



City of Cockburn  
Ordinary Council Meeting  
**Agenda Paper**

For Thursday, 11 March 2021



City of Cockburn  
PO Box 1215, Bibra Lake  
Western Australia 6965

Cnr Rockingham Road and  
Coleville Crescent, Spearwood

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### **NOTICE OF MEETING**

Pursuant to Clause 2.4 of Council's Standing Orders, an Ordinary Meeting of Council has been called for Thursday 11 March 2021. The meeting is to be conducted at 7:00PM in the City of Cockburn Council Chambers, Administration Building, Coleville Crescent, Spearwood.

The Agenda will be made available on the City's website on the Friday prior to the Council Meeting.

A handwritten signature in black ink, appearing to be 'Tony Brun', is written over the printed name and title.

Tony Brun  
**Chief Executive Officer**

# CITY OF COCKBURN

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## **CITY OF COCKBURN**

### **AGENDA TO BE PRESENTED TO THE ORDINARY COUNCIL MEETING TO BE HELD ON THURSDAY, 11 MARCH 2021 AT 7:00PM**

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- 1. DECLARATION OF MEETING**
- 2. APPOINTMENT OF PRESIDING MEMBER (IF REQUIRED)**
- 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)**
- 5. APOLOGIES & LEAVE OF ABSENCE**
- 6. WRITTEN REQUESTS FOR LEAVE OF ABSENCE**

Nil
- 7. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON  
NOTICE**

Nil
- 8. PUBLIC QUESTION TIME**

**9. CONFIRMATION OF MINUTES**

**9.1 MINUTES OF THE ORDINARY COUNCIL MEETING - 11/2/2021**

**RECOMMENDATION**

That Council confirms the Minutes of the Ordinary Council Meeting held on Thursday, 11 February 2021 as a true and accurate record.

**10. DEPUTATIONS**

**11. BUSINESS LEFT OVER FROM PREVIOUS MEETING (IF ADJOURNED)**

Nil

**12. DECLARATION BY MEMBERS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING**

## 13. COUNCIL MATTERS

### 13.1 MODEL CODE OF CONDUCT FOR ELECTED MEMBERS

**Author(s)** D Green

**Attachments**

1. Model Code of Conduct [↓](#)
2. Code of Conduct - Alleged Breach Complaint Form [↓](#)
3. Previous Elected Member Code of Conduct (including Draft Amendments)[↓](#)
4. Memorandum of Understanding  
**(CONFIDENTIAL)**

#### RECOMMENDATION

That Council:

- (1) ADOPT the Model Code of Conduct, as shown in Attachment 1, to apply to all Elected Members, Committee Members and candidates for election as an Elected Member (as applicable);
- (2) APPROVE the “Complaint About Alleged Breach” form, as shown in Attachment 2, for the purposes of enabling complaints to be submitted;
- (3) AUTHORISE the Director, Governance and Community Services, as the person to receive complaints and withdrawal of complaints, on behalf of the City of Cockburn;
- (4) CONDUCT a workshop to consider potential additions to the Model Code which may include integration of some elements of the City’s redundant Code of Conduct, as shown in Attachment 3, and the Memorandum of Understanding, as shown in Attachment 4 signed by 9 elected members in 2019; and
- (5) SEEK expression of interest from the WA Local Government Association (WALGA) and member local governments of the WALGA South Metropolitan Zone to form a ‘Complaints Panel’ consisting of representatives from participating local governments to review complaints received by the City of Cockburn for alleged breaches of the adopted Code of Conduct.

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

#### Background

Recent amendments to Section 5.103 of the *Local Government Act 1995* provided for a Model Code of Conduct for Council Members, Committee Members and Candidates (for Council Elections) to be made mandatory.

These provisions made the previous requirement for all local governments to adopt a Code of Conduct redundant.

Accordingly, the City of Cockburn Elected Member Code of Conduct, which was previously reviewed and adopted by Council in May 2018, is no longer in effect.

### **Submission**

N/A

### **Report**

The previous Code of Conduct for Elected Members has now been superseded by a mandated Model Code of Conduct, which sets out the minimum standards of personal behaviour to be exhibited by all Elected Members, Committee Members and candidates in local government elections.

Accordingly, it is now incumbent on Council to formally adopt a Code of Conduct which contains the contents of the Model Code, as a minimum.

In addition, it is possible to include additional requirements in the Code, to the extent that they apply only to Council or Committee Members (ie: not candidates for election), and they are not inconsistent with the intent of any sections of the Model Code.

In particular, the City's adopted Code cannot include provisions in addition to those behavioural requirements stipulated in Schedule 1 Regulation 8 (related to Personal Integrity), Regulation 9 (related to Relationship with Others) and Regulation 10 (related to Behaviour at Meetings).

These matters aside, it is possible for Council to incorporate other elements of conduct by Elected Members into its adopted Code. The Model Code also contains the contents of the previous *Local Government Rules of Conduct Regulations 2007*, which have now been deleted.

To further examine this, it is noted that in late 2018 Elected Members (with one exception) participated in a process of mediation, with a primary objective of creating a set of agreed behavioural standards of accountability, to which all Elected Members would be expected to comply.

This process included a review of the provisions related to communication between Elected Members (individually and collectively), in addition to clarifying acceptable communication protocols between Elected Members and the City's administrative staff.

In addition, there was a desire to include specific provisions relating to the use of Social Media platforms, and a framework of standards to guide the use of Social Media by Elected Members.

Also, it was agreed there should be a mechanism to address grievances and disputes, which may include allegations of Code of Conduct breaches against an Elected Member.

This mediation process was facilitated by an external consultant with legal qualifications and broad experience in conflict management.

Following a number of workshops, with Elected Members and the CEO in attendance, there was a general consensus reached on a number of specified matters to which all Elected Members should be required to observe and comply with.

As a result of this consensus, a Memorandum of Understanding (MoU) was produced to be signed by all Elected Members as a collegiate acceptance of the behaviours, to be expected of and adhered to, by the City's elected officials in future.

The MoU more broadly included clarification of relating to the roles and responsibilities of Elected Members and the CEO, in addition to the expanded commentary on professional conduct and the grievance/dispute resolution procedure.

As a final acknowledgement that these standards and conditions will be equitably and consistently applied, the principles contained in the MoU may be included within the attached Draft Code of Conduct document for Elected Members to consider.

While every effort can be made to reflect the intent of the MoU (and the mediation process) in the future, consideration should initially be given to the content of the draft to ensure that it does not exceed its capacity to remain compliant with the statutory provisions and requirements.

Accordingly, it is recommended that Council adopts the Model Code at this time and gives future consideration of the content following a workshop to be arranged with input from all elected members and the possible establishment of an equitable implementation process, which may involve an opportunity to have a Panel system for regional local governments to collectively access for assessment of complaints and disputes.

### **Strategic Plans/Policy Implications**

#### **Listening and Leading**

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.

### **Budget/Financial Implications**

N/A

**Legal Implications**

Division 9, Sections 5.103 – 5.105 of the *Local Government Act 1995*, Schedule 1 of the *Local Government (Model Code of Conduct) Regulations 2021* and Regulation 34D of the *Local Government (Administration) Regulations 1996* refer.

**Community Consultation**

N/A

**Risk Management Implications**

There is a “Moderate” level of “Compliance” risk associated with this item.

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

N/A

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

Nil

*Local Government (Model Code of Conduct) Regulations 2021*

Model code of conduct      **Schedule 1**  
Preliminary provisions      **Division 1**  
   **cl. 1**

**Schedule 1 — Model code of conduct**

[r. 3]

**Division 1 — Preliminary provisions****1. Citation**

This is the *[insert name of local government] Code of Conduct for Council Members, Committee Members and Candidates*.

**2. Terms used****(1) In this code —**

*Act* means the *Local Government Act 1995*;

*candidate* means a candidate for election as a council member;

*complaint* means a complaint made under clause 11(1);

*publish* includes to publish on a social media platform.

**(2) Other terms used in this code that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.**

**Division 2 — General principles****3. Overview of Division**

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

**4. Personal integrity****(1) A council member, committee member or candidate should —**

(a) act with reasonable care and diligence; and

(b) act with honesty and integrity; and

(c) act lawfully; and

(d) identify and appropriately manage any conflict of interest; and

(e) avoid damage to the reputation of the local government.

**Local Government (Model Code of Conduct) Regulations 2021****Schedule 1** Model code of conduct**Division 2** General principles**cl. 5**

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- (2) A council member or committee member should —
- (a) act in accordance with the trust placed in council members and committee members; and
  - (b) participate in decision-making in an honest, fair, impartial and timely manner; and
  - (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
  - (d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

**5. Relationship with others**

- (1) A council member, committee member or candidate should —
- (a) treat others with respect, courtesy and fairness; and
  - (b) respect and value diversity in the community.
- (2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

**6. Accountability**

A council member or committee member should —

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to council or committee meetings; and
- (d) be open and accountable to, and represent, the community in the district.



**Local Government (Model Code of Conduct) Regulations 2021**Model code of conduct **Schedule 1**Behaviour **Division 3****cl. 7****Division 3 — Behaviour****7. Overview of Division**

This Division sets out —

- (a) requirements relating to the behaviour of council members, committee members and candidates; and
- (b) the mechanism for dealing with alleged breaches of those requirements.

**8. Personal integrity**

- (1) A council member, committee member or candidate —

- (a) must ensure that their use of social media and other forms of communication complies with this code; and
- (b) must only publish material that is factually correct.

- (2) A council member or committee member —

- (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
- (b) must comply with all policies, procedures and resolutions of the local government.

**9. Relationship with others**

A council member, committee member or candidate —

- (a) must not bully or harass another person in any way; and
- (b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and
- (d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and
- (e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local

**Local Government (Model Code of Conduct) Regulations 2021****Schedule 1** Model code of conduct**Division 3** Behaviour**cl. 10**

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government employee in connection with the performance of their official duties.

**10. Council or committee meetings**

When attending a council or committee meeting, a council member, committee member or candidate —

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and
- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and
- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

**11. Complaint about alleged breach**

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
  - (a) in writing in the form approved by the local government; and
  - (b) to a person authorised under subclause (3); and
  - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

**12. Dealing with complaint**

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is

**Local Government (Model Code of Conduct) Regulations 2021**Model code of conduct **Schedule 1**Behaviour **Division 3****cl. 12**

withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.

- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (4) If the local government makes a finding that the alleged breach has occurred, the local government may —
  - (a) take no further action; or
  - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.
- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
  - (a) engage in mediation;
  - (b) undertake counselling;
  - (c) undertake training;
  - (d) take other action the local government considers appropriate.
- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
  - (a) its finding and the reasons for its finding; and
  - (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

**Local Government (Model Code of Conduct) Regulations 2021****Schedule 1** Model code of conduct**Division 4** Rules of conduct**cl. 13**

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**13. Dismissal of complaint**

- (1) The local government must dismiss a complaint if it is satisfied that —
  - (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
  - (b) either —
    - (i) the behaviour was dealt with by the person presiding at the meeting; or
    - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.
- (2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

**14. Withdrawal of complaint**

- (1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.
- (2) The withdrawal of a complaint must be —
  - (a) in writing; and
  - (b) given to a person authorised under clause 11(3).

**15. Other provisions about complaints**

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.
- (2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

**Division 4 — Rules of conduct**

Notes for this Division:

1. Under section 5.105(1) of the Act a council member commits a minor breach if the council member contravenes a rule of conduct. This

**Local Government (Model Code of Conduct) Regulations 2021**Model code of conduct **Schedule 1**Rules of conduct **Division 4****cl. 16**

extends to the contravention of a rule of conduct that occurred when the council member was a candidate.

2. A minor breach is dealt with by a standards panel under section 5.110 of the Act.

**16. Overview of Division**

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

**17. Misuse of local government resources**

- (1) In this clause —  
*electoral purpose* means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;  
*resources of a local government* includes —
  - (a) local government property; and
  - (b) services provided, or paid for, by a local government.
- (2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

**18. Securing personal advantage or disadvantaging others**

- (1) A council member must not make improper use of their office —
  - (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
  - (b) to cause detriment to the local government or any other person.
- (2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

**Local Government (Model Code of Conduct) Regulations 2021****Schedule 1** Model code of conduct**Division 4** Rules of conduct**cl. 19**

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**19. Prohibition against involvement in administration**

- (1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.
- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

**20. Relationship with local government employees**

- (1) In this clause —  
*local government employee* means a person —
  - (a) employed by a local government under section 5.36(1) of the Act; or
  - (b) engaged by a local government under a contract for services.
- (2) A council member or candidate must not —
  - (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
  - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
  - (c) act in an abusive or threatening manner towards a local government employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —
  - (a) make a statement that a local government employee is incompetent or dishonest; or
  - (b) use an offensive or objectionable expression when referring to a local government employee.

**Local Government (Model Code of Conduct) Regulations 2021**Model code of conduct **Schedule 1**Rules of conduct **Division 4****cl. 21**

- (5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

**21. Disclosure of information**

- (1) In this clause —

**closed meeting** means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;

**confidential document** means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

**document** includes a part of a document;

**non-confidential document** means a document that is not a confidential document.

- (2) A council member must not disclose information that the council member —
- (a) derived from a confidential document; or
  - (b) acquired at a closed meeting other than information derived from a non-confidential document.
- (3) Subclause (2) does not prevent a council member from disclosing information —
- (a) at a closed meeting; or
  - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
  - (c) that is already in the public domain; or
  - (d) to an officer of the Department; or
  - (e) to the Minister; or
  - (f) to a legal practitioner for the purpose of obtaining legal advice; or
  - (g) if the disclosure is required or permitted by law.

**Local Government (Model Code of Conduct) Regulations 2021****Schedule 1** Model code of conduct**Division 4** Rules of conduct**cl. 22**

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**22. Disclosure of interests**

- (1) In this clause —  
*interest* —
- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
  - (b) includes an interest arising from kinship, friendship or membership of an association.
- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —
- (a) in a written notice given to the CEO before the meeting; or
  - (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —
- (a) that they had an interest in the matter; or
  - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
- (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
  - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if —
- (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or



**Local Government (Model Code of Conduct) Regulations 2021**Model code of conduct **Schedule 1**Rules of conduct **Division 4****cl. 23**

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- (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.
- 23. Compliance with plan requirement**
- If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.
-





## Complaint About Alleged Breach Form

### Code of Conduct for council members, committee members & candidates

Schedule 1, Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021*

- NOTE:** A complaint about an alleged breach must be made —
- (a) in writing in the form approved by the local government
  - (b) to an authorised person
  - (c) within one month after the occurrence of the alleged breach

#### Name of person who is making the complaint:

Name: \_\_\_\_\_  
                     Given Name(s)                                    Family Name

#### Contact details of person making the complaint:

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Contact number: \_\_\_\_\_

#### Name of the local government (city, town, shire) concerned:

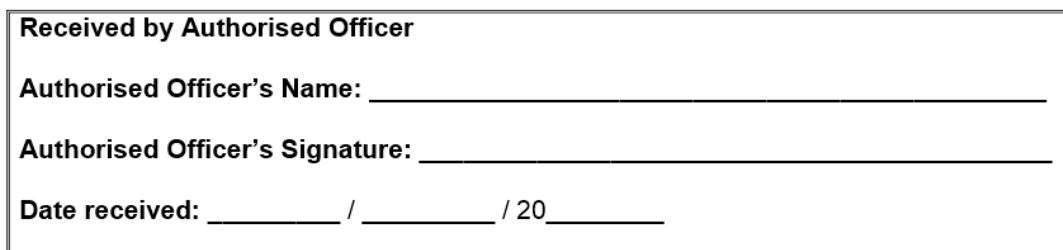
\_\_\_\_\_

#### Name of council member, committee member, candidate alleged to have committed the breach:

\_\_\_\_\_

#### State the full details of the alleged breach. Attach any supporting evidence to your complaint form.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



**Signed complaint form is to be forwarded to Director, Governance & Community Services via email to [governance@cockburn.wa.gov.au](mailto:governance@cockburn.wa.gov.au)**



# **ELECTED MEMBER CODE OF CONDUCT**

May-February 20192018

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## 1. INTRODUCTION

- 1.1 This Code of Conduct provides Elected Members at the City of Cockburn with consistent guidelines for an acceptable standard of professional conduct. The Code addresses the broader issue of ethical responsibility and encourages greater transparency and accountability in the affairs of Council.
- 1.2 The Code is complementary to the [principals-principles](#) adopted in the Local Government Act 1995 and Regulations which incorporates four fundamental aims to result in:-
  - better decision making by Council;
  - greater community participation in the decisions and affairs of Council;
  - greater accountability of Council to the community; and
  - more efficient and effective local government.
- 1.3 The Code is independent from the requirements of the provisions of [the Part 5, Division 9 of the Local Government Act and the Local Government \(Rules of Conduct\) Amendment Act, Regulations 2007 applicable from 2 October 2007](#) and which [also incorporate contain mandatory](#) behavioural standards to be observed by Elected Members.

## 2. ROLES & OBJECTIVES

- 2.1 A primary role of the Elected Members when acting as Council is to make decisions in the best interest of the [whole](#) community.
- 2.2 A primary role of all Elected Members shall be the achievement of the Council objectives contained in the Corporate Strategic Plan.
- 2.3 The focus of Elected Members when acting as Council shall be the effective translation of the community's needs and aspirations into an agreed direction and future for the City.
- 2.4 An Elected Member shall always act:-
  - [in a manner that is supportive and respectful of the Mayor and other Elected Member Councillors](#);
  - as a leader [and positive role model](#) on issues of [importance relevance](#) to the community;
  - honestly, impartially, [ethically](#) and with integrity in [its-all](#) dealings with [all elements of other Elected Members, Administration and](#) the community;

- responsibly by making decisions that are in the best interests of the wider Cockburn community taking into account professional advice;
- openly by encouraging the participation of residents in the opinion forming and decision making process of Council;
- tolerantly by acknowledging the right of individuals both on Council and in the community, to hold differing opinions and to express those opinions [as part of the democratic decision making process](#);
- independently and free of undue influences created by pecuniary interests and other conflicts of interest; and
- in an ethical and procedurally fair manner in all ~~of its~~ dealings [related to their Council responsibilities](#).

### 3. CONDUCT

#### 3.1 Elected Members shall act and be seen to act;

- properly and in accordance with the requirements of the law and the terms of this Code [of Conduct](#);
- as facilitators of community participation in Council processes;
- in a non-partisan way by seeking solutions and making decisions that are in the best interests of the broader Cockburn community;
- to represent the whole community first and the interests of pressure groups or individuals only in a context of the greater community good;
- co-operatively with Council staff through appropriately defined communication channels;
- to communicate and confirm Council decisions and policies in a positive and proactive manner in the community, [and not to undermine decisions made](#) regardless of the level of personal support for Council's collective decisions; and
- [not](#) to make ~~no~~ allegations which are improper or derogatory and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment.

#### 3.2 Elected Members shall observe the highest standards of honesty and integrity and avoid conduct which might suggest any departure from



these standards and be frank and honest in their official dealing with staff.

#### 4. ADMINISTRATIVE COMPLIANCE

- 4.1 Elected Members shall ensure compliance with proper and reasonable administrative practices and conduct and professional and responsible management practices.
- 4.2 Elected Members are often asked to represent the Council on external organisations. Such positions should only be accepted within time and other constraints which do not adversely reflect on Council's commitment to that organisation and in doing so, Elected Members ~~should-shall~~ fairly represent the Council's position to the best of their abilities, as it is understood by them at that time.
- 4.3 All aspects of communication by Elected Members (verbal or written) involving Council activities, ~~should-shall~~ reflect the status and objectives of Council and ~~should-shall~~ be accurate, polite and professional.
- 4.4 Elected Members shall only claim or accept travelling and sustenance expenses arising out of travel related matters which have a direct bearing on the services, processes or business of the Council in accordance with Council's policies.
- 4.5 Elected Members ~~are expected to~~~~shall~~ comply with neat and responsible dress standards at all times in their representation of Council.
- 4.6 When Elected Members are approached by members of the public to address an issue of individual concern on their behalf, the Elected Members:-
  - ~~Should-shall~~ ascertain if they have spoken to the relevant staff member and, if not, ~~encourage-refer~~ the person(s) to do so, in the first instance;
  - ~~Shouldshall~~, prior to meeting with the person(s) or prior to discussing the matter in further detail, obtain comment and any related information from the relevant staff member; and
  - ~~Should-shall~~ provide a brief file note of the meeting (who with, time, date, topic and outcome only) for Council's records, ~~if considered appropriate by the-~~ in accordance with the Record Keeping requirements of an Elected Member.

4.7 Elected Members shall direct any inquiries for staff to meet proponents or ratepayers concerning any application, proposal or issue to the CEO or relevant Director. Elected Members shall not advocate on behalf of proponents/ratepayers in meetings where staff are in attendance.

4.8 Unless not practicable, Elected Members ~~are~~ shall only ~~to~~ approach and seek advice from staff by:-

- ~~correspondence;~~
- telephone;
- ~~fax;~~
- email; or
- appointment

4.9 (a) ~~Any~~ All customer requests or enquiries made by Elected Members, must be lodged with the Executive Services Unit for recording.

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(b) Any requests or enquiries received by the Executive Services Unit, shall be forwarded to the relevant service unit for dealing with through the Customer Request System.

(c) Elected Members shall be advised as soon as possible in writing by the responsible officer, of the progress, outcome or information related to the request or enquiry.

4.10 Elected Members shall refrain from contacting or dealing with any staff member on a matter in which they have an obligation to declare an interest, pursuant to the Local Government Act, 1995, or Council's Standing Orders unless approval to participate in the matter has been provided in accordance with sec. 5.69.

4.11 Unless not practicable, Elected Members shall only enter the staff work areas of the Administration Building after requesting and receiving approval from the CEO, a Director or relevant senior staff member.

4.12 Facilities provided for use by Elected Members within the Administration Building, shall only be available for the pursuit or conduct of Council business or interests.

## 5. COMMUNICATION PROTOCOLS

5.1 Unless acting in an authorised capacity as a Council spokesperson pursuant to the Local Government Act, 1995:

(a) Councillors shall not speak, attempt to speak or give the perception of speaking on behalf of the local government;

(b) Subject to clause (a) above, a Councillor may choose to make a personal statement publicly on a matter related to Council business.

(d) Elected Members approached by the media for a personal statement may request the assistance of the Chief Executive Officer, or authorised delegate, in preparing a response.

5.2 In relation to communications between Elected Members and each other, and between Elected Members and the Executive:

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(a) Elected Members shall avoid copying in all other Elected Members on every email communication that is sent except where the email involves a major issue that may have a whole of City impact;

(b) If an email concerns a specific ward issue, the sender of the email may, if appropriate, copy in other relevant ward councillors;

(c) Except in the case of emergency, elected members should refrain from sending emails at unsociable hours (between 11 pm and 5 am) and refrain from making phone calls between the hours of 9.30 pm and 7.30 am;

(d) Elected Members shall ensure that emails are respectful and polite and do not contain abusive language;

(e) Elected Members who have been authorised to communicate directly with a member of staff (under Director level) shall always copy in the relevant Director on all emails;

(f) Elected Members shall make themselves aware of, and abide by, protocols applying to communications from developers and other applicants for approvals in accordance with the Department of Local Government, Sport and Cultural Industries' Operational Guideline No. 12 'Elected Members' Relationship with Developers' and any applicable Council Policy.

## **6. SOCIAL MEDIA & EXTERNAL COMMUNICATION**

5.1 Unless acting in an authorised capacity as a Council spokesperson pursuant to the local Government Act, 1995:

(a) Councillors shall not speak, attempt to speak or give the perception of speaking on behalf of the local government;

(b) — Councillors should ensure that statements made to the media are identified as their opinions only and do not necessarily represent the position of Council; and

(c) — Subject to Clauses (a) and (b) above, an Elected Member may choose to make a personal statement publicly on a matter related to Council business. Elected Members approached by the media for a personal statement may request the assistance of the Chief Executive Officer, or authorised delegate, in preparing a response.

56.21 (a) Elected Members are responsible for the content they publish in a personal capacity on any form of social media platform and in this regard must understand their legal obligations.

The speed and reach of publishing online means content is available immediately to a wide audience. Anything posted can be difficult to delete and may be replicated, misconstrued and seen by people the author never intended or expected would see it.

Elected Members must recognize the potential damage that may be caused to the City through inappropriate use of social media. Accordingly, Elected Members should comply with this guideline to ensure that the risk of such damage is minimized, including potential action against an Elected Member under the Local Government (Rules of Conduct) Regulations 2007.

As civic leaders, Elected Members must comply with the requirements of the Local Government Act 1995 and the Local Government (Rules of Conduct) Regulations 2007 and such obligations extend to when Elected Members use social media to communicate with the community.

In particular, the Local Government (Rules of Conduct) Regulations 2007 require that Elected Members must not:  
gain directly or indirectly an advantage for themselves or any other person (Regulation 7 (1) (a))  
cause detriment to the City or any other person (Regulation 7(1) (b));  
use directly or indirectly the resources of the City for the purposes of voting in a particular way at an election, referendum or other poll, or for any other purpose, unless authorized under the Act or by the Council or CEO (Regulation 8). (This includes Elected Member photographs, commissioned by the City, which are used for official City of Cockburn purposes only and cannot be used in any personal communications undertaken by the member;

disclose information derived from a confidential document or acquired from a closed meeting, or otherwise considered confidential in nature. (Regulation 2).

(ba) ~~In view of this,~~ Elected Members when using social media ~~must~~shall:

- comply with all other aspects of this Code of Conduct as applicable;
- only disclose and discuss publicly available information;
- ensure that all content published is accurate and not misleading and complies with all relevant City policies and legislative requirements;
- be polite and respectful to all people they interact with;
- avoid making negative comments about the Elected Members or Administration of the City of Cockburn or members of the community;
- avoid making any comment or post any material that might otherwise cause damage to other persons, or bring the City's reputation into question;
- comply with their record keeping responsibilities when using social media for Elected Member activities and Council related matters by providing a copy of the post to the City's ~~Administration~~Media Services, Governance Unit and Executive Services Unit;

(cb) Elected Members when using social media ~~must~~shall not:

- Apart from the Mayor, imply that they are authorised to speak as a representative of the City or the Council, or give the impression that the views expressed are those of the City or the Council;
- make prior public statements expressing their opinion on matters before Council that would indicate a predetermined decision;
- post material that is offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, racist, sexist, or otherwise unlawful;
- use City logos or crests;
- use a false identity;
- use or disclose any confidential information obtained in their capacity as an Elected Member of the City, or

release information to the public before it has been dealt with by Council or approved for release by the City;

- mention or disclose staff members' names or positions publically or through private means (direct message) via social media
- post photos of others in a personal (as opposed to professional) context without their permission;
- engage in cyber bullying of any kind;
- harass or undermine other candidates in an election;
- harass or disparage ratepayers or other members of the public especially after it has been made clear that such communication is not welcome;
- make, or cause or encourage others to make, abusive posts.

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(dc) When perusing ~~Posting on~~ the City's social media pages specifically

- Elected Members may like, comment or share existing content but may shall not post new content to the City's pages.
- Elected Members must shall not answer questions posed to the City on social media as this is a function of the Administration.

(ed) Posting on ~~When perusing~~ other social media pages

- Where requests for a City of Cockburn service or official feedback have been posted on other social media sites, Elected Members may shall direct these to customer@cockburn.wa.gov.au or 9411 3444.

~~Where misinformation or factually incorrect information is posted, Elected Members may refer the original poster to the City for clarification i.e. contact the City's Customer Service (as above);~~

## 7. GRIEVANCE PROCEDURE

The following procedure will apply to any complaint relating to an alleged breach by an Elected Member of this Code of Conduct.

### 7.1 Minor and Serious Breaches

- (a) This Grievance Procedure shall apply to both 'minor' and 'serious' breaches.
- (b) A 'minor' breach is defined as 'a single incident or event which would reasonably be considered to cause a low level of unwarranted offence, embarrassment or inconvenience to another person or the City'.
- (c) A 'serious' breach is defined as 'a single incident or event which would reasonably be considered to cause a high level of unwarranted offence, embarrassment or inconvenience to another person or the City'.
- (d) A 'serious' breach would also include a minor breach in circumstances where the elected member concerned has already committed two minor breaches in the 6 months immediately preceding a third minor breach, or three minor breaches in the 12 months immediately preceding a fourth minor breach.

#### 7.2 Lodgment and Acknowledgment of Complaint

- (a) All complaints shall be referred to the Mayor in the first instance for acknowledgment (or, in the case of a complaint against the Mayor, to the Deputy Mayor). All references to the Mayor in the following provisions shall be read as references to the Deputy Mayor in circumstances where the Mayor is the subject of the complaint.
- (b) The Mayor shall, as soon as practicable, provide written acknowledgement of receipt of the complaint, and refer the complaint to the City's Director of Governance for assessment through the Governance Unit;

#### 7.3 Assessment and Initial Treatment of Complaint

- (a) The Governance Unit shall:
  - (i) assess the complaint and prepare a report setting out its findings and recommended resolution of the complaint; and
  - (ii) provide the report as soon as practicable to the Mayor.
- (b) Where the Governance Unit assesses the complaint to be frivolous or vexatious, this assessment and the basis for making it shall be set out in the report, and no further steps shall be taken in relation to the complaint.
- (c) Where the Governance Unit's report concludes that a minor breach or serious breach has occurred, an internal meeting will be arranged between Mayor, relevant Elected Members and CEO (or CEO delegate) to consider the report and recommended outcomes;
- (d) Where the report's findings and recommendations (or an agreed variation of those recommendations) are accepted by all parties present at the internal meeting, the recommended or agreed outcomes will be brought into effect and no further action will be required (in this circumstance, the report and associated documentation will be placed on the Council Record Keeping System as 'confidential' documents);

#### 7.4 External Investigation



- (a) Where the report's findings and recommendations are not accepted by all parties present, the matter will be referred to an external independent investigator to assess the matter and provide a confidential report to the Mayor which sets out the external investigator's findings and recommended outcomes in relation to the complaint.
- (b) The Mayor will as soon as practicable provide a copy of the external investigator's report to the complainant and the Elected Member the subject of the complaint.
- (c) Upon provision of the external investigator's report in accordance with paragraph (b) above, the relevant parties may, within 7 days of receipt of the report, agree to a further internal meeting with the Mayor and CEO (or CEO delegate) to determine if the matter can be resolved by agreement.
- (d) If no further internal meeting takes place or the matter is unable to be resolved by agreement following such a meeting, the report will be referred to the Council to determine what action should be taken in respect of the complaint, having regard to the external investigator's report.
- (e) The outcome of the Council's deliberations will be made public.

#### 7.5 Outcomes Available to Council

Outcomes available to Council in circumstances where a breach has occurred include, but are not limited to:

- (a) requesting the Elected Member in question to provide a public or private apology;
- (b) requesting the Elected Member in question to undertake relevant training;
- (c) in the case of a serious breach, excluding the Elected Member in question from participating in City of Cockburn Standing Committees, advisory/reference groups, or as a Council delegate for an external organisation for a specific period of time; and
- (d) in the case of a serious breach involving the Mayor or Deputy Mayor, reducing the remuneration payable to that person for a specific period of time taking into account relevant statutory guidelines including Salaries and Allowances Tribunal determinations made from time to time.



**13.2 COUNCIL DELEGATE - PERTH AIRPORT MUNICIPALITIES GROUP (PAMG)**

**Author(s)** D Green

**Attachments** N/A

**RECOMMENDATION**

That Council appoints \_\_\_\_\_ (Elected Member) as its delegate of the Perth Airport Municipalities Group (PAMG).

**Background**

The City of Cockburn is a member of the Perth Airport Municipalities Group (PAMG) by virtue of the Jandakot Airport being located within its district.

The City is represented at PAMG by Cr Stone, as a delegate and the City's Manager Strategic Planning, in a technical advisory role.

By email received 24 February 2021, Cr Stone advised that she is unable to continue as Council's Elected Member delegate, due to changed meeting days conflicting with her community commitments.

Accordingly, it is appropriate for Council to appoint an alternative Elected Member delegate for this group.

**Submission**

By email received 25 February 2021, Cr Separovich has submitted an interest in being appointed the Elected Member delegate for the City of Cockburn.

**Report**

The objectives of the PAMG are:

1. To provide a forum of meaningful discussion on issues which affect metropolitan airports at Belmont (Perth Airport), Jandakot and Bullsbrook (Pearce Air Base), and their environs;
2. To investigate, report and formulate recommendations in respect of matters affecting or likely to affect the development of metropolitan airports;
3. To monitor the use and environmental impact of metropolitan airports on neighbouring communities;
4. To advise relevant State and Federal government stakeholders, airport owners/operators and technical/community working groups on issues of major concern affecting the airports and surrounding communities;

5. To establish and maintain strong partnering relationships with airport owners/operators for the purposes of effective dialogue to identify, discuss, advise, research and seek proactive resolutions to issues affecting the airports and surrounding local communities;
6. To provide a conduit and consultation mechanism for the expression of community views and a proper exchange of information with members of the community;
7. To consider all proposals affecting airport development and operations before policy decisions are made and any subsequent legislative changes are made;
8. To liaise with the airport Emergency Procedures Committees where necessary on matters involving emergency coordination and rescue response;
9. To pursue active participation on the Australian Mayoral Aviation Council (AMAC) and any other relevant bodies for the purpose of fostering participation in the development, use and impacts of airports;
10. To promote the economic benefits of civil aviation airports; and
11. To liaise with local government on issues of concern to the community and to provide a forum for discussion of planning and development issues affecting future communities close to major airports

Meetings of the Committee are now conducted quarterly on the first Wednesday of each March, June, September and December, with the host Council chosen on a rotational basis.

The City of Cockburn reconsiders its appointments to external organisations following each biennial election cycle, meaning that this appointment will be reviewed following the 16 October 2021 election.

### **Strategic Plans/Policy Implications**

#### **Local Economy**

*A sustainable and diverse local economy that attracts increased investment and provides local employment.*

- Advocate and attract investment, economic growth and local employment.

**Environmental Responsibility**

*A leader in environmental management that enhances and sustainably manages our local natural areas and resources.*

- Sustainably manage our environment by protecting and enhancing our unique natural coastal, bushland, wetlands areas and native wildlife.

**Community, Lifestyle and Security**

*A vibrant healthy, safe, inclusive and connected community.*

- Facilitate and support health, and well-being outcomes for our community.

**City Growth and Moving Around**

*A growing City that is easy to move around and provides great places to live.*

- Plan, develop and advocate for safe, sustainable, integrated local transport networks, public transport and regional transport networks.

**Budget/Financial Implications**

N/A

**Legal Implications**

N/A

**Community Consultation**

N/A

**Risk Management Implications**

There is a “Low” level of “Brand / Reputation” risk associated with this item

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

N/A

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

Nil

**13.3 MINUTES OF DELEGATED AUTHORITIES & POLICIES  
COMMITTEE MEETING - 25 FEBRUARY 2021****Author(s)** B Pinto**Attachment** 1. Minutes of Delegated Authorities & Policies  
Committee Meeting - 25 February 2021**RECOMMENDATION**

That Council:

- (1) RECEIVE the Minutes of the Delegated Authorities & Policies Committee Meeting held on Thursday, 25 February 2021; and
- (2) ADOPT the recommendations contained therein.

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

The Delegated Authorities & Policies Committee conducted a meeting on 25 February 2021. The Minutes of the meeting are required to be presented.

**Submission**

N/A

**Report**

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

The primary focus of this meeting is to review Council Policies relative to:

- Executive Services;
- Planning & Development Services;
- Engineering & Works; and
- Community Services

Also for consideration is one (1) new Delegated Authority and one (1) Delegated Authority deleted as follows:

City of Cockburn Parking & Parking Facilities Local Law:

This delegation was deleted at the December 2020 Council meeting as there was a conflict between the Parking and Parking Facilities Local Law. The Local Law has now been amended to remove the requirement for this function to be decided by Council.

This is now being presented for adoption to enable Council to delegate the operational controls within the City, resulting in expediting mitigation works at identified parking hot spots within the district, without having to obtain Council approval.

Local Government Act 1995 – Appointment of Authorised Persons:

The amendment of Section 9.10 of the *Local Government Act 1995* provides the CEO with direct responsibility for ensuring that written authorisations are in place for the appointment of persons required to perform specific functions.

### **Strategic Plans/Policy Implications**

Listening & Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.
- Deliver value for money through sustainable financial management, planning and asset management.

### **Budget/Financial Implications**

As contained in the Minutes.

### **Legal Implications**

As contained in the Minutes.

### **Community Consultation**

As contained in the Minutes.

**Risk Management Implications**

Failure to adopt the Minutes may result in inconsistent processes and lead to non-conformance with the principles of good governance, and non-compliance with the *Local Government Act 1995*.

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

N/A

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

Nil



City of Cockburn  
Delegated Authorities and Policies  
Committee  
**Minutes**

For Thursday, 25 February 2021

These Minutes are subject to confirmation

Presiding Member's signature

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Date: 27 May 2021

# CITY OF COCKBURN

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**City of Cockburn**  
**Delegated Authorities and Policies Committee**  
**Thursday, 25 February 2021**

**Minutes**

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**PRESENT:**

**ELECTED MEMBERS**

Ms C Stone	-	Councillor
Mr L Howlett	-	Mayor
Ms P Corke	-	Councillor
Mr M Separovich	-	Councillor
Mr T Widenbar (arr 6:04pm)	-	Councillor (Deputy)

**IN ATTENDANCE**

Mr T Brun	-	Chief Executive Officer
Mr D Arndt (dep 6.44pm)	-	Director Planning and Development
Mr D Green (dep 6.44pm)	-	Director Governance and Community Services
Mr S Downing (dep 6.44pm)	-	Director Finance and Corporate Services
Mrs G Bowman (dep 6.44pm)	-	Executive Manager, Strategy and Governance
Mr A Lees (dep 6.44pm)	-	Acting Director Engineering and Works
Mrs B Pinto	-	Governance Officer
Mrs S D'Agnone	-	Council Minute Officer

**1. DECLARATION OF MEETING**

The Presiding Member declared the meeting open at 6:00pm.

**2. APPOINTMENT OF PRESIDING MEMBER (If required)**

Nil

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

Nil.

**4. APOLOGIES AND LEAVE OF ABSENCE**

Dr C Terblanche	-	Councillor
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## 5. CONFIRMATION OF MINUTES

### 5.1 (2021/MINUTE NO 0001) MINUTES OF THE DELEGATED AUTHORITIES AND POLICIES COMMITTEE MEETING - 26/11/2020

#### RECOMMENDATION

That Committee confirms the Minutes of the Delegated Authorities and Policies Committee Meeting held on Thursday, 26 November 2020 as a true and accurate record.

#### COMMITTEE RECOMMENDATION

MOVED Cr P Corke SECONDED Mayor L Howlett

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 4/0**

## 6. BUSINESS LEFT OVER FROM PREVIOUS MEETING (IF ADJOURNED)

Nil

## 7. DECLARATION BY MEMBERS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING

Nil

6.03pm The following items were carried by En Bloc resolution of Committee:

8.1	9.1	11.1	12.1	13.1
	9.2		12.2	13.2

6.04pm Cr Widenbar entered the meeting.

## 8. COUNCIL MATTERS

### 8.1 (2021/MINUTE NO 0002) PROPOSED AMENDMENTS TO POLICY 'COMPLIMENTS, FEEDBACK AND COMPLAINTS'

<b>Author(s)</b>	D Green
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Policy - Current - Compliments, Feedback and Complaints</li><li>2. Policy - Proposed Amendments - Compliments, Feedback and Complaints</li><li>3. Customer Service Charter</li></ol>

#### RECOMMENDATION

That Council adopts the proposed amendments to Policy 'Compliments, Feedback and Complaints', as shown in the attachment to the Agenda.

#### COMMITTEE RECOMMENDATION

MOVED Cr M Separovich SECONDED Mayor L Howlett

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 4/0**

#### Background

The City's Policy "Compliments, Feedback and Complaints" is subject to review. The current policy is considered to be excessive in content and not directly aligned to the City's Customer Service Charter (CSC).

Accordingly, it is recommended, that while key elements and content of the current Policy need to be retained, the City's key Customer Service driver, being the CSC, should be the principle purpose of the Policy and feature as a component.

The current Policy only references the CSC in relation to the 5 day timeframe associated with an initial response to any enquiry received.

#### Submission

N/A

#### Report

The expectation of any organisation which provides direct service delivery and interaction with the public should be that its stakeholders are treated with decency and respect.

The focus of any engagement with the City of Cockburn's customers should be built on values which represent a standard of excellence in the delivery of front line services, and the manner in which the City communicates with its customers.



In this sense, every contact made between the City and its representatives and stakeholders should adhere to the values contained in the City's CSC.

These contacts need to be supported by best practice and easy to access systems, which complement responses that are exemplified by courtesy and earnest intent.

Likewise, the City's Policy should reflect this as much as possible, in order to provide a public assurance that the City is committed to a level of service that will not be compromised and will sustain a level of satisfaction that is focussed on continuous improvement and increased indicator measures.

It is considered that the amended Policy Statement reflects the City's values, while also providing some guidance and assistance to the City's stakeholders, to be assured that they can confidently and conveniently communicate with the City in order to register a legitimate level of feedback for the City to address on their behalf.

In addition, it is important that stakeholders are able to submit personal complaints related to allegations of misconduct or unacceptable behaviour by either City officers or elected members.

There are now statutory provisions which allow for these matters to be reported to the organisation for an internal review or to other government agencies for an external review.

By adopting these standards, it sends a clear message that the City of Cockburn is committed to setting high benchmarks for its customer service and to ensure that its employees and elected members are accountable for their actions when dealing with the City's stakeholders and constituents.

### **Strategic Plans/Policy Implications**

#### Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.
- Listen to, communicate, consult and engage with our residents, businesses and community in a timely, open and collaborative manner.

### **Budget/Financial Implications**

N/A



**Legal Implications**

Section 3.1 (1) of the *Local Government Act 1995*, provides for local government to provide for the “good government of persons in its district”.

An essential element of “good government” is related to how local government relates and effectively communicates with its constituents.

**Community Consultation**

N/A

**Risk Management Implications**

There is a “Moderate” level of “Brand/Reputation” risk associated with this item.

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

N/A

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

Nil



<b>Title</b>	<b>Compliments, Feedback &amp; Complaints</b>
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## Policy Type

Council

## Policy Purpose

The purpose of this policy is to provide a framework to guide the City of Cockburn in its management and handling of compliments, feedback and complaints.

The City of Cockburn is committed to managing compliments, feedback and complaints in a consistent and unbiased manner that complies with the Australian Standard Guidelines and the Ombudsman Western Australia Guidelines thereby ensuring an open and responsive complaints handling process.

## Policy Statement

- (1) The City of Cockburn is committed to providing quality customer service, ensuring that should customers be dissatisfied with the provision of services or products of the City and/or its contractors or with the actions of employees that they will actively seek to resolve the complaint at the first point of contact.
- (2) This policy has been introduced to ensure that all customers have the opportunity to provide feedback to the City. To assist with this the City will adopt a process for compliments, feedback and complaint handling, which provides clear information about how and where to complain and feedback will be managed in line with guidelines from the Ombudsman Western Australia.
- (3) Compliments, feedback and complaints will be acknowledged and responded to in a timely manner with objectivity and fairness ensuring that, where required, the City provides an appropriate response. Initial response will be in line with the City's Customer Service Charter.
- (4) In managing compliments, feedback and complaints in a consistent and accountable manner, the City will be able to identify trends and analyse feedback and complaints to implement improvements to service, process and identified inadequacies. To achieve this, the City will:
  1. adopt a customer-focused approach that encourages open feedback and a commitment to resolving complaints;
  2. endeavour to ensure that anyone who is dissatisfied with a City service or product can easily and simply make a complaint and/or provide feedback;
  3. designate a location to lodge complaints which is visible and easily accessible to customers;
  4. acknowledge complaints;
  5. investigate feedback and complaints courteously and fairly;
  6. respond to complaints in a timely manner and within prescribed timelines set out in its management procedure;

[1]

<b>Title</b>	<b>Compliments, Feedback &amp; Complaints</b>
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7. establish a system for complaint handling that will enable it to identify trends, eliminate causes of complaints and improve operations and customer service;
8. reward and recognise staff who receive compliments for their service delivery;
9. ensure all staff are aware of the Compliments, Feedback and Complaints Policy and Procedure; and
10. ensure feedback mechanisms are accessible for all customers and the availability of support for people with low literacy, English as a second language, disability or other access needs is communicated.

Strategic Link:	Communications Strategy and Action Plan
Category	Governance
Lead Business Unit:	Governance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	13 December 2018
Next Review Due: (Governance Purpose Only)	December 2020
ECM Doc Set ID: (Governance Purpose Only)	8029039

**Current**

[2]



Title	Compliments, Feedback & Complaints
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## Policy Type

Council

## Policy Purpose

The purpose of this policy is to provide a framework to guide the City of Cockburn in its management and handling of compliments, feedback and complaints.

The City of Cockburn is committed to managing compliments, feedback and complaints in a consistent and unbiased manner that complies with the Australian Standard Guidelines and the Ombudsman Western Australia Guidelines thereby ensuring an open and responsive complaints handling process.

## Policy Statement

- (1) The City of Cockburn will manage any feedback in accordance with its Customer Service Charter as adopted by the Chief Executive Officer.
- (2) Feedback including complaints should be directed to the City's Administration via the Customer Request System.
- (3) Feedback received via market research or from unsolicited sources, either positive or negative, will be provided to the relevant service unit to use as an opportunity to review and improve its services.
- (4) The City will provide a complaint system that is:
  1. user friendly, fair and unbiased;
  2. easily accessible to people with disability and people from cultural and linguistically diverse backgrounds;
  3. able to provide a platform that enables the public to:
    - i. be heard and understood
    - ii. be respected
    - iii. expect an explanation, apology or action to be taken as soon as possible.
- (5) The City will ensure that the customer is kept aware of the progress of a complaint throughout the process;
- (6) The City will have a procedure for reviewing complaints if a customer is not satisfied with the way the City handled their initial complaint. If complainants have exhausted the review process at the City, they may request an external

[1]

Title	Compliments, Feedback & Complaints
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review through the Department of Local Government and/or the State Ombudsman;

- (7) The City recognises that the reasonable right to freedom of expression includes the right of complainants to express dissatisfaction with the City or its decisions/conduct/services/products or policy. However, should complainants become rude or abusive communication with the City may be formally terminated. Should there be threatening or abusive behaviour that poses an Occupational Health and Safety risk the matter will be referred to the Police where appropriate.
- (8) The City has an obligation to responsibly manage its resources on behalf of its ratepayers. The substance of a complaint will dictate the resources allocated by the City, in its management. People may be deemed an unreasonable complainant or a restriction of service may be applied to them should circumstances be considered warranted.
- (9) Complaints about Elected Members:
- Complaints regarding Elected Members are also covered by an Elected Members' Code of Conduct available on the City's website and the Local Government (Model Code of Conduct) Regulations 2021. The complaint must be made on the relevant Form, available from the City's website or Governance Business Unit at the City.
- (10) Complaints about employees:
- Complaints about employees must initially be directed to the Chief Executive Officer (CEO) for attention.

Strategic Link:	Communications Strategy and Action Plan
Category	Governance
Lead Business Unit:	Governance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<del>13 December 2018</del>
Next Review Due: (Governance Purpose Only)	December 2020
ECM Doc Set ID: (Governance Purpose Only)	8029039

[2]



# Customer Service Charter

We are committed to giving you the best possible Customer Service.

The purpose of this Charter is to outline the standards you can expect when engaging with the City of Cockburn.



**Your Feedback**, including suggestions, comments or complaints provide us with information and ideas that can be used when reviewing our policies, procedures and services.



## We commit to

Meeting your needs

Respecting the diversity and individuality of people

The professionalism of our staff

Effective two-way communication

Open and accountable processes.

## In providing our service, we value

Taking personal ownership for customer satisfaction

Listening to you

Ensuring that everyone receives the same quality of service

Providing a helpful, polite and prompt service

Treating you with respect and fairness

Delivering on our commitments.

## City of Cockburn staff will

Identify themselves by name

Aim to answer your telephone call within four rings

Return your call by the end of the next working day if you leave a message

Acknowledge the receipt of email requests within five working days

Acknowledge Social Media queries by the end of the next working day

Acknowledge written requests within seven working days

Provide you with a reference number for all requests

Keep you informed of the progress of your request.

T: 08 9411 3444  
cockburn.wa.gov.au/feedback

## 9. PLANNING AND DEVELOPMENT DIVISION ISSUES

### 9.1 (2021/MINUTE NO 0003) ADOPTION OF AMENDMENTS TO LOCAL PLANNING POLICY LPP1.3 ANCILLARY DWELLINGS, AND DELETION OF LOCAL PLANNING POLICIES LPP1.4 AGED OR DEPENDENT PERSONS' DWELLINGS, AND LOCAL PLANNING POLICY LPP1.5 SINGLE BEDROOM DWELLINGS

<b>Author(s)</b>	C Da Costa
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Revised Local Planning Policy LPP1.3 - Special Purpose Dwellings</li> <li>2. Local Planning Policy LPP1.3 - Ancillary Dwellings</li> <li>3. Local Planning Policy LPP1.4 - Aged or Dependent Persons' Dwelling</li> <li>4. Local Planning Policy LPP1.5 - Single Bedroom Dwelling</li> </ol>

#### RECOMMENDATION

That Council:

- (1) adopt the proposed amendments to Local Planning Policy 1.3 Ancillary Dwellings to Special Purpose Dwellings, and delete Local Planning Policy 1.4 Aged or Dependent Persons' Dwellings, and Local Planning Policy 1.5 Single Bedroom Dwellings – in accordance with Clauses 5 and 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
- (2) advise those who lodged a submission during the public consultation period of the decision.

#### COMMITTEE RECOMMENDATION

MOVED Cr M Separovich SECONDED Mayor L Howlett

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 4/0**

#### Background

Modifications to the Local Planning Policy 1.3 (LPP1.3) Ancillary Dwellings and the proposed revocation to Local Planning Policy 1.4 (LPP1.4) Aged or Dependent Persons' Dwellings, and Local Planning Policy 1.5 (LPP1.5) Single Bedroom Dwellings, were adopted by Council for the purposes of advertising in accordance with Clause 4(1) of *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) at its DAPPS meeting held on 27 November 2019.

The Local Planning Policies (LPPs) were subsequently advertised in accordance with Clause 4(1) of the Regulations, with one submission being received during the consultation period.



Post advertising, the City also initiated Scheme Amendment No. 149 to the City's Town Planning Scheme No. 3 (TPS 3) to include a provision for Special Purpose – Small Dwellings.

The amendment introduced a new dwelling type 'Special Purpose – Small Dwellings', which is intended to formally introduce a second multi-purpose room as follows:

*'Special Purpose - Small Dwelling is a single house or grouped dwelling with a maximum plot ratio of 70m<sup>2</sup> containing no more than two habitable rooms capable of use as a bedroom. The dwelling shall be designed to meet the Liveable Housing Design Guidelines (Australia)' Silver Performance Level at a minimum. For the purposes of a 'Special Purpose - Small Dwelling' the minimum and average site area as set out in Table 1 of the Residential Design Codes may be reduced by up to one third, which shall only be applied where development is proposed.'*

This Scheme Amendment No. 149 was gazetted on 2 February 2021.

Rather than introducing a new LPP to provide development guidance for this new housing type, and to streamline the number of LPPs, it is proposed that all three LPPs are combined into one LPP. In addition to rationalising the policies, several modifications are proposed to provide consistency and greater clarity.

### Submission

N/A

### Report

The proposed modifications are summarised as follows:

- Revision of the policy purpose to provide more general information about all Special Purpose Dwellings, including information from existing LPP1.4 and LPP1.5 (as opposed to information only in relation to Ancillary Dwellings),
- For ancillary dwellings proposed to exceed 70m<sup>2</sup> plot ratio (up to 100m<sup>2</sup>), introducing a requirement that the design shall meet the 'Silver Level' of the Liveable Housing Design Guidelines (Liveable Housing Australia). This will ensure that larger ancillary dwellings are also more accessible and therefore suited to a larger number of people in the community, including aged persons or persons with a disability,
- For aged or dependent persons' dwellings in a development of less than five (5), introducing a requirement that the design meets the 'Silver Level' of the Liveable Housing Design Guidelines (Liveable Housing Australia).

This aims to make the density bonus more appealing, with the aim of increasing the number of accessible dwellings in the community which are suitable for aged persons or persons with a disability,



- For aged or dependent persons' dwellings where the applicant seeks to have the requirement for the occupant to be aged or dependent and a notification on title imposed, introducing a requirement that the design meets the 'Silver Level' of the Liveable Housing Design Guidelines (Liveable Housing Australia). This aims to make the density bonus more appealing, with the aim of increasing the number accessible dwellings in the community which are suitable for aged persons or persons with a disability,
- For single bedroom dwellings, removing the clause that supports the R-Codes density bonus for dwellings proposing more than one room capable of use as a bedroom,
- Introducing new guidance for the development of small dwellings in relation to the proposed scheme provisions,
- Revocation of LPP 1.4 Aged or Dependent Persons Dwellings, as these provisions have been incorporated into LPP1.3,
- Revocation of LPP 1.5 Single Bedroom Dwellings as these provisions have been incorporated into LPP1.3.

Overall, combining LPP1.3, 1.4 and 1.5 rationalises the number of local planning policies and combines development guidance for all special purpose dwellings in one policy.

In addition, requiring dwellings seeking floor space and other variations and bonuses to achieve 'Silver Level' of the Liveable Housing Australia 'Liveable Housing Design Guidelines' will ensure that the amount of accessible housing stock is increased which will benefit the community, especially aged persons and persons with a disability.

### Consultation

Consultation was undertaken in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* and one submission of objection was received during the consultation period, noted below.

Submission	City Response
<p>I would have expected that for rural areas the ancillary accommodation would be allowed to be larger.</p> <p>We are talking about 2+ acre plots and there is no reason an ancillary dwelling could not be larger than 100m<sup>2</sup> in living space.</p> <p>Allowing larger houses would encourage extended families into rural areas as two siblings would be able to live on the same block with their families.</p>	<p>The purpose of the capping of the areas of ancillary dwellings is to clearly delineate an ancillary dwelling against that of a grouped dwelling in the rural zone, which is an 'X' use and cannot be approved.</p> <p>A Grouped Dwelling (being a second dwelling in addition to the existing dwelling) has no area limitation in terms of site cover or plot ratio.</p> <p>The revised LPP also addresses design elements and the standard of construction.</p>



**Strategic Plans/Policy Implications**Local Economy

*A sustainable and diverse local economy that attracts increased investment and provides local employment.*

- Support and promote the benefits of buying locally.

City Growth and Moving Around

*A growing City that is easy to move around and provides great places to live.*

- Plan and facilitate diverse and affordable housing choices for residents and vulnerable communities.
- Sustainably revitalise urban areas to deliver high levels of amenity and to cater for population growth.

**Budget/Financial Implications**

Costs involved in placing notifications of the amendments in the local newspaper, which can be met by municipal funds.

**Legal Implications**

N/A

**Community Consultation**

N/A

**Risk Management Implications**

There is no risk to the City in adopting the proposed modifications and deletions, as the purpose of the modifications is to rationalise existing policies and introduce provisions to increase housing diversity. The risk of not adopting the modifications is that there may be less diverse housing opportunities in the City.

**Advice to Proponents/Submitters**

Those who lodged a submission on the proposal will be advised of the outcome of the Delegated Authorities & Policies Committee to be held 25 February 2021 and the subsequent Council meeting.

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

Nil



<b>Title</b>	<b>Special Purpose Dwellings</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP1.3</b>



## Policy Type

Local Planning Policy

## Policy Purpose

The Residential Design Codes (R-Codes) provide for the development of special purpose dwellings which includes ancillary dwellings, aged or dependent persons dwellings and single bedroom dwellings. Such dwellings have the potential to provide affordable, smaller and accessible dwellings to meet the needs of many different families and household types.

In October 2014 Council adopted the Housing Affordability and Diversity Strategy (the Strategy). The Strategy identifies a shortfall of smaller dwellings, affordable dwellings, and universally accessible dwellings.

The development of Special purpose dwellings can achieve the following:

- To increase the mix of housing types within the City suitable for smaller households (one or two persons).
- To increase the stock of smaller, affordable, universally accessible dwellings in the City.
- Provision of a variety of small scale housing opportunities for the growing population of aged and dependent persons in a variety of locations within the City.
- To provide increased opportunity for existing residents to 'Age in Place' in smaller dwellings To ensure aged and/or dependent persons' housing is suitably located and appropriately developed within the City of Cockburn.
- To ensure that aged and/or dependent persons' development has regard for the well-being of the occupants most, notably in the areas of: function, comfort and safety.
- To provide for the development of larger residential lots incapable of further development due to an insufficient lot size.

The purpose of this policy is to provide the City with a set of guidelines for the development of various Special Purpose Dwellings in the City of Cockburn.

## Policy Statement

### (1) Ancillary Dwellings

1. In the residential zone:

[1]



<b>Title</b>	<b>Special Purpose Dwellings</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP1.3</b>



- a) Not more than one ancillary dwelling shall be approved on any lot.
- b) Consideration shall be given to allowing an ancillary dwelling to have a plot ratio area greater than 70m<sup>2</sup>, up to a maximum of 100m<sup>2</sup>, where it is built to the 'deemed-to-comply' standards set out in the R-Codes for 'Aged or Dependent' dwellings (i.e. universally accessible) and to the 'Silver Level' of the Liveable Housing Design Guidelines (Liveable Housing Australia).
- c) Appropriate conditions will be imposed on any development approval for ancillary dwellings with a plot ratio exceeding 70m<sup>2</sup> ensuring that the requirements under part b) of this clause are installed and maintained. This may include the requirement for a restrictive covenant placed on the certificate of title.

2. In the Rural Living, Rural and Resource Zones:

- a) Not more than one ancillary dwelling shall be approved on any lot.
- b) The proposed ancillary dwelling must comply with the definition outlined in the Residential Design Codes.
- c) The maximum plot ratio area of the ancillary dwelling shall not exceed 100m<sup>2</sup>. The 100m<sup>2</sup> is the total dwelling area only and does not include verandahs, patios, pergolas, alfresco areas or carports/garages.
- d) The ancillary dwelling should generally be located behind the main building line unless otherwise approved by the City.
- e) The design, materials and colours of the ancillary dwelling shall match or complement those of the existing single house. Non-reflective materials shall be used and the use of second hand materials is not permitted.

(2) Aged or Dependent Persons Dwellings

1. Council will consider applications for Aged or Dependent Person's Dwellings with site area concessions where at least two such dwellings within any single development are proposed; or where one such dwelling is proposed in addition to an existing dwelling(s). This constitutes a variation to the R-Codes deemed to comply provision (5.5.2 C2.1 (ii)) which requires a minimum of five dwellings.
2. Aged or Dependent Persons' Dwellings may be in the form of single, grouped or multiple dwellings comprising the whole of a proposed development; or part of a proposed development, or in combination with other dwellings.

[2]

<b>Title</b>	<b>Special Purpose Dwellings</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP1.3</b>



3. Where Aged or Dependent Persons' Dwellings are proposed in combination with other dwellings which do not meet the universal access building requirements, site area concessions will only apply to the aged or dependent persons dwelling component of the development.
4. To encourage the development of universally accessible dwellings, consideration will be given to waiving the requirement of the R-Code deemed to provision (5.5.2 C2.4) requiring at least one occupant being disabled or physically dependent and the requirement for a Section 70A notification on the Certificate of Title where approval is sought under the 'Design Principles' of the R-Codes in the following circumstances:
  - a) Where the aged and dependent dwelling(s) do not exceed a maximum plot ratio of 100m<sup>2</sup> (single houses and grouped dwellings) and 80m<sup>2</sup> (for multiple dwellings in areas coded less than R40); and
  - b) the aged and dependent dwelling(s) are built to the 'deemed-to-comply' building standards set out in the R-Codes for aged and dependent' dwellings and the 'Silver Level' of the Liveable Housing Design Guidelines (Liveable Housing Australia); and
  - c) other applicable requirements of this Policy are met.
5. In considering an application for approval to commence the development of medium and large scale aged and/or dependent persons' dwellings ( five dwellings or more), the City will have regard to the following requirements:
  - a) Location
    - i) The site is to be located within 800m (5-10 minute walk) of an existing or proposed local centre, neighbourhood centre, district centre or regional centre.
    - ii) The site is to be within a 250m of a high frequency bus route as defined by the R-Codes.
    - iii) The travel path to local shops, services and public transport should be manageable taking into account local topography.
  - b) Site Planning
    - i) Dwellings at the front of a site are to address the primary street in a traditional manner. This includes a dwelling entry and a major opening to at least one (1) habitable room (living area and/or bedroom).
    - ii) Dwellings internal to a development are to have clearly identifiable entries and are to front the pedestrian/vehicular access ways with a major opening to at least one (1) habitable room (living area and/or bedroom).
    - iii) Dwellings shall be positioned on-site to maximise solar access and cross ventilation opportunities.
    - iv) Landscaping is to be carefully determined to ensure sight lines for pedestrians, in wheel chairs and vehicles are maintained. A

[3]

<b>Title</b>	<b>Special Purpose Dwellings</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP1.3</b>



- Landscaping Plan is to be submitted with a Development Application lodged with the City for determination.
- v) Bin storage and waste management is to be convenient for both occupants of a development and those collecting waste. A Waste Management Plan is to be submitted with a Development Application lodged with the City for determination.
  - c) Other
    - i) An aged and/or dependant persons' development is to be designed, constructed and finished to look residential in appearance in the case of a grouped development or multiple dwellings. Retirement villages and larger managed facilities are to be suitably detailed and finished to ensure their use is clearly understood as being residential. Where larger buildings are proposed as part of a village development, the massing of these buildings is to be sufficiently articulated to reflect the scale of surrounding residential development.
    - ii) Where two (2) storey dwellings are proposed, the main bedroom, bathroom and living area are to be at the ground floor level (unless an internal lift is provided).
    - iii) A Management Plan is to be submitted with a Development Application lodged with the City for determination, demonstrating how a proposed development will be operated and managed.
    - iv) This Policy is to be read in conjunction with the requirements of Part 5.5.2 of the R-Codes. The City will generally only support the density bonus for the development of aged or dependent persons' dwellings where the proposal complies with the requirements of the R-Codes and those detailed in this policy.

### (3) Single Bedroom Dwellings

- a) In the case of a Single Bedroom Dwelling proposal involving the retention or construction of a Single House, the site area for the Single House is to be in accordance with the minimum prescribed in Column 3 of Table 1 (General site requirements) of the R-Codes.
- b) The subdivision of land in association with the development of a Single Bedroom Dwelling will be conditionally supported provided a current Development Approval issued by the City is in place and the minimum site area is met.
- c) Prefabricated dwellings (i.e. those constructed off site and lifted into place) will only be supported where the dwelling provides an appropriate level of design and articulation. Sea containers and dongers proposed to be used as single bedroom dwellings will not be supported.
- d) There shall be no more than one car parking bay that is roofed/covered and any additional car parking bay(s) is encouraged to be located directly adjacent to the Outdoor Living Area.

[4]

<b>Title</b>	<b>Special Purpose Dwellings</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP1.3</b>



**(4) Small Dwellings**

- a) Small dwellings proposed in accordance with Clause 4.4.6 of TPS 3 shall be designed and constructed in accordance with the provisions of the Residential Design Codes (Part 5.5.3 Single Bedroom Dwellings) and the provisions of this policy (above) relating to Single Bedroom Dwellings.

Strategic Link:	
Category	
Lead Business Unit:	
Public Consultation: (Yes or No)	
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	

[5]



<b>Title</b>	<b>Ancillary Dwelling</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 1.3</b>



### Policy Type

Local Planning Policy

### Policy Purpose

The Residential Design Codes (R-Codes) provide for the development of ancillary dwellings for people who live either independently or semi-independently of the residents of a single house, sharing some site facilities and services. Such dwellings have the potential to provide affordable, accessible dwellings to meet the needs of people with (or without) disabilities.

In October 2014 Council adopted the Housing Affordability and Diversity Strategy (the Strategy). The Strategy identifies a shortfall of smaller dwellings, affordable dwellings, and universally accessible dwellings.

The Strategy identified that in circumstances where the occupant of an ancillary dwelling has a disability, particularly a physical disability; a plot ratio of 70m<sup>2</sup> may not be adequate to meet their needs. Additional space requirements may arise to provide for:

- comfortable wheelchair access around the dwelling;
- accommodating equipment, such as hoists and aids;
- a larger bathroom for wheelchair accessibility and use of aids;
- small additional separate bathroom facilities (shower, toilet, basin) for a carer to use; and
- 'breakout' space for a carer who needs to be present in the dwelling but at times needs their own space.

Applicants have the option to meet the 'design principles', which do not include a maximum floor area. This provides the option to seek consideration under the 'design principles', providing justification for a larger ancillary dwelling. Where development does not satisfy the 'deemed to comply' provisions, it must be demonstrated that the following 'design principle' is achieved:

*P1 Ancillary dwelling for people who live either independently or semi-dependently to the residents of the single house, sharing some site facilities and services and without compromising the amenity of surrounding properties.*

The purpose of this policy is to provide the City with a set of guidelines for the development of ancillary dwellings in Residential zoned areas and Rural Living, Rural and Resource zoned areas.

This Policy will, in particular, provide further guidance on the 'design principles' of the R-Codes for ancillary dwellings in Residential zoned areas, particularly in relation to plot ratio. The objectives of the Policy are to:

[1]

<b>Title</b>	<b>Ancillary Dwelling</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 1.3</b>



- Ensure that ancillary dwellings are able to meet the needs of people with disabilities, whilst still being ancillary to the main dwelling;
- Strongly encourage the development of universally accessible ancillary dwellings;
- Ensure ancillary dwellings do not compromise the amenity of the surrounding properties and the streetscape by remaining at a scale that is ancillary to the main dwelling, and by generally accommodating only one or two people;
- Increase the mix of housing types within the City, with the distinct objective of achieving a greater number of smaller dwellings that serve smaller households (one or two persons).

Ensure that ancillary dwellings remain 'ancillary' to the main dwelling, and that they remain as smaller dwellings for the following key reasons:

- So that they remain affordable - Ancillary dwellings have been found to provide the most affordable rental accommodation in the City of Cockburn, and this is largely due to their modest scale. In line with the objectives of this Strategy it is considered imperative that ancillary dwellings continue to remain affordable.

To ensure they contribute to the stock of smaller dwellings – Given that the Housing Affordability and Diversity Strategy demonstrates the growing number of one and two person households, and the predominance of dwellings with three or more bedrooms it is important to strongly encourage smaller dwellings.

### Policy Statement

#### (1) Application

This Policy applies to proposals for ancillary dwellings in the City of Cockburn within the Residential, Resource, Rural and Rural Living zones.

#### (2) Definitions

1. Ancillary Dwelling: means a self-contained dwelling on the same lot as a single house which may be attached to, or integrated with or detached from the single house.
2. Self-contained: means a dwelling that includes bathroom, kitchen and laundry facilities in accordance with the Building Code of Australia.

#### (3) Policy Provisions

Ancillary dwellings within the Residential zone are required to meet the following requirements:

1. Consideration will be given to allowing an ancillary dwelling to have a plot ratio area greater than 70m<sup>2</sup>, up to a maximum of 100m<sup>2</sup>, where it is built to [2]

<b>Title</b>	<b>Ancillary Dwelling</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 1.3</b>



the 'deemed-to-comply' standards set out in the R-Codes for 'Aged and Dependent' dwellings (ie. universally accessible).

NB. These requirements will be imposed as a condition of development approval.

2. Ancillary Dwellings within the Rural Living, Rural and Resource Zones are required to meet the following requirements:
  - a) Not more than one (1) ancillary dwelling shall be approved on any lot.
  - b) The proposed ancillary dwelling must comply with the definitions outlined in Section (1) above.
  - c) The maximum plot ratio area of the ancillary dwelling shall not exceed 100m<sup>2</sup>. The 100m<sup>2</sup> is the total living area only and does not include verandahs, patios, pergolas, alfresco areas or carports/garages.
  - d) The ancillary dwelling should be located behind the main building line unless otherwise approved by the City.
  - e) The design, materials and colours of the ancillary dwelling shall match or complement those of the existing single house. Non-reflective materials shall be used and the use of second hand materials is not permitted.

#### Accompanying Information for Development Applications

- (4) Applications for ancillary dwellings that are greater than 70m<sup>2</sup> will need to be accompanied by plans that demonstrate compliance with the requirements set out in clause (1).

<b>Strategic Link:</b>	Town Planning Scheme No. 3
<b>Category</b>	Planning - Town Planning & Development
<b>Lead Business Unit:</b>	Statutory Planning
<b>Public Consultation:</b> (Yes or No)	Yes
<b>Adoption Date:</b> (Governance Purpose Only)	14 December 2017
<b>Next Review Due:</b> (Governance Purpose Only)	December 2019
<b>ECM Doc Set ID:</b> (Governance Purpose Only)	4514426

<b>Title</b>	<b>Aged or Dependent Persons' Dwelling</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 1.4</b>



### Policy Type

Local Planning Policy

### Policy Purpose

Housing for aged or dependent persons should be designed and located appropriately to meet the needs of the occupants. The Residential Design Codes (R-Codes) sets out the requirements for aged and dependent dwellings, and offers a density bonus for such dwellings. Clause 5.1.1 C1.3 of the R-Codes allows a reduction in the site area for aged and dependent dwellings to be considered.

The City of Cockburn has recognised that there is need to provide access to secure, appropriate and affordable housing options within the community. The City's Housing Affordability Strategy has been developed to help facilitate decision-making within the City in relation to affordable housing opportunities as follows:

- (1) To support the provision of a variety of small scale housing opportunities for the growing population of aged and dependent persons in a variety of locations within the City.
- (2) To increase the stock of smaller, affordable, universally accessible dwellings in the City.
- (3) To ensure aged and/or dependent persons' housing is suitably located and appropriately developed within the City of Cockburn.
- (4) To ensure aged and/or dependent persons' dwellings are located in close and convenient proximity to local shops, services and public transport.
- (5) To ensure that aged and/or dependent persons' development has regard for the well-being of the occupants most, notably in the areas of: function, comfort and safety.
- (6) To ensure aged and/or dependant persons' dwellings appear integral to the streetscape and context within which they are to be developed, most notably where it is residential.

### Policy Statement

- (1) Definitions

Aged and dependant persons are defined as:

- Aged person: a person who is aged 55 years or over.

[1]



<b>Title</b>	<b>Aged or Dependent Persons' Dwelling</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 1.4</b>



- Dependent person: a person with a recognised form of disability requiring special accommodation for independent living or special care.

(2) Policy Requirements

1. Council will consider applications for Aged or Dependent Person's Dwellings with site area concessions where at least two such dwellings within any single development are proposed; or where one such dwelling is proposed in addition to an existing dwelling(s).
2. Aged or Dependent Persons' Dwellings may be in the form of single, grouped or multiple dwellings comprising the whole of a proposed development; or part of a proposed development, or in combination with other dwellings.
3. Where Aged or Dependent Persons' Dwellings are proposed in combination with other dwellings which do not meet the universal access building requirements, site area concessions will only apply to the aged or dependent persons dwelling component of the development.
4. To encourage the development of universally accessible dwellings, consideration will be given to waiving the requirement for a Section 70A Notification on aged and dependent dwellings where approval is sought under the 'Design Principles' of the R-Codes in the following circumstances:
  - a. Where the aged and dependent dwelling(s) do not exceed a maximum plot ratio of 100m<sup>2</sup> (single houses and grouped dwellings) and 80m<sup>2</sup> (for multiple dwellings); and
  - b. the aged and dependent dwelling(s) are built to the 'deemed-to-comply' building standards set out in the R-Codes for aged and dependent dwellings; and
  - c. other applicable requirements of this Policy are met.
5. In considering an application for approval to commence the development of aged and/or dependent persons' dwellings of five dwellings or more, the City will have regard to the following requirements:
  - a. Location
    - a) The site is to be located within 800m (5-10 minute walk) of an existing or proposed local centre, neighbourhood centre, district centre or regional centre.
    - b) The site is to be within a 250m of a high frequency bus route as defined by the R-Codes.
    - c) The travel path to local shops, services and public transport should be manageable taking into account local topography.

[2]

<b>Title</b>	<b>Aged or Dependent Persons' Dwelling</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 1.4</b>



b. Site Planning

- a) Dwellings at the front of a site are to address the primary street in a traditional manner. This includes a dwelling entry and a major opening to at least one (1) habitable room (living area and/or bedroom).
- b) Dwellings internal to a development are to have clearly identifiable entries and are to front the pedestrian/vehicular access ways with a major opening to at least one (1) habitable room (living area and/or bedroom).
- c) Dwellings shall be positioned on-site to maximise solar access and cross ventilation opportunities.
- d) Landscaping is to be carefully determined to ensure sight lines for pedestrians, in wheel chairs and vehicles are maintained. A Landscaping Plan is to be submitted with a Development Application lodged with the City for determination.
- e) Bin storage and waste management is to be convenient for both occupants of a development and those collecting waste. A Waste Management Plan is to be submitted with a Development Application lodged with the City for determination.

c. Other

- a) An aged and/or dependant persons' development is to be designed, constructed and finished to look residential in appearance in the case of a grouped development or multiple dwellings. Retirement villages and larger managed facilities are to be suitably detailed and finished to ensure their use is clearly understood as being residential. Where larger buildings are proposed as part of a village development, the massing of these buildings is to be sufficiently articulated to reflect the scale of surrounding residential development.
- b) Where two (2) storey dwellings are proposed, the main bedroom, bathroom and living area are to be at the ground floor level (unless an internal lift is provided).
- c) A Management Plan is to be submitted with a Development Application lodged with the City for determination, demonstrating how a proposed development will be operated and managed.
- d) This Policy is to be read in conjunction with the requirements of Part 5.5.2 of the R-Codes. The City will generally only support the density bonus for the development of aged or dependent persons' dwellings where the proposal complies with the requirements of the R-Codes and those detailed in this policy.

[3]

<b>Title</b>	<b>Aged or Dependent Persons' Dwelling</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 1.4</b>



Strategic Link:	Town Planning Scheme No. 3
Category	Planning - Town Planning & Development
Lead Business Unit:	Statutory Planning
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	14 December 2017
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	4514456

TO BE DELETED

[4]

<b>Title</b>	<b>Single Bedroom Dwellings</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 1.5</b>



### Policy Type

Local Planning Policy

### Policy Purpose

A 'Single Bedroom Dwelling' is defined in the Residential Design Codes of Western Australia (R-Codes) as: "A dwelling that contains a living room and no more than one other habitable room that is capable of use as a bedroom". Noting that Single Bedroom Dwellings are possible under the City's Town Planning Scheme No. 3 (TPS 3) in accordance with the requirements of the R-Codes, the purpose of this Policy is to provide clear direction on the requirements relating to the development of a Single Bedroom Dwelling.

- (1) To provide guidance to property owners and/or developers seeking to undertake the development of a Single Bedroom Dwelling (or dwellings) within the City.
- (2) To increase the mix of housing types within the City, with the distinct objective of achieving a greater number of smaller dwellings that serve smaller households (one or two persons).
- (3) To provide increased opportunity for existing residents to 'Age in Place' in smaller dwellings in a dwelling type (form of tenure) separate to Ancillary Dwellings.
- (4) To provide for the development of larger residential lots incapable of further development due to an insufficient lot size.
- (5) To improve housing affordability by providing for the development of smaller dwellings on reduced land areas (compliant with the requirements of the R-Codes).

### Policy Statement

- (1) This Policy applies to all proposals for the development of Single Bedroom Dwellings within the City of Cockburn.
- (2) The policy does not exempt compliance with all other requirements of the TPS 3, the R-Codes, other relevant City Policies and/or the Building Code of Australia/relevant Australian Standard/s.
- (3) Minimum Site Area

The R-Codes provide for a variation to the minimum site area required to erect a Single Bedroom Dwelling(s). The variation is a reduction by up to one third. Based

[1]

<b>Title</b>	<b>Single Bedroom Dwellings</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 1.5</b>



on this, the land area required is as follows based on different density codes across the City:

- R20 – 233.33m<sup>2</sup>
- R25 – 200.00m<sup>2</sup>
- R30 – 173.33m<sup>2</sup>
- R40 – 120.00m<sup>2</sup>
- R50 – 106.66m<sup>2</sup>
- R60 – 80.00m<sup>2</sup>
- R80 – 66.66m<sup>2</sup>

Notes:

- (i) The above areas are “effective” lot areas where a Single Bedroom Dwelling is proposed i.e. exclusive of the driveway or Common Property lot.
- (ii) In the case of a Single Bedroom Dwelling proposal involving the retention or construction of a Single House, the site area for the Single House is to be in accordance with the minimum prescribed in Column 3 of Table 1 (General site requirements) of the R-Codes.

(4) Subdivision

The subdivision of land in association with the development of a Single Bedroom Dwelling will be conditionally supported provided a current Development Approval issued by the City is in place and the Minimum Site Area is met. Support will be subject to the recommendation of a condition safeguarding against speculation, that is, the creation and sale of smaller lots on the basis of the reduced Minimum Site Area afforded in the development of a Single Bedroom Dwelling/s. The condition will read – *A single bedroom dwelling is to be constructed to at least plate height on proposed lot (whichever lot the single bedroom dwelling is proposed on) in accordance with a Planning Approval issued by the City of Cockburn.*

(5) Landscaping

Given the small dwelling size (70m<sup>2</sup>) on relatively larger lots, the City expects every consideration to be given on the part of an applicant to the retention of existing mature trees on land to be developed for such purposes. Mature trees make a significant contribution to the amenity of a dwelling and the local environmental conditions.

Consideration should always be given to using plant types endemic (local) to an area.

(6) Construction Type

Prefabricated dwellings (i.e. those constructed off site and lifted into place) will only be supported where the dwelling provides an appropriate level of design and

[2]



<b>Title</b>	<b>Single Bedroom Dwellings</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 1.5</b>



articulation. Sea containers and dongers proposed to be used as single bedroom dwellings will not be supported.

(7) Parking

- 7.1 There shall be no more than one car parking bay that is roofed/covered; and
- 7.2 Any additional car parking bay(s) are to be located directly adjacent to the Outdoor Living Area.

(8) Floor Plan

Notwithstanding the definition 'single bedroom dwelling' in the R-Codes, the City may support the inclusion of an additional multi-purpose room or study providing that the proposal meets the following provision:

- 8.1 The total dwelling size does not exceed the maximum plot ratio area of 70m<sup>2</sup>;
- 8.2 The development is compliant with this Policy; and
- 8.3 A consideration for good development design has been undertaken.

Strategic Link:	Town Planning Scheme No. 3
Category	Planning - Town Planning & Development
Lead Business Unit:	Statutory Planning
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	08 March 2018
Next Review Due: (Governance Purpose Only)	March 2020
ECM Doc Set ID: (Governance Purpose Only)	4516982

## 9.2 (2021/MINUTE NO 0004) REVIEW OF PLANNING & DEVELOPMENT POLICIES

**Author(s)** P Orr

**Attachments** N/A

### RECOMMENDATION

That Council adopt the following policies with no change:

- (1) Dust Management for Development Sites Policy;
- (2) Food Act 2008 – Fee Exemptions Policy;
- (3) Promotion of Smoke Free Environment Policy; and
- (4) Uninhabitable Premises Policy.

### COMMITTEE RECOMMENDATION

MOVED Cr M Separovich SECONDED Mayor L Howlett

That the recommendation be adopted.

**CARRIED 4/0**

### Background

Following the completion of the Policy Review Project, all policies and associated Delegated Authorities are proposed to be reviewed over a two year cycle.

### Submission

N/A

### Report

The above Council Policies have been reviewed and it has been determined that no changes are required, and therefore are presented in their current form for adoption.

### Strategic Plans/Policy Implications

#### Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.

### Budget/Financial Implications

N/A

### Legal Implications



Sections 3.1(1) of the *Local Government Act 1995* refer.

**Community Consultation**

N/A

**Risk Management Implications**

Adoption of the recommendation will ensure Council Policies are aligned to the adopted Policy Framework and provide a consistent approach for the development, review and implementation of policies.

**Advice to Proponents/Submitters**

N/A

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

Nil





**10. FINANCE AND CORPORATE SERVICES DIVISION ISSUES****10.1 (2021/MINUTE NO 0005) CORPORATE - STRATEGIC PLANNING AND BUDGET POLICY AMENDMENT - CONTINGENCY FUNDS**

**Author(s)** S Downing

**Attachments** 1. Corporate Strategic Planning and Budget Policy Amendment - Contingency Fund

**RECOMMENDATION**

That the Committee adopt the proposed amendments to the 'Strategic Planning and Budget Policy', as shown in the attachment to the Agenda.

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

**COMMITTEE DECISION**

MOVED Cr M Separovich SECONDED Mayor L Howlett

That the Policy be adopted subject to Clause 6 being amended as attached to the Minutes.

**AMENDMENT TO MOTION**

That an additional Clause 6.5 be included as follows:

That a monthly financial report outlining the transactions and balance of the Contingency Fund be presented to Council.

**AMENDMENT PUT AND CARRIED 5/0**

**AMENDED MOTION PUT AND CARRIED 5/0**

**Reason for Decision**

Clause 6 of the Policy states that contingency funds are to be used for projects that Council has adopted as part of the budget process, but also allows for these funds to be used for projects that arise in the course of the financial year.

If the project has not been adopted by Council, the contingency funds should not be used for this purpose and therefore it is recommended that the policy be amended to reflect the above.



## Background

Notice of Motion provided by Cr Stone at the December 2020 Ordinary Council Meeting:

*“That Council amends the Corporate Strategic Planning and Budget Policy Clause 1 (6) by establishing and incorporating a set of guidelines for the use of budgeted Contingency Funds.”*

A report was presented to the Ordinary Council Meeting held on 11 February 2021 in response to the Notice of Motion which was adopted unanimously.

## Submission

N/A

## Report

The Corporate Strategic Planning and Budget Policy 1.6 is as follows:

*‘Provisional allocation for project contingency fund is to be up to a maximum of 1% of rates revenue (excluding the equivalent waste management and community surveillance service charges and interim rates). These funds are set aside for the purpose of funding high priority projects identified during the year.’*

It is proposed the following guidelines be added to 1.6 as follows:

- 6.1 Contingency funds are to be used for capital and operating projects identified either through the budget preparation process and not funded, or identified during the relevant financial year, but there are insufficient funds allocated to complete the project.
- 6.2 Funds must be expended during the current budget year as the project is to be completed prior to the end of the current budget year.
- 6.3 Request to access the contingency fund will require the relevant Senior Manager and Divisional Director to submit a request to the Director Finance and Corporate Services, and the Chief Executive Officer to counter sign the request.
- 6.4 Any allocation of contingency of funds is to be submitted to Council at the next Ordinary Council Meeting, to be approved as per current practice.

## Strategic Plans/Policy Implications

### Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.



**Budget/Financial Implications**

There are no specific budget implications related to adopting this specific amendment to the Corporate Strategic Planning and Budget Policy, as it is an amendment to the policy for establishing guidelines.

**Legal Implications**

N/A

**Community Consultation**

N/A

**Risk Management Implications**

The establishment of guidelines for the allocation of monies from the contingency fund will allow all parties to understand how to apply for funds, and the reasons funds are allocated to projects in the current financial year.

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

N/A

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

Nil



<b>Title</b>	<b>Corporate Strategic Planning &amp; Budget</b>
<b>Policy Number</b> (Governance Purpose)	



## Policy Type

Council

## Policy Purpose

The City's vision is 'Cockburn, the best place to be' is underpinned by our purpose 'Together we strive to create a sustainable, connected, healthy and happy Cockburn Community'. To achieve this vision high level long term strategic objectives and business planning processes have been established. The Strategic Community Plan provides the over-arching guidance for development of the City. It contains details of the City's Vision, (of what the future would look like), the desired change or outcomes and the key factors that will help deliver these outcomes – referred to as the 'Strategic Objectives'.

The Strategic Community Plan undergoes a major review (including community consultation) every four years and a minor review every two years. The Strategic Community Plan is functionally delivered and resourced through the Corporate Business Plan and the Annual Budget process. The Corporate Business Plan is reviewed every year and outlines the actions, projects, and services that the City's administration will undertake over a four year period to achieve the Strategic Community Plan objectives and outcomes. Whereas the Annual Budget provides the financial allocations and resources for the relevant financial year.

The Local Government (Administration) Regulations 1996, Regulations 19C and 19D, have the requirements for the Strategic Community Plan and Corporate Business Plan. They stem from the Local Government Act 1995 Section 5.56.

Section 6.2 (1) of the Local Government Act 1995 requires Council to prepare and adopt a budget for its municipal fund during the period 1 June to 31 August for the following financial year.

Section 6.2 (2) requires Council to have regard to the contents of the plan for the future of the district in the preparation of the annual budget and to prepare estimates for revenues and expenditure in order to determine the amount required to be raised from rates.

Section 6.34 puts a limit on budget surpluses or deficits at no more than 10% of the rates amount required to achieve a balanced budget. Ministerial approval is required to vary this limit.

Part 3 of the Local Government (Financial Management) Regulations 1996 prescribes the form and content for the annual budget and the requirement to review the performance of the budget between 1 January and 31 March each year.

This policy has been formulated to articulate Council's requirements and processes for Strategic and Corporate planning and managing the annual budget in a manner that is both compliant with legislative requirements and pertinent to Council's operating needs.

[1]

<b>Title</b>	<b>Corporate Strategic Planning &amp; Budget</b>
<b>Policy Number</b> (Governance Purpose)	



### Policy Statement

This policy establishes a framework for the City of Cockburn's Strategic and Corporate Planning processes that focuses on community priorities, statutory requirements, and the Integrated Planning and Reporting Framework and Guidelines. This policy provides the strategic guidance for an integrated business planning and resourcing approach when considering major decisions which will affect the City into the future.

This policy establishes a framework for the formulation, administration and management of Council's budget that meets both statutory and Council's requirements. It serves to provide strategic guidance to staff and sets out various guiding principles to be followed when developing the annual budget.

#### (1) Budget Formulation Principles

The following principles shall guide the preparation of the initial draft budget:

1. The Strategic Community Plan, Corporate Business Plan, Council adopted strategies, informing strategies the Community Survey and the Customer Satisfaction Survey should provide strategic guidance to management in determining budget priorities.
2. The projects and financial indicators listed within Council's Long Term Financial Plan (10 year Plan), and the Corporate Business Plan will form the basis and provide the general parameters for the annual budget. Budget submissions should be congruent with the objectives listed within the Strategic Community Plan.
3. Rating revenue is to be set at a level that will produce a balanced or small surplus budget. For this purpose, surplus/deficit calculations will be made in accordance with Local Government Operational Guidelines - Number 08 June 2005 "Opening and Closing Funds used in the Annual Budget (Includes Reference to Surplus and Deficit Budgets)"
4. Provisional allocation for Donations and Grants is to be up to a maximum of 2.0% of Rates Revenue (excluding the equivalent waste management and community surveillance service charges and interim rates). The Council committee is to make recommendations regarding individual donations and grants.
5. Provisional allocation for Community Events is to be up to a maximum of 1.0% of Rates Revenue (excluding the equivalent waste management and community surveillance service charges and interim rates). With Council to approve a calendar of events.
6. Provisional allocation for project contingency fund is to be up to a maximum of 1% of rates revenue (excluding the equivalent waste management and community surveillance service charges and interim rates). These funds are set aside for the purpose of funding high priority projects identified during the year.

[2]



<b>Title</b>	<b>Corporate Strategic Planning &amp; Budget</b>
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- 6.1 *Contingency funds are to be used for capital and operating projects identified either through:*
  - 6.1.1 *the budget preparation process and not funded; or*
  - 6.1.2 *identified during the relevant financial year but there are insufficient funds allocated to complete the project.*
- 6.2 *Funds must be expended during the current budget year as the project is to be completed prior to the end of the current budget year.*
- 6.3 *Request to access the contingency fund will require the relevant Senior Manager and Divisional Director to submit a request and the Director Finance and Corporate Services and CEO to counter sign the request. Where an allocation greater than \$250,000 is to be made from the Contingency Fund, Elected Members are to be advised in advance or such allocation and the reasons why it is required.*
- 6.4 *Any allocation of contingency of funds to be submitted to Council next Ordinary Council Meeting to be approved as per current practice.*
- 6.5 *A reconciliation is to be provided in the monthly financial report of funds used in the Contingency Fund.*
- 7. All budget submissions made are to include detailed cash flow requirements.
- 8. Sustainability issues need to be considered when assessing all new initiatives, as well as value for money.
- 9. Standards established in other City policies, (such as verge maintenance), are to be adhered to. Where this causes a significant increase in costs, alternatives may be recommended.
- 10. The end of year current surplus/deficit position (excluding carried forward works and projects) will need to be estimated during the formulation of the annual budget. This estimate, together with the addition of carried forward works and projects, will be brought to Council as a budget amendment to reflect actual positions once the end of year accounts have been finalised.
- 11. General Rates revenue will be budgeted using a Differential Rates model pursuant with the Local Government Act 1995 that seeks to rate land in the district equitably and proportionally based on appropriate land use/type characteristics.
- 12. Modelling of the proposed Differential Rates is to be presented to the Elected Members at a Budget Concept Forum, with a focus on the residential improved rate in the dollar/minimum payment, particularly during a Gross Rental Value (GRV) revaluation year.
- 13. Specified Area Rates adopted by Council will be reviewed annually and set at levels that raise sufficient funding to meet anticipated needs (both short and [3])

<b>Title</b>	<b>Corporate Strategic Planning &amp; Budget</b>
<b>Policy Number</b> (Governance Purpose)	



with the objective of attaining target values set within Council's Long Term Financial Plan (LTFP). Any budget surplus identified at the end of each financial year is to be transferred to an appropriate Reserve consistent with the objective of attaining target values.

A number of Reserves are subject to budget discipline and quarantining requirements as follows:

1. Carried Forwards Reserve – Municipal funding for carried forward works and projects included in the end of year surplus is to be quarantined into this reserve to fund the completion of those works in the following year.
2. Plant & Vehicle Reserve - the replacement program for major plant and vehicles will be funded from the annual replenishing of this reserve based on the depreciation charge for applicable assets.
3. CIHF Building Maintenance Reserve – is replenished from the net commercial lease revenue from the Cockburn Integrated Health & Community Facility.
4. Waste & Recycling Reserve – net surplus/deficit for the Henderson Waste Recovery Park is managed through this reserve.
5. Waste Collection Reserve – transfers to this reserve are based on a hypothetical profit and loss for the Waste Collection Service.
6. Land Development & Investment Fund Reserve – net proceeds from land sales under the City's Land Management Strategy are transferred into this reserve, as is net commercial lease revenue from the Coogee caravan park and other commercial properties.
7. Developer Contribution Area (DCA) Reserves – net contributions from each DCA area are transferred into each respective reserve in accordance with the City's Town Planning Scheme.
8. Specified Area Rate Reserves – surplus funds raised and unspent at year end are to be quarantined into the respective reserve for future use in accordance with the LG Act.
9. Naval Base Shack/Shack Removal Reserves – net lease revenue is managed through these reserves for current and future maintenance and capital costs.
10. Marina Asset Replacement Reserve – net revenue from the lease of pens is required to be transferred into this reserve for future asset renewal and replacement needs. This should at least cover annual depreciation.
11. Insurance Reserve – any annual savings attained and surplus dividends given by LGIS are to be quarantined to this reserve, which is used to smooth out future spikes in premiums and excess payments.
12. Restricted Grants & Contributions Reserve – any external funding received with attached conditions remaining unspent at year end needs to be quarantined within this reserve.

### (3) Form and Content of Budget and Working Papers

[4]

<b>Title</b>	<b>Corporate Strategic Planning &amp; Budget</b>
<b>Policy Number</b> (Governance Purpose)	



Before presentation to Council, the budget will be developed and considered at a series of executive briefings and concept forums involving the Elected Members.

The form of the draft budget to be presented to and considered at the various executive briefings and concept forums includes the following elements:

1. A Rating Objects and Reasons paper. (as per Delegated Authority LGAFCS1 – Advertising Property Differential Rates).
2. A summary of all Reserve Funds and their anticipated movements based on known capital works/replacement programs and any other relevant information.
3. Details of proposed new initiatives, both capital and operating.
4. Details of proposed Capital Works program for Infrastructure.
5. Details of proposed new Staff positions
6. Details of proposed new Information Technology
7. A fees and charges register
8. A summary of the Corporate Business Plan projects, service changes, strategies and actions for the upcoming year

The formal budget presented to Council for adoption will be in a format that complies with the Part 3 of the Local Government (Financial Management) Regulations 1996 and is to include any other information deemed relevant (e.g. summaries of the new initiatives and capital programs).

Council's significant accounting policies are to be updated and included within the formal budget to provide direction for the year ahead and explain the basis of preparation for the statutory financial statements

(4) Adjustment for Estimated Surplus/Deficit and Addition of Carried Forwards

Once the end of financial year accounts have been finalised and audited, the actual opening budget surplus/deficit will be determined and reported to Council. Any surplus to the estimated final position will be transferred to Reserves in accordance with this policy. Also at this time, a detailed listing of carried forward works and projects will be presented to Council for addition to the City's amended annual budget.

(5) Mid-Year Budget Review and Corporate Business Plan Progress Report

Council will conduct a mid-year budget review for the principal purpose of addressing budget variations that may arise or come to the attention of management during the first half of the year, in line with financial regulations.

The review is not for the purpose of including new initiatives or capital works. New initiatives will only be submitted to Council where they are deemed essential and have an identified source of funding. In this regard, the Project Contingency Fund is available as a source of funding for essential items.

Council is bound by legislation to conduct a review of the budget between January and March each year.

[5]



<b>Title</b>	<b>Corporate Strategic Planning &amp; Budget</b>
<b>Policy Number</b> (Governance Purpose)	



A six monthly progress report for the current year of the Corporate Business Plan will be provided to Council between January and March each year.

(6) Community Engagement of Draft Budget

At the completion of the Draft Municipal Budget, by the end of April (in the relevant financial year), the draft Capital Expenditure Budget (including proposed increases in differential rates plus Fees and Charges will be:

1. Placed on Comment on Cockburn providing 28 days to provide feedback
2. Presented to Community Group and Business Group (Chambers of Commerce) leaders
3. Provided at briefings to Elected Members in June (of the relevant financial year) of community feedback from Community and Business Groups' leadership teams
4. Advertise proposed differential rates as required by the Local Government Act seeking additional (and formal) feedback (as per Delegated Authority LGAFCS1 Advertising of Proposed Differential Rates)

(7) Budget Management Timetable

The following timetable includes all the major activities comprising Council's budgeting regime including the adoption of the Budget by a Special Meeting of Council in June of each financial year. It is indicative and may be subject to minor variations.

October	<ul style="list-style-type: none"> <li>Community and Business Groups invited to consider budget requests and priorities for the following financial years' budget.</li> </ul>
November	<ul style="list-style-type: none"> <li>Community and Business Groups submissions to be submitted by the end of November.</li> </ul>
December	<ul style="list-style-type: none"> <li>Long Term Financial Plan reviewed and adopted (Biennially) .</li> <li>Progress report on Corporate Business Plan projects, and actions drafted</li> <li>Mid-year budget review procedures and submission templates issued to Managers.</li> <li>Community and Business Group submissions to be assessed by relevant Business Unit Managers in line with LTFP, Corporate Business Plan, adopted Strategies and Asset Management Plans.</li> </ul>

[6]

<b>Title</b>	<b>Corporate Strategic Planning &amp; Budget</b>
<b>Policy Number</b> (Governance Purpose)	



January	<ul style="list-style-type: none"> <li>• Mid-year budget review submissions due back from Managers.</li> <li>• Executive to consider the proposed budget review.</li> <li>• Corporate Business Plan six month review updated with year-to-date financial data and progress against actions.</li> <li>• Completion of budget and Corporate Business Plan progress report for Council adoption or consideration.</li> <li>• Budget guidelines, procedures and submission templates issued to Managers for next year's budget.</li> <li>• Budget Review amendments included in the monthly reports for February</li> </ul>
February	<ul style="list-style-type: none"> <li>• New initiatives/capital works submissions due back to Management Accounting.</li> <li>• Proposed new initiatives/capital works considered by the Executive.</li> <li>• Advertising of differential rates.</li> <li>• Review of fees and charges register by management.</li> <li>• Completed operational budgets returned to Finance</li> <li>• Council to adopt the Budget Review and consider the Corporate Business Plan progress review.</li> </ul>
March	<ul style="list-style-type: none"> <li>• Review &amp; Update of Activity Based Costing Model.</li> <li>• Annual review of the Corporate Business Plan prepared by management.</li> <li>• The Executive considers initial draft of Budget and Corporate Business Plan review.</li> <li>• First Budget Concept Forum for Elected Members covering capital expenditure projects.</li> <li>• Fees &amp; Charges Register updated.</li> <li>• Summary of Corporate Business Plan services, activities, and projects.</li> </ul>
April	<ul style="list-style-type: none"> <li>• Second Budget Concept Forum for Elected Members covering operational budgets.</li> <li>• Third Budget Concept Forum for Elected Members covering Rates Modelling (if required)</li> <li>• Differential Rating report to Council</li> <li>• Carried forward projects estimated by management.</li> <li>• Review of completed budget by the Executive.</li> <li>• Finalisation of Statutory Budget and draft annual review of the Corporate Business Plan.</li> </ul>

[7]

<b>Title</b>	<b>Corporate Strategic Planning &amp; Budget</b>
<b>Policy Number</b> (Governance Purpose)	



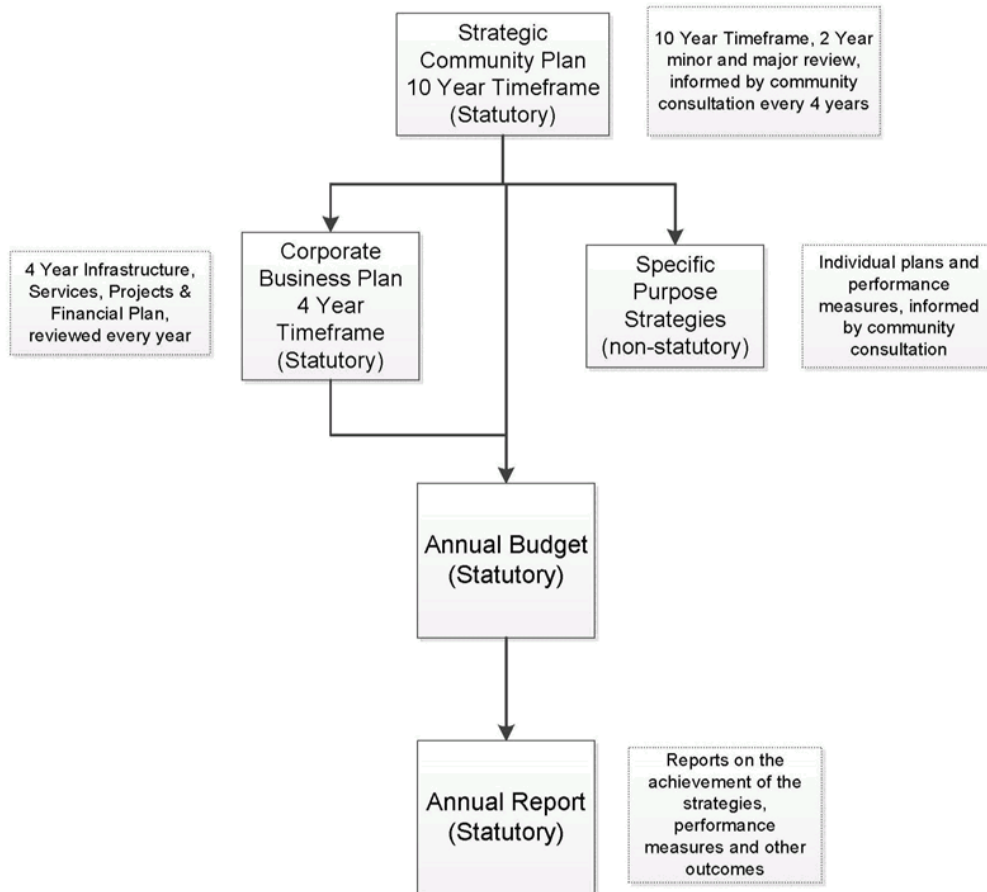
May	<ul style="list-style-type: none"> <li>At beginning of May, place draft capital works budget on Comment on Cockburn providing 28 days to provide feedback</li> <li>Presented to Community Group and Business Group (Chambers of Commerce) leaders</li> <li>Advertise proposed differential rates as required by the Local Government Act seeking additional (and formal) feedback</li> </ul>
June	<ul style="list-style-type: none"> <li>Provide a briefing to Elected Members on feedback from community engagement</li> <li>Provide feedback to Community and Business Groups on budget submissions</li> <li>Adoption of reviewed Corporate Business Plan and Budget at Special Council Meeting.</li> </ul>
October	<ul style="list-style-type: none"> <li>Budget amended to reflect final position with regard to estimated carried forward projects and end of financial year current surplus/deficit.</li> </ul>

### Corporate Strategic Planning Process

[8]



<b>Title</b>	<b>Corporate Strategic Planning &amp; Budget</b>
<b>Policy Number</b> (Governance Purpose)	



<b>Strategic Link:</b>	Long Term Financial Plan, Strategic Community Plan
<b>Category</b>	Corporate Planning, Budgeting & Procurement
<b>Lead Business Units:</b>	Finance; Strategy
<b>Public Consultation:</b> (Yes or No)	Yes (budget only)

[9]

<b>Title</b>	<b>Corporate Strategic Planning &amp; Budget</b>
<b>Policy Number</b> (Governance Purpose)	



<b>Adoption Date:</b> (Governance Purpose Only)	11 June 2020
<b>Next Review Due:</b> (Governance Purpose Only)	March 2021
<b>ECM Doc Set ID:</b> (Governance Purpose Only)	4134024

[10]

## 11. ENGINEERING AND WORKS DIVISION ISSUES

### 11.1 (2021/MINUTE NO 0006) PROPOSED NEW DELEGATION CITY OF COCKBURN - LOCAL LAW (PARKING AND PARKING FACILITIES)

**Author(s)** D Green

**Attachments** 1. Proposed New Delegated Authority - Parking & Parking Facilities

#### **RECOMMENDATION**

That Council adopts Delegated Authority "City of Cockburn Parking and Parking Facilities Local Laws – Parking Controls", as shown in the attachment to the Agenda.

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

#### **COMMITTEE RECOMMENDATION**

MOVED Cr M Separovich SECONDED Mayor L Howlett

That the recommendation be adopted.

**CARRIED 4/0**

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

#### **Background**

At the December 2020 Council the authority previously delegated by Council to approve parking controls within the district was deleted, because it was in conflict with the City of Cockburn Parking and Parking Controls Local Law, which required any such powers to be determined "by resolution" of the Council.

Accordingly, it was necessary to amend the Local Law to delete the requirement for this function to be specifically decided by Council decision on each occasion. This process has been undertaken and was ratified at the Ordinary Meeting of Council on 11 February 2021. Once the amendment to Local Law takes effect, it is possible for Council to enable parking controls to again be a delegated function.

#### **Submission**

N/A

#### **Report**

Since the Council decision to amend the Local Law, the administrative procedures to finalise the outcome have been undertaken. This now enables Council to delegate the operational function of ascertaining appropriate parking controls within the City, as outlined in the attachment.



Such an outcome will have the dual benefit of expediting mitigation works at identified parking hot spots within the district, without the necessary burden of approvals being referred to Council for resolution.

Any decisions made in accordance with the delegated authority will be subject to the conditions and guidance provided within the document.

### **Strategic Plans/Policy Implications**

#### City Growth and Moving Around

*A growing City that is easy to move around and provides great places to live.*

- Continue to complete the coverage of accessible cycle ways, footpaths, parking and end of trip facilities, and trails networks across the City.

#### Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.

### **Budget/Financial Implications**

Minor advertising costs are available within the City's Governance budget.

### **Legal Implications**

Local Government Act 1995 Sections 5.42 and 5.44

City of Cockburn Parking and Parking Facilities Local Law 2007 Clause 8

### **Community Consultation**

Advertising of the proposed amendment to the Parking Local Law was undertaken in accordance with the requirements (42 days) which concluded on 29 January 2021. No submissions were received.

The amendment is subject to being printed in the Government Gazette, which is currently being undertaken.

### **Risk Management Implications**

There is a "Low" level of "Compliance" risk associated with this item.

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

N/A

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

Parking control is a standard operational function of local government.



DA	CITY OF COCKBURN - LOCAL LAW – PARKING & PARKING FACILITIES
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DIRECTORATE:	Engineering & Works
BUSINESS UNIT:	Engineering Services
SERVICE UNIT:	Engineering Services
RESPONSIBLE OFFICER:	Manager, Engineering
FILE NO.:	086/003
DATE FIRST ADOPTED:	
DATE LAST REVIEWED:	
ATTACHMENTS:	N/A
VERSION NO.	

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	
OCM:	

**FUNCTION DELEGATED:**

The authority to approve the installation or modification of parking controls for the management of vehicle parking on public roads, reserves or any City owned or managed facility pursuant to the Local Law (Parking and Parking Facilities).

**CONDITIONS/GUIDELINES:**

- (1) A suitable level of information to support the proposal for the installation/modification of parking controls shall be provided to the Authorising Officer prior to any approval being issued.
- (2) Where the proposal is considered to have a low impact no community consultation is necessary prior to approval of the proposal being granted. However, informing the community about the change(s) to parking controls may be desirable at the time that the changes are implemented,

Low impact proposals are considered to be proposals that either will have no negative impact on adjacent properties or may affect only 1-2 properties.

- (3) Community consultation shall be undertaken with any occupier/landholder whose property has a direct frontage with vehicle access to the section of road(s) associated with the parking controls, where the proposal is considered to have a high impact.

Examples of high impact proposals would include:

- The introduction of parking controls, where none existed previously, along a complete road section between two side streets;
- Variation of the time/days of existing parking controls along a road section; and
- Any parking controls that will affect the parking practices of a reasonable number of motorists.

[1]



DA	CITY OF COCKBURN - LOCAL LAW – PARKING & PARKING FACILITIES
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- (4) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under Legislative requirements and conditions (1) to (3) above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995, s3.5, s5.42 and s5.44

City of Cockburn Parking and Parking Facilities Local Law, 2007, s8.

**DELEGATE:**

Chief Executive officer (CEO)

Note: The CEO will sub-delegate this authority to:

**SUB-DELEGATE/S:**

Director, Engineering & Works

Manager, Engineering

Transport Engineer

**Proposed**

[2]

## 12. COMMUNITY SERVICES DIVISION ISSUES

### 12.1 (2021/MINUTE NO 0007) PROPOSED NEW POLICY SPONSORSHIP AND NAMING RIGHTS ON CITY CONTROLLED LAND AND/OR BUILDINGS

<b>Author(s)</b>	S Walding
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Policy - Proposed New - Sponsorship and Naming Rights on City Controlled Land and Buildings</li> <li>2. Delegated Authority - Proposed New - Sponsorship and Naming Rights on City Controlled Land and Buildings</li> </ol>

#### RECOMMENDATION

That Council adopt the proposed new Policy 'Sponsorship and Naming Rights on City Controlled Land and/or Buildings' and the associated Delegated Authority, as attached to the Agenda.

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

#### COMMITTEE RECOMMENDATION

MOVED Cr M Separovich SECONDED Mayor L Howlett

That the recommendation be adopted.

**CARRIED 4/0**

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

#### Background

Sporting and community groups are under increasing pressure to renew or provide new infrastructure/equipment and limit costs on participants.

As a result they are required to generate income from non-traditional sources, including sponsorship, to remain affordable and sustainable. Clubs are looking for innovative assets to offer prospective sponsors that have led some to enquire about:

- What they can/cannot do with regard to affixing sponsorship signage/assets in the indoor and outdoor spaces they occupy,
- What they can 'sell' for sponsorship of which the club/organization is not the owner of (eg: the naming of City controlled land and/or buildings).

To ensure consistency and clarity a Sponsorship and Naming Rights on City Controlled Land and/or Buildings Policy has been proposed for adoption.



**Submission**

N/A

**Report**

The purpose of the proposed Sponsorship and Naming Rights on City Controlled Land and/or Buildings Policy is to:

1. Provide City officers with parameters to dealing with naming rights and signage requests on City sporting facilities as part of sponsorship arrangements negotiated by sporting and community organisations.
2. Provide direction to sporting and community organisations on the parameters of negotiating sponsorship packages that include City controlled land area and buildings.
3. Provide guidance to sporting and community organisations regarding sponsorship signage on City controlled land area and buildings.

The proposed policy has been developed given a number of recent requests from sporting and community organisations, over the last 12-18 months, seeking guidance around the topics listed within the policy.

Some of these groups have specific liabilities within current or future lease or license arrangements in relation to contributing to the replacement of capital infrastructure (eg: a sinking fund for the replacement of a synthetic hockey pitch).

Furthermore, the intent of the policy is to build capacity within sporting and community organisations in relation to funding new or replacing old infrastructure.

While no reduction is intended on grants provided to the sporting and community by the City, there has been a notable increase in the number grant application enquiries to City officers. Therefore additional funds from other sources may assist various minor and major capital projects to be delivered.

It should be noted there are various state and federal grant programs that, typically, funding is sought for; however these are seemingly quite competitive and regularly oversubscribed.

**Strategic Plans/Policy Implications**Community, Lifestyle and Security

*A vibrant healthy, safe, inclusive and connected community.*

- Provide a diverse range of accessible, inclusive and targeted community services, recreation programs, events and cultural activities that enrich our community.
- Provide community, sport, recreational, and cultural facilities and infrastructure to meet our community needs.



**Budget/Financial Implications**

Some agreements may require legal review and this will be funded by the proposing community or sporting organisation. Should the City require legal review, costs can be covered within existing operational budgets.

**Legal Implications**

This policy and associated Delegated Authority has been reviewed by McLeods Barristers and Solicitors.

No legal implications have been advised; however some higher value agreements may require legal review. Community and Sporting organisations will be advised on a case by case basis.

**Community Consultation**

No community consultation has been undertaken and is not deemed to be required at this point in time. At the time of the next review, feedback will be sought by external stakeholders who have aimed to apply the policy.

**Risk Management Implications**

Should Council decide not to endorse the Policy, there is a risk of inconsistency, lack of clarity/guidance for City officers and sporting and community organisations. This may impact the City's reputation amongst the local community.

Furthermore the sporting and community organisations would not be able to leverage funds externally to invest in new or replacement of capital infrastructure.

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

N/A

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

Nil



<b>Title</b>	<b>Sponsorship and Naming Rights on City Controlled Land and/or Buildings</b>
<b>Policy Number</b> (Governance Purpose)	



### Policy Type

Council Policy

### Policy Purpose

The purpose of this policy is to:

- (1) Provide City officers with parameters to dealing with naming rights and signage requests for City sporting facilities as part of sponsorship arrangements negotiated by sporting and community organisations.
- (2) Provide direction to sporting and community organisations on the parameters of negotiating sponsorship packages that include City controlled recreation land area and buildings.
- (3) Provide guidance to sporting and community organisations regarding sponsorship signage on City recreation controlled land area and buildings.

### Policy Statement

- (1) General
  1. Sporting and community groups are under increasing pressure to limit costs on participants and as a result are required to generate income from other sources including sponsorship to remain affordable and sustainable.
  2. Where sporting and community groups are seeking to incorporate City recreational controlled land and/or buildings into sponsorship packages, they are required to consult with City Officers and seek approval to ensure:
    1. Their proposal aligns with relevant land use and land planning legislation.
    2. Relevant statutory approvals and/or permits are obtained.
    3. Consent of the City as Lessor/Licenser/Landowner is obtained to the proposed sponsorship package.
    4. Repair, maintenance and replacement to signage within agreements is addressed in agreement provisions.
    5. An appropriate proportion of revenue generated is allocated toward developing new or maintaining infrastructure for sporting and community purposes. The exact amount to be allocated is to be determined through the approval process.

[1]

<b>Title</b>	<b>Sponsorship and Naming Rights on City Controlled Land and/or Buildings</b>
<b>Policy Number</b> (Governance Purpose)	



6. Their proposal complies with any agreement already in place including but not limited to Lease, User Management (Licence) Agreement and Seasonal Usage Agreement.
7. Any proposal should align to the City of Cockburn's values and the City's *Incoming Sponsorship Policy*.

(2) Naming Rights Sponsorships

1. Any sponsorship package that includes naming rights of a land area or building must have a formal agreement developed and the agreement is to be approved by the City.
2. The official public name or title of the land area or building will not change.
3. The sponsorship agreement may use an alternate name of the land area or building for the purposes of the organisation and events or competition they may be involved in and/or coordinate only.
4. The organisation negotiating the sponsorship proposal for naming rights of a land area or building must be able to demonstrate how revenue generated is allocated toward maintaining infrastructure or equipment for sporting and community purposes.
5. A formal agreement must include the details of any signage and will need to adhere to this policy and *Local Planning Policy 3.7 – Signs and Advertising*.
6. The City is not supportive of any land area or building being named after a person(s)
7. Sponsorship naming rights arrangements from the following organisations will not be accepted:
  - (a) Tobacco companies
  - (b) Alcohol companies
  - (c) Gambling companies – with the exception of Lotterywest
  - (d) Political parties
  - (e) Religious groups
  - (f) Organisations that do not align with the [City's values](#) or objectives nor conflict with any relevant legislation and or City policies, plans or strategies.
  - (g) Organisations that are in any legal dispute with the City

[2]

<b>Title</b>	<b>Sponsorship and Naming Rights on City Controlled Land and/or Buildings</b>
<b>Policy Number</b> (Governance Purpose)	



(3) Sponsorship Signage

1. Sponsorship signage needs to be considered in conjunction with preserving the amenity of the City's (public) controlled land area and building.
2. Proposals for sponsorship signage that include the following organisations will not be accepted:
  - (a) Tobacco companies
  - (b) Alcohol companies
  - (c) Gambling companies - with the exception of Lotterywest
  - (d) Political parties
  - (e) Religious groups
  - (f) Organisations that do not align with the City's objectives nor conflict with any relevant legislation and or City policies, plans or strategies.
  - (g) Organisations that are in any legal dispute with the City
3. Sponsorship signage can be classified into two categories:
  1. Temporary Sponsorship Signage: typically placed on a reserve adjacent to a playing field or building for the duration of a particular game, activity or event.
  2. Permanent Sponsorship Signage: signs affixed securely to either a building or perimeter fence or like feature and which remain in place on a semi-permanent basis.
4. Unless otherwise specified in a lease or licence agreement with the City, Temporary Sponsorship Signage does not require approval from the City if it meets the following criteria:
  1. Displays the name of the sponsored organisation or event in a prominent manner.
  2. Is displayed for the duration of the particular game, activity or event involving the sponsored organisation and is removed thereafter.
  3. Is made of steel, timber or plastic or supports, and is readily removable.

[3]



<b>Title</b>	<b>Sponsorship and Naming Rights on City Controlled Land and/or Buildings</b>
<b>Policy Number</b> (Governance Purpose)	



4. Is not constructed or located in a manner so as to constitute a hazard or cause an obstruction to other facility users or the general public.
  5. Is contained within the facility being used by the sponsored organisation and not is not placed or affixed in a public street or thoroughfare.
  6. Meets the requirements of *Local Planning Policy 3.7 – Signs and Advertising*.
5. To provide general direction, Permanent Sponsorship Signage will be required to meet the following criteria:
1. Planning approval and/or building permit to be obtained, unless confirmed by the City to be exempt from such requirements.
  2. Formal consent of the City as Lessor/Licensor/Landowner be obtained to the proposed Permanent Sponsorship Signage. Where the Signage is not located within an existing lease or licence area, then a variation to any existing lease or licence may be required to incorporate the site on which the signage is located, together with any related statutory approvals (such as approval from the Minister of Lands where applicable).
  3. Meet the requirements of *Local Planning Policy 3.7 – Signs and Advertising*.
  4. Should a sign be located inside a building, approvals will need to be obtained by the relevant business unit of the City.
  5. Be contained within the facility (internally facing to the activities) being used by the sponsored organisation and should not in any case be visible from a public street.
  6. Support for the signage is given by other regular user groups
  7. All fixed signs should be removed at the expiration of the sponsorship agreement and walls/posts be made good.
  8. All permanent signage is to be adequately maintained by the organisation who sought approval to the satisfaction of the City.
  9. The City reserves the right to require removal of any approved signage at any time.
  10. The Club is responsible for the installation, maintenance, replacement and any other items deemed necessary by City Officers as outlined in the written approvals provided by the City.

Strategic Link:	
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[4]



<b>Title</b>	<b>Sponsorship and Naming Rights on City Controlled Land and/or Buildings</b>
<b>Policy Number</b> (Governance Purpose)	



Category	
Lead Business Unit:	
Public Consultation: (Yes or No)	
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	

DRAFT

[5]



DA	<b>SPONSORSHIP AND NAMING RIGHTS ON CITY CONTROLLED LAND AND/OR BUILDINGS</b>
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<b>DIRECTORATE:</b>	Governance & Community Services
<b>BUSINESS UNIT:</b>	Recreation & Community Safety
<b>SERVICE UNIT:</b>	Recreation Services
<b>RESPONSIBLE OFFICER:</b>	Manager Recreation & Community Safety Coordinator Recreation Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	
<b>DATE LAST REVIEWED:</b>	
<b>POLICY REF.:</b>	Sponsorship and Naming Rights on City Controlled Land and/or Buildings
<b>VERSION NO.</b>	1

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	
OCM:	

**FUNCTION DELEGATED:**

The authority to negotiate proposals and authorise agreements with sporting and community organisations in relation to naming rights sponsorships and sponsorship signage on land and buildings controlled by the City.

**CONDITIONS/GUIDELINES:**

- (1) To review proposals and approve agreements with sporting and community organisations for naming rights sponsorships on land and buildings controlled by the City in line with the Sponsorship and Naming Rights on City Controlled Land and/or Buildings Policy and other policies and procedures named within or related to the implementation of this policy.
- (2) To review proposals and approve agreements with sporting and community organisations for sponsorship signage on land and buildings controlled by the City in line with the Sponsorship and Naming Rights on City Controlled Land and/or Buildings Policy and other policies and procedures named within or related to the implementation of this policy.
- (3) All transactions utilising this delegation are to be recorded in the Recording of Delegated Decisions Register by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.

**AUTONOMY OF DISCRETION:**

As provided as in the conditions above.

DA	SPONSORSHIP AND NAMING RIGHTS ON CITY CONTROLLED LAND AND/OR BUILDINGS
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**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995 sec 5.42 and 5.44

Council Policy "Sponsorship and Naming Rights on City Controlled Land and/or Buildings" refers.

Council Policy "Incoming Sponsorship Policy" refers

Council Local Planning Policy "3.7 - Signs and Advertising" refers

**DELEGATE:**

Chief Executive Officer

Note: The Chief Executive Officer will sub-delegate this authority to:

**DELEGATE/S AUTHORISED:**

Director, Governance & Community Services (All Conditions/Guidelines)

Manager, Recreation & Community Safety (All Conditions/Guidelines)

Coordinator Recreation Services (Conditions/Guidelines – Item 2 only)

## 12.2 (2021/MINUTE NO 0008) REVIEW AND PROPOSED MINOR AMENDMENTS TO COMMUNITY SERVICES POLICIES

**Author(s)** B Pinto

**Attachments**

1. Policy - Proposed Amendments - Community Funding for Community Organisations and Individuals (Grants, Donations and Sponsorships)
2. Policy - Proposed Amendments - Acknowledgement of Traditional Custodians
3. Policy - Proposed Amendments - Access and Equity

### RECOMMENDATION

That Council adopt proposed amendments to the following Policies:

- (1) Community Funding for Community Organisations and Individuals (Grants, Donations and Sponsorships);
- (2) Acknowledgement of Traditional Custodians; and
- (3) Access and Equity.

### COMMITTEE RECOMMENDATION

MOVED Cr M Separovich SECONDED Mayor L Howlett

That the recommendation be adopted.

**CARRIED 4/0**

### Background

Following the completion of the Policy Review Project, all policies and associated Delegated Authorities are proposed to be reviewed over a two year cycle.

### Submission

N/A

### Report

The following Council Policies have been reviewed, amended and presented for consideration as outlined in the table below:

Policy Title	Description	Comment
Community Funding for Community Organisations and Individuals (Grants, Donations and Sponsorships)	Policy Statement updated	The policy statement has been updated in Clause (2) Category G to reference that all applications of more than \$5,000 are to be referred to Council for decision
Acknowledgement of Traditional Custodians	Policy Statement	The policy statement has been updated to include two new



Policy Title	Description	Comment
	updated	Clauses to align and progress with the Reconciliation Action Plan to broaden the reach of the City's Aboriginal cultural competency, demonstrated by Acknowledgment of Traditional Custodians in all environments and locations across the City
Access and Equity	Policy Statement updated	The policy statement has been updated with additional text added to two Clauses to strengthen their intent. These align with the City's Reconciliation Action Plan, Cultural Diversity Strategy and Disability Access and Inclusion Plan.

### Strategic Plans/Policy Implications

#### Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.

### Budget/Financial Implications

N/A

### Legal Implications

Sections 3.1(1) of the *Local Government Act 1995* refer.

### Community Consultation

N/A

### Risk Management Implications

Adoption of the recommendation will ensure Council Policies are aligned to the adopted Policy Framework and provide a consistent approach for the development, review and implementation of policies.

### Advice to Proponents/Submitters

N/A

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



<b>Title</b>	<b>Community Funding for Community Organisations &amp; Individuals (Grants, Donations &amp; Sponsorships)</b>
<b>Policy Number</b> (Governance Purpose)	



### Policy Type

Council

### Policy Purpose

The purpose of this policy is to provide a framework for the provision of community funding to local community groups, organisations and individuals.

### Policy Statement

- (1) Council provides up to two per cent of the annual rates income to a budget for grants, donations, sponsorships and subsidies. To ensure that these funds are distributed in a rational way, eligibility, selection and evaluation criteria are required for the assessment and prioritisation of applications to be funded.
- (2) The funds allocated to local community groups, organisations and individuals are to assist in the provision of activities and services that benefit the local community. This program is divided into seven (7) categories (A-G) to encourage and cater for a range of applications and activities.

Community Funding Category	Description	Open for applications	Maximum amount available per application	Approval
Category A – Community Grants	One-off projects, programs or activities that benefit the wider Cockburn community.	Twice a year, in March and September	\$15,000	Delegated Authority
Category B – Cultural Grants	Events, projects, workshops and residencies that embody at least one of the diverse art and cultural interests of the Cockburn community.	Twice a year, in March and September	\$5,000	Delegated Authority
Category C – Sustainability Grants	Projects or activities that demonstrate Sustainability principles and themes for the benefit of the Cockburn community.	Annually in March	\$4,000	Delegated Authority
Category D - Small Events Sponsorship	Small-scale neighbourhood events across Cockburn.	Open all year round	\$3,000	Delegated Authority

[1]

<b>Title</b>	<b>Community Funding for Community Organisations &amp; Individuals (Grants, Donations &amp; Sponsorships)</b>
<b>Policy Number</b> (Governance Purpose)	



Community Funding Category	Description	Open for applications	Maximum amount available per application	Approval
Category E - Donations	Financial contribution towards operating or ongoing expenses for not for profit or benevolent organisations to assist the disadvantaged and/or vulnerable within the Cockburn community.	Twice a year, in March and September	\$20,000	Council Decision
Category F – Sponsorships	Financial contribution to a significant event, activity, service or endeavour to either a Group or Individual and, in return, the City receives public recognition for its contribution.	Groups - Twice a year, in March and September  Individuals - open all year round	Groups - \$20,000  Individuals - \$1,000	Groups – Council Decision  Individuals – Delegated Authority
Category G – Major and Minor Funding	Major funding proposals, minor funding and requests outside of established categories.	Upon enquiry and invitation to apply	Dependent on funding type	Dependent on funding type  <u>Applications over \$5,000 are to be referred to Council for decision</u>

- (3) The categories are described in further detail in the associated 'Community Funding Guidelines for Community Organisations and Individuals' that outlines the relevant selection and evaluation criteria, and limitations of each funding category.
- (4) Applicants for funding to be distributed from the Grants and Donations budget are required to apply and address the relevant criteria in one of the funding categories. Assessment and approval will be done according to the category and be done under the relevant delegated authority or recommendation by the Grants and Donations Committee to Council, and applicants cannot bypass these processes.
- (5) An applicant may successfully apply for and receive funding from two different categories from this policy per financial year, provided they meet the criteria for the particular category, however, the applications cannot be for the same project. Applicants that have been successful in previous years are eligible to apply provided all previous funding has been satisfactorily acquitted.

[2]

<b>Title</b>	<b>Community Funding for Community Organisations &amp; Individuals (Grants, Donations &amp; Sponsorships)</b>
<b>Policy Number</b> (Governance Purpose)	



Strategic Link:	Strategic Community Plan
Category	Community Support
Lead Business Unit:	Community Development
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	14 March 2019
Next Review Due: (Governance Purpose Only)	March 2021
ECM Doc Set ID: (Governance Purpose Only)	8242612

[3]



<b>Title</b>	<b>Acknowledgement of Traditional Custodians</b>
<b>Policy Number</b> (Governance Purpose)	



### Policy Type

Council

### Policy Purpose

To determine how and when the City will acknowledge the Beeliar people of the Whadjuk Nyungar nation as the traditional custodians of the lands upon which City of Cockburn has been founded

### Policy Statement

The City shall acknowledge the Beeliar people of the Whadjuk Nyungar nation as the traditional custodians of the lands upon which City of Cockburn has been founded and shall pay its respect to the Elders of the Nyungar nation, past, present and emerging.

- (1) Acknowledgement of the traditional custodians of a region can be done through:
  1. A Welcome to Country, which is a traditional protocol only delivered by an Aboriginal person widely recognised as having ancestral connection with the local area where the function or meeting is held. This is expected at more formal events.
  2. An Acknowledgement of Country which can be delivered by either Aboriginal or non-Aboriginal people, at both formal and informal functions, meetings and activities.
- (2) An Acknowledgment of Country is a statement acknowledging and showing respect for the Aboriginal history, culture and ongoing connection of traditional custodians with the land. For the lands on which City of Cockburn has been established, the traditional custodians owners are the Beeliar people of the Whadjuk Nyungar region.
- (3) Acknowledgement of traditional custodians is a foundation action of all Reconciliation Action Plans, with the goal of strengthening opportunities, respect and relationships between the Aboriginal and Torres Strait Islander peoples and all other Australians. It is a requirement of Reconciliation Australia, which oversees all Reconciliation Action Plans.
- (4) The City adopted the practice of Acknowledgement of Country in 2009 and reaffirmed it in the Reconciliation Action Plan.
  1. An Acknowledgement of Country will be delivered by the Mayor or other delegated official at all Council Meetings, Citizenship Ceremonies and formal functions and events.

[1]

<b>Title</b>	<b>Acknowledgement of Traditional Custodians</b>
<b>Policy Number</b> (Governance Purpose)	



2. Acknowledgement of Country may also be delivered by staff or other attendees upon request, at City functions, meetings, events or activities

3. A statement of Acknowledgement of Country will be displayed on the City website.

3.4. A statement of Acknowledgement of Country will be prominently displayed in Council Chambers, public reception rooms, customer service areas and at other City facilities.

4. Signage acknowledging the traditional custodians of this region will be displayed where possible in facilities across City of Cockburn

5. A short Acknowledgement will be added as a footer to staff emails.

5.6. Acknowledgement of Country must be used within the City's Annual Report, Strategic Plans and Business Plans, and Powerpoint templates. It will be clearly located near the front of the document.

6.7. Appropriate wording and use of Nyungar language can be provided by staff.

7.8. A Welcome to Country will be delivered at formal functions, Citizenship Ceremonies, events and activities. A list of acknowledged Elders or Custodians of the Whadjuk Nyungar region can be provided by staff to ensure appropriate protocol is followed.

Strategic Link:	Reconciliation Action Plan
Category	Community Support
Lead Business Unit:	Community Development & Services
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	13 June 2019
Next Review Due: (Governance Purpose Only)	June 2021
ECM Doc Set ID: (Governance Purpose Only)	4134587

Title	Access & Equity
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## Policy Type

Council

## Policy Purpose

To ensure the City of Cockburn is an inclusive, equitable and accessible local government for its diverse population.

Access, cultural diversity, and equity requirements will be considered and incorporated into all of the City's information provision, facility and service planning and delivery and decision-making processes, in accordance with relevant legislations, including the federal *Australian Human Rights Commission, Age, Disability, Racial and Sex Discrimination Acts*; the *Western Australian Equal Opportunity Act (1984)*; *National Disability Insurance Scheme Act (2013)* and the *Disability Services Act (1993)* which inform the City's Disability Access and Inclusion Plan.

## Policy Statement

The City of Cockburn aims to maintain and improve the quality of life of its residents by creating an accessible and inclusive community in which information, services, resources, facilities, decision-making processes and other activities are equitably accessible, welcoming and inclusive to all residents.

Access needs are diverse and may include physical, cognitive, psychological, sensory, communication (including language), cultural, socio-economic and literacy considerations. They encompass the range of human diversity including abilities, disabilities, age, family structure, language, sexual identity, gender, cultural, religious and socio-economic background.

The City acknowledges its leadership role in the community and is committed to upholding the social justice principles of access, equity, participation and rights.

### (1) Planning and Development

1. Support the inclusion of social justice principles, equity and access needs into its Strategic Community Plan and all other planning and development processes and activities, including demographic representation.
2. Support City planning, project management systems and service design to consider access needs and adequately budget for universal design and best practice, wherever possible.
3. Ensure adequate resourcing is provided for the provision of facilities, equipment, activities and services that assist people with specific access and/or cultural requirements.

[1]

Title	Access & Equity
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(2) Participation and Citizenship

1. Ensure residents have an equitable opportunity to participate in City events, decision- making processes, services, activities and opportunities.
2. Ensure residents have access to community education on the role of Local Government and electoral processes and that all residents are encouraged to participate in elections as voters and candidates. Recognise that a demographically representative diversity of candidates in elections is valued.
- 2.3. Recognise that a demographically representative diversity fo candidates in elections is valued.
- 3.4. Provide information to residents about their rights and mechanisms to complain, with any grievances and concerns addressed through fair, accessible and equitable processes, in a timely manner.
- 4.5. Provides systemic advocacy and support where inequality, gaps, vulnerability and other access needs and barriers are identified that prevent participation by individuals and groups in community life.

(3) Information and Communication

1. Ensure information created and provided by the City is universally accessible for people with disability and access needs and is available in a variety of formats and languages on request.
2. Require a Language Services Procedure be developed and implemented across the organisation.

(4) Social and Cultural Inclusion

1. Recognise that respect for the local Nyungar traditional owners-custodians of this land and for other Aboriginal and Torres Strait Islanders is the foundation for meaningful relationships and participation.
2. Support Ssocial cohesion and commit to the elimination of racism and all other discrimination within the community.
3. Support Ccultural and linguistic maintenance and development as a means of enhancing personal growth, quality of life and community diversity.

(5) Training and Development

1. Provide competency training and professional development to staff (including use of translation and interpreting services), to ensure a sound understanding of culturally and/or linguistically diverse communities, people of Aboriginal and Torres Strait Islander backgrounds and people with disability.
2. Support Elected Members to attend disability access and inclusion training and cultural awareness, and Aboriginal cultural competency training to enhance understanding of the value of community diversity.

[2]

<b>Title</b>	<b>Access &amp; Equity</b>
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Strategic Link:	Cultural Diversity Strategy; Disability Access and Inclusion Plan; Reconciliation Action Plan; Age Friendly Strategy
Category	Community Support & Development
Lead Business Unit:	Community Development and Services
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	12 December 2019
Next Review Due: (Governance Purpose Only)	<del>December 2021</del>
ECM Doc Set ID: (Governance Purpose Only)	8967988

[3]

### 13. EXECUTIVE DIVISION ISSUES

#### 13.1 (2021/MINUTE NO 0009) PROPOSED AMENDMENTS TO POLICY - ELECTED MEMBERS COMMUNICATION

**Author(s)** G Bowman

**Attachments** 1. Policy - Proposed Amendments - Elected Members Communication

<b>RECOMMENDATION</b>
That Council adopts proposed amendments to Policy 'Elected Members Communication', as shown in the attachment to the Agenda.
<b>COMMITTEE RECOMMENDATION</b>
MOVED Cr M Separovich SECONDED Mayor L Howlett
That the recommendation be adopted.
<b><u>CARRIED 4/0</u></b>

#### Background

In 2020 the City commissioned Research Solutions to undertake an Elected Member Communication review process to inform the review of the Elected Members Communication Policy and other relevant policies or practices.

Two workshops were held with Elected Members and as a result of this process a number of changes to the Elected Member Communication Policy are proposed.

#### Submission

N/A

#### Report

The Purpose of the Elected Members Communications policy is two-fold:

- (1) Establishes protocols for communication between Elected Members and the administration.
- (2) Ensures the quality and consistency of information provided to the community and Elected Members.



The Elected Members Communication Policy has now been reviewed for Committee and Council consideration with the proposed changes outlined in the table below:

Description	Comments
Policy Statement Updated	<p><b>(1) Communication between Elected Members and Staff</b></p> <ol style="list-style-type: none"> <li>1. Minor Change as added reference to workshop processes</li> <li>2. The following staff positions have been nominated within the Policy for Elected Members to directly contact in relation to matters which impact their responsibilities:               <ol style="list-style-type: none"> <li>a) The Executive (CEO and Directors/Executive Manager)</li> <li>b) Media officers (Mayor)</li> <li>c) Executive Assistants (specific purposes)</li> <li>d) Manager Corporate Communications</li> <li>e) Customer Service Coordinator</li> <li>f) Senior Executive Assistant to the Mayor and Councillors</li> <li>g) Governance Officer</li> <li>h) Minute Clerk</li> </ol> <p>Any other direct contacts must be approved in writing through a member of the Executive</p> </li> <li>3. Staff contact with Elected Members, unless sanctioned by a member of the Executive Team, or made by a staff member listed in (2) above, must be via the Senior Executive Assistant to the Mayor and Councillors.</li> </ol>
	<p><b>(2) Authority to speak on behalf of the City/Council</b></p> <ol style="list-style-type: none"> <li>1. Media Relations This proposed change clarifies that when speaking to the media or commenting on social media, Elected Members must make it clear that the opinion 'is their personal view' in order</li> </ol>

Description	Comments
	to avoid any perception that they are expressing the view of Council, unless it is to confirm a decision of Council
	<p><b>(3) Access to Information</b></p> <ol style="list-style-type: none"> <li>1. Service requests that are raised by an Elected Member on behalf of a resident will be entered in the City's customer request system, customer@cockburn.wa.gov.au with the Elected Member being included in the customer request responses.</li> <li>2. Requests for Information <ol style="list-style-type: none"> <li>a) Requests for information should be made via the relevant Executive team member.</li> <li>b) Requests for information in this regard are to be relevant to Council business.</li> </ol> </li> <li>3. Information Briefings Minor change to add Elected Member workshops</li> </ol>
	<p><b>(5) Maintaining Confidentiality/Embargoed Information</b></p> <ol style="list-style-type: none"> <li>a) Minor change where the specifics of the embargo information will be clearly marked on the document/s.</li> </ol>

### Strategic Plans/Policy Implications

#### Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.

### Budget/Financial Implications

N/A

### Legal Implications

N/A





**Community Consultation**

N/A

**Risk Management Implications**

Should Council not support this Policy review, there is a low risk associated with reputation and brand.

**Advice to Proponents/Submitters**

N/A

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

Nil



<b>Title</b>	<b>Elected Members Communication</b>
<b>Policy Number</b> (Governance Purpose)	



### Policy Type

Council

### Policy Purpose

This objective of the policy is to:

- (1) Establishes protocols for communication between Elected Members and the administration.
- (2) Ensures the quality and consistency of information provided to the community and Elected Members.

### Policy Statement

- (1) Communication between Elected Members and Staff
  1. Elected Members and staff interact in the following ways:
    - (a) At information briefings and workshops for Elected Members on matters of importance, including Council Meeting Agenda Briefings
    - (b) Via email
    - (c) Face-to-face meetings, by appointment
    - (d) Via telephone
    - (e) Via the Elected Member portal (LG Hub)
    - (f) At events conducted on behalf of the City of Cockburn
  2. The following staff positions are available for Elected Members to directly contact in relation to matters which impact their responsibilities:
    - (a) The Executive (CEO and Directors / Executive Manager)
    - (b) Media officers (Mayor only)
    - (c) Executive Assistants
    - (d) Manager Corporate Communications
    - (e) Customer Services Coordinator
    - (f) Governance Officer
    - (e) Minute Clerk Senior Managers (as authorised by the Executive)
    - Any other direct contacts must be approved in writing through a member of the Executive.
  3. Staff contact with Elected Mmembers must will be via the Senior Executive AssistantPA to the Mayor and Councillors, unless otherwiseas agreed with the relevant their Executive Team Member Director or the CEO or if specified in (2) above.

[1]

<b>Title</b>	<b>Elected Members Communication</b>
<b>Policy Number</b> (Governance Purpose)	



4. Such contact must not seek to be directive or influential in nature and will only result in outcomes which are mutually acceptable, or otherwise agreed upon by both parties

(2) Authority to speak on behalf of the City/Council

1. Media Relations

- a) In accordance with the Local Government Act 1995, only the Mayor may speak on behalf of the City, or the CEO, if authorised by the Mayor and other officers delegated by the Chief Executive Officer.
- b) When speaking to the media as spokesperson for the City, the Mayor may only represent the official view of the City, having regard to the City's *Code of Conduct*, the *Local Government Act 1995* and the *Local Government (Rules of Conduct) Regulations 2007*.
- c) When speaking to the media or commenting on social media, Elected Members must make it clear that the opinion "is their personal view" in order to avoid any perception that they are expressing the view of Council, unless it is to confirm a decision of Council.
- d) Elected Members when speaking to the media or commenting on social media against a Council decision, need to be cognisant of comments which could be construed as being in breach of the Local Government (Rules of Conduct) Regulations.

2. Representing the City at Functions and Events

- (a) The Mayor or, when unavailable, the Deputy Mayor, is the City's official representative at civic functions and events. In the event that neither is available for a specific event, the Mayor will nominate one of the following in order of preference.
  - I. Relevant Ward Councillor
  - II. Councillor with a specific interest
  - III. CEO (or delegate).

(3) Access to Information

1. Customer Requests for Service

- (a) Elected Members should direct all requests for service to [emrequests@cockburn.wa.gov.au](mailto:emrequests@cockburn.wa.gov.au)

[2]

<b>Title</b>	<b>Elected Members Communication</b>
<b>Policy Number</b> (Governance Purpose)	



- (b) ~~Requests for service from the public via Elected Members should not be operational in nature.~~
- (e)(b) ~~The preference is for Elected Members are to request direct residents use the City's customer request systems to lodge their request / complaints for operational service to the administration at customer@cockburn.wa.gov.au.~~
- (d)(c) Service Operational requests that are raised by an Elected Members on behalf of a resident community member will be entered in the City's customer request system, customer@cockburn.wa.gov.au with the Elected Member being included in the customer request updates response being directly communicated back provided to the resident.

## 2. Requests for information

- (a) Requests for information should be made via the CEO or relevant Director Executive Team member.
- (b) Requests for information in this regard are to be relevant to current Council business.
- (c) 'Current-Council business' is usually a matter currently before the Council, or a Committee, or likely to come before the Council or a Committee in the future.
- (d) A request for information relating to non-current matters may be fulfilled if it does not cause an unreasonable workload for officers, thereby deflecting them from current Council business.
- (e) The CEO may impose conditions as to the use of information supplied, or as to access to or custody of documents provided, in response to a request.
- (f) Access to information will not usually be given to a Council or Committee member who appears to have a financial interest in a matter, beyond the information that would ordinarily be made available to a person under s 5.94 of the Act.
- (g) Information provided to one or more Elected Members will be offered to or provided to all other Elected Members, at the discretion of the relevant officer. Information not provided directly to members (in either hard or electronic copy) will be located in the Elected Members "Hub", as will all other documents proactively provided by the Administration.

## 3. Information Briefings

- (a) The CEO (or representative) will provide information briefings on Council Meeting Agendas and briefings and workshops on other strategic matters of interest to Elected Members. The Agendase

[3]

<b>Title</b>	<b>Elected Members Communication</b>
<b>Policy Number</b> (Governance Purpose)	



information briefings sessions will provide a high level overview of agenda items before Elected Members read the agenda in detail. Questions may be asked on the evening and further detailed questions relating to the agenda should be asked of Executive, after fully reading the agenda, in the time leading up to the Council Meeting.

- (b) Large and/or complex documents to be presented at the Council Meeting will be provided wherever possible, at least 10 days prior to the Council Meeting to give Elected Members sufficient time to read them.

(4) Events and Meetings

City conducted events and meetings will be notified in Elected Members calendars as the City becomes aware of them, regardless of the format they are received in. This is limited to City run or hosted events.

(5) Maintaining Confidentiality/Embargoed information

1. Elected Members must not promote City information to the community that has not already been released or published, or until such time as the Mayor, as spokesperson for the City, has had an opportunity to speak.
2. The CEO, or representative, will advise verbally, or in writing if appropriate, where information is deemed to be confidential in nature or embargoed. Such documents will be clearly marked 'confidential' or embargoed.

(6) Related Statutory Requirements

The main statutory requirements relevant to Elected Member communications are referred to as follows:

1. *State Records Act 2000* requires that all correspondence, including email, relating to the business of the City and the Council, must be retained in the official records of the City.
2. Sections 2.8(1)(d) and 5.41(f) of the *Local Government Act 1995*, provides that only the Mayor may speak on behalf of the City (or the CEO, if authorised by the Mayor to do so).
3. Section 5.92 of the *Local Government Act 1995* gives the right of access to Council and Committee Members to any information held by the local government that is relevant to the performance of their functions.

[4]

<b>Title</b>	<b>Elected Members Communication</b>
<b>Policy Number</b> (Governance Purpose)	



4. *Freedom of Information Act 1992* requires the preservation of correspondence and its availability. This Policy does not affect any right of access to information under the *Freedom of Information Act*.
5. Section 5.93 of the *Local Government Act 1995* provides that an Elected Member (and employees) must not make improper use of any information acquired
6. Regulation 6 of the *Local Government (Rules of Conduct) Regulations 2007* provides for Elected Members to maintain confidentiality.
7. Regulation 7 of the *Local Government (Rules of Conduct) Regulations 2007* provides for Elected Members being required to refrain from using their position to secure advantage or seek to disadvantage others.

Strategic Link:	Communications Strategy & Action Plan, Elected Members Code of Conduct, <del>Employee</del> Staff Code of Conduct
Category	Governance
Lead Business Unit:	Corporate Communications
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	14 March 2019
Next Review Due: (Governance Purpose Only)	March 2021
ECM Doc Set ID: (Governance Purpose Only)	8237201

**13.2 (2021/MINUTE NO 0010) DELETION OF DELEGATED AUTHORITY - LOCAL GOVERNMENT ACT 1995 - APPOINTMENT OF AUTHORISED PERSONS**

**Author(s)** D Green

**Attachments**

1. Delegated Authority - Deletion - Local Government Act 1995 - Appointment of Authorised Persons
2. Local Government Act 1995 - Section 9.10 Amended

**RECOMMENDATION**

That Council notes the deletion of Delegated Authority "Appointment of Authorised Persons", as shown in the attachment to the Agenda.

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

**COMMITTEE RECOMMENDATION**

MOVED Cr M Separovich SECONDED Mayor L Howlett

That the recommendation be adopted.

**CARRIED 4/0**

**Background**

Until recently, the responsibility for appointing persons to perform particular operational functions was a requirement of individual local governments to consider, pursuant to section 9.10 of the *Local Government Act 1995* (the Act). The City of Cockburn managed this process by Council delegating the authority to the Chief Executive Officer (CEO).

In November 2020, the Act was amended to repeal this provision and place the authority with the CEO. Accordingly, it is necessary to formally withdraw this authority, as it is effectively redundant.

**Submission**

N/A

**Report**

The amendment to Section 9.10 of the Act provides the direct responsibility to the CEO for ensuring that written authorisations are in place for the appointment of persons required to perform specific functions, under not only the *Local Government Act 1995*, but other legislation related to:

- Caravan Parks and Camping Grounds
- Cat Control
- Cemeteries Management



- Off Road Vehicle Areas
- Dog Control
- Related Regulations for the Above
- Local Laws

This amendment provides a considerable organisational benefit for the appointment of authorising officers to undertake what are essential operational functions, without having the Delegated Authority procedures as an additional layer of unnecessary administration.

The appropriate checks and balances are contained within the amended legislation and require that necessary measures are in place to ensure that authorised persons remain accountable.

The CEO will ensure that the identified City personnel are properly authorised and that suitable conditions are contained within the advice for each appointment made.

### **Strategic Plans/Policy Implications**

#### Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.
- Attract, engage, develop, support and retain our employees to provide exceptional services for the community.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

Section 9.10 of the *Local Government Act 1995* refers

### **Community Consultation**

N/A

### **Risk Management Implications**

There is a "Moderate" level of "Compliance" Risk associated with this item.

### **Advice to Proponents/Submitters**

N/A

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

Nil





DA	LOCAL GOVERNMENT ACT, 1995 – APPOINTMENT OF AUTHORISED PERSONS
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<b>DIRECTORATE:</b>	Governance & Community Services
<b>BUSINESS UNIT:</b>	Governance
<b>SERVICE UNIT:</b>	Executive Services
<b>RESPONSIBLE OFFICER:</b>	Director, Governance & Community Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 December 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	9

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	24 May 2012 23 May 2013 22 May 2014 2 June 2015 26 May 2016	18 May 2017 24 May 2018 23 May 2019 26 November 2020
OCM:	9 June 2011 14 June 2012 13 June 2013 12 June 2014 11 June 2015	9 June 2016 8 June 2017 14 June 2018 13 June 2019

**FUNCTION DELEGATED:**

The authority to appoint authorised persons pursuant to Section 9.10(1) of the Local Government Act, 1995.

**CONDITIONS/GUIDELINES:**

- (1) The area(s) of responsibility to which the authority applies is/are to be stipulated in the authorisation.
- (2) The required Certificate stating the authority granted for production as required, to be issued to each authorised person.
- (3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As per conditions/guidelines and as contained within the relevant legislation.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995 (Sec.9.10), City of Cockburn (Local Government Act) Local Laws, 2000.

[1]

DA	LOCAL GOVERNMENT ACT, 1995 – APPOINTMENT OF AUTHORISED PERSONS
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**DELEGATE:**

CEO.

**SUB-DELEGATE/S**

Director, Governance &amp; Community Services

**To be deleted**

[2]

**Division 2 — Enforcement and legal proceedings****Subdivision 1 — Miscellaneous provisions about enforcement****9.10. Appointment of authorised persons**

- (1) In this section —

*law* means any of the following —

- (a) this Act;
- (b) the *Caravan Parks and Camping Grounds Act 1995*;
- (c) the *Cat Act 2011*;
- (d) the *Cemeteries Act 1986*;
- (e) the *Control of Vehicles (Off-road Areas) Act 1978*;
- (f) the *Dog Act 1976*;
- (g) subsidiary legislation made under an Act referred to in any of paragraphs (a) to (f);
- (h) a written law prescribed for the purposes of this section;

*specified* means specified in the instrument of appointment.

- (2) The CEO may, in writing, appoint persons or classes of persons to be authorised persons for the purposes of 1 or more specified laws or specified provisions of 1 or more specified laws.
- (3) An appointment under subsection (2) is subject to any specified conditions or limitations.
- (4) The CEO must give to each person appointed under subsection (2) an identity card that —
  - (a) on the front of the card, sets out —
    - (i) the name and official insignia of the local government; and
    - (ii) the name of the person; and
    - (iii) a recent photograph of the person;and
  - (b) on the back of the card, specifies each law to which the person's appointment relates.
- (5) A person appointed under subsection (2) (the *authorised person*) must —
  - (a) carry their identity card at all times when performing functions under a specified law; and
  - (b) produce their identity card for inspection when required to do so by a person in respect of whom the authorised person has performed or is about to perform a function under a specified law.
- (6) A person who, without reasonable excuse, fails to return their identity card to the CEO within 14 days after their appointment ceases to have effect commits an offence.

[Section 9.10 inserted: No. 16 of 2019 s. 64.]

### 13.3 (2021/MINUTE NO 0011) REVIEW AND PROPOSED MINOR AMENDMENTS TO EXECUTIVE SERVICES POLICIES

**Author(s)** D Green and B Pinto

- Attachments**
1. Policy - Proposed Amendment - Attendance at Conferences, Seminars Events and Training
  2. Policy - Proposed Amendments - Elected Member Entitlements - Allowances and Reimbursements
  3. Policy and Amended Policy - Proposed Amendment - Obtaining Legal and Other Expert Advice and Legal Proceedings Between City of Cockburn and Other Parties
  4. Policy - Proposed Amendment - Legal Representation and Costs Indemnification - Elected Members and Employees
  5. Policy - Proposed Amendment - Elected Member Appointments - Standing Committees, Reference Groups, Boards and External Organisations
  6. Policy - Proposed Amendment - Appointment of Acting Chief Executive Officer
  7. Policy - Proposed Amendment - Civic Hospitality and Gifts
  8. Policy and Amended Policy- Proposed Amendments - Council Administration Building Access
  9. Policy - Proposed Amendments - Flying of Flags and Bereavement Recognition
  10. Policy - Proposed Amendment - Recognition of Elected Members on Cessation of Service

#### RECOMMENDATION

That Council adopt proposed amendments to the following policies:

- (1) Attendance at Conferences, Seminars, Events and Training;
- (2) Elected Member Entitlements – Allowances and Reimbursements;
- (3) Obtaining Legal and Other Expert Advice and Legal Proceedings Between City of Cockburn and Other Parties;
- (4) Legal Representation and Costs Indemnification – Elected Members and Employees;
- (5) Elected Member Appointments – Standing Committees, Reference Groups, Boards and External Organisations;
- (6) Appointment of Acting or Temporary Chief Executive Officer;
- (7) Civic Hospitality and Gifts;
- (8) Council Administration Building Access;
- (9) Flying of Flags and Bereavement Recognition; and
- (10) Recognition of Elected Members on Cessation of Service



As Item 13.3 contained a number of policies, Cr Separovich requested that this item be considered as a complex motion and those policies that are required to be considered separately will be withdrawn for discussion.

**COMMITTEE RECOMMENDATION**

MOVED Cr P Corke SECONDED Cr M Separovich

That Council adopt the recommendation subject to withdrawing the following policies to be considered separately:

- (1) Policy - Proposed Amendment - Obtaining Legal and Other Expert Advice and Legal Proceedings Between City of Cockburn and Other Parties;
- (2) Policy - Proposed Amendment - Elected Member Appointments - Standing Committees, Reference Groups, Boards and External Organisations; and
- (3) Policy - Proposed Amendments - Council Administration Building Access.

**CARRIED 5/0**

**Reason for Decision**

So that the remaining items can be considered separately.

**(2021/MINUTE NO 0012) POLICY - PROPOSED AMENDMENT - OBTAINING LEGAL AND OTHER EXPERT ADVICE AND LEGAL PROCEEDINGS BETWEEN CITY OF COCKBURN AND OTHER PARTIES**

**COMMITTEE RECOMMENDATION**

MOVED Cr T Widenbar SECONDED Mayor L Howlett

That Council adopt the Policy 'Obtaining Legal and Other Advice and Legal Proceedings Between City of Cockburn and Other Parties', subject to the amendments as attached to the Minutes (Attachment 3 as amended)

**CARRIED 5/0**

**Reason for Decision**

Clarity was sought in relation to who the Policy is applicable to, as in some instances reference was made to 'Council' and in other instances reference was made to 'the City' or 'City of Cockburn'.

**(2021/MINUTE NO 0013) POLICY - PROPOSED AMENDMENT - ELECTED MEMBER APPOINTMENTS - STANDING COMMITTEES, REFERENCE GROUPS, BOARDS AND EXTERNAL ORGANISATIONS**

**COMMITTEE RECOMMENDATION**

MOVED Cr M Separovich SECONDED Mayor L Howlett

That Council adopt the Policy 'Elected Member Appointments – Standing Committees, Reference Groups, Boards and External Organisations.

**LOST 1/4**

**For:** Mayor L Howlett

**Against:** Cr C Stone, Cr M Separovich, Cr P Corke and Cr T Widenbar

MOVED Cr M Separovich SECONDED Cr P Corke

That the Committee defer Policy 'Elected Member Appointments – Standing Committees, Reference Groups, Boards and External Organisations' to the 27 May Delegated Authorities and Policies Committee meeting, pending a workshop to be conducted with interested Elected Members to review the Policy.

**LOST 0/5**

MOVED Cr P Corke SECONDED Cr M Separovich

That Council:

- (1) adopt the Elected Member Appointments – Standing Committees, Reference Groups, Boards and External Organisations Policy with the deletion of:
  1. Training from the heading
  2. Clause (4) – Training
- (2) refer the amended policy back to the Delegated Authority and Policies Committee for additional review on 27 May 2021, and hold a workshop prior to that.

**CARRIED 5/0**

**Reason for Decision**

It was decided that a workshop with interested Elected Members be held to review the Policy in more detail and to make potential changes so that the Policy is clear in how Elected Members are to be appointed to the various Committees and Reference/External Groups.



## (2021/MINUTE NO 0014) POLICY - PROPOSED AMENDMENTS - COUNCIL ADMINISTRATION BUILDING ACCESS

### COMMITTEE RECOMMENDATION

MOVED Cr P Corke SECONDED Cr T Widenbar

That the Committee adopt Policy 'Council Administration Building Access', subject to amendment to the last paragraph of Clause (2), as attached to the Minutes (Attachment 8).

**CARRIED 5/0**

### Reason for Decision

Clarity was sought whether an event requires alcohol to be served rather than an occasion where alcohol is served in these areas. The main focus of this amendment is to have a responsible officer that has RSA certification.

### Background

Following the completion of the Policy Review Project, all policies and associated Delegated Authorities are proposed to be reviewed over a two year cycle.

### Submission

N/A

### Report

The following Council Policies have been reviewed, amended and presented for consideration as outlined in the table below:

Policy Title	Description	Comment
Attendance at Conferences, Seminars, Events and Training	Policy Statement updated	To enable elected members to access additional training opportunities associated with their role and responsibilities, apart from those mandated.
Elected Member Entitlements – Allowances and Reimbursements	Policy Statement updated	Minor changes for clarification purposes. Deletion of redundant sub-clause 9 (2) (f)
Obtaining Legal and Other Expert Advice and Legal Proceedings Between City of Cockburn and Other Parties	Policy Statement updated	Minor changes for clarification purposes. Deletion of redundant sub-clause (2) (c)
Legal Representation and Costs Indemnification – Elected Members and	Policy Statement updated	Minor changes for clarification purposes. Clarification of terminology for "Approved lawyer" in sub –

Policy Title	Description	Comment
Employees		clause (1) 1 (b)
Elected Member Appointments – Standing Committees, Reference Groups, Boards and External Organisations	Policy Title and Statement updated	Amend Title, Policy Purpose and Clause (4) to delete reference to specific Training, as this has been recommended for inclusion in the Council Policy which relates to mandated training for elected members. Amend second paragraph of Policy Statement to clarify the process for the notification of appointments and receipt of nominations from elected members. Proposed expansion of Clause (1) to emphasise the statutory provisions and recommend a preferred (minimum) membership structure
Appointment of Acting or Temporary Chief Executive Officer	Policy Title and Statement updated	Changes to incorporate new requirements of the Local Government Act to provide for Temporary (no longer than 12 months) CEO appointment.
Civic Hospitality and Gifts	Policy Statement updated	Minor change to add Co-chairs of the Aboriginal Reference Group to the invitation list for the Pioneers Lunch event to be consistent with other Civic events and the Reconciliation Action Plan intent.
Council Administration Building Access	Policy Statement updated	The proposed change includes the requirement for an Amenity Officer to be present at events requiring alcohol to be served to manage the bar, tally the alcohol consumed and ensure the bar is left clean and secure. Minor change has been made to clarify the requirement for beverage service staff to hold a Responsible Service of Alcohol Service Certificate.
Flying of Flags and Bereavement	Policy Statement	The policy has been amended to reflect government protocols,





Policy Title	Description	Comment
Recognition	updated	and require that information be provided to the public and staff about why the flags are being lowered. The proposed changes also increases flexibility for the Mayor to allow up to one week for the flags to be lowered.
Recognition of Elected Members of Cessation of Service	Policy Statement updated	Amendments made to reflect the length of service of Elected Members who have completed 10 years or more.

### Strategic Plans/Policy Implications

#### Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.

### Budget/Financial Implications

N/A

### Legal Implications

Sections 3.1(1) of the *Local Government Act 1995* refer.

### Community Consultation

N/A

### Risk Management Implications

Adoption of the recommendation will ensure Council Policies are aligned to the adopted Policy Framework and provide a consistent approach for the development, review and implementation of policies.

### Advice to Proponents/Submitters

N/A

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

Nil



<b>Title</b>	<b>Attendance at Conferences, Seminars, Events &amp; Training</b>
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### Policy Type

Council

### Policy Purpose

This policy provides the guiding principles for attendance of Elected Members and staff at conferences, seminars and training.

Attendance by Elected Members and staff at conferences, seminars and training is supported provided the activity is relevant to Council business and within budget.

Specified training for newly Elected Members is mandatory, following amendments to the Local Government Act, 1995 (The Act) in October 2019.

A Policy related to the attendance at specified events by Elected Members and the Chief Executive Officer is also required, as a result of a new provision related to this matter being included in the Act.

### Policy Statement

#### (1) Elected Members

Elected Members will receive an annual allocation for the purpose of attending conferences, seminars and training relevant to their role as an Elected Member. This will be administratively equally allocated to each Elected Member as part of the overall budget allocation except for the Mayor's allocation which will allow for attendance at two interstate conferences.

The allocation will operate from November to October, in line with local government elections. Residual funds for individual Elected Members from year one will carry over each year to a maximum of two years allowance, after which all unspent funds will be returned to the Municipal Fund when a fresh allocation will be made to Elected Members following the elections.

Multiple Elected Members may attend conferences at the same time, provided that such attendance does not unduly interfere with the business of Council (i.e. conflicts with a Council or Committee Meeting which may affect a quorum).

Where an Elected Member has insufficient funds in their allocation, another Elected Member may agree to meet the costs from their own allocation. Both Elected Members are to advise the CEO in writing if this is to occur.

Where an Elected Member is no longer able to attend the booked conference, seminar or training, the CEO in consultation with the Mayor, may substitute another Elected Member if appropriate.

[1]

<b>Title</b>	<b>Attendance at Conferences, Seminars, Events &amp; Training</b>
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All registrations are to be done through Executive Support.

The cost of training that is specifically arranged for attendance by all Elected Members, (eg governance) shall be paid from a separate allocation not considered part of any individual allocation.

A Report on the activities and presentations made at the Conference shall be forwarded by the delegate to the CEO within one month after the event. Following review, the Report shall be located on the elected Members Hub for information.

(2) Training

All new Elected Members are required to undertake the following mandatory training within 12 months of their election to Council:

The course titled 'Council Member Essentials' that:

(a) consists of the following modules—

- (i) Understanding Local Government
- (ii) Serving on Council
- (iii) Meeting Procedures
- (iv) Conflicts of Interest
- (v) Understanding Financial Reports and Budgets; and

(b) is provided by any of the following bodies---

- (i) North Metropolitan TAFE
- (ii) South Metropolitan TAFE; or
- (iii) WA Local Government Association (WALGA)

Any other training opportunities that elected members may wish to attend are required to be submitted to the CEO for prior assessment and determination. The CEO will consider each application on the basis that the training is relevant to the role and responsibilities of an elected member.

At the conclusion of each financial year, a report on the training completed by Elected Members is to be compiled and displayed on the City's website.

(3) Events

The City of Cockburn will allow Elected Members to accept invitations, including tickets, from third parties to attend events falling into the following categories:

- (a) Concerts;
- (b) Conferences;
- (c) Functions; and
- (d) Sporting Events

Where an invitation, including tickets, is extended to a specified elected member or members, the relevant individual elected member is able to accept or decline, the invitation in their own right.

[2]

<b>Title</b>	<b>Attendance at Conferences, Seminars, Events &amp; Training</b>
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If an elected member is unable, or does not wish, to attend the event to which the invitation relates, the member is to advise the event organiser of their unavailability, or may distribute it to another elected member of their choosing, if the event organiser agrees. Otherwise, it is at the sole discretion of the event organiser, whether the invitation, or tickets, can be redistributed to another elected member of the City of Cockburn.

Where an invitation to attend an event, including tickets, is extended to the City of Cockburn and is addressed to the Mayor, the Mayor will have the right to accept the invitation, or to offer the invitation to the Deputy Mayor in the first instance. If the Deputy Mayor declines the invitation, the Mayor may offer the invitation to another Councillor of their choosing.

Where an invitation to attend an event, including tickets, is received by the Mayor and is extended to multiple unspecified elected members, the Mayor will have the right to distribute the invitation, including tickets, to Councillors of their choosing.

Where an Elected Member attends any ticketed function in accordance with this Policy, the value of the ticket is to be declared and entered in the City's Gift Register.

This Policy does not apply to events organised by the City of Cockburn which involve any form of refreshment or entertainment provided by the City and to which there is an expectation that elected members (including spouse) will be invited to attend.

(4) **Staff**

1. Conferences and Seminars

The Chief Executive Officer (CEO) may endorse the recommendation of Directors and Executive Manager, Strategy and Civic Support in respect of staff attendance at conferences and seminars, subject to expenditure being contained within the budget.

Registrations for interstate or overseas conferences, seminars and training are to be done through Executive Support.

A Report on the activities and presentations made at the Conference shall be forwarded by the delegate to the CEO within one month after the event. Following review, the Report shall be located on the Elected Members Hub for Information.

2. Events

The City of Cockburn will allow the CEO to accept invitations, including tickets, addressed to either the CEO specifically, or the City of Cockburn, from third parties to attend events falling into the following categories –

- (a) Concerts;
- (b) Conferences;
- (c) Functions; and
- (d) Sporting Events

[3]

<b>Title</b>	<b>Attendance at Conferences, Seminars, Events &amp; Training</b>
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If the CEO is unable, or does not wish, to attend the event to which the invitation relates, the CEO is to advise the event organiser of their unavailability, or may distribute it to another staff member of their choosing, if the event organiser agrees. Otherwise, it is at the sole discretion of the event organiser, whether the invitation, or tickets, can be redistributed to another staff member of the City of Cockburn.

Where multiple invitations, including tickets, are received by the CEO to attend an event, the CEO will have the right to distribute the invitation, including tickets, to staff members of their choosing.

#### (5) Expenses

Expenses to be met by Council for Elected Members and staff are:

##### 1. Interstate and Overseas

- (a) Registration Fees (including conference dinner and official delegate tours).
- (b) Accommodation costs.
- (c) All reasonable expenses for example, meals and refreshments, laundry and dry cleaning and fares relevant to the conference, seminar or training.
- (d) Economy return air fare (allowing flexibility for preferred travel arrangements).
- (e) Business Class travel for flights longer than six hours duration leaving Australia.

##### 2. State

- (a) Registration Fees (including conference dinner and official delegate tours).
- (b) Accommodation costs.
- (c) All reasonable expenses for example meals and refreshments, laundry and dry cleaning and fares relevant to the conference, seminar or training.
- (d) If applicable, economy return airfare (allowing flexibility for preferred travel arrangements).

##### 3. Conference expenses for accompanying Partner

- (a) Conference or main function meal only.

Reimbursements for relevant expenditure not initially paid by the City may be made on the basis of receipts provided.

#### (6) Insurance

Those attending conferences, seminars and training are insured for travel to and from the activity (from home or office). All airline tickets purchased are also insured.

[4]

<b>Title</b>	<b>Attendance at Conferences, Seminars, Events &amp; Training</b>
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Strategic Link:	Governance Framework
Category	Elected Members
Lead Business Unit:	Executive Support
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<del>12 March 2020</del>
Next Review Due: (Governance Purpose Only)	March 2022
ECM Doc Set ID: (Governance Purpose Only)	4132631

[5]



<b>Title</b>	<b>Elected Members Entitlements – Allowances &amp; Reimbursements</b>
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## Policy Type

Council

## Policy Purpose

The objectives of this policy are:

1. To provide a clear outline of entitlements available to Elected Members under the Local Government Act 1995 ( the Act) and Local Government (Administration) Regulations 1996 ( the Regulations) and within the prescribed ranges established by the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time.
2. To enable Elected Members to be accessible to the community, their colleagues and the City's staff.

Equipment and facilities subject to this policy are provided to Elected Members on the absolute understanding that they will not be used for any election purposes.

## Policy Statement

In addition to those entitlements available to Elected Members (Member/s) under legislation, the policy outlines "approved expenses" the City will reimburse to Elected Members when incurred in their capacity as an Elected Member.

The Council also recognises that Elected Members have a responsibility to undertake training and development necessary to fulfil their duties of public office. To this end Council has a separate policy "Attendance at Conferences, Seminars and Training" which provides for allowances to facilitate attendance at conferences and training opportunities.

### (1) Prescribed allowances

#### 1. Mayoral Allowance

The annual local government allowance for the Mayor (in addition to any fees or reimbursements of expenses payable under the Act and Regulations) is recommended to be the maximum amount as determined by the Salaries and Allowances Tribunal, subject to the formal resolution of Council

#### 2. Deputy Mayoral Annual Allowance

An annual local government allowance is to be paid to the Deputy Mayor (in addition to any fees or reimbursements of expenses payable under the Act and Regulations), is recommended to be the maximum percentage determined by the Salaries and Allowances Tribunal of the annual allowance to which the Mayor is entitled, subject to the formal resolution of Council.

[1]

Title	Elected Members Entitlements – Allowances & Reimbursements
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### 3. Annual Meeting Attendance Allowance

In lieu of paying Elected Members a meeting attendance fee for Council, Committee or prescribed meetings, it is recommended to pay the maximum amount within the range set by the Salaries and Allowances Tribunal from time to time that may be paid annually, subject to the formal resolution of Council.

### (2) Prescribed expense reimbursements (Administration Regulation 31 (1) (b))

#### 1. Travel expenses

Elected members who attend Council, Committee, Council appointed Reference Groups or other formally arranged meetings, briefings, civic functions, seminars or training on behalf of the Council, are entitled to be reimbursed travel expenses ~~pursuant to s5.98(2) of the Act and Regulation 32.(a) and (b).~~

#### 2. Child care costs

Elected members are entitled to be reimbursed child care costs, while attending Council, Committee, Council appointed Reference Groups or other formally arranged meetings, briefings, civic functions, seminars or training on behalf of the Council, to the maximum allowance as determined under the Salaries and Allowances Tribunal annual determination (\$30.00 per hour), or the actual cost per hour, whichever the lesser amount is.

### (3) Discretionary expense reimbursements (Administration Regulation 32 (1))

#### 1. Parking

Car-parking fees:

- (a) Incurred attending an event in their capacity as a Council member; or
- (b) Incurred where an Elected Member having driven their private vehicle to their place of work, attends an event (in their capacity as a Council Member) directly following work, instead of travelling to the event by taxi.

#### 2. Minor hospitality

Elected members may be reimbursed reasonable minor hospitality costs, up to a maximum amount of \$30, incurred while attending meetings, functions, events and other occasions while undertaking the recognised functions of an Elected Member referred to elsewhere in this Policy.

#### 3. consumable Office supplies

Elected members may be reimbursed for any consumable office supplies reasonably required to undertake the recognised functions of an Elected Member, excluding any costs incurred relevant to any elections

[2]



Title	Elected Members Entitlements – Allowances & Reimbursements
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#### 4. Other approved expenses

Council will reimburse the following expenses incurred by Elected Members in carrying out their duties or performing their functions:

- (a) Dry cleaning specifically incurred as a result of attending recognised Council related functions referred to elsewhere in this Policy
- (b) Hire of clothing when attending a recognised Council related function that requires formal attire as stipulated on the invitation, but not otherwise
- (c) Permissible personal expenses not otherwise paid in advance by the City incurred as a result of attending a conference, seminar or training as a delegate of Council in accordance with Council Policy "Attendance at Conferences, Seminars and Training".
- (d) Reimbursement of legal representation costs incurred in accordance with Council Policy "Legal Representation & Costs Indemnification – Elected Members & Employees".

#### (4) Prescribed allowances paid in lieu of reimbursements

##### 1. Information and Communication Technology (ICT) Allowance

It will be recommended that all Elected Members are paid the maximum annual amount for ICT Expenses subject to the formal resolution of Council. The allowance will be paid annually in advance within the range set by the Salaries and Allowances Tribunal through a determination from time to time, calculated from each ordinary election and the full amount will be provided for in each annual budget. The ICT Allowance is for costs relating to:

- (a) telephone rental at the Elected Members' private residence;
- (b) Council related charges for telephone calls made from telephones located at the Elected Members' private residences; and
- (c) mobile telephone rental and call charge plans.
- (d) Laptop, iPad or any desktop computer (with monitor), including,
  - appropriate software
  - printer/scanner
  - broadband internet access and router
  - associated consumables

#### (5) Discretionary non-monetary allowances paid in lieu of reimbursements

##### 1. Equipment and stationery

Elected Members will be eligible to receive the following to assist them to undertake the recognised functions of an Elected Member.

- (a) Elected Members will be provided with a mobile computer, compatible with the City's security and other systems.
- (b) Elected Members will be provided with access to a computer for their use within the City's Administration Centre.

[3]

Title	Elected Members Entitlements – Allowances & Reimbursements
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- (c) Elected Members will be supplied, as reasonably required to undertake the functions of an Elected Member, with:
  - i. Business cards, and
  - ii. Letterhead template.
- (d) Elected Members will be supplied with a name badge at the commencement of their term of office. Replacement name badges will be supplied, upon request, if lost, stolen, damaged or worn.

(6) Mayoral Vehicle Provision

1. The position of Mayor shall, for the purpose of carrying out the recognised functions of the Mayoral office, be entitled to receive the provision of a fully maintained local government owned vehicle to the equivalent standard of that provided to the Senior Employees. The Mayor of the day may elect to choose a vehicle of a lesser standard at his/her discretion, subject to the City's Light Fleet Purchasing Guidelines.
2. All costs associated with the private use of the Mayoral vehicle are to be reimbursed to the City of Cockburn by the Mayor in accordance with the "Mayoral Motor Vehicle Agreement" detailed in (6) 3 below.
3. Details of the arrangement for the provision, use and responsibilities for the vehicle in 2 above is included in a Deed of Agreement between the City of Cockburn and the Mayor.
4. The calculation of the reimbursement for the private use is by way of a Log Book in accordance with the requirements of the Australian Taxation Office
5. All disputes in regard to this policy will be referred to the Director of Finance and Corporate Services in the first instance. In the event that the Member and the Director cannot reach an agreement, the matter will be submitted to Council for resolution.

(7) Provision of Support

1. Mayor

The Mayor shall, in carrying out the Mayoral duties and responsibilities, be entitled to receive the benefit of the following facilities and resources without the reduction of the fees and allowances approved by Council under section 5.98, 5.98A, 5.99 and 5.99A of the Local Government Act 1995.

- (a) the use of an office;
- (b) ~~the use of~~ a City employee or other employee resource to the extent considered appropriate by the CEO ;
- (c) all items associated with the effective and efficient administration of the Mayor's office as determined from time to time by the CEO; and
- (d) access to the Elected Member's Lounge and refreshments

2. Deputy Mayor and other Councillors:

[4]

Title	<b>Elected Members Entitlements – Allowances &amp; Reimbursements</b>
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The Deputy Mayor and other Councillors shall in carrying out their civic duties and responsibilities be entitled to receive, and the benefit of the following facilities without the reduction of the fees and allowances under section 5.98, 5.98A, 5.99 and 5.99A of the Local Government Act 1995:

- (a) Access to the Elected Member's Lounge and refreshments.
- (b) Access to a suitably equipped shared office, reading room, meeting and conference rooms within the Administration Centre with photocopying, printing, facsimile, internet and telephone facilities, as deemed necessary **by the CEO** to fulfil their Council related functions.
- (c) Some secretarial support as deemed necessary by the CEO including limited word processing, photocopying, and postage.

(8) Insurance

The City will insure or provide insurance cover for Elected Members for:

- 1. Accidental injury whilst engaged in the performance of the official duties of their office, including direct travel to and from activity.
- 2. Liability for matters arising out of the performance of the official duties of their office but subject to any limitations set out in the policy of cover/insurance
- 3. Spouses/partners of Elected Members when the spouse/partner is accompanying the Member in an official (non – personal) capacity.

(9) Policy Administration

- 1. Time Limit on Claims and Approval Process
  - (a) Elected Members **choosing applying** to receive reimbursement of expenses in accordance with the provision of this policy must submit the appropriate Reimbursement of Expenses Form to the Chief Executive Officer, together with acceptable supporting documentation.
  - (b) Requests for reimbursement **should must** be received within three (3) calendar months after the expenses were incurred.
- 2. Payment of fees/allowances
  - (a) All Allowances will be paid automatically unless an Elected Member has advised the Chief Executive Officer in writing that they do not want to claim any or part of the available allowances.
  - (b) All allowances will be paid monthly in arrears, except for the ICT allowance which will be paid annually in advance, calculated from each ordinary election and will be provided for in each annual budget.
  - (c) Any taxation liability arising from these payments is the individual responsibility of each Elected Member.
  - (d) If an Elected Member has previously advised that they do not want all or part of the available allowances that they are entitled to, any

[5]

Title	Elected Members Entitlements – Allowances & Reimbursements
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subsequent request for full or additional payment will not be back paid, but will accrue from the date of such request.

- (e) If an Elected Member ceases to hold office, payment will only be made up to and including the final day of engagement.

~~(f) Reimbursement of member expenses in excess of the annual allowance made under this policy is required to be substantiated by the claimant through the production of receipts or the keeping of a log book before such claims are paid.~~

### 3. Dispute Resolution

Any disputes in regard to this policy will be referred to the Chief Executive Officer in the first instance. In the event that the Elected Member and the Chief Executive Officer cannot reach an agreement, the matter will be reported to Council for resolution.

Strategic Link:	Corporate Governance Charter
Category	Elected Members
Lead Business Unit:	Executive
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	14 March 2019
Next Review Due: (Governance Purpose Only)	The policy is to be reviewed every two years through consultation with Elected Members to ensure that it meets its objective and provides clear accountability requirements unless legislative amendments require an immediate review.  March 2021
ECM Doc Set ID: (Governance Purpose Only)	8232292



<b>Title</b>	<b>Obtaining Legal &amp; Other Expert Advice &amp; Legal Proceedings Between City of Cockburn &amp; Other Parties</b>
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## Policy Type

Council

## Policy Purpose

This policy provides a mechanism to expedite the acquisition of legal and other expert advice, as required, and also provides a system enabling advice and the ongoing status of legal proceedings of the City of Cockburn to be provided to Elected Members on a regular basis.

## Policy Statement

**Council** The City of Cockburn is ~~now~~ required to seek legal and other expert advice on ~~an increasing a regular~~ basis, to ensure its best interests are protected at all times. The City of Cockburn is also frequently a party to legal proceedings, either as a result of initiating actions, or as a result of responding to actions.

### (1) Application

This Policy applies to in relation to legal & other expert advice sought by ~~the City of Cockburn Council~~, and legal proceedings commenced or responded to by the City ~~of Cockburn~~, or any person acting in their capacity as a representative of the City ~~of Cockburn~~ and for whom the City ~~of Cockburn~~ is vicariously liable.

### (2) Obtaining Legal & Other Expert Advice

1. In this Policy "legal advice" has the same meaning as in the Legal Practice Act 2003 (WA).
2. Other expert advice includes that obtained from practitioners qualified in areas of specific professional expertise or knowledge. Examples include advice sought from consulting firms or individuals and from employees of federal or state government agencies with whom Council has binding contractual or statutory obligations.
3. The Chief Executive Officer is authorised to obtain legal and other expert advice as is deemed necessary to maintain the proper administration of Council affairs, subject to the following conditions:-
  - a. in the instances where Council has resolved or requested to seek legal or other expert advice, a copy of that advice and Council's letter of instruction be provided to all Elected Members as soon as practicable within seven(7) days of receipt by the City unless otherwise resolved by Council;
  - b. where copies of legal or other expert advice are made available to Elected Members, the content of the advice is not permitted to be disclosed to third

[1]

Title	<b>Obtaining Legal &amp; Other Expert Advice &amp; Legal Proceedings Between City of Cockburn &amp; Other Parties</b>
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parties, unless by resolution of Council', following the opinion of the Solicitor or specialist who provided advice to the Council about the possible consequences of making that advice available to a third party;

~~c. Council maintain its retainer arrangement with its Solicitors for the purpose of ascertaining matters of an administrative nature where procedural verbal advice is obtained and that such advice sought be recorded as a file note on the appropriate file;~~

d. that where a legal or other expert opinion is sought in relation to an item placed before Council, a note that the item is subject to legal or other expert advice (as appropriate) be included in the relevant Agenda or Minutes.

e. before the Council considers an item on an agenda that includes or is based on expert advice (eg legal, environmental, financial) the Council shall have been provided with a copy of that advice (or summary if appropriate) prior to the meeting with adequate time to read and understand the advice before making its decision.

f. Legal advice sought by Council can only be obtained utilising the services of practitioners who form part of the Panel of Preferred Suppliers, as adopted by Council from time to time, unless, in the CEO's opinion, it is advantageous to utilise the services of a different provider who has specific expertise in a particular case.

### (3) Commencing Legal Proceedings

1. This section applies to any legal proceedings initiated as a result of a resolution of Council.
2. A Council decision to initiate a legal proceeding may include instructions to be issued on behalf of the City and which legal practitioners are to be engaged.
3. In addition, a Council decision may authorise the Chief Executive Officer (CEO) to negotiate an outcome on its behalf and settle proceedings, if considered appropriate to do so, and in doing so the Council will consider any legal constraints applicable to the CEO which may compromise that officer's capacity to achieve any outcome desired by Council.
4. In the absence of any clear direction to the CEO in this regard, settlement outcomes must be considered and decided by Council.
5. This policy does not apply to actions commenced by officers of the City who are authorised to commence proceedings on behalf of the City by authority vested in them through legislation, (including delegated legislation) or other delegated authority of Council.
6. Notwithstanding (5) above, the CEO, or any officer, through the CEO, may inform the Elected Members of the commencement and ongoing status of any action commenced by an officer of the City.

[2]

<b>Title</b>	<b>Obtaining Legal &amp; Other Expert Advice &amp; Legal Proceedings Between City of Cockburn &amp; Other Parties</b>
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7. The CEO shall establish and maintain a procedure which enables those matters which are subject to the terms of this section to be centrally recorded and updated.
8. A record of the procedure mentioned in (7) above shall be presented to the Audit and Strategic Finance Committee at least annually, or as often as considered appropriate by the CEO or as requested by the Audit and Strategic Finance Committee.

(4) Responding to Legal Proceedings

1. This section applies to any legal proceedings to which the City is required to formally respond.
2. The Elected Members must be advised that a legal proceeding has been commenced against the City as soon as practicable after the City has been given notice of the proceeding.
3. The CEO shall establish and maintain a procedure which enables those matters which are subject to the terms of this section to be centrally recorded and updated, as appropriate.
4. A record of the procedure mentioned in (3) above shall be presented to the Audit and Strategic Finance Committee at least annually, or as often as considered appropriate by the CEO, or as requested by the Audit and Strategic Finance Committee.

Strategic Link:	Corporate Governance Framework
Category	Governance
Lead Business Unit:	Governance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<del>13 December 2018</del>
Next Review Due: (Governance Purpose Only)	December 2020
ECM Doc Set ID: (Governance Purpose Only)	8028250

[3]

Title	Obtaining Legal & Other Expert Advice & Legal Proceedings Between City of Cockburn & Other Parties
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### Policy Type

Council

### Policy Purpose

This policy provides a mechanism to expedite the acquisition of legal and other expert advice, as required, and also provides a system enabling advice and the ongoing status of legal proceedings of the City of Cockburn to be provided to Elected Members on a regular basis.

### Policy Statement

~~Council~~ The City of Cockburn is ~~now~~ required to seek legal and other expert advice on ~~an increasing a regular~~ basis, to ensure its best interests are protected at all times. The City of Cockburn is also frequently a party to legal proceedings, either as a result of initiating actions, or as a result of responding to actions.

#### (1) Application

This Policy applies to in relation to legal & other expert advice sought by ~~the City of Cockburn Council~~, and legal proceedings commenced or responded to by the City ~~of Cockburn~~, or any person acting in their capacity as a representative of the City ~~of Cockburn~~ and for whom the City ~~of Cockburn~~ is vicariously liable.

#### (2) Obtaining Legal & Other Expert Advice

1. In this Policy "legal advice" has the same meaning as in the Legal Practice Act 2003 (WA).
2. Other expert advice includes that obtained from practitioners qualified in areas of specific professional expertise or knowledge. Examples include advice sought from consulting firms or individuals and from employees of federal or state government agencies with whom ~~Council~~ the City has binding contractual or statutory obligations.
3. The Chief Executive Officer is authorised to obtain legal and other expert advice as is deemed necessary to maintain the proper administration of the City's ~~Council~~ affairs, subject to the following conditions:-
  - a. in the instances where Council has resolved or requested to seek legal or other expert advice, a copy of that advice and ~~Council's~~ the City's letter of instruction is to be provided to all Elected Members as soon as practicable within seven(7) days of receipt by the City unless otherwise resolved by Council;

[1]



Title	Obtaining Legal & Other Expert Advice & Legal Proceedings Between City of Cockburn & Other Parties
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b. where copies of legal or other expert advice are made available to Elected Members, the content of the advice is not permitted to be disclosed to third parties, unless by resolution of Council, following the opinion of the Solicitor or specialist who provided advice to the City Council about the possible consequences of making that advice available to a third party;

~~e. Council maintain its retainer arrangement with its Solicitors for the purpose of ascertaining matters of an administrative nature where procedural verbal advice is obtained and that such advice sought be recorded as a file note on the appropriate file;~~

d. that where a legal or other expert opinion is sought in relation to an item placed before Council, a note that the item is subject to legal or other expert advice (as appropriate) be included in the relevant Agenda or Minutes.

e. before the Council considers an item on an agenda that includes or is based on expert advice (e.g. legal, environmental, financial) the Council elected members shall have been provided with a copy of that advice (or summary if appropriate) prior to the meeting with adequate time to read and understand the advice before making its decision.

f. Legal advice sought by Council the City can only be obtained utilising the services of practitioners who form part of the Panel of Preferred Suppliers, as adopted by Council from time to time, unless, in the CEO's opinion, it is advantageous to utilise the services of a different provider who has specific expertise in a particular case.

(3) Commencing Legal Proceedings

1. This section applies to any legal proceedings initiated as a result of a resolution of Council.
2. A Council decision to initiate a legal proceeding may include instructions to be issued on behalf of the City and which legal practitioners are to be engaged.
3. In addition, a Council decision may authorise the Chief Executive Officer (CEO) to negotiate an outcome on its behalf and settle proceedings, if considered appropriate to do so, and in doing so the Council will consider any legal constraints applicable to the CEO which may compromise that officer's capacity to achieve any outcome desired by the Council decision.
4. In the absence of any clear direction to the CEO in this regard, settlement outcomes must be considered and decided by Council.
5. This policy does not apply to actions commenced by officers of the City who are authorised to commence proceedings on behalf of the City by authority vested in them through legislation, (including delegated legislation) or other delegated authority of Council.

[2]

Title	Obtaining Legal & Other Expert Advice & Legal Proceedings Between City of Cockburn & Other Parties
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6. Notwithstanding (5) above, the CEO, or any officer, through the CEO, may inform the Elected Members of the commencement and ongoing status of any action commenced by an officer of the City.
7. The CEO shall establish and maintain a procedure which enables those matters which are subject to the terms of this section to be centrally recorded and updated.
8. A record of the procedure mentioned in (7) above shall be presented to the Audit and Strategic Finance Committee at least annually, or as often as considered appropriate by the CEO or as requested by the Audit and Strategic Finance Committee.

(4) Responding to Legal Proceedings

1. This section applies to any legal proceedings to which the City is required to formally respond.
2. The Elected Members must be advised that a legal proceeding has been commenced against the City as soon as practicable after the City has been given notice of the proceeding.
3. The CEO shall establish and maintain a procedure which enables those matters which are subject to the terms of this section to be centrally recorded and updated, as appropriate.
4. A record of the procedure mentioned in (3) above shall be presented to the Audit and Strategic Finance Committee at least annually, or as often as considered appropriate by the CEO, or as requested by the Audit and Strategic Finance Committee.

Strategic Link:	Corporate Governance Framework
Category	Governance
Lead Business Unit:	Governance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	13 December 2018
Next Review Due: (Governance Purpose Only)	December 2020
ECM Doc Set ID: (Governance Purpose Only)	8028250

[3]

Title	Legal Representation & Costs Indemnification – Elected Members & Employees
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## Policy Type

Council

## Policy Purpose

This policy is designed to protect the interests of Council members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions.

In most situations, the City may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to legal proceedings. In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good government of the City of Cockburn district. This policy applies in that respect.

## Policy Statement

### (1) Key Terms

1. Approved lawyer is to be:-
  - (a) a 'certified practitioner' under the Legal Practice Act 2003;
  - (b) **appointed** from a law firm on **either** the City of Cockburn **or** **WA Local Government Association (WALGA)** panels of legal service providers, **or the Common Use Arrangements (CUA) with the State Government, if relevant** unless the CEO considers that this is not appropriate, for example where there is or may be a conflict of interest or insufficient expertise; and
  - (c) approved in writing by the council or the CEO under delegated authority.
2. City means the City of Cockburn.
3. **Council Elected** member or employee means a current or former **elected commissioner, Council** member, non-elected member of a Council committee, or employee of the City.
4. Legal proceedings may be civil, criminal or investigative.
5. Legal representation is the provision of legal services, to or on behalf of a Council member or employee, by an approved lawyer that are in respect of:-
  - (a) a matter or matters arising from the performance of the functions of the Council member or employee; and
  - (b) legal proceedings involving the Council member or employee that have been, or may be, instituted.
6. Legal representation costs are the costs, including fees and disbursements, properly incurred in providing legal representation, and for which payment is made.

[1]



Title	Legal Representation & Costs Indemnification – Elected Members & Employees
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7. Legal services include advice, representation or documentation provided by an approved lawyer.
8. Payment by the City of legal representation costs may be made by:-
  - (a) a direct payment to the approved lawyer (or the relevant firm); or
  - (b) a reimbursement to the Council member or employee.

(2) General Principles

1. The City may provide financial assistance to members and employees in connection with the performance of their duties provided that the member or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the City or otherwise in bad faith.
2. The City may provide such assistance in the following types of legal proceedings:
  - (a) proceedings brought by members and employees to enable them to carry out their local government functions (eg where a member or employee seeks a restraining order against a person using threatening behaviour);
  - (b) proceedings brought against members or employees [this could be in relation to a decision of Council or an employee which aggrieves another person (e.g. refusing a development application) or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (eg ~~defending~~ defamation actions)]; and
  - (c) statutory or other inquiries where representation of members or employees is ~~required~~ or justified.
3. The City of Cockburn will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms levelled at their conduct in their respective roles.  
~~Members or employees are not precluded, however, from taking their own private action.~~
4. The legal services the subject of assistance under this policy will ~~usually~~ be provided by an approved lawyer, ~~unless otherwise determined as being appropriate in the circumstances.~~

(3) Applications for Financial Assistance

1. Subject to clause (4) below, decisions ~~as to~~ for financial assistance under this policy are to be made by the Council.
2. A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required.
3. An application to the Council is to be accompanied by an assessment of the request and with a recommendation which has been prepared by, or on behalf of, the Chief Executive Officer (CEO).

[2]

<b>Title</b>	<b>Legal Representation &amp; Costs Indemnification – Elected Members &amp; Employees</b>
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4. A member or employee requesting financial support for legal services, ~~or any other person who might have a financial interest in the matter,~~ should ~~take care~~ to ensure compliance with the financial interest provisions of the Local Government Act 1995.
5. Where there is a need for the provision of urgent legal services before an application can be considered by Council, the CEO may give an authorisation to the value of \$10,000 provided that the power to make such an authorisation has been delegated to the CEO in writing under section 5.42 of the Local Government Act 1995.
6. Where it is the CEO who is seeking urgent financial support for legal services, the Council shall deal with the application.
7. This Policy ~~does not may~~ address the situation where council members and employees are interviewed during, or are required to give evidence to, an inquiry into the City. Determining whether financial assistance is given in these situations is one that will relate to the circumstances and reasons for the inquiry.

(4) Repayment of Assistance

1. Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be offset against any monies paid or payable by the City.
2. Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the local government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.
3. Where assistance is so withdrawn, the person who obtained financial support is to repay any monies already provided. The local government may take action to recover any such monies in a court of competent jurisdiction.

Strategic Link:	Governance Framework
Category	Governance
Lead Business Unit:	Governance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<del>13 December 2018</del>
Next Review Due: (Governance Purpose Only)	December 2020
ECM Doc Set ID: (Governance Purpose Only)	4133527

[3]

Title	Elected Members Appointments & Training – Standing Committees, Reference Groups, Boards & External Organisations
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## Policy Type

Council

## Policy Purpose

This policy is to provide the guidance for Council to establish Standing Committees, Reference Groups and to appoint delegates to external committees/groups. It outlines the membership and requirements of such groups. Additionally it covers the broad principles around participation in external committees/groups ~~and ensures an adequate training programme is established to provide an awareness for Council appointed delegates on the responsibilities associated with their role and function.~~

## Policy Statement

Generally, appointments to Standing Committees, Reference Groups and external committees/groups will be made biennially, following Council elections. When required, membership changes may be made; new groups may be established and appointments made, and / or groups disbanded or membership ceased to external groups.

For all appointments, the Chief Executive Officer (CEO), ~~or another officer allocated by the CEO for this purpose,~~ is to seek expressions of interest from Elected Members. ~~Expressions of interest will be accepted within seven (7) business days from the date of notification from the CEO. The Chief Executive Officer is able to exercise the methodology to administer the selection of elected members to external Boards, Panels or Committees.~~ In seeking expressions of interest, the Chief Executive Officer is to provide as much information as possible, including frequency / timing of meetings and whether remuneration to members is applicable. ~~A process for nominations and appointments is to be recorded and distributed to Elected Members.~~

### (1) Standing Committees (Local Government Act 1995 Section 5 Sub – Division 2)

The Local Government Act 1995, Section 5.8, states that a local government may establish committees to assist the Council and exercise the powers and discharge the duties of the local government that can be delegated to committees. Section 5 of the Act refers ~~and requires a minimum of 3 elected members to be appointed.~~ ~~Should the Mayor nominate to be a member of any Standing Committee established, it is a requirement for the Mayor to be appointed.~~ In selecting members to Committees, it is preferred that each Ward be represented and that at least one Deputy Member be appointed to ensure adequate coverage for quorum requirements.

### (2) Reference Groups

Council may establish reference groups for the purposes of dealing with issues of special focus or nature. These groups have no decision making authority but may provide advice and recommendations to Council.

[1]

Title	<b>Elected Members Appointments &amp; Training – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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A Terms of Reference is to be established for each group. The Terms of Reference is to include:

1. Name of the group
2. Purpose of the group
3. Membership of the group
4. Quorum
5. Roles and Responsibilities
6. Accountability (reporting structure and process)
7. Term (if temporary) or planned review of group
8. Meeting information – frequency, records, communication, confidentiality

(3) External Organisations

Council may appoint delegates to externally established committees and advisory / reference groups for the purposes of facilitating two way communications.

To ensure that Council appointed delegates to external groups do not compromise or commit Council on issues, delegates are to comply with the following principles.

1. Council appointed delegates to external committees or organisations may provide input and vote on matters under consideration, provided that their input is not, ~~or could be~~, in conflict with a position of Council and is otherwise considered by the delegate to be in the best interests of the City of Cockburn.
2. Where an issue, or issues, under consideration by an external committee or organisation is known to be, ~~or could be~~, in conflict with a formal position of Council, it is the responsibility of the Council appointed delegate to present the formal Council position to the committee or organisation at which he or she is representing **the City. Council.**
3. In cases where a matter under consideration by the external committee or organisation is known in advance and is likely to be of specific interest to Council, the Council appointed delegate should notify the Chief Executive Officer (CEO) of the matter immediately, and prior to the meeting at which the matter is to be discussed, for advice.
4. Where, in the opinion of the CEO, the matter **referred to in 3 above** is of a politically sensitive nature, the CEO shall refer the matter to the Mayor to, if appropriate, make a statement on behalf of the City.
5. Where the Mayor speaks on behalf of Council on an issue pursuant to **Clause (3)** 3 above, this position shall be made known to the Council appointed delegate to convey to the relevant meeting at which the issue is to be considered.
6. Should an issue arise at a meeting of which no previous indication or notice was given, and which is, ~~or could be~~, of interest to Council, the Council

[2]



Title	<b>Elected Members Appointments &amp; Training – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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appointed delegate should inform the meeting of that fact and refrain from formally participating in any outcome associated with the issue or committing Council, or presenting an opinion on the matter on behalf of Council.

7. Where a Council appointed delegate to an external committee or organisation is uncertain whether an item or issue raised at a meeting of the committee or organisation is, or is likely to be, an issue of interest to the Council, the delegate should preface any remarks or action taken in the role of Council delegate that, in the absence of any formal position adopted by the City in relation to the matter, the comments and other participatory action by the delegate are provided to the best of the delegate's knowledge as being in the best interests of the City of Cockburn, but may be subject to being amended or overruled in the future, by decision of the Council.

~~(4) Training of Council Delegates on Committees or Boards~~

~~As part of an effective Corporate Governance regime, it is expected that Council appointees will be adequately aware of their role and responsibilities when acting in a capacity as Council's delegate.~~

- ~~1. Upon the appointment of Council delegates as representatives of the City of Cockburn to any internally established committee, pursuant to the Local Government Act, 1995, or to any externally established Board or other organisation, arrangements shall be made, through Council's Executive Services Department, to have delegates enrolled to complete an appropriate training session relevant to the appointed role.~~
- ~~2. The training described in Clause (4) 1 above shall include, but not necessarily be limited to, the following subjects:-~~
  - ~~(a) Roles and Responsibilities of Board/Management Committee members;~~
  - ~~(b) Legal implications;~~
  - ~~(c) Financial management and accountability;~~
  - ~~(d) Risk management;~~
  - ~~(e) Constitutions;~~
  - ~~(f) the Association and Incorporations Act 1987; and~~
  - ~~(g) due diligence as a Board/Management Committee member.~~
- ~~3. All Council appointed delegates shall be required to undertake this training within 12 months of their appointment by Council.~~
- ~~4. Elected Member delegates re-appointed by Council following biennial local government elections shall only be required to repeat the training, should they be re-elected as member of Council (i.e. every 4 years).~~
- ~~5. Similarly, Council employees re-appointed as delegates following biennial local government elections shall be required to repeat the training every 4 years.~~

[3]



<b>Title</b>	<b>Elected Members Appointments &amp; Training – Standing Committees, Reference Groups, Boards &amp; External Organisations</b>
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~~6. Where possible, the relevant training will be undertaken to include the maximum number of Council delegates identified as requiring the training.~~

Strategic Link:	Strategic Community Plan
Category	Elected Members
Lead Business Unit:	Governance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	14 March 2019
Next Review Due: (Governance Purpose Only)	March 2021
ECM Doc Set ID: (Governance Purpose Only)	8232349

[4]

<b>Title</b>	<b>Appointment of Acting <a href="#">or Temporary</a> Chief Executive Officer</b>
<b>Policy Number</b> (Governance Purpose)	



### Policy Type

Council

### Policy Purpose

This policy outlines the process by which Council appoints an Acting [or temporary](#) Chief Executive Officer, [as required by Section 5.39C \(1\) \(a\) and \(b\) of the Local Government Act 1995](#).

### Policy Statement

Council is responsible for the appointment of its CEO and the appointment of an Acting CEO. To ensure clarity around functions and delegated authority, the following process occurs for appointment of an Acting CEO.

#### (1) Periods up to six months

There are periods in each year when the Chief Executive Officer (CEO) is unavailable for short term periods including during leave and travel.

At the December Ordinary Council Meeting each year, Council will endorse the position of Acting CEO, for the following period of 1 January to 31 December.

#### (2) Periods expected to be six months or longer, [up to 12 months](#)

[\(a\)](#) In cases where the CEO position is expected to be vacant for six months or longer, [up to 12 months maximum](#), Council is not bound by any decision made in regard to periods up to six months. This is because short periods of Acting CEO may be shared by two or more senior employees. However, for longer periods, it is preferable to appoint one employee as Acting CEO to provide stability and consistency, in these circumstances a separate report will be presented to Council for a decision.

[\(b\)](#) [Alternatively, Council may wish to temporarily employ a person who is not a current City of Cockburn employee in the position of CEO for a term not exceeding 12 months.](#)

#### (3) Process

Regardless of the expected period, the Chief Executive Officer's Performance ~~and Senior Staff Key Projects Appraisal~~ [Review and Key Projects Appraisal Committee](#) Committee [\(CEOPRKPA\)](#) will:

1. Make a recommendation to Council regarding the Appointment;
2. Take into account the "principles affecting employment by local governments", specified in s5.40 of the Local Government Act 1995 (WA) when making its recommendation.

[1]

<b>Title</b>	<b>Appointment of Acting <a href="#">or Temporary</a> Chief Executive Officer</b>
<b>Policy Number</b> (Governance Purpose)	



(4) Remuneration

For any period of absence of the CEO of less than three months continuous duration, an Acting CEO is to be paid a cash component salary rate at ~~85~~90% of the current CEO cash component of salary.

For the temporary employment of a person who is not a current City of Cockburn employee in the position of CEO for a period not exceeding 12 months, the Council will determine a remuneration package payable to the appointed person.

Strategic Link:	Corporate Governance Charter
Category	Governance
Lead Business Unit:	Governance and Risk
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<del>13 December 2018</del>
Next Review Due: (Governance Purpose Only)	December 2020
ECM Doc Set ID: (Governance Purpose Only)	4134002

[2]

Title	Civic Hospitality & Gifts
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### Policy Type

Council

### Policy Purpose

This policy provides the authority and guidance for civic hospitality including functions, entertainment and gifts.

### Policy Statement

One of the roles of the Mayor is to carry out civic and ceremonial duties on behalf of the local government. A program of events and budget is approved each year to provide civic hospitality such as functions to recognise community volunteers; pioneers; and individuals and organisations who contribute significantly to the City. The program may vary from year to year at the discretion of the Mayor and Chief Executive Officer.

The Mayor approves invitation lists and generally partners are included. Some events are tailored to the guests and the following guidance should be used.

(1) Pioneers Event:

A Pioneers event is held annually to celebrate the history of the City and acknowledge the pioneers of the area. To be eligible for an invitation, residents must satisfy the criteria that they have been continuous residents of the City of Cockburn for at least 60 years. The guest list includes State and Federal Parliamentary Representatives, whose electorates are contained within the District; Honorary Freeman of the City; the Mayor and Councillors of the City; [the Aboriginal Reference Group Co Chairs](#) and the City's Executive.

(2) Annual Civic Function:

The City hosts an annual function to recognise individuals and organisations who contribute significantly to the City's development. This event may also be combined with other events such as a milestone celebration (40<sup>th</sup> Anniversary of the City of Cockburn).

The guest list is drawn from:

1. State and Federal Parliamentary Representatives, whose electorates are contained within the District;
2. Honorary Freeman of the City;
3. Mayor and Councillors of the City;
4. Mayor and CEO of adjoining local government Districts;

[1]

<b>Title</b>	<b>Civic Hospitality &amp; Gifts</b>
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5. Minister and/or Director General of state government portfolios/Departments, as considered appropriate;
6. Representatives of local business and industries within the City of Cockburn, as considered appropriate;
7. Representatives of community organisations within the district, with whom Council has an association. A maximum of one (1) representative per organisation, per year, will be invited;
8. Individuals who have contributed to the community and individuals who the Elected Members recognise for their volunteering and voluntary support within the community of Cockburn. Such individuals may include former Elected Members;
9. The Aboriginal Reference Group (ARG) - Co Chairs;
10. City's Executive; and
11. Staff (maximum three per year) at the discretion of the CEO.

Elected members may suggest up to six names of individuals in total, for consideration as guests drawing from individuals who fall within point's six to eight above.

(3) Volunteer Emergency Services Event:

An annual event is usually held to acknowledge the contribution of volunteers from local emergency service organisations. The guest list is comprised of:

1. Members of the Department of Fire and Emergency Services (DFES);
2. Members of State Police;
3. Volunteers from local Bushfire Brigades;
4. Volunteers from Cockburn Volunteer Sea, Search and Rescue (CVSSR);
5. Local representatives of the State Emergency Services;
6. Relevant City Reference Group members;
7. Mayor and Councillors of the City; and
8. Staff (maximum five per year) at the discretion of the CEO.

Due to Council's duty of care and the size of this event, those under 18 years are not invited where the event is held on licensed premises.

(4) Hospitality

Other than the events listed, the Mayor, Councillors and/or Chief Executive Officer may offer hospitality including refreshments, within the confines of the Elected Members area of the Administration Building.

The Mayor and/or Chief Executive Officer may also offer hospitality off site such as meals and refreshments consumed by Elected Members and other stakeholders during tours of facilities, site inspections and meetings where these are relevant to

[2]

<b>Title</b>	<b>Civic Hospitality &amp; Gifts</b>
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the City of Cockburn. This authority is extended to Councillors when the Mayor is not present.

The Mayor and/or Chief Executive Officer may also offer hospitality or a small gift (up to \$200) to recognise a milestone achieved or notable civic act performed by an Elected Member or community member.

(5) Promotional Gifts and Mementos

The Mayor and/or Chief Executive Officer may make gifts of promotional items or small items to guests at civic functions or if visiting or attending functions at other organisations whether local, interstate or overseas. Councillors may request such items through the Chief Executive Officer. A budget is to be provided for such items.

Strategic Link:	Strategic Community Plan
Category	Elected Members
Lead Business Unit:	Strategy and Civic Support
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	13 December 2018
Next Review Due: (Governance Purpose Only)	December 2020
ECM Doc Set ID: (Governance Purpose Only)	8030117

[3]



Title	Council Administration Building Access
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### Policy Type

Council

### Policy Purpose

This policy designates areas within the Council Administration Building, their intended use and access protocols.

### Policy Statement

The Council Administration Building has defined areas for Elected Members, staff and the public. These areas are shown on the layout diagram at the end of this policy and use/access is described below.

#### (1) Elected Members' Area

The Elected Members' Area is primarily for the use of Elected Members and includes:

1. Council Chamber - used for all Ordinary and Special Meetings of Council, as well as Electors' Meetings.
2. Mayor's suite – used by the Mayor for Council related business; or in the Mayor's absence, an Elected Member performing Council duties pursuant to Sec. 5.34 or 5.35 of the Local Government Act, 1995.
3. Elected Members' suite – used for Council related business. If an Elected Member is hosting a member of the public within this suite, they are responsible for conduct and security. Members of the public are not to be in the facility without a host.
4. Function Room/Reception Area (including bar) – used for public meetings, workshops and civic functions.
5. Dining Room – used for meetings, briefings and meals.
6. Committee Room 1- used by staff but use by Elected Members takes precedence.
7. Committee Room 2 - used by staff but use by Elected Members takes precedence.
8. Bar – mainly used for civic functions.
9. Kitchen – commercial kitchen for use by catering and civic support staff.
10. Upper level foyer
11. Gallery
12. Toilets

[1]

Title

Council Administration Building Access



Requests for use other than that listed above may be considered by the Mayor, Councillors or Chief Executive Officer.

Hospitality offered in these areas is to be appropriate to the occasion and at the discretion of the Mayor or Chief Executive Officer. **Any occasion where alcohol is served in these areas is to have at least one Amenity Officer on duty to manage the bar and all beverage service staff and anyone serving alcohol shall hold a current 'Responsible Service of Alcohol' certificate.**

(2) Staff Area

Staff Work Areas are those designated for the staff to conduct their normal employment duties. These areas are not to be accessed by Elected Members or the public without the authorisation of a senior member of staff (manager or above). The Mayor has authorisation to access the Executive and Civic Support areas.

(3) Public Areas

The entry level foyer on the ground floor may be freely accessed by the public to conduct business with Council, during business hours. Outside of business hours, access is restricted. Access to the upper level areas is restricted at all times to ensure security.

(4) Security

All areas are subject to a range of security including swipe card access, surveillance cameras, alarms, physical locks and security personnel. Evacuation plans and signage is located throughout all the areas. Access to the building is controlled by Civic Support, Executive Support and Customer Service as appropriate.

Strategic Link:	Governance Framework
Category	Elected Members
Lead Business Unit:	Strategy and Civic Support
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	13-December-2018
Next Review Due: (Governance Purpose Only)	December 2020
ECM Doc Set ID: (Governance Purpose Only)	4133966

[2]



Title	Flying of Flags & Bereavement Recognition
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### Policy Type

Council

### Policy Purpose

This policy provides a definition and authority for recognition of the passing of Local Notable Citizens.

### Policy Statement

As a mark of respect, Council can acknowledge the contribution made to the district by deceased Local Notable Citizens. This acknowledgement may include the flying of flags at the Administration Building at half-mast; placement of a notice in the West Australian newspaper; and or providing flowers. This acknowledgement may be authorised by the Mayor or the Chief Executive Officer in consultation with the Mayor.

A Local Notable Citizen is defined as:

- (1) Those who would qualify for an invitation to attend the annual 'Pioneers Function' hosted by Council;
- (2) Past and present Elected Members of Council;
- (3) Past and present Chief Executive Officers of the City;
- (4) Present employees of the City;
- (5) Freeman of the City; and
- (6) Persons not otherwise qualified pursuant to points one to five above, who have been significant contributors to the social and/or economic development of the district through their association and contribution to local groups / associations / organisations.
- (6)(7) Persons who have held significant positions of Government Office (ie, Premier, Prime Minister, etcet).

The flying of flags at half-mast in these circumstances will be done on the day or a week of the funeral or where a funeral is not to occur, on a day or week nominated by the Mayor.

A notification should be placed on the website and the staff Intranet before or on the day advising why the flags are lowered.

The placement of a notice in the newspaper may be done prior to or the day of the funeral.

[1]

Title	Flying of Flags & Bereavement Recognition
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Strategic Link:	Strategic Community Plan
Category	Governance
Lead Business Unit:	Strategy and Civic Support
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<del>13 December 2018</del>
Next Review Due: (Governance Purpose Only)	December 2020
ECM Doc Set ID: (Governance Purpose Only)	8029886

[2]

<b>Title</b>	<b>Recognition of Elected Members on Cessation of Service</b>
<b>Policy Number</b> (Governance Purpose)	



### Policy Type

Council

### Policy Purpose

This policy provides for recognition of service to the community by Elected Members upon cessation of their service. Regulation 34AC of the Local Government (Administration) Regulations, 1996, as amended, **apply applies** to this policy.

### Policy Statement

Elected Members who have served the community for at least one full four year term of office are entitled to a gift for service, as determined by the Chief Executive Officer in conjunction with the Mayor.

The value of the gift may be up to \$100 per year of service to a maximum of \$1,000 **(for 10 or more years of service)**.

The gift may be given as a store / service voucher or as an item, as preferred by the Elected Member. Cash may not be given as a gift.

The gift may be presented at a suitable occasion as agreed with the Elected Member.

An Elected Member may decline such a gift and should advise the Chief Executive Officer or Mayor at the earliest convenience.

A budget is approved each year to provide for gifts pursuant to this policy.

If an Elected Member's service is 12 or more years, a request shall be forwarded to the Western Australian Local Government Association (WALGA), for additional recognition of service.

Strategic Link:	Strategic Community Plan
Category	Elected Members
Lead Business Unit:	Governance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	13 December 2018
Next Review Due: (Governance Purpose Only)	December 2020
ECM Doc Set ID: (Governance Purpose Only)	4133993

[1]

**(2021/MINUTE NO 0015) MEETING TO PROCEED FOR CONSIDERATION OF A CONFIDENTIAL ITEM****COMMITTEE RECOMMENDATION**

MOVED Cr T Widenbar SECONDED Cr M Separovich

That the Committee proceed behind closed doors to consider Confidential Item 13.4.

**CARRIED 5/0**

- 6.44pm Note: At this point in the meeting, the Director Planning and Development, Director Governance and Community Services, Director Finance and Corporate Services, Executive Manager Strategy and Governance and Acting Director Engineering and Works departed the meeting and did not return.
- 6:44pm The Governance Officer and the Council Minute Officer departed the meeting.

**(2021/MINUTE NO 0016) SUSPENSION OF STANDING ORDERS****COMMITTEE RECOMMENDATION**

MOVED Cr P Corke SECONDED Cr M Separovich

That the Committee, pursuant to clause 22.1 of the Standing Orders suspend the meeting procedures, for the purpose of enabling open debate on the confidential report contained in the agenda.

**CARRIED 5/0**

During discussion of Item 13.4, Cr Eva and Cr Allen entered and departed the meeting.

**(2021/MINUTE NO 0017) RESUMPTION OF STANDING ORDERS****COMMITTEE RECOMMENDATION**

MOVED Cr P Corke SECONDED Cr M Separovich

That the Committee resume Standing Orders for the purpose of formally considering the confidential report contained in the agenda.

**CARRIED 5/0**

### 13.4 (2021/MINUTE NO 0018) PROPOSED AMENDMENT TO POLICY 'STRUCTURE FOR ADMINISTERING THE CITY OF COCKBURN'

**Author(s)** D Green, D Arndt, S Downing, T Brun, G Bowman and A Lees

**Attachments** 1. Item 13.4 Confidential Report and Attachments  
(CONFIDENTIAL)

#### RECOMMENDATION

That the Committee receives the information contained in the attached Confidential Report and adopts the proposed amendments to the Policy "Structure for Administering the City of Cockburn" as contained in the attachment to the Confidential Report.

#### COMMITTEE RECOMMENDATION

MOVED Cr T Widenbar SECONDED Cr P Corke

That the Committee:

- (1) receives the information contained in the attached Confidential Report;
- (2) adopts the Policy 'Structure for Administering the City of Cockburn', as attached in the Confidential Report, with the amendment of including the protection of environment to the Sustainability and Environment Business Unit from page 13 to page 11 of the Policy; and
- (3) refers the amended Policy document to the Chief Executive Officer Performance Review and Key Projects Appraisal (CEOPRKPA) Committee Meeting to be held on 2 March 2021, for consideration.

**CARRIED 5/0**

#### Reason

Given the relevance of this Policy to the CEO's Performance Review, it is appropriate for this matter to be referred to the CEOPRKPA for further consideration.

### (2021/MINUTE NO 0019) REOPEN MEETING

#### COMMITTEE RECOMMENDATION

MOVED Cr M Separovich SECONDED Cr T Widenbar

That the Committee reopen the meeting for the purpose of dealing with the remaining business..

**CARRIED 5/0**

7:12pm The Governance Officer and the Council Minute Clerk returned to the meeting.



**Background**

The Policy 'Structure for Administering the City of Cockburn' is due for review.

**Submission**

N/A

**Report**

A Confidential Report has been prepared with amendments proposed to the Policy.

Both the report and the proposed policy amendments are deemed to be 'Confidential', given that the proposed amendments relate to changes within the City's current staff structure.

**Strategic Plans/Policy Implications**Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.
- Attract, engage, develop, support and retain our employees to provide exceptional services for the community.

**Budget/Financial Implications**

As contained in the attached confidential Report

**Legal Implications**

Regulation 29A (2) (c) of the Local Government (Administration) Regulations 1996 and Section 5.23 of the *Local Government Act 1995* refer.

**Community Consultation**

N/A

**Risk Management Implications**

There is a "Moderate" level of "Operations/ Service Disruption" risk associated with this item.

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

N/A

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



**14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**15. NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING**

Nil

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

Nil

**17. MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE**

Nil

**18. CONFIDENTIAL BUSINESS**

Nil

**19. CLOSURE OF MEETING**

The meeting closed at 7.14pm.



## 14. PLANNING & DEVELOPMENT DIVISION ISSUES

### 14.1 MODIFICATION TO EXISTING DEVELOPMENT APPLICATION - TEMPORARY HARDSTAND AND COMMERCIAL VEHICLE PARKING - 35 ALBION AVENUE, LAKE COOGEE

<b>Author(s)</b>	C Hill
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Location Plan <a href="#">↓</a></li> <li>2. Development Plan <a href="#">↓</a></li> <li>3. Schedule of Submissions <a href="#">↓</a></li> <li>4. Previous Planning Approval - DA18/0978 <a href="#">↓</a></li> </ol>
<b>Location</b>	35 Albion Avenue Lake Coogee
<b>Owner</b>	Kreppold Investments Pty Ltd
<b>Applicant</b>	Paul Kreppold
<b>Application Reference</b>	DA20/1124

#### RECOMMENDATION

That Council:

(1) APPROVE the proposal subject to the following conditions:

#### Conditions

1. This is a temporary approval only, valid for a period of three (3) years from the date of this decision. Upon expiry of this date the commercial vehicle parking use shall cease and shall be removed from the site unless a subsequent planning approval is issued by the City.
2. Approval of the one commercial vehicle is limited to the vehicle with Vin/Chassis No: WDB9542412K840740.
3. The commercial vehicle shall be parked in the allocated area, as depicted on the approved plans.
4. Movement of the commercial vehicle between Monday to Friday is limited to 6am to 7pm.
5. Movement of the commercial vehicle on Saturdays is limited to enter the site once and exit the site once and only between the hours of 7am to 5pm.
6. Movement of the commercial vehicle on Sundays is limited to enter the site once and exit the site once and only between the hours of 9am to 5pm.
7. The commercial vehicle shall not travel east of the subject property on or along Albion Avenue.
8. The vehicle parking and access shall be maintained in the form and layout depicted on the approved plans to the satisfaction of the City.
9. The landscaping shall be maintained in the form and layout depicted on the approved plans to the satisfaction of the City.



10. The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City; and
11. All stormwater being contained and disposed of on-site to the satisfaction of the City.

Footnotes

- (a) 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 Council, or with any requirements of the City of Cockburn Town Planning Scheme No.3.
  - (b) With regard to Condition 1, you are advised that if you intend to continue the use of the land beyond the expiration of the approval period, further application must be lodged with the City prior to the expiration date for determination. It should be noted that further approval may not be granted depending on circumstances pertaining to the use and or development of the land in the context of the surrounding locality.
  - (c) Further to the above and Condition 1, you are advised that the temporary approval period is from the notice of determination issued hereafter this Ordinary Council Meeting held 11 March 2021.
  - (d) You are advised that should you wish to change the commercial vehicle, you should contact the City's Statutory Planning department in the first instance.
  - (e) The development is to comply with the noise pollution provisions of the *Environmental Protection Act 1986*, and more particularly with the requirements of the *Environmental Protection (Noise) Regulations 1997*.
- (2) NOTIFY the applicant and those who made a submission of Council's decision.

**Background**

A development application has been received for consideration for 35 Albion Avenue, Lake Coogee, seeking to modify an existing development approval (DA18/0978) for a hardstand and retrospective commercial vehicle parking.

The previous application was approved by Council at its 14 November 2019 Ordinary Council Meeting.

The subject property is 7,740m<sup>2</sup> in area and abuts other properties alike to the south, east and west, and Albion Avenue to the north.

The lot is relatively cleared with some vegetation surrounding the existing residence and along the western lot boundary.

The lot currently contains an existing residential building approximately 224m<sup>2</sup> in area, and a 175m<sup>2</sup> outbuilding.

The proposal is referred to Council for determination due to the uncertainty of future development of the area and the objections received during consultation.

**Submission**

N/A

**Report**Proposal

The original approval (DA18/0978) included two conditions, which the applicant wishes to modify:

The first revision is to Condition 1, which states;

*'This is a temporary approval only, valid for a period of 12 months from the date of this decision. Upon expiry of this date, the commercial vehicle parking use shall cease and shall be removed from the site unless a subsequent planning approval is issued by the City.'*

Approval for the commercial vehicle parking is being sought to be extended to three (3) years.

The second revision is to Condition 6, which states:

*'Movement of the commercial vehicle on Sundays is limited to only enter the site once only between the hours of 2pm to 5pm.'*

Sunday movement is now proposed between 9am to 5pm, one entry and one exit only.

Currently, the commercial vehicle is used and serviced off-site on weekends.

The applicant has stated that it is difficult to coordinate work timing with the three-hour window in which the vehicle is to return, given the worksite is over an hour away at Gidgegannup.

The extended hours on Sunday would ensure the off-site business could continue without the risk of non-compliance with entrance/exit hours.

All other aspects of the proposal will remain as per DA18/0978. These are as follows:

- One commercial vehicle to be parked, to the rear of the property;
- The commercial vehicle is associated with the landowner's landscaping business;
- Movement of the commercial vehicle Monday to Friday generally consists of the truck leaving in the morning 6am-8am and returning 3pm-6pm;

- The commercial vehicle exiting and entering the subject property is using the western side of Albion Avenue, meaning the vehicle will not travel east of the subject property;
- Recycled bitumen (required through the previous approval) will remain on the driveway and formalised crossover to prevent dust issues;
- Landscaping (trees) planted along the adjoining eastern boundary will continue to act as a visual buffer.

### **Planning Framework**

#### Perth and Peel @ 3.5 million

When considering future growth of the South Metropolitan Peel area, *Perth and Peel @ 3.5 million South Metropolitan Peel Sub-Regional Planning Framework* identifies the subject location as 'Industrial Investigation'.

The Sub-Regional Planning Framework provides "key considerations" in relation to the respective "industrial investigation areas".

Lake Coogee is identified, in response to the subject area in stating;

*"Located within Woodman Point wastewater treatment works buffer. Suitable non-residential uses yet to be determined."*

Page 72 – Plan 10, Urban Staging of the Sub-Regional Planning Framework identifies the subject site as;

*"Subject to the review of the Kwinana Industrial (including Air Quality) Buffer".*

The State Government has yet to resolve the higher order Planning Framework in response to the subject area.

#### City of Cockburn Draft Local Planning Strategy (Draft LPS)

The Draft LPS, which will guide the long-term growth and change of the City, addresses the subject area in relation to its potential for future industrial or mixed use development as identified in *Perth and Peel @ 3.5 million*.

Under the Draft LPS, an industrial (or similar) zone is determined to be inappropriate in this area for several reasons, including the proximity to existing residential development, wetlands, and the relative inaccessibility for heavy vehicles.

The subject area is instead considered, under the Draft LPS, to be appropriate for residential development, subject to lifting of the urban deferment.

The Draft LPS acknowledges the subject area is still within the Woodman Point wastewater treatment plant (WWTP) odour buffer area. The WWTP buffer distance was originally established at 1,000 metres by the Environmental Protection Authority (EPA), but was then reduced to 750 metres following modelling undertaken by the Water Corporation in 1992. The Draft LPS notes that since this time;

*“There have been a number of proposals that have included proposed changes to the WWTP buffer area, including inclusion within the Kwinana EPP buffer, although none of these have been based on a technical assessment of the odour/impacts, and none have been implemented.”*

However, regardless of whether the subject area is within a revised buffer area in future, the Draft LPS states;

*“Therefore while it is understood that odour-reduction measures can be costly, it is clear the substantial financial investment to date has been successful, and that such measures will continue to be required into the future to ensure there is no unacceptable impact within the existing residential area outside the buffer, regardless of whether there is further residential development within the ‘urban deferred’ area.”*

#### Metropolitan Region Scheme (MRS)

The subject site is zoned ‘Urban Deferred’ under the Metropolitan Region Scheme (MRS) meaning;

*“land identified for future urban uses following the extension of urban services, the progressive development of adjacent urban areas, and resolution of any environmental and planning requirements relating to development.”*

Urban is defined as;

*“areas in which a range of activities are undertaken, including residential, commercial recreational and light industry”.*

#### Town Planning Scheme No.3 (TPS 3)

The subject site is zoned ‘Development’ – Development Area 5 under TPS 3. The objective of the Development Zone in TPS 3 is:

*‘To provide for future residential, industrial or commercial development to be guided by a comprehensive Structure Plan prepared under the Scheme.’*

DA 5 provides the following provisions for development within this area;

1. *“An approved Structure Plan together with all approved amendments shall be given due-regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions.*

2. *To provide for residential development except within the buffers to the Woodman Point WWTP, Munster Pump Station and Cockburn Cement.*
3. *The local government will not recommend subdivision approval or approve land use and development for residential purposes contrary to Western Australian Planning Commission and Environmental Protection Authority Policy on land within the Cockburn Cement buffer zone.”*

In relation to point 1 above clause 27(1) of the Deemed Provisions provides that; *“a decision-maker for an application for development approval or subdivision approval in an area that is covered by a structure plan that has been approved by the Commission is to have due regard to, but is not bound by, the structure plan when deciding the application”.*

There is no adopted structure plan over the subject site to guide existing or future intended land uses, therefore an assessment will be undertaken in accordance with Clause 4.13 of TPS 3, which states that:

*‘4.13.1 - there shall be no change to any land use or development existing on land within the Development Zone, without the owner of the land having made an application for and received approval of the Local Government.’*

#### Development Contribution Area 6 (DCA 6)

The subject site falls within Development Contribution Area 6 (DCA 6) of TPS 3. Clause 5.3.13 of TPS 3 states that;

*‘5.3.13.1 – An owner’s liability to pay the owners cost contribution to the local government arises on the earlier of –*

- (ii) the commencement of any development on the owner’s land within the development contribution area, or*
- (iv) the approval of a change of extension of use by the local government on the owners land within the development contribution area.’*

Notwithstanding the above, as the commercial vehicle is still being considered on a temporary basis, Clause 5.3.13.3 of TPS 3 states that:

*‘5.3.13.2 – An owner’s liability to pay the owner’s cost contribution does not arise if the owner:*

- (ii) commences a temporary or time limited approval.’*

Further discussion relating to the temporary timeframe for the commercial vehicle is included in the assessment section of the report.

### Community Consultation

The application was advertised to eight nearby landowners for a period of 21 days (25 November to 16 December 2020). Four objections were received and the following concerns/issues were raised:

- Concerns with dust, noise, and general loss of rural amenity
- Extension of approval timeframe would be contrary to the Draft LPS which recommends to the Department of Planning, Lands and Heritage the lifting of urban deferment (for residential development as opposed to commercial or light industry as specified under *Perth and Peel @ 3.5 Million*);
- Undue impact such as noise caused by the ancillary machines being loaded and unloaded on trailers (i.e.: bobcats, excavators, and front end loaders); and
- Visual impact of an untidy site

### **Assessment**

#### Location

The site is located within both the Kwinana Air Quality Buffer and the Woodman Point Wastewater Treatment Plant Odour Buffer. These buffers have largely stagnated development of the locality and have to date been identified as unsuitable for residential development.

The difference in potential land uses identified by *Perth and Peel @ 3.5 Million* and the Draft LPS highlight the uncertainty of future development in the locality.

At present it remains zoned 'Urban Deferred' under the MRS, with no existing or proposed structure plan. As such any development approved in the area at this time should not detract from the amenity of existing residents and also not prejudice the overall development potential of the area as per clause 27(1) of the Deemed Provisions.

Given residential development cannot be supported under the current planning framework, approval of limited temporary commercial activities which can operate alongside residential uses may be an appropriate interim outcome.

The character of the locality is currently mixed. To the east of the subject site along Albion Avenue (approximately 60m) outside the buffer zones, the character is clearly urban residential with detached single residential dwellings developed within the last ten years.

The area within the buffer, where the subject site is located, has more of a rural character, which is consistent with the former market garden land uses throughout the area, some of which are still in operation.

It should be noted that if the property was still zoned 'Rural' in TPS 3 then the parking of two commercial vehicles would be exempt from requiring planning approval.

Additionally if the property was zoned 'Rural Living' then the parking of one commercial vehicle would be exempt from requiring planning approval.

The siting of a commercial vehicle at this location was considered appropriate by Council through the original approval (DA18/0978).

The future development of the locality is still uncertain, and for this reason an additional three-year timeframe would be appropriate.

#### Amenity

The *Planning and Development (Local Planning Schemes) Regulations 2015* define amenity as:

*“ all those factors which combine to form the character of an area and include the present and likely future amenity.”*

The current semi-rural character of the area means that light machinery (such as farming tractors, bobcats etc.) is already in use on some sites for general maintenance and market gardening purposes. The commercial vehicle is not considered to be a significant departure from this, and as such is relatively consistent with these semi-rural activities.

The nature of the 'future amenity' is dependent on the future structure plan. As mentioned above under the Sub-Regional Planning Framework the site is subject to the review of the Kwinana Industrial (including Air Quality) Buffer. Therefore, should the review of the Buffer (under the State government) result in it no longer being applicable to the subject site, the future structure plan could provide residential development.

Taking into account timeframes relating to the long term strategic planning for the area and the timeframes required for the preparation and approval of structure plans, plus approval for subdivision, it is highly unlikely that a residential area could be established within three years. Therefore, it is reasonable to assume that the character of the area (and 'future amenity') will remain as it is currently in three years' time.

Location of the commercial vehicle, as per the previous approval, is 106 metres from the front lot boundary and partially obscured by the dwelling and outbuilding.

The 400m<sup>2</sup> parking space occupies less than 3% of the total site area, and is 90m to the closest neighbouring dwelling. For these reasons the visual impact of the commercial vehicle would be minimal, particularly given the vehicle is often off-site. As the boundary planting continues to establish, any visual impact would be even further reduced.

### Noise

Noise is a factor contributing to amenity. The vehicle itself (VIN number) will remain the same as previously approved.

After visits by City Officers and Councillors for the previous application (DA18/0978), Council noted that there was insignificant noise produced upon start-up, and even less when entering the site.

The commercial vehicle movement between 6am to 7pm Monday to Friday, and 7am to 5pm Saturday (one enter and exit only), is consistent with the previous approval.

The change to Sunday widens the opportunity for commercial vehicle noise by one additional movement, spread over five additional hours. When considering how the vehicle will be used (off-site, at an outer-Metropolitan location), there would be, at minimum, a gap of several hours between the vehicle entering and exiting. Any noise experienced would therefore be sporadic as it would be distributed throughout the day.

The level of acceptable noise was considered with regard to the *Environmental Protection (Noise) Regulations 1997* and discussed with the Environmental Health team.

Clause 3(1)(a) of the Noise regulations exempts noise emissions from propulsion or braking of motor vehicles operating on a road. In this instance most of the noise produced by the commercial vehicle would indeed be along the road as it picks up speed, as opposed to the 100m distance it needs to travel to reach the road. This was reflected in the submissions received through community consultation, as residents were concerned with the commercial vehicle driving past their homes.

Albion Avenue is an 'Access Road' under the City's Functional Road Hierarchy, meaning the road experiences relatively low traffic numbers. A traffic count was taken on the road in front of 25 Albion Avenue, immediately east of the subject site. The most recent numbers from July 2018 indicated that on a Sunday a total of 146 vehicles travelled along the road (both directions) and 11 of these (approximately 7.5%) were heavy vehicles. It is therefore reasonable to assume that on any given day, even Sundays, some level of noise from commercial vehicles should be expected in the locality.

It should be noted that with regard to noise concerns of the ancillary machines stored on the property (bobcat and mini-excavator), these are less than 3.5 tonnes and therefore exempt from requiring planning approval under Clause 4.10.8 of TPS 3.

### Dust

Recycled bitumen has been laid in accordance with the conditions of DA18/0978 to mitigate dust impacts. The bitumen will remain in place which is considered to appropriately mitigate any dust issues.



### Conclusion

The proposal, which seeks planning approval for the parking of a commercial vehicle at 35 Albion Avenue, Lake Coogee, is supported for the following reasons:

- The parking of one commercial vehicle on the site is considered appropriate given the size of the lot, subject to the parking of the vehicle being managed appropriately so as not to detract from the amenity of neighbours;
- Any noise produced is considered to be reasonable for a semi-rural area; and
- The temporary use is considered an appropriate form of development in relation to the uncertainty of the future development potential of the area.

It is therefore recommended that the proposal be approved on a temporary basis subject to revised conditions contained in the recommendation.

### **Strategic Plans/Policy Implications**

#### Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.
- Listen to, communicate, consult and engage with our residents, businesses and community in a timely, open and collaborative manner.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

N/A

### **Community Consultation**

The application was advertised to eight (8) surrounding properties in November 2020 for a period of 21 days. Four (4) objections were received and are addressed in the Community Consultation section above.

### **Risk Management Implications**

The applicant has the right to review Council's decision through the State Administrative Tribunal. Should the applicant exercise this right, there may be financial implications, particularly where legal counsel is required.

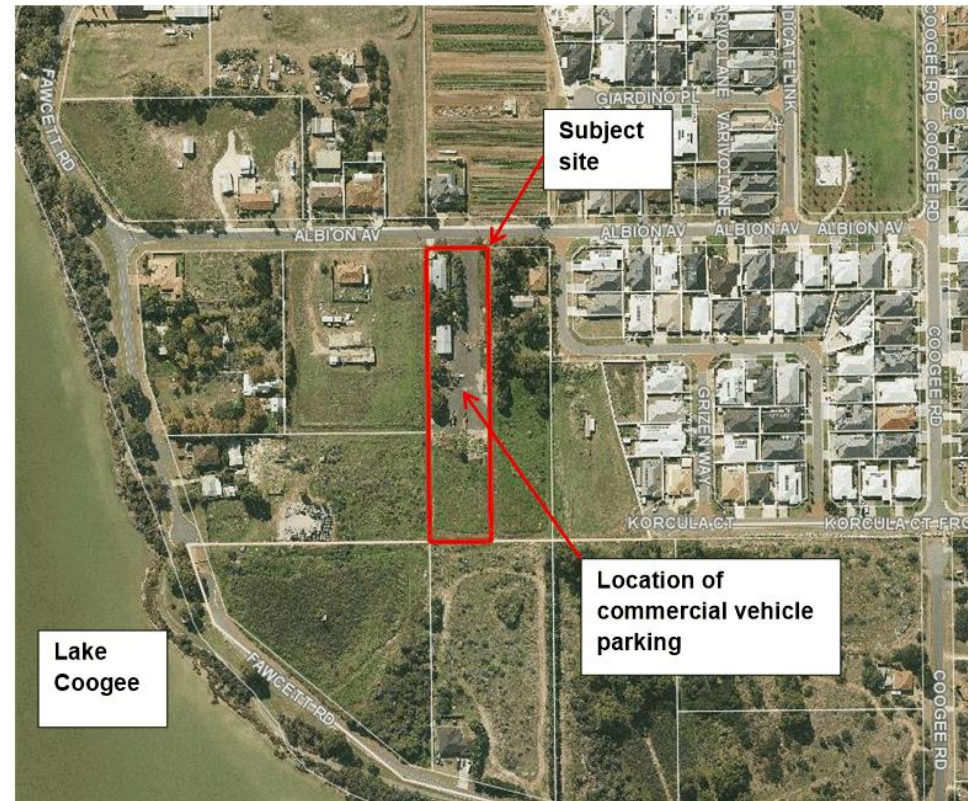
**Advice to Proponent(s)/Submitters**

The Proponents and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 11 March 2021 Ordinary Council Meeting.

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

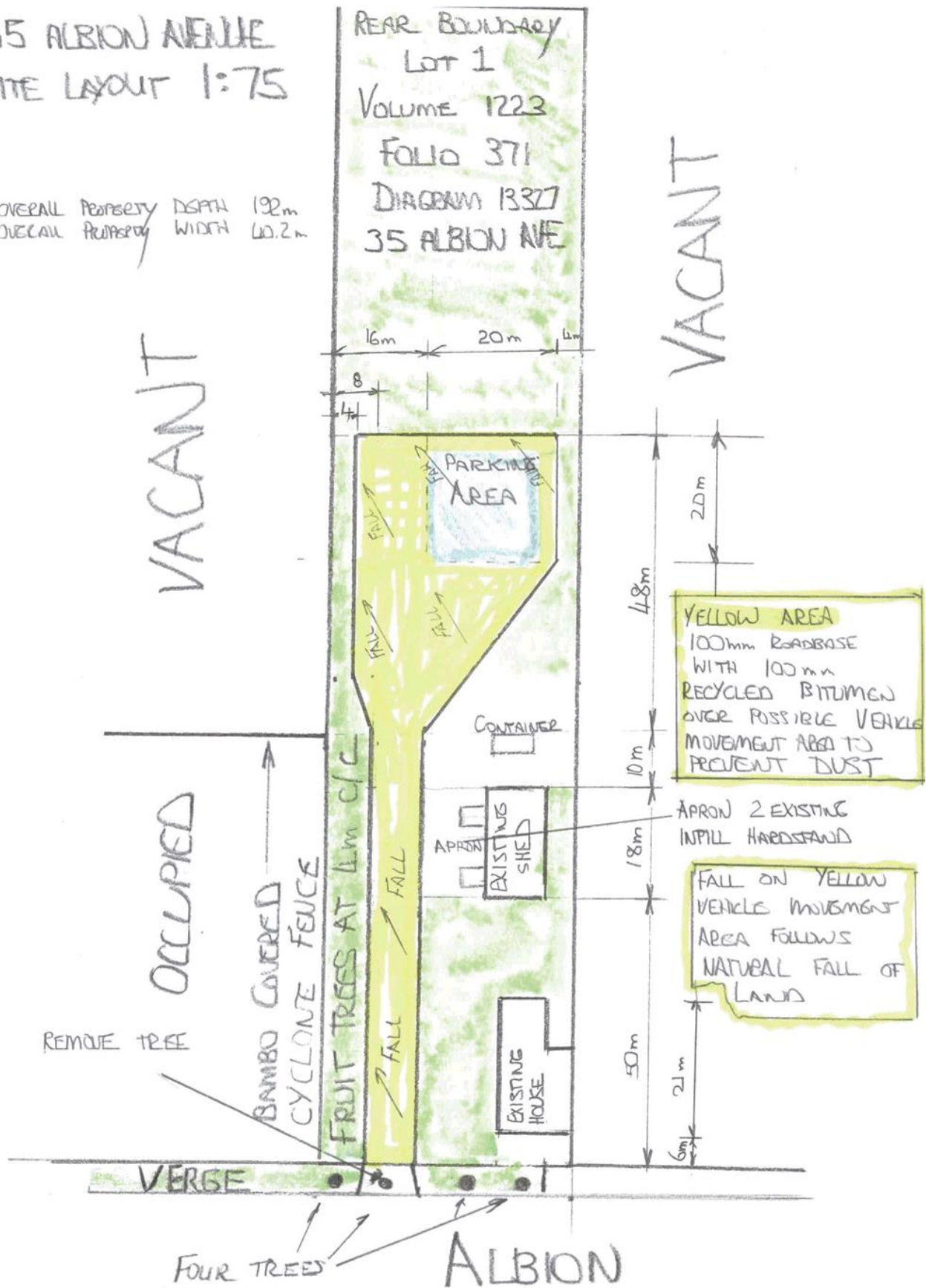
Nil

**DA20/1124 – 35 Albion Avenue Lake Coogee**



# 35 ALBION AVENUE SITE LAYOUT 1:75

OVERALL PERIMETER DEPTH 192m  
OVERALL PERIMETER WIDTH 60.2m



Document Set ID: 9946806  
Version: 1, Version Date: 10/11/2020

**Attachment 3 – Schedule of Submissions****DA20/1124 – 35 Albion Avenue Lake Coogee**

No.	Name & Address	Submission	Officer's Recommendation
1	Robyn O'Brien  153 Fawcett Road LAKE COOGEE	<p><i>Objection.</i></p> <p>I OBJECT to the application for the following reasons</p> <ol style="list-style-type: none"> <li>1. In Novemeber 2020 Council approved a temporary 12 month approval for parking a commercial vehicle at the site and now wish to extend this tempoiray approval to a 5 year APPROVAL, not temporary which was the intent of councils approval in November because the area the site is located in is to be residential according to the draft Local Planning Strategy and it is certainly not commercial or industrial which would seem to be a zoning where a large earthmoving truck would be parked and go to and from this location.</li> <li>2. this is not orderly and proper planning but approval would be ad hoc and not conducive to the residential new urban developments to the east nor the residential zoning on m y rates notice tpo the west of the site. My property has one property between this site and my 3 acres. To give not a temporay approval but a full 5 year approval would conflict with the draft local planning Strategy</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. Whilst the Draft LPS indicates that the subject area may be appropriate for future residential development, such a land use has not yet been accurately determined. The subject area is currently semi-rural in character.</li> <li>2. Supported. The proposal has been modified to reduce the timeframe of the approval from five years to three years. Taking into account timeframes relating to the long-term strategic planning for the area and timeframes for structure plan preparation, subdivision and so on, it is unlikely that a residential area could be established within three years.</li> <li>3. Noted. Under the <i>Environmental Protection (Noise) Regulations 1997</i>, noise from vehicles travelling along roads is exempt from complying with the relevant requirements. Furthermore, some level of noise is considered to be expected in the locality.</li> <li>4. Noted. The previous application allowed for movements</li> </ol>



		<p>proposed residential for this area , which is approved by WAPC, a District Structure Plan and lifting of urban deferment will take place before 5 years.</p> <p>3. The applicant states that the truck will not travel east past new urban hpouses but will travel west past my 6 brm 3 bath house right on the corner of Albion Ave and Fawcett Rd. I already hear the truck beep beeping to start and reverse in the morning and rumble past. My bedroom is within 6 metres of that corner. The noise of a commercial vehicle should not go past a residential home in a residential area. The whole earthmoving business was operated and begun by the applicants without council approval for several years and a temporay approval was instead of making them close altogether. There is no place in this residential are for an industrial use like earthmoving trucks and equipment. It is the wrong location and I am certain if the applicant had sought council approval before begiining his business or piurchasing the property he would have been advised that having a truck would pose a serious noise issue for future residents and affect detrimentally other neighbours land values.</p> <p>4. I thought the temporay approval limited the movement of the large truck to one going in morning and one returning in the evening and none on Sunday. Is this correct? So the</p>	<p>Monday to Sunday. The only movements proposing to be modified are the Sunday movements.</p> <p>5. Noted. The proposal seeks no change to the times/movements on Saturdays, which were previously approved by Council.</p> <p>6. Supported. The proposal includes only one entry and one exit on Sundays.</p> <p>7. Noted. The proposal is of a temporary nature and as such will not prejudice the overall development potential of the area.</p> <p>8. Not Supported. Issues regarding Water Corporation odour pollution and legality of the buffer zone are not considered as part of this proposal.</p> <p>9. Not Supported. Please see submission 1, point 8.</p> <p>10. Not Supported. Please see submission 1, point 8.</p> <p>11. Not Supported. The proposal is temporary only. Any proposed uses on other properties are subject to a separate</p>
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		<p>applicant is asking for UNLIMITED movement of the big truck anytime Mon to Friday from 6am to 7 pm. This could mean 4 times a day or 20 times rumbling past my house. I object most strongly.</p> <p>5. The applicant asks for Sat hours to be one entry and exit between 7am and 5 pm. I think these hours are more reasonable for during the week on a temporary basis only.</p> <p>6. The applicant wants approval for moving the truck unlimited times on Sundays between 2pm and 5 pm. Why would the truck need to travel at all on Sunday? Why would he need unlimited amounts not just one exit and entry. I object to NY MOVEMENT ON sUNDAY IT IS A RESIDENTIAL AREA.</p> <p>7. There is a restriction on any residential development anywhere in the urban deferred area which Daniel Arndt interpreted for one purchaser of mine who made an offer as not even a pergola can be built aDDED ON TO THE HOUSE. I believe more harstand on top of existing sheds and development on the property surely constitutues development, but of what kind and what zoning? Ms Pleasant wrote to me last Friday saying that nothing was allowed in this development zone. She said no uses were approved for this development zone within the WPWWTP Buffer.</p> <p>8. This is a rediculous farcical situation where council has placed an illegal buffer for the</p>	<p>application and assessment.</p>
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		<p>purposes of allowing the Water Corp to emit noxious odours over existing 26 residential home which are odour sensitive premises and protected under the EPA Act 1986 from any pollution including odour. The Corp is not allowed according to the DOE to emit any ododur pollution EVER but council have given them an allegedly legal buffer which only purpose is to allow them to emit pollution. This horrendous planning bungle should have been fixed 20 years ago as Ms Pleasant now claims the buffer existed from 1999 not 2003 when the new TPS No 3 was gazetted.</p> <p>9. I asked for council planning dept to apply to council to amend the TPS No 3 to remove tyhe wording "WPWWTP Buffer from Section 11 definition of Development Zone and remove the line showing a buffer and a notation saying WPWWTP Buffer 2008 and a signature on an overlay that suddenly appeared on Council's website where no buffer had ever appeared before. If buffers or any planning constraint or change of zoning were so easy to do as council has done, just draw a line on an overlay and write in some words, or write some words in a development definition that was not included in the advertised proposed TPSN 3 when advertised for public comment; everyone who wanted to subvert proper planning processes and make millions or</p>	
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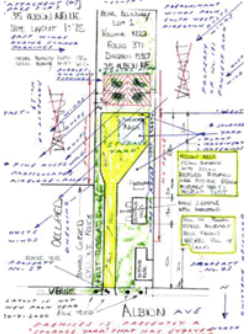
		<p>prevent development would be ad hoc behaving as Council Council planning officers have done. You have put in place an illegal buffer restricting any development on my land or anything even a pergola devaluing my property and losing me offers on my property.</p> <p>10. Ms Pleasant writes in her letter to me that the buffer is not the result of a buffer definition study. She neglects to say that no buffer can be put in place detrimental affecting the health, wellbeing and amenity of any person contrary to the EPA Act. Council has done this and refuses to remove it. Council has put our families in harms way and allowed a ridiculous situation to exist over 56 acres of prime residential land in order to benefit financially the Water Corporation a profit making industry.</p> <p>11. I object to this application because it will give the owner certainty that he can operate commercially from his property and that is not a zoning that I am aware of we can do. If however I am wrong and commercial is allowable use under Development zone please let me know as soon as possible as I wish to operate a bed and breakfast for 6 couples at my 6 brm house on 153 Fawcett RD, Lake Coogee. This comment comes in 1 day late for the same reason as the comment for 171 Fawcett because it was put in the wrong letterbox by the postie</p>	
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		presumably. Please acknowledge whether you will accept this late comment. I tried to catch the postie this morning by shouting as he went by but he mistook my intention and just waved and kept going. I shall have to ring the post office.	
2	Bart Houwen  25 Albion Avenue LAKE COOGEE	<p><i>Objection.</i></p> <ol style="list-style-type: none"> <li>1. Firstly, please accept my appreciation for a great improvement in the amenity of the area because of the restrictions placed on land use over the last year by council. I would also like to add that the owners have seemed mostly well intentioned in being neighbourly and considerate however periods of non-conformance do occur. Although I have made no complaints, there have been many annoying noise incidents which thankfully have not been as frequent as previously. The commercial vehicle is not simply parked each day. As per my submission last year it often takes some time to reconfigure the trailer and load earthmoving equipment to be carried.</li> <li>2. There seems to be an increase of ancillary earth moving equipment stored for long periods where regular DIY backyard maintenance and repair activities are regularly undertaken.</li> <li>3. Given the recent approval by council to start the process of advertising a new local area</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. The bobcats, mini-excavators etc are below the weight requirement of a commercial vehicle under the City's Town Planning Scheme No. 3 and as such are exempt from requiring planning approval.</li> <li>2. Noted. Please see submission 2, point 1. Planning approval is also not required for general maintenance and repair relating to the property.</li> <li>3. Noted. Please see submission 1, points 1 and 2.</li> </ol>

		strategy to the WAPC for approval and comment it seems inappropriate to allow more than a one year extension to the current approval including any new additions to the characteristics of the original approval as it would only accelerate the potential to reduce the amenity of which is acknowledged to be a rural living landscape type precinct. Thank you for the opportunity to comment and your ongoing efforts to find balanced outcomes for everyone.	
3	Marija & Drago Tolj  43 Albion Avenue LAKE COOGEE	<p><i>Objection.</i></p> <ol style="list-style-type: none"> <li>1. The applicant requests for a (5) Years approval may not be in line with the current COC Local Draft Planning Strategy, outlined in the COC documents OCM 8/10/2020, refer to pages 254-259 and attached page 256.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. Please see submission 1, point 1.</li> <li>2. Noted. Please see submission 2, point 1.</li> </ol>

		<p>Item 14.2 Attachment 2</p> <p>OCM 8/10/2020</p> <p>The City has undertaken an assessment of the appropriateness of this area for industrial or mixed business development and determined it is not appropriate for these reasons:</p> <p><b>1. No essential need for additional industrial/business area:</b></p> <p>There is no identified need for additional industrial or mixed business land that would justify this area for such uses. In terms of its potential to be an employment area, the precinct has poor levels of accessibility with limited opportunities for improvement.</p> <p>While the area directly abuts a residential area to the east, its development is severely constrained by the location of Lake Coopee and the VIVITP to the west, the AAC to the south, and natural areas including Bridge Lake. It is therefore not considered to have the qualities of a successful employment area.</p> <p>The subject area is also 10m away from Lot 32, which is a 1600m<sup>2</sup> major planned industrial area that will support the economic and employment growth in the Bridge Lake/Trade Coast region over the next 30 years.</p> <p><b>2. Inappropriate interface with existing residential development:</b></p> <p>The urban defined area interfaces with existing residential development to the east. Existing east-west residential streets terminate with cul-de-sacs and reduction of these roads to access an industrial or mixed business area would be inappropriate as it might:</p> <ul style="list-style-type: none"> <li>• Result in inappropriate levels of traffic and heavy vehicles within residential streets creating unsafe road environments and negatively impacting on residential amenity.</li> <li>• Create an inconsistent streetscape character with insufficient opportunities to provide an appropriate interface and transition from residential to mixed business or industrial.</li> </ul> <p>The size and shape of the urban defined area significantly limits opportunities to design an appropriate interface between the residential area and other uses. The distance between</p> <p>Lake Coopee and Bridge Lake is only 120m, and at its largest section there is only 340m between Lake Coopee and existing residential development. There is no logical way to transition to an industrial or even mixed business precinct within such a small area, particularly given the Conservation Category (Class 2 CC) (Lake Coopee) to the west which will require a buffer.</p> <p><b>3. Traffic and access constraints:</b></p> <p>The urban defined area is not currently well connected, and the functional road hierarchy demonstrates that this area is not located adjacent to higher order roads that would provide for the types of ways of access that would be appropriate for heavy vehicles to access an industrial or mixed business area.</p> <p><b>4. Environmental values:</b></p> <p>The urban defined area directly abuts Lake Coopee to the west which is a CCV and part of Beaver Paddock Park, and Bridge Lake to the east. There is also an identified local ecological corridor between Lake Coopee and Bridge Lake through the area. Any development within the area will require further to these matters, and consideration of the environmental value and hydrological processes associated with these elements.</p> <p><b>5. Negative impact on landscape values:</b></p> <p>This current interface of rural lifestyle or rural residential character provides an open and largely natural setting to Lake Coopee. Any change to land uses within this area should have consideration of the natural landscape of this area and identify the desired future character. This is particularly important given how narrow the current landscape is, which provides a limited opportunity in itself to protect the setting of Lake Coopee both from a visual and recreational point of view.</p> <p>Industrial or mixed business development in this area would significantly change the character of this area, with the bulk and scale of the built form, in addition to parking areas of a commercial nature, having the potential to</p>	
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2. Apart from a truck, the applicant is loading a semi-trailer and unloading a front loader, excavator and bobcat. Those activities impact adversely on surrounding property value, also sometimes working outside approved hours. All those activities are annoying and should relocate.

4	Name & Address Withheld	<p><i>Objection.</i></p> <ol style="list-style-type: none"> <li>1. The applicant(s) use the premises as an unapproved storage yard. This land use is omitted from the 2019 &amp; 2020 plan.</li> <li>2. The existing time limited shall remain as one year and be reviewed per annum. There shall be no change to existing movement times and days along Albion Ave.</li> <li>3. The occupier(s) received construction rubbles and sands that are tipped and maybe buried behind the parking area. The rubble is unidentifiable.</li> </ol>  <ol style="list-style-type: none"> <li>4. Storage yard is not kept neat and tidy along the boundary line of the home, property No. 43 (Lot) Albion Avenue.</li> <li>5. Local residents are objectionable to the existing 2019 – 2020 approval and would not want permanent approval from 201-2025. At the O.C.M 08/10/2020 Item 14.2 on page</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. Items on the site have been investigated and considered to be for personal use only. The site is not deemed to fall under the definition (under the City's Town Planning Scheme No. 3) of a Storage Yard.</li> <li>2. Not Supported. Proposed times and movements are deemed appropriate when considering the existing character of the area.</li> <li>3. Noted. City officers have previously visited the site and sand was deemed for personal use/maintenance of the property.</li> <li>4. Noted. A condition on the approval is recommended to be imposed in relation to keeping the site tidy.</li> <li>5. Noted. Please see submission 1, points 1 and 2.</li> <li>6. Noted. Please see submission 4, point 1.</li> <li>7. Noted. Please see submission 4, point 1.</li> <li>8. Not Supported. The City cannot recommend refusal based on a</li> </ol>
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		<p>279 of 403 it indicates that a draft district structure plan and lifting of urban deferment will be engaged upon by COC.</p> <p>6. <b>**NOTICE**</b>Please do clarify Local Government position into by-passing land use: Storage yard defined within TPS Scheme text amendment No.116 (CC – 06/01/17 – 12/01/17) Attachment (1) STATEMENT</p> <p>7. <u>Unapproved storage yard</u> This end land use is to be viewed as non-conforming due to timer log storage that is estimated to be of 20-25 in quantity. This material will chainsaw cut to smaller portions for axe-splitting and re-sale as firewood to consumers. Unwanted open noise and dust fines will be impacting upon the local residents and fauna. This is done in the outdoors an undertaken in early autumn. No complaints can be made because it is not enforceable as a breach of Local Law or a By-Law. No fencing shields this yard area.</p> <p>8. <u>Time Limited Approval</u> The existing 2019-2020 truck movement times and days as: 6:00am – 7:00pm Monday – Friday is sufficient. If any change is done then it is likely that the applicant(s) occupier(s) will abuse the entry and exit number movements and times travelling west only on Albion Ave.</p> <p>9. <u>Storage Yard Upkeep</u> There is the accumulation of sandwich cool</p>	<p>possibility of future non-compliance.</p> <p>9. Noted. Please see submission 4, point 1. The City can investigate non-compliance with firebreak requirements subject to a separate enquiry.</p> <p>10. Noted. Please see submission 2, point 2.</p> <p>11. Not Supported. The proposal is not considered to result in an unreasonable impact on amenity and as such a Management Plan would not be required.</p>
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		<p>room panels, firewood, irrigation pipes, tyres, spring bed and other objects that prevent lawn mowing and brush cutting. Tall grass fuel loads exist that can result in a quick fire spread. Local by-laws and the Local Government Act – 1995 empowers authorised officers to perform inspections and issue cautions and/or infringements. Overhung branches result I property No. 43 (Lot 6) Albion Ave as non-compliant under fire controls order 2018. No fence separates this long opening.</p> <p>10. <u>Conflicts and Objections</u> It is by now realised that the business entity owner is non-conformist in managing and operating an earthmoving business in an industrial manner within a compact land parcel. Such activities will continue to attract unwanted and unacceptable amenity and environmental impacts.</p> <p>11. Nuisance is defined</p> <ul style="list-style-type: none"> <li>(a) An activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at Law;</li> <li>(b) An unreasonable interference with that use and enjoyment of a person in hare or his ownership or occupation of land; and</li> <li>(c) Interference with cause's material damage to land or other property on the land affected by the interference.</li> </ul>	
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		To minimise nuisance on site and off site proponent/applicant will need to re-submit a proper management plan for the year 2021-2022, that remedies the problems identified.	
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Contact Officer : Patrick (08) 9411 3444  
Andrade  
Our Ref : DA18/0978 - 3411307



18 November 2019

Kreppold Investments Pty Ltd  
1 View Terrace  
EAST FREMANTLE WA 6158

**Hardstand & Retrospective Commercial Vehicle Parking**  
**35 Albion Avenue MUNSTER WA 6166**

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I refer to your application dated 27/11/2018 for the above and advise that Council at its meeting held on 14 November 2019 resolved to grant conditional approval in accordance with the attached Notice of Determination on Application for Planning Approval. This approval was granted pursuant to Section 31 of the *State Administrative Tribunal Act 2004 (WA)*. Delegated authority was exercised by clause 82 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Planning approval does not remove the need for any other approvals, licences or permits that may be required.



Patrick Andrade  
**SENIOR PLANNING OFFICER**



REF No: DA18/0978 - 3411307

Issue Date: 18 November 2019

**NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL****PLANNING AND DEVELOPMENT ACT 2005**

Owner Name & Address      Kreppold Investments Pty Ltd  
1 View Terrace  
EAST FREMANTLE WA 6158

LOCATION: 35 Albion Avenue MUNSTER WA 6166

LOT: 1

PLAN/DIAGRAM: D / 13327

FOLIO NO: 371

VOL NO: 1223

Application Date: 27/11/2018

Received on: 27/11/2018

Description of proposed development: Hardstand &amp; Retrospective Commercial Vehicle Parking

The application for planning approval is **granted** subject to the following conditions:**CONDITIONS**

1. This is a temporary approval only, valid for a period of 12 months from the date of this decision. Upon expiry of this date the commercial vehicle parking use shall cease and shall be removed from the site unless a subsequent planning approval is issued by the City.
2. Approval of the one commercial vehicle is limited to the vehicle with Vin/Chassis No: WDB9542412K840740.
3. The commercial vehicle shall be parked in the allocated area, as depicted on the approved plans.
4. Movement of the commercial vehicle between Monday to Friday is limited to 6am to 7pm.
5. Movement of the commercial vehicle on Saturdays is limited to enter the site once and exit the site once and only between the hours of 7am to 5pm.
6. Movement of the commercial vehicle on Sundays is limited to only enter the site once only between the hours of 2pm to 5pm.
7. The commercial vehicle shall not travel east of the subject property on or along Albion Avenue.
8. Within 60 days from the date of this approval, the vehicle parking and access shall be constructed and maintained in the form and layout depicted on the approved plans to the satisfaction of the City.

9. Within 30 days from the date of this approval, a crossover application shall be submitted to the City for approval, to formalise vehicle access. The crossover shall then be constructed within 60 days of this approval, to the satisfaction of the City.
10. Within 30 days from the date of this approval, a detailed landscaping plan shall be submitted to the City for approval. The landscaping shall be implemented within 60 days from the date of this approval.
11. The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City.
12. All stormwater being contained and disposed of on-site to the satisfaction of the City.

#### **FOOTNOTES**

- (a) 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 Council, or with any requirements of the City of Cockburn Town Planning Scheme No.3.
- (b) With regard to Condition 1, you are advised that if you intend to continue the use of the land beyond the expiration of the approval period, further application must be lodged with the City prior to the expiration date for determination. It should be noted that further approval may not be granted depending on circumstances pertaining to the use and or development of the land in the context of the surrounding locality.
- (c) Further to the above and Condition 1, you are advised that the temporary approval period is from the notice of determination issued hereafter this Ordinary Council Meeting held 14 November 2019..
- (d) You are advised that should you wish to change the commercial vehicle, you should contact the City's Statutory Planning department in the first instance.

Note 1: Where an approval has so lapsed, no development shall be carried out without the further approval of the Council having first been sought and obtained.

SIGNED:



DATED: 18/11/2019

.....  
**Patrick Andrade**

**SENIOR PLANNING OFFICER**

for and on behalf of the City of Cockburn.

35 ALBION AVENUE  
SITE LAYOUT 1:75

OVERALL PERIMETER DEPTH 192m  
OVERALL PERIMETER WIDTH 60.2m

REAR BOUNDARY  
Lot 1  
VOLUME 1223  
FOLIO 371  
DIAGRAM 1337  
35 ALBION AVE

CITY OF COCKBURN  
DEVELOPMENT APPLICATION

Subject to any amendments shown in red  
and compliance with conditions of approval

APPROVED

18 Nov 2019  
File Ref: DA18/0978  
Plan 1 of 1



Document Set ID: 8871695  
Version: 2, Version Date: 18/11/2019

## 14.2 MODIFICATION TO DEVELOPMENT APPLICATION - TOURIST ACCOMMODATION - DA20/1134 - 1L SEMPLE COURT SOUTH LAKE

<b>Author(s)</b>	P Andrade
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Location Plan <a href="#">↓</a></li> <li>2. WAPC Subdivision Approval 1 (<b>CONFIDENTIAL</b>)</li> <li>3. WAPC Subdivision Approval 2 (<b>CONFIDENTIAL</b>)</li> <li>4. Single Bedroom Dwelling Development Approval (<b>CONFIDENTIAL</b>)</li> <li>5. Development and Management Plans <a href="#">↓</a></li> <li>6. Submission Schedule <a href="#">↓</a></li> </ol>
<b>Location</b>	1L Semple Court South Lake
<b>Owner</b>	City of Cockburn
<b>Applicant</b>	Planning Solutions
<b>Application Reference</b>	DA20/1134

### RECOMMENDATION

That Council :

- (1) GRANT temporary Planning Approval for Tourist Accommodation at 1L (Lot 1) Semple Court, South Lake, in accordance with the attached plans and subject to the following conditions and footnotes:

#### Conditions

1. Development must be carried out only in accordance with the details of the application as approved herein and any approved plan.
2. Approval for the Tourist Accommodation is valid for three (3) years only from the date of approval.
3. Prior to the commencement of the use, a revised Property Management Plan is to be submitted and approved by the City. The development shall thereafter be maintained in accordance with the approved Management Plan.
4. Approval for the Tourist Accommodation is subject to the implementation of the approved Property Management Plan.
5. Prior to commencement of the use, a Notification under Section 70A of the *Transfer of Land Act 1983* shall be prepared and lodged with the Registrar of Titles for endorsement on the Certificate of all lots. The notification shall advise of the existence of a hazard or other factor in accordance with section 12A of the *Planning and Development Act 2005* to the satisfaction of the City and at the applicant's cost. The notification shall state as follows:

*"This lot or dwelling is within close proximity of a Tourist Accommodation. Please contact the City of Cockburn for further details."*



**Footnotes**

- (a) 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, with any requirements of the City of Cockburn Town Planning Scheme No. 3, or the requirements of any other external agency.
  - (b) You are advised that any extension of this approval is dependent on how the development affects neighbouring properties. If you wish to continue using the dwellings as a Tourist Accommodation, a new development application will need to be submitted to the City for determination.
  - (c) You are advised a sign licence or building permit may be required to be submitted to the City. Details of the sign's sizes, locations and wording are to be provided.
  - (d) With regards to the revised Property Management Plan, the revisions shall include the following:
    - The external sign at each vehicular entry point shall display the contact details of the manager of a size no less than A4. The sign is to clearly advise neighbours who they can contact should there be issues.
    - The Code of Conduct noted within the Property Management Plan is to be converted into a sign of no less than A3 in size and is displayed within the kitchen or living room of each premises.
    - The identification procedures shall be as per the National Police Clearance 100 point system, and where unattainable, physical identification occurs.
- (2) NOTIFY the applicant and those who made a submission, of Council's Decision.

**Background**

The application received for 1L (Lot 1) Semple Court, Southlake is for a modification to an existing development approval from 67 single bedroom dwellings to 67 tourist accommodation units.

The subject site is vacant with some existing vegetation, 3.08ha in size, is bound by Berrigan Drive, it's only access - to the south; Lakeland Senior High School to the north-east, and local parks or open space to the north-west and west. The western and northern lots also include the Western Power's high voltage power lines and towers (refer: Location Plan – Attachment 1).

The Western Australian Planning Commission (WAPC) has granted two conditional subdivisional approvals: (refer: WAPC Approvals – Confidential Attachments 2 and 3).

The first approval granted on 3 October 2019 to subdivide the current lot into two: Lot B, a triangle shaped freehold lot 13,556m<sup>2</sup> in size, and the other lot, Lot A, a cul-de-sac road reserve of 11,973m<sup>2</sup>. All subdivision conditions will need to be met within four years, otherwise the subdivision approval lapses.

The second subdivision approval granted on 2 December 2019 was for the subdivision of Lot B mentioned above; to future subdivide the lot into 67 Survey Strata lots with communal access. All conditions will need to be met within four (4) years; otherwise the second subdivision will also lapse.

The existing development approval (DA19/0400) was approved by the City under delegation on 11 November 2019. The existing development approval consists of 67 grouped dwellings, all of which are single bedroom dwellings in accordance with the City's *Local Planning Policy 1.5 Single Bedroom Dwellings*, and includes landscaping, visitor bays, access ways, fencing and communal bin stores.

Please refer to the Confidential Attachment 4 – Single Bedroom Dwelling Development Approval. The development must substantially commence by no later than 11 November 2023, otherwise the approval lapses.

### **Submission**

N/A

### **Report**

The proposal is to utilise 67 dwellings for tourist accommodation. The dwellings would be built in accordance with Attachments 2 to 4 of the existing subdivision and development approvals, which are yet to be commenced/enacted upon.

This application cannot occur without the developer first enacting the development approval in Attachment 4.

Each dwelling is proposed to have two rooms for habitation and one garage for one vehicle. 23 communal visitor car bays, communal waste bin stores and landscaping will be provided within the complex.

The applicant provided a Management Plan (refer Development and Management Plan – Attachment 5), which details how management of the dwellings for tourist accommodation is proposed to occur. The following points summarise the Management Plan:

- A maximum of four occupants per dwelling,
- 24 hour access, 7 days a week,

- 2pm check-in and 10am check-out,
- Minimum three (3) night stay and maximum five month stay,
- Property management details to be provided to adjoining properties,
- Guests register with identity documents online,
- Record keeping to be kept permanently.

### Legislation and Policy

#### *Metropolitan Region Scheme (MRS)*

The site is zoned “Urban” under the MRS.

#### *City of Cockburn Town Planning Scheme No. 3*

The subject site is zoned “Special Use” and “Residential R40”, however; the proposed tourist accommodation sits wholly within the Residential R40 area.

Under Town Planning Scheme 3, the objective of residential zones is as follows:

- “(i) To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- “(ii) To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- “(iii) To provide for a range of non-residential uses, which are compatible with and complementary to residential development.”*

Tourist Accommodation is an ‘A’ land use within the residential zone. An ‘A’ use means that the use is **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.

Tourist Accommodation is defined as:

*“Land and buildings used for the purpose of short term accommodation primarily for tourists visiting the district and includes cabins, chalets, short stay self-contained accommodation and similar forms of tourist accommodation, together with uses ancillary to the primary use, but does not include a caravan park, hotel, bed and breakfast or motel.”*



### Consultation

The proposal was advertised for a period of five (5) weeks due to the Christmas and New Year holiday period, occurring from 9 December 2020 to 15 January 2021.

A total of 140 letters were sent advising of the proposal to adjoining residents, the South Lake Community Group and Department of Education, who run the adjacent Lakelands Senior High school. The proposal and plans were uploaded onto the City's Comment on Cockburn website for comment.

The City received 25 submissions of which 23 were objections. The Submissions Schedule (refer Attachment 6) provides a detailed read and response of the submissions. The objections had raised the following main concerns:

- Land use
- Traffic
- Fauna and flora
- Management issues (Anti-social behaviour and noise)

These topics are discussed below within the assessment report.

The Department of Education also provided a no objection response to the City's request for comment.

### **Assessment**

#### *Local Planning Policy 1.15 – Tourist Accommodation*

An assessment against the City's Local Planning Policy for Tourist Accommodation is set out below. Any section not mentioned in the table is not relevant or insignificant to this proposal.

<b>Section</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliance</b>
Part 2 – Management Plan	All proposals for tourist accommodation and other uses outlined in the purpose section of this policy shall include the lodgement of a management plan which shall address: 1. Control of Noise and other disturbances; 2. Complaints management procedures;	A Management Plan has been submitted with the application that addresses the points raised (refer Attachment 5).	Complies.  The Management Plan is discussed further in this report. See relevant Management section.

Section	Requirement	Proposal	Compliance
	3. Security of guests, visitors and neighbours; 4. Control of anti-social behaviour and potential conflict between tourists/guests/visitors and permanent residents of the area; 5. Car parking for guests and visitors; 6. Number of bedrooms and beds; and 7. Contact details of owner and keeper/manager		
Part 3 - Tourist Accommodation. Cl.1	A keeper/manager is not required to reside at the premises whilst it is being used for tourist accommodation purposes	No manager or keeper to reside at the premises.	Complies.
Part 3 - Tourist Accommodation. Cl.2	The use of one or more existing multiple or grouped dwellings within a complex for the purposes of tourist accommodation shall generally not be supported.	No existing dwellings.	Complies.
Part 3 - Tourist Accommodation. Cl.3	Proposals including a mix of uses, including permanent residential and tourist accommodation within the same development, should provide sufficient separation of the uses to ensure the amenity of permanent residents is adequately protected.	All units are proposed to be used for tourist accommodation.	Complies

Section	Requirement	Proposal	Compliance
Part 3 - Tourist Accommodation. Cl.4	Proposals for tourist accommodation in the form of apartments on residential zoned land shall be designed so that the building height generally accords with the maximum, building height permitted for multiple dwelling development.	No apartments proposed.	Complies
Part 3 - Tourist Accommodation. Cl.5	Proposals for tourist accommodation in the form of apartments shall include an entrance/foyer with a reception desk attended by staff during check-in and check-out times.	No apartments proposed.	Complies
Part 3 - Tourist Accommodation. Cl.6	Car parking for tourist accommodation shall be located on-site and in accordance with the TPS 3 provision.	One car bay is provided per dwelling as per the TPS 3.	Complies

### *Land Use*

Concerns are raised as to whether the land use is appropriate for the area in which it is located, with some submitters stating there are no major tourist attractions within the suburb of South Lake and this type of land use should, allegedly, be located adjacent to tourist locations like a beach or CBD. This is discussed further below under “WAPC 2014 Tourism Planning Guidelines WA”.

By way of background, a 2014 scheme amendment was approved by the Minister of Planning to rezone the subject site to Residential with a density code of R40.

The land use is an ‘A’ use within the residential (R40) zone-and due advertising has occurred to the community and state agencies.

In terms of determining whether the land use is appropriate and of benefit to the community, the City looks to various Planning Framework documents and guidelines issued by both the City of Cockburn and the Western Australian Planning Commission.

The City's 2012 *Local Commercial and Activity Centres Strategy* (LCACS) identified that the Berrigan Drive Local Commercial [Shopping] Centre, 150m west of the site (refer Location Plan – Attachment 1) is lacking in “intensity”, “employment” and “economic activation” compared to other activity centres. The centre is ranked as having “average”; “diversity” and “urban form”. LCACS also shows that the centre has “very poor” exposure and “poor” purpose compared to others.

The proposed development would have a direct positive impact in terms of:

1. “Intensity” - increased density (R40) within a walkable catchment of the centre (i.e. more people in the locality that are able to walk to the shops and support the local economy.
2. “Economic Activation” – Demand analysis suggests the centre may be under trading indicating that the centres economic purpose may have changed. The centre has poor visual connections between the shopping centre and the surrounding area. The proposed use will contribute to additional customers within a walkable catchment. The proposed development will contribute additional development connected to the existing pedestrian footpaths/ environment.

Furthermore, the City's 2014 *Economic Development Directions Strategy (EDDS)* identified South Lake as [then] having an unemployment issue. It is expected that a transient population is likely to spend more locally due to their need for access to goods and services as quickly as possible, as opposed to a long-term occupier who has less pressure to access goods and services in a timely manner, meaning they could travel further and elsewhere, therefore supporting the nearby local centre.

The City's 2018 *Housing Affordability and Diversity Strategy (HADS)* states that overall in the City of Cockburn, based on land availability, South Lake will be one of the suburbs that caters for the City's population increase.

LCACS notes that South Lake is 103 dwelling short of dwellings to provide support to this local commercial centre. Whilst the existing approval - the construction of the 67 single bedroom dwellings (refer Development Approval – Attachment 4) would help the centre and suburb achieve its intended strategic direction; an approval of this application for tourist accommodation could support the developer/applicant to get the development off the plan and built. The proposed development is also within 150m of the local centre/ activity centre meaning density within this locality is within a “walking distance” and therefore of strategic planning significance.

The *WAPC 2014 Tourism Planning Guidelines WA* identifies that tourist accommodation is usually established in non-dedicated and non-tourist specific areas or zones, as is the case with this proposal. This directly responds the above mentioned concerns raised by the submitter.

The same guideline discusses how flexibility is important given the forever changing market demand with a tourist accommodation unit and its ability to be used for other purposes, like that of a permanent residence.

As the use of the dwelling(s) as a single bedroom dwelling does not need re-approval from the City, approval could give the developer the flexibility to provide both permanent and a transient tourist population within the 67 dwelling complex. This aligns with the objective of the residential zone under the City's TPS: "(iii) To provide for a range of non-residential uses, which are compatible with and complementary to residential development."

Therefore, a tourist accommodation in a suburban setting is expected to help the City and South Lake residents achieve their strategic visions as set out under LCACS and the *WAPC 2014 Tourism Planning Guidelines WA*.

The *WAPC 2009 Holiday Homes Guidelines* discusses that should any approval be granted, it should be for a limited period of one year, to ensure there is minimal impact on amenity of adjoining areas.

Thereafter the initial approval should be subject to a three to five year renewal. As the dwellings have not yet been constructed, and construction would take approximately two years, a three year approval, in this instance, is considered to be reasonable.

Should Council approve the application, a condition should ensure that the approval is granted for a period of three years after which time the approval lapses.

#### *Flora and Fauna*

Many objections received detail how the land in question is, allegedly, a "public park or public open space" and that the City should "not support its removal" on this basis. Many also consider the land use as a threat to the existing natural vegetation and wildlife adjoining the area.

The City notes it has actively procured to purchase land holdings in this locality under the power lines to facilitate additional green area for South Lake residents, noting the powerlines are overhead and do not prohibit the enjoyment for passive recreation, nor prohibit flora and wildlife to grow and live. The subject lot and surrounds therefore have the look and feel of a natural open space.

Notwithstanding the above, Scheme Amendment No. 99, as discussed above within the land use section of the report, rezoned the subject site from Public Purpose 'Western Power to "Residential with a density code of R40. Amendment No.99 was advertised from 1 October 2013 to 12 November 2013 and referred to the Environmental Protection Authority (EPA). Council at its meeting of 12 December 2013 supported the reclassification of the subject site under Scheme Amendment 99. On this basis the comments made under the submissions alleging the subject site is reserved as a "local reserve"/ POS is not supported.

The Gazetted scheme amendment of the WAPC and the City allow the land to be developed for residential purposes and this application relates to the use of the land, not its development. It is not envisaged or supported that the land use change would disturb the other parcels of lands and their natural environments.

### *Traffic*

Many objections relate to increased traffic caused by this change of use proposal.

The City notes the construction of the 67 single bedroom dwellings and/or subdivision into 67 individual lots (refer Attachment 2, 3 and 4) was supported by a Traffic Impact Assessment (TIA) from a qualified Transport Engineer.

This TIA was reviewed by the City's Engineers at the time of submission and it was determined that the road network is able to support the amount of traffic generated and the current road standards are adequate, with the exception that the City required a deceleration lane for east bound travel along Berrigan Drive, to enter the development. This deceleration is deemed vital for the development of the land as currently approved.

The change of use to a tourist accommodation, however, may not depend on this deceleration lane as much. This is because the trip generation under the Perth and Regions Travel Surveys (PARTS) states an ordinary suburban dwelling with 2.6 persons generates eight vehicular trips per day - the leaving and arrival of two persons twice a day. The City's Transport Engineers are of the opinion that a tourist accommodation would cause less vehicular movements than an ordinary dwelling because visitors tend to not have vehicles at their disposal and/or are more inclined to take other modes of transport (walking or public transport) to reach their destination.

Therefore, Traffic generated by this change of use is not seen to be an issue and no additional modifications to the road network (other than the already mandated deceleration lane) or standards would be required to support this proposal.

### *Management*

Objections relate to the ability to manage the complex of tourist accommodation units, the noise generated and anti-social behaviour that the land use may bring.

The City has reviewed the proposed Management Plan (refer Attachment 5) compared to existing approved tourist accommodations within the City and other forms of temporary accommodation.

The City supports the three night minimum stay, noting one or two nights of such a large and frequent transient population can diminish the sense of place of a suburb.

With regards to maximum stays, providing an agreement is in place, there is generally no limit to a maximum stay for the purposes of a holiday, under Part 1, S5 Cl.4 of the *Residential Tenancies Act 1987*. The applicant proposes five months to be the maximum; the City is agreeable to this, noting it can be used also for permanent occupation under its current approvals.

Identity of guests will be pre-confirmed via an online portal where guests will provide a copy of an Australian drivers licence or [inter]national passport.

The City notes, under the proposed management plan, no staff member is proposed to verify the identity of the guests in person as the keys to the premise will be via a key-box. As such, the identification of guests could in theory be false.

Given this potential risk, a 100 point identification in line with the National Police Clearance (NPC) is recommended to be used for guests, and where this is not achievable (ie: overseas guests), the identification of guests should be verified in person.

Should Council resolve to approve the proposal, the Management Plan should be revised accordingly, mandating a 100 point NPC verification, or in person verification of guests. This is recommended above under the conditions and advice note section.

The City supports the applicant's proposal to have the Code of Conduct displayed in each of the living rooms, along with the contact details of the owner/manager at the front of each unit, in case someone would like to make a complaint.

Should Council resolve to approve the proposal, the Code of Conduct should be a minimum of A3 size. Contact details should be a minimum size of A4. This should be reflected in the Management Plan, should Council approve the development.

### Management – Noise

With regards to noise, tourists generally are not within the dwelling for extensive periods of time and the use of the dwelling is generally no different to an ordinary occupier of a dwelling.

If however, the Code of Conduct was breached and excessive noise was generated, the nearest dwelling and/or resident to a tourist accommodation unit is directly south of the site, opposite Berrigan Drive and approximately 50m away from the nearest possible tourist accommodation unit (refer Location Map – Attachment 1).

It is not expected that noise would be heard by residents to the south who live on Dorriga Way and Koojarra Rise.

Concerns were raised that noise generated would impact students at the adjoining high school, however, tourists are very unlikely to occupy the dwelling during day light hours and the classrooms are over 200m away. The Department of Education was referred to for comment and provided no objection to the proposal.

In the unlikely event of the subject site resulting in noise on the school site the management plan provides a complaint procedure to ensure compliance. In addition, any resident in the City of Cockburn is required to comply with the noise regulations. This development is subject to the same statutory requirements.

Notwithstanding the above, the City outlined in the Land Use section of this report that units could be occupied by a mix of tourist and permanent residents, meaning, permanent residents may be directly adjoining one or more tourist accommodation units.

Whilst most buyers and occupiers of the units would become aware of the ability to utilise the dwelling for tourist accommodation purposes, it would be prudent to ensure a notification is on the title of each lot for each prospective purchaser.

Therefore, should Council approve the application, a condition should ensure that prior to the commencement of the use, notification on the titles is placed that notifies the existence of tourist accommodation within the development.

### Management – Anti-social behaviour

With regards to anti-social behaviour, the City is unaware of any documented evidence to suggest a correlation between 'tourist accommodation' and 'crime rates'.

The City understands the concerns raised by residents that unknown people with no connection to the suburb and place could generate anti-social behaviour.



The City reiterates the importance of verifying the identity of occupants to ensure it is known who exactly is staying in the relevant tourist accommodation unit, together with appropriate record keeping and the ability to contact management, and believes this should abate concerns. The strategic planning objectives as outlined under the planning framework assessment of this report is considered to address the need for this proposal in line with the big picture objectives of Council. On this basis the concerns raised by the community, whilst understood, can be managed via the above mentioned conditions and advice notes.

### **Conclusion**

Overall, the proposal is appropriate in its context and setting to surrounding development.

The tourist accommodation will support South Lakes strategic direction and a temporary approval subject to the above mentioned conditions, inclusive of a revised Management Plan will ensure residential amenity expectations of the adjoining community are appropriately met.

### **Strategic Plans/Policy Implications**

#### Community, Lifestyle & Security

*A vibrant healthy, safe, inclusive and connected community.*

- Foster local community identity and connection through social inclusion, community development, and volunteering opportunities.

#### City Growth and Moving Around

*A growing City that is easy to move around and provides great places to live.*

- Sustainably revitalise urban areas to deliver high levels of amenity and to cater for population growth.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

N/A

### **Community Consultation**

The City undertook consultation in accordance with clause 64(3) of the deemed provisions within the *Planning and Development (Local Planning Schemes) Regulations 2015*. Consultation was for a period of five weeks due to the holiday period, occurring from 09 December 2020

to 15 January 2021. The City received 25 submissions of which 23 were objections. Please see Consultation section of the report above for further details.

**Risk Management Implications**

The applicant has a right to review by the State Administrative Tribunal. Should a review be sought, there may be financial implications for the City, particularly where legal counsel is required to defend Council's decision.

**Advice to Proponents/Submitters**

The Proponents and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 11 March 2021 Ordinary Council Meeting.

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

Nil









STRATA LOTS PLAN 1:500

**PROPOSED GROUPED DWELLING DEVELOPMENT**

LOT 1, BERRIGAN DRIVE, SOUTH LAKE

PLANNING ISSUE

[illegible]

PLOT DATE: 15/08/2019  
 DRAWN BY: DT  
 SCALE: AS SHOWN

F

UrbanCreative

A1 STRATA LOTS PLAN

| A-0

## Short-term Accommodation Management Plan

**Prepared by:** Planning Solutions

**Job No:** 5955

**Date:** 9 November 2020

**Subject site:** Lot 1 Berrigan Drive, South Lake

### Preamble

Development approval has been granted for 67 Single Bedroom Dwellings on the subject site. The approval allows owners of individual dwellings to elect to use their unit for short-term (as well as long-term) accommodation.

This Management Plan has been prepared for the purpose of managing short-term accommodation. Short-term accommodation is defined by the City of Cockburn Local Planning Policy 1.15 – Tourist Accommodation as:

*accommodation for a maximum of 6 persons, inclusive of a keeper if they reside at the dwelling, for a period of up to 6 months within any 12 month period*

The operation of short-term accommodation at the subject site shall be in accordance with the Management Plan provisions below. This Management Plan does not apply to permanent occupation.

A management statement will be prepared incorporating this Management Plan in accordance with section 5C of the *Strata Titles Act 1985* and incorporated into the strata company by-laws by amending the by-laws contained in Schedules 1, 2 and 2A accordingly.

### Management Plan

#### 1. Management arrangements

The short-term accommodation shall be provided through a dedicated short-term accommodation provider, such as Yaran Suites.

#### 2. Access

Persons occupying the short-term accommodation will be able to access the property 24 hours per day, 7 days a week. No noise is permitted by persons accessing or egressing the subject site.

#### 3. Occupancy requirements

Each unit shall have a maximum number of 4 adult occupants.

#### 4. Minimum / maximum lengths of stay

The minimum stay is 3 nights and the maximum short-stay is five months. Bookings for more than five months will be conducted under a normal residential tenancy agreement.

#### 5. Check-in / check-out procedures

Check-in time is strictly 2pm and check-out time is strictly 10am. Each guest will be granted access to a lockbox on-site where they can pick up the keys to the accommodation. Following check-out, the guest will deposit the keys back into the lockbox. The cleaner then arrives at the property at approximately 10:30am and commences cleaning of the accommodation.

6. Identity of guests

All guests are required to fill out an online form prior to receiving the check-in guide. This form requires guests to upload a valid Australian drivers' licence; or, if they are an overseas guest they are required to upload a photo of their passport. The form can be viewed via the link below:

<https://www.jotform.com/YaranSuites/yaran-suites---guest-information>

7. Visitors

Visitors are allowed at the property, however, they are not registered or identified as the main guest. The main guest is responsible and liable for the actions of their guests/visitors, as is the case with a normal residential tenancy agreement.

8. Control of noise and anti-social behaviour

Short term occupants must comply with the strata by-laws and the City of Cockburn requirements in relation to noise and anti-social behaviour. The Yaran Property Group Code of Conduct details the expected behaviour of short stay accommodation occupants in order to minimise any impact on adjoining properties. The Code of Conduct can be viewed via the following link: <http://www.yaran.com.au/yaran-suites-terms-conditions/> and will be provided on a sign displayed within the living rooms of the units.

9. Complaints management

The owners leasing units for short term accommodation must provide their and their property manager's contact details to the Strata Manager prior to occupancy. The Strata Manager shall provide those contact details to all owners and occupants within the complex and to the owners and occupants of adjoining properties. The contact details of the property manager or landowner will also be displayed on an external sign at the front of the units. Any complaints which are not resolved with the owner or property manager shall be directed to the Strata Manager who is to take all reasonable actions to resolve the issue. Complaints are typically forwarded directly to [suites@yaran.com.au](mailto:suites@yaran.com.au).

10. Property management and record keeping

Units are to be managed either by the owners, or by a property manager approved by the Council of Owners. The property manager / owner is responsible for maintenance and security of units. Records of guests are kept permanently. Yaran uses an online software that manages all our guests called Newbook, permanently storing all information that has been logged.

11. Car parking management

Persons occupying a unit for short term accommodation shall have access to the car bays allocated to the particular unit only.

12. Guest register

A register of all persons occupying the short-term accommodation shall be kept by each owner. The register shall show the name and address of every person staying within the apartment. The register shall be provided to the Strata Manager on request.

Submission	Date of contribution	Survey Response					City's comment/response
		Your name:	Your suburb:	Do you support or oppose the proposal for tourist accommodation -1L Semple Court, South Lake?	Please let us know why:	Let us know if you would like your details to be kept confidential.	
1	Dec 09 20 12:09:05 pm	Francesca Earley	SOUTH LAKE, WA	Oppose	I strongly oppose the idea for tourist accommodation here. It is right beside the lake which is one of the beautiful aspects of South Lake, not only will it create an eye sore but it will disturb the animals living in and around the lake. There is also the issue of noise pollution. It will cause intense noise disturbing both the animals and families. What about the school nearby and families with young children who need rest? I also feel like it will attract unwanted behaviour. South Lake already	No	<p><b>1.1 - Visual amenity.</b> The land use change will not impact the visual amenity of the development, noting the construction and subdivision approvals of the 67 individual lots have been granted by the Western Australian Planning Commission and the City.</p> <p><b>1.2 – Fauna and Flora.</b> Please see Fauna and Flora Section of the report.</p> <p><b>1.3 - Anti-social behaviour.</b> Please see Management Section of the report.</p> <p><b>1.4 - Noise.</b> Please see Management Section of the report.</p>

					has an issue with this and the building of this very large accommodation will only amplify it, especially with the nearby pub. Furthermore, it is going to cause more traffic which is an issue already during school hours. It would be really disappointing for the people of South Lake, old and young, to have this built. I do hope you take into account the community's views and reconsider.		<b>1.5 - Traffic</b> Please see traffic section of the report.
2	Dec 09 20 01:29:26 pm		SOUTH LAKE, WA	Oppose	This is a development that was not notified to local residents. I've lived in my property since December 2002. Never did myself, or any of my neighbors receive notification initially. There is more than enough housing in the area already. The road usage on Berrigan Dr is already horrendous- this will only make it worse. There will be issues regarding security.	Yes please keep my details confidential	<b>2.1 – Community Consultation</b>  The previous applications did not require community consultation under the City's Town Planning Scheme No.3 or State Planning Framework.  With regards to traffic, please see the traffic section of the report.  With regards to anti-social, please see Management Section of the report.



					So many issues but highly unlikely that anything will be done at this late stage.		
3	Dec 09 20 01:29:54 pm	Stacey	SOUTH LAKE, WA	Oppose	Berrigan is a busy road as it is, this will cause more traffic congestion. Wild life live in the area Concerns as there is already high crime (break ins) in the area that short term stays etc could increase that more Possible more noise due to 'tourist' accommodation - parties, music etc	No	With regards to traffic, please see the traffic section of the report.  With regards to fauna and flora, please see flora and fauna Section of the report.  With regards to anti-social, please see Management Section of the report.  With regards to noise, please see Management Section of the report.
4	Dec 09 20 01:39:27 pm	Rosalind De'Laney	SOUTH LAKE, WA	Oppose	I oppose any development to Lot L1 Semple Court, South Lake, as there are many different species of fauna that live within that parcel of land. Demolishing that land will push the fauna further out of the area and will also mean that more of them will be run over as they look for other areas to live. The area is also a swamp/rain run off area and floods often. Also Berrigan	No	With regards to fauna and flora, please see flora and fauna Section of the report.  With regards to traffic, please see the traffic section of the report.

					Drive is busy enough as it is with trucks and cars that adding another 67 units to an already high traffic area near a high school is dangerous.		
5	Dec 09 20 01:39:41 pm	Rosalind De'Laney	SOUTH LAKE, WA	Oppose	I oppose any development to Lot L1 Semple Court, South Lake, as there are many different species of fauna that live within that parcel of land. Demolishing that land will push the fauna further out of the area and will also mean that more of them will be run over as they look for other areas to live. The area is also a swamp/rain run off area and floods often. Also Berrigan Drive is busy enough as it is with trucks and cars that adding another 67 units to an already high traffic area near a high school is dangerous.	No	With regards to fauna and flora, please see flora and fauna Section of the report.  With regards to traffic, please see the traffic section of the report.

6	Dec 09 20 01:42:08 pm		SOUTH LAKE, WA	Oppose	We are in short supply of affordable housing for singles or couples who don't want a macmansion. Tourist accommodation is not close to anything interesting. If you are going by public transport it's a bus and train to the city. It's only good if people have a car and then south Lake is central to everything. The suburb has an influx of troublemakers every school holiday as it is. The south Lake shopping centre on berrigan drives car park is already full a lot and they haven't even rented out the shops.	Yes please keep my details confidential	With regards to the land use, please see land use section of the report.  With regards to traffic, please see the traffic section of the report.  With regards to anti-social, please see Management Section of the report.
7	Dec 09 20 03:10:29 pm	Clare	SOUTH LAKE, WA	Oppose		No	
8	Dec 09 20 03:24:37	Gary Stacey	SOUTH LAKE, WA	Oppose	This land was approved for elderly accomadation. We are trying to make South	No	<b>8.1 – Previous Approval</b>  No approval has been granted for elderly

	pm				Lake better. This is next too a school and in wetlands		accommodation.  Noted.
9	Dec 09 20 03:59:24 pm	John	SOUTH LAKE, WA	Oppose	This is a significant variation from the original proposal which the developers assured residents, at a consultation meeting, would not be changed. The change will create a significant increase in traffic flow on Berrigan Drive and will only add to the existing difficulties in turning right on to Berrigan Dve from Semple	No	With regards to traffic, please see the traffic section of the report.
10	Dec 09 20 08:42:01 pm		SOUTH LAKE, WA	Oppose	There are missing informations about its real use. I don't think South Lake is the right spot for tourism.	Yes please keep my details confidential	With regards to land use, please see the land use section of the report.
11	Dec 09 20 09:09:34 pm		SOUTH LAKE, WA	Support	I do not see an issue with short term accomodation, if anything it will result in less traffic to the area as opposed to the housing.	Yes please keep my details confidential	Noted.  Please refer to traffic section of the report.

12	Dec 09 20 11:07:39 pm		SOUTH LAKE, WA	Oppose	<p>I oppose the development of this site for numerous reasons, namely ;</p> <p>That clearing that land to develop it will displace the wild life and fauna that live and grow in that area</p> <p>Also , that new dwellings in this area will increase traffic congestion on Berrigan drive , which at times is already quite congested</p> <p>That this may increase anti social behaviour in an area that already has quite a lot of anti social behaviour</p> <p>That there are no tourist attractions in or near South lake and redevelopment of the nearby shopping centre in any way shape of form will still not construe a tourist attraction</p> <p>That nearby house and land</p>	Yes please keep my details confidential	<p>With regards to fauna and flora, please see flora and fauna Section of the report.</p> <p>With regards to traffic, please see the traffic section of the report.</p> <p>With regards to anti-social &amp; noise, please see Management Section of the report.</p> <p>With regards to land use, please refer to the land use section of the report.</p> <p><b>12.1 – Property Prices</b></p> <p>Property prices and/or land value is not a valid planning consideration within the Planning framework.</p> <p><b>12.2 – Previous Approval</b></p> <p>The application in question relates to the use of the land, the construction of the dwellings is relevant to the existing and previous approvals.</p>
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					<p>values may decrease because of the redevelopment</p> <p>Lastly , that the activity whilst building the new dwellings and the occupants staying in them could be a distraction to the students studying at the high school nearby due to noise and potential anti social behaviour</p>		
13	Dec 11 20 06:57:52 am		SOUTH LAKE, WA	Oppose	I think the whole area with be trashed with such a large group of units to be built in such a busy area! Really bad designing and a terrible idea	Yes please keep my details confidential	<p>With regards to land use, please refer to the land use section of the report.</p> <p>With regards to anti-social behaviour, please see Management Section of the report.</p>
14	Dec 12 20 10:43:19		SOUTH LAKE, WA	Oppose	The extra traffic will cause trouble to an already busy road (berrigan drive).	Yes please keep my details confidential	With regards to traffic, please see the traffic section of the report.

	am						
15	Dec 14 20 02:19:53 pm		SOUTH LAKE, WA	Oppose	There is too much development in our area the traffic is horrendous cant tra vcel around my area it is overcrowded to extreame we dont need every piece of ground developed so we look and become the ghettos of america Overcrowding = cronic crime	Yes please keep my details confidential	With regards to traffic, please see the traffic section of the report.  With regards to visual amenity, please refer to submission comment <b>1.1 – Visual Amenity.</b>  With regards to anti-social behaviour, please see Management Section of the report.
16	Dec 14 20 03:26:09 pm		SOUTH LAKE, WA	Oppose	Traffic will become a problem particularly when Semple Court is closed off at Berrigan Drive.	Yes please keep my details confidential	With regards to traffic, please see the traffic section of the report.

17	Dec 14 20 08:48:54 pm		SOUTH LAKE, WA	Support	To make south lake lively by getting tourists.	Yes please keep my details confidential	Noted.
18	Dec 15 20 01:33:34 pm		COCKBURN CENTRAL, WA	Oppose	This will impact the wetlands and birdlife with litter and foot traffic plus more cars and pollution. People living there may start hanging around the park area (maybe drug trafficking) Berrigan road is busy without having more traffic entering and merging as people aim to get on the freeway ramps. Its just a bad impact on the South Lake area.	Yes please keep my details confidential	With regards to fauna and flora, please see flora and fauna Section of the report..  With regards to anti-social behaviour, please see Management Section of the report.  With regards to traffic, please see the traffic section of the report.
19	Dec 16 20 09:28:26 am		SOUTH LAKE, WA	Oppose	Only oppose until a question is answered. Its says in the management plan that max short stay is 5 months but over that time it is a normal tenancy agreement. How are you going to keep this "tourist" and not just turn in to high density rental?	Yes please keep my details confidential	With regards to management, please see Management Section of the report.  .



20	Dec 16 20 03:22:15 pm	Ricky	SOUTH LAKE, WA	Oppose	Tourist accommodation next to a school. It would create even greater danger to any already busy road. In addition I wouldn't feel that safe and it would detract from the wetlands. We have a family of kookaburras that live there too. Don't displace them of a random accommodation thing. I also didn't know about the original plans????	No	<p>With regards to land use, please refer to the land use section of the report</p> <p>With regards to traffic, please see the traffic section of the report.</p> <p>With regards to fauna and flora, please see flora and fauna Section of the report.</p> <p>With regards to previous approval and consultation, please refer to above submission comment <b>2.1 – Community Consultation</b></p>
21	Dec 18 20 06:40:04 am		SOUTH LAKE, WA	Oppose	There is no infrastructure, will be a negative environmental issue on the lake, the impact on traffic on Berrigan Drive which is already at maximum during peak times. detrimental impact on residential amenities whcih are few and far between in the area Over development of a recreational area affecting character of the local park and area. The building is out of character with the area.	Yes please keep my details confidential	<p>With regards to fauna and flora, please see flora and fauna Section of the report</p> <p>With regards to traffic, please see the traffic section of the report.</p> <p>With regards to land use, please refer to the land use section of the report</p>

22	Dec 29 20 07:28:00 pm		SOUTH LAKE, WA	Oppose	We are concerned about the type of activity that might take place in this area. We are a family with young children and it already concerns me that's there's a 'massage parlour' i.e brothel on Berrigan Drive. I'm also concerned about the amount of housing being built in our area and we are rapidly losing green spaces in Cockburn. We are sad to hear the golf course is being sold for housing development.	Yes please keep my details confidential	With regards to land use, please refer to the land use section of the report  With regards to anti-social behaviour, please see Management Section of the report.
23	Jan 08 21 07:30:50 pm		SOUTH LAKE, WA	Oppose	I think that this should be left as natural bush land...there is very little left in the area...it is a natural run off area for the big lake and ajoints natural swamp land further up... it is also home to a lot of insects, animals and birds... it is also on a busy road as well as backing on to a high school not an ideal place to put something as big as this	Yes please keep my details confidential	With regards to fauna and flora, please see flora and fauna Section of the report  With regards to land use, please refer to the land use section of the report

					development...		
24	Jan 08 21 08:27:20 pm	Jackson	SOUTH LAKE, WA	Oppose	Hearing this news for the proposed planning has really disappointed me. South Lake doesn't have the best reputation, however the beautiful lake and wildlife make the suburb. Ruining bush and ultimately scaring MANY wildlife away through removal of bush, noise of building and noise of people attending the accomodation is unfair and not needed. I don't believe South Lake is the area for such building and I also believe it may promote anti-social behaviour. Not only this, the noise pollution for the neighbouring school, daycare and residents (include many elderly and young infants) is also an issue. Furthermore, it will create more traffic through the suburb of which can already	No	<p>With regards to fauna and flora, please see flora and fauna Section of the report</p> <p>With regards to noise, please see Management Section of the report.</p> <p>With regards to traffic, please see the traffic section of the report.</p> <p>With regards to land use, please refer to the land use section of the report</p>

					become jammed during rush hour. It is also a safety concern for the school. Who knows who will be staying at the accomodation. I would be very disappointed to hear that the planning is going ahead, I hope you take my concerns seriously.		
25	Jan 12 21 11:36:39 am		SOUTH LAKE, WA	Oppose	I am concerned that tourist accommodation means an increased transient population that will lead to increase in crime. It is well known in community forums that the summer break in particular sees an increase in [people] transients visiting relatives in homes west properties in South Lake. Crimes such as the bashing of an elderly couple by 3 men this month is an example. I am concerned that South Lake has too many rental type properties already that don't require background checks and that are therefore	Yes please keep my details confidential	<p>Refer to Management Plan section of the report.</p> <p>With regards to land use, please refer to the land use section of the report</p> <p>With regards to anti-social behaviour, please see Management Section of the report.</p>

					more prone to attracting people with criminal backgrounds and or tendencies.		
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### 14.3 DEVELOPMENT APPLICATION - 1 ROCKINGHAM ROAD HAMILTON HILL - HEALTH STUDIO - SIGNAGE (MURAL)

<b>Author(s)</b>	C Hill
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Location Plan <a href="#">↓</a></li> <li>2. Development Plans <a href="#">↓</a></li> <li>3. Letter of Advice from the State Heritage Office <a href="#">↓</a></li> <li>4. Heritage Council Register of Heritage Places Assessment Documentation <a href="#">↓</a></li> </ol>
<b>Location</b>	1 (Lot 21) Rockingham Road HAMILTON HILL
<b>Owner</b>	Point Work Pty Ltd
<b>Applicant</b>	Ian & Michele Cleaver-Wilkinson, Point Work Pty Ltd
<b>Application Reference</b>	DA20/1359

#### RECOMMENDATION

That Council:

- (1) APPROVE the proposal subject to the following conditions and footnotes:

##### Conditions

1. Development shall be carried out in accordance with the terms of the application as approved herein and any approved plan.
2. The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City.
3. The KEIM "Lasur" and "Royalan" mineral paints shall be applied in accordance with the paint supplier's specifications
4. An anti-graffiti coating shall be applied following completion of the mural.
5. The heritage building shall be appropriately protected during the undertaking of the mural to the satisfaction of the City of Cockburn. Details shall be submitted prior to commencement of the works.
6. Prior to commencement of the works, a lighting plan detailing the types and locations of lighting proposed shall be submitted to the satisfaction of the City.
7. All outdoor lighting shall be installed and maintained in accordance with Australian Standard AS 4282-1997 "Control of the Obtrusive Effects of Outdoor Lighting".

##### Footnotes

- a) 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 Town Planning Scheme No. 3 or with the requirements of any external agency.

- (2) NOTIFY the applicant of Council's decision; and
- (3) PROVIDE the Department of Planning, Lands and Heritage with a Copy of Council's determination in accordance with r.42(3) of the Heritage Regulations 2019.

### **Background**

The subject site is 994m<sup>2</sup> in area and is bound by Rockingham Road to the north-east, Cockburn Road to the west, a set of eight multiple dwellings to the south-east and a tavern to the south.

The site contains the heritage-listed Newmarket Hotel, which was refurbished in 2016. Since the refurbishment the building has been occupied by a Health Studio, the Swan River Ballet School.

The property is a Category "A" Heritage Place on the City of Cockburn's Heritage List. The property is also included on the State register of Heritage places (P0504).

This proposal is being presented to Council for determination as City officers do not have delegated authority to determine applications for Category "A" Heritage Places.

### **Submission**

N/A

### **Report**

#### Proposal

A mural on the external wall of the building (facing south) is proposed. The details are as follows:

- The mural will be ten metres wide and three metres high; overall size of 30 square metres
- The mural will be three metres off the ground, placed above the lower half of the wall, which is covered by a seasonal climbing vine
- The mural will depict several ballet dancers on a blue-toned background, with the words "Swan River Ballet" written in black to the right of the main image
- The work will be undertaken by artist Diane Harnett, who will apply mineral-based paints and an anti-graffiti coating
- Following completion of the mural, three solar-powered gutter lights will be hung from the roof to illuminate the mural at night.

#### Planning Framework

##### *Zoning*

The subject site is zoned 'Urban' under the Metropolitan Region Scheme (MRS) and 'Special Use 24' (SU 24) under the City of Cockburn Town Planning Scheme No. 3 (TPS 3).

Clause 3.2.1 n) of TPS 3 notes that the objective of a Special Use Zone is;

*‘To provide for uses which have unique development requirements that cannot be easily accommodated by the objectives of any of the other zones included in the Scheme.’*

Table 8 of TPS 3 further designates SU 24 as ‘Mixed Use’, as per the Cockburn Coast District Structure Plan (DSP). ‘Health Studio’, which is the current land use, is a ‘P’ (permitted) use under Table 8. This proposal will not have any impact on the land use.

### **State Register of Heritage Places**

The Newmarket Hotel is included on the State Register of Heritage Places (P0504). The Heritage Council’s Register of Heritage places assessment documentation describes the place as having aesthetic, historic and social value, noting;

*“Newmarket Hotel contributes to the local community’s sense of place as a prominent landmark in the area, located at the intersection of two major roads.”*

The Heritage Council’s Register of Heritage places assessment documentation also describes the place in terms of its degree of significance, for example;

*“Newmarket Hotel is a fine representative example of a Federation Filigree hotel located on a corner site.*

*Newmarket Hotel is representative of the Australian pub tradition, as a two-storey hotel with deep verandahs, located on a prominent or corner site.”*

### **Local Government Inventory (LGI) and City of Cockburn Heritage List**

The Newmarket Hotel is included on the City of Cockburn LGI as a ‘Management Category A’ place, meaning it has ‘exceptional significance’ and is included on the City of Cockburn Heritage List (Heritage Place No. 038).

The ‘Statement of Significance’ for the Newmarket Hotel, set out in the LGI Place record is;

*“Newmarket Hotel is a landmark as an imposing two-storey building located on a prominent corner site and featuring a distinctive parapeted form that is truncated at the corner.*

*Newmarket Hotel is associated with the horse racing industry – which thrived in the area from the early 1900s to the 1970s – as a consequence of being near South Beach Horse Exercise Area.*

*Newmarket Hotel is associated with the expansion of industry and agriculture south of Fremantle from the late nineteenth century, in particular the horse racing industry which thrived in the area from the 1900s to the 1970s.*



*Newmarket Hotel was run from 1945 to 1949 by George Russell Thompson, a professional boxer from 1922 to 1930 who was the Australian heavyweight boxing champion.”*

### **Local Planning Policy 3.7 Signs & Advertising (LPP 3.7)**

LPP 3.7 applies to all forms of signage proposed within the City and its purpose is to ensure that the display of signs and advertisements does not negatively impact on the streetscape or amenity of the area.

The mural is consistent with the intent of LPP 3.7, as discussed in the ‘Assessment’ section below.

### **Local Planning Policy 4.3 Newmarket Precinct – Design Guidelines (LPP 4.3)**

The subject site is within the ‘Newmarket Precinct’ of the DSP, and LPP 4.3 provides the site-specific design guidelines.

While mostly addressing future redevelopment beyond the scope of this proposal (land use, transport, controls on building heights and so on), the policy also requires a distinct, high-quality streetscape where visible walls should be:

*“architecturally treated, in order to create visual interest and to avoid a broad expanse of featureless wall.”*

The addition of a mural onto a wall which has been blank for many years is considered to add interest to the streetscape, particularly given its visibility to passing pedestrians and motorists travelling north along Cockburn Road.

### **Local Planning Policy 4.4 Heritage Conservation Design Guidelines (LPP 4.4)**

LPP 4.4 applies to all heritage-listed properties within the City of Cockburn and ensures that any works respect the heritage significance of the place.

The mural is consistent with the policy provisions for external alterations; this is discussed further in the ‘Assessment’ section below.

It should be noted that the mural does not constitute ‘Minor Works, Repairs and Restoration’ under the policy given there will be a noticeable contrast between the existing colour of the wall and the proposed palette.

### Consultation

#### **External Agency Referrals**

Clause 72 (1)(a) of the *Heritage Act 2018* requires that any proposal likely to affect a (State) registered place be referred to the Heritage Council. The proposal was therefore referred to the Department of Planning, Lands and Heritage (DPLH) which includes the State Heritage Office (SHO) for comments.

The DPLH's comments are summarized as follows:

- the mural accurately reflects the current use of the building;
- previous proposals for a mural had been considered over the past few years, and the previous advice was that the scale of the mural be reduced to be less visually dominant, paint to be breathable and edges to be feathered to reduce visual impact. The current proposal has taken these into consideration;
- the KEIM "Lasur" and "Royalan" paints, anti-graffiti coating and solar lighting are appropriate; and
- the mural will have a visual impact on the place, however removal (if ever required) would be relatively straightforward by sanding and re-rendering/re-painting.

Overall, the DPLH had no objections to the proposal and did not recommend that any special conditions be imposed.

### Assessment

#### **Heritage**

The content of the mural does not detract from the heritage significance of the place. The dancers against the blue background are the dominant aspect of the piece, with the 'Swan River Ballet' text reduced in size and off-centre.

The text will be approximately 11 metres from the street boundary and therefore less visible to passers-by.

In accordance with LPP 4.4, the mural is easily distinguishable from the existing fabric, yet is proposed in a style sympathetic to the building's character.

It should be noted that the majority of the heritage features of the building (verandah, supporting posts, balustrades and so on) face toward the corner of Rockingham and Cockburn Roads, leaving the southern wall relatively plain, adjacent to car parking. The mural will provide a point of interest and at certain times of the year will be complemented by the climbing vine on the building's lower half.

The paint type and application method was considered for its suitability on the heritage building. The proposed paints (Keim Lasur and Royalan) are mineral-based paints which will allow the building to 'breathe'. Two layers of an anti-graffiti top coat will be applied to protect

the work. The artist will use all products in accordance with the supplier's application specifications.

Ongoing maintenance is expected to be minimal, as noted by the supplier, and should future removal ever be required the mural could be sanded off, then the wall re-rendered and/or re-painted.

Three solar lights will be placed over the roof gutter, facing downwards to illuminate the mural at night. These will be unobtrusive and easily removable.

### **Suitability of the mural within the SU 24 area**

The mural will serve two purposes; complementing the heritage place, and advertising the Swan River Ballet school. As indicated by the DPLH's feedback, the text is of an appropriate scale, ensuring the work is seen more as 'art' and less as a 'company sign'.

The land use has already been confirmed appropriate for SU 24, and the mural is directly relevant to the use, as required by LPP 3.7.

As a mixed-use area, it is expected that future development will be varied, and as such a mural will be a point of interest whilst not appearing 'out of place'.

There would be no proliferation of signage. When viewing the location from the south there are no other forms of advertising visible on the property.

### **Conclusion**

It is recommended that the proposal be supported for the following reasons:

- The mural is consistent with the planning framework applicable to the site;
- The mural is supported by the State Heritage Office (as well as relevant internal departments within the City of Cockburn, such as Strategic Planning and Cultural Development);
- The mural will be undertaken using appropriate materials and in accordance with supplier specifications which will allow the building "to breath";
- The mural provides a point of interest on an otherwise blank façade whilst not detracting from the underlying heritage significance of the site.
- The potential removal of the mural can be undertaken in a manner that will not damage the building and the building façade can be sanded and painted (returned to its original state) to match the remainder of the building.

**Strategic Plans/Policy Implications**Community, Lifestyle and Security

- Recognise and celebrate the significance of cultural, social and built heritage including local Indigenous and multicultural groups.

**Budget/Financial Implications**

N/A

**Legal Implications**

N/A

**Community Consultation**

This application was not advertised as the mural proposes no negative impact on the adjoining properties.

**Risk Management Implications**

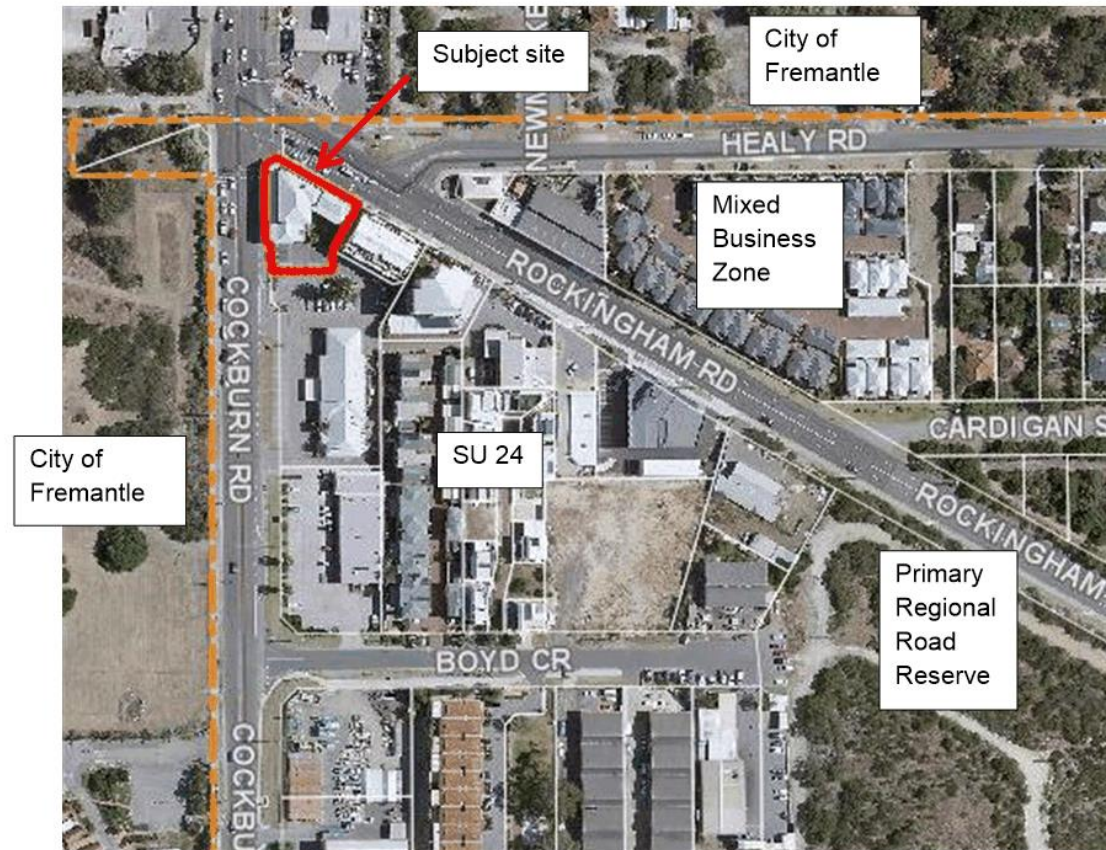
Should the applicant lodge a review of the decision with the State Administrative Tribunal, there may be costs involved in defending the decision, particularly if legal Counsel is engaged.

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

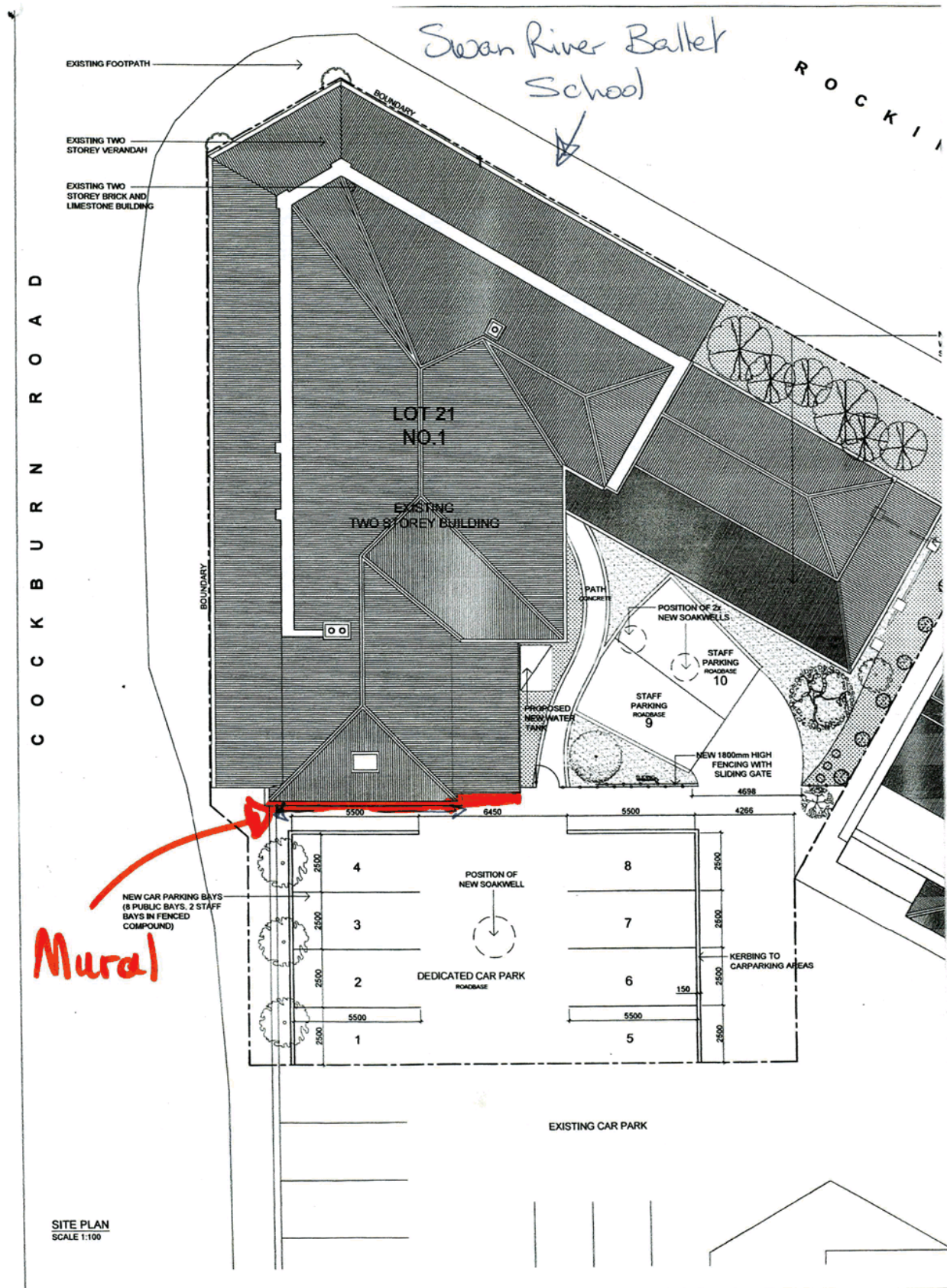
N/A

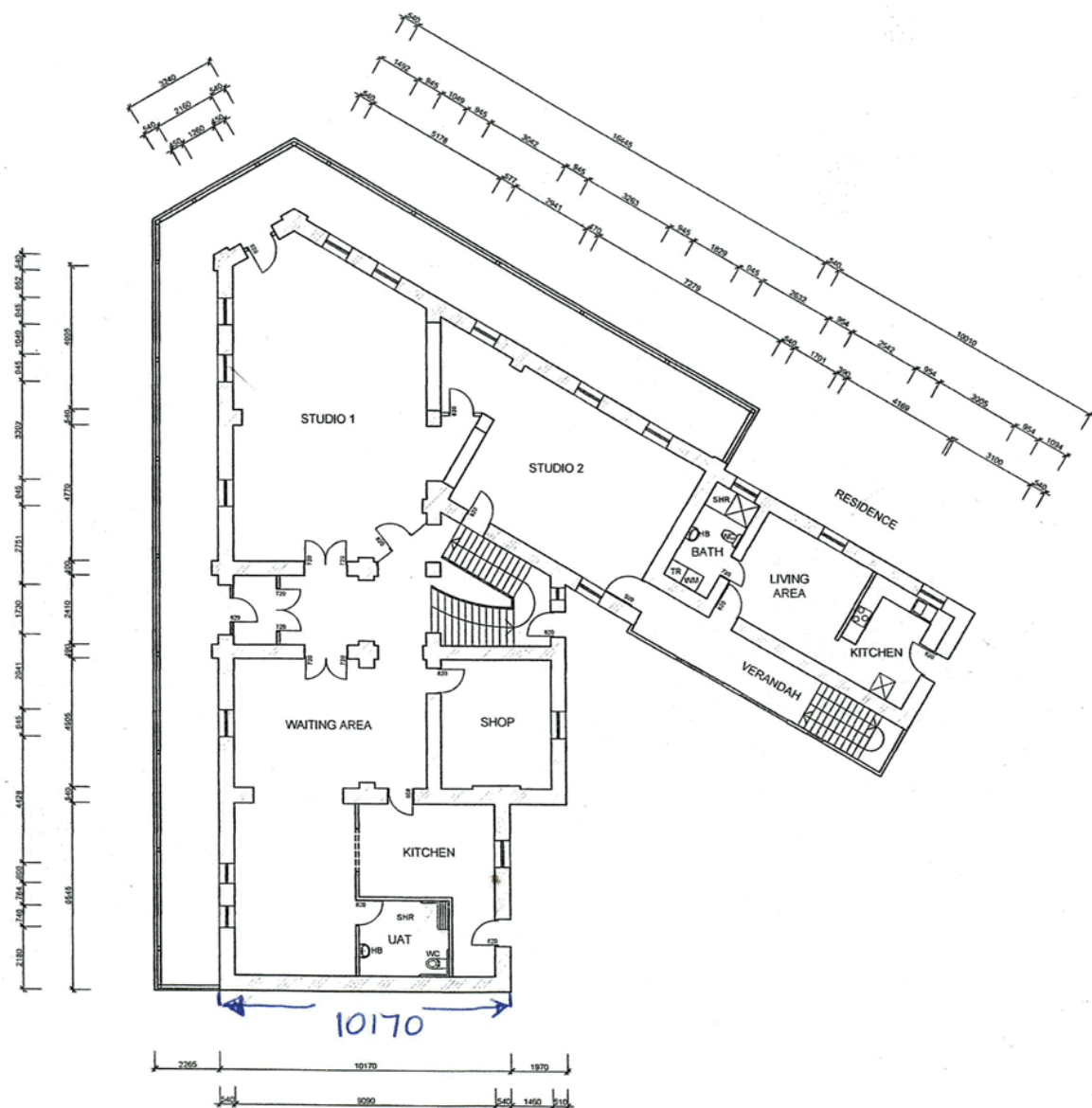
**Implications of Section 3.18(3) *Local Government Act 1995***

Nil

**Attachment 1 – Location Plan of 1 Rockingham Road Hamilton Hill**







# PROPOSED GROUND FLOOR PLAN

SCALE 1: 200

PROJECT NUMBER : 201451  
**LIDDELOW HOMESTEAD CPM**  
 7 COOPER AVE, KENWICK

Document Set ID: 10084704  
 Version: 1, Version Date: 22/12/2020





Document Set ID: 10084704  
Version: 1, Version Date: 22/12/2020





Department of **Planning,  
Lands and Heritage**

Your ref: DA20/1359  
Our ref: P0504-48135  
Enquiries: Ellen Ogborne (08) 6552 4132

Chief Executive Officer  
City of Cockburn  
[chhill@cockburn.wa.gov.au](mailto:chhill@cockburn.wa.gov.au)

Attention: Chantala Hill

Dear Sir

**NEWMARKET HOTEL**

Under the provisions of Section 73 of the *Heritage Act 2018*, the proposal as described below has been referred to the Heritage Council for its advice.

Place Number	P0504
Place Name	Newmarket Hotel
Street Address	1 Rockingham Rd, Hamilton Hill
Referral date	7 January 2021
Proposal Description	Signage (art mural) to south wall with lighting

We received the following information and drawings:

Form of Application for Development Approval, 20 October 2020	Proposed mural 2020-1, date & author unknown
Cover Letter, Michele & Ian Cleaver-Wilkinson, 22 December 2020	Proposed mural 2019, date & author unknown
Site plan with mark ups, date & author unknown	Photograph, Michele Cleaver-Wilkinson, 2015
Ground floor plan with markups, date & author unknown	Photograph, external condition pre 2015, date & author unknown
Photograph of south wall, Michele Cleaver-Wilkinson, December 2020	Di Harnett Art, estimate, 12 December 2020
Proposed mural 2020-2, date & author unknown	Pro-forma invoice, Keim, 8 December 2020
	Email correspondence, Carol Shirer, Keim Paints, 28 January 2021

The proposal has been considered in the context of the identified cultural significance of *Newmarket Hotel* and the following advice is given:

**Findings**

- *Newmarket Hotel* has cultural heritage significance as a place that is a landmark as an imposing two-storey building located on a prominent corner site and featuring a distinctive parapeted form that is truncated at the corner.

Postal address: Locked Bag 2506 Perth WA 6001 Street address: 140 William Street Perth WA 6000  
Tel: (08) 6551 8002 [info@dph.wa.gov.au](mailto:info@dph.wa.gov.au) [www.dph.wa.gov.au](http://www.dph.wa.gov.au)  
ABN 68 565 723 484  
[wa.gov.au](http://wa.gov.au)

- The proposal is for a mural to the south wall of the *Newmarket Hotel*. The proposed mural reflects the current use of the building as the Swan River Ballet School.
- Previous proposals for a mural have been considered by the Heritage Council and advice has been provided. Previous advice included the reduction in scale of the mural to be less visually dominant, the paintwork to be a breathable paint and to feather the edges so that it is not as visually distinctive.
- The current proposal takes into consideration previous advice provided.
- The proposed paints to be used are Keim Lasur and Royalan paints. An anti-graffiti top coat (2 coats) is also proposed using the Keim Anti-graffiti product.
- Three solar lights are proposed to attach to the roof and hang over the mural to provide illumination.
- The mural will visually impact on the place; however, the mural can be considered to be removable and is not located to the prominent street corner.
- Overall, the proposed mural and lighting to the south wall will not have a significant impact on the cultural heritage significance of *Newmarket Hotel*.

**Advice**

We have no objection to the proposal, in accordance with the plans submitted.

Please be reminded that you are required under r.42(3) of the *Heritage Regulations 2019* to provide us with a copy of the Council's determination within 10 days after making the decision.

Should you have any queries regarding this advice please contact Ellen Ogborne at [ellen.ogborne@dplh.wa.gov.au](mailto:ellen.ogborne@dplh.wa.gov.au) or on 6552 4132.

Yours faithfully



Karen Jackson  
A/Director Heritage Development

28 January 2021

cc: Michele Cleaver-Wilkinson, [info@swanriverballet.com.au](mailto:info@swanriverballet.com.au)



## 11. ASSESSMENT OF CULTURAL HERITAGE SIGNIFICANCE

The criteria adopted by the Heritage Council in November 1996 have been used to determine the cultural heritage significance of the place.

### PRINCIPAL AUSTRALIAN HISTORIC THEME(S)

- 8.4 Eating and Drinking
- 3.22 Lodging People

### HERITAGE COUNCIL OF WESTERN AUSTRALIA THEME(S)

- 311 Hospitality industry and tourism
- 405 Sport, recreation and entertainment

#### 11.1 AESTHETIC VALUE\*

*Newmarket Hotel* is a well-resolved and impressive example of a two-storey Federation Filigree style building with random rubble limestone walls, tuck-pointed brick quoining, and a two-storey timber verandah that extends across both street elevations and overhangs the footpath. (Criterion 1.1)

*Newmarket Hotel* is a landmark as an imposing two-storey building located on a prominent corner site and featuring a distinctive parapeted form that is truncated at the corner. (Criterion 1.3)

#### 11.2. HISTORIC VALUE

*Newmarket Hotel* was constructed to service the expansion of industry and agriculture south of Fremantle from the late nineteenth century. (Criterion 2.2)

*Newmarket Hotel* is particularly associated with the horse racing industry in the area south of Fremantle, which thrived from the early 1900s to the 1970s. The hotel was named after the centre for horse racing near London. (Criterion 2.2)

From 1945 to 1949, *Newmarket Hotel* was run by hotelier George Russell Thompson, a professional boxer from 1922 to 1930 who was the Australian heavyweight boxing champion. (Criterion 2.3)

\* For consistency, all references to architectural style are taken from Apperly, R., Irving, R., Reynolds, P. *A Pictorial Guide to Identifying Australian Architecture. Styles and Terms from 1788 to the Present*, Angus and Robertson, North Ryde, 1989.

For consistency, all references to garden and landscape types and styles are taken from Ramsay, J. *Parks, Gardens and Special Trees: A Classification and Assessment Method for the Register of the National Estate*, Australian Government Publishing Service, Canberra, 1991, with additional reference to Richards, O. *Theoretical Framework for Designed Landscapes in WA*, unpublished report, 1997.

**11. 3. SCIENTIFIC VALUE****11. 4. SOCIAL VALUE**

*Newmarket Hotel* contributes to the local community's sense of place as a prominent landmark in the area, located at the intersection of two major roads. (Criterion 4.2)

**12. DEGREE OF SIGNIFICANCE****12. 1. RARITY**

*Newmarket Hotel* is a rare example of a substantial hotel built in a sparsely populated semi-rural area, with few residences or commercial premises nearby. (Criterion 5.1)

**12. 2 REPRESENTATIVENESS**

*Newmarket Hotel* is a fine representative example of a Federation Filigree hotel located on a corner site. (Criterion 6.1)

*Newmarket Hotel* is representative of the Australian pub tradition, as a two-storey hotel with deep verandahs, located on a prominent or corner site. (Criterion 5.2)

**12. 3 CONDITION**

*Newmarket Hotel* is in fair to good condition. There is evidence of deterioration due to the lack of occupation of the premises, namely broken glazing to the sash windows and leadlights. The roof appears to have been recently reclad and is in good condition, however the gutters and downpipes are generally in a poor condition. There is evidence of patching and repairs to the limestone. The masonry to the street elevations is generally in a good condition and the parapet appears to have been repainted recently. The joinery is generally in a fair to good condition. The timber elements to the verandah are in a fair condition.

An internal inspection was unable to be undertaken at the time of assessment.

**12. 4 INTEGRITY**

*Newmarket Hotel* appears to have a high level of integrity. An internal inspection was unable to be undertaken at the time of assessment.

**12. 5 AUTHENTICITY**

*Newmarket Hotel* appears to have a high level of authenticity. Changes to the fabric evident externally include painting of the brick quoining to the street elevations and a rendered ashlar effect to the limestone on the street elevation. The timber posts, valance and balustrading to the verandah have been replaced with metal elements. The section at the southern end of Cockburn Street appears to have been a later addition.

An internal inspection was unable to be undertaken at the time of assessment.

### 13. SUPPORTING EVIDENCE

The documentation for this place is based on the heritage assessment completed by Wayne Moredoundt, historian, and Palassis Architects, in May 2004, with amendments and/or additions by HCWA staff and the Register Committee.

The assessment documentation has been completed within a number of constraints, including a lack of historical sources (refer Section 13.5 'Further Research') and an inability to access the building internally.

#### 13.1 DOCUMENTARY EVIDENCE

*Newmarket Hotel* is a two-storey limestone and brick building with an iron roof, constructed c.1912 in the Federation Filigree style. It is situated at the southeastern section of the intersection of Rockingham Road and Cockburn Road, Hamilton Hill.

The discovery of gold in the Kimberley, Murchison and Eastern Goldfields regions in the 1880s and 1890s had a significant positive impact on the economic development of Western Australia. Like other areas throughout the State, Fremantle was transformed as a result of the gold boom with the population of the area increasing significantly.<sup>1</sup> Although the majority of new arrivals passed through Fremantle on their way to the goldfields, a considerable number remained in the town, securing work on the wharves and in the factories and foundries that were being established in the area. New settlement and industries developed in the outlying areas of the town to support this growth.<sup>2</sup>

In 1899, George Robb's original land grant, which extended from what is now Hamilton Hill to North Lake, was subdivided into 42 sections. These in turn were subdivided into smaller allotments.<sup>3</sup> At the beginning of the twentieth century, the semi-rural areas south of Fremantle became the location for a variety of primary and secondary industries that supplied the needs of the port city. In the east of the Cockburn District, horticulturists engaged in intensive vegetable cultivation, at South Coogee there were orchards and vineyards, and at Hamilton Hill were found market gardens, lime kilns and dairies. Throughout Spearwood, Munster and Henderson a vast expanse of holding paddocks pastured the stock from the Kimberley region.<sup>4</sup>

Secondary industry also developed in the eastern part of the area; along the Rockingham Road in Hamilton Hill, Joseph and Levi Baker built a slaughterhouse, later adding a boiling-down works, and a piggery, and a factory where small-goods were produced.<sup>5</sup> At the same time, the coastal strip developed as an area where noxious industries were located, including the Fremantle Smelting Works, and the slaughter houses, boiling down works, bone mills, blood manure factories, skin drying sheds, sausage skin factories, gut-scraping works and stockyards of Copley and Co.; Forrest, Emmanuel and Co.; and Connor, Doherty and Durack. There was also an explosives magazine built in the sand hills near Robb Jetty.<sup>6</sup>

<sup>1</sup> C.T. Stannage, *The People of Perth*, Perth City Council, 1980, pp. 193-94.

<sup>2</sup> J. Lee, *This is East Fremantle*, Publication Printers, Perth, 1979, p. 2.

<sup>3</sup> Michael Berson, *Cockburn: The Making of a Community*, Town of Cockburn, 1978, pp. 94-95.

<sup>4</sup> Berson, *Cockburn*, pp. 104-05.

<sup>5</sup> Berson, *Cockburn*, pp. 97-104.

<sup>6</sup> Berson, *Cockburn*, pp. 97-101.

Horse racing also played an integral role in the development of South Fremantle and Hamilton Hill with the first horse races in the Swan River Colony held at South Beach on 3 October 1833. Subsequently, meetings were held at various places in the Perth metropolitan area, including at East Perth and Belmont. Horse stables were a characteristic feature in residential areas located near such courses and many animals were trained in local parks and streets.<sup>7</sup>

Participation in horse racing increased dramatically during the 1890s. A number of metropolitan racecourses, such as Helena Vale, Canning Park, and Belmont were affiliated with and consequently regulated by the Western Australian Turf Club (WATC), which had been established in 1852. Unregistered courses such as those at Coogee, Bicton, Kensington, Jandakot, Rockingham and Woodman's Point also continued to operate during this time. Most unregistered courses ceased to exist after 1917, however, when State Parliament granted the power to control racing in Western Australia to the WATC.<sup>8</sup>

As was the case with areas like East Perth, Belmont, and Canning Park, the presence of racetracks at Bicton, Jandakot, and Woodman's Point led to the development of horse stables and training tracks at South Fremantle and Hamilton Hill.<sup>9</sup> At the height of the racing industry's development, there were approximately 400 horses stabled in the South Fremantle and Hamilton Hill area and trained at South Beach. Associated business such as blacksmiths and saddlers were also established, and the trainers and jockeys such as the Collison, Millers, Cockell and Marks families became well known local identities.<sup>10</sup>

On 5 July 1904, the title to Lot 3 Cockburn Sound Location 5, on which *Newmarket Hotel* was built, was transferred to Alexander Watson. On 25 April 1905, this land was transferred to Hugh Spicer Brockman and William Locke Brockman of Donnybrook and the Warren, respectively.<sup>11</sup> Around 1912, *Newmarket Hotel* was constructed,<sup>12</sup> with both the Hotel and nearby road named after the centre for horse racing near London. The first licensee of *Newmarket Hotel* was Benjamin T. Mainstone.<sup>13</sup>

Although the Hotel was situated in a semi-rural area, with only a scattered residential population in the immediate vicinity, most trade was derived from a number of other sources. These included the market gardeners, dairy farmers and orchardists from the Cockburn district who stopped off at *Newmarket Hotel* on their way home from the Fremantle markets; nearby racehorse owners, trainers and jockeys; and workers from the surrounding meat processing and other industries.<sup>14</sup> It is likely that the Hotel was very much a 'working class' establishment.<sup>15</sup>

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- <sup>7</sup> S.F. Cusack, 'Horse Racing in Western Australia', in RWAHS, *Early Days*, Vol. II, Part XIX, pp. 47, 48-50, 58.
- <sup>8</sup> Cusack, 'Horse Racing in Western Australia', pp. 50-56.
- <sup>9</sup> Cusack, 'Horse Racing in Western Australia', pp. 48-58.
- <sup>10</sup> *West Australian*, 25 February 1989.
- <sup>11</sup> Certificate of Title: Volume 301 Folio 93.
- <sup>12</sup> The designer and builder of the Hotel are unknown.
- <sup>13</sup> *Post Office Directory*, 1900-1920.
- <sup>14</sup> Berson, *Cockburn*, pp. 100-101, 142-43, 150.
- <sup>15</sup> In Bill Marks' account of the social milieu surrounding the racing industry in the area a large proportion of the people involved were irresponsible 'layabouts', drunkards, and semi-criminal types. Bill Marks, *South to Sillytown: Tales of Battlers and Larrikins*, Fremantle Arts Centre Press, 1997, passim.

There was also a growing residential population a kilometre or two away in the Hamilton Hill area, especially between Healy Road and Rockingham Road. There, small blocks of land provided space to house tradesmen and others, who travelled each day to work in Fremantle. South of *Newmarket Hotel* on Rockingham Road, a few shops and produce stores also developed to service the local area, as well as the more distant localities of Bibra Lake and Jandakot.<sup>16</sup>

From the early 1910s to the late 1920s there were significant changes brought about by the introduction of the *Licensing Act* in 1911. State run hotels were established and there was the introduction of stricter standards for all hotels. A Royal Commission on Licensing in 1921-22 resulted in the Liquor Act Amendment Act 1922. A Licenses Reduction Board was established to control and regulate the number of licenses issues. Stricter building controls governed the alteration of hotel buildings.<sup>17</sup>

*Newmarket Hotel* continued to be run by Benjamin Mainstone until 1930, when the place was taken over by Lindsay H. O'Neil.<sup>18</sup> By the late 1920s and early 1930s many improvements had been carried out to metropolitan hotels, often in the form of art deco facades. The Licenses Reduction Board continued its policy of inspecting licensed premises and making recommendations about improvements and additions.<sup>19</sup>

In 1934-35 until 1940-41, the Hotel was run by H.G. Townshend, and from 1945 to 1949 by George Russell Thompson.<sup>20</sup> The latter, born in Fremantle in 1898, also received his education in the Port city. From 1922 to 1930, he was a professional boxer and had won the heavy weight boxing championship of Australia. Before taking over *Newmarket Hotel*, Thompson was the licensee of the Occidental Hotel in Reedy.<sup>21</sup>

By the end of 1939, the high cost of labour for servicing rooms resulted in many hotels reducing or closing their accommodation facilities, but retaining provision of meals and drinks.

An oblique aerial photograph taken in the late 1950s<sup>22</sup> clearly shows the substantial *Newmarket Hotel* located in a sparsely populated semi-rural area with few residential or commercial premises nearby. The only other building visible in the photograph is a single storey residential building to the east on Rockingham Road, which is no longer extant. The corner of Rockingham Road and Cockburn Road on which the hotel is located is curbed and marked for car parking. A number of cars are also parked on the vacant lot opposite the hotel on Cockburn Road. *Newmarket Hotel* appears largely as it remains today, that is a two-storey building truncated on the corner with prominent parapets, tall chimneys and a wrap-around timber verandah featuring timber posts, valance and balusters. Two-storey wings (without front verandahs) are located to either end of the two street fronts. A single storey brick building with a flat roof, the 'Newmarket Tavern', is located to the southern end of the hotel.

<sup>16</sup> Berson, *Cockburn*, pp. 96-97.

<sup>17</sup> Ball, J. Kelsall, D. & Pidgeon, J. 'Statewide Survey of Hotels 1829-1939, Southern Region, Western Australia', prepared for the National Trust of Australia (WA), November 1997, p.32

<sup>18</sup> *Post Office Directory*, 1920-1930.

<sup>19</sup> Ball, J. Kelsall, D. & Pidgeon, J. 'Statewide Survey of Hotels 1829-1939, Southern Region, Western Australia', prepared for the National Trust of Australia (WA), November 1997, p.43

<sup>20</sup> *Post Office Directory*, 1930-1949.

<sup>21</sup> V.H. Colless, *Men of Western Australia*, Perth, 1937, Plate 438.

<sup>22</sup> Swan Brewery Collection, Photographs numbers 646 and 3917, c. late 1950s; photographs and annotated plans (dated 5/12/02), in HCWA files P00504.



Reduced financial returns and shortages of preservative oils during World War Two left many timber structures in poor condition. Many of the timber, two storey verandahs of the Federation buildings fell into disrepair. Many verandahs were removed and not replaced on these hotels.<sup>23</sup>

From 1960 to at least 1978 the Newmarket Tavern was managed and most likely owned by E.W. Clarke. It remained in use as a tavern until at least 2002.<sup>24</sup> It is no longer extant.<sup>25</sup>

A Planning Application was lodged with HCWA on 29 October 2002 by Thompson Ong & Associates, Architects & Planners, on behalf of Kee-Vee Properties Pty Ltd. This application indicated an intention to demolish the 'Lounge Bar Additions', also known as Newmarket Tavern, and proposed the construction of new apartments directly east of *Newmarket Hotel*, and the refurbishment and conversion of the existing hotel to provide seven apartments. The 'Lounge Bar Additions' have since been demolished.

### 13.2 PHYSICAL EVIDENCE

*Newmarket Hotel* comprises a two-storey random rubble limestone and brick building with a corrugated iron roof concealed by a parapet, and a two-storey timber verandah extending across two street elevations. The building was built c. 1912, in the Federation Filigree style.

*Newmarket Hotel* is located in Hamilton Hill, on the east side of Cockburn Road where it intersects with Rockingham Road. Both Cockburn Road and Rockingham Road run parallel to each other in a north-south direction between Fremantle and Rockingham before joining, at this intersection, where Rockingham Road commences. The intersection is marked by traffic lights, and *Newmarket Hotel* is located on its southeast corner. The building is set back approximately 1.5 metres from the road edge and the outer extent of the verandah immediately abuts the bitumen footpath on both street frontages. A low limestone wall, which aligns with the western edge of the building, has been constructed to the south of *Newmarket Hotel*, where a vacant site and a bitumen carpark are located. A small brick and limestone service yard, an immature Poplar tree, and a large shrub are located immediately east of the building. The adjoining site (to the east) is vacant. The surrounding area is mostly light industrial.

*Newmarket Hotel* is a prominent two-storey landmark building on Cockburn Road, which has a distinctive truncated form that addresses its corner location. The building features random rubble limestone walls with red-brick quoining. The north and west elevations have a flush-pointed limestone finish with coursed joints, and the brick quoining is tuck-pointed, although, along with sections of the brick horizontal banding, the quoining has been painted white.

The building features a two-storey wrap-around verandah. The verandah has original timber floors and framing, a corrugated iron hipped roof (a recent replacement), and tubular steel columns and a wire-mesh and tubular steel balustrade, replacing an earlier timber construction that had ornate timber balustrades, posts and valance. Another two-storey verandah is located to the

<sup>23</sup> p. 57

<sup>24</sup> Western Australian Telephone Directories - 1960, 1965, 1970, 1973, 1974, 1975/76, 1978, 1980, 1985, 1990, 1993, 2002

<sup>25</sup> The dates of construction and demolition of the tavern are not known.



rear (southeast) of *Newmarket Hotel*. This verandah also combines original timber framing and more recent tubular steel replacements.

*Newmarket Hotel* has vertically proportioned double-hung and arched windows with rendered sills weathered outwards. A large lead-light window is visible on the rear (south) elevation. Doors to the rear elevation are typically four-panel timber doors. There are two entries, one located on the truncated corner and the other, off Cockburn Road. An arched awning constructed under the verandah marks the entrance off Cockburn Road, which has a semi-circular arched opening, a lead-light fanlight overhead and matching leadlight sidelights. The entry on the truncated corner has a similar semi-circular arched opening and also includes a sign, 'Newmarket Inn', positioned above its timber double-doors. Both entry bays are smooth rendered and painted, with simple classical ornamentation continued in the design of the three tall masonry chimneys and the uppermost sections of the parapets.

The parapeted walls extend across the building's two street elevations, for the length of the two-storey timber verandah, and terminate at each end in hipped roof sections. The easternmost section (along Rockingham Road) is part of the original hotel building, as evidenced by the random rubble limestone construction and the façade treatments. The rear verandah is located on the south elevation of this section.

The hipped-roof section attached to the south end of the west elevation is visibly different from the rest of the building and its parts appear to date from more than one period of construction – the limestone and brick ground floor walling to the rear (east) and side (south) matches the detailing and construction of the early *Newmarket Hotel* fabric and may be the remains of a former single-storey section. The majority of the upper floor appears to be constructed of brick. The west elevation of this section has semi-circular arched openings across the ground floor and simple vertically proportioned sash windows on the first floor, designed to sympathise with the pattern of the original façade. The roof of the two-storey verandah has been extended across the front of this section and is supported by tubular steel columns.

Although no internal inspection could be undertaken, plans and photographs dating from 2002 record the interior of *Newmarket Hotel*, which comprises a lazy L-shaped plan, with a central staircase and circulation corridors running on the inside of the two wings.<sup>26</sup> Externally, a number of changes are evident. The former 'Newmarket Tavern', indicated by a building outline on the plans, and visible in earlier photographs, is no longer extant. Similarly, three additions indicated at the rear (east) of the place, probably former ablution blocks, no longer exist. A further change is the replacement of timber verandah supports and balustrades with metal posts and wire netting.

In general, the interior appears to retain considerable original or early fabric, including ornate timber joinery, timber-framed sash windows, panelled and glazed timber doors, decorative arched openings, plastered masonry walls – although some are wall-papered – and pressed metal ceilings. The photographs do not provide clear evidence of the floor material throughout, although some photographs suggest timber floorboards in place.<sup>27</sup>

<sup>26</sup> Photographs and annotated plans (dated 5/12/02), in HCWA file P00504.

<sup>27</sup> Photographs and annotated plans (dated 5/12/02), in HCWA files.

Entry to *Newmarket Hotel* is via an entry foyer, located halfway along the west elevation, or through double-doors located on the truncated northern corner. The plans and photographs show the foyer area divided into a vestibule, lobby and stair hall and featuring timber-framed panelled and glazed doors, with a large stained-glass fanlight (over the external door) and original pressed metal ceilings, featuring decorative cornices and ceiling roses. The central staircase is timber and features a painted timber balustrade, with turned newel posts and an attractive stained glass window located on the east wall. An unusual arched opening, with decorative square columns acting as mullions, is located on the north wall of the stair hall, opening through to the adjacent corridor.<sup>28</sup>

Rooms on the ground and first floors are typical of the hierarchical arrangement of hotels of the time, comprising former lounges and bars - which are identified by their generous proportions, relationship with the street and formal detailing; former service areas - which are typically small rooms located to the rear (southeast) and connected by secondary corridors, doorways and hatches; and, accommodation areas - typically in a separate wing, comprising smaller rooms and communal bathrooms that are connected by a central corridor, with access to the balconies and central staircase.

Fixtures and furnishings appear to have been removed from the rooms, although the original fireplace surrounds and mantles appear to be intact. In particular, a highly ornate timber fireplace surround is located in the northernmost (corner) room of the first floor. Other fixtures that are intact but may have been added over time include window pelmets, ceiling fans and electric chandeliers.<sup>29</sup>

No development has occurred to the east of the hotel and no works have been carried out to the hotel itself, which remains vacant in May 2004.<sup>30</sup>

### 13. 3 COMPARATIVE INFORMATION

*Newmarket Hotel*, comprising a two-storey brick and limestone Federation Filigree building, constructed c.1912, may be compared to a number of other places of similar function, architectural style and time period. The HCWA database lists over one hundred hotels in the Federation Filigree style, of these a number of places, which are included on the State Register of Heritage Places, have been selected for their specific stylistic similarities.

02392 *Windsor Hotel* comprises a two-storey brick and iron Federation Filigree style building, constructed in 1898 and located on the corner of Mends Street and Mill Point Road in South Perth. As with *Newmarket Hotel*, the *Windsor Hotel* features a two-storey timber-framed verandah extending across both street elevations and is truncated at the corner, where the main entry is located. *Windsor Hotel* has tuck-pointed Flemish bond brickwork contrasted against rendered horizontal banding, semi-circular arched openings, and a corrugated iron roof concealed by a parapet. *Windsor Hotel* is similar to *Newmarket Hotel* in terms of integrity and authenticity, but is in better condition. It is classified by the National Trust, included on the Register of the National Estate, and listed on the City of South Perth's Municipal Inventory.

00570 *Railway Hotel (fmr) Coolgardie* (1896) comprises a two-storey Federation Filigree and Federation Free Classical style building with Flemish bond tuck-pointed brick walls, rendered brick banding, an iron roof concealed behind a

<sup>28</sup> Photographs and annotated plans (dated 5/12/02), in HCWA files.

<sup>29</sup> Photographs and annotated plans (dated 5/12/02), in HCWA files.

<sup>30</sup> Information found in the HCWA file for *Newmarket Hotel*.

parapet, and timber verandahs to both first and second floors. As with *Newmarket Hotel*, the place is an eclectic assemblage of Federation Free Classical and Federation Filigree style elements, sited to take advantage of the prominent street location. *Railway Hotel (fmr) Coolgardie* is similar to *Newmarket Hotel* in terms of condition, integrity and authenticity. It is classified by the National Trust, included on the Register of the National Estate, and listed in the Shire of Coolgardie's Municipal Inventory.

02637 *Moran's Wagin Hotel* is a double-storey stone, brick and iron hotel (c.1904) in the Federation Filigree style, with associated outbuildings including commercial rooms, staff quarters and tank stand. As with *Newmarket Hotel*, *Moran's Wagin Hotel* is an imposing landmark, located on a prominent corner site and features a two-storey timber wrap-around verandah that is truncated at the corner and extends over the footpath. The light-coloured stone quoining, parapeted facades, and arched door and window openings of *Moran's Wagin Hotel* are similar to *Newmarket Hotel's* façade treatment. *Moran's Wagin Hotel* is similar to *Newmarket Hotel* in terms of condition and integrity, but has a higher degree of authenticity. It is included in the Shire of Wagin's Municipal Inventory.

01463 *State Hotel (fmr)*, Leonora, comprises a two-storey brick and iron Federation Filigree style hotel building constructed in 1903 and featuring a decorative timber wrap-around verandah, parapeted walls concealing the iron roof and a corner entry. As with *Newmarket Hotel*, *State Hotel (fmr)* is a landmark building, located on prominent corner with the two-storey verandah on both street facades that extend over the footpath. *State Hotel (fmr)* is similar to *Newmarket Hotel* in terms of condition, integrity and authenticity. It is classified by the National Trust, included on the Register of the National Estate and listed on the Shire of Leonora's Municipal Inventory.

00320 *Bruce Rock Hotel* comprises a two-storey brick and iron Federation Filigree style building first constructed in 1914 and located on a prominent corner in the main street of Bruce Rock. The place features deep shady timber verandahs that extend over the footpath on two elevations, a truncated corner with a faceted, hipped roof, and red-brick walls with rendered horizontal banding, features similar to *Newmarket Hotel*. *Bruce Rock Hotel* is also similar in terms of condition, integrity and authenticity. It is included on the Shire of Bruce Rock's Municipal.

*Newmarket Hotel* is representative of the Federation Filigree style of architecture, and also of the theme of hotels located on prominent corner sites.

#### 13.4 KEY REFERENCES

No key references.

#### 13.5 FURTHER RESEARCH

There has been limited source material found to assist in compiling the Documentary Evidence for this Assessment. It was not possible to access the City of Cockburn Building Files for the place (owner permission was not granted) and relevant Rate Books are limited. Newspaper and biographical indexes yielded little or no useful material. The *Licensed Victualler's Gazette* is not available for two decades from 1911. Sewage maps for the area predate the construction of the Hotel. Reminiscences of the area, such as those of Bill Marks, do not specifically mention the Hotel.

Further research into the association of the Hotel with the horseracing industry will expand knowledge of its significance within that field. This should, preferably, be combined with oral histories of the horseracing and hospitality industries.

## 15. FINANCE & CORPORATE SERVICES DIVISION ISSUES

### 15.1 PAYMENTS MADE FROM MUNICIPAL FUND - JANUARY 2021

**Author(s)** N Mauricio

**Attachments**

1. Monthly Payments Listing - January 2021 [↓](#)
2. Credit Card Spend Summary - December 2020 [↓](#)

#### RECOMMENDATION

That Council receive the list of payments made from the Municipal Fund for January 2021, as attached to the Agenda.

#### Background

Council has delegated its power to make payments from the Municipal or Trust fund to the CEO and other sub-delegates under Delegated Authority 'Local Government Act 1995 - Payment from Municipal & Trust Funds'.

Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* requires a list of accounts paid under this delegation to be prepared and presented to Council each month.

It should be noted that the City no longer holds any funds within the Trust fund, following legislative amendments requiring public open space (POS) cash in lieu contributions to now be held in Municipal reserves. All monies previously held in Trust were transferred to the Municipal fund in November 2020.

#### Submission

N/A

#### Report

A listing of payments made during January 2021 with a grand total of \$13,971,707 is attached to the agenda for review. This comprises:

- EFT payments list (suppliers and sundry creditors) - \$10,771,911;
- Payroll payments summary - \$3,095,786;
- Corporate credit card expenditure - \$79,697; and
- Bank and merchant fees - \$24,312.

Also attached is a separate listing of credit card spending during the month of December (settled in January), summarised by each cardholder. This includes transaction details for the Acting CEO spend total of \$213.86.

The City's procurement spend with local City of Cockburn businesses reduced from 24.6% to 4.4% for December, significantly impacted by a large value tender awarded during the month to a non-city business.

However, in terms of the actual number of procurements made for the month with Cockburn businesses, these were up from 19.1% to 20.4%.

Procurement spending with businesses located within the South West Group increased from 35.3% to 53.3% for the month, positively impacted by the awarded tender.

These results indicate that Council's local and regional economy principle contained within its Procurement Policy (buy local procurement preference), continues being effective in influencing procurement outcomes for the City's activities.

### **Strategic Plans/Policy Implications**

#### Local Economy

*A sustainable and diverse local economy that attracts increased investment and provides local employment.*

- Support and promote the benefits of buying locally.

#### Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.
- Deliver value for money through sustainable financial management, planning and asset management.

### **Budget/Financial Implications**

All payments made have been provided for within the City's Annual Budget, as adopted and amended by Council.

### **Legal Implications**

This item ensures compliance with S6.10(d) of the *Local Government Act 1995* and Regulations 12 and 13 of the *Local Government (Financial Management) Regulations 1996*.

### **Community Consultation**

N/A

### **Risk Management Implications**

Council is receiving the list of payments already made by the City under delegation in meeting its contractual obligations. This is a statutory requirement and allows Council to review and question any payment that has been made.

**Advice to Proponents/Submitters**

N/A

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

Nil

## January 2021 PAYMENT LISTING

## MUNICIPAL FUND

PAYMENT No.	ACCOUNT No.	PAYEE	PAYMENT DESCRIPTION	DATE	VALUE \$
EF136580	10152	Aust Services Union	Payroll Deductions	5/01/2021	1,065.80
EF136581	10154	Australian Taxation Office	Payroll Deductions	5/01/2021	474,235.00
EF136582	10305	Child Support Agency	Payroll Deductions	5/01/2021	1,250.07
EF136583	10484	Department Of Mines, Industry Regulation And Safety	Building Services Levy	5/01/2021	82,038.13
EF136584	11001	Local Government Racing & Cemeteries Employees Union Lgrceu	Payroll Deductions	5/01/2021	82.00
EF136585	11857	Champagne Social Club	Payroll Deductions	5/01/2021	392.50
EF136586	11860	45S Club	Payroll Deductions	5/01/2021	14.00
EF136587	19726	Health Insurance Fund Of Wa	Payroll Deductions	5/01/2021	1,291.40
EF136588	25987	Toyota Fleet Management	Payroll Deductions - Novated Lease	5/01/2021	608.14
EF136589	27874	Smartsalary	Salary Packaging/Leasing Administration	5/01/2021	13,951.22
EF136590	88888	Gm Coogee Pty Ltd	Bond Refund	5/01/2021	101,524.17
EF136591	99997	Family Day Care	Fdc Payment We 03/01/2021	7/01/2021	37,508.95
EF136592	99997	In Home Care Payments	Ihc Payments We 03/01/2021	7/01/2021	13,552.04
EF136593	10152	Aust Services Union	Payroll Deductions	11/01/2021	1,065.80
EF136594	10154	Australian Taxation Office	Payroll Deductions	11/01/2021	490,358.00
EF136595	10305	Child Support Agency	Payroll Deductions	11/01/2021	1,304.61
EF136596	11001	Local Government Racing & Cemeteries Employees Union Lgrceu	Payroll Deductions	11/01/2021	82.00
EF136597	11857	Champagne Social Club	Payroll Deductions	11/01/2021	392.00
EF136598	11860	45S Club	Payroll Deductions	11/01/2021	14.00
EF136599	19726	Health Insurance Fund Of Wa	Payroll Deductions	11/01/2021	1,291.40
EF136600	25987	Toyota Fleet Management	Payroll Deductions - Novated Lease	11/01/2021	608.14
EF136601	27874	Smartsalary	Salary Packaging/Leasing Administration	11/01/2021	12,472.02
EF136602	26987	Cti Risk Management	Security - Cash Collection	13/01/2021	3,349.65
EF136603	99996	Melissa Anne Heelan	Rates and Property related EFT Refuds	15/01/2021	30.00
EF136604	99996	Shivika Naidu	Rates and Property related EFT Refuds	15/01/2021	30.00
EF136605	99996	Beverley Anne Tysoe	Rates and Property related EFT Refuds	15/01/2021	30.00
EF136606	99996	Charles Laurenson	Rates and Property related EFT Refuds	15/01/2021	25.00
EF136607	99996	Caitlyn-Maree Murray	Rates and Property related EFT Refuds	15/01/2021	10.00
EF136608	99996	Kione Joy Routley	Rates and Property related EFT Refuds	15/01/2021	42.50
EF136609	99996	Land Surveys	Rates and Property related EFT Refuds	15/01/2021	1,111.50
EF136610	99996	Plunkett Homes Pty Ltd	Rates and Property related EFT Refuds	15/01/2021	818.27
EF136611	99996	Charles Thomas & Teresa Anne Beauglehole	Rates and Property related EFT Refuds	15/01/2021	100.00
EF136612	99996	Jela Knezevic	Rates and Property related EFT Refuds	15/01/2021	772.95
EF136613	99996	Diane Lesley Moore	Rates and Property related EFT Refuds	15/01/2021	790.31
EF136614	99996	Colleen Cashman	Rates and Property related EFT Refuds	15/01/2021	91.51
EF136615	99996	He Sun	Rates and Property related EFT Refuds	15/01/2021	772.96
EF136616	99996	Cameron Capraro	Rates and Property related EFT Refuds	15/01/2021	440.00
EF136617	99996	Stephen Velden	Rates and Property related EFT Refuds	15/01/2021	371.50
EF136618	99996	Rachael Hall	Rates and Property related EFT Refuds	15/01/2021	496.37
EF136619	99996	Janet Elizabeth Selboskar	Rates and Property related EFT Refuds	15/01/2021	350.00
EF136620	99996	Gold Estates Holdings Pty Ltd	Rates and Property related EFT Refuds	15/01/2021	876.88



EF136621	99996	Stockland Wa Development Pty Ltd	Rates and Property related EFT Refuds	15/01/2021	669.46
EF136622	99996	Pelt Pty Ltd	Rates and Property related EFT Refuds	15/01/2021	258.91
EF136623	88888	Agnes Ray-Chow	Bond Refund	15/01/2021	150.00
EF136624	88888	Michael Goddard	Bond Refund	15/01/2021	375.00
EF136625	88888	David Mitchell	Bond Refund	15/01/2021	500.00
EF136626	88888	Invested Project Management	Bond Refund	15/01/2021	4,562.50
EF136627	99997	Loredana Runcan	Compost Bin Rebate	15/01/2021	50.00
EF136628	99997	Annie Martin	Senior Security Subsidy Scheme	15/01/2021	300.00
EF136629	99997	Maria Scilipoti	Hcp Unspent Funds - Maria Scilipoti	15/01/2021	845.19
EF136630	99997	Malcolm Mallia	Faulty Goggle's Refund	15/01/2021	19.00
EF136631	99997	Rajnish Kumar Mishra	Refund	15/01/2021	20.00
EF136632	99997	Mariana Foo	Waterwise Rebate - Mariana Foo	15/01/2021	499.44
EF136633	99997	Melville Cockburn Chamber Commerce (Mccc	Sponsorship Mccc	15/01/2021	22,000.00
EF136634	99997	P.D. Caltsounis	Crossover Contribution - P Caltsounis	15/01/2021	300.00
EF136635	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	15/01/2021	286.00
EF136636	99997	David La Rosa	Fachire20 / 0357	15/01/2021	240.00
EF136637	99997	Sarah Robinson	Reimbursement Fees - Sarah Robinson	15/01/2021	595.00
EF136638	99997	Leslie Bird	Senior Security Subsidy Scheme	15/01/2021	100.00
EF136639	99997	Helen Skellett	Senior Security Subsidy Scheme	15/01/2021	100.00
EF136640	99997	Darryl Smith	Senior Security Subsidy Scheme	15/01/2021	200.00
EF136641	99997	Nancy Carrasco	Senior Security Subsidy Scheme	15/01/2021	100.00
EF136642	99997	Ante Bozanic	Senior Security Subsidy Scheme	15/01/2021	200.00
EF136643	99997	Brian D'cruz	Senior Security Subsidy Scheme	15/01/2021	300.00
EF136644	99997	Natalia De Freitas	Senior Security Subsidy Scheme	15/01/2021	37.40
EF136645	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	15/01/2021	200.00
EF136646	99997	David Wallis	Senior Security Subsidy Scheme	15/01/2021	200.00
EF136647	99997	Joynalyn Maneze/Melchor Maneze	Crossover Contribution - Joynalyn Maneze	15/01/2021	300.00
EF136648	99997	Cf Khoh	Crossover Contribution - Chien Khoh	15/01/2021	300.00
EF136649	99997	Duc V Chau	Crossover Contribution - Duc Vinch Chau	15/01/2021	300.00
EF136650	99997	Paul Macdonald	Senior Security Subsidy Scheme	15/01/2021	200.00
EF136651	99997	David Gallagher	Senior Security Subsidy Scheme	15/01/2021	300.00
EF136652	99997	John Mcneill	Senior Security Subsidy Scheme	15/01/2021	200.00
EF136653	99997	Giacoho Collica	Senior Security Subsidy Scheme	15/01/2021	300.00
EF136654	99997	Peter Smith	Senior Security Subsidy Scheme	15/01/2021	300.00
EF136655	99997	John Van Der Spuy	Senior Security Subsidy Scheme	15/01/2021	300.00
EF136656	99997	Norrey Brown	Senior Security Subsidy Scheme	15/01/2021	100.00
EF136657	99997	Alan Brooks	Senior Security Subsidy Scheme	15/01/2021	100.00
EF136658	99997	Andrea Polednik	Membership Cancellation	15/01/2021	51.00
EF136659	99997	Jandakot Volunteer Bush Fire Brigade	Invoice 322 - Officeworks Printer	15/01/2021	397.00
EF136660	99997	Swann, Sandra	Fee Reimbursment - Sandra Swann	15/01/2021	1,125.00
EF136661	99997	Tang, Slew Kiang	Fee Reimbursement - Kathryn (Slew) Tang	15/01/2021	1,125.00
EF136662	99997	Cockburn Senior Citizens Association Inc	Invoice - Bus Hire 9Th Oct 2020	15/01/2021	150.00
EF136663	99997	Harcourts Blue General	Refund For Overcharge	15/01/2021	50.00
EF136664	99997	Waste Management And Resource Recovery A	Invoice Inv-6332	15/01/2021	1,675.00
EF136665	99997	Hannah Lethbridge	Reimbursement Of Fees	15/01/2021	1,190.00
EF136666	99997	Gideon Danny Santos	Cpa Membership 1/1/21-31/12/21	15/01/2021	360.00
EF136667	99997	Sinta Ng	Cpa Membership 1/1/21-31/12/21	15/01/2021	360.00

EF136668	99997	Ying Jia	Cpa Membership 1/1/21-31/12/21	15/01/2021	360.00
EF136669	10047	Alinta Energy	Natural Gas & Electricity Supply	15/01/2021	20,888.20
EF136670	11794	Synergy	Electricity Usage/Supplies	15/01/2021	335,672.72
EF136671	12025	Telstra Corporation	Communications Services	15/01/2021	2,664.43
EF136672	27475	Lara Kirkwood	Monthly Elected Member Allowance	15/01/2021	166.86
EF136675	10035	Adventure World	Entertainment Services	15/01/2021	407.00
EF136676	10058	Alsco Pty Ltd	Hygiene Services/Supplies	15/01/2021	234.45
EF136677	10091	Aslab Pty Ltd	Asphalting Services/Supplies	15/01/2021	3,025.00
EF136678	10117	Australia Day Council Of Wa	Gold Membership	15/01/2021	11.25
EF136679	10118	Australia Post	Postage Charges	15/01/2021	19,282.06
EF136680	10207	Boc Gases	Gas Supplies	15/01/2021	303.41
EF136681	10221	Bp Australia Pty Ltd	Diesel/Petrol Supplies	15/01/2021	19,417.59
EF136682	10226	Bridgestone Australia Ltd	Tyre Services	15/01/2021	13,975.50
EF136683	10246	Bunnings Building Supplies Pty Ltd	Hardware Supplies	15/01/2021	1,470.01
EF136684	10247	Bunzl Australia Ltd	Paper/Plastic/Cleaning Supplies	15/01/2021	588.72
EF136685	10255	Cabcharge Australia Pty Ltd	Cabcharges	15/01/2021	1,715.39
EF136686	10287	Centreline Markings	Linemarking Services	15/01/2021	2,145.00
EF136687	10307	Cbca Wa Branch (Inc)	Childrens Books	15/01/2021	75.00
EF136688	10338	Cleanaway Pty Ltd	Waste Disposal Services	15/01/2021	474.31
EF136689	10359	Cockburn Painting Service	Painting Supplies/Services	15/01/2021	8,811.00
EF136690	10368	Cockburn Wetlands Education Centre	Community Grant	15/01/2021	28.00
EF136691	10375	Veolia Environmental Services	Waste Services	15/01/2021	11,560.66
EF136692	10483	Landgate	Mapping/Land Title Searches	15/01/2021	10,554.65
EF136693	10528	Easifleet	Vehicle Lease	15/01/2021	368.56
EF136694	10535	Workpower Incorporated	Employment Services - Planting	15/01/2021	15,403.16
EF136695	10597	Flexi Staff Pty Ltd	Employment Services	15/01/2021	25,657.47
EF136696	10679	Grasstrees Australia	Plants & Planting Services	15/01/2021	5,247.00
EF136697	10726	Holton Connor Architects & Planners	Architectural Services	15/01/2021	880.00
EF136698	10732	Horizons West Bus & Coachlines	Transportation Services	15/01/2021	2,128.50
EF136699	10749	Imperial Glass	Glazing Services	15/01/2021	2,915.00
EF136700	10768	Institute Of Public Works Engeering Aust - Wa Inc	Membership Fees	15/01/2021	990.00
EF136701	10787	Jandakot Accident Repair Centre	Panel Beating Services	15/01/2021	1,000.00
EF136702	10888	Lj Caterers	Catering Services	15/01/2021	902.00
EF136703	10912	M2 On Hold	Messaging Services	15/01/2021	396.00
EF136704	10918	Main Roads Wa	Repairs/Maintenance/Funding Contribution	15/01/2021	5,719.51
EF136705	10923	Major Motors Pty Ltd	Repairs/Maintenance Services	15/01/2021	423.07
EF136706	10938	Mrp Pest Management	Pest & Weed Management	15/01/2021	1,447.18
EF136707	10944	Mcleods	Legal Services	15/01/2021	18,153.76
EF136708	10982	Modern Teaching Aids Pty Ltd	Teaching Aids	15/01/2021	1,465.88
EF136709	10991	Beacon Equipment	Mowing Equipment	15/01/2021	976.00
EF136710	11028	Neverfail Springwater Ltd	Bottled Water Supplies	15/01/2021	675.34
EF136711	11036	Northlake Electrical Pty Ltd	Electrical Services	15/01/2021	51,599.73
EF136712	11182	Premium Brake & Clutch Service	Brake Services	15/01/2021	5,625.40
EF136713	11208	Quick Corporate Australia Pty Ltd	Stationery/Consumables	15/01/2021	2,284.69
EF136714	11247	Richgro Wa	Gardening Supplies	15/01/2021	465.96
EF136715	11284	The Royal Life Savng Society Wa Inc Pty Ltd	Training Services	15/01/2021	358.00
EF136716	11307	Satellite Security Services Pty Ltd	Security Services	15/01/2021	8,668.49

EF136717	11308	Boss Industrial Formally Sba Supplies	Hardware Supplies	15/01/2021	1,764.40
EF136718	11334	Shenton Enterprises Pty Ltd	Pool Equipment/Services	15/01/2021	29,415.36
EF136719	11337	Sheridans For Badges	Name Badges & Engraving	15/01/2021	491.26
EF136720	11387	Bibra Lake Soils	Soil & Limestone Supplies	15/01/2021	1,730.00
EF136721	11447	Spearwood Dalmatinac Club Inc	Community Grant	15/01/2021	2,365.00
EF136722	11459	Spearwood Veterinary Hospital	Veterinary Services	15/01/2021	60.00
EF136723	11483	St John Ambulance Aust Wa Operations	First Aid Courses	15/01/2021	35.00
EF136724	11533	Superbowl Melville	Entertainment Services	15/01/2021	254.40
EF136725	11557	Technology One Ltd	It Consultancy Services	15/01/2021	1,056.00
EF136726	11625	Total Eden Pty Ltd	Reticulation Supplies	15/01/2021	6,275.17
EF136727	11642	Trailer Parts Pty Ltd	Trailer Parts	15/01/2021	162.36
EF136728	11701	Vibra Industrial Filtration Australasia	Filter Supplies	15/01/2021	262.90
EF136729	11722	Wa Hino Sales & Service	Purchase Of New Trucks / Maintenance	15/01/2021	593.34
EF136730	11773	Nutrien Ag Solutions	Chemical Supplies	15/01/2021	2,807.53
EF136731	11789	Walga	Advertising/Training Services	15/01/2021	600.00
EF136732	11793	Western Irrigation Pty Ltd	Irrigation Services/Supplies	15/01/2021	34,232.24
EF136733	11795	Western Power	Street Lighting Installation & Service	15/01/2021	1,320.00
EF136734	11835	Wurth Australia Pty Ltd	Hardware Supplies	15/01/2021	632.76
EF136735	11854	Zipform Pty Ltd	Printing Services	15/01/2021	6,183.03
EF136736	12153	Hays Personnel Services Pty Ltd	Employment Services	15/01/2021	7,949.23
EF136737	12565	Southern Metro Regional Council - Loans	Loan Repayment	15/01/2021	15,880.66
EF136738	12589	Australian Institute Of Management	Training Services	15/01/2021	3,624.00
EF136739	12656	Coogee Beach Surf Lifesaving Club Inc	Poore Grove Slsc Development Costs	15/01/2021	1,400.00
EF136740	12672	Norman Disney & Young	Consultancy Services	15/01/2021	6,072.00
EF136741	12791	Alchemy Technology	Computer Software Services	15/01/2021	185.71
EF136742	12796	Isentia Pty Ltd	Media Monitoring Services	15/01/2021	1,496.00
EF136743	13458	Metrocount	Traffic Survey Equipment	15/01/2021	13,838.00
EF136744	13563	Green Skills Inc	Employment Services	15/01/2021	19,954.22
EF136745	13825	Jackson Mcdonald	Legal Services	15/01/2021	1,907.40
EF136746	13860	Krs Contracting	Waste Collection Services	15/01/2021	10,700.25
EF136747	14350	Baileys Fertilisers	Fertiliser Supplies	15/01/2021	7,615.41
EF136748	14530	Donald Veal Consultants Pty Ltd	Consultancy Services	15/01/2021	7,334.25
EF136749	15393	Stratagreen	Hardware Supplies	15/01/2021	540.62
EF136750	15550	Apacaid Inc	Plants & Landscaping Services	15/01/2021	1,361.43
EF136751	15588	Natural Area Consulting Management Services	Weed Spraying	15/01/2021	20,936.74
EF136752	15850	Ecoscape Australia Pty Ltd	Environmental Consultancy	15/01/2021	10,224.50
EF136753	15868	Cardno (Wa) Pty Ltd	Consultancy Services - Engineering	15/01/2021	15,290.00
EF136754	16064	Cms Engineering	Airconditioning Services	15/01/2021	30,743.15
EF136755	16107	Wren Oil	Waste Disposal Services	15/01/2021	206.25
EF136756	16396	Mayday Earthmoving	Road Construction Machine Hire	15/01/2021	39,853.00
EF136757	16653	Complete Portables Pty Ltd	Supply & Hire Of Modular Buildings	15/01/2021	779.43
EF136758	16985	Wa Premix	Concrete Supplies	15/01/2021	20,304.13
EF136759	17555	Maia Financial	Equipment Lease Payments	15/01/2021	56,430.00
EF136760	17608	Nu-Trac Rural Contracting	Beach Cleaning/Firebreak Construction	15/01/2021	10,068.28
EF136761	17827	Nilsen (Wa) Pty Ltd	Electrical Services	15/01/2021	2,829.20
EF136762	17927	Sharyn Egan	Artistic Services	15/01/2021	550.00
EF136763	18126	Dell Australia Pty Ltd	Computer Hardware	15/01/2021	3,805.88

EF136764	18203	Natsync Environmental	Pest Control	15/01/2021	1,000.00
EF136765	18272	Austraclear Limited	Investment Services	15/01/2021	53.37
EF136766	18316	Stiles Electrical & Communication Services	Electrical Services	15/01/2021	231,336.79
EF136767	18621	Planning Institute Australia	Registration	15/01/2021	495.00
EF136768	18801	Fremantle Bin Hire	Bin Hire - Skip Bins	15/01/2021	1,680.00
EF136769	18962	Sealanes (1985) P/L	Catering Supplies	15/01/2021	371.28
EF136770	19533	Woolworths Ltd	Groceries	15/01/2021	813.90
EF136771	19541	Turf Care Wa Pty Ltd	Turf Services	15/01/2021	572.00
EF136772	19649	Telstra Network Integrity Services	Communication Services	15/01/2021	361,429.83
EF136773	20000	Aust West Auto Electrical Pty Ltd	Auto Electrical Services	15/01/2021	5,282.35
EF136774	20247	Christie Parksafe	Parks & Recreational Products	15/01/2021	27,565.01
EF136775	20321	Riverjet Pty Ltd	Educting-Cleaning Services	15/01/2021	43,873.50
EF136776	20535	Home-Grown Theatre	Drama Classes	15/01/2021	3,300.00
EF136777	20856	Sjr Civil Consulting Pty Ltd	Consultancy Services - Road Design	15/01/2021	4,488.00
EF136778	21010	Redman Solutions Pty Ltd	Computer Software	15/01/2021	2,200.00
EF136779	21127	Joanna Ayckbourn (Voices In Sinc)	Instruction - Singing	15/01/2021	300.00
EF136780	21371	Ld Total Sanpoint Pty Ltd	Landscaping Works/Services	15/01/2021	24,597.16
EF136781	21627	Manheim Pty Ltd	Impounded Vehicles	15/01/2021	935.00
EF136782	21665	Mmj Real Estate (Wa) Pty Ltd	Property Management Services	15/01/2021	11,328.19
EF136783	21672	Mega Music Australia Pty Ltd	Musical Instruments/Sound Equipment	15/01/2021	3,033.00
EF136784	21697	Ict Express Pty Ltd	Consultancy Services - It	15/01/2021	2,765.40
EF136785	21744	Jb Hi Fi - Commercial	Electronic Equipment	15/01/2021	5,071.00
EF136786	21747	Unicare Health	Wheelchair Hire	15/01/2021	323.50
EF136787	21791	The Leisure Institute Of Wa (Aquatics) Inc.	Professional Organisation	15/01/2021	132.00
EF136788	21946	Ryan's Quality Meats	Meat Supplies	15/01/2021	476.06
EF136789	22337	Segafredo Zanetti Aust Pty Ltd	Coffee & Coffee Machines	15/01/2021	120.00
EF136790	22404	Cleverpatch Pty Ltd	Arts/Craft Supplies	15/01/2021	811.99
EF136791	22553	Brownes Food Operations	Catering Supplies	15/01/2021	502.36
EF136792	22613	Vicki Royans	Artistic Services	15/01/2021	300.00
EF136793	22624	Aussie Earthworks Pty Ltd	Earthworks	15/01/2021	19,831.90
EF136794	22682	Beaver Tree Services Pty Ltd	Tree Pruning Services	15/01/2021	74,310.56
EF136795	22806	Chevron Australia Downstream Fuels Pty Ltd	Fuel Supplies	15/01/2021	39,576.52
EF136796	22854	Lgiswa	Insurance Premiums	15/01/2021	6,055.50
EF136797	22903	Unique International Recoveries Llc	Debt Collectors	15/01/2021	2,163.20
EF136798	23351	Cockburn Gp Super Clinic Limited T/A Cockburn Integrated Health	Leasing Fees	15/01/2021	991.01
EF136799	23457	Totally Workwear Fremantle	Clothing - Uniforms	15/01/2021	583.21
EF136800	23506	Hudson Global Resources (Aust) Pty Ltd	Human Resources Consult	15/01/2021	4,768.32
EF136801	23570	A Proud Landmark Pty Ltd	Landscape Contruction Services	15/01/2021	48,086.50
EF136802	23579	Daimler Trucks Perth	Purchase Of New Truck	15/01/2021	118.54
EF136803	24281	Eco Logical Australia Pty Ltd	Mapping Services	15/01/2021	18,560.30
EF136804	24643	Bibliotheca Rfid Library Systems Australia Pty Ltd	Purchase Of Library Tags	15/01/2021	410.05
EF136805	24725	Feral Invasive Species Eradication Management	Eradication Management Services	15/01/2021	780.00
EF136806	24736	Zenien	Cctv Camera Licences	15/01/2021	1,809.50
EF136807	24748	Pearmans Electrical & Mechanical Services P/L	Electrical Services	15/01/2021	8,366.84
EF136808	24945	Ns Projects Pty Ltd	Project Management Services	15/01/2021	9,339.67
EF136809	24978	Ambius	Plants Supplies	15/01/2021	739.97
EF136810	25115	Fiig	Investment Management Services	15/01/2021	2,750.00

EF136811	25121	Imagesource Digital Solutions	Billboards	15/01/2021	3,612.40
EF136812	25127	Milmar Distributors	Printing Services - Id Cards	15/01/2021	51.70
EF136813	25128	Horizon West Landscape & Irrigation Pty Ltd	Landscaping Services	15/01/2021	43,835.11
EF136814	25264	Acurix Networks Pty Ltd	Wifi Access Service	15/01/2021	6,366.80
EF136815	25332	Intergraph Corporation	Mapping Services	15/01/2021	1,227.60
EF136816	25418	Cs Legal	Legal Services	15/01/2021	4,002.07
EF136817	25664	Getty Images	Visual Content - Creative And Editorial	15/01/2021	5,830.00
EF136818	25733	Miracle Recreation Equipment	Playground Installation / Repairs	15/01/2021	1,923.90
EF136819	25736	Blue Tang (Wa) Pty Ltd T/As Emerge Associates (The Trustee For The Reef Unit	Consultancy Services	15/01/2021	8,140.00
EF136820	25940	Leaf Bean Machine	Coffee Bean Supply	15/01/2021	440.00
EF136821	26029	Autosweep Wa	Sweeping Services	15/01/2021	8,206.00
EF136822	26067	Sprayking Wa Pty Ltd	Chemical Weed Control Services	15/01/2021	38,940.00
EF136823	26114	Grace Records Management	Records Management Services	15/01/2021	1,337.28
EF136824	26195	Play Check	Consulting Services	15/01/2021	495.00
EF136825	26257	Paperbark Technologies Pty Ltd	Arboricultural Consultancy Services	15/01/2021	1,160.00
EF136826	26303	Gecko Contracting Turf & Landscape Maintenance	Turf & Landscape Maintenance	15/01/2021	158,390.19
EF136827	26314	Cpe Group	Temporary Employment Services	15/01/2021	2,024.95
EF136828	26321	Skateboarding Wa	Skateboarding Clinics	15/01/2021	1,897.50
EF136829	26416	Coolbellup Newsagency The Trustee For Dawkins Family Trust	Newspaper Delivery Services	15/01/2021	1,810.67
EF136830	26419	Equifax Australasia Credit Ratings Pty Ltd	Credit Reference Checks	15/01/2021	1,811.70
EF136831	26470	Scp Conservation	Fencing Services	15/01/2021	19,004.70
EF136832	26516	Ultimate Limestone	Construction Services	15/01/2021	3,850.00
EF136833	26586	Wa Temporary Fencing Supplies	Fencing - Temporary	15/01/2021	1,457.50
EF136834	26597	West Coast Shade Pty Ltd	Shade Structures	15/01/2021	22,825.00
EF136835	26606	Enviro Infrastructure Pty Ltd	Construction& Fabrication	15/01/2021	57,403.82
EF136836	26614	Marketforce Pty Ltd	Advertising	15/01/2021	5,983.70
EF136837	26625	Andover Detailers	Car Detailing Services	15/01/2021	722.50
EF136838	26626	Senversa Pty Ltd	Environmental Auditing	15/01/2021	5,500.00
EF136839	26640	Playground Centre Australia	Outdoor Fitness Equipment	15/01/2021	3,561.80
EF136840	26709	Talis Consultants Pty Ltd	Waste Consultancy	15/01/2021	14,928.26
EF136841	26721	Quad Services Pty Ltd	Cleaning Services	15/01/2021	33,727.40
EF136842	26728	Progressing Priority Projects	Consultancy - Community Services	15/01/2021	16,106.20
EF136843	26732	Amare Safety	Clothing Uniforms	15/01/2021	584.50
EF136844	26735	Shane McMaster Surveys	Survey Services	15/01/2021	7,425.00
EF136845	26739	Kerb Doctor	Kerb Maintenance	15/01/2021	3,247.20
EF136846	26773	Laser Corps Combat Adventrues	Entry Fees	15/01/2021	1,034.00
EF136847	26782	Soft Landing	Recycling Services	15/01/2021	7,464.90
EF136848	26800	The Goods	Retail	15/01/2021	146.71
EF136849	26812	Brooks Choice Removals	Removalists	15/01/2021	9,834.00
EF136850	26818	Perth's Outback Splash	Amusement	15/01/2021	901.00
EF136851	26883	Gta Consultants	Transport Planning	15/01/2021	24,970.00
EF136852	26888	Media Engine	Graphic Design, Marketing, Video Product	15/01/2021	10,682.00
EF136853	26901	Alyka Pty Ltd	Digital Consultancy And Web Development	15/01/2021	6,545.00
EF136854	26917	Cirrus Networks Pty Ltd	It Network & Telephony Services	15/01/2021	46,519.90
EF136855	26923	Woodlands Distributors Pty Ltd	Rubbish Collection Equipment	15/01/2021	23,087.85
EF136856	26938	Majestic Plumbing	Plumbing Services	15/01/2021	4,186.05
EF136857	26940	Floorwest Pty Ltd	Floor Coverings	15/01/2021	12,320.00

EF136858	26985	Access Icon Pty Ltd	Drainage Products	15/01/2021	3,590.00
EF136859	26987	Cti Risk Management	Security - Cash Collection	15/01/2021	1,039.50
EF136860	27010	Quantum Building Services Pty Ltd	Building Maintenance	15/01/2021	6,763.35
EF136861	27031	Downer Edi Works Pty Ltd	Asphalt Services	15/01/2021	16,085.25
EF136862	27032	Wtp Australia Pty Ltd	Quantity Surveyors	15/01/2021	5,692.50
EF136863	27034	Adelby Pty Ltd	Firebreak Construction	15/01/2021	6,204.00
EF136864	27046	Tfh Hire Services Pty Ltd	Hire Fencing	15/01/2021	435.60
EF136865	27052	Event Marquees	Marquee Hire	15/01/2021	1,769.00
EF136866	27054	Vocus Pty Ltd	Telecommunications	15/01/2021	4,646.40
EF136867	27059	Frontline Fire & Rescue Equipment	Manufacture-Fire Vehicles/Equipment	15/01/2021	1,216.34
EF136868	27063	Nature Play Solutions	Playground Design/Consultancy	15/01/2021	385.00
EF136869	27065	Westbooks	Books	15/01/2021	2,996.52
EF136870	27085	Savills Project Management Pty Ltd	Project Management	15/01/2021	3,779.60
EF136871	27130	Adline Media Pty Ltd	Digital Marketing & Software Service Pro	15/01/2021	709.82
EF136872	27154	Suez Recycling & Recovery Pty Ltd	Waste Services	15/01/2021	244,130.90
EF136873	27161	Next Power	Solar Panel	15/01/2021	3,112.21
EF136874	27168	Nightlife Music Pty Ltd	Music Management	15/01/2021	465.53
EF136875	27177	Initial Hygiene	Hygiene	15/01/2021	7,738.59
EF136876	27189	Healthstrong Pty Ltd	Home Care	15/01/2021	220.00
EF136877	27212	A&L Sauna & Steam Wa	Carpentry - Sauna	15/01/2021	250.00
EF136878	27237	Lobel Events	Event Lighting	15/01/2021	9,049.98
EF136879	27241	Landscape Elements	Landscaping Services	15/01/2021	105,351.50
EF136880	27243	Arjohuntleigh Pty Ltd	Supply, Repairs Health Equipemnt	15/01/2021	781.00
EF136881	27246	Veale Auto Parts	Spare Parts Mechanical	15/01/2021	340.20
EF136882	27269	Integrpay Pty Ltd	Payment Processing	15/01/2021	979.66
EF136883	27308	Jatu Clothing & Ppe Pty Ltd	Clothing Ppe	15/01/2021	95.72
EF136884	27334	Westcare Print	Printing Services	15/01/2021	775.50
EF136885	27348	Message Media	Telecommunications	15/01/2021	979.48
EF136886	27355	Playmaster	Playground Equipment	15/01/2021	25,300.00
EF136887	27366	The Henna Leaf	Artistic - Henna	15/01/2021	690.00
EF136888	27374	Southern Cross Cleaning	Commercial Cleaning	15/01/2021	7,397.25
EF136889	27379	Esri Australia Pty Ltd	Gis Software	15/01/2021	26,400.00
EF136890	27384	Siffling Sands	Sand Cleaning	15/01/2021	7,588.13
EF136891	27392	Axis Maintenance Services Pty Ltd	Maintenance	15/01/2021	3,259.94
EF136892	27396	Ankeet Mehta Spearwood Newspaper Round Delivery	Newspaper Delivery	15/01/2021	72.81
EF136893	27401	Emprise Mobility	Mobility Equipment	15/01/2021	504.00
EF136894	27416	Inclusion Solutions Limited	Education/Consulting	15/01/2021	5,918.00
EF136895	27423	Mechanical Project Services Pty Ltd	Airconditioning Services	15/01/2021	4,038.30
EF136896	27427	Home Chef	Cooking/Food Services	15/01/2021	330.56
EF136897	27450	Aaa Production Services	Hire Pa/Satge Systems	15/01/2021	1,614.25
EF136898	27455	Site Protective Services	Cctv Parts	15/01/2021	117,945.29
EF136899	27482	Billi Australia Pty Ltd	Water Filter Taps	15/01/2021	484.00
EF136900	27499	Hodge Collard Preston Architects	Architects	15/01/2021	2,244.00
EF136901	27507	Facilities First Australia Pty Ltd	Cleaning Services	15/01/2021	53,685.29
EF136902	27512	Agent Sales & Services Pty Ltd	Pool Chemicals	15/01/2021	836.55
EF136903	27523	Robert Lawrence Toohey	High Pressure Cleaning	15/01/2021	2,917.00
EF136904	27534	Ralph & Beattie Bosworth Pty Ltd	Quantity Survey	15/01/2021	3,200.00

EF136905	27539	Jasmin Carpentry & Maintenance	Carpentry	15/01/2021	22,171.60
EF136906	27567	Chorus Australia Limited	Health Care Services	15/01/2021	217.80
EF136907	27587	New Ground Water Services Pty Ltd	Irrigation/Reticulation	15/01/2021	2,918.30
EF136908	27592	Hey Jay Fix It!! Home Maintenance Service	Home Maintenance	15/01/2021	980.00
EF136909	27615	Lrs Australia	Communications	15/01/2021	1,133.00
EF136910	27622	Truegrade Medical Supplies	Medical Supplies	15/01/2021	2,569.36
EF136911	27631	Aquatic Services Wa Pty Ltd	Pool Equipment & Maintenance	15/01/2021	11,551.10
EF136912	27635	Threat Protect	Security	15/01/2021	198.00
EF136913	27640	Range Ford	Motor Vehicles	15/01/2021	10,807.82
EF136914	27641	Office Of The Auditor General	Auditor General	15/01/2021	82,500.00
EF136915	27644	Cmaktech	Ict Engineering & Consulting	15/01/2021	25,353.65
EF136916	27652	Area 5 Football Pty Ltd	Training - Football	15/01/2021	1,680.00
EF136917	27657	Positive Balance Massage	Massage Therapy	15/01/2021	200.00
EF136918	27683	Cleanaway Industrial Solutions Pty Ltd	Waste Services	15/01/2021	3,612.40
EF136919	27695	Qtm Pty Ltd	Traffic Management	15/01/2021	53,554.79
EF136920	27719	Pulse Locating	Cable Locations	15/01/2021	1,419.00
EF136921	27720	Bj Systems	Security Services	15/01/2021	2,239.20
EF136922	27722	Metra Australia	Software	15/01/2021	2,303.10
EF136923	27734	Ecocene	Environmental Management Information Sys	15/01/2021	10,450.00
EF136924	27767	Altus Group Consulting Pty Ltd	Surveying Services	15/01/2021	2,376.00
EF136925	27779	Sports Circuit Linemarking	Linemarking	15/01/2021	6,952.00
EF136926	27780	Big Sky Entertainment (Wa) Pty Ltd	Entertainment - Booking Agent	15/01/2021	9,350.00
EF136927	27797	City Lift Services Pty Ltd	Lift Maintenance	15/01/2021	638.00
EF136928	27808	Camms	Software	15/01/2021	84,150.00
EF136929	27809	Ra-One Pty Ltd	Software	15/01/2021	14,520.00
EF136930	27816	Asterisk Information Security	It Consultancy	15/01/2021	27,093.00
EF136931	27827	Abc Containers	Sea Containers	15/01/2021	99.00
EF136932	27829	Smec Australia Pty. Ltd.	Consultancy - Engineering	15/01/2021	6,371.20
EF136933	27842	Light House Laundry	Laundering	15/01/2021	197.51
EF136934	27850	Dowsing Group Pty Ltd	Concreting Services	15/01/2021	1,650.00
EF136935	27855	Total Landscape Redevelopment Service Pty Ltd	Tree Watering	15/01/2021	107,993.03
EF136936	27863	Carers Plus	Nursing Services	15/01/2021	471.24
EF136937	27865	Pritchard Francis Consulting Pty Ltd	Engineering Services	15/01/2021	2,805.00
EF136938	27869	Select Fresh Pty Ltd	Food Supplie,Fruit & Veg	15/01/2021	122.93
EF136939	27882	Eco Action	Environmental Workshops	15/01/2021	2,360.00
EF136940	27894	Homecare Physiotherapy	Healthcare	15/01/2021	5,724.75
EF136941	27904	Gemtek	Electrical	15/01/2021	5,887.86
EF136942	27907	Jenoptik Australia Pty Ltd	Radar Signs	15/01/2021	1,188.00
EF136943	27917	Go Doors Advanced Automation	Door Maintenance & Repair	15/01/2021	8,071.80
EF136944	27953	Truckline	Spare Parts, Truck/Trailer	15/01/2021	71.87
EF136945	27963	Buffalo Solutions	Training	15/01/2021	7,844.10
EF136946	27965	Stantec Australia Pty Ltd	Engineering Services	15/01/2021	9,438.00
EF136947	27976	Melville Toyota	Motor Cars	15/01/2021	88.89
EF136948	27978	Frontline Safety Australia Pty Ltd	Clothing - Uniforms	15/01/2021	951.98
EF136949	27985	Rosmech Sales & Service Pty Ltd	Road Sweeper	15/01/2021	779.02
EF136950	27999	Events Industry Association (Wa)	Membership	15/01/2021	500.00
EF136951	28001	Corsign Wa Pty Ltd	Sign Making Material	15/01/2021	908.60

EF136952	28003	Taylor Made Design	Graphic Design	15/01/2021	1,672.00
EF136953	28015	Imprint Plastic	Badges	15/01/2021	323.40
EF136954	28016	Vicinity Real Estate Licence Pty Ltd	Real Estate	15/01/2021	770.00
EF136955	28022	Grafton General Products	Home Safety Modifications	15/01/2021	545.97
EF136956	28032	Managed System Services	It Services	15/01/2021	42,007.84
EF136957	28036	Noddy The Waterman	Water Supplies	15/01/2021	15,840.00
EF136958	28037	Lance Chadd	Artwork	15/01/2021	8,250.00
EF136959	28039	Djirily Dreaming	Indigenous Cultural	15/01/2021	300.00
EF136960	28049	Copy Magic	Printing Services	15/01/2021	229.90
EF136961	28052	Auscare Group Wa	Employment Services	15/01/2021	550.00
EF136962	28053	Zoic Environmental Pty Ltd	Consultancy - Enviromental	15/01/2021	3,520.00
EF136963	28058	Sage Consulting Engineers Pty Ltd	Consultancy - Engineering	15/01/2021	12,201.75
EF136964	28061	Go2cup	Paper Cups	15/01/2021	404.25
EF136965	28071	Southern Bins	Hire Bins	15/01/2021	220.00
EF136966	28078	Crayon Australia Pty Ltd	Licensing	15/01/2021	374,291.57
EF136967	28080	Yacht Grot 1985 Pty Ltd	Marine	15/01/2021	726.00
EF136968	28084	Ddg Technology	Ict Services	15/01/2021	55,924.00
EF136969	99997	Family Day Care	Fdc Payment We 10/01/2021	14/01/2021	21,093.83
EF136970	99997	In Home Care Payments	Ihc Payments We 10/01/2021	14/01/2021	9,573.78
EF136971	10484	Department Of Mines, Industry Regulation And Safety	Building Services Levy	19/01/2021	83,018.48
EF136972	26987	Cti Risk Management	Security - Cash Collection	19/01/2021	1,384.95
EF136973	99997	Yangebup Primary School	Donations To Schools Acs7	19/01/2021	286.00
EF136974	99997	Shirley Ranford	Senior Security Subsidy Scheme	19/01/2021	200.00
EF136975	99997	Marie La Frenais	Refund Of Payment Made Via Personal Cred	19/01/2021	150.00
EF136976	99997	Lynette Walley	Bond Refund - Lynette Walley	19/01/2021	1,000.00
EF136977	27277	Department Of Water And Environmental Regulation	Quarterly Land Fill Levy	28/01/2021	1,388,102.05
EF136978	27492	Superchoice Services Pty Limited	Payroll Deductions	14/01/2021	618,769.34
EF136979	11867	Kevin John Allen	Monthly Elected Member Allowance	29/01/2021	2,639.83
EF136980	12740	Logan Howlett	Monthly Elected Member Allowance	29/01/2021	11,583.48
EF136981	20634	Lee-Anne Smith	Monthly Elected Member Allowance	29/01/2021	2,139.83
EF136982	25353	Philip Eva	Monthly Elected Member Allowance	29/01/2021	2,639.83
EF136983	26696	Chamonix Terblanche	Monthly Elected Member Allowance	29/01/2021	2,639.83
EF136984	27326	Michael Separovich	Monthly Elected Member Allowance	29/01/2021	2,639.83
EF136985	27327	Chontelle Stone	Monthly Elected Member Allowance	29/01/2021	2,639.83
EF136986	27475	Lara Kirkwood	Monthly Elected Member Allowance	29/01/2021	4,509.66
EF136987	27871	Tom Widenbar	Monthly Elected Member Allowance	29/01/2021	3,689.22
EF136988	27872	Phoebe Corke	Monthly Elected Member Allowance	29/01/2021	2,639.83
EF136989	10047	Alinta Energy	Natural Gas & Electricity Supply	29/01/2021	627.10
EF136990	11794	Synergy	Electricity Usage/Supplies	29/01/2021	18,818.48
EF136991	12025	Telstra Corporation	Communications Services	29/01/2021	19,527.39
EF136992	88888	Gm Coogee Pty Ltd	Bond Refund	29/01/2021	23,496.25
EF136993	88888	B & L Goodall	Bond Refund	29/01/2021	150.00
EF136994	99997	South Beach Community Group	Small Events Sponsorship	29/01/2021	2,740.00
EF136995	99997	Aj & Js Earney	Compost Bin Rebate - Arthur J Earney	29/01/2021	50.00
EF136996	99997	Servau Offcl. Departmental Recpts & Pay	Document Number : 180117875	29/01/2021	274.23
EF136997	99997	Metcash Trading	Invoice 53313	29/01/2021	835.20
EF136998	99997	Dennis Travis	Unspent Funds On Hcp Package	29/01/2021	209.55



EF136999	99997	Michael Goddard	Pen Fee (E180) Refund	29/01/2021	1,758.31
EF137000	99997	Andrew And Linda Williams	Compost Bin Rebate - Linda Williams	29/01/2021	50.00
EF137001	99997	George Wyatt	Compost Bin Rebate - George Wyatt	29/01/2021	50.00
EF137002	99997	Roberta Bunce	Reimbursement To Volunteer	29/01/2021	49.52
EF137003	99997	Jacob Martinez	Compost Bin Rebate - Jacob Martinez	29/01/2021	50.00
EF137004	99997	M & C Jan	Martin Jan Landowner Biodiversity Grants	29/01/2021	901.00
EF137005	99997	Ben And Emma Wale	Ben Wale Landowner Biodiversity Grants	29/01/2021	1,627.80
EF137006	99997	Jacqueline Johnson	Jacqui & Ray Landowner Biodiversity Gran	29/01/2021	2,982.66
EF137007	99997	Adam Parker	Compost Bin Rebate - Adam Parker	29/01/2021	45.00
EF137008	99997	Olivia I Tjhai	Cloth Nappies Rebate - Olivia Tjhai	29/01/2021	50.00
EF137009	99997	Mitui Sharadkumar Bhatt	Crossover Claim	29/01/2021	300.00
EF137010	99997	Kay Van Dyck	Crossover Claim	29/01/2021	300.00
EF137011	99997	William Thiele	Crossover Claim	29/01/2021	300.00
EF137012	99997	Samuel Kashweka	Crossover Claim	29/01/2021	300.00
EF137013	99997	Frank Melia	Refund Request	29/01/2021	30.00
EF137014	99997	G.A. & J.S. Doig	Landowner Biodiversity Grant G & J Doig	29/01/2021	2,616.00
EF137015	99997	Dh And Cn Franklin	Landowner Biodiversity Grant C & D Frank	29/01/2021	2,999.57
EF137016	99997	Pauline Smith	Landowner Biodiversity Grant Pauline Smi	29/01/2021	472.50
EF137017	99997	Ct & Ea Stromback	Landowner Biodiversity Grant T & E Strom	29/01/2021	2,428.80
EF137018	99997	Pd Lazarz & Cp Dawes	Bird Bath Rebate - Cassandra Dawes	29/01/2021	19.00
EF137019	99997	Shaleesa Keye	Bird Bath Rebate - Shaleesa Keye	29/01/2021	50.00
EF137020	99997	Mr John And Lynda Pragnell	Bird Bath Rebate - Lynda Pragnell	29/01/2021	45.00
EF137021	99997	L Tuia Yildirim	Bird Bath Rebate - Lyndal Tuia	29/01/2021	50.00
EF137022	99997	Luke Coffey	Bird Bath Rebate - Luke Coffey	29/01/2021	27.50
EF137023	99997	Tanmay Makhijani	Bird Bath Rebate - Tanmay Makhijani	29/01/2021	50.00
EF137024	99997	Karl Lenz	Bird Bath Rebate - Karl Lenz	29/01/2021	27.50
EF137025	99997	Italiani Nel Mondo E Per Il Mondo	Small Events Sponsorship	29/01/2021	2,200.00
EF137026	99997	Miranda Mccrudden	Donation Lgacs2	29/01/2021	200.00
EF137027	99997	Jandakot Airport Holdings	Insurance Claim 1183 Settlement	29/01/2021	2,199.34
EF137028	99997	Phoenix Cricket Club Liam Smart	Sport Equipment Grant 2021/11	29/01/2021	1,000.00
EF137029	99997	Geok Keow Lim	Cloth Nappies Rebate - Geok Lim	29/01/2021	50.00
EF137030	99997	Alan Clarke	Compost Bin Rebate - Alan Clarke	29/01/2021	45.00
EF137031	99997	Margaretha Soegeng Soegiharto	Cloth Nappies Rebate - M Soegiharto	29/01/2021	50.00
EF137032	10035	Adventure World	Entertainment Services	28/01/2021	1,110.00
EF137033	10091	Aslab Pty Ltd	Asphalting Services/Supplies	28/01/2021	2,244.66
EF137034	10170	Macri Partners	Auditing Services	28/01/2021	2,585.00
EF137035	10207	Boc Gases	Gas Supplies	28/01/2021	722.02
EF137036	10226	Bridgestone Australia Ltd	Tyre Services	28/01/2021	828.30
EF137037	10239	Budget Rent A Car - Perth	Motor Vehicle Hire	28/01/2021	1,320.00
EF137038	10244	Building & Const Industry Training Fund	Levy Payment	28/01/2021	31,539.98
EF137039	10246	Bunnings Building Supplies Pty Ltd	Hardware Supplies	28/01/2021	1,544.28
EF137040	10333	Cjd Equipment Pty Ltd	Hardware Supplies	28/01/2021	19,676.07
EF137041	10357	Cockburn Ice Arena	Entertainment Services	28/01/2021	648.00
EF137042	10359	Cockburn Painting Service	Painting Supplies/Services	28/01/2021	2,398.00
EF137043	10368	Cockburn Wetlands Education Centre	Community Grant	28/01/2021	1,250.00
EF137044	10483	Landgate	Mapping/Land Title Searches	28/01/2021	3,590.21
EF137045	10526	E & Mj Rosher Pty Ltd	Mower Equipment	28/01/2021	7,309.52

EF137046	10535	Workpower Incorporated	Employment Services - Planting	28/01/2021	9,091.62
EF137047	10573	Fairbridge Western Australia Inc	Outdoor Recreation Services	28/01/2021	384.00
EF137048	10597	Flexi Staff Pty Ltd	Employment Services	28/01/2021	18,533.86
EF137049	10611	Forpark Australia	Playground Equipment	28/01/2021	125,086.50
EF137050	10679	Grasstrees Australia	Plants & Planting Services	28/01/2021	902.00
EF137051	10683	Gronbek Security	Locksmith Services	28/01/2021	22.50
EF137052	10726	Holton Connor Architects & Planners	Architectural Services	28/01/2021	880.00
EF137053	10787	Jandakot Accident Repair Centre	Panel Beating Services	28/01/2021	2,046.38
EF137054	10888	Lj Caterers	Catering Services	28/01/2021	305.25
EF137055	10913	Bucher Municipal Pty Ltd	Purchase Of New Plant / Repair Services	28/01/2021	10,891.18
EF137056	10923	Major Motors Pty Ltd	Repairs/Maintenance Services	28/01/2021	247.65
EF137057	10938	Mrp Pest Management	Pest & Weed Management	28/01/2021	849.10
EF137058	10944	Mcleods	Legal Services	28/01/2021	20,621.80
EF137059	11028	Neverfail Springwater Ltd	Bottled Water Supplies	28/01/2021	898.48
EF137060	11032	Noise & Vibration Measurement Systems	Measuring Equipment/Services	28/01/2021	858.00
EF137061	11036	Northlake Electrical Pty Ltd	Electrical Services	28/01/2021	28,405.20
EF137062	11077	P & G Body Builders Pty Ltd	Plant Body Building Services	28/01/2021	638.00
EF137063	11182	Premium Brake & Clutch Service	Brake Services	28/01/2021	996.60
EF137064	11208	Quick Corporate Australia Pty Ltd	Stationery/Consumables	28/01/2021	2,856.71
EF137065	11284	The Royal Life Savng Society Wa Inc Pty Ltd	Training Services	28/01/2021	341.00
EF137066	11307	Satellite Security Services Pty Ltd	Security Services	28/01/2021	1,679.82
EF137067	11308	Boss Industrial Formally Sba Supplies	Hardware Supplies	28/01/2021	2,054.65
EF137068	11361	Sigma Chemicals Pty Ltd	Chemical Supplies	28/01/2021	1,225.40
EF137069	11425	Southern Metropolitan Regional Council	Waste Disposal Gate Fees	28/01/2021	1,680.00
EF137070	11533	Superbowl Melville	Entertainment Services	28/01/2021	238.50
EF137071	11625	Total Eden Pty Ltd	Reticulation Supplies	28/01/2021	3,673.46
EF137072	11667	Turfmaster Facility Management	Turf & Mowing Services	28/01/2021	14,335.81
EF137073	11699	Vernon Design Group	Architectural Services	28/01/2021	692.25
EF137074	11701	Vibra Industrial Filtration Australasia	Filter Supplies	28/01/2021	253.00
EF137075	11702	Villa Dalmacia Association Inc.	Spical Club Activities	28/01/2021	1,430.00
EF137076	11722	Wa Hino Sales & Service	Purchase Of New Trucks / Maintenance	28/01/2021	2,710.63
EF137077	11787	Department Of Transport	Vehicle Search Fees	28/01/2021	746.00
EF137078	11793	Western Irrigation Pty Ltd	Irrigation Services/Supplies	28/01/2021	5,697.40
EF137079	11806	Westrac Pty Ltd	Repairs/Mtnce - Earthmoving Equipment	28/01/2021	55,481.15
EF137080	11828	Worldwide Online Printing - O'connor	Printing Services	28/01/2021	724.00
EF137081	12014	Tutt Bryant Equipment Bt Equipment Pty Ltd T/As	Excavating/Earthmoving Equipment	28/01/2021	39,228.45
EF137082	12153	Hays Personnel Services Pty Ltd	Employment Services	28/01/2021	4,718.80
EF137083	12589	Australian Institute Of Management	Training Services	28/01/2021	3,615.00
EF137084	13393	South West Group	Contributions	28/01/2021	48,845.61
EF137085	13492	Chivers Marine	Marine Equipment	28/01/2021	1,639.85
EF137086	13563	Green Skills Inc	Employment Services	28/01/2021	10,761.96
EF137087	13825	Jackson Mcdonald	Legal Services	28/01/2021	1,136.30
EF137088	13873	Cockburn Ses	Traffic Management Services	28/01/2021	550.00
EF137089	14350	Baileys Fertilisers	Fertiliser Supplies	28/01/2021	21,996.49
EF137090	14598	Alf Rebola The Good Guys	Electrical Goods	28/01/2021	988.00
EF137091	15393	Stratagreen	Hardware Supplies	28/01/2021	1,516.47
EF137092	15588	Natural Area Consulting Management Services	Weed Spraying	28/01/2021	7,049.64

EF137093	15746	Western Australia Police Service	Police Clearances	28/01/2021	116.90
EF137094	15895	Royal Wolf Trading Australia Pty Limited	Container Hire	28/01/2021	366.92
EF137095	16064	Cms Engineering	Airconditioning Services	28/01/2021	11,554.40
EF137096	16107	Wren Oil	Waste Disposal Services	28/01/2021	49.50
EF137097	16894	Treblex Industrial Pty Ltd	Chemicals - Automotive	28/01/2021	1,666.50
EF137098	16985	Wa Premix	Concrete Supplies	28/01/2021	9,079.84
EF137099	17345	Kennards Hire - Myaree	Equipment Hire	28/01/2021	1,174.00
EF137100	17383	Aust Communications & Media Authority	License Renewal	28/01/2021	3,150.00
EF137101	17471	Pirtek (Fremantle) Pty Ltd	Hoses & Fittings	28/01/2021	2,542.29
EF137102	17555	Maia Financial	Equipment Lease Payments	28/01/2021	46,728.81
EF137103	17827	Nilsen (Wa) Pty Ltd	Electrical Services	28/01/2021	2,196.41
EF137104	18114	Bollig Design Group P/L	Architectural Services	28/01/2021	1,650.00
EF137105	18126	Dell Australia Pty Ltd	Computer Hardware	28/01/2021	995.50
EF137106	18203	Natsync Environmental	Pest Control	28/01/2021	1,530.00
EF137107	18316	Stiles Electrical & Communication Services	Electrical Services	28/01/2021	4,545.73
EF137108	18941	Allstamps	Stationery	28/01/2021	27.84
EF137109	18962	Sealanes (1985) P/L	Catering Supplies	28/01/2021	1,490.84
EF137110	19107	Forever Shining	Monument	28/01/2021	814.00
EF137111	19533	Woolworths Ltd	Groceries	28/01/2021	1,751.02
EF137112	19541	Turf Care Wa Pty Ltd	Turf Services	28/01/2021	1,584.00
EF137113	20000	Aust West Auto Electrical Pty Ltd	Auto Electrical Services	28/01/2021	18,908.55
EF137114	20146	Data#3 Limited	Contract It Personnel & Software	28/01/2021	418.00
EF137115	21120	Shorewater Marine Pty Ltd	Marine Construction Services	28/01/2021	381.15
EF137116	21133	Sports Performance And Management	Recreation Equipment	28/01/2021	1,000.00
EF137117	21294	Cat Haven	Animal Services	28/01/2021	3,410.00
EF137118	21665	Mmj Real Estate (Wa) Pty Ltd	Property Management Services	28/01/2021	9,918.16
EF137119	21744	Jb Hi Fi - Commercial	Electronic Equipment	28/01/2021	3,850.00
EF137120	22106	Intelife Group	Services - Daip	28/01/2021	16,740.45
EF137121	22337	Segafredo Zanetti Aust Pty Ltd	Coffee & Coffee Machines	28/01/2021	414.40
EF137122	22541	Surfing Western Australia Inc.	Training Services - Surfing	28/01/2021	1,125.00
EF137123	22553	Brownes Food Operations	Catering Supplies	28/01/2021	163.40
EF137124	22569	Sonic Health Plus Pty Ltd	Medical Services	28/01/2021	3,345.10
EF137125	22602	Densford Civil Pty Ltd	Civil & Electrical Works	28/01/2021	19,532.07
EF137126	22624	Aussie Earthworks Pty Ltd	Earthworks	28/01/2021	10,025.40
EF137127	22639	Shatish Chauhan	Training Services - Yoga	28/01/2021	1,260.00
EF137128	22658	South East Regional Centre For Urban Landcare Inc (Sercul)	Urban Landcare Services	28/01/2021	37,994.01
EF137129	22682	Beaver Tree Services Pty Ltd	Tree Pruning Services	28/01/2021	46,948.10
EF137130	22749	People Solutions Australasia Pty Ltd	Consultancy Services - Hr	28/01/2021	935.00
EF137131	22806	Chevron Australia Downstream Fuels Pty Ltd	Fuel Supplies	28/01/2021	44,337.01
EF137132	23457	Totally Workwear Fremantle	Clothing - Uniforms	28/01/2021	462.37
EF137133	23570	A Proud Landmark Pty Ltd	Landscape Construction Services	28/01/2021	56,587.96
EF137134	23579	Daimler Trucks Perth	Purchase Of New Truck	28/01/2021	939.82
EF137135	23685	Astro Synthetic Turf Pty Ltd	Site Inspections	28/01/2021	3,080.00
EF137136	23849	Construction Equipment Australia	Plant/Machinery Purchase & Maintenance	28/01/2021	1,280.74
EF137137	24198	Ricochet Circus	Entertainment Services	28/01/2021	800.00
EF137138	24275	Truck Centre Wa Pty Ltd	Purchase Of New Truck	28/01/2021	2,388.10
EF137139	24298	Tanks For Hire	Equipment Hire	28/01/2021	630.30

EF137140	24506	Amaranti's Personal Training	Personal Training Services	28/01/2021	450.00
EF137141	24539	World Of Plaster	Plastering Services	28/01/2021	17,633.00
EF137142	24655	Automasters Spearwood	Vehicle Servicing	28/01/2021	3,580.00
EF137143	24736	Zenien	Cctv Camera Licences	28/01/2021	4,105.20
EF137144	24748	Pearmans Electrical & Mechanical Services P/L	Electrical Services	28/01/2021	12,362.90
EF137145	24864	Fremantle Football Club	Merchandise Stock For Retail Sale	28/01/2021	1,274.13
EF137146	24945	Ns Projects Pty Ltd	Project Management Services	28/01/2021	14,769.34
EF137147	24949	Bitumen Surfacing The Trustee For Complete Road Services Trust	Bitumen Supplies	28/01/2021	409.20
EF137148	25102	Fremantle Mobile Welding	Welding Services	28/01/2021	5,841.00
EF137149	25128	Horizon West Landscape & Irrigation Pty Ltd	Landscaping Services	28/01/2021	198.00
EF137150	25331	Genesis Accounting	Accounting Services	28/01/2021	2,871.00
EF137151	25346	Sandra Fonseca	Craft Workshop	28/01/2021	400.00
EF137152	25415	Jandakot Stock & Pet Supplies	Pet Supplies	28/01/2021	193.65
EF137153	25418	Cs Legal	Legal Services	28/01/2021	14,123.98
EF137154	25657	Lock Joint Australia The Trustee For The Gherbaz Family Trust	Locksmith Services	28/01/2021	957.00
EF137155	25733	Miracle Recreation Equipment	Playground Installation / Repairs	28/01/2021	22,110.00
EF137156	25813	Lg Connect Pty Ltd	Erp Systems Development	28/01/2021	1,430.53
EF137157	26211	Amcom Pty Ltd	Internet/Data Services	28/01/2021	14,426.43
EF137158	26257	Paperbark Technologies Pty Ltd	Arboricultural Consultancy Services	28/01/2021	4,200.00
EF137159	26303	Gecko Contracting Turf & Landscape Maintenance	Turf & Landscape Maintenance	28/01/2021	28,930.00
EF137160	26314	Cpe Group	Temporary Employment Services	28/01/2021	457.90
EF137161	26403	Ches Power Group Pty Ltd	Engineering Solutions / Back Up Generato	28/01/2021	687.30
EF137162	26442	Bullant Security Pty Ltd Key West Lock Service & Sales	Locksmith & Secruity Services	28/01/2021	67.70
EF137163	26470	Scp Conservation	Fencing Services	28/01/2021	41,272.00
EF137164	26507	Reid Corporation Pty Ltd	Entertainment Services	28/01/2021	375.00
EF137165	26533	Curtin University Of Technology	Program Assessments	28/01/2021	88.00
EF137166	26574	Eva Bellydance	Entertainment - Belly Dancing	28/01/2021	150.00
EF137167	26586	Wa Temporary Fencing Supplies	Fencing - Temporary	28/01/2021	495.00
EF137168	26606	Enviro Infrastructure Pty Ltd	Construction& Fabrication	28/01/2021	54,709.87
EF137169	26614	Marketforce Pty Ltd	Advertising	28/01/2021	8,775.51
EF137170	26620	Gra Partners Pty Ltd	Consulting/Advisory	28/01/2021	16,500.00
EF137171	26625	Andover Detailers	Car Detailing Services	28/01/2021	819.00
EF137172	26721	Quad Services Pty Ltd	Cleaning Services	28/01/2021	5,687.00
EF137173	26732	Amare Safety	Clothing Uniforms	28/01/2021	163.90
EF137174	26735	Shane McMaster Surveys	Survey Services	28/01/2021	3,630.00
EF137175	26743	Statewide Turf Services	Turf Renovation	28/01/2021	550.00
EF137176	26754	Insight Call Centre Services	Call Centre Services	28/01/2021	10,957.54
EF137177	26818	Perth's Outback Splash	Amusement	28/01/2021	658.00
EF137178	26846	Visability Limited	Disability Services	28/01/2021	1,045.00
EF137179	26898	Spandex Asia Pacific Pty Ltd	Signage Supplier	28/01/2021	2,244.46
EF137180	26917	Cirrus Networks Pty Ltd	It Network & Telephony Services	28/01/2021	9,848.87
EF137181	26929	Elan Energy Matrix Pty Ltd	Recycling Services	28/01/2021	1,997.10
EF137182	26938	Majestic Plumbing	Plumbing Services	28/01/2021	24,324.71
EF137183	26940	Floorwest Pty Ltd	Floor Coverings	28/01/2021	6,160.00
EF137184	26946	Av Truck Services Pty Ltd	Truck Dealership	28/01/2021	184.40
EF137185	26983	Hitech Sports Pty Ltd	Sporting Equipment	28/01/2021	310.75
EF137186	26985	Access Icon Pty Ltd	Drainage Products	28/01/2021	605.00

EF137187	27002	Cockburn Party Hire	Hire Services	28/01/2021	700.00
EF137188	27010	Quantum Building Services Pty Ltd	Building Maintenance	28/01/2021	23,161.86
EF137189	27011	Baileys Marine Fuel Australia	Fuel	28/01/2021	1,205.04
EF137190	27015	Intelli Trac	Gps Tracking	28/01/2021	2,464.00
EF137191	27027	Frig Tech Wa	Refridgeration Services	28/01/2021	271.48
EF137192	27044	Graffiti Systems Australia	Graffiti Removal & Anti-Graffiti Coating	28/01/2021	345.35
EF137193	27046	Tfh Hire Services Pty Ltd	Hire Fencing	28/01/2021	1,524.60
EF137194	27053	Readspeaker	Software	28/01/2021	7,440.40
EF137195	27059	Frontline Fire & Rescue Equipment	Manufacture-Fire Vehicles/Equipment	28/01/2021	1,177.40
EF137196	27063	Nature Play Solutions	Playground Design/Consultancy	28/01/2021	302.50
EF137197	27065	Westbooks	Books	28/01/2021	2,951.92
EF137198	27072	Nordic Fitness Equipment	Fitness Equipment	28/01/2021	2,970.00
EF137199	27082	Kulbardi Pty Ltd	Stationery Supplies	28/01/2021	672.10
EF137200	27085	Savills Project Management Pty Ltd	Project Management	28/01/2021	6,813.40
EF137201	27098	Q2 (Q-Squared)	Digital Data Service	28/01/2021	2,722.50
EF137202	27130	Adline Media Pty Ltd	Digital Marketing & Software Service Pro	28/01/2021	2,852.64
EF137203	27138	Marina Industries Association Ltd	Annual Membership	28/01/2021	550.00
EF137204	27177	Initial Hygiene	Hygiene	28/01/2021	7,738.59
EF137205	27189	Healthstrong Pty Ltd	Home Care	28/01/2021	220.00
EF137206	27195	Allflow Industrial	Oil Water Separators	28/01/2021	494.95
EF137207	27246	Veale Auto Parts	Spare Parts Mechanical	28/01/2021	684.50
EF137208	27334	Westcare Print	Printing Services	28/01/2021	253.00
EF137209	27351	Programmed Property Services	Property Maintenance	28/01/2021	2,294.78
EF137210	27362	The Mighty Booths	Photobooth	28/01/2021	699.00
EF137211	27381	Fit For Life Exercise Physiology	Exercise Classes	28/01/2021	880.00
EF137212	27384	Sifting Sands	Sand Cleaning	28/01/2021	4,160.21
EF137213	27396	Ankeet Mehta Spearwood Newspaper Round Delivery	Newspaper Delivery	28/01/2021	13.95
EF137214	27410	The Kit Bag	Ppe Clothing	28/01/2021	1,109.30
EF137215	27427	Home Chef	Cooking/Food Services	28/01/2021	483.57
EF137216	27434	Cartwright Media	Video Production	28/01/2021	1,440.00
EF137217	27455	Site Protective Services	Cctv Parts	28/01/2021	24,493.87
EF137218	27456	Securepay Pty Ltd	Payment Solutions	28/01/2021	385.28
EF137219	27482	Billi Australia Pty Ltd	Water Filter Taps	28/01/2021	402.60
EF137220	27507	Facilities First Australia Pty Ltd	Cleaning Services	28/01/2021	89,173.34
EF137221	27512	Agent Sales & Services Pty Ltd	Pool Chemicals	28/01/2021	6,388.80
EF137222	27513	Micropower Pty Ltd	Software	28/01/2021	1,346.40
EF137223	27518	Kyocera Document Solutions Australia Pty Ltd	Photocopying Machines	28/01/2021	3,159.37
EF137224	27523	Robert Lawrence Toohey	High Pressure Cleaning	28/01/2021	2,589.00
EF137225	27539	Jasmin Carpentry & Maintenance	Carpentry	28/01/2021	225.50
EF137226	27567	Chorus Australia Limited	Health Care Services	28/01/2021	2,323.20
EF137227	27617	Galaxy 42 Pty Ltd	Consultancy - It	28/01/2021	8,800.00
EF137228	27618	Christmas 360	Christmas Decorations	28/01/2021	8,910.00
EF137229	27622	Truegrade Medical Supplies	Medical Supplies	28/01/2021	729.86
EF137230	27631	Aquatic Services Wa Pty Ltd	Pool Equipment & Maintenance	28/01/2021	7,982.70
EF137231	27644	Cmaktech	Ict Engineering & Consulting	28/01/2021	8,214.45
EF137232	27646	The Trustee For Sas Unit Trust (Site Architecture Studio)	Architectural Services	28/01/2021	4,136.00
EF137233	27675	Wgawa Pty Ltd	Consultancy Engineering	28/01/2021	33,187.00

EF137234	27676	Blue Force Pty Ltd	Security Services	28/01/2021	40.00
EF137235	27695	Qtm Pty Ltd	Traffic Management	28/01/2021	1,634.88
EF137236	27725	Universal Marina Systems Wa Pty Ltd	Marina Construction	28/01/2021	899.00
EF137237	27741	Phoebe Klariz Domondon	Catering - Bakery Products	28/01/2021	900.00
EF137238	27749	Advisian	Consulting - Engineering	28/01/2021	8,382.00
EF137239	27797	City Lift Services Pty Ltd	Lift Maintenance	28/01/2021	2,475.00
EF137240	27829	Smec Australia Pty. Ltd.	Consultancy - Engineering	28/01/2021	22,847.00
EF137241	27831	Butler And Brown	Event Management	28/01/2021	66,000.00
EF137242	27842	Light House Laundry	Laundering	28/01/2021	72.05
EF137243	27847	Matrix Traffic And Transport Data Pty Ltd	Traffic Surveys	28/01/2021	32,802.00
EF137244	27855	Total Landscape Redevelopment Service Pty Ltd	Tree Watering	28/01/2021	23,408.00
EF137245	27863	Carers Plus	Nursing Services	28/01/2021	323.40
EF137246	27890	Tabec Pty Ltd	Engineering Services	28/01/2021	10,505.00
EF137247	27894	Homecare Physiotherapy	Healthcare	28/01/2021	4,675.00
EF137248	27917	Go Doors Advanced Automation	Door Maintenance & Repair	28/01/2021	10,940.60
EF137249	27923	Mental Health First Aid Australia	Training	28/01/2021	1,995.65
EF137250	27930	Be Projects (Wa) Pty Ltd	Construction Services - Contract # C100683	28/01/2021	341,007.42
EF137251	27943	Chargefox Pty Ltd	Software Development	28/01/2021	858.00
EF137252	27963	Buffalo Solutions	Training	28/01/2021	326.70
EF137253	27969	Perfect Gym Solutions	Software For Gym's	28/01/2021	61,380.00
EF137254	27978	Frontline Safety Australia Pty Ltd	Clothing - Uniforms	28/01/2021	3,713.24
EF137255	27982	Pep Transport	Transport	28/01/2021	2,288.88
EF137256	27984	Sabrina Fenwick	Excercise Classes	28/01/2021	560.00
EF137257	27985	Rosmech Sales & Service Pty Ltd	Road Sweeper	28/01/2021	1,443.20
EF137258	27987	Visimax	Animal Products	28/01/2021	830.30
EF137259	28001	Corsign Wa Pty Ltd	Sign Making Material	28/01/2021	169.40
EF137260	28003	Taylor Made Design	Graphic Design	28/01/2021	1,210.00
EF137261	28019	Adrian Dzuke	Entertainment	28/01/2021	900.00
EF137262	28022	Grafton General Products	Home Safety Modifications	28/01/2021	446.06
EF137263	28034	Visual Workwear	Ppe	28/01/2021	436.00
EF137264	28058	Sage Consulting Engineers Pty Ltd	Consultancy - Engineering	28/01/2021	8,063.00
EF137265	28072	Eastern Metropolitan Regional Council	Waste	28/01/2021	218.50
EF137268	10152	Aust Services Union	Payroll Deductions	27/01/2021	1,065.80
EF137269	10154	Australian Taxation Office	Payroll Deductions	27/01/2021	461,301.00
EF137270	10305	Child Support Agency	Payroll Deductions	27/01/2021	1,293.25
EF137271	11001	Local Government Racing & Cemeteries Employees Union Lgrceu	Payroll Deductions	27/01/2021	82.00
EF137272	11857	Champagne Social Club	Payroll Deductions	27/01/2021	376.00
EF137273	11860	45S Club	Payroll Deductions	27/01/2021	14.00
EF137274	19726	Health Insurance Fund Of Wa	Payroll Deductions	27/01/2021	1,291.41
EF137275	25987	Toyota Fleet Management	Payroll Deductions - Novated Lease	27/01/2021	608.14
EF137276	26987	Cti Risk Management	Security - Cash Collection	27/01/2021	1,535.90
EF137277	27874	Smartsalary	Salary Packaging/Leasing Administration	27/01/2021	10,623.16
EF137278	99996	Jiamin Ruon	Refund Fb15/0375	29/01/2021	594.80
EF137279	99996	Angela De Grussa	Rates and Property related EFT Refuds	29/01/2021	30.00
EF137280	99996	Sanja Maric	Rates and Property related EFT Refuds	29/01/2021	30.00
EF137281	99996	Meeuwssen Grobler	Rates and Property related EFT Refuds	29/01/2021	51.66
EF137282	99996	Edy Cendron	Rates and Property related EFT Refuds	29/01/2021	1,334.75

EF137283	99996	Indiren Chellumbrun	Rates and Property related EFT Refuds	29/01/2021	56.65
EF137284	99996	Laura Staunton	Rates and Property related EFT Refuds	29/01/2021	295.00
EF137285	99996	Ca Voak	Rates and Property related EFT Refuds	29/01/2021	147.00
EF137286	99996	Abel Roofing & Abel Patios	Rates and Property related EFT Refuds	29/01/2021	147.00
EF137287	99996	Am Parker	Rates and Property related EFT Refuds	29/01/2021	859.85
EF137288	99996	Ap & Eam Webb	Rates and Property related EFT Refuds	29/01/2021	1,219.32
EF137289	99996	Oliver Nominees Pty Ltd	Rates and Property related EFT Refuds	29/01/2021	263.12
EF137290	99996	Gaylene May Thomas	Rates and Property related EFT Refuds	29/01/2021	80.00
EF137291	99996	Tiam Phong Poh	Rates and Property related EFT Refuds	29/01/2021	359.16
EF137292	99996	Invest Conveyancing	Rates and Property related EFT Refuds	29/01/2021	656.42
EF137293	99996	Marvila Group Pty Ltd	Rates and Property related EFT Refuds	29/01/2021	1,324.27
EF137294	99996	Jandakot Airport Holdings Pty Ltd	Rates and Property related EFT Refuds	29/01/2021	150,000.00
EF137295	99996	J J Joubert	Rates and Property related EFT Refuds	29/01/2021	1,553.62
EF137296	99997	Family Day Care	Fdc Payment We 24/01/2021	28/01/2021	48,799.11
EF137297	99997	In Home Care Payments	lhc Payments We 24/01/2021	28/01/2021	18,826.48
EF137298	99997	Kimberley Bishop	lhc Payments We 17/01/2021	29/01/2021	459.64
<b>TOTAL OF 715 EFT PAYMENTS</b>					<b>10,772,447.30</b>
<b>LESS: CANCELLED EFT PAYMENTS:</b>					
EF136093	99997	Loredana Runcan	Grants, Donations & Refunds	5/01/2021	-50.00
EF136635	99997	Shirley Ranford	Grants, Donations & Refunds	18/01/2021	-286.00
EF136645	99997	Yangebup Primary School	Grants, Donations & Refunds	18/01/2021	-200.00
<b>TOTAL CANCELLED EFT PAYMENT</b>					<b>-536.00</b>
<b>TOTAL EFT PAYMENTS ( EXCL. CANCELLED PAYMENTS)</b>					<b>10,771,911.30</b>
<b>ADD: BANK FEES</b>					
BANK FEES					922.78
MERCHANT FEES COC					12,975.06
MERCHANT FEES MARINA					83.31
MERCHANT FEES ARC					2804.79
MERCHANT FEES VARIOUS OUT CENTRES					1,247.77
NATIONAL BPAY CHARGE					5,487.36
RTGS/ACLR FEE					
NAB TRANSACT FEE					791.46
MERCHANDISE / OTHER FEES					
					<b>24,312.53</b>
<b>ADD: CREDIT CARD PAYMENTS</b>					79,697.29
<b>ADD: PAYROLL PAYMENTS</b>					
COC-31/12/20 Pmt 000174059814 City of Cockburn				6/01/2021	1544739.63
COC-04/01/21 Pmt 000174538321 City of Cockburn				14/01/2021	7418.40
COC-14/01/21 Pmt 000174865487 City of Cockburn				20/01/2021	1532505.05

		COC-12/01/21 Pmt 000174960920 City of Cockburn		21/01/2021	4979.20
		COC-22/01/21 Pmt 000175167504 City of Cockburn		27/01/2021	6143.97
					<b>3,095,786.25</b>
		<b>TOTAL PAYMENTS MADE FOR THE MONTH</b>			<b>13,971,707.37</b>



Credit Card Transactions January 2021	
Card Holder Name	\$
ALEXANDRA K MORTON	839.00
ALISON WATERS	1,933.20
ANTON LEES	12.12
ASANKA VIDANAGE	347.00
BENJAMIN ROSER	1,000.00
BENJAMIN TANO	56.76
CASSANDRA COOPER	77.80
CHRISTOPHER BEATON	1,116.85
CLIFF MCKINLEY	358.17
COLLEEN MILLER	1,193.46
COURTNEE THOMSON	532.00
DEAN BURTON	18.98
DEBORAH RIGBY	118.59
FIONA LOGAN	554.57
KAREN O'REILLY	360.71
KAROLINE JAMIESON	2,612.00
LINDA SEYMOUR	3,563.10
LINDA WALKER	340.56
LORENZO SANTORIELLO	730.08
MARIE LA FRENAS	1,462.90
MICHAEL EMERY	1,796.83
MIALCE DANILOV	744.00
MIRANDO RADJA	486.85
MISS JESSICA DONALD	1,974.58
MISS KAYLA MALONEY	3,958.00
MR ANTONIO NATALE	13,114.74
MR BRETT FELLOWS	3,507.52
MR BRETT MCEWIN	2,711.56
MR C MACMILLAN	722.92
MR CLIVE J CROCKER	895.02
MR DANIEL ARNDT	213.86
MR GLEN WILLIAMSON	79.00
MR GLENN PETHICK	1,088.92
MR JOHN WEST	36.10
MR LAWLEY MARIN YUKICH	1,404.17
MR NELSON MAURICIO	1,303.68
MR NICHOLAS JONES	247.77
MR PAUL HOGAN	2,699.95
MR PAUL J DE BRUIN	367.70
MR S ATHERTON	686.38
MRS GLORIA ASKANDER	763.20
MRS J KIURSKI	206.40
MRS JULIE McDONALD	165.15
MRS KIM HUNTER	1,473.80
MRS S SEYMOUR-EYLES	1,214.29
MRS SANDRA TAYLOR	1,861.20
MRS SARAH KAHLE	933.38
MRS SHARON STILL	1,808.54
MS BARBARA FREEMAN	1,012.47
MS CAROLINE LINDSAY	1,149.69
MS CLARE COURTAULD	159.21
MS DONNA JORDAN	1,383.19
MS GAIL M BOWMAN	466.65
MS JILL ZUMACH	444.60
MS MICHELLE CHAMPION	314.75
MS SAMANTHA BARON	397.48
MS SAMANTHA STANDISH	615.76
MS SANDRA EDGAR	1,688.46
MS SIMONE SIEBER	2,573.01
PAUL DANIEL NORLIN	1,203.88
RACHEL JANE PLEASANT	2,773.79
STUART DOWNING	1,820.99
Total	79,697.29

## Daniel Arndt Credit Card Transactions January 2021

Date	Narrative	Narrative	Budget Number	Amount
3/12/2020	CPP CONCERT HALL	Parking LGPA Bfast Event Chairmans Policy	OP 9846-6110-853	12.12
2/12/2020	CITY OF FREMANTLE	Parking SWG Board Meeting	OP 9846-6110-853	2.5
30/11/2020	CROWN PERTH PARKING	Parking-UDIA lunch with Premier	OP 9846-6110-853	20.24
30/12/2020	OFFICEWORKS 0616	Stationery-Vertical Mouse Logitech	GL 116-6287	179
Total:				213.86

## 15.2 STATEMENT OF FINANCIAL ACTIVITY AND ASSOCIATED REPORTS - JANUARY 2021

**Author(s)** N Mauricio

**Attachments** 1. Monthly Financial Report - January 2021 [↓](#)

### RECOMMENDATION

That Council:

- (1) ADOPT the Monthly Financial Report for January 2021, as attached to the Agenda; and
- (2) AMEND the 2020/21 Municipal Budget as detailed in the Monthly Financial Report for January 2021 and summarised below:

Nature	Amount \$	Budget Impact
Expenditure from operating activities	6,000	Increase
<b>Net Budget Surplus impact</b>	<b>6,000</b>	<b>Decrease</b>

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

### Background

*Local Government (Financial Management) Regulations 1996* prescribe 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:

1. Details of the composition of the closing net current assets (less restricted and committed assets);
2. Explanation for each material variance identified between YTD budgets and actuals; and
3. 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 two 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 or type, statutory program or business unit. The City has chosen to report the information according to nature or type and its organisational business structure.

Local Government (Financial Management) Regulations - Regulation 34 (5) states "Each financial year, a Local Government is to adopt a percentage or value, calculated in accordance with the Australian Accounting Standards, 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. Council adopted a materiality threshold of \$300,000 for the 2020/21 financial year (FY) at the August 2020 Ordinary Council Meeting.

Detailed analysis of budget variances is an ongoing exercise, with necessary budget amendments either submitted to Council each month via this standing agenda item or included in the City's mid-year budget review, as required by legislation.

### Submission

N/A

### Report

#### Opening Surplus

The opening surplus from FY 2019/20 was originally budgeted at \$2.0 million, with another \$9.88 million added to the budget to fund carry forward projects. The actual opening surplus following the audit completion came in at \$12.17 million, ahead of budget by \$0.29 million. This was adjusted in the mid-year budget review adopted by Council in February.

#### Closing Surplus

The City's actual closing surplus to the end of January of \$68.16 million was \$8.84 million ahead of the YTD budget target. This overall budget variance is a product of all variances across the operating and capital programs.

#### Operating Revenue

Operating revenue of \$135.98 million was ahead of the YTD budget by \$1.47 million. The following table summarises the operating revenue budget variance performance by its nature:

	Ref Note	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Revenue from operating activities</b>							
Rates		108,037,502	107,296,002	<b>107,327,549</b>	31,547	0.03%	
Specified area rates		550,600	550,600	<b>546,838</b>	(3,762)	(0.68%)	
Operating grants, subsidies and contributions		13,920,564	7,907,552	<b>7,199,969</b>	(707,583)	(8.95%)	▼
Fees and charges		30,866,136	17,710,905	<b>19,506,331</b>	1,795,426	10.14%	▲
Service charges		0	0	<b>0</b>	0	0.00%	
Interest earnings		1,830,000	1,049,998	<b>1,205,569</b>	155,571	14.82%	
Other revenue		0	0	<b>0</b>	0	0.00%	
Profit on disposal of assets		1,081,225	0	<b>199,379</b>	199,379	0.00%	
		<b>156,286,027</b>	<b>134,515,057</b>	<b>135,985,635</b>	1,470,578		

The material variances identified within business units for the month included:

- Fees and Charges (\$1.79 million over YTD budget):
  - Port Coogee marina pen fees of \$1.0 million were \$0.39 million ahead of budget, but this is only due to a timing issue caused by two year lease payments (to be adjusted at year end).
  - Landfill fees income of \$3.67 million was \$0.74 million ahead of the YTD budget.
  - Cockburn ARC YTD revenue of \$6.54 million was ahead of budget by \$0.22 million.
  - Ranger Services revenue of \$0.61 million was \$0.29 million ahead of budget, with parking infringements of \$0.25 million over budget by \$0.17 million.
  - Building & development approval related revenue of \$1.60 million was up a combined \$0.14 million against the revised mid-year review budget, indicating continuation of strong activity levels.
  - Community Development related fee revenue was down a combined \$0.29 million, mostly due to lower child care related fees (down by \$0.22 million).
- Operating Grants, Subsidies & Contributions (\$0.71 million under YTD budget)
  - Main Roads funding for the delivery of the Roe 8 rehabilitation project was \$0.64 million under the YTD budget, in line with lower YTD expenditure for the project.

### Operating Expenditure

Operating expenditure to the end of the month of \$86.1 million was under the YTD budget by \$3.1 million. The following table summarises the operating expenditure budget variance performance by its nature:

	Ref Note	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Expenditure from operating activities</b>							
Employee costs		(61,983,344)	(35,850,790)	<b>(35,964,040)</b>	(113,250)	(0.32%)	
Materials and contracts		(38,533,286)	(22,027,851)	<b>(18,643,153)</b>	3,384,698	15.37%	▲
Utility charges		(5,919,371)	(3,312,161)	<b>(3,297,381)</b>	14,780	0.45%	
Depreciation on non-current assets		(35,641,134)	(20,792,975)	<b>(20,970,566)</b>	(177,591)	(0.85%)	
Interest expenses		(696,000)	(348,000)	<b>(316,321)</b>	31,679	9.10%	
Insurance expenses		(1,723,200)	(1,723,200)	<b>(1,681,861)</b>	41,339	2.40%	
Other expenditure		(10,407,264)	(5,030,787)	<b>(5,220,244)</b>	(189,457)	(3.77%)	
Loss on disposal of assets		0	(95,822)	<b>0</b>	95,822	100.00%	
		<b>(154,903,599)</b>	<b>(89,181,586)</b>	<b>(86,093,566)</b>	3,088,020		

The areas with material variances identified for the month included:

- Materials and Contracts (\$3.38 million under YTD budget):
  - Ranger and Community Safety costs were \$0.36 million under YTD budget (timing issue with CoSafe contract payments)

- Cockburn ARC contract costs were \$0.20 million under YTD budget.
- ICT operating costs were \$0.40 million under YTD budget (timing issue with project delivery mainly).
- Operating costs across the Community Development business unit were down a combined \$0.65 million YTD, with child care related payments the most material at \$0.16 million.
- Waste collection and recycling expenses were collectively \$0.28 million under YTD budget.
- Roads maintenance contract costs were down \$0.22 million against the YTD budget.

### Capital Expenditure

The City's adopted capital budget of \$51.22 million grew to \$95.07 million with the inclusion of carried forward projects and other budget amendments.

This was then trimmed at the mid-year budget review to \$87.10 million, with several large projects unable to be completed this financial year or experiencing delays (Malabar Park, Cockburn Coast Oval, Treeby Community Centre & Frankland Recreation centre).

The City's capital expenditure to the end of the month was \$3.35 million behind the revised YTD budget target of \$23.55 million. This result points to a significant program of carried forward works into next year and considerations for the 2021/22 budget should factor this in.

The following table details this budget variance by asset class:

			Amended			
Capital acquisitions			Budget	YTD Budget	YTD Actual	YTD Actual Variance
			\$	\$	\$	\$
Land			2,800,000	280,000	280,000	0
Buildings			26,335,949	6,032,065	4,953,160	(1,078,905)
Furniture and equipment			4,472	0	0	0
Plant and equipment			6,207,480	1,660,411	1,004,950	(655,461)
Information technology			1,689,097	1,067,270	919,896	(147,374)
Infrastructure - roads			24,238,402	6,825,377	6,894,891	69,514
Infrastructure - drainage			1,885,509	477,029	737,013	259,984
Infrastructure - footpath			2,941,031	869,610	520,449	(349,161)
Infrastructure - parks hard			7,717,870	3,502,082	2,788,972	(713,110)
Infrastructure - parks landscaping			1,840,726	966,711	694,074	(272,637)
Infrastructure - landfill site			5,214,043	1,129,249	1,189,183	59,934
Infrastructure - marina			5,852,300	469,900	213,418	(256,482)
Infrastructure - coastal			372,473	273,892	9,612	(264,280)
<b>Payments for Capital Acquisitions</b>			<b>87,099,352</b>	<b>23,553,596</b>	<b>20,205,618</b>	<b>(3,347,978)</b>

The areas with material variances identified for the month included:

- Buildings (\$1.08 million under YTD budget) with the only material variance being the Goodchild Park upgrades not yet started, resulting in a \$0.50 million variance.
- Infrastructure – parks hard (\$0.71 million under YTD budget) with Manning Park master plan works the most material variance at \$0.24 million under YTD budget.
- Plant & equipment acquisition and replacement (\$0.65 million under YTD budget) with the light fleet replacement program contributing \$0.36 million to this result.
- Infrastructure – parks landscaping (\$0.27 million under YTD budget) mainly due to the Cockburn Coast Oval project works having not yet started, resulting in a \$0.20 million variance.
- Infrastructure – footpaths (\$0.35 million under YTD budget) with bike plan related infrastructure projects contributing \$0.19 million.

#### Non-Operating Grants, Subsidies and Contributions

The City has received a total of \$0.70 million against the YTD budget of \$3.12 million, showing a YTD budget variance of \$2.42 million. This is due to the application of a new Australian Accounting Standard requiring the timing of revenue recognition to match the associated spend on the funding obligations.

The variance is consistent with the under spend within the operating and capital expenditure budgets, with the following material variances identified:

- Grant funding for road construction projects showing a shortfall of \$1.61 million against its YTD budget.
- POS cash in lieu revenue for several parks projects currently contributing a \$0.43 million variance. These will now be accounted for as reserve transfers following the recent change to the Planning and Development Act requiring POS funds to be held within financial reserves (instead of Trust).

#### Financial Reserves

A detailed schedule of the City's financial reserves is included in the financial report, showing total reserves of \$152.56 million at reporting date (up from \$151.98m last month).

There were transfers into reserves of \$21.09 million to the end of the month, with the main sources being:

- \$9.88 million from surplus funds brought forward to cover carried forward projects.
- \$5.76 million relating to Public Open Space cash in lieu contributions (previously in Trust).
- \$3.62 million in Developer Contribution Plan receipts to date this year.

- \$0.67 million into the Land Development & Investment Fund Reserve (comprising net land sales of \$0.48 million & lease revenue on land of \$0.19 million).
- \$0.65 million for the Cockburn Integrated Health and Community Facility building maintenance sinking fund (funded by commercial lease revenue).

Interest earnings of \$0.10 million have also been transferred into those reserves legislatively required to earn interest.

Transfers out of reserves to the end of the month were \$18.41 million, mainly comprising:

- \$13.63 million relating to the capital works program.
- \$0.98m for road reserve land acquisitions.
- \$2.16 million from FAG grant payments received in advance last financial year.
- \$0.77 million of Developer Contribution Plan revenue previously reserved to fund liabilities.

#### Cash and Financial Assets

The City's closing cash and financial assets investment holding at month's end totalled \$212.13 million (slightly down on \$212.26 million last month). Cash and cash equivalent holdings comprised \$11.29 million of this total, with financial assets of \$200.84 million making up the balance.

\$157.19 million of these funds are restricted in nature, representing financial reserves and bonds and deposits liabilities. The remaining \$54.94 million represented unrestricted funds available for the City's day to day operating activities and liabilities.

#### Investment Performance, Ratings and Maturity

The City's term deposit investment portfolio yielded a weighted annualised return of 0.80 percent for the month (down from 0.83% the previous month and 0.92% the month before). New placements are currently attracting rates of between 0.45 percent and 0.75 percent. The yield for January outperformed the City's performance target rate of 0.60 percent (RBA cash rate of 0.10% plus 0.50% performance margin) by 0.20 percent.

Interest earned from investments of \$1.19 million was \$0.14m ahead of the YTD budget target, although the full year budget was revised downwards from \$2.9m to \$1.8m in the mid-year review. The investment yield over the remainder of the financial year is expected to keep falling.

Current investments held are compliant with Council's Investment Policy, other than those made under previous policy and statutory provisions. This includes Australian reverse mortgage funds with a face value of \$2.517 million and book value of \$0.942 million (net of a

\$1.575 million impairment provision), which continue paying interest and returning capital (\$0.48 million returned to date of the original \$3.0 million). The City also has a cash management account paying an equivalent term deposit interest rate of 0.50% on at call funds (up to \$10 million).

The City is planning for a low interest rate environment over the next few years, with limited capacity to generate enhanced investment returns from its financial holdings. Whilst legislation allows the City to invest in bank term deposits and Government issued bonds for up to three years, the relatively flat yield curve does not currently offer any incentive for medium to long term investing.

The City's investments fall within the following Standard and Poor's short term risk rating categories:



Figure 1: Portfolio allocations compared to Investment Policy limits

The City's investment portfolio average duration at the end of the month was 183 days (slightly down from 185 days in December). The maturity profile of the City's investments is graphically depicted below, demonstrating adequate maturities across the next few months to satisfy liquidity requirements.



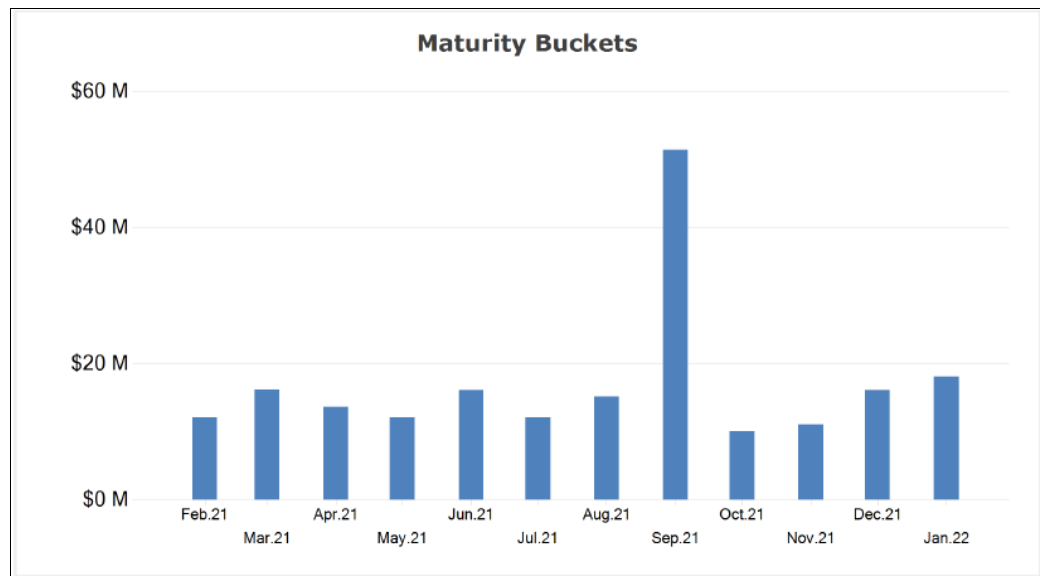


Figure 2: Council Investment Maturity Profile

### Investment in Fossil Fuel Free Banks

At month end, the City held 7% or \$13.5 million of its investment portfolio with banks considered non-funders of fossil fuel related industries (up from 5% and \$9.5 million the previous month). The amount invested with fossil fuel free banks fluctuates month to month, due to the attractiveness of deposit rates being offered and the capacity of fossil fuel free banks to accept funds. In particular, two of the major non-fossil fuel bankers used by the City have either not been quoting, or their rates have recently been uncompetitive.

### Rates Debt Recovery

The amount of collectible rates and charges for 2020/21 (comprising arrears, annual levies and part year rating) currently totals \$132.0 million. At the end of January, the City had \$33.40 million (25%) of this balance outstanding (\$43.94 million last month). This includes \$1.03 million of deferred pensioner rates and adds back \$1.16 million in prepaid rates (to be applied to future years' charges).

Importantly, the rate of collection does not appear to have been adversely impacted by the COVID pandemic, reflecting a degree of success in the City's COVID relief measures and Government stimulus.

In terms of overdue and delinquent rates accounts under formal and legal debt recovery processes, the City had 402 properties owing \$1.27 million (down from 529 properties owing \$1.99 million in December). Formal debt recovery activities are commenced where ratepayers have not committed to instalment or other payment arrangements, or sought relief under the City's Financial Hardship Policy.

Trust Fund

The \$5.76 million POS cash in lieu funds previously held in Trust are now held within the City's financial reserves as required following amendments to the Planning and Development Act in September 2020.

The City's trust fund now has a nil balance.

Budget Amendments

There is only one minor budget amendment being proposed this month, given the mid-year budget review was presented at the February Council meeting:

1. \$6,000 for the International Women's Day event (inadvertently missed from the 2020/21 adopted budget)

The following summary shows the impact of the proposed budget amendment at the nature level:

Classification	Amount	Budget Impact
Materials and Contracts	\$6,000	Increase
<b>Operating Expenditure Adjustment</b>	<b>\$6,000</b>	<b>Increase</b>
<b>Net Operating Activities Adjustment</b>	<b>\$6,000</b>	<b>Decrease</b>
<b>Net Budget Surplus impact</b>	<b>\$6,000</b>	<b>Decrease</b>

**Strategic Plans/Policy Implications**Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.
- Deliver value for money through sustainable financial management, planning and asset management.

**Budget/Financial Implications**

The City's previously reported budget surplus of \$70,437 in the December financial report was reduced by \$16,611 to \$53,826 when Council adopted the mid-year budget review at its February meeting. With the one small change being proposed in this report, this will be further reduced to \$47,826.

**Legal Implications**

N/A

**Community Consultation**

N/A

**Risk Management Implications**

Council's adopted budget for revenue, expenditure and the closing financial position could factually misrepresent actual financial outcomes if the recommended budget amendments are not adopted. Further, some services and projects could be disrupted if budgetary requirements are not appropriately addressed.

**Advice to Proponents/Submitters**

N/A

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

Nil

**CITY OF COCKBURN****MONTHLY FINANCIAL REPORT  
(Containing the Statement of Financial Activity)  
For the period ending 31 January 2021****LOCAL GOVERNMENT ACT 1995  
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996****TABLE OF CONTENTS**

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**MONTHLY FINANCIAL REPORT  
FOR THE PERIOD ENDED 31 JANUARY 2021**

**SUMMARY INFORMATION**

Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$12.17 M	\$12.17 M	\$12.17 M	(\$0.00 M)
Closing	\$0.05 M	\$59.32 M	\$68.16 M	\$8.84 M
Refer to Statement of Financial Activity				

Cash and financial assets		
	\$212.14 M	% of total
Unrestricted Cash	\$54.95 M	25.9%
Restricted Cash	\$157.19 M	74.1%
Refer to Note 2 - Cash and Financial Assets		

Key Operating Activities

Amount attributable to operating activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$45.54 M	\$67.64 M	\$79.47 M	\$11.83 M
Refer to Statement of Financial Activity			

Employee Cost		
YTD Actual	(\$35.96 M)	% Variance
YTD Budget	(\$35.85 M)	0.3%
Refer to Statement of Financial Activity		

Rates Revenue		
YTD Actual	\$107.87 M	% Variance
YTD Budget	\$107.85 M	0.0%
Refer to Statement of Financial Activity		

Fees and Charges		
YTD Actual	\$19.51 M	% Variance
YTD Budget	\$17.71 M	10.1%
Refer to Statement of Financial Activity		

Materials & Contracts		
YTD Actual	(\$18.64 M)	% Variance
YTD Budget	(\$22.03 M)	(15.4%)
Refer to Statement of Financial Activity		

Key Investing Activities

Amount attributable to investing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$61.76 M)	(\$19.98 M)	(\$18.72 M)	\$1.25 M
Refer to Statement of Financial Activity			

Proceeds on sale		
YTD Actual	\$0.78 M	%
Amended Budget	\$6.84 M	11.5%
Refer to Note 3 - Disposal of Assets		

Asset Acquisition		
YTD Actual	\$20.21 M	% Spent
Amended Budget	\$87.10 M	23.2%
Refer to Note 4 - Capital Acquisition		

Capital Grants		
YTD Actual	(\$2.39 M)	% Received
Amended Budget	(\$20.00 M)	11.9%
Refer to Note 4 - Capital Acquisition		

Key Financing Activities

Amount attributable to financing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$4.10 M	(\$0.51 M)	(\$4.75 M)	(\$4.25 M)
Refer to Statement of Financial Activity			

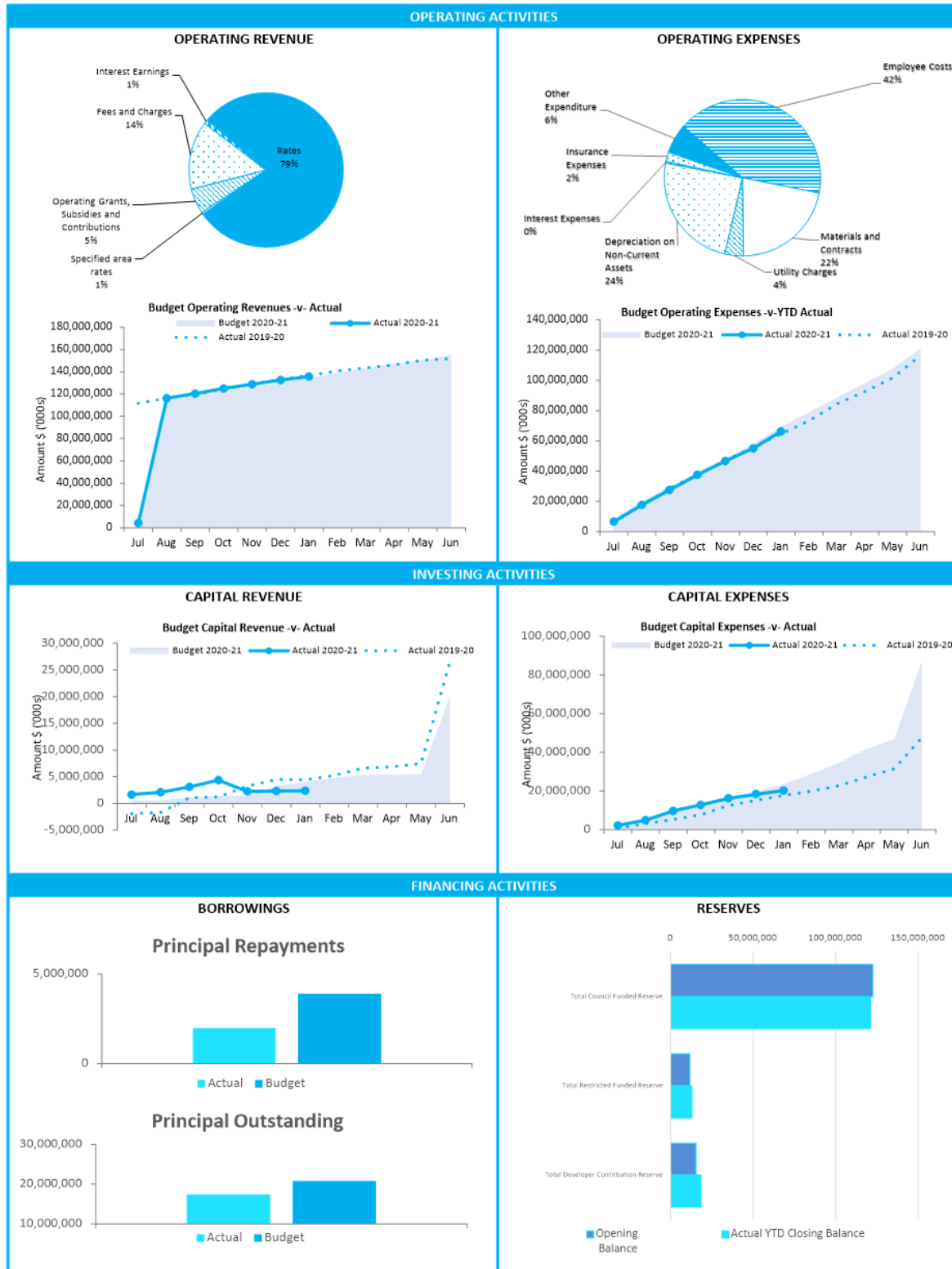
Borrowings	
Principal repayments	\$1.98 M
Interest expense	\$0.31 M
Principal due	\$17.42 M
Refer to Note 5 - Borrowings	

Reserves	
Reserves balance	\$152.56 M
Interest earned	\$0.10 M
Refer to Note 6 - Cash Reserves	

This information is to be read in conjunction with the accompanying Financial Statements and notes.

**MONTHLY FINANCIAL REPORT  
FOR THE PERIOD ENDED 31 JANUARY 2021**

**SUMMARY INFORMATION - GRAPHS**



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021

BY NATURE OR TYPE

	Ref Note	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Opening funding surplus / (deficit)</b>	1(c)	12,171,051	12,171,051	12,171,051	0	0.00%	
<b>Revenue from operating activities</b>							
Rates		108,037,502	107,296,002	107,327,549	31,547	0.03%	
Specified area rates		550,600	550,600	546,838	(3,762)	(0.68%)	
Operating grants, subsidies and contributions		13,920,564	7,907,552	7,199,969	(707,583)	(8.95%)	▼
Fees and charges		30,866,136	17,710,905	19,506,331	1,795,426	10.14%	▲
Interest earnings		1,830,000	1,049,998	1,205,569	155,571	14.82%	
Profit on disposal of assets		1,081,225	0	199,379	199,379	0.00%	
		156,286,027	134,515,057	135,985,635	1,470,578		
<b>Expenditure from operating activities</b>							
Employee costs		(61,983,344)	(35,850,790)	(35,964,040)	(113,250)	(0.32%)	
Materials and contracts		(38,533,286)	(22,027,851)	(18,643,153)	3,384,698	15.37%	▲
Utility charges		(5,919,371)	(3,312,161)	(3,297,381)	14,780	0.45%	
Depreciation on non-current assets		(35,641,134)	(20,792,975)	(20,970,566)	(177,591)	(0.85%)	
Interest expenses		(696,000)	(348,000)	(316,321)	31,679	9.10%	
Insurance expenses		(1,723,200)	(1,723,200)	(1,681,861)	41,339	2.40%	
Other expenditure		(10,407,264)	(5,030,787)	(5,220,244)	(189,457)	(3.77%)	
Loss on disposal of assets		0	(95,822)	0	95,822	100.00%	
		(154,903,599)	(89,181,586)	(86,093,566)	3,088,020		
Non-cash amounts excluded from operating activities	1(a)	44,157,355	22,302,931	29,574,602	7,271,671	32.60%	▲
<b>Amount attributable to operating activities</b>		45,539,783	67,636,402	79,466,671	11,830,269		
<b>Investing activities</b>							
Proceeds from non-operating grants, subsidies and contributions		18,506,208	3,121,548	700,072	(2,421,476)	(77.57%)	▼
Proceeds from disposal of assets	3	6,835,069	455,099	783,253	328,154	72.11%	▲
Payments for property, plant and equipment and infrastructure	4	(87,099,352)	(23,553,596)	(20,205,618)	3,347,978	14.21%	▲
<b>Amount attributable to investing activities</b>		(61,758,075)	(19,976,949)	(18,722,293)	1,254,656		
<b>Financing Activities</b>							
Proceeds from new debentures	5	5,277,400	0	0	0	0.00%	
Transfer from reserves	6	62,002,616	12,296,318	18,414,477	6,118,159	49.76%	▲
Repayment of debentures	5	(3,900,000)	(350,000)	(1,978,344)	(1,628,344)	(465.24%)	▼
Transfer to reserves	6	(59,278,950)	(12,455,240)	(21,190,541)	(8,735,301)	(70.13%)	▼
<b>Amount attributable to financing activities</b>		4,101,066	(508,922)	(4,754,408)	(4,245,486)		
<b>Closing funding surplus / (deficit)</b>	1(c)	53,825	59,321,582	68,161,022	8,839,440		

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 10 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

## KEY TERMS AND DESCRIPTIONS FOR THE PERIOD ENDED 31 JANUARY 2021

## NATURE OR TYPE DESCRIPTIONS

### REVENUE

#### RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specified area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts and concessions offered. Exclude administration fees, interest on instalments, interest on arrears, service charges and sewerage rates.

#### OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers to all amounts received as grants, subsidies and contributions that are not non-operating grants.

#### NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

#### REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

#### FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

#### SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

#### INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

#### OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

#### PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

### EXPENSES

#### EMPLOYEE COSTS

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

#### MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

#### UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

#### INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

#### LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

#### DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

#### INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

#### OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.



STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021

STATUTORY REPORTING BY BUSINESS UNIT

	Ref Note	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Opening funding surplus / (deficit)</b>	1(c)	12,171,051	12,171,051	12,171,051	(0)	(0.00%)	
<b>Revenue from operating activities</b>							
Executive Services		0	0	3,500	3,500	0.00%	
Strategy and Governance		800	467	1,456	989	211.78%	
Financial Services		113,057,459	110,230,660	110,494,388	263,728	0.24%	
Information Services		1,500	875	91	(784)	(89.60%)	
Human Resource Management		275,400	151,645	141,448	(10,197)	(6.72%)	
Library Services		48,550	28,321	23,339	(4,982)	(17.59%)	
Recreation and Community Safety		12,989,344	7,368,726	7,895,847	527,121	7.15%	▲
Community Development and Services		9,703,024	5,917,117	5,422,938	(494,179)	(8.35%)	▼
Corporate Communications		104,600	43,550	45,724	2,174	4.99%	
Statutory Planning Services		1,467,800	690,927	936,153	245,226	35.49%	
Strategic Planning Services		3,290,185	1,765,162	1,805,585	40,423	2.29%	
Building Services		1,548,247	932,084	1,104,083	171,999	18.45%	
Environmental Health Services		466,354	294,629	438,337	143,708	48.78%	
Waste Services		9,469,952	5,443,771	6,132,067	688,296	12.64%	▲
Parks and Environmental Services		1,550,711	779,030	153,005	(626,025)	(80.36%)	▼
Engineering Services		293,472	118,485	135,433	16,948	14.30%	
Infrastructure Services		2,018,631	749,608	1,252,241	502,633	67.05%	▲
		156,286,029	134,515,057	135,985,635	1,470,578		
<b>Expenditure from operating activities</b>							
Executive Services		(3,114,319)	(1,671,549)	(1,364,575)	306,974	18.36%	▲
Executive Support Services		(286,558)	(169,737)	(120,961)	48,776	28.74%	
Strategy and Governance		(1,805,448)	(1,049,673)	(882,902)	166,771	15.89%	
Financial Services		(6,679,501)	(4,678,735)	(4,470,085)	208,650	4.46%	
Information Services		(7,898,464)	(5,050,375)	(5,092,800)	(42,425)	(0.84%)	
Human Resource Management		(2,814,415)	(1,582,048)	(1,576,148)	5,900	0.37%	
Library Services		(4,063,693)	(2,463,449)	(2,177,011)	286,438	11.63%	
Recreation and Community Safety		(20,046,899)	(11,207,899)	(10,767,092)	440,807	3.93%	▲
Community Development and Services		(13,359,234)	(7,601,267)	(6,526,259)	1,075,008	14.14%	▲
Corporate Communications		(4,244,163)	(2,401,714)	(2,405,658)	(3,944)	(0.16%)	
Governance and Risk Management		(5,000)	(2,917)	(823)	2,094	71.79%	
Statutory Planning Services		(1,633,431)	(922,503)	(952,665)	(30,162)	(3.27%)	
Strategic Planning Services		(2,302,695)	(1,308,255)	(1,528,754)	(220,499)	(16.85%)	
Building Services		(1,879,374)	(1,059,167)	(1,065,188)	(6,021)	(0.57%)	
Environmental Health Services		(2,121,340)	(1,261,855)	(1,123,084)	138,771	11.00%	
Waste Services		(17,659,082)	(9,182,260)	(9,334,974)	(152,714)	(1.66%)	
Parks and Environmental Services		(21,579,346)	(12,302,811)	(11,858,590)	444,221	3.61%	▲
Engineering Services		(25,023,174)	(14,601,004)	(14,707,784)	(106,780)	(0.73%)	
Infrastructure Services		(19,984,214)	(11,629,984)	(11,244,062)	385,922	3.32%	▲
Internal Recharging		1,596,749	965,616	1,105,849	140,233	(14.52%)	
		(154,903,601)	(89,181,586)	(86,093,566)	3,088,020		
<b>Non-cash amounts excluded from operating activities</b>	1(a)	44,157,355	22,302,931	29,574,602	7,271,671	32.60%	▲
<b>Amount attributable to operating activities</b>		45,539,783	67,636,402	79,466,671	11,830,269		
<b>Investing Activities</b>							
Proceeds from non-operating grants, subsidies and contributions		18,506,208	3,121,548	700,072	(2,421,476)	(77.57%)	▼
Proceeds from disposal of assets	3	6,835,069	455,099	783,253	328,154	72.11%	▲
Payments for property, plant and equipment and infrastructure	4	(87,099,352)	(23,553,596)	(20,205,618)	3,347,978	14.21%	▲
<b>Amount attributable to investing activities</b>		(61,758,075)	(19,976,949)	(18,722,293)	1,254,656		
<b>Financing Activities</b>							
Proceeds from new debentures	5	5,277,400	0	0	0	0.00%	
Transfer from reserves	6	62,002,616	12,296,318	18,414,477	6,118,159	49.76%	▲
Repayment of debentures	5	(3,900,000)	(350,000)	(1,978,344)	(1,628,344)	(465.24%)	▼
Transfer to reserves	6	(59,278,950)	(12,455,240)	(21,190,541)	(8,735,301)	(70.13%)	▼
<b>Amount attributable to financing activities</b>		4,101,066	(508,922)	(4,754,408)	(4,245,486)		
<b>Closing funding surplus / (deficit)</b>	1(c)	53,825	59,321,582	68,161,022			

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold. Refer to threshold. Refer to Note 10 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2020-21 year is \$300,000 or 0.00% whichever is the greater.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

**MONTHLY FINANCIAL REPORT  
FOR THE PERIOD ENDED 31 JANUARY 2021**

**BASIS OF PREPARATION**

**BASIS OF PREPARATION**

**REPORT PURPOSE**

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996*, Regulation 34. Note: The statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

**BASIS OF ACCOUNTING**

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying regulations.

The *Local Government (Financial Management) Regulations 1996* take precedence over Australian Accounting Standards. Regulation 16 prohibits a local government from recognising as assets Crown land that is a public thoroughfare, such as land under roads, and land not owned by but under the control or management of the local government, unless it is a golf course, showground, racecourse or recreational facility of State or regional significance. Consequently, some assets, including land under roads acquired on or after 1 July 2008, have not been recognised in this financial report. This is not in accordance with the requirements of AASB 1051 *Land Under Roads* paragraph 15 and AASB 116 *Property, Plant and Equipment* paragraph 7.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

**PREPARATION TIMING AND REVIEW**

Date prepared: All known transactions up to 31 January 2021

**SIGNIFICANT ACCOUNTING POLICES**

**CRITICAL ACCOUNTING ESTIMATES**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

**THE LOCAL GOVERNMENT REPORTING ENTITY**

All funds through which the City controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 8 to these financial statements.

**GOODS AND SERVICES TAX**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

**ROUNDING OFF FIGURES**

All figures shown in this statement are rounded to the nearest dollar.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021

NOTE 1  
STATEMENT OF FINANCIAL ACTIVITY INFORMATION

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Notes	Amended Budget	YTD Budget (a)	YTD Actual (b)
<b>Non-cash items excluded from operating activities</b>		\$	\$	\$
<b>Adjustments to operating activities</b>				
Less: Profit on asset disposals	3	(1,081,225)	0	(199,379)
Less: Reversal of prior year revaluation loss		0	0	0
Less: Non-cash grants and contributions for assets				
Less: Movement in liabilities associated with restricted cash		3,832,475	1,414,134	2,920,445
Less: Movement in leased liabilities				(401,570)
Less: Fair value adjustments to financial assets at amortised cost				
Less: Fair value adjustments to investment property		0		0
Movement in pensioner deferred rates (non-current)		0	0	57,538
Movement in accrued debtors (non-current)		0	0	1,148
Movement in inventory (non-current)				0
Movement in employee benefit provisions (non-current)		0	0	460,883
Movement in contract liabilities (non-current)				
Movement in lease liabilities (non-current)				
Movement in Public Open Space payment (non-current)		5,764,971		5,764,971
Add: Loss on asset disposals	3	0	95,822	0
Add: Loss on revaluation of non current assets		0	0	0
Add: Change in accounting policies				
Add: Depreciation on assets		35,641,134	20,792,975	20,970,566
<b>Total non-cash items excluded from operating activities</b>		<b>44,157,355</b>	<b>22,302,931</b>	<b>29,574,602</b>

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation* 32 to agree to the surplus/(deficit) after imposition of general rates.

		Last Year Closing 30 June 2020	This Time Last Year 31 January 2020	Year to Date 31 January 2021
<b>Adjustments to net current assets</b>				
Less: Reserves - restricted cash	6	(149,783,094)	(138,814,270)	(152,559,158)
Less: - Financial assets at amortised cost - self supporting loans		0	0	0
Less: Bonds & deposits		(4,017,650)	(4,129,410)	(4,630,574)
Less: User defined				
Less: User defined				
Add: Borrowings	5	3,226,983	2,825,065	1,248,640
Add: Provisions - employee	7	0	0	0
Add: Lease liabilities		421,881	0	20,311
Add: Financial assets at amortised cost - non-current	2	951,228	987,040	941,521
<b>Total adjustments to net current assets</b>		<b>(149,200,652)</b>	<b>(139,131,575)</b>	<b>(154,979,260)</b>

(c) Net current assets used in the Statement of Financial Activity

<b>Current assets</b>				
Cash and cash equivalents	2	5,133,910	44,461,040	11,294,045
Financial assets at amortised cost	2	169,400,000	157,400,000	199,900,000
Rates receivables		2,942,696	27,485,513	31,686,907
Receivables		4,697,858	4,809,215	4,863,554
Other current assets		4,531,758	2,129,933	778,557
<b>Less: Current liabilities</b>				
Payables		(12,218,573)	(11,377,843)	(11,314,309)
Borrowings	5	(3,226,983)	(2,825,065)	(1,248,640)
Contract liabilities	7	(713,380)	0	(4,340,109)
Lease liabilities		(421,881)	0	(20,311)
Provisions	7	(8,753,702)	(7,102,887)	(8,459,411)
<b>Less: Total adjustments to net current assets</b>	1(b)	<b>(149,200,652)</b>	<b>(139,131,575)</b>	<b>(154,979,260)</b>
<b>Closing funding surplus / (deficit)</b>		<b>12,171,051</b>	<b>75,848,330</b>	<b>68,161,022</b>

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021

OPERATING ACTIVITIES  
NOTE 2  
CASH AND FINANCIAL ASSETS

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution
		\$	\$	\$	\$	
<b>Cash on hand</b>						
Cash at bank	Cash and cash equivalents	11,266,917	0	11,266,917		NATIONAL AUSTRALIA BANK
Cash on hand	Cash and cash equivalents	27,128	0	27,128		
Term deposits - current	Financial assets at amortised cost	0	69,900,000	69,900,000		BANK OF QUEENSLAND
Term deposits - current	Financial assets at amortised cost	0	34,000,000	34,000,000		MACQUARIE BANK
Term deposits - current	Financial assets at amortised cost	0	8,000,000	8,000,000		MEMBERS EQUITY BANK
Term deposits - current	Financial assets at amortised cost	41,500,000	1,000,000	42,500,000		NATIONAL AUSTRALIA BANK
Term deposits - current	Financial assets at amortised cost	0	42,500,000	42,500,000		COMMONWEALTH BANK
Term deposits - current	Financial assets at amortised cost	2,151,789	848,211	3,000,000		AUSWIDE BANK
Other investment - non current	Financial assets at amortised cost	0	941,521	941,521		BARCLAYS BANK
<b>Total</b>		<b>54,945,834</b>	<b>157,189,732</b>	<b>212,135,566</b>	<b>0</b>	
<b>Comprising</b>		<b>Unrestricted</b>	<b>Restricted</b>	<b>Total Cash</b>	<b>Trust</b>	
		\$	\$	\$	\$	
Cash and cash equivalents		11,294,045	0	11,294,045	0	
Financial assets at amortised cost		43,651,789	157,189,732	200,841,521	0	
		<b>54,945,834</b>	<b>157,189,732</b>	<b>212,135,566</b>	<b>0</b>	

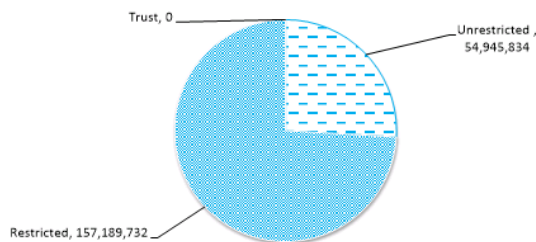
**KEY INFORMATION**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

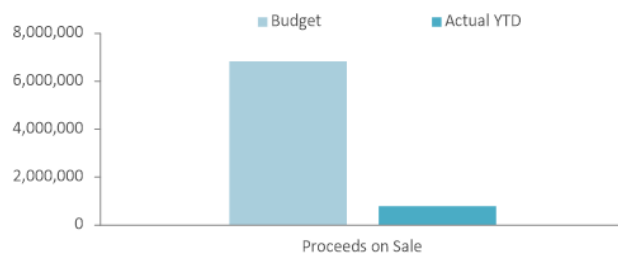
Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021

OPERATING ACTIVITIES  
NOTE 3  
DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment	953,844	1,535,069	581,225		213,212	300,106	86,894	0
	Freehold Land	4,800,000	5,300,000	500,000		370,662	483,147	112,485	0
		<b>5,753,844</b>	<b>6,835,069</b>	<b>1,081,225</b>	<b>0</b>	<b>583,874</b>	<b>783,253</b>	<b>199,379</b>	<b>0</b>



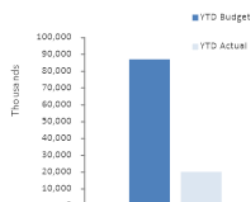
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021

INVESTING ACTIVITIES  
NOTE 4  
CAPITAL ACQUISITIONS

Capital acquisitions	Amended		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Land	2,800,000	280,000	280,000	0
Land - vested in and under the control of Council				0
Buildings	26,335,949	6,032,065	4,953,160	(1,078,905)
Buildings - specialised				0
Furniture and equipment	4,472	0	0	0
Plant and equipment	6,207,480	1,660,411	1,004,950	(655,461)
Information technology	1,689,097	1,067,270	919,896	(147,374)
Rehabilitation asset				0
Leased asset				0
PPE - user defined 4				0
PPE - user defined 5				0
Infrastructure - roads	24,238,402	6,825,377	6,894,891	69,514
Infrastructure - drainage	1,885,509	477,029	737,013	259,984
Infrastructure - footpath	2,941,031	869,610	520,449	(349,161)
Infrastructure - parks hard	7,717,870	3,502,082	2,788,972	(713,110)
Infrastructure - parks landscaping	1,840,726	966,711	694,074	(272,637)
Infrastructure - landfill site	5,214,043	1,129,249	1,189,183	59,934
Infrastructure - marina	5,852,300	469,900	213,418	(256,482)
Infrastructure - coastal	372,473	273,892	9,612	(264,280)
Infrastructure - user defined 9				0
Infrastructure - user defined 10				0
Payments for Capital Acquisitions	87,099,352	23,553,596	20,205,618	(3,347,978)
Right of use assets	0	0	0	0
<b>Total Capital Acquisitions</b>	<b>87,099,352</b>	<b>23,553,596</b>	<b>20,205,618</b>	<b>(3,347,978)</b>
<b>Capital Acquisitions Funded By:</b>				
	\$	\$	\$	\$
Capital grants and contributions	(19,998,655)	(3,950,476)	(2,387,113)	1,563,363
Borrowings	(5,277,400)	0	0	0
Lease liabilities	0	0	0	0
Other (disposals & C/Fwd)	(6,835,069)	(455,099)	(783,253)	(328,154)
Cash backed reserves				
Staff Payments & Entitlements	0	0	0	0
Plant & Vehicle Replacement	(4,479,848)	(1,017,839)	(549,923)	467,917
Information Technology	(664,351)	(440,000)	(437,798)	2,202
Major Building Refurbishment	(3,170,032)	(799,048)	(173,726)	625,322
Waste & Recycling	(5,449,393)	(1,201,749)	(1,269,533)	(67,784)
Land Development and Investment Fund	(3,943,994)	(280,000)	(280,000)	0
Roads & Drainage Infrastructure	(6,257,857)	(1,921,169)	(2,304,365)	(383,196)
Naval Base Shacks	0	0	0	0
Community Infrastructure	(13,530,290)	(1,314,546)	(862,472)	452,074
Insurance	0	0	0	0
Greenhouse Action Fund	(155,300)	0	0	0
Aged and Disabled Asset Replacement	(35,675)	(20,000)	(7,700)	12,300
Welfare Projects Employee Entitlements	0	0	0	0
HWRP Post Closure Management & Contaminated Sites	(217,000)	0	0	0
Municipal Elections	0	0	0	0
Port Coogee Special Maintenance - SAR	(24,500)	(20,333)	(1,180)	19,153
Port Coogee Waterways - SAR	0	0	0	0
Community Surveillance	(15,050)	(15,050)	(1,997)	13,053
Waste Collection	(125,000)	(125,000)	0	125,000
Family Day Care Accumulation Fund	0	0	0	0
Community Infrastructure DCP 13	0	0	0	0
Naval Base Shack Removal	0	0	0	0
Environmental Offset	(59,252)	0	0	0
Bibra Lake Management Plan	(520,000)	(120,000)	(46,285)	73,715
Restricted Grants & Contributions	(2,158,416)	(30,103)	(2,367,660)	(2,337,557)
CIHCF Building Maintenance	0	0	0	0
Cockburn ARC Building Maintenance	0	0	0	0
Carry Forward Projects	(12,452,987)	(4,238,370)	(5,318,908)	(1,080,538)
Port Coogee Marina Assets Replacement	0	0	0	0
Port Coogee Waterways - WEMP	0	0	0	0
Cockburn Coast SAR	0	0	0	0
Developer Contribution Plans - Various	0	0	0	0
Public Open Space - Various	0	0	(760)	(760)
Reserves cash backed - [describe]	0	0	0	0
Reserves cash backed - [describe]	0	0	0	0
Reserves cash backed - [describe]	0	0	0	0
Reserves cash backed - [describe]	0	0	0	0
Reserves cash backed - [describe]	0	0	0	0
Reserves cash backed - [describe]	0	0	0	0
Reserves cash backed - [describe]	0	0	0	0
Reserves cash backed - [describe]	0	0	0	0
Contribution - operations	1,729,283	7,604,814	3,412,946	(4,191,868)
<b>Capital funding total</b>	<b>(83,640,786)</b>	<b>(8,343,968)</b>	<b>(13,379,727)</b>	<b>(5,035,758)</b>

SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021**

**FINANCING ACTIVITIES**

**NOTE 5**

**BORROWINGS**

**Repayments - borrowings**

Information on borrowings		1 July 2020	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	Loan No.		Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Governance</b>										
To assist fund the stage 2 of Marina infrastructure expansion	9	0	0	5,277,400	0	0	0	5,277,400	0	0
<b>Community amenities</b>										
SMRC		4,398,510	0	0	728,344	1,400,000	3,670,166	2,998,510	89,010	170,000
<b>Recreation and culture</b>										
To assist fund the Cockburn Central West development	8	15,000,000	0	0	1,250,000	2,500,000	13,750,000	12,500,000	222,000	526,000
<b>C/Fwd Balance</b>		19,398,510	0	5,277,400	1,978,344	3,900,000	17,420,166	20,775,910	311,010	696,000
<b>Total</b>		19,398,510	0	5,277,400	1,978,344	3,900,000	17,420,166	20,775,910	311,010	696,000
Current borrowings		3,226,983					1,248,640			
Non-current borrowings		16,171,527					16,171,526			
		19,398,510					17,420,166			

All debenture repayments were financed by general purpose revenue.

**KEY INFORMATION**

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021

OPERATING ACTIVITIES

NOTE 6

CASH RESERVES

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b><i>Council Funded</i></b>									
Staff Payments & Entitlements	1,633,128	0	0	0	0	(40,000)	(40,000)	1,593,128	1,593,128
Plant & Vehicle Replacement	11,400,754	0	0	3,024,727	0	(4,479,848)	(549,923)	9,945,633	10,850,832
Information Technology	501,249	0	0	1,200,000	0	(805,651)	(437,798)	895,598	63,451
Major Building Refurbishment	16,677,163	0	0	3,000,000	0	(3,170,032)	(173,726)	16,507,131	16,503,437
Waste & Recycling	12,200,267	0	0	1,964,254	0	(5,509,393)	(1,269,533)	8,655,128	10,930,734
Land Development and Investment Fund	11,002,645	0	0	5,568,114	676,442	(3,948,994)	(285,000)	12,621,765	11,394,087
Roads & Drainage Infrastructure	10,442,059	0	0	4,638,533	0	(7,850,304)	(3,290,292)	7,216,580	7,151,767
Naval Base Shacks	1,161,639	0	0	18,287	9,144	0	0	1,179,926	1,170,783
Community Infrastructure	27,777,436	0	0	3,500,000	0	(13,530,290)	(862,472)	17,747,146	26,914,964
Insurance	2,235,907	0	0	500,000	0	(100,000)	0	2,635,907	2,235,907
Greenhouse Action Fund	741,641	0	0	200,000	0	(288,330)	0	653,311	741,641
HWRP Post Closure Management & Contan	3,501,513	0	0	250,000	0	(352,000)	(52,337)	3,399,513	3,449,176
Municipal Elections	1,420	0	0	150,000	0	0	0	151,420	1,420
Community Surveillance	864,697	0	0	200,000	0	(135,050)	(90,365)	929,647	774,332
Waste Collection	4,199,528	0	0	2,339,328	0	(151,000)	(18,149)	6,387,856	4,181,379
Environmental Offset	308,011	0	0	0	0	(59,252)	0	248,759	308,011
Bibra Lake Management Plan	521,086	0	0	0	0	(520,000)	(46,285)	1,086	474,801
CIHCF Building Maintenance	9,327,472	0	0	1,458,228	645,125	0	0	10,785,700	9,972,597
Cockburn ARC Building Maintenance	3,718,365	0	0	1,500,000	0	0	0	5,218,365	3,718,365
Carry Forward Projects	2,850,851	0	0	17,918,715	9,878,427	(12,900,585)	(5,534,703)	7,868,981	7,194,575
Port Coogee Marina Assets Replacement	1,484,887	0	0	300,000	0	0	0	1,784,887	1,484,887
<b>Total Council Funded Reserve</b>	<b>122,551,718</b>	<b>0</b>	<b>0</b>	<b>47,730,186</b>	<b>11,209,138</b>	<b>(53,840,729)</b>	<b>(12,650,583)</b>	<b>116,427,469</b>	<b>121,110,273</b>
<b><i>Restricted Funded</i></b>									
Aged and Disabled Asset Replacement	391,623	4,257	1,851	37,716	22,001	(35,675)	(7,700)	397,921	407,775
Welfare Projects Employee Entitlements	1,611,878	18,465	2,435	900,000	450,000	0	0	2,530,342	2,064,313



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021

## OPERATING ACTIVITIES

## NOTE 6

## CASH RESERVES

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Port Coogee Special Maintenance - SAR	1,820,480	22,245	8,149	400,000	0	(219,815)	(172,483)	2,022,909	1,656,147
Port Coogee Waterways - SAR	102,267	1,291	476	55,600	0	(50,000)	0	109,159	102,743
Family Day Care Accumulation Fund	11,474	0	53	0	0	0	0	11,474	11,527
Naval Base Shack Removal	652,448	7,998	3,062	30,477	15,239	0	0	690,923	670,749
Restricted Grants & Contributions	5,786,772	0	0	0	0	(4,564,384)	(4,800,949)	418,541	985,823
Public Open Space - Various	0	0	3,716	5,764,971	5,764,971	(7,158)	(760)	5,757,813	5,767,927
Port Coogee Waterways - WEMP	1,302,071	15,831	6,108	0	0	(100,000)	0	1,217,902	1,308,179
Cockburn Coast SAR	25,209	465	101	30,000	0	(11,330)	(10,290)	44,344	15,020
<b>Total Restricted Funded Reserve</b>	<b>11,704,222</b>	<b>70,551</b>	<b>25,952</b>	<b>7,218,764</b>	<b>6,252,211</b>	<b>(4,988,362)</b>	<b>(4,992,182)</b>	<b>13,201,328</b>	<b>12,990,203</b>
<b>Developer Contribution Plans</b>									
Community Infrastructure DCP 13	4,782,645	17,282	28,766	3,000,000	3,071,359	(3,065,564)	(12,538)	4,734,363	7,870,232
Developer Contribution Plans - Various	10,744,509	162,167	49,501	1,080,000	553,615	(107,961)	(759,174)	11,892,423	10,588,451
<b>Total Developer Contribution Reserve</b>	<b>15,527,154</b>	<b>179,449</b>	<b>78,267</b>	<b>4,080,000</b>	<b>3,624,975</b>	<b>(3,173,525)</b>	<b>(771,713)</b>	<b>16,626,786</b>	<b>18,458,683</b>
<b>Total Cash Reserve</b>	<b>149,783,094</b>	<b>250,000</b>	<b>104,219</b>	<b>59,028,950</b>	<b>21,086,323</b>	<b>(62,002,616)</b>	<b>(18,414,477)</b>	<b>146,255,582</b>	<b>152,559,158</b>

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021

OPERATING ACTIVITIES  
NOTE 7  
OTHER CURRENT LIABILITIES

Other current liabilities	Note	Opening Balance 1 July 2020	Liability Increase	Liability Reduction	Closing Balance 31 January 2021
		\$	\$	\$	\$
<b>Contract liabilities</b>					
Unspent grants, contributions and reimbursements - non-operating		713,380	9,256,278	(5,629,548)	4,340,109
<b>Total unspent grants, contributions and reimbursements</b>		713,380	9,256,278	(5,629,548)	4,340,109
<b>Provisions</b>					
Annual leave		4,809,588	44,122,204	(44,416,496)	4,515,297
Long service leave		3,144,114	0	0	3,144,114
<b>Total Provisions</b>		7,953,702	44,122,204	(44,416,496)	7,659,411
<b>Total other current assets</b>		<b>8,667,082</b>	<b>53,378,482</b>	<b>(50,046,044)</b>	<b>11,999,520</b>
Amounts shown above include GST (where applicable)					

KEY INFORMATION

Provisions

Provisions are recognised when the City has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee benefits

Short-term employee benefits

Provision is made for the City's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The City's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The City's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The City's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the City does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer. Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the City are recognised as a liability until such time as the City satisfies its obligations under the agreement.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021**

**NOTE 8  
TRUST FUND**

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 1 July 2020	Amount Received	Amount Paid	Closing Balance 31 Jan 2021
	\$	\$	\$	\$
POS Payments - Bibra Lake (East)	133,721	339	(134,060)	0
POS Payments - Aubin Grove	816,634	73,814	(890,447)	0
POS Payments - Atwell	108,197	274	(108,471)	0
POS Payments - Beeliar	1,958,333	4,958	(1,963,292)	0
POS Payments - Coogee	328,680	127	(328,807)	0
POS Payments - Cockburn Central	164,995	361	(165,356)	0
POS Payments - Hamilton Hill	912,554	2,311	(914,864)	0
POS Payments - Jandakot	250,295	410	(250,705)	0
POS Payments - Munster	697,767	1,433	(699,200)	0
POS Payments - South Lake	5,400	14	(5,414)	0
POS Payments - Yangebup	547,116	1,385	(548,501)	0
POS Payments - Hammond Park	270,960	686	(271,646)	0
POS Payments - Coolbellup	179,948	456	(180,404)	0
POS Payments - Lake Coogee	0	112,000	(112,000)	0
	<b>6,374,601</b>	<b>198,566</b>	<b>(6,573,167)</b>	<b>0</b>

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021**

**NOTE 9  
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

Project/ Activity	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	<b>Budget adoption</b>		Opening surplus				38,911
GL 400	Youth Outreach - increased external funding	10/09/20 0192	Operating Revenue		7,023		45,934
GL 400	Youth Outreach - increased service delivery 213 Frankland Ave - Parks construction funded by forfeited bond	10/09/20 0192	Operating Expenses			(7,023)	38,911
CW6124	213 Frankland Ave - Parks construction funded	10/09/20 0192	Capital Revenue		97,156		136,067
CW6124	213 Frankland Ave - Parks construction funded	10/09/20 0192	Capital Expenses			(97,156)	38,911
OP9945	Local Healthy Food funded by external fund	10/09/20 0192	Operating Revenue		12,500		51,411
OP9945	Local Healthy Food activity Community Engagement - Increased staff cost funded by	10/09/20 0192	Operating Expenses			(12,500)	38,911
OP8839	Contingency Fund Community Development consultant funded by Contingency Fund	10/09/20 0192	Operating Expenses		35,000		73,911
OP9525	Seniors program funded by Contingency Fund	10/09/20 0192	Operating Expenses		50,000		123,911
OP8935	Contingency Fund - funding various projects	10/09/20 0192	Operating Expenses		10,000		133,911
OP8272			Operating Revenue			(95,000)	38,911
GL 500	Statutory Planning - increase development application revenue	08/10/20 0213	Operating Revenue		100,000		138,911
GL 500	Statutory Planning - additional contract position	08/10/20 0213	Operating Expenses			(100,000)	38,911
GL 730	Building Services - increase building permits revenue	08/10/20 0213	Operating Revenue		100,000		138,911
GL 730	Building Services - additional contract position	08/10/20 0213	Operating Expenses			(100,000)	38,911
Various	Adjusting workers compensation internal allocations	08/10/20 0213	Operating Expenses		2,031		40,942
OP6283	CSRFP preliminary planning funded from contingency	08/10/20 0213	Operating Expenses		50,000		90,942
OP7861	Asbestos register funded from contingency	08/10/20 0213	Operating Expenses		22,000		112,942
OP7965	Recruitment cost funded from contingency	08/10/20 0213	Operating Expenses		66,000		178,942
OP8272	Contingency Fund - funding various projects	08/10/20 0213	Operating Revenue			(138,000)	40,942
OP9176	Coastal adaptation grant	08/10/20 0213	Operating Revenue		48,000		88,942
OP9176	Coastal vulnerability & adaptation planning	08/10/20 0213	Operating Expenses			(48,000)	40,942
OP7848	ATOP stage 2 maintenance revenue	08/10/20 0213	Operating Revenue		27,648		68,590
OP7848	McLaren Park maintenance	08/10/20 0213	Operating Expenses			(27,648)	40,942
CW1668	Purchase of Pure Storage	12/11/20 0230	Capital Expenses			(440,000)	(399,058)
CW1668	Reserve funding purchase of Pure Storage	12/11/20 0230	Transfer from Reserve		440,000		40,942
CW3962	Tolley Court Sump - funding CW3962	12/11/20 0230	Capital Expenses			(96,910)	(55,968)

CITY OF COCKBURN | 17

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021**

**NOTE 9  
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

Project/ Activity	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
CW3963	Hartley Sump - funding CW3962	12/11/20 0230	Capital Expenses		5,559		(50,409)
CW3982	King Store Storage - funding CW3962	12/11/20 0230	Capital Expenses		47,081		(3,328)
CW4896	Beeliar drive Sump fence replacement - funding CW3962	12/11/20 0230	Capital Expenses		16,115		12,787
CW4814	Spearwood Avenue Hamilton to Cockburn - funding CW3962	12/11/20 0230	Capital Expenses		7,435		20,222
CW4897	Spearwood Ave Sump provide screening - funding CW3962	12/11/20 0230	Capital Expenses		20,720		40,942
CW4676	Frankland Park Recreation Centre funded by LRCI grant	12/11/20 0230	Capital Expenses			(200,000)	(159,058)
CW4712	Malabar Park BMX Facility - Funded by LRCI grant	12/11/20 0230	Capital Expenses			(115,000)	(274,058)
CW4964	Replacement of evaporative air con system at the Coogee Beach Surf Life Saving Club - funded by LRCI grant	12/11/20 0230	Capital Expenses			(175,000)	(449,058)
CW4965	Henderson Reuse Shop Air Conditioning - funded by LRCI grant	12/11/20 0230	Capital Expenses			(45,000)	(494,058)
CW4966	South Coogee Clubrooms External Works - funded by LRCI grant	12/11/20 0230	Capital Expenses			(30,000)	(524,058)
CW4967	Slow Down Coastal Path - funded by LRCI grant	12/11/20 0230	Capital Expenses			(100,000)	(624,058)
CW4968	Hammond Park Shared Path - funded by LRCI grant	12/11/20 0230	Capital Expenses			(100,000)	(724,058)
CW4969	Urban Forest Crossing - funded by LRCI grant	12/11/20 0230	Capital Expenses			(100,000)	(824,058)
CW4970	Chieftain Esplanade Road Closure - funded by LRCI grant	12/11/20 0230	Capital Expenses			(18,000)	(842,058)
CW4971	Smart LED Street Light Trial - funded by LRCI grant	12/11/20 0230	Capital Expenses			(94,107)	(936,165)
CW (TBA)	Landscaping improvements in Yangebup - funded by LRCI grant	12/11/20 0230	Capital Expenses			(100,000)	(1,036,165)
Various	LRCI grant funding various projects	12/11/20 0230	Capital Revenue		1,077,107		40,942
CW4937	Aged & disabled bathroom heater & kitchen refurbishment	12/11/20 0230	Capital Expenses			(20,000)	20,942
CW4937	Reserve funding aged & disabled refurbishment	12/11/20 0230	Transfer from Reserve		20,000		40,942
CW4972	Geothermal failure at ARC	12/11/20 0230	Capital Expenses			(200,000)	(159,058)
CW4972	Reserve funding repair to Geothermal system	12/11/20 0230	Transfer from Reserve		200,000		40,942
CW6128	Santich Park – Parking and New Lights	12/11/20 0230	Capital Expenses			(18,000)	22,942
CW6129	Success Netball Courts and Parking Upgrade	12/11/20 0230	Capital Expenses			(32,000)	(9,058)

CITY OF COCKBURN | 18

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021**

**NOTE 9  
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

Project/ Activity	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
OP6283	CSRFP Prelim Planning - funding CW6128 & 6129	12/11/20 0230	Operating Expenses		50,000		40,942
CW6139	Dimago Park - forfeited POS fund	12/11/20 0230	Capital Expenses			(90,000)	(49,058)
OP7862	Dimago Park maintenance - forfeited POS fund	12/11/20 0230	Operating Expenses			(7,158)	(56,216)
Various	Forfeited POS to fund maintenance of Dimago Park	12/11/20 0230	Operating Revenue		97,158		40,942
OP7744	Goldsmith - developer contribution POS	12/11/20 0230	Operating Expenses			(7,750)	33,192
OP7744	Received new developer contribution for Goldsmith Park	12/11/20 0230	Operating Revenue		7,750		40,942
OP9223	Bike Month - Cockburnhagen - funded by State grant	12/11/20 0230	Operating Expenses			(2,000)	38,942
OP9223	Received new state grant for Cockburnhagen project	12/11/20 0230	Operating Revenue		2,000		40,942
GL 105	Adjustment to FAGS grant	12/11/20 0230	Operating Revenue			(70,505)	(29,563)
GL 210	Health Services - increase licence revenue	12/11/20 0230	Operating Revenue		100,000		70,437
CW3950	Received MRRG for Hammond Rd duplication	12/11/20 0230	Capital Revenue		3,000,000		3,070,437
CW3950	Reserve funding for Hammon Rd duplication	12/11/20 0230	Transfer from Reserve		1,000,000		4,070,437
CW3950	Hammond Road duplication	12/11/20 0230	Capital Expenses			(4,000,000)	70,437
CW3996	Received new grant - RAC Healy Road	10/12/20 0259	Capital Revenue		80,000		150,437
CW3996	Increased expenditure on Healy Road funded from RAC grant	10/12/20 0259	Capital Expenses			(80,000)	70,437
CW6140	Forfeited bond to fund Koorilla wall and fencing work	10/12/20 0259	Capital Revenue		203,810		274,247
CW6140	Koorilla wall & fencing funded by forfeited bond	10/12/20 0259	Capital Expenses			(203,810)	70,437
OP5998	Purchase of Thin Clients funded from IT Rsv	10/12/20 0259	Operating Expenses			(51,300)	19,137
OP5998	Transfer from IT Reserve to fund purchase of Thin Clients	10/12/20 0259	Transfer from Reserve		51,300		70,437
OP8732	Insurance reimbursement for property insurance claim	10/12/20 0259	Operating Revenue		515,000		585,437
OP8732	Property insurance claim	10/12/20 0259	Operating Expenses			(515,000)	70,437
OP4997	Received Inclusion Support Grant	10/12/20 0259	Operating Revenue		4,500		74,937
OP4997	Activities funded by Inclusion Support Grant	10/12/20 0259	Operating Expenses			(4,500)	70,437
OP5002	Received Animal Welfare in Emergency grant	10/12/20 0259	Operating Revenue		10,000		80,437
OP5002	Activities funded by Animal Welfare in Emergency Grant	10/12/20 0259	Operating Expenses			(10,000)	70,437
CW1669	Dell Server Replacement funded from IT Rsv	11/02/21 0007	Capital Expenses			(193,351)	(122,914)
CW1669	Transfer from IT Reserve to fund purchase of Dell Server Replacement (Admin VDI Servers)	11/02/21 0007	Transfer from Reserve		193,351		70,437



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2021**

**NOTE 9  
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

Project/ Activity	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
CW6105	Transfer budget to fund shade sail install at Minori Park as location is not suitable for a bball court	11/02/21 0007	Capital Expenses		25,000		95,437
CW6142	Shade sail installation at Minori Park	11/02/21 0007	Capital Expenses			(25,000)	70,437
CW6115	Transfer budget to fund landscape upgrade at Hobson Park as project was completed	11/02/21 0007	Capital Expenses		20,000		90,437
CW6141	Landscape upgrade at Hobson Park	11/02/21 0007	Capital Expenses			(20,000)	70,437
CW7903	Purchase of replacement forklift with an electric variant	11/02/21 0007	Capital Expenses			(40,000)	30,437
CW7903	Transfer from Plant Reserve to fund the purchase of replacement forklift	11/02/21 0007	Transfer from Reserve		35,000		65,437
CW7903	Proceeds from sale from forklift	11/02/21 0007	Proceeds from Sale		5,000		70,437
GL 960	Transfer Public Open Space from Trust to Reserve	11/02/21 0007	Transfer to Reserve			(5,764,971)	(5,694,534)
GL 999	Transfer Public Open Space from Trust to Reserve	11/02/21 0007	Non Cash Item		5,764,971		70,437
GL 381	Grant from Anglicare WA for Small Business Financial Counselling	11/02/21 0007	Operating Revenue		140,000		210,437
GL 381	New activity - Small Business Financial Counselling	11/02/21 0007	Operating Expenses			(140,000)	70,437
CW6059	Bakers Square lighting - project completed	11/02/21 0007	Capital Expenses		6,715		77,152
CW6059	Reversing unspent fund from Bakers Square Lighting back to reserve	11/02/21 0007	Transfer from Reserve			(6,715)	70,437
OP8732	Reducing insurance reimbursement on Generic Property Claims	11/02/21 0007	Operating Revenue			(100,000)	(29,563)
OP8732	Transfer from Insurance Reserve for Generic Property Claims	11/02/21 0007	Transfer from Reserve		100,000		70,437
OP9767	Reducing Asset Management Consulting Fees	11/02/21 0007	Operating Expenses		10,000		80,437
OP9714	Increased expenditure on Golf Course Business Plan	11/02/21 0007	Operating Expenses			(10,000)	70,437
OP6280	Mobility tablets replacement	11/02/21 0007	Operating Expenses			(90,000)	(19,563)
OP6280	Transfer from IT Reserve to fund mobility tablets replacement	11/02/21 0007	Transfer from Reserve		90,000		70,437
Various	Mid-year budget review	to 11 Mar OCM	Opening Surplus(Deficit)			(16,611)	53,826
OP8820	International Women's Day event funded from surplus	to 11 Mar OCM	Operating Expenses			(6,000)	47,826
				<b>0</b>	<b>13,972,930</b>	<b>(13,964,015)</b>	

CITY OF COCKBURN | 20

## 16. ENGINEERING & WORKS DIVISION ISSUES

### 16.1 RFT31-2020 CONSTRUCTION SERVICES - JANDAKOT ROAD DUPLICATION (STAGE 2)

**Author(s)** O Qasem

**Attachments** 1. Evaluation Summary (**CONFIDENTIAL**)

#### **RECOMMENDATION**

That Council accept the tender submission from Tracc Civil Pty Ltd for Tender No. RFT 31/2020 Construction Services – Jandakot Road Duplication (Stage 2), for a total contract value of \$7,812,072.76 (ex GST), in accordance with the submitted lump sum price and the Schedule of Rates for determining variations and/or additional services.

#### **Background**

The City of Cockburn (the Principal) is seeking a suitably qualified and experienced road construction contractor to construct the Stage 2 Jandakot Road duplication from Solomon Road to Berrigan Road, Jandakot.

Jandakot Road is a two lane undivided rural road located within Jandakot, extending between Berrigan Drive to the north and Warton Road to the south.

It is the Principal's intention to upgrade the full extent of Jandakot Road to a dual carriageway road with two lanes in each direction, in order to increase traffic capacity and improve safety for all road users.

Stage 1 of the upgrade, between Solomon Road and Fraser Road, has recently been completed by Stockland Development as part of the Calleya Estate development in Treeby.

Stage 2 works include earthworks, pavement construction, storm-water drainage, relocation and protection of existing services, street lighting and soft and hard landscape.

The successful tenderer will be required to provide all operators, labour, plant, machinery, tools and equipment, materials, chemicals, transport/ cartage, supervision, administration etc., and anything else necessary to carry out all the works and/or services required or requested under the proposed contract.

Tender Number RFT 31/2020 Construction Services – Jandakot Road Duplication (Stage 2), was advertised on Saturday 5 December 2020 in the Local Government Tenders section of the West Australian newspaper.



The tender was also displayed on the City's e-Tendering website between Saturday 5 December 2020 and Wednesday 27 January 2021 inclusive. A mandatory briefing was held on 10 December 2020 with prospective tenderers to discuss the project.

### Submission

The request for tender closed at 12:00pm (AWST) Wednesday 27 January 2021, with four (4) submissions received from the following companies:

Tenderers Name	Registered Entity Name
Civcon	Civcon Civil and Project Management Pty Ltd
Densford Civil	Densford Civil Pty Ltd
Ralmana	Ralmana Pty Ltd
Tracc Civil	Tracc Civil Pty Ltd

### Report

#### Compliance Criteria

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

Compliance Criteria	
(a)	Compliance with the Request document
(b)	Compliance with the Conditions of Responding and Tendering
(c)	Compliance with the General and Special Conditions of Contract
(d)	Compliance with and completion of the Qualitative Criteria
(e)	Compliance with the Specified Scope of Works and Technical Specifications
(f)	Compliance with the Price Schedule (including the breakdown of Lump Sum)
(g)	Compliance with the ACCC Requirements and completion of the Certificate of Warranty
(h)	Attendance at the Mandatory Site Briefing

#### Compliance Tenderers

Procurement Services undertook an initial compliance assessment and all submitted tenderers were deemed compliant and released for evaluation.

A safety risk assessment was undertaken for all tender submissions.

Evaluation Criteria

Evaluation Criteria	Weighting Percentage
Demonstrated Experience	15%
Tenderers Resources	15%
Methodology	10%
Sustainability	10%
Local	10%
Tendered Price	40%
<b>TOTAL</b>	<b>100%</b>

Tender Intent/ Requirements

The Principal is seeking a suitably qualified and experienced road construction contractor to construct the Stage 2 Jandakot Road duplication from Solomon Road to Berrigan Road, Jandakot.

Evaluation Panel

The Tender submissions were evaluated by the following City of Cockburn officers. The Procurement Services representative attended in a probity role only.

Name	Position
Anton Lees	Acting Director Engineering and Works
Colin MacMillan	Engineering Works Manager
Lorenzo Santoriello	Manager Statutory Planning
Omar Qasem	Road Contracts Coordinator
<b>Probity Role Only</b>	
Stephen White	Contracts Officer

Scoring Table – Combined Totals

Tenderer's Name	Percentage Score		
	Non-Cost Evaluation	Cost Evaluation	Total
	60%	40%	100%
<b>Tracc Civil**</b>	<b>41.58</b>	<b>40.00%</b>	<b>81.58</b>
Densford Civil	39.28	33.35%	72.63
Ralmana	32.58	33.65%	66.23
Civcon	36.63	28.90%	65.53

\*\* Recommended Submission

## **Evaluation Criteria Assessment**

### **Demonstrated Experience**

Densford Civil scored the highest for this criterion. Densford Civil demonstrated that they are a well-established, large size organisation with 30 years in the construction industry. They provided relevant and recent examples of similar projects for other local governments: Main Roads WA, Perth Airport.

Densford Civil are equipped with a wide range of resources including plant, equipment and personnel and are capable of completing the proposed works to the required quality standards and specified construction period.

Tracc Civil provided good examples in undertaking similar projects during the last five (5) years for local governments, including two (2) road construction projects for the City of Cockburn.

Ralmana demonstrated their experience with projects for local governments and other clients.

Civcon scored the lowest for this criterion, primarily due to their business model, where they don't possess their own plant and equipment, but rather hire their resources on a needs basis.

### **Tenderer's Resources**

All tenderers demonstrated sufficient resources and personnel to undertake the work required.

Tracc Civil project team are well experience in similar projects for the City. Their proposal did not allow for a Construction Supervisor as this role would be undertaken by the Project Site Manager.

Densford Civil nominated a strong team to manage the road construction, which included a qualified Project Manager (Contractor's Representative), Project Engineer, Construction Supervisor and proposed sub-contractors.

Civcon proposed a team with extensive experience in similar projects.

Ralmana proposed a qualified team but scored the lowest for this criterion as the Project Manager would be engaged on managing other projects at the same time.

### **Methodology**

Both Tracc Civil and Civcon provided comprehensive details of their methodology, including a well prepared Gantt Chart. They both demonstrated good understanding of the project requirements and their ability to identify and manage risks.

Ralmana methodology allowed for four (4) weeks more than the required duration of construction as nominated in the tender documents.

Densford Civil proposed an alternative Traffic Management Plan which requires the Principal's further review.

#### Sustainability

Densford Civil scored the highest for this criterion. They demonstrated excellent corporate commitment to environment conservation and improving economic, social and environmental benefits to the community. They provided many good examples, including the use of recycled materials in asphalt as well as participating and contributing to numerous social and sporting events and community projects.

Both Tracc Civil and Civcon provided good examples demonstrating their commitment to environment protection and their contribution to socio-economic development of local communities.

Ralmana demonstrated their commitment to waste minimisation but scored the lowest for this criterion, as they failed to address the tender requirements for social sustainability.

#### Local and Regional

Tracc Civil scored high for this criterion. They are locally based within the City of Cockburn boundaries. They demonstrated that most of their staff and almost all of their local content are available within the City boundaries.

Densford Civil, Ralmana and Civcon are all located outside the South West Metropolitan Group of Councils with subcontractors available locally.

#### Summation

The Evaluation Panel recommends that the submission by Tracc Civil Pty Ltd be accepted as being the most advantageous submission to deliver Tender RFT 31/2020 Construction Services – Jandakot Road Duplication (Stage 2).

Tracc Civil Pty Ltd provides the best acceptable overall assessment against the combined selection criteria, including the qualitative, cost and financial assessment evaluation.

Referee checks have been undertaken from both local government and private sector organisation representatives, with positive responses being received.

The independent financial risk assessment reflected a satisfactory financial position for Tracc Civil Pty Ltd.

The recommendation is based on:

- The level of demonstrated experience with a range of key personnel in managing the works associated with the requirements;
- Having the required resources and contingency measures to undertake the scope of works;

- Sound understanding of the requirements, methodology and program schedule to complete the works in, accordance with specification; and
- The tender provides the most advantageous outcome to the City.

### **Strategic Plans/Policy Implications**

#### City Growth and Moving Around

*A growing City that is easy to move around and provides great places to live.*

- Advocate and plan for reduced traffic congestion.
- Plan, develop and advocate for safe, sustainable, integrated local transport networks, public transport and regional transport networks.

#### Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.
- Deliver value for money through sustainable financial management, planning and asset management.

### **Budget/Financial Implications**

The project will commence in 2020/2021 with completion towards the end of the 2021/2020 FY.

The contract value of \$7,812,072.76 (ex GST) can be accommodated within CW3917 (Jandakot road Land and Construct Stage 2) \$9,000,000.

### **Legal Implications**

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

### **Community Consultation**

Extensive consultation has been completed by the City over a number of years.

Prior to commencement of construction, the City will notify key stakeholders and the adjacent residents of the proposed works and provide contact details for any concerns during the construction period.

**Risk Management Implications**

The current conditions and geometry of the existing Jandakot Road are considered to be unsafe for traffic which is due to the number of traffic accidents over the last few years.

In addition, traffic volume has increased significantly in recent times. The upgrade of Jandakot Road is part of the City of Cockburn plan to improve road safety and level of service. The upgrade will also accommodate the increasing traffic volume using this road.

Failure to adopt the report recommendation will result in losing the opportunity to improve road safety and avoid traffic congestion.

**Advice to Proponents/Submitters**

The Proponents and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 11 March 2021 Ordinary Council Meeting.

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

Nil

**16.2 BUS SERVICE TO CALLEYA ESTATE**

**Author(s)** D Koncar  
**Attachments** N/A

**RECOMMENDATION**

That Council note Bus Route 523 is now operational in the Calleya Estate.

**Background**

By email dated 27 August 2020, Cr Lee-Anne Smith submitted the following Notice of Motion:

That Council:

1. *liaise with Main Roads Western Australia and the Public Transport Authority to secure a full access at the Ghostgum Avenue and Armadale Road intersection, which will provide the best outcome for the public transport operation within the estate;*
2. *seek feedback from the Treeby Residents' Association on the proposed potential future bus routes presented within the Treeby Public Transport Strategy and an alternative alignment for bus services provided by the Public Transport Authority for the public transport operations within the estate;*
3. *write to all residents within the Calleya Estate seeking feedback on the proposed potential future bus routes presented within the Treeby Public Transport Strategy and the alternative alignment for bus services provided by the Public Transport Authority for the public transport operations within the estate;*
4. *advise the Treeby Residents' Association of the outcome; and*
5. *write to the Minister for Transport to exercise best endeavours to include the proposed bus route in the next state budget.*

**Reason**

Now more than ever our state government needs to be meeting the increasing demand for travel by encouraging the use of public transport.

In order to get more people on buses and off roads, bus routes need to be easily accessible, direct, and relevant to the needs of local residents.

The provision of a high quality public transport system was an attractive selling point to Calleya Estate residents and an expectation of surrounding Cockburn residents, in order to decrease traffic congestion.

The Officer Recommendation is welcomed, and this alternative takes it one step further, ensuring residents are involved in the process and consulted on the public transport system that suits their needs most. There needs to be an improvement to road safety at this intersection. If control of this is not the responsibility of the City, then it will allow the City to advocate to the relevant State Government Minister.

Subsequently, at the 10 September 2020 Ordinary Council Meeting, the following recommendation was adopted:

### **Recommendation**

Council resolved at the 10 September 2020 OCM 'that a report be prepared to a future Council Meeting on potential bus routes within the Treeby locality and the timing of the provision of those routes, following consultation with the Public Transport Authority and the Minister for Transport's office'.

### **Submission**

N/A

### **Report**

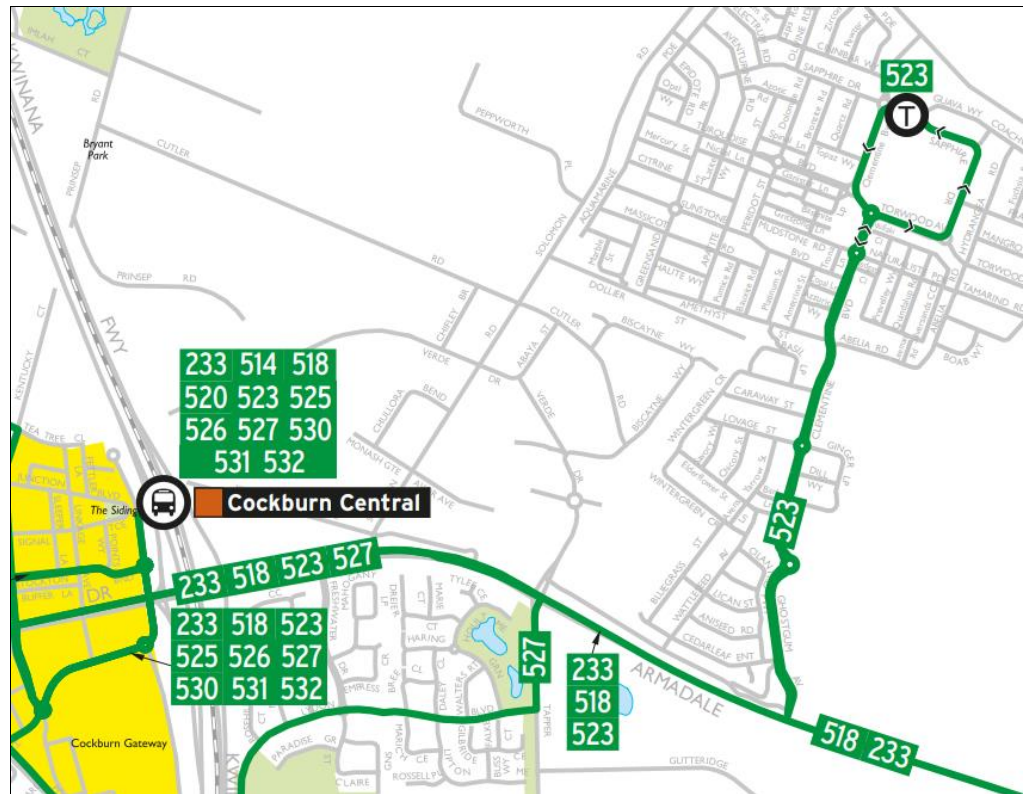
Since the resolution of Council, the Perth Transport Authority (PTA) has commenced a bus service to the Calleya Estate.

PTA confirmed the Route 523 concept with the City in late 2020, which results in a circular bus route through the estate. The bus would enter the estate off Armadale Road then along Ghostgum Avenue, Clementine Boulevard, Torwood Avenue, Sapphire Drive, then back into Clementine Boulevard, Ghostgum Avenue and onto Armadale Road.

PTA advised that later stages of Route 523 to the north of Treeby would be subject to development patterns, available resources, and competing priorities. The route may one day connect to Murdoch Station via Jandakot/Leeming.

Route 523 commenced at the beginning of 2021. The map below shows Route 523 through the Calleya Estate, and opportunities to disembark at the Cockburn Gateways Shopping Complex, along with transferring to other connecting bus services at Cockburn Central Station.





### Strategic Plans/Policy Implications

#### City Growth and Moving Around

*A growing City that is easy to move around and provides great places to live.*

- Advocate and plan for reduced traffic congestion.
- Plan, develop and advocate for safe, sustainable, integrated local transport networks, public transport and regional transport networks.

### Budget/Financial Implications

Bus services are funded by the State.

### Legal Implications

N/A

### Community Consultation

Consultation with the relevant State Agency (PTA).

### Risk Management Implications

N/A

**Advice to Proponents/Submitters**

N/A

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

Nil

## **17. COMMUNITY SERVICES DIVISION ISSUES**

Nil

## 18. EXECUTIVE DIVISION ISSUES

### 18.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW AND KEY PROJECTS APPRAISAL COMMITTEE MEETING - 2 MARCH 2021

**Author(s)** L Spearing  
**Attachments** 1. CEO Performance Review Project Appraisal Committee Meeting Minutes - 2 March 2021  
**(CONFIDENTIAL)**

#### RECOMMENDATION

That Council:

- (1) RECEIVE the Minutes of the Special Chief Executive Officer and Performance and Key Projects Appraisal Committee Meeting held Tuesday, 2 March 2021; and
- (2) ADOPT the recommendations contained therein.

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

#### Background

The Chief Executive Officer Performance and Key Projects Appraisal Committee conducted a meeting on 2 March 2021. The minutes of the meeting are required to be presented to Council for consideration.

#### Submission

N/A

#### Report

The Committee recommendations are now presented for consideration by Council, and if accepted, are endorsed as the decisions of Council.

#### Strategic Plans/Policy Implications

##### Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Attract, engage, develop, support and retain our employees to provide exceptional services for the community.

#### Budget/Financial Implications

Nil

**Legal Implications**

Section 5.36, 5.38 and 5.39 of the *Local Government Act 1995* and Regulations 18A to 18F of the *Local Government (Administration) Regulations* refer.

**Community Consultation**

Minutes of the Committee refer.

**Risk Management Implications**

There is a “Low” level of “Compliance” risk associated with this item.

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

N/A

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

Nil

**19. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****19.1 INVESTIGATE A PARKING PERMIT SCHEME FOR EMPLOYEES OF THE DEPARTMENT OF FIRE AND EMERGENCY SERVICES IN COCKBURN CENTRAL**

**Author(s)** M Emery

**Attachments** N/A

**RECOMMENDATION**

That Council:

- (1) RECEIVE the report and notes that the Department of Fire and Emergency Services does not support a scheme which provides for its staff to be offered exemptions from timed parking limits within the Cockburn Central town Centre area; and
- (2) DOES NOT implement a parking permit scheme specifically for Department of Fire and Emergency Services Cockburn Central employees accordingly.

**Background**

On 11 February 2021, Cr Stone submitted the following Notice of Motion:

*That Council:*

*Investigates the implementation of parking permits specifically to DFES employees exempting them from any timed parking limits within Cockburn Central.*

**Reason**

DFES staff have an extremely important job, especially during bushfire season. They should be focused on the management and containment of bushfires and emergency situations rather than having to worry about moving their vehicles due to timed limits implemented in the Cockburn Central area, or coming out to a parking fine after spending hours in the State Operations Centre managing State emergencies.

**Submission**

N/A

**Report****Strategic Context – Cockburn Central**

Situated on the Perth-Mandurah railway line and with construction of the METRONET project Thornlie-Cockburn Link well underway, Cockburn Central has been developed with Transit Orientated Design (TOD) principles rather than as a car based centre.

Cockburn Central currently has an approximate 20 year land supply of mixed use residential development. While the centre is still growing and maturing, it is important not to lose sight of the role of the centre, in considering how people move through the centre and management of issues such as parking.

There is guidance given in State Planning Policy 4.2 (SPP4.2) to remind local governments to prioritise public transport and other modes of transport to avoid adverse environmental and quality of life impacts due to increased peak period traffic congestion. It warns future demands for access and movement cannot be met efficiently if there is a continued reliance on private cars and only a limited mode shift towards public transport, walking and cycling.

With this in mind, the City's Cockburn Central Town Centre Parking Strategy 2007 and Parking Plan 2018 reinforce the need to balance parking supply and demand while not unduly encouraging private vehicle use.

#### Assessment of the request

The Department of Fire and Emergency Services (DFES) is the State's lead agency in responding to natural disasters and manmade emergencies, employing over 1,600 staff and supporting 27,000 volunteers throughout the State.

DFES Headquarters is located at 20 Stockton Bend, Cockburn Central. The office is used by many of the departmental executive, operations staff, corporate services team and administrative functions.

Through investigation, it is understood the DFES head office has approximately 405 staff assigned to the building as their primary workplace. In addition, there are daily visits to the office from other DFES employees, public servants, advocacy groups and contractors.

The head office has 162 allocated vehicle bays (approximately one car bay per 2.5 employees) and 14 visitor bays, with no immediate plans to expand on this.

Based on the existing number of bays and regular staffing levels at DFES head office, it is clear that any such scheme to waive the on-street time restrictions would likely result in exclusive year-round use by DFES.

The DFES head office also consists of the State Operations Centre (SOC) and the Metropolitan Operations Centre (MOC). The MOC is used by local DFES staff, while the SOC is traditionally used during large emergencies and has many DFES, WA Police and other emergency management organisations in attendance.

If activated, the SOC could increase the number of personnel at the DFES head office with little ability for regular operations staff to move their vehicles. The City's investigation shows that the SOC is activated all year round.

Furthermore, if such a scheme was implemented for emergency use only, it would make it difficult for the City to identify which DFES staff are essential, what scale of emergency would warrant the waiving of restrictions, and the duration a waiver would stay in place.

Within the Cockburn Central area, there is approximately 145 on-street parking bays (excluding motorcycle, taxi and loading bays). Their use and turn-over allow for visitors to access the some 600 strata residents, local business and other government services such as WA Police. Providing unrestricted year-round access to the DFES staff could all but remove any viable public on-street parking.

Table 1 (below) highlights the existing visitor car bays at some of the largest residential strata complexes within the area.

<b>Complex</b>	<b>Number of Visitor vehicle bays</b>
10 Linkage Avenue	14
2 Stockton Bend	6
9 Linkage Avenue	6
1 Stockton Bend	5
1-35/11 Signal Terrace	10
23 Junction Boulevard	8
9 Junction Boulevard	2

The City's objective of growth and moving around *Plan, develop and advocate for safe, sustainable, integrated local transport networks, public transport and regional transport networks* advocate for the use of public transport.

Providing such a permit scheme is at odds with this objective, given that the Cockburn Central Train Station is 300 metres from the DFES head office. The station is also utilised as a bus port connecting non-train using passengers.

DFES have never undergone a traffic journey study on its staff based at its head office, it is understood approximately 50 percent utilise public transport.

Based on this anecdotal information and the known number of staff car bays, the findings suggest the current shortfall of approximately 120 car bays for DFES staff.

If any permit scheme were to be created, it may lead to a decrease in public transport use by DFES staff due to the increased parking availability.

Any such decision to implement a scheme such as this may result in setting a precedent.



The Cockburn Police Complex is situated nearby and faces many of the same challenges. The Cockburn Police Complex consists of Cockburn Police Station staff, a custody area and also the Fremantle Police District Office. Much like DFES, the WA Police use this building for operations of equal importance to that of DFES for public safety.

Aside from the practicality of issuing such permits, the City has in the past provided parking solutions for employees of DFES and other emergency management organisations at times of natural disasters. These short term solutions have occurred by offering parking at Cockburn ARC and the previously managed City site of 20 Linkage Avenue.

The City understands DFES are not likely to request the creation of an employee parking permit scheme. The Department's current position seems to suggest such a request could be inappropriate.

Furthermore, City officers have routinely advocated for DFES to liaise with the WA Land Authority for access to 20 Linkage Avenue and also the former Public Transport Authority Carpark located at 28 Thorogood Street.

It is understood the owner of this land (SKS Cockburn Central) has been willing to discuss possible leasing options with DFES. Such a site would offer DFES semi-secure parking, high availability of bays and the existing hardstand would avoid damage to vehicles.

In summary, City officers do not recommend the creation of a parking permit scheme. Ultimately, it is the responsibility of an employer to provide suitable facilities and employees to plan their journey to work. The role DFES does for the community is undisputedly in the public interest, however, the City believes there are adequate measures already in place to provide parking support to DFES during natural disaster events.

### **Strategic Plans/Policy Implications**

#### **Local Economy**

*A sustainable and diverse local economy that attracts increased investment and provides local employment.*

- Plan for and facilitate opportunities for local business (including home business and sole traders), local activity centres and industry to thrive.

#### **City Growth and Moving Around**

*A growing City that is easy to move around and provides great places to live.*

- Plan, develop and advocate for safe, sustainable, integrated local transport networks, public transport and regional transport networks.

Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

- Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.

**Budget/Financial Implications**

N/A

**Legal Implications**

N/A

**Community Consultation**

N/A

**Risk Management Implications**

Should Council adopt a scheme, there may be local reputational harm from residents and local business who rely on the available on-street parking for their visitors and customers.

Such a system could also lend itself to misuse, by giving permits to DFES non-operational staff for convenience, not need. Such misuse would be all but impossible for the City to monitor.

**Advice to Proponents/Submitters**

N/A

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

It is not the responsibility of local government to provide vehicle parking for private developments. To do so in this instance would potentially be an inappropriate duplication of a facility provided by the State Government

- 20. NOTICES OF MOTION GIVEN AT THE MEETING FOR  
CONSIDERATION AT NEXT MEETING**
  
- 21. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY  
MEMBERS OR OFFICERS**

## 22. MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE

### 22.1 IMPACT OF FIREWORKS DISPLAYS WITHIN THE CITY ON THE NATURAL ENVIRONMENT AND NATIVE WILDLIFE.

**Author(s)** C Beaton  
**Attachments** N/A

#### RECOMMENDATION

That Council:

- (1) DEVELOP a policy in relation to fireworks events;
- (2) CONTINUE to permit small, well organised fireworks in the City at appropriate venues in the short to medium term; and
- (3) CONTINUE to investigate alternatives to City fireworks displays with the aim of phasing out City sponsored fireworks in the long term.

#### Background

At the 12 November 2020 Ordinary Council Meeting, a Matter to be noted for Investigation, Without Debate, was raised by Cr Corke.

*Item 22.2 – Impact of Fireworks Displays within the City on the Natural Environment and Native Wildlife*

#### Submission

N/A

#### Report

Although very much enjoyed by many in the local community, the general public perception of fireworks appears to be changing, with more people becoming concerned about the impact on animals, the environment, and the appropriateness or risk these displays pose, given the increasing devastation caused by bushfires.

For many years the Spring Fair at Manning Park has culminated in a short fireworks display lasting approximately 10 minutes. These are the only fireworks display the City hosts and are small in comparison to other fireworks displays that occur in Perth. The Perth Skyshow would be considered to be a large fireworks display, with the Fremantle New Year Eve display being considered medium.

As far back as 2001, concerns were raised about the impacts of the Manning fireworks on waterbirds. As a result of the concerns, a study was commissioned.

The study gathered baseline bird population data at the lake in the days prior to the fireworks and on the afternoon of the fireworks. Bird behaviour was also monitored during the fireworks, and the population was again assessed the morning following the fireworks.

The study concluded that the waterbird population at Manning Park did not appear to be impacted by the fireworks.

The report also noted that considerable rubbish was found around the edges of the lake after the fair, including spent cartridges and wrappers from the fireworks display. The report recommended a thorough clean-up be undertaken the morning after the fair.

The 2001 study was brief and had limitations, as it only looked at the waterbird population and made observations based only on numbers. It did not delve further into the possible impacts on those waterbirds or other wildlife. A copy of the report is located City's website which can be accessed [here](#)

Since the 2001 report a range of existing management actions have been strengthened and, new ones put in place, to reduce impacts including:

- a thorough rubbish clean-up is undertaken after the event
- rubbish generated by the fireworks is clean up by the fireworks vendor
- firework launch canisters are used multiple times
- an increased use of silent, ground level fireworks
- computer programs are now used to co-ordinate the display to minimise the number of fireworks used.
- advance warnings given to local residents by a variety of means
- continuing investigations into financially viable alternatives

Recently, concerns have again been raised around the impact of fireworks on the natural environment and native wildlife, not only at Manning Park, but also more broadly.

To investigate these impacts in more detail, an independent environmental consultant was engaged to undertake a Desktop Review and Impact Assessment (DRIA) of fireworks.

The DRIA investigated fireworks more broadly and many of the impacts identified are associated with large scale fireworks displays rather than small, short duration fireworks such as the display at Manning Park.

It is noted throughout the document that impacts associated with the Manning Park fireworks display are likely to be minor.

The DRIA involved examining and identifying the potential consequences or impacts to the environment from fireworks. The findings are summarised below.

### DRIA Summary

Fireworks consist of several main chemical components which react in a designed manner to produce a desired array of bright light and accompanying sound effects. The general components include gun powder (potassium nitrate), sulphur, charcoal, an oxidising agent (usually nitrate, chlorate, or perchlorate) and metal salts that produce various colours.

The plumes of pollution are as a result of combustion of the chemical components. The smoke generated contains traces of particulate matter, metals, non-combusted residues such as oxidising agents and inorganic by-products, a number of which are known carcinogens or impact healthy respiratory functioning.

Firework displays have been known to result in an increase of particulate matter concentrations of 5 to 20 times background concentrations and remain in the atmosphere for between 16 hours and a month. Increased concentrations of particulate matter may cause respiratory difficulties even after only short durations of exposure.

Despite the literature focusing on human health impacts, similar impacts are considered likely for fauna. The scale of these impacts is linked to the volume of fireworks and duration of the display.

Many different types of metals are included in fireworks to create colourful displays. Metals released from fireworks may be deposited in soils or waterbodies or inhaled by humans or fauna. Many of the metals used in fireworks have carcinogenic or toxic impacts on humans, flora and fauna.

Oxidising agents used in fireworks can contaminate soil, groundwater and surface water within a reasonable radius of the display. Oxidising agents such as perchlorate are readily water-soluble and return to the ground through precipitation thereby potentially impacting the quality of soil, groundwater, surface water and the health of organisms through uptake.

Perchlorate concentrations have been found to decrease over time following fireworks displays; however the impact of accumulation has not been studied.

Based on the size and duration of the Manning firework display, the height at which most of the display takes place, and the likely weather conditions, it is unlikely the fireworks display will have a medium or long-term impact on the City's air quality, although impact is likely to occur in the short term.

However metals and other particulates produced from or remaining after the combustion of the fireworks are likely to be deposited in Manning Park, either over the land or into the lake.

It is unlikely however, that a single firework display will produce contaminants in concentrations high enough to impact the quality of the soil and water, and health of flora and fauna, but there is the potential for contaminants to accumulate over time causing long-term impacts.

Loud noises, such as those produced from fireworks, are likely to cause a fear response for most animals. However, single short-duration events such as fireworks are unlikely to result in chronic stress, which could result in a significant behavioural and physiological response and impacts. Other than immediate responses such as flight, running or cowering, medium or long-term impacts are unlikely. The greatest risk perceived to fauna and pets is that caused by blunt-force trauma injuries to animals trying to flee the area.

The City does take steps to notify surrounding residents well in advance of the fireworks display. This allows pet owners to put measures in place to reduce any potential issues.

Other impacts from fireworks include light pollution, waste and litter generation and fire risk.

Limited research has been conducted on the impact of light generated from a firework display; however it is likely to cause a flight response in birds.

Paper or cardboard packaging is likely to not be entirely combusted during the explosion of a firework device and therefore will return to the ground creating a source of pollution or choking hazard for fauna.

To address this, the City takes steps to ensure litter is collected following the display with the fireworks vendor undertaking a thorough clean up after the event, while also recycling many materials.

The risk of fire was the final impact considered for the firework display and based on the information available; this risk appears to be appropriately managed.

Based on information provided in the report it is likely the impacts associated with the Manning Fireworks are minimal. Many of the actions put in place by the event organisers help to minimise the impacts.

The only issue that may need further investigation relates to the potential accumulation of contaminants over time. This could potentially be done by determining the actual contaminants within the specific chemical constituents and their concentrations likely to be produced by the fireworks display and undertaking soil and water samples before and after the event.

Increasing the size of the Manning fireworks or hosting larger events in other locations will potentially result in increased impacts.

The DRIA made the following recommendations in relation to the Manning fireworks:

- In the longer term consider relocating the fireworks display to an area without an adjacent wetland area or natural bushland such as a sporting oval;
- Keep ground level displays as far from spectators as possible and downwind, if practical.
- Obtain a list of likely contaminants including the specific oxidising agent, potential metal particulates and any other potentially harmful products from the firework supplier;
- Undertake an analysis of the soil at the launch site and water from Manning Lake prior to and immediately following the fireworks display to assess for likely contaminants to quantify the impact of pollutants and consider establishing a long term monitoring program;
- Monitor the Manning Park area after the fireworks display to identify any injured wildlife;
- Increase the number of silent fireworks used in future events
- Continue to alert local residents well in advance of the event of the time and duration of the display and provide information to assist pet owners to manage pet behaviour during the event
- Continue to ensure all waste is collected and appropriately disposed of following the event.

The DRIA suggests that the City should continue to look at financially viable alternatives to fireworks, with the aim of potentially phasing out the use of fireworks in the future.

Alternatives may include:

- Light shows and projections
- Water shows
- Drone shows
- Other musical acts and performances.

It should be noted that the current cost of the Manning Park fireworks is around \$5,000. Based on past investigations the current cost of some of the alternatives to fireworks far exceeds the entire Manning Park Spring Fair budget which is currently \$73,000.

The full Desktop Review and Impact Assessment of Fireworks Display – Manning Park Spring Fair Study can be found [here](#).



### Approvals and Objections to Fireworks

There is an approvals process that needs to be followed to allow a fireworks display to proceed. It is the Department of Mines (DoM) that issues approvals for fireworks under the authority of the *Dangerous Goods Safety Act 2004*.

Only the holder of a fireworks contractor licence can apply for a fireworks event permit.

Before the holder of a fireworks contractor licence can apply for a fireworks event permit, the holder must sign a fireworks event notice and provide it to the following;

- (a) Commissioner of Police;
- (b) DFES Commissioner;
- (c) Local Government Authority (LGA) in which the event will occur.

The latter two agencies are required to respond to the fireworks contractor to either agree or object to the fireworks. Conditions can be placed on the approval.

If the local government chooses to object to a fireworks event then the grounds are:

- They are not in the public interest, or
- It will cause danger to the public or unintended damage to any property, or to the environment.

The LGA (and DFES) provides its written response to approve or object to the fireworks contractor, who may discontinue the application, or lodge it with the Chief Officer of the DoM.

The DoM will not grant a fireworks event permit unless satisfied that any risk to people, property or the environment is acceptable.

The DoM may refuse to issue a fireworks event permit if the local government authority (and DFES) have objected because it is not in the public interest or they deem the risk to people, property or the environment to be unacceptable and DoM agrees with this.

If the City is seeking to object to a fireworks event for any reason, the advice from a DoM representative is that the City should consider developing a policy which would be sent to the DoM for information.

The policy would outline reasons why the City would not support fireworks in some situations such as where the environmental impacts are determined to be too great.

By providing the policy to DoM they would be aware of the City's stance on fireworks in particular situations and thus be more likely to support City decisions.

It was strongly recommended that, in developing that policy, the City should consult with firework contractors listed on the DoM web site.

The DoM representative is unaware of any local government authority in Western Australia that has objected to a fireworks event based upon damage to the environment.

### **Strategic Plans/Policy Implications**

#### Environmental Responsibility

*A leader in environmental management that enhances and sustainably manages our local natural areas and resources.*

- Sustainably manage our environment by protecting and enhancing our unique natural coastal, bushland, wetlands areas and native wildlife.
- Sustainably manage water, energy and other resources and promote the use of environmentally responsible technologies.

#### Community, Lifestyle and Security

*A vibrant healthy, safe, inclusive and connected community.*

- Provide a diverse range of accessible, inclusive and targeted community services, recreation programs, events and cultural activities that enrich our community.

#### Listening and Leading

*A community focused, sustainable, accountable and progressive organisation.*

### **Budget/Financial Implications**

N/A

### **Legal Implications**

N/A

### **Community Consultation**

N/A

### **Risk Management Implications**

There are a number of risks associated with fireworks events.

Depending on the frequency and scale of the event, there are risks with water and soil contamination, short term impacts on human health such as breathing difficulties, likely similar impacts on fauna, as well as the trauma injuries associated with trying to escape.

There is also a bushfire risk if firework displays are close to bushland and proper fire mitigation measures are not in place.

There is also the risk of legal action if fires are triggered and they impact property.

Due to the small scale and short duration of the Manning fireworks and the current actions that are in place to address risk any risks associated with the Manning fireworks are considered to be minor.

There is very low level of risk should Council not endorse the recommendation.

**Advice to Proponents/Submitters**

N/A

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

Nil

**22.2 SUITABLE ON-LEAD BEACH AREA FOR DOGS THAT IS SEPERATE TO EXISTING OFF-LEAD DOG BEACHES**

**Author(s)** M Emery

Cr Stone has requested a report be presented to a future Council Meeting that investigates options for a suitable on-lead beach area for dogs that is separate to existing off lead dog beaches. This report is to be provided to Council by July 2021.

**Reason**

Council needs to consider that different dogs require different areas. The changes to dog beaches under the Animal Management and Exercise Plan does not cater for on-lead reactive and rescued dogs, as they cannot be around off lead dogs due to high risks of injury to the other dogs.

**23. CONFIDENTIAL BUSINESS**

Nil

**24. 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.

**25. CLOSURE OF MEETING**