



**PROPOSED AMENDMENTS / RESOLUTIONS AT
COMMITTEE OR COUNCIL MEETINGS**
(Elected Members)

Please forward this form to – Governance@melville.wa.gov.au

Name:	Councillor Margaret Sandford
Date of Meeting:	22 September 2020 (Adjourned from OMC of 15 September 2020)
Meeting of the:	Ordinary Meeting of Council
Item No.	P20/3871
Title of Item	Petition – Seeking Recreation Zoning for Phil Ward Park, 11 Cottrill Street, Myaree

Disclaimer: Where administration has provided any assistance with the framing and/or wording of any motion/amendment to the Elected Member who has advised their intention to move it, the assistance has been provided on an impartial basis. The principle and intention expressed in any motion/amendment is solely that of the intended mover and not that of the officer/officers providing the assistance. Under no circumstance is it to be expressed to any party that administration or any officer holds a view on this motion other than that expressed in an official written or verbal report by administration to the Committee or Council meeting considering the motion.

PROPOSED AMENDMENT OR REJECT AND REPLACE MOTION:

(If an amendment is proposed, please identify the words being amended and reasons for the amendment)

That the Council:

1. Notes the report prepared in response to the petition received with respect to the future of Phil Ward Reserve 39764 at 11 Cottrill Street, Myaree (**Reserve**).
2. With respect to the requests made in the petition, directs the CEO to advise the lead petitioner that Council does not have the authority to restrict engagement by a third party with the Minister for Lands, or with the community with regard to the development of the Crown land, but that the Council does not support the development of the Reserve for aged care or any other residential or commercial purposes.
3. In accordance with section 75 of the Planning and Development Act 2005, resolves to initiate an amendment to Local Planning Scheme 6 by changing the designation of 11 Cottrill Street, Myaree, (Crown Reserve 39764) from Residential R40 to a Local Reserve for Public Open Space.
4. Notes that the proposed amendment is considered a “standard” amendment under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reasons:

PTO



- a) The amendment is consistent with the City's Local Planning Strategy;
 - b) The scope of the amendment is limited to the subject site;
 - c) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
 - d) The amendment satisfies the definition of a standard amendment and does not reflect the characteristics of a complex or basic amendment.
5. Directs the CEO to provide a report to Council by no later than the November 2020 Ordinary Meeting of Council on what other parks/reserves referred to in LPS 6 have been rezoned to residential, for Council to decide whether the designation of any of such parks/reserves should also be changed to Local Reserve for Public Open Space.
6. Notes that a further report will be presented to the Council at the conclusion of the advertising period to enable consideration of submissions and recommendations to the Western Australian Planning Commission on whether the proposed amendment should be approved, refused or modified.
7. That the CEO provide progress reports on the above Scheme amendments to the Reserve and any other reserves to Council on a fortnightly basis in the Elected Members Bulletin.
8. Supports the commencement of improvements to the Phil Ward Park Reserve, such as an age-friendly pathway and wheelchair-suitable seating and table, in consultation with the local community, as soon as is practicable once the scheme amendment has been approved by the applicable Government agencies.

REASONS

1. The officer's recommendations commendably include that the Council has previously resolved (for the second time) in July 2019 not to support a request for relinquishment of the Management Order for Phil Ward Reserve for the reason that the City may potentially wish to utilise the land for Community uses; and that the Department of Planning Lands and Heritage has been advised of the Council's position not to support the relinquishment of the Management Order and the disposal of the land for aged care purposes.
2. Given the history of the Reserve having been rezoned from public open space (POS) to Residential R40 without proper public consultation having occurred, the petitioners are justifiably concerned that the officers' recommendations do not go far enough to ensure that they will not have to keep fighting to protect this precious public open space from other types of "under the radar" residential or quasi-commercial development in the future.
3. By email dated 15 September 2020 I was informed by a senior planning officer that: "***The City administration has searched and been unable to locate a customised letter for areas surrounding Phil Ward Park advising of rezoning in association with advertising of LPS6. This is despite a practice adopted in association with advertising of LPS6 to send notification letters to those in the vicinity of sites where specific changes in LPS6 were proposed.***"



4. The Petitioners have diligently and intelligently demonstrated their opposition to any development on the Reserve and have encouraged Councillors to view the serious impacts of the current developments (i.e. two aged care residences at either end of the 200 metre long Cottrill Street) on their mental, physical and financial health. They now appeal to the Council to prevent any further detriment to the local community by going a step further than the officers' recommendation, by supporting the rezoning of the Reserve to POS.
5. Despite the claims in the Officers' Report that there is more than enough local public open space near Phil Ward Park, the Petitioners maintain that Myaree/Alfred Cove's high proportion of older residents are not adequately catered for currently because the City caters more to the outdoor space needs of mainly young children, teens and sports people.
6. There is a distinct lack of suitable open space catering for the more senior residents of Myaree/Alfred Cove, who need quiet, wheelchair/walker appropriate seating and tables, minimal foot traffic, and less random movement, such as scooters, loose dogs, and balls.
7. For example, as stated in the 2020 ARIS Report, Marmion Reserve is fully utilised for school and club sports; and packed with spectators throughout much of the year at its eastern end; and young families at its western end.
8. Kadidjiny Park in Kitchener Road caters mainly for families and children. It is not flat, has significant foot traffic for school access, and has frequent random movement (ie, paths for scooters and bicycles, dogs off leads). It is quite a long walk from Cottrill Street, and can only be accessed by crossing a busy road and walking up a hill, so is not suitable for many older people.
9. Harry Clemens Reserve is zoned Residential R20 (Melville Intramaps) so it is currently also vulnerable to residential development, and so should not be regarded as presently having any durable status as local public open space in close proximity to Phil Ward Park.
10. The Officers' Report states that Phil Ward Park should not be rezoned back to POS because it is enclosed on 3 sides and close to 3 areas of open space. However, the City has established and maintains William Reynolds Park, Willagee, a quiet pocket park in a flat space, with appropriate seating, minimal foot traffic, limited random movement, enclosed on 3 sides and close to the following 3 open spaces:
 - (a) Winnacott Reserve for sports, similar to Marmion Reserve;
 - (b) Roy Neal Reserve, which is grassed, with many trees, tables, bench seats. Larger than Harry Clemens Reserve and zoned POS, whereas Harry Clemens is zoned Residential R20; and
 - (c) Carawatha, which has a large age-specific adventure playground, similar to Kadidjiny.
11. Of the 2 localities, Myaree/Alfred Cove has a greater housing density and a greater proportion of older residents than Willagee. It is therefore at least as



deserving of a pocket park like William Reynolds Park. Furthermore Phil Ward Park has 7 gates opening onto the park on 2 sides dating from when the surrounding large unit complex was first approved and built. With only tiny courtyards, Phil Ward Park serves as those units' "back yard", and a convenient and pleasant access-way to Cottrill Street, the local shops and other parks, and as a fire escape, as these units only have one access driveway onto Cottrill Street.

12. The City of Melville is currently reviewing its Values Statement. One of the new values is "**Caring**" defined as "*demonstrating empathy, kindness and genuine concern*". Council can show it is **caring** by voting to rezone Phil Ward Park to public open space, in order to provide comfort, security and amenity to the local community to redress the years of uncertainty and anxiety arising from the rezoning to residential of their much-valued Phil Ward Park dating back to 2002 Council correspondence with residents.
13. The present and future residents of Cottrill Street and surrounding streets need and deserve for Phil Ward Park to be rezoned to open space, and modestly improved to introduce, for the first time, appropriate seating (there is, and has never been, any seating whatsoever), a wheelchair-accessible table, and a path, to meet the specific needs of the growing number of predominantly senior and other members of that area now and into the future.

Continued Over Page

Copies of this form are available on the Elected Members Extranet under Forms.

SIGNATURE: _____

**** Please circulate to all Members of the Council, preferably a few days prior to the meeting, or on the night, and pass a copy of this form to the officer recording the minutes of the meeting. ****

Copies of this form are available on the Elected Members Extranet under Forms.