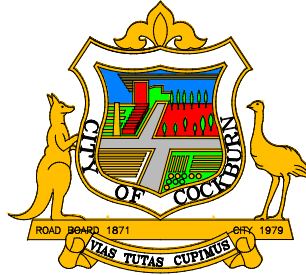


CITY OF COCKBURN



ORDINARY COUNCIL

MINUTES

FOR

THURSDAY, 10 AUGUST 2017

These Minutes are subject to Confirmation

Presiding Member's Signature

Date: _____

CITY OF COCKBURN

SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 10 AUGUST 2017 AT 7:00 PM

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CITY OF COCKBURN

MINUTES OF ORDINARY COUNCIL MEETING HELD ON THURSDAY, 10 AUGUST 2017 AT 7:00 PM

PRESENT:

ELECTED MEMBERS

Mr L Howlett	-	Mayor (Presiding Member)
Mrs C Reeve-Fowkes	-	Deputy Mayor
Mr K Allen	-	Councillor
Mrs L Sweetman	-	Councillor
Dr C Terblanche	-	Councillor
Mr S Portelli	-	Councillor
Ms L Smith	-	Councillor
Mr B Houwen	-	Councillor
Mr P Eva	-	Councillor

IN ATTENDANCE

Mr S. Cain	-	Chief Executive Officer
Mr D. Green	-	Director, Governance & Community Services
Mr S. Downing	-	Director, Finance & Corporate Services
Mr C. Sullivan	-	Director, Engineering & Works
Mr D. Arndt	-	Director, Planning & Development
Mr J Ngoroyemoto	-	Governance & Risk Management Co-ordinator
Ms M Nugent	-	Media & Communications Officer
Ms M Waarea	-	Personal Assistant to Mayor & Elected Members

1. DECLARATION OF MEETING

The Presiding Member declared the meeting open at 7.00PM and in doing so made the following statement:

“Good evening ladies and gentlemen

I formally declare open the August 2017 Ordinary meeting of Council and in so doing I welcome you here tonight.

Kaya, Wanju Wadjuk Budjar, which means “Hello, Welcome to Wadjuk Land”.



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.

Before moving to the Agenda proper I wish to advise:

Funeral Service Late Mr Steve Glamuzina

On Friday 28 July my wife and I attended the funeral service for the late Mr Steve Glamuzina, a former councillor with the City, former commodore of the Cockburn Sea, Search & Rescue, highly regarded sportsman and a significant contributor across the community in so many ways.

I extended the City's condolences to Laurel (his wife) and their daughters Julie, Donna & Peta. May he rest in peace?

National Tree Planting Day

On Sunday 31 July, my wife and I, together with Councillor Philip Eva, participated in National Tree Planting Day on the eastern shoreline of Bibra Lake. Approximately 100 people worked away until close to 3,500 trees were planted. They then enjoyed a barbecue before heading home.

Cockburn Youth Arts Festival

My wife and I attended the Cockburn Youth Arts Festival held at the Hamilton Hill Memorial Hall Round Room held over the past week.

There was an excellent display of art work from local schools reflecting the professional level of teaching and the students applying their knowledge and skills in a variety of formats.

Hiroshima Commemorative Service

On Friday 4 August Councillor Chamonix Terblanche and I joined with the Consul General of Japan, Perth Western Australia, Mr Tatsuo Hirayama; and Ms Satomi Suzuki, Vice- Consul of the Consulate-General of Japan, Perth Office;

and

- Mr Don Miguel, OAM, JP and Freeman of our City with his wife June;
- former Councillor Nola Waters;
- Councillor Ingrid Waltham representing Mayor Brad Pettit, City of Fremantle;
- Stephen Cain, Chief Executive Officer of the City, other members of the executive team and staff members; and



- Principals, teachers, students and parents

in a tree planting ceremony at Botany Park in Hammond Park.

Following the tree planting a morning tea was held at the City's Administration Building where various activities were held for the students and the reading of the 'Story of the Peace Crane' by students from the Spearwood Alternative School.

I acknowledge and thank the City's staff involved in organising the event including the Parks & Gardens staff who selected the trees and organised the area ready to be planted and the events team for the preparation of the Function Room.

Master Builders Association – Excellence in Construction Awards

On Saturday 22 July, projects in the City won three awards.

- The Master Builders Association award for 'Best Public Use Building over \$20m was awarded to Multiplex for the Cockburn ARC;
- The Sub Contractor of the Year – Services Award was won by Commercial Aquatics Australia for the Cockburn ARC Aquatic Pools; and
- The Best Government Building was awarded to PS Structures for the new Cockburn Police Station.

Western Australian Local Government Association Honours Awards

On Wednesday 2 August 2017 Deputy Mayor Carol Reeve-Fowkes was the recipient of a Merit Award for distinguished service to the community of the City of Cockburn.

At the same ceremony I was presented with an Eminent Service Award for personal commitment, eminent service and contribution to the Western Australian Local Government Association and Local Government.

Thank you. I'll now turn to the Agenda proper."

2. APPOINTMENT OF PRESIDING MEMBER (If required)

N/A



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

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

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

Nil

5. (MINUTE NO 6131) (OCM 10/08/2017) - APOLOGIES AND LEAVE OF ABSENCE

Mr S. Pratt (Councillor) - Apology

6. WRITTEN REQUESTS FOR LEAVE OF ABSENCE

Nil

7. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil



8 (OCM 10/08/2017) - PUBLIC QUESTION TIME

ITEMS ON THE AGENDA, SUBMITTED IN WRITING

Nil.

ITEMS NOT ON THE AGENDA, SUBMITTED IN WRITING

Andrew Stone, Attadale

Re: Bi-Laws regarding "Hoarding"

Q1. Is it possible for the City of Cockburn to review its by-laws, specifically those that pertain to Hording? Within this review would it be possible to consider; Using more articulate language to define a horde; Reviewing the Cities power to send in contractors AND reviewing the Penalty regime surrounding breaches of these by-laws?

A1 *The City has well established processes for dealing with hoarders and these processes are continuously reviewed and improved. In 2011 the City adopted a Position Statement (Uninhabitable Premises) to deal with hoarders with a compassionate and supportive approach rather than through prosecution in the Courts. The penalties are applied by the Magistrate and may include a daily penalty. A previous prosecution by the City resulted in a fine of more than \$7,000 which is considered to be adequate. There is no need for a hoarding to be defined as it would result in a complex definition due to the imprecise nature of hoarding. The City considers that it has sufficient powers to deal with these types of situations.*

Q2. Under the City of Cockburn Local Law of 2000, vested authority from LGA of 1995... With Reference to Part V - Division 5, subsection 5.19 (3) The city in instances where refuse has built up on a property, subsequent to the issuance of a compliance notice being ignored; and whence forth the occupant has reached the end of the notification period; has the power to enter the property and remove rubbish or disused material; Given that this remedy is available to the city, When will the city be taking action On the Long Term Horde located at 156 Clontarf Road Hamilton Hill?

A2. *The City has adequate enforcement powers under the Health Act and Local Government Act to deal with cases of hoarding. These powers include the authority to enter premises and remove materials. The case on Clontarf Rd is ongoing and progress is being achieved.*



Debbie Robinson, Duncraig

Re: Proposed Mosque – Bibra Lake

Q1. It has come to public attention that there are plans underway to build on the former ice rink site at 239 Barrington Street a large mosque /community centre. Some locals have received conflicting and or no information about the proposal and land use changes. Re the protocol for notification, would Council please advise how were local businesses notified and will the public be able to address their concerns at a future meeting before planning for the structure is approved?

A1 *The City of Cockburn has already issued a planning approval for the former Cockburn ice arena building at 239 Barrington Street, Bibra Lake for a place of worship and community centre.*

Under the City's Local Planning Scheme No 3, a place of worship is defined as a "premises used for religious activities such as a church, chapel, mosque, synagogue or temple". A place of worship is an acceptable use within the 'Light and Service Industry' zone and as such there is no statutory requirement for the change of use to be advertised.

The application, received by the City on 26 October, 2016, complied with all of the City's statutory planning requirements and was granted approval under delegated authority.

There are no special or different requirements for an application for a place of worship – it is dealt with in the same manner as any other planning application - and religion does not form part of the planning assessment.

Q2. In light of the recent decision and the precedent set by a NSW court to ban a proposed synagogue because of the threat of Islamic terrorism. How will Cockburn Council take into consideration the social impact of Islam on the area when plans for the aforementioned structure are considered?

A2. *As previously indicated approval has already been issued for the change of use of the building.*



Jack Bainbridge, Huntingdale

Re: Proposed Mosque – Bibra Lake

Q1. Why a Mega mosque to cater for 150 members Perth wide?

A1. *The need for the facility is determined by the applicant not by the City. The City is only the determining authority.*

Q2. How will the community be guaranteed that no terrorism will be preached in such a venue?

A2. *A local government does not control an individual or organisations right to free speech.*

Q3. The imam said that he would step down if any links were made between this mosque and terrorism. How can this be a guarantee to the community for no terrorism?

A3. *This a matter outside the control of a local government*

Q4. If there are only 150 members in Perth, how such a mega building will be funded?

A4. *This is a matter for the applicant to determine.*

Q5. How will such a venue benefit the community at large given its planned size?

A5. *This is not a community facility.*

Q6. Why couldn't the Ahmadyya community worship in the many Muslim worship venues surrounding the suburb and benefit from all the community amenities provided by the City of Cockburn to encourage assimilation and discourage decisiveness?

A6. *They have the opportunity to apply to use a community facility if they choose or a develop purpose built facility, just the same as any other individual or organisation.*

Q7. Will the venue allow access to members of the community from other faiths to use its facility and make sure that they will not be harassed to convert by the mosque community?

A7. *That will need to be determined by the organisation as it is their facility. As it is a private facility there is no legal obligation for it to be open to the public.*



Q8. Are you allowing parking based on 1.5 people per car which is the figure observed at other Islamic places of prayer or are you basing parking on a theoretical figure of vehicle occupancy in excess of this researched figure.

A8. *The parking requirements are based on the statutory requirements specified under the City's district planning scheme.*

Tshung Chang, Fremantle

Re: *Proposed Mosque – Bibra Lake*

Q1. As someone who works and drives in this area, I am surprised at how little information there is and want to know what Council is doing to inform us?

A1 *In summary I can advise you that the City of Cockburn approved an application on 11 January, 2017, for the Ahmadiyya Muslim Association Australia to use the former Cockburn ice arena building at 239 Barrington Street, Bibra Lake for a place of worship and community centre.*

Under the City's Local Planning Scheme No 3, a place of worship is defined as a "premises used for religious activities such as a church, chapel, mosque, synagogue or temple". A place of worship is an acceptable use within the 'Light and Service Industry' zone and as such is not required to be advertised.

Q2. Will Council be facilitating community meetings with the development applicant?

A2. *As it is an approved use the City is not proposing any community meetings.*

ITEMS ON THE AGENDA, NOT SUBMITTED IN WRITING

Michael Separovich, Spearwood

Re: *Agenda Item 14.2 – Sponsorship Proposal for Family Fun Day – Horse Event at CY O'Connor Beach/Reserve*

Q1. Earlier on in the year, as a result of a Council Meeting last year, where it was floated, the idea of moving the replica "Wyalla", the Council decided not to move it. How come that is not reflected in the agenda in the section on "Community Consultation"? Because there was public consultation on that? And it is also not reflected in the "Risk Management" section either.



- A1. *There is no race to be held on the beach as such. This is a community event being held on the grassed area. You are correct in terms of the survey being done in the past. Following the extensive community consultation on whether to remove the wreck entirely, or to make it safe for patrons of the beach, quite clearly the community sent a very clear message that they wanted the wreck retained. Therefore after investigation of the extent of the rusted steel associated with the wreck, the City employed a contractor to cut back the hull of the ribs of the wreck to a depth well below the level of the beach that the consultants had calculated would render the remains quite safe, even in terms of the changes of beach level in winter storms. That was in response to the public's expressed wishes.*
- Q2. What the purpose of getting public consultation with the result that say they want the ship camped and then cutting off so much of the ship that it's no longer even visible on the beach anymore? Why didn't we just move it out into the ocean and just get rid of the public consultation because you ended up doing the exact opposite?
- A2. *Quite clearly, the result of the community consultation was to retain the wreck as an historic record of the previous maritime history of the area and the significant part of the wreck is most certainly still there, which is the part that is still visible in the ocean today.*

ITEMS NOT ON THE AGENDA, NOT SUBMITTED IN WRITING

Robert McNab, Yangebup

Re: *Proposed Mosque – Bibra Lake*

- Q1. My concern has been that it has been allowed to get approval without it going through the Council and Councillors, as previous with the Russell Rd proposed Mosque in 2012. Will the Council take action to make sure that this sort of thing, with something as controversial as a Mosque or a Brothel, something similar can never occur again without going through the elected Councillors?
- A1. *Where a planning item comes to Council, that is consistent with the State Planning and Development Act, consistent with Local Government Town Planning Scheme No. 3, and meets the requirements of that, in this case a "Place of Worship", it is assessed in accordance with that criteria.*

If you drive out tonight and go through the industrial area just to the east, you will find places of worship similar based in an industrial area. Centrepoint Church and other organisations have similar places of worship and they aren't advertised because they are assessed against planning grounds. Where an application seeks to make a



major variation to the approval that is inconsistent with the Scheme, the officers are required then to consult with the surrounding neighbours.

You can do what is legal on your property and is in accordance with the law and the item can come to Council, where we are obliged to consider it. Unless there is a major reason why it is contravenes that, we have to approve it.

If we don't, they go off to an external body the State Appeals Tribunal (SAT) and the matter is then simply dealt with their outside of Council's control. In accordance with Council Policy, where an application comes to us that has variations that require us to look outside of that, the staff are required to consult with surrounding landowners. In the case of consultation where there are objections, as per policy, the item automatically will come back before Council.

- Q2. With all due respect, something like a mosque is very controversial, it is not the Catholic Church, it is not the Centrepoint Church, it is the things that we have seen all over Australia and indeed the world coming from these places and we don't want it happening in the City of Cockburn. I believe that something as in important as this should at least be put on the Cockburn Soundings, that goes out to all Cockburn residents and lets us know there has been nothing about this except the little bit on Cockburn Chat, a community Facebook page. I believe that this needs to be changed whether it has to go through Parliament to make sure that this can never happen again. For example, could this happen with an Islamic School? Could they buy Yangebup Primary School or Hamilton Hill High School and put an Islamic School in without the Councillors here having a vote? Could that happen?
- A2. *As outlined tonight by the City's Director of Planning, it is very clear in our Town Scheme, that places of worship which include Synagogue, Churches, Mosques, a place of worship for any particular faith, are defined as such and are dealt with in accordance with planning. Our own personal religious beliefs and practises don't come into it. We have to assess that in accordance with the Scheme and that is exactly what the Officers have done. If a place of education is sought, in accordance with the Town Planning Scheme, it is assessed as a place of education. We don't ask if it is a Catholic School, if it is a non-denominational school, we simply assess it as just as we have varieties of different schools in Cockburn. The Montessori School, Christian Schools, non-Christian Schools and Public Schools. They are simply assessed as places of education and if any religious group seeks to do something and it is in accordance with our Scheme, it will be assessed and approved as such.*



ITEMS NOT ON THE AGENDA, NOT SUBMITTED IN WRITING

Andrew Stone, Attadale

Re: Muriel Court Precinct

Q1. Are we able to set up a working committee to help resolve communication and infrastructure impediments to the Muriel Court Precinct of Cockburn Central. The Committee would benefit from including:

1. Interested Landowners
2. At least one East Ward Councillor
3. A Member of the Statutory Planning team
4. A representative from F.E.S.A.
5. A representative from Water Corporation.
6. A member from the Cities Engineering team.

It would be good to have a once a month meeting to discuss topics such as BAL ratings, timeframe for Semple Court Re-Alignment, Availability of Deep-Sewerage, Updates on Sewer progress, Clearing of Land, Engineering of Road networks. Fundamentally a couple of the main issues are - Some landowners cannot achieve the Precinct Structure plan outcomes due to High BAL ratings, which are beyond their control as neighbouring land owners with grassland and trees, prevent some of the owners who want to progress their land Development. The conundrum is that if everybody developed the BAL ratings would be much lower, but it's not possible for people to develop if the BAL ratings are too high. It is a catch 22 situation which requires broad scale community consultation. The land owners I represent would be interested in setting up a working committee and discussion forum to help solve these structural issues. Availability of deep sewerage is also a major issue on some of the other lots and a coordinated approach could assist with that topic also.

A1. Will be taken on notice and response provided in writing.

Q2. Could it be considered further with regards to the changes that have recently occurred to BAL ratings in the area, does it appear to the Council they could potentially be holding the area back and may require broad scope consultation with the different authorities to get things moving?

A2. The essential issue is the Bushfire Attack Level's (BAL's) are actually set by the Planning Commission in conjunction with the Department of Fire and Emergency Services (DFES). Any requirements would need to be undertaken in accordance or assessment on that basis.



9. CONFIRMATION OF MEETING

9.1 (MINUTE NO 6150) (OCM 10/08/2017) - MINUTES OF THE ORDINARY COUNCIL MEETING - 13 JULY 2017

RECOMMENDATION

That Council Confirms the Minutes of the Ordinary Council Meeting held on Thursday 13 July 2017, as a true and accurate record.

COUNCIL DECISION

MOVED C/r P Eva SECONDED C/r S Portelli that the recommendation be adopted.

CARRIED 9/0

10 (OCM 10/08/2017) - DEPUTATIONS

- Ms Emily Pink, Telstra Operations and Mr Darryl Smith, Coogee Beach Progress Association re: Item 15.1 – Planning Application – Telecommunications Infrastructure - 128 (Lot 304) Woodman Point View, Coogee.
- Mrs Nicola Bagley and Mr Thorsten Goedicke, South Beach Community Group re: Item 18.3 – Adoption of Community Sport and Recreation Facilities plan
- Mr Warren Spencer and Mr Victor Marcelino, Terranovis Pty Ltd re: Item 15.2 – Reconsideration of Revised Local Development Plan – Sumich Gardens



11. PETITIONS

Nil

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

Nil

13 (OCM 10/08/2017) - DECLARATION BY MEMBERS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING

Nil.

AT THIS POINT IN THE MEETING, THE TIME BEING 7.52PM THE FOLLOWING ITEMS WERE CARRIED BY 'EN BLOC' RESOLUTION OF COUNCIL

14.2	15.1	16.1	17.1	18.1	21.1
14.3	15.2		17.2		24.1
	15.3				
	15.4				
	15.5				



14. COUNCIL MATTERS

14.1 **(MINUTE NO 6132)** (OCM 10/08/2017) - MINUTES OF THE GRANTS AND DONATIONS COMMITTEE MEETING – 18 JULY 2017 (162/003) (R AVARD) (ATTACH)

RECOMMENDATION

That Council receive the Minutes of the Grants and Donations Committee Meeting held on 18 July 2017 and adopt the recommendations contained therein.

COUNCIL DECISION

MOVED Cllr L Smith SECONDED Cllr P Eva that the recommendation be adopted subject to amending Item 10.1 (Minute 112) "Grants and Donations Committee Recommended Allocations 2017/18" by the addition of the following:

1. Approves a donation of \$10,000 to K9 Dog Rescue from the "Donations to Organisations" allocation of the Grants and Donations Budget;
2. Advises K9 of the Donation and the City's future Grants and Donation rounds and Guidelines; and
3. In line with other Local Governments, staff consider the option of a more formal outsourcing arrangement with K9.

CARRIED 8/1

Reason for Decision

For the last 2 years the City have outsourced the re-homing of pound dogs to K9 dog rescue.

During that period K9 have rescued/re-homed:

- 2016 - 246 Cockburn dogs (annual report 2016)
- 2015 - 216 Cockburn dogs (annual report 2015)

Up until now the city have not paid for this service.

Due to the increased demand for services and increase in overheads, for the first time in 2016 the service has returned a loss.



- 2014 Profit - \$55,635.28
- 2015 Profit - \$91,292.82
- 2016 Loss - **\$38,482.18**

Summary of Financials (*Full audited financials attached*)

Year	Income	Expenditure	Operating profit	Wages
2014	\$ 372,939.84	\$ 321,442.35	\$ 51,497.49	\$ 18,128.50
2015	\$ 432,319.39	\$ 342,930.50	\$ 89,388.89	\$ 40,702.65
2016	\$ 304,742.03	\$ 344,583.04	\$ -39,841.01	\$ 65,236.29

Funding Comparison Metropolitan Regions - same/similar services

For the same service to K9

- The City of Mandurah have committed a donation of \$10 000
- The City of Kwinana pay a fee of \$25 per dog

Inner city service - DRH Dog Rescue Home

- Six inner city councils, Subiaco, East Fremantle, Cottesloe, Cambridge, Peppermint Grove/Mosman Park outsource their pound facilities and each pay a fortnightly fee for services.

The City of Canning - DRH Dog Rescue Home

- Contracted paid agreement with Dog Rescue Home

Funding comparison Native Arc and K9

Year	Amount Native Arc	Amount K9
2010	\$ 8,000.00	
2011	\$ 51,000.00	
2012	\$ 45,000.00	
2013	\$ 50,000.00	
2014	\$ 83,918.54	
2015	\$ 86,708.10	\$ -
2016	\$ 87,921.90	\$ -
2017	\$ 89,065.00	\$ 10,000.00

The reason I show the comparison between Native Arc and K9 is to highlight the small amount being requested.



I appreciate this relationship has grown over time with Native Arc and for this reason I have reduced the request to \$10,000.

The figures highlight the 4 year Contractual Sponsorship Agreement entered into between the City and Native Arc.

I am currently conducting a state-wide audit of municipal dog pounds to recommend a consistent set of guidelines for Local Government.

I have so far visited 5 pounds and identified many other local government outsourcing models.

As some of you are aware I have the CEO of the RSPCA supporting my initiative and in fact organised to have representatives from the NSW head office visit our pound.

In terms of the model of care for impounded dogs I want Cockburn to lead the way. Getting the fee for service in order is a big step forward in this direction.

Background

The Council of the City of Cockburn established the Grants and Donations Committee to recommend on the level and nature of grants and donations provided to external organisations and individuals. The Committee is also empowered to recommend to Council on donations and sponsorships to specific groups.

Submission

To receive the Minutes of the Grants and Donations Committee and adopt the recommendations of the Committee.

Report

Council approved a budget for Grants and Donations for 2017/18 of \$1,322,750 to be distributed as grants, donations, sponsorship and subsidies. The Grants and Donations Committee is empowered to recommend to Council how these funds should be distributed.

Strategic Plan/Policy Implications

Community, Lifestyle & Security

- Provide residents with a range of high quality, accessible programs and services



Economic, Social & Environmental Responsibility

- Create opportunities for community, business and industry to establish and thrive through planning, policy and community development

Leading & Listening

- Deliver sustainable governance through transparent and robust policy and processes

Budget/Financial Implications

Council approved a budget for Grants and Donations for 2017/18 of \$1,322,750.

Following is a summary of the grants, donations and sponsorship allocations proposed by the Committee.

Committed/Contractual Donations	\$500,000
Donations	\$200,000
Sponsorship	\$100,000
Specific Grant Programs	\$522,750
Total	\$1,322,750
Total Funds Available	\$1,322,750
<u>Less Total of Proposed Allocations</u>	<u>\$1,322,750</u>
Balance	\$0

These allocated funds are available to be drawn upon in response to grants, donations and sponsorship applications from organisations and individuals.

The next round of grants, donations and sponsorship funding will open in mid-August and close on 29 September 2017.

Legal Implications

N/A

Community Consultation

Council's grants are advertised widely in the local community through the City's website, local media, social media, Cockburn Soundings, and Council networks. It is recommended that advertising start immediately following the Council decision to ensure a wider representation of applications.



Risk Management Implications

The Council allocates a significant amount of money to support individuals and groups through a range of funding programs. There are clear guidelines and criteria established to ensure that Council's intent for the allocation of funds are met. To ensure the integrity of the process there is an acquittal process for individuals and groups to ensure funds are used for the purpose they have been allocated.

The reputation of the City of Cockburn could be seriously compromised should funds allocated to individuals or groups not meet the criteria and guidelines and/or did not use the funds for the purposes they were provided. Adherence to these requirements is essential.

Attachment(s)

1. Minutes of the Grants and Donations Committee Meeting on 18 July 2017.

Advice to Proponent(s)/Submissioners

Submissioners have been advised that this matter is to be considered at the 10 August 2017 Council Meeting.

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

Nil



14.2 (MINUTE NO 6133) (OCM 10/08/2017) - SPONSORSHIP PROPOSAL FOR FAMILY FUN DAY - HORSE EVENT AT CY O'CONNOR BEACH/RESERVE (162/003) (R AVARD) (ATTACH)

RECOMMENDATION

That Council :

- (1) supports the staging of a CY O'Connor Beach/Reserve Family Fun Day – Horse Event to commemorate the history of beach horse racing, to be organised and managed by Amalfi Publishing; and
- (2) approves funding of \$5,000 from the Grants and Donations Budget to Amalfi Publishing provided that the terms and conditions within the City's Events Application process for the event are adhered to.

COUNCIL DECISION

MOVED Clr C Terblanche SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 9/0

Background

In August 2016, an application was received and supported by Council at a Special Council Meeting to stage a Family Fun Day at CY O'Connor Reserve, with Council resolving the following:

That Council:

- (1) *supports the staging of a CY'O Connor Beach family fun day and commemorative plaque unveiling for beach Horse racing to be organised and managed by Amalfi Publishing;*
- (2) *supports the placement of a plaque at CY O'Connor Reserve, with the preferred location to be subject to further investigation from staff; and*



- (3) *approves funding of \$7,000 from the Community Grants Scheme to Amalfi Publishing provided that the terms and conditions within the City's Events Application process for the event are adhered to."*

The initial application was amended due to the short timeframe from application submission until the proposed event date on 2 October 2016, and the constraints posed by the location of the Wyola wreck on CY'O Connor Beach. Therefore, a recommendation of support was given to the family fun day and plaque unveiling components of the event, with consideration to be given to a horse race re-enactment being held in 2017.

In July 2017, following the completion of Round 2 of the City's 2016/17 funding program, the City received a request for funding from Amalfi Publishing to hold the same Family Fun Day – Horse Event at CY O'Connor Beach/Reserve on 1 October 2017.

The applicant was advised that they could apply for funding of up to \$2,000 under the Small Events Sponsorship program which is open year-round (which wasn't available last year), however the applicant advised that \$2,000 wouldn't be sufficient for their event.

At the Grants and Donations Committee Meeting on 18 July 2017, the Committee made the following recommendation:

"that the officer's recommendation be adopted, with an additional allocation of \$5,000 for Amalfi Publishing towards a Family Fun Day at CY O'Connor Beach subject to a formal application being submitted to the City by 31 July 2017 in accordance with the normal grants and donations process, and subject to an officer report being provided for the August 2017 Ordinary Meeting of Council".

As such the Sponsorship (Group) funding application received from Amalfi Publishing is now presented to Council for consideration.

Submission

A copy of the Sponsorship (Group) application and proposal attachments from Amalfi Publishing are attached to this report (*Attachment 1*).

Report

The inaugural CY O'Connor Beach family fun day event was held on 2 October 2016 and was organised by Amalfi Publishing on behalf of South Fremantle stables owner Terry Patterson. The event was



designed to raise awareness of the rich history, culture and development of the Cockburn coastline celebrating 183 years of continued use of CY O'Connor Beach. The 2016 event included the unveiling of a permanent plaque at CY O'Connor Reserve, the publication of a commemorative booklet and the family fun day. It was well attended by the Mayor and Councillors, horse racing identities, war veterans, Murdoch University veterinarians, museum curators and the public.

A report by Amalfi Publishing on the 2016 sponsored event was presented to the Mayor, deeming it to be a successful day with the applicant indicating strong community and participant support for the day to be repeated in 2017.

Following the recommendation by the Grants and Donations Committee, at its meeting on 18 July 2017, to accept a late application, Amalfi Publishing were advised to submit a sponsorship (group) application up to \$5,000 by 31 July 2017 for consideration by Council at the August meeting.

The Amalfi Publishing submitted the application, and after supporting information and documentation was requested and obtained, the application was assessed as meeting the eligibility requirements for sponsorship.

In terms of the proposed 1 October 2017 event, organisers plan to continue raising awareness of the history of horses in the area, the significance of CY O'Connor beach and to raise money for the National Injured Jockeys Trust. Proposed events on the day range from photographic and artefact displays, a horse parade, pony rides, fun activities, a small introduction, speeches and a sausage sizzle, with an anticipated attendance of 100-200 people.

The application outlines that in return for sponsorship, branding benefits and promotion opportunities for the City include:

- Logo will be used in print and online publications (e.g. spring edition of Amalfi Publishing's Freo StreetWise publication, up to 10,000 copies distributed in Cockburn, Fremantle and Melville)
- Acknowledgment on live radio
- Signage such as 'supported by City of Cockburn'
- Potential exposure on television

As the event organiser, Amalfi Publishing will be responsible for all aspects of the event including event management and organisation, promotion, insurance, risk management and compliance matters. If the funding and the event are approved by Council, Amalfi Publishing will also need to meet the City's event application requirements before the event can proceed.



In summary, it is recommended to support this application for \$5,000.

Strategic Plan/Policy Implications

Council Policy SC35 'Grants, Donations & Sponsorships – Community Organisations & Individuals' refers. *“Applications for Group Sponsorships are invited twice per year, closing on 31 March and 30 September.”*

Community, Lifestyle & Security

- Provide residents with a range of high quality, accessible programs and services

Economic, Social & Environmental Responsibility

- Create opportunities for community, business and industry to establish and thrive through planning, policy and community development

Budget/Financial Implications

There are currently sufficient funds available within Council's Grants and Donations budget to fund the \$5,000 contribution towards the event.

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

The applicant/event organisers have agreed in their application that all necessary permits and approvals will be obtained, that the event will be covered by appropriate insurance (including their own public liability insurance for the event) and that Council does not accept any liability or responsibility for the event.

As for the request for sponsorship funds, there are clear guidelines and criteria established to ensure that Council's intent for the allocation of funds are met. To ensure the integrity of the process there is an acquittal process for individuals and groups to ensure funds are used for the purpose they have been allocated.



The reputation of the City of Cockburn could be impacted should funds allocated to individuals or groups not meet the criteria and guidelines, and/or did not use the funds for the purposes they were provided. Adherence to these requirements is essential.

Therefore, approving this application outside the usual funding rounds may create a precedent for future applications and potentially compromise the integrity of the grants and donations process.

Attachment(s)

Sponsorship Application and Proposal Attachments from Amalfi Publishing

Advice to Proponent(s)/Submissioners

The applicant has been advised that they will be notified of the outcome of their application following the 10 August 2017 Council Meeting.

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

Nil.

14.3 (MINUTE NO 6134) (OCM 10/08/2017) - MINUTES OF THE AUDIT AND STRATEGIC FINANCE COMMITTEE MEETING - 20 JULY 2017 (026/007) (J NGOROYEMOTO/S DOWNING/N MAURICIO) (ATTACH)

RECOMMENDATION

That Council receive the Minutes of the Audit and Strategic Finance Committee Meeting held on Thursday, 20 July 2017 and adopt the recommendations contained therein.

COUNCIL DECISION

MOVED Clr C Terblanche SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 9/0



Background

A meeting of the Audit and Strategic Finance Committee was conducted on 20 July 2017.

Submission

N/A

Report

The Audit and Strategic Finance Committee received and considered the following items:

1. Risk Management Information Report
2. Related Party Disclosures
3. Annual Debts Write-Off
4. Interim Audit Management Report 2016-2017
5. External Audit Plan 20167-2017

Strategic Plan/Policy Implications**Leading & Listening**

- Deliver sustainable governance through transparent and robust policy and processes.
- Ensure sound long term financial management and deliver value for money.
- Listen to and engage with our residents, business community and ratepayers with greater use of social media.

Budget/Financial Implications

As contained in the Minutes.

Legal Implications

As contained in the Minutes.

Community Consultation

N/A



Risk Management Implications

The Audit and Strategic Finance Committee is a formally appointed Committee of Council and is responsible to that body. The Audit and Strategic Finance Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The Audit and Strategic Finance Committee does not have any management functions and is therefore independent of management.

Therefore, if any Committee recommendations of the Audit and Strategic Finance Committee are not adopted or deferred by Council, officers will be unable to proceed to action the recommendations contained within the Minutes.

Attachment(s)

Minutes of the Audit and Strategic Finance Committee – 20 July 2017.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

15. PLANNING AND DEVELOPMENT DIVISION ISSUES

- 15.1 (MINUTE NO 6135) (OCM 10/08/2017) - PLANNING APPLICATION – TELECOMMUNICATIONS INFRASTRUCTURE – LOCATION: 128 (LOT 304) WOODMAN POINT VIEW, COOGEE; OWNER: DEPARTMENT OF YOUTH SPORT & RECREATION; APPLICANT: SERVICE STREAM (DA17/0310 & 052/002) (R TRINH) (ATTACH)**

RECOMMENDATION

That Council

- (1) advise the Western Australian Planning Commission that Council recommends approval of the planning application for Telecommunications Infrastructure at 128 (Lot 304) Woodman Point View, Coogee, in accordance with the attached plans and subject to the following recommended conditions and footnotes.



Conditions

1. Development may be carried out only in accordance with the details of the application as approved herein and any approved plan.
2. All stormwater being contained and disposed of on-site to the satisfaction of the City.
3. A Native Fauna Management Plan shall be prepared by a suitably qualified person acceptable to the City on advice from DPaW, and submitted to and approved by the City prior to the issue of a Building Permit. The approved plan shall be implemented to the satisfaction of the City.

Footnotes

1. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Local Planning Scheme No. 3 or with any requirements of any external agency.
 2. Prior to works commencing, a clearing permit may be required under the *Environmental Protection Act* from the Department of Water and Environmental Regulation.
- (2) notify the applicant and those who made a submission of Council's resolution and final decision of the Western Australian Planning Commission.

COUNCIL DECISION

MOVED Clr C Terblanche SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 9/0

Background

Site Description

The subject site is approximately 108 hectares in area and consists of predominantly parks and recreation uses including extensive vegetation, the car park associated with the Coogee Beach Surf Lifesaving Club (CBSLC), parkland areas and Woodman Point Caravan Park. The lot is adjacent to the CBSLC and is surrounded by other Regional Reserves and approximately 290m from residences on the eastern side of Cockburn Road.

The site is reserved for 'Parks and Recreation' purposes under the Metropolitan Region Scheme (MRS) and therefore the proposed development does not require planning approval under the City's Local Planning Scheme No. 3 (LPS 3). The proposal does require planning approval under the MRS to be determined by the Western Australian Planning Commission (WAPC). The proposal is being presented to Council to endorse a recommendation to the WAPC due to objections received during the public consultation period.

Submission

N/A

Report

Proposal

The telecommunication infrastructure is proposed to replace an existing 10m high light pole and some vegetation on the eastern edge of the CBSLC car park accessed from Poore Grove. The car park is used by CBSLC patrons and other beach users.

The proposed telecommunication infrastructure comprises:

- 22.32m² leased area;
- 18.8m high monopole (22.9m overall height);
- Turret antenna mount (22.9m) – 3x panel antennas;
- Lights and CCTV cameras at 10m;
- Equipment shelters at base;
- 3x tower mounted amplifiers; and
- Ancillary works and cabling.

An Electro Magnetic Emissions (EME) report dated 01/05/2017 was supplied with the application which demonstrated that the maximum EME level calculated for the existing systems at this site is 3.31V/m; equivalent to 28.98mW/m² or 0.72% of the public exposure limit. (Attachment 6).

Planning Framework



Metropolitan Region Scheme (MRS)

The subject site is designated as a 'Reserve – Parks & Recreation' under the MRS and is designated as 'Bush Forever'.

Local Planning Scheme No. 3 (LPS 3)

The lot is designated as a 'Regional Reserve – Parks & Recreation and Waterways' under the City of Cockburn's Local Planning Scheme No. 3 (LPS 3). In accordance with Clause 2.2.3 of LPS 3, the approval of the local government is not required for development within a regional reserve.

'Telecommunications Infrastructure' is defined by LPS 3 but not listed in the zoning table. Therefore the use is considered a 'use not listed' and is considered an 'A' use (discretionary subject to advertising) and is generally not permitted unless the local government has exercised its discretion and has granted planning approval after giving special notice in accordance with clause 64(3) of the deemed provisions within the *Planning and Development (Local Planning Schemes) Regulations 2015*.

State Planning Policy 5.2 – Telecommunications Infrastructure (SPP 5.2)

The intention of SPP 5.2 is to balance the need for telecommunications infrastructure with the visual character of local areas. The proposed development is not considered a 'low-impact facility' and therefore requires planning approval under the Commonwealth *Telecommunications Act 1997*.

SPP 5.2 notes that telecommunications infrastructure is generally located at high points to be effective. This means that these structures are likely to be visible to the public. SPP 5.2 requires assessment of the benefit of improved telecommunications services balanced with the visual impact on the surrounding area.

The policy measures of SPP 5.2 consider the following criteria:

- Context
- Visual impact
- Social/Cultural heritage impact
- Height
- Materials/Colours
- Environment
- Network coverage
- Co-location of infrastructure

Public Consultation

The proposal was advertised via mail-out to 415 nearby landowners within a radius of approximately 750m that were seen to potentially be affected by the proposal in accordance with the requirements of LPS 3. The proposal was also advertised on the City of Cockburn website. A total of 83 submissions were received that included multiple submissions from the same person or the same household. 69 responses were received from individual households with 33 respondents indicating no objection and 36 objecting to the proposal.

Of the 33 respondents that indicated no objection, 20 were within the advertised area and 13 were outside of the advertised area. Of the 36 respondents that indicated objection, 31 were within the advertised area and 5 were outside of the advertised area.

The main issues raised during consultation include:

- Existing poor phone coverage in the area
- Matter of life and death for emergencies
- Wrong location for tower
- Visual impacts on public amenity
- Could be relocated to another location
- Health concerns regarding emissions
- Environmental impacts on flora and fauna
- Proximity to residences and the beach
- Not consistent with 'Reserve - Parks and Recreation' zoning
- Detracts from the bushland and beach
- Impact on property values

Planning Considerations

LPS 3 and SPP 5.2 allow for telecommunications infrastructure to be developed on this lot if the benefits of improved telecommunications services are balanced with the visual impact on the surrounding area which is discussed below.

Context

The area west of Cockburn Road is predominantly large parcels of land used for parks and recreation. The area east of Cockburn Road comprise of lots approximately 700m² in size which are predominantly used for residential purposes. The natural slope of the land to the east of Cockburn Road has resulted in elevated lots that provide unobstructed westerly views for a large number of residents in Coogee.



Visual Impact

The proposal would be visible from most properties throughout the local area. The scale of the development would result in the views from the surrounding parks and recreation areas to be impacted by the telecommunications infrastructure that protrudes well above trees and other structures in the area. Some vegetation and the CBSLC will screen the tower from view from some directions but the proposed development will still be visible from most public areas and the residential area east of Cockburn Road.

28 objections mentioned the negative visual impact of the proposed development. The proposed development will protrude above vegetation in the area and is likely to be visible from residences that currently have view of the CBSLC building. The proposed development would be visible from the surrounding park and beach areas that includes walk and bike paths that would have clear view of the telecommunications infrastructure.

Notwithstanding the above, the proposal will not completely obstruct any view enjoyed by residents or the community.

Social/Cultural Heritage Impact

The proposal, if approved is not likely to cause a detrimental impact on any social or cultural heritage matter and therefore in this instance, this consideration is not applicable.

Height

The proposed addition will result in the tower continuing to protrude well above most structures in the area and is required to provide maximum coverage. The height is necessary for telecommunications infrastructure because they should be above any obstructions to operate effectively. In relation to the purpose of the infrastructure proposed, the height is consistent with most other telecommunications infrastructure and is considered reasonable given the optimal requirements for telecommunications infrastructure to operate as mentioned in SPP 5.2.

Materials/Colours

The materials and colours of the telecommunications infrastructure are proposed to be finished with a non-reflective grey colour. This colour is proposed to match the existing light poles in the car park. If Council did consider recommending approval of the proposal to the WAPC, the colours would be considered to be appropriate in order to best reduce the impact of the proposal on the landscape.



Environment

The proposed telecommunications infrastructure if approved would result in a minor loss of vegetation adjacent to the existing car park, however the proposed location has been selected to minimise the clearing. A number of threatened species may be present in this area and a detailed fauna management plan is recommended to be conducted and implemented prior to any work commencing. A clearing permit may be required from the Department of Water and Environmental Regulation and would need to comply with the *Environmental Protection Act*. Therefore, the proposal if approved is unlikely to cause any significant environmental impacts.

Network Coverage

The existence of poor coverage was the main reason that residents chose to support the application, which was only disputed by 3 objectors within the advertised area and 1 objector outside the advertised area. The poor coverage was noted by 2 objectors within the advertised area and considered as an acceptable trade off if the development was not supported. 12 non objectors within the advertised area and 10 outside of the advertised area specifically stated that there was currently poor reception in the area.

The proposed telecommunications infrastructure was identified by the applicant to be necessary to improve mobile phone coverage in the area and supported by 24 non objectors. Improved services would be beneficial for residents and the general public that use the beach and surrounding parks.

Co-location of Infrastructure

The assessment criteria for all planning applications are conducted on a case by case basis. However, SPP 5.2 requires that telecommunications infrastructure be co-located with other carriers where possible. There are currently no details of whether other providers intend to co-locate on the proposed infrastructure and the applicant has indicated that there is no existing infrastructure in close proximity that can facilitate co-location.

Non-Planning Matters Raised

Health Concerns

Health concerns and risks were raised as a concern for residents who lodged objections. The applicant provided an EME report dated 01/05/2017 found on the Radio Frequency National Site Archive



website (<http://www.rfnsa.com.au>) demonstrated a maximum EME level calculated for the proposed systems at this site as 3.31V/m; equivalent to 28.98mW/m² or 0.72% of the public exposure limit (Attachment 6).

The acceptable EME levels are required to comply with the Australian Communications and Media Authority (ACMA) *Radiocommunications Licence Conditions (Apparatus Licence) Determination 2003*. The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is the Commonwealth agency that measures and limits the EME levels for human exposure to radiofrequency and therefore local planning controls should not address health or safety standards for telecommunications infrastructure. Therefore the health concerns and risks mentioned are not valid planning considerations that can be considered as part of this assessment.

Distance from Dwellings

The distance from residential dwellings was raised as a concern from objectors. However there is no prescribed separation distance of telecommunications infrastructure from dwellings within SPP 5.2. SPP 5.2 specifically states that buffer zones or setback distances should not be included as a planning control contained in Local Planning Schemes or Local Planning Policies.

The City cannot recommend the proposed development be erected on alternative sites. The proposed distance from dwellings appears appropriate given the ease of access and other considerations contained within this report.

Property Values

Several objections mention the negative impact of the proposal on property values. The statutory framework does not have criteria to measure or consider property values. Therefore the impact on property values is not a valid planning consideration.

Conclusion

Telecommunications infrastructure is considered necessary to provide an expected level of network services in the area. This must be balanced with the impacts on nearby residents and the community. It is clear that the proposal will be visible to nearby residents located on elevated land on the western side of Coogee. However, given the size and scale of the proposal and distance from dwellings, the proposal is not expected to unreasonably detract from the visual amenity of residents. The portion of the lot to be cleared is very minor and is adjacent to the existing car parking cleared area.



It is therefore recommended that Council recommend approval of the proposal to the WAPC subject to conditions.

Strategic Plan/Policy Implications

City Growth

- Ensure planning facilitates a desirable living environment and meets growth targets

Community, Lifestyle & Security

- Provide for community facilities and infrastructure in a planned and sustainable manner
- Advocate for improvements to information technology infrastructure such as the NBN rollout

Economic, Social & Environmental Responsibility

- Sustainably manage our environment by protecting, managing and enhancing our unique natural resources and minimising risks to human health

Budget/Financial Implications

Should the applicant lodge a review of the decision with the State Administrative Tribunal, there may be costs involved in defending the decision, particularly if legal Counsel is engaged.

Legal Implications

N/A

Community Consultation

The application was advertised to 415 nearby landowners in accordance with clause 64(3) of the deemed provisions within the *Planning and Development (Local Planning Schemes) Regulations 2015*. A total of 83 submissions were received during the advertising period. See Consultation section of the report above.

Risk Management Implications

Should the applicant lodge a review of the decision with the State Administrative Tribunal, there may be costs involved in defending the decision, particularly if legal Counsel is engaged.



Attachment(s)

1. Locality Plan
2. Site Plan
3. Elevation Plan
4. Antenna Plan
5. Application Report
6. Electro Magnetic Emissions Report

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 10 August 2017 Council Meeting.

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

Nil.



15.2 (MINUTE NO 6136) (OCM 10/08/2017) - RECONSIDERATION OF REVISED LOCAL DEVELOPMENT PLAN - LOCATION: LOTS 902 & 903 HAMILTON ROAD, LOTS 903-905 SUMICH GARDENS AND LOTS 906-909 DASILVA PLACE, COOGEE - OWNER: GOLDBARREL CORPORATION PTY LTD - APPLICANT: VERUS (LDP17/02 & 052/002) (D BOTHWELL) (ATTACH)

RECOMMENDATION

That Council

- (1) pursuant to S31 of the *State Administrative Tribunal Act 2004 (WA)*, reconsider its previous decision to approve a revised Local Development Plan subject to modifications for proposed Lots 902 & 903 Hamilton Road, Lots 903 – 905 Sumich Gardens and Lots 906 – 909 Dasilva Place, Coogee;
- (2) withdraw the existing approved Local Development Plan (dated 16 August 2016) for proposed Lots 902 & 903 Hamilton Road, Lots 903 – 905 Sumich Gardens and Lots 906 – 909 Dasilva Place Coogee in accordance with Clause 58 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- (3) approve the revised Local Development Plan for Lots 902 & 903 Hamilton Road, Lots 903 – 905 Sumich Gardens and Lots 906 – 909 Dasilva Place, Coogee in accordance with Clause 59 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the attached plan; and
- (4) notify the State Administrative Tribunal, the applicant and those who originally made a submission of Council's decision.

COUNCIL DECISION

MOVED Clr C Terblanche SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 9/0



Background

On 10 February 2016, the Western Australian Planning Commission (WAPC) conditionally approved an application to subdivide Lot 23 Hamilton Road Coogee into nine lots. A condition of the subdivision approval was for a Local Development Plan (LDP) to be submitted to and approved by the City. The original LDP was submitted to the City, and approved, under delegated authority on 16 August 2016.

At its ordinary meeting on held on 8 December 2016, Council resolved to conditionally approve a development application (DA16/0578) for Subdivision Retaining Walls at the subject property which were required as part of the subdivision works.

Subsequently, on 17 December 2016, Councillor Kevin Allen put forward the following Notice of Motion:

“Council amend the Local Development Plan (LDP) for Lots 902 & 903 Hamilton Road, Lots 903-905 Sumich Gardens and Lot 906-909 Dasilva Place, Coogee to restrict the building heights for any dwellings on Lot 906 to a single storey”.

In accordance with the above Notice of Motion, the applicant submitted a revised LDP which was received by the City on 20 January 2017. The LDP was mostly the same as the previously approved LDP (dated 16 August 2016) except that it contained an additional clause restricting the permitted building height for proposed Lot 906 to be restricted to a single storey only.

At its ordinary meeting held on 14 April 2017, Council resolved to approve the revised local development plan subject to the following modifications:

- 1. Insert a new provision restricting development on Lot 907 to single storey only; and*
- 2. Amend Clause 3 (Building Setbacks) and the plan to restrict Lots 906 and 907 to one boundary wall only which shall be the shared boundary between these two lots. The length and height of boundary wall for Lots 906 and 907 shall accord with the R-Codes deemed-to-comply provisions.*

Subsequent to Council's decision, the applicant/landowners lodged an application for review of the decision by the State Administrative Tribunal (SAT). It is to be noted that the applicant is not appealing



modification 1 above relating to restricting Lot 907 to single storey but is seeking a review of modification 2 relating to amending clause 3 of the LDP relating to building setback (boundary wall) provisions.

The matter proceeded to a mediation session held on 3 July 2017 between the applicant and their representatives, Elected Members and the City's staff. Also in attendance at the on-site mediation was SAT Senior Sessional Member James Jordan. The mediation occurred initially on-site at the subject property and following this at the City's administration centre. At the conclusion of the mediation, the SAT presiding member issued the following orders which were sent to the City dated 3 July 2017:

1. *By 17 July 2017 the applicant must provide to the respondent such amended local development plan as it would want the respondent to consider.*
2. *Pursuant to s 31(1) of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider its decision at its meeting on 10 August 2017.*
3. *The matter is adjourned to the Senior Member's directions list at 2.30pm Friday the 18 August 2017.*

Therefore, based on the above SAT orders, Council is requested to reconsider its previous decision relating to the revised LDP, based on the amended plan provided.

Submission

N/A

Report

Proposal

In accordance with the SAT orders made on 3 July 2017, the applicant lodged an amended LDP comprising:

- Development of Lots 906 and 907 being restricted to single storey.
- Lot 907 being permitted to construct a boundary wall on both northern and southern boundaries. The northern boundary being permitted to extend from the eastern end of the existing neighbours boundary wall (Lot 783) to a maximum of 4m from the front boundary of Lot 907.



- Lot 906 is permitted to construct a boundary wall on both northern and southern boundaries but is restricted to a maximum length of 6m along the southern boundary.

Neighbour Consultation

Neighbour consultation was undertaken with regards to the development application for the subdivision retaining walls (approved by Council in December 2016) and the revised LDP (approved by Council in April 2017). Further neighbour consultation based on the most recently revised local development plan has not been undertaken due to the timeframes set out in the SAT orders for the matter to be reconsidered at the 10 August 2017 meeting. However those who made submissions on the previous proposals have been advised in writing that the previously approved LDP subject to modifications is being reconsidered at this meeting as a result of the SAT proceedings. This approach was discussed with the Elected Members who attended the mediation.

Consultation with other Agencies or Consultants

Consultation with other agencies or consultants has not been necessary.

Planning Framework

Zoning and Use

The subject land is zoned 'Development' and is affected by the DA31 provisions of the LPS3. The approved Ocean Crest Local Structure Plan (LSP) indicates that the land is zoned R20, R25 and R30. The proposed revised LDP provides a site specific layer of planning information to be considered in the design and development of dwellings on the subject lots.

Revised LDP Provisions

Building Heights

This modification has been undertaken by the applicant in accordance with Council's resolution from the 14 April 2017 Council Meeting. It should be noted by Council that the construction of a two-storey dwelling is provided for the in deemed-to-comply provisions of the R-Codes, so imposing a single storey restriction is not common. However it is considered an appropriate measure in this instance to ameliorate against the heights of the previously approved retaining walls which aggrieved adjacent residents, particularly the owner of Lot 161 directly south of proposed Lot 906. The main concerns about the



development related to bulk and scale and overshadowing of the retaining walls which would be exacerbated by the construction of a two storey dwelling adjacent to the southern boundary of Lot 906. The requirement for Lots 906 and 907 to be restricted to single storey is supported.

Boundary Walls

Modification 2 of Council's resolution from the 14 April 2017 as stated above restricted boundary walls to the central boundary between Lots 906 and 907. Given the narrow width of the lots approved by the WAPC (which are compliant with the R-Code lot width provisions) and the single storey restriction, the applicant seeks boundary walls to be constructed on both side boundaries. R-Code deemed-to-comply provisions for boundary walls in R30 zones allow boundary walls for two thirds of the length of one side boundary. The existing approved LDP allows the two thirds length to be split between both boundaries. The revised LDP seeks to retain the ability for Lots 906 and 907 to split the boundary walls to both boundaries but with restrictions to the maximum length to the northern boundary of Lot 907 and southern boundary of Lot 906 which both abut existing dwellings.

Clause 4 (i) of the revised LDP states the following:

“for Lot 907 the northern side boundary wall being limited to extending from the eastern end of the existing neighbouring boundary wall to a maximum of 4.0m from the front boundary”

The above provision means that any northern boundary wall constructed would not exceed beyond the length of the northern neighbour's garage boundary wall towards the rear of the lot. The boundary wall would also need to be set back 4m from the front boundary to minimise the impact of the boundary wall on the streetscape.

Clause 4 (ii) of the revised LDP states the following:

“for Lots 906 the southern side boundary wall being limited to a maximum of 6.0m in length”

The above provision prevents the entire boundary wall being located on the southern boundary (which could occur under deemed provisions of the R-Codes) and current LDP. This will not appease the adjoining landowner to the south (Lot 161) in that a boundary wall could still be built on their shared boundary. However the restriction to 6m in lieu of what would ordinarily be deemed to comply (19.3m), is an acceptable planning outcome.



If the dwellings proposed for Lots 906 and 907 were permitted to be two storey, boundary walls on both sides would be less important. However given the single storey restriction, most single storey designs for 10m wide lots propose boundary walls to both sides. Without this it would be difficult for the lot to deliver a frontage with a double-width garage, entrance and room overlooking the street which is a standard design throughout the area and in the greater metropolitan area. The City generally does not support side entrances which cannot be viewed from the street.

It should be noted by Council that if no boundary wall restrictions were imposed on the LDP, then it would be open to a future owner to construct a boundary wall for two thirds of the length of the northern boundary of Lot 907 or southern boundary of Lot 906. The revised LDP allows the boundary wall lengths to be split but with restrictions on both external boundaries. This is considered to result in a better outcome for adjoining neighbours whilst still facilitating a practical design for dwellings on the approved lots.

Conclusion

The additional and amended provisions of the LDP are considered to achieve a balanced and fair outcome for all stakeholders. Restricting the building height to single storey for Lots 906 and 907 is significant and will assist in protecting the amenity of the adjoining existing residents. Allowing a restricted length and location of boundary walls on the northern boundary of Lot 907 and southern boundary of Lot 906 will ensure that both lots can achieve practical built form outcomes which contribute to the desired streetscape as well as protecting the amenity of the respective adjoining landowners as much as possible.

It is therefore recommended that Council reconsider the decision made on Ordinary Council Meeting held on the 13 April 2017 and approve the revised LDP, in accordance with the recommendation.

Strategic Plan/Policy Implications

Growing City

- Ensure growing high density living is balanced with the provision of open space and social spaces
- Ensure a variation in housing density and housing type is available to residents

Leading & Listening

- Deliver sustainable governance through transparent and robust policy and processes



Budget/Financial Implications

Should Council refuse the application, it is likely that the matter will continue to progress through to a full hearing of the State Administrative Tribunal. There will be costs involved in defending the decision at a full hearing.

Legal Implications

N/A

Community Consultation

Adjoining and nearby residents were consulted in writing as part of the original revised LDP application. See Consultation section of the report above for further detail.

Risk Management Implications

Should Council refuse the application, it is likely the matter will continue to progress through review of the State Administrative Tribunal. There may be costs involved in defending the decision, particularly if legal Counsel is engaged.

Attachment(s)

1. Revised LDP
2. Applicants cover letter
3. Original LDP

Advice to Proponent(s)/Submissioners

The Proponent(s) and those who lodged a submission on the original revised LDP proposal have been advised that this matter is to be considered at the 10 August 2017 Council Meeting.

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

Nil.



15.3 (MINUTE NO 6137) (OCM 10/08/2017) - PROPOSED STRUCTURE PLAN – LOT 600 (NO. 66) MELL ROAD, SPEARWOOD (110/173) (L SANTORIELLO) (ATTACH)

RECOMMENDATION

That Council

- (1) in pursuance of Clause 20(2)(e) of the Deemed Provisions of City of Cockburn Town Planning Scheme No. 3, recommend to the Commission the approval of the Proposed Structure Plan for Lot 600 (No. 66) Mell Road, Spearwood;
- (2) endorse the Schedule of Submissions prepared in respect of the Proposed Structure Plan (Attachment 3);
- (3) advise the proponent and those persons who made a submission of Council's recommendation; and
- (4) pursuant to Clause 22(7) of the Deemed Provisions, request that the Commission provides written notice of its decision to approve or to refuse to approve the Structure Plan.

COUNCIL DECISION

MOVED Cllr C Terblanche SECONDED Cllr K Allen that the recommendation be adopted.

CARRIED 9/0

Background

The Proposed Structure Plan was prepared by Veris, on behalf of the landowner, and submitted to the City of Cockburn for assessment on 24 May 2017.

The City has since assessed and advertised the Proposed Structure Plan for public comment in accordance with the details prescribed within the Deemed Provisions of City of Cockburn Town Planning Scheme No. 3.



This report provides a summation of the assessment of the proposal, the outcome of the consultation period and makes recommendation to Council and also the Commission, for approval of the Proposed Structure Plan.

Submission

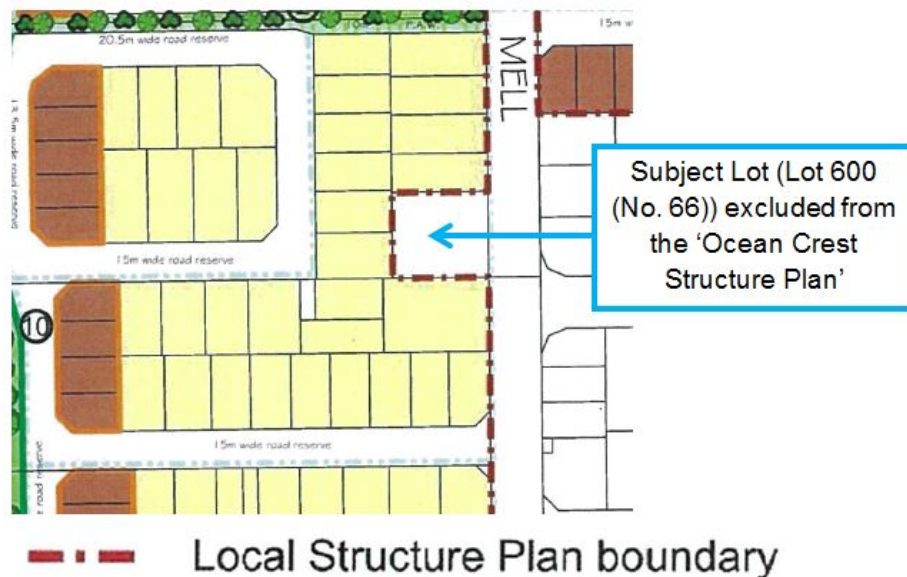
N/A

Report

The subject land is approximately 1,237m² in area with frontages to Mell Road to the east. The subject land is currently utilised for residential purposes and includes an established single residential dwelling. The established dwelling on the subject land is located in the center of the property. The subject lot is surrounded by residential lots and residential dwellings on all remaining three sides (refer to Attachment 1 for details).

The surrounding Residential land was zoned under the 'Ocean Crest Local Structure Plan'. At the time of preparation of the Ocean Crest Structure Plan the subject lot, at number 66, was excluded from the Residential zone as follows.

Figure 1: Subject lot surrounded by Residential zoned land and excluded from the 'Ocean Crest Structure Plan'



The surrounding lots were coded 'R20' under the above mentioned Ocean Crest Structure Plan (see yellow in Figure 1 above). The Proposed Structure Plan, over the subject land, aims to zone the land 'Residential' with a density code of 'R-MD-R40'.



The subject land is zoned 'Urban' under the Metropolitan Region Scheme ("MRS") and 'Development' under City of Cockburn Town Planning Scheme No. 3. The subject land is also located within Development Area 31 ("DA 31"), Development Contribution Area No. 12 ("DCA 12") and Development Contribution Area No. 13 ("DCA 13").

Residential Development

Directions 2031 and Beyond ("Directions 2031") and Liveable Neighbourhoods ("LN") promote 15 dwellings per hectare, as the 'standard' density for new greenfield development in urban areas, and an overall target of 47% of all new dwellings as infill development.

The intent of the Proposed Structure Plan is to guide the future subdivision and subsequent development of the subject site. The property is ideally located approximately 230 metres from a bus stop/high frequency public transport network and 70 metres from active and passive public open space.

The locational attributes of the site, as identified above, provides a strategic planning benefit of potentially contributing to additional housing diversity in the locality.

The subject site is not large enough to provide an appropriate area for public open space onsite; however, the proposal aims to provide cash-in-lieu at the future subdivision stage. This is on the basis the future (hypothetical) plan of subdivision creates 3 or more lots. The subject land is capable of providing, for example, 3 green title residential lots with 10 metre frontage to Mell Road.

The R-Codes

An objection was received in relation to this proposal. The objection received raised two primary points (please refer to *Attachment No. 3 – Schedule of Submissions* for details). One of which was in relation to 'residential privacy'. The submission provided the following comment in relation to privacy.

"Due to the proposed R40 density, and the potential of 5 additional properties on the same block that currently has one, I am concerned about possible multistorey properties being built close to our boundary. This would have an impact on our privacy and I have concerns about being overlooked."

In regards to the above point, as extracted from the objection, State Planning Policy No. 3.1 Residential Design Codes 'The R-Codes' is the guiding document for the purposes of the future 'development application (assessment) stage'.



The R-Codes are referred to for all residential development application assessments, within the City of Cockburn/the State, and provides statutory guidance in decision making; for single, grouped and multiple dwelling development proposals.

The R-Codes provide specific reference and consideration to overlooking for each of the three possible forms of residential development. Any future application will need to comply with these stringent requirements.

It is correct that under an R-MD-R40 density the current, or any future, landowner is permitted to construct 'multiple dwellings'. It is important to note under the R-Codes the 'top of external wall height' (of 6m) is the same requirement under either a 'single' or 'multiple' dwelling. As such the impact of overlooking is not anticipated to be increased under the proposed higher R-MD-R40 density.

Notwithstanding the above, any future development application that proposes any variations to the R-Codes will need to be referred (by the assessing authority) to the adjacent affected landowners. This will provide the opportunity for 'future' adjacent affected landowners to provide formal comment on a future proposed development application. At this stage the applicant has not (and is not required) to provide development concept plans. This application is specifically for the implementation of the 'Residential' zone with an R-Code (density) of 'R-MD-R40'.

In addition, as mentioned in the above 'Residential Development' section, the density proposes diversity in housing options. Providing opportunity for a variation in housing density and therefore housing types is a direct objective of the City's Strategic Plan and also in keeping with proper and orderly planning principles.

It is unknown, at this early stage, whether the subject site will be the subject of either a future single, grouped or multiple dwelling application. Notwithstanding, the R-Codes aims to ensure overlooking issues are addressed appropriately; by community consultation and development application restrictions, which are applied equally for any form or residential development.

Importantly, also considering the context of the proposal, it is in proximity to other land which is coded higher than R20, for example directly opposite and to the north being coded R30. Also along Mell Road is a strong variety of building forms, for example the aged person's accommodation at both the southern and northern ends of Mell Road, and the Warehouse development also at the northern end of Mell Road. Accordingly the intended built form under the R-MD-R40



density, while addressing local privacy issues, will also fit in to what is a mixed urban landscape along Mell Road.

Conclusion

The Proposed Structure Plan aims to provide a much needed housing diversity ('R-MD-R40') in a predominantly 'R20' coded area. The subject site benefits from being in close proximity (walking distance) to a bus stop/high frequency public transport network and also recreational and passive public open space.

Consistent with Council policy and State government planning documents, this proposal meets the '*proper and orderly*' planning test of providing housing diversity options for the current and future community.

The proposal has been advertised in accordance with the requirements of the Deemed Provisions of the Scheme. In total Council received eight submissions of which one objected to the proposal. The objection relates to issues which are considered to be addressed by the statutory controls available under the R-Codes. As such the concerns are considered to be able to be addressed (at the next planning stage) to meet the concerns of the objector.

Pursuant to the above it is recommended Council make recommendation to the Commission to approve the Proposed Structure Plan.

Strategic Plan/Policy Implications

City Growth

- Ensure a variation in housing density and housing type is available to residents

Budget/Financial Implications

The required fee was calculated on receipt of the proposed Structure Plan and has been paid by the proponent. There are no other direct financial implications associated with the Proposed Structure Plan.

Legal Implications

Clause 20(1) of the Deemed Provisions indicates Council is required to prepare a report on the Proposed Structure Plan and provide it to the Commission no later than 60 days after the close of advertising.



Community Consultation

Public consultation was undertaken for a period of 28 days. The advertising period commenced on 13 June 2017 and concluded on 11 July 2017.

Advertising included a notice in the Cockburn Gazette, advertising on the City's webpage and letters to selected landowners within the Structure Plan area, as well as letters to State Government agencies and service providers.

In total the City received eight submissions during the advertising period. Of these, six were in support of the proposal. One submission (from Western Power) provided an 'acknowledgment of receipt of the referral'. Western Power did not provide any subsequent comment. The remaining submission was a 'confidential' objection to the proposal. This objection was received from a nearby residential land owner and has been discussed above, in part.

Analysis of the submissions has been undertaken and is provided for within the 'Report' section above. Detailed analysis of the submissions is provided under the attached Schedule of Submissions. See *Attachment 3* for details.

Risk Management Implications

If the Commission is not given a report on the Proposed Structure Plan within the 60 day time limit the Commission may make a decision in the absence of Council's report. It is important that Council make its recommendation clear to the Commission as part of considering this report.

Attachment(s)

1. Location Plan and Aerial Photograph
2. Proposed Structure Plan
3. Schedule of Submissions

Advice to Proponent and those who made a Submission

The Proponent and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 10 August 2017 Council Meeting.

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

Nil.



15.4 (MINUTE NO 6138) (OCM 10/08/2017) - PROPOSED STRUCTURE PLAN – PART LOT 41 GAEBLER ROAD, HAMMOND PARK – OWNER: BROAD VISION PROJECTS PTY LTD – APPLICANT: RPS GROUP (110/172) (T VAN DER LINDE) (ATTACH)

RECOMMENDATION

That Council

- (1) adopts the Schedule of Submissions prepared in respect to the proposed Structure Plan;
- (2) pursuant to Deemed Provision 20(2)(e) of City of Cockburn Town Planning Scheme No. 3 (“Scheme”), recommends to the Commission the Proposed Structure Plan be approved subject to the following modifications:
 1. All references to “Lot 41 Frankland Avenue” to be amended to “Lot 41 Gaebler Road”.
 2. Part One, Section 1, refer to Structure Plan Map as “Plan 1” rather than “Attachment 1” and renumber the attachments following Part Two accordingly.
 3. Part One, remove Section 3 and replace with a new section titled “Staging”, providing details on the staging of the Structure Plan.
 4. Part One, Section 4, include the following additional subdivision and development requirements:
 - a) *Land identified as ‘Other Regional Road’ reserve is to be subdivided from the structure plan area and ceded for the future widening of Hammond Road (currently Frankland Avenue).*
 - b) *No direct vehicle access to/from the structure plan area is permitted from/onto Frankland Avenue.*
 - c) *Under the provisions of Section 153 of the Planning and Development Act 2005, a 10% cash-in-lieu contribution towards Public Open Space is applicable.*
 - d) *An emergency access way connection to Frankland Avenue is to be established along the southern boundary of the R60 coded land as shown within the Bushfire Management Plan prepared by Bio Diverse Solutions, dated 3/7/2017 (Job No. TER012).*
 - e) *Arrangements being made to the satisfaction of the WAPC and the City for the clearing and maintenance of the ‘Other Regional Road’ reserve for the purpose of maintaining a low threat bushfire fuel load until*

- such time Main Roads take possession of the road widening.*
- f) *Arrangements being made to the satisfaction of the WAPC and the City for the ongoing maintenance of any future private open space and future road in accordance with the approved Bushfire Management Plan.*
 - g) *A shared path of at least 2.5m wide is to be provided along the Gaebler Road frontage to link future development at the subject land to the future shared path along Frankland Avenue.*
 - h) *A Wetland Management Plan is to be prepared and implemented to the satisfaction of the City to address the interface between development and the Conservation Category Wetland and buffer.*
 - i) *A notification is to be placed on the Certificate(s) of Title(s) of all residential lots advising of the heightened risk of mosquito borne diseases in the area.*
 - j) *Street trees are to be provided in accordance with the City's Local Planning Policy 5.18 Subdivision and Development – Street Trees.*
5. Part One, Section 4.3, remove point “a” as this is not a subdivision and development requirement.
 6. Part One, include Section 6 “Other Requirements” and state the following: *The developer is to make satisfactory arrangements with the City of Cockburn to provide proportional contributions toward those items of development infrastructure defined in the City of Cockburn Town Planning Scheme No. 3 for Development Contribution Area 13 (DCA13) and Development Contribution Area 9 (DCA9).*
 7. Rename the Structure Plan Map to “Plan 1 – Structure Plan Map”.
 8. Structure Plan Map legend, rename “Zones” to “Local Scheme Zones”.
 9. Structure Plan Map legend, rename “General Residential” to “Residential”.
 10. Structure Plan Map Legend, include additional heading titled “Regional Scheme Reserves (MRS)”.
 11. Structure Plan Map Legend, include a reserve under the



- “Region Scheme Reserves (MRS)” heading titled “Other Regional Roads” and colour the 20m road widening of Frankland Avenue blue, consistent with the colour of this reserve under the MRS.
12. Part Two, Section 1.5.2 and 1.5.3, provide discussion on how the proposal meets the objectives of these policies.
 13. Part Two, Section 2.4, reword third last paragraph as Public Open Space (POS) is not intended to be provided and is not illustrated on the Structure Plan Map. Include discussion on cash-in-lieu and any other proposed alternative arrangements.
 14. Part Two, Section 3.2, reword to discuss intent to provide 10% as cash-in-lieu and any other proposed alternative arrangements.
 15. Part Two, Section 3.4, provide discussion on existing and proposed pedestrian paths.
 16. Part Two, Section 3.6.5, refer to “Gaebler Road” rather than “Frankland Avenue”.
 17. Part Two, Section 3.7, include discussion on Development Contribution Area 13 within which the subject land also falls, and change reference to “Schedule 12” to “Table 10”.
 18. The Updated Flora and Vegetation Survey Report prepared by PGV Environmental and dated 27 June 2017 (reference: 10293_001_pvdm) is to be attached as an addendum the existing Flora and Vegetation Survey.
 19. The Bushfire Management Plan (“BMP”) is to be updated in accordance with the revised version prepared by Bio Diverse Solutions, dated 3/7/2017 (Job No. TER012) with the letter of undertaking for maintenance of the ‘Other Regional Road’ reserve within Lot 41 dated 12 June 2017 and signed by John Del Dosso and Sean Flynn being attached to the updated BMP.
- (3) advise the landowners and those persons who made a submission on the Structure Plan of Council’s recommendation.



COUNCIL DECISION

MOVED Clr C Terblanche SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 9/0

Background

The Proposed Structure Plan (Attachment 1) was previously considered at the 8 June 2017 Ordinary Council Meeting (“OCM”), whereby Council resolved:

To defer consideration of the Proposed Structure Plan for Part Lot 41 Gaebler Road, Hammond Park to enable further discussions to occur between the applicant and City officers, in order to provide the applicant the opportunity to address the concerns detailed in the officer report. The matter then be presented back to Council at a future meeting.

The purpose of this report is to allow Council the opportunity to reconsider the Proposed Structure Plan in light of discussions that have occurred between City officers and the applicant, as well as work the applicant has undertaken to address the City’s concerns.

Following the June OCM, the City met with the applicant on 21 June 2017 to again discuss the City’s concerns and how these could be addressed. The City’s key concerns with the Structure Plan were the exclusion of the Conservation Category Wetland (“CCW”) located immediately east of the Structure Plan from the Structure Plan area, the outdated Flora and Vegetation Survey (“Survey”), and the exclusion of the ‘Other Regional Road’ reserve from the Bushfire Management Plan (“BMP”) assessment.

The applicant has since lodged an updated BMP and addendum to the Survey to address the City’s concerns as stated above, as well as the requirements of the Department of Fire and Emergency Services (“DFES”) as further discussed in the following report. The applicant has also demonstrated to the City’s satisfaction that the Proposed Structure Plan would not compromise the protection of the CCW to the east of the Structure Plan area.



Submission

The Proposed Structure Plan was lodged by RPS Group on behalf of the landowner, Broad Vision Projects Pty Ltd.

Report

The Proposed Structure Plan applies to a 1.081 hectare portion of Lot 41 Gaebler Road, Hammond Park (“subject land”), with the total lot size being 4.0772 hectares (see Attachment 1 – Structure Plan).

The subject land is vacant of all development and is bound by Gaebler Road to the north, Frankland Avenue to the west, a vacant lot of a similar size to the south (Lot 9008 Frankland Avenue), and a Conservation Category Wetland (“CCW”) to the east, on the balance portion of Lot 41. Attachment 2 – Location Plan shows the location of Lot 41 in the context of the surrounding locality. The CCW exists over the majority of Lot 41 as well as over Lot 9008 Frankland Avenue immediately to the south. The Structure Plan has been prepared over the portion of Lot 41 that does not fall within the CCW or the CCW 50m buffer.

The CCW also extends over a portion of Lot 9008 immediately south of the subject land, and the landowners of Lot 9008 are currently dealing with the Supreme Court disputing the classification of the CCW. The Department of Parks and Wildlife (“DPaW”) have been involved in the Supreme Court process. There has been no determination of this matter to date.

Zoning and Context

The majority of the subject land is zoned ‘Urban’ under the Metropolitan Region Scheme (“MRS”) with a 20m wide portion on the western boundary of the lot adjacent to Frankland Avenue being reserved as ‘Other Regional Road’. This reservation is to facilitate the widening and upgrade of Frankland Avenue as an extension of Hammond Road, with works estimated to be undertaken during 2019/21. The Structure Plan identifies this portion of the lot as being required to be ceded for the future widening of this road.

The ‘Urban’ zoned portion of the subject land is zoned ‘Development’ under the Scheme and is located within Development Area 26 (“DA26”). Thus, a Structure Plan is required to be prepared over the subject land prior to subdivision and development. The subject land falls within Developer Contribution Areas 13 – Community Infrastructure (“DCA 13”) and 9 – Hammond Park (“DCA 9”) and the developer will be required to satisfy the obligations of both of these DCAs.



Much of the Hammond Park locality has progressively been redeveloped from large rural lots to primarily low to medium density residential development. Land to the north, east and south of the subject land consists of residential development ranging from R20 to R40 densities.

Harry Waring Marsupial Reserve exists further to the west of the subject land, across Frankland Avenue, and consists of approximately 280 hectares of bushland and wetland.

The subject land is in a strategic location, in relatively close proximity to a variety of parks, transport options and community facilities.

Southern Suburbs District Structure Plan – Stage 3, Hammond Park/Wattleup

The subject land is located at the most north-western extremity of the Southern Suburbs District Structure Plan (“SSDSP3”) and identified as being suitable for medium density residential development. The rest of Lot 41 is identified as CCW.

The proposed R60 coding is consistent with the medium density coding intended for the subject land under SSDSP3, and is also appropriate given the strategic location of the subject land close by to major transport routes and local parks and reserves. Furthermore, subdivision and development of Lot 41 is highly constrained due to the existence of the CCW to the east of the subject land. An R60 coding increases the development potential and feasibility of the subject land as opposed to a lower coding, assisting in achieving the dwelling/density targets under Directions 2031 and Perth and Peel@3.5million.

Exclusion of CCW from Structure Plan

Currently, the DPaW are involved in review proceedings direct with the landowners of Lot 9008 Frankland Avenue to the south regarding the status of the wetland as a CCW. As such, the proponent has attempted to respect the CCW classification of this portion of Lot 41 by excluding it from the Structure Plan rather than proposing development over the CCW.

The Structure Plan does not compromise the ability to reserve the CCW for conservation at a later stage should the result of the review proceedings be that the wetland remains as a CCW.



Public Open Space

Due to the exclusion of the CCW from the Structure Plan area, the Structure Plan applies to a relatively small portion of the entire Lot 41. Within the Structure Plan, even less land is permitted to be zoned and developed for residential development due to the existence of the 'Other Regional Road' reserve along the western portion of the site for the future widening of Frankland Avenue. Thus, the area of land from which the 10% POS requirement is calculated is relatively small, resulting in the required area of POS being 890m².

The size and shape of the Structure Plan area limits the ability to provide an equivalent area of POS that is useable and of any benefit to future residents, particularly given the number of local parks within the vicinity of the Structure Plan area of a larger, more useable size. This, coupled with the visual amenity offered by both the CCW to the east and Harry Waring Marsupial Reserve to the west of the Structure Plan, justifies the provision of a 10% cash-in-lieu POS contribution rather than physical POS on site. Thus, POS has not been illustrated on the Structure Plan Map.

The Structure Plan report does not include discussion supporting the exclusion of POS from the Structure Plan Map and thus will need to be updated to provide further explanation on this as per recommendation (2)13 and (2)14 above.

Flora and Vegetation Survey

The City's previous recommendation to Council at the June OCM, expressed concern over the Survey due to it being outdated and not accurately representing the environmental landscape and significance of the site.

The applicant has since provided an updated Flora and Vegetation Survey in the form of an addendum to the original Survey. The addendum identifies an additional 18 species of flora and a Threatened Ecological Community ("TEC") on site. Due to the presence of this TEC on site, and the proposal to clear this vegetation, the application is likely to be required to be referred to the Federal Department of Environment and Energy as a Matter of National Environmental Significance ("MNES"). This referral is the responsibility of the applicant and this requirement has been appropriately addressed within the addendum.

The addendum provides up to date information on the vegetation and flora located on site and appropriately addresses developer responsibilities regarding the TEC identified on site. Thus, the addendum satisfies the City's requirement for more accurate and



recent information to be provided. It is thus recommended that this additional information be attached as an addendum to the Flora and Vegetation Survey as per recommendation (2)18 above.

Bushfire Management Plan

The BMP prepared to support the Structure Plan classifies the 'Other Regional Road' reserve within the subject land as low risk vegetation. However, this road reserve contains significant vegetation that would pose a bushfire threat to future development. The applicant has since lodged an updated BMP with a letter of undertaking attached and signed by the landowners of Lot 41 to clear, slash and maintain this portion of land as low threat vegetation in accordance with the BMP. This letter of undertaking is considered sufficient to ensure future development is not exposed to a high risk of bushfire and complies with State Planning Policy 3.7 *Planning in Bushfire Prone Areas* ("SPP 3.7"). This has been required as per recommendation (2)4e) and (2)19 above.

DFES also previously expressed a number of concerns with the BMP regarding compliance with SPP 3.7. The updated BMP has addressed these concerns and been referred to DFES for comment. DFES have advised that they are satisfied the updated BMP meets the requirements of SPP 3.7.

Thus, the updated BMP addresses both the City's and DFES' concerns and is recommended to replace the existing BMP prepared in support of the Structure Plan (see recommendation (2)19 above).

Strategic Plan/Policy Implications

City Growth

- Ensure planning facilitates a desirable living environment and meets growth targets
- Ensure a variation in housing density and housing type is available to residents

Budget/Financial Implications

The required fee was calculated on receipt of the proposed Structure Plan and has been paid by the proponent. There are no other direct financial implications associated with the Proposed Structure Plan.

Legal Implications

Clause 20(1) of the deemed provisions requires the City to prepare a report on the proposed structure plan and provide it to the Commission



no later than 60 days following the close of advertising. Due to the deferral of consideration of the Structure Plan by Council at the 8 June OCM the City could not provide a recommendation to the Commission within the 60 days. Thus, the City requested the Commission allow an extension of time under clause 20(1)(c) until 18 August 2017, which was granted by the Commission.

Thus, a recommendation on the Structure Plan is required to be provided to the Commission by 18 August 2017.

Community Consultation

In accordance with clause 18(2) of the deemed provisions, the Structure Plan was advertised for a period of 28 days commencing on 11 April 2017 and concluding on 9 May 2017. Advertising included a notice in the Cockburn Gazette and on the City's webpage, letters to landowners in the vicinity of the Structure Plan area, and letters to relevant government agencies.

Council received a total of fifteen submissions, two from landowners, one from a planning firm on behalf of a landowner and twelve from government agencies. One of the landowners supported the proposal while another objected on the basis that the proposed density was out of character within the suburb and created traffic issues. The proposed density is, however, consistent with the SSDSP3 and appropriate in this location due to the proximity to local and regional parks and community facilities. Traffic generated by the proposed development can easily be accommodated by the existing street network and is not expected to have any impact on the performance of the roads. The submission prepared by a planning firm on behalf of a landowner also provided no objection to the proposal.

Only one government agency, the Department of Fire and Emergency Services ("DFES") provided an objection to the Structure Plan proposal. The BMP was not supported due to inconsistencies with the requirements of State Planning Policy 3.7 and the Guidelines. However, the applicant has since addressed these concerns and provided an updated BMP as discussed in the above report.

Further analysis of the submissions has been undertaken within the attached Schedule of Submissions. See Attachment 3 for details.

Risk Management Implications

The Proposed Structure Plan provides an appropriate planning structure over a constrained portion of land and does not propose any development within the CCW. The Proposed Structure Plan also facilitates future subdivision of the lot, allowing the 'Other Regional



Road' reserve to be excised from the remainder of Lot 41 and developed for the purpose of widening Frankland Avenue (future Hammond Road). If the Proposed Structure Plan is not approved, there will be a missed opportunity to develop the site in accordance with the Southern Suburbs District Structure Plan. The proposal will also assist in achieving the dwelling/density targets under Directions 2031 and Perth and Peel@3.5million.

Attachment(s)

1. Structure Plan
2. Location Plan
3. 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 10 August 2017 Council Meeting.

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

Nil.



15.5 (MINUTE NO 6139) (OCM 10/08/2017) - UPDATE OF LOCAL GOVERNMENT INVENTORY (ADOPTION FOR ADVERTISING) (099/228) (D DI RENZO) (ATTACH)

RECOMMENDATION

That Council

- (1) adopt the following draft places for inclusion on the Local Government Inventory for the purposes of advertising:
 1. Place No. 3 – ‘Carson’s Cottage’, Lot 18 Prinsep Road, Jandakot (site) as shown at Attachment 1.
 2. Bibra Lake Speedway, Lot 173 Karel Avenue, Jandakot (site) as shown at Attachment 2.
 3. ‘Mr Crossman’s House Ruins’ as shown at Attachment 3.
 4. Place No. 25 ‘Pensioner Guard Cottages’ (modified) as shown at Attachment 4.
- (2) adopt ‘*Mr Crossman’s House Ruins*’ as shown at Attachment 3 for proposed inclusion on the Heritage List for the purposes of advertising in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Clause 8(3) of Schedule 2.
- (3) adopt the proposed modifications to the Heritage List for *Place No. 25 ‘Pensioner Guard Cottages’*, as shown at Attachment 4 for the purposes of advertising in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Clause 8(3) of Schedule 2;
- (4) update the Local Government Inventory place records for Place No. 93 *Norfolk Island Pine Trees* and the *Corridor of Tuart, Marri, and Eucalyptus trees* to include an annotation that the Roe Highway clearing works have impacted on the trees, and that the heritage values and future of the sites will be considered as part of the rehabilitation works; and
- (5) direct the City to prepare a Stone Wall and Ruins Heritage Study to identify and assess the conservation heritage value of dry stone walls and ruins in the City, and to make recommendations regarding heritage listing and management.



COUNCIL DECISION

MOVED Clr C Terblanche SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 9/0

Background

Section 45 of the *Heritage of Western Australia Act 1990* (“the Act”) stipulates that Local Governments are to annually update the Local Government Inventory (“LGI”), and to ensure suitable consultation is undertaken as part of any update process.

The process for adopting and modifying places on the Heritage list is set out in the deemed provisions, including community and landowner consultation.

Submission

N/A

Report

As part of the update of the LGI it is proposed that a number of places previously removed from the LGI, or draft places that were not included, be reinstated in the interests of maintaining a comprehensive record of heritage places in the City of Cockburn.

While the approach of some Local Governments is to remove places that have been demolished, the City of Cockburn has in recent years taken the approach of retaining such places, but altering the ‘Management Category’ to reflect the loss of physical fabric and therefore the change to the heritage value of the place.

The LGI is considered to be an invaluable resource for Council and the community in retaining historical information spatially. The LGI provides an important starting point for historical research, and presents a ‘history of Cockburn’ in itself. It also allows future development to potentially use this information which may otherwise not have been known.



This update also entails updates to existing LGI listings in light of additional information, and changes that have occurred to 'Significant Trees' in the Roe Highway reservation.

These recommended additions and changes are outlined below:

Place No. 3 – Carson's Cottage, Lot 18 Prinsep Road, Jandakot (Site)
– New Place

Carson's Cottage was considered for inclusion on the LGI in 2003 but the listing was not supported by the landowner and a decision was made not to include the place on the LGI for that reason.

The dwelling was subsequently demolished in 2004, however it is recommended that the place now be included on the LGI as a site only (Management Category D) to ensure the location and history of the site is retained.

The dwelling was a working class family cottage set in a rural location on a large property (now Lot 18 Prinsep Road, Jandakot). The site is significant for its association with the Carson family, who lived on the property in the early 1900s.

A draft place record is included at Attachment 1. The photo included is a poor quality photocopy, and a higher quality image is being sought for inclusion in the place record.

The land is privately owned and the landowner will be consulted on the proposed listing which is for historical purposes only. The listing would have no implications for the landowner as there are no physical structures remaining on the site, and therefore there are no additional requirements for planning approval pursuant to the Scheme.

Bibra Lake Speedway (Sites) – New Place

The former Bibra Lake Speedway site, Lot 173 Karel Avenue, Jandakot, was previously considered for inclusion on the LGI in 2004 but deemed not appropriate to include because it had been demolished.

The Bibra Lake Speedway was an important part of the City's history between 1963 (original Jandakot site), and 2004, and it has historic and social significance for its long-running association with the Perth T.Q Car Club. It is considered to be of general historical interest to the community of Cockburn because of its 23 year operation at the site on Karel Avenue (formerly Hope Road).



To ensure a record of the site and its history is retained it is recommended that the site be included on the LGI as a 'Management Category D' place, with the original Jandakot site also noted in this place record for historical purposes.

The draft Place Record 'Bibra Lake Speedway Sites' is included at Attachment 2, and includes further historical information regarding the site.

The site is owned by the Commonwealth Government who will be consulted on the proposed listing.

The Perth TQ Car Club will also be consulted on the draft place record.

Mrs Crossman's House Ruins – New Place

Place No. 25 'Pensioner Guard Cottage' includes two cottages located around Lake Coogee that are associated with the Pensioner Guards. One of these is described as the "Grand House" situated on a knoll overlooking Coogee Lake, had a quality finish with interior brick walls that were plastered. It had tall ceilings and a corrugated iron roof. It is still surrounded by a number of exotic species of plants such as pines, bougainvillea and palms as well as fruit trees: mulberry, pomegranate and fig.

It is considered that based on the scale of the dwelling and historical photographs and information, that the "Grand House" is not a pensioner guard cottage, but is the ruins of Mr AF Crossman's house, built after the pensioner guard cottages. It is therefore recommended that this be included as a separate place on the LGI.

Further information is detailed in the draft Place Record included at Attachment 3.

The place is considered to have heritage significance for the following reasons:

- * *Mr Crossman's House Ruins* is significant for its association with Mr Alan Fairfax Crossman, who was an active member of the local community in the early 1900s, including being the President of the Coogee Agricultural Society, and a member of the Fremantle Road Boards from 1904-1906.
- * *Mr Crossman's House Ruins* is significant for its association with farming on the banks of Lake Coogee that followed the occupation of Pensioner Guards.



- * *Mr Crossman's House Ruins* has aesthetic significance as a landmark ruin overlooking Lake Coogee, representative of early occupation and hobby farming uses in the area.

This is considered to be a 'Management Category B' Place, having 'considerable significance'. It is also recommended for inclusion on the Heritage List pursuant to the Scheme, given that all Management Category A and B Places on the LGI are also included on the Heritage List. This is the same level of significance as the current applicable listing for the ruin under Place No. 25 'Pensioner Guard Cottages', and therefore does not change the statutory requirements for planning approval.

The subject land is owned by Water Corporation who will be consulted on the proposed change to the heritage listing, in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Clause 8(3) of Schedule 2. This requires a minimum 21 day advertising period; letters to the owner and occupier providing them with a description of the place and the reasons for the proposed entry.

Proposed Modification to Place No. 25: Pensioner Guard Cottages

It is recommended that the Place No. 25 'Pensioner Guard Cottages' be modified to reflect the separate listing of the "Grand House" outlined above.

Further information has also been obtained regarding the pensioner guard allotments from Broomhall, F.H. (1985) 'The Veterans: A History of the Enrolled Pensioner Force in Western Australia 1850-1880'.

It is now known that two ruins on the site are the remains of Barney McGrath and John Connolly's cottages.

It is therefore recommended that the place record be modified to reflect this additional information. This includes a map depicting the pensioner guard allotments and location of the cottage ruins. The draft modified place record is included at Attachment 4.

The subject land is owned by Water Corporation who will be consulted on the proposed change to the heritage listing in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Clause 8(3) of Schedule 2.

It is noted that there are other ruins on the subject land, and the City has been encouraging the Water Corporation to undertake a comprehensive heritage assessment of the site. The City will continue



to raise this with the Water Corporation, and will update the place record in the future when required.

Update to Heritage Listed Trees – Roe Highway Clearing Works

The former State Government's Roe Highway vegetation clearing works have specifically impacted on the following two LGI heritage sites (Significant Trees):

Place No. 93: Norfolk Island Pine Trees

The Norfolk pine trees on the corner of Progress Drive and Hope Road have a large section of the top, branches and foliage removed as part of the Roe Highway clearing works, with only the lower portion of the trunks remaining.

The trees were included on the LGI Significant Tree List for their historic value, displaying strong links with a dairy industry on the shores of Bibra Lake, an industry that is no longer practiced in this vicinity. They are also associated with the Dixon family. They were very tall and had streetscape and landmark qualities.

Consideration will need to be given to the future of the remaining sections of the trees, and this will occur as part of the rehabilitation of the Roe Highway Reserve.

Corridor of Tuart, Marri, and Eucalyptus trees

At the 12 May 2016 OCM Council resolved to include a corridor of 446 trees in the Roe Highway Reserve (and adjacent Parks and Recreation Reserve) on the 'Significant Tree List' pursuant to the Local Government Inventory.

As a corridor of very large, mature marri and tuart trees they were deemed to make a major contribution to the landscape and local place character. These trees are the last vestiges of the former natural landscape which once dominated this area. They are valuable in terms of their cultural, aesthetic and historic context, as a symbol of original vegetation patterns in the area.

The Roe Highway clearing works removed a large number of these 'Significant Trees' from a narrow section between Hope Road and Bibra Drive, and a central strip in the reservation between Progress Drive and Stock Road.

Rather than completely updating the place records of these two places now to reflect the current status of the trees, it is recommended that a



full update to the place records be undertaken when the site remediation and interpretation is complete.

As an interim measure it is recommended that the place records for these two places be updated to include an annotation that the Roe Highway clearing works have impacted on the trees, and that the heritage values and future of the sites will be considered as part of the rehabilitation works.

Proposed Stone Wall and Ruins Study

At the 11 September 2014 OCM Council included a dry stone wall at Lot 103 West Churchill Avenue, Munster (Place No. 114 'Limestone Wall and Ruins, Munster') on the LGI as a 'Management Category B' place, and included it on the Heritage List pursuant to the Scheme.

The limestone wall comprises a section of dry stone wall located on the southern boundary of Lot 103 West Churchill Avenue, Munster, directly adjacent to the end of Velaluka Drive. It runs east west along part of the length of the southern boundary of the lot, and is up to 2m in height.

The wall (and associated stone ruins) are constructed as double skin walls, with smaller rubble infill. This technique does not appear to be common in Western Australia, and may have been introduced from Croatia.

The wall and ruins were erected in 1946, or shortly after, by Jakov Vidovich, a Croatian (then known as Slavic) market gardener.

The stone wall and ruins were assessed using the Heritage Council's 'Criteria for the Assessment of Local Heritage Places and Areas' and were determined to have the following heritage significance:

- * Significant for its association with the market garden industry, which was the predominant source of employment in the area for most of the 20th century.
- * High archaeological potential to reveal aspects of the market gardening industry from the mid-20th century.
- * Scientific value as representing a method of dry stone walling uncommon in Western Australia.
- * Associated with Jakov and Jakubina Vidovich, Croatian (Slavic) market gardeners who arrived in Western Australia in 1939, and who settled in Munster in 1946.



- * If appropriately interpreted, has the potential to be an educational/recreational resource for the community, demonstrating the market gardening industry in the City of Cockburn.

It was determined that this place should be included on the LGI as a 'Management Category B' place, having considerable significance, being very important to the heritage of the locality, with conservation of the place being highly desirable; and any alterations or extensions being sympathetic to the heritage values of the place.

It was also included on the Heritage List pursuant to the Scheme, where it is afforded a greater level of statutory protection. Inclusion on the Heritage List means that planning approval is required prior to any works being undertaken to the wall or ruins.

Local Planning Policy No. 4.4 'Heritage Conservation Design Guidelines' sets out a presumption against demolition of places on the Heritage List.

Other Stone Walls and Ruins

Since adoption of Place No. 114 'Limestone Wall and Ruins, Munster' on the LGI and Heritage List there have been a number of similar dry stone walls and/or ruins identified in Munster and Beeliar that appear to have been constructed in a similar manner.

A preliminary assessment using historical aerials has identified four dry stone walls/ruin sites in Beeliar and Munster, located adjacent to road reserves, however there may be others.

These walls are likely to have been constructed in the 1950s or 1960s by European immigrant market gardeners. Many of these walls appear older than they are, having been constructed in traditional techniques.

It is considered that these stone walls have some aesthetic value, historic value, and they contribute to the landscape character of the area. However the level of this significance, and whether they should be included on the City's LGI and/or Heritage List, is not known.

It is therefore recommended that a study be undertaken by Council staff with a view to:

1. Determining the location of stone walls with possible heritage value.
2. Assessing their heritage value against the Heritage Council's Criteria for the Assessment of Local Heritage Places and Areas'.



3. Considering the feasibility of safely retaining dry stone walls by examining how they could be physically stabilised to ensure they are safe.
4. Determining whether they should be included on the LGI and/or Heritage List, and an appropriate level of heritage protection (if any).
5. If retention is considered appropriate, prepare guidance on the appropriate location of such walls through the structure planning process (if relevant) (e.g. would the City accept them in POS, road reservations etc.).

It is important to note that the study will not necessarily recommend inclusion of the stone wall and ruins on the LGI – this will depend on the level of significance determined.

In considering whether a place should be included on the LGI the assessment criteria set out in the 'Criteria for the Assessment of Local Heritage Places and Areas' published by the Heritage Council of Western Australia will be used. The following assessment criteria are used in this process:

- * Aesthetic value;
- * Historic value;
- * Research value;
- * Social value;
- * Rarity;
- * Representativeness;
- * Condition, Integrity and Authenticity.

Each place on the LGI is also allocated an assigned management category, which provides an indication of the level of significance of the place, as follows:

- A – Exceptional significance
- B – Considerable significance
- C – Significant
- D – Some Significance

All places included on the LGI require planning approval prior to demolition in accordance with the Scheme. For Management Category C and D places this requirement is primarily for the purposes of obtaining an archival record prior to demolition.

For Management Category A and B places, those places with exceptional and considerable significance, these places are also



included on the Heritage List and there is a presumption against their demolition.

Therefore should it be recommended that a stone wall or ruin should be included on the LGI (Management Category A and B) and Heritage List, very careful consideration must be given to the feasibility of their safe retention.

Once the Stone Wall and Ruins Heritage Study has been undertaken it will be presented to Council for endorsement to proceed with community consultation on the outcomes. This would include:

- Direct consultation with the affected landowners, clearly explaining the implications of any proposed listing, if any, and seeking their feedback.
- Consultation with the community on the recommended level of heritage protection, if any.

Conclusion

It is recommended that Council adopt the draft place records for the following 'sites' for the purposes of community consultation, to ensure that the LGI represents a comprehensive list of heritage sites in the City:

- * Place No. 3 – Carson's Cottage, Lot 18 Prinsep Road, Jandakot (site)
- * Bibra Lake Speedway, Lot 173 Karel Avenue, Jandakot (site)

It is recommended that Place No. 25 'Pensioner Guard Cottages' be modified to reflect additional information and the "Grand House" be listed separately as "Mr Crossman's House Ruins" and included on the Heritage List.

It is recommended that the Local Government Inventory place records for Place No. 93 'Norfolk Island Pine Trees' and the 'Corridor of Tuart, Marri, and Eucalyptus trees' be updated in the interim to include an annotation that the Roe Highway clearing works have impacted on the trees, and that the heritage values and future of the sites will be considered as part of the rehabilitation works.

To determine the location and possible heritage value of dry stone walls in the City of Cockburn it is recommended that Council direct the City to prepare a Stone Wall and Ruins Heritage Study.



Strategic Plan/Policy Implications

Community, Lifestyle & Security

- Provide for community facilities and infrastructure in a planned and sustainable manner
- Provide safe places and activities for residents and visitors to relax and socialise

Economic, Social & Environmental Responsibility

- Continue to recognise and celebrate the significance of cultural, social and built heritage including local indigenous and multicultural groups

Leading & Listening

- Deliver sustainable governance through transparent and robust policy and processes
- Provide for community and civic infrastructure in a planned and sustainable manner, including administration, operations and waste management

Budget/Financial Implications

If the Stone Wall and Ruins Heritage Study require a consultant to be engaged to assist with specific elements of the project, then this will be budgeted from Strategic Planning.

Legal Implications

N/A

Community Consultation

In accordance with Section 45(2)(b) of the Heritage of WA Act 1990, the City is required to undertake extensive consultation in relation to the LGI annual update. This will include an article in the newspaper and letters to affected landowners and community groups.

The requirements for consultation for places on the Heritage List are set out in the *Planning and Development (Local Planning Schemes) Regulations 2015*, Clause 8(3) of Schedule 2 as follows:

- (3) *The local government must not enter a place in, or remove a place from, the heritage list or modify the entry of a place in the heritage list unless the local government —*



- (a) *notifies in writing each owner and occupier of the place and provides each of them with a description of the place and the reasons for the proposed entry;*
- (b) *invites each owner and occupier to make submissions on the proposal within 21 days of the day on which the notice is served or within a longer period specified in the notice;*
- (c) *carries out any other consultation the local government considers appropriate; and*
- (d) *following any consultation and consideration of the submissions made on the proposal, resolves that the place be entered in the heritage list with or without modification, or that the place be removed from the heritage list.*

Risk Management Implications

The officer's recommendation takes in to consideration all the relevant planning factors associated with these proposals. It is considered that the officer recommendation is appropriate in recognition of making the most appropriate planning decision.

If a heritage study of the remnant stone walls and ruins in the City of Cockburn is not undertaken they could be removed by the landowners and the opportunity to assess their heritage value (and potentially protect them or record them if deemed appropriate) will be lost.

Attachment(s)

1. Place No. 3 – Carson's Cottage, Lot 18 Prinsep Road, Jandakot (site)
2. Bibra Lake Speedway, Lot 173 Karel Avenue, Jandakot (site)
- 3 Mr Crossman's House Ruins
4. Place No. 25 Pensioner Guard Cottages (modified)

Advice to Proponent(s)/Submissioners

N/A

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

Nil.



CLR KEVIN ALLEN LEFT THE MEETING, THE TIME BEING 8.07PM.

CLR KEVIN ALLEN RETURNED TO THE MEETING, THE TIME BEING 8.09PM

15.6 (MINUTE NO 6140) (OCM 10/08/2017) - YANGETUP REVITALISATION STRATEGY LOCATION: CITY OF COCKBURN (110/176) (R PLEASANT) (ATTACH)

RECOMMENDATION

That Council supports the preparation of the Yangebup Revitalisation Strategy and endorses the approach as described in the project plan contained in Attachment 2.

COUNCIL DECISION

MOVED Cllr S Portelli SECONDED Cllr L Sweetman that the recommendation be adopted.

CARRIED 9/0

Background

Council resolved at the 11 August 2016 Ordinary Council Meeting to support a revitalisation strategy staging plan as follows:

- Yangebup (2018/19)
- Southern portion of Spearwood and Munster (2020/21)
- Review the need for further revitalisation strategies, inclusive of the older area of Coogee (2022)

The City completed the fourth revitalisation strategy in May 2016, the Lakes Revitalisation Strategy. This follows the Phoenix Revitalisation Strategy undertaken in 2009, the Hamilton Hill Revitalisation Strategy in 2012 and the Coolbellup Revitalisation Strategy in 2014.

While the City is currently actioning the key recommendations of the Lakes Revitalisation Strategy, including the scheme amendment to implement the proposed recordings, the purpose of this report is to



seek support for the initiation of the City's next revitalisation strategy relating to a portion of the suburb of Yangebup.

Submission

N/A

Report

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.
2. To guide investment in the public realm to help support growing residential populations of which may result as part of uplifting of residential densities.

The need to identify greater densities to reduce urban sprawl is an ongoing aspiration for the State Government with the latest strategic plan for the Perth metropolitan and Peel regions being Perth and Peel @ 3.5M. In line with this long term aspiration, the City has been actively addressing the challenge of infill development through providing innovative planning responses via the revitalisation strategies.

A key action within the City of Cockburn Strategic Community Plan 2016-2026 relates to -

City Growth: "Continue revitalisation of older urban areas to cater for population growth and take account of social changes such as changing household types."

As a direct result of this objective, the Corporate Business Plan has identified the need to finalise the Yangebup Revitalisation Strategy and ensure clear transition to the operational Business Units of the City in 2018/19.

Revitalisation strategies present an opportunity to address a variety of suburb specific opportunities including:

- The upgrading of infrastructure and public open space
- Guidelines and initiatives for the enhancement of local centres
- Streetscape and transport infrastructure improvements
- Strategies to protect and enhance important local characteristics
- Provide a coordinated approach in managing change relating to aging building stocks in older suburbs.



Yangebup Revitalisation Strategy

The study area is illustrated as “Area 5” in Attachment 1 and is generally bound by Yangebup Lake, Beeliar Drive, Spearwood Avenue, Yangebup Road and the freight rail line to the north of which defines the suburb’s edge from the Bibra Lake employment area.

The project area is in close proximity to the Bibra Lake wetlands and is approximately 3km from the City’s largest activity centre – Cockburn Central.

Project approach and staging

The City proposes to adopt a consistent approach undertaken with previous revitalisation strategies which is detailed in Attachment 2.

At the centre of the approach is a community visioning session and survey which seeks to identify stakeholder visions for the future revitalisation of Yangebup. Stakeholder appetite for change will be considered alongside a thorough comprehensive contextual analysis of the suburb so as to identify key actions.

The outputs of the Yangebup Revitalisation Strategy will include:

- A background document illustrating the findings of the contextual analysis.
- A stakeholder consultation outcomes report.
- The Yangebup Revitalisation Strategy document.

It is recommended that Council support the commencement of the Yangebup Revitalisation Strategy in late 2017 as set out within the project plan at Attachment 2.

Strategic Plan/Policy Implications

City Growth

- Ensure planning facilitates a desirable living environment and meets growth targets.
- Continue revitalisation of older urban areas to cater for population growth and take account of social changes such as changing household types.
- Ensure a variation in housing density and housing type is available to residents.



Corporate Business Plan

The Yangebup Revitalisation Strategy is a project identified within the City's Corporate Business Plan to be undertaken by the Strategic Planning Department in 2018/19.

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 Yangebup Revitalisation Strategy Project Plan (Attachment 2) incorporates a comprehensive stakeholder and community engagement process, including a landowner survey, community visioning forums, and formal community consultation phase.

Risk Management Implications

Should a revitalisation strategy staging plan not be adopted then a lost opportunity will exist to coordinate housing needs across the City.

Attachment(s)

1. Revitalisation Strategy Staging Plan Map – See area 5 for the Yangebup study area.
2. Yangebup Revitalisation Strategy Project Plan.

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 10 August Ordinary Council Meeting.

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

Nil.



16. FINANCE AND CORPORATE SERVICES DIVISION ISSUES

16.1 (MINUTE NO 6141) (OCM 10/08/2017) - LIST OF CREDITORS PAID - JUNE 2017 (076/001) (N MAURICIO) (ATTACH)

RECOMMENDATION

That Council adopt the List of Creditors Paid for June 2017, as attached to the Agenda.

COUNCIL DECISION

MOVED Clr C Terblanche SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 9/0

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 June 2017 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

- Deliver sustainable governance through transparent and robust policy and processes.
- Listen to and engage with our residents, business community and ratepayers with greater use of social media.



Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

The list of accounts for June 2017 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.

Attachment(s)

List of Creditors Paid – June 2017.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.



16.2 (MINUTE NO 6142) (OCM 10/08/2017) - STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - JUNE 2017 (071/001) (N MAURICIO) (ATTACH)

RECOMMENDATION

That Council

- (1) adopt the Statement of Financial Activity and associated reports for June 2017, as attached to the Agenda;
- (2) continue to apply a materiality threshold variance of \$200,000 from the appropriate base amount for the 2017-2018 financial year in accordance with Local Government (Financial Management) Regulation 34(5); and
- (3) amend the 2016-2017 Municipal Budget in accordance with the detailed schedule in the report as follows:

Revenue Adjustments	Increase	101,000
Expenditure Adjustments	Increase	363,039
TF from Reserve Adjustments	Increase	190,065
Net change to Municipal Budget Closing Funds	Decrease	71,974

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

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

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

9/0

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 variances within monthly financial reporting and it is recommended that Council continue with this level for the 2017-2018 financial year.

Detailed analysis of budget variances is an ongoing exercise, with any required budget amendments submitted to Council each month in this report or included in the City's mid-year budget review as considered appropriate.

Submission

N/A

Report

Due to ongoing end of financial year (EOFY) processing, the numbers contained in the Statement of Financial Activity for June 2017 are not final and are subject to external audit. The determined budget position



for 2016-2017 will be reported to a future Council meeting, together with a listing of carried forward works and projects.

Opening Funds

The opening funds of \$9.27M representing closing funds brought forward from 2015-2016 have been audited and the budget amended to reflect this final position.

Closing Funds

The City's closing funds position of \$9.42M was \$9.32M higher than the budget forecast. However, continued EOFY processing and the quarantining of funds for the carried forward works and projects will reduce this closing position. Any uncommitted surplus amount will be transferred into the City's financial reserves in accordance with Council's budget management policy (once determined). This will be addressed in the future report to Council dealing with the final budget position.

The 2016-2017 revised budget reflects an EOFY closing position of \$0.10M, slightly down from \$0.17M last month.

Operating Revenue

Consolidated operating revenue of \$139.39M was ahead of the full year budget target by \$2.59M.

The following table shows the operating revenue budget performance by nature and type:

Nature or Type Classification	Actual Revenue \$M	FY Revised Budget \$M	Variance to Budget \$M
Rates	96.34	95.70	0.64
Specified Area Rates	0.31	0.33	(0.02)
Fees & Charges	22.35	23.37	(1.02)
Service Charges	0.44	0.45	(0.01)
Operating Grants & Subsidies	13.64	11.26	2.38
Contributions, Donations, Reimbursements	1.16	0.83	0.33
Interest Earnings	5.16	4.87	0.29
Total	139.39	136.81	2.59

The significant variances at month end were:

- Rates income was \$0.64M ahead of the YTD budget setting primarily due to part year rating and extra ratepayers paying in advance.
- Fees & Charges:
 - Cockburn ARC/SLLC fee income was \$1.04M behind YTD budget, primarily due to the delay in the opening of the ARC.
 - Development application fees were \$0.22M behind budget.
 - Port Coogee Marina pen fees revenue was \$0.37M greater than budgeted.
- Operating Grants & Contributions – Half of the FAGS funding for 2017-2018 was paid in advance by the federal government, adding an extra \$1.75M. Child care fee subsidies were \$0.69M ahead of the budget setting, which are paid out to the care givers.
- Interest Earnings – Investment earnings from the City's financial investments came in \$0.40M ahead of the budget target.

Operating Expenditure

Reported operating expenditure (including asset depreciation) of \$133.81M was under the YTD budget by \$1.35M.

The following table shows the operating expenditure budget variance at the 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 Budget \$M
Employee Costs - Direct	50.87	50.62	(0.25)
Employee Costs - Indirect	1.30	1.41	0.11
Materials and Contracts	39.63	40.34	0.71
Utilities	4.75	4.70	(0.05)
Interest Expenses	0.97	0.93	(0.04)
Insurances	2.44	2.43	(0.02)
Other Expenses	7.86	8.48	0.61
Depreciation (non-cash)	27.44	27.74	0.31
Amortisation (non-cash)	1.09	1.19	0.11
Internal Recharging-CAPEX	(2.54)	(2.69)	(0.15)
Total	133.81	135.16	1.35

The significant variances at month end were:

- Material and Contracts - were collectively \$0.71M under the YTD budget with the significant variances being:



- IT & IS projects under by \$0.44M
- Ranger & Community Safety projects collectively under by \$0.36M
- Waste Disposal costs under by \$0.40M,
- Council marketing & promotion initiatives under by \$0.23M
- Child care subsidy payments over by \$0.65M, commensurate with additional income.
- Parks maintenance spending over budget by \$0.74M.

Capital Expenditure

The City's total capital spend at the end of the month was \$89.2M, representing an under-spend of \$14.5M against the full year budget.

The following table details the budget variance by asset class:

Asset Class	YTD Actuals \$M	FY Revised Budget \$M	YTD Variance \$M	Commit Orders \$M
Roads Infrastructure	14.5	18.0	3.5	2.3
Drainage	0.5	1.6	1.1	0.0
Footpaths	0.9	1.2	0.3	0.0
Parks Infrastructure	8.3	10.9	2.6	1.4
Landfill Infrastructure	0.3	1.2	0.9	0.1
Freehold Land	0.8	1.9	1.1	0.0
Buildings	53.2	55.5	2.4	6.7
Furniture & Equipment	1.8	3.0	1.2	0.3
Information Technology	1.0	2.0	1.1	0.3
Plant & Machinery	7.9	8.3	0.4	0.2
Total	89.2	103.7	14.5	11.4

These results included the following significant project variances:

- Roads Infrastructure under full year budget by \$3.49M – including Berrigan Drive Jandakot Improvement Works (\$0.96M), Lyon & Gibbs Signalisation and Upgrade (\$0.57M), Mayor Rd [Rockingham to Fawcett] (\$0.24M), Gibbs & Liddelow Roundabout (\$0.44M) and Warton Rd lighting [Armadale to Jandakot] (\$0.39M).
- Parks Infrastructure – the capital program was behind the full year budget by \$2.59M with Coogee Beach master plan (\$0.66M), Bibra Lake Skate Park (\$0.21M) and Jarvis Park landscaping (\$0.38M) the significant contributing projects.
- Landfill Infrastructure – purchase of the green waste decontamination plant was \$0.70M behind budget.

- Freehold Land – various land acquisition & development projects were collectively \$1.06M behind full year budget with lot 915 Goldsmith Rd (\$0.36M), lot 804 Beeliar Drive N/E (\$0.30M) and lot 40 Cervantes Loop (\$0.20M) the significant contributors.
- Buildings – collectively \$2.36M behind YTD budget with only Cockburn ARC (\$0.53M) and Community Men’s Shed (\$0.43M) the significant underspend variances.
- Furniture & Equipment – was \$1.24M behind full year budget, comprising mainly the fitout of the Cockburn ARC (\$1.17M).
- Information Technology – was collectively \$1.07M under YTD budget due to a number of under spent software and website projects.
- Plant & Machinery – the replacement program came in slightly behind budget by \$0.42M, with most of this variance attributable to several light fleet items not yet acquired.

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 included:

- Capital grants were collectively \$1.30M behind the full year budget grants due to several road grants not yet received (\$1.02M), the final milestone payment outstanding for the ARC (\$0.5M) and Lotterywest funding for the men’s shed (\$0.48M). Offsetting these to some extent, DFES paid the loan out early on the Emergency Services building (\$0.65M).
- An unbudgeted contribution of \$0.25M from Stocklands for Solomon and Armadale Roads external footpath was accounted for in June.
- Developer Contribution Area (DCA) contributions for road and community assets were collectively behind YTD budget by \$1.11M.
- Transfers from financial reserves were \$2.9M behind full year budget due to the capital program under spending (timing issue).



- Proceeds from the sale of assets were \$2.13M behind the full year budget, mainly comprising unrealised land sales (\$1.96M).

Transfers to Reserve

Transfers to financial reserves were \$1.1M over the full year budget, primarily due to an unbudgeted transfer into the Community Infrastructure Reserve from DCA13 funds matching the loan repayments made during the year on the Cockburn ARC loan (\$3.39M). Additional rates revenue of \$0.64M was also transferred into the Carried Forwards Reserve in preparation for when the City has to change the accounting treatment for rates received in advance in 2019-2020. This will have a projected impact on the budget at that time of around \$2.0M. Unrealised land sales of \$1.95M set for the Land Development Reserve partially offset these extra transfers.

Cash & Investments

The closing cash and financial investment holding at month's end totalled \$120.15M (down from \$127.25M last month).

\$102.48M of this balance represents the current amount held for the City's cash/investment backed financial reserves. The remaining balance of \$17.67M is available to meet operational liquidity needs (down from \$22.12M last month).

Investment Performance, Ratings and Maturity

The City's investment portfolio made a weighted annualised return of 2.73% for the month, relatively unchanged from 2.72% last month and 2.73% the month before. This continues to compare favourably against the UBS Bank Bill Index (2.02%) and the FIIG Term Deposit - All Maturities Index (2.13%). The cash rate was most recently reduced at the August 2016 meeting of the Reserve Bank of Australia (by 25bp to 1.50%) and this reduction has since impacted the investment rates achieved for new deposits placed.

However, the City's interest revenue from investments for the year to June was ahead of the budget target by \$0.40M. This was primarily due to a higher than anticipated investment holding of cash reserves, as capital program outflows were slower than budgeted. Also assisting this result was a conservative budget setting which had anticipated one more rate cut.



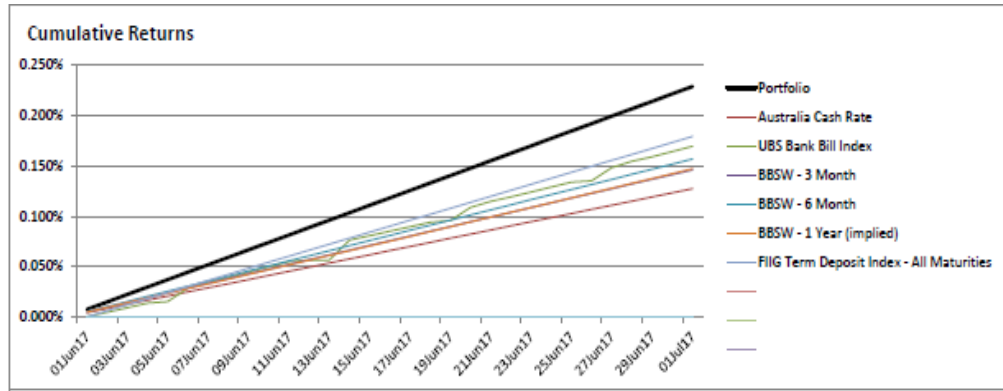


Figure 1: COC Portfolio Returns vs. Benchmarks

The majority of investments were held in term deposit (TD) products placed with highly rated APRA (Australian Prudential Regulation Authority) regulated Australian and foreign owned banks. These were invested for terms ranging from three to twelve months. All investments comply with the Council’s Investment Policy other than those made under previous statutory provisions and grandfathered by the new ones.

The City’s TD investments fall within the following Standard and Poor’s short term risk rating categories. The A-1+ investment holding increased marginally from 28% to 29% during the month, whilst the A-1 holding increased from 15% to 19%. The amount invested with A-2 banks decreased from 53% to 48%, comfortably below the policy limit of 60%:

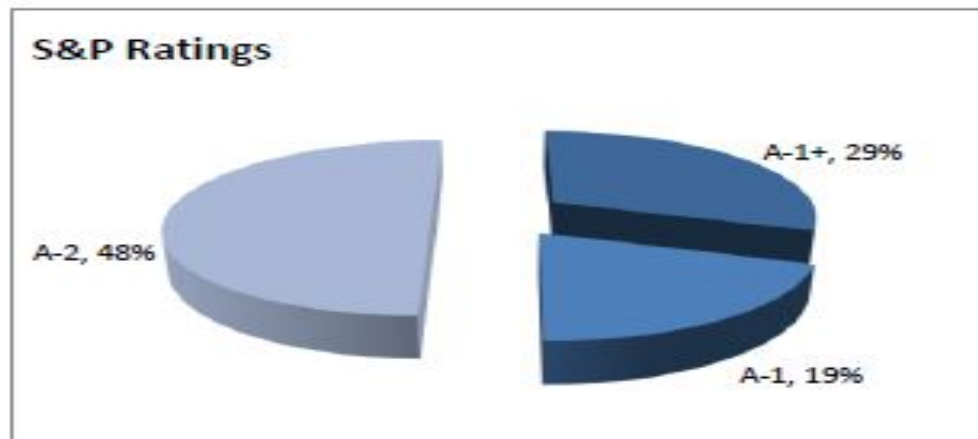


Figure 2: Council Investment Ratings Mix

The current investment strategy seeks to secure the highest possible rate on offer (up to 12 months for term deposits), subject to cash flow planning and investment policy requirements. Value is currently being provided within the 3-12 month investment range.



The City's TD investment portfolio had an average duration of 115 days at 30 June or 3.8 months (reduced from 127 days last month) with the maturity profile graphically depicted below:

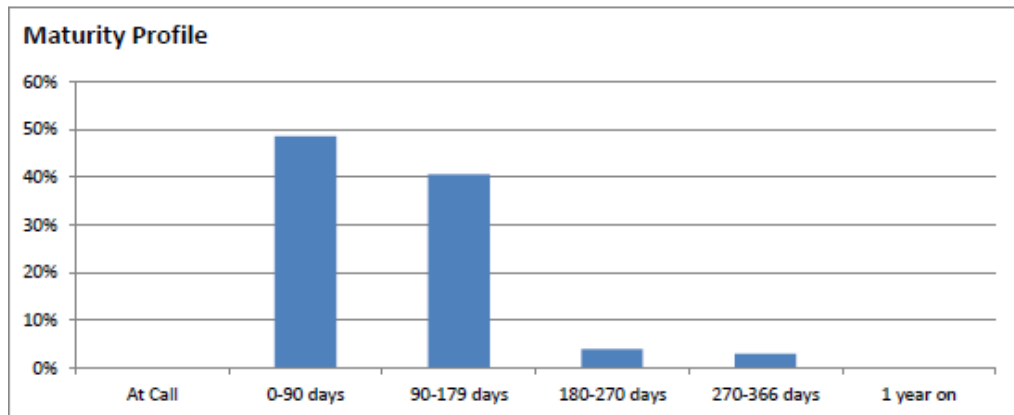


Figure 3: Council Investment Maturity Profile

Investment in Fossil Fuel Free Banks

At month end, the City held 51% (\$58.65M) of its TD investment portfolio of \$115.55M with banks deemed as free from funding fossil fuel related industries. This was a little down from 55% the previous month.

Budget Revisions

Budget amendments identified during the month and requiring Council adoption are as per the following schedule:

PROJECT/ACTIVITY LIST	USE OF FUNDING + / (-)		FUNDING SOURCES + / (-)		
	EXP \$	TF to RESERVE \$	TF FROM RESERVE \$	REVENUE \$	MUNI \$
Redundancy payments – roads staff	171,262		(171,262)		
Long service leave payment	18,803		(18,803)		
Admin cost recovered from Youth Grant Funding	-27,566				27,566
Internal project management cost	99,540				(99,540)
Roadwise grant received	1,000			(1,000)	
Department Wildlife grant received	100,000			(100,000)	
Totals	363,039		(190,065)	(101,000)	(71,974)



Description of Graphs & Charts

There is a bar graph tracking Business Unit operating expenditure against budget. This provides a 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).

Trust Fund

At month end, the City held \$11.23M within its trust fund. \$5.85M was related to POS cash in lieu and another \$5.38M in various cash bonds and refundable deposits.

Strategic Plan/Policy Implications

Leading & Listening

- Deliver sustainable governance through transparent and robust policy and processes.
- Listen to and engage with our residents, business community and ratepayers with greater use of social media.

Budget/Financial Implications

The 2016-2017 budget surplus reduced by \$71,974 from \$169,136 to \$97,162 due to the budget amendments recommended in this report.

Legal Implications

N/A



Community Consultation

N/A

Risk Management Implications

Council's budget for revenue, expenditure and closing financial position will be misrepresented if the recommendation amending the City's budget is not adopted.

Attachment(s)

Statement of Financial Activity and associated reports – June 2017.

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

17. ENGINEERING AND WORKS DIVISION ISSUES

17.1 (MINUTE NO 6143) (OCM 10/08/2017) - SUSTAINABILITY STRATEGY 2017-2022 & SUSTAINABILITY ACTION PLAN 2017-2022 (021/003) (C BEATON) (ATTACH)

RECOMMENDATION

That Council adopts the Sustainability Strategy 2017 – 2022 and the Sustainability Action Plan 2017 – 2022.

COUNCIL DECISION

MOVED Clr C Terblanche SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 9/0



Background

In 2006 Council adopted a Sustainability policy to inform its commitment to implement sustainability measures across the organisation and work with the community towards an environmentally, socially and economically sustainable future.

The City has, over the following period, developed a full suite of strategic and informing documents to complement this policy, which now form the basis of the City's Integrated Reporting Framework for sustainability.

The suite of documents (Sustainability – Integrated Reporting Framework) is as follows:

1. Strategic Community Plan 2016 - 2026
Sets the City's direction for 2026 based around five strategic objectives for Cockburn.
2. Policy SC37 – Sustainability
Provides a set of 6 high-level principles to guide the City's decision-making processes.
3. Sustainability Strategy 2017 - 2022
Identifies the Integrated Reporting Platform and articulates the City's 16 Sustainability objectives
4. Sustainability Action Plan 2017 - 2022
78 KPI's set to achieve to the City's Sustainability objectives
5. State of Sustainability Report (Annual)
An annual progress report that provides a balanced representation of the City's sustainability performance.

The Sustainability Strategy and Action Plan are currently in their review period and require consideration against the recently reviewed Strategic Community Plan, Corporate Business Plan and other updated strategic documents to ensure alignment, and to ensure that the articulated objectives of these strategic documents are viewed through the lens of achieving long-term sustainability objectives on behalf of the Community.

The review process will allow for the capturing and reporting of sustainability data, both at a quantitative and qualitative level.

Submission

N/A



Report

The review of the Sustainability Strategy and Action Plan sits within a broader review of the overall integrated sustainability reporting system, inclusive of SC37 – Sustainability Policy and the State of Sustainability annual reporting structure.

The review of the integrated reporting framework for sustainability has been undertaken as follows:

1. Sustainability Policy (SC37)

SC37 – Sustainability Policy has been recently reviewed and adopted at the 18 May DAPPS meeting to ensure alignment with the Strategic Community Plan and Sustainability Strategy and Action Plan.

Previously the policy included elements that represented operational targets, procedures and actions which should be captured in the Strategy and Action Plan.

The policy has undergone review for simplification and alignment with the current Strategic Community Plan and Corporate Business Plan, as well as to more clearly define the City's high level policy position / commitments on sustainability (principles).

This avoids having to review the policy each time strategic or operational documents are reviewed and ensures consistency of approach.

2. Sustainability Strategy

To ensure integration with the Strategic Community Plan and align the integrated reporting framework for sustainability's objectives, targets and KPI's, with the four year review period set against the Strategic Community Plan and Corporate Business Plan, the Sustainability Strategy has been reviewed.

As the Strategic Community Plan has recently been reviewed, the current Sustainability Strategy does not adequately align with articulated City objectives or review timeframes.

To address this inconsistency, and to ensure that the objectives outlined in the Strategic Community Plan are achieved in a sustainable manner, the Sustainability Strategy has been reviewed to set and communicate City-wide, measurable targets which will support the City in meeting its high level strategic objectives.



It also more clearly outlines the direct relationship between the Strategic Community Plan and the Sustainability Strategy, whose intention is to ensure that sustainability principles are considered at every level of decision-making within the City, and that strategic and operational actions are undertaken with a long-term, intergenerational view to their social, environmental and economic impacts.

This document will be both internally and externally focused, with a view to communicating our principles and our processes around sustainability.

3. Sustainability Action Plan

To ensure this integration is clear and measurable the Sustainability Action Plan has also undergone a review. The major change to this document is the review timeframe, which has changed from an annual review period, to a four year review process set against the Strategic Community Plan review timeframes.

The Sustainability Action Plan is currently reviewed annually, and new business unit KPI's are set each year. These targets do not carry over from year to year, which means that tracking City-wide progress towards long-term targets is not currently possible.

By reviewing the action planning process, and aligning it to the Strategic Community Plan's four year review period, the City can set achievable long-term, measurable targets and annual KPI's to track against these (i.e. percentage renewables developed / percentage green space improved etc.).

This way the City can ensure that each year our progress is tracked against agreed benchmarks and communicated as a process of continual improvement with a goal oriented focus.

This aligns with principles of sustainability which call for a flexible and agile approach, which can adapt to the fast-changing nature of the strategies, technologies and management techniques which underpin sustainable development.

This document will now be largely internally focussed, and take a flexible approach to ensure that, if annual KPIs are not adequately meeting progress goals for the achievement of targets, they can be reassessed and reviewed to meet requirements.

4. State of Sustainability Reporting Structure

While not technically under review, the function of the State of Sustainability reporting process is to measure, monitor and



communicate progress towards agreed targets set out in the Sustainability Strategy and Action Plan.

The State of Sustainability reporting structure will be retained largely as is, with an annual review (predominantly online, rather than printed) to show annual progress towards key targets and assess any gaps or resourcing issues.

The tracking process however will be aligned to the long-term targets (four year) and thus will reflect the percentage complete of the total, rather than having an annual focus.

Strategic Plan/Policy Implications

Economic, Social & Environmental Responsibility

- Sustainably manage our environment by protecting, managing and enhancing our unique natural resources and minimising risks to human health
- Improve water efficiency, energy efficiency and waste management within the City's buildings and facilities and more broadly in our community
- Further develop adaptation actions including planning; infrastructure and ecological management to reduce the adverse outcomes arising from climate change

Leading & Listening

- Deliver sustainable governance through transparent and robust policy and processes.
- Strengthen our regional collaboration to achieve sustainable economic outcomes and ensure advocacy for funding and promote a unified position on regional strategic projects.

Budget/Financial Implications

The Strategy and Action plan review have been deliberate in their approach to the City's financial planning, and have predominantly used KPIs already articulated in the Corporate Business Plan, or in individual business unit plans and strategies.

This is in part to ensure that the KPIs as committed to by the City are achieved in a sustainable manner and that decisions made in relation to them consider sustainability principles; and in part to ensure that the commitment to sustainability that the City makes is not at the expense of its financial viability.



From this perspective, the commitments made within the strategy and action plan are costed by individual business units and by the City's Executive Management team.

Legal Implications

N/A

Community Consultation

The majority of the targets and KPIs in both the Strategy and Action Plan reference other strategic documents, in particular the Strategic Community Plan. As the Strategic Community Plan has recently been publically advertised these documents have not been specifically consulted on at this time.

Risk Management Implications

Sustainability is predominantly about risk management and future-proofing an organisation.

State policy around coastal infrastructure and broader development and national and International climate change agreements require local government to mitigate climate risks, not just to protect against issues like stranded assets and coastal infrastructure provision, but also against exposure to future carbon pricing and evolving sustainability compliance obligations.

Transitioning the City of Cockburn from where it is today to an organisation that is compatible with global climate change agreements and the 2030 agenda for sustainable development makes good business and reputational sense.

The review of the Sustainability Strategy and Action Plan reduce the risk of falling short of meeting the City's articulated commitments in the short term and KPI's. It also reduces the reputational and potentially economic risks of making decisions that do not consider broader sustainability issues which impact on future Councils and communities.

Attachment(s)

1. Sustainability Strategy 2017 – 2022
2. Sustainability Action Plan 2017 – 2022

Advice to Proponent(s)/Submissioners

N/A



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

Nil.

17.2 (MINUTE NO 6144) (OCM 10/08/2017) - EXPENDITURE OF PUBLIC OPEN SPACE CASH-IN-LIEU FUNDS (188/001) (A LEES) (ATTACH)**RECOMMENDATION**

That Council

- (1) endorse the proposed expenditure of Public Open Space Cash-In-Lieu Expenditure Plan as listed in the attachment to the agenda;
- (2) refer the proposals to the Western Australian Planning Commission for consideration and recommendation to the Minister of Transport; Planning; Lands;
- (3) inform the community of the proposed expenditure of Public Open Space Cash-In-Lieu Funds; and
- (4) upon receipt of advice from the Minister of Transport; Planning; Lands on the proposed expenditure of public open space cash-in-lieu funds, receive a final report on the approved expenditure and delivery timeframes.

COUNCIL DECISION

MOVED Clr C Terblanche SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 9/0**Background**

Under the provisions of section 153 of the Planning and Development Act 2005, the Western Australian Planning Commission (WAPC) may



agree to cash in lieu of public open space (POS), where the 10% contribution would not provide a functional amenity and there is already adequate distribution of POS within the suburb. The cash in lieu value is confirmed through land valuations and agreed to by the land owner, council and WAPC.

As a result of cash in lieu payments, there is a combined total of \$5,845,276.41 (as at 26 April 2017) in the POS reserve account. The administrative requirements for POS cash in lieu payments are set out in section 154 of the Planning and Development Act 2005. There are very specific purposes for which cash-in-lieu monies can be used for and approvals that are required.

Submission

N/A

Report

Section 154 of the Planning and Development Act 2005 provides that where the local authority, the Western Australian Planning Commission and the subdivider all agree, the owner may make a cash payment to the local authority in lieu of POS, which is to be paid into a separate account and is only to be used for the following purposes.

1. For the purchase of land for parks, recreation grounds, or open spaces generally, in which the land included in the plan of subdivision for which the cash in lieu payment is situated.
2. To repay loans raised by the local authority for the purchase of such land.
3. With the approval of the Minister, for the improvement or development of parks, recreation grounds or open spaces generally of any land in the locality of the subdivision that is administered by the local authority for any of those purposes.

All requests to expend cash in lieu monies under (c) are submitted to the Western Australian Planning Commission in the first instance. All applications are accompanied by a map and schedule showing the following:

1. Location and Commission reference from which the funds were obtained
2. The amount obtained
3. The location of where the funds are to be expended
4. The nature of the expenditure
5. The program for the expenditure



Section 154, states that the use of cash in lieu would not normally be acceptable for community halls or indoor recreation centers, enclosed tennis courts, bowling greens for clubs, facilities for private clubs or similar facilities where access by the general public is 'restricted'. Acceptable expenditure of funds may be for:

- Clearing and earthworks
- Grass planting, landscaping and reticulation
- Seating / Shelter and spectator cover
- Community Halls, readily available for public use
- Toilets and change rooms
- Lighting
- Play equipment
- Pathways and walk trails
- Fencing
- Car parking
- Signs relating to recreation pursuits

Expenditure of cash in lieu funds must be directly related to the use or development of land for public open space purposes, which is vested or administered for recreation purposes with unrestricted public access. Accordingly it cannot be used for general POS maintenance, entry statements unless associated with POS land or streetscape projects.

The Parks & Environment Business unit has consulted with Engineering, Community Services, and Strategic Planning and has developed a strategy for the expenditure of funds for each POS Reserve Area. The proposals are based on providing a range of recreational pursuits for the community in that area and are readily accessible to the majority of residents. The full allocation of funds within some of the POS Reserve Area has not been fully utilized based on the following:

- Future developers may not embellish POS to a level which is not functional for the community and may require additional park infrastructure.
- Purchase of land for POS in areas where a deficiency of POS exists or land for other community benefits
 1. Beeliar POS – acquisition of land south end of Tindale Ave
 2. General POS – funds have been allocated to the purchase of Lot 26 Briggs St, South Lakes;
 3. South Lakes POS - funds have been allocated to the purchase of Lot 26 Briggs St, South Lakes; and
 4. Yangebup POS – acquisition of 136 Belladonna Dr, Yangebup.
- Funds could be used for future developments, i.e. Dixon Reserve,



The proposed works for each POS Reserve location, which are outlined in the Agenda attachments, are as follows:

POS Reserve Suburb	Available Funds (26/4/2017)	Proposed Expenditure	Balance
Atwell POS	\$172,320.42	\$170,000.00	\$2,320.42
Aubin Grove POS	\$845,929.64	\$845,000.00	\$929.64
Beeliar POS	\$2,259,819.64	\$0 (Land Acquisition)	\$2,259,819.64
Cockburn Central POS	\$161,832.14	\$161,000.00	\$832.14
Coogee POS	\$378,850.37	\$378,000.00	\$850.37
Coolbellup POS	\$167,369.10	\$167,000.00	\$369.10
Hamilton Hill POS	\$565,254.18	\$40,000.00	\$525,254.18
Hammond Park POS	\$29,935.56	\$29,000.00	\$935.56
Jandakot POS	\$258,118.61	\$258,000.00	\$118.61
General POS	\$124,373.93	\$0 (Land Acquisition)	\$124,373.93
Munster POS	\$604,163.73	\$420,000.00	\$184,163.73
Southlake POS	\$56,022.78	\$0 (Land Acquisition)	\$56,022.78
Spearwood POS	\$0.00	\$0.00	\$0.00
Yangebup POS	\$221,286.31	\$0 (Land Acquisition)	\$221,286.31
TOTAL	\$5,845,276.41	\$2,468,000.00	\$3,377,276.41

The works will be carried out in the following financial years by the Parks & Environment Business Unit.

Financial Year			
2017/18	2018/19	2019/20	Total
\$199,000.00	\$1,349,000.00	\$920,000.00	\$2,468,000.00

The following expenditure for each suburb has been identified.



Atwell POS Reserve

- **Harmony Park** (*Lighting to boardwalk and surrounding paths & Shelter with connecting path*) is classified as a neighbourhood open space serving as a place of leisure and social interaction. The proposed improved have been identified through community interaction and to improve the useability of the space.
- **Atwell Reserve** (*Irrigation fertigation unit*) is classified as a district open space serving as a place of sporting activity and are frequented by the whole municipality. The proposed improvements will assist in the management of this highly utilised sporting precinct.
- **Pipeline Park** (*Bridges over pipeline*) is classified as a neighbourhood open space serving as a place of leisure and social interaction. The proposed improvements will enable improved connectivity for the community through the suburb.

Aubin Grove POS Reserve

- **Radiata Park** (*Skate Park, Seating & Toilet facility*) is classified as a neighbourhood open space serving as a place of leisure and social interaction. The proposed improvements have been identified in the “Draft” Community Sport and Recreation Facilities Pan 2017-2019 and POS Strategy 2014-2024.
- **Princeton Park** (*Playground shade sail, playground equipment for small children, park sign, BBQ, shelter with seating and connecting paths*) is classified as a local park, however due to its orientation within the residential environment these proposal are required to improve functionality and useability of the site. The improvements have been identified in the POS Strategy 2014-2024.
- **Bologna Park** (*Playground shade sail*) is classified as a Local park and listed for a shade sail in accordance with the Shade Sail Strategy 2013-2023.
- **Colorado Park** (*Playground shade sail & BBQ*) is classified as a local park, however due to its orientation within the residential environment these proposal are required to improve functionality and useability of the site. The improvements have been identified in the POS Strategy 2014-2024.



- **Observatory Park** (*Playground shade sail*) is classified as a *Local park* and listed for a shade sail in accordance with the *Shade Sail Strategy 2013-2023*.
- **Tangle Park** (*Exercise Equipment*) is classified as a *neighbourhood open space* serving as a place of leisure and social interaction. The proposed improvements have been identified in the *POS Strategy 2014-2024*.

Cockburn Central POS Reserve

- **Lakeridge Reserve** (*Playground shade sail, BBQ, seating, earthworks, park sign & landscaping (trees)*) is classified as a *local park*, however due to its orientation within the residential environment these proposal are required to improve functionality and useability of the site. The improvements have been identified in the *POS Strategy 2014-2024*.

Coogee POS Reserve

- **Coogee Beach Reserve** (*Playground shade sails*) the playground adjacent to the Surf Life Saving Club is highly utilised through the growth in members of the club and the community using this space. The improvements have been identified in the *POS Strategy 2014-2024*.
- **Poole Reserve** (*BBQ, exercise equipment, Gazebo, seating & connecting footpaths, earthworks, park sign & landscaping (trees), irrigation, goal posts*) – is classified as a *neighbourhood open space* serving as a place of leisure and social interaction. The proposed improvements have been identified in the *POS Strategy 2014-2024*.
- **Powell Reserve** (*BBQ, exercise equipment, Gazebo, seating & connecting footpaths, earthworks*) is classified as a *neighbourhood open space* serving as a place of leisure and social interaction. The proposed improvements have been identified in the *POS Strategy 2014-2024*.
- **Len McTaggart** (*Playground shade sails*) is classified as a *Local park* and listed for a shade sail in accordance with the *Shade Sail Strategy 2013-2023*.

Coolbellup POS Reserve

- **Perdita Park** (*Playground shade sails*) is classified as a *Local park* and listed for a shade sail in accordance with the *Shade Sail Strategy 2013-2023*.



- **Rinaldo Park** (*Exercise equipment, Gazebo, seating & connecting footpath*) is classified as a neighbourhood open space serving as a place of leisure and social interaction. The proposed improvements have been identified in the POS Strategy 2014-2024.
- **Tempest Park** (*Gazebo, seating & connecting footpath, & landscaping (trees)*) is classified as a district open space serving as a place of sporting activity and are frequented by the whole municipality. These proposed improvements have been generated through community interactions and the level of embellishment identified for this classification of reserve.

Hamilton Hill POS Reserve

- **Watterton Park** (*Solar lighting to path & playground shade sails*) is classified as a local park and been listed for these provision through customer feedback and the Shade Sail Strategy 2013-2023.

Hammond Park POS Reserve

- **Botany Park** (*Playground equipment*) is classified as a District open space serving as a place of sporting activity and are frequented by the whole municipality. These improvements are to link with the City's proposed works at Botany in 2017/18.

Jandakot POS Reserve

- **Fairway Park** (*Bore, pump, cabinet, irrigation, playground, playground shade sails, landscaping (trees)*) is classified as a local park and been listed in the POS Strategy 2014-2024 for an advanced level of embellishment. These proposed works will facilitate this outcome.
- **Yarra Vista** (*Exercise equipment, BBQ, Gazebo, seating & connecting footpath*) is classified as a neighbourhood open space serving as a place of leisure and social interaction. The proposed improvement has been identified in the POS Strategy 2014-2024.
- **Turnbury Park** (*Landscaping (trees)& irrigation*) is classified as a local park and been listed for trees to improve canopy cover across the space.



Munster POS Reserve

- **Albion Reserve** (*Football goals, half-court basketball pad, exercise equipment, BBQ, footpaths & landscape (Trees), irrigation*) is classified as a neighbourhood open space serving as a place of leisure and social interaction. Albion Reserve received a number of improvements from the 2014-16 CIL expenditure program, with these to complete the level of embellishment identified for this classification of reserve.
- **Hagan Park** (*Exercise equipment, BBQ, Picnic shelter, seating footpaths & landscape (Trees)*) is classified as a neighbourhood open space with these improvements raising the level of embellishment to its status.
- **Mervyn Bond Park** (*Picnic shelter, landscaping (trees)& irrigation*) is classified as a local park and been listed for minor improvements in accordance with the POS Strategy 2014-2024.
- **Mihaljevich Park** (*Landscaping (trees)& irrigation*) is classified as a local park and been listed for trees to improve canopy cover across the space.

It is anticipated the approval from the Minister to expend cash-in-lieu funds will take up to 6 months to be approved, therefore commencement of works are indicative only. These timeframes may need to be adjusted to reflect the Minister's approval date.

As the proposals comply with the Western Australian Planning Commissions Policy it is recommended that Council endorse the schedule of works that are proposed to be undertaken with funds from the public open space account, inform the community of the plan and submit the proposals to the Western Australian Planning Commission and the Minister for Planning

Strategic Plan/Policy Implications**Community, Lifestyle & Security**

- Provide safe places and activities for residents and visitors to relax and socialise
- Create and maintain recreational, social and sports facilities and regional open space

Leading & Listening

- Ensure sound long term financial management and deliver value for money



Budget/Financial Implications

The total funds available in the POS account (as at 26/4/2017) are \$5,845,276.41. The proposals put forward in this agenda item total \$2,468,000.00. The remaining funds \$3,377,276.41 will be retained in the respective reserve POS accounts for the future improvements to POS in the prescribed suburbs or acquisition of land Reserves. The proposal is to expend the funds for the respective POS Reserve Trust account over the next 3 financial years (i.e. Jul 2017 to Jun 2020).

Council will be required to transfer the funds into the 2017-18, 2018-19 and 2019-20 Capital Works Programs of the Parks and Environment business unit from the POS cash-in-lieu trust account. Expenditure of cash-in-lieu funds will require an increase to the Parks annual operating budgets and renewal allocations.

Legal Implications

N/A

Community Consultation

As the provisions of the Cash-In-Lieu program are constrained and the majority of the proposals have been identified in endorsed strategies it is proposed to inform the Community of the recommended initiatives. Should there be any significant conflicts or issues presented they are to be include the final report following approval from the Minister for Council to consider.

Risk Management Implications

If the recommendations are not considered and adopted by Council there is a risk the key actions of the informing strategies to this report will not be completed within their defined timelines. Additionally there is a risk the community will not support some or all of the initiatives.

Attachment(s)

Public Open Space Cash-In-Lieu Expenditure Plan

Advice to Proponent(s)/Submissioners

N/A

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

Nil.



18. COMMUNITY SERVICES DIVISION ISSUES

**18.1 (MINUTE NO 6145) (OCM 10/08/2017) - CITY OF COCKBURN
COMMUNITY SAFETY AND CCTV STRATEGY 2017-2022 (021/004)
(R AVARD) (ATTACH)**

RECOMMENDATION

That Council adopt the City of Cockburn Community Safety and CCTV Strategy 2017-2022, as attached to the Agenda.

COUNCIL DECISION

MOVED Clr C Terblanche SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 9/0

Background

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 in accordance with WA Government guidelines. The development of this plan involved significant community and other stakeholder consultation.

A review of the Plan was undertaken in 2010.

In 2011 the City's first CCTV Strategic Plan 2011-2015 identified a number for priority areas for CCTV to be installed. There are currently CCTV's located at Coogee Beach, Coogee Beach Surf Life Saving Club, Coolbellup Hub, Cockburn Health and Community Facility, Cockburn Youth Centre, Cockburn ARC, Operations Centre and the City's Administration precinct. These are all connected back to the CCTV control room established in the new Operations Centre.

To enhance congruency between plans with similar objectives the City of Cockburn Crime Prevention Plan and the City of Cockburn CCTV Strategic Plan have been amalgamated and reviewed simultaneously.



The revised plan is known as the City of Cockburn Community Safety and CCTV Strategic Plan 2017-2022

There are a number significant achievements that have been made since the first of the Strategic Plans had been established. More notable of these are:

- Seniors Security Subsidy Scheme.
- Co Safe- introduction of holiday watch.
- Electronic Display trailer for crime and safety warnings.
- Regular meetings with Police to cooperate on crime and anti-social hot spots and individual situations.
- Regular displays in public places on crime prevention.
- Expansion of CCTV. As of July 2017, 325 cameras in various locations around the City.
- Mobile CCTV equipment to deal with particular crime issues

Submission

N/A

Report

The development of the Strategy involved extensive consultation with a range of stakeholders and the general community. The plan was backed by intelligence gleaned through the community perception surveys that have over many years highlighted crime and anti-social behaviour as significant community concerns.

The City's Community Safety and CCTV Strategic Plan 2017-2022 has the key objectives to:

1. Promote crime prevention and community safety.
2. Engage the community in crime prevention and community safety initiatives.
3. Develop tools required for crime prevention and community safety initiatives.
4. Facilitate a response to crime prevention and community safety initiatives.
5. Promote the relationship with the Western Australian Police.

A key plank of the City of Cockburn Strategy is the Co-Safe Security Patrol Service which since 1 July 2010, has been operating through contractor Wilson Security. This continues to receive strong community support and operates very well as a source of intelligence on crime for the Western Australian Police.

The rollout of the CCTV to hot spots across the City has also greatly assisted in deterring and identifying anti-social and criminal activity.



The new plan identifies additional sites for the installation of CCTV. The current arrangement of having the CCTV footage stored on site in a secure area at the Council depot will remain. Footage is reviewed when an incident of concern is identified with the information gleaned forwarded to the Police for investigation.

Officers from the City's Crime Prevention and Community Safety Services area and Community Development section continue to attend regular Neighbourhood Watch Committee meetings, Community Forums and interagency forums on community safety and crime prevention. By this means opportunities for continued cooperation between stakeholders remains current.

An interagency group comprising representatives from the Police, State Housing and Welfare Departments and relevant City staff meets regularly to develop a coordinated approach to families and individuals who are known to be committing crimes or are creating issues in community.

Strategic Plan/Policy Implications

Community, Lifestyle & Security

- Provide residents with a range of high quality, accessible programs and services.
- Provide safe places and activities for residents and visitors to relax and socialise.

Leading & Listening

- Deliver sustainable governance through transparent and robust policy and processes.
- Ensure sound long term financial management and deliver value for money.

Budget/Financial Implications

Adoption of the City of Cockburn's Community Safety and CCTV Strategic Plan 2017-2022 will require continued Municipal funding as identified in the Strategy.

The expansion of the City's CCTV will require funding through the Reserve fund established for this purpose.

The Wilsons Security Patrol Contract allows for increases which are aligned to increases in the Patrol Officers' Award.



Legal Implications

N/A

Community Consultation

The development of the plan included consultation with groups such as Neighbourhood Watch, Cockburn Interagency Crime Prevention Group and the Police. The community perception survey carried out by the City has also identified community safety and crime prevention as an area of significant concern. A Community safety survey was also conducted.

Risk Management Implications

Community safety and crime prevention in perception surveys and similar studies are ranked very high as areas of concern. As a government organisation the City's reputation would be seriously compromised if it could not demonstrate that it has a clear strategy to address this area of significant community concern.

While the City can take a range of measures to reduce the likelihood of crime and anti-social behaviour it is the Police that have the power and authority to pursue matters through the criminal courts. The Strategy and the Memorandum of Understanding between the Police and the City of Cockburn clarifies the relationship between the 2 authorities.

Attachment(s)

City of Cockburn Community safety and CCTV Strategic Plan 2017-2022.

Advice to Proponent(s)/Submissioners

Those who lodged a submission on the proposal have been advised that this matter is to be considered at the August Council Meeting.

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

Nil.



18.2 (MINUTE NO 6146) (OCM 10/08/2017) - TENDER NO. RFT.16/2017 - BUILDING & CONSTRUCTION SERVICES - COCKBURN COMMUNITY MEN'S SHED, COCKBURN CENTRAL (RFT 16/2017) (G BOWMAN/ P MCCULLAGH)

RECOMMENDATION

That Council

- (1) accept the tender submitted by Metrocon Pty Ltd, for Tender No. RFT 16/2017 – Building Construction Services – Cockburn Community Men’s Shed for the total lump sum contract value of \$664,376 (Ex-GST) and the additional Schedule of Rates for determining variations and/or additional services;
- (2) carry forward funds from Budget Account No CW4628 – Community Men’s Shed from the 2016-2017 Budget to the 2017-2018 Financial Year Budget; and
- (3) allocate additional funds of \$250,000 by amending the 2017-2018 adopted Municipal Budget and transferring the funds from the Community Infrastructure Reserve to CW4628 Community Men’s Shed.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Clr B Houwen SECONDED Clr P Eva that the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 9/0

Background

Council resolved at its meeting held on 13 December 2012 that “subject to the approval of the Minister for Lands, commit to the construction of a purpose built Men’s Shed at Lot 73 Buckley Street, Cockburn Central, in accordance with the proposal outlined in the Report”.

The Minister for Lands approved the change of use for the Reserve to “Community Purpose” and provided a Management Order vested with the City for the care and control of the land with the power to lease.



The City submitted a grant application to Lotterywest in accordance with the Feasibility Report and was successful with \$484,220 approved, subject to the City providing a medium term lease to the Cockburn Community Men's Incorporated and the City being responsible for the site work costs, external works costs and utility, water and sewerage costs.

In accordance with the Council received Feasibility report, and the Lotterywest grant requirements, the Cockburn Community Men's Shed facility will be owned by the City and leased to the Cockburn Community Men's Shed Incorporated. The regional facility will provide a safe environment where men can be productive, feel valued, contribute to their community and connect with friends and social support which ultimately aims to improve Men's health and wellbeing.

The building will include the following spaces;

- Woodwork, wood machining area;
- Finishing area;
- Metalwork/welding area;
- Office area;
- Multi-purpose Community meeting room;
- Storage areas, and
- Kitchen, requisite toilets and car parking area.

The multi-purpose meeting room will provide a general seminar space and a recreation space. In accordance with an agreed Cockburn Community Men's Shed Community Use Policy, other community groups will also be able to hire and use the facility. The front office will provide a central point of entry to the facility for all visitors and members.

Significant site works have been completed during July to September 2016 to transform the site (drainage facility) into a level site. This project was previously advertised in November 2016 as a design and construct tender. The Tender was not awarded due to all submissions being significantly over the City's budget.

Market research was then undertaken which resulted in a revised specification. The City then proceeded with the detailed design stage. Tender No. RFT 16/2017 Building Construction Services – Cockburn Community Men's Shed, Cockburn Central WA was advertised on Wednesday 31st May 2017 in the Local Government Tenders section of "The West Australian" newspaper. It was also displayed on the City's E-Tendering website between the 31 May and 22 June 2017.



Submission

N/A

Report

Tenders closed at 2:00 p.m. (AWST) on Thursday, 22 June 2017 and five (5) tender submissions were received from:

1. Maintenance & Construction Services (Australia) Pty Ltd
2. Metrocon Pty Ltd
3. MGI Constructions Pty Ltd
4. RHG Contractors Pty Ltd
5. SIDI Construction Pty Ltd

Note: A submission by Buildon Construction was not completed by 2:00pm (AWST).

Compliance Criteria

The following criteria were used to determine whether the submissions received were compliant:

	Compliance Criteria
(a)	Compliance with the Conditions of Tendering (Part 1) of this Request.
(b)	Compliance with the Specification (Part 2) contained in the Request.
(c)	Completion of Section 3.1 - Form of Tender.
(d)	Completion of Section 3.2 – Tenderer’s Contact Person.
(e)	Compliance with Sections 3.2.2 and 3.2.3 – Registered Builder.
(f)	Compliance with Sub-Contractors requirements and completion of Section 3.2.6 .
(g)	Compliance with Financial Position requirements and completion of Section 3.2.8 .
(h)	Compliance with Insurance Requirements and completion of Clause 3.2.9 .
(i)	Compliance with Qualitative Criteria requirements and completion of Section 3.3.2 .
(j)	Compliance with Fixed Price and completion of Section 3.4.2 .
(k)	Compliance with and completion of the Price Schedule in the format provided in Part 4 .
(l)	Compliance with ACCC Requirements and completion of Appendix A .



Compliance Criteria	
(m)	Acknowledgement of any Addenda issued.

Compliant Tenderers

All Five (5) submissions were deemed compliant and evaluated.

Evaluation Criteria

Evaluation Criteria	Weighting Percentage
Demonstrated Experience	15%
Tenderer's Resources	10%
Methodology	15%
Sustainability	10%
Tendered Price	50%
TOTAL	100%

Tender Intent/ Requirements

The Principal requires the services of a suitably qualified, registered and experienced commercial/industrial building construction contractor to undertake the development and construction of the Cockburn Community Men's Shed, Lot 73 Buckley Street (Corner of Sullivan Street), Cockburn Central, Western Australia.

The building has an estimated area of 1,102m² and provision onsite for 14 vehicles, the total site construction area is approximately 2,130m².

Evaluation Panel

The tender submissions were evaluated by:

1. Peter McCullagh (Chair) – Project Manager Infrastructure Services
2. Gail Bowman (SBMG Rep) – Manager Community Development
3. Jill Zumach – Child Care & Seniors Manager

Probity: Caron Peasant, Contracts Officer - Procurement Services.



Scoring Table - Combined Totals

Tenderer's Name	Percentage Score		
	Non-Cost Evaluation	Cost Evaluation	Total
	50%	50%	100%
Metrocon Pty Ltd **	32.03%	47.58%	79.62%
Maintenance & Construction Services (Australia) Pty Ltd	34.52%	44.21%	78.73%
RHG Contractors Pty Ltd	33.37%	44.27%	77.64%
MGI Construction Pty Ltd	25.05%	50.00%	75.05%
SIDI Construction Pty Ltd	15.32%	49.95%	65.26%

** Recommended Submission

Evaluation Criteria AssessmentDemonstrated Experience

Metrocon scored highest in this criterion, followed by Maintenance & Construction Services Australia (MACS) then RHG who demonstrated in their submissions that they have the relevant experience in providing community facilities of a similar size to this project and in particular to Local Government. MGI provided experience to a lesser extent and therefore scored lower. SIDI did not include any examples of providing projects to Local Government.

Tenderer's Resources

MACS, RHG and Metrocon scored highest in the criteria and detailed key personnel with sufficient skills and experience to complete the works within the required time frame. MGI and SIDI scored lower as submissions lacked sufficient detail.

Methodology

Metrocon demonstrated a systematic approach to the build, with works separated out under various subheadings and site layout plan. Along with a comprehensive works programme this was reflected with Metrocon scoring the highest. MACS and RHG provided slightly less detailed responses to this criterion. MGI and SIDI did not provide a Gantt chart and both submissions provided little or no detail resulting in lower scores.



Sustainability

MACS scored highest in this criterion, followed by RHG and Metrocon. MGI and SIDI did not provide adequate detail in addressing this criterion which was reflected in the lower scores.

Summation

The evaluation panel recommends that Council accept the tender submission from Metrocon Pty Ltd.

The company achieved the highest total score, and their submission is considered the most advantageous tender for the City and whilst not providing the lowest tendered price, provides the best value for money. They demonstrated that they have the relevant experience, resources and methodology to complete the project within the expected timeframe. They also have sufficient resources and contingency measures to undertake the works.

The Chairperson received strong and positive feedback from both Local Government and private sector referees. The information gathered confirmed Metrocon performed well on projects of a similar size and are more than capable of delivering to programme, budget and quality expected by the City.

Strategic Plan/Policy Implications

Community, Lifestyle & Security

- Provide safe places and activities for residents and visitors to relax and socialise.
- Foster a greater sense of community identity by developing Cockburn Central as our regional centre whilst ensuring that there are sufficient local facilities across our community.

Leading & Listening

- Deliver sustainable governance through transparent and robust policy and processes.
- Ensure sound long term financial management and deliver value for money.

Budget/Financial Implications

The location for the Shed was a former drainage site which required significant initial site works to provide a level building area. The original Quantity Surveyor Report as submitted to Lotterywest underestimated



the cost contribution required from Council for the site works, sewerage, external works, and service connections. This has left a shortfall in available funds for the remainder of the building project and for the Tender.

Additional site works, retaining walls, septic tanks, services connections, and other external works are included in the Tender as well as the Shed, the requisite toilets and parking facilities. A budget amendment increase will be required if the project is to proceed due to the combined cost of the previous site works, the detailed architectural design and the recommended Tender price of \$664,376 being over the project budget allocation.

The existing budget included:

\$484,220 Lotterywest Grant,
\$200,000 City of Cockburn contribution
\$684,220 Total

The internal indirect project management costs were also charged to the CW account.

The Capital Works budget allocation (CW4628) for 2016/17 was \$611,320 instead of \$684,220 not including indirect project management costs. It is recommended that a budget of \$435,241 is to be carried forward to the 2017/18 financial year (not inclusive of indirect project management costs). In order to award the Tender the project budget increase amendment of \$250,000 will be required.

The City therefore recommends a budget amendment increasing the budget allocation by an additional \$250,000 to allow sufficient funds for the Tender to be awarded, and for the indirect Project Management costs.

Legal Implications

Section 3.57 of the Local Government Act 1995 and Part 4 of the Local Government (Functions and General) Regulations 1996 refers.

Community Consultation

N/A

Risk Management Implications

If the recommendation is not approved there is a risk of the project not being able to proceed thereby putting the Lotterywest grant funding and the project at risk. The award of this contract will assist in the delivery



of the Community Men's Shed and thereby allow the existing Cockburn Community Men's group to move from their current temporary Wattleup location to a new purpose built facility.

Attachment(s)

The following Confidential Attachments are provided under a separate cover:

1. Compliance Assessment;
2. Consolidated Evaluation Panel Score Sheet; and
3. Tendered Prices

Advice to Proponent(s)/Submissioners

Those who lodged a tender submission have been advised that this matter is to be considered at the 10 August 2017 Council Meeting.

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

Nil.

18.3 (MINUTE NO 6147) (OCM 10/08/2017) - ADOPTION OF COMMUNITY SPORT AND RECREATION FACILITIES PLAN (045/002) (T MOORE) (ATTACH)

RECOMMENDATION

That Council adopt the Community Sport and Recreation Facilities Plan 2017-2031, as attached to the Agenda.

COUNCIL DECISION

MOVED Cllr K Allen SECONDED Deputy Mayor C Reeve-Fowkes that Council defer the item until a workshop has been held with Elected Members, to understand the issues addressed by the South Beach Community Group.

CARRIED 9/0

Reason for Decision

After tonight's delegation I found the information which came out of the delegation concerning and I would hope that my fellow colleagues



would also find them concerning and would look to defer this so that a workshop can be held to discuss further. This is a long term plan so I don't think another two months will harm its adoption.

Background

The City is responsible for the development and management of a significant number of community facilities, sporting reserves, libraries and recreation/aquatic centres. The Community, Sport and Recreation Facilities Plan is intended to provide strategic guidance for the provision of community, sport and recreation facilities over the course of the next 15 years.

The process undertaken in the development of the Community Sport and Recreation Facilities Plan (CSRFP) has involved an extensive period of research, strategic analysis and planning, with six key stages of work undertaken, in particular:

- Document Review
- Demographics and Community Profiling
- Community Needs Assessment
- Community Facilities Planning Framework
- Demand Gap Analysis
- Drafting the Final CSRFP

As part of a comprehensive public consultation process, local residents and key stakeholders were invited through email, newspaper advertisements, social media and the City's website to go to Comment on Cockburn and respond to a series of questions in relation to the Draft Community Sport and Recreation Facilities Plan.

The key themes identified as part of the community engagement process are as follows:

- Improve and increase community centres and spaces
- Improve and increase opportunities for recreation and physical activity
- Improve existing sporting facilities and Reserves
- Improve and increase supporting infrastructure
- Increase the capacity of existing sports grounds
- Develop art and cultural facilities i.e. Arts and Cultural Hub and Aboriginal Cultural Centre
- Develop wider range of sport opportunities/facilities
- Address uneven distribution and standard of facilities
- Facility provision keeping up with population growth, with particular focus in the Western suburbs



In April 2017, Council endorsed the Draft Community, Sport and Recreation Facilities Plan. In particular Council resolved as follows:

1. *Receives the Draft Community Sport and Recreation Facilities Plan 2017-2031; and*
2. *Endorses the Draft Community Sport and Recreation Facilities Plan (Attachment 1) for the purposes of a 42 day public comment period.*

The plan was developed following extensive consultation with a wide range of stakeholders across the City including sporting clubs and associations.

The public comment period has since closed, with a total of 153 submissions being received during this period (Attachment 2).

Submission

N/A

Report

A copy of the final Draft Community, Sport and Recreation Facilities Plan (Attachment 1) was presented to Council in April 2017 and was subsequently advertised to the community for 42 days for public comment during May 2017. The Final Community Sport and Recreation Facilities Plan is now presented to Council for consideration.

The consultation process included direct mail-out to local sporting/recreation clubs and community groups, website, newspaper articles and Comment on Cockburn. From this, 153 various comments were received from 73 contributors to the consultation. The comments were generally very favourable and supportive of the approach taken by the City of Cockburn.

Two community briefing sessions were also held for community, sport and recreation groups/clubs on 1st and 3rd May, where a total of 12 representatives attended across the two workshops.

Some of the key themes identified during the public comment have been outlined below:

Sport and Recreation Facilities/Reserves

1. Feedback received from the Phoenix Cricket Club and the Beiliar Junior Soccer has confirmed the need for the upgrade of Beiliar Reserve Community facilities. In addition, the Phoenix



Park Cricket Club who is currently at Tempest Park in Coolbellup have sought the upgrade of Beeliar Reserve to be considered a higher priority than the upgrade of their current facility at Tempest Park, with the view to the Club relocating to Beeliar Reserve.

Staff support this proposed approach given Beeliar Reserve being considered a District Level Reserve and as such it is recommended that Beeliar Reserve development be brought forward. The CSRFP has been amended to reflect this proposal.

2. Four comments were received in relation to the golf course and the need for this project to be brought forward. However, staff would not recommend this given the proximity of 3 public golf courses already existing within a 12km radius which are considered to be currently meeting the needs of the community. Furthermore, the need for an additional golf course did not come through strongly during the development of the Plan and this is reflected in the relatively low percentage of comments received seeking the project be brought forward.
3. There were 26 responses received in relation to the proposed upgrade to the Malabar Park BMX facilities. This project was identified as a high priority during the planning process and the feedback received during the public comment period supports this position. Planning for this project is proposed to commence in 2018-2019, which is considered achievable.
4. The issue of a lack of community, sport and recreation facilities in North Coogee was raised during the consultation process. This was an issue which staff had also identified through the development of the draft plan, with limited opportunities in the area for future reserve and facility development. As such, the Western Suburbs Sporting Precinct Study was commissioned to begin the planning process of how to best accommodate future growth within this area through the upgrade of existing facilities and development of Cockburn coast.

It is recommended that a community workshop be held in this area to explain past decision-making processes and how the City intends to address the issues in the future.

Community Facilities

29 responses received were in relation to development of the Aboriginal Cultural and Visitors Centre. Largely, the feedback received was supportive of the development, with some seeking that the development be brought forward. However given the significant amount



of planning and land approvals still required, together with the large number of other projects identified in the first two years of the Plan, it is recommended that planning for the project remain at 2018-2019, with various approval processes to commence in 2017-2018. Should Council wish to see this project expedited an allocation of \$100,000 in the budget review of 2017-2018 will assist in addressing the numerous planning and land tenure issues for the site proposed.

Overall the feedback received during the course of the public comment period was supportive of the outcomes of the plan.

A summary of the key responses received together with comments from staff is outlined in Attachment 2.

Strategic Plan/Policy Implications

City Growth

- Ensure planning facilitates a desirable living environment and meets growth targets.
- Continue revitalisation of older urban areas to cater for population growth and take account of social changes such as changing household types.

Community, Lifestyle & Security

- Provide for community facilities and infrastructure in a planned and sustainable manner.
- Create and maintain recreational, social and sports facilities and regional open space.

Budget/Financial Implications

Whilst the community facility requirements have been developed on the basis of a 15 year period of forecasted population growth and community need, it was determined that this would place considerable pressure on the City's finances and capacity to deliver the identified projects within the 10 year timeframe. As such, the implementation of the recommended projects has been increased to occur over a 15 year time period.

The overall expenditure outlined within the Draft Community Sport and Recreation Facilities Plan over the course of 15 years is \$170.94M, however a significant amount of external income has been identified to offset the overall expenditure as shown in table below:



Income	Amount
Developer Contribution	\$53.20M
Cash In Lieu	\$0.65M
Other External Grants	\$22.38M
<ul style="list-style-type: none"> • Lotterywest \$4.45M • Dept Sport and Rec (CSRFF) \$5.4M • Federal Funding \$4.6M • Club contributions \$0.5M • Other \$5.04M 	
Total Income	\$76.24M
Total Expenditure of CSRFP Projects	\$170.94M
Council Municipal Funding Required	\$94.70M

The table below provides a further breakdown of the expenditure in terms of the types of facilities and the overall percentage of the total cost:

Type of Facility	Cost	% of total CSRFP Spend
Active Sporting Reserves	\$69.07M	40.7%
Community Centres	\$26.57M	15.6%
Specialised Community Centres	\$56.05M	32.8%
BMX Facility	\$2.5M	1.4%
Tennis Facilities	\$4.76M	2.7%
Netball Courts	\$1.6M	0.9%
Skate Parks	\$3.93M	2.2%
Pump Tracks	\$0.205M	0.1%
Recreation Centres	\$6.25M	3.6%
TOTAL	\$170.94M	100%

It should be noted that further funds may be required as a result of the outcomes of the Western Suburbs Sporting Precinct Study which is currently underway. Should this be the case, these proposals will be considered as part of Council's Long Term Financial Planning Process.

Legal Implications

N/A

Community Consultation

As part of the overall planning process in the development of the CSRFP, a comprehensive community engagement process was conducted by Community Perspectives in conjunction with the City.



The engagement process included:

- An online survey through Comment.Cockburn
- Internal staff workshops
- Seven community workshops targeting user groups, clubs and the broader community
- one on one meetings
- Phone calls

In summary, there were over 365 visits to the Comment on Cockburn engagement site, with over 130 people participating in the survey and an additional 311 general comments put forward by survey participants. A further 125 people participated in community workshops, discussion or made a submission, with over 1,500 comments and views being put forward throughout the consultation process.

Following Council endorsing the Draft Plan in April 2017, the Draft Plan was then presented to the community for a 42 day period for public comment. During this period, 73 contributors provided 153 comments in relation to the Draft Plan.

Risk Management Implications

There is a significant demand for refurbished and new community and recreation facilities for the City of Cockburn over the next few years which will place significant strains on the financial and human resources of the City of Cockburn. A clear strategic plan that is affordable and realistic will temper the community expectations. If Council decide not to endorse the Final Plan, there is a reputational risk, as the feedback provided by the community on the draft plan has overall been supportive.

In terms of financial risk, the Implementation Plan component of the CSRFP, has been developed on the basis of the City's financial and resource capacity to deliver the projects identified. Should Council decide to re-prioritise the projects listed within the Draft CSRFP this may place the City under increased financial pressure to deliver the projects within the designated timeframe.

Attachment(s)

1. Final Community Sport and Recreation Facilities Plan
2. Summary of feedback received during the public comment period



Advice to Proponent(s)/Submissioners

Those who lodged a submission on the proposal have been advised that this matter is to be considered at the August 2017 Council Meeting.

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

Nil.

19. EXECUTIVE DIVISION ISSUES

Nil

20. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

20.1 (MINUTE NO 6148) (OCM 10/08/2017) - PROPOSED AMENDMENT TO CITY OF COCKBURN STANDING ORDERS LOCAL LAW (082/002) (D GREEN) (ATTACH)

RECOMMENDATION

That Council make a Local Law to amend its Standing Orders Local Law 2016 as follows:

“in Clause 16.10(b) “Restraints on Motions for Revocation or Change” delete the words “or has been communicated orally to the applicant or the applicant’s representative by an employee of the Council having authority to give such notification in ordinary circumstances”

as shown in the attachment to the Agenda.

COUNCIL DECISION

MOVED Clr C Terblanche SECONDED Clr K Allen that the recommendation be adopted.

CARRIED 9/0



Background

At the Ordinary Council Meeting conducted on 13 July 2017, the following Notice of Motion was submitted by Councillor Smith:

That Council notify of its intent to amend the Standing Orders Local Law, as follows:

In Clause 16.10 (b) "Restraint on Motions for Revocation or Change", delete the words "or has been communicated orally to the applicant or the applicant's representative by an employee of the Council having authority to give such notification in ordinary circumstances."

The reasons provided for the Motion were:

1. Oral advice is open for interpretation.
2. All proponents should be advised via the same method (in writing).
3. This is consistent with the Agenda wording advising no action should be taken until advice received in writing.

Submission

N/A

Report

The purpose of the proposed amendment to the Standing Orders Local Law is to remove the capacity of City officers to provide oral advice to a third party immediately after a Council meeting and thereby deeming a decision of Council as confirmed.

In effect, this action then requires any such decision being transmitted by the "usual" process of confirming Council decisions, which is in writing and undertaken during normal (daytime) business hours.

The revocation provisions as contained in the Local Government Act 1995 and the City's Standing Orders were amended in 2005 to require the application of a more rigorous process in order to revoke an otherwise legitimately made decision of Council. Whereas previous to that time, it was possible for a single elected member to lodge a revocation notice to halt the progress of a Council decision, it is now only possible to do so with the written support of at least one third of the number of Council members (in the case of City of Cockburn, this equals four (4) members). Significantly, the Act does not apply time restrictions for the lodgement of revocation Notices to prevent the transmission of a Council decision and therefore this requirement is left for the Standing Orders of a local government to implement the necessary controls.



Despite this, the use of this mechanism to delay the implementation of Council decisions has declined over the years, most likely because of the difficulty in commencing a process which requires the initial (and almost immediate) written commitment of one third of the members of Council to ensure a Council decision is not conveyed to a third party and ultimately needs to be supported by a majority of Council members in order for the relevant Council resolution to be overturned. This is a very onerous process and is usually only successful where there may be some doubt on the validity of all, or part, of a Council resolution.

The exclusion of the provision which enables the transference of advice by oral transmission has merit, given that the onus of proof, in evidentiary circumstances, poses a high level of potential risk to the City, should disagreement, or misunderstanding, by either party follow.

In addition, the “disclaimer” statement read by the Presiding Member prior to each Council meeting, gives fair and reasonable expectation to those members of the public in attendance. It is not implausible to expect those who are awaiting the outcome of a matter before Council to be formally advised (in writing) of the Council decision and any additional explanatory advice. This provides a consistent approach which can be easily understood by all in attendance and which enables officers who may be approached to confirm the details of a decision to reaffirm that the decision, while passed by resolution of Council, is subject to written confirmation being received from the City.

Notwithstanding this recommendation, there may be occasions when a third party, despite the “disclaimer” statement being read at a meeting and the removal of oral advice as a legitimate method of confirming a Council decision, will proceed to give effect to the decision of Council, prior to receiving confirmation of the Council decision in writing. It is uncertain whether, in these circumstances, a case could be made to prevent the decision from subsequently being revoked, as there is no known legal precedent to use as a reference. A verbal opinion from the City’s legal advisers suggests that any determination would be reliant on the related circumstances of any such case and that a broad interpretation would be too vague to provide any level of certainty.

However, given that revocation Notices are rare, it is unlikely that the City of Cockburn will find itself severely compromised if such a situation was to arise in future.

Accordingly, it is recommended that Council commence the process of amending its Standing Orders Local Law to clarify the requirement that notification of its decisions to third parties can only be deemed as being transmitted when the notification is provided in writing.



Strategic Plan/Policy Implications

Leading & Listening

- Deliver sustainable governance through transparent and robust policy and processes.

Budget/Financial Implications

Minor associated advertising costs are provided for in the City's Governance budget

Legal Implications

Clause 3.12 of the Local Government Act 1995 refers

Community Consultation

The proposal is required to be advertised for a minimum period of six (6) weeks in order to receive public comment.

Risk Management Implications

A 'Low' level of "Brand / Reputation" and "Compliance" risk is associated with this decision.

Attachment(s)

Proposed Schedule of amendment to the City of Cockburn Standing Orders Local Law (Clause 16.10 (b))

Advice to Proponent(s)/Submissioners

N/A

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

Nil.

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

Nil



22. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY MEMBERS OR OFFICERS

Nil

23. MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE

Nil

24. CONFIDENTIAL BUSINESS

24.1 (MINUTE NO 6149) (OCM 10/08/2017) - MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE & SENIOR STAFF KEY PROJECTS APPRAISAL COMMITTEE MEETING - 25 JULY 2017 (027/002) (S CAIN) (ATTACH)

RECOMMENDATION

That Council receive the Minutes of the Chief Executive Officer Performance & Senior Staff Key Projects Appraisal Committee Meeting held on Tuesday, 25 July 2017, and adopt the recommendations therein.

COUNCIL DECISION

MOVED Cllr C Terblanche SECONDED Cllr K Allen that the recommendation be adopted.

CARRIED 9/0

Background

The Chief Executive Officer's Performance and Senior Staff Key Projects Appraisal Committee met on 25 July 2017. The minutes of that meeting are required to be presented to Council and its recommendations considered by Council.



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.

With regard to the new projects for FY17/18, the Chief Executive Officer has considered the recommendations made to him by the Committee and is happy with the proposed priority listing. This information has been communicated to the Directors.

Strategic Plan/Policy Implications

- A responsive, accountable and sustainable organisation.
- A skilled and engaged workforce.

Budget/Financial Implications

Committee minutes refer.

Legal Implications

Committee minutes refer.

Community Consultation

N/A

Risk Management Implications

Committee minutes refer.

Attachment(s)

Minutes of the Chief Executive Officer Performance and Senior Staff Key Projects Appraisal Committee meeting held 25 July 2017 are provided to the Elected Members as a confidential attachment.



Advice to Proponent(s)/Submissioners

The CEO and Senior Staff have been advised that this item will be considered at the August 2017 Ordinary Council Meeting.

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

Committee Minutes refer.

25. RESOLUTION OF COMPLIANCE

25.1 (MINUTE NO 6150) (OCM 10/08/2017) - RESOLUTION OF COMPLIANCE

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 C/r K Allen SECONDED Deputy Mayor C Reeve-Fowkes the recommendation be adopted.

CARRIED 9/0

26 (OCM 10/08/2017) - CLOSURE OF MEETING

Meeting closed at 8.22pm.



