



City of Cockburn Ordinary Council Meeting **Minutes**

For Thursday, 8 April 2021

These Minutes are confirmed

Presiding Member's signature

A handwritten signature in blue ink, which appears to read "Logan Greaves", is written over a horizontal blue line.

Date: 13 May 2021

CITY OF COCKBURN

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CITY OF COCKBURN

MINUTES OF ORDINARY COUNCIL MEETING

HELD ON THURSDAY, 8 APRIL 2021 AT 7.00PM

PRESENT

ELECTED MEMBERS

Mr L Howlett	-	Mayor (Presiding Member)
Ms L Kirkwood	-	Deputy Mayor
Mr M Separovich	-	Councillor
Ms P Corke	-	Councillor
Dr C Terblanche	-	Councillor
Mr P Eva	-	Councillor
Ms C Stone	-	Councillor
Mr T Widenbar	-	Councillor

IN ATTENDANCE

Mr T Brun	-	Chief Executive Officer
Mrs G Bowman	-	Acting Chief of Community Services
Mr S Downing	-	Acting Chief Financial Officer, Acting Executive People, Culture and Safety
Mr N Jones	-	Acting Chief of Built and Natural Environment
Mr A Lees	-	Acting Chief of Operations
Ms S Seymour-Eyles	-	Acting Executive Corporate Affairs
Ms C Catherwood	-	Acting Head of Planning
Mr M Emery	-	Acting Head of Community Safety and Rangers
Mr L Santoriello	-	Acting Head of Development and Compliance
Ms M Nugent	-	Media and Communications Officer
Ms B Pinto	-	Governance Officer
Mrs S D'Agnone	-	Council Minute Officer

1. DECLARATION OF MEETING

Mayor Howlett declared the meeting open at 7:00pm.

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

Mayor Howlett acknowledged the Nyungar People who are the traditional custodians of the land on which the meeting was being held and paid respect to the Elders of the Nyungar Nation, both past and present and extended that respect to Indigenous Australians and Torres Strait Islander people who were present, either in person or viewing on-line.

Mayor Howlett advised, given the COVID-19 pandemic is still with us, there continues to be a need for physical distancing and the following of hygiene requirements regarding hand washing etc. Accordingly, seating in the Council Chamber and the public gallery has been set out to ensure physical distancing requirements are met. Please follow the physical distancing requirements during the meeting, particularly when leaving the meeting.



Mayor Howlett advised the meeting would be electronically recorded and live streamed on the City's website, except where Council resolves to go behind closed doors. All recordings are retained in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Office.

A copy of the recorded proceedings of the whole Council Meeting will be available on the website within two business days of this Council meeting.

Images of the public gallery are not included in the webcast, however voices will be captured and streamed. Everybody present should be mindful of their conduct during the recorded meeting.

Live streaming meetings is a Council initiative aimed at increasing the City's transparency and openness, as well as making Council meetings more accessible to our community and those beyond.

Elected Members at the meeting will again be voting on agenda items by using an electronic system that will display the vote of each member and allow them to be recorded in the minutes of the meeting.

Mayor Howlett made the following announcements:

Council Chamber Reconfiguration

Mayor Howlett advised arrangements for the re-configuration of the Council Chambers are currently underway. This will see an option introduced to allow the seating arrangements to change from an east-west configuration to a north-south configuration from the May or June 2021 meeting, to accommodate larger numbers of people in the public gallery.

Mayor Howlett welcomed the following Officers to the Meeting:

- Mr Nick Jones, Acting Chief Built and Natural Environment,
- Ms Gail Bowman, Acting Executive Governance and Strategy,
- Ms Sam Seymour-Eyles, Acting Executive Corporate Affairs,
- Mr Lorenzo Santoriello, Acting Head of Development and Compliance,
- Ms Carol Catherwood, Acting Head of Planning, and
- Mr Michael Emery, Acting Head of Community Safety and Rangers.

2. APPOINTMENT OF PRESIDING MEMBER (IF REQUIRED)

Nil

3. DISCLAIMER (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)

Mayor Logan Howlett - Impartiality Interest – Item 13.3
Mayor Logan Howlett - Impartiality Interest – Item 13.4

5. APOLOGIES AND LEAVE OF ABSENCE

Cr K Allen - Apology
Cr LA Smith - Apology
Mr D Green, Acting Executive Governance & Strategy - Annual Leave
Mr D Arndt, Acting Chief of Built & Natural Environment - Annual Leave

6. WRITTEN REQUESTS FOR LEAVE OF ABSENCE

Nil

7. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

8. PUBLIC QUESTION TIME

Prior to the commencement of Public Question Time, Mayor Howlett made the following announcement:

“The City has received a total of close to 100 written questions for tonight’s meeting for both items on the agenda and not on the agenda.

Given the number of questions received, I will clearly indicate now, that Council may not be able to take all those public questions, even though they have been received in writing, as the City may then not be able to conclude its normal business, aside from public question time.

I will be monitoring that as we proceed, but I ask each person being called forward to ask a public question or questions, to please state their full name and the suburb in which they live, and then ask your question or questions. We will not be accepting statements being made, and I will be monitoring that carefully, as we will be trying to get through as many public questions as possible.

If there are any questions that are not answered tonight, a written reply will be sent to that person, and that response will be included in the Minutes of the meeting when it is published on the website.

I thank you in advance for your co-operation in this regard.”



Items on the Agenda

8.1 Matt De Pinto, Coogee – Agenda Item 13.1 – Motion - Annual Elector's Meeting 24 February 2021 - Dog Access to Ammunition Jetty

- Q1. The public is keen to ascertain any information the City can provide re documented evidence of significant numbers of dog attacks on the Ammunition Jetty Beach (that was until recently on-leash status) and any supposed systematic non-compliance of the on-leash requirement. At the moment, it appears to be only anecdotal in nature and can't be substantiated.

Can the City provide documented details of the number of dog attacks that have occurred on the Ammunition Jetty Beach in the two year period prior to the dog ban coming into force on 21 October, 2020?

- A1. The Acting Chief of Community Services advised that 11 dog attacks were reported at and around Ammunition Jetty between 20 October 2018 to 20 October 2020.

- Q2. Can the City provide documented details of the number of off leash infringements served at the same beach during the same two year period?

- A2. The Acting Chief of Community Services that between 20 October 2018 to 20 October 2020 there were 20 City issued infringements for dogs being off leash or a nuisance within the area of concern. During this same period, 47 cautions were issued. This is by far the highest number of penalties issued and complaints received at any one location in the City for dog related matters.

- Q3. Can the City provide documented details of the number of off-leash infringements received from the public on the same beach during the same two year period?

- A3. The Acting Chief of Community Services advised that between 20 October 2018 to 20 October 2020, 123 complaints were received from the public regarding dogs being off-leash or a nuisance.

The area locally known as Ammunition Jetty is well known within the Rangers' Department as being the most problematic location for dogs off-leash.

Before the recent change, it was a common sight and complaint that dog walkers would walk to the halfway point of the former dog on leash area and let dogs off-leash to run and swim, after walking past installed signage at that location. There are many complaints received regarding this matter.



8.2 Lucia Benova, Spearwood, on behalf of Deanna Curran, Hamilton Hill Coogee – Agenda Item 13.1 – Motion - Annual Elector's Meeting 24 February 2021 - Dog Access to Ammunition Jetty

- Q1. Can the City define the location and area of the Wapet Groyne at Woodman Point, which is mentioned in the letter penned by Mr Mark Webb, Director General of the Department of Biodiversity, Conservation and Attractions (DBCA) as the site that Fairy Terns have attempted to nest in recent times?
- A1. The Acting Chief of Community Services advised Wapet Groyne is the most westerly point of the Woodman Point Recreation Park.
- Q2. Approximately what distance in metres is it from the Jervoise Bay Sailing Club?
- A2. The Acting Chief of Community Services advised the approximate distance from the Jervoise Bay Sailing Club is 1700m.
- Q3. Given this distance do you believe that an on-leash dog and its owner would have any significant impact on the Fairy Terns attempting to nest at Wapet Groyne?
- A3. The Acting Chief of Community Services advised this is not a matter the City has specific data or scientific review to comment on. As such it will rely on the WA Government responsible for such matters, being DBCA.
- Q4. In the City's opinion would any potential impact be lesser or greater than natural threats such as storm events, high winds and high tides that can cause their eggs or chicks to be washed away or even predators including snakes and other reptiles, other wildlife, domestic and feral animals such as cats and foxes?
- A4. The Acting Chief of Community Services advised the City would need to rely on the advice of the WA Government department dedicated to matters of environmental and conservation protection being the DBCA.
- Q5. Isn't it true that the locations where Fairy Terns used to breed have diminished due to land clearing and human interference rather than by having dogs on leash at an appropriate distance from the prime breeding sites?
- A5. The Acting Chief of Community Services advised this is not a matter the City has specific data or scientific review to comment on. As such it will rely on the WA Government responsible for such matters. The Department of Biodiversity, Conservation and Attractions would need to be approached to provide comment on this.



8.3 Lucia Benova, Spearwood Coogee – Agenda Item 13.1 – Motion - Annual Elector’s Meeting 24 February 2021 - Dog Access to Ammunition Jetty

- Q1. In response to the City’s statement on page 12 OCM 8 April 2021 Agenda that it would be too difficult to police an on leash beach, has the City investigated, evaluated or researched the use of a mobile App called ‘Snap/Send/Solve’, which allows a picture to be taken on a person’s mobile phone and sends a report in 30 seconds or less to a nominated number to help with reporting of all sorts of issues, including graffiti, littering, faulty street lights, illegal parking, vandalism, trip hazards, abandoned trolleys, as well as off leash dogs in an on leash area, to name a few, within the City of Cockburn?

Apparently it is already used by authorities such as Telstra, Brisbane City Council, City of Parramatta, The University of Melbourne, City of Greater Dandenong, City of Kalgoorlie Boulder, Shire of Collie, Shire of Augusta/Margaret River, and even the City of Greater Geraldton where our current CEO Mr Tony Brun was previously the CEO.

- A1. The Acting Chief of Community Services advised that the City does already accept Snap/Send/Solve requests. This sends an email to the City’s Customer@cockburn email address.

The majority of customer requests to the City come via forms on the City’s website <https://www.cockburn.wa.gov.au/contact> (the main contact us form) <https://www.cockburn.wa.gov.au/Council/Report-a-problem> which has the same functionality as the Snap/send/Solve app.

In the past 12 months the City received 314 requests via Snap/Send/Solve versus 84,500 page visits to the City’s Contact Us – Report a Problem form.

The Snap/Send/Solve emails get processed the same way as all emails that come to the City, which is no slower or faster.

Emails to customer@cockburn or via snap send solve to customer@cockburn are not monitored over the weekend. Rangers operate seven days a week and are available to be contacted via the City’s direct number via an after-hours system on the weekends or public holidays.

The quality of photos and information in the Snap/Send/Solve app is often not of evidentiary value to issue cautions or infringements.

- Q2. Can Mr. Brun make any comment re the success or otherwise of this APP at the City of Greater Geraldton?

- A2. The Chief Executive Officer explained that, as noted, the Snap/Send/Solve app is used by the City of Cockburn and several local governments, and it is worth noting systems such as this are not generally applicable for local law enforcement, and rather are used to highlight matters needing attention, consistent with the first answer.



- Q3. Will he or the administration reach out to the City of Greater Geraldton and/or the other institutions mentioned to solicit their experiences with the APP?
- A3. The Acting Chief of Community Services reiterated that the City already uses the Snap/Send/Solve App.
- Q4. What is the current system/systems that the City currently utilises to deal with these sorts of issues?
- A4. The Acting Chief of Community Services advised that daily patrols are also conducted along the City's coastal areas to manage dog related issues. The City of Cockburn accepts customer requests via phone, email, the "Report a Problem" section of the City's website, or Snap/Send/Solve.

Any requests that require immediate ranger attendance are best to be called through to the City's Contact Centre. These are put through to the City's after hours service when the City is closed. If a request is received for off-leash dogs outside of a dog exercise area, a Ranger is dispatched to the location to investigate the matter.

8.4 Mimma Tassone, Coogee, on behalf of Residents of Cockburn (ROC) for Dogs - Item 13.1 – Motion - Annual Electors' Meeting - 24 February 2021 - Dog Access to Ammunition Jetty

- Q1. On page 11, 8/04/2021 OCM Agenda, it is stated by the City that the Animal Behavioural Consultant provided his opinion and expert advice on the dog on-leash issue is a Dr Iain R. MacDonald.

A review of Mr MacDonald's qualifications and experience list his highest academic qualification as a Master of Science Animal Behaviour. Can you please advise:

- At which University did Mr MacDonald conduct his study?
- In what field of study was his research undertaken?
- What was the title of his Doctoral thesis?
- What year did he complete his PhD?

- A1. The Acting Chief of Community Services advised the City has not formally engaged Mr Macdonald but has included his submission, amongst others, to be considered by Council. However, unfortunately, the City has incorrectly referenced Mr MacDonald as a doctor within the report. At no stage does Mr Macdonald suggest he is a doctor in his letter to the City, so this was an error.

Mr Macdonald has, as part of his submission, provided a high level list of his relevant achievements, which his attached to the Agenda.

- Q2. An internet search on 2 April 2021, within Google Scholar (scholarly literature database) and PubFacts (scientific publication database), failed to find any peer reviewed publications authored by Mr MacDonald.



This means that any published works as nominated on page 39 of the OCM 8/04/2021 Agenda (Item 13.1, Attachment 5), have not been reviewed by Mr MacDonald's expert peers in the field of animal behavioural science, and validated for academic scientific publication in a recognised journal or conference.

In addition, when specifically searching for Mr MacDonald's nominated published works, ROC for the Dogs was unable to locate any copies of these works on the internet, or any academic publication database. This prevented us from reviewing Mr MacDonald's works to ascertain their full context and further details on this topic.

Is Council able to provide copies of Mr MacDonald's published works for review by ROC for the Dogs Incorporated?

- A2. The Acting Chief of Community Services advised that the publications of Mr MacDonald are of his own work and not connected to the City in any way. The City cannot provide copies of these works. As previously mentioned in the answer to question one, there was a submission made, which was considered amongst all the other submissions by the City.
- Q3. Can the City confirm that Mr Iain MacDonald's brief referred only to reactive dogs, which he stated to one of our R.O.C. for the Dogs members when contacted by them, and excluded or didn't mention other special categories such as puppies getting trained, rescue dogs, assistance dogs, small and timid dogs, greyhounds that by law need to be kept on a lead, anxious dogs, therapy dogs, brachycephalic breeds, as well as older or special needs owners that require a safe area to walk their dogs on-lead?
- A3. The Acting Chief of Community Services advised the City approached Mr MacDonald for his views on whether there was merit in recent community comments about any type of dog requiring access to the beach. The response provided by Mr MacDonald is of his own views and his professional opinion, so it was broad in nature.
- Q4. Why was Mr Iain MacDonald provided with an Environmental Impact Report which relates to:
- (a) 2.7kms of beach south of Ammunition Jetty and didn't note only 1.5kms was requested as per the current Motion,
 - (b) off-leash and not to dogs on-leash as its primary focus, and
 - (c) the City's Animal Management Plan but not the Motion carried at the AGM of Electors on 24 February, along with the eight pages of transcripts provided to justify the proposed change?
- Q5. Would you agree that this did not present a balanced approach to the information he had in his possession to make an informed decision or provide his expert advice on this specific issue?



- A4,5. The Acting Chief of Community Services advised the City approached Mr MacDonald for his views of the subject holistically. This broad scope was intentional to see if Mr MacDonald's independent views saw any merit in the need for an on-leash beach for any type of dog, regardless of the size of beach or area of coast.

The City provided the publically accessible Environmental Impact Report to Mr MacDonald at his request.

The City informed Mr Macdonald of the AGM's Motion's context and believe that members of the Residents of Cockburn for the Dogs directly approached him too.

- Q6. A look at Mr MacDonald and his company Problems Solved N Solutions Found Pty. Ltd. Facebook post, dated 20 April, 2018, gives an insight into his philosophy re Dogs and dog owners:

"Reality is laws will be tightened, off lead areas will be closed and dog owners are the reason for this. The problem is not limited to this state, it's a world-wide problem. Personally, I would not frequent a dog park with my dogs. There are just too many dog owners who feel they have the right to use this public space with total disregard for all other members of the public.

I would love to see Council Rangers attending off lead parks and checking that owners can recall their dogs. Failure to do so proves you don't have effective control and a fine issued.

For the record it's not just small dogs, its any dog who's owner is too lazy to actually ensure their dog is actually under effective control."

Seriously if you have little or limited control over your dog, fix the problem. It's not good enough to not be able to stop your dog from harassing any other dog, if you can't call your dog away when it's distracted by another dog or is playing with another do. Then frankly your dog should not be off lead in public until you can."

Would you then not agree that his philosophy actually supports the provision of on leash areas where owners are in control of their dogs as they are on leash, as even Dr MacDonald would not take his dogs to an off leash area?

- A6. The Acting Chief of Community Services advised the City cannot comment on the social media posts and personal views made by Mr MacDonald. Mr MacDonald's personal views are just that and they do not reflect the position of the City. As previously mentioned, this was a submission amongst many others that the City will consider.
- Q7. Has the City given Mr Iain MacDonald or Problems Solved N Solutions Found Pty. Ltd. a monetary consideration for his written opinion? If so, how much was the fee payable?
- A7. The Acting Chief of Community Services advised Ian MacDonald has not been paid for any report or information provided to the City pertaining to this matter.



Q8. Based on the facts presented in relation to Mr MacDonald's incorrectly stated doctoral qualification and lack of peer reviewed publications in his supposed expert field, and Mr MacDonald's own Facebook posts, we would like to know if the City is open to receive the professional opinion of other specialists in this area that R.O.C. (Residents of Cockburn) for the Dogs Inc. has obtained, which do not reach the same conclusions that Mr Iain MacDonald came to?

A8 The Acting Chief of Community Services advised that, at this point the City does not see any further benefit in engaging other dog behaviour specialists regarding this matter.

As the City has already implemented the Council decision from October 2020, and the primary reason for the change relates to environmental impacts to shore nesting birds and not the particular findings of this dog behaviourist.

8.5 Ronae Lamb, Atwell - Item 13.1 – Motion - Annual Elector's Meeting - 24 February 2021 - Dog Access to Ammunition Jetty

Q1. I quote page 12 of the OCM 8/04/2021 Agenda 'As elaborated in other Council reports, and as another consideration, the enforcement of an on-leash beach is substantially more difficult to police than a dog prohibited or dog off-leash area.

The increase in difficulty is based on practicality. Access to the beach in some areas is very difficult and, in effect, there is access from only two points at each end of the 1.5km stretch of beach.

A ranger's ability to see if a dog is on a lead is limited by distance, even if binoculars were to be used'.

Our group would like to challenge the author's statement in relation to access points as when we walked the 1.5km stretch of beach, we actually found a total of six official signed access points: the two mentioned in the Council document plus four others, at intervals of 100m, 300m, 900m and 1100m south of Ammunition Jetty. The additional four access points have official beach access signage and direct access from the public footpath.

Taking into account the above information, does the Council wish to reconsider its statements that there are only two access points available in the stretch of beach in question?

A1. The Acting Chief of Community Services advised the access points identified by Ms Lamb are through land not managed by the City. It would involve the City driving along heavily utilised dual-use paths and require the City to have unrestricted access to land that is not managed by City of Cockburn. In reality, the only easily and unrestricted access points are the ones mentioned within the report.

Q2. With a total of six official signed access points, policing of an 'on-leash' beach would make it far less difficult than is being stated?



- A2. The Acting Chief of Community Services referred to the response provided to question 1.
- Q3. Given the much shorter distances between access points, that in fact binoculars would not be needed and that the Rangers would have a much more accurate personal visual view, thus greatly enhancing their ability to see if a dog is on a lead and enabling strong evidence of an infringement?
- A3. The Acting Chief of Community Services advised the areas in question are not in the City's control.

8.6 Suzie Ivory, Lake Coogee - Item 13.1 – Motion - Annual Electors' Meeting - 24 February 2021 - Dog Access to Ammunition Jetty

- Q1. Does the City agree that the advice given is that an EPBC assessment 'may' be needed but not that it is definitely required? So this point is actually not relevant until it is known one way or the other.
- A1. The Acting Chief of Community Development advised that reverting the area to being dog accessible would be considered a controlled action and would have to be referred to the EPBC. It is after this initial referral that a further study may be required regarding the area. The legal implications section of the report presented tonight goes into the EPBC process in detail.
- The report provides Council information on foreseeable risk and process so that Council can make an informed decision regarding the likelihood of something occurring.
- Q2. Why would the City need an EPBC referral should they consider reverting the status of the beach to a dog on-lead area, given that it had that status for at least four years prior to 21 October 2020?
- A2. The Acting Chief of Community Services advised an EPBC assessment can be required at any point a change in practice occurs, irrespective of what occurred previously at a site.
- Q3. What materially has changed in the last six months to reach that conclusion?
- A3. The Acting Chief of Community Services advised that, as previously stated, there would be a change in the current situation.

8.7 Eileen and Craig Preston, Coogee - Item 13.3 and 13.4 - Motion - Annual Electors' Meeting 24 February 2021 - Coogee Beach Caravan Park

- Q1. Does the City of Cockburn consider that Discovery Parks has honestly demonstrated sufficient effort to consult with tenants to a high level and therefore satisfactorily addressed concerns of impacted tenants?



Q2. Will Council remain committed after the one-on-one meetings we had already had with Discovery Parks and continue to assist us until the residents' concerns are met and resolved at Coogee Caravan Park, not to the residents' detriment?

A1,2. The Acting Chief of Community Services advised the City will continue to work with Discovery Parks, however the City has no legal right to interfere with the operations of any tenancy arrangements between Discovery Parks, as the City's lessee, and their tenants.

The CEO of Discovery Parks, Grant Wilckens, has previously confirmed there are a number of potential resolutions that will be considered, including the relocation of caravans/park homes to alternative locations within the park or alternative accommodation within the Discovery Parks network, although such an outcome is not guaranteed.

Any future lease will contain clauses that require Discovery Parks to comply with all statutes and regulations.

8.8 Brian Higgins, Coogee - Item 13.3 and 13.4 - Motion - Annual Electors' Meeting 24 February 2021 - Coogee Beach Caravan Park

Q1. Coogee Holiday Park is a Class A natural reserve mandated to operate as a Caravan Park. My cabin is a relocatable home (on wheels, has no fixed foundations), and I cannot tow it.

If relocatable homes are to be removed from Coogee Holiday Park as they are now deemed to not be a caravan, why has the City allowed the buying, selling and renting of these relocatable homes on an area they are responsible for the leasing of, for the past 40 odd years? Where is the City's duty of care?

A1. The Acting Chief of Built and Natural Environment advised this question refers to an isolated clause in an agreement between Discovery Parks and their tenants. This is a matter between Discovery Parks and their tenants. The lease between the City and Discovery Parks requires that Discovery Parks comply with all statutes and regulations.

Any future lease will also include a clause requiring that Discovery Parks comply with all statutes and regulations.

Relocatable homes are not being removed because they are now deemed to not be a caravan.

The City is not responsible for the tenancy arrangements between Discovery Parks and their tenants, but it is the City's understanding that Discovery Parks have indicated that where possible, it will work with their tenants if they are impacted by the proposed future development, which is still subject to Council consideration and decision, to find alternative accommodation within the Discovery Parks network, although it acknowledges that such an outcome is not guaranteed.



Q2. How does the City propose Discovery Parks will redevelop a Class A natural reserve without destruction to the environment? For example: the Night Herons have lost their nesting trees and are no longer to be seen.

A2. The Acting Chief of Built and Natural Environment advised any development application lodged by Discovery Parks will be subject to the normal assessment criteria related to flora and fauna.

The City has resisted pressure by some tenants at the Coogee Beach Holiday Park to remove trees in the past. Each request has resulted in an assessment by an Arborist prior to any works being carried out. The future lease will require the same assessments to be carried out in relation to the preservation of trees.

Q3. Why are the City looking to shift the pragmatic and responsible financial management of the investment required for the redevelopment of critical Coogee Holiday Park infrastructure to a large off shore profit driven company, where the profits are funnelled off-shore?

A3. The Acting Chief of Built and Natural Environment advised the funds the City receives from this proposal will be quarantined in a reserve for the specific purpose of maintaining the foreshore, as required under Coogee Beach Foreshore Management Plan (CBFMP).

This will ensure ratepayers should not have to pay for the coastal works that will be required under the CBFMP, which are anticipated to be a considerable cost for the City.

Q4. Coogee Beach is a great, safe and family friendly beach. Why is the City allowing Discovery Parks to remove the homes of long term residents to make way for a swimming pool? How is this action taking into account long term residents' needs?

A4. The Acting Chief of Built and Natural Environment advised it is the City's understanding that the proposal, which is subject to Council consideration and decision to grant a new lease and approval of an associated development, would potentially require some park homes to be relocated.

Discovery Parks has indicated that where possible, it will work with these tenants to find alternative accommodation within the Discovery Parks network, although again, it acknowledges that such an outcome is not guaranteed.

It should be clearly noted that Discovery Park's correspondence does not state anywhere that any tenancy will be terminated, rather the earliest that any formal notices regarding any potential relocation would be in 2022, subject to Council granting a new head lease.

Discovery Parks also clearly state its intention to engage with current tenants to find alternative options should their current sites be needed for any future development.

8.9 Edeltraud Mueller, Coogee - Item 13.3 and 13.4 - Motion - Annual Electors' Meeting 24 February 2021 - Coogee Beach Caravan Park

- Q1. Can there be any modifications made to the final Business Plan to enter into a Major Land Transaction at Coogee Beach Caravan Park made on 8 February 2021, and can there be discussions with Discovery Parks to consider making it a tranquil getaway Park incorporating the old with the new, with some local history?

This would attract honeymooners, two income couples, nature lovers, seniors and empty nesters with their families to enjoy a traditional holiday, and this would not duplicate Woodman Point Caravan Park, which is only 2.7 kilometres away, thus giving the tourists and the public a choice. As you know, functions are held at the Life Saving Club, like weddings, who may then stay at the Coogee Park.

- A1. The Acting Chief of Built and Natural Environment advised that modifications to the Coogee Beach Holiday Park Business Plan can be considered under certain circumstances.

The Coogee Beach Holiday Park (CBHP) is located on Reserve 29678. The purpose of the reserve under the Management Order, which is issued by the State of WA to the City of Cockburn to manage the land, is for a Caravan Park.

The future redevelopment of the park will be required to follow the guidance provided by the Western Australian Planning Commission within the Caravan Parks Planning Bulletin, including meeting the objective of ensuring the development and long term retention of caravan parks as a form of short-stay (affordable) accommodation primarily for leisure tourists, and where there is any long-stay accommodation, this should complement the short-stay sites with priority given to locating short-stay accommodation on those areas of the site providing the highest tourism amenity.

The long stay tenants have met with Discovery Parks who have indicated that, where possible, they will work with the long stay tenants to find alternative accommodation within the Discovery Parks network, although, again, it acknowledges that such an outcome is not guaranteed.

Discussions with Discovery Parks have included options for accommodation related to the functions that are held at the Coogee Beach Surf Lifesaving facility and the various other short stay consumers of a caravan park.

- Q2. Discovery Parks have not told us anything that is going to happen. I believe they have not been transparent though. How come the caravan park, as you so class, has been allowed to have long term tenants there for 40 years if it is a caravan park?

- A2. The Acting Chief of Built and Natural Environment advised one of the issues the City has is that there has been a long standing non-



compliance in terms of the use of the park and also the percentage of vans that are long stays that have exceeded the requirements and permissions.

The fact that there have been non-compliance does not give us permission to continue with that, and one of the issues we are seeking to address through this process going forward with the new head lease, is to address the legislative obligations that the City has, to ensure that it is compliant with state laws.

The fact that there have been exceedances does not give right to those exceedances continuing going forward.

- Q3. Does the City of Cockburn realise that there is a shortage of affordable rental properties? Public housing has a two year waiting list if you apply now, and 18 months for emergencies, which is why we continue to ask for your support with our housing issue at Coogee Beach Caravan Park.
- A3. The Acting Chief of Built and Natural Environment advised the City recognises the issue of housing affordability, including rental accommodation, and has adopted a Housing Affordability and Diversity Strategy and implemented measures to address this within the planning framework, including measures to encourage smaller, more affordable dwellings.

8.10 Jillian Spruyt, Coogee - Item 13.3 and 13.4 - Motion - Annual Electors' Meeting 24 February 2021 - Coogee Beach Caravan Park

- Q1. As per our petition, tourism was not a big earner until Port Coogee was built, and the area where the caravan park at Coogee was not a beautiful area to live in, and the rent from the permanent residents made this park viable. Discovery Parks' vision is very different now, and will attract lots of tourists.

Why, and do the Councillors and the City realise that the residents of the park paid a high price for their houses, because the land was on an A Class Reserve?

And now we are not safe, as per Mr Logan's comments on 13 April 2011. When discussing the park, he said "There is no threat to residents being moved on". Hansard report in parliament.

- A1. The Acting Chief of Built and Natural Environment advised Council will consider and have due regard for all submissions and relevant information in making its determination as to the future head lease of the caravan park site, noting it must also fully comply with the requirements of the Management Order, the Caravan Parks and associated legislation and regulation.
- Q2. As regards to our submission, are the City of Cockburn Councillors prepared to discuss a preferred vision for the redevelopment of the caravan park to avoid inappropriate and costly duplication of Woodman Point Park?



- A2. The Presiding Member advised the question would be taken on notice.
- Q3. Are the City and Councillors aware that a representative from Consumer Affairs had a conversation with David Temby, who mentioned the development in the range of Sheila Raine's property may be delayed up to 10 years, and also advised that residents need to wait and see whether the local Council renews the head lease with the park before Consumer Affairs will be able to determine how they proceed? But Consumer Affairs also recommends residents seek their own legal advice before selling, leaving the park or moving within the park.
- A3. The Presiding Member advised the question would be taken on notice.

8.11 Michelle Abbott De Rivera, Coogee

As Ms De Rivera was not present at the meeting, her submitted questions will be treated as correspondence and a reply provided.

8.12 Peter Newsome, Coogee - Item 13.3 and 13.4 - Motion - Annual Electors' Meeting 24 February 2021 - Coogee Beach Caravan Park

- Q1. A resident of Coogee Beach Caravan Park sold her home and received \$20,000 deposit. Discovery Parks Regional Operations Manager David Temby wrote in December advising her Real Estate Agent the house can be sold but would have to be removed from the Park.

The deposit was returned and this resident is still unable to sell her house because no Tenancy Agreement will be issued by Discovery Parks.

This problem was discussed with Acting CEO for City of Cockburn, Daniel Arndt at our Park Liaison Committee meeting in January 2021. Mr Arndt advised the City cannot be involved in the subleases of Discovery Parks unless residents prove Discovery Parks has broken the law.

Although our Periodic Tenancy Agreements say our subleases can be re-assigned and will not be unreasonably withheld, it is financially impossible for residents to initiate legal action against this park operator.

The City's preferred tenant Discovery Parks has a billion dollar portfolio. Discovery Parks' tenants are mainly pensioners in their 70s and 80s, who have been residents of Cockburn for decades, living at Coogee Caravan Park.

Since December, residents on the western side of our park are unable to sell their homes to move nearer family. In the case of two houses, residents are unable to fund their transition into a care facility.

For our residents these new restrictions are serious, distressing and ongoing. Would Councillors please support our request that the City of



Cockburn includes clauses into the new Head Lease over Coogee Beach Caravan Park which safeguard the interests of long term residents who are under the control of whichever Park Operator the Council appoints, especially in regard to possible large scale development?

This Motion was unanimously carried at the AGM of Electors and petitions submitted to the City of Cockburn contain hundreds of signatures supporting residents.

- A1. The Acting Chief of Built and Natural Environment advised that the City has no legal right to interfere with the operations of any tenancy arrangements between Discovery Parks, as the City's lessee, and their tenants. Any future lease will contain a clause that requires Discovery Parks to comply with all statutes and regulations as they apply.

8.13 Sally Newsome, Coogee - Item 13.3 and 13.4 - Motion - Annual Electors' Meeting 24 February 2021 - Coogee Beach Caravan Park

- Q1. When Mr Daniel Arndt, as Acting CEO for the City of Cockburn, attended our Park Liaison Committee meeting in January, he repeatedly explained "the City cannot interfere with matters concerning the Park Operator's subleases with the residents". However Mr Arndt's undertaking to ensure before the new Head Lease is signed 'residents' concerns are met' and 'Discovery Parks involve residents in consultation', has helped Residents move forward from Discovery Parks CEO Grant Wilckens statement in February that "we do not have to pay costs to relocate residents' houses and that is the law."

Residents were devastated because we have clauses 24.1 and 24.2 in our Periodic Tenancy Agreements saying 'our homes would be moved at the Park Operators' expense'.

The City has not yet signed their Head Lease and Discovery Parks have organised information gathering sessions with residents, however the consultation process has still not begun.

Residents' homes represent their financial life savings and independence in a community lifestyle.

Would Councillors please ensure the City of Cockburn includes clauses into the new Head Lease over Coogee Beach Caravan Park, which safeguard the interests of long term residents who are under the control of whichever park operator the Council appoints, especially in regard to possible large scale development?

This Motion was unanimously passed at the AGM of Electors.

We have submitted a petition to the City with hundreds of signatures from Cockburn residents who believe after the new Head Lease is signed the City of Cockburn should remain involved in matters concerning the welfare of Residents.



- A1. The Acting Chief of Built and Natural Environment advised the comment regarding the clauses from the tenancy arrangement between Discovery Parks and their tenants refers to isolated clauses in an agreement between Discovery Parks and their tenants. This is a matter between Discovery Parks and their tenants.

The City will continue to work with Discovery Parks however the City has no legal right to interfere with the operations of any tenancy arrangements between Discovery Parks (as the City's lessee) and their tenants. The CEO of Discovery Parks, Grant Wilckens, has previously confirmed that there are a number of potential resolutions that will be considered, including the relocation of caravans/park homes to alternative locations within the park or alternative accommodation within the Discovery Parks network, although such an outcome is not guaranteed.

Any future Lease between the City and Discovery Parks will contain clauses that require Discovery Parks to comply with all statutes and regulations.

- Q2. Residents believed their savings were safe when purchasing a home at Coogee Beach Caravan Park because the City of Cockburn hold the Head Lease.
- A2. The Acting Chief of Built and Natural Environment advised when a park home/caravan is purchased in a caravan park it is only the unit that will be owned. The land is rented via a periodic tenancy arrangement.
- Q3. Plus, Walter Powell's bequest meant the asset was on an A Class Reserve and would always remain a caravan park.
- A3. The Acting Chief of Built and Natural Environment advised that Reserve 29678 will remain a Class A Reserve for the purpose of a caravan park.
- Q4. Our park homes were the solution to making Fleetwood and Aspen Parks viable when they were tenants of the City of Cockburn.
- A4. The Acting Chief of Built and Natural Environment advised the City is not a party to the Lessee's management of the Coogee Beach Holiday Park and cannot make comment on this statement.
- Q5. Our rent receipts show our status as permanent.
- A5. The Acting Chief of Built and Natural Environment advised that this is a question to be directed to Discovery Parks.
- Q6. Residents could not foresee Discovery Parks wanting 40 of our homes removed. Previous Head Leases have been 10 years plus 5, plus 5 years, because the City wanted to remain involved with the caravan park.
- A6. The Acting Chief of Built and Natural Environment advised the reason the previous lease was for 10 years plus two five year options was



because the City had the power to lease for 21 years. The City's Management Order now provides the power to lease for 42 years.

- Q7. Residents are fearful of finding themselves in dreadful circumstances once the City of Cockburn sign Discovery's new 21 plus 21 years lease.
- A7. The Acting Chief of Built and Natural Environment advised the Park requires considerable upgrades and to enable the strategic investment in the Park a longer term lease was required that would provide the appropriate return on capital.
- Q8. Unprecedented conditions have now been imposed by Discovery Parks. Nobody living on the western side is able to sell their house.
- A8. The Acting Chief of Built and Natural Environment advised the Discovery Parks current lease expires in June 2022 therefore they are unable to approve the sale of park homes as they don't have an security of tenure past this date.
- Q9. Residents who have lived there 30 and some nearly 40 years have never faced moving their homes out of the Caravan Park.

Because of the proposed large scale development and especially as the new Head Lease will span 42 years, would Councillors ensure clauses are inserted to protect the interests of long term residents?

When signing our Petition sheets, many Cockburn residents were aware of the development and very definite that no harm should result to Caravan Park residents

- A9. The Acting Chief of Built and Natural Environment advised the City will continue to work with Discovery Parks, however the City has no legal right to interfere with the operations of any tenancy arrangements between Discovery Parks (as the City's lessee) and their tenants. The CEO of Discovery Parks, Grant Wilckens, has previously confirmed that there are a number of potential resolutions that will be considered including the relocation of caravans/park homes to alternative locations within the park or alternative accommodation within the Discovery Parks network although such an outcome is not guaranteed.

Any future lease will contain clauses that require Discovery Parks to comply with all statutes and regulations.

8.14 Kathleen Lawson, Coogee

As Ms Lawson was not present at the meeting, her submitted questions will be treated as correspondence and a reply provided.

8.15 Jana Coker, Bibra Lake

As Ms Coker was not present at the meeting, her submitted questions will be treated as correspondence and a reply provided.



Items Not on the Agenda

8.16 Thomas Burton, Jandakot – Various

- Q1. All major and minor shopping complexes provide ACROD parking close to the entrance, so why at the State of the Art ARC Centre are there only three (3) ACROD bays provided close to the entrance, while halfway to Polleti Road eight (8) bays are on the south side of Veterans Drive and a couple on the north side?

Surely all of those bays could be better located closer to the entrance and make the general, much-fitter public, walk a bit further.

Why are there no crosswalks provided in an area where heavy traffic and children are involved?

Would it be a good idea to limit speeds to 20kph along Veterans Drive?

A few months ago I underwent major spinal surgery and believe me it was not funny walking over 100 metres to the entrance at the same time watching someone park half that distance across the road.

- A1. The Acting Chief of Community Services advised the City of Cockburn conducted a traffic survey on Veterans Parade in July 2017 to assess the traffic volumes whilst considering the possibility of a formalised pedestrian crossing and reducing the speed limit on Veterans Parade.

The results did not satisfy the Mains Roads WA requirements for a crossing at that time. However, in response to increased patronage and unprecedented growth at Cockburn ARC, a second traffic study was conducted in early 2019 which included future considerations for a formalised pedestrian crossing should Mains Roads WA requirements be met relating to speed, number of vehicles per hour and pedestrians crossing the road per hour.

Unfortunately on both occasions Veterans Parade did not meet the criteria required by Main Roads WA for the installation of a crossing, so the City will continue to monitor the situation in case there are further changes.

With regard to available ACROD parking at the facility, Cockburn ARC offers 14 ACROD parking bays located across all parking stations. The legislative required ratio for ACROD bays is 1:100, which means 1 bay to every 100 standard parking bays. As a result the centre is required to provide seven (7) ACROD bays under the standard, however the City actually provide double that amount.

There are three (3) bays directly located at the front of the centre on Veterans Parade for customer access for people with a disability. Unfortunately Cockburn ARC is not in a position to add additional parking closer to the main entrance of the centre as a result of the precinct design and proposed future developments in close proximity to the site.

8.05pm Cr Widenbar departed the meeting.



- Q2. Cockburn Soundings April 2021 magazine, I read on page 3 the article about new CEO Mr Tony Brun being excited about the momentum of Cockburn with its top quality community and sporting facilities.

Does this excitement include investigations to purchase the centrally located readymade Glen Iris Golf Course and restaurant instead of a 9 hole course set on the extreme perimeter of the Cockburn boundary still a decade away?

By 2030, with an estimated population of 150,000, not many will get to play on a 9 hole course.

- A2. The Chief Executive Officer thanked Mr Burton for his question and confirmed that he is very impressed with the amazing facilities provided by the City of Cockburn, exemplified by the Cockburn ARC, the Coogee Surf Life Saving Club, the Spearwood Bowls Club Development, the South Lake Hockey Complex, the Port Coogee Marina, the Success Library, the Integrated Health Facility, the Wetlands Education Centre, the Western ARC Wildlife Centre, the under construction Treeby Community Centre, and the Frankland Community Sports Facility, amongst many others, that have been developed by the City across its district.

These facilities are recognised across the metropolitan area as being the benchmark for community facilities and reflect the Council's priority to focus on a diverse range of facilities to meet the needs across the entire Cockburn local government district.

The proposed Coogee Golf Course development, which is still subject to a Business Case (as per section 3.59 of the *Local Government Act 1995*) being presented to Council and then Council determining the way forward, represents another integrated community and recreation facility to service the identified broader need of the community, in part through an agreed developer contribution source.

The City's Community Sport, Recreation and Facilities Plan is the key informing document to the roll out of the City's community facilities and is structured to deliver \$209m worth of projects over the next 15 years.

Due to competing priorities, the design of the golf course has been scheduled for financial year 2028.

With respect to the former Glen Iris Golf Course, at this point in time the owners of this private land and facility have not submitted any development or rezoning applications for consideration by Council, and have not indicated the site is for sale.

It is also noted the City has no provision to compulsorily acquire this land. Therefore any unrelated party proposals for this site, including requests for the City to acquire the land, remain as pure speculation.

As and when applications are made by the proponent, Council will follow due process under State law, noting that any decision on potential rezoning, if submitted, will be ultimately assessed by the

Western Australian Planning Commission and a final decision made by the Minister for Planning.

8.08pm Cr Widenbar returned to the meeting.

- Q3. Could Mr Arndt answer why he stated at the last meeting that Council had never told anyone the Glen Iris Golf Course would always remain a golf course when many residents were told so prior to purchasing our blocks?
- A3. The Acting Chief of Built and Natural Environment advised as the golf course was privately owned and operated, the City was never in a position to guarantee that the golf course would always remain open.

9.17 George Gray, Riverton - Coogee Holiday Park Cafe

- Q1. Can Coogee Holiday Park Cafe offer a fish and chip service from 4pm to 8pm from December to April? Perhaps Thursday-Sunday? Perfect evening dinner in the park or on the beach. The cafe closes too early.
- A1. The Acting Chief of Operations advised that the lease between the City and the lessee of the Coogee Beach Café is a lease under the *Commercial Tenants (Retail Shops) Agreements Act 1995*. In accordance with Clause 12c of this legislation, the landlord, being the City, is unable to dictate the hours of operation and any clause related to this is void. However, we have discussed this request with the lessee of the Coogee Beach Cafe and they have responded that they will give serious consideration to opening with a take away menu only on Friday, Saturday and Sunday evening, closing at 6.30 to 7.00pm.

8.13pm Deputy Mayor departed the meeting.

8.18 Norman Wilson, Lake Coogee

As Mr Wilson was not present at the meeting, her submitted questions will be treated as correspondence and a reply provided.



Note:

The Presiding Member advised that a number of questions had been received regarding an application from Brajkovich Landfill and Recycling, 200 Barrington Street, Bibra Lake. As the majority of responses to these questions were the same, not all questions would be asked at the meeting, however all questions and responses would be included in the minutes.

8.19 Kylee Graham, Yangebup - 200 Barrington Street, Bibra Lake

- Q1. Other than the Council relying on the applicant's paid environmental service for reporting dust crossing the boundary of the site, what other means does the Council have to ensure the main concern of dust which could potentially contain asbestos and absolutely contain silica will be maintained, making sure the dust don't cross the boundary of the site?
- Q2. Will the results of the dust monitors be sent to Council and/or DWER?
- Q3. Will the Council consider the cumulative health impacts of exposure to dust containing silica when making their decision in May for the Development Application for crushers at 200 Barrington Street Bibra Lake?

8.15pm Deputy Mayor Kirkwood returned to the meeting.

- A1-3. The Acting Chief of Built and Natural Environment explained that the City of Cockburn is currently assessing the application, as submitted by the proponent. The assessment is yet to be completed.

Upon completion of the assessment, a comprehensive draft report will be presented to Council, inclusive of:

- a. The full assessment of the City of Cockburn under the Planning Framework.
- b. The advice provided by the Department of Water and Environmental Regulation (DWER) to the City of Cockburn in relation to the relevant state government air quality requirements.
- c. Various attachments, including every submission received by the public advertising process and a response to each and every submission.
- d. Any updated or new material provided to the City (and DWER) by the applicant, under the assessment. Alternatively if no new material is provided, justification will be provided for the omission of such details.

When Elected Members have been briefed on the above draft report and any matters clarified, the final report will be made public and will be published on the City's website.

The advertising of the proposal which has been undertaken to date, under the Planning Framework, is not necessarily an endorsement of the proposal by the City, the Elected Members, or DWER.



Elected Members of Council are the determining authority on the application, with DWER acting as a key state government referral agency. City officers are not yet in a position to provide specific details as this is being reserved for the final Council report.

8.20 Jessica McNabb, Yangebup - 200 Barrington Street, Bibra Lake

Q1. Why was the proposed site location chosen and isn't it far more suitable to choose a rural or outer metropolitan location with more distance between proposed/ pre-existing sites?

A1. The Acting Chief of Built and Natural Environment advised that the subject site is zoned 'Industry' under the City's Town Planning Scheme No. 3. The crushing of materials is defined as an 'Industry – General (Licensed)' land use under the City's Scheme.

This type of land use is a 'Discretionary' type land use in the Industry zone, which means that the use is not permitted unless the City exercises discretion by granting a planning approval.

This means that the proponent is able to make an application to the City for consideration of the land use and there are no statutory controls to stop the application from being lodged.

8.21 Joel Beal-Waite, Yangebup - 200 Barrington Street, Bibra Lake

Q1. Can you guarantee that the air quality won't have any impact on the health of nearby residents if it is to go ahead?

A1. The Acting Chief of Built and Natural Environment explained that the City of Cockburn is currently assessing the application, as submitted by the proponent. The assessment is yet to be completed.

Upon completion of the assessment, a comprehensive draft report will be presented to Council, inclusive of:

- a. The full assessment of the City of Cockburn under the Planning Framework.
- b. The advice provided by the Department of Water and Environmental Regulation (DWER) to the City of Cockburn in relation to the relevant state government air quality requirements.
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- d. Any updated or new material provided to the City (and DWER) by the applicant, under the assessment. Alternatively if no new material is provided, justification will be provided for the omission of such details.

When Elected Members have been briefed on the above draft report and any matters clarified, the final report will be made public and will be published on the City's website.



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Elected Members of Council are the determining authority on the application, with DWER acting as a key state government referral agency. City officers are not yet in a position to provide specific details as this is being reserved for the final Council report.

8.22 Keith Wood, Yangebup - 200 Barrington Street, Bibra Lake

Q1. Dust and noise impacts in the development application are based on modelling. 1.) If this were to go ahead, how will actual contamination monitoring be conducted? 2.) What are the exposure level trigger points, and what actions are taken at those points? 3.) Who is responsible for carrying out contamination monitoring, how is this audited and reported on? 4.) Will the extracted dust be analyzed to determine its contents? How? By whom? How will this be audited and reported on?

A1. The Acting Chief of Built and Natural Environment explained that the City of Cockburn is currently assessing the application, as submitted by the proponent. The assessment is yet to be completed.

Upon completion of the assessment, a comprehensive draft report will be presented to Council, inclusive of:

- a. The full assessment of the City of Cockburn under the Planning Framework.
- b. The advice provided by the Department of Water and Environmental Regulation (DWER) to the City of Cockburn in relation to the relevant state government air quality requirements.
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When Elected Members have been briefed on the above draft report and any matters clarified, the final report will be made public and will be published on the City's website.

The advertising of the proposal which has been undertaken to date, under the Planning Framework, is not necessarily an endorsement of the proposal by the City, the Elected Members, or DWER.

Elected Members of Council are the determining authority on the application, with DWER acting as a key state government referral agency. City officers are not yet in a position to provide specific details as this is being reserved for the final Council report.



8.23 Kristyn Gohrt, Yangebup - 200 Barrington Street, Bibra Lake

Q1. Why would the crusher even be considered for approval? This is a family suburb with a nearby school. Having Cockburn Cement is detrimental to one's health as it is, let alone exposing young children and families to asbestos and silica in the air they breathe.

A1. The Acting Chief of Built and Natural Environment explained that the City of Cockburn is currently assessing the application, as submitted by the proponent. The assessment is yet to be completed.

Upon completion of the assessment, a comprehensive draft report will be presented to Council, inclusive of:

- a. The full assessment of the City of Cockburn under the Planning Framework.
- b. The advice provided by the Department of Water and Environmental Regulation (DWER) to the City of Cockburn in relation to the relevant state government air quality requirements.
- c. Various attachments, including every submission received by the public advertising process and a response to each and every submission.
- d. Any updated or new material provided to the City (and DWER) by the applicant, under the assessment. Alternatively if no new material is provided, justification will be provided for the omission of such details.

When Elected Members have been briefed on the above draft report and any matters clarified, the final report will be made public and will be published on the City's website.

The advertising of the proposal which has been undertaken to date, under the Planning Framework, is not necessarily an endorsement of the proposal by the City, the Elected Members, or DWER.

Elected Members of Council are the determining authority on the application, with DWER acting as a key state government referral agency. City officers are not yet in a position to provide specific details as this is being reserved for the final Council report.

8.24 Leah McGovern, Yangebup - 200 Barrington Street, Bibra Lake

Q1. Do the Councillors have access to documents such as the Asbestos Management Plan, that we do not? I'm told the reason the public were Denied access to the Asbestos Management Plan is because of copyright reasons. Can you explain that to me? Why we have access to some documents but the Asbestos Management Plan we do not?

A1. The Acting Chief of Built and Natural Environment advised the Asbestos Management Plan has not yet been completed to the City's satisfaction. It cannot be released as it is not finalised.

Q2. Is it the City of Cockburn that is not giving us access to the Asbestos Management Plan?



- A2. The Acting Chief of Built and Natural Environment advised the Asbestos Management Plan submitted by the applicant is not satisfactory and requires additional work. When finalised, it will be released to the public as an attachment to the Council report.
- Q3. I'm also curious why the planning approval for the Solid Waste Depot previously approved by the City was denied to the public for comment?
- A3. The Acting Chief of Built and Natural Environment advised the original application for screening material and stock piling complied with the Environmental Protection Authority buffers, which is 500 metres for a screen, so it did not need to be advertised.

8.25 Leanne Sprllyan, Yangebup - 200 Barrington Street, Bibra Lake

- Q1. Will Brajkovich be self-policing or monitoring and recording what they are crushing and is the material inspected by accredited personnel prior to transport to the Barrington Street site?

- A1. The Acting Chief of Built and Natural Environment explained that the City of Cockburn is currently assessing the application, as submitted by the proponent. The assessment is yet to be completed.

Upon completion of the assessment, a comprehensive draft report will be presented to Council, inclusive of:

- a. The full assessment of the City of Cockburn under the Planning Framework.
- b. The advice provided by the Department of Water and Environmental Regulation (DWER) to the City of Cockburn in relation to the relevant state government air quality requirements.
- c. Various attachments, including every submission received by the public advertising process and a response to each and every submission.
- d. Any updated or new material provided to the City (and DWER) by the applicant, under the assessment. Alternatively if no new material is provided, justification will be provided for the omission of such details.

When Elected Members have been briefed on the above draft report and any matters clarified, the final report will be made public and will be published on the City's website.

The advertising of the proposal which has been undertaken to date, under the Planning Framework, is not necessarily an endorsement of the proposal by the City, the Elected Members, or DWER.

Elected Members of Council are the determining authority on the application, with DWER acting as a key state government referral agency. City officers are not yet in a position to provide specific details as this is being reserved for the final Council report.

8.26 Linda Demarco, Yangebup - 200 Barrington Street, Bibra Lake

- Q1. Does Brajkovitch have a crusher operating within 1,000m of any other residential properties in WA?
- A1. The Acting Chief of Built and Natural Environment did not have that information available.
- Q2. Why was crushing specifically excluded on the City of Cockburn's approval from May 2020?
- A2. The Acting Chief of Built and Natural Environment advised that the supporting documentation provided as part of the previous application lodged for the property indicated that no crushing would be undertaken on site.

Accordingly, and to ensure that this remained the case, the application was approved subject to a condition stating that no crushing was permitted to be undertaken at the site.

8.27 Maria Pogosian, Yangebup - 200 Barrington Street, Bibra Lake

- Q1. How will the shed be ventilated/dust extracted to ensure potentially hazardous materials and general dust does not make its way to the homes of local residents?
- Q2. Is the Council prepared to provide a baseline medical evaluation to ensure this does not have negative effects on the health of their residents and tax payers?
- A1,2. The Acting Chief of Built and Natural Environment explained that the City of Cockburn is currently assessing the application, as submitted by the proponent. The assessment is yet to be completed.

Upon completion of the assessment, a comprehensive draft report will be presented to Council, inclusive of:

- a. The full assessment of the City of Cockburn under the Planning Framework.
- b. The advice provided by the Department of Water and Environmental Regulation (DWER) to the City of Cockburn in relation to the relevant state government air quality requirements.
- c. Various attachments, including every submission received by the public advertising process and a response to each and every submission.
- d. Any updated or new material provided to the City (and DWER) by the applicant, under the assessment. Alternatively if no new material is provided, justification will be provided for the omission of such details.

When Elected Members have been briefed on the above draft report and any matters clarified, the final report will be made public and will be published on the City's website.



The advertising of the proposal which has been undertaken to date, under the Planning Framework, is not necessarily an endorsement of the proposal by the City, the Elected Members, or DWER.

Elected Members of Council are the determining authority on the application, with DWER acting as a key state government referral agency. City officers are not yet in a position to provide specific details as this is being reserved for the final Council report.

8.28 Teresa Clifton-James, Yangebup

200 Barrington Street, Bibra Lake – Proposed Crusher

- Q1. My name is Teresa and a resident of Yangebup. I have concerns, like others here and in the community re the development application by Brajkovich Landfill and Recycling to the City of Cockburn for consideration.

The concerns that have been raised include dust, noise, property valuations including future forecast for property markets.

Whilst I believe they are important concerns, the exposure to dust, concern around Silica dust, the potential affect it will have on our health, wellbeing and lifestyle.

I understand the crusher will be used for demolition materials from buildings includes, bricks, tiles, concrete, some plastics to name a few and stockpiled before transporting.

Silica can be found in these building materials, when they are broken down, Silica is released as a fine dust which has been proved to be harmful when inhaled into your lungs, it is 100 times smaller than a grain of sand, and you can be breathing it in without knowing it.

Exposure to Non-occupational silica dust from industrial sources within the vicinity of residential areas is just as much of a concern as occupational sources, reported in the media and other communities around the world.

Non-occupational Silicosis is a well-established disease, but unfortunately has been underestimated as an environmental disease, which makes me think physical hazards are generally taken seriously, but when hazards are invisible and their effects are delayed, they go unnoticed.

How I see it, we need our lungs to breath; exposure to hazardous material like Silica is a very big issue that need to be addressed. Compromised lung capacity, quality of life and the effect it will have on both the adults and the children, now and into the future. Non-occupational Silicosis can develop in the lungs anywhere from a few weeks to a few decades, exposure is invisible; non- occupational exposure can go undetected for many years.



There is currently no cure for silicosis; however this condition is preventable. For this reason, I do not believe this crusher and its operation is suitable close to the residential area of Yangebup and surrounding suburbs, and including many businesses within the area.

What is the benefit of having this kind of industry close to residential living?

- A1. The Acting Chief of Built and Natural Environment advised the subject site is zoned 'Industry' under the City's Town Planning Scheme No. 3. The crushing of materials is defined as an 'Industry – General (Licensed)' land use under the City's Scheme.

This type of land use is a 'Discretionary' type land use for the Industry zone, which means that the use is not permitted unless the City exercises discretion by granting a planning approval.

This means that the proponent is able to make an application to the City for approval of the land use and there are no statutory controls to stop the application from being lodged.

- Q2. Who is going to be accountable for regulating, auditing, and health monitoring on site, surrounding areas, including the shed, exhaust ventilation, dust removal at the point it is produced.

- Q3. Dust suppression, use of water, how will this be monitored? Will there be external monitoring undertaken?

- A3,4. The Acting Chief of Built and Natural Environment advised the City of Cockburn is currently assessing the application, as submitted by the proponent. The assessment is yet to be completed.

Upon completion of the assessment, a comprehensive draft report will be presented to Council, inclusive of:

- a. The full assessment of the City of Cockburn under the Planning Framework.
- b. The advice provided by the Department of Water and Environmental Regulation (DWER) to the City of Cockburn in relation to the relevant state government air quality requirements.
- c. Various attachments, including every submission received by the public advertising process and a response to each and every submission.
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When Elected Members have been briefed on the above draft report and any matters clarified, the final report will be made public and will be published on the City's website.

The advertising of the proposal which has been undertaken to date, under the Planning Framework, is not necessarily an endorsement of the proposal by the City, the Elected Members, or DWER.



Elected Members of Council are the determining authority on the application, with DWER acting as a key state government referral agency. City officers are not yet in a position to provide specific details as this is being reserved for the final Council report.

8.29 Vicki Hoskin, Lake Coogee

200 Barrington Street, Bibra Lake – Proposed Crusher

Q1. City of Cockburn's air is already polluted with dust from Cockburn Cement.

It has taken years of complaints before Cockburn Cement acted on request from investigation from DWER before changes and improvements made.

How can the City Of Cockburn guarantee to their residents that there is no risk to toxic particles and dust entering into our homes, playgrounds, schools and our bushland that can cause ill effects to our health as well as our important local flora and fauna found at Bibra Lake and surrounding lakes that don't have a voice?

We are already at the mercy of Cockburn Cement and the toxic waste already buried at the Cockburn Power Station. We don't need another business risking the health of our community.

A1. The Acting Chief of Built and Natural Environment explained that the City of Cockburn is currently assessing the application, as submitted by the proponent. The assessment is yet to be completed.

Upon completion of the assessment, a comprehensive draft report will be presented to Council, inclusive of:

- a. The full assessment of the City of Cockburn under the Planning Framework.
- b. The advice provided by the Department of Water and Environmental Regulation (DWER) to the City of Cockburn in relation to the relevant state government air quality requirements.
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Elected Members of Council are the determining authority on the application, with DWER acting as a key state government referral agency. City officers are not yet in a position to provide specific details as this is being reserved for the final Council report.

8.30 Alan Swift, Jandakot - Glen Iris Golf Course Estate

As Mr Swift was not present at the meeting, his submitted questions will be treated as correspondence and a reply provided.

8.31 Domenic Murdoca, Jandakot - Glen Iris Golf Course Estate

As Ms Murdoca was not present at the meeting, his submitted questions will be treated as correspondence and a reply provided.

8.32 Ian Readwin, Jandakot - Glen Iris Golf Course Estate

Q1. Can you please explain why Cockburn Council was so vocal against ROE 8 and actually facilitated protesters? They gave approval for protesters to camp on a local reserve, the City of Cockburn temporarily permitted protesters to set up a base at Basset reserve in Bibra Lake.

The Council reasoning was to protect the natural bush, flora and fauna. Yet when the same situation has arisen with Glen Iris Golf Course which is also potentially strewn with buried asbestos and has a delicate flora and fauna status, you sit on your hands with stock answers.

You have shown in the past you are prepared to take decisions on proposed development which could be classed as environmental vandalism, yet sit back and forget the people who pay your wages for the benefit of developers and whatever gifts they may bare.

8.29pm Cr Eva departed the meeting.

A1. The Acting Chief of Built and Natural Environment advised that the City has received no gifts or any other benefits from either Eastcourt or Acumen and rejects any implication of impropriety with regard to any dealings with Eastcourt, Acument, or any other developer active within the City of Cockburn. We have a regulatory role and are required to consider proposals for developments as they arise.

The landowner is aware of their obligations under the Act and are aware that any asbestos located on the site needs to be treated in accordance with applicable regulations and health and safety protocols.

They are also aware of the need to assess flora and fauna as part of any future proposal.



In terms of Roe 8, the City was not in a regulatory role as this was a State government project. As a stakeholder, we chose to raise matter of retaining the important ecological connectivity between areas of the park which would have otherwise been dissected by the highway.

Approval was given for protestors to have a presence at Basset Reserve for a limited timeframe. This enabled the City to control the health and safety impacts associated with illegal camps that were happening at the time. The protestors were at Basset Reserve for three days from 16th to 20th of January.

8.33 Jeanette Mouttet, Jandakot - Glen Iris Golf Course Estate

Q1. Are you aware of a statement within the City of Cockburn Community Infrastructure report, with a version date of 20.7.20 that stated this valid point: 'The demand for golf facilities will increase with the increased development within the City'?

Are you aware that the same document also stated, "A general ratio for the provision of a golf course for every 30,000 persons."?

How many public golf courses, excluding the currently closed Glen Iris Golf Course does City of Cockburn have?

How many private golf courses does City of Cockburn currently have?

Therefore, what is the total sum of both public and private current open golf courses within the City of Cockburn boundaries, excluding the currently closed Glen Iris Golf Course?

How many currently open public and private golf courses are in my City of Cockburn East ward that currently has over 42k persons? By your own ratio guidelines should that not be well over one (1)?

How many total golf courses are the City of Cockburn currently short according to your own documented guidelines of a golf course per 30k persons, considering that the City of Cockburn currently has approx. 120k persons?

Is it a correct statement that within the City of Cockburn boundaries the only golf course that you currently offer is novelty disc golf where players throw a frisbee-shaped disc from a tee pad?

Do you think that City of Cockburn are letting down their whole golfing community with substandard planning foresight re golf courses within the City, including those golfers that used to play at the now currently closed and conveniently located Glen Iris Golf Course?

8.34pm Cr Eva returned to the meeting.

A1. The Acting Chief of Built and Natural Environment advised that the City of Cockburn is planning to construct its first public golf course in Coogee in accordance with Council's adopted Community, Sport and



Recreation Facilities Plan 2018–2033, a document that provides for the equitable allocation of resources to meet the City’s varied sporting and recreational needs.

It should be noted that at the time the Facilities Plan was prepared and adopted, the City had one privately-owned golf course that has subsequently closed.

As noted in this document, developing and applying community facility standards forms one component of the needs assessment and supply and demand analysis for the Community, Sport and Recreation Facilities Plan and should not be considered as absolute, or in an isolated manner, because there are many other factors that influence the demand for community facilities.

- Q2. Is City of Cockburn aware that the current Glen Iris Golf Course owners in their ‘Have Your Say Glen Iris Estate website’ and in their August 20 newsletter state a vision to retain as many mature trees as possible in the future proposed infill of the golf course?

If for some gobsmacking and totally illogical reason the infill of the Glen Iris Golf Course gets the green light, does City of Cockburn intend for Eastcourt Property Group (or its subcontractors) to call the shots on the terminology of what a mature tree is, as presumably any none-mature trees will be being destroyed/ ripped out of the golf course?

Do you know if it is only the perimeter course ‘mature’ trees they are planning to retain, or also others?

Are City of Cockburn aware that the word mature tree is a rather wide and loose use of terminology, which may be giving some current Glen Iris Golf Course Estate residents a false and misleading impression re urban forest retainment?

By that I mean what a property developer terms a mature tree will no doubt be a polar different view than what I and other Glen Iris Golf Course estate residents would term such.

Can City of Cockburn share with me what the City of Cockburn terminology of a ‘mature tree’ is in the City’s view?

Do you agree that there are many healthy, established, majestic seemingly ‘mature’ trees (that give multiple benefits) situated on the Glen Iris Golf Course that should be protected in perpetuity at all costs?

Is City of Cockburn aware that many of the Glen Iris Golf Course trees are important to the federally protected black cockatoos, i.e., resting trees/ tree with hollows/foraging trees etc regardless of if they are classified by the developer as mature trees or not?

Are City of Cockburn aware that there are well established magnificent very mature trees located nearby the current Dean Road roundabout/ Twin Waters Pass Bridge of which the federally protected black cockatoos are regularly sighted and of which there are rumours of potential road infill by the developer?



8.36pm Cr Separovich departed the meeting

- A2. The Acting Chief of Built and Natural Environment advised that the City encourages the retention of mature trees within new development areas where possible and will assess the environmental report submitted with the future structure plan with regard to both tree retention and impact on native fauna.

The report will provide guidance on how trees are categorised. Typically there is a measurement of the girth of the trunk taken at 1.5m high.

Any trees within existing road reserves remain the City's property and will be protected accordingly.

The City is well aware there is federal legislation which developers are required to comply with.

8.40pm Cr Separovich returned to the meeting.

8.34 Mike Smith, Jandakot - Glen Iris Golf Course Estate

- Q1. Ordinary Council Meeting – 8 April 2021 Reference the proposed integrated residential development for the Glen Iris Golf Course Estate Development Concept, in September 1991, Consultants Chappell and Lambert, Wood and Grieve Pty Ltd, ref District Zoning to Cockburn Council, Page 6, Development Concept stated: "The Concept Plan has been prepared following careful consideration of topographical and physical characteristics of the site, the adjoining and surrounding land uses and consultation with officers from Council, Department of Planning and Urban Development, Water Authority of WA, EPA, Federal Airports Corporation and other servicing authorities."

On page 7: "All authorities indicated their support for the proposed Residential zoning and Concept." (ie around the golf course).

Representatives from the Water Authority of WA and EPA advised that they preferred the proposed residential development of the land as this would have far less potential impact on the Jandakot Water Mound ...

- (a) Why would the Council even consider infill over a significant 54.9ha of water catchment area when the Water Corporation of WA and EPA expressed concern 30 years ago about negatively impacting the Jandakot Water Mound and it is reported that by 2050 Perth will be the size of Brisbane, needing all the water it can to accommodate the needs of hundreds of thousands of more people, especially as the City of Cockburn has highlighted the problems associated with climate change, specifically less rain and more carbon dioxide?
- (b) Together with Mr. Brun's comment in the Cockburn Gazette dated 25 March 2021 "how do we make sure the natural environment is protected" can we be sure that Council Officers and Elected Members, when considering Eastcourt's Scheme Amendment application, will seriously consider the future potential impact on the



Jandakot Water Mound - an aquifer which supplies potable water to the whole of Perth - because Eastcourt's proposed new housing development will destroy a rainwater catchment area of 54.9ha? Due to climate change and lack of rain we are building less dams and therefore rain catchment areas for the Jandakot Water Mound - which is Perth's drinking water - becomes paramount. This is not just a 'golf course' issue. It could be the loss of a vital environmental asset. Otherwise, we could all just drink beer!

- A2. The Acting Chief of Built and Natural Environment advised that the City is required as a regulatory authority, to consider applications as they are lodged.

Much of the former Glen Iris Golf Course is outside the Jandakot Groundwater Protection Area. The area that is within the area is categorised as 'P3' which is the lower level areas in terms of their prioritisation for groundwater extraction. This area already has urban housing on it, forming part of the Glen Iris estate.

Over the years, as desalination plants have added to Perth's water resources, this has also changed the level of reliance on traditional sources such as catchment and groundwater.

There is a much greater understanding of the Jandakot Water Protection area based on monitoring and other investigations undertaken by the State Government over the past 30 years. Based on this appreciation, a number of scheme amendments and structure plans within the Jandakot Water Protection area have been approved and subsequently developed for urban uses with no significant detrimental impacts to the water mound. Planning for the ongoing water supply for the Perth metropolitan area is undertaken by the Water Corporation, who will assess any proposed scheme amendment within a water protection area and their advice will be considered prior to the WAPC making any determination.

The application will also be referred to the Environmental Protection Authority, Department of Biodiversity, Conservation and Natural Attraction.

8.35 Peter Lampkin, Jandakot - Glen Iris Golf Course Estate

- Q1. I am aware that questions put to Council should refrain from making statements, however, in order to ask my question, it is necessary to provide some context.

The following are minuted questions from Janette Mouttet and replies from Daniel Arndt at the AGM of Electors Meeting held on 24 February 2021 (point 4.1.7):

'Question 2: Is Council aware that with Eastcourt Property Group removing the water source from the golf course, water bodies and golf course grass land/ vegetation, that there has been severe loss,



degradation and impact to the surrounding feeding and watering habitat of the two black cockatoos?

Answer from Mr Arndt: The Director advised that, given that black cockatoos are highly mobile, the removal of artificial water bodies is unlikely to be considered to be a significant threat to these species, under the EPBC Act.

The Federal Department of Agriculture, Water and Environment, however, would make that determination.'

At the last Ordinary Council meeting on 11/3/21 a question was put to Mr Arndt around the impacted wildlife on the course.

Mr Arndt's response when mentioning the Carnaby's Black Cockatoos in particular was "that they are a bird of flight and would find other resting and roosting spots".

This response was heard by a number of shocked residents attending the meeting. However, it is noted that these words were not minuted.

Notwithstanding, I would now like these words minuted as they were said by Mr. Arndt and heard by a number of Glen Iris residents.

Question 7: Does the Council take the official stance that due to it being private land the property developer was within their rights to drain the six out of seven golf course lakes to date?

Answer 7 from Mr Arndt: The Director advised that, given the land is privately owned land, the landowner is within their rights to drain the lakes. The City has been informed that the landowner has taken reasonable steps to protect various species associated with those lakes.

Question 8: Is Council aware if Eastcourt have sought permission from the Australian Government Department of the Environment before removing the threatened cockatoo species water sources? Answer 8 from Mr Arndt: The Director answered yes.

The answers to Q7 and Q8 seem to contradict each other.

In Question 7, Mr. Arndt said that the developer was within their rights to drain the golf course lakes – (ie no approval required) However, in Q8, he has answered 'yes' that Eastcourt sought permission to remove the cockatoos' water sources. By answering 'yes', please advise how Mr. Arndt knows this and can he please provide a copy of the permit allowing the water to be removed?

- A1. The Acting Chief of Built and Natural Environment advised that It is up to the proponent to determine if the removal of an artificial water body is deemed to have a significant impact on Black Cockatoos and thus warrants a referral to the Department of Agriculture, Water and Environment for approval.
- Q2. Does the City of Cockburn fully understand that Carnaby's Black Cockatoos which are in large numbers around the Glen Iris Golf Course Estate are Federally protected and any actions taken to disturb or alter their habit (including taking away their drinking supply e.g the lakes being drained) needs approval by the Minister, otherwise huge fines

can apply? Given the City of Cockburn is proud to display the new artwork at Cockburn Train Station displaying the Black Cockatoo it seems rather hypocritical to stand by and let such actions occur on the golf course especially with no rezoning of the land having being approved.

- A2. The Acting Chief of Built and Natural Environment advised that the City is well aware there is federal legislation which developers are required to comply with. It is not the City's role to enforce this legislation.

8.36 Roy Craddock, Jandakot - Glen Iris Golf Course Estate

- Q1. It is a fact that at the end of Precinct Reference Group Workshop No.2, Acumen rendered a commitment to attendees, that any Concept Plans would be sighted by the attendees prior to submission to Council?

The Precinct Reference Group Workshop attendees and the Glen Iris Community allege that Acumen have not followed the agreed Workshop Terms of Reference and Code of Conduct, and attendees input has been ignored or manipulated.

Workshop Summary Reports to date have demonstrated this point, and also reveal a total lack of alignment between the developer and community visions for the proposed development.

Will Council ensure that Acumen honour their commitment by directing Acumen to defer any briefings or Developer Proposal Submissions until such time that the Precinct Reference Group Workshop attendees have had the opportunity to sight and review the proposals ?

- A1. The Acting Chief of Built and Natural Environment advised that the City of Cockburn has no control over how the Precinct Reference Group is organised or operated and does not participate in any way in the workshops or its outcomes. As the Reference Group is a voluntary initiative by the landowner, the City cannot direct Acumen with regard to the content or process under which they conduct these meetings or hold them to undertakings made to participants.

Likewise, the City cannot control when an applicant chooses to lodge applications.

8.37 Jason Silvester, Jandakot - Glen Iris Golf Course Estate

- Q1. Can Council please confirm when they will be responding to my email of 21 March 2021 regarding City of Cockburn District Zoning Scheme No 2.Amendment No.64, amended 18 December 1991 and adopted 5 November 1991| What has Changed? Does the City of Cockburn have a customer service charter regarding the period of time that questions should be answered within? If so, how many working days is that period?



- A1. The Acting Chief of Built and Natural Environment advised yes, the City has a Customer Service Charter. We commit to acknowledge the receipt of email requests within five working days.
- City staff have sought to locate this email to no avail. If the email could be resent to customer@cockburn.wa.gov.au we will prioritise a response being provided.
- Q2. As reported in Perth Now on the 24 March 2021, Mr Brun stated - I want people to look at and see what's going on in Cockburn across Australia and say 'they've got the urban development right, they've got the community settings right, and they've got the growth balance right' and use us as a template." – Does the Council believe the community settings are "right" at the Glen Iris Golf Course Estate especially as the rest of Australia (and the world) are currently witnessing (via youtube) the destruction of the ecosystem including protected wildlife being harmed much to the communities disgust, and there is the potential that the 30 year old Scheme No 2.Amendment will be ripped up for no other apparent reasons but giving in to the developers greed?
- A2. The Acting Chief of Built and Natural Environment advised that Elected Members are not able to provide commitments as to support or otherwise on any matter until Council's formal deliberations as part of a Council meeting.
- Town Planning Schemes do change from time to time. The State Government expect review of the City's planning frameworks every five years (in practice this generally takes longer).
- Q3. As reported in Perth Now on the 24 March 2021, Mr Brun stated "I think the point with sustainability and environmental things is not to stop development, it's how do we actually create a better space?" Based on this approach, and with regard to Scheme No 2 Amendment, will Council:
- i. Strongly encourage Eastcourt Property Group to look at a mixed use sustainable community based sport and recreation facilities (similar to City of South Perth's planned world-class recreation, cafes, bars, and aquatic facility at Collier Park Golf Course) – All within the boundary of the existing clubhouse area
 - ii. Encourage the retainment of greater than 90% of the green spaces for golf (as its the no.2 sport in Cockburn and its retainment was called for in the JRRA questionnaire responses) and for the reinstatement of the ecosystem (which complies with City of Cockburn Sustainability Policy)
 - iii. Encourage Eastcourt Property Group to build houses elsewhere
- A3. The Acting Chief advised that Elected Members are not able to provide commitments as to support or otherwise on any matter until Council's formal deliberations as part of a Council meeting.

(2021/MINUTE NO 0038) EXTENSION OF MEETING

COUNCIL DECISION

MOVED MAYOR L HOWLETT SECONDED DEPUTY MAYOR L KIRKWOOD

THAT COUNCIL EXTEND THE MEETING FOR A PERIOD OF UP TO 60 MINUTES, THE TIME BEING 8.55PM, IN ACCORDANCE WITH CLAUSE 4.13 OF COUNCIL'S STANDING ORDERS LOCAL LAW TO ALLOW SUFFICIENT TIME TO CONCLUDE THE BUSINESS OF COUNCIL.

CARRIED UNANIMOUSLY 8/0

8.56PM THE ACTING HEAD OF COMMUNITY SAFETY AND RANGER SERVICES DEPARTED THE MEETING.

9. CONFIRMATION OF MINUTES

9.1 (2021/MINUTE NO 0039) MINUTES OF THE ORDINARY COUNCIL MEETING - 11/03/2021

RECOMMENDATION

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

COUNCIL DECISION

MOVED Cr P Eva SECONDED Cr M Separovich

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0

9.2 (2021/MINUTE NO 0040) MINUTES OF THE SPECIAL COUNCIL MEETING - 25/03/2021

RECOMMENDATION

That Council confirms the Minutes of the Special Council Meeting held on Thursday, 25 March 2021 as a true and accurate record.

COUNCIL DECISION

MOVED Cr C Stone SECONDED Cr P Eva

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0



10. DEPUTATIONS

The Presiding Member invited the following deputation:

- **Len Greenhalgh and Trevor Dunn** - in relation to Item 14.1 Development Application - 4 Madras Link North Coogee - DA21/0131 - Retrospective Single (R-Code) House – Finish of Eastern Boundary Wall
The Presiding Member thanked the deputation for their presentation.
- **Sindi Mastaglia, Daniel Mastaglia and Ross Underwood** - in relation to Item 14.1 Development Application - 4 Madras Link North Coogee - DA21/0131 - Retrospective Single (R-Code) House – Finish of Eastern Boundary Wall
The Presiding Member thanked the deputation for their presentation.

8.59pm The Council Minute Officer departed the meeting and returned at 9.02pm.

9.19pm The Acting Head of Community Safety and Ranger Services returned to the meeting.

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

Nil

At this point in the meeting, the time being 9:26pm, the following items were carried by 'En Bloc' resolution of Council:

13.1	14.2	15.1	16.1	17.1	22.1
13.2	14.3		16.2		
	14.4				
	14.5				

13. COUNCIL MATTERS

13.1 (2021/MINUTE NO 0041) MOTION - ANNUAL ELECTORS' MEETING 24 FEBRUARY 2021 - DOG ACCESS TO AMMUNITION JETTY

Author(s)	D Green and M Emery
Attachments	<ol style="list-style-type: none"> 1. Transcripts of Motion ↓ 2. Department of Biodiversity, Conservation and Attractions - Letter of Appreciation ↓ 3. Environmental Protection and Biodiversity Conservation Act Migratory Species ↓ 4. Dogs Prohibited - Letters of Support ↓ 5. Dr MacDonald - Dog Behaviourist ↓ 6. WPRP Management Plan Pages - Dogs ↓

RECOMMENDATION

That Council:

- (1) NOTE the motion carried at the 24 February 2021 Annual General Meeting; and
- (2) RECEIVE the report.

COUNCIL DECISION

MOVED Cr C Terblanche SECONDED Cr T Widenbar

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0

Background

At the Annual Electors' Meeting conducted on 24 February 2021, the following Motion was put to the electors present:

'That the City of Cockburn Council reinstates access to the beach for that section from "Ammunition Jetty" extending approximately 1.5 kilometres south to the "Cockburn Cement Jetty" for dogs and designate it as "On Leash", to allow the area to be returned to a safe "On Leash" space for the community to utilise and enjoy.'

The Motion was carried by 64 votes to nil.

The statutory requirement for motions carried at Electors' Meetings is for them to be formally considered by Council, pursuant to Section 5.33 of the *Local Government Act, 1995*.

Transcripts of the motion are included within this report (refer Attachment 1).

Submission

N/A



Report

Historical Content

The issue of this portion of beach has been a matter of contention since September 2020, when Council resolved (in part) to change the area previously dedicated as a “dogs on-leash only” beach to a “dogs prohibited” area.

One of the principle issues for Council consideration at the time of its decision was the perceived confusion caused through the initial public comment period and the final document adopted by Council.

Some respondents cited that there was confusion caused by the choices related to the proposal which did not mention the possibility of prohibiting dogs from the beach altogether.

The only feedback sought at that stage was whether the beach should be designated as an “on-leash” or “off leash” beach.

Despite Council’s decision of July 2020, confirming that any comments about the Draft Animal Management Plan would be accepted, the people directly impacted by the Council decision to ban dogs from the beach felt that the Council’s decision was not clear enough and that they would have made further submissions in support of the status quo (ie: retaining the area as a dogs “on-leash” only beach).

Since the Council decision made in September 2020, and the decision to ban dogs from this beach area, there has been a consistent level of opposition from impacted residents of Cockburn and from further afield.

This dissent has continued and was apparent at the Annual Electors’ Meeting with the show of support in favour of the motion to reinstate a portion of the beach as dogs “on-leash” only.

A secondary issue mentioned consistently by those opposed to the Council decision, is the emphasis placed by Council on the environmental impacts of dog activity on the breeding grounds for migratory birds, in particular, Fairy Terns.

Several people have mentioned that the Birdlife organisation was actively advocating for the prohibition of dogs on the beach and was encouraging people to pressure Council into introducing a dog prohibited area to mitigate any negative impacts on the bird population in that sensitive location.

More recently, the City has received information which confirms that the Department of Biodiversity, Conservation and Attractions (DBCA) circulated a letter to Woodman Point, Beeliar and Jandakot Regional

Park Community Advisory Committees, which advocated the position of the DBCA and encouraged members of these organisations to make a submission supporting the prohibition of dogs from the beach and foreshore adjacent to Woodman Point Reserve.

As a result, there was a considerable amount of submissions received which promoted to Council that dogs not be allowed at all in this location. Ultimately, that is the position adopted by Council.

Statutory Context

Procedurally, for this position to be overturned, as requested by the motion passed at the Annual Electors' Meeting, the part of the Council decision which had the effect of prohibiting dogs from that part of the coast line needs to be revoked by Council, prior to the motion carried at the Annual Electors' Meeting being considered.

The relevant statutory provisions are Section 5.25(1) (e) of the *Local Government Act 1995* and Regulation 10 of the *Local Government (Administration) Regulations 1996*. In practice, this requires a Notice of Motion to be provided, signed by at least four (4) Elected Members, proposing the following resolution:

That Council revokes the following decision made at the Council Meeting conducted on 10 September 2020, in relation to Item 17.1 (Minute No 0198) "Adoption of the Animal Management and Exercise Plan 2020-25":

(3)(a) Woodman Point Beach, Coogee as a dogs prohibited area from south of the Ammunition Jetty (adjacent to John Graham Reserve) to where it intersects with the current dogs off-leash area.

Such a Motion would require an Absolute Majority of Council (i.e. six (6) members) to vote in favour of the revocation for it to take effect, otherwise the motion will be declared lost.

Should the revocation motion be passed (by an Absolute Majority of Council), the following motion will need to be considered by Council and passed, again by an Absolute Majority of Council, pursuant to the provisions of the *Dog Act 1976*, (Section 31 (3A));

That Council provides 28 days public notice (as defined in Section 1.7 of the Local Government Act 1995) of its intention to allocate:

- 1. Woodman Point Beach, Coogee as a dogs on leash only area from south of the Ammunition Jetty (adjacent to John Graham Reserve), extending approximately 1.5 kilometres south to the "Cockburn Cement Jetty", and*



2. *Woodman Point Beach, Coogee as a dogs prohibited area from south of the "Cockburn Cement Jetty" extending to where it intersects with the current dogs off leash area,*

The matter can only be initiated in accordance with the statutory provisions and therefore any Notice of Motion requires the signatures of four (4) Elected Members to enable it to proceed.

Technical Officer Report

The stretch of beach to the south of the ammunition jetty has been identified as an important nesting and feeding site for migratory species and bird species identified in the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) as rare and endangered (refer Attachment 3). As indicated in the recent Environmental Impact Assessment, the presence of dogs on or off a lead has more of an impact on the birds than humans walking alone.

The City has sought advice from the Department of Agriculture, Water and the Environment (DAWE) about any regulatory implications relating to changing the area from dog prohibited to on leash. Based on that advice it is understood that an EPBC referral may be required should Council consider reverting the status of the beach to a dog on lead area.

The referral and subsequent assessment is likely to be a prolonged process, requiring analysis and in-depth bird studies to be undertaken over a twelve-month period. The cost of this detailed assessment is likely to be in the region of \$120,000.

The City has received correspondence in support of the area remaining a dog prohibited area from both state government agencies and not for profit organisations.

Letters have been received from:

- Department of Biodiversity, Conservation and Attractions
- The Department of Biodiversity, Conservation and Attractions (Regional Ecologist).
- Department of Local Government, Sport and Cultural Industries
- Woodman Point Regional Park Community Advisory Committee (2)
- Department of Planning, Lands and Heritage
- Birdlife Australia
- Conservation Council of WA
- Fairy Tern Network
- Native Arc.

Refer Attachment 4.



It is likely that many of the above agencies and organisations would also lodge submissions to the EPBC if the referral was advertised for public comment.

Adding further complexity, the beach area (waterline to the dunes) is divided by two land tenures (as shown within image 1 below).

The most western land tenure is managed by the Department of Planning, Lands and Heritage, while the eastern portion is managed by the Department of Biodiversity, Conservation and Attractions. Both of these departments do not support allowing dog access to this section of beach.

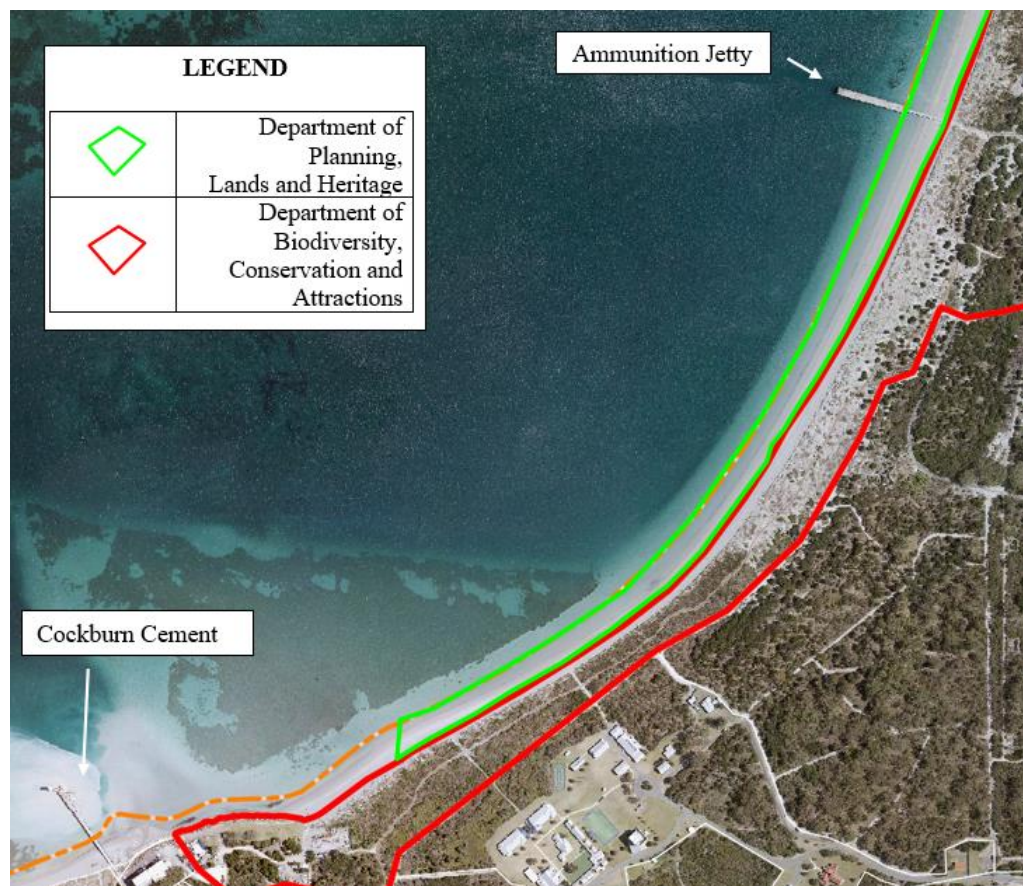


Image 1 – Land Tenure of the Impacted Area.

Based on the land tenure issues alone, Council could be placed in a situation where it would be required to lodge an EPBC referral for permission to conduct an activity which is not supported by the land manager. The EPBC referral would also be at odds with the City's own strategic environmental objectives outlined in a number of strategies and policies.

The City has also sought advice from a well-respected and highly qualified Western Australian dog behaviourist, Dr Iain R Macdonald. Dr MacDonald has extensive qualifications, including a Bachelor of



Applied Science in Psychology and a Master of Science in Animal Behaviour. Further to Dr MacDonald's academic accomplishment, he has authored numerous published reports on anxiety in dogs and emotional behaviour/responses.

Dr MacDonald's submission (refer Attachment 5), although brief, does support the Council decision to prohibit dogs from this stretch of beach and it also rebuts elements of the information currently circulating within the community about reactive dogs and the Council's September 2020 decision.

In summary Dr MacDonald stated that a reactive dog needs behavioural modification treatment and that the Act (Dog Act 1976) does not provide for an exemption of the dogs reactive behaviour, because it is on lead."

As elaborated in other Council reports, and as another consideration, the enforcement of an 'on-leash' beach is substantially more difficult to police, than a dog prohibited or dog off-leash area.

The increase in difficulty is based on practicality. Access to the beach in some areas is very difficult and, in effect, there is access from only two points at each end of the 1.5km stretch of beach. A Ranger's ability to see if a dog is on a lead is limited by distance, even if binoculars were to be used.

When the area in question was designated as on-leash, past experience has shown that it is difficult for the Ranger to enforce the on-leash provision or gain enough evidence to ensure enforcement action is supported and defensible.

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.

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

Allowing access to Woodman Point for dogs could trigger a referral to the Department of Agriculture, Water and the Environment for an EPBC Assessment. The initial assessment (application) fee is \$6,577 and further assessment by the Department is based on a fee for service chargeable to the applicant. Based on indicative figures provided by the Department and the need to engage several consultants, a budget allocation of approximately \$120,000 will be required to undertake the EPBC assessment process.

Any change to the current scenario will also require replacement signage to be installed at the appropriate locations with costs being allocated from the City's Facilities Maintenance Budget.

Legal Implications

State Legislation:

Sections 5.33, 5.25 (1) (e) and 1.7 of the *Local Government Act 1995*, Regulations 10 and 3A of the *Local Government (Administration) Regulations 1996*, and Section 31 (3A) of the *Dog Act 1976* refers.

Commonwealth Legislation:

Part 7 of the *Environment Protection and Biodiversity Conservation Act 1999* refers.

Community Consultation

This matter was the subject of a resolution carried at the Annual Electors' Meeting conducted on 24 February 2021.

Risk Management Implications

There is a "Low" level of "Compliance" risk and a "Substantial" level of "Brand/Reputation" risk associated with this item.

Advice to Proponents/Submitters

The mover and seconder of the Motion at the Electors' Meeting have been informed that the matter is to be considered at the 8 April 2021 Ordinary Council Meeting.

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

Management of some foreshore areas is a responsibility of local government.



NOTICE OF MOTION

TO: Chief Executive Officer
City of Cockburn
Annual General Meeting of Electors –
2 February 2021

MOTION FROM: Name-Anthony Certoma
Address-6 The Outlook Coogee WA 6166
Email:-anthonymcertoma@iinet.net.au
Mbl:-0418331215

Seconded By: Joanne Curry (second speaker to the Motion)

Additional Speakers: Deanna Curran
Lucia Benova

RE: Animal Management and Exercise Plan 2020-2025 Decision by council from 21st October 2020 to Prohibit Dogs at Woodman Point between Ammunition Jetty and south around the Woodman Point Headland to where the dog beach begins at Jervoise Bay.

Good evening, Mr Chair. Firstly, I would like to thank the Mayor, councillors, council staff and fellow electors for the opportunity to put our case this evening. Our group Residents of Cockburn for the Dogs would like to raise the following motion.

MOTION:

That the City of Cockburn council reinstate access to the beach for that section from "Ammunition Jetty (extending approx. 1.5 klms south) to "Cockburn cement jetty" for Dogs and designate it as "On Leash". This will allow the area to be returned to a safe "On Leash" space for the community to utilise and enjoy.

COMMENT:

To endorse our motion we wish to provide the following supporting information

Access to the beach (as per the area nominated above) for people to enjoy walking dogs "On Leash" is critical for not only residents of the City of Cockburn but also the wider community that visit our wonderful beaches.

Many people treasured this beach as a safe place for timid dogs, rescue dogs and small dogs, given that it is not crowded, has an expansive open shoreline and it is an “On Leash” beach as opposed to an “Off Leash” beach. As it is one of the few beaches with suitable parking (including ACROD), amenities and easy beach access, it is attractive to people with disabilities, mobility issues, the elderly, people with mental health issues as well as families with children. Thus, it is one of the few respites for many to visit and enjoy with their pets in a safe environment. The original decision was not a fair decision, nor a justified ecological decision and in our view certainly not a decision that respects the community where dogs are part of our family, in approximately 40% of households in the City.

The Residents of Cockburn (R.O.C) for the Dogs group is in the process of submitting an application to become an incorporated Association. It is willing to liaise and work with the City of Cockburn to overcome any potential obstacles to making this stretch of beach a safe “On Leash” beach which will be a well utilised resource for all stakeholders.

Historically, there was a level of confusion in both the “public consultation” process and the Environmental Impact Assessment (EIA) study relating to dogs on the beach, as both referred to going to an “Off Leash” scenario as its main focus. As the beach already had a status of “On Leash” many people felt they did not need to make public comments as they were happy with this status and the change to “off leash” was just an additional option. The public were not made aware that the beach could ban dogs altogether.

Also, the EIA¹ commissioned by the Council, focused on “Off Leash” scenarios and not “On Leash” as per our motion today. The EIA talks about a 2.7km stretch of beach, **(SHOW MAP NOW)** south of Ammunition Jetty to Woodman Point. Whereas we are referring to 1.5 km stretch only, to be reinstated as an “On Leash” dog beach, ending before the primary Fairy Tern nesting area, minimising the potential impact on the birds.

¹ Integrate sustainability 2020, Environmental Impact assessment of a proposed off leash dog beach at Woodman Point. Report prepared for the City of Cockburn



Finally, if you can imagine for a moment, at the other end of the dog leash, there is a human being possibly with family and/or friends, walking on one of the most peaceful and beautiful beaches in W.A. and in all consciousness how can you possibly continue to deny that?

I now wish to defer to our groups second speaker on the motion – Dr Joanne Curry.

RIGHT OF REPLY

Our group Residents of Cockburn for the Dogs thanks everyone in attendance for your time this evening. We have spent extensive time reviewing the Council's reasoning for the initial decision and conducting relevant research into how reinstatement of the "on leash" area can be better managed, monitored and policed, some of which we have outlined tonight.

Our goals are the same as Councils – to provide a family friendly and safe environment for both residents and visitors to the local beaches but with about 40% of people owning dogs, we need options to be able to include them as a normal part of family activity.

NOTICE OF MOTION

MOTION FROM: Name-Anthony Certoma
Seconded By: Joanne Curry (second speaker to the Motion)

Additional Speakers: Deanna Currran
Lucia Benova

MOTION:

That the City of Cockburn council reinstate access to the beach for that section from "Ammunition Jetty (extending approx. 1.5 klms south) to "Cockburn cement jetty" for Dogs and designate it as "On Leash". This will allow the area to be returned to a safe "On Leash" space for the community to utilise and enjoy.

Thankyou Mr Chair and my colleague Mr Certoma

Further in support of our motion, and demonstrating the community support for "On Leash" dog areas, is the Council's own document "Comment on Cockburn - Project Report (30 July 2020): Draft Animal Management and Exercise Plan 2020-2025", 'Objective Two of the draft plan is to provide sufficient, safe spaces for dogs, people and wildlife'. Question one of this Objective asked Do you support or oppose:

"to change the usage of Woodman Point from 'On Leash' to 'Off Leash' and investigate the potential to have the area as a "Dog Prohibited Zone" during the Fairy Tern nesting season"

Of the 573 responses – A majority of 267 opposed this change. This indicates that the majority of the people responding, **were against changing the 'dog usage' conditions – that is: they wanted it to remain "On Leash"**.

We as a group also challenge the statements made in relation to the Council's initial vote to remove dogs from this area, regarding danger to the nesting area and habits of the Fairy Terns. To this end we request that:

1. Council commission a study on the actual effects of Fairy Tern activity directly relating to dogs that are "On Leash" in the proposed 1.5klm area, as the original report tabled at the OCM 10/9/2020 (conducted by Integrate Sustainability) specifically targeted proposed "Off Leash" dog beach areas as its point of reference.
2. Council erect signs to increase awareness of Fairy Tern habits for beach visitors.



3. Undertake a feasibility study of options that will effectively manage the beach and penalise irresponsible dog owners who allow dogs "Off leash".

One of our additional speakers – Deanna, will talk further about the fairy terns.

In relation to Dog Attacks and contrary to other statements made, Council documents obtained by our group through the Freedom of Information Act, show that only one attack actually occurred on the stretch of beach in question during the period 1st November 2019 to 21st October 2020. The reports did not detail if the dogs were on or off leash and whether the attack was to a dog or person. There were two other attacks in the Coogee area, but these did not occur on the beach. These same documents did however highlight that there were seven (7) dog attacks at the "Off Leash" CY O'Connor beach in the same period, with some requiring hospitalisation.

Interestingly our group has also observed that Council Ranger activity in the area has increased significantly since the decision to ban the dogs. If this same level of diligence was applied to policing "Off Leash" dogs, the majority of the issues raised will disappear. Further, our Group is happy to work with Council to design other methods of "Community" reporting for non-compliance, and my colleague Lucia, will outline these in a moment.

Our group is also aware that a new jetty has been proposed for an area immediately South of the existing jetty and we are interested in what environmental impact assessments will be conducted in relation to Fairy Tern nesting in this area.

And finally, when I was considering the impact the original decision has had on our own family, it dawned on me that we as a family have not actually walked on the beach since dogs were prohibited to the left of the Ammunition Jetty. We take our dog to the end of the path, look longingly at the waves lapping the sand to our left, turn around and come home. So, this restriction on the dogs is actually also a restriction on us as people and our use of one of Cockburn Council's best assets.

1st Speaker Ms Deanna Curran

Thank you Mr chair and my colleague Mrs Curry

The argument to banning dogs from Ammunition jetty beach has been based on the fairy terns nesting and breeding being disturbed by onleash dogs, but there has been no breeding activity recorded since 2009 stated by your own environmental manager Chris Beaton, even when back in 2015 when decoy terns were used to try bring them back it was not successful.

Clearly it's not the onleash dogs that are the problem when dogs have only been permitted there since 2015/2016 so there is clearly another reason why they will not breed at Woodmans Point which has been going on for over a decade, We know fairy terns nest at Carnac island, Point Walter and Rous Head, Mandurah and other places. Those places where there is signage and fencing with information to educate and keep people away from the birds that are nesting, still something Cockburn has yet to implement.

There has been an increase of fairy terns who have been recorded showing up to Rous head and Point Walter over the last 3 years except when the fairy terns abandoned the Rous head sanctuary in 2020 and went to Point Walter.

Point Walter in 2018 had 70 pairs of breeding fairy terns, that increased to 130 in 2019 when fencing was moved back to give them larger breeding space, beginning of 2020 roughly 250 fairy terns were seen at point Walter for breeding and 100 chicks were sighted spreading their wings from the colony. With point Walters sand bank being covered in water majority of the time it's stopping a lot of predator's access to them which is evident that is why it's such a thriving location for the shore birds.

Back in 2019 sadly a single cat in Mandurah wiped out a entire colony of fairy terns, Beach-nesting species such as Fairy Terns are exposed to a range of natural threats such as storm events, high winds and high-tides that can cause their eggs to be washed away. In more recent times, predation from other wildlife, domestic and feral animals such as cats and foxes has reduced population numbers and breeding success, and the locations where they used to breed have diminished due to land-clearing and human development. How is city of Cockburn implementing ways to rid of the foxes and feral cat population down at woodman point to not only save the shore birds but other species of wildlife who also are found there.

The fairy tern conservation group have publicly stated and i quote " You can help protect beach-nesting birds like the Fairy Terns by keeping your distance from nesting birds and their chicks and keeping your dog on a leash" So the onleash beach was never an issue to the shore birds, As keeping the dogs on a leash kept them safe.

Onleash dogs do not pose a threat to shore birds so taking away the whole of Ammunition jetty beach based on the proven non successful breeding and nesting of shore birds is unjustifiable.

Thank you for listening and now I call up our next speaker Miss Benova



2nd speaker Ms Lucia Benova

Thankyou Mr Chair and my colleague Ms Curran

As mentioned our group is happy to work with the Council to investigate and design a variety of methods to overcome non-compliance of a reinstated "on leash" ruling, from both a Council and "community" perspective.

A few ideas that may be applicable include:

Increasing the City's casual pool of Rangers to proactively patrol dog prohibited areas and dog "on leash only" areas. There has been \$40,000 per annum approved for 2020-2021 through to 2024-2025 years in the Council budget.

Drone canvassing of the ammunition jetty beach to educate the public re "on leash" areas and potentially prosecute infringements. This would be similar to the drone which was used at South Beach during Covid to remind the public to social distance

Signs erected along the assigned stretch of beach advising that it is "on leash only" with a ranger mobile number that text messages or MMS can be sent to regarding possible infringements. This aligns to a "self reporting by citizens" concept similar to that used to report cigarette butt littering from vehicles.

Dogs On Leash would only be permitted below the High Water line. Reconfirming that Dogs will NOT be permitted off leash on this Beach and will NOT be permitted on, or within, the Primary Dune system

Educational signs to keep dogs on leash at all the times reasons being other beach users and wildlife (for instance Rous Head fairy tern sanctuary or Mandurah fairy terns sanctuary advising people to keep their dogs on lead)

Increasing or doubling the existing fines for "off leash" infringements.

Install CCTV on poles – there is an existing metal pole near the jetty that could be used immediately for this purpose and the new Ammunition Jetty could be designed to accommodate CCTV also.

Geo fencing and cameras at the entry points and possible cameras along the beach.

The geo fence scans the dogs tags as they come in and the cameras can pick up if the dogs are being let off leash. Rangers can check the data for the geo fencing to identify whose dog it is and then send them a fine in the mail with a photo of their dog offleash in a designated onleash area

Loud speakers on poles near the beach entrance pathway with a pre-recorded message that could be repeated at pre-determined intervals (ie: hourly).

Use of a mobile app called “Snap/Send/Solve” which allows a picture to be taken on a persons mobile and sends a report in 30 seconds or less to a nominated number. The app is free and is already used by other organisations, councils and shires. This can help with reporting all sorts of issues within city of Cockburn just to name few graffiti, noise, littering, parking.

Provide a poop bag stand as one of the objections was that there was dog poop left behind. In the whole of Woodman point and John Graham Reserve there isn't any stand with poop bags compared to other reserves within City of Cockburn

Thankyou Mr Chair, Mr Mayor and Councilors





Department of Biodiversity,
Conservation and Attractions
Office of the Director General

*We're working for
Western Australia.*

Our ref: CEO105/21
Enquiries: Tim Fisher
Phone: 9442 0300
Email: timothy.fisher@dbca.wa.gov.au

Mr Tony Brun
Chief Executive Officer
City of Cockburn
ceo@cockburn.wa.gov.au

Dear Mr Brun

ANIMAL MANAGEMENT AND EXERCISE PLAN 2020 – 2025

On behalf of the Department of Biodiversity, Conservation and Attractions (DBCA), I would like to thank and commend the City of Cockburn (the City) on adopting its *Animal Management and Exercise Plan 2020 – 2025*, and the elements that relate to returning some of the beaches adjoining Woodman Point Regional Park to dog free status. This realigns the City's management of these beaches with the Woodman Point Regional Park Management Plan 2010 and provides a good balance of dogs' exercise beaches, and dog free beaches.

The beaches in this area are important habitat for several threatened migratory and shorebird species, including the Australian fairy tern. Fairy tern colonies are more likely to succeed when humans and dogs are excluded from nesting areas, and I am pleased to hear that following the exclusion of dogs, fairy terns have once again attempted to nest at the Wapet Groyne in late 2020. It has been many years since there has been a nesting attempt at Woodman Point.

I understand that the WA Fairy Tern Network has a current project in partnership with the City and DBCA to further improve nesting habitat and encourage fairy terns to breed at Wapet Groyne, and I hope that this area can once again support a successful colony.

Once again, thank you for providing a balanced approach to dog management at Woodman Point and I hope that the current management regime will continue. Should you wish to discuss this further, please contact DBCA's Manager, Regional Parks, Mr Tim Fisher on 9442 0307 or email timothy.fisher@dbca.wa.gov.au.

Yours sincerely


Mark Webb
DIRECTOR GENERAL

22 March 2021

cc Mr Christopher Beaton, Parks and Environment Manager - cbeaton@cockburn.wa.gov.au
Dr Vicki Stokes, WA Program Manager BirdLife Australia - vicki.stokes@birdlife.org.au

4P
23/3/21



17 Dick Perry Avenue, Kensington WA 6151
Post: Locked Bag 104, Bentley DC WA 6983
Phone: (08) 9219 9000 Email: Website: dbca.wa.gov.au

Table 2.1 provides a list of conservation significant shorebirds and seabirds recorded at Woodman Point, or for which Woodman Point provides suitable habitat. The complete list from NatureMap and the Protected Matters Search Tool are provided as Appendix A. Species which have been recorded and lodged through Birdlife Australia's Birdata portal have also been recorded. It is important to note that Birdata also collates citizen science data and identifications may not have been verified by a fauna specialist.

Table 2.1. Conservation significant shorebirds and migratory birds (NatureMap, 2020; Birdata, 2020; DAWE, 2020)

Species	Conservation Status		Recorded (Birdata)
	WA	Commonwealth	
Eastern Curlew (<i>Numenius madagascariensis</i>)	Cr	Cr	X
Curlew Sandpiper (<i>Calidris ferruginea</i>)	Cr	Cr	X
Great Knot (<i>Calidris tenuirostris</i>)	Cr	Cr	X
Lesser Sand Plover (<i>Charadrius mongolus</i>)	En	En	X
Red Knot (<i>Calidris canutus</i>)	En	En / IA	X
Greater Sand Plover (<i>Charadrius leschenaultii</i>)	Vu	Vu / IA	X
Fairy Tern (<i>Sternula nereis nereis</i>)	Vu	Vu	X
Flesh-footed Shearwater (<i>Ardenna carneipes</i>)	Vu	IA	X
Hooded Plover (<i>Thinornis rubricollis</i>)	P4		X
Grey-tailed Tattler (<i>Tringa brevipes</i>)	P4 / MI	IA	X
Brown Skua (<i>Stercorarius antarcticus</i>)	P4		X
Common Sandpiper (<i>Actitis hypoleucos</i>)	MI	IA	X
Wedge-tailed Shearwater (<i>Ardenna pacifica</i>)	MI	IA	X
Ruddy Turnstone (<i>Arenaria interpres</i>)	MI	IA	X
Sanderling (<i>Calidris alba</i>)	MI	IA	X
Red-necked Stint (<i>Calidris ruficollis</i>)	MI	IA	X
Caspian Tern (<i>Hydroprogne caspia</i>)	MI	IA	X
Bar-tailed Godwit (<i>Limosa lapponica</i>)	MI	IA	X
Southern Giant Petrel (<i>Macronectes giganteus</i>)	MI	En / IA	X
Northern Giant Petrel (<i>Macronectes halli</i>)	MI	Vu / IA	X
Whimbrel (<i>Numenius phaeopus</i>)	MI	IA	X
Wilson's Storm-Petrel (<i>Oceanites oceanicus</i>)	MI	IA	X
Bridled Tern (<i>Onychoprion anaethetus</i>)	MI	IA	X
Pacific Golden Plover (<i>Pluvialis fulva</i>)	MI	IA	X
Grey Plover (<i>Pluvialis squatarola</i>)	MI	IA	X
Arctic jaeger (<i>Stercorarius parasiticus</i>)	MI	IA	X
Pomarine Jaeger (<i>Stercorarius pomarinus</i>)	MI	IA	X
Roseate Tern (<i>Sterna dougallii</i>)	MI	IA	X
Common Tern (<i>Sterna hirundo</i>)	MI	IA	X
Little Tern (<i>Sternula albifrons</i>)	MI	IA	
Crested Tern (<i>Thalasseus bergii</i>)	MI	IA	X
Common Greenshank (<i>Tringa nebularia</i>)	MI	IA	X
Marsh Sandpiper (<i>Tringa stagnatilis</i>)	MI	IA	X
Sharp-tailed Sandpiper (<i>Calidris acuminata</i>)	MI	IA	X
Terek Sandpiper (<i>Xenus cinereus</i>)	MI	IA	X

Cr – Critically endangered, En – Endangered, Vu – Vulnerable, P4 – Priority 4, MI – Migratory, IA – International Agreement



Department of
**Local Government, Sport
and Cultural Industries**

Our Ref 20/3136
Enquiries Matt Hayes
Phone 9492 9795
Email Matthew.hayes@dlgsc.wa.gov.au

City of Cockburn Council
PO Box 1215
BIBRA LAKE DC WA 6965

CITY OF COCKBURN	
DOC Ref	
8 1 AUG 2020	
SUBJECT	144/003
RETENTION	54.27
PROPERTY	
APP	
ACTION	011/011
	011/016

Dear Mayor Howlett and Councillors

DRAFT CITY OF COCKBURN ANIMAL MANAGEMENT PLAN

The Department of Local Government, Sport and Cultural Industries (DLGSC) note with concern the recommendation of the City of Cockburn Council at its Ordinary Meeting of 9 July 2020, that the beach at Woodman Point be zoned as "dogs off-lead".

The department operates Woodman Point Recreation Camp at this location, servicing a large volume of metropolitan and regional school and community groups throughout the year. The camp has operated since 1982, utilising the former Quarantine Station which operated in the area from 1852 until 1979. The beach in this area is heavily utilised by children attending camps at Woodman Point, both during structured and unstructured recreational activities.

In December 2016, despite the recommendations of City of Cockburn officers, key stakeholders, local land managers and the majority of community respondents, the beaches of the Woodman Point peninsula up unto the 'Munitions Jetty' at John Graham Reserve, was re-zoned as "dogs on-lead". Our department was not consulted as part of this process. Following this decision, our department submitted its objections to the Chief Executive Officer of the City, West Ward Councillor Michael Separovich and the Woodman Point Regional Park Community Advisory Committee.

Since that time, there have been numerous instances of unwelcomed contact by dogs to children from the camp whilst participating in recreation activities. Fortunately, there has been no instance of injury to-date.

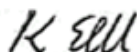
246 Vincent Street Leederville WA 6007
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Web www.dlgsc.wa.gov.au

A decision to allow dogs off-lead at this beach is without logical rationale. The Draft Animal Management Plan commissioned by the City of Cockburn which is now before Council, recommends that this beach returns to "dogs prohibited" for a variety of reasons, including increased risk to beach users and camp participants, the likely impact on local wildlife within the nature reserve and the close proximity of the existing "dogs off-lead" exercise beach on the entire southern side of the Woodman Point peninsula.

I urge Council to reconsider the proposed amendment to the Draft Animal Management Plan and consider the expert advice provided within the report and return the beach on the northern side of Woodman Point to "dogs prohibited".

I invite West Ward Councillors Michael Separovich, Phoebe Corke and Kevin Allen, to meet with the Manager of Woodman Point Recreation Camp, Matt Hayes, to discuss the matter further in the hope of finding a suitable resolution for the camp, environment and local community. Matt Hayes can be contacted on 9492 9795 or matthew.hayes@dlqsc.wa.gov.au.

Yours sincerely



Kim Ellwood
Executive Director – Sport and Recreation

28 July 2020





Department of Biodiversity,
Conservation and Attractions



Enquiries: Tim Fisher
Phone: 08 9442 0300
Email: timothy.fisher@dbca.wa.gov.au

City of Cockburn
9 Coleville Crescent
SPEARWOOD WA 6163

comment@cockburn.wa.gov.au

To Whom it May Concern

DRAFT ANIMAL MANAGEMENT AND EXERCISE MANAGEMENT PLAN 2020-2025

Thank you for the opportunity to comment on the City of Cockburn's (the city) proposed Animal Management and Exercise Plan. The Department of Biodiversity, Conservation and Attractions (DBCA) has reviewed the plan and acknowledges the work the city is taking in managing domestic animals in their jurisdiction.

DBCA commends the city's objectives in relation to the management of cats, including the review of the cat laws and the introduction of cat prohibited areas. This will have a positive impact and provide protection to the conservation values of reserves. The staged approach that is proposed is well considered and will provide the community with opportunity to adapt. In relation to the management of dogs, DBCA does hold concerns with the proposed changes to the management of dogs along the beach at Woodman Point.

Woodman Point Regional Park (the park) consists of multiple reserves managed by a number of State government agencies and the City of Cockburn. A majority of the land tenure within the regional park is managed by DBCA as Nature Reserve and Conservation Park for the protection of the biodiversity and recreation values. The Conservation Park, extends to the high water mark, with the remaining beach managed by the city. This boundary is not delineated and there may be impacts on the values of the Conservation Park from the proposed off-leash dog area.

In 2016, DBCA provided comments to the city expressing concerns with the proposal to allow dogs on-leash along the beach adjoining the park, noting likely impacts to wildlife and conflicts with user groups. In addition, it was highlighted that the *Woodman Point Regional Park Management Plan 2010* states that "At Woodman Point, dogs are not permitted in the nature reserve, on the headland nor the beaches adjoining the Park." The management plan was endorsed by the city and represents the commitment from all stakeholders in managing the park cooperatively. DBCA's views were shared by other key stakeholders in the park such as the Department of Local Government, Sport and Cultural Industries who manage the recreation camp within the park. These views were not reflected in the Council's decision to designate the beach as on-leash dog area.

Swan Region
Cnr Australia II Drive and Hackett Drive, Crawley WA 6009
Locked Bag 104, Bentley Delivery Centre, Western Australia 6983
timothy.fisher@dbca.wa.gov.au
www.dbca.wa.gov.au

DBCA Submission on Draft Animal Management Plan - City of Cockburn v2

In early 2020, the city engaged a consultant to undertake a review and develop an Animal Management Plan for the city's jurisdiction. Given the majority of the land within the park is managed by DBCA, there was opportunity for DBCA to provide comment, along with the other key stakeholders in the park with a vested interest. DBCA's understanding is the plan that was presented to the city recommended the beach area along the northern extent of the park be designated as a dog prohibited area. The draft provided for comment does not reflect this understanding.

The current designated off-leash exercise area along the southern side of Woodman Point View is supported by DBCA to remain.. This location provides a suitable and sufficient area to maintain as the dog off-leash area as it is located away from the Nature Reserve and the foreshore that supports the migratory and shorebird population. This area is also not near to any major recreation sites with minimal potential conflicts with other user groups.

The beach within (and adjoining) the Conservation Park includes nesting and roosting areas for Australian Fairy Tern (*Sternula nereis nereis*) a threatened species listed with a rank of Vulnerable under the State *Biodiversity Conservation Act 2016* and the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*. One of the main threats identified for the Australian Fairy Tern is the disturbance to breeding (and roosting), and loss of breeding habitat as the result of disturbance by humans and domestic pets.

In addition, there are several other threatened and migratory shorebirds species that are also likely to be impacted from the proposed change in this draft plan. This includes Red-Capped Plovers and Oystercatchers, numerous shorebird species such as Ruddy Turnstones, Grey Plovers, and the Grey-Tailed Tattler. Other listed species such as the Critically Endangered Great Knot (*Calidris tenuirostris*) and Curlew Sandpiper (*Calidris ferruginea*), the Endangered Red Knot (*Calidris canutus*) and Lesser Sand Plover (*Charadrius mongolus*) and the Vulnerable Greater Sand Plover (*Charadrius leschenaultii*) have also been recorded at Woodman Point.

In addition to the likely impacts to wildlife and other conservation values of the park, conflicts between user groups that recreate in the park are important consider. John Graham Reserve, part of Woodman Point Regional Park, attracts more than 600,000 visitors per annum for the purpose of recreation, including picnicking and exercising. John Graham Reserve is currently a dog prohibited area and the proposed change may result in large numbers of dog owners seeking to use the carparks and facilities at the reserve to access the beach causing ongoing management and enforcement issues for DBCA and detract from the enjoyment of the reserve.

DBCA does not support the proposal in the draft Animal Management and Exercise Plan for the beach area adjacent to Woodman Point Regional Park be changed from an on-leash area to off-leash area. DBCA considers it more appropriate to make this area 'dogs prohibited' as previously advised and recommended in the draft Animal Management Plan developed by the consultant and recommended to Council by the City Administration. This recommendation is aligned with the park's management plan and DBCA's management of the adjacent area.

DBCA will continue working with the City and other interested stakeholders to ensure that Woodman Point Regional Park continues to support and protect the State's significant biodiversity values and provide a range of recreational opportunities



If you would like to discuss the contents of this letter in more detail please feel free to contact DBCA's Regional Parks Unit Manager, Mr Tim Fisher on 9442 0300.

Yours sincerely

Benson Todd
REGIONAL MANAGER

25 August 2020



WOODMAN POINT REGIONAL PARK COMMUNITY ADVISORY COMMITTEE

C/- 19 Commercial Street
SOUTH FREMANTLE
WA 6162



City of Cockburn Council members
Email: avasile@cockburn.wa.gov.au

Dear Councillors,

9 July 2020 Ordinary Meeting of Council Agenda Items 16.1 and 17.1

The Woodman Point Regional Park Community Advisory Committee (WPRPCAC) has been established to provide a regular forum for community members to have input into the management and planning of the Woodman Point Regional Park. The Committee contains representatives of State and local government and community members. The Minister for the Environment has endorsed the appointment of the community representatives on the Committee.

On behalf of the WPRPCAC we highly commend the City of Cockburn for its initiative to implement animal management measures which will assist in the protection of and reduction to disturbance to native wildlife.

Regarding the recommendations for 16.1 Options for the Control of Roaming Cats, the WPRPCAC wholly endorse these especially the proposed tenure-blind approach to include all Regional Parks within the City of Cockburn (Woodman Point, Jandakot, Beeliar) in considerations for the Cat Prohibited Areas designations.

Regarding the recommendations for 17.1 Proposed Animal Management and Exercise Plan 2020-2025 the WPRPCAC support most of the recommendations, with a definitive approval of recommendation (1) f as a dog prohibited area on Woodman Point Beach, Coogee and surrounding area as defined in Attachment 3 as it is consistent with the Woodman Point Regional Park Management Plan and the presence of dogs has been known to negatively impact the wildlife (i.e. nesting fairy terns) as well as children's activities at the Woodman Point Recreation Centre.

The WPRPCAC do not support the expansion of the dogs on-leash area as per recommendation (3) e on a portion of Reserve 24306 – Coogee Beach, Coogee as defined in Attachment 3, and wish for the current area to be retained as a dog prohibited area. It is preferred the status quo remain for dogs in this area due to the high use by families for picnics and recreation activities.

Yours sincerely

James Robinson
Chair, Woodman Point Regional Park Community Advisory Committee
9 July 2020



WOODMAN POINT REGIONAL PARK COMMUNITY ADVISORY COMMITTEE

C/- 19 Commercial Street
SOUTH FREMANTLE
WA 6162



City of Cockburn Council members
Email: avasile@cockburn.wa.gov.au

Dear Councillors,

Re: 9 July 2020 Council Alternative Motion 17.1 (1) (3) e - Add Woodman Point Beach as off-lead dog exercise area.

As per our letter to council on 9 July 2020 regarding the recommendations for 17.1 Proposed Animal Management and Exercise Plan 2020-2025 we wish to reiterate that the Woodman Point Regional Park Community Advisory Committee (WPRPCAC) gave a definitive approval of recommendation (1) f as a dog prohibited area on Woodman Point Beach, Coogee and surrounding area as defined in Attachment 3 as it is consistent with the *Woodman Point Regional Park Management Plan 2010* (WPRPMP) and the presence of dogs has been known to negatively impact wildlife (i.e. nesting fairy terns and other migratory birds) as well as conflict with children's activities when using the beach at the Woodman Point Recreation Centre.

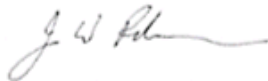
The WPRPCAC strongly believes the Woodman Point Beach south of the ammunition jetty should be returned to a dog prohibited area for the following reasons:

- The current proposal is inconsistent with the WPRPMP which was endorsed by the City of Cockburn prior to its gazettal in 2010.
- Page 26 of the WPRPMP states: "At Woodman Point, dogs are not permitted in the nature reserve, on the headland nor the beaches adjoining the Park. Dogs are not permitted on the grassed areas of John Graham Recreation Reserve because they may cause a nuisance to visitors."
- Domestic animals including dogs have been known to negatively impact on nesting Australian Fairy Terns at Woodman Point, and there are many other migratory birds and shorebirds that will be impacted by dogs off lead.
- There already exists a dog exercise area on the eastern end of the beach adjacent to the boat launching precinct, which is adequate in size and does not compete or generate conflict with other user groups.
- There have been many incidents of the children at the Woodman Point Recreation camp being negatively impacted by dogs off lead on the beach, despite the area currently zoned as dogs on lead.
- The consultant hired by City of Cockburn to develop the animal management plan undertook expert work and provided sound recommendations for why the beach to the south of the ammunition jetty should be dogs prohibited.
- The area was made a dogs-on-lead area in error by council and advertised, giving false expectations and now that error is being further exacerbated
- Woodman Point contains a nature reserve and conservation park vested in the Conservation and Parks Commission and dogs off lead can easily stray into these areas disturbing wildlife.

- The children from the Woodman Point Recreation Centre have used this beach for many years and do not have alternative areas to go. They should have the right to access the beach adjacent to the camp without being harassed by uncontrolled dogs.
- It is already demonstrated that once dog walkers get access to an area, they refuse to give it up, so requesting they restrict their use during Fairy Tern nesting season will not be practicable.

For all these reasons, the WPRPCAC give a definitive approval of recommendation (1) f as a dog prohibited area on Woodman Point Beach, Coogee and surrounding area as defined in Attachment 3 and strongly disagree with the alternative recommendation 17.1 (1) (3) e.

Yours sincerely



James Robinson
Chair, Woodman Point Regional Park Community Advisory Committee
26 August 2020





18 August 2020

City of Cockburn
9 Coleville Crescent
SPEARWOOD WA 6163
comment@cockburn.wa.gov.au

Re: draft Animal Management and Exercise Plan 2020-2025

BirdLife Australia commends the City of Cockburn for identifying the importance of animal management to protect the natural environment, for proposed cat management laws, and making the draft animal management plan open for public comment

However, BirdLife strongly recommends that dogs are prohibited from the beach south of ammunition jetty.

BirdLife are concerned by the City's proposal to designate the shoreline of the Woodman Point Regional Park (particularly between the ammunition jetty to and inclusive of the groyne and headland) a "dogs off-leash" zone. It was not appropriate for this to be a "dog on-leash zone" due to the bird conservation values of the shoreline, and further relaxing the zoning will be detrimental to the bird life.

It is a proposal that is neither consistent with the *Woodman Point Regional Park Management Plan* (2010) or with retaining the biodiversity value of the shoreline, for which BirdLife has credible data. It is also unclear why the plan proposes to increase off-leash beach areas, when community consultation called for more fenced dog exercise areas.

The Regional Park Management Plan identifies that the Park will be managed for conservation and that "recreation and other uses will be allowed to occur to the extent that they do not adversely impact on the natural environment". Declared threatened flora and fauna are given priority for conservation and "dogs are not permitted in the nature reserve, on the headland nor the beaches adjoining the Park". Your proposal is inconsistent with all these management strategies, providing no priority of protection to threatened migratory shorebirds and Australian Fairy Tern and placing recreational use above protection of the environment by allowing dog access to areas that are not appropriate.

BirdLife's extensive bird database (from annual shorebird monitoring) has records of 26 species of migratory and resident shorebirds using Woodman Point. The area provides feeding and roosting/resting habitat for the following federally listed threatened species:

Critically Endangered:

Great Knot (*Calidris tenuirostris*)

Curlew Sandpiper (*Calidris ferruginea*)

Endangered:

Red Knot (*Calidris canutus*)

Lesser Sand Plover (*Charadrius mongolus*)

Vulnerable:Greater Sand Plover (*Charadrius leschenaultii*)Australian Fairy Tern (*Sternula nereis nereis*)

Migratory Ruddy Turnstone, Grey Plovers and Grey-tailed Tattler regularly use the rocky groyne, and knots, sandpipers and resident Red-capped Plovers prefer the exposed sand and shallows. The area also could provide breeding habitat for resident beach nesting birds including Red-capped Plovers and Oystercatchers (Pied and Sooty), though the amount of human activity and frequent presence of dogs has likely impacted birds selecting the area to breed in recent years. Making the area dog free as well as measures proposed to facilitate Fairy Tern breeding (temporary fencing and feral predator control) will also benefit these beach nesting species and migratory shorebirds.

Unleashed dogs on the beach adversely impact the natural environment by disturbing feeding and roosting shorebirds and breeding beach nesting birds such as Fairy Terns, Australian Pied Oystercatchers and Red-capped Plovers, all of which frequent the area. Migratory shorebirds rely on undisturbed feeding and roosting to build body condition to make their long migration to the northern arctic to breed and to recover when they return to Australia. There is a growing body of research indicating that frequent disturbance can significantly impact shorebird feeding behaviour, causing birds to waste energy in repeated flight to get out of the path of dogs and in some cases can cause birds to stop using a productive site all together (Stigner et al. 2016). Dogs off leash can also cause damage to eggs, injury/death of chicks and stressful disturbance to adult breeding beach nesting birds.

Due to increased development of and human activity across coastal areas of the Perth metropolitan area, there are now few sites in Perth that provide undisturbed habitat for migratory and resident shorebirds. Consequently, bird numbers have and continue to decline, placing even greater value on places like Woodman Point where a variety of shorebirds can still be seen. This is a natural asset the City of Cockburn should be proud of and keen to manage appropriately so that shorebirds continue to use the site. This management must include prohibiting dogs from the beach. Indeed, there is no point trying to encourage Fairy Terns (and potentially other beach nesting birds) to breed at Woodman Point if you plan to allow dog access. Research has clearly shown that beach nesting birds and dogs do not mix and that best outcomes are achieved by prohibiting dogs (all year round) rather than encouraging and relying on responsible dog ownership/control (see Maguire 2018 - attached). Community engagement and education are important when prohibiting dogs from areas they have had access, and BirdLife would be willing to assist the council with this engagement and messaging.

Please do not hesitate to contact me on 0409033126 or vicki.stokes@birdlife.org.au if you require further information.

Yours Sincerely



Dr Vicki Stokes
WA Program Manager
BirdLife Australia



Maguire, G. 2018. *A Review of Dog Impacts to Beach-besting Birds and Management Solutions*. BirdLife Australia Report.

Stigner, MG., Beyer, HL., Klein, CJ. and Fuller, RA. 2016. Reconciling recreational use and conservation values in a coastal protected area. **Journal of Applied Ecology** 53, 1206-1214.



conservation council of western australia (inc.) abn 35 982 476 107
citywest lotteries house 2 delhi street west perth western australia 6005
t 08 9420 7266 f 08 9420 7273 conswa@ccwa.org.au



29 May 2020

Christopher Beaton
City of Cockburn
9 Coleville Crescent
Spearwood WA 6163
(Via email: cbeaton@cockburn.wa.gov.au)

Dear Chris,

I write with respect to the Animal Management Plan and the proposed changes to prohibit dogs from a section of beach between south of Ammo Jetty and Jervoise Bay, adjoining Woodman Point Reserve.

I note that one of the concerns mentioned in the Animal Management Plan is the impact that dogs are having on the Australian Fairy Tern, *Sternula nereis nereis*. The area of beach between the Woodman Point Groyne (near the car park) and Cockburn Cement is, historically, an important breeding area for this species. However, due to high levels of disturbance, no attempt to breed has been recorded in the past decade.

Nesting attempts were made in November 1997, February 1998, December 1999, December 2007 and December 2009. But in all cases, eggs were disturbed or destroyed by people or four-wheel drive vehicles (Singor, M., pers. comm.). More recently, changes to the beach zoning mean large numbers of people visit this section of beach with their dogs, which is likely to negatively impact Fairy Terns.

Fairy Terns and the other birds using the shoreline in this area will benefit from a range of measures and I recommend that a wholistic approach be taken to improve the management of this site. Particularly, if the aim is the support nesting attempts by Fairy Terns and to restore the natural values of the area. This includes the prohibition of dogs, which will reduce disturbance, particularly from un-leashed animals, new regulations that restrict cats from the Woodman Point Reserve, trapping of pest animals (cats and foxes) within and around the reserve. Particularly in the pre-breeding season when Fairy Terns and other shorebirds aggregate in the area. Additionally, a community education program, designed to help reduce the impact of beachgoers on feeding, roosting and nesting shorebirds.



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Dogs have been identified as a major threat to beach-nesting birds (Maguire 2018). In 2018, BirdLife Australia completed 'A review of dog impacts to beach-nesting birds and management solutions' (Maguire 2018). The impact of dogs ranged from disturbance, causing adults to leave their broods unattended to egg and chick predation. No dog areas are listed as being the most effective strategy to protect shorebirds/ beach-nesting birds (Maguire 2018). In Victoria, the prohibition of dogs from a beach on the Mornington Peninsula resulted in a doubling of Hooded Plover fledgling production, compared to the previous decade. For further details, see Maguire (2018).

The impact of free-roaming cats on wildlife populations is a significant problem and must also be addressed (Osborne & Williams 1991; Greenwell et al. 2019; Legge et al. 2020). In 2018, an entire colony of Fairy Terns (~220 birds) in Mandurah was destroyed by a single, free roaming desexed cat that depredated adults and chicks over several nights, until eventually, the colony was abandoned (Greenwell et al. 2019).

The issue of beach management to protect Fairy Terns and other shorebirds in the area is complex, but adopting a range of measures, as noted above, will go a long way towards reducing disturbance and improving outcomes for birds utilising this historically important site.

Should you have any questions, feel free to contact me.

Yours sincerely,

Dr Nic Dunlop
Citizen Science Coordinator
Conservation Council of Western Australia

References:

- Greenwell CN, Calver MC, Loneragan NR. 2019. Cat gets its tern: A case study of predation on a threatened coastal seabird. *Animals* 9:445. Multidisciplinary Digital Publishing Institute.
- Legge S, Woinarski JCZ, Dickman CR, Murphy BP, Woolley L-A, Calver MC. 2020. We need to worry about Bella and Charlie: the impacts of pet cats on Australian wildlife. *Wildlife Research*.
- Maguire GS. 2018. A review of dog impacts to beach-nesting birds and management solutions. Melbourne, VIC. Available from http://birdlife.org.au/documents/Dogs_and_Beach-nesting_Birds_Management_Solutions_Nov2018.pdf.
- Osborne W, Williams K. 1991. Conservation problems with cats in the Australian Capital Territory. Pages 14–17 in C. Potter, editor. *Proceedings of a workshop on the impact of cats on native wildlife*. Australian National Parks and Wildlife Service, Canberra.



To whom it may concern,

I am writing in reference of the City of Cockburn's Draft Animal Management Plan. Whilst I support the plan in general, I have significant concerns regarding the area near Ammunition Jetty at Woodman Point being identified as an off-lead dog area.

The Woodman Point Regional Park contains a wide variety of ecosystems including tracts of undisturbed coastal vegetation that support local and migratory birds. A total of 93 species have been recorded at Woodman Point. Of these, 36 species are shore-birds and other waterbirds including the Australian Fairy Tern which is a threatened species.

Introducing an off-lead area for dogs at Woodman Point would not only compromise remaining vegetation that is crucial habitat for these species but it will likely result in ongoing predation of our precious wildlife.

Western Australia's biodiversity and wildlife are already declining at alarming rates therefore I hope more consideration is given to this matter.

Kind Regards,

Dean

Dean Huxley Manager
d: 9417 7105 | m: 0487 922 484
e: info@nativearc.org.au

Native ARC Inc.
172 Hope Road, Bibra Lake, Perth WA 6163 | Hope Road Entry off Bibra Drive or Progress Drive.
t: + 61 8 9417 7105
w: www.nativearc.org.au



Problems Solved N Solutions Found Pty Ltd

Animal Behavioural Consultants

PO Box 3051 Midland 6056, Ph 0419205120

ABN 64 156 327 687

16 March 2021

To Whom It May Concern,

I was contacted by the City of Cockburn to give my professional opinion with regards to a Beach closure and the impacts it potentially has on the dog owning community. This included documents such as an Environmental Impact Report and the City's Animal management plan.

It is noted that the City Of Cockburn, has 38 off-leash parks as well as 5 enclosed dog parks. The recent closure of the beach is a relatively small area (3 kilometres); with beach areas located to the north and the south of the closed area still designated as dog off-leash areas. It is also noted that the Environmental Impact Report is very specific about the need to keep dogs out of the area.

Whilst exercise is important for dogs, mental stimulation and environmental enrichment are now being given a greater importance for the welfare of the dog in the area of modern Science. To this end, it would be very difficult for me as a Behaviouralist to come to the conclusion that the recently closed area would have any negative effects on the dog population of the area.

My professional opinion is the exclusion of dogs from the recently closed area is more of an inconvenience to the dog owner as opposed to it having any detrimental effect on the dogs themselves. An owner would only need to travel just over 1km to again have access to an off-lead beach area. Couple this with significant off-lead areas already provided by the City and the closure of such a small area is insignificant.

The suggestion that a part of the recently closed beach area, should be designated as an on lead area, is largely covered in the Environmental report. This report suggests it is difficult to police anything other than a ban on dogs being in the area. It has been suggested that people with reactive dogs wanted an area designated as it is potentially dangerous to have reactive dogs in an area where dogs running off lead are not well controlled.

The Dog Act specifically states "a dog must be under effective control at all times". The City already provides for on-lead only areas, there is no benefit whatsoever in designating a zone for on lead only. A reactive dog needs behavioural modification treatment not a special part of the beach to run on. In fact it could be suggested in court that the City was condoning actions which could make a dog declared as a dangerous dog. That definition for a dangerous dog is a bark, bite, chase or worry any person, animal or vehicle. Thus a dog threatening to attack, even if on lead is in breach of the act. The Act does not provide for an exemption of the dogs reactive behaviour, because it is on lead.

The importance of maintaining a diversified ecology will have long-term benefits to the community. Environmental impacts which negatively affect species, especially



threatened species, are becoming more and more important to matters of planning. Coupled with a changing climate, councils need to do all they can to ensure the survival of their local fauna.

If you require any further information or opinion, please do not hesitate to contact me on 0419 205 120.

Kindest Regards



Iain R Macdonald BAppSc (psych) MSc (animal Behaviour)

QUALIFICATIONS AND EXPERIENCE

Academic

- Bachelor of Applied Science Psychology
- Masters of Science Animal Behaviour

Experience

- 40 years as a professional dog trainer
- Have competed in dog sport extensively over this period both locally and internationally in the following disciplines:
 - KNPV (Royal Netherlands Police dog Club) NDL
 - Mondio Ringsport (police based sport) FRA, BLG, NDL
 - French Ringsport (police based sport) FRA
 - Belgian Ringsport (police based sport) BLG
 - NBVK Ringsport (Police based sport) BLG
 - Champagne Ringsport (police based sport) FRA
 - IPO (police based sport) NDL, BLG, FRA,
 - Tracking NDL, AUS,
 - Obedience NDL, BLG, AUS, FRA
 - Search and Rescue NDL, SW
 - Conformation showing AUS BLG
 - Agility AUS
 - Guard dog NDL
 - Retrieving AUS
 - Field trials , pointer setter, AUS
 - Field trials, spaniel retriever AUS

Author of published works

- *The modal theory, emotional re-activity and its impact on cognitive function in the dog*
- *Inappropriate aggression in puppies, the causation and treatment.*
- *Anxiety in dogs, the causation and treatment.*
- *Raising them to be the best they can be, a guide of how to raise a puppy*

Other experience

- Trained and handled detection dogs in the following target odours: Explosives, narcotics, cadava, truffles, environmental detection, indicator species
- Have supplied dogs to the following services in Australia
 - Customs
 - Correctional services Victoria
 - Correctional services NSW
 - NSW Police
 - AQI
- Owner of Canine Assistance Australia which provides assistance dogs to the disabled and Therapy dogs to educational institutions



of the nature reserve for at least 170 years (Powell and Emberson, 1981). The absence of successive fires within the nature reserve contributes greatly to its conservation value.

Fire is also a potential threat to the tuarts (*Eucalyptus gomphocephala*) in the Park. If fires are frequent the trees have insufficient time for recovery and may be further affected should another fire occur (Powell and Emberson, 1981).

FIRE MANAGEMENT

Fire suppression at the Park is the responsibility of the Fire and Emergency Services Authority (FESA) in liaison with the managing agencies of the Park, because the Park is located in the gazetted fire district.

Pre-suppression works and post-suppression follow-up works in the Park are the land managers' responsibilities. An important consideration in these works is the protection of environmentally sensitive areas.

When managing fire, DEC is guided by the *Bush Fires Act 1954*, and *Fire Management Policy Statement No. 19*.

A Fire Response Plan for the Park has been developed by DEC in conjunction with FESA and the City of Cockburn to help ensure effective response to wildfire fire by the responsible agencies and outlines practices such as:

- protecting environmentally sensitive areas from unplanned fire;
- undertaking pre-suppression activities including reducing fuel loads by mowing or slashing large open grassed areas. Mown or slashed areas should be delineated so that mowing practices do not adversely affect natural regeneration and fauna habitat;
- maintaining a fire record system of all fires in the Park including date and cause; and
- ensuring an effective network of fire access tracks is maintained.

If selected prescribed burning is being considered for the Park, further consultation will occur with the Conservation Commission, the City of Cockburn and other stakeholders.

Strategies

1. **Implement and periodically update the Park's Fire Response Plan.** (DEC, DSR, DoT, CoC) [High]
2. **Coordinate revegetation works with fire prevention requirements.** Fire management will be considered in implementing the *Woodman Point Regional Park Weed Control and Revegetation Plan* (Section 21). (DEC, CoC) [High]
3. **Initiate measures in pre-suppression works and post-suppression follow-up works to minimise the spread of plant diseases and weeds in the Park.** (DEC, CoC) [High]

4. **Ensure that recreation planning takes into account fire prevention requirements.** For example when constructing or upgrading paths in the Park, consider building them to a standard that will carry fire control vehicles, so that access is improved for fire management (Section 31). (DEC, CoC) [Ongoing]

5. **Install signs within the nature reserve indicating the location of gates in case of wildfire.** (DEC) [High]

20. Pets and Problem Animals

The objective is to minimise the environmental and social impact of pets and problem animals in the Park.

PETS

The presence of domesticated animals in, or in close proximity to the Park may impact on the natural environment of the Park.

Domestic animals are generally not permitted in national parks, conservation parks and nature reserves. Provisions can be made to allow domestic animals in certain designated areas of national parks and conservation parks if they are under control and managed. Domestic animals are not permitted in nature reserves.

Cats and dogs are not permitted in either of the caravan parks in the Park.

Cats

Domestic cats from nearby residences hunt for birds, reptiles and other animals in the Park. Cat owners should be encouraged to keep cats at home, especially at night, and have them de-sexed to help control feral populations.

Research undertaken by Murdoch University has indicated that there is broad community support within suburban Perth for cat control measures such as compulsory sterilisation, registering of cats, restricting cats' ability to roam and stipulating a maximum number of cats per property (Grayson *et al.*, 2002).

The City of Cockburn does not have local laws for controlling cats, however this should be considered. The *Keeping and Control of Cats Local Law* (City of Stirling, 1999) provides a model for consideration. This local law enables Stirling City Council to declare:

- a cat prohibited area, by designating areas on which cats are prohibited from entering or remaining; and
- a fauna protection buffer zone, which is land extending 200 metres from the boundary of a cat prohibited area and includes all the properties within that buffer zone. A person shall not keep more than one cat on any premises in a fauna protection zone except in accordance with a valid permit in relation to those premises.

The implementation of a similar local law by the City of Cockburn is likely to have significant benefits for native fauna residing and breeding within the Park. The City has indicated a preference for awaiting the outcome of proposed State legislation prior to making any such local laws. The City provides information on responsible cat ownership, and subsidises cat sterilisation.

Dogs

Dog walking is a common activity in the Park and a legitimate activity in certain areas. However appropriate restraint of dogs is necessary if they are not to have an adverse effect on wildlife and activities of other Park visitors.

The City of Cockburn is responsible for administering and enforcing the *Dog Act 1976* within its municipality. The Act states that a dog shall not be in a public place unless it is:

- (a) held by a person who is capable of controlling the dog; or
- (b) securely tethered for a temporary purpose,
- (c) by means of a chain, cord, leash or harness of sufficient strength and not exceeding the prescribed length.

A dog is exempt from the above requirements if it is in an area specified by a local government as a 'dog exercise area'. The City of Cockburn has designated dog exercise areas under the provisions of the *Dog Act 1976*. Within a dog exercise area, dogs are permitted off leashes so long as the owner is in reasonable proximity to the dog. The owner is also required to carry and be capable of attaching a leash for the purpose of controlling the dog. Local governments are also able to designate dog prohibited areas under the *Dog Act 1976*.

At Woodman Point, dogs are not permitted in the nature reserve, on the headland nor the beaches adjoining the Park. Dogs are not permitted on the grassed areas of John Graham Recreation Reserve because they may cause a nuisance to visitors. The exception to this is guide dogs. Elsewhere in the Park, dogs are to be kept on a lead and under effective control at all times.

The small beach east of the boat ramps at Jervoise Bay is designated as a dog exercise area by the City of Cockburn. DoT does not support the use of this beach as a dog exercise area, given the proposed upgrade of the Recreational Boating Precinct.

The City of Cockburn proposes to create a new dog exercise area, extending along the beach for approximately 300 metres from the western end of the Recreational Boating Precinct. DEC supports this proposal.

INTRODUCED AND PROBLEM ANIMALS

Problem animals are those species that have the potential to cause serious impact on natural systems through direct effects such as predation, habitat destruction, competition for food and territory, and introduction of disease, and through environmental degradation, for instance from over-grazing. Problem animals can be either native

species that are impacting on nature conservation values (for instance, from unsustainable populations) or introduced species that have become established as wild or naturalised populations.

Introduced animals such as cats, foxes, rabbits and others occur in the Park and all have a detrimental effect on conservation values. The control and removal of these animals will help protect the Park's fauna and flora.

Rabbits can be particularly destructive in rehabilitation sites, and also inhibit natural regeneration of vegetation. Rabbits are controlled using the Regional Parks Pest Animal Control Plan as a guide. Priority is given to the nature reserve and other fenced areas, with a view to eradicating rabbits from the nature reserve. Rabbits are also a problem at DSR's Recreation Camp and coordinated action between the DSR and DEC to control rabbits is supported.

There is a number of introduced birds present in the Park that might compete with native species for nest hollows, such as rainbow lorikeets, galahs, and corellas. These will be controlled when and as necessary in accordance with operational priorities, but at the time of writing, these species were not considered to be a significant problem in the Park.

The introduced honeybee (*Apis mellifera*) is present in the Park and can have detrimental effects on native insects, hollow-using animals and vegetation. Competition between honeybees, native bees and other native pollinators for flora resources usually favours the more aggressive foraging of the introduced bee, resulting in a decline of native insects. Other possible consequences are inefficient pollination of some local plants, destruction of flowers and hybridisation of some native plant species by cross-pollination of different native species. Beekeeping is not considered appropriate in the Park, as discussed in Section 35.

With regard to the removal of pest and problem animals in the Park, the managing agencies will need to determine the extent and impacts of animals and then, where appropriate, implement control options. The *Regional Parks Pest Animal Control Plan* provides a guide. In managing problem animals, DEC is directed by the proposed policy *Management of Pest Animals on DEC Managed Land* (subject to final consultation).

Strategies

1. Use interpretive material to inform the community about the adverse effects of pets and introduced animals on native fauna. Include information explaining restrictions on pet access and encouraging responsible pet ownership (Section 41). (DEC, CoC) [High]
2. Investigate the introduction of local laws for managing cats and protecting native fauna. (CoC) [High]

3. Exclude dogs, except for guide dogs, from the nature reserve, headland and beaches adjoining the Park, and the grassed areas of John Graham Recreation Reserve. Elsewhere in the Park allow dogs on-lead and under effective control. (CoC, DEC) [Ongoing]
4. Liaise with the City of Cockburn regarding designating a dog exercise area on Jervoise Bay Beach in lieu of the small beach to the east of the Recreational Boating Precinct. (DEC) [Medium]
5. Liaise with the City of Cockburn to review local laws relating to dogs to ensure consistency with this Plan. (DEC) [High]
6. Remove hybrid and introduced birds as well as the introduced honeybee from the Park. (DEC, CoC) [Med]
7. Use the Regional Parks Pest Animal Control Plan as a guide to managing pest and problem animals in the Park. (DEC) [High]

21. Rehabilitation

The objective is to restore degraded areas of the Park to a condition resembling the natural environment.



Environmental degradation is a major management issue in the Park. Wildfires, weeds, the provision of roads and access ways, utilities and service corridors have resulted in modification to, and degradation of, vegetation communities.

There is a variety of rehabilitation methods and techniques that may be applied depending on the level of degradation that has occurred, the proposed use of an area and the type of vegetation community to be reinstated. It is difficult to restore severely degraded sites to a natural habitat, however, considerable conservation gains can be made if a range of local overstorey and understorey species are re-established.

Where possible, plant material (including seeds, cuttings and brushing) used during rehabilitation should be sourced from within the boundaries of the Park or be of local provenance so as to maintain the genetic integrity of the area. Seed collection

from within the Park will generally be permitted only for rehabilitation projects within, or directly impacting upon the Park. It is important that mulch and soil used in rehabilitation works does not contain unwanted weed seeds or plant diseases.

The *Woodman Point Regional Park Weed Control and Revegetation Plan* provides a guide for the long-term restoration of degraded areas within the Park. It was developed in accordance with *Rehabilitation of Disturbed Land Policy Statement No. 10*. The plan identifies major disturbance sites within the Park and priorities for their restoration to a condition resembling the natural environment. In general, areas that have the highest nature conservation value will be given priority in rehabilitation.

Ongoing issues of pests, erosion, infertile soils and unconsolidated sand dunes make rehabilitation challenging. Where rehabilitation works are undertaken in areas where rabbits are present, consideration should be given to the use of either rabbit-proof fencing or individual tree guards.

Rehabilitation can benefit greatly from community involvement. The involvement of the community in volunteer works is critical to the successful implementation of the Plan. The managing agencies acknowledge the considerable efforts by the community in undertaking rehabilitation works within the Park. Volunteer groups have completed rehabilitation projects successfully within the Park for a number of years.

Strategies

1. Implement the *Woodman Point Regional Park Weed Control and Revegetation Plan*. (DEC, DSR, DoT, CoC) [High]
2. Coordinate rehabilitation works between the managing agencies and relevant community groups. (DEC, CoC) [Ongoing]
3. Coordinate rehabilitation with weed control, fire protection and recreation facility and trail development at the planning, design and implementation stages. (DEC, CoC) [Ongoing]
4. Use locally collected seed where possible for propagating plants or for direct seeding. Where local seed is not available, other seed of local provenance should be obtained. (DEC, CoC) [Ongoing]
5. Encourage members of the local community and schools to participate in rehabilitation works and seek external funding to achieve these works where possible. (DEC, CoC) [Ongoing]
6. Ensure mulch and soil used in rehabilitation works does not contain unwanted seeds or plant diseases. (DEC, DSR, DoT, CoC) [Ongoing]
7. Where appropriate, allow licensed seed collection from within the Park for rehabilitation projects within, or directly affecting the Park. (DEC, CoC) [Ongoing]

13.2 (2021/MINUTE NO 0042) MOTION - ANNUAL ELECTORS' MEETING - 24 FEBRUARY 2021 - AUSTRALIA DAY

Author(s) D Green
Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTE the motion carried at the Annual General Meeting; and
- (2) RECEIVE the report.

COUNCIL DECISION

MOVED Cr C Terblanche SECONDED Cr T Widenbar

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0

Background

At the Annual Electors' Meeting conducted on 24 February 2021, the following motion was adopted by the Meeting:

"That the City of Cockburn maintains January 26 as Australia Day"

The Motion was carried by 56 votes to five.

The statutory requirement for motions carried at Electors' meetings is for them to be formally considered by Council, pursuant to Section 5.33 of the *Local Government Act, 1995*.

The rationale provided in support of the motion by the mover was as follows:

'I am not objecting to the Indigenous Aboriginals celebrating their days, but I feel there is a move to have the 26 January day removed and that I object to.'

Submission

N/A

Report

It is a requirement of the *Local Government Act 1995* (Section 5.33) that all motions passed at an Electors' Meeting are presented to a meeting of Council for consideration.

The date for recognising Australia Day (January 26) is set by the Commonwealth Government, and accordingly local governments across Australia are bound by that date to hold citizenship ceremonies, as directed by the Commonwealth Department of Immigration.



Given this information, it is recommended that Council receives the information, however, notes that it is not within its jurisdiction to change the date of Australia Day, as that is an exclusive function of the Commonwealth Government.

Strategic Plans/Policy ImplicationsListening 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

Section 5.33 of the *Local Government Act 1995* and *Public and Bank Holidays Act 1972* refers.

Community Consultation

N/A

Risk Management Implications

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

Advice to Proponents/Submitters

The mover of the motion at the Electors’ Meeting has been informed that the matter is to be considered at the 8 April 2021 Ordinary Council Meeting.

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

Nil



Declaration of Interest

The Presiding Member advised the meeting he had submitted a Declaration of Impartiality Interest for Item 13.3, pursuant to Regulation 22 *Local Government (Model Code of Conduct) Regulations 2021*.

The nature of the interest being Mayor Howlett is the owner of a home that is located on Woodman Point Holiday Village Park, who manage the Coogee Beach Caravan Park.

13.3 (2021/MINUTE NO 0043) MOTION - ANNUAL ELECTORS' MEETING 24 FEBRUARY 2021 - COOGEE BEACH CARAVAN PARK HEAD LEASE

Author(s) L Gatt and D Arndt
Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTE the motion carried at the Annual General Meeting;
- (2) RECEIVE the report; and
- (3) NOTE the item will be considered at a future Council Meeting.

COUNCIL DECISION

MOVED Cr P Eva SECONDED Cr M Separovich

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0

Background

At the Annual Electors Meeting conducted on 24 February 2021, the following motion was adopted by the meeting:

'The City of Cockburn includes clauses into the new head lease over Coogee Beach Caravan Park which safeguards the interests of long term residents who are under the control of whichever park operator the Council appoints, especially in regards to possible large scale development.'

The motion was carried 65 votes to nil.

The statutory requirement for motions carried at Elector's Meetings is for them to be formally considered by Council, pursuant to Section 5.33 of the *Local Government Act 1995*.

Submission

N/A



Report

The City of Cockburn (the City) is the authority vested with the care, control and management of Reserve 29678. This Reserve accommodates the Coogee Beach Holiday Park (the Park), on the foreshore of Cockburn Sound.

The Park is currently leased to Colorado Parks Land Co Pty Ltd, who operate within the Discovery Holiday Parks Group (Discovery Parks). The current lease commenced on 1 July 2002 and expires on 30 June 2022.

The City undertook a nationally advertised Request for Proposal for the Park in September 2018. The proposal submitted by Discovery Parks was determined to be the most satisfactory proposal received.

Discovery Parks were advised in May 2019 that their proposal was preferred, subject to satisfactory public advertising, in accordance with s3.59 of the *Local Government Act 1995* and Council determination.

The City is undertaking the necessary administrative tasks to present a proposal for Council, to consider entering into a new lease prior to the expiry of the current lease.

A draft Business Plan has been advertised in accordance with the requirements of s3.59 *Local Government Act 1995* for public comment on 11 February 2021 for a period of six weeks, closing 26 March 2021. The draft Business Plan is to be considered as part of a future report to Council.

As a requirement of their Request for Proposal submission, Discovery Parks are preparing a Redevelopment Plan to demonstrate how the Park is able to satisfy the Council and state government's objective of ensuring the development and long term retention of the park for short-stay (affordable) accommodation, primarily for leisure tourists, and that any long-stay accommodation, complements short-stay accommodation sites, which are to be located on those areas of the site providing the highest tourism amenity.

It has been identified that any proposed redevelopment will potentially impact a number of long-stay accommodation sites. Discovery Parks has indicated that, where possible, they will work with these lessees to find alternative accommodation within the Discovery Parks network, although it acknowledges that such an outcome is not guaranteed.

Discovery Parks have voluntarily agreed to conduct one-on-one meetings with their tenants, but until Discovery Parks have a greater level of certainty regarding the proposal (such as the approval by Council of the Business Plan, and the execution of a Heads of Agreement) they cannot commit to any specific relocation of any long-stay accommodation.

The outcomes of the one-on-one meetings will assist in determining the timing of the various stages of redevelopment of the Park and the potential options for relocation.

The staging of the Park's redevelopment would be reflected in the Heads of Agreement, which together with the Business Plan and the draft lease will be subject to a separate report to Council in coming months.

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.
- Facilitate a thriving tourism and ecotourism industry.

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

N/A

Legal Implications

Sections 5.33, 5.25 (1) (e) and 1.7 of the *Local Government Act 1995*, Regulations 10 and 3A of the *Local Government (Administration) Regulations 1996*.

Community Consultation

This matter was the subject of a resolution carried at the Annual Electors' Meeting conducted on 24 February 2021.

Risk Management Implications

N/A

Advice to Proponents/Submitters

The mover of the motion at the Electors' Meeting has been informed that the matter is to be considered at the 8 April 2021 Ordinary Council Meeting.



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

Nil



Declaration of Interest

The Presiding Member advised the meeting he had submitted a Declaration of Impartiality Interest for Item 13.4, pursuant to Regulation 22 *Local Government (Model Code of Conduct) Regulations 2021*.

The nature of the interest being Mayor Howlett is the owner of a home that is located on Woodman Point Holiday Village Park, who manage the Coogee Beach Caravan Park.

13.4 (2021/MINUTE NO 0044) MOTION - ANNUAL ELECTORS' MEETING 24 FEBRUARY 2021 - COOGEE BEACH CARAVAN PARK

Author(s) L Gatt and D Arndt

Attachments N/A

That Council:

- (1) NOTE the motion carried at the Annual General Meeting;
- (2) RECEIVE the report; and
- (3) NOTE the item will be considered at a future Council Meeting.

COUNCIL DECISION

MOVED Cr P Eva SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0

Background

At the Annual Electors' Meeting conducted on 24 February 2021, the following Motion was put to the electors present:

'That Council will remain committed after the one-on-one meetings with Discovery Park and continue to assist us until the residents' concerns are met and resolved at Coogee Caravan Park, not to the residents' detriment'.

The Motion was carried by 65 votes to nil.

The statutory requirement for motions carried at electors' meetings is for them to be formally considered by Council, pursuant to Section 5.33 of the *Local Government Act, 1995*.

Submission

N/A

Report

The City of Cockburn (the City), is the authority vested with the care, control and management of Reserve 29678. This Reserve



accommodates the Coogee Beach Holiday Park (the Park), on the foreshore of Cockburn Sound.

The Park is currently leased to Colorado Parks Land Co Pty Ltd, who operates within the Discovery Holiday Parks Group (Discovery Parks). The current lease commenced on 1 July 2002 and expires on 30 June 2022.

The City undertook a nationally advertised Request for Proposal for the Park in September 2018. The proposal submitted by Discovery Parks was determined to be the most satisfactory proposal received.

Discovery Parks were advised in May 2019 that their proposal was preferred, subject to satisfactory public advertising in accordance with s3.59 of the *Local Government Act 1995* and Council determination.

The City has been undertaking the necessary administrative tasks to present a proposal for Council to consider entering into a new lease prior to the expiry of the current Lease.

A draft Business Plan has been advertised in accordance with the requirements of s3.59 *Local Government Act 1995* for public comment on 11 February 2021 for a period of six weeks, closing 26 March 2021. The draft Business Plan is to be considered as part of a future report to Council.

As a requirement of their Request for Proposal submission, Discovery Parks are preparing a redevelopment plan to demonstrate how the Park is able to satisfy the Council and state government's objective of ensuring the development and long term retention of the Park for short-stay (affordable) accommodation, primarily for leisure tourists, and that any long-stay accommodation complements short-stay accommodation sites, which are to be located on those areas of the site providing the highest tourism amenity.

It has been identified that any proposed redevelopment could potentially impact a number of long-stay accommodation sites. Discovery Parks has indicated that, where possible, it will work with these lessees to find alternative accommodation within the Discovery Parks network, although it acknowledges that such an outcome is not guaranteed.

Discovery Parks have voluntarily agreed to conduct one-on-one meetings with their tenants, but until Discovery Parks has a greater level of certainty regarding the proposal (such as the approval by Council of the Business Plan and the execution of a Heads of Agreement), they cannot commit to any specific relocation of any long-stay accommodation.

The outcomes of those one-on-one meetings will assist in determining the timing of the various stages of the redevelopment of the Park, and the potential options for relocation. The staging of the Park's redevelopment would be reflected in the Heads of Agreement, which together with the Business Plan and the draft lease, will be subject to a separate report to Council in coming months.

Strategic Plans/Policy ImplicationsLocal Economy

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

- Advocate and attract investment, economic growth and local employment.
- Facilitate a thriving tourism and ecotourism industry.

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

N/A

Legal Implications

Sections 5.33, 5.25(1)(e) and 1.7 of the *Local Government Act 1995*, Regulations 10 and 3A of the *Local Government (Administration) Regulations 1996*.

Community Consultation

This matter was the subject of a resolution carried at the 24 February 2021 Annual Electors' Meeting.

Risk Management Implications

N/A

Advice to Proponents/Submitters

The mover of the motion at the Electors' Meeting has been informed that the matter is to be considered at the 8 April 2021 Ordinary Council Meeting.

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

Nil



**13.5 (2021/MINUTE NO 0045) COMMITTEE / REFERENCE /
EXTERNAL GROUP REPRESENTATION - CR WIDENBAR -
RESIGNATION**

Author(s) D Green

Attachments N/A

RECOMMENDATION

That Council:

- (1) NOTE the resignation of Cr Widenbar as its representative to the following:
 1. Jandakot Airport Community Aviation Consultation Group (JACACG);
 2. Alcoa Kwinana Environmental Improvement Plan Advisory Group;
 3. Cockburn Neighbourhood Watch Reference Group; and,
 4. Armadale Road to North Lake Road Bridge Community Reference Group (proxy member);
- (2) APPOINT _____ (Elected Member) as its representative to the Jandakot Airport Community Aviation Consultation Group (JACACG);
- (3) APPOINT _____ (Elected Member) as its representative to the Alcoa Kwinana Environmental Improvement Plan Advisory Group; and
- (4) APPOINT _____ (Elected Member) as a proxy member to the Armadale Road to North Lake Road Bridge Community Reference Group.

COUNCIL DECISION

MOVED Cr C Stone SECONDED Cr M Separovich

That Council:

- (1) ADOPT (1) as recommended:
- (2) APPOINT Cr Chontelle Stone as its representative to the Jandakot Airport Community Aviation Consultation Group (JACACG).

CARRIED UNANIMOUSLY 8/0

Reason for Decision

As the previous Perth Airports committee member, I have a high level of understanding of aviation issues and am interested in the further economic development of the airport land holdings.



(2021/MINUTE NO 0046) NOMINATION - ALCOA KWINANA ENVIRONMENTAL IMPROVEMENT PLAN ADVISORY GROUP**COUNCIL DECISION**

MOVED Cr M Separovich SECONDED Cr P Corke
That Council appoint Cr Michael Separovich as its representative to the Alcoa Kwinana Environmental Improvement Plan Advisory Group.

CARRIED 7/1

For: Mayor L Howlett, Deputy Mayor L Kirkwood, Cr M Separovich, Cr P Corke, Cr C Terblanche, Cr C Stone and Cr T Widenbar

Against: Cr P Eva

Reason for Decision

I was formerly on the Residue Management Advisory Group which they had running in 2019 and I am very keen to see how that process continued and what the future effects will be on the Alcoa refinery.

Background

By email received 18 March 2021, Cr Widenbar has advised he is unable to fulfil the role of Council's appointed delegate to the organisations listed in (1) 1-4 above, due to time constraints.

Accordingly it is recommended that Council appoint another representative to the Groups, which would otherwise not have Council appointed Elected Member representation for the remainder of the year, until all appointments are reconsidered following the local government elections in October this year.

Submission

N/A

Report**1. Jandakot Airport Community Aviation Consultation Group (JACACG)**

The primary role and scope of JACACG is to address planning and development issues and other operational issues, particularly noise related, which may impact on neighbouring communities.

Membership of the JACACG includes the Cities of Cockburn, Melville, Gosnells and Canning, as well as representation from the State Government Planning and Transport Authorities, the Royal Aero Club of WA and members of the surrounding residential communities.

Meetings are facilitated and administered by Jandakot Airport Holdings and are held on a quarterly basis at the Jandakot Airport Management Centre on a Wednesday from 4.00pm. The meetings



for the remainder of 2021 (prior to elections) will be held in May and August.

2. Alcoa Kwinana Environmental Improvement Plan Advisory Group

Alcoa Australia released its first Environmental Improvement Plan (EIP) in 2006 and since this time has renewed the Plan (2017-2021) to continuously improve the environmental performance of its Kwinana Refinery, including reducing its environmental impacts on surrounding areas and developing more sustainable operating practices.

Meetings of the Group are facilitated by Alcoa and occur at Alcoa Kwinana on the third Wednesday quarterly (dates to be advised) from 4.00pm -5.30pm.

3. Armadale Road to North Lake Road Bridge Community Reference Group

The intent of this Reference Group is to engage with affected community members (appointed by Main Roads WA) in a group setting, to discuss construction progress and any issues arising from the works.

Meetings are not subject to a regular schedule and are called and conducted by Mains Roads WA.

4. Cockburn Neighbourhood Watch Reference (NHW) Group

The Cockburn NHW promotes safety in the district through the provision of cooperative assistance between neighbours, thus assisting to create effective deterrents to potential criminal activity.

The Group comprises a network of “Suburb Managers” who are interested local residents who have been recruited to share ideas and strategies which promote the NHW values within their respective communities and across the district.

Cockburn NHW Reference Group meets monthly on the first Wednesday at 7.00pm, at the City’s administration building. It is administratively supported by staff from the City’s Community Safety Unit and is also attended by senior officers representing the WA Police Service from Cockburn and Murdoch Police Stations.

Given that Cr Stone is also an appointed Council delegate to this Group, it is not considered necessary to replace Cr Widenbar at this stage, as the Council elections will be held in six (6) months, following which the appointments to all Reference Groups will be again put before Council for consideration.



Strategic Plans/Policy ImplicationsEnvironmental 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 advocate for increased community safety.

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.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

N/A

Risk Management Implications

There is a “Low” risk of “Environmental Health” consequences as a result of this item

Advice to Proponents/Submitters

Cr Widenbar has been advised that this matter is to be considered at the 8 April 2021 Ordinary Council Meeting.

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

Nil



14. PLANNING AND DEVELOPMENT DIVISION ISSUES

14.1 (2021/MINUTE NO 0047) DEVELOPMENT APPLICATION - 4 MADRAS LINK, NORTH COOGEE - DA21/0131 - RETROSPECTIVE SINGLE (R-CODE) HOUSE – FINISH EASTERN BOUNDARY WALL

Author(s) C Hill

Attachments

1. Location Plan [↓](#)
2. Development Plans [↓](#)
3. Local Development Plan [↓](#)
4. Schedule of Submissions [↓](#)
5. Restrictive Covenant and Approval Process [↓](#)
6. Locality Map (**CONFIDENTIAL**)

Location 4 (Lot 813) Madras Link NORTH COOGEE

Owner Daniel and Sindy Mastaglia

Applicant Planning Solutions

Application DA21/0131

Reference

RECOMMENDATION

That Council:

- (1) REFUSE the proposed retrospective (*R-Code*) House – *Finish of Eastern boundary wall* at No. 4 (Lot 813) Madras Link, North Coogee for the following reasons:

Reasons

1. The finish of the 3 storey (27.86m in length and 10.54m in height) eastern boundary parapet wall ('the wall') which is currently face [block] brick at No. 4 (Lot 813) Madras Link, North Coogee does not match the majority of external walls of the dwelling, which are rendered and painted.
2. Pursuant to 'Detailed Area Plan – Lot 785' any exposed parapet wall must be finished to match the external walls of the dwelling, unless otherwise agreed by the [three] adjoining property owners.
3. The wall has not been finished to match the external walls of the remainder of the dwelling (i.e. it is not rendered and painted) and is without agreement of the majority of the adjoining property owners. The wall is therefore not compliant with the Detailed Area Plan / [otherwise known as a] Local Development Plan.
4. State Planning Policy No. 7.3 – Residential Design Codes Volume 1 provides development standards regarding lot boundary setbacks in order to reduce impacts of building bulk on adjoining properties. The R-Codes have been varied by the Local Development Plan to permit a 3 storey parapet wall on the boundary in lieu of the R-codes setback requirements subject to compliance with the Local Development Plan.
5. The finish of the eastern boundary wall at No. 4 (Lot 813)

Madras Link, North Coogee is inconsistent with the prevailing character of the locality being properties with boundary wall finishes that match the remainder of the dwelling.

6. The finish of the wall is detrimental to the amenity of the majority of adjoining property owners; and is inconsistent with the objectives of State Planning Policy No. 7.3, the City's Town Planning Scheme No. 3, 'Detailed Area Plan – Lot 785' and the 'Port Coogee Design Guidelines'.

Footnote

1. The Port Coogee Design Guidelines are intended to provide a Strategic framework for design decisions to each new homeowner in order to create quality architectural outcomes that satisfy the Port Coogee vision.

These guidelines are provided to each owner by the developer prior to the purchase of land. The guidelines specify that owners are to familiarise themselves with these guidelines, the Port Coogee 'vision' and the implications on the type and cost of the home owners chose to build.

These guidelines have been prepared to ensure owners' houses and gardens complement those of their neighbours, thereby producing a cohesive community with a distinct sense of place.

As part of the Port Coogee community, it is essential that each dwelling contributes to the high standard of design expected throughout Port Coogee.

Whilst face brick is permitted, it is not a preferred material and in this context the 3 storey (27.86m in length and 10.54m in height) parapet wall, is considered to be inconsistent with the intent of the Strategic "master planning" for the locality. The intent of that part of the design Guidelines is regarding the front elevation, and in this context it is more about the boundary wall material not matching, more so than the actual material itself.

- (2) NOTIFY the applicant, and those that made a submission, of Council's decision.

COUNCIL DECISION

MOVED Cr M Separovich SECONDED Cr C Stone

That Council:

- (1) APPROVE the proposed retrospective (R-Code House – Finish of Eastern Boundary Wall at No. 4 (Lot 813) Madras Link, North Coogee, subject to the following conditions and footnotes:

Conditions

1. The Development shall be carried out in accordance with the terms of the application as approved herein and any approved plan.



2. This approval relates to the finish of the eastern boundary wall only.

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, entity or organisation including any legal requirements as listed on the Certificate of Title including the Restrictive Covenant..
- b) The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City.
- (2) NOTIFY the applicant and those who made a submission of Council's decision.

LOST 2/6

For: Cr M Separovich and Cr C Stone

Against: Mayor L Howlett, Deputy Mayor L Kirkwood, Cr P Corke, Cr C Terblanche, Cr P Eva and Cr T Widenbar

9.36pm Cr Widenbar departed the meeting and returned at 9.38pm.

COUNCIL DECISION

MOVED Cr P Corke SECONDED Cr P Eva

That Council defer the decision on the proposed retrospective planning application subject to further investigation and consultation with the affected parties as to an alternative finish for the boundary wall.

CARRIED 8/0

Reason for Decision

This is an extremely difficult position that both parties find themselves in, and before a final decision is made, it seems suitable that every option is explored.

Background

The subject site is 376m² in area and is bound by similar residential properties to the east, Ceylon Turn to the north and west, and Madras Link to the south.

A Building Permit at the subject site, for a three storey dwelling and swimming pool, was received on 25 June 2019 (BP19/0798). At present the dwelling is under construction, nearing completion.

On 21 April 2020, a complaint was received from an adjoining property owner regarding the finish of the three storey boundary wall adjacent to



the eastern boundary of the subject site. The boundary wall was noted to not match the external walls of the dwelling, as required by the applicable Local Development Plan.

Pursuant to Section 214(3) of the *Planning and Development Act 2005* a Directions Notice was issued on 19 November 2020, directing the owners of the subject site to “*apply a rendered finish to the wall and paint the wall so that the wall matches the external walls of the remainder of the dwelling*”.

The owners exercised their right to apply to the State Administrative Tribunal (SAT) for a review of the City’s decision to give the direction. A Directions Hearing subsequently took place on 15 January 2021 via teleconference, to determine how the matter would be dealt with by SAT.

The outcome of the Directions Hearing was that the direction to render and paint the wall be placed on hold, pending the lodgement and determination of a retrospective Development Application. Mediation was also scheduled to take place on 10 March 2021.

On 5 March 2021, SAT provided new orders, vacating the 10 March 2021 mediation, as agreed by both parties (being the City and the owners of the subject site) to allow for the determination of this Development Application. The matter is now listed to a Directions Hearing on 7 May 2021.

This retrospective development application is being presented to Council for determination as City officers do not have delegated authority to determine applications where advertising is required and the objections received cannot be resolved through a condition or negotiation of a design change.

Submission

N/A

Report

Proposal

No changes are proposed to the finish of the existing three storey parapet boundary wall on the eastern side of the subject site, which is 27.86m in length and 10.54m in height. The wall is proposed to remain as face [block] brickwork.



Planning Framework

Zoning

The subject site is zoned 'Urban' under the Metropolitan Region Scheme (MRS) and 'Development' – Development Area 22 (DA 22) under the City of Cockburn Town Planning Scheme No. 3 (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 22 includes 20 provisions of which the following four (4) are provided as being most relevant to the subject application;

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. The local government may adopt Design Guidelines for any development precincts as defined on the Structure Plan. All development in such precincts is to be in accordance with the adopted guidelines in addition to any other requirements of the Scheme, and where there is any inconsistency between the design guidelines and the Scheme, the Scheme shall prevail.
12. The local government may approve Local Development Plan(s) [otherwise known as Detailed Area Plan(s)] for any part of the Development Area as defined on the approved Structure Plan, pursuant to clause 52 of the Deemed Provisions.
13. Local Development Plans (LDPs) may be required for any particular lot or lots within the adopted Structure Plan, however, LDPs shall be prepared for the land designated Marina Village, Neighbourhood Centre and possible future local centre and for land coded R80 and higher density coding.”

Local Development Plan

An LDP/ [DAP] dated 22 October 2010 applies to the original Lot 785 Orsino Boulevard, which includes the subject site No. 4 (Lot 813) Madras Link, North Coogee .

The LDP provides variations to the City's relevant Local Planning Policies, Scheme and the Residential Design Codes (R-Codes).

The 'Design Elements' section of the LDP states the following;

“Any exposed parapet wall on a common boundary shall be suitably finished to match the external walls of the dwelling, unless otherwise agreed with the adjoining property owner.”

This application seeks to retrospectively vary the requirement above, by way of having the existing eastern boundary wall remaining as face brickwork [blockwork], without agreement from the adjoining property owners, where the remaining external walls are rendered and painted.



The *Planning and Development (Local Planning Schemes) Regulations 2015* Part 6 Clause 56(1) “Effect of the Local Development Plan” specifies:

“A decision-maker for an application for development approval in an area that is covered by a local development plan that has been approved by the local government must have due regard to, but is not bound by, the local development plan when deciding the application.”

The term ‘due regard’ is commonly used throughout the planning framework, in a range of scheme and policy provisions. ‘Due regard’ has been cited in a number of cases, including *Tah Land Pty Ltd v Western Australian Planning Commission* [2009] WASC 196, where the Supreme Court held that:

- *“‘due regard’ implies something greater than mere ‘regard’; and*
- *the decision-maker has a mandatory obligation to consider that document or planning instrument when making a decision on an application to which the particular document or instrument relates”.*

In this context, proper and orderly planning suggests the LDP is one of many tools used to ensure the wall is rendered. Due regard should consider the suite of planning mechanisms, and to what extent the R-Codes have been varied to allow the three storey wall, to ensure the end built form outcome. These being:

- a) The developer’s restrictive covenant (discussed later in this report);
- b) The developer’s design guidelines and pre-contract requirements for building in this area (discussed later in this report);
- c) The “master planning for the area” inclusive of DA 22 Scheme Provisions (discussed earlier in this report), the Design Guidelines as assessed by the City and the LDP that encapsulates these objectives;
- d) What the R-Codes would otherwise permit in the absence of the LDP to vary this requirement (discussed later in this report).

Accordingly, the “due-regard” consideration of the LDP is such that the planning framework in this context has been very clear on the intent of the aesthetics of this locality. It would not be within proper and orderly planning to approve the un-rendered wall.

Port Coogee Design Guidelines

The Port Coogee Design Guidelines are applicable to the subject site. All single houses subject to the Design Guidelines, including the subject site, require the design endorsement from the developer.

Although developer endorsement is required prior to the submission of a Building Permit and/or Development Application (if required), the developer endorsement process is independent to the statutory requirements of the City. Instead, the developer endorsement is required by the applicable restrictive covenant (refer Attachment 5), which is discussed further in the ‘Assessment’ section below.



The Port Coogee Design Guidelines are intended to provide a Strategic framework for design decisions to each new homeowner in order to create quality architectural outcomes that satisfy the “Port Coogee vision”.

These guidelines are provided to each owner by the developer prior to purchase of land. The guidelines specify that owners are to familiarise themselves with these guidelines, the Port Coogee ‘vision’, and the implications on the type and cost of the home owners chose to build.

These guidelines have been prepared to ensure owners’ houses and gardens complement those of their neighbours, thereby producing a cohesive community with a distinct sense of place.

As part of the Port Coogee community, it is essential that each dwelling contributes to the high standard of design expected throughout Port Coogee. Whilst face brick is permitted under the guidelines, “it is not a preferred material” and in this context the three storey (27.86m in length and 10.54m in height) parapet wall, is considered to be inconsistent with the intent of the Strategic “master planning” for the locality.

As can be seen below, this particular wall [shown from three different perspectives] is of a particularly large scale and bulk spanning across three properties.



Figure 1: Wall in question

Prior to lodgement of the building permit, the applicant sought “developer [design] endorsement” on 26 February 2019. The endorsement states as follows:

“The above project has been approved in accordance with the Port Coogee Design Guidelines only. This assessment does not include an R Code or other statutory compliance check as required by City of Cockburn. An application can now be made to the City of Cockburn for a Building Licence and/or Development Approval.”

The plans submitted to the developer’s architect indicated that the wall in question was originally planned to be rendered (and presumably painted). The relevant elevation (Elevation 4) has been extracted from the plans as submitted to the developer and provided below for ease of reference;

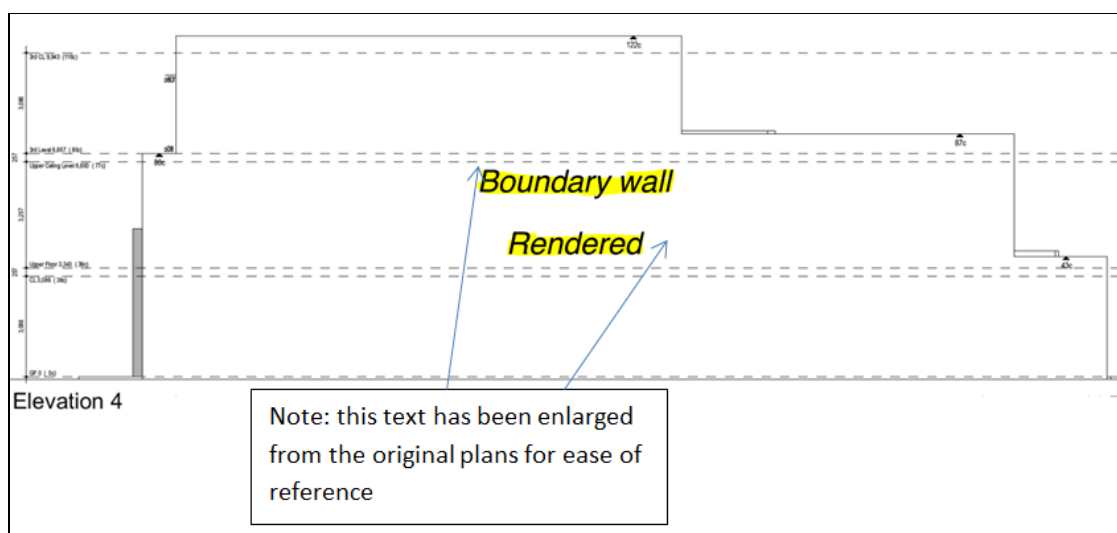


Figure 2: Elevation 4 as submitted to the Developer/ Developers Architect.

The developer’s assessment was based on the above plans “boundary wall rendered” and as such the developer’s architect provided the following details under their assessment in respect to the “wall materials” [or finish];

Development Standard	Source	Compliance	Comment
Wall Materials			
Acceptable wall materials include: Painted rendered masonry, stonework, rammed earth, painted or clear finished timber weatherboards, eco-ply, corrugated metal cladding and painted fibre cement sheeting. Whilst face brick is permitted it is not a preferred material.	DG	Y	Rendered brick and tiled cladding.

Figure 3: Developers Endorsement extracts:



As discussed above, the developer approved the plans showing rendered wall in accordance with the Port Coogee Design Guidelines only. Their assessment and approval does not include an R-Code or other statutory compliance check as required by the City.

Following receipt of the developer endorsement the owners of No. 4 then sought a privately certified Building Licence from the City's Building Department for the single house.

It is understood that the plans submitted to and approved by the City's Building Department (Private Certification) were submitted as follows:

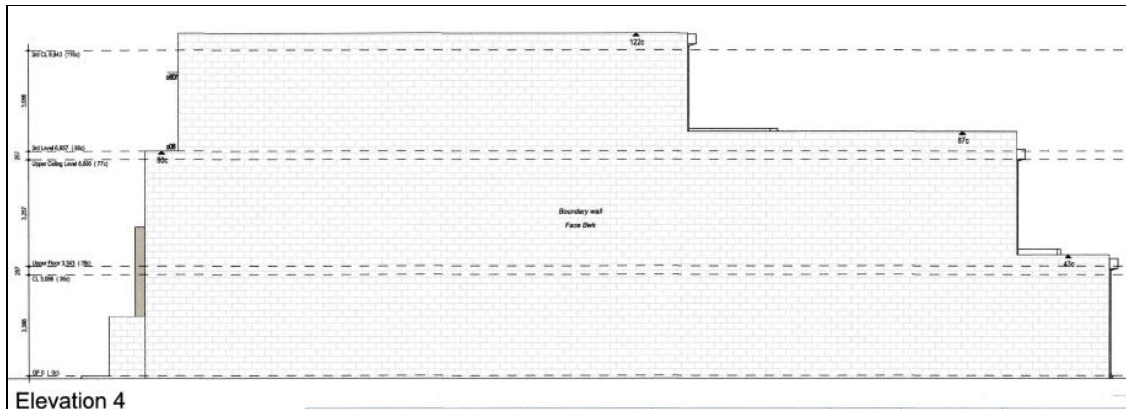


Figure 4: Elevation 4 as Privately Certified and submitted to the City of Cockburn's Building Department:

It is to be noted that the Privately Certified application comprised 61 pages of which one of the elevations (see above) indicated the wall in question being proposed as "*Boundary wall Face Bwk*". As can be seen above, the text (in the middle of the wall) is difficult to read (given its size) and could easily be overlooked by the Private Certifier and by the City's Building Department.

It is important to note however, that omission of the wall details from the Building Permit, under the *Building Act 2011*, does not absolve the owners from compliance with the LDP under the *Planning and Development Act 2005*. Accordingly on 19 November 2020 the City's Planning Department issued a "Directions Notice" to the owners to apply rendered finish and paint to the eastern parapet wall under Section 214(3) of the *Planning and Development Act 2005* within 60 days of the direction.

The Directions Notice indicated that should the owners fail to comply with the Directions, they would commit an offence under Section 214(7) of the *Planning and Development Act 2005* and be liable to a penalty of \$200,000 and a further fine of \$25,000 for each day on which the offence continues, unless the owners appealed the decision to the State Administrative Tribunal for a review of the decision to give direction.

As mentioned in the "background" section of this report, the owners have since appealed the Directions Notice to the SAT for a review. This

review is on hold pending the determination of this development application before Council.

What the R-Codes would otherwise permit in the absence of the LDP

Clause 5.1.3 C3.2(iii) of the R-Codes provides the following deemed-to-comply requirements for walls built up to a lot boundary;

“In areas coded R30 and higher, walls not higher than 3.5m with an average of 3m or less, for two-thirds the length of the balance of the lot boundary behind the front setback, to one side boundary only.”

Based on the above, had the property not been subject to an LDP, the eastern boundary wall would have been subject to a maximum height of 3.5m and a maximum length of 22.41m.

In comparison the wall has been constructed at 10.54m in height and 27.86m in length under the LDP variations to the R-Codes. It should be noted that the R-Codes do not require boundary walls be finished in a material to match the remainder of the dwelling. This is on the basis the “R-Codes permitted wall” is at 3.5m in height in lieu of 10.54m as constructed.

The LDP provides significant relaxation to the boundary wall height and length requirements (boundary walls are permitted to all levels, with a maximum length determined by the front setback), with the addition of the boundary wall finish requirement.

The expectation is that any boundary walls, whilst higher and longer than what the R-Codes would allow, would not be detrimental to the amenity of adjoining properties as they would instead be finished in a material to match the remainder of the dwelling. The impact of the current boundary wall finish on the adjoining properties’ amenity is outlined in the ‘Assessment’ section below.

Community Consultation

The application was advertised to the three properties that adjoin the boundary wall on the subject site; 2 Madras Link, 25 Orsino Boulevard and 27 Orsino Boulevard. Given the LDP provision clearly references *adjoining* property owners there was no requirement to advertise further afield. The advertising period ran for 21 days (12 February to 5 March 2021). Two objections were received and the concerns/issues raised are summarised as follows:

- The current finish of the wall does not comply with the Contract Sale of Property.
- The current finish of the wall does not comply with the LDP because the adjoining property owners did not agree for the wall not to be rendered and painted.
- The current finish of the wall is not of acceptable quality as it contains various imperfections and discolouration(s).



- The current finish of the wall is inconsistent with other dwellings in the immediate area (refer Confidential Attachment 6 for details);
- The current finish of the wall results in a poor visual outcome and a general loss of amenity.
- The length and height of the boundary wall itself is imposing.

It should be noted, with regard to the last point above, the length and height of the boundary wall is compliant with the dwelling setback and height requirements of the LDP.

The length, height and location of the boundary wall itself are not the subject of this application. For ease of reference, extracts of the LDP have been provided below including the property in question, being No. 4 (Lot 813) Madras Link, North Coogee and the three (3) adjoining properties, which the City advertised the proposal to.

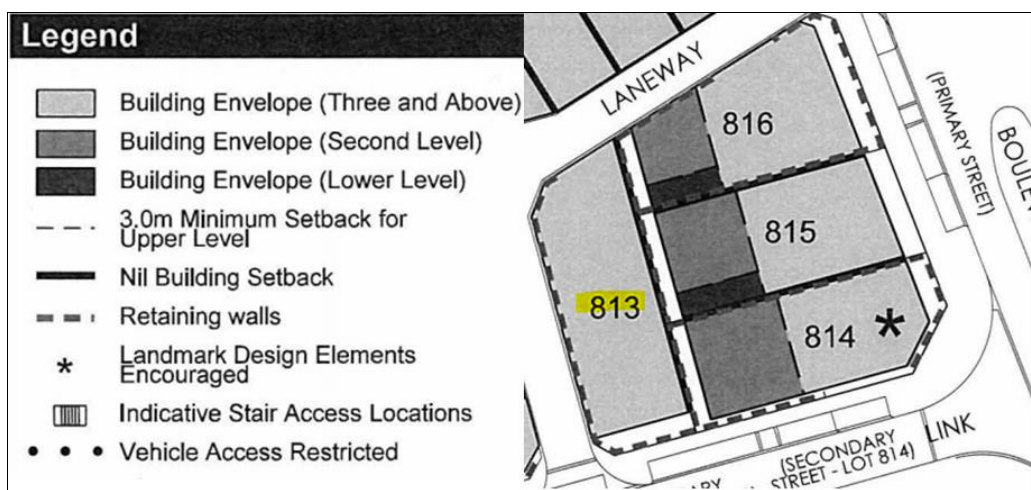


Figure 5: LDP extracts;

It should also be noted that written correspondence from the third adjoining property owner was provided as part of this application. This adjoining property owner stated that they were accepting of the wall in its current state.

Upon receipt of the application, this adjoining property owner was contacted via telephone, and confirmed that the written correspondence was valid. Nevertheless, this adjoining property owner was included in the advertising process and did not return any formal comment. The informal comment is however considered in this context to be acceptable.

Assessment

Finish of the wall

The LDP requires that any boundary walls be suitably finished to match the external walls of the dwelling unless otherwise agreed with the adjoining property owners.

The entire southern side of the dwelling (Madras Link frontage) is rendered and painted, with the exception of two tiled feature walls, which occupy a total surface area of 8.5m².

The western and northern sides, which are adjacent to Ceylon Turn, are entirely rendered and painted.

In contrast, the current finish of the boundary wall in question is un-rendered, unpainted brickwork. The National Committee on Rationalised Building's *Glossary of Australian Building Terms* defines 'face brick' ('facing brick') as:

"A high quality brick primarily for use in face or external brickwork or for other special work."

Furthermore, the *Glossary of Australian Building Terms* defines 'face work' ('face brickwork') as;

"A wall in which bricks are laid accurately to a plane face and the joint neatly pointed."

The boundary wall in question consists of accurately laid bricks, with brick joints rolled appropriately for the coastal location. Therefore, the boundary wall finish can be accurately described as 'facebrick'. The finish does not match the remainder of the rendered and painted dwelling.

The LDP provides scope for a boundary wall material that does not match the remainder of the dwelling, subject to agreement with the adjoining property owner, or in this case, owners. No such agreement was provided prior to the wall's construction, nor has it been provided as part of this retrospective application, given objections were received from two of the three adjoining property owners.

Context of the wall in relation to the surrounding area

The Port Coogee Design Guidelines describe the locality as follows;

"Port Coogee will be a high quality development with landscape and built-form architecture to match the best in Australia – from the streetscapes and landscaping – to the quality and design of the built form. All buildings will contribute positively to the character of Port Coogee."

As part of this retrospective application, the applicant noted seven properties in the locality that have facebrick boundary walls where these do not match the remainder of the dwellings.

Figure 6 below identifies the seven properties in red in relation to the subject site, noting that four of these are more than 250 metres away:



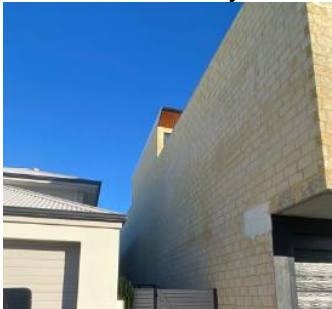




Figure 6: Map of alleged non-compliance as submitted by the applicant;



Two of the seven properties were found to be compliant with the LDP provision for boundary wall finish; one boundary wall matched the remainder of the dwelling and the other was finished to the agreement of the adjoining property owner.



The five remaining properties were found to be non-compliant with the LDP provision, which may warrant further investigation by the City of Cockburn as a separate matter to the assessment and discussion of the proposed application. It should, therefore, be noted that this is not within the scope of the subject application.

The seven properties are addressed in the table below:

Address	DA received	BP received	Developer endorsement provided	Comment
3 Ceylon Turn North Coogee Western boundary wall: 	N/A	Certified Application BP14/2150	No	The rear wall and other side walls of the dwelling are also facebrick. Agreement with adjoining property owner(s) not required. Complies with the LDP as the majority of the dwelling is facebrick.
7 Ceylon Turn North Coogee Western boundary wall: 	N/A	Certified Application BP15/1913	Yes – coversheet provided only. No plans were attached	The facebrick boundary walls, as noted on the plans, do not match the remainder of the dwelling (which is noted as render). Agreement with adjoining property owner(s) not provided. Does not comply with the LDP.
11 Ceylon Turn North Coogee Eastern boundary wall: 	DA 13/0940	Certified Application BP13/2793	Yes	Condition imposed on the DA requiring the boundary walls to be either facebrick or rendered the same colour as the external appearance. Plans show the boundary walls as being rendered. Agreement with adjoining property owner(s) not provided. Does not comply with the LDP.



Address	DA received	BP received	Developer endorsement provided	Comment
44 Orsino Boulevard North Coogee Southern boundary wall: 	N/A	Certified Application BP13/2416 (amendment to original BP13/2082)	No	<p>Original BP plans showed boundary walls as rendered, to match the remainder of the dwelling. Initial developer endorsement was received on this basis.</p> <p>An amended BP was applied for, to address slab changes. These plans showed facebrick boundary walls which do not match the remainder of the dwelling. No developer endorsement provided for this updated BP.</p> <p>Agreement with adjoining property owner(s) not provided.</p> <p>Does not comply with the LDP.</p>
86 Orsino Boulevard North Coogee Southern boundary wall: 	N/A	Certified Application BP15/0710	Yes	<p>Plans show the southern boundary wall to be facebrick, not matching with the remainder of the dwelling which is rendered.</p> <p>Comment provided on the developer endorsement stating that neighbour consent for this variation had been provided – however this was not included with the BP application.</p> <p>Agreement with adjoining property owner(s) was provided.</p> <p>Complies with the LDP.</p>

Address	DA received	BP received	Developer endorsement provided	Comment
98 Orsino Boulevard North Coogee Southern boundary wall: 	DA 17/0682	Certified Application BP17/2598	Yes	Condition imposed on DA requiring boundary walls to be suitably finished to match the remainder of the dwelling unless otherwise agreed with the neighbour. BP plans note southern boundary wall to be facebrick, which does not match the remainder of the dwelling (rendered). Agreement with adjoining property owner(s) not provided. Does not comply with the LDP.
104 Orsino Boulevard North Coogee Southern boundary wall: 	DA 14/0389	Certified Application BP14/2492	Yes	Condition imposed on the DA requiring the boundary walls to be either facebrick or rendered the same colour as the external appearance unless otherwise agreed with the neighbour. All plans show boundary walls to be rendered. Agreement with adjoining property owner(s) not provided. Does not comply with the LDP.

The properties noted in the table represent a very small portion of the overall number of dwellings in the locality. It is clear that the locality is instead characterised by dwellings with boundary walls that are of the same finish as the remaining walls. To this end, the boundary wall on the subject site in its current state is not consistent with the prevailing character of the locality.



Confidential Attachment 6 provides further confirmation that the majority of single dwellings within a 250 metre radius of the subject site have boundary wall finishes matching the remaining walls.

It should be noted that approximately 68 of those dwellings within a 250 metre radius are subject to a [separate] LDP which does *not* mandate that boundary walls match the remainder of the dwelling. Regardless, those dwellings, presumably under the design guidelines, have still been finished to achieve this. Accordingly, Confidential Attachment 6 provides that 96.02% of the locality [the vast majority] is compliant with the subject LDP [and design guidelines] as follows;

“any exposed parapet wall [under the LDP] must be finished to match the external walls of the dwelling, unless otherwise agreed by the [three] adjoining property owners”; and

“Whilst face brick is permitted, [under the design guidelines] it is not a preferred material” and in this context the 3 storey (27.86m in length and 10.54m in height) parapet wall is considered to be inconsistent with the intent of the Strategic “master planning” for the locality.

The intent of that part of the design Guidelines is regarding the front elevation, and in this context it’s more about the boundary wall material matching, more so than the actual material itself.

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.”

As demonstrated above, the subject boundary wall in its current state is not consistent with the finish of the remainder of the dwelling, nor is it consistent with [96% of the] character of the area. The boundary wall, as is evident from Figure 1 above, is visible from the primary street when approaching from the east, which results in a negative impact on the prevailing streetscape.

The contrast of the facebrick material compared to the painted and rendered sides of the dwelling also results in a poor visual outcome for the adjoining property owners. This is demonstrated through the two submissions received.

Restrictive Covenant

A restrictive covenant in accordance with Section 136D of the *Transfer of Land Act 1893* (document number L604400) applies to the subject site.

Of particular interest in the context of this application section 2.2 “restrictive covenants” of the restrictive covenant specifies as follows under “I” and “Z”:



*“The Registered Proprietor (which expression includes the transferees, assigns and successors of the Registered Proprietor) covenants that the Registered Proprietor **will not**;*

(l) construct any fence or wall from the dwelling on the Lot to the boundary of an adjoining lot unless:

(i) the wall or fence is not visible from any street and is behind the building line; or

*(ii) the fence or wall is **constructed from materials predominantly rendered brick**, metal or aluminium battens or Colorbond material;*

allow any boundary fence to fall into a state of disrepair;

*(z) construct and residence, or alter the structure, integrity or finish of a completed residence, **other than in accordance with the Design Guidelines and Detailed Area Plan** and in accordance with the prior approval or consent of Registered Proprietor, the local authority having jurisdiction.”*

Section 3.2 Expiry of Restrictive Covenants:

“The covenants in subclause 2.2 expire on a date 10 years from the date of registration of the application for new Certificates of Title for the land in the Deposited Plan”.

Developer endorsement was received for the three storey dwelling prior to the original Building Permit (BP19/0798). The endorsement was received on the basis that the boundary wall in question be rendered and painted to match the remainder of the dwelling.

Given that the current finish of the boundary wall is facebrick, the developer endorsement, and subsequently the restrictive covenant, has not been complied with. It should be noted that the City is not a party to the restrictive covenant.

Notwithstanding this, the restrictive covenant is a legal document and the owners that are subject to the restrictive covenant are legally responsible to comply with the provisions within it.

Whilst this is not specifically a “planning” matter the City does consider the restrictive covenant to be part of the “strategic master planning” for the area and reflected within the “statutory requirements”. As such the City does have regard for the restrictive covenant. It is considered that the vast majority of owners have complied with the requirements of the guidelines, the LDP and also the restrictive covenant. Attachment 5 includes the “approval process [agreement] between the developer and the City of Cockburn”.



Conclusion

It is recommended that the proposal is refused for the following reasons:

- The finish of the 3 storey (27.86m in length and 10.54m in height) eastern boundary parapet wall (the wall) which is currently face [block] brick at 4 (Lot 813) Madras Link, North Coogee does not match the majority of external walls of the dwelling. Those being rendered and painted.
- Pursuant to 'Detailed Area Plan – Lot 785' any exposed parapet wall must be finished to match the external walls of the dwelling, unless otherwise agreed by the [three] adjoining property owners.
- The wall has not been finished to match the external walls of the remainder of the dwelling (ie: it is not rendered and painted) and is without agreement of the majority of the adjoining property owners. The wall is therefore not compliant with the Detailed Area Plan [otherwise known as a] Local Development Plan.
- State Planning Policy No. 7.3 – Residential Design Codes Volume 1 provides development standards regarding lot boundary setbacks in order to reduce impacts of building bulk on adjoining properties. The R-Codes have been varied by the LDP to permit a 3 storey parapet wall on the boundary in lieu of the R-codes setback requirements, subject to compliance with the LDP.
- The finish of the eastern boundary wall at 4 (Lot 813) Madras Link, North Coogee is inconsistent with the prevailing character (96%) of the locality being properties with boundary wall finishes that match the remainder of the dwelling.
- The Port Coogee Design Guidelines are intended to provide a Strategic framework for design decisions to each new homeowner in order to create quality architectural outcomes that satisfy the Port Coogee vision. These guidelines are provided to each owner by the developer prior to the purchase of land.

The guidelines specify owners are to familiarise themselves with these guidelines, the Port Coogee 'vision' and the implications on the type and cost of the home owners chose to build. These guidelines have been prepared to ensure owners' houses and gardens complement those of their neighbours, thereby producing a cohesive community with a distinct sense of place.

As part of the Port Coogee community, it is essential that each dwelling contributes to the high standard of design expected throughout Port Coogee.

Whilst face brick is permitted, it is not a preferred material and in this context the 3 storey (27.86m in length and 10.54m in height) parapet wall is considered to be inconsistent with the intent of the Strategic "master planning" for the locality. The intent of that part of the design Guidelines is regarding the front elevation, and in this

situation it is more about the boundary wall material not matching, more so than the actual material itself.

- The finish of the wall is detrimental to the amenity of the majority of adjoining property owners; and is inconsistent with the objectives of State Planning Policy No. 7.3, the City's Town Planning Scheme No. 3, 'Detailed Area Plan – Lot 785' and the 'Port Coogee Design Guidelines'.

Strategic Plans/Policy Implications

City Growth and Moving Around

- Plan to provide residents with great places to live, activated social connections and high quality open spaces.

Listening and Leading

A community focused, sustainable, accountable and progressive organisation.

- Listen to, communicate, consult and engage with our residents, businesses and community in a timely, open and collaborative manner.

Budget/Financial Implications

The applicant (via SAT) has already listed this matter for a Directions Hearing, to be conducted by teleconference on 7 May 2021 at 9:30am, with Council administration staff and the City's solicitors. Should Council decide to refuse this application, in line with the recommendation, the applicant will continue with the current Directions Hearing.

This matter has at present already been the subject of legal proceedings at a cost of in excess of \$4,000. It is likely the full SAT proceedings could cost the City up to approximately \$40,000. Should Council resolve to approve the application, the City would unlikely be required to attend the Directions Hearing, as the Directions Hearing would likely be cancelled.

This decision could however result in potential damage to the City's brand and incur ongoing costs in that capacity.

Legal Implications

Should Council refuse this proposal there will be legal implications by way of an appeal to SAT. The applicant (via SAT) has already listed this matter for a Directions Hearing to be conducted by teleconference on 7 May 2021 at 9:30am, with Council administration staff and the City's solicitors.



Community Consultation

The application was advertised to the three adjoining properties for a period of 21 days as required by the LDP. Accordingly no further consultation was undertaken in line with the statutory requirements of this application.

Two (2) 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 SAT. As mentioned above, the applicant (via SAT) has already listed this matter for a Directions Hearing, to be conducted by teleconference on 7 May 2021 at 9:30am, with Council administration staff and the City's solicitors.

Should Council decide to refuse this application, in line with the recommendation, the applicant will continue with the current Directions Hearing". This matter has at present already been the subject of legal proceedings at a cost of in excess of \$4,000. It is likely the full SAT proceedings could cost the City up to approximately \$40,000.

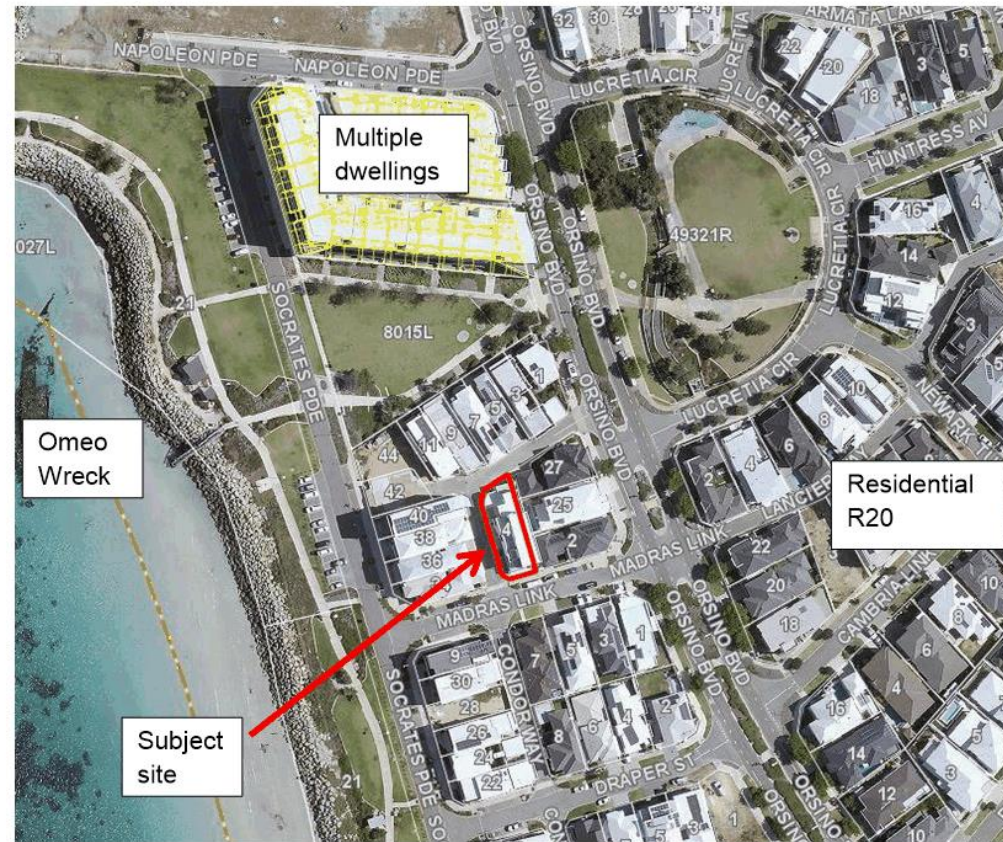
Should Council resolve to approve the application the City would unlikely be required to attend the Directions Hearing as the Directions Hearing would likely be cancelled. This decision could however result in potential damage to the City's brand and incur ongoing costs in that capacity.

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 8 April 2021 Ordinary Council Meeting.

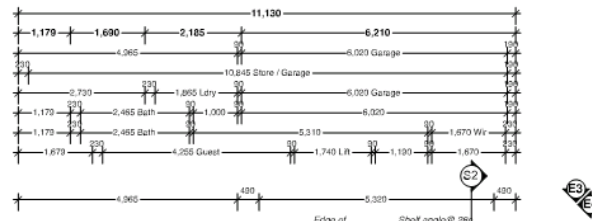
Implications of Section 3.18(3) *Local Government Act 1995*

Nil

Attachment 1 – Location Plan of 4 Madras Link North Coogee

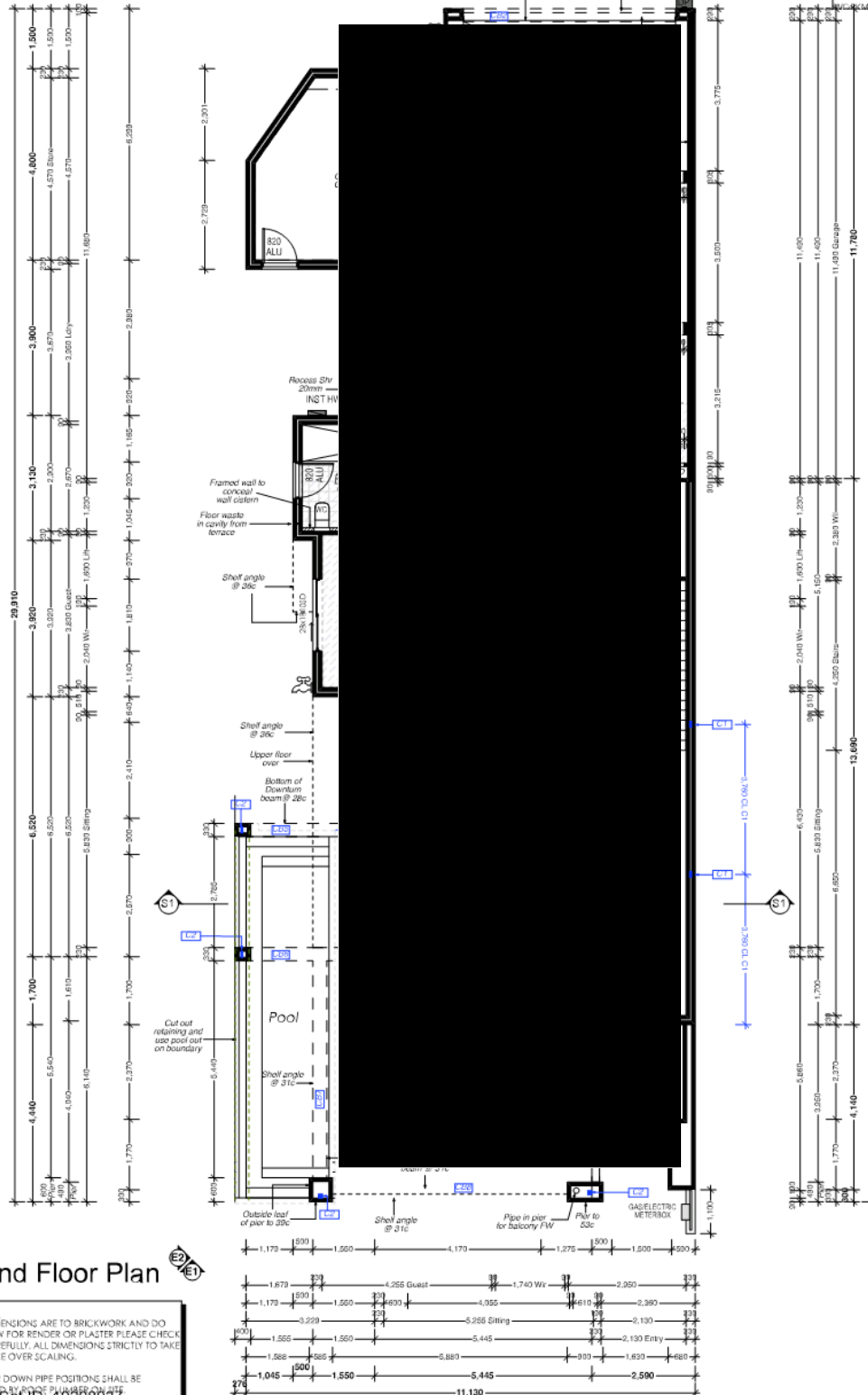


	Floor Areas	
	AREA	Perimeter
GROUND FLOOR	124.77	38.32
UPPER FLOOR	239.78	73.65
GARAGE	96.27	45.42
BALCONY	28.64	28.23
ALFRESCO	28.88	28.28
3RD STOREY	99.88	54.77
TERRACE	78.50	58.35
BALCONY 2	18.50	21.75
	696.14 m²	339.07 m



TRADE NOTES:

- * ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE COMMENCING ANY WORK
- * ANY DISCREPANCIES WHICH MAY ARISE ARE TO BE QUERIED WITH THE BUILDER BEFORE CONTINUING
- * ANY DISCREPANCIES MUST BE REFERRED TO THE BUILDER OR THE SUBCONTRACTOR SHALL BEAR FULL RESPONSIBILITY FOR WORKS.
- * THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ENGINEERS DETAILS OR AND OTHER CONSULTANTS DETAILS
- * REFER TO ENGINEER'S DETAILS FOR CONCRETE SLAB & CONCRETE FOOTING SPECIFICATIONS
- * ALL WORKS TO BE CARRIED OUT TO RELEVANT AUSTRALIAN STANDARDS, AUTHORITIES ETC.
- * WORK TO BE DONE IN A GOOD AND WORKMANLIKE MANNER AND TO THE ENTIRE



Ground Floor Plan

NOTES:

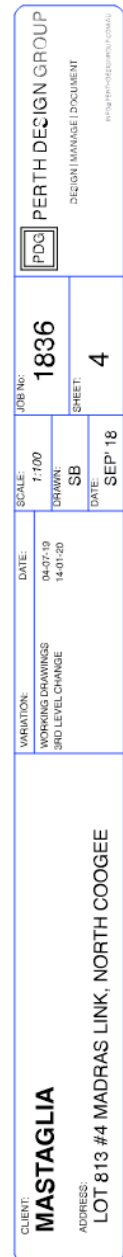
ROOM DIMENSIONS ARE TO BRICKWORK AND DO NOT ALLOW FOR RENDER OR PLASTER. PLEASE CHECK PLANS CAREFULLY. ALL DIMENSIONS STRICTLY TO TAKE PREFERENCE OVER SCAILING.

RAINWATER DOWN PIPE POSITIONS SHALL BE DETERMINED BY POLE PLUMBER ON SITE

Document Set ID: 10268057
Version: 1 Version Date: 10/02/2021

PDG PERTH DESIGN GROUP DESIGN MANAGE DOCUMENT		JOB NO: 1836	
VARIATION: WORKING DRAWINGS 3RD LEVEL CHANGE		SCALE: 1:100	DATE: 04-07-19 14-01-20
CLIENT: MASTAGLIA		DRAWN: SB	DATE: SEP'18
ADDRESS: LOT 813 #4 MADRAS LINK, NORTH COOGEE		SHEET: 3	DATE: SEP'18

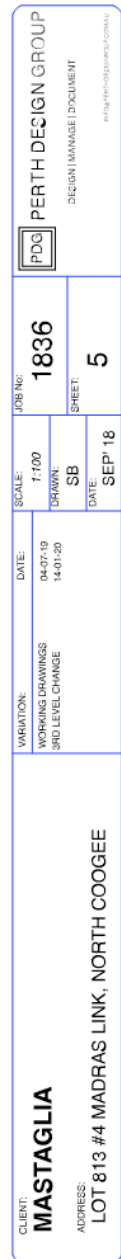
NOTES:
ROOM DIMENSIONS ARE TO BRICKWORK AND DO NOT ALLOW FOR RENDER OR PLASTER PLEASE CHECK PLANS CAREFULLY. ALL DIMENSIONS STRICTLY TO TAKE PREFERENCE OVER SCALING.
RAINWATER DOWN PIPE POSITIONS SHALL BE DETERMINED BY ROOF PLUMBER ON SITE.



NOTES:
ROOM DIMENSIONS ARE TO BRICKWORK AND DO NOT ALLOW FOR RENDER OR PLASTER PLEASE CHECK PLANS CAREFULLY. ALL DIMENSIONS STRICTLY TO TAKE PREFERENCE OVER SCALING.
RAINWATER DOWN PIPE POSITIONS SHALL BE DETERMINED BY ROOF PLUMBER ON SITE.

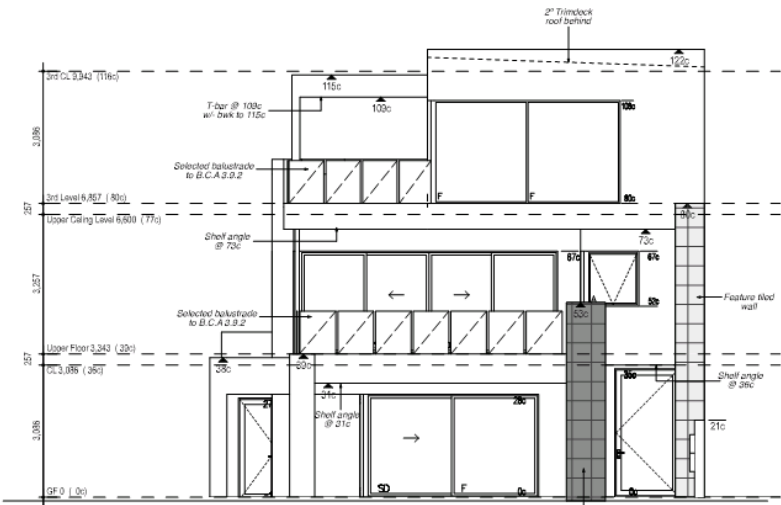
TRADE NOTES.

- ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE COMMENCING ANY WORK
- ANY DISCREPANCIES WHICH MAY ARISE ARE TO BE QUERIED WITH THE BUILDER BEFORE CONTINUING
- ANY DISCREPANCIES MUST BE REFERRED TO THE BUILDER OR THE SUBCONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTING THEM
- THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ENGINEERS DETAILS AND ALL OTHER CONSULTANTS DETAILS
- REFER TO ENGINEER DETAILS FOR CONCRETE SLAB, CONCRETE FOOTING SPECIFICATIONS
- REFER TO ARCHITECTS DETAILS FOR ALL AUSTRALIAN STANDARDS, APPROPRIATE ETC.
- WORK TO BE DONE IN A GOOD AND WORKMANLIKE MANNER AND TO THE ENTIRE

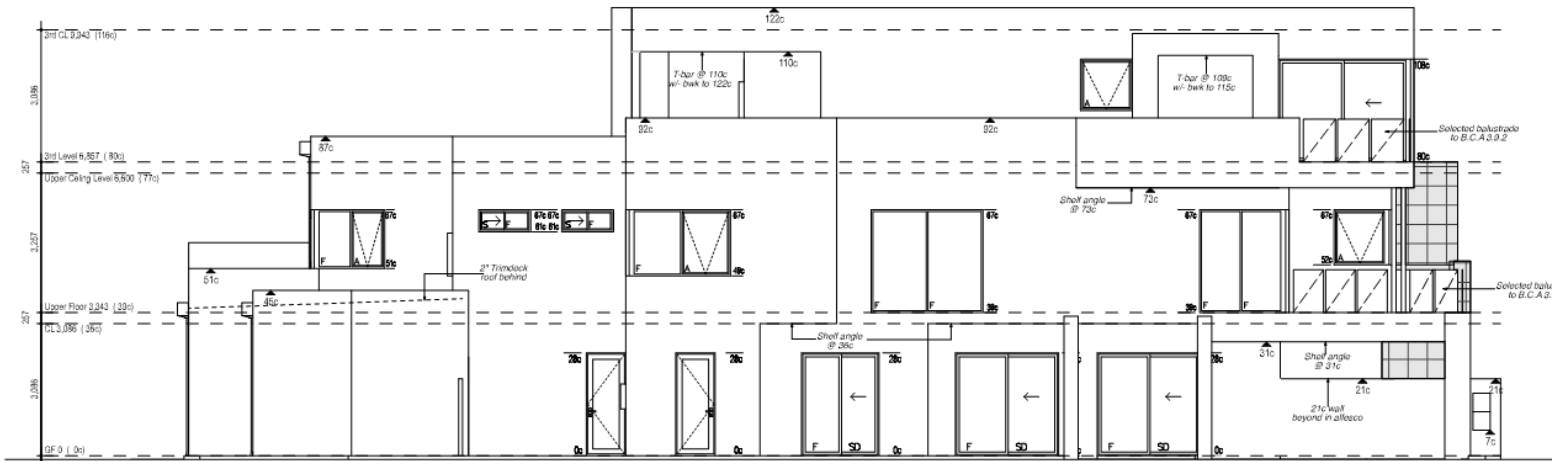


Document Set ID: 10208037
Version: 1 Version Date: 10/02/2021






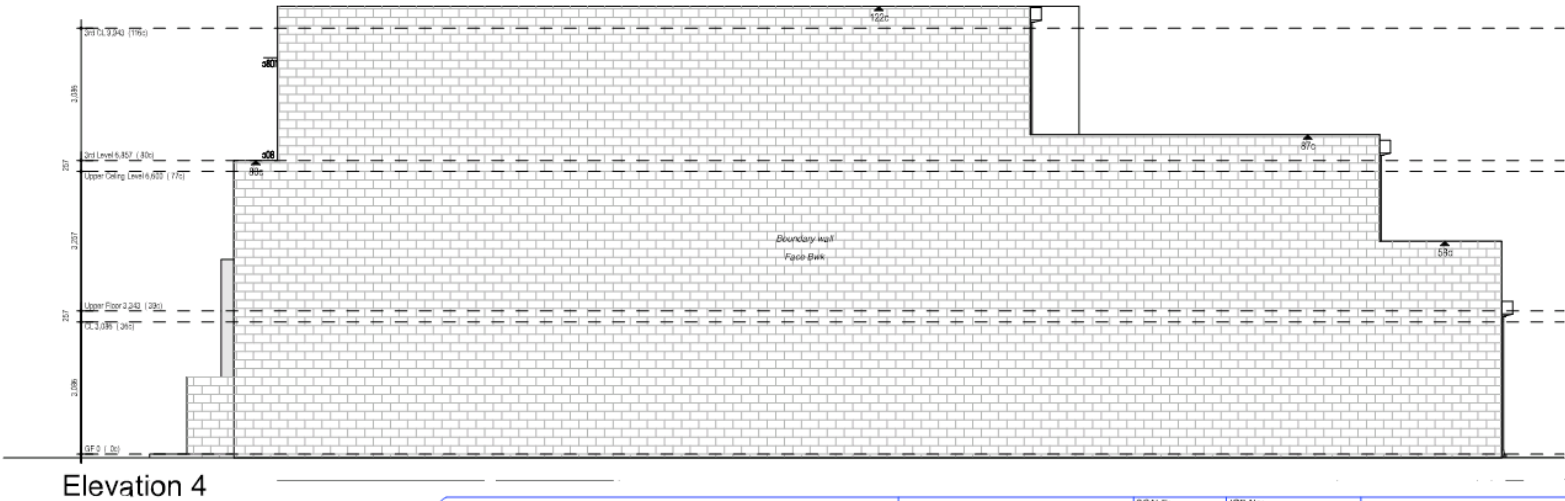
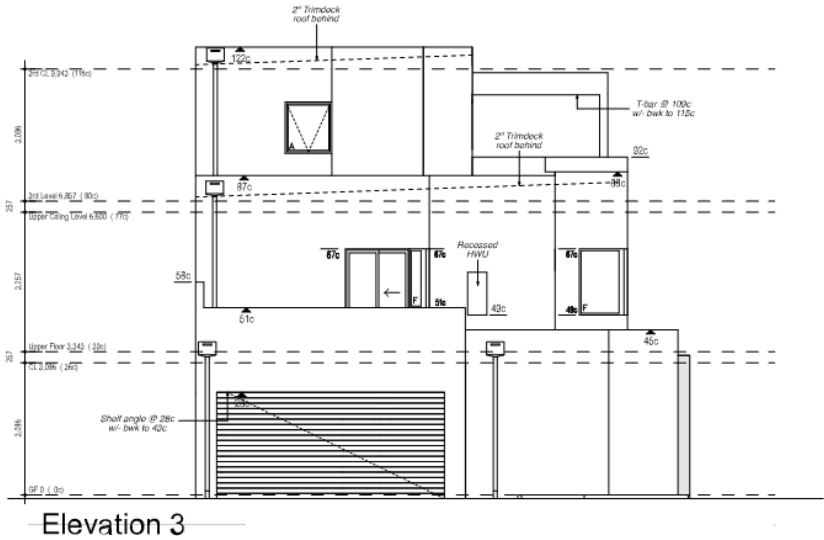
Elevation 1




Elevation 2

CLIENT: MASTAGLIA ADDRESS: LOT 813 #4 MADRAS LINK, NORTH COOGEE	VARIATION: WORKING DRAWINGS 3RD LEVEL CHANGE	DATE: 04-07-19 14-01-20	SCALE: 1:100 SB DATE: SEP' 18	JOB No: 1836 SHEET: 6	 PERTH DESIGN GROUP DESIGN MANAGE DOCUMENT <small>info@perthdesigngroup.com.au</small>

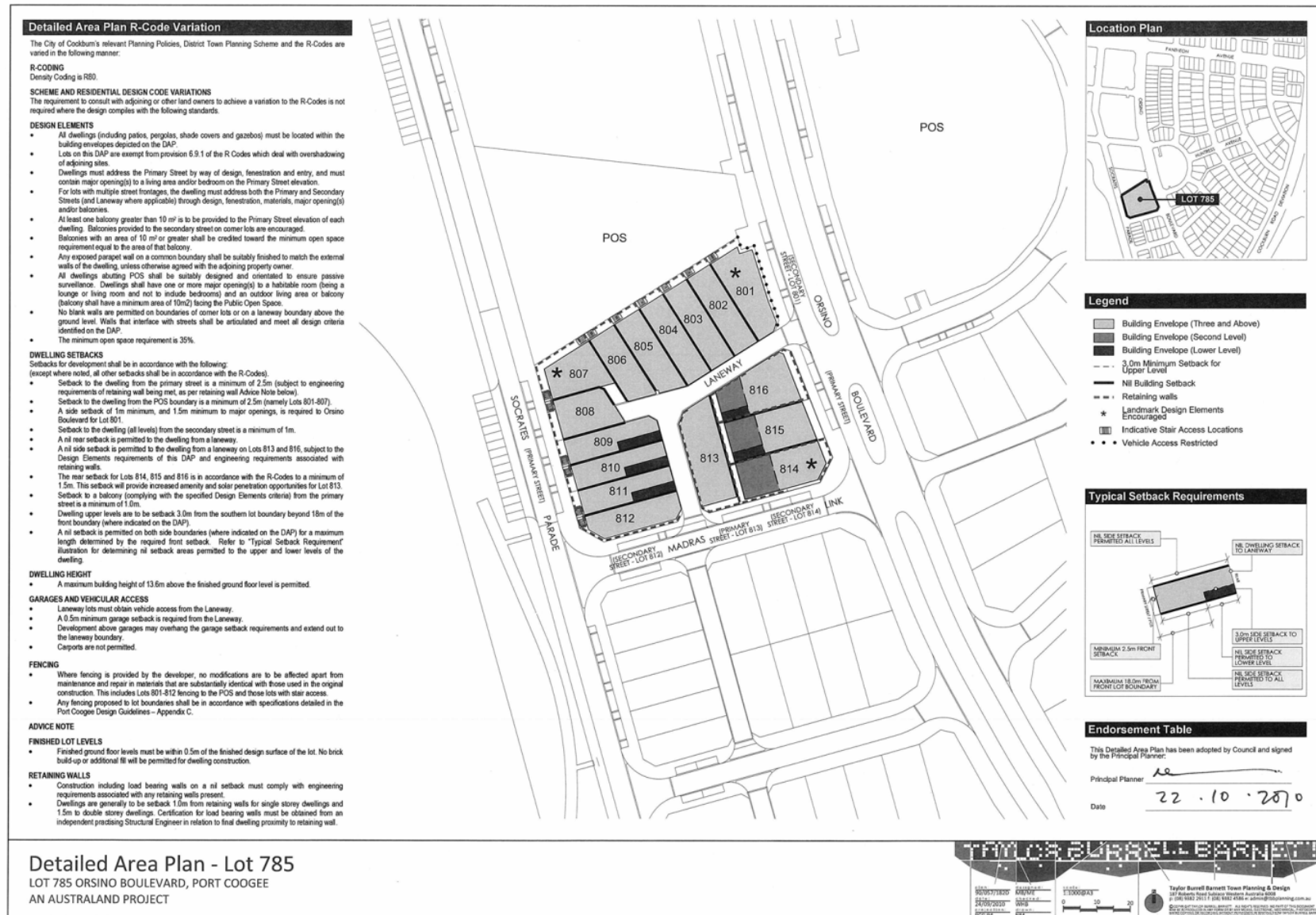
Document Set ID: 10208037
Version: 1 Version Date: 10/02/2021



CLIENT: MASTAGLIA		VARIATION:	DATE:	SCALE: 1:100	JOB No: 1836	 PERTH DESIGN GROUP <small>DESIGN MANAGE DOCUMENT</small>
ADDRESS: LOT 813 #4 MADRAS LINK, NORTH COOGEE		WORKING DRAWINGS	04-07-19	DRAWN: SB	SHEET: 7	
		3RD LEVEL CHANGE	14-01-20	DATE: SEP' 18		

Document Set ID: 10208037
Version: 1 Version Date: 10/02/2021





Attachment 4 – Schedule of Submissions**DA21/0131 – 4 Madras Link North Coogee**

No.	Name & Address	Submission	Officer's Recommendation
1	Michael & Svetlana Reeves 2 Shallcross Street YANGEBUP	<p><i>Objection.</i></p> <p>1. Michael & Svetlana Reeves as the owners of the adjoining property Lot 815 object to the Retrospective Building Permit Application details of which have been provided in City of Cockburn correspondence dated 12th February for the following reasons. Please note that it's our intention to relocated back to this property as soon as my work returns me to the metropolitan area. Our property is a life time investment for ourselves and hopefully our children in the future. To have the area with so many wonderful houses on display ruined by this failure of the owners for Lot 813 to finish their property as required diminishes the area and affects the life style and quality of life for the surrounding neighbours. The appeal to the suburb is clearly described in the Port Coogee Design Guidelines but captured in summary as follows, that is, unique, vibrant, contemporary architecture influenced by the special qualities of the site, a wise and profitable investment and finally the centerpiece of the City of Cockburn.</p> <p>2. During 2019 the City of Cockburn accepted and approved by way of</p>	<p>1. Supported.</p> <p>Amenity impact of the finish of the boundary wall, where it does not match the remainder of the dwelling, is noted.</p> <p>2. Noted.</p> <p>Impact on adjoining property owners is acknowledged, however the length, height and location of the wall itself is compliant with the LDP and is not within the scope of this assessment.</p> <p>3. Noted.</p> <p>The planning framework/LDP that applies to the subject site is noted.</p> <p>4. Noted.</p>



		<p>Building Permit Number BP19/0798 for Lot 813 (4) Madras Link North Coogee the development of a three-level building for Cindy Mastaglia and Daniel John Mastaglia. This approval included for a three level 10.54m high masonry wall approximately 34m in length on the adjoining property boundary. This imposing wall has a significant direct impact on the adjoining properties which include Lot 814, 815 and 816 with respective street addresses of 2 Madras Link, 25 Orsino Boulevard and 27 Orsino Boulevard North Coogee. Noteworthy, is the fact the wall is clearly visible from Madras Link the primary street front and many other locations throughout then suburb. The wall has no street appeal, no mix of materials and no windows at all and the local landowners in the area take exception to the imposing wall structure. The impact on Lot 814 and 815 is significant however, on adjoining property Lot 816 the impact may not be as significant as the others as it's located behind their garage and the height is only single and two level on their adjoining boundary.</p> <p>3. The application of Port Coogee Design Guidelines, City of Cockburn Planning Policies, District Planning Scheme and R Codes apply in the following manner: R-Coding Density Coding is R80. These requirements include for:</p> <p>4. Any exposed parapet wall on a common boundary shall be suitably</p>	<p>The provision of the LDP that is being varied is noted.</p> <p>5. Not Supported.</p> <p>The setback requirements of the LDP, and solar orientation, are not considered as part of this application.</p> <p>6. Noted.</p> <p>The approval process in compliance with the Contract of Sale is acknowledged, however the City is not a party to this.</p> <p>7. Noted.</p> <p>The current status, and history in the lead-up to this application, is noted.</p> <p>8. Noted.</p> <p>Please see submission 1, point 4.</p> <p>9. Noted.</p>
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		<p>finished to match the external wall of the dwelling, unless otherwise agreed with the adjoining property Owners.</p> <p>5. Dwelling Setbacks for developments shall be in accordance with the following: The required setback for Lots 814, 815, and 816 is in accordance with the R-Code minimum of 1.5m. The setback will provide increased amenity and solar penetration opportunities for Lot 813.</p> <p>However, instead of optimizing the design to take advantage of this setback, increased amenity and solar penetration as was the planning philosophy, the dwelling design included for a continuous masonry block wall circa 35m in length and 10.54m high. Compliance with the above requirements is bound into the MinterEllison Contract of Sale document applicable to this development.</p> <p>6. Approval Process</p> <p>The property development approval process is as follows.</p> <p>a. Minter Ellison Lawyers Contract of Sale of the property, includes the express provision for compliance with the condition of sale defined terms "Design Guidelines means the technical guidelines and Design Guidelines approved and adopted by the Local Authority pursuant to the Town Planning Scheme relating to the property as amended from time to time".</p>	<p>The outcome of the Directions Hearing (15 January 2021) was that the Directions Notice be stayed, pending the determination of this application.</p> <p>10. Noted.</p> <p>Please see submission 1, points 4 and 6. It is also noted that the current finish of the wall is deemed to be in compliance with the definition of the term 'facebrick'. Reference to other aspects of the Design Guidelines, such as wall materials to the front/other sides of the dwelling, are not considered as part of this application.</p> <p>11. Noted.</p> <p>Please see submission 1, point 4. Also note that the logistics of the scaffolding and finding suitable tradespeople are not considered as part of this application.</p>
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		<p>b. The Planning and Development Act 2005 (WA).</p> <p>c. Port Coogee Design Guidelines, which includes for the assessment and approval by the Design Approval Coordinator (DAC) who has been appointed to assess the house design prior to submission to the City of Cockburn for Building Licence.</p> <p>d. Compliance with The City of Cockburn Building Permit BP19/0798 which specifies that "all building work must be carried out in accordance with any conditions set out below:</p> <p style="padding-left: 40px;">i. BPR003 Basis of Approval-The drawings are approved subject to compliance with the Building Act 2011, Building Regulations 2012, Building Code of Australia (as amended), all relevant Acts, Regulations, Local Laws and Conditions of Approval".</p> <p>e. Port Coogee Design Guidelines, Design Committee who will be appointed by the Developer to monitor the implementation of the Design Guidelines, hear appeals against the decision of DAC and act as an arbitrator in resolution of disputes.</p> <p>7. Current Status</p> <p>a. Adjoining property Owners more than 12 months ago on the 16th January 2020 formally notified Sindy and Daniel John Mastaglia that " With respect to our previous discussion</p>	<p>12. Supported.</p> <p>Please see submission 1, point 1.</p> <p>13. Noted.</p> <p>Photographs of dwellings with majority matching finishes to establish the character of the locality is noted.</p> <p>Photographs of dwellings with boundary walls where finishes do not match is noted and addressed in the Table in the body of this report.</p> <p>Photographs identifying imperfections in the brickwork are not supported as the wall is deemed to be facebrick of an acceptable standard of work.</p> <p>Scaffolding plans are noted but are not considered as part of this application.</p>
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		<p>regarding the setback and exposed parapet wall on the common boundary, the code has express provisions and for that reason, please be advised that we shall provide and coordinate access on our property to allow the parapet wall on your dwelling to be finished to match the external walls of your dwelling to comply with the Code”.</p> <p>b. City of Cockburn were made aware of this building contravention on. The 16th January 2020 and formally notified of concerns on 21st April 2020 and further have been continually update regarding concerns since that date.</p> <p>c. Building works are well advanced, and the Owners of Lot 813 have intentions to move into the property imminently.</p> <p>d. Three of the four external walls of the property Lot 813 have been rendered and painted. The adjoining masonry block wall has not been rendered and painted to match the external walls of the remainder of the dwelling as is required.</p> <p>e. The Design Approval Coordinator on the 24th September 2020 reconfirmed “The requirements for finishing the nil boundary walls are governed by the Local Development Plan where it states that the Boundary wall is to ne finished to match the dwelling walls or as otherwise agreed”.</p>	
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		<p>f. The City of Cockburn has issued a Direction Notice on the 19th November 2020 to comply with the development application and render and paint the wall.</p> <p>g. The adjoining property owners of Lot 814 and Lot 815 on the 23rd November 2020, requested via the Freedom of Information Act information regarding the Lot 813 development. This information may not be available until the 9th April 2021 which is after the assessment date and 18 weeks after the initial request.</p> <p>h. The Owners of Lot 813 have appealed the City of Cockburn Direction Notice to the State Administrative Tribunal. The Directional Hearing was convened on 15th January 2021.</p> <p>i. SAT has appointed an architect and town planner to undertake a site inspection on the 10th May 2021.</p> <p>j. Sindy Mastaglia and Daniel John Mastaglia the Owners of Lot 813 have submitted a "Retrospective Single (R-Code) House-Finish of Eastern Wall 4 Madras Link North Coogee WA</p> <p>k. Planning Solutions have been engaged by Sindy Mastaglia and Daniel John Mastaglia to prepare an Application for Approval to Commence Development-Finish of Wall on Eastern Boundary. This relates to a wall that has already been constructed and should be rejected.</p>	
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		<p>l. The Owners of the adjoining properties have been provided with limited information and have been requested to make a Submission Response by 5th May 2021.</p> <p>m. The Retrospective Application is to proceed to City of Cockburn meeting on 8th April 2021 for determination.</p> <p>8. Compliance Contraventions</p> <p>The wall has not been rendered and painted, therefore, contravenes the following:</p> <p>a. The Minter Ellison Contract of Sale of Property which includes express provisions requiring compliance with the Port Coogee Guidelines and the Planning and Development Act.</p> <p>b. The Port Coogee Design Guidelines, assessment and approval by the Design Approval Coordinator (DAC) specifies that "The requirements for the finishing the nil boundary walls are governed by the Local Development Plan where it states that the boundary wall is to be finished to match the dwelling walls or as otherwise agreed to by the adjoining property Owners. The Local Development Plan is a statutory document governed by the City of Cockburn".</p> <p>c. The City of Cockburn building Permit BP19/0798 which requires compliance with approved drawings which specifies that</p>	
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		<p>"Building Permit Approval-BP19-0798-Lot 813 (4) Madras link North Coogee Design Elements Any exposed parapet wall shall be suitably finished to match the external walls of the dwelling, unless otherwise agreed with the adjoining property Owner.</p> <ul style="list-style-type: none">i. Owner of Lot 814 did not agree to vary the rendering and painting requirements of the approval.ii. Owner of Lot 815 did not agree to vary the rendering and painting requirements of the approval.iii. Owner of Lot 816 indicated on more than one occasion that they were not affected by the adjoining wall as its low level and that it is situated behind their garage and that they would not make a submission to the City of Cockburn. <p>d. The dispute resolution process outlined in the Minter Ellison Contract of Sale has been ignored.</p> <p>9. State Administrative Tribunal</p> <ul style="list-style-type: none">a. The City of Cockburn issued a Direction Notice dated 19th November 2020 to Sindy Mastaglia and Daniel John Mastaglia to render and paint the wall. This Direction Notice was appealed by the Owner-Builder of Lot 813 and the matter referred to the State Administrative Tribunal. The first direction hearing was	
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		<p>convened on 16th January 2021. Deputy President Judge D.R. Parry determined that SAT would engage an Architect and Town Planner to facilitate a site inspection at 9:30am on 10th March 2021 followed by a mediation session on the same date.</p> <p>b. Based on a combined submission with our neighbours Lenard and Kathryn Greenhalgh on the 15th January 2021 that we are uniquely positioned to contribute to the proper resolution of the issues by directly identifying the potential impacts to the neighbours. Respectfully, the City of Cockburn cannot articulate as we can. SAT Judge Parry during the Directional Hearing agreed to allow both Kathryn and Lenard Greenhalgh to attend the site inspection and mediation to make an oral submission and then may participate at the discretion of the mediator. We communicate regularly and support the submissions to the fullest extent possible.</p> <p>c. Without any prior notice the City of Cockburn has received a submission on behalf of the Owner-Builder of Lot 813 from a Town Planner, Planning Solutions, seeking development approval to leave the boundary wall as unfinished masonry block thus derailing the SAT process</p> <p>d. Three days later the City of Cockburn issued correspondence to</p>	
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		<p>the adjoining property owners that a Retrospective Single (R-Code) House-Finish of Eastern Boundary Wall 4 Madras link North Coogee</p> <p>10. Planning Solutions Application for Retrospective Development Approval Report</p> <p>a. Anomalies and Comments</p> <p>i. The Planning Solutions document dated 9th February 2021 and submitted to the Chief Executive Officer of City of Cockburn has anomalies, process errors and perceived misrepresentations generally as follows:</p> <p>b. Background</p> <p>i. The Planning Solutions report fails to address approval process provision that have been incorporated into the MinterEllison Contract of Sale and in particular the Design Approval Coordinator-Design Committee review and approval process.</p> <p>ii. Further, the Planning Solution report fails also to address the fact the "Building Permit Approval-BP19-0798-Building Permit Application-Lot 813 (4) Madras Link North Coogee issued by City of Cockburn has express provisions that states, "Any exposed parapet wall on the</p>	
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		<p>common boundary shall be suitably finished to match, external walls of the dwelling, unless otherwise agreed with the adjoining property Owners". Suitably finished to match has the meaning rendered and painted.</p> <p>iii. Planning Solutions report confirms that the "The house was subsequently constructed in accordance with the (building) permit, including brick-face finish on the eastern wall and rendered finish on the other three elevations". This is not correct as the Design Approvals Coordinator assessed and approved the drawings subject to the eastern wall being rendered and painted to match the remainder of the external dwelling walls.</p> <p>c. Site Details</p> <p>i. The development site in question is Lot 813, No. 4 Madras Link North Coogee not Lot 815 as indicated in the Planning Solutions Report.</p> <p>ii. The subject site is located on the north eastern side of the Ceylon Turn Laneway and not northern and western sides as indicated in the Planning Solutions report.</p> <p>d. Proposal included in the Planning Solutions Application</p> <p>i. Noteworthy is the fact that the application submitted to the</p>	
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		<p>City of Cockburn Chief Executive Office is not as indicated an "Application for Approval to Commence Development Finish of Wall on Eastern Boundary" but the application is a "Retrospective request for approval as the wall has already been constructed. Further, the construction was not in accordance with the Development Approval DA 19/0366 and Building Permit BP19/0798 as indicated in the Planning Solutions Report.</p> <p>ii. The proposal failed to make the City of Cockburn CEO aware that the wall was the subject of a Direction Notice dated 19th November 2020, or that a State Administrative Tribunal Direction Hearing was convened on the 15th January 2021 and the SAT appointment of an architect and town planner to attend and assess during a site inspection on 10th March 2021 and subsequent mediation scheduled for the same day.</p> <p>iii. The Planning Solutions report has introduced terminology and makes reference to brick-face. Clearly, this is an attempt to obtain approval for a masonry blockwork wall material finish that is not rendered and painted.</p> <p>iv. To elaborate, there is a significant contradiction in the</p>	
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		<p>Planning Solutions report and application. First the application requests approval for brick-face, however, what has been constructed is unfinished masonry blockwork which is not permitted. Second, the masonry wall has imperfections, discoloration and is unfinished. The verticality of the mortar joints in the blockwork does not comply with the Building Code of Australia. Please refer to the photographs below.</p> <p>v. The subject wall appears on the elevation drawing, however, the masonry structure about the center of the building does not appear on the elevation drawing provided.</p> <p>vi. Planning Solutions have provided representations that unfinished masonry block and face brick wall are common throughout the immediate area in the estate, however, the report relies on laneway walls currently affected by construction and not primary street visibility walls. The photographs below clearly confirm that all the Ceylon Turn Laneway walls to the south where construction has been completed have been rendered and painted. Further, all the walls in adjoining Socrates Parade (with</p>	
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		<p>the exception of parapet walls on one dwelling) the adjacent Draper Street, Lucretia Crescent and Orsino Boulevard to the North and South have all been rendered and painted.</p> <p>vii. The adjoining wall between Lot 813 and Lots 814,815 and 816 is masonry block and not face brick as indicated in the Planning Solutions Report.</p> <p>e. Planning Framework</p> <p>i. The Planning Solutions report fails to address the approval process provision that has been incorporated into the MinterEllison Contract of Sale and in particular the Design Approval Coordinator-Design Committee review and approval process.</p> <p>ii. Design Guidelines commentary included in the Planning Solutions report for wall materials is not correct and should read:</p> <p>1. "Wall Materials</p> <p>The location of Port Coogee results in high exposure to salt, wind and sun leading to degradation of materials. Extra care should be taken to ensure material and finishes are selected that are resistant to these elements</p>	
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		<p>or are easily maintained to ensure longevity.</p> <p>Street appeal will be generated by the clever use and composition of exterior materials, colours and finishes with the following principles: A mix of materials is essential</p> <p>Ground floor materials should give the appearance of strong, solid and heavier construction</p> <p>Lightweight 'features' materials are encouraged on the upper levels</p> <p>The mass of buildings is to be minimized by variations in wall and roof liner</p> <p>Acceptable wall materials include:</p> <p>Painted rendered masonry, stonework, rammed earth, face brickwork, split blockwork, painted or clear timber boards, eco-ply, corrugated metal cladding and painted fibre cement sheeting</p> <p>Alternative wall materials may be permitted subject to their design merit</p> <p>Dwellings that express 100% solid masonry wall material construction will not be approved.</p> <p>A minimum of two wall materials shall be used to the dwelling with no one material constituting more than 80% of the front elevation (not including windows).</p> <p>f. Merit Assessment</p>	
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		<p>A mix of materials is essential- did not comply</p> <p>Ground floor materials should give the appearance of strong, solid and heavier construction- did not comply</p> <p>Lightweight 'features' materials are encouraged on the upper levels- did not comply</p> <p>The mass of buildings is to be minimized by variations in wall and roof liner- did not comply</p> <p>Acceptable wall materials include:</p> <p>Painted rendered masonry, stonework, rammed earth, face brickwork, split blockwork, painted or clear timber boards, eco-ply, corrugated metal cladding and painted fibre cement sheeting- did not comply</p> <p>Alternative wall materials shall be considered subject to their design merit- did not comply</p> <p>Dwellings that express 100% solid masonry wall material construction will not be approved. - did not comply</p> <ul style="list-style-type: none"> i. Photograph 1- of the Planning Solutions Report- Photograph of the boundary wall, as viewed from the South (Madras Link). This is not a true representation of the eastern adjoining boundary wall, please refer to the photographs below- ii. Photograph 2 -of the Planning Solutions Report -Western 	
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		<p>wall of 3 Ceylon Turn Laneway.</p> <p>This is not a true representation of the wall from the primary street front. Noteworthy is the fact the wall is selected reconstituted limestone blocks. Please refer to the photographs below.</p> <p>iii. Photograph 3 -of the Planning Solutions Report- Eastern wall of Ceylon Turn Laneway.</p> <p>Noteworthy is the fact the wall features concrete blocks that have been designed by an architect and constructed by a very reputable builder. Please refer to the photographs below of the dwelling primary street front.</p> <p>iv. Photograph 4 -of the Planning Solutions Report-Eastern wall of 11 Ceylon Turn Laneway.</p> <p>This photograph does not support the application, to the contrary the wall will be completely covered by a parapet wall as soon as the construction of the adjacent property is completed. Please refer to the photograph below of the dwelling primary street front.</p> <p>v. Photograph 5 – of the Planning Solutions Report Western wall of 7 Ceylon Turn Laneway.</p> <p>This photograph does not support the application, to the</p>	
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		<p>contrary the wall will be completely covered by a parapet wall as soon as the construction of the adjacent property is completed. Please refer to the photograph below of the dwelling primary street front.</p> <p>vi. Regarding the prominent four-story face-brick dwelling (not brick-face as indicated in Planning Solutions report) it is understood to have been approved by City of Cockburn and accepted by the adjoining property Owners. Others can confirm this is the case.</p> <p>vii. Finally, none of the walls referred to in the photographs included in the Planning Solutions application proposal are visible from the adjoining property (Lot 814). Which is contrary to the Planning Solutions Report.</p> <p>11. Closing Comments on Planning Solutions Report and Application</p> <p>i. Two of the three adjoining property owners Lot 814 and Lot 815 have always maintained the rendering and painting provisions of the Port Coogee Design Guidelines and the Building Permit Approval-BP19-0798 should be upheld. The adjoining property owner of Lot 816 has discussed the eastern boundary wall on more than one occasion and has indicated that they are not affected as</p>	
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		<p>the wall is one level and behind their garage. However, they did request an update recently.</p> <p>Note: If this has changed the agreement that has been reached with Cindy and Daniel Mastaglia is not understood.</p> <p>ii. A scaffolding design compliant with Australian Standards required to provide access to render and paint the Eastern wall has been provided to the Owner-Builder of Lot 813 and copied to City of Cockburn. This included safe access that spans the swimming pool of Lot 815. Noteworthy, is the fact that access to erect scaffolding during construction had already been provided to the Owner-Builder of Lot 813 during construction.</p> <p>Regarding cost, whilst all parties want to minimize cost to Sindy and Daniel Mastaglia, however, the requirement to render and paint the adjoining property wall to match the other external walls of the dwelling shall not be compromised.</p> <p>Regarding the landscaping referred to in the report, there is no landscaping adjacent to the eastern wall on adjoining properties, therefore, this appears to be an error</p>	
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		<p>in Planning Solutions document.</p> <p>Tradesmen have just about completed rendering and painting all three walls to the south, west and North to date to all three levels, the comment by Planning Solutions indicating "it would be difficult to find tradesmen to render the wall is questionable.</p> <p>12. Conclusion</p> <p>Firstly, the impact on our property is significant and from an emotional point of view, we have worked and saved all our lives to reside in a prestige beachside location such as Port Coogee. On this topic, dealing with the fragile neighborhood relationship is impacting on our mental health and wellbeing. The wall is continually the topic of discussion with neighbours, visitors to our home and locals passing by our home and it is all unnecessary.</p> <p>Secondly, the negative cost impact on our property value is significant and should not be understated. This impact can be assessed by professionals at the appropriate time.</p> <p>We cannot understand why the Owners Sindy and Daniel Mastaglia do not want to complete their property to the standard of the rest of the neighborhood and capitalize on</p>	
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		<p>the value of their own property.</p> <p>Regarding the emotional cost, this is also significant and cannot be measured in terms of dollars.</p> <p>Finally, the requirements of the approvals and permits articulated above should be upheld and all subsequent retrospective applications should be rejected. The City of Cockburn Direction Notice should be reactivated and upheld and completion of the works denied until such time as the dwelling construction is compliant.</p> <p>13. Attachments</p> <ul style="list-style-type: none">• City of Cockburn correspondence dated 12th February 2021 and the executed "Submission Response".• Extract from the Building Permit Approval_BP19 0798-Building Permit Application_ Lot 813 (4) Madras Link North Coogee.• Photograph 1a. Adjoining Wall from the South:	
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		 <ul style="list-style-type: none">• Photograph 1b. Wall from the Adjoining Property Owner's balcony:  <ul style="list-style-type: none">• Photograph 1c. Masonry Blockwork verticality compliance:	
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		 <ul style="list-style-type: none">• Photograph 1d. Masonry Blockwork Wall Unfinished:  <ul style="list-style-type: none">• Photograph 1e. Masonry Blockwork Wall Imperfections Throughout the Entire Wall:	
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		 <ul style="list-style-type: none">• Photograph 1f. Masonry Blockwork Wall Imperfections Throughout the Entire Wall:  <ul style="list-style-type: none">• Photograph 1g Socrates Parade All the Properties 9except 1) including Apartments with Rendered and Painted Walls:	
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		 <ul style="list-style-type: none">• Photograph 1h. All the Properties to the South with Rendered and Painted Walls:	
		 <ul style="list-style-type: none">• Photograph 1i. Draper Street Adjacent Street with all the Walls Rendered and Painted:	





- Photograph 1j. Lucretia Circle All the Properties have Rendered and Painted Walls:



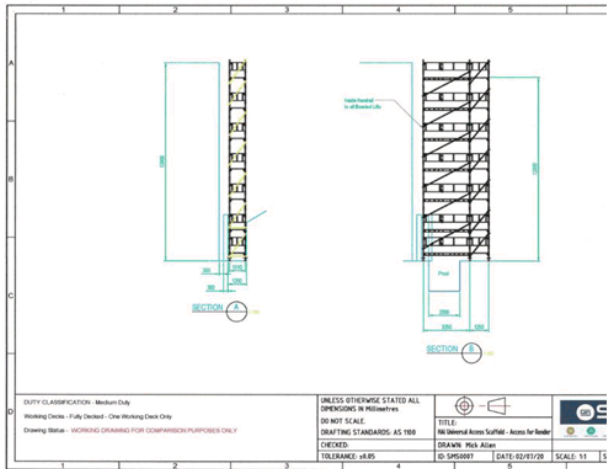
- Photograph 1k. Orsino Boulevard:

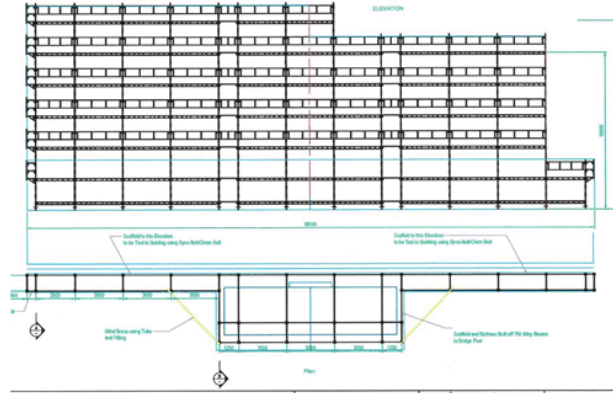


- Photograph 11. Scaffolding as erected on Lot 814
Adjoining Property Owner:



Scaffolding design:



		<div><p>ASSIGNMENT: Medium Duty Notes: Fully Detailed - One Working Deck Only Status: WORKING DRAWING FOR COMPARISON PURPOSES ONLY</p><p>UNLESS OTHERWISE STATED ALL DIMENSIONS IN MILLIMETRES DO NOT SCALE DRAWING STANDARDS: AS 100</p><p>CHECKED: TOLERANCE: ±0.05</p><p>TITLE: 100 Internal Access Scaffold - Access for Reader DRAWN: Mick Allen ID: 12454007 DATE: 02/07/20 SCALE: 1:1 SHEET</p></div>
2	<p>Lenard & Kathryn Greenhalgh</p> <p>2 Madras Link NORTH</p>	<p><i>Objection.</i></p> <p>1. Kathryn and Lenard Greenhalgh the owners of 2 Madras Link North Coogee have saved and build their lifetime dream retirement home and have settled into the property and coastal development seven years ago. The appeal to the suburb is</p>
		<p>1. Supported.</p> <p>Amenity impact of the finish of the boundary wall, where it does not match the remainder of the dwelling, is noted.</p>



	COOGEE	<p>clearly describe in the Port Coogee Design Guidelines but captured in summary as follows, that is, unique, vibrant, contemporary architecture influenced by the special qualities of the site, a wise and profitable investment and finally the centerpiece of the City of Cockburn.</p> <p>NOTE – POINTS 2-13 LISTED ABOVE IN SUBMISSION 1, INCLUDING ALL PHOTOGRAPHS, ARE INCLUDED AS THE SAME IN THIS SUBMISSION.</p>	<p>2-13. OFFICER COMMENTS ARE AS PER THOSE FOR SUBMISSION 1.</p>
--	--------	---	--

FORM B4

L604400 RC
 15 Apr 2011 12:52:07 Perth
 REG \$ 135.00
 10 May 2011
 EBU NO.
 8686285 \$52

LOGGED BY

ADDRESS
 WESTLAND SETTLEMENT SERVICES PTY LTD
 PO BOX Z5326
 PERTH WA 6831
 PHONE No. TEL: 9325 1166 FAX: 9325 3166
 FAX No. westsetts@arach.net.au

REFERENCE No.

ISSUING BOX No. 193J

PREPARED BY Mallesons Stephen
 Jacques
 ADDRESS Level 10, 150 St Georges
 Terrace Perth
 PHONE No. 9269 7000
 FAX No. 9269 7999

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

2/3

TITLES, LEASES, DECLARATIONS ETC LODGED HERewith

1.	Received Items
2.	Nos.
3.	
4.	
5.	
6.	Receiving Clerk

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.

EXAMINED


Landgate



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Landgate
www.landgate.wa.gov.au

Page No. 10 of 10 Pages

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Landgate
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FORM B1

Page No. 9 of 10 Pages

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED

ADDITIONAL PAGE TO

Dated 14/4/11

Australia and New Zealand Banking Group Limited ABN 11 005 357 522 as Mortgagor of Lot 9047 on Deposited Plan 62826 and being the whole of the land comprised in Certificate of Title Volume 2739 Folio 193 hereby consents to this Deed.

Signed by Jasmine Ashton
as attorney for **AUSTRALIA AND NEW
ZEALAND BANKING GROUP LIMITED**
ABN 11 005 357 522 under power of
attorney dated 29 April 2003
registered number 486779 PA
in the presence of

SHENG GAN
Signature of witness

SHENG GAN
Name of witness (print)

18/20 MARTIN PLACE SYDNEY
Witness address

BANKING
Witness Occupation

[Signature]
Signature of attorney

**Section 136D Deed of Restrictive Covenant
Port Coogee -
Omeo Stage - Deposited Plan 70097
Signing page**

DATED: 21st January 2011

PORT CATHERINE
DEVELOPMENTS PTY LTD by
its attorney JULIAN URQUHART
under power of attorney registered
number L342485 dated 8 June 2010
in the presence of:

[Signature]
Signature of witness

Simon Cardona
Full name of witness (block letters)

115 Cambridge St, Leederville
Address of witness

Development Manager
Occupation of witness

[Signature]
By executing this deed the attorney
states that the attorney has received
no notice of revocation of the power
of attorney

3.2 Expiry of certain Restrictive Covenants

The covenants in subclause 2.2 expire on a date 10 years from the date of registration of the application for new certificates of title for the land in the Deposited Plan.

4 Consents under s136E of the Transfer of Land Act

The Registered Proprietor will obtain any consents required under section 136E of the Transfer of Land Act to the creation of this deed and the creation of the restrictive covenants over the Lots pursuant to Section 136D of the Transfer of Land Act.

EXECUTED as a deed

5. Limitations, Interest, Encumbrances And Notifications.

Mortgage L416844.
Memorial: L333027.

See Ex. 28.6.11

Actual Register of Title



- (i) without two (2) or more clearly defined wall materials neither of which is greater than 80% of the front elevation (not including windows);
 - (ii) which has eaves, except where nil lot boundaries with less than 450mm overhang; and
 - (iii) with air conditioning units visible from the primary street:
- (w) in respect of any fence on the top of any retaining wall, or an estate boundary fence (which will be constructed on the western boundary of the Lot), which was constructed by the Registered Proprietor:
- (i) fail to maintain the retaining wall fence or the estate boundary fence in good condition;
 - (ii) where the retaining wall fence or estate boundary fence requires repair or replacement, use materials other than those which are substantially identical with those used in its original construction; or
 - (iii) build any other fence in front of or immediately behind the retaining wall fence or the estate boundary fence;
- (x) subject to covenant 2.2(w), construct a fence on the northern or southern boundary of the Lot adjacent to a side street unless the fence is a 1.8 metre high semi permeable screen fence which is at least 70% permeable using timber or aluminium battens or louvres;
- (y) subject to covenant 2.2(w) construct any fence on any boundary of the Lot using super six or other fibro cement material; or
- (z) construct any residence, or alter the structure, integrity or finish of a completed residence, other than in accordance with the Design Guidelines and Detailed Area Plan and in accordance with the prior approval or consent of Registered Proprietor, the local authority having jurisdiction.

3 Benefit and Burden

3.1 Binding of Registered Proprietor and successors etc

The burden of the covenants in clause 2 is appurtenant to and will run with the Lot for the benefit of every other Lot in the Land to the intent that the covenants will bind the Registered Proprietor and the registered proprietor from time to time of the Lot and will be for the benefit of the Registered Proprietor and any other registered proprietor from time to time of every other Lot in the Land but not so as to render the Registered Proprietor personally liable after the Registered Proprietor has parted with all interest in the Land.

- (i) the wall or fence is not visible from any street and is behind the building line; or
- (ii) the fence or wall is constructed from materials predominantly rendered brick, metal or aluminium battens or Colorbond material;
- (m) allow any boundary fence to fall into a state of disrepair;
- (n) allow any building materials or rubbish to remain at the front of the dwelling constructed on the Lot or otherwise in a place visible from the street for longer than one (1) month after the completion of the dwelling;
- (o) leave any vacant area or the front of the Lot in an unlandscaped condition for longer than three (3) months after the dwelling has become available for occupation by residents. For the purpose of this covenant "unlandscaped condition" means that the unlandscaped portion of the Lot is not grassed, planted with vegetation or otherwise beautified by natural or artificial means;
- (p) display any advertising or business sign on the Lot or in any window of or on the walls of the dwelling on the Lot except for a temporarily placed professionally produced real estate sign associated with the proposed sale of the Lot;
- (q) erect a "For Sale" sign on the Lot before a dwelling has been constructed on the Lot prior to the third anniversary of the date of registration of the application for new certificates of title for the land in the Deposited Plan;
- (r) carry out or allow the carrying out of repairs to any vehicle, motorcycle, trailer, boat or caravan on the Lot unless in a position not visible from any street, waterway or any lot adjacent to the Lot;
- (s) park or store (or allow to be parked or stored) any vehicle of a commercial nature, such as a truck or utility, or any caravan, trailer, boat or any mobile machinery (except for commercial vehicles in use by non-resident tradesperson during the normal course of business) unless any such vehicle or item is housed or contained wholly within a garage or other fully enclosed storage area on the Lot;
- (t) store any rubbish disposal container in any place within the Lot which is visible from any street (other than at times when the container is put out for street collection when it will be removed as soon as possible after collection);
- (u) construct any dwelling on the Lot without, at the same time, constructing a letter box at the street frontage in the same material and finish as the walls of the dwelling;
- (v) construct any dwelling on the Lot;



2 Covenants

2.1 Creation of Restrictive Covenants under s 136D

The Registered Proprietor pursuant to section 136D of the Transfer of Land Act 1893 creates the covenants set out in clause 2.2 in respect of the Lots and the covenants will be registered against the Certificate of Title to each Lot.

2.2 Restrictive Covenants

The Registered Proprietor (which expression includes the transferees, assigns and successors of the Registered Proprietor) covenants that the Registered Proprietor will not:

- (a) construct a dwelling on a Lot which is transportable or otherwise not of a permanent nature;
- (b) construct a car port;
- (c) construct a garage, with a roof of any material other than the material used for the roof of the dwelling;
- (d) construct a garage other than a garage which is accessible only from the eastern boundary of the Lot;
- (e) use any roof materials in connection with any dwelling on the Lot other than concrete tiles, clay tiles, slate, Colorbond or zincalume which has been painted or otherwise coated with a non-reflective surface;
- (f) install any solar hot water heater which does not fit the roof profile of the dwelling or which is elevated at an angle to the roof profile or which does not otherwise match or complement the dwelling;
- (g) install any solar hot water heater tanks which are visible from outside the Lot;
- (h) erect any satellite dishes or antennas of any kind on the front facades of any building on the Lot or forward of the building line;
- (i) erect any radio, television, telecommunication or other tower on the Lot;
- (j) construct any outbuilding on the Lot between a dwelling and primary street unless it is not visible from the street in front of the dwelling or unless, if visible from any other street, it is constructed of material predominantly brick or Colorbond and in the same colour scheme as the dwelling constructed on the Lot;
- (k) install a clothes line or rain water tank which is visible from any street;
- (l) construct any fence or wall from the dwelling on the Lot to the boundary of an adjoining Lot unless:

**Section 136D Deed of Restrictive Covenant
Port Coogee -
Omeo Stage - Deposited Plan 70097
General terms**

1 Definitions

In this Deed:

Deposited Plan means the deposited plan referred to in the Details of this deed;

Detailed Area Plan means the plan entitled "Detailed Area Plan" that is in the form approved or adopted by the City of Cockburn from time to time;

Design Guidelines means the document and appendices described as "Design Guidelines" that are in the form approved or adopted by Port Catherine Developments Pty Ltd from time to time;

Land means the land described in the Details of this deed;

Lot means a lot on the Deposited Plan and "Lots" has a corresponding meaning;

1.2 General interpretation

Unless the contrary intention appears a reference in this deed to:

- (a) **(clauses, annexures and schedules)** a clause, annexure or schedule is a reference to a clause in or annexure or schedule to this deed;
- (b) **(reference to statutes)** a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them; and
- (c) **(meaning not limited)** the words "include", "including", "for example" or "such as" are not used as, nor is it to be interpreted as, a word of limitation and when introducing an example, do not limit the meaning of the words to which the example relates to that example or examples of a similar kind.

1.3 Headings

Headings are inserted for convenience and do not affect the interpretation of this deed.



**Section 136D Deed of Restrictive Covenant
Port Coogee -
Omeo Stage - Deposited Plan 70097
Details**

Parties	Registered Proprietor	
Registered Proprietor	Name	Port Catherine Developments Pty Ltd
	ACN	070 096 927
	Address	care of Level 2, 115 Cambridge Street, West Leederville, WA
Deposited Plan	70097	
Land	Lot 9047 on deposited plan 62826 being the whole of the land comprised in certificate of title volume 2739 folio 193.	
Lots	Lots 801-816 (both inclusive) on the Deposited Plan.	
Recitals	A	The Registered Proprietor is the registered proprietor of an estate in fee simple of the whole of the Land.
	B	The Registered Proprietor is subdividing the Land by the registration of the Deposited Plan.
	C	Pursuant to section 136D of the Transfer of Land Act 1893 the Registered Proprietor wishes to register restrictive covenants in respect of all of the Lots so that those covenants will benefit and burden those Lots.
Governing law	Western Australia	
Date of deed	See Signing page	

**Section 136D Deed of Restrictive Covenant
Port Coogee -
Omeo Stage - Deposited Plan 70097
Contents**

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General terms	2
1 Definitions	2
1.2 General interpretation	2
1.3 Headings	2
2 Covenants	3
3 Benefit and Burden	5
4 Consents under s136E of the Transfer of Land Act	6
Signing page	7



MALLESONS STEPHEN JAQUES

Section 136D Deed of
Restrictive Covenant
Port Coogee -
Omeo Stage - Deposited
Plan 70097

Dated 21 January 2011

Port Catherine Developments Pty Ltd (ACN 070 096 927) ("Registered
Proprietor")

Mallesons Stephen Jaques
Level 10
Central Park
152 St George's Terrace
Perth WA 6000
Australia
T +61 8 9269 7000
F +61 8 9269 7999
DX 210 Perth
www.mallesons.com
LMI:KH: 09-0055-6793

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Landgate
www.landgate.wa.gov.au

28/04 2011 THU 16:00 FAX +61892697999 Mallesons

001/001

MALLESONS STEPHEN JAKUES

Confidential communication

28 April 2011

Ms Linda Ivulich
Landgate
PO Box 2222
MIDLAND WA 6936
Fax 9273 7673

Dear Linda

Document Number L604400 (Restrictive Covenant) - Port Catherine Developments Pty Ltd

We refer to document number L604400 being a s136D Restrictive Covenant lodged pursuant to Deposited Plan 70097 (**Document**) and to our recent telephone call regarding this document.

On behalf of our client, Port Catherine Developments Pty Ltd, we confirm that we authorise and request Landgate to insert the following new clause in the Document:

"5 Limitations, Interests, Encumbrances And Notifications over the Lots

In respect of the Lots:

Mortgage L416844

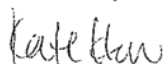
In respect of Lot 814 on Deposited Plan 70097 and Lot 815 on Deposited Plan 70097:

Memorial L333027".

We attach the completed payment authority.

Please contact me if you have any queries.

Yours sincerely



Kate Higgins
Solicitor
Direct line +61 8 9269 7126
Email kate.higgins@mallesons.com

Laurence Iffla
Legal Consultant



Encl

Level 10 Central Park 152 St Georges Terrace Perth WA 6000 Australia
DX 210 Perth ABN 22 041 424 954 per@mallesons.com www.mallesons.com
10706342_1 / 09-0055-6793 / KAHIGGIN

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www.landgate.wa.gov.au





APPROVAL PROCESS FOR A SINGLE DWELLING IN PORT COOGEE

This information sheet has been produced to inform those looking to undertake the construction of a single dwelling in Port Coogee of the requirements of both Australand and the City of Cockburn.

Requirement of Australand

Australand requires as part of the Contract of Sale the endorsement of your dwelling plans by its Design Approval Coordinator (DAC). This endorsement involves an assessment of the plans against two planning documents that apply to your property:

- the Design Guidelines for Port Coogee; and
- the relevant Detailed Area Plan (DAP).

It should be noted that endorsement of the plans by Australand does not include a detailed assessment against the Residential Design Codes (R-Codes). Whilst Australand's DAC may make reference to obvious DAP and R-Code variations, triggering the requirement for the lodgment of a Development Application (DA) with the City of Cockburn, the responsibility for the assessment of your plans against the DAP and R-Codes is the City's.

Once Australand's DAC has endorsed your plans, application can be made to the City of Cockburn (for either a Building Licence, or a Development Application and a Building Licence – see below).

Requirements of the City of Cockburn

Application to the City of Cockburn typically follows Australand's endorsement process. Depending on whether your application is compliant with all of the applicable planning controls, you will be making application for either:

- development approval (Statutory Planning) and a Building Licence (Building Services); or
- a Building Licence only (Building Services).

If your dwelling is fully compliant with the requirements of the Design Guidelines, Detailed Area Plan and the R-Codes, you will only need to make application to the City of Cockburn for a Building Licence. Compliance with all of the applicable planning controls assumes planning considerations have been addressed. This will result in a reduced processing time on the part of the City.

In the event your dwelling does not comply with the requirements of one or more of the applicable planning controls, application for development approval needs to be made and obtained before application for a Building Licence. If development approval is required prior to a Building Licence the process will take longer.

Ideally, your designer or architect is suitably familiar with the controls applicable to Port Coogee and can advise you early in the design process as to whether the development approval of the City is required in addition to a Building Licence. For the purpose of an expeditious approval, you may elect to have plans prepared that are fully compliant.

In the event you have any questions regarding the requirements of the City of Cockburn you should contact the City's Statutory Planning Service's team on 94113578 or 94113579. Australand should be consulted in respect of its requirements on 92147900.

14.2 (2021/MINUTE NO 0048) DEVELOPMENT APPLICATION - TEMPORARY STORAGE YARD AND TWO (2) SEA CONTAINERS - LOT 1 (171) FAWCETT ROAD, LAKE COOGEE

Author(s)	C Wilson
Attachments	<ol style="list-style-type: none">1. Location Plan ↓2. Development Plans ↓3. Schedule of Submissions ↓4. Other Approval On-Site - Retrospective Storage Yard - DA19/0047 - September OCM 2019 ↓
Location	Lot 1 (171) Fawcett Road, Lake Coogee
Owner	Mario Rojnic & Nikola Obradovic
Applicant	Jake Cooper
Application Reference	DA20/1042

RECOMMENDATION

That Council:

- (1) GRANT temporary planning approval for a Storage Yard and two (2) sea containers at Lot 1 (171) Fawcett Road, Lake Coogee, in accordance with the approved plans and 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 (including any amendments marked in red).
2. This is a temporary approval valid for a period of two (2) years from the date of this decision. Upon expiry of this approval, the approved use shall cease. All materials being stored and the structures and sea containers pertaining to this approval shall be removed unless a subsequent planning approval is issued by the City.
3. All stormwater shall be contained and disposed of on-site to the satisfaction of the City.
4. Prior to the commencement of the use, a detailed Dust Management Plan (DMP) shall be submitted to and approved by the City. The DMP shall thereafter be implemented for the duration of the approval, to the satisfaction of the City.
5. Prior to the commencement of the use, a detailed Access Management Plan (AMP), that details how access will be achieved to the Storage Yard and a crossover location, shall be submitted to and approved by the City. The AMP shall thereafter be implemented for the duration of the approval, to the satisfaction of the City.
6. No storage of goods or structures shall be stored outside of



the Storage Yard as shown on the hereby approved plans, to the satisfaction of the City.

7. For the duration of the approval, the Storage Yard shall only be accessed and used between the hours of 8am to 6pm on Mondays to Fridays only. No access or use of the Storage Yard is permitted on Saturdays, Sundays or Public Holidays.
8. The sea containers hereby approved shall only be used for storage purposes and shall not be used for human habitation, 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 City, or with any requirements of the City of Cockburn Town Planning Scheme No. 3 or with the requirements of any external agency.
- b) The issue of a planning approval does not negate the need for the owner and/or applicant to seek all other required approvals for the site. You may also require approval under the Strata Titles Act 1985, approval from any relevant Strata company or other Strata Lot owners.
- c) No storage or any other related development shall be located within 1.2m from a septic tank or within 1.8m from a leach drain. Please be advised that it is the obligation of the applicant/landowner(s) to ensure sufficient setbacks to the effluent disposal system(s) are maintained at all times.
- d) With regards to Condition No. 2, the applicant/landowner(s) are advised that if it is proposed to continue the use of the land beyond the expiration of the approval period, a 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.
- e) With regards to Condition No. 4, the detailed Dust Management Plan shall comply with the City's "Guidelines for the Preparation of a Dust Management Plan for Development Sites within the City of Cockburn".
- f) With regards to Condition No. 5, any new crossovers are to be located and constructed to the City's specifications. Copies of crossover specifications are available from the City's Engineering Services or from the City's website www.cockburn.wa.gov.au.
- g) The development shall 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.

- h) This temporary approval has not incurred liability for a development contribution fee as per 5.3.13 of the City's Town Planning Scheme No. 3. However any subsequent approvals may incur a liability.
- (2) NOTIFY the Applicant and those who made a submission during the public consultation period of Council's Decision.

COUNCIL DECISION

MOVED Cr C Terblanche SECONDED Cr T Widenbar

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0

Background

The City is in receipt of a Development Application for a temporary storage yard and two sea containers at 171 Fawcett Road, Lake Coogee which measure 400m² in area. This storage yard is in addition to the existing 690m² storage yard (approved by Council under DA19/0047).

The collective total storage area is therefore proposed at 1,090m² (400m² proposed storage is comprised of sea containers of 29.28m² in area (closed storage) with the remaining 370.72m² as open storage. The previous 690m² was approved as open storage.

The existing 690m² storage yard will expire on 12 September 2021. The proposed 400m² storage yard is proposed to expire on 8 April 2023. The subject property is 1.0948ha in area and abuts other similar properties to the south, north and east, and Fawcett Road to the west. The lot is relatively cleared with minimal vegetation on-site.

The subject site is zoned Development under the City's Town Planning Scheme No. 3 (TPS 3). To date there is no approved Structure Plan guiding the ultimate zoning of this lot.

At present the lot consists of two existing residential dwellings towards the western boundary, one being double-storey and the other single-storey. The double storey dwelling is approximately 193m² and includes an associated outbuilding directly behind the house of 110m² in size.

The single storey dwelling is approximately 85m² in size and has three smaller outbuildings to the rear of an aggregated size of approximately 62m². Both dwellings and their associated structures are used for residential purposes.

An existing storage yard of 690m² in size was retrospectively determined at the City's 12 September 2019 Ordinary Council Meeting, for a period of two years from the date of approval (DA19/0047). This approval is still valid and the application subject to this report is for a



new temporary storage yard and two sea containers separate to the existing approved storage yard.

The existing 690m² storage yard (DA19/0047) arose following complaints in 2018 received of a [then] unkempt property. At that time the owner was storing materials scattered on the property beyond the final approval area of 690m².

Accordingly, the City took compliance action prior to this approval to address the overflow of materials and construction equipment effecting nearby landholdings. As a result of the compliance process, the owners cooperation and Council approval, the landowners received the above approval. This approval maintains a clear boundary of 690m² for a storage yard to contain the loose materials away from adjoining residences. (refer Attachment 4).

The applicant under the previous 12 September 2019 Council approval has since been adhering to the conditions set. The City has received community enquiries regarding the existing storage use, however, these enquiries are considered to be able to be addressed via the existing and proposed conditions.

On 14 September 2020 the planning compliance matter was resolved to have been closed by the City, noting the compliance issues in relation to this property have been addressed.

No further compliance matters of concern relate to this property, however, should any arise the City's Compliance Officers will be able to enforce compliance with the existing and proposed conditions under the *Planning and Development Act 2005*.

Submission

N/A

Report

The proposal compromises of the following:

- A total storage area of approximately 400m² (20m x 20m);
- The provision of two sea containers, which are 2.4m x 12.2m (29.28m²) each and a height of 2.6m;
- The storage yard being setback 31.47m from the northern property boundary, the closest residential dwelling, and approximately 81.51m east of Fawcett Road;
- A 1.8m high temporary fence with 70% block-out shade cloth enclosing and screening the storage yard;
- A ground base of 150mm crushed limestone road base;
- The storage of scaffolding and general construction materials by a construction company;
- The use of normal C Class trade utilities associated with the storage yard, not stored at the property;



- Vehicle movements typically between the standard work hours of 8am to 4pm;
- No external lighting proposed;
- Two employees, related to the storage yard, residing at the premises.

Collectively, the subject site would compromise of an aggregate storage area of 1,090m² of similar merits, including:

- The storage of general building and construction materials for two separate building companies;
- Constrained hours of access between the hours of 8am to 6pm on Mondays to Fridays, with minimal traffic movements;
- Two areas with 1.8m high temporary fencing and screening devices inclusive of 70% block-out shade cloth enclosing and screening either storage yard;
- Dust management proposed throughout the site;
- Large setbacks to residences within close proximity to the subject site; with the storage yard subject to this report being setback the least to the adjoining residence.

Planning Framework

Perth and Peel @ 3.5 million – State Planning Framework

When considering future growth of the South Metropolitan Peel area, Perth and Peel @ 3.5million 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.

In the absence of the above, should Council resolve to approve the proposal, it is recommended a condition be imposed limiting the approval to a two year period.



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), however it was subsequently 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 (TPS3)

The subject site is zoned ‘Development’ – Development Area 5 (Munster) under TPS 3. The objective of the Development zone in TPS3 is:

*‘To provide for future residential, industrial or commercial development to be guided by a comprehensive **Structure Plan** prepared under the Scheme.’*

Development Area 5 – Munster (DA5) 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 provision 1 above, clause 27(2)(a)(b) of the ‘Deemed Provisions’ of the *Planning and Development (Local Planning Schemes) Regulations 2015*, states

*“A decision-maker for an application for development approval or subdivision approval in an area referred to in clause 15 as being an area for which a structure plan may be prepared, **but for which no structure plan has been approved** by the Commission, may approve the application if the decision-maker is satisfied that —*

- (a) the proposed development or subdivision **does not conflict with the principles of orderly and proper planning**; and*
- (b) the proposed development or subdivision **would not prejudice the overall development potential of the area**”.*

As the proposal is for a “temporary approval valid for a period of 2 years” the proposal is considered to comply with the above clause. The proposal is not anticipated to compromise orderly and proper planning.



In addition the proposal is not likely to prejudice the development potential of the area as it is temporary and there are no permanent structures.

There is no adopted Structure Plan to guide existing or future intended development in the area; 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.'

With respect to the intended development, the City is required to define the development against the requirements of the Town Planning Scheme No. 3. Upon review of the land use definitions of the City's Town Planning Scheme, the proposal has been identified as a 'Storage Yard' which means a:

"Premises used for the storage of goods, equipment, plant or materials."

The proposed is deemed separate to an incidental storage purpose as the use is related to the storage of goods and materials for a commercial purpose. There are no further definitions that would delineate the use of the land for the proposed purpose.

Storage yards are generally permitted (or 'A' use) in rural zones, light industry type zones, regional centres, mixed business and strategic industry zones. In the context of the locality under the current planning framework and rural type environment a storage yard of this scale is considered appropriate.

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;*
- (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 use should only be considered on a temporary basis, Clause 5.3.13.2 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 consideration of the use on a temporary basis will be included in the assessment section of the report.

Assessment

Context

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 Perth and Peel @ 3.5million Planning Strategy identifies the locality for industrial investigation and it remains zoned Urban Deferred under the MRS for this reason. Given the ambiguity of the future, there is no existing or proposed structure plan to guide development within the locality.

One of the submissions included the comment that it is not appropriate to approve a storage yard use in the absence of an approved structure plan, as it is not deemed properly and orderly planning. Council may form the view that a temporary approval where there are no permanent structures does not necessarily prejudice the future development potential of an area.

It may be reasonable to allow limited temporary commercial activities to operate alongside residential uses as an interim outcome. However, whilst these uses can co-exist, conditions need to be imposed to protect the amenity of existing residential uses and ensure the amenity is not impacted. Interim temporary development should not be refused simply on the basis of existing residential land uses alone.

It is evident that the existing activities on-site (Refer DA19/0047) have not jeopardised the amenity of nearby residential land uses. The submissions received for the storage yard subject to this report did not include detail of current amenity concerns caused by the previous approval granted. Whilst this does not conclusively mean that no amenity impacts exist, it can be deduced that through appropriate conditions of approval, the land uses proposed could co-exist without causing detriment the locality.

Draft Local Planning Strategy – Cockburn 2036

The Perth and Peel @ 3.5million Planning Strategy identifies the subject site and the immediate locale under the Development Zone as the 'Lake Coogee Urban Deferred Area'; which implies that further investigation is required to designate the wider use of the land. Currently it is deduced as an 'Industrial Investigation Area' to accommodate future industrial and/or mixed business needs. The City conducted an investigation against this classification as part of the draft Local Planning Strategy and recommended that the use should not be for an Industrial or similar use, in future.



The City's current position is that extensive odour-reduction measures implemented at the Woodman Point Wastewater Treatment Plant (WWTP) nullify the need to prohibit residential development through a buffer, and that there is a lack of evidence to rule-out future residential land uses to the east of Lake Coogee.

Further planning will be required by way of preparing a District Structure Plan and lifting the deferment classification of the land under the MRS, by proving conclusively that land could be for purposes other than Industrial or Commercial uses.

With respect to this application, Council may form the view that the proposal will not jeopardise or give prejudice to the future assessments needed under the draft Local Planning Strategy. The proposal is of such a manner to be easily deconstructed and removed by the end of the temporary approval, and if approved further, when the area is no longer pending a District Structure Plan to guide development.

Character

The character of the locality is mixed. To the east of the subject site (approximately 150m) along Albion Avenue, outside the buffer zones, the character is clearly urban residential with detached single residential dwellings developed within recent history.

The area within the buffer, where the subject site is located, has remained akin to a rural character containing large cleared areas which is consistent with the former market garden land uses throughout the area, some of which are still in operation.

Whilst a storage yard does not contribute to the rural character, much of the land in the locality has been cleared of vegetation and contains outbuildings of sizes that are generally expected in a rural area.

It is noted that adjoining properties have a stronger industrial-character than what exists on the subject site, with the premise of permanent hardstand and larger outbuilding sizes, in comparison to the subject site.

As the existing character is similar to what would be found in a rural area, the land use permissibility and the structures have been reviewed for context against the standard requirements within the City's Resource, Rural Living and Rural zone.

In the Rural zone, a storage yard could be considered on its merits through a planning application and mandatory advertising against the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Clause 64(3).

The same use is not permitted in the Rural Living zone under the City's TPS 3. Under the *Water Quality Protection Note No. 25* for the Resource zone, the Department of Water and Environmental Regulation (DWER) have not specified the land use of a 'Storage Yard'

but provides opportunities to consider similar land uses in non-conservation specific areas.

Although the wider-use of a storage yard is considered under this proposal, it is further noted that a sea container can be erected on Rural, Rural Living and Resource zoned land under Local Planning Policy 5.8, subject to a planning approval based on its merits.

Given the proposal is of a relatively small scale (a combined area of 1,090m² on a 1.1161ha lot), with minimal activity regarding the use (which can further be supported with conditions) and screening (fence with shade cloth), the existing and proposed storage yards in-unison do not, in the opinion of City officers, erode the existing character of the area.

It should however be noted that a further increase of either the existing and proposed storage yards could attribute to a negative impact on the character of the locality and would be less appropriate within this transitioning area. This however is provided on a without prejudice basis noting every application is required to be assessed on its merits.

Notwithstanding, a footnote will be included to reinforce that the future expansion of storage yards on this property will require further consideration. Any future land use proposals within the area must demonstrate how the use can operate in proximity to residential properties.

Amenity

The closest residential dwelling other than those on the subject site is located at Lot 5 (153) Fawcett Road, to the north. The storage area is located at a minimum setback of 31.47m from the neighbouring boundary. The proposed area is noted to be closer to the neighbouring boundary than what was approved for the existing storage yard.

Upon receipt of the previous application (DA19/0047), the existing storage yard (approved as 690m² in area), was initially proposed to cover an area of 1,451.15m² with no setback to 153 Fawcett Road to the north.

The City did not support the storage yard in such a manner due to its proximity to adjoining residential buildings and the receipt of valid planning concerns of activities within proximity to conflicting land uses. The same understanding applies to the storage yard subject to this report and it is recognised appropriate setback distances can minimise land use conflicts and amenity impacts for residents and neighbours alike (refer Attachment 2).

Consequently, for the proposed storage yard, the City discussed with the applicant an increase to the setback of the storage yard from the neighbours, however the applicant advised that it could not be located elsewhere (due to topography and vegetation) without the need for permanent site works or clearing. The area is considerably setback in



comparison to the existing outbuilding of 110m² and its setback of 3.5m to the neighbouring property boundary. The setback remains considerable at 31.47m from the north side boundary and satisfies the arguments made as part of the assessment process of the existing storage yard.

Arguably, the landowners can operate more adverse activities within the existing outbuilding lawfully and without the need of a planning approval, in comparison to the existing and proposed storage yard.

The City discussed with the applicant the potential installation of landscaping to the north of the proposed storage yard to help ameliorate visual amenity concerns and act as a visual buffer.

The applicant was not willing to install landscaping treatments and advised the City that the setback proposed and the provision of shade cloth on the temporary fencing provided a sufficient visual separation.

Council may form the view that the size of both lots, together with the setback of the development creates adequate separation to neighbouring residential dwellings. It is noted that the storage yard is masked from the street by the existing residential dwellings and would not create a negative visual impact with the introduction of fencing with shade cloth.

Traffic and Vehicle Movements

The applicant stated the only vehicles which will be used in conjunction with the proposed storage yard are 'C Class trade utility vehicles'. It is further stated that access to the site will be minimal and only when required for the construction company's purposes, with one vehicle movement per month.

The attendance of a standard C Class vehicle to the subject site would have minimal impact and is no different than what is lawfully undertaken to access the existing outbuildings on-site. This would have little to no impact on the immediate road network and would not result in harm or adversely impact adjoining properties by way of excessive noise, traffic or use. Should Council support the proposal, a condition is recommended to be imposed to limit the use of the storage yard from 8am to 6pm (standard business hours) on weekdays only.

The existing storage yard included detail of what vehicle movements were to occur in order to utilise the site. At most, the existing storage yard uses C Class vehicles or small trucks to transport the materials to-and-from the site on a 3 to 6 month basis. It is highly unlikely that any traffic conflicts will occur from the culmination of both storage yards. In the event that either storage yard is utilised in the same period of time, there are ample manoeuvring areas on-site and access will be addressed via conditions including the Access Management Plan (AMP) to minimise any potential conflicts.

Upon review of the site, it is evident that an established crossover which services Lot 21 (21L) Fawcett Road, Henderson (the property directly south to the subject site) is being used to service the existing storage yard and is to be used for this proposal. This is proposed also to be addressed via the AMP.

The City does not support this intrusion into the adjoining property, and consequently, should Council resolve to approve the proposal, a condition shall be imposed requiring the applicant to seek alternate arrangements which do not involve the use of 21L Fawcett Road, and seek a subsidiary approval for a new access arrangement to the City's specifications. This is suggested to be managed via the requirement of an Access Management Plan.

Dust

The applicant stated that the storage yard will include compacted crushed limestone base within the storage area. Although an established crossover will need to be proposed and approved as part of the Access Management Plan, the internal driveway to the storage yard is not formalised and could pose a risk of dust pollution to adjoining properties. The existing storage yard utilises a non-formalised driveway with a crushed limestone base. The City has yet to receive a complaint regarding the dust management of the existing storage yard. In addition this was addressed under Condition 4 "Dust Management Plan" of DA19/0047.

Should Council resolve to approve the proposal, a condition shall be imposed requiring the applicant to submit a Dust Management Plan to the City for approval, to ensure dust is controlled when vehicles enter and exit the property to prevent any dust impacts to adjoining properties and the residences on-site.

Development Contributions

The subject site is located within Development Contribution Area 6 (DCA6) which covers a portion of the suburb of Munster. DCA6 is for a proportional contribution (23.4%) towards widening and upgrading of Beeliar Drive (Mayor Road), between Stock and Cockburn Road, Lake Coogee.

The subject owner's cost contribution would be required where a Development Approval is granted. However, under 5.3.13.2(ii) of TPS3, the owner's cost contribution does not arise "if the owner commences a temporary or time limited approval".

Conclusion

It is considered that the existing and proposed storage yards can be managed through appropriate conditions of planning approval. The conditions must ensure that the activities can co-exist with the rural [type/interim] amenity of the area whilst not to prejudice the future land uses.



In the interim it is important that the proposed and existing storage yard do not negatively impact on the amenity of rural residential property owners.

The proposal for a temporary storage yard and the placement of two sea containers is supported for the following reasons:

- The temporary use is considered an appropriate form of development in relation to the uncertainty of the future development potential of the locale;
- The premise of a sea container for storage purposes is expected within a rural and/or semi-rural context and can lawfully be approved on a permanent basis, subject to a planning approval on its merits;
- The amenity impact created by the combination of both the existing and proposed storage yards are negligible and can be addressed through conditions of approval (i.e. noise, vehicle movements, operating hours, dust);
- The location of both storage yards in context to adjoining properties is substantial and does not create a threat to public wellbeing, health and safety; and
- Both storage yards are capable of co-existing with surrounding residential land uses without adversely affecting the current and future context of the locale.

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.

Environmental Responsibility

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

- Reduce adverse outcomes arising from climate change through planning; adaptation, mitigation, infrastructure and ecological management.

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 development application was advertised to seven surrounding landowners for a period of 21 days from the 24 November 2020 until the 16 December 2020. A total of two objections were received with one submission received beyond the advertising period, to which the City honoured the receipt of the submission. The objections are summarised as follows:

Objection	City Comment
The materials being stored on-site and for what purpose.	Refer to the Report section of this report. The materials stored are in relation to a Construction Company and include general perishable products and building materials.
The vehicles used in association with the proposal.	Refer to the Traffic and Vehicle Movements of this report.
The appropriateness of the land use in the absence of an approved structure plan to guide development.	Refer to the Assessment part of this report.
The appropriateness of the land use activity within proximity to residential land uses.	Refer to the Amenity part of this report.
How the proposal relates to the previously-approved temporary 'Storage Yard'.	This is a new proposal in comparison to that approved under DA19/0047 for a retrospective storage yard. The Background section of this report provides context against the previous approval.

A full detail of the submissions is referred to under the Schedule of Submission (refer Attachment 3).

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.



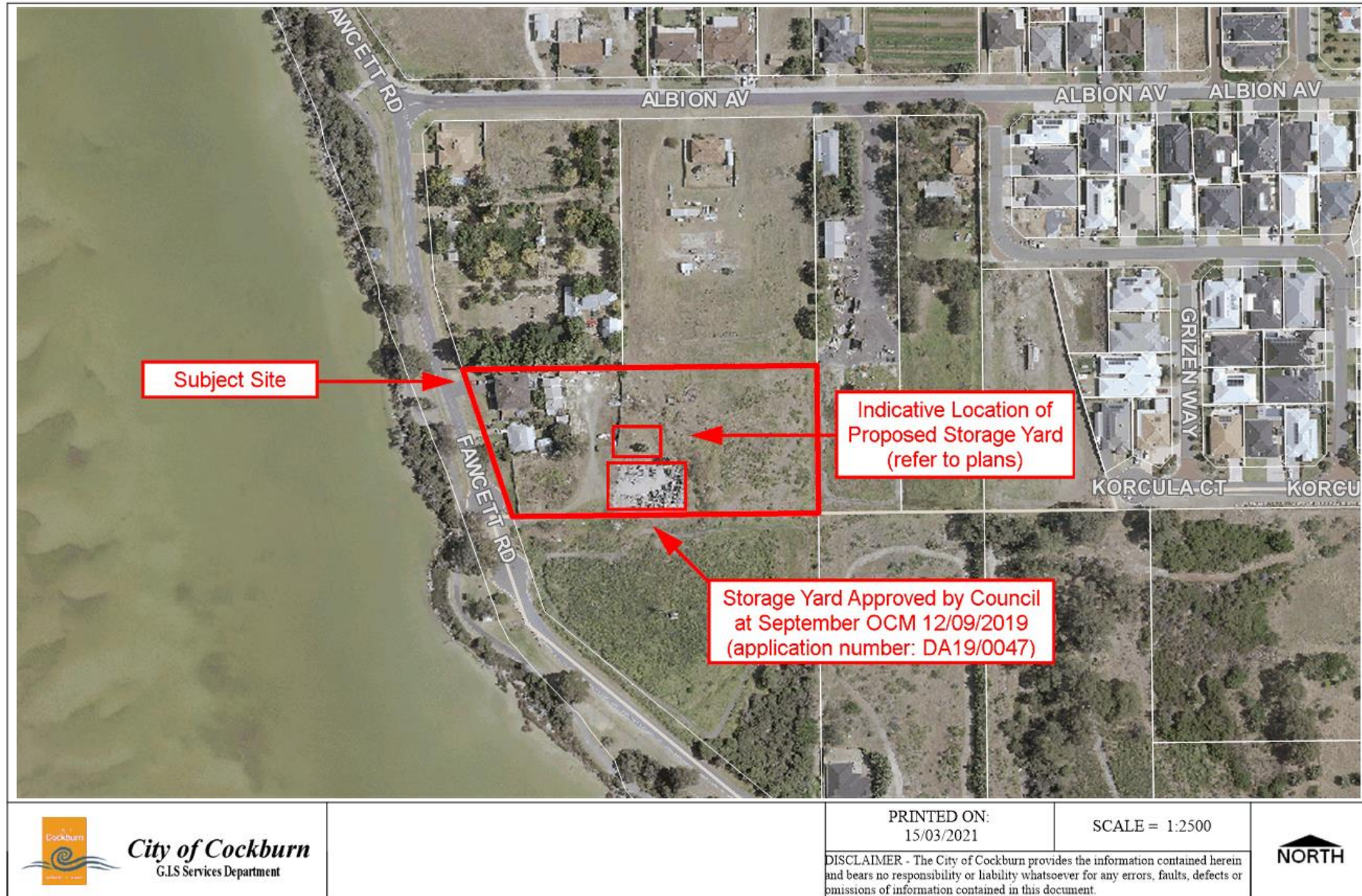
Advice to Proponent(s)/Submitters

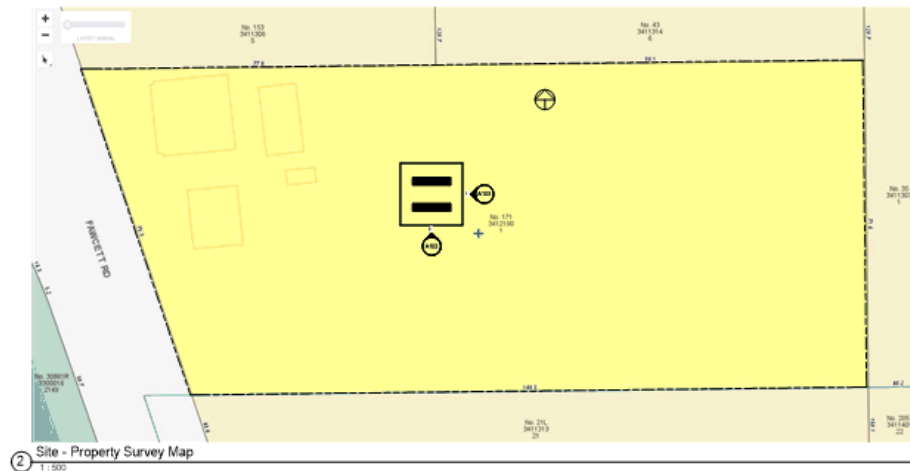
The Proponents and those who lodged a submission on the proposal have been advised this matter is to be considered at the 8 April 2021 Ordinary Council Meeting.

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

Nil







Contact: jake.cooper@hotmail.com





Application for Development Approval

PROPERTY		1 of 2
Property No	3412190	
Association	PROPERTY	
Address	171 Favcott Road LAKE COOKE WA 6166	
Lot	1	
Area	1.0948 Ha	
Ward	West	
TPS3 Zoning	DA 5 DCA 13 DCA 6 Development Zone	
Structure Plan Zoning	none	
R-Code	none	
RCode-Source	none	
Local Dev Plan	none	
Proposed Scheme Amendment	none	
Constraints	Bush Fire Prone Area	
Land Encumbrances	none	

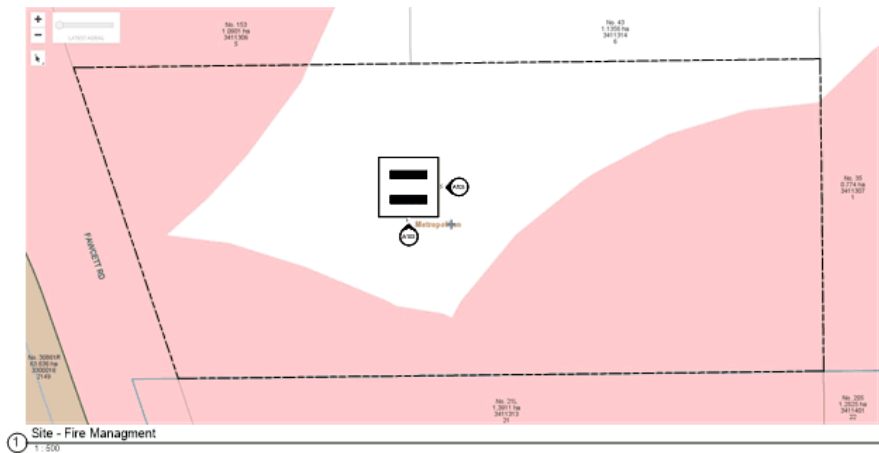
No.	Description	Date
1	6122 - Sales Price	
2	6123 - Expense Plan	
3	6125 - Expenses	
4	6126 - Insurance	
5	6127 - Planning Contributions	
6	6128 - Pay Contributor	
7	6127 - Pay Contributor	

Planning Constraints

Project number	001
Date	02/08/2020
Drawn by	Jake Cooper
Checked by	G.C.Cockburn

A105

Contact: jake.cooper@hotmail.com



BAL - LOW	BAL - 12.5	BAL - 19	BAL - 29	BAL - 40	BAL - 12
SUBFLOOR SUPPORTS	No special construction requirements	No special construction requirements	Enclosure by external wall or steel, bronze or aluminium mesh, non-combustible supports where the surface is unenclosed, naturally fire resistant timber slumps or posts or 75mm steel slumps	Enclosure by external wall or steel, bronze or aluminium mesh, non-combustible supports where the surface is unenclosed, naturally fire resistant timber slumps or posts or 75mm steel slumps	Enclosure by external wall or steel, bronze or aluminium mesh, non-combustible supports where the surface is unenclosed, naturally fire resistant timber slumps or posts or 75mm steel slumps
FLOORS	No special construction requirements	No special construction requirements	Concrete slab on ground, metal mesh or steel or flooring less than 400mm above ground level to be non-combustible, naturally fire resistant timber or protected on the underside with slaking or mineral wool insulation	Concrete slab on ground, metal mesh or steel or flooring less than 400mm above ground level to be non-combustible, naturally fire resistant timber or protected on the underside with slaking or mineral wool insulation	Concrete slab on ground or enclosure by external wall or steel, bronze or aluminium mesh, non-combustible supports where the surface is unenclosed, naturally fire resistant timber slumps or posts or 75mm steel slumps
EXTERNAL WALLS	No special construction requirements	As for BAL-19	External walls - Fully fire flow 400mm above ground or deck etc to be of non-combustible material, stone flow resistant clad or built-in resistant materials fire resistant timber	Non-combustible material, stone flow resistant clad or built-in resistant materials fire resistant timber	Non-combustible material, stone flow resistant clad or built-in resistant materials fire resistant timber
EXTERNAL WINDOWS	No special construction requirements	As for BAL-19 except that 4mm Grade A safety glass can be used in place of 13mm toughened glass	Protected by built-in shutter, completely screened with steel, bronze or aluminium mesh or 13mm toughened glass or glass bricks within 400mm of ground, deck etc. Operable portion metal screened with frame of metal or metal reinforced PVC or built-in weathering timber and gasket within 400mm of ground level screened	Protected by built-in shutter, completely screened with steel, bronze or aluminium mesh or 13mm toughened glass or glass bricks within 400mm of ground, deck etc. Operable portion metal screened with frame of metal or metal reinforced PVC or built-in weathering timber and gasket within 400mm of ground level screened	Protected by built-in shutter or 13mm toughened glass, operable portion screened with steel or bronze mesh
EXTERNAL DOORS	No special construction requirements	As for BAL-19 except that door framing can be naturally fire resistant (high density timber)	Protected by built-in shutter, or screened with steel, bronze or aluminium mesh or 13mm toughened glass or glass bricks within 400mm of ground, deck etc. Operable portion metal screened with frame of metal or metal reinforced PVC or built-in weathering timber and gasket within 400mm of ground level screened	Protected by built-in shutter, or screened with steel, bronze or aluminium mesh or 13mm toughened glass or glass bricks within 400mm of ground, deck etc. Operable portion metal screened with frame of metal or metal reinforced PVC or built-in weathering timber and gasket within 400mm of ground level screened	Protected by built-in shutter or 13mm toughened glass, operable portion screened with steel or bronze mesh
ROOFS	No special construction requirements	As for BAL-19	Non-combustible covering, Roof/wall junction sealed. Openings filled with non-combustible ember guards. Roof to be fully sealed.	Non-combustible covering, Roof/wall junction sealed. Openings filled with non-combustible ember guards. Roof to be fully sealed.	Non-combustible covering, Roof/wall junction sealed. Openings filled with non-combustible ember guards. Roof to be fully sealed.
VERANDAS DECKS ETC	No special construction requirements	As for BAL-19	Enclosed sub-floor space - no special required for supports except within 400mm of ground. No special requirements for supports or flooring. Decking to be non-combustible or built-in resistant within 400mm horizontally and 400mm vertically from a ground element.	Enclosed sub-floor space or non-combustible supports. Decking to be non-combustible.	Enclosed sub-floor space or non-combustible supports. Decking to be non-combustible.

Enclosed Storage Yard - Seacontainers

Application for Development Approval

PROPERTY

4 OF 2

Property No 3412190

Association PROPERTY

Address 171 Fairview Road LAKE COOGEE WA 6156

Lot 1

Area 1.0948 Ha

Ward West

TPS3 Zoning DA 5 DCA 13 DCA 6 Development Zone

Structure Plan Zoning none

R-Code none

RCode-Source none

Local Dev Plan none

Proposed Scheme Amendment none

Constraints Bush Fire Prone Area

Land Encumbrances none

No.	Description	Date
1	A101 - Site Plan	
2	A102 - Floor Plan	
3	A103 - Elevations	
4	A104 - Fireworks	
5	A105 - Planning Constraints	
6	A106 - Fire Controls	
7	A107 - Fireworks Control	
8		
9		
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Proposed Development

Fire one

Project name 001

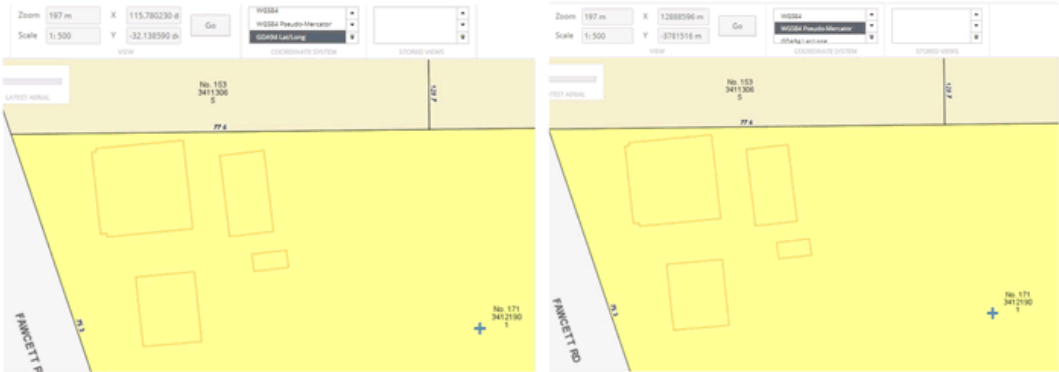
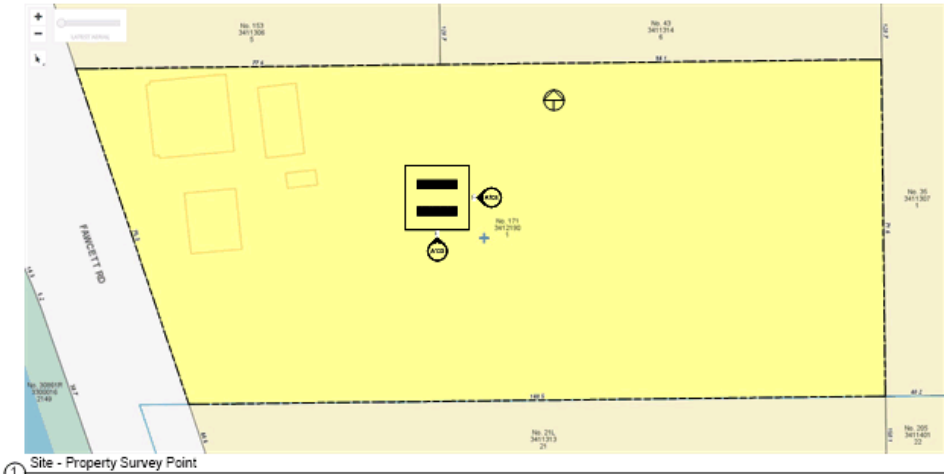
Date 02/08/2020

to review Jake Cooper

Checked by C.O. Cockburn

A106

Contact jake.cooper@hotmail.com



Enclosed
Storage Yard
-
Seacontainers

Application for Development Approval

PROPERTY	1 OF 2
Property No	3412190
Association	PROPERTY
Address	171 Faucett Road LAKE COOGE WA 6166
Lot	1
Area	1.0948 Ha
Ward	West
TPS3 Zoning	DA 5 DCA 13 DCA 6 Development Zone
Structure Plan Zoning	none
RiCode	none
RCode-Source	none
Local Dev Plan	none
Proposed Scheme Amendment	none
Constraints	Bush Fire Prone Area
Land Encumbrances	none

No.	Description	Date
1	A107 - Bush Fire	
2	A107 - Bush Fire	
3	A107 - Bush Fire	
4	A107 - Bush Fire	
5	A107 - Bush Fire	
6	A107 - Bush Fire	
7	A107 - Bush Fire	
8	A107 - Bush Fire	
9	A107 - Bush Fire	
10	A107 - Bush Fire	
11	A107 - Bush Fire	
12	A107 - Bush Fire	
13	A107 - Bush Fire	
14	A107 - Bush Fire	
15	A107 - Bush Fire	
16	A107 - Bush Fire	
17	A107 - Bush Fire	
18	A107 - Bush Fire	
19	A107 - Bush Fire	
20	A107 - Bush Fire	

Proposed
Development

Property
Coordinates

Project number	001
Date	02/08/2020
Drawn by	Jake Cooper
Checked by	C.O.Cockburn

A107

Contact: jake.cooper@hotmail.com

No.	Name & Address	Submission	Officer's Response and Recommendations
1	Robyn O'Brien 153A Fawcett Road Lake Coogee	<p>Objection.</p> <p>I was told by a neighbour that my next door neighbour at 171 Fawcett had applied for planning approval. I had not received any notification to my letterbox at 153A, my registered address. I went to the other house at 153 Fawcett Rd and there were two applications for comment delivered by either a new postie and delivered to the wrong address. Hence my later than the 16th December comment but please allow me some leeway as I did not get this until this morning.</p> <p>My 3 acre property is next door to 171 Fawcett Rd. Only a few months ago Council gave this owner temporary approval for building materials to be allowed to be stored there as long as the size of the existing non-conforming materials were contained within a fence and sited not next to my fence. I objected to this temporary approval as a stop gap measure in conflict with Council's stated objective of orderly and proper planning.</p> <p>I have advocated on behalf of myself and my neighbours stuck in this no man's land of non-development for 20 years since we purchased in April 2000. The most recent email letter from Rachael Pleasant which I asked her what development could be pursued on our property as we had our property for sale and already 4 purchasers have been told inaccurate information and 2 offers in writing have been withdrawn because of no opportunity to develop anything on</p>	<p>Noted. The submission has been accepted.</p> <p>Noted. The previous proposal was subject to a different assessment and assessed on its own merits. Should Council resolve to approve the proposed temporary Storage Yard, the area of storage will be limited to an area shown on an approved plan.</p> <p>Noted. The future planning of this area is not determined yet by an approved Structure Plan. This matter is a separate concern to the proposed temporary Storage Yard and Sea Containers.</p>

	<p>our property according to Ms Pleasant recent letter of last Friday.</p> <p>How is it then that Ms Pleasant did not note in her letter that prospective purchasers could store building materials as 171 Fawcett Rd have approval to do, and if this is approved, perhaps two sea containers to be used for commercial storage with the area surrounding it to be used for access to the sea containers..</p> <p>I OBJECT to the approval of the sea containers for the following reasons:</p> <ol style="list-style-type: none"> 1. The information provided does not say what "Commercial storage" is exactly. 2. Who would be storing items there, the owners of the land or another company and for what purpose? 3. Commercial gives the impression that whatever is stored there will be sold from there, is this what will occur? 4. There is no information about who and what vehicles will be accessing the two sea containers and at what times? 5. The area is zoned residential on my rates notice and has been recognised as future residential by Council and in the proposed Draft Planning Strategy. I live in a residential home and do not want people driving in at all hours or on weekends or at night. 	<p>The proposed storage materials are for perishable building materials associated with a Construction Company for a commercial purpose. However, the definition of a Storage Yard under Town Planning Scheme No. 3 (TPS) 3 allows for the storage of goods, equipment, plant or materials.</p> <p>Refer to Amenity and Traffic and Vehicle Movements sections of the Report.</p> <p>Should Council resolve to approve the proposed application, a condition will be imposed restricting accessing hours within the confines of the <i>Environmental Protection (Noise) Regulations 1997</i>.</p>
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		<p>6. This application extends the area which was given temporary approval, WHICH was not supposed to be extended, or is this a new application entirely?</p> <p>7. Can a more detailed application answering these questions be provided for comment as there is insufficient information to make a proper comment and I would like to do so?</p> <p>8. It is ad hoc planning if approval is given when a considered residential structure plan should be prepared by Council as they said they would do back in 2015. It is not orderly and proper planning.</p> <p>9. If approval is given does this mean I could rent my large shed 18m x 8 m for commercial storage if I made an application to council?</p> <p>10. One offer for my property was by Maria Conde to store clothing and crockery for her community goodwill shop and as the Phoenix Shopping Centre have given her pop up community shop notice to leave by 6th January 2021, she wanted to store her stock in the shed whilst the purchase was proceeding. She wanted to continue to sell her product from the warehouse/shed while looking for another premises as there would be no income otherwise. Does this mean that commercial might be possible for this reason and or is there a zoning where if something is made, altered or produced on the property can this then be sold from our property?</p>	<p>The proposal is separate to DA19/0047 for the retrospective approval of a Storage Yard. This is a new proposal.</p> <p>The proposal was advertising in accordance with the requirements of TPS 3 and the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>There is no proposal at present for a Structure Plan over this locality.</p> <p>Any resident within the City of Cockburn can apply for development approval. Each application is assessed on its individual merits and compliance against the TPS 3.</p> <p>As above.</p>
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		11. Please let me know if you will consider my comments because it was not put in my letterbox.	Noted.
2	Name and Address Suppressed	<p>The Applicant(s) have omitted that the proposal is a 'Storage Yard'. Compare against the development application Ref No. 3412190 – DA19/0047, however the site plan and floor plan are both titled – Enclosed Storage Yard in development application Ref. No. 3412190 – DA20/1042 (the subject matter above).</p> <p>Please do clarify Local Government position into by-passing land use: Storage against Storage Yard, TPS Scheme text amendment No. 116 (GG- 05/01/17 – 12/01/17)</p>	<p>The City advertised the proposed application and entitled it as "Two Sea Containers for Storage & Permitter Fencing" with the site plan indicating an area as 'an enclosed Storage Yard'. It is noted that the use should have been clarified as part of the original advertising period undertaken, however the advertising letter did clarify the area for storage.</p> <p>No contact details were provided by the landowner to respond to post-advertising to confirm the proposal was for a 'Storage Yard' as defined under the TPS 3. However, all those who lodge a submission are notified in writing that the matter is being determined by Council with access to the Agenda on the City's website.</p> <p>Noted. TPS Amendment No. 116 removed the terminology of 'Storage' and amalgamated the use class to 'Storage Yard' to be consistent against the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. Irrespective of changes in terminology, the impact of the development is considered no different to storage for</p>



residential purposes.

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14.3 (2019/MINUTE NO 0136) RETROSPECTIVE APPLICATION - STORAGE YARD - 171 (LOT 1) FAWCETT ROAD MUNSTER

Author(s) P Andrade
Attachments 1. Location Map [↓](#)
 2. Development Plan [↓](#)
Location 171 (Lot 1) Fawcett Road Munster
Owner Mario Rojnic & Nikola Obradovic
Applicant Palazzo Homes Pty Ltd
Application Reference DA19/0047

RECOMMENDATION

That Council

- (1) grant temporary planning approval for a Storage Yard at 171 (Lot 1) Fawcett Road, Munster, in accordance with the approved plans and subject to the following conditions and footnotes:

Conditions

1. This is a temporary approval only, valid for a period of 2 years from the date of this decision. Upon expiry of this date the storage yard use shall cease and all materials being stored shall be removed unless a subsequent planning approval is issued by the City;
2. Within 30 days from the date of this approval, development shall be carried out in accordance with the terms of the application as approved herein and any approved plan to the satisfaction of the City. This shall include relocation of the storage yard;
3. All stormwater being contained and disposed of on-site to the satisfaction of the City;
4. Within 30 days from the date of this approval, a detailed Dust Management Plan (DMP) shall be submitted to and approved by the City. The DMP shall then be implemented at all times to the satisfaction of the City;
5. The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City;
6. No storage of goods or structures shall be stored outside of the storage yard as shown on the hereby approved plans; and

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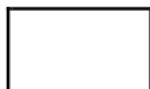
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7. The storage yard shall only be accessed or used between the hours of 8am to 6pm Monday to Friday only. No access or use of the storage yard is permitted on Saturdays, Sundays or Public Holidays.

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) With regard to Condition No. 3, the City requires the onsite storage capacity be designed to contain a 1 in 20 year storm of 5 minute duration. This is based on the requirements to contain surface water by the National Construction Code.
 - (d) With regard to Condition 4, the detailed Dust Management Plan shall comply with the City's "Guidelines for the Preparation of a Dust Management Plan for Development Sites within the City of Cockburn".
 - (e) The development shall 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*.
 - (f) No storage or any related development shall not be located within 1.2 metres from the septic tank or within 1.8 metres from the leach drain.
 - (g) This temporary approval has not incurred liability for a development contribution fee as per 5.3.13 of the City's Town Planning Scheme No.3. However any subsequent approvals may incur a liability.
- (2) notify the applicant and those who made a submission of Council's

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decision
COUNCIL DECISION MOVED Cr M Separovich SECONDED Deputy Mayor L Smith That the recommendation be adopted. <u>CARRIED 5/3</u>

Background

This planning application which seeks retrospective approval for an existing storage yard at the subject site was recently determined by Council at its ordinary meeting held on 9 May 2019. The City's Officers recommended approval subject to conditions, however, the following decision was made via an alternative motion:

"That Council defer consideration of the retrospective application for a storage yard at 171 (Lot 1) Fawcett Road, Munster to allow for further consultation with the applicant/land owner to relocate the storage yard to another portion of the property further away from surrounding residents."

Accordingly, the landowner revised their proposal which is the subject of this report seeking Council determination.

The subject property is 1.0948ha in area and abuts other similar properties to the south, north and east and Fawcett Road to the west. The lot is relatively cleared with minimal existing vegetation on-site. At present the lot contains two existing residential dwellings towards the northern boundary; one double storey and the other single storey.

The double storey dwelling is approximately 193m² in size and has an outbuilding to the rear/east approximately 110m² in size. The single storey dwelling is approximately 85m² in size and has three smaller outbuildings to the rear/east totalling approximately 62m² in size.

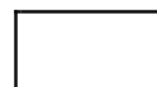
Submission

N/A

Report

The revised application for retrospective approval comprises:

- Storage area of approx. 690m² in size, reduced from 972m² previously proposed;



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- 45m setback from the northern property boundary, the closest residential dwelling, increased from the nil setback previously proposed;
- Approx. 49m east of Fawcett Road;
- 1.8m high fencing with shade cloth enclosing and screening the storage yard;
- Base for storage yard will be 150mm crushed limestone road base;
- Storage of scaffolding and general construction materials by a building company;
- One truck associated with the storage yard, not stored at the property;
- One vehicle arrival/departure movement per month generally between 8am-4pm;
- No external lights; and
- No employees related to the storage yard reside at the premises.

Planning Framework

Metropolitan Region Scheme (MRS)

The subject site is zoned 'Urban Deferred' under the Metropolitan Region Scheme (MRS).

Town Planning Scheme No.3 (TPS 3)

The subject site is zoned 'Development' – Development Area 5 (Munster) 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.'*

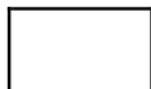
There is no adopted structure plan to guide existing or future intended development in the area; therefore an assessment will be undertaken in accordance with Clause 4.13 of TPS 3 which states that:

'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

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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;*
- (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 retrospective use should only be considered on a temporary basis, Clause 5.3.13.2 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 consideration of the retrospective use on a temporary basis will be included in the assessment section of the report.

Community Consultation

The retrospective development application was initially advertised to eight surrounding landowners for a period of 21 days. No submissions were received during the consultation period. One late submission/objection was received beyond the consultation period. Upon receiving the revised plans, the neighbour who objected was provided with a further 21 days to make comment on the revised proposal. Their revised objection relates to:

1. the appropriateness of the land use in the absence of an approved structure plan to guide development; and
2. the appropriateness to grant a retrospective approval given the onus is on the applicant to seek the appropriate approvals prior to undertaking development.

These objections are discussed further in this report.

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. 'Perth and Peel 3.5 Million' identified the locality for Industrial investigation and it remains zoned 'Urban Deferred' under the MRS for

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this reason. Given the ambiguity of the future, there is no existing or proposed structure plan to guide development within the locality.

The submission from an adjoining neighbour made comment that it is not appropriate to approve a temporary storage yard use in the absence of an approved structure plan, as it will prejudice the future development of the area. The City disagrees and in line with recent approvals granted by Council; a temporary approval where there are no permanent structures does not necessarily prejudice the future development potential of an area. It may be reasonable to allow limited temporary commercial activities to operate alongside residential uses as an interim outcome. However, whilst these uses can co-exist, conditions need to be imposed to protect the amenity of existing residential uses and ensure the amenity is not impacted. Interim temporary development should not be refused simply on the basis of existing residential land uses alone.

Character

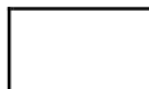
The character of the locality is mixed. To the east of the subject site (approximately 150m) along Albion Avenue, outside the buffer zones, the character is clearly urban residential with detached single residential dwellings developed within the last ten years. The area within the buffer where the subject site is located has more of a rural character containing large cleared areas which is consistent with the former market garden land uses throughout the area, some of which are still in operation.

Whilst the storage yard does not contribute to the rural character, much of the land in the locality has been cleared of vegetation and contains small rural-type outbuildings. The applicant has also revised the proposal so that the storage yard is no greater than 700m², revised down from previously proposed 1000m². Due to its relatively small scale, infrequent visits and screening (fence with shade cloth), the existing storage yard does not erode the existing character of the area. It should however be noted that a larger scale storage yard could in fact negatively impact on the character of the locality and would be less appropriate.

Amenity

The closest residential dwelling is at 153 (Lot 5) Fawcett Road, to the north of the subject site, where the retrospective storage yard was previously proposed with no setback to the northern lot boundary. The storage yard is now proposed 43m south of 153 (Lot 5) Fawcett Road, the nearest adjoining residential property. The setback to the southern adjoining lot boundary (Lot 21 Fawcett Road – owned by Landcorp) is 3m and the site has no dwelling. The storage yard is therefore

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positioned so that it is furthest from and will not impact on any adjoining residents.

The City discussed with the applicant installation of landscaping to the north of the subject storage yard to act as a visual buffer. The applicant was not willing to install landscaping and advised the City's Officers that they have instead proposed a significant setback to the northern boundary and provided shade cloth to the fencing to provide adequate visual separation.

The City agrees that the size of the lots together with the setbacks of the development create adequate separation to neighbouring residential dwellings. The storage yard will not detract from the streetscape either, as it will be enclosed by fencing with shade cloth.

Traffic & Vehicle Movements

The applicant has stated that there is only one vehicle movement per month by the construction company using the storage yard and no vehicles are left on the property overnight. The very minimal increase in vehicles coming to the property does not exceed the capacity of the road network and has a very minimal impact to adjoining neighbours considering the proximity of nearby dwellings. Should Council support the proposal, a condition should be imposed that limits the use of the Storage Yard from 8am to 6pm Monday to Friday only.

Dust

The applicant now proposes a compacted crushed limestone base within the storage area; however, there is no crossover or driveway from Fawcett Road to the rear storage yard currently on-site or proposed. Should Council support the proposal, a condition should be imposed requiring the applicant to submit a dust management plan to the City for approval to ensure dust is controlled when vehicles enter and exit the property to prevent any dust impacts to adjoining and nearby properties.

Retrospective Approval

It is noted the neighbour who objected to the proposal has concerns with Council issuing retrospective approval for development where the onus is on the landowner to seek approvals prior to development taking place. Whilst the onus is on the landowner to seek the appropriate approvals to avoid breaching planning legislation, it also allows retrospective approval of existing development.

Section 164 (1) of the *Planning and Development Act 2005* reads:

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“A responsible authority [Local Government] may grant its approval under a planning scheme or interim development order for development already commenced or carried out.”

Development Contribution

The subject site is located within Development Contribution Area 6 (DCA 6) which covers a portion of the suburb of Munster. The DCA 6 is for a proportional contribution (23.4 per cent) towards widening and upgrading of Beeliar Drive (Mayor Road), between Stock and Cockburn Roads, Munster. The subject owners cost contribution would be required where a development approval is granted. However, under 5.3.13.2 (ii) of TPS 3, the owner's cost contribution does not arise *“if the owner commences a temporary or time limited approval”*.

Conclusion

The revised proposal for the retrospective storage yard is minor in scale, is located a significant distance from the closest residential dwelling and does not detract from the amenity of neighbours or the streetscape. It is therefore recommended that the application be approved on a temporary basis subject to conditions. A temporary approval for a two year period would provide a suitable development outcome for the landowner whilst not prejudicing the future development potential of the area which is subject to further planning investigation. Should the planning framework change in the future the development could be easily removed at minimal cost.

Strategic Plans/Policy Implications

City Growth

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

Economic, Social & Environmental Responsibility

Create opportunities for community, business and industry to establish and thrive.

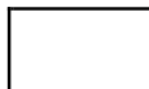
Budget/Financial Implications

N/A

Legal Implications

N/A

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Community Consultation

Community Consultation occurred from 7 - 28 February 2019 and no submissions were received within the consultation period. One late objection was received after the City's Officers report was finalised. The revised proposal was re-advertised to the neighbour who lodged a late objection from the 22 July - 12 August 2019 and a revised objection was received as discussed in the report above.

Risk Management Implications

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

Advice to Proponent(s)/Submitters

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 12 September 2019 Ordinary Council Meeting.

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

Nil

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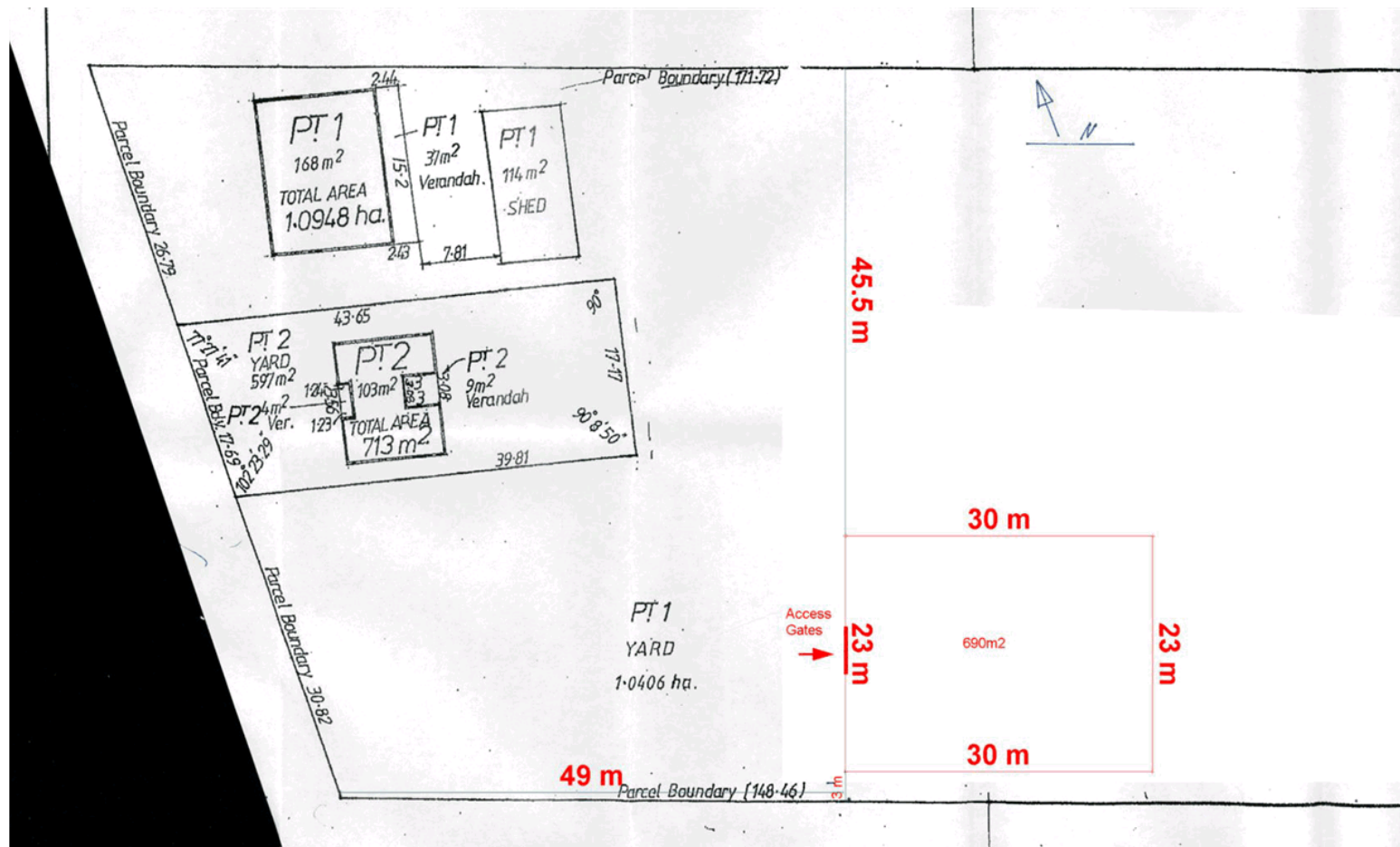


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Item 14.3 Attachment 2



14.3 (2021/MINUTE NO 0049) DEVELOPMENT APPLICATION - DA21/0022 - CHANGE OF USE FROM RESTAURANT TO SMALL BAR AND SIGNAGE - 1/134 PARKWAY ROAD BIBRA LAKE

Author(s)	L De Carvalho
Attachments	1. Location Plan ↓ 2. Development Plans ↓ 3. Acoustic Report ↓ 4. Operational Management Plan ↓ 5. Schedule of Submissions ↓
Location	Unit 1/134 Parkway Road, Bibra Lake WA 6163
Owner	Dajing Yan
Applicant	Argonautica (WA) Pty Ltd
Application Reference	DA21/0022

RECOMMENDATION

That Council:

- (1) GRANT Planning Approval for a Small Bar at Unit 1/134 (Lot 1) Parkway Road, Bibra Lake, in accordance with the attached plans and subject to the following conditions and footnotes:

Conditions

1. Development may be carried out only in accordance with the details of the application as approved herein and any approved plan (including any revisions marked in red). This includes the use of the land and/or a tenancy.
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. A maximum of 70 persons (including patrons and employees), may be on-site at any one time.
4. Prior to the commencement of the use, the Acoustic Report dated 3 February 2021 prepared by Herring Storer Acoustics shall be implemented and maintained thereafter, to the satisfaction of the City.
5. No construction activities causing noise and/or inconvenience to neighbours to be carried out after 7.00pm or before 7.00am, Monday to Saturday, and not at all on Sunday or Public Holidays, during the construction phase.
6. Prior to issue of an Occupancy Permit, a Noise Management Plan shall be prepared by the owner in conjunction with a suitably qualified and recognised acoustic consultant, to the City's satisfaction, demonstrating how the business operation will demonstrate noise emissions (from music and customers) will comply with the approved Acoustic Report. All noise attenuation measures identified in the plan are to be



implemented thereafter, to the satisfaction of the City.

7. Live music is permitted where the music is at a volume commensurate with “background music” and the performance is to exclude drum-kits. Any live music should be performed at a volume that permits normal conversation in accordance with the approved Acoustic Report and Noise Management Plan.
8. The tables and chairs are not to be fixed to the public footpath paving material.
9. The tables and chairs shall be removed from the public footpath area outside normal trading hours, unless otherwise permitted by the City of Cockburn.
10. The outdoor tables and chairs shall be maintained in good, clean and serviceable condition at all times.
11. All rubbish shall be regularly removed from the alfresco dining area in order to ensure high public amenity.
12. The licensee is to maintain the footpath to a high standard of cleanliness and hygiene to the satisfaction of the City of Cockburn. This will include removing grease and stains and washing of the pavement. Under no circumstances are waste materials to be swept or placed in the gutter.
13. Prior to the issue of Occupancy Permit, a schedule of alfresco furniture materials shall be submitted to and approved by the City.
14. The licensee is not permitted to prepare food or beverages in the alfresco dining area.
15. The alfresco dining area shall be table-service only.
16. Prior to the commencement of the use, the approved Operational Management Plan (OMP) dated 12 March 2021 shall be implemented and maintained thereafter, 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 City, with any requirements of the City of Cockburn Town Planning Scheme No. 3, or the requirements of any other external agency.
- b) In relation to Condition No. 1, the approved development has approval to be used as a ‘Small Bar’ only. In the event it is proposed to change the use of the subject site, a further application needs to be made to the City for determination.
- c) The approved use ‘Small Bar’ is defined in the City of Cockburn Town Planning Scheme No. 3 as a “*premises licensed as a small bar under the Liquor Control Act 1988*”



and used to sell liquor for consumption on the premises, but not including the sale of packaged; and with the number of persons who may be on the licensed premises limited to a maximum of 120."

- d) The issue of a planning approval does not negate the need for the owner and/or applicant to seek all other required approvals for the site. You may also require approval under the *Strata Titles Act 1985*, approval from any relevant Strata company, or other Strata Lot owners.
- e) All food businesses shall comply with the *Food Act 2008* and Chapter 3 of the Australia New Zealand Food Standard Code (Australia Only).
- f) An "Application to Construct or Alter a Food Premises" is required to be submitted to Health Services prior to construction. This is to be accompanied by detailed plans and specifications of the food preparation and storage area (including mechanical ventilation and hydraulics), sanitary conveniences and garbage room, demonstrating compliance with the mentioned legislation.
- g) The applicant is advised that the serving of alcohol shall not commence unless the relevant approval has been obtained from the Liquor Licensing Division of the Office of Racing and Gaming.
- h) 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*.
- i) All toilet and kitchen facilities in the development are to be provided with mechanical ventilation flued to the outside air, in accordance with the requirements of *the National Construction Code (Building Code of Australia)*, the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*, Australian Standard S1668.2-1991 "The use of mechanical ventilation for acceptable indoor air quality" and the City of Cockburn Health Local Laws 2000.
- j) No person shall install or cause or permit the installation of outdoor lighting otherwise than in accordance with the requirements of Australian Standard AS 4282 - 1997 "Control of the Obtrusive Effects of Outdoor Lighting".
- k) This development has been defined as a 9b public building in accordance with the National Construction Code (NCC) and shall comply with the relevant provisions of the *Health (Miscellaneous Provisions) Act 1911* (as amended), and the *Health (Public Buildings) Regulations 1992*. An Occupancy Permit Application shall be submitted for approval, prior to the occupancy of the building.

<p>l) With Regards to Condition 13, the preferred materials for alfresco dining furniture are metal and timber. The feet of any metal furniture should be suitable encased in rubber or plastic to minimise noise and damage to the footpath. Plastic and acrylic chairs are not encouraged due to generally lower standards of design and quality however may be considered if appropriately justified.</p> <p>(2) NOTIFY the applicant and those who made a submission during the public consultation period of Council's Decision.</p>	
<p>COUNCIL DECISION MOVED Cr C Terblanche SECONDED Cr T Widenbar That the recommendation be adopted. <p style="text-align: right;"><u>CARRIED UNANIMOUSLY 8/0</u></p> </p>	

Background

The subject lot is zoned Urban under the Metropolitan Region Scheme (MRS) and Local Centre under the City of Cockburn's Town Planning Scheme No. 3 (TPS 3). The subject site is located within an existing mixed use building known as the Bibra Lake Shopping Centre, and consists of 103m² in interior floor area.

The Bibra Lake Shopping Centre is a single level building which comprises of 11 commercial tenancies ranging from shop businesses, a massage parlour, a restaurant/café, a liquor store and consulting rooms.

The subject site is bound by existing residential development to the north and north east, Bibra Lake Community Centre directly to the east, Annois Road to the west, and Parkway Road to the south. Across the road from Parkway Road and Annois Road is residential development and Bibra Lake Primary School.

Currently, the subject site has development approval to operate as a restaurant, however this unit has been vacant since the previous tenancy closed their business permanently in July 2019.

The City has received an application for a small bar. A small bar is classified as an 'A' use within the Local Centre zone. Planning approval is required for the approval of this use, and advertising is mandatory in accordance with clause 64(3) of the deemed provisions within the *Planning and Development (Local Planning Schemes) Regulations 2015*.

As objections were received during the consultation period, this matter is the subject of a report to Council.

Submission

N/A



Report

Proposal

The proposal consists of the following:

- Hours of operation are Wednesday to Sunday from 11:00am to 10:00pm,
- Maximum capacity of 70 persons,
- The whole site has a total of 100 car parking bays for the shared use of the 11 commercial tenancies. This proposal has been assessed with the parking requirement equating to 18 bays. This has been discussed in greater detail under the Car Parking section of this report.

Operations

- Subject to obtaining the relevant approvals under the *Liquor Control Act 1988*, the licensee of a small bar licence is, during permitted hours, authorised to sell liquor for consumption on the licensed premises.
- The service of alcohol is permitted under a small bar liquor licence when the kitchen is closed. Therefore the application proposes the service of alcohol without a meal (food) and without allocated seating at a table.
- In accordance with the *Liquor Control Act 1988*, there is to be no sale of packaged liquor at the premises.
- Background acoustic live music proposed at 'conversational level', in house piano proposed to be located at the premises and utilised for the purpose of providing background live music.

Zoning and Use

The subject site is zoned Urban under the Metropolitan Region Scheme (MRS) and Local Centre under the TPS 3. The subject site is also located within Development Contribution Area No. 13 (DCA 13). As the application is for a Change of Use and associated signage, there is no Development Contribution requirement.

A small bar is defined in the TPS No. 3 as a:

"...premises licensed as a small bar under the Liquor Control Act 1988 and used to sell liquor for consumption on the premises, but not including the sale of packaged; and with the number of persons who may be on the licensed premises limited to a maximum of 120."

For ease of reference the existing approval "restaurant" is defined as follows:

"... premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the Liquor Licensing Act 1988."



It is important to note the *Liquor Control Act 1988* (previously referred as *Liquor Licensing Act 1988*) permits restaurants (with an extended trading permit under section 60(4)) to sell liquor to a person, whether or not ancillary to a meal if a person is sitting down.

On this basis whether the subject site is approved as a “small bar” or a “restaurant”, alcohol may be permitted to be served under both scenarios without a meal.

Assessment

Land Use

The objective of the Local Centre zone in TPS No. 3 is:

“To provide for convenience retailing, local offices, health, welfare and community facilities which serve the local community, consistent with the local - serving role of the centre”.

An objective of the Residential zone outlined in TPS No. 3 is:

‘To provide for a range of non-residential uses, which are compatible with and complementary to residential development.’

This strategic planning objective, listed above, underpins a reason why it is recommended that Council support the proposed small bar. The strategic planning intent of the subject site is to provide for social and commercial opportunities to serve the role of the centre of Bibra Lake.

The South Metropolitan Sub-regional Planning Framework suggests:

“High-amenity centres have the capability to be suitable locations for entertainment for visitors... local centres will provide local employment opportunities and contribute to improving overall employment self-sufficiency”.

It is considered that the proposal meets and contributes to the State Governments’ intent for Local Centres under the Sub-Regional Planning Framework, as the proposal contributes to and meets the above planning objectives.

Under the *City of Cockburn Local Commercial Activity Centre Strategy* (LCACS), the subject site has been identified as “Bibra Lake Local Centre”. The function and characteristic of a Local Centre under LCACS is:

“[To] provide for daily and weekly household shopping needs, and a very small range of other convenience services.”

The intent of ‘Local Centre’ under LCACS with regards to land use diversity is to supplement high density residential with “*focused convenience retail activities*”.... and a “*walkable catchment of 200m - to support local businesses*”. The City considers the proposal meets the intent of LCACS.



Local Planning Policy 3.6 - Licenced Premises (Liquor) (LPP 3.6) provides guidance in assessing planning applications for licenced premises and the need for the public impact to be taken into account during assessment. The policy states that:

“[Some] information required includes:

- 1. How the licenced premises will operate;*
- 2. Hours of operation;*
- 3. Marketing and pricing of liquor;*
- 4. External advertising and signage;*
- 5. Information about the cumulative impact of nearby licenced premises;*
- 6. Information about sensitive land uses in the vicinity (eg: schools, youth centres, health care facilities etc.).”*

LPP 3.6 also states that small bars should comply with an operational procedure. Should Council resolve to approve the proposal, it is recommended a condition be imposed addressing the above via a management plan and operational procedure of the premises to be submitted and approved by the City.

Upon application to the *Department of Racing, Gaming and Liquor WA*, the applicant is required to meet the requirements, including enacting a satisfactory management plan, code of conduct and the appropriate training of staff.

The applicant has submitted an Operational Management Plan (OMP) to the City's satisfaction, to form part of the application (refer Attachment 4). Should Council decide to approve the development, it is recommended a condition be imposed to ensure the approved OMP is implemented prior to the commencement of the use and implemented thereafter.

In accordance with LPP 3.6, the approved OMP addresses the following points:

- a. Hours of operation
- b. Waste management
- c. Anticipated volumes during differing types of service
- d. Staffing: staff numbers, qualifications and training, roles and responsibilities of team members
- e. Accessibility
- f. Safety procedures
- g. Parking
- h. Harm minimisation (identification and controlling of intoxicated persons, managing service of juveniles)
- i. Refusal of service
- j. Management of complaints
- k. Advertising and drink promotions
- l. Creating a safe environment



Noise

The planning framework provides that State Planning Policy No. 5.4 Road and Rail Noise (SPP 5.4) be considered in the assessment, which addresses road and rail noise.

During the public consultation period, objections were received in relation to potential noise in the form of passive noise (ie: customers talking etc.). SPP 5.4 does not address this form of noise, rather it addresses road and rail noise only.

In relation to noise concerns of the residents, the City refers to the definition of 'amenity' which is provided below as extracted from the *Planning and Development (Local Planning Schemes) Regulations 2015*:

“Amenity means all those factors which combine to form the character of an area and include the present and likely future amenity.”

Given the zoning of the lot, the uses are commercial in nature and therefore anticipated to generate some noise. Local Centre zones are characterised under the zone and LCACS as “community facilities and needs which serve the local community”. Local centres are a “meeting place” for people and commercial activity and are therefore places where groups of people gather to talk, shop, work etc., and are by nature noisier places than say a residential property. There are other measures to address noise under the *Environmental Protection (Noise) Regulations 1995* (Noise Regulations).

The applicant has provided an Acoustic Report (refer Attachment 3) addressing noise. Should Council resolve to approve the proposal, a condition shall be imposed to ensure the Noise Management Plan (NMP) is implemented and measures addressing noise being maintained thereafter. The NMP shall demonstrate how the business shall comply with the Acoustic Report, and address the following criteria:

- a. Predictions of anticipated noise emissions associated with activities, live music performance, plant or equipment (such as bin areas or air-conditioners),
- b. Sound proofing measures to be implemented to mitigate noise,
- c. Control measures to be undertaken (limiting maximum numbers seated outside, including monitoring procedures),
- d. A complaint response procedure.

In addition to the above, the owner has indicated that the proposal involves live music in a “background noise” capacity only. On this basis, should Council approve the development, it is recommended a condition be imposed to ensure this:

“live music is permitted where the music is at a volume commensurate with “background music” and the performance is to exclude drum-kits. Any live music should be performed at a



volume that permits normal conversation in accordance with the approved Acoustic report and NMP”.

The City is satisfied that the applicant can demonstrate and meet compliance with the Noise Regulations with the Acoustic Report, any subsequent building modifications and the imposition of a NMP.

Odour

It is not anticipated that odour will be an issue in the operation of the small bar. The details of waste management have been included in the approved OMP. Should Council resolve to approve the proposal, a condition shall be imposed to ensure the OMP is implemented to the City's satisfaction.

Location

The proposed small bar is located in close proximity (refer Attachment 1 – Location Plan) to sensitive land uses including 'Bibra Lake Primary School' as defined in:

Environmental Protection Authority's Guide for the Assessment of Environmental Factors (in accordance with the Environmental Protection Act 1986) No. 3 - Separation Distances between Industrial and Sensitive Land Uses.

The planning framework provides Guidance Statement No. 3 (GS 3) as a tool to be used for the assessment of applications for new individual industries, infrastructure and estates, in the vicinity of existing and proposed sensitive land uses; and new individual sensitive land uses or estates, in the vicinity of existing/proposed industry and infrastructure.

Given that the proposed use is commercial and not industrial, GS 3 is not relevant to the assessment of this application and cannot therefore prescribe a buffer between the 'small bar' and the 'school'. GS 3 identifies 'schools', 'residential development' and 'shopping centres' as sensitive land uses. The planning framework provides two (2) State Planning Policies (SPPs) that mandate buffers zones, these are:

- *Statement Of Planning Policy No. 4.1 State Industrial Buffer Policy,*
- *State Planning Policy 2.5 - Rural Planning*

Neither of these SPPs requires a buffer to be applied to 'small bars'.

In addition to this, the subject site is zoned Local Centre under TPS 3 and a small bar is considered a compatible land use within this zone which does not require a buffer from other sensitive land uses. It is commonplace in the Greater Perth metropolitan area for "small bars" (or restaurants) to be located in proximity to "sensitive" land uses.

Noting this, it is considered that the City can resolve the objections received during the public consultation period that raised concerns to the proximity of the proposed small bar to the Residential zone and school, via appropriate conditions of approval as previously discussed.



The City received an objection from the Department of Education (DoE). The objection referenced the Western Australian Planning Commission **Draft Operational Policy 2.4 – Planning for School Sites**, specifically Clause 3.6.2 (OP 2.4):

*“Land uses such as service stations, restricted premises, licensed premises such as taverns, **small bars** and liquor stores, consulting rooms and industrial uses **are considered undesirable next to school sites and have real and perceived impacts on health, amenity and safety.** Careful consideration needs to be given during the **design stage** to ensure that school sites are located amongst or adjacent to compatible land uses.”*

The City notes the objective of OP 2.4 is to guide strategic planning of undeveloped areas and is not intended (or possible in this context) to be used as a statutory control in determining development applications in existing developed areas. In the context of this application, the proposal is in an existing premise, and not in a locality undergoing the ‘design’ stage. The wording of Clause 3.6.2 in OP 2.4 does not restrict the local authority from approving uses that are considered undesirable under OP 2.4, more so OP 2.4 is intended to serve as a guide to determining strategic planning applications. Should Council resolve to approve the application, it is considered that the City can address OP 2.4 and the objection from the DoE through the imposition of an OMP.

It is understood the concern raised by the DoE is in relation to the service of alcohol being in proximity to a school. It is important to reiterate the earlier comments in this report which identify that whether the subject site is approved as a ‘small bar’ or remains as a ‘restaurant’, (as currently approved) alcohol may be permitted to be served under both land uses without a meal.

The existing Unit 1 (refer Attachment 2) is not proposed to be expanded to have a floor area greater than existing. On this basis, the service of alcohol is not anticipated to result in a change to social matters. Under the existing and proposed land use, the *Department of Racing, Gaming and Liquor* have strict controls in place and can shut-down any non-compliant businesses.

It is further noted Clause 3.6.1 of draft OP 2.4 states “*common boundaries of school sites with residential uses should be avoided whenever possible*”. It is noted the southern side of Bibra Lake Primary School shares a boundary with nine (9) residential properties. As is evident from both examples (Clauses 3.6.1 and 3.6.2) the draft OP 2.4 is too late in the planning framework to be implemented at a statutory planning stage.

Should Council consider refusing the application on this basis Council may need to defend such a decision in the State Administrative Tribunal? Without prejudice, it is not anticipated that Council would have statutory grounds to support such a decision. In addition, the City notes that Department of Planning, Lands and Heritage Operational



Policies do not have the same statutory powers as the Western Australian Planning Commission State Planning Policies. State Planning Policies such as 4.1 and 2.5 discussed above (the ones that prescribe buffers) are recognised in the *Planning and Development Act 2005* under Part 3. Operational Policies such as 2.4 are not given the same level of statutory power under the *Act*. Accordingly, as SPP 4.1 and 2.5 permit the use (by omission), draft OP 2.4 is not considered an appropriate justification for refusal.

Car Parking

The City's TPS No.3 does not include a car parking ratio for small bar land uses under Table 3 and therefore it is considered the same car parking requirements for a restaurant shall be applied, given that the only difference in land uses between restaurant and small bar is the difference in liquor licencing type.

There are a total number of 100 bays on the whole site, dedicated to all 11 tenancies. A breakdown of the car parking ratio per unit is outlined below:

Unit	Use	Rate	Car Bays Required
1	Small Bar (70 people proposed)	1:4 seats /people	18
2	Shop (Hairdresser)	1:12 m ²	5
3	Shop (Pharmacy)	1:12 m ²	9
4	Massage Parlour (Use not Listed) 2 Therapists	3 per therapist	9
5	Restaurant (20 seats & Alfresco dining in carpark area)	1:4 seats	10
6	Fast food Outlet	1:15 m ²	6
7	Shop	1:12 m ²	44
8	Shop (Newsagency)	1:12 m ²	5
9	Medical Centre	1:5 Practitioner	15
10	Consulting Rooms	1:5 Practitioner/ Room	10
11	Consulting Rooms	1:5 Practitioner/ Room	10
Total Required			141

Given Unit 1 has operated as a restaurant since 1987; it is considered that the subject site currently caters for the car parking requirements for the proposed small bar. There have been no complaints with respect to parking for its former use.

The parking in the lot is a shared arrangement. Under Clause 4.9.7(b) of TPS 3, approval can be granted for a change of use whereby the deficiency in the number of car parking spaces provided to serve the use is provided by another use that has different hours of operation. Noting the proposed small bar is most likely to experience capacity after normal business hours, it is considered that this land use is compatible with the other land uses onsite which operate during usual business hours.



It may be appropriate for Council to apply some discretion to car parking requirements, particularly in order to encourage walkability. In accordance with the Draft SPP 4.2,

“The planning for activity centres should seek to reduce private vehicle dependence, particularly for commuter trips, and manage the impacts of vehicle movements and parking.”

The current SPP 4.2 states;

“Car parking also takes up large amounts of space, and potentially causes visual blight, reduced densities and physical separation of centres from the surrounding community. Reducing the amount of parking in activity centres is also essential, as part of a package of planning and transport measures, to promote sustainable travel choices.”

It is noted that given the proposal involves the service of alcohol without food, the requirement of car parking is further reduced as it is expected patrons staying at the premises to consume liquor would not be driving to the site themselves.

In line with SPP 4.2, a reduced availability of parking leads to reduced driving to a destination, which for this proposal is deemed appropriate and consistent with the planning framework for the ‘Local Centre’ zone.

Traffic

The City has assessed the application and is satisfied the proposed development will have no significant impact on traffic in the locality. The proposed traffic generated by the proposed use is considered to be consistent and expected in the area.

Alfresco Dining

The proposed alfresco dining demonstrates compliance with Local Planning Policy 3.5 – Alfresco Dining (LPP 3.5), as the alfresco area is adjacent to the main seated area of the small bar, and located under a permanently covered area.

The proposed alfresco furniture shall be located to comply with Figure 3.4 of AS1428.2 – pedestrian path width requirements for people with mobility impairment, allowing the footpath to remain universally accessible. The alfresco area shall include a barrier to delineate the alfresco area and the footpath, complying with the requirement in LPP 3.5 to provide a barrier where alcohol is served.

The plans submitted have been modified by the City to comply with the above requirements and attached to this report, with the changes marked in red. Should Council resolve to approve the development, a condition shall be imposed to ensure compliance with the plans (and any revisions marked in red).



Signage

The proposed roof sign replaces the existing roof signage and is consistent with the signage onsite for the other commercial tenancies. The proposed signage is compliant with the requirements of Local Planning Policy 3.7 (LPP 3.7) as it complements the architectural style of the building, is setback greater than 0.5 metres from the external walls of the building, and is not proposed in addition to a Roof Sign (above).

Conclusion

It is recommended that the proposed small bar be approved, subject to conditions as outlined in this report. It is considered all matters raised in the objections can be adequately addressed and that the use meets the objectives of the Local Centre zone.

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

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.
- 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.

- Plan to provide residents with great places to live, activated social connections and high quality open spaces.
- 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 application was advertised via postal mail to nearby landowners within a 100 metre radius of the site, and advertised for broader consultation online via 'Comment on Cockburn' for a period of 21 days in accordance with clause 64(3) of the deemed provisions within the *Planning and Development (Local Planning Schemes) Regulations 2015*.

This has allowed the City to receive submissions from members of the greater community that do not have a residential or postal address within the 100 metre advertisement catchment as outlined.

A total of 92 submissions were received, consisting of 12 objections, one (1) submission neither supports nor objects, and 79 submissions in support of the proposal.

The main objections are summarised below:

Objection	City's Comment
Land Use	Refer to the Land Use section of this report.
Location: Proximity to Bibra Lake Primary School, specialist addiction/mental health treatment clinic and Residential dwellings	Refer to the Location section of this report.
Anti-social activity generated by the land use	Refer to the Land Use section of this report.
Number of licenced venues in the area	Refer to the Location section of this report.
Noise	Refer to the Noise section of this report.
Lack of car parking	Refer to the Car Parking section this report.
Traffic Generation	Refer to the Traffic section this report.
Waste	Refer to the Odour section this report.

A detailed schedule of submissions is summarised in the Schedule of Submissions Table (refer Attachment 5), with key issues raised addressed in this report.

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.

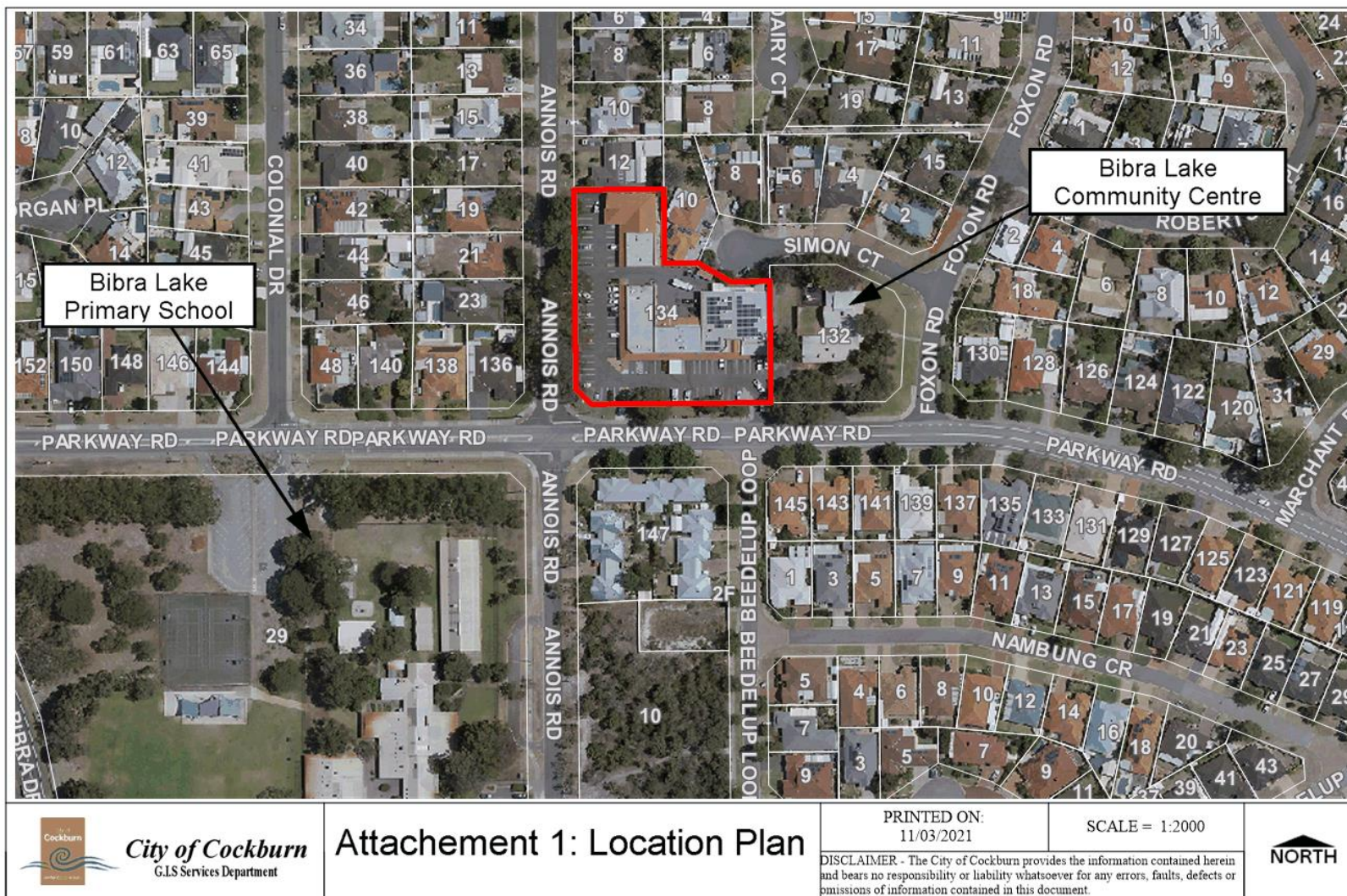
Advice to Proponents/Submitters

The proponents and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 8 April 2021 Ordinary Council Meeting.

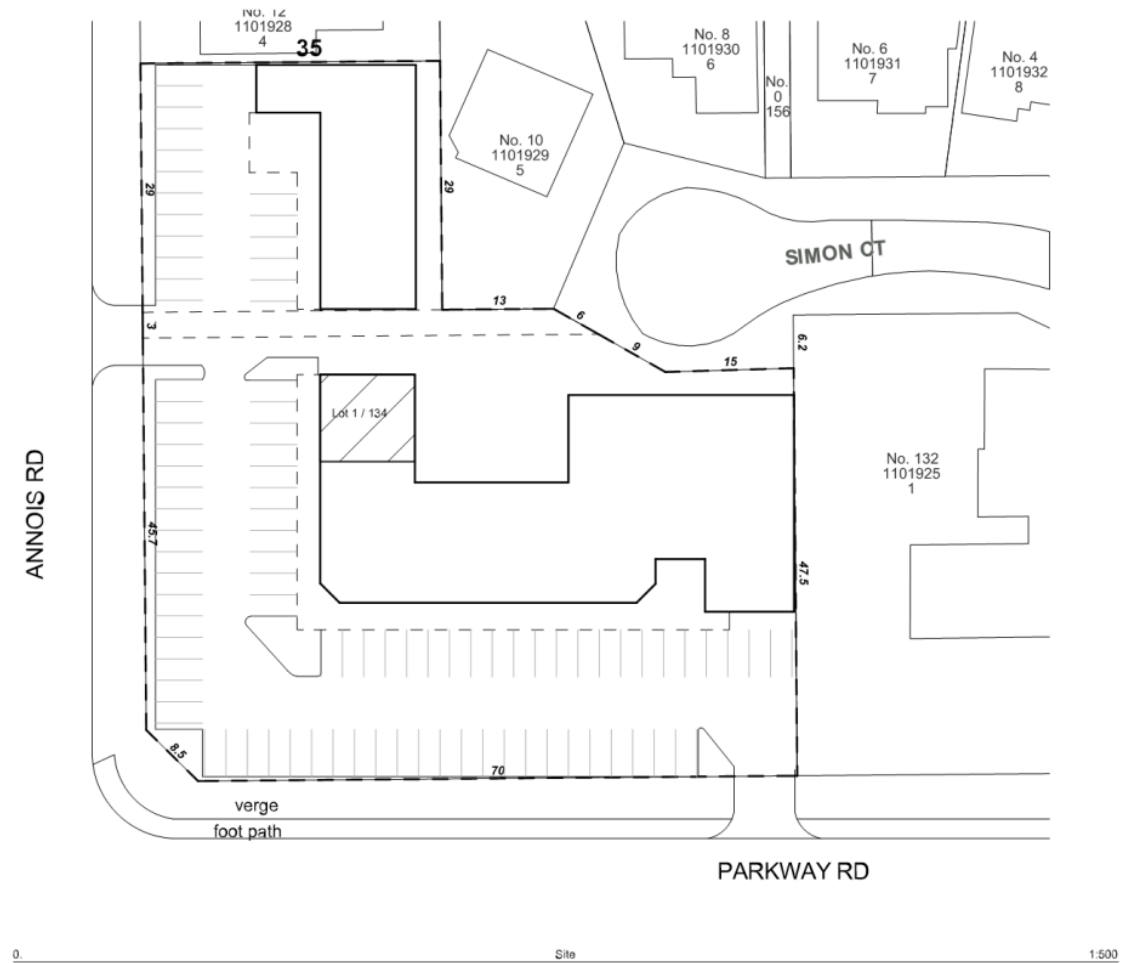
Implications of Section 3.18(3) *Local Government Act 1995*

Nil.



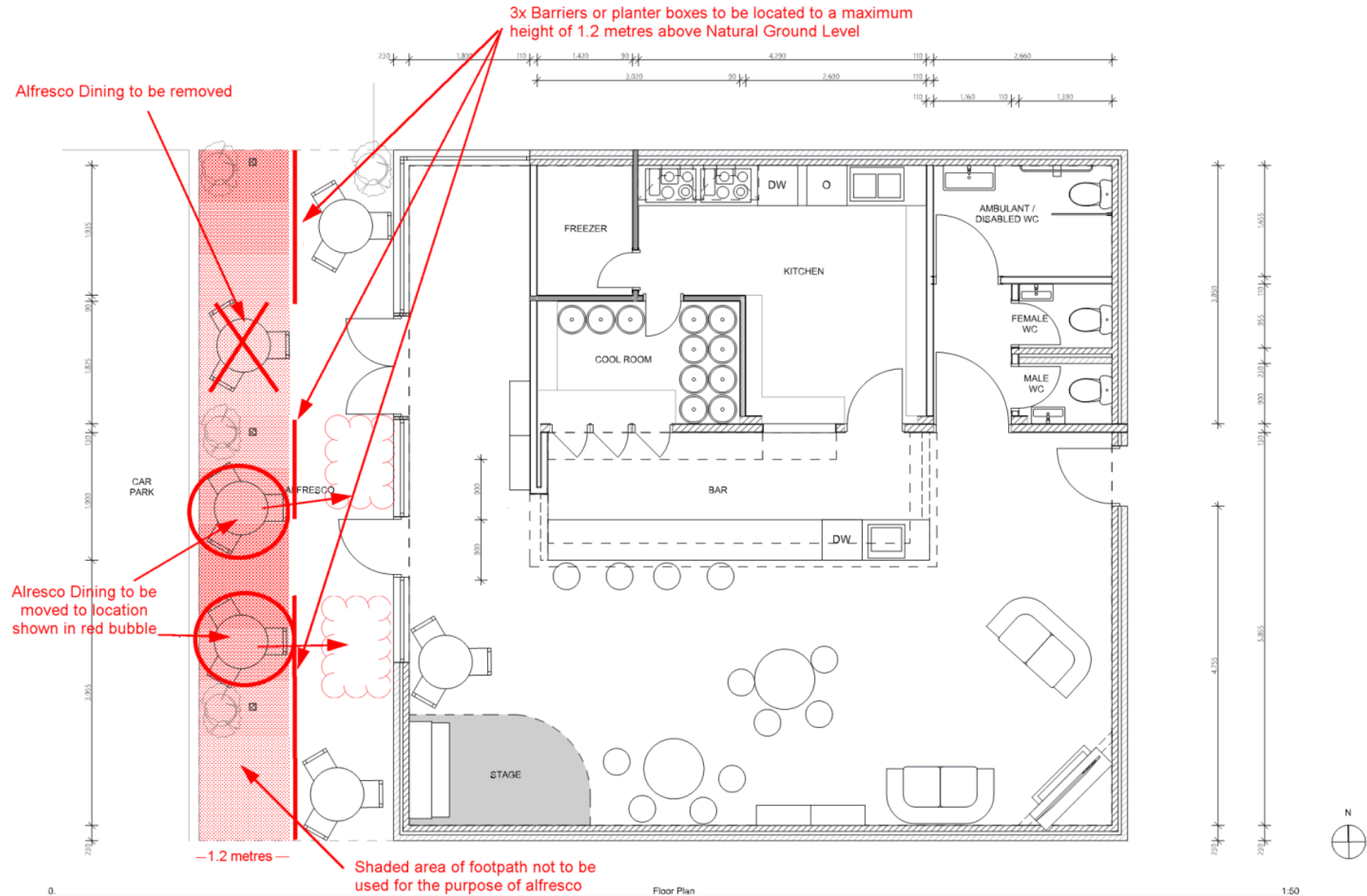


Attachement 2: Development Plans



DWG NO:

01



emef
DESIGN

address : 75a Forrest Rd Hamilton Hill WA
Ph. : 0423 455 527
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CLIENT/PROJECT: Argonautica (WA) PTY LTD
Proposed Small Bar Liquor License Application

DRAWING TITLE
Floor Plan

PROJECT STATUS:
Planning

DESIGNER:
A I
DRAWN:
ARIFIN IRIKS

SCALE:
As shown @ A3
REVISION DATE:
27/01/2021

PROJECT NO:
0163
REVISION
0002

DWG NO:

03



Current Signage



Proposed Signage



Attachment 3: Accoustic Report



Our ref: 27043-2-20374

3 February 2021

Argonautica (WA) Pty Ltd

**1/134 PARKWAY ROAD, BIBRA LAKE – PROPOSED SMALL BAR
ACOUSTIC CONSULTANCY**

As requested, 1/134 Parkway Road, Bibra Lake, was attended on 16 December 2020. The purpose of the visit was to ascertain the noise impact that would be associated with the use of the tenancy as a small bar.

SUMMARY

Noise from the proposed venue to the adjacent premises is calculated to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* at all times.

It is noted that this finding is on the basis of the doors to the small bar being closed – hence, the doors are required to be “normally shut” – i.e. not propped open and have automatic closers on the door.

The assessment includes patrons within the alfresco area external to the proposed venue, noting that no speakers/music are proposed in this area.

CRITERIA

The allowable noise level at the surrounding locales is prescribed by the *Environmental Protection (Noise) Regulations 1997*. Regulations 7 & 8 stipulate maximum allowable external noise levels determined by the calculation of an influencing factor, which is then added to the base levels shown below. The influencing factor is calculated for the usage of land within two circles, having radii of 100m and 450m from the premises of concern.

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Herring Storer Acoustics
Our Ref: 27043-2-20374

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TABLE 1 - BASELINE ASSIGNED OUTDOOR NOISE LEVEL

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
		L_{A10}	L_{A1}	L_{Amax}
Noise sensitive premises	0700 - 1900 hours Monday to Saturday (Day)	45 + IF	55 + IF	65 + IF
	0900 - 1900 hours Sunday and Public Holidays (Sunday / Public Holiday Day Period)	40 + IF	50 + IF	65 + IF
	1900 - 2200 hours all days (Evening)	40 + IF	50 + IF	55 + IF
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays (Night)	35 + IF	45 + IF	55 + IF
Commercial premises	All Hours	60	75	80

Note: L_{A10} is the noise level exceeded for 10% of the time.
 L_{A1} is the noise level exceeded for 1% of the time.
 L_{Amax} is the maximum noise level.
 IF is the influencing factor.

It is a requirement that received noise be free of annoying characteristics (tonality, modulation and impulsiveness), defined below as per Regulation 9.

“impulsiveness” means a variation in the emission of a noise where the difference between L_{Apeak} and $L_{Amax Slow}$ is more than 15 dB when determined for a single representative event;

“modulation” means a variation in the emission of noise that –

- (a) is more than 3dB $L_{A Fast}$ or is more than 3 dB $L_{A Fast}$ in any one-third octave band;
- (b) is present for more at least 10% of the representative assessment period; and
- (c) is regular, cyclic and audible;

“tonality” means the presence in the noise emission of tonal characteristics where the difference between –

- (a) the A-weighted sound pressure level in any one-third octave band; and
- (b) the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands,

is greater than 3dB when the sound pressure levels are determined as $L_{Aeq,T}$ levels where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as $L_{A Slow}$ levels.

Where the noise emission is not music, if the above characteristics exist and cannot be practicably removed, then any measured level is adjusted according to Table 2 below.

TABLE 2 – ADJUSTMENTS TO MEASURED NOISE LEVELS

Where tonality is present	Where modulation is present	Where impulsiveness is present
+5 dB(A)	+5 dB(A)	+10 dB(A)

Where the noise emission is music, then any measured level is adjusted to Table 3 below.

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TABLE 3 - ADJUSTMENTS TO MEASURED MUSIC NOISE LEVELS

Where impulsiveness is not present	Where impulsiveness is present
+10 dB(A)	+15 dB(A)

The influencing factor at the residential premises has been conservatively estimated at +2 dB as follows:

Commercial Premises within the Inner Circle 40% +2



FIGURE 1 – AREA MAP

The locations above have been selected for assessment based on the proximity to the proposed small bar and are considered representative of the most affected premises.

Accordingly, the Assigned Noise Levels are as per Table 4 below.

TABLE 4 - ASSIGNED OUTDOOR NOISE LEVEL

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Residential Premises	0700 – 1900 hours Monday to Saturday	47	57	67
	0900 - 1900 hours Sunday and Public Holidays	42	52	67
	1900 – 2200 hours all days	42	52	57
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays	37	47	57
Commercial Premises	All Hours	60	75	80

Notes: L_{A10} is the noise level exceeded for 10% of the time.
L_{A1} is the noise level exceeded for 1% of the time.
L_{Amax} is the maximum noise level.
IF is the influencing factor.

METHODOLOGY

1/134 Parkway, Bibra Lake was attended on 16 December 2020. The effectiveness of the façade of the proposed small bar was tested during this visit, with a white noise source utilised within the bar, and noise levels both inside and outside the tenancy measured to ascertain the reduction achieved.

The measurements were conducted with a Larson Davis 831 Sound Level Meter. A field calibration was carried out both before and after the measurements with a Bruel & Kjaer 4231 Acoustic Calibrator. All equipment used are NATA calibrated, with certification available upon request.

The resultant reduction was then utilised to calculate the expected noise levels at the adjacent premises.

Noise levels within the proposed small bar were based on live music being played within the bar, at a noise level of 90 dB(A) throughout the venue. Based on discussions on site, this would be a conservative estimate as to the actual levels desired within the bar (i.e. an over-estimation), and therefore, the calculated noise levels are conservative.

Noise levels associated with patrons in the proposed alfresco area have also been calculated, based on a sound power level of 66 dB(A) per square metre. This noise level is akin to a beer garden noise level, hence, is considered to provide a conservative assessment of the noise levels associated with this noise source. It is noted that there is to be no speakers/music in the alfresco area.

TABLE 5 – CALCULATED NOISE LEVELS : MUSIC FROM INSIDE VENUE

Location	Noise Level L_{A10} dB(A)
R1	21
R2	10
C1 (inside adjacent tenancy)	35
C2	50

TABLE 6 – CALCULATED NOISE LEVELS : PATRONS IN ALFRESCO AREA

Location	Noise Level L_{A10} dB(A)
R1	34
R2	27
C1	55
C2	47

ASSESSMENT

The calculated noise levels were inspected for annoying characteristics, with the adjustments in Table 7 below are applicable. It is noted that the style of live music understood to be desired to be played at the small bar is such that impulsive characteristics are not likely to be present.

It is noted that patron noise (i.e. voices) do not contain annoying characteristics in accordance with the Environmental Protection (Noise) Regulations 1997, hence, the assessable noise levels are as per Table 6 above.

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TABLE 7 – APPLICABLE ADJUSTMENTS AND ADJUSTED L_{A10} NOISE LEVELS : MUSIC FROM INSIDE VENUE, dB(A)

Measurement Location	Calculated Noise Level, dB(A)	Applicable Adjustments to Measured Noise Levels, dB(A)		Adjusted Noise Level, dB(A)
		Where Noise Emission IS music		
		Where impulsiveness is not present	Where impulsiveness is present	
R1	21	+ 10	-	31
R2	10	+ 10	-	20
C1	35	+ 10	-	45
C2	50	+ 10	-	60

The "C1" location is an internal location, (for the music calculation) - hence, the noise level requires adjustment for the calculation point.

TABLE 8 – ASSESSABLE L_{A10} NOISE LEVELS : MUSIC FROM INSIDE VENUE, dB(A)

Measurement Location	Adjusted Noise Level, dB(A)	Measured Inside with Doors and Windows Closed	Assessable L_{A10} Level (dB)
R1	31	-	31
R2	20	-	20
C1	45	+ 15 dB	60
C2	60	-	60

Table 9 and 10 shows the applicable Assigned Noise Levels, and assessable noise level emissions associated with the noise impact of the proposed small bar.

TABLE 9 – ASSESSMENT OF NOISE LEVEL EMISSIONS : MUSIC FROM INSIDE VENUE

Location	Assessable Noise Level, dB(A)	Applicable Times of Day	Applicable L_{A10} Assigned Level (dB)	Exceedance to Assigned Noise Level (dB)
R1	31	0700 – 1900 hours Monday to Saturday	47	Complies
		0900 - 1900 hours Sunday and Public Holidays	42	Complies
		1900 – 2200 hours all days	42	Complies
		2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays	37	Complies
R2	20	0700 – 1900 hours Monday to Saturday	47	Complies
		0900 - 1900 hours Sunday and Public Holidays	42	Complies
		1900 – 2200 hours all days	42	Complies
		2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays	37	Complies
C1	60	All Hours	60	Complies
C2	60	All Hours	60	Complies

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TABLE 10 – ASSESSMENT OF NOISE LEVEL EMISSIONS : PATRONS IN ALFRESCO AREA

Location	Assessable Noise Level, dB(A)	Applicable Times of Day	Applicable L_{A10} Assigned Level (dB)	Exceedance to Assigned Noise Level (dB)
R1	34	0700 – 1900 hours Monday to Saturday	47	Complies
		0900 - 1900 hours Sunday and Public Holidays	42	Complies
		1900 – 2200 hours all days	42	Complies
		2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays	37	Complies
R2	27	0700 – 1900 hours Monday to Saturday	47	Complies
		0900 - 1900 hours Sunday and Public Holidays	42	Complies
		1900 – 2200 hours all days	42	Complies
		2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays	37	Complies
C1	55	All Hours	60	Complies
C2	47	All Hours	60	Complies

As can be seen from the above table, noise levels associated with the proposed small bar is calculated to comply with the relevant assigned noise levels stipulated by the *Environmental Protection (Noise) Regulations 1997* at all times.

CONCLUSIONS

Noise from the proposed venue to the adjacent premises is calculated to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* at all times.

It is noted that this finding is on the basis of the doors to the small bar being closed – hence, the doors are required to be “normally shut” – i.e. not propped open and have automatic closers on the door.

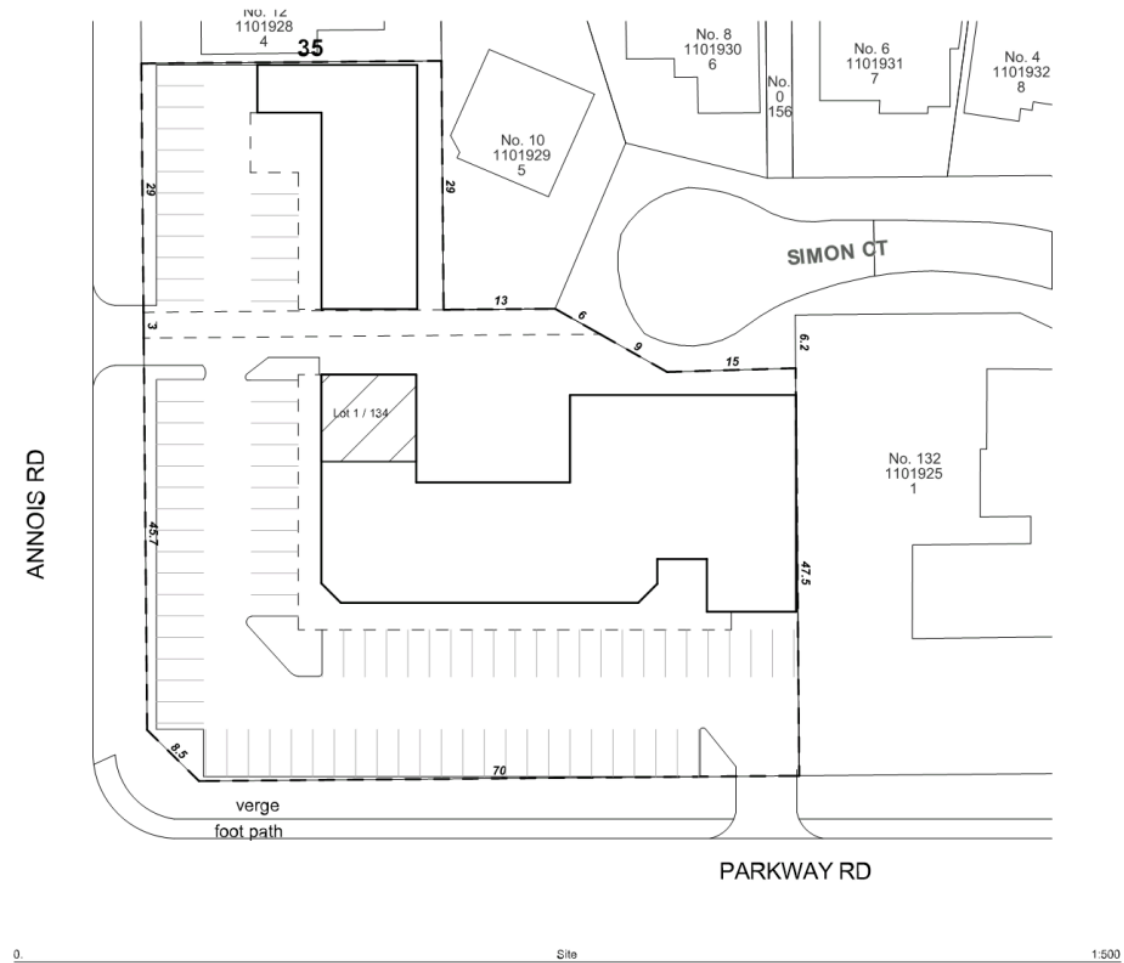
Noise levels associated with the propose alfresco patron area has also been calculated to comply with the Regulations, on the basis of there being no music/speakers in this area.

We trust the above meets your requirements on this matter. Should you have any queries, please do not hesitate to contact this office.

Yours faithfully,
For **HERRING STORER ACOUSTICS**

George Watts

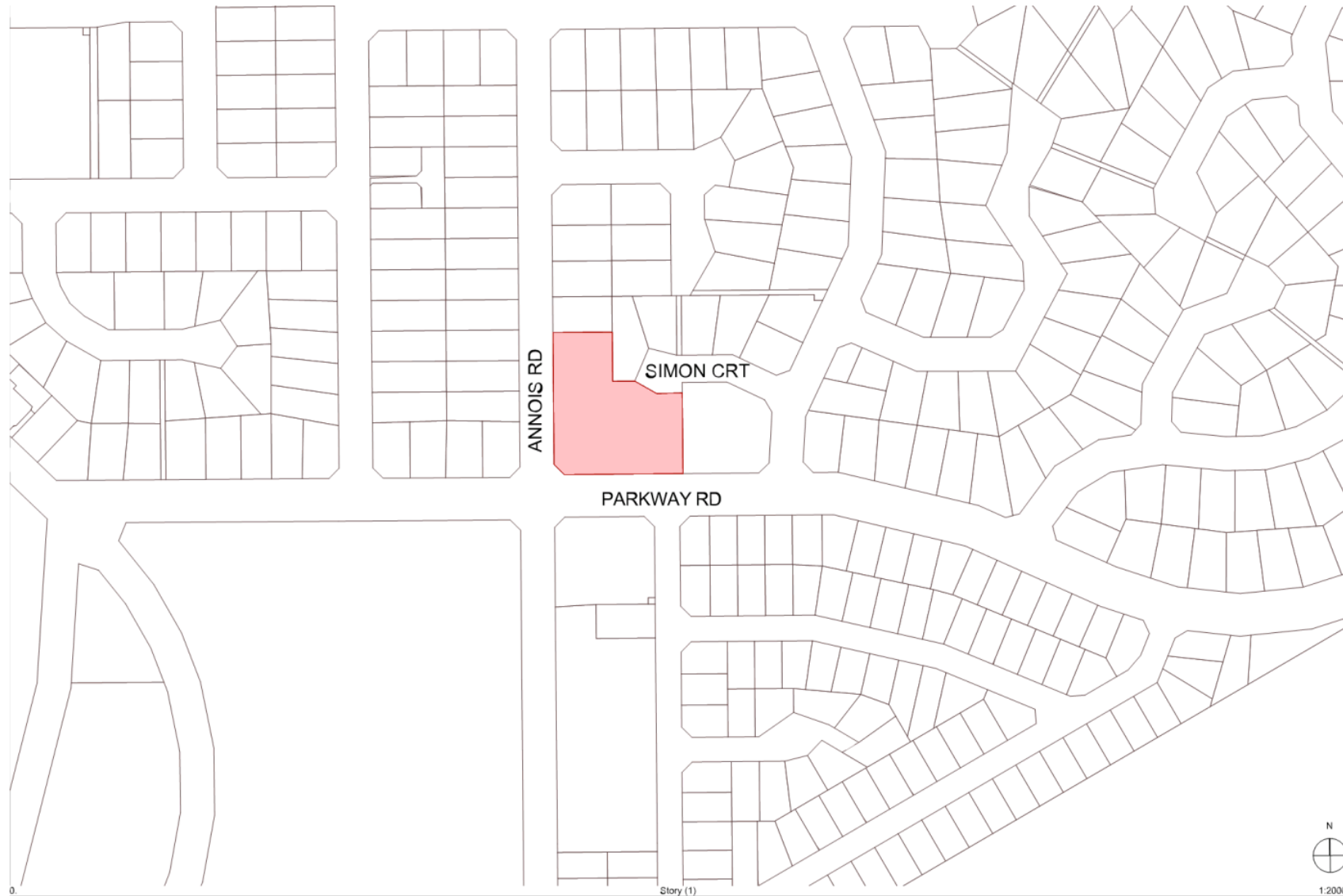
Att.



DWG NO:

01





DWG NO:

02





DWG NO.

04

Attachment 4 - Operational Management Plan



Argonautica (WA) Pty Ltd trading as Naut House Management Policy

Argonautica (WA) Pty Ltd trading as Naut management and staff are committed to minimising liquor related harm to our customers and patrons by the adoption of harm minimisation strategies.

Our policy is to serve customers in a friendly, responsible and professional manner.

Staff will not serve liquor to any person under the age of 18 years, or any person who appears to be intoxicated.





**Argonautica (WA) Pty Ltd trading as Naut
Code of Conduct for Patrons**

Patrons attending this establishment must provide an undertaking to:

- consume liquor responsibly and avoid becoming intoxicated.
- behave in a manner that does not place at risk the safety of our staff or other patrons.
- consider the consumption of food while drinking alcoholic beverages or take advantage of the availability of low-alcohol or non-alcoholic drinks as an alternative to alcoholic beverages.
- to avoid drinking and then driving under the influence of alcohol take advantage of the host invitation to arrange for taxis or provide telephone call for alternative safe transport.
- leave the premises upon a request by management or staff member where the patron has become intoxicated or is displaying any behaviour likely to affect the safety or enjoyment of other patrons.
- respect the privacy and rights of other patrons, businesses and residents within the vicinity of these premises when leaving.
- not provide any person nearing intoxication with any alcoholic beverage.
- be of or over 18 years of age if consuming liquor.
- provide acceptable photographic identification if requested.
- treat staff with respect and acknowledge the rights of staff to cease service of alcoholic beverages when intoxication is detected.
- act and behave in a manner that will not occasion a breach of the Liquor Licensing Act.



**Argonautica (WA) Pty Ltd trading as Naut
Code of Conduct for Management and Staff**

The management and staff of this establishment is committed to:

- serving and promoting liquor responsibly in accordance with guidelines issued by the Director of Liquor Licensing.
- the use of staff trained in responsible server practices and harm minimisation strategies.
- treating customer complaints seriously and making every effort to resolve complaints.
- ensuring strategies are practised that provide a safe working environment for staff and a safe enjoyable social environment for customers.
- refusing entry and service to and, where necessary, removing, intoxicated persons.
- discouraging and, when detected, acting to prevent the continuation of any behaviour likely to affect the safety or enjoyment of our customers, or the safety to staff.
- ensuring persons under the age of 18 years are not served or permitted to consume liquor.
- providing hot or cold food, low or alcoholic free drinks or water to our customers who wish to avoid intoxication.
- providing the use of phones at no cost to customers who wish to arrange safe departure from our premises.
- encouraging customers to respect the rights of residents within the vicinity of our premises and not cause disturbance to them.
- ensuring measures are in place to disallow the conveyance of liquor into our premises.





**Argonautica (WA) Pty Ltd trading as Naut
Management Plan**

To achieve the aims and objectives of our "House Management Policy" and "Code of Conduct", the management and staff of Argonautica (WA) Pty Ltd trading as Naut will undertake to:

OPERATING HOURS

1. Trade between the hours of 11am until 10pm, Wednesday to Sunday.

RESPONSIBLE SERVER PRACTICES

1. Promote and implement responsible server practices by ensuring that:
 - only responsible promotions of liquor are displayed on the premises.
 - customers are encouraged by staff to consume food while consuming liquor.
 - low alcohol drinks, soft drinks and water are promoted and available on the premises.
 - liquor is not available on credit.

STAFF TRAINING

1. Ensure the Licensee (or representative) and Approved Manager are accredited through the completion of a formally recognised training course in Liquor Licensing.
2. Train all staff involved in the service of liquor and liquor licensing legislation, patron care, responsible service of liquor and harm minimisation strategies by their completion of a formally recognised training course and in house training, and continually reinforce the principles of the aforementioned criteria on an on-going basis.

CUSTOMER COMPLAINTS

1. Ensure staff treat all customer complaints seriously and respond to them accordingly by:
 - identifying the seriousness of a complaint as to whether it can be dealt with by a staff member or requires Managerial intervention.
 - establishing a resolution to the complaint that, wherever possible, is satisfactory to the complainant.
 - documenting details of serious complaints including names, dates, times, facts of the matters and action/solutions.

INTOXICATION AND OTHER NON-ACCEPTABLE BEHAVIOUR

1. Ensure, staff refuse further service of liquor to persons displaying signs of intoxication by:

- being alert and diligent to the detection of intoxication signs at an early stage.
- talking to the customer away from other patrons where possible.
- calmly and courteously stating that further service of liquor is being refused as it is an offence to serve an intoxicated customer.
- emphasising that the customer's patronage is valued.
- offering hot food or alternative drink options such as soft drinks, water.
- providing telephone calls for persons wishing to arrange alternative transport from our premises.
- having staff arrange for taxi services upon request.
- thereafter being alert to other customers who may attempt to purchase liquor on behalf of the intoxicated person.

2. Warn or remove from our premises (and where appropriate seek prosecutions of) any person Management or Staff deemed to be:

- acting in an offensive, violent or disorderly manner.
- acting in any manner causing an annoyance or discomfort to any other client or staff member.
- committing an offence in contravention of the Liquor Licensing Act.

3. In instances where a customer is required to leave the premises for behaviour or intoxicated reasons, ensure staff:

- clearly indicate to the customer why they are required to leave the premises.
- have competent knowledge of their powers to legally remove persons where necessary.
- have sufficient support on hand to assist as necessary.
- call Police where appropriate.
- always aim for voluntary compliance.
- when physically removing a customer, use only as much force as is necessary in the circumstances.

JUVENILES

1. Control persons suspected of being juveniles on our premises attempting to purchase liquor by demanding evidence of age in the form of:

- current Australian Driver's Licence (with photo).
- current Passport (with photo).
- Proof of Age Card.

2. Control juvenile patrons on our premises by ensuring they are:

- not served or permitted to consume any alcoholic beverage.
- behaving at all times in a manner considered acceptable by Management and Staff.

WASTE MANAGEMENT

1. Ensure the surrounding areas of the venue are kept clean and tidy by:

- inspecting regularly the vicinity of the premises and ensuring the prompt disposal of any waste
- ensuring any trade waste is disposed of in a secure manner to the rear of the premises and that all rubbish is collected on a regular basis.



LOCAL AMENITY

1. Implement strategies to prevent the disturbance of amenity in our area and to neighbours by:

- ensuring music volume is set at a level which will not disturb the comfort of persons living or operating other businesses in the vicinity of our premises.
- ensuring all outdoor furniture is stowed securely inside the venue immediately upon close of trading.
- not permitting more than an acceptable amount of patrons to be present on our premises at any given time.
- establishing a partnership with the local Police.



ATTACHMENT 5: SCHEDULE OF SUBMISSIONS

DA21/0022 - PROPOSED CHANGE OF USE FROM RESTAURANT TO SMALL BAR – 1/134 Parkway Road BIBRA LAKE WA

NO.	NAME/ ADDRESS	SUBMISSION	RECOMMENDATION
Submission Response - Objection			
1	Confidential	<p>Object</p> <p>This application refers to the shop directly behind my accommodation. Approximately 12 meters from our bedroom. The concern is of the noise that will resonate from this shop with the proposed operating time till 10pm Wednesday to Sunday with the resulting closing and tidying up time then going over the 10 pm time. Our apartment is habited by my elderly Mother we believe this noise will adversely impact on her & our lifestyles. We work early and in bed to sleep early and the resulting noise will servery impact on our residence, peace and quiet and ongoing ability to accommodate our elderly Mother in peaceful surroundings as well as impacting on us that reside in our home being in very close proximity to this proposed bar.</p>	<p>Objection Noted.</p> <p>This submission relates to times of venue hours and concern with regards to noise.</p> <p>Should Council approve the proposal, it is recommended that a condition be imposed limiting hours of operation and the requirement for an Operational Management Plan (OMP), an Acoustic report and a Noise Management Plan (NMP).</p>
2	Confidential	<p>Object</p> <p>No need for additional grog outlets in this area. Too close to residences, Sufficient liquor outlets already available in shopping precincts located nearby such as Kardinya and South Lake and Success.</p> <p>Associated noise and traffic and antisocial behaviour is not desirable in a residential area such as this.</p> <p>Likely lead to higher incidence of drug abuse and criminal behaviour in the local area thereby requiring additional police resources that are not likely to become available and are funded from the public anyway.</p>	<p>Objection Noted.</p> <p>The submission relates to number of venues serving alcohol in the area. This has been addressed in the Report. There is no statutory document that regulates the number of small bars in an area.</p> <p>The submission is also concerned about increased noise and traffic in the residential area. The subject site is zoned Local Centre and abuts the Residential zone and is located on a Local Distributer Road (Parkway Road).</p>



		The bin allocation is stated as sufficient but experience suggests that littering and rubbish in the immediate area will increase if liquor is served and intoxicated patrons are usually blasé when it comes to upholding community standards.	<p>The expected traffic created by the proposal is considered appropriate for the road hierarchy. The City will address this by conditioning the occupancy numbers.</p> <p>Should Council approve the proposal, it is recommended that a condition be imposed limiting hours of operation and the requirement for an OMP, an Acoustic report and an NMP.</p>
3	Confidential	<p>Object</p> <p>I live very close to the proposed bar (<50m), and am concerned about noise levels at night (not necessarily from music, but patrons), particularly with the proposed hours to open until 10pm on weekdays. A considerable proportion of the seating appears to be outside the establishment. Also the proximity to the local primary school, with alcohol being on sale during school hours, and patrons potentially leaving in cars during school pick-up time.</p>	<p>Objection Noted.</p> <p>This submission relates to concern with regards to noise created by patrons in the alfresco area.</p> <p>The most stringent time period with regards to noise levels is 10pm; this can be conditioned and enforced through the OMP.</p> <p>Should Council approve the proposal, it is recommended that a condition be imposed limiting hours of operation and the requirement for an OMP, an Acoustic report and an NMP.</p>
4	Confidential	<p>Object</p> <p>I am worried a bar or a pub will mean noise coming from the venue, also litter being dropped on streets and rowdy people walking past our house, which is very close, late at night. All this will lead to potential damage to property or cars in our street.</p>	<p>Objection Noted.</p> <p>Should Council approve the proposal, it is recommended that a condition be imposed limiting hours of operation and the requirement for an OMP, an Acoustic report and an NMP.</p>
5	Confidential	<p>Object</p> <p>On the basis of noise from the alfresco area.</p>	<p>Objection Noted.</p> <p>This submission relates to concern with</p>

	<p>I object to the proposed change of use on the basis of noise alone.</p> <ul style="list-style-type: none"> • My main concern is the proposed alfresco area and specifically use of the alfresco area during the evening. If the alfresco area were limited to daytime use only (that is, with the alfresco area closing by 1900 hours), I would not object to this application. • To be clear, my concern is not liquor itself, but liquor inevitably exacerbates the noise levels of patrons leaving the premises. As a result, I expect I will be frequently telling patrons of the bar to be quiet, if my children or I are being disturbed from sleep. • Bibra Lake is a quiet residential suburb. Parkway and Annois Road are not busy roads and Annois Road in the evening is deathly quiet. There is no through traffic and consequently almost zero traffic noise in the evening, except the occasional bus. Similarly, there is no evening noise from the other commercial uses adjacent to the Site at 134 Parkway, because they are daytime uses (medical practice, psychiatrist's office, hair salon and pharmacy). • I sleep in my bedroom at the front of the house, and frequently work in the evening in the bedroom. In the summer months, my bedroom window is open, and I can hear every word of conversations in the public telephone box, which is located outside the Site in the car park. I can also hear the conversations of people standing outside the medical centre or hair salon in the daytime too, such is the way that noise carries across to me. • There have been several break-ins at 134 Parkway at night-time over the years and we have been woken up each time, because of the proximity of our house to 134 Parkway. • Against that context, I expect the alfresco area to cause a dramatic reduction in the amenity of my premises in the evenings. Particularly on my ability to work in my front bedroom, and to sleep, if I choose to go to bed before the proposed closing time of 2200 hrs. <p>Herring Storer report and applicable law</p> <ul style="list-style-type: none"> • The Herring Storer report concludes that noise from the alfresco will not exceed the applicable regulatory limits prescribed under the Noise Regulations. However, that report only serves as a 	<p>regards to noise created by patrons in the alfresco area.</p> <p>The most stringent time period with regards to noise levels is 10pm in accordance with the <i>Noise Regulations</i>.</p> <p>The City notes that with increased activity and people in the area a greater degree of surveillance would be achieved. This may have a positive effect on crime.</p> <p>The subject site is zoned Local Centre under the City of Cockburn Town Planning Scheme No. 3 and an intent of the zone is to have a variety of commercial uses.</p> <p>The acoustic report prepared by Herring Storer submitted to form part of the application demonstrates the anticipated noise volumes will comply with the <i>Noise Regulations</i>.</p> <p>Should Council approve the proposal, it is recommended that a condition be imposed limiting hours of operation and the requirement for an OMP, an Acoustic report and an NMP.</p> <p>Should the development proceed and the applicant experiences excessive noise from a source they can lodge a complaint with the City for investigation.</p>
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		<p>guide to predicted compliance with the Noise Regulations; the report is not determinative of the actual impact of the alfresco on the amenity of the locality. The City must consider a much broader picture, including this submission, in accordance with clause 67 of the Deemed Provisions.</p> <ul style="list-style-type: none"> • The State Administrative Tribunal recently provided very helpful overview of the case law concerning the assessment of potential noise impacts on residential premises, in the decision of <i>Cann v Shire of Augusta Margaret River</i> [2021] WASAT 22 (<i>Cann</i>). A copy of <i>Cann</i> is attached to this submission. Relevantly, the Tribunal found at [53] – [55] of the <i>Cann</i> judgment: <ul style="list-style-type: none"> a. that 'the Noise Regulations set out the maximum permissible noise levels for land uses based on levels, frequency and matters such as impulsiveness and tonality ...: as held in the decision of <i>GMF Contractors Pty Ltd and Shire of Serpentine-Jarrahdale</i> [2006] WASAT 353; (2006) 48 SR (WA) 1; 151 LGERA 74 at [61] (GMF); b. that in the GMF case the Tribunal set out that compliance with the Noise Regulations is a 'necessary, but in some cases not sufficient criterion, to ensure that the noise emissions from a proposed development would not have an unacceptable acoustic impact on the locality'; and c. even where a land use complies with the <i>Noise Regulations</i>, it does not automatically follow that the noise does not constitute an adverse impact on the amenity of the locality in a planning sense: <i>Land Alliance Pty Ltd and City of Belmont</i> [2005] WASAT 100; (2005) 39 SR (WA) 119 at [39]. (my <u>emphasis</u>). • I also respectfully refer you to the decision of Member Connor in <i>New Frontier v City of Vincent</i> [2013] WASAT 187. The New Frontier decision concerned very similar factual circumstances and embodies my concerns about this proposal. • In line with the authorities cited above, the City must consider what the actual acoustic impact of the proposal is likely to be, in the context of the immediate locality of Annois Road – which is 	
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		<p>extremely quiet at night. It is insufficient to say that an acoustic report predicts that noise will fall below the applicable regulatory limit. That is not the sole measure of this proposal's impact.</p> <ul style="list-style-type: none"> The City must determine what is reasonable, to ensure the compatibility of conflicting land uses, which goes beyond mere compliance with prescribed noise limits. <p>Noise Management Plan</p> <ul style="list-style-type: none"> I am informed by the City's planning officer that a noise management plan will be required from the applicant. It is unclear to me how the noise impact from the alfresco area can be adequately mitigated through a noise management plan. However, I have not had the benefit of seeing that document so I am only able to make general comments. Based on the filed plans, it does not appear that any noise insulating barriers are proposed for the alfresco. So, no physical containment of the noise. That being the case, the only potential measures to limit noise are: <ul style="list-style-type: none"> a. bar staff actively monitoring and encouraging patrons to be quiet. In my experience, that will be ineffective and an impossible requirement for the City to try to enforce; b. a limit on the number of patrons permitted outside, however, this is subject to the same vulnerability, that bar staff will fail to monitor outside patron numbers and it will be difficult for the City to gather the evidence required for enforcement action; or c. a condition limiting the hours of operation of the alfresco area to avoid a unacceptable impact on the amenity of my property and that of my immediate neighbours at 21 Annois Road, and 136 Parkway. <p>In my submission, only a condition limiting the hours of operation will be effective to reduce noise and the inevitable disturbance that neighbouring residents will experience in the evenings, to an acceptable level. Such a condition is clear, unambiguous and capable of enforcement because it is easy to determine when a breach occurs.</p> <p>Proposed condition</p> <p>My objection concerning the alfresco area would be resolved by a</p>	
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	<p>condition limiting the use of the alfresco area to the daytime hours only, that is, to cease by 1900 hours each day. In considering the hours of operation, the City must factor in that it will take time to clear patrons from this area, and then pack away the outdoor furniture. Additional conditions that the City may wish to consider are:</p> <ol style="list-style-type: none">a limit on maximum numbers, anda condition mandating that the use of the alfresco area in the evenings/or the restriction of use in the evenings, is temporary only, and subject to review after 12 months. <p>In my submission, a limit on hours is more reasonable and practical than a limit on numbers or a temporary use condition. The amount of voices does not necessarily determine the volume that travels across to neighbouring residential premises and a temporary condition creates confusion and uncertainty for all.</p> <p>In summary, if the alfresco area operates throughout the evening until the bar's closing time of 2200 hours, plainly my family's enjoyment of our property will be detrimentally impacted to an unacceptable extent by noise from patron's voices, augmented by the influence of alcohol.</p> <p>The Herring Storer report concludes that the premise is suitable to contain the noise of music played inside the bar. My only comment on that is that a double-door entry would be far more effective to contain noise from music and prevent it escaping each time someone enters the premises. This would be a simple and cost-effective measure, which would incidentally demonstrate that the applicant is willing to take simple preventative measures to have a positive relationship with its neighbours. Unacceptable noise impact. That is not the case. As a long-time resident of the closest residential property, I know how noise travels, and disturbs us in the front bedroom of the house. Some noise is unavoidable with a proposal such as this, and clearly, it is not the applicant's concern, but it is the City's responsibility to manage the conflicting land uses appropriately. The City must consider what are the reasonable and proportionate limits on the use of the Site in the context of the locality, and taking</p>	
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		into account the applicable case law and the concerns of neighbouring residents. For the City's information, I will engage an acoustic consultant as necessary to monitor the noise levels at my property. I also intend to construct a large wall across the frontage of my property, somewhat spoiling the open streetscape on Annois Road, to protect my family's privacy from the visual intrusion of having bar patrons looking across at my family as we come and go from the house.	
6	Confidential	<p>Object</p> <p>Car parking is a concern given that there will be 2 food outlets operating concurrently e.g. lunchtime, the medical Centre has 4 doctors practicing, car parking is difficult enough without this new proposal going ahead, it should be recognized that patrons of such a venue usually spend a considerable time at the facility which impact on parking availability.</p> <p>On reviewing the plans it is not clear if some parking bays are taken up with the proposed alfresco area as has happened with the cafe in the same shopping centre.</p> <p>In our opinion to have licensed premises in a residential area so close to a primary school is not appropriate or safe.</p> <p>The volume of traffic on Parkway Road has increased in recent times and any further increase will need implementation of traffic calming"</p>	<p>Objection Noted.</p> <p>The car parking assessment demonstrates there is adequate car parking availability onsite due to land uses operating at different times. This is discussed in the report.</p> <p>The subject site is zoned Local Centre and abuts the Residential zone and is located on a Local Distributer Road (Parkway Road).</p> <p>The expected traffic created by the proposal is considered appropriate for the road hierarchy and is expected of the area.</p>
7	Department of Education	<p>Object</p> <p>The Department notes the subject site is within close proximity to a public primary school site known as Bibra Lake Primary School. As schools are deemed as sensitive land uses, careful planning consideration is to be given to the development on surrounding land to avoid any adverse impact on the safety, amenity and wellbeing of the</p>	<p>Objection Noted.</p> <p>The planning framework has been considered in the assessment of this application. Please refer to the Location section of this report.</p> <p>The submission refers to Draft Operational</p>



		occupants of nearby schools. The proposed 'Small Bar' or licensed premises is considered to be an incompatible land use to operate within close proximity to the school under the provisions of the Western Australian Planning Commission's Development Control Policy 2.4 - School sites and Draft Operational Policy 2.4 - Planning for school sites.	<p>Policy 2.4 – Clause 3.6.2. This Operational Policy is a guide to determining applications and can be managed through the Operational Management Plan.</p> <p>Noting the primary school is located on the opposite side of Parkway Road and the subject site fronts Annois Road, the proposed small bar will not directly front onto Bibra Lake Primary School.</p>
8	Bibra Lake Medical Centre 9/14 Annois Road BIBRA LAKE	<p>Object</p> <p>There are parking issues, there is not enough parking to accommodate the number of patrons the bar is intending to have. Also concerns about noise next to medical practices next door.</p>	<p>Objection Noted.</p> <p>The car parking assessment demonstrates there is adequate car parking availability onsite due to land uses at the property operating at different times.</p>
9	Bibra Lake Specialist Centre Unit 10-11 / 14 Annois Road BIBRA LAKE	<p>Object</p> <p>We are a specialist Clinic – Mental Health, psychiatry. A bar even if small is not conducive to our work place or business. We as a group spent considerable time helping people overcome drinking problems. A non-alcoholic restaurant/facility would be fine.</p>	<p>Objection Noted.</p> <p>There is no statutory document that regulates the location and/or proximity of small bars to mental health facilities.</p>
10	2 Bluebell Way BIBRA LAKE, WA	<p>Object</p> <p>We do not want a Bar next to a school.</p>	<p>Objection Noted.</p> <p>The submission refers to Draft Operational Policy 2.4 – Clause 3.6.2. This Operational Policy is a guide to determining applications and can be managed through the Operational Management Plan.</p> <p>Noting the primary school is located on the opposite side of Parkway Road and the subject</p>

			<p>site fronts Annois Road, the proposed small bar will not front onto Bibra Lake Primary School and is not proposed directly adjacent / next to Bibra Lake Primary School.</p> <p>The planning framework does not permit the City to issue Planning Refusal based on proximity to the Primary School. Please refer to the Location section of this report.</p>
11	30A Colonial Drive BIBRA LAKE, WA	<p>Object</p> <p>Personally I have no objections to wine bars, I like them. But to have one 50 metres from a primary school ground is ridiculous and asking for problems. That may never happen but why risk it.</p>	<p>Objection Noted.</p> <p>The submission refers to Draft Operational Policy 2.4 – Clause 3.6.2. This Operational Policy is a guide to determining applications and can be managed through the Operational Management Plan.</p> <p>Noting the primary school is located on the opposite side of Parkway Road and the subject site fronts Annois Road, the proposed small bar will not front onto Bibra Lake Primary School.</p>
12	Confidential	<p>Object</p> <p>This is a quiet street at night. Of concern would be the loss of ambience of a family feel to the area changing from a Restaurant to a Bar & Alfresco. With a 10pm close noise from bar patrons in the Alfresco would be disturbing at night. Noise from cars travelling around in car park and bar patrons staying in the carpark vicinity at 10pm or after would also be of concern. Bottles and glass being left in the carpark and surrounding vicinity. Loss of my night time privacy at front of my property which would be in view to Bar patrons in the Alfresco & carpark. Possible late night-time disturbances would also</p>	<p>Objection Noted.</p> <p>The submission refers to concerns regarding noise and antisocial activity.</p> <p>The subject site is zoned Local Centre and abuts the Residential zone and is located on a Local Distributor Road (Parkway Road). The expected traffic created by the proposal is considered appropriate for the road hierarchy.</p>



		be of concern.	<p>The City notes that with increased activity and people in the area a greater degree of surveillance would be achieved. This may have a positive effect on crime.</p> <p>The subject site is zoned Local Centre under the City of Cockburn Town Planning Scheme No. 3 and an intent of the zone is to have a variety of commercial uses.</p> <p>Should Council approve the proposal, it is recommended that a condition be imposed limiting hours of operation and the requirement for an OMP, an Acoustic report and an NMP.</p>
Submissions Received – Comments			
1.	Shop 3, Bibra Lake Pharmacy Bibra Lake Shopping Centre	<p>Comment on Proposal.</p> <p>The alfresco seating not to be placed outside until 6.00pm Monday to Friday. The path is required for customer and disabled access from other businesses to the medical centre and specialist centre.</p>	<p>Submission Noted.</p> <p>The alfresco dining area will be located to comply with Figure 3.4 in AS1428.2.</p> <p>The proposed plans have been modified by the City with modifications marked in red (Refer Attachment 2). Should Council approve the proposal, a condition be imposed to ensure the development complies with the Approved Plans (and any revisions in red) shall be applied.</p>
Submissions Received – Support			
1	Confidential	<p>Support</p> <p>This will be a great place to have drinks with friends and local which means no driving/ uber trips. Also they are selling craft beer so</p>	Submission Noted.

		supporting more local and small businesses	
2	8 Dairy Court BIBRA LAKE, WA	Support The space has shown it is not well suited to a small restaurant. If it is a place where we can get some quality tapas style food and or pizza etc it will be better suited to me and will be a focal point for my small local community in dairy court.	Submission Noted.
3	Confidential	Support	Submission Noted.
4	2 Ingvarson Way BIBRA LAKE, WA	Support This would create a lovely evening community environment for Bibra Lake residents to enjoy together	Submission Noted.
5	27 Marchant drive BIBRA LAKE, WA	Support Brings the community together. A place to adults to meet. Walking distance to home. Brings out of area people to Bibra Lake where other businesses can benefit.	Submission Noted.
6	25 Clamp Court BIBRA LAKE, WA	Support Great for the local community	Submission Noted.
7	Confidential	Support I work in the same group of shops and believe the community here is very much benefited by anything that socially brings the community together. It will be a fabulous addition to our little shopping centre with potential to bring business to neighbouring businesses also.	Submission Noted.
8	Confidential	Support	Submission Noted.



		It will be great to meet people from the local community	
9	76 Meller Road BIBRA LAKE, WA	Support This establishment is well needed in the area and will be a great improvement to the suburb allowing local residents to support a local business.	Submission Noted.
10	28 Robertson Place BIBRA LAKE, WA	Support Closest establishment of similar offering is a long way away. Community interaction will be beneficial for all community members. Financial gain for neighbouring business possible with increase in visitation from locals. Will add a great sense of community to the area and foster stronger community relationships. Will support local businesses. Will be the only bar suitable for my preference of quiet, safe and friendly atmosphere in the area.	Submission Noted.
11	21 Marchant Drive BIBRA LAKE, WA	Support There are not enough small bars in Cockburn!	Submission Noted.
12	Confidential	Support It would be great to have a local place to catch up with friends for a quiet drink.	Submission Noted.
13	Confidential	Support Nothing like it in the area and I love to support small businesses	Submission Noted.

15	Confidential	Support Adds excitement and somewhere to go for couples in the area.	Submission Noted.
16	19 Dairy Ct BIBRA LAKE, WA	Support. As long as toilets built, and community security increased as I live next to a gross laneway nearby. This concerns me for safety and drug use etc.	Submission Noted. The submission is a conditional submission of support and raises concerns about antisocial behaviour. Should Council approve the proposal, Management of the Small Bar via the liquor licence and OMP will address the concern of perceived increase in antisocial behaviour caused by the proposed land use.
17	Confidential	Support Good for the neighbourhood	Submission Noted.
18	Confidential	Support This is a lovely close knit community and I see this as being a means to consolidate that.	Submission Noted.
19	12 Robertson Place BIBRA LAKE, WA	Support We'd love a local bar to support	Submission Noted.
20	10 Style Court BIBRA LAKE, WA	Support Suburb can do with this kind of social scene, lacking anything like this at present	Submission Noted.
21	8 Hope Road	Support	Submission Noted.



	BIBRA LAKE, WA	I strongly believe it will be an asset to our community. As someone who has worked at the IGA for 7 years and lived in the suburb for 22 years, I fully support this type of business in the precinct. I think it will raise the standard of the complex (as the Bistro Cafe has done) and be a great asset for the community.	
22	76 Meller Road BIBRA LAKE, WA	Support It will be the perfect addition to a near perfect suburb!	Submission Noted.
23	16 Parkway Road BIBRA LAKE, WA	Support Great for our community!	Submission Noted.
24	Confidential	Support Good for the community	Submission Noted.
25	62 Beedelup Loop BIBRA LAKE, WA	Support It would be great for our community	Submission Noted.
26	Confidential	Support It will be something different	Submission Noted.
27	9 Dairy Court BIBRA LAKE, WA	Support It would be a great addition to our already amazing suburb	Submission Noted.
28	7 Bondini Way BIBRA LAKE,	Support It would be fantastic to have a small bar within walking distance of my	Submission Noted.

	WA	house. A bar like this will encourage people to get out in the community more and enhance connections. I fully support it.	
29	6 Lucken Place BIBRA LAKE, WA	Support It will add another social enhancement for our community.	Submission Noted.
30	17 Bracken Way BIBRA LAKE, WA	Support I think it will allow residents the opportunity to socialise with others in their own community; it will assist with building networks both social and economic.	Submission Noted.
31	Confidential	Support The area needs something in the evenings that is more social, at this stage in order to have a social gathering in the evening we need to leave the area.	Submission Noted.
32	Confidential	Support It's what the shopping centre needs.	Submission Noted.
33	Confidential	Support	Submission Noted.
34	3 Clamp Court BIBRA LAKE, WA	Support It's just what this lovely community needs, a place to meet up and socialise and get to know your neighbours	Submission Noted.
35	Windmill Drive BIBRA LAKE, WA	Support It will be an asset to our community	Submission Noted.
36	36 Annois	Support	Submission Noted.



	Road BIBRA LAKE, WA	I think this will become a fabulous family friendly venue, well supported by the local community. It will e great to have a casual venue to enjoy an easy meal and/or drink with family and friends	
37	35 Needell road BIBRA LAKE, WA	Support I think this type of business will be a welcome addition to our local shops and supported by the local community. No food option has seemed to thrive in that location. Hopefully this new endeavour will.	Submission Noted.
38	Confidential	Support Bibra Lake has a very social community and it would be fantastic to have somewhere local to meet friends in evening. Plus a great addition to local IGA and cafe.	Submission Noted.
39	23 Colonial Drive BIBRA LAKE, WA	Support Think it would be a good change and close to home	Submission Noted.
40	38 Bibra Drive BIBRA LAKE, WA	Support A local place to meet up with friends, make new acquaintances and have a bite to eat will be lovely for the area	Submission Noted.
42	Confidential	Support It would be a great addition to our suburb	Submission Noted.
43	Confidential	Support We need something like this, building community.	Submission Noted.
44	Confidential	Support It would be a great place for the Bibra lake residents to socialise and get to know each other, and further build upon the great community	Submission Noted.

		spirit. There is no currently no place for residents or couples to get together for a bite to eat and a beer in the evenings within walking distance of Bibra lake	
45	Confidential	Support It will breathe some life into the area, I've been waiting for some more dining out/bar options for years!	Submission Noted.
46	Confidential	Support A local small bar would be a great addition if it is tastefully done and isn't just a dodgy pub.	Submission Noted.
47	Confidential	Support I believe this will contribute to the activation of the Bibra Lake shopping complex. I am also in support of a new local dining and bar option in the area.	Submission Noted.
48	60 Marlene Way BIBRA LAKE, WA	Support Provides a new setting and environment for the community. We don't have anything like it local	Submission Noted.
49	Confidential	Support The venue will provide entertainment for locals, create a community feel. The area it is proposed is the central hub to the community, and would provide another layer of connection for the community.	Submission Noted.
50	11 Gilchrist Avenue BIBRA LAKE	Support Would be a great addition to the community	Submission Noted.
51	176 Bibra	Support	Submission Noted.



	Drive BIBRA LAKE, WA	More choice for the residents	
52	9 Thatched Court BIBRA LAKE, WA	Support It helps develop the local community by having a local meeting place to be able to meet and eat with others in the local environment. There is no local establishment of this kind and is sadly lacking at the moment. The location is well lit with good parking so provides a safe location to dine out. There is a good cross section of mature residents who would appreciate the opportunity to enjoy this style of dining out who otherwise would hesitate in driving outside the suburb for mid-level wine bar / restaurant style dining.	Submission Noted.
53	43 colonial Drive BIBRA LAKE, WA	Support I really want to go there. It sounds fun.	Submission Noted.
54	Confidential	Support Good to have a place to go for social gathering that is in walking distance	Submission Noted.
55	Confidential	Support I think this would be a great addition to the community and I would thoroughly support it.	Submission Noted.
56	Confidential	Support I would like to see more use in the shopping area. The opening hours seem reasonable.	Submission Noted.

57	33B Annois Road BIBRA LAKE, WA	Support I think it would add a lot to our community. I support this application 100%.	Submission Noted.
58	35 Colonial Drive BIBRA LAKE, WA	Support Great for the area, various restaurants in that location have been unsuccessful for over a decade. Time for a different venture.	Submission Noted.
59	Confidential	Support Would be great to have a place where the community can socialise together over a meal and drinks and listen to live music	Submission Noted.
60	15 McKay Court BIBRA LAKE, WA	Support Good to have local options. That has changed hands so many times, it would be nice to see something there that hasn't been tried before.	Submission Noted.
61	Crestia Court BIBRA LAKE, WA	Support Think it will bring people together.	Submission Noted.
62	1 Dairy Court BIBRA LAKE, WA	Support Would be great for community connections and would make much better use of the space than a restaurant which has never been successful here. Currently an eyesore of a vacant space and needs revitalising.	Submission Noted.
63	Confidential	Support Look forward to being able to have an enjoyable meal and drink a walk away from home. Definitely in favour of it.	Submission Noted.



64	Confidential	Support Would bring more people to Bibra lake and all the locals know each other so will be nice to see everyone	Submission Noted.
65	Confidential	Support It has been a long time since this site has been used for a successful business. This proposal will provide Bibra Lake residents with somewhere to meet on a social basis for a meal and a drink within walking distance from home.	Submission Noted.
66	Confidential	Support I support the bar as long as they keep the music level down with doors closed as the acoustic report suggests, as many community members are excited about the idea & the community does embrace socialising locally such as at The Bistrot cafe in the same complex. HOWEVER many people are concerned about any "alfresco" that might obscure the pathway; my parents are very elderly and like many locals regularly walk with mobility aids between the Doctors' Rooms & the Pharmacy. The kerb edge & slope away below are way too hazardous for someone unsteady on their feet & impossible for those on wheels to negotiate safely around any impediments on the verandah path. So please DONT allow Alfresco. Even the Bistrot's alfresco which takes up car park space but keeps the verandah free can cause safety issues for the Elderly as they tangle with wait staff & congestion.	Submission Noted. The alfresco dining area will be located to comply with Figure 3.4 of the AS1428.2. The proposed plans have been modified by the City with modifications marked in red (Refer Attachment 2). Should Council approve the proposal, a condition be imposed to ensure the development complies with the Approved Plans (and any revisions in red) shall be applied. Should Council approve the proposal, it is recommended that a condition be imposed limiting hours of operation and the requirement for an OMP, an Acoustic report and an NMP.
67	Confidential	Support A great addition to the area for locals and business.	Submission Noted.
68	Confidential	Support	Submission Noted.

		We think that this is a lovely way to bring the community together over a drink, food and light music all provided by an experienced operator who is also a local to Bibra Lake	
69	7 Morgan Place BIBRA LAKE, WA	Support Would be a great addition to the suburb. There's a great community feel through Bibra lake but very few places for people to get together and socialise.	Submission Noted.
70	Confidential	Support Will be a great place for community and would prefer to support local	Submission Noted.
71	Confidential	Support The more of this the better. CoC is very much lacking in these types of venues	Submission Noted.
72	Confidential	Support Nice to meet other residents	Submission Noted.
73	48 Parkway Road BIBRA LAKE, WA	Support Location has been empty for a while. That location has a lot of failed enterprises. Would be good to see it succeed.	Submission Noted.
74	Confidential	Support It'll be a great addition to our neighbourhood. We have such a community feel and it'll just foster that.	Submission Noted.
75	33 Breaksea Drive NORTH COOGEE,	Support If there isn't too much noise from where the house is located then I do not object from it. I feel like this maybe okay.	Submission Noted. This submission relates to concern with regards to noise. The applicant has submitted



	WA		<p>an acoustic report which demonstrates the proposal complies with the <i>Noise Regulations</i>. The most stringent time period with regards to noise levels is 10pm; this can be conditioned and enforced through an Operational Management Plan and NMP.</p> <p>Should Council approve the proposal, it is recommended that a condition be imposed limiting hours of operation and the requirement for an OMP, an Acoustic report and an NMP.</p> <p>Should the development proceed and the applicant experiences excessive noise from a source they can lodge a complaint with the City's Environmental Health Officers for investigation.</p>
76	36 Colonial Drive BIBRA LAKE,	Support.	Submission Noted.
77	3 Nambung Crescent BIBRA LAKE,	Support. It will bring life to the area and shopping/retail strip.	Submission Noted.
78	26 Parkway Road BIBRA LAKE, WA	<p>Support.</p> <p>Both my wife and I fully support this application, we look forward to being able to walk to a location that we can use near our property.</p> <p>We both feel that it will enhance our suburb and the local area. I would also be happy to see it extend into the carpark as the Bistrot cafe has been able to do.</p> <p>The hours of operation will not affect this cafe, as such parking should</p>	Submission Noted.

		not be an issue, however for us, parking will not matter as we are happy to walk and not use our car.	
79	Confidential	<p>Support.</p> <p>I believe this would be good for the community and support the proposal, subject to two caveats.</p> <p>Firstly, I am a neighbour of this premise and trust the results of the acoustic tests have been acceptable.</p> <p>Secondly, and perhaps more importantly, I have been concerned about antisocial behaviour at 134 Parkway Rd for some time now. Drug deals in the car park, cars blaring music in the middle of the night, break ins at the chemist, people stealing from the charity bins - I've seen it all (and I'm sure you have the CoSafe records to prove it).</p> <p>I know these concerns are shared by many other nearby residents but whenever I have attempted to raise these with our councillors I have been fobbed off.</p> <p>I am concerned that the new bar will only increase the frequency of this type of antisocial behaviour. In my opinion, this could be largely addressed by the installation of CCTV throughout the car park, as the council has seen fit to do in other places (eg the skate park).</p> <p>Again, when I have raised this with councillors, I have been fobbed off and told "its private property (i.e., not our problem)". That may be true, but I highly doubt the owners would decline any offer of council assistance.</p> <p>In doing so, the council could go a long way to resolving a serious and longstanding security concern for everyone in "old Bibra Lake". A much better use of funds than continually throwing money at playgrounds, in my opinion!</p>	<p>Submission Noted.</p> <p>The submission raises concerns about antisocial behaviour. Should Council approve the application, the management of the Small Bar via the OMP and liquor licence will address the concern of perceived increase in antisocial behaviour caused by the proposed land use.</p> <p>Should Council approve the proposal, it is recommended that a condition be imposed limiting hours of operation and the requirement for an OMP, an Acoustic report and an NMP.</p> <p>The submission raises concerns about historic social problems experienced in the area at the site that are not directly related to this application and have been ongoing and present prior to the submission of this application. Therefore these comments are not considered valid planning considerations.</p>



14.4 (2021/MINUTE NO 0050) INITIATION OF SCHEME AMENDMENT 151 TO TOWN PLANNING SCHEME 3 - PART LOT 5131 JANDAKOT ROAD AND PART LOT 705 ARMADALE ROAD, TREEBY

Author(s) L Dunstan

Attachments 1. Scheme Amendment Request [↓](#)

RECOMMENDATION

That Council:

- (1) in pursuance of Section 75 of the *Planning and Development Act 2005*, amend the City of Cockburn Town Planning Scheme No. 3 (Scheme) for the following purposes:
1. Rezone portions of Lot 5131 Jandakot Road, Treeby and Lot 705 Armadale Road, Treeby from 'Resource' to 'Development' on the Scheme Map.
 2. Amend the Scheme Map to contain the relevant portions of Lot 5131 Jandakot Road, Treeby and Lot 705 Armadale Road, Treeby within a new Development Area, and reference this on the Scheme Map as 'DA 44'.
 3. Amend 'Table 9: Development Areas' to include DA 44 as follows:

Ref No.	Area	Provisions
DA 44	Lot 5131 Jandakot Road, Treeby Lot 705 Armadale Road, Treeby	<ol style="list-style-type: none"> 1. An approved Structure Plan together with all the approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with Clause 27(1) of the Deemed Provisions. 2. The Structure Plan is to provide for an appropriate mix of residential and compatible land uses.

- (2) NOTE the amendment referred to in Resolution 1 (above) is a 'standard amendment' as it satisfies the following criteria of Regulation 34 of the Planning and Development (Local Planning Schemes) Regulations 2015:
- 'An amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment.'*
- (3) Upon preparation of amending documents in support of Resolution 1 (above), determine that the amendment is consistent with Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the amendment be referred to the Environmental Protection



Authority (EPA) as required by Section 81 of the Act, and on receipt of a response from the EPA indicating that the amendment is not subject to formal environmental assessment, be advertised for a period of 42 days in accordance with the Regulations.

COUNCIL DECISION

MOVED Cr C Terblanche SECONDED Cr T Widenbar

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0

Background

At the 13 August 2020 Ordinary Council Meeting, Council resolved to recommend to the Western Australian Planning Commission (WAPC) that proposed Metropolitan Region Scheme Amendment 1367/57 be supported.

The amendment proposed to rezone part of Lot 5131 Jandakot Road and a small section of Lot 705 Armadale Road, Treeby (Amendment Area) from *Rural – Water Protection* to *Urban*. It was subsequently approved by the Minister for Planning, subject to minor modifications.

Point (2) of the Council Resolution was to advise the WAPC that the City does not support a concurrent amendment to its Town Planning Scheme, and that a scheme amendment should be prepared separately.

The scheme amendment is to include the amendment area within a Special Control Area (Development Area) pursuant to provisions which support the lodgement of a comprehensive structure plan.

The subject *Scheme Amendment 151* has been prepared by the applicant in accordance with Council's resolution. The applicant has provided sufficient information to initiate the amendment.

In accordance with section 124 of the *Planning and Development Act 2005*, Council is now obliged to initiate action to amend its Town Planning Scheme, so that it is consistent with and will not impede the implementation of the MRS.

Initiation of the amendment will allow the City to refer the matter to the Environmental Protection Authority (EPA) for their consideration, prior to advertising the proposal for a period of 42 days.





Figure 1: Approved Metropolitan Region Scheme Amendment 1367/57

Submission

CLE Town Planning + Design lodged the Scheme Amendment Request in February 2021 with the City of Cockburn (refer Attachment 1 - Scheme Amendment Request).

Report

What has triggered this proposal?

The Metropolitan Region Scheme Amendment 1367/57 was approved by the Minister for Planning, subject to modifications, and was gazetted on the 22 December 2020.

Minor modifications arose due to advice from the EPA. Specifically, 1,780m² of vegetation is required to be removed from the Torwood Avenue intersection. To offset this loss, an area of land to the south of Lot 5131 was identified. This would accommodate the protection of *Caladenia Huegelii* which is prevalent at the southern end of the site. As a result, the amendment was approved subject to the reconfiguration of Bush Forever boundaries (as recommended by EPA).

The proposed Scheme Amendment 151 is consistent with the approved MRS amendment as detailed above.



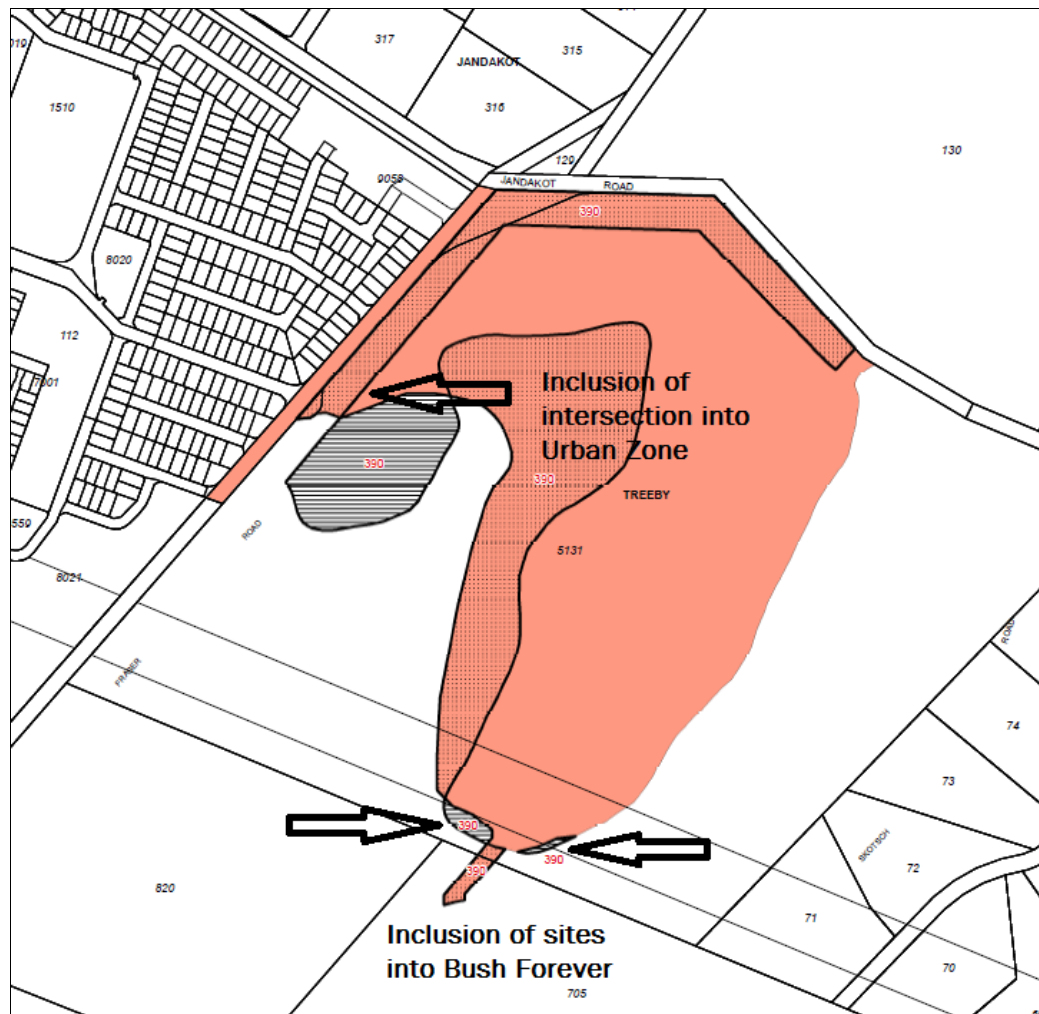


Figure 2: Modifications to original amendment 1367/57

What supports the rezoning?

Prior to considering an amendment to the Metropolitan Region Scheme, an area is usually supported by a high level plan to guide future stages of the planning process.

The Treeby District Structure Plan (TDSP) was adopted by Council at its meeting held 14 September 2017. The TDSP guides the coordination of broad level planning matters, with the intention of more detailed planning being undertaken at the local structure plan stage.

The TDSP is consistent with the State Government's Planning Framework, namely, the South Metropolitan Peel Sub-regional Planning Framework.

What does this amendment entail?

Scheme Amendment 151 proposes a change to the Town Planning Scheme No. 3 to zone the Amendment Area from 'Resource' to 'Development'. The 'Resource' zone is no longer appropriate, as it is not consistent with the underlying 'Urban' zone under the MRS.

The 'Development' zone objectives are as follows:

j) Development Zone

*To provide for **future residential, industrial or commercial** development to be guided by a comprehensive **Structure Plan** prepared under the Scheme.*

Scheme Amendment 151 also proposes to include the Amendment Area into a 'Development Area.' This designation is a Special Control Area which provides the City with the ability to require specific provisions when considering structure plan proposals.

The Scheme Amendment 151 proposed to insert the Amendment Area into 'Development Area No. 44 (DA44)' within Table 9 of the Scheme.

The specific provisions required for DA44 are proposed to be as follows:

- 1. An approved Structure Plan together with all the approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with Clause 27(1) of the Deemed Provisions.*
- 2. The Structure Plan is to provide for an appropriate mix of residential and compatible land uses.*

The above provisions are considered acceptable, as they provide a further head of power for a structure plan to be lodged. Further, provision 2 considers that residential and compatible land uses are a logical development outcome for the site (industrial and large scale commercial would not be appropriate). Land uses are consistent with the TDSP and are therefore supported.

What about development contributions?

There are two infrastructure items which would warrant a contribution from this development as it moves toward the structure planning phase. Both have already been addressed given this area was earmarked for development in Perth and Peel @3.5M and the City undertook district structure planning for Treeby.

The items are:

- Treeby (east) oval and clubroom (covered by Development Contribution Plan 15); and
- Jandakot Road - limited to the portion adjacent to the land (covered by voluntary legal agreement).

What are the next steps in the process?

Should Council resolve to initiate the amendment, the proposal will be referred to the EPA for their consideration. The EPA will determine whether the amendment requires environmental assessment. If no further assessment by the EPA is required, the City will proceed to advertise the proposal for a period of 42 days.



The Scheme Amendment is considered acceptable for the reasons stated above, it is therefore recommended to support the initiation.

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.

City Growth and Moving Around

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

- Plan to provide residents with great places to live, activated social connections and high quality open spaces.

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

As per Part 5 of the Planning and Development (Local Planning Schemes) Regulations, there are several amendment types: basic, standard and complex. These are defined in Part 5, Division 1, Regulation 34.

- A standard amendment (such as this) requires 42 days consultation.
- A basic amendment requires no consultation.
- A complex amendment is 60 days consultation in recognition that such proposals which have a greater impact on the community are given a longer period of consideration.

Risk Management Implications

There is minimal risk to Council should it choose to initiate the Scheme Amendment. The proposal was triggered by a Ministerial determination and the local government is obliged to be consistent with this determination.



Advice to Proponent(s)/Submitters

N/A

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

Nil



MARCH
2021

AMENDMENT REQUEST

City of Cockburn
Town Planning Scheme No. 3

CLE Town Planning + Design

Title: Amendment Request
City of Cockburn Town Planning Scheme No. 3

Prepared for: Perron Group

CLE Reference: 2366Rep98B

Date: 16 March 2021

Status: Final

Review date: 16 March 2021

Prepared by: CLE Town Planning + Design

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PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

CITY OF COCKBURN TOWN PLANNING SCHEME NO. 3

AMENDMENT 151

RESOLVED that the Council, pursuant to Section 75 of the Planning and Development Act 2005, initiate an Amendment to the City of Cockburn Town Planning Scheme No. 3 as follows:

1. Rezoning portions of Lot 5131 Jandakot Road, Treeby and Lot 705 Armadale Road, Treeby from 'Resource' to 'Development' on the Scheme Map.
2. Amending the Scheme Map to contain the relevant portions of Lot 5131 Jandakot Road, Treeby and Lot 705 Armadale Road, Treeby within a new Development Area, and reference this on the Scheme Map as 'DA 44'.
3. Amending 'Table 9: Development Areas' to include DA 44 as follows:

Reference No.	Area	Provisions
DA 44	Lot 5131 Jandakot Road, Treeby	1. An approved Structure Plan together with all the approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with Clause 27(1) of the Deemed Provisions.
	Lot 705 Armadale Road, Treeby	2. The Structure Plan is to provide for an appropriate mix of residential and compatible land uses.

Dated this _____ day of _____ 20 _____

TONY BRUN

CHIEF EXECUTIVE OFFICER

SCHEME AMENDMENT REPORT

LOCAL AUTHORITY:	City of Cockburn
DESCRIPTION OF SCHEME:	Town Planning Scheme No. 3
TYPE OF SCHEME:	District Zoning Scheme
SERIAL NO. OF AMENDMENT:	Amendment No. 151
PROPOSAL:	Rezone portions of Lot 5131 Jandakot Road, Treeby and Lot 705 Armadale Road, Treeby from 'Resource' to 'Development' and establish the corresponding 'Development Area No. 44' within Town Planning Scheme No. 3





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Figure 1: Location Plan

Figure 2: Site Plan

Figure 3: Treeby DSP

Figure 4: MRS Plan

Figure 5: TPS 3 Plan



AMENDMENT
REQUEST

CLE

1.0 PURPOSE

The purpose of this Amendment is to:

- Rezone portions of Lot 5131 Jandakot Road, Treeby and Lot 705 Armadale Road, Treeby ('the Amendment area') from 'Resource' to 'Development' on the Scheme Map.
- Amend the Scheme Map to contain the Amendment Area within Development Area No. 44, and reference this on the Scheme Map as 'DA 44'.
- Amend 'Table 9: Development Areas' to include DA 44.

2.0 BACKGROUND

Lot 5131 Jandakot Road, Treeby ('Lot 5131') is located in the City of Cockburn, approximately 3km east of the Cockburn Central secondary centre and 20km south of the Perth Central Business District (refer Figure 1: Location Plan and Figure 2: Site Plan).

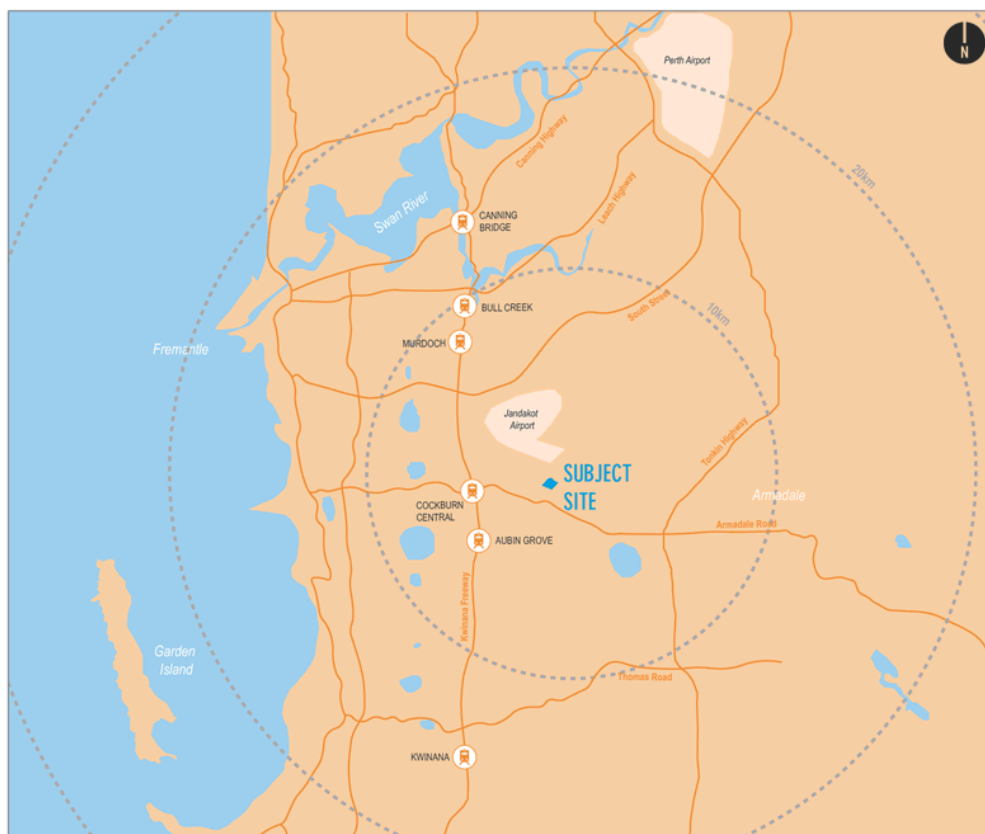


Figure 1 - Location Plan

AMENDMENT
REQUEST

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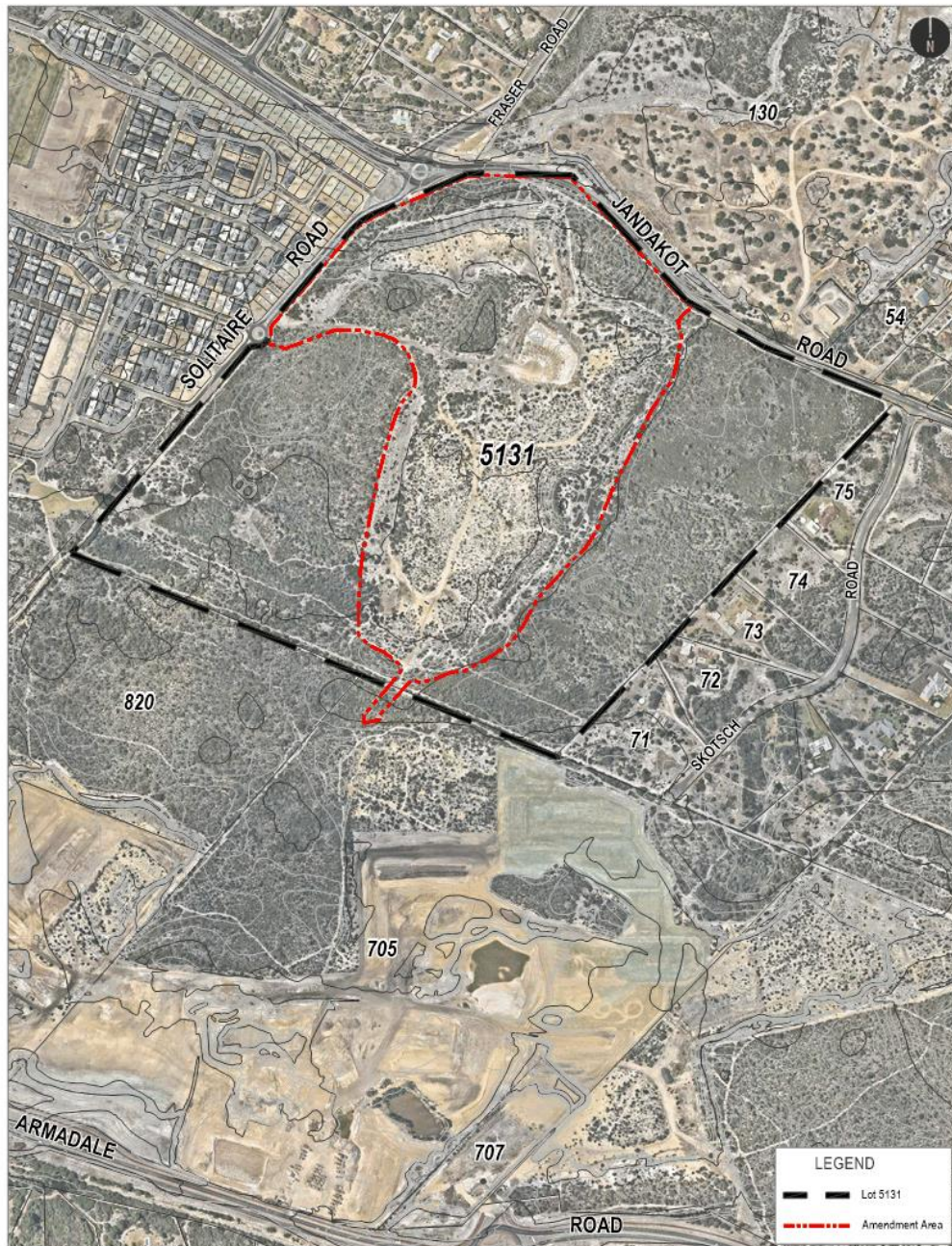


Figure 2 - Site Plan
Source: Nearmap

AMENDMENT
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Lot 5131 covers approximately 64.4 hectares. Of this, approximately 30.3 hectares was recently zoned 'Urban' under the Metropolitan Region Scheme (via Amendment 1367/57), together with approximately 0.14 hectares of Lot 705 Armadale Road, creating a road connection between the two. Collectively, this 30.4 hectare parcel constitutes the Amendment area.

The Amendment area is located on the south side of Jandakot Road and west of the Calleya estate (Development Area No. 37). To the north is vacant land zoned 'Resource' under TPS 3 and to the east are rural-residential properties in the same zone. To the south-west is land reserved in the MRS for 'Parks and Recreation' and classified as Bush Forever Area 390, and to the south-east is Development Area 43, which occupies the portions of Lots 705 and 707 Armadale Road that are zoned 'Urban' under the MRS.

The Amendment area is identified as an 'Urban Investigation' area in the South Metropolitan Peel Sub-regional Planning Framework, and for urban purposes in the Treeby District Structure Plan ('Treeby DSP'). It is on this basis that it was rezoned to 'Urban' in the MRS, as described above.

2.1 Strategic context

South Metropolitan Peel Sub-regional Planning Framework

The WAPC's *South Metropolitan Peel Sub-regional Planning Framework* identifies the Amendment area as an 'Urban Investigation' for the period 2015-2031. The remainder of Lot 5131 is identified for Public Open Space, generally coinciding with the boundaries of Bush Forever Area 390.

The Framework indicates that "[f]urther detailed planning is required before future urban development can occur in these [Urban Investigation] areas". This has occurred already through the Treeby DSP, and approval of this Amendment will facilitate the preparation of a Local Structure Plan, which will expand on those key land use considerations.

Treeby District Structure Plan

The Treeby DSP was adopted by the City of Cockburn in September 2017 to provide guidance for structure planning, subdivision and development within the area generally bound by Solomon Road, Jandakot Road, Warton Road and Armadale Road. It indicates the following for the Amendment area:

- Residential land in the central part of Lot 5131, generally consistent with the Amendment area;
- A Neighbourhood Connector road from Lot 705 Armadale Road to the recently-constructed roundabout at the intersection of Fraser Road and Torwood Avenue, incorporating a dual-use/cycling path;
- 'Public Open Space' over Bush Forever Area 390, with refinements to the boundary to reflect vegetation condition;
- A 'Green Linkage' through the southern part of the Amendment area, coinciding with a major Western Power easement and incorporating a dual-use/cycling path;



AMENDMENT
REQUEST

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- Public open space in the southern part, between the above-mentioned 'Green Linkage' and Bush Forever Area 390; and
- A 'Possible' realignment of Jandakot Road.

A copy of the Treeby DSP appears as Figure 3.

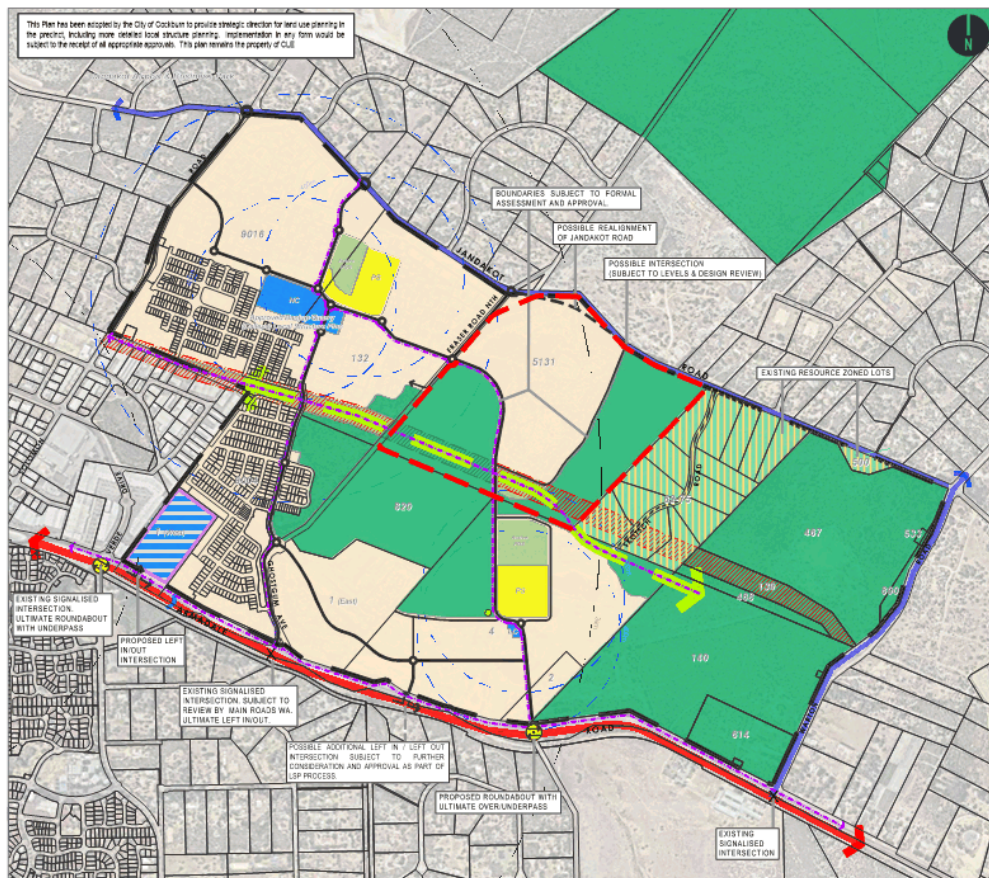


Figure 3 - Treeby DSP
Source: WAPC

2.2 Metropolitan Region Scheme

The Amendment area is zoned 'Urban' in the MRS (refer to Figure 4). Within Lot 5131, land to the south-west and east of the Amendment area is zoned 'Rural-Water Protection', and, being within Bush Forever Area 390, is likely to be reserved for 'Parks and Recreation' in future, at the WAPC's discretion.

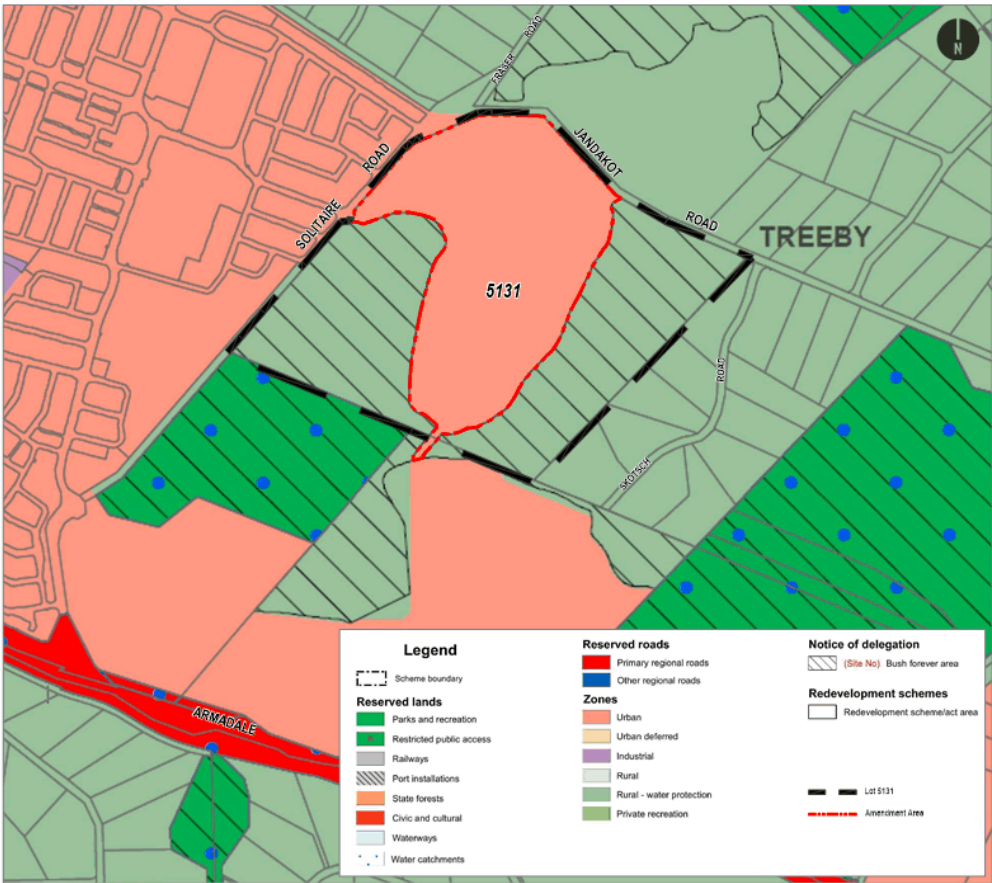


Figure 4 - MRS Plan
Source: WAPC



AMENDMENT
REQUEST

CLE

2.3 Town Planning Scheme No. 3

The Amendment area is currently zoned 'Resource' under the City of Cockburn Town Planning Scheme No. 3 ('TPS 3', refer Figure 5), which reflects the Amendment area's previous MRS zoning ('Rural-Water Protection'). This Amendment request proposes that the portions of Lot 5131 and Lot 705 recently zoned 'Urban' under the MRS be rezoned to 'Development', facilitating urban development in accordance with the Treeby DSP and a Local Structure Plan.

The 'Development' zone in TPS 3 necessitates the preparation and approval of a Local Structure Plan to guide subdivision and development.

2.4 Amendment Type

Part 5, Clause 34(i) of the *Planning and Development (Local Planning Scheme) Regulations 2015* ('the Regulations') states that a local scheme amendment is defined as 'Basic' if it brings a local scheme into consistency with a region scheme and if the amendment has minimal effect on the scheme and landowners.

This proposed Amendment to TPS 3 is requested for the purpose of bringing a local scheme into consistency with a region scheme. As it is being lodged on behalf of the landowner, which intends to develop it for urban purposes consistent with the Treeby DSP, the Amendment will have a minimal effect on the Scheme and landowners. As such, it could be considered that this Amendment qualifies as 'Basic', as defined by the Regulations, and thus need not be advertised. However, the City has advised that because the Amendment request includes a proposal for a Development Area, it does not fall within the parameters specified in the Regulations for a 'Basic' amendment; and will be progressed as a 'Standard' amendment instead.

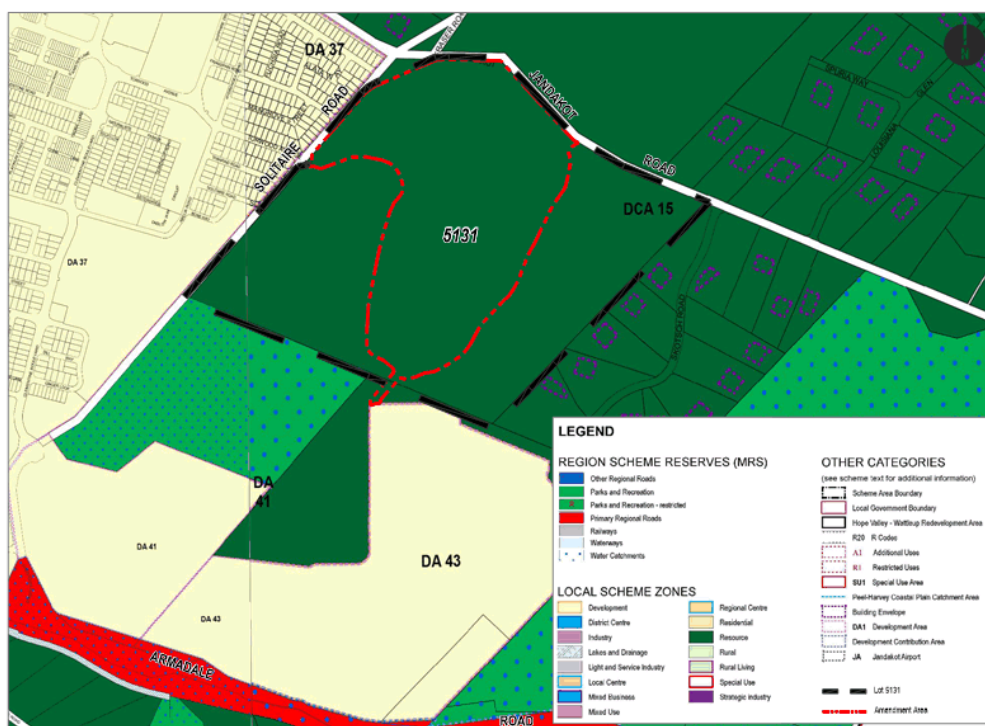


Figure 5 - TPS Plan
Source: WAPC

3.0 DETAILS

This amendment to TPS 3 proposes to rezone the Amendment area from 'Resource' to 'Development' and establish a corresponding Development Area in Table 9 of TPS 3.

Amendment to the Scheme Map

The TPS 3 map will be modified to show the portions of Lot 5131 and 705 that are zoned 'Urban' in the MRS as being in the 'Development' zone in TPS 3. A corresponding Development Area will also be established.

Amendment to the Scheme Text

The TPS 3 text will be modified to insert a new Development Area into Table 9 – Development Areas, as follows:

Table 9 - Development Areas

Reference No.	Area	Provisions
DA 44	Lot 5131 Jandakot Road, Treeby	1. An approved Structure Plan together with all the approved amendments shall be given due regard in the assessment of applications for subdivision, land use and development in accordance with Clause 27(1) of the Deemed Provisions.
	Lot 705 Armada Road, Treeby	2. The Structure Plan is to provide for an appropriate mix of residential and compatible land uses.

The text amendments proposed to Table 9 are identical to those approved by the Minister for Planning for Development Area 43 (Lots 705 and 707 Armada Road, Treeby), added to TPS 3 via Amendment 146 in September 2020.



AMENDMENT
REQUEST

CLE

4.0 CONCLUSION

The proposed amendment to TPS 3 will ensure that it is consistent with the MRS in respect of portions of Lot 5131 Jandakot Road, Treeby and Lot 705 Armadale Road, Treeby. The proposed 'Development' zone will facilitate comprehensive planning through a structure plan, enabling subdivision and development of the Amendment area. The structure plan will identify a range of residential densities, a movement network connecting to neighbouring landholdings, interface and management requirements for Bush Forever Area 390 and public open spaces.



14.5 (2021/MINUTE NO 0051) PROPOSED LEASE TO MELVILLE COCKBURN CHAMBER OF COMMERCE INC OF TENANCY 9, COCKBURN HEALTH AND COMMUNITY FACILITY, 11 WENTWORTH PARADE, SUCCESS, FOR OFFICE PURPOSES

Author(s) P Denholm

Attachments 1. Proposed Fitout of Tenancy 9 by Melville Cockburn Chamber of Commerce [↓](#)

RECOMMENDATION

That Council:

- (1) RESOLVE to enter into a lease with Melville Cockburn Chamber of Commerce Inc., of Tenancy 9, Cockburn Health and Community Facility, 11 Wentworth Parade, Success, for office purposes, for a two year term with an option for a two year extension, including the following terms:
1. Rent \$1 per annum plus outgoings;
 2. Melville Cockburn Chamber of Commerce (MCCC) to prepare a strategic plan and business case within the first 12 months to substantiate their ability to cover ongoing costs and financial viability. The 2 year lease extension option will be subject to review to the City's satisfaction;
 3. City of Cockburn to contribute 50% of outgoings for the initial two year lease term only. Tenancy 9 outgoings were \$12,605 for the last financial year. MCCC intend to arrange for the further 50% of outgoings to be matched by the City of Melville;
 4. MCCC to take out public liability insurance, contents insurance, and workers compensation/volunteer accident insurance;
 5. City of Cockburn is responsible for major repairs and maintenance. MCCC responsible for the internal fit-out, including building and occupancy permits and maintenance/cleaning, plus all utility costs;
 6. Signage to be at MCCC's cost and approved by the City;
 7. MCCC to pay City's solicitor costs of preparing the lease documentation for Tenancy 9 and the surrender of MCCC's lease of Tenancy 15; and
- (2) NOTES the peppercorn rent relates to an effective subsidy of \$31,100 per annum.

COUNCIL DECISION

MOVED Cr C Terblanche SECONDED Cr T Widenbar

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0

Background

Melville Cockburn Chamber of Commerce Inc. (MCCC) currently lease Tenancy 15 from the City at the Cockburn Health and Community Facility, 11 Wentworth Parade, Success. The MCCC's lease expires on 31 January 2022.

Tenancy 15 is of limited size (29m²). The MCCC are seeking larger offices to better suit their needs and assist them to reach their Key Performance Indicators in relation to providing Professional Development Workshops for local business, and hosting a Business Development Group, as part of a Memorandum of Understanding with the City, dated 23 November 2020.

Tenancy 9 at the Cockburn Health and Community Facility, 11 Wentworth Parade, Success, became available at the end of 2020, on expiry of the lease of Longbeach WA Pty Ltd T/A Retail Daily Living Products. MCCC wish to take a lease of Tenancy 9 on the terms set out in this report.

Submission

N/A

Report

MCCC have agreed for the City to progress their request for the lease of Tenancy 9 on the basis of a two year term, with an option for a two year extension, as well as the following agreed terms:

1. Rent \$1 per annum plus outgoings;
2. MCCC to prepare a strategic plan and business case within the first 12 months to substantiate their ability to cover ongoing costs and financial viability. The 2 year lease extension option will be subject to review to the City's satisfaction;
3. City of Cockburn to contribute 50% of outgoings for the initial two year lease term only. Tenancy 9 outgoings were \$12,605 for the last financial year. MCCC intend to arrange for the further 50% of outgoings to be matched by the City of Melville;
4. MCCC to take out public liability insurance, contents insurance, and workers compensation/volunteer accident insurance;
5. City of Cockburn are responsible for major repairs and maintenance. MCCC responsible for the internal fit-out, including building and occupancy permits and maintenance/cleaning plus all utility costs;
6. Signage to be at MCCC's cost and approved by the City;
7. MCCC to pay City's solicitors costs of preparing lease documentation for Tenancy 9 and the surrender of MCCC's lease of Tenancy 15.

Details of the proposed lease were circulated to all Elected Members via the HUB, with Councillor Stone requesting that the matter be tabled for Council's consideration.



Tenancy 9 has a floor area of 155m² and is better suited to MCCC's needs than Tenancy 15. Attachment 1 is a plan showing how MCCC propose to fit out and use Tenancy 9.

Tenancy 9 is near the entrance and alfresco area at the Cockburn Health and Community Facility. Subject to suitable licences/approvals, there may be scope for MCCC to use the alfresco area for functions.

The proposed lease to MCCC will provide a service to the business community and the opportunity to activate the surroundings.

The City's leasing agents have advised that the commercial office market in the area is relatively soft and that there was little or no commercial interest in the three months prior to the previous tenant vacating and giving notice. They have also advised that if the City were to offer the tenancy on the open market then potential tenants would expect significant subsidies or incentives.

Strategic Plans/Policy Implications

Local Economy

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

- Build local business capacity through partnerships, networks and skill development.
- Build local business capacity through partnerships, networks and skill development.

Budget/Financial Implications

There is nil cost to the City, however the 155.5 sqm space proposed to be leased to the MCCC was previously leased at \$376 per sqm, or \$58,000, per annum.

The City's leasing agents have advised in the current market this is more likely to be \$200 per sqm or \$31,100 per annum, noting that the MCCC pay a peppercorn rent on their current tenancy within the building.

Legal Implications

MCCC is a not for profit organisation whose objects meet the criteria in Regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996*.

The proposed lease transaction is therefore exempt from the advertising requirements in Section 3.58 of the *Local Government Act 1995*.

Community Consultation

N/A



Risk Management Implications

If Council chooses not to proceed with the proposed lease, MCCC will not have the benefit of larger offices to better suit their needs and assist with reaching their agreed KPIs, in relation to providing Professional Development workshops for local business, and hosting a Business Development Group.

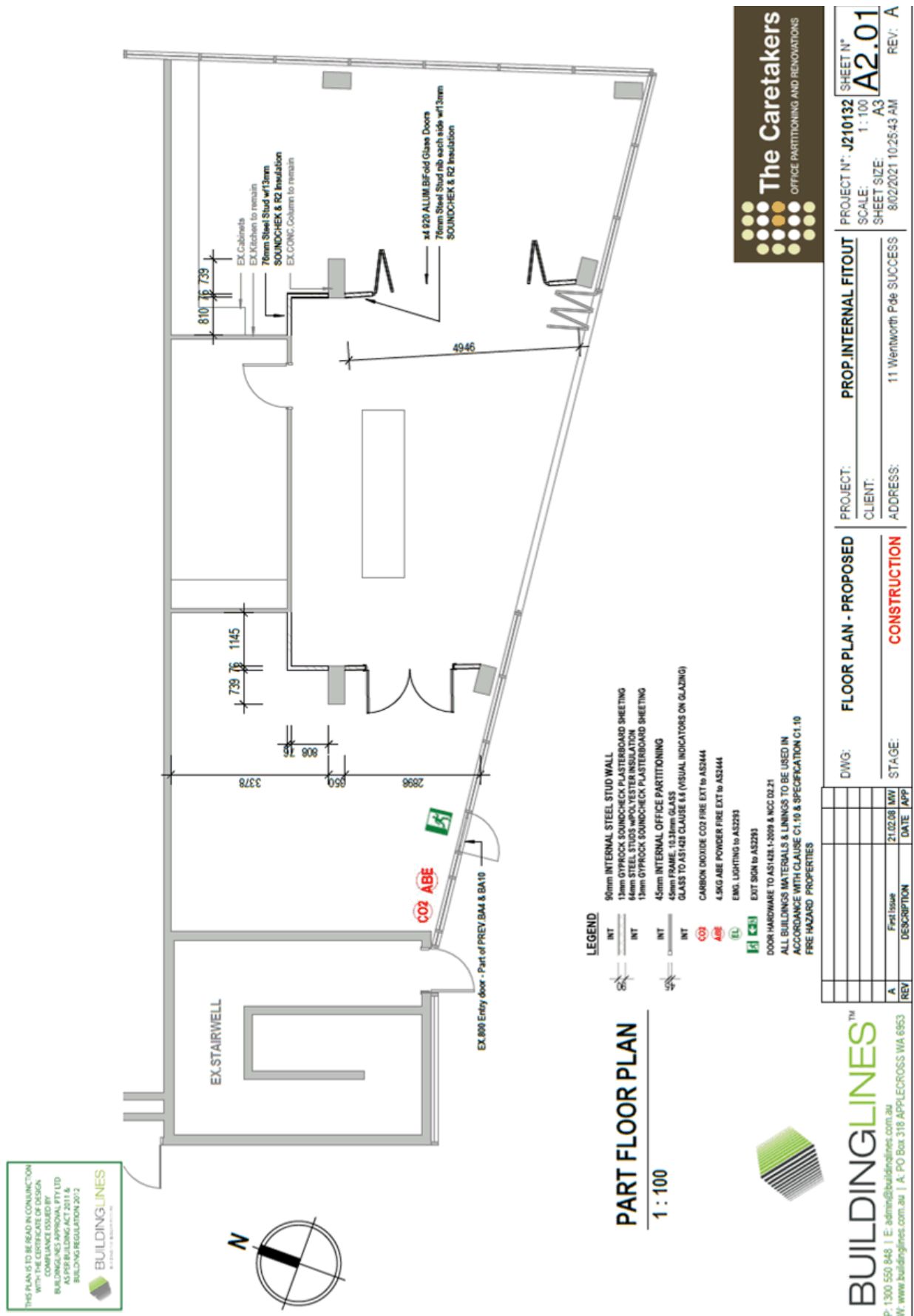
Advice to Proponents/Submitters

N/A

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

Nil





15. FINANCE AND CORPORATE SERVICES DIVISION ISSUES**15.1 (2021/MINUTE NO 0052) PAYMENTS MADE FROM MUNICIPAL FUND - FEBRUARY 2021**

Author(s) N Mauricio

Attachments

1. Payments Listing - February 2021 [↓](#)
2. Credit Card Spend Summary - January 2021 [↓](#)

RECOMMENDATION

That Council receive the list of payments made from the Municipal Fund for February 2021, as attached to the Agenda.

COUNCIL DECISION

MOVED Cr C Terblanche SECONDED Cr T Widenbar

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0

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 and 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.

Submission

N/A

Report

A listing of payments made during February 2021 with a grand total of \$12,012,459 is attached to the agenda for review. This comprises:

- EFT payments list (suppliers and sundry creditors) - \$8,789,897;
- Payroll payments summary - \$3,131,691;
- Corporate credit card expenditure - \$76,396; and
- Bank and merchant fees - \$14,475.

Also attached is a separate listing of credit card spending for the month of January (settled in February), summarised by each cardholder.



There were no transactions made by the Acting CEO during the month of January.

The value of the City's committed procurement spend with local City of Cockburn businesses reduced from 4.4% to 1.8%, significantly impacted by a large value tender awarded during the month to a non-city located business (Frankland Park construction at \$9.43m). However, in terms of the number of procurements made during the month with Cockburn businesses, these were little changed at 19.2% (20.4% last month).

The value of procurement spending with businesses located within the South West Group region increased from 53.3% to 83.4% for the month, positively impacted by the awarded tender. The number of procurements placed within the region was 25.8% for the month (not previously measured).

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.

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



February 2021 PAYMENT LISTING

MUNICIPAL FUND

PAYMENT No.	ACCOUNT No.	PAYEE	PAYMENT DESCRIPTION	DATE	VALUE \$
EF137299	10152	Aust Services Union	Payroll Deductions	8/02/2021	1,065.80
EF137300	10154	Australian Taxation Office	Payroll Deductions	8/02/2021	484,669.00
EF137301	10305	Child Support Agency	Payroll Deductions	8/02/2021	1,293.25
EF137302	10484	Department Of Mines, Industry Regulation And Safety	Building Services Levy	8/02/2021	69,647.20
EF137303	11001	Local Government Racing & Cemeteries Employees Union Lgrceu	Payroll Deductions	8/02/2021	82.00
EF137304	11857	Champagne Social Club	Payroll Deductions	8/02/2021	380.00
EF137305	11860	45S Club	Payroll Deductions	8/02/2021	14.00
EF137306	19726	Health Insurance Fund Of Wa	Payroll Deductions	8/02/2021	1,291.40
EF137307	25987	Toyota Fleet Management	Payroll Deductions - Novated Lease	8/02/2021	608.14
EF137308	26987	Cti Risk Management	Security - Cash Collection	8/02/2021	1,404.70
EF137309	27874	Smartsalary	Salary Packaging/Leasing Administration	8/02/2021	11,817.71
EF137310	99996	Aw Heane & Pc Heane	Rates and Property related EFT Refuds	8/02/2021	477.00
EF137311	11741	Western Australian Treasury Corporation	Loan Repayments	8/02/2021	52,859.59
EF137312	10031	Advanced Spatial Technologies Pty Ltd	Software Maintenance & Support	12/02/2021	2,717.00
EF137313	10035	Adventure World	Entertainment Services	12/02/2021	1,110.00
EF137314	10207	Boc Gases	Gas Supplies	12/02/2021	95.25
EF137315	10219	Bousfields Menswear	Clothing Supplies	12/02/2021	1,135.00
EF137316	10221	Bp Australia Pty Ltd	Diesel/Petrol Supplies	12/02/2021	23,610.97
EF137317	10226	Bridgestone Australia Ltd	Tyre Services	12/02/2021	16,536.43
EF137318	10246	Bunnings Building Supplies Pty Ltd	Hardware Supplies	12/02/2021	1,432.54
EF137319	10256	Cable Locates & Consulting	Locating Services	12/02/2021	5,984.00
EF137320	10279	Castrol Australia Pty Ltd	Grease/Lubricants	12/02/2021	4,116.06
EF137321	10287	Centreline Markings	Linemarking Services	12/02/2021	1,650.00
EF137322	10325	City Of Fremantle	Contributions & Cost Sharing	12/02/2021	4,771.43
EF137323	10333	Cjd Equipment Pty Ltd	Hardware Supplies	12/02/2021	277.49
EF137324	10359	Cockburn Painting Service	Painting Supplies/Services	12/02/2021	5,115.00
EF137325	10368	Cockburn Wetlands Education Centre	Community Grant	12/02/2021	490.00
EF137326	10375	Veolia Environmental Services	Waste Services	12/02/2021	15,333.93
EF137327	10483	Landgate	Mapping/Land Title Searches	12/02/2021	401.80
EF137328	10528	Easifleet	Vehicle Lease	12/02/2021	882.95
EF137329	10535	Workpower Incorporated	Employment Services - Planting	12/02/2021	23,793.00
EF137330	10589	Fines Enforcement Registry	Fines Enforcement Fees	12/02/2021	4,928.00
EF137331	10590	Department Of Fire And Emergency Services	Esl Levy & Related Costs	12/02/2021	74.11
EF137332	10597	Flexi Staff Pty Ltd	Employment Services	12/02/2021	15,843.53
EF137333	10679	Grasstrees Australia	Plants & Planting Services	12/02/2021	2,706.00
EF137334	10888	Lj Caterers	Catering Services	12/02/2021	5,462.38
EF137335	10938	Mrp Pest Management	Pest & Weed Management	12/02/2021	1,395.72
EF137336	10944	Mcleods	Legal Services	12/02/2021	5,875.55
EF137337	10982	Modern Teaching Aids Pty Ltd	Teaching Aids	12/02/2021	2,558.65
EF137338	11004	Murdoch University Office Of Finance, Planning & Reporting	Analysing Services	12/02/2021	1,556.50
EF137339	11036	Northlake Electrical Pty Ltd	Electrical Services	12/02/2021	29,944.50

EF137340	11208	Quick Corporate Australia	Stationery/Consumables	12/02/2021	2,863.30
EF137341	11247	Richgro Wa	Gardening Supplies	12/02/2021	440.88
EF137342	11307	Satellite Security Services Pty Ltd	Security Services	12/02/2021	1,425.50
EF137343	11308	Boss Industrial Formally Sba Supplies	Hardware Supplies	12/02/2021	4,530.00
EF137344	11334	Shenton Pumps	Pool Equipment/Services	12/02/2021	22,023.72
EF137345	11387	Bibra Lake Soils	Soil & Limestone Supplies	12/02/2021	3,188.50
EF137346	11425	Southern Metropolitan Regional Council	Waste Disposal Gate Fees	12/02/2021	2,280.00
EF137347	11459	Spearwood Veterinary Hospital	Veterinary Services	12/02/2021	150.00
EF137348	11483	St John Ambulance Aust Wa Operations	First Aid Courses	12/02/2021	539.50
EF137349	11511	Statewide Bearings	Bearing Supplies	12/02/2021	821.83
EF137350	11531	Sunny Industrial Brushware Pty Ltd	Brush/Road Broom Supplies	12/02/2021	847.00
EF137351	11556	Technifire 2000	Fire Fighting Equipment	12/02/2021	317.00
EF137352	11625	Nutrien Water	Reticulation Supplies	12/02/2021	5,825.18
EF137353	11701	Vibra Industrial Filtration Australasia	Filter Supplies	12/02/2021	199.32
EF137354	11702	Villa Dalmacia Association Inc.	Spical Club Activities	12/02/2021	1,300.00
EF137355	11726	Wa Limestone	Limestone Supplies	12/02/2021	1,859.00
EF137356	11789	Walga	Advertising/Training Services	12/02/2021	2,160.00
EF137357	11793	Western Irrigation Pty Ltd	Irrigation Services/Supplies	12/02/2021	76,512.04
EF137358	11795	Western Power	Street Lighting Installation & Service	12/02/2021	111,863.00
EF137359	11828	Worldwide Online Printing - O'connor	Printing Services	12/02/2021	1,373.00
EF137360	11854	Zipform Pty Ltd	Printing Services	12/02/2021	1,264.57
EF137361	11985	Ivo Grubelich	Bus Hire	12/02/2021	12,144.00
EF137362	12153	Hays Personnel Services Pty Ltd	Employment Services	12/02/2021	4,785.26
EF137363	12458	Kite Kinetics	Entertainment Services	12/02/2021	550.00
EF137364	12791	Alchemy Technology	Computer Software Services	12/02/2021	340.47
EF137365	12796	Isentia Pty Ltd	Media Monitoring Services	12/02/2021	1,496.00
EF137366	13563	Green Skills Inc	Employment Services	12/02/2021	422.92
EF137367	13825	Jackson Mcdonald	Legal Services	12/02/2021	7,030.10
EF137368	13860	Krs Contracting	Waste Collection Services	12/02/2021	10,947.75
EF137369	13873	Cockburn Ses	Traffic Management Services	12/02/2021	1,650.00
EF137370	13998	Air & Power Pty Ltd	Mechanical Parts	12/02/2021	485.65
EF137371	14305	Access Institute	Training Seminar	12/02/2021	2,750.00
EF137372	14350	Baileys Fertilisers	Fertiliser Supplies	12/02/2021	10,251.37
EF137373	14700	Kingman Visual	Signwriting/Signmaking	12/02/2021	32,943.37
EF137374	15271	Ple Computers Pty Ltd	Computer Hardware	12/02/2021	39.72
EF137375	15393	Stratagreen	Hardware Supplies	12/02/2021	123.83
EF137376	15588	Natural Area Consulting Management Services	Weed Spraying	12/02/2021	15,147.25
EF137377	15746	Western Australia Police Service	Police Clearances	12/02/2021	16.70
EF137378	15850	Ecoscope Australia Pty Ltd	Environmental Consultancy	12/02/2021	1,916.20
EF137379	15868	Cardno (Wa) Pty Ltd	Consultancy Services - Engineering	12/02/2021	5,660.60
EF137380	16064	Cms Engineering	Airconditioning Services	12/02/2021	11,114.40
EF137381	16107	Wren Oil	Waste Disposal Services	12/02/2021	33.00
EF137382	16396	Mayday Earthmoving	Road Construction Machine Hire	12/02/2021	29,004.25
EF137383	16894	Treblex Industrial Pty Ltd	Chemicals - Automotive	12/02/2021	2,755.50
EF137384	17279	Aussie Cool Shades Sails Awnings & Home Security	Shade Sails & Awnings	12/02/2021	2,474.00
EF137385	17343	Rac Businesswise	Membership Subscription	12/02/2021	1,858.35
EF137386	17383	Aust Communications & Media Authority	License Renewal	12/02/2021	3,150.00
EF137387	17553	Altus Traffic Pty Ltd	Traffic Control Services	12/02/2021	687.50

EF137388	17608	Nu-Trac Rural Contracting	Beach Cleaning/Firebreak Construction	12/02/2021	10,033.38
EF137389	17827	Nilsen (Wa) Pty Ltd	Electrical Services	12/02/2021	9,104.32
EF137390	18114	Bollig Design Group P/L	Architectural Services	12/02/2021	4,950.00
EF137391	18126	Dell Australia Pty Ltd	Computer Hardware	12/02/2021	3,650.12
EF137392	18272	Austraclear Limited	Investment Services	12/02/2021	243.12
EF137393	18533	Friends Of The Community Inc.	Donation	12/02/2021	6,170.00
EF137394	18625	Pedersens Hire & Structures Pty Ltd	Function Equipment Hire	12/02/2021	6,737.50
EF137395	19058	Fremantle Camerahouse	Photographic Equipment	12/02/2021	1,700.00
EF137396	19533	Woolworths Ltd	Groceries	12/02/2021	1,262.50
EF137397	20000	Aust West Auto Electrical Pty Ltd	Auto Electrical Services	12/02/2021	11,374.23
EF137398	21294	Cat Haven	Animal Services	12/02/2021	1,055.00
EF137399	21371	Ld Total Sanpoint Pty Ltd	Landscaping Works/Services	12/02/2021	26,482.23
EF137400	21469	John Hughes Volkswagen	Purchase Of New Vehicle	12/02/2021	35,072.70
EF137401	21627	Manheim Pty Ltd	Impounded Vehicles	12/02/2021	2,744.50
EF137402	21665	Mmj Real Estate (Wa) Pty Ltd	Property Management Services	12/02/2021	11,328.19
EF137403	21744	Jb Hi Fi - Commercial	Electronic Equipment	12/02/2021	1,122.00
EF137404	21747	Unicare Health	Wheelchair Hire	12/02/2021	328.50
EF137405	21877	Wellness On Wheels	Workplace And Event Remedial Massage	12/02/2021	520.00
EF137406	21946	Ryan's Quality Meats	Meat Supplies	12/02/2021	697.32
EF137407	22119	Bindi Bindi Dreaming Marissa Verma	Consult - Aboriginal Education/Ent	12/02/2021	1,831.50
EF137408	22375	Tcd Civil Construction	Construction (Sewer, Drainage, Water)	12/02/2021	58,905.98
EF137409	22404	Cleverpatch Pty Ltd	Arts/Craft Supplies	12/02/2021	1,512.97
EF137410	22553	Brownes Food Operations	Catering Supplies	12/02/2021	213.68
EF137411	22624	Aussie Earthworks Pty Ltd	Earthworks	12/02/2021	1,701.70
EF137412	22682	Beaver Tree Services Pty Ltd	Tree Pruning Services	12/02/2021	45,343.43
EF137413	22806	Chevron Australia Downstream Fuels Pty Ltd	Fuel Supplies	12/02/2021	36,456.37
EF137414	22864	Supacool Refrigeration & Air Conditioning	Air Conditioning	12/02/2021	3,419.00
EF137415	22913	Opal Australian Paper	Envelopes	12/02/2021	414.27
EF137416	23288	Ariane Roemmele	Amusement - Children's Activities	12/02/2021	760.00
EF137417	23351	Cockburn Gp Super Clinic Limited T/A Cockburn Integrated Health	Leasing Fees	12/02/2021	2,090.00
EF137418	23457	Totally Workwear Fremantle	Clothing - Uniforms	12/02/2021	996.06
EF137419	23549	West Oz Wildlife	Amusement Park Entry Fees	12/02/2021	1,787.50
EF137420	23550	Henricks Consulting Pty Ltd	Consultancy Services - Human Resources	12/02/2021	2,640.00
EF137421	23570	A Proud Landmark Pty Ltd	Landscape Contruction Services	12/02/2021	18,639.83
EF137422	23579	Daimler Trucks Perth	Purchase Of New Truck	12/02/2021	1,703.20
EF137423	24275	Truck Centre Wa Pty Ltd	Purchase Of New Truck	12/02/2021	164.76
EF137424	24281	Eco Logical Australia Pty Ltd	Mapping Services	12/02/2021	10,753.60
EF137425	24298	Tanks For Hire	Equipment Hire	12/02/2021	924.00
EF137426	24595	Contemporary Image Photography Pty Ltd	Photography Services	12/02/2021	1,891.45
EF137427	24643	Bibliotheca Rfid Library Systems Australia Pty Ltd	Purchase Of Library Tags	12/02/2021	524.18
EF137428	24864	Fremantle Football Club	Merchandise Stock For Retail Sale	12/02/2021	5,391.76
EF137429	24945	Ns Projects Pty Ltd	Project Management Services	12/02/2021	6,600.00
EF137430	24974	Scott Print	Printing Services	12/02/2021	11,266.20
EF137431	25063	Superior Pak Pty Ltd	Vehicle Maintenance	12/02/2021	6,382.13
EF137432	25115	Fiig	Investment Management Services	12/02/2021	2,750.00
EF137433	25121	Imagesource Digital Solutions	Billboards	12/02/2021	6,382.35
EF137434	25284	Netball Wa	Rec. Umpire Training	12/02/2021	180.00
EF137435	25418	Cs Legal	Legal Services	12/02/2021	17,889.42

EF137436	25586	Envirovap Pty Ltd	Hire Of Leachate Units	12/02/2021	36,410.00
EF137437	25645	Yelakitj Moort Nyungar Association Inc	Welcome To The Country Performances	12/02/2021	800.00
EF137438	25713	Discus On Demand The Trustee For Discus On Demand Unit Trust	Printing Services	12/02/2021	1,085.70
EF137439	25733	Miracle Recreation Equipment	Playground Installation / Repairs	12/02/2021	231.00
EF137440	25940	Leaf Bean Machine	Coffee Bean Supply	12/02/2021	440.00
EF137441	26029	Autosweep Wa	Sweeping Services	12/02/2021	5,533.00
EF137442	26067	Sprayking Wa Pty Ltd	Chemical Weed Control Services	12/02/2021	38,170.00
EF137443	26114	Grace Records Management	Records Management Services	12/02/2021	1,269.46
EF137444	26195	Play Check	Consulting Services	12/02/2021	825.00
EF137445	26257	Paperbark Technologies Pty Ltd	Arboricultural Consultancy Services	12/02/2021	11,580.55
EF137446	26303	Gecko Contracting Turf & Landscape Maintenance	Turf & Landscape Maintenance	12/02/2021	209,061.22
EF137447	26314	Cpe Group	Temporary Employment Services	12/02/2021	3,326.80
EF137448	26321	Skateboarding Wa	Skateboarding Clinics	12/02/2021	1,127.50
EF137449	26329	Safety Signs Service Pty Ltd	Safety Signs	12/02/2021	1,131.63
EF137450	26354	Electrofen	Repair Services - Security Fences	12/02/2021	423.50
EF137451	26399	Paperscout The Trustee For Peters Morrison Family Trust	Graphic Design Services	12/02/2021	1,056.00
EF137452	26423	Alpha Pest Animal Solutions Invasive Species Pty Ltd	Pest Control Services	12/02/2021	891.00
EF137453	26442	Bullant Security Pty Ltd Key West Lock Service & Sales	Locksmith & Security Services	12/02/2021	666.92
EF137454	26470	Scp Conservation	Fencing Services	12/02/2021	6,853.00
EF137455	26512	Xcellerate It Pty Ltd	It Equipment - Ocr Project	12/02/2021	20,556.14
EF137456	26567	The Hangout Indoor Climbing Centre	Rock Climbing	12/02/2021	869.00
EF137457	26606	Enviro Infrastructure Pty Ltd	Construction& Fabrication	12/02/2021	17,877.74
EF137458	26614	Marketforce Pty Ltd	Advertising	12/02/2021	6,393.43
EF137459	26625	Andover Detailers	Car Detailing Services	12/02/2021	819.00
EF137460	26626	Senversa Pty Ltd	Environmental Auditing	12/02/2021	1,925.00
EF137461	26703	Perth Business Valuations	Valuation Services	12/02/2021	4,950.00
EF137462	26704	Perth Mermaids	Entertainment Services	12/02/2021	700.00
EF137463	26721	Quad Services Pty Ltd	Cleaning Services	12/02/2021	11,085.54
EF137464	26735	Shane McMaster Surveys	Survey Services	12/02/2021	5,225.00
EF137465	26736	Ghems Holdings Pty Ltd	Revegetation	12/02/2021	1,522.50
EF137466	26761	The Sand Card Company	Entertainment Services	12/02/2021	900.00
EF137467	26771	Instant Products Hire	Portable Toilet Hire	12/02/2021	2,333.32
EF137468	26773	Laser Corps Combat Adventruess	Entry Fees	12/02/2021	1,034.00
EF137469	26781	The Archery Centre & Laser Ranger	Entry Fees	12/02/2021	750.00
EF137470	26782	Soft Landing	Recycling Services	12/02/2021	6,049.14
EF137471	26783	Leslie Hinton	Entertainment	12/02/2021	1,110.00
EF137472	26789	Raeco	Supplier Of Library Shelving And Furnitu	12/02/2021	204.42
EF137473	26791	Monsterball Amusement & Hire	Amusement Hire	12/02/2021	3,590.00
EF137474	26812	Brooks Choice Removals	Removalists	12/02/2021	2,992.00
EF137475	26820	Nbn Co Ltd	Telecommunications	12/02/2021	3,670.44
EF137476	26883	Gta Consultants	Transport Planning	12/02/2021	31,284.72
EF137477	26898	Spandex Asia Pacific Pty Ltd	Signage Supplier	12/02/2021	875.41
EF137478	26901	Alyka Pty Ltd	Digital Consultancy And Web Development	12/02/2021	577.50
EF137479	26915	Focused Vision Consulting Pty Ltd	Consulting	12/02/2021	30,818.70
EF137480	26932	Central Regional Tafe	Tafe	12/02/2021	2,357.04
EF137481	26938	Majestic Plumbing	Plumbing Services	12/02/2021	4,590.27
EF137482	26957	Jbs & G Australia Pty Ltd	Consultancy - Enviromental	12/02/2021	2,634.50
EF137483	26977	The Young Boxing Woman Project	Training/Mentoring	12/02/2021	1,000.00

EF137484	26987	Cti Risk Management	Security - Cash Collection	12/02/2021	1,217.70
EF137485	27002	Cockburn Party Hire	Hire Services	12/02/2021	2,360.00
EF137486	27032	Wtp Australia Pty Ltd	Quantity Surveyors	12/02/2021	2,310.00
EF137487	27034	Adelby Pty Ltd	Firebreak Construction	12/02/2021	2,068.00
EF137488	27052	Event Marquees	Marquee Hire	12/02/2021	2,405.00
EF137489	27059	Frontline Fire & Rescue Equipment	Manufacture-Fire Vehicles/Equipment	12/02/2021	3,478.78
EF137490	27065	Westbooks	Books	12/02/2021	591.68
EF137491	27077	Carbon Neutral	Carbon Solutions Provider	12/02/2021	1,540.00
EF137492	27082	Kulbardi Pty Ltd	Stationery Supplies	12/02/2021	827.20
EF137493	27093	Magnetic Automation Pty Ltd	Gates/Barriers	12/02/2021	1,056.00
EF137494	27143	Embroidme Success	Embroidery Services	12/02/2021	154.00
EF137495	27161	Next Power	Solar Panel	12/02/2021	1,132.21
EF137496	27169	Natural Power Solutions Pty Ltd	Power Supply Protection, Products & Serv	12/02/2021	1,232.00
EF137497	27177	Initial Hygiene	Hygiene	12/02/2021	14,981.36
EF137498	27189	Healthstrong Pty Ltd	Home Care	12/02/2021	110.00
EF137499	27205	Cameron Chisholm Nicol	Architectural Services	12/02/2021	275.00
EF137500	27210	Urban Design Lab	Landscape Design	12/02/2021	1,280.00
EF137501	27237	Lobel Events	Event Lighting	12/02/2021	6,369.44
EF137502	27241	Landscape Elements	Landscaping Services	12/02/2021	12,726.36
EF137503	27246	Veale Auto Parts	Spare Parts Mechanical	12/02/2021	114.30
EF137504	27261	Tudor House	Flags & Banners	12/02/2021	198.00
EF137505	27269	Integrpay Pty Ltd	Payment Processing	12/02/2021	12,972.42
EF137506	27293	Basketball Wa	Sporting Events	12/02/2021	275.00
EF137507	27308	Jatu Clothing & Ppe Pty Ltd	Clothing Ppe	12/02/2021	190.98
EF137508	27310	Swimplex Aquatics Pty Ltd	Pool Equipment Maintenance	12/02/2021	3,094.30
EF137509	27334	Westcare Print	Printing Services	12/02/2021	2,326.50
EF137510	27351	Programmed Property Services	Property Maintenance	12/02/2021	792.00
EF137511	27352	Bikewise	Transport Promotions	12/02/2021	1,320.00
EF137512	27377	Accidental Health And Safety - Perth	First Aid Supplies	12/02/2021	398.33
EF137513	27379	Esri Australia Pty Ltd	Gis Software	12/02/2021	20,900.00
EF137514	27384	Sifting Sands	Sand Cleaning	12/02/2021	440.00
EF137515	27396	Ankeet Mehta Spearwood Newspaper Round Delivery	Newspaper Delivery	12/02/2021	427.09
EF137516	27401	Emprise Mobility	Mobility Equipment	12/02/2021	143.00
EF137517	27403	Freedom Fairies Pty Ltd	Amusement	12/02/2021	1,782.00
EF137518	27423	Mechanical Project Services Pty Ltd	Airconditioning Services	12/02/2021	1,017.50
EF137519	27426	The Kart Centre Pty. Ltd	Go - Kart Hire	12/02/2021	1,760.00
EF137520	27427	Home Chef	Cooking/Food Services	12/02/2021	338.77
EF137521	27437	Pb Reticulation & Maintenance Services Pty Ltd	Irrigation Services	12/02/2021	503.80
EF137522	27450	Aaa Production Services	Hire Pa/Satge Systems	12/02/2021	16,212.90
EF137523	27455	Site Protective Services	Cctv Parts	12/02/2021	5,255.93
EF137524	27456	Securepay Pty Ltd	Payment Solutions	12/02/2021	804.10
EF137525	27482	Billi Australia Pty Ltd	Water Filter Taps	12/02/2021	1,391.06
EF137526	27483	World Upholstery Services	Upholstery Services	12/02/2021	3,080.00
EF137527	27507	Facilities First Australia Pty Ltd	Cleaning Services	12/02/2021	143,137.93
EF137528	27523	Robert Lawrence Toohey	High Pressure Cleaning	12/02/2021	1,667.50
EF137529	27524	David Wills And Associates	Engineering Services	12/02/2021	2,090.00
EF137530	27539	Jasmin Carpentry & Maintenance	Carpentry	12/02/2021	7,683.50
EF137531	27548	Standing Fork	Catering	12/02/2021	1,742.40

EF137532	27568	Ept	Ups Service/Repairs	12/02/2021	748.00
EF137533	27574	The Threaded Wall	Artistic Services	12/02/2021	3,200.00
EF137534	27575	Shred X Secure Destruction	Document Destruction	12/02/2021	30.36
EF137535	27587	New Ground Water Services Pty Ltd	Irrigation/Reticulation	12/02/2021	1,122.00
EF137536	27592	Hey Jay Fix It!! Home Maintenance Service	Home Maintenance	12/02/2021	210.00
EF137537	27622	Truegrade Medical Supplies	Medical Supplies	12/02/2021	1,235.18
EF137538	27631	Aquatic Services Wa Pty Ltd	Pool Equipment & Maintenance	12/02/2021	1,766.60
EF137539	27644	Cmaktech	Ict Engineering & Consulting	12/02/2021	25,310.72
EF137540	27657	Positive Balance Massage	Massage Therapy	12/02/2021	300.00
EF137541	27675	Wgawa Pty Ltd	Consultancy Engineering	12/02/2021	2,541.00
EF137542	27676	Blue Force Pty Ltd	Security Services	12/02/2021	40.00
EF137543	27677	Dodgy Bros Dodgeball Co.	Dodgeball Game	12/02/2021	1,650.00
EF137544	27683	Cleanaway Industrial Solutions Pty Ltd	Waste Services	12/02/2021	3,850.55
EF137545	27695	Qtm Pty Ltd	Traffic Management	12/02/2021	11,099.00
EF137546	27699	Microway	Software	12/02/2021	3,647.45
EF137547	27702	Archae-Aus Pty Ltd	Consultancy - Cultural	12/02/2021	54,771.75
EF137548	27712	Perth Playground And Rubber Pty Ltd	Playground Softfall/Equipment	12/02/2021	7,084.00
EF137549	27720	Bj Systems	Security Services	12/02/2021	792.00
EF137550	27757	Ground Support Systems (Aust)	Shoring Equipment	12/02/2021	484.00
EF137551	27779	Sports Circuit Linemarking	Linemarking	12/02/2021	528.00
EF137552	27808	Camms	Software	12/02/2021	13,200.00
EF137553	27816	Asterisk Information Security	It Consultancy	12/02/2021	17,065.24
EF137554	27819	Axiis Contracting Pty Ltd	Concrete Works	12/02/2021	1,209.45
EF137555	27827	Abc Containers	Sea Containers	12/02/2021	99.00
EF137556	27829	Smec Australia Pty Ltd	Consultancy - Engineering	12/02/2021	4,257.00
EF137557	27834	Alemba Pty Ltd	Computer Software Services	12/02/2021	8,910.00
EF137558	27842	Light House Laundry	Laundering	12/02/2021	176.28
EF137559	27855	Total Landscape Redevelopment Service Pty Ltd	Tree Watering	12/02/2021	114,941.53
EF137560	27863	Carers Plus	Nursing Services	12/02/2021	1,259.69
EF137561	27869	Select Fresh Pty Ltd	Food Supplie,Fruit & Veg	12/02/2021	375.08
EF137562	27886	Bbc Entertainment	Entertainment Agency	12/02/2021	2,090.00
EF137563	27894	Homecare Physiotherapy	Healthcare	12/02/2021	4,279.00
EF137564	27899	Nature Calls Portable Toilets	Hire - Portable Loos	12/02/2021	730.00
EF137565	27917	Go Doors Advanced Automation	Door Maintenance & Repair	12/02/2021	660.00
EF137566	27921	Sandstorm Events Pty Ltd	Artistic - Sand Sculpting	12/02/2021	7,425.00
EF137567	27940	A-Smart Pty Ltd	Service & Maintenance	12/02/2021	586.30
EF137568	27955	Far Lane	Consultancy Economic	12/02/2021	4,752.00
EF137569	27978	Frontline Safety Australia Pty Ltd	Clothing - Uniforms	12/02/2021	237.60
EF137570	27982	Pep Transport	Transport	12/02/2021	1,890.66
EF137571	27997	Dillip N The Daves	Entertainment - Band	12/02/2021	1,200.00
EF137572	28000	Street Artist Management Pty Ltd	Entertainment - Band	12/02/2021	2,630.00
EF137573	28002	Little Aussie Directories	Advertising	12/02/2021	1,182.50
EF137574	28003	Taylor Made Design	Graphic Design	12/02/2021	1,595.00
EF137575	28018	Flamingo Strings	Entertainment Band	12/02/2021	800.00
EF137576	28025	The Nappy Guru	Nappy Workshops	12/02/2021	650.00
EF137577	28032	Managed System Services	It Servcies	12/02/2021	1,314.81
EF137578	28033	Jakob Wells	Event Management	12/02/2021	1,250.00
EF137579	28036	Noddy The Waterman	Water Supplies	12/02/2021	21,285.00

EF137580	28049	Copy Magic	Printing Services	12/02/2021	213.40
EF137581	28053	Zoic Environmental Pty Ltd	Consultancy - Environmental	12/02/2021	1,265.00
EF137582	28061	Go2cup	Paper Cups	12/02/2021	550.00
EF137583	28097	Bubble Soccer Perth	Amusement Services	12/02/2021	1,350.00
EF137584	88888	Anthony Stock	Bond Refund	12/02/2021	500.00
EF137585	88888	Shoreline Management Pty	Bond Refund	12/02/2021	80,000.00
EF137586	88888	Sundry Creditor Eft	Bond Refund	12/02/2021	500.00
EF137587	88888	Prm Property Meve	Bond Refund	12/02/2021	6,679.88
EF137588	99997	Nancy Carrasco	Senior Security Subsidy Scheme	12/02/2021	100.00
EF137589	99997	Changjiu Zhang	Crossover Claim - C Zhang	12/02/2021	300.00
EF137590	99997	Scott M Johnston	Crossover Claim - S Johnston	12/02/2021	300.00
EF137591	99997	Linda Joyce Evans	Crossover Claim - L Evans	12/02/2021	300.00
EF137592	99997	Monica Young	Crossover Contribution - M Young	12/02/2021	300.00
EF137593	99997	J H Patel	Crossover Claim - J Patel	12/02/2021	300.00
EF137594	99997	Jacqueline Mckenzie	Purchasing Of Scrabble Boards	12/02/2021	265.24
EF137595	99997	Christopher Yee Tai	Reimbursement Of Fees - Chris Tai	12/02/2021	643.00
EF137596	99997	Shehan Kiramage	Crossover Contribution - Shehan Kiramage	12/02/2021	300.00
EF137597	99997	Brett And Eluise Cullen	Crossover Contribution Brett Cullen	12/02/2021	300.00
EF137598	99997	Sureshkumar Patel	Crossover Contribution - Sureshkumar Pat	12/02/2021	300.00
EF137599	99997	James Wong	Crossover Contribution - 13 Olivine Road	12/02/2021	300.00
EF137600	99997	Margaret Foster	Hp Unspent Funds	12/02/2021	580.01
EF137601	99997	Orsola Bianchi	Hcp Unspent Funds - Orsola Bianchi	12/02/2021	44.62
EF137602	99997	Octavia Karangoda	Ac42071530 / 10 301	12/02/2021	35,659.19
EF137603	99997	Sp And LI Grech	Cloth Nappies Rebate - Lauren Grech	12/02/2021	50.00
EF137604	99997	Mirando Radja	Compost Bin Rebate - Mirando Radja	12/02/2021	50.00
EF137605	99997	Christopher Almas	Compost Bin Rebate - Chris Almas	12/02/2021	45.00
EF137606	99997	Zai Kanga	Invoice 085	12/02/2021	440.00
EF137607	99997	Baptist Mendonca	Compost Bin Rebate - Baptist Mendonca	12/02/2021	50.00
EF137608	99997	Miss Amy Tyers	Cat Sterilisation - Amy Tyers	12/02/2021	50.00
EF137609	99996	Jiamin Ruon	Refund Fb15/0375	12/02/2021	594.80
EF137610	99996	Katrina Lesley Brooker	Rates and Property related EFT Refuds	12/02/2021	30.00
EF137611	99996	Jack Buchanan Cheong	Rates and Property related EFT Refuds	12/02/2021	100.00
EF137612	99996	Murdoch Pines Golf & Recreation Park	Rates and Property related EFT Refuds	12/02/2021	762.79
EF137613	99996	Yvonne Huang	Rates and Property related EFT Refuds	12/02/2021	624.00
EF137614	99996	Therese Cole	Rates and Property related EFT Refuds	12/02/2021	320.00
EF137615	99996	Liliane Harman	Rates and Property related EFT Refuds	12/02/2021	190.50
EF137616	99996	Cm Milne	Rates and Property related EFT Refuds	12/02/2021	1,149.36
EF137617	99996	Dmj Property Holdings Pty Ltd	Rates and Property related EFT Refuds	12/02/2021	591.00
EF137618	99996	Dmj Property Holdings Pty Ltd	Rates and Property related EFT Refuds	12/02/2021	605.00
EF137619	99996	Melissa Coton	Rates and Property related EFT Refuds	12/02/2021	150.00
EF137620	99996	Ruojing (Ivan) Wang	Rates and Property related EFT Refuds	12/02/2021	3,499.00
EF137621	99996	Lakewater Pty Ltd	Rates and Property related EFT Refuds	12/02/2021	473.49
EF137622	99996	Kristen Gill	Rates and Property related EFT Refuds	12/02/2021	448.00
EF137623	10047	Alinta Energy	Natural Gas & Electricity Supply	12/02/2021	2,858.45
EF137624	11794	Synergy	Electricity Usage/Supplies	12/02/2021	430,798.23
EF137625	12025	Telstra Corporation	Communications Services	12/02/2021	2,606.10
EF137627	99997	Family Day Care	Fdc Payment We 07/02/21	11/02/2021	41,711.01
EF137628	99997	In Home Care Payments	Ihc Payments We 07/02/2021	11/02/2021	18,307.09

EF137629	26987	Cti Risk Management	Security - Cash Collection	16/02/2021	1,437.90
EF137630	27492	Superchoice Services Pty Limited	Payroll Deductions	18/02/2021	919,716.54
EF137631	10152	Aust Services Union	Payroll Deductions	22/02/2021	1,058.03
EF137632	10154	Australian Taxation Office	Payroll Deductions	22/02/2021	470,691.00
EF137633	10305	Child Support Agency	Payroll Deductions	22/02/2021	1,559.54
EF137634	11001	Local Government Racing & Cemeteries Employees Union Lgrceu	Payroll Deductions	22/02/2021	82.00
EF137635	11857	Champagne Social Club	Payroll Deductions	22/02/2021	380.00
EF137636	11860	45S Club	Payroll Deductions	22/02/2021	14.00
EF137637	19726	Health Insurance Fund Of Wa	Payroll Deductions	22/02/2021	1,291.40
EF137638	25987	Toyota Fleet Management	Payroll Deductions - Novated Lease	22/02/2021	608.14
EF137639	27874	Smartsalary	Salary Packaging/Leasing Administration	22/02/2021	11,563.55
EF137640	26987	Cti Risk Management	Security - Cash Collection	23/02/2021	478.35
EF137641	10047	Alinta Energy	Natural Gas & Electricity Supply	24/02/2021	19,222.65
EF137642	11794	Synergy	Electricity Usage/Supplies	24/02/2021	85,349.94
EF137643	23250	Department Of Planning, Lands & Heritage	Dap Applications & Dap Fees	24/02/2021	16,089.00
EF137644	88888	Jamie Poole	Bond Refund	24/02/2021	500.00
EF137645	88888	M Dropulic	Bond Refund	24/02/2021	35,000.00
EF137646	88888	Gavin Dienaar	Bond Refund	24/02/2021	500.00
EF137647	88888	Michael Player	Bond Refund	24/02/2021	500.00
EF137648	88888	John Hockenhull	Bond Refund	24/02/2021	500.00
EF137649	99997	Christiana Mcdonald-Spicer	Compost Bin Rebate - Christiana Mcdonald	24/02/2021	50.00
EF137650	99997	Mirando Radja	Compost Bin Rebate - Mirando Radja	24/02/2021	50.00
EF137651	99997	Brendon Curtis Wade	Compost Bin Rebate - Brendon Wade	24/02/2021	50.00
EF137652	99997	Coc Grants, Donations & Refunds	Grants, Donations & Refunds	24/02/2021	200.00
EF137653	99997	Lynette Jackson	Senior Security Subsidy Scheme	24/02/2021	40.00
EF137654	99997	Jim Macey	Senior Security Subsidy Scheme	24/02/2021	100.00
EF137655	99997	Giustino D'orazio	Senior Security Subsidy Scheme	24/02/2021	100.00
EF137656	99997	Sandra Passanisi	Senior Security Subsidy Scheme	24/02/2021	200.00
EF137657	99997	Barry Knight	Senior Security Subsidy Scheme	24/02/2021	200.00
EF137658	99997	Kathleen Horrocks	Senior Security Subsidy Scheme	24/02/2021	100.00
EF137659	99997	Julie Brown	Rollershutters	24/02/2021	300.00
EF137660	99997	R.W. & V.J. Mitchell	Bird Bath Rebate - Victoria Mitchell	24/02/2021	50.00
EF137661	99997	Lauren A Jacobs	Bird Bath Rebate - Lauren Jacobs	24/02/2021	50.00
EF137662	99997	Robbie Bennett	Refund Request Arc - Robbie Bennett	24/02/2021	126.00
EF137663	99997	Brendon Curtis Wade	Compost Bin Rebate - B Wade	24/02/2021	50.00
EF137664	99997	Suzanne Barley	Bird Bath Rebate - Suzanne Barley	24/02/2021	24.99
EF137665	99997	Ah & Jt Blair	Bird Bath Rebate - Alida Blair	24/02/2021	27.50
EF137666	99997	Leigh Mckellar - The Movement Collective	Senior Security Subsidy Scheme	24/02/2021	135.00
EF137667	99997	David And Nicole Germinario	Senior Security Subsidy Scheme	24/02/2021	200.00
EF137668	99997	To Tam Vo	Senior Security Subsidy Scheme	24/02/2021	30.00
EF137669	99997	Hanny Hiedayat Hie	Senior Security Subsidy Scheme	24/02/2021	150.00
EF137670	99997	Zoe Mitchell	Arc Cancelled Booking	24/02/2021	150.00
EF137671	99997	Naomi Alvarez	Birthday Refund	24/02/2021	220.00
EF137672	99997	Liane Lied - Cordruwisch	2020 / 21 Landowner Biodiversity Conserv	24/02/2021	828.60
EF137673	99997	Servau Offcl. Departmental Recpts & Paym	Document Number : 180119134	24/02/2021	239.58
EF137674	99997	Joanne Egitto	Cockburn Arc Refund - D Nolan	24/02/2021	70.05
EF137675	99997	Raymond Whittaker	Senior Security Subsidy Scheme	24/02/2021	200.00
EF137676	99997	L Rhys-Jones	Senior Security Subsidy Scheme	24/02/2021	200.00

EF137677	99997	H M Fuller	Senior Security Subsidy Scheme	24/02/2021	80.00
EF137678	99997	Henry Arthur Adie-Cooper	Senior Security Subsidy Scheme	24/02/2021	49.24
EF137679	99997	Sonja Padovan	Senior Security Subsidy Scheme	24/02/2021	300.00
EF137680	99997	Sj Meade	Senior Security Subsidy Scheme	24/02/2021	100.00
EF137681	99997	George & Lorraine Hodgkin	Senior Security Subsidy Scheme	24/02/2021	100.00
EF137682	99997	Mr Ja & Mrs Pa Mackay	Senior Security Subsidy Scheme	24/02/2021	90.00
EF137683	99997	Gleni Johnson	Senior Security Subsidy Scheme	24/02/2021	180.00
EF137684	99997	Mrjorie Salvemini	Senior Security Subsidy Scheme	24/02/2021	200.00
EF137685	99997	Ronald Mills	Grants, Donations & Refunds	24/02/2021	300.00
EF137686	99997	Samira Nazem	Refund Request - Samira Nazem	24/02/2021	200.00
EF137687	99997	Curtin University	Fee Repayment - Unit Fnce501 - Skahle	24/02/2021	2,415.00
EF137688	99997	Roy Thomas Gascoigne	Bird Bath Rebate - R Gascoigne	24/02/2021	50.00
EF137689	99997	Coogee Beach Progress Association	Delegated Authority Lgacs7	24/02/2021	556.00
EF137690	99997	P C. & D.J.Firkin	Invoice Number 210125	24/02/2021	250.00
EF137691	99997	Hamilton Hill Community Group	Lgacs7	24/02/2021	136.00
EF137692	99997	Pauline Bonafilia	Senior Security Subsidy Scheme	24/02/2021	300.00
EF137693	99997	Joel Watson	Senior Security Subsidy Scheme	24/02/2021	140.00
EF137694	99997	Faye Gatti	Senior Security Subsidy Scheme	24/02/2021	300.00
EF137695	99997	Lucy Bettegacci	Senior Security Subsidy Scheme	24/02/2021	300.00
EF137696	99997	Wendy Warburton	Senior Security Subsidy Scheme	24/02/2021	300.00
EF137697	99997	Andrea Bowen	Senior Security Subsidy Scheme	24/02/2021	100.00
EF137698	99997	Mr Glenn Reeve And Mrs Lucy Reeve	Reimburse Working With Childrens Check	24/02/2021	87.00
EF137699	99997	Phoenix Beeliar Junior Cricket Club Paul	Sport Equipment Grant 2021/09	24/02/2021	944.55
EF137700	99997	Kevin Sprunt	Compost Bin Rebate - Kevin Sprunt	24/02/2021	25.00
EF137701	99997	Joel Miller	Compost Bin Rebate - Joel Miller	24/02/2021	50.00
EF137702	99997	Alison Wylie And Peter Maher	Compost Bin Rebate - Alison Wylie	24/02/2021	50.00
EF137703	99997	Cm & Jm Morrison	Compost Bin Rebate - Jae Morrison	24/02/2021	45.00
EF137704	99997	Miss Nell C Taylor	Cloth Nappies Rebate - Nell Taylor	24/02/2021	50.00
EF137705	99997	Rupinder Juhal	Br358 Bond Refund	24/02/2021	1,000.00
EF137706	99997	Jamie Poole	Pen Fee Refund F208	24/02/2021	2,261.95
EF137707	99997	Michael Player	Pen Fee Refund	24/02/2021	1,950.67
EF137708	99997	Harmony Primary School	Acs7 Donations To Schools 6M2 Sand Only	24/02/2021	390.00
EF137709	99997	Micheal And Edna Belke	Membership Fee Refund Request	24/02/2021	138.95
EF137710	99997	Spearwood Progress Association	Small Events Sponsorship	24/02/2021	1,795.00
EF137711	99997	Santoso Gideon D	2021 Dams Challenge Registration	24/02/2021	50.00
EF137712	99997	Sarah Kahle	Mandatory Books - Reimbursement	24/02/2021	27.00
EF137713	99997	Mary Johnston	Refund Of Unspent Funds On Hcp Package	24/02/2021	834.87
EF137714	99997	Pinjarra Harness Racing Club	Direct Payment For Senior Centre Outing	24/02/2021	875.00
EF137715	99997	Ashlea Fletcher	Refund Membership Debit Error	24/02/2021	20.50
EF137716	99997	Ashlea Fletcher	Refund Membership Debit Error	24/02/2021	20.50
EF137717	99997	Samantha Elizabeth Baron	Grants, Donations & Refunds	24/02/2021	105.60
EF137718	99997	Cayleigh Livingston	Early Exit Fee Reimbursed	24/02/2021	31.45
EF137719	99997	Southern Cross Care (Wa) Inc.	Unspent Funds - Hcp - Matilda Dobra	24/02/2021	17,063.10
EF137720	99997	Brightwater Care Group Ltd	Refund Unspent Funds Hcp Package	24/02/2021	4,877.85
EF137721	99997	G&M Foolkes	Refund Of Unspent Funds Cockburn Care	24/02/2021	314.68
EF137724	99996	Chanwit Prathumchat	Rates and Property related EFT Refuds	24/02/2021	30.00
EF137725	99996	Rosine Ann Harvey	Rates and Property related EFT Refuds	24/02/2021	150.00
EF137726	99996	The Multiple Sclerosis Society Of Wester	Rates and Property related EFT Refuds	24/02/2021	165.90

EF137727	99996	Yangebup Family Centre	Rates and Property related EFT Refuds	24/02/2021	36.13
EF137728	99996	Dementia Australia	Rates and Property related EFT Refuds	24/02/2021	400.00
EF137729	99996	Wahida Ul-Haq	Rates and Property related EFT Refuds	24/02/2021	250.00
EF137730	99996	Jue Wang	Rates and Property related EFT Refuds	24/02/2021	181.30
EF137731	99996	Body Space Recovery Studio	Rates and Property related EFT Refuds	24/02/2021	222.00
EF137732	99996	Tanya Trezona	Rates and Property related EFT Refuds	24/02/2021	166.65
EF137733	99996	Tahlia Cullen	Rates and Property related EFT Refuds	24/02/2021	82.00
EF137734	99996	A Hewett	Rates and Property related EFT Refuds	24/02/2021	2,303.11
EF137735	99996	Tilt Commercial	Rates and Property related EFT Refuds	24/02/2021	463.00
EF137736	99996	Valma D Cartwright	Rates and Property related EFT Refuds	24/02/2021	88.35
EF137737	99996	Rates And Property Related Eft Refunds (Not Bonds)	Rates and Property related EFT Refuds	24/02/2021	166.95
EF137738	99996	Stockland Wa Development Pty Ltd	Rates and Property related EFT Refuds	24/02/2021	14,650.11
EF137739	99996	Zane Berry	Rates and Property related EFT Refuds	24/02/2021	960.00
EF137740	99996	Gm Property Asset Management Pty Ltd	Rates and Property related EFT Refuds	24/02/2021	30,049.76
EF137741	99996	Simply Settlements Trust Account	Rates and Property related EFT Refuds	24/02/2021	153.16
EF137742	11867	Kevin John Allen	Monthly Elected Member Allowance	24/02/2021	2,639.83
EF137743	12740	Logan Howlett	Monthly Elected Member Allowance	24/02/2021	11,439.09
EF137744	20634	Lee-Anne Smith	Monthly Elected Member Allowance	24/02/2021	2,139.83
EF137745	25353	Philip Eva	Monthly Elected Member Allowance	24/02/2021	2,639.83
EF137746	26696	Chamonix Terblanche	Monthly Elected Member Allowance	24/02/2021	2,639.83
EF137747	27326	Michael Separovich	Monthly Elected Member Allowance	24/02/2021	2,639.83
EF137748	27327	Chontelle Stone	Monthly Elected Member Allowance	24/02/2021	2,639.83
EF137749	27475	Lara Kirkwood	Monthly Elected Member Allowance	24/02/2021	4,509.66
EF137750	27871	Tom Widenbar	Monthly Elected Member Allowance	24/02/2021	2,639.83
EF137751	27872	Phoebe Corke	Monthly Elected Member Allowance	24/02/2021	2,639.83
EF137752	99997	Family Day Care	Fdc Payment We 21/02/21	25/02/2021	42,744.16
EF137753	99997	In Home Care Payments	Ihc Payments We 21/02/2021	25/02/2021	17,430.10
EF137754	10058	AlSCO Pty Ltd	Hygiene Services/Supplies	24/02/2021	234.45
EF137755	10071	Onemusic Australia	Licence - Performing Rights	24/02/2021	6,576.42
EF137756	10097	Blackwoods Atkins	Engineering Supplies	24/02/2021	549.42
EF137757	10118	Australia Post	Postage Charges	24/02/2021	24,078.98
EF137758	10207	Boc Gases	Gas Supplies	24/02/2021	670.91
EF137759	10226	Bridgestone Australia Ltd	Tyre Services	24/02/2021	45,729.24
EF137760	10239	Budget Rent A Car - Perth	Motor Vehicle Hire	24/02/2021	1,320.00
EF137761	10244	Building & Const Industry Training Fund	Levy Payment	24/02/2021	23,664.46
EF137762	10246	Bunnings Building Supplies Pty Ltd	Hardware Supplies	24/02/2021	2,565.08
EF137763	10255	Cabcharge Australia Pty Ltd	Cabcharges	24/02/2021	897.41
EF137764	10279	Castrol Australia Pty Ltd	Grease/Lubricants	24/02/2021	3,417.52
EF137765	10333	Cjd Equipment Pty Ltd	Hardware Supplies	24/02/2021	1,933.33
EF137766	10338	Cleanaway Pty Ltd	Waste Disposal Services	24/02/2021	1,726.66
EF137767	10353	Cockburn Cement Ltd	Cement And Lime	24/02/2021	740.52
EF137768	10359	Cockburn Painting Service	Painting Supplies/Services	24/02/2021	8,580.00
EF137769	10368	Cockburn Wetlands Education Centre	Community Grant	24/02/2021	28.00
EF137770	10375	Veolia Environmental Services	Waste Services	24/02/2021	54.91
EF137771	10456	Datanet	Software Modifications	24/02/2021	698.50
EF137772	10483	Landgate	Mapping/Land Title Searches	24/02/2021	7,184.17
EF137773	10526	E & Mj Rosher Pty Ltd	Mower Equipment	24/02/2021	5,022.29
EF137774	10528	Easifleet	Vehicle Lease	24/02/2021	1,330.78

EF137775	10535	Workpower Incorporated	Employment Services - Planting	24/02/2021	7,910.03
EF137776	10589	Fines Enforcement Registry	Fines Enforcement Fees	24/02/2021	7,238.00
EF137777	10597	Flexi Staff Pty Ltd	Employment Services	24/02/2021	29,508.76
EF137778	10679	Grasstrees Australia	Plants & Planting Services	24/02/2021	902.00
EF137779	10726	Holton Connor Architects & Planners	Architectural Services	24/02/2021	2,200.00
EF137780	10787	Jandakot Accident Repair Centre	Panel Beating Services	24/02/2021	3,363.38
EF137781	10794	Jason Signmakers	Signs	24/02/2021	34,712.56
EF137782	10850	Kpmg	Auditing Services	24/02/2021	2,200.00
EF137783	10888	Lj Caterers	Catering Services	24/02/2021	8,693.19
EF137784	10892	Local Government Professionals Australia Wa	Subscription	24/02/2021	910.00
EF137785	10913	Bucher Municipal Pty Ltd	Purchase Of New Plant / Repair Services	24/02/2021	12,521.43
EF137786	10923	Major Motors Pty Ltd	Repairs/Maintenance Services	24/02/2021	3,392.06
EF137787	10938	Mrp Pest Management	Pest & Weed Management	24/02/2021	4,238.20
EF137788	10944	Mcleods	Legal Services	24/02/2021	7,170.59
EF137789	10991	Beacon Equipment	Mowing Equipment	24/02/2021	2,900.80
EF137790	11004	Murdoch University Office Of Finance, Planning & Reporting	Analysing Services	24/02/2021	875.60
EF137791	11028	Neverfail Springwater Ltd	Bottled Water Supplies	24/02/2021	386.07
EF137792	11036	Northlake Electrical Pty Ltd	Electrical Services	24/02/2021	42,696.29
EF137793	11077	P & G Body Builders Pty Ltd	Plant Body Building Services	24/02/2021	2,512.13
EF137794	11152	Fulton Hogan Industries Pty Ltd	Road Maintenance	24/02/2021	3,722.40
EF137795	11182	Premium Brake & Clutch Services Pty Ltd	Brake Services	24/02/2021	2,288.00
EF137796	11208	Quick Corporate Australia	Stationery/Consumables	24/02/2021	1,984.71
EF137797	11244	Research Solutions Pty Ltd	Research Services	24/02/2021	22,131.40
EF137798	11248	Ricoh Australia	Office Equipment	24/02/2021	4.95
EF137799	11307	Satellite Security Services Pty Ltd	Security Services	24/02/2021	12,312.46
EF137800	11308	Boss Industrial Formally Sba Supplies	Hardware Supplies	24/02/2021	902.90
EF137801	11333	Shelford Constructions Pty Ltd	Construction Services	24/02/2021	207,407.95
EF137802	11334	Shenton Pumps	Pool Equipment/Services	24/02/2021	21,516.05
EF137803	11387	Bibra Lake Soils	Soil & Limestone Supplies	24/02/2021	345.00
EF137804	11469	Sports Turf Technology Pty Ltd	Turf Consultancy Services	24/02/2021	1,914.00
EF137805	11483	St John Ambulance Aust Wa Operations	First Aid Courses	24/02/2021	195.00
EF137806	11554	Taylor Marine	Marine Equipment	24/02/2021	339.90
EF137807	11556	Technifire 2000	Fire Fighting Equipment	24/02/2021	195.87
EF137808	11557	Technology One Ltd	It Consultancy Services	24/02/2021	9,216.90
EF137809	11625	Nutrien Water	Reticulation Supplies	24/02/2021	4,475.92
EF137810	11667	Turfmaster Facility Management	Turf & Mowing Services	24/02/2021	19,453.50
EF137811	11699	Vernon Design Group	Architectural Services	24/02/2021	140.00
EF137812	11701	Vibra Industrial Filtration Australasia	Filter Supplies	24/02/2021	1,478.62
EF137813	11722	Wa Hino Sales & Service	Purchase Of New Trucks / Maintenance	24/02/2021	3,120.20
EF137814	11749	Warren's Earthmoving Contractors	Earthmoving Services	24/02/2021	4,340.00
EF137815	11773	Nutrien Ag Solutions	Chemical Supplies	24/02/2021	3,729.00
EF137816	11793	Western Irrigation Pty Ltd	Irrigation Services/Supplies	24/02/2021	16,394.55
EF137817	11795	Western Power	Street Lighting Installation & Service	24/02/2021	49,361.00
EF137818	11806	Westrac Pty Ltd	Repairs/Mtnce - Earthmoving Equipment	24/02/2021	400.18
EF137819	11828	Worldwide Online Printing - O'connor	Printing Services	24/02/2021	1,214.59
EF137820	11854	Zipform Pty Ltd	Printing Services	24/02/2021	3,184.62
EF137821	12014	Tutt Bryant Equipment Bt Equipment Pty Ltd T/As	Excavating/Earthmoving Equipment	24/02/2021	726,771.65
EF137822	12018	O'connor Lawnmower & Chainsaw Centre	Mowing Equipment/Parts/Services	24/02/2021	25.60

EF137823	12127	Able Westchem	Chemical/Cleaning Supplies	24/02/2021	1,434.29
EF137824	12153	Hays Personnel Services Pty Ltd	Employment Services	24/02/2021	6,667.40
EF137825	12394	Mp Rogers & Associates	Consultancy Services - Marine	24/02/2021	3,277.43
EF137826	13558	Engineering Technology Consultants	Consultants Services	24/02/2021	1,650.00
EF137827	13563	Green Skills Inc	Employment Services	24/02/2021	2,910.56
EF137828	13860	Krs Contracting	Waste Collection Services	24/02/2021	49,779.95
EF137829	14530	Donald Veal Consultants Pty Ltd	Consultancy Services	24/02/2021	10,678.25
EF137830	14700	Kingman Visual	Signwriting/Signmaking	24/02/2021	264.00
EF137831	15098	Brook & Marsh Pty Ltd	Surveying Services	24/02/2021	8,877.00
EF137832	15271	Ple Computers Pty Ltd	Computer Hardware	24/02/2021	375.00
EF137833	15550	Apac Aid Inc	Plants & Landscaping Services	24/02/2021	500.50
EF137834	15588	Natural Area Consulting Management Services	Weed Spraying	24/02/2021	1,409.93
EF137835	15609	Catalyse Pty Ltd	Consultancy Services	24/02/2021	9,625.00
EF137836	15895	Royal Wolf Trading Australia Pty Limited	Container Hire	24/02/2021	366.92
EF137837	16064	Cms Engineering	Airconditioning Services	24/02/2021	32,164.39
EF137838	16107	Wren Oil	Waste Disposal Services	24/02/2021	16.50
EF137839	16396	Mayday Earthmoving	Road Construction Machine Hire	24/02/2021	9,350.00
EF137840	16510	Lloyd George Acoustics Pty Ltd	Consultancy Services - Acoustic	24/02/2021	9,064.00
EF137841	16653	Complete Portables Pty Ltd	Supply & Hire Of Modular Buildings	24/02/2021	787.28
EF137842	16846	Action Glass & Aluminium	Glazing Services	24/02/2021	1,971.20
EF137843	16985	Wa Premix	Concrete Supplies	24/02/2021	9,390.48
EF137844	17343	Rac Businesswise	Membership Subscription	24/02/2021	637.30
EF137845	17471	Pirtek (Fremantle) Pty Ltd	Hoses & Fittings	24/02/2021	4,804.42
EF137846	17553	Altus Traffic Pty Ltd	Traffic Control Services	24/02/2021	8,373.94
EF137847	17555	Maia Financial	Equipment Lease Payments	24/02/2021	50,152.60
EF137848	17600	Lightforce Asset Pty Ltd (Erections!)	Guard Rails	24/02/2021	1,595.00
EF137849	17827	Nilsen (Wa) Pty Ltd	Electrical Services	24/02/2021	7,015.14
EF137850	17927	Sharyn Egan	Artistic Services	24/02/2021	550.00
EF137851	18126	Dell Australia Pty Ltd	Computer Hardware	24/02/2021	6,152.62
EF137852	18203	Natsync Environmental	Pest Control	24/02/2021	387.20
EF137853	18494	Dept Of Biodiversity, Conservation And Attractions	Licence Renewal	24/02/2021	113.00
EF137854	18533	Friends Of The Community Inc.	Donation	24/02/2021	585.00
EF137855	18801	Fremantle Bin Hire	Bin Hire - Skip Bins	24/02/2021	420.00
EF137856	18962	Sealanes (1985) P/L	Catering Supplies	24/02/2021	1,193.05
EF137857	19058	Fremantle Camerahouse	Photographic Equipment	24/02/2021	699.00
EF137858	19107	Forever Shining	Monument	24/02/2021	495.00
EF137859	19533	Woolworths Ltd	Groceries	24/02/2021	2,367.76
EF137860	19541	Turf Care Wa Pty Ltd	Turf Services	24/02/2021	968.00
EF137861	20146	Data#3 Limited	Contract It Personnel & Software	24/02/2021	12,296.09
EF137862	20321	Riverjet Pty Ltd	Educting-Cleaning Services	24/02/2021	21,829.50
EF137863	20549	A1 Carpet, Tile & Grout Cleaning	Cleaning Services - Tiles/Carpet	24/02/2021	990.00
EF137864	21120	Shorewater Marine Pty Ltd	Marine Construction Services	24/02/2021	6,843.75
EF137865	21287	T.J.Depiazzi & Sons	Soil & Mulch Supplies	24/02/2021	3,491.40
EF137866	21469	John Hughes Volkswagon	Purchase Of New Vehicle	24/02/2021	48,038.30
EF137867	21627	Manheim Pty Ltd	Impounded Vehicles	24/02/2021	2,744.50
EF137868	21665	Mmj Real Estate (Wa) Pty Ltd	Property Management Services	24/02/2021	10,242.03
EF137869	21678	Iannello Designs	Graphic Design	24/02/2021	346.50
EF137870	21744	Jb Hi Fi - Commercial	Electronic Equipment	24/02/2021	3,582.00

EF137871	21747	Unicare Health	Wheelchair Hire	24/02/2021	3,128.50
EF137872	21946	Ryan's Quality Meats	Meat Supplies	24/02/2021	415.18
EF137873	22376	Bci Sales Pty Ltd	Bus Sales, Repairs, Maintenance	24/02/2021	711.57
EF137874	22553	Brownes Food Operations	Catering Supplies	24/02/2021	468.46
EF137875	22569	Sonic Health Plus Pty Ltd	Medical Services	24/02/2021	2,054.80
EF137876	22613	Vicki Royans	Artistic Services	24/02/2021	150.00
EF137877	22624	Aussie Earthworks Pty Ltd	Earthworks	24/02/2021	16,062.20
EF137878	22639	Shatish Chauhan	Training Services - Yoga	24/02/2021	900.00
EF137879	22658	South East Regional Centre For Urban Landcare Inc (Sercul)	Urban Landcare Services	24/02/2021	2,877.60
EF137880	22682	Beaver Tree Services Pty Ltd	Tree Pruning Services	24/02/2021	13,528.94
EF137881	22752	Elgas Limited	Gas Supplies	24/02/2021	1,020.60
EF137882	22806	Chevron Australia Downstream Fuels Pty Ltd	Fuel Supplies	24/02/2021	64,622.59
EF137883	22903	Unique International Recoveries Llc	Debt Collectors	24/02/2021	332.80
EF137884	22913	Opal Australian Paper	Envelopes	24/02/2021	306.21
EF137885	23351	Cockburn Gp Super Clinic Limited T/A Cockburn Integrated Health	Leasing Fees	24/02/2021	991.01
EF137886	23450	Clever Designs	Uniforms	24/02/2021	151.49
EF137887	23457	Totally Workwear Fremantle	Clothing - Uniforms	24/02/2021	3,715.11
EF137888	24275	Truck Centre Wa Pty Ltd	Purchase Of New Truck	24/02/2021	3,662.71
EF137889	24506	Amaranti's Personal Training	Personal Training Services	24/02/2021	375.00
EF137890	24643	Bibliotheca Rfid Library Systems Australia Pty Ltd	Purchase Of Library Tags	24/02/2021	2,178.00
EF137891	24655	Automasters Spearwood	Vehicle Servicing	24/02/2021	3,786.00
EF137892	24734	Myriad Images	Photography Services	24/02/2021	110.00
EF137893	24736	Zenien	Cctv Camera Licences	24/02/2021	21,336.75
EF137894	24748	Pearmans Electrical & Mechanical Services P/L	Electrical Services	24/02/2021	2,426.89
EF137895	24812	Garage Sale Trail Foundation	National Garage Sale	24/02/2021	6,930.00
EF137896	24945	Ns Projects Pty Ltd	Project Management Services	24/02/2021	4,950.00
EF137897	24978	Ambius	Plants Supplies	24/02/2021	794.40
EF137898	25063	Superior Pak Pty Ltd	Vehicle Maintenance	24/02/2021	373.89
EF137899	25128	Horizon West Landscape & Irrigation Pty Ltd	Landscaping Services	24/02/2021	39,546.89
EF137900	25264	Acurix Networks Pty Ltd	Wifi Access Service	24/02/2021	6,366.80
EF137901	25418	Cs Legal	Legal Services	24/02/2021	21,088.49
EF137902	25586	Envirovap Pty Ltd	Hire Of Leachate Units	24/02/2021	13,447.50
EF137903	25645	Yelakitj Moort Nyungar Association Inc	Welcome To The Country Performances	24/02/2021	400.00
EF137904	25713	Discus On Demand The Trustee For Discus On Demand Unit Trust	Printing Services	24/02/2021	310.42
EF137905	25733	Miracle Recreation Equipment	Playground Installation / Repairs	24/02/2021	4,108.50
EF137906	25736	Blue Tang (Wa) Pty Ltd T/As Emerge Associates (The Trustee For The Reef Ur	Consultancy Services	24/02/2021	2,255.00
EF137907	25813	Lg Connect Pty Ltd	Erp Systems Development	24/02/2021	2,861.06
EF137908	25822	Fit2work.Com.Au Mercury Search And Selection Pty Ltd	Employee Check	24/02/2021	191.95
EF137909	25940	Leaf Bean Machine	Coffee Bean Supply	24/02/2021	440.00
EF137910	26113	Benj Bernal Music	Entertainment Services	24/02/2021	550.00
EF137911	26211	Amcom Pty Ltd	Internet/Data Services	24/02/2021	14,707.61
EF137912	26257	Paperbark Technologies Pty Ltd	Arboricultural Consultancy Services	24/02/2021	18,541.30
EF137913	26303	Gecko Contracting Turf & Landscape Maintenance	Turf & Landscape Maintenance	24/02/2021	17,380.00
EF137914	26314	Cpe Group	Temporary Employment Services	24/02/2021	1,315.43
EF137915	26399	Paperscout The Trustee For Peters Morrison Family Trust	Graphic Design Services	24/02/2021	3,938.00
EF137916	26449	Eco Shark Barrier Pty Ltd	Leasing Fee For Shark Barrier	24/02/2021	22,247.00
EF137917	26470	Scp Conservation	Fencing Services	24/02/2021	34,540.00
EF137918	26551	The Simulation Centre	Entry Fees - School Holiday Program	24/02/2021	810.00

EF137919	26558	Healthcare Australia Pty Ltd	Temporary Employment Services	24/02/2021	871.22
EF137920	26574	Eva Bellydance	Entertainment - Belly Dancing	24/02/2021	225.00
EF137921	26588	Source Separation Systems P/L	Providing Waste And Recycling Bins	24/02/2021	309.70
EF137922	26606	Enviro Infrastructure Pty Ltd	Construction& Fabrication	24/02/2021	64,458.07
EF137923	26614	Markettforce Pty Ltd	Advertising	24/02/2021	1,309.88
EF137924	26618	Global Spill Control Pty Ltd	Road Safety Products	24/02/2021	831.60
EF137925	26620	Gra Partners Pty Ltd	Consulting/Advisory	24/02/2021	16,500.00
EF137926	26625	Andover Detailers	Car Detailing Services	24/02/2021	1,638.00
EF137927	26656	Environmental Health Australia (Western Australia) Inc.	Membershrp, Conferences And Training Fo	24/02/2021	3,530.00
EF137928	26709	Talis Consultants Pty Ltd	Waste Consultancy	24/02/2021	14,717.86
EF137929	26721	Quad Services Pty Ltd	Cleaning Services	24/02/2021	22,560.11
EF137930	26735	Shane McMaster Surveys	Survey Services	24/02/2021	440.00
EF137931	26736	Ghems Holdings Pty Ltd	Revegetation	24/02/2021	8,030.40
EF137932	26739	Kerb Doctor	Kerb Maintenance	24/02/2021	3,854.40
EF137933	26773	Laser Corps Combat Adventruers	Entry Fees	24/02/2021	990.00
EF137934	26782	Soft Landing	Recycling Services	24/02/2021	4,827.60
EF137935	26789	Raeco	Supplier Of Library Shelving And Furnitu	24/02/2021	330.00
EF137936	26819	Jandakot Earthmoving & Rural Contractors	Hire Services - Earthmoving Equipment	24/02/2021	37,015.00
EF137937	26822	Cse Crosscom Pty Ltd	Communication Equipment	24/02/2021	5,740.59
EF137938	26846	Visability Limited	Disabilibty Services	24/02/2021	836.01
EF137939	26888	Media Engine	Graphic Design, Marketing, Video Product	24/02/2021	1,950.00
EF137940	26898	Spandex Asia Pacific Pty Ltd	Signage Supplier	24/02/2021	23,159.14
EF137941	26901	Alyka Pty Ltd	Digital Consultancy And Web Development	24/02/2021	577.50
EF137942	26917	Cirrus Networks Pty Ltd	It Network & Telephony Services	24/02/2021	49,237.56
EF137943	26923	Woodlands	Rubbish Collection Equipment	24/02/2021	15,031.50
EF137944	26929	Elan Energy Matrix Pty Ltd	Recycling Services	24/02/2021	305.17
EF137945	26938	Majestic Plumbing	Plumbing Services	24/02/2021	42,194.75
EF137946	26940	Floorwest Pty Ltd	Floor Coverings	24/02/2021	5,500.00
EF137947	26946	Av Truck Services Pty Ltd	Truck Dealership	24/02/2021	585.57
EF137948	26964	South Metropolitan Tafe	Education	24/02/2021	36.29
EF137949	26981	Perth Market Research	Event Analysis And Community Market Rese	24/02/2021	4,268.00
EF137950	26983	Hitech Sports Pty Ltd	Sporting Equipment	24/02/2021	391.60
EF137951	27010	Quantum Building Services Pty Ltd	Building Maintenance	24/02/2021	2,717.15
EF137952	27011	Baileys Marine Fuel Australia	Fuel	24/02/2021	116.19
EF137953	27015	Intelli Trac	Gps Tracking	24/02/2021	2,464.00
EF137954	27031	Downer Edi Works Pty Ltd	Asphalt Services	24/02/2021	259,323.89
EF137955	27034	Adelby Pty Ltd	Firebreak Construction	24/02/2021	3,867.60
EF137956	27044	Graffiti Systems Australia	Graffiti Removal & Anti-Graffiti Coating	24/02/2021	1,808.95
EF137957	27046	Tfh Hire Services Pty Ltd	Hire Fencing	24/02/2021	526.35
EF137958	27054	Vocus Pty Ltd	Telecommunications	24/02/2021	2,323.20
EF137959	27059	Frontline Fire & Rescue Equipment	Manufacture-Fire Vehicles/Equipment	24/02/2021	4,263.56
EF137960	27061	Bon Leisure	Consultancy	24/02/2021	3,842.40
EF137961	27065	Westbooks	Books	24/02/2021	3,721.98
EF137962	27082	Kulbardi Pty Ltd	Stationery Supplies	24/02/2021	239.90
EF137963	27085	Savills Project Management Pty Ltd	Project Management	24/02/2021	7,700.00
EF137964	27098	Q2 (Q-Squared)	Digital Data Service	24/02/2021	4,785.00
EF137965	27130	Adline Media Pty Ltd	Digital Marketing & Software Service Pro	24/02/2021	1,364.66
EF137966	27154	Suez Recycling & Recovery Pty Ltd	Waste Services	24/02/2021	248,951.43

EF137967	27168	Nightlife Music Pty Ltd	Music Management	24/02/2021	465.53
EF137968	27169	Natural Power Solutions Pty Ltd	Power Supply Protection, Products & Serv	24/02/2021	863.50
EF137969	27177	Initial Hygiene	Hygiene	24/02/2021	20,031.98
EF137970	27189	Healthstrong Pty Ltd	Home Care	24/02/2021	330.00
EF137971	27204	Cohera-Tech Pty Ltd	People Counting Systems	24/02/2021	1,440.00
EF137972	27211	Chris Melsom	Urban Planning And Design	24/02/2021	1,513.00
EF137973	27243	Arjohuntleigh Pty Ltd	Supply, Repairs Health Equipemnt	24/02/2021	1,207.60
EF137974	27246	Veale Auto Parts	Spare Parts Mechanical	24/02/2021	2,649.90
EF137975	27268	Focus Enviro	Plant & Machinery	24/02/2021	847.18
EF137976	27269	Integrpay Pty Ltd	Payment Processing	24/02/2021	14,153.94
EF137977	27276	Quash	Acoustic - Soundproofing	24/02/2021	4,385.70
EF137978	27308	Jatu Clothing & Ppe Pty Ltd	Clothing Ppe	24/02/2021	3,941.80
EF137979	27310	Swimplex Aquatics Pty Ltd	Pool Equipment Maintenance	24/02/2021	1,364.00
EF137980	27334	Westcare Print	Printing Services	24/02/2021	412.50
EF137981	27346	Office Line	Furniture Office	24/02/2021	37,505.60
EF137982	27348	Message Media	Telecommunications	24/02/2021	384.89
EF137983	27351	Programmed Property Services	Property Maintenance	24/02/2021	550.00
EF137984	27355	Playmaster	Playground Equipment	24/02/2021	84,936.50
EF137985	27377	Accidental Health And Safety - Perth	First Aid Supplies	24/02/2021	835.14
EF137986	27381	Fit For Life Exercise Physiology	Exercise Classes	24/02/2021	1,100.00
EF137987	27384	Sifting Sands	Sand Cleaning	24/02/2021	1,401.95
EF137988	27396	Ankeet Mehta Spearwood Newspaper Round Delivery	Newspaper Delivery	24/02/2021	19.90
EF137989	27401	Emprise Mobility	Mobility Equipment	24/02/2021	143.00
EF137990	27420	Cygnnet Workplace Investigations	Consultancy - Human Resources	24/02/2021	5,434.00
EF137991	27423	Mechanical Project Services Pty Ltd	Airconditioning Services	24/02/2021	4,982.00
EF137992	27427	Home Chef	Cooking/Food Services	24/02/2021	1,040.27
EF137993	27437	Pb Reticulation & Maintenance Services Pty Ltd	Irrigation Services	24/02/2021	1,007.60
EF137994	27455	Site Protective Services	Cctv Parts	24/02/2021	21,640.08
EF137995	27495	Best Consultants	Consultancy	24/02/2021	880.00
EF137996	27499	Hodge Collard Preston Architects	Architects	24/02/2021	22,222.20
EF137997	27507	Facilities First Australia Pty Ltd	Cleaning Services	24/02/2021	9,796.97
EF137998	27512	Agent Sales & Services Pty Ltd	Pool Chemicals	24/02/2021	8,558.55
EF137999	27518	Kyocera Document Solutions Australia Pty Ltd	Photocopying Machines	24/02/2021	3,371.51
EF138000	27523	Robert Lawrence Toohey	High Pressure Cleaning	24/02/2021	2,502.00
EF138001	27524	David Wills And Associates	Engineering Services	24/02/2021	1,155.00
EF138002	27529	Wa Library Supplies	Library Supplies & Furniture	24/02/2021	72.10
EF138003	27539	Jasmin Carpentry & Maintenance	Carpentry	24/02/2021	660.00
EF138004	27546	Bpa Engineering	Consultancy - Engineering	24/02/2021	330.00
EF138005	27558	Enchanted Characters	Stiltwalking	24/02/2021	1,144.00
EF138006	27567	Chorus Australia Limited	Health Care Services	24/02/2021	2,178.00
EF138007	27579	Travis Hayto Photography	Photography Services	24/02/2021	825.00
EF138008	27602	Rawlinsons (Wa)	Surveying Services	24/02/2021	4,840.00
EF138009	27622	Truegrade Medical Supplies	Medical Supplies	24/02/2021	1,310.34
EF138010	27631	Aquatic Services Wa Pty Ltd	Pool Equipment & Maintenance	24/02/2021	9,153.10
EF138011	27644	Cmaktech	Ict Engineering & Consulting	24/02/2021	37,564.40
EF138012	27650	Datacom Systems (Au) Pty Ltd	It Sales, Consulting & Service	24/02/2021	70,820.06
EF138013	27676	Blue Force Pty Ltd	Security Services	24/02/2021	571.50
EF138014	27695	Qtm Pty Ltd	Traffic Management	24/02/2021	11,261.28

EF138015	27701	Perth Better Homes	Shade Sails	24/02/2021	7,062.00
EF138016	27720	Bj Systems	Security Services	24/02/2021	330.00
EF138017	27797	City Lift Services Pty Ltd	Lift Maintenance	24/02/2021	2,794.00
EF138018	27809	Ra-One Pty Ltd	Software	24/02/2021	14,520.00
EF138019	27817	Squashworld Hilton	Hiring Services	24/02/2021	400.00
EF138020	27818	Modus Compliance Pty Ltd	Consultant Engineering	24/02/2021	2,420.00
EF138021	27831	Butler And Brown	Event Management	24/02/2021	66,000.00
EF138022	27837	Bicycle Network	Consultancy - Bicycles Services	24/02/2021	11,833.80
EF138023	27842	Light House Laundry	Laundering	24/02/2021	85.25
EF138024	27852	First 5 Minutes Pty Ltd	Training & Education	24/02/2021	814.00
EF138025	27855	Total Landscape Redevelopment Service Pty Ltd	Tree Watering	24/02/2021	27,670.94
EF138026	27863	Carers Plus	Nursing Services	24/02/2021	644.38
EF138027	27865	Pritchard Francis Consulting Pty Ltd	Engineering Services	24/02/2021	2,895.20
EF138028	27869	Select Fresh Pty Ltd	Food Supply, Fruit & Veg	24/02/2021	110.89
EF138029	27890	Tabec Pty Ltd	Engineering Services	24/02/2021	13,145.00
EF138030	27894	Homecare Physiotherapy	Healthcare	24/02/2021	4,447.40
EF138031	27917	Go Doors Advanced Automation	Door Maintenance & Repair	24/02/2021	16,443.17
EF138032	27953	Truckline	Spare Parts, Truck/Trailer	24/02/2021	158.40
EF138033	27963	Buffalo Solutions	Training	24/02/2021	2,629.00
EF138034	27965	Stantec Australia Pty Ltd	Engineering Services	24/02/2021	19,538.20
EF138035	27969	Perfect Gym Solutions	Software For Gym's	24/02/2021	517.11
EF138036	27974	Accredit Building Surveying & Construction Services Pty Ltd	Survey Services	24/02/2021	495.00
EF138037	27978	Frontline Safety Australia Pty Ltd	Clothing - Uniforms	24/02/2021	580.47
EF138038	27984	Sabrina Fenwick	Exercise Classes	24/02/2021	480.00
EF138039	27986	Daily Living Products	Mobility Equip	24/02/2021	66.00
EF138040	28002	Little Aussie Directories	Advertising	24/02/2021	1,182.50
EF138041	28003	Taylor Made Design	Graphic Design	24/02/2021	2,090.00
EF138042	28013	Rps Aap Consulting Pty Ltd	Project Management	24/02/2021	914.10
EF138043	28015	Imprint Plastic	Badges	24/02/2021	323.40
EF138044	28017	Terra Firma Industries Pty Ltd	Composite Pit Lids And Frp Grating	24/02/2021	572.00
EF138045	28027	Likeable Creative Pty Ltd	Marketing/Advertising	24/02/2021	1,320.00
EF138046	28031	Brandon's Shredding Boxes	Recycling	24/02/2021	45.00
EF138047	28032	Managed System Services	IT Services	24/02/2021	4,968.61
EF138048	28043	Veris Australia Pty Ltd	Survey Services	24/02/2021	24,288.00
EF138049	28081	Pool Robotics Perth	Robotic Pool Cleaner	24/02/2021	1,830.45
EF138050	28082	For Blue Pty Ltd	Consultancy - Economic	24/02/2021	11,000.00
EF138051	28089	Globe Australia Pty Ltd	Turf Products	24/02/2021	957.00
EF138052	28091	Gillian O'shaughnessy	Facilitator	24/02/2021	200.00
EF138053	28096	Gaia Permaculture Pty Ltd	Design - Landscape	24/02/2021	484.00
EF138054	28099	Mary Manov	Consultancy	24/02/2021	1,500.00
EF138055	28100	Solair Group Pty Ltd	Water Systems/Pumping	24/02/2021	3,002.56
EF138056	28105	Stats Australia	Consulting - Engineering	24/02/2021	6,595.05
TOTAL OF 715 EFT PAYMENTS					8,792,431.96
LESS: CANCELLED EFT PAYMENTS:					
EF136641	99997	Nancy Carrasco	Grants, Donations & Refunds	3/02/2021	-100.00
EF136673	10747	linet Limited	Internet Services	3/02/2021	-1,339.81
EF137278	99996	Liana Indrawaty	Rates And Property Related Refunds	3/02/2021	-594.80

EF137586	88888	Jamie Poole	Refund	16/02/2021	-500.00
		TOTAL OF 755 EFT PAYMENTS			-2,534.61
		TOTAL EFT PAYMENTS (EXCL. CANCELLED PAYMENTS)			8,789,897.35
		<u>ADD: BANK FEES</u>			
		BANK FEES			
		MERCHANT FEES COC			6,586.97
		MERCHANT FEES MARINA			119.22
		MERCHANT FEES ARC			1983.9
		MERCHANT FEES VARIOUS OUT CENTRES			902.41
		NATIONAL BPAY CHARGE			2,803.83
		RTGS/ACLR FEE			
		NAB TRANSACT FEE			2,078.63
		MERCHANDISE / OTHER FEES			
					14,474.96
		<u>ADD: CREDIT CARD PAYMENTS</u>			76,395.67
		<u>ADD: PAYROLL PAYMENTS</u>			
		COC-29/01/21 Pmt 000175700288 City of Cockburn		3/02/2021	1570348.10
		COC-03/02/21 Pmt 000175872242 City of Cockburn		5/02/2021	28493.96
		COC-18/02/21 Pmt 000177080150 City of Cockburn		25/02/2021	6005.32
		COC-10/02/21 Pmt 000176570783 City of Cockburn		12/02/2021	9756.12
		COC-29/01/21 Pmt 000175700288 City of Cockburn		17/02/2021	1514075.01
		Re-payment of January Super		23/02/2021	3,012.31
					3,131,690.82
		TOTAL PAYMENTS MADE FOR THE MONTH			12,012,458.80

Credit Card Transactions February 2021	
Card Holder Name	\$
ALEXANDRA K MORTON	3,947.00
ALISON WATERS	1,962.00
ASANKA VIDANAGE	1,321.16
BENJAMIN ROSER	21.65
BENJAMIN TANO	258.37
CASSANDRA COOPER	275.00
CHRISTOPHER BEATON	328.05
COLLEEN MILLER	582.90
COURTNEE THOMSON	11,017.73
DEAN BURTON	185.00
DEBORAH RIGBY	247.96
FIONA LOGAN	1,893.44
KAREN O'REILLY	285.23
LINDA SEYMOUR	2,947.74
LINDA WALKER	809.83
LORENZO SANTORIELLO	813.63
MARIE LA FRENAIS	1,204.11
MICHAEL EMERY	561.40
MIJALCE DANILOV	844.02
MIRANDO RADJA	368.23
MISS JESSICA DONALD	1,948.30
MISS KAYLA MALONEY	2,400.70
MR ANTONIO NATALE	5,033.47
MR BRETT FELLOWS	1,707.76
MR BRETT MCEWIN	- 699.00
MR C MACMILLAN	- 88.00
MR CLIVE J CROCKER	562.62
FIONA LOGAN	774.84
MR GLENN PETHICK	384.44
MR JOHN WEST	119.00
MR LAWLEY MARIN YUKICH	262.69
MR NICHOLAS JONES	321.76
MR PAUL HOGAN	825.00
MR PAUL J DE BRUIN	1,806.27
MR S ATHERTON	1,968.26
MR S PALMER	719.55
MRS GLORIA ASKANDER	1,397.75
MRS JULIE MCDONALD	3,402.67
MRS KIM HUNTER	1,747.78
MRS S SEYMOUR-EYLES	5,911.23
MRS SANDRA TAYLOR	862.80
MRS SARAH KAHLE	103.77
MRS SHARON STILL	831.11
MS BARBARA FREEMAN	1,647.89
MS CAROLINE LINDSAY	2,278.74
MS CLARE COURTAULD	101.63
MS DONNA JORDAN	1,775.65
MS GAIL M BOWMAN	2,200.00
MS SAMANTHA BARON	464.20
MS SAMANTHA STANDISH	45.00
MS SANDRA EDGAR	626.18
MS SIMONE SIEBER	1,907.00
PASCAL BALLEY	242.95
PAUL DANIEL NORLIN	915.27
RACHEL JANE PLEASANT	477.75
STEVEN JOHN ELLIOT	581.30
STUART DOWNING	952.89
Total	76,395.67

15.2 (2021/MINUTE NO 0053) MONTHLY FINANCIAL REPORT - FEBRUARY 2021

Author(s) N Mauricio

Attachments 1. Monthly Financial Report for February 2021 [↓](#)

RECOMMENDATION

That Council:

- (1) ADOPT the Monthly Financial Report containing the Statement of Financial Activity and other financial information for the month of February 2021, as attached to the Agenda; and
- (2) AMEND the FY21 Municipal Budget as detailed in the Monthly Financial Report for February 2021 and summarised below:

Nature	Amount \$	Budget Impact
Operating expenditure	\$7,158	Decrease
Non-Operating Revenue	\$35,280	Increase
Capital Expenditure	(\$15,842)	Increase
Transfers from Reserve	(\$7,158)	Decrease
Net Budget Surplus impact	19,438	Increase

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

MOVED Cr P Corke SECONDED Cr C Stone

That the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0

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 (FY21) 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

The attached Monthly Financial Report for February 2021 has been prepared in accordance with the Local Government Act and Financial Management Regulations. The following commentary addresses key aspects contained within the report and the City's budgetary performance to the end of the month.

Opening Surplus

The revised budget opening surplus of \$12.17 million comprises the forecast operating surplus of \$2.0 million, carried forward municipal funding for the City's capital program of \$9.88 million and another \$0.29 million representing the end of year surplus variance following audit completion.

Closing Surplus

The City's closing surplus to the end of February of \$63.05 million was \$2.63 million ahead of the YTD budget target. This overall budget variance is a product of all the variances across the operating and capital programs, which are separately reviewed in this report.



Operating Revenue

Operating revenue of \$139.0 million was behind the YTD budget by \$0.24 million. The following table summarises the operating revenue budget variance performance by nature:

	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
	\$	\$	\$	\$
Revenue from operating activities				
Rates	108,037,502	107,294,305	107,525,949	231,644
Specified Area Rates	550,600	550,600	550,544	(56)
Operating Grants, Subsidies, Contributions	13,920,564	9,060,447	8,028,100	(1,032,347)
Fees and Charges	30,866,136	21,102,656	21,281,985	179,329
Interest Earnings	1,830,000	1,229,997	1,328,739	98,742
Profit on Disposal of Assets	1,081,225	0	284,146	284,146
Total	156,286,027	139,238,005	138,999,463	(238,542)

Most revenue sources were tracking ahead of the YTD budget, with the exception of Operating grants, subsidies and contributions. Material variances identified within business units for the month included:

- Operating grants, subsidies and contributions (\$1.03 million under YTD budget):
 - Main Roads funding for the delivery of the Roe 8 rehabilitation project was \$0.75 million under the set YTD budget, although this is mostly a timing variance and reflective of lower YTD expenditure for the project.
 - Community Development grant funding was \$0.31 million behind YTD budget, comprising \$0.18 million in aged care services and \$0.16 million for child care services (both areas also reflecting reduced spending).

Operating Expenditure

Operating expenditure to the end of the month of \$97.82 million was under the YTD budget by \$3.84 million. The following table summarises the operating expenditure budget variance performance by nature:

	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
	\$	\$	\$	\$
Expenditure from operating activities				
Employee Costs	(62,295,344)	(41,013,360)	(40,870,821)	142,539
Materials and Contracts	(38,227,286)	(24,966,826)	(21,374,095)	3,592,731
Utility Charges	(5,919,371)	(3,931,634)	(3,914,447)	17,187
Depreciation on Non-Current Assets	(35,641,134)	(23,732,627)	(23,682,898)	49,729
Interest Expenses	(696,000)	(348,000)	(369,740)	(21,740)
Insurance Expenses	(1,723,200)	(1,723,200)	(1,681,861)	41,339
Other Expenditure	(10,407,264)	(5,845,053)	(5,861,022)	(15,969)
Loss on Disposal of Assets	0	(95,822)	(63,540)	32,282
Total	(154,909,599)	(101,656,522)	(97,818,424)	3,838,098

Most expenditure sources were tracking close to YTD budget, other than materials and contracts well under and showing the following material variances for the month:

- Materials and Contracts (\$3.59 million under YTD budget):
 - Ranger and Community Safety costs were \$0.41 million under YTD budget (timing issue with CoSafe contract payments)
 - Cockburn ARC contract spending was \$0.29 million under YTD budget.
 - Community Development contract costs were \$0.78 million behind YTD budget, with child care related payments the most material at \$0.22 million.
 - Roads maintenance contract costs were down \$0.20 million against the YTD budget.



Capital Expenditure

The City's revised capital budget of \$87.10 million was showing expenditure to the end of the month of \$22.40 million (25.7% spent). This is indicating a significant carried forward works program into next year, which should be considered when formulating the 2021/22 capital budget.

The following table details budget variances by asset class:

Capital acquisitions	Amended		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Land	2,800,000	280,000	280,000	0
Buildings	26,335,949	6,262,488	5,461,969	(800,519)
Furniture and Equipment	4,472	0	0	0
Plant and Equipment	6,207,480	1,724,411	1,798,396	73,985
Information Technology	1,689,097	1,113,711	977,822	(135,889)
Infrastructure - Roads	24,238,402	5,461,913	7,310,613	1,848,700
Infrastructure - Drainage	1,885,509	965,039	794,554	(170,485)
Infrastructure - Footpath	2,941,031	853,041	623,263	(229,778)
Infrastructure - Parks hard	7,717,870	4,124,529	2,951,394	(1,173,135)
Infrastructure - Parks Landscaping	1,840,726	916,261	777,763	(138,498)
Infrastructure - Landfill Site	5,214,043	154,123	1,200,343	1,046,220
Infrastructure - Marina	5,852,300	340,995	215,554	(125,441)
Infrastructure - Coastal	372,473	63,168	12,592	(50,576)
Total	87,099,352	22,259,677	22,404,263	144,586

The areas showing material variances for the month included:

- Buildings (\$0.80 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 (\$1.17 million under YTD budget) with several key projects delayed including the Manning Park master plan, Coogee Beach master plan and Aubin Grove skate facility.
- Infrastructure – roads (\$1.85 million ahead of YTD budget) caused by a budget timing issue for the Hammond Rd (Branch to Bartram) project.
- Infrastructure - landfill site (\$1.05 million over YTD budget) relating to capping of cell 6 final costs and only a timing issue.

Non-Operating Grants, Subsidies and Contributions

The City has received a total of \$1.82 million against the YTD budget of \$3.74 million and full year budget of \$18.50 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 general under spend within the capital expenditure budgets, with the following material variances identified:

- Grant funding for a variety of road construction projects showing a shortfall of \$0.90 million against its YTD budget.
- POS cash in lieu revenue for several parks projects currently contributing a \$0.68 million variance. These now need to be accounted for as reserve transfers (rather than revenue), following the recent change to the Planning and Development Act requiring POS funds already received 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 held of \$150.78 million (down from \$152.56m last month).

There were transfers into reserves of \$21.35 million to the end of the month, with the mains 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).
- \$3.74 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).
- \$0.78 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 \$20.46 million, mainly comprising:

- \$15.50 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.
- The remaining \$1.04 million from a variety of restricted and other operational reserves funding operations.



Cash and Financial Assets

The City's closing cash and financial assets investment holding at month's end totalled \$209.04 million (slightly down on \$212.13 million last month). Cash and cash equivalent holdings comprised \$8.60 million of this total, with financial assets of \$200.44 million making up the balance.

\$155.76 million of these funds are restricted in nature, representing financial reserves and bonds and deposits liabilities. The remaining \$53.28 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 0.77 percent for the month (down from 0.80% last month and 0.83% the month before that). New placements for the month fell in the range between 0.50 percent and 0.75 percent. The yield for February outperformed the City's performance target rate of 0.60 percent (RBA cash rate of 0.10% plus 0.50% performance margin) by 0.17 percent.

Interest earned from investments of \$1.31 million was \$0.11m ahead of the YTD budget target, although the full year budget was revised from \$2.9m to \$1.8m in Council's mid-year budget review. The investment yield fall the remainder of the financial year is expected to keep falling slightly.

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 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 couple of years, with a limited capacity to generate enhanced investment returns from its financial holdings. Whilst legislation does allow the City to invest in term deposits and Government issued bonds for up to three years, the relatively flat bond yield curve over that term does not currently offer any incentive for medium term investing.

The City's investments fall within the following Standard and Poor's short term risk rating categories, showing 60% of investments are held with A1 rated banks and the balance with A2:



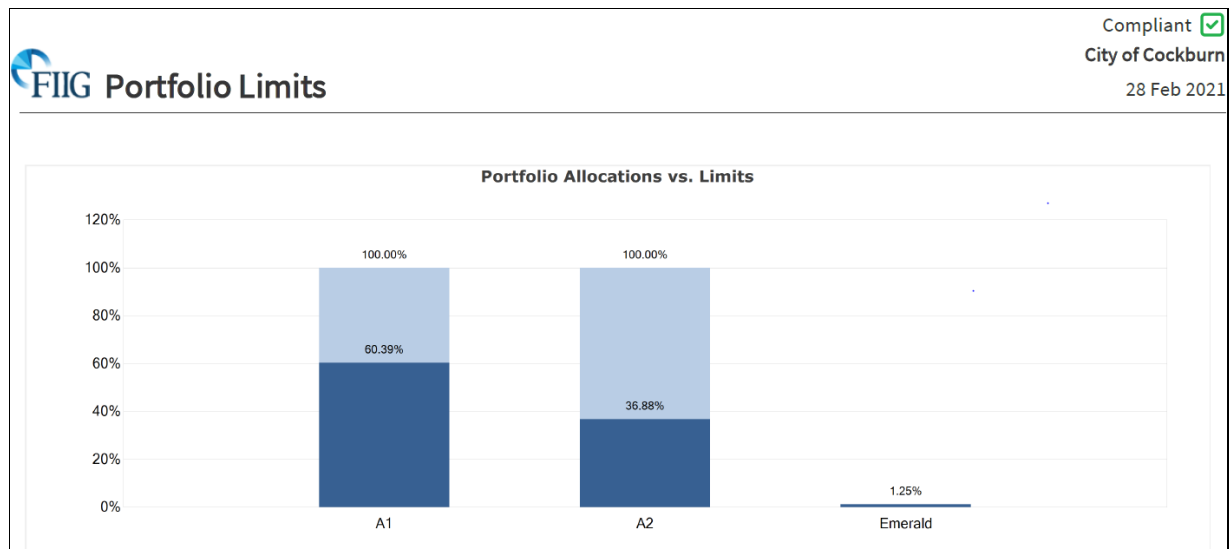


Figure 1: Portfolio allocations compared to Investment Policy limits

The City's investment portfolio average duration at the end of the month was 175 days (down from 183 days last month). Given the flat yield curve, the investment strategy going forward will be to secure the best rate for the shortest term to take advantage of compounding.

The maturity profile of the City's investments is graphically depicted below, demonstrating adequate maturities across the next few months to satisfy liquidity requirements.

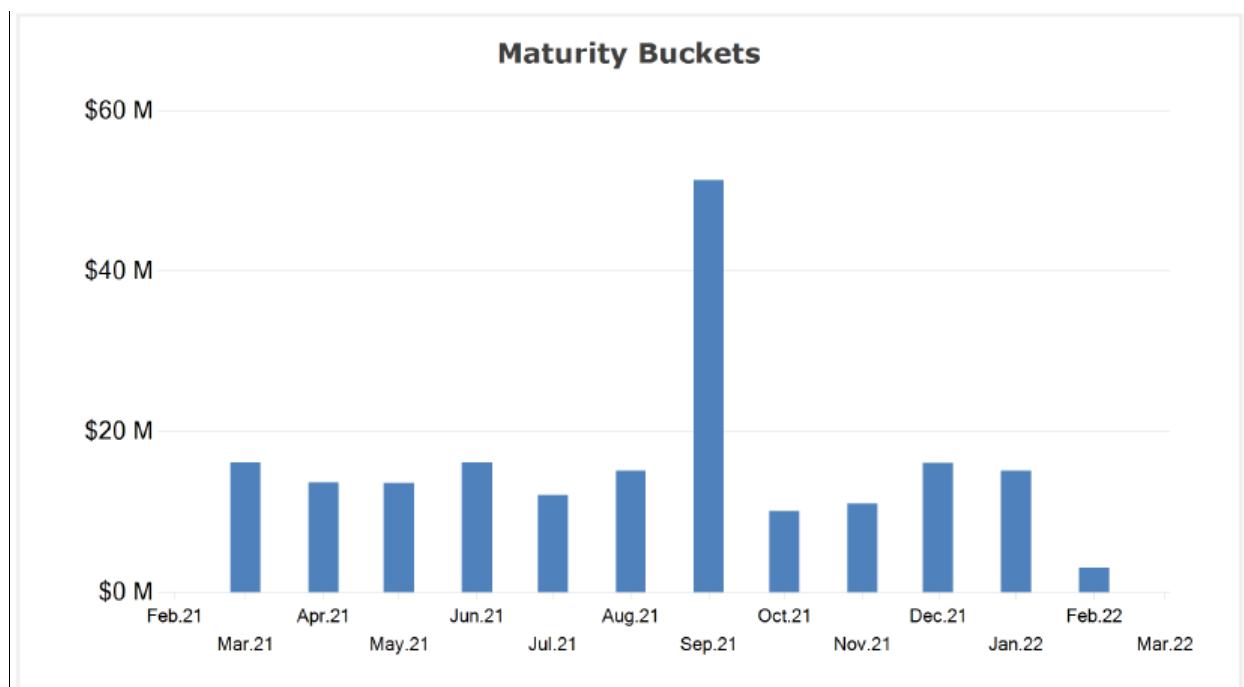


Figure 2: Council Investment Maturity Profile



Investment in Fossil Fuel Free Banks

At month end, the City held 8% or \$15.5 million of its investment portfolio with banks considered non-funders of fossil fuel related industries (up from 7% and \$13.5 million last 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. Non-fossil fuel bankers previously used by the City have either not been quoting, or their rates have been uncompetitive recently.

Rates Debt Recovery

The amount of collectible rates and charges for 2020/21 (comprising arrears, annual levies and part year rating) currently totals \$132.23 million. At the end of February, the City had \$28.15 million (21.3%) of this balance outstanding (\$33.40 million last month). This includes \$1.0 million of deferred pensioner rates and excludes \$1.26 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 or legal debt recovery processes, the City had 418 properties owing \$1.37 million (up from 402 properties owing \$1.27 million last month). Formal debt recovery activities commence 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 are several budget amendments being proposed this month:

- CSRFF funding of \$35,280 received towards minor change room refurbishments at Atwell Park, Tempest Park and Santich Park, resulting in a net budget saving of \$19,438 on an existing budget allocation of \$90,000 for these projects.
- Removal of duplicate funding for Dimago Park maintenance of \$7,158, funded from POS reserve so has no impact on budget surplus.



The following summary shows the impact of the proposed budget changes on the Statement of Financial Activity at the nature line item level:

Classification	Amount	Budget Impact
Expenditure from operating activities - Materials & Contracts	\$7,158	Decrease
Transfer from reserves	(\$7,158)	Decrease
Proceeds from non-operating grants, subsidies and contributions	\$35,280	Increase
Payments for property, plant & equipment and infrastructure	(\$15,842)	Increase
Net Budget Surplus impact	\$19,438	Increase

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 budget surplus of \$47,826 (as reported to the March Council meeting) will be increased to \$67,264 with the adoption of the changes proposed in this report.

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 28 February 2021

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 28 FEBRUARY 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	\$60.42 M	\$63.05 M	\$2.63 M
Refer to Statement of Financial Activity				

Cash and financial assets		
	\$209.04 M	% of total
Unrestricted Cash	\$53.28 M	25.5%
Restricted Cash	\$155.76 M	74.5%
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)
\$45.53 M	\$69.90 M	\$73.57 M	\$3.66 M
Refer to Statement of Financial Activity			

Employee Cost		
YTD Actual	(\$40.87 M)	% Variance
YTD Budget	(\$41.01 M)	(0.3%)
Refer to Statement of Financial Activity		

Rates Revenue		
YTD Actual	\$108.08 M	% Variance
YTD Budget	\$107.84 M	0.0%
Refer to Statement of Financial Activity		

Fees and Charges		
YTD Actual	\$21.28 M	% Variance
YTD Budget	\$21.10 M	0.8%
Refer to Statement of Financial Activity		

Materials & Contracts		
YTD Actual	(\$21.37 M)	% Variance
YTD Budget	(\$24.97 M)	(14.4%)
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)	(\$21.14 M)	(\$19.71 M)	\$1.43 M
Refer to Statement of Financial Activity			

Proceeds on sale		
YTD Actual	\$0.87 M	%
Amended Budget	\$6.84 M	12.8%
Refer to Note 3 - Disposal of Assets		

Asset Acquisition		
YTD Actual	\$22.40 M	% Spent
Amended Budget	\$87.10 M	25.7%
Refer to Note 4 - Capital Acquisition		

Capital Grants		
YTD Actual	(\$1.82 M)	% Received
Amended Budget	(\$18.41 M)	9.9%
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)	(\$2.97 M)	(\$2.47 M)
Refer to Statement of Financial Activity			

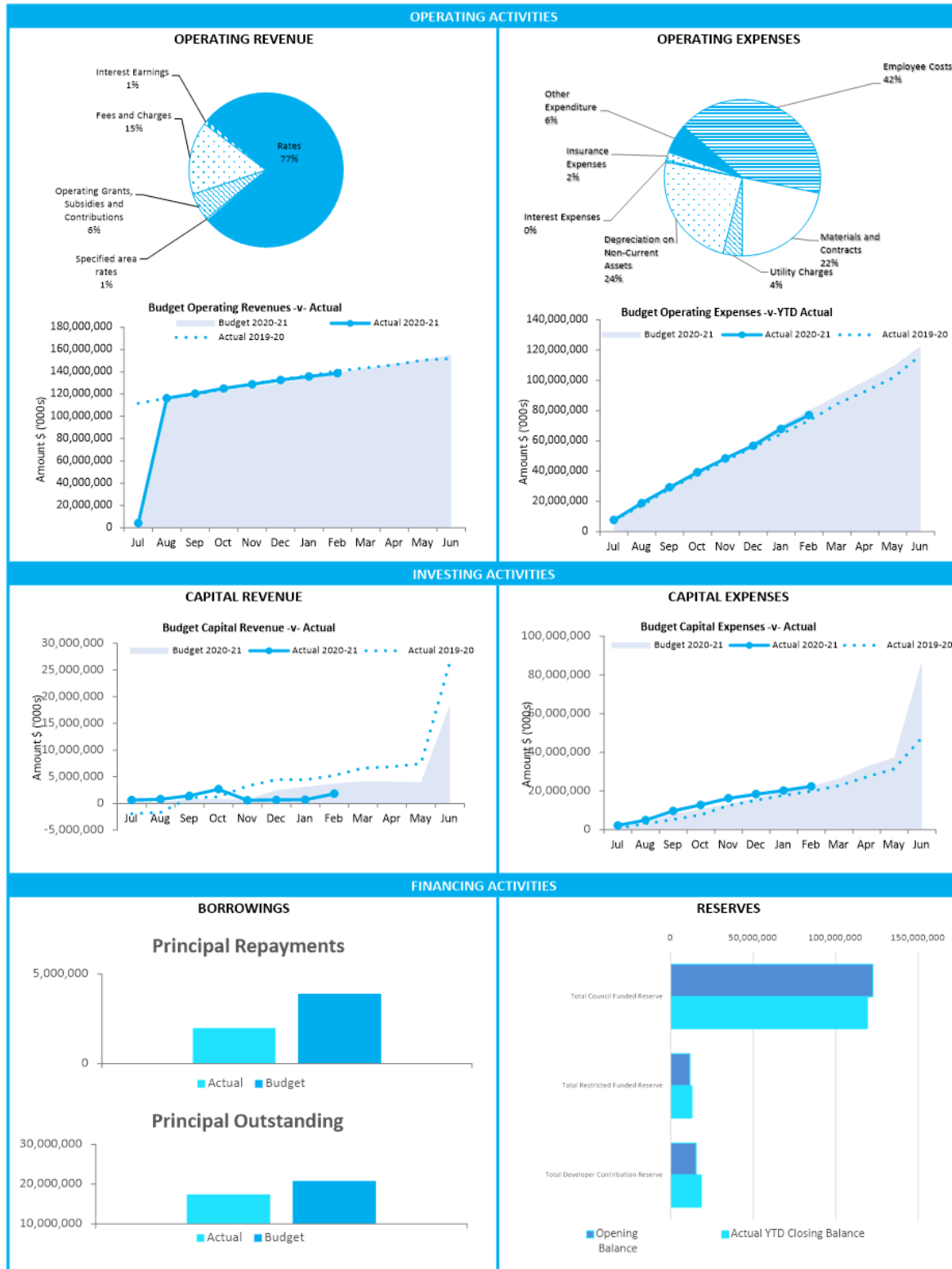
Borrowings	
Principal repayments	\$1.98 M
Interest expense	\$0.36 M
Principal due	\$17.42 M
Refer to Note 5 - Borrowings	

Reserves	
Reserves balance	\$150.78 M
Interest earned	\$0.11 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 28 FEBRUARY 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 28 FEBRUARY 2021

BY NATURE OR TYPE

	Ref Note	Amended Budget \$	YTD Budget (a) \$	YTD Actual (b) \$	Var. \$ (b)-(a) \$	Var. % (b)-(a)/(a) %	Var.
Opening funding surplus / (deficit)	1(c)	12,171,051	12,171,051	12,171,050	(1)	(0.00%)	
Revenue from operating activities							
Rates		108,037,502	107,294,305	107,525,949	231,644	0.22%	
Specified area rates		550,600	550,600	550,544	(56)	(0.01%)	
Operating grants, subsidies and contributions		13,920,564	9,060,447	8,028,100	(1,032,347)	(11.39%)	▼
Fees and charges		30,866,136	21,102,656	21,281,985	179,329	0.85%	
Interest earnings		1,830,000	1,229,997	1,328,739	98,742	8.03%	
Profit on disposal of assets		1,081,225	0	284,146	284,146	0.00%	
		156,286,027	139,238,005	138,999,463	(238,542)		
Expenditure from operating activities							
Employee costs		(62,295,344)	(41,013,360)	(40,870,821)	142,539	0.35%	
Materials and contracts		(38,227,286)	(24,966,826)	(21,374,095)	3,592,731	14.39%	▲
Utility charges		(5,919,371)	(3,931,634)	(3,914,447)	17,187	0.44%	
Depreciation on non-current assets		(35,641,134)	(23,732,627)	(23,682,898)	49,729	0.21%	
Interest expenses		(696,000)	(348,000)	(369,740)	(21,740)	(6.25%)	
Insurance expenses		(1,723,200)	(1,723,200)	(1,681,861)	41,339	2.40%	
Other expenditure		(10,407,264)	(5,845,053)	(5,861,022)	(15,969)	(0.27%)	
Loss on disposal of assets		0	(95,822)	(63,540)	32,282	33.69%	
		(154,909,599)	(101,656,522)	(97,818,424)	3,838,098		
Non-cash amounts excluded from operating activities							
	1(a)	44,157,355	32,321,082	32,384,793	63,711	0.20%	
Amount attributable to operating activities		45,533,783	69,902,565	73,565,832	3,663,267		
Investing activities							
Proceeds from non-operating grants, subsidies and contributions		18,506,208	3,745,978	1,820,881	(1,925,097)	(51.39%)	▼
Proceeds from disposal of assets	3	6,835,069	(2,627,901)	873,253	3,501,154	(133.23%)	
Payments for property, plant and equipment and infrastructure	4	(87,099,352)	(22,259,677)	(22,404,263)	(144,586)	(0.65%)	
Amount attributable to investing activities		(61,758,075)	(21,141,600)	(19,710,129)	1,431,471		
Financing Activities							
Proceeds from new debentures	5	5,277,400	0	0	0	0.00%	
Transfer from reserves	6	62,002,616	12,296,318	20,457,243	8,160,925	66.37%	▲
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)	(21,453,311)	(8,998,071)	(72.24%)	▼
Amount attributable to financing activities		4,101,066	(508,922)	(2,974,412)	(2,465,490)		
Closing funding surplus / (deficit)	1(c)	47,825	60,423,095	63,052,341	2,629,247		

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 28 FEBRUARY 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 28 FEBRUARY 2021

STATUTORY REPORTING BY BUSINESS UNIT

	Ref Note	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	12,171,051	12,171,051	12,171,050	(1)	(0.00%)	
Revenue from operating activities							
Executive Services		0	0	4,000	4,000	0.00%	
Strategy and Governance		800	533	1,712	1,179	221.20%	
Financial Services		113,057,459	110,995,674	111,349,854	354,180	0.32%	▲
Information Services		1,500	1,000	91	(909)	(90.90%)	
Human Resource Management		275,400	176,395	164,544	(11,851)	(6.72%)	
Library Services		48,550	32,367	26,536	(5,831)	(18.02%)	
Recreation and Community Safety		12,989,344	8,765,106	8,697,355	(67,751)	(0.77%)	
Community Development and Services		9,703,024	6,310,524	5,614,310	(696,214)	(11.03%)	▼
Corporate Communications		104,600	43,600	46,004	2,404	5.51%	
Statutory Planning Services		1,467,800	988,703	1,023,817	35,114	3.55%	
Strategic Planning Services		3,290,185	1,919,267	1,989,250	69,983	3.65%	
Building Services		1,548,247	1,225,152	1,229,014	3,862	0.32%	
Environmental Health Services		466,354	416,961	445,255	28,294	6.79%	
Waste Services		9,469,952	6,293,470	6,635,817	342,347	5.44%	▲
Parks and Environmental Services		1,550,711	888,135	191,264	(696,871)	(78.46%)	▼
Engineering Services		293,472	207,395	176,820	(30,575)	(14.74%)	
Infrastructure Services		2,018,631	973,724	1,403,819	430,095	44.17%	▲
		156,286,029	139,238,006	138,999,462	(238,544)		
Expenditure from operating activities							
Executive Services		(3,114,319)	(1,925,185)	(1,507,940)	417,245	21.67%	▲
Executive Support Services		(286,558)	(190,162)	(137,269)	52,893	27.81%	
Strategy and Governance		(1,816,448)	(1,176,736)	(996,602)	180,134	15.31%	
Financial Services		(6,679,501)	(5,016,270)	(4,838,831)	177,439	3.54%	
Information Services		(7,898,464)	(5,509,450)	(5,640,101)	(130,651)	(2.37%)	
Human Resource Management		(2,814,415)	(1,793,627)	(1,780,840)	12,787	0.71%	
Library Services		(4,063,693)	(2,779,447)	(2,453,893)	325,554	11.71%	▲
Recreation and Community Safety		(20,046,899)	(13,171,539)	(12,299,560)	871,979	6.62%	▲
Community Development and Services		(13,359,234)	(8,515,267)	(7,313,344)	1,201,923	14.11%	▲
Corporate Communications		(4,244,163)	(2,917,136)	(2,806,422)	110,714	3.80%	
Governance and Risk Management		0	0	0	0	0.00%	
Statutory Planning Services		(1,633,431)	(1,046,576)	(1,084,204)	(37,628)	(3.60%)	
Strategic Planning Services		(2,302,695)	(1,466,865)	(1,684,381)	(217,516)	(14.83%)	
Building Services		(1,879,374)	(1,234,078)	(1,206,864)	27,214	2.21%	
Environmental Health Services		(2,121,340)	(1,420,796)	(1,267,841)	152,955	10.77%	
Waste Services		(17,659,082)	(10,737,257)	(10,739,625)	(2,368)	(0.02%)	
Parks and Environmental Services		(21,579,346)	(14,001,244)	(13,683,487)	317,757	2.27%	▲
Engineering Services		(25,023,174)	(16,651,773)	(16,766,829)	(115,056)	(0.69%)	
Infrastructure Services		(19,984,214)	(13,222,000)	(12,849,543)	372,457	2.82%	▲
Internal Recharging		1,596,749	1,118,885	1,239,153	120,268	(10.75%)	
		(154,909,601)	(101,656,523)	(97,818,423)	3,838,100		
Non-cash amounts excluded from operating activities	1(a)	44,157,355	32,321,082	32,384,793	63,711	0.20%	
Amount attributable to operating activities		45,533,783	69,902,565	73,565,832	3,663,267		
Investing Activities							
Proceeds from non-operating grants, subsidies and contributions		18,506,208	3,745,978	1,820,881	(1,925,097)	(51.39%)	▼
Proceeds from disposal of assets	3	6,835,069	(2,627,901)	873,253	3,501,154	(133.23%)	
Payments for property, plant and equipment and infrastructure	4	(87,099,352)	(22,259,677)	(22,404,263)	(144,586)	(0.65%)	
Amount attributable to investing activities		(61,758,075)	(21,141,600)	(19,710,129)	1,431,471		
Financing Activities							
Proceeds from new debentures	5	5,277,400	0	0	0	0.00%	
Transfer from reserves	6	62,002,616	12,296,318	20,457,243	8,160,925	66.37%	▲
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)	(21,453,311)	(8,998,071)	(72.24%)	▼
Amount attributable to financing activities		4,101,066	(508,922)	(2,974,412)	(2,465,490)		
Closing funding surplus / (deficit)	1(c)	47,825	60,423,095	63,052,341			

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 28 FEBRUARY 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 28 February 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 28 FEBRUARY 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)
Non-cash items excluded from operating activities		\$	\$	\$
Adjustments to operating activities				
Less: Profit on asset disposals	3	(1,081,225)	0	(284,146)
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	2,727,662	3,036,580
Less: Movement in leased liabilities				(401,010)
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	76,239
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	444,573
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	5,764,971
Add: Loss on asset disposals	3	0	95,822	63,540
Add: Loss on revaluation of non current assets		0	0	0
Add: Change in accounting policies				
Add: Depreciation on assets		35,641,134	23,732,627	23,682,898
Total non-cash items excluded from operating activities		44,157,355	32,321,082	32,384,793

(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 28 February 2020	Year to Date 28 February 2021
Adjustments to net current assets				
Less: Reserves - restricted cash	6	(149,783,095)	(137,507,772)	(150,779,163)
Less: - Financial assets at amortised cost - self supporting loans		0	0	0
Less: Bonds & deposits		(4,017,650)	(4,143,163)	(4,976,524)
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	20,871
Add: Financial assets at amortised cost - non-current	2	951,228	978,935	941,521
Total adjustments to net current assets		(149,200,653)	(137,846,935)	(153,544,655)

(c) Net current assets used in the Statement of Financial Activity

Current assets				
Cash and cash equivalents	2	5,133,910	45,812,473	8,599,139
Financial assets at amortised cost	2	169,400,000	157,400,000	199,500,000
Rates receivables		2,942,696	20,218,729	27,857,679
Receivables		4,697,858	8,224,394	5,778,072
Other current assets		4,531,758	183,206	537,553
Less: Current liabilities				
Payables		(12,218,573)	(12,443,924)	(11,194,358)
Borrowings	5	(3,226,983)	(2,825,065)	(1,248,640)
Contract liabilities	7	(713,380)	0	(4,569,333)
Lease liabilities		(421,881)	0	(20,871)
Provisions	7	(8,753,702)	(7,115,764)	(8,642,243)
Less: Total adjustments to net current assets	1(b)	(149,200,653)	(137,846,935)	(153,544,655)
Closing funding surplus / (deficit)		12,171,050	71,607,114	63,052,341

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 28 FEBRUARY 2021

OPERATING ACTIVITIES
NOTE 2
CASH AND FINANCIAL ASSETS

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution
		\$	\$	\$	\$	
Cash on hand						
Cash at bank	Cash and cash equivalents	8,573,561	0	8,573,561		NATIONAL AUSTRALIA BANK
Cash on hand	Cash and cash equivalents	25,578	0	25,578		
Term deposits - current	Financial assets at amortised cost	0	59,500,000	59,500,000		BANK OF QUEENSLAND
Term deposits - current	Financial assets at amortised cost	0	35,000,000	35,000,000		MACQUARIE BANK
Term deposits - current	Financial assets at amortised cost	0	10,000,000	10,000,000		MEMBERS EQUITY BANK
Term deposits - current	Financial assets at amortised cost	42,500,000	0	42,500,000		NATIONAL AUSTRALIA BANK
Term deposits - current	Financial assets at amortised cost	2,185,834	2,814,166	5,000,000		AMP
Term deposits - current	Financial assets at amortised cost	0	44,500,000	44,500,000		COMMONWEALTH BANK
Term deposits - current	Financial assets at amortised cost	0	3,000,000	3,000,000		AUSWIDE BANK
Other investment - non current	Financial assets at amortised cost	0	941,521	941,521		BARCLAYS BANK
Total		53,284,973	155,755,687	209,040,660	0	
Comprising		Unrestricted	Restricted	Total Cash	Trust	
		\$	\$	\$	\$	
Cash and cash equivalents		8,599,139	0	8,599,139	0	
Financial assets at amortised cost		44,685,834	155,755,687	200,441,521	0	
		53,284,973	155,755,687	209,040,660	0	

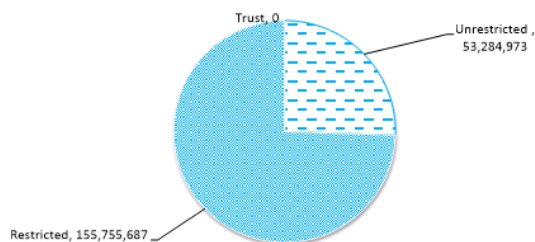
KEY INFORMATION

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.

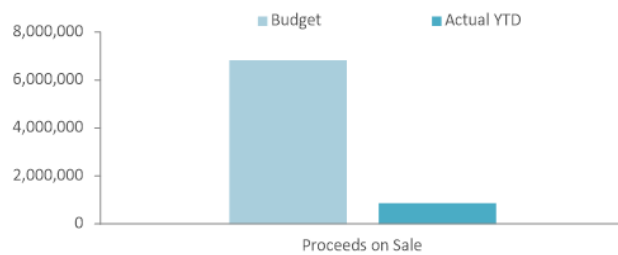
Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 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)
		\$	\$	\$	\$	\$	\$	\$	\$
	Buildings	0	0	0	0	63,540	0	0	(63,540)
	Plant and equipment	953,844	1,535,069	581,225	0	218,445	390,106	171,661	0
	Freehold Land	4,800,000	5,300,000	500,000	0	370,662	483,147	112,485	0
		5,753,844	6,835,069	1,081,225	0	652,647	873,253	284,146	(63,540)



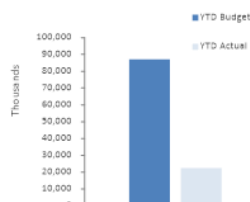
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2021

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	6,262,488	5,461,969	(800,519)
Buildings - specialised				0
Furniture and equipment	4,472	0	0	0
Plant and equipment	6,207,480	1,724,411	1,798,396	73,985
Information technology	1,689,097	1,113,711	977,822	(135,889)
Rehabilitation asset				0
Leased asset				0
PPE - user defined 4				0
PPE - user defined 5				0
Infrastructure - roads	24,238,402	5,461,913	7,310,613	1,848,700
Infrastructure - drainage	1,885,509	965,039	794,554	(170,485)
Infrastructure - footpath	2,941,031	853,041	623,263	(229,778)
Infrastructure - parks hard	7,717,870	4,124,529	2,951,394	(1,173,135)
Infrastructure - parks landscaping	1,840,726	916,261	777,763	(138,498)
Infrastructure - landfill site	5,214,043	154,123	1,200,343	1,046,220
Infrastructure - marina	5,852,300	340,995	215,554	(125,441)
Infrastructure - coastal	372,473	63,168	12,592	(50,576)
Infrastructure - user defined 9				0
Infrastructure - user defined 10				0
Payments for Capital Acquisitions	87,099,352	22,259,677	22,404,263	144,586
Right of use assets	0	0	0	0
Total Capital Acquisitions	87,099,352	22,259,677	22,404,263	144,586
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	(18,406,208)	(3,645,978)	(1,820,881)	1,825,097
Borrowings	(5,277,400)	0	0	0
Lease liabilities	0	0	0	0
Other (disposals & C/Fwd)	(6,835,069)	2,627,901	(873,253)	(3,501,154)
Cash backed reserves				
Staff Payments & Entitlements	0	0	0	0
Plant & Vehicle Replacement	(4,479,848)	(1,064,839)	(1,248,928)	(184,089)
Information Technology	(664,351)	(633,351)	(631,148)	2,203
Major Building Refurbishment	(3,170,032)	(949,048)	(368,142)	580,907
Waste & Recycling	(5,449,393)	(1,321,265)	(1,280,693)	40,573
Land Development and Investment Fund	(3,943,994)	(280,000)	(280,000)	0
Roads & Drainage Infrastructure	(6,257,857)	(2,583,669)	(2,457,524)	126,145
Naval Base Shacks	0	0	0	0
Community Infrastructure	(13,530,290)	(854,546)	(865,217)	(10,671)
Insurance	0	0	0	0
Greenhouse Action Fund	(155,300)	0	0	0
Age 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)	(21,167)	(1,180)	19,987
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)	(220,000)	(91,232)	128,768
Restricted Grants & Contributions	(2,158,416)	(56,394)	(2,367,660)	(2,311,266)
CIHCF Building Maintenance	0	0	0	0
Cockburn ARC Building Maintenance	0	0	0	0
Carry Forward Projects	(12,452,987)	(5,281,744)	(5,897,477)	(615,732)
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	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
Reserves cash backed - [describe]	0	0	0	0
Contribution - operations	(3,321,730)	(7,815,526)	(4,211,232)	3,604,294
Capital funding total	(87,099,352)	(22,259,677)	(22,404,263)	(144,586)

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 28 FEBRUARY 2021

FINANCING ACTIVITIES
NOTE 5
BORROWINGS

Repayments - borrowings

Information on borrowings		Loan No.	1 July 2020	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars				Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
			\$	\$	\$	\$	\$	\$	\$	\$	\$
Governance											
To assist fund the stage 2 of Marina infrastructure expansion	9		0	0	5,277,400	0	0	0	5,277,400	0	0
Community amenities											
SMRC			4,398,510	0	0	728,344	1,400,000	3,670,166	2,998,510	89,010	170,000
Recreation and culture											
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	274,860	526,000
C/Fwd Balance			19,398,510	0	5,277,400	1,978,344	3,900,000	17,420,166	20,775,910	363,870	696,000
Total			19,398,510	0	5,277,400	1,978,344	3,900,000	17,420,166	20,775,910	363,870	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 28 FEBRUARY 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
	\$	\$	\$	\$	\$	\$	\$	\$	\$
<i>Council Funded</i>									
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)	(1,248,928)	9,945,633	10,151,826
Information Technology	501,249	0	0	1,200,000	0	(805,651)	(682,586)	895,598	(181,337)
Major Building Refurbishment	16,677,163	0	0	3,000,000	0	(3,170,032)	(368,142)	16,507,131	16,309,022
Waste & Recycling	12,200,267	0	0	1,964,254	0	(5,509,393)	(1,340,693)	8,655,128	10,859,574
Land Development and Investment Fund	11,002,645	0	0	5,568,114	673,741	(3,948,994)	(285,000)	12,621,765	11,391,386
Roads & Drainage Infrastructure	10,442,059	0	0	4,638,533	0	(7,850,304)	(3,443,450)	7,216,580	6,998,609
Naval Base Shacks	1,161,639	0	0	18,287	12,191	0	0	1,179,926	1,173,830
Community Infrastructure	27,777,436	0	0	3,500,000	0	(13,530,290)	(865,217)	17,747,146	26,912,219
Insurance	2,235,907	0	0	500,000	0	(100,000)	(63,505)	2,635,907	2,172,402
Greenhouse Action Fund	741,641	0	0	200,000	0	(288,330)	(603)	653,311	741,038
HWRP Post Closure Management & Contan	3,501,513	0	0	250,000	0	(352,000)	(55,237)	3,399,513	3,446,276
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)	(92,075)	929,647	772,622
Waste Collection	4,199,528	0	0	2,339,328	0	(151,000)	(26,000)	6,387,856	4,173,528
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)	(91,232)	1,086	429,853
CIHCF Building Maintenance	9,327,472	0	0	1,458,228	782,703	0	0	10,785,700	10,110,175
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)	(6,121,004)	7,868,981	6,608,273
Port Coogee Marina Assets Replacement	1,484,887	0	0	300,000	0	0	0	1,784,887	1,484,887
Total Council Funded Reserve	122,551,720	0	0	47,730,186	11,347,062	(53,840,729)	(14,723,673)	116,427,469	119,175,109
<i>Restricted Funded</i>									
Aged and Disabled Asset Replacement	391,623	4,257	1,870	37,716	25,144	(35,675)	(7,700)	397,921	410,937
Welfare Projects Employee Entitlements	1,611,878	18,465	2,460	900,000	450,000	0	0	2,530,342	2,064,337

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 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	8,226	400,000	0	(219,815)	(174,152)	2,022,909	1,654,554
Port Coogee Waterways - SAR	102,267	1,291	481	55,600	0	(50,000)	0	109,159	102,748
Family Day Care Accumulation Fund	11,474	0	54	0	0	0	0	11,474	11,528
Naval Base Shack Removal	652,448	7,998	3,093	30,477	20,318	0	0	690,923	675,859
Restricted Grants & Contributions	5,786,772	0	0	0	0	(4,564,384)	(4,769,687)	418,541	1,017,085
Public Open Space - Various	0	0	3,984	5,764,971	5,764,971	(7,158)	0	5,757,813	5,768,956
Port Coogee Waterways - WEMP	1,302,071	15,831	6,169	0	0	(100,000)	0	1,217,902	1,308,240
Cockburn Coast SAR	25,209	465	102	30,000	0	(11,330)	(10,318)	44,344	14,993
Total Restricted Funded Reserve	11,704,221	70,551	26,440	7,218,764	6,260,433	(4,988,362)	(4,961,857)	13,201,328	13,029,237
Developer Contribution Plans									
Community Infrastructure DCP 13	4,782,645	17,282	29,132	3,000,000	3,178,034	(3,065,564)	(12,538)	4,734,363	7,977,273
Developer Contribution Plans - Various	10,744,509	162,167	49,994	1,080,000	562,215	(107,961)	(759,174)	11,892,423	10,597,543
Total Developer Contribution Reserve	15,527,154	179,449	79,126	4,080,000	3,740,249	(3,173,525)	(771,713)	16,626,786	18,574,816
Total Cash Reserve	149,783,095	250,000	105,566	59,028,950	21,347,745	(62,002,616)	(20,457,243)	146,255,582	150,779,163

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2021

OPERATING ACTIVITIES
NOTE 7
OTHER CURRENT LIABILITIES

Other current liabilities	Note	Opening Balance 1 July 2020	Liability Increase	Liability Reduction	Closing Balance 28 February 2021
		\$	\$	\$	\$
Contract liabilities					
Unspent grants, contributions and reimbursements - non-operating		713,380	11,563,880	(7,707,927)	4,569,333
Total unspent grants, contributions and reimbursements		713,380	11,563,880	(7,707,927)	4,569,333
Provisions					
Annual leave		4,809,588	48,830,254	(48,941,713)	4,698,129
Long service leave		3,144,114	0	0	3,144,114
Total Provisions		7,953,702	48,830,254	(48,941,713)	7,842,243
Total other current assets		8,667,082	60,394,134	(56,649,640)	12,411,576
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 28 FEBRUARY 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 28 Feb 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
	6,374,601	198,566	(6,573,167)	0



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 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
				\$	\$	\$	\$
	Budget adoption		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 28 FEBRUARY 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)

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**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 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 28 FEBRUARY 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	11/02/21 0008	Opening Surplus(Deficit)			(16,611)	53,826
OP8820	International Women's Day event funded from surplus	11/03/21 0029	Operating Expenses			(6,000)	47,826
CW4978	Funding from CSRFF for minor refurbishment at Atwell Park changeroom	to 8 Apr OCM	Capital Revenue		9,365		57,191

CITY OF COCKBURN | 20

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 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
				\$	\$	\$	\$
CW4978	Minor refurbishment Atwell changeroom funded from CSRFF	to 8 Apr OCM	Capital Expenses			(28,096)	29,095
CW4923	Funding from CSRFF for minor refurbishment at Tempest Park changeroom	to 8 Apr OCM	Capital Revenue		17,416		46,511
CW4923	Transfer budget to fund minor refurbishment at Atwell Park changeroom	to 8 Apr OCM	Capital Expenses		17,750		64,261
CW4924	Funding from CSRFF for minor refurbishment at Santich Park changeroom	to 8 Apr OCM	Capital Revenue		8,499		72,760
CW4924	Minor refurbishment Santich changeroom funded from CSRFF	to 8 Apr OCM	Capital Expenses			(5,496)	67,264
7862-4483	Remove duplicated budget	to 8 Apr OCM	Transfer from Reserve			(7,158)	60,106
7862-6200	Remove duplicated budget	to 8 Apr OCM	Operating Expenses		7,158		67,264
				0	14,033,118	(14,004,765)	

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2021**

**NOTE 10
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2020-21 year is \$300,000 or 0.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Timing/ Permanent	Explanation of Variance
Revenue from operating activities				
Financial Services	354,180	0.32%	▲ Timing	Revenue brought forward
Waste Services	342,347	5.44%	▲ Timing	Revenue brought forward
Community Development and Services	(696,214)	(11.03%)	▼ Timing	Revenue delayed
Parks and Environmental Services	(696,871)	(78.46%)	▼ Timing	Revenue delayed
Infrastructure Services	430,095	44.17%	▲ Timing	Proceeds from sale brought forward
Expenditure from operating activities				
Recreation and Community Safety	871,979	6.62%	▲ Timing	Expenditure delayed
Executive Services	417,245	21.67%	▲ Timing	Expenditure delayed
Library Services	325,554	11.71%	▲ Timing	Expenditure delayed
Community Development and Services	1,201,923	14.11%	▲ Timing	Expenditure delayed
Parks and Environmental Services	317,757	2.27%	▲ Timing	Expenditure delayed
Infrastructure Services	372,457	2.82%	▲ Timing	Expenditure delayed
Investing activities				
Financing activities				
Transfer from reserves	8,160,925	66.37%	▲ Timing	Expenditure delayed
Transfer to reserves	(8,998,071)	(72.24%)	▼ Timing	Revenue brought forward (DCP13)
contributions	(1,925,097)	(51.39%)	▼ Timing	Additional revenue
Repayment of debentures	(1,628,344)	(465.24%)	▼ Timing	Expenditure brought forward

16. ENGINEERING AND WORKS DIVISION ISSUES

16.1 (2021/MINUTE NO 0054) RFT19-2020 - COMMERCIAL CLEANING SERVICES (CITYWIDE)

Author(s) B Roser

Attachments 1. Evaluation Summary (**CONFIDENTIAL**)

RECOMMENDATION

That Council:

- (1) ACCEPT the Tender submitted by Brightmark Group Pty Ltd for Commercial Cleaning Services (Group 1 - Public Facilities: Public Toilet Facilities) for an estimated contract value of \$582,000 (Ex GST) per year for a period of three (3) years with possible extension options of one (1) year plus a further twelve (12) months. The contract value is based on a procurement model derived from submitted costs where additional Schedules are used to determine ad-hoc cleans and variations;
- (2) ACCEPT the Tender submitted by Facilities First Australia Pty Ltd for Commercial Cleaning Services (Group 2 – Community & Administration Facilities: Community Centres, Administration Offices and Libraries) for an estimated contract value of \$1,042,000 (Ex GST) per year for a period of three (3) years with possible extension options of one (1) year plus a further twelve (12) months. The contract value is based on a procurement model derived from submitted costs where additional Schedules are used to determine ad-hoc cleans and variations; and
- (3) ENDORSE the inclusion of new or existing buildings and facilities not yet under these contracts, yet to be added in accordance with the Tender, whereby the City may select a different contractor based on a specific management strategy required for that site.

COUNCIL DECISION

MOVED Cr C Terblanche SECONDED Cr T Widenbar

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0

Background

The City requires commercial grade cleaning of its public buildings and facilities at locations throughout its boundaries. These public buildings/facilities include recreation centres, community centres and halls, public libraries – Spearwood, Coolbellup and Success, Council and administrative offices, Seniors Centre, and public toilet blocks and change rooms.



The proposed contract strategy will consist of two (2) main groups:

- Group 1 – Public Facilities: Public Toilet Facilities
- Group 2 – Community and Administration Facilities: Community Centres, Administration Offices and Libraries.

The regular cleaning services will be in accordance with daily and weekly schedules, as well as monthly, quarterly, post function and ad hoc cleaning services as required.

The regular and periodic cleaning of the City's public toilet facilities and community and administration facilities is currently being undertaken by two different contractors, Quad Services Pty Ltd (public toilets) and Facilities First Australia Pty Ltd (community and administration buildings). These contracts have reached the end of their terms with all available extensions that included a further 12 month variation due to COVID19 as allowed by the State Emergency Provisions.

To ensure continuity of services the City is now required to advertise, assess and recommend the appointment of suitable cleaning contractor(s) to carry out the building and facility cleaning tasks for the next contract period.

To best test the market and provide some flexibility on a value propositions from potential Tenderers a contract strategy was agreed to seek contracts from two separate groupings, one being for the public toilet facilities (Group 1) and the other for the City's community and administration buildings/facilities (Group 2).

This was done whereby the contract could be awarded to one contractor, or to two different contractors for each group, dependant on best value and a quality based service provision as determined from the tender assessment. The cleaning of barbecues was excluded from this process in order to obtain the most community based advantage service provider.

The proposed contract is for a period of three (3) years with Principal instigated options to extend by one (1) year and a further 12 months to a maximum period of five (5) years.

Tender Number RFT19-2020 - Cleaning Services (Commercial) was advertised on Saturday 19 September 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 19 September 2020 and Wednesday 15 October 2020 inclusive.

Submission

The request for tender closed at 2:00pm (AWST), Wednesday, 15 October 2020, with fifteen (15) submissions received from the following companies. The table outlines the different Groups as submitted by the Tenderers.



Tenderers Name	Registered Entity Name	Groups
AWS Services	AWS Services WA Pty Ltd t/a AWS Services (WA Brand)	1 and 2
B.I.C. Services	B.I.C. Services Pty Ltd	1 and 2
Brightmark Group	Brightmark Group Pty Ltd	1 and 2
Delron Cleaning	Delron Cleaning Pty Ltd	1 and 2
Southern Cross Cleaning	DRD Partnership t/as Southern Cross Cleaning	1 and 2
Facilities First Australia	Facilities First Australia Pty Ltd	1 and 2
Glad Commercial	Glad Group Pty Ltd	1 and 2
Iconic Property Services	Iconic Property Services Pty Ltd	1 and 2
Intelife	Intelife Group Limited	2 only
OCE Corporate Cleaning	Office Cleaning Experts Pty Ltd	1 and 2
Quad Services	OCE Corporate Cleaning	1 and 2
Smart Cleaning Solutions	Smart Cleaning Solutions (VIC) Pty Ltd	1 and 2
Storm International	Storm International Pty Ltd	1 and 2
Bellrock Cleaning	The Trustee for Bellrock Cleaning Services Trust	1 and 2
DMC Cleaning	The Trustee for Panich Family Trust	1 and 2

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) noting the separable portions of the Contract
(g)	Compliance with the ACCC Requirements and completion of the Certificate of Warranty

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	23%
Methodology	18%
Local/ Regional	10%
Sustainability and Quality Assurance	14%
Tendered Price	35%
TOTAL	100%

Tender Intent/ Requirements

The City requires suitably qualified and experienced commercial grade cleaning contractors for the cleaning of its public building and facilities portfolio at locations throughout the City of Cockburn.

The Tender (and proposed Contract(s)) provides for various buildings and facilities to be removed or added to the Schedule of cleaning services as circumstances associated with those buildings and facilities change, with variation of costs being determined based on agreed rates. Additionally, this Tender offers the opportunity for the appointment of multiple Contractors, such that as new buildings and facilities are brought on line, the City may vary the contract by seeking costings and award the work to the company offering the best overall value for money quality service. Similarly, if the standard of cleaning drops to an unsatisfactory level on a particular site, then post a failed dispute resolution process, the contract may be varied to offer the site to another contractor in accordance with the Procurement Policy.

Evaluation Panel

The Tender submissions were evaluated by the following personnel. The Procurement Services representative attended in a probity role only.

Name	Position
Ben Roser (Chair)	Facilities and Plant Manager
Stuart Downing	Director Finance and Corporate Services
Linda Seymour	Manager Libraries
Glen Williamson	Building and Facilities Project Coordinator
Nathan Johnston	Senior Recreation Facilities & Reserves Officer
Probity Role Only	
Tammey Chappel	Contract Lead (Projects)



Scoring Table

The below tables represent the scoring of the submissions relevant to the non-cost criteria as well as for Group 1 (Public Toilet Facilities) and Group 2 (Community and Administration Facilities) tenders respectively.

Tenderer's Name	Percentage Score
	Non-Cost Evaluation
	65%
Facilities First **	44.14%
Delron Cleaning **	40.04%
Intelife **	38.22%
BrightMark Group **	37.28%
Southern Cross Cleaning	35.66%
Quad Services	34.66%
Iconic Property Services	32.28%
Smart Cleaning Solutions	31.22%
Bellrock Cleaning Services	30.66%
OCE Corporate Cleaning	29.92%
BIC Services Pty Ltd	29.44%
Storm International	25.66%
Glad Commercial Cleaning	25.80%
DMC Cleaning	15.80%
AWS Services (WA Brand)	17.64%

The above qualitative scores were utilised to short list the top four (4) contractors to determine the selection for further analysis to finalise the award for Group 1 and Group 2.

The below tables represent the scoring of the tender submissions for Group 1 (Public Toilet Facilities) and Group 2 (Community and Administration Facilities) respectively.

Tenderers were required to address qualitative criteria (common to both Groups 1 and 2) and to submit costing for cleaning each building/facility in their respective schedules for Group 1, Group 2 or both.

The tendered amounts were aggregated to determine their respective estimated costing for inclusion in the procurement model. The tenderers were required to detail their indicative number of cleaning hours for each site. Whilst not contractually binding, the provision of these figures assisted the evaluation Panel with their assessment.

Group 1

Tenderer's Name	Percentage Score		
	Non-Cost Evaluation	Cost Evaluation	Total
	65%	35%	100%
Facilities First	44.14%	31.12%	75.26%
BrightMark Group**	37.28%	35.00%	72.28%
Delron Cleaning	40.04%	31.07%	71.11%

** Recommended Submission



Group 2

Tenderer's Name	Percentage Score		
	Non-Cost Evaluation	Cost Evaluation	Total
	65%	35%	100%
BrightMark Group	37.28%	35.00%	72.28%
Facilities First **	44.14%	27.80%	71.94%
Intelife	38.22%	28.95%	67.17%
Delron Cleaning	40.04%	25.17%	65.21%

** Recommended Submission

Evaluation Criteria AssessmentDemonstrated Experience

Facilities First, Delron Cleaning, Intelife and BrightMark Group provided the most relevant evidence in respect to experience in supplying cleaning services in similar or equivalent facilities over the past five (5) years and scored well as a result.

This included the cleaning of various administration, community, leisure and public toilet facilities. Their close scores reflected a quality response which clearly demonstrated their experience in this criterion.

Intelife did not submit for Group 1 buildings/facilities.

Quad Service and Bellrock Cleaning Services demonstrated sufficient information for this criterion.

The responses from Southern Cross Cleaning, Glad Commercial Cleaning and DMC Cleaning did not adequately demonstrate a suitable level of experience, with AWS Services (WA Brand) receiving the lowest score for this criterion.

Overall the other tenderers demonstrated varying levels of experience in managing and providing cleaning contract services for smaller and/or rural Local Governments.

Methodology

Facilities First, Intelife, BrightMark Group and Delron Cleaning provided the most comprehensive responses, demonstrating a detailed understanding of the specification and level of services required.

This resulted in high scores with detailed responses regarding their operations, transition plan and their intended utilisation of sub-contractors to deliver the contracted services.

Southern Cross Cleaning, Quad Services and the remaining Tenderers did not adequately address all the requirements within this criterion.



Sustainability and Quality Assurance

Delron Cleaning, Facilities First, BrightMark Group, BIC Services, Intelife and Quad Services provided detailed responses, including evidence of quality, safety, contract and performance management systems in place to manage the contract effectively.

The panel deemed other Tenderers provided satisfactory responses with DMC Cleaning and AWS Services (WA Brand) receiving the lowest score for this criterion.

Further evidence was sought from tenderers regarding environmental sustainability initiatives. The panel judged that most tenderers provided a basic response to providing better social outcomes for the community. Intelife scored well in this area.

Local/Regional

AWS Services (WA Brand), Intelife and Facility First received high scores for this criterion, given their contribution to the local and regional economy. These scores reflected business locations and staff residing within the City boundary as well as the South West Metropolitan Regional Council.

Delron Cleaning provided the most comprehensive response in the use of local suppliers and materials.

All other Tenderers scored lower as they were unable to demonstrate a significant contribution to the local and regional economy including the use of resources from local sources.

References

Brightmark Group Pty Ltd

Reference checks were completed to determine if Brightmark Group Pty Ltd had the capability and experience to undertake the commercial cleaning services for both Group 1 and 2 sites. Client referees provided very positive views of their standard of service provision, responsiveness and stakeholder liaison on Group 1 type sites. Feedback from the referees on Group 2 sites raised concerns with the Evaluation Panel on the resources and experience of Brightmark Group Pty Ltd to meet the scope of works outlined in the specifications.

Based on the assessment and referee check the evaluation panel deemed Brightmark Group Pty Ltd would be suitable for the Commercial Cleaning Services (Group 1 - Public Toilet Facilities).

Facilities First Australia Pty Ltd

As one of the incumbent contractors, Facilities First Australia Pty Ltd is currently cleaning Group 2 facilities with minimal internal concerns. Referee checking also confirmed they have the necessary capability and experience to undertake the works required. The City has



considered the existing performance of the incumbents, in determining the above recommendations.

In determining Group 2, the evaluation panel considered the generally higher levels of service required in commercially cleaning these facilities. In this instance, Group 2 selection was based on qualitative grounds with Facilities First Australia Pty Ltd, noting the difference in the cost evaluation.

Summation

The evaluation panel recommends that Council accepts the submission from:

- (1) Brightmark Group Pty Ltd for Commercial Cleaning Services (Group 1 - Public Toilet Facilities) for an estimated contract value of \$582,000 (Ex GST) per year as being the most advantageous submission, given their relative high qualitative score (Rank 2) as well as a relative high cost evaluation. (Rank 1).
- (2) Facilities First Australia Pty Ltd for Commercial Cleaning Services (Group 2 – Community and Administration Facilities) for an estimated contract value of \$1,042,000 (Ex GST) per year as being the most advantageous submission given their superior high qualitative score (Rank 1) as well as a relevant positive cost evaluation. (Rank 2) while still enabling the contract strategy with different contractors to Group 1.

This recommendation is based on each contractor:

- Providing the level of demonstrated experience with a range of key personnel in managing the works associated with the requirements of each contract.
- Having the required resources and contingency measures to undertake the scope of works for Group 1 and 2 sites respectively.
- Having sound understanding of the requirements, methodology and program schedule to complete the works in accordance with the Specification for the Group 1 and 2 sites respectively.
- Providing the most advantageous outcomes to the City in both incidences.

An independent financial risk assessment has been requested and will be available prior to the Council meeting for both Facilities First Australia Pty Ltd and Brightmark Group Pty Ltd.

Strategic Plans/Policy Implications

Community, Lifestyle and Security

A vibrant healthy, safe, inclusive and connected community.

- Provide community, sport, recreational, and cultural facilities and infrastructure to meet our community needs.



Listening and Leading

A community focused, sustainable, accountable and progressive organisation.

- Deliver value for money through sustainable financial management, planning and asset management.
- Provide high quality accessible customer service and experiences for all our community.

Budget/Financial Implications

Commercial cleaning services are drawn from operational works budget funding allocated annually. This funding is dependent on the needs for the City and allocated based on actuals and anticipated costs for the financial year.

On average over the previous three financial years, the commercial cleaning budget is approximately \$1.2M (Ex GST) across both Groups 1 and 2.

The total expenditure for the 2019/20 financial year for scheduled and ad hoc cleaning services was \$1.44M (Ex GST). This increase demonstrates the required increase in the level of service due to COVID-19, specifically relating to the level of sanitisers and, in some instances, increased patronage of buildings due to the inability to travel outside of WA. The increase also includes additional City facilities such as Lakelands Hockey Facility.

For the purpose of evaluating this tender, cost models were used to compare submitted Schedules to estimate the overall expenditure of commercial cleaning services across the different Groups over the term of the contract. This is an indicative amount only and may vary due to operational factors. The final contract value will be dependent on the level of service per site and the amount of unscheduled cleaning requests for the City buildings and facilities.

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

N/A

Risk Management Implications

The Risk Management implications if Council do not support this recommendation to undertake Commercial Cleaning Services are as follows:



- A significant increase in disruption to members of the public and staff due to failure of cleaning to the required standards across all buildings and facilities,
- An increase in public complaints and dissatisfaction in Council services, which may result in loss of revenue,
- Exposure of unhealthy buildings and facilities to members of the public due to the City not meeting its Occupation Health and Safety obligations.

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 8 April 2021 Ordinary Council Meeting.

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

Nil



16.2 (2021/MINUTE NO 0055) AUBIN GROVE YOUTH FACILITY**Author(s)** C Beaton**Attachments** 1. Aubin Grove Youth Facility Final Consultation Report [↓](#)**RECOMMENDATION**

That Council:

- (1) NOTE the results of the community consultation;
- (2) SUPPORT the preparation of a concept plan for a small youth facility at Radiata Park, Aubin Grove based on the consultation outcomes; and
- (3) RECEIVE the final concept plan following advertising on the City's online platforms and workshop participants.

COUNCIL DECISION

MOVED Cr C Terblanche SECONDED Cr T Widenbar

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0**Background**

At the 10 September 2020 Ordinary Council Meeting, Council received a report on the outcomes of the Aubin Grove Skate Park community consultation with the following alternative recommendation being adopted:

That Council:

1. note the results of the community consultation,
2. inform the community of the engagement results,
3. undertake a visioning workshop;
 - a. to be run by an independent facilitator,
 - b. with selected Aubin Grove community members, including but not limited to residents surrounding Radiata Park, local youths and representatives from the Aubin Grove Community Association,
 - c. to explore designs for potential youth facilities in Radiata Park that meets the desires of the community,
 - d. and report the results to a future council meeting.

The following report summarises the results of the visioning workshops and recommendations.

Submission

N/A



Report

The City engaged Ecoscape and Skate Sculpture as independent facilitators to undertake visioning workshops to explore potential skate park designs, along with other types of youth facilities that would meet the needs of the local community.

The objectives of this community engagement process were to:

1. Define a community vision for a youth facility within Aubin Grove,
2. Work with Aubin Grove youth to demonstrate the requirement within the community to provide activities for 12-24 year old residents,
3. Work with residents in close proximity to Radiata Park to create a vision for the park that will provide youth activities,
4. Ensure Aubin Grove residents feel their voices are heard and understood.

A total of seven sessions were held.

Sessions 1 and 2 were held at the Aubin Grove Primary School. The sessions were attended by 100 students from years 4, 5 and 6, many of whom live in close proximity to Radiata Park. Teachers also attended.

Skate parks and pump tracks were clearly the most desired youth elements, closely followed by parkour/gymnastics elements. The students felt that toilets, drink fountains and shade were the most important supporting infrastructure that would complement a future youth facility.

Session 3 was held at Atwell College with students in years 8, 9 and 10 in attendance and their respective teachers. 25 students from the school were selected, based on their residential proximity to Radiata Park, and those who expressed an interest in public space creation.

The high school students' most popular element was multi-courts with skate park and pump tracks close second and third choices. The high school students also identified the activation of the facility should include space for events and areas for food trucks.

Toilets, BBQ's and drinking fountains were the top three supporting infrastructure identified by the high school students.

Session 4 was held at the Cockburn Youth Centre over the January 2021 school holidays and coincided with a dodgeball event.

A skate park was the most requested youth element followed by bouldering, parkour/gymnastics and basketball/netball courts.

Drinking fountains, free WIFI and hammocks were the top three supporting infrastructure items chosen by the youth centre participants.

Sessions 5A and 5B were held at the Youth Centre, however no RSVPs were received or attendees presented to session 5A. All attendees at session 5B had provided an RSVP.



Session 6 was held at Radiata Park with 25 attendees who all reside in Aubin Grove with the majority living near the Park. The participants were a mix of genders and age groups.

Sessions 5B and 6 identified some kind of youth facility is required within Aubin Grove's open spaces. While some community members were opposed to a youth facility, there was an understanding by the majority of participants that local youth need physical activities and hang out space at Radiata Park.

The main concern for attendees was that the Park is currently very well used, and any changes might displace existing user groups or make them feel unwelcome. Another concern was the impact on the visual amenity of residences overlooking the park.

The consensus was that any proposal should be integrated with the existing park and should not impinge on existing uses.

The consultant's analysis of the seven sessions identified the following key points:

1. Design of facilities within Radiata Park should not adversely impact on existing uses and amenity.
2. Based on skate park design experience, the correct placement of a skate park an adequate distance from residences will conflict with the existing drainage function of the public open space. Therefore, placing significant limitations on the built form of a skate facility as well as restricting the options available in delivering an appropriate outcome that meets expectations of the City and the expected user group.
3. Radiata Park has potential to accommodate a limited range of youth facilities which, in accordance with consultation outcomes, could include some of the following:
 - a small pump track,
 - small skate elements,
 - bouldering,
 - 3 on 3 basketball court or obstacle course.
4. The Park requires general upgrades and improved amenity. Design for youth should be included within this process and may influence the incorporation of hang out spaces and informal seating elements.

Based on the information received through this consultation a concept plan will be developed and advertised for comment. A final concept will be prepared and put forward to council for adoption and future project planning.

Strategic Plans/Policy Implications

Environmental Responsibility

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



- Provide accessible high-quality open spaces and parks for community benefit.

Community, Lifestyle and Security

A vibrant healthy, safe, inclusive and connected community.

- Provide community, sport, recreational, and cultural facilities and infrastructure to meet our community needs.

Listening and Leading

A community focused, sustainable, accountable and progressive organisation.

- Listen to, communicate, consult and engage with our residents, businesses and community in a timely, open and collaborative manner.

Budget/Financial Implications

In December 2017, Council approved the Public Open Space Cash-In-Lieu Expenditure Plan which included a skate park, toilet facility and seating at Radiata Park to the value of \$610,000.

The 2019/2020 Parks Service Units Capital Works had an allocation of \$50,000 to undertake community consultation and develop a concept design for the skate park. All unspent funds were to be carried forward and incorporated with the remaining balance in the 2020/2021 budget.

The 2020/21 Parks Service Units Capital Works Budget included a line item of \$560,000 being the remaining balance for development of the Aubin Grove Skate Facility.

Currently \$43,000 has been expended on the consultation with the remaining funds to be used for the design and construction of a youth facility.

Legal Implications

Nil

Community Consultation

Refer to the analysis above and Attachment.

Risk Management Implications

The risks associated with not moving forward with this revised project will have a compounding effect on project delivery, implementation of strategic documents and failing to listen to the community.

Controversial projects of this nature are on the increase due to diverse communities and the resistance of adjacent property owners to have such projects constructed in adjacent parks. Council will need to accept the risks to ensure adequate infrastructure is made available for the broader community.



Advice to Proponents/Submitters

Those that participated in the workshops and those that lodged surveys will be advised directly when the Concept Plan is advertised.

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

Nil



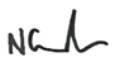



RADIATA PARK COMMUNITY
ENGAGEMENT REPORT

City of Cockburn



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Revision	Author	QA Reviewer	Approved	Date
A	Leela Day and Tim Yuen			11/03/2021
		NICOLE CROUDACE Managing Director	NICOLE CROUDACE Managing Director	
1	Leela Day and Tim Yuen			22/03/2021
		NICOLE CROUDACE Managing Director	NICOLE CROUDACE Managing Director	

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1 INTRODUCTION

The City of Cockburn has identified Radiata Park as an appropriate Neighbourhood park within the Aubin Grove area for youth facility upgrades. The City has undertaken community consultation to date resulting in competing opinions on how cash-in-lieu funding should be invested. Based on a Council resolution the City engaged Ecoscape and Skate Sculpture as independent facilitators to undertake visioning workshops with the community. The outcomes of these workshops will be considered in preparing a concept plan for the Park that includes a youth facility.

KEY ISSUES

Key issues and considerations driving this engagement process include:

- By 2031, the largest age group increase for Aubin Grove - Banjup (south) is estimated to be those aged 15 - 19. Accounting for almost 8% of the Aubin Grove population.
- While young children and families are often considered in the design of parks in new housing developments, the needs of youth aged 15-24 are often overlooked.
- The need to improve and increase facilities for informal recreation and physical activity was one of the main themes to emerge from a community needs assessment by the City.

Previous consultation undertaken by the City reported:

- The demand for skate parks is increasing within the community and it is indicated that skate parks are one of top 10 priorities.
- 194 people wanted a skate park at Radiata Park.
- 117 people said they would prefer something different.
- 102 unique signatures are on a petition against a skate park anywhere in Aubin Grove.

The current park was built as part of the development of Aubin Grove and includes open green space, a playground for children aged 5-12, exercise equipment, existing path network, centrally located drainage basin and significant existing tree canopy. There is existing amenity including a shade structure, benches, picnic settings, playground shade sails and drink fountain. The play equipment is nearing its due date for upgrades within the City's budget allocations.

COMMUNITY ENGAGEMENT OBJECTIVES AND OUTCOMES

The objectives of this community engagement process were to:

- Define a community vision for a youth facility within Aubin Grove.
- Work with Aubin Grove youth to demonstrate the requirement within the community to provide activities for 12-24 year old residents.
- Work with residents in close proximity to Radiata Park to create a vision for the park that will provide youth activities.
- Ensure Aubin Grove residents feel their voices are heard and understood.

2 YOUTH WORKSHOP SUMMARIES

YOUTH WORKSHOP ADVERTISEMENT SUMMARY

The youth workshops were not publicly advertised within the community. Instead the local schools were contacted directly by the project team to arrange times suitable within school term. Two of the youth workshops were held at the local schools. This provided the opportunity to engage with a large number of the local youth community that would potentially use the facility.

The final youth workshop was held at the youth centre to gain input from youth living throughout the City of Cockburn and surrounding suburbs. This session was arranged to coincide with an already advertised event with confirmed youth attendance. Planning the consultation at the same time as the existing event led to guaranteed attendance.

SESSIONS 1 & 2

Wednesday 2nd December 2020 11.00-1.30pm

Location: Aubin Grove Primary School

Project Attendees: Tim Yuen (Skate Sculpture)
Mat de Koning (Skate Sculpture)
Leela Day (Ecoscape)

Community attendees: The main group in attendance were students from Aubin Grove Primary school and their respective class teachers as this was the intent of the workshop. The sessions were attended by 100 students from years 4, 5 and 6, many of whom live in close proximity to Radiata Park.

Workshop outline

Each workshop commenced with a presentation on the project objectives for the proposed Radiata Park Youth Space. This included describing the characteristics that differentiate a youth space from a children's playground, skatepark or sporting facility. The discussion then turned to design principles including the importance of passive surveillance, access paths, and element placement. This information was aimed at empowering the students with the ability to create their own youth space designs.

A group brainstorming activity took place where the students called out various youth elements they would like to see within the Radiata Park Youth Space. Responses varied from skateable obstacles to climbing features, pump tracks and sporting attractions. The group then discussed infrastructure in public spaces including seating, shade and drinking fountains and why these amenities are crucial to successful public space implementation.

The students were then split into groups to partake in a design activity. Each group was provided with an A0 black and white aerial view of Radiata Park and a catalogue of youth and infrastructure elements. Each element had a corresponding number based on the expense of the element. The groups were given a total of 100 points, 80 points were to be allocated on youth elements, with the remaining 20 points for infrastructure.

Each group democratically decided which elements they would spend their 100 points on. They then had to plan out the placement of each element to create a harmonious open public space that would appeal to their



peers and be comfortable for parents and guardians. Once they had mapped out each element, they added colour and descriptions to their designs.

Towards the end of the workshop, each student was given a survey where they could nominate the elements they most wanted to see in the Radiata Youth Space, and express their thoughts to help shape the final concept design. At the end of the session, each group presented their designs and had photos taken with their designs to the workshop facilitators and had photos taken with their designs. The students were provided with a closing presentation explaining how their input will shape the final concept design, thanking them for their involvement.

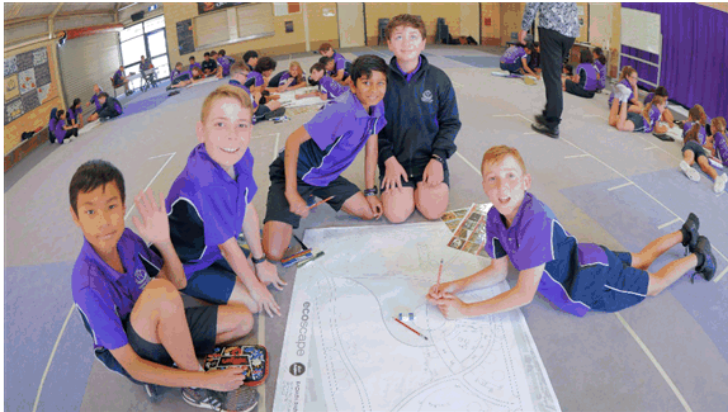
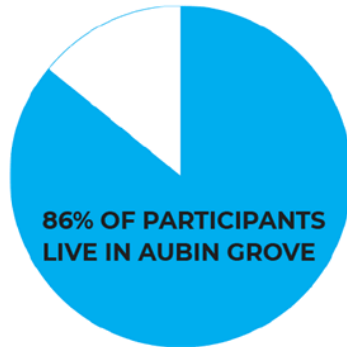
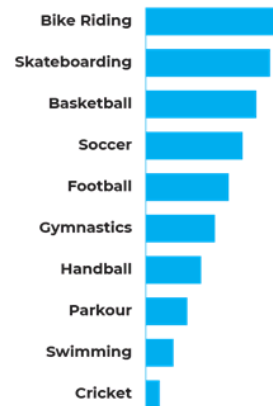


Image 1 & 2: Session 1&2 site planning group exercise

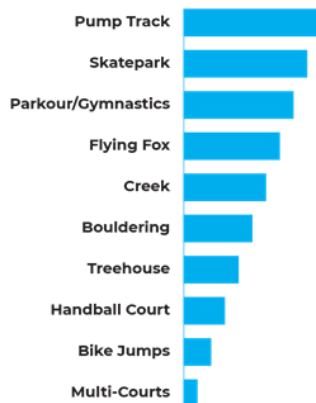
Key Findings



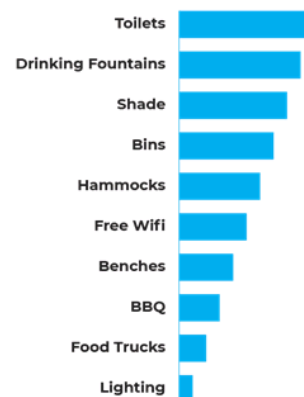
THE TEN OUTDOOR ACTIVITIES THE STUDENTS MOST OFTEN PARTICIPATE IN LISTED BY POPULARITY ARE:



THE TOP TEN MOST REQUESTED YOUTH ELEMENTS IN ORDER OF PREFERENCE WERE:



THE TEN MOST REQUESTED INFRASTRUCTURE ITEMS WERE:



Student Comments

"If you do this Radiata will be my favourite park and I'll go there daily" – Rhys

"I really like our design with funky landscaping and interactive sculptures" – Khloe

"I really want to see a skatepark and pump track. Imagine the smiles on children as they come to this park" – Raak

"I would love this park to be a reflection of our suburb and our ideas and be functional for everyone" – Molly

"I would love a skatepark because they are 100% fun!" – Jordan

"Imagine having a long day at school and then coming to this park and having the best time of your life" – Atatagi

SESSION 3

Friday 11th December 2020 1.00-2.00pm

Location: Atwell College

Project Attendees: Tim Yuen (Skate Sculpture)
Mat de Koning (Skate Sculpture)

Community attendees: The main group in attendance were students from Atwell College in years 8, 9 and 10 and their respective teachers. 25 students from the school were selected to participate based on their residential proximity to Radiata Park, and those who expressed an interest in public space creation.

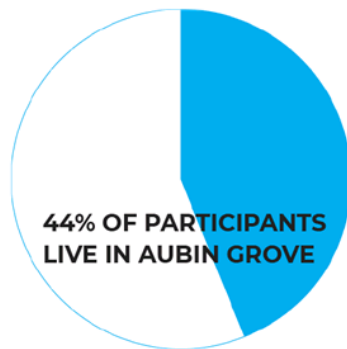
Workshop outline

The workshop was run in the same format as sessions 1 & 2 outlined in the previous section.

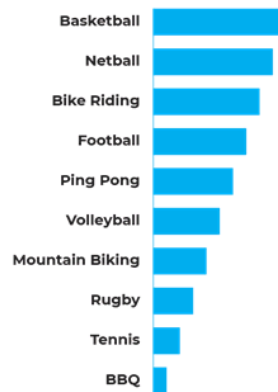


Image 3 & 4: Session 3 presentation and site planning

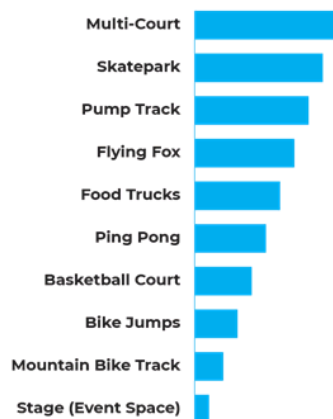
Key Findings



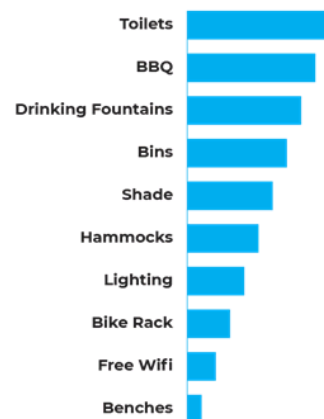
THE TEN OUTDOOR ACTIVITIES
THE STUDENTS MOST OFTEN PARTICIPATE IN
LISTED BY POPULARITY ARE:



THE TOP TEN MOST REQUESTED
YOUTH ELEMENTS
IN ORDER OF PREFERENCE WERE:



THE TEN MOST REQUESTED
INFRASTRUCTURE ITEMS WERE:



Student Comments

"I want there to be enough fun stuff so we don't get bored. I think it's a great idea that we have a say in the designing of the youth facility" – Morie

"Multicourt are important because it encourages kids to move. Not everyone likes the same type of sport so a multicourt can solve that problem" – Jenny

"Please include shade and water near all exercise areas. Very important during summer" – Joseph

"Make it somewhere that older kids want to go to, not just little kids" – Kirah

"I want a stage for music and fun performances and courts and goals for sporting enjoyment" – Cadence



SESSION 4

Friday 29th January 2021 12:30-2:30 pm

Location: Cockburn Youth Centre

Project Attendees: Tim Yuen (Skate Sculpture)
Mat de Koning (Skate Sculpture)

Community attendees: The youth centre workshop was held on the January school holidays and coincided with a dodgeball event held at the youth centre. This decision was made because it was guaranteed participants between ages 15-24 would be in attendance. Eighteen youth participated in the consultation with ages ranging from 12 to 26. This was an opportunity to engage with youth of different ages and who lived outside Aubin Grove, within the City of Cockburn and surrounding suburbs.

Workshop outline

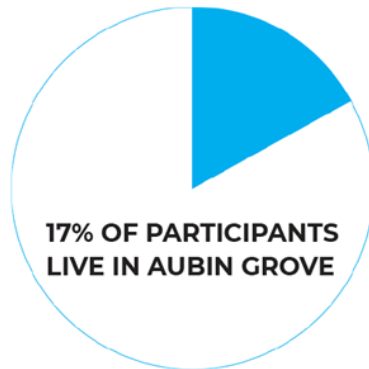
The youth centre workshop was a streamlined version of sessions 1 & 2. The participants were briefed on the project, site and objectives. This then sparked a conversation on what they feel is important in a youth facility and discussing their favourite youth facilities around Perth. The workshop participants were then provided a survey where they could nominate the elements they most wanted to see in the Radiata Youth Space and express their thoughts to help shape the final concept design.

An aerial image was also on display to assist the participants visualise what would be possible in the proposed site.

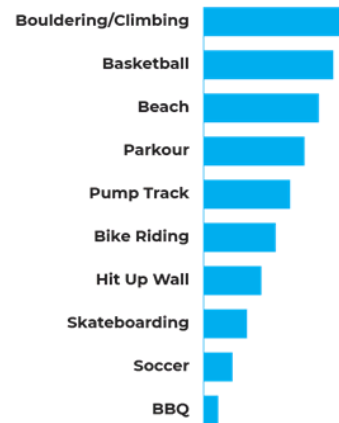


Image 5 & 6: Session 4 surveys and feedback discussion

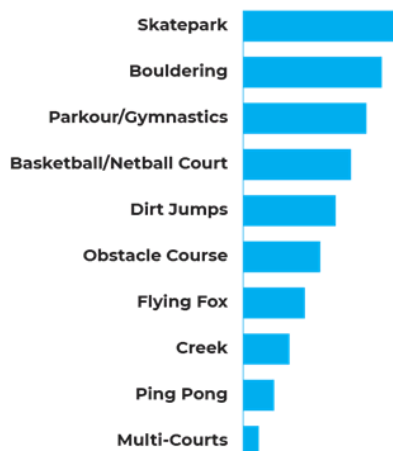
Key Findings



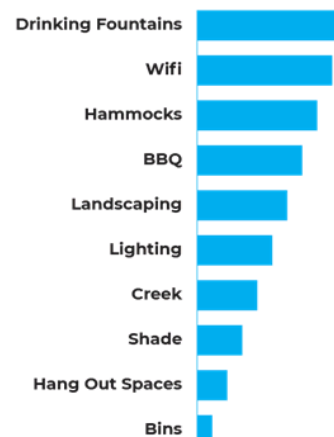
THE TEN OUTDOOR ACTIVITIES THE STUDENTS MOST OFTEN PARTICIPATE IN LISTED BY POPULARITY ARE:



THE TOP TEN MOST REQUESTED YOUTH ELEMENTS IN ORDER OF PREFERENCE WERE:



THE TEN MOST REQUESTED INFRASTRUCTURE ITEMS WERE:



Comments

"Somewhere to bike on, somewhere shady and where you can hangout with friends" – Anonymous

"Make two spots so small kids won't get run over by big kids" – Anonymous

"I think we need this stuff cause it could be a quality hangout space, to chill but also do activities" - Anonymous

YOUTH WORKSHOP OUTCOMES

These workshops have allowed the design team at Skate Sculpture and Ecoscape to gain insight into what the local Aubin Grove and broader youth prioritise for a future youth facility and some creative examples of how the students would place the various elements throughout Radiata Park.

Session 1 & 2

Skateparks and pump tracks were clearly the most desired youth elements throughout both sessions at the primary school workshop. This was consistent with the participant's favourite outdoor activities they most often participate in. Skateparks and pump tracks were closely followed by parkour/gymnastics elements.

The students felt that toilets, drinking fountains and shade were the most important supporting infrastructure that would complement a future youth facility.

Session 3

The high school students' most popular element was multicourts. This was consistent with the outdoor activities they most often participate in, being basketball and netball. They all saw the benefit of having a court with different line markings that could accommodate multiple ball sports. Skatepark and pump track were close second and third choices.

The high school students also identified the activation of the facility, not just the physical youth elements such as space for events and areas or food trucks. It was evident that they see the future space as a hangout zone not just a place for physical activity.

Toilets, BBQ and drinking fountains were the top three supporting infrastructure identified by the high school students.

Session 4

A skatepark was the most requested youth element. This was followed by bouldering, parkour/gymnastics and basketball/netball courts which were also consistent with the participants favourite outdoor activities they most often participate in.

Drinking fountains, free WIFI and hammocks were the top three supporting infrastructure items chosen by the youth centre participants.

3 GENERAL WORKSHOP SUMMARIES

GENERAL WORKSHOP ADVERTISEMENT SUMMARY

The general workshops were available to all members of the public with the emphasis of obtaining input from residents living close to the Park. The workshops were advertised amongst Aubin Grove and City of Cockburn residents via the following methods:

- Signage at the park
- Targeted social media posts to Aubin Grove residents (reached 9,000+ people)
- Comment on Cockburn e-newsletter (700+ people that live in Aubin Grove)
- Facebook event information
- City of Cockburn website event information
- Letterbox drop to people within close proximity (approx. 500m radius) to Radiata Park (1,000+ letters)
- Residents group notification
- Inclusion in the City of Cockburn e-news (2000+ people).



SESSION 5A & 5B

Wednesday 3rd March 2021 session A: 3.30-4.30pm session B: 5.45-6.45pm

Location: Cockburn Youth Centre

Project Attendees: Leela Day (Ecoscape)
 Frank Kotai (Ecoscape)
 Tim Yuen (Skate Sculpture)
 Craig Martindale (City of Cockburn)

Community attendees: There was one RSVP for session 5A. This attendee was contacted and chose to attend session 5B instead. Therefore, there were no attendees at session 5A. All attendees at session 5B had provided an RSVP, there were a total of 11 people in attendance. The session 5B attendees were a mix of male and female with majority being adults between ages 25-64. Two young adults under age 25 were also in attendance. All attendees live in Aubin Grove and most participants live within 100m of Radiata Park.

Workshop outline

The workshop was run by Ecoscape and included a presentation as well as small group discussions.

To start the session people were invited to take a survey to complete individually and return at the end of the session. Participants were seated in two groups and provided with a site analysis plan showing the Park's main elements. A short agenda for the evening was introduced with a description of the existing site. The groups then participated in table discussions focused on the existing site and community members values. The following questions were used as prompts:



- How do you and others use Radiata Park?
- What are your concerns about the existing park?
- What do you value about Radiata Park?
- What do you value about living in Aubin Grove?

A Project history and context was presented highlighting the City's responsibility to provide a youth space for the projected changing demographic within Aubin Grove. Skate Sculpture presented the findings from the youth workshops to provide an understanding of the vision young people have for the Park.

The groups then participated in table discussions focused on a vision for the park. This exercise was guided by precedent images presented of youth activities. The images were selected to demonstrate how youth spaces can be integrated within multi use parks. The following questions were used as prompts:

- How do you envision the space can cater to everyone?
- What top 3 facilities are needed to cater to young children, parents, grandparents & other park users?
- What top 3 youth activities would you value?
- Where do you think the youth facilities could be located?
- What else do you think Radiata Park needs?

The session was wrapped up with a thank you and description of the next steps in the process. All attendees were encouraged to also attend consultation session 6.



Image 7: Workshop discussions



Image 8: Group visioning exercise

Key Findings

The following activities were recorded as the main uses of the Park:

- Walking and dog walking
- Playground for young children
- Soccer team/ community sports use open space to the East of the drainage basin
- BBQ facilities used by extended families
- Birthday parties
- Personal training groups use exercise equipment
- Mum's groups use shade trees and grass
- Church group uses open space for events
- Families use the whole park every day after school with the busiest time between 3-6pm.

The following issues were recorded as the main concerns relating to the existing park infrastructure and proposed youth facility:

- Age of existing playground
- Lack of shaded seating
- Displacing existing park users
- Steep gradients within grass areas for sporting activities
- Existing BBQ area is small for how much it is used.

The following were recorded as the top values of Radiata Park and Aubin Grove:

- Socially and demographically diverse
- Proximity to Aubin Grove Primary School
- Family friendly, children feeling safe to play into the evening
- Clean and well maintained
- Lots of green open space and trees, especially Autumn colours
- Exercise equipment.

The vision exercise provided the following key comments and ideas for the Park:

- Fitness circuit using existing equipment to be relocated along existing paths.
- Small integrated skate and bike facilities if safely able to be designed around playground with little kids.
- No toilets.
- Update existing playground including toddler friendly play equipment and musical instruments.
- Maintain open grassed areas for sports and events.
- Install platforms or treehouses within existing drainage basin to utilise the mulch area.
- Obstacle course and parkour obstacles along path and amongst existing trees.
- Provide additional seating, more shade structure, and another drink fountain.
- Nature park within drainage basin or more bushland.
- Boulder wall in lower area or parkour. Use natural colours.
- Half court basketball and netball, using organic shape to look more natural, away from houses and without lighting.
- Pump track in drainage basin.



SESSION 6

Saturday 6th March 2021 9:00-10:00am

Location: Radiata Park

Project Attendees: Leela Day (Ecoscape)
Frank Kotai (Ecoscape)
Mat de Koning (Skate Sculpture)
Lou Vieira (City of Cockburn)

Community attendees: There were approximately 25 attendees all living within the Aubin Grove area and majority living near the Park. The participants were a mix of female and male, with most participants aged between 35-44 with a handful of participants between 12-18 and the remainder over 45.

Workshop outline

The workshop was held as an information session on site allowing participants to come and go as they pleased. City and consultant team members were available to explain the project and engage in conversation about community concerns and the possibilities for the space.

Three information stations were set up in the park's central space. Two of these displayed precedent images based on the youth consultation session's most popular activities. The third displayed the site analysis plan.

Participants were encouraged to provide preferences for activities that could be included at Radiata Park and to provide comments on the site analysis plan. Cut out images of youth elements were also provided to be pinned on specific locations that participants felt were most appropriate within the Park. The outcomes of these activities were recorded at each station using stickers and post it notes. Whilst this gives some indication of community preferences the primary aim was to facilitate a conversation about the park and how youth facilities could be integrated.



Image 9: Precedent image preferences



Image 10: Participants engaging in discussion and written surveys



Image 11: Site plan visioning

Key Findings

The dot sticker exercise using precedent images provided the following findings:

The infrastructure elements identified to cater for everyone in order of preference were:

1. Shade structures (5 votes)
2. Trees (3 votes)
3. Picnic areas (2 votes)
4. Event space (1 Vote).

The chosen youth elements in order of preference were:

1. Obstacle course (29 votes)
2. Skate facility (25 votes)
3. Rock climbing (18 votes)
4. Treehouse (14 votes)
5. Pump track (11 votes)
6. Basketball (10 votes)
7. Parkour (6 votes)
8. Hit up wall (5 votes)
9. Ping pong (6 votes)
10. Fitness equipment (2 votes)
11. Flying fox (1 vote).

GENERAL WORKSHOP OUTCOMES

There was consensus among workshop participants that some kind of youth facility is required within Aubin Grove's open spaces. While some community members were opposed to a youth facility there was an understanding by majority of the participants that local youth need physical activities and hang out space provided at Radiata Park. The community was open to facilities that integrated with the existing path network and wouldn't significantly disrupt the current uses of the space. The main concern of attendees was the Park is currently very well used and any changes might displace existing user groups or make them feel unwelcome. Another concern was the impact on the visual amenity of residences overlooking the park. The consensus was that any proposal should be integrated with the existing park and should not impinge on existing uses.



Image 12 & 13: Community members taking part in engagement materials at workshop 6

WRITTEN SURVEY SUMMARY

Written surveys were provided to all workshop attendees where they were asked to provide their age, residing neighbourhood, use of the park and given the chance to rank their top 3 values, top 3 park facilities for everyone and top 3 youth activities. Refer Appendix two for the full survey. A total of 27 surveys were completed by residents. Of the twenty-seven participants who completed a written survey, seventeen supported a youth facility if it is small and complements the existing park. Six were opposed to it, and four participants provided no opinion.

The community members top values relating to Radiata Park were:

1. Large open outdoor space
2. A space that brings community together – demographically diverse
3. Feeling of safety at the park and family friendly.

Other values recorded were:

- Proximity to where residents live
- Well maintained
- The children's play equipment
- Exercise equipment
- Walking area
- Existing greenery, particularly existing pine trees.

The preferred facilities needed to cater for everyone in order of preference were:

1. More seating, shade, and BBQs
2. Platforms/ tree house play equipment
3. Sports/ exercise area.

Other preferred facilities needed to cater for everyone recorded were:

- Toilet (electronic)
- Play equipment for all ages including small children – upgrade of existing
- Basketball area
- More greenery & trees
- Exercise area
- Shade sail over the gym and shade generally
- Bike/ scooter track
- Drink fountain
- Parkour area and climbing/ ropes
- Viewing platforms for parents alongside a pump track
- Rock climbing.

The preferred youth elements in order of preference were:

1. Small integrated skate elements
2. Basketball/ half court
3. Pump track
4. Open green space for ball sports
5. Social area to meet up.



Other youth activities recorded were:

- Obstacle course
- Rock climbing/ bouldering
- Playground
- Walking
- Integrated exercise equipment along paths
- Flying fox
- Parkour
- Small concerts.

Comments

"I do not believe that a skate park in Radiata Park is appropriate mainly because the crime rate may rise and the noise would be quite loud" – Anonymous, age 55-64

"I think a skatepark would be amazing for the older youths and it would also be a great place to bring the community together" – Anonymous, age 35-44

"I live across the road and it gets used EVERY day with family activities, walking, BBQ's, kids, I would hate to see all that disappear" – Anonymous, age 55-64

"Keep a natural look so it looks attractive to nearby houses, keep all colours aligned so all looks integrated and properly designed" – Anonymous, age 35-44

"Changes that make a small impact to what is already used and loved!!" – Anonymous age 35-44

"Please don't make changes to this park to improve the experience for some while disrupting it for others" – Anonymous, age 45-54

"As little impact but rejuvenating and complementing when there. Definitely no toilets" – Anonymous age 25-34

EMAIL AND ONLINE FEEDBACK SUMMARY

Twelve email feedback responses were received from residents who were unable to attend the workshops.

The key suggestions and feedback were:

- A skatepark for local youth aged 12+
- Two lane running track around the park
- Rock climbing wall
- Parkour fixtures
- Water feature play
- Security cameras
- Basketball or multi use court
- Retain current functions of the park
- Obstacle course
- Flying fox
- 5- a side soccer pitch
- No public toilets
- All abilities play facilities
- Upgrades to play space for all ages - not focused on youth
- Nature play within drainage basin
- BBQs and benches
- Open green space with goals for ball sports (soccer and volleyball).

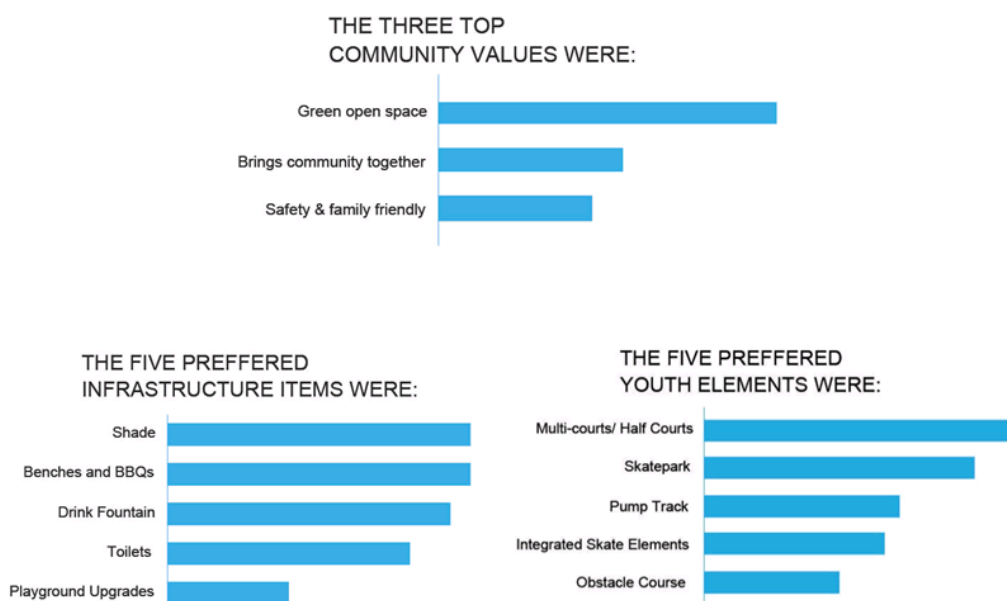
Of the twelve respondents, ten were in favour of a youth amenity of some kind and two were directly opposed to targeted youth upgrades. A basketball facility was the most favoured youth amenity in the online feedback. Refer Appendix One for full email feedback responses.



4 NEXT STEPS

FEEDBACK

Across all the consultation sessions and methods of engagement, including session 1-6, written surveys and online feedback, the following diagram summarise the key outcomes of the engagement process to indicate the community's values, preferred infrastructure items and youth elements for Radiata Park.



RECOMMENDATIONS

The consultant team makes the following recommendations based on the community consultation.

1. Design of facilities within Radiata Park should not adversely impact on existing uses and amenity.
2. Based on skatepark design experience, the correct placement of a skatepark an adequate distance from residences will conflict with the existing drainage function of the POS. Therefore, placing significant limitations on the built form of a large skate facility as well as restricting the options available in delivering an appropriate outcome that meets expectations of the City and the expected user group. However, integrated skate elements would be appropriate for the park.
3. Radiata Park has potential to accommodate a limited range of youth facilities which, in accordance with consultation outcomes, could include some of the following: a small pump track, small skate elements, bouldering, 3 on 3 basketball court or obstacle course.
4. The Park requires general upgrades and improved amenity. Design for youth should be included within this process and may influence the incorporation of hang out spaces and informal seating elements.

THE PROJECT

The project will progress as follows:

1. A draft concept design will be developed that is informed by the consultation outcomes and council review.
2. The concept design will be advertised for comment through the City of Cockburn's online platform. Registered workshop attendees will be directly notified.
3. A final concept will be prepared and put forward to council for adoption and future project planning.

The City of Cockburn project team and Council will be presented with the outcomes of all community engagement undertaken and provide instruction on how to proceed with the project at each phase regarding amenity provided, scale and budget. The project is intended to result in a built design providing youth space amenity at Radiata Park. However, this will depend on Council endorsement to move forward.



APPENDIX ONE

EMAIL AND ONLINE FEEDBACK RECEIVED

EMAIL AND ONLINE FEEDBACK RECEIVED

Email 01

Good afternoon

I can't attend the workshop so would like to provide feedback.

I live in Aubin Grove and have 3 sons aged 14, 12 and 5, who are all turning one year older in 2021. My 12 year old visits Atwell skate Park nearly every spare day but has to catch the bus to get there. It's outdated by today's standards but he has fun. I trust him to go in the Summer evenings because there has been no trouble there or any issues such as dangerous people hanging around etc.

Radiata Park is accessible, it's lovely having shade and it's a suitable location for a skate park within the middle of Aubin Grove. I understand nearby residents are worried about potential trouble a skate park might bring but it would also bring a wonderful facility if designed well, for kids of many ages. Just look at Busselton Skate Park or Bibra Lake skate park as two great examples to follow. And councils must provide suitable facilities for kids, especially as they get older to help prevent them finding other ways to fill their boredom.

Council unfortunately closed a lovely little bush bike course that kids had made in Aubin Grove bushland which wasn't harming anyone (and didn't take up and more space than a single resident would when they build a house so very hypocritical to say closure of a minor path through the trees was to protect the environment). Things like this where kids are trying to be active are constantly removed because of a few complaints but the people complaining shouldn't be the only ones that are listened to. I think that happens far too much in Cockburn and I've heard from the ranger directly in the past that complaints are acted upon or the complainant will just take it further. For example a resident complained about my basketball ring being near the verge because "it looked unsightly" so instead of common sense or consideration for kids, only the complainant's opinion was considered. This shouldn't be the default response by Council.

I think that's what's happened regarding Radiata skate park. Complaints about a skate park being based on fear not fact are preventing it from being developed. I'm so glad it's now opened up for feedback and I hope Council considers the facts as much as opinions and can build this skate park for our kids to have a local place to visit, get outside off screens, socialise and exercise.

Email 02

I am unable to attend on 13 Feb at 9am at Radiata Park.

Some suggestions:

- 1. Proper flooring for running track around the park (maybe 2 lanes).*
- 2. Rock climbing feature with soft flooring (just like the one at Scarborough beach)*
- 3. Parkour wall and fixtures for the older kids and adults (with soft flooring)*
- 4. Water feature play (like those outside Cockburn train station).*

There's some kids who does intentionally spoil stuff at this park, so maybe a surveillance camera will be good to monitor these unacceptable behavior and to keep the everyone safe.

Email 03

Hi Cockburn Council,

I would like to see a basketball ring/court or multi-use court at Radiata Park as an activity that could encompass all ages but would be particularly suited to teenagers.



EMAIL AND ONLINE FEEDBACK RECEIVED

The park is currently great for family bbqs, birthday parties, playing on the playground, getting together for a game of soccer so it would be great if these current functions could remain.

I don't frequent there at night time but if it's not already, it would be good if it could be lit for evening bbqs and basketball games.

Email 04

Hi there,

Not sure if we will be here for the meetings, should they go ahead so here are some of our thoughts for Radiata Park:

- 1. Some sort of well designed and constructed obstacle course for a mixture of ages and abilities.*
- 2. Flying fox*
- 3. Netball/Basketball courts*
- 4. 5 a-side soccer pitch*

Our main request is that there be no public toilets included in whatever is decided upon. Please take this into consideration as a priority.

Email 05

Radiata Park is great for its current exercise equipment, BBQ facilities and kids playground. Perhaps the introduction of an outdoor basketball & tennis courts would greatly enhance & complement its exercise amenities.

I do not recommend the introduction of a new skate park for Radiata Park for the reasons below:

- Increased unwanted noise levels which are undesirable to the immediate residences facing the park.*
- The immediate availability of a skate park (Atwell Skate Park) less than 6 kms from Radiata Park.*
- Alternatively funding should be re-directed towards upgrading the current Atwell skate park to include the provision of toilets, increased accessibility and car parking. Please refer to the public google reviews for more info.*

Email 06

Hi,

I was not able to attend the workshop in Feb for 'Visioning for Radiata Park; but I would like to provide some feedback here.

- 1. Looking at the suburb around Aubin Grove, they all have minimal 2 basketball court in their suburb (ie: Hammond Park) but Aubin Grove has none. So basketball court should really make it to the list given the size of Radiata Park. Driving around Aubin Grove, you can see there are families that have a portable basketball rack in their front/back yard, which should really assure there is a demand for basketball.*
- 2. Skateboard park should not be in Radiator Park as they generally attract teens with bad behaviour hanging around in the area. Radiata park is right next to Aubin Grove Primary School which means they are still very young and skateboard park presents risk to the young children's.*

EMAIL AND ONLINE FEEDBACK RECEIVED

Email 07

Hi, can you not just leave Radiata Park alone?

We like it as it is. There is open space for impromptu ball games, picnics etc, there is a playground, bbq's and a great kids cycle path. Leave it alone!

Not only that, it is fully surrounded by residential properties who do not require further traffic, or unruly behaviour.

Email 08

I believe that the best use for this park would be to retain the majority of the open spaces, as you will often see people playing football/soccer & various other ball sports at this park.

Having the large open expanses makes it possible to do this, along with general gathering at the park.

If you were to look to develop this park further, I would suggest more barbeques or benches for sitting/gathering.

Alternatively a basketball court may be a welcome addition.

Email 09

I feel at present there needs to be an overhaul to accommodate all age ranges, not just 15-24 year olds.

The current playground does not cater for younger children (eg stairs going up to playground have a far too big gap for little legs).

The current 'vegetation' could be transformed into a nature play area (place to make cubby houses, forts, stepping stones, ropes.)

Could we also consider an all abilities park to cater for those with disabilities?

Suggestions for older kids- Basketball half court, beach volleyball (permanent net), goals (soccer)

Thanks for your time in reading my suggestions.

Email 10

For 15-24 Year olds I would love to see open grass spaces where people can congregate for community soccer and cricket games (that currently happen, personal training sessions and barbecues / picnics and a variety of other social gatherings).

I would be open to basketball courts for this age group. However, I am strongly against a skatepark and would argue that only a very small portion of the younger end of this age bracket would be catered within this idea (possibly 15-17/18 year olds).

I would also argue that a venue suited for that age bracket, would be better suited to an area right near a high school, rather than a primary school.

Email 11

To make Radiata Park better it needs to have a skate park. A skate park is what is lacking in Aubin Grove. There is nothing for the Youth to do in Aubin Grove.



EMAIL AND ONLINE FEEDBACK RECEIVED

Email 12

After being to the new park at Apsley Estate I feel something like this park that caters for a variety of age levels would be beneficial to the area. There's something that caters to all ages. I am yet to receive a response as to why the chosen age bracket is 15-24 years when there is still such a variety of ages in the area and no really amazing parks that cater for all ages and abilities.

CONSULTATION SURVEY

APPENDIX TWO CONSULTATION SURVEY



CONSULTATION SURVEY

RADIATA PARK COMMUNITY ENGAGEMENT SURVEY**What age group are you in?**

- ☐ 18-25
- ☐ 25-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55-64
- ☐ 65-74
- ☐ 75+

What age group are the people living in your household? Tick all that apply.

- ☐ 0-5
- ☐ 5-12
- ☐ 13-17
- ☐ 18-25
- ☐ 25-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55-64
- ☐ 65-74
- ☐ 75+

What suburb do you live in?

- ☐ Aubin Grove
 - ☐ Success
 - ☐ Wandi
 - ☐ Atwell
 - ☐ Banjup
 - ☐ Hammond Park
 - ☐ Other , please specify:
-

CONSULTATION SURVEY

How do you use Radiata Park? Tick all that apply.

- ☐ Walk
 - ☐ Dog walk
 - ☐ Exercise equipment
 - ☐ BBQ or social gathering
 - ☐ Attend with children under age 12
 - ☐ Attend with children/ youth ages 12-18
 - ☐ Other , please specify:
-

How often do you use the park?

- ☐ Daily
 - ☐ Weekly
 - ☐ Fortnightly
 - ☐ Monthly
 - ☐ Bi-monthly
 - ☐ Half yearly
 - ☐ Yearly
 - ☐ Other , please specify:
-

Which days of the week do you most often use the park? Tick all that apply.

- ☐ Monday
- ☐ Tuesday
- ☐ Wednesday
- ☐ Thursday
- ☐ Friday
- ☐ Saturday
- ☐ Sunday

What time of day do you most often use the park? Tick all that apply.

- ☐ Before 8am
- ☐ Between 9am - 3pm
- ☐ Between 3pm - 6pm
- ☐ After 6pm



CONSULTATION SURVEY

What do you value about Radiata Park? List your top 3 values.

1. _____

2. _____

3. _____

What facilities do you believe are needed at the Park to cater for everyone? List your top 3.

1. _____

2. _____

3. _____

What youth activities would you value at Radiata Park? List your top 3.

1. _____

2. _____

3. _____

What other comments do you have relating to a youth facility at Radiata Park?

On behalf of the City of Cockburn, Ecoscape and Skate Sculpture thank you for completing this survey and taking part in the community consultation process for Radiata Park.

17. COMMUNITY SERVICES DIVISION ISSUES**17.1 (2021/MINUTE NO 0056) CITY OF COCKBURN SPORTS HALL OF FAME****Author(s)** S Walding**Attachments** N/A**RECOMMENDATION**

That Council endorse the following recommended nominees to be inducted into the City of Cockburn Sporting Hall of Fame:

1. Soa Palelei
2. Brett Dorey
3. Benjamin Rowe

COUNCIL DECISION

MOVED Cr C Terblanche SECONDED Cr T Widenbar

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0

Background

The City's Sporting Hall of Fame aims to acknowledge the achievements of local athletes. The initiative commenced in 2004 with 11 athletes being inducted, followed by six (6) athletes in 2012.

In December 2016, Council resolved to create a new Sports Wall of Fame to showcase those local athletes' achievements at the City's premier sport and recreation facility, Cockburn ARC, alongside the recognition plaques that can found along the walkway into the City's main Administration Building.

Nominations are called for every three years, in line with the Sports Hall of Fame policy.

A summary of the nominations is now provided to Council to consider inducting into the City's Sporting Hall of Fame.

Submission

N/A

Report

From Monday 22 June 2020 to Friday 7 August 2020, the City sought applications for the Sports Hall of Fame. Four applications were received and a selection panel was established to assess the submissions against the Sports Hall of Fame Policy's selection criteria.



Of the four submissions, the following three are recommended to Council to be inducted into the City's Sports Hall of Fame:

Soa Palelei – Mixed Martial Arts

Soa has competed in Mixed Martial Arts (MMA) since 2002. Soa is a second degree black belt in Brazilian Jiu Jitsu and has taught and graded many students.

Of Tongan descent, he started his MMA career at an early age. Wrestling was his first choice in the earlier years and nearly saw him compete for Australia at the Olympics in Sydney. His interest quickly grew in the arena of martial arts, and from there his love of the mixed martial arts grew.

Soa then moved into the professional athlete arena and has successfully competed in one of the most physical and mentally demanding sports on the modern stage - The Ultimate Fighting Championship (UFC).

Soa is a three time World Champion (IKBF, KOz Entertainment, and AFC World Champion).

Brett Dorey - Cricket

Cricketer Brett Dorey has represented Western Australia in all three forms of cricket (Sheffield Shield, One Day and T20), and has also represented Australia in One Day cricket.

Brett won the 2005/06 State Cricketer of the Year award (Laurie Sawle Medal). In the following years he was also judged to be the inaugural MasterCard Interstate Most Valuable Player and took out the Players Choice and Excalibur gongs at the WACA Premier Cricket Awards.

Benjamin Rowe – Goalball

Goalball is a sport played at the Paralympic Games and is exclusively for athletes with vision impairment. Ben's journey through Goalball has included achievements such as All Australian Selection six times and multiple Australian Championships. He has represented Australia in the 2011 London Oceania qualifier, narrowly missing out on London 2012 based on a golden goal.

Benjamin has also represented Australia at the Beijing regionals, Seoul, Hangzhou, and USA international tournaments.

In addition to all of his on court achievements Ben has played a critical role in supporting Goalball to become the sporting body it is today, having been Goalball WA President and co-founder, and serving on the Goalball Australia committee for two years.

John Chegwiddden – Athletics

One nomination, John Chegwiddden, was deemed by the assessment panel to not meet the criteria of the Sports Hall of Fame Policy.



While John had an accomplished junior career and was chosen to represent Australia, the assessment panel determined that the following criteria were not sufficiently satisfied:

- Demonstration of a consistent high standard of elite level performance at a national or international level.
- Long term outstanding commitment to and achievement in a sport(s).

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.

Budget/Financial Implications

A budget of \$5,000 has been included in the 2020/21 Annual Budget to hold a Civic event recognising the new inductees, as well as manufacture and installation of plaques at the City's administration building and Cockburn ARC.

Legal Implications

N/A

Community Consultation

A call for nominees was circulated through the public via the City's website, social media, Recreation Services Newsletter, advertisements in the Cockburn Gazette, and directly to sporting clubs within the City.

Initially two nominations were received. As the call for nominations was received during the COVID -19 shut down period (mid-2020) and only two nominations were received, a decision was made to extend the nomination timeframe, which resulted in two additional nominations.

Risk Management Implications

There is a low level of risk associated with the Sports Hall of Fame. Residents may object to the inclusion/non-inclusion of individuals, however this is seen as unlikely, given the selection process and panel discussions have clearly followed the selection criteria as outlined in the Policy.

Advice to Proponents/Submitters

N/A

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

Nil



18. EXECUTIVE DIVISION ISSUES

Nil

19. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

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

Nil



22. MATTERS TO BE NOTED FOR INVESTIGATION, WITHOUT DEBATE**22.1 (2021/MINUTE NO 0057) MINI BUS STYLE SERVICE CONNECTING COOGEE AND NORTH OF COOGEE BEACHES WITH THE BLUE CAT BUS SERVICE IN THE CITY OF FREMANTLE****Author(s)** P Balley**Attachments** 1. Mini Bus Service [↓](#)**RECOMMENDATION**

That Council:

- (1) NOTE the information in the report; and
- (2) RECEIVE the report.

COUNCIL DECISION

MOVED Cr C Terblanche SECONDED Cr T Widenbar

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0**Background**

At the 12 November 2020 Ordinary Council Meeting, a Matter for Investigation without Debate was requested by Cr Corke for a report to be prepared to a future meeting of Council.

The report should investigate the feasibility of the City providing a mini-bus style service connecting Coogee Beach and the beaches north of Coogee Beach, within the City of Cockburn, with the Blue CAT bus service within the City of Fremantle, on weekends during summer, and during school holidays.

Reason

The population of our coastal areas is continually increasing, as are our beach tourist attractions and amenities. Residents also wish to access Fremantle, however there are parking and transport limitations.

Better public transport options could provide a needed service to residents, along with a reduction in two-car ownership and alleviation off some resident parking issues within our coastal suburbs.

The current Fremantle Blue CAT bus service operates down to Douro Road only, and does not extend into the City of Cockburn, however there is currently a Transperth public bus service via bus route 548.

Route 548 services City of Cockburn beaches via Orsino Boulevard, Pantheon Avenue and Cockburn Road within the City of Cockburn, then linking to the Blue CAT bus service via Cockburn Road within the



City of Cockburn, and Hampton Road and Douro Road within the City of Fremantle.

Submission

N/A

Report

This report investigates the feasibility and benefits of a mini bus style service.

Existing Bus Service

The coastal areas of the City comprising the popular beaches and associated amenities are currently serviced by Transperth bus route 548 which travels between Rockingham Station and Fremantle Station.

Bus route 548 is a major bus link route and runs north along Cockburn Road, Orsino Boulevard, Pantheon Avenue, then back on Cockburn Road, Hampton Road, South Street, and South Terrace before stopping at the Fremantle Station on Market Street. This route links to the Blue CAT bus route on Douro Road via Hampton Road.

Bus 548 has several bus stops along the route in proximity to roads or footpaths that provide connection to the various beach locations. The walking distances from the bus stops range from 200m to Omeo Park and Coogee Beach and 1,320m to the Woodman Point Recreation Centre.

There are a total of 22 buses each week day and eight on weekend days. Data has been obtained for the boarding and alighting on Sundays, which according to Transperth, is also representative of the general travel pattern for weekdays.

The data shows the average patronage per trip is five, which is extremely low for a bus service.

An enquiry was made to officers at Transperth to assess the appetite for an extension or deviation of existing bus route 548 onto McTaggart Cove and Rollinson Road, to service CY O'Connor Dog Beach and the North Coogee Dog Beach respectively. The response indicated Transperth would be unlikely to support the request due to the following:

- Extending/routing bus route 548 onto both McTaggart Cove and Rollinson Road would potentially push the frequency of the service out to at least 15 minutes, which would be unacceptable.
- Potential low patronage.
- Transperth funding for existing, new and extended routes has been fully allocated for the next three or more years, for services other than what would be higher priority routes.

Bus stop locations along the route, starting and finishing times of each bus service, frequency during peak hours, inter-peaks, and the number of daily service are provide in the attachment.

Future Bus Services

Advice from the Public Transport Authority is that although Transperth have no short, medium or long-term plans for additional routes along Cockburn Coast, bus route 512 may be extended from its stop at Hamilton Road, to Fremantle, via Cockburn Coast (Cockburn Road) to service the beach north of Coogee Beach.

Provision of Mini Bus by the City

An enquiry was made to Transperth relating to costs associated with the implementation of a public or CAT bus route to service a route between Coogee Beach and the Blue CAT in the City of Fremantle.

The response received for a conservative current day cost, for a CAT bus service has been applied for an 18km (approx.) round trip route between Coogee Beach (from the Surf Life Saving Club) and the Fremantle Blue CAT bus station is approx. \$1.6m for the first year. This includes the capital acquisition for the bus purchases, modification to the road environment, and running costs based on 9am to 7pm service timetable. Subsequent annual operating costs would be in the vicinity of \$1.12m.

Transperth services (CAT Bus services) operate all year round to consistent timetables and cannot operate for selected periods, such as only spring and summer and during holidays, as requested by Cr Corke.

Advice received from Transperth is that any CAT or other bus service between the City of Cockburn beaches and the Fremantle Blue CAT bus service area will not be funded by Transperth, which would mean the full cost would need to be met by the City of Cockburn and/or other parties.

Based on this advice, the City would need to consider its own bus service, or engage a private bus operator. This would provide the City with full control over operating times, schedules and costs recovery options.

The option of creating a City run bus service would have a similar cost structure (start up and annual operating costs) to the CAT bus service outlined above. The private operator proposal would have initial road infrastructure costs of \$200,000 with a similar annual operating expenditure to the CAT bus service of \$1.12m.

Costs of Existing Services

Currently the 548 bus service traverses through Zone 2 and 3 at a cost of \$4.90 and \$5.80 respectively and any price adjustments has the potential to increase patronage by the local and broader community.



However fare adjustments would be extremely challenging for PTA to consider given it would have ramifications on the remaining network.

Alternatively the City could consider subsidising the fares of patrons accessing the beach from the 548 service. This cost would be significantly lower than the mini bus style services, even if 100,000 patrons took up the offer. The mechanism for subsidies would need to comprehend the administrative function and cost impacts along with PTA approval.

Demand for Bus Service

To date there has been no petition from residents of Cockburn living in the general vicinity of the beaches between Coogee Beach and the North Coogee, or the general public seeking the provision of public transport between the City of Cockburn beaches and the City of Fremantle Blue CAT bus service. However the Cockburn Coast Structure Plan has provided for a central corridor through the development for the provision of public transit for the future population.

Conclusion

In assessing the current environment it is clear the utilisation of bus route 548 is extremely unlikely to increase, even with a dedicated service by the City, and associated marketing.

With the majority of beaches serviced by bus route 548, albeit with a short walk to the beach, there is currently no direct need for a mini bus service to offset this service.

Any decision to progress a mini bus service will require large scale consultation to comprehend the appetite for utilisation by the community and how it could run sustainably.

Furthermore is this a service the City should be delivering or should the City be advocating for Transperth to increase frequencies of existing services to the future population along the coastal area.

Strategic Plans/Policy Implications

Community, Lifestyle & Security

A vibrant healthy, safe, inclusive and connected community.

- Facilitate and advocate for increased community safety.

Budget/Financial Implications

No additional budget required at this time.

Legal Implications

N/A

Community Consultation

N/A



Risk Management Implications

There is minimal risk to Council not receiving this report, as it is merely an exercise of providing information on a specific topic of interest by an Elected Member. There is no financial or brand risk and no legal implication should the report not be received.

Advice to Proponents/Submitters

N/A

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

Nil



Appendix



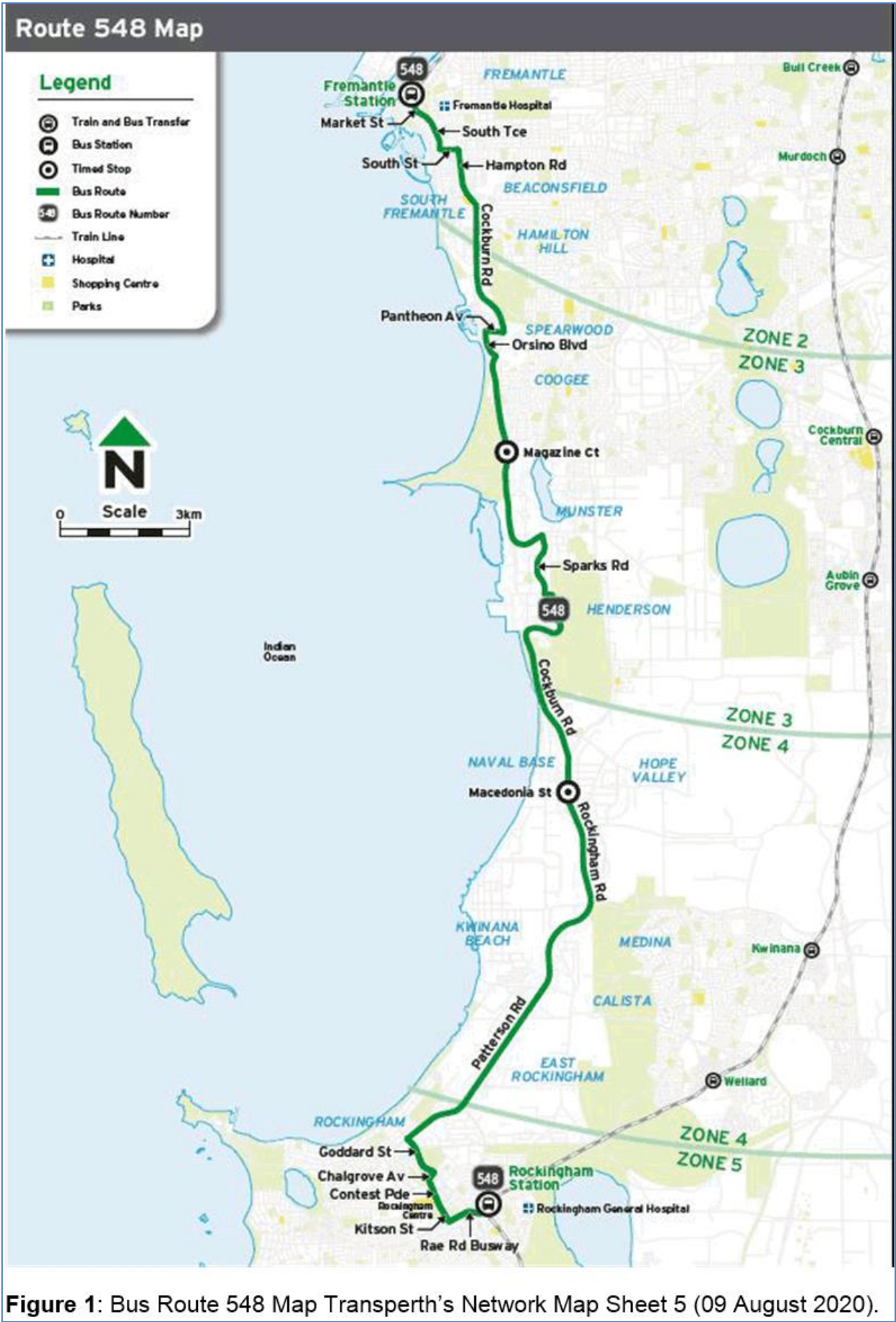


Table 1: Bus 548 service frequency

Station / Bus Stop	First Service	Last Service	Frequency		No. of Services	
			Peak Hour	Inter Peak	Week day	Week end
Magazine Court	To Fremantle Station	To Fremantle Station		Week day		
	Mon-Fri: 5:45am	Mon-Fri: 7:02pm	Week day 7 & 20 Min	30 & 60 Min	22	8
	Sat 9:14am	Sat 4:14pm	Week end 60min	Week end 60min		
	Sun 9:14am	Sun 4:14pm				
Fremantle Station	To Magazine Court	To Magazine Court		Week day		
	Mon-Fri: 6:24am	Mon-Fri: 8:01pm	Week day 8 & 20 Min	30 & 60 Min	22	8
	Sat 10:10am	Sat 5:10pm	Week end 60min	Week end 60min		
	Sun 10:11am	Sun 5:11pm				

Table 2: Boarding passenger's number for the Sunday Bus 548 service.

Boarding Passengers					
Stop sequence	Stop	Oct 2020	Nov 2020	Dec 2020	Total
001	10678: Cockburn Rd After Magazine Court	10	5	0	15
002	27498: Cockburn Rd Before Fairbairn Rd	3	16	8	27
003	10679: Cockburn Rd Before Poore Gr	3	9	5	17
004	10680: Cockburn Rd After Amity Boulevard	4	13	4	21
005	10681: Cockburn Rd After Beach Rd	65	31	29	125
006	26365: Orsino Boulevard After Perlinte View	4	6	6	16

007	26370: Orsino Boulevard After Calypso Pde	53	29	29	111
008	26371: Pantheon Av Before Cockburn Rd	8	5	8	21
009	25560: Cockburn Rd Potato Marketing Corporation	1	0	0	1
010	10684: Cockburn Rd Before Emplacement Cr	1	4	2	7
011	27367: Cockburn Rd Before Rollinson Rd	4	3	0	7
012	10685: Cockburn Rd Before Boyd Gr	12	12	7	31
013	10686: Hampton Rd After Brockman Pl	9	4	4	17
014	10687: Hampton Rd After Culver St	16	11	27	54
015	10688: Hampton Rd Before Scott St	11	22	15	48
016	10689: Hampton Rd After Lefroy Rd	4	5	2	11
017	10690: Hampton Rd After Martha St	3	0	1	4
018	10559: South St After Hampton Rd	3	9	5	17
019	10560: South St After Carnac Way	0	1	1	2
020	10465: South Tce After Price St	3	0	5	8
021	10466: South Tce After Grey St	0	1	0	1
022	10467: South Tce Before Arundel St	1	5	8	14



023	10468: South Tce Fremantle Markets	6	9	4	19
024	10469: Market St Before High St	1	0	0	1
Last Stop	10428: Fremantle Station Stand 1	0	0	0	0
Total		225	200	170	595
Trips		32	40	32	
Sundays		4	5	4	
Boardings per Sunday		56	40	43	
Average Boardings per Trip		7.0	5.0	5.3	

Table 3: Alighting passenger's number for the Sunday Bus 548 service.

Alighting Passengers					
Stop sequence	Stop	Oct 2020	Nov 2020	Dec 2020	Total
001	10678: Cockburn Rd After Magazine Court	0	0	0	0
002	27498: Cockburn Rd Before Fairbairn Rd	0	0	0	0
003	10679: Cockburn Rd Before Poore Gr	0	0	0	0
004	10680: Cockburn Rd After Amity Boulevard	0	0	0	0
005	10681: Cockburn Rd After Beach Rd	1	0	3	4
006	26365: Orsino Boulevard After Perlente View	1	0	1	2
007	26370: Orsino Boulevard After Calypso Parade	2	7	1	10
008	26371: Pantheon Av	1	0	0	1

	Before Cockburn Rd				
009	25560: Cockburn Rd Potato Marketing Corporation	2	0	0	2
010	10684: Cockburn Rd Before Emplacement Circuit	0	0	0	0
011	27367: Cockburn Rd Before Rollinson Rd	0	0	0	0
012	10685: Cockburn Rd Before Boyd Gr	0	1	0	1
013	10686: Hampton Rd After Brockman Pl	0	1	4	5
014	10687: Hampton Rd After Culver St	2	2	0	4
015	10688: Hampton Rd Before Scott St	1	2	1	4
016	10689: Hampton Rd After Lefroy Rd	8	1	1	10
017	10690: Hampton Rd After Martha St	0	0	1	1
018	10559: South St After Hampton Rd	7	3	3	13
019	10560: South St After Carnac Way	3	4	1	8
020	10465: South Tce After Price St	1	0	0	1
021	10466: South Tce After Grey St	1	0	2	3
022	10467: South Tce Before Arundel St	2	10	6	18
023	10468: South Tce Fremantle Markets	49	43	37	129
024	10469: Market St Before High St	43	23	29	95



Last Stop	10428: Fremantle Station Stand 1	99	93	78	270
Total		223	190	168	581
Trips		32	40	32	
Sundays		4	5	4	
Alighting's per Sunday		56	38	42	
Average Alighting's per Trip		7.0	4.8	5.3	

Table 4: Bus stop station distance access / service road to beach

Access / roads	Beach	Location – south/north of intersection	Distance from bus stop to road intersection (m)	Distance from intersection to beach location
Before Rollinson Road	Rollinson Park / Dog Beach North Coogee	North	180	800
		South	60	
McTaggart Cove	CY O'Connor Beach	North	450	350
		South	290	
Pantheon Ave / Orsino Blvd	Omeo Park, Port Coogee Marina and Ngarkal Beach Water Park	North	0	500m to Ngarkal Beach and 270m to Omeo Park
		South	75	
Orsino Blvd / Perlinte View	Omeo Park, Port Coogee and Ngarkal Beach Water Park	North	40	200 to Omeo Park
		South	0	
Powell Road	Coogee Beach	North	70	200
		South	130	
Footpath Access south of Amity Boulevard	Coogee Beach / Surf Life Saving Club	105 (north)	290	395
		50 (south)		
Poore Grove	Coogee Beach / Surf Life Saving	North	190	450

	Club	South	220	
Footpath Access North of Nyverbup Circle	Woodman Point	North	0	480
		South	0	
O'Kane Circuit	Woodman Point	North	100	1320
		South	175	

Table 5: Furthest walking distance from bus 548 stops to the beach

Access / Service roads	Serviced beach name	Distance from bus stop to road intersection (m) (Location)	Distance from road intersection to beach location	Furthest Distance to the beach
Rollinson Road	Rollinson Park / Dog Beach North Coogee	180 (North)	800	980
		60 (south)		
McTaggart Cove	CY O'Connor Beach	450 (north)	350	800
		290 (south)		
Pantheon Ave / Orsino Blvd	Omeo Park, Port Coogee Marina and Ngarkal Beach Water Park	0 (north)	500m to Ngarkal Beach and 270m to Omeo Park	575m to Ngarkal Beach and 345m to Omeo Park
		75 (south)		
Orsino Blvd / Perlinte View	Omeo Park, Port Coogee and Ngarkal Beach Water Park	40 (north)	200 to Omeo Park	240 to Omeo Park
		0 (south)		
Powell Road	Coogee Jetty / Coogee Beach	70 (north)	200	330
		130 (south)		
Footpath Access south of Amity Boulevard	Coogee Beach / Surf Life Saving Club Beach	105 (north)	290	395
		60 (south)		



Poore Grove	Coogee Beach / Surf Life Saving Club Beach	190 (north)	450	670
		220 (south)		
Footpath Access north of Nyyerbup Circle	Woodman Point Playground & BBQ Area	0 (north)	480	480
		0 (south)		
O'Kane Circuit	Woodman Point Recreation Reserve	100 (north)	1320	1495
		175 (south)		

Table 6: Estimated new bus service costs.

#	Days	Time	Round Trip Time (mins)	Frequency (mins)	Trips per hour	Buses	Km costs	Bus costs	Road works	Total cost p.a.
1	Mon-Sun	9:00-17:00	40	20	3	2	\$707,700	\$240,000	\$200,000	\$1,387,700
2	Mon-Sun	9:00-19:00	40	20	3	2	\$884,500	\$240,000	\$200,000	\$1,564,500

23. CONFIDENTIAL BUSINESS

Nil

24. (2021/MINUTE NO 0058) RESOLUTION OF COMPLIANCE

RECOMMENDATION

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

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

COUNCIL DECISION

MOVED Cr C Stone SECONDED Cr P Eva

That the recommendation be adopted.

CARRIED UNANIMOUSLY 8/0

25. CLOSURE OF MEETING

The meeting closed at 9.56pm.

