

CITY OF COCKBURN

SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 13 MARCH 2014 AT 7:00 PM

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CITY OF COCKBURN

MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 13 MARCH 2014 AT 7:00 PM

PRESENT:

ELECTED MEMBERS

Mr L Howlett	-	Mayor (Presiding Member)
Mrs C Reeve-Fowkes	-	Deputy Mayor
Mr K Allen	-	Councillor
Ms L Wetton	-	Councillor
Mr Y Mubarakai	-	Councillor
Mr S Portelli	-	Councillor
Ms L Smith	-	Councillor
Mr S Pratt	-	Councillor
Mr B Houwen	-	Councillor
Mr P Eva	-	Councillor

IN ATTENDANCE

Mr S. Cain	-	Chief Executive Officer
Mr D. Green	-	Director, Governance & Community Services
Mr S. Downing	-	Director, Finance & Corporate Services
Mr M. Littleton	-	Director, Engineering & Works
Mr D. Arndt	-	Director, Planning & Development
Mrs L. Jakovich	-	PA to Directors of Engineering & Works and Planning and Development
Ms L. Boyanich	-	Media Liaison Officer

1. DECLARATION OF MEETING

The Presiding Member declared the March 2014 Ordinary Meeting of Council open at 7.01 pm and made the following announcements.

Rugby 7 Competition

The City's donation to the Southern Lions Rugby Union Football Club allowed the club to host a major Rugby7's Competition at the Success Sport & Community Complex on Saturday 15 February 2014. The Malaysian National



Team and a team from Darwin competed alongside teams from across Western Australia in an exciting form of the game.

ATCO Gas Australia

I was pleased to be in attendance at yesterday's official opening of ATCO Gas Australia located in Princep Road, Jandakot. Their new facility will house upward of 200 employees and has allowed the company to consolidate its delivery of products and services to the Western Australian community.

ATCO Gas Australia builds, owns and maintains the underground network of pipelines that bring natural gas to more than 683,000 end users in Western Australia over 13,500 kilometres of gas mains infra-structure, including key locations within commercial and industrial zones. ATCO Gas Australia is another example of major business deciding to call Cockburn home and bringing with them employment opportunities for local people.

Cockburn Community Steering Group

On behalf of the Council I congratulate the Members of the Cockburn Community Steering Group for their significant contribution to facilitate approximately 11,000 submissions to the Local Government Advisory Board during the public comment period that closed at 4.00pm today.

The efforts of these community leaders and other members of our community to engage with and share the great attributes of living, working, visiting or investing in Cockburn has continued the outpouring of concern from the community associated with the State Government's position to 'carve up' Cockburn and more recently, the announcement by the Minister for Local Government & Communities, the Hon. Tony Simpson, MLA that he will abolish the City of Cockburn if he gets his way in the reform process. This would then allow the City of Kwinana to manage the reform process going forward. The abolition of Cockburn and other local governments named by the Minister could occur as earlier than the planned date of 30 June 2014.

There remains a significant amount of work to be done going forward and the Council looks forward to the continuing role our community in the journey of local government reform.

2. APPOINTMENT OF PRESIDING MEMBER (If required)

Nil.

3. DISCLAIMER (To be read aloud by Presiding Member)

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking



clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (by Presiding Member)

Nil

5. APOLOGIES AND LEAVE OF ABSENCE

Nil

6. ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

7 (OCM 13/3/2014) - PUBLIC QUESTION TIME

Questions on the Agenda and submitted

Mr Allan Nelson, Port Kembla

Item 14.2 – Endorsement of New Commercial Lease for Kiosk located on Reserve 24308) Naval Base Shacks)

Q1. On page 17 of the report. Are you aware storage facilities there is only one shed and one verandah and some deliveries, i.e. coke because they will not deliver daily. There is only one shed 2.5 x 2.5 (garden shed). Why do you want us to get deliveries more frequent. We cannot get all the deliveries every day. You must pay a delivery fee and order a substantial amount for them to deliver. We are restricted by how much we can order and get delivered because of the lack of storage space. Most other deliveries i.e. bread, papers, pies, sausage rolls are delivered daily?

A1 *It is noted that there is only one shed and a large verandah at the front of the building. The City's officers have confirmed that what was thought to be a second shed is currently a refrigerated ice machine.*

The City's Health Services are aware of the limited space and storage facilities on site at this time. The City will continue to monitor and work with the proprietor in managing the stock levels and storage into the future.



Questions not on the Agenda and not submitted

Mr Ray Woodcock, Spearwood

Coogee Beach

- Q1. Will Council explain who authorised the removal of a pontoon from the south side of the Coogee Beach jetty more to the south of the opposite side of the Coogee Beach Surf Lifesaving Club? The pontoons were moved to the north side of Coogee Beach Jetty and were shifted to the shark net enclosure. Was the pontoons moved to encourage swimmers to swim within the enclosure? Who was the person who authorised the move of both of the pontoons?. This question was asked last month and I will have not had a response.
- Q2. When will the pontoon be moved to the south side of the jetty?
- A2. *The Director of Engineering and Works responded that this matter was with the staff and he will look into this and respond to Mr Woodcock tomorrow.*
- Q3. I have asked this question on previous Council Meetings regarding the filthy state of the rubbish bins at Coogee Beach. A couple of years ago the Council was asked about the smell from the rubbish bins at the jetty. When will these be taken away and thoroughly cleaned, not just put some smells stuff inside to disguise the smells. These need to be thoroughly cleaned as there is a build up inside the bins.
- A3. *We put a program in place since Mr Woodcock has asked these questions at Council to ensure that the bins are replaced or rotated on a regular basis to make sure they are thoroughly cleaned. I am sure this process still remains; however, I will confirm with my Waste staff tomorrow and advise Mr Woodcock.*

8. CONFIRMATION OF MINUTES

8.1 (MINUTE NO 5263) (OCM 13/3/2014) - ORDINARY COUNCIL MEETING - 13 FEBRUARY 2014

RECOMMENDATION

That Council adopt the Minutes of the Ordinary Council Meeting held on Thursday, 13 February 2014, as a true and accurate record.



COUNCIL DECISION

MOVED Clr Y Mubarakai SECONDED Clr L Wetton that the recommendation be adopted.

CARRIED 10/0

9. WRITTEN REQUESTS FOR LEAVE OF ABSENCE

Nil

10. DEPUTATIONS AND PETITIONS

Nil

11. BUSINESS LEFT OVER FROM THE PREVIOUS MEETING (If adjourned)

Nil

12 (OCM 13/3/2014) - DECLARATION OF COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS IN THE BUSINESS PAPER

Nil.

NOTE: AT THIS POINT IN THE MEETING, THE TIME BEING 7.41 PM THE FOLLOWING ITEMS WERE CARRIED BY AN “EN BLOC” RESOLUTION OF COMMITTEE:

13.2	14.1	15.1
	14.2	
	14.3	
	14.4	



13. COUNCIL MATTERS

13.1 (MINUTE NO 5264) (OCM 13/3/2014) - MINUTES OF THE DELEGATED AUTHORITIES, POLICIES AND POSITION STATEMENTS COMMITTEE MEETING - 27/2/2014 (026/005) (D GREEN) (ATTACH)

RECOMMENDATION

That Council Receive the Minutes of the Delegated Authorities, Policies and Position Statements Committee Meeting held on Thursday, 27 February 2014 and adopts the recommendations contained therein.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr S Pratt that adopt the recommendation subject to the following:

- (1) on page 20 (Min. No. 234) delete the words 'Mayor L Howlett' and substitute the words 'Cllr L Wetton', and
- (2) minute. No. 237 being withdrawn for discussion.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 10/0

Reason for Decision

- (1) To correct a typographical error in the Minutes.
- (2) Withdrawal of this item will allow discussion to take place.

Background

The Delegated Authorities, Policies and Position Statements Committee conducted a meeting on 27 February 2014. The Minutes of the meeting are required to be presented.

Submission

N/A



Report

The Committee recommendations are now presented for consideration by Council and if accepted, are endorsed as the decisions of Council. Any Elected Member may withdraw any item from the Committee meeting for discussion and propose an alternative recommendation for Council's consideration. Any such items will be dealt with separately, as provided for in Council's Standing Orders.

The primary focus of this meeting was to review Policies and Position Statements and associated Delegated Authorities relevant to Executive Services, including those DAPPS which were required to be reviewed on an as needs basis.

Strategic Plan/Policy Implications

Leading & Listening

- Effective and constructive dialogue with all City stakeholders.
- Effective advocacy that builds and manages relationships with all stakeholders.
- A responsive, accountable and sustainable organisation.
- A culture of risk management and compliance with relevant legislation, policy and guidelines

Budget/Financial Implications

As contained in the Minutes.

Legal Implications

N/A

Community Consultation

As contained in the Minutes.

Attachment(s)

Minutes of the Delegated Authorities, Policies and Position Statements Committee Meeting – 27 February 2014.

Advice to Proponent(s)/Submissioners

N/A



Implications of Section 3.18(3) Local Government Act, 1995

Nil.

(MINUTE NO 5265) (OCM 13/3/2014) - (MINUTE NO. 237) (DAPPS 27/2/2014) - PROPOSED AMENDMENTS TO POLICY AEW7 'ESTABLISHMENT OF COMMUNITY GARDENS' AND AMENDED GUIDELINES FOR COMMUNITY GARDENS IN THE CITY OF COCKBURN (182/001) (H JESTRIBEK) (ATTACH)

COUNCIL DECISION

MOVED Clr P Eva SECONDED Deputy Mayor C Reeve-Fowkes

- (1) adopt Policy AEW7 'Establishment of Community Garden'; and
- (2) adopt the 'Guidelines for Community Gardens in the City of Cockburn', subject to deleting the reference to Policy AEW7 "Establishment of Community Garden" in the contents on page 2 and by removing the copy of the policy that previously appeared on Page 26 of the guidelines.

CARRIED 10/0

Reason for Decision

The guidelines have been modified slightly since the DAPPS meeting. Removing a copy of the policy from the guidelines negates the need to update the guidelines if there is a change in the policy.

13.2 (MINUTE NO 5266) (OCM 13/3/2014) - MOTION - 2014 ELECTORS MEETING - COMMUNITY GARDEN TO RECOGNISE PIONEERS (009/001) (D GREEN) (ATTACH)

RECOMMENDATION

That Council

- (1) advises the instigator of this matter, Mr Ray Woodcock, of Council's adopted "Guidelines for Community Gardens" and encourages him to establish a Community Garden Group to progress this proposal, in accordance with the Guidelines and;
- (2) congratulates Mr Woodcock on this initiative to recognise the pioneering market garden families of the City of Cockburn.



COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr S Pratt that the recommendation be adopted.

CARRIED 10/0

Background

At the Annual Elector`s Meeting held on 4 February 2014, the following resolution was carried:

That Council establishes a sub-Committee to establish a “living memorial” recognising the early settlers and market gardeners of this City.

CARRIED 17/1

Motions carried at Elector`s Meetings are required to be formally considered by Council as soon as practicable.

The matter was deferred at the February 2014 Council Meeting to enable it to be further assessed.

Submission

N/A

Report

Concurrent with the Motion being adopted at the Electors` Meeting, the City`s Environmental Services Unit has been preparing guidelines for community gardens within the City. These guidelines and accompanying Policy are also included for the consideration of Council at this Meeting, as part of Item 13.1(Policy Committee Meeting – 27 February 2014 Minutes).

The community gardens concept has been embraced in other areas of the Perth metropolitan area and it is timely that Council is also considering this initiative within its scope of functions.

By adopting a “pioneer market garden” theme provides an impetus for Council to recognise its historical ties, as well as an opportunity for local knowledge to be utilised, particularly when identifying the locality for a proposed Garden and other preliminary concepts and ideas.



While it is not necessary to adopt a “top down” approach to commence this process by establishing a formal Council “sub Committee”, the intent of recruiting interested community members to form an initial Cockburn Community Garden Group can be assisted by relevant City staff and utilising the City’s existing communication channels.

Funding for such a proposal will depend on the extent of what is ultimately proposed, however, it is understood that funding opportunities are available from alternative sources and could be pursued and supported by Council, where identified.

This allows the community to provide important input to the proposal, as well as stay connected with the project along the way. The City’s expertise and guidance can be utilised when required, but it is important that the Community Group take the lead to ensure that the eventual outcome meets the initial objectives.

It is also imperative that engaged community members become familiar with the basic governance requirements of community gardens and to ensure adequate coverage of the 10 steps associated with the establishment procedure, as contained in the guidelines.

It is considered that a shared approach to this suggestion will result in an outcome that is acceptable to both Council and the community and will result in a strong community based “partnership”.

Strategic Plan/Policy Implications

Community & Lifestyle

- The significance and richness of our local Indigenous people and diverse multicultural community will be recognised and celebrated.
- Conservation of our heritage and areas of cultural significance.

Leading & Listening

- A responsive, accountable and sustainable organisation.

Environment & Sustainability

- To protect, manage and enhance our natural environment, open spaces and coastal landscapes.

Budget/Financial Implications

Initial concept expenses (advertising, meetings etc.) can be provided by the City of Cockburn, while assistance in the preparation of site specific establishment and ongoing maintenance costs will require assessment and the evaluation of Council prior to further commitment.



External and co-sponsored grant funding will also be sourced where available and appropriate to the project.

Legal Implications

Sec 5.33 (1) of the Local Government Act 1995 refers.

Community Consultation

To be advised.

Attachment(s)

Draft Guidelines for Community Gardens in the City of Cockburn.

Advice to Proponent(s)/Submissioners

The Proponent has been advised that this matter is to be considered at the March 2014 Council Meeting.

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

14. PLANNING AND DEVELOPMENT DIVISION ISSUES

14.1 (MINUTE NO 5267) (OCM 13/3/2014) - ENDORSEMENT OF MANAGEMENT PLAN FOR RESERVE 24308 (NAVAL BASE SHACKS) - OWNER: STATE OF WESTERN AUSTRALIA - APPLICANT: CITY OF COCKBURN (046/001) (L GATT) (ATTACH)

RECOMMENDATION

That Council

- (1) endorse the draft Management Plan for Reserve 24308 which includes the following components for the future management of the Reserve:
1. The lease assignment process
 2. Internal office procedures
 3. Emergency management procedures
 4. Site maps
 5. Facilities management information
 6. Detailed planning for infrastructure upgrades, including financial planning to ensure infrastructure upgrade costs are met through the lease fee and associated reserve funds.



- (2) thanks the members of the community reference group for their participation and input into the preparation of the management plan.

COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr S Pratt that the recommendation be adopted.

CARRIED 10/0

Background

At the Ordinary Council Meeting on 10 May 2012 Council made the following decision in respect of the management of the Naval Base Shacks:

That Council:

- (1) *endorse a lease term of five years with an option for a further five year term at the absolute discretion of the City of Cockburn at the agreed lease fee of \$2,000 per annum with CPI increases annually. The lease fee includes rubbish collection charges, the emergency services levy and security services charges;*
- (2) *endorse a reduced demolition levy of \$300.00 per annum fixed for two years and, following the fixed term, the levy to be increased annually by CPI. Amend the Schedule to show the 'Heading' 8b;*
- (3) *endorse the amended Lease Agreement and Schedule in the Attachments reflecting points (1) and (2) above;*
- (4) *advertise the draft leases in accordance with Section 3.58 of the Local Government Act and if no objections are received proceed to endorse each of the leases. If an objection(s) are received then a report is to be prepared for the consideration of Council with the stated objections. The lease agreements to be signed by the Mayor and the Chief Executive Officer;*
- (5) *endorse the preparation of a Management Plan for Reserve 24308 which will include the following components for the future management of the Reserve:*



1. *The lease assignment process*
2. *Internal office procedures*
3. *Emergency management procedures*
4. *Site maps*
5. *Facilities management information*
6. *Detailed planning for infrastructure upgrades, including financial planning to ensure infrastructure upgrade costs are met through the lease fee and associated reserve funds.*

(6) *advertise the draft lease in accordance with section 3.58 of the Local Government Act.*

In accordance with Council's decision, the Lease Agreement has been finalised since August 2012. The purpose of this report is to now adopt the Management Plan for Reserve 24308, as per Part (5) of Council's previous decision.

Submission

Nil.

Report

Background

The management of Reserve 24308 (Naval Base Shacks) has been an ongoing consideration for the City for several years. The formal Lease Agreement which was introduced in August 2012 has improved the ability to administer the shack sites by the City. As a further improvement to the future planning and management of the site, Council determined that a Management Plan should be prepared which would include the following items:

1. The lease assignment process
2. Internal office procedures
3. Emergency management procedures
4. Site maps
5. Facilities management information
6. Detailed planning for infrastructure upgrades, including financial planning to ensure infrastructure upgrade costs are met through the lease fee and associated reserve funds.

The draft Management Plan has been developed in a collaborative way via the Naval Base Shacks Community Reference Group (CRG) and has recently been advertised to all Lessees for their comment.

It should be noted that the preparation of a Management Plan was a key finding of Legislative Council Environment and Public Affairs



Committee's Inquiry into Shack Sites in Western Australia which was finalised in April 2011.

Site

Reserve 24308 is located at Lot 373 Cockburn Road, Henderson and consists of an area of 4.5468ha. It has 176 shacks located on it, with a varied mix of shack positioning, design and current built condition.

Reserve 24308 has a sound internal road system that permits vehicle movement at restricted speed, with adequately installed speed reduction devices (speed humps). Reserve 24308 also contains two common user ablution facilities, which were constructed by the City for use by shack lessees and the public. The ablution facilities have mains electricity and a potable water supply.

It is proposed that the northern ablution block be relocated in the future. The septic tanks are causing some major concerns particularly in light of the fact that the leach drains are located under one of the shacks. The City will investigate the relocation of the ablution block closer to Cockburn Road which should eliminate these problems and improve the facilities at Naval Base.

A potable water supply for shack lessees is provided through the strategic location of water taps within Reserve 24308, with connection via a hose system.

The City will investigate whether new water pipes can be installed as the pipes are over forty years old and are causing regular maintenance issues. The City will also investigate the costs of an approved connection to each shack. The cost of the connection into each shack will need to be borne by each individual lessee.

The shacks do not have access to other utilities, such as mains electricity, reticulated gas or sewer. The majority of shacks have been fitted with bottled gas, and generate their own electricity supply through mechanisms such as solar panels, small wind turbines and power inverters. A requirement of the new Lease Agreement is that no generators are able to be used on site at any time.

Current Tenure of the Land

Part 4 of the *Land Administration Act 1997* provides the legislative basis for the creation, management, amendment and cancellation of reserves of Crown land. A reserve represents Crown land which has been set aside or dedicated for a particular purpose in the public interest. There are hundreds of reserve purposes utilised across the State, recognising the diverse role and function which reserves have to perform in the



public interest. The purpose of Reserve 24308 is 'Recreation and Camping'.

In terms of management, once a reserve is created it is placed under the care, control and management of a State Government department, Local Government or incorporated community group by way of a Management Order registered against the relevant parcel of Crown land and endorsed on the Certificate of Land Tenure. In terms of Reserve 24308, a Management Order exists with the City which includes a power to lease for up to 21 years. The Management Order does however limit the use to being consistent with the reserve purpose ('Recreation and Camping'), with all leases subject to the Minister for Lands approval.

In addition to the reserve purpose and Management Order requirements, Reserve 24308 is also classified as an A Class reserve which affords the greatest degree of protection under the *Land Administration Act 1997*. In terms of historical appreciation, the *Land Act 1933* provided for reserves of Crown land to be classified as Class A, B or C reserves. This approach was extinguished under the *Land Administration Act 1997*, with a new approach in the form of classifying all reserves as one and the same - but keeping the notion of A Class reserves which would continue to be classified separately representing their importance and need for high level protection. Any proposal to undertake a major amendment to an A Class reserve, including modifying a reserve purpose, can only take place by tabling the proposal in both Houses of Parliament in accordance with Section 43 of the *Land Administration Act 1997*.

State Government Position

On 29 April 1999 the then Minister for Lands (Hon Doug Shave MLA) advised the City that the *"leases are only an interim measure, which the State has accepted, to recognise the existence of the shacks until such time as the situation is rectified"*. In further correspondence dated 26 April 2001, it was stated that the then Department of Land Administration *"would prefer a policy that allowed for replacement of existing structures, rather than one that encouraged expansion or major development. This would ensure that lessees were under no misapprehension that their tenure is both short term and finite."*

This position of the State Government has evolved to the point that the State Government acknowledges the use of Reserve 24308 consistent with its current use. This is most clearly acknowledged by the recent Legislative Council Environment and Public Affairs Committee's Inquiry into Shack Sites in Western Australia. The Committee finalised their report in April 2011 and below is an extract relevant to Naval Base Shacks. Naval Base features three specific findings of the Committee



(Findings 49 to 51), but with no specific recommendations given. Accordingly, the findings provide a useful indication as to the Committee's views for Reserve 24308.

The Committee noted particularly the collaborative process which the City was working through in determining an appropriate shack standard and a new management approach. The Committee suggested this to be a logical next step into a new management plan for the Reserve:

- 10.44 *A distinguishing difference between this site and other shack sites is that Naval Base is the only shack site located within metropolitan Perth. Also, unlike a number of other sites, the shacks are arranged in a reasonably ordered manner (compared to the ad hoc nature of other sites) on a heavily bituminised area.*
- 10.45 *The Committee note that the leasehold tenure at this site differs from sites such as Peaceful Bay and Dampier Archipelago. Although the City has renewed the shack leases annually, there is no obligation to do so and, under the terms of the lease, the lease may be cancelled with 14 days notice. The Naval Base lease does not set building or health standards or provide for an increase in standards. Unlike other shack sites, the City has not established any management plan or strategy for the site. The Council provides basic facilities at the site.*
- 10.47 *The Committee accepts that there is social heritage at Naval Base, formed by people and families sharing the experience of staying at this site and enjoying the experiences this site offers.*
- 10.49 *If shacks are to remain, the City of Cockburn should develop a management plan which may incorporate short term holiday accommodation as an option for the public.*

Finding 49: The Committee finds that the City of Cockburn manages 178 shacks at Naval Base. This reserve was vested in the City of Cockburn decades prior to the Squatter Policy. The shacks are leased for a period of one year. To date, the City of Cockburn has offered a lease each year.

Finding 50: The Committee finds that the City of Cockburn is currently undertaking a public consultation process to consider the future of Naval Base, including whether to remove the shacks and bring the vested reserve under the Caravan Parks and Camping Grounds Act 1995. Council will consider the results of the public consultation and deliberate on this issue in due course.



Finding 51: The Committee finds that the City of Cockburn should continue to manage the process, including community consultation, which they are presently undertaking to determine the future of Naval Base.

As specified in Recommendation 10.45 the Committee identified the need for the formal preparation of a Management Plan as the logical next step in improving the Reserve. Council then determined that the Management Plan should contain the following items:

1. The lease assignment process;
2. Internal office procedures;
3. Emergency management procedures;
4. Site maps;
5. Facilities management information;
6. Detailed planning for infrastructure upgrades, including financial planning to ensure infrastructure upgrade costs are met through the lease fee and associated reserve funds.

City of Cockburn Local Government Inventory

The City resolved on 20 April 2004 to insert the Naval Base Caravan Park into the second volume of the City's Municipal Heritage Inventory as Place No. 67. The City's Local Government Inventory, which is the new name of the Municipal Heritage Inventory was updated in 2011 and as part of this, Reserve 24308 was identified as a Heritage Area. This reflects the unique characteristics of the area in totality, and something that requires comprehensive responses to protect the values of the Heritage Area.

The Local Heritage Policy which supports the Heritage Area designation under the Scheme was adopted in 2012 and has been utilised on a number of occasions to assess planning applications.

Community Consultation

Following the Council's decision of 12 August 2011, the City commenced a consultation process by sending a letter to all Naval Base Shack Lessees advising of its determination. This began the process of putting in place the new management approaches for the site, initially beginning with focus upon the lease document and then (more recently) focusing on the preparation of a comprehensive management plan.

A specific web page was set up on the Council's website, and information was advertised in the Soundings Newsletter.



An initial Community Reference Group was set up early in 2011 to assist with the formulation of the new lease agreement. The Naval Base Shacks Community Reference Group was made up of six lessees along with five City of Cockburn Officers and two Elected Members.

The lease was adopted by Council on 10 May 2012 and introduced at the expiration of the final Memorandum of Agreement on 31 August 2012.

The City has continued to work with the lessees since the introduction of the new lease agreement to improve the condition of the shacks and the facilities at Reserve 24308.

In terms of embarking on the Management Plan, the City established a second Community Reference Group (CRG) in February 2013. The group consisted of five Lessees, four City of Cockburn Officers and two Elected Members.

The CRG held monthly meetings and the first draft of the Management Plan was finalised and distributed to all lessees for comment in December 2013. The closing date for comments was 17 January 2014 and the City received nine submissions as detailed in the table that can be viewed at Attachment 2. The submissions table details each specific point made in each submission, and how officers have responded to these.

As a result of the public consultation a number of modifications to the wording of the draft Management Plan are recommended to Council. The proposed amendments are highlighted as “track changes” in Attachment 1.

The draft Management Plan has been established through working collaboratively with representatives from the CRG and consultation with individual lessees. It is proposed that the draft Management Plan will create a structured plan for the future management of the Reserve.

Facilities at Reserve 24308 will be planned for upgrading during the five year lease term, which will include investigations into reticulated water connection to each shack, the possible relocation of the northern ablution block and further upgrades to the facilities at the Reserve.

In considering the draft Management Plan for the Reserve it should be noted that the preparation of a Management Plan was a key finding made by the Environment and Public Affairs Committee Inquiry into Shack Sites in Western Australia.



It is therefore recommended that Council endorse the attached draft Management Plan for the reserve which will create a structured plan for the future management of the Reserve.

Strategic Plan/Policy Implications

Growing City

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.

Community & Lifestyle

- Community environments that are socially cohesive and embrace diversity.
- Communities that take pride and aspire to a greater sense of community.

Leading & Listening

- Effective and constructive dialogue with all City stakeholders.

Budget/Financial Implications

All facility upgrades are funded from the Naval Base Reserve Account, which is established from the lease fees which are received annually. The lease fees provide a known amount of income each year, based upon the amount set by Council in its budget (currently \$2360). This provides a natural limitation to how quickly reserve upgrades can occur, given the finite source of income which is received. This information will inform how upgrades are planned over the coming period.

Legal Implications

Land Administration Act 1997 (in reference to the use and management of reserve land).

Property Law Act 1969 (related to the lease of the sites).

Community Consultation

Community Reference Group and Community Consultation carried out.

Attachment(s)

1. Draft proposed Management Plan
2. Schedule of Submissions



Advice to Proponent(s)/Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 13 March 2014 Council Meeting.

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

14.2 **(MINUTE NO 5268) (OCM 13/3/2014) - ENDORSEMENT OF NEW COMMERCIAL LEASE FOR KIOSK LOCATED ON RESERVE 24308 (NAVAL BASE SHACKS) - OWNER: STATE OF WESTERN AUSTRALIA - APPLICANT: CITY OF COCKBURN (041/001) (L GATT)**

RECOMMENDATION

That Council

- (1) notes the results of the preparatory work undertaken in respect of investigating the business plan options for the kiosk located at Reserve 24308, known as the Naval Base Holiday Park; and
- (2) supports retention of the kiosk in its current location and configuration, based on investigations revealing this to be an optimal outcome for the City of Cockburn.

COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr S Pratt that the recommendation be adopted.

CARRIED 10/0

Background

At the Ordinary Council Meeting on 14 June 2012 Council endorsed the following recommendation:

That Council:

- (1) *endorse the negotiation and preparation of a separate Commercial Lease for the kiosk at Reserve 24308;*



- (2) *receive a further report once the Commercial Lease has been negotiated, so that the terms of this lease can be considered for endorsement by Council prior to the new lease being advertised in accordance with the requirements of Section 3.58 of the Local Government Act 1995;*
- (3) *endorse the preparation of a Business Plan for redevelopment of the Naval Base kiosk site; and*
- (4) *receive a further report once the Business Plan has been prepared to endorse the terms of the Business Plan.*

In accordance with the recommendation, the City's officers have investigated the potential to optimise (through redevelopment or relocation) the Naval Base kiosk. This follows on from the Lease Agreement, which was adopted and finalised in August 2012 as per Council's decision. The purpose of this report is to now acknowledge the results of the business planning investigation, and to endorse retention of the kiosk in its current location and configuration.

Submission

Nil.

Report

Given that the City has formed an opinion on the future of the shacks being retained in their current form until at least 2017, it was recognised by Council that it was appropriate to also consider the future of the existing kiosk.

Council previously recommended that the lease for the kiosk be for a period of five years with no option for an extension. The short timeframe was to allow the future of the kiosk building to be considered. This was essentially seeking a business investigation to determine whether the current building should remain, or a replacement building be constructed. Such decision would be based upon a variety of factors, including the costs of such an exercise and any likely changes in lease income that could result. This report provides information to assist in deciding on a preferred option.

The kiosk currently consists of a main building constructed of metal cladding with two sheds attached to the rear for storage. The main building is approximately 50sqm, with the two sheds approximately



6sqm each, plus several verandahs (an estimated lease area of 128sqm).

The City's Health Division has advised the current lessee that there was too much being stored in the building and that this needed rectification. The City's Health Division have directed that the over-storage cease, and that more deliveries be required to minimise the requirement for storage. This is a matter still being dealt with by the City's Health Division in liaison with the lessee.

It appears that no matter the size of the kiosk, the lessee will be inclined to use the facility for storage and the larger the kiosk is, the likelihood the more will be stored. It therefore comes down to a consideration of the type of facility which the City seeks to have maintained at the site, as opposed to simply seeking a bigger structure due to the current lessee being very enthusiastic in the amount of stuff stored.

To this end, officers believe that a kiosk reflecting the nature of the Naval Base Shacks and (small lightweight coastal structures) serving small amounts of passing clientele should not be a significant size. Such would bring into question whether the kiosk is actually incidental to the Naval Base Shacks, or is instead masquerading as a café come restaurant. In general officers feel that the current size shouldn't change – what needs changing is how deliveries and product storage is managed.

Another consideration is that the current location of the kiosk is very close to the road, and this may be a concern for visitors to the kiosk. The parking for the kiosk is generally on the slip road alongside Cockburn Road. To assist with the parking it is recommend that the City consider modifying the entrance road to the Naval Base Shacks. The entrance is currently approximately 10 to 11 metres wide at the road and approximately nine metres at the narrowest point. From this redesign the City could also investigate if a parking bay/s could be located at the side of the kiosk which could improve the safety aspects.

The entrance road to the south could be widened if the City believed that it needed a wider entry at some point. This widening of the southern entrance would also alleviate some of the traffic past the kiosk that was merely entering into the shacks area and not wanting to visit the kiosk.

The City sourced a valuation on the kiosk in 2012 in order to meet the requirements of the advertising of the proposed lease agreement under Section 3.58 of the *Local Government Act 1995*. The valuation recommended that the lease fee that the City could expect to receive based on a ground rental valuation would be \$15,000 ex GST per



annum. In line with the holiday accommodation leases the City chose to recommend to Council that the lease fee be increased gradually over a period of four years as per below:

Lease Fee Date & Rent Review Date	Lease Fee/Reviewed Amount
Commencement Date	\$2,000.00 pa payable annually in advance
1 September 2013	\$6,333.00 pa payable annually in advance
1 September 2014	\$10,666.00 pa payable annually in advance
1 September 2015	\$15,000.00 pa payable annually in advance
Following 1 September 2015, on each subsequent anniversary of the Commencement Date a CPI review will be undertaken.	

The valuation compared sales evidence from several properties to determine their potential ground rental income these are detailed below:

Sale #	Sale Price	Value of Improvements \$	Sale Date	Land Area (m ²)	Analysis on Land Area (\$/m ²)	Land Area per sqm @ 6% (Potential income)	Comments
1	410,000	\$ 100,000	7/2011	154	\$2,013	\$18,600	Superior exposure, larger land holding. Laundromat, in retail strip
2	475,000	\$ 100,000	9/2010	261	\$1,437	\$22,503	Inferior exposure, significantly larger land holding. Deli walking distant to Curtin Uni in retail strip.
3	355,000	\$ 50,000	1/2011	172	\$1,773	\$18,297	Superior exposure, larger land holding. Laundromat, in retail strip.
4	450,000	\$ 90,000	10/2010	263	\$1,369	\$21,603	Inferior exposure, significantly larger land holding. Vacant shop amongst a couple of shops.
5	350,000	\$ 60,000	8/2011	280	\$1,036	\$17,405	Comparable exposure, significantly larger land holding. Takeaway shop, in strip of shops.
6	405,000	\$ 75,000	4/2011	187	\$1,765	\$19,803	Superior exposure, larger land holding. Photographer in strip of shops.

The licensed valuer noted *“Given the significantly smaller size of the kiosk and the good exposure location the kiosk could be expected to achieve a value rate in excess of \$2,000 per sqm to \$2,250 per sqm. However, due to its isolated location from other commercial properties resulting in less spin-off we anticipate a value rate below this range to apply.*

The foregoing sales evidence indicate a range of value from \$1,000 per sqm to \$2,000 per sqm and a fair range of value for the kiosk from \$1,800 per sqm to \$2,000 per sqm.

Accordingly, we have adopted a land value of \$1,900 per sqm."

Given the value of \$1,900.00 per sqm and based on an estimated lease area of 128sqm, it is estimated that the City could expect to receive \$14,592.00 per annum in lease fees.

The City also approached another Licensed Valuer to provide a quote to carry out the following:

- Commercial and economic modelling of the viability of developing an appropriately scaled and sized food and beverage cafe/kiosk on the location.
- Commercial and economic modelling to include analysis of the likely rental return to the City based upon the likely earning potential of the facility.
- Site commentary, including recommendations for the most optimal location, access arrangements and car parking for the facility.
- Recommended operational approaches.

It was determined that the significant proposed costs of this work outweighed what was generally an agreed conclusion about the current appropriateness of the kiosk when taking into account the costs issues and also the unique characteristics of the place; and that a significantly larger or contemporary new kiosk would be out of character with the heritage values shared by the place.

With the City's Health Department addressing the storage issue, it is recommended that the kiosk remain in its current location and configuration. In the future, if the City were to consider a minor redesign of the road layout, this could provide for a simple change to allow a safer interaction of the kiosk with visitors.

If the City were to contribute funds to the redesign and construction of the entrances it could consider an increase to the lease fee to recover these costs if a new lease is to be considered by Council and negotiated in 2017. Any future lease will be the subject of a further report to Council closer to the expiry of the current lease in 2017.

Therefore it is recommended that the City not proceed with any changes to the location or design of the kiosk. The City should, in liaison with the current lessee, propose some modifications to the road layout to help provide a better experience for customers walking/driving up to the kiosk for service.



It is therefore recommended that Council endorse the recommendations for the kiosk as per the above.

Strategic Plan/Policy Implications

Growing City

- To grow our City in a sustainable way by: using land efficiently, protecting the natural environment and conserving biodiversity.

Community & Lifestyle

- Community environments that are socially cohesive and embrace diversity.
- Communities that take pride and aspire to a greater sense of community.

Budget/Financial Implications

All facility upgrades are funded from the Naval Base Reserve Account, which is established from the lease fees which are received annually. The lease fees provide a known amount of income each year, based upon the amount set by Council in its budget (currently \$2360). Note the kiosk contributes to the Naval Base Reserve Account by way of a commercial lease fee which is currently \$6,333.00 per annum. This provides a natural limitation to how quickly reserve upgrades can occur, given the finite source of income which is received. This information will inform how upgrades are planned over the coming period.

Legal Implications

Land Administration Act 1997 (in reference to the use and management of reserve land).

Property Law Act 1969 (related to the lease of the site).

Community Consultation

N/A

Attachment(s)

N/A

Advice to Proponent(s)/Submissioners

The Proponent(s) have been advised that this matter is to be considered at the 13 March 2014 Council Meeting.



Implications of Section 3.18(3) Local Government Act, 1995

Nil.

14.3 (MINUTE NO 5269) (OCM 13/3/2014) - PROPOSED MODIFICATION TO PACKHAM NORTH DISTRICT STRUCTURE PLAN LOTS 1, 14, 16, 17, 18 MELL ROAD, SPEARWOOD OWNER: VARIOUS - APPLICANT: ROWE GROUP (110/004) (D DI RENZO) (ATTACH)

RECOMMENDATION

That Council:

- (1) adopt the Draft Packham North District Structure Plan ("Draft District Structure Plan"), as modified, for the purpose of providing a guiding document to inform the preparation of future Local Structure Plans ("LSP's") within the District Structure Plan area;
- (2) endorse the Schedule of Submissions prepared in respect of the modified Draft District Structure Plan;
- (3) forward a copy of the endorsed District Structure Plan to the Western Australian Planning Commission for information purposes only; and
- (4) advise landowners within the Draft District Structure Plan, affected landowners, and affected public authorities notifying of the adoption of the modified District Structure Plan.

COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr S Pratt that the recommendation be adopted.

CARRIED 10/0

Background

The Packham North District Structure Plan ("District Structure Plan") was prepared by the City of Cockburn ("City") in order to facilitate proper and orderly planning across Development Area 31 (Packham North). The purpose of the District Structure Plan is to facilitate the



development of the former Watsonia abattoir and small goods factory, together with the surrounding land that was previously zoned 'Rural' and was within the odour buffer of the abattoir.

The District Structure Plan provides an overall planning framework to guide future Local Structure Plans ("LSP"), given the fragmented nature of landownership which exists.

It identifies the area primarily for future residential development, but also includes some commercial zonings, including a 'Mixed Business' precinct within the northeast of the District Structure Plan area that was previously zoned 'Light and Service Industry'.

The District Structure Plan was endorsed by Council at the Ordinary Meeting held on 11 August 2011.

The subject land (Lots 1, 14, 16, 17, 18 Mell Road) is located within the 'Mixed Business' area. It is zoned 'Development' zone, within 'Development Area 31', and there is no adopted local structure plan.

Submission

A request has been received from Rowe Group on behalf of landowners of Lots 14, 16, 17 and 18 seeking a modification to the District Structure Plan to remove the restriction on residential land uses currently applicable to the 'Mixed Business' area in Mell Road, Spearwood (as shown in Attachment 1).

Report

The purpose of this report is for Council to consider a proposed modification to the District Structure Plan to remove the restriction on residential development in the 'Mixed Business' zone over Lots 1, 14, 16, 17, 18 Mell Road, Spearwood.

Currently the District Structure Plan includes an annotation on the 'Mixed Business' zone that specifically prohibits residential land uses which would ordinarily be permissible under the Scheme (grouped and multiple dwellings; lodging and single house; residential building).

The reason for not allowing residential development within this precinct when the District Structure Plan was prepared was to minimise potential land use conflicts. The area was previously zoned 'Light and Service Industry' and many of the lots have been developed and are currently used for such purposes.

A request has been received to modify the current annotation as follows:



“Mixed Business:

Mixed business uses as set out in Table 1 of the Scheme. Residential uses are not permitted due to the proximity of the railway corridor, the nature of adjoining (non-residential) land uses and the nature of the constrained road network. Council will only consider residential development via a Proposed Structure Plan which demonstrates that issues such as noise, vibration, adjoining land use impacts/risks and structural elements of residential design are suitably addressed in accordance with State and Local planning requirements.”

It is considered that this annotation will adequately ensure that potential land use conflicts are addressed at the local structure planning stage.

Community Consultation

The proposed modification to the District Structure Plan was advertised for public comment to surrounding landowners for a period of 30 days ending on 13 February 2014. All submissions are included and addressed in Attachment 2.

A total of five submissions were received, with two of these being non-objections from government agencies and one from the City's Environmental Health Service. There were two submissions received from adjacent landowners, with one objection, and one requesting modifications.

The City's Health Service have expressed concerns regarding future residential development due to the close proximity of the subject land to Rockingham Road, the freight railway line and the existing Mixed Business and Light Industry activities. They have noted that noise attenuation would need to be incorporated into any noise sensitive development in the area to ensure indoor amenity, but it is not possible to attenuation noise from outdoor areas. The topography of this area means that the development of these lots for commercial or business use could assist to attenuate noise intrusion from the freight railway line into the future noise sensitive developments to the south of these lots.

In addition, they have noted that existing Mixed Business and Light Industry activities may not be compatible with residential land uses, either by presenting an increased risk or adverse amenity impact. These concerns are noted, and it is considered that the proposed annotation will ensure that these pertinent issues are addressed in detail through the local structure planning process.



An objection was received from a landowner/business operator in the surrounding area who requested their details remain confidential. They have expressed concern that the deletion of the restriction on residential land uses may impact on the operation of their business. It is noted that given the former zoning and planning approvals the existing land uses in this area must comply with the definition of 'Light Industry', 'Showroom', 'Office' or 'Warehouse', and such uses should not generally have off-site impacts. The annotation proposed to be included on the District Structure Plan will require a future local structure plan to consider and address adjoining land use impacts. This matter would therefore be carefully considered at the local structure planning stage.

A submission was received on behalf of Aegis Aged Care Group stating they do not object to the proposal, subject to two modifications discussed below.

The first is the inclusion of an annotation on the District Structure Plan that states the City will not approve any variations to its Local Planning Policies and/or the Residential Design Codes of Western Australia in relation to residential development proposals on this land. This condition is sought to ensure that any future residential development on this site meets all necessary development standards, particularly in relation to building setbacks, overlooking, privacy and resident and visitor parking.

This is not supported because the Residential Design Codes allow for development to meet the 'deemed to comply' criteria or to demonstrate compliance with the relevant design principles. Regardless of whether future development meets the 'deemed to comply' or the design principles it will be required to ensure that privacy and other matters are addressed adequately in accordance with the Residential Design Codes and Council's local planning policies.

The submission also seeks the inclusion of an annotation on the District Structure plan that the potential partial closure of Mell Road is abandoned and does not form part of the strategic planning for the District Structure Planning of the area. This is requested on the basis that this road connection will be required to deal with increased traffic in the future. However, the City is still currently investigating the partial closure of Mell Road and/or Rigby Road to manage future impacts of development in the area. It is therefore not considered appropriate to include an annotation on the District Structure Plan in relation to this matter.



Conclusion

It is recommended that the modification to the District Structure Plan be adopted by Council, given that the annotation will ensure any future local structure addresses potential land use conflicts and various constraints of the area.

Strategic Plan/Policy Implications

Community & Lifestyle

- Community environments that are socially cohesive and embrace diversity.

A Prosperous City

- Promotion and support for the growth and sustainability of local businesses and local business centres.

Environment & Sustainability

- Identification and minimisation of impacts to human health risk.

Budget/Financial Implications

The cost of progressing the modification to the District Structure Plan has been calculated and has been paid by the proponent.

Legal Implications

N/A

Community Consultation

Community consultation was carried out for a period of 30 days, from 14 January to 13 February 2014. The proposed district structure plan was advertised in the newspaper, on the City's website and letters were sent to affected landowners and government/servicing authorities.

Attachment(s)

1. Modified Draft District Structure Plan
2. Schedule of Submissions

Advice to Proponent(s)/Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 13 March 2014 Council Meeting.



Implications of Section 3.18(3) Local Government Act, 1995

Nil.

14.4 (MINUTE NO 5270) (OCM 13/3/2014) - COCKBURN CENTRAL PUBLIC ART PROJECT LOCATION: COCKBURN CENTRAL TRAIN STATION OWNER: PUBLIC TRANSPORT AUTHORITY APPLICANT: N/A (110/006/SM/M/003) (A VAN BUTZELAAR / A TROSIC) (ATTACH)**RECOMMENDATION**

That Council support a single static advertising board on the east facade of the Cockburn Central Train Station clock tower, a LED screen on the west facade and the retention of the public artwork, 'The Face of the Community' on the north and south facades, as proposed in option 2 of this report.

COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr S Pratt that the recommendation be adopted.

CARRIED 10/0**Background**

The artwork affixed to the clock tower of Cockburn Central Train Station is entitled *The Face of the Community*. The artwork consists of two faces, one of a middle-aged lady and another of a young boy. The faces are two 4x3 metre billboard-like digital portraits, printed on vinyl and mounted in steel support panels on either side of the station entry tower. The artwork was produced by artists Marco Marcon and Rodney Glick using specialist software to merge digital photographic portraits of hundreds of local residents to provide an interesting interpretation of the community and public transport users.

During the initial stages of commissioning a public artwork for the Cockburn Central Train Station, the Public Transport Authority ("PTA") proposed installing two clock faces on the two sides of the clock tower that do not house artwork. This work was never completed by the PTA.

At the Council meeting on 13 September 2012, Deputy Mayor Carol Reeve-Fowkes passed the following notice of motion:



“request that a report be presented to a future Council Meeting regarding the future of the artwork faces at Cockburn Central. This including the promises made by Landcorp to the Cockburn Central Steering Committee that a clock would be installed on that tower above the Cockburn Central Station. The artwork is receiving some negative attention and some consideration should be given to the public perceptions and perhaps some more suitable digital display giving time and temperature could be considered in light of the previous agreement with Landcorp”.

An officer report was prepared in response to this and was subsequently considered at the Council meeting on 11 April 2013. Council made the following resolution on the matter:

That Council:

- 1) formally request the Minister for Transport and CEO of the Public Transport Authority to complete the design proposal for the Cockburn Central Train Station public artwork The Face of the Community, by providing clock face features on the remaining two sides of the tower which are currently blank; and*
- 2) as part of this request, suggest that the clock face features be completed by way of two LED screens, which provide an additional opportunity for a dynamic digital canvas to also be provided as a way of trying to engage people in the space of the Train Station and Cockburn Town Centre.*

A letter actioning part (1) of Council’s resolution was sent to the Minister for Transport and CEO of the PTA on 30 April 2013. Responses were only recently received, providing the impetus to now report back to Council with a recommendation on how to respond to the options provided by the PTA.

Submission

N/A

Report

The Minister for Transport responded to this the City’s letter of 20 April 2013 on 4 December 2013, advising that the PTA had been asked to seek an arrangement which will assist the City in meeting its aims, whilst at the same time ensuring that the PTA’s funding is spent on providing transport services. In the same letter, the Minister for Transport advised that:

“the PTA is proposing to remove the artwork on the north and south faces of the tower and use these along with the east face for advertising purposes. It is proposed that the advertising will take the form of static boards which are changed every 28 days. The revenue



from the advertising will be off set against the installation of a digital display on the west face of the tower. This display function will be for the PTA's use and will include the provision of a digital clock. By agreement, this display will also be available to the City of Cockburn for public communication."

As this was not the intention of the previous Notice of Motion and decision of Council, the City responded to the PTA on 17 December 2013 advising that its objective was associated with completing the artwork, not removing the artwork and replacing it with adverts. Furthermore, the City reminded the PTA that replacing public art with advertising directly contradicts the objectives of the State Government's Percent for Art Scheme, which aims to improve the quality of the built environment and the value of public facilities. The fact this artwork is a common talking point among the broader Perth community indicates that it has been arguably a very important element of the Cockburn Central area.

The purpose of this report is to consider the future status of the artwork, and recommend a response to the Minister for Transport.

Background to the artwork

The Cockburn Central art project was intended to be a bold, civic statement that contributed to a sense of place by helping to create a distinctive identity and character for the train station, making the train station building a more stimulating and enjoyable environment for commuters and staff.

An evaluation panel consisting of the Project Architect, Art Coordinator, Regional Director of Woodhead International BDH and the City of Cockburn Community Arts Officer were responsible for short listing artists for the Cockburn Central project. The evaluation panel agreed that Rodney Glick and Marco Marcon provided the best value for money proposal and recommended that they be awarded the contract for the provision of artworks for the Cockburn Central Train Station art project. This was a cost of \$40,000.

The clock tower to which the artwork belongs to is four sided steel column, vertically, it is in four parts: first there is a cube with two square panels of concrete, topped by two square panels of glazing per side; above this is another cube; this is topped by a thin, flat roof; and finally a steel spire (see Attachment 1).

In April the City sought a review of the artwork by the PTA for activation or enhancement to assist the community with interpretation and/or appreciation of the artwork. This review aimed to complete the public artwork on the Cockburn Central clock tower as the City originally thought it would eventuate, with a clock affixed to the current two blank sides. This was considered to be a positive action for the PTA to consider, especially considering the shared objective across community and government about



encouraging public transport use and creating a sense of place at Cockburn Central.

The City suggested that rather than a clock, a clock face could be incorporated within an LED screen arrangement which is made available for other projection purposes, such as to promote community events; show the temperature and date etc.

Advertising on the Cockburn Central Clock Tower

In response to the City's request, the PTA has suggested a rather different approach to the Cockburn Central clock tower, as part of providing the City with its requested clock. This different approach is the installation of static advertising boards to generate revenue for the installation of a digital display on the west face of the clock tower. Advertising is suggested by the PTA to assist the City in meeting its aims, whilst at the same time ensure that the PTA's funding is spent on providing transport services.

Research by staff indicates that advertising in and around train stations can generate a substantial revenue base. The smallest static advertising boards provided by Transperth are 6x3 metres and can be found in the Perth Underground Station and Joondalup Station. Static advertising boards of this size generate \$5000 in revenue every 28 days. Comparatively, the company Adshel sell media space to advertisers and media agencies on bus shelters and railway networks for approximately \$1000 every 28 days for 1.1 x 1.7 metre panels.

It is therefore simple to assume that static advertising boards which are 4x3 metres in size and within the prominent location of Cockburn Central Train Station (to both patrons and copious amounts of car drives along the freeway) could generate revenue between \$1000-\$5000 every 28 days per advert. A digital display which is 4x3 metres in size will cost between \$40 000 - \$70 000 depending on the chosen resolution.

It appears that the PTA has an objective which seeks to recoup the costs of a digital display clock face. Staff believe that the City can still achieve its previously mentioned objectives by effectively reaching a compromise. This is explained in the following section.

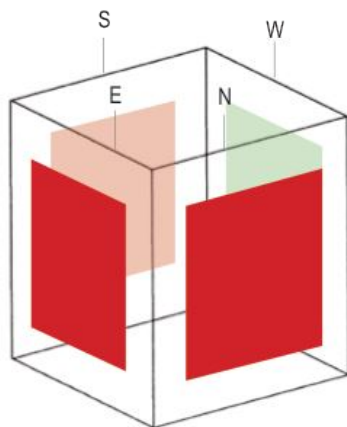
Future Options for the Cockburn Central Clock Tower

Staff identified two different options for the objective of achieving a digital display addition to the clock tower at Cockburn Central. Given the reality of the structure as a four sided tower, these options involve considering whether the existing artwork is removed or retained, in combination with the addition of advertising and the digital display. These are explained following:



Option 1

This involves removing the artwork on the north and south facades of the Cockburn Central clock tower and use these along with the east facade for advertising purposes. Advertising will take the form of static boards which are changed every 28 days. The revenue from the advertising will be off set against the installation of a digital display on the west facade of the tower. This display function will be for the PTA’s use and will include the provision of a digital clock. By agreement, this display will also be available to the City of Cockburn for public communication.



Option 1

Direction of the Facade	What will Exist on Facade
North	Static Advertising Board
South	Static Advertising Board
East	Static Advertising Board
West	Digital Display

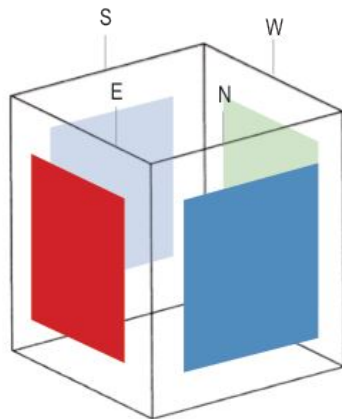
● Public Artwork "The Face of the Community"
 ● Digital Display
 ● Static Advertising Board

This option is not supported by staff. Replacing public art with advertising directly contradicts the objectives of the State Government's Percent for Art Scheme, which aims to improve the quality of the built environment and the value of public facilities, and the City’s objective of facilities that promote the identity of Cockburn and its communities. This option is also not supported by the State Government’s Department of Culture and Arts, or the State Government’s Landcorp agency. While it would generate sufficient revenue in a very short term to install the digital display, it would essentially deliver a perpetual windfall gain from a facility that was intended for public art.

Option 2

This involves retaining the artwork on the north and south facades of the Cockburn Central clock tower; providing a digital display on the west facade and a single static advertising board on the east facade. The revenue from the advertising will be off set against the installation of a digital display on the west facade of the tower. This display function will be for the PTA’s use and will include the provision of a digital clock. By agreement, this display will also be available to the City of Cockburn for public communication.





Option 2

Direction of the Facade	What will Exist on Facade
North	Public Artwork "The Face of the Community"
South	Public Artwork "The Face of the Community"
East	Static Advertising Board
West	Digital Display

- Public Artwork "The Face of the Community"
- Digital Display
- Static Advertising Board

This option is the most optimal when considering the objectives of the City, protection of the public art, and the need for the PTA to recoup their costs in installing the digital display. City staff identify that, based on an advertising revenue of \$5000 per 28 days for the single sided advertisement board, the PTA would recoup the cost of the digital display within 392 days, which is considered very practical to the necessity of funding. The PTA would then enjoy a perpetual revenue stream beyond this time. The other additional benefit of this is that the east side which would have the advertisement installed does not face Cockburn Central town square, and would not impact on the amenity of the area.

Recommendation

It is recommended that Council formally request the Minister for Transport and CEO of the Public Transport Authority to complete the design proposal for the Cockburn Central Train Station public artwork *The Face of the Community*, by providing an LED screen on the west facade of the clock tower and funding this through the addition of advertising on the east facade only. This will appear to meet all objectives held for this important place going forward.

Strategic Plan/Policy Implications

Infrastructure

- Partnerships that help provide community infrastructure.
- Facilities that promote the identity of Cockburn and its communities.

Community & Lifestyle

- Communities that take pride and aspire to a greater sense of community.



Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

Orientation of Cockburn Central clock tower facades and public artwork.

Advice to Proponent(s)/Submissioners

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

15. FINANCE AND CORPORATE SERVICES DIVISION ISSUES

15.1 (MINUTE NO 5271) (OCM 13/3/2014) - LIST OF CREDITORS PAID - JANUARY 2014 (076/001) (N MAURICIO) (ATTACH)

RECOMMENDATION

That Council adopt the List of Creditors Paid for January 2014, as attached to the Agenda.

COUNCIL DECISION

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Clr S Pratt that the recommendation be adopted.

CARRIED 10/0



Background

It is a requirement of the Local Government (Financial Management) Regulations 1996, that a List of Creditors be compiled each month and provided to Council.

Submission

N/A

Report

The List of Accounts for January 2014, is attached to the Agenda for consideration. The list contains details of payments made by the City in relation to goods and services received by the City.

Strategic Plan/Policy Implications

Leading & Listening

- Effective and constructive dialogue with all City stakeholders.
- A responsive, accountable and sustainable organisation.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

List of Creditors Paid – January 2014.

Advice to Proponent(s)/Submissioners

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil.



15.2 (MINUTE NO 5272) (OCM 13/3/2014) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - JANUARY 2014 (071/001) (N MAURICIO) (ATTACH)

RECOMMENDATION

That Council adopt the Statements of Financial Activity and associated reports for January 2014, as attached to the Agenda.

COUNCIL DECISION

MOVED Clr Y Mubarakai SECONDED Clr L Wetton that the recommendation be adopted.

CARRIED 10/0

Background

Regulations 1996 prescribes that a local government is to prepare each month a Statement of Financial Activity.

Regulation 34(2) requires the Statement of Financial Activity to be accompanied by documents containing:-

- (a) details of the composition of the closing net current assets (less restricted and committed assets);
- (b) explanation for each material variance identified between YTD budgets and actuals; and
- (c) any other supporting information considered relevant by the local government.

Regulation 34(4)(a) prescribes that the Statement of Financial Activity and accompanying documents be presented to Council within 2 months after the end of the month to which the statement relates.

The regulations require the information reported in the statement to be shown either by nature and type, statutory program or business unit. The City chooses to report the information according to its organisational business structure, as well as by nature and type.

Financial Management Regulation 34(5) requires Council to annually set a materiality threshold for the purpose of disclosing budget variance



details. Council adopted a materiality threshold variance of \$100,000 from the corresponding base amount for the 2013/14 financial year at the August meeting.

Submission

N/A

Report

Closing & Opening Funds

The City's opening funds from 2012/13 FY were revised upwards to \$11.25M (from \$10.06M) after the completion of external audit. The increase of \$1.2M related mainly to a downwards adjustment in the amount of accrued expense for disputed land fill levy charges subsequently settled post June. There was also a minor adjustment between the current and non-current portions of long service leave provisions. Whilst the \$10.06M (comprising \$6.57M for carried forward projects and \$3.5M free surplus) was previously dealt with by Council, the additional \$1.2M will be sent to the Waste & Recycling and Community Infrastructure reserves in accordance with budget management policy. This was included in the mid-year budget review adopted by Council at the February meeting.

The City's closing funds of \$65.2M are currently \$6.4M higher than the YTD budget forecast. This includes the \$1.2M variance in the opening funds previously mentioned and net favourable cash flow variances across the operating and capital programs.

The revised budget currently shows end of year closing funds of \$0.34M (increased from a balanced budget position of nil). This has predominantly resulted from several upwards adjustments to revenue. The budgeted closing funds will fluctuate throughout the year, due to the impact of Council decisions and recognition of additional revenue. Details on the composition of the budgeted closing funds are outlined in Note 3 to the financial report.

Operating Revenue

Consolidated operating revenue of \$104.3M is ahead of the YTD budget forecast by \$1.0M. Several compensating variances comprise the majority of this amount:

1. Revenue from property rates is \$0.38M higher than the YTD budget target.



2. Interest on investments exceed YTD budget by \$1.35M and as a consequence has been revised upwards in the mid-year budget review.
3. \$0.15M unbudgeted reimbursement of diesel fuel tax resulting from a tax review project completed by Deloitte.
4. Legal fees recouped from property owners on the debt collection of rates have added a \$0.16M positive variance to revenue.
5. Grant funding budgeted for the Kid Sport and Club Development programs is yet to be received causing a \$0.11M unfavourable variance.
6. Human Services operating grants are \$0.34M ahead of budget due to \$0.25M of surpluses carried forward from the previous year and \$0.18M of additional In-Home Care subsidies received to date.
7. Fees & charges across the Human Services business unit are \$0.14M ahead of budget.
8. Commercial lease revenue is \$0.11M under YTD budget estimates.
9. Statutory Planning revenue is \$0.48M ahead of YTD budget mainly due to development application fees up \$0.33M & fines up \$0.12M.
10. Fees & charges from building regulation are down \$0.22M.
11. Revenue from dog registration fees is \$0.10M greater than the full year budget due to the impact of changes made to the Dog Act.
12. The waste collection levy is \$0.51M less than the YTD budget.
13. Commercial income from the HWRP is \$2.54M behind the YTD budget target, offsetting most of the other favourable variances. This was adjusted in the mid-year budget review.

Further details of material variances are disclosed in the Agenda attachment.

Operating Expenditure

Operating expenditure (including asset depreciation) of \$63.4M was just under the YTD budget target of \$65.0M.

- *Material and Contracts* - A net favourable variance of \$1.2M is attributed with general underspending across most service areas. The exceptions are the Development Contribution Plans where unbudgeted payments for vested crown land and consultancies contribute an unfavourable variance of \$0.73M; legal fees paid on



the recovery of rates at \$0.15M over the YTD budget (this amount is offset by the matching revenue recouped from property owners).

- *Insurances* - Expenses are \$0.23M over the YTD budget principally due to higher insurance costs for plant and ongoing premium adjustments for ongoing prior year claims.
- *Other Expenses* - Lower landfill levy charges have been incurred due to reduced waste tonnage through the HWRP facility; Council's donations program is \$0.18M behind YTD budget; contribute \$0.71M towards the \$0.45M variance under Other Expenses.
- *Salaries & Direct On-Costs* – These are now on target with the YTD budget following a review and adjustment of the budgeted cash flows to reflect the pattern of payments.
- *Depreciation* - At a consolidated level, asset depreciation is over budget by \$0.11M (less than 1% of the YTD budget). Parks Equipment is over budget by \$0.59M, impacted by a comprehensive asset pick up and revaluation exercise completed during 2012/13 year end. This is offset by Roads (\$0.10M), Buildings (\$0.24M) and Plant (\$0.12M) all under the YTD budget.

The following table shows operating expenditure budget performance at the consolidated nature and type level:

Nature or Type Classification	Actual	Amended Budget	Variance to Budget
	\$M	\$M	\$M
Employee Costs	24.28	24.24	(0.04)
Materials and Contracts	18.85	20.04	1.19
Utilities	2.44	2.53	0.09
Insurances	2.24	2.01	(0.23)
Other Expenses	4.07	5.09	1.02
Depreciation (non-cash)	12.92	12.81	(0.11)

Capital Expenditure

The City's actual capital spend to the end of December was \$11.23M, representing a \$4.41M underspend versus the YTD budget of \$15.64M.

- *Building Infrastructure* - contributed \$0.99M to the underspend comprising The GP Super Clinic/Library project (\$0.81M); no spending on the Coogee Beach trial shark enclosure as grant not received (\$0.15M); and no expenditure to date on Civic Building energy reduction initiatives (\$0.13M).



- *Plant & Machinery* - is underspent \$0.90M against its YTD budget of \$1.91M (47% under). However, it has \$2.06M under order currently.
- *Roads & Drainage Infrastructure* - projects are \$0.83M under YTD budget targets with notable projects being Beeliar Drive (Hammond Rd North & South) - \$0.32M and Bibra Drive (North Lake to Farrington) - \$0.27M
- *Freehold Land* - development spending is \$0.66M behind YTD budget settings, primarily due to Subdivision projects at Bellier/Erpingham Rd (\$0.34M) and Goldsmith Rd (\$0.22M).
- *Parks Infrastructure* – spending on new assets and asset replacement is \$0.52M behind YTD budget targets.
- *Information Technology* – spending on various software and systems development projects is \$0.45M below YTD budget.

Capital Funding

Capital funding sources are generally highly correlated to capital spending, the sale of assets and the rate of development within the City (for developer contributions).

Significant variances for January include:

- Transfers from financial reserves were \$4.72M behind budget.
- Road grants received were \$1.78M ahead of the cash flow budget.
- The \$0.17M balance of the CSRFF grant for the Coogee Beach Surf Club project has not been reflected in the budget.
- \$0.1M was budgeted for a grant towards a shark enclosure that has not been successful. This was dealt with in the mid-year budget review.
- Developer contributions received under the Community Infrastructure plan (up \$2.14M) and the road infrastructure DCA's (down \$0.63M) were collectively \$1.51M higher than the YTD budget.
- Proceeds from the sale of plant were \$0.26M behind YTD budget targets.

Cash & Investments

Council's cash and current/non-current investment holding at December month end was \$140.37M, down from \$138.46M in December.



Note: The abovementioned statement should refer to 'January' in line two and the word 'down' replaced with 'up'.

\$74.25M represents the balance held in the cash backed reserves and another \$5.97M represents funds held for other restricted purposes such as bonds, restricted grants and infrastructure contributions. The remaining \$60.15M represents the cash/financial investment component of the City's working capital, available to fund existing operations and commitments.

The City's investment portfolio made a weighted annualised return of 4.07% in January, little changed from 4.06% the previous month. Whilst this compares favourably against the benchmark UBS Bank Bill Index rate of 2.52% for the same period, there is an ongoing downward trend due to the lower official cash rate (currently at 2.50%).

The majority of investments are held in term deposit (TD) products placed with highly rated APRA (Australian Prudential Regulation Authority) regulated Australian banks. These are invested for terms ranging between three and twelve months in order to lock in the most beneficial rate and meet the City's cash flow requirements. Factors considered when investing include maximising the value offered within the current interest rate yield curve and mitigating cash flow liquidity risks.

The RBA has reduced rates over the current period of quantitative easing by 225 basis points (2.25%). However, the City's investment strategy of investing in terms nearing the extent of statutory limits has served to moderate any negative impact on the City's overall interest earnings performance. Given we are now close to the bottom of the current interest rate cutting cycle (if not already), this strategy will be modified to target a shorter average duration for the investment portfolio. This will reduce risks associated with a potential increase in interest rates in the short to medium term.

Description of Graphs and Charts

There is a bar graph tracking Business Unit operating expenditure against budget. This provides a very quick view of how the different units are tracking and the comparative size of their budgets.

The Capital Expenditure graph tracks the YTD capital spends against the budget. It also includes an additional trend line for the total of YTD actual expenditure and committed orders. This gives a better indication of how the capital budget is being exhausted, rather than just purely actual cost alone.



A liquidity graph shows the level of Council's net current position (adjusted for restricted assets) and trends this against previous years. This gives a good indication of Council's capacity to meet its financial commitments over the course of the year.

Council's overall cash and investments position is provided in a line graph with a comparison against the YTD budget and the previous year's position at the same time.

Pie charts included show the break-up of actual operating income and expenditure by nature and type and the make-up of Council's current assets and liabilities (comprising the net current position).

Strategic Plan/Policy Implications

Leading & Listening

- A responsive, accountable and sustainable organisation.
- Manage our financial and infrastructure assets to provide a sustainable future.
- A culture of risk management and compliance with relevant legislation, policy and guidelines

Budget/Financial Implications

Material variances identified as impacting on Council's closing budget position are addressed in the mid-year budget review presented to the February Council meeting.

Legal Implications

N/A

Community Consultation

N/A

Attachment(s)

Statement of Financial Activity and associated Reports – January 2014.

Advice to Proponent(s)/Submissioners

N/A

Implications of Section 3.18(3) Local Government Act, 1995



Nil.

16. ENGINEERING AND WORKS DIVISION ISSUES

Nil

17. COMMUNITY SERVICES DIVISION ISSUES

17.1 (MINUTE NO 5273) (OCM 13/3/2014) - COCKBURN BUSHFIRE REFERENCE GROUP REQUESTS (027/007) (R AVARD)

RECOMMENDATION

That Council:

- (1) advise the Banjup Residents Group (Inc.) that while a nominee from the Banjup Residents Group on the City of Cockburn Volunteer Bushfire Reference Group is not supported, they will be invited by the Reference Group to present on fire related matters when appropriate;
- (2) place on its Municipal budget for 2014/15 for consideration the purchase of 2 Thermal Imaging Cameras at an estimated cost of \$6,000;
- (3) allocate Mitsubishi Triton 4WD (Fleet No.PL2514) to the Volunteer Emergency Services Fleet; and
- (4) appoint _____ (Elected Member(s)) as an additional member/s to the Cockburn Bushfire Reference Group.

COUNCIL DECISION

MOVED Clr S Portelli SECONDED Clr S Pratt that adopt the recommendation as follows:

- (1) advise the Banjup Residents Group (Inc.) that while a nominee from the Banjup Residents Group on the City of Cockburn Volunteer Bushfire Reference Group is not supported, they will be invited by the Reference Group to present on fire related matters when appropriate;
- (2) place on its Municipal budget for 2014/15 for consideration the purchase of 2 Thermal Imaging Cameras at an estimated cost of \$6,000;



- (3) allocate Mitsubishi Triton 4WD (Fleet No.PL2514) to the Volunteer Emergency Services Fleet; and
- (4) appoint Deputy Mayor Carol Reeve-Fowkes as an additional member/s to the Cockburn Bushfire Reference Group.

CARRIED 10/0

Reason for Decision

Deputy Mayor Reeve-Fowkes has expressed an interest in the Reference Group's activities and is a member of the Local Emergency Management Committee (LEMC).

Background

The Cockburn Bushfire Advisory Reference Group meeting held on the 19 February 2014 considered the following Council decision of 31 October 2013.

Council refer the correspondence from the Banjup Residents Group (Inc.) to nominate one representative to join the Cockburn Bushfire Reference Group, to the reference Group for consideration.

Other matters raised by the Reference Group that require Council consideration are as follows:

- Purchase of Thermal Imaging Cameras.
- The Mitsubishi Triton Utility 4WD support vehicle to be permanently housed at the Cockburn Volunteer Headquarters.
- Appointment of another elected member to join the Bushfire Reference Group.

Submission

N/A

Report

The Cockburn Bushfire Reference Group Meeting held on 19 February 2014 considered the correspondence from the Banjup Residents Group (Inc.) requesting a nominee from the Group be represented on the Reference Group. The view of the Reference Group was that its



primary role was to share information between the South Coogee and Jandakot Brigades and the City on a range of matters affecting their operation. The Group was keen to seek presentations from community members and groups from across the City on fire related matters when such matters come under consideration by the Reference Group. Invitations will be extended to groups such as the Banjup Residents Group when appropriate. The Bushfire Reference Group unanimously agreed that a permanent position on the Reference Group should not be offered to a single group.

Thermal Imaging Cameras

During the February 2014 Banjup fires a need to measure the ground temperature of peat soils was identified to help prevent flare ups of fires. At the recent Banjup fires the City's Volunteer Bushfire Brigade was not equipped with a thermal imaging camera to measure heat in peat soils and had to borrow a camera.

The Cockburn Bushfire Reference Group unanimously supports the purchase of cameras to support the City's Volunteer Brigades in the future. The cameras cost \$3,000 (Ex-GST) each and it is recommended that 2 be purchased, one for each Brigade.

Support Vehicle

Council provided a Mitsubishi Triton utility 4WD on an extended loan (trial) to support Brigade activities. The vehicle has proven valuable during the recent bush fires by assisting the Brigades officers to move around the fire ground. The Reference Group has requested that the vehicle be permanently stationed at the Volunteer Emergency Services Building for use by the Brigades and the Cockburn SES. The vehicle will remain on the City of Cockburn Vehicle Asset Register as do the other vehicles in the Volunteer Brigades vehicle fleet.

Further equipment required will be sought through the Department of Fire and Emergency Services by the City's Chief Bushfire Control Officer and the Volunteer Bushfire Brigades.

Additional Elected Member appointment to Reference Group

Council at its meeting of 31 October 2014 resolved to appoint Cllr Stephen Portelli to the Volunteer Bushfire Brigade Reference Group. There is value in having another Elected Member of Council on the Reference Group, particularly one involved with the Local Emergency Management Committee.



Strategic Plan/Policy Implications

Community & Lifestyle

- Safe communities and to improve the community's sense of safety.

Leading & Listening

- Effective and constructive dialogue with all City stakeholders.
- A culture of risk management and compliance with relevant legislation, policy and guidelines

Environment & Sustainability

- To protect, manage and enhance our natural environment, open spaces and coastal landscapes.

Budget/Financial Implications

The purchase of Thermal Imaging Cameras for the volunteer brigades will need \$6,000 placed on the 2014/15 budget for consideration.

Support vehicle maintenance costs are funded through the Emergency Services Levy. Replacement costs are not allocated in the Council's vehicle replacement schedule.

Legal Implications

N/A

Community Consultation

The Volunteer Bushfire Reference Group is comprised of Captains and brigade members drawn from the local community. When appropriate the Reference Group will receive delegations from representatives of community groups and individual community members.

Attachment(s)

N/A

Advice to Proponent(s)/Submissioners

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the March 2014 Council Meeting.

Implications of Section 3.18(3) Local Government Act, 1995

Nil.



18. EXECUTIVE DIVISION ISSUES

Nil

19. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

20. NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING

Nil

21. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY COUNCILLORS OR OFFICERS

21.1 (MINUTE NO 5274) (OCM 13/3/2014) - MEMBER REPRESENTATION TO THE SOUTHERN METROPOLITAN REGIONAL COUNCIL ('SMRC') (028/006 & 091/006) (M LITTLETON) (ATTACH)

RECOMMENDATION

That Council appoint _____ (Elected Member) as its representative to the SMRC.

COUNCIL DECISION

MOVED Mayor L Howlett SECONDED Clr L Smith that Council appoint Mayor Logan Howlett as its representative to the SMRC.

MOTION LOST 2/8

MOVED Clr S Portelli SECONDED Clr B HOUWEN that Council appoint Clr Kevin Allen as its representative to the SMRC.

CARRIED 8/2



Background

The SMRC is a Regional Council made up of the municipal districts of the City of Cockburn, City of Rockingham, City of Fremantle, Town of East Fremantle, City of Kwinana and City of Melville. It is formally constituted under the auspices of the Local Government Act 1995 and must comply with that legislation. It was established to plan, develop, coordinate and implement sustainable waste management solutions and greenhouse gas abatement programs with, and for, its six member Councils and their communities.

Under the terms of the established agreement, each member Council must provide an Elected Member representative to join the Southern Metropolitan Regional Council. Council last considered this matter in October 2013 and resolved the following:

“That Council appoint Clr Lee-Anne Smith as its representative to the Southern Metropolitan Regional Council.”

Submission

N/A

Report

Councillor Smith has formally tendered her resignation (refer attachment) from the SMRC and has advised Council accordingly. Council must now appoint a member to replace Clr Smith in accordance with Clause 7.1 of the Establishment Agreement (refer attached).

Structure

The Southern Metropolitan Regional Council comprises of one delegate from each member local government with equal voting rights, except the Chairman who may exercise a second vote where the vote is a tie. The tenure of members of the Regional Council continues until the member ceases to be a member of the participating Council or until the member is removed by the participant Council.

The Regional Council meets 7 times per year, on the fourth Thursday of the month commencing at 5.00 p.m. Special meetings and Councillor briefing sessions may be held from time to time.

Standing Committees represented by regional councillors are:

- Audit Committee,
- Public Relations Committee
- CEO Remuneration Committee



Councillor's Annual Allowance Fee \$13,500

The 2013/14 Council meeting dates are shown in the attachment. These meetings will all commence at 5.00 p.m. in the respective Council Chambers/Rooms.

Strategic Plan/Policy Implications

Environment & Sustainability

- Community and businesses that are supported to reduce resource consumption, recycle and manage waste.
- Greenhouse gas emission and energy management objectives set, achieved and reported.

Budget/Financial Implications

The SMRC Council decisions impact on the City of Cockburn because their fees and charges are used as part of the equation to derive the annual service charge levied to ratepayers.

Legal Implications

Local Government Act 1995, Part 3 Division 4 refers.

Community Consultation

N/A

Attachment(s)

1. Notice of resignation from Cllr Smith
2. Correspondence from SMRC.

Advice to Proponent(s)/Submissioners

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

22 (OCM 13/3/2014) - MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE

Cllr Mubarakai requests a report be prepared on the issues associated with the construction of sheds on vacant resource zoned properties and whether



any opportunities exist to modify the existing planning framework to facilitate such development.

Background

A number of residents in the community (specifically the Banjup area) seek to construct sheds on their resource zoned properties prior to the construction of a dwelling on those properties. This will enable them to store their domestic goods on the site prior to and during construction. The City of Cockburn's planning framework in relation to this matter includes Town Planning Scheme provisions, Local Planning Policy APD 18 (Outbuildings) and State Planning Policy 2.3 (Jandakot Groundwater Protection Policy). All of these documents prevent in some way residents from undertaking the construction of a shed where no dwelling exists on the property.

23. CONFIDENTIAL BUSINESS

Nil

24. (MINUTE NO 5275) (OCM 13/3/2014) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995)

RECOMMENDATION

That Council is satisfied that resolutions carried at this Meeting and applicable to items concerning Council provided services and facilities, are:-

- (1) integrated and co-ordinated, so far as practicable, with any provided by the Commonwealth, the State or any public body;
- (2) not duplicated, to an extent Council considers inappropriate, services or facilities as provided by the Commonwealth, the State or any other body or person, whether public or private; and
- (3) managed efficiently and effectively.



COUNCIL DECISION

MOVED Cllr S Pratt SECONDED Deputy Mayor C Reeve-Fowkes that the recommendation be adopted.

CARRIED 10/0

25 (OCM 13/3/2014) - CLOSURE OF MEETING

The meeting closed at 7.40 p.m.

CONFIRMATION OF MINUTES

I, (Presiding Member) declare that these minutes have been confirmed as a true and accurate record of the meeting.

Signed: Date:/...../.....



12th March 2014

Chief Executive Officer
City of Cockburn
PO Box 7011
Spearwood WA 6163

Dear Stephen,

I wish to give notice of my resignation from the South Metropolitan Regional Council effective immediately.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Lee-Anne Smith', written in a cursive style.

Lee-Anne Smith
Councillor, East Ward
City of Cockburn



CITY OF COCKBURN	
DOC No	- 7 OCT 2013
SUBJECT	091/006
RETENTION	67.4 17
PROPERTY	
APP	
ACTION	RETURNS TO CEO

Our Ref: A/11/05

2nd October 2013

Mr Stephen Cain
 Chief Executive Officer
 City of Cockburn
 PO Box 1215
 Bibra Lake WA 6965

Dear Stephen

APPOINTMENT OF ELECTED MEMBERS TO THE REGIONAL COUNCIL

Following Local Government elections it is customary for Participants' Councils to appoint or re-appoint members to the Regional Council.

I provide below the SMRC's Establishment Agreement appointment and tenure clauses, Councillor annual fees and allowances and council meeting dates that may assist you in providing information to councillors about the Regional Council.

If possible we would like to receive written notice of your council appointed member prior to Thursday 24th October 2013 as this is the next regional council meeting and the appointment of the Chair.

Appointment of Members (Clause 7.1)

A participant local government is to appoint one member of the participant to be a member of the council of the Southern Metropolitan Regional Council. Please note we do not have provision for more than one or deputy members under the Establishment Agreement.

Tenure of Members of the Council (Clause 7.2)

The tenure of existing members of the regional council shall hold office until the member ceases to be an elected member of the Council of the participant local government or until the member is removed.

Election of Chairman & Deputy Chairman (Clause 7.3)

The members appointed to the Regional Council shall elect a Chairman and Deputy Chairman for a two year term. This will be conducted at the commencement of the Ordinary Meeting of the Regional Council on Thursday 24th October 2013.

Member Annual Fees and Allowances 2013/14

Following the release of the Salaries and Allowances Tribunal determination the Regional Council resolved to adopt the fees as set out in the Tribunal Determination for Regional Local Government as follows:

Chairman	\$37,500pa
Deputy Chairman	\$18,250pa
Regional Councillor	\$13,500pa

Southern Metropolitan Regional Council
 9 Aldous Place Booragoon WA 6154
 Tel: (08) 9329 2700 Fax: (08) 9330 6788

All correspondence should be addressed to the CEO at:
 PO Box 1501 Booragoon WA 6954
 Web: www.smrc.com.au | Email: smrc@smrc.com.au

Regional Resource Recovery Centre
 350 Bannister Road Canning Vale WA 6155
 Tel: (08) 9256 9555 Fax: (08) 9456 2755



Meetings

The Regional Council has the following formal meeting structure:

- Agenda Briefing Sessions (6 per year)
- Ordinary Council meetings (6 per year)
- Public Relations Committee (4 per year)
- Audit & Risk Committee (4 per year)
- Special Council Meetings (as required)
- Information Briefing Sessions (as required)

The SMRC has approximately 30 meetings per year as well as other industry external working groups and committees. The membership role demands a high level of commitment and time.

The following formal meetings dates are planned for 2013-2014:

Month	Agenda Briefing 3:00pm	Council Meeting 5:00pm	Public Relations Committee 4:30pm	Audit & Risk Committee 5:30pm
October 2013	Wednesday 9 th	Thursday 24 th		
November	Wednesday 13 th	Thursday 28 th	Monday 11 th	Monday 11 th
February 2014	Wednesday 12 th	Thursday 27 th	Monday 17 th	Monday 17 th
March				
April	Wednesday 9 th	Thursday 24 th		
May			Monday 19 th	Monday 19 th
June	Wednesday 11 th	Thursday 26 th		
July				
August	Wednesday 13 th	Thursday 28 th	Monday 18 th	Monday 18 th
September				
October	Wednesday 8 th	Thursday 23 rd		
November	Wednesday 12 th	Thursday 27 th	Monday 17 th	Monday 17 th

Please contact me should you require further information.

Yours sincerely



TIM YOUÉ
CHIEF EXECUTIVE OFFICER

cc: REG, Regional Councillors