

# CITY OF COCKBURN

## SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 12 MARCH 2015 AT 7:00 PM

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## CITY OF COCKBURN

### MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 12 MARCH 2015 AT 7:00 PM

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#### 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
Mr S Pratt	-	Councillor
Mr P Eva	-	Councillor

##### IN ATTENDANCE

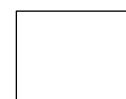
Mr S. Cain	-	Chief Executive Officer
Mr D. Green	-	Director, Governance & Community Services
Mr S. Downing	-	Director, Finance & Corporate Services
Mr C. Sullivan	-	Director, Engineering & Works
Mr D. Arndt	-	Director, Planning & Development
Ms L. Boyanich	-	Media Liaison Officer
Mrs L. Jakovcevic	-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

#### 1. DECLARATION OF MEETING

The Presiding Member declared the meeting open at 7.02 pm and welcomed everyone attending.

The Presiding Member made the following announcements.

I acknowledge the Nyungar People who are the traditional custodians of the land we are meeting on and I pay respect to the Elders of the Nyungar Nation, both past and present and extend that respect to Indigenous Australians who are with us tonight.



I welcome Mr Charles Sullivan, Director Engineering & Works who commenced with the City on Tuesday 3 March 2015. I thank Mr Anton Lees who carried out the role of Acting Director Engineering & Works over the last few months for his professionalism.

#### Cockburn Jetty to Jetty Event

Another very successful Cockburn Jetty to Jetty was held last Sunday morning. Entries were around the 700 mark. Congratulations go to the Rotary Club of Cockburn and the Cockburn Master Swimming Association for co-ordinating the event with support from the Coogee Beach Surf Life Saving Club and other volunteers.

#### Summer of Fun Regional Concert

Following on from the highly successful Pinked concert the regional concert will showcase Eskimo Joe in the delightful setting of Manning Park. The final of Cockburn Idol will also be taking place from 6.00pm.

#### Hello Baby

Hello Baby will be held in Manning Park on Wednesday 18 March between 10.00am and 12.30pm. Record attendances and very positive feedback from service providers and attendees clearly demonstrates the value of this annual event.

#### Local Government Reform

Written advice has been received from the Minister for Local Government & Communities that the Governor's Orders signed on 24 December 2014 will be formally revoked by way of publication in the Government Gazette, tomorrow, Friday 13 March 2015.

This brings to an end the State Government Local Government Reform process. All metropolitan local governments will remain with their current boundaries. Ladies and gentlemen, the roller coaster ride has come to an end.

Along with other metropolitan local governments we will be submitting a claim for re-imburement of funds expended on the reform process through the West Australian Local Government Association who will represent our interests in discussions with the State Government.

## **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 (OCM 12/3/2015) - ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (BY PRESIDING MEMBER)**

The Presiding Member advised the meeting that he had received advice from Clr S Portelli that he had a Conflict of Interest in relation to Item 16.1, which will be read at the appropriate time.

**5 (OCM 12/3/2015) - APOLOGIES AND LEAVE OF ABSENCE**

Mr B Houwen	-	Apology
Ms L Smith	-	Apology

**6. ACTION TAKEN ON PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

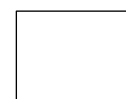
**7 (OCM 12/3/2015) - PUBLIC QUESTION TIME****Items on the Agenda***Item 16.1 Proposed construction of footpath along Chivalry Way Atwell*

*Ben Leitch, Chivalry Way Atwell*

Q1. Why have I not received anything from the Council in writing at all. I have only just been informed a few days ago that this will be coming to Council.

Q2. Why have the affected owners in regards to this footpath not been contacted by Council. I heard second hand that people not affected on the other side of the street received a pamphlet, but the people who are affected received nothing.

Q3. What is the Council's Policy about things being said face to face and then doing a back-flip. When I spoke to Anton Lees, he was recommending further community consultation and that has not happened.



- Q4. I am also questioning the validity of the engineers report about the professional contractor that had been engaged and the report outlining the City of Cockburn's traffic report and how that can relate to a small street in an estate.
- A. Once we brief Council the week before Council Meeting, the Agenda's then go out on the Friday and on the website.

We agreed that on this occasion, the consultation was not required and was not carried out any further. Depending on the debate on the item tonight and depending on what Council's decision is then we will proceed from there whatever instructions Council decides.

*Shannon Borg – Chivalry Way Atwell*

- Q1. Can I have one reason that is greater than the safety of my children and the other children in my street, why we should not have a footpath in our street. There are people with prams walking every day, morning and night and we live near a primary school.

*Jason Taylor – Chivalry Way Atwell*

- Q1. How can adding an additional footpath increase the access to the facilities when there is already enough footpaths in Harvest Lakes. It should be noted that this is only one of three streets in this estate that does not have a footpath.
- A1. The general policy in most local authorities is in the built up suburban areas there should be a footpath on at least one side of every urban roadway and Chivalry Way clearly does not have a footpath on either side, hence the footpath proposal has been on Council's Capital Works plan for the current financial year and depends on Council's decision tonight as to whether that project proceeds or not.

**Items not on the Agenda**

*Ray Woodcock – Mell Road Spearwood*

- Q1. Will Council make a greater effort to see that the Cockburn Police Station be retained and at its current location. Over the time I have presented a petition to this Council signed by 2,500 people from Bibra Lake, Coogee, Spearwood, Munster, Beeliar and Henderson to see the Cockburn Police Station retained.
- A1. As everyone knows Police facilities and the Police Station is a State Government responsibility. The petition was supported by Council resolution and Council's resolution was that it supported the Police Station remaining open. I am not aware of any immediate plans for the Cockburn Police Station to be closed. We don't have any more information other than that. The state government would be the



appropriate avenue to contact for any further information. Council's decision has not changed.

Q2. In the Cockburn Herald dated 2 March 2015, there was an article written by Steven Pollock titled "Council's at risk of rorting". Has the Council found any rorting within the City of Cockburn with its employees, outside company's services and contracts? If there is, what has the Council done about it.

A2. In the article, as it was published in the paper, I believe it noted that the City of Cockburn participated in a voluntary audit to the CCC, and the voluntary audit indicated there were no instances of fraud perceived or otherwise in Council's process of dealing with this. When the CCC approached us, we voluntarily said we have nothing to hide, but if you can come back and look at our processes and you can suggest to us that there might be better ways of doing things, we are more than happy to see that. Council is quite happy with the audit from the CCC.

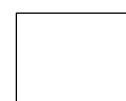
We do take these things seriously at the City of Cockburn in procurement. In fact, we have taken a risk free fraud study prior to the CCC coming to the City of Cockburn to do an audit. They then went through us and they did find some issues with our systems and loopholes, which we were able to effectively close off and demonstrate to the auditors of the CCC that we had done so and certainly in their findings they acknowledged that Cockburn had led the way in the procurement audit space. Cockburn has presented a number of times at various WALGA conferences, showing how we have adopted the best practice in a whole range of procurement issues.

Q4. At a forum in Fremantle in June last year, Commissioner Callahan made it very clear, he said, the Cockburn Police Station will be closed.

*Michael Separovich – Spearwood*

Q1. In the budget we have \$24M for arts and culture expense. Has the City got a full time permanent Arts Director. Was the City of Cockburn looking at having a more active Arts Director.

A1. We have a full time Cultural and Arts officer. She is very good at what she does. The Council does provide funds to Arts projects, not \$24M, to be delivered each year and for programs and events that fit into this category. This coming financial year we do have on our strategic plan to produce a culture and arts strategy so that will provide clear direction for that particular area.



**8. CONFIRMATION OF MINUTES**

**8.1 (MINUTE NO 5463) (OCM 12/3/2015) - ORDINARY COUNCIL MEETING 12/2/2015**

**RECOMMENDATION**

That Council adopt the Minutes of the Ordinary Council Meeting held on Thursday 12 February 2015, as a true and accurate record.

**COUNCIL DECISION**

MOVED Clr P Eva SECONDED Clr S Pratt that the recommendation be adopted.

**CARRIED 8/0**

**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. DECLARATION OF COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS IN THE BUSINESS PAPER**

Nil

**13. COUNCIL MATTERS**

**NOTE:** AT THIS POINT IN THE MEETING, THE TIME BEING 7.22 PM THE FOLLOWING ITEMS WERE CARRIED BY AN "EN BLOC" RESOLUTION OF COMMITTEE:





14.1	15.1	17.1	19.1
14.2		17.2	
14.3			

**13.1 (MINUTE NO 5464) (OCM 12/3/2015) - MINUTES OF THE DELEGATED AUTHORITIES, POLICIES & POSITION STATEMENTS COMMITTEE MEETING - 26/2/2015 (086/003; 182/001; 182/002) (D GREEN) (ATTACH)**

**RECOMMENDATION**

That Council receive the Minutes of the Delegated Authorities, Policies and Position Statements Committee Meeting held on Thursday, 26 February 2015, and adopts the recommendations contained therein.

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**

**COUNCIL DECISION**

MOVED Clr S Portelli SECONDED Clr S Pratt that the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0**

**Background**

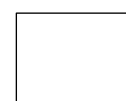
The Delegated Authorities, Policies and Position Statements Committee conducted a meeting on 26 February 2015. The Minutes of the meeting are required to be presented.

**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 Planning and Development 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 – 26 February 2015.

#### **Advice to Proponent(s)/Submissioners**

N/A

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

Nil.



## 14. PLANNING AND DEVELOPMENT DIVISION ISSUES

### 14.1 **(MINUTE NO 5465)** (OCM 12/3/2015) - PROPOSED STRUCTURE PLAN FOR PORTION OF PACKHAM NORTH DISTRICT STRUCTURE PLAN AREA - LOTS 21 AND 22 CROSS ROAD, COOGEE (110/116) (L SANTORIELLO) (ATTACH)

#### **RECOMMENDATION**

That Council

- (1) in pursuance of Clause 6.2.9.1 (a) of City of Cockburn Town Planning Scheme No. 3 ("Scheme") adopt the Proposed Structure Plan for Lots 21 and 22 Cross Road Coogee;
- (2) endorse the Schedule of Submissions prepared in respect of the Proposed Structure Plan for Lots 21 and 22 Cross Road Coogee;
- (3) advise the proponent and those persons who made a submission of Council's decision; and
- (4) in pursuance of Clause 6.2.10.1 of the Scheme, forward the adopted Structure Plan to the Western Australian Planning Commission within 7 days of Council's resolution for endorsement.

#### **COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr L Wetton that the recommendation be adopted.

**CARRIED 8/0**

#### **Background**

The Proposed Structure Plan was prepared by Whelans Town Planning on behalf of the landowners. It relates to land within the Packham North District Structure Plan area, namely Lots 21 and 22 Cross Road, Coogee ("subject site").

The Proposed Structure Plan seeks to affect a residential development outcome across the subject land. The purpose of this report is to



consider the Proposed Structure Plan for adoption in light of the advertising process that has taken place.

### **Submission**

N/A

### **Report**

#### Planning Background

The subject site is bound by Cross road to the west and Entrance Road to the north. The land to the north, south and east is currently being developed for residential development in accordance with the Packham North District Structure Plan.

The land to the west of Cross road, which is approximately 11 hectares in area, is reserved for Parks and Recreation under the Metropolitan Region Scheme (“MRS”) and City of Cockburn Town Planning Scheme No. 3 (“TPS3”). This land is extensively covered in native vegetation and generally slopes downwards towards the subject site (Attachment 2).

The subject site is zoned ‘Urban’ under the MRS and ‘Development’ under TPS3. The subject site is also located within Development Area No. 31 (“DA 31”), Development Contribution Areas No. 12 and 13 (“DCA 12”) and (“DCA 13”).

Pursuant to Clause 6.2.4 of TPS3, a Structure Plan is required to be prepared and adopted prior to any subdivision or development within a Development Area.

#### Planning Assessment

Directions 2031 and Beyond (“Directions 2031”) and Liveable Neighbourhoods provide the State Government policy framework in which to consider a Proposed Structure Plan. This is supplemented by the City’s TPS3, which in conjunction with local planning policies provides the more detailed local planning framework to consider the Proposed Structure Plan. Under the State Government framework, a target of a minimum of 15 dwellings per gross hectare is set for new Structure Plan areas.

Supporting this, the State Government’s Outer Metropolitan Perth and Peel Sub-Regional Strategy identifies the subject land as being part of the “WAT 1” area with a future dwelling target of 900+.



The Proposed Structure Plan incorporates two separate lots covering an area of approximately 1.4 hectares. The proposed density codes are 'R30' with 'R40' opposite the Public Open Space which will provide for a range of lot sizes from 280m<sup>2</sup> to 379m<sup>2</sup> on Lot 21. The indicative subdivision concept plan aims to retain two existing dwellings on Lot 22 over two separate lots of 836m<sup>2</sup> and 682m<sup>2</sup> in area. These larger lots will provide a diversity of housing options and retention of the current built form and local character of the area. Under the 'R30' density these larger lots will have the potential to be later subdivided should the owners seek to demolish the existing dwellings.

In total the Structure Plan is expected to yield a total of 26 lots with an estimated 29 dwellings in the long term. These additional residential lots will provide for further dwelling diversity in the locality while contributing to the State Government's density targets.

### Packham North District Structure Plan

The subject land forms part of the Packham North District Structure Plan area. The purpose of the District Structure Plan is to facilitate the development of the former 'Watsons food plant' and surrounding land that was previously within an odour buffer of the plant for residential and associated uses.

Following the gazettal of Scheme Amendment 70 on 15 October 2010, the 'Watsons' site and the surrounding land was rezoned for residential development purposes subject to the endorsement of Structure Plan/(s).

The adopted District Structure Plan outlines the broad land use framework including the major road network, neighbourhood structure, commercial land and public open space areas.

Structure Plans are required to demonstrate the achievement of a minimum 15 dwellings per gross urban zoned hectare of land and a minimum of 22 dwellings per site hectare of residential land. This Proposed Structure Plan yields a density of approximately 20.5 dwelling units per gross urban hectare and 28 dwellings per net site hectare. The District Structure Plan sets 'Medium Density' locational criteria of 'R30 to R60' for land which is generally surrounding areas of high amenity, such as open space.

The submitted Structure Plan is considered to be in accordance with the provisions of the District Structure Plan. This has been determined on the basis of the Structure Plan's proposed street network, associated densities and areas of Public Open Space conforming to the locations prescribed on the District Structure Plan.



### Public Open Space

The Structure Plan proposes 0.1415 hectares of public open space which equates to 10% of the site area. The POS will form a drainage function in accordance with water sensitive urban design principles.

The POS is proposed with an east-west orientation to coincide with the Packham North District Structure Plan. The POS provision is provided entirely by Lot 21. The Structure Plan report specifies that the landowner of Lot 22 will provide a cash payment to the landowner of Lot 21 for the surplus POS being provided by Lot 21 to cover Lot 22 POS requirement. This agreement will be a private agreement between the two landowners. The City is not obligated to be involved. Section 13.1 of the Structure Plan report specifies the subdivision will be undertaken in a single stage as agreed by the two landowners. At this point the City will secure a management order for the Public Open Space.

The adopted District Structure Plan included the Packham North District Water Management Strategy and a Local Water Management Strategy. Accordingly the applicant did not provide a separate Local Water Management Strategy as part of the Proposed Structure Plan. Both the Department of Water and the City's engineering services are satisfied with this approach (Attachment 4). It is noted however that the future subdivision application/(s) for the subject site will require the provision of an Urban Water Management Plan which complies with the Packham North Local Water Management Strategy.

Typically, the parkway may contain a shared path, seated resting furniture, appropriate species of tree plantings and mulched dry landscaping. These details will be addressed in detail at subdivision stage. The parkland will serve the regular small scale needs of the immediate residential population within a five to ten minute walking distance. The predominant use, as outlined within the District Structure Plan, is for informal recreation for individuals and households, especially low level children's play, dog walking and relaxation.

The advertising process for the Proposed Structure Plan did not raise any objections from submitters.

### Bushfire Management

As discussed previously in this report the adjacent land to the west of Cross road is heavily vegetated. As this land is reserved for Parks and Recreation the vegetation will not be cleared which poses an ongoing bushfire threat to the future and existing dwellings.



Under the existing planning framework Structure Plans are required to include a Bushfire Management Plan, in these instances, to guide future residential development and mitigate the impacts of bushfires.

The Bushfire Management Plan prescribes a Bushfire Attack Level of 12.5 for approximately two thirds of the subject site (Attachment 3). This rating is the lowest rating prescribed by Australian Standard 3959-2009 which will apply to new residences only. These additional building measures aim to improve construction and thus better equip buildings to withstand the effects from bushfires.

### Conclusion

The Proposed Structure Plan yields a density of approximately 20.5 dwelling units per gross urban hectare and 28 dwellings per net site hectare. The density targets are above the minimum expectation of Directions 2031, Liveable Neighbourhoods and the District Structure Plan. In addition the Proposed Structure Plan indicates an area of approximately 10% for public open space which is designed in an east-west orientation in accordance with the District Structure Plan.

The Structure Plan includes a Bushfire Management Plan which prescribes additional building construction standards for future dwellings. The additional building standards will provide protection from the bushland to the west which is reserved for Parks and Recreation.

As such it is recommended that Council adopts the Proposed Structure Plan and forward the adopted Structure Plan, pursuant to Clause 6.2.10.1 of the scheme, to the Western Australian Planning Commission within 7 days for endorsement.

### **Strategic Plan/Policy Implications**

#### **Growing City**

- Development that is soundly balanced between new and existing areas.
- Diversity of housing to respond to changing needs and expectations.

#### **Moving Around**

- Infrastructure that supports the uptake of public transport and pedestrian movement.

### **Budget/Financial Implications**

N/A



### **Legal Implications**

N/A

### **Community Consultation**

The Proposed Structure Plan was advertised for a period of 21 days in accordance with Clause 6.2.8 of the Scheme. The advertising period commenced on the 13 January 2015 and concluded on 3 February 2015. In total the City received seven submissions of which 1 was from a local resident and the remaining six were from government and servicing agencies. All submissions were in support of the proposal and are addressed in detail within Attachment 4 of this report.

### **Attachment(s)**

1. Location Plan
2. Aerial Photograph
3. Structure Plan Map
4. 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 12 March 2015 Council Meeting.

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

Nil.

**14.2 (MINUTE NO 5466) (OCM 12/3/2015) - PROPOSED MODIFICATION TO STRUCTURE PLAN - LOTS 9006 AND 9008 SHALLCROSS STREET, YANGEBUP - OWNER: M AND S DROPULICH AND ACEFIELD HOLDINGS PTY LTD - APPLICANT: RPS AUSTRALIA (110/113) (M CAIN) (ATTACH)**

#### **RECOMMENDATION**

That Council

- (1) in pursuance to Clause 6.2.9.1 of City of Cockburn Town Planning Scheme No. 3 ("Scheme"), adopt the Proposed variation to the Structure Plan for Lots 9006 and 9008 Shallcross Street, Yangebup as shown in Attachment 2;
- (2) endorse the Schedule of Submissions prepared in respect of the Structure Plan;





- (3) advise the proponent and those persons who made a submission of Council's decision; and
- (4) refer the Structure Plan to the Western Australian Planning Commission.

**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr L Wetton that the recommendation be adopted.

**CARRIED 8/0**

**Background**

The purpose of this report is to consider for adoption the proposed variation to the Structure Plan for Lots 9006 and 9008 Shallcross Street, Yangebup ("subject land"). The proposed variation seeks to rezone two lots from their current 'Residential R20' coding, to a higher coding of 'Residential R25'. This will provide the landowner the ability to increase their potential dwelling yield by 6 dwellings.

**Submission**

Nil.

**Report**

Planning Background

The subject land comprises a combined area of 1.187ha. It is bound by Shallcross Road to the west, Erceg Road to the north, Simper Road to the east and Yangebup Road to the south (refer Attachment 1). The subject land is mostly vacant. There are two existing dwellings in the north east corner of the lot and a small disused outbuilding just to the south of these dwellings, with remainder of the site being relatively cleared.

The subject land is zoned Development under the Scheme and located within Development Area 4. The subject area is also zoned 'Urban' under the Metropolitan Region Scheme ("MRS"). The subject land is within Development Contribution Area 4 and Development Contribution Area 13.



Pursuant to Clause 6.2.4 and Schedule 11 of the Scheme; a Structure Plan is required to be prepared and adopted to guide future subdivision and development. The purpose of this report is to consider the proposed variation to the Structure Plan for adoption.

### Proposed Structure Plan

The proposed variation to the Structure Plan (as shown in Attachment 2) seeks to rezone the subject land to 'Residential R25' in order to facilitate subdivision and development at a medium density.

With the proposed variation to the residential zoning, the landowner has the capacity to increase the number of dwellings able to be developed by six. With an average of 2.8 persons per dwelling, this proposal would provide for an estimated 17 extra residents.

The proposed density is higher than the existing structure plan which depicts an R20 density. Under the remit of the State Government's Directions 2031 Strategy as well as Liveable Neighbourhoods, a target of a minimum of 15 dwellings per gross hectare is set for new Structure Plan areas. This equates to an equivalent R25 residential density coding. Should Council support this variation, it will demonstrate a change to the structure plan which reflects the broader imperative for higher residential densities within the metropolitan region.

### Community Consultation

The Structure Plan was advertised for a period of 21 days from 27 January 2015 to 17 February 2015. The proposal was advertised to nearby and affected landowners and also referred to relevant government authorities.

During the submission period a total of four submissions were received by the City from servicing/government authorities. All submissions received during this period were supportive of the proposed variation. No submissions were received from surrounding landowners. All of the submissions received are set out and addressed in the Schedule of Submissions (Attachment 3).

### Conclusion

The proposed variation to the Structure Plan seeks to facilitate the up-coding of these sites from the current zoning of 'Residential R20' to 'Residential R25'. No adverse impacts are expected from this variation. It is hoped that this will deliver an increased mix of residential lots to the area, as well as encourage other landowners yet to subdivide to consider providing a broader range of residential densities.



The proposed variation is in keeping with the principles of orderly and proper planning and supports current State Planning objectives. It is recommended that Council adopt the proposed variation to the Structure Plan for Lots 9006 and 9008 Shallcross Street, Yangebup.

### **Strategic Plan/Policy Implications**

#### **Growing City**

- Development that is soundly balanced between new and existing areas.
- Diversity of housing to respond to changing needs and expectations.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

N/A

### **Community Consultation**

In accordance with Clause 6.2.8 of the City's Scheme, the proposed variation to the Structure Plan was advertised for a period of 21 days from 27 January 2015 to 17 February 2015. No objections were received as a result of advertising.

### **Attachment(s)**

1. Location Map
2. Proposed variation to the Structure Plan
3. Schedule of Submissions

### **Advice to Proponent(s)/Submitters**

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 12 March 2015 Council Meeting.

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

Nil.



**14.3 (MINUTE NO 5467) (OCM 12/3/2015) - THE LAKES REVITALISATION STRATEGY LOCATION: CITY OF COCKBURN OWNER: N/A (110/124) (R PLEASANT) (ATTACH)**

**RECOMMENDATION**

That Council supports the preparation of The Lakes Revitalisation Strategy and endorses the approach as described in the project plan contained within the attachment.

**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr L Wetton that the recommendation be adopted.

**CARRIED 8/0**

**Note:** Correction in the body of the under the heading Report, first paragraph, first line, date should read "...Corporate Business Plan 2012/13-2016/17...".

**Background**

Since 2009 the City has engaged with residents and landowners resulting in three revitalisation strategies to guide future development in the areas of Spearwood, Hamilton Hill and Coolbellup. The preparation of revitalisation strategies is predominantly driven through:

1. the need to promote further housing choice options as suburbs and communities throughout the locality grow, change, and age; and
2. to guide investment in the public realm to help support growing residential populations which may result as part of uplifting of residential densities.

The Western Australian Planning Commission ("WAPC") in 2010 released its latest strategic plan for Perth and Peel, Directions 2031 and beyond: Metropolitan planning beyond the horizon ("Directions 2031"). Directions 2031 set a target that 47% of the additional dwellings required by 2031 will be delivered through urban infill. This target seeks to address the urban sprawl of Perth's outer suburbs and to promote more sustainable planning objectives.



The purpose of this report is to seek support for the project plan as shown in the attachment to undertake The Lakes Revitalisation Strategy.

### **Submission**

N/A

### **Report**

A key theme of the City of Cockburn Corporate Business Plan 2012/13-2016/17 is for the *City to grow sustainably – integrating social, economic, environment and cultural considerations, and ensuring that the City embraces the natural environment*. As a direct result of this vision, the Corporate Plan required the preparation of a Revitalisation Strategy Staging Plan and as a result at the 14 November 2015 Ordinary Council Meeting, Council provided support for such a plan.

This Staging Plan identifies new revitalisation strategy staging; the first being inclusive of the areas of North Lake and Bibra Lake. Due to the smaller size of both North Lake and Bibra Lake, and the close relationship to South Lake, it is considered appropriate that the City embark on a unified revitalisation strategy for all three suburbs, to be named The Lakes Revitalisation Strategy.

The suburbs of North Lake, Bibra Lake and South Lake are a logical next step in which to examine infill development opportunities and associated revitalisation work due to the following factors:

1. Being a well-connected suburb in proximity to the new Fiona Stanley Hospital, Murdoch University Precincts and close to the emerging Cockburn Central Town Centre.
2. The physical age of built form within parts of these suburbs is such that decisions for redevelopment and/or renewal are expected to be made by landowners over the coming years, providing the opportunity to consider whether redevelopment to other forms of housing (grouped and multiple) should take place.
3. Providing the opportunity to support further improvements in and around the local activity centres, including seeking opportunities to increase residential densities in areas close to these centres.
4. A high number of 3 or more bedroom dwellings and a high percentage of lone person households exist within the locality. Opportunities exist to explore more diverse responses in housing variety and form through the suburb. A key aim is to ensure housing stock meets the need of current and future residents. For



example in the suburb of South Lake, only 1.7% of homes are 1 or 2 bedrooms (excluding aged care and retirements homes), while 53% of the population are 1 or 2 person households.

5. Given the enclosed road layout of these suburbs, opportunities exist to enhance the pedestrian environment and encourage sustainable transport modes.

Once this revitalisation strategy is completed, the Staging Plan identifies the next stage as Yangebup (2016/2017) and finally the southern portion of Spearwood and Munster (2018/2019).

### The Lakes Revitalisation Strategy

The Revitalisation Strategy will guide the form of future development of North Lake, Bibra Lake and South Lake, with a key aim to provide opportunities to enhance the qualities of these existing neighbourhoods. The Strategy is also seen as an important step in identifying how these suburbs can better connect with adjacent areas, specifically the regionally significant environmental area of Bibra Lake, the emerging town centre of Cockburn Central and key movement connections to important services including the new Fiona Stanley Hospital and between residential areas (Bibra, North and South Lake suburbs).

The Strategy will be developed through a comprehensive contextual analysis of the suburb, stakeholder and community consultation, and the identification of an effective infill development program, including:

- Identification of areas where infill development is desired so as to provide opportunities for further housing growth, meeting the needs of existing and future residents.
- Ensure adequate services and infrastructure including promoting pedestrian orientated streetscapes and appropriate levels of car parking.
- Preserve the natural environment and identify opportunities to enhance the character of these suburbs.
- Identification of possible community facilities and infrastructure required to support additional population growth and provide further support to existing communities.

The guiding principles of the Strategy are to:

- Preserve and enhance the unique character of the Lakes area by identifying context appropriate development opportunities.
- Allow for a variety of housing types and designs, ensuring flexibility.
- Contribute to the urban infill aspirations of *Directions 2031*.
- Promote housing affordability broadly, and;
- Provide infrastructure and services to support future growth.



The outputs of the Revitalisation Strategy will include:

- Contextual and background assessment;
- Consultation outcomes report.
- Strategy Report and Plan, and;
- Background document.

It is recommended that Council support the commencement of the Lakes Revitalisation Strategy.

## **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.
- Diversity of housing to respond to changing needs and expectations.

### **Infrastructure**

- Community facilities that meet the diverse needs of the community now and into the future.

### **Environment & Sustainability**

- A community that uses resources in a sustainable manner.

### **Moving Around**

- Infrastructure that supports the uptake of public transport and pedestrian movement.

## **Budget/Financial Implications**

The project will be undertaken internally by Council staff with any minor costs associated with the project being funded from the town planning studies budget.

## **Legal Implications**

N/A

## **Community Consultation**

The plan at attachment 1 incorporates a comprehensive stakeholder and community engagement process, including a landowner survey, community visioning forums, and a formal advertising stage.



**Attachment(s)**

The Lakes Revitalisation Strategy Project Plan

**Advice to Proponent(s)/Submitters**

N/A

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

Nil.

**15. FINANCE AND CORPORATE SERVICES DIVISION ISSUES**

**15.1 (MINUTE NO 5468) (OCM 12/3/2015) - LIST OF CREDITORS PAID - JANUARY 2015 (076/001) (N MAURICIO) (ATTACH)**

**RECOMMENDATION**

That Council adopt the List of Creditors Paid for January 2015, as attached to the Agenda.

**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr L Wetton that the recommendation be adopted.

**CARRIED 8/0**

**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 2015 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 2015.

**Advice to Proponent(s)/Submissioners**

N/A

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

Nil.

**15.2 (MINUTE NO 5469) (OCM 12/3/2015) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - JANUARY 2015 (071/001) (N MAURICIO) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) adopt the Statement of Financial Activity and associated reports for January 2015, as attached to the Agenda; and
- (2) amend the 2014/15 Municipal Budget by:
  1. Increasing the DCP13 Reserve funding for the Western Suburbs Skate Park from \$108,683 to \$124,790 (CW 4514-4573) and reduce the funding by the Community



Infrastructure Reserve from \$235,317 to \$219,210 (CW 4514-4193).

2. Adding the proceeds from the sale of lot 133 Arthur Rd of \$92,500 (CW 1545-9900) and transfer these into the Land Development & Investment Reserve (CW 1545-7152).

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**

**COUNCIL DECISION**

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

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0**

**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.



Local Government (Financial Management) Regulations - Regulation 34 (5) states:

- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

This Regulation requires Council to annually set a materiality threshold for the purpose of disclosing budget variance details. Council adopted a materiality threshold of \$200,000 for the 2014/15 financial year at its August meeting.

### **Submission**

N/A

### **Report**

#### Opening Funds

The opening funds actuals of \$13.17M represents the audited closing municipal position for 2013/14. The revised budget currently shows an opening funds position of \$13.28M taken up before audit with the adoption of the carried forwards in October 2014. This variance of \$0.1M was addressed in the mid-year budget review.

The opening funds cover the \$3M surplus forecast in the adopted budget, \$8.9M of municipal funding attached to carried forward works & projects and a residual balance of \$1.3M in uncommitted funds that was applied to the CCW Development Fund Reserve in accordance with Council's budget policy.

#### Closing Funds

The City's closing funds of \$65.7M were \$12.0M higher than the YTD budget target. This comprised net favourable cash flow variances across the operating and capital programs as detailed within this report.

The revised budget shows end of year closing funds of \$10,443 unchanged from December.

The budgeted closing funds will fluctuate throughout the year, due to the impact of Council decisions and budget recognition of additional revenue. Details on the composition of the budgeted closing funds are outlined in Note 3 to the financial summaries attached to this report



### Operating Revenue

Consolidated operating revenue of \$109.3M was ahead of the YTD budget forecast by \$1.7M. The significant variances in this result were:

- Rates revenue \$0.5M ahead of YTD budget due to higher part year rating adjustments.
- Fees & charges were collectively \$0.8M ahead of YTD budget with parking infringement revenue the only material variance at \$0.21M ahead of YTD budget.
- Operating grants & subsidies were over YTD budget by \$0.3M comprising mainly \$0.23M in additional In-Home child care subsidies received.
- Interest earnings were \$0.2M behind the YTD budget as lower interest rates begin to have a budgetary impact.

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

### Operating Expenditure

Operating expenditure of \$52.8M (excluding asset depreciation) was under the YTD budget by \$0.8M and comprised the following significant items:

- Material and Contracts were \$0.8M under YTD budget with Waste Services comprising \$0.6M of this variance.
- The cost of utilities was down \$0.24M against YTD budget.
- Direct employee costs were \$0.36M over the YTD budget, with no significant variance against any one particular business area.

Total operating expenditure including depreciation of \$65.4M was \$0.9M lower than the YTD target. Depreciation of \$14.2M was \$0.29M under the YTD budget. This comprised of buildings being under by \$0.32M and parks equipment under by \$0.34M, offset by roads being over by \$0.46M. The depreciation budgets were addressed in the mid-year budget review adopted by Council at the February meeting.

A more detailed explanation of the variances within each business unit is included in the attached financial report.

The following table shows the operating expenditure budget performance at the consolidated nature and type level. The internal recharging credits reflect the amount of internal costs capitalised against the City's assets:



Nature or Type Classification	Actual Expenses \$M	Revised Budget YTD \$M	Variance to YTD Budget \$M	FY Revised Budget \$M
Employee Costs - Direct	24.79	24.46	(0.33)	43.45
Employee Costs - Indirect	0.44	0.55	0.10	1.27
Materials and Contracts	19.66	20.31	0.65	35.12
Utilities	2.39	2.69	0.30	4.58
Interest Expenses	0.07	0.07	0.00	0.12
Insurances	1.98	2.03	0.05	2.34
Other Expenses	3.52	3.58	0.06	7.58
Depreciation (non-cash)	14.24	14.53	0.29	24.91
Internal Recharging-CAPEX	(1.68)	(1.92)	(0.25)	(3.25)

### Capital Expenditure

The City's total capital spend at month end was \$19.1M, representing an under spend of \$9.4M on the YTD budget of \$28.6M.

The following table shows the budget variance analysis by asset class:

Asset Class	YTD Actuals \$M	YTD Budget \$M	YTD Variance \$M	Annual Budget \$M	Commit Orders \$M
Roads Infrastructure	4.23	6.44	2.22	16.42	3.77
Drainage	0.36	0.71	0.34	1.60	0.17
Footpaths	0.73	0.86	0.13	1.29	0.02
Parks Hard Infrastructure	1.85	2.20	0.35	8.22	0.92
Parks Soft Infrastructure	0.36	0.46	0.10	0.92	0.08
Landfill Infrastructure	0.07	0.18	0.11	1.49	0.00
Freehold Land	0.93	1.57	0.64	2.18	0.05
Buildings	7.81	11.81	4.00	31.70	3.49
Furniture & Equipment	0.01	0.01	0.00	0.01	0.00
Computers	0.55	1.02	0.47	1.19	0.08
Plant & Machinery	2.24	3.32	1.08	5.58	1.88
<b>Total</b>	<b>19.14</b>	<b>28.58</b>	<b>9.45</b>	<b>70.61</b>	<b>10.46</b>

The major variances are within the buildings, roads infrastructure and plant & machinery asset classes. Further details on the significant spending variances by project are disclosed in the attached CW Variance analysis report.

### Capital Funding

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



Significant variances for the month include:

- Transfers from financial reserves were \$5.2M behind YTD budget due to the capital budget under spend.
- Developer contributions received under the Community Infrastructure plan were \$2.3M ahead of the YTD budget and the budget was increased in the mid-year budget review.
- Developer contributions of \$0.8M for roads infrastructure has been received for Success North, Munster Yangebup East and Packham North DCP areas ahead of the YTD budget setting.
- Fremantle Football Club contributions to the CCW Cockburn Regional Physical Activity and Education Centre exceeded the budget setting by \$0.5M
- Road project grant funding is \$1.7M ahead of YTD budget. This includes \$1.1M received of an additional grant of \$1.6M from Mains Road for the North Lake Road (Hammond to Kentucky) project. This was included in the mid-year budget review.
- The Lotteries Commission grant of \$0.5M towards the Cockburn Health & Community building project is yet to come in. This is now expected in February 2015.
- Proceeds from the sale of land from various sub-divisions were \$2.5M behind YTD budget settings. This included Lot 702 Bellier PI/Lot 65 Erpingham Rd, Lot 1, 4218 and 4219 Quarimor Rd, Lot 23 Russell Road, Hammond Park and Lot 40 Cervantes Loop, Bellier/Erpingham will settle in June 2015.

### Cash & Investments

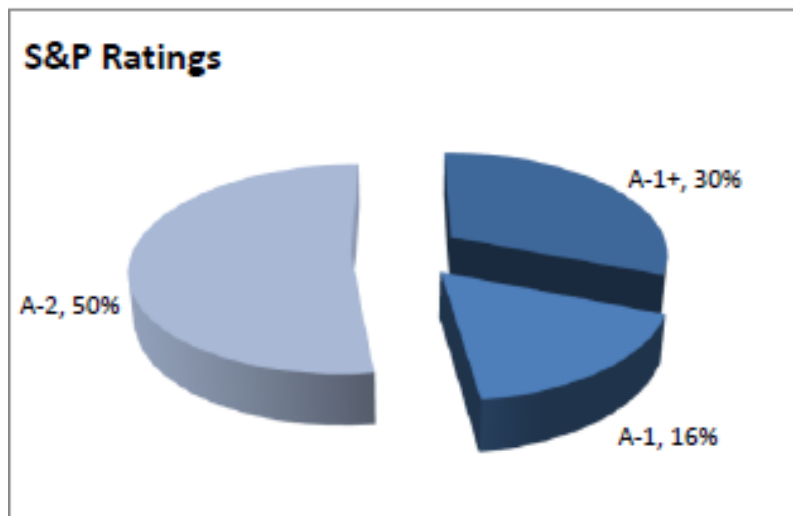
Council's cash and financial investment holding at month's end totalled \$147.2M, up slightly from \$146.8M the previous month mainly due to payments received for the third rates quarterly instalment. Of this balance, \$82.1M represented the amount held in the City's cash backed financial reserves. Another \$4.5M represented funds held for other restricted purposes such as deposit and bond liabilities. The remaining \$60.6M represented the cash and financial investment component of the City's working capital, available to fund current operations, capital projects, financial liabilities and other financial commitments.

The City's investment portfolio made a weighted annualised return of 3.61% for January, minimally down from 3.62% in December and 3.63% in November. Whilst this result compares favourably against the BBSW 6 month annualised rate of 2.69%, it continues to trend downwards as a result of the falling Australian official cash rate. This was cut further by the Reserve Bank of Australia to 2.25% at its February meeting.



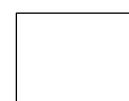
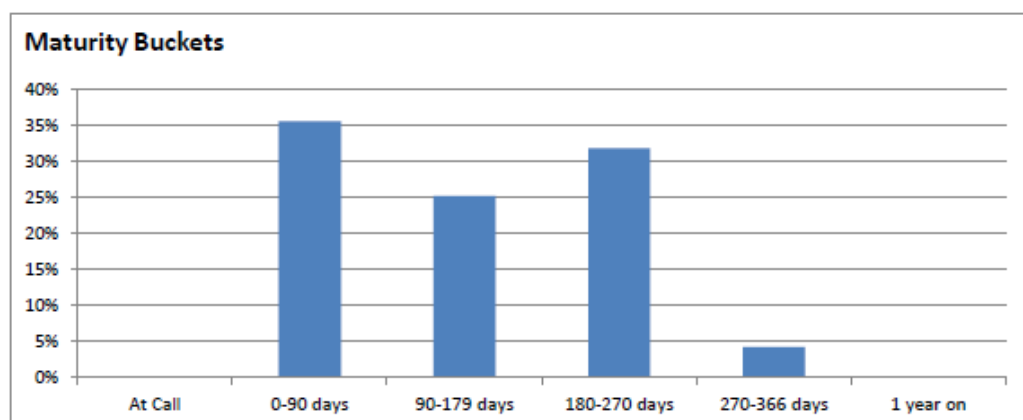
The majority of investments are held in term deposit (TD) products placed with highly rated APRA (Australian Prudential Regulation Authority) regulated Australian banks. These are invested for terms ranging between three and twelve months in order to lock in the most beneficial rate and meet the City’s 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. All TD investments comply with the Council’s Investment Policy and fall within the following risk rating categories:

Figure 1: Council Investment Ratings Mix



Given the uncertainty around the timing and extent of possible interest rate cuts this year, the current investment strategy aims to secure the best rate on offer, subject to cash flow planning requirements. The City’s investment portfolio currently has an average duration of 145 days, graphically depicted below:

Figure 2: Council Investment Maturity Profile



### Budget Revisions

At the December 2014 Council meeting, funding was provided for the construction of the Western Suburbs Skate Park for a total of \$344,000 funded by \$108,683 from the Developer Contribution Plan (DCP13) Community Infrastructure Reserve and the balance from the Community Infrastructure Reserve. Based on the approved works within DCP13, the amount of funding able to be provided towards the estimated cost of this project is up to \$124,790. Therefore an adjustment is required to the budgeted funding sources.

The City recently sold lot 133 Arthur Rd, Hamilton Hill for \$92,500 (under delegation) and this transaction needs to be reflected within the budget with the proceeds from the sale to be transferred into the Land Development & Investment Fund Reserve.

### 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**

N/A

**Legal Implications**

N/A

**Community Consultation**

N/A

**Attachment(s)**

Statement of Financial Activity and associated reports – January 2015.

**Advice to Proponent(s)/Submissioners**

N/A

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

Nil.

AT THIS POINT, CLR S PORTELLI LEFT THE MEETING, THE TIME BEING 7.24 PM.

**DECLARATION OF INTEREST – CLR S PORTELLI**

The Presiding Member read a declaration of Conflict of in Item 16.1 “Proposed Construction of Footpath along Chivalry Way Atwell” pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007.

The nature of his interest is that the instigator of the petition against the construction of the footpath is employed by Plunkett Homes, which is an affiliate of his employer, Domain Homes.



**16. ENGINEERING AND WORKS DIVISION ISSUES**

**16.1 (MINUTE NO 5470) (OCM 12/3/2015) - PROPOSED CONSTRUCTION OF FOOTPATH ALONG CHIVALRY WAY, ATWELL (J KIURSKI) (1031634) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) supports the installation of the proposed footpath in Chivalry Way Atwell; and
- (2) advise the residents of Chivalry Way of Council's decision.

**COUNCIL DECISION**

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

**CARRIED 7/0**

**Background**

At the Ordinary Council Meeting 3 February 2015, a motion was received to "stop the installation of the footpath along Chivalry Way Atwell". Council requested a report be prepared and presented to the March 2015 Ordinary Council Meeting detailing the process of the Chivalry Way footpath project in 2014/15 work program.

**Submission**

N/A

**Report**

Chivalry Way is classified as an Access Road under the road hierarchy classification of roads within the City of Cockburn. Access roads are generally streets where the residential environment is dominant. Traffic volumes and speed environment are low. They would generally connect only to a local distributor road.

A number of road management plans have been developed and adopted as a comprehensive strategic document to set reasonable



standards in relation to the performance of road management functions and the maintenance of its public roads and associated road-related assets.

To define how travel and access within the City will be improved by considering all types of travel movement and improvements, the City engage a professional contractor to complete the community survey and collect major public concerns on existing transport conditions and develop an Integrated Transport Plan. An online Collaborative Map system used to obtain the mayor community concerns. More critical categories were Congestion with 26% and Road Safety 30% linked to driver behaviour, pedestrian crossing, walking and cycling.

The community has raised the issues within the current Cycling and Walking network. Cycling which has a combination of on-road and off-road cycling facilities has been poorly developed and needs a better connection to key destinations, such as education, recreation and commercial centres. The walking facility of footpaths and shared paths are also poorly connected within key destinations and some of them do not provide a safe crossing facility.

Actions centred on management, advocacy, policy/strategy development or education have generally been categorised as short term actions, under the assumption that the City will provide sufficient resources to drive these actions forward. One of the six ITP themes which address the key actions of transport network is 'Improving the opportunity to walk'.

Some of the key actions under this include:

- Improve and protect the quality of existing infrastructure;
- Improve pedestrian safety and network efficiency;
- Improve the permeability of the pedestrian infrastructure network;
- Promotion of walking as a travel mode;
- Improving access to recreational facilities, parks and reserves;
- Review existing footpath plan.

The City of Cockburn Bicycle Network and Bike Plan completed in 2010 undertake a high level assessment of the City's pedestrian and cyclist networks. The plan has been developed through on site investigations and consultation with the community and Council officers.

The plan identifies a range of built and non-built recommendations for improving the network, encouraging its use and monitoring future use. These have been prioritised as short (required with two years), medium (required within two to five years) or long term (not required for five or



more years) depending on their perceived need. These priorities were determined initially by the project team, based on a combination of community input and professional judgement and were then reviewed in consultation with City of Cockburn staff

The Chivalry Way footpath link has been nominated within the Bicycle Network and Bike Plan as a low priority, and implementation required in the longer term (5+ years).

The City received a petition in August 2013 from 226 residents requesting the installation of a footpath along Chivalry Way from Harmony Avenue to Jouissance Bend. The footpath would link to the existing footpath that resides on the eastern side of Chivalry Way, from Kinship Way to Harmony Ave.

A proposal was listed in the City's footpath and cycleway program funding was requested in the 2014/15 annual budget for the project. Council endorsed the expenditure and the project subsequently listed for commencement in the second half of the 2014/15 financial year.

On 27 January 2015 the City received another petition to stop the proposed installation of the footpath in Chivalry way Atwell. Of the 19 property owners that signed the petition, 15 stated that the footpath is not required and 4 supported the footpath installation. Eleven of the property owners (No's: 24, 26, 32, 36, 40, 42, 46, 48, 52, 56 and 58) who signed this petition had previously supported the footpath in the petition received in August 2013. The remaining property owners who supported the original proposal are still in support of the footpath: No 22, 44, 60, 62, 54 and 38 and it is these owners who have commenced removal of their irrigation to be ready for the footpath installation.

After considering all the petitions and feedback on footpath proposal, it is recommended that the City continue with the project delivery and install a footpath along Chivalry Way from Harmony Avenue to Jouissance Bend.

By completing this project Council will ensure that adequate opportunities are provided and use of alternative modes of transport to the private car and that an improve the permeability of the pedestrian infrastructure network to walking has been made.

### **Strategic Plan/Policy Implications**

#### **Growing City**

- Development that is soundly balanced between new and existing areas.



### **Moving Around**

- An integrated transport system which balances environmental impacts and community needs.
- A safe and efficient transport system.
- Infrastructure that supports the uptake of public transport and pedestrian movement.

### **Budget/Financial Implications**

The cost of the footpath construction has been accommodated within the current 2014/15 adopted budget.

### **Legal Implications**

N/A

### **Community Consultation**

The projects were listed on Council 2014/15 budget and an information letter was sent to all residents impacted by the proposal on Monday 12th January 2015 with information that the work of constructing the footpath will commence at the beginning of February 2015.

### **Attachment(s)**

1. Location Map – Overview
2. Location Map – Showing proposed footpath
3. Petition August 2013
4. Petition January 2015

### **Advice to Proponent(s)/Submitters**

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 12 March 2015 Ordinary Council Meeting.

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

Nil.

AT THIS POINT, CLR S PORTELLI RETURNED TO THE MEETING, THE TIME BEING 7.26 PM.

THE PRESIDING MEMBER ADVISED CLR PORTELLI OF THE DECISION OF COUNCIL THAT WAS MADE IN HIS ABSENCE.



**17. COMMUNITY SERVICES DIVISION ISSUES**

**17.1 (MINUTE NO 5471) (OCM 12/3/2015) - CITY OF COCKBURN  
PROPOSED COMMUNITY SAFETY & CRIME PREVENTION PLAN  
2015-2018 (016/007; 027/014) (B MENTZ) (ATTACH)**

**RECOMMENDATION**

That Council adopt the Community Safety and Crime Prevention Plan 2015 – 2018 and the strategies contained therein, as attached to the Agenda.

**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr L Wetton that the recommendation be adopted.

**CARRIED 8/0**

**Background**

Local Government has a responsibility to its local community for the quality of life issues that impact on its residents and businesses. Local Government has increasingly become more involved with crime prevention initiatives and prevention methods throughout Australia and this is in response to increasing community concerns.

In September 2004, the City was one of the first Western Australian Local Governments to sign a Partnership Agreement with the then Office of Crime Prevention to prepare a Community Safety and Crime Prevention Plan on behalf of the community and in accordance with WA Government guidelines.

Following the implementation of the initial plan (2004), a review was undertaken in 2010 in which a number of strategies were implemented providing direction to the City and its residents in addressing increasing concerns relating to crime.

To ensure that the plan continued to have substance, contained within this plan was a requirement that every 3-4 years the plan itself had to be reviewed, and in particular the strategies listed within the plan.



Therefore as a result of this requirement a request is now being made to Council for adopting the new Community Safety Crime Prevention Plan 2015–2018.

### **Submission**

N/A

### **Report**

Following on from this direction contained within the Community Safety and Crime Prevention Plan 2011–2014, the City has now developed the third Community Safety and Crime Prevention Plan with the assistance of key state agencies and is a direct result of that existing and ongoing partnership agreement between the State Government and the City of Cockburn.

The City has an important role to play in reducing crime and improving community safety. The City, through effective planning, community development and consultation and its commitment to environmental sustainability, aims to present Cockburn as a vibrant, innovative and diverse City in which to live, work and invest in. These types of surveys provide the City and the CCICPG with a snap shot of what it believes are the City's residential and commercial concerns within the City of Cockburn.

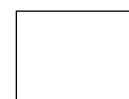
A survey was distributed to 1200 properties; 1000 residential and 200 commercial; the survey was placed on the City's website for online completion and was also made available at the City's libraries and Administration Office.

The City had received 317 completed survey forms via post/online, which is a response of approximately 24%, compared with 35% of responses from the 2010 survey.

It is perceived that this reduction in response is also matched by a recently conducted 'perception' survey carried out independently on behalf of the City which indicated that whilst Security and Crime Prevention was still regarded as a concern for the City, the level of concern had somewhat reduced.

Most business owners, who responded, live and work in the City of Cockburn, and 86% of total respondents owned their own property.

In the area of Quantitative outcomes, in this category we looked at age, gender, and years lived in the area and safety perception.



There was a good age distribution of respondents, and the gender split was fairly even.

Cockburn is one of the fastest growing/developing areas in WA however 70% of respondents had lived/worked in the City for 3 years or more, with 42.3% having lived in the City 10 years or longer.

The responses from suburbs was evenly spread with the younger/newer developed suburbs i.e. Aubin Grove, Beeliar, Hammond Park, Success forming 48% of respondents, with 70% of respondents “feel safe living and working in the City of Cockburn”, with 25% disagreeing with this statement and 5% strongly disagreeing.

Six (6) areas of concern were listed in this category:

1. Hooning,
2. Violence,
3. Anti-social behaviour,
4. Graffiti,
5. Theft/damage to vehicle and
6. Theft/damage to property.

We then asked their perception ‘in their street’ & ‘in their suburb’. Whilst hooning was clearly the main concern in both street and suburb, the other five listed in this category were very close together.

What has also become apparent is that graffiti is no longer the concern it was in 2010. Hooning has recently received a lot of publicity in our local newspapers and this could be reflected in these results. In 2010 graffiti was a much publicised matter.

Where a crime had been committed, surprisingly 60% of the time it is not reported to the police and this figure rises to 75% for theft/damage of vehicle and violence.

From the 2014 survey compared with the 2010 survey people significantly now feel more vulnerable at night. This would also be supported by Co-Safe statistics where calls at night far exceed calls during the day for anti-social behaviour and suspicious activity.

It is hoped that the strategies determine in the plan will assist in addressing a number of these concerns identified in the community consultation. It has also been determined that whilst these strategies have been determined at this stage, these strategies must be consider a working document and obtain the flexibility to change with changing crime and community trends now and in the future.

To achieve this, the City of Cockburn is committed in its continued development of community safety and crime prevention initiatives that





enhance existing strategies and collaboration between Government and Non-Government agencies and community groups.

One of these is the City's Co-Safe service which since 1 July 2010, has been operating an independent mobile Community Safety and Security Service through Wilson Security; an experienced and accredited security provider and this continues to form part of the City's Community Safety and Crime Prevention Plan 2015–2018.

### **Strategic Plan/Policy Implications**

#### **Community & Lifestyle**

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

#### **Budget/Financial Implications**

The adoption of the Community Safety Crime Prevention Plan 2015–2018 by Council will require continued funding at current levels. New initiative and strategies included in the Plan will be considered in the Council's annual budgeting process.

This plan if approved will also provide the basis for grant application by the City to key funding bodies so that additional identified strategies could be rollout to the City's community members and families over the coming years.

#### **Legal Implications**

N/A

#### **Community Consultation**

Prior to finalising the crime prevention plan, the CCICPG undertook a random survey of its residents and business owners. The survey was undertaken to determine the community attitudes and perceptions toward crime within the City.

#### **Attachment(s)**

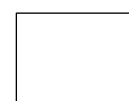
Community Safety & Crime Prevention Plan 2015–2018.

#### **Advice to Proponent(s)/Submitters**

N/A

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

Nil.



**17.2 (MINUTE NO 5472) (OCM 12/3/2015) - AMENDMENT TO DISABILITY ACCESS AND INCLUSION PLAN 2012-2017 (016/002) (G BOWMAN) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) include the new Outcome 7 Strategies in the Disability Access and Inclusion Plan 2012-2017, as attached to the Agenda;
- (2) require an annual progress report of the Disability Access and Inclusion Plan to be provided by 31 July each year to the Disability Services Commission;
- (3) require progress on the Implementation of the Disability Access and Inclusion Plan to be included in the City of Cockburn Annual Report; and
- (4) review the Disability Access and Inclusion Plan by July 2017.

**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr L Wetton that the recommendation be adopted.

**CARRIED 8/0**

**Background**

The Disability Services Act (1993) was amended in December 2004, and requires public authorities to develop and implement Disability Access and Inclusion Plans (DAIPs). The requirements of DAIPs build on those of Disability Service Plans, so that people with disabilities can access services provided by public authorities in Western Australia in a way that facilitates increased independence, opportunities and inclusion within the community.

Access and inclusion is about ensuring that all public services, facilities and information are available to all community members, including those who have a disability, so that they have the opportunity and choice to participate in all aspects of community life.



## Submission

N/A

## Report

Council adopted the City of Cockburn Disability Access and Inclusion Plan at its Ordinary Council Meeting in July 2012.

Since this time the Disability Services Act was reviewed in 2013, resulting in a key change for public authorities. The introduction of Outcome 7 into Disability Access and Inclusion Plans (DAIPs) requires agencies to include information in the DAIP about how they will improve employment opportunities for people with disability and break down existing barriers.

In June 2013, The Disability Services Commission invited all Local Government Authorities to attend a presentation surrounding an amendment to the Disability Access and Inclusion Plan. Local Government Authorities were informed of the compulsory requirement of amending their current DAIP's by adding Outcome 7. All Local Government Authorities have until 1 July 2015 to make this amendment. It is a Legislative requirement to:

- (1) include the new Outcome 7 Strategies in the Disability Access and Inclusion Plan 2012-2017, as attached to the Agenda;
- (2) require an annual progress report of the Disability Access and Inclusion Plan to be provided by 31 July each year to the Disability Services Commission;
- (3) require progress on the Implementation of the Disability Access and Inclusion Plan to be included in the City of Cockburn Annual Report; and
- (4) review the Disability Access and Inclusion Plan by July 2017 for the below statement to be included with outcomes and actions demonstrating how a public authority will implement it:

*People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.*

The Council's Disability Access and Inclusion Officer worked in conjunction with the Human Resources Department to carry out the following tasks:

- Consulted relevant Council staff, consumers, community organisations and Service Providers to identify existing and potential areas of improvement in relation to employment of people with Disability within the City.



- Reviewed existing Council Position Statements and strategies in relation to employment for people with disabilities.
- Advertised and conducted public consultation sessions to gauge the needs of the community.
- Consulted the Disability Reference Group.

The new Outcome 7 - *People with disability have the same opportunities as other people to obtain and maintain employment with a public authority*

This outcome has two strategies with 11 actions.

One existing action contained in another section of the DAIP has also been moved into the new Outcome 7 area.

*Strategy 7.1 Recruitment policies and selection processes are accessible and supportive of people with disability.* The actions in this strategy address the City's Recruitment policies and selection processes ensuring they are accessible and supportive of people with disability.

*Strategy 7.2 Facilitate increased employment opportunities for people with disability.* The actions in this strategy facilitate increased employment opportunities for people with disability including an action that relates to the provision of a dedicated traineeship for a person with a disability.

The new Outcome 7 has been attached to this report, and the full amended version of the DAIP 2012-2017 has also been attached to this report.

The Disability Services Act also requires that Council review the DAIP in full every five years, include progress of the DAIP implementation in the City's annual report, and provide an annual DAIP progress report to the Disability Services Commission

## **Strategic Plan/Policy Implications**

### **Community & Lifestyle**

- Communities that are connected, inclusive and promote intergenerational opportunities.
- People of all ages and abilities to have equal access to our facilities and services in our communities.

### **Leading & Listening**

- A skilled and engaged workforce.



## **Budget/Financial Implications**

It is required that Council take all practicable measures to ensure that the DAIP is implemented by the authority, its officers, employees, and relevant agents and contractors, subsequent to its being accepted by Disability Services Commission.

All actions which require additional Municipal resources will need to be considered by Council through Council's strategic and annual budget process.

The majority of resource implications for the new Outcome 7 actions are minor in nature and could be achieved within existing budgets.

## **Legal Implications**

People with disabilities and their families and carers have the same rights as other people to access services within the community. These rights are built into State and Commonwealth legislation which makes it unlawful to discriminate against a person with a disability.

The Western Australian Disability Services Act (1993) amended 2004 part 5 requires state government agencies and local governments to:

- develop a 7<sup>th</sup> outcome to be added to the current DAIP. The Outcome will centre around people with disability obtaining and maintaining employment within a public authority;
- lodge the finalised amended plan with the Disability Services Commission by 1 July 2015;
- take all practicable measures to ensure that the plan is implemented by the authority, its officers, employees, and relevant agents and contractors;
- review their plan at least every five years;
- lodge review reports, amended plans or new plans with the Disability Services Commission;
- report to the Commission by 31 July each year about their progress in achieving the seven desired DAIP outcomes, progress made by any of their agents and contractors in achieving the desired DAIP outcomes and the strategies used to inform agents and contractors about the plan; and
- report in their annual report about the implementation of their plan.

## **Community Consultation**

Public authorities are required to undertake public consultation, as specified in the regulations, when preparing, reviewing or amending their disability access and inclusion plan (DAIP).



Community consultation has been undertaken in the development of the amended DAIP throughout 2014 via:

- Advertisements in Cockburn Soundings and the Cockburn Gazette newspaper regarding the new outcome 7 area
- A survey placed on Council website and distributed through service providers. Sixteen respondents to the survey.
- Group consultation meetings held at the City of Cockburn Youth Centre. Six people attended this consultation.
- Posts relating to the topic were placed on Facebook and Twitter.
- The Disability Reference Group was consulted.
- Disability Employment Service Providers and the Disability Services Commission were consulted

### *Key Findings*

The general consensus from the consultation process was that the City of Cockburn is an inclusive employer of choice for many people living with a disability.

The majority of people searching for employment with the City do so through the City's website. They appreciate the simplicity in finding the employment page and they feel it caters to their accessibility needs. Disability Employment Services have enquired as to whether they may have a separate method of applying for jobs for their clients with a disability.

Some suggested improvements that the City can make to improve employment opportunities for people with disability at the City of Cockburn have been:

- More entry level jobs for people with a disability and a dedicated traineeship for a person with a disability
- Increased championing employment internally for people with disability.
- Viewing volunteer/work experience roles as a pathway to employment.
- Early notification of roles to be given to Disability Employment Service providers.

When looking at the interview process for people with disability within the City a suggestion was made that all disabilities are taken into account. It was acknowledged that the City does a good job in this area, and an "*Information for applicants with a disability*" tab has been created on the City's Employment page after consultation with the groups to improve the availability of information.



The overall consensus regarding maintaining employment for people with a disability was that although the City has many long term employees with a disability, Disability Employment Service Providers would like to work more closely with the City to assist in increasing opportunities and stability. Flexibility is also required for employees with a disability as they may be required to attend appointments more regularly than someone without a disability.

The City has taken into account the consultation findings in the development of the Outcome 7 Strategies and actions.

**Attachment(s)**

Outcome & Strategies

**Advice to Proponent(s)/Submissioners**

N/A

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

Nil.

**17.3 (MINUTE NO 5473) (OCM 12/3/2015) - PROPOSED CITY OF COCKBURN PARKING AND PARKING FACILITIES LOCAL LAW 2007 AMMENDMENT TO CREATE PARKING STATION 2 COOGEE BEACH - POWELL ROAD COOGEE (082/013 & 025/001) (R AVARD) (ATTACH)**

**RECOMMENDATION**

That Council

- (1) pursuant to Section 3.12 of the Local Government Act 1995 proceed to make a Local Law to amend the City of Cockburn Parking and Parking facilities Local Law 2007, as shown in the attachment to the Agenda and advertise the proposed amendment for a minimum period of six(6) weeks; and
- (2) pursuant to Clause 9(1) of the City of Cockburn Parking and Parking Facilities Local Law 2007 establish a Parking Station on Lot 172;171 and 207 4-6 Powell Road Coogee, as shown in the attachment to the Agenda.



**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr Y Mubarakai that defer this item for further consideration at the April 2015 Ordinary Council Meeting.

**CARRIED 8/0**

**Reason for Decision**

Since this item was prepared, it has been identified that the Disability Parking provisions have been amended and should be incorporated into Council's Parking Local Laws. Given the complex process involved in amending Local Laws, it is recommended that this item be deferred to enable a new report to be prepared and presented to the April 2015 Council Meeting, to include details of both matters which are subject to amendment.

**Background**

There has been a progressively increasing demand for parking at the area around Coogee Beach Reserve resulting in cars parking in dangerous positions for traffic and pedestrians in the area. Cars are also driving over and parking in locations that damage vegetation and parks infrastructure such as sprinklers and services.

The creation of a parking station under the City of Cockburn Parking and Parking facilities Local law 2007 will allow parking to be readily controlled in the prescribed area and reduce the need for numerous signs and bollards.

**Submission**

N/A

**Report**

There are a concentration of attractions to the Coogee Beach Reserve area in including a café, jetty, shark net and extensive grassed picnic areas which appeal to a growing population in the south west metropolitan area of Perth that has limited beach access points. To ensure that the area remains an attractive place to visit the City needs to ensure that access to the area is orderly and safe.





Council at its meeting of the 8<sup>th</sup> May 2014 adopted the Coogee Beach Landscape Master Plan which provides for an attractive and orderly beach front. The creation of a parking station will ensure that the landscape improvements in the area will be maintained.

As it is unclear on what parking is permitted and not permitted there is a great number of complaints from those who have been infringed. The creation of a parking station will allow the City to erect a sign which says simply that parking is only permitted in designated parking bays. There are a number of areas where additional bays can be located to marginally increase the number of bays in the area. Parking can still occur on identified areas of the Cockburn Road Reserve where it is safe as this area is not under the City's control and outside of the Parking station area.

### Purpose

To amend the City of Cockburn Parking and Parking Facilities Local Law 2007 to establish a new parking station at Coogee Beach.

### Effect

To more effectively control parking at Coogee Beach Reserve to enhance traffic and pedestrian safety in the area particularly during hot summer days when the beach is very popular to visit.

### **Strategic Plan/Policy Implications**

#### **Moving Around**

- A safe and efficient transport system.
- Infrastructure that supports the uptake of public transport and pedestrian movement.

#### **Budget/Financial Implications**

N/A

#### **Legal Implications**

Amendments to the local laws are to be in accordance with section 3.12 of the Local Government Act 1995.

#### **Community Consultation**

Section 3.12 stipulates the procedure for advertising for public comment for a minimum period of six (6) weeks and subsequent



Council consideration for the amendments to a Local Law to become effective.

**Attachment(s)**

1. Draft Proposed City of Cockburn Parking and Parking Facilities Amendment Local Law 2015.
2. Map identifying extent of new Parking station.

**Advice to Proponent(s)/Submitters**

N/A

**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**

ADDENDUM – ORDINARY COUNCIL MEETING 12/3/2015

**19.1 (MINUTE NO 5474) (OCM 12/3/2015) - NOTICE OF MOTION - MAYOR HOWLETT - PROPOSED AMENDMENTS TO THE CONTROL OF VEHICLES (OFF ROAD AREAS) ACT AND REGULATIONS (025/004; 112/007 ) (D GREEN)**

**RECOMMENDATION**

That Council

- (1) call on the State Government to review/create specific legislation on the use of off-road vehicles (trail bikes, quad bikes etc.) to:
  1. Require compulsory registration of those vehicles;
  2. Establish/increase the range of penalties that apply for a breach of the law;
  3. Provide Rangers and other authorised officers with increased powers to 'police' the unauthorised use of trail bikes, quad bikes etc.



- (2) write to Brookfield Rail requesting that they take immediate action to:
1. Fence and maintain that fencing along the railway reserves that they control in the Perth Metropolitan area in order to restrict access to unauthorised persons; and
  2. Install and maintain suitable signage at intervals along the railway reserve advising of the restricted access and outlining penalties that may apply for a breach.
- (3) submit the matter as an Agenda item for the next WALGA South West Metropolitan Zone Meeting.

**COUNCIL DECISION**

MOVED Deputy Mayor C Reeve-Fowkes SECONDED Cllr L Wetton that the recommendation be adopted.

**CARRIED 8/0**

**Background**

Mayor Howlett provided the following Notice of Motion on 4 March 2015:

*That Council:*

- (1) *call on the State Government to review/create specific legislation on the use of off-road vehicles (trail bikes, quad bikes etc.) to:*
1. *Require compulsory registration of those vehicles;*
  2. *Establish/increase the range of penalties that apply for a breach of the law;*
  3. *Provide Rangers and other authorised officers with increased powers to ‘police’ the unauthorised use of trail bikes, quad bikes etc.*
- (2) *write to Brookfield Rail requesting that they take immediate action to:*



1. *Fence and maintain that fencing along the railway reserves that they control in the Perth Metropolitan area in order to restrict access to unauthorised persons; and*
  2. *Install and maintain suitable signage at intervals along the railway reserve advising of the restricted access and outlining penalties that may apply for a breach.*
- (3) *submit the matter as an Agenda item for the next WALGA South West Metropolitan Zone Meeting.*

The following information was provided by Mayor Howlett in support of the motion:

*The episodes of off road vehicles creating problems for residents within the District culminated in a public meeting being held at Visco Park, Yangebup on Saturday, 27 February 2015.*

*The Hon Francis Logan, MLA, Member for Cockburn was in attendance together with representatives from WA Police and Cockburn Elected Members (Councillors Steve Portelli, Lyndsey Wetton, Philip Eva, Kevin Allen and myself) and a large number of the local community.*

*It was evident that the community is demanding action to have the riders of a variety of off ride motorised vehicles stopped from creating mayhem in their community.*

*Damage to local parks, placing community members at risk by their unlawful behaviour, noise and other activities that take place on local and main roads, railway reserve land and other localities are all causing concern and need to be addressed wherever possible by those in authority*

### **Submission**

N/A

### **Report**

The issue of off road vehicles (in particular trail bikes) has been a constant issue for residents in the growth areas of the district for many years now. This has resulted in an increase in the number of calls to Rangers, Co – Safe and Police for action to be taken.



The relevant controlling legislation is the Control of Vehicles (Off Road Areas) Act 1978. When enacted, this legislation had as one of its primary intentions, the identification and promotion of suitable land and facilities across the state to be gazetted and utilised for the purpose of recreational use for (usually unlicensed) motor vehicles, including trail bikes. This outcome hardly eventuated with only a small number of local authorities choosing to do this, as it soon became apparent that there were a number of problems associated with this process, not the least of which was damage to the natural environment.

Even those authorities which have identified suitable areas for the purpose of providing facilities for off road vehicles are finding that many people do not utilise them for various reasons, such as distance from their residence, unavailability of suitable transport for their vehicles to the gazetted sites or too much competition for space at these areas. Accordingly, there is a growing tendency for people to seek their own areas to satisfy their needs which is more convenient for them.

Unfortunately, this usually involves the creation of nuisance noise interfering with people's amenity, particularly in the quickly developing urban fringe areas, such as Cockburn. There is also a growing trend of trail bike users, who are typically teenage or young adult males, who participate in the activity. This becomes a particular problem when the bikes are ridden (illegally) from a property and along public roads to their destination point, which could be a nature reserve or makeshift track at a nearby location. Generally, the mufflers of these bikes are not fitted with a suitable noise control device and create excessive noise. People who report these incidents generally are not able to identify the offender, because they quickly disappear from sight on the way to their destination. Once reported, it is virtually impossible for Police or Rangers to intercept the offender/s, either because they are no longer in the area, or are operating in an inaccessible area.

Even on the rare occasions where the offenders are identified or detained, the legislation is very lenient in its penalties. Effectively, authorised officers (including police) can only issue \$50 - \$100 infringements for offences against the Act or Regulations. It is only where damage to property can be established when more forceful penalties can be administered and restitution sought. There is no capacity to seize and detain / destroy vehicles, unless they have been abandoned and / or the owner is not known, under the current statute. Given this low discouragement factor, it is unacceptable for this situation to remain and the legislation should be amended to reflect the contemporary expectation of the wider community that the threat of seizure and detention of vehicles should provide a reasonable deterrent for would be offenders who continue to flout the current laws.



Given this is state government legislation that has obviously not been seriously reviewed for many years, it is timely that the government be urged to overhaul the statute to make it reasonable for compliance to be enforced where there are circumstances which warrant intervention.

As this is a matter which affects many parts of the metropolitan area (and beyond), it is suggested that the WA Local Government Association be encouraged to support this position and demonstrate its importance.

### **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**

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

#### **Leading & Listening**

- Effective advocacy that builds and manages relationships with all stakeholders.

#### **Environment & Sustainability**

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

### **Budget/Financial Implications**

N/A

### **Legal Implications**

Control of Vehicles (Off Road Areas) Act 1978 and Regulations 1979 refer.

### **Community Consultation**

A community rally was held in Yangebup on 28 February 2015, the primary purpose of which was to raise attention to continual trail bike usage in the area and allegations of damage being caused to the grass surface of Visko Park, for which the City of Cockburn is the responsible authority.

Any amendments to state legislation will require adequate opportunity for widespread community feedback to be provided.



**Attachment(s)**

N/A

**Advice to Proponent(s)/Submissioners**

N/A

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

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**

Nil

**22 (OCM 12/3/2015) - MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE**

**22.1** MAYOR LOGAN HOWLETT requested that a report be brought back to Council as soon as possible on the following Motions that were passed at the Banjup Resident's Group Annual General Meeting of 8 March 2015, relating to:

1. Risk Management being included as a specific item for each Ordinary Council Meeting, and
2. Liddelow Road and Beenyup Road, Banjup being reclassified as "Local Distributor" roads."

**22.2** CLR PORTELLI requested that a report be brought to Council on Chivalry Way – Community consultation. A report on what specific contact and community engagement was undertaken? What steps can be made so this does not repeat itself.

**23. CONFIDENTIAL BUSINESS**

Nil



**24 (MINUTE NO 5475) (OCM 12/3/2015) - 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 K Allen SECONDED Deputy Mayor C Reeve-Fowkes the recommendation be adopted.

**CARRIED 8/0**

**25 (OCM 12/3/2015) - CLOSURE OF MEETING**

The meeting closed at 7.31 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: ...../...../.....

