



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

For Thursday, 25 November 2021

These Minutes are subject to confirmation

Presiding Member's signature

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Date: 24 February 2022

# CITY OF COCKBURN

## Minutes Delegated Authorities and Policies Committee Thursday, 25 November 2021

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## CITY OF COCKBURN

### Minutes

### Delegated Authorities & Policies Committee

Thursday, 25 November 2021

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#### PRESENT

#### ELECTED MEMBERS

Ms C Stone	-	Councillor (Presiding Member)
Mr T Widenbar	-	Deputy Mayor
Ms P Corke	-	Councillor
Mr T Dewan	-	Councillor
Mr M Separovich	-	Councillor

#### IN ATTENDANCE

Mr T Brun	-	Chief Executive Officer
Mr D Arndt	-	Chief of Built and Natural Environment
Mr S Downing	-	Chief Financial Officer (depart 8.50pm)
Mr A Lees	-	Chief of Operations
Mrs G Bowman	-	Chief of Community Services
Mr D Green	-	Executive Governance and Strategy
Ms V Green	-	Executive Corporate Affairs
Ms E Milne	-	Executive Governance and Strategy
Ms J Iles	-	Executive People Experience and Transformation
Mrs B Pinto	-	Governance Officer
Mrs S D'Agnone	-	Council Minute Officer

#### 1. Declaration of Meeting

The Chief Executive Officer declared the meeting open at 7.53pm

#### 2. Appointment of Presiding Member (If required)

The Chief Executive Officer advised that one nomination for the position of Presiding Member had been received from Cr Stone, and invited any further nominations. No further nominations were forthcoming.

The Chief Executive Officer declared Cr Stone as Presiding Member of the Delegated Authority and Policies Committee.

Cr Stone assumed the role of Presiding Member.





### 3. Acknowledgement of Receipt of Written Declarations of Financial Interests and Conflict of Interest (by Presiding Member)

Nil

### 4. Apologies & Leave of Absence

Cr C Terblanche - Absent

### 5. Confirmation of Minutes

#### 5.1 (2021/MINUTE NO 0045) Minutes of the Delegated Authorities & Policies Committee Meeting - 26/08/2021

#### Recommendation

That Committee confirms the Minutes of the Delegated Authorities & Policies Committee Meeting held on Thursday, 26 August 2021 as a true and accurate record.

#### Committee Recommendation

MOVED Cr P Corke SECONDED Deputy Mayor T Widenbar

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 5/0**

### 6. Business Left Over from Previous Meeting (if adjourned)

Nil

### 7. Declaration by Members who have Not Given Due Consideration to Matters Contained in the Business Paper Presented before the Meeting

Nil

**7.57pm The following items were carried 'En Bloc' by Committee Resolution:**

8.1	12.4	14.1
8.3		

## 8. Built and Natural Environment

### 8.1 (2021/MINUTE NO 0046) Modifications to Proposed Local Planning Policy 5.20 - Development in Local Reserves - Request for Readvertising

**Author** L Dunstan

**Attachments**

1. Original Proposed LPP 5.20 [↓](#)
2. Proposed Modifications [↓](#)
3. Schedule of Submissions [↓](#)

#### RECOMMENDATION

That Council:

- (1) ADOPTS the modifications to the proposed new Local Planning Policy 5.20 – Development in Local Reserves for the purposes of re-advertising, in accordance with Clause 4 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), as shown in the Attachment 2; and
- (2) ADVISES those who lodged a submission during the public consultation period of the re-advertising.

#### Committee Recommendation

MOVED Cr M Separovich SECONDED Cr T Dewan

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 5/0**

## Background

Proposed Local Planning Policy 5.20 – Development in Local Reserves (LPP 5.20) was adopted by Council for the purposes of advertising in accordance with Clause 4(1) of *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) at the 27 May 2021 Delegated Authorities and Policies Committee (DAP) meeting.

LPP 5.20 was subsequently advertised in accordance with Clause 4(1) of the *Regulations*, with 51 submissions being received during the consultation period.

Given LPP 5.20 is proposed to be re-advertised due to further modifications, those who lodged a submission will have a further opportunity to comment on the modifications. A full table of submissions received during the initial advertising is contemplated in Attachment 3.

LPP 5.20 has been drafted to provide guidance for all development proposed on local reserves.



LPP 5.20 does not address development on reserves reserved under the Metropolitan Region Scheme (MRS).

The intent of LPP 5.20 is to develop a set of criteria to exempt the requirement of development approval for certain development on local reserves reserved under the City's Town Planning Scheme No. 3 (TPS 3).

### **Submission**

N/A

### **Report**

LPP 5.20 applies to all development reserved as Local Reserve – Parks and Recreation and Local Reserve – Public Purpose.

It is not the intention of LPP 5.20 to provide more onerous requirements than the requirements for assessment under TPS 3 and the Regulations.

Where a proposal meets the provisions of LPP 5.20, no development approval is required.

The intent of LPP 5.20 is to exclude certain types of development from requiring development approval.

LPP 5.20 also discusses development approval criteria for:

- Minor infrastructure, walls, ablutions, retaining walls, artwork, sea containers, parking, fences, and walkways
- Play equipment, ramps and recreational nets, pillars, goal posts and pitches
- Seating, sand pits, shade sails, bird hides and litterbins
- Signage
- Pontoons and stormwater features
- Closed-Circuit Television (CCTV).

The modifications proposed are summarised below:

- Exempt temporary sea containers required to store items associated to development for an approved use where the location of the sea container is agreed to in writing by Head of Development and Compliance
- Modify the requirement that all Skate Parks, irrespective of location or setback, now require Development Approval
- Clarification with respect to exempt civil works with valid subdivision approval
- Minor edits to picnic shelters, BBQs, retaining walls and access streets.

Due to the modifications proposed, further public consultation will be required as cited further below in this report under the Community Consultation section.



## Consultation

Consultation was undertaken in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* with a total of 51 submissions being received, 27 in support, 14 in support with changes, nine opposing, and one with no opinion.

## Strategic Plans/Policy Implications

### Local Economy

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

- A City that is 'easy to do business with'.

### Environmental Responsibility

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

- Protection and enhancement of our natural areas, bushland, parks and open spaces.

### Community, Lifestyle and Security

A vibrant healthy, safe, inclusive, and connected community

- Accessible and inclusive community, recreation and cultural services and facilities that enrich our community.

### City Growth and Moving Around

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

- An attractive, socially connected and diverse built environment.

### Listening and Leading

A community focused, sustainable, accountable, and progressive organisation

- Best practice Governance, partnerships and value for money.

## Budget/Financial Implications

N/A

## Legal Implications

N/A

## Community Consultation

Consultation will be undertaken in accordance with the requirements of Clause 4 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for a minimum period of 21 days.



**Risk Management Implications**

If the draft LPP 5.20 and its proposed modifications are not adopted, and therefore not progressed, some inconsistencies would occur in relation to existing practices. This practice needs to be formalised in a policy for consistency and reliability.

**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 25 November 2021 Delegated Authorities & Policies Committee.

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

Nil



<b>Title</b>	<b>Development on Local Reserves</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 5.20</b>



### Policy Type

Local Planning Policy

### Policy Purpose

Part 61 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) prescribes development which is exempt from the need to obtain development approval.

The intent of this Local Planning Policy (LPP) is to develop a set of criteria to exempt the requirement of development approval for Local Reserves reserved under the City's Town Planning Scheme No. 3 (TPS 3) only and does not address Reserves reserved under the Metropolitan Region Scheme.

This will allow the facilitation of development without development approval under Part 61(1)(i) of the Regulations which allow the carrying out of works as specified in an approved LPP.

The LPP does not negate the requirement for applicants to seek approvals under any other legislation or framework.

#### (1) Application

This policy applies to all development reserved as Local Reserve – Parks and Recreation and Local Reserve – Public Purpose.

It is not the intention of this LPP to provide more onerous requirements than the requirements for assessment under TPS 3 and the Regulations. Therefore a development may be deemed compliant if it conforms to the provisions of this LPP.

#### (2) Implementation

1. Where a proposal meets the provisions of this policy, no development approval is required.
2. Where a proposal does not meet the provisions of this policy, development approval is required, and advertising may be required subject to assessment of the impact on adjoining landowners.
3. Where a development approval is required, the application for development form, drawings, justification letter and checklist must be completed. The City will not require a copy of the Certificate of Title or the consent and indemnity form.

[1]

<b>Title</b>	<b>Development on Local Reserves</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 5.20</b>



## Policy Statement

### (1) Provisions

Context	
Development type	Planning requirements and exemptions
Tree & shrub planting	<ul style="list-style-type: none"> <li>No Development Approval required for any tree planting, irrespective of plant size or height.</li> </ul>
Footpaths, Dual Use Paths	<ul style="list-style-type: none"> <li>No Development Approval required for footpaths or dual use paths that have obtained approval for their respective locations by either the City's Engineering or Parks Services as required.</li> </ul>
Sand pits	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Earthworks	<ul style="list-style-type: none"> <li>Development Approval is not required for Earthworks applications in line with approved civil drawings by the City, under an approved subdivision, where the land has already been ceded as a local reserve.</li> <li>Development Approval is required where the lot has not been ceded as a local reserve.</li> <li>Development approval is required for Earthworks where native vegetation is proposed to be cleared, unless the native vegetation is located within an easement or within 2m of any lot boundary.</li> </ul>
Play and Gym Equipment	<ul style="list-style-type: none"> <li>Manufactured play or gym equipment shall be exempt from Development Approval.</li> <li>Bespoke play or gym equipment shall be assessed by a qualified playground auditor and confirmed to be compliant to be deemed exempt from Development Approval.</li> </ul>
Drinking fountains	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Shade sails	<ul style="list-style-type: none"> <li>No Development Approval is required where replacing shade sails like for like, meaning the exact same location, footprint and height.</li> <li>Development Approval is not required for new shade sails setback 2m from all lot boundaries.</li> <li>Development Approval is required for new shade sails located within 2m of any lot boundary.</li> </ul>
Picnic & Barbecue areas and shelters	<ul style="list-style-type: none"> <li>No Development Approval required if setback 2m from all lot boundaries.</li> </ul>
Walkway shelters and sheltered roofed structures	<ul style="list-style-type: none"> <li>No Development Approval required if setback 2m from all lot boundaries.</li> </ul>

[2]

<b>Title</b>	<b>Development on Local Reserves</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 5.20</b>



Pot plants of any size and scale	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Retaining walls	<ul style="list-style-type: none"> <li>Development Approval is not required for Retaining Wall applications in line with approved civil drawings by the City, under an approved subdivision, where the land has already been ceded as a local reserve and Retaining Walls greater than 2m in height (measured from the Natural Ground Level) are setback 2m from all lot boundaries.</li> <li>Where Retaining Walls greater than 2m in height (measured from the Natural Ground Level) are setback within 2m from all lot boundaries – Development Approval is required.</li> <li>Development Approval is required where the lot has not been ceded as a local reserve.</li> </ul>
Free standing walling	<ul style="list-style-type: none"> <li>Development Approval is not required for free standing walls in line with approved civil drawings by the City, under an approved subdivision, where the land has already been ceded as a local reserve and the Free standing walls greater than 2m in height (measured from the Natural Ground Level) are setback 2m from all lot boundaries.</li> <li>Where the Free standing walls greater than 2m in height (measured from the Natural Ground Level) are setback within 2m from all lot boundaries – Development Approval is required.</li> <li>Development Approval is required where the lot has not been ceded as a local reserve.</li> </ul>
Seating	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Litterbins	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Access roads	<ul style="list-style-type: none"> <li>Development Approval is not required for access roads which are less than 20m in length and constructed from compacted materials (such as limestone) in with approved civil drawings by the City, under an approved subdivision, where the land has already been ceded as a local reserve.</li> <li>Development Approval is required for hard surface access roads which are constructed from asphalt or concrete, and are longer than 20m in length, where the land has already been ceded.</li> <li>Where the lot has not been ceded – development approval is required.</li> </ul>
Car parking	<ul style="list-style-type: none"> <li>No Development Approval is required where replacing car parking areas like for like, meaning</li> </ul>

[3]



<b>Title</b>	<b>Development on Local Reserves</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 5.20</b>



	<p>the exact same location, footprint and number of bays.</p> <ul style="list-style-type: none"> <li>Development Approval is required for all new car parking bays or car parking areas.</li> </ul>
Vehicle charger infrastructure	<ul style="list-style-type: none"> <li>No Development Approval required where locating this infrastructure within an approved car parking area.</li> <li>Development Approval is required for all new car parking bays and car parking areas which proposed vehicle charger infrastructure.</li> </ul>
Irrigation systems	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Bores	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Sports lights/ floodlighting	<ul style="list-style-type: none"> <li>No Development Approval is required where replacing sports lights, light poles/ floodlights like for like, meaning the exact same location, height and light omission.</li> <li>Development Approval is required for all new sports lights/ flood lights.</li> <li>No Development Approval is required for Shelter and footpath lighting and solar bollards.</li> </ul>
Goal posts and practice nets, volleyball posts, nets and cricket nets	<ul style="list-style-type: none"> <li>No Development Approval is required where replacing goal posts and practice nets like for like, meaning the exact same location, height and width.</li> <li>Development Approval is required for all new goal posts and practice nets.</li> </ul>
New volleyball courts, crickets pitches, hockey pitches and bowling greens	<ul style="list-style-type: none"> <li>Development Approval required.</li> </ul>
Drainage basins and sumps	<ul style="list-style-type: none"> <li>Development Approval is not required for drainage basins and sumps applications in line with approved civil drawings by the City, under an approved subdivision, where the land has already been ceded as a local reserve.</li> <li>Development Approval is required where the lot has not been ceded as a local reserve.</li> </ul>
Conversion of stormwater drainage swales into underground detention basins	<ul style="list-style-type: none"> <li>Development Approval required.</li> </ul>
Fences (all types)	<ul style="list-style-type: none"> <li>Development Approval is not required for fence applications in line with approved civil drawings by the City, under an approved subdivision, where the land has already been ceded as a local reserve.</li> </ul>

[4]

<b>Title</b>	<b>Development on Local Reserves</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 5.20</b>



	<ul style="list-style-type: none"> <li>Development Approval is required where the lot has not been ceded as a local reserve.</li> </ul>
Entry Statement signage	<ul style="list-style-type: none"> <li>Development Approval required.</li> </ul>
Jetty, Pontoons, Groynes and boardwalks	<ul style="list-style-type: none"> <li>Development Approval required.</li> </ul>
Skate parks and pump tracks	<ul style="list-style-type: none"> <li>Development Approval is not required where pump tracks and skate parks are constructed from propriety equipment and are setback 2m from all lot boundaries.</li> <li>Development Approval is required for bespoke pump tracks and skate parks construction.</li> </ul>
Water play	<ul style="list-style-type: none"> <li>Development Approval is not required for recycled water play where the location is setback greater than 2m to all lot boundaries.</li> </ul>
Toilet facility/ Ablutions	<ul style="list-style-type: none"> <li>Development Approval required.</li> </ul>
Artwork	<ul style="list-style-type: none"> <li>No Development Approval required for Artwork.</li> <li>Development Approval is required for any Artwork that proposes a variable message sign.</li> </ul>
New buildings/ facilities including enclosed bin storage areas	<ul style="list-style-type: none"> <li>Development Approval required.</li> </ul>
Bird Hides	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Closed-Circuit Television (CCTV)	<ul style="list-style-type: none"> <li>Development Approval is not required where CCTV is proposed to be affixed to an approved building or structure.</li> <li>Development Approval is required, where CCTV is proposed on a freestanding pole within 2m from all lot boundaries.</li> </ul>
Sea Containers and other Transportable Structures	<ul style="list-style-type: none"> <li>Development Approval required.</li> </ul>

<b>Title</b>	<b>Development on Local Reserves</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 5.20</b>



Strategic Link:	Town Planning Scheme No.3
Category	Planning – Town Planning & Development
Lead Business Unit:	Development Assessment and Compliance
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	
ECM Doc Set ID: (Governance Purpose Only)	

DRAFT

[6]

<b>Title</b>	<b>Development on Local Reserves</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 5.20</b>



#### Policy Type

Local Planning Policy

#### Policy Purpose

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This will allow the facilitation of development without development approval under Part 61(1)(i) of the Regulations which allow the carrying out of works as specified in an approved LPP.

##### (1) Application

This policy applies to all development reserved as Local Reserve – Parks and Recreation and Local Reserve – Public Purpose.

It is not the intention of this LPP to provide more onerous requirements than the requirements for assessment under TPS 3 and the Regulations. Therefore a development may be deemed compliant if it conforms to the provisions of this LPP.

##### (2) Implementation

1. Where a proposal meets the provisions of this policy, no development approval is required.
2. Where a proposal does not meet the provisions of this policy, development approval is required, and advertising may be required subject to assessment of the impact on adjoining landowners.
3. Where a development approval is required, the application for development form, drawings, justification letter and checklist must be completed. The City will not require a copy of the Certificate of title or the consent and indemnity form.

[1]

<b>Title</b>	<b>Development on Local Reserves</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 5.20</b>



### Policy Statement

#### (1) Provisions

Context	
Development type	Planning requirements and exemptions
Tree & shrub planting	<ul style="list-style-type: none"> <li>No Development Approval required for any tree planting, irrespective of plant size or height.</li> </ul>
Footpaths, Dual Use Paths	<ul style="list-style-type: none"> <li>No Development Approval required for footpaths or dual use paths that have obtained approval for their respective locations by either the City's <del>Engineering or Parks Services</del> as required.</li> </ul>
Sand pits	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Earthworks	<ul style="list-style-type: none"> <li><del>Development Approval is not required for Earthworks applications in line with approved civil drawings by the City under an approved subdivision, and where the land has already been identified a local reserve under an approved Structure Plan. Development Approval is not required for Earthworks applications in line with approved civil drawings under an approved subdivision by either the City's Engineering or Parks Services as required, where the land has already been ceded as a local reserve.</del></li> <li>Development Approval is required where the lot has not been ceded as a local reserve.</li> <li><del>Development approval is required for Earthworks where native vegetation is proposed to be cleared, unless:</del> <ol style="list-style-type: none"> <li><del>the native vegetation is located within an easement or within 2m of any lot boundary; or</del></li> <li><del>required to implement an approved Structure Plan; or</del></li> <li><del>The State of Commonwealth has approved the clearing. Development approval is required for Earthworks where native vegetation is proposed to be cleared, unless the native vegetation is located within an easement or within 2m of any lot boundary.</del></li> </ol> </li> </ul>
Play and Gym Equipment	<ul style="list-style-type: none"> <li>Manufactured play or gym equipment shall be exempt from Development Approval.</li> <li>Bespoke play or gym equipment shall be assessed by a qualified playground auditor and confirmed to be compliant to be deemed exempt from Development Approval.</li> </ul>
Drinking fountains	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Shade sails	<ul style="list-style-type: none"> <li>No Development Approval is required where replacing shade sails like for like, meaning the exact same location, footprint and height.</li> <li>Development Approval is not required for new shade sails setback <del>2m of any lot boundary or road</del></li> </ul>

[2]

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<b>Title</b>	<b>Development on Local Reserves</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 5.20</b>



	<p><del>reserve, whichever is applicable 2m from all lot boundaries.</del></p> <ul style="list-style-type: none"> <li>Development Approval is required for new shade sails located within 2m of any lot boundary.</li> </ul>
Picnic & Barbecue areas and shelters	<ul style="list-style-type: none"> <li>No Development Approval required if setback <del>2m of any lot boundary or road reserve, whichever is applicable 2m from all lot boundaries.</del></li> </ul>
Walkway shelters and sheltered roofed structures	<ul style="list-style-type: none"> <li>No Development Approval required if setback <del>2m of any lot boundary or road reserve, whichever is applicable 2m from all lot boundaries.</del></li> </ul>
Pot plants of any size and scale	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Retaining walls	<ul style="list-style-type: none"> <li>Development Approval is not required for Retaining Wall applications in line with approved civil drawings under an approved subdivision by the <del>City's Engineering and Parks Services</del>, where the land has already been ceded as a local reserve and Retaining Walls greater than 2m in height (measured from the Natural Ground Level) are setback <del>2m of any lot boundary or road reserve, whichever is applicable 2m from all lot boundaries.</del></li> <li>Where Retaining Walls greater than 2m in height (measured from the Natural Ground Level) are setback within <del>2m of any lot boundary or road reserve, whichever is applicable 2m from all lot boundaries</del> — Development Approval is required.</li> <li>Development Approval is required where the lot has not been ceded as a local reserve.</li> </ul>
Free standing walling	<ul style="list-style-type: none"> <li>Development Approval is not required for free standing walls applications in line with approved civil drawings under an approved subdivision by <del>either the City's Engineering or Parks Services</del> <u>the City</u> as required, where the land has already been ceded as a local reserve and the Free standing walls greater than 2m in height (measured from the Natural Ground Level) are setback <del>2m of any lot boundary or road reserve, whichever is applicable 2m from all lot boundaries.</del></li> <li>Where the Free standing walls greater than 2m in height (measured from the Natural Ground Level) are setback within <del>2m of any lot boundary or road reserve, whichever is applicable 2m from all lot boundaries</del> — Development Approval is required.</li> <li>Development Approval is required where the lot has not been ceded as a local reserve.</li> </ul>
Seating	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>

[3]

<b>Title</b>	<b>Development on Local Reserves</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 5.20</b>



Litterbins	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Access roads	<ul style="list-style-type: none"> <li>Development Approval is not required for access roads which are less than 20m in length and constructed from compacted materials (such as limestone) in line with approved civil drawings under an approved subdivision by <del>either the City's Engineering and Parks Services as required the</del> City, where the land has already been ceded as a local reserve.</li> <li>Development Approval is required for hard surface access roads which are constructed from asphalt or concrete, and are longer than 20m in length, where the land has already been ceded.</li> <li>Where the lot has not been ceded – development approval is required.</li> </ul>
Car parking	<ul style="list-style-type: none"> <li>No Development Approval is required where replacing car parking area like for like, meaning the exact same location, footprint and number of bays.</li> <li>Development Approval is required for all new car parking bays or car parking areas.</li> </ul>
Vehicle charger infrastructure	<ul style="list-style-type: none"> <li>No Development Approval required where locating this infrastructure within an approved car parking area.</li> <li>Development Approval is required for all new car parking bays and car parking areas which proposed vehicle charger infrastructure.</li> </ul>
Irrigation systems	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Bores	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Sports lights/ floodlighting	<ul style="list-style-type: none"> <li>No Development Approval is required where replacing sports lights/ floodlights like for like, meaning the exact same location, height and light omission.</li> <li>Development Approval is required for all new sports lights/ flood lights.</li> <li>No Development Approval is required for Shelter and footpath lighting and solar bollards.</li> </ul>
Goal posts and practice nets, volleyball posts, nets and cricket nets	<ul style="list-style-type: none"> <li>No Development Approval is required where replacing goal posts and practice nets like for like, meaning the exact same location, height and width.</li> <li>Development Approval is required for all new goal posts and practice nets.</li> </ul>
New volleyball courts, hockey pitches and	<ul style="list-style-type: none"> <li>Development Approval required.</li> </ul>

[4]



<b>Title</b>	<b>Development on Local Reserves</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 5.20</b>



bowling greens	
Drainage basins and sumps	<ul style="list-style-type: none"> <li>Development Approval is not required for drainage basins and sumps applications in line with approved civil drawings under an approved subdivision by the <del>City's Engineering and Parks Services</del>City, where the land has already been ceded as a local reserve.</li> <li>Development Approval is required where the lot has not been ceded as a local reserve.</li> </ul>
Conversion of stormwater drainage swales into underground detention basins	<ul style="list-style-type: none"> <li>Development Approval required.</li> </ul>
Fences (all types)	<ul style="list-style-type: none"> <li>Development Approval is not required for fence applications in line with approved civil drawings under an approved subdivision by <del>either the City's Engineering or Parks Services</del>the City as required, where the land has already been ceded as a local reserve.</li> <li>Development Approval is required where the lot has not been ceded as a local reserve.</li> </ul>
Entry Statement signage	<ul style="list-style-type: none"> <li>Development Approval required.</li> </ul>
Jetty, Pontoons, Groynes and boardwalks	<ul style="list-style-type: none"> <li>Development Approval required.</li> </ul>
Skate parks and pump tracks	<ul style="list-style-type: none"> <li><del>Development Approval is not required where pump tracks and skate parks are constructed from propriety equipment and are setback 2m from all lot boundaries.</del></li> <li><del>Development Approval is required for bespoke pump tracks and skate parks construction required.</del></li> </ul>
Water play	<ul style="list-style-type: none"> <li>Development Approval is not required for recycled water play where the location is setback greater than <del>2m of any lot boundary or road reserve, whichever is applicable, 2m to all lot boundaries.</del></li> </ul>
Toilet facility/ Ablutions	<ul style="list-style-type: none"> <li>Development Approval required.</li> </ul>
Artwork	<ul style="list-style-type: none"> <li>No Development Approval required for Artwork.</li> <li>Development Approval is required for any Artwork that proposes a variable message sign.</li> </ul>
New buildings/ facilities including enclosed bin storage areas	<ul style="list-style-type: none"> <li>Development Approval required.</li> </ul>

[5]



<b>Title</b>	<b>Development on Local Reserves</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 5.20</b>



Bird Hides	<ul style="list-style-type: none"> <li>No Development Approval required.</li> </ul>
Closed-Circuit Television (CCTV)	<ul style="list-style-type: none"> <li>Development Approval is not required where CCTV is proposed to be affixed to an approved building or structure.</li> <li>Development Approval is required, where CCTV is proposed on a freestanding pole within <u>2m of any lot boundary or road reserve, whichever is applicable 2m from all lot boundaries.</u></li> </ul>
Sea Containers and other Transportable Structures	<ul style="list-style-type: none"> <li>Development Approval <u>not required where:</u> <ol style="list-style-type: none"> <li><u>they relate to storage of items on a temporary basis for an approved use on the local reserve that has obtained Development Approval; and</u></li> <li><u>the location of the sea container is agreed to in writing by Head of Development and Compliance;</u></li> </ol> </li> </ul>

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Strategic Link:	Town Planning Scheme No.3
Category	Planning – Town Planning & Development
Lead Business Unit:	Statutory Planning
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	December 2022
ECM Doc Set ID: (Governance Purpose Only)	

**Attachment 3 – Schedule of Submissions****LPP 5.2**

No.	Name & Address	Submission	Officer's Recommendation
1	Name Withheld	<i>Support</i> 1. I believe the removal of unnecessary administrative obstacles will greatly streamline the processes of planning, funding, constructing and delivering community projects by City of Cockburn within the framework of a particular financial or budget year.	Noted.
2	Alison Waters 27 Scales Way, Spearwood	<i>Support with changes</i> 1. Need addition of water playgrounds using scheme water not requiring approval.	Noted. The City does not intent to modify this provision of the LPP, as requiring a DA for water playgrounds within the 2m of an affected neighbour is considered appropriate in order to address amenity concerns.  The LPP still exempts water playgrounds beyond the 2m setback.
3	Name Withheld	<i>Oppose</i> 1. As a rate payer with an interest in how our parks are managed, I think it is crucial that due diligence and transparency are followed so that input and regulations are adhered to. Thereby not allowing a single department within or by the Council to develop their own decisions and plans without adhering to or by-passing protective laws.	Noted. The intent is not to bypass approvals, the proposed LPP still mandates requirements for when a Development Application (DA) would be required.  Where a DA is not required, consultation with affected neighbours may still be required through a separate process by a different department in the City, mainly pertaining to new park infrastructure or recreational establishments.
4	Name Withheld	<i>Support with changes</i> 1. Though the frustration with red tape is understandable - I think in this case it is	Noted. Any set up of Public Open Space prior to being reserved for

		<p>justifiable given that the preservation of any public space is so important for the wellbeing of the public, the environment and the survival of native flora and fauna. With more and more land being required to house our growing population - what remains as open space must be carefully managed to ensure preservation and protection of native flora and fauna.</p> <p>Sometimes human activity needs to be strictly controlled to ensure the survival of native species. If the balance between humans and nature is not preserved - health problems in the human population maybe exacerbated.</p> <p>When native flora and fauna are lost they are irreplaceable- whereas human activity can be placed away from fragile areas.</p> <p>Parks are wonderful recreational facilities but let's not forget they are also the ever decreasing habitats needed for the survival of our native environment.</p> <p>To understand the needs of the endangered wild life around us takes expertise in many areas and the Council must consult relevant authorities before any incursions into our few remaining open spaces.</p>	that purpose is carefully considered in the earlier stages of strategic planning and is required to be referred to State Government Authorities. It also includes extensive environmental reports to ensure fauna and flora is appropriately preserved and managed.
5	Sarah Gloversuccse 3 Bremer Way, Success	<p><i>Support</i></p> <ol style="list-style-type: none"> <li>On the whole, a sensible policy.</li> </ol> <p>Process query re below development type; if no planning approval is required, are risk assessments undertaken? e.g., Grass trees were planted along the central reservation on Hammond Road, nr Wentworth Parade. They were planted close to the traffic island, and as they grew, restricting visibility for people crossing the road. This is a high-risk area, as Success Primary School (east of Hammond Road) services families living in the Boronia Estate on the west side of Hammond Road. They have now been removed.</p> <p>Development type Tree &amp; shrub planting • No Development Approval required for any tree planting, irrespective of plant size or height.</p>	Noted. If a species is found to cause a safety or sightline issue, at any stage the City is able to interject and manage the issue effectively. This is proposed to continue on this basis.
6	Name Withheld	<p><i>Oppose</i></p> <ol style="list-style-type: none"> <li>Any infrastructure / footpaths / roads / drainage / bike/pump tracks etc. should require a DA and given to the residents for consultation, especially if affects them in ANY way, short term or long term.</li> </ol>	<p>Noted. Where a DA is exempt under the LPP, there may be requirements for the City to still consult with affected neighbours.</p> <p>However, where not required – the intent is to streamline the application type and mandate</p>

			setbacks to reduce amenity impacts on affected neighbours.
7	Name Withheld	<i>Support with changes</i> 1. I feel the Retaining walls should have Development approval - due to retaining wall failures in housing developments on the news in 2020 Retaining walls • Development Approval is not required for Retaining Wall applications in line with approved civil drawings by the City, under an approved subdivision, where the land has already been ceded as a local reserve and Retaining Walls greater than 2m in height (measured from the Natural Ground Level) are setback 2m from all lot boundaries.	Noted. The retaining walls in Local Reserves will need to be approved by suitably qualified engineers and therefore the City does not intent to modify this provision in the LPP.
8	Nicola Beynon 1 Ranunculus Court, Beeliar	<i>Support with changes</i> 1. The ability to install 'off the shelf' skateparks, bump tracks and playgrounds without Planning Approval means that these might be installed without the required community consultation (affected properties). Cockburn has a lot of natural bush reserves which I feel need that extra layer of protection and process to give community time to hear about and respond to planned works.	Noted. The City has amended this provision in the LPP to mandate all skate parks require Development Approval.
9	Name Withheld	<i>Support</i> 1. More parks and less hassle is best for the community as a whole.	Noted.
10	Name Withheld	<i>Support</i> 1. Any changes that reduce red tape and allow the Council to move forward with improvements to our parks can only be a positive for both council & ratepayers/park users.	Noted.
11	Name Withheld	<i>Support</i> 1. It appears to be a common sense approach and still requires planning permission for things which might have a greater impact	Noted.
12	Name Withheld	<i>Support with changes</i> A) Picnic & barbecue areas & shelters have the potential to generate noise affecting adjoining residences located at the lot boundaries if the setback is at 2m. Please consider amending it to a minimum setback of 7.5m or DA required.  B) Regardless of propriety equipment skate parks & pump tracks have the potential to generate considerable noise affecting adjoining residences located at the lot	Noted. With respect to the point A & C – the City does not intend to amend the LPP to increase the setback requirements to 7.5m. It is considered the 2m is deemed appropriate to capture amenity issues. The City is still obliged to

		<p>boundaries if the setback is at 2m. DA required.</p> <p>C) Water play have the potential to generate noise affecting adjoining residences located at the lot boundaries if the setback is at 2m. Please consider amending it to a minimum setback of 7.5m or DA required.</p> <p>D) Artwork – any form of artwork is very subjective and requires consultation with the residences located at the lot boundaries adjoining the local reserve. DA required.</p> <p>E) Bird Hides – increase in bird droppings are expected if located at the lot boundaries adjoining the local reserve. Please consider amending it to a minimum setback of 7.5m</p>	<p>consult with affected neighbours outside of the DA process in relation to new infrastructure in Local Reserves.</p> <p>With respect to point B Noted. The City has amended this provision in the LPP to mandate all skate parks require Development Approval.</p> <p>With respect to point D, if proposed artwork requires public consultation during the initial stages of planning outside of the requirements of a DA, the City may consult with affected neighbours.</p> <p>With respect to point E and specifically bird droppings, the City does not intend to modify the requirements of the LPP.</p>
13	Randal Graham 65 Sandpiper Loop, Yangebup	<p><i>Support</i></p> <p>1. To speed up development and keep costs down.</p>	Noted.
14	Name Withheld	<p><i>Support</i></p> <p>1. Looks reasonable, at the moment it takes the Council too long to get things done even after the funding is approved.</p>	Noted.
15	Name Withheld	<p><i>Support</i></p> <p>1. Looks pretty common sense. I'm supportive of the change.</p>	Noted.
16	Linda Healey 15 Armand Drive, Aubin Grove	<p><i>Support with changes</i></p> <p>1. I believe that skate parks, pump tracks, water play should have development approval. They are realistically changing the usage of the park dramatically and residents should have their input/knowledge.</p>	Noted. Public consultation is still undertaken by the City where new infrastructure such as those listed are proposed within a Local Reserve, this is done outside the

			DA stage and a lot earlier in the process.  The City has amended this provision in the LPP to mandate all skate parks require Development Approval.
17	Name Withheld	<i>Support</i> 1. Happy to streamline works.	Noted.
18	Name Withheld	<i>Oppose</i> 1. Council has made many poor decisions and mistakes in the past. I am happy for them to follow the correct process as it stands.	Noted.
19	Name Withheld	<i>Support</i> 1. To speed things up, however, it will definitely still need to be controlled.	Noted.
20	Name Withheld	<i>Support</i> 1. Fantastic Job, Good to see a proactive team.  How about the Rat Runners around the Aubin Grove Area... The lack of SPEED reduction SPEED camera and Pedestrian Crossing will eventually LEED to an accident or even a death. I have spoken to a lot of local residents at school functions and it is becoming worse due to cars being funnelled into Aubin Grove Atwell by the 3 Lanes reverting back to 2 Lanes under the overpass.... Heading South the North bound entry to the Kwinana is a great asset for the morning run which influences drivers to cut through Aubin Grove at horrendous speeds... Lyon Road is 60 however I have witnessed vehicles doing double that.... On the back roads. Gaebler is my address and the traffic during the morning peak 0500hrs - 0900hrs and the evening peak 1500hrs - 1830hrs is dangerous normally at best and if there is contesting incidents during this time the traffic flow doubles... i have contacted the local police they carry out periodic patrols however several fixed speed signs that show your current speed would deter this kind of behaviour... Lyon Road and Gaebler Road require more attention and pedestrian crossings before someone is run over.... Happy to discuss this further as I have emailed the council more than once and passing the buck to the police is not the answer Town Planning is the solution.	Noted.  Your comments are noted, however are not in relation to the content of the LPP. Your comments have been referred internally to the Traffic Team.



21	Name Withheld	<i>Support</i> 1. This is a step in the right direction and cutting a lot of RED TAPE and saving money. GO AHEAD. P/S I want a park bench at the end of my street.	Noted.
22	Paula Denis Orsino Blvd, North Coogee	<i>Oppose</i> 1. I do not support the proposed policy as it may have impacts on adjacent residents, for example trees being planted and blocking views, picnic and BBQ facilities, walkway, shelters, sand pits, play and gym equipment. These require adequate assessment through the development application process. I wish to ensure there is adequate consultation on such matters, with any residents/owners that may be affected by proposed changes. 2m noted in the policy is not a significant buffer and this needs revision. I propose that there be an addition to the policy that indicates any impacts on residents such as impacts on views of ocean from adjacent properties, then people impacted/owners/residents need to approve such a change.	Noted. Public consultation will still be considered where appropriate and where the use of a Local Reserve changes, this is done outside the avenue of a DA.  It is therefore not intended to modify this provision of the LPP.
23	Nathan Ferries 24 Crown Tce, Coogee	<i>Oppose</i> 1. There are many dodgy building companies out there that would build crappy jobs without any checks people and children would suffer as a consequence this country will become like China, I oppose.	Noted.
24	Name Withheld	<i>Oppose</i> 1. It gives the council too much license to install unsupported items, i.e. artwork, signage etc etc.	Noted.
25	Roland See Foppoli Mews, Hamilton Hill	<i>Support</i> 1. It appears to be a reasonable proposition to remove seemingly unnecessary red tape. So far, I have not heard about any objections, but I would be interested to hear them if they occurred. I believe areas like Beeliar Regional Parks (e.g. Manning Park Bushland) are not covered by this policy? If they were, I would oppose partially due to the ability to build paths (e.g. Mountain bike trails) without approval.	Noted. This LPP only addresses Local Reserves and not Regional Reserves.
26	Name Withheld	<i>Support</i> 1. Policy will reduce costs associated with construction and reduce timeframes for approvals.	Noted.
27	Name Withheld	<i>Support with changes</i> 1. I notice some inconsistency of policy, where some address the development approval	Noted. The LPP exempts development like for like where a

		<p>requirement difference between new or existing amenities, and others don't.</p> <p>For example, on page 6 under Jetty, Pontoons, Groynes and boardwalks, there is no mention of whether development approval is needed for replacement of existing structures - the example here is the Boodjar Mooliny Reserve Jetty, Lake Coogee removal and possible replacement project. Is this considered a 'new' amenity or an 'existing' one?</p> <p>I'd recommend amending the policy document to make it clear in each section whether it is the same or different. So, in this case on page 6, state clearly whether the 'Development Approval required' is for replacement / repair of existing jetties, pontoons, groynes and boardwalks - so there is no doubt in the reader's mind.</p>	<p>formal approval has been issued. This does not, however, cover Regional Reserves.</p>
28	Haydn Smith 19 Sinagara Way, Yangebup	<p><i>Support</i></p> <p>1. All seems fair and reasonable.</p>	Noted.
29	Alexander Hislop 32 Lucretia Circle, North Coogee	<p><i>Support</i></p> <p>1. This proposal appears to be appropriate and fair to the residents living near or around reserves as I do.</p>	Noted.
30	Sven Varendorff 7 Quong Place, Atwell	<p><i>Support</i></p> <p>1. It likes this reduces the red tape. It considers larger items and new items to have the requirement and where sensible removes the requirements.</p>	Noted.
31	Name Withheld	<p><i>Support with changes</i></p> <p>1. Skate/pump park developments &amp; artwork should require development applications in all instances.</p>	Noted. The City does not intend on modifying this provision of the LPP.
32	Name Withheld	<p><i>Support</i></p> <p>1. Seems reasonable.</p>	Noted.
33	Name Withheld	<p><i>Oppose</i></p> <p>1. My neighbours and over 100 signatories have opposed a Skate Park being built at Radiata Park over the past 4 years. There was NEVER any consultation for this proposal and under your new proposal to remove any requirements for approval this project would have ignored the choice of local ratepayers based on the ruleset you intend to now give yourselves free reign to</p>	Noted. The City has amended this provision in the LPP to mandate all skate parks require Development Approval.



		<p>do as you wish under the guise it's in our long term strategic planning.  It took multiple deputations to council to get the City to finally engage residents on what they actually wanted in this suburb.  Again, with this proposal to remove the provision for an approval process allows the city to do as it pleases ignorant of its ratepayers wishes.  Convenient how this hasn't been mailed to residents for real consultation. I guarantee no one would wish to remove the requirement for development approval without actually consulting with those ratepayers affected.  Bravo City of Cockburn</p>	
34	Bram Biesiekierski 98 Doolette St, Spearwood	<p><i>Support</i></p> <p>1. I hope that it will expedite the mountain bike track upgrades at Manning Park.</p>	Noted.
35	Name Withheld	<p><i>Support</i></p> <p>1. It seems pretty basic that the Council should be able to perform those functions listed.</p>	Noted.
36	Nicola Brinkley 77 Irvine Parade, Hammond Park	<p><i>Support</i></p> <p>1. Any removal of red tape where appropriate is a good thing.</p>	Noted.
37	Name Withheld	<p><i>Support with changes</i></p> <p>1. LPP 5.20. My concerns are with the development approval NOT REQUIRED where pump tracks and skate parks are constructed, etc. etc. I have 2 concerns regarding this, (1) \$' value. As a Ratepayer I would like to be made aware of the cost of development/facility. Also, who is responsible for insurance, Council (ratepayers), damage Council (ratepayers). There have been concerns raised re young (and older), people gathering at these areas, complaints by local residents, therefore bringing in CCTV (cost to Council (Ratepayers), etc. Substantial amounts can be spent on such facilities, especially as sometimes these are fads. Is my money being well spent?? (2) The setback in relation to boundaries, ie 2m from all lot boundaries. I would like to have knowledge, especially if they arise in my area, and be a part of the process of whether development of such facilities are in a suitable location. As stated above, at times, there are other related costs which occur post development. More transparency is required in relation to development in the Cockburn area. As the area is expanding at a rapid rate, I would hate to see any developments being proposed on where it may impact on green area.</p>	Noted. The City holds Public Liability insurance and property insurance.



38	Shaun Lynch 385 Hamilton Hill	<i>Support with changes</i> 1. There needs to be a provision for consultation with private land holders that share boundaries with or reside within 50/100m of the reserve. Without the DA how can the public comment or review on proposed plans?	Noted. Public consultation will still be considered where appropriate and where the use of a Local Reserve changes, this is done outside the avenue of a DA.  It is therefore not intended to modify this provision of the LPP.
39	Name Withheld	<i>No Opinion</i> 1. There is no use giving my opinion, I gave my opinion last time for dogs to be allowed on leash on the Beeliar Oval, which was not even considered.	Noted.
40	Name Withheld	<i>Oppose</i> 1. Communication with the City of Cockburn has lacked transparency. I'm not sure one department should be free of accountability to another.	Noted.
41	Name Withheld	<i>Support</i> 1. We need good facilities but we also need what used to be known as public conveniences these seem to be in very short supply.	Noted.
42	Name Withheld	<i>Support</i> 1. Streamlining process, avoid unnecessary admin, as long as it meets agreed policy objectives - makes good sense. If complaints/issues come from this policy change, ensure adequate investigation of reasons of complaint and would have the policy not been changed - would the complaint still have happened.	Noted.
43	Renae Ford 8 Blackford Turn, Success	<i>Support</i> 1. I've asked for over a year to have a basketball court be put in Success as my kids have to cross main roads to get to one in Hammond park, Bibra Lake or South Lake. There is so much room behind us on Wentworth and at the rugby club park but nothing is done because supposedly "within 50m of residence" although all of the other basketball courts have been built closer than this in City of Cockburn. Never know what to believe as this is a "free, healthy" outdoor activity for everyone in the community to use.	Noted.

44	Brian H Clogged Holiday Park, Coogee	<i>Oppose</i> 1. Disgracefull The City are avoiding accountability for decision making g. This will allow Discovery Parks a free reign to implement whatever change they want at CHP irrespective of impact to environment and long term residents. This is a terrible policy.	Noted.
45	Asha Canty Borrtill St, Hamilton Hill	<i>Support</i> 1. Playgrounds shouldn't have to wait when in need of upgrading especially if dangerous	Noted.
46	Mimma Tassone 52 Fairbairn Road, Coogee	<i>Support</i> 1. There is no advantage to retaining the lengthy process of Development Approval for the works listed in the councils proposal. I feel it is reasonable to enable council to carry out these works at their discretion without Development approvals. However, I would like council to inform ALL electors on significant works being carried out using public monies within the city boundaries and allow ALL electors the opportunity to voice their approval or not in a survey format as this one. Additionally, the same to apply for any policy changes that apply to any areas within city boundaries. This is not unreasonable when using public monies as most electors will have email contacts or at least postal address.	Noted.
47	Joshua Jago 70 Indigo Bend, Wellard	<i>Support with changes</i> 1. As president of a junior cricket club. I find that it would be beneficial to the community, clubs and schools were contacted every couple of years for a review of the sporting reserves to provide feedback for potential upgrade of facilities and training areas. For example, Phoenix Beeliar Junior cricket club is growing to potentially have 10 teams of junior players whom all live in and around Beeliar. Trying to fit training days in a 4-5 day period with limited space of 2 pitches and 2 nets makes it very difficult. For a safety point of view, there has been numerous junior players slip and fall on the concrete whilst training. A full synthetic grass Training facility with 2 more nets at Beeliar would provide space and safety for everyone around the rapidly growing community.	Noted.
48	Robert Herrick 2 Azure Tce, Lake Coogee	<i>Support with changes</i> 1. I support cutting red tape to speed up the delivery of amenities to parks and recreational areas however I would like some clarity around the difference this makes to the approval process for changes in land use.	Noted.
49	Helen	<i>Support</i>	Noted.

	Archibald 27 Claygate Road, Hamilton Hill	<p>1. I believe that there needs to be a far greater emphasis and importance put on keeping and valuing our open spaces and nature reserves. As humans, we fail to acknowledge that we are merely one species living amongst millions of others. We have taken enough homes, lives and habitats of other species, just for our own benefit and this needs to stop. We need to start valuing the amazing bush and open landscapes around us, because once it is gone, it can never be replaced.</p> <p>We have only recently moved into the Manning park precinct and are blown away by the natural beauty of the area and feel so privileged to be surrounded by so much open space. It is the first thing that attracted us to the area and is so unique in this concreted world.</p> <p>We only need to look at the detrimental damage we have already done to this amazing landscape worldwide. So much beauty and history has been lost so one species can have their 4x2 with a double carport and theatre room. I believe we need to stop any further development and treasure this amazing home for all.</p>	
50	Rebecca Bowden 2/104 Forrest Rd, Hamilton Hill	<p><i>Support with changes</i></p> <p>1. I do NOT want quicker approvals to result in possible harm to local fauna and flora - our native species need to be protected. I want protection of the park inhabitants to be an important consideration in all development plans.</p>	Noted.
51	Richard Noble Level 1/189 Hay Street, Subiaco	<p><b>Current wording:</b> Development Approval is not required for Earthworks applications in line with approved civil drawings by the City, under an approved subdivision, where the land has already been ceded as a local reserve.</p> <p><b>Proposed wording:</b> Development Approval is not required for Earthworks applications in line with approved civil drawings by the City, under an approved subdivision, and where the land has already been identified a local reserve under an approved Structure Plan.</p>	Noted. The City proposes these changes in the revised LPP.
		<p><b>Current wording:</b> Development approval is required for Earthworks where native vegetation is proposed to be cleared, unless the native vegetation is located within an easement or within 2m of any lot boundary.</p>	Noted. The City proposes these changes in the revised LPP.

		<b>Proposed wording:</b> Development approval is required for Earthworks where native vegetation is proposed to be cleared, unless: <ul style="list-style-type: none"> <li>the native vegetation is located within an easement or within 2m of any lot boundary; or</li> <li>required to implement an approved Structure Plan; or</li> </ul> The State of Commonwealth has approved the clearing.	
		Review to provide flexibility in the wording cognisant of: <ul style="list-style-type: none"> <li>Approved Structure Plans which identify future POS;</li> <li>The title creation process and the civil construction process not aligning with the proposed wording.</li> </ul> The proposed modifications will enable work which will be undertaken anyway, remove unnecessary applications and result in a more efficient delivery of the infrastructure.	
		<b>Current wording:</b> ... 2m of any lot boundary.  <b>Proposed wording:</b> ... 2m of any lot boundary or road reserve, whichever is applicable.	Noted. The City proposes these changes in the revised LPP.

## 8.2 (2021/MINUTE NO 0047) Proposed Amendment to Local Planning Policy 4.6 Cockburn Coast Design Guidelines for Robb Jetty and Emplacement Precincts (Consideration for Consultation)

**Author** D Di Renzo

**Attachments** 1. Draft Amended Local Planning Policy 4.6 'Cockburn Coast Design Guidelines for Robb Jetty and Emplacement Precincts'  
[↓](#)

### RECOMMENDATION

That Council:

- (1) ADOPTS the proposed amendments to Local Planning Policy 4.6 'Cockburn Coast Design Guidelines for Robb Jetty and Emplacement Precincts' for the purposes of advertising, as shown in Attachment 1 of the Agenda; and
- (2) ADVERTISES the amended Local Planning Policy 4.6 Cockburn Coast Design Guidelines for Robb Jetty and Emplacement Precincts, as per Recommendation 1 above, in accordance with Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

### Committee Recommendation

MOVED Cr T Dewan SECONDED Cr M Separovich

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 5/0**

### Background

The Cockburn Coast area has been the subject of extensive planning, commencing with the adoption of the Cockburn Coast District Structure Plan (CCDSP) by the Western Australian Planning Commission (WAPC) in 2009.

The CCDSP Plan (Part 2) was adopted by Council in 2012 and provided a refinement of the 2009 District Structure Plan to guide local structure plans.

The Robb Jetty Structure Plan (RJSP) was subsequently adopted to guide land use and development of the area west of Cockburn Road, bound by Rollinson Road to the north, and McTaggart Cove to the south.

The RJSP proposes a mix of zones and reserves, including an activity centre, public open space, residential (ranging up to R160 density), mixed business, mixed use, and a primary school site.

Local Planning Policy 4.6 'Cockburn Coast Design Guidelines for Robb Jetty and Emplacement Precincts' (LPP 4.6) was adopted to guide the development and urban form of the Robb Jetty and Emplacement Structure Plan areas to ensure that the design principles of those structure plans is achieved.





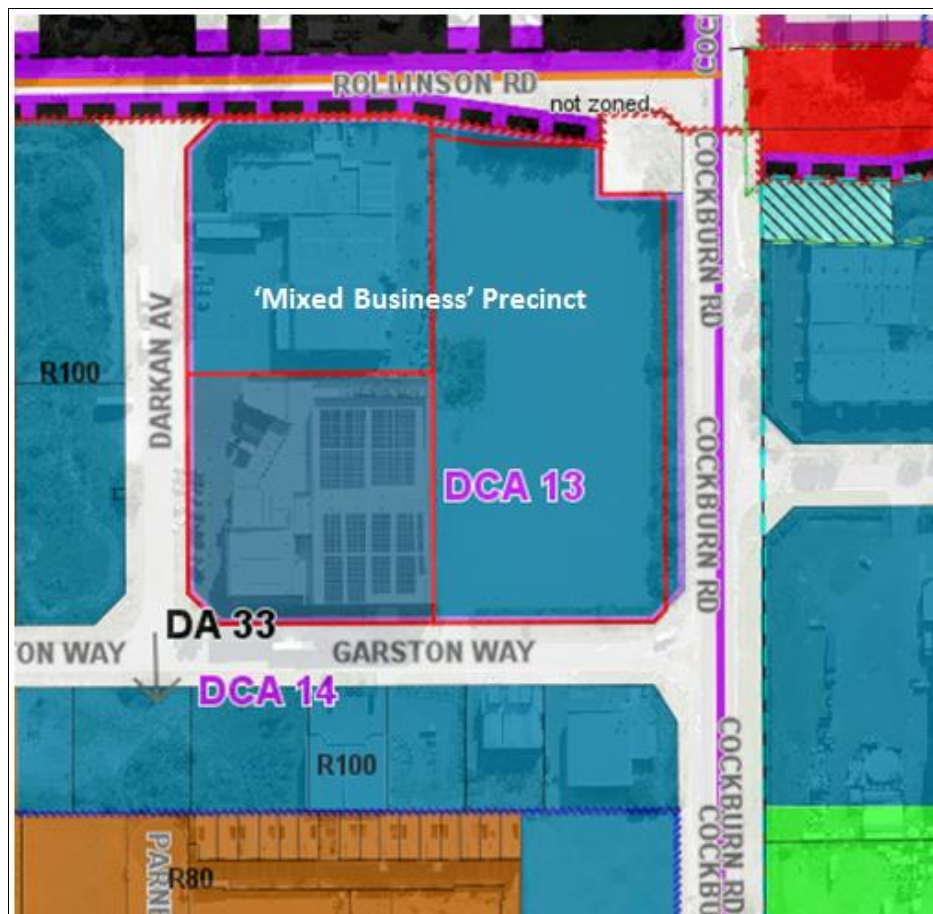
## Submission

N/A

## Report

The purpose of this report is to consider a proposed modification to LPP 4.6 to correct an anomaly regarding the 'Mixed Business' precinct of the RJSP area.

The 'Mixed Business' precinct comprises three lots, 1 and 3 Darkan Avenue, and 2 Garston Way, North Coogee, as shown below.



The 'Mixed Business' precinct is zoned 'Development' pursuant to the City of Cockburn Town Planning Scheme No. 3 (TPS 3) and is located within Development Area 32 (DA 32), and Development Contribution Areas 13 and 14 (DCA 13 and DCA 14).

The area is subject to the RJSP, and in accordance with Clause 27(1) of *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 'deemed provisions' and DA 32, the City will have 'due regard' to the Structure Plan in decision-making.





The Structure Plan identifies residential uses as 'X' (not permitted) uses for the 'Mixed Business' zone. This aligns with the CCDSP (2009) which states that the mixed business classification has been applied in this location for the following reasons:

- to protect areas with existing industrial uses from pressure to relocate, as a result of any perceived or actual co-location of incompatible uses
- to ensure employment opportunities in the project area by providing enough suitably zoned and serviced land to allow the level of economic self-sufficiency sought for the Cockburn Coast.

This is further reiterated in the CCDSP Part 2 which states that the mixed business area has been nominated to facilitate a transition from the existing industrial business to lighter industry and commercial uses that do not have a detrimental impact on the future amenity of the surrounding residential uses.

LPP 4.6 is intended to provide more detailed guidance on development standards for the area. In accordance with Clause 67(2) of the 'deemed provisions', in considering an application for development approval, the local government is to have due regard to local planning policies.

LPP 4.6 includes the 'Mixed Business' and 'Mixed Use' zones together, providing for a mixed-use typology that includes residential (see Figure 5), conflicting with the Structure Plan.

Given that the Structure Plan is clear that residential uses are not to be supported in the 'Mixed Business' precinct, this is considered to be an anomaly that requires correction. Accordingly, the table below sets out the recommended modifications to provide clarity regarding this matter.

Section	Proposed changes (red)	Reason
1.2 Vision for Cockburn Coast – 'Robb Jetty LPP Area'	Update to include reference to a 'Mixed Business' precinct and activity centre main street, as follows:  The Robb Jetty LSP area will contain elements of mixed-use development along significant road links including Cockburn Road, <b>an activity centre main-street, and a 'Mixed Business' precinct</b> , but is otherwise set aside for medium to high density residential development.	Currently the vision is incomplete and does not reference the 'Mixed Business' precinct or activity centre main street. This change will make the vision more complete, reflecting the range of uses within the structure plan (not just residential and mixed use on Cockburn Road).
2. Typology Specific Guidelines	Add a new section under a heading - 'Mixed Business Typology' Facilitating a transition from the existing industrial businesses to lighter industrial or commercial uses that do not have a detrimental impact on the amenity of future surrounding residential uses. All new built form proposals shall provide an interface that is compatible and complementary with surrounding existing or future mixed-use development.	To provide clarity regarding the typology of the 'Mixed Business' precinct and to ensure any proposals are cognisant of the interface with future residential or mixed-use development.

Clause 2.2 Mixed Use Typology	Delete reference to Figure 6 applying to both the 'Mixed Use' and 'Mixed Business' zone (so it will only apply to the 'Mixed Use' zone), as follows: The 'Mixed Use – Cockburn Road Typology' as shown in Figure 06 below, applies to <del>both the Mixed Use and Mixed Business zones</del> as shown on the approved Robb Jetty Local Structure Plan.	To ensure the 'Mixed Use' typology (with residential) does not apply to the 'Mixed Business' zone, in line with the permissible uses set out in the Structure Plan.
Figure 3 Built Form Typologies	Remove the 'Mixed Business' precinct from the 'Mixed Use' area (currently coloured blue) and hatch the precinct and annotate as 'Mixed Business'.	To ensure the 'Mixed Use' typology (with residential) does not apply, in line with the permissible uses set out in the Structure Plan.
Figure 6 Mixed Use built form typology	Remove the 'Mixed Business' precinct from the 'Mixed Use' area (currently coloured blue).	To ensure the 'Mixed Use' typology (with residential) does not apply, in line with the permissible uses set out in the Structure Plan.

If adopted by Council, the draft amended LPP 4.6 will be advertised in accordance with Clause 4(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for a minimum of 21 days.

This will include letters to landowners within the 'Mixed Business' precinct itself and the adjacent area, a notice on Comment on Cockburn, and hardcopy available for inspection at the City's administration building.

### Conclusion

Currently LPP 4.6 conflicts with the RJSP as it relates to the 'Mixed Business' zone and residential land uses. To correct this anomaly, it is recommended that proposed amendments to LPP 4.6, as discussed in this report, be advertised for public comment.

## **Strategic Plans/Policy Implications**

### Local Economy

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

- Increased Investment, economic growth and local employment.
- Thriving local commercial centres, local businesses and tourism industry.

### Community, Lifestyle and Security

A vibrant healthy, safe, inclusive and connected community.

- Accessible and inclusive community, recreation and cultural services and facilities that enrich our community.

## **Budget/Financial Implications**

Costs involved with advertising the proposed amendment to LPP 4.6 will be met by the Strategic Planning advertising budget.



**Legal Implications**

N/A

**Community Consultation**

Consultation will be undertaken in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as outlined in this report.

**Risk Management Implications**

The risk of not adopting the recommendation is that the local planning framework for the CCRJSP is conflicting, creating uncertainty for landowners and developers regarding what land uses are permitted in the area.

There is also a risk that unintended residential uses will be proposed in the 'Mixed Business' area without an appropriate interface being achievable.

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

N/A

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

Nil.



<b>Title</b>	<b>Cockburn Coast Design Guidelines for Robb Jetty &amp; Emplacement Precincts</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 4.6</b>

**Policy Type**

Local Planning Policy

**Policy Purpose**

The Cockburn Coast Design Guidelines for the Robb Jetty and Emplacement Precinct have been prepared to guide the development and urban form (including subdivision) of Robb Jetty Local Structure Plan and Emplacement Local Structure Plan (LSP) areas.

The Design Guidelines will guide the creation of a quality development that ensures the design principles of the Robb Jetty and Emplacement LSP's are achieved.

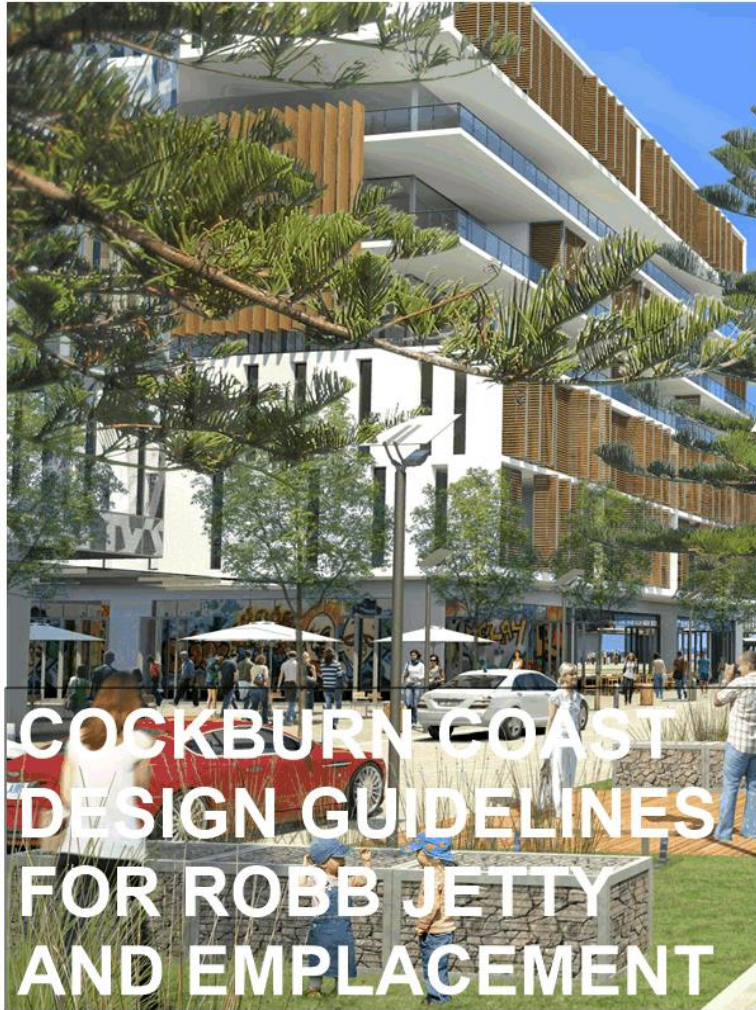
**Policy Statement**

Appendix 1 contains the Cockburn Coast Design Guidelines for the Robb Jetty and Emplacement Precinct.

Development applications will be assessed under the Design Guidelines in conjunction with the Residential Design Codes of Western Australian (R-Codes), the approved structure plan, an approved local development plan and any other relevant local planning policy.

[1]

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[2]

<b>Title</b>	<b>Cockburn Coast Design Guidelines for Robb Jetty &amp; Emplacement Precincts</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 4.6</b>



*Appendix 1: LPP 4.6 Cockburn Coast Design Guidelines for Robb Jetty and Emplacement*

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## 1. Background

### 1.1 Introduction

The Cockburn Coast Design Guidelines for the Robb Jetty and Emplacement precincts (henceforth referred to as the Design Guidelines) have been prepared to guide the development and urban form (including subdivision) of *Robb Jetty Local Structure Plan* (Robb Jetty LSP) and *Emplacement Local Structure Plan* (Emplacement LSP) areas. The design guidelines are focused on the creation of a quality development that ensures the design principles of the Robb Jetty and Emplacement LSP's are achieved.

The design guidelines will bring to fruition a lively and sustainable urban centre set amongst dense residential development. The design guidelines introduce standards for development to create the intended character and amenity within the Robb Jetty LSP and Emplacement LSP areas. Although some of the criteria are mandatory, the general approach is to provide a series of broad principles for development to follow while allowing flexibility in design outcomes over the project life span.

The design guidelines are a performance orientated assessment tool. Each design element is expressed as a design objective and one or more assessment criteria. Where a stated assessment criterion is proposed to be varied, development must demonstrate that it meets the related design objective. In this way a performance approach to design and assessment is facilitated.

The design guidelines are divided into two main sections:

#### Typology Specific Guidelines

A series of built form typologies are established in defined areas where specific guideline provisions apply that may expand on or vary the general provisions.

#### General Provisions

Contain the design guideline general provisions which are applicable to all development.

### 1.2 Vision for Cockburn Coast

Capitalising on a rare opportunity, these design guidelines set out to inform the development of an exciting mixed use community that celebrates the best of the Western Australian coastal lifestyle.

Cockburn Coast will be different from its neighbouring suburbs; it will be a place that offers choice and variety of living, recreation and working opportunities. Core to the success of the redevelopment is a well-connected Bus Rapid Transit (BRT) system which is intended to link the development to its surrounding areas. As well as connecting the design guideline area to its surrounds, this system will provide an internal system of movement which encourages more sustainable personal transportation choices.

The City of Cockburn's *Cockburn Coast District Structure Plan* (DSP) and *Cockburn Coast District Structure Plan Part 2* (DSP2) nominates three local structure plan areas being Robb Jetty, Emplacement and Power Station. Each of these areas is distinct in character and function. These design guidelines introduce standards for development to create the intended character and amenity within the Robb Jetty and Emplacement LSP areas following a detailed local structure planning process.

[4]

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#### **Robb Jetty LSP Area**

The Robb Jetty LSP area forms the north-western portion of the site and stretches from Rollinson Road in the *north*, to the Parkland Corridor in the south and Cockburn Road in the east. The area stretches west of Robb Road but excludes the beach.

*The Robb Jetty LSP area will contain elements of mixed use development along significant road links including Cockburn Road an activity centre main-street, and a 'Mixed Business' precinct, but is otherwise set aside for medium to high density residential development. The area will also house supporting community facilities in the form of the two storey urban primary school and the area's key active playing field. A coastal character is proposed to complement the adjacent foreshore and areas of open space contained within it.*

*The BRT public transport alignment is set to pass through the heart of the area and be well connected to Fremantle and the rapidly emerging Cockburn Central. A variety of small but connected public spaces will offer a range of experiences from the quiet to the communal, the sheltered to the open and the organic to the formal.*

#### **Emplacement LSP Area**

The Emplacement LSP area forms the north-east portion of the project area and stretches from the northern boundary of the master plan area, to the middle parkland corridor to the south, to Cockburn Coast Drive in the east, and Cockburn Road in the west.

The distinct character of the Emplacement LSP area is a product of its elevated topography and this landform influences how it shall be treated. Development will be responsive to the topography and shall aim to retain as much of the existing natural character of the site as possible. The Emplacement LSP area will be predominantly mixed use in its north, residential in its south, and contain the east-west linear parks, providing strong connections from Beeliar Park and through Robb Jetty LSP area to the coastal foreshore.

The Emplacement LSP area will be the new highpoint, a manufactured horizon line that offers the opportunity for a new architectural topography and an integrated landscape of nature and built form.

[5]



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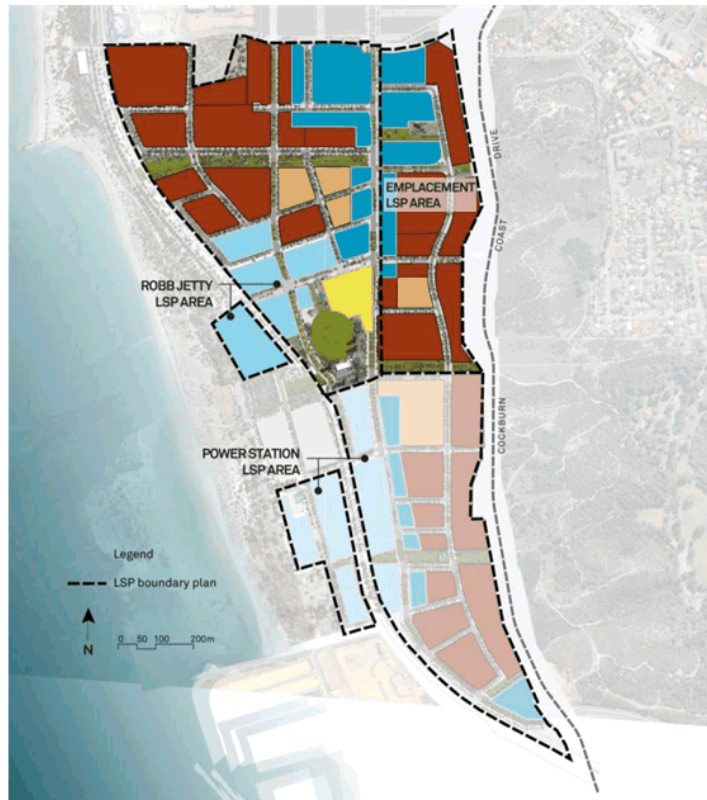


Figure 01\_Cockburn Coast Local Structure Plan areas

### 1.3 Context

The design guidelines complete a complex process of strategic planning to capitalise on the opportunity for redeveloping Cockburn Coast identified in the Western Australian Planning Commission's strategic planning document *'Directions 2031 and Beyond'*. The adoption of the DSP and later DSP2 2012 served to solidify the recognition of the Cockburn Coast's potential and identifies a number of key drivers and opportunities that underpin the vision and intent of the DSP and DSP2. Following an amendment (Amendment 89) to the City of Cockburn Town Planning Scheme No. 3 (The Scheme), which aligns the City of Cockburn's (the City) planning framework with that as proposed in the DSP and DSP2, local structure plans were produced for the Robb Jetty LSP and

[6]

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Emplacement LSP areas which establishes a development agenda and expands on the foundations of the DSP and DSP2.

These design guidelines bring to fruition a vision established and carried forward through a number of strategic planning documents and processes.

#### 1.4 Approach

The DSP established a vision which remains relevant to the ongoing planning of Cockburn Coast:

***"To create a vibrant, landmark destination that is connected, integrated, diverse and accessible."***

The vision seeks to create a place that offers new and exciting living, employment and recreation opportunities, whilst providing an appropriate level of compatibility and support for adjoining residents and existing enterprises in the area. These design guidelines are set to establish this vision by creating a sustainable community that celebrates the area's past as well as taking on creative ideas, innovation and development. Cockburn Coast will be an easily accessible place, with an integrated transit system offering contemporary lively cafes, restaurants, shops, residential and commercial areas, tourism, cultural and recreation activities.

Integral to the vision of Cockburn Coast is the intention to establish a new benchmark for sustainable urban development. This means creating a place where people not only want to live and work today, but also in the future. Sustainable communities cater to the different needs of all its residents; they are safe and inclusive and offer equality of opportunity, they are sensitive to their environment and contribute to a high quality of life.

#### 1.5 Objectives

The development of Cockburn Coast is guided by a number of key objectives or drivers which will bring to fruition the vision of a sustainable landmark destination. These objectives have influenced the preparation of the design guidelines and underpin their purpose, being to:

- create a hierarchy of coastal nodes providing for the needs of local residents and visitors alike;
- create physical and emotional links between the urban environment and the coast allowing the coastal experience to translate into the urban setting;
- provide attractive, pedestrian-oriented streets and public spaces that create an environment for positive community engagement and business exchange;
- enable buildings and public realm to engage with pedestrians and facilitate a comfortable and safe urban environment;
- allow for activation at ground level by retail and hospitality uses in key streets identified by the Local Structure Plans;
- optimise residential development potential whilst maintaining the intended character of the Cockburn Coast;
- minimise the impact of car parking on the pedestrian experience and quality of the public realm;
- create a sustainable environment that allows for the implementation of green infrastructure; and
- promote the use of sustainable modes of transport and a health way of living through active engagement with the urban environment.

[7]

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### 1.6 Purpose

These design guidelines have been prepared to guide development within the Robb Jetty LSP and Emplacement LSP areas under the Scheme. Implementation of the guidelines will ensure the realisation of Cockburn Coast as an urban environment providing both local and district centre activity centres.

### 1.7 Design Guideline Policy Area

These design guidelines apply to the area of land within the Robb Jetty LSP and Emplacement LSP, henceforth referred to as the policy area. The policy area is bound by:

- Rollinson Road to the north;
- South Fremantle Power Station and the Western Power Switchyard to the south;
- Beeliar Regional Park to the east; and
- The foreshore reserve to the west.



Figure 02\_Design Guidelines Policy Area

### 1.8 Relationship to Relevant Planning Documents

The design guidelines are adopted under the provisions of section 4 of the Planning and Development Regulations 2015 Procedures for Making Local Planning Policy. The provisions of these design guidelines vary the requirements of the State Planning Policy

[8]

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7.3 Residential Design Codes (R-Codes). Where these design guidelines are silent the provisions of the R-Codes and relevant local planning policies apply. It should be noted that the plot ratios of the R-Codes are varied and plot ratio will not form part of the assessment criteria for proposals in these precincts.

These design guidelines should be read in conjunction with the Scheme, the Robb Jetty LSP, the Emplacement LSP, any relevant Local Development Plan (LDP) and the R-Codes. In determining any application for development approval, the City will utilise these design guidelines in conjunction with the Scheme, any relevant LDP and policies.

#### **1.9 Relationship to the Robb Jetty LSP and Emplacement LSP**

The Robb Jetty LSP and Emplacement LSP set out a number of development objectives relating to the DSP2 redevelopment area. In particular they establish land use, movement, activity, urban form and resource enhancement development standards to ensure Cockburn Coast operates as an effective urban environment.

These design guidelines build upon both LSPs and provide more detailed guidance on development standards in the form of an adopted local planning policy.

#### **1.10 Guideline Framework**

The detailed design guidelines contained in the General Provisions section are set out with the following framework:

*Design Objective:*

Statements outlining the design philosophy and intent of the assessment criteria. It is mandatory for development to meet the design objective.

*Assessment Criteria:*

Standards that sets out the specific criteria to satisfy an associated design objective. Compliance with the applicable assessment criteria will achieve the design objective. However individual criteria are not mandatory and alternative solutions for complying with the design objective will be considered on a performance basis subject to supporting evidence.

The typology specific section of the design guidelines contains character statements. The character statements guide both the design objective and assessment criteria and as such, all development shall be consistent with the relevant character statement.

#### **1.11 Discretion**

An important provision within the design guidelines is the opportunity for the applicant or owner to meet the design objective through an alternative solution.

The City may approve a development application or Local Development Plan where the applicant or owner has departed from the recommended assessment criteria. Variations may be considered where, in the City's opinion, the applicant or owner has demonstrated that the alternative solution is consistent with the Robb Jetty LSP or Emplacement LSP where relevant and meets the design objective. Variations will be considered where a proposal does not include an affordable housing component, but will be considered more favourably where it does.

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Where a development proposal is determined to be inconsistent with a design objective in a manner that may impact on the public realm or adjoining properties then the proposal may be refused or referred to Council for determination.

Where the applicant or owner has provided a sufficient affordable housing component, a relaxation of the assessment criteria may be considered where the alternative solution is consistent with the relevant LSP and meets the design objective. These design guidelines provide further guidance on those criteria considered suitable for variation.

Each application for development approval will be assessed on an individual basis and the approval of an alternative solution will not set a precedent for other developments.

#### 1.12 Definitions

*Noise Sensitive Premises (as defined in the Environmental Protection (Noise) Regulations 1997) includes premises occupied solely or mainly for residential or accommodation purposes, and premises used for the purpose of a hospital, sanatorium, educational establishment, public worship, aged care or child care.*

*Commercial Laneway includes any laneway within the mixed use or activity centre typology areas as set out by these design guidelines.*

All definitions included in the R-Codes are applicable to land affected by these Design Guidelines.

#### 1.13 Development Process

Owners, developers and/or agents are encouraged to arrange pre-application meetings with the City's Planning Department prior to lodgement of a formal development application. Once a development application is lodged, it will be assessed by the City to verify it meets all applicable design objectives and assessment criteria.



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Activity Centre – Main Street Typology



Mixed Use – Cockburn Road Typology



High Density Residential Typology



Medium Density Residential Typology

## 2. Typology Specific Guidelines

The policy area is divided into a number of built form typologies each with their own distinct character and function. There are also a number of landmark and gateway sites identified by the built form typology location plan. These sites are to be developed with a diverse and active facade to facilitate way finding and reflect the natural hierarchy and land use of the area.

### *Activity Centre - Main Street Typology*

Development in this area addresses and activates the identified pedestrian oriented "main" street whilst a high quality public realm creates a comfortable place in which locals meet and conduct business. This area provides a key link between the ocean and urban environment as well as providing for the retail and local service needs of the local community.

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#### *Mixed Use - Cockburn Road Typology*

A range of retail and commercial functions complemented by residential development are to be accommodated within this mixed use area. The presence of Cockburn Road informs the scale and built form of development and necessitates the promotion of an active ground floor.

#### *High Density Residential Typology*

The most intensely developed residential typology to afford the greatest access to the proposed bus rapid transit system. High density residential development is to create a new skyline in Cockburn Coast.

#### *Medium Density Residential Typology*

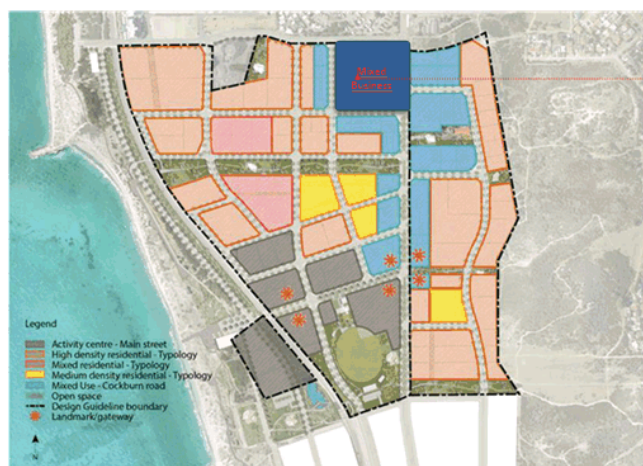
Providing a mix of housing opportunities near the Activity Centre, this typology will feature soft landscape public realm and contemporary urban development ranging from terrace housing to medium scale apartment style buildings.

#### *Mixed Residential Typology*

A special urban precinct designed around exploring contemporary urban forms, featuring a mix of housing opportunities, with living choices ranging from high density apartments to compact terrace housing, punctuated by innovative shared access streets and open spaces.

#### *Mixed Business Typology*

Facilitating a transition from the existing industrial businesses to lighter industrial or commercial uses that do not have a detrimental impact on the amenity of future surrounding residential uses. All new built form proposals shall address an interface that is compatible and complementary with surrounding existing or future residential or mixed use development.



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[12]

<b>Title</b>	<b>Cockburn Coast Design Guidelines for Robb Jetty &amp; Emplacement Precincts</b>
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Figure 03\_Built Form Typologies

### 2.1 Activity Centre – Main Street Typology

The activity centre typology is primarily a place for local residents and businesses, a walkable village that is intimate in scale and 'soft' in character. The beach comes to the main street and a variety of small but connected public spaces offer a range of experiences from the quiet to the communal. Buildings and land use will facilitate the creation of a central shopping and activity zone resulting in a walkable community hub.

The Main Street provides a convenient and inviting local shopping experience intended to be serviced by a rapid bus transit system. Street trading and active retail is concentrated in the western portion of the area creating a vibrant community hub. A diverse and contiguous streetscape will be developed with civic, business and retail services ensuring a suitable business mix. The oval and park within the activity centre typology represents the traditional village green and is therefore the focus of active recreation at Cockburn Coast. It is a place to be shared harmoniously by many for diverse purposes.

The built form is encouraged to take advantage of the abundant natural assets and create a comfortable outdoor environment that encourages social interactions in a relaxed and personal environment. Future built form should embody the feeling of seamless transition, from indoor to outdoor, from formal to informal, from exposed to protected. Respectful of nature, built form should reflect the natural characteristic of the vegetation and landscape.

Buildings generally of 5 to 8 storeys in height will promote a pedestrian friendly place through podium style built form and a focus on ground floor activation. Development embodies a warm architectural finish through the use of natural materials, whilst street awnings, wide footpaths and soft landscaped edges create a sense of intimacy and shelter pedestrians.

Opportunities for laneway development enhance and celebrate the distinctive environment by reflecting the neighbourhood character whilst allowing for it to be developed as a secondary small street. Laneways containing commercial uses will be characterised by small scale tenancies, evolving over time to provide an intimate and unique experience.

[13]



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Figure 04\_Activity Centre built form typology

### Building Setbacks

#### Design Objective

- I. Building setbacks create tightly framed streetscapes and public open spaces
- II. Building setbacks help create highly urban streetscapes

#### Assessment Criteria

- i. Building setbacks are to be in accordance with the following table

Setback	Street (minimum and maximum)	Side/Rear(minimum)	Laneway (minimum)	Public Open Space (minimum)
Levels 1-5	Nil	Nil	Nil	4m to wall and 2m to balconies (cantilevered/Light weight only)
Levels 6+	5m to wall and 2m to balconies (cantilevered/light weight only)	3m	3m	5m to wall and 2m to balconies (cantilevered/light weight only)

\* Where there is a commercial laneway the minimum setback above 3 storeys should be a distance equivalent to the width of lane unless a variation to the assessment criteria outlined in clause 3.4.1(ii)c of the general provisions is granted

Table 01\_ Building Setbacks for Activity Centre

<b>Title</b>	<b>Cockburn Coast Design Guidelines for Robb Jetty &amp; Emplacement Precincts</b>
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- ii. The public open space setback area shall include space for landscaping and if necessary an outdoor living area. Where additional outdoor living area is to be provided, the additional outdoor living area shall be absorbed into the building space (i.e. building shall cantilever over the outdoor living area)
- iii. Projections are permitted within the 4m setback to public parkland to maximum of 2m into the setback area
- iv. Balconies will be supported within the nil setback on levels 1-5 where a substantial facade is provided to ensure a continuous built form
- v. Balconies for Levels 6+ proposed to be setback between 2-5m shall be lightweight/cantilevered only

#### **Building Articulation**

##### **Design Objective**

- I. To ensure that building facades add positively to the public realm and its interest. Building articulation will encourage interaction with the street and passive surveillance of adjacent spaces
- II. To promote a pedestrian scale of buildings at street level
- III. The building design shall demonstrate an appropriate level of articulation to avoid building bulk appearing excessive
- IV. Building articulation will express a vibrant and modern design aesthetic

##### **Assessment Criteria**

- i. Permanent blank walls are not permitted to any street frontage. Major openings are required to provide for surveillance and interaction with the public realm
- ii. For commercial street level frontages a minimum of 80% of the frontage shall be glazed. For the street frontage for all upper floors a minimum of 40% of the frontage shall be glazed
- iii. Mixed use buildings should provide separate entries for non-residential and residential uses for legibility of pedestrian access
- iv. The facade detail may be simplified on loading areas, parapet walls and walls to 'back of house' areas
- v. Corner buildings are to address both frontages through the provision of:
  - a) distinct roof form at corners;
  - b) variation in materials and colours; and
  - c) varied balcony treatments.

#### **Building Levels**

##### **Design Objective**

- I. To ensure development maintains a positive relationship with the street such that pedestrian movement, sight lines and streetscape character are maximised
- II. To allow for the safe use of ceiling fans for cooling

##### **Assessment Criteria**

- i. Floor to floor heights on the ground floor should be 4.5m to allow for commercial use. Apartments shall achieve minimum floor to ceiling levels as outlined in Clause 4.3 of the Residential Design Codes Volume 2 – Apartments.
- ii. All other floors shall maintain a 3.1m floor to floor height for residential use and a 3.6m floor to floor height for commercial use
- iii. The ground floor should be flush with the adjacent footpath at the boundary
- iv. All development is to achieve a minimum finished floor level of +3.8AHD to ensure development takes into account coastal erosion and accretion patterns. Non habitable

[15]

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rooms and the provision of basement parking are exempt from the finished floor level stated above

#### **Awnings**

##### **Design Objective**

- I. To encourage a pedestrian scale of development
- II. To provide shelter from environmental conditions
- III. To encourage a seamless flow of the use and function of a building from internal to external
- IV. To maintain a safe separation between passing traffic and awnings

##### **Assessment Criteria**

- i. Awnings over footpaths are to be provided for no less than 80% of the primary and secondary street frontage. This requirement does not apply to laneways
- ii. The vertical clearance of awnings shall be consistent and generally 3.2m from pavement level
- iii. Awnings shall project 3.5m from the building line except where this results in a setback between to the awning and the outer edge of the road pavement of less than 0.6m
- iv. Adjoining awnings are to form continuous coverage over the footpath
- v. Awnings are to be provided with non-structural veranda posts along the Robb Jetty Main street. In this respect awnings are to be suspended by cantilevered construction and not use load bearing posts

#### **Building Height**

##### **Design Objective**

- I. Building heights help create a compact urban built environment
- II. Consistent building heights create a recognisable urban character
- III. Building heights mean the Activity Centre Typology area is highly visible from a distance
- IV. Building heights do not visually overwhelm the streetscape
- V. Building heights avoids continual overshadowing of the streetscape

##### **Assessment Criteria**

- i. Building heights shall be in accordance with the Building Height Plan (Figure 14)
- ii. Development shall be a minimum of three storeys and six storeys (depending on site)

#### **Building Materials**

##### **Design Objective**

- I. To encourage a style of development that is consistent with the coastal location
- II. To provide for a consistency in the standard of finish and materials throughout Cockburn Coast.
- III. To foster a sense of place through an identifiable character and style of development

##### **Assessment Criteria**

- i. Extensive use of concrete tilt panels is discouraged. Where concrete tilt panels are used, they shall be integrally coloured (colour tinted concrete)
- ii. Moulded textures imprinted in the external surfaces of any concrete panels are encouraged
- iii. Painted finishes and rendered textures over concrete panels are not permitted
- iv. The use of natural materials such as stone, timber and other such natural products is encouraged in both interior and exterior finishes

[16]

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### Open Space

#### Design Objective

- I. To ensure that development provides an attractive and engaging interface with the public open space
- II. To maximise the potential for passive surveillance

#### Assessment Criteria

- i. Where an area of public open space is provided the surrounding development must address the open space by maximising passive surveillance from habitable rooms; buildings must front onto the open space through placement of doors, windows and balconies to create a safe and comfortable pedestrian environment

### Landmark Sites

#### Design Objective

- I. To encourage a sense of place and identity
- II. To increase the legibility of place
- III. To demarcate the natural hierarchy of an area by identifying those places which are of significance

#### Assessment Criteria

- i. Sites in key locations have been nominated as landmark sites as shown in Figure 04  
Built Form Typologies shall:
  - a) Promote prominent architectural form on corner elements to provide a reference point in the built form and landscape;
  - b) Encourage additional height elements where appropriate to create a point of difference with the balance of the development area and demarcate points of entry and prominence; and
  - c) Variations to setback requirements will be considered in order to create prominent feature elements.

### Fencing

#### Design Objective

- I. To ensure that fencing does not detract from the function and appearance of the streetscape

#### Assessment Criteria

- i. Fencing is not permitted forward of the building line adjacent to the primary or secondary street frontage
- ii. The interface between private lots and the public open space may be fenced to a maximum height of 1.2m from natural ground level, but must be visually permeable above a height of 1.0m above natural ground level

[17]

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Figure 05\_Typical cross section for activity centre development

## 2.2 Mixed Use – Cockburn Road Typology

Cockburn Road is the main arterial road through Cockburn Coast and the policy area. Cockburn Road will be the focus of a mixed use form of development allowing for commercial, residential and retail uses. An active ground floor through retail and commercial uses will be encouraged with primarily residential development occupying the upper levels. The impact of the busy Cockburn Road will be softened by landscaping and an active footpath. Alfresco dining opportunities will be encouraged and facilitated by the built forms and land uses. The Mixed Use – Cockburn Road Typology as shown in Figure 06 below, applies to ~~the both~~ Mixed Use and Mixed Business zones as shown on the approved Robb Jetty Local Structure Plan.

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Figure 06\_Mixed Use built form typology

### Building Setbacks

#### Design Objective

- I. Building setbacks promote tightly framed streetscapes and public open spaces
- II. Building setbacks help create highly urban streetscapes

#### Assessment Criteria

- i. Building setbacks are to be in accordance with the following table

Table 02\_Building Setbacks for Mixed Use development

Setback	Street (minimum and maximum)	Side/Rear (minimum)	Laneway (minimum)	Public Open Space (minimum)
Levels 1-3	Nil	Nil	Nil	4m to wall and 2m to balconies (cantilevered/light weight only)
Levels 4+	5m to wall and 2m to balconies (cantilevered/light weight only)	3m	3m	5m to wall and 2m to balconies (cantilevered/light weight only)

\* Where there is a commercial laneway the minimum setback above 3 storeys should be a distance equivalent to the width of lane unless a variation to the assessment criteria outlined in clause 3.4.1(ii)c of the general provisions is granted

[19]



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- ii. Buildings shall be setback 4m from any boundary adjoining public parkland. This setback area shall include space for landscaping and if necessary an outdoor living area. Where additional outdoor living area is to be provided, the additional outdoor living area shall be absorbed into the building space (i.e building shall cantilever over the outdoor living area)
- iii. Projections are permitted within the 4m setback to public parkland to maximum of 2m into the setback area
- iv. Balconies will be supported within the nil setback on levels 1-5 where a substantial facade is provided to ensure a continuous built form

#### **Building Articulation**

##### **Design Objective**

- I. To ensure that building facades add positively to the public realm and its interest. Building articulation will encourage interaction with the street and passive surveillance of adjacent spaces
- II. To promote a pedestrian scale of buildings at street level
- III. The building design shall demonstrate an appropriate level of articulation to avoid building bulk appearing excessive
- IV. Building articulation will express a vibrant and modern design aesthetic

##### **Assessment Criteria**

- i. Permanent blank walls are not permitted to any street frontage. Major openings are required to provide for surveillance and interaction with the public realm
- ii. For commercial street level frontages a minimum of 80% of the frontage shall be glazed. For the street frontage for all upper floors a minimum of 40% of the frontage shall be glazed
- iii. Mixed use buildings should provide separate entries for non-residential and residential uses for legibility of pedestrian access
- iv. The facade detail may be simplified on loading areas, parapet walls and walls to 'back of house' areas
- v. Corner buildings are to address both frontages through the provision of:
  - a) distinct roof form at corners;
  - b) variation in materials and colours; and
  - c) varied balcony treatments.

#### **Building Levels**

##### **Design Objective**

- I. To ensure development maintains a positive relationship with the street such that pedestrian movement, sight lines and streetscape character are maximised
- II. To allow for the safe use of ceiling fans for cooling

##### **Assessment Criteria**

- i. Floor to floor heights on the ground floor should be 4.5m to allow for commercial use of the ground floor
- ii. All other floors shall maintain a 3.1m floor to floor height for residential use and a 3.6 metre floor to floor height for commercial use. Apartments shall achieve minimum floor to ceiling levels as outlined in Clause 4.3 of the Residential Design Codes Volume 2 – Apartments.
- iii. The ground floor should be flush with the adjacent footpath at the boundary
- iv. All development is to achieve a minimum finished floor level of +3.8AHD to ensure development takes into account coastal erosion and accretion patterns. Non habitable

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rooms and the provision of basement parking are exempt from the finished floor level stated above

#### **Awnings**

##### **Design Objective**

- I. To encourage a human scale of development
- II. To provide shelter from environmental conditions
- III. To encourage a seamless flow of the use and function of a building from internal to external
- IV. To maintain a safe separation between passing traffic and awnings

##### **Assessment Criteria**

- i. Awnings over footpaths are to be provided for no less than 80% of the primary and secondary street frontages. This requirement does not apply to laneways
- ii. The vertical clearance of awnings shall be consistent and generally 3.2m from pavement level
- iii. Awnings shall project 3.5m from the building line except where this resulting in a setback between to the awning and the outer edge of the road pavement of less than 0.6m
- iv. Adjoining awnings are to form continuous coverage over the footpath
- v. Any veranda post provided to an awning shall be non-structural. In this respect awnings are to be suspended by cantilevered construction and not use load bearing posts

#### **Building Height**

##### **Design Objective**

- I. Building heights help create a compact urban built environment
- II. Consistent building heights create a recognisable urban character
- III. Building heights do not visually overwhelm the streetscape
- IV. Building heights avoids continual overshadowing of the streetscape

##### **Assessment Criteria**

- i. Building shall be in accordance with the Building Height Plan (Figure 14)
- ii. Development shall be a minimum of three storeys

#### **Building Materials**

##### **Design Objective**

- I. To encourage a style of development that is consistent with the coastal location
- II. To provide for a consistency in the standard of finish and materials throughout Cockburn Coast
- III. To foster a sense of place through an identifiable character and style of development

##### **Assessment Criteria**

- i. Extensive use of concrete tilt panels is discouraged. Where concrete tilt panels are used, they shall be integrally coloured (colour tinted concrete)
- ii. Moulded textures imprinted in the external surfaces of any concrete panels are encouraged
- iii. Painted finishes and rendered textures over concrete panels are not permitted
- iv. The use of natural materials such as stone, timber and other such natural products is encouraged in both interior and exterior finishes

[21]



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### Open Space

#### Design Objective

- I. To ensure that development provides an attractive and engaging interface with the public open space
- II. To maximise the potential for passive surveillance

#### Assessment Criteria

- i. Where an area of public open space is provided the surrounding development must address the open space by maximising passive surveillance from habitable rooms; buildings must front onto the open space through placement of doors, windows and balconies to create a safe and comfortable pedestrian environment

### Landmark Sites

#### Design Objective

- I. To encourage a sense of place and identity
- II. To increase the legibility of place
- III. To demarcate the natural hierarchy of an area by identifying those places which are of significance

#### Assessment Criteria

- i. Sites in key locations have been nominated as landmark sites as shown in Figure 06 Built Form Typologies. Development on Landmark Sites shall:
  - a) Promote prominent architectural form on corner elements to provide a reference point in the built form and landscape;
  - b) Encourage additional height elements where appropriate to create a point of difference with the balance of the development area and demarcate points of entry and prominence; and
  - c) Variations to setback requirements will be considered in order to create prominent feature elements.

### Fencing

#### Design Objective

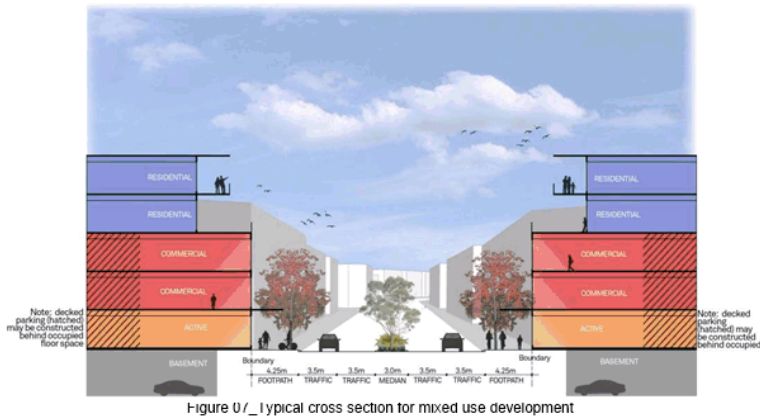
- I. To ensure that fencing does not detract from the function and appearance of the streetscape

#### Assessment Criteria

- i. Fencing is not permitted forward of the building line to the primary and secondary street frontages
- ii. The interface between residential development and the public open space may be fenced to a maximum height of 1.2m from natural ground level, but must be visually permeable above a height of 1.0m above natural ground level

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Mixed use development will encompass active street edges that create a comfortable pedestrian environment

2.3 High Density Residential Typology

High density housing opportunities along the Emplacement escarpment and within the Robb Jetty LSP area will create a new skyline for the Cockburn Coast. A manufactured horizon line of apartment buildings six to eight storeys in height will offer the opportunity for a new architectural topography and an integrated landscape of nature and built form. Residents will enjoy the expansive views but also the sense of containment and grounding in the environment. Facades and balconies shade and veil occupants whilst the ground level public realm is internalised and places focus on the residential communities' common interest.

Landscaped front setbacks and tree lined verges will combine to create a soft and comfortable urban setting for apartment buildings. Pocket parks and integrated greenery with built form create a calming natural feel throughout the area despite the intensity of development, acting as a backyard space and providing a link to the coast.

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Figure 8\_High Density built form typology

### Building Setbacks

#### Design Objective

- I. Building setbacks frame streetscapes and public open spaces
- II. Building setbacks accommodate landscaping which slightly widen and softens the streetscape

#### Assessment Criteria

- i. Building setbacks are to be in accordance with the following table

Setback	Street (minimum)	Side/Rear (minimum)	Laneway (minimum)	Public Open Space (minimum)
Levels 1-3	3m	Nil	Nil	4m to wall and 2m to balconies (cantilevered/light weight only)
Levels 4+	5m to wall and 2m to balconies (cantilevered/light weight only)	3m	3m	5m to wall and 2m to balconies (cantilevered/light weight only)

Table 03\_ Building Setbacks for high density residential development

- ii. Buildings shall be setback 4m from any boundary adjoining public parkland. This setback area shall include space for landscaping and if necessary an outdoor living

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- area. Where additional outdoor living area is to be provided, the additional outdoor living area shall be absorbed into the building space (i.e. building shall cantilever over the outdoor living area)
- ii. Projections are permitted within the 4m setback to public parkland to maximum of 2m into the setback area

#### **Building Articulation**

##### **Design Objective**

- I. To ensure that building facades add positively to the public realm and its interest. Building articulation will encourage interaction with the street and passive surveillance of adjacent spaces
- II. To promote a pedestrian scale of buildings at street level
- III. The building design shall demonstrate an appropriate level of articulation to avoid building bulk appearing excessive
- IV. Building articulation will express a vibrant and modern design aesthetic

##### **Assessment Criteria**

- i. Permanent blank walls are not permitted to any street frontage. Major openings are required to provide for surveillance and interaction with the public realm
- ii. The facade detail may be simplified on loading areas, parapet walls and walls to 'back of house' areas
- iii. Built form is to address parks, pedestrian access ways and in particular laneways by providing windows, balconies and suitable facade articulation facing these areas. These elevations are to match the design quality of the dwellings primary street elevation
- iv. Corner buildings are to address both frontages through the provision of:
  - a. distinct roof form at corners;
  - b. variation in materials and colours; and
  - c. varied balcony treatments

#### **Building Levels**

##### **Design Objective**

- I. To ensure development maintains a positive relationship with the street such that pedestrian movement, sight lines and streetscape character are maximised
- II. To allow for the safe use of ceiling fans for cooling

##### **Assessment Criteria**

- i. All development shall maintain a minimum floor to floor height of 3.1m. Apartments shall achieve minimum floor to ceiling levels as outlined in Clause 4.3 of the Residential Design Codes Volume 2 – Apartments.
- ii. All development is to achieve a minimum finished floor level of +3.8AHD to ensure development takes into account coastal erosion and accretion patterns. Non habitable rooms and the provision of basement parking are exempt from the finished floor level stated above
- iii. Where residential dwellings are proposed on the ground floor adjacent to a street or public open space, a grade separation from 0.5m to 1.2m between the finished floor level of the ground floor and the adjacent street or public open space is encouraged in order to create a visual distinction between the public and private space

#### **Building Height**

##### **Design Objective**

[25]

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- I. Building heights will respond to the pedestrian scale, urban character, intended dwelling density, land use mix as well as the natural topography of the area
- II. The built form of an area shall provide a pedestrian scaled street interface with taller upper floors setback from the street alignment
- III. The built form shall minimise overshadowing to adjacent streets and public spaces

#### Assessment Criteria

- i. Development shall be in accordance with the Building Height Plan (Figure 14)
- ii. Development shall be a minimum of three storeys

#### Building Materials

##### Design Objective

- I. To encourage a style of development that is consistent with the coastal location
- II. To provide for a consistency in the standard of finish and materials throughout Cockburn Coast
- III. To foster a sense of place through an identifiable character and style of development

#### Assessment Criteria

- i. Extensive use of concrete tilt panels is discouraged. Where concrete tilt panels are used, they shall be integrally coloured (colour tinted concrete)
- ii. Moulded textures imprinted in the external surfaces of any concrete panels are encouraged
- iii. Painted finishes and rendered textures over concrete panels are not permitted
- iv. The use of natural materials such as stone, timber and other such natural products is encouraged in both interior and exterior finishes

#### Open Space

##### Design Objective

- I. To ensure that development provides an appropriate interface with the public open space
- II. To maximise the potential for passive surveillance

#### Assessment Criteria

- i. Where an area of public open space is provided the surrounding development must address the open space by maximising passive surveillance from habitable rooms; buildings must front onto the open space through placement of doors, windows and balconies to create a safe and comfortable pedestrian environment

#### Fencing

##### Design Objective

- I. To ensure that the provision of fencing does not detract from the function and appearance of the streetscape

#### Assessment Criteria

- i. The interface between private lots and the public open space may be fenced to a maximum height of 1.2m from natural ground level, but must be visually permeable above a height of 1.0m above natural ground level
- ii. Fencing shall generally not be permitted in the primary or secondary street setback areas

[26]

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### Landscaping

#### Design Objective

- I. To ensure an attractive streetscape environment
- II. To aid the sustainability of a building through the provision of permeable surface

#### Assessment Criteria

- i. The front setback area shall include provision for elements of soft landscaping
- ii. In ground landscaping is preferred over shallow landscaping above basements
- iii. Paving that is contiguous with foot paths and other paving in the public realm shall be of the same style and materials, matching exactly wherever possible

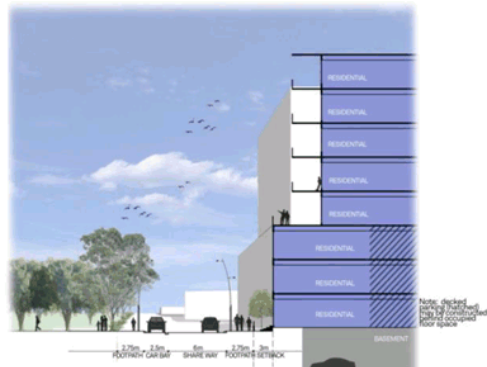


Figure 9\_Typical cross section of high density residential adjoining road



[27]



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Figure 10\_Typical cross section of high density residential directly adjoining public open space



Figure 11\_Typical cross section for high density residential development



High density Residential Development showing the use of natural materials in the facade and a provision of high quality building articulation in keeping with the objectives of these design guidelines

2.4 Medium Density Residential Typology

The Robb Jetty area provides an important medium density housing area. Leafy streets and small softly landscaped front setbacks will combine to create a comfortable urban setting for contemporary apartment buildings. Future built form will embody a seamless transition from indoor to outdoor, from formal to informal , from exposed to protected.

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Built form will be respectful of nature and reflect the natural characteristics of the vegetation and landscape within Cockburn Coast.



Figure 12\_Medium Density built form typology

#### Building Setbacks

##### Design Objective

- I. Building setbacks create intimate streetscapes
- II. Building setbacks accommodate landscaping which slightly widen and softens the streetscape

##### Assessment Criteria

- i. Building setbacks are to be in accordance with the following table

Setback	Street (minimum)	Side (minimum)	Laneway (minimum)	Public Open Space (minimum)
Levels 1-3	2m (primary) 1m (secondary)	Nil	Nil	3m to wall and 2m to balconies (cantilevered/light weight only)
Levels 4+	5m to wall and 2m to balconies (cantilevered/light weight only)	3m	3m	5m to wall and 2m to balconies (cantilevered/light weight only)

Table 04\_ Building Setbacks for medium density residential development

[29]



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- ii. Buildings shall be setback 3m from any boundary adjoining public parkland. This setback area shall include space for landscaping and if necessary an outdoor living area. Where additional outdoor living area is to be provided, the additional outdoor living area shall be absorbed into the building space (i.e. building shall cantilever over the outdoor living area)
- iii. Projections are permitted within the 3m setback to public parkland to maximum of 2m into the setback area

#### **Building Articulation**

##### **Design Objective**

- I. To ensure that building facades add positively to the public realm and its interest. Building articulation will encourage interaction with the street and passive surveillance of adjacent spaces
- II. To promote a pedestrian scale of buildings at street level
- III. The building design shall demonstrate an appropriate level of articulation to avoid building bulk appearing excessive
- IV. Building articulation will express a vibrant and modern design aesthetic

##### **Assessment Criteria**

- i. The facade detail may be simplified on loading areas, parapet walls and walls to 'back of house' areas
- ii. Built form is to address parks, pedestrian access ways and in particular laneways by providing windows, balconies and suitable facade articulation facing these areas. These elevations are to match the design quality of the dwellings primary street elevation
- iii. Balconies are encouraged but shall not run continuously along the facade. Separate individual balconies are appropriate
- iv. The primary frontage shall provide pedestrian access to the major entry (front door) of the building(s)
- v. Corner buildings are to address both frontages through the provision of:
  - a. distinct roof form at corners;
  - b. variation in materials and colours; and
  - c. varied balcony treatments.

#### **Roof Form**

##### **Design Objective**

- I. The roof form should be designed as a contemporary and integrated architectural structure as befits this unique metropolitan coastal location

##### **Assessment Criteria**

- i. Use of skillion roofs and modern materials is actively promoted
- ii. Use of pitched roofs and dark tiles is discouraged
- iii. Lighting or similar features may be used to accentuate the roofscape and provide a positive architectural feature at night
- iv. Flat roofs are acceptable where concealed behind a building parapet.

#### **Building Levels**

##### **Design Objective**

- I. To ensure development maintains a positive relationship with the street such that pedestrian movement, sight lines and streetscape character are maximised
- II. To allow for the safe use of ceiling fans for cooling

[30]

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#### Assessment Criteria

- i. All development shall maintain a minimum floor to floor height of 3.1m. Apartments shall achieve minimum floor to ceiling levels as outlined in Clause 4.3 of the Residential Design Codes Volume 2 – Apartments.
- ii. All development is to achieve a minimum finished floor level of +3.8AHD to ensure development takes into account coastal erosion and accretion patterns. Non habitable rooms and the provision of basement parking are exempt from the finished floor level stated above
- iii. Where residential dwellings are proposed on the ground floor adjacent to a street or public open space, a grade separation from 0.5m to 1.2m between the finished floor level of the ground floor and the adjacent street or public open space is encouraged in order to create a visual distinction between the public and private space

#### Building Height

##### Design Objective

- I. Building heights will respond to the pedestrian scale, urban character, intended dwelling density, land use mix as well as the natural topography of the area
- II. The built form of an area shall provide a pedestrian scaled street interface with taller upper floors setback from the street alignment
- III. The built form shall minimise overshadowing to adjacent streets and public spaces

##### Assessment Criteria

- i. Building shall be in accordance with the Building Height Plan (Figure 14)
- ii. Development shall be a minimum of three storeys, with the exception of Lots 235-239 and 247-259 where the minimum height is two storeys as shown in a relevant Local Development Plan. For the purposes of assessing the number of storeys, a loft can be considered as a third storey, provided the building design gives the appearance of three storeys from the primary street frontage
- iii. Single storey development shall not be supported

#### Building Materials

##### Design Objective

- I. To encourage a style of development that is consistent with the coastal location
- II. To provide for a consistency in the standard of finish and materials throughout Cockburn Coast
- III. To foster a sense of place through an identifiable character and style of development

##### Assessment Criteria

- i. Extensive use of concrete tilt panels is discouraged. Where concrete tilt panels are used, they shall be integrally coloured (colour tinted concrete)
- ii. Moulded textures imprinted in the external surfaces of any concrete panels should also be applied
- iii. Painted finishes and rendered textures over concrete panels are not permitted
- iv. Warm exterior finishes are encouraged through the use of natural materials such as stone, timber, and other such natural products

#### Open Space

##### Design Objective

- I. To ensure that development provides an appropriate interface with the public open space
- II. To maximise the potential for passive surveillance

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#### Assessment Criteria

- i. Where an area of public open space is provided the surrounding development must address the open space by maximising passive surveillance from habitable rooms; buildings must front onto the open space through placement of doors, windows and balconies to create a safe and comfortable relationship to the public open space

#### Fencing

##### Design Objective

- i. To ensure that fencing does not detract from the function and appearance of the streetscape

#### Assessment Criteria

- i. The interface between private lots and the public open space may be fenced to a maximum height of 1.2m from natural ground level, but must be visually permeable above a height of 1m above natural ground level

#### Landscaping

##### Design Objective

- i. To ensure an attractive streetscape environment
- ii. To aid the sustainability of a building through the provision of permeable surface

#### Assessment Criteria

- i. The front setback area shall include provision for elements of soft landscaping
- ii. In ground landscaping is preferred over shallow landscaping above basements, particularly in front setback areas which provides the opportunity for tree planting



Figure 13\_Typical cross section for medium density built form typology

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## 2.5 Mixed Residential Typology

The Robb Jetty Precinct encourages the exploration of innovative approaches to higher density living, emphasising the need to reflect the Cockburn Coast vision of offering choice and variety of living and working opportunities in a form and density that supports the planned Bus Rapid Transit (BRT) system. The Mixed Residential typology area addresses the 'missing middle' by offering a range of medium density housing typologies. This Typology area evolved from an intensive, design-led, exploration of ground-breaking urban forms. It is intended that the urban form will be unique in the overall precinct and present a point of difference to development elsewhere in the Cockburn Coast district.

In addition to mid-rise apartment living around the western and southern edges, the area will feature a diverse mix of high quality compact single housing options, around a public realm design that blurs the lines between streets and open space. Streets will be designed with visual amenity, landscape and pedestrian movement assuming equal importance to the private vehicle. As a compact, high-density area the built form will be close, special setbacks will apply, and the relationship between private living space and public open space (POS) will be strong.

As a special precinct, the City is prepared to vary some requirements of the Robb Jetty Local Structure Plan (LSP), to facilitate the exploration of creative ideas, on the basis that planning for the area will undergo a rigorous process of consultative, design-led enquiry, including but not limited to, the following steps:

1. Vision definition, explaining how the precinct will differ from other precincts in the Robb Jetty LSP area;
2. An integrated design process, involving qualified architects, landscape architects, urban designers, and civil engineers;
3. Independent design input or peer review from an independent expert in urban design or architecture, such input to be formally documented;
4. Regular engagement with technical staff from the City of Cockburn and Department of Lands, Planning and Heritage, in the form of workshops and briefings, from the initial formation of a design vision to completion of a masterplan concept;
5. Preparation of a masterplan which illustrates a cohesive design that blends the built form, movement systems, open space and servicing, including, but not limited to, the following key elements:
  - a) An overall urban form - in terms of dwelling styles, streets and open space – that displays a unique innovation precinct to address the 'missing middle' and provide a range of living choices that will present a new living choice to the precinct;
  - b) Illustration of proposed dwelling forms, building height and massing;
  - c) Demonstration that the dwelling yield identified in the Robb Jetty LSP is maintained;
  - d) Demonstration that the plan will offer a community benefit outcome equal to, or better than, the urban pattern envisaged under the Robb Jetty LSP;
  - e) Demonstration that the plan will not compromise the planned function or amenity of adjoining typology areas; and
  - f) An implementation strategy that ensures the public realm design will be developed in accordance with the plan and that the built form will be delivered in an orderly and progressive manner.

It is also required that any development application in the Mixed Residential Typology area is to be considered by the Design Review Panel (DRP)

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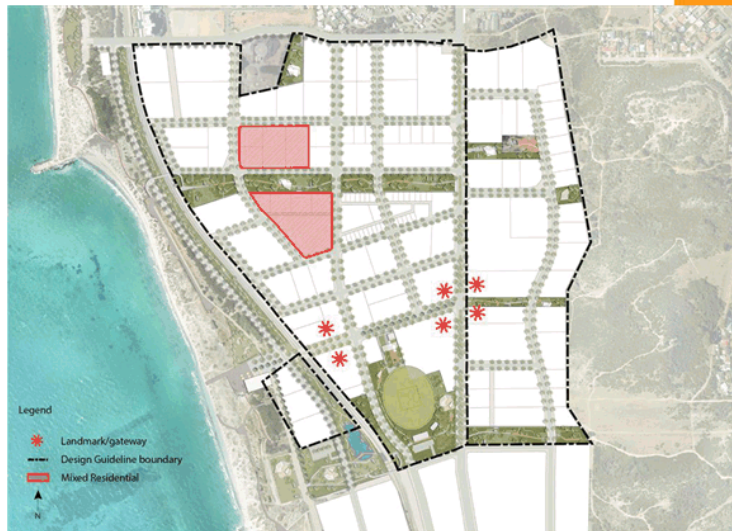


Figure 14 Mixed Residential built form typology

#### Building Setbacks

##### Design Objective

- I. Building setbacks frame streetscapes and public open spaces
- II. Building setbacks accommodate landscaping which slightly widens and softens the streetscape

##### Assessment Criteria

- i. Building setbacks are to be in accordance with the following table

Setback	Primary Street (minimum)	Secondary (minimum)	Laneway (minimum)	Public Open Space – Northern Drainage Swale (minimum)	Public Open Space – Central Spine (minimum)
Levels 1-3	3m	Nil	Nil	3m to wall and 2m to balconies (cantilevered/light weight only)	2m to wall and nil to balconies (cantilevered/light weight only)
Levels 4+	5m to wall and 2m to balconies (cantilevered/light weight only)	3m to wall and 2m to balconies (cantilevered/light weight only)	3m	5m to wall and 2m to balconies (cantilevered/light weight only)	4m to wall and 2m to balconies (cantilevered/light weight only)

Table 05\_ Building Setbacks for mixed residential development

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- ii. Buildings shall be setback from any boundary adjoining public parkland as specified in the above table. This setback area shall include space for landscaping, and if necessary, an outdoor living area. Where an additional outdoor living area is to be provided, the additional outdoor living area shall be absorbed into the building space (i.e. building shall cantilever over the outdoor living area)

#### **Building Articulation**

##### **Design Objective**

- I. To ensure that building facades add positively to the public realm and its interest. Building articulation will encourage interaction with the street and passive surveillance of adjacent spaces
- II. To promote a pedestrian scale of buildings at street level
- III. The building design shall demonstrate an appropriate level of articulation to avoid building bulk appearing excessive
- IV. Building articulation will express a vibrant and modern design aesthetic

##### **Assessment Criteria**

- i. Permanent blank walls are not permitted to any street frontage. Major openings are required to provide for surveillance and interaction with the public realm
- ii. The facade detail may be simplified on loading areas, parapet walls and walls to 'back of house' areas
- iii. Built form is to address parks, pedestrian access ways and in particular laneways by providing windows, balconies or suitable facade articulation facing these areas. These elevations are to match the design quality of the dwellings primary street elevation
- iv. Corner buildings are to address both frontages through the provision of:
  - a. distinct building form at corners;
  - b. variation in materials and colours; and
  - c. varied balcony treatments

#### **Roof Form**

##### **Design Objective**

- I. The roof form should be designed as a contemporary and integrated architectural structure as befits this unique metropolitan coastal location

##### **Assessment Criteria**

- i. Use of skillion roofs and modern materials is actively promoted
- ii. Use of dark tiles is discouraged
- iii. Lighting or similar features may be used to accentuate the roofscape and provide a positive architectural feature at night
- iv. Flat roofs are acceptable where concealed behind a building parapet

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#### **Building Levels**

##### **Design Objective**

- I. To ensure development maintains a positive relationship with the street such that pedestrian movement, sight lines and streetscape character are maximised
- II. To allow for the safe use of ceiling fans for cooling

##### **Assessment Criteria**

- i. All development shall maintain a minimum floor to floor height of 3.1m. Apartments shall achieve minimum floor to ceiling levels as outlined in Clause 4.3 of the Residential Design Codes Volume 2 – Apartments.
- ii. All development is to achieve a minimum finished floor level of +3.8AHD to ensure development takes into account coastal erosion and accretion patterns. Non habitable rooms and the provision of basement parking are exempt from the finished floor level stated above
- iii. Where residential apartments are proposed on the ground floor adjacent to a street or public open space, a grade separation from 0.5m to 1.2m between the finished floor level of the ground floor and the adjacent street or public open space is encouraged in order to create a visual distinction between the public and private space
- iv. Where single dwellings are proposed on the ground floor adjacent to a street or public open space, a transition between the public and private realm is encouraged to create a visual distinction,

#### **Building Height**

##### **Design Objective**

- I. Building heights will respond to the pedestrian scale, urban character, intended dwelling density, land use mix as well as the natural topography of the area
- II. The built form of an area shall provide a pedestrian scaled street interface with taller upper floors setback from the street alignment
- III. The built form shall minimise overshadowing to adjacent streets and public spaces

##### **Assessment Criteria**

- i. Development shall be in accordance with the Building Height Plan (Figure 14)
- ii. A Local Development Plan shall be prepared to stipulate more specific height limits for designated sites within the area

#### **Building Materials**

##### **Design Objective**

- I. To encourage a style of development that is consistent with the coastal location
- II. To provide for a consistency in the standard of finish and materials throughout Cockburn Coast
- III. To foster a sense of place through an identifiable character and style of development

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#### Assessment Criteria

- i. Extensive use of concrete tilt panels is discouraged. Where concrete tilt panels are used, they shall be integrally coloured (colour tinted concrete)
- ii. Moulded textures imprinted in the external surfaces of any concrete panels are encouraged
- iii. Painted finishes and rendered textures over concrete panels are not permitted
- iv. The use of natural materials such as stone, timber and other such natural products is encouraged in both interior and exterior finishes

#### Open Space

##### Design Objective

- I. To ensure that development provides an appropriate interface with the public open space
- II. To maximise the potential for passive surveillance

##### Assessment Criteria

- i. Where an area of public open space is provided the surrounding development must address the open space by maximising passive surveillance from habitable rooms; buildings must front onto the open space through placement of doors, windows and balconies to create a safe and comfortable pedestrian environment

#### Fencing

##### Design Objective

- I. To ensure that the provision of fencing does not detract from the function and appearance of the public realm

##### Assessment Criteria

- i. The interface between private lots and the public open space may be fenced to a maximum height of 1.2m from natural ground level, but must be visually permeable above a height of 1m above natural ground level
- ii. For apartment development, fencing shall generally not be permitted in the primary or secondary street setback areas

#### Access and Parking

##### Design Objective

- I. The design and location of vehicle crossovers should minimise the impact on the pedestrian amenity of the street environment
- II. Provide sufficient visitor parking for the proposed development precinct
- III. Promote street design that creates a shared environment for pedestrian, cyclists and vehicle movement

##### Assessment Criteria

- i. Open carports are permitted for terrace style or single dwellings where it is considered to improve streetscape character and surveillance, provided that storage and drying areas are suitably screened from public view

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- ii. Tandem parking will be permitted where two or more parking bays are provided for the exclusive use of the same dwelling
- iii. Car park entries, driveway crossovers, service areas and bin refuse collection points should be constructed from materials consistent with the road pavement and landscape design treatments of the of the adjacent street
- iv. Where terrace style or single residential lots are proposed the required visitor parking provision shall be located in streets that are immediately adjacent, or in close proximity, to the development

#### **Waste Management**

##### **Design Objective**

- I. Services required for the function of all proposed development shall be appropriately considered

##### **Assessment Criteria**

- i. Building design shall demonstrate compliance with an approved integrated Waste Management Strategy or as otherwise approved by the City
- ii. Rubbish bin storage areas shall be integrated into the development and located to minimise the impact on adjoining residences and the public realm

#### **Landscaping**

##### **Design Objective**

- I. To ensure an attractive streetscape environment
- II. To aid the sustainability of a building through the provision of permeable surface

##### **Assessment Criteria**

- i. The front setback area shall include provision for elements of soft landscaping
- ii. In ground landscaping is preferred over shallow landscaping above basements
- iii. Paving that is contiguous with foot paths and other paving in the public realm shall be of the same style and materials, matching exactly wherever possible

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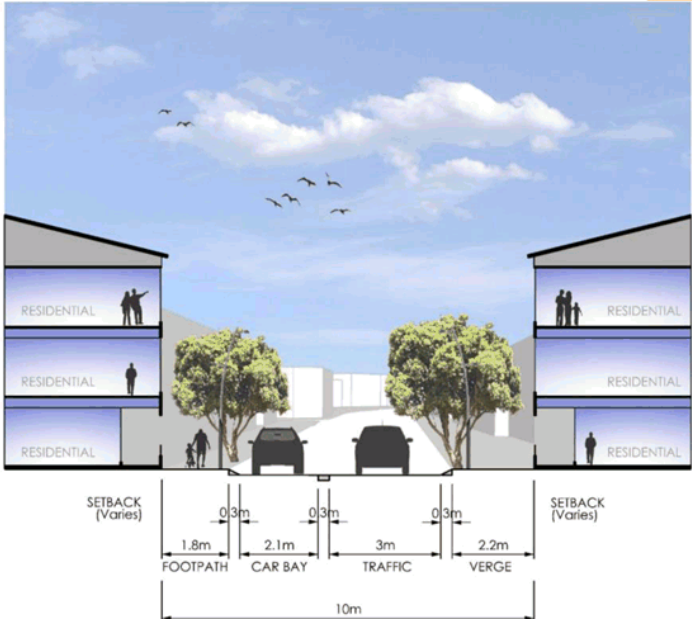


Figure 16\_Typical cross section of Mixed Residential adjoining road



Mixed Residential Development showing the use of natural materials in the facade and a provision of high quality building articulation in keeping with the objectives of these design guidelines

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### 3. General Provisions

#### 3.1 Built Form Requirements

Built form should provide a pedestrian scale and define streets and public spaces whilst contributing towards creating an urban presence. The built form will contribute towards the intended streetscape character and typology. Taking cues from the natural assets of the site building height responds to site topography, maximising views to the ocean particularly for residential development.

For private open space, visual privacy, storage for grouped and multiple dwellings requirements refers to the relevant section of the R-Codes. For private open space for single houses refer to the relevant Local Development Plan (LDP) or if not specified in the LDP refer to the City of Cockburn's Local Planning Policy LPP 1.16 Single House Standards for Medium Density Housing in the Development Zone. Other elements not listed in the relevant LDP or LPP 1.16 shall be assessed as per the Residential Design Codes.

##### 3.1.1 Building Height

###### Design Objective

- I. Building heights will respond to the pedestrian scale and urban character of Cockburn Coast, intended dwelling density and land use mix as well as the natural topography
- II. The built form of an area shall provide a pedestrian scaled street interface with taller upper floors setback from the street alignment
- III. The built form shall minimise overshadowing to adjacent streets and public spaces

###### Assessment Criteria

- i. Heights to be in accordance with the typology specific built form requirements and the Building Height Plan below in Figure 15
- ii. The proposed Primary School may be approved with a minimum of two storeys

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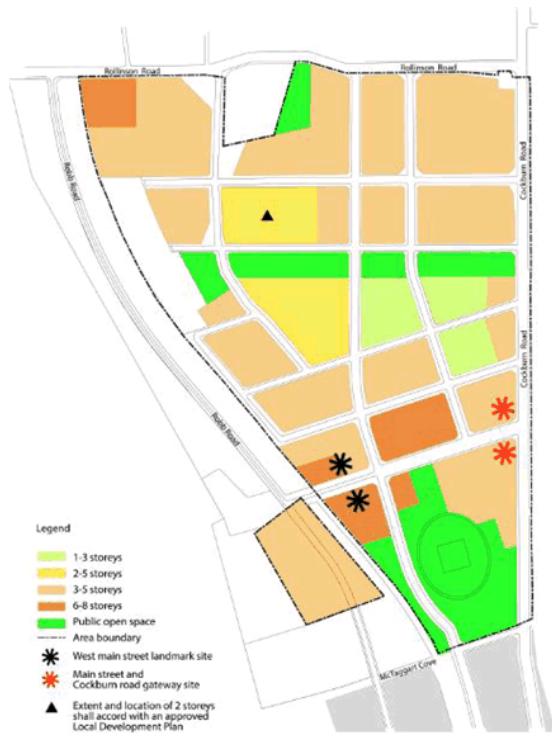


Figure 15 Building Height Plan

### 3.1.2 Facades

#### Design Objective

- i. Building facades add significantly to the public realm and its interest. A vibrant and modern design aesthetic for Cockburn Coast will require the provision of visually engaging building exteriors which encourage interaction with the street and passive surveillance of adjacent spaces

#### Assessment Criteria

- i. Fenestration, entrances, balconies and awnings shall be provided in a manner that creates visual cohesiveness, interest and interaction with the public realm
- ii. An exposed parapet or boundary wall must have the same standard of finish as the primary facade. Detailing for permanently exposed blank walls

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- shall include texture, patterns or suitable alternatives to the finish of the wall to address the objective
- iii. External ducting, air conditioners, plants, pipes, lift over-runs, service doors and similar building services must be screened from public view or adjacent property and incorporated into the building at the initial design stage
  - iv. Ground floor lobbies shall be clearly delineated, well lit and safe to access
  - v. Facade design shall address crime prevention through environmental design (CPTED) principles



Buildings shall provide a break up of bulk and scale through ar



Building facades are to be finished with fine grain architectural elements

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### 3.1.3 Roof Form

#### Design Objective

- i. The roof form as seen from the street or adjoining sites should be designed to make a contemporary and positive architectural contribution to the streetscape and skyline. Where appropriate the roof form can be designed to enhance the architecture and contribute to creating local landmarks through the use of integrated architectural form and detailing

#### Assessment Criteria

- i. Roof designs must conceal roof plant and equipment including lift over run structures from view from the public realm and street level
- ii. Lighting or similar features may be used to accentuate the roofscape to provide a feature at night
- iii. Flat roofs are acceptable where concealed behind a building parapet
- iv. Flat roof areas that are accessible concealed behind a building parapet and provide a minimum dimension of 2.4m may be used as an outdoor living area or communal open space, however shall not count towards the private open space area requirement.

### 3.1.4 Lighting

#### Design Objective

- i. To ensure perceived and actual safety for all users of the area is achieved by providing lighting around public spaces that allows for a high degree of visibility of pedestrians at all times

#### Assessment Criteria

- i. Lighting to be integrated into built form to highlight architectural features
- ii. Ensure inset spaces, access, egress and signage is well lit
- iii. Lighting is to be incorporated into building awnings over the footpath and building entrances

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Innovative lighting built into the facade of a building can contribute to an activated and interesting façade

### 3.1.5 Acoustics and Vibration

#### Design Objective

- I. To facilitate a sustainable mixed use environment where a variety of land uses can co-exist
- II. To ensure appropriate noise intrusion and noise emission mitigation measures are incorporated into building design and construction and where necessary, building refurbishment

#### Assessment Criteria

- i. Design of Noise sensitive premises must be give consideration to the following:
  - a) the identification of existing/potential environmental noise sources;
  - b) development orientation and layout taking into account the location of existing/potential environmental noise sources;
  - c) the location of bedrooms away from noise sources;
  - d) the location of balconies and windows away from noise sources;
  - e) the use of built form (blade walls, etc) to screen noise sources; and
  - f) the use of building design elements (balcony balustrades, decorative screens, etc) to provide some reduction in noise impact on windows.
- ii. Notifications are required to be applied to the created land title and any subsequent strata titles of any noise sensitive premises pursuant to section 70A of the Transfer of Land Act 1893, together with section 165 of the Planning and Development Act 2005 to inform prospective land owners and residents of the likelihood of higher noise levels associated within the inner city environment
- iii. An acoustic and vibration (as deemed required in the local structure plan) report and associated plans are required detailing compliance with the above design objectives and assessment criteria for noise sensitive and commercial developments. The report is to be prepared by a qualified and experienced acoustic consultant and submitted as part of a DA and should address the requirements of State Planning Policy 5.4 Road and Rail Transport Noise and

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Freight Considerations in Land Use Planning (and associated guidelines), the City of Cockburn's Local Planning Policy LPP 1.12 Noise Attenuation.

### 3.1.6 Active Edges and Street Relationship

#### Design Objective

- I. The activation of streets and other publicly accessible spaces are fundamental to providing an attractive and safe pedestrian environment throughout Cockburn Coast
- II. All development must be designed to activate streets and laneways. This can be achieved by utilising major openings to residential and commercial land uses, alfresco dining areas, pedestrian shelters and legible building entries to create a vibrant, diverse and safe environment

#### Assessment Criteria

- i. Passive surveillance of communal areas and public spaces shall be integrated into building design, providing for overlooking of the street, public space and communal open space
- ii. Pedestrian entrances are to be highly visible
- iii. Ground floor non-residential frontages should be designed as shop fronts with no less than 80% of the shop front glazed with clear glass
- iv. Car park entries are to be located appropriately to avoid disruption of the pedestrian experience
- v. Inactive ground floor uses are to be avoided within the Activity Centre and Mixed Use areas particularly on the Robb Jetty Main Street and surrounding the identified landmark development sites

### 3.1.7 Heritage Considerations

#### Design Objective

- I. Development of site adjacent to a heritage place shall be respectful of the recognised cultural heritage significance; and should not adversely affect the heritage significance

#### Assessment Criteria

- i. New buildings adjacent to a Heritage Place should conform with the provisions of the City's Heritage Conservation Guidelines policy to ensure that they respect the heritage significance of the place
- ii. Any new work adjacent to a significant tree should not affect the appearance or health of the tree

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Ground floor commercial land uses will provide active street edges



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### 3.2 Service Infrastructure and Access

Service infrastructure and access arrangements are an important part of allowing development to function effectively. However, these elements can often create unsightly urban environments and therefore appropriate treatment and coordination of these elements is required to make them an integral part of new development

#### 3.2.1 Internal Access

##### Design Objective

- i. Internal access within street blocks to perform as one coordinated and efficient movement network

##### Assessment Criteria

- i. Internal access ways servicing development to be designed to facilitate adjoining development and where logical allow for reciprocal access arrangements

#### 3.2.2 Parking

##### Design Objective

- i. Development will encourage and support alternative modes of transport to the car by limiting and screening the provision of car parking on site

##### Assessment Criteria

- i. Vehicle crossovers for non-residential development are required to be built underneath the building or provide design elements above the crossover to reduce the street impact and pedestrian environment
- ii. Reciprocal use of commercial car parking bays for uses within a comprehensive development with different peak usage requirements (such as restaurants and offices) may be considered
- iii. Residential parking is to be provided in accordance with the City of Cockburn Town Planning Scheme No.3 and the Residential Design Codes of Western Australia.

#### 3.2.3 Parking Location and Access

##### Design Objective

- i. The number of vehicle crossovers into a development is to be minimised to create a pedestrian friendly environment
- ii. Parking is to be located so as to minimise the visual impact on the public realm

##### Assessment Criteria

- i. All on site car parking facilities are to be concealed from public view to ensure car parking does not dominate streetscapes or create conflict with pedestrian and vehicle movement
- ii. Car parking entry is to be subservient to pedestrian entries and shall address street spaces, building returns and recesses
- iii. Where terrace style or single residential lots are proposed vehicle access must be provided at the rear of the dwellings
- iv. Car parking is to be concealed from public view by habitable frontages, or high quality landscaping along minor/secondary streets
- v. Parking facilities should not be visible from public open space

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- vi. Where garage doors service only one dwelling they should be no wider than 6m

### 3.2.4 Sleeved Parking

#### Design Objective

- i. To screen multi storey car parks from the public realm and to provide active frontages to the street

#### Assessment Criteria

- i. All multi storey car parking structures should be sleeved by development to ensure car parking is screened from view of the public realm
- ii. Sleeve above ground car parking structures with other uses, such as offices, residential and retail
- iii. Where it is not possible for car parking structure to be screened any car parking structures that contain three or more levels must be appropriately designed and screened from adjacent or nearby buildings and the street through the use of innovative wall detailing, decorative screening, patterning and vegetation

### 3.2.5 End of Trip Facilities

#### Design Objective

- i. To encourage the use of bicycles, walking and other alternative means of transport to reduce the use of private motor vehicles and contribute to public health

#### Assessment Criteria

- i. Provision of adequate bicycle and change room facilities. Secure lockers, bicycle storage and showers shall be provided within buildings
- ii. Developments are to be provided with end of trip facilities in accordance with the following table

<b>Commercial</b>	1 Secure bicycle storage per 150m <sup>2</sup> of Net Lettable Area (NLA); and
Accessible showers	There must be a minimum of two female and two male showers, located in separate changing rooms, for the first 10 bicycle parking bays. Additional shower facilities to be provided at a rate of one male and one female shower for every 10 bicycle parking bays or part thereof.
Changing facilities	Including secure lockers at 1.5 for each bicycle parking bay.
Visitor Bicycle Storage	A minimum of 1 space per 750m <sup>2</sup> of NLA. Located and signed near the main public entrance to the building.
<b>Residential</b>	Bicycle parking facilities for multiple dwellings, short stay accommodation and serviced apartments shall be provided at a minimum of 1 bay per unit.

Table 05\_ End of trip facility provision rates

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End of trip facilities



Use of screening can minimise the impact of parking structures

### 3.2.6 Site Services

#### Design Objective

- i. Services and related elements required for the function of the building shall be appropriately screened or integrated into the building design

#### Assessment Criteria

- i. Air-conditioning units must not be visible from the streets and laneways
- ii. Service pipes and wired services are to be concealed from public view
- iii. All meters to be contained within development lots to the requirements of the appropriate authorities
- iv. Provide secure and accessible facilities for mail delivery
- v. Commercial utility and waste storage areas are to be screened or located behind buildings and not visible from public view and residential apartments
- vi. Fire booster cabinets and associated infrastructure are to be discretely designed into development and must not dominate any frontage

### 3.3 Sustainability Requirements

Integral to the sustainability of the development will be the provision of affordable housing and facilities to encourage alternative modes of transport to the private car. This will promote a healthy lifestyle that encourages people to actively engage with the urban environment and create a robust and diverse community

#### 3.3.1 Sustainable Travel

#### Design Objective

- i. To reduce greenhouse gases through the reduction of motorised transport to and from Cockburn Coast and encourage residents and site visitors to improve their physical health through walking, cycling or other physically active forms of transport either solely or in combination with public transport

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#### Assessment Criteria

- i. Demonstrate that pedestrians and cyclists have been prioritised within the development
- ii. Surface finishes of all driveways and pathways to be safe and comfortable for pedestrians and cyclists
- iii. Grade changes between private and public spaces to be complementary and accessible

### 3.4 Laneways

#### 3.4.1 Residential and Commercial Laneways

##### Design Objective

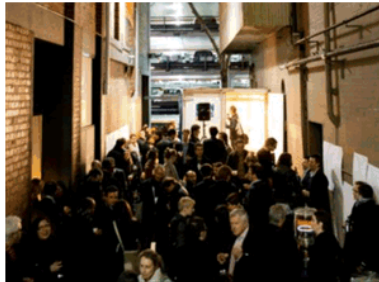
- I. To create unique and attractive built form and character along laneways through sensitive and innovative design
- II. To encourage activity and interaction between public laneways and adjacent private uses at the ground level
- III. To reinforce the primary function of laneways as key service and vehicle access spaces within the development
- IV. Encourage development to provide highly articulated and well detailed facades that create visual interest, particularly at the lower levels
- V. Encourage development to orientate windows and balconies to overlook lane ways

##### Assessment Criteria

- i. Residential Laneways
  - a) For lots with a laneway frontage of 8m or greater, pedestrian access to the laneway from the lot should be provided
  - b) Buildings are to provide an elevation to the laneway that is articulated and similarly detailed to the front façade
- ii. Commercial Laneways
  - a) Laneways within the activity centre and mixed used zones are encouraged to be activated at ground floor level, but shall not be done so to the detriment to the activation of the primary or streetscape facade of the building
  - b) Buildings shall maintain a nil setback to the laneway for the first three storeys
  - c) The minimum setback above 3 storeys should be a distance equivalent to the width of the lane, unless it can be demonstrated that a lesser setback protects the quality of the pedestrian space at ground level including:
    - a. by maintaining or providing greater access to sunlight;
    - b. by maintaining or providing greater wind protection; and
    - c. by avoiding a sense of enclosed space.
  - d) Buildings are to provide an elevation to the laneway that is articulated and similarly detailed to the front facade
  - e) Development should contain a door which addresses the laneway or is accessed via its own pedestrian access gate

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<b>Title</b>	<b>Cockburn Coast Design Guidelines for Robb Jetty &amp; Emplacement Precincts</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 4.6</b>



Activated laneways encourage vitality and interaction between public laneways and adjacent private uses

### 3.5 Communal Open Space

#### Design Objective

- i. To provide an adequate area of quality communal open space for multiple dwelling developments which will enhance residential amenity and provide opportunities for soft landscape areas.

#### Assessment Criteria

- i. Communal open space is provided for multiple dwellings in accordance with Clause 3.4 of the Residential Design Codes Volume 2 – Apartments.

Strategic Link:	Town Planning Scheme No. 3
Category	Planning - Town Planning & Development
Lead Business Unit:	Statutory Planning
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	12 March 2020
Next Review Due: (Governance Purpose Only)	March 2022
ECM Doc Set ID: (Governance Purpose Only)	4518689

### 8.3 (2021/MINUTE NO 0048) Proposed Amendments to Local Planning Policy LPP 1.14 'Waste Management in Multiple Unit Developments'

**Author(s)** C Hill

**Attachments** 1. Proposed Amendments (Track Changes) to Local Planning Policy - LPP 1.14 'Waste Management in Multi Unit Developments' [↓](#)

#### RECOMMENDATION

That Council:

- (1) APOPTS the proposed changes to Local Planning Policy 1.14 'Waste Management in Multiple Unit Developments', for the purposes of advertising, as shown in Attachment 1 of the Agenda; and
- (2) ADVERTISES the Amended Local planning Policy 1.14 "Waste Management in Multiple Unit Developments", per recommendation 1 above, in accordance with Clause 5 (1) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

#### Committee Recommendation

MOVED Cr M Separovich SECONDED Cr T Dewan

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 5/0**

#### Background

The proposed modifications to *Local Planning Policy 1.14 – Waste Management in Multiple Unit Developments* (LPP 1.14) have been drafted to provide additional clarification on the bin store and Waste Management Plan (WMP) requirements for Residential, Mixed Use and Non-Residential developments.

The intent of LPP 1.14 remains the same: to minimise the generation of waste and provide measures for effectively managing and storing waste produced by developments.

#### Submission

N/A



## Report

The proposed modifications to LPP 1.14 are summarised in the table below:

Part of Local Planning Policy	Change Summary
Policy Title	<p>Rename title from: <i>'Waste Management in Multiple Unit Developments'</i> To the following: <i>'Waste Management'</i>.</p> <p>As the policy covers both residential and non-residential development, the reference to only 'multiple units' was misleading.</p>
Policy Purpose	<p>Amend section: Section has been condensed to avoid repetition. The policy purpose is still clear.</p>
Policy Statement – Part (1)	<p>Add section:</p> <ul style="list-style-type: none"> <li>- Section added to ensure a communal bin store is accounted for at the subdivision stage, in the case of four (4) or more lots. This aligns with the existing requirement for a Waste Management Plan (WMP), (and hence communal bin store) for four (4) or more dwellings.</li> <li>- Section added to require the preparation of a WMP in the case of four or more lots.</li> <li>- The size and minimum dimension of the bin store area is clarified to be two (2) metres.</li> </ul> <p>This allows waste management to be considered at the earliest possible stage, at the time of designing the lots, and ensures developers take ownership of preparing the WMP. Given the City is not the determining authority for subdivision proposals, the policy will be referred to the Department of Planning, Lands and Heritage for comment.</p>
Policy Statement – Part (2) (1) Residential Development	<p>Amend section:</p> <ul style="list-style-type: none"> <li>- Clarifying that for grouped dwellings where there is no existing WMP, the WMP needs to be submitted through the development application process, and in cases where development approval is applied for individual lots within a development, the first application is to provide the WMP. The WMP shall provide scope to include additional lots when they reach the development application stage.</li> </ul> <p>This ensures WMPs are not missed where individual development applications are applied for.</p>
Policy	Amend section:





Statement – Part (2) (3) Non-Residential Development	<ul style="list-style-type: none"> <li>- Clarification to ensure WMPs are required for all <i>new</i> non-residential development <u>and</u> where Change of Use applications are expected to generate significant waste.</li> </ul> <p>This allows discretion to not require a WMP for Change of Use applications where little/no additional waste is expected.</p>
Policy Statement – Part (3)  Information required for WMPs	<p>Amend section:</p> <ul style="list-style-type: none"> <li>- For all development, site plan requirements re-structured to be clearly contained under one subsection. Clarification also provided to note that the reduction in bin numbers applies only where four or more dwellings are proposed.</li> </ul>
Policy Statement – Part (3)  Information required for WMPs	<p>Amend section:</p> <ul style="list-style-type: none"> <li>- For residential development, clarification that all bin stores are required to have a two (2) metre minimum length and width dimension.</li> </ul> <p>The policy currently only refers to minimum dimensions where bin store areas are enclosed. This will also align with the added section above addressing the subdivision stage.</p> <ul style="list-style-type: none"> <li>- Requirement also added that bin store areas are to be suitably screened (if in public view) and separated from residents' outdoor living areas.</li> </ul> <p>This ensures the amenity of residents and the streetscape is preserved.</p>
Policy Statement – Part (4)  General Bin Store and Waste Collection Requirements  1. Mandatory (Required)	<p>Amend section:</p> <ul style="list-style-type: none"> <li>- Requirements for bin stores in basements grouped together to allow for more logical reading.</li> <li>- Clarification added for external bin stores serving less than five dwellings – that they are not required to be enclosed.</li> <li>- Requirements for all bin stores (except where less than five dwellings) grouped together to allow for more logical reading.</li> </ul>
Policy Statement – Part (4)  General Bin Store and Waste Collection Requirements	<p>Amend section:</p> <ul style="list-style-type: none"> <li>- Relocate consideration for thermal detectors from the mandatory section into this section, to ensure this is not too onerous for applicants.</li> </ul>



2. Preferred (Recommended)	
Policy Statement – Part (5)  Advice	<p>Amend section:</p> <ul style="list-style-type: none"> <li>- Waste chutes no longer permitted in multiple dwelling or mixed-use developments. Waste chutes do not support recycling/waste minimisation and often experience mechanical issues.</li> <li>- Relocate advice regarding presentation of bins on one side of the laneway, from the mandatory section into this section. This information is advice only.</li> </ul>

## Summary

The modifications to LPP 1.14 will more clearly outline the waste management requirements for different types of development. The modifications will also ensure that waste management (in the form of bin store areas) is considered at the subdivision stage to ensure WMPs can be created and implemented more easily at the development application stage.

## Strategic Plans/Policy Implications

### Environmental Responsibility

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

- Sustainable resource management including waste, water and energy.

### Listening & Leading

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

- Best practice Governance, partnerships and value for money.

## Budget/Financial Implications

N/A

## Legal Implications

N/A

## Community Consultation

Under clause 5 (1) of the *Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015*, amending a local planning policy requires public advertising unless the local government deems the amendment to be minor.

The proposed amendments are not considered to be minor, therefore public consultation for a minimum period of 21 days is required.

## Risk Management Implications



If the modification to LPP 1.14 is not adopted and therefore not progressed, some inconsistencies would occur in relation to existing practices.

This practice needs to be formalised for consistency, reliability, good governance and transparency.

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

N/A

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

Nil



Waste Management in Multiple Unit Developments	
Policy Number	
(Governance Purpose)	



### Policy Type

Local Planning Policy

### Policy Purpose

The City regularly receives development applications for large scale grouped and multiple dwelling proposals, and multiple tenancies in the case of retail, commercial and industrial proposals. When occupied, these developments generate considerable waste. A considerable volume of waste is generated by large-scale grouped and multiple dwellings, Non-Residential developments and Mixed-Use developments. To ensure new developments are functional, and for the purpose of protecting the amenity of a locality, particularly residential amenity in the vicinity of larger developments, on-site management and collection of waste requires due consideration at the subdivision and development application stages. Attention also needs to be paid to the issue of waste minimisation during the construction stage of a development (reducing landfill volumes), and the potential for resource recovery across the life of a project and building occupancy in perpetuity.

This policy details requirements pertaining to waste management and minimisation - to be considered in the, design, construction and management of larger developments. The policy is informed in part by the principles and objectives of the City's Sustainability Policy, Waste Management and Education Strategy 2013-2023. The State's Waste Avoidance and Resource Recovery Strategy 2030 and the State Government's Waste Avoidance and Resource Recovery Act.

The general objective of the policy is to achieve consistent, safe, efficient, orderly and proper practices in relation to the management and minimisation of waste associated with larger development, both residential and non-residential, within the City of Cockburn. If this objective is achieved, several environmental objectives will also be achieved including the more efficient use of materials together with the greater recovery and recycling of materials.

The purpose of this policy is to:

- (1) Provide standards and/or requirements aimed at minimising waste whilst achieving higher levels of resource recovery across the life of a development. This includes: pre-development stages in the process including demolition and remediation (if applicable), the construction stage and development occupancy;
- (2) Achieve development that is more functionally designed and effectively managed in terms of waste management and resource recovery for the benefit of a range of stakeholders, including: the developer, property owners and/or development occupants, property owners in the vicinity, waste collecting personnel/contractors, and waste management facilities/businesses;

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<b>Title</b>	<b>Waste Management in Multiple Unit Developments</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 1.14</b>



- (3) — Achieve development that has greater regard for the amenity of adjoining development and a locality generally, including mixed use development where residential and non-residential development should co-exist successfully with minimal impact/s on the other;
- (4)(3) Provide for the safer, more hygienic handling (storage), collection and sorting of waste and recyclables by residents and employees, and those working in the waste management industry;
- (5)(4) Provide for waste management and minimisation in a manner that protects the environment, including: the prevention of both 'on' and 'off' site pollution, with a greater emphasis on Ecologically Sustainable Development (ESD), notably higher levels of resource recovery and increased recycling (contributing to a reduction in use of natural resources);
- Provide for efficient, practical and safe waste collection.

#### Policy Statement

- (1) (4) At the Subdivision Application stage:
1. A communal bin store area shall be indicated where four (4) or more lots with common property are proposed. The following shall be provided:
    - (a) A communal bin store area, conveniently located to the point of collection; and
    - (b) The size of the communal bin store area shall be one (1) square metre per dwelling and shall have a two (2) metre minimum length and width dimension.
  2. A Waste Management Plan (WMP) shall be prepared where four (4) or more lots with common property are proposed.
- (2) At the Development application stage:
- A Waste Management Plan (WMP) is to be submitted and approved prior to the issue of planning approval with the following categories of Development Application: by the City for the following development proposals:
1. Residential Development
    - (a) Grouped dwelling proposals where simple bin presentation for road-side collection is not possible or desirable as determined by City;
    - (b) Four or more grouped or multiple or grouped dwellings;
    - (c) Aged or dependant persons developments comprising more than 10 beds/dwellings or where simple bin presentation for road-side collection is not possible or desirable as determined by the City; and
    - (d) Lodging houses.
- It is noted that (particularly in the case of grouped dwellings), development applications may be submitted for individual lots rather than for the

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development as a whole. In this case, the first development application to be submitted will be required to provide the WMP, and this WMP shall provide scope for modification to include the additional lots when they reach the development application stage. This requirement is only applicable where a WMP was not previously prepared at the subdivision stage.

2. Mixed Use Developments (comprising both Residential and Non-Residential).
3. Non-Residential Development
  - (a) All types of new non-residential development where waste is generated, including commercial (office, showroom, warehouse), industrial (all types), retail (shops) and food and beverage type establishments (cafes, restaurants etc).
  - (b) Change of Use proposals where significant waste is expected to be generated, as determined by the City.

(23) The WMP is to include the following: Information required for WMPs

1. In the case of demolition and/or remediation:
  - (a) Site plan showing on-site materials storage areas, collection points and vehicular access/egress arrangements;
  - (b) Details of materials and quantities thereof to be re-used (on-site), recycled or to be sent to landfill;
  - (c) Measures to be implemented for the purpose of minimising the delivery of waste generally to landfill.
2. In the case of new all new development:
  - (a) ~~Measures to be implemented for the purpose of minimising the delivery of waste to landfill.~~ Waste minimisation measures during construction, including: the separation on-site of like materials for re-use or recycling, nominated on-site collection points, and the requirements/expectations of the builder and sub-contractors regarding waste.
  - (b) ~~Measures to be implemented for the purpose of minimising the delivery of waste to landfill.~~ Waste minimisation measures during occupation, including: the on-site separation of materials for recycling, on-site collection points, and the expectations of owners and/or occupants/tenants.
  - (c) A Site Plan identifying: showing the location and size of on-site storage, the collection point/s, pedestrian and vehicular access to the collection point/s (in the case of site collection) and/or the location of the bin pad in the case of road-side collection.
    - i. Location and size of the bin store area;
    - ii. In the case of on-site collection – collection points, pedestrian/vehicular access to these points, and swept paths; and
    - iii. In the case of road-side collection – location of the bin pad area.

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<b>Title</b>	<b>Waste Management in Multiple Unit Developments</b>
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- (d) ~~Detailed plan and elevation showing the size and design of the storage area in accordance with the minimum requirements below. If not shown on the Site Plan, turning circles (manoeuvring details) are to be shown on a separate plan.~~
- (ed) An estimation of waste volume likely to be generated when the development is occupied, including the potential for an increase in volume (due to an increase in the density of a residential development or a change of use in non-residential development). In this regard, the City provides a weekly recycling service. Where four (4) or more dwellings are proposed the City requires a reduction in the bin numbers to 1 set (1 yellow-top recycling and 1-general waste red topgreen-top) of bins/3 residential units managed by a caretaker or equivalent.
- (fe) Details of the intended method of collection and associated equipment i.e. by the City of Cockburn and/or private contractor ensuring servicing bins can be completed by the waste truck without reversing, time and management of collection i.e. by individuals, strata managers and/or caretaker/s, cleaning and maintenance of on-site waste management areas etc;
- (gf) Details of advice to be provided to property owners and/or development occupants (both residential and non-residential) regarding the WMP;
- (hg) Details of any contract/s with cleaners and/or waste contractors, including the requirements of the contract/s;
- (ih) Plans to incorporate new waste management technologies and practices in the WMP;
- (ji) Details of how a WMP will continue to be applied in perpetuity across the life of a development, via for example, reference to such in the Strata Management Statement (including details regarding the process for changing a WMP and the City's involvement in such).

~~(3) Minimum requirements to be addressed in a WMP:~~

~~1. Residential~~

~~3. In the case of Residential Development only:~~

- (a) On-site storage capable of containing a minimum of one (1) weeks' waste and recycled material within a communal bin store;
- (b) The provision of a communal bin store that has a minimum size of minimum one (1) square metre per dwelling, with a two (2) metre minimum length and width dimension, for waste storage within a communal bin store. This requirement stands regardless of (2~~ed~~) above) where the reduction in bin numbers ~~to~~s 1 set of bins/3 residential units or the waste volume estimates;
- (c) On-site storage being conveniently located to the point of collection, and out of public view or suitably screened, and having reasonable separation from residents' outdoor living areas;
- (d) Suitably located and signed (if required according to the City of Cockburn's specification) road side bin collection pad/s (taking into account pedestrian and vehicular movement across the front of, or

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into and out of a property, walls, fencing and landscaping at the front of a property, and kerbside parking);

- (e) Removal of bins from the collection point (internal or road side) on the day of collection.

2. Non-Residential Development

4. In the case of Mixed Use and Non-Residential Development only:

- (a) On-site storage capable of containing a minimum of one (1) weeks' waste and recycled material;
- (b) Area of waste storage:
- Office/Showroom/Warehouse: 1m<sup>2</sup>/200m<sup>2</sup> Gross Floor Area (GFA);
  - Industrial: 1m<sup>2</sup>/100m<sup>2</sup> GFA. Note: waste generated "use" specific and storage capacity to relate to industry type;
  - Retail (shop): 2m<sup>2</sup>/200m<sup>2</sup> GFA;
  - Restaurant/Café: 1m<sup>2</sup>/20 seats, or 1m<sup>2</sup>/100 meals served;
  - Tourist Accommodation (hotel, serviced apartments etc): 1m<sup>2</sup>/12 rooms.
- (c) The potential for up to two (2) collections per week taking place at food premises (restaurants/cafes) or premises involved in food processing/production (or similar activities).
- (d) Premises involved in the processing, retail and/or wholesale of animal products where the waste generated contains 20% by weight or volume of fish, poultry or meat, and/or generates 50 litres of seafood, poultry or meat waste per day, must refrigerate this waste prior to collection.

- (4) General Bin Store and Waste Collection Requirements (applicable to both Residential and Non-Residential all Development)

1. Mandatory (Required)

(a) For bin stores in basements:

- Bin stores shall be provided in the basement, part basement or undercroft level of a development when waste is collected from one, or all of these levels;
- Where waste and recyclables are to be collected in the basement level or similar, collection is to take place in the vicinity of the bin store. The bin presentation area or collection point is to be flat, with the travel path between the bin store and collection point/vehicle clear of steps or kerbs. The distance between the bin store and the presentation should be ideally no greater than 10m.
- Minimum clearance required in the basement, part basement or undercroft levels of a development is 2.4m. This includes clearance to all structural beams, pipe work, services or similar. The City's Waste Services shall be notified prior to any modification to the basement clearances.

[5]

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- ~~(d) Minimum driveway width is 4m. On-site manoeuvring (turning circles etc) is to provide for ease of collection and vehicle egress in a forward manner. Where a turn-table is to be installed to facilitate forward egress, the turn-table requires a minimum 20 tonne capacity. Basements must be designed such that the service of waste bins can occur without the requirement to reverse the waste vehicle. A 12.8m diameter minimum turning circle is required for the low profile waste truck.~~
- ~~(e) iv. Access ramps and driveway gradients serving basements, part basements or undercroft areas are to cater for long wheel base vehicles 7.2m in length with a maximum gradient of 1:4.5. v. The bin store shall be fitted with double doors.~~
- ~~(f) Minimum driveway width for on-site collection shall be four (4) metres. On-site manoeuvring shall be provided to ensure waste vehicle ingress/egress in forward gear.~~
- ~~(c) Where a turn-table is to be installed to facilitate forward ingress/egress, the turn-table shall have a minimum 20 tonne capacity.~~
- ~~(d) Where approval is given for the collection of waste and recyclables from the road (at the pre-application stage, or via the development application process), consideration needs to be given to a 12.5m long truck where access and/or manoeuvrability are difficult or limited.~~
- ~~(ge) Waste storage, management and collection for the Residential component and the Non-Residential component within in Mixed Use developments and/or buildings are to be separated and self-contained/secured (with separate access arrangements). Where waste storage is secured, a compatible key system is necessary to enable access by collecting personnel/contractors. This includes the City of Cockburn where the City is the collector. The City's Waste Services Unit is to be consulted regarding the system prior to installation. All costs associated with the system are the responsibility of the developer, property owner/s and/or the strata managers.~~
- ~~(hf) A caretaker or strata management representative is to manage waste and recycling to ensure bins are filled consecutively, with only full bins to be presented on collection day.~~
- ~~(ig) All putrescible waste awaiting collection is to be stored in a Mobile Garbage Bin/s (MGB). Alternative storage containers with permanent tight fitting lids and smooth washable internal surfaces may be approved by the City.~~
- ~~(j) External bin stores shall be surrounded by 1.8 metre high walls or fencing with a self-closing gate.~~
- ~~(h) Internal bin stores i.e. within a basement are to shall be separately ventilated with a system complying with Australian Standard 1668 (AS1668). The ventilation outlet is not to be in the vicinity of windows or intake vents associated with other ventilation systems.~~
- ~~(k) Bin stores shall be designed and erected in a manner that has regard for the design and appearance of the development of which they are a part. Suitable clearance to enable safe and unimpeded collection is also required. In this regard, clearance to buildings, hard and soft~~

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landscaped elements, and on/off-site parking is to be taken into account.

- (ii) For all bin stores, except where less than five (5) dwellings are proposed:

i. Bin stores shall have 75mm concrete floors grading to a 100mm industrial floor waste (including a charged 'water-trap' connected to sewer or an approved septic system), with a hose cock to enable bins and/or the enclosure to be washed out. An alternate floor surface may be approved by the City's Waste Manager. The bin store(s) must be a minimum of 2m wide to allow a horizontal bin wash and ensuring the effluent grades to sewer. ~~This clause does not apply to developments of five dwellings or less unless the bin store is enclosed.~~

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- (m) ii. Bin store internal walls shall be cement rendered (solid and impervious) to enable easy cleaning. Ceilings in bin stores shall be finished with a smooth faced, non-absorbent material capable of being easily cleaned. ~~This clause does not apply to developments of five dwellings or less unless the bin store is enclosed.~~

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- (n) iii. Bin store walls and ceilings shall be finished or painted in a light colour. ~~This clause does not apply to developments of five dwellings or less unless the bin store is enclosed.~~

- (o) iv. Bin stores shall be constructed in a manner that prevents the entry of vermin;

- (p) v. Bin stores shall be provided with artificial lighting, sensor or switch controlled both internal/external to the room or area. All lighting in open areas is to comply with AS4282-1997 (Control of Obtrusive Outdoor Lighting). This clause does not apply to developments of five dwellings or less unless the bin store is enclosed.

vi. External bin stores shall be surrounded by 1.8m high walls/fencing with a self-closing gate.

- (q) vii. Bin stores require the following signs and/or information to be displayed:

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i. 1. A sign stating "NO STANDING" at the entrance to the room/area.

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ii. 2. A clearly visible "DANGER" sign in the vicinity of the entrance to the room/area.

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Standard signage (details available in the City's Resource Recovery Calendar for Domestic Waste distributed with Rates Notices) explaining waste management and what materials are suitable for recycling (to be posted/erected in all bin stores.

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- (r) Any external bin store greater than 20m<sup>2</sup> is required to be covered to prevent storm water entering the sewer.

- (s) ~~Bin stores in basements or ground floor car parks to be fitted with double doors.~~

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- (t) ~~As waste vehicles idle for extended periods outside bin stores in basements or ground floor car parks, designers should consider the classification and placement of thermal detectors so as not to trigger a false alarm.~~
- (u) ~~As laneways are designed for the servicing of waste, the City may require residents to place their bins on one side of the laneway to increase the operating space and safe movement of the waste truck.~~

2. Preferred (Recommended)

- (a) Double doors should be fitted to bin stores to improve accessibility and bin movement.
- (b) Where applicable in the case of non-residential use or development, waste contract provisions should require the collection and recycling of low/high grade office paper and other office equipment, including: batteries, smoke detectors, fluorescent tubes, computers and televisions from the waste stream.
- (c) The provision of a minimum of 0.5m<sup>2</sup> per dwelling 'bulky' storage space in residential development.
- (d) A bulky storage or fenced in area in non-residential development. Minimum 8m in volume (m<sup>3</sup>), suitably signed and made available for the storage of electronic goods.
- (e) As waste vehicles idle for extended periods outside bin stores basements or ground floor carparks, designers should consider the classification and placement of thermal detectors so as not to trigger a false alarm.

(5) Advice

1. Where road side collection is not considered appropriate by the City's Waste Manager due to concerns relating to pedestrian and/or vehicular conflict, and potential impacts on the amenity of a locality, alternate collection methods are to be determined and incorporated in the WMP in consultation with the Waste Manager.
2. Waste chutes are not permitted in Multiple Dwelling or Mixed Use developments, recommended or permitted without mechanical ventilation and the submission of details acceptable to the City of Cockburn outlining the long term cleaning and maintenance of such.
3. As laneways are designed for the servicing of waste, the City may require residents to place their bins on one side of the laneway to increase the operating space and safe movement of the waste truck.

Strategic Link:	Town Planning Scheme No. 3
Category	Planning - Town Planning & Development
Lead Business Unit:	Statutory Planning

[8]

<b>Title</b>	<b>Waste Management <del>in Multiple Unit</del> Developments</b>
<b>Policy Number</b> (Governance Purpose)	<b>LPP 1.14</b>



Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	12 December 2019
Next Review Due: (Governance Purpose Only)	December 2021
ECM Doc Set ID: (Governance Purpose Only)	4517800

[9]

## 8.4 (2021/MINUTE NO 0049) Extension of Time for Building and Demolition Permits

**Author(s)** J West

**Attachments** 1. OLPD22 - Approve or Refuse an Extension of Time for Building Permits and Demolition Permits [↓](#)

### RECOMMENDATION

That Council APPROVES the proposed change to Delegated Authority OLPD22, to facilitate an up to 24 month extension to building and demolition permits.

### Committee Recommendation

MOVED Cr M Separovich SECONDED Deputy Mayor T Widenbar

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 5/0**

### Background

Building and demolition permits, when issued by Building Service, have an active duration of two years within which the proposed works must be complete.

Recently it has been noted that more requests for extension of Building Permits have been received. Currently Delegation OLPD22 facilitates the extension of permits for a maximum of up to 12 months, which in most instances is adequate.

The onset and ongoing nature of the COVID-19 pandemic has affected the availability of skilled building industry personnel and has caused shortages of materials and equipment. This has resulted in works that are yet to commence on site or works that have already commenced being substantially delayed.

Some building permits have already been extended under delegation for a 12-month period due to delays caused by COVID-19. It is anticipated in the near term that the City will start to receive further requests to extend some permits that have already previously been extended for 12 months.

It is proposed to address the situation with a slight change to delegation OLPD22. The proposed change will facilitate an extension period of 24 months.

Current - OLPD22	(2) All delegates have the authority to extend the duration of both Building and Demolition Permits for up to a maximum of 12 months beyond the standard 2 years.
Proposed - OLPD22	(2) All delegates have the authority to extend the duration of both Building and Demolition Permits for up to a maximum of <u>24</u> months beyond the standard 2 years.



**Submission**

N/A

**Report**

In order to address likely requests to further extend a building/demolition permit duration beyond the 12 month period as defined in the current delegation OLPD22, it is proposed that the 12 month period in the delegation be extended to a maximum 24 months where substantial delays have occurred.

To not allow for an extension of up to the proposed 24 months could result in the need for a building proponent to obtain a fresh Building Permit.

To obtain a new building permit for the works may result in a partially constructed building having to be redesigned to comply with contemporary legislative requirements, that may have substantial design and cost implications for a building proponent.

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

A community focused, sustainable, accountable and progressive organisation.

- High quality and effective community engagement and customer service experiences.

**Budget/Financial Implications**

NA

**Legal Implications**

The existing 12 month extension period in delegation OLPD22, if extended to a maximum 24 months where substantial delays have occurred, is consistent with the *Building Act 2011* s.32 and Building Regulations 2012 r.23 and 24. To not properly consider or refuse an extension request in some instances could result in the building proponent seeking a review of the City's decision at the State Administrative Tribunal (SAT).

**Risk Management Implications**

By not facilitating a change to the delegation OLPD22 in regard to the ability to allow for a maximum 24 month permit extension due to valid substantial delays, could result in financial hardship for the City's ratepayers.

The City may also be perceived in a negative way, should the City's decision to not extend a reasonable extension request, results in the City's decision being overturned by the SAT.





Whilst the City is not required under legislation to extend permits (in every instance), to not do so, where a reasonable permit extension is requested, would be inconsistent with the Building Act and Building Regulations.

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

N/A

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

Nil



<b>DA</b>	<b>BUILDING ACT 2011 - APPROVE OR REFUSE AN EXTENSION OF TIME FOR BUILDING AND DEMOLITION PERMITS</b>
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<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Development Assessment and Compliance
<b>SERVICE UNIT:</b>	Building Services
<b>RESPONSIBLE OFFICER:</b>	Manager, Building Services
<b>FILE NO.:</b>	086/003; 021/005
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	10

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	22 September 2011	26 May 2016
	24 May 2012	18 May 2017
	23 May 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	27 August 2020
OCM:	13 October 2011	9 June 2016
	14 June 2012	8 June 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	

**FUNCTION DELEGATED:**

The authority to extend the duration of a Building Permit and a Demolition Permit as prescribed by s32 of the Building Act 2011 and r24(1) of the Building Regulations 2012.

**CONDITIONS/GUIDELINES:**

- (1) All relevant legislation, including Council's Town Planning Scheme No.3.
- (2) All delegates have the authority to extend the duration of both Building and Demolition Permits for up to a maximum of 12 months beyond the standard 2 years.
- (3) Delegates can further impose conditions in relation to an extension of time.
- (4) All transactions utilising this delegation are to be recorded by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.

[1]

DA	<b>BUILDING ACT 2011 - APPROVE OR REFUSE AN EXTENSION OF TIME FOR BUILDING AND DEMOLITION PERMITS</b>
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**AUTONOMY OF DISCRETION:**

As provided under legislation and Conditions (1) to (4) above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Building Act 2011, s127(6)A.

**DELEGATE:**

CEO

**SUB-DELEGATE/S:**

Manager, Building Services  
Senior Building Surveyors  
Co-ordinator, Building Services

[2]

**9. Finance**

Nil

**10. Operations**

Nil

**11. Community Services**

Nil



## 12. Governance and Strategy

### 12.1 Review of City Policies

**Author** D Green

**Attachments**

1. Review of City Policies and Delegations [↓](#)
2. Policy - Proposed Amendment - House Numbering [↓](#)
3. Policy - Proposed Amendment - Street and Public Open Space Lighting [↓](#)
4. Policy - Proposed Amendment - Community Engagement [↓](#)
5. Policy - Proposed Amendment - Sponsorship of City Events [↓](#)
6. Policy - Proposed Amendment - Maintenance of Public Open Space and Road Reservations following Residential Subdivision [↓](#)
7. Policy - Proposed Amendment - Artwork Collection [↓](#)
8. Policy - Proposed Amendment - Installation of Recreational Equipment on Public Open Space [↓](#)
9. Policy - Proposed Amendment - Procurement [↓](#)
10. Policy - Proposed Amendment - Use of Closed Circuit Television (CCTV) System [↓](#)
11. Policy - Proposed Amendment - Administration Building Access [↓](#)
12. Policy - Proposed Amendment - Approval to Participate in Representative Delegations [↓](#)
13. Policy - Proposed Amendment - Related Party Disclosures [↓](#)
14. Policy - Proposed Amendment - Representation at City of Cockburn Related Forum [↓](#)
15. Policy - Proposed Deletion - Smoke Free Environment [↓](#)

#### RECOMMENDATION

That Council:

- (1) RECEIVES the Report of City Policies and Delegations, undertaken by Conway Highbury, as shown in the attachment to the Agenda
- (2) APPROVES the minor amendments to the following policies, as recommended in the Report and as shown in the attachments to the Agenda:
  1. House Numbering
  2. Street and Public Open Space Lighting
  3. Community Engagement
  4. Sponsorship of City Events
  5. Maintenance of Public Open Space and Road Reservations Following Residential Subdivision
  6. Artwork Collection
  7. Installation of Recreational Equipment on Public Open Space
  8. Procurement
  9. Use of Closed - Circuit Television (CCTV) System

10. Administration Building Access
  11. Approval to Participate in Representative Delegations
  12. Awarding Honorary Freeman of the City
  13. Related Party Disclosures
  14. Representation at City of Cockburn Related Forum
- (3) DEFERS consideration of the following policies pending investigation into the potential for amalgamating the content into a single policy, as recommended in the Report:
1. Community Funding for Sporting Clubs and Individuals; Community Funding for Community Organisations and Individuals (Grants, Donations and Sponsorships); Community Funding to Support Local Economic Development Grants
  2. Commercial Leasing and Other Dispositions of City Owned or Controlled Property; Leasing of City Property for Community and / or Recreational Purposes (including Not for Profit); Establishment of Markets on Land Owned and Controlled by the City of Cockburn
  3. Usage and Management of Community and Sporting Facilities; Prohibition of Exotic Animals in Circuses
  4. Fraud and Misconduct Control and Resilience; Risk Management
  5. Promotional and Advertising Signs Within Road Reserves; LPP 3.7 Signs and Advertising
- (4) DEFERS Policy 'Appointment of Acting or Temporary Chief Executive Officer' to the next meeting of the Chief Executive Officer Performance Review Committee for further consideration
- (5) DELETES Policy "Promotion of a Smoke Free Environment"
- (6) APPROVES the remaining Council Policies listed in Appendix 2 of the Report, and
- (7) INCLUDES links to related strategic documents associated with approved Policies, where relevant, as mentioned in the Report

**(2021/MINUTE NO 0050) Complex Motion**

**Committee Recommendation**

MOVED Deputy Mayor T Widenbar SECONDED Cr M Separovich

That Item 12.1 be dealt with as a Complex Motion.

**CARRIED UNANIMOUSLY 5/0**



**(2021/MINUTE NO 0051)****Committee Recommendation**

MOVED Deputy Mayor T Widenbar SECONDED Cr M Separovich

That Council ADOPTS the recommendations, subject to withdrawing the following policies in sub recommendation (2), to be considered separately:

- 5. Policy "Sponsorship of City Events" and
- 11. Policy "Administration Building Access".

**CARRIED UNANIMOUSLY 5/0**

**(2021/MINUTE NO 0052) Policy "Sponsorship of City Events"****Committee Recommendation**

MOVED Deputy Mayor T Widenbar SECONDED Cr M Separovich

That Policy "Sponsorship of City Events" be amended, as follows:

- (1) Delete Clause (1) 2 (Ensure the suitability of the proposed sponsor) and
- (2) Delete Clause (2) 1. – 6. Inappropriate Sponsors.

**CARRIED UNANIMOUSLY 5/0**

**Reason for Decision**

The Sponsorship of City Events Policy creates unnecessary red tape in relation to the City seeking sponsorship of City events. Point 1.2 and 1.5 of the policy, state officers must ensure suitability of the proposed sponsor and alignment with our values. Sponsorship and marketing of cigarettes and tobacco related products is already prohibited under law, and restricting sponsors engaged in the manufacture, marketing or distribution of junk food or alcohol removes the city from approaching major retailers such as Coles/Woolworths CBH etc.

**(2021/MINUTE NO 0053) Policy "Administration Building Access"****Committee Recommendation**

MOVED Deputy Mayor T Widenbar SECONDED Councillor T Dewan

That Policy "Administration Building Access" be amended as follows:

- (1) Add to Clause (1) "13. Elected Members Office" and
- (2) Delete the last paragraph of Clause (1) and substitute the following:

"Hospitality offered in these areas is to be appropriate to the occasion and at the discretion of the Mayor, councillor/s or Chief Executive Officer. Beverage service staff and anyone serving alcohol to members of the public shall hold a current "Responsible Service of Alcohol Certificate".

**CARRIED 3/2**

**For:** Deputy Mayor Widenbar, Cr M Separovich, Cr C Stone

**Against:** Cr P Corke, Cr T Dewan



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**Reason for Decision**

The intent of this policy is to clearly define the areas accessible by Elected Members, where Areas 1-12 are areas where, as a result of Paragraph 2 on page 182, the bar area is locked unless serviced by an Amenity Officer, removing access by Elected Members most of the time.

This amendment proposes to allow access to the bar area by Elected Members and place the onus of responsibility back onto the Elected Members through the Code of Conduct.

The intent of an Amenity Officer being present is to ensure responsible service of alcohol to the public, which is still met by this amendment to this policy.

13. Elected Members' office which adjoins the Elected Member lounge is currently not covered in the Administration Building Access and should be for completeness.

**Executive Comment**

In relation to the amendment to the proposed recommendation, it is noted that current and contemporary workplace practice seeks to minimise, and where practical, avoid the consumption of alcohol at the workplace.

This excludes the running of standard functions, events and meals (which occur outside of the work-related activities) and after the completion of meetings and which are serviced through RSA accredited staff and/or catering/contract staff.

The Department of Local Government, Sports and Cultural Industries (DLGSC) made certain findings, specially clause 76 relating to the consumption of alcohol.

Further, the City has been subject to increasing media scrutiny in relation to expenditure of alcohol.

**Background**

The Inquiry into the City of Cockburn Report undertaken in 2020 concluded that the City should undertake a comprehensive Governance Review. Part of that review included a focus on the City's current Policy documents and Register of Delegated Authorities. The City subsequently engaged the services of Chris Liversage (Conway Highbury) Consultancy to undertake a review of these documents. Mr Liversage assisted the City in undertaking a major review of its Policy and Delegated Authority documents in 2018, which resulted in a streamlined outcome at that time.

The Review process was concluded in September 2021 and the Report provided, as shown in the attachment. The outcomes of the review indicated that the documents are generally in an acceptable form, with several minor amendments recommended, as identified in this report.

**Submission**

N/A

**Report**

In assessing the impact of the review Report on the City's policies, it is considered that only minor amendments are required to those policies identified in recommendation (2) above. These documents have not materially changed in their content / intent and therefore only require cosmetic adjustments to improve the standard of presentation, as shown in the attachments.

The recommended minor changes are highlighted in the table below:

<b>Policy Title</b>	<b>Description</b>	<b>Comments</b>
House Numbering	Policy Heading	Amend "Council" to "City"; Amend Officer Title
Street and Public Open Space Lighting	Amend Heading	Amend "Council" to "City"; Amend Officer Title
Community Engagement		Include "International Association of Public Participation"
Sponsorship of City Events	Amend Heading	
Maintenance of Public Open Space and Reservations Following Subdivision	Amend Heading	Amend "Council" to "the City"
Artwork Collection	Amend Heading	
Installation of Recreational Equipment on POS		Amend "Council" to "The City"
Procurement		Delete "Policy" where not applicable; Amend officer title
Use of CCTV System	Amend Heading	
Administration Building Access	Amend Heading	Amend "Council" to "City"
Approval to Participate in Representative Delegations		Delete last paragraph (not applicable)
Awarding Honorary Freeman of the City	Amend Heading	Delete "of Cockburn" in Heading and paragraph 1. (not required)
Related Party Disclosures		Amend "Council" to "The City"
Representation at City of Cockburn Related Forum		Additional text to paragraph (3) to highlight statutory role of Mayor as spokesperson for the City

In addition, the Report recommends that some current policies could be suitable for amalgamation and grouped into single content - based policies, as listed in sub – recommendation (3) above. These policies essentially deal with a similar subject and should be reviewed in greater detail by the relevant officer/s to determine the potential for streamlining the content into a single policy, dependent on suitability. For



the purpose of this exercise, it is recommended that no changes be made at this stage and that the reviewed policies be referred back to the Committee at a future Meeting either in modified format, or as they currently exist, dependent on the assessments undertaken.

In accordance with the "Appointment of Acting / Temporary CEO" Policy, it is recommended that this Policy be deferred to the next CEO Review Committee Meeting scheduled for February 2022, as that is the normal process of review for this policy. As the current CEO has been employed for a period of less than one year, there is no need for any acting CEO to be appointed at this stage, in accordance with Policy, for 2022. That recommendation can be made at the February Committee Meeting, for subsequent endorsement by Council.

The Policy "Promotion of a Smoke Free Environment" is no longer necessary as the state government policy on smoking is the prevailing community messaging for this subject and it would be of no benefit to duplicate this information in a corresponding policy position of Council.

Also, the review suggests that a link to Policies which refer to associated strategic and other corporate documents be embedded within the relevant Policies. This can be done administratively in accordance with the Policies identified in Appendix 2, subject to Council endorsement.

With the exception of the aforementioned, the Consultant Report did not highlight any notable discrepancies with the policies which have not been addressed either in this report or separately and it is therefore recommended that the remaining policy documents, as shown in Appendix 2 attached, be adopted.

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

#### Listening & Leading

A community focused, sustainable, accountable and progressive organisation.

- Best practice Governance, partnerships and value for money.

### **Budget/Financial Implications**

Nil

### **Legal Implications**

Section 2.7 (2) (b) of the *Local Government Act 1995* refers.

### **Community Consultation**

N/A

### **Risk Management Implications**



There is a “Low” level of “Financial” and “Compliance” risk associated with this item.

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

N/A

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

Nil





## Review of City Policies and Delegations

Sept 2021

Conway  
Highbury

[www.conwayhighbury.com.au](http://www.conwayhighbury.com.au)



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## Executive summary

This review was undertaken as part of measures by the City of Cockburn to respond to an Authorised Inquiry concluded in April 2021 and entailed a review of delegations of power and policies made by council.

In summary, there were no issues identified in the course of this review that are of significant concern.

The City has already taken steps to deal with the matters raised in the Authorised Inquiry, in particular council has:

- Adopted a policy as to how to deal with alleged complaints about elected member behaviour ('Elected Member Code of Conduct – Complaints of Alleged Behaviour Breach'); and
- Established of an internal committee under s5.9 of the Local Government Act 1995 to deal with allegations of certain behaviour breaches of the Code of Conduct by council members, committee members and candidates.

It is considered that these steps will be of significant assistance.

In addition, while outside the scope of this project council could consider widening the scope of this committee in future to allow elected members to air any concerns or issues they may have, with a view to dealing with them as early as possible and potentially before any formal complaints might be lodged – a 'house' committee as such. It is also considered important that this committee be comprised of elected members themselves and not employees of the City.

In relation to delegations and policies, the Inquiry identified the need to avoid the 'obscuring of the distinct and separate roles of the local government CEO and its Council'. There are still a number of small instances in delegations and policies where 'council' is used instead of the 'City of Cockburn' which may cause confusion. In addition, further clarity could be made between what is a 'delegation of authority' and an authorised person.

Recommendations where a further distinction may assist are listed below. In addition cases where 'council' should be replaced by 'the City' in delegations and policies are listed in Appendix 2 to assist when an annual review of delegations is undertaken, or when a particular policy comes up for review.

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### Recommendations

1. As a general principle in terms of policies and delegations, unless referring to the council itself or a document that the council itself must deal with, 'City' be used.
2. Consider using the term 'delegation of power' rather than 'delegation of authority' to reduce the potential for confusion between delegations and authorisations
3. The City either:
  - a. Keep a separate register of persons to whom the CEO has sub-delegated a power under the *Local Government Act 1995*; or
  - b. Add clarification to the template in its register of delegations of power to the effect that delegations from the CEO to other employees are not reviewed by council.
4. To deal with differences in enabling legislation, group all delegations into a single document, sub-divided by the enabling legislation. This would also allow matters such as:
  - a. Training of persons to whom delegations are given;
  - b. The provisions in the enabling Act to be listed at a high level (eg s5.42 of the *Local Government Act 1995* appears in many delegation listings, and delegations under this Act may generally only be to a committee or the CEO but other legislation is different);
  - c. Listing any appeal provisions (eg under Division 1 of Part 9 of the *Local Government Act 1995*) that might exist; and
  - d. For common matters like record keeping requirements to be spelt out at an early and overall stage.
5. In terms of the City's register of delegations and the template used:
  - a. As all delegations under the *Local Government Act 1995* by council must be to the CEO, delete 'Delegate' in the template;
  - b. Change 'Sub-delegate/s' to 'Delegation from the CEO to other employees';
  - c. Add any additional limitations or conditions that the CEO might place on the employee to who the power is sub-delegated (and which must also comply with any conditions imposed by council);
  - d. Change 'Function delegated' to 'Power delegated';
  - e. Change 'Autonomy of discretion' to 'Conditions of delegation';
  - f. Place administrative information such as the date reviewed, file numbers etc at the end of the delegation rather than the beginning;
  - g. Remove information that is no longer applicable – eg, delegations under the *Local Government Act* require an annual review. All that is necessary is to list the date when a delegation was last reviewed. If in the unlikely event it is necessary to track when a change may have

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been made then this can be done by going back through meeting minutes;

- h. Add any links or notes that might relate to the power delegated not covered above, such as policies, local laws or administrative procedures that might apply.
- 6. Establish a register of authorised persons (if not done so already); and
- 7. Deal with any particular matters that might relate to a specific policy, as listed in Appendix 2 of this report.



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## Background and Scope

### *Authorised Inquiry*

In April 2021 an Authorised Inquiry under Part 8, Division 1 of the Local Government Act 1995 into issues at the City of Cockburn was concluded.

A copy of the review can be found on the WA Department of Local Government, Sporting and Cultural Industries (DLGSCI) website at

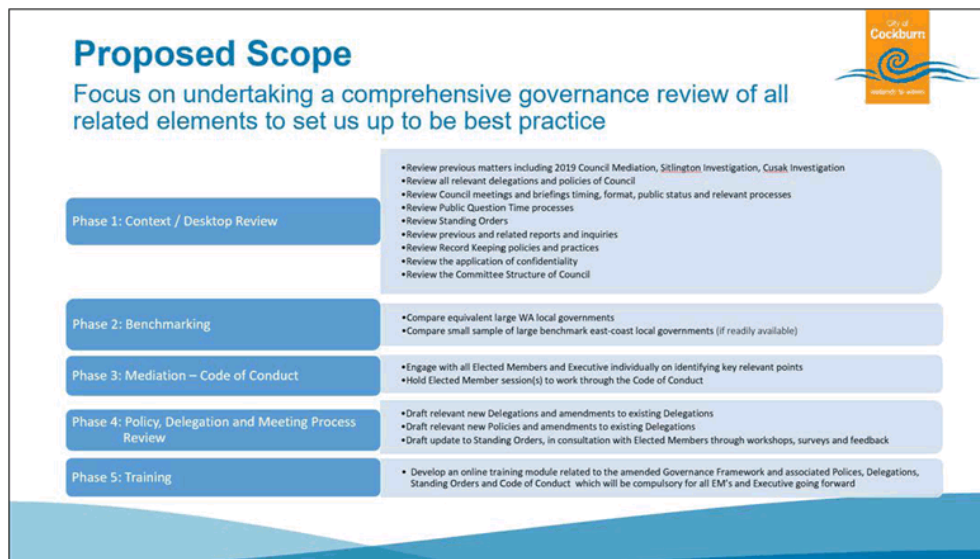
<https://www.dlgsc.wa.gov.au/department/publications/publication/report-of-the-inquiry-into-city-of-cockburn>

The Inquiry recommended that:

1. *The City undergo an independent governance review (with scope approved by the Director General) within three months of this report becoming final and provide the Director General with a copy of the review's findings and report upon its completion.*
2. *All elected members and members of the City's executive team undertake training and mediation as determined appropriate by the Director General, within six months of receipt of the final report, to enable them to work as a cohesive and well-governed group in the best interests of the local government.*
3. *Within six months of receipt of this report, the City's CEO is to deliver a report to the Director General of the Department outlining:*
  - i. *the steps taken in response to the above recommendations;*
  - ii. *identifying the persons who have attended training as set out in recommendation 2 and any reasons given for non-attendance;*
  - iii. *any other information considered to be relevant in respect to any further changes the City has made in response to the recommendations and/or information contained within this report. .*

### *Scope of this document*

The City subsequently adopted the following scope for the governance review required:



This document deals with part of Phase 1, being a review of all relevant delegations and policies of the City.

#### *Overall issue - the difference between 'council' and the 'City of Cockburn'*

It is not uncommon for confusion to exist about what a council of a local government, persons employed by the local government (including the CEO), and the local government itself mean.

The Inquiry Report noted a number of instances where this created problems, for example:

- In clause 83, when commenting on acceptable behaviours in briefing sessions noted that it was desirable to *'avoid(ing) the obscuring of the distinct and separate roles of the local government CEO and its Council'*; and
- In clause 113 *'the separation of the roles of the administration and Council appears to be obscured and good governance procedures ignored'*.

Language is important. 'Council' means just that – the group of elected members who make up the peak decision making body of a local government.

'Local government' means the City of Cockburn as a body corporate constituted under s2.5 of the Local Government Act 1995.

As a general principle, in terms of policies and delegations it is recommended that this separation be made clear as possible - unless referring to the council itself or a document that the council must deal with, references to matters like 'council' property should be amended to 'City' property. The entity that is the City of Cockburn

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owns the property, not the group of elected members - and who might make decisions about the property.



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## Review of delegations

A number of Acts administered by local governments allow the peak decision making body (the Council) to delegate power to certain committees, its CEO, and in some cases employees or other persons.

As there can be differences in legislation, the City has made delegations that may be made under various Acts are set out by Act, rather than by employee or organisational structure.

In addition, some legislation allows sub-delegation (mainly the Local Government Act) from Council to the CEO, and from the CEO to other employees; others do not.

### *Specific matters relating to delegations identified by the Authorised Inquiry*

While there were no specific matters identified by the Authorised Inquiry about delegations, a number of observations were made, including that 'the separation of the roles of the Council and administration appear(ed) to be obscured and good governance procedures ignored' (clause 113).

In terms of policies, in 2018 Conway Highbury undertook a review of the City's policy framework. Amongst other things, it was recommended that the City separate policies into:

- those that were to be reviewed and dealt with by Council itself;
- Planning policies; and
- Management policies or procedures.

A fundamental purpose behind this separation was to assist in ensuring that the roles of Council and its CEO (and staff) were not confused. The same principle applies to delegations, and appears to have been implemented by the City with respect to both delegations of power and policies, although some of the terminology used could be further amended, and is discussed further below.

### *Complexity of legislative environment*

In fairness, the legislative environment within which local governments operate is inordinately complex and confusing – and as an observation, in one area the Inquirers themselves appeared confused.

For example, section 5.7 ('Absolute Majority Decision') of the Inquiry Report refers to the need to obtain a budget variation for a termination payment and hence in their view an Absolute Majority decision by council required. The Inquirers noted that the ACEO at the time thought that the amount in question could be covered in the existing budget provision, therefore no variation was required, and hence in his view was that no Absolute Majority vote was needed.

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Rightly or wrongly, at the time of a decision to terminate the contract it may not have been an overspend, it was only later that the budget was varied.

That aside, clause 6.8(1a) of the Local Government Act 1995 (which is what is referred to in the Inquiry report) provides that:

**additional purpose** means a purpose for which **no expenditure estimate** is included in the local government's annual budget.

(Emphasis added in red)

So if the budget provision included an expenditure estimate for payment of amounts due to employees on resignation and/or termination, then it is not an 'additional purpose', s6.8(1) does not apply and no Absolute Majority vote was required. The ACEO was, on face value correct.

Variations to budget estimates are dealt with elsewhere and including under R33A of the *Local Government (Finance) Regulations 1996*. This does require an Absolute Majority vote but nothing in that Regulation relates to having to make a decision in advance.

It is not ideal but not uncommon for capital works to go over budget and for the budget to be varied after the event under R33A. This allows for amounts to be moved about a budget (under expenditure as well as over) so that the impact is managed. This is logical - it would not be sensible to stop work if a project looked like going over budget while waiting for a council decision if the project is of an ongoing nature, typically in roadworks or construction projects. The alternative would be to make budget provisions well in excess of likely costs so as to avoid the possibility of delay.

The above points are not intended to highlight any shortcomings or issues, simply to underscore the complexity of the operating environment of the City of Cockburn - and that wherever possible, language used should be clear and unambiguous.

*The Interpretation Act 1984 – principles of delegation*

Section 59 of the *Interpretation Act 1984* prescribes the overall framework for how delegated authority must be structured in Western Australian law.

In summary:

1. The written law (head of power) must include an express power to delegate, which specifically enables a person (the delegator) to make a delegation;



2. In that same written law, there must be an express power or duty conferred or imposed on the delegator and it must be capable of being delegated. This means that:
  - a. The power or duty proposed for delegation must be written in the same law as the express power to delegate; and
  - b. That written law must not prohibit the power or duty from being delegated or contain limitations or conditions, which the proposed delegation exceeds.
3. The power to delegate cannot be delegated;
4. Delegations must be in writing (the instrument of delegation); and
5. Delegations must be advised to the delegate in writing.

Note that nothing prevents the delegating body or person from taking back a delegation or sub delegation, or actually making the relevant decision on a particular issue. Similarly, a delegator does not have to exercise the delegation and may refer the decision back to the delegator.

Similarly, section 59(2) provides that:

*The delegation of a power shall be deemed to include the delegation of any duty incidental thereto or connected therewith and the delegation of a duty shall be deemed to include the delegation of any power incidental thereto or connected therewith.*

#### *Delegations of Power – variations by legislation*

Some Acts of Parliament which confer powers on local governments allow a Council for example to delegate to a committee of the local government, the local governments CEO, other persons or employees and more.

The purpose of delegating a power is generally aimed at dealing with matters that are routine, may have a time constraint, can change rapidly, or is simply more efficient.

The extent of delegation, conditions that may be applied and records that must be kept depend on the various heads of power in the Acts themselves as does the obligation to review and/or amend which may be either the council or the CEO.

Western Australian legislation may be accessed online at the State Law Publisher's website at <https://www.legislation.wa.gov.au/>.

#### *Delegation by office or by name*

Section 53 of the Interpretation Act provides that a delegation can be to the holder of an office (whether acting or permanent) or by naming an individual:

*Where a written law confers a power or imposes a duty upon a person to appoint or designate a person to —*

- (a) perform any function; or*
  - (b) be a member of any board, tribunal, commission, committee, council, or other similar body, whether corporate or unincorporate; or*
  - (c) be or do any other thing,*
- that person may make the appointment or designation either by appointing or designating a person by name or by appointing or designating the holder of an office by the term designating his office; and any such appointment or designation of the holder of an office shall be construed as the appointment or designation of the person from time to time holding, acting in, or lawfully performing the functions of the office.*

#### *Overall requirements of the City when delegating power*

The City should ensure that training of persons to whom a delegation of power is given. This should include:

#### Delegations of power - overall requirements

Before using a delegated power a delegate must familiarise themselves with the legislative framework, conditions and limitations relevant to the statutory power or duty that informs the decisions they will make.

The delegate must also consider and apply local laws, Council decisions, policy, procedures or standards that are relevant to the decisions they are empowered to make.

#### Right of appeal under Part 9 of the Local Government Act 1995

Any rights of appeal against a decision of a local government makes a decision under this Act as to whether it will —

- (a) grant a person an authorisation under Part 3 or under any local law or regulation that is to operate as if it were a local law; or
- (b) renew, vary, or cancel an authorisation that a person has under any of those provisions.

#### Conflicts of interest

Section 5.71 of the Local Government Act provides that employees must disclose interests relating to delegated functions:

#### **5.71. Employees to disclose interests relating to delegated functions**

*If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and —*

- (a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable*

- after becoming aware that he or she has the interest in the matter; and*
- (b) *in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter.*

*Penalty: \$10 000 or imprisonment for 2 years.*

A conflict of interest arises where a personal interest is in conflict with the public interest. Delegates must disclose any conflict of interest which may require them to be removed from the decision making process.

A delegate may also refer the decision making back to the delegator, where they consider there is a risk or sensitivity, which makes it more appropriate for the delegator to make that decision.

The City's Code of Conduct also applies.

#### Requirement for annual return and disclosures by delegate

An employee to whom a duty or power is delegated under the Local Government Act 1995 is considered a 'designated employee' under section 5.74(1) of the Act and is required to complete a primary and annual return each year.

#### Keeping a record of decisions made under delegated authority

In accordance with Section 5.46(3) of the *Local Government Act 1995*, a person to whom a power or duty is delegated is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Regulation 19 of the *Local Government (Administration) Regulations 1996* requires a delegate to keep a written record of:

- a. how the person exercised the power or discharged the duty;
- b. when the person exercised the power or discharged the duty; and
- c. the person or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

The City has decided that this applies regardless of the enabling legislation.

A central record of decisions made under a delegation is unnecessary but a record must be kept by the person exercising the power.

A record made that complies with the City's record keeping policy (eg a letter or email sent in accordance with that policy) is sufficient.

#### *Link between delegations, authorisations and policies*

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The language generally used in legislation and the like often gives rise to confusion. A 'delegation of authority' is not an authorisation. An 'authorisation' is a reasonably narrow concept and typically allows a person to make enquiries (such as asking a person's name, address, age), issue an infringement, a notice to do something.

A delegation of power is possibly a more accurate description as it involves an exercise of discretion or the making of a decision in response to a request of the local government for a permit or similar.

To confuse things further, a delegation of power can require a person to whom it is given, to refer to a policy for guidance when making a decision; and that person could also be authorised to under an Act, Regulation or local law to do certain things.

*The difference between a delegation, 'acting through' another person and an 'authorised person'*

Simply put, a delegation is the process prescribed in legislation to give the ability to exercise an express power or duty from the delegate to another person (named by position title or office) or an entity (the delegate).

Some legislation confers a power directly on a person. A person appointed to a statutory office does not need any further delegation or authorisation in order to fulfil those assigned powers and duties. For example:

- The Local Government Act lists statutory offices including Mayor, CEO and Returning Officer;
- The Public Health Act assigns duties to Environmental Health Officers;
- The Building Act to Building Surveyors; and
- The Local Government Act, Cat Act and Graffiti Vandalism Act also allow a local government CEO to delegate any powers or duties assigned to their office.

Employees do not always need delegations or sub delegations to carry out their tasks and functions on behalf of the local government. Basically, a function may be undertaken through the "acting through" concept where a person has no discretion in carrying out that function – the outcome will not be substantially different regardless of the circumstances or who exercised the power.

Section 5.16(4) of the Local Government Act provides that:

...

(4) *Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.*

Similarly, s5.45(2) Act provides that:

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*Nothing in this Division (Division 4 - Local Government Employees) is to be read as preventing –*

- a) a local government from performing any of its functions by acting through a person other than the Chief Executive Officer; or*
- b) a Chief Executive Officer from performing any of his or her functions by acting through another person.*

The key difference between a delegation and acting through is that a delegate exercises a decision making function in his or her own right. For example, an employee may pay an account or issue an approval if directed to do so by another employee who has the power to make such a decision and chooses to “act through” another employee.

#### *Authorised persons*

Authorised persons (and who under some Acts do not necessarily have to be employees of the local government but often are) are given powers to do certain things under an Act, Regulation or local law; usually to issue an infringement, make inquiries, enter on to property, issue a notice or to enforce a provision.

An authorised person, once appointed, is responsible for fulfilling the powers and duties assigned under law to an authorised person, which may be specified or limited in an Act or Regulation, or the certificate of authorisation. An authorised person cannot delegate their powers and duties to another person.

Who may appoint authorised persons depends on the enabling legislation, although many are covered by s9.10 of the Local Government Act which provides that:

#### *9.10. Appointment of authorised persons*

*(1) In this section —*

***law*** means any of the following —

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

***specified*** means specified in the instrument of appointment.

- (2) The CEO may, in writing, appoint persons or classes of persons to be authorised persons for the purposes of 1 or more specified laws or specified provisions of 1 or more specified laws.*

- (3) *An appointment under subsection (2) is subject to any specified conditions or limitations.*

(\*There were none as of 2 Sept 2021).

Authorised persons may or may not have delegated authority to undertake certain actions – the delegation of power is a separate matter, although they are often included in the same register for ease of reference and review.

The City should establish a register of authorised persons (if not done so already).

#### *Limitations on delegations*

Some legislation applies limits on what can be delegated. For example, s5.43 of the Local Government Act 1995 provides that:

#### *5.43. Limits on delegations to CEO*

*A local government cannot delegate to a CEO any of the following powers or duties —*

- (a) any power or duty that requires a decision of an absolute majority of the council;*
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) appointing an auditor;*
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) borrowing money on behalf of the local government;*
- (g) hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) any power or duty that requires the approval of the Minister or the Governor;*
- (i) such other powers or duties as may be prescribed.*

This may have implications for how a register of delegations might be best structured, and is discussed further below.

#### *Overall structure of delegations at the City of Cockburn*

The City lists delegations as separate documents on its website. This allows focus on an individual delegations but may mean they are considered in isolation.

It may help to group them into one document, but with headings by enabling legislation to ensure that the subtle differences in enabling legislation are accounted for and dealt with.

For example, a comprehensive list could be:

#### Overall matters

- The difference between a delegation, 'acting through' another person and an 'authorised person'
- The Interpretation Act 1984 – principles of delegation
- How the document is structured and what templates headings might mean
- Exercising delegated powers, record keeping requirements

#### Delegations made under the Local Government Act 1995

- Overall requirements of the Act
- Delegations from Council to committees
- Delegation to audit and risk committee
- Delegations from Council to the CEO
- Delegation of powers conferred directly by the Act on the CEO to employees:
  - Determine if an Emergency for Emergency Powers of Entry
  - Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare
  - Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares
  - Appoint persons (other than employees) to open tenders
  - Electoral Enrolment Eligibility Claims and Electoral Roll
  - Destruction of Electoral Papers
  - Information to be Available to the Public
  - Financial Management Systems and Procedures
  - Audit – CEO review of systems and procedures
  - Infringement Notices – Authority to Review, Amend and Withdraw
- Local Laws
  - Administer local laws
    - Council to CEO – all local laws
    - Delegation by CEO to other employees – Dogs Local Law
    - Delegation by CEO to other employees – Fencing Local Law
    - Delegation by CEO to other employees – Health Local Law
    - Delegation by CEO to other employees – Local Government Property Local Law
    - Etc

#### Delegations made under the Building Act 2011

- 
- Overall requirements of the Act
  - Grant or refuse a Building Permit
  - Demolition permits
  - Occupancy Permits or Building Approval Certificates
  - Building Orders
  - Inspection and Copies of Building Records
  - Referrals and Issuing Certificates
  - Private Pool Barrier – Alternative and Performance Solutions
  - Smoke Alarms – Alternative Solutions
  - Designate employees as Authorised Persons

Delegations made under the Fines, Penalties, and Infringement Notices Enforcement Act 1984

- Overall requirements of the Act
- Designation of Prosecution Officers

Delegations made under the Strata Titles Act 1985

- Overall requirements of the Act
- Granting of a Certificate – Form 26

Delegations made under the Bush Fires Act 1954

- Overall requirements of the Act
- Bush Fires Act 1954 – powers and duties

Delegations made under the Cat Act 2011

- Overall requirements of the Act
- Cat Registrations
- Cat control notices
- Approval to breed cats
- Recovery of Costs – Destruction of Cats
- Applications to keep additional cats
- Reduce or Waive Cat Registration Fee
- Appointment of authorised persons
- Delegations direct from CEO to other employees under the Cat Act
- Infringement Notices – Extensions and Withdrawals

Delegations made under the Dog Act 1974

- Overall requirements of the Act
- Part payment of sterilisation costs / directions to veterinary surgeons
- Refuse or cancel registration of a dog
- Kennel establishments
- Recovery of moneys due under the Dog Act



- 
- Dispose of or sell dogs liable to be destroyed
  - Declare dangerous dog
  - Dangerous dog declared or seized – deal with objections and determine when to revoke
  - Deal with objection to notice to revoke dangerous dog declaration or destruction notice
  - Determine recoverable expenses for dangerous dog declaration

#### Delegations made under the Tobacco Products Control Act 2006

- Overall requirements of the Act

#### Delegations made under the Food Act 2008

- Determine Compensation
- Prohibition Orders
- Food Business Registrations
- Debt Recovery and Prosecutions
- Abattoir Inspections and Fees
- Food Businesses List – Public Access
- Appoint Authorised Officers and Designated Officers

#### Delegations made under the Graffiti Vandalism Act 2016

- Overall requirements of the Act
- Give Notice Requiring Obliteration of Graffiti
- Notices – Deal with Objections and Give Effect to Notices
- Obliterate Graffiti on Private Property
- Powers of Entry

#### Delegations made under the Public Health Act 2015

- Overall requirements of the Act
- Enforcement Agency Reports to the Chief Health Officer
- Determine Compensation for Seized Items
- Commence Proceedings
- Appoint Authorised Officer or Approved Officer (Asbestos Regulations)

#### Delegations made under the Health (Miscellaneous Provisions) Act 1911

- Overall requirements of the Act
- Discharge of powers and duties under the Act

#### Delegations made under the Caravan Parks and Camping Grounds Act 1995

- Overall requirements of the Act
- Issuing infringement notices

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Delegations made under the Liquor Control Act 2016

- Overall requirements of the Act
- Issue of certificates under sections 39 and 40, of the Liquor Control Act 1988

Delegations made under the Planning and Development Act 2005

- Overall requirements of the Act
- Delegations from Council to a committee
- Delegations by Council to the CEO
- Determination of Various Applications for Development Approval under the City's Local Planning Scheme
- Deal with illegal development under s214 of the Act
- Appoint authorised and designated persons under the Planning and Development Act 2005 and Local Planning Scheme No 2

*Structure of individual delegations of power*

Each delegation made by the council of the City of Cockburn contains a series of standard headings, for example:



DA	ACQUISITION AND DISPOSAL OF PROPERTY (LAND)	
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<b>DIVISION:</b>	Office of the Chief Executive Officer	
<b>BUSINESS UNIT:</b>	N/A	
<b>SERVICE UNIT:</b>	N/A	
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer	
<b>FILE NO.:</b>	086/003	
<b>DATE FIRST ADOPTED:</b>	1997	
<b>DATE LAST REVIEWED:</b>	10 December 2020	
<b>ATTACHMENTS:</b>	N/A	
<b>VERSION NO.</b>	9	

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

**FUNCTION DELEGATED:**  
~~The authority to acquire and dispose of property.~~

**CONDITIONS/GUIDELINES:**

- (1) Value of transaction not to exceed \$750,000, in total.
- (2) Elected Members to be provided with notification in advance of the proposal and be able to request that it be determined by decision of Council.
- (3) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**  
 As provided under legislative requirements as above conditions.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**  
 Local Government Act, 1995, Sec. 5.43 (d) refers.

**DELEGATE:**  
 Chief Executive Officer

**SUB-DELEGATE/S:**  
 Nil.

Recommendations about individual policies are made in **Appendix 2**, but in terms of the above template it may assist to either consolidate delegations into a single

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document, listed by the enabling legislation, or to develop an overarching document that points out the differences between a delegation of power, an authorisation and the subtle differences between the various Acts where delegations are permitted.

Note that the CEO may further delegate any delegations given to him/her by the council under s5.44 of the Local Government Act to other employees. There is no ability of council to direct the CEO to do this, nor for it to review or amend who he/she might sub-delegate this to. The City though includes a heading on its register recording where the CEO might have sub-delegated this to an employee, which could contribute to any confusion.

As such it may further assist to either:

1. Keep a separate register of persons to whom the CEO has sub-delegated a power; or
2. Add clarification to the template above to the effect that this item is not reviewed by council.

Finally, consider:

1. As all delegations under the Local Government Act by council must be to the CEO, delete 'Delegate';
2. Change 'Sub-delegate/s' to 'Delegation from the CEO to other employees';
3. Add any additional limitations or conditions that the CEO might place on the employee to who the power is sub-delegated (and which must also comply with any conditions imposed by council);
4. Change 'Function delegated' to 'Power delegated';
5. Change 'Autonomy of discretion' to 'Conditions of delegation';
6. Place administrative information such as the date reviewed, file numbers etc at the end of the delegation rather than the beginning;
7. Remove information that is no longer applicable – eg, delegations under the Local Government Act require an annual review. All that is necessary is to list the date when a delegation was last reviewed. If in the unlikely event it is necessary to track when a change may have been made then this can be done by going back through meeting minutes;
8. If any delegations could/should be made to committees under the Local Government Act 1995; and
9. Add any links or notes that might relate to the power delegated not covered above, such as policies, local laws or administrative procedures that might apply.

## Review of the City's policies

### *Specific matters relating to policies identified by the Authorised Inquiry*

Policies are directly mentioned only on p12 of the Authorised Inquiry in the context of communications by elected members, in particular email and social media:

*69. Authorised Persons note that the City's elected members are also required to abide by the Elected Members Communication Policy, which outlines principles by which elected members should communicate with the administration and community. Although this policy mentions the use of email and social media, it does not include any reference to the expectations and requirements of their use by elected members.*

*70. It is the view of the Authorised Persons that the City's policy should be strengthened to better articulate best practice requirements for elected members using email and social media, with an added emphasis on the appropriate use of technology for communicating with members of the wider community. The City may also wish to consider the development of a new social media policy.*

At its meeting held on 11 March 2021, Council resolved to

- (1) ADOPT the Model Code of Conduct, as shown in Attachment 1, to apply to all Elected Members, Committee Members and candidates for election as an Elected Member (as applicable);*

...

(Item 13.1 refers)

The model code deals with behaviour in a comprehensive manner and sets out requirements in relation to the behaviour of council members, committee members and candidates seeking election to council.

In particular it provides that a council member, committee member or candidate:

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

This matter therefore appears to have been dealt with by the City.

### *Purpose of policies made under Local Government Act 1995*

In most instances, policies are made to guide decision making. This can be in relation to long term matters and strategic objectives, issues that have been

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contentious, or simply a day to day or routine issue where it is efficient to have a consistent outcome.

They also serve as a store of the institutional memory of the City – why things are done and the way we do them.

There are some cases where a local government is required to have a policy, such as:

- A procurement policy under regulation 11A of the *Local Government (Functions and General) Regulations 1996*; and
- A gratuities policy under s5.50 of the Act and regulation 19A of the *Local Government (Administration) Regulations 1996* which sets out payments to employees in addition to a contract or award.

Other positions or statements that matters that local governments often make via a policy include an information statement under the Freedom of Information Act 1992, a code of conduct for council members, committee members and employees under s5.103 of the Act, safety goals under occupational health and safety legislation, and others.

#### *Types of policy*

There are three broad types of policy:

#### Council policies

These are policies made by a decision of the Council itself under s2.7 of the Local Government Act 1995 (the Act). They fall into a number of subsets:

- Those required by legislation to be made by Council;
- Those made by Council to provide direction to the CEO (staff and authorized persons) when:
  - Implementing a Council decision;
  - Acting under delegated authority (but which might be better housed in the City's register of delegations of authority made under s5.46 of the Act); and/or
  - Setting out possible conditions that could be attached to a permit or authorization (or a refusal to issue one).
- Those that establish a position on a matter or topic to guide or assist future decision making by Council.

The 'Council' means the body of elected members. It is a part of, but is not the local government.

A local government is made up of the elected council (councillors and the mayor), the CEO and employees, authorised persons, and the community of the district.

The role of the council includes making policies under s2.7(2)(b) of the *Local Government Act 1995*:

*2.7. Role of council*

- (1) *The council —*
  - (a) *governs the local government's affairs; and*
  - (b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the council is to —*
  - (a) *oversee the allocation of the local government's finances and resources; and*
  - (b) *determine the local government's policies.*

There are no precise definitions as to what constitutes a 'policy' and it varies by local government. Similarly, there is no hard and fast rule as to what ought to be a council policy and what is an administration policy but as a guide:

- Council decides what is to be done; and
- The Chief Executive Officer (CEO) implements the decision.

As noted earlier in this report it is also possible for a council to delegate authority to make decisions to its CEO. In doing so, council can set conditions or limits on how the power is to be exercised, and often does so via a policy.

There are some decisions that can only be made by the council itself and which may be guided by a policy statement. The policy is not binding but serves to provide guidance and consistency on issues.

Administration policies

Under s5.41 of the Act the functions of the CEO include:

- (d) *manage the day to day operations of the local government;*
- ...
- (g) *be responsible for the employment, management supervision, direction and dismissal of other employees*
- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) *perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

Administration policies are developed for operational purposes and have an internal focus. They are made by staff and approved by the CEO. These policies were not reviewed by this project.

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#### Planning policies

Planning policies are prepared in accordance with Clauses 3, 4 and 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

These allow a local government to prepare local planning policies relating to planning or development in a Scheme area.

Local planning policies are required to be made available for public comment for a period of 21 days regardless of the extent of whether they are new or an amendment to an existing policy. Unlike policies made under the Local Government Act, policies made under this process have the force of law.

When developing a planning policy reference must be made to the City's Local Planning Scheme and the Regulations. There are 54 policies made by the City under the LPS.

#### Operating procedures

The City also uses operating procedures or guidelines may also be developed. An operating procedure might simply set out how a policy (council or administrative) might be implemented.

Operating procedures are made by staff and approved by the CEO.



## Appendix 1 - Summary of delegations and comments

Group	Subject/ title	Comments
Local Government Act 1995	Overall considerations	See recommendations in main body of report – if grouped by enabling Act, remove 'Local Government Act' from titles
	Acquisition and Disposal of Property (Land)	<p>Clarify application of delegation to specify if other property (eg plant and equipment etc) is also included.</p> <p>The title says '(Land)' so if it is only to apply to freehold property then amend references to 'property' in the policy to 'land'.</p> <p>Add requirement to conditions to ensure CEO complies with requirements of s3.58 of Local Government Act 1995 which sets out a prescribed process to be followed when disposing of property (which includes land amongst other things).</p> <p>Check overlap with:</p> <ul style="list-style-type: none"> <li>• Delegation regarding preparation of Business Plans for Disposal of Land;</li> <li>• Calling of tenders for prequalified panels etc which refers also to disposal of property,</li> </ul> <p>And possibly combine.</p>
	City of Cockburn (Local Government act) Local Laws – Applications to Keep More Than Two(2) Dogs at a Residential Property	Amend to refer to Dog Act 1976
	Community Funding For Sporting Clubs and Individuals	<p>Same as <i>Local Government Act, 1995 – Funding Assistance For Community Organisations And Individuals?</i></p> <p>If not, consider combining as a sponsorship policy</p>
	Debt Write off, Concession or Waiver	Consider combining with a general debt recovery/ write off delegation
	Funding Assistance – Community	Same as COMMUNITY FUNDING FOR SPORTING CLUBS AND INDIVIDUALS?

Group	Subject/ title	Comments
	associations	Add hyperlink to policy mentioned in conditions
	Funding For Community organisations & Individuals (Grants, Donations & Sponsorships)	Add hyperlink to policy mentioned in conditions (albeit 'community funding for ...')
	Legal Representation – Elected Members & Employees	Dec 2020 version the most recent version.
	Local Government Act (Uniform Local Provisions) Regulations, 1996 – Obstruction of Streets	
	Local Government Act, 1995 – Calling of Tenders, Expressions of Interest or Panel of Pre-Qualified Suppliers	Add conditions that might be in City's Procurement Policy
	Local Government Act, 1995 – Contract Variations (Tender or Equivalent)	Consider amending to a % of contract value rather than an amount (currently \$750,000 in delegation)  Add conditions that might be in City's procurement policy
	Local Government Act, 1995 – Dangerous Trees On Private Land	
	Local Government Act, 1995 – Funding Assistance For Community organisations and Individuals	Same as COMMUNITY FUNDING FOR SPORTING CLUBS AND INDIVIDUALS?
	Local Government Act, 1995 – Payments	

Group	Subject/ title	Comments
	From Municipal and Trust Funds	
	Local Government Act, 1995 – Preparation of Business Plans For Disposal of Land	Consider combining this with the delegation relating to Acquisition and Disposal of Property (Land).
	Local Government Act, 1995 – Recovery of Rates and Service Charges – Leased Properties	Consider adding to a general delegation to take action for recovery and write off of debts owed to the City.
	Local Government Act, 1995 – Temporary Road Closures	
	Local Government Act, 1995 – advertising Proposed Differential Rates	
	Local Government Act, 1995 – Sand Drift	Amend to reflect power to issue a notice and then carry out notice provisions if owner/ occupier does not do so within period specified in the notice. Add a general power to recover costs to debt recovery delegation.
	Objections to The Rate Record & Rateable Status of Land	Clarify limit of amount that can be considered – per annum presumably?
	Procurement Selection & award	Cross check against Procurement Policy
	Requirement to Construct or Repair Crossing	Same as 'crossover' policy? If so combine and delete one or the other.  If not, add reference or link to each other.
	Usage & Management of Community & Sporting Facilities	Combine with 'Renewal of Leases and Licenses for Council-City owned or Controlled Property' delegation.
'Pursuant to Council	Overall observations	Change to sort these delegations by enabling Act.

Group	Subject/ title	Comments
policies'		This will also assist in dealing with the difference between a policy made under the LPS (which have legal effect) and others (which mostly do not).  Delegation might also be subject to consideration of requirements set out in a policy but not vice versa.
	Attendance At Conferences, Seminars, Events & Training	Clarify to explain what 'Council delegates' means.  Suggest amend title to 'Attendance at Conferences, Seminars, Events & Training by Elected Members' if it applies only to Mayor and Councillors.
	Building Permits/ Strata Plans	Nil.
	City Of Cockburn - Local Law – Parking & Parking Facilities	Nil.
	Community Funding To Support Local Economic Development	Clarify what '1. Category A – Economic Development Grants' means or add link to it  Add link to policy
	Completion Of Firebreaks On Private Land	Appears to be appointment of an authorised person
	Employee Development	Not a delegation of power; add to management practice or operating procedures.
	Land Administration Act 1997 – Naming Of Streets & Public Open Space	Check if Land Administration Act allows delegation of power
	Location Of High Voltage Overhead Power Lines And Microwave Towers	A Planning Policy; add link to LPS
	Obtaining Legal Or Other Expert Advice & Legal Proceedings Between City Of Cockburn & Other Parties	Add cross reference to legal services (where elected member or employee involved) delegation of power; ensure no conflict between them.  Add cross reference to policy on same.

Group	Subject/ title	Comments
	Payments To Employees In Addition To Contract Or Award	<p>This is a unique case whereby this is a policy required by s5.50 of the Local Government Act. It also has specific requirements in relation to advertising and amending it.</p> <p>Add conditions to the effect that:</p> <ul style="list-style-type: none"> <li>Neither the CEO or a sub-delegate can pay him/ herself a gratuity;</li> <li>Any payment above Award entitlements or as provided in the CEO's contract must be decided by the Council itself.</li> </ul> <p>Add link to Policy.</p>
	Renewal Of Leases And Licenses For Council Owned Or Controlled Property	<p>See overall comments regarding differentiating between 'council' and 'City'; amend title to 'City'.</p> <p>Reverse focus of the delegation of power so that CEO (or sub-delegate) must consider conditions in Policy not vice versa.</p> <p>Consider combining with other 'disposal of property' delegations.</p> <p>May also need to consider any applicable Management Order and conditions regarding leasing of Crown Reserves.</p> <p>Link to policy re same.</p>
	Sponsorship And Naming Rights On City Controlled Land And/ Or Buildings	Note use of 'City' controlled land etc.
	Structure Plans, Rezoning Applications And Metropolitan Region Scheme Amendments	<p>Policy made under the City's LPS.</p> <p>Clarify if it is a delegation of power or not – policy provides for there to be a 'nil' delegate; so why is it listed as a delegation of power?</p> <p>Check if Planning Regs allow delegation direct to an employee other than the CEO.</p>
'Extraneous to LG Act'	Overall	See notes in covering report recommending grouping by enabling legislation.
	Food Act 2008 – Appointment Of Authorised Persons & Designated Officers	Retain as the Food Act is not listed in the legislation that a CEO may appoint authorised persons under s9.10 of the <i>Local Government Act 1995</i>

Group	Subject/ title	Comments
	Building Act 2011 – Appoint Authorised Persons	Retain as the Building Act is not listed in the legislation that a CEO may appoint authorised persons under s9.10 of the <i>Local Government Act 1995</i>
	Building Act 2011 - Approve Or Refuse A Demolition Permit	Nil.
	Building Act 2011 - Approve Or Refuse An Extension Of Time For An Occupancy Permit And Building Approval Certificate	Nil.
	Building Act 2011 - Approve Or Refuse An Extension Of Time For Building And Demolition Permits	Nil.
	Building Act 2011 - Approve Or Refuse Building Permit	Nil.
	Building Act 2011 - Issue An Occupancy Permit Or Building Approval Certificate	Nil.
	Building Act 2011 – Legal Proceedings	Add clarification about link to Legal Representation policy
	Building Act 2011 - Make An Order For Building Or Demolition Work	Combine with delegation re revocation of an Order
	Building Act 2011 - Revoke Order For Building Or Demolition Work	Combine with delegation re making an Order
	Bush Fires Act 1954 – Abatement Of A Fire Danger	Nil.

Group	Subject/ title	Comments
	Bush Fires Act 1954 – Legal Proceedings	Add clarification about link to Legal Representation policy
	Bush Fires Act, 1954 – Powers And Duties	Expand title to reflect content of delegation
	Bush Fires Act 1954 –Prohibited And Restricted Burning Period	One of the few occasions where a delegation can be to a Mayor.
	Cat Act 2011 - Administration And Enforcement	Review to determine if part re appointing authorised persons still required, s9.10(1) (c) of the <i>Local Government Act 1995</i> now allows CEO to appoint authorised persons under the Cat Act.
	City Of Cockburn – Town Planning Scheme No.3 - Development Contributions	Check if this a delegation or a policy made under LPS (and which has force of law)
	Dog Act 1976 – Administration And Enforcement	Review to determine if part re appointing authorised persons still required, s9.10(1)(f) of the <i>Local Government Act 1995</i> now allows CEO to appoint authorised persons under the Dog Act.
	Food Act 2008 – Prohibition Orders	Nil.
	Food Act 2008 – Prosecutions	Nil.
	Food Act 2008 – Registration Of Food Business	Nil.
	Graffiti Vandalism Act 2016- Administration & Enforcement	Nil. Request addition to list of Acts under s9.10
	Public Health Act 2016- Appointment Of Authorised Officers	Nil. Request addition to list of Acts under s9.10
	Town Planning Scheme No. 3 – Development Control	Check if this a delegation or a policy made under LPS (and which has force of law)

## Appendix 2 – Summary of policies and comments

(Policies as of 2 August 2021).

Policy	Comment
All	<p>It may assist to develop an overarching document which explains the difference between the different types of policy that may exist, how they are reviewed and by whom.</p> <p>Change 'council' to 'City' unless policy applies to the council itself (may also need some explanation about the difference between a policy made/ set by council or one by CEO).</p> <p>Note that 'admin' information is placed in a table at the end of policy docs (recommended for delegations of power)</p> <p>Add any links to delegations if applicable (or add field in 'admin' information that there are none) and vice versa in policies.</p> <p>Unless a noun, remove 'City of Cockburn...' from titles, eg: <del>City of Cockburn Artwork Collection</del></p>
Access and Equity	Nil.
Access Street - Road Reserve & Pavement Standards - LPP5.15	Nil.
Acknowledgement of Traditional Custodians	Add link to Reconciliation Action Plan
Alfresco Dining - LPP3.5	Nil.
Appointment of Acting Chief Executive Officer	<p>Review to ensure complies with recent changes to Regulations.</p> <p>Unclear what '<i>Council will endorse the position of Acting CEO</i>' means in clause 1.</p>
Approval to Participate in Representative Delegations	Nil, although consider clarifying ' <i>This Policy is not to be used for purposes associated with administering Policy 'Attendance at Conferences, Seminars and Training'</i> ' at next review - not entirely clear what it means.
Asset Management	Link to AM requirements in financial



Policy	Comment
	statements
Attendance at Conferences, Seminars, Events & Training	<p>Might help to add reference or link to relevant clause of 'the Act' on p1.</p> <p>Apply to elected members and CEO; suggested other staff be subject to 'admin' policy.</p> <p>What about elected members who pay for their own training?</p> <p>Check to ensure '<i>an annual allocation for the purpose of attending conferences, seminars and training relevant to their role as an Elected Member</i>' is in accordance with Act and Regulations.</p> <p>Separate into 2 documents:</p> <ul style="list-style-type: none"> <li>• Training; and</li> <li>• Attendance at conferences, seminars and other events by elected members and the CEO.</li> </ul>
Awarding 'Honorary Freeman of the City of Cockburn'	Remove 'of Cockburn' from title.
Building Envelopes - LPP2.5	Nil.
Child Care Premises - LPP3.1	Nil.
<del>City of Cockburn</del> Artwork Collection	Remove 'City of Cockburn' from title.
City of Cockburn Branding & Logos	Leave 'City of Cockburn' in on this occasion as the subject is the City's branding.
<del>City of Cockburn</del> Use of Closed Circuit Television (CCTV) System.	Remove 'City of Cockburn' from title.
Civic Hospitality & Gifts	Cannot delegate any power to Mayor. Consider changing to 'as determined by the Chief Executive Officer in consultation with the Mayor'
Cockburn Central North (Muriel Court) Structure Plan - Design Guidelines - LPP4.2	Nil.
Cockburn Coast Percent for Art - LPP5.14	Consider combining all 'percent for art policies into one document.
Percent for Art - LPP5.13	Consider combining all 'percent for art' policies into one document
Cockburn Central Percent For Art - LPP5.17	Consider combining all 'percent for art policies into one document.
Cockburn Coast Design Guidelines for	Nil.

Policy	Comment
Robb Jetty & Emplacement Precincts - LPP4.6	
Commercial Leasing and other Dispositions of City of Cockburn Owned or Controlled Property	<p>Clarify title – does this policy only applies to property leased to commercial entities?</p> <p>Consider combining with others that relate to lease or hire (disposal) of City property.</p>
Community Engagement	What is 'IAP2' in text of policy?
Community Funding for Community Organisations & Individuals (Grants, Donations & Sponsorships)	<p>The City has three seemingly related policies:</p> <ul style="list-style-type: none"> <li>Community Funding for Community Organisations &amp; Individuals (Grants, Donations &amp; Sponsorships)</li> <li>Community Funding for Sporting Clubs &amp; Individuals</li> <li>Community Funding to support local Economic Development (Grants)</li> </ul> <p>It is not entirely clear what the difference is between them; Consider combining.</p>
Community Funding for Sporting Clubs & Individuals	See comments above - same as sponsorship policy?
Community Funding to support local Economic Development (Grants)	<p>Also listed as a delegation of power; add link.</p> <p>Add link to 'Community Funding Guidelines for Economic Development' listed in para 3.</p> <p>Change reference from 'council' to 'Subject to overall budgetary considerations, the City...' in para 1.</p> <p>Add hyperlink to Strategic Community Plan 2020-2030 in para 2.</p>
Community Gardens	Nil.
Completion of Firebreaks on Private Property	Add link to delegations register.
Compliments, Feedback & Complaints	Nil.
Control Measures for Protecting Water Resources in Receiving Environments - LPP5.3	Nil.
Coogee Residential Height	Nil.

Policy	Comment
Requirements - LPP1.7	
Corporate Strategic Planning & Budget	Nil
Council Administration Building Access	Change to 'City'
Council Meetings	Delete section of policy that relates to voting at meetings as is covered by the Act – if an elected member is in the chamber, they must vote.  Cross check against Meeting Procedures local law
Crossovers	Add link to delegation of Power (Repair or install crossover).  Add 'Appendix 2' as mentioned in Policy (and Appendix if it exists).
Design Review Panel - LPP5.16	Nil.
Discretion to Modify Development Standards - Non-Residential Development - LPP3.10	Nil.
Domestic Satellite Dishes - LPP1.9	Nil.
Dust Management for Development sites	Engineering, Building or Planning responsibility?  Add hyperlink to City Policy SDP7 – Prevention of Sand Drift from Subdivision and Development Sites
Educational Establishments - LPP3.2	Nil.
Elected Member Communication	Nil but consider new policy that combines support to elected members, expenses, allowances and reimbursements.  Check title – 'Elected Member' or Elected Members'. Can give different meanings (tools for use by EMs or actions by EMs?)
Elected Members Appointment - Standing Committees, Reference Groups, Boards & External Organisations	Not sure of relevance of link to Strategic Community Plan; delete if no relevance or amend to clarify.
Elected Members Entitlements - Allowances & Reimbursements	Consider a combined 'support to elected members' policy.  Should claims by EMs be subject to review by a 'House' committee? Current policy sets up EMs and staff for potential conflict; what if CEO (employee) denies claim and EM is aggrieved?
Elections - Caretaker Period	Nil.

Policy	Comment
Environmental Conservation	Some overlap with LPS – does LPS prevail? If so, clarify policy.
Establishing Markets on Land Owned or Controlled by the City of Cockburn	Consider combining into policy about disposal of City property.
Execution of Documents	Nil.
Executive and Senior Leadership Team Remuneration and Performance Management	Link to s5.37 ('senior employees')? Or separate at CoC (eg some 'senior employees' under policy might not be designated under s5.37).
Filling of Land - LPP5.11	Nil.
Flagpoles & Camera Poles - LPP1.8	Nil.
Flying of Flags & Bereavement Recognition	Nil, but check if delegation to Mayor – if of concern change to 'CEO in consultation with the Mayor'.
Food Act 2008 - Fee Exemption	Nil.
Formal Introduction and Review of Council Delegated Authorities and Policies	Note correct use of 'council' in this document – refers to the council itself.
Fraud and Misconduct Control and Resilience	Add links to relevant documents; consider combining with risk management policy.
Geographical Naming	Nil.
Graffiti Management and Response	Nil.
Health Studios - LPP3.3	Nil.
Heritage Conservation Design Guidelines - LPP4.4	Nil.
Incoming Sponsorship	Not clear what 'incoming sponsorship' means until policy is read.  Amend to 'Sponsorship of City Events by External Parties'?
Incorporating Natural Areas in Public Open Space and/or Drainage Areas - LPP5.2	Nil.
Industrial Subdivision - LPP3.8	Nil.
Industrial Development - LPP3.9	Nil.
Installation of Private Memorial Plaques in Public Open Space	Nil.
Installation of Recreational Equipment on Public Open Space	Change 'council' to 'the City' unless decisions to be made by council.

Policy	Comment
Investment of Funds	Nil.
Kerbside House Numbering	Is 'kerbside' needed? Simply 'house numbering'.  Change 'council' to City; add link to item 2 of Schedule 3.1 of Local Government Act (notices requiring certain things to be done like house numbering)
Landowner Biodiversity Conservation Grant Program	Nil.
Live streaming at (of?) council meetings	Nil, although consider combining all council meeting related policies (seating, PQT, recording, etc) into one
Leasing of City of Cockburn Property for Community and/or Recreational Purposes (including Non-for-Profit)	Consider combining with others that relate to lease or hire (disposal) of City property to ensure compliance with s3.58 LG Act.  Link to delegation of power re same.
Legal Representation & Costs Indemnification - Elected Members & Employees	Recently reviewed by City.
Library Services	Nil.
Licensed Premises (Liquor) - LPP3.6	Nil.
Local Area Traffic Management Investigation	Nil.
Local Development Plans - LPP5.5	Nil.
Location of High Voltage Overhead Power Lines & Microwave towers - LPP5.4	Nil.
Lodging Houses - LPP1.6	Nil.
Naval Base Holiday Park Heritage Area - LPP4.5	Nil.
Maintenance of Public Open Space and Road Reservations following Residential Subdivision - Policy	Delete reference to 'policy' in title.  Change 'council' to the City in Policy.
Newmarket Precinct Design Guidelines - LPP4.3	Nil.
Noise Attenuation - LPP1.12	Nil.
Non-Residential Uses in Residential Zones - LPP1.17	Nil.
Obtaining Legal & Other Expert Advice & Legal Proceedings Between City of Cockburn & Other Parties	Recently reviewed; add link to delegation of power.
Outbuildings - LPP2.4	Nil.

Policy	Comment
Payments to Employees in Addition to Contract or Award	Review ' <i>The City of Cockburn will recognise long periods of service by its employees in a manner approved by the Chief Executive Officer from time to time, subject to funding being available within the relevant area of the budget.</i> ' to ensure this complies with s5.50(1) of the LG Act; may also be a delegation of power.
Pedestrian Accessway Closures	Nil.
Phoenix Activity Centre Design Guidelines - LPP4.7	Nil.
Phoenix Business Park Design Guidelines - LPP4.1	Nil.
Procurement Policy	Add hyperlink to 'City's Procurement Framework Policy'  Not clear what the difference is on face value (suspect one is policy as required by LG Act, the other is internal procedures within CoC).
Prohibition of Exotic Animals in Circuses	Is '(3) <i>The Chief Executive Officer is authorised to make decisions on Circuses Applications</i> ' a delegation of power? If so, add to policy re hire of facilities.  Consider combining provisions of this policy to one regarding hire and use of City facilities.
Promotion of a Smoke Free Environment	Nil but may not be required due to State Regulations.
Promotional & Advertising Sign(s) Within Road Reserve	Add hyperlink to signs in road reserves/ thoroughfares local law.
Public Internet Use & Wireless Access	Nil.
Public Open Space - LPP5.1	Nil.
Recognition of Elected Members on Cessation of Service	Nil.
Records Management	Council or administrative policy? Act puts obligation on CEO but could amend to spell out that it applies to elected members as well.



Policy	Comment
Related Party Disclosures	Amend 'council property' etc to 'City owned'.
Renewable Energy Systems - LPP5.9	Nil.
Representation at City of Cockburn Related Forum	<p>Policy contains statement to the effect that:</p> <p><i>Elected Members wishing to initiate such meetings / visits shall send a request, in writing to the Chief Executive Officer for consideration. Where the request is supported all Elected Members shall be notified of the outcome.</i></p> <p>Consider making it clear that EMs should be free to initiate whatever they see suitable providing they do not represent them as official CoC meetings.</p> <p>Link to provisions of Act, viz 'Mayor speaks on behalf of the local government'</p>
Residential Design Codes Alternative Deemed to Comply Provisions - LPP1.1	Nil.
Residential Design Guidelines - LPP1.2	Nil.
Residential Rezoning & Subdivision Adjoining Midge Infested Lakes & Wetlands - LPP1.11	Nil.
Retaining Walls - LPP5.12	Nil.
Risk Management	Nil.
Rural Subdivision LPP2.1	Nil.
Sea Containers - LPP5.8	Nil.
Service Stations - LPP3.4	Nil.
Signs & (and) Advertising - LPP3.7	Nil, but cross check against signs in thoroughfares etc LL and policy to ensure congruence.
Single House Standards for Medium Density Housing in the Development Zone - LPP1.16	Nil.
Sister City Relationships and Engagement	Nil.
Special Purpose Dwelling(s) - LPP1.3	Nil.
Sponsorship and Naming Rights on City Controlled Land and/or Buildings	Nil.
Sports Hall of Fame	Nil.
Street and Public Open Space Lighting	Change 'Council' to 'the City' in opening

Policy	Comment
	paragraph.
Street & (and) Reserve Tree Management	Nil, although consider if use of '&' is appropriate (could affect searches).
Street Verge Improvements	Combine with (or add link to) City's 'Verge Guidelines' as provided for under 'policy purpose'.
Structure for Administering the City of Cockburn	Nil.
Structure Plans & Telecommunications Infrastructure - LPP5.19	Nil.
Subdivision & Development - Street Trees - LPP5.18	Nil.
Subdivision Around Thomsons Lake - LPP1.10	Nil.
Subdivision Construction Standards	Clarify application - Engineering or planning policy?
Subdivision in Jandakot & Treeby - LPP2.2	Nil.
Sustainability	Nil
The Keeping of Horses & Other Animals in the Resource Zone - LPP2.3	Nil. Check that 'other animals' does not include cats and dogs
Tourist Accommodation - LPP1.15	Nil.
Uniform Fencing - LPP5.7	Nil but check if City has a Fencing LL for overlap and/or repeal if not required.
Uninhabitable Premises	Nil.
Usage and Management of Community and Sporting Facilities	Nil but consider if delegation of power requirement to approve applications for use of City facilities.
Vehicle Access - LPP5.6	Nil.
Waste Management in Multiple Unit Developments - LPP1.14	Nil.
Wastewise Events	Nil.



Title	<b>Kerbside House Numberings</b>
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## Policy Type

Council

## Policy Purpose

The purpose is to provide authority to approve / refuse applications to apply kerbside property numbering within the City.

## Policy Statement

The ~~Council~~ City will approve applications from companies wishing to print house numbers of the kerb subject to the following conditions and specifications:

- (1) Resident approval is necessary and residents to be made aware and provided by the contractors with a copy of these conditions.
- (2) Kerb numbers not in accordance with this specification are in contravention of the local laws. Council may request the removal of the number by the residents or carry out removal at the resident's expense.
- (3) Council will not be held responsible for kerb numbers which contravene this specification that are applied by a person or an organisation with this approval.
- (4) Maintenance of kerb numbers shall be the responsibility of the resident.
- (5) The resident shall ensure the correct house number only is painted on the kerb. Lot numbers are not permitted.
- (6) Council does not take responsibility for numbers destroyed or lost through kerb maintenance, reconstruction or street sweeping.
- (7) The house numbers shall be located on the kerb at the midpoint of the verge.
- (8) Prime Numbers shall be 140mm high Series E numerals in accordance with AS1744-1975, or similar, except where an appropriate alternative numeral size can be used when kerb size and/or shape dictates, all to the satisfaction of the ~~Director Engineering and Works~~ Chief of Operations. Where suffixes are required, these shall be 2/3 of the size of the prime number.
- (9) Plate colours shall be retro-reflective in accordance with AS1743-1975. The standard colour shall be reflective yellow letters on a matt olive green background.
- (10) Numerals shall be located centrally within the green background with a 30mm border all around and 30mm spacing, except where kerb size and/or shape

[1]

dictates differently, when borders / spacing shall be to the satisfaction of the  
~~Director Engineering and Works Chief of Operations.~~

Strategic Link:	Community Safety and CCTV
Category	Transport Traffic & Parking
Lead Business Unit:	Civil Infrastructure
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<del>9 September 2021</del>
Next Review Due: (Governance Purpose Only)	September 2023
ECM Doc Set ID: (Governance Purpose Only)	4132773

Title	Street and Public Open Space Lighting
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## Policy Type

Council

## Policy Purpose

The purpose of this policy is to limit the range of decorative lighting being erected in the City's street environment to those approved by Western Power and subsequently wholly maintained by them.

The policy also provides for alternative decorative lighting to be established in public areas other than on streets; however, stipulates lighting standards and maintenance requirements prior to handover to **the City**.

## Policy Statement

New residential subdivisions are being developed by a number of different land developers, and this has led to a variety of different street and public area lighting standards being adopted and erected. Whilst this infrastructure affords the City the opportunity to provide something unique in each new development area, lighting has significant long term implications in respect to maintenance, repair and replacement costs which must be considered.

### (1) Street Lighting

1. The City of Cockburn will not support the installation of street lighting standards which are not approved by Western Power and therefore will not be maintained by them.
2. The subdivider shall only choose street lighting from the standard or decorative range approved by Western Power. Light pole types, colours and light fixtures are to be similar and consistent with the adjoining development.
3. Alternatively, the developer may request that Western Power incorporate the proposed lighting style within its decorative range; however, approval will not be given for the installation until the City has been formally advised of Western Powers agreement.
4. All street lighting including suitable illumination of traffic management treatments is to be provided in accordance with Western Power specification for illumination levels, materials and installation, and shall be designed in accordance with the latest edition of Australian Standard AS1158.
5. The developer shall liaise with Western Power to use the most energy efficient lights available so as to reduce carbon emissions and mitigate the impacts of climate change.

[1]

6. Illumination is not to spill beyond the front building line of the adjacent properties unless required for security purposes. Additionally, the developer shall select lights that reduce the light spill into surrounding natural areas to reduce the impact on native fauna.
7. Where practical the City will partner with organisations and government agencies to trial new lighting technologies that minimise energy use and reduce light spill

(2) Public Area Lighting

1. Applications for installation of unique Public area Lighting which differs from the Western Power decorative range will be considered on a case by case basis and approved by the **Chief of Operations**.
2. Each application should be accompanied by complete standards and specifications of the lighting design and styles proposed and a recommended maintenance schedule for the ongoing care and upkeep of the infrastructure.
3. The application will also include a statement by the lighting consultant outlining the intended application for the lighting proposed and a signed certification that the lighting is designed and installed in accordance with the relevant Australian Standard.
4. The developer will be responsible for all costs associated with the commissioning of the public area lighting and for the ongoing maintenance of the lighting for a 2 year period after commissioning. At the expiration of the 2 year period representatives of the developer, consultant and the City shall meet to inspect the lighting to satisfy them that the network is in good working order.
5. Where Public Area Lighting is not consistent with the decorative range approved by Western Power, the City shall be entitled to an additional 10% (minimum) of the total number of light poles, fittings, luminaries or any other fixture established as part of the network to be used as spares to ensure the ongoing operation of the lighting system.

[2]

Title	Street and Public Open Space Lighting
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Strategic Link:	Asset Management Strategy and Public Open Space Strategy
Category	Assets & Maintenance
Lead Business Unit:	Civil Infrastructure
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	
Next Review Due: (Governance Purpose Only)	September 2023
ECM Doc Set ID: (Governance Purpose Only)	8740109

[3]

Title	Community Engagement
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## Policy Type

Council

## Policy Purpose

To guide the City in its approach to seeking input from stakeholders on decisions which impact on them. This policy applies to all employees and consultants engaged by the City.

Community engagement is a planned process with the specific purpose of working across organisations, stakeholders and communities to help the City shape decisions or actions related to a problem, opportunity or outcome. (Based on [International Association of Public Participation \(IAP2\)](#) definition).

## Policy Statement

The City is committed to seeking input from stakeholders on decisions which impact on them. Council is the ultimate decision-maker but values the insight provided by stakeholders. The purpose is to help make better decisions which reflect the interests and concerns of potentially affected people and organisations.

(1) Core Values – The City has followed the IAP2 Core Values including:

1. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
2. Public participation includes the promise that the public's contribution will be considered in making the decision.
3. Public participation promotes sustainable decisions by recognising and communicating the needs and interests of all participants, including decision makers.
4. Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
5. Public participation seeks input from participants in designing how they participate.
6. Public participation provides participants with the information they need to participate in a meaningful way.
7. Public participation communicates to participants how their input affected the decision.

(2) Diversity Commitment

1. The City makes a commitment to provide equity in opportunities for people with diverse range of needs and views to participate fully in engagement activities.
2. As a statement of commitment, the City acknowledges the Nyungar people as the Traditional Custodians of this land. We commit to engaging with the

[1]

<b>Title</b>	<b>Community Engagement</b>
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Aboriginal and Torres Strait Islander community and the Aboriginal Reference Group.

(3) Community Engagement Framework

The implementation of this policy will be guided by the Community Engagement Framework

Strategic Link:	City of Cockburn's Strategic Community Plan Community Engagement Framework Cockburn Community Development Strategic Plan Communications Strategy and Action Plan Disability Access and Inclusion Plan Reconciliation Action Plan
Category	Community Support
Lead Business Unit:	Community Development & Services
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	14 March 2019
Next Review Due: (Governance Purpose Only)	March 2021
ECM Doc Set ID: (Governance Purpose Only)	4133906

[2]



Title	<del>Incoming Sponsorships</del> <u>Sponsorship of City Events</u>
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## Policy Type

Council

## Policy Purpose

The City delivers an extensive annual events program mainly funded from the Municipal Budget. The City may seek external sponsorship to help off-set the cost of these community events.

This policy applies to all City of Cockburn employees in all business units and external service areas. The policy applies to cash and in-kind sponsorship.

The purpose of the Incoming Sponsorships policy is to:

1. Outline the objectives for seeking and accepting sponsorship.
2. Define the processes for approaching, negotiating and entering in to sponsorship agreements.
3. Maintain some consistency across sponsorships undertaken by different business units.
4. Clarify the accountability and responsibility pertaining to each sponsorship agreement.
5. Protect the City's brand and reputation through choice of sponsor, transparency and fulfillment of the sponsorship.

## Policy Statement

The objective of procuring sponsorships for the City is to acquire funds or materials required outside of core operational budgets to enable the development of additional functions and enhancement of existing services and activities, which will benefit the Cockburn community.

Sponsorship agreements shall not impose or imply conditions which would limit, or appear to limit, the ability of the City of Cockburn to carry out its functions or restrict the City's ability to ensure that services, events and programs are accessible to all.

The City must consider when seeking sponsorship from any organisation, whether it is competing for funds with not-for-profit groups or charities. If it does, the officer requesting sponsorship must justify why it should, how it will benefit the community and why funds are not otherwise available. This does not apply when the sponsorship is sought for a benevolent purpose.

- (1) Officers must discuss potential sponsorships with the Marketing and Communications Coordinator or Manager, Corporate Communications prior to approaching a potential sponsor. This is to:

1. Ensure consistency with the Policy and procedures.

[1]



Title	<del>Incoming Sponsorships</del> <u>Sponsorship of City Events</u>
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2. Ensure the suitability of the proposed sponsor (see 'Inappropriate Sponsors' below).
  3. Avoid multiple approaches by various City business units to one organisation
  4. Enable appropriate acknowledgement of sponsors by the Elected Members and in Council marketing activities.
  5. Ensure alignment with the City of Cockburn's values.
  6. Establish clearly defined objectives to enable the City to evaluate the outcome and results.
  7. Check that the sponsor is not in any dispute with the City (e.g. legislative)
- (2) Inappropriate sponsors, as mentioned below, must not be engaged in order to protect the City of Cockburn and its community from unnecessary controversy and criticism. Sponsors regarded as inappropriate include:
1. Any company linked to gambling (except for Lottery West) or engaged in the manufacture, marketing or distribution of cigarettes, tobacco related products, junk food or alcohol.
  2. Those of a distinct political nature (organization or individual).
  3. Any company which contravenes, or is not aligned with, the City of Cockburn's policies or activities.
  4. Any company that does not reflect the City of Cockburn's values and does not meet community standards relating to reasonable expectations, or could bring the reputation of the City into disrepute in any way.
  5. Any company whose products are in conflict with the aims or objectives of the City of Cockburn.
  6. Any company where residents could perceive a conflict of interest. Sponsorship from lobby groups will be at the sole discretion of Council.
- (3) The following points must be adhered to when considering or accepting sponsorship:
1. Funds must be used to enhance the event, service or project they were secured for.
  2. The officer securing sponsorship must ensure that the cost in time or resource to secure and administer a sponsorship must be no more than the sponsorship amount secured.
  3. Each sponsorship must be supported by a written agreement outlining the benefits and obligations pertaining to both parties, signed by authorised

[2]

Title	<del>Incoming Sponsorships</del> <u>Sponsorship of City Events</u>
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representatives of the City of Cockburn. For in-kind donations with a value of less than \$250 (ex-GST), an email confirmation will suffice.

4. The duration of sponsorship agreements shall be fixed and not usually exceed a period of one year unless approved by the Manager, Corporate Communications.
5. The City will provide a level of recognition to a sponsor, which fairly reflects the contribution and optimises the benefit derived from the association with the City.
6. The provision of free space at shopping centers does not require an agreement.
7. Officers securing sponsorship must update the incoming sponsorship register for the organisation, detailing the sponsor name, event/function supported, date, officer responsible, the benefits secured (e.g. money, products supplies), confirmation that the sponsor has been contacted after the event, the outcome and benefits of the sponsorship provided to demonstrate that the City has fulfilled its obligations, if necessary. The officer responsible for securing the sponsorship is responsible for updating this register (Doc Set ID Incoming Sponsorship Register). There is no need to add State or Federal Government funding which is recorded elsewhere.
8. Officers involved with securing sponsorship must declare an interest if they, or a member of their family, has a personal, or other, association with the sponsor.
9. It excludes giveaways such as pens, which are provided under approved co-funded or partnership activities.

Strategic Link:	Communications Strategy & Action Plan
Category	Governance
Lead Business Unit:	Corporate Communications
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<del>10 December 2020</del>
Next Review Due: (Governance Purpose Only)	December 2022
ECM Doc Set ID: (Governance Purpose Only)	4131713

[3]

<b>Title</b>	<b>Maintenance of Public Open Space <u>and</u> Road Reservations following Residential Subdivision</b>
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### Policy Type

Council

### Policy Purpose

To ensure an acceptable level of appearance is sustained following the completion of the two year maintenance period, to public open spaces and road reservations in residential subdivisions.

### Policy Statement

- (1) ~~Council~~The City will maintain the public open space following a residential subdivision in accordance with the level of service frameworks outlined in the Public Open Space Strategy 2014-2024 (5 Year Review) for open space classification.
- (2) ~~Council~~The City will maintain the central median islands and roundabouts constructed for the transport requirements of a residential subdivision in accordance with the level of service frameworks outlined in the Public Open Space Strategy 2014-2024 (5 Year Review).
- (3) Landscaped and irrigated verges that have been installed by the developer adjacent to residential properties shall become the responsibility of the property owner following the completion of the two year maintenance period. A letter from the developer to the property owner will outline the process prior to handover and provide an opportunity for residents to modify the existing irrigation system for connection to their respective water source.
- (4) Street trees will continue to be maintained by the ~~City~~Council.

Strategic Link:	Public Open Space Strategy 2014-2024 (5 Year Review)
Category	Assets & Maintenance
Lead Business Unit:	Environment, Parks & Streetscapes
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	9 September 2021
Next Review Due: (Governance Purpose Only)	September 2023
ECM Doc Set ID: (Governance Purpose Only)	8738398

[1]

Title

City of Cockburn Artwork Collection



### Policy Type

Council

### Policy Purpose

The purpose of this policy is to convey why the City of Cockburn collects and commissions artworks, when it purchases artwork and what criteria are used to purchase artwork.

This policy applies to all aspects of commissioning, purchasing and auditing of artworks for the City.

### Policy Statement

The City of Cockburn will purchase artworks to build a collection that reflects the history, people, place and diverse cultural identity of Cockburn.

In commissioning artwork the City will be:

- Developing and enhancing a sense of place, pride and ownership of public spaces.
- Improving the quality, attractiveness, functionality and design of public spaces.
- Increasing public awareness in the value of art.
- Contributing towards the development of cultural tourism opportunities.
- Giving added meaning to Cockburn's unique environment, history and multicultural community.
- Improving legibility by introducing artworks that assist in making streets and buildings more identifiable

Funding and purchasing artworks:

- One percent of the construction costs of the city's capital works projects will be allocated to public art on that site. This applies to new buildings and additions to existing buildings over the value of \$1,000,000.
- An annual budget will be allocated to commission, install, insure and maintain artworks.
- Works will be of the highest affordable quality.
- Commissioned works will be undertaken by professional artists with relevant specialist skill levels.
- Works will primarily be purchased from the Cockburn community and cultural council art and craft exhibition and the city of Cockburn's show off art exhibition with the ability to purchase works from other exhibitions, artist studio visits within Cockburn and broader afield such as sculptures by the sea.

[1]

Title	City of Cockburn Artwork Collection
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The City's art collection will include:

- Innovative contemporary art that reflects the City's diverse community by artists who have lived in, worked in or have a strong connection with the city of Cockburn or the work will have relevance to the site and/or Cockburn culture/heritage
- Purchasing local Aboriginal art works.
- Two and three dimensional works in all media with reference to the existing strengths of the collection.

Strategic Link:	The Cultural Strategy (Art, Culture, Heritage and Events) 2016 – 2020
Category	Events, Arts, Culture and Heritage
Lead Business Unit:	Corporate Communications
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<del>13 December 2018</del>
Next Review Due: (Governance Purpose Only)	December 2020
ECM Doc Set ID: (Governance Purpose Only)	8028150

[2]

Title	Installation of Recreational Equipment on Public Open Space
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### Policy Type

Council

### Policy Purpose

To ensure a consistent and equitable process is implemented for the installation of recreational equipment on public open space. Recreational equipment includes; half court basket-ball, exercise equipment stations, playgrounds (including shade sails) and sports goals.

Skate parks and clay pump track locations are not covered by this policy and are subject to a wider community consultation process

### Policy Statement

~~Council~~ **The City** will follow the process as outlined below:

- (1) Install signage for a two week period informing of the proposed active recreation equipment to be installed and the preferred location on the public open space.
- (2) Consultation will be in accordance with the catchment areas for the classification of the specified public open space, as per the Public Open Space Strategy, where the proposed recreational equipment is to be installed.
- (3) If any objections are received alternative locations or landscaping treatments will be identified in order to resolve the concerns.
- (4) The provision of recreational equipment will be in accordance with the Public Open Space Strategy and the provision of playground shade sails will be in accordance with the Playground Shade Sail Strategy.

Strategic Link:	Public Open Space Strategy Playground Shade Sail Strategy
Category	Sport & Recreation
Lead Business Unit:	Operations and Maintenance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<del>10 June 2021</del>
Next Review Due: (Governance Purpose Only)	June 2023
ECM Doc Set ID: (Governance Purpose Only)	4132779

[1]



Title	Procurement
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## Policy Type

Council

## Policy Purpose

This Policy aims to ensure all procurement decisions are made in a consistent manner using an equitable process that will help to mitigate risk, demonstrate value and achieve the most advantageous outcome for the City.

The City of Cockburn (the City) is committed to delivering best practice in the procurement of goods, services and works in accordance with Council Policies and applicable statutory obligations. All procurement activities must comply with the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996 in respect to all purchases, contracts and asset disposal decisions.

## Policy Statement

Procurement decisions will be made using the following principles:

### (1) Ethical Behaviour and Fair Dealing

Employees of the City must conduct all procurement and business relationships with honesty, integrity, fairness, diligence and a high degree of care, ensuring processes are appropriate and compliant. Procurement processes must be transparent and free from bias and will be supported by a Statement of Business Ethics, approved by the CEO outlining the behavioural standards expected by the City from its employees, suppliers and contractors in conducting its business.

### (2) Value for Money

Achieving value for money reflects the best possible outcome by considering cost and non-cost factors in procurement decisions. Non-cost factors are important in reducing risk and determining whole of life outcomes that do not adversely impact the community. These include safety and quality considerations, fit for purpose (specification), timeliness, sustainability (social and environment), economic and relevant service benchmarks. The City recognises that in order to achieve long term value for money, appropriate relationships may be developed with suppliers for specific supply categories. The acceptance of higher priced submissions must always be supported by justification, in presenting demonstrable benefits proportionate to the level of activity.

### (3) Open and Effective Competition

Competition is encouraged through the sourcing requirements of the procurement thresholds (below) and any allowable exemptions as outlined within the procurement framework policy. The document shall outline the acceptable manner in which information is to be presented and evaluated by the City.

[1]

Title	Procurement
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The expected level of effective competition will depend on the pre-determined market engagement strategy (public, selective, pre-qualified) as identified in the procurement plan and the assessed level of risk to the City. City employees are to source across a range of diverse suppliers, to ensure market opportunities are considered.

#### Procurement Threshold Requirements

Expected Procurement or Category or Contract Value (initial period - excluding options and Ex GST)	Sourcing requirement
Up to \$1,000 (credit card use)	One (1) verbal quotation for adhoc activities.  Local suppliers are preferred, when available.  Discretion may apply to the Procurement controlled credit card. The City's Procurement Framework <del>Policy</del> will apply.
Up to \$1,999	One (1) verbal quotation (min) for low risk activities.  Local suppliers are preferred, when available.  The City's Procurement Framework <del>Policy</del> will apply
\$2,000 to \$19,999	One (1) informal written quotation (min) low risk activities.  One (1) formal written quotation (min) other risk activities. Local suppliers are preferred and considered, when available.  The City's Procurement Framework <del>Policy</del> will apply.
\$20,000 to \$89,999	Two (2) informal quotations (min) (for low risk activities) or  Two (2) formal quotations (min) (for medium/high risk) At least one (1) local supplier quote must be provided, when available, unless otherwise determined by an approved sourcing strategy for all pre-qualified, exempt or contracted supply. The City's Procurement Framework <del>Policy</del> will apply.
\$90,000 to \$249,999	Three (3) formal quotations (min) for all risk activities.  At least one (1) local supplier quote must be provided if available, unless otherwise determined by an approved sourcing strategy for all pre-qualified, exempt or contracted supply. Sourcing above \$150,000 requires a Procurement Plan to be completed and approved by

[2]



Title	Procurement
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Expected Procurement or Category or Contract Value (initial period - excluding options and Ex GST)	Sourcing requirement
	Procurement Services.  The City's Procurement Framework <del>Policy</del> will apply.
\$250,000 and above	Conduct a public process - Tender or similar for all risk activities, unless otherwise determined by an approved sourcing strategy for all pre-qualified, exempt or contracted suppliers. The City's Procurement Framework <del>Policy</del> will apply.

Unless otherwise approved (in writing) by the CEO and/or ~~relevant Executive Officer Directors/Executive Manager~~, the City will maintain a principle period of three (3) years for all initial procurement activities and contracts. The principle of competition will be satisfied where contracted Suppliers (where relevant) are utilised after considering alternative sourcing markets, including all cost and on-cost factors. Where a public notice process is utilised, a single or multiple contract may be executed based on the City's requirements as evaluated and stipulated in the award.

In addition, a panel of pre-qualified suppliers may be created where the City determines that there is or will be a continuing need and ongoing benefits from a panel arrangement.

The CEO and/or ~~Directors/Executive Manager-relevant Executive Officer~~ at their discretion may waive the requirements of this principle where a written justifiable reason is accepted. Under this basis direct sourcing and contract extension can be applied, if applicable and justified.

#### (4) Sustainable Procurement

The City will consider environmental and social sustainability in all procurement decisions to maximise the positive impact on environmental and social outcomes within the community. This principle will consider the whole-of-life costing and social responsibility in sourcing goods, services or works when assessing value for money. Formal procurement decisions may set a sustainability criteria weight of up to 10%, (total) in considering the elements below.

1. Environmental  
Procurement that minimises unnecessary resource consumption, considers whole-of-life costs and delivers beneficial environmental outcomes is encouraged. Specifications should identify goods and/or services that satisfy this requirement.

[3]

Title	Procurement
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## 2. Social

Procurement that delivers a beneficial social outcome is encouraged. Specifications should identify goods and/or services that satisfy this requirement. Procurement from organisations such as Aboriginal controlled businesses and social enterprises including Australian Disability Enterprises is encouraged and exemption may apply to these organisations, if registered and value can be demonstrated.

## (5) Local and Regional Economy

The City encourages the development of competitive local businesses within its boundaries and within the broader South West Metropolitan Region. Where appropriate to do so, the City will seek participation of local and regional organisations in its supply chain in line with strategic objectives in the City's Strategic Community Plan. This principle seeks to balance competition with the attainment of economic benefits for the region. The City will preference local businesses within its boundary, greater than those within the broader South Western Metropolitan Region.

Formal procurement decisions will set an economic criteria weight of 10%, in total. Should the criteria not be applicable, the weighting will be proportioned equally across the remaining criteria. It is recognised that not all categories can be procured from a local or regional supplier. For the avoidance of doubt, Regional Price Preferences does not apply to this Policy.

### 1. Local Economy (within City boundaries)

The City will seek supply opportunities from local organisations that can demonstrate economic benefits, either through being a local business, the use of local sub-contractors or local employees. This will be dependent on the extent to which the local business can demonstrate their contribution to the local economy. As directed by the procurement thresholds, the City encourages local content in the assessment of value for money.

### 2. Regional Economy (within the South West Metropolitan Group of Councils)

The City encourages the development of competitive markets within the broader South West Metropolitan region. Supply opportunities for regional businesses may be available to the extent to which the business can demonstrate their contribution to the regional economy as reasonably practicable and provided there is no financial or other detriment to the City

## (6) Procurement Governance

Procurement governance will be managed using a centre-led procurement function, including (but not limited to) the application process for exemptions, procurement probity oversight & audit and reporting requirements.

### 1. Evaluation & Award

[4]

Title	Procurement
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Evaluation criteria must be developed for all formal procurement activities relevant to the complexity, risk and expected budget. The supplier selection process may consider compliance, informative, qualitative and quantitative (cost) criteria, where allocated weightings should reflect the respective degree of importance. The evaluation criteria developed must total 100% inclusive of the cost criteria.

Procurement recommendations are determined by an evaluation panel where the size and composition of the panel will be dependent on the value and complexity of the procurement. Panel members must be qualified and trained to ensure submissions are evaluated with due care and knowledge and free of any conflict of interest that might undermine the fairness of the evaluation process. Contracts may then be awarded to a supplier who is considered to provide the most advantageous outcome for the City, subject to Council delegations that may be in place. Post award, mutual acceptance of contractual terms must be agreed prior to the commencement of the contract.

~~Senior Managers, Directors Relevant Executive Officers~~ and/or the CEO are required to authorise and set the financial limit for employees who are required to approve requisitions and commit to suppliers.

## 2. Disability Access

The City has legislative responsibilities to provide equitable access for individuals with disabilities to all buildings, facilities, information and services. Employee's must meet the City's disability access & inclusion requirements or seek specialist advice from internal resources or engage external advice. This may include accessibility appraisals, specifications reviews, audits and advice on best practice. This principle will be applied to all significant infrastructure projects and redevelopment requirements.

## 3. Procurement Risk

All employees with procurement responsibilities will identify and mitigate risk within the entire procurement and contract management lifecycle. All procurement will be properly planned and carried out in a manner that protects the City's capability to prevent, withstand and recover from any interruption from the supply of goods, services or works. Due diligence may be carried out on suppliers / organisations to ensure compliance and financial viability.

Where applicable, the City will ensure all steps are taken to reduce the risk in procuring goods and/or services that support modern slavery. This includes the compliance to the Modern Slavery Act 2018 in respect to;

- (a) the assessment of modern slavery Statements from required businesses;
- (b) the use of specific criteria in formal evaluations on modern slavery;
- (c) monitoring contracts and take action on non-compliance, as required; and
- (d) providing awareness training to staff.

[5]

Title	Procurement
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#### 4. Compliance

Exemptions to all (or part) of this Policy must be approved (in writing) by the CEO or ~~relevant Executive Officer~~ ~~Director/Executive Manager~~. All exemptions shall be consistent with all policies, procedures and the allowable market engagement given the associated risk. The Procurement process requires strict confidentiality and disclosure requirements to be developed and followed. It is the responsibility of the officer undertaking the procurement activity to ensure all documents created and received during the procurement process are correctly recorded and retained within the City's electronic document management system.

#### 5. Purchase and Contract Development

All procurement (purchases and contracted) will be based on proper planning to ensure quality decision making. This requires sufficient and acceptable documentation to be developed in a timely manner, with an estimated cost.

Procurement template documents and forms will be used to ensure quality, unless otherwise approved. Purchase Orders must be issued to all suppliers prior to the supply of the goods, services or works, unless otherwise exempt.

Employees with procurement responsibility must be appropriately trained to carry out their duties in a competent and efficient manner.

The City is expected to utilise existing or known contracted suppliers / service providers unless substantiation is provided and approved.

Where the procurement of goods, services or works is determined to be available from only one source of supply (manufacturer, supplier or agency), after best endeavours to determine alternative sources have failed, then written approval must be provided by the CEO or the ~~Directors~~ ~~relevant Executive Officer~~ to support that finding.

#### 6. Contractor Performance Management

Contracts and contractors shall be proactively managed to ensure contract obligations are met and performance enforced. The City requires all suppliers and contractors to comply with all risk control measures and all applicable OH&S legislation and safety procedures. Appropriate processes shall include;

- (a) an evaluation to assess the capabilities and competencies to perform work in a safe, environmentally sound manner;
- (b) a safety risk assessment to be undertaken in accordance with the risk framework;
- (c) provide specific commentary against this Principle in all relevant procurement recommendation reports and where deficient, the award must be contingent on evidence being provided.

[6]



Title	Procurement
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Strategic Link:	Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996
Category	Corporate Planning, Budgeting and Procurement
Lead Business Unit:	Procurement Services
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	11 June 2020
Next Review Due: (Governance Purpose Only)	June 2022
ECM Doc Set ID: (Governance Purpose Only)	4134032

[7]

Title	<del>City of Cockburn</del> Use of Closed Circuit Television (CCTV) System
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## Policy Type

Council

## Policy Purpose

The purpose of this policy is to provide a framework for the overarching use and installation of CCTV in public locations or private property where there is collaboration with the City. CCTV is an established technology and is continually evolving. The proliferation of CCTV within the community has been the result of the foreseen benefits of CCTV.

## Policy Statement

The City of Cockburn has endorsed a Community Safety and CCTV Strategy which details Council's level of support for the implementation of Closed Circuit Television as a tool to reduce criminal and anti-social activity.

CCTV does not absolutely prevent crime or anti-social behaviour, but can reduce the incidence of opportunistic anti-social behaviour and may provide forensic evidence when such events occur. In 2016, the City of Cockburn signed a Memorandum of Understanding with the WA Police to share data from the City's CCTV system to further enhance community safety.

Evidence suggests that CCTV improves the public perception of safety and reduces their fear of being a victim of crime in public places.

This Policy describes the criteria to be used when a new installation is being considered for deployment.

- (1) CCTV will be installed where recurrent anti-social or criminal behaviour has been identified or installed in as a proactive measure to minimise damage to Council facilities.
- (2) CCTV installations will meet the requirements of the City of Cockburn Community Safety and CCTV Strategy and the Australian New Zealand Policing Advisory Agency - Recommendations for CCTV Systems or any other relevant industry standards considered appropriate.
- (3) CCTV installations will be clearly signed. In some instances, where covert cameras are used for monitoring breaches to Local Laws, such as dumping of rubbish, it may not be appropriate to install signage, but all efforts will be made to advise nearby residents as required.
- (4) The use of "dummy" or replica Cameras is not permitted
- (5) CCTV cameras may be passive or "event activated" for recording purposes.

[1]

Title	<del>City of Cockburn</del> Use of Closed Circuit Television (CCTV) System
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- (6) CCTV installations may be deployed on City or private land, with the permission of the land owner. Installations may be permanent or temporary. At times, the City may need to negotiate for the use of land and use of utilities, such as power, during the installation and ongoing operation of the CCTV system.
- (7) Access to any CCTV footage and other operational matters will be controlled through a Code of Practice that is consistent with all CCTV relevant State and Commonwealth legislation.
- (8) A CCTV system may use automated software to:
1. Scan passive footage to identify vehicles;
  2. Alert f the presence of people;
  3. confirm a specific activity has occurred; and
  4. identify people
- (9) The City may store images of vehicles, people and other identifying details for the purposes of evidence retention community safety and assisting law enforcement agencies provisioned through a Memorandum of Understanding or an order by a court.

Strategic Link:	Community Safety and CCTV Strategy
Category	Public Health & Security
Lead Business Unit:	Recreation and Community Safety
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	<del>10-December-2020</del>
Next Review Due: (Governance Purpose Only)	December 2022
ECM Doc Set ID: (Governance Purpose Only)	8968124

[2]

Title

~~Council~~ Administration Building Access

## Policy Type

Council

## Policy Purpose

This policy designates areas within the ~~Council~~ City of Cockburn Administration Building, their intended use and access protocols.

## Policy Statement

The ~~Council~~ City Administration Building has defined areas for Elected Members, staff and the public. These areas are shown on the layout diagram at the end of this policy and use/access is described below.

### (1) Elected Members' Area

The Elected Members' Area is primarily for the use of Elected Members and includes:

1. Council Chamber - used for all Ordinary and Special Meetings of Council, as well as Electors' Meetings.
2. Mayor's suite – used by the Mayor for Council related business; or in the Mayor's absence, an Elected Member performing Council duties pursuant to Sec. 5.34 or 5.35 of the Local Government Act, 1995.
3. Elected Members' suite – used for Council related business. If an Elected Member is hosting a member of the public within this suite, they are responsible for conduct and security. Members of the public are not to be in the facility without a host.
4. Function Room/Reception Area (including bar) – used for public meetings, workshops and civic functions.
5. Dining Room – used for meetings, briefings and meals.
6. Committee Room 1- used by staff but use by Elected Members takes precedence.
7. Committee Room 2 - used by staff but use by Elected Members takes precedence.
8. Bar – mainly used for civic functions.
9. Kitchen – commercial kitchen for use by catering and civic support staff.
10. Upper level foyer
11. Gallery
12. Toilets

[1]



Title	<b>Council Administration Building Access</b>
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Requests for use other than that listed above may be considered by the Mayor, Councillors or Chief Executive Officer.

Hospitality offered in these areas is to be appropriate to the occasion and at the discretion of the Mayor or Chief Executive Officer. Any occasion where alcohol is served in these areas is to have at least one Amenity Officer on duty to manage the bar and all beverage service staff and anyone serving alcohol shall hold a current 'Responsible Service of Alcohol' certificate.

(2) Staff Area

Staff Work Areas are those designated for the staff to conduct their normal employment duties. These areas are not to be accessed by Elected Members or the public without the authorisation of a senior member of staff (manager or above). The Mayor has authorisation to access the Executive and Civic Support areas.

(3) Public Areas

The entry level foyer on the ground floor may be freely accessed by the public to conduct business with Council, during business hours. Outside of business hours, access is restricted. Access to the upper level areas is restricted at all times to ensure security.

(4) Security

All areas are subject to a range of security including swipe card access, surveillance cameras, alarms, physical locks and security personnel. Evacuation plans and signage is located throughout all the areas. Access to the building is controlled by Civic Support, Executive Support and Customer Service as appropriate.

Strategic Link:	Governance Framework
Category	Elected Members
Lead Business Unit:	Governance, Risk and Compliance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	11 March 2021
Next Review Due: (Governance Purpose Only)	March 2023
ECM Doc Set ID: (Governance Purpose Only)	4133966

[2]

Title	Approval to Participate in Representative Delegations
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### Policy Type

Council

### Policy Purpose

To ensure the capability of the City of Cockburn's interests being protected at all times through facilitating a process by which the City can be represented in a delegation(s), usually interstate, to promote a position favourable to the District, or the adjacent Region, to key stakeholders and/or decision makers who are in a position to influence, support and make commitments on behalf of the City or the Region and which may provide a benefit(s) to the area.

### Policy Statement

Council supports the principle of enabling representatives of the City of Cockburn to attend delegations or visits to present information to key stakeholders with the objective of soliciting support which will assist the City in fulfilling its corporate goals.

For this purpose, the Mayor and the Chief Executive Officer (CEO), or their specified representative(s), may nominate to attend any such delegation which may be arranged, either in conjunction with an associated organisation or independently, in order to promote the interests of the District, or adjacent Region, to persons or organisations which may be able to influence, support, and/or make commitments towards the achievement of a favourable outcome for the District or Region.

~~This Policy is not to be used for purposes associated with administering Policy 'Attendance at Conferences, Seminars and Training'.~~

Strategic Link:	Strategic Community Plan
Category	Elected Members
Lead Business Unit:	Governance, Risk Management and Compliance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	10 June 2021
Next Review Due: (Governance Purpose Only)	June 2023
ECM Doc Set ID: (Governance Purpose Only)	4132645

[1]

<b>Title</b>	<b>Related Party Disclosures</b>
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## Policy Type

Council

## Policy Purpose

To provide guidance in the preparation of City of Cockburn (the City) financial statements to ensure disclosure requirements are met for Australian Accounting Standards Board Standard AASB: 124 Related Party Disclosures (AASB 124).

## Policy Statement

The objective of AASB 124 is to ensure that an entity's financial statements contain the disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of 'related parties' and by transactions and outstanding balances, including commitments, with such parties.

### (1) Identification of Related Parties

AASB 124 provides that the City will be required to disclose in its Annual Financial report, related party relationships, transactions and outstanding balances. 'Related Parties' include a person or entity that has significant influence over the reporting entity. The City will therefore be required to assess all transactions made with these persons or entities.

### (2) Review of Related Parties

1. The Chief Executive Officer (CEO) will regularly review Key Management Personnel (KMP) where changes are made to existing persons.
2. For the purposes of determining whether a related party transaction has occurred, the following transactions or provisions of services have been identified as meeting this criterion:
  - (a) Paying fees and charges or any other amount to the Council
  - (b) Use of Council owned or operated facilities (whether charged a fee or not)
  - (c) Attending Council functions that are opened to the public
  - (d) Employee compensation whether it is for KMP or close family members of KMP
  - (e) Lease arrangements for properties (whether for a Council owned property or property sub-leased by the council)
  - (f) Monetary and non-monetary transactions between the Council and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Council

[1]

Title	Related Party Disclosures
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- (g) Sale or purchase of property owned by the Council to a person identified above
- (h) Sale or purchase of property owned by a person identified above to the Council
- (i) Loan arrangements
- (j) Contracts and agreements for construction, consultancy or services

(3) Required Disclosures and Reporting

For the purposes of determining relevant transactions, Elected Members and KMP, as identified above, will be required to complete a Related Party Disclosures – Declaration in ATTAIN (the City's online compliance register) for submission to Financial Services.

The notification requirement above does not apply to:

1. Related party transactions that are ordinary citizen transactions not assessed as being material; and
2. For Elected Members, allowances and expenses incurred that are provided to an Elected Member during the financial year, under the Local Government Act 1995 and City of Cockburn Policy 'Elected Members Entitlements – Allowances and Reimbursement', the particulars of which are contained in Council's annual report pursuant to the Local Government Act 1995 and Local Government (Administration) Regulations 1996.

(4) Register of Related Party Transactions

The City uses ATTAIN will maintain and keep up to date a register of related party transactions that captures and records information required for disclosure purposes for each existing or potentially related party transaction (including any ordinary citizen transaction assessed) as being material in nature during a financial year.

Definitions:

Close family members or close members of the family:	<p>In relation to a KMP:</p> <ul style="list-style-type: none"> <li>• Family members who may be expected to influence, or be influenced by, that KMP in their dealings with <b>the City-Council</b> and include: <ul style="list-style-type: none"> <li>(a) that person's children and spouse or domestic partner</li> <li>(b) children of that person's spouse or domestic partner;</li> <li>(c) dependents of that person or that person's spouse or domestic partner.</li> </ul> </li> </ul> <p>For the purposes of AASB 124, close family members could include extended members of a family (such as, without limitation, parents, siblings, grandparents, uncles/aunts or cousins) if they could be expected to influence, or be influenced by, the Key Management Person in their dealings with <b>the City-Council</b>.</p>
Entity:	May include a body corporate, a partnership of trust, incorporated

[2]

Title	Related Party Disclosures
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	association, or unincorporated group or body.
Control:	Control of an entity is present when there is: <ul style="list-style-type: none"> <li>(a) power over the entity; and</li> <li>(b) exposure or rights to variable returns from involvement with the entity; and</li> <li>(c) the ability to use power over the entity to affect the amount of returns received, as determined in accordance with Australian Accounting Standard AASB 10 Consolidated Financial Statements, paragraphs 5 to 18, and Appendices A (Defined Terms) and B (Application Guidance).</li> </ul>
Joint Control:	The contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.
KMP:	<p>Key Management Personnel defined as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.</p> <p>For the purposes of determining the application of AASB 124, the City has identified the following persons as meeting the definition of 'Related Party':</p> <ul style="list-style-type: none"> <li>(a) A Council member</li> <li>(b) KMP being a person employed under section 5.36 or 5.37 of the Local Government Act 1995 in the capacity of CEO or Chiefs and Executives.</li> <li>(c) Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner.</li> <li>(d) Entities that are controlled or jointly controlled by a Council member, KMP or their close family members. (Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs).</li> </ul> <p>The <b>Council City</b> will therefore be required to assess all transactions made with these persons or entities.</p>
Materiality:	<p>Management will apply professional judgement in consultation with <b>Council's the City's</b> external auditors to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements.</p> <p>In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.</p>
Ordinary Citizen Transactions (OCTs):	<p>Transactions that an ordinary citizen would undertake <b>with the City Council</b>, which is undertaken on arm's length terms and in the ordinary course of carrying out <b>Council's the City's</b> functions and activities. Examples of ordinary citizen transactions assessed to be not material in nature include:</p> <ul style="list-style-type: none"> <li>(a) fees and charges approved by Council that are on terms</li> </ul>

[3]



Title	Related Party Disclosures
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	and conditions to the general public and by their nature or amount are not material; (b) using Council's public facilities after paying the corresponding fees.
Related Party:	A person or entity that is related to <del>Council</del> the City as defined in AASB124, paragraph 9. Examples of related parties are: (a) Council subsidiaries; (b) KMP; (c) close family members of KMP; (d) entities that are controlled or jointly controlled by KMP or their close family members
Related Party Transactions:	Is a transfer of resources, services or obligations between the <del>Council</del> City and a related party, regardless of whether a price is charged.

Strategic Link:	Governance Framework
Category	Governance
Lead Business Unit:	Governance, Risk Management and Compliance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<del>10 June 2021</del>
Next Review Due: (Governance Purpose Only)	June 2023
ECM Doc Set ID: (Governance Purpose Only)	6725236

Title	Representation at City of Cockburn Related Forum
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### Policy Type

Council

### Policy Purpose

To stipulate a protocol by which City of Cockburn representation to attend occasional meetings, forums or visits as deemed appropriate, can be effected.

### Policy Statement

Meetings, other than Council Meetings, which are either required to be conducted by Council (e.g. Elector Meetings) or are sought by, or requested of, City representatives to be held for any specific purpose (e.g. Public Meetings / Meetings with Ratepayers / Site Visits / Developers / Politicians) will be chaired by the Mayor or nominee and attended, as appropriate, by Councillors and facilitated by nominated staff.

- (1) Elected Members wishing to initiate such meetings / visits shall send a request, in writing to the Chief Executive Officer for consideration. Where the request is supported all Elected Members shall be notified of the outcome.
- (2) Staff attendance at any such meetings will be at the discretion of the Chief Executive Officer and where staff do attend it will be to provide technical advice only.
- (3) It will be the responsibility of the Mayor and Councillors present at these meetings to respond to or promote any Council statements or position.
- (4) Unless a formal position on the subject matter has been previously resolved by Council, no indication of Council support or otherwise can be portrayed by any Council representatives to third parties in attendance, **noting that any outcomes which require a formal statement to be issued on behalf of the City can only be released by the Mayor, or the CEO with the approval of the Mayor.**

Strategic Link:	Strategic Community Plan
Category	Elected Members
Lead Business Unit:	Governance, Risk Management and Compliance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<b>10 June 2021</b>
Next Review Due: (Governance Purpose Only)	June 2023
ECM Doc Set ID: (Governance Purpose Only)	4133931

[1]



Title	Representation at City of Cockburn Related Forum
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Title	Promotion of a Smoke Free Environment
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## Policy Type

Council

## Policy Purpose

The purpose of this policy is to reduce the community's as well as City's employees' exposure to environmental tobacco smoke. In addition, the intention is that this policy will assist to increase awareness of the dangers of exposure to environmental tobacco smoke and to assist employees that would like assistance to quit smoking.

This policy supports restricting smoking in certain outdoor areas as well as City operated buildings and workplaces.

## Policy Statement

Creating policies that limit the public places that people may smoke, assists to protect the community from the potential harmful effects of environmental tobacco smoke and in addition, creating policies that limit City employees from smoking under certain circumstances, in turn protects the City employees and sets a positive example to the community. This will be undertaken specifically through:

The creation of policies that restrict smoking around playgrounds, sporting facilities, playing fields, beaches, dunes or jetties as well as covered bus stops, council owned or managed buildings and Council run events.

The creation of policies for City employees sets out criteria that encourages the cessation of smoking and discourages smoking in and around the workplace.

### (1) Council Property and Buildings

1. Council Offices grounds are designated as Smoke Free Areas. This includes the City of Cockburn offices, associated land, car parks and all grassed areas.
2. Smoking in City owned vehicles is prohibited.
3. Appropriate disposal/ash-bins to be installed at access points to Council Office grounds (e.g. at the foot of the car park steps) and at other appropriate locations to ensure proper disposal of smoking paraphernalia.
4. Ensure appropriate signage/stickers are erected at appropriate locations to Council owned enclosed public places, which clearly states smoking is prohibited in and around the buildings.
5. Job advertisements to state that the City of Cockburn offers a smoke-free work environment.

[1]

Title	Promotion of a Smoke Free Environment
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6. Letter of acceptance for contract of employment at the City of Cockburn to include information regarding the Council offices grounds, Council owned buildings, and vehicles being smoke-free.
  7. Council buildings that are leased, licensed or hired by Council will have smoke-free clauses inserted into their agreements for use.
  8. Assistance and support to nicotine dependent staff will be made available. This includes a free health assessment; access to the Fresh Start quit smoking course free of charge during work hours (courses organized by Health Services); and nicotine replacement therapy as approved by the CEO.
  9. Council Officers that smoke within the municipality during work hours must smoke in discreet areas, and safely dispose of cigarette butts while working out of the office but within the City. Officers must also adhere to the signage in the public places.
  10. Tenders and contracts for work with the City of Cockburn will stipulate adherence to this Policy as a contractual condition.
- (2) Public Places
1. Smoking will be prohibited:
    - a. Within 10 metres of all children's playground equipment
    - b. Within 10 metres of sporting facility building entrances
    - c. Within 10 metres of any other persons on Council playing fields or sporting grounds.
    - d. Within 10 metres of any other persons on City of Cockburn beaches, dunes or jetties.
    - e. Within all covered bus stops.
    - f. Within 10 metres of the entrances of Council owned or managed buildings including balconies or covered areas of the buildings.
    - g. At all Council run or sponsored events on its beaches, reserves, parks, ovals and playing fields.
  2. Signs and/or stickers will inform the community that these areas are smoke-free. Compliance will be self-regulatory.

[2]

Title	Promotion of a Smoke Free Environment
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Strategic Link:	Public Health Plan
Category	Public Health & Security
Lead Business Unit:	Environmental health
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	11 March 2021
Next Review Due: (Governance Purpose Only)	March 2023
ECM Doc Set ID: (Governance Purpose Only)	8028349

**To be deleted**

[3]



## 12.2 (2021/MINUTE NO 0054) Review of Delegated Authority

**Author** D Green

- Attachments**
1. Consultant Comments Appendix 1 [↓](#)
  2. Delegated Authority - Proposed Amendment - Contract Variations (Tenders or Equivalent) [↓](#)
  3. Delegated Authority - Proposed Amendment - Objections to Rate Record and Rateable Status of Land [↓](#)
  4. Delegated Authority - Proposed Amendment - Payments to Employees in Addition to Award or Contract [↓](#)
  5. Delegated Authority - Proposed Amendment - Recovery of Rates and Services Charges - Lease Properties [↓](#)
  6. Delegated Authority - Proposed Amendment - Sand Drift [↓](#)
  7. Delegated Authority - Proposed Amendment - Bush Fires Act 1954 - Delegation of Powers and Duties [↓](#)
  8. Delegated Authority - Proposed Amendment - Completion of Firebreaks [↓](#)
  9. Delegated Authority - Proposed Amendment - Cat Act 2011 - Delegation of Powers and Duties [↓](#)
  10. Delegated Authority - Proposed Amendment - Town Planning Scheme No.3 - Development Contributions [↓](#)
  11. Delegated Authority - Proposed Deletion - Land Administration Act 1997 - Naming of Streets and Public Open Space [↓](#)
  12. Delegated Authority - Proposed Deletion - Location of High Voltage Overhead Power Lines and Microwave Towers [↓](#)
  13. Delegated Authority - Proposed Deletion - Structure Plans, Rezoning Applications and Metropolitan Region Scheme Amendments [↓](#)

### RECOMMENDATION

That Council:

- (1) APPROVES the minor amendments to the following Delegations, as recommended in the Report and as shown in the attachments to the Agenda:

1. Contract Variations for Tenders (or Equivalent)
2. Objections to Rate Record and Rateable Status of Land
3. Payments to Employees in Addition to Contract or Award
4. Recovery of Rates and Service Charges – Leased Properties
5. Requirement to Construct or Repair Crossovers
6. Sand Drift
7. Bush Fires Act 1954 – Delegation of Powers and Duties
8. Completion of Firebreaks on Private Land
9. Cat Act 2011 – Delegation of Powers and Duties
10. Town Planning Scheme No 3 – Development Contributions

- (2) DEFERS further consideration of the following Delegations pending



investigation into the potential for amalgamating the content into a single Delegated Authority:

1. Community Funding for Sporting Clubs and Individuals; Funding for Community Organisations and Individuals (Grants, Donations and Sponsorships); Community Funding to Support Local Economic Development; Funding Assistance – Community Associations
2. Acquisition and Disposal of Land; Preparation of Business Plans for Disposal of Land; Renewal of Leases and Licenses for City or Controlled Property; Calling of Tenders, Expressions of Interest or Panel of Pre – Qualified Suppliers
3. Obtaining Legal or Other Expert Advice and Legal Proceedings Between the City and Other Parties; Building Act 2011 - Legal Proceedings; Bush Fires Act 1954 – Legal Proceedings
4. Building Act 2011 – Make an Order for Building or Demolition Work; Building Act 2011 – Revoke an Order for Building or Demolition Work
5. Dog Act 1976 – Administration and Enforcement; Dog Act 1976 – Applications to Keep More Than Two Dogs at a Residential Property

(3) DELETES the following the following Delegations:

1. Land Administration Act 1997 – Naming of Streets and Public Open Space (to be converted to an Administration Policy)
2. Location of High Voltage Overhead Power Lines and Microwave Towers (contained in LPP 5.4)
3. Structure Plans, Rezoning Applications and Metropolitan Region Scheme Amendments (contained in Local Planning Policy), and

(4) APPROVES the remaining Delegations listed in Appendix 1 of the Conway Highbury Report.

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

#### **Committee Recommendation**

MOVED Cr P Corke SECONDED Deputy Mayor T Widenbar

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 5/0**

#### **Background**

The Inquiry into the City of Cockburn Report undertaken in 2020 concluded that the City should undertake a review of its formal policies and delegations of authority (power). The City subsequently engaged the services of a Consultant (Mr Chris Liversage) to undertake a review of these documents.



The review process was concluded in September 2021 and the Report provided. A copy of the Report is attached to the previous item (Review of City Policies). The outcomes of the review indicated that the documents are generally in an acceptable form, with several minor amendments recommended, as identified in the following report.

### Submission

N/A

### Report

In assessing the impact of the review Report on the City's Delegated Authority documents, it is considered that only minor amendments are required to those delegations identified in recommendation (1) above. These documents have not materially changed in their intent and therefore only require slight adjustments to improve their presentation, as shown in the attachments.

The recommended minor changes are highlighted in the table below:

Delegated Authority	Description	Comments
Contract Variations for Tenders (or Equivalent)	Amend Heading	
Objections to the Rate Record and Rateable Status of Land	Amend Conditions/ Guidelines	Include "per annum" in Conditions (1)
Payments to Employees in Addition to Contract or Award	Amend Conditions/ Guidelines	Addition to Condition (1) to reference "Employee Contract" to cater for all employment arrangements
Recovery of Rates and Service Charges	Amend Heading	Leased Properties
Requirement to Construct or Repair Crossing	Amend Legislative Requirements/Council Policy" Heading	Add "Crossovers" Policy
Sand Drift	Amend Heading	
Bush Fires Act 1954 Delegation of Powers and Duties	Amend Heading	
Completion of Fire Breaks		Amend "Council" to "The City"; Add relevant Section of statute; Add effect of statute (acting through permitted)
Cat Act 2011 - Delegations of Powers and Duties	Amend Function Delegated	Delete Clause 2 of Function Delegated (CEO authorised to appoint)





Delegated Authority	Description	Comments
Town Planning Scheme No. 3 Development Contributions	Amend Heading	

In addition, the Report recommends that some current delegations could be suitable for amalgamation and grouped into similar content – based documents, as listed in sub – recommendation (2) above.

These delegations seem to deal with similar subjects and content and should be further examined in detail by the relevant officer/s to determine the potential for streamlining the content into a single delegation, dependent on suitability.

Accordingly, it is recommended that no changes be made at this stage and that the reviewed delegations be referred back to the Committee at a future Meeting either in a modified format, or as they currently exist, dependent on the assessments undertaken.

Also, there are three current delegations which are recommended for deletion, as they are no longer necessary due to changed circumstances. These are:

1. Naming of Streets and Public Open Space – Now subject to Land Gate Guidelines, enabling the Delegation to be converted to an Administration Policy, with Guidelines established to reflect the Conditions
2. Location of High Voltage Overhead Power Lines and Microwave Towers – replaced by Local Planning Policy (LPP)
3. Structure Plans, Rezoning Applications and Metropolitan Region Scheme Amendments – replaced by Local Planning Policy

With the exception of the aforementioned, the Consultant Report did not highlight any notable discrepancies with the policies which have not been addressed either in this report or separately and it is therefore recommended that the remaining documents, as contained in the attachment to the previous item, be adopted.

The Consulted made suggested formatting amendments which will be reviewed further and be subject of a separate report to the Committee in 2022.

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

#### Listening & Leading

A community focused, sustainable, accountable and progressive organisation.

- Best practice Governance, partnerships and value for money.

### **Budget/Financial Implications**

Nil



**Legal Implications**

Sections 5.42, 5.43 and 5.44 of the *Local Government Act 1995* refers.

**Community Consultation**

N/A

**Risk Management Implications**

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

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

N/A

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

Nil



## Appendix 1 - Summary of delegations and comments

Group	Subject/ title	Comments
Local Government Act 1995	Overall considerations	See recommendations in main body of report – if grouped by enabling Act, remove 'Local Government Act' from titles
	Acquisition and Disposal of Property (Land)	<p>Clarify application of delegation to specify if other property (eg plant and equipment etc) is also included.</p> <p>The title says '(Land)' so if it is only to apply to freehold property then amend references to 'property' in the policy to 'land'.</p> <p>Add requirement to conditions to ensure CEO complies with requirements of s3.58 of Local Government Act 1995 which sets out a prescribed process to be followed when disposing of property (which includes land amongst other things).</p> <p>Check overlap with:</p> <ul style="list-style-type: none"> <li>• Delegation regarding preparation of Business Plans for Disposal of Land;</li> <li>• Calling of tenders for prequalified panels etc which refers also to disposal of property,</li> </ul> <p>And possibly combine.</p>
	City of Cockburn (Local Government act) Local Laws – Applications to Keep More Than Two(2) Dogs at a Residential Property	Amend to refer to Dog Act 1976
	Community Funding For Sporting Clubs and Individuals	<p>Same as <i>Local Government Act, 1995 – Funding Assistance For Community Organisations And Individuals?</i></p> <p>If not, consider combining as a sponsorship policy</p>
	Debt Write off, Concession or Waiver	Consider combining with a general debt recovery/ write off delegation
	Funding Assistance – Community	Same as COMMUNITY FUNDING FOR SPORTING CLUBS AND INDIVIDUALS?



Group	Subject/ title	Comments
	associations	Add hyperlink to policy mentioned in conditions
	Funding For Community organisations & Individuals (Grants, Donations & Sponsorships)	Add hyperlink to policy mentioned in conditions (albeit 'community funding for ...')
	Legal Representation – Elected Members & Employees	Is Dec 2020 version the most recent?
	Local Government Act (Uniform Local Provisions) Regulations, 1996 – Obstruction of Streets	
	Local Government Act, 1995 – Calling of Tenders, Expressions of Interest or Panel of Pre-Qualified Suppliers	Add conditions that might be in City's Procurement Policy
	Local Government Act, 1995 – Contract Variations (Tender or Equivalent)	Consider amending to a % of contract value rather than an amount (currently \$750,000 in delegation) Add conditions that might be in City's procurement policy
	Local Government Act, 1995 – Dangerous Trees On Private Land	
	Local Government Act, 1995 – Funding Assistance For Community organisations and Individuals	Same as COMMUNITY FUNDING FOR SPORTING CLUBS AND INDIVIDUALS?
	Local Government Act, 1995 – Payments	

Group	Subject/ title	Comments
	From Municipal and Trust Funds	
	Local Government Act, 1995 – Preparation of Business Plans For Disposal of Land	Same as delegations listed above, in particular Acquisition and Disposal of Property (Land)?  If not, consider combining.
	Local Government Act, 1995 – Recovery of Rates and Service Charges – Leased Properties	Just leased properties?  Consider adding to a general delegation to take action for recovery and write off of debts owed to the City
	Local Government Act, 1995 – Temporary Road Closures	
	Local Government Act, 1995 – advertising Proposed Differential Rates	
	Local Government Act, 1995 – Sand Drift	Amend to reflect power to issue a notice and then carry out notice provisions if owner/ occupier does not do so within period specified in the notice. Add a general power to recover costs to debt recovery delegation.
	Objections to The Rate Record & Rateable Status of Land	Clarify limit of amount that can be considered – per annum presumably?
	Procurement Selection & award	Cross check against Procurement Policy
	Requirement to Construct or Repair Crossing	Same as 'crossover' policy? If so combine and delete one or the other.  If not, add reference or link to each other.
	Usage & Management of Community & Sporting Facilities	Combine with 'Renewal of Leases and Licenses for Council-City owned or Controlled Property' delegation.
'Pursuant to Council	Overall observations	Change to sort these delegations by enabling Act.

Group	Subject/ title	Comments
policies'		This will also assist in dealing with the difference between a policy made under the LPS (which have legal effect) and others (which mostly do not).  Delegation might also be subject to consideration of requirements set out in a policy but not vice versa.
	Attendance At Conferences, Seminars, Events & Training	Clarify to explain what 'Council delegates' means.  Suggest amend title to 'Attendance at Conferences, Seminars, Events & Training by Elected Members' if it applies only to Mayor and Councillors.
	Building Permits/ Strata Plans	Nil.
	City Of Cockburn - Local Law – Parking & Parking Facilities	Nil.
	Community Funding To Support Local Economic Development	Clarify what '1. Category A – Economic Development Grants' means or add link to it  Add link to policy
	Completion Of Firebreaks On Private Land	Appears to be appointment of an authorised person
	Employee Development	Not a delegation of power; add to management practice or operating procedures.
	Land Administration Act 1997 – Naming Of Streets & Public Open Space	Check if Land Administration Act allows delegation of power
	Location Of High Voltage Overhead Power Lines And Microwave Towers	A Planning Policy; add link to LPS
	Obtaining Legal Or Other Expert Advice & Legal Proceedings Between City Of Cockburn & Other Parties	Add cross reference to legal services (where elected member or employee involved) delegation of power; ensure no conflict between them.  Ditto – add cross reference to policy on same.



Group	Subject/ title	Comments
	Payments To Employees In Addition To Contract Or Award	<p>This is a unique case whereby this is a policy required by s5.50 of the Local Government Act. It also has specific requirements in relation to advertising and amending it.</p> <p>Add conditions to the effect that:</p> <ul style="list-style-type: none"> <li>Neither the CEO or a sub-delegate can pay him/ herself a gratuity;</li> <li>Any payment above Award entitlements or as provided in the CEO's contract must be decided by the Council itself.</li> </ul> <p>Add link to Policy.</p>
	Renewal Of Leases And Licenses For Council Owned Or Controlled Property	<p>See overall comments regarding differentiating between 'council' and 'City'; amend title to 'City'.</p> <p>Reverse focus of the delegation of power so that CEO (or sub-delegate) must consider conditions in Policy not vice versa.</p> <p>Consider combining with other 'disposal of property' delegations.</p> <p>May also need to consider any applicable Management Order and conditions regarding leasing of Crown Reserves.</p> <p>Link to policy re same.</p>
	Sponsorship And Naming Rights On City Controlled Land And/ Or Buildings	Note use of 'City' controlled land etc.
	Structure Plans, Rezoning Applications And Metropolitan Region Scheme Amendments	<p>Policy made under the City's LPS.</p> <p>Clarify if it is a delegation of power or not – policy provides for there to be a 'nil' delegate; so why is it listed as a delegation of power?</p> <p>Check if Planning Regs allow delegation direct to an employee other than the CEO.</p>
'Extraneous to LG Act'	Overall	See notes in covering report recommending grouping by enabling legislation.
	Food Act 2008 – Appointment Of Authorised Persons & Designated Officers	Retain as the Food Act is not listed in the legislation that a CEO may appoint authorised persons under s9.10 of the <i>Local Government Act 1995</i>

Group	Subject/ title	Comments
	Building Act 2011 – Appoint Authorised Persons	Retain as the Building Act is not listed in the legislation that a CEO may appoint authorised persons under s9.10 of the <i>Local Government Act 1995</i>
	Building Act 2011 - Approve Or Refuse A Demolition Permit	Nil.
	Building Act 2011 - Approve Or Refuse An Extension Of Time For An Occupancy Permit And Building Approval Certificate	Nil.
	Building Act 2011 - Approve Or Refuse An Extension Of Time For Building And Demolition Permits	Nil.
	Building Act 2011 - Approve Or Refuse Building Permit	Nil.
	Building Act 2011 - Issue An Occupancy Permit Or Building Approval Certificate	Nil.
	Building Act 2011 – Legal Proceedings	Add clarification about link to Legal Representation policy
	Building Act 2011 - Make An Order For Building Or Demolition Work	Combine with delegation re revocation of an Order
	Building Act 2011 - Revoke Order For Building Or Demolition Work	Combine with delegation re making an Order
	Bush Fires Act 1954 – Abatement Of A Fire Danger	Nil.

Group	Subject/ title	Comments
	Bush Fires Act 1954 – Legal Proceedings	Add clarification about link to Legal Representation policy
	Bush Fires Act, 1954 – Powers And Duties	Expand title to reflect content of delegation
	Bush Fires Act 1954 –Prohibited And Restricted Burning Period	One of the few occasions where a delegation can be to a Mayor.
	Cat Act 2011 - Administration And Enforcement	Review to determine if part re appointing authorised persons still required, s9.10(1) (c) of the <i>Local Government Act 1995</i> now allows CEO to appoint authorised persons under the Cat Act.
	City Of Cockburn – Town Planning Scheme No.3 - Development Contributions	Check if this a delegation or a policy made under LPS (and which has force of law)
	Dog Act 1976 – Administration And Enforcement	Review to determine if part re appointing authorised persons still required, s9.10(1)(f) of the <i>Local Government Act 1995</i> now allows CEO to appoint authorised persons under the Dog Act.
	Food Act 2008 – Prohibition Orders	Nil.
	Food Act 2008 – Prosecutions	Nil.
	Food Act 2008 – Registration Of Food Business	Nil.
	Graffiti Vandalism Act 2016- Administration & Enforcement	Nil. Request addition to list of Acts under s9.10
	Public Health Act 2016- Appointment Of Authorised Officers	Nil. Request addition to list of Acts under s9.10
	Town Planning Scheme No. 3 – Development Control	Check if this a delegation or a policy made under LPS (and which has force of law)

DA	<b>LOCAL GOVERNMENT ACT, 1995 — CONTRACT VARIATIONS (TENDER OR EQUIVALENT)</b>
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<b>DIVISION:</b>	Governance and Strategy
<b>BUSINESS UNIT:</b>	Legal, Governance and Risk Management
<b>SERVICE UNIT:</b>	Legal, Governance and Risk Management
<b>RESPONSIBLE OFFICER:</b>	Executive Committee Members (Ex-Co)
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 December 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	10

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

**FUNCTION DELEGATED:**

The authority to approve variations for a specific Contract executed from tenders (or equivalent), expressions of interests or a panel of pre-qualified suppliers for the provision of goods and services to Council.

**CONDITIONS/GUIDELINES:**

- (1) The overall amount being within the Budgeted allocation.
- (2) Details of any variations to be listed in the Contracts System.
- (3) Any delegate has the authority to deal with such matters as relevant to this declaration.
- (4) All transactions utilising this delegation are to be recorded in the Contracts System by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.
- (5) Any variation to a specific Contract that exceeds \$750,000 (Ex GST) must be approved by Council.

[1]

DA	<del>LOCAL GOVERNMENT ACT, 1995</del> — CONTRACT VARIATIONS (TENDER OR EQUIVALENT)
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**AUTONOMY OF DISCRETION:**

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

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act 1995, Sections 3.57 and 3.58  
Local Government (Functions and General) Regulations 1996, Part 4.

**DELEGATE:**

Chief Executive Officer

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

**SUB-DELEGATE/S:**

Chief Financial Officer  
Chief of Operations  
Chief of Community Services  
Chief of Built and Natural Environment  
Executive Governance and Strategy  
Executive Corporate Affairs  
Executive People, Culture and Safety

[2]

DA	<b>OBJECTIONS TO THE RATE RECORD &amp; RATEABLE STATUS OF LAND</b>
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<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Rates & Revenue
<b>RESPONSIBLE OFFICER:</b>	Chief Financial Officer
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	13 December 2013
<b>DATE LAST REVIEWED:</b>	10 December 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	8

<b>Dates of Amendments / Reviews:</b>		
DAP Meeting:	28 November 2013	18 May 2017
	22 May 2014	24 May 2018
	2 June 2015	23 May 2019
	26 May 2016	26 November 2020
OCM:	13 December 2013	8 June 2017
	12 June 2014	14 June 2018
	11 June 2015	13 June 2019
	9 June 2016	

**FUNCTIONS DELEGATED:**

- (1) Authority to extend the time for a person to make an objection in relation to the rate record.
- (2) Authority to consider any objections to the rates record and allow/disallow the objection either wholly or in part.
- (3) After making a decision on the objection the delegated officer is to promptly serve upon the person by whom the objection was made, written notice of their decision on the objection and a statement of their reason for that decision.
- (4) In considering objections to the rate record, grant non rateable status for Land used for purposes in accordance with the Local Government Act 1995 Section 6.26 (2).

**CONDITIONS/GUIDELINES:**

- (1) Objections allowed on the grounds of non-rateability of Land are limited to where general rates to be charged do not, or would not, exceed \$5,000, per annum.

[1]

DA	OBJECTIONS TO THE RATE RECORD & RATEABLE STATUS OF LAND
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- (2) All transactions utilising this delegation are to be recorded in the City's Recording Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under Legislative requirements

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Section 6.26, 6.76, 5.42 and 5.44 of the *Local Government Act 1995*.

**DELEGATE:**

Chief Executive Officer

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

**SUB/DELEGATE/S:**

Chief Financial Officer

Head of Finance

[2]



DA	PAYMENTS TO EMPLOYEES IN ADDITION TO CONTRACT OR AWARD	
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DIRECTORATE:	Executive Services
BUSINESS UNIT:	Executive Services
SERVICE UNIT:	Executive Services
RESPONSIBLE OFFICER:	Chief Executive Officer
FILE NO.:	086/003
DATE FIRST ADOPTED:	1997
DATE LAST REVIEWED:	10 September 2020
ATTACHMENTS:	N/A
VERSION NO.	4

Dates of Amendments / Reviews:	
DAPPS Meeting:	24 May 2012 27 February 2014 25 February 2016 27 August 2020
OCM:	14 June 2012 13 March 2014 10 March 2016

**FUNCTION DELEGATED:**

The authority to approve payments of gifts and/or functions to employees of the City of Cockburn, in recognition of long periods of employment service.

**CONDITIONS/GUIDELINES:**

- (1) As provided in Council Policy 'Payments to Employees in Addition to Contract or Award', or as specified in relevant employee Contract.
- (2) Any relevant requirements of the Local Government Act, 1995, to be complied with.
- (3) All transactions utilising this delegation are to be recorded in the City's record keeping system (ECM) by the delegated officer, or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided in Council Policy 'Payments to Employees in Addition to Contract or Award'.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Council Policy "Payments to Employees in Addition to Contract or Award" refers.

**DELEGATE:**

Chief Executive Officer

**DELEGATE/S AUTHORISED:**

N/A

DA	<b>LOCAL GOVERNMENT ACT, 1995 — RECOVERY OF RATES AND SERVICE CHARGES – LEASED PROPERTIES</b>
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<b>DIVISION:</b>	Finance
<b>BUSINESS UNIT:</b>	Finance
<b>SERVICE UNIT:</b>	Management Accounting
<b>RESPONSIBLE OFFICER:</b>	Chief Financial Officer
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 December 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	10

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

**FUNCTION DELEGATED:**

The authority to recoup rates and service charges from lease property by the service of notice requiring the lessee to pay any rent, as it falls due, off the outstanding rates and service charges.

**CONDITIONS/GUIDELINES:**

- (1) Any delegate has the authority to deal with such matters relevant to this declaration.
- (2) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under Legislative requirements and conditions.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act 1995, Sections 6.60 to 6.62

**DELEGATE:**

Chief Executive Officer

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

[1]

DA	<del>LOCAL GOVERNMENT ACT, 1995</del> — RECOVERY OF RATES AND SERVICE CHARGES – LEASED PROPERTIES
----	--

**SUB-DELEGATE/S:**

Chief Financial Officer  
Head of Finance

[2]



DA	<b>LOCAL GOVERNMENT ACT, 1995 — SAND DRIFT</b>
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<b>DIVISION:</b>	Operations
<b>BUSINESS UNIT:</b>	Operations and Maintenance
<b>SERVICE UNIT:</b>	Environment, Parks and Landscape
<b>RESPONSIBLE OFFICER:</b>	Head of Operations
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	<del>10 December 2020</del>
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	10

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

**FUNCTION DELEGATED:**

The authority to issue a notice on the owner of land and initiate necessary proceedings to prevent sand drifts on the land adversely affecting other property under Sec 3.25(1) (Schedule 3) Division 1.6) of the Local Government Act, 1995.

**CONDITIONS/GUIDELINES:**

- (1) Assessment by a person suitably qualified to provide guidance on such matters should be obtained, if appropriate, prior to issue of a Notice under the provisions.
- (2) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided under Legislative requirements and conditions above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Local Government Act, 1995, s3.25(1) ((Schedule 3) Division 1.6), s5.42 and s5.44.

**DELEGATE:**

Chief Executive Officer

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

[1]

DA

~~LOCAL GOVERNMENT ACT, 1995~~ — SAND DRIFT**SUB-DELEGATE/S:**

Chief of Operations  
Head of Operations and Maintenance  
Senior Development Engineer

[2]

DA	<b>BUSH FIRES ACT, 1954 – DELEGATION OF POWERS AND DUTIES</b>	
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<b>DIRECTORATE:</b>	Executive Support Department
<b>BUSINESS UNIT:</b>	Executive Services
<b>SERVICE UNIT:</b>	Executive Services
<b>RESPONSIBLE OFFICER:</b>	Director, Governance & Community Services
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	<del>10 September 2020</del>
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	10

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	31 May 2007	18 May 2017
	24 May 2012	24 May 2018
	23 May 2013	23 May 2019
	2 June 2015	27 August 2020
	26 May 2016	
OCM:	14 June 2007	9 June 2016
	14 June 2012	8 June 2017
	13 June 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	

**FUNCTION DELEGATED:**

All powers, duties and functions of the local government under the Bush Fires Act 1954.

**CONDITIONS/GUIDELINES:**

- (1) Includes the authority to appoint officers to Fire Control Officers for the City of Cockburn and to the Volunteer Bush Fire Brigades established within the City of Cockburn in accordance with S41 and 43 of the Bush Fires Act 1954;
- (2) Power to withdraw infringement notices according to s59A(3) of the Bush Fires Act 1954, and Bush fires Infringements Regulation 4 (a)

Excludes powers and duties that:

- are prescribed in the Act with the requirement for a resolution by the local government;
- are prescribed in the Act for performance by prescribed offices; or,
- are subject to separate delegated authority within this register..

[1]

DA	BUSH FIRES ACT, 1954 – <b>DELEGATION OF POWERS AND DUTIES</b>	
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- (3) All transactions utilising this delegation are to be recorded by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.

**AUTONOMY OF DISCRETION:**

As per abovementioned condition.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

S.48 Bush Fires Act, 1954

**DELEGATE:**

CEO

**SUB – DELEGATE/S:**

Nil

(No Sub-delegation provision under the Bush fire Act 1954)

[2]

DA	COMPLETION OF FIREBREAKS ON PRIVATE LAND
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<b>DIRECTORATE:</b>	Governance & Community Services
<b>BUSINESS UNIT:</b>	Recreation & Community Safety
<b>SERVICE UNIT:</b>	Ranger & Community Safety Services
<b>RESPONSIBLE OFFICER:</b>	Manager, Recreation & Community Safety
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>POLICY REF.:</b>	ACS5
<b>VERSION NO.</b>	5

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	24 May 2012 28 August 2014 25 August 2016 27 August 2020
OCM:	9 April 2009 14 June 2012 11 September 2014 8 September 2016

**FUNCTION DELEGATED:**

The authority to issue Infringement Notices against land holders who contravene Fire Break requirements.

**CONDITIONS/GUIDELINES:**

- (1) If fire breaks are not completed by the date specified in the Fire Order, an infringement notice be issued and City will arrange for the construction of a fire break, with all associated costs to be borne by the land owner.
- (2) ~~Council~~The City advise contractors that extensions in time will not be allowed in accordance with (1) above.
- (3) All requirements of the Bush Fires Act, 1954, are to be complied with where necessary.

**AUTONOMY OF DISCRETION:**

As provided in Conditions above

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Bush Fires Act, 1954 (Section 48 (4))  
Council Policy "Completion of Firebreaks on Private Land" refers.

[1]



DA	COMPLETION OF FIREBREAKS ON PRIVATE LAND
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**DELEGATE:**

Chief Executive Officer

~~Note: Chief Executive Officer will sub-delegate this authority to:-~~**DELEGATE/S AUTHORISED:**

Acting through

1. Chief Bush Fire Control Officer
2. Rangers

[2]

DA	<b>CAT ACT 2011 – DELEGATION OF POWERS AND DUTIES – ADMINISTRATION AND ENFORCEMENT</b>	
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<b>DIRECTORATE:</b>	Governance & Community Services
<b>BUSINESS UNIT:</b>	Recreation & Community Safety
<b>SERVICE UNIT:</b>	Ranger & Community Safety
<b>RESPONSIBLE OFFICER:</b>	Manager, Recreation & Community Safety
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	12 September 2013
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	7

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	22 August 2013	18 May 2017
	22 May 2014	24 May 2018
	2 June 2015	23 May 2019
	26 May 2016	27 August 2020
OCM:	12 June 2014	8 June 2017
	11 June 2015	14 June 2018
	9 June 2016	13 June 2019

**FUNCTION DELEGATED:**

1. Exercise of any of its powers or the discharge of any of its duties under the Cat Act 2011.

- ~~2. Appointment of authorised persons~~

**CONDITIONS/GUIDELINES:**

1. A power or duty under sections 63, 64, or 65 of the Cat Act 2011 cannot be performed by an authorised person;
  - a) Content of Infringement Notice
  - b) Extension of Time
  - c) Withdrawal of Notice
2. Appointment of authorised persons function is not sub-delegated

**AUTONOMY OF DISCRETION:**

N/A

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Cat Act 2011 s44 Delegation by local government  
 Cat Act 2011 s45 Delegation by CEO of local government  
 Cat Act 2011 s48 Authorised persons

[1]

DA	CAT ACT 2011 – DELEGATION OF POWERS AND DUTIES – ADMINISTRATION AND ENFORCEMENT	
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**DELEGATE:**

CEO

**SUB-DELEGATE/S:**

Manager, Recreation & Community Safety  
Ranger and Community Safety Service Manager (except appointment of authorised persons)

[2]

DA	<del>CITY OF COCKBURN</del> – TOWN PLANNING SCHEME NO.3 - DEVELOPMENT CONTRIBUTIONS
----	--

<b>DIVISION:</b>	Built and Natural Environment
<b>BUSINESS UNIT:</b>	Planning
<b>SERVICE UNIT:</b>	Strategic Land Planning
<b>RESPONSIBLE OFFICER:</b>	Chief of Built and Natural Environment
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	12

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	24 May 2012	26 May 2016
	23 May 2013	18 May 2017
	22 August 2013	24 May 2018
	22 May 2014	23 May 2019
	2 June 2015	27 August 2020
	26 November 2015	
OCM:	10 April 2008	10 December 2015
	14 June 2012	9 June 2016
	13 June 2013	8 June 2017
	12 September 2013	14 June 2018
	12 June 2014	13 June 2019
	11 June 2015	

**FUNCTION DELEGATED:**

The authority to adopt Cost Contribution Schedules for Development Contribution Areas and set the annual contribution rates.

**CONDITIONS/GUIDELINES:**

- (1) The requirements specified in clause 5.3 and Table 10 of Town Planning Scheme No 3.
- (2) All transactions utilising this delegation are to be recorded in the City's Record Keeping system (ECM) by the delegated officer or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided in Condition (1) above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

City of Cockburn Town Planning Scheme No.3  
Planning & Development Act 2005

[1]

DA	<del>CITY OF COCKBURN</del> TOWN PLANNING SCHEME NO.3 - DEVELOPMENT CONTRIBUTIONS
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**DELEGATE:**

CEO

**SUB-DELEGATE/S:**

Chief of Built and Natural Environment  
Head of Planning  
Co-ordinator, Strategic Planning  
Development Contributions Officer



DA	LAND ADMINISTRATION ACT 1997 – NAMING OF STREETS & PUBLIC OPEN SPACE	
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<b>DIRECTORATE:</b>	Planning & Development
<b>BUSINESS UNIT:</b>	Strategic Planning Services
<b>SERVICE UNIT:</b>	Land Administration Services
<b>RESPONSIBLE OFFICER:</b>	Property & Lands Officer
<b>FILE NO.:</b>	021/005; 086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	7

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	31 May 2007	26 February 2015
	24 May 2012	26 November 2015
	23 May 2013	27 August 2020
	22 August 2013	
OCM:	14 June 2007	12 September 2013
	14 June 2012	12 March 2015
	13 June 2013	10 December 2015

**FUNCTION DELEGATED:**

The expressed authority of the Council of the City of Cockburn is given to deal with the naming of streets and public open space to recommend to the Geographic Names Committee the adoption of the street name and the naming of Public Open Space, under the provisions of the Land Administration Act, 1997.

**CONDITIONS/GUIDELINES:**

- (1) All Elected Members are to be notified of proposals and be given the opportunity to comment prior to the submission being forwarded to the Geographic Names Committee. If one or more Elected Members disagree with the proposal then the matter is to be placed before Council (no response will indicate acceptance).
- (2) If amending a street name, following advice from the relevant Elected Members, the landowners of the affected street are to be advised of the proposal and their comments sought. If more than 50% of those surveyed agree with the proposal, the amendment is to proceed. If more than 50% of those surveyed disagree with the proposal then the matter is to be placed before Council for determination. (No response will indicate acceptance).
- (3) All transactions utilising this delegation are to be recorded in the City's record keeping system (ECM) by the delegated officer, or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

[1]

DA	LAND ADMINISTRATION ACT 1997 – NAMING OF STREETS & PUBLIC OPEN SPACE	
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Limited to above conditions, and Land Administration Act, 1997, s26(a)

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

Naming of Streets & Public Open Space POL-APD73  
Local Government Act 1995, S 5.44

**DELEGATE:**

CEO

**SUB-DELEGATE/S**

Manager, Strategic Planning  
Administration Officer – Strategic Planning  
Property and Lands Officer

To be deleted

[2]

<b>DA</b>	<b>LOCATION OF HIGH VOLTAGE OVERHEAD POWER LINES AND MICROWAVE TOWERS</b>	<b>LPP 5.4</b>
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<b>DELEGATED AUTHORITY CODE:</b>	LPP 5.4
<b>DIRECTORATE:</b>	Planning & Development
<b>BUSINESS UNIT:</b>	Planning Services
<b>SERVICE UNIT:</b>	Statutory and Strategic Planning
<b>RESPONSIBLE OFFICER:</b>	Director, Planning & Development
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	7

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	24 May 2012	26 November 2015
	22 August 2013	26 May 2016
	26 February 2015	27 August 2020
OCM:	9 April 2009	12 March 2015
	14 June 2012	10 December 2015
	12 September 2013	9 June 2016

**FUNCTION DELEGATED:**

- (1) The authority to make recommendations and to negotiate with Western Power in respect of new high voltage power lines within the district.
- (2) The authority to make recommendations to the Western Australian Planning Commission regarding subdivision proposals within close proximity to existing high voltage power lines.
- (3) The authority to negotiate with developers preparing Structure Plans for future urban areas regarding the policy measures.
- (4) All transactions utilising this delegation are to be recorded in the City's record keeping system (ECM) by the delegated officer, or by another officer directed by the delegated officer.

**CONDITIONS/GUIDELINES:**

The requirements specified in Council Local Planning Policy LPP 5.4 'Location of High Voltage Overhead Power Lines & Microwave Towers'.

**AUTONOMY OF DISCRETION:**

As provided in Conditions above.

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

[1]



DA	LOCATION OF HIGH VOLTAGE OVERHEAD POWER LINES AND MICROWAVE TOWERS	LPP 5.4
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Council Policy LPP 5.4 'Location of High Voltage Overhead Power Lines & Microwave Towers'.

**DELEGATE:**

Nil.

**DELEGATE/S AUTHORISED:**

Director, Planning & Development  
Manager, Strategic Planning  
Manager, Statutory Planning  
Coordinator, Strategic Planning  
Coordinator, Statutory Planning

**To be deleted**

[2]

DA	<b>STRUCTURE PLANS, REZONING APPLICATIONS AND METROPOLITAN REGION SCHEME AMENDMENTS</b>	
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<b>DIRECTORATE:</b>	Planning & Development
<b>BUSINESS UNIT:</b>	Strategic Planning
<b>SERVICE UNIT:</b>	Strategic Planning
<b>RESPONSIBLE OFFICER:</b>	Manager, Strategic Planning
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	1997
<b>DATE LAST REVIEWED:</b>	10 September 2020
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	7

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	24 May 2012	26 November 2015
	22 August 2013	26 May 2016
	26 February 2015	27 August 2020
OCM:	9 April 2009	12 March 2015
	14 June 2012	10 December 2015
	12 September 2013	9 June 2016

**FUNCTION DELEGATED:**

## (1) Structure Plans

1. In accordance with Clause 17(1) of the Deemed Provisions, the authority to determine whether:
  - a. A Proposed Structure Plan complies with Clause 16(1) of the Deemed Provisions; or
  - b. Further information from the applicant is required before a Proposed Structure Plan can be accepted for assessment and advertising.
2. In accordance with Clause 17(1)(b) of the Deemed Provisions, the authority to estimate and provide to the applicant the fee for dealing with a Proposed Structure Plan in accordance with the Planning and Development Regulations 2009.
3. In accordance with Clause 18 of the Deemed Provisions, the authority to advertise the Proposed Structure Plan;
4. In accordance with Clause 19(1) of the Deemed Provisions the authority:
  - a. To request further information from a person who prepared a Proposed Structure Plan and;
  - b. To advertise any modifications proposed to a Proposed Structure Plan to address issues raised in submissions.
5. In accordance with Clause 29(3) of the Deemed Provisions, the authority to decide not to advertise an amendment to a Structure Plan if, in the opinion of the officer, the amendment is of a minor nature.

[1]

DA	<b>STRUCTURE PLANS, REZONING APPLICATIONS AND METROPOLITAN REGION SCHEME AMENDMENTS</b>	
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6. In accordance with Clause 20(1) of the Deemed Provisions, the authority to prepare a report on an amendment to a Structure Plan, where the amendment is considered to be minor in nature, and to submit this directly to the Commission.

(2) Activity Centre Plans

1. In accordance with Clause 33(1) of the Deemed Provisions, the authority to determine whether:
  - a. A Proposed Activity Centre Plan complies with Clause 32(1) of the Deemed Provisions; or
  - b. Further information from the applicant is required before a Proposed Activity Centre Plan can be accepted for assessment and advertising.
2. In accordance with Clause 33(1)(b) of the Deemed Provisions, the authority to estimate and provide to the applicant the fee for dealing with a Proposed Activity Centre Plan in accordance with the Planning and Development Regulations 2009.
3. In accordance with Clause 34 of the Deemed Provisions, the authority to advertise the Proposed Activity Centre Plan;
4. In accordance with Clause 35(1) of the Deemed Provisions the authority:
  - a. To request further information from a person who prepared a Proposed Activity Centre Plan and;
  - b. To advertise any modifications proposed to a Proposed Activity Centre Plan to address issues raised in submissions.
5. In accordance with Clause 45(3), the authority to decide not to advertise an amendment to an Activity Centre Plan if, in the opinion of the officer, the amendment is of a minor nature.
6. In accordance with Clause 36(1) of the Deemed Provisions, the authority to prepare a report on an amendment to an Activity Centre Plan, where the amendment is considered to be minor in nature, and to submit this directly to the Commission.

**CONDITIONS/GUIDELINES:**

- (1) Where an amendment to a Structure Plan or Activity Centre Plan may be considered minor in nature
  1. As per Clause 17 of the Structure Plan Framework, a minor amendment to a Structure Plan or Activity Centre Plan is a change or departure that:
    - a. Does not materially alter the purpose and intent of the structure plan;
    - b. Does not change the intended lot / dwelling yield by more than 10 per cent;
    - c. Does not adversely impact upon the amenity of adjoining landowners and occupiers;
    - d. Does not restrict the use and development of adjoining land;
    - e. Does not significantly impact on infrastructure provision;
    - f. Does not impact upon the environment;

[2]

DA	<b>STRUCTURE PLANS, REZONING APPLICATIONS AND METROPOLITAN REGION SCHEME AMENDMENTS</b>	
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- g. Is consistent with Council adopted policies; and
- h. Is deemed to be consistent with orderly and proper planning.

- (2) All transactions utilising this delegation are to be recorded in the City's record keeping system (ECM) by the delegated officer, or by another officer directed by the delegated officer.

**AUTONOMY OF DISCRETION:**

As provided in (1) of Conditions/Guidelines above

**LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:**

City of Cockburn Town Planning Scheme No.3  
Planning and Development Act 2005  
Planning & Development (Local Planning Schemes) Regulation 2015

**DELEGATE:**

Nil.

**DELEGATE/S AUTHORISED:**

Director, Planning and Development  
Manager, Strategic Planning  
Coordinator, Strategic Planning  
Senior Strategic Planning Officers

**To be deleted**

[3]

**12.3 (2021/MINUTE NO 0055) Amendment to Council Policy "Live Streaming at Council Meetings"****Author** D Green**Attachments** 1. Policy - Proposed Amendment - Live Streaming at Council Meetings [↓](#)**RECOMMENDATION**

That Council ADOPTS the amended Policy "Live Streaming of Meetings", as shown in the attachment to the Agenda

**Committee Recommendation**

MOVED Cr P Corke SECONDED Deputy Mayor T Widenbar

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 5/0**

**Background**

At the Special Electors Meeting held in July 2021, a motion to include Electors Meetings within the "Live Streaming of Council Meetings" Policy was presented and carried.

Subsequently, the matter was considered by Council in September 2021, where it was resolved that the relevant Policy be referred to the Delegated Authorities and Policy (DAP) Committee for consideration.

**Submission**

N/A

**Report**

The relevant Policy has been reviewed in terms of its initial intent and application. At the time of endorsement, Council was of the opinion that enabling a live streaming function to be installed would increase transparency of the Council Meeting process.

Live streaming represents a convenient alternative for the public to view meetings should they not wish to attend in person. The same function is applied to the Audit Committee, as those meetings are also subject to being conducted with open doors for the public to access. There is no capacity for those who prefer to view online meetings to participate in Public Question Time at these meetings.

Electors' Meetings are subject to very different statutory requirements and are required to be held only on an annual basis, or upon the receipt of a petition representing at least 100 verified electors, for a special electors meeting.



Only electors and ratepayers are permitted to participate in these meetings, although the City of Cockburn allows non electors to attend the meetings as observers only. The meetings are governed in their content and any decisions made at them are non-binding on the Council, although each decision must be formally considered at a Council Meeting.

It is unusual for these meetings to be attended in large numbers, however, in February 2021 the City of City of Cockburn Annual Electors' Meeting was attended by approximately 80 electors, and a Special Electors' Meeting in July attracted some 90 electors.

Despite Electors' Meetings not being required to be open to the general public, there is also no impediment for them to be conducted as closed sessions.

Accordingly, there would appear to be no reason for Electors' meetings not to be live streamed, as there is no capacity for the viewing audience to be able to participate in the meetings, thus eliminating any potential influence from non-electors.

Therefore, it is recommended that an amendment be made to the prevailing Policy to allow for meetings of Electors to be live streamed, as shown in the attachment.

A secondary amendment is proposed to remove the reference in the Policy to live captions, as this is a function that is not included in the operating system at this stage, and it is proving to be problematic to find an effective solution which incorporates legible live captioning.

### **Budget/Financial Implications**

N/A

### **Legal Implications**

Sections 5.26, 5.27 and 5.28 of the *Local Government Act 1995* refer

### **Community Consultation**

N/A

### **Risk Management Implications**

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

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

N/A

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

Nil



Title

Live Streaming at **Council** Meetings

## Policy Type

Council

## Policy Purpose

Council has approved the live streaming of Council meetings through the website to make the meetings more accessible. Live streaming means that residents are able to watch the Council meeting from home if they are unable to leave home because of personal circumstances or would prefer the convenience of viewing meetings from an external location, such as;

- ~~may not have a babysitter,~~
- ~~feel unsafe leaving home in the evening,~~
- ~~have a disability that makes it difficult to attend,~~
- ~~are otherwise unwell / injured~~
- ~~only interested in one item and do not wish to sit through the whole Council meeting.~~

A further benefit is increased transparency of Council's processes.

The recording of the meeting will also serve as a record of the minutes.

This policy details which meetings will be live streamed and how the public will be made aware.

## Policy Statement

Ordinary Council meetings, Special Council Meetings, ~~and~~ Audit and Strategic Finance Committee Meetings and Electors Meetings will be audio visually recorded and live streamed ~~with live captions~~ from the start of the meeting until the end of the meeting except when the Council meeting has resolved to go behind closed doors.

The recording with transcript ~~and captions~~ will be uploaded to the website as soon as practical after the meeting.

The Presiding Member will make an announcement at the start of every meeting, drawing attention to the fact that Council these meetings will be web streamed and that the recordings will be made available on the website. The Presiding member~~He~~ will advise the public that they should be aware of this when speaking at the meeting.

A sign will be prominently displayed at each Council Meeting notifying attendees that the meeting will be web streamed.

[1]

Title	Live Streaming at <b>Council</b> Meetings
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The City will ensure that all information is accessible and offered in alternative formats upon request in line with the City's commitment contained within its Disability Action and Inclusion Plan.

All recordings are to be retained as part of the City's records in accordance with the State Records Act, 2000.

Strategic Link:	Corporate Governance Charter
Category	Governance
Lead Business Unit:	Corporate Communications
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<del>10 December 2020</del>
Next Review Due: (Governance Purpose Only)	December 2022
ECM Doc Set ID: (Governance Purpose Only)	9019782

[2]



## 12.4 (2021/MINUTE NO 0056) Proposed Amendments to Policy 'Corporate Strategic Planning and Budget'

**Author(s)** C Thomson

**Attachments** 1. Proposed amendments to Policy 'Corporate Strategic Planning and Budget' [↓](#)

### RECOMMENDATION

That Council ADOPTS the proposed amendments to Policy 'Corporate Strategic Planning and Budget', as shown in the attachment to the Agenda.

### Committee Recommendation

MOVED Cr M Separovich SECONDED Cr T Dewan

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 5/0**

### Background

At the 11 November 2021 Ordinary Council Meeting, Council noted the first FY22 quarterly status report on the progress of the Chief Executive Officer Corporate Key Performance Indicators and Corporate Business Plan (CBP) Key Performance Indicators (KPIs).

It was recommended in the report that the quarterly status reports on the progress of the CBP KPIs replace the CBP six-monthly progress report that is provided to Council between January and March each year.

The City's Policy 'Corporate Strategic Planning and Budget' is now subject to review to reflect this recommendation.

### Submission

N/A

### Report

At the 22 July 2021 Chief Executive Officer Performance Review and Key Projects Appraisal Committee Meeting and the 12 August 2021 Ordinary Council Meeting, Council endorsed the FY22 Chief Executive Officer Corporate KPIs and CBP KPIs.

The KPIs endorsed by Council reflect more contemporary management measures of success and are also more easily measurable and defined.



The new KPI framework is based on three key principles:

- Ensuring that all objectives have a defined measure of success (KPI)
- All objectives and KPIs have an assigned executive who is accountable for their delivery
- Reporting of the KPIs becomes transparent and is reported publicly via a quarterly update contained in a report at an Ordinary Council Meeting.

The KPIs form part of the Executive and Senior Leadership Team annual review process being made up of three parts:

1. Chief Executive Officer Corporate KPIs (30%)
2. Corporate Business Plan KPIs (50%)
3. Behavioural Measures (20%)

The first quarterly status report on the progress of the KPIs for FY22 (1 July 2021 to 30 September 2021) was noted by Council at the 11 November Ordinary Council Meeting.

The City currently provides Council with a six-monthly progress report for the current year of the CBP. It is recommended to the Committee that the quarterly status reports on the progress of the KPIs replace the six-monthly progress report.

By linking leadership performance to the strategic objectives and increasing the frequency of CBP progress reports, Council is provided with increased transparency on the delivery of the planned outcomes.

In addition to the quarterly progress reports, Council will be provided with a mid-year review of the service plans at the February Ordinary Council Meeting for decision (adoption).

## **Strategic Plans/Policy Implications**

### Listening and Leading

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

- Best practice Governance, partnerships and value for money.
- Employer of choice focusing on equity, innovation and technology.

## **Budget/Financial Implications**

There are no direct budget or financial implications from the proposed policy change, but improved accountability in delivering strategic priorities through the budget and corporate performance reporting is expected.

## **Legal Implications**

Sections 5.38 and 5.39A (1) (b) of the *Local Government Act 1995* and Division 3 Schedule 2 of Regulation 18FA of the *Local Government (Administration) Regulations 1996* refer.



*Local Government Act 1995* Section 5.56 and Regulation 19C and 19D of the *Local Government (Administration) Regulations 1996* refer.

**Community Consultation**

N/A

**Risk Management Implications**

Given the minor nature of the proposed policy changes, there are minimal risk implications. However, adopting the proposed changes will increase accountability and reduce ambiguity, improving Council's reputation.

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

N/A

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

Nil



Title	Corporate Strategic Planning & Budget
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## Policy Type

Council

## Policy Purpose

The City's vision 'Cockburn, the best place to be' is underpinned by our purpose 'Support our communities to thrive by providing inclusive and sustainable services which reflect their aspirations'. To achieve this vision high level long term strategic objectives and business planning processes have been established. The Strategic Community Plan outlines the community's long-term vision, aspirations and priorities. It contains details of the City's Vision, the desired outcomes and the key factors that will help deliver these outcomes – referred to as the 'Strategic Objectives'.

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

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

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

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

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

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

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

[1]

Title	Corporate Strategic Planning & Budget
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## Policy Statement

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

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

### (1) Budget Formulation Principles

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

1. The Strategic Community Plan, Corporate Business Plan, Council adopted strategies, informing strategies the Community Survey and the Customer Satisfaction Survey should provide strategic guidance to management in determining budget priorities.
2. The projects and financial indicators listed within Council's Long Term Financial Plan (10 year Plan), and the Corporate Business Plan will form the basis and provide the general parameters for the annual budget. Budget submissions should be congruent with the objectives listed within the Strategic Community Plan.
3. Rating revenue is to be set at a level that will produce a balanced or small surplus budget. For this purpose, surplus/deficit calculations will be made in accordance with Local Government Operational Guidelines - Number 08 June 2013 "Net Current Assets (Opening and Closing Funds) Used in the Annual Budget and the Annual Financial Report.
4. Provisional allocation for Donations and Grants is to be up to a maximum of 1.5% of Rates Revenue (excluding any specified area rates). The Council committee (established for this purpose) makes recommendations regarding individual donations and grants.
5. Provisional allocation for Community Events is to be up to a maximum of 0.8% of Rates Revenue (excluding any specified area rates). Council approves the annual calendar of events each year.
6. Provisional allocation for project contingency fund is to be up to a maximum of 0.5% of rates revenue (excluding any specified area rates). These funds are set aside for the purpose of funding high priority projects identified during the year.
  - 6.1 Contingency funds are to be used for capital and operating projects identified either through:

[2]

Title	Corporate Strategic Planning & Budget
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- 6.1.1 the budget preparation process and not funded; or
- 6.1.2 during the relevant financial year and there are insufficient funds available to complete the project.
- 6.2 Request to access the contingency fund will require the relevant Department Head and/or Divisional Executive to submit a request to the Chief Financial Officer and CEO to approve. Where an allocation greater than \$10,000 is approved to be made from the Contingency Fund, Elected Members will be advised in advance of the allocation and its purpose.
- 6.4 Any advance allocation of contingency funds is to be submitted to Council at the next Ordinary Council Meeting as a budget amendment for adoption.
- 6.5 A reconciliation is to be included in the monthly financial report to Council, listing all allocations made and the balance of funds remaining in the Contingency Fund.
- 7. All budget submissions are to include detailed cash flow requirements in order to facilitate budget variance reporting each month.
- 8. Sustainability issues need to be considered when assessing all new initiatives, as well as value for money.
- 9. Standards established in other City policies, (such as verge maintenance), are to be adhered to. Where this causes a significant increase in costs, alternatives may be recommended.
- 10. The end of year current surplus/deficit position will need to be estimated during the formulation of the annual budget. This estimate, together with carried forward works and projects, will be brought to Council as a budget amendment to reflect actual positions once the end of year accounts have been finalised.
- 11. General Rates revenue will be budgeted using a Differential Rates model pursuant to the Local Government Act 1995 that seeks to rate land in the district equitably and proportionally based on appropriate land use/type characteristics.
- 12. Modelling of the proposed Differential Rates is to be presented to the Elected Members at a Budget Forum, with a focus on the residential improved rate in the dollar/minimum payment, particularly during a Gross Rental Value (GRV) revaluation year.
- 13. Specified Area Rates adopted by Council will be reviewed annually and set at levels that raise sufficient funding to meet anticipated needs (both short and long term).

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(2) Budget Considerations for Reserve Funds

The requirement for each Reserve Fund and associated target values will be reviewed each budget cycle and net transfers to Reserves will be managed in line with the objective of attaining target values set within Council's Long Term Financial Plan (LTFP). Any budget surplus identified at the end of each financial year is to be transferred to an appropriate Reserve consistent with the objective of attaining target values.

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

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

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11. Insurance Reserve – any annual savings attained and surplus dividends given by LGIS are to be quarantined to this reserve, which is used to smooth out future spikes in premiums and excess payments.
12. Restricted Grants and Contributions Reserve – some external funding remaining unspent at year end and not resulting in an accounting liability will be quarantined within this reserve.

(3) Form and Content of Budget and Working Papers

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

The draft budget to be presented to and considered at the various executive briefings and budget forums is to include the following elements:

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

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

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

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

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

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

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

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The review is not intended for the purpose of funding new initiatives or capital works. New initiatives will only be submitted to Council where they are deemed essential and have an identified funding source. The Project Contingency Fund should be considered a funding source for essential items.

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

Annually after the adoption of the Corporate Business Plan, the CEO and Executive Team in conjunction with the Senior Leadership Team will assign Key Performance Indicators (KPIs) to individual Corporate Business Plan outcomes.

Each financial year, quarterly status reports on the progress of the KPIs will be contained within a report to a Council Meeting. A six monthly progress report for the current year of the Corporate Business Plan will be provided to Council between January and March each year.

#### (6) Community Engagement of Draft Budget

Upon the completion of the draft Municipal Budget, (due by the end of April each year), the draft capital and operating new initiatives, the rating objects and reasons and the draft fees and charges schedule will be:

1. Placed on Comment on Cockburn providing 28 days to allow feedback
2. Presented to a meeting of the Cockburn Community Development Group (community resident groups).
3. Elected Members will be provided the feedback in June each year, either at a briefing or by email.
4. The proposed differential rates will be advertised in accordance with the Local Government Act 1995, seeking additional (and formal) feedback. All feedback received on the budget will be summarised and included in the budget adoption report to Council.

#### (7) Budget Management Timetable

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

October	<ul style="list-style-type: none"> <li>Community Resident Groups invited to consider budget requests and priorities for the following financial years' budget.</li> </ul>
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November	<ul style="list-style-type: none"> <li>Community Resident Groups submissions to be submitted by the end of November.</li> <li><u>First quarterly status progress report for KPIs to Council for noting.</u></li> <li><u>Mid-year draft service plans issued to Senior Leadership Team.</u></li> </ul>
December	<ul style="list-style-type: none"> <li>Long Term Financial Plan reviewed and adopted (Biennially).</li> <li><del>Progress report on Corporate Business Plan projects, and actions drafted</del></li> <li>Mid-year budget review procedures and submission templates issued to Managers.</li> <li>Community and Business Group submissions to be assessed by relevant Business Unit Managers in line with LTFP, Corporate Business Plan, adopted Strategies and Asset Management Plans.</li> </ul>
January	<ul style="list-style-type: none"> <li>Mid-year budget review submissions due back from Managers.</li> <li>Executive to consider the proposed budget review.</li> <li><del>Corporate Business Plan six month review updated with year-to-date financial data and progress against actions.</del></li> <li>Completion of budget <u>and mid-year service plans review and Corporate Business Plan progress report</u> for Council adoption or consideration.</li> <li>Budget guidelines, procedures and submission templates issued to Managers for next year's budget.</li> <li>Budget Review amendments included in the monthly reports for February</li> </ul>
February	<ul style="list-style-type: none"> <li>New initiatives/capital works submissions due back to Management Accounting.</li> <li>Proposed new initiatives/capital works considered by the Executive.</li> <li>Advertising of differential rates.</li> <li>Review of fees and charges register by management.</li> <li>Completed operational budgets returned to Finance</li> <li>Council to adopt the Budget Review <del>and consider the Corporate Business Plan progress review.</del></li> <li><u>Second quarterly status progress report for KPIs to Council for noting.</u></li> <li><u>Mid-year review of service plans to Council for decision (adoption).</u></li> </ul>

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March	<ul style="list-style-type: none"> <li>Review &amp; Update of Activity Based Costing Model.</li> <li>Annual review of the Corporate Business Plan prepared by management.</li> <li>The Executive considers initial draft of Budget and Corporate Business Plan review.</li> <li>First Budget and Corporate Business Plan Forum for Elected Members. Summary of Corporate Business Plan, service plans, corporate projects, capital works projects and community resident group submissions.</li> <li>Fees &amp; Charges Schedule updated.</li> </ul>
April	<ul style="list-style-type: none"> <li>Second Budget Forum for Elected Members covering the operational budget and differential rating model.</li> <li>Review of completed budget by the Executive.</li> <li>Finalisation of Statutory Budget and draft annual review of the Corporate Business Plan.</li> </ul>
May	<ul style="list-style-type: none"> <li>At beginning of May, commence community engagement of draft budget on Comment on Cockburn providing 28 days to provide feedback.</li> <li>Presentation to Cockburn Community Development Group meeting</li> <li>Advertise proposed differential rates including objects and reasons seeking feedback.</li> <li><u>Third quarterly status progress report for KPIs to Council for noting.</u></li> </ul>
June	<ul style="list-style-type: none"> <li>Briefing to Elected Members on feedback from community engagement</li> <li>Report back to Community Resident Groups on the draft budget submissions included in the draft budget for consideration by Council</li> <li>Carried forward projects estimated by management</li> <li>Adoption of reviewed Corporate Business Plan and Budget at Special Council Meeting.</li> </ul>
<u>July</u>	<ul style="list-style-type: none"> <li><u>Fourth quarterly status progress report for KPIs to Council for noting.</u></li> </ul>
September	<ul style="list-style-type: none"> <li>Budget amended to reflect final position with regard to estimated carried forward projects and end of financial year current surplus/deficit.</li> </ul>

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Title	Corporate Strategic Planning & Budget
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### Corporate Strategic Planning Process



Strategic Link:	Long Term Financial Plan, Strategic Community Plan
Category	Corporate Planning, Budgeting & Procurement
Lead Business Units:	Finance; Strategy
Public Consultation: (Yes or No)	Yes (budget only)
Adoption Date: (Governance Purpose Only)	9 September 2021
Next Review Due: (Governance Purpose Only)	September 2023
ECM Doc Set ID: (Governance Purpose Only)	4134024

## 12.5 (2021/MINUTE NO 0057) Proposed Amendments to Policy "Civic Hospitality and Gifts"

**Author** D Green

**Attachments** 1. Amendments to Civic Hospitality and Gifts Policy [↓](#)

### RECOMMENDATION

That Council ADOPTS the proposed amendments to Policy "Civic Hospitality and Gifts", as shown in the attachment to the Agenda.

### Committee Recommendation

MOVED Deputy Mayor T Widenbar SECONDED Cr M Separovich

That the recommendation be adopted, subject to amending the Policy, as follows:

(1) Delete paragraph one of the Policy Statement and substitute the following:

"A program of events and budget is approved each year to provide hospitality such as functions to recognise community volunteers, pioneers and individuals and organisations who contribute significantly to the City. The program may vary at the discretion of the Council in consultation with the CEO."

(2) Delete last paragraph, Item 2, and replace with the following:

"Should an invited person be unable to attend, an Elected Member shall be notified and given the opportunity to invite a replacement guest."

**CARRIED 4/1**

**For:** Deputy Mayor T Widenbar, Cr M Separovich, Cr P Corke, Cr C Stone

**Against:** Cr T Dewan

### Reason for Decision

Whilst the role of the Mayor is to carry out civic and ceremonial duties, the Council should consider and approve the list of events and the budget to ensure a level of transparency and accountability expected of a best practice Council.

**8.50pm The Chief Financial Officer departed the meeting and did not return.**

### Background

The City's Policy on the provision of hospitality and gifts was introduced as a means of recognising the community contributions of individuals and organisations within the district. The Policy mentions that "authority" be provided to the Mayor in certain circumstances related to the offering of hospitality and gifts.

The recent review of the City's corporate Policies identified that it is not legally possible to "authorise" the Mayor to commit expenditure related to the provision of



hospitality and gifts. Such authority rests with the CEO, with an understanding that consultation with the Mayor is necessary on such occasions.



**Submission**

N/A

**Report**

While the Policy clearly indicates that a collegiate approach by the Mayor and CEO is in place, relative to the arrangements made for certain Civic events, it has been identified that the “authorisation” of expenditure can only be extended to the CEO.

In order to clarify the context within the Policy document itself, some changes to reflect the principle have been recommended for inclusion in the Policy.

The general intent of the City providing acknowledgement to well deserving community members remains, however, the content has been changed to reflect the statutory responsibility remains with the CEO.

As mentioned, the procedure to require liaison between the CEO and the Mayor is retained within the amendments and it is only the legislative requirement which is now reflected in the arrangements.

In addition, it has been identified that there is no capacity for elected members to be provided with “gifts” from the City, except on completion of their term of office, Therefore, reference to that effect has been deleted from the Policy.

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

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

- Best practice Governance, partnerships and value for money.

**Budget/Financial Implications**

All expenditure associated with the provision of civic hospitality is contained within the City's adopted Municipal budget.

**Legal Implications**

Section 6.10 and 5.100A of the *Local Government Act 1995* and Regulation 13 of the *Local Government (Financial Management) Regulations 1996* refer.

**Community Consultation**

N/A

**Risk Management Implications**

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



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

N/A

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

Nil





Title	Civic Hospitality & Gifts
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## Policy Type

Council

## Policy Purpose

This policy provides the authority and guidance for civic hospitality including functions, entertainment and gifts.

## Policy Statement

One of the roles of the Mayor is to carry out civic and ceremonial duties on behalf of the local government. A program of events and budget is approved each year to provide civic hospitality such as functions to recognise community volunteers; pioneers; and individuals and organisations who contribute significantly to the City. The program may vary from year to year at the discretion of the ~~Mayor and~~ Chief Executive Officer ~~in consultation with~~ Mayor.

The ~~CEO, in consultation with the~~ Mayor, approves invitation lists and generally partners are included. Some events are tailored to the guests and the following guidance should be used.

- (1) Pioneers Event:  
A Pioneers event is held annually to celebrate the history of the City and acknowledge the pioneers of the area. To be eligible for an invitation, residents must satisfy the criteria that they have been continuous residents of the City of Cockburn for at least 60 years. The guest list includes State and Federal Parliamentary Representatives, whose electorates are contained within the District; Honorary Freeman of the City; the Mayor and Councillors of the City; the Aboriginal Reference Group Co-Chairs and the City's Executive.

- (2) Annual Civic Function:

The City hosts an annual function to recognise individuals and organisations who contribute significantly to the City's development. This event may also be combined with other events such as a milestone celebration (40<sup>th</sup> Anniversary of the City of Cockburn).

The guest list is drawn from:

1. State and Federal Parliamentary Representatives, whose electorates are contained within the District;
2. Honorary Freeman of the City;
3. Mayor and Councillors of the City;
4. Mayor and CEO of adjoining local government Districts;

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Title	Civic Hospitality & Gifts
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5. Minister and/or Director General of state government portfolios/Departments, as considered appropriate;
6. Representatives of local business and industries within the City of Cockburn, as considered appropriate;
7. Representatives of community organisations within the district, with whom Council has an association. A maximum of one (1) representative per organisation, per year, will be invited;
8. Individuals who have contributed to the community and individuals who the Elected Members recognise for their volunteering and voluntary support within the community of Cockburn. Such individuals may include former Elected Members;
9. The Aboriginal Reference Group (ARG) - Co Chairs;
10. City's Executive; and
11. Staff (maximum three per year) at the discretion of the CEO.

Elected members may suggest up to six names of individuals in total, for consideration as guests drawing from individuals who fall within point's six to eight above.

(3) Volunteer Emergency Services Event:

An annual event is usually held to acknowledge the contribution of volunteers from local emergency service organisations. The guest list is comprised of:

1. Members of the Department of Fire and Emergency Services (DFES);
2. Members of State Police;
3. Volunteers from local Bushfire Brigades;
4. Volunteers from Cockburn Volunteer Sea, Search and Rescue (CVSSR);
5. Local representatives of the State Emergency Services;
6. Relevant City Reference Group members;
7. Mayor and Councillors of the City; and
8. Staff (maximum five per year) at the discretion of the CEO.

Due to Council's duty of care and the size of this event, those under 18 years are not invited where the event is held on licensed premises.

(4) Hospitality

Other than the events listed, the Mayor, Councillors and/or Chief Executive Officer may offer hospitality including refreshments, within the confines of the Elected Members area of the Administration Building.

The ~~Mayor and/or~~ Chief Executive Officer may also ~~offer~~ **authorise** hospitality off site such as meals and refreshments consumed by Elected Members and other stakeholders during tours of facilities, site inspections and meetings where these are

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Title	Civic Hospitality & Gifts
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relevant to the City of Cockburn. ~~This authority is extended to Councillors when the Mayor is not present.~~

The Mayor and/or Chief Executive Officer may also offer hospitality ~~or a small gift (up to \$200)~~ to recognise a milestone achieved or notable civic act performed by ~~an Elected Member or~~ community member.

(5) Promotional Gifts and Mementos

The Mayor and/or Chief Executive Officer may make gifts of promotional items or small items to guests at civic functions or if visiting or attending functions at other organisations whether local, interstate or overseas. Councillors may request such items through the Chief Executive Officer. A budget is to be provided for such items.

Strategic Link:	Strategic Community Plan
Category	Elected Members
Lead Business Unit:	Governance, Risk and Compliance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	11 March 2021
Next Review Due: (Governance Purpose Only)	March 2023
ECM Doc Set ID: (Governance Purpose Only)	8030117

[3]

### 13. Corporate Affairs

Nil



## 14. Office of the CEO

### 14.1 (2021/MINUTE NO 0058) Proposed Amendments to Policy 'Structure for Administering the City of Cockburn'

**Author** T Brun

**Attachments** 1. Policy - Proposed Amendments - Structure for Administering the City of Cockburn [↓](#)

#### RECOMMENDATION

That Council APPROVES the updated Policy 'Structure for Administering the City of Cockburn', as shown in the attachment to the Agenda.

#### Committee Recommendation

MOVED Cr M Separovich SECONDED Cr T Dewan

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 5/0**

## Background

Council adopted the new structure for the administration of the City in March 2021.

Since adoption, the Chief Executive Officer (CEO) has undertaken a recruitment process for the new members of the Executive Team and implemented the new structure as at 1 April 2021, and had the business and finance systems (including the FY22 budget) reflect the new structure.

During the implementation and recruitment phase, based on skills and experience of some of the new members of the Executive, and through the organisational consultation, there were several minor amendments to the structure made, consistent with the CEO's delegation.

This paper seeks to update the Policy to reflect the minor amendments and structural changes.

## Submission

N/A

## Report

Section 5.2 of the *Local Government Act 1995* requires Council to have an appropriate structure for administering the local government.

### 5.2. Administration of local governments

*'The Council of a local government is to ensure that there is an appropriate structure for administering the local government.'*



**Strategic Plans/Policy Implications**Listening and Leading

A community focused, sustainable, accountable and progressive organisation.

- Best practice Governance, partnerships and value for money.
- Employer of choice focusing on equity, innovation and technology.

**Budget/Financial Implications**

Nil

**Legal Implications**

N/A

**Community Consultation**

N/A

**Risk Management Implications**

There is a 'low' level of 'Operations/Service Disruption' risk associated with this item.

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

N/A

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

Nil.



Title	Structure for Administering the City of Cockburn
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## Policy Type

Council

## Policy Purpose

The City of Cockburn is administered through a structure of seven Divisions, **12 Business Units** and **54 Service Units**. This structure is managed by a Chief Executive Officer, one Senior Officer, four Chiefs, three Executives and a number of Managers and Coordinators. The structure is aligned to the activities and functions of the City and is reviewed regularly. It is changed when the City embarks on new business opportunities, divests itself of service functions or when there is a need to reorganise functions into different units for better management.

The policy ensures that the City of Cockburn complies with the obligation imposed on it by Section 5.2 of the *Local Government Act, 1995*, (the Act) which prescribes that the Council "...is to ensure that there is an appropriate structure for administering the local government".

## Policy Statement

- (1) Council recognises its responsibility pursuant to s5.2 of the Act, and considers the attached *Structure for Administering the City of Cockburn* an appropriate structure for administering its local government.
- (2) Council approval is required to implement any variation to the *Structure for Administering the City of Cockburn* in relation to the seven divisions, however the CEO may undertake minor variations as they see fit with regards to the allocations of functions and resources across those seven divisions.
- (3) The *Structure for Administering the City of Cockburn* describes the principal functions that Council directs are to be undertaken by each Business and Service Unit.
- (4) In accordance with the Act, the CEO's function is to manage the day-to-day operations of the local government and be responsible for employing those employees not designated as "senior employees".
- (5) Consistent with the functions described in (4) above, Council notes the CEO will allocate employees across functions and activities, where he or she considers doing so increases organisational efficiency.
- (6) The role of Executive Governance and Strategy is deemed to be a senior role and designated as a Senior Employee, pursuant to Section 5.37 of the Act. This is to ensure a distinction in this role between the Governance function of the organisation and the Governance responsibilities of the Council.

[1]



Title

## Structure for Administering the City of Cockburn



## Departments Organisational Structure



[2]



<b>Title</b>	<b>Structure for Administering the City of Cockburn</b>
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<b>Governance and Strategy Division</b>		
<b>Executive Governance and Strategy</b>		
<b>Corporate Strategy Service Unit</b>	<b>Civic Services Service Unit</b>	<b>Legal, Governance and Risk Management Service Unit</b>
<ul style="list-style-type: none"> <li>• Corporate Integrated Planning and Reporting</li> <li>• Corporate Performance</li> <li>• Services Planning</li> </ul> <p>To support the City in the development and integration of corporate planning</p>	<ul style="list-style-type: none"> <li>• Civic functions</li> <li>• Elected Members Communication and Support</li> </ul> <p>To focus on the civic and ceremonial functions, including planning, security, building amenities, and Elected Member communication.</p>	<ul style="list-style-type: none"> <li>• Policies and Local Laws</li> <li>• Compliance and Returns</li> <li>• Internal Audit</li> <li>• Risk Management</li> </ul> <p>To ensure that Council's Compliance and Risk Management responsibilities are fulfilled in a timely manner within statutory and best practice standards.</p>

[3]



<b>Title</b>	<b>Structure for Administering the City of Cockburn</b>
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<b>Finance Division</b>		
Chief Financial Officer		
Finance Business Unit		
Head of Finance		
Management Accounting Service Unit	Rates and Revenue Service Unit	
<p>To establish and maintain systems and processes enabling the transacting and management of the City's financial information, as well as providing accounting support and services for the City's business activities, financial planning, performance reporting and auditing needs.</p> <ul style="list-style-type: none"> <li>Budgeting</li> <li>Insurance</li> </ul>	<p>To raise, collect and account for the City's rates and other revenue and administer its banking and online payment systems, as well as maintaining the City's property database and co-ordinating preparation of the electors roll for Council.</p> <ul style="list-style-type: none"> <li>Debt Management</li> </ul>	
Procurement Business Unit		
Procurement Coordinator		
Purchasing Service Unit		
<p>To provide effective centre-led procurement services and support for competitive sourcing and the associated contract management, whilst also ensuring organisational compliance with statutory tendering and internal procurement requirements.</p> <ul style="list-style-type: none"> <li>Contracts and Compliance</li> </ul>		

[4]



<b>Title</b>	<b>Structure for Administering the City of Cockburn</b>
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<b>Finance Division</b>		
<b>Chief Financial Officer</b>		
<b>Information and Technology Business Unit</b>		
<b>Head of Information and Technology</b>		
<b>Technology Service Unit</b>	<b>Information Management Service Unit</b>	<b>GIS Service Unit</b>
<p>Supports the rest of the organisation using technology to achieve their strategic objectives.</p> <p>Functions include:</p> <ul style="list-style-type: none"> <li>• Service desk &amp; Customer support</li> <li>• Maintaining ICT laptops, desktops, mobile fleet</li> <li>• Maintaining networks, servers, storage and other ICT infrastructure</li> <li>• Improve the City's cyber security</li> </ul>	<p>Provision of a records management service to the organisation including but not limited to:</p> <ul style="list-style-type: none"> <li>• Processing/registration of incoming and outgoing mail</li> <li>• ECM system administration, support and training</li> <li>• Assisting with the development of records and information management policies</li> <li>• Providing advice about records management practices</li> <li>• Providing a records management service that complies with the City of Cockburn's Recordkeeping Plan, Records Management Policy, Recordkeeping Guidelines and WA State Records Office requirements</li> <li>• Managing the City's archives, including the disposal of records in accordance</li> </ul>	<p>Develop, support and maintain all spatial products and services in the City including but not limited to:</p> <ul style="list-style-type: none"> <li>• Internal/external mapping and spatial support</li> <li>• Development of Esri and IntraMaps.</li> </ul>
<b>Business Systems Service Unit</b>		
<p>Develop, support and maintain the City's business systems to enhance effectiveness and efficiency of Council's operations through the use of technology.</p> <ul style="list-style-type: none"> <li>• Review and improve business processes to increase quality and efficiency.</li> </ul>		

[5]

Title	Structure for Administering the City of Cockburn
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<ul style="list-style-type: none"><li>• Advise the business on technology and non-technology solutions.</li><li>• Integrate existing systems with new systems to consolidate data and information to add value to existing solutions.</li></ul>		
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<b>Title</b>	<b>Structure for Administering the City of Cockburn</b>
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<b>Built and Natural Environment Division</b>		
<b>Chief of Built and Natural Environment</b>		
<b>Development Assessment and Compliance Business Unit</b>		
<b>Head of Development Assessment and Compliance</b>		
<b>Building Services Service Unit</b>	<b>Statutory Planning Service Unit</b>	<b>Public Health Service Unit</b>
To ensure that buildings and structures within the district provide acceptable levels of public safety, amenity and comply with all relevant building Codes, Standards and regulations.	To provide control and management of development, land use and subdivision functions within the City to ensure standards of amenity are maintained. The Service also undertakes compliance and enforcement action against unapproved development.	To ensure that the conduct and operation of premises and activities within the district comply with accepted standards and practices for public health and to ensure that the quality of the environment is protected and improved.
<b>Subdivisional Service Unit</b>		
To review all applications for sub-division of land within the City and ensure that they meet the requirements for the range of services and utilities to affect the approvals provided by the WAPC.		
<b>Planning Business Unit</b>		
<b>Head of Planning</b>		
<b>Community Planning Service Unit</b>	<b>Transport and Traffic Service Unit</b>	<b>Strategic Land Planning Service Unit</b>
Assess the prioritisation of all major infrastructure needs from the different service units (recreation, public open space, cultural, civic, etc.) against projected urban growth and income sources, and creates an overarching plan to implement and facilitate these needs for the entire community.	Provides technical support that contributes to the management of a safe and efficient transport network by investigating and responding to complaints, enquiries, requests and submissions received by the City. The Team assists with the delivery of transport related actions, plans, policies, and strategies across the City.	Provides a wide range of roles related to long term land use planning of the City's neighbourhoods, natural areas, activity and employment centres. This includes structure plans and amendments to the local planning scheme. They also manage the City's development contribution plans and provide a cartography function to other units.

[7]

<b>Title</b>	<b>Structure for Administering the City of Cockburn</b>
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<b>Built and Natural Environment Division (Continued)</b>		
Chief of Built and Natural Environment		
Sustainability & Environment Business Unit		
Head of Sustainability and Environment		
<b>Sustainability and Climate Change Service Unit</b>	<b>Environmental Management, Policy and Planning Service Unit</b>	<b>Coastal Planning Service Unit</b>
To develop strategies and plans which guide the City's sustainability and climate change aspirations to make a better tomorrow.	To develop environmental and planning policies, undertake studies and provide advice on environmental matters for the protection and management of areas of environmental significance and lead towards a sustainable built environment.	To develop coastal adaptation plans, foreshore management plans and adopt planning controls to mitigate the impacts of coastal erosion.

[9]



<b>Title</b>	<b>Structure for Administering the City of Cockburn</b>
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<b>Community Services Division</b>		
<b>Chief of Community Services</b>		
<b>Library and Cultural Services Business Unit</b>		
<b>Head of Library and Cultural Services</b>		
<b>Lifelong Learning Service Unit</b>	<b>Branch Libraries Service Unit</b>	<b>Technology and Digital Services Service Unit</b>
Provide and support a range of inclusive library programs, environments and collections that support the early and continued development of literacy skills in the children and young people of the City of Cockburn.	Manage a public facility that provides spaces and staff to enable capacity building, community collaborations and to deliver collections and services specific to the catchment demographic of the branch.	Provide and support a range of relevant digital and technology systems and to promote and market events and programs to ensure the needs and expectations of our community are met.
<b>Cultural Services Service Unit</b>		
To provide a range of entertainment, cultural and heritage events and activities, to the community that properly and positively reflect the City's commitment to deliver quality and cost-effective programs, services and activities. Manage the arts, culture and events occurring in the City, including the calendar of municipally funded annual events.		
<b>Recreational Services Business Unit</b>		
<b>Head of Recreation Services</b>		
<b>Recreation Services Service Unit</b>	<b>Cockburn ARC Service Unit</b>	<b>Port Coogee Marina</b>
Provide community need identification and assessment for the future provision and design of sport, recreation, and community facilities.	Provision of a range of affordable centre-based aquatic, indoor sports and recreation programs / services from Cockburn ARC.	To manage the Port Coogee Marina Facility including business development, penholder liaison and daily service operations.

[10]



<b>Title</b>	<b>Structure for Administering the City of Cockburn</b>
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<b>Community Services Division (Continued)</b>		
<b>Chief of Community Services</b>		
<b>Community Safety and Ranger Services Business Unit</b>		
<b>Head of Community Safety and Ranger Services</b>		
<b>Rangers Service Unit</b>	<b>CoSafe Service Unit</b>	<b>Fire and Emergency Services</b>
To provide Improved safety to our growing communities by applying state and local laws for a variety of matters local governments are responsible for managing. The Ranger's team use a host of education, prevention and mitigation strategies to improve proactive compliance before regulatory enforcement is required	Provides a community safety responses service to our community at times when they feel unsafe or when they witness anti-social behaviour. CoSafe work with a range of organisations and law enforcement agencies to improve the overall perception of safety within our community and provide added reassurance to the community.	The team work with the City's and DFES volunteers to establish a safer and more resilient community through Prevention, Preparedness, Response and Recovery from a range of emergencies that may impact the Cockburn residents. The team work collaboratively with stakeholders to ensure hazards are identified, communicated and managed appropriately
<b>Safer Cities</b>		
To assist in the planning, design, management and delivery of inclusive and high-quality crime prevention and community safety programs and policies in partnership with local communities, government agencies and non-government organisations		

[11]





<b>Title</b>	<b>Structure for Administering the City of Cockburn</b>
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<b>Community Services Division (Continued)</b>		
<b>Chief of Community Services</b>		
<b>Community Development Business Unit</b>		
<b>Head of Community Development and Services</b>		
<b>Seniors Service Unit</b>	<b>Family and Community Development Service Unit</b>	<b>Youth Services Service Unit</b>
Administer Council funded services, programs and facilities aimed at providing and developing increased social support, activity and leisure opportunities for the senior citizens of Cockburn.	To provide a range of individual, family and child focussed services for residents, via a community development approach or direct service delivery including information, referral, advocacy or direct assistance and support. To provide capacity building mechanisms to strengthen and support community groups and volunteers operating within the City of Cockburn.	Administer grant and Council funded services, programs and facilities aimed at providing and developing increased social support, amenity, activity and leisure opportunities for the young people of Cockburn. Youth services offers three streams of services for young people – youth work, youth centre programs and youth development.
<b>Cockburn Care Service Unit</b>	<b>Child Care Services</b>	<b>Community Grants Service Unit</b>
Administer grant and fee funding provided to Council for the operation of the Home Support Program (CHSP), Home Care Packages (HCP), National Disability Insurance Scheme (NDIS) including Social Club services and Kwobarup Aboriginal Club for NDIS participants. Provide programs and Services for residents who are aged or have a disability to assist them in maintaining their independence.	To equitably and effectively administer fees provided to Council for the operation of the Family Day Care.	To provide a central City of Cockburn coordinating service for the distribution of grants, donations and sponsorship to community organisations and individuals. To seek grants from Commonwealth, State Government and other sources for services and facilities for residents of the City. To carry out research on matters related to issues of concern and interest to the City of Cockburn and to promote the interests of the City.

<b>Title</b>	<b>Structure for Administering the City of Cockburn</b>
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<b>Operations Division</b>		
<b>Chief of Operations</b>		
<b>Operations and Maintenance Business Unit</b>		
<b>Head of Operations and Maintenance</b>		
<b>Environment, Parks and Landscape Service Unit</b>	<b>Civil Infrastructure Service Unit</b>	<b>Fleet Management Service Unit</b>
The operational maintenance of Public Open Space, Natural Areas and Streetscapes to provide functional and attractive locations for recreational activities by the Community.	This service unit will review, implement and manage all activities associated with the extensive civil infrastructure including roads, drains, sumps, footpaths and cycle ways.	To repair, maintain, replace and manage the City's fleet, plant and equipment.
<b>Waste Services Service Unit</b>		
To operate a landfill site at Henderson to accept waste in accordance with the requirements of a Class II site under the Environmental Protection Act and maximise the financial return.		
To provide a regular, reliable and safe waste and recycling collection service for every premise within the district and dispose of it in an environmentally acceptable manner.		



<b>Title</b>	<b>Structure for Administering the City of Cockburn</b>
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<b>Operations Division (Continued)</b>		
<b>Chief of Operations</b>		
<b>Projects Business Unit</b>		
<b>Head of Projects</b>		
<b>Project Development Service Unit</b>	<b>Project Delivery Service Unit</b>	<b>Program Management Office (PMO) Service Unit</b>
Lead the development (initiation and design phases) of the City's major and minor infrastructure projects.	Lead the delivery stage of the City's major and minor infrastructure projects.	To manage the development and delivery of project and asset management frameworks, systems, processes and procedures. Provision of services for best practice asset and project management, including in the delivery of the City's major building and facility and other infrastructure capital works programs and operational activities.
<b>Property and Assets Business Unit</b>		
<b>Head of Property and Assets</b>		
<b>Land and Property Services Unit</b>	<b>City Facilities Service Unit</b>	<b>Asset Management Service Unit</b>
The service unit is tasked with the effective implementation and management of City owned land assets, including strategic purchasing and disposal of land, resumption of private land (via taking order) for roads and infrastructure projects, dealing with crown land and land under management order from the State, managing caveats, easements and other encumbrances on City owned or managed land, and dealing with pedestrian access way closures. The service unit also administers leases and licenses which span commercial, community and tourism purposes across the	The service unit is tasked with delivering effective facilities services across all City owned buildings, to ensure that they remain functional, safe, modern and useful to the City and the community. This includes planned and preventative building maintenance, minor capital works programs, upgrades and repairs, contractor management, works cost management, and preventative and legislative maintenance to mitigate public liability risk and ensure maximum safety for the occupants and visitors to each City owned building.	The service unit is tasked with the implementation and management of the City's asset management and capital planning systems. The service unit is responsible for the collection and analysis of information that contributes towards asset condition assessment, financial management, level of service measures, asset replacement programs, anticipated useful life assessments, asset revaluations for long term planning, and forward works programming. The information generated by the service unit is critical to the implementation of the City's corporate business plan, strategic community

[14]

Title	Structure for Administering the City of Cockburn
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City’s portfolio, in order to achieve the best use for each asset. In particular, this includes the management of the City of Cockburn Integrated Health Facility.		plan and long-term financial plan.
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<b>Title</b>	<b>Structure for Administering the City of Cockburn</b>
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<b>Corporate Affairs Division</b>		
<b>Executive Corporate Affairs</b>		
<b>Advocacy and Engagement Service Unit</b>	<b>Communications and Marketing Service Unit</b>	<b>Customer Experience Service Unit</b>
To manage our key stakeholder and influencer understanding of City, and Council, priorities and issues.  To provide advice and guidance on best practice community engagement and consultation on major projects, services and areas of interest.	To provide a range of communications material and services that ensures that the community is informed about the City's services and programs. To ensure whole of City marketing services are undertaken to enhance our brand, reputation and recognition.	To provide a range of services that deliver quality, timely and cost-effective customer service to the community.
<b>Business and Economic Development Service Unit</b>		
To plan and implement the Business Engagement and Economic Development Framework.		

[16]

<b>Title</b>	<b>Structure for Administering the City of Cockburn</b>
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<b>People Experience and Transformation Division</b>		
<b>Executive People Experience and Transformation</b>		
<b>People Experience Service Unit</b>	<b>Transformation Service Unit</b>	<b>Workplace Health and Safety Service Unit</b>
<p>To provide HR policy, programs and advice that shapes the workforce to ensure it can achieve the business objectives now and in the future.</p> <p>To pay employees and maintain accurate information regarding leave, personal details and entitlements.</p> <ul style="list-style-type: none"> <li>• People Experience (Human Resources)</li> <li>• Organisational Development</li> <li>• Payroll</li> </ul>	<p>Lead our transformation program through culture initiatives, staff surveys, improved systems and processes, ideas and leadership capability building to deliver sustainable outcomes.</p> <ul style="list-style-type: none"> <li>• Culture Development</li> <li>• Change Management</li> <li>• Innovation</li> </ul>	<p>To provide advice and support in the areas of safety, worker's compensation and rehabilitation.</p> <ul style="list-style-type: none"> <li>• Workplace Health and Safety</li> <li>• Injury Management and Rehabilitation</li> <li>• Workers Compensation</li> </ul>

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

[17]

**15. Motions of Which Previous Notice Has Been Given****15.1 (2021/MINUTE NO 0059) Branding and Logo Policy**

**Author(s)** S Seymour-Eyles and V Green

**Attachments** 1. City of Cockburn Branding and Logos Policy.pdf [↓](#)

**RECOMMENDATION**

That Council ADOPTS Option\_\_\_\_ as the “Branding and Logos” Policy for the City of Cockburn and amends the Policy accordingly, as required.

8.53pm Cr Separovich departed the meeting and returned at 8.55pm.

**Committee Recommendation**

MOVED Deputy Mayor T Widenbar SECONDED Cr C Stone

That Council AMENDS the policy to resurrect the Council crest (not the office of the Mayor crest) for Councillors’ use in all Councillor communications, including badges, shirts, e-signatures, headed paper, envelopes, business cards etc., and maintain the Office of the Mayor crest as per the current policy.

**CARRIED UNANIMOUSLY 5/0**

**Background**

Cr Stone has submitted the following Notice of Motion:

That Council:

- (1) Amends the City of Cockburn Branding and Logos Policy section (1) paragraph 1, by adding “and for Councillor name badges” to read:  
“The Office of the Mayor Gold Crest (the crest) retains the historical and ceremonial significance of the City. The crest is used on all Mayoral stationary, e-Signature, the Mayor’s name badge, the Mayoral chain, Mayoral attire, the City flag (used for Civic Events), decor in and around the Mayor’s office and for other Mayoral related activities. It may also be used in combination with the City’s logo on invitations to civic events and for Councillor name badges. Otherwise the Crest is not to be used for any other purpose”.
- (2) Amends the City of Cockburn Branding and Logos policy section (3) paragraph 1 by removing “badge” to read:  
“Councillors may only use City of Cockburn branded material, including but not limited to, stationary, e-signatures, headed paper, envelopes, for the purpose of their official duties”.
- (3) Issues all Councillors new badges with the crest (as per what we had initially) for consistency.





**Reason**

Some Councillors still have the old name badges with the Crest, whilst others have badges with the Corporate logo. Elected Members are often mistaken for staff at events. Changing this policy will ensure consistency of branding for Elected Members and differentiate from staff.

**Submission**

N/A

**Report**

Under the current policy the Mayor has exclusive use of the Office of the Mayor crest, the Council crest was retired, and the Councillors and employees currently use the City of Cockburn corporate logo.

Cr Stone has requested that Councillors use the Office of the Mayor Crest as opposed to the 'retired' Council crest. This is understandable as the Council crest is no longer in the current policy, having been retired in November 2020. Neither of the three options below consider the option for Councillors to use the Office of the Mayor crest; the options instead refer to the Council crest.

There are three options that the committee and Council might consider further to Cr Stone's Notice of Motion:

**Option 1**

**Should Council wish to adopt Option 1, an appropriate Alternative Recommendation would be:**

Maintain the current policy because any 'board', and the organisation it represents, should all be working towards the same goals, which in the City's case is to:

- fulfil our vision, to make Cockburn, the best place to be
- achieve our Strategic Community Plan objectives.

It is highly unusual for different people associated with an organisation to have different logos. Any perceived confusion of Councillors being mistaken for employees can be addressed through ensuring that badges and uniforms clearly state Councillor on them.

**Option 2**

**Should Council wish to adopt Option 2, an appropriate Alternative Recommendation would be:**

Amend the policy to resurrect the Council crest (not the office of the Mayor crest) for Councillors use in all Councillor communications, including badges, shirts, e-signatures, headed paper, envelopes, business cards etc. and maintain the Office of the Mayor crest as per the current policy. The merits of this option are that there is a clear distinction between Elected Members and the City operations.





Should Council opt for this option the crest would need re-creating before any collateral could be ordered, as it does not exist in the modern formats required to use it at a high quality.

### Option 3

**Should Council wish to adopt Option 3, an appropriate Alternative Recommendation would be:**

Amend the policy to resurrect the crest for councillor use on badges only and maintain the corporate logo for councillors use on all other collateral. Officers recommend that if DAP and Council adopt the crest for use on Councillor badges, it would be preferable for consistency to adopt the crest for use on all Council materials that relate to Councillors.

### City of Cockburn Corporate Logo



### Council Crest

The red cross is as currently shown in the Corporate Style Guide.



### Office of the Mayor Crest



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

A community focused, sustainable, accountable and progressive organisation.

- High quality and effective community engagement and customer service experiences.

**Budget/Financial Implications**

Changing to the crest for councillors would cost an estimated \$2,000-\$2,500 if all nine received new shirts, headed paper, badges, business cards.

Some time and cost to update corporate style guide; update e-signatures and design the above.

**Legal Implications**

N/A

**Community Consultation**

N/A

**Risk Management Implications**

There is little risk in adopting any of the above options.

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

N/A

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

Nil



<b>Title</b>	<b>City of Cockburn Branding &amp; Logos</b>
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### Policy Type

Council

### Policy Purpose

To protect and clarify the use of the City's corporate branding and logos and to control the use of the title 'City of Cockburn'.

### Policy Statement

(1) Office of the Mayor Gold Crest

The Office of the Mayor Gold Crest (the crest) retains the historical and ceremonial significance of the City. The crest is used on all Mayoral stationary, e-Signature, the Mayor's name badge, the Mayoral chain, Mayoral attire, the City flag (used for Civic Events), decor in and around the Mayor's office and for other Mayoral related activities. It may also be used in combination with the City's logo on invitations to civic events. Otherwise the Crest is not to be used for any other purpose.

(2) City of Cockburn corporate logo

The logo represents the City of Cockburn and must be used on all online and hard copy internal and external communications and marketing material used by staff and Councillors.

(3) Use of the corporate logo by Councillors

Councillors may only use City of Cockburn branded material, including but not limited to stationary, badge, e-signatures, headed paper, envelopes, for the purpose of their official duties.

(4) The corporate logo may not be used for promoting the political interest of Elected Members or of any State or Federal Political Party or representative.

(5) Community usage of the logo

In cases where the City supports an organisation financially or in kind, or is a project partner, it may be part of the agreement that the organisation must use the City's logo in agreed marketing material for the duration of the agreement.

[1]

Document Set ID: 4133992  
Version: 5, Version Date: 16/12/2020

<b>Title</b>	<b>City of Cockburn Branding &amp; Logos</b>
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Strategic Link:	Communications Strategy & Action Plan
Category	Governance
Lead Business Unit:	Corporate Communications
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	10 December 2020
Next Review Due: (Governance Purpose Only)	December 2022
ECM Doc Set ID: (Governance Purpose Only)	4133992

[2]

Document Set ID: 4133992  
Version: 5, Version Date: 16/12/2020

**15.2 (2021/MINUTE NO 0063) Attendance at Conferences, Seminars, Events and Training Policy****Author** D Green**Attachments** 1. Policy - Proposed Amendment - Attendance at Conferences, Seminars, Events and Training [↓](#)**RECOMMENDATION**

That Council ADOPTS the proposed amendments to the Policy "Attendance at Conferences, Seminars, Events and Training", as shown in the attachment to the Agenda.

**(2021/MINUTE NO 0060) Suspension of Standing Orders****Committee Recommendation**

MOVED Cr M Separovich SECONDED Cr P Corke

That Council, pursuant to Clause 22.1 of the Standing Orders Local Law, suspend Standing Orders, the time being 9.03pm.

**CARRIED 4/1**

**For:** Cr M Separovich, Cr P Corke, Cr C Stone and Deputy Mayor T Widenbar  
**Against:** Cr T Dewan

**(2021/MINUTE NO 0061) Resumption of Standing Orders****Committee Recommendation**

MOVED Councillor T Dewan SECONDED Deputy Mayor T Widenbar

That Council resume Standing Orders, the time being 9.08pm.

**CARRIED UNANIMOUSLY 5/0****(2021/MINUTE NO 0063) Committee Recommendation**

MOVED Deputy Mayor T Widenbar SECONDED Cr P Corke

That the recommendation be adopted, subject to amending the Policy, as follows:

1. Add the following paragraph to Clause (3):  
"All Elected Members are offered the opportunity to attend a minimum of two end of year school award ceremonies, where the City and/or the Mayor have been invited to attend or present an award, and where the school is able to accommodate the attendance of Councillors"
2. Delete the third last paragraph of Clause (3) and substitute the following:  
"Where an invitation to attend an event, including tickets, is received by the Mayor and/or the City and is extended to multiple unspecified or all Elected Members, the Mayor will distribute the invitation, including tickets, to all Councillors"

**CARRIED 4/1**

**For:** Deputy Mayor T Widenbar, Cr M Separovich, Cr P Corke, Cr C Stone  
**Against:** Cr T Dewan

## Reason for Decision

1. Cr Stone moved a motion to offer Elected Members the opportunity to present awards at end of year school award ceremonies, a responsibility that is a requirement of the Mayor. Councillors should instead be able to attend end of year school events where schools have invited the Mayor/City to present an award, and where the school is able to accommodate additional guests. This amendment does not inhibit the Mayor in carrying out his statutory duties, and provides Elected Members with the opportunity for professional development.
2. This amendment would remove any ambiguity as to the distribution of invitations that the City and or Mayor's office receive, and would compel the invitation to be extended to all Elected Members. This removes the possibility of favouritism and provides the level of transparency expected of a best practice Council.

## Background

Cr Stone has submitted the following Notice of Motion:

That Council:

- (1) Amends the *Attendance at Conferences, Seminars, Events and Training policy*, Section 3, paragraph 5.

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

**Proposed:** *Where an invitation to attend an event, including tickets, is received by the Mayor and is extended to all elected members, the Mayor will distribute the invitation, including tickets, to all Councillors.*

- (2) Amends the *Attendance at Conferences, Seminars, Events and Training policy*, Section 3, by including a new paragraph 6 as follows:

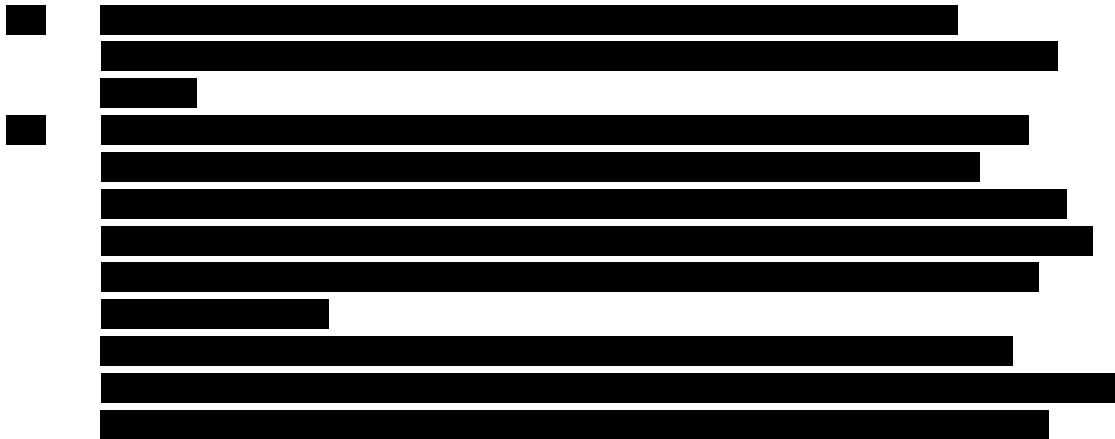
**Proposed:** *All Elected Members are offered the opportunity to present a minimum of two end-of-year school award ceremonies on behalf of the City within their ward. If an Elected Member is unable to attend, their allocation may be redistributed to the other Elected Members by the Mayor.*

Note: Information redacted for reasons of Confidentiality

■ [REDACTED]

■ [REDACTED]





- Currently, the Mayor has discretion over which Councillors can attend events when generic invites are received, and Councillors can be unaware they have been invited to these events. By ensuring all Councillors receive event invites, it will enhance transparency of opportunity and enable Councillors to further support groups or events in the community.
- Providing each Elected Member with the opportunity to represent the City at local schools supports the enhancement of capabilities to deliver civic performance outcomes, shares the workload and provides the opportunity for Elected Members to strengthen relationships with local schools.

### Submission

N/A

### Report

Point (1) of the Notice is capable of being implemented in circumstances where the relevant event is an open-ended invitation, intended for all Elected Members to attend. The proposed alternative clarifies and provides guidance to this effect. Where there are limited invitations, the previous Clauses of the current Policy confirm the process to be followed by the Mayor in those circumstances.

Point (2) of the Notice is more problematic, as it appears to contradict the statutory role of the Mayor to “*carry out civic and ceremonial duties on behalf of the local government*” as stated in Section 2.8 (1) (c) of the *Local Government Act 1995*.

Events such as presentations at School Graduation Ceremonies are clearly captured by this and therefore it is at the discretion of the Mayor of the day to determine how this function is to be performed.

It would be possible for Councillors to register their interest in performing that function, in particular circumstances, with the Mayor at the appropriate time, however, any final decision would solely be at the Mayor’s calling.



A further suggested recommendation is put forward to clarify that where the City is invited to attend a ticketed event as a representative of the City and there is a cost associated with the invitation, that the cost be borne in advance by the City.

Point (4) has been removed which relates to staff which will be transferred to an Administration Policy.

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

#### Listening & Leading

A community focused, sustainable, accountable and progressive organisation.

- Best practice Governance, partnerships and value for money.

### **Budget/Financial Implications**

Minor costs associated with relevant “ticketed” events are contained within the City’s Governance Budget for elected members

### **Legal Implications**

Sections 2.8 (1) (c) and 5.102 of the *Local Government Act 1995*, refers

### **Community Consultation**

N/A

### **Risk Management Implications**

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

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

N/A

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

Nil





Title	Attendance at Conferences, Seminars, Events & Training
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## Policy Type

Council

## Policy Purpose

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

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

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

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

## Policy Statement

### (1) Elected Members

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

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

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

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

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

[1]

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

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

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

(2) Training

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

The course titled 'Council Member Essentials' that:

(a) consists of the following modules—

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

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

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

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

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

(3) Events

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

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

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

[2]

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

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

Attendance at any event accepted by the City, in accordance with the previous clause and for which there is an associated ticket cost, will be paid for in advance by the City to be represented by one elected member delegate and accompanying partner.

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

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

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

#### ~~(4) — Staff~~

##### ~~1. — Conferences and Seminars~~

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

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

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

##### ~~2. — Events~~

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

[3]

Title	Attendance at Conferences, Seminars, Events & Training
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- ~~(a) — Concerts;~~
- ~~(b) — Conferences;~~
- ~~(c) — Functions; and~~
- ~~(d) — Sporting Events~~

~~If the CEO is unable, or does not wish, to attend the event to which the invitation relates, the CEO is to advise the event organiser of their unavailability, or may distribute it to another staff member of their choosing, if the event organiser agrees. Otherwise, it is at the sole discretion of the event organiser, whether the invitation, or tickets, can be redistributed to another staff member of the City of Cockburn.~~

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

#### ~~(45)~~ Expenses

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

##### 1. Interstate and Overseas

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

##### 2. State

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

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

- (a) Conference or main function meal only.

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

[4]

Title	Attendance at Conferences, Seminars, Events & Training
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(56) Insurance

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

Strategic Link:	Governance Framework
Category	Elected Members
Lead Business Unit:	Governance, Risk and Compliance
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	<del>11 March 2021</del>
Next Review Due: (Governance Purpose Only)	March 2023
ECM Doc Set ID: (Governance Purpose Only)	4132631

[5]

**16. Notices Of Motion Given At The Meeting For Consideration At Next Meeting**

Nil

**17. New Business of an Urgent Nature Introduced by Members or Officers**

Nil

**18. Matters to be Noted for Investigation, Without Debate**

Nil

**19. Confidential Business**

Nil

**20. Closure of Meeting**

The Presiding Member thanked all in attendance and closed the meeting at 9.09pm.

