



**ORDINARY COUNCIL MEETING
28 JUNE 2005**

TABLE OF CONTENTS - MINUTES

1.	OFFICIAL OPENING/ANNOUNCEMENT OF VISITORS/DISCLAIMER	1
2.	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE	2
3.	DECLARATIONS OF INTEREST	3
4.	ANNOUNCEMENTS BY THE PRESIDING MEMBER.....	3
5.	REPORTS OF DELEGATES	4
6.	QUESTION TIME FOR THE PUBLIC AND THE RECEIVING OF PUBLIC STATEMENTS... 4	
	QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS AWAITING RESPONSE..... 4	
	RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS..... 4	
6.1	QUESTION TIME.....	4
6.2	PUBLIC STATEMENTS	7
7.	CONFIRMATION OF MINUTES	10
8.	THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS.....	10
9.	APPLICATIONS FOR LEAVE OF ABSENCE	12
10.	QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	12
11.	ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY	12
13.5.2	WEST CANNING VALE OUTLINE DEVELOPMENT PLAN.....	13
13.5.6	COMMERCIAL VEHICLE PARKING – 340 (LOT 4) MADDINGTON ROAD, ORANGE GROVE.....	26
12.	MINUTES OF COMMITTEE MEETINGS	35
12.1	CITY OF GOSNELLS HERITAGE ADVISORY COMMITTEE.....	35
12.2	SUTHERLANDS PARK ADVISORY COMMITTEE.....	37
12.3	CITY OF GOSNELLS ROADWISE COMMITTEE	38
13.	REPORTS	39
13.1	CHIEF EXECUTIVE OFFICER’S REPORT	39

13.2	COMMUNITY ENGAGEMENT.....	39
13.3	CORPORATE SERVICES.....	40
13.3.1	FINANCIAL REPORTS – MAY 2005.....	40
13.3.2	PAYMENT OF ACCOUNTS.....	42
13.3.3	BUDGET VARIATIONS.....	43
13.3.4	TENDER DEV0037-01 PROVISION OF COUNCIL BUSINESS SYSTEMS THROUGH A PANEL ARRANGEMENT.....	48
13.3.5	TENDER DEV0037-02 SUPPLY OF RECORDS/DOCUMENT MANAGEMENT SYSTEM.....	53
13.4	INFRASTRUCTURE.....	57
13.4.1	TENDER 14/2005 – LANDSCAPE MAINTENANCE SUBDIVISION AREAS.....	57
13.4.2	TENDER 18/2005 - SUPPLY, INSTALLATION AND MAINTENANCE OF PUMPS.....	64
13.4.3	TENDER 26/2005 – MOWING ARTERIAL ROADS AND HAZARD REDUCTION MOWING.....	66
13.4.4	TENDER 27/2005 – MOWING NEIGHBOURHOOD PARKS.....	70
13.4.5	LANDFILL LEVY AND STRATEGIC WASTE FUND.....	75
13.5	PLANNING AND SUSTAINABILITY.....	79
13.5.1	METROPOLITAN REGION SCHEME AMENDMENT - GARDEN STREET RESERVATION BETWEEN SOUTHERN RIVER ROAD AND TONKIN HIGHWAY, SOUTHERN RIVER.....	79
13.5.2	WEST CANNING VALE OUTLINE DEVELOPMENT PLAN <i>(ITEM BROUGHT FORWARD – REFER TO ITEM 11)</i>	87
13.5.3	DEVELOPMENT APPLICATION – PYLON SIGN – 216 (LOT 9003) LAKEY STREET, SOUTHERN RIVER.....	88
13.5.4	DEVELOPMENT APPLICATION – WAREHOUSE SHOWROOM DEVELOPMENT – 108 (LOT 212) MADDINGTON ROAD, MADDINGTON.....	97
13.5.5	DEVELOPMENT APPLICATION – OFFICES AND EIGHTEEN RESIDENTIAL DWELLINGS – 13-15 (LOT 1 AND 2) WHEATLEY STREET, GOSNELLS.....	108
13.5.6	COMMERCIAL VEHICLE PARKING – 340 (LOT 4) MADDINGTON ROAD, ORANGE GROVE <i>(ITEM BROUGHT FORWARD – REFER TO ITEM 11)</i>	120
13.5.7	SUBDIVISION PROPOSAL – 43 (LOT 15), HARRY STREET, GOSNELLS – AMENDMENT TO COUNCIL RESOLUTION.....	121

13.6	REGULATORY SERVICES.....	123
13.6.1	DELEGATE - SWAN CATCHMENT COUNCIL REFERENCE GROUPS..	123
14.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	126
14.1	REPORT REQUEST – DETAILS OF DAMAGE TO 109 PARK ROAD, KENWICK	126
15.	NOTICES OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING	127
16.	URGENT BUSINESS.....	127
17.	CONFIDENTIAL MATTERS.....	127
18.	CLOSURE	127

Minutes of the Ordinary Council Meeting held in the Council Chambers, City of Gosnells Administration Centre, 2120 Albany Highway, Gosnells on Tuesday 28 June 2005.

1. OFFICIAL OPENING/ANNOUNCEMENT OF VISITORS/DISCLAIMER

The Mayor declared the meeting open at 7.35pm 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 (<i>Departed at 9.06pm</i>)
	CR R MITCHELL
	CR J HENDERSON
	CR S IWANYK
	CR D GRIFFITHS
	CR J BROWN JP
	CR R HOFFMAN
	CR W BARRETT

STAFF

CHIEF EXECUTIVE OFFICER	MR S JARDINE
DIRECTOR COMMUNITY ENGAGEMENT	MS A COCHRAN (<i>Arrived at 7.36pm</i>)
DIRECTOR CORPORATE SERVICES	MR R BOUWER
A/DIRECTOR INFRASTRUCTURE	MR M HAMLING
A/DIRECTOR PLANNING & SUSTAINABILITY	MR E BRITS
DIRECTOR REGULATORY SERVICES	MR T PERKINS
A/MANAGER CITY PLANNING	MR S WILKES
MINUTE SECRETARY	MRS M FLEAY

PUBLIC GALLERY

38

APOLOGIES

Cr R Croft.

APPROVED LEAVE OF ABSENCE

Nil.

3. DECLARATIONS OF INTEREST

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

Reason: Member of RoadWise Committee.

Cr R Hoffman declared an Impartiality Interest in item 13.4.5 “Landfill Levy and Strategic Waste Fund”.

Reason: Council Representative on SEMRC and MWAC.

Cr J Brown declared a Financial Interest in item 13.5.1 “Metropolitan Region Scheme Amendment - Garden Street Reservation between Southern River Road and Tonkin Highway, Southern River”.

Reason: Own Land in Precinct 3.

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

Reason: Chairperson RoadWise Committee.

Cr PM Morris declared an Impartiality Interest in item 12.1 “City of Gosnells Heritage Advisory Committee”.

Reason: Member of Heritage Committee.

Cr C Matison declared an Impartiality Interest in item 12.1 “City of Gosnells Heritage Advisory Committee”.

Reason: Community Representative of City of Gosnells Heritage Advisory Committee.

Cr C Matison declared an Impartiality Interest in item 13.4.5 “Landfill Levy and Strategic Waste Fund”.

Reason: Councillor Delegate to the South East Metropolitan Regional Council.

Notation

Declared at commencement of Item 12.2 “Sutherlands Park Advisory Committee”.

Cr D Griffiths declared an Impartiality Interest in item 12.2 “Sutherlands Park Advisory Committee”.

Reason: Council Delegate, Presiding Member.

4. ANNOUNCEMENTS BY THE PRESIDING MEMBER

(without discussion)

7.36pm – Director Community Engagement arrived at the meeting.

The Mayor circulated to Councillors a list of functions and events she had attended since Tuesday 14 June 2005.

5. REPORTS OF DELEGATES

(without debate)

Nil.

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

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

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

Questions and statements are to be –

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

QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS AWAITING RESPONSE

Nil.

RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS

Nil.

6.1 QUESTION TIMENotation

The Mayor explained to the public gallery that there were a number of questions before her in multiples and advised that in accordance with Question Time guidelines, 2 questions per person would be allowed initially. If time permitted remaining questions may be posed or, alternatively, staff would provide a written response.

* Mr Jamie Turnbull of Lot 1792 Holmes Street, Southern River, asked the following questions:

- Q 3 Option B proposes to pass through greater areas of landholder's property. Some lots will be effectively divided in half or be left with areas that are unusual in shape making them potentially unusable. Lot 1792, for

example, at the corner of Holmes Road and Passmore Roads will be left with a wedge shape of land 85 metres by approximately 100 metres:

- a) Are you aware that Option B runs through a wetland area at lot 1792 that had been previously determined by Council and the EPA?
- b) Will the Holmes Road reservation be acquired by the landholder of lot 1792 to help compensate loss of land and amenity or will it be added to the Bush Forever site 464?

Response: The Acting Manager City Planning advised that Council staff were aware that a portion of the road alignment was identified as an Environmental Protection Policy Wetland which, based on its environmental significance, had been classified as a multiple use wetland being the lowest classification. This type of wetland generally did not prevent subdivision development or infrastructure being constructed. Upon the finalisation of a design, the City in conjunction with the Department of Planning and Infrastructure, would need to enter into negotiations with the landowner, and give consideration to the appropriateness of resumption of additional land which may otherwise not be developable.

* Mrs Margaret Turnbull of Lot 1792 Holmes Street, Southern River asked the following questions:

- Q 1 Why were the landowners, of these proposed re-alignments of the land, not advised and invited to attend this meeting?

Response: The Acting Manager City Planning advised that Council had been asked to consider two concept plans by the Department of Planning and Infrastructure at the very preliminary stages of the design process. Council was considering whether to progress these options further, and in doing so there would be the need for extensive consultation with landowners, other government agencies and extensive environmental investigations. He reiterated that, at this stage, Council was being asked to consider the concept plans as a preferred alignment for progressing further discussions.

Notation

The Mayor clarified with the Acting Manager City Planning that because the process was at a very early stage, consultation had not occurred but that it would be coming up at a later date.

Response: The Acting Manager City Planning advised that there would be a formal consultation period with landowners affording the opportunity for the voicing of concerns and provision of suggestions at that time.

- Q 2 Our family is involved with lot 1792 which is the corner of Holmes Road and Passmore and the Plan B goes directly through that. The papers that we have managed to look at say that there are no home buildings in the way of that particular proposal for Plan B however, we are not sure this is the case, who has investigated the position of the house on lot 1972 in relation to Plan B and if it goes through, who compensates for the loss?

Notation

The Mayor advised Mrs Turnbull that she felt her 8 questions would not be answered to her satisfaction at this meeting and suggested she contact Council to arrange a meeting with the Acting Director Planning and Sustainability to have the process explained to her satisfaction.

- * Mrs Debra Northcroft of 22 Menzies Place, Thornlie asked the following questions and requested she be provided an answer in writing:

- Q 1 Regarding the petition that was lodged with the City in May 2003 about boundary fences running along Menzies Place to McAlister Place, in Thornlie, the residents would like know what the Council will do about this problem. With the recent flooding that we've had the fences have again been undermined and we've been given two letters so far in these two years, one to say that residents would be asked to pay half of the costs or contribute to the replacement of the fences and another to say that the fences would be straightened and we're a bit concerned that they are an asbestos fence that is mostly 30 years old?

Notation

The Mayor advised Mrs Northcroft that the Director Infrastructure was currently on leave, however, if Mrs Northcroft wished, she could contact Council to arrange a meeting with the Director Infrastructure and have her questions responded to at that meeting.

- Q 2 Would Council consider hosting a meeting between Council, Main Roads and residents of Menzies Place, Cameron Street, Wilfred Road, Parker Court, McAlister Place, Thornlie to discuss the arising issues pertaining to recent flooding, boundary fences, piping of the open drain running behind Menzies Place and McAlister Place and the noise wall running along Roe Highway and behind Menzies Place, Parker Court, McAlister Place. Residents feel there are many questions that need answers, and question time at Council meetings may not be an appropriate forum because of the time constraints?

Notation

The Mayor suggested to Mrs Northcroft, that when she contacts Council to arrange her meeting with the Director Infrastructure, she advise that there are two issues to be discussed and she assured Mrs Northcroft that the Director Infrastructure would receive a copy of her questions for discussion in detail.

- * Mr Laurence Douglas of Lot 285 Fairlie Road, Canning Vale asked the following question:

Q 1 Were Councillors briefed about item 13.5.2 on the Agenda prior to this meeting and were they given any guidance as to how they should vote tonight?

Response: The Mayor advised that Councillors had had a briefing and she believed that almost all residents of the subdivision had made representation to Councillors and she stressed that, absolutely no, Councillors do not make decisions before they attended a meeting.

Q 2 Have any environmental agencies directed Council to dig up Govan Road at the expense of landowners to create a wetland where none had previously existed and if not, how does the Council justify this action?

Response: The Acting Manager City Planning advised that the digging up of Govan Road had been identified as part of the overall strategy for wetland management within the area itself and the City had received advice from the Department of Environment that that would assist in achieving an overall environmental outcome for this area. The ultimate decision would be made by the Minister for Environment as to the conditions that will be placed upon any future subdivision and development in this area.

6.2 PUBLIC STATEMENTS

- * Mr Laurence Douglas of Lot 285 Fairlie Road, Canning Vale, made a public statement in relation to item 13.5.2 “West Canning Vale Outline Development Plan” speaking against the staff recommendation. Mr Douglas believed that over the past 5 years, he and neighbours had been lied to about open water bodies, living streams and CCW’s. He felt that on public record, they had been repeatedly treated with contempt and expressed that they had evidence and agreement from the Minister that 85% of the environmental claims were fantasy. He questioned why Council would allow an addendum through on the ODP when he believed, legally, it should be fully re-advertised. Mr Douglas outlined five key reasons he felt Council should vote to defer the motion including: 1, that democratic majority existed with 21 out of 31 legal landowners objecting to the ODP. 2, Mr Douglas believed such major changes required a re-advertised ODP outlining the number of changes that had occurred. 3, the distinct lack of fair treatment and natural justice. 4, an independent review panel’s assessment of the estate, of which a report would be handed down to the Minister for

Environment on Thursday 30 June and 5, honour the role of a Councillor, to vote rationally and independently representing the interests of residents, electors and ratepayers. Mr Douglas stressed there was no downside to deferring the decision and urged Councillors to defer the motion in favour of a fully re-advertised ODP.

- * Mr Hin Min (Geoffrey) Woon of 2 Fourth Avenue, Applecross made a public statement in relation to item 13.5.2 “West Canning Vale Outline Development Plan” speaking against the staff recommendation. Mr Woon questioned the precedent he believed set by the changing of lot 1 from CCW to multi-purpose use without EPA assessment but solely based on the information provided by the City of Gosnells referring to the EPA reference contained in his submission. He expressed grievances in Halse and Lyons, and the method at which they arrived at the CCW assessment at a water level of 1.99metres on his property, when an other lot, at 1.92 metres was not confirmed wetland. Mr Woon further questioned that the Halse and Lyon report stated that the north western corner of his lot was not to be considered wetland, however, this was not reflected in the revised ODP. Mr Woon proposed a win-win situation, suggesting full consultation of the proposed planning process, re-advertising of the ODP, re-assessment of lots 2, 11 and 15 using the methodology as agreed with the Minister for Environment on 11 April 2005 and re-consultation with all owners for their authorisation. He outlined the benefits he believed would result and respectfully requested Councillors to defer the revised ODP for public consultation including the owners who were seeking justice.

Notation

Mr Woon tabled a report on the scientific assessments of lots 2, 11 and 15 as Multiple Use and not Conservation Category Wetland. A copy of all tabled documentation presented is located on File No. C3/1/5 and may be viewed subject to provisions of Freedom of Information legislation.

The Mayor announced that the period for receiving of public statements had expired, with Cr R Hoffman moving the following motion to enable an extension of time:

COUNCIL RESOLUTION

272 Moved Cr R Hoffman Seconded Cr J Brown

“That an extension of time be granted for the receiving of public statements from the public during item 6.2 Public Statements.”

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 J Brown, Cr R Hoffman, Cr W Barrett and Cr PM Morris.

AGAINST: Nil.

- * Mr Paul Collins of Lloyd Collins Property Consultants, Suite 8, 168 St Georges Terrace, Perth acting on behalf of the Uniting Church, owners of lot 282 Campbell Road, Canning Vale made a public statement in relation to item 13.5.2 “West Canning Vale Outline Development Plan”. Mr Collins explained that lot 282 is noted on the Outline Development Plan as a place of worship, however, the Church was concerned that the addendum to the ODP failed to address the need for a school site as required by the Western Australian Planning Commission. He explained that the Department of Education and Training had identified their preferred location for a school site on the Church’s property and that negotiations for a lease were advanced. He outlined that at a meeting on 16 June 2005 with the Planning Commission, representatives from the Church, the Department of Education and Training and City Staff, the Planning Commission advised that the ODP, without the school site location resolved, could not be approved. He believed existing and future landowners within the ODP should be made aware of the existence of the school site, a major land use and if Council accepted the addendum it would be likely that the ODP would again be sent back to Council by the Planning Commission for notation of the Church’s property as a school site in addition to its existing notation. Mr Collins urged Council to move and support a motion to defer until all outstanding issues such as the school site were resolved to the satisfaction of the Planning Commission concluding that Councillors should be concerned with an ad hoc approach to finalising the ODP.

- * Mr Anwar Tandianus of 24 Wilkinson Garden, Winthrop made a public statement in relation to item 13.5.2 “West Canning Vale Outline Development Plan”. Mr Anwar, representing the Prestige Group and Sunrise, advised that under the pressure of threat for \$30 million damages from the purchaser’s lawyer Solomon Brothers, withdrew their petition for justice. Mr Anwar urged Councillors to understand their case and stand up for justice for the rest of the landowners.

- * Ms Vanessa Jakovich of Freehills, Level 36, QV1 Building, 250 St Georges Terrace, Perth, representing Eastview Nominees Pty Ltd made a public statement in relation to item 13.5.2 “West Canning Vale Outline Development Plan”. Ms Jakovich explained that when Council resolved to adopt the ODP in November 2004, Eastview Nominees Pty Ltd and a number of other affected landowners expressed strong objection on the basis that the ODP was designed around a number of supposed wetlands, these concerns were repeated on 26 April 2005 when amendments to the ODP were further considered. She expressed that the Minister for Environment, on the advice of independent CALM scientists, confirmed that the Department of Environment Geomorphic Wetlands Database in respect of the Campbell estate, was wrong. Ms Jakovich outlined that wetlands previously identified had now been designated by the Minister for Environment as developable land with the remaining areas contained within lots 2, 11 and 15. She believed that the findings on these lots were also questionable and referred to the report tabled by Mr Woon. She stressed that not only had the wetland designation significantly changed since the Outline Development Plan was last before Council, there was potential for it

to change even more. She felt the changes were significant, would affect landowners in different ways to the impacts of the original Outline Development Plan and believed that staff had not sought or assessed these effects on landowners and therefore could not adequately brief Council on this plan. She requested on behalf of her client that the City not proceed with these amendments until further advertising and public submission process was undertaken referring to the City's Town Planning Scheme No 6 requirements to support this request.

- * Mrs Beverley Carkeet of 340 Maddington Road, Orange Grove made a public statement in relation to item 13.5.6 "Commercial Vehicle Parking – 340 (Lot 4) Maddington Road, Orange Grove" speaking in favour of the staff recommendation. Mrs Carkeet, speaking on behalf of herself and Steve Stephens, acknowledged the help of officers with their application for a commercial vehicle parking permit and believed staff comments to be accurate with all objections addressed. She expressed that the proposal complied with Council criteria and that they were happy to comply with all conditions stated in the permit application and Commercial Vehicle Parking Policy, and sought Councillors vote for approval of their application.

7. CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

273 Moved Cr J Brown Seconded Cr W Barrett

"That the Minutes of the Ordinary Council Meeting held on 14 June 2005, be confirmed."

CARRIED 11/0

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

- * Mr Nick Di Lello, General Manager, Fermanagh, following prior consent of the Mayor, made a 10 minute presentation, as part of a deputation in relation to item 13.5.2 "West Canning Vale Outline Development Plan". Mr Di Lello introduced Mr Erwin Roberts, the Director of Roberts Day Town Planning, who had designed the ODP, to present the first part of the deputation. Mr Roberts gave a brief overview of the planning and ODP process which he believed had followed a methodical and logical process and due process as outlined in the City's Town Planning Scheme, discussing its commencement, the public

information evenings hosted by Council officers, the ODP's preparation, lodgment and the resolved advertising period for the ODP. He summarised the ODP's adoption in November 2004, its forwarding to the Western Australian Planning Commission and the subsequent adoption in April 2005 with the Western Australian Planning Commission's modifications. Mr Roberts further explained that parallel to the ODP process Council had initiated a super-lot subdivision to facilitate an environmental assessment to provide a level of certainty to the approval process. He stated that in June of 2005, the Minister for Environment handed down her decision which resulted in a significant decrease in the core conservation areas, with the ODP now before Council, modified to reflect this decision and the Commission's advice. However, he stressed that it maintained the principles and form of the approved ODP. He believed that during the ODP advertising period and the environmental assessment, the major concern of landowners was the large amount of land designated conservation. He felt the Minister's decision responded to these concerns. He advised that the choice before Councillors was to stay with the existing approved ODP or to accept the adjustments that reflected the Minister's decision.

Mr Nick Di Lello presented the second part of the deputation explaining that Fermanagh represented 19 of the properties in Campbell Estate and gave further summation on the proposal, adoption and subsequent adoption with the WAPC's modification of the ODP. He believed that in April 2005, when Councillors elected to proceed and accept the modifications proposed, they also agreed to initiate an amendment of TPS6 which dealt with cost sharing arrangements for future development in that area. He recalled that at that meeting some opponents of the ODP suggested that the decision to proceed was unwise due to unresolved issues in relation to the identification and review of conservation land in the area, suggesting that it would be more prudent to defer the process and return to review the ODP with greater certainty at a later date. Mr Di Lello believed Council staff had worked professionally and transparently through the establishment of the ODP and had actively sought input and comment from all the stakeholders in the West Canning Vale area, providing Councillors with sound and informative advice. He stated that at the April meeting, contrary to some of the suggestions of some landowners, Glenariff Holdings proposed that proceeding would deliver the best opportunity for a balanced outcome for all landowners, and that in that time, the process had triggered an assessment of the area by the Minister for Environment, and initiated a review of the proposed area of land suggested to be of conservation value. He believed that as predicted by Glenariff Holdings, in the process of approving the proposed ODP, Council had delivered substantial benefits to the landowners and extinguished the two major concerns held by those stakeholders being, the review of the extent of the land set aside for conservation, which had been reduced from 9.4 hectares to 4.6 hectares, and the resultant reduction in the cost of infrastructure contributions which landowners were seeking, a reduction of more than 10%. He felt that if Councillors had adopted the strategy proposed by particular landowners to delay or defer the decision process, then this financial benefit and subsequent relief to each of the landowners would not have been achieved. He referred to the concern regarding the inclusion of a school site, and explained that this condition would be included as a condition of subdivision approval. He concluded that the

ODP had already been adopted and that the decision before Council was to adjust the ODP as a consequence of the Minister's decision on the reduction of conservation land.

At the conclusion of 10 minutes the Mayor invited questions from Councillors, the majority of which were responded to by Mr Di Lello.

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

274 Moved Cr R Hoffman Seconded Cr W Barrett

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

- * Item 13.5.2 West Canning Vale Outline Development Plan; and
- * Item 13.5.6 Commercial Vehicle Parking – 340 (Lot 4) Maddington Road, Orange Grove."

CARRIED 11/0

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

AGAINST: Nil.

13.5.2 WEST CANNING VALE OUTLINE DEVELOPMENT PLAN

File:	S8/1/1	(SRW)	Psrpt074Jun05
Name:	Roberts Day Group		
Location:	Area bounded by Campbell, Nicholson and Ranford Roads, West Canning Vale		
Zoning: MRS:	Urban		
TPS No. 6:	Residential Development		
Appeal Rights:	Nil, final determination by WAPC on ODP		
Area:	Approx 62ha		
Previous Ref:	OCM 11 February 1997 (Resolution 479) OCM 26 May 1998 (Resolution 1431) OCM 13 April 1999 (Resolution 254) OCM 27 July 1999 (Resolution 654) OCM 27 August 2002 (Resolution 695) OCM 11 February 2003 (Resolutions 13-14) OCM 8 July 2003 (Resolution 472) OCM 10 August 2004 (Resolution 400) OCM 9 November 2004 (Resolutions 632-636) OCM 26 April 2005 (Resolutions 147-149)		
Appendices:	13.5.2A Revised West Canning Vale Outline Development Plan 13.5.2B Existing West Canning Vale Outline Development Plan 13.5.2C Advice from the Hon. Minister for the Environment 13.5.2D Proposed Addendum to Outline Development Plan		

PURPOSE OF REPORT

For Council to consider the planning for the West Canning Vale Area in light of recent advice provided by the Hon. Minister for the Environment on the environmental values of the area. Furthermore, this report provides Council with the opportunity to provide a recommendation to the Western Australian Planning Commission to facilitate the finalisation of the West Canning Vale Outline Development Plan.

BACKGROUND

The planning for the West Canning Vale Area has been both challenging and lengthy. At the request of landowners in 2001, the City took on the task of preparing an Outline Development Plan (ODP) for the West Canning Vale Area to facilitate future subdivision and development. An Outline Development Plan and associated background investigations were progressed through statutory processes, culminating in a refusal determination by the Western Australian Planning Commission (WAPC) in late 2003 on the advice of the Environmental Protection Authority (EPA) citing a lack of protection for identified wetlands within the area. The refusal of the ODP instigated formal advice being provided to the City by the EPA as to the extent required to be set aside for conservation purposes, in the context of future urban development, to achieve an environmentally acceptable outcome.

Based on the advice of the EPA, the planning for the West Canning Vale Area was considered by Council in April 2004 and it was determined that a new Outline Development Plan should be prepared. A short period after the Council meeting, the

City was approached by the Roberts Day Group on behalf of Fermanagh Investments Pty Ltd expressing an interest in preparing an ODP. The ODP was subsequently prepared and progressed through normal statutory processes including advertising to landowners and government agencies for comment.

Council at its meeting of 9 November 2004 considered the public and government agency submissions received during the formal advertising of the West Canning Vale Outline Development Plan (ODP) and resolved to adopt the ODP and seek a formal determination by the Western Australian Planning Commission (WAPC). As part of the decision-making process of the WAPC, the City was consulted regarding a range of modifications considered necessary prior to finalisation. Council at its meeting of 26 April 2005 considered a schedule of modifications, resolving to adopt the modifications and advise the WAPC accordingly. A copy of the current ODP is provided in Appendix 13.5.2B. At this time, a formal determination on the ODP has not been made by the WAPC.

In addition, Council at its meeting initiated an amendment to Town Planning Scheme No. 6 (TPS 6) to commence the establishment of cost-sharing arrangements for common infrastructure works/costs. With respect to the cost-sharing amendment to TPS 6, the formal documentation is currently being prepared and will be forwarded to the EPA for consent to formally commence advertising to landowners.

Parallel to the ODP, and as outlined in the previous reports to Council, a super-lot subdivision proposal has been progressed through statutory processes including lodgment with the WAPC and formal consideration by the EPA. The need to progress a super-lot subdivision arose from the position of the EPA not being able to consider an ODP as a “proposal” under the provisions of the Environmental Protection Act 1986 and therefore leaving the possibility open of further environmental assessments at the time of subdivision and development. The risk to both the City and landowners by proceeding with subdivision and development without certainty on the environmental values of the area was considered unacceptable.

As a result of the super-lot subdivision being lodged with the WAPC and forwarded to the EPA for consideration, the Minister for the Environment (Minister) has recently made a final determination on the environmental values of the area. In making her determination on the matter, an independent review of the environmental values of the area was commissioned, which in turn recommended a reduced “core conservation area” needing to be set aside in the context of future subdivision and development. Although the Minister was unable to formally consider the proposed ODP in her determination, the ODP was recognised as providing an important strategic planning tool and context for the area.

This report provides Council with the opportunity to consider the recommendations and implications of the Minister’s decision for the West Canning Vale Area prior to a final determination made by the WAPC on the ODP. In this context, an “Addendum” to the ODP has been submitted by the Roberts Day Group, providing a potential planning response to the environmental values of the area as outlined by the Minister.

DISCUSSION

Outcomes of Environmental Review

As outlined earlier in this report, the lodgement of a super-lot subdivision in the West Canning Vale Area “triggered” a formal determination by the EPA and the Minister on the environmental values present and the level of protection required in the context of future urbanisation. In making her decision, the Minister commissioned an independent review of the environmental values of the West Canning Vale Area, which provided the following conclusion:

“The independent review conducted on the Campbell Road Estate highlights that some of the wetland mapping associated with the proposed “core conservation” area is incorrect...it is considered that there is scope for the extent of the “core conservation” area to be reduced in line with the findings of the independent wetland review, while still providing for an acceptable environmental outcome”

With respect to concluding on the environmental assets in the area, the following other points of advice are relevant and provide further detail:

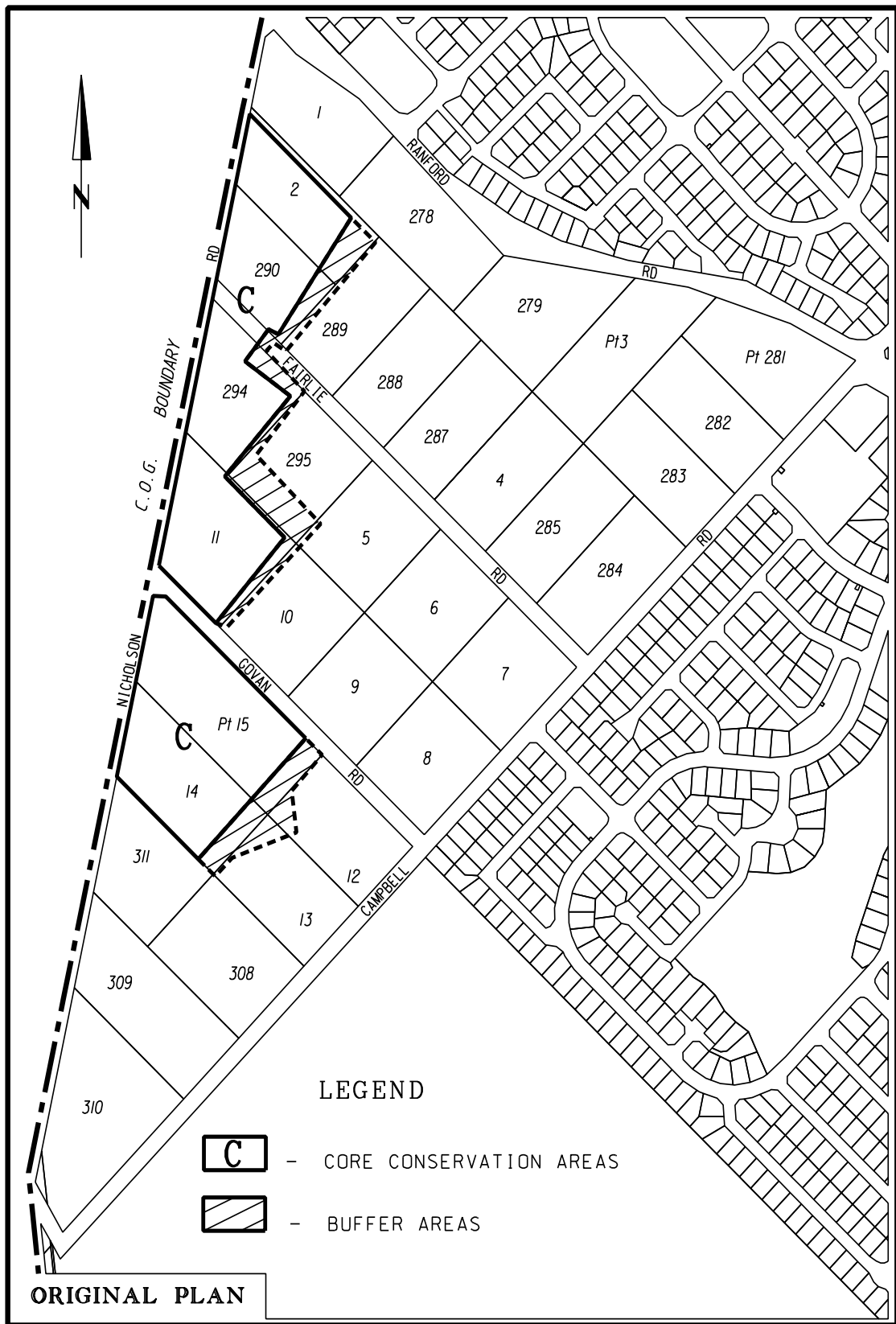
“The Minister allows appeals as they relate to the Environmental Protection Authority’s report and recommendations to the extent that the “conservation area” identified within the proposed subdivision proposal may be reduced provided that the areas confirmed as conservation category wetland on Lots 11 and 15 (with appropriate upland buffer areas) are retained for conservation...”

and

“With respect to the broader ODP, the Minister advised that, on the basis of the review, scope also exists to reduce the broader “core conservation” area provided that the areas of conservation category wetland identified on Lot 2 and the northern corner of Lot 14 are retained for conservation, along with appropriate upland buffer areas.”

The “Original Plan” and “Revised Plan” on the following two pages illustrate the original and revised “core conservation area” (as outlined in the Minister’s advice) representing a considerable reduction from the “core conservation area” previously required. A copy of the Minister’s advice has previously been provided to all landowners.

It should be noted that the EPA in providing its recommendation to the Minister advertised its “bulletin” for public appeals, with a number of landowners lodging submissions in response. The Minister considered the appeal submissions in making her final determination.





Land Use Planning Response to decision by Minister

As outlined in the background section of this report, the proposed ODP, which was formally advertised for comment, considered by Council and is currently with the WAPC for final determination, was based on the EPA's advice of early 2004 as to the "core conservation area" required to be set aside in the context of future urbanisation. In this respect, the Minister provided the following advice:

"... the extent to which any reduction in the "core conservation" area identified within the subdivision and broader ODP occurs, is ultimately a matter for the City of Gosnells as proponent, and relevant planning authorities."

In accordance with the advice of the Minister, this report provides Council with the opportunity to consider an appropriate land use planning response. Council essentially has the following major planning options to consider:

1. Retaining the "core conservation area" previously identified by the EPA and request that the WAPC make a formal determination on the existing ODP, or
2. Supporting the revised "core conservation area" recently identified by the Minister and recommend to the WAPC an appropriate land use planning response.

As Councillors would be aware, landowners have previously expressed considerable concern about the extent of land required to be set aside for conservation purposes, both in terms of reduced development and in terms of resulting cost-contributions at the time of subdivision and development. Although option 1 is a legitimate option for Council to consider and would arguably provide a superior environmental outcome, it is unlikely to be supported by landowners.

In contrast to Option 1, an amendment to the ODP (as per the Addendum or similar) would still provide an environmental outcome acceptable to the Minister and simultaneously reduce the area to be set aside for conservation purposes and corresponding developer contributions. In considering an appropriate planning response and associated advice to the WAPC, Council should give consideration to the potential for a further formal advertising period for landowner comment. The further advertising of the ODP would clearly take additional time, delaying a final determination by the WAPC and in turn subdivision and development applications. Council has previously considered a schedule of modifications required to finalise the ODP for the West Canning Vale area and now the Minister has provided certainty on the environmental values.

At the Ordinary Council Meeting held on 26 April 2005, Council was advised that the location of a temporary primary school site within the ODP area would be known in the near future. As was outlined, the Department for Education and Training (DET) were not bound by a school site shown on an ODP and therefore there was no formal requirement to have a school site depicted on the ODP. It should be noted however that the DET have now significantly progressed negotiations with the Uniting Church on Lot 282 Campbell Road, that would result in the church retaining their premises on the front portion of the lot, with temporary (10-15 years) primary school buildings being

located at the rear of the subject lot. It is anticipated that upon the final determination of a primary school site, textual changes to the ODP and ODP report may be required.

Addendum to ODP

This report so far has provided Council with the opportunity to consider broad land use planning responses to the recent decision of the Minister. To assist Council in finalising the planning for the West Canning Vale Area, the Roberts Day Group have provided an Addendum to the ODP for Council's consideration. The following outlines the key elements of the Addendum.

The general design themes of the Outline Development Plan have been maintained, with a mixed use node adjoining the neighbourhood centre and additional mixed business extending from the existing development on Ranford Road. Road connection points into the broader network have been maintained in accordance with previous agreed positions. An integrated network of streets has been maintained to ensure connectivity for vehicles and pedestrians. Densities have been increased in proximity of the neighbourhood and district centre, with densities now specified, as required by the Department for Planning and Infrastructure.

The primary change to the plan is associated with the public open space and Conservation areas as a result of the decision by the Minister for the Environment. In response to submissions to the environmental assessment of the previous Outline Development Plan, the area of land required for conservation purposes was reviewed. The outcome of this review was published in EPA Bulletin 1162 dated 26 May 2005. The changes in conservation requirements have had subsequent impact on the extent of buffer areas required, however it also required consideration from a land use planning perspective.

The revised plan has incorporated the required conservation areas and buffer distances. In addition open space has been provided along Nicholson Road to provide a link between the two wetland bodies. This link provides opportunities from an ecological, recreational and drainage and nutrient perspective. The detail of the treatment of this and the other public open space/buffer areas will be provided at the subdivisional stage, however the shared path network has been located in this area to provide a hard edge between the native vegetation and exotic planting/lawn areas and support the use of the area for passive recreation.

Overall the changes to the West Canning Vale Outline Development Plan maintain the spirit and sound planning principles of the former plan, whilst incorporating the changes associated with the environmental assessment outcomes and minor modifications required by the Department for Planning and Infrastructure.

In considering the planning for the future of the West Canning Vale Area, Council should consider both the broad direction and the specific Addendum provided by the Roberts Day Group. Council staff are of the opinion that a reduction in the core conservation area is a pragmatic outcome and that the Addendum provides an appropriate framework for future subdivision and development.

Cost Sharing Arrangements

A significant number of landowners have previously expressed concern about the extent of land required to be set aside for conservation purposes and the resulting cost-contributions at the time of subdivision and development. The Minister's decision to reduce the "core conservation area" from that previously outlined by the EPA provides an opportunity for Council to recommend a corresponding revision to the ODP and in turn cost contributions.

For comparative purposes and based on initial estimates only, an amendment to the ODP as per the Addendum would incorporate a Public Open Space (POS) contribution rate of 21% for residential development and 11.3% for mixed business areas, representing a significant reduction from the ODP (approximately 36% contribution rate). The reduced cost contribution rate stems from both a decrease in the area to be set aside for conservations and an increase in the extent of land available for development purposes.

In addition to the POS contribution rate, an amendment to the ODP as per the Addendum would result in a reduction in the contribution towards other Common Infrastructure Works/Costs from \$76,646 per hectare to \$67,216 per hectare. For the purposes of providing this estimate, it has been assumed that the cost of district level infrastructure development would stay fixed, given that the works associated with regional road and district drainage remain the same.

Council at its meeting of 26 April 2005 considered the establishment of cost-sharing arrangements for the West Canning Vale Area through an amendment to TPS 6. In initiating the amendment to TPS 6, a list of "common infrastructure works/costs" was identified, including the following:

- Public Open Space
- Conservation Category Wetlands
- Land for Drainage
- Drainage Construction
- Shared Paths
- Regional Road Construction (Ranford Road)
- Land Resumption for Regional Roads
- Traffic Management
- Service Relocation
- Conservation Category Wetlands works
- General Administration and Studies

The decision of the Minister to reduce the area required to be set aside for conservation purposes and the corresponding revisions to the ODP will not impact on the above-

mentioned list of items, only the magnitude of the individual items for which initial estimates have been outlined.

In accordance with the Council's decision at its meeting of 26 April 2005, the amendment is currently being prepared for formal advertising, including the preparation of formal documentation and presentation to the Environmental Protection Authority for consent to advertise. Pending the decision of Council in response to this report and the ultimate decision of the WAPC in determining the ODP, the cost estimates that will accompany the formal advertising of the scheme amendment can be adjusted accordingly.

Council is reminded that the setting aside of land for conservation purposes through land development processes is common place in Western Australia. Council is also reminded that previous failure to identify and set aside areas required for conservation purposes has ultimately resulted in significant delays in the planning for and the development of the West Canning vale area.

The formal advertising of the scheme amendment will provide landowners with a legitimate opportunity to comment on the cost-sharing arrangements for the West Canning Vale Area and for Council to consider an appropriate response.

Options

This report provides Council with the opportunity to consider an appropriate strategy to finalise the planning for the West Canning Vale Area. Three (3) key options have been identified for Council in making its determination, as outlined below.

“(1) For Council to request the WAPC to determine the existing ODP (unchanged).”

The Minister has allowed for this option in her advice, stating:

“...the Minister advises the City of Gosnells that the extent to which any reduction in the “core conservation” area identified within the subdivision and broader ODP occurs, is ultimately a matter for the City of Gosnells as proponent, and relevant planning authorities”.

Although this option has merit with regards to the net environmental benefit achieved through the subdivision and development of the West Canning Vale Area, the area to be set aside for conservation purposes is greater than that outlined by the Minister and is unlikely to be supported by landowners.

“(2) For Council to request that the WAPC consider the existing ODP, modified in accordance with the submitted Addendum and no further advertising.”

This option is recommended by Council staff as an appropriate response to the Minister's decision on the environmental values of the area and in providing a suitable framework for future subdivision and development at the earliest opportunity. As

previously mentioned, the significant proportion of landowner concern raised through the formal advertising period was based upon the extent of land required to be set aside for conservation purposes, both in terms of reduced development and in terms of resulting cost-contributions at the time of subdivision and development. The proposed modified ODP (as per Addendum or similar) would reduce the area to be set aside for conservation purposes and corresponding developer contributions.

“(3) For Council to support the existing ODP, with modifications, and to seek further landowner comment ahead of determination by WAPC.”

Although this is a legitimate option for Council to consider, it is not recommended by Council staff. Through the previous advertising of the ODP and communication with landowners, as previously mentioned, the single greatest issue of concern has been the extent of land required to be given up for conservation purposes. The limitations of the existing legislation have prevented a formal determination from being made until recently but now with the decision of the Minister, reasonable certainty has been provided as a basis for land use planning.

Landowners have been provided with a legitimate opportunity to participate in the decision making process through the EPA with a formal appeal period on the advice provided and the level of environmental impact assessment; the re-advertising of the ODP would be unlikely to make any further progress in this respect. The City has been under considerable pressure to finalise the planning for the West Canning Vale area as quickly as possible; the further re-advertising of the ODP would likely delay the finalisation by not less than 2-3 months.

It should also be noted that in accordance with clause 7.4 of TPS 6, there is no statutory requirement for the re-advertising of a revised ODP following the carrying out of requested modifications.

CONCLUSION

Planning for the West Canning Vale Outline Development area has been a long process and considerable progress has been achieved towards providing a final framework for future subdivision and development. This report provides Council with an opportunity to consider an appropriate strategy for finalising the planning for this area.

The Addendum to the ODP presented to Council seeks to provide an appropriate response to the recent decision of Minister. Many landowners in the past have expressed concern about the extent of land required to be set aside for conservation purposes through developer contributions. The decision of the Minister to reduce the “core conservation area” required to be set aside in the context of the West Canning Vale ODP will partially address the concerns of landowners.

FINANCIAL IMPLICATIONS

All costs associated with the preparation and adoption of the ODP are the responsibility of the proponent. The ultimate establishment of cost sharing arrangements for the development of the West Canning Vale area, whilst separate to the City’s Municipal

Funds will require on-going management by Council staff and consideration will need to be given to the potential financial risks associated with the City performing this role. The total value of the estimated costs/works is \$3,682,086 which is approximately \$67,216 per hectare of developable land. The financial risk to the City has been minimised by the recent decision of the Minister, providing certainty over the extent of land required to be set aside for future conservation purposes.

STAFF RECOMMENDATION (1 of 3)

Moved Cr R Hoffman Seconded Cr D Griffiths

That Council note recent advice in letter dated 31 May 2005 provided by the Hon Minister for Environment relating to Campbell Road Estate – Superlot Subdivision, Canning Vale, as included in Appendix 13.5.2C.”

STAFF RECOMMENDATION (2 of 3)

Moved Cr R Hoffman Seconded Cr D Griffiths

That Council advise the Western Australian Planning Commission that the reduction in the “core conservation area” identified by the Hon Minister for Environment is supported as a basis for finalising the West Canning Vale Outline Development Plan.

STAFF RECOMMENDATION (3 of 3)

Moved Cr R Hoffman Seconded Cr D Griffiths

That Council advise the Western Australian Planning Commission that the revisions contained within the proposed Addendum to the West Canning Vale Outline Development Plan, as contained in Appendix 13.5.2D, provide a suitable framework for the future subdivision and development of the West Canning Vale Area.

Amendment

During debate Cr R Mitchell moved the following amendment to staff recommendation 3 of 3:

“That staff recommendation 3 of 3 be amended by inserting the words “, in accordance with Clause 7.4.14 of Town Planning Scheme No 6,” after the word “Council” where it appears in the first line, and inserting the words “are not considered substantial and” after the number “13.5.2D” where it appears in the fourth line.”

Cr R Mitchell provided the following written reason for the proposed amendment:

“After further advice from the Department for Planning and Infrastructure and to provide legal clarity in the decision of Council”.

Cr P Wainwright Seconded Cr R Mitchell’s proposed amendment.

8.37pm – Cr R Hoffman left the meeting.

8.39pm – Cr R Hoffman returned to the meeting.

Foreshadowed Motion (Staff Recommendation 2 of 3)

During debate Cr O Searle foreshadowed that she would move the following motion:

“That Council go out to more consultation with the public.”

if the motions under debate were defeated, providing the following written reason:

“I’m not convinced in this ODP, that the people have had enough time to have their say, on the Conservation Category Wetlands.”

At the conclusion of debate the Mayor put Cr R Mitchell’s proposed amendment to staff recommendation 3 of 3, which reads:

Moved Cr R Mitchell Seconded Cr P Wainwright

That staff recommendation 3 of 3 be amended by inserting the words “, in accordance with Clause 7.4.14 of Town Planning Scheme No 6,” after the word “Council” where it appears in the first line, and inserting the words “are not considered substantial and” after the number “13.5.2D” where it appears in the fourth line, with the amended recommendation to read:

“That Council, in accordance with Clause 7.4.14 of Town Planning Scheme No 6, advise the Western Australian Planning Commission that the revisions contained within the proposed Addendum to the West Canning Vale Outline Development Plan, as contained in Appendix 13.5.2D, are not considered substantial and provide a suitable framework for the future subdivision and development of the West Canning Vale Area.”

CARRIED 9/2

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

AGAINST: *Cr O Searle and Cr J Brown.*

The amendment was put and carried with the amendment becoming the substantive motion. The Mayor then put staff recommendations 1 of 3 and 2 of 3 with the substantive motion 3 of 3:

STAFF RECOMMENDATION AND COUNCIL RESOLUTION (1 of 3)**275 Moved Cr R Hoffman Seconded Cr D Griffiths**

“That Council note recent advice in letter dated 31 May 2005 provided by the Hon Minister for Environment relating to Campbell Road Estate – Superlot Subdivision, Canning Vale, as included in Appendix 13.5.2C.”

CARRIED 9/2

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

AGAINST: Cr O Searle and Cr J Brown.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION (2 of 3)**276 Moved Cr R Hoffman Seconded Cr D Griffiths**

“That Council advise the Western Australian Planning Commission that the reduction in the “core conservation area” identified by the Hon Minister for Environment is supported as a basis for finalising the West Canning Vale Outline Development Plan.”

CARRIED 9/2

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

AGAINST: Cr O Searle and Cr J Brown.

COUNCIL RESOLUTION (3 of 3)**277 Moved Cr R Mitchell Seconded Cr P Wainwright**

“That Council, in accordance with Clause 7.4.14 of Town Planning Scheme No 6, advise the Western Australian Planning Commission that the revisions contained within the proposed Addendum to the West Canning Vale Outline Development Plan, as contained in Appendix 13.5.2D, are not considered substantial and provide a suitable framework for the future subdivision and development of the West Canning Vale Area..”

CARRIED 9/2

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

AGAINST: Cr O Searle and Cr J Brown.

Notation

As Council adopted the staff recommendations and the amended recommendation 3 of 3, the foreshadowed motion from Cr O Searle was not proceeded with.

9.06pm – Cr O Searle left the meeting.

13.5.6 COMMERCIAL VEHICLE PARKING – 340 (LOT 4) MADDINGTON ROAD, ORANGE GROVE

File: 207916 **Approve Ref:** 0405/0048CVP (PTS) Psrpt070Jun05
Name: Beverley Carkeet
Location: 340 (Lot 4) Maddington Road, Orange Grove
Zoning: MRS: Rural
TPS No. 6: General Rural
Appeal Rights: Yes. State Administrative Tribunal against a refusal or any condition(s) of approval.
Area: 4,047 m²
Previous Ref: Nil

PURPOSE OF REPORT

For Council to consider an application to park two commercial vehicles and trailer combinations at 340 (Lot 4) Maddington Road, Orange Grove.

The proposal does comply with the required criteria of the Council's revised commercial vehicle parking policy for properties located in a rural zoned area however the item cannot be determined under delegated authority due to an objection to the application having been received.

BACKGROUND**Site Description**

The subject site is on Maddington Road and is rural in nature. It is developed with a brick and tile main residence setback approximately 9.5 metres from the front Maddington Road boundary and a brick and tile studio building is located 23 metres to the rear of the main residence. The property also features a Colorbond garage and a carport measuring 9 metres x 7.5 metres fronting Maddington Road. The property is landscaped to the front with a mixture of small and large trees, and has lawn areas and garden beds along the western, northern and eastern boundaries. Further landscaping of the subject site is intended (see proposal section).

A crossover and compacted 300mm road base driveway provides access from Maddington Road to the rear of the property where the applicant proposes to park the two commercial vehicles. This parking area places the commercial vehicles directly behind the residence, studio buildings and the Colorbond fence line. The Commercial Vehicles will therefore be screened from abutting properties and from the view of the general public utilising Maddington Road.

The Proposal

This application has been lodged as a result of a query raised by a Councillor in relation to activities involving commercial vehicles being conducted on the subject property and subsequent investigations carried out by the City's Planning Compliance Officer. Prior to the query being raised by the Councillor the proponent had been parking up to four

commercial vehicles on the subject site for approximately 2 years without incident or previous complaint from nearby residents/property owners. Alternative arrangements have since been made for the housing of the additional two commercial vehicles at a Mandurah location.

DISCUSSION

Revised Commercial Vehicle Parking Policy

At its meeting of 10 May 2005 (Resolution 192) Council adopted a revised Commercial Vehicle Parking Policy. In terms of the subject application the following provisions of the revised Policy are seen as relevant to a Rural zoned property.

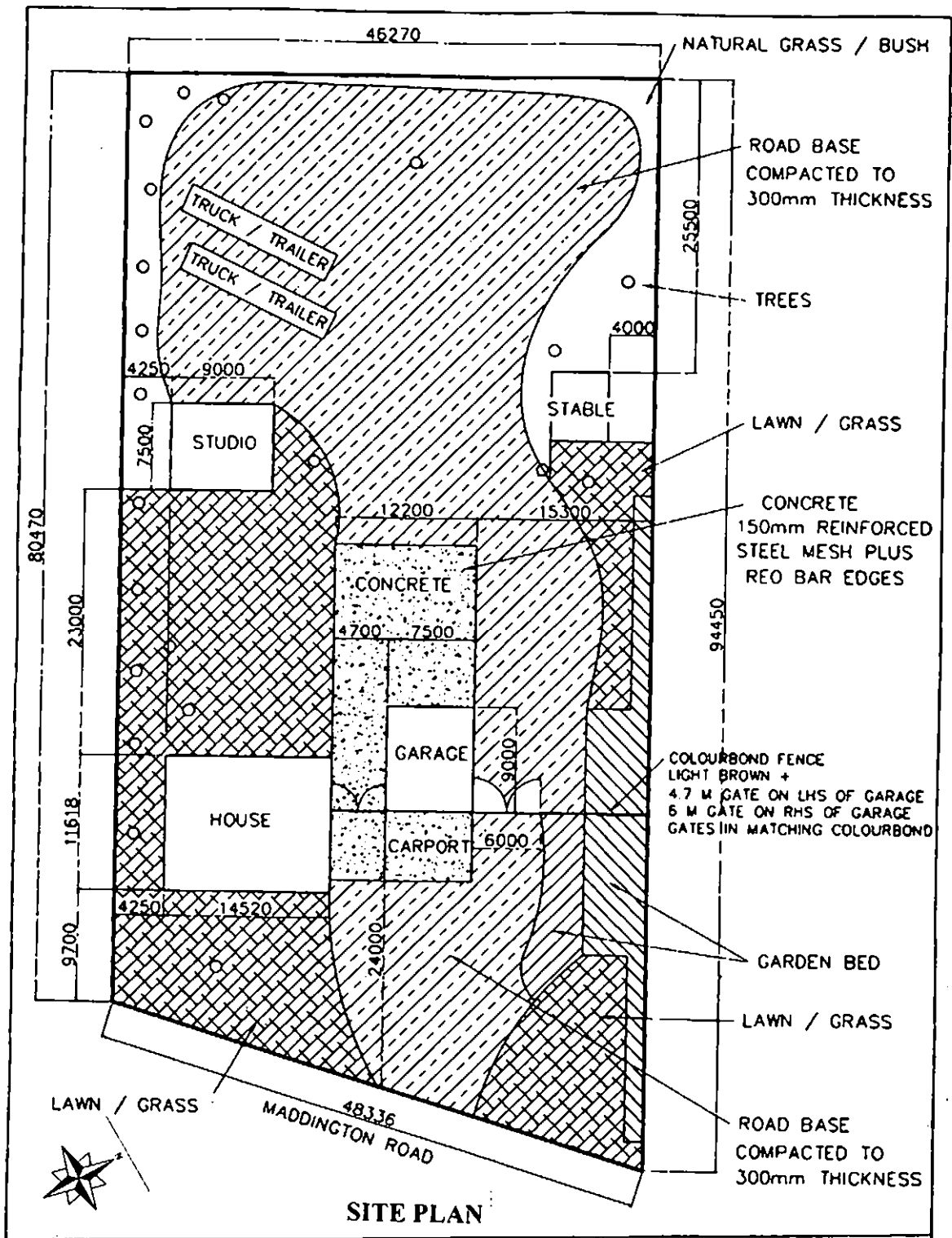
“4.4.11 This Policy does not limit the size of a vehicle which may be permitted to be parked on a rural property, provided the vehicle is driven by an occupant of the property as part of their main occupation and Council is of the opinion that the parking activity will not detrimentally impact upon the amenity and safety of the surrounding community.

4.4.12 Approval may be granted to the parking of a trailer or other non-self-propelled attachment used in association with the operation of a commercial vehicle that is proposed or already approved to be parked on the property. Approval may be granted to the parking of additional attachments, provided each are used in association with the primary commercial vehicle proposed or already approved to be parked on the property. No more than a total of four vehicle attachments will be permitted to be parked.

4.4.13 In recognition of the possibility that a household may have more than one resident driving a commercial vehicle, or that a resident may be required to drive different types of commercial vehicles depending on the nature of their trade or profession, up to three commercial vehicles may be permitted to be parked on a property where the vehicles are driven by bona fide occupants of the property as part of their main occupation and Council is of the opinion that the parking activity will not detrimentally impact upon the amenity and safety of the surrounding community. Proof of residency, employment and ownership/responsibility for the vehicles will be required, as this Policy does not provide for a person to park a commercial vehicle on a property where they do not reside.

4.4.14 In determining such a proposal, Council will take into account the type of vehicles involved and the nature of the activities for which they are used, the size of the subject property, the ability to garage vehicles such that they are screened from public view, the nature of surrounding land uses and the standard of roads in the locality used as the route between the subject land and the road network.”

The applicant proposes to park two prime movers with trailer combinations on the property located at 340 (Lot 4) Maddington Road, Orange Grove .



It is relevant to note that the applicant's partner and son, both residents of the subject property, will be the drivers of the two subject commercial vehicles. Also the applicant is in the process of acquiring the relevant commercial vehicle driver's licence. The intent of sub-clause 4.4.13 of Council's policy requiring drivers of the commercial vehicles to be residents of the subject lot is therefore satisfied.

The proposed prime-movers and semi-trailer attachment details are:

Combination No: 1	Truck	Trailer
Make	Kenworth	GTE
Type	Prime Mover	Tipping
Year	1994	
Length	7 metres	
Height	3.6 metres	
Licence No.	(WA) 1BFN-473	(WA) WT37AG
Combined Aggregate Weight	19.8 tonne	
Overall Length	19 metres	

Combination No: 2	Truck	Trailer
Make	Mack	GTE
Type	Prime Mover	Tipping
Year	2004	
Length	9 metres	
Height	3 metres	
Licence No.	(WA) CH-1813	(WA)1TFW-386
Combined Aggregate Weight	17.5 tonne	
Overall Length	15.2 metres	

The applicant has advised that it is intended to increase the number of native trees on the property boundary and to enlarge garden areas inclusive of full reticulation. Should this application be successful the applicant intends to erect a Colorbond fence from the dividing fence line on the Eastern side of the property to connect up to the existing car port. This will include a large double gate entry for vehicular traffic.

Town Planning Scheme No. 6

Under the Zoning Table of Town Planning Scheme No. 6 (TPS 6), Commercial Vehicle Parking in a Rural Zoning is marked with a "D" meaning:

"that the use is not permitted unless the local government has exercised its discretion by granting planning approval".

Clause 11.6 of the TPS 6 provides for Temporary Planning Approval and states:

"Where the local government grants planning approval, the local government may impose conditions limiting the period of time for which the approval is granted.

Note: A temporary planning approval is where the local government grants approval for a limited period, for example, where the land may be required for some other purpose in the future, and is different to the term of the planning approval which is the period within which the development must commence."

Public Consultation

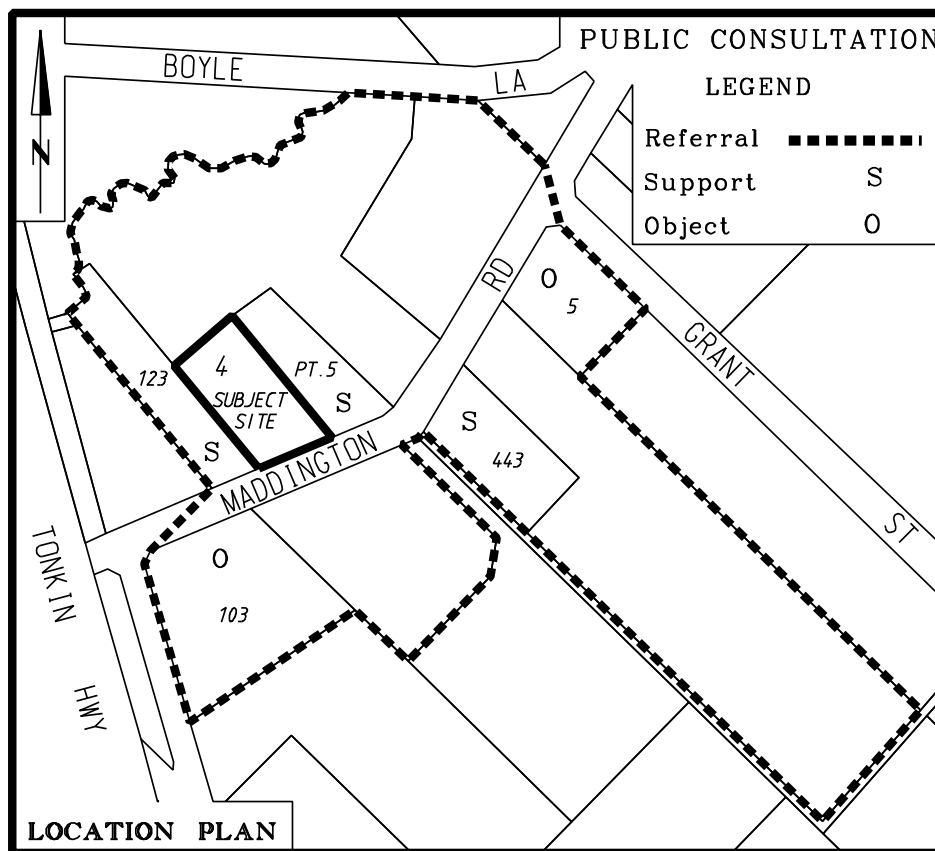
In accordance with the City's policy 6.1.1.1 – Advertising/Referral of Development Applications - consultation was undertaken with nearby landowners along Maddington Road within approximately 300 metres of the subject property.

A total of eight neighbouring property owners were notified and five formal responses were received; three in support of the proposal and two objections to the proposal.

Schedule of Submissions

No.	Name/Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
1.	W D & P L Whitsed	338 (Lot 123) Maddington Road, Orange Grove	No Objection. No comments listed.	Noted.
2	J P Hughes	351 (Lot 443) Maddington Road Orange Grove	No Objection. No comments listed.	Noted.
3	F Holgate	346 (Lot 5) Maddington Road Orange Grove	Objection. Raised queries in relation to noise limitations with reference to start up times due to his property being next door to the applicants property. Suggested that minor servicing and vehicle cleaning be excluded on Sundays and queried the control/containment of waste water after vehicle cleaning and method of monitoring of any conditions applied by Council to the any approval granted.	Refer discussion section. In event of approval condition restricting servicing to Monday – Saturday only is recommended.
4	G & L A Streat	335 (Lot 103) Maddington Road Orange Grove	Objection. Strongly object due to number of commercial vehicle/trucks being operated from the subject property. Also concerned about the possible noise implications and road safety issue as subject property is situated on bend in roadway. Have stated that two adjacent properties in Maddington Road currently operate one (1) commercial vehicle/truck per property and cause no problems due to their hours of operation Monday – Friday. Have further concerns that subject property is currently being utilised as a Transport Depot and should not be permitted in rural zoned area.	Proposal complies with policy vehicle number restrictions.. See also Discussion section – Revised Commercial Vehicle Parking Policy sub-clause 4.4.13.

No.	Name/Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
5	A & A Grigo	361 (Lot 5) Maddington Road, Orange Grove	Objection. States that cannot support application as have fears that if application is granted and the applicant fails to adhere to conditions applied to the approval no support or enforcement of the condition requirements will be forthcoming from Council.	Refer Discussion section under General last paragraph. If approved standard compliance procedures would apply if evidence of breach of conditions arose.



Amenity

The subject area is zoned “General Rural” under TPS 6 and the subject property is 4,047m² in area. The majority of adjoining and nearby properties are of similar size. One of the two subject commercial vehicles is to be used by the proponent’s son who resides on site, to service a soil cartage contract at varying localities throughout the Perth metropolitan and suburban areas. The second commercial vehicle is being utilized to service an east/west interstate cartage contract on a two week turn around basis. The hours of operation normally being between 6.00am and 6.00pm Monday to Friday and 6.00am to 12.00 noon on Saturdays. The two trucks and attachments will be parked on a road base hard stand in an area situated approximately 55 metres from the front property boundary line, the parking area is behind the current residential

dwelling and the studio building and will therefore have minimal visual impact in relation to neighbouring properties and the passing public.

General

Maddington Road in proximity to the subject site is utilised by local residents as a main route to gain access to the Maddington Industrial area, Albany Highway and shopping centres such as Centro Maddington. Vehicular traffic inclusive of large trucks from Boral contractors and other establishments, frequently use Maddington Road giving rise to complaints from local residents mainly concerned with road safety and associated noise emissions issues.

Maddington Road is classified as a District Distributor “B” Road under Council’s adopted Road Network Hierarchy and as such is required to carry through traffic in addition to local traffic generated by residents. The Road Network Hierarchy is set up to efficiently distribute traffic from its origin to its destination without causing extreme local problems. By providing a number of Distributor Roads to varying degrees, traffic can be safely and effectively distributed.

In this location, Maddington Road is 8 metres wide and kerbed on the northern side only, with a shoulder on the southern side and is speed zoned at 60kmph. There is a “Bend in the Road” sign located on the northern verge informing northbound motorists’ of the impending left hand curve. No similar sign is installed before the bend to warn the southbound motorists.

There is a turn-around area at the rear of 340 Maddington Road, therefore vehicles are not reversing into or out of the property, which improves the safety at this location. Vehicles exiting the crossover have good sight distance looking south into Maddington Road, however when looking north there is approximately 85 metres clear sight distance due to the bend in the road. Additionally, vehicles can be seen between the trees, which increases the sight distance. For a 60 km per hour speed limit in a rural area, a minimum clear sight distance of 115 metres is required.

There are two trees in particular, which restrict the sight distance looking north at this crossover, one adjacent to 346 Maddington Road and the other adjacent 350 Maddington Road, which is directly under overhead power cables, and will need to be cut back in the near future as it is almost touching the electric cables. It is not clear on-site if these trees are located in the road verge or in private property, however, if these trees can be removed the sight distance at the crossover can be increased.

As road access has to be provided to all properties and no other road fronts this property, the City is unable to deny vehicle access even if the access is not in the optimum location. Furthermore, there is a house on this property which uses the same crossover as the business.

It should be noted that the proponent has been parking large trucks on the subject property for the past two years without a road safety incident arising in relation to entry to and exit from the subject property and without giving cause to the lodgement of any complaints from nearby property owners concerning the commercial vehicle activities.

Concerns raised by nearby residents in relation to possible non-compliance with set conditions of approval would be addressed by the City's Planning Compliance staff as a matter of procedure should any complaint relevant to the commercial vehicle activities on the subject property be received. If necessary, the appropriate action would be taken.

CONCLUSION

The application does comply with the provisions of the revised policy. It is considered that the two commercial vehicles will not have any adverse amenity or safety impacts above and beyond existing conditions, accordingly it is recommended that Council approve the application as submitted.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
--

278 Moved Cr P Wainwright Seconded Cr D Griffiths

“That Council approve the application to park two commercial vehicles being Kenworth prime mover registration No. 1BFN 473 and Mack prime mover CH 1813 plus two trailer attachments at 340 (Lot 4) Maddington Road, Orange Grove, subject to the following conditions:

1. Compliance with Council's Commercial Vehicle Parking provisions.
2. The approval is limited to two commercial vehicle combinations comprising Kenworth prime mover and Mack prime mover and two GTE trailer attachments as detailed in the application.
3. Where the applicant wishes, at any time, to change the vehicle to a similar size, type and aggregate weight, then these details are to be provided, in writing, to the Council to allow records to be updated. The particulars are to include vehicle make, type and tare/aggregate weights along with vehicle's license registration number.
4. If a vehicle is to be changed to a larger type, a new application shall be made to Council for approval.
5. The operations complying with the requirements of the Environmental Protection Act and the relevant regulations in respect of noise emissions.

6. Under the provisions of Council's Town Planning Scheme No. 6 a Commercial Vehicle Parking Permit can be withdrawn by Council upon receipt of substantiated complaints from neighbours and/or non-compliance with conditions of approval.
7. The commercial vehicles must at all times be stored/parked within the property boundary lines and in the position shown on the plan detailed in the application.
8. The area approved to park the vehicle must be constructed of hard standing material (eg roadbase, bitumen, concrete or block paving).
9. Only routine maintenance of a minor nature, such as servicing or wheel changing is to be carried out on the subject property. No panel beating, spray painting or the removal of major body or engine parts will be permitted.
10. Minor maintenance will be restricted to between the hours of 7.00am and 7.00pm, Monday to Friday, and 9.00am to 6.00pm Saturday. No maintenance of any nature to be carried out on Sundays.
11. The keeping of liquid fuels is to be stored in accordance with the Explosive and Dangerous Goods (Dangerous Goods Handling and Storage) Regulations 1992.
12. Washing of the commercial vehicles on the subject lot is to be limited to the use of water and mild detergent, but not involve the use of any solvents, degreasing substances, steam cleaning and any other processes which may cause pollution or degradation of the environment.
13. The applicant to make arrangements to the satisfaction of Council for the construction of a sealed crossover for the entry/exit of the vehicles to the public road where the road is sealed. If the road is not sealed then the crossover does not have to be sealed but it must be constructed to Council's specifications.
14. No loading or unloading from or to the commercial vehicle or storage of goods or produce in transit that would constitute a motor transport depot or storage depot is to be carried out on the property subject of the application."

CARRIED 10/0

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

AGAINST: *Nil.*

12. MINUTES OF COMMITTEE MEETINGS

The Mayor advised the meeting that she, due to being a Member of the Heritage Committee and Cr C Matison, due to being a Community Representative of City of Gosnells Heritage Advisory Committee had disclosed an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

12.1 CITY OF GOSNELLS HERITAGE ADVISORY COMMITTEE

File: C1/10/1 (PV)

Previous Ref:

Appendix: 12.1.A Minutes of the City of Gosnells Heritage Advisory Committee Meeting held on Thursday 2 June 2005

PURPOSE OF REPORT

For Council to receive the Minutes of the City of Gosnells Heritage Advisory Committee Meeting held on Thursday 2 June 2005 and to consider the committee's recommendations of the meeting.

BACKGROUND

The City of Gosnells Heritage Advisory Committee meets every two (2) months to oversee issues of management and care of Council's heritage properties and broader heritage issues within the City of Gosnells.

The Minutes of the City of Gosnells Heritage Advisory Committee Meeting held on Thursday 2 June 2005 are attached as Appendix 12.1.A.

DISCUSSION

There were a total of two (2) recommendations made at the meeting of which the following one (1) requires the consideration of Council.

Recommendation 15:

“That Council withdraw the appointment of Mr A Scott as member of the HAC due to his being absent from three (3) consecutive meetings of the Committee without apology. This is in accordance with Item 4.1 of Policy No. 5.4.14 Advisory Committees.”

Within the Council policy Advisory Committee No 5.4.14, item 4.1, “A member who is absent throughout three (3) consecutive meetings of the Committee may be disqualified from continuing his or her membership of the Committee unless that member can provide sound substantiated reason for their absence”. Three phone calls were made in attempt to speak to Mr. Scott and a letter was sent on 5 May, alerting him to the situation and requesting him to contact the Heritage Coordinator before the Heritage Advisory Committee meeting of 2 June 2005 to discuss. This did not occur.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

279 Moved Cr R Hoffman Seconded Cr J Brown

“That Council receive the Minutes of the City of Gosnells Heritage Advisory Committee Meeting held on Thursday 2 June 2005 attached as Appendix 12.1A.”

CARRIED 10/0

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

AGAINST: Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

280 Moved Cr R Hoffman Seconded Cr J Brown

“That Council adopt Recommendation 15 of the City of Gosnells Heritage Advisory Committee Meeting held on Thursday 2 June 2005, which reads:

“That Council withdraw the appointment of Mr A Scott as member of the HAC due to his being absent from three (3) consecutive meetings of the Committee without apology. This is in accordance with Item 4.1 of Policy No. 5.4.14 Advisory Committees.”

in accordance with City of Gosnells Policy Advisory Committee 5.4.14.”

CARRIED 10/0

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

AGAINST: Nil.

Cr D Griffiths, due to being Council Delegate and Presiding Member, advised the meeting he had an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996 and provided his Disclosure of Interest form for inclusion at Item 2 of the Minutes "Declarations of Interest".

12.2 SUTHERLANDS PARK ADVISORY COMMITTEE

File: C1/11 (RW) RW6.2b

Appendix: 12.2A Minutes of the City of Gosnells Sutherland Park Advisory Committee Meeting held on Wednesday 1 June 2005

PURPOSE OF REPORT

For Council to receive the Minutes of the of the City of Gosnells Sutherland Park Advisory Committee meeting held on Wednesday 1 June 2005.

BACKGROUND

The City of Gosnells Sutherland Park Advisory Committee meets on a quarterly basis. The Committee members are currently providing support and information between the user groups and the City of Gosnells to further develop and enhance the facility for the community as whole.

The Minutes of the City of Gosnells Sutherland Park Advisory Committee Meeting held on Wednesday 1 June 2005 are attached as Appendix 12.2A.

DISCUSSION

The 1 June 2005 meeting resulted in one recommendation being adopted by the Committee with none requiring consideration of Council.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
--

281 Moved Cr C Matison Seconded Cr R Mitchell

“That Council receive the Minutes of the City of Gosnells Sutherland Park Advisory Committee meeting held on Wednesday 1 June 2005 as attached in Appendix 12.2A.”

CARRIED 10/0

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

AGAINST: Nil.

The Mayor advised the meeting that Cr R Hoffman, due to being a Member of RoadWise Committee, and Cr P Wainwright, due to being Chairperson of 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 (OP) OP6.1b

Appendix: 12.3A Minutes of the City of Gosnells RoadWise Committee Meeting held on Wednesday, 1 June 2005

PURPOSE OF REPORT

For Council to receive the Minutes of the RoadWise Committee Meeting held on Wednesday, 1 June 2005 and consider the recommendations therein.

BACKGROUND

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

The Minutes of the City of Gosnells RoadWise Committee Meeting held on Wednesday 1 June 2005 are attached as Appendix 12.3A.

DISCUSSION

The 1 June 2005 meeting resulted in no recommendations from the RoadWise Committee that require Council adoption.

FINANCIAL IMPLICATIONS

Nil

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
--

282 Moved Cr R Hoffman Seconded Cr J Brown

“That Council receive the Minutes of the Meeting of the City of Gosnells RoadWise Committee held on Wednesday, 6 April 2005, attached as Appendix 12.3A.”

CARRIED 10/0

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

AGAINST: Nil.

13. REPORTS

13.1 CHIEF EXECUTIVE OFFICER'S REPORT

13.2 COMMUNITY ENGAGEMENT

13.3 CORPORATE SERVICES

13.3.1 FINANCIAL REPORTS – MAY 2005

File:	F1/6/1	(FS)	june28_05fn
Previous Ref:	Strategic Planning Committee 21 November 2000 (Resolution 41)		
Appendix:	13.3.1A Commentary and report on variances		
	13.3.1B Operating Statement by Directorate		
	13.3.1C Balance Sheet		
	13.3.1D Summaries of Reserves, Town Planning Schemes		
	13.3.1E Debtors report		
	13.3.1F Investment report		
	13.3.1G Cash Flow Projection to 30 June 2005		
	13.3.1H Capital Works Report		

PURPOSE OF REPORT

For Council to adopt the financial reports for the month of May 2005.

BACKGROUND

Recommendation 41 of the Strategic Planning Committee meeting held 21 November 2000 refers:

“That in accordance with regulation 34 of the Local Government (Financial Management) Regulations 1996, Council receive the following reports on a monthly basis:

- 1. Summary and report on variances*
- 2. Operating Statement by Directorate*
- 3. Graphs showing breakdown of operating income and expenditure by programme*
- 4. Debtors report*
- 5. Investments report*
- 6. Capital Expenditure report.”*

DISCUSSION

The financial statements and commentary for the month of May 2005 are appended.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

283 Moved Cr P Wainwright Seconded Cr C Matison

“That Council, in accordance with regulation 34 of the Local Government (Financial Management) Regulations 1996, adopt the following reports, attached as per Appendix 13.3.1A to 13.3.1H for the period ended 31 May 2005:

- A. Commentary and report on variances
- B. Operating Statement by Directorate
- C. Balance Sheet
- D. Summaries of Reserves, Town Planning Schemes
- E. Debtors report
- F. Investment report
- G. Cash Flow Projection to 30 June 2005
- H. Capital Works Report”

CARRIED 10/0

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

AGAINST: Nil.

13.3.2 PAYMENT OF ACCOUNTS

File: F1/6/1

(GW) june28_05acc

PURPOSE OF REPORT

To advise Council of payments made for the period 18 May 2005 to 21 June 2005.

DISCUSSION

Payments of \$7,687,835.92 as detailed in the cheque listing for the period 18 May 2005 to 21 June 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 18 May to 21 June 2005.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION**284 Moved Cr R Hoffman Seconded Cr J Brown**

“That Council note the payment of accounts as shown in the cheque listing for the period 18 May 2005 to 21 June 2005.”

CARRIED 10/0

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

AGAINST: Nil.

13.3.3 BUDGET VARIATIONS

File: F1/4/1

(RM)

june28_05bv

PURPOSE OF REPORT

To seek approval from Council to adjust the 2004/2005 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 \$
JobC30015.109.3	Expenditure Increase	Lot 2 Bridge Road – Contracts and Services	4,032	
JobC30015.7043.53	Income Increase	Lot 2 Bridge Road – Contributions		4,032
	Reason:	Developer contributions for Bridge Road footpath construction		
JobC20031.140.3	Expenditure Increase	Burslem Dr Underpass – Contracts and Services	50,000	
JobC20031.5004.52	Income Increase	Burslem Dr Underpass – Government Grants		50,000
	Reason:	Grant received from Office of Crime Prevention		
Job301.700.3	Expenditure Increase	IT Equipment – Contracts and Services	9,900	
JobS1703.7087.54	Income Increase	Manager Information Services - Reimbursements insurance claim		9,900
	Reason:	Reimbursement of cost to replace Uninterruptible Power Supply unit in server room which had power burnout		
JobS2091.1205.750	Expenditure Increase	Town Centre Redevelopment – Advertising and promotions	10,000	
JobS2091.7120.51	Income Increase	Town Centre Redevelopment – Government Grants		10,000
	Reason:	To include a \$10,000 grant received in 2004/2005 and		

Account Number	Type	Account Description	Debit \$	Credit \$
		allocate expenditure of \$10,000 for operating costs for the Bright Future Festival		
JobS2090.1235.159	Expenditure Increase	Contribution to Armadale-Gosnells Landcare Group	33,000	
JobS2090.1235.162	Expenditure Decrease	Consultancy – Mary Carroll Park Monitoring		15,000
JobS2090.1235.161	Expenditure Decrease	Consultancy – Environmental Management Plan Actions		18,000
	Reason:	Savings in Environmental Management Plan Actions and monitoring programme at Mary Carroll Park allocated to annual support contribution to Armadale-Gosnells Landcare Group		
JobS1301.8015.362	Expenditure Increase	Transfer to Civic Complex Reserve	939,925	
GL 4.7.501	Income Increase	Disposal of Assets (Cash)		939,925
	Reason:	Transfer of proceeds from the sale of Lot 100 Balfour Street to the Civic Complex Reserve		
Job80073.39.3	Expenditure Increase	Mills Road East – District Distributor Road Construction	100,000	
Job80073.5004.52	Income Increase	Mills Road East – Grants		100,000
	Reason:	Increased income from Main Roads WA		
JobC20032.100.3	Expenditure Increase	East Kenwick Primary School – Road Improvements	50,000	
JobC20000.100.3	Expenditure Decrease	Traffic Management Projects		25,000
JobC20032.5004.52	Income Increase	East Kenwick Primary School		25,000
	Reason:	Additional Project for school parking improvements		
Job86018.9715.49	Income Decrease	Drainage Works – TPS 15	32,515	
Job86026.9715.49	Income Decrease	Various Drainage – TPS 15	150,593	
Job86028.9709.49	Income Decrease	Various Drainage – TPS 9A	134,784	
Job86018.39.3	Expenditure Decrease	Drainage Works – TPS 15		32,515
Job86026.39.3	Expenditure Decrease	Various Drainage – TPS 15		150,593
Job86028.39.3	Expenditure Decrease	Various Drainage – TPS 9A		134,784
	Reason:	Undefined drainage works in TPS 15 and TPS 9A not yet proceeding.		
Job93010.143.3	Expenditure Increase	Kelvin Road Waste Disposal Site Rehabilitation	344,000	
Job93010.9567.49	Income Increase	Transfer from Rehabilitation Site Reserve		344,000
	Reason:	Reserve funding for the Kelvin		

Account Number	Type	Account Description	Debit \$	Credit \$
		Road Waste Disposal Site Rehabilitation Project as identified in the Master Plan 2002.		
JobC20026.100.3	Expenditure Increase	Nicholson Road – Garden St to Hughes St – Road Improvements	15,548	
Job80058.9750.49	Income Decrease	Transfer from Canning Vale ODP	15,548	
JobC20026.9750.49	Income Increase	Transfer from Canning Vale ODP		15,548
Job80058.39.3	Expenditure Decrease	Nicholson Rd – Birnam Rd to Garden St - Road Construction Carried Forward		15,548
	Reason:	Amalgamation of road works on Nicholson Road		
Job80044.39.3	Expenditure Increase	Kelvin Road – Stebbing Rd - Bickley Rd to Tonkin Hwy Road Construction	168,988	
Job80036.7255.52	Income Decrease	Government Grants	23,440	
Job80036.39.3	Expenditure Decrease	Kelvin Rd/Bickley Rd Intersection		168,988
Job80044.7270.52	Income Increase	Government Grants		23,440
	Reason:	Transfer of budgeted income and expenditure from Job 80036 to Job 80044 as the Kelvin Rd intersection has been incorporated into Kelvin Rd – Major Project		
Job80044.100.3	Expenditure Increase	Kelvin Rd – Stebbing Rd to Bickley Rd to Tonkin Highway Road Construction	407,740	
Job80044.9715.49	Income Increase	Transfer from TPS 15		407,740
	Reason	Transfer from balance of TPS 15 Reserve for works on Kelvin Road		

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

285 Moved Cr P Wainwright Seconded Cr W Barrett

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

Account Number	Account Description	Debit \$	Credit \$
JobC30015.109.3	Lot 2 Bridge Road – Contracts and Services	4,032	
JobC30015.7043.53	Lot 2 Bridge Road – Contributions		4,032
JobC20031.140.3	Burslem Dr Underpass – Contracts and Services	50,000	
JobC20031.5004.52	Burslem Dr Underpass – Government Grants		50,000
Job301.700.3	IT Equipment – Contracts and Services	9,900	
JobS1703.7087.54	Manager Information Services - Reimbursements insurance claim		9,900
JobS2091.1205.750	Town Centre Redevelopment – Advertising and promotions	10,000	
JobS2091.7120.51	Town Centre Redevelopment – Government Grants		10,000
JobS2090.1235.159	Contribution to Armadale-Gosnells Landcare Group	33,000	
JobS2090.1235.162	Consultancy – Mary Carroll Park Monitoring		15,000
JobS2090.1235.161	Consultancy – Environmental Management Plan Actions		18,000
JobS1301.8015.362	Transfer to Civic Complex Reserve	939,925	
GL 4.7.501	Disposal of Assets (Cash)		939,925
Job80073.39.3	Mills Road East – District Distributor Road Construction	100,000	
Job80073.5004.52	Mills Road East – Grants		100,000
JobC20032.100.3	East Kenwick Primary School – Road Improvements	50,000	
JobC20000.100.3	Traffic Management Projects		25,000
JobC20032.5004.52	East Kenwick Primary School		25,000
Job86018.9715.49	Drainage Works – TPS 15	32,515	
Job86026.9715.49	Various Drainage – TPS 15	150,593	
Job86028.9709.49	Various Drainage – TPS 9A	134,784	
Job86018.39.3	Drainage Works – TPS 15		32,515
Job86026.39.3	Various Drainage – TPS 15		150,593
Job86028.39.3	Various Drainage – TPS 9A		134,784
Job93010.143.3	Kelvin Road Waste Disposal Site Rehabilitation	344,000	

Account Number	Account Description	Debit \$	Credit \$
Job93010.9567.49	Transfer from Rehabilitation Site Reserve		344,000
JobC20026.100.3	Nicholson Road – Garden St to Hughes St – Road Improvements	15,548	
Job80058.9750.49	Transfer from Canning Vale ODP	15,548	
JobC20026.9750.49	Transfer from Canning Vale ODP		15,548
Job80058.39.3	Nicholson Rd – Birnam to Garden St Road Construction Carried Forward		15,548
Job80044.39.3	Kelvin Road – Stebbing Rd - Bickley Rd to Tonkin Hway Road Construction	168,988	
Job80036.7255.52	Government Grants	23,440	
Job80036.39.3	Kelvin Rd/Bickley Rd Intersection		168,988
Job80044.7270.52	Government Grants		23,440
Job80044.100.3	Kelvin Rd – Stebbing Rd to Bickley Rd to Tonkin Highway Road Construction	407,740	
Job80044.9715.49	Transfer from TPS 15		407,740

CARRIED BY ABSOLUTE MAJORITY 10/0

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

AGAINST: Nil.

13.3.4 TENDER DEV0037-01 PROVISION OF COUNCIL BUSINESS SYSTEMS THROUGH A PANEL ARRANGEMENT

File: I4/1/14 (PC) june28_05ten1

Appendix: 13.3.4A Timeline identifying milestones, processes and outcomes

PURPOSE OF REPORT

For Council to award the contract for the supply and implementation of core business systems for the City of Gosnells.

BACKGROUND

In October 2003 discussions took place with a number of Councils seeking an effective way to replace existing core business systems.

The Councils recognised that incumbent business systems and suppliers were not meeting current and future requirements. It was recognised that a more effective way forward, both to manage the tender process and secure a beneficial cost outcome, would be to tender as a group, rather than as individual Councils.

The Council group approached the Western Australian Local Government Association (WALGA) to propose that WALGA facilitate the tender process, with the view of obtaining panel pricing for the four Councils, and the opportunity to form a Panel Arrangement with a successful Tenderer for future use by other Councils.

WALGA accepted the proposal and agreement for the process was formalised between WALGA, the cities of Bayswater, Bunbury and Gosnells, and the Town of Cambridge.

This report details the process and outcome of the tender.

DISCUSSION

The Process

The project to tender and select a preferred supplier for the City was a comprehensive one, moving through a number of stages and culminating in this report to Council.

The Group Procurement Project (GPP) had input and feedback from all business areas of Council, and a timeline identifying milestones, processes and outcomes of the project for the City is attached as Appendix 13.3.4A.

The Tenderers

Tenders were received by WALGA, by the closing date and time, for the Provision of Council Business Systems from:

- AusSoft Solutions
- AXSOne Pty Ltd

- CapGemini
- Civica Pty Limited
- Fujitsu Australia
- GEAC Computers Pty Ltd
- IT Vision Australia Pty Ltd
- PSU International
- Technology One Limited
- Technology One Limited & Mat-Man Systems Pty Ltd

These tenders then moved through the evaluation process, detailed in the table above, with the following outcomes:

1. **Completeness.**
Tenders were checked for completeness.
2. **Contractual and Tendering Compliance.**
Tenders were evaluated for compliance to the tendering and contract conditions.
3. **Price Affordability.**
Tender prices were examined for affordability.

The submission from CapGemini was excluded at this stage as it did not meet this criteria.
4. **Compliance to Enterprise Requirements.**
Tenders were evaluated for the degree of compliance to Enterprise Requirements.
5. **Compliance to Technology Requirements and Functional Requirements.**
Tenders were evaluated for degree of compliance to Technology Requirements and Functional Requirements.
6. **Qualitative Evaluation.**
Qualitative Criteria was evaluated and scored.
7. **Scoring.**
A single score for the weighted criteria was calculated.
8. **Pricing.**
Prices were normalised.
9. **Value for Money Assessment.**
Value for money analysis was performed using score and price.
10. **Notification.**
Shortlisted Tenderers were invited to demonstrate their systems.

PSU International, Civica Pty Limited, GEAC Computers Pty Ltd and Technology One Limited & Mat-Man Systems were invited to demonstrate their systems.

11. **System and Scenario Testing.**
System testing was undertaken.
12. **Final Shortlisting.**
A final shortlist of Tenderers were invited to demonstrate the functional capability of their systems.

Civica Pty Limited and Technology One Limited were invited to demonstrate their systems for Operational Testing. The Man-Man Systems component of the Technology One tender of additional asset management capability, was not selected to move through to the Operational testing phase.
13. **Operational Testing.**
Operational testing was performed for the final two vendors.

The Outcome

As a result of the comprehensive process above, the tender from Technology One was selected as the preferred solution for the City of Gosnells, and this decision was put forward to WALGA.

The final Project Evaluation Report from Datum also recommended the solution from Technology One.

The Technology One solution is a totally integrated system covering the financial and land based system requirements of the tender. The Technology One offering encompasses Finance One, Business One and Proclaim. Finance One and Business One operate in the latest technology revision from Technology One with Proclaim to be ported to the same technology revision in May 2006.

Technology One has agreed, as part of the tender negotiation, to include the upgrade of Proclaim to the latest technology revision after the City goes live with the current offering on 1 July 2006, at no cost to Council, including staff training in the new revision.

FINANCIAL IMPLICATIONS

As detailed in the process table above, significant cost benefits have been derived by Council engaging in the group procurement of Council business systems with three other Councils.

The aggregation of licence and maintenance support costs in an assessment-based pricing model across the group of Councils realised cost savings, both in terms of fixed costs and those associated with the implementation of new systems. Comparison of the original costing schedule submitted in the Technology One tender, when compared to the final negotiated aggregated pricing model, shows a saving for the City of Gosnells of around \$230,000 over the six-year licence period.

Council has budgeted for the replacement of core business systems in the 2004/2005 financial year, as well as the 2005/2006 financial year. In addition, budget provision has been made in the IT Infrastructure budget for the same financial years for the

purchase of IT equipment and services which will be required for the setup and implementation of new business systems. These budget funds are:

Council Budget	Amount
Carried forward 03/04 Job301.39.3	\$337,109
IT Infrastructure 04/05	\$130,595
Budget 04/05 Replace LOGIS	\$120,000
IT Innovation 04/05	\$27,450
Budget 05/06 Replace LOGIS	\$762,032
Servers 05/06	\$54,000
IT Innovation 05/06	\$30,545
Total Budget	\$1,461,731

It should be noted that the above budget will also fund the purchase of the Electronic Records and Document Management System (EDRMS). A Council report on the tender for the EDRMS system is included in this Agenda.

The costing schedule for the Technology One solution is:

TECHNOLOGY ONE (ex GST)							
Year Payment Due	Cost for 6 years	Year1 2005/06	Year2 2006/07	Year3 2007/08	Year4 2008/09	Year5 2009/10	Year6 2010/11
Licencing cost	\$295,296	236,237	\$59,059				
Maintenance Fees	\$313,554		\$59,059	\$60,831	\$62,656	\$64,536	\$66,472
Sub-Total	\$608,850	\$236,237	\$118,118	\$60,831	\$62,656	\$64,536	\$66,472
Implementation	\$349,850	\$349,850					
Annual Totals	\$958,700	\$586,087	\$118,118	\$60,831	\$62,656	\$64,536	\$66,472

The licencing cost is based on a licence purchase fee of \$7.74 per assessment. Currently the City has 38,152 assessments, reflected in the table above. The final licence fee will apply to the number of assessments at the time the Contract is signed, and may vary by a small amount.

The licence cost has been capped for the City up to a total of 45,000 assessments. When that number of assessments is reached, the City will be required to pay an additional licence fee for the increased number of assessments. Based on projected growth figures for the City, the 45,000 assessment cap is unlikely to be breached prior to the completion of this 6 year contract.

The costs for the second year relates to the final instalment for implementation of the new system, and annual support fee. The costs for the subsequent years, to year 6, relate to annual support fees.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

286 Moved Cr J Brown Seconded Cr J Henderson

“That Council award the contract for the Provision of Council Business Systems Through a Panel Arrangement, Tender DEV0037-01, to Technology One Limited of Suite 3, Churchill Court, 335 Hay Street, Subiaco at a cost of \$958,700 (GST Exclusive) for a six-year period.”

CARRIED 10/0

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

AGAINST: Nil.

Notation

Cr J Brown expressed thanks to the Manager Information Services for her initiative on the above item, and all staff involved in the core business systems tender process, which she believed had provided considerable cost savings to Council.

13.3.5 TENDER DEV0037-02 SUPPLY OF RECORDS/DOCUMENT MANAGEMENT SYSTEM

File: I4/1/14 (PC) june28_05ten2

Appendix: 13.3.5A Timeline identifying milestones, processes and outcomes

PURPOSE OF REPORT

To advise Council of the result of Tender DEV0037-02 for the supply and implementation of an electronic document and records management system (EDRMS).

BACKGROUND

This tender was a sub component of the project undertaken by the Cities of Bayswater, Bunbury, Gosnells and the Town of Cambridge, as a joint tender process through the Western Australian Local Government Association (WALGA).

This tender was called on behalf of the Cities of Bayswater and Gosnells, and the Town of Cambridge.

Each of these Councils currently runs the same records system and was seeking to identify an EDRMS which would provide tight integration into new business systems identified as an outcome of Tender DEV0037-01 for core business systems.

This report details the process and outcome of this tender.

DISCUSSION**The Process**

This tender followed the same comprehensive process as the core business systems tender, moving through a number of stages, culminating in this report to Council.

The EDRMS had input from many business areas of Council and a timeline identifying milestones, processes and outcomes of the project for the City is attached as Appendix 13.3.5A.

The Tenderers

Tenders were received by WALGA, by the closing date and time, for the Provision of Records / Document Management system from:

- Advanced Data Integration
- Civica Pty Limited
- GHC Systems
- Infovision Technology
- IT Vision Australia Pty Ltd
- PSU International

These tenders moved through the evaluation process, detailed in the table above, with the following outcomes:

1. **Completeness.**
Tenders were checked for completeness.
2. **Contractual and Tendering Compliance.**
Tenders were evaluated for compliance to the tendering and contract conditions.
3. **Price Affordability.**
Tender prices were examined for affordability.
4. **Compliance to Enterprise Requirements.**
Tenders were evaluated for the degree of compliance to Enterprise Requirements.
5. **Compliance to Technology Requirements and Functional Requirements.**
Tenders were evaluated for degree of compliance to Technology Requirements and Functional Requirements.
6. **Qualitative Evaluation.**
Qualitative Criteria was evaluated and scored.
7. **Scoring.**
A single score for the weighted criteria was calculated.
8. **Pricing.**
Prices were normalised.
9. **Value for Money Assessment.**
Value for money analysis was performed using score and price.
10. **Notification.**
Short listed Tenderers were invited to demonstrate their systems.

Advanced Data Integration, Civica Pty Limited, GHC Systems and PSU International were invited to demonstrate their systems.
11. **System Testing.**
System testing was undertaken.
12. **Final Short listing.**
A final shortlist of Tenderers were invited to demonstrate the functional capability of their systems. Civica Pty Limited and Advanced Data Integration were invited to demonstrate their systems.
13. **Operational Demonstration.**
Operational demonstration was performed by the final two vendors.

The Outcome

As a result of the comprehensive process above, the tender from Advanced Data Integration for Dataworks was selected as the preferred solution for the City of Gosnells.

The Advanced Data Integration solution is an integrated system with Document and Records Management capabilities. The Dataworks solution tightly integrates into the core business processes of the Technology One solution selected by the City as the preferred solution from Tender DEV0037-01.

FINANCIAL IMPLICATIONS

Significant cost benefits have been derived by Council engaging in the group procurement of Records / Document Management system with three other Councils.

The aggregation of licence and maintenance support costs in a concurrent user-based pricing model across the group of Councils realised licence cost savings.

Council has budgeted for the replacement of core business systems in the 2004/2005 financial year, as well as the 2005/2006 financial year. In addition, budget provision has been made in the IT Infrastructure budget for the same financial years for the purchase of IT equipment and services which will be required for the setup and implementation of new business systems. These budget funds are:

Council Budget	Amount
Carried forward 03/04 Job301.39.3	\$337,109
IT Infrastructure 04/05	\$130,595
Budget 04/05 Replace LOGIS	\$120,000
IT Innovation 04/05	\$27,450
Budget 05/06 Replace LOGIS	\$762,032
Servers 05/06	\$54,000
IT Innovation 05/06	\$30,545
Total Budget	\$1,461,731

It should be noted that the above budget will also fund the purchase of the new core business system from Technology One. A Council report on the tender for the supply of Council Business systems is included in this Agenda.

The costing schedule for the Advanced Data Integration solution is:

ADVANCED DATA INTEGRATION - DATAWORKS (Inc GST)							
Year Payment Due	Total cost 6 years	Year 1 2005/06	Year 2 2006/07	Year 3 2007/08	Year 4 208/09	Year 5 2009/10	Year 6 2010/11
Payment Schedule for Licences:							
Year 1 - 50%		\$47,500					
Year 2 - 30%			\$28,500				
Year 3 - 20%				\$19,000			
Licensing	\$95,000						
Software Development Kit	\$16,700	\$16,700					
Off-Line Manager	\$6,700	\$6,700					
Business Papers	\$55,250	\$13,000	\$8,450	\$8,450	\$8,450	\$8,450	\$8,450

ADVANCED DATA INTEGRATION - DATAWORKS (Inc GST)							
Year Payment Due	Total cost 6 years	Year 1 2005/06	Year 2 2006/07	Year 3 2007/08	Year 4 208/09	Year 5 2009/10	Year 6 2010/11
Maintenance Fees	\$144,700	\$15,900	\$22,400	\$26,600	\$26,600	\$26,600	\$26,600
Sub-Total each year	\$318,350	\$99,800	\$59,350	\$54,050	\$35,050	\$35,050	\$35,050
Implementation & Training	\$161,990	\$161,990					
Annual Totals	\$480,340	\$261,790	\$59,350	\$54,050	\$35,050	\$35,050	\$35,050

The licensing cost is based on a 100-user concurrent user licence fee. The tender offer allows the City to pay for the licence fee over a three year period with payments of 50% in the first year, 30% in the second year and 20% in the third year. In the same way, the annual maintenance fees increment over the first three years.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
--

287 Moved Cr C Matison Seconded Cr R Mitchell

“That Council award Tender DEV0037-02 for the Supply of Records / Document Management System, to Advanced Data Integration of 283 St Pauls Terrace, Fortitude Valley 4006, for the supply and implementation of Dataworks at a cost of \$480,340 (GST inclusive) for a six-year period.”

CARRIED 10/0

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

AGAINST: Nil.

13.4 INFRASTRUCTURE

13.4.1 TENDER 14/2005 – LANDSCAPE MAINTENANCE SUBDIVISION AREAS

File: TEN/14/2005

(MH)

MH6.1b

PURPOSE OF REPORT

For Council to award Tender 14/2005 – Landscape Maintenance Subdivision Areas to the recommended tenderers. This is a fixed price three-year contract commencing 1 July 2005.

BACKGROUND

This contract is a revised version of an existing Tender which provided a total landscape maintenance service to the subdivisional areas of The Avenues, Sanctuary Waters, Brookland Greens, Brookland Park and The Reserve. The subdivisional area of The Boardwalk is included for the first time as it will be handed over from Developer responsibility in July 2005.

Contractor performance has been a substantial issue over the past 12 months resulting in staff reassessing the requirements of the contract with the belief that some of the core services would be better serviced utilising in-house staff and existing well performing City of Gosnells contracts. The following services have been withdrawn from the contract:

- Reticulation maintenance
- Water monitoring
- Fertilising
- Weed control
- Turf renovation

The contract requires the contractor to provide a total integrated service to each estate, which includes the co-ordination of mowing, horticultural works and a range of inspections and reporting requirements.

Tenders for Landscape Maintenance Subdivision Areas were called Saturday 7 May 2005 and closed at 2.00pm on Tuesday 24 May 2005. Submissions were received as follows:

1	Allwest	46 Weston Street, Naval Base WA 6165
2	Environmental Industries	123 Huntingdale Road, Huntingdale WA 6110
3	Grounds and Gardens	68 Gordon Road East, Osborne Park WA 6017
4	Pro-Core	8 Hazelwood Ramble, Ballajura WA 6066
5	Programmed Maintenance Services	107 Kew Street, Welshpool WA 6106
6	Landscape Development	56 Treeby Road, Anketell WA 6167
7	Lawn Busters	38 Fieldview Chase, Oakford WA 6121

DISCUSSION

All submissions have been assessed primarily against the mandatory requirements, which define the Tenderer's ability to perform the requirements of the contract, these being experience, safety policy and procedures, available skilled personnel and qualifications, equipment and machinery, progress towards a quality assurance programme.

Contract evaluation and weighting table:

	Experience	Reference	Safety	Skills and Qualification	Equipment and Machinery	Quality Assurance	Totals	Rank In Score
Weighting	20%	5%	5%	10%	5%	5%	50%	
Allwest	6.66%	0.33%	0.33%	3.00%	0.33%	1.16%	11.81%	6
Environmental Industries	20.00%	5.00%	5.00%	6.66%	5.00%	5.00%	46.66%	2
Grounds and Gardens	4.00%	1.00%	2.16%	4.66%	0.66%	5.00%	17.48%	4
Pro-Core	4.00%	0.00%	4.66%	4.00%	4.33%	0.00%	16.99%	5
Programmed Maintenance Services	6.00%	3.50%	5.00%	8.00%	2.66%	5.00%	30.16%	3
Landscape Development	20.00%	5.00%	5.00%	10.00%	5.00%	3.33%	48.33%	1
Lawn Busters	2.66%	0.00%	3.00%	0.66%	2.66%	0.00%	8.98%	7

Based on the evaluation of the mandatory performance requirements and an understanding of community concerns about meeting service level agreements there is a belief that some tenderers would not be able to meet the strict specification requirements of this tender.

Those tenderers that did not meet at least 50% of the mandatory performance requirements as listed on the matrix have been disqualified from further evaluation. The following companies tenders have been rejected:

- Allwest
- Grounds and Gardens
- Pro-Core
- Lawn Busters

The remaining tenderers prices were calculated on the total cost of landscape maintenance to the nominated estates as listed on the pricing schedules on an annual basis.

The Avenues

Tenderer	Price \$	Ranking On Price Only	Matrix On Price - 50%	Matrix On Other - 50%	Total 100%	Ranking On Matrix Only
Environmental Industries	72,911	2	39.00%	46.66%	85.66%	2
Programmed Maintenance Services	85,731	3	33.00%	30.16%	63.16%	3
Landscape Development	56,155	1	50.00%	48.33%	98.33%	1

The above assessment indicates that Landscape Development with 98.33% is the highest point scorer. It will be recommended that the contract be awarded to Landscape development.

Sanctuary Waters

Tenderer	Price \$	Ranking On Price Only	Matrix On Price - 50%	Matrix On Other - 50%	Total 100%	Ranking On Matrix Only
Environmental Industries	96,421	2	42.00%	46.66%	88.66%	2
Programmed Maintenance Services	80,555	1	50.00%	30.16%	80.16%	3
Landscape Development	96,789	3	42.00%	48.33%	90.33%	1

The above assessment indicates that Landscape Development with 90.33% is the highest point scorer. It will be recommended that the contract be awarded to Landscape Development.

Brookland Greens

Tenderer	Price \$	Ranking On Price Only	Matrix On Price - 50%	Matrix On Other -50%	Total 100%	Ranking On Matrix Only
Environmental Industries	114,940	3	36.00%	46.66%	82.66%	2
Programmed Maintenance Services	82,070	2	50.00%	30.16%	80.16%	3
Landscape Development	82,041	1	50.00%	48.33%	98.33%	1

The above assessment indicates that Landscape Development with 98.33% is the highest point scorer. It will be recommended that the contract be awarded to Landscape Development

Brookland Park

Tenderer	Price \$	Ranking On Price Only	Matrix On Price - 50%	Matrix On Other - 50%	Total 100%	Ranking On Matrix Only
Environmental Industries	47,874	2	49.00%	46.66%	95.66%	1
Programmed Maintenance Services	46,676	1	50.00%	30.16%	80.16%	3
Landscape Development	56,881	3	41.00%	48.33%	89.33%	2

The above assessment indicates that Environmental Industries with 95.66% is the highest point scorer. It will be recommended that the contract be awarded to Environmental Industries.

The Reserve

Tenderer	Price \$	Ranking On Price Only	Matrix On Price - 50%	Matrix On Other - 50%	Total - 100%	Ranking On Matrix Only
Environmental Industries	41,068	1	50.00%	46.66%	96.66%	1
Programmed Maintenance Services	63,563	3	32.00%	30.16%	62.16%	3
Landscape Development	45,386	2	45.00%	48.33%	93.33%	2

The above assessment indicates that Environmental Industries with 96.66% is the highest point scorer. It will be recommended that the contract be awarded to Environmental Industries.

The Boardwalk

Tenderer	Price \$	Ranking On Price Only	Matrix On Price - 50%	Matrix On Other - 50%	Total - 100%	Ranking On Matrix Only
Environmental Industries	69,444	2	47.00%	46.66%	93.66%	1
Programmed Maintenance Services	65,288	1	50.00%	30.16%	80.16%	2
Landscape Development	96,525	3	34.00%	48.33%	82.33%	3

The above assessment indicates that Environmental Industries with 93.66% is the highest point scorer. It will be recommended that the contract be awarded to Environmental Industries.

FINANCIAL IMPLICATIONS

The works associated with this contract is included in the 2005/2006 and subsequent Parks and Environmental Operations operating budgets.

STAFF RECOMMENDATION

Moved Cr W Barrett Seconded Cr P Wainwright

That Council award Tender 14/2005 Landscape Maintenance Subdivisional Areas for a period of three (3) years commencing 1 July 2005 to the following for the estates listed:

- The Avenues – to Landscape Development, 34 Peters Road, Muchea WA 6501 for the tendered price of \$56,155 per annum.
- Sanctuary Waters – to Landscape Development, 34 Peters Road, Muchea WA 6501 for the tendered price of \$96,789 per annum.
- Brookland Greens – to Landscape Development, 34 Peters Road, Muchea WA 6501 for the tendered price of \$82,041 per annum.
- Brookland Park – to Environmental Industries, 31 Harlond Avenue, Malaga WA 6090 for the tendered price of \$47,874 per annum.
- The Reserve – to Environmental Industries, 31 Harlond Avenue, Malaga WA 6090 for the tendered price of \$41,068 per annum.
- The Boardwalk – to Environmental Industries, 31 Harlond Avenue, Malaga WA 6090 for the tendered price of \$69,444 per annum.

Amendment

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

“That the staff recommendation be amended by deleting the address “34 Peters Road, Muchea WA 6501” where it appears in the first line of bullet points 1, 2 and 3 after the words “Landscape Development,” and substituting it with the address “56 Treeby Road, Anketell WA 6167”; and deleting the address “31 Harlond Avenue, Malaga WA 6090” where it appears in the first line of bullet points 4, 5 and 6 after the words Environmental Industries and substituting it with the address “123 Huntingdale Road, Huntingdale WA 6110””

Cr R Hoffman provided the following written reason for the proposed amendment:

“To rectify a typographical error”.

Cr S Iwanyk Seconded Cr R Hoffman’s proposed amendment.

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

Moved Cr R Hoffman Seconded Cr S Iwanyk

That the staff recommendation be amended by deleting the address "34 Peters Road, Muchea WA 6501" where it appears in the first line of bullet points 1, 2 and 3 after the words "Landscape Development," and substituting it with the address "56 Treeby Road, Anketell WA 6167"; and deleting the address "31 Harlond Avenue, Malaga WA 6090" where it appears in the first line of bullet points 4, 5 and 6 after the words Environmental Industries and substituting it with the address "123 Huntingdale Road, Huntingdale WA 6110", with the amended recommendation to read:

"That Council award Tender 14/2005 Landscape Maintenance Subdivisional Areas for a period of three (3) years commencing 1 July 2005 to the following for the estates listed:

- The Avenues – to Landscape Development, 56 Treeby Road, Anketell WA 6167 for the tendered price of \$56,155 per annum.
- Sanctuary Waters – to Landscape Development, 56 Treeby Road, Anketell WA 6167 for the tendered price of \$96,789 per annum.
- Brookland Greens – to Landscape Development, 56 Treeby Road, Anketell WA 6167 for the tendered price of \$82,041 per annum.
- Brookland Park – to Environmental Industries, 123 Huntingdale Road, Huntingdale WA 6110 for the tendered price of \$47,874 per annum.
- The Reserve – to Environmental Industries, 123 Huntingdale Road, Huntingdale WA 6110 for the tendered price of \$41,068 per annum.
- The Boardwalk – to Environmental Industries, 123 Huntingdale Road, Huntingdale WA 6110 for the tendered price of \$69,444 per annum."

CARRIED 10/0

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

288 Moved Cr R Hoffman Seconded Cr S Iwanyk

“That Council award Tender 14/2005 Landscape Maintenance Subdivisional Areas for a period of three (3) years commencing 1 July 2005 to the following for the estates listed:

- The Avenues – to Landscape Development, 56 Treeby Road, Anketell WA 6167 for the tendered price of \$56,155 per annum.
- Sanctuary Waters – to Landscape Development, 56 Treeby Road, Anketell WA 6167 for the tendered price of \$96,789 per annum.
- Brookland Greens – to Landscape Development, 56 Treeby Road, Anketell WA 6167 for the tendered price of \$82,041 per annum.
- Brookland Park – to Environmental Industries, 123 Huntingdale Road, Huntingdale WA 6110 for the tendered price of \$47,874 per annum.
- The Reserve – to Environmental Industries, 123 Huntingdale Road, Huntingdale WA 6110 for the tendered price of \$41,068 per annum.
- The Boardwalk – to Environmental Industries, 123 Huntingdale Road, Huntingdale WA 6110 for the tendered price of \$69,444 per annum.”

CARRIED 10/0

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

AGAINST: Nil.

13.4.2 TENDER 18/2005 - SUPPLY, INSTALLATION AND MAINTENANCE OF PUMPS

File: TEN/18/2005

(MH)

MH6.2b

PURPOSE OF REPORT

For Council to award Tender 18/2005 – Supply, Installation and Maintenance of Pumps to the recommended tenderer for a period of three (3) years.

BACKGROUND

Tenders for supply, installation and maintenance of pumps were called Saturday 7 May 2005 and closed at 2.00pm on Tuesday 24 May 2005. Submissions were received as follows:

1	Hydro Engineering Pty Ltd	14 Wright Street, Bayswater WA 6053
2	JLR Pumps	520 Cleaver Street, Chidlow WA 6556

DISCUSSION

Both submissions have been assessed primarily against the mandatory requirements, which define the tenderer's ability to perform the requirements of the contract, these being relevant experience, skills and expertise of personnel and methodology.

Contract evaluation and weighting table:

Category	Weighting	Hydro Engineering	J L R Pumps
Relevant Experience	30.00%	30.00%	30.00%
Key Personnel	10.00%	10.00%	10.00%
Methodology	10.00%	10.00%	10.00%
TOTALS	50.00%	50.00%	50.00%
Rank In Score		1	1

Prices were calculated on the total cost supplying the 28 items listed on the pricing schedule. JLR pumps were cheaper on 26 of these items:

Tenderer	Price	Ranking on Price Only	Matrix on Price 50%	Matrix on Other Criteria 50%	Total 100%	Ranking on Matrix
Hydro Engineering	\$36,141.00	2	44.66%	50.00%	94.66%	2
J L R Pumps	\$32,293.71	1	50.00%	50.00%	100.00%	1

The above assessment indicates that JLR Pumps with 100% is the highest point scorer. JLR Pumps also indicated that the tendered prices were fixed for the term of the contract and that there was also a 2.5% discount for 14 day payment. Hydro Engineering did not provide the same written guarantee. JLR Pumps have provided this

service for the past two (2) years and their performance has been outstanding. It will be recommended that the contract be awarded to JLR Pumps.

FINANCIAL IMPLICATIONS

The works associated with this contract is included in the 2005/2006 Parks and Environmental Operations operating budgets.

The cost of the works associated with the current tender total \$88,615

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
--

289 Moved Cr R Hoffman Seconded Cr R Mitchell

“That Council award Tender 18/2005 – Supply, Installation and Maintenance of Pumps to JLR Pumps, 520 Cleaver Street, Chidlow WA 6556, in accordance with the schedule of rates in their tender submission commencing 1 July 2005, for a period of three (3) years.

Pump maintenance rig (two men)	\$71.50/hr
On site works (one man)	\$35.20/hr
Electrician	\$44.00/hr
Workshop fitter	\$35.20/hr
Additional water analysis	\$88.00/test
Flow test	\$63.80/test
Grundfos SP5A – 12	\$1260.98
Grundfos SP8 – 12	\$1575.05
Grundfos SP8A – 18	\$2472.50
Grundfos SP14A – 13	\$1978.00
Grundfos SP17-8	\$3093.50
Grundfos SP30-5	\$3731.75
Grundfos SP46-6	\$4759.85
Grundfos SP60-8	\$6206.55
Grundfos Motor MS 4000 – 4kw	\$1114.35
Grundfos Motor MS 6000 – 7.5kw	\$1578.95
Electric cable 80mm, boreline 200 rising column & couplings to suit inlet set as 12 metres	\$1850.33
Dripping tube (20mm class 12 PVC pipe)	\$12.10
Low level probe	\$12.10
Pump discharge assembly (headworks) in 80mm pipe size to COG specifications including concrete block	\$1155.00
State the maximum truck hours and workshop/man hours you would allocate to remove, dismantle, assess, report, repair, assemble and re-install a 4” or 6”, 10 stage pump sitting on 25 metres of 80mm boreline column	Truck hrs 4 Wshop/man hrs 3
State the total price for the supply and installation with concrete block of a complete headwork 80mm SC, 40 to City of Gosnells specifications as per attached diagram	Inst of headworks \$1155.00
Discount for 14 day payment	2.50%
Fixed price for contract period	Yes

”
CARRIED 10/0

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

AGAINST: Nil.

13.4.3 TENDER 26/2005 – MOWING ARTERIAL ROADS AND HAZARD REDUCTION MOWING

File: TEN/26/2005

(MH)

MH6.1b

PURPOSE OF REPORT

For Council to award Tender 26/2005 – Mowing Arterial Roads and Hazard Reduction Mowing to the recommended tenderer. This is a fixed cost three year contract for the period 1 July 2005 to 30 June 2008.

BACKGROUND

The City had previously called for submissions to Tender for these works in October 2003. This resulted with staff in consideration of the prices submitted at the time advising Council that this work could possibly be carried out by the City's own staff and commenced preparation of a detailed Business Plan. The completion of the business plan did not support the position that this process would provide "value for money" due principally to the seasonal fluctuating requirements of this work, and the impost of traffic management, and the staff proposal was not pursued.

Mowing of Arterial Roads has continued on a quotation basis for the past 12 months. The City has been experimenting with a number of alternative contractors during this time frame, however a dedicated contractual arrangement is now required.

Tenders for Mowing Arterial Roads and Hazard Reduction Mowing were called Saturday 7 May 2005 and closed at 2.00pm on Tuesday 24 May 2005. Submissions were received as follows:

Grounds and Gardens Pty Ltd	68 Gordon Road East, Osborne Park WA 6017
Turfmaster Facility Maintenance	223 Collier Road Bayswater WA 6053
KA and MH Polkinghorne	6 Anvil Way Welshpool WA 6106

DISCUSSION

All the submissions have been assessed primarily against the mandatory requirements, which define the tenderer's ability to perform, these being relevant experience, references, safety and machinery to meet the desired timeframes set out in the technical specifications.

Contract evaluation and weighting table:

Category	Weighting	Grounds and Gardens	Turfmaster	Polkinshore
Experience	20.00%	0.00%	20.00%	16.00%
Reference	5.00%	1.25%	4.00%	0.00%
Safety	5.00%	3.75%	5.00%	1.50%
Quality Assurance	5.00%	5.00%	5.00%	0.00%
Equipment & Machinery	5.00%	1.50%	5.00%	5.00%
Total Percentage	40.00%	11.50%	39.00%	22.50%
		3	1	2

Based on the evaluation of the mandatory performance requirements and concerns about meeting service level agreements particularly timeframes, there is a belief that Grounds and Gardens Pty Ltd would not be able to meet the strict specification requirements of this tender.

Consequently that company was disqualified from further evaluation.

Prices were calculated on the total cost of mowing the 28 Arterial roads listed on the pricing schedules on an annual basis.

Tenderer	Price	Ranking on Price Only	Matrix on Price 60%	Matrix on Other 40%	Total 100%	Ranking on Matrix
Turfmaster	\$164,638.00	1	60.00%	39.00%	99%	1
Polkinshore	\$777,445.00	2	12.71%	22.50%	35.21%	2

Turfmaster Facility Maintenance prices when tested against previous contract prices are considered to be a fair assessment of the value of this work at current requirements.

The mowing of arterial road verges is a highly visual service of Council and the failure of a contractor to perform the work within the time constraints as dictated by seasonal variation will impact on the City. Turfmaster Facility Maintenance has demonstrated in their submission and on previous contracts their ability to meet the resource requirements for this work.

It will therefore be recommended that the tender be awarded to Turfmaster Facility Maintenance.

FINANCIAL IMPLICATIONS

The works associated with this contract are included in the 2005/2006 financial years and subsequent Parks and Environmental Operations operating budgets.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

290 Moved Cr D Griffiths Seconded Cr W Barrett

“That Council award Tender 26/2005 – Mowing Arterial Roads and Hazard Reduction Mowing to Turfmaster Facility Maintenance, 223 Collier Road Bayswater WA 6053, in accordance with the schedule of rates in their tender submission commencing 1 July 2005 for a period of three (3) years.

Item	Description	Number of Cuts	Per Cut \$	Annual Cost \$
Albany Highway	Nicholson Road interchange to Lake Road intersection (median islands not included)	12	1,909	22,908
Spencer Road	Nicholson Road to Warton Rd all median islands and service road verges	12	1,909	22,908
Yale Road.	Spencer Road to Garden Street.	7	1,193	8,351
William Street	Albany Highway to City boundary	7	833	5,831
Brixton Street	Kenwick Road to William Street	7	808	5,656
Wanaping Road	Rail crossing to Brixton Street	4	569	2,276
Kenwick Rd/Bickley Rd	Wanaping Rd to Kelvin Road	7	1,016	7,112
Fremantle Road	Albany Highway to Bilich Street	7	677	4,739
Royal Street	Albany Highway to Thornlie Avenue	7	170	1,190
Belmont Road	Davison Street to Bickley Road	7	477	3,339
Austin Avenue	Albany Highway to Davison Street	7	492	3,444
Davison Street	Kelvin Rd to Austin Avenue	7	477	3,339
Westfield St	Kelvin Rd to Gosnells Rd West	7	685	4,795
Gosnells Road West	Albany Highway to Tonkin Highway	12	723	8,676
Lissiman Street	Dorothy Street to Fremantle Road	12	177	2,124
Dorothy Street	Wheatley to Corfield St	7	431	3,017
Southern River Road	Corfield Street to Holmes Street	7	1,062	7,434
Garden Street	see additional information	7	841	5,887
Corfield Street	Kindred Place to Eileen Street	12	970	11,640

Warton Road	Spencer Road to Garden Street	7	454	3,178
Nicholson Road	Albany Highway to Ranford Road.	7	739	5,173
Burslem Drive	Albany Highway to Spencer Road	12	866	10,392
Olga Road	Albany Highway to Burslem Drive	7	177	1,239
Murdoch Drive	Verge opposite Tavern/Shopping Centre	4	88	352
Wheatley Street	Dorothy Street to Fremantle Road railway verge only.	7	88	616
Sevenoaks Street	William Street to Albany Hwy railway verge only	7	275	1,925
Kelvin Road	Albany Highway to White Road.	12	431	5,172
Ranford Rd	Nicholson to Campbell, Non estate area only.	7	275	1,925
		Total	\$18,812	\$164,638

Description	Rate	Amount \$
Standard Labour for Hand Work (whipper-snipping or line trimming)	Hourly	88
Tractor and Slasher	Hourly	110

CARRIED 10/0

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

AGAINST: Nil.

13.4.4 TENDER 27/2005 – MOWING NEIGHBOURHOOD PARKS

File: TEN/27/2005

(MH)

MH6.4b

PURPOSE OF REPORT

For Council to award Tender 27/2005 – Mowing Neighbourhood Parks to the recommended tenderer. This is a fixed price three-year contract.

BACKGROUND

Tenders for mowing neighbourhood parks were called Saturday 7 May 2005 and closed at 2.00pm on Tuesday 24 May 2005. Submissions were received as follows:

1	Turf Management Services	31 Harlond Avenue, Malaga WA 6090
2	Landscape Development	56 Treeby Road, Anketell WA 6167
3	Grounds and Gardens Pty Ltd	68 Gordon Road East, Osborne Park WA 6017
4	Allwest Projects	46 Weston Street, Naval Base WA 6165
5	Gro-Turf	34 Peters Road, Muchea WA 6501
6	Bradley Oswald	51 Hossack Avenue, Parkwood WA 6147

DISCUSSION

All the submissions have been assessed primarily against the mandatory requirements, which define the tenderer's ability to perform, these being relevant experience, references, safety and machinery to meet the desired timeframes set out in the technical specifications.

Contract evaluation and weighting table:

Category	Weighting	Landscape Development	Grounds & Gardens Pty Ltd	Allwest Projects	Gro-Turf Pty Ltd	Bradley Oswald	Turf Management Services WA
Experience	15.00%	15.00%	11.50%	6.00%	15.00%	10.50%	15.00%
Performance History	5.00%	5.00%	2.50%	0.00%	5.00%	4.50%	5.00%
Safety	10.00%	10.00%	5.00%	0.00%	7.50%	2.50%	10.00%
Equipment & Machinery	10.00%	10.00%	10.00%	0.00%	5.00%	0.00%	10.00%
Total Percentage	40.00%	40.00%	29.00%	6.00%	32.50%	17.50%	40.00%
Rank In Score		1	3	5	2	4	1

The tender from Bradley Oswald was rejected at this point as the submission showed that they were only interested in mowing only 27 parks out the 117 parks listed on the mowing schedule.

Prices were calculated on the total cost of mowing the 117 parks listed on the pricing schedules.

Tenderer	Price	Ranking on Price Only	Matrix on Price 60%	Matrix on Other 40%	Total 100%	Ranking on Matrix
Landscape Development	\$802,910.00	4	49.63%	40.00%	89.63%	3
Grounds & Gardens Pty Ltd	\$989,761.00	5	40.26%	29.00%	69.26%	4
Allwest Projects	\$748,191.00	3	53.26%	6.00%	59.26%	5
Gro-Turf Pty Ltd	\$664,180.00	1	60.00%	32.50%	92.50%	2
Turf Management Services WA	\$704,959.00	2	56.53%	40.00%	96.53%	1

The above assessment indicates that Turf Management Services with 96.53% is the highest point scorer. Turf Management Services are the current Contractor and their performance has been excellent. They have completed all aspects of the specification to the satisfaction of City staff and have always been approachable and cooperative in the execution of the contract.

FINANCIAL IMPLICATIONS

The works associated with this contract is included in the 2005/2006 and subsequent Parks and Environmental Operations operating budgets.

The cost of the works associated with the current tender total \$748,028

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
--

291 Moved Cr J Brown Seconded Cr D Griffiths

“That Council award Tender 27/2005 – Mowing Neighbourhood Parks to Turf Management Services, 31 Harlond Avenue, Malaga WA 6090, in accordance with the schedule of rates in their tender submission commencing 1 July 2005 for a period of three (3) years.

Schedule 1:

Description	Address	Per Event	X 63 events
Birchington Street Reserve	Birchington Street	\$8.18	\$515.34
Chiddington Street Reserve	Chiddington Street	\$6.60	\$415.80
Highbury Crescent Reserve	Highbury Crescent	\$13.70	\$863.10
Lacey Street Reserve	Lacey Street	\$8.07	\$508.41
Lowth Road Reserve 1	Adjacent to 20 Lowth Road	\$16.29	\$1,026.27
Mona Ave Reserve	Mona Avenue	\$9.56	\$602.28
Railway Parade Reserve	Carmichael Street to Sydenham Street	\$6.24	\$393.12
Rochester Avenue Reserve	Rochester Avenue	\$60.92	\$3,837.96
Streatham Street Reserve	Streatham Street	\$279.04	\$17,579.52

Westwell Street Reserve	Westwell Street	\$6.82	\$429.66
Woodlupine Brook	Bickley Road to Eclipse Way	\$877.16	\$55,261.08
Astley Street Reserve (Pages)	Astley Street	\$9.17	\$577.71
Banksia Estate Public Access area	Gwalia Court to Corfield Street	\$67.09	\$4,226.67
Chelsfield Street Reserve	Chelsfield Street	\$84.27	\$5,309.01
Corbett Street Reserve	Corbett Street	\$27.34	\$1,722.42
Crandon Street Reserve	Crandon Street	\$35.37	\$2,228.31
Ecton Street Reserve	Ecton Street	\$30.98	\$1,951.74
Eileen Street Reserve	Eileen Street	\$8.60	\$541.80
Eynesford Street Reserve	Eynesford Street	\$33.24	\$2,094.12
Farnham Place Reserve	Farnham Place	\$88.56	\$5,579.28
Gibbs Park	Adjacent to 27 Alcock Street	\$18.50	\$1,165.50
Gosnells River Foreshore	Chamerlain Street to Richard Rushton Community Centre	\$133.72	\$8,424.36
Harry Street Reserve	Harry Street	\$19.39	\$1,221.57
Hicks Street Reserve	Hicks Street	\$110.68	\$6,972.84
Hosken Street Reserve	Hosken Street	\$37.42	\$2,357.46
John Okey Davis Park	Homestead Road	\$846.89	\$53,354.07
Keston Place Reserve	Keston Place	\$14.43	\$909.09
Lyminge Street Reserve	Lyminge Street	\$59.53	\$3,750.39
Mable Davis Park	Lawrence Street	\$21.27	\$1,340.01
Marquis Court Reserve	Marquis Court	\$29.17	\$1,837.71
Orlestone Street Reserve	Orlestone Street	\$19.12	\$1,204.56
Orsett Way Reserve	Orsett Way	\$13.72	\$864.36
Otterden Street Reserve North	Otterden Street	\$9.51	\$599.13
Otterden Street Reserve South	Otterden Street	\$8.92	\$561.96
Prescott Drive Reserve	Prescott Drive	\$58.22	\$3,667.86
Prince Street Reserve	Prince Street	\$25.23	\$1,589.49
Rede Street Reserve	Rede Street	\$39.54	\$2,491.02
Reigate Street Reserve	Reigate Street	\$28.85	\$1,817.55
Robinson Park	Corfield Street adjacent to Swanley Street	\$465.49	\$29,325.87
Sherlock Close Reserve	Sherlock Close	\$65.31	\$4,114.53
Station Street Reserve	Station Street	\$7.18	\$452.34
Swingler Way Reserve	Swingler Way Reserve	\$162.65	\$10,246.95
Glover Place Reserve	Glover Place	\$15.09	\$950.67
Huntingdale River Foreshore	Ball Court to Princess Street	\$820.56	\$51,695.28
Newborough Place Reserve	Newborough Place	\$15.68	\$987.84
Charles Hook Park	Princess Street	\$230.18	\$14,501.34
Alton Street Reserve	Alton Street	\$26.21	\$1,651.23
Bridal Place Reserve	Bridal Place	\$131.20	\$8,265.60
Gaskin Road Reserve	Gaskin Road	\$87.46	\$5,509.98
Park Road Reserve	Park Road	\$29.51	\$1,859.13
Stretton Way Reserve	Stretton Way	\$37.43	\$2,358.09
Baker Court Reserve	Baker Court	\$34.30	\$2,160.90
Jennings Court Reserve	Jennings Court	\$36.67	\$2,310.21

Knight Street Reserve	Knight Street	\$35.79	\$2,254.77
Langford River Foreshore	Roe Highway to Ellison Drive	\$234.81	\$14,793.03
Prendiville Way Reserve	Prendiville Way	\$54.84	\$3,454.92
Ashford Street Reserve	Ashford Street	\$34.16	\$2,152.08
Auric Place Reserve	Auric Place	\$21.61	\$1,361.43
Berry Court Reserve	Berry Court	\$14.62	\$921.06
Clifton Street Reserve	Clifton Street	\$30.65	\$1,930.95
Haffner Court Reserve	Haffner Court	\$27.39	\$1,725.57
Maple Place Reserve	Maple Place	\$33.97	\$2,140.11
Newenden Street Reserve	Newenden Street	\$24.04	\$1,514.52
Orr Street Reserve	Orr Street	\$11.27	\$710.01
Sheoak Road Reserve	Sheoak Road	\$20.28	\$1,277.64
Simms Park	Miller Street	\$27.95	\$1,760.85
Stead Street Reserve	Stead Street	\$11.74	\$739.62
Westfield Street Reserve- North	Westfield Street	\$88.31	\$5,563.53
Willow Way Reserve	Willow Way	\$51.58	\$3,249.54
Nantellis Way Reserve	Nantellis Way	\$18.50	\$1,165.50
Boyle Lane Reserve	Boyle Lane	\$13.30	\$837.90
Aylesford Way Reserve	Aylesford Way	\$138.51	\$8,726.13
Bernice Way Reserve	Bernice Way	\$41.04	\$2,585.52
Fagence Way Reserve	Fagence Way	\$21.77	\$1,371.51
Glyndebourne Avenue Reserve	Glyndebourne Avenue	\$114.88	\$7,237.44
Jana Road Reserve	Jana Road	\$13.44	\$846.72
Kelton Way Reserve	Kelton Way	\$11.47	\$722.61
Lindsay Clarke Park	Coops Avenue	\$51.69	\$3,256.47
Luke Court Reserve	Luke Court	\$11.84	\$745.92
McAlister Place Reserve	McAlister Place	\$29.45	\$1,855.35
Melvin Avenue Reserve	Melvin Avenue	\$18.85	\$1,187.55
Menzies Place Reserve	Menzies Place	\$29.18	\$1,838.34
Osprey Way Reserve	Osprey Way	\$71.54	\$4,507.02
Hume Road Wildlife Reserve		\$278.79	\$17,563.77
Spring Road Reserve	Spring Road	\$12.12	\$763.56
Thornlie River Foreshore	Burslem Drive to Roe Highway	\$3,370.73	\$212,355.99
Lakewook Cove Reserve	Lakewook Cove	\$53.87	\$3,393.81
Oliphant Street Reserve	Oliphant Street	\$59.37	\$3,740.31
Namatjira Way Reserve	Namatjira Way	\$87.63	\$5,520.69
Dempsey Place Reserve	Dempsey Place	\$20.91	\$1,317.33
Brill Street Reserve	Brill Street	\$34.78	\$2,191.14
Ladywell Street Reserve	Ladywell Street	\$58.39	\$3,678.57
Wickling Street Reserve	Wickling Street	\$39.60	\$2,494.80
Appledore Street Reserve	Appledore Street	\$51.86	\$3,267.18
Ellison Drive Reserve	Ellison Drive	\$41.04	\$2,585.52
Moncrief Road Reserve	Moncrief Road	\$16.98	\$1,069.74
Total		\$10,770.77	\$678,558.51

Schedule 2:

Description	Address	Per Event	X 33 events
Gravity Street Reserve	Gravity Street	\$3.09	\$101.97
Ladywell Street Reserve East	Ladywell Street	\$6.90	\$227.70
Lowth Road Reserve 2	Lowth Road	\$11.02	\$363.66
Lowth Road Reserve 3	Lowth Road	\$9.17	\$302.61
Lynstead Street Reserve	Lynstead Street	\$27.98	\$923.34
Saddleback Grove Reserve	Saddleback Grove	\$316.22	\$10,435.26
Foreshore Place Reserve	Foreshore Place	\$32.29	\$1,065.57
Sandridge Street Reserve	Sandridge Street	\$10.55	\$348.15
Curlewis Street Reserve	Curlewis Street	\$89.15	\$2,941.95
Duketon Way Reserve	Duketon Way	\$20.68	\$682.44
Woodmore Road Reserve	Woodmore Road	\$29.72	\$980.76
Dellavano Street Reserve	Dellavano Street	\$22.38	\$738.54
Keera Court Road Reserve	Keera Court	\$30.06	\$991.98
Westfield Street Reserve- South	Westfield Street	\$6.64	\$219.12
Polo Cross ground	Lot 1768 Southern River Road	\$158.53	\$5,231.49
Jurien Way Reserve	Jurien Way	\$25.65	\$846.45
Total		\$800.03	\$26,400.99

Total Schedule 1		\$10,770.77	\$678,558.51
Total Schedule 2		\$800.03	\$26,400.99
3 Year Total		\$11,570.80	\$704,959.50

Additional Items		Cost
Additional mowing (parks not included in schedule)	per ha	\$80.00
Broadacre & detail mowing as per specification	min charge	\$80.00
Heavy slashing (other council properties and road reserves)	per ha	\$100.00
Rough cutting	min charge	\$100.00

CARRIED 10/0

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

AGAINST: Nil.

The Mayor advised the meeting that Cr C Matison, due to being Councillor Representative to the South East Metropolitan Regional Council, and Cr R Hoffman, due to being Council Representative on SEMRC and MWAC, had disclosed an Impartiality Interest in the following item in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996.

13.4.5 LANDFILL LEVY AND STRATEGIC WASTE FUND

File: W2/1/1 (RA) RA6.1b
Previous Ref: OCM 16 December 2003 Item 12.4.10
Appendix: 13.4.5A Response to Waste Management Board
13.4.5B SEMRC 16 June 2005 Report and Minutes

PURPOSE OF REPORT

For Council to consider submitting a Member motion, for consideration at the Western Australian Local Government Association Annual General Meeting in relation to the State Government's Landfill Levy and Strategic Waste Fund.

BACKGROUND

In 2002 the Waste Management and Recycling Fund (WMRF) was suspended by the Minister for Environment pending a statutory review of the fund. This review was completed in September 2004.

At the Ordinary Council Meeting of 16 December 2003 Council endorsed the South East Metropolitan Regional Council (SEMRC) comment to the Waste Management Board on the following two documents:

- Strategic Direction for Waste Management in Western Australia
- Western Australia's Waste Management and Recycling Fund – Recommendations for the Statutory Review of the Fund

As stated in Resolution 803, which reads:

“That Council endorse the South East Metropolitan Regional Council's response to the Waste Management Board with regard to the proposed Strategic Direction for Waste Management in Western Australia and the Statutory Review of Western Australia's Waste Management and Recycling Fund.”

The Council endorsed SEMRC response to the above documents highlighted a number of concerns in relation to review recommendations two of which being:

- that the Landfill Levy be increased from \$3.00 per tonne of waste to \$6.00 per tonne; and
- that the recycling rebate scheme be discontinued.

Key elements of the SEMRC submission included that the:

- “rate of levy increase be increase by a maximum of \$2.00 per tonne”;
- “the rebate scheme should continue at a capped level...”; and
- “The SEMRC is of the view that any further increases to the levy should only be implemented following the development of an appropriately costed and fully developed strategic plan, in consultation with the key stakeholders.”

DISCUSSION

The Waste Management Board, subsequent to the review’s finalisation, completed its Strategic Planning process and released a document entitled *Statement of Strategic Direction of Waste Management in Western Australia*. This document advised of the establishment of a revised funding program that included a *Strategic Waste Initiatives Scheme* (SWIS) and a smaller *Community Grants Scheme*.

SWIS since its inception has allocated \$670,750 in grants, and of this, only \$9,500 was allocated to the whole of local government. Seven grants of \$5,000 or less were allocated through the *Community Grants Scheme* totalling \$32,177. Across both schemes \$702,927 in funding was distributed and this is estimated by SEMRC to be less than half of the funds available.

In April 2005, the Waste Management Board sent a letter to local governments proposing an amendment to the Resource Recovery Rebate Scheme (RRRS). The RRRS is currently fixed at 50% of landfill levy funds; the proposed amendment is for this to be reduced to 25% of levy funds. A copy of the Director of Infrastructure’s response to the Waste Management Board on this proposal is included in Appendix 13.4.5A.

At its Ordinary Council Meeting on 16 June 2005, the SEMRC considered these matters and made the following resolution:

“1. That member Councils and WALGA BE REQUESTED to consider the matter of the Waste & Recycling Levy Fund with some urgency as the matter is considered of sufficient importance to be raised at the Local Government Week Annual General Meeting. It is the view of the South East Metropolitan Regional Council that the following should be taken into account:

- The POSITION of the South East Metropolitan Regional Council regarding the Recycling Levy funds is that funds raised through the levy should only be applied to:
 - i The Resource Recovery Rebate Scheme at a maximum level of 50%, with any proposed reduction in this level being the result of effective consultation, an adequate time line to enable budgetary implications to be addressed and the

preparation of a costed strategic plan which demonstrates effective use of monies raised;

- ii Support for strategic initiatives which will see a long – term impact on the level of waste going to landfill; and*
 - iii The cost of maintaining the Waste Management Board’s immediate activities, to a maximum level of 15% of the total monies raised in each year.*
2. *The State Government should DEMONSTRATE its commitment to waste minimisation through the provision of matching funding to that raised through the levy to be made available for Board activities and support for strategic waste initiatives which will see a long term impact on the level of waste going to landfill; and*
 3. *WALGA, through MWAC, BE REQUESTED to seek information on the following:*
 - *Details of all expenditure from the Landfill Levy and Waste Management Fund since its inception;*
 - *The status of any unexpended balance; and*
 - *Why grants from the Strategic Waste Initiatives Scheme have not been awarded equitably to local governments.*

The relevant agenda report and minutes from the SEMRC 16 June 2005 Ordinary Council meeting are included in Appendix 13.4.5B.

FINANCIAL IMPLICATIONS

There are no direct financial implications arising from this report.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
--

292 Moved Cr J Brown Seconded Cr S Iwanyk

“That Council submit the following Member motion for consideration as a late item at the Western Australian Local Government Association Annual General Meeting to be held on Sunday 7 August 2005.

1. That the Association advise the Waste Management Board and the Minister for Environment that the position of the Association regarding the Landfill Levy and Resource Recovery Rebate Scheme is that the funds raised through the levy should only be applied to:

- i. the Resource Recovery Rebate Scheme, at 50% of levy funds raised, with any proposed reduction in this level being the result of effective consultation, an adequate time line to enable budgetary implications to be addressed and the preparation of a costed strategic plan which demonstrates effective use of monies raised;
 - ii. support for strategic initiatives which will see a long – term impact on the level of waste going to landfill; and
 - iii. the cost of maintaining the Waste Management Board’s immediate activities, to a maximum level of 15% of the total monies raised in each year.
2. That the Association encourage the State Government to demonstrate its commitment to waste minimisation through the provision of matching funding to that raised through the levy. The total funds raised to be made available for Board activities and support for strategic waste initiatives which will see a long term impact on the level of waste going to landfill.
3. That the Association through the Municipal Waste Advisory Committee, seek information from the Waste Management Board on the following:
 - Details of all expenditure from the Landfill Levy and Waste Management Fund since its inception;
 - The status of any unexpended balance; and
 - Why grants from the Strategic Waste Initiatives Scheme have not been awarded equitably to local governments.”

CARRIED 10/0

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

AGAINST: Nil.

13.5 PLANNING AND SUSTAINABILITY

The Mayor advised the meeting that Cr J Brown, due to Owning Land in Precinct 3, had disclosed a Financial Interest in the following item in accordance with Section 5.60 of the Local Government Act 1995.

9.17pm – Cr J Brown left the meeting.

13.5.1 METROPOLITAN REGION SCHEME AMENDMENT - GARDEN STREET RESERVATION BETWEEN SOUTHERN RIVER ROAD AND TONKIN HIGHWAY, SOUTHERN RIVER

File: GAR.1 (KN) Psrpt072Jun05
Name: Department for Planning and Infrastructure
Location: Southern River
Zoning: MRS: Other Regional Road
TPS No. 6: General Rural and Other Regional Road
Appeal Rights: Nil
Area: To be determined
Previous Ref: Nil

PURPOSE OF REPORT

For Council to consider two options proposed by the Department for Planning and Infrastructure for the realignment of the existing Garden Street Road reservation between Southern River Road and Tonkin Highway.

BACKGROUND

Garden Street is identified as an “Other Regional Road” under the Metropolitan Region Scheme (MRS). Currently, Garden Street is only constructed between Nicholson and Warton Roads, however the MRS identifies a further reservation traversing in an east-west direction between Warton Road and Tonkin Highway (see Location Plan).

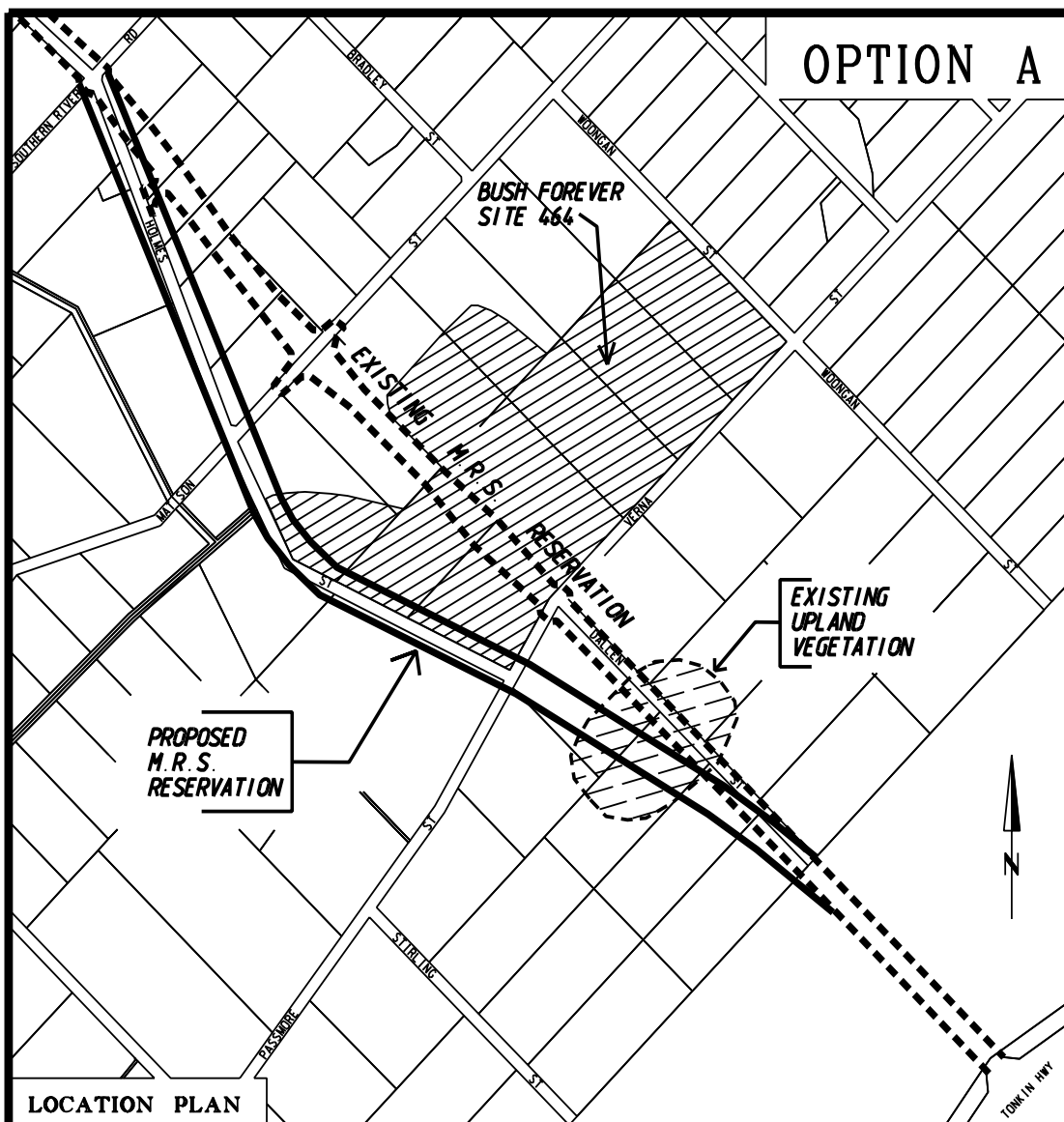
The construction of Garden Street between Warton Road and Harpenden Street is due to commence 2006/2007. The alignment of the portion of Garden Street between Harpenden Street and Southern River Road is subject to future detailed planning and the finalisation of Outline Development Plans for Southern River Precincts 1 and 2. The alignment of this portion of the reservation will be strongly influenced by resolution of a number of significant and ongoing environmental issues.

The current alignment of Garden Street between Southern River Road and Tonkin Highway traverses directly east-west. At present the current alignment dissects Bush Forever Site 464 and a significant portion of remnant upland vegetation.

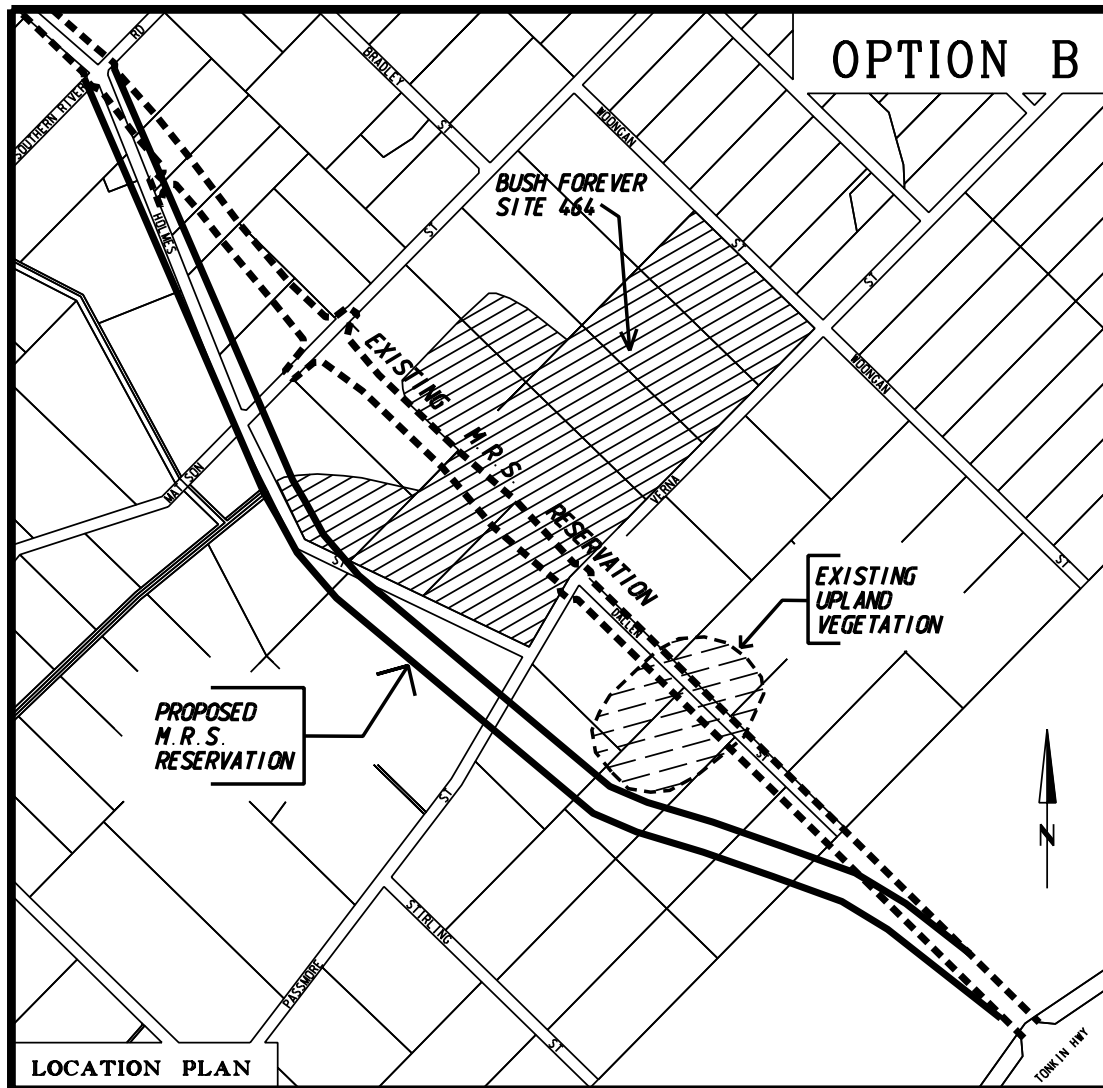
Proposed Realignment

The Department for Planning and Infrastructure's (DPI) Integrated Transport branch have proposed two realignment options to eliminate the impact on Bush Forever Site 464 that would result from the extension of Garden Street. This report provides an opportunity for Council to consider the two realignment options and provide preliminary advice to the DPI.

From Southern River Road, Option A utilises the existing alignment of Holmes Street until the intersection with Passmore Street, Southern River. From this intersection, Option A continues in a eastern direction through a significant portion of upland vegetation and onto Tonkin Highway (see Location Plan Option A). This alignment slightly impedes on the southern portion of Bush Forever Site 464.



Option B again generally retains the existing alignment of Holmes Street. However this option diverts slightly further south, approximately 850 metres before the existing Holmes Street's intersection with Passmore Street and traverses to the south around the existing area of upland vegetation and onto the Tonkin Highway (see Location Plan Option B).



Both options propose a road reservation width of 40 metres. As previously mentioned, both options would for the most part utilise the existing 20 metre wide road reservation of Holmes Street, however the ultimate acquisition of privately owned land would be unavoidable. Given Option B's proposed diversion, the loss of privately owned land in this scenario would be greater. Neither option however would require the removal of existing dwellings.

Statutory Requirements

The realignment of the existing “Other Regional Road” reservation requires a formal amendment to the Metropolitan Region Scheme (MRS). Following initiation of the amendment by the Department for Planning and Infrastructure, a formal advertising period will be required, during which time Council and all affected landowners will have the ability to comment on the proposed amendment. Generally a stand alone amendment to the MRS takes approximately 18 months.

DISCUSSION

Southern River/Forrestdale/Brookdale/Wungong District Structure Plan

The Southern River/Forrestdale/Brookdale/Wungong District Structure Plan was released by the Western Australian Planning Commission in 2001. The District Structure Plan (DSP) provides a guide to future development within the district and the management of key environmental issues. The DSP acknowledged Bush Forever Site 464 and proposed a new alignment for Garden Street around the Bush Forever site. The two proposed realignment options are generally in line with the DSP Garden Street alignment.

Bush Forever Site 464

Bush Forever Site 464 has been identified as being particularly significant for biodiversity conservation and is considered as one of the better examples of the Southern River Vegetation Complex in the Perth Metropolitan Region. Bush Forever identifies the site as requiring a “strategic negotiated planning solution”. Such sites generally involve the development of planning and design solutions in consultation with landowners to achieve Bush Forever objectives. It is considered that the realignment and ultimate construction of Garden Street would serve as an appropriate hard edge to the southern boundary of the core conservation area, without significantly impeding on it.

Environmental Considerations

The proposed Garden Street extension dissects a future development cell commonly referred to as Southern River Precinct 3. Precinct 3 is zoned “Urban Deferred” under the MRS and for the most part has been identified for future urban development in accordance with the DSP. Under the DSP however, this area is generally characterised as being particularly environmentally sensitive with significant wetland and some upland vegetation areas. Whilst environmental matters will have to be addressed through the MRS process, the City is currently in the process of engaging a suitably qualified environmental consultant to undertake a detailed analysis of all environmental assets within Precinct 3. Through this process it is considered that further certainty to the ultimate alignment of Garden Street will be attained.

Approximately 300 metres to the east of Bush Forever Site 464, within another future development cell known as Southern River Precinct 4, exists a substantial portion of remnant upland vegetation. This portion of remnant vegetation is approximately 400 x 600 metres and could potentially form a part of an important ecological linkage with Bush Forever site 464. Such a linkage would provide corridors for the movement of native fauna and dispersion of existing flora. This subject piece of remnant vegetation has been identified by the Perth Biodiversity Project as having a level of environmental significance and generally an area in need of further investigation. It is considered significant given that the Southern River locality is generally characterised as having significant portions of dampland (wetland) vegetation and considerably less strands of upland vegetation.

The Perth Biodiversity Project is a joint initiative between thirty-one local governments and a number of various state agencies that broadly encourages local authorities to become increasingly involved in bush care and biodiversity conservation.

As previously mentioned, the Option A alignment retains the existing Holmes Street alignment and minimises any impact on Bush Forever Site 464 but divides this area of existing upland vegetation. The alignment for Option B again utilises the existing Holmes Street reservation but diverts further south around this area of upland vegetation but through an identified Resource Enhancement Wetland. The Department of Environment's Position Statement on wetlands generally states that Resource Enhancement Wetlands are wetlands that have been partially modified but could potentially be restored to again support substantial ecological attributes and functions. Given the particularly small amount of existing vegetation contained within this wetland, the potential for it to be restored to its original condition is limited. For these reasons, Option B is considered the preferred alignment from an environmental perspective.

Detailed planning for the area east of Passmore Street (Precinct 4) is not anticipated to commence within the next 3-4 years and is likely to be initiated by the landowners

Traffic and Engineering Considerations

Both Options A and B are considered adequate from an alignment and traffic safety perspective. Option A is considered beneficial in that it utilises the existing Holmes Street road reservation more than Option B and would result in a regular four-way intersection with Passmore Street. Option A would however, require consideration by the Environmental Protection Authority (EPA) for the clearing of the existing portion of upland vegetation and may result in some difficulties in construction given the comparatively steep gradient experienced through this portion of upland vegetation.

Option B is again considered adequate however it would require greater acquisition of privately owned land and the closure and treatment of the balance portions of the Holmes Street reservation. However, in the context of the overall extension of Garden Street, the additional amount of land required to be acquired for this option is not considered substantial. This alignment would also result in a slightly staggered four-way intersection with Passmore Street, however from a road-safety viewpoint, this is not considered as a significant issue. Generally Option B is considered a more

practical and feasible alignment in terms of construction and is likely to have a lesser impact on the natural environment.

It is anticipated that the cost of the acquisition of land and the construction of the road itself may be funded through a cost-sharing arrangement mechanism as a part of future Outline Development Plans for both Southern River Precincts 3 and 4.

CONCLUSION

The purpose of this report is for Council to consider two options for the realignment of the "Other Regional Road" reservation for Garden Street under the MRS between Southern River Road and Tonkin Highway. Both proposed options remove any significant impact the future extension of Garden Street would have on Bush Forever Site 464 and would actually result in a defined hard edge to any core conservation area ultimately identified. From a traffic and engineering perspective both options are generally considered acceptable in terms of construction, alignment and feasibility.

As has been noted, the only variation between the two options is the diversion proposed by Option B that eliminates any impact the construction of Garden Street would have on the portion of upland vegetation to the immediate east of Bush Forever Site 464 (see Location Plan Option B). Whilst this portion of vegetation has not been identified for protection under Bush Forever or any other form of policy or legislation, Council staff consider it to have environmental significance and that it could potentially form a part of an important ecological linkage with Bush Forever Site 464.

Given these considerations, it is recommended that Council support the realignment of the "Other Regional Road" reservation for Garden Street between Southern River Road and Tonkin Highway, proposed by Option B.

FINANCIAL IMPLICATIONS

It is considered that the cost associated with the acquisition and construction of both proposed alignment options would be particularly similar as both options are of a similar length and neither require the acquisition and removal of existing dwellings. As previously mentioned the acquisition costs and the ultimate construction of Garden Street may be funded through a cost-sharing arrangement mechanism as a part of future Outline Development Plans (ODP) for both Southern River Precincts 3 and 4. Finalisation of these ODP's however is not expected in the immediate short-term.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION**293 Moved Cr D Griffiths Seconded Cr R Hoffman**

“That Council advise the Department for Planning and Infrastructure that it supports the initiation of an amendment to the Metropolitan Region Scheme to realign the “Other Regional Road” reservation for the future extension of Garden Street between Southern River Road and Tonkin Highway, as proposed by Option B.”

CARRIED 9/0

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

AGAINST: Nil.

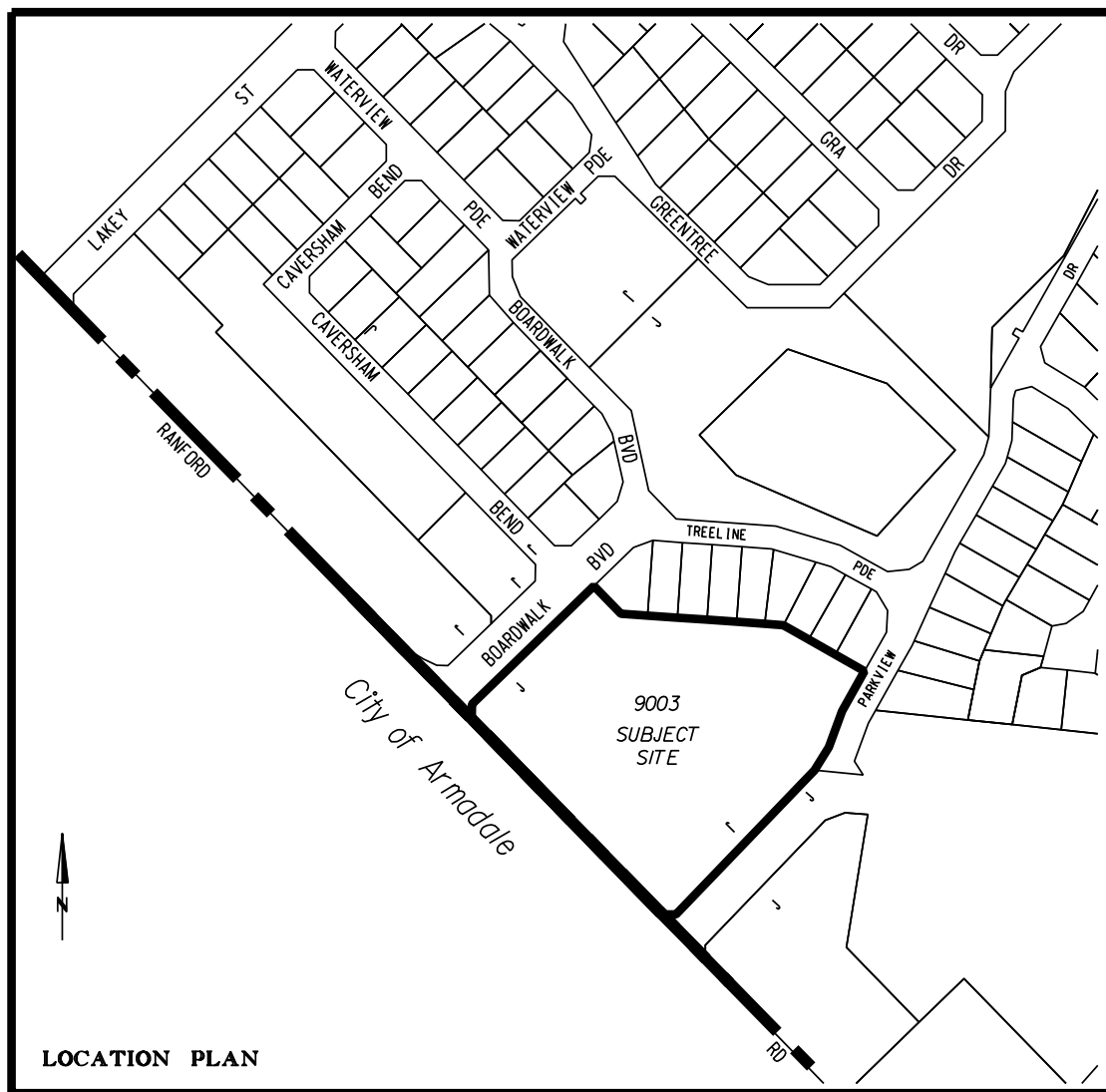
9.18pm – Cr J Brown returned to the meeting.

Notation

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

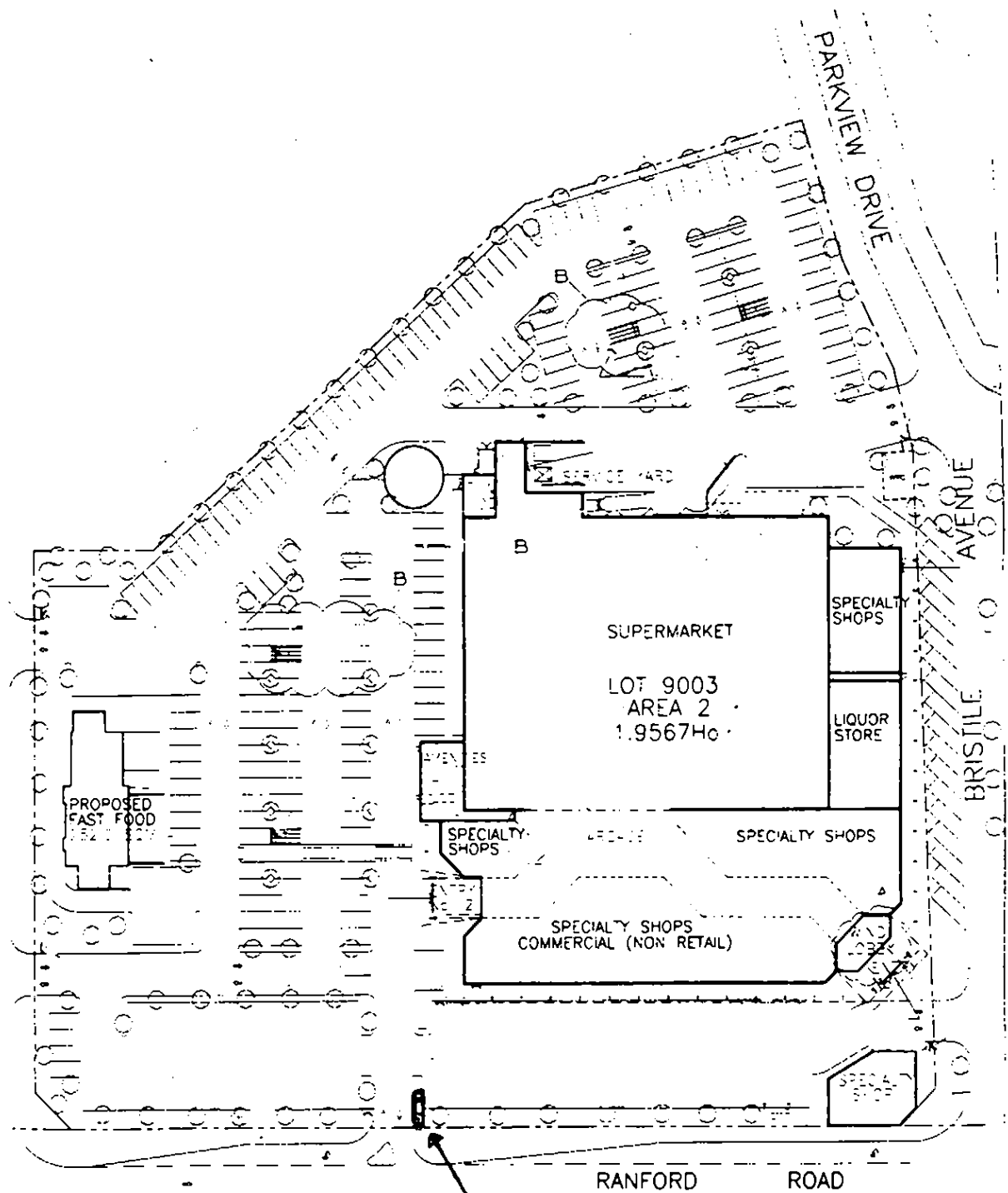
13.5.2 WEST CANNING VALE OUTLINE DEVELOPMENT PLAN (*ITEM BROUGHT FORWARD – REFER TO ITEM 11*)

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.



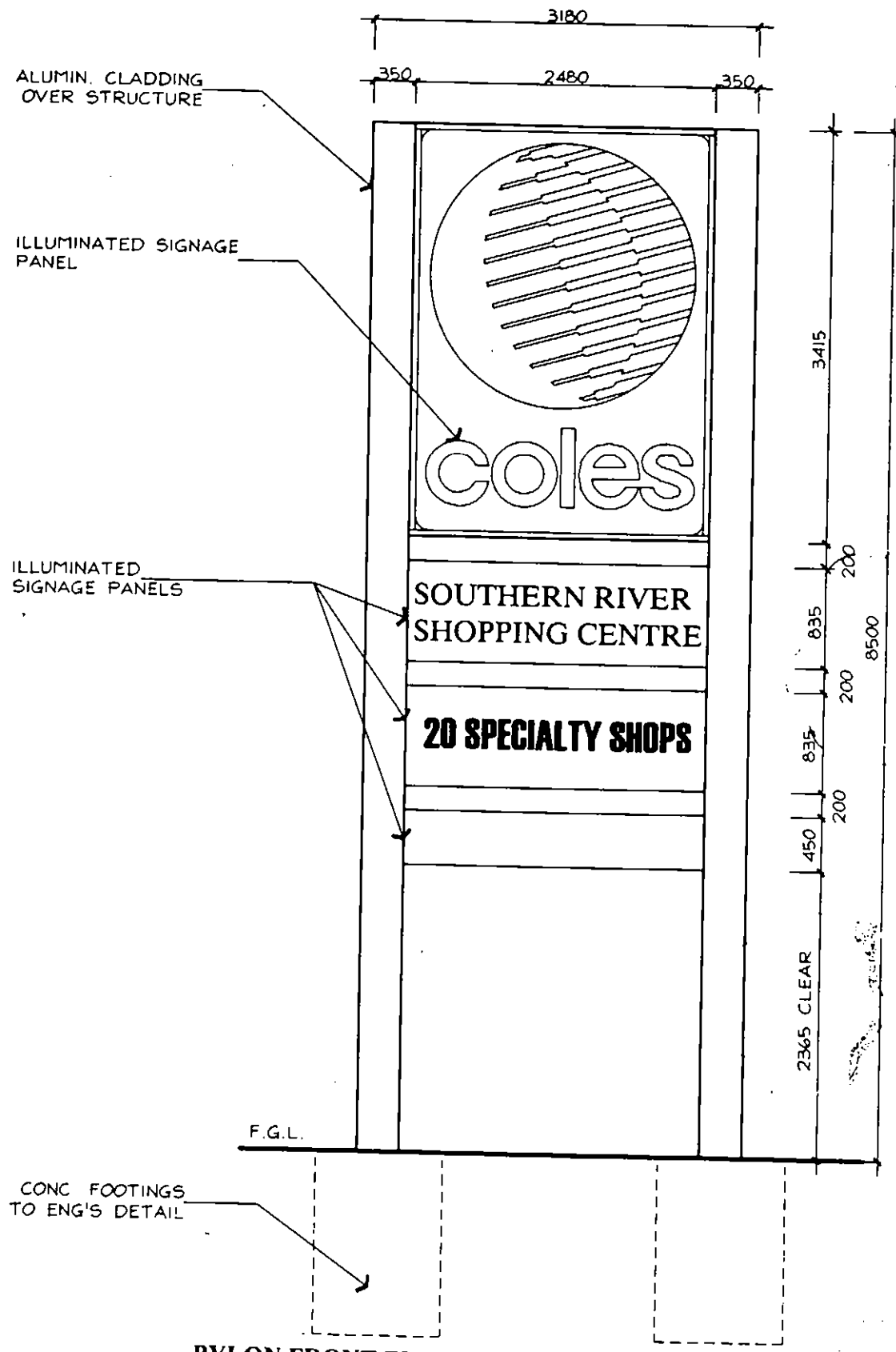
Proposal

The applicant proposes to construct an illuminated pylon sign at the entrance to the shopping centre car park on Ranford Road (refer Site Plan). The proposed pylon sign is 8.5m high and has a superficial area of 13.05m². The sign is proposed to accommodate the words “Coles”, “Southern River Shopping Centre” and “20 Specialty Stores” with one remaining panel to allow for the name of a future fast food outlet or similar which is proposed to be located on the site.

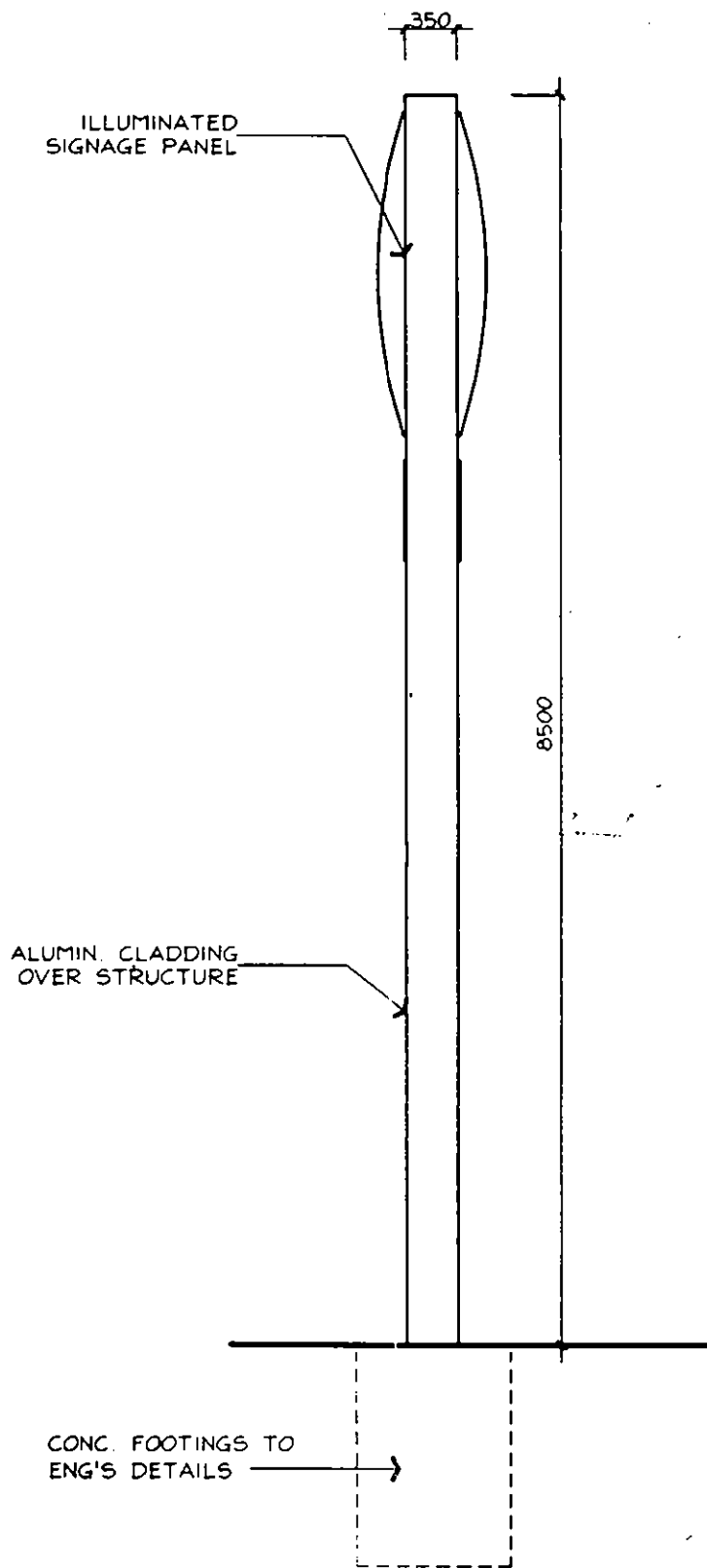


PROPOSED PYLON SIGN LOCATION

SITE PLAN



PYLON FRONT ELEVATION



PYLON SIDE ELEVATION

DISCUSSION

Council is to consider this application under the statutory planning framework, notably TPS 6 and the Signage Local Law.

Town Planning Scheme No. 6

Clause 5.12.1 – General, states:

“For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Act requiring, except as otherwise provided, the prior planning approval of the Council. Planning Approval is required in addition to any licence pursuant to Council’s Signs Local Law.”

Clause 5.12.3 – Consideration of Applications, states:

“Without limiting the generality of the matters which may be taken into account when making a decision upon an application for planning approval to erect, place or display and advertisement, Council shall examine each such application in the light of the objectives of the scheme and with particular reference to the character and amenity of the locality within which it is to be displayed, including its historic or landscape significance and traffic safety, and the amenity of adjacent areas which may be affected.”

Development approval for the proposed pylon sign is therefore required and the proposal is to be assessed on its individual merits.

The City of Gosnells Signage Local Law

The City of Gosnells Local Law relating to Signs, Hoardings and Billposting states:

“3.15 Notwithstanding that a Sign or Hoarding complies with the provisions of these Bylaws the Council may refuse a Licence if:

- (a) Such sign or hoarding would, in its opinion, increase the number or variety of signs so as to become too numerous or various to the locality to be injurious to the amenity or natural beauty or safety of the locality; or*
- (b) such sign or hoarding advertises goods or services which are not produced, displayed or offered for sale or otherwise available to the public upon or from the premises where such sign or hoarding is erected, attached or affixed*

5.12.1 A Pylon sign shall:

- (a) not have any part thereof less than 2.7m or more than 6m above the level of the ground immediately below it*

- (b) *not exceed 2.6m measured in any direction across the face of the sign or have a greater superficial area than 4m²*

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

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

Local Law Requirement	Proposed Sign (Metres)
Minimum Headway Clearance of 2.7m	2.36
Maximum Height of 6m	8.5
Maximum dimension of 2.6m measured across the face	3.14
Maximum superficial area of 4m ²	13.05m ²

The above assessment demonstrates that the proposed sign does not meet the size requirements set out in the Signage Local Laws. However, the Council has the ability to consider applications for signage that exceeds the requirements stipulated in the Signage Local Laws. There are no established criteria within the Local Laws for considering variations. It is noted that Council at its meeting held on 10 June 2003 (Resolution 369) approved a similar pylon sign for Gosnells Central Shopping Centre (including Coles) at a height of 9.85m and superficial area of approximately 18m².

As the proposed pylon sign is to be the only pylon sign to be located on the site, it is considered reasonable to be of a relatively large scale. The proposed sign contains space for the proposed fast food outlet on the site and negates the need for individual signs for each tenancy. Council has in the past approved oversize pylon signs where advertising for individual tenancies are located on the one pylon sign in order to preserve the amenity of an area. Should the proposed sign be approved by Council, it would be conditional upon a Sign Licence being issued addressing structure, electrical installation and glare levels. It is also recommended that should Council approve the application that the applicant enter into a legal agreement, at the applicants cost, to restrict the number of pylon signs to the subject pylon sign only.

Traffic

Council's Senior Road Safety Officer has assessed the plan and advised that there are no traffic issues in relation to the location of the proposed pylon sign.

Referral

The application was referred to the City of Armadale for their comment as the subject site on Ranford Road is directly opposite Armadale's jurisdiction. The City of Armadale advised that they have no concerns or comments regarding the proposed pylon sign.

CONCLUSION

The proposed pylon sign does not meet the size requirements set out in Council's Signage Local Law; however this law does allow Council to approve any sign via a Council Resolution that it believes constitutes orderly and proper use and development of land. It is considered that the proposed sign is unlikely to have any significant detrimental impact upon the surrounding environment. The subject pylon sign is also the only proposed sign to be located on the site, providing justification for its size. Therefore, the application is recommended for approval subject to adequate conditions being imposed.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION

Moved Cr D Griffiths Seconded Cr P Wainwright

That Council approve the application for an illuminated pylon sign at 216 (Lot 9003) Lakey Street, Southern River, subject to the following conditions:

1. The illuminated pylon sign to comply with the City of Gosnells Local Laws.
2. The applicant entering into a legal agreement with the City of Gosnells, at the applicant's cost, restricting the number of Pylon signs on the site to the subject sign only.
3. Standard Condition 7.1.

Amendment

During debate Cr R Mitchell moved the following amendment to point three (3) of the staff recommendation:

"That the staff recommendation be amended by deleting the number "7.1" where it appears after the word "Condition" in point three (3) and inserting "D10.5"

Cr R Mitchell provided the following written reason for the proposed amendment:

"Change of numbering after review of conditions from 7.1 to D10.5".

Cr R Hoffman Seconded Cr R Mitchell's proposed amendment.

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

Moved Cr R Mitchell Seconded Cr R Hoffman

That the staff recommendation be amended by deleting the number "7.1" where it appears after the word "Condition" in point three (3) and inserting "D10.5", with the amended recommendation to read:

"That Council approve the application for an illuminated pylon sign at 216 (Lot 9003) Lakey Street, Southern River, subject to the following conditions:

1. The illuminated pylon sign to comply with the City of Gosnells Local Laws.
2. The applicant entering into a legal agreement with the City of Gosnells, at the applicant's cost, restricting the number of Pylon signs on the site to the subject sign only.
3. Standard Condition D10.5"

CARRIED 9/1

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

AGAINST: Cr J Brown.

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

COUNCIL RESOLUTION

294 Moved Cr R Mitchell Seconded Cr R Hoffman

"That Council approve the application for an illuminated pylon sign at 216 (Lot 9003) Lakey Street, Southern River, subject to the following conditions:

1. The illuminated pylon sign to comply with the City of Gosnells Local Laws.
2. The applicant entering into a legal agreement with the City of Gosnells, at the applicant's cost, restricting the number of Pylon signs on the site to the subject sign only.
3. Standard Condition D10.5"

CARRIED 9/1

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

AGAINST: Cr J Brown.

13.5.4 DEVELOPMENT APPLICATION – WAREHOUSE SHOWROOM DEVELOPMENT – 108 (LOT 212) MADDINGTON ROAD, MADDINGTON

File: 233697 **Approve Ref:** 0405/1859 (SC) Psrpt069Jun05
Name: Mapel Building Pty Ltd
Location: 108 (Lot 212) Maddington Road, Maddington
Zoning: MRS: Industrial
TPS No. 6: General Industry
Appeal Rights: Yes. State Administrative Tribunal against a refusal or any condition(s) of approval.
Area: 2,126m²

PURPOSE OF REPORT

For Council to consider an application for five tenancies (4 showrooms and 1 warehouse) at 108 (Lot 212) Maddington Road, Maddington as the proposal is outside the authority delegated to staff.

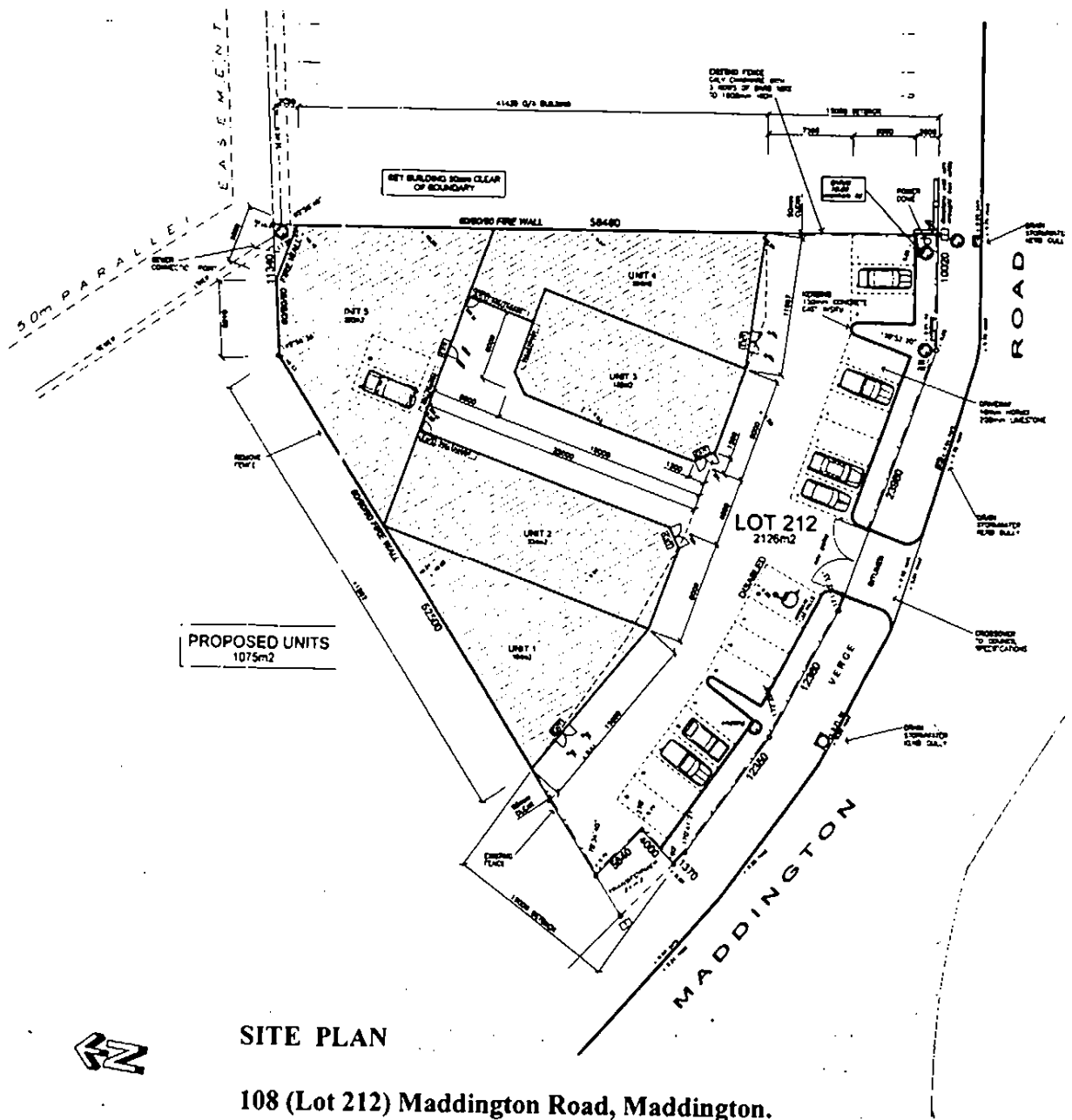
BACKGROUND**Site Characteristics**

The subject lot is 2126m² in area and is zoned “General Industry” under Town Planning Scheme No 6 (TPS 6). The site is flat, vacant and triangular in shape and is located on a bend in Maddington Road. Land to the east of the subject site along Maddington Road is zoned Composite Residential/Light Industry and the abutting Lot 211 is developed with a recently constructed residence, however at this time, there is no light industrial land use on this site.

Land to the north and west abutting either side of Maddington Road is zoned General Industry and has been developed with a range of general industrial land uses such as metal fabrication, mechanical workshops, earthmoving plant, engineering works, furniture manufacture and the like. Land to the south of the site across Maddington Road and fronting Keera Court is zoned “Residential”. There are single residential developments in close proximity to the subject site, however, the land directly opposite the subject site (ie to the south) is characterised by larger, underdeveloped residential lots. Residential development in this area has been constrained by the lack of reticulated sewer. Staff have identified a need for an Outline Development Plan (ODP) to guide and coordinate future development within this residential zoned area, therefore more intensive residential development is likely at some future time.

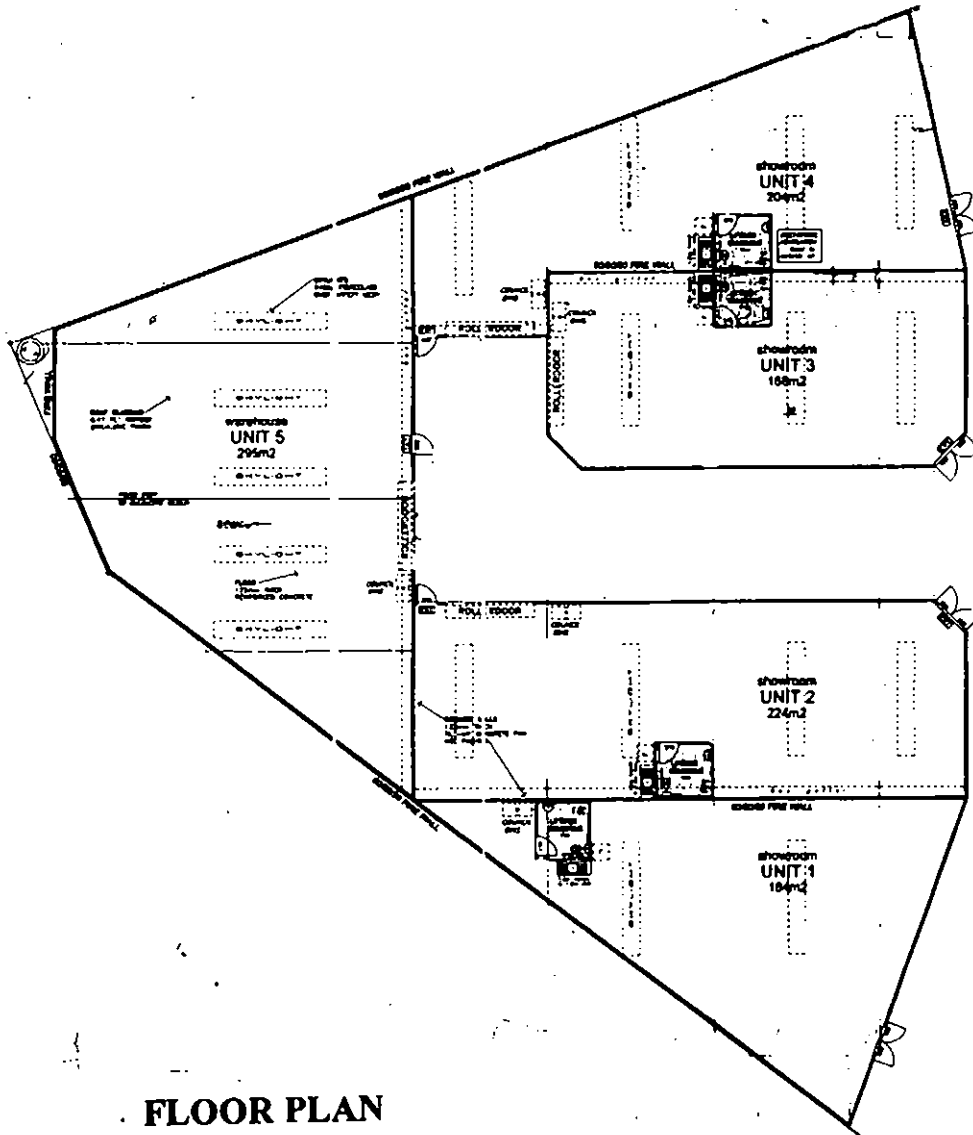
Proposal

The proposal is for an integrated development of five tenancies which effectively articulates the bend in Maddington Road (ie it presents a direct frontage to all portions of the abutting road). Parapet walls are proposed on both side boundaries. The proposed development is setback 15 metres from the Maddington Road frontage as required by TPS 6 provisions and is to be utilised for carparking with a 2 metre wide landscape strip including landscape islands which provide additional landscaping area.

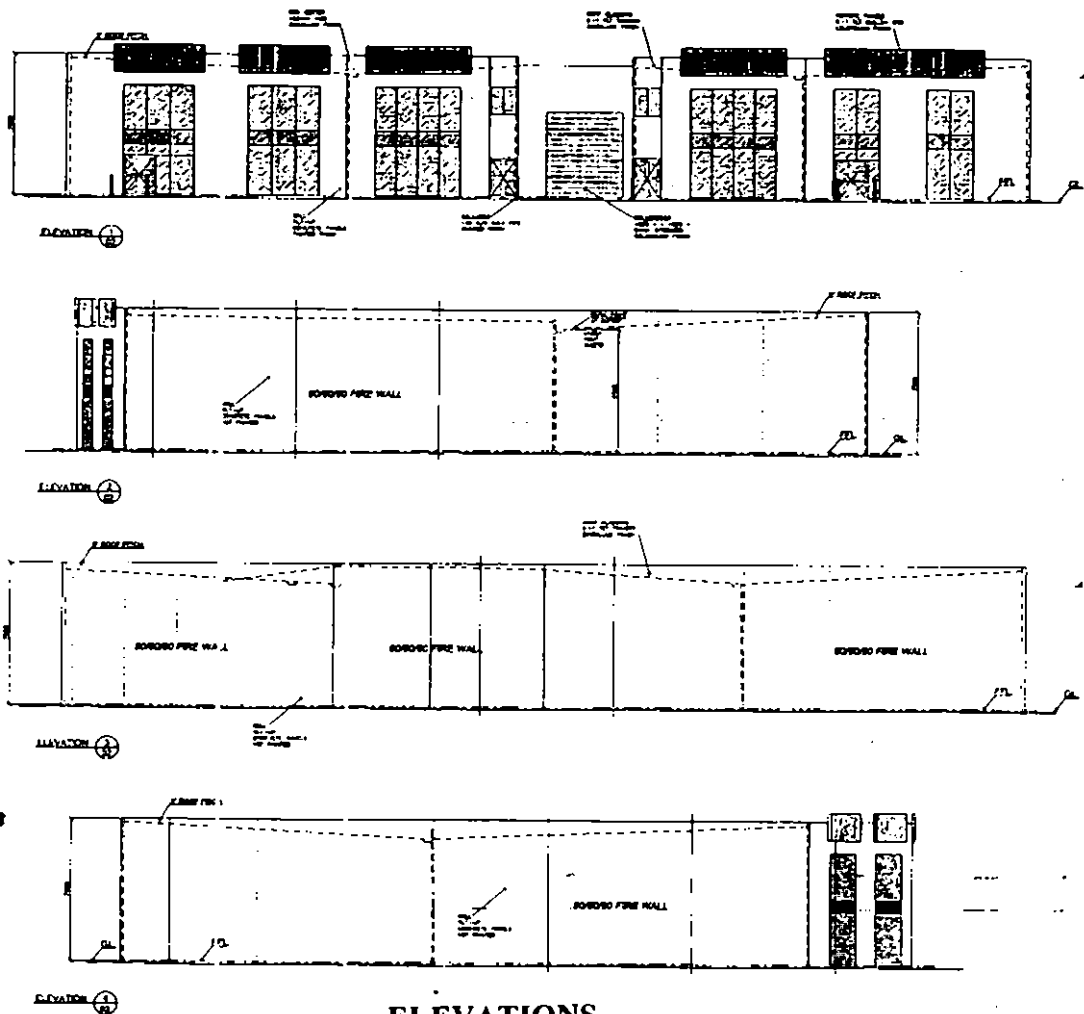


SITE PLAN

108 (Lot 212) Maddington Road, Maddington.



FLOOR PLAN



DISCUSSION

In considering the application, Council is required to have regard for both statutory, planning requirements and strategic objectives and the public submissions received during the advertising period. These issues are addressed below.

Statutory Framework TPS 6

A “showroom” within the “General Industry” zone is designated an “A” use which means a use that can be considered only after the proposal has been advertised. A showroom is therefore a discretionary use within the General Industry zone, which needs to be assessed on its merits. In assessing discretionary uses Clause 11.2 of TPS 6 specifies a range of matters that need to be considered which include:

- The aims and provisions of the TPS 6 and any other operating scheme, in this case Town Planning Scheme No 15 (TPS 15) (11.2 a);
- The requirements of orderly and proper planning (11.2 b);
- Any approved statement of planning policy of the Commission; in this case Statement of Planning Policy 4.2 Metropolitan Centres Policy (11.2 c);
- Any local planning policy which in this case relates to the City's Draft Local Commercial Strategy (11.2 f);
- The compatibility of use or development with its setting (11.2 i);
- The vehicular access, egress and traffic issues (11.2 p & q); and
- Any other planning considerations considered relevant (11.2 za)

Town Planning Scheme No. 6 Objectives for General Industry Zone

Clause 4.2 of TPS 6 provides the following objective of the General Industry zone:

“To provide for manufacturing industry, the storage and distribution of goods and associated uses, which by the nature of their operations should be separated from residential areas.”

The proposed use is non-industrial in nature and therefore does not strictly comply with the zones objectives. It is to be noted though, that showrooms are a discretionary use within the General Industry zone and therefore may be permitted dependent on the merits of the particular proposal. In this regard consideration of strategic objectives (see below) is relevant. The reference to separation of industrial land uses from residential areas may though be seen as a relevant matter given that showrooms can provide an interface between residential and industrial land uses. In this regard the proponent has stated;

“...that some of the uses that are permitted under the scheme for this lot, that do not require the neighbours approval would be far less attractive to the neighbours than the proposed smart showroom/warehouse development. If we cant build showrooms here, this is the sort of development that the neighbours can look forward to.”

The proponent is referring to a range of general industrial land uses such as workshops, metal fabrication operations, such as currently exist in close proximity and which may be approved without public consultation. It is acknowledged that from this perspective a showroom development may arguably have less impact in terms of noise and visual amenity than general industrial land uses. There are though, strategic matters relating to allocation of showroom floor space and these are discussed further below.

Town Planning Scheme No. 6 Development Control Requirements

Various TPS 6 provisions relate to matters such as parking provision, boundary setbacks, landscaping etc. The proposed development generally complies with relevant development control provisions apart from the landscaping requirements specified at Table 2B which requires a 3 metre landscape strip abutting all streets. In the case of the subject proposal the proposed landscape strip is 2 metres in width, however, two landscape islands between carparking areas act to increase the overall landscaping provision. It is considered that given the wide frontage (64 metres) relevant to the lot area, the proposed 2 metres is sufficient and in the event of Council approval for the proposal for the proposed development Clause 5.5 of TPS 6 provides Council the power to approve the application notwithstanding the technical non compliance with the scheme requirement.

Town Planning Scheme No. 15 (TPS 15)

General objectives of TPS 15 are to facilitate subdivision and development within the scheme area and to provide for suitable roads, drainage and public open space areas (along Bickley Brook). The subject proposal is not seen as contrary to TPS 15 objectives.

Strategic Framework

Western Australian Planning Commission (WAPC) Statement of Planning Policy No. 4.2- Metropolitan Centres Policy Statement (SPP 4.2).

SPP 4.2 is primarily a guide for the development of commercial centres within the metro area. It provides for a hierarchy of centres with designated functional roles. It is mainly concerned with retail floor space provision, however in terms of showroom development for bulky goods retail, it specifies that this land use should locate in:

- Regional or District Centres; or,
- Designated Mixed Business areas as part of Regional or District Centres with access to major roads and public transport and on land zoned for commercial use.

The general intent of SPP 4.2 is to concentrate commercial development into designated centres within a hierarchy of centres. This accords with a general planning principle that the functionality and viability of existing and proposed commercial centres is enhanced by containment of ad hoc development such as ribbon development along busy roads and encroachment of commercial uses into areas not specifically zoned for commercial uses. Given that the subject site is not located within or in close proximity to a designated commercial centre or on land specifically zoned for commercial use, the proposal is not considered to accord with the general intent of SPP 4.2.

City of Gosnells Draft Local Commercial Strategy (LCS) November 2001

The City's Local Commercial Strategy (LCS) identifies a rising demand for "other retail" land uses which relates to showroom development for bulky goods retail. Between 1993 and 1997 there was a 30% increase in showrooms within the municipality. The LCS further identified a need for up to 50,000m² NLA to satisfy demand for showrooms through to 2009. The LCS identified some specific locations seen as appropriate for showroom development. These were primarily within Highway Commercial areas along Albany Highway, however, land abutting Kelvin Road between its crossing of Bickley Brook (ie near Wildfire Road) and its intersection with Bickley Road was also identified as being an appropriate location for Mixed Business and showroom land uses. The subject site is not located on land identified under the LCS for "other retail" land uses.

Summary of Strategic Framework

The strategic planning framework both at state and Council level seeks to control the allocation of showroom floor space by concentrating it in or in close proximity to larger existing commercial centres or along busy arterial roads in designated locations. In this context the subject proposal poses to Council the strategic issue of the appropriateness or otherwise of showroom development elsewhere within the City. This issue is seen therefore as being the key matter that requires determination by Council and is discussed further later in this report.

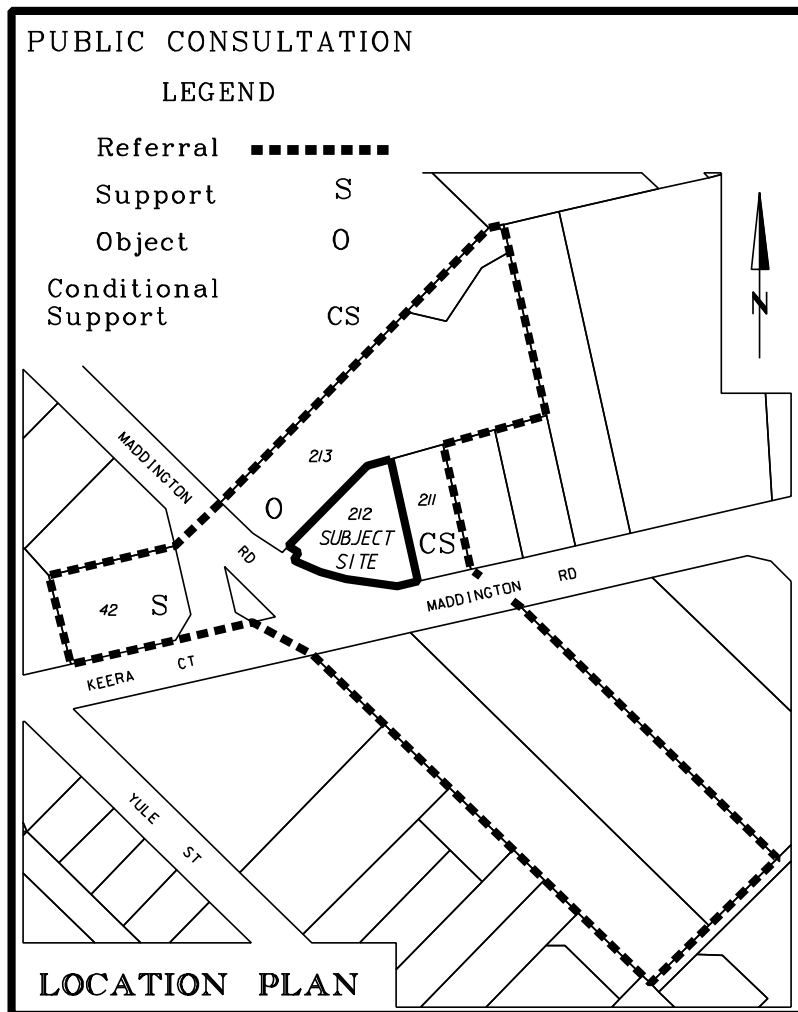
Public Consultation

In accordance with scheme provisions, the proposal was referred to affected nearby landowners for comment. A total of 3 submissions were received, 1 objection, 1 support and 1 conditional support as shown on the attached Referral/Location Plan.

Schedule of Submissions

No.	Name/Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
1.	M De Ruyter	106 Lot 213 Maddington Road Maddington	Object. 1) Concerns regarding subsoil drain 2) Query whether enough parking.	Noted. Refer Discussion section regarding Drainage Not supported, meets scheme requirements.
2.	C Brailsford	110 (Lot 211) Maddington Road Maddington	Conditional Support. 1) Site suits showrooms with good exposure on corner. 2) Concerns regarding personal safety regarding height of wall during construction and queries if needed to vacate property during construction.	Noted. Strict safety guidelines apply and vacation of property should not be necessary, however, builder is required to consult with adjoining properties during construction phase re any access.

No.	Name/Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
			Possible painting of parapet wall abutting residential property	Agree. In the event of Council approval painting of 41 metre long parapet seen as appropriate given it directly abuts the residential component (35 metre setback) in Composite Residential/Light Industry zone.
3.	B W Jarvis PO Box 50 Maddington 6989	1 (Lot 42) Keera Court Maddington	Support	Noted.



Drainage

There is a sub-soil drain for the site located adjacent to the eastern side boundary. This connects to the stormwater street system. Concerns have been raised by an abutting landowner regarding construction of a building directly over the sub soil drain which is contrary to standard development practice. In this regard the proponent has advised that the development would necessitate a complete revamp of the subject site stormwater drainage and that the need for the subsoil drain would cease and it could be removed. On this basis in the event that Council approve the development it is considered that a requirement for a stormwater disposal strategy to the satisfaction of the Director of Infrastructure would address the stormwater issue. Council's Subdivision Engineer has advised that further analysis of the site and surrounding lots is required before the sub soil drain can be removed.

Traffic

Council's Traffic Engineer has advised that Maddington Road is classified as a District Distributor type "B" which typically carries traffic volumes in the order of 6,000 to 8,000 vehicles per day. However actual traffic volumes are currently less than this. The subject site is located on a bend in Maddington Road, which constrains site lines; they do, however, meet minimum requirements. It should also be noted that a showroom use is seen as a more intensive land use with respect to traffic volumes than general industry and from this perspective, a showroom development on a road bend is not seen as optimal.

Amenity

The proposed development is seen as being an appropriate design response to an irregular shaped, triangular lot. The design clearly articulates the bend in Maddington Road and the submitted elevations are considered to be acceptable in terms of visual impacts and would improve the streetscape. It is considered justified, that in the event of Council approval, the parapet along the eastern side boundary, which will directly impact on the residential component of the abutting Composite Residential/Light Industry zoned lot be painted. It is recommended that this be a condition of any approval.

In terms of the nearby residential zoned land to the south of Maddington Road/Keera Court, it is considered that a showroom land use may well have less adverse impact on residential amenity than the range of industrial uses that may be permitted on the subject site. There are therefore no objections in terms of adverse amenity impacts identified.

Assessment of Strategic Issues

As previously stated, it is considered that the primary matters for Council consideration relate to the appropriateness of the subject site for showroom development. In this context the following issues are seen as pertinent:

- SPP 4.2 and Councils LCS seek to contain showroom development to larger commercial centres and designated areas along busy arterial roads such as

Albany Highway and Kelvin Road. Implicit in this objective is the notion that ad hoc showroom development may undermine the commercial viability of existing commercial development. It is accepted that the subject proposal in itself would have a relatively insignificant strategic impact, however approval for the subject proposal, contrary to State and Council policy instruments, may be seen as creating an undesirable precedent for further, inappropriately located, showroom development.

- Encroachment of showroom land uses into the general industrial area (outside of the LCS designated showroom area along Kelvin Road) may be seen as contrary to the TPS 6 objectives and would act to limit the availability of land zoned for industrial purposes and may act as a precedent for further similar proposals. As Councillors would be aware, the Maddington Industrial Area has little vacant land available and this fact has been the prime reason for Council commencing investigations for the creation of additional industrial zoned land in the Maddington/Kenwick rural area north of Bickley Road and east of Tonkin Highway.

CONCLUSION

The subject proposal satisfies TPS 6 development control requirements and it is acknowledged that amenity impacts may be less than those from general industrial land uses that could be approved. Concerns though are raised regarding the strategic appropriateness of the location of the subject site for showroom development. The proposal is seen as being contrary to Council's Draft Local Commercial Strategy and the WAPC Statement of Planning Policy 4.2. On balance, it is considered that approval for the subject proposal would constitute an undesirable precedent for ad hoc showroom development and would be contrary to the scheme objectives of the General Industry zone and the interests of orderly and proper planning. It is therefore recommended that the subject proposal be refused.

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

295 Moved Cr D Griffiths Seconded Cr C Matison

“That Council refuse the application for Warehouse Showroom Development at 108 (Lot 212) Maddington Road, Maddington for the following reasons:

1. Approval of the proposed development would be contrary to locations for showrooms identified in the City's Draft Local Commercial Strategy.

2. Approval of the proposed development would be contrary to locations for showrooms identified in Statement of Planning Policy 4.2.
3. Approval of the proposed development would constitute an undesirable precedent for ad hoc showroom development contrary to proper orderly planning.”

CARRIED 10/0

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

AGAINST: Nil.

13.5.5 DEVELOPMENT APPLICATION – OFFICES AND EIGHTEEN RESIDENTIAL DWELLINGS – 13-15 (LOT 1 AND 2) WHEATLEY STREET, GOSNELLS

File: 209163; 209164 **Approve Ref:** 0405/1667 (BF) psrpt073Jun05
Name: G Tobia
Location: 13-15 (Lots 1 and 2) Wheatley Street, Gosnells
Zoning: MRS: Urban
TPS No. 6: Office
Appeal Rights: Yes. State Administrative Tribunal against a refusal or any condition(s) of approval.
Area: 4,311m²
Appendix: 13.5.5A Site Plan, Floor Plans and Elevations

PURPOSE OF REPORT

For Council to consider an application for 18 residential dwellings and 3 offices at 13-15 (Lots 1 and 2) Wheatley Street, Gosnells, as the proposal is outside the authority delegated to staff.

BACKGROUND**Site Description**

The subject site comprises two lots. Lot 1 has a tennis court and Lot 2 has Swingler Residence, a heritage listed building in the Town Planning Scheme 6 (TPS 6). The subject site is located on the corner of Wheatley and Walter Streets, Gosnells, in close proximity of the new Gosnells Railway Station, within walking distance from shops, recreation reserves, medical centre, restaurants, public purposes facilities, child care centre and City of Gosnells Administration Centre. Gosnells Primary School is 2 km away. There are dual use paths on both streets and mature street trees on the Walter Street verge. Gosnells Oval and local open space are located immediately to the south of the site. The subject lot as well as the land along the railway line towards Gosnells Railway Station is zoned "Office". The surrounding area is zoned "Residential" and "Local Open Space" under the TPS 6. The subject site is located within Town Planning Scheme 20, a guided scheme intended to facilitate future subdivision and development of the area.

Heritage List of TPS No. 6

The subject site has a heritage listed building under the TPS 6 - Swingler Residence, which is in good condition. The applicant proposes to use the residence for an office building. The house is rendered brick with double gablettes on either side of the front door. It has a steeply pitched roof and tall chimneys on either side of the house. There is a bull nosed verandah on the front (Wheatley Street) and halfway on the west side (Walter Street).

History of the Site and Surrounding Area

The following dot points provide a summary of the history of site and surrounding area:

- Council initiated rezoning of a portion of local open space, which abuts adjoining Office zone land along Wheatley Street in March 2000.
- Western Australian Planning Commission (WAPC) approved subdivision of Lot 1 and 2 for four green title lots in 2001.
- Abutting land was rezoned back to Public Open Space in February 2002 by the new TPS 6.
- An application for two subject lots amalgamation was recently lodged (WAPC No. 126818).
- The City previously received a development application for mixed use development on the subject site in March 2004 with a proposal similar to the current one. Planning staff spent almost a year liaising with the developer to formulate an appropriate development proposal. The application was withdrawn prior to a determination being made.
- In the conceptual stage of the new proposal, the planning staff also liaised with the applicant and suggested requirements for a driveway (ROW) abutting the Gosnells Oval reserve in order to provide passive surveillance of the reserve and to complement possible future development of local open space if rezoned back to the Residential zone. The proposal presented in this report is one of several plans the City received over the last six months, from conceptual stage to plan. The original concept plan proposed a single story residential grouped dwellings development, but the design of the site has progressed to a mixed use of two storey development. The proposal appropriately articulates the corner lot, heritage building and its location. All plans were extensively discussed by Council Officers.
- The Heritage Advisory Committee requested that any development on the site complement the heritage listed Swingler Residence. The Heritage Advisory Committee requested additional space (curtilage) to be provided around Swingler Residence and for the residence to be visible from the both streets, Wheatley and Walter Streets. This request from the Committee has been satisfied by access from Walter Street and visitors parking at the end. The Committee also requested detailed documentation of the heritage building, colour of the parking and paving areas to match with colours of the heritage listed building and retention of the palm tree on site, as conditions of development approval.

Proposal

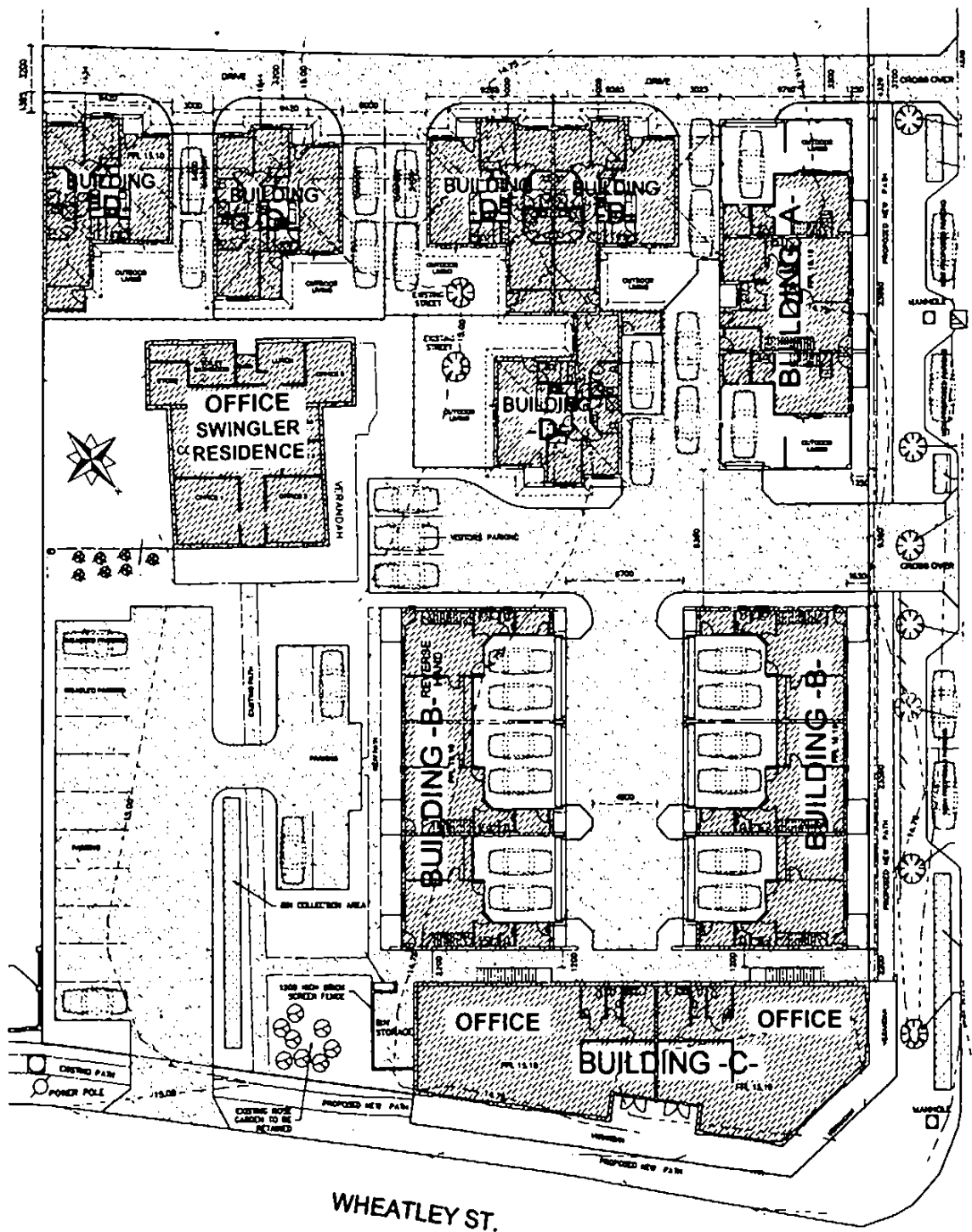
The applicant proposes 3 offices and 18 residential dwellings. It is proposed to use Swingler Residence as an office building and two new offices are proposed on the ground floor level of proposed new building located at the corner of Wheatley and Walter Streets. Four multiple dwellings with large balconies overlooking Wheatley and

Walter Streets will be constructed above the new offices. There are additional windows at the rear and entrance doors to all four apartments with access provided by double stairways. Four single storey dwellings are located along the proposed driveway abutting the public open space and one behind Swingler Residence. Six two storey dwellings, which are setback 1.25m from the front lot boundary, are located along Walter Street and three at the rear, with main porch from the east where is located large parking area in front Swingler Residence. Each dwelling has a large balcony on the first floor overlooking Walter Street or internal carparking, Swingler Residence and the new Gosnells Railway Station. Two of the dwellings have alfresco areas, instead of balconies, on the ground floor level providing passive surveillance of both communal driveways, Walter Street and Gosnells Oval.

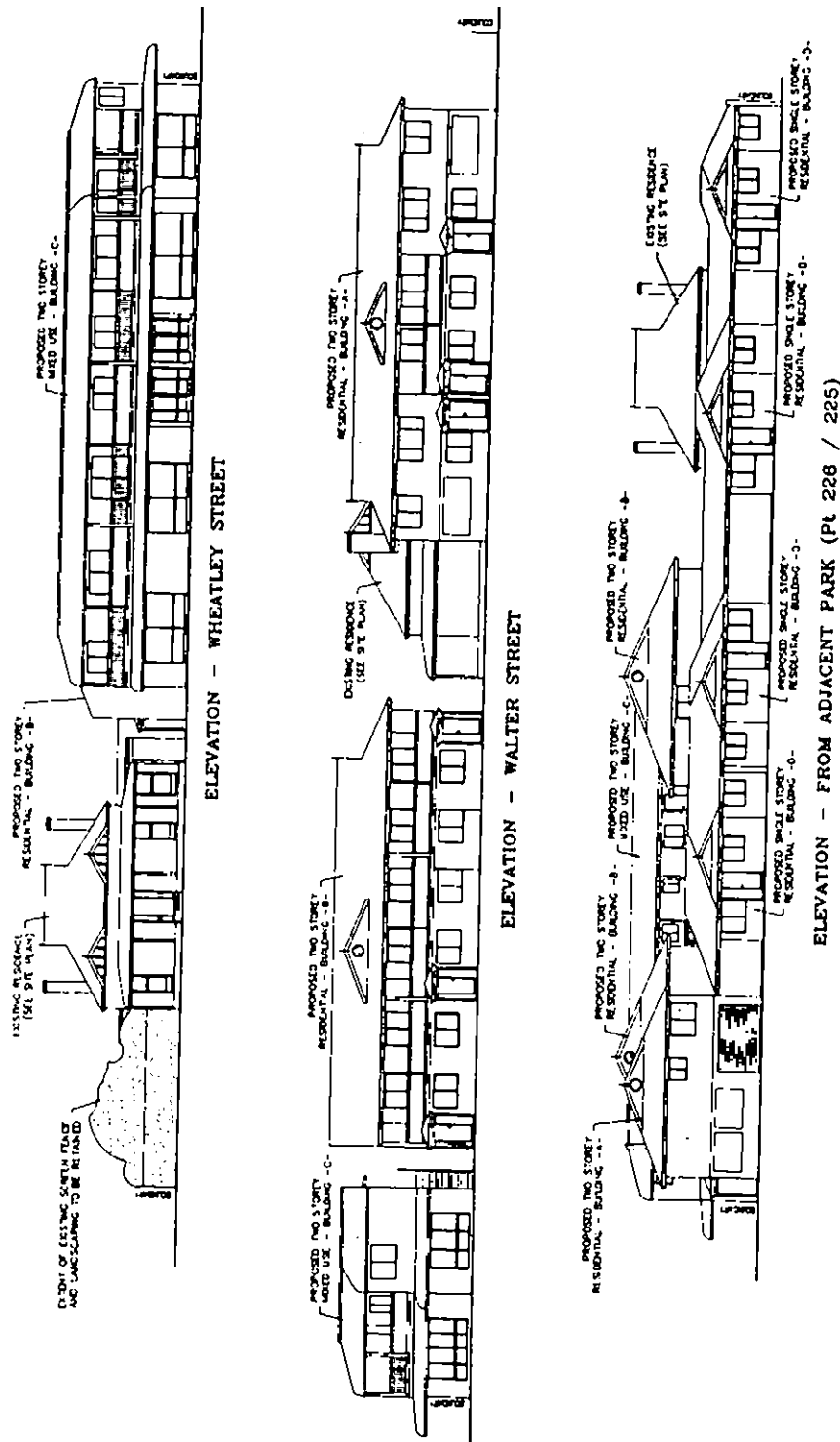
The existing Swingler Residence is proposed to be used as an office with 86m² of active office area. The existing footpath that runs from Wheatley Street to the front door has been kept as part of the original landscape. The proposal allows for viewing of the main residence frontages from both streets. Parallel footpaths are located in front of the grouped dwellings, connecting main entrances and porches of the dwellings. Vehicle access to the property is restricted at three points. One access on Wheatley Street services the parking area for offices and two multiple dwellings. Two driveways on Walter Street provide access to the grouped dwellings garages and car bays. No carport doors are visible from Wheatley or Walter Streets. The height of single storey dwellings which abut the Gosnells Oval ensures the dominance of the heritage building with clear roof lines from Wheatley Street and Gosnells Oval.

The proposal provides 12 carbays, including two disabled bays, for three offices. Two car spaces (as carbays, single or double carports) for each grouped dwelling; one bay for each single bedroom dwelling and three visitors' bays. In total, 12 carbays are provided for the office development and 35 for the residential dwellings, of which four bays will be located on street.

Bin collection areas and bin pads will be located along large parking area and on the Walter Street verge, respectively (see Site Plan). Individual bins will be stored in the parking bay areas of dwellings. In addition the offices have a separate enclosed bin storage area.



SITE PLAN



ELEVATIONS

Internal Referral

Current and previous plans have been referred and discussed with various Council directorates and branches:

- The Heritage Advisory Committee assessed submitted plans regarding the heritage listed building (Swingler Residence) and provided suggestions.

- Infrastructure provided advice on the traffic issues, on-street parking and relocation of the footpath along Walter Street.
- Urban Regeneration assessed the compatibility of the proposal with the Gosnells Town Centre.
- The Manager Engineering Operations and Waste Services has been consulted regarding rubbish bin location and bin collection points.
- The Landscape Architect assessed the original landscaping of the site and trees on the Walter Street verge.

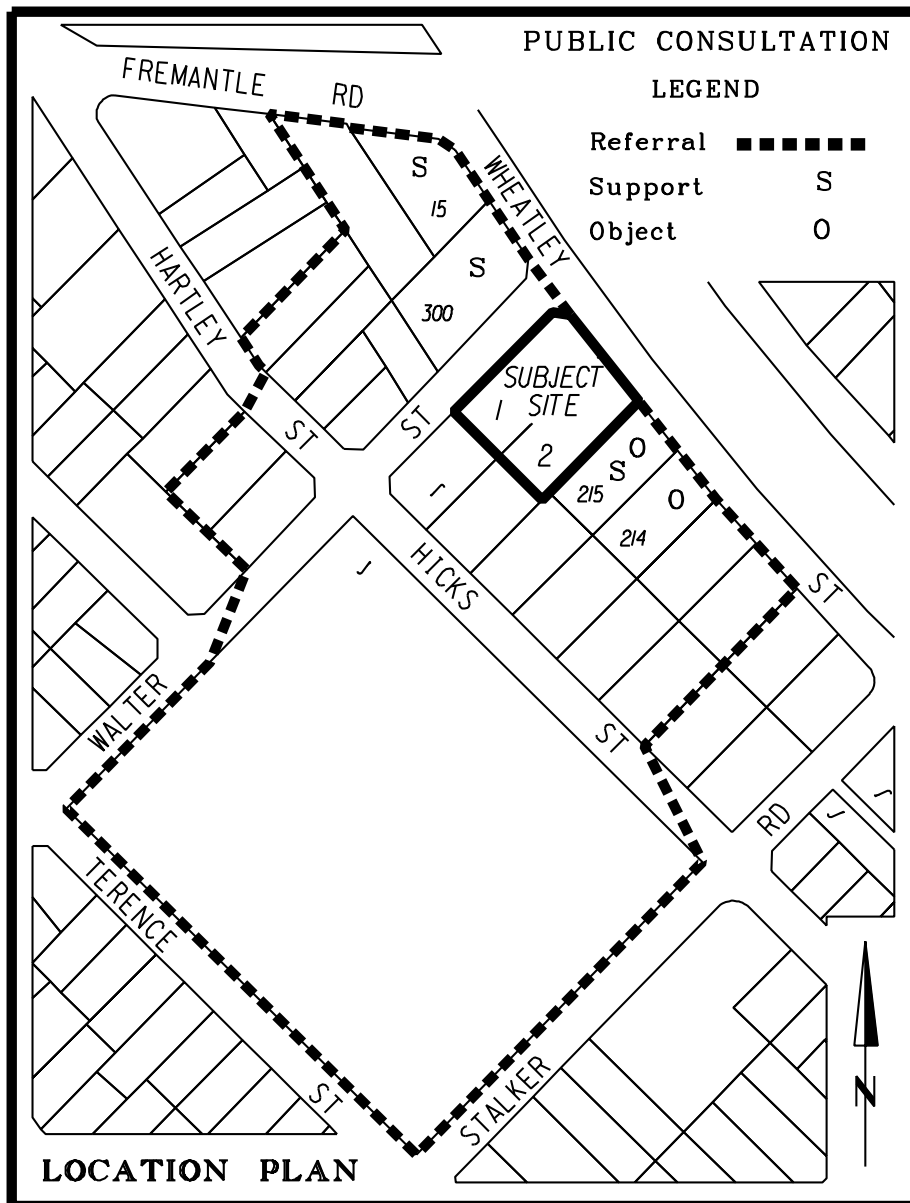
Outcome of Advertising

The proposal was advertised for a period of 14 days, to landowners whose property fall within a 100 metre radius of the subject site in accordance with Policy 6.1.1.1 – Advertising/Referral of Development Applications. The outcome of the advertising period is presented in the Schedule of submission below.

Schedule of Submissions

No.	Name/Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
1.	C D Gilles	19 (Lot 214) Wheatley Street, Gosnells	<p>Object.</p> <p>1) The proposed nil setback should not be varied as it is not in accordance with requirements of TPS 6.</p> <p>2) Mixed use multi storey development is detrimental to established single storey development of the area.</p> <p>3) The residential density is has adverse impact on the area.</p> <p>4) Traffic flow in the area is excessive particularly after new train station is relocated.</p>	<p>Not supported. See discussion section.</p> <p>Not supported. The location of two storey and mixed use is ideally located within walking distance from railway station.</p> <p>The proposal will not increase residential density permitted under the TPS 6 which allows Residential R80 on the subject site. See discussion section.</p> <p>The site is located in close proximity of Gosnells Train Station and town centre. Zoning permits relatively intense commercial/residential use. Increased traffic generation acknowledged but within road networks design capacity.</p>
2.	E Hannay 115 Terrence Street, Gosnells	Unit 4/1 (Lot 300) Wheatley Street, Gosnells	Support.	Noted.
3.	K M Venn PO Box 507, Gosnells	Unit 6/1 Wheatley Street	Support.	Noted.
4.	R Smith 3 Lawson Way, Darlington	17 (lot 215) Wheatley Street, Gosnells	Support.	Noted.

No.	Name/Address	Description of Affected Property: Lot No, Street, etc	Summary of Submission	Staff Comment
5.	M and L Leserf	Unit 5/17 Wheatley Street, Gosnells	Object. 1) The original residence will be overshadowed by new development. 2) Two-storey dwellings will overlook their homes.	Not supported. The existing Swingler Residence will be used as an office, and top of the roof will be almost at the same height as the proposed new development roof height. The dwellings would be 25m away from the lot boundary and complies with provision for overlooking of the R-Codes.



DISCUSSION

The subject site is zoned Office under the Town Planning Scheme No. 6 (TPS 6) and an office is a “P” use and grouped and multiple dwelling are “D” use in Office zone. The proposal must be considered in accordance with the provisions of Clause 5.8.4 of TPS 6, which deals with mixed residential/commercial development and residential development in commercial zones. Clause 5.8.4 states that:

- “(a) Where an application for planning approval proposes residential development in a commercial zoned area, Council shall have regard to:*
 - (i) The character of the area and the need to protect commercial uses from undue influences or restrictions resulting from residential occupation;*
 - (ii) The suitability of the area for residential development with reference to the level of amenity and/or conflict between residential and commercial uses, acknowledging that residential uses in a commercial zone should expect a different level of amenity to that available in a residential area; and*
 - (iii) The provision of the Residential Design Codes (2002) at the R80 density code and the objectives of the Scheme.*
- (b) Where an application for planning approval proposes residential uses to be developed in conjunction with commercial uses, Council will require:*
 - (i) Readily identifiable addresses and entry points for the residential uses, provided separately from the other uses on the site.*
 - (ii) All necessary rubbish bin areas, letterboxes, drying areas and similar facilities and services to be clearly separated between the residential and commercial uses.*
 - (iii) An appropriate level of amenity and security for all uses, with development being designed to avoid problems such as overlooking, overshadowing and disturbances from the commercial component of the development.*
 - (iv) Favourable solar orientation for the residential component.*
 - (v) Carparking for the residential component is to be provided as required under the Residential Design Codes (2002). Carparking for the commercial component is to be provided in accordance with Table 3A - Parking Standards of the Town Planning Scheme. Generally carparking for residential uses are to be separated from commercial uses.*

- (vi) *In general, open space shall be provided for residential uses as required under the provisions of the Residential design Codes (2002) at the R80 density code. For the purposes of calculating the amount of required open space for single houses and grouped dwellings, the 'site' area shall be that portion of the land set aside for residential purposes.*
- (c) *Council may use the "Gosnells Town Centre Revitalisation Urban Design Guidelines" in the assessment and consideration of any mixed residential/commercial or residential development proposal within any commercial zone.*
- (d) *Where residential development is proposed to be located in commercial zones or mixed with commercial development, Council may vary any provision of the Residential Design Codes (2002) it deems necessary to achieve a suitable standard of development. Where such discretion is exercised, the Council may require the proposal to be advertised in accordance with clause 10.4."*

TPS 6 requires street setbacks for Office zoned land of 9 metres for primary streets and 3 metres for secondary streets. Staff has delegation to reduce setbacks if no objections are received after advertising under Clause 10.4 of TPS 6; a total of five submission were received.

Clause 5.8.4 (c) of the TPS 6 allows Council to use the "Gosnells Town Centre Revitalisation Urban Design Guidelines" in assessment and consideration of mixed residential/commercial development in any commercial zone. As stated in Clause 5.8.4(d) Council may vary any provision of the R-Codes in order to achieve a suitable standard of development and also requires the proposal to be advertised in accordance to Clause 10.4.

In considering this proposal, the following points should be noted:

- Although Clause 5.8.4 (c) of the TPS 6 gives Council a power to use the "Gosnells Town Centre Revitalisation Urban Design Guidelines" in assessment and consideration of any mixed residential/commercial or residential development proposal within any commercial zone, the application has been advertised as the proposed setbacks do not comply with setbacks for Office zone set in Table 2A of the TPS 6. Council's discretion is sought to vary setback requirements for Office zone of the TPS 6.
- The proposed development complies with the "Gosnells Town Centre Revitalisation Urban Design Guidelines".
- Proposed development on the subject site comprises several types of development: office, office combined with multiple dwellings and grouped dwellings – single and two storey. Commercial/office component of mixed use development complies with the Scheme requirements, except the nil setback for the proposed new offices on Wheatley Street.

- Clause 5.8.4 (d) gives Council the power to vary any provision of the Residential Design Codes (R-Codes) including setback and minimum lot size. The number of dwellings on the site, excluding the area for the office parking and heritage site, approximately 1000m², gives an average lot size per dwelling of 183m², which equates to a Residential R60 density. The single storey grouped dwellings, shown on the Site Plan as Building-D, each have a lot size of 203m², which complies with a minimum lot size for R60. The proposed two storey grouped dwellings lot size of 100m² to 125m² does not comply with a minimum lot sizes for R60 of 160m². Council's discretion is sought to vary provisions of the R-Codes regarding the minimum lot size for grouped dwellings as part of this proposal. Basic requirements of the R-Codes such as parking, streets amenities, privacy, overlooking and solar aspects comply with the relevant provisions of the R-Codes, as discussed in this report.
- Vehicle access to the parking areas is provided from Walter and Wheatley Streets and the number of crossovers is reduced to a minimum by providing parking behind dwellings. There are four on-street parking bays that also provide a traffic calming effect.
- The proposal provides for a range of housing choices from one bedroom apartments to three bedroom single or two storey dwellings.
- Provided that the design of the proposed development achieves effective integration with surrounding land uses and streetscape, commercial/office development would not have any detrimental influence on the residential amenity of the area. The nil setback and balconies above and the office windows overlooking the pedestrian path provides a safe environment that encourages walking in the street.
- The heritage listed building's major frontages have been appropriately addressed from both streets. Given that development is located just opposite Gosnells Town Centre and in close proximity to the new Gosnells Train Station the heritage building will have a higher profile than before. With the proposed development the heritage building will be an important landmark which could attract interest from visitors.
- The proposed development is complementary in scale, colours and design with the heritage building. The applicant has agreed to submit a revised elevations plan with minor improvement by adding gables on the roof above each two storey dwellings to complement the heritage character of Swinger Residence.
- The required number of parking spaces is sufficient and complies with the TPS 6 Table 3A (office) and the R-Codes requirements for residential development (Clause 5.8.4 (b) (v) of TPS 6).
- All dwellings have favourable solar orientation in accordance with TPS 6 Clause 5.8.4 (b) (iv) requirements.
- The R-Codes require an adequate area to be set aside for clothes drying, screened from view from the primary or secondary streets for multiple and grouped dwelling developments. It is recommended that as a condition of

approval clothes drying facilities, screened from public view to be provided for each dwelling.

- The Heritage Advisory committee has requested that the applicant to prepare a relevant conservation report (floor areas, elevations, and photographic report) prior to the issue of the building licence.

CONCLUSION

The subject site is considered to be appropriately located and designed for the mixed use development in close proximity to the train station and Gosnells Town Centre. A reduced setback on the both streets is considered as favourable option in creating a pedestrian friendly urban environment. The proposed development satisfies the statutory requirements of TPS 6 and the objectives of the “Gosnells Town Centre Revitalisation Urban Design Guidelines”. It is recommended that Council approve the proposed development subject to appropriate conditions.

FINANCIAL IMPLICATIONS

- The developer is required to make a contribution towards Town Planning Scheme No. 20.
- Cost of the legal agreement with the developer to ensure creation of future accessway along local open space connecting Walter Street and Stalker Road to be borne by the applicant.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION
--

296 Moved Cr R Mitchell Seconded Cr W Barrett

“That Council approve the application for 18 grouped and multiple dwellings and 3 offices at 13-15 (Lots 1 and 2) Wheatley Street, Gosnells, subject to the following conditions:

1. The colours of footpaths and parking area are to complement the colours of the heritage building.
2. Submission of revised elevations to the satisfaction of the Director Planning and Sustainability.
3. Approval of the fencing design prior to the issue of the building licence to the satisfaction of the Director Planning and Sustainability.
4. The applicant entering into an appropriate legal agreement with the City of Gosnells, at the applicant’s cost, to ensure creation of future accessway along land abutting the Hicks Street road reservation connecting Walter Street and Stalker Road, prior to the issue of the building licence.

5. Lighting of the future right-of-way, parking areas and internal driveway to be incorporated into the development, to the satisfaction of the Director Planning and Sustainability.
6. Conservation report of the heritage listed building to be prepared at the applicant's cost prior to the issue of the building licence to the satisfaction of the Director Planning and Sustainability.
7. Clothes drying facilities, screened from public view to be provided for each dwelling.
8. Standard Conditions: D1.1, D1.2(2), D2.1(20), D3.1 (1 and 2), D4.1, D4.2, D5.1, D6.1, D6.4, D7.1 (43), D7.5, D8.1, D9.1, D9.2, D9.3 (\$36,000), D10.1, D10.2 (Wheatley and Walter Streets, and common property), D10.5, D10.6, D12.3, D12.4, D12.5, S2.13 (Lot 1) and S3.1."

CARRIED 10/0

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

AGAINST: Nil.

13.5.6 COMMERCIAL VEHICLE PARKING – 340 (LOT 4) MADDINGTON ROAD, ORANGE GROVE (*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 SUBDIVISION PROPOSAL – 43 (LOT 15), HARRY STREET, GOSNELLS – AMENDMENT TO COUNCIL RESOLUTION

File: SD127600, CHA.7 Approve Ref: 0405/0896SL (TP) Psrpt075Jun05
Previous Ref: OCM 14 June 2005 (Resolutions 243-246)
OCM 10 May 2005 (No Resolution)
OCM 25 May 1982 (Resolution 537)
Planning Committee Meeting 17 May 1982 (Recommendation 528)

PURPOSE OF REPORT

To advise Council of an inaccuracy identified in a resolution adopted at the Ordinary Council Meeting held on 14 June 2005 and seek resolution to amend the anomaly.

BACKGROUND

At the Ordinary Council Meeting held on 14 June 2005 Council adopted Resolution 243, which reads:

“That Council revoke resolution 528 of the Ordinary Council Meeting held 25 May 1982, which reads:

“That Council only support future subdivisions of the remaining vacant lots in Charlesworth Street in accordance with Council’s subdivision design prepared for the area which provides for the eventual cul-de-sacing of the street and the petitioners be advised accordingly.” ”

As a result of the above resolution staff set about amending the 1982 Minutes to reflect this latest decision of Council. What was identified, however, was that the wording was from Recommendation 528 of the Planning Committee Meeting held on 17 May 1982.

The resolution of Council that actually adopted that recommendation was Resolution 537 of the Ordinary Council Meeting held on 25 May 1982.

In that era Council adopted recommendations from Committees en-bloc with Resolution 537 reading:

“That recommendations 514 to 561 inclusive of the Planning Committee Meeting held on Monday 17th May, 1982, be received and adopted.”

It is therefore considered necessary to amend Resolution 243 (OCM 14 June 2005) to more accurately reflect the intent of Council.

DISCUSSION

While amendment of resolutions is not specifically addressed in the City of Gosnells Standing Orders Local Law 2003, it is considered the most appropriate method of dealing with this matter would be in accordance with Clause 3.10.2 “Revoking or

changing decision at a subsequent meeting” of that Local Law. As such the change would need to be supported by an absolute majority of the offices of the Council.

It will therefore be recommended Resolution 243 be changed to read:

That Council revoke Recommendation 528 of the Planning Committee Meeting held 17 May 1982, which reads:

“That Council only support future subdivisions of the remaining vacant lots in Charlesworth Street in accordance with Council’s subdivision design prepared for the area which provides for the eventual cul-de-sacing of the street and the petitioners be advised accordingly.”

FINANCIAL IMPLICATIONS

Nil.

STAFF RECOMMENDATION AND COUNCIL RESOLUTION

297 Moved Cr C Matison Seconded Cr P Wainwright, Cr R Mitchell and Cr D Griffiths

“That Council change Resolution 243 of the Ordinary Council Meeting held on 14 June 2005 by:

- deleting the word “resolution” where it appears in the first line and substituting it with the word “Recommendation”;
- deleting the words “Ordinary Council” where they appear in the first line and substituting them with the words “Planning Committee”;
- deleting the numerals “25” where they appear in the second line and substituting them with the numerals “17”;

with the altered resolution to read:

That Council revoke Recommendation 528 of the Planning Committee Meeting held 17 May 1982, which reads:

“That Council only support future subdivisions of the remaining vacant lots in Charlesworth Street in accordance with Council’s subdivision design prepared for the area which provides for the eventual cul-de-sacing of the street and the petitioners be advised accordingly.”

CARRIED BY ABSOLUTE MAJORITY 10/0

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

AGAINST: Nil.

13.6 REGULATORY SERVICES

13.6.1 DELEGATE - SWAN CATCHMENT COUNCIL REFERENCE GROUPS

File: O1/1/64 (TP) Rpt017Jun05

Appendix: 13.6.1A Terms of Reference

PURPOSE OF REPORT

To inform Council of a call for nominations for delegates to represent local government on a series of reference groups established by the Swan Catchment Council.

BACKGROUND

Correspondence has been received from the Swan Catchment Council calling for nominations from local government representatives on each of four regional delivery program reference groups, which are:

- Integrated Water Management
- Natural Diversity
- Sustainable Production
- Coastal and Marine

DISCUSSION

The Swan Catchment Council is a regional non-government organisation involved in the coordination and delivery of Natural Resource Management (NRM) activities in the Swan Region. The Swan Catchment Council is comprised of an eighteen member council which represents the interests of community, State and Local Governments within the Swan Region.

The Swan Catchment Council developed the Swan Region Strategy for Natural Resource Management (2004), in response to the Australian and State Government expectations for accredited regional NRM plans and to guide the distribution of Natural Heritage Trust (NHT) funding the Swan Region. The Strategy aims to promote the sustainable use and management of natural resources in the Swan Region. It seeks to influence NRM decision-makers to not only consider the economic impacts of management decisions, but also the environmental and social impacts.

The individual reference groups will address the following:

The Integrated Water Management Program deals with issues of water quality and quantity, and covers wetlands, waterways and groundwater. The Natural Diversity Program covers protection of threatened species and communities as well as the extent of the Comprehensive, Adequate and Representative (CAR) Reserve system and management of local biodiversity. The Sustainable Production Program focuses on best management practice for small to medium enterprises (intensive and broadacre

agriculture will be dealt with through a separate reference group). The Coastal and Marine Programme covers the tertiary dune system as well as the marine habitat up to three kilometres from the coast and the offshore islands.

The first three groups could be considered of relevance to the City.

The Terms of Reference for the above groups is attached as Appendix 13.6.1A.

As can be noted from the Terms of Reference meeting times and dates as yet have not been set though it is anticipated meetings will be conducted at least six (6) times per year.

Nominations close on 15 July 2005 and will be assessed by the Swan Catchment Council assessment panel who will in turn appoint the successful nominees to the respective reference groups.

Nominees are required to submit a relatively comprehensive application in support of their nomination.

FINANCIAL IMPLICATIONS

The only financial cost to the City should any nomination be successful would be travelling claims to and from reference group meetings, funds for which have been allocated in the draft budget for the 2005/06 financial year.

STAFF RECOMMENDATION

Moved Cr R Hoffman Seconded Cr J Brown

That Council nominate Councillor _____ for consideration of appointment to the Swan Catchment Council _____ Reference Group for a two year term concluding 5 May 2007.

No Nomination

In light of there being no nomination for a Councillor for consideration of appointment to the Swan Catchment Council, Cr R Hoffman moved the following amendment to the staff recommendation, which was seconded by Cr J Brown:

Moved Cr R Hoffman Seconded Cr J Brown

That the staff recommendation be amended by deleting the words “nominate Councillor _____” where they appear in the first line after the word “Council” and substitute them with the words “, in light of there being no nomination, not nominate a Councillor”, and delete the line “_____” where it appears in the second line with the amended recommendation to read:

“That Council, in light of there being no nomination, not nominate a Councillor for consideration of appointment to the Swan Catchment Council Reference Group for a two year term concluding 5 May 2007.”

CARRIED 10/0

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

298 Moved Cr R Hoffman Seconded Cr J Brown

“That Council, in light of there being no nomination, not nominate a Councillor for consideration of appointment to the Swan Catchment Council Reference Group for a two year term concluding 5 May 2007.”

CARRIED 10/0

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

AGAINST: Nil.

14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**14.1 REPORT REQUEST – DETAILS OF DAMAGE TO 109 PARK ROAD, KENWICK**

The following motion was proposed by Cr O Searle during “Notices of Motion for Consideration at the Following Meeting” at the Ordinary Council Meeting held 14 June 2005 for inclusion in “Motions for Which Previous Notice Has Been Given” of the 28 June 2005 Ordinary Council Meeting.

PROPOSED MOTION

That a report be brought to Council outlining the main damage (and the causes of the damage) also indicating any rectification procedures required in order to make the abandoned and derelict home located at 109 Park Road in Kenwick into a habitable condition, and further outline why the property cannot be connected to a drain or conversely why the drain cannot be connected to the home, and if rectification of the home is not an option, could the Council be advised of any other options.

COUNCILLOR COMMENT

No written reason for the proposed motion was provided by Cr O Searle.

STAFF COMMENT

The Director Regulatory Services provides the following comment in relation to the proposed motion:

“In collaboration with the owner of 109 Park Road, Kenwick staff can conduct an assessment of the residence to ascertain if it is fit for human habitation, with such investigation taking into account issues identified in the proposed motion.”

PROPOSED MOTION

Moved Nil Seconded Nil

That a report be brought to Council outlining the main damage (and the causes of the damage) also indicating any rectification procedures required in order to make the abandoned and derelict home located at 109 Park Road in Kenwick into a habitable condition, and further outline why the property cannot be connected to a drain or conversely why the drain cannot be connected to the home, and if rectification of the home is not an option, could the Council be advised of any other options.

LAPSED DUE TO LACK OF A MOVER AND SECONDER

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 9.26pm.