will be determined at the Development Application stage.	
8.2 Sewerage: No existing system therefore requires an extension of the existing scheme at developers cost. High cost due to location and size of existing system	Noted. This will be determined at the Development Application stage.	
8.3 Funding: Water Corporation has a user pays policy for extension of existing systems. Developer may be required to upgrade existing system to support the increased demand	This is not a City of Gosnells issue.	

9	Name and Postal Address: Main Roads WA	
Summary of Submission	Staff Comment	
Comment on proposal.		
9.1 Any development would require referral to Main Roads for assessment.	Noted	
9.2 Provided location of a proposed future road access to subject area	The concept plan provides for four access points onto Ferres Road. Main Roads has highlighted one access point central to proposed development along Ferres Drive. See Traffic section below.	
9.3 Supplied examples of conditions that would be applied to development on the site	Noted	

10	Name and Postal Address: Swan River Trust	
Summary of Submission	Staff Comment	
Comment on proposal.		
10.1 Road interface and parks and recreation to act as a buffer to Canning River.	Noted. This is reflected on the DAP and will be determined at Development Application stage.	

Summary of Submission	Staff Comment
10.2 Requirement to have development connected to reticulated sewerage system.	Noted. This will be determined at the Development Application stage.
10.3 Requirement to contain storm water drainage on site or connect to the local government drainage system.	Noted. This will be determined at the Development Application stage.
10.4 Local government drainage system to include entrapment infrastructure such as gross pollutant traps with oil and grease interceptors.	Noted. This will be determined at the Development Application stage.
10.5 Bin storage and air conditioning plant not to be visible from the foreshore or Canning River.	Noted. This will be determined at the Development Application stage.

11	Name and Postal Address: Western Power	
Summary of Submission	Staff Comment	
Comment on proposal.		
11.1 Developer responsibility to identify location of Western Powers underground power cable.	Noted.	
11.2 Work Safe requirements adhered to in the vicinity of Western Power infrastructure.	Noted. However will be determined at Development Application stage.	
11.3 Any changes to the existing power system are to be the responsibility of the individual developer.	This is not a City of Gosnells issue.	

12	Name and Postal Address: Department of Environment	
Summary of Submission	Staff Comment	
Comment on proposal		
Department of Environment does not have any comments at this stage in the planning process; however any further development will require an assessment by the Environmental Protection Authority Service Unit.	Noted.	

13	Name and Postal Address: Alinta	
Summary of Submission	Staff Comment	
Comment on proposal.		
13.1 Provided map that indicated location of gas main along Ferres Drive.	Noted.	
13.2 All work carried out on Alinta's existing network is to be at proponents expense.	This is not a City of Gosnells issue.	
13.3 Alinta requires one months notice before commencement of work.	This is not a City of Gosnells issue.	

14	Name and Postal Address: Joanne Stoeckel PO Box 271 Gosnells WA 6990	
Summary of Submission		Staff Comment
No objection to proposal.		
14.1	Support for development as it will encourage local jobs and business opportunities.	Noted
14.2	Suggested the inclusion of a petrol station.	Draft Detailed Area Plan provides for a Service Station at the corner of Mills Road West and Ferres Drive.

15	Name and Postal Address: Troy Stoeckel Oasis Patios PO Box 271 Gosnells WA 6990	
Summary of Submission		Staff Comment
No objection to proposal.		
15.1	Supportive of development as it will encourage local jobs and business opportunities	Noted
15.2	Suggested the inclusion of professional rooms.	Proposed detailed area plan provides for a Medical Centre (280m ²) along Ferres Drive that will provide medical services within close proximity of proposed abutting residential development.

16	Name and Postal Address: Richard Pawluk Melvista Park Pty Ltd PO Box 333 North Beach WA 6920	
Summary of Submission		Staff Comment
No objection to proposal.		
16.1	Support for development that includes Mixed Use Business.	Noted
16.2	Subject area is unsuitable for residential development due to noise.	Acceptable noise levels would be determined by the Environmental Protection Authority.
16.3	Subject area is unsuitable for industrial uses due to restriction to views.	Noted.
16.4	Suggests the inclusion of local shopping facilities such as super deli, café, lunch bar, news agency, hairdresser and fish and chip shop with 2,000m ² NLS.	Draft Detailed Area Plan provides for a Convenience Store (280m ²) along Ferres Drive that will provide for the day-to-day needs of local residents and work force.
16.5	Support development as it will provide spin off business in the Gosnells Town Centre such as banking, commerce, major supermarket and government agencies	Noted
16.6	Request the City's Draft Local Commercial Strategy be amended to accommodate the 18,000m ² NLA to reflect Dec. 2004 resolution	Refer to Discussion section of this report in relation to Draft Local Commercial Strategy.

17	Name and Postal Address: Greg Salter Cameron Chisholm & Nicol Level 1 306 Murray Street Perth WA 6000	
Summary of Submission		Staff Comment
No objection to proposal.		
17.1	Supportive of the Mixed Business Zoning.	Noted
17.2	Supportive of location due to high visibility.	Noted
17.3	Supportive of the separation of retail shopping and bulky good shopping.	Noted
17.4	Suggested an added level of amenity through the provision of café or restaurant.	Proposed detailed area plan provides for a Convenience Store (240m ²) along Ferres Drive that will provide for the day-to-day needs of local residents and workforce.
17.5	Suggested an added level of convenience for local residents through the provision of a super market.	See response to 17.4 above.
17.6	Suggested the ultimate retail floor space to reflect the ultimate residential population.	Detailed planning for the West Martin locality is only in its preliminary stages, therefore ultimate population densities are unknown.
18	Name and Postal Address: Mick and Marg Mahony 5 Deakin Court Kelmscott WA 6111	
Summary of Submission		Staff Comment
No objection to proposal.		
18.1	Support for development as a shopping complex	Refer to Discussion section of this report in relation to Draft Local Commercial Strategy and Provision of Local Conveniences.
18.2	Suggest the area should have right mix of service station , deli, café news agency	Proposed detailed area plan provides for a Convenience Store (240m ²) along Ferres Drive that will provide for the day-to-day needs of local residents and work force.
18.3	Ensure development is in keeping with the surrounding semi-rural environment.	See response to 6.3 earlier.
19	Name and Postal Address: Peter Henderson Meteor Stone 14 Furniss Road Landsdale WA 6065	
Summary of Submission		Staff Comment
No objection to proposal.		
19.1	Support for the multi-centre with services and products for home construction and improvement.	Noted.
19.2	Suggest that the development should include shops, banks, post office and café.	Proposed detailed area plan provides for a Convenience Store (240m ²) along Ferres Drive that will provide for the day-to-day needs of local residents and work force.

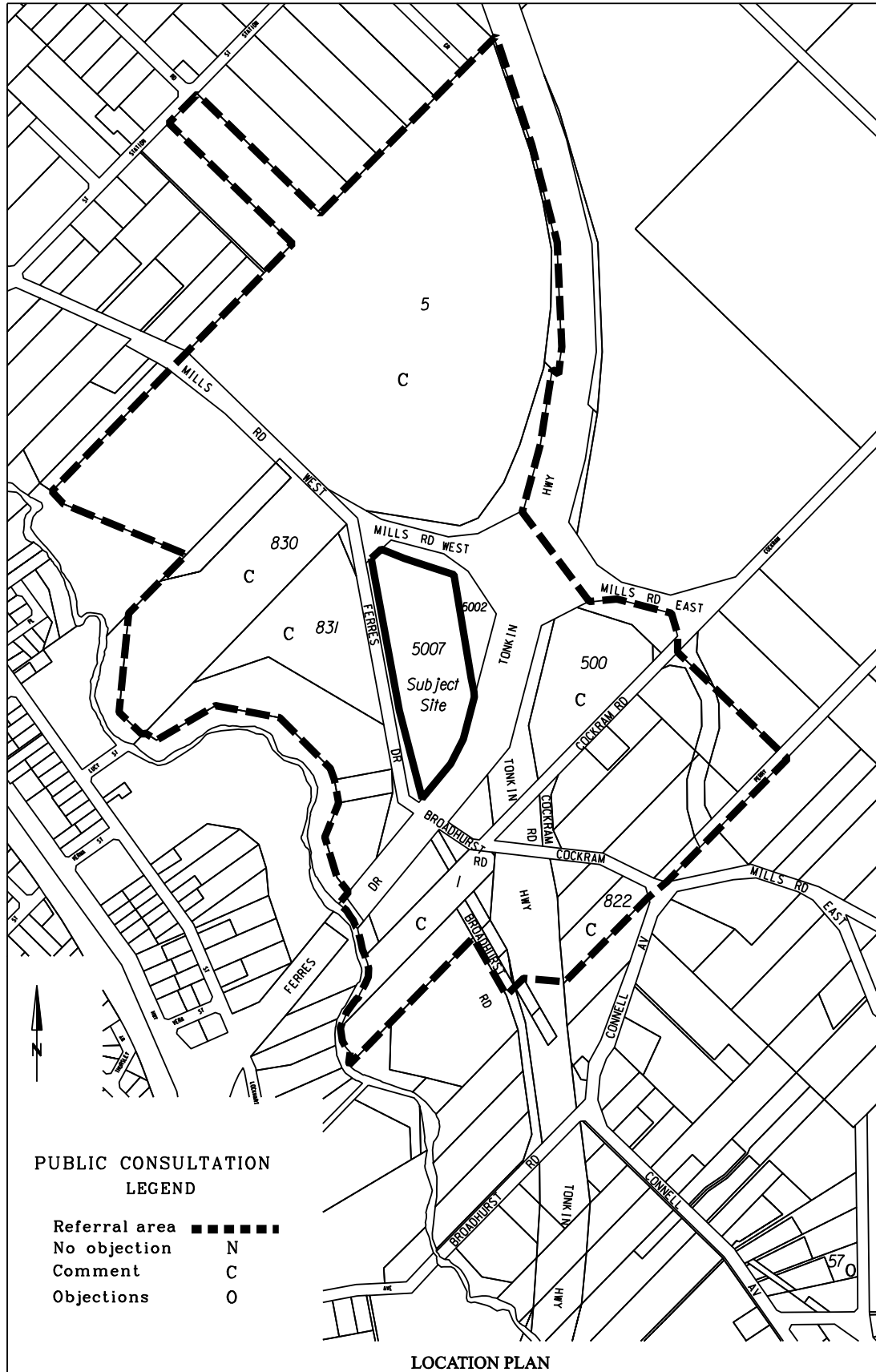
20	Name and Postal Address:	David Lombardo PO Box 1676 Subiaco WA 6904	
Summary of Submission		Staff Comment	
No objection to proposal.		Noted.	

21	Name and Postal Address:	Nicola Adams 53 Craghill Way Oakford WA 6121	
Summary of Submission		Staff Comment	
No objection to proposal. Suggest the inclusion of service station and small shopping centre.		See response to 14.2 and 19.2 earlier.	

22	Name and Postal Address:	Glen Buckley Covenant Finance PO Box 54 West Perth WA 6872	
Summary of Submission		Staff Comment	
No objection to proposal. Support of development due to job creation and the availability of a number of bulky home maker type goods in a single location		Noted.	

23	Name and Postal Address:	Peter Hughes API Australasia Property Investments PO Box 255 West Perth WA 6872	
Summary of Submission		Staff Comment	
No objection to proposal. Supports future development as it provides appropriate location for bulky goods retailing.		Noted.	

24	Name and Postal Address:	Ian Edwards Knight Frank Level 10 Exchange Plaza 2 The Esplanade Perth WA 6000	
Summary of Submission		Staff Comment	
No objection to proposal. 24.1 Supportive of development as it provides a location for the sale of bulky goods. 24.2 Suggests inclusion of additional land uses such as butcher, baker, bank, news agency, super market and hairdresser		Noted. See response to 18.1 earlier.	



DISCUSSION

Draft Local Commercial Strategy

The City's Draft Local Commercial Strategy (1999) identifies the provision of an additional 30,000-50,000m² of "Other Retail" floorspace (including Mixed Business floorspace) within the City over a 10 year period. Whilst no specific calculations have been undertaken, Council staff consider that this provision of "Other Retail" floorspace is near to if not already exceeded. The basis for this presumption is approval and construction of many showroom developments such as Makro warehouse in Canning Vale, BBC Hardware in William Street Beckenham and many incidental showroom developments along Albany Highway and Kelvin Road. The Draft Detailed Area Plan (DAP) for the subject site proposes approximately 19,000m² of showroom/warehouse floorspace and a further 3,500m² of retail and office floorspace. Given the non-compliance with the Draft Local Commercial Strategy (DLCS), the City sought advice from the Department for Planning and Infrastructure (DPI), which is the guiding body in regard to metropolitan centres and associated policy.

In summary, the DPI's advice suggested that given the proposals non-compliance with the DLCS and the Western Australian Planning Commission's Statement of Planning Policy 4.2 – Metropolitan Centres Policy Statement, which states that all "Bulky Goods Retailing" (as is proposed for the subject site) should be accommodated within Regional Centres or specifically designated "Mixed Business" zones, the City should consider amending their DLCS. Council staff consider this suggestion to be both premature and problematic for the following reasons:

- The City submitted the DLCS to the WAPC for their assessment in late 1999. Since this time, the WAPC has not considered the DLCS given their pending review of the Metropolitan Centres Policy Statement and in more recent times, the development of Network City – a strategic framework for the future development of the Perth Metropolitan Area. Therefore amending a draft document that has not yet been formally reviewed is considered premature, an unnecessary administrative burden and an inefficient use of limited resources.
- As requested by the DPI, in considering the overall appropriateness of the ultimate development as proposed by the Draft Detailed Area Plan (DAP), the City has given due consideration to the objectives of both Network City and the existing Metropolitan Centres Policy Statement. Network City identifies the Gosnells Town Centre as a medium sized "Activity Centre" on an "Activity Corridor" (Albany Highway). Activity Centres are identified as nodes where a variety of activities including employment, residential and retail are to be strongly encouraged. In this regard Staff believe that the predominant type of development proposed for the subject site (showroom/warehouse) could in no way be accommodated in the existing Gosnells Town Centre and therefore would not compromise its ability to function as an Activity Centre.
- The relatively small retail floorspace (240m² convenience store) proposed for the subject site is not expected to detract from existing retail based businesses in the Town Centre, but rather provide a localised convenience function for surrounding West Martin residents.

- As previously mentioned, the Metropolitan Centres Policy Statement suggests that “Bulky Goods Retailing” should be located in Regional or District Centres or specifically designated “Mixed Business” zones. In this regard the rezoning of the subject site from to entirely “Mixed Business,” is in effect creating a substantial designated “Mixed Business” precinct, therefore complying with the requirements of the Policy Statement.

Provision of Local Conveniences

A number of the abovementioned submissions suggested that the Draft DAP incorporate a greater provision of retail type conveniences (supermarket, butcher, baker, café, etc.) on the subject site. The objective of the “Mixed Business” zone is “*to provide for a variety of commercial activities including showrooms and other forms of bulk retailing/display in strategically located areas of the City*”. The Mixed Business zone however, also permits a wide variety of retail type uses that could potentially undermine the District focus of the Gosnells Town Centre creating a retail/commercial node outside of but in close proximity to the Town Centre.

In order to achieve the development of suitable uses on the subject site, the implementation of restricted uses under Section 4.6 of TPS 6 was considered appropriate at the initiation phase of the Scheme Amendment. In this instance, uses are proposed to be restricted to warehouse, showroom (both to facilitate the bulky goods and display areas), service station, medical centre (restricted to four practitioners) and a convenience store restricted to 240m² net lettable area. The convenience store is the only use that will provide an element of convenience type retailing. Limiting the net lettable floor area of the convenience store to 240m² ensures that it will service the needs of nearby existing and future Martin residents without detracting from the District function of the Gosnells Town Centre.

Hard-Rock Quarry Buffer Issues

The subject site is located within 1km to the Readymix Quarry site.

The WAPC’s Statement of Planning Policy – Basic Raw Materials seeks to protect quarries from encroaching sensitive land uses such as residential development, to ensure the continuing operation of quarries. The Policy applies a generic buffer radius of 1km around quarries until such time as more precise buffers are determined relative to individual locations and conditions. The Environmental Protection Authority (EPA) also recommends a buffer of 1km around hard rock quarries for sensitive uses such as residential development via its Policies, Guidelines and Criteria for Environmental Impact Assessment: Industrial and Residential Buffer areas. In tis regard it should be noted that the Scheme Amendment will reduce the “sensitivity” of the subject site to the quarry by removing the existing Residential zoned portion of the site and rezoning it for Mixed Business.

An Ambient Dust Monitoring Study is currently being undertaken by the DPI, Department of Environment, City of Gosnells and Readymix that will determine the specific buffer distance from the Readymix quarry, however it is not known when this study will conclude.

The EPA (when providing comment on Amendment No. 42) determined that the overall environmental impact of the Scheme Amendment would not be significant enough to warrant formal assessment under the Environmental Protection Act 1986 and considered it unnecessary to provide formal environmental advice on the scheme amendment. However, submission 12 from the Department of Environment advises that any further development on the subject site will require assessment by the EPA Service Unit. To ensure this occurs it is recommended that an appropriate notification will be added to the Detailed Area Plan.

Traffic Impact Study

When initiating Amendment No. 42 in December 2004, Council also resolved (Resolution 759) to require the preparation of a Traffic Impact Study prior to the finalisation of this Scheme Amendment. This was due to the location of the subject site between three "Primary Regional Roads." The proponent subsequently prepared and submitted a report to Council staff for their consideration.

In general, Council staff supported the majority of conclusions arrived at in the report but considered that a number of matters required further investigation as follows:

- Access to the subject site will need to be appropriately located with intersection spacing provided in accordance with relevant standards.
- As suggested by the report, a roundabout will need to be constructed at the intersection of Ferres Drive and Mills Road West.
- The report does not detail the effects of anticipated large increases in traffic volumes on Lumen Christi College. Further information will be required on this matter prior to the Development Approval stage.
- Council staff would support an additional access point to Mills Road West, however further negotiations with Main Roads WA would be required.

Council staff will forward a copy of the Traffic Impact Study to Main Roads WA for comment but generally consider that all of the abovementioned issues can be appropriately addressed prior to the Development Approval stage of the project.

Detailed Area Plan

Given the strategic significance of the subject site and the scale of development proposed, Council requested that the proponent prepare a Detailed Area Plan (DAP) in accordance with Section 7.6 of TPS 6. It was anticipated that the DAP would address issues of interface with Mills Road West, Tonkin Highway and ensure that an adequate interface and an element of pedestrian oriented access would also be incorporated to address the potential future residential development to the west.

Council staff consider that the draft Detailed Area Plan appropriately addresses the issues of interface with Mills Road West and Tonkin Highway. By locating the showrooms/warehouses to the east of the subject site, the parking and display areas to the west and providing appropriate landscaping strips and verge treatments, the overall

design also appropriately addresses the issue of creating an open and pedestrian-friendly interface with the potential residential development to the west.

In response to submission 4 in the Schedule of Submissions it is considered appropriate to add a notation on the DAP specifying that the City may require memorials to be placed on the certificates of title advising of the Readymix Quarry operational activities and potential impacts for development on the subject site.

Furthermore, in response to submission 12 it is recommended that a notification also be added to the DAP requiring and future development application for the subject site to be referred to the EPA Service Unit for consideration.

It should be noted that the proponent will still be required to obtain development approval prior to the commencement of any development on site. The DAP provides a guide for how this should occur.

Scheme Amendment Change

Although Council's intention when adopting Amendment 42 was clearly rezone the entire site to "Mixed Business" and apply a Restricted Use classification that only allows the specified uses to occur on the site, the actual wording of Council's resolution did not adequately reflect this. In essence Council resolved to rezone the subject site and add its description to Schedule 3 (Restricted Uses) of TPS 6, however a Restricted Use coding also needs to be applied to the Scheme Map (overlaid on top of the new subject site) to reflect the restrictions that apply to the property under Schedule 3 of TPS 6.

To ensure the Scheme Amendment when gazetted accurately reflects this change Council will need to recommend to the WA Planning Commission that this occurs when it considers the amendment for adoption.

CONCLUSION

Given the subject site's separation from the balance of the West Martin locality and therefore its ability to develop independently from surrounding areas where future residential development is anticipated, Council staff support the rezoning of the entire subject site to Mixed Business. In order not to undermine the objectives of the Gosnells Town Centre Revitalisation Project, Council staff also support restricting the permissible uses to warehouse, showroom, a medical centre limited to 4 practitioners and a convenience store of 240m² net lettable area. Staff also consider that the proposed Detailed Area Plan appropriately addresses the issues of interface with three Primary Regional Roads and the likely residential development to the immediate west, but should be amended slightly to recognise the likely requirement for memorials to be placed on the title regarding the Readymix quarry operations.

Despite a request from the Department for Planning and Infrastructure, it is considered that an amendment to the City's Draft Commercial Strategy, in order to accommodate the proposal is premature, an unnecessary administrative burden and an inefficient use of limited resources. Given the current review of the Metropolitan Centres Policy, changes in trends in bulky goods retailing and the development of "Network City,"

amending a Draft strategy that may be completely reviewed or revisited is considered onerous.

As outlined in previous sections of this report Scheme Amendment and associated DAP do not undermine the ability of the Gosnells Town Centre to operate as a successful “Activity Centre” in accordance with “Network City”. The rezoning of the entire site to “Mixed Business” in effect also creates a “Mixed Business” precinct, as encouraged by the existing Metropolitan Centres Policy.

Council will need to recommend to the WAPC that Amendment No. 42 be altered slightly to ensure the Scheme Map is also amended (in addition the scheme text) to depict a Restricted Use coding over the subject site.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION (1 of 3) AND COUNCIL RESOLUTION

553 Moved Cr R Croft Seconded Cr J Brown

That Council, pursuant to Town Planning Regulation 17(1), note the submissions received to Amendment No. 42 and endorse the comment by staff in relation to those submissions; and further, pursuant to Town Planning Regulation 17(2), adopt Amendment No.42 to Town Planning Scheme No. 6, to:

1. Rezone Lot 5007 Mills Road West, Martin from Residential 17.5, Residential R30 and Mixed Business to entirely “Mixed Business”, and to amend Schedule 3 – Restricted Uses of Town Planning Scheme No. 6 by adding the following:

Description of Land	Restricted Use	Conditions
Lot 5007 Mills Road West, Martin	1. Warehouse 2. Showroom 3. Service Station 4. Medical Centre 5. Convenience Store	Medical Centre limited to four practitioners. Convenience Store limited to 240m ² net lettable area.

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (2 of 3) AND COUNCIL RESOLUTION

554 Moved Cr R Croft Seconded Cr J Brown

That Council forward Amendment No. 42 to Town Planning Scheme No. 6 to the Western Australian Planning Commission for final approval, with a recommendation that the amending text be modified to also apply a Restricted Use coding on the Scheme Map over Lot 5007 Mills Road West, Martin, in addition to the new Mixed Business zone.

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (3 of 3) AND COUNCIL RESOLUTION

555 Moved Cr R Croft Seconded Cr J Brown

That Council, in accordance with Part 7.6 of Town Planning Scheme No. 6, approve the Detailed Area Plan (DAP) for Lot 5007 Mills Road West, Martin, as shown in Appendix 13.5.2A subject to the notations listed below being added to the DAP and forward a copy to the Western Australian Planning Commission for its information:

- (i) The City may require memorials to be placed on the certificates of title advising of the nearby Readymix quarry operational activities and their potential impacts for development on the subject site.
- (ii) The Department of Environment has advised that any development proposal for the subject site will require assessment by the Environmental Protection Authority Service Unit.

CARRIED 12/0

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

AGAINST: Nil.

13.5.3 AMENDMENT TO TOWN PLANNING SCHEME NO. 6 – ZONING OF A PORTION OF LOTS 4, 105, 51, PT 4, PT 7, 10 AND 522 ALBANY HIGHWAY, GOSNELLS TO DISTRICT CENTRE AND AMENDMENT OF THE TOWN CENTRE SPECIAL CONTROL AREA

File: TPS/6/50 **Approve Ref:** 0506/0196AA (EH) Psrpt136Nov05
Applicant: City of Gosnells
Owner: Various
Location: Lots 4, 105, 51, Pt 4, Pt 7, 10 and 522 Albany Highway, Gosnells
Zoning: MRS: Urban
TPS No. 6: Nil
Review Rights: Nil
Area: Various
Previous Ref: Nil

PURPOSE OF REPORT

For Council to consider initiating an amendment to Town Planning Scheme No. 6 (TPS 6), to zone portions of Lots 4, 105, 51, Pt 4, Pt 7, 10 and 522 Albany Highway, Gosnells to District Centre and to extend the Town Centre Special Control Area to coincide with the District Centre zoning on those lots.

BACKGROUND

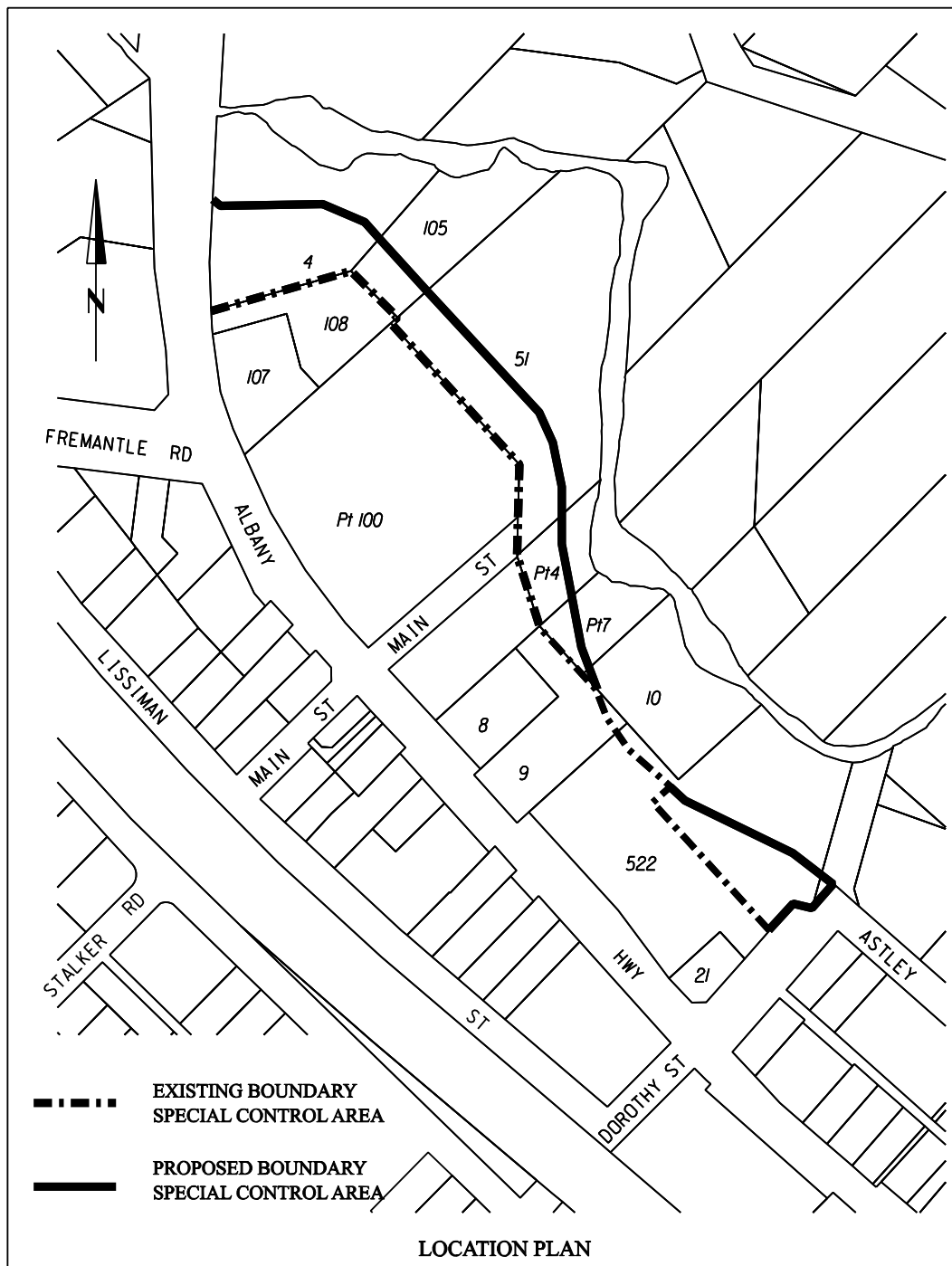
On 5 August 2005, an amendment to the Metropolitan Region Scheme (MRS) was gazetted to remove the subject portions of land from Parks and Recreation Reserve and to zone it Urban to facilitate the future extension of Federation Parade and allow for future residential development. In accordance with Section 35A of the Metropolitan Region Town Planning Scheme Act 1959 the City must now amend its Town Planning Scheme No. 6 (TPS 6) to reflect this change to the MRS.

Because the subject land was previously reserved under the MRS and not zoned or reserved under TPS 6 it will remain “unzoned” until this proposed amendment to TPS 6 is gazetted.

DISCUSSION

The portion of land that was formerly reserved under the MRS for Parks and Recreation, and is now zoned Urban, abuts the Town Centre area currently zoned “District Centre” under TPS 6 and is located outside the current “Special Control Area”. Amendment No. 50 proposes to zone the subject land “District Centre” and extend the “Special Control Area” in line with the new District Centre zoning boundary. The new boundary of the Parks and Recreation Reservation follows the alignment of Federation Parade. The land to the south-west of the Federation Parade alignment is an integral part of the Gosnells Town Centre.

The location plan below indicates the current and proposed boundary of the Special Control Area, which also correlates with the “District Centre” zoning boundaries.



CONCLUSION

The subject Amendment is required to comply with Section 35A of the Metropolitan Region Town Planning Scheme Act 1959 and in order to zone the land under TPS 6. It is therefore recommended that Council initiate Amendment No. 50.

FINANCIAL IMPLICATIONS

Minor costs will be incurred for public advertising of the amendment, which can be accommodated by the existing City Planning budget.

STAFF RECOMMENDATION (1 of 2) AND COUNCIL RESOLUTION**556 Moved Cr D Griffiths Seconded Cr R Hoffman**

That Council, pursuant to Section 7 of the Town Planning and Development Act, 1928 (as amended), adopt Amendment No. 50 to Town Planning Scheme No. 6 for the purpose of zoning those portions of Lots 4, 105, 51, Pt 4, Pt 7, 10 and 522 Albany Highway, Gosnells that are presently unzoned under the Scheme to “District Centre” and extending the Gosnells Town Centre Special Control Area to coincide with the new “District Centre” zoning over those lots.

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (2 of 2) AND COUNCIL RESOLUTION**557 Moved Cr D Griffiths Seconded Cr R Hoffman**

That Council forward Amendment No. 50 to:

- (i) The Environmental Protection Authority (EPA) for comment, pursuant to Section 7A1 of the Town Planning and Development Act 1928 (as amended); and
- (ii) The WA Planning Commission for information.

and, further that subject to no objections being received from the EPA, the amendment be advertised for public comment pursuant to Regulation 25(2) of the Town Planning Regulations 1967 for a period of 42 days.

CARRIED 12/0

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

AGAINST: Nil.

13.5.4 SOUTHERN RIVER PRECINCT 3 – ESTABLISHMENT OF A FRAMEWORK FOR FUTURE PLANNING (ITEM BROUGHT FORWARD – REFER TO ITEM 11)

The above item was brought forward in accordance with paragraph (9) of Sub-Clause 2.15.4 of the City of Gosnells Standing Orders Local Law 2003 and is relocated under Item 11 “Items Brought Forward for the Convenience of those in the Public Gallery” as the first report in these Minutes.

13.5.5 PROPOSED DETAILED AREA PLAN – 129 (LOT 110) FRASER ROAD NORTH (CORNER AMHERST ROAD), CANNING VALE

File:	209626, S8/1/2, SD124526	(SC)	Psrpt138Nov05
Applicant:	Chappell & Lambert		
Owner:	Lakeview Rise Pty Ltd		
Location:	129 (Lot 110) Fraser Road North, (corner Amherst Road)		
Zoning: MRS:	Urban		
TPS No. 6:	Residential Development		
Review Rights:	Yes. State Administrative Tribunal against a refusal or any condition(s) of approval.		
Area:	1.9978ha		
Previous Reference:	Nil		
Appendix:	13.5.5A Detailed Area Plan.		
	13.5.5B Associated Details.		

PURPOSE OF REPORT

For Council to consider a Detailed Area Plan (DAP) for 129 (Lot 110) Fraser Road North (corner Amherst Road), which is designated Mixed Use Centre, Residential Density Greater than R17.5 and Public Open Space on the Canning Vale Outline Development Plan (ODP).

BACKGROUND**Site Description**

The subject lot is vacant, flat and cleared of any vegetation. Lots to the north west and north east contain single dwellings and are yet to be developed. New residential lots opposite on Fraser Road North are currently vacant with one dwelling under construction.

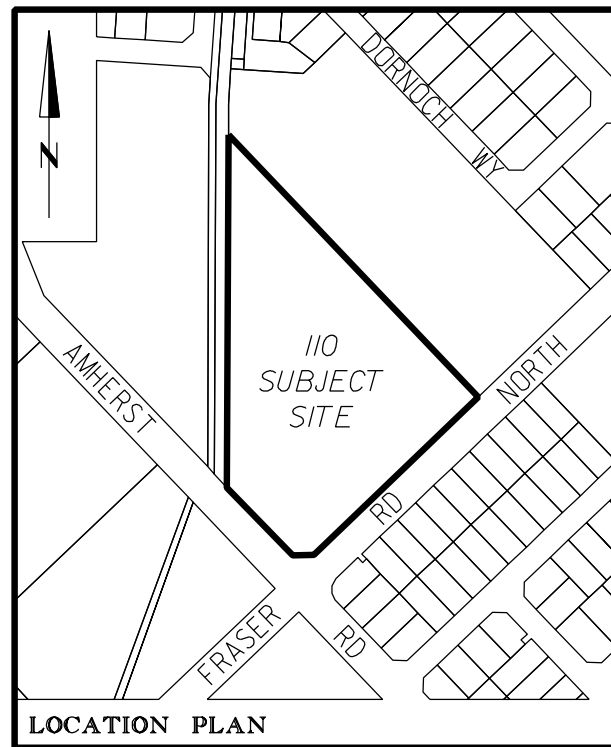
The intersection of Amherst Road and Fraser Road North is zoned “Residential Development” under Town Planning Scheme No. 6 (TPS 6) and designated “Mixed Use and Residential Density Greater than R17.5” on the Canning Vale Outline Development Plan (ODP). The “Mixed Use” centre has been allocated 1,250m² retail floorspace spread across the four corners of the intersection. The lot on the south west corner of Amherst Road and Fraser Road North currently contains a single dwelling, and is designated for Community Purpose site. The lot on the south east corner of Amherst Road and Fraser Road North is cleared and is to be developed for Mixed Use and a child Care centre in accordance with the approved Detailed Area Plan.

Site History

Subdivision approval (SD124526) for the subject site was granted by the Western Australian Planning Commission on 12 September 2005 subject to various conditions including Condition 24 which reads as follows:

“Detailed Area Plans shall be prepared for lots less than 350m² and the ‘General Store’ site depicted on the subdivision plan”

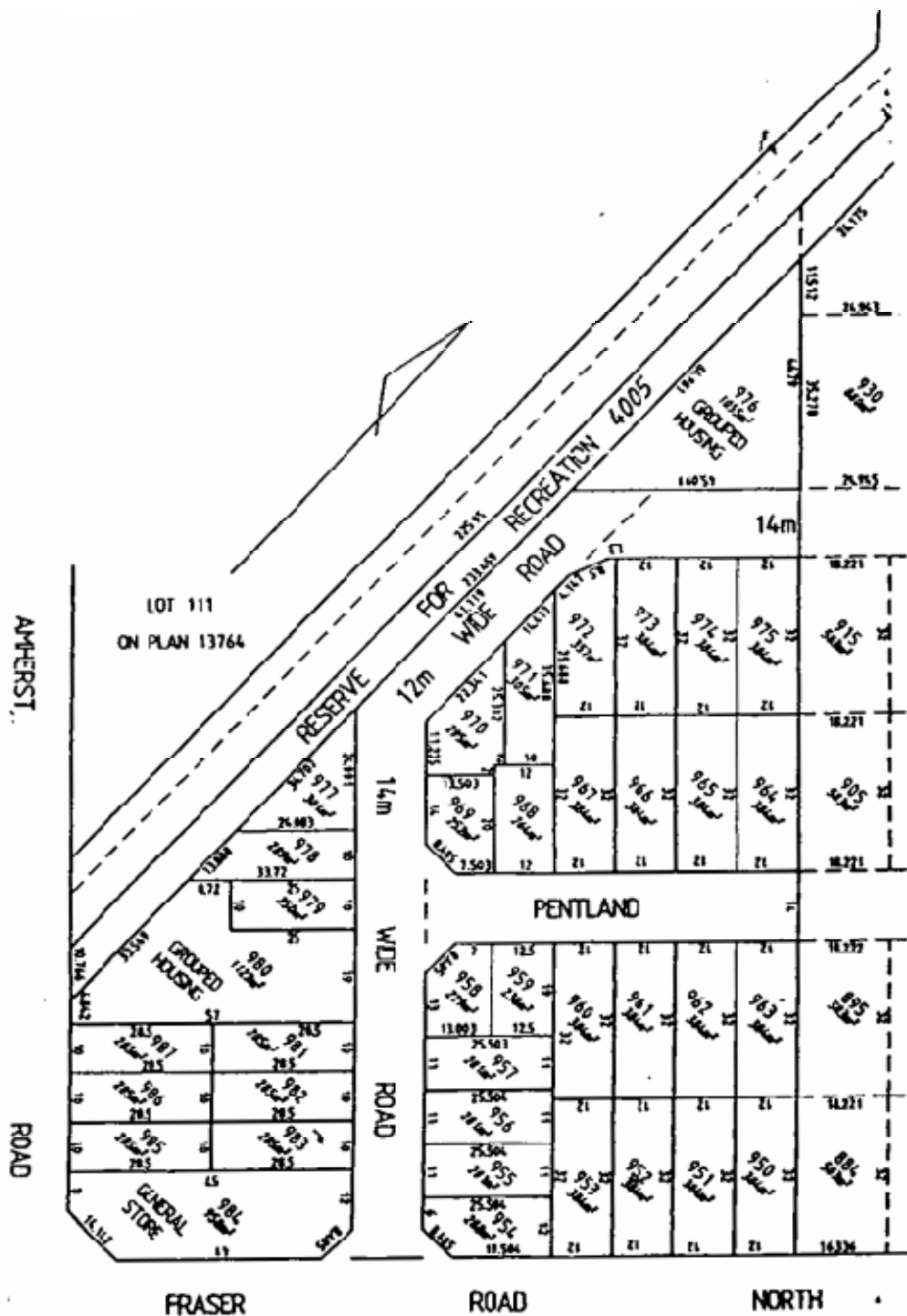
The DAP must be approved by Council in order to satisfy these conditions and enable the subdivision to be finalised and titles issued.



Proposal

The applicant has submitted a DAP for proposed Lots 954-959, 968-971, 977-979 and 981-987 in accordance with the approved subdivision of Lot 110 Fraser Road North (refer Appendix 13.5.5A and Appendix 13.5.5B).

The DAP provides design guidance for the mixed use site and those lots less than 350m² in area. The DAP allows for variations to the Residential Design Codes (R-Codes) with respect to setbacks, boundary walls, and open space. The DAP also addresses location of garages and private open space courtyard areas. The DAP will negate the need for individual development applications where the proposed dwellings comply with the DAP. However, although the DAP addresses use, built form, streetscape and fencing matters for the mixed use site (Lot 984), a development application will still be required for development on this lot in order to address other scheme provisions relating to landscaping and carparking.



SUBDIVISION PLAN (SD124526)

Lot 110 Fraser Road North (Corner Amherst Road), Canning Vale.

DISCUSSION

Town Planning Scheme No. 6 (TPS 6)

Clause 7.6 of TPS 6 provides a process for the consideration and determination of proposed DAPs. In this regard, Council is either to approve or refuse the DAP, and if it is approved, refer the DAP to the Western Australian Planning Commission for its information.

Proposed Detailed Area Plan

The DAP has been specifically prepared for this site in accordance with the principles of the Safe City Urban Design Strategy, Liveable Neighbourhoods Edition 3 and the Canning Vale ODP. Future development on the proposed residential lots less than 350m² in area and the mixed use lot designated as “General Store” on the approved subdivision plan (WAPC 124526) would need to accord with the DAP which allows for variation of the R-Codes in some aspects to achieve a more desirable site specific design outcome and incorporates the following:

- All development to be located within the building envelopes;
- Open space requirement varied to 40% (instead of 45%);
- Passive surveillance to public open space;
- Nil boundary setbacks and other setback variations permitted where shown on the DAP;
- Location of garages, crossovers and north-facing solar courtyards specified; and
- Visually permeable fencing specified.

CONCLUSION

Staff support the proposed DAP, which has been prepared in conjunction with the subdivider’s planning consultants and is in accordance with the principles of the Safe City Urban Design Strategy and Liveable Neighbourhoods Edition 3. It is recommended that Council adopt the DAP and forward it to the WAPC for its information.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

558 Moved Cr R Croft Seconded Cr R Hoffman

That Council approve the Detailed Area Plan prepared by Chappell and Lambert for proposed Lots 954-959, 968-971, 977-979 and 981-987 in accordance with the approved subdivision (WAPC 124526) of Lot 110 Fraser Road North (corner Amherst Road), Canning Vale as contained in Appendices 13.5.5A and 13.5.5B, and forward a copy of the plan to the Western Australian Planning Commission for its information.

CARRIED 11/1

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

***AGAINST:** Cr J Brown.*

**13.5.6 DEVELOPMENT APPLICATION – SHOP AND SHOWROOM –
1490 (LOT 25) ALBANY HIGHWAY, BECKENHAM (*ITEM BROUGHT
FORWARD – REFER TO ITEM 11*)**

The above item was brought forward in accordance with paragraph (9) of Sub-Clause 2.15.4 of the City of Gosnells Standing Orders Local Law 2003 and is relocated under Item 11 “Items Brought Forward for the Convenience of those in the Public Gallery” as the second report in these Minutes.

**13.5.7 DEVELOPMENT APPLICATION – TWO GROUPED DWELLINGS –
35 (LOT 296) LAKEY STREET, SOUTHERN RIVER**

File:	239966	Approve Ref:	0506/2084	(AL)	Psrpt137Nov05
Applicant:	The Planning Coordinators				
Owner:	L Franklin				
Location:	35 (Lot 296) Lakey Street Southern River				
Zoning: MRS:	Urban				
TPS No. 6:	Residential Development				
Review Rights:	Yes. State Administrative Tribunal against a refusal or any condition(s) of approval.				
Area:	494m ²				
Previous Ref:	Nil				
Appendix:	13.5.7A Conditions to be imposed on development approval.				

PURPOSE OF REPORT

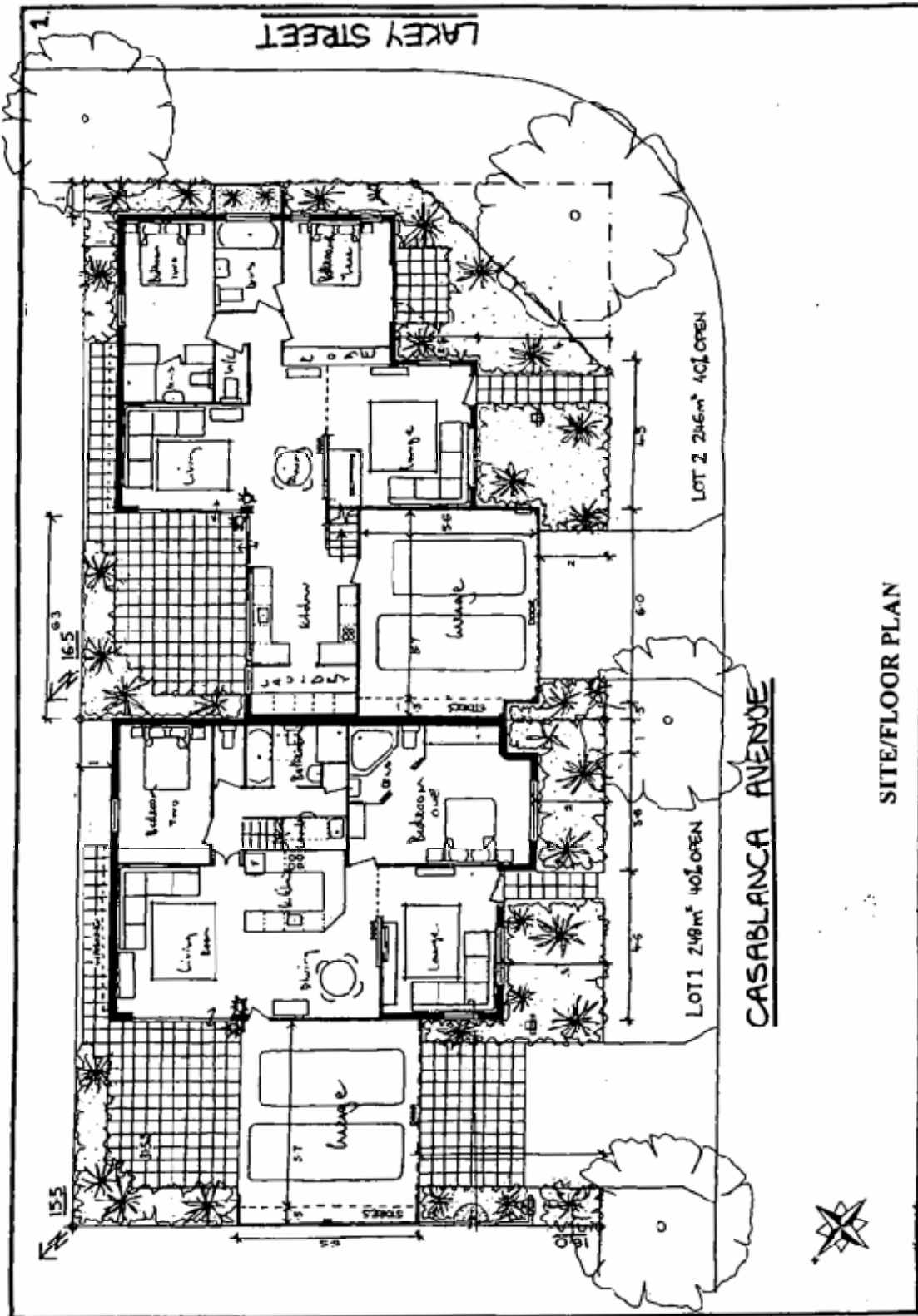
For Council to consider an application for two grouped dwellings at 35 (Lot 296) Lakey Street, Southern River. Assessment of the proposal under the Performance Criteria of the Residential Design Codes (R-Codes) is sought in relation to the provision of open space and streetscape requirements and essential facilities which are outside the authority delegated to staff.

Site Description

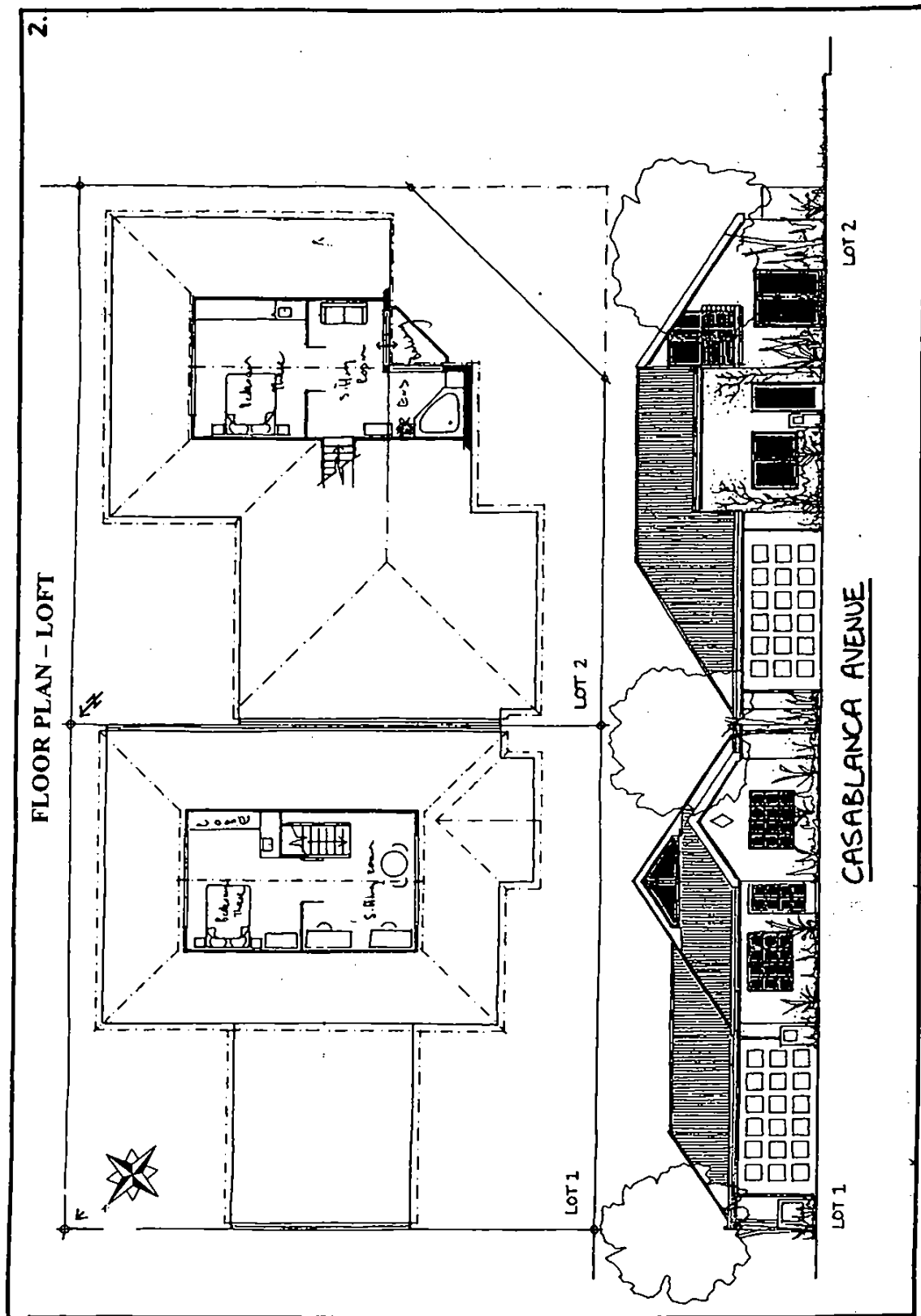
The site is flat, vacant and cleared of vegetation. It is 494m² in area and has a 16m frontage to Lakey Street and 32m frontage to Casablanca Avenue.

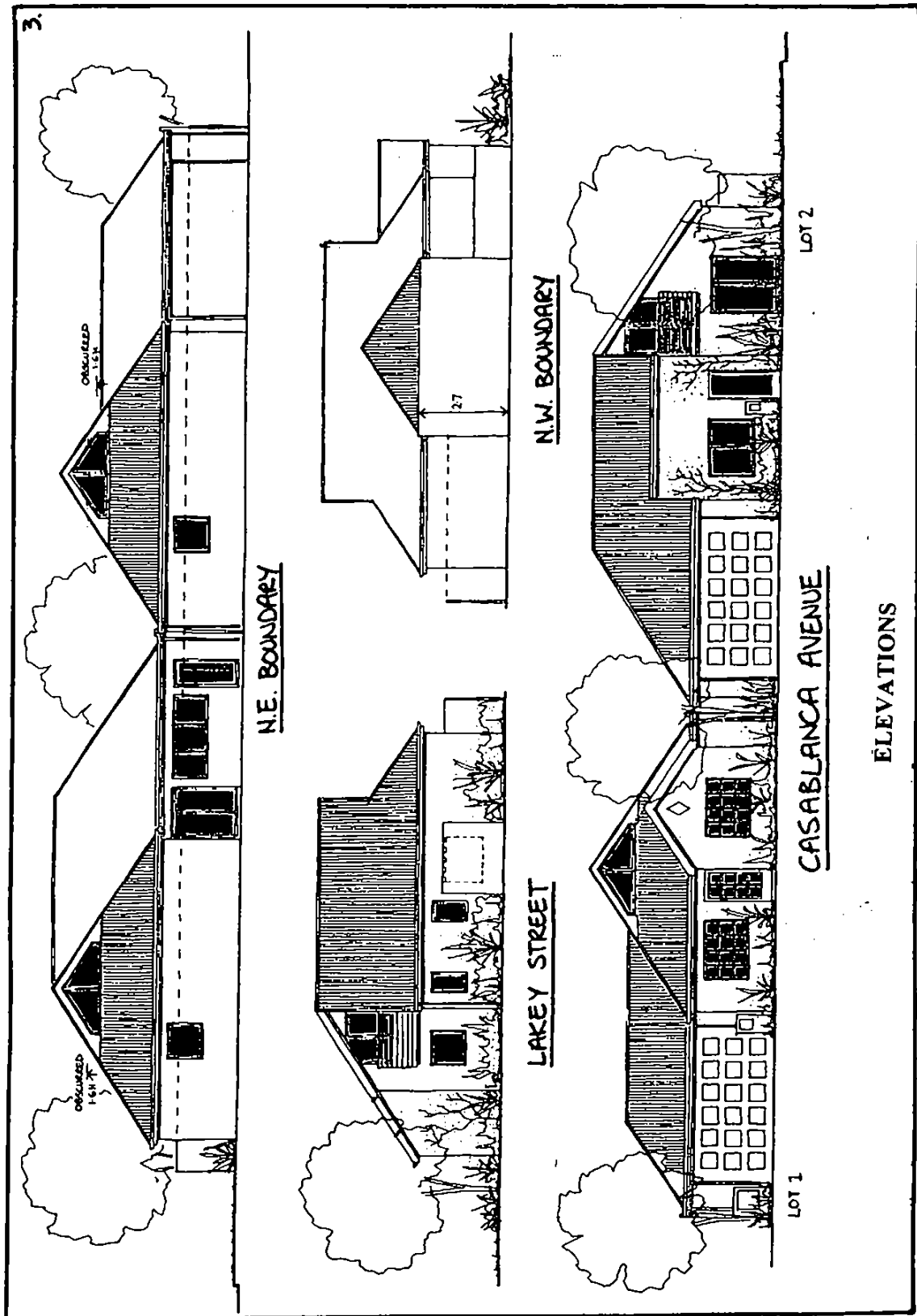
Proposal

The proposal is for the construction of two single storey with loft grouped dwellings. Dwelling 1 (proposed Lot 1) is approximately 150m² on a proposed lot of 248m². Dwelling 2 (proposed Lot 2) is approximately 147m² on a proposed lot of 264m² (including the 18m² truncation). The proposal complies with all aspects of the Acceptable Development Criteria of the R-Codes except for the provision of open space, streetscape requirements for Dwelling 2 in relation to garage setback and the provision of storage areas.



SITE/FLOOR PLAN





Consultation

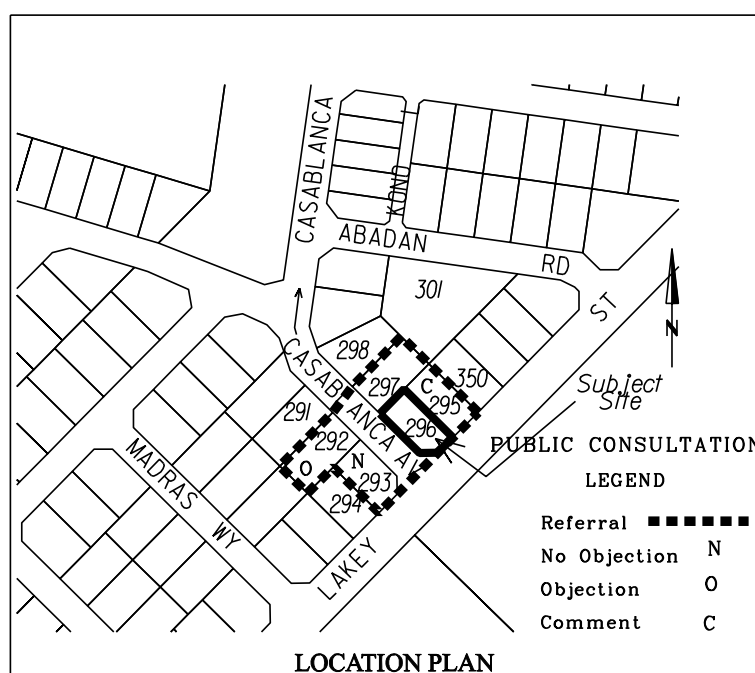
The proposal was referred to neighbouring properties on either side of and opposite the subject site. Three submissions were received which are summarised in the schedule of submissions below.

Schedule of Submissions

1	Name and Postal Address: Phil Richards 4 Casablanca Avenue Southern River WA 6110	Affected Property: 4 (Lot 292) Casablanca Avenue Southern River
Summary of Submission		Staff Comment
Objection to proposal. No reason provided.		Noted.

2	Name and Postal Address: C Munro 15 Rodena Way Canning Vale WA 6155	Affected Property: 33 (Lot 295) Lakey Street Southern River
Summary of Submission		Staff Comment
Comment on the proposal. No objection providing no upstairs windows open to encroach on privacy of Lot 295.		Noted. Plans show upstairs windows with obscure glass to 1.6m. This satisfies Acceptable Development Criteria of R-Codes relating to Visual Privacy and can be reinforced with a condition on the approval.

3	Name and Postal Address: S Gorton 19 Wakehurst Place Kelmscott WA 6111	Affected Property: 41 (Lot 293) Lakey Street Southern River
Summary of Submission		Staff Comment
No objection to proposal.		Noted.



Town Planning Scheme No.6 (TPS 6)

The subject site is zoned “Residential Development” under TPS 6 and is located within the Southern River Precinct 1 Outline Development Plan area. The site has been designated for a density “Greater than R20” which means the proposal can be assessed at the R40 density.

DISCUSSION

Residential Design Codes (R-Codes)

The R-Codes include Acceptable Development Criteria (prefixed by “A”) and Performance Criteria (prefixed by “P”). Applications not complying with the Acceptable Development Criteria can be assessed against the relevant Performance Criteria. The Performance Criteria assessment applicable to this application is summarised and assessed in the following tables:

Dwelling 1 proposes the following Performance Criteria Assessment:

R-Code Clause/Requirement		Assessment/Comment
1.	<p>3.4.1 Open Space Provision</p> <p>A1 45% of the land is required to be provided as open space.</p> <p>P1 open space compliments the building, allows attractive streetscapes and suits the future needs of residents.</p>	<p>The application proposes the provision of 40% open space.</p> <p>Application provides a north-facing outdoor living area larger than required under the R-Codes and a separate drying area. The open space allows for attractive gardens and will provide sufficient area to be useable to future residents. It is considered that 3.4.1 P1 has been met.</p>
2.	<p>3.10.3 Essential Facilities</p> <p>A3.1 A storeroom with a minimum dimension of 1.5m and internal floor area of 4m² is required.</p> <p>P3 external storage that is adequate for the needs of residents without affecting amenity of the locality.</p>	<p>The application proposes a storeroom of 2.75m² that has a minimum dimension of 0.5m.</p> <p>The proposed storeroom is an extension to the width of the garage. It provides sufficient storage for gardening tools and possibly a lawnmower or bike. Storage area is out of view of the street and is not considered to pose a detrimental effect on the street. It is considered that 3.10.3 P3 has been met.</p>

Dwelling 2 proposes the following Performance Criteria Assessment:

R-Code Clause/Requirement		Assessment/Comment
3.	<p>3.4.1 Open Space Provision</p> <p>A1 45% of the land is required to be provided as open space.</p> <p>P1 open space compliments the building, allows attractive streetscapes and suits the future needs of residents.</p>	<p>The application proposes the provision of 40% open space.</p> <p>Application provides a north-facing outdoor living area larger than required under the R-Codes and a separate drying area. The open space allows for attractive gardens and will provide sufficient area to be useable to future residents. It is considered that 3.4.1 P1 has been met.</p>

R-Code Clause/Requirement		Assessment/Comment
4.	<p>3.2.3 Set Back of Garages and Carports</p> <p>A3.5 Garages setback 4.5m from the primary street is required.</p> <p>P3 Garages setback so as not to detract from the streetscape or appearance of dwellings, or obstruct views of dwellings from the street and vice versa.</p>	<p>Application proposes a garage setback 2m from the primary street.</p> <p>Design presents an attractive presentation to the street and allows for a continuation of the streetscape. The garage does not obstruct the view of the dwelling from the street or the view of the street from the dwelling. It is considered that 3.2.3 P3 has been met.</p>
5.	<p>3.10.3 Essential Facilities</p> <p>A3.1 A storeroom with a minimum dimension of 1.5m and internal floor area of 4m² is required.</p> <p>P3 external storage that is adequate for the needs of residents without affecting amenity of the locality.</p>	<p>The application proposes a storeroom of 2.75m² that has a minimum dimension of 0.5m.</p> <p>The proposed storeroom is an extension to the width of the garage. It provides sufficient storage for gardening tools and possibly a lawnmower or bike. Storage area is out of view of the street and is not considered to pose a detrimental effect on the street. It is considered that 3.10.3 P3 has been met.</p>

CONCLUSION

The applicant has requested Council to assess the proposed grouped dwellings under Performance Criteria of the R-Codes with respect to Open Space, Streetscape and Essential Facilities provisions. The design is considered to provide satisfactory useable open space around each dwelling and the setback of the garage is not considered to significantly impact the subject dwellings or neighbouring properties. The storage area provided is considered to meet the needs of future residents. It is therefore recommended that the proposal be approved subject to appropriate conditions as contained in Appendix 13.5.7A.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

559 Moved Cr R Croft Seconded Cr W Barrett

That Council approve the application for Two Grouped Dwellings at 35 (Lot 296) Lakey Street, Southern River, subject to conditions contained in Appendix 13.5.7A.

CARRIED 12/0

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

AGAINST: Nil.

**13.5.8 COMMERCIAL VEHICLE PARKING OF ONE TRUCK - 13 (LOT 202)
NEWENDEN STREET, MADDINGTON (*ITEM BROUGHT FORWARD -
REFER TO ITEM 11*)**

The above item was brought forward in accordance with paragraph (9) of Sub-Clause 2.15.4 of the City of Gosnells Standing Orders Local Law 2003 and is relocated under Item 11 “Items Brought Forward for the Convenience of those in the Public Gallery” as the third report in these Minutes.

13.5.9 PEOPLE IN PLACE 06 CONFERENCE – 19-22 FEBRUARY 2006

File: E10/1/1 (PW) Psrpt145Nov05

Previous Ref: Nil

Appendix: 13.5.9A Conference Programme

PURPOSE OF REPORT

To seek approval from Council for a nominated Councillor and the Economic Development Manager to attend the People In Place 06 Conference in Melbourne 19-22 February 2006.

BACKGROUND

The conference will take the format of structured discussion and masterclass sessions with the objective of contributing to global discussion on the future of cities and the development and support of sustainable creative strategies for people and places.

DISCUSSION

In previous years the Economic Development Manager has attended conferences specifically related to business incubation which have assisted in the successful establishment of the Gosnells Centre for Business Development. The People In Place 06 Conference is less issue-specific and is based on a place management approach to the development of cities. The conference will cover new trends in place management with practical examples of successful projects from around the World. As this is the approach that is being taken by the City in Gosnells Town Centre and Maddington Kenwick the approach and topics are relevant to current activities of the City.

A range of international speakers will present on topics that are important to the future development of cities from an economic, creative and cultural perspective. The conference will also cover issues of making cities attractive through branding of people and place as well as creative strategies to attract tourism. The conference will attract some 450 delegates from across the country as well as international speakers from Manchester and Liverpool in the United Kingdom.

A copy of the conference programme is attached as Appendix 13.5.9A.

FINANCIAL IMPLICATIONS

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

	\$
Registration Fees	1,760
Return Airfare to Melbourne	511
Accommodation – 4 nights @ \$170	540
Out of pocket expenses	240
Total	3,491

Funds are available from Account 40401.110.1023 Elected Member Training/Conferences for Councillor attendance, however, a budget variation would be required to fund the attendance of the Economic Development Manager because the cost of attending this conference is estimated at \$991 more than the available funds in Account 31302.110.1023 Staff Training/Conferences. If approved that budget variation can be sourced from Account 31302.181.2754 Consultancy within the Economic Development budget.

In order to minimise the cost of attendance at this conference an extension of the date of the early bird registration fee has been organised. The cost presented represents a saving of \$440 per person attending on the full cost of registration.

STAFF RECOMMENDATION

Moved Cr R Croft Seconded Cr P Wainwright

That Council authorise Councillor _____ and the Economic Development Manager to attend the People In Place 06 Conference in Melbourne from 19-22 February 2006 with costs being met from Account 40401.110.1023, Elected Member Training/Conferences and Account 31302.110.1023 Staff Training/Conferences.

Nomination

Cr R Hoffman nominated Cr W Barrett to attend the People In Place 06 Conference. Cr R Mitchell seconded the nomination resulting in the following amendment to the staff recommendation:

Moved Cr R Hoffman Seconded Cr R Mitchell

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

“That Council authorise Councillor W Barrett and the Economic Development Manager to attend the People In Place 06 Conference in Melbourne from 19-22 February 2006 with costs being met from Account 40401.110.1023, Elected Member Training/Conferences and Account 31302.110.1023 Staff Training/Conferences.”

CARRIED 12/0

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

AGAINST: Nil.

The amendment was put and carried with the amendment becoming the substantive motion. The Mayor then put the substantive motion and staff recommendation (2 of 2), which read:

Amended Staff Recommendation (1 of 2):

COUNCIL RESOLUTION

560 Moved Cr R Hoffman Seconded Cr R Mitchell

That Council authorise Councillor W Barrett and the Economic Development Manager to attend the People In Place 06 Conference in Melbourne from 19-22 February 2006 with costs being met from Account 40401.110.1023, Elected Member Training/Conferences and Account 31302.110.1023 Staff Training/Conferences.

CARRIED 12/0

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

AGAINST: Nil.

STAFF RECOMMENDATION (2 of 2) AND COUNCIL RESOLUTION

561 Moved Cr R Croft Seconded Cr P Wainwright

That Council approve the following adjustment to the Municipal Budget:

Account Number	Account Description	Debit	Credit
31302.181.2754	Consultancy	\$991	
31302.110.1023	Staff Training and Conferences		\$991

CARRIED BY ABSOLUTE MAJORITY 12/0

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

AGAINST: Nil.

13.6 REGULATORY SERVICES

13.6.1 ANNUAL REPORT

File: F1/6/2 (TP) Rpt036Nov05.doc
Appendix: 13.6.1A Annual Report

PURPOSE OF REPORT

For Council to accept the City of Gosnells Annual Report for the 2004/2005 financial year.

BACKGROUND

Section 5.54(1) of the Local Government Act 1995 (Act) requires a local government to accept its Annual Report for the preceding financial year by no later than 31 December after that financial year.

Further, in accordance with Section 5.55, as soon as practical after the report has been accepted, the Chief Executive Officer is to give local public notice of its availability.

DISCUSSION

The Annual Report contained within Appendix 13.6.1A outlines the activities of and financial statements for the City for the period 1 July 2004 to 30 June 2005.

Council Policy 5.4.1 Annual Electors Meeting prescribes that the Annual General Meeting of Electors for the City will be held on the fourth Monday of November. As per Resolution 482 of 25 October 2005 Ordinary Council Meeting the date for the Annual Electors Meeting has been rescheduled to Tuesday 13 December 2005. In accordance with the Act, the Report will be presented to that meeting.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
--

562 Moved Cr R Hoffman Seconded Cr J Henderson

That Council accept the City of Gosnells Annual Report for the 2004/2005 financial year as contained in Appendix 13.6.1A.

CARRIED BY ABSOLUTE MAJORITY 12/0

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

AGAINST: Nil.

14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

15. NOTICES OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING

Nil.

16. URGENT BUSINESS

(by permission of Council)

Nil.

17. CONFIDENTIAL MATTERS

Nil.

18. CLOSURE

The Mayor declared the meeting closed at 8.08pm.